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United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 80th CONGRESS, FIRST SESSION

SENATE

WEDNESDAY, FEBRUARY 26, 1947

(Legislative day of Wednesday, February 19, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

With all the resources of an infinite God available to them that ask Thee, forgive us, O Lord, for our lack of faith that begs for pennies when we could write checks for millions; that strikes a match when we could have the sun. Give to us the faith to believe that there is no problem before us that Thy wisdom cannot solve. As Thou hast guided men in the past, so guide these men today. At every desk may there be the whisper of Thy counsel. Help our leaders to weigh their words, that their words may carry weight, and, what is more, the echo of Thy will, for Jesus' sake. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 24, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had passed a bill (H. R. 4) to safeguard the admission of evidence in certain cases, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 568) to authorize the Secretary of Agriculture to cooperate with the Government of Mexico in the control and eradication of foot-and-mouth disease and rinderpest, and it was signed by the President pro tempore.

PROCEDURES ON TRADE AGREEMENTS PROGRAMS—EXECUTIVE ORDER AND STATEMENTS RELATING THERETO

Mr. BARKLEY. Mr. President, I ask unanimous consent to have printed in the RECORD the Executive order relating to trade agreements which was issued on the 25th of February by the President, together with a statement issued by the President, and also a statement issued by Hon. William L. Clayton, Under Secretary of State for Economic Affairs, with respect to the same subject.

The PRESIDENT pro tempore. Without objection, the order is made; and if the Chair may be permitted the indulgence, he asks that there be printed in the same connection the statement made on the same subject by the Senator from Colorado [Mr. MILLIKIN] and the Senator from Michigan last evening. The Chair hears no objection.

The Executive order and statements are as follows:

EXECUTIVE ORDER PRESCRIBING PROCEDURES FOR THE ADMINISTRATION OF THE RECIPROCAL TRADE AGREEMENTS PROGRAM

By virtue of the authority vested in me by the Constitution and statutes, including section 332 of the Tariff Act of 1930 (46 Stat. 698) and the Trade Agreements Act approved June 12, 1934, as amended (48 Stat. 943; 59 Stat. 410), in the interest of the foreign affairs functions of the United States and in order that the interests of the various branches of American production shall be effectively safeguarded in the administration of the trade-agreements program, it is hereby ordered as follows:

PART I

1. There shall be included in every trade agreement hereafter entered into under the authority of said act of June 12, 1934, as amended, a clause providing in effect that if, as a result of unforeseen developments and of the concession granted by the United States on any article in the trade agreement, such article is being imported in such increased quantities and under such conditions as to cause, or threaten, serious injury to domestic producers of like or similar articles, the United States shall be free to withdraw the concession, in whole or in part, or to modify it, to the extent and for such time as may be necessary to prevent such injury.

2. The United States Tariff Commission, upon the request of the President, upon its own motion, or upon application of any interested party when in the judgment of the Tariff Commission there is good and sufficient reason therefor, shall make an investigation to determine whether, as a result of unforeseen developments and of the concession granted on any article by the United States in a trade agreement containing such a clause, such article is being imported in such increased quantities and under such conditions as to cause or threaten serious injury to domestic producers of like or similar articles. Should the Tariff Commission find, as a result of its investigation, that such injury is being caused or threatened, the Tariff Commission shall recommend to the President, for his consideration in the light of the public interest, the withdrawal of the concession, in whole or in part, or the modification of the concession, to the extent and for such time as the Tariff Commission finds would be necessary to prevent such injury.

3. In the course of any investigation under the preceding paragraph, the Tariff Commission shall hold public hearings, giving reasonable public notice thereof, and shall afford reasonable opportunity for parties interested to be present, to produce evidence and to be heard at such hearings. The procedure and rules and regulations for such investigations and hearings shall from time to time be prescribed by the Tariff Commission.

4. The Tariff Commission shall at all times keep informed concerning the operation and effect of provisions relating to duties or other import restrictions of the United States contained in trade agreements heretofore or hereafter entered into by the President under the authority of said act of June 12, 1934, as amended. The Tariff Commission, at least once a year, shall submit to the President and to the Congress a factual report on the operation of the trade-agreements program.

PART II

5. An Interdepartmental Committee on Trade Agreements (hereinafter referred to as the Interdepartmental Committee) shall act as the agency through which the President shall, in accordance with section 4 of said act of June 12, 1934, as amended, seek information and advice before concluding a trade agreement. In order that the interests of American industry, labor, and farmers, and American military, financial, and foreign policy, shall be appropriately represented, the Interdepartmental Committee shall consist of a Commissioner of the Tariff Commission and of persons designated from their respective agencies by the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor. The chairman of the Interdepartmental Committee shall be the representative from the Department of State. The Interdepartmental Committee may designate such subcommittees as it may deem necessary.

6. With respect to each dutiable import item which is considered by the Interdepartmental Committee for inclusion in a trade agreement, the Tariff Commission shall make an analysis of the facts relative to the production, trade, and consumption of the article involved, to the probable effect of granting a concession thereon and to the competitive factors involved. Such analysis shall be submitted in digest form to the Interdepartmental Committee. The digests, excepting confidential material, shall be published by the Tariff Commission.

7. With respect to each export item which is considered by the Interdepartmental Committee for inclusion in a trade agreement, the Department of Commerce shall make an analysis of the facts relative to the production, trade, and consumption of the article involved, to the probable effect of obtaining a concession thereon, and to the competitive factors involved. Such analysis shall be submitted in digest form to the Interdepartmental Committee.

8. After analysis and consideration of the studies of the Tariff Commission and the Department of Commerce provided for in paragraphs 6 and 7 hereof, of the views of interested persons presented to the Committee for Reciprocity Information (established by Executive Order 6750, dated June 27, 1934, as amended by Executive Order 9647, dated

October 25, 1945), and of any other information available to the Interdepartmental Committee, the Interdepartmental Committee shall make such recommendations to the President relative to the conclusion of trade agreements, and to the provisions to be included therein, as are considered appropriate to carry out the purposes set forth in said act of June 12, 1934, as amended. If any such recommendation to the President with respect to the inclusion of a concession in any trade agreement is not unanimous, the President shall be provided with a full report by the dissenting member or members of the Interdepartmental Committee giving the reasons for their dissent and specifying the point beyond which they consider any reduction or concession involved cannot be made without injury to the domestic economy.

PART III

9. There shall also be included in every trade agreement hereafter entered into under the authority of said act of June 12, 1934, as amended, a most-favored-nation provision securing for the exports of the United States the benefits of all tariff concessions and other tariff advantages hereafter accorded by the other party or parties to the agreement to any third country. This provision shall be subject to the minimum of necessary exceptions and shall be designed to obtain the greatest possible benefits for exports from the United States. The Interdepartmental Committee shall keep informed of discriminations by any country against the trade of the United States which cannot be removed by normal diplomatic representations and, if the public interest will be served thereby, shall recommend to the President the withholding from such country of the benefit of concessions granted under said act.

HARRY S. TRUMAN.

THE WHITE HOUSE, *February 25, 1947.*

STATEMENT BY THE PRESIDENT

I wish to reaffirm the faith of this administration in the Cordell Hull reciprocal-trade-agreements program, which became effective in 1934 and which has been extended by Congress all these years. This program is based on the principle of negotiation between this and other countries for the reduction of trade restrictions and elimination of discriminations on a mutually advantageous basis; for each concession granted by the United States a corresponding concession is received. This program has become an integral part of our foreign policy and has widespread support from industry, labor, and farmers.

I am today issuing an Executive order which formalizes and makes mandatory certain existing trade-agreements procedures and which, in addition, makes some procedural changes. I wish to make clear that the provisions of the order do not deviate from the traditional Cordell Hull principles. They simply make assurance doubly sure that American interests will be properly safeguarded.

This order is the result of conversations between Under Secretaries of State Acheson and Clayton and Senators Vandenberg and Millikin, and has been carefully considered by the interdepartmental trade-agreements organization. This organization is composed of representatives of the Departments of State, War, Navy, Treasury, Agriculture, Commerce, and the Tariff Commission.

The United States is preparing to meet with 18 other nations in Geneva on the 10th of April to negotiate on policies affecting world trade. We plan to complete the draft of a charter establishing common principles of world trade policy and setting up an international trade organization. We also shall negotiate the reduction of tariffs, the removal of other barriers to trade, and the elimination of discriminatory practices. I am very happy that Senators VANDENBERG and MILLIKIN agree that we should go forward with the Geneva negotiations.

All of us must now recognize that bipartisan support of our foreign economic policy, as well as of our foreign policy in general, is essential. If we are to succeed in our efforts, through the United Nations, to organize the world for peace, we cannot refuse our cooperation where economic questions are involved. Here, as elsewhere in our foreign relations, we must abandon partisanship and unite in our support of a foreign policy that serves the interests of the Nation as a whole.

FEBRUARY 25, 1947.

STATEMENT BY THE HONORABLE WILLIAM L. CLAYTON, UNDER SECRETARY OF STATE FOR ECONOMIC AFFAIRS, RELATING TO THE PRESIDENT'S EXECUTIVE ORDER ON TRADE AGREEMENTS

The Executive order issued today by the President with regard to the reciprocal trade-agreements program formally establishes the interdepartmental organization which has been set up to administer the Trade Agreements Act, and specifically outlines the procedure which this organization is to follow.

The order was prepared after the most careful consideration in this Department and in other agencies concerned with administration of the trade-agreements program, and after extensive conferences with leaders of both parties in Congress. It substantially meets the proposals on this subject which were made on February 7 by Senator VANDENBERG and Senator MILLIKIN. Those proposals symbolized their desire for agreement on nonpartisan support for the foreign economic policy of the United States, and should provide reassurance of wholehearted participation of this country in the forthcoming negotiations at Geneva next spring for a trade agreement with 18 foreign countries which will carry forward the principles of reciprocity as developed under James G. Blaine and Cordell Hull.

The contents of the order may be summarized as follows:

1. The Tariff Commission, a long-established bipartisan agency, will play a more formal and precise part in the trade-agreements procedure. This body is made responsible for keeping the President and the Congress fully informed concerning the operation and effects of trade agreements. The Commission must report its findings to the President and to the Congress at least once a year. Heretofore, the Congress largely depended upon the hearings in connection with renewal of the trade-agreements authority for reports on the operation of the agreements.

2. The Executive order makes mandatory the previous commitments of the interdepartmental trade-agreements organization to include in future trade agreements a safeguarding clause, along the general lines of that in our trade agreements with Mexico and Paraguay. This clause provides that if, through unforeseen developments, and of a concession granted in a trade agreement, imports enter in such increased quantities and under such conditions as to cause or threaten serious injury to domestic producers of like or similar products, either party to the agreement shall be free to withdraw or modify the concession.

3. The Tariff Commission is made responsible for investigations and recommendations under this safeguarding clause. On its own motion, on request of the President, or on application of any interested party who can show good and sufficient reasons, the Tariff Commission will make an investigation to determine whether the safeguarding clause should be invoked, hold public hearings in connection with such investigations, and report its findings and recommendations to the President.

4. The Interdepartmental Trade Agreements Committee which has heretofore operated on an informal basis is established as the organization through which the President shall seek, as prescribed by law, information and advice prior to concluding a trade agreement. Furthermore the membership of the committee is broadened by adding the Department of Labor to the Tariff Commission, the Departments of State, Treasury, War, Navy, Agriculture, and Commerce, already represented.

5. Before the negotiation of any trade agreement the Tariff Commission will make an analysis with respect to each dutiable import item which is considered by the Interdepartmental Committee for inclusion in a trade agreement. This analysis shall include facts relative to competition, production, trade, consumption, and the probable effect of granting a concession thereon. Digests of this information shall be submitted to the Interdepartmental Committee and the nonconfidential material shall be published by the Tariff Commission.

These analyses have already been made for practically all of the products which are being considered for inclusion in the forthcoming trade-agreement negotiations at Geneva, and the nonconfidential portion of most of the digests relative to such products have been published.

The Department of Commerce will make, for the use of the Interdepartmental Committee, an analysis with respect to each export item which is considered for inclusion in a trade agreement.

6. In case any recommendation of the Interdepartmental Trade Agreements Committee to the President concerning the inclusion of a concession item is not unanimous, the President shall be provided with a full report by the dissenting member or members of the committee as to the reasons for their dissent.

7. The order makes mandatory the inclusion in every trade agreement of a provision designed to obtain most-favored-nation treatment for American exports to the maximum possible extent.

It makes the Interdepartmental Committee responsible for the findings and necessary recommendations to the President for withholding concessions from any country whose discriminations have not been corrected through normal diplomatic channels.

Since the Hull trade-agreements program was inaugurated in 1934, changes and improvements have been made in the procedure and machinery for administering the Trade Agreements Act when it was found practical to do so. These changes demonstrate that the trade-agreements machinery is adaptable to the needs of the country. The businessmen and other interested persons who appeared at the recent hearings before the Committee for Reciprocity Information appeared to be convinced that they had been given full and fair opportunity to present their views and the reasons for those views in the hearings. The information presented at the hearings is now receiving the most careful analysis and consideration by the trade-agreements organization which is preparing the recommendations for the forthcoming negotiations at Geneva.

The agreement which it is proposed to negotiate at Geneva will be an essential step in the establishment of an International Trade Organization and the formulation of a code of fair principles for international commerce, under which nations can cooperate in expanding their trade multilaterally and on a nondiscriminatory basis, thereby increasing employment, production, and exchange of goods, and raising standards of living in all countries.

International accord with respect to trade policy is essential to the successful operation of the other international agencies which have already been established in the field of economic affairs. Cooperation among

nations in economic affairs is, in turn, a prerequisite of international cooperation in political and security affairs.

FEBRUARY 25, 1947.

JOINT STATEMENT BY SENATORS VANDENBERG AND MILLIKIN

We welcome the President's order as a substantial advance in the legitimate and essential domestic protections which should be part of an equally essential foreign trade program. The President refers to the fact that his order is the result of suggestions by us. This is entirely true in respect to the provisions for post-agreement appeals if and when affected domestic interests may be jeopardized. Here the United States Tariff Commission has responsibility to make direct, protective recommendations to the President. The President's order differs, however, from our suggestions that the Tariff Commission should have somewhat similar direct responsibilities to prevent errors before they occur. But in the main we count the President's order as highly useful progress in a desirable direction. As to the proposed Geneva negotiations for a new world trade organization, we shall of course reserve our positions and our judgment until the completed agreement is submitted for constitutional approval.

RULING ON REFERENCE OF BILL PROPOSING UNIFICATION OF ARMED FORCES

The PRESIDENT pro tempore. The Chair would like to say to the Senate that under the unanimous consent agreement entered into on Monday last the Senate began to operate under the limitation of debate therein provided at 12 o'clock today. The Chair, however, is in receipt of a letter from the President of the United States presenting the so-called merger bill, involving the unification of the armed forces, which involves the question of reference. The Chair is prepared to rule upon the question and then submit his ruling to the Senate, provided the Senate is willing to proceed with that matter at the moment. Therefore the Chair asks the Senate whether it is willing to suspend the unanimous-consent agreement pending the determination of the point of order.

Mr. WHITE. Mr. President, the course suggested by the Chair will be satisfactory to me.

The PRESIDENT pro tempore. If there is no objection, the Senate will proceed on that basis, and the Chair suggests that there ought to be a quorum call.

Mr. WHERRY. Mr. President, reserving the right to object, may I ask the Chair to restate what it is that requires a quorum call before the Senate proceeds under the unanimous consent agreement? Is it proposed that the unanimous consent agreement be withdrawn?

The PRESIDENT pro tempore. The Chair is not suggesting that it be withdrawn. He is suggesting that it be suspended pending the determination of the point of order to which he has referred, and that a quorum should be present.

Mr. GURNEY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Murray
Baldwin	Hayden	Myers
Ball	Hickenlooper	O'Conor
Barkley	Hill	O'Daniel
Brewster	Hoey	O'Mahoney
Bricker	Holland	Overton
Bridges	Ives	Pepper
Brooks	Jenner	Reed
Buck	Johnson, Colo.	Revercomb
Butler	Johnston, S. C.	Robertson, Va.
Byrd	Kem	Russell
Cain	Kilgore	Saltonstall
Capehart	Knowland	Sparkman
Capper	Langer	Stewart
Connally	Lodge	Taft
Cooper	Lucas	Taylor
Cordon	McCarran	Thomas, Okla.
Donnell	McCarthy	Thomas, Utah
Dworshak	McClellan	Thye
Eastland	McGrath	Tobey
Ecton	McKellar	Tydings
Ellender	McMahon	Umstead
Ferguson	Magnuson	Vandenberg
Flanders	Malone	Watkins
Fulbright	Martin	Wherry
George	Maybank	White
Green	Millikin	Wiley
Gurney	Moore	Williams
Hatch	Morse	Wilson

Mr. WHERRY. I announce that the Senator from New Jersey [Mr. SMITH] is absent because of illness.

The Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate on state business.

The Senator from Wyoming [Mr. ROBERTSON] is necessarily absent on state business, and the Senator from South Dakota [Mr. BUSHFIELD] is necessarily absent.

Mr. LUCAS. I announce that the Senator from Arizona [Mr. MCFARLAND] is absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from California [Mr. DOWNEY], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDENT pro tempore. Eighty-seven Senators having answered to their names, a quorum is present.

The Chair lays before the Senate a communication from the President of the United States, which will be read.

The Chief Clerk read as follows:

THE WHITE HOUSE,
Washington, February 26, 1947.

Hon. ARTHUR H. VANDENBERG,
President of the Senate pro tempore,
United States Senate.

MY DEAR MR. PRESIDENT: On January 17, 1947, I informed you that representatives of my office and of the armed services were engaged in drafting a bill to be submitted to the Congress for its consideration concerning a plan of unification. This draft, entitled "National Security Act of 1947," has now been completed, and I am enclosing herewith a copy of it.

This proposed bill has the approval of the Secretary of War, the Secretary of the Navy, and the Joint Chiefs of Staff.

It is my belief that this suggested legislation accomplishes the desired unification of the services, and I heartily recommend its enactment by the Congress.

Very sincerely yours,

HARRY S. TRUMAN.

The PRESIDENT pro tempore. The reference of this proposed bill involves a matter of basic and substantial controversy between two of the standing committees of the Senate. The Chair therefore wishes to make the following statement to the Senate:

Knowing that this question of reference would arise, the Chair has given serious study to the matter. It is typical of several other problems of reference which have confronted the Chair. Decisions frequently are difficult under the Legislative Reorganization Act, because of conflicting interpretations which can be put upon the language of the act. It is not unusual that a thoroughly persuasive argument can be made, on the basis of the language of the act, for jurisdiction in one of two or three of the new standing committees of the Senate. Under such circumstances, the decision of the Chair unavoidably becomes a policy decision. When the Chair finds no explicit and indisputable instructions in the Reorganization Act, the Chair must weigh the rival interpretations which are possible and base his decision upon the preponderance. This becomes then a matter of judgment. It is not a matter of serious import in the ordinary routine, but it may become a major decision in policy in such instances as the present one. In such cases the Chair believes the Senate itself should decide, in the final analysis. The Chair will not seek escape from responsibility in such instances. The Chair will make his ruling and his reference, but he will immediately bring such decisions to the direct attention of the Senate so that the Senate itself can decide on the basis of an appeal from the ruling of the Chair if there is disagreement.

In the present instance, the Army-Navy-Air merger bill, in the opinion of the Chair, can, under the language of the Reorganization Act, be referred either to the Committee on Expenditures in the Executive Departments or to the Committee on Armed Services, within the meaning of the act.

The jurisdiction of the Committee on Expenditures in the Executive Departments might seem to be specifically established by the language of the act which assigns "reorganizations in the executive branch of the Government" to this committee. The merger bill clearly involves reorganization in the executive branch.

On the other hand, the jurisdiction of the Committee on Armed Services would seem to be just as specifically established by the language in the act which assigns "the common defense generally," "the War Department and the Military Establishment generally" and the "Navy Department and the Naval Establishment generally" to this committee. The merger bill clearly involves "the War and Navy Departments generally" and the "Military and Naval Establishments generally," and certainly no legislation could go so directly to problems of "the common defense generally."

In the presence of this statutory conflict, the Chair—and ultimately the Senate—must choose between the two, on balance.

Such a choice is not difficult for the Chair. Needless to say, the Chair's decision has nothing to do with the personnel of either committee. The Chair has equal respect for both. The decision is a policy decision which must determine which of the committees, all things considered, has the preponderant right of jurisdiction.

When the President's letter, announcing the merger, came to the Senate, in the first instance, the Chair referred that original letter to the Committee on Armed Services, in agreement with the view of the Parliamentarian. In spite of the language in the Reorganization Act regarding reorganizations in the executive branch of the Government, the Chair frankly states that it did not then seriously occur to him that a measure involving the entire fundamental structure of the Army and the Navy should not go to the new Committee on Armed Services, which is charged with responsibility for the Military and Naval Establishments. That is why the question was not submitted to the Senate in the first instance, but now the direct issue has been joined.

It continues to be the opinion of the Chair that the merger bill should go to the Committee on Armed Services. It seems to the Chair that nothing could be more fundamental in the entire future work of this committee, charged with total and exclusive responsibility for the common defense generally than the basic organization of these defense forces. It seems to the Chair that the Committee on Armed Services is cut off from these responsibilities at the very roots and at the very threshold of its labors, if it is denied authority over the basic structure of the Military and Naval Establishments which it is specifically charged with the duty to supervise.

Its predecessor committees are the ones in which all the preliminary explorations and all the studies and all the debates took place. The Chair doubts whether it would ever have occurred to any Senator in the Seventy-ninth Congress, when this merger problem was at white heat, that the problem should have been taken away at that time from the Committees on Military and Naval Affairs and referred to what was then the Committee on Expenditures in the Executive Departments. The point was never even indirectly raised. If there is anything to be said for continuity in the Senate's operations—and that is supposed to be one of the Senate's unique attributes—then the successor committee to the former Committee on Expenditures in the Executive Departments, bearing precisely the same name, cannot logically inherit duties and obligations previously inherent in the former committees dealing with the armed services.

Yet we do face the clear mandate in the new law that any merger in the executive departments, being a reorganization, belongs in the Committee on Expenditures in the Executive Departments. It is a conflict which must be resolved. The Chair can only surmise that the Congressional Reorganization Act thought of reorganizations in the executive branch of the Government as being ordinarily concerned chiefly with a consolidation of expenditures—as indicated by the title of the new committee. It was thinking in fiscal terms.

While the pending merger certainly has its fiscal phase and certainly involves the expectation of joint economies, the merger far transcends this limited objective and is being projected, in the Chair's view, to improve the common defense generally. In the Chair's view this is its overriding purpose.

It is for these indicated reasons that the Chair rules that the merger bill should be referred to the Committee on Armed Services.

Mr. AIKEN. Mr. President, in view of the fact that the Reorganization Act clearly states that "all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects"—and subject (B) is "Reorganizations in the executive branch of the Government"—shall be referred to the Committee on Expenditures in the Executive Departments, it was the unanimous opinion of the members of the Committee on Expenditures in the Executive Departments when we met in executive session about 2 weeks ago that the merger bill, if it were a bill of the nature such as was being currently reported in the newspapers, should be referred to the Committee on Expenditures in the Executive Departments.

Unquestionably, the bill provides for a reorganization of the Government and is of the greatest moment. My natural impulse, as chairman of the committee, is to appeal from the decision of the Chair referring the bill to the Committee on Armed Services. However, no member of the Committee on Expenditures in the Executive Departments has had an opportunity to examine the bill. We are not in position today to argue an appeal from the ruling of the Chair.

Therefore I ask unanimous consent that the bill may lie on the table until Friday, and in the meantime the members of the Committee on Expenditures in the Executive Departments will have an opportunity to examine the bill; also to study the decision of the Chair, and to determine by that time whether an appeal will be taken from the ruling of the Chair.

I ask unanimous consent that the bill may lie on the table until Friday.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Vermont that the bill and the decision of the Chair lie upon the table until Friday, to become a special order when the Senate convenes on that day?

Mr. GURNEY. Mr. President, I have no objection to the bill remaining on the table until Friday, but I may say that when I first learned that the Committee on Expenditures in the Executive Departments had a desire to assume jurisdiction of the bill it was certainly a surprise to me. I am sure that the members of my committee, the Committee on Armed Services, are in complete agreement with me when I say that our committee is ready to hold hearings on the bill and consider it as expeditiously and as efficiently as possible. Our committee expects to handle the bill. Should we not be given the responsibility of determining whether or not it is the kind of a bill the Senate wants, I am sure our committee would at the start feel that it was denied the opportunity to consider measures affecting the security of the United States, for certainly the security of the United States is bound up in this bill. I have no personal objection to allowing the decision to lie on the table until Friday of this week.

Mr. HILL. Mr. President, will the Senator from Vermont yield to me?

Mr. AIKEN. I yield.

Mr. HILL. I have no disposition to object to the request of the Senator from Vermont, but I should like to submit a parliamentary inquiry so that we may be clear as to what the parliamentary situation will be. If the unanimous-consent request is granted, then when the Senate convenes on Friday will this matter automatically come up? What will be the parliamentary situation with reference to it? Suppose no action is then taken on it. Suppose no Senator rises to appeal from the decision of the Chair, what then happens?

The PRESIDENT pro tempore. Under the unanimous-consent request as stated by the Chair, the bill and the decision of the Chair will lie upon the table until Friday, when it will be a special order for immediate attention at 12 o'clock.

Mr. HILL. In other words, it will come up automatically at 12 o'clock, when the Senate convenes.

The PRESIDENT pro tempore. That is the way in which the unanimous-consent request is stated.

Mr. WHERRY. Mr. President, will the Senator from Vermont yield to me?

Mr. AIKEN. I yield.

Mr. WHERRY. Reserving the right to object, may I state to the distinguished Senator from Vermont and also the majority leader that it seems to me the situation with respect to the concurrent resolution dealing with the budget would be simplified if the Senator from Vermont would agree to restate his unanimous-consent request so that the question of the reference of the merger bill and the decision just made by the Chair would go over until Friday; or, if the unfinished business had not been disposed of when the Senate then convenes, that the special order would come up after the budget resolution has been disposed of? I make that suggestion to the Senator from Vermont.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. FERGUSON. I hope we can obtain some kind of unanimous consent respecting the so-called merger bill, because I feel that it is possible and probable that in the meantime, so far as the Committee on Expenditures in the Executive Departments is concerned, a satisfactory arrangement may be worked out. I should like to ask the chairman of the Committee on Expenditures in the Executive Departments if he will not modify his unanimous-consent request so that the merger bill be made the special order of business immediately after the vote on the pending resolution is had, so that the merger question will not interfere with consideration of the concurrent resolution?

Mr. BARKLEY. Mr. President, will the Senator from Vermont yield to me on that point?

Mr. AIKEN. I yield.

Mr. BARKLEY. It is entirely possible that the pending resolution will consume all of today and be disposed of late in the afternoon today. Certainly we would not want to take up the merger question today. The request of the Senator from Vermont is that it go over until Friday in order that Senators may study both the bill and the decision of the Chair. Regardless of the disposition of the pending resolution, it seems to me that is a reasonable request, and that it ought not to depend on the disposition of the pending question.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. WHERRY. My suggestion was that the unanimous-consent request be modified so as to provide, in the event the budget resolution is not disposed of today, that the merger question shall be delayed as a special order until after the budget resolution has been disposed of.

Mr. FERGUSON. Mr. President, I had the same point in mind. If the pending resolution is disposed of today naturally we would not want to take up the merger question now, because it is the intention to try to work out an agreement between now and Friday. But if the budget resolution is not disposed of today, and its consideration is continued until Friday, then I believe we should consider the budget resolution until it is disposed of before taking up the merger question.

Mr. AIKEN. Mr. President, I might say that the Committee on Expenditures in the Executive Departments is perhaps not so much concerned with the consideration of the bill itself as with compliance with the Reorganization Act and the establishment of precedents which might be occasioned by the ruling of the Chair. I realize that the Reorganization Act must have considerable amending and smoothing out before it will operate in the manner in which I think it should operate. Under the Reorganization Act conflicting jurisdiction over bills and other measures exists in various committees. It is immaterial to me whether the merger proposal is taken up immediately on the convening of the Senate on Friday or on the disposition of the pending question. I simply want Senators to accommodate themselves to some plan which will obtain the necessary unanimous consent to take up the merger question on Friday and give the members of the Committee on Expenditures in the Executive Departments an opportunity to examine the bill and also to study the ruling of the Chair.

The PRESIDENT pro tempore. Does the Senator from Vermont wish to amend his request?

Mr. AIKEN. If it is agreeable to the Senator from South Dakota I will modify my request, but I realize that he can object to it.

Mr. GURNEY. I am sure the Senator can modify his request if he so desires.

Mr. AIKEN. Will the Senator from South Dakota agree that we may dispose of the matter now pending in the Senate before debating the ruling of the Chair, assuming that the Committee on Expenditures in the Executive Departments decides to appeal from the ruling of the Chair? We have not appealed it yet.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. GURNEY. I have no desire at all to be technical. I simply want to know that there will be no delay in the reference of the bill, for it deals with a very important matter, and for my part I am sure our committee wants to begin work on the bill as soon as possible. With the assurance that it will be decided on Friday, I have no further objection.

Mr. AIKEN. Mr. President, I wish to assure the Chair and the chairman of the Committee on Armed Services that there will be no attempt to prolong the debate on this question, because we are all anxious to reach a prompt determination on the final reference of the bill.

The PRESIDENT pro tempore. The request of the Senator from Vermont is that the bill and the decision of the Chair lie on the table until Friday, and that the subject be a special order upon the convening of the Senate on Friday, if the pending unfinished business shall have been concluded; otherwise that it be a special order on the termination of the unfinished business. Is there objection? The Chair hears none, and the order is made.

Without objection, the communication from the President and the bill will lie on the table (H. Doc. No. 149).

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

THOMAS JEFFERSON MEMORIAL COMMISSION

The PRESIDENT pro tempore. The Chair appoints the Senator from Maine [Mr. WHITE] and the Senator from Massachusetts [Mr. LODGE] members of the Thomas Jefferson Memorial Commission, to fill existing vacancies thereon.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

DETAIL OF MILITARY AND NAVAL MISSIONS TO FOREIGN GOVERNMENTS

A letter from the Secretary of State, transmitting a draft of proposed legislation to amend the act of May 19, 1926 (44 Stat. 565), as amended by the acts of May 14, 1935 (49 Stat. 218), and of October 1, 1942 (56 Stat. 763) providing for the detail of United States military and naval missions to foreign governments (with an accompanying paper); to the Committee on Armed Services.

REPORT OF OPERATIONS UNDER BOULDER CANYON PROJECT ADJUSTMENT ACT

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, the fifth annual financial report of operations under the Boulder Canyon Project Adjustment Act (with an accompanying report); to the Committee on Public Lands.

CENTRAL VALLEY FEDERAL RECLAMATION PROJECT, CALIFORNIA

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a report presented to the Secretary of the Interior by the Bureau of Reclamation on August 6, 1946, on the Central Valley Federal reclamation project in California (with accompanying papers); to the Committee on Public Lands.

POSTHUMOUS PROMOTION OF COL. EARLE L. JOHNSON

A communication from the military aide to the President, enclosing a memorandum from the Secretary of War recommending that the name of Col. Earle L. Johnson, national commander, Civil Air Patrol, who was killed in an airplane accident on February 16, 1947, remain on the promotion list, and that the promotion be posthumously awarded (with an accompanying paper); to the Committee on Armed Services.

PERSONNEL CEILINGS

A letter from the Director of the Executive Office of the President, Bureau of the Budget, transmitting, pursuant to law, his report on personnel ceilings (with accompanying papers); to the Committee on Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint memorial of the Legislature of the State of Oregon; to the Committee on the Judiciary:

"House Joint Memorial 5

"To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

"We, your memorialists, the House of Representatives and the Senate of the State of Oregon, in legislative session assembled, most respectfully represent and petition as follows:

"Whereas the Congress, in furtherance of the prosecution of World War II, enacted the War Powers Act granting to the President of the United States extraordinary powers, which powers are wholly unwarranted in peacetime; and

"Whereas the said War Powers Act among other things provided that the President of the United States might by Executive order transfer the duties of Government agencies from one to another, but expressly provided that the powers granted therein could be exercised only in matters relating to the conduct of the war; and

"Whereas the President of the United States on January 16, 1942, promulgated Executive Order No. 9024 whereby there was created a Government agency known as the War Production Board; and

"Whereas by Executive Order No. 9040, promulgated on January 24, 1942, the primary duty of the said War Production Board was to 'exercise general direction over the war procurement and production program,' and said order further provided that the Chairman of said Board may exercise the powers, authority, and discretion conferred upon him by such order and in such manner as he might determine, and that his decisions are final; and

"Whereas on October 4, 1945, long after the unconditional surrender of our enemies, the President of the United States promulgated Executive Order No. 9638 whereby he abolished the said War Production Board, and created another Government agency designated as the Civilian Production Administration, and conferred upon it all the extraordinary war emergency powers theretofore possessed by the said War Production Board; and

"Whereas the said Civilian Production Administration has since purported and is now purporting to exercise power and authority over every person and corporation throughout the United States who undertakes to erect or repair a building or structure at a cost of even a nominal sum, and among other things has decreed all such construction to be unlawful unless first authorized by such Civilian Production Administration; and

"Whereas government by such Executive fiat is wholly contrary to the American system of constitutional government, and is not within the powers delegated to the Federal Government by the several States of the Union, and such exercise of authority by a Federal agency over the lives of the people of this State has not increased housing facilities, but on the contrary has created more chaos and confusion, and the assertion of such authority by said agency, and the exercise of such extraordinary powers by the President of the United States should be promptly terminated: Now, therefore, be it

"Resolved by the House of Representatives of the State of Oregon (the Senate jointly concurring therein), That the Congress of the United States be, and it hereby is, memorialized and requested, and this Forty-fourth Legislative Assembly of the State of Oregon does hereby petition that honorable body, to abolish the said Civilian Production Administration and to promptly terminate all the functions and activities assumed by said agency pursuant to the aforesaid Executive order, or any other order or statute; and be it further

"Resolved, That the secretary of state of the State of Oregon be, and hereby is, directed to transmit copies of this memorial to the President of the Senate and to the Speaker of the House of Representatives of the United States Congress and to each Senator and Representative therein representing the people of the State of Oregon.

"Adopted by house February 6, 1947.

"JOHN H. HALL,
"Speaker of House.

"Adopted by senate February 14, 1947.

"M. E. CORNETT,
"President of Senate."

By Mr. GEORGE:

A resolution of the General Assembly of the State of Georgia; to the Committee on Public Lands:

"Senate Resolution 20

"Whereas the State department of forestry is undertaking and striving toward a State-wide forest-fire-protection and forestry service; and

"Whereas the Federal Government has acquired in Georgia 1,330,623 acres of Georgia's forest lands; and

"Whereas under the existing laws and policies the protection and use of said lands are the sole concern of the Federal Government, and the revenues from the use of these lands go to the Federal Government, with the exception of 25 percent of the gross receipts from the national forest which goes to the counties in which said national forest is located; and

"Whereas the management and forestry control of said Federal lands by the State would greatly assist the State in its State-wide forestry service and fire control; and

"Whereas said Federal forest lands under good State management and control and with selective cutting and sale of timber would produce an annual income of $2,000,000, and State management would release the Federal Government of the expense of patrol and management: Therefore be it

"Resolved by the General Assembly of the State of Georgia, and it is hereby resolved by the General Assembly of the State, That the Senators from Georgia and the congressional delegation from Georgia introduce and secure passage of legislation providing for cooperative-agreement contracts between the State and Federal Governments for the management and control of said Federal forests in Georgia, and that said congressional delegation use its influence to secure cooperative-agreement contracts whereby the State of Georgia should manage and control said Federal forest lands in its State-wide forest-protection and forestry services system, with the cost therefor to be borne from the selective sale of products of said forest; and be it further

"Resolved, That a copy of this resolution be forwarded to Senator GEORGE, Senator RUSSELL, and each Member of Congress from the State of Georgia."

By Mr. JOHNSTON of South Carolina:

A concurrent resolution of the Legislature of the State of South Carolina; to the Committee on Labor and Public Welfare:

"Concurrent resolution memorializing and petitioning the Congress of the United States to make such appropriations and take such other steps as may be necessary in order to discover and effect a cure for the dread disease of cancer

"Whereas it is estimated that 17,000,000 of the approximately 140,000,000 men, women, and children now composing the population of the United States are doomed to die of cancer; and

"Whereas because other diseases that once exacted a frightful toll of life have, through the progress of science and medicine, been robbed of much of their life-destroying character, thus leaving the likelihood that more and more lives must fall a prey to cancer; and

"Whereas the disease of cancer is often prolonged and involves unusual pain, suffering, and expense of treatment beyond the means of the average individual and family; and

"Whereas it is believed that nature has not been so unkind to man as to inflict upon him death and suffering from a disease for which she has provided in her limitless bounty no cure; and

"Whereas the Government of the United States through the marshaling of unlimited financial resources, scientific knowledge, and skilled personnel unleashed in a relatively short time upon the horizon of a world at war the staggering and awesome power that since creation's dawn has slept within the atom: Now, therefore, be it

"Resolved by the house of representatives (the senate concurring), That the Congress of the United States be, and hereby is, respectfully urged, memorialized, and petitioned to enact such legislation looking to the attainment of a cure for cancer and shall provide unlimited funds, the most modern research facilities, and enlisting the services of the ablest men of science and medicine conversant with this field and alive in our country today, to the end that from this untiring and mighty endeavor may emerge to bless mankind with a cure for the appalling disease of cancer; be it further

"Resolved, That a copy of this resolution be sent to each of the honorable bodies of Congress, to each Member from South Carolina in these bodies, and to the Surgeon-General of the United States."

AMENDMENT OF FEDERAL EMPLOYERS' LIABILITY ACT

Mr. O'MAHONEY. Mr. President, I ask unanimous consent to present a resolution adopted by the Wyoming State Bar Association in session in Casper, Wyo., favoring an amendment to the Federal Employers' Liability Act, relating to right of action of common carriers by railroad engaged in interstate commerce for injury to or death of employees due to the employer's negligence. I request that the resolution be referred to the Committee on the Judiciary.

There being no objection, the resolution was received, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas the Federal Employers' Liability Act creates rights of action against common carriers by railroad engaged in interstate commerce for injury to or death of employees due to the employer's negligence, and provides that actions therefor may be brought in the district of residence of the defendant, or in which the cause of action arose, or in which the defendant shall be doing business at the time of commencement of the action (U. S. C. A., title 45, sec. 56);

Whereas suit is frequently brought on such claims in far-distant places, such as Chicago, Minneapolis, and Salt Lake City, even though the accident happened in Wyoming and the injured employee, at the time the cause of action arose, was a resident of Wyoming, which practice is burdensome on and expensive to the parties: Now, therefore, it is hereby

Resolved by the Wyoming State Bar Association, now in session in Casper, Wyo., That the association and its members shall and hereby do express their request for and support of an amendment to the Federal Employers' Liability Act, which in principle will limit the venue of such actions to the county, or, if brought in the United States district court, to the Federal judicial district, in which the cause of action arose or in which the injured employee resided at the time of the injury; and be it further

Resolved, That copies of this resolution be forwarded by the secretary of the association to each United States Senator and to the Members of the National House of Representatives from Wyoming, and to the American Bar Association.

REPORT OF A COMMITTEE

Mr. VANDENBERG, from the Committee on Foreign Relations, to which was referred the bill (S. 591) to amend the act of January 5, 1905, to incorporate the American National Red Cross, reported it without amendment, and submitted a report (No. 38) thereon.

AMENDMENT OF CIVIL SERVICE ACT—REPORT OF A COMMITTEE

Mr. LANGER. Mr. President, from the Committee on Civil Service, I ask unanimous consent to report, with amendments, the bill (S. 459) to amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having impaired hearing to positions in the classified civil service. I will state for the information of the Senate that it is a unanimous report of all the members of the Committee on Civil Service.

The PRESIDENT pro tempore. Without objection, the report will be received, and the bill will be placed on the calendar.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. LANGER, from the Joint Select Committee on the Disposition of Executive Papers, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TYDINGS:

S. 703. A bill to authorize the carrying of Civil War battle streamers with regimental colors; to the Committee on Armed Services.

S. 704. A bill for the relief of the Allied Aviation Corporation; to the Committee on the Judiciary.

By Mr. McCARRAN:

S. 705. A bill to amend the Longshoremen's and Harbor Workers' Compensation

Act; to the Committee on Labor and Public Welfare.

By Mr. BREWSTER (by request):

S. 706. A bill for the relief of William D. McCormick; to the Committee on the Judiciary.

By Mr. WHERRY:

S. 707. A bill for the relief of the Forward Columbus Fund, of Columbus, Nebraska; to the Committee on the Judiciary.

By Mr. GEORGE:

S. 708. A bill for the relief of the J. B. McCrary Co., Inc.; to the Committee on the Judiciary.

By Mr. GREEN:

S. 709. A bill for the relief of Carlos Riggenbach; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 710. A bill to amend section 3469 of the Internal Revenue Code, as amended, so as to exempt from the tax imposed by such section the transportation of persons by certain aircraft not operated on established routes; to the Committee on Finance.

S. 711. A bill to exclude from the Olympic National Park certain privately owned lands which were added thereto by Executive action; to the Committee on Public Lands.

By Mr. AIKEN:

S. 712. A bill to constitute the Federal Security Agency a Department of Health, Education, and Security; to the Committee on Expenditures in the Executive Departments.

By Mr. ECTON:

S. 713. A bill authorizing the issuance of a patent in fee to Francis E. L. Chase, Sr.; and

S. 714. A bill authorizing the Secretary of the Interior to issue a patent in fee to Claude E. Milliken; to the Committee on Public Lands.

By Mr. BRIDGES (for himself and Mr. LANGER):

S. 715. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide annuities for investigatory personnel of the Federal Bureau of Investigation who have rendered at least 20 years of service; to the Committee on Civil Service.

By Mr. BALDWIN:

S. 716. A bill for the relief of Manuel DeCaldas; to the Committee on the Judiciary.

S. 717. A bill to amend the Armed Forces Leave Act of 1946 so as to require that leave compensated for under such act be considered as active service in determining the period for which a veteran is entitled to education and training under title II of the Servicemen's Readjustment Act of 1944, as amended; to the Committee on Armed Services.

By Mr. THOMAS of Oklahoma:

S. 718. A bill to provide for disposition of the lands comprising the Fort Reno Military Reservation in Canadian County, Okla.; to the Committee on Armed Services.

(Mr. BUTLER introduced Senate bill 719, to amend section 350 of the Tariff Act of 1930, as amended, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. PEPPER:

S. 720. A bill to authorize and request the President to undertake to mobilize at some convenient place or places in the United States an adequate number of the world's outstanding experts and coordinate and utilize their services in a supreme endeavor to discover new means of treating, curing, and preventing diseases of the heart and arteries; to the Committee on Labor and Public Welfare.

S. 721. A bill to eliminate the requirement of overseas service for naturalization under section 701 of the Nationality Act of 1940, as amended, of certain persons who are unable to establish lawful entry into the United States and to extend the time for applying for naturalization under such section; to the Committee on the Judiciary.

By Mr. DWORSHAK:

S. 722. A bill to authorize the issuance of Oregon Trail commemorative 50-cent pieces to the Oregon Trail Monument Association, Idaho Unit, Incorporated; to the Committee on Banking and Currency.

By Mr. BROOKS (for himself, Mr. BRIDGES, and Mr. REVERCOMB):

S. 723. A bill to authorize the preparation of preliminary plans and estimates of cost for an additional office building for the use of the United States Senate; to the Committee on Public Works.

By Mr. CAPPER:

S. 724. A bill to provide for a six months' extension and final liquidation of the farm labor supply program, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. GURNEY:

S. 725. A bill to amend the act entitled "An act authorizing the designation of Army mail clerks and assistant Army mail clerks," approved August 21, 1941 (55 Stat. 656), and for other purposes;

S. 726. A bill to amend section 12 of the Naval Aviation Cadet Act of 1942, as amended, so as to authorize lump sum payments under the said act to the survivors of deceased officers without administration of estates;

S. 727. A bill to authorize the Secretary of War to pay certain expenses incident to training, attendance, and participation of personnel of the Army of the United States in the Seventh Winter Sports Olympic Games and the Fourteenth Olympic Games and for future Olympic games; to the Committee on Armed Services.

By Mr. GURNEY (by request):

S. 728. A bill to amend the last proviso of section 5 of the Act of April 3, 1939 (53 Stat. 557), as amended, in order to provide commissary and post exchange privileges; to the Committee on Armed Services.

By Mr. GREEN:

S. J. Res. 78. Joint resolution designating September 17 of each year as Constitution Day; to the Committee on the Judiciary.

AMENDMENT OF TRADE AGREEMENTS ACT

Mr. BUTLER. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill designed to amend the Trade Agreements Act so as to grant relief to American producers who may be injured by the effect of such agreements. I also ask unanimous consent that the bill, together with a statement by me in connection therewith be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and without objection the bill and statement will be printed in the RECORD.

The bill (S. 719) to amend section 350 of the Tariff Act of 1930, as amended, was received, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 350 of the Tariff Act of 1930, as amended, is amended by adding at the end of such section a new subsection, as follows:

"(e) If any trade organization or industrial, mining, or agricultural group or substantial section thereof shall complain to the President that any article or articles are being imported into the United States in substantial quantities and increasing ratio to domestic production of any like or similar competitive domestically produced articles or under such terms or conditions as to render ineffective or seriously endanger the maintenance of such domestic production or any wage or hour agreement entered into in pursuance of the laws of the United States or any State thereof, the President shall cause an immediate investigation to be made by the United States Tariff Commission as a preferred matter. If after such public notice and hearing as he shall specify, the President shall find the existence of such facts he shall direct that the article or articles concerned shall no longer be admitted to the United States at the rate of duty specified in any reciprocal trade agreement heretofore or hereafter made pursuant to the authority of this section. The sale or offer for sale in the United States of such foreign made article or articles at a wholesale price less than the domestic cost of production delivered in the same market with a reasonable profit shall be presumptive evidence that the maintenance of domestic production is seriously endangered within the meaning of this subsection."

The statement presented by Mr. BUTLER is as follows:

STATEMENT BY SENATOR BUTLER

Mr. President, the proposal I am introducing today is designed to amend the Trade Agreements Act so as to grant real relief to American producers who are injured by the effect of these agreements. In my judgment, my bill is in line with the spirit of the so-called Vandenberg-Millikin proposals on this program which were adopted by the President in an Executive order issued yesterday. I see no reason why enactment of this bill would hamper the negotiations for additional trade agreements in Geneva in April.

The thought and much of the language of this bill is drawn from a New Deal piece of legislation, the NIRA. At that time, just as at present, our costs and our price level were out of line with the costs of our competitors abroad, and it was recognized that it would be impossible to maintain our own standards without some such protective legislation as this. I believe this provision was made use of several times to raise tariff rates by the National Recovery Administration in 1933 or 1934. By the same reasoning it is equally necessary today.

This proposal has been brought to the attention of Under Secretary Clayton and I have discussed it with him. In fact, until yesterday I was in hopes that it might be included in the President's Executive order.

Just last Monday Mr. Clayton indicated to me that his principal objection was the difficulty of applying the cost-of-production standard set forth in my proposal. His position on this point seems rather absurd to me in view of all our experience with tariff-making in this country. The Tariff Commission has been making practical application of cost-of-production standards in the actual setting of rates for many years. In fact, one of the principal arguments for the trade-agreements program has been the claim that administration experts could determine rates more scientifically than could the Congress. Now Mr. Clayton denies that his method of tariff-making is or can be scientific.

In my opinion, the President's order of yesterday is merely a gesture—a paper concession that will make no real difference because it will be administered by the same men who are driving us so rapidly toward free trade and who have no real interest in protecting domestic industries. My bill sets a definite standard to be used in determining the extent of injury and the need for relief. I know of no reason why it should not be generally acceptable even to the most ardent supporters of the trade-agreements program if they are sincere in their statement that "no domestic industry is to suffer serious injury from the operation of the program." In the words of the President, quoting from his order of yesterday, this bill would "make assurance doubly sure that American interests will be properly safeguarded."

LEGISLATIVE BUDGET—AMENDMENT

Mr. SALTONSTALL submitted an amendment intended to be proposed by

him to the concurrent resolution (S. Con. Res. 7) establishing the ceiling for expenditures for the fiscal year 1948 and for appropriations for the fiscal year 1948 to be expended in said fiscal year, which was ordered to lie on the table and to be printed.

CHANGE OF REFERENCE

On motion by Mr. MILLIKIN, the Committee on Civil Service was discharged from the further consideration of the bill (S. 58) to amend the Civil Service Retirement Act approved May 29, 1930, as amended, so as to exempt annuity payments under such act from taxation, and it was referred to the Committee on Finance.

HOUSE BILL REFERRED

The bill (H. R. 4) to safeguard the admission of evidence in certain cases, was read twice by its title, and was referred to the Committee on the Judiciary.

STATUE OF LATE SENATOR BORAH, OF IDAHO

Mr. DWORSHAK submitted the following concurrent resolution (S. Con. Res. 8), which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That the Borah Memorial Statue Commission of Idaho is hereby authorized to place temporarily in the rotunda of the Capitol a statue of the late William E. Borah, of Idaho, and to hold ceremonies in the rotunda on said occasion; and the Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

THE REORGANIZATION OF CONGRESS—ARTICLE BY FRANKLIN L. BURDETTE

[Mr. TYDINGS asked and obtained leave to have printed in the RECORD an article entitled "The Reorganization of Congress," written by Franklin L. Burdette, associate professor of government and politics of the University of Maryland, and editor of publications for the National Foundation for Education in American Citizenship, which appears in the Appendix.]

SUPPORT OF CHURCHES AND BENEVOLENT INSTITUTIONS—EDITORIAL FROM NORTHERN VIRGINIA DAILY

[Mr. ROBERTSON of Virginia asked and obtained leave to have printed in the RECORD an editorial entitled "Rich Man's Mite," published in the Northern Virginia Daily of February 24, 1947, which appears in the Appendix.]

SEVENTEENTH BIRTHDAY OF RADIO STATION WSPA

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD a letter from Charles R Denny, Chairman of the Federal Communications Commission, and an address by Gov. J. Strom Thurmond, of South Carolina, on the occasion of the celebration of the seventeenth birthday anniversary of radio station WSPA, which appear in the Appendix.]

THE LOST PEOPLE OF EUROPE—ADDRESS BY IRA A. HIRSCHMANN

[Mr. PEPPER asked and obtained leave to have printed in the RECORD a radio address entitled "The Lost People of Europe," delivered by Ira A. Hirschmann on January 11, 1947, which appears in the Appendix.]

LETTERS FROM JOHN H. BUNZEL TO THE DAILY PRINCETONIAN

[Mr. PEPPER asked and obtained leave to have printed in the RECORD two letters from John H. Bunzel, president of the Princeton Liberal Union, to the editor of the Daily Princetonian, which appear in the Appendix.]

BATTLE FOR SOLVENCY—EDITORIAL FROM THE WINCHESTER EVENING STAR

[Mr. HAWKES asked and obtained leave to have printed in the RECORD an editorial entitled "Battle for Solvency," published in the Winchester (Va.) Evening Star of February 25, 1947, which appears in the Appendix.]

NO PLACE TO WHITTLE—EDITORIAL FROM THE MONTGOMERY (ALA.) ADVERTISER

[Mr. SPARKMAN asked and obtained leave to have printed in the RECORD an editorial entitled "No Place To Whittle," published in the Montgomery (Ala.) Advertiser of February 25, 1947, which appears in the Appendix.]

THE LABOR RELATIONS PROBLEM—ADDRESS BY SID WOODBURY

[Mr. MORSE asked and obtained leave to have printed in the RECORD an address on the subject, Labor Relations Problems, delivered by Mr. Sid Woodbury before the Medford (Oreg.) Chamber of Commerce on January 18, 1947, which appears in the Appendix.]

ACHESON-LILIENTHAL REPORT

[Mr. MORSE asked and obtained leave to have printed in the RECORD a statement prepared by representatives of a group of national organizations dealing with the Acheson-Lilienthal report, which appears in the Appendix.]

NOMINATION OF DAVID E. LILIENTHAL

[Mr. MORSE asked and obtained leave to have printed in the RECORD a letter addressed to him and signed by Dr. Frank Oppenheimer, Dr. E. S. Loeffler, Dr. R. L. Meier, and Dr. Norman Morse, and an editorial entitled "The Lilienthal Case," published in the San Francisco Chronicle of February 12, 1947, which appear in the Appendix.]

JUSTICE FOR KOREA—LETTER FROM FRANK D. JOSEPH, JR.

[Mr. MORSE asked and obtained leave to have printed in the RECORD a letter from Frank D. Joseph, Jr., dealing with the situation in Korea, together with a statement by the Korean-American Council, which appear in the Appendix.]

CONSCIENTIOUS OBJECTORS

[Mr. MORSE asked and obtained leave to have printed in the RECORD two articles dealing with conscientious objectors, one by Dorothy Thompson, published in the New York Post of December 23, 1946, and one by Paul Jones, published in the Saturday Evening Post of November 23, 1946, which appear in the Appendix.]

PERMISSION FOR SUBCOMMITTEE TO SIT DURING SENATE SESSION

Mr. REED. Mr. President, a subcommittee of the Committee on Interstate and Foreign Commerce is conducting a conference today with top-flight railroad men, top-flight steel men, and top-flight car-builders of the country, involving 60 or 70 persons and dealing with the critical freight-car shortage. It is our desire to continue the conference this afternoon, these gentlemen having come from their home cities to take part in the conference. I, therefore, as chairman of the subcommittee, ask unanimous consent that the subcommittee be given the permission of the Senate to meet this afternoon.

The PRESIDENT pro tempore. Without objection, such order is made.

Mr. REED. Mr. President, I also ask unanimous consent to have inserted in the RECORD a list of the men who are present at the conference to which I have referred.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

LIST OF CONFEREES AT SENATE INTERSTATE SUBCOMMITTEE, FEBRUARY 26, UNDER PROVISIONS OF SENATE RESOLUTION 47

STEEL COMPANIES

Bethlehem Steel Co., J. V. Honeycutt.
Republic Steel Corp., Norman W. Foy.
Wheeling Steel Corp., N. C. Reed.
Inland Steel Co., L. C. Reed.
Youngstown Steel Corp., C. H. Longfired.
Jones & Laughlin Steel Corp., F. H. Lewis.
Worth Steel Co., R. M. Worth and Paul M. King.
American Rolling Mill Co., R. C. Todd, vice president.
Lukens Steel Co., J. Frederic Wiese, vice president.
National Steel Co., E. F. Clark.

CAR BUILDERS

S. M. Felton, president, American Railway Car Institute.
James P. Selvage, Railway Car Institute.
John L. Farrell, Railway Car Institute.
Pullman Standard Car Manufacturing Co., Champ Carry, president, and W. N. Barker, executive vice president.
American Car & Foundry, F. A. Stevenson, president, and Frederick H. Norton, vice president.
Pressed Steel Car Co., Inc., J. F. MacEnulty, chairman of board.
Greenville Steel Car Co., Edwin Hodge, Jr., president.
General American Transportation Co., Walter J. Curley, vice president.
Magor Car Corp., L. C. Haigh, vice president.
Ralston Steel Car Co., F. M. Cowgill, vice president.
Pullman Standard, J. C. Angsten, J. A. Kummerer, Stephen T. Early.
Pressed Steel Car Co., Inc., J. H. Deibel, director of purchases.
American Car and Foundry Co., H. Streader.

RAILROADS

Santa Fe Railway, Fred G. Gurley, president.
Chicago & North Western Railway, R. L. Williams, president.
Missouri Pacific Railroad, P. J. Neff, president.
Milwauke Road, H. A. Scandrett, president.
Atlantic Coast Line Railroad Co., McD. Davis, president.
Southern Railway System, Ernest E. Norris, president.
Baltimor. & Ohio Railroad Co., E. H. Burgess, vice president and general counsel; R. B. White, president.
Missouri-Kansas-Texas Railway Co., H. M. Warden, vice president and general manager (James G. Blaine).
Illinois Central Railroad, A. C. Mann, vice president.
Union Pacific Railroad, P. J. Lyncy, vice president, operation.
Boston & Maine Railroad and Maine Central Railroad, A. W. Munster, vice president.
Pennsylvania Railroad, William G. White, secretary to Vice President C. D. Young.
New York Central Railroad Co., Leo P. Day.
Rock Island, William E. Hayes.
Southern Pacific, Stanfield Johnson.
Chesapeake & Ohio Railway Co., J. S. Dortch, Jr.
Chicago, Burlington & Quincy Railroad Co., Eldon Martin (F. E. Sperry), Ralph Budd, president.

RAILROAD PURCHASING AGENTS

Santa Fe, W. W. Kelly.
Missouri-Kansas-Texas, S. A. Hayden.
Missouri Pacific, J. H. Lauderdale.
Chicago & North Western, Ed Clifford.
Burlington, R. D. Long.
Louisville-Nashville, J. R. Watt.

REFRIGERATOR-CAR CONFEREES

J. A. Friend (secretary, railroad owned and controlled refrigerator-car operations committee), superintendent, refrigerator service, American Refrigerator Transit Co.

O. M. Stevens, president and general manager, American Refrigerator Transit Co.

William G. Brantley, counsel, Fruit Growers Express Co.

C. W. Taylor, manager, refrigerator-car section, Association of American Railroads.

F. W. Crow, vice president and general manager, Merchants Despatch Transportation Corp. and Northern Refrigerator Car Line, Inc.

K. V. Plummer, Pacific Fruit Express Co.

H. B. Spencer, president, Fruit Growers Express, Western Fruit Express, Burlington Refrigeration Express.

REPRESENTATIVES, ASSOCIATION OF AMERICAN RAILROADS

R. V. Fletcher, chairman.

W. J. Farrell, executive vice chairman.

R. E. Clark, manager, closed-car section, car-service division.

Thomas L. Preston.

GOVERNMENT REPRESENTATIVES

Maj. Gen. Philip B. Fleming, Administrator, OTC.

Clyde B. Aitchison, Chairman, Interstate Commerce Commission.

Col. J. M. Johnson, Director, ODT.

Homer C. King, Deputy Director, ODT.

Robert L. Glenn, Director, Manpower and Materials, ODT.

Gerland R. Gallagher, ODT.

J. C. Houston, Jr., Commissioner of Civilian Production.

P. J. Treacy, Steel Branch, CPA.

J. W. Follin, Deputy Administrator, OTC.

Harold Stein, Commissioner, OWMR.

THE LEGISLATIVE BUDGET

The Senate resumed the consideration of the concurrent resolution (S. Con. Res. 7) establishing the ceiling for expenditures for the fiscal year 1948 and for appropriations for the fiscal year 1948 to be expended in said fiscal year.

The PRESIDENT pro tempore. Let the Chair state the parliamentary situation.

The question is on agreeing to the amendment of the Senator from Colorado [Mr. MILLIKIN] striking out, in lines 6 and 7, the numerals "31.5" and "24.0" and inserting in lieu thereof, respectively, "33.0" and "25.1." On this question the yeas and nays have been ordered.

The Chair calls attention to the following order of the Senate:

Ordered, That after the hour of 12 o'clock meridian on Wednesday, February 26, 1947, no Senator shall speak more than once nor longer than 20 minutes on the pending concurrent resolution (S. Con. Res. 7) establishing the ceiling for expenditures for the fiscal year 1948, etc., or on any amendment, substitute, or motion relating thereto. (February 24, 1947.)

Mr. McMAHON. Mr. President, in considering the pending resolution I am reminded of an old story about the Shah of Persia who reigned in Persia about the fifteenth century. It was his custom, on the anniversary of his natal day, to gather his people below the palace yard and to address them from the balcony and give them good advice. On one of these occasions, as was the custom, his people gathered in the courtyard. The Shah came out on the balcony, looked them over, and said "My good people, do you know what I am about to say to you today?" With one voice they chorused back "No, Shah; no." He replied "I cannot speak to so ignorant a people," and went inside. The next day the crowd gathered again. The Shah again came out on the balcony, looked them over, and said, "My good people, do you know what I am about to say to you today?" Having had the experience of the day before, they answered as one, "Yes, oh Shah; we know." Then he said, "If you know, there is no use for me to tell you," and he walked inside. On the third day they gathered again. He again came out on the balcony and addressed the same question to the people. He said, "My good people, do you know what I am about to say to you?" A spokesman replied, "Oh, Shah, half of us know and half of us do not know." The Shah replied, "In that event, let those who know tell those who do not know," and he walked inside.

Mr. President, I feel that we in the Senate are somewhat like the crowd in the courtyard, because we have not been told upon what facts or what evidence the committee which brought forth this resolution bases its desire that the Senate approve its act. Let there be no mistake. I am for economy, and I shall endeavor to prove it by the votes I cast on specific appropriation bills; but since I have been a Member of this body I have tried not to cast an unreasoning and unintelligent vote, and so long as the people of my State see fit to keep me here, I shall not consciously do so.

Would we be casting an unreasoning and unintelligent vote, Mr. President? I call to witness the fact that the esteemed chairman of the Senate Finance Committee, the very able Senator from Colorado [Mr. MILLIKIN], in answer to the Senator from Rhode Island [Mr. GREEN] in the proceedings before the joint committee, when asked how much would be cut from the military budget stated, to the point and honestly, that he did not know.

The senior Senator from Ohio [Mr. TAFT], who spoke in favor of the $4,500,000,000 reduction, went as far as he could when he said that he was making what he called an intelligent guess. He further stated that he did not have much information upon which to predicate what he denominated an intelligent guess.

The President pro tempore of the Senate, the distinguished chairman of the Committee on Foreign Relations, and my good friend the Senator from Michigan [Mr. VANDENBERG], stated on this floor only a few days ago that we were engaged in a gigantic speculation. I submit that this is not a matter about which we can afford to speculate; we cannot afford to guess; we cannot afford to act on what the Senator from Colorado has termed "rough judgment." In view of the condition of world affairs, in view of the necessity for maintaining strong our defense against possible external enemies, the condition we face is not one with respect to which, in justice to ourselves or in justice to the people of the United States, we can afford to guess.

Mr. President, the District of Columbia is one of the few jurisdictions in the United States which licenses fortune tellers. The license fee is $250 a year. There are 37 licensed fortune tellers in the District of Columbia. I submit that when we cast our vote on the basis of the record—or rather the lack of record—which exists in this case, we can eminently qualify for membership in the Society of Fortune Tellers of the District of Columbia.

I announced to the Senator from Ohio that I intended, if permitted by the rules of the Senate, to vote "present" when the roll was called on the pending concurrent resolution. I have seen no facts which would change my determination: I realize that when a Senator casts his vote against the $6,000,000,000 reduction, or against the $4,500,000,000 reduction, he will be immediately criticized, not only in the press, as the Senator from Illinois [Mr. LUCAS] stated the other day, but in this Chamber, notwithstanding the clear statement of his determination to vote for economy on measures which come before the Appropriations Committee of this body.

Mr. President, in view of the fact that we are working for the first year under the Reorganization Act, the only sensible thing for the Joint Committee on the Legislative Budget to have done, would have been to ask for an extension of time, so as to be able to retain a staff, and interview those who are responsible for our safety, and then to have come before the Senate with a reasoned, intelligent conclusion upon which men of intelligence could predicate a sound judgment.

Mr. President, I think that concludes about everything I have to say on this matter. I have heard it said that one should never vote against an appropriation bill or against a tax reduction bill. It is going to be interesting to note what happens when the Senate gets down to work. When the roll is called we shall see. I think the people of the United States should know that the vote which is taken today means absolutely nothing and can mean nothing in face of the fact that the votes which will be cast will be cast without resort to what I call reasoned intelligence.

Mr. BARKLEY. Mr. President, I rise to discuss very briefly the pending concurrent resolution and the amendment offered by the Senator from Colorado [Mr. MILLIKIN].

As between the sum of $6,000,000,000 suggested in the resolution and the sum of $4,500,000,000 suggested in the amendment offered by the Senator from Colorado, I shall support the amendment offered by the Senator from Colorado. Whether, if it should be adopted, I shall finally suport the resolution as it may then appear I cannot state at this time.

In the first place, I wish to declare my wholehearted support of the Reorganization Act. Whether it was enacted under circumstances that were conducive to the greatest degree of efficiency and foresight in determining its terms may be open to question. Whether the 15th day of February allowed sufficient time to enable the joint committee to submit an intelligent report upon the President's budget may be a matter of opinion. There is one thing that I am certain of, and that is that the 15th day of February gave the Joint Committee ample time and

opportunity to present an infinitely more intelligent report than that which it has submitted to the Senate.

I wish, for the RECORD, if for no other purpose, to invite the attention of the Senate to the proceedings of the Joint Committee on the Legislative Budget. The joint committee was made up of members of four committees of the House and Senate, the two Appropriations Committees and the two taxing committees, the Committee on Finance and the Committee on Ways and Means. Altogether there were 102 members of the joint committee. It was obvious that an attempt to deliberate upon an over-all budget by 102 members would be like undertaking to do it in a town meeting. Therefore the full committee decided to appoint a subcommittee made up of 5 members from each of the four committees referred to, constituting a subcommittee of 20.

The subcommittee held its first meeting and had before it the voluminous Budget of the President, together with a sort of break-down of that Budget prepared, I think, by the Bureau of the Budget. There was a meeting for at least an hour and a half on that Budget. Finally it was determined to call before the subcommittee the fiscal officer of the Treasury, Mr. Bartelt, and the Director of the Budget, Mr. Webb, on a following day.

The subcommittee met and heard all morning Mr. Bartelt of the Treasury, whose function it was to advise the subcommittee chiefly with respect to the prospective income or revenue of the Treasury. That was a fairly simple matter. Based upon our present national income and the present rate of taxation, and based also upon the assumption that the excise taxes which expire on the 30th of June would be extended, it was fairly easy to arrive at the conclusion that the revenue of the Government for the fiscal year 1948 would be approximately $39,100,000,000. There was a slight difference between the Joint Committee on Internal Revenue Taxation and the Treasury, but not enough to make much difference. So the committee, practically by unanimous sentiment, accepted the figure $39,100,000,000 as the probable revenue of the Government for the fiscal year 1948. Of course, that depends upon the preservation of the present tax structure. The present rates of taxation may be modified or changed by action which the Congress may take between now and the fiscal year beginning July 1, or during that fiscal year. But the $39,100,000,000 figure was based upon the present situation.

When the subcommittee had arrived at that figure Mr. Bartelt, the fiscal officer of the Treasury, had performed his functions and the duties for which he was summoned before the subcommittee.

In the afternoon the subcommittee was in session and heard Mr. Webb, the Director of the Budget, explain how the budget was arrived at. He explained that the various departments submitted their estimates and requests to the Budget Director. They were there sifted by the Budget Director through a process which I have not the time to detail. After the estimates and requests had been sifted by the Budget Director and by the Budget Bureau officers, the budget was submitted to the President. The President thereafter undertook his own sifting process, and the result was that the budget was cut by a sum in excess of $5,000,000,000 below the estimates of the department heads as they were submitted to the Bureau of the Budget. A part of this reduction was made by the President himself, after the budget had reached him. Efforts were made in the subcommittee to have the Director of the Bureau of the Budget point out what were termed the soft places in the budget where cuts might be made. Obviously, the Director of the Bureau of the Budget could not do so without placing himself in controversy with the President, who has submitted the budget of $37,500,000,000.

That was all that happened on that full day of hearing before the subcommittee and through the testimony of those two witnesses. The subcommittee then adjourned, subject to call. It was not called again for a week or 10 days.

During that period, various informal meetings were held, I suppose—no one knows where; at least, I do not—and presumably they were called by the chairman of the subcommittee by personal invitation or by nodding the head or by motioning the fingers for some certain members of the subcommittee to meet with him to go over the budget. No minority member was ever given the wink or ever informed where the meeting was to be held or when it was to be held. Out of that week or 10 days of informal telephone-booth conferences which were going on from day to day, the $6,000,000,000 figure was arrived at as the amount by which the budget should be cut. When finally the subcommittee was called together for the purpose of making its recommendation to the full committee, efforts were made by various members on both sides to ascertain by what rule or by what process the figure $6,000,000,000 was arrived at as the amount by which the budget could be cut and by what process the conclusion was reached that the subcommittee should recommend to the full committee that amount as a reduction. However, no such information was given to the subcommittee. No authorized figures representing the consensus of views on the part of any group of the members of the subcommittee were given. Finally, one member pulled out of his pocket a sort of memorandum of his own, and suggested that the $6,000,000,000 cut could be arrived at by cutting the appropriations for the armed services $2,225,000,000. But so far as any vocal agreement regarding that estimate was concerned, it was not forthcoming. The same Senator also suggested that the Department of Agriculture appropriations could be cut $250,000,000, and he likewise suggested one or two other items at which he had arrived in his own mind in order to justify the total cut of $6,000,000,000. That is all the information the subcommittee had; but when the report of the subcommittee was made to the full committee, not even that information was given to the full committee. The member of the subcommittee who had reached up into the skies and pulled down figures with respect to the armed services and the Department of Agriculture was unwilling to stand by those figures when the matter came to the full committee. So I say, and I do not believe anyone can sucessfully contradict the statement, that neither the subcommittee nor the full committee had any accurate way of justifying the $6,000,000,000 amount by which it was said the budget could be cut.

Mr. President, personally, so far as I am concerned, I am willing to eliminate from the Budget every item which properly can be eliminated, so long as we can do so safely in connection with the national interest and the national defense, and the performance of our obligations to our own people, which in my judgment means the performance of any obligations in an international sense, because, as I feel very strongly, and as the distinguished Presiding Officer expressed the other day in his very able speech, we cannot be safe in our own enjoyment of our own independence and security so long as the world outside of our country is insecure and unsafe. We cannot prosper as a nation so long as the rest of the world is prostrate. We may conjure up a sort of hectic prosperity for a season; but regardless of whether we want it or whether we wish it, the world is tied together politically and economically, and we cannot long prosper as a people so long as the rest of the world is prostrate; and the rest of the world will be prostrate unless we ourselves cooperate to lift them up and aid them, in the hope that all nations may march forward together to security and prosperity.

I should like to cut the budget $10,000,000,000, if those objectives could be arrived at while making such a reduction. I am satisfied that the President of the United States himself would like to cut the budget $10,000,000,000, if the safety and security of our country could at the same time be guaranteed. Approximately a year ago, in an address which I delivered to a group of businessmen in New York City, I stated that in my judgment after we had discharged the obligations growing out of the war as a sort of hangover from the war, and were able to strike a dead level of expenses and taxes, we would be able to reduce the annual budget of our Federal Government to somewhere between $22,000,000,000 and $25,000,000,000. I was absolutely sincere in making that statement. I still believe it can be done when we have discharged these obligations; but we have not yet discharged them. Therefore, I wish to call attention to some of what I think are the irreducible items in the budget, so as to see what we have left to work on as a flexible figure within which we can reduce expenses.

We know it will cost $5,000,000,000 a year to pay the interest on the public debt. No one who has any conception of sound fiscal policy will seek to reduce that figure or repudiate the obligation of the United States Government to the people of America who have bought these bonds and hold them.

For 1948 the outlay on account of veterans will be $7,000,000,000. The test as to whether that item can or will be reduced will come when the individual appropriation bills are on the floor of the Senate and Senators are asked to

vote to reduce the benefits which we already have guaranteed to our veterans. We know they are not going to be reduced. We may talk about economy here, and we may say we can reduce all the way across the board, but we know we are not going to reduce the $5,000,000,000 for paying the interest on our public debt, and we know we are not going to reduce the benefits to our veterans. They are more likely to be increased, rather than reduced. We have not yet arrived at the peak in the payment of benefits to the veterans of our wars.

It is true that some of the expenses involved in the educational program will fall off as students finish their courses and leave college, and go into private industry or private life. There will be some reduction automatically. But it is an interesting fact that whereas under the GI bill of rights 3,500,000 ex-servicemen have applied for educational benefits only a million and a half have thus far been able to be accommodated; so that as some fall out by reason of completing their courses others will come in, and it is doubtful whether that item can be materially reduced within the next fiscal year, if at all.

The PRESIDENT pro tempore. The Senator's time on the amendment has expired.

Mr. BARKLEY. I shall take some time on the resolution.

The two items I have mentioned will amount to $12,000,000,000, and I think they are irreducible.

The amount of refunds which the Treasury must pay to men and companies who have paid into the Treasury more taxes than they should have paid is in excess of $2,000,000,000. That, added to the $12,000,000,000, makes $14,000,000,000, which, it seems to me, is an irreducible sum.

There are grants to States. I cannot go into all the details, but there are various grants to States to which Congress has committed itself, which do not include a single item for public works, and such grants amount to $1,043,000,000. That makes $15,000,000,000.

There are international obligations to which the Congress has committed itself, including the British loan. The Treasury has been advised that the British Government will draw down, under the terms of that contract, $1,200,000,000.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield for a question.

Mr. LUCAS. Does the Senator entertain any notion that under this economy program the States will not take the billion dollars and more which has been granted to them from the Federal Treasury?

Mr. BARKLEY. Of course not; they are going to be asking for more, but that is an irreducible minimum to which we are already committed; and it does not include any public works.

The total of our international commitments, already made by Congress or authorized by Congress, amounts to $3,387,000,000, which, added to the other items, makes a sum in excess of $18,000,000,000 which cannot be cut or reduced.

There are other miscellaneous irreducible items which make the aggregate $20,351,000,000.

How much does that leave of the President's budget, not of what we are considering? It leaves only $17,000,000,000 of the President's budget, out of which all expenses for the armed services and the national defense must be paid, out of which all ordinary expenses of the Government must be paid, and for all other items for which Congress will appropriate money.

If we take $6,000,000,000 away from that $17,000,000,000, as is provided for in the pending resolution, we have left only $11,000,000,000, which is the amount estimated for the item of national defense in the Presidential budget. So there would be left only $11,000,000,000 for our national defense, for the expenses of our Government, and for the discharge of every other obligation outside veterans' obligations—interest on the public debt, our international obligations, and the refunds of taxes. If any mathematician or economist can figure out for me how we can out of $11,000,000,000 take care of the armed services, provide for other obligations, and operate the Government of the United States, I should be most interested in seeing such a calculation.

So, Mr. President, I intend to vote for the $4,500,000,000 amendment, as between that and the $6,000,000,000, because I believe that when the appropriation bills have been finally enacted and the aggregate has been found, as they come in from time to time, it will be utterly impossible to reduce expenditures by $6,000,000,000, and I am not willing to hold out to the American people any false hope about what will be the ultimate result. I am not going to point to a mirage which looks like a pool of water until one approaches it, and then turns out to be dry sand. My friends from the West understand that allusion.

Mr. President, I am assuming that the $4,500,000,000 amendment will be adopted. It seems very likely that it will be. Then the question will arise as to what shall be the attitude of Senators on the resolution so amended. In my opinion, every Senator will have to exercise his own judgment in regard to that. I realize that no one desires to go on record against any possible economy which may be effectuated; but of course, as is stated in the report, the resolution does not bind the Congress, it does not bind a single committee, unless it may be regarded as imposing some moral obligation upon the committees and upon the Congress.

I should like to save $6,000,000,000, I should like to save $4,500,000,000, I should like to save $10,000,000,000. There is one part of the able speech of the Senator from Virginia [Mr. BYRD] with which I agree, that whatever we may be able to save by reducing the President's budget should be applied to the public debt. I was amazed a day or so ago to read in the press that the Senator from Ohio [Mr. TAFT] announced that it was more important to reduce taxes than to pay the public debt. Coming from the leader of a great party which has always boasted of its sound fiscal views, that sounded to me like the rankest of heresy.

Mr. President, I do not know anything that could more completely reinspire the American people, and bring about the investment of money in enterprises, than to see our national budget balanced and the public debt on its way toward liquidation.

We are making an income of 165 to 168 or 170 billion dollars, twice as much as we ever made in all the peace years of our national history, and more than we made in the hectic war days. There may be some injustices to be found in the tax laws, but I believe that the American people are not willing to hand on to future generations $260,000,000,000 of public debt. I believe the American people would like to see us begin the reduction of that debt while the national income is on such a high level. It is possible that trend may not continue without some interruption, and it has been estimated that a reduction in the national income of $10,000,000,000 would result in a reduction in the revenues to the Treasury of $3,500,000,000. If we undertake, before we know where we are going, to reduce taxes, we might conceivably find ourselves in such a position that, instead of reducing the public debt, we might have to increase it. I do not want to see that come about.

Therefore, Mr. President, I am in favor, first, of balancing the budget; and, second, I am in favor of applying not less than the amount suggested by the amendment of the Senator from California, $3,000,000,000, to the reduction of our public debt. For the time being I should prefer that all the reduction be applied to the public debt. After we have done that, if we can then reduce taxes and feel that we can retain the reductions in the years to come, I should look with sympathy upon such a proposal.

Mr. President, there should not be any politics in either the budget or the tax program. With the greatest respect for the ability and the industry of the Senator from Ohio [Mr. TAFT], I am bound to call attention to the fact that there is more economic politics in this proposal than there is political economy.

So, Mr. President, on the ground that it is the best we can do in the interest of a sound fiscal policy, I shall support the $4,500,000,000 amendment as against the $6,000,000,000 proposal, although I have very grave doubt whether in the final analysis we can reduce the budget by as much as $4,500,000,000. Likewise I shall support the amendment of the Senator from California [Mr. KNOWLAND] requiring that out of whatever may be saved not less than the amount suggested by the amendment shall be applied to the public debt. I think we can defend such action before the American people; we can defend it before industry and labor, and before all classes of our people. We can defend it better than we can defend a temporary, improvident provision that before we set our financial house in order we shall first reduce a few taxes, in the hope that thereby a few votes may be garnered in some election, either senatorial or presidential.

As to the final adoption of the resolution, assuming that four and one-half

billion dollar reduction shall be agreed to, and assuming also that the requirement for minimum application to the public debt shall be adopted, I am sure that no political equation will enter into the final vote on the resolution itself. Every Senator will exercise his own judgment, as he would, anyway, upon such a matter. I assume the resolution in that form will be agreed to by the Senate, and that then it will be up to the conferees of the House and Senate to agree on some figure.

I regret that it has already been announced on the other side of the Capitol that no matter what we may do with it there will be no receding on their part from the $6,000,000,000, which they plucked out of the sky, without any information upon which to do the plucking.

I assume that the Chair indicates that my time is up.

The PRESIDENT pro tempore. The Senator still has 5 minutes.

Mr. BARKLEY. I shall not use it; I turn it back to the Senate.

The PRESIDENT pro tempore. The Chair thanks the Senator for his generosity; it is unique.

Mr. BYRD. Mr. President, supplemental to my previous remarks, I desire to make a brief statement.

In recent days the statement has repeatedly been made that it is proposed, and already decided, to reduce the appropriations for national defense to a point that would dangerously cripple, if not destroy, our whole defense structure. Statements such as a 10-percent cut would "immoblize" the entire Navy and lay up all of our fleet in the harbors; that any reduction whatever in the Army appropriations will destroy the effectiveness of this arm of our defense, have been broadcast over the radio, and in the Congress, and through the press, and yet the effort is transparent: to invest all military expenditures with a "halo" of untouchability; that Congress must not dare to eliminate the waste and extravagance existing in nearly every operation, but must accept without question the estimates of national defense cost as submitted by the military forces and approved by the President.

As a member of the Joint Legislative Budget Committee, I emphatically deny that any decision has been made which includes a reduction in the appropriations to the armed services which would cripple national defense. Senator BRIDGES, chairman of the Appropriations Committee, who has been a staunch advocate of preparedness all through his career, has said time and time again that he does not favor a reduction in the defense appropriations to the extent of impairing the national defense program. I have earnestly supported national military preparedness. No decision has been made by the Joint Budget Committee or the Appropriations Committees, and the figure of reduction for the Army and Navy so often quoted is speculation on the part of those who persist in using it to make it appear that a decision has already been made by the Appropriations Committees of Congress to make such a crippling cut.

It is idle for anyone to say that there cannot be substantial economies effected in the Army and Navy expenditures. We have emerged from the most wasteful and destructive war in all history. It is true, I think, beyond a question of doubt, that many of the extravagances of war still persist in the peacetime operation of our Army and Navy. In the third year of peace it is time to eliminate the waste of war and place our national-defense expenditures on the most efficient possible peace basis.

As one who has been a long and steadfast advocate of preparedness, I think the best service that can be rendered the cause of national defense is to perform it with economy and efficiency so as to give confidence to the people of America that their money is not being wasted.

Roughly, the President's budget provides for total expenditures in the fiscal year 1948, which begins July 1, 1947, for the Army and Navy as follows for all purposes:

	Billions
National defense for the Army	$6.9
Civil expenditures for the Army	1.3
National defense for the Navy	4.5
Total	12.7

This is for expenditure in the next fiscal year.

This money will come from a system of taxation, the most burdensome and onerous under which America has ever lived.

The national-defense budget in peacetime 1948 is nearly one-half the total cost of World War I and is 11 times the national-defense cost in the year preceding Pearl Harbor.

Unless the people of America have the assurance that this great cost throughout the years to come is both efficiently and wisely expended, I predict that the day will come when the American people may demand reductions in the national defense that will, in real fact, seriously cripple its operations. We must look at national defense as a long-range program. It is important now, but it may be more important in the years to come. It must be so conducted as to be within the ability of the people to pay, and with the utmost economy.

To the Army and Navy officials, and to those who believe the military estimates are sacrosanct, I call attention to one item of expenditure wherein I am convinced the opportunity exists for a great saving. In 1939, the Army and Navy employed 222,136 civilian employees, including industrial workers. On January 1, 1947, the Army and Navy had 1,006,577 civilian employees for all activities including industrial workers. In other words, there were about 2 civilian employed for every 3 soldiers. In World War II there were 2 civilian employees for every 15 soldiers. The cost of this civilian personnel is about $3,000,000,000 annually, or 25 percent of the entire national-defense expenditures for 1948. I am convinced that the Army and Navy officials have not explored all of the possibilities for economy in reducing this $3,000,000,000 item for civilian personnel. It is, of course, true that thousands of the military personnel likewise perform clerical duties.

Again I call attention to the fact that the over-all cost per man around the world during the war was $6,960, while in the budget the average cost per man in 1948 will be $6,790, which means that the Army and Navy propose to expend as an over-all average only $170 less per fighting man in peace than in combat. These figures include all expenditures made by the armed forces during the war as compared with those estimated for 1948—expenditures for ships, planes, ammunition and everything else that was consumed in combat. This item certainly needs a clear explanation.

I merely cite these matters to show that the Army and Navy should not be untouchable but should be required to give adequate national defense on a basis of the most economical and efficient management possible.

Economic security and national defense must go hand in hand. Without the capacity to finance national defense we cannot have it. I favor the $6,000,000,000 cut in spending in order to protect our future solvency.

BUDGET BALANCING AND TAX REDUCTION

Mr. President, after 17 years of deficit spending, we must put first things first. The first thing is to restore the confidence of the people in the future solvency of our Government by balancing the budget on such a sound basis that it will remain in balance.

As of this date, the budget of the Federal Government is still in the red and will remain so until July 1, 1947, with an estimated deficit of $2,000,000,000 in this fiscal year. Under the President's budget recommendations for the fiscal year beginning July 1, 1947, if adopted, a continued deficit is very likely, as only a very minor margin is provided between outgo and income, so that a recession of only 2 percent in the national income would result in another unbalanced budget for the next fiscal year.

The hardest task in reducing expenditures is yet before us. The adoption of an over-all ceiling does not reduce appropriation bills. This can only be done by action taken by both branches of Congress in appropriating amounts for specific purposes. There the real fight will come, and it will be a bitter one. Already the various bureaus and agencies of the Government have begun a campaign of propaganda in the effort to prove that any reduction in the President's budget will be destructive. We will meet the opposition of highly organized and powerful minorities who are now beneficiaries of public spending. The Federal bureaus will be active in opposition to any effort to reduce their power, funds, personnel; and many of these bureaus will not hesitate, as they have done in the past, to use the radio, mails, and other means to disseminate propaganda at public expense in opposing any retrenchment move that affects them.

America has a great responsibility in maintaining here a solvent government, as any impairment in the solvency of the United States Government may mean the financial collapse of the currency of the governments of nearly every other country, and a world economic catastrophe will follow.

I favor tax reduction at as early a date as is wise; but as important as tax

reduction is, a balanced budget on a sound basis is more so. We should provide, too, for a reasonable annual sum to pay on the Federal debt. I, therefore, will vote for the Knowland amendment, providing for the payment of not less than $3,000,000,000 annually on our public debt. The payment in future years should be increased, as, at this rate, it will take more than 80 years to discharge this indebtedness.

The time to pay a debt is when you enjoy prosperity. Today we have a prosperity in America, as evidenced by our national income, such as we have never experienced before. We should take advantage of this era of prosperity, so long as it lasts, to reduce our indebtedness, because we know when a recession of this prosperity comes the demands on the Federal Government will increase, and the difficulty in paying off the public debt will become much greater than now.

Naturally our financial stability is weakened by a Federal indebtedness of $260,000,000,000. If America is forced to fight another war before this debt is greatly reduced, then we will accumulate such a debt as to destroy our Government of free, private enterprise. Any tax reduction made should be made effective only when we have assurance that this tax reduction is permanent. Should we, by miscalculation or hasty action, prematurely reduce taxes and then be forced to reinstate them in order to obtain a balanced budget, the effect would be most injurious to our economy. If appropriations are reduced by Congress and rigid economy practiced in our affairs of Government, I believe that tax reduction can safely be made effective on January 1, 1948. It is most unwise, I think, to make tax reduction retroactive to January 1, of this year. That would result in doubling the deficit for this fiscal expenditure year by adding $2,000,000,000 to it.

Furthermore, to make tax reduction effective July 1, in the middle of the tax year, would confuse the taxpayers by requiring returns for the calendar year at two different rates of taxation.

I have already pointed out in the Senate, Mr. President, the unstable condition of our tax revenue. With the reenactment of the excise taxes, the tax revenue is estimated in the next fiscal year to be $38,800,000,000. This, however, is merely an estimate depending upon the continuance of a high inflationary level of national income. This estimate is actually based on an anticipated national income in the next fiscal year, which begins on July 1, 1947, of $167,000,000,000. This is higher than the national income estimate for the current fiscal year. As our existing tax system relies heavily upon income taxes, if our national income goes down, the decline is immediately reflected in the Federal tax revenue. Tax experts, both of the Treasury and of the Joint Taxation Committee, agree that should the estimated national income be reduced by as much as 5 percent, there would be a loss in the Federal-tax revenue under the existing tax system of approximately $4,000,000,000, thus reducing the estimated revenue of the Federal Government to thirty-four billion five hundred million in the next fiscal year. Again, if the national income should fall to $150,000,000,000, a reduction of about 10 percent, the total tax revenue would be $32,000,000,000 instead of thirty-eight billion eight hundred million. It is easily possible for the national income to fall, within the next fiscal year, as much as 10 percent, or more, and in such case there would be nothing left for tax reduction even though the Congress reduced the President's budget by six billion.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement of the total national income for the years 1929 to 1946, inclusive, with the estimate for the year 1947.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Total national income, including compensation of employees, net income of incorporated business, net income of proprietors (including agriculture), interest, net rents, and royalties

[In billions of dollars]

1929	83.3
1930	68.8
1931	54.4
1932	39.9
1933	42.3
1934	49.4
1935	55.7
1936	64.9
1937	71.5
1938	64.2
1939	70.8
1940	77.5
1941	96.8
1942	122.2
1943	149.2
1944	160.6
1945	160.9
1946	166.0
1947 (estimate)	167.0

Under our present system and existing rates, total receipts of the Federal Government at various levels of national income would be as follows:

National income (billions):	*Receipts (billions)*
$80	$14.0
$90	16.5
$100	19.0
$110	21.5
$120	23.5
$130	26.5
$140	29.0
$150	32.0
$160	34.5

I then give the expenditures since 1930, including the President's budget for 1948:

Expenditures of the Federal Government 1930–48

1930	$3,994,152,000
1931	4,091,598,000
1932	4,947,777,000
1933	4,325,150,000
1934	6,370,947,000
1935	7,583,434,000
1936	9,068,886,000
1937	8,281,380,000
1938	7,304,287,000
1939	8,765,338,000
1940	9,127,374,000
1941	12,774,890,000
1942	32,491,307,000
1943	78,182,349,000
1944	93,743,515,000
1945	100,404,597,000
1946	63,714,000,000
1947 (estimated)	42,873,000,000
1948 (budget recommendation)	37,528,000,000

Source, Statistical Abstract of the United States, 1946; Budget of the United States, fiscal year ending June 30, 1948.

Mr. BYRD. Mr. President, it is plainly the course of prudent management first to reduce appropriations and then await some trend in the national income during the present calendar year before tax reduction is actually made effective. We must avoid an unbalanced budget or the necessity of reimposing taxes that have been removed or reduced.

While I know the political attractiveness of reducing taxes, yet those who favor a tax reduction which may be premature should take cognizance of the dangers involved and not bring about a situation whereby the taxes taken off must be put back. Business and the people generally will be encouraged by a balanced budget beginning July 1, 1947, and with justified hopes for a tax reduction effective January 1, 1948, I am confident that business activity will be stimulated.

Mr. President, I ask unanimous consent to include in the RECORD as a part of my remarks a statement prepared by me in regard to War Department expenditures and other budget confusion.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD

WAR DEPARTMENT EXPENDITURES AND OTHER BUDGET CONFUSION

During the debate on the so-called legislative expenditure budget there has been much discussion and some confusion, both in and out of Congress, about the estimated appropriations, obligations, and expenditures, and particularly about those for national defense.

This confusion appears to have developed from:

1. Loose or interchangeable use of the terms appropriations, obligations, and expenditures.

2. The Legislative Reorganization Act requirement for a legislative budget in terms of expenditure, whereas traditionally the budget has been enacted in terms of appropriations and obligations and executed on the same basis.

3. The use of a dual presentation of the budget by the President, who in his budget message to Congress discussed it in terms of expenditures and appropriations by functional categories which cut through departments and agencies, such as National Defense, etc., whereas budget items are generally set up on a departmental basis.

With these sources of confusion in view, it should be kept in mind that:

When we speak of appropriations we are talking about the sums provided by Congress for specified purposes against which, first, obligations and, ultimately, actual expenditures may be made.

When we speak of obligations we are talking about the commitments of funds from appropriations for actual payment at a time when the specified services have been performed, the specified goods have been received, etc.

When we speak of expenditures we mean the actual cash withdrawal from the Treasury against the appropriation account in accordance with the obligation which was established.

Thus it follows that:

Congress, between now and June, will enact appropriations for the fiscal year 1948 beginning next July 1, and from that time obligations may be made against the appropriations throughout the year; but it is anticipated that some of the goods and services for which obligations against 1948 appropriations are made will not be delivered or performed until sometime during the subsequent fiscal year or later. Since payment will not be made in advance of delivery or

performance the actual expenditures for these items will not be made until fiscal year 1949, or later.

By the same token we shall make actual expenditures in fiscal year 1948 pursuant to obligations set up against 1947 appropriations and those made for prior years.

As to the second source of confusion:

Those in Congress now who drafted the Legislative Reorganization Act, who considered it in committees and those who voted on it, know that the objective of section 138 was to deter, if not avoid, deficit spending.

Therefore, whatever legislative budget expenditure ceiling is determined here now was expected to be in terms of cash withdrawals from the Treasury during the fiscal year, just as receipts estimates to which the expenditure ceiling is pegged were expected to be in terms of cash receipts during the fiscal year.

Morally, at least, the inescapable effect of the expenditure ceiling fixed in the pending resolution will be the establishment of a control on expenditures allowable in the fiscal year 1948 against appropriations enacted in this and prior sessions.

If Congress appropriation is under expenditure controls which are necessary to keep within its legislative budget expenditure ceiling, it follows, of course, that execution of the appropratlons by the executive branch also must be under expenditure control.

However, I am advised semiofficially that at least in some important places in the executive branch there is an inclination and a preference to interpret the legislative budget expenditure ceiling in terms of obligations against which expenditures may or may not be made during the fiscal year 1948. And, I am advised further—semiofficially—that there is no executive accounting machinery for control of actual expenditures.

This situation is mentioned in some detail because further discussion is to be expected, and if it is not thoroughly understood the whole matter will become even more confusing.

As to the third source of confusion:

It should be kept clearly in mind that the combined expenditures in 1948 as estimated for the War Department as a whole and those for the Navy Department as a whole are neither identical nor synonymous with the estimated total for national defense as described and discussed by the President in his budget message to Congress.

The combined expenditure for all War and Navy Department purposes in 1948 total $12,765,328,654.

The President, in his functional or categorical national defense budget, estimated expenditures for this purpose by War Department, Navy Department, along with other departments and agencies, would total $11,256,000,000.

The distinction to be made, of course, lies in the fact that the President's categorical national defense estimate cuts across departmental budgets, and in the further fact that not all of the expenditures from the War and Navy Department budgets fall within the President's definition of national defense expenditures.

For instance, the item of $645,000,000 for government and relief in occupied areas is set up in the War Department's civil function budget, but it is not included in the President's national defense estimate. None of the War Department's public-works programs in its civil function budget are included in the President's national defense estimate, and neither are the Panama Canal estimates. Similar items in the Navy Department budget are omitted from the President's national defense estimate.

The total estimated expenditures by the War Department for all purposes during fiscal year 1948, from all appropriations made now and in prior years, amounts to $8,254,658,654.

The total estimated expenditures by the Navy Department during the fiscal year 1948, from all appropriations made now and in prior years, for all purposes amounts to $4,510,670,000.

Total, $12,765,328,654.

The War Department over-all expenditures for all purposes include $6,700,403,846 for military activities; $645,000,000 for government and relief in occupied areas. This item is carried under War Department Civil Functions. The President did not set it up in his National Defense Budget, but he did carry it in his budget for the International Affairs and Finance category of expenditures; $24,000,000 for cemeterial expenses. This figure is carried under War Department Civil Functions and was not included in the President's National Defense Budget. He carried it in his categorical budget for general government; $689,400,000 for War Department public works under the Corps of Engineers, including rivers and harbors and flood control projects, etc. This item is carried under War Department Civil Function and was not carried in the President's National Defense Budgets. He carried the items in other categorical budgets; $1,610,000 for the Signal Corps Alaska Communications System. This item is carried in the War Department Civil Function budget, but it was omitted from the President's national defense estimate. He carried it under another category; $517,500 for soldiers homes. This item is carried under War Department Civil Functions. The President did not list it in his national defense estimate but carried it under another category; $25,526,338 for Panama Canal. This iter is carried under it own heading in the War Department budget. The President did not include it in his National Defense Budget, but listed it in another category; $168,000,000 in supplemental items to be requested, but not itemized. Of this amount $36,000,000 would be for additional cemeterial expenses, $58,000,000 for military post construction, and $74,000,000 for Engineer Service military activity.

Of the total Navy item aggregating $4,510,670,000, the President included $4,423,000,000 in his national defense category. The difference is almost entirely in Navy public works items.

Mr. LANGER. Mr. President, will the Senator yield to me for a question?

Mr. BYRD. I yield.

Mr. LANGER. I should like to ask the distinguished Senator from Virginia a question, in view of the very fine speech he has just made, and for which I commend him. He always presents a good case in connection with such matters as the one under consideration.

Mr. BYRD. I thank the Senator.

Mr. LANGER. I wish to ask the Senator if he is aware of the fact that in the occupied countries, especially in Germany, the Army has taken off the pay roll of the Army men who were receiving $300 a month and blanketed them into civilian service at a pay of $540 a month apiece for doing exactly the same work as they did while they were in the Army and living on exactly the same plane?

Mr. BYRD. I will say to the Senator from North Dakota that I am not aware of that. I have not made any investigation of that particular activity.

Mr. LANGER. I might say to the distinguished Senator that the committee of which I am chairman has developed that fact quite fully, and there is not the least doubt about that being done.

Mr. BYRD. I hope the Senator will go very fully into that question.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Colorado [Mr. MILLIKIN].

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Myers
Baldwin	Hayden	O'Conor
Ball	Hickenlooper	O'Daniel
Barkley	Hill	O'Mahoney
Brewster	Hoey	Overton
Bricker	Holland	Pepper
Bridges	Ives	Reed
Brooks	Jenner	Revercomb
Buck	Johnson, Colo.	Robertson, Va.
Butler	Johnston, S. C.	Russell
Byrd	Kem	Saltonstall
Cain	Kilgore	Sparkman
Capehart	Knowland	Stewart
Capper	Langer	Taft
Connally	Lodge	Taylor
Cooper	Lucas	Thomas, Okla.
Cordon	McCarran	Thomas, Utah
Donnell	McCarthy	Thye
Dworshak	McClellan	Tobey
Eastland	McGrath	Tydings
Ecton	McKellar	Umstead
Ellender	Magnuson	Vandenberg
Ferguson	Malone	Watkins
Flanders	Martin	Wherry
Fulbright	Maybank	White
George	Millikin	Wiley
Green	Moore	Williams
Gurney	Morse	Wilson
Hatch	Murray	

The PRESIDENT pro tempore. Eighty-six Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. MILLIKIN].

Mr. MALONE. Mr. President, let me say at the outset that I shall support a $6,000,000,000 reduction in the President's budget, simply because it is the largest reduction I have the opportunity to support. It should be less for the first peacetime budget.

I shall support the bill introduced by the Senator from Wyoming [Mr. ROBERTSON], which I had discussed with him in detail prior to its introduction, proposing an independent audit of all the Government bureaus, boards, and commissions for the last 14-year period.

As an example of some of the reductions that might be made, it will be noted, by comparing the 1939 budget and the 1948 budget, that in 1939 the Department of Commerce expended less than $45,000,000, and that in 1948 it proposes to expend more than $199,000,000, which does not include an item which will come before us later, for the completion of national airports. No doubt that is a very laudable objective, and its fulfillment will further increase the budget. So in the case of one department, there is an increase, roughly, of $155,000,000 from the 1939 peacetime budget.

While I am a freshman in this body, having been here less than 2 months, I venture to suggest large reductions can be made in the appropriations for the Department of Commerce, and similar reductions, though, perhaps, not proportionate, can be made in the appropriations for every other Government department.

I am not proposing that the Department of Commerce go back to a budget

of $44,000,000, but I am proposing that we get our feet on the ground and arrive at a reasonable peacetime budget. It is my present opinion, that such a reduction as is proposed can be made without impairing or injuring in any way the proper support of the armed services and efficient peacetime budget for the operation of the United States Government.

Our Appropriations Committee is confronted with an almost superhuman job in arriving at a proper understanding of the responsibilities and necessities of our Government. I suggest giving them unlimited facilities and assistance; provide them the independent audit suggested by the Robertson bill, and then make an effort to arrive at an adequate and efficient peacetime budget for the operation of our governmental machinery.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Colorado [Mr. MILLIKIN].

Mr. GEORGE. Mr. President, I have no desire to do more than register my position on the question which is before the Senate.

Having served as a member of the general committee and also as a member of the subcommittee which reported the concurrent resolution, I should like to state the reasons upon which I base my own conclusions.

I rise in support of the amendment offered by the distinguished Senator from Colorado [Mr. MILLIKIN], although I am not certain that a total reduction of $4,500,000,000 in the budget can be made. I should as enthusiastically support a larger cut in the budget if I believed it were possible to make such a cut.

I am aware, Mr. President, that the acid test will come not on this vote, but on every vote that is taken in the House or the Senate on every item in the various appropriation bills. Nevertheless, I am convinced that we can make some cuts in the budget, and I am hopeful, at least, that we can cut the budget by four and one-half billion dollars, as has been suggested by the distinguished Senator from Colorado [Mr. MILLIKIN]. I base my figures upon the following facts:

The President's budget is estimated at $37,569,000,000, in round figures. That budget, however, contains in round numbers only about $32,000,000,000 of new money. The balance, of course, represents unexpended balances from appropriations of prior years. It is very difficult to study the budget, because the budget of this Government is not like the ordinary budget of income and expenditure that one would expect to find and would find in almost every well-regulated business organization.

I think the personnel reductions should be first considered, and I commence with that thought in mind. In 1941, when we were already moving into war, the Government had on its pay rolls approximately 1,600,000 employees of various kinds. The President's budget is based upon an average Federal personnel of 2,100,000. Actually, as of today there are on the Federal pay rolls nearly 2,300,000 employees. Nevertheless the average personnel budget as estimated by the President in his annual budget message totals 2,100,000. I think this figure can be cut by 500,000. Cutting it by 500,000 would make it arrive at approximately the level of Federal personnel in 1941. To assert that the Federal personnel cannot be reduced to the 1941 level seems to me to be ridiculous.

The average salary of Federal employees is approximately $2,500, but the total cost of the 500,000 employees which I estimate may be the reduction below the President's estimate would result in a saving of possibly a billion and one-half dollars, because to the amounts for salaries must be added mileage, traveling expense, and the incidental expenses which go with each employee.

The expenditures for the armed services have been discussed at great length, Mr. President. The expenditures for the armed services, outside and exclusive of the item for atomic energy, total more than $11,000,000,000. My own study of the budget, as imperfect as it has been, convinces me that in this estimate for the armed services are carried very many items, such as cost of utilities, rentals, contractual services, and so forth, which will justify a reduction of $1,000,000,000 in this whole item. I do not think a reduction of $1,000,000,000 in an appropriation of more than $11,000,000 000 is an unreasonable reduction to make. I am confident that if the question were put squarely to Secretary Forrestal and if he were allowed to make his reductions, he would be able to save his proportionate part of a $1,000,000,000 cut in the expenditures for the armed services. I have equal confidence in Secretary Patterson in that respect, if he were called upon to discharge the same duty.

Mr. President, in looking through the budget, we find that there are various items for public works. Some of them are carried under items for the War Department; some are carried under appropriations for the Interior Department; some are carried under items for the Veterans' Administration; and some are carried under various other heads. As nearly as I have been able to estimate, these public-works expenditures, as set forth in the budget, will total between $2,000,000,000 and $3,000,000,000. But taking the lower figure, namely, $2,000,000,000, I have not the slightest doubt that that item can be cut by $500,000,000, or one-half a billion dollars.

We come, then, to a consideration of the so-called irreducible items contained in the Budget. We have the irreducible item for debt service, which is carried in the budget at $5,000,000,000, although it is not quite $5,000,000,000, and will not run quite that high. The cost of administering it, plus the cost of the debt service itself, may run to approximately $5,000,000,000.

We have tax refunds, which of course must be made. We have veterans' benefits which must be paid; and the veterans' benefits, the debt interest, and the tax refunds will total approximately $14,000,000,000. These are relatively irreducible items. There are also certain commitments which have been made to the States, and they, too, may be regarded as irreducible items. There are approximately $1,500,000,000 worth of them.

Then we have the foreign commitments, which in my judgment are irreducible items. Considering the condition of world affairs at the present moment, it may well be that this Congress will have to increase by more than twice the amount which is carried in the President's budget the proposed expenditures for rehabilitation and for support of peoples in other lands.

I have already discussed the more than $11,000,000,000 worth of defense items. When the $10,000,000,000 is added, we arrive at a point where we have approximately $17,000,000,000 left. That $17,000,000,000 is made up of an estimated $1,500,000,000 of new appropriations recommended by the President; it represents all sorts of programs, as well as by the operation of the General Government itself. I think it entirely reasonable that in the third year after the war, this general item of $16,000,000,000 or $17,000,000,000 might be cut by 10 percent, but I have not based my figures upon that. I have, rather, reached the conclusion that the total reductions which could be made in these reducible items would amount to $1,000,000,000.

So, Mr. President, my own thought leads me to the conclusion that we can reduce the President's budget by $4,000,000,000. It is possible that a further reduction can be made by means of recapture from the Federal corporations of approximately $500,000,000, although with respect to that item I would not be in favor of any recapture from the Export-Import Bank, because in my judgment the Export-Import Bank will be called upon to extend to certain foreign countries, during the present year, even larger credits than those which have been extended.

But I assume that we can cut some $500,000,000 from the items for the Federal corporations. One billion and thirty million dollars of new money is carried in the budget for these Federal corporations, besides $890,000 which might be likened unto a cash balance already in hand. I do not pretend to understand the budget entirely, but that is my best interpretation of it. So out of this $1,030,000,000 of new money which the Federal corporations will have a right to call upon the Treasury for during the next fiscal year, and out of the amounts which they already have on hand, and without reducing the amount available to the Export-Import Bank, it is quite likely that we can reduce this budget by another $500,000,000—or a total reduction of $4,500,000,000, as has been suggested by the Senator from Colorado in his amendment now pending before the Senate.

Mr. President, just a word about the income, because whether we cut the budget by $4,500,000,000 or whether we cut it by $6,000,000,000, if we were able to do so, it does not follow at all that we are going to have the surplus which ordinarily is accepted as the surplus remaining after these indicated cuts have been made. The income of the Federal Government is estimated—and the estimate

is correct, based upon present conditions—at approximately $39,100,000,000 for the fiscal year 1948. Of course, we have not yet arrived at the beginning of the fiscal year 1948, but the present, current earnings of corporations form the basis of the corporation tax which will be paid into the Treasury in 1948. That is not true of the income tax, it is not true of the excise taxes, it is not true of the customs duties, it is not true of any current income such as may arise from the sale of surplus war property, and the like.

So that only the one significant item we can safely count upon now as the basis of an estimated income of $39,000,000,000 in the fiscal year 1948 is the present current earnings of corporations. Those earnings are running very high, and in the case of some of the corporations they are running entirely too high, in my judgment. They convince a careful student of affairs that some businesses in the United States are yet perfectly willing to take all the traffic will bear; and that is a very short-sighted policy, from the standpoint of American business interest.

The only safe item on which this estimate is based is the current income of corporations, which, of course, will be accounted for after and during the fiscal year 1948.

I am not a pessimist, and I do not wish to strike a note of pessimism, but how anyone, looking at the economic picture of the world today, can think that the whole of fiscal year 1948 is certain to be a rosy year in our affairs, is wholly beyond me.

Chinese currency is gone, even if that currency system had application only in its cities, in its commercial centers. Chinese purchasing power is virtually vanishing. I think everyone knows the real strength of the French franc, and I am sure everyone knows that the whole German economy in central Europe is stagnant, doing nothing.

I am sure that some of my colleagues know very well that even before we opened the debate on the British loan—and I am sure the distinguished President pro tempore, now presiding, will bear me out in this—I had the strong view that the British loan would not enable the British government to maintain the pound sterling at its present value. I am merely recounting these facts because, as responsible representatives of the American people, I think we must look at the facts as they are.

Mr. President, the pound sterling today stands at substantially the same level at which it stood eight years ago, before the most devastating war in all history. Already there are evidences of the dissolution of the old British Empire. I do not say that Britain will disappear; I do not think so. I do not think her contributions to law and to political organization, certainly to art and science in the field of government, as well as in general fields, will disappear. In the travail through which she is now passing she may be making the greatest contribution to the democracy of the world the British people have ever given to the peoples of the earth. Be that as it may, it would not seem conceivable that the British pound sterling could remain where it was eight years ago, in the face of everything that is happening around the globe.

If there is any marked decline in the pound sterling it is not conceivable that Canadian currency can escape its influence, because Canada is tied intimately with the British. The ties are too strong to permit any student of affairs to think for a moment that any market decline in the pound sterling can fail to make a very definite impact upon our neighbor to the north of us, yet a young country, yet compelled to export because she has not any great reserves of capital.

The PRESIDENT pro tempore. The Senator's time on the amendment has expired.

Mr. GEORGE. I shall take a few minutes more on the resolution, if the Chair will indulge me.

The PRESIDENT pro tempore. The Senator from Georgia.

Mr. GEORGE. So, Mr. President, when we look at the picture as it is and know that we are talking about a fiscal year which will not commence until July 1 next, and which will run for a full 12 months, we cannot be overoptimistic about a Federal income of $39,000,000,000.

I know that the budget must be reduced, and it is all right to reduce the budget, and I am assuming it is going to be reduced by $4,000,000,000, and if possible by $6,000,000,000. Certainly I shall do all I can to reduce it as far as it can be reduced, but even if it is reduced, we may not have any very comfortable surplus to play with after the account of the next fiscal year has been cast up.

Then we come to the question of what we are to do with the surplus, assuming we have one. It seems to me the only sensible thing to do with the surplus is to apply it to the national debt. I do not know that the amendment of the distinguished Senator from California is in exactly the right words, because it requires an application of $3,000,000,000, and we may not have three billions to apply. But I assume, of course, that he means $3,000,000,000, or a proportionate part if there is not a surplus of $3,000,000,000.

Then what about tax reduction? I know very well the necessity of tax reduction. If the American people gave a mandate to anybody in government I consider that mandate was directed to me just the same as it was to any Republican Senator on the other side of the aisle, because if the American people have spoken, it is the duty of the representatives of the American people in this body to recognize their mandate.

I know the necessity of reducing taxes, because at best there is a Federal tax estimated for the next fiscal year of $39,100,000,000. There are State, county, and local taxes amounting to more than $10,000,000,000. There is close to $50,000,000,000 to come out of the pockets of the American taxpayers.

In the long run we will have great difficulty in holding our place as a producing and selling country with that enormous tax burden resting upon us. Unfortunately, that is not the only cost item in our economy which has a lack of flexibility at the moment, because under our laws, regulations, and rules of wages—and I have always favored high wages, so far as that goes—have little flexibility. The total amount paid for wages and the total amount paid for taxes, which are the two great items of cost in the production of everything that we must offer to the outside world, have very little flexibility left in them.

When we look at the whole picture, Mr. President, I have the strongest doubt that we shall have any large surplus, when every Member of this body who desires economy shall have voted for every cut in every appropriation bill that can be made.

At any rate, the only sensible thing is to apply whatever surplus we have to debt reduction, and to forget tax reduction effective before January 1, 1948. I know very well that candidates who have run on a tax-reduction program effective at once, and for 1947, have an obligation which they must meet if it is possible to do so; but I do not believe it will be possible to proceed intelligently and safely with any tax reduction effective for 1947. If we make the cuts we ought to make in this present budget—and by that I mean in all the appropriations that come before us—we may be able to have some tax reduction commencing in 1948.

I, myself, am not worried about how the tax reduction is to be made, because I do not see any sizable surplus out of which a tax reduction is possible. If I am at all right in anticipating what may happen in our own country and also in the world, for we cannot escape entirely the economic influences that exist beyond our own borders, I do not see that we shall have a surplus justifying more than a reasonable application to our national debt. I wish that we could have it. I certainly hope that we can effect great economies. I hope that when the appropriation bills are finally totaled we shall have a surplus that will justify some slight tax reduction; but it does not seem to me to be reasonable to expect it. It may be disappointing to people who are expecting a tax reduction in 1947, but I do not believe it will be possible to make it and at the same time meet all of our other obligations.

I have said very frankly the basis on which I think we can make a reduction in the budget of four and one-half billion dollars. I have said very frankly that I think it involves a cut of approximately $1,000,000,000 for the armed services and for all the related services and expenditures. I think we ought not to hesitate to make it, because I believe that America, as a strong economic force, is far more powerful in the councils of the world than she can be by mere reliance upon her armed forces.

Indeed, Mr. President, I have never had a great deal of enthusiasm for the kind of philosophy which says we must have back of the Secretary of State, who is the spokesman for the United States, a tremendous armed force. If we do not have a great moral power, coupled with the great strength of our economic system, that gives us a voice in world affairs, then I do not think we are going to advance the cause very much by a great military show. I do not want to reduce the Army and the Navy or any branch of the armed services beyond the necessary

strength that should be maintained at this time—and that is a very great strength—but it seems to me that in excess of $10,000,000,000 expended in that field certainly ought to provide the necessary military force and power.

Ah, Mr. President, when today one looks at the whole of Europe and sees what is going on in the British Empire, and then lifts his eyes to China; when one takes a serious look at the affairs of this earth as they are, our chance will be to disregard niggardly and quibbling policies regarding our obligations to the poor and the starving peoples of the earth. Our great power, and the great strength of our voice in international affairs will come from the sheer moral force and the convictions of the American people, backed by a sound economy that will enable us to do our part in the saving of the world at this time. So, for my part, whatever surplus we have, by my vote and to the extent that my vote will have the slightest bearing on it, it will go into reduction of the debt, and I shall dismiss now any thought of tax reduction in individual income rates, prior to January 1, 1948. That will be in the middle of the year 1948, but it will not be in the early part, or prior to the beginning of that year.

Mr. President, I have spoken longer than I expected to, but, having served on the Joint Committee on the Legislative Budget, I felt that I should say frankly why I think a cut can be made of at least $4,500,000,000, and why I shall vote for that motion.

Mr. KILGORE. Mr. President, I do not want to hold up action on this matter. What I shall say now is not addressed to any particular amendment but to the concurrent resolution and all the amendments to it. I feel it my duty to ask consideration by this body of certain factors that have been only partially cleared up.

As every Member of the Senate knows, our Government, through conditions beyond our control, in the past few years has been called upon to assume duties and responsibilities which require the outlay of cash as well as the use of personnel. We were party to a war which we did not seek, and which has created economic and social chaos in the world. In self-protection we must assist in reducing this chaotic condition abroad, else it will spread to our own borders.

As a result of the war, we agreed to bear a great share of the expense of the economic as well as the personal service burden of reducing chaos abroad.

If we cannot help the people abroad to get away from fear and starvation, eventually we are going to reap the whirlwind that brought about that condition. We cannot maintain an island of order and prosperity in a world of chaos. Thus, if we would go through with the program, we must be slow and careful in trimming our budgetary requirements.

There is one danger to the lump-sum idea of fixing the size of the budget, in that having adopted a resolution reducing expenditures there comes immediate pressure also to reduce income; and then, if it should become necessary at a later date—and after not a very much later date—to expand again to take care of the problems involved, we shall have reduced the amount of cloth that we have to cut, and we shall not be able to take care of the new situation.

At the present time, Mr. President, according to the Civil Service Commission, there are approximately 296,000 Federal civilian employees outside the continental United States. This figure includes employees in the Territories, possessions, and foreign countries.

I have cited this example, Mr. President, to show that it would be a very unwise policy to start cutting at random. We cannot merely say, "We should cut from the budget this amount, and we should dismiss this number of employees who are working abroad on foreign problems or are working in Territorial possessions of the United States." We cannot make a blanket cut in the budget.

Civil-service figures also show that we have approximately 2,000,000 civil-service employees within the continental limits of the United States.

The War and Navy Departments, the Veterans' Administration, and the Post Office account for all but slightly more than half a million Federal employees. So if Congress should take the position that a million employees should be separated from the Federal pay roll, it would also have to decide how much to curtail the four vital services which account for three-fourths of the total number of Federal employees within the continental limits of the United States. In other words, all the other agencies have less than one-half million employees, and, of course, it is impossible to make a million cut from such a number. So if we are to drop from the Federal pay roll a million or three-quarters of a million employees, the majority will have to come from the War and Navy Departments, the Veterans' Administration, and the Post Office Department.

Mr. President, I desire it to be distinctly understood that I am very much in favor of reducing the budget, and the purpose of my remarks today is to show how the budget should be reduced. I should like to refer to a little of the background. We, as a Congress, created a Budget Director and we have up until the present time thrust upon him the job of producing a workable budget. Now suddenly we decide we are going to become the budget directors. Before taking such action, however, we should have set up within Congress an organization to prepare a budget, so that we could ourselves upset the figures prepared by the Budget Director who was created by Congress, or shall we say that the agency which he heads is a congressional agency, although it comes within the executive department?

Aside from our responsibilities in connection with world economic affairs and our own national defense program, our Nation also has assumed and is faced with vast responsibilities of a so-called home-front nature. Many individuals for various reasons, are now questioning the wisdom of the Government assuming these responsibilities. We hear such questioning every day.

I do not want to be accused of being political in my remarks or in taking a defensive attitude, and for that reason I shall quote at this point from an article which appeared in the February 17 issue of Newsweek magazine. On page 70 there is an article entitled "Policy: A Businessman's Credo for Business."

The article states:

William A. Irwin, a straight-talking Scotsman who has been educational director and chief economist of the American Bankers Association since 1937, created a sensation in banking circles last week. At the twenty-eighth midwinter conference of bank trust officers at the Waldorf-Astoria Hotel in New York he challenged the brains of business to solve some fundamental problems.

He began quietly enough:

"Americans still believe in individual initiative, in private property, in the accumulation of wealth, and in the principle of inheritance. Even American workingmen believe in them. Ask the first man who is wearing a union button: 'Would you like some day to be your own boss?' That means the American system can be preserved. Furthermore it means that it must be worth preserving to have such an appeal. Yet it can be preserved only if those who wish to see it preserved will ask themselves the question: 'Why is it being curtailed?'"

Irwin then gave his answers:

"Because the system has within it weaknesses that ought to be eradicated. It has failed on its own initiative to try to find the remedies for the crushing impact of business depressions. That it has left to the economists and the bureaucrats."

Mr. Irwin is speaking of business throughout these remarks. He continues:

"It has failed to find the remedy for unemployment or to take care of those thrown idle through no fault of their own. That it has left to opportunistic politicians.

"It has, up to this date, provided only a pittance for those grown old and dependent in its service. That has been done by Government, when it could perfectly well have been done by business itself.

"It has continued, and still continues, to create huge aggregations of wealth in corporate form that sometimes seem to overshadow even Government itself. And in recent years, on the other hand, we have seen legalized the operations of similar aggregations of labor as the workingman's counter-offensive, with tragic results."

THE WAY OUT

"These things cannot continue and leave our American system of private enterprise safe. They need not and should not continue. The brains of American businessmen can and must find the cure for the business cycle. They have never tried to. They apparently have wanted to accept it as inevitable, with all its economic tragedy.

"The same brains can find either a remedy for unemployment or the means to take care of those unwillingly unemployed. They have never tried to. They apparently have wanted plenty of surplus labor, whether tragedy is involved or not.

"Those same brains, applied assiduously to the production of wealth, can find the ways and the means to take care of the human victims of economic obsolescence.

"With few exceptions, they have never tried to. Their interest has seemed to die when then the worker was severed from the pay roll. That an incomeless man was a lost customer did not seem to occur to them. And when Government began the job with a pittance, the same businessmen have cussed it for doing so, because it involved some taxes. If we fail to do the things that the history of the past fifty years has taught us need be done, we shall deserve whatever we get. American business can preserve the American way—if it but will. It has the brains; it has the means. And the time for action is here now!"

The address by this very able economist, speaking for the American Bankers Association, I think speaks for itself and shows to us the reason for the domestic economic demands with which we are faced.

Mr. President, as I previously stated, if we make a blanket cut of the budget based, as some have said, upon a fair estimate, without full knowledge of where the cut is going to apply, we remove the opportunity of taking care of the vital essentials which are recognized by Mr. Irwin in the maintenance of our domestic economy, in the prevention within the United States of suffering such as might bring about, and once before would have brought about had it continued, a change in the entire American system of business and government.

Mr. President, that is another reason why we must go slowly and carefully in dealing with the question of cutting the budget. We must not simply undertake to fulfill a campaign promise. We must not simply take action with a lump sum in view. If we are to usurp the duties of an office created by Congress to do a job we must do the job ourselves with the same care that we would require of the office we created to do the job.

I think the whole budget question, as debated upon the floor of the Senate, is well represented by what one of the editors of my State, the editor of the Wheeling News, termed "an epidemic in Congress of 'lumpsumitis'"—cutting from the budget a lump sum of $6,000,000,000, shall we say, or reducing by a lump sum the number of employees by 1,000,000, without saying how, when, and where they are to be reduced, without a study of the needs of a complicated domestic and foreign economy and the policies engendered thereby, and without a careful study of the need for debt reduction.

I am in favor of applying surpluses to debt reduction, rather than creating a deficit which may have to be met later out of a vacuum. If we build upon the basis of a lump-sum cut, conditions may bring about such a situation that we must exceed the amount of revenue for the current year. If that should happen, the opportunity to create a balance would be removed. That is one of the dangers of a lump-sum cut without careful study. For example, if we ask a department to reduce its budget by a lump sum, we may cut out a very essential part of that department. For the past 2 years the Congress—and the Senate in particular—has relieved itself of all sorts of burdens with reference to monopolies by adding at the end of a bill a tag-end paragraph, as Members of this body who were here during that time well remember, to the effect that it would be left to the Department of Justice to determine whether or not by a certain action monopoly would be created. Then we slashed the Antitrust Division of the Department of Justice and removed from that department the only organization capable of rendering the opinion which we as a Congress demanded from the Department of Justice.

Mr. President, I want a sensible reduction of the budget. I want it done as any good business firm or corporation would do it. The Government is the greatest corporation in the world, and we are its board of directors. I want the reduction made as any good business firm or corporation would make it. I want it made on the basis of a study of the aims and objects of the corporation during the next fiscal year, and what it will cost economically to administer those aims. I do not want it done on the theory of cutting off so much money at the top and making those down the line tailor the cloth to fit the cut.

I realize that there are always inefficient workers in the Government. By a careful study such inefficient workers can be eliminated. But we cannot eliminate inefficiency by cutting the budget. We must do it by establishing stronger civil service standards and higher standards of duty. There are other ways of eliminating inefficiency in the Government than by cutting the budget. Such action does not eliminate inefficiency. It may tend to increase it.

Before we vote on the pending resolution or any of the amendments thereto we must realize several things. First, we cannot intelligently act in a state of hysteria based upon demands from isolated groups which know nothing of the over-all picture. As my good friend, the West Virginia editor, says, we should not give an exhibition of "lumpsumitis" in the reduction of the operating expenses of the one great safeguard left in the world for representative government.

Secondly, we must take a little time to consider. Never were truer words spoken than, "Haste makes waste." We have found that to be true repeatedly in this body. I expect to vote with that thought in mind. Before drastic action is taken, before slashing off a certain amount and forcing the organization which is left to tailor a suit from insufficient cloth, we should study the needs of our people, as represented by government.

As was well stated by the economist for the American Bankers Association, many of the activities about which we complain, and which are handled by various civilian agencies, were thrust upon the Congress as a result of the carelessness and neglect of employers and industry throughout the United States in the performance of their functions.

Having studied the needs of government, we should then take action, not by making a lump-sum cut, but by determining the essential needs of every department. Having discovered those needs, I join with the Senator from Georgia in saying, Let us take as much of the balance as we can and apply it on the national debt, thus relieving our children, who fought this war and paid for it with their blood, of the necessity of also paying for it with their earnings.

Mr. HICKENLOOPER. Mr. President, I have no desire to consume a great amount of the time of the Senate this afternoon, nor shall I do so. I speak at this time only because of the uncertainty of the ground upon which we are treading at this moment in considering our expression with regard to the reduction of the budget recommended by the President.

Had the Appropriations Committee of this body had an opportunity to review, to study, to examine, and then to recommend for each department the minimum needs of government, I might take an entirely different attitude toward the question of the reduction which I would favor. Were this anything but an expression of intention and determination in connection with the reduction of governmental expenditures, I might take a different view as to the amount of such reduction that I would favor. But what we have been debating for the past several days is only an expression of the direction which we expect public expenditures to take in the future, and the degree of reduction.

We all know that governmental expenditures have risen during recent years from a total of $3,000,000,000 to a Presidential budget this year of $37,500,000,000.

A while ago the distinguished and able Senator from Georgia [Mr. GEORGE] called an ominous fact to the attention of the Senate, namely, that more than one-third of all the earnings and production of the American people today goes to feed the maw of government, State and National.

Again I want to call attention, as I have before, to the fact that the degree of freedom and progress of a free, self-governing people is almost in exact proportion as they are entitled to retain and control that which their efforts produce. Today more than a third of our actual production is the servant of Government. If progress is again to be made under the American system, we must begin to allow the American people to have and control more of that which they produce; and there is no time when it is more important to begin that process than at the close of a great war when we, a free people—or at least a majority of us, I am convinced—desire to reestablish opportunities, progress, and development under a free self-governing system.

We talk much about the budget. I am quite sure that the senior Senator from Virginia [Mr. BYRD] will substantially bear me out in the statement I am about to make. For the past 2 years I had the privilege of serving on the Civil Service Committee and working with the senior Senator from Virginia along certain lines which we thought were beneficial to a reconverting economy. Without going into detail, that experience convinced me that the Civil Service Commission not only has done nothing to reduce and curtail unnecessary employment by the Government, but, in fact, has encouraged employment by constantly and repeatedly blanketing under the civil service, willy nilly, everyone who had come into the Government on an emergency or temporary basis, so as to give such workers a permanent status. I am also convinced that the Bureau of the Budget has done nothing to attempt to curtail the extravagant and irresponsible expenditure of money in the conduct of government. I am convinced that we shall not have the maximum of efficient public service and better government until the executive department itself feels

keenly the importance of this matter and attempts conscientiously to do a progressive and honest job in the curtailment of Government expenses and in the establishment of efficiency. We must remember that Congress is not an executive or administrative body, but is the legislative body, charged by the people with husbanding their money, and, as such, it can express itself in the only way open to it and that is by limiting the amount of money derived from the production of the American people that the great agencies and departments of the Government may spend. We are bound to place the responsibility upon the executive departments so to rearrange their activities that they can live and perform the duties resting upon them within the limitations of the funds appropriated.

As I said a moment ago, if the Committee on Finance and the Committee on Appropriations had been able to detail the minimum needs of all departments and could lay those needs before us as a result of study, such study might show that we could not reduce the budget by more than $2,000,000,000, or it might show that it would be possible to reduce it by $10,000,000,000. I should give great weight to such a study. But what do we have before us? We have two things before us, Mr. President: One is a proposal for a reduction of four and one-half billion dollars, based upon estimates which are not implemented by studies of this body up to this point. The alternative is a reduction of $6,000,000,000.

I shall vote as an expression of my view as to the path down which I want to see our Government proceed. I shall vote to express my desire that every effort be made to attain at least a $6,000,000,000 reduction in the public expenditures of the Government. I believe it can be done.

I stand just as strongly for an adequate Army, Navy, and Air Force as does any other Member of this body. I shall examine with great care any proposed curtailment of the armed strength of the United States, and, if necessary, I shall vote for the maintenance of the desired strength, even though we cannot attain a reduction of $6,000,000,000 in the budget, if the needs of our armed forces demand it. I shall do everything I can to support the balancing of the budget, because I do not believe we should continue to resort to deficit financing. I believe that the national debt must be serviced. The important place where we can reduce, Mr. President, is in the sprawling governmental agencies that have mushroomed up in the last 12 or 14 years and have spent money for projects, some of which were necessary but a great many of which involved irresponsible squandering.

It is in that field, Mr. President, that the administrative and executive departments of our Government must under their responsibility curtail expenditures and reform their approach to public government.

I do not know whether we can obtain a reduction of four and one-half billion dollars. I have no figures resulting from a study of the budget that would so indicate. I do not know whether we can attain a reduction of $6,000,000,000; but, in the interest of the reestablishment of the right, the privilege, and the opportunity of the American people to own, control, and use more of that which they produce, I am voting today that we make every attempt to attain a reduction of at least $6,000,000,000, so that we may begin the process of putting not only government but private initiative back into the hands of the American people.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from Nebraska.

Mr. WHERRY. I am a member of the Appropriations Committee, and I have listened with interest to what the Senator has had to say, but I should like to inquire how long a time he would want the Committee on Appropriations to examine the subject before he would approve or vote against this resolution?

Mr. HICKENLOOPER. I would not put a time limit on it, but we have had sufficient reports to cause me to say that the reduction should be between $4,500,000,000 and $6,000,000,000.

Mr. WHERRY. I suggest to the able Senator that the only way he can really examine the appropriations is to obtain and consider all the evidence possible. It would have been impossible to do that in time to bring forth the resolution according to law.

I should like to ask the Senator if he knows what the national income is going to be. He could study the problem until next December without knowing any more about it than he knows now, especially if he took some of the advice of the experts. I have sat here for 2 weeks and heard suggestions that if the Committee on Appropriations had done this or that, so and so would have been the result. I should like to know how much longer the Senator wishes to have the Appropriations Committee work on appropriations, following which he would have the Joint Committee on the Legislative Budget make its report, which under the Reorganization Act must be made by the 15th of February. I know of nothing which can be done in that respect.

Mr. President, as one member of the Appropriations Committee, I should like to know whether the distinguished Senator will suggest a time limit and what he wishes to have done other than what has been done. If he will make such suggestions, I shall be glad, so far as I am concerned, to comply with them. But such things cannot be done if we are to observe the spirit of the La Follette-Monroney Act, which requires that the report of the Joint Committee on the Legislative Budget be made by the 15th of February.

Mr. HICKENLOOPER. Mr. President, I thank the Senator from Nebraska for his observations, and I trust that he is not unduly exercised about my attitude. Perhaps my meaning was not clear, Mr. President. I was not attempting to blame the Appropriations Committee. I was merely stating the fact that there is now no completed study.

Mr. WHERRY. That is correct.

Mr. HICKENLOOPER. I assume that the Appropriations Committee will not complete its studies on the budget for several weeks.

Mr. WHERRY. It cannot do so even by that time.

Mr. HICKENLOOPER. I assure the Senator from Nebraska that I did not mean to criticize the Appropriations Committee for not having completed its studies for the fiscal year by February 15.

Mr. WHERRY. Mr. President, I thank the distinguished Senator for his explanation. I should like to ask him another question. He is a member of the Foreign Relations Committee, and I should like to have him or any other member of that committee state whether there is a contemplated foreign commitment or loan, which Senators generally do not know anything about, which might be requested during the current year.

Mr. HICKENLOOPER. I can speak only so far as my knowledge goes. I know of none presently standing.

Mr. WHERRY. I appreciate the Senator's answer. I should like to ask the question of any other member of the Foreign Relations Committee who cares to answer it, because in the past few hours I have been informed that one of the reasons why this cushion of $1,500,000,000 is requested is the very fact that a foreign loan is contemplated for the current year. Therefore, I should like to have any member of the Foreign Relations Committee state whether that is true.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Colorado [Mr. MILLIKIN].

Mr. JOHNSTON of South Carolina. Mr. President, I have listened to the debate of the past 2 weeks, and if my memory serves me correctly I have not heard one Senator say he is sure the budget can be cut $6,000,000,000.

We have before us a resolution which in effect means practically nothing, because, although it calls for a cut, it also recognizes the fact that the appropriation bills must later be passed by the Senate and the House of Representatives, and they in effect will determine what cuts are made.

Let us see what we have done in the past. In 1945 the appropriation bills which were passed by the Senate and the House for the fiscal year 1946 carried items totaling $102,291,000,000. At that time we anticipated that the war would continue. However, both the war with Japan and the war with Germany concluded sooner than it was anticipated they would. So we find that the appropriation items were reduced, not by the House and the Senate but by the President and the departments. In particular, the War Department and the Navy Department made cuts, and the budget was reduced to $63,714,000,000.

In 1946 the appropriation bills for the fiscal year 1947 were passed, and again cuts were made. The total was cut from $63,714,000,000 down to $42,823,000,000—a cut of approximately $21,000,000,000.

Again, in the recommendations made by the President in his budget for the fiscal year 1948, he has cut approximately $5,000,000,000 from the appropriations which were made for the fiscal year 1947.

But now the Republicans say, "We will cut $6,000,000,000 more from the budget." Mr. President, have they told us where they will make such cuts?

I wish to state a few of the figures which make up the President's total budget, and I wish to know where the Republicans expect to make the cuts.

I notice that there is an item of $11,200,000,000 for national defense. Do the Republicans intend to cut anything from it? Then there is an item of $2,100,000,000 for tax refunds. Can the Republicans cut anything from that? Then I notice an item of $5,000,000,000 for payment of the interest on what we owe, the national debt. Can the Republicans cut anything from that? Those items alone constitute a total of $18,300,000,000.

Then I wish to know what the Republicans expect to do with the veterans who fought for the life of this Nation. At the present time 2,000,000 veterans are attending school. Are the Republicans going to keep any of them out of school, even though it is anticipated that we shall have at least 100,000 more of them in school in 1948, as compared with the number of veterans attending school in 1947.

Mr. PEPPER. Mr. President, will the Senator yield to me?

Mr. JOHNSTON of South Carolina. I yield.

Mr. PEPPER. The Senator from South Carolina is discussing the subject of schools, and I know he is referring to GI's and others who attend school. However, if such a limitation is imposed, what does the Senator think the effect would be upon Federal aid to assist the public schools in the country, under local supervision?

Mr. JOHNSTON of South Carolina. Mr. President, I am glad the Senator from Florida has brought up that point. In short, if Senators who would vote for such cuts mean what they say, we might as well withdraw at this time all bills on such subjects, for any future talk about them would be useless if such cuts were made.

I notice that at the present time 3,150,000 of our people are receiving pensions or similar compensation. Are we going to reduce such compensation, or do away with it entirely? I am informed that in 1948 the number of persons receiving such compensation will be 50 percent greater than it is at the present time or than it will be in 1947. Then, how are cuts to be made in that field, for veterans' services, which we now appropriate $7,343,000,000?

Five items—interest, refunds, national defense, international affairs, and veterans' benefits require expenditures of $29,200,000,000; or almost four-fifths of the total budget as submitted by the President. This sum approaches rather closely the amount which the Republicans have set as a total of expenditures in 1948, without including appropriation items for other branches of the Government.

Under those circumstances, Mr. President, what will the Rural Electrification Administration do? What will flood control do? What will the public works projects do? What will happen to them? What will happen to the Clarks Hill development in South Carolina and Georgia? What will happen to the hot lunches the school children are receiving? What will happen to Federal aid for schools? What will happen to social security? Do Senators mean to increase the items for the social-security program? I have heard some Senators say they mean to see that more money is spent in that field. Can that be done if the budget is cut $6,000,000,000? We might just as well face the facts now and when the vote is taken.

In international affairs we will spend in 1947 $6,394,000,000. The estimate for that item in the fiscal year 1948 has already been cut by the President's budget to $3,510,000,000. Is there a desire to cut that any further?

Someone has said we should cut the appropriation for the General Government. Do Senators know that we spend only $1,492,000,000 in that field at the present time? Then how much can be saved if we cut that out entirely? Not $6,000,000,000, but only $1,492,000,000. We are only fooling ourselves when we say we can cut the budget $6,000,000,000 at this time without injuring the national defense, and many other useful activities in the United States.

While we are here today cutting down on national defense, we find that Russia is keeping up the appropriations for her national defense. I do not have to go into that in detail in order to have Senators realize what might happen should we cut our appropriations and other nations not cut theirs. I am one who would like to see all nations get together and agree to cut armament appropriations, but I am not in favor of the United States cutting her appropriations for national defense and other nations keeping theirs up.

We have finished with the firing of the guns, but the war is not yet over. During 1948 we will have approximately 1,070,000 soldiers in the Army alone. But with the proposed cut we would probably have to go far below that number. Remember, we have increased the pay of the soldiers, and they must get their increased pay from the appropriations made by Congress.

Mr. President, I am in favor of cutting what we think we can save as the various appropriation bills come before the Senate, but I am not saying today that we can cut the appropriations $6,000,000,000.

I shall vote for the amendment proposing a cut of four and a half billion dollars, and I am not so sure that if that amendment carries and we then vote on the amended resolution, I shall not vote against the adoption of the resolution as amended.

So, Mr. President, let us think before we vote. I do not believe the Senate is going to vote for a $6,000,000,000 cut. I hope not.

Mr. MORSE. Mr. President, I wish briefly to summarize my position on the proposal now pending before the Senate. I have already spoken at some length on it, but I think it very important, as we are about to get to a vote, that those of us who think a $6,000,000,000 cut in the budget, which is not based upon any facts, is not in the best interests of the country make the record perfectly clear as to our reasons for taking that position.

I wish to say at the outset that I am preparing and will introduce in a few days an amendment to the Reorganization Act which will call for the submitting of the legislative budget to the Congress by the Budget Committee on March 15 rather than on February 15. If we have not learned anything else from this debate, we have certainly learned that the law as it now stands does not give the Budget Committee ample time to do a thorough job in the preparation of a legislative budget. If we cannot have a budget that is based on some scientific analysis of the budgetary problems of our Government, it is better that we have no legislative budget at all. If time is the factor which will determine whether or not we get a carefully prepared legislative budget, then I think we owe it to ourselves and to the country to so amend the law that in the future there will be sufficient time for the careful preparation of a budget.

But, Mr. President, we have to take the law at this time as it is, and taking it as it is, I am of the opinion that the most efficient use of time was not made by the Budget Committee, because if it had used its time most efficiently, then I think we would have had a report which would have been based upon at least some facts. However, it is admitted by all, even including the members of the Budget Committee, that this proposed budget at best purports to be an "intelligent guess." I do not think the Congress of the United States should submit to the American people a budget based even upon an intelligent guess. In my opinion, the American people are entitled to have a budget based upon what the Congress knows to be the facts, not guesses. Hence I cannot vote for a budget based upon allegedly intelligent guesses.

I shall vote against the Millikin amendment, which calls for a $4,500,000,000 budget cut, and I shall vote against the proposed $6,000,000,000 cut. I shall vote against both proposals because, as this debate shows, there is not a scintilla of evidence in the entire record of the debate or in the report of the Budget Committee on which I can base a vote in support of either one of the proposed budget cuts.

As a lawyer I know something about the rules of evidence. As a lawyer I cannot vote for such a proposal as this without any evidence at all upon which to base my vote. I certainly cannot justify to my constituents in the State of Oregon a vote for either the Millikin amendment or the committee proposal on the basis of the argument of the senior Senator from Ohio that the cuts represent intelligent guesses. There can be no intelligent guesses without some evidence on which to base a guess.

I am willing to grant that the Budget Committee did not have enough time under the existing law to prepare a thorough scientific analysis of the Federal budget, but if it had properly used the

time it did have at its disposal it could have given us at least some evidence in support of its recommendation for a $6,000,000,000 cut.

I want the RECORD to show for future reference that what the proponents of the $4,500,000,000 cut and of the $3,000,000,000 cut are saying to us is, "Gentlemen, we ask you to vote blindly for these cuts because we tell you that we have made intelligent guesses that lead us to believe that we can cut the budget that much safely." I think such a position is an untenable one, and I shall never support it with my vote.

I repeat that the committee had time to give us some evidence on the budget. The chronological date record proves my point on that matter. The records of the Senate show that our Senate committees were appointed on January 8, 1947. The President's budget was transmitted to the Congress of the United States on January 10, 1947. What did the Budget Committee dc from January 10 to February 15, 1947? It had more than a month to make at least some analysis of the budget. Certainly a month's time for study and analysis of the budget is at least ample to bring forth from the committee something more than just guesses even though some of the members of the committee claim that their guesses are intelligent guesses.

I am at a complete loss to understand why the committee failed in more than a month's time to produce some evidence; just a little evidence; at least a scintilla of evidence in support of the proposed $6,000,000,000 cut. Other speakers have pointed out how arbitrary, secretive, and apparently political the procedures of the Budget Committee have been. Those charges have not been successfully refuted. I am convinced they cannot be. Hence, in view of the record which has been made against the Budget Committee, I do not propose to vote for any of its recommendations.

The next point I wish to make as a reason for my opposition to the $6,000,000,000 cut is based upon a statement made by my very good friend the Senator from New Hampshire [Mr. BRIDGES]. I think he is one of the most able Members of the Senate, certainly a man whose conscientiousness cannot be questioned by any Member of this body. In the RECORD for February 21, at page 1338, appears a statement made by the Senator from New Hampshire which, in my opinion, goes to the very crux of the problem we are discussing, so far as I am concerned, when this colloquy took place:

Mr. BRIDGES. Under the Reorganization Act would the Senator present a complete break-down showing in detail where reductions are to be made?

Mr. MYERS. I would give as much information as I could; but the committee has given us no information.

Mr. BRIDGES. Would not that be prejudging the work of the Appropriations Committees?

Mr. MYERS. No. The Senator's committee has given us no information.

Mr. BRIDGES. I can tell the Senator very simply where the cuts will come. They will come within every single department of Government, down the line.

The Senator from New Hampshire meant what he said—he always means what he says. On February 21 he spoke as the chairman of the Senate Committee on Appropriations, and told us, with the honesty which characterizes the man, that as chairman of the Committee on Appropriations his intention is to make the cuts down the line in every department.

Mr. President, I say that such a fiscal program would be a most unfortunate policy of budget making for the Eightieth Congress to adopt. When the chairman of the Committee on Appropriations tells us that a horizontal budget-cut principle is the underlying principle he is going to apply, knowing the tremendous power the chairman of the Committee on Appropriations has in the fixing of any budget, I am willing to take him at his word, but I must rise to oppose the application of that principle. There is nothing fair or scientific about a horizontal-cut principle. It is an arbitrary rule-of-thumb principle.

Mr. BRIDGES. Will the Senator yield?

Mr. MORSE. I am very sorry I cannot yield, in view of the very great limitation on time imposed on me. If I can possibly cut my remarks so that the Senator may reply, I shall certainly give him the time.

Mr. BRIDGES. I wanted to say just a word in explanation.

Mr. MORSE. I wish to say, Mr. President, that there are departmental budgets which should be increased if we are to protect the national welfare. Hence, I wish to point out to the Members of the Senate that if they vote for the proposed cut, they are not only underwriting the sort of arbitrary, unjust, horizontal budget-cutting principle proposed by the chairman of the Committee on Appropriations, they are not only underwriting a guesswork pattern, admitted by all who have had anything to do with this proposed cut to be a guesswork pattern, but they are voting in the dark; they are voting blindly on this budget. When they vote for that principle they do not know in what degree some great functions of the Government may be sacrificed or injured by the type of budget cut proposed.

Let me repeat what I said on February 7 and on February 14. I want the Government to save every dollar it can, out of wasteful expenditures. I want to put a stop to all wasteful expenditures in Government.

I will vote for that sort of saving. However, I think it is time that the Senate of the United States recognize that there is one division that ought to be made in the budget, and that is a division which separates administrative costs of government, much of which I think can be pared down and can result in some savings, from capital investments or expenditures for wealth-creating projects so sorely needed throughout the entire country. These wealth creating projects should be increased and not decreased. Now is the time, Mr. President, to see to it that we lay the foundations of prevention, in order to avoid the next depression. If we do not do it now, I do not know when we are going to do it. Thus I say that there are some great wealth-creating investments, and some capital investments that ought to be separated from so-called administrative expenditures, because for the most part they are self-liquidating, and they are very essential if we are going to develop a stable economy for the country. They are necessary if we are going to prepare to meet the threat of unemployment, which is going to come as surely as we sit here today, in not too many years hence, unless we do something to change the economic policies for the country that this Congress is already beginning to lay down as its pattern. That trend of those policies being proposed by some Republican leaders in the Congress is clearly a return to the economic patterns of the 1920's. As one voice in the Republican Party, I am going to continue to try to be heard against the Republican economic policies of the 1920's. My party perpetrated those depression-causing policies on the American people and as I said the other day, it must assume the chief responsibility, as a party, for the costly, devastating depression of 1932 and the years following.

If we are going to prevent the repetition of that type of economic cycle, then, Mr. President, we ought to prepare now for some great capital investments that will result in wealth-creating projects, out of which new tax dollars may flow. Such projects will give some assurance of employment to millions of men that in the not too distant future may be faced with unemployment.

I refer, Mr. President, to the great reclamation projects of the West. I refer, for example, to the great flood-control projects of the West. As we sit here today, the streams of the West are overflowing their banks, and millions and millions of dollars of national wealth are being washed into the sea, never to be recovered by the people of the Nation. The value of this precious top soil is far in excess of any sum that will be found in this year's budget for a reclamation and flood-control program.

We have no right, in the interest of our national welfare, to follow such a blind policy of soil destruction. If a cut is made down the line, department by department, you and I know, Mr. President, that money needed for the conservation of our precious natural resources will not be appropriated.

I want to point out that conservation of the natural resources of the country is right squarely before us in this session of Congress. I want to say to the American people from this platform that they need to take heed to the millions and millions of dollars of unrecoverable natural resources that are being lost each year because the Congress, in the past and now, has not shown an adequate inclination to appropriate the necessary funds to prevent that sort of waste. Are we going to be guilty of turning great areas of our Nation into another eroded and flood-destroyed China?

Our attitude on reclamation, our attitude on flood control has been a "penny-wise and pound-foolish" attitude. The Congress is deceiving the American people when it does not appropriate the necessary funds to prevent the terrible loss that we are suffering to our irreplaceable fertile lands.

Mr. BARKLEY. Mr. President, will the Senator yield for a question?

Mr. MORSE. I am sorry, I do not want to yield until I am sure I can finish within the time that has been allotted to me; then I shall be glad to yield to the Senator from Kentucky. Take my State, Mr. President, for example. Within a very small area, an area of not more than 40 square miles, last year 6 percent of the entire Nation's flood damage was suffered by a flood on the Willamette River. For years the people of my State have been pleading with the Congress to get busy and appropriate the funds which everyone admits, if appropriated, will prevent the serious annual flood damage in the Willamette Valley, running up into millions. Yet it is expected by some here that I should sit and vote blindly on a budget when no one in the Senate can tell me what the effect of a $6,000,000,000 or a four-and-a-half-billion-dollar cut is going to have on the problem of conserving the natural resources of my State of Oregon as well as other parts of America. I am not going to do it, Mr. President.

I am going to do everything I can, when this budget is approved, if the appropriations come out with not enough money in them to prevent the type of loss from floods which I have been pleading about, to place the responsibility where it belongs. If it belongs on my party, I shall put the responsibility there. I am going to do what I can to have the Republican Party step up and measure up to its responsibility in conserving and preserving the natural resources of the country.

Go on out through the western country, and take a look at what is happening to soil conservation because of failure on the part of the Congress to appropriate enough money soon enough. We are cheating future generations in the name of a false economy. We should not play politics with their rights. Then let us go into this problem of building the great self-liquidating power dams of the Pacific Northwest. I refer not only to completing Grand Coulee, but to starting McNary, Hungry Horse, Foster Creek, and rest of the proposed dams on the Columbia and the Snake Rivers.

The private utilities of the West, for the first time in our history, are now begging for a completion of these dams. Why? Because these dams are their chief sources of power. Existing power plants, public and private, cannot provide the necessary power already being demanded in the great Pacific Northwest. The private power companies must depend on the completion of these dams if they are to supply their customers. Thus, I offer, Mr. President, and ask to have incorporated as a part of my remarks at the end thereof, a letter signed by Mr. C. A. Erdahl, chairman of the Tacoma power conferences held on January 7, 11, 22, and 23, 1947, by the private utilities and by the representatives of the various governmental agencies that are charged with the responsibility of proceeding with those dams, together with attachments.

There being no objection, the letter, with attachments, was ordered to be printed in the RECORD.

(See exhibit A.)

Mr. MORSE. It will be found, Mr. President, in this material—and I shall not take the time to read it—that the officials of the private utilities and the governmental officials concerned came to one mind on the imperative importance of completing these great wealth-creating projects.

What will the budget cuts do to them, Mr. President? I do not know. It is a big secret that the budget committee has not been willing, if it knows, to disclose to us. But let me say that in my judgment the people of the Pacific Northwest are entitled to ask us in the months to come, "What was your position when the budget was before the Congress? Did you raise your voice in protest about the dangers inherent in a budget when the makers of that budget could not tell you what the effect of it would be on these great reclamation and irrigation and power-development and flood-control projects of the Pacific Northwest?"

Mr. President, I am trying to make my voice of protest heard. I think the people of the Pacific Northwest will know that it was heard before we get through with this fight, because a fight it is. We are going to have to find out whether or not we of the western empire are just going to be tail-enders on appropriation allowances, or whether the Congress of the United States is going to recognize the great wealth potentials of the Pacific Northwest and the other Western States and what those potentials mean to the entire economy of the country.

I also wish to point out that we have some other conservation problems. We have a great forestry conservation problem. I am not going to go into the statistics of it now, Mr. President, except to point out that our Department of Agriculture, through the Forestry Service, points out that we are cutting at a very rapid rate in excess of reforestation. Let me tell the Senate that when a nation sacrifices its timber resources, the effect thereof upon the entire economy of the country is tremendous.

Take a look at those countries of the world which are not self-sustaining. You will find that almost without exception they are without adequate timber resources. In many instances they destroyed their forests and failed to take adequate conservation steps necessary in a sound reforestation program. Their unsound policy of exploiting their forests was one of the things that produced their economic weakness.

Our national security should compel us, Mr. President, to insist upon appropriating whatever sums are necessary to conserve our forests. We need to put into effect immediately a sound reforestation and sustained-yield program. We must stop the plundering of our forests now. I speak out of first-hand knowledge when I tell you that the lumber interests of this country will cooperate wholeheartedly in an intelligent, adequately financed reforestation and sustained-yield program. But I ask what chance is there for such a program under either one of the proposed budget cuts? I do not propose to go back to the State of Oregon and tell my people who are living with this problem that I failed to point out this issue before any budget cuts were adopted by the Senate. Denude the mountainsides of the West, mow down the forests now growing on them, leave those areas to the erosion of the elements, and you will be guilty, Mr. President, of cheating future generations of Americans out of 10 times and more of the total cost of preventing such waste by a sound conservation and reforestation program. We cannot do the job that is needed in saving the forests of America and cut the conservation program in the budget. This is an item that should be increased, not decreased.

Mr. President, we of this generation do not own these natural resources. Oh, if we could only get the American people to see that they are guilty of larceny against future generations by the exploiting methods they are using in devastating the natural resources of America. All we have is a trust of use, that is all. Just a trust of use. How are we keeping the trust? We are remiss in keeping that trust as far as conserving our natural resources are concerned. We have no right to do what we are doing to the soil of America, to the forests of America, to the minerals of America. The way to prevent that type of exploitation is through a friendly and cooperative government working hand in hand with those who are seeking to use those resources in the best interest of our private property economy. I have found the lumbermen of my section of the country, I have found the mining men of my section of the country, I have found the public-utility men of my section of the country, and the farmers too, perfectly willing to cooperate with the Government in support of sound conservation. They recognize, too, the great danger of the sacrifice of the natural resources, but they would tell the Senate, Mr. President, if they were on the floor here this afternoon, that they cannot do it if the heart is cut out of a conservation budget.

However, their eyes are watching us. I am sure the people of the West are going to hold us responsible for what we do this year on the budget. They know that they have a right to expect my party to support as well as talk about a conservation program. The funds we appropriate will be our answer to them. They have a right to have those funds increased, not decreased. Any other fiscal program on this national emergency problem would be false economy.

Mr. President, I move to the next point on which I wish to comment and that is that I want assurance that whatever sav-

ings we make will be applied to the national debt. Therefore I am going to support the amendment proposed by the Senator from California that whatever savings we make at least the first $3,000,000,000 thereof shall be applied to the national debt.

The PRESIDENT pro tempore. The time of the Senator on the amendment has expired.

Mr. MORSE. I will take time on the resolution.

The PRESIDENT pro tempore. The Senator from Oregon is recognized on the resolution.

Mr. MORSE. I feel that the Government, Mr. President, should act as honest men act. It should pay on its debts when it has the money to pay on its debts. I was brought up in that way. That was my training as a youth. I can remember my dad saying many times, "When you have the money, pay on your debts. Keep your debts within your earning power." I think it is a pretty sound economic principle for a government to apply. If our Government does not pay a substantial sum on the national debt in 1947, when does any Member of the Senate think it will pay on the national debt? If we cannot pay on the national debt out of whatever savings we can squeeze out of the budget this year, Mr. President, then I say to the American people that our failure to go along with the amendment proposed by the Senator from California is a confession that we have no intention of paying on the national debt at any time. The issue becomes this, Mr. President: Either repudiation or paying the debt. Which is it going to be? I take the position that we must pay on the national debt this year if we are going to instill any confidence in the taxpayers that we have any intention of ever paying on the national debt.

Oh, it is said that it is more important to reduce taxes than to pay on the national debt, because if we reduce taxes that is going to be a stimulus to production and out of production we are going to get more tax dollars with which we can pay in the future on the national debt. I think that is a highly and thoroughly fallacious argument. I think it is based on the false premise, Mr. President, that we have got to bribe the manufacturers and the businessmen of America to produce in the public interest. It is a reflection on their patriotism. I do not know such businessmen. I do not know such manufacturers. But I know scores of businessmen and scores of manufacturers who are greatly concerned with what we are going to do on the national debt. They are much concerned about the value of the American dollar, and they know very well that when that dollar becomes a cheapened dollar, depreciated in value, American business firms by the thousands, as in the 1930's, will be faced with bankruptcy.

Let me say by way of gratuitous advice to my party that if it thinks that by a tax-reduction program rather than a payment on the debt it is making friends in American industry, it has another guess coming. American businessmen are greatly concerned about the value of the American dollar. They want to see us pay substantially on the debt this year. Promises, promises, promises have become the stock in trade of my Republican Party. I say the time has come to make good as a party. There is no better way to start than paying on the national debt.

I think the proposal made by the Senator from California is keeping good faith with American industry. I do not propose to bribe American industry into producing by paying them, through tax reductions to produce. It is in their interest as it is in the interest of all groups of Americans, including labor, to produce now as they never produced before if we are going to save the economy of this country. I think we should pay at least $3,000,000,000 on the national debt, if we can save that out of the budget, and I hope we can. I hope we can save more, once we get the facts, but I think we should pay at least the first $3,000,000,000 saved on the national debt. The psychological effect as well as the economical result on this country would be remarkable if we made such payment.

And then do not forget that when we retire a debt, when we pay on a debt we automatically increase the productive forces of the country. We eliminate nonproductive charges. Service charges on a debt are not productive charges. They do not create wealth. If we get rid of those charges then we help put our economy in a condition where it can enjoy the confidence of the people participating in the economy.

That is the way to stimulate production in this country. The greatest stimulation we could give the country today economically would be to serve notice on the American people that as honest men in the Congress we are to apply the good old principle that when one has the funds he pays on his debts.

One further point, Mr. President, and I shall be through. I think it is true, as some have said, that the "chips" are down in relation to the fiscal policy of this Government. I certainly agree that it should be a principle of the Republican Party that wasteful expenditures in Government, which are always characteristic of a war, and which are always characteristic of meeting any emergency we have not planned to meet, should be eliminated. There was a great deal of waste, not only during the war, but in the nineteen hundred and thirties, because of the great depression. We were then meeting an emergency for which we had not prepared; and my party must assume its share of the responsibility for that ill preparation. There were a great many wasteful Government expenditures during the nineteen hundred and thirties. I do not want that condition repeated. I want to assist now in preparing to lay the fiscal foundation for meeting any future depression which may threaten on the horizon. That is why, speaking particularly to Senators from the West, I say to them that I believe that in the interest not only of our region of the country, but our entire national economy, we, the western Senators, must be able to answer the question, "What would be the result of a $6,000,000,000 cut on the great wealth-creating projects of the West, on the conservation program so sorely needed if we are to save for the future generations of America millions of dollars of national wealth now being destroyed by a failure on the part of the Congress to appropriate the money necessary to save those resources?"

So the action we take today will come back time and again to face western Senators. In my judgment, the eyes of the people of the West will be on the action taken here today and, come July 1, when the budget is finally approved, they will want an answer to the question, "What was your position when it was proposed blindly, by guesswork, to cut $6,000,000,000 out of the budget, when you did not have one iota of factual information showing what effect that cut would have on the great projects of the Western States?"

This statement today, Mr. President, along with the speeches which I have made on the subject of the budget in the Senate on February 7 and February 14 set forth the budget issues as I see them.

I have endeavored to give fair warning of what I think the people of the country expect us to do about appropriating money necessary for national security, conservation, reclamation, flood control, power development, REA, and many other wealth-creating projects. I have endeavored to warn my party with complete frankness that if it follows the fiscal pattern and the economic policies which it adopted in the 1920's it is headed for serious trouble with the voters of this country. I am convinced that the underlying economic pattern on which these budget cuts rest constitutes a blind return to the Republican economic policies of the 1920's. I regret it. I shall continue to do everything I can within the party to prevent such a serious mistake.

EXHIBIT A

CITY OF TACOMA,
DEPARTMENT OF PUBLIC UTILITIES,
Tacoma, Wash., January 30, 1947.

The Honorable WAYNE MORSE,
The United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: There has just been concluded in Tacoma, with the undersigned as chairman, a series of conferences between executives of privately and publicly owned power utilities in the area, jointly faced with a common problem—how to meet impending needs for more generating capacity.

After conferring with representatives of the Federal agencies concerned, the utilities unanimously agreed to a statement of policy with regard to provision for future supplies of electric power adequate to maintain continued industrial, agricultural, and utility development in the Pacific Northwest.

We are enclosing a copy of this statement of policy in order that you may be fully informed as to our power needs, and respectfully request that it be given your careful consideration.

We welcome the opportunity of furnishing any additional information desired.

Very truly yours,

C. A. ERDAHL,
Chairman, Tacoma Conferences of January 7, 11, 22, 23, 1947.

STATEMENT OF POLICY

It is recognized that provision for future supplies of electric power adequate to maintain continued industrial, agricultural, and utility development in the Pacific Northwest depends upon the construction of multiple-purpose projects on the Columbia River and its tributaries. The Federal Government, by numerous acts of Congress, has assumed responsibility for the construction of these multiple-purpose projects.

The assumption of this utility responsibility by the Federal Government has caused investors and management of both publicly and privately owned industrial and power-distribution enterprises in the States of Oregon and Washington to plan their investments and developmental programs in the belief that this Federal policy will continue.

Recognizing that the existing generating capacity in the Northwest is now fully utilized and that the maintenance of an adequate power supply is of extreme importance, the undersigned privately and publicly owned utilities, after conferring with representatives of the Federal agencies concerned, have given careful consideration, first, to the power requirements by year through 1953; and, second, to the requirements for the construction of additional backbone transmission circuits needed to bring power supplies from Federal projects to the region's load centers.

As a result of these extended deliberations and detailed load studies it is determined and agreed that new Federal generating capacity in the amount of 318,000 kilowatts over and above the 745,000 kilowatts of generating units now on order will be required between now and November 1, 1949, to meet the present critical power-supply problem; and 1,565,000 kilowatts will be required by November 1, 1953, as set forth in detail in the attached memorandum. To meet these requirements it is urged that the necessary appropriations be made available as rapidly as possible to the Corps of Engineers and to the Bureau of Reclamation.

Inasmuch as these Federal generating plants are located a considerable distance from the region's load centers, and inasmuch as present transmission facilities of the Bonneville Power Administration are already approaching conditions of full load, it is agreed as essential that appropriations for backbone transmission facilities be made available to the Bonneville Power Administration on an annual and continuing basis adequate to provide a means for the delivery of power to load centers.

Finally, it is the belief of the undersigned that provision for these facilities will permit the development of a strong regional economy which will prove to be of lasting benefit to the Nation as a whole.

Adopted at conference in Tacoma, January 22, 1947.

The Washington Water Power Co., K. M. Robinson, president; Portland General Electric Co., F. M. Warren, Jr., executive vice president; Pacific Power & Light Co., P. B. McKee, president; Northwestern Electric Co., T. E. Roach, vice president and general manager; Puget Sound Power & Light Co., H. C. Webb, vice president; City of Seattle, Department of Lighting, E. R. Hoffman, superintendent of lighting; City of Tacoma, Department of Public Utilities, C. A. Erdahl, commissioner.

New Federal generating capacity needed in the northwest to 1953

[As agreed upon at conference in Tacoma, Jan. 22, 1947]

	Increase in load each year in kilowatts	Total kilowatts of capacity required each year	Kilowatts of generating capacity ordered	Additional kilowatts of new capacity required
December—				
1947	251,000	[1] 371,000	[2] 145,000	226,000
1948	296,000	296,000	[3] 240,000	56,000
1949	396,000	396,000	[4] 360,000	[5] 36,000
Total new capacity required to 1949, for which no provision has been made				[6] 318,000
1950	313,000	313,000	0	313,000
1951	349,000	349,000	0	349,000
1952	303,000	303,000	0	303,000
1953	282,000	282,000	0	282,000
Total new capacity required to 1953, for which no provision has been made				1,565,000

[1] Includes 1 additional Coulee unit (120,000 kilowatts) for reserve.
[2] 1 unit at Alder Dam of Tacoma, 25,000 kilowatts, and seventh unit at Grand Coulee, 120,000 kilowatts.
[3] Eighth and ninth units at Grand Coulee, 120,000 kilowatts each.
[4] Tenth, eleventh, and twelfth units at Grand Coulee, 120,000 kilowatts each.
[5] City of Seattle contemplates installation of a unit of 40,000 kilowatts peaking capability in 1949. This has not been allowed for in the figure shown.
[6] While additional Coulee units would take care of necessary peaking, they would not supply the energy required to carry the load without additional upstream storage.

DEPARTMENT OF THE INTERIOR, BONNEVILLE POWER ADMINISTRATION—PROGRAM FOR PACIFIC NORTHWEST POWER DEVELOPMENT

This program is outlined in three steps: (1) Estimated regional power loads for the 6-year period 1947–53; (2) action required to assure adequate program of generating installations; and (3) Bonneville Power Administration power-marketing policy.

1. ESTIMATED LOADS AND REQUIREMENTS, 1947–53

In conference in Tacoma on January 22, 1947, representatives of the major utility systems and of the chambers of commerce in the area agreed upon estimated regional power loads and requirements for the period 1947–53. This agreement is attached hereto as exhibit A.

	Peak		Average	
	Area load	Increase over 1946–47	Area load	Increase over 1946–47
1946–47	2,574		1,856	
1947–48	2,825	251	2,015	159
1948–49	3,121	547	2,215	359
1949–50	3,517	943	2,476	620
1950–51	3,830	1,256	2,685	829
1951–52	4,179	1,605	2,925	1,069
1952–53	4,482	1,908	3,137	1,281
1953–54	4,764	2,190	3,359	1,503

In the foregoing estimates the major utilities have estimated their own loads, and BPA has estimated its own direct service load other than service to the major pool utilities. In BPA's estimates is included an allowance for new industrial loads totaling 452,000 kilowatts peak, 380,000 kilowatts average by 1953. This is an average allowance for the 6-year period of 75,000 kilowatts per year.

2. ACTION REQUIRED TO OBTAIN GENERATING FACILITIES FOR PROGRAM

The Tacoma agreement does not outline a program for expanding generating capacity except where such capacity is already on order. At the present time 745,000 kilowatts are on order consisting of six main Grand Coulee units, and one unit of 25,000 kilowatts for Alder Dam of the city of Tacoma. The six Grand Coulee units on order will make a total of 12 units at Grand Coulee Dam by 1949 according to present schedules. It is imperative that these schedules be maintained and that additional Grand Coulee units be increased to 18 units at the earliest possible date. BPA's recommendations to meet power loads are as follows:

I. Complete full installation of hydro units in existing dams.

1. Complete Grand Coulee installation to a total of 18 units according to following schedule (to be speeded up if possible): No. 7, November 1947; No. 8, February 1948; No. 9, May 1948; No. 10, April 1949; No. 11, July 1949; No. 12, September 1949; No. 13, April 1950; No. 14, July 1950; No. 15, October 1950; No. 16, 17, and 18 in 1951.

2. Take necessary measures to have eight additional units (160,000 kilowatts) installed at Rock Island Dam at earliest possible date. Four of these units should be in service for the fall of 1949–50 with full installation completed before the fall of 1951.

3. Install one additional unit ($45,000 kilowatts) at Ariel Dam of Pacific Power & Light Co. in time for winter peak 1949–50.

II. Press for first priority new projects on Columbia River and its tributaries.

1. McNary Dam with estimated total cost of $186,000,000 and $3,000,000 appropriated to June 30, 1947. Not less than three units should be available from this dam for the fall of 1952. This is the schedule stated by the Army to be possible if adequate appropriation is provided. According to their schedule, they would require at least $12,000,000 to $15,000,000 for this schedule for fiscal year 1948.

2. Hungry Horse Dam with revised estimated total cost of $97,500,000 (before Congress on original project basis of $48,319,000) with $2,560,000 appropriated to June 30, 1947, and only $4,500,000 proposed for fiscal year 1948. Present schedule is to have 1,000,000 acre-feet of storage in 1950 and 2,860,000 acre-feet of usable storage with two generators in 1951. The Bureau of Reclamation will have to supply the estimated amount needed in 1948 to meet this schedule.

3. Foster Creek Dam with total estimated cost of $136,000,000 and no appropriations to date and no appropriations proposed for 1948. First three units should be ready for service in September of 1953. We do not know the Corps of Engineers' appropriation requirements to meet this schedule.

4. Lower Snake River projects consisting of four to six dams with a total estimated cost of approximately $270,000,000 and no appropriations to date and none proposed for fiscal year 1948. Required schedule:

No. 1 plant, 1952.
No. 2 plant, 1953.
No. 3 plant, 1954.
No. 4 plant, 1955.

We do not know the Corps of Engineers' appropriation requirements to meet this schedule.

5. Detroit Dam with estimated total cost of $36,000,000 and $3,977,000 appropriated to June 30, 1947. First unit is required in 1951.

3. POWER-MARKETING POLICY

It is the policy of the Administration to make this limited amount of power available on the following basis:

First. Bonneville will take care of the requirements of public agencies and cooperatives in accordance with the preference and priority provisions of the Bonneville Act.

Second. Bonneville will meet the loads of its existing industrial customers and those to whom the Administration has made commitments.

Third. Bonneville will supply to the extent of its capability the requirements of the private utility company loads above and beyond that which the utilities can meet with full utilization of all their available facilities including additional generators that can be installed in order to meet needs of all the people of the region.

All remaining power will be available for new industrial loads.

New Federal generating capacity needed in the Northwest to 1953

[As agreed upon at conference in Tacoma, Jan. 22, 1947]

	Increase in load each year in kilowatts	Total kilowatts of capacity required each year	Kilowatts of generating capacity ordered	Additional kilowatts of new capacity required
December—				
1947	251,000	[1] 371,000	[2] 145,000	226,000
1948	296,000	296,000	[3] 240,000	56,000
1949	396,000	396,000	[4] 360,000	[5] 36,000
Total new capacity required to 1949, for which no provision has been made				[6] 318,000
1950	313,000	313,000	0	313,000
1951	349,000	349,000	0	349,000
1952	303,000	303,000	0	303,000
1953	282,000	282,000	0	282,000
Total new capacity required to 1953, for which no provision has been made				1,565,000

[1] Includes 1 additional Coulee unit (120,000 kilowatts) for reserve.
[2] 1 unit at Alder Dam of Tacoma, 25,000 kilowatts, and seventh unit at Grand Coulee, 120,000 kilowatts.
[3] Eighth and ninth units at Grand Coulee, 120,000 kilowatts each.
[4] Tenth, eleventh, and twelfth units at Grand Coulee, 120,000 kilowatts each.
[5] City of Seattle contemplates installation of a unit of 40,000 kilowatts peaking capability in 1949. This has not been allowed for in the figure shown.
[6] While additional Coulee units would take care of necessary peaking, they would not supply the energy required to carry the load without additional upstream storage.

STATEMENT OF POLICY PASSED FEBRUARY 4, 1947, BY THE NORTHWEST PUBLIC POWER ASSOCIATION

The Northwest Public Power Association has reviewed the statement of policy issued January 22, 1947, by the private utilities of the region and the cities of Tacoma and Seattle, and heartily endorse this demonstration of unity in behalf of the regional welfare. The association is in agreement with three of the four major points set forth in the statement of policy, namely:

1. That the economic development of the Northwest is directly dependent upon the continuing construction by the Federal Government of multiple-purpose projects on the Columbia River and its tributaries.

2. That the utilities of this region have planned their operations and proceeded upon the assumption that the Federal Government has undertaken the responsibility for developing and marketing the hydroelectric energy of the Columbia River Basin as an integral part of its program for improvement of navigation, irrigation, and flood control.

3. That additional generating capacity in the minimum amount of 318,000 kilowatts above the 745,000 kilowatts now on order will be required between now and November 1, 1949, to meet the critical power shortage which now exists in this area, and that a total of 1,565,000 kilowatts will be needed by November 1, 1953, to keep abreast with growing demands in the area.

However, the statement of policy regarding transmission-line construction adopted by the Northwest Power Pool in our judgment fails to give full consideration to the problems and rights of the 34 municipal power systems, 19 public-utility districts, and 40 electric cooperative associations presently operating in this area, which by congressional enactment are given a preferred status in the purchase of Columbia River power.

These cooperative and nonprofit systems serving a large number of the people of Idaho, Montana, Oregon, and Washington, have undertaken to distribute hydroelectric energy from the Federal projects under a specific congressional policy making the benefits of these developments available to all consumers within economic transmission distance. To avoid the monopolization of power from Grand Coulee and Bonneville Dams, Congress has enacted legislation and appropriated funds for the construction of transmission lines to serve not only major load centers, but smaller municipalities and rural areas as well.

As a matter of justice the fulfillment of this congressional policy, and the recognition of the equal rights of smaller business enterprises and farm groups to share in the benefits of the Federal development, require the correlated construction of such transmission lines other than "backbone" lines, as are economic units of the Federal transmission system, for which the Government will be fully reimbursed under existing wholesale rates.

Along with the Federal responsibility for the development of the Columbia River, there exists a mutual responsibility by the utilities of the region to proceed with the immediate installation of unused generating capacity in all existing dams in order to meet the grave emergency facing this region in the next few years.

Approved by the board of directors of the Northwest Public Power Association in Portland, Oreg., February 4, 1947.

JOHN S. DICKSON,
President.

Schedule of installed generating capacities (name-plate ratings in kilowatts)

[Cumulative figures]

Plant	December of each year									
	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955
Bonneville:										
Kilowatts	518,400	518,400	518,400	518,400	518,400	518,400	518,400	518,400	518,400	518,400
Units	10	10	10	10	10	10	10	10	10	10
Grand Coulee:										
Kilowatts	648,000	756,000	972,000	1,296,000	1,620,000	1,836,000	1,836,000	1,836,000	1,836,000	1,836,000
Units	6	7	9	12	15	17	17	17	17	17
Hungry Horse:										
Kilowatts						143,000	286,000	286,000	286,000	286,000
Units						2	4	4	4	4
Detroit:										
Kilowatts						45,000	45,000	45,000	45,000	45,000
Units						1	1	1	1	1
Foster Creek:										
Kilowatts								192,000	448,000	576,000
Units								3	7	9
McNary:										
Kilowatts							207,000	483,000	690,000	828,000
Units							3	7	10	12
Lower Snake:										
Number 1 (kilowatts)							66,000	66,000	66,000	66,000
Number 2 (kilowatts)								112,000	112,000	112,000
Number 3 (kilowatts)									112,000	112,000
Number 4 (kilowatts)										74,000
Total kilowatts	1,166,400	1,274,400	1,490,400	1,814,400	2,138,400	2,542,400	2,958,400	3,538,400	4,113,400	4,453,400

House Joint Memorial 6

We, your memorialists, the Forty-fourth Legislative Assembly of the State of Oregon, convened in regular session, respectfully request and petition as follows, to-wit:

Whereas Oregon and the Pacific Northwest with the aid of low-cost power took rapid strides towards industrial development before and during the war and have retained and expanded those advances during the postwar period; and

Whereas the only source of low-cost power in Oregon and the Pacific Northwest in quantities adequate for their development is the energy in our rivers which can be converted to hydroelectric power; and

Whereas the Federal Government, by numerous acts of Congress has assumed the responsibility for development of this hydroelectric power through the construction of an integrated system of Federal multiple-purpose projects on the Columbia River and its tributaries; and

Whereas your memorialists are advised that Congress has under consideration not only curtailment of the construction program for Federal multiple-purpose projects in the Columbia Basin, but also an increase in the power rates of the Bonneville Power Administration on the grounds that those rates are inadequate to meet the repayments of construction costs required by law; and

Whereas existing generating capacity in the Pacific Northwest is now fully utilized and reliable estimates of future power requirements of the States of Oregon and Washington indicate that installation within the next 7 years of about 1,500,000 kilowatts of new Federal generating capacity over and above that now ordered is essential to maintain continued industrial, agricultural, and utility development; and

Whereas official reports of the Bonneville Power Administration and independent audits of its operations by certified public accountants show conclusively that power revenues under existing rate schedules are more than sufficient to meet all repayment obligations required by law in connection with the Bonneville Dam project and the Columbia Basin project: Now, therefore, be it

Resolved by the House of Representatives of the State of Oregon (the Senate jointly concurring therein), That your memorialists hereby respectfully petition and memorialize the Congress of the United States to make on an annual and continuing basis the appropriations necessary for providing urgently needed additional Federal generating capacity in the Columbia Basin and not to require any increase in the power rates of the Bonneville Power Administration which would destroy the key of low-cost hydroelectric power needed to unlock other natural resources in Oregon and the great Pacific Northwest, permitting the development of new opportunities and new jobs and the creation of new taxable wealth; and be it further

Resolved, That the secretary of state of the State of Oregon be authorized, and is hereby directed, to forward immediately certified copies of this joint memorial to the President of the United States, the President pro tempore of the United States Senate, the Speaker of the House of Representatives of the United States, the Members of the congressional delegation from the States of Oregon, Washington, Idaho, and Montana, and the presiding officers of the legislative bodies of the last three named States.

Adopted by house February 4, 1947.

JOHN H. HALL,
Speaker of the house.

Adopted by senate February 7, 1947.

M. E. CORNETT,
President of the senate.

Filed February 10, 1947.

ROBERT S. FARRELL, Jr.,
Secretary of State.

PORTLAND, OREG., *February 18, 1947.*

Hon. WAYNE L. MORSE,
United States Senator,
Senate Office Building,
Washington, D. C.

As one of the large power users in the Northwest, Crown Zellerbach Corp. fully supports the Bonneville Power Administration program as defined in the "statement of policy" signed by officers of all the public utilities operating in the Northwest, which advocates additional power generation of approximately 1,560,000 kilowatts by 1953. Contracts for construction and equipment have been let by our corporation totaling $20,000,000 by two mills in the Portland area. We expect this program to be completed by the end of this year. This program will require an additional 36,000 kilowatts of power, and must be furnished either directly or indirectly by Bonneville Power Administration. If this power is not made available it means the start-up of the new plants may be delayed for approximately 2½ years, with the resultant lack of employment of the manpower necessary for their operation, until we can purchase and install our own generating equipment. If our capital expenditures are restricted to the installation of papermaking equipment it will result in the employment of considerably more men than would be the case if a large sum must be set aside for power generation which is strictly a function of the Bonneville Power Administration. The House Appropriation Committee is now holding hearings on the budget for Booneville Power Administration. We believe it to be in the best interests of Oregon and the Pacific Northwest for you to support the Bonneville program as outlined above. This wire is being sent to the entire Oregon delegation.

CROWN ZELLERBACH CORP.,
F. N. YOUNGMAN,
Vice president.

Mr. MAGNUSON. Mr. President, I take this opportunity to compliment the Senator from Oregon on his able address. I assure him that I share his concern. I so stated to the Senate on Monday last.

As an example of what the Senator from Oregon is talking about, in the State of Washington last week the Secretary of the Interior was handed a check in the city of Yakima as a final payment on a project called the Teton project, which was authorized by Congress under the first Reclamation Act of 1906. The Congress has put into that project, as a self-liquidating project, exactly what the Senator from Oregon is talking about, exactly what the proposed cut would hit—approximately $3,000,000. That project has not only paid for itself, but it has paid all interest and maintenance charges, and the Government has collected from the people who have moved into the area because of the project more than $12,000,000 in taxes. The project has provided more than 13,000 people with their livelihood.

That project came under the fire of the economy-minded when cuts were proposed, as did all our dams, which impound millions of acres of water flowing into the sea from the Columbia River. I remember that a number of years ago, when I was a Member of the House, a similar economy wave was in progress. We could not find out where the cuts were to be made. With respect to the Grand Coulee Dam and other dams, as well as various reclamation projects, we were asked, "What are you going to do with the power?"

The same kind of fight was waged as the Senator from Oregon is waging today. We built the Grand Coulee Dam. We built the Bonneville project. On the Columbia River we integrated the greatest power pool in the history of the world. We created TVA; and if we had not had the foresight to do that—the same foresight which the Senator from Oregon is exhibiting here today—we would not have had the atomic bomb or even half the necessary aluminum to build airplanes to fight World War II.

As the Senator from Oregon has well said, we are asked, "What are you going to do with the power?" In the Pacific Northwest prospective users of power are standing in line. Time and time again I have said to those who I thought should understand the situation, "Let us have economy in Government; let us cut where we can; but where are we going to cut?" The only answer I have ever received was, "We will cut the military. They can stand it. We will also cut some of the popular projects."

The Senator from Oregon and I, and others who have grown up in the development of the Pacific Northwest and who are familiar with its great conservation projects and great power potentials, know what is meant when "popular projects" are mentioned. It means projects which would create wealth for the Nation and afford it an opportunity, at least in that area, to obtain revenue with which to pay off the tremendous burden of debt.

Like the Senator from Oregon, until I can get some inkling as to where the cuts are to be made, I am constrained to vote as he will vote on the pending amendment.

Mr. TAYLOR. Mr. President, I was downtown today and had my eyes examined. Drops were placed in them, so that I cannot see very well. As I have gazed toward the other side of the aisle and listened during the progress of this debate it has seemed to me that there are many Herbert Hoovers sitting over there. Perhaps my ears have unduly influenced my eyesight in this case. However, I know that the voice which spoke up from that side a while ago was not the voice of Hoover or the voice of his ghost, or the voice of any of his stand-ins or stooges.

I entirely agree with the Senator from Oregon in what he says as to the path being followed by the majority of the Congress. Of course, the minority must go along with the majority. We may fight back, but we are all in the same boat. That path will lead to the same disastrous end which overtook this country in 1929.

It has been clearly pointed out that the only places where there will be room for cuts in the budget will be in connection with such items as our reclamation projects in the West, flood control projects, and public works of that nature. It has been pointed out that such projects cannot be considered governmental expenses in the ordinary sense of the word. They are self-liquidating. The Senator from Washington [Mr. MAGNUSON] brought that out very clearly.

In my State we have what is known as the Anderson Ranch project. Already the wave of economy which has swept the Congress has affected that project, which is nearing completion. It would irrigate

many acres of land and provide good farm homes for veterans. It would produce a great deal of electric energy, the market for which is waiting, as the Senator from Washington has pointed out. Because of the economy wave, work on the Anderson Ranch Dam has been discontinued. The machinery will be taken away, the workers will be discharged; and some day, after a depression has overtaken us and the Democrats have got back into power and we have decided to develop our country and see that people have jobs, we shall resume that project, bring the machinery back, and hire more men, which will cost many millions of extra dollars. That is poor economy, in my estimation, Mr. President. I say that inasmuch as it has not been pointed out to my satisfaction where there can be any cuts, except at the expense of the West, in self-liquidating projects, I am going to stand by the President of the United States. I shall not have an opportunity to vote for his budget, but I shall have an opportunity to vote against the proposed cuts in the budget; and that is my intention.

Mr. OVERTON. Mr. President, during the closing moments of this debate on the amendment of the senior Senator from Colorado [Mr. MILLIKIN] reference has been made to economy as it relates to public works throughout the United States. It is not a question that affects the majority side only; it is a question that affects also the minority side. The first effort at balancing the budget came from the Democratic administration by reducing expenditures on public works. When the Congress adjourned on August 2 of last year, the President of the United States issued a curtailment order, which was published on the following day, which cut expenditures for public works by $900,000,000—almost a billion dollars.

That curtailment affected irrigation and reclamation projects in the West. It affected river and harbor improvements throughout the United States. It affected the construction of works for flood control throughout the Nation.

The reaction against that curtailment order of the President was far reaching, much more far reaching than many Senators realize. I happen to know, because at that time I was acting chairman of the Committee on Commerce, which had charge of flood control and river and harbor legislation and I was also chairman of the Committee on Irrigation and Reclamation. The letters and telegrams which I received from people and organizations interested in reclamation, flood control, and river and harbor work constitute a tremendous file in my office.

The Mississippi Valley Control Association was the first to meet. It met on September 20 under a call which originated with the able senior Senator from Tennessee [Mr. MCKELLAR] and was endorsed by the chairman of the Committee on Flood Control and the Committee on Rivers and Harbors of the House, and by myself as acting chairman of the Senate Committee on Commerce.

Hundreds of us met, including people from all over the United States, and a resolution was unanimously adopted protesting against this curtailment of funds for river improvement.

Those interested in irrigation in the West met in Omaha and adopted a similar resolution. The Mississippi Valley Association met and adopted a similar resolution. The members of the National Rivers and Harbors Congress viewed the order of limitation with alarm.

Mr. President, in my humble judgment there were perhaps—I shall not say definitely—sufficient votes changed in the last election to turn what might have been a Democratic Senate into a Republican Senate, because of resentment at the cut in public works funds.

I hope that the majority party will profit by the error which was committed by the present administration. I am not blaming the President. I do not think the President of the United States had sufficient time to give the matter his personal thought and attention. He was ill-advised when he took the step which he took. I warned the Republican Party against duplicating that error. If they do duplicate the error, they may suffer 2 years hence the same fate that the Democratic Party suffered in 1946.

Mr. President, there are vastly more people than one would surmise interested in the protection of our valleys against disastrous floods. There are many more people than one would generally suppose, without making any study of it, who are interested in the improvement of inland waterway navigation and the improvement of our harbors. There are vastly more people who are interested in building up the waste lands of the West and turning those arid lands into lands of productivity than one would generally think.

It has been my opportunity to make a rather thorough study of this whole question. It has come up many times before me as chairman of subcommittees—dealing with the proposed Missouri Valley Authority, and in the authorization of projects for irrigation, flood control, navigation, and the generation of electric power with multi-purpose dams in the West. I know the vital interest which the people take in the subject. When appropriations for irrigation projects in the West are cut the potential wealth of the Nation is thereby reduced, as is also the income which eventually flows therefrom into the Public Treasury through the process of taxation.

When improvements in inland waterways and seaboard harbors are curtailed, the commerce of the United States, both inland and foreign, is affected, and thereby the Treasury of the United States.

When floods are allowed to run riot through our valleys, crops and property are destroyed, the income from which would add largely to the income of our Nation.

Mr. President, have we forgotten the great floods which have swept down our valleys in recent years? Have we forgotten the great flood which swept down the Ohio Valley in 1937, with its tremendous loss of life and property? Have we forgotten the great flood which swept down the Mississippi Valley in 1927, when 214 lives were destroyed, when lands in seven States covering 18,000 square miles—almost equal to the combined area of Vermont and New Hampshire—were inundated not only for days, but for weeks; when 600,000 persons were left homeless; when the aggregate property damage was in excess of $300,000,000; when operations on our transcontinental railroads east and west through the lower Mississippi Valley were interrupted for days or for weeks, and at one time every railroad with the exception of one had to cease operating?

Mr. President, what occurred in the Ohio Valley, what occurs biennially in the Missouri River Valley, what occurred in 1927 in the lower Mississippi Valley, can recur at any time. It seems to me that when we are thinking about reducing the budget, we should take these heavy disasters into consideration.

As I said the other day, I am surprised that when the joint committee made its report it pointed out that a so-called splendid opportunity for saving lies in reducing the appropriations for our public works—not only the appropriations for flood control, irrigation, and rivers and harbors, but appropriations for public roads. Such a reduction would not be a saving. It would be an unsound economy. So far as I am concerned, I shall vote for the Millikin amendment; and if and when it is adopted, as I expect it will be, then I shall vote against the joint resolution as amended.

I understand that the President himself cut the budget estimates by $5,000,000,000 before the budget was sent to Congress. It cannot stand a further cut of $6,000,000,000. Such a cut will not be lived up to. The leadership of the majority party should know that we are not going to make a $6,000,000,000 cut and a 20 percent reduction in income taxes. That cannot be done and will not be done, and I will not cast my vote to reflect such an unsound doctrine.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. MILLIKIN].

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Myers
Baldwin	Hayden	O'Conor
Ball	Hickenlooper	O'Daniel
Barkley	Hill	O'Mahoney
Brewster	Hoey	Overton
Bricker	Holland	Pepper
Bridges	Ives	Reed
Brooks	Jenner	Revercomb
Buck	Johnson, Colo.	Robertson, Va.
Butler	Johnston, S. C.	Russell
Byrd	Kem	Saltonstall
Cain	Kilgore	Sparkman
Capehart	Knowland	Stewart
Capper	Langer	Taft
Connally	Lodge	Taylor
Cooper	Lucas	Thomas, Okla.
Cordon	McCarran	Thomas, Utah
Donnell	McCarthy	Thye
Dworshak	McClellan	Tydings
Eastland	McGrath	Umstead
Ecton	McKellar	Vandenberg
Ellender	Magnuson	Watkins
Ferguson	Malone	Wherry
Flanders	Martin	White
Fulbright	Maybank	Wiley
George	Millikin	Williams
Green	Moore	Wilson
Gurney	Morse	
Hatch	Murray	

Mr. HATCH. My colleague the Senator from New Mexico [Mr. CHAVEZ] is necessarily detained from the Senate, and will be all afternoon. Perhaps I should say that he has had a long-standing engagement with his dentist. I am quite sure it is a very painful one, and one which could not be broken; and he has had to remain absent. Later, as the votes are taken, I shall announce his position.

The PRESIDENT pro tempore. Eighty-five Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment submitted by the Senator from Colorado [Mr. MILLIKIN]. On this question the yeas and nays have been demanded and ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED (when his name was called). I have a general pair with the Senator from New York [Mr. WAGNER]. I am informed that if the Senator from New York were present and voting he would vote as I intend to vote. Therefore, being at liberty to vote, I vote "nay."

Mr. WHITE (when Mr. TOBEY's name was called). I am authorized to say that the Senator from New Hampshire [Mr. TOBEY] is necessarily absent, and that if present and voting he would vote "yea" on the pending amendment.

Mr. LANGER (when Mr. YOUNG's name was called). I am authorized to announce that my colleague the junior Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate on State business, and that if present and voting he would vote "yea."

The roll call was concluded.

Mr. BUTLER. In connection with the announcement made by the majority leader in respect to the junior Senator from New Hampshire [Mr. TOBEY], I wish to say that I arranged for a pair with the Senator from New Hampshire, who, if present, would vote "yea." If I were permitted to vote I would vote "nay."

Mr. HATCH. As previously announced, my colleague the junior Senator from New Mexico [Mr. CHAVEZ] is unavoidably detained. I am authorized to say that if present and voting he would vote "yea" on the pending amendment.

Mr. WHERRY. I announce that the Senator from New Jersey [Mr. SMITH], who is absent because of illness, has a pair with the Senator from South Dakota [Mr. BUSHFIELD], who is necessarily absent. If the Senator from New Jersey were present and voting he would vote "yea." If the Senator from South Dakota were present and voting he would vote "nay."

The Senator from Wyoming [Mr. ROBERTSON] is necessarily absent on State business. If present and voting the Senator from Wyoming would vote "yea."

Mr. LUCAS. I am authorized to announce that the Senator from California [Mr. DOWNEY], who is necessarily absent, would, if present and voting, vote "yea."

The Senator from Arizona [Mr. MCFARLAND] is absent on official business. If present and voting he would vote "yea."

The Senator from New York [Mr. WAGNER] is necessarily absent. If he were present he would vote "nay."

I announce further that the Senator from Connecticut [Mr. MCMAHON] is detained on public business.

The result was announced—yeas 51, nays 33, as follows:

YEAS—51

Aiken	Hayden	O'Mahoney
Baldwin	Hill	Overton
Ball	Hoey	Robertson, Va.
Barkley	Holland	Russell
Brewster	Ives	Saltonstall
Connally	Johnston, S. C.	Sparkman
Cooper	Kilgore	Stewart
Cordon	Knowland	Taft
Donnell	Lodge	Thomas, Okla.
Eastland	Lucas	Thomas, Utah
Ellender	McCarthy	Thye
Flanders	McClellan	Tydings
Fulbright	McGrath	Umstead
George	Maybank	Vandenberg
Green	Millikin	Watkins
Gurney	Myers	White
Hatch	O'Conor	Wiley

NAYS—33

Bricker	Hawkes	Moore
Bridges	Hickenlooper	Morse
Brooks	Jenner	Murray
Buck	Johnson, Colo.	O'Daniel
Byrd	Kem	Pepper
Cain	Langer	Reed
Capehart	McCarran	Revercomb
Capper	McKellar	Taylor
Dworshak	Magnuson	Wherry
Ecton	Malone	Williams
Ferguson	Martin	Wilson

NOT VOTING—11

Bushfield	McFarland	Tobey
Butler	McMahon	Wagner
Chavez	Robertson, Wyo.	Young
Downey	Smith	

So Mr. MILLIKIN's amendment was agreed to.

Mr. KNOWLAND. Mr. President, at this time I desire to offer an amendment as follows, to insert at the end of the concurrent resolution the following new sentence:

It is the futher judgment of the Congress that sound fiscal policy requires that not less than $3,000,000,000 of the excess of revenues over expenditures be applied toward reduction of the public debt during said fiscal year.

I move the adoption of the amendment.

Mr. President, if ever there was a time when the Congress and the American people needed to take stock of the Nation's fiscal affairs, that time is now. I wish to call to the attention of the Senate what has been noted many times heretofore today, and during the course of the debate, namely, the tremendous increase in the Federal public debt. Today it stands at $259,000,000,000. The interest on the debt alone amounts to more than $5,000,000,000. This interest item alone is greater than the total peacetime expenditures of the Federal Government for any year up to 1933.

I wish to call the attention of the Senate and of the country to the fact that in 1930 the debt stood at $16,000,000,000, in 1940 at $42,000,000,000, and today it stands at $259,000,000,000. In relatively good years, as a matter of sound fiscal policy, we must reduce the debt.

I call the attention of the Senate to the fact that during the history of the United States since 1792 through 1946 in 93 years the Federal Government had an excess of receipts over expenditures, while in 62 years operations of the government resulted in a deficiency.

A few days ago the able Senator from West Virginia [Mr. REVERCOMB] read us the farewell message of George Washington. I remind the Senate of one paragraph from that message which means as much today as it did the day it was issued by the first President of the United States. It is as follows:

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear.

I remind the Senate of the requirements of the Reorganization Act which the Congress passed last year.

Mr. DONNELL. Mr. President, will the Senator yield for a very slight addition?

Mr. KNOWLAND. I yield.

Mr. DONNELL. Will the Senator mind saying also that the next succeeding sentence after what he has read says, "The execution of these maxims belongs to your representatives."

Mr. KNOWLAND. I thank the Senator.

We heard a great deal of discussion in the early part of the session regarding the spirit of the La Follette-Monroney Act, but it seems to me that the joint committee in submitting the type of report it did, and without providing for a specific reduction in the Federal debt, violated not only the spirit of the La Follette-Monroney Act but the language of the act, as well. I quote from section 138, page 24, of Public Law 601:

If the estimated receipts exceed the estimated expenditures, such report shall contain a recommendation for a reduction in the public debt. Such reports shall be made by February 15.

I call attention to the language used by the committee reporting to the two Houses of the Congress of the United States. Here is how the committee discharged its obligation under section 138 of the La Follette-Monroney Act:

The committee recommends that a portion of the excess of receipts over expenditures be applied to the public debt.

I submit to Senators that a portion of the excess of the receipts over the expenditures could be anything from $1 to $6,000,000,000, and means absolutely nothing.

I also call attention to the fact that the debt is now 180 percent of the national income. Two years ago, for the first time in the history of our country, our debt exceeded the national income. Certainly it is time that we and the country stopped, looked, and listened.

In May 1920 the second Liberty Loan 4½-percent bonds sold on the New York Stock Exchange at 81.10. At that price the bonds were selling to yield more than 7½ percent to the call date. That has happened in recent American history. I point out that we, responsible to the

people of the Nation, have no greater obligation to the country than to maintain the solvency and credit of the Federal Government.

Five times in our national history we have incurred great public debts because of war expenditures. After each war many persons thought the debts were so huge that we would never be able to pay them off or to reduce them greatly. This has not been true in the four previous instances. After the Revolutionary War and the War of 1812, the debt was liquidated by January 1835. By that date the debt was entirely paid off; and I might say that, in a spirit of optimism, the surplus in the Treasury was then distributed to the several States.

The Civil War debt was never liquidated. However, by 1893 the debt of $2,675,000,000 had been cut down to $839,000,000, or about one-third of its peak. At that point it was 7 percent of that year's national income, compared to our present debt, which is 181 percent of the national income.

Mr. BARKLEY. Mr. President, would the Senator be willing to yield at this point for an interruption?

Mr. KNOWLAND. I yield.

Mr. BARKLEY. I desire to call attention to the fact that the Civil War debt probably would have been paid off entirely except for the fact that a large portion of it was used as the basis for what was called the "national-bank currency"; otherwise, I am sure it would have been liquidated.

Mr. KNOWLAND. That is very likely so.

In World War I the debt reached a peak of $25,482,034,419, and by 1931 was reduced to $16,801,000,000.

I call attention to the fact that the World War I debt at its peak was just one-tenth as great as our present debt; yet, in each of the years 1919–20, 1923–24, 1926–27, we paid more than $1,000,000,000 on the national debt, and in all the years from 1920 to 1930 we paid substantial sums on the Federal debt.

The per capita debt today amounts to $1,981 for each man, woman, and child in our country. This sum, based on the average number in each family, is equivalent to a Federal public debt on each family in the United States of $7,009. The per capita figure of $1,981 compares with a per capita debt of $15 in 1810, $78 in 1865, and $240 in 1919.

It is generally recognized that the debt has a material effect on the supply of money, which in itself is an inflationary factor. The dollar supply in our country today—currency, bank deposits, savings accounts—is $163,200,000,000, or $93,300,000,000 greater than before the war. This is an all-time high.

In 1920 the dollar supply, as I have indicated, amounted to thirty-nine and one-half billion dollars. In 1929 it amounted to $54,700,000,000. In 1933 it amounted to $40,900,000,000. In 1940 it amounted to $69,900,000,000, and as of the present time it amounts to $163,200,000,000.

The amendment I have offered provides that not less than $3,000,000,000 shall be paid on the public debt. Based on estimates of the Senator from Ohio [Mr. TAFT], this is one-half of the estimated receipts over expenditures for the coming year.

I disagree most emphatically with the theory that tax reduction should come ahead of debt reduction. If we have an excess of only $3,000,000,000 of receipts over disbursements then I say that sound business judgment, sound fiscal policy, and our obligation to the Nation, require that all the $3,000,000,000 be applied to the Federal public debt. Even with payments of $3,000,000,000 a year it would take more than 86 years to retire the Federal public debt.

If there is an excess of receipts over expenditures amounting to more than $3,000,000,000, my amendment would not prevent the Congress, if in its judgment it deemed it wise to give some tax relief, to make provision to do so. It merely provides that a minimum of $3,000,000,000 shall be applied to the Federal public debt.

Mr. President, I do not recognize the authority of the chairman of the Ways and Means Committee of the House to speak for the Republican Party or for the Nation when he says that there should be a flat 20 percent tax reduction across the board. Certainly until we know better as to what the national income will be during the next year, certainly until we know far more than we know today as to whether or not the Appropriations Committees of this and the other House of Congress and whether the two Houses of Congress themselves will be able to make the various estimated reductions, it would not be sound business policy or sound fiscal policy to start making tax reductions. After we have finally passed the appropriation bills, when we have seen whether or not we are to make the savings we hope we are going to be able to make, after we have prudently made provision for a reduction in the huge Federal public debt, then I say it will be the time for the Congress of the United States to examine the situation. If in the judgment of Congress at that time it is wise and sound and sensible to make a tax reduction, my amendment would not prevent such a reduction being made.

Mr. President, I do not believe the Congress of the United States will be faced with a more serious problem during the entire period of our service here. Certainly it is essential that we maintain a solvent Federal Government and a sound fiscal policy. The future of the American people is wrapped up in our doing this, for if we fail the entire national economy can be undermined. But even more important than that, Mr. President, the American Republic today is one of the last great stabilized citadels in the world, and if we permit the foundation of our Nation to be undermined by loose fiscal policy we may jeopardize western civilization as we know it.

The PRESIDENT pro tempore. The amendment submitted by the Senator from California will be stated.

The CHIEF CLERK. At the end of the concurrent resolution it is proposed to insert the following new sentence:

It is the further judgment of the Congress that sound fiscal policy requires that not less than $3,000,000,000 of the excess of revenues over expenditures be applied toward reduction of the public debt during said fiscal year.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from California.

Mr. BREWSTER obtained the floor.

Mr. TAFT. Mr. President, will the Senator yield to me for the purpose of offering an amendment to the amendment?

Mr. BREWSTER. I yield to the Senator from Ohio for that purpose.

Mr. TAFT. I move that in the amendment just offered by the Senator from California the figure "3" be stricken and the figure "1" be inserted in its place.

The PRESIDENT pro tempore. The Senator from Ohio offers an amendment to the amendment of the Senator from California striking out the figure "3" and substituting the figure "1."

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. KNOWLAND. I assume that under the unanimous consent agreement I, having spoken once, will not be privileged to speak on the amendment offered by the Senator from Ohio to my amendment.

The PRESIDENT pro tempore. In the Chair's view the Senator from California can be recognized on the amendment to the amendment.

Mr. GREEN. Mr. President, I have an amendment which is printed and is now on the desk. I move that my amendment which is now on the desk be substituted for the amendment offered by the Senator from California.

The PRESIDENT pro tempore. The Senator's motion is not in order at the present time.

THE PALESTINE SITUATION

Mr. BREWSTER. Mr. President, I want to divert from the discussion of the pending question briefly because of what seems to me to be the importance of a certain situation which arose yesterday when the Foreign Secretary of Great Britain, addressing himself to the situation in Palestine, made certain very serious charges directed principally at the President of the United States and his good faith, but involving necessarily an attack upon the good faith of both parties and most Members of the Congress in the action we have taken. I refer to the quotation from the speech of Mr. Bevin in Parliament yesterday when he said:

I do not want to set one section of Jews against the other, but those trained in England under English customs and practices wanted to come in (to a British-sponsored Arab-Jewish conference), but the Jewish Agency, largely dominated by New York, would not really come in, and it was with the gentlemen from there that I had to deal so much.

I am sure that those of Jewish ancestry in New York will appreciate the implication that they are not trained in England under English customs and practices, but in America under American customs and practices.

Mr. Bevin goes on:

I really must point out that in international affairs I cannot settle things if my problem is made the subject of local elections. I hope I am not saying anything to cause bad feeling in the United States, but I feel so intense about this. * * *

The statement (of the President of the United States) was issued, however—

This was over the objection of Mr. Bevin—

and the whole thing was spoiled.

That is the end of the quotation of Mr. Bevin referring to the appeal of the President of the United States for the admission of 100,000 Jews into Palestine, made last August.

I point out that this amazing statement of Mr. Bevin as Foreign Minister regarding Palestine reveals apparently the workings of a deeply distressed conscience. In seeking a sacrificial goat in America, however, Mr. Bevin looks too far afield.

There should be honor even among politicians. Mr. Bevin should tell his constituency that his difficulties stem not from American politicians but from his own Labor Party.

It is for Mr. Bevin and his comrades to determine what were their motivations in December 1944 and April 1945 when the annual conference of the Labor Party and the national executive committee of the Labor Party on the eve of the British elections declared for the very policy which is now so scathingly condemned when urged by American officials.

The British Labor Party then declared "there is an irresistible case for"—letting "the Jews, if they wish, enter Palestine in such numbers as to become a majority."

Here is no question of 100,000, for which the President and others in America have asked, but for unlimited immigration. As a matter of fact, to accomplish the majority which is suggested would have required the immigration of between 500,000 and 600,000 Jews. It was that for which the Labor Party declared in its considered election appeal.

The British Labor Party went on to declare "moreover we should seek to win the full sympathy and support of both the American and Russian Governments for the execution of this Palestine policy."

Apparently the British Labor Party was much more successful in securing support for this Palestine policy in America than in persuading the Foreign Minister, now representing the Labor Party in Parliament, to recognize the pledges made by his party before election.

Mr. Bevin indicts American politicians for making statements regarding Palestine before the American election that were considerably more moderate than the statements of the British Labor Party before the British election and charges this to politics. Will Mr. Bevin kindly advise the American people what was the motivation of the declarations of the British Labor Party regarding Palestine in the months immediately preceding the British election? And what were the motivations of Mr. Bevin in repudiating these pledges after the election and denouncing anyone who dared to take them seriously?

Is it possible that Rt. Hon. Herbert Stanley Morrison, present leader of the Labor Party in the British House of Commons, was right in his declaration in Parliament denouncing the white paper that "the Jews must be sacrificed to the Government's preoccupation with exclusively imperialist rather than human considerations."

That was the language used by Mr. Morrison, regarding a Conservative government; but the words are equally applicable to the repudiation by the Labor Party of its own pledges.

Either Americans do not understand the English language or the British Labor Party was firmly committed to a policy of admitting Jews to Palestine in far greater numbers than the present British Government will permit, reduced, as it is, to 1,500 a month.

Both political parties in the United States declared firmly in their national platforms in 1944 for the fulfillment of the mandate for Palestine in accordance with the terms of the Anglo-American Convention of 1924, and the Senate and House gave unanimous recognition to this obligation in their concurrent resolution of December 1945.

Is it possible that party pledges before election are taken more seriously in the United States than in Great Britain? The record of the British Labor Party and particularly of its leaders, Mr. Atlee and Mr. Bevin, in respect to Palestine does not seem to be a happy one.

For the benefit of the RECORD and the country I wish to read at this time the resolution adopted by the British Labor Party in December 1944:

Here we halted half way, irresolutely, between conflicting policies. But there is surely neither hope nor meaning in a Jewish national home unless we are prepared to let the Jews, if they wish, enter this tiny land in such numbers as to become a majority.

That means the immigration of more than 500,000 of the displaced Jews of Europe into Palestine.

There was a strong case for this before the war, and there is an irresistible case for it now, after the unspeakable atrocities of the cold-blooded calculated German-Nazi plan to kill all the Jews in Europe. There is a strong case here, based on human grounds, for promoting stable settlement on the one hand, and for the transfer of population on the other hand. Let the Arabs be encouraged to move out as the Jews move in. Let them be compensated handsomely for their land, and their settlement elsewhere be carefully organized and generously financed.

The way the British Government, pledged to facilitate the settlement of the Jews upon the land, has facilitated that settlement is by a law prohibiting Arabs from transferring land to Jews, in deliberate defiance of the very resolution from which I read.

I continue reading from the resolution:

The Arabs have many wide territories of their own; they should not seek to exclude the Jews from this small area of Palestine, which is less than the size of Wales. Indeed, we should reexamine the possibility of extending the present boundaries of Palestine by agreement with Egypt, Syria, or Transjordan. Moreover, we should seek to win the full sympathy and support of both American and Russian Governments for the execution of this Palestine policy.

Later, in April 1945, 2 months before the British election, a resolution on Palestine was adopted by the National Executive Committee of the Labor Party in these words:

The committee reaffirms the policy accepted by the Annual Conference in December 1944, in regard to Palestine.

That refers to the resolution from which I previously read.

It, therefore, calls upon the British Government to remove the present unjustifiable barriers on immigration and to announce without delay proposals for a future Palestine, in which it has the full sympathy and support of the American and Russian Governments.

Yet, Mr. Bevin, as Foreign Minister, has the audacity to denounce the President of the United States and other American officials because they dare to declare for a far more moderate policy than was proposed in the executive committee's resolution 2 months before Mr. Bevin was placed in power.

It seems to me that these resolutions constitute an adequate answer to any suggestion from Mr. Bevin as to the political responsibility of American public officials, without regard to party. I can only hope that the British Government will recognize its own tradition and will soon restore that responsibility which we are entitled to expect from a great government of a great nation.

Mr. BARKLEY. Mr. President, I wish very briefly to comment upon the statement made yesterday by the British Foreign Minister, which seems to me to be most unfortunate. I do not desire to inject myself into the internal politics of Great Britain, but in view of what seems to be his attack upon the President, in the charge that England had practically settled the Palestine question when the President, in October last year, reiterated his request that 100,000 Jews be permitted to enter Palestine, it seems to me that it is not out of order for a moment to call the attention of the Senate to what has happened with regard to this matter as between our Government, the British Government, and the Jewish population generally.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. BREWSTER. I know the Senator wishes to be accurate. It seems to me it is a little more accurate, as well as considerate, to point out that the President's statement was made on August 31, 1945, a considerably longer time before the election. I think that perhaps has some significance.

Mr. BARKLEY. That was not the first statement that the President had made about it. Nearly a year before he had suggested to the Prime Minister of Great Britain that 100,000 Jews be permitted to go at once to Palestine, and his statement, whether in August or October, was a mere reiteration of his previous request to which my friend has referred.

Mr. BREWSTER. The point I wished to make was that the President's original statement was made on August 31, 1945, 14 months before the election.

Mr. BARKLEY. Oh, yes; I thank the Senator for the correction. I was approximately correct when I said the President had originally made a statement concerning the matter about a year before the one made in October, to which the British Foreign Minister referred. So certainly the statement made by the President in his communication to the British Prime Minister in August 1945, could not have been predicated upon any idea that it would have an effect upon an election in 1946, which is the substance of the charge made by Mr. Bevin against the President of the United States.

Mr. President, we are all familiar with the history of this situation. We are all familiar with the fact that the Balfour declaration was issued in 1917, in the midst of World War I. While that declaration did not specifically promise the creation of a Jewish state, it did set forth specifically that Palestine should become the Jewish homeland. Between that time and the date of the mandate under the League of Nations, which, I think, was in 1922—I may be inaccurate as to that—the suggestion had taken root, not only in the minds of Jews all over the world, but in the minds of all just people everywhere. It had so taken root that it was incorporated in the preamble of the mandate under which the British Government was to control Palestine. Operating under that, the Jewish population of Palestine increased from approximately 50,000 in 1917 to more than 600,000 in 1939.

It was in 1939 that the British white paper was issued, cutting off all immigration, except that for the succeeding 5 years a total of 75,000 persons might be permitted to go to Palestine; and at the end of that time further immigration would be entirely terminated. The purchase of land for the settlement of Jews was likewise restricted to about 5 percent of the available land in Palestine.

At the time when the white paper was issued it was denounced by very great statesmen in the British Parliament, including Mr. Churchill himself. In 1939, at the time when it was issued, he denounced it as a violation of the Balfour declaration, which in the meantime had been endorsed by the Congress of the United States and by every President of the United States from Woodrow Wilson to Franklin D. Roosevelt, regardless of politics or party. After various negotiations and efforts to work out something toward the solution of this problem so that there might be greater migration of displaced Jews from the distressed areas of Europe, the British Government finally agreed to allow 1,500 a month, which amounts to 18,000 a year, to go to Palestine.

It was in view of the entire situation, as well as the fact that out of all the Jewish population in Europe there remained only about 1,400,000, many of whom were wandering over the face of the earth, that the President of the United States made the very modest suggestion that 100,000 be permitted to go to Palestine. That has been a matter of negotiation ever since, and it has not been possible to reach an agreement to that effect. In view of the far more liberal platform in the program of the Labor Party in 1945, when it went before the British people criticizing the government of the Conservative Party in connection with its program for Palestine, in which they promised the Jews of their country and the Jews of every other country in the world that they would honor the Balfour Declaration, and in view of their campaign speeches in which they criticized the white paper of 1939, it seems almost astonishing that after the British Government has turned the matter over to the United Nations, or has sought to do so, the Foreign Minister of the British Government should criticize the President of the United States by charging him, in effect, with a cheap political trick, that of bringing this matter to the attention of the American people on the verge of an election in order that votes might be won, when, as a matter of fact, the President of the United States had made an earnest and sincere request, 14 months prior to that, to which he had received no satisfactory response.

I regret that, whether as a result of frustration or for any other reason, the British Foreign Minister has seen fit to criticize the President of the United States for merely reiterating what had been, for more than a year, a very modest request on his part that relief might be afforded distressed Jews in Europe. I certainly hope that our neighbor and friend, the British Government, for whom this Nation has gone a long way in order to aid them in solving their military, economic, and social problems, will seek to bring about a just settlement, whether by the United Nations or, as suggested in the statement yesterday, by further private negotiations between the British Government and the Jews or the Arabs, and that there may be a more rapid and firm approach to the settlement of this problem. All nations which have an interest in it have offered some contribution to the solution of the problem because of its effect upon the peace of the world and the tranquil settlement of matters which pertain not only to Europe and America, but to the Middle East and all the sections affected thereby.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Washington.

Mr. MAGNUSON. Not only that, but when the President made his request Great Britain recognized the joint responsibility of the two countries and appointed the Anglo-American Commission which recommended exactly what the President had requested.

Mr. BARKLEY. That is true; and I thank the Senator for calling my attention to it. It was unanimously recommended by both the British and American representatives on the Commission; and it seems peculiarly unfortunate that the British Foreign Minister should now seek to put the President of the United States in an attitude in which he is not properly represented, by making it appear that the President of the United States made a suggestion urging the movement into Palestine of 100,000 Jews immediately before an election in the United States, which, in my judgment, is an unfair implication against the President of our country. I say that regardless of the political party to which he belongs. There has been no politics among us in this matter, either in the Senate or in the country. All of us have joined in endorsing the Balfour Declaration and in criticizing the restrictive provisions of the white paper, and in endorsing the President's request for the immediate admission of 100,000 Jews into Palestine.

Mr. TAFT. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield.

Mr. TAFT. I wish to join in what has been said here. All of us remember the President's request was joined in by the British delegation and by the Jews and the Arabs.

Now, the President has said this:

> Many people have said that the way out of the difficulty was partition. But I am sure if we agreed to partition we would have 10 times the row as to where the frontiers should be. But you cannot make two viable states of Palestine, however you try. You can make one viable state.

So the British Government has repeatedly repudiated the whole basis on which it was negotiating a peaceful settlement with the Jewish agency.

Mr. BARKLEY. That is true.

I think it is correct to state that in all the discussion which has taken place in the Senate and in the executive departments and in all other official circles in the United States, aspersion has never been cast upon the heads of the British Government. Sometimes we have disagreed with them with respect to their policy and we have hoped that the policy might be modified; but never so far as I recall has there been cast upon the heads of the British Government any aspersion or anything which might be regarded as being within the improprieties with respect to disagreement or criticism; and in the consideration of this problem—which is more than a British problem or a Jewish problem, for it is a problem which faces the entire Christian world, the entire civilized world—no solution is reached by having anyone in high station, no matter where, make criticism of the President of the United States with regard to it.

Mr. BREWSTER. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield.

Mr. BREWSTER. I think what the Senator has said is correct, and I think the comment which has been made by Americans regarding the position of British officials on this matter has in large measure been confined to quoting their own statements made at various times. Mr. Churchill has denounced the white paper; Mr. Morrison, the leader of the House of Commons, has denounced it at various times. Certainly a quotation of their own language cannot be considered as reflecting upon them or upon the course they have taken.

Mr. BARKLEY. Of course.

Mr. President, in arriving at a settlement of this matter which will be permanent and just, I think there must be tolerance all around. The problem is a

difficult one. All of us recognize that to be so. In our discussions we recognize it. It seems to me that the correct approach to the proper and humane settlement of this problem is to try to reach an understanding among the responsible governments that are interested, and in this case to try to work out a solution which will be just to the Jews as well as to the Arabs and all the rest of mankind who are interested in seeing that that area shall not again become a focus of disagreement and controversy and friction which might again result in armed conflict all over the world.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. HAWKES. I wish to ask the distinguished Senator whether he sees this picture as I see it? It seems to me there are two phases to the problem we are discussing. One is that at the present time the Jews desire to have access to Palestine. The other question it seems to me, can very well go to the United Nations for consideration and settlement. Does the Senator from Kentucky agree with me as to that?

Mr. BARKLEY. Yes. I think that as a matter of justice, as well as a matter of human mercy, the 100,000 Jews whom the President now requests, as he requested more than a year and a half ago, be admitted to Palestine should have been permitted to go there long ago. There is now plenty of room for them there, and more. There may be international phases of the ultimate settlement of the whole mid-Eastern question which can well be put off to the deliberations of the United Nations; but I agree with the Senator that the admission to Palestine of 100,000 Jews, which matter has been under discussion for about a year and a half—if that is what the Senator from New Jersey has in mind—should have been permitted, and that now they should be allowed to enter Palestine.

Mr. HAWKES. In other words, when people are dying or are without homes and are anxious to find homes, they are not interested in having the matter referred to an agency which will take 6 or 8 months even to begin to go into the question.

Mr. BARKLEY. Yes; there is very little consolation for displaced Jews who are without homes and decent places in which to live, to be told that six or eight months from now the United Nations will begin to consider the question of permitting some of them to enter Palestine.

Mr. HAWKES. Mr. President, will the Senator from Kentucky permit me to read into the RECORD a reference which I think will be of interest because it relates to the stand which Winston Churchill, whom all of us respect and admire, took on this question?

Mr. BARKLEY. I yield.

Mr. HAWKES. First, let me say that ultimately I am in favor of having the Palestine question referred to the United Nations and handled by the United Nations as the world agency. If the Jewish people cannot get a square deal there, then I ask what hope is there for any other minority group to get a square deal from the United Nations?

The question I am talking about today does not deal with the establishment of a commonwealth, nor does it go into any of the intricacies of the situation which have developed in Palestine.

Today I am talking about only one thing, and it is a great, immediate problem. Why should not the Jewish people be allowed to go into Palestine at a rate sufficient to bring up the deficiency of entries within the very near future to the point where they would have been if the war had not interrupted the whole procedure?

The British people made an agreement known as the Balfour agreement. That agreement was approved by our Nation and Congress and by 51 other nations. It was a sacred agreement, and it was made after calm and careful deliberation of all the issues bearing on the problem. Mr. Chamberlain saw fit to change that agreement in an effort of appeasement, which has ended as nearly all efforts of appeasement and compromise with principle are bound to end. I wish to record here that in speaking for the Jewish people, I am speaking as I would for any minority group which had been mistreated under an agreement such as the Balfour agreement and the British mandate.

Mr. President, there was one individual who stood closer to this incident than any of us—one whose words spoken at that hour are, I believe, worthy of our attention today. Winston Churchill, in a speech in the House of Commons during the debate on the white paper, on May 22, 1939, said:

> I regret very much that the pledge of the Balfour Declaration, endorsed as it has been by successive governments, and the conditions under which we obtained the mandate, have both been violated by the Government's proposals. There is much in this white paper which is alien to the spirit of the Balfour Declaration * * * it is a plain breach of a solemn obligation. I am astonished that my right honorable friend, the Prime Minister—

He was referring to Mr. Chamberlain—

> of all others, and at this moment above all others, should have lent himself to this new and sudden default.

Mr. President, I have no sympathy with a policy of appeasement such as that which was inauguarated by Mr. Chamberlain on May 17, 1939. Winston Churchill, who has served the British Empire as few men have been able to do in its history, and who now is rendering great service to that nation, has denounced this white paper decree. I am glad he has made such a direct and positive statement on the subject. I shall repeat several things from the statement he made in the House of Commons on May 22, 1939. He said:

> I should feel personally embarrassed in the most acute manner if I lent myself, by silence or inaction, to what I must regard as an act of repudiation.

Very meaningful was Mr. Churchill's statement on May 22, in referring to the 5 years covered by the British white paper in the following words:

> Long before those 5 years are past—

He was referring to the 5 years ending March 31, 1944—

> either there will be a Britain which knows how to keep its word on the Balfour Declaration and is not afraid to do so, or, believe me, we shall find ourselves relieved of many oversea responsibilities other than those comprised within the Palestine Mandate.

Mr. President, will the distinguished Senator from Kentucky permit me to say one more word on this matter?

Mr. BARKLEY. Yes; but first let me say to the Senator from New Jersey that the statement of Mr. Churchill's which he has just read is the one to which I was referring a moment ago when I said that in 1939 Mr. Churchill had denounced the white paper.

Mr. HAWKES. I realize that; and inasmuch as I happened to have in my possession a copy of what Mr. Churchill said at that time, I thought it pertinent to read it into the RECORD.

Mr. BARKLEY. Yes.

Mr. HAWKES. I wish to say, further, that our great Nation should do everything within its power to press the British people to fulfill the spirit and the word of the Balfour agreements at once, while we are waiting for the United Nations to assume the task of straightening out all the various problems involved in the Palestine situation.

That is all I am asking today. There are hundreds of thousands of displaced Jewish people waiting, hoping, and praying for a chance to go into Palestine. If we do not listen to their prayers and do what is right and just without unnecessary delay, then I ask why should the world have the hope which I have in the ability of civilization banded together in the United Nations to make and keep agreements in the future. There will always be difficulties in fulfilling agreements. There can be no credit to anyone who keeps only the agreements which either are easy to keep or are of advantage to him. The important thing in keeping an agreement is to keep it for the sake of principle, regardless of whether the agreement works temporarily to one's advantage or disadvantage.

Mr. President, the Jewish people in the State of New Jersey have the entire New Jersey congressional delegation back of their plea for the immediate entrance of 100,000 Jewish people into Palestine. Where do the other States stand, and how soon are we going to give this just relief to the Jewish people of the world?

Mr. President, we are fighting to build a United Nations that will bring peace to the world. We are fighting to establish the fact that the human family has a sense of obligation to keep its agreements. Although I am not in favor of giving the Jews any better treatment than is accorded other minority groups, yet I am in favor of establishing equity as between all peoples. At this hour in the history of the world, I do not believe there is anything more important than keeping sacred all agreements, once they are made. The one to which we have

been referring not only was made, but it was approved by the Congress of the United States and by 51 other nations throughout the world.

I thank the Senator from Kentucky for yielding to me.

Mr. MAGNUSON. Mr. President, will the Senator from Kentucky yield to me?

Mr. BARKLEY. I yield.

Mr. MAGNUSON. To add to the proof regarding how nonpolitical the matter is and has been, and how unfounded the present charge is, let me say that for a long time this subject has been covered by statements in the platforms of both political parties in the United States. Let me also say that long before October the distinguished Senator from Maine [Mr. BREWSTER], the distinguished former Senator from Iowa, Mr. Gillette, and myself called upon President Truman at the White House, and at that time he reiterated the same statement.

Mr. BARKLEY. This has been the position of our Government ever since any of us here have been in public office. Everyone knew about it. It is a consistent policy, it is a consistent principle, which goes all the way back to World War I. What I cannot understand about the statement of the British Foreign Minister yesterday is that it seems to be based upon the idea that he thinks Mr. Truman never thought of this matter until just before the last election, and that he thought of it on that account.

The PRESIDENT pro tempore. The time of the Senator from Kentucky has expired.

Mr. PEPPER. Mr. President, I desire to say only a word or two. I first want to express profound regret that the Right Honorable Ernest Bevin, Foreign Minister of the United Kingdom, had cause to make the statement credited to him in the daily press. I also want to take advantage of this occasion to say a few words in commendation of what has appeared to be latterly a trend in British foreign policy, which I heartily approve. I was anxious to avail myself of the first opportunity to make that statement, because my colleagues know that I have not always thought that British foreign policy was in accord with the trends and the currents of the time; but the recent announcement of the British Government that it was giving to the people of India at a fixed time the responsibility for their own independence; that it was evacuating Egypt; that it was giving independence to the people of Burma and was referring to the United Nations the Palestine question, heartened me immeasurably at the trend of events. Since I have on occasion found some question about British colonial policy, I did want to say that this was, I thought, a commendable course of the Labor Government and the Foreign Secretary, and I thought it was in accord with the sentiments generally of the people of our country. Therefore I regretted it all the more, Mr. President, when I saw from the press that the Foreign Secretary had attempted to put the onus of criticism upon the President of the United States and the Government of the United States in respect to the Palestine problem.

I agree with Mr. Sumner Welles in today's press in saying that the action of the British Government in referring the Palestine question to the United Nations is already a year late. I think it should have been done, as Mr. Welles said it should have been done, when the United Nations was created and established. It was a world problem, not a British problem, not just a problem of the Middle East. It affected Europe. It affected a people distributed all over the world, and, Mr. President, if our President erred, if our people have erred, it has been on the side of humanity. We have not tried to throw stones at, and place obstacles in the way of, the British mandate, but we have seen the wretched condition of those pitiful Jewish people in Europe, a wretched half million left out of a population of 6,000,000 before Hitler's persecution started, and we have said that surely at long last the feet of the Wandering Jew should find refuge in the foot tracks of his ancestors upon his old soil.

And, Mr. President, I think it could not have been expected by the British Government that the United States would employ its financial or other resources to support the mandate of a foreign power in a foreign land, even for a worthy objective. But, if it is a matter for the United Nations to discharge, we shall not shirk our responsibility, I believe, Mr. President. We shall do whatever that Organization may determine is the obligation of its members, and I believe our country will faithfully discharge its duties in respect to this matter.

Like other Senators on the floor, I have had a brief visit in Palestine. I have had no doubt but that that country could contain at least 100,000 more refugees than are there at the present time, especially with the help that they are getting from this country and from Britain and some other parts of the world.

I shall assume, of course, that these remarks of the British Foreign Secretary were uttered in good spirit and in good faith, but I do most earnestly hope that he will adhere to his announced purpose of putting this matter before the United Nations, where I feel it should be, letting it be solved by the United Nations, and then letting the United Nations take the course that it believes right. I am sure that the members of the United Nations, including, assuredly the United States, will then give their support to that declared policy, and that at long last we may not only avoid a threat to the peace of the world, but we may find a refuge for this pitiable people in the old lands of their ancestors.

THE LEGISLATIVE BUDGET

The Senate resumed the consideration of the concurrent resolution (S. Con. Res. 7) establishing the ceiling for expenditures for the fiscal year 1948 and for appropriations for the fiscal year 1948 to be expended in said fiscal year.

Mr. HATCH obtained the floor.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HATCH. I shall have to ask the Senator for what purpose, because I presume the limitation of debate is still on, and interruptions are taken out of my time.

Mr. SALTONSTALL. I merely ask the Senator to yield in order that I may offer an amendment to the amendment of the Senator from California.

Mr. HATCH. I yield.

Mr. SALTONSTALL. I offer an amendment to the amendment of the Senator from California so that his amendment will read, "It is the further judgment of the Congress that sound fiscal policy requires that not over $3,000,000,000 and not less than $1,000,000,000 of the excess of revenues over expenditures be applied toward reduction of the public debt during said fiscal year."

The PRESIDENT pro tempore. The amendment is not in order at this time. The amendment will lie on the table.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. KNOWLAND. Mr. President, at this time I should like to get an order for the yeas and nays on the pending amendment.

The PRESIDENT pro tempore. The Senator from California asks for the yeas and nays on the pending amendment. Is the Senator speaking of his own amendment or the pending amendment?

Mr. KNOWLAND. I am referring to my amendment.

The PRESIDENT pro tempore. We have not yet reached the point where the Senator can ask for that order.

Mr. KNOWLAND. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. KNOWLAND. I understood that on the Millikin amendment there was an order for the yeas and nays from a prior day.

The PRESIDENT pro tempore. The order can be made now on the pending Taft amendment.

Mr. KNOWLAND. At this time I ask for the yeas and nays on the pending Taft amendment.

The yeas and nays were ordered.

Mr. HATCH. Mr. President, I rise to speak in behalf of the amendment of the Senator from California [Mr. KNOWLAND], but before entering upon a discussion of that question I wish to say that on the last yea-and-nay vote, on the Millikin amendment, I voted "yea" in favor of reducing the President's budget by $4,500,000,000. I wish to say in connection with that vote that it was not cast because it appeared to me that those who favored slashing the President's budget had made out any kind of a case. On the contrary, in the few years I have been a Member of the Senate I think no proposition has ever been submitted to this body with so little concrete evidence to support it as is true of the concurrent resolution to cut $6,000,000,000 from the President's budget. Because no case whatever was made, either for the $4,500,000,000 or the

$6,000,000,000 cut, I voted in favor of the $4,500,000,000 cut, simply as a choice between the lesser of what may well be two evils. I do not mean by that that I am not in favor of reducing the President's budget, that I am not in favor of reducing expenditures. On the contrary, I, in common with, I think, every other Member of Congress, favor reducing the expenditures in every possible legitimate and reasonable amount.

What those of us who voted as I have voted have asked is that information be furnished as to how and when the cuts can be made, and for the first time in the history of the Senate I think those who have proposed a resolution have steadfastly refused to give other Senators information and refused to say how or where the reductions can be made. We were asked to vote blindly, without knowledge, and, in my judgment, without reason.

It will not do to say, as has been attempted during the course of the debate, that those of us on this side of the Chamber are against reducing expenditures. An attempt was made to place such a tag upon us. But I call attention to the fact that during the whole course of the debate the only Senator who stood on the floor of the Senate and attempted to discuss intelligently the question of where and how expenditures could be reduced was the senior Senator from Virginia [Mr. BYRD]. All others have said we must accept, without question, the blind, bald statement that the budget can be reduced. On such a proposition, or any other, I shall not accept statements which are unverified and unsupported.

Now as to the Knowland amendment, certainly if I could, I should be pleased to have the Senate adopt the amendment of the Senator from California, without amendment and without reservation. Certainly every cent we can apply toward the payment of the public debt should be so applied. As I understand his amendment, all it does is to provide that if receipts exceed expenditures the first $3,000,000,000 of the excess shall be applied on the debt. Is that the Senator's amendment?

Mr. KNOWLAND. That is the intent of the amendment.

Mr. HATCH. That is its intent.

Mr. KNOWLAND. I believe it accomplishes that objective, so far as we can do that in connection with the pending concurrent resolution.

Mr. HATCH. As a great American statesman said, "I have but one lamp by which my feet are guided, and that is the lamp of experience," and applying the experience of my own personal financial affairs, I know that the time for me to pay a debt is when I have the money. I also know that if I do as I have done, let the time pass when I have the money and do not pay the debt, I always regret it afterward. I see no difference in principle between the two situations, except that at this time, when our debt is very large, since it must be paid, we should begin payments at the earliest posible moment. We should do that before we grant relief even to the overburdened taxpayers of the country, by way of remitting or reducing taxes; because taxes can be paid—the country is prosperous, the people have the money, and now is the time to apply the excess on the debt.

I hope that the amendment offered by the Senator from California will be adopted, and that the amendment offered by the Senator from Ohio to the amendment will be rejected.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Ohio [Mr. TAFT] to the amendment of the Senator from California [Mr. KNOWLAND].

Mr. WHITE. Mr. President, I had very much hoped, as I think other Senators had hoped, that we might conclude consideration of the pending resolution today. It is perfectly obvious that we cannot do so.

REPORT OF NATIONAL CAPITAL HOUSING AUTHORITY

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read and referred to the Committee on the District of Columbia.

(For President's message, see today's proceedings of the House of Representatives on p. 1451.)

REPORT OF AIR COORDINATING COMMITTEE (H. DOC. NO. 148)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read and, with the accompanying report, referred to the Committee on Interstate and Foreign Commerce.

(For President's message, see today's proceedings of the House of Representatives on p. 1451.)

NOMINATION OF DAVID E. LILIENTHAL

Mr. HATCH. Mr. President, I ask unanimous consent to have inserted in the body of the RECORD a short but very strong and vigorous statement prepared by Los Alamos Scientific Laboratories staff members. The statement is in support of the confirmation of the President's appointments to the Atomic Energy Commission, and of Mr. David E. Lilienthal as Chairman. There are several of the petitions, but they are identical. I ask that only one be printed in the RECORD, but that all the names follow it, and that the petition itself be referred to the committee considering the nomination.

The PRESIDENT pro tempore. The Chair suggests that the Senator consult the chairman and members of the Senate Joint Committee on Atomic Energy on the question of printing the names. The question arose in the committee itself this morning, and there was some question about disclosing all the names.

Mr. HATCH. I shall be glad to consult the chairman and withdraw my request at this time.

The PRESIDENT pro tempore. That is merely in respect to the names.

There being no objection, the petition was ordered to be referred to the Senate section of the Joint Committee on Atomic Energy, and to be printed in the RECORD, as follows:

The undersigned staff members of the Los Alamos Scientific Laboratories believe that the interests of this Nation and of international peace will be best served by prompt Senate confirmation of the President's appointments to the Atomic Energy Commission with Mr. David Lilienthal as its Chairman. This is for the following reasons:

1. Responsible people who have had actual contact with this country's work on atomic energy agree that Mr. Lilienthal and the members of the Commission are well equipped both by ability and experience to undertake this important work. By reason of Mr. Lilienthal's long and thorough study of all problems associated with atomic energy which culminated in the Acheson-Lilienthal report on the International Council of Atomic Energy he will contribute an informed and qualified leadership as chairman of the domestic Atomic Energy Commission.

2. During the negotiation of any international agreement it is necessary that the United States maintain its present position through continued research and development in the realm of atomic energy. This policy provides by its very nature for the continued security of the United States and in addition strengthens any future international authority since the United States would then be in a position to contribute to the authority's necessary role as the best informed agency in this field. Mr. Lilienthal has repeatedly emphasized his support of this view.

3. The Atomic Energy Act of 1946 provides that atomic energy be controlled by the people of the United States. Mr. Lilienthal, by virtue of his experience, is uniquely suited for the administration of such a public domestic control of atomic energy.

4. Finally, and most important, it is evident that to reopen at this time debate on the terms of the Atomic Energy Act of 1946 would result in very serious and costly delay in the progress of work on atomic energy in the United States; and to withhold confirmation on the basis of partisan political consideration would cause dismay and confusion not only among the scientists of the atomic energy laboratories but also among those countries which look to the United States for stable leadership in this field based upon sound principles.

We therefore respectfully urge the immediate and unqualified confirmation by the Senate of the President's appointments.

(Signatures omitted.)

MR. LILIENTHAL'S TRAINING—EDITORIAL FROM THE NEW YORK TIMES

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "Mr. Lilienthal's Training," published in the New York Times of February 13, 1947.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MR. LILIENTHAL'S TRAINING

When President Truman was trying to find a competent Chairman of the United States Atomic Energy Commission he turned to Chairman David E. Lilienthal, of the Tennessee Valley Authority. His reasoning was sound. TVA was the biggest civilian peacetime enterprise the Federal Government had ever undertaken. It was a training ground for a bigger enterprise. What do we want of the AEC? We want it to be nonpolitical. Under Chairman Lilienthal (as under Chairman Arthur E. Morgan and Chairman Harcourt A. Morgan) it has been absolutely nonpolitical. We think the case is proved that

this is why Senator McKELLAR does not like Mr. Lilienthal. No politics, no patronage.

We want AEC to be efficient. Under Mr. Lilienthal TVA has mastered the Tennessee River with dams, built transmission lines, acquired 700,000 customers, made contracts with 138 municipal and cooperative systems, increased the average residential use of electricity in its area to 50 percent above the national average. TVA is a success.

We want AEC to control the dangerous uses of the split atom. We do not want it to set up a great centralized power. We do not want it to stifle business enterprise. Under Chairman Lilienthal TVA has stuck to the policy of decentralization. No law, except the law of falling water and the laws of electricity, chemistry, and physics, has been imposed upon the Tennessee Valley. Local initiative and local enterprise have been encouraged, not stifled. Great businesses have entered the valley since TVA came in, or have grown from smaller businesses. Hundreds of little enterprises have started and flourished.

We want national security. TVA has given that too. During the war TVA power fed into an interconnected system from the Great Lakes to the Gulf of Mexico. It fed the aluminum mills, the chemical factories, the airplane factories in the valley itself. It fed the Oak Ridge atom plants from the generators of dams constructed in world-beating time. This was one kind of security. And no secrets—especially no secrets about the great atom fission plants—leaked out. This was another kind of security.

Mr. Lilienthal would not say that he alone, or chiefly, was responsible for TVA's moderation, good sense, efficiency, democratic policies, patriotism. But he would have had to bear the blame if these qualities had been violated. If politics is not the determining factor in the decision now facing the Senate, he will be confirmed, and so will his four associates and their general manager, Carroll Wilson.

FISCAL POLICIES OF THE GOVERNMENT

Mr. McGRATH. Mr. President, I ask unanimous consent to have printed in the RECORD two editorials dealing with the fiscal policies of the Government; one appearing in the February 15, 1947, issue of Magazines of Industry, Inc., and the other in the Nashville Tennesseean of January 28, 1947.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From Modern Industry magazine of February 15, 1947]

APPROPRIATIONS—THRIFT PINCHES LABOR-MANAGEMENT SERVICES, DEFENSE

While businessmen see a mild deflationary threat in the curtailment of Government spending, they are unanimous in welcoming the longer-range advantages of a smaller operating budget for Federal agencies.

This enthusiasm, however, needs to be tempered with wisdom and caution, for an overzealous Republican Congress can go too far unless it is counseled by men in business and industry.

At the present time at least two important areas of Government activity, bearing directly on industry, are threatened. One is the activity of the National Labor Relations Board, the other is essential research on military, naval, and air equipment.

NLRB is swamped with a backlog of more than 4,000 cases. Yet, both industry and labor depend on speedy settlements of disputes before that agency. Any further cut in funds for this service can have serious implications for manufacturers, may well lead to protest strikes by labor to speed up the decisions.

A far more serious threat to the whole country is the sharpshooting at our military budget. No doubt the military mind tends to disregard expense, and needs a certain amount of civilian checking up. But the only real strategic defense for this country lies in its technical superiority—both in equipment and trained personnel.

Until the UN becomes a strong central body with its own police force, military research cannot be curtailed sharply. It takes money and time to develop defenses for the new weapons, and to keep ahead in the weapons themselves.

Men in industry will want to play their part in cautioning Members of the Congress against slicing appropriations too thin for safety or at the cost of essential services.

[From the Nashville Tennesseean of January 28, 1947]

WHERE SPENDING IS ECONOMY

On April 5, 1946, an election was held among employees at the Werthan Bag Corp. under the Wagner Act. A petition objecting to the election was filed by district 50 of the UMW. More than 9½ months later, the National Labor Relations Board finally got around to hearing the petition and rendering a verdict.

This long lag between dispute and settlement is most unfortunate. But under existing conditions, it cannot be avoided by the NLRB. More and more cases are piling up. They will continue to grow as the unionization movement spreads over the South and West. The delay promotes labor unrest and breeds strikes.

In his budget message President Truman asked Congress to make a sharp increase in the funds allotted the NLRB so as to speed the process of disposing of complaints. The Wagner Act has resulted in a big reduction of organizational strikes. There would be a further reduction if Congress makes available the needed funds. It would be poor economy not to grant the money. The saving to both employers and employees in better labor conditions would by far offset the cost.

COURT-MARTIAL PROCEDURE IN THE ARMY

Mr. GURNEY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter dated February 20, 1947, addressed to me by the Secretary of War, dealing with a subject which has been under much discussion during the past few years, that is, court-martial procedure in the Army. I ask that the letter be printed in full in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
Washington, D. C., February 20, 1947.

Hon. CHAN GURNEY,
Chairman, Committee on Armed Services, United States Senate, Washington, D. C.

DEAR SENATOR GURNEY: Immediately after the cessation of hostilities the War Department commenced a critical examination of the system of military justice in the Army with a view to improving the system in every way possible. Certain data and information had been compiled during the war, and this, together with other facts, were considered in connection with possible changes in the Articles of War and the Manual for Courts Martial. In order that the problem might be approached objectively and with the utmost possible judicial and legal skill, I requested the president of the American Bar Association, the Honorable Willis Smith, to designate a number of members of the American bench and bar for service on an advisory committee to conduct a survey of the system. The committee was appointed, under the chairmanship of Dean Arthur T. Vanderbilt, of New York University Law School, and after many months of painstaking and completely independent inquiry has submitted its report.

The War Department has given intensive study to the report of the advisory committee on military justice, and has given like study to a report on the judicial system of the Army submitted by the Committee on Military Affairs of the House of Representatives of the Seventy-ninth Congress in August 1946. The basic recommendations of the two committees do not differ widely. The War Department, in an effort to take advantage of the advice it has received and to improve its system of military justice by further insuring judicial fairness and military effectiveness, has reached certain conclusions which will, it is believed, be of interest to you at this time. As soon as it can be done and at an early date, the War Department will submit for your consideration a draft of a proposed bill amending the Articles of War to effect the changes deemed desirable.

In the meantime, I may state, for your information, that the recommendations by the War Department for changes will be substantially as appear below.

1. The Judge Advocate General's Department will be substantially enlarged through the appointment or detail of officers with legal education and training. Additional technical personnel, such as reporters and clerks, will be provided for the efficient operation of the system of military justice. The extent of the expansion in the Judge Advocate General's Department will be determined after further detailed study of availability of military personnel in the active Army and of the additional functions to be prescribed for the Judge Advocate General and his department.

2. The Manual for Courts Martial will be amended and amendment of the Articles of War will be proposed to declare it improper and unlawful for any person to attempt to influence the action of a court martial in reaching its findings or sentence in a particular case or the action of an appointing or reviewing authority with respect to his acts. Adequate provision, however, will be made for the instruction of officers and enlisted personnel concerning the exercise of their duties in connection with courts martial. Provision will also be made for providing information to courts martial by appointing authorities as to general or special conditions in the particular command, including the prevalence of particular offenses, but with no communication about a particular pending case.

3. The Manual for Courts Martial will be amended expressly to prohibit the reprimand of a court martial or any of its members with respect to court-martial action and to delete the present authorization for reviewing authorities to advise the members of courts martial by letters of nonconcurrence in acquittals or findings of not guilty and the reasons for such nonconcurrences. This change in the Manual will be so framed as to permit instruction of personnel in their duties and to permit the punishment by court-martial action or otherwise of personnel of courts martial who may in the exercise of their duties be guilty of any individual misconduct amounting to a violation of the Articles of War.

4. The Manual for Courts Martial will be amended to clarify the obligation of courts martial to exercise their own judgment in imposing sentences and to forbid the courts, in reliance on the mitigating action of reviewing authorities, to impose sentences known to be excessive.

5. Amendments to the Articles of War will be proposed to make it a jurisdictional requirement that the law members of general courts martial be members of the Judge Advocate General's Department or trained lawyers designated by the Judge Advocate General and that the law members be present at the trials. Necessary changes in the Manual for Courts Martial will be made to clarify the duties and powers of law members. Rulings of law members will be final on all interlocutory legal matters other than those involving the issue of guilt or innocence and those in their nature requiring action by the full court such as challenges. The proposed amendments will include a requirement that when the trial judge advocate of a general court martial is a lawyer the defense counsel must also be a lawyer.

6. Amendments to the Articles of War will be proposed to place final judicial review of all general court-martial cases in the Judge Advocate General's Department, with authority in the Judge Advocate General to establish within his office or as adjuncts thereto appellate agencies to assist him in exercising his powers. The Judge Advocate General and appellate agencies will be given authority to weigh evidence, confirm, approve, disapprove, or vacate findings and sentences, to commute, suspend, reduce, or remit sentences, and to order new trials, but the appellate agencies' power of mitigation and remission will be exercised by the Judge Advocate General under the direction of the Secretary or Under Secretary of War. These appellate judicial powers will be exercised in death cases, except that no death sentence will be ordered into execution, in peace or wartime, without confirming action by the President. All sentences to dismissal, dishonorable discharge, or bad-conduct discharge will be passed on by a Board of Review or similar appellate agency, and will be confirmed by the Judge Advocate General or his appellate agency prior to execution of the sentences. Action by the Judge Advocate General and his appellate agencies will follow approving action by the normal reviewing authorities, which authorities will have the power to approve or disapprove, mitigate or suspend, the sentences.

7. Amendment of the Articles of War will be proposed to give discretionary power to the Judge Advocate General upon application by accused persons to grant new trials and set aside sentences, the application to be submitted within 1 year after final disposition on initial appellate review, or with respect to World War II cases within 1 year after final disposition or after the termination of the war, whichever is the latest; only one application for thus reopening a case to be afforded.

8. Amendment of the Articles of War will be proposed to require that appointing and reviewing authorities provide direct communication with their staff judge advocates in all matters relating to the administration of military justice.

9. Amendment of the Articles of War will be proposed to vest the Judge Advocate General with the authority to prescribe the assignments of officers of his Department, after appropriate consultations with commanders on whose staffs they may serve, and to require the Judge Advocate General or senior members of his staff to make frequent inspections in the field with respect to the administration of military justice.

10. Amendments of the pertinent statutes will be proposed to give the officers of the Judge Advocate General's Department advantages in promotion commensurate with those given other officer personnel on account of their specialized professional education and training.

11. Amendments to the Articles of War will be proposed authorizing special courts martial, as well as general courts martial, to adjudge as punishment discharges for bad conduct as distinguished from dishonorable discharges; to require appellate review by a board of review in the Office of the Judge Advocate General of the records of trial by special courts martial involving such bad conduct discharges; and to require that when a trial judge advocate of a special court martial is a lawyer the defense counsel also be a lawyer.

12. An amendment to an existing Executive order will be requested removing present limitations upon the trial of officers by special courts martial. This will permit imposition of appropriate punishments upon officers by special courts martial for offenses of lesser gravity not requiring trial by general court martial.

13. Amendment of Article of War 104 will be proposed to authorize disciplinary punishment by commanding officers to a maximum of forefiture of one-half 1 month's pay for 3 months in the cases of warrant officers, flight officers, and all officers below the grade of brigadier general, the power to be exercised in peace as well as in wartime. The Manual for Courts Martial will contain a provision that information as to punishment of officers under Article of War 104 will be made available to other Army personnel.

14. Amendment of the Articles of War will be proposed to authorize general courts martial to impose upon officers punishment involving loss of commission and concurrent reduction to the ranks.

15. Amendment of Article of War 85 will be proposed to make discretionary in war and in peace the punishment of an officer for being drunk on duty, and to delete the present mandatory requirement for dismissal for the offense in time of war. The punishment will thus be made to depend upon the gravity of the offense as determined by the duty involved and the other circumstances.

16. The Manual for Courts Martial will be amended to require that the sessions of general, special, and summary courts martial be open, except for security or other special reasons, and that sessions of the courts be bulletined to encourage the attendance of spectators who may wish to attend. The necessity of attaining impressive decorum in the conduct of trials will be stressed.

17. Amendments of the Articles of War will be proposed to make qualified enlisted personnel eligible to serve as members of general and special courts martial, the detail of such enlisted persons to be discretionary with the appointing authority; all members of courts martial to be senior to accused and enlisted members to be from units other than those to which accused are assigned. Special emphasis will be placed by appropriate War Department orders on instructions of enlisted persons with respect to the administration of military justice generally and on instruction required to qualify enlisted persons for the responsibilities incident to membership on courts martial.

18. Appropriate War Department orders will be issued requiring the selection of summary courts martial from captains or officers of field grade when available and requiring that selection of inexperienced officers be avoided. Instructions will be given also requiring that accused persons before summary courts martial be provided counsel when requested, and, where available, counsel of their own choice.

19. The Manual for Courts Martial will be amended to enjoin strict enforcement of the requirement of Article of War 70 that charges be referred for trial by general court martial only after thorough and impartial investigation. The employment of trained and mature officers in the conduct of investigations will be emphasized.

20. The Manual for Courts Martial will be amended to clarify and liberalize the present rules as to the admissibility of documentary record evidence and to insure the admissibility of book and similar entries made in the regular course of business or administration.

21. Amendment of Article of War 22 will be proposed to clarify insurance to the defense of equal opportunity with the prosecution to obtain the attendance of witnesses before courts martial.

22. Amendment of Article of War 25 will be proposed to permit the use by the prosecution, as well as by the defense, of depositions in nominal death cases—in cases in which the death penalty is authorized by law but is not to be adjudged. Prompt taking of depositions will also be authorized.

23. Amendment of Article of War 39 will be proposed to exclude from the operation of the statute of limitations the offense of absence without leave committed in time of war.

24. Amendment of Article of War 43 will be proposed to remove any possible ambiguity in the requirements as to the number of votes necessary to convict accused persons. The article will require a unanimous vote in mandatory death cases and a two-thirds vote in other cases.

25. Repeal of Articles of War 44 and 88, which are obsolete for present-day application, will be proposed. Article of War 44 requires publication in his home State of the fact of dismissal of an officer for cowardice or fraud and makes it scandalous for other officers thereafter to associate with him. Article of War 88 denounces as an offense abuse, intimidation, violence to, or wrongful interference with any person bringing subsistence or other necessaries into camps or quarters.

26. Amendment of Article of War 45 will be proposed to require maximum limitations by the Executive on the punishment of officers as well as enlisted men in all cases, and to provide for limitations upon punishments of all persons in time of war and in theaters of operations, as well as under peacetime conditions.

27. Amendment of Article of War 92 will be proposed to delete the present mandatory punishment of death or life imprisonment for the offense of rape and to substitute death or any lesser punishment for this offense, and to make discretionary the quantum of punishment for murder without premeditation.

28. The Manual for Courts Martial will be amended to permit general courts martial, in their discretion, to adjudge sentences to confinement in excess of 6 months but not exceeding 1 year without imposing the punishment of dishonorable discharge.

29. Amendment of the Articles of War will be proposed expressly to forbid coercion in any form in the procurement of admissions and confessions of accused persons, and to provide punishments for such coercion or attempts at coercion.

There is enclosed for the information of the committee a copy of the complete report of the War Department Advisory Committee on Military Justice.

I am advised that the Navy Department is considering the administration of military justice within the Navy and that the Secretary of the Navy will communicate his views to the Armed Services Committees of the Senate and the House of Representatives. The Armed Services Committees will thus be enabled to coordinate any action which they may take with respect to the two services.

I have delegated to the Under Secretary of War the supervision of all matters relating to military justice, and he will represent the War Department in any presentation or hearing before your committee.

Sincerely yours,

ROBERT P. PATTERSON,
Secretary of War.

EXECUTIVE SESSION

Mr. WHITE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. VANDENBERG, from the Committee on Foreign Relations:

Charles E. Dickerson, Jr., of New Jersey, now a Foreign Service officer of class 2 and a secretary in the diplomatic service, to be also a consul general;

Gilson G. Blake, of Maryland, now a Foreign Service officer of class 3 and a secretary in the diplomatic service, to be also a consul general;

William K. Ailshie, of Idaho, now a Foreign Service officer of class 4 and a secretary in the diplomatic service, to be also a consul;

V. Harwood Blocker, of Texas, now a Foreign Service officer of class 5 and a secretary in the diplomatic service, to be also a consul; and

Frederick D. Hunt, of the District of Columbia, now a Foreign Service officer of class 5 and a secretary in the diplomatic service, to be also a consul.

By Mr. BUCK, from the Committee on the District of Columbia:

Mark Lansburgh, of the District of Columbia, to be a member of the District of Columbia Redevelopment Land Agency for a term of 5 years;

George A Garrett, of the District of Columbia, to be a member of the District of Columbia Redevelopment Land Agency for a term of 3 years;

James E. Colliflower to be a member of the District of Columbia Redevelopment Land Agency for a term of 4 years;

Edward A. Dent to be a member of the District of Columbia Redevelopment Land Agency for a term of 2 years; and

Richard R. Atkinson to be a member of the District of Columbia Redevelopment Land Agency for a term of 1 year.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the calendar.

DIPLOMATIC AND FOREIGN SERVICE—NOMINATION PASSED OVER

The legislative clerk read the nomination of Herman B. Baruch, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Netherlands.

Mr. WHITE. I ask that that nomination be passed over.

The PRESIDENT pro tempore. The nomination will be passed over.

COAST GUARD

The legislative clerk read the nomination of Elliott Northcott 2d to be ensign.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

HAWAII

The legislative clerk read the nomination of Oren E. Long, of Hawaii, to be Secretary of the Territory of Hawaii.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES MARSHAL

The legislative clerk read the nomination of Joseph C. Reing, of Pennsylvania, to be United States marshal for the eastern district of Pennsylvania.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

PATENT OFFICE

The legislative clerk read the nomination of Pasquale J. Federico, of Ohio, to be examiner in chief on the Board of Appeals of the Patent Office.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nominaton of Eugene W. Geniesse, of Michigan, to be examiner in chief on the Board of Appeals of the Patent Office.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Samuel Wolffe, of Pennsylvania, to be examiner in chief on the Board of Appeals of the Patent Office.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

That concludes the nominations on the Executive Calendar.

Mr. WHITE. I ask that the President be immediately notified of the action of the Senate today in confirming nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified.

A number of nominations were approved at the last two sessions of the Senate, and the President was not notified. Perhaps the Senator from Maine would like to include in his request that the President be notified of the nominations confirmed in the last two sessions of the Senate.

Mr. WHITE. Mr. President, I ask that the President be notified accordingly.

The PRESIDENT pro tempore. Without objection, the order will be made.

RECESS TO FRIDAY

Mr. WHITE. Mr. President, as in legislative session, I move that the Senate stand in recess until 12 o'clock noon on Friday next.

The motion was agreed to; and (at 5 o'clock and 22 minutes p. m.) the Senate took a recess until Friday, February 28, 1947, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 26 (legislative day of February 19), 1947:

UNITED NATIONS COMMISSION FOR CONVENTIONAL ARMAMENTS

Warren R. Austin, of Vermont, to be the representative of the United States of America on the United Nations Commission for Conventional Armaments.

DIPLOMATIC AND FOREIGN SERVICE

Lewis W. Douglas, of Arizona, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Great Britain.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named candidates for promotions in the Regular Corps of the Public Health Service:

SENIOR ASSISTANT SURGEONS TO BE TEMPORARY SURGEONS

Bernard D. Davis
James A. Hunter, Jr.

ASSISTANT SURGEONS TO BE TEMPORARY SENIOR ASSISTANT SURGEONS

Charles E. Carter	Willie G. Simpson
Irwin M. Boozer	Keith F. Farr
Leland C. Burrill	Norman C. Morgan
Edward N. Maxwell	John W. Smillie
Warfield Garson	Sidney Krohn
Walter D. Richards	William P. Ramey
Elliott L. Harlow	

SENIOR ASSISTANT SCIENTIST TO BE TEMPORARY SCIENTIST

Pope A. Lawrence

ASSISTANT NURSE OFFICERS TO BE TEMPORARY SENIOR ASSISTANT NURSE OFFICERS

Mary A. Brimberry	Florence T. Thieman
Rose V. Fortuna	Anne J. Lello
Mary A. Rice	Ruth N. Crawford
Edwyna D. Draper	Magdalene Roller
Elizabeth C. Laczko	

ASSISTANT DIETITIAN TO BE TEMPORARY SENIOR ASSISTANT DIETITIAN

E. Grace Gibson

POSTMASTERS

The following-named persons to be postmasters:

COLORADO

Richard M. Teilborg, Fowler, Colo., in place of R. D. Mutz, resigned.

R. Terrell Ellington, Grand Junction, Colo., in place of C. D. Moslander, resigned.

CONNECTICUT

Marion E. Thayer, Haddam, Conn., in place of N. P. H. Arnold, resigned.

FLORIDA

Robert H. Morgan, Fort Ogden, Fla. Office became Presidential July 1, 1945.

GEORGIA

William C. Dalton, Desoto, Ga., in place of S. W. Poole, deceased.

IDAHO

James R. Qualls, Midvale, Idaho, in place of F. J. Rodgers, deceased.

INDIANA

May Reiff, Deputy, Ind., in place of F. A. Anderson, deceased.

IOWA

Jasper H. Frogge, Numa, Iowa. Office became Presidential July 1, 1945.

KANSAS

Wayne M. Stoffer, Haven, Kans., in place of L. C. Forker, resigned.

LOUISIANA

Emma H. Andermann, St. James, La. Office became Presidential July 1, 1946.

MAINE

Donald N. Coombs, Stonington, Maine, in place of A. M. Hatch, resigned.

MONTANA

John L. Weaver, Belgrade, Mont., in place of D. W. Cameron, resigned.

NEBRASKA

Rolland L. Winkle, Pickrell, Nebr. Office became Presidential July 1, 1945.

NEW JERSEY

Damon Caccese, Franklinville, N. J., in place of G. W. Karge, retired.

NEW YORK

Katharine M. Carhart, Kirkville, N. Y., in place of E. O. Plopper, resigned.

Myron J. Parkinson, Syracuse, N. Y., in place of C. J. Nugent, deceased.

Marion F. Chase, Tahawus, N. Y., in place of M. F. Breen, retired.

NORTH DAKOTA

Odin H. Haagenstad, Maddock, N. Dak., in place of L. L. Walker, resigned.

OHIO

Mary E. Derry, Jaite, Ohio., in place of Russell Jaite, resigned.

Elijah H. Jackson, Waverly, Ohio, in place of A. S. Keechle, resigned.

OREGON

Kenneth G. Brooks, Wallowa, Oreg., in place of O. E. Marvin, retired.

PENNSYLVANIA

Roy R. Miller, Berrysburg, Pa. Office became Presidential July 1, 1945.

Gladys M. Parry, Elrama, Pa., in place of D. C. Buell, resigned.

Jane E. Steuart, Irvine, Pa., in place of J. J. Myers, retired.

Lewis W. Cordell, Marion, Pa., in place of E. C. Swartz, retired.

Renald R. Vogelsong, South Enola, Pa. Office became Presidential July 1, 1944.

SOUTH DAKOTA

George S. Blackstone, Oldham, S. Dak., in place of John Loesch, deceased.

TENNESSEE

Robert B. Pitts, Hixson, Tenn., in place of L. J. Eldredge. transferred.

Alonzo G. Robbins, Monroe, Tenn. Office became Presidential July 1, 1945.

TEXAS

Wilbur H. Propes, Arp, Tex., in place of E. W. Ross, retired.

Ludie C. Mitchell, Saratoga, Tex., in place of J. M. Pickerill, deceased.

UTAH

Violet G. Fisher, Goshen, Utah. Office became Presidential July 1, 1945.

Millie G. Wykert, Lark, Utah. Office became Presidential July 1, 1945.

VIRGINIA

Elmore Mudd, Alexandria, Va., in place of J. O. Lynch, deceased.

WASHINGTON

Ruby Grandstaff, Easton, Wash., in place of H. C. Egbert, resigned.

Howard F. Christeson, Springdale, Wash., in place of C. O. Snapp, resigned.

Ailsie P. Lane, Washtucna, Wash., in place of J. H. Gill, retired.

WEST VIRGINIA

Doris R. Hood, Folsom, W. Va. Office became Presidential July 1, 1945.

WYOMING

Harry S. Cashman, Rawlins, Wyo., in place of N. H. Jones, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 26 (legislative day of February 19), 1947:

HAWAII

Oren E. Long to be Secretary of the Territory of Hawaii, terminating recess appointment.

UNITED STATES MARSHAL

Joseph C. Reing to be United States marshal for the eastern district of Pennsylvania.

PATENT OFFICE

TO BE EXAMINERS IN CHIEF ON THE BOARD OF APPEALS OF THE PATENT OFFICE

Pasquale J. Federico
Eugene W. Geniesse
Samuel Wolffe

COAST GUARD

Elliott Northcott 2d to be an ensign in the Coast Guard, to rank from December 5, 1946.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 26, 1947

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

My voice shalt Thou hear in the morning, O Lord:

"Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful. But his delight is in the law of the Lord, and in His law doth he meditate day and night. He shall be like a tree planted by the rivers of water, that bringeth forth his fruit in his season; his leaf also shall not wither; and whatsoever he doeth shall prosper."

O God, help us all so to live that we may worthily be numbered among those who will shape the best life for the people tomorrow. Endow us with the spirit of our Master, and draw from our every word and deed the fangs of hate and malice, and thus sanctify true manhood and womanhood.

Teach us, Father, how to be kind and patient as a tree. Bring us all under Thy control and in accord with Thy divine purpose. In the name of the Redeemer. Amen.

The Journal of the proceedings of Monday, February 24, 1947, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on February 26, 1947, the President approved and signed joint resolutions of the House of the following titles:

H. J. Res. 114. Joint resolution to continue the authority of the Maritime Commission to operate vessels until July 1, 1947; and

H. J. Res. 121. Joint resolution granting, in the case of income, estate, and gift taxes, deductions for contributions to the United Nations.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 568. An act to authorize the Secretary of Agriculure to cooperate with other American countries in the control and eradication of foot-and-mouth disease and rinderpest.

THE LATE HONORABLE RILEY J. WILSON

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PASSMAN. Mr. Speaker, word has just reached me of the passing of a distinguished citizen of Louisiana, a patriotic American, an outstanding member of the bar, and a former Member of the House of Representatives, the Honorable Riley Joe Wilson.

Judge Wilson retired from the Halls of Congress in 1936. He had long been active in public affairs in Louisiana, and upon his retirement he had, by virtue of work and service, endeared himself not only to the people of his district in Louisiana, but to his many friends here in Washington, and to his colleagues in the Halls of Congress.

In 1911 our late and esteemed colleague began his public career. During that year he was elected to the judgeship of his judicial district, and in 1916 he was elected to his first term as Congressman from the Fifth Congressional District of Louisiana.

Congressman Wilson served in Congress continuously from that date until 1936, when he retired from public office.

At the time of his passing, Judge Wilson was 74 years of age.

He served well as a public servant, not only his beloved State, but our Nation, and in his declining years he lived to see many of his early legislative dreams materialize.

Judge Wilson was a man of rare integrity. His honesty was never disputed. He was loyal to his State and to his Nation.

Here in the Halls of Congress he distinguished himself as a statesman, and was held in high esteem by those who were associated with him. Judge Wilson contributed much to the legislative progress of Congress while he served so faithfully as a Member of this body.

It was my privilege to know Riley Joe Wilson, and I admired his character and ability. It was my pleasure to observe his contributions to his district, to his State, and to our Nation, and I submit these brief remarks as a final tribute to a man whose sincerity of purpose and greatness of character enriched the lives of all who knew him.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. RANKIN. I served with Riley Wilson for many years. He went to school in the district I have the honor to represent. He married a Miss Barnett in that district. I can say without reservation that Louisiana never had a more conscientious public servant in this House than Riley J. Wilson.

The entire delegation from Mississippi join in expressing our regrets at his untimely passing away, and in extending our sympathies to his bereaved family.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROOKS. Mr. Speaker, upon coming to my office this morning, I was profoundly shocked by the tragic news of the death of Riley Joseph Wilson in the city of Monroe, La. Judge Wilson was born in Winn Parish, La., and served as district attorney and as district judge in Louisiana. In 1914, he was nominated for Congress and he served in this

body continuously from the Sixty-fourth Congress to the Seventy-fifth Congress, a period of 22 years. He was in Washington when I came to Congress, and, up until fairly recently, he often came to my office to read the papers from Louisiana and to keep in touch with local events.

Judge Wilson served his State and the Nation long and well. In the Congress of the United States, the emphasis of his activity was placed upon flood control, and in the early days he did much to publicize the importance of flood control as a national problem. Since his congressional district had one of the worst flood problems of the Nation, his advocacy of national aid in this great field of endeavor was most devout and most earnest.

Judge Wilson was well known here and in Louisiana, where he was much beloved. He now carries into a higher sphere the views which he championed here in Congress. He will be missed in our Halls and our councils, and thousands will mourn his death. Our deep sympathy goes out to his widow and three children who survive him; and we devoutly say, "Well done, thou good and faithful servant."

Mr. LARCADE. Mr. Speaker, I wish to join my colleagues in their expressions in the death of the Honorable Riley J. Wilson, a former Member of this House from Louisiana, and on behalf of myself and the other Members from Louisiana who are absent on this occasion to join in paying tribute to a fine jurist, statesman, and a conscientious public servant.

While I did not have the good fortune to serve in this House with the gentleman from Louisiana, I have learned from many of his colleagues who are yet in the House that he was universally respected and esteemed and his ability was generally well recognized. Judge Wilson, as he was familiarly known by his friends, held many public offices, and among these was that of member of the Constitutional Convention of Louisiana in 1898; member of the Legislature of Louisiana, district attorney, and judge of his judicial district in Louisiana, in the latter position from which he was elected to the Sixty-fourth Congress.

Judge Wilson served from the Sixty-fourth through the Seventy-fourth Congresses, and at the time of his retirement was chairman of the important House Committee on Flood Control.

As chairman of the House Flood Control Committee, Judge Wilson rendered the State of Louisiana and the Nation as a whole, a most valuable service; especially in this position was Judge Wilson able to press the needs of Louisiana for protection against the devastating floods that visited Louisiana and the Mississippi Valley so often, and due to the hard work and cooperation of his committee during that time, many projects were undertaken in the Mississippi Valley which now serve to protect the lives and properties of hundreds of thousands of our citizens residing in that area.

The State of Louisiana appreciates the great service rendered by our former colleague, and the members of the Louisiana delegation, and I am sure all of those who knew Judge Wilson join in expressing our sympathy and condolence to the family of Judge Wilson.

MR. HOOVER TO TESTIFY BEFORE COMMITTEE ON FOREIGN AFFAIRS

Mr. EATON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. EATON. Mr. Speaker, the Committee on Foreign Affairs has invited Mr. Hoover, the greatest authority on food problems, to testify before that committee at 10:30 o'clock on Friday. By courtesy of the chairman of the Ways and Means Committee we are to meet in the great caucus room on the ground floor of the New House Office Building at that time. On behalf of the committee I cordially invite all Members of the House to be present and listen to this most distinguished witness.

The SPEAKER. The time of the gentleman from New Jersey has expired.

PERMISSION TO FILE REPORT

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that I may have until midnight tonight to file a report to accompany the bill H. R. 246, which was reported yesterday from the Committee on Veterans' Affairs.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and as a part of those remarks to include a letter written by Harley L. Lutz, professor of public finance, Princeton University, with the further request that if that letter has already appeared in the RECORD, notwithstanding that, the remainder of my speech may be inserted in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

Mr. SIMPSON of Illinois asked and was granted permission to extend his remarks in the RECORD on the boxcar situation.

Mr. RIEHLMAN asked and was granted permission to extend his remarks in the RECORD and include a suggested solution for the Korean problem.

Mr. NODAR asked and was granted permission to extend his remarks in the RECORD and include a speech made by Mr. VORYS on the Lithuanian question.

Mr. JENKINS of Pennsylvania asked and was given permission to extend his remarks in the RECORD and insert a resolution passed by the Lithuanian Alliance of America, District No. 7.

Mr. BOGGS of Delaware asked and was granted permission to extend his remarks in the RECORD and include an editorial from the Wilmington Sunday Star.

Mr. CANFIELD asked and was granted permission to extend his remarks in the RECORD and include an editorial from the New York Times.

PERMISSION TO ADDRESS THE HOUSE

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

[Mr. JENKINS of Ohio addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. COFFIN asked and was granted permission to extend his remarks in the Appendix and include an address by Hon. CLARENCE J. BROWN before the National Republican Club.

THE HOG SITUATION

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, on May 13, last, I stood here and warned against the recommendation of the Secretary of Agriculture when he urged the farmers of this country to reduce the hogs of this country by sending 10 percent of their brood sows to market. They cooperated to the extent that thousands and hundreds of thousands of brood sows went to market. Today we have got $30 hogs on the market, and dollar-a-pound pork chops, and who is to blame but the Secretary of Agriculture?

On May 12, 1946, when the Secretary announced the Department's pig production goals for 1946, the corn crop in the Corn Belt was not yet in the ground. The recommendations from a Secretary who would have been farsighted and understood would have been one urging farmers to increase their corn acreage, as well as their production of hogs. This was one more case where increased production was the answer rather than the philosophy of scarcity. Thirty-dollar hogs are little help to a farmer when he has none to sell. What is now likely to happen is that many brood sows will be sent to market by farmers in need of money or who want to take advantage of the present unheard-of market price, thus creating a greater shortage throughout 1947.

Fifteen-dollar hogs would pay their way to market with the present price of corn. The West is just that full of corn that the sun sets behind the corncribs and no hogs. You have never heard of such a deplorable condition in your life, and it means that those pigs which were killed through that program advocated by the Secretary of Agriculture would now be coming to market by the tens of thousands, weighing over 200 pounds. Empty lard cans; empty larders; dollar pork chops can be charged to the Secretary of Agriculture. The Agricultural Department is one place where we could cut down on expenditures and save several billion dollars by doing it, to aid in further reduction of the budget.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

EXTENSION OF REMARKS

Mr. SPRINGER asked and was granted permission to extend his remarks in the Appendix of the RECORD in two instances and to include in each an editorial from a newspaper.

PERMISSION TO ADDRESS THE HOUSE

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

[Mr. BYRNES of Wisconsin addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. D'ALESANDRO asked and was given permission to extend his remarks in the RECORD and include resolutions and communications opposing the erection of an airport at Sandy Point, Md.

Mr. ABERNETHY asked and was given permission to extend his remarks in the Appendix of the RECORD and include two editorials.

Mr. FORAND asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an editorial and in the other a newspaper article.

Mr. LANE asked and was given permission to extend his remarks in the RECORD in two instances, in one to include a resolution adopted by the Lithuanian-American Council and in the other a radio address delivered by himself over Station WLAW.

Mr. EVINS asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein a letter from the Department of Education of the State of Tennessee regarding the school-lunch program.

Mr. DAVIS of Georgia asked and was given permission to extend his remarks in the RECORD and include therein a letter.

Mr. LANDIS (at the request of Mr. HALLECK) was given permission to extend his remarks in the Appendix of the RECORD.

SPECIAL ORDERS

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes today following the special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FOLGER. Mr. Speaker, I ask unanimous consent that the special order I had for today may be transferred to Monday, March 3, and that I be allowed to speak for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

OUR RADIO IS BEING TURNED AGAINST US

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, is it true freedom to allow our great broadcasting facilities to be used by those whose only object is to destroy our Nation?

I think not.

A regard for the public welfare already prevents radio from selling its services to those who would disseminate obscene matter or peddle harmful drugs.

We do this, by law, to protect the moral and physical health of the Nation. But what about its political safety? Shall we permit subversive elements to use radio as a means to undermine the American form of government?

It is an invitation to national suicide to view this problem complacently.

Radio exerts a powerful influence over the minds and emotions of the people. Used by clever and cynical propagandists, it could only weaken a nation from within and become the most deadly medium of attack.

To protect us from this danger which is already at work, I propose that we amend the Communications Act of 1934, with a view to preventing the use of broadcasting facilities for the dissemination of material which is subversive to our democratic system of government.

The amendment I suggest, reads as follows:

SEC. 303a (under title 111). It shall be the duty of the Commission to prescribe appropriate regulations for the purpose of preventing the use of radio broadcasting facilities for the dissemination of views in furtherance of any movement which is subversive of the Government of the United States, or views advocating theories or doctrines contrary to the Constitution of the United States, or the constitution of any State of the United States, in the matter of religious freedom or freedom of the press.

The broadcasting channels should be closed to those who want to propagate treason.

THE COMMITTEE ON APPROPRIATIONS

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KEEFE. Mr. Speaker, may I say to those of faint heart that the various subcommittees of the Appropriations Committee have been vigorously at work now for several weeks scanning the budgetary requests for appropriations for the next fiscal year. Those bills will start coming upon the floor of this House very shortly, one after the other and you will find, I believe, when those bills come here that your Appropriations Committee has done, is doing, and will do, a real job in an effort to achieve a $6,000,000,000 reduction in public expenditures and in the amount available for expenditure in the next fiscal year.

I want to warn the Members of Congress, and especially those on the Republican side, that you are going to be literally drenched and deluged with propaganda. You will have thousands of letters and telegrams come to your offices from people who do not know a single thing about which they telegraph or write. For example, I have been literally swamped with telegrams and letters with respect to proposed appropriations for the Labor Department in which it is alleged that the committee has decided to abolish this or abolish that. May I say, Mr. Speaker, that the committee has not yet concluded its hearings and has not even met to consider what appropriations shall be disturbed.

The propaganda agencies and the propaganda mills are prematurely at work. We are going to stand pat, however, despite the propaganda and try to balance the budget and lay something aside for a rainy day.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

EXTENSION OF REMARKS

Mr. KEATING asked and was given permission to extend his remarks in the Appendix of the RECORD and include a statement by Prof. Charles W. Watkeys, of the University of Rochester, N. Y., on the subject Amortization of the National Debt.

RESIGNATIONS FROM COMMITTEES

The SPEAKER laid before the House the following communication, which was read:

FEBRUARY 26, 1947.

Hon. JOSEPH W. MARTIN, Jr.,
Speaker, House of Representatives,
The Capitol, Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on House Administration.

Very respectfully yours,

JOHN W. MCCORMACK.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

The SPEAKER laid before the House the following communication, which was read:

FEBRUARY 26, 1947.

Hon. JOSEPH W. MARTIN, Jr.,
Speaker, United States House of Representatives, Washington, D. C.

DEAR MR. MARTIN: I hereby tender my resignation as a member of the Committee on Expenditures in the Executive Departments.

Respectfully yours,

CHARLES B. DEANE.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

ELECTIONS TO COMMITTEES

Mr. DOUGHTON. Mr. Speaker, I offer a resolution (H. Res. 114), which I send to the Clerk's desk and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That JOHN W. MCCORMACK, of the State of Massachusetts, be, and he is hereby, elected a member of the Committee on Expenditures in the Executive Departments, and to rank No. 17 on said committee.

The resolution was agreed to.

Mr. DOUGHTON. Mr. Speaker, I offer another resolution (H. Res. 115) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That C. B. DEANE, of the State of North Carolina, be, and he is hereby, elected a member of the Committee on House Administration.

The resolution was agreed to.

Mr. DOUGHTON. Mr. Speaker, I offer another resolution (H. Res. 116) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That ROBERT E. JONES, JR., of the State of Alabama, be, and he is hereby, elected a member of the Committee on the District of Columbia.

The resolution was agreed to.

OFFICIAL OBJECTORS ON MINORITY SIDE

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RAYBURN. Mr. Speaker, I wish at this time to make an announcement that I am sure will be of interest to Members on both sides of the House.

The gentleman from Arkansas [Mr. TRIMBLE], the gentleman from North Carolina [Mr. DEANE], and the gentleman from Colorado [Mr. CARROLL], have been designated by the minority as the official objectors in connection with bills on the Consent Calendar and the Private Calendar.

NATIONAL CAPITAL HOUSING AUTHORITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on the District of Columbia:

To the Congress of the United States:

In accordance with the provisions of section 5 (a) of the District of Columbia Alley Dwelling Act, approved June 12, 1934, I transmit herewith for the information of the Congress the report of the National Capital Housing Authority for the fiscal year ended June 30, 1946.

HARRY S. TRUMAN.

THE WHITE HOUSE, *February 26, 1947.*

FIRST REPORT OF THE AIR COORDINATING COMMITTEE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 148)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed, with illustrations:

To the Congress of the United States:

I transmit to the Congress, for its information and consideration, the First Report of the Air Coordinating Committee, for the calendar year 1946.

The Committee was established by Executive order on September 19, 1946, in order to achieve full development and integration of United States aviation policies and activities, and includes representatives of the executive agencies primarily concerned with aviation. Through its Aviation Industry Advisory Panel, the Committee draws upon the experience and the views of the air transport and aircraft manufacturing industry, of organized labor, and of other aviation interests.

It is my hope that the report may prove useful to the Congress in its deliberations on aviation matters, which are of such great concern to our country's welfare.

HARRY S. TRUMAN.

THE WHITE HOUSE, *February 26, 1947.*

EXTENSION OF REMARKS

Mr. GATHINGS asked and was given permission to extend his remarks in the RECORD and include statements made by him before the Tariff Commission.

Mr. GEARHART asked and was given permission to extend his remarks in the RECORD in three instances, and in each to include extraneous matter.

DEFINING JURISDICTION OF THE COURTS

Mr. BROWN of Ohio, from the Committee on Rules, reported the following privileged resolution (H. Res. 117, Rept. No. 72) which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 2157) to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Mr. HARNESS of Indiana, from the Committee on Rules reported the following privileged resolution (H. Res. 118, Rept. No. 73) which was referred to the House Calendar and ordered to be printed:

Resolved, That the Committee on Expenditures in the Executive Departments, acting as a whole or by subcommittee, is authorized to conduct studies and investigations of any action, rule, procedure, regulation, order, or directive taken or promulgated by any department or independent agency of the Federal Government where complaint is made to the committee, or subcommittee thereof, that such action, rule, regulation, procedure, order, or directive: (1) Is beyond the scope of the power or authority granted to such department or independent agency by Congress or by Executive order; (2) invades the constitutional rights, privileges, or immunities of citizens of the United States; (3) inflicts penalties for failure to comply with such rules, regulations, or directives, without affording those accused of violation an opportunity to present their defense before a fair and impartial tribunal. For such purposes the said committee or any subcommittee thereof is hereby authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

That the said committee shall report to the House of Representatives during the present Congress the results of their studies and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

BALANCING THE BUDGET

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I was very much interested in the statement made by the gentleman from Wisconsin [Mr. KEEFE] a few moments ago in reference to the Committee on Appropriations doing its duty in cutting out nonessential appropriations. I feel confident that they are going to do it. I have never been so heartened since I have been a Member of Congress by reason of the fact that we are going to try to get this country in the position where our appropriations or expenses are going to be less than our receipts. It is only going to be by the effort of every Republican Member of Congress and a few sound Democratic Members that we are going to attain that goal. Now, it has been said by Members on the other side, "Wait until we have these appropriation bills in. They are going to cut this, that, and the other thing, and then your people back home will not get the things that they are desirous of having us spend money for." Let it be known that your people back home are desirous of trying to keep this country financially sound and stable, and if we do that we will have an armed force that will be able to protect America, but if we bankrupt America we will have nothing. It is up to you and me to see that we do carry this program out and balance the budget and have something to pay on our national debt. That only will give us a sound financial structure. We will be put to the test many, many times to cut out some project your people back home want us to spend money for. Let them know the joy ride of the New Deal is over and that we have the unwelcome joy of paying now for this joy ride. We have all the debts to pay, we must be sound and sensible, buckle our belts, and do the job, as disagreeable as it will be. It is an honorable thing to do. It is the sensible thing to do. It is the hard and disagreeable thing to do. Let us be

for a sound America. Balance the budget and pay off the New Deal debt. Let us go to work. The road will be hard, the job disagreeable; it must be done. We are the Americans who can do it, if we will. I am going to do it. Count on me for economy.

COMMITTEE ON EDUCATION AND LABOR

Mr. BROWN of Ohio. Mr. Speaker, I call up House Resolution 111 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Committee on Education and Labor, acting as a whole or by subcommittee, is authorized and directed to conduct thorough studies and investigations relating to matters coming within the jurisdiction of such committee under rule XI (1) (g) of the Rules of the House of Representatives, and for such purposes the said committee or any subcommittee thereof is hereby authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

That the said committee shall report to the House of Representatives during the present Congress the results of their studies and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. Speaker, House Resolution 111 would authorize the Committee on Education and Labor to conduct studies and investigations relating to matters within its jurisdiction. More specifically, it extends to the committee the power to subpena witnesses and administer oaths.

As was pointed out in the hearings on the resolution before the Committee on Rules, the subpena power is necessary not only to secure the presence of reluctant witnesses but also to protect those who testify willingly before the committee. Should it appear that certain witnesses had volunteered information, they and their families might later be subjected to strong-arm methods as punishment. If these witnesses are subpenaed and testify under oath, however, the possibility of such reprisal is lessened.

The additional powers to the Committee on Education and Labor were originally requested in House Resolution 88. This resolution also included provisions for certain funds for committee expenses and asked for clerical and stenographic assistance. As you know, it is not within the jurisdiction of the Committee on Rules to pass on these latter requests, so House Resolution 111, granting the Committee on Education and Labor the additional powers requested, as far as the subpenaing and protection of witnesses is concerned, was therefore substituted for House Resolution 88, which the Committee on Rules thought infringed, perhaps, upon the prerogatives and the privileges and the rights of the Committee on House Administration.

As this resolution is merely a technical substitution from the original resolution introduced by the gentleman from New Jersey [Mr. HARTLEY], I shall leave to him the explanation of the resolution itself.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Indiana.

Mr. HALLECK. This resolution seeks to give to a standing committee, the Committee on Education and Labor, power and authorities said by that committee to be necessary in the performance of its duties and operations as a committee of the House.

Mr. BROWN of Ohio. The gentleman is correct.

Mr. HALLECK. That committee is charged with the consideration and determination of some of the most important matters coming before the House of Representatives.

Mr. BROWN of Ohio. In fact, at this moment and probably for many weeks in the future the House Committee on Education and Labor will be holding daily hearings on many important bills, and it is very necessary, it appears, for the committee to have this authority in order to properly carry out its work.

Mr. HALLECK. I do not know whether or not there is any opposition to this resolution, but as far as I am concerned I certainly hope it is adopted today.

Mr. BROWN of Ohio. I thank the gentleman very much.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Mississippi.

Mr. RANKIN. As I understand, this resolution merely asks the power to make these investigations touching subjects that fall within the jurisdiction of the committee.

Mr. BROWN of Ohio. That is right, but to subpena witnesses, compel the production of records, and so forth.

Mr. Speaker, I now yield 10 minutes to the gentleman from New Jersey [Mr. HARTLEY].

Mr. HARTLEY. Mr. Speaker, the House Committee on Education and Labor started hearings within 3 days after it was constituted on the many bills that have been presented to it.

During the course of these hearings, we obtained testimony concerning the so-called Dock Street case in Philadelphia which presented to this committee one of the most vicious of all the racketeering situations of which I have ever heard. The case involved some 200 small produce merchants on Dock Street, in Philadelphia, whose places of business were shut down completely and who lost an estimated $125,000 in perishable foods and vegetables which the union leaders in that particular territory had refused to permit to be removed either from freight cars or from the various places of business. We had one witness, for example, who testified that he had been on Dock Street, first as a huckster's helper, then later on as a huckster, and finally established his own business. He had been on this street for 42 consecutive years. Yet, when the strike was finally called he was told by the leaders that they would give him 15 minutes, not to get off the premises, his own premises, but to get off Dock Street. The issue involved, incidentally, concerned the taking into the teamsters' union of 200 girl clerks in these various establishments. I have been a member of the Committee on Labor for the 18 years that I have been in Congress, and I thought I knew something about union contracts. But I want to tell you, in all frankness, that my eyes were opened by this particular contract, some sections of which I want to read to you. Bear in mind that we also had plenty of evidence of racketeering in this case. This contract has been signed by several dozen merchants in this particular case. Some of the provisions of the contract are as follows:

Subsection B, section 4, provides:

An employer may be permitted on the firm's premises on Saturday morning, provided permission to do so is obtained from the union in advance.

In other words, in order to visit his own place of business and his own establishment and go into his own office on a Saturday morning, he has to file a written application with the union.

Section 23 provides:

The union reserves the right to issue instructions to the employer relative to the conduct of his business without dispute, when the union feels that the employer conducts business in such a manner as to jeopardize the employment security of his employees and where such conduct may be detrimental and interfere with the orderly and efficient operation or movement of perishable products destined for distribution to consumers.

Section 24 provides:

From time to time during the life of this agreement it is agreed that the union shall make and enforce new rules and regulations governing the physical movement of commodities received and delivered by the employer herein, which are deemed by the union as necessary to best protect its interest. Such rules and regulations shall also affect railroad and steamship docks, piers, freight yards, bulkheads, and warehouse movements. When in the judgment of the union such new rules and regulations are necessary, the union may send a notice to the employer in writing and a conference may be held to agree upon—

I interpolate not the terms of the new rules and regulations, but merely—

the effective starting date as decreed by the union.

In addition, there is another section in this contract which provides as follows:

Subsection D of section 6: When a partnership of two persons exists, one member of that partnership must be a member of the union.

So that in the event of a strike one of the partners would have to carry a sign and picket his own partner. In this particular case, there was testimony to the effect that a certain gentleman, Mr. Fred Schlein, was the business agent for the union. Later on, the employers, these produce dealers, were organized into an association. And who do you think became the business agent for the employ-

ers' association? The same Mr. Schlein. It was testified before our committee by a witness who said that he feared for his own life and had been driven to such a state of desperation that he was thinking seriously of committing suicide, that one time when his place were struck he did not know what the reasons were. One of his competitors, a friend, came to him and said, "Why don't you get wise to yourself? Why don't you get a labor-relations expert to advise you?" He said, "Have you got one to suggest?" This competitor replied, "Sure." And who do you think it turned out to be? The same Mr. Schlein. So that in the dispute between the employers' association and the union the business agent for both associations turns out to be the labor-relations expert for the individual members of the association.

Mr. HOFFMAN. And how much was he paid?

Mr. HARTLEY. I think they were assessed something like $500 each, and one member who did not pay all of the assessment but only paid a part of it, was told he got only half protection.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. HARTLEY. I yield.

Mr. RANKIN. Is that the same Schlein who helps to enforce the so-called FEPC in New Jersey?

Mr. HARTLEY. This was in Pennsylvania but I would not be surprised if he wound up in that position too.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. HARTLEY. I yield.

Mr. RICH. This union deals with the handling of perishable foodstuffs?

Mr. HARTLEY. That is correct.

Mr. RICH. And if the perishable foodstuffs are on the dock or in the place of business, they are permitted to spoil while the union and the employers try to settle their differences. Is that the fact?

Mr. HARTLEY. That is correct.

Mr. RICH. And it is the public who suffers, the public who has to pay the high prices for the foodstuffs that they are not even permitted to get?

Mr. HARTLEY. Surely the public suffers, but may I add in addition to the intimidation against these employers on Dock Street, the farmers who are supplying them are intimidated. May I add that immediately following this particular testimony our committee went into executive session and unanimously directed me to apply for the authority that we ask today, that is, merely the right to issue subpenas and also to put witnesses under oath.

Mr. RANKIN. Will the gentleman yield further?

Mr. HARTLEY. I yield to the gentleman from Mississippi.

Mr. RANKIN. Does this give the committee the power to investigate the present National Labor Relations Board?

Mr. HARTLEY. It would, undoubtedly.

Mr. RANKIN. The reason I ask that question is this: A couple of individuals tried to force a cooperative power association—a nonprofit REA co-op that is trying to extend power lines to the farmers' homes—in my district to adopt the closed shop. The co-op refused; so they inform me that this Labor Relations Board went down there and undertook to pile up a tremendous load of expenses against that co-op in order to break it. They tried to read into the record all of the annual reports of the Tennessee Valley Authority from its very beginning, which had nothing to do with the case. The man who was presiding overruled that attempt. So they came back to Washington and continued the hearings, while this co-op, representing largely small farmers, was unable to send counsel here; and the NLRB had read into that record every single report of the Rural Electrification Administration from its beginning. I just wanted to know if this committee had the right to investigate such an outrageous proceeding as that.

Mr. HARTLEY. I believe this would give us this authority and would put some teeth in it. May I say to the gentleman that the case he has just described has been presented time and time again to our committee.

The SPEAKER. The time of the gentleman from New Jersey has expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield the gentleman five additional minutes.

Mr. HARTLEY. We had a case in New Canaan, Conn., where the owner of a small dairy employing five persons was put out of business. His trucks were overturned. Two men who were ex-servicemen, truck drivers, were left on the road in an unconscious condition. We asked, How about the local enforcement authorities? Did they make complaints and were the complaints brought to court? Those complaints were filed 1 year and 2 months ago. I want the authority to bring the law-enforcement officials here to tell this committee why they have not proceeded to bring to justice the perpetrators of such violence.

Mr. FISHER. Mr. Speaker, will the gentleman yield?

Mr. HARTLEY. I yield.

Mr. FISHER. Will the gentleman tell the House also what happened to the merchants on Dock Street who did not accept the demands of the union with respect to the contract provisions he has just read, and these other demands that were developed before the committee? There were some 20 or 25 who had been put out of business after having been in business from 10 to 20 years.

Mr. HARTLEY. Not only were they put out of of business but they were not even allowed to remove some $125,000 worth of perishable fruits and vegetables. They could not even remove them from their premises.

Mr. FISHER. In addition to the racket the gentleman has referred to in Philadelphia, we had evidence of similar rackets, at least as bad ones, that are now in existence in Pittsburgh, Detroit, New York, and many other localities, especially on the west coast.

Mr. HARTLEY. That is absolutely true. We had the so-called hot-milk case presented to the committee where the teamsters' union refused to transport milk which came from cows that had been fed feed that had not been delivered by union truckers.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. HARTLEY. I yield.

Mr. MARCANTONIO. Under the provision of this resolution the gentleman's committee would be empowered to subpena and investigate in any strike or in any industrial dispute, subpena books and labor organizations, and subpena pickets or anybody else; is that correct?

Mr. HARTLEY. That is my impression; yes.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. HARTLEY. I yield.

Mr. RANKIN. But as I understand it, they would not be authorized, though, to investigate the lynching of Mr. Scottoreggio in the New York election row.

Mr. BREHM. Mr. Speaker, will my chairman yield?

Mr. HARTLEY. I yield.

Mr. BREHM. I wish the gentleman would tell the House about the case of the war veteran who was under contract to furnish food to veterans' hospitals but who was denied the right to operate. This veteran served 3 years in the South Pacific.

Mr. HARTLEY. As the gentleman from Ohio, who is a member of my committee, indicates, this veteran of 3 years' service in the South Pacific was denied the right to ship goods to a veterans' hospital under contract. We had the case of another returning serviceman who bought property, started his business, had a truck which he had owned prior to his entry into the service. He went to the union and said that he would hire a regular union driver; that he had only union help in his place; that he was completely organized; that all he wanted to do was use his own truck; but they said, "You just cannot do that."

Mr. BREHM. That was the veteran to which I just referred.

Mr. HARTLEY. Yes.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. HARTLEY. I yield.

Mr. HALLECK. I wish to commend the gentleman and the members of his Committee on Education and Labor for the very intelligent and careful way in which they are undertaking the study of this whole problem of legislation dealing with labor-management relations.

In times past the House of Representatives and its Members have been criticized for acting in what some have described as too hasty a manner on such legislation. At the moment there is some criticism in certain places now that action is not quite as hasty as it should be. My observation is that the right-thinking, fair-minded people of the country understand and appreciate the careful, considerate, and painstaking and yet expeditious way in which the gentleman and the members of his committee are working. I want the country, as far as I am concerned, to understand my feelings about what the gentleman's committee is doing. Of course, I am hopeful that the labor of the gentleman's committee may soon be concluded so action on the bill to be reported may be had here in the House.

Mr. HARTLEY. I thank the gentleman from Indiana. I hope I make this

perfectly clear that the authority which we seek here today will in no way interfere with the committee's getting out legislation on the over-all labor picture as expeditiously as we possibly can. The House Committee on Education and Labor is really functioning.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The time of the gentleman from New Jersey has expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. ARENDS].

COMMITTEE ON ARMED SERVICES

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services may have permission to sit during the session of the House this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

ADDITIONAL POWERS OF COMMITTEE ON EDUCATION AND LABOR

Mr. SABATH. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the chairman of the Committee on Education and Labor, the gentleman from New Jersey [Mr. HARTLEY], has stated that it is necessary for the committee to have additional powers of subpena in order to obtain information and testimony and evidence. He did not state, however, that it was impossible for that committee to obtain all the evidence or testimony that it desired without these additional powers. The committee has, in fact, heard many witnesses who were against labor. I do not know whether spokesmen for labor have had an equal opportunity to be heard or not; but I hope that if they have not been heard heretofore that under this resolution, which, of course, will pass, they will have ample opportunity to present their case and that the investigations conducted will be fair and objective.

NO EVIDENCE OF COERCION

I heard the testimony of the gentleman from New Jersey [Mr. HARTLEY] before the Committee on Rules. He read extracts from that contract between the employer and the employees as he did just now on the floor. There was no evidence there that coercion or threats had been used to bring about agreement to that employer-employee contract from which he quoted. I wish he had read the entire contract, which would have given the country and the membership of the House fuller information and knowledge of the conditions. However, even if there was nothing else in the contract than those few statements he has read, there is no evidence that these men on Dock Street or any others have been put out of business. In fact, I have information they are doing well, that they have made plenty of money and are making money now, and are in better financial condition today than they were before, notwithstanding the contract the gentleman read, and so severely criticized.

DOES NOT CREATE NEW COMMITTEE

Mr. Speaker, this, unlike other resolutions, does not create a new special committee. It merely gives a legislative committee of the House greater power than it possesses now; namely, the power to subpena and swear witnesses, travel all over the United States to obtain information, and do such other things as any court might be able to do that had jurisdiction, in seizing files, papers, reports and anything and everything that it may desire from any organized labor group, from any union, or from any individual member or officer of a union. I do not know whether they will utilize this power in the same way when they call the employers themselves in the investigation.

PROGRESS DUE TO LABOR

Again I hope and plead that the committee will be fair and will obtain all the information that is needed, required and necessary for sane, fair legislation.

Notwithstanding the hue and cry which has arisen from a few perennial enemies of organized labor and from professional labor baiters and unfair and feudal-minded employers about the perilous circumstances of business and industry here and there, and about enterprises forced by labor demands to give up and go out of business, the record shows actually that small businesses have been destroyed by the war, by materials shortages, by unfair competition from big business, and from many other causes; but not because of labor, save perhaps in a few isolated cases, where I strongly suspect that inefficient management was the true reason the business could not survive.

Thus it is seen that all these accusations and charges from those unfriendly to the cause of labor, who are trying by legislation to infringe on the right of free private contract and thereby to destroy the great labor movement which has done so much for the country, for working people—yes; and for business and industry, too—have been without foundation, and I feel many of the charges are manifestly unfair. If I thought that organized labor was detrimental to the best interest of my country, I would not plead for it, I would not defend it. May I say that the rapid progress of our country has been due to organized labor, and we have a greater prosperity and efficiency than ever before. Industries and manufacturers, in fact, all businesses are making more money and they have accumulated greater surpluses than at any previous time.

WHY THE CAMPAIGN TO DESTROY ORGANIZED LABOR

In view of that fact I cannot see why there is that determined aim and effort to weaken and destroy organized labor.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from New York.

Mr. MARCANTONIO. I believe that a close analysis of the powers contained in this resolution leaves no doubt in anyone's mind that this resolution establishes another labor-busting, strike-breaking device. This power of subpena will be used against labor in every single critical period in industrial relations. It will not be used for the purpose of obtaining information but it will be used as a sledge hammer to smash the rights of labor by indirection. The power to subpena may become the power to destroy. Despite all the smoke screen about racketeering, this power in the hands of the enemies of labor will be used to do a knife job on the rights of American labor.

Mr. SABATH. Well, that was my fear. That is the fear I entertain, and that is the reason I have expressed my views, and that I plead and hope and expect that the committee will be fair, and that the power that is being given to that committee will not be abused.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Pennsylvania.

Mr. RICH. Does the gentleman not think that the Members who are going to be charged with the duty of administering these oaths and obligations are going to be honest and fair in their dealings with the citizenship of this country when they come before their committee? They are not going to do, like the gentleman from New York says, use sledge hammers and try to bust everything up. They are honorable citizens and they are going to try to do an honorable job, and the gentleman from New York is as wrong as anything possibly can be.

Mr. SABATH. I am willing to yield at any time to any gentleman for questions, but I reserve to myself the privilege and right of making a speech in my own time. I think that is the only right I have nowadays, to express my views.

Mr. RICH. Mr. Speaker, will the gentleman yield for a question?

Mr. SABATH. Not now, because the gentleman abuses my generosity in yielding time that is given to him at my cost and in my time to make a speech.

Mr. HARTLEY. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from New Jersey.

Mr. HARTLEY. I want to make it perfectly clear that as chairman of this committee I have no such intention as was ascribed to me by the gentleman from New York. May I say that even in these present hearings, where employers have come before the committee and made charges against the unions, the committee has followed a course that I do not recall being followed in times past, and that is, to give the unions the right to come in and defend themselves, and we will certainly do that in any investigation we conduct.

COST OF LIVING UP 50 PERCENT

Mr. SABATH. I am mighty pleased to hear the gentleman make that statement. I know the gentleman is going to follow his promise and will be impartial, and I hope that he will be able to control the actions of his committee and conduct fair hearings and give both sides an equal opportunity to be heard.

To go back, a while ago the gentleman from Pennsylvania [Mr. GROSS] made a statement relative to the tremendous increase in cost of living. He says we will shortly be obliged to pay $1 a pound for pork. Now, he did not mention the other increases that have been brought about in the cost of living, not only in pork and meats, fruits and vegetables, but in every item of family subsistence. The cost of living since OPA was destroyed has gone up in the last 6 months over 50 percent, and the papers today say it may go up much higher. I wonder, in view of these many resolutions that have been introduced and reported and will be passed here, whether we should not have a resolution to investigate the cause for the unjustifiable increase in cost of living. I think that will interest all of the people of our country, and it should be done, because I fear that if the cost of living should continue to go up 50 percent every 6 months, as it has in the last 6 months, the wage earner of this country will not be able to exist upon the pay which he now receives.

WORKERS WILL DEMAND WAGE INCREASES

The result will be that workers will be forced to demand an increase in their wages so they can maintain themselves and provide a decent living for their families. I hope a resolution will be presented and passed to bring about an investigation to find the real guilty culprits so that the country may know who is responsible for this outrageous increase in the cost of living. Personally, I know already.

PRICE INCREASES SHOULD BE INVESTIGATED

I presume some gentlemen will charge it to organized labor, to the wage earners. The fact is, we all know who is responsible. We know that the packers and other industrialists of this Nation, who have been urging and demanding and forcing the end of the OPA, are the ones who are responsible, despite the fact they promised the country that if OPA was repealed they would hold prices down. How are they holding them down when food costs rose at least 50 percent in just the last 6 months? I urge that a resolution to investigate these conditions be introduced and passed. I would introduce it, but I fear no resolution I might introduce would have any chance to be passed in view of the Republican majority that now controls legislation.

GWYNNE BILL ONE OF WORST ANTILABOR MEASURES

As to labor legislation, this morning you heard a gentleman report from the Committee on Rules a rule on the Gwynne bill, the portal-to-portal pay bill. The Committee on the Judiciary has succeeded in injecting into that one bill every conceivable provision it could to harass, embarrass, and curtail and deprive labor of its rights. I do not know how much more will be desired, how much additional legislation you gentlemen want to give labor. That bill itself is one of the worst antilabor bills I have seen brought into this House, and I fear it will pass with the same vote that other legislation against labor has been passed of late.

I have a few other matters I could speak of, but in view of the fact that following the consideration of this resolution there will be two or three other resolutions to investigate and investigate and investigate, I shall reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. HINSHAW].

THE NATIONAL AVIATION COUNCIL

Mr. HINSHAW. Mr. Speaker, earlier today the President sent us a message transmitting a report of the Air Coordinating Committee. I desire to announce to the House that today I have introduced a bill to give statutory authority to a similar body, to be called the National Aviation Council. It is intended by my bill that the National Aviation Council shall succeed the Air Coordinating Committee, which Committee was established by Executive order. The ACC has accomplished many necessary actions in the vital interests of our country and is deserving of the statutory authority which my bill intends to give to its duly authorized successor. The Committee on Interstate and Foreign Commerce, of which I am a member, recommended the purpose of my bill in a recent report filed in the House.

Mr. BROWN of Ohio. Mr. Speaker, I yield such time as he may desire to the gentleman from South Dakota [Mr. CASE].

BOOKER T. WASHINGTON COINS

Mr. CASE of South Dakota. Mr. Speaker, the commemorative Booker T. Washington coins are now on sale at the office of the Sergeant at Arms. There are two different coins, one from the San Francisco mint and one from the Philadelphia mint. Those who are interested in collecting will probably want one of each. The coins are half dollars and sell at $1 each, the net proceeds going into the Booker T. Washington memorial fund. Personally, I think the coins are a beautiful piece and that the proceeds go to a very worthy project. I think each Member will doubtless want one or more of these Booker T. Washington commemorative coins.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent to proceed out of order and also to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, we have all been concerned and alarmed by the type of people who have gradually been getting employment in our State Department. It is especially disturbing at this time in the world's history and when our foreign policy is of paramount importance to note the thoroughly irresponsible manner in which people are being sent abroad to represent our country and her interests.

I received a letter recently from a constituent asking why, and by whose authority, the late Mr. Sidney Hillman's son-in-law, Mr. Milton Fried, had been sent to Paris as labor attaché in 1945, and why he is now our labor attaché in Prague at a salary of $4,149 per annum plus an allowance for his family.

I have looked into the matter, because I think my constituent has a perfect right, as a taxpayer, to know by whose authority and why Mr. Fried was given this appointment.

I cannot find the answer. According to the Department, it just happened one bright February morning in 1945, over the signature of an unidentified Under Secretary. As the French would say: That gives one to think. I began to think, and it occurred to me that we had an election in 1944, and that this young man's father-in-law took an active part in it and that possibly this appointment was simply "cleared with Sidney."

Mr. Speaker, this is the sort of thing that is wrecking our Foreign Service. This young man may be the salt of the earth and there may be every reason why he should have been appointed. Then why cannot the Department say it. Why tell us that it is just an act from on high.

This young man was born in Brooklyn in 1915. He did not serve in the armed forces in World War II, being declared IV–F.

Instead he improved his mind by study, receiving his bachelor-of-arts degree from New York University in 1938, cum laude, and master-of-arts degree in philosophy in 1941. He took orals in philosophy in 1944, in which year he collaborated on a book on the Nazi economic system.

In 1945, we had many men who fought and sacrificed wealth and preferment for our country.

But it just happened that in February 1945 Mr. Sidney Hillman's son-in-law was picked to represent us.

Mr. SABATH. Mr. Speaker, I have no further requests at this time.

Mr. BROWN of Ohio. Mr. Speaker, I yield the remainder of my time, 7 minutes, to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, with reference to the resolution. On the 3d day of January, into the hopper went a resolution to amend the Reorganization Act, section 134 (a), by adding the words, "the House of Representatives" after the words "the Senate," the purpose being to give to every standing committee of the House—as has every standing committee of the Senate—the right to subpena witnesses. Leadership thought that resolution was too broad and suggested that we bring in—a different resolution—one which gave the right of subpena and investigation to the Committee on Expenditures and to some others. That was done and that resolution was passed. Then along came this resolution and several others, all carrying the right to hold hearings, subpena witnesses, and make hearings. I do not have the slightest objection to this or any other resolution granting the power of subpena to any committee of the House, if it wants to follow that course.

The gentleman from New Jersey [Mr. HARTLEY] who is chairman of the Committee on Labor which is holding hearings at the present time, seemed to be surprised at the terms of the contract which he produced and from which he read. The terms of that contract are no surprise to me, because as long ago as 1937, and I think before that, the Department of Agriculture put out a contract which required a man who borrowed money from his own Government to promise not to say anything against the Department of Agriculture so long as he owed anything on the principal or the interest. Now, think of that. You could not talk politics after you signed one of those contracts and borrowed some of your own money which you had paid to the Government through the tax collector. So, perhaps, some of these labor leaders caught on to the idea of some of those New Dealers when they were loaning Federal money and trying to deprive the citizen of his right to a free speech. These labor leaders are just following that method and seek to deprive these people of the right to do business.

What happened on Dock Street is nothing new.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Just a minute—as you say. There is nothing new about that contract or the methods that are used. There is nothing new about these labor hearings. They just give us the same old story with new faces, places, and later dates. However, the argument is that they are necessary in order to convince Members of Congress of a few facts that the people were aware of prior to and on the 5th day of November, last, when they cast their ballots in an effort to elect men who would write legislation which will protect the individual employee. Those hearings are just bringing us down to date with new faces and new locations.

If you think these men on Dock Street were in a bad situation or in any worse situation than that which confronted many others during the past 10 years, I just ask you to remember that ever since 1937, the teamsters' union all over this country has claimed the right to prohibit the delivery of food to the residents of the cities until the teamsters got their cut, which in Detroit was $25 per truck. Why, two farmers driving down from Minnesota and buying a truck in Detroit—mind you, now, they bought two trucks—they had to pay $25 apiece before they could drive over Michigan's highways to get their trucks home. Do you like that one? Talk about what they do in Detroit, in that city some six thousand merchants were told they would either go out of business, have their stores smashed or their heads cracked or come across—pay their money to the union—some six thousand of them, small merchants. The union told the employers they had to join and pay a tribute they levied or they would get no merchandise.

Mr. COX. Mr. Speaker, will the gentleman yield for a brief observation?

Mr. HOFFMAN. I yield.

Mr. COX. I am not one who regards the reorganization bill as sacrosanct. If this Congress does not take action bringing the Congressional Library under its jurisdiction, history will say 30 years from now that it was the sin of sins that Congress committed against the welfare of this country.

Mr. HOFFMAN. That is, I think, correct. I hope history writes a true record, but as far as I am concerned I want to write a little labor legislation right now; the legislation the people expected last November. That is what I am getting at. I am interested in what my home folks will be thinking along in November, not this year but the year after, 1948. I am interested in that, I have been interested in it for something like 12 years, and for 10 years here in Congress I have been trying to get protection for the home folks.

Now, let me get on a little. Let me tell you about Maggie O'Neill. I love to talk about Maggie O'Neill, for her story is one that should appeal to you. She is a widow out in Oregon. You will find this story in a lawbook, and the Supreme Court of Oregon wrote it. It is entitled *O'Neill* v. *Building Service Employees' Union, Local No. 6* (115 Pac. Rep. (2d) 662). She had a rooming house. She wanted to rent rooms, but along came this union and said, "Now, Maggie, no renting unless you join up. You have got to sign on the dotted line and pay the fee." And the Supreme Court of Oregon in a divided opinion—one justice said he held that way—they all said they so decided because the United States Supreme Court in the Swing case had held that, under the doctrine of free speech, they could picket her place of business, that Maggie could either pay or have her place picketed. That was way back in July of 1941.

These Philadelphia fellows are just bringing the story of extortion down to date. We do know that it took 2 years for the body across the hall there to make up its mind that we should have a law after this House had passed it, which said that the teamsters' union, Dan Tobin's union, should not charge $8.41 for a little truck and $9.42 for a big truck when they were trying to take butter, beef, eggs, and other things in, over a public highway, to the people in the city represented by the gentleman from New York, who opposed so many of these proposed laws. That extortion has been going on for years. For years these organizations have been levying tribute upon the right to deliver food to the cities, and I say it is time to end it. I want to say to you that after the Labor Committee gets through writing the bill and after they get through holding hearings over there and perhaps before the Committee on Expenditures, which has already appointed a subcommittee to ask the Department of Justice "how come"—is going to continue what it has now started, calling in the attorneys from the Department of Justice and ascertaining why, on a given state of facts, they did not have somebody arrested and thrown behind the bars. We are going to supplement and carry on the work of the Labor Committee. We hope to make the antiracketeering law apply to people of all organizations.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. MADDEN. Mr. Speaker, I am going to vote against the pending resolution.

This morning at a meeting of the Committee on Education and Labor of which I am a member, I protested against the method of procedure which the committee has been following since it started hearings on labor legislation. Up to adjournment last evening, 64 witnesses have been heard or presented testimony for the record. Out of this number, only 10 witnesses appeared in behalf of organized labor or the employees. I am satisfied from the testimony thus far produced that the great majority of labor disputes and strikes which have occurred since VJ-day was a natural culmination brought on by the let-down from wartime production. Since VJ-day, the take-home pay of the average worker in industrial areas has been decreased approximately 33 percent. The cost of living in metropolitan areas has soared rapidly since VJ-day, and the Bureau of Labor Statistics announced yesterday that the cost of living has increased 30 percent since January 15, 1946. The Labor Bureau also stated that the cost of living will continue to rise during the next 6 months.

It is my firm belief that our committee and this Congress can contribute more toward industrial peace if it can bring about a reduction in the cost of living, especially in the industrial areas.

Restrictive legislation against organized labor will not in any way reduce industrial discontent and avert strikes unless the millions of workers in this country can secure a comfortable living on the wages they receive.

I have asked the Committee on Education and Labor to discontinue further hearings on industrial-management disputes and invite testimony from heads of families in industrial areas. Members living in rural districts have no conception of the economic difficulties now confronting the industrial worker who has a wife and children to support. We cannot cure the cancer until we eliminate the roots, and the basis for the vast majority of labor disputes in the past year has been caused by the fact that the pay check for millions of families does not begin to cover the grocery, clothing, rent bill, and so forth. Let us eliminate this problem and we will have taken a long step toward industrial peace.

Statistics show that 86 out of every 100 workers who engaged in work stoppage since VJ-day did so only because they were caught in the economic vise of rising prices and declining postwar income. There seems to be an unfortunate tendency on the part of some Members of Congress to take advantage of this postwar economic situation to cripple organized labor and rob it of the progress it has made in the last 12 years.

Mr. BROWN of Ohio. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. RANKIN and Mr. MARCANTONIO) there were—ayes 158, noes 2.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 349, nays 29, not voting 54, as follows:

[Roll No. 13]

YEAS—349

Abernethy	Corbett	Harrison
Albert	Cotton	Hart
Allen, La.	Coudert	Hartley
Almond	Courtney	Havenner
Andersen, H. Carl	Cox	Hébert
Anderson, Calif.	Cravens	Herter
Andresen, August H.	Crawford	Heselton
Andrews, Ala.	Crow	Hess
Andrews, N. Y.	Cunningham	Hill
Angell	Curtis	Hinshaw
Arends	Dague	Hobbs
Arnold	D'Alesandro	Hoeven
Auchincloss	Davis, Ga.	Hoffman
Bakewell	Davis, Tenn.	Holifield
Banta	Dawson, Utah	Holmes
Barden	Deane	Hope
Barrett	Devitt	Horan
Bates, Ky.	D'Ewart	Howell
Bates, Mass.	Dingell	Hull
Battle	Dirksen	Jackson, Calif.
Beall	Dolliver	Jarman
Beckworth	Dondero	Javits
Bell	Donohue	Jenison
Bender	Dorn	Jenkins, Ohio
Bennett, Mich.	Doughton	Jenkins, Pa.
Bennett, Mo.	Drewry	Jensen
Bishop	Durham	Johnson, Calif.
Blackney	Eaton	Johnson, Ill.
Bland	Eberharter	Johnson, Ind.
Boggs, Del.	Elliott	Johnson, Okla.
Bolton	Ellis	Johnson, Tex.
Bonner	Ellsworth	Jones, Ala.
Boykin	Elsaesser	Jones, N. C.
Bradley, Calif.	Elston	Jones, Ohio
Bradley, Mich.	Engel, Mich.	Jones, Wash.
Bramblett	Evins	Jonkman
Brehm	Fallon	Kean
Brooks	Fellows	Kearney
Brophy	Fenton	Kearns
Brown, Ga.	Fernandez	Keating
Brown, Ohio	Fisher	Keefe
Bryson	Flannagan	Kelley
Buchanan	Fletcher	Kennedy
Buck	Foote	Kerr
Buffett	Fulton	Kersten, Wis.
Burke	Gamble	Kilburn
Burleson	Gary	Kilday
Busbey	Gathings	Knutson
Butler	Gavin	Kunkel
Byrnes, Wis.	Gearhart	Landis
Camp	Gifford	Lanham
Canfield	Gillette	Larcade
Cannon	Gillie	Latham
Carson	Goff	LeCompte
Case, N. J.	Goodwin	LeFevre
Case, S. Dak.	Gore	Lemke
Chadwick	Gossett	Lesinski
Chapman	Graham	Lewis
Chelf	Granger	Lodge
Chenoweth	Grant, Ala.	Love
Chiperfield	Grant, Ind.	Lucas
Church	Gregory	Lyle
Clark	Griffiths	McConnell
Clason	Gross	McCormack
Clevenger	Gwynne, Iowa	McCowen
Clippinger	Hale	McDonough
Coffin	Hall, Edwin Arthur	McDowell
Cole, Kans.	Hall, Leonard W.	McGregor
Cole, Mo.	Halleck	McMahon
Cole, N. Y.	Hand	McMillen, Ill.
Colmer	Hardy	MacKinnon
Combs	Harless, Ariz.	Macy
Cooley	Harness, Ind.	Mahon
Cooper	Harris	Manasco
Mathews	Rains	Martin, Iowa
Meade, Ky.	Ramey	Mason
Meade, Md.	Rankin	Snyder
Merrow	Rayburn	Somers
Meyer	Redden	Spence
Michener	Reed, N. Y.	Springer
Miller, Calif.	Rees	Stanley
Miller, Conn.	Reeves	Stevenson
Miller, Md.	Rich	Stockman
Miller, Nebr.	Richards	Stratton
Mills	Riehlman	Sundstrom
Mitchell	Riley	Talle
Monroney	Rivers	Taylor
Morris	Rizley	Teague
Morton	Robertson	Thomas, N. J.
Muhlenberg	Robsion	Thomas, Tex.
Mundt	Rockwell	Thomason
Murray, Wis.	Rogers, Fla.	Tibbott
Nixon	Rogers, Mass.	Tollefson
Nodar	Rohrbough	Towe
Norblad	Ross	Twyman
Norman	Russell	Vail
O'Hara	Sadlak	Van Zandt
O'Konski	St. George	Vinson
Owens	Sanborn	Vorys
Pace	Sasscer	Wadsworth
Passman	Schwabe, Mo.	Walter
Patman	Schwabe, Okla.	Weichel
Patterson	Scrivner	Welch
Peden	Seely-Brown	West
Peterson	Shafer	Wheeler
Philbin	Sheppard	Whitten
Phillips, Calif.	Short	Whittington
Phillips, Tenn.	Sikes	Wigglesworth
Pickett	Simpson, Ill.	Williams
Ploeser	Simpson, Pa.	Wilson, Ind.
Plumley	Smathers	Wilson, Tex.
Poage	Smith, Kans.	Winstead
Potts	Smith, Maine	Wolverton
Preston	Smith, Ohio	Wood
Price, Fla.	Smith, Va.	Worley
Priest	Smith, Wis.	Youngblood
		Zimmerman

NAYS—29

Blatnik	Kefauver	O'Brien
Carroll	Keogh	O'Toole
Crosser	King	Powell
Douglas	Kirwan	Price, Ill.
Fogarty	Klein	Rabin
Forand	Lane	Rayfiel
Huber	Madden	Rooney
Jackson, Wash.	Marcantonio	Sabath
Karsten, Mo.	Morgan	Sadowski
Kee	Norton	

NOT VOTING—54

Allen, Calif.	Gorski	Murdock
Allen, Ill.	Gwinn, N. Y.	Murray, Tenn.
Bloom	Hagen	Norrell
Boggs, La.	Hays	Pfeifer
Buckley	Hedrick	Poulson
Bulwinkle	Heffernan	Reed, Ill.
Byrne, N. Y.	Hendricks	Sarbacher
Celler	Jennings	Scoblick
Clements	Judd	Scott, Hardie
Dawson, Ill.	Lea	Scott, Hugh D., Jr.
Delaney	Lusk	Stefan
Domengeaux	Lynch	Stigler
Engle, Calif.	McGarvey	Taber
Feighan	McMillan, S. C.	Trimble
Folger	Maloney	Vursell
Fuller	Mansfield, Mont.	Wolcott
Gallagher	Mansfield, Tex.	Woodruff
Gerlach	Morrison	
Gordon		

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Gerlach for, with Mr. Judd against.

Mr. Hugh D. Scott, Jr., for, with Mr. Gorski against.

Mr. Hardie Scott for, with Mr. Gordon against.

Mr. Maloney for, with Mr. Dawson against.

Mr. Engle of California for, with Mr. Pfeifer against.

General pairs until further notice:

Mr. Allen of Illinois with Mr. Feighan.

Mr. Woodruff with Mr. Heffernan.

Mr. Taber with Mr. Trimble.

Mr. Gwinn of New York with Mr. McMillan of South Carolina.

Mr. Fuller with Mr. Lynch.

Mr. Jennings with Mr. Byrne of New York.

Mr. Reed of Illinois with Mr. Hedrick.

Mr. Stefan with Mr. Stigler.

Mr. Allen of California with Mr. Morrison.

Mr. Scoblick with Mr. Clements.

Mr. Hagen with Mr. Murdock.

Mr. Wolcott with Mr. Buckley.

Mr. Poulson with Mr. Domengeaux.

Mr. McGarvey with Mr. Lea.

Mr. Vursell with Mr. Folger.

Mr. Sarbacher with Mr. Celler.

Mr. Gallagher with Mr. Mansfield of Montana.

Mr. BLATNIK changed his vote from "aye" to "no."

Mr. EBERHARTER and Mr. BUCHANAN changed their votes from "no" to "aye."

The result of the vote was announced as above recorded.

The doors were opened.

EXTENSION OF REMARKS

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD by inserting a statement from the Secretary of State with an accompanying Presidential proclamation withdrawing the tariff concession on linen fire hose granted in trade agreements with Canada, which illustrates the flexibility of the trade-agreements program.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KEOGH asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an article which appeared in the New York Times and in the other an address by Assemblyman John P. Morrissey.

Mr. JOHNSON of Texas asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

SPECIAL ORDER

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that on Wednesday, March 5, I may address the House for 30 minutes following the legislative program for the day and special orders heretofore entered for that day.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SELECT COMMITTEE TO INVESTIGATE NEWSPRINT

Mr. BROWN of Ohio. Mr. Speaker, I call up House Resolution 58 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That there is hereby created a select committee to be composed of five Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized to conduct a study and investigation of all matters related to the need for adequate supplies, for use in the United States (including use in time of war), of newsprint, printing and wrapping paper, paper products, paper pulp and pulpwood, and of all matters related to means by

which adequate supplies thereof may be produced or secured, with particular reference to—

(1) the short-range and long-range possibilities of increased production thereof in the continental United States (including Alaska);

(2) the short-range and long-range prospects of securing increased supplies thereof from Canada and other sources outside the United States; and

(3) the extent to which agencies or officers of the United States may be able to assist in furthering the objective of securing increased production and supplies thereof.

The committee may from time to time submit to the House such preliminary reports as it deems advisable; and as soon as practicable during the present Congress shall submit to the House its final report on the results of its study and investigation, together with such recommendations as it deems advisable. Any report submitted when the House is not in session shall be filed with the Clerk of the House.

For the purpose of carrying out this resolution the committee is authorized to sit and act during the present Congress at such times and places within the continental United States (including Alaska) or Canada, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH] and at this time I yield myself such time as I may desire.

Mr. Speaker, House Resolution 58 provides for the establishment of a select committee of the House to carry on the work which was done in wartime by a special subcommittee of the Interstate and Foreign Commerce Committee under a resolution introduced by the gentleman from Indiana [Mr. HALLECK] in 1943. The subcommittee was headed by the gentleman from Oklahoma [Mr. BOREN] and at that time had jurisdiction not only over newsprint and other paper but also over a great many other subjects, including trade names, brand labeling, and other matters affecting the national economy.

During the war period, through the work of this committee, a rather fair distribution of the available newsprint paper supply was arranged and made. However, the priorities and other distribution controls then established have been ended for some time, and the industry is now attempting to carry on under a voluntary, cooperative agreement plan.

The facts are that there is more newsprint being produced on the North American Continent than ever before, but the demand for paper and paper products of all kinds, especially newsprint and certain grades of tissue, is so much higher now than ever before in our history that we are plagued with a great shortage. This paper shortage has developed among the small newspapers of the country especially, and at the present time many publications are faced with the danger of suspension. As a result, almost every press or publishers' association in the United States, including the smaller newspaper associations of the country, have been suggesting and requesting that the work of this committee be carried on.

This resolution provides that the committee go into all the paper production and supply distribution problems and make a very careful study of them, with two objectives: First of all, to get a fairer distribution of the present available supply, and to see to it that whatever newsprint and paper available is divided fairly and equitably between the different sections of the country and among the different newspapers and publications needing this paper. Then, second, the long-range effort, or even more important work of the committee, will deal with the getting of increased paper production. We must get production of more newsprint and other paper so that in the future we will not be compelled to divide up shortages but will have a sufficient supply to meet all of our requirements.

In this connection let me tell you something of the work that the committee contemplates. It will follow up on the work of the original committee in making mutually satisfactory agreements with Canadian officials and the producers of newsprint and other paper in Canada. It would study methods to increase the American supply of paper through the use of Alaskan pulpwood and the establishment of American-owned mills in Alaska. If such a program would prove feasible it would be of great aid to the economy of that great Territory.

Let me digress for a moment to tell you, in that connection, that several larger newspaper publishers and other groups in the United States are making a study of the whole Alaskan situation to learn whether we can obtain a part of our pulp and paper needs there and, if so, at what price. The Secretary of the Interior, Mr. Krug, has recently made a study of the Alaskan paper possibilities. He is very enthusiastic about the outlook for obtaining a greatly increased American newsprint and paper supply from Alaskan sources.

We also have another interesting situation in the Southwest. Our original committee aided greatly, as the gentleman from Texas [Mr. BECKWORTH] will probably tell you a little later, the development of a new newsprint industry in southeast Texas. There is a mill at Lufkin making newsprint from loblolly pine, which has been a lifesaver for the newspaper and magazine and other publishers in the Southwest.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I simply want to commend the gentleman for bringing this resolution in at this time and to say that when I introduced a somewhat similar resolution in the Seventy-ninth Congress, House Resolution 163, March 5, 1945, I received a great deal of volunteer correspondence from various parts of the country emphasizing the need for this sort of an investigation. I hold in my hand considerable of that correspondence, and through all of it there runs the theme, "We are not pinched now, but we ought to do something about it if we can," and when we get an opportunity we ought to take such steps to be sure that we will never be pinched again like we are now.

Mr. BROWN of OHIO. I thank the gentleman. I might add to what he has said that I have literally hundreds, and perhaps even thousands, of communications from newspapers in all sections of the country, calling for something to be done relative to the newsprint shortage which now exists.

Mr. BROWN of Georgia. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. I thank the gentleman for introducing this resolution, and I desire to say that the newspapers of this country feel that this committee has already done much, and can do more, to help them, for I feel like they do not get a fair share of the paper that is now so scarce in this country.

Mr. BROWN of Ohio. I think it is the small newspapers which are now suffering the most from the present shortage.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman has mentioned the Southland Paper Mill at Lufkin, Tex. Is it not true that the activity of the newsprint committee in the last Congress had much to do with the bringing about of the doubling of the capacity of that plant?

Mr. BROWN of Ohio. I want to say to the gentleman that, in my opinion, had it not been for the work of the committee, which he sponsored, that the newspapers of Oklahoma, Texas, and throughout that section of the country probably would have been forced to suspend publication during the war, and that this committee did get priorities and necessary equipment for the Lufkin mill so that it might operate.

I not only call the attention of the House to the work of the Boren committee in the past, but also to the work that can be done in the future in obtaining a greater paper supply from the southeastern part of the United States. Several great southern scientists worked on methods of making paper from the slash pine of the southeastern section of the United States. We now get most of our wrapping paper from that section of the country. There have been a great many experiments carried on, and are being carried on right now, in an effort to find ways to make good newsprint from slash pine. If our scientists can work out a way to use this resinous wood to produce usable newsprint from slash pine, they will not only solve the paper problem in this country, and make us safe in time of war—for we were faced with a dangerous situation during the last war because of the paper shortage—but it will also solve many of the economic problems of the Southeast, where at the present time the mechanization of cotton production is under way. If slash pine can be used for the production of

newsprint, it will do much to aid the economic situation of the entire southeastern part of the country.

I further call the attention of those of you who are interested in agriculture to the experiments that have been conducted at several Midwest universities seeking ways to manufacture paper out of farm waste, corncobs, cornstalks, straw, and so forth. Paper from that source would lighten the pressure, or the load, on spruce paper, or the paper that comes from long-fiber wood. If a solution can be found for that problem so that we can make more and more paper from farm waste, then we will, through farm chemurgy, go a long way in helping agriculture remain prosperous. So the long-range work of this committee is just as important, or perhaps even more so, than the short-range work.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. Will this committee when established have power to bring in legislation? Is it to be a legislative committee?

Mr. BROWN of Ohio. No; it is to be a select committee to make a study which no other one committee can make. It could then recommend legislation, just as the original subcommittee recommended legislation which was approved and reported by other committees, and enacted.

Mr. MILLER of Nebraska. I am in accord with what is sought to be accomplished by this resolution, but may I ask the gentleman if there is any legislative committee presently in the House that might carry on this work without the creation of a special committee?

Mr. BROWN of Ohio. The Committee on Interstate and Foreign Commerce did have a subcommittee which handled a part of this work, but this resolution covers fields over which the Committee on Interstate and Foreign Commerce has no jurisdiction. Therefore, it is thought that in order to do a complete job the problem should be considered by a special committee, on which, by the way, I feel rather certain will be representation from the Committee on Interstate and Foreign Commerce. Those who have had previous service and experience on the original Halleck-Boren committee will, I hope, be named to serve on this committee so as to carry on their good work.

Mr. MILLER of Nebraska. There are many of us who supported the reorganization of Congress who hoped that the passage of that act might eliminate some of the many special committees that have been set up in previous Congresses. Is there a move in this direction now, to set up other special committees?

Mr. BROWN of Ohio. No. The fact is that no special committes have been set up except where there has been a special need. May I remind the gentleman, however, that the Reorganization Act does not in any way prohibit the naming of select committees, as the majority leader pointed out earlier today. Instead, the House struck out of the Reorganization Act a prohibition against the naming of select committees, because the House realized and appreciated the necessity of having special committees to meet situations just like this.

Mr. MILLER of Nebraska. I think there is need for some of these special committees, and I will not oppose this resolution, but I do hope we will not get into the position of setting up a great many special investigating committees, as we did in many of the past Congresses.

Mr. BROWN of Ohio. I feel rather certain there will not be so many. But the work has to be done. Perhaps the best possible way of doing it is to take advantage of and use the experienced organization which already exists.

I now yield to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON. I am in accord with the views expressed by the gentleman from Nebraska, Dr. MILLER, that it is inadvisable to indiscriminately appoint special committees. I am definitely of the opinion that in no case should a special committee be appointed when there is a regular committee with full jurisdiction in the matter. However, I am of the opinion that in this particular instance the views that have been expressed by the gentleman from Nebraska [Mr. MILLER] and perhaps also held by others do not apply. As the gentleman from Ohio has already pointed out, there are several phases of this study to be made by this committee which would come under the jurisdiction of different committees of the House.

I can very readily understand from my previous connection with the committee which had jurisdiction of this matter in the last session of Congress that there are features which might properly come before the Committee on Agriculture; some would come before the Committee on Ways and Means; and some that would come before the Committee on Interstate and Foreign Commerce. I do not believe that these individual committees could make the full and complete study which is necessary in this important matter. Each of such committees would be limited to its particular legislative jurisdiction. I am therefore of the opinion that the best results can be obtained by the appointment of a special committee such as has been provided for in the resolution introduced by the gentleman from Ohio and which is now before the House for action.

Mr. BROWN of Ohio. I thank the gentleman. The points he brings out are well made. I might also add to the list of committees the gentleman has named the Committee on Territories, now merged in the Committee on Public Lands and Insular Possessions, which would have jurisdiction over Alaskan matters. So there are about five different committees that might have jurisdiction, and that is the reason why we have before you here today the question of establishing this select committee. In all probability, the various committees which have an interest in this legislation will be represented on this select committee. I might say, after discussing the matter with the leadership on both sides, that I expect to introduce an amendment at the close of debate to increase the number of members from five to seven so that there will be a more representative group on this committee from the various committees of the House.

I now yield to the gentleman from Oklahoma [Mr. SCHWABE].

Mr. SCHWABE of Oklahoma. I commend the gentleman on the position he has taken and the remarks he has made. The resolution is timely. The situation is becoming very critical in Oklahoma. The cosmopolitan newspapers have already given warning that the advertisers will soon lose their space and the small papers will go out of business.

Mr. BROWN of Ohio. I thank the gentleman. I might add to his remarks that we are receiving complaints from many sections of the country that the shortage of newsprint is seriously interfering with the normal operations of the mercantile establishments in those communities.

Mr. PLOESER. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Missouri.

Mr. PLOESER. I am very happy to see this resolution come to the floor of the House. I shall not only support it wholeheartedly, but I hope the committee will be able to get under way immediately. The problem is critical and needs the expert attention of this group.

Mr. WORLEY. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Texas.

Mr. WORLEY. Can the gentleman give the House an idea as to how much this might cost?

Mr. BROWN of Ohio. I do not think the cost would be over $25,000 in the next 2 years, and probably not that much, because we are expecting to take advantage of the research facilities of a number of universities and of the help of some of the Government departments, such as the Department of the Interior and the Army engineers, all of which are also working on this problem and who will aid the committee. If the committee is created, we will try to coordinate the work of all these organizations to solve this very, very important problem.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. VAN ZANDT. Would it be within the jurisdiction of this committee to investigate the effect of the importation of paper and pulp into this country under the reciprocal trade agreement?

Mr. BROWN of Ohio. We will have to go into the effect of our present tariff laws on newsprint and paper supply and into the question of any changes in the present laws we may wish to recommend for the consideration of the Committee on Ways and Means to help solve the problem. That is a very, very important angle.

SHORTAGE OF NEWSPRINT

Mr. SABATH. Mr. Speaker, I yield myself 5 minutes.

Mr. SABATH. Mr. Speaker, I yield try was under the impression that the passage of the Reorganization Act would provide that the standing committees would have the power to and would conduct any and all investigations that

might be necessary, so that it would eliminate the unnecessary cost of special committees.

WHY DUPLICATE COSTS AND WORK?

The gentleman from Ohio [Mr. BROWN] comes in with this resolution notwithstanding the fact that his own committee, the Committee on Interstate and Foreign Commerce, has conducted an investigation along this line already. The Committee on Interstate and Foreign Commerce, of which the gentleman from Indiana [Mr. HALLECK] and the gentleman from Ohio [Mr. BROWN] both were members, has conducted an investigation and the gentleman from Ohio states they have accomplished a great deal of good; they have made substantial progress. The Senate Committee on Small Business has made an extensive study of the newspaper field which certainly has touched upon the newsprint shortages. Other committees of both Houses, and the newspaper and lumbering industries have made valuable contributions to our understanding of why there is an acute world shortage of wood pulp.

In view of all this, I wonder why the Committee on Interstate and Foreign Commerce, which already is familiar with the background and the facts, should not retain jurisdiction and power to continue that investigation?

INVESTIGATION SHOULD BE CONTINUED

I am not for a moment questioning that the investigation already begun should be continued.

I fully appreciate the fact that the shortage of newsprint is critical. Prices are going up steadily but it does not seem to increase the flow of wood pulp to the paper mills, and of paper to the printers, merely to raise the prices. Demands for more and more newsprint are rising all the time. Tremendous quantities of white paper are being used by newspapers, and by magazines too, for advertising. Circulation is increasing for the big dailies and the national magazines.

For them the problem is not so acute. Many of them own paper mills outright or have substantial blocks of stock or have long-term preferential contracts which have assured them of a steady stream of rolls for their presses. Even so, we have all read in the newspapers about some big city dailies which have had to reduce their number of pages to conserve paper.

ACUTE PROBLEM TO SMALL PAPERS

For the small dailies and weeklies, the trade papers, the labor press, the foreign-language press, and the neighborhood papers the newsprint shortage right now is about the most pressing problem on the doorstep.

Some are practically faced with suspension; others have been forced to use higher grades of paper at increased cost. There are a large number of neighborhood newspapers with circulation in my congressional district in Chicago. They are the big-city counterpart of the county seat weeklies down-State. They fill a real need in city life, and we want to keep them alive and flourishing.

BULWARK OF DEMOCRACY

The small newspaper in America, whether it is a daily or a weekly, is the bulwark of democracy.

The editor is closer to the feel of the people and he has no vast economic ties to business monopoly. While our small newspapers and magazines live and prosper we shall not lose our liberties, for there will always be a voice of the people.

I am speaking now even of such substantial and flourishing newspapers as the city daily owned and published by the gentleman from Ohio [Mr. BROWN], who has introduced this resolution, and who doubtless has good personal reasons as well as reasons of public policy for wishing to make this investigation as chairman of a select committee.

While I doubt that a good word for the Democratic Party would ever creep into the columns of a newspaper operated by the gentleman from Ohio, who is always vigilant in behalf of his own party, the smaller newspapers are usually fairer to Democratic and nonpartisan candidates and issues. As we are all aware, more and more newspapers are being swallowed up by chain ownerships. That sometimes makes for better newspapers but seldom for greater newspapers. One way to protect small, independent newspapers is to find out why we cannot get newsprint from abroad, and why we cannot develop a newsprint-manufacturing industry of our own in the United States and in Alaska.

REPUBLICANS SEEK CREDIT FOR DEMOCRATIC EFFORTS

As a matter of fact, vast strides have been made in the South, in the Pacific Northwest, and in Alaska already for using the trees we grow in those regions just as economically and efficiently and to produce as good a product as comes out of Canada or New England, and at least competitive with the product of the Scandinavian countries.

Forest-products laboratories built and operated under the Democratic administration have cooperated with the several States and with private enterprise to ascertain the best ways of using these woods, and plans are now under way to finance and build and operate newsprint factories in all those regions of the United States.

Is it possible that the Republicans think they can gain some credit for what the Democratic administration has done, sometimes over the anguished wails of the so-called Republican economy bloc, to encourage our home industry?

I feel this resolution should not be brought here because it violates the promise that was given to the House that the standing committees will make all investigations that are necessary and thereby save thousands upon thousands of dollars. That would be in the interest of economy about which Republican Members talk so much and do so little. Notwithstanding that fact, here is another resolution, and there will be some more later calling for additional expenditures.

Mr. PLOESER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. PLOESER. Surely the distinguished gentleman from Illinois does not mean to leave the impression that the Reorganization Act prohibited special committees?

Mr. SABATH. Not directly. It did not prohibit them.

Mr. PLOESER. As a matter of fact, the original provisions of the act were taken out by the House, were they not?

Mr. SABATH. But the country and those of us who have so long advocated changes to simplify and speed up procedures and reduce costs were under the impression that these special committees would be eliminated and that the regular standing committees, with their increased membership, would be able to conduct such investigations.

Mr. PLOESER. There never was a time during the passage of the Reorganization Act when this House gave the impression to the country that special committees would be eliminated.

Mr. SABATH. I am of the opinion that if the gentleman will go back and study the CONGRESSIONAL RECORD and the debates on this measure he will change his recollection.

Mr. BROWN of Georgia. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. BROWN of Georgia. I wish to state to the gentleman that Dr. Herty, of the University of Georgia, has demonstrated the use of slash pine to make newsprint.

Mr. SABATH. I understand that. There were many other experts in Illinois, especially at the State university and elsewhere who believe that the United States can become practically independent of imports through development of new processes for utilizing domestic woods and other fibers. The plant at Lufkin, Tex., which was built on Dr. Herter's theories and under his direction, has produced a good grade of newsprint from East Texas native pines. The Pacific coast lumber industry believes that millions of tons of slash and trim and stumpage now wasted can be used to make newsprint. Paper manufacturing may turn out to be Alaska's biggest industry in a few years. I thank the gentleman for his contribution.

Mr. Speaker, I still believe that the Committee on Interstate and Foreign Commerce, which already knows of these facts, should be the one to continue this investigation of the newsprint shortages.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. PICKETT].

Mr. PICKETT. Mr. Speaker, I rise in opposition to the creation of the special committee for which this resolution provides and to the creation of any other special committee that may be provided for in any other resolution that may be offered on the floor of this House.

I am sympathetic, certainly, with the objectives and purposes that are set forth in the resolution that is offered here this afternoon, but I say to you those same purposes and objectives can be accomplished and will be accomplished as well by a subcommittee of a standing committee of this House as by any special committee that may be set up. If you

reflect but a moment, those of you who were here during the debate and discussion on the Reorganization Act of 1946, you will remember that the joint committee which reported that bill to both the House and the Senate recommended in its report that special and select committees be not allowed in either body. The Senate debated vigorously that proposition and they left that prohibition within the terms of the bill as it passed that body. The bill came to the House and here the prohibition was excluded from the provisions, not by any vote on the floor of the House, as I understand, but by agreement of those who had charge of the strategy in bringing the resolution to the floor. So this House has had no opportunity to pass upon the question of whether we have select committees within the terms and meaning and purpose of the Reorganization Act as we now have it. I say to you that the work that was done by the Committee on Interstate and Foreign Commerce during the Seventy-eighth and Seventy-ninth Congresses under the resolution introduced by the now majority leader, the gentleman from Indiana [Mr. HALLECK], giving the Interstate and Foreign Commerce Committee the power to look into grade labeling, brands, newsprint matters, and other things, was good work; and the gentleman from Indiana himself is witness to that fact in the statements he made on the floor of this House on Friday last in a colloquy between himself and the gentleman from Oklahoma [Mr. MONRONEY]. He took the gentleman from Oklahoma [Mr. MONRONEY] to task for opposing special or select committees, and in his remarks he asserted that certainly the experience, the knowledge, and the ability and attainment of the gentleman from Ohio [Mr. BROWN], the present sponsor of House Resolution 58, ought not to be dissipated and thrown to waste because of his experience on the subcommittee headed by the gentleman from Oklahoma [Mr. BOREN], who then headed that subcommittee that looked into these matters.

I say to you if you want to put it on the basis of experience in looking into this matter, if you want to put it on the basis of the quantum of experience, I see certainly no distinct difference in the ability or the experience of the gentleman from Ohio [Mr. BROWN] and the gentleman from New Jersey [Mr. WOLVERTON]. The gentleman from New Jersey [Mr. WOLVERTON], who is now chairman of the Committee on Interstate and Foreign Commerce, also was a member of the subcommittee headed by the gentleman from Oklahoma [Mr. BOREN]; and certainly he is ever ready and willing, no doubt, to look into the very matters this resolution purports to submit to us.

I do not know what the membership of the House wants to do on this proposition, but every one of you who was here in 1946 remembers that one of the main purposes of the Reorganization Act was to do away with the multiplicity of committees, the duplication of functions, and the overlapping of effort, time, energy, and experience of the Members of the House.

There were 48 committees in the House. In many instances you had two, three, and even four committees meeting at the same time and you were not able to attend all of them. One of the purposes of the Reorganization Act was to do away with the necessity for trying to be at two or more places at once. Now, then, in less than 60 days from the convening of this Congress, the first in which we operate under that Reorganization Act, we find a rash of duplications offered to us.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. SABATH. Mr. Speaker, I yield the gentleman one additional minute.

Mr. PICKETT. Mr. Speaker, the rules of the House under the reorganization bill as they stand now give the standing committees of this House jurisdiction to do any and everything that this resolution does and if it does not do that, then a resolution to empower a subcommittee of the Interstate and Foreign Commerce Committee can be brought in here that will empower that committee to do it. That is the way it ought to be done.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. PICKETT. I yield to the gentleman from North Carolina.

Mr. COOLEY. The gentleman does not object to the work being done. If I understand him correctly, he insists that it should be done by a subcommittee of a standing committee. Now, does the gentleman have any objection to providing the necessary funds to conduct the investigation if made by a subcommittee of a standing committee?

Mr. PICKETT. As a member of the Subcommittee on Accounts of the House Administration Committee, it would be my duty and I would vote to give adequate funds, in my judgment in keeping with the requests that were made by the proper authority, for the purpose of carrying on any investigation authorized by a resolution of this House.

The SPEAKER. The time of the gentleman from Texas has again expired.

Mr. SABATH. Mr. Speaker, I yield 10 minutes to the gentleman from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. Speaker, I deeply regret to see us here today take our first backward step in an effort to destroy a very carefully worked out, improved standing committee system for the Congress. By adopting this resolution today we are taking that first step and I fear that we will go back, back, back to the same old duplicating, crazy-quilt, confusing, tanglefoot committee system which the Congress left only about 45 days ago.

The keystone of the reorganization of the Congress was to strengthen the standing committee structure where 90 percent of our work is done. It was an effort to get away from this crazy-quilt committee pattern by cutting the standing committees down from 48 to 19.

We were applauded by the country for this improvement of our committee structure.

It is true that when that bill came before the Congress we did not have a prohibition against special committees. That was compromised at that time. I did not feel badly for compromising it then because I felt that the jurisdiction to establish special committees still lay within the will of the House at any time to create or not to create a special committee. So I felt that regardless of which party was in power, and particularly if my own party was in power, we would be able to hold to reorganization and to decline to go backward to the old hopeless morass of overlapping standing and special committees.

I would like to make a little comment to the new committee chairmen who have just assumed a terrific obligation in conducting the affairs of the standing committees of the great Congress of the United States.

By allowing this resolution to pass, by setting up this special committee to investigate the newsprint situation, no matter how much we are in sympathy with it, the purpose of the thing, you are tearing down the jurisdiction of your own committees.

You are doing that within 45 days of the time that jurisdiction has been carefully realined according to a program presented to the Reorganization Committee by one of the most distinguished Members of the House of Representatives, the gentleman from New York [Mr. WADSWORTH].

You are making a confession to the country at large, when you permit this special committee to be set up today, that the standing committees of the House of Representatives are impotent to handle your difficult questions.

You cannot expect to say "No" to many of the requests that will be brought in here by veterans, by labor organizations, by manufacturers and by others asking for the establishment of a special committee.

You cannot say "Why, we will handle that through the jurisdiction of the standing committee." Instead they will say, "Oh, no, we want this same special treatment by a special select committee created aside from the committee organization, to do only one job, as was done in the case of newsprint."

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I know that the gentleman is an expert on reorganization legislation and organization matters of the House.

Mr. MONRONEY. I do not claim to be an expert on anything.

Mr. BROWN of Ohio. And on other congressional matters. But, of course, I have noted that the gentleman did not offer an amendment to put that provision back in the Legislative Reorganization Act.

Mr. MONRONEY. I think I explained why; that the jurisdiction is within the House of Representatives to refuse to establish special committees.

Mr. BROWN of Ohio. We are exercising that right and the privilege now.

Mr. MONRONEY. Yes; and I am sure you are going to exercise it very, very badly.

Mr. BROWN of Ohio. And leave it up to the Congress to do it. Now, let me ask the gentleman this question.

LAW LIBRARY FEDERAL WORKS AGENCY

Mr. MONRONEY. Will the gentleman from Ohio make the question short? I have but a limited amount of time.

Mr. BROWN of Ohio. Yes; I will, if the gentleman will permit me, and the question is this: How could any one legislative committee of the House cover all the various jurisdictions in this resolution?

Mr. MONRONEY. I thank the gentleman for that question. I get the question and I would like to answer it. The gentleman stood here for about 10 minutes and told the House of Representatives how much work had been done by the newsprint subcommittee when it was under the Committee on Interstate and Foreign Commerce. And as he elaborated these duties I saw that under the credit which he claimed the committee had done work it certainly had overlapped the jurisdiction of other committees to the same extent that this one will cross jurisdictional lines. If we had the power to create a subcommittee to investigate the slash pine paper industry, which is a great industry, as a subcommittee of the Committee on Interstate and Foreign Commerce last year, then you will have the same situation this year as last year.

I am in complete sympathy with the purpose of getting more newsprint. But I say to you that the best committee to give you more newsprint, not only to investigate, but to have the power to legislate after you have conducted your investigation, is a standing committee of the House.

The gentleman on this side of the aisle is to be congratulated for the good work that he has done in carrying out the investigation under the regular machinery of the Congress, under the reorganization machinery, and I regret to see that in bringing in this proposal at this time he is backsliding into the same old hopeless committee morass that we last had.

Now, in my colloquy with the distinguished majority leader last Monday, he never answered my question, and the gentleman from Ohio barely answers it on a jurisdictional matter; of why this year we have to have a special select committee to study newsprint, despite the great job that was done by the distinguished gentlemen on the subcommittee of the Interstate and Foreign Commerce Committee last year.

The gentleman from Indiana, the majority leader, says that we dare not dispense with the experienced talent of the distinguished gentleman who will head this committee up. I, as well as every other Member of the Congress respect the great ability of the gentleman from Ohio, but I do not think it is time in this Congress that we start hand-tailoring our special committee structure to fit the individual talent of any particular Member. If you are going to do that you are going backward instead of forward in conducting the organization of this House as the people of the country want it conducted.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Indiana.

Mr. HALLECK. Has the gentleman ever had any experience in assigning members on regular committees?

Mr. MONRONEY. I regret to say I have not.

Mr. HALLECK. Well, I have had quite a bit. Now, I do not know what other people do about it, but on this side we work very diligently to find out about a man's talents and his experience and his background, and put him on the committee where his abilities will give to the Congress and the country the best service. Certainly, as the great exponent of congressional streamlining the gentleman ought to agree with that fundamental, and it grieves me to hear him argue here now that the experience of a man on a committee like this should be thrown aside.

Mr. MONRONEY. What the gentleman is saying is just the reverse of his point. If he has assigned men, and I am sure he has on his side of the aisle, who are experienced, on the standing committees, who have made a life's work of that subject in the Congress, then why pull the rug out from under them and transfer jurisdiction to a special commitee?

Mr. PICKETT. Mr. Speaker, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Texas.

Mr. PICKETT. It might be called to the attention of the distinguished majority leader again that the now chairman of the Committee on Interstate and Foreign Commerce, which had jurisdiction of this same subject in the Seventy-eighth and Seventy-ninth Congresses, was a member of the subcommittee that looked into this very question during those two Congresses. Certainly you are not throwing away any experience if you keep him at the job.

Mr. MONRONEY. I thank the gentleman for that suggestion.

Let us look at the facts. We gave each of these 19 reorganized committees of the Congress four experts to be paid $8,000 a year each. We did it for one reason and one reason alone, that it would help us to get away from this overpowering rash of special committees and special staffs.

If we are going to go ahead and set up special committees every time it happens to suit the lot of one or two particularly skilled men in Congress, then how are we going to account to the people for over $600,000 worth of specialized talent that we have given to the regular standing committees to do this job?

I do not think we want to go back and duplicate the expense of the regular standing committee staffs with something like the expense of two years ago when the special committees cost us for staffs $480,000, or last year when it cost us $438,000 for special committees. But that is what you are going into.

If you want to live within the spirit of the Reorganization Act, to strengthen the standing committees of the Congress, and that was the keystone of this thing, then do not break through it at this late date because of the indispensability of any one single individual who might want to head up any particular special committee.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, it is about time we call a spade a spade, and stop this shadow-boxing in which my distinguished friends on the other side of the aisle have been engaging.

I do not know whether or not what I am about to say has particular application to this particular resolution. Possibly it does not have, but I served on this newsprint committee in the last Congress. It was a committee in which there was no partisanship, and I am very sure there will be no partisanship in the committee to be set up by this resolution. But we might as well make clear, right here and now, the real meaning of all this talk concerning the Reorganization Act, for which our friends across the aisle profess such reverent attachment.

We have a Reorganization Act, for which the gentleman from Oklahoma claims much credit. He refers to the morass of committees and to the difficulties we had. Well, all recognize we are having a lot of difficulties under this Reorganization Act. Certainly it has left very much indeed to be desired as far as the efficient functioning of the House of Representatives is concerned. But let us leave that point.

Now, what is all this talk about? It is just a lot of smoke screen Mr. Speaker. It is just a lot of window dressing. The people of this country expect the Congress of the United States, Republicans and Democrats alike, to take a look at some of the things that have been going on in this country. The people of this country want to know the facts, the unadulterated truth about their government and how it has been and is being run. It was not without purpose, therefore, that the provision against the creation of special committees was taken out of the reorganization bill.

Mr. MONRONEY. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. No; I cannot yield now. I have only a very brief time. I will yield later, but I want to conclude this statement.

You can say what you will, but the thing that is disturbing a lot of you who are crying out against any special committees is not that the Reorganization Act is going to be violated. You are not very much concerned about that. What you really are concerned about is that there may be some real, honest-to-God investigations that may disclose some of the things that have been going on in the Government and in the country.

The newsprint committee, strictly speaking, was not an investigatory committee. It was a committee that worked in conjunction with the departments, to aid in the solving of a very threatening situation. It is now intended to give aid and assistance in meeting a real crisis which threatens.

The question has been raised as to what is proposed by the majority in respect to special committees. The gentleman from Oklahoma in one breath commends us for our extreme devotion to the Reorganization Act—a devotion,

I will say to the gentleman, that has taken out a lot of chunks here and there and then in the next breath the gentleman would have you believe that instead of trying to live within the Reorganization Act, we are embarking upon some great movement to set up all manner of special committees.

We shall set up special committees only when we believe they are desirable and in the best interests of the country. When we come to that conclusion and conviction we will not be dissuaded by a lot of shadow-boxing talk about the sanctity of the Reorganization Act, because the gentleman himself knows that if any presumption exists it is a presumption that we were not to be bound by the provision originally in the bill prohibiting special committees. That provision was eliminated, and the presumption is there will be situations when such committees should be established.

We have already delegated and authorized regular standing committees to investigate certain matters—and properly so. We have done that for the Committee on Merchant Marine and Fisheries, and for the Committee on Expenditures, and this morning for the Committee on Education and Labor. Does the gentleman say that represents a departure from what he thinks the reorganization ought to be?

No; we have a job to do in this Congress, and we are going to do it. We all know the standing committees of the House are organized primarily to consider pending legislation in their assigned fields. The Reorganization Act itself indicates that the jobs to be carried on by the legislative committees in the field of investigation shall be in considerable measure those jobs looking to the enactment of legislation. I do not know whether legislation will be proposed by this newsprint committee, but I would assume from my experience on the previous committee that it will not have much to do with legislation.

We all recognize that the standing committees of the House are burdened. I understand that the Armed Services Committee already have 11 subcommittees and that the Public Lands Committee, which now comprises 6 of the former committees of Congress, is under a terrific pressure to do the many jobs that they have to do. The regular committees have this great burden of responsibility and have this work to do, and, in many instances, they may find themselves at a disadvantage in undertaking some investigations that may be necessary.

Certainly, when a proposed special committee deals with a subject that has to do with interstate and foreign commerce and which also has to do with public lands and agriculture and forestry, which is now merged in the Committee on Agriculture, who is there who will say there is any sound reason for taking a position against the establishment of that special committee?

But the gentleman makes much of the fact that the resolution is introduced by my colleague the gentleman from Ohio [Mr. BROWN], and intimates that there may be other people here as able as the gentleman from Ohio. Probably there are many who would assert the same. But the truth of the matter is, and I ought to know because I served on the committee as the ranking Republican member, the gentleman from Ohio is an expert in the newsprint and paper field. As a member of the committee my principal interest was in the brand name and labeling field, and the principal interest of the gentleman from Ohio was in the newsprint and paper field. I confidently assert that he knows more about the subject, by reason of the great background and experience that he has had, than any man in the House. I see here my good friends on the other side of the aisle who served on that committee. I will not call them to testify. They did very able work and made a great contribution to the committee's accomplishments.

Much has been said about the matter of expense. This great solicitude on the part of some of my friends on the other side of the aisle in the matter of saving governmental expenses was not much in evidence the other day when we were trying to cut the proposed budget. It is not going to cost any more to have this special committee do the job than to have a regular committee do it.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Georgia.

Mr. COX. If special committees are not set up from time to time to carry on investigations, the evils that we know now existing will continue, and rascals who nest in the different departments downtown will not be disturbed. They take great comfort in the fact that the reorganization bill was brought into existence, because they think they find protection within the bill.

Mr. HALLECK. Of course, the gentleman corroborates my previous statement, to the effect that a lot of this talk is nothing more than shadow-boxing. I want the people of the country to understand it. I also want the people to understand that, recognizing our responsibility; yes, recognizing our devotion to the regular committees and the organization of the House of Representatives, we shall not be dissuaded from doing that which we know will be the best way to bring to the attention of the Congress and the country some of the things that have gone on in the Government. The Reorganization Act was not intended to be a strait-jacket that precludes our doing our duty and discharging our responsibilities.

The SPEAKER. The time of the gentleman from Indiana [Mr. HALLECK] has expired.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, this is not a party question. I look upon it as a business investigation. I regret to differ with my esteemed friend from Oklahoma [Mr. MONRONEY] with respect to variations from the reorganization bill. I was equally enthusiastic for the reorganization bill. I am still enthusiastic for it, but I do not think it can be a success if it has to be static, and if this House has its hands tied so that it cannot work its will where special conditions apply. I think this is one of those cases where special conditions do apply, where there is a special subject that needs to be treated in a special way.

I would estimate that we have at least 50 resolutions pending before the Rules Committee for special committees for this and for that. It always happens in every session of Congress. Wherever those questions have come before the Rules Committee, both Democrats and Republicans have examined those resolutions with the utmost care, and the policy of that committee, I am satisfied, is to grant those resolutions only in exceptional circumstances. Now, what have we here today? The newsprint question. It requires special study and special attention and should have the benefit of the presence on that committee of those members who have already been conducting that investigation, who are no longer members of the Committee on Interstate and Foreign Commerce by reason of the fact that we do have a reorganization bill. We would not need this if it were not for the reorganization bill, because those members who have been carrying on the investigation should continue to carry it on. So here we have a special case and we have a situation with which this Nation is confronted where the small business of the Nation and the small publications are in a position where they cannot get the necessary newsprint, whereas the big publications, who use great quantities of it, can get it. We have a condition where there are great pine-growing areas of the country that will produce great resources for our Western States, our Southern States, and our Northern States, if we can devise methods by which those pine-growing areas can have their product manufactured into pulp. All those questions need special consideration and special attention.

I hope it will be the pleasure of this House to regard the reorganization bill as a living thing, not as a reactionary measure which we cannot improve upon. I think that was demonstrated in the action of the House in not placing into the reorganization bill a prohibition against special committees.

Mr. Speaker, I yield back the remainder of my time.

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. BECKWORTH].

Mr. BECKWORTH. Mr. Speaker, the so-called Newsprint Committee has been in existence since 1943. In my opinion it has accomplished a great deal during a very crucial period owing to the fact that shortages of newsprint have been very pronounced in the past few years. The general situation is not a great deal better now.

One big trouble with reference to a steady and dependable supply of newsprint for all papers in this country is that approximately 75 percent of our supply is obtained from companies other than domestic companies. To a rather great extent many newspapers are at the

mercy of foreign newsprint companies. This 75-percent-supply source is doubtless becoming less stable than in the prewar period. Foreign people, as well as governments of foreign countries, the Newsprint Committee has been repeatedly told, are bidding more and more money in order to obtain newsprint.

One primary reason I am interested in continuing the Newsprint Committee is that I represent a section of the Nation where great efforts have been made and much money has been spent to develop a newsprint industry. Incidentally, a tree from which newsprint can be made will grow in 10 years in the South to a size which requires approximately 60 years of growth in the Canadian newsprint areas. For years it was contended that newsprint could not be successfully produced from the pine timber in the piney woods areas of the South; however, Mr. E. L. Kurth, of Lufkin, Tex., with his Southland Paper Co. has disproved this. But Mr. Kurth has had his many troubles. To his great credit, however, it may be said he has whipped problem after problem with reference to the production of newsprint in the South. The Newsprint Committee has been helpful, in my opinion, in keeping alive this very difficult yet successful effort which has been made by people in the South.

In the entire existence of the Newsprint Committee, there has been no partisanship characterizing its work. Every member of the Newsprint Committee including our distinguished majority leader, Mr. HALLECK; its former chairman, Mr. BOREN, of Oklahoma; Mr. WOLVERTON; and Mr. BROWN of Ohio, has indicated a personal interest in assuring the survival and expansion of this industry. Several members of the committee have visited the Lufkin plant.

Probably there is no Member of the House more able by experience than the distinguished gentleman from Ohio [Mr. BROWN] to help successfully with reference to domestic newsprint problems. He very definitely sees the side and understands the problems of the little newspaper man. He has been fair, considerate, and, in my opinion, has done a constructive job as a member of the Newsprint Committee.

As to the fear expressed here concerning this legislation injuring the Reorganization Act, I entertain no such fear. There never was a time when our committee system in the House was so thoroughly fixed and inexorable that special committees were banned. I do not feel as a result of the passage of the reorganization it was meant to decree that no more special committees could come into existence. I would not state that I shall never vote for a special committee. One test should be whether or not the special committee will serve a worth-while and useful purpose, in other words whether there is a need for the special committee. In my opinion, the creation of the Newsprint Committee to be headed by Mr. BROWN of Ohio, will fully justify its existence. I trust the membership of the House will support it.

Mr. SABATH. Mr. Speaker, I yield the balance of my time to the gentleman from North Carolina [Mr. COOLEY].

The SPEAKER. The gentleman from North Carolina is recognized for 3 minutes.

Mr. COOLEY. Mr. Speaker, I admire the very forthright manner in which the gentleman from Indiana has just addressed the House. I do not question for one moment the competency of the gentleman from Ohio. I shall not take the position of hereafter opposing special committees, but I do want to insist that wherever it is possible investigations should be conducted by the regular standing committees. I think this position is compatible with the reorganization bill. Only once in my life have I sponsored a resolution asking for an investigation, and in that particular resolution which was adopted a few years ago I provided that the membership of the committee should come from the House Committee on Agriculture, of which I was a member; and I know that that committee, of which I had the honor to be chairman, did an excellent job in investigating the Farm Security Administration. Just recently we wanted to investigate the fertilizer situation. Certainly that did not require any special committee. The chairman of that committee, the distinguished gentleman from Kansas [Mr. HOPE], appointed a subcommittee under the able chairmanship of the gentleman from Illinois [Mr. ANTON JOHNSON]. I have never seen a subject more carefully or more quickly covered than the fertilizer subject was covered by the gentleman from Illinois.

Now, going back to the remarks of the gentleman from Indiana, I believe he has frankly told this House and the country that they intend to ask for special committees whenever they want special committees and do not doubt that they will get special committees just about every time they ask for special committees. The gentleman from Ohio [Mr. BROWN] will be chairman of the first special committee, and on down the line as time moves on you will find other special committees being created to take over the work which should be done by the standing committees.

I do not object to the objectives sought by this investigation, but it does seem to me, in view of the arguments which have been advanced today, that the job could well be done by a subcommittee of one of the standing committees of the House. We are either going to abide by the reorganization bill in this regard or we are not. Frankly, it appears that we do not intend hereafter to abide by it.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, ever so often it becomes necessary to write an explanatory footnote to history. That is my only purpose today.

When the Reorganization Act passed the Senate and came over to our committee, I was a member of the joint committee and labored shoulder to shoulder with our good friend from Oklahoma. Moreover, I commend his devotion to the Reorganization Act and the zeal with which he defends it. It became necessary to get clearance of that bill from the leadership. In early July we sat in the Speaker's office. The distinguished former Speaker of the House was there. The present distinguished Speaker of the House was there. The Parliamentarian also participated in that conference, along with the gentleman from Oklahoma and myself, and that very able and estimable Member, former Majority Leader MCCORMACK. The then Speaker of the House objected to one item in the bill and, if he does not mind my affectionate allusion to him, I said, "Sam, what you are referring to now is my pet baby and I do not want it taken out." He said, "It cannot remain in the bill because I have had experience with that matter and it must come out." So it came out.

The present distinguished occupant of the Speaker's chair said, "You have a provision there under which we could create no select or special committees." Being farseeing, and, of course, seeing down the corridor to 1948, knowing what was going to happen, knowing the necessity for looking at a good many things in government where there was misfeasance and maladministration, he said, "That must come out."

So we discussed the matter there very freely, and, as a result, it did come out. It must be said as a footnote to history, in the interest of Speaker JOE MARTIN, that he insisted it come out and it came out. There was therefore a perfect understanding that the authority to create special or select committees was preserved and there was reason to believe that such committees would be established.

As a consequence, the subpena power was left in the standing committees of the Senate and was taken away from the standing committees of the House for the very specific purpose of having select committees in addition thereto. When the bill finally came to the floor of the House there was written in it, before you passed on the bill, a provision on page 13 which reads as follows:

> The Speaker shall appoint all select and conference committees which shall be ordered by the House from time to time.

Is anything necessary to make it plainer that we had in contemplation the creation of select committees, irrespective of the subject matter that was going to come within the purview of that committee? The Speaker had it in mind and in consequence we violate neither the tradition nor the spirit of the Reorganization Act when a committee of this kind is created.

The SPEAKER. The time of the gentleman from Illinois had expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield the remainder of my time, with the exception of 5 seconds, to the gentleman from Indiana [Mr. HARNESS].

Mr. HARNESS of Indiana. Mr. Speaker, I am not impressed with the objections advanced against the adoption of this resolution. I am impressed, however, with immediate need for the inquiry proposed by the resolution. I believe that a special committee with members who are experienced in this subject can bring about results and give

relief to the smaller newspapers of the country.

Let me emphasize the need for relief to small newspapers. On February 24, in my home town, the Kokomo Tribune, the only newspaper published in that city, and which serves some 40,000 people, had this to say:

With only enough newsprint in its warehouse to last 12 days normally, the Kokomo Tribune today announced that, beginning tomorrow—

That was yesterday—

it would make a drastic curtailment in its size, eliminating advertising, with the exception of classified ads.

The paper will go to press each day with only four pages.

This shows how critical the situation is in my section of the country.

Mr. Speaker, I feel confident that if this special committee is authorized by the House we will get early action designed to give relief in this critical situation.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. BROWN of Ohio. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Ohio: On page 1, line 2, after the word "of", strike out the word "five" and insert in lieu thereof the word "seven."

Mr. BROWN of Ohio. Mr. Speaker, on that I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the resolution as amended.

The question was taken; and on a division (demanded by Mr. MONRONEY) there were—ayes 139, noes 53.

Mr. SABATH. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and ten Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 269, nays 100, not voting 63, as follows:

[Roll No. 14]

YEAS—269

Allen, La.	Boggs, Del.	Chenoweth
Andersen, H. Carl	Bolton	Chiperfield
	Boykin	Church
Anderson, Calif.	Bradley, Calif.	Clason
Andresen, August H.	Bradley, Mich.	Clevenger
	Bramblett	Clippinger
Andrews, Ala.	Brehm	Coffin
Angell	Brooks	Cole, Kans.
Arends	Brophy	Cole, Mo.
Arnold	Brown, Ga.	Cole, N. Y.
Auchincloss	Brown, Ohio	Colmer
Bakewell	Buffett	Combs
Banta	Burke	Corbett
Barrett	Busbey	Cotton
Bates, Mass.	Butler	Coudert
Beall	Byrnes, Wis.	Cox
Beckworth	Camp	Cravens
Bell	Canfield	Crawford
Bender	Cannon	Crow
Bennett, Mich.	Carson	Cunningham
Bennett, Mo.	Case, N. J.	Curtis
Bishop	Case, S. Dak.	Dague
Blackney	Chadwick	D'Alesandro
Bland	Chapman	Davis, Ga.
Devitt	Jones, Wash.	Phillips, Tenn.
D'Ewart	Jonkman	Ploeser
Dirksen	Kearney	Potts
Dolliver	Kearns	Preston
Dondero	Keating	Ramey
Dorn	Keefe	Rankin
Drewry	Keogh	Redden
Durham	Kerr	Reed, N. Y.
Eaton	Kersten, Wis.	Reeves
Elliott	Kilburn	Rich
Ellis	Kirwan	Riehlman
Ellsworth	Knutson	Riley
Elsaesser	Kunkel	Rizley
Elston	Landis	Robertson
Engel, Mich.	Lane	Rockwell
Fallon	Lanham	Rogers, Fla.
Fellows	Larcade	Rogers, Mass.
Fenton	Latham	Rohrbough
Fisher	LeCompte	Rooney
Fletcher	LeFevre	Russell
Foote	Lemke	Sadlak
Fulton	Lewis	St. George
Gallagher	Lodge	Sanborn
Gamble	Love	Schwabe, Mo.
Gathings	McConnell	Schwabe, Okla.
Gavin	McCowen	Scrivner
Gifford	McDonough	Seely-Brown
Gillette	McDowell	Shafer
Gillie	McGregor	Short
Goff	McMahon	Simpson, Ill.
Goodwin	McMillen, Ill.	Simpson, Pa.
Graham	MacKinnon	Smith, Kans.
Grant, Ind.	Macy	Smith, Ohio
Griffiths	Madden	Smith, Va.
Gross	Mahon	Smith, Wis.
Gwinn, N. Y.	Manasco	Snyder
Hall, Edwin Arthur	Martin, Iowa	Springer
	Mason	Stefan
Hall, Leonard W.	Mathews	Stevenson
	Meade, Ky.	Stratton
Halleck	Merrow	Sundstrom
Hardy	Meyer	Talle
Harless, Ariz.	Michener	Taylor
Harness, Ind.	Miller, Conn.	Thomas, N. J.
Harris	Miller, Md.	Tibbott
Hébert	Miller, Nebr.	Tollefson
Herter	Mills	Towe
Heselton	Mitchell	Twyman
Hess	Muhlenberg	Vail
Hill	Mundt	Van Zandt
Hinshaw	Murdock	Vinson
Hoeven	Murray, Wis.	Vorys
Holmes	Nixon	Vursell
Hope	Nodar	Wadsworth
Horan	Norblad	Walter
Howell	Norman	Weichel
Hull	O'Brien	Welch
Jackson, Calif.	O'Hara	West
Jackson, Wash.	O'Konski	Wheeler
Jenison	O'Toole	Whitten
Jenkins, Ohio	Owens	Williams
Jenkins, Pa.	Pace	Wilson, Ind.
Jennings	Passman	Winstead
Jensen	Patman	Wolverton
Johnson, Calif.	Patterson	Wood
Johnson, Ill.	Philbin	Worley
Johnson, Ind.	Phillips, Calif.	Youngblood

NAYS—100

Abernethy	Gossett	Morris
Albert	Granger	Morton
Almond	Grant, Ala.	Norton
Barden	Gregory	Peden
Bates, Ky.	Hale	Peterson
Battle	Hand	Pickett
Blatnik	Harrison	Poage
Bonner	Hart	Powell
Bryson	Havenner	Price, Fla.
Buchanan	Hobbs	Price, Ill.
Buck	Holifield	Priest
Burleson	Huber	Rabin
Carroll	Jarman	Rains
Chelf	Johnson, Okla.	Rayburn
Clark	Johnson, Tex.	Rayfiel
Cooley	Jones, Ala.	Richards
Cooper	Jones, N. C.	Sabath
Courtney	Karsten, Mo.	Sadowski
Crosser	Kean	Sasscer
Davis, Tenn.	Kee	Sheppard
Deane	Kefauver	Sikes
Dingell	Kelley	Smathers
Doughton	Kennedy	Smith, Maine
Douglas	Kilday	Somers
Eberharter	King	Spence
Evins	Klein	Stanley
Fernandez	Lea	Teague
Flannagan	Lucas	Thomas, Tex.
Fogarty	Lyle	Thomason
Folger	McCormack	Whittington
Forand	Meade, Md.	Wilson, Tex.
Gary	Miller, Calif.	Zimmerman
Gordon	Monroney	
Gore	Morgan	

NOT VOTING—63

Allen, Calif.	Hagen	Norrell
Allen, Ill.	Hartley	Pfeifer
Andrews, N. Y.	Hays	Plumley
Bloom	Hedrick	Poulson
Boggs, La.	Heffernan	Reed, Ill.
Buckley	Hendricks	Rees
Bulwinkle	Hoffman	Rivers
Byrne, N. Y.	Javits	Robsion
Celler	Jones, Ohio	Ross
Clements	Judd	Sarbacher
Dawson, Ill.	Lesinski	Scoblick
Dawson, Utah	Lusk	Scott, Hardie
Delaney	Lynch	Scott, Hugh D., Jr.
Domengeaux	McGarvey	
Donohue	McMillan, S. C.	Stigler
Engle, Calif.	Maloney	Stockman
Feighan	Mansfield, Mont.	Taber
Fuller		Trimble
Gearhart	Mansfield, Tex.	Wigglesworth
Gerlach	Marcantonio	Wolcott
Gorski	Morrison	Woodruff
Gwynne, Iowa	Murray, Tenn.	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Wigglesworth for, with Mr. Judd against.

Mr. Gerlach for, with Mr. Gorski against.

Mr. Maloney for, with Mr. Dawson of Illinois against.

Mr. Hardie Scott for, with Mr. Engle of California against.

Mr. Hugh D. Scott, Jr., for, with Mr. Marcantonio against.

Additional general pairs:

Mr. Woodruff with Mr. Feighan.

Mr. Allen of Illinois with Mr. Heffernan.

Mr. Scoblick with Mr. Morrison.

Mr. Reed of Illinois with Mr. Lynch.

Mr. Hoffman with Mr. McMillan of South Carolina.

Mr. Taber with Mr. Clements.

Mr. Plumley with Mr. Hedrick.

Mr. Fuller with Mr. Trimble.

Mr. Gearhart with Mr. Pfeifer.

Mr. McGarvey with Mr. Byrne of New York.

Mr. Jones of Ohio with Mr. Stigler.

Mr. Sarbacher with Mr. Rivers.

Mr. Hagen with Mr. Mansfield of Montana.

Mr. Stockman with Mr. Delaney.

Mr. Gwynne of Iowa with Mr. Lesinski.

Mr. Robsion with Mr. Donohue.

Mr. KELLEY changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that all Members be given five legislative days to extend their remarks on the resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD on the subject of reciprocal trade agreements.

Mr. MACY asked and was given permission to extend his remarks in the RECORD and include an address delivered on Washington's Birthday in New York.

Mr. MARTIN of Iowa. Mr. Speaker, on yesterday the University of Iowa celebrated its centennial, and the State Legislature of Iowa passed a resolution of commendation. The Iowa delegation in the Senate and the House have prepared

a statement honoring the University of Iowa and incorporating this resolution. I ask unanimous consent that the statement and the resolution be inserted in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOPE asked and was given permission to extend his remarks in the RECORD.

SELECT COMMITTEE ON SMALL BUSINESS

Mr. BROWN of Ohio. Mr. Speaker, I call up House Resolution 18 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That in the free competitive enterprise system which is typical and traditional in the United States of America, small business is the keystone. It is the purpose of the House of Representatives to encourage the growth, prosperity, and competition of small enterprises; and be it further

Resolved, That there is hereby created a select committee to be composed of nine Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

The committee is authorized and directed to conduct a study and investigation of the problems of small business, existing, arising, or that may arise, with particular reference to (1) whether the potentialities of small business are being adequately developed and, if not, what factors have hindered and are hindering the normal operation of established small business and/or its development and enterprise; (2) whether agencies, departments of the Government or Government owned or controlled corporations are properly, adequately, or equitably serving the needs of small business; (3) whether small business is being treated fairly and the public welfare properly and justly served through the allotments of valuable materials in which there are shortages, in the granting of priorities or preferences in the use, sales, or purchase of said materials; and (4) the need for a sound program for the solution of the postwar problems of small business.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress, the results of its investigation, together with such recommendations as it deems desirable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places, whether or not the House is sitting, has recessed, or has adjourned, to employ such personnel, to borrow from Government departments and agencies such special assistants, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas shall be issued under the signature of the chairman of the committee or any properly designated chairman of a subcommittee thereof, or any member designated by him, and shall be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

With the following committee amendments:

Page 1, strike out all of lines 1 to 6.

Page 2, line 17, strike out "as soon as practicable during the present Congress" and insert "on or before December 31, 1947."

Page 3, line 5, strike out "shall" and insert "may."

Page 3, line 8, strike out "shall" and insert "may."

The committee amendments were agreed to.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 minutes of the time assigned to me to the gentleman from Illinois [Mr. SABATH], ranking member of the Committee on Rules, and I yield myself now such time as I may desire to use.

Mr. Speaker, House Resolution 18 creates a Select Committee on Small Business. It should meet with no opposition from either side of the aisle.

The germ of the idea of the Small Business Committee first came from the Republican side of the House during the summer of 1941. At that time, when small business was suffering from the dislocation caused by our defense effort, this unofficial committee was the only forum for the opinions of small businessmen. It was created at the suggestion of the then minority floor leader, the present Speaker of the House. Out of this unofficial committee finally came the Small Business Committee which functioned during the past two sessions of Congress.

During the war the Small Business Committee made recommendations that formulated much legislation to insure fair distribution among the small businessmen of the country of war contracts and the equitable allocation of the goods which were in scarce supply.

Mr. BROWN of Georgia. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. The gentleman says this was a Republican idea. I think both sides are rather jealous of it. I understand the Democratic side introduced the first bill concerning it.

Mr. BROWN of Ohio. That is true, the first official House committee was created under a resolution presented from the Democratic side of the aisle. I think there is enough glory and credit for both parties in connection with the work this committee has done. Adjustments of the OPA and WPB regulations were made at the request of this committee to allow small businessmen to continue to operate and exist. In the immediate postwar period, the committee was largely responsible for special provisions in the surplus property regulations which would permit participation of small retailers and manufacturers. During the past 15 years, Government regulations in business have constantly increased. Many small businessmen now find operations difficult, if not impossible, because of the numerous directives, orders, and restrictions imposed upon them by Federal and State Governments. This Small Business Committee can render real and great service to small concerns by formulating policies for the removal of hardships imposed upon their operations by various agencies of the Government. It can protect small business from unnecessary and oppressive restrictions and regulations from various Government bureaus, agents, and agencies, whether State, local, or national. Small business has long been regarded the foundation of the American way of life. Let us hope it will always be so. This concept is not partisan. Both of the great political parties wish to foster legislation to assist the Nation's 3,000,000 small businesses. Such a committee has a definite place in our legislative set-up. I hope and believe that this resolution will be adopted by the House.

Mr. Speaker, I reserve the balance of my time.

Mr. SABATH. Mr. Speaker, I yield myself 5 minutes.

FOR SMALL BUSINESS COMMITTEE EXTENSION

Mr. Speaker, I agree with the gentleman from Ohio that there should not be and cannot be justifiable opposition to this resolution. As one who started early in 1941 to call attention to the dangerous fact that only the largest and most influential manufacturers and businessmen were being considered for Government work and war work, I insisted on this floor at that time that the small businessmen should be protected and encouraged.

REPUBLICANS TOOK CREDIT

I made several speeches, as some of you older Members will recall, urging assistance for small businessmen who were being discriminated against by the big interests. I was indeed gratified when our Republican friends appointed an unofficial committee to claim some of the credit for my activities for the small businessmen. Since that time, I think we have done fairly well by the small businessmen these big steel boys domineer and control wherever they can, and deprive the little fellows from obtaining their fair share of raw material.

SMALL BUSINESS IN BETTER POSITION

Nevertheless, the small businessmen are in a much better position today due to the studies and investigations of the Small Business Committee that this House created. Consequently, I feel that the committee should be extended, and I hope that the committee will continue to have the interests of the small businessman at heart. Of course, some of my friends say that under the new setup of the House, the Republicans, being in the majority, will very likely try to help the big boys instead of the little manufacturers and businessmen. But I do not think that they will dare to do anything of that kind in view of the splendid record that the original committee has established. Consequently, I feel that I owe it to myself, to small manufacturers and enterprisers, and to the country at large to support this resolution, so that this committee can continue to function in the interest of, I repeat, small business.

COMMITTEE SHOULD PROTECT SMALL ENTERPRISES

This committee should be recreated and continued in order to see that small enterprises are not discriminated against unfairly, and to see that they receive equitable treatment in every way from the big steel companies and the big industrial producers, and that the little fellows get their share of national pro-

duction so their plants can be operated profitably.

I hope that the committee will—for I am sure this resolution will pass—do everything in its power to insure that small fabricating plants are not forced to close down, at a loss to the owners and to the workers, because available steel or other scarce items have been withheld by the trusts or the big manufacturers or the processors from independent, small-scale operators. I suspect that in many cases the big manufacturers and producers of basic raw materials have worked hand in glove with other big processors and fabricators to deprive the smaller business of their just share of available materials, and thus force them out of competition.

Not only that, they have discriminated in prices by every legal means and perhaps by some not so legal, such as secret rebates, extra discounts, and similar devices well known to all students of economics, all to the disadvantage of the small enterprises.

SHOULD FUNCTION AS IT HAS IN PAST

Hoping that this committee will continue to function in the future as it has in the past under the chairmanship of the distinguished gentleman from Texas [Mr. PATMAN] it gives me pleasure to urge favorable action on this resolution to extend the powers of the House Committee on Small Business.

I am fervently hoping that they will obtain sufficient evidence against chain stores and mail-order houses so that legislation can be enacted to prevent further destruction of independent, individually owned enterprises and the elimination of the small businessman whose numbers have been decreased by almost half due to the unfair trade practices and competitive discriminations of the huge corporations in their unending voracity for more and more business, more and more profits, more and more power, but less and less competition.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that all those who desire may extend their remarks at this point in the RECORD on the rule.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

SMALL BUSINESS COMMITTEE FAVORED

Mr. PATMAN. Mr. Speaker, I am in favor of this resolution which recreates and extends the Committee on Small Business, of the House of Representatives, that was created in December 1941. If this committee is extended, the Speaker of the House, the Honorable JOSEPH MARTIN, will have no trouble finding a good chairman for the committee. Any one of the four Members who served on the committee during the Seventy-ninth Congress, to wit: Representatives LEONARD W. HALL, WALTER C. PLOESER, WILLIAM H. STEVENSON, or EVAN HOWELL, would make an excellent chairman for this committee. I have served with all four of these gentlemen in the past on the Committee on Small Business, and I do not know of any four men in this body who are better informed and more interested in promoting the welfare of small business than these gentlemen.

NUMBER OF COMMITTEES NOW HAVE JURISDICTION

If a Small Business Committee is not created, a Member of the House who is approached by a constituent to help him with a small business matter may be required to go to one or all of the following committees of the House: Banking and Currency, Expenditures in Executive Departments, House Administration, Interstate and Foreign Commerce, Judiciary, Merchant Marine and Fisheries, Veterans Affairs, and Ways and Means. Each one of these committees now has jurisdiction over certain small business matters. Therefore, a Member of this body would have difficulty getting consideration before the right committee without first dispelling a great deal of confusion.

When this Committee on Small Business is created, any Member who has a problem relating to small business knows who to refer it to and it will receive consideration. Without this committee, there will be no proper forum in the House of Representatives for the small businessman.

COMMITTEE SHOULD BE COMPOSED OF MEMBERS ESPECIALLY INTERESTED IN SMALL BUSINESS

On the question of small business, it is necessary that a select committee be appointed, composed of Members of the House who are especially interested in the problems of small business. If the House insisted on designating a subcommittee of a standing committee for the purpose of handling small-business matters, I doubt that it could find an existing subcommittee of a standing committee of nine members that would have more than one or two members on it who were especially interested in small-business problems. Therefore, in order to have a committee composed of members who are particularly concerned with the problems of small business, a select committee should be authorized and the members selected from the different committees of the House that now have to do with small-business problems.

DEFINITION OF A SMALL BUSINESS

The question has often been raised, What is the definition of a small business? The answer as to whether or not a business is a small business is determined by the size of other similar businesses. In other words, the term is a relative one. One of the best definitions I know is that a small business is one that is unable to keep a lobbyist in Washington. Big business corporations have their lobbyists in Washington. They do not need a special committee. The small businessman does need a committee here in Washington and in the House of Representatives to properly look after his interests.

This committee is needed more than ever before in view of the enormous concentrations going on over the country at this time, and especially integrations of business and the disadvantages that the local merchant and local businessman will have in the future if he is not protected.

I hope this resolution is passed by a large majority. I cannot see why any Member who is sympathetic to the cause of small business can vote against it.

At the beginning of this Congress I made a statement that I would not oppose any measure having merit just because it originated on the Republican side. I expect to carry out that policy and continue to vote on the merits of the proposal rather than vote against something that is good because it originated with the opposing party in the House.

Mr. HOPE. Mr. Speaker, I am in receipt of the following telegrams expressing opposition to the passage of House Resolution 18, to create a Small Business Committee:

Kansas State Grange appeals to you to oppose reestablishment of House Small Business Committee. We feel that chief purpose of such action is to repudiate the said committee's recent report on farmer cooperatives.

KANSAS STATE GRANGE,
J. H. FOLTZ, *Chairman.*

On behalf of Kansas Farmers Union, I urge you to vote against Ploeser resolution recreating Small Business Committee. We believe many proponents of Ploeser resolution seeking committee reestablishment for purpose of fighting farmer cooperatives.

KANSAS FARMERS UNION,
HAROLD SWANBERG, *President.*

We understand Congressman PLOESER'S resolution re-creating Small Business Committee ready for House action. That is a misnomer; should be anti-co-op committee. Our information is that the chief purpose is to discredit the previous Patman committee report. Patman report was fair and unsought by cooperatives. Can see no reason for concentrating an attack on it. In the interest of our farmer members, we urge you to vote against PLOESER'S resolution.

R. D. CRAWFORD,
Secretary, Farmers Union Jobbing Association.

The Kansas Cooperative Council, representing approximately 500 farmer cooperatives with a membership of over 100,000, urgently requests you to vote against the Ploeser resolution for the recreating of the House Small Business Committee on the ground that one of the principal purposes for which the reestablishment of such committee is being sought is that of carrying on the fight against farmer cooperatives.

CHAS. R. RICHARD,
Executive Secretary and Secretary.

It will be noted that all of these telegrams express apprehension that one of the purposes in creating the Small Business Committee in the present Congress is to put cooperative organizations at a disadvantage and to repudiate the report on cooperatives made by the Small Business Committee of the last Congress.

I do not know the basis for this apprehension, but I have discussed the matter with the gentleman from Missouri [Mr. PLOESER], the author of the resolution and a member of the Small Business Committee in the last Congress, and with Mr. LEONARD HALL, a member of the Small Business Committee of the last Congress and the probable chairman of the new

committee. I am assured by both of these gentlemen that the fears expressed in these telegrams are not justified, and that the purpose in re-establishing the Committee on Small Business in this Congress is to deal with the bona fide problems of small business. I do not interpret this to mean that the committee will not deal with the subject of cooperative organizations, when they come within the legitimate field of the committee's investigations. I do interpret it to mean that the committee is not being set up for the purpose of fighting or discrediting cooperatives and that any investigation of cooperative activities will be conducted upon the basis of fairness and in good faith.

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. Speaker, just to keep the record straight, I think the violation of our standing committee structure in this instance is just as bad as it was in the last instance.

We are being asked here, in this resolution to duplicate and overlap the work of a great House committee, the Committee on Interstate and Foreign Commerce. They were given four experts, to be paid $8,000 a year to help them with just such problems as these of all business—both small, middle-sized and large. If the committee wishes, or if the House wishes, we can direct these experienced committee members to give special attention to this within the framework of our regular standing committee structure.

To set up this, or any other duplicating special committee, is to destroy the major effort of reorganization to strengthen the standing committee structure of the House.

The votes are here to pass it. I shall be compelled to vote against it because I think it is the second confession of the day that our standing committees are not effective enough to handle the problems that the Congress has before it.

Mr. BROWN of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from Arizona [Mr. HARLESS].

Mr. HARLESS of Arizona. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. HARLESS of Arizona. Mr. Speaker, I received the news a few minutes ago that Lewis W. Douglas, former Congressman from Arizona, has been appointed by the President to be Ambassador to England. I know that the Members of the House will be interested in this information. Most of you have known Mr. Douglas intimately. He served in the House of Representatives from 1927 to 1933. He resigned his position here when he was appointed Director of the Budget by the late President Roosevelt, which position he held until 1935. At that time he became president of McGill University in Montreal, Canada, where he served for 2 years. During World War II he gave up the position as president of the International Life Insurance Co. of New York to become Chairman of the War Shipping Administration. He has since returned to his position with the insurance company. He is a man of unusual ability. His human understanding and knowledge of national and international affairs, as well as his insight into the American and British points of view eminently qualify him for this position. His appointment comes at a time when not only the United States but the whole world looks to the events happening at the Court of St. James's. Many great men have represented our country in this distinguished position. At this time our country mourns the passing of the late Governor Gardner who would have represented our country well. It is a difficult position to fill; however, I know that Lew Douglas is the man for this place which is so important to the American people today. You who knew him will be greatly pleased to receive this information.

Mr. BROWN of Ohio. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution as amended.

The question was taken; and on a division (demanded by Mr. THOMASON) there were—ayes 99, noes 41.

Mr. THOMASON. Mr. Speaker, I object to the vote on the ground there is not a quorum present and make the point of order that a quorum is not present.

The SPEAKER. Obviously no quorum is present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 270, nays 92, not voting 70, as follows:

[Roll No. 15]

YEAS—270

Allen, La.	Byrnes, Wis.	Ellis
Andersen, H. Carl	Camp	Ellsworth
Anderson, Calif.	Canfield	Elsaesser
Andresen, August H.	Cannon	Elston
Angell	Carroll	Engel, Mich.
Arends	Case, N. J.	Fallon
Arnold	Case, S. Dak.	Fellows
Auchincloss	Chadwick	Fenton
Bakewell	Chenoweth	Fernandez
Banta	Chiperfield	Flannagan
Barden	Church	Fletcher
Barrett	Clason	Fogarty
Bates, Mass.	Clevenger	Folger
Beall	Clippinger	Foote
Beckworth	Coffin	Fulton
Bell	Cole, Kans.	Gallagher
Bender	Cole, Mo.	Gamble
Bennett, Mich.	Cole, N. Y.	Gary
Bennett, Mo.	Corbett	Gathings
Bishop	Cotton	Gavin
Blackney	Coudert	Gearhart
Bland	Cox	Gifford
Bloom	Crawford	Gillette
Boggs, Del.	Crosser	Gillie
Bolton	Crow	Goff
Boykin	Cunningham	Goodwin
Bradley, Calif.	Dague	Gordon
Bradley, Mich.	D'Alesandro	Graham
Bramblett	Davis, Ga.	Grant, Ind.
Brehm	Devitt	Griffiths
Brooks	D'Ewart	Gross
Brophy	Dirksen	Gwinn, N. Y.
Brown, Ga.	Dolliver	Hall, Edwin Arthur
Brown, Ohio	Dondero	Hall, Leonard W.
Bryson	Dorn	Halleck
Buck	Doughton	Hardy
Busbey	Drewry	Harless, Ariz.
Butler	Durham	Harness, Ind.
	Eaton	
	Elliott	

Harrison	McMahon	Rooney
Hébert	McMillen, Ill.	Ross
Heselton	MacKinnon	Russell
Hess	Macy	Sabath
Hill	Marcantonio	Sadlak
Hoeven	Martin, Iowa	Sadowski
Hoffman	Mathews	St. George
Holmes	Meade, Ky.	Sanborn
Hope	Merrow	Schwabe, Mo.
Horan	Meyer	Schwabe, Okla.
Howell	Michener	Scoblick
Jackson, Calif.	Miller, Conn.	Seely-Brown
Jackson, Wash.	Miller, Md.	Shafer
Javits	Mills	Sheppard
Jenison	Mitchell	Short
Jenkins, Ohio	Muhlenberg	Simpson, Ill.
Jenkins, Pa.	Mundt	Simpson, Pa.
Jennings	Murray, Wis.	Smith, Kans.
Jensen	Nixon	Smith, Maine
Johnson, Calif.	Nodar	Smith, Wis.
Johnson, Ill.	Norblad	Snyder
Johnson, Ind.	Norman	Somers
Jones, Wash.	O'Brien	Springer
Jonkman	O'Hara	Stevenson
Kean	O'Konski	Stratton
Kearney	O'Toole	Sundstrom
Kearns	Owens	Talle
Keating	Passman	Taylor
Keefe	Patman	Thomas, N. J.
Kefauver	Patterson	Tibbott
Kelley	Peterson	Tollefson
Keogh	Philbin	Towe
Kersten, Wis.	Phillips, Tenn.	Twyman
Kilburn	Ploeser	Vail
Knutson	Potts	Van Zandt
Kunkel	Preston	Vinson
Landis	Ramey	Vorys
Lane	Rankin	Vursell
Lanham	Rayfiel	Walter
Latham	Redden	Weichel
Lea	Reed, N. Y.	Welch
LeCompte	Reeves	West
LeFevre	Rich	Wheeler
Lemke	Riehlman	Wigglesworth
Lewis	Riley	Williams
Lodge	Rizley	Wilson, Ind.
Love	Robertson	Winstead
McConnell	Robsion	Wolverton
McCowen	Rockwell	Wood
McDonough	Rogers, Fla.	Youngblood
McDowell	Rogers, Mass.	
McGregor	Rohrbough	

NAYS—92

Abernethy	Gregory	Miller, Nebr.
Albert	Hale	Monroney
Almond	Hand	Morgan
Andrews, Ala.	Harris	Morris
Bates, Ky.	Hart	Morton
Battle	Havenner	Norton
Blatnik	Hobbs	Peden
Bonner	Holifield	Pickett
Buchanan	Huber	Poage
Buffett	Hull	Powell
Burleson	Jarman	Price, Fla.
Chapman	Johnson, Okla.	Price, Ill.
Chelf	Johnson, Tex.	Priest
Clark	Jones, Ala.	Rabin
Cooley	Jones, N. C.	Rains
Cooper	Karsten, Mo.	Rayburn
Courtney	Kee	Sasscer
Cravens	Kennedy	Sikes
Curtis	Kerr	Smathers
Davis, Tenn.	Kilday	Smith, Ohio
Deane	King	Spence
Dingell	Kirwan	Stanley
Douglas	Klein	Stefan
Eberharter	Lucas	Teague
Evins	Lyle	Thomason
Fisher	McCormack	Whitten
Forand	Madden	Whittington
Gore	Mahon	Wilson, Tex.
Gossett	Manasco	Worley
Granger	Meade, Md.	Zimmerman
Grant, Ala.	Miller, Calif.	

NOT VOTING—70

Allen, Calif.	Domengeaux	Jones, Ohio
Allen, Ill.	Donohue	Judd
Andrews, N. Y.	Engle, Calif.	Larcade
Boggs, La.	Feighan	Lesinski
Buckley	Fuller	Lusk
Bulwinkle	Gerlach	Lynch
Burke	Gorski	McGarvey
Byrne, N. Y.	Gwynne, Iowa	McMillan, S. C.
Carson	Hagen	Maloney
Celler	Hartley	Mansfield, Mont.
Clements	Hays	Mansfield, Tex.
Colmer	Hedrick	Mason
Combs	Heffernan	Morrison
Dawson, Ill.	Hendricks	Murdock
Dawson, Utah	Herter	Murray, Tenn.
Delaney	Hinshaw	

Norrell	Richards	Stigler
Pace	Rivers	Stockman
Pfeifer	Sarbacher	Taber
Phillips, Calif.	Scott, Hardie	Thomas, Tex.
Plumley	Scott,	Trimble
Poulson	Hugh D., Jr.	Wadsworth
Reed, Ill.	Scrivner	Wolcott
Rees	Smith, Va.	Woodruff

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Gorski for, with Mr. Judd against.

Additional general pairs:

Mr. Woodruff with Mr. Feighan.
Mr. McGarvey with Mr. Heffernan.
Mr. Sarbacher with Mr. Thomas of Texas.
Mr. Dawson of Utah with Mr. McMillan of South Carolina.
Mr. Maloney with Mr. Lynch.
Mr. Hardie Scott with Mr. Colmer.
Mr. Jones of Ohio with Mr. Byrne of New York.
Mr. Allen of Illinois with Mr. Trimble.
Mr. Stockman with Mr. Mansfield of Montana.
Mr. Hartley with Mr. Stigler.
Mr. Taber with Mr. Delaney.
Mr. Reed of Illinois with Mr. Engle of California.
Mr. Hugh D. Scott, Jr., with Mr. Clements.
Mr. Carson with Mr. Hedrick.
Mr. Fuller with Mr. Donohue.
Mr. Wadsworth with Mr. Dawson of Illinois.
Mr. Hagen with Mr. Rivers.
Mr. Wolcott with Mr. Pfeifer.
Mr. Phillips of California with Mr. Murdock.
Mr. Hinshaw with Mr. Celler.
Mr. Mason with Mr. Domengeaux.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM AND HOUR OF MEETING

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, as heretofore announced, we propose to take up tomorrow the so-called portal-to-portal bill. The rule provides for 4 hours' general debate. Of course, there will be 1 hour on the rule. It is proposed to conclude the general debate tomorrow and read the first section of the bill and then have the Committee rise and the matter of the reading of the bill under the 5-minute rule go over until Friday. It has been suggested, and I find it agreeable, that we come in at 11 o'clock on Friday to be sure that we complete the bill and complete it as rapidly as possible.

I ask unanimous consent, Mr. Speaker, that when the House adjourns tomorrow it adjourn to meet at 11 o'clock on Friday.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mrs. BOLTON. Mr. Speaker, reserving the right to object, I think the membership has been invited to participate in Mr. Hoover's report to the Committee on Foreign Affairs, which of course will have to be canceled if we come in at 11 o'clock.

Mr. HALLECK. What time was that meeting called for?

Mrs. BOLTON. At 10:30 o'clock.

Mr. HALLECK. Could that not be stepped up to 10 o'clock? I have no way of knowing how long his report would be, but I would not assume it would require over an hour. I am wondering if the gentlewoman from Ohio would not see to it that that arrangement be made.

Mrs. BOLTON. I will be glad to take it up with the chairman of the committee.

Mr. HALLECK. I trust it can be so arranged, because certainly many Members would like to hear Mr. Hoover's report.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. HALLECK]?

There was no objection.

Mr. HALLECK. Mr. Speaker, to proceed, I want to announce the appointment of Members on the majority side to serve on the Consent Calendar and on the Private Calendar.

In order that the membership may know who they are I will read their names here so they will be in the RECORD:

On the Consent Calendar, Mr. COLE of New York; Mr. KEAN, of New Jersey; and Mr. CUNNINGHAM, of Iowa, will serve.

On the Private Calendar, Mr. DOLLIVER, of Iowa; Mr. SMITH of Wisconsin; and Mr. POTTS, of New York, will serve.

It is our intention to call the Consent Calendar on next Monday and the Private Calendar on next Tuesday in order that attention may be given to the bills that are now on these two calendars.

EXTENSION OF REMARKS

Mr. DONDERO asked and was given permission to extend his remarks in the Appendix of the RECORD and include a radio address delivered by himself.

Mr. SHORT asked and was given permission to extend his remarks in the RECORD by including an article by David Lawrence and an editorial from the Washington Evening Star that appeared recently.

Mr. HOPE asked and was given permission to extend the remarks made earlier in the day and include certain telegrams.

Mr. LATHAM asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article from the New York Times.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include an article from Boston's Sunday Herald entitled "United States Eyes Boston Vets Jobs School." The Red Feathers are doing very fine work giving the veterans jobs. It is an article by Bill Cunningham.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mr. LECOMPTE asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Ottumwa (Iowa) Courier.

Mr. HARLESS of Arizona asked and was given permission to extend his remarks in the RECORD and include a statement by James Patrick McGovern.

Mr. KEFAUVER asked and was given permission to extend his remarks in the RECORD and include an editorial from the Knoxville News Sentinel; also, to extend his remarks and include a brief address by Senator MURRAY.

Mr. GORDON asked and was given permission to extend his remarks in the Appendix and include a radio address delivered by the gentleman from Illinois [Mr. SABATH] over Station WTOP on last Friday.

Mr. SHAFER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include an article from the magazine Plain Talk. This will run a trifle over the limit. Notwithstanding this fact, I ask unanimous consent that the article may be published.

The SPEAKER. Notwithstanding the excess, without objection, the request is granted.

There was no objection.

The SPEAKER. Under the previous order of the House, the gentleman from New York [Mr. REED] is recognized for 40 minutes.

TRADE-AGREEMENT LEGISLATION

Mr. REED of New York. Mr. Speaker, I voted against the trade-agreement legislation. I voted against it each time it was proposed to extend it.

The New Deal did part of its dirty work in 1934, at the time of the enactment of the bill. It was through the power of false propaganda that the iniquitous Trade Agreement Act was passed. Countries were on the verge of war. Our people, 80 percent of them, wanted peace. The advocates of the trade-agreement program knew this and immediately set to work to take advantage of the distraught mind of our people. Why not, said the sponsors of the trade-agreement program, couple foreign trade and peace as a means of putting over the trade-agreement program. This was done. The country was blanketed with propaganda to the effect that the trade-agreement program would make for peace. Women's organizations were propagandized to the limit. The theme song in the press, over the radio, in the movies, and through a deluge of literature all paid for by the taxpayers, was to the effect that peace could come only through foreign trade. Naturally, the mothers of the country were for anything that would keep this Nation out of war. The trade-agreement program was the only true road to universal peace and brotherly love. It was stressed in a Nation-wide appeal to every mother in the land that if she would save her son from the horrors of war nothing must stand in the way of the enactment of the trade-agreement bill. Emotionalism on this issue of peace by trade agreements was raised to hysterical heights. It worked. The trade-agreement bill was enacted into law in 1934. Did it keep us out of war? It did

not. Instead it ushered in and contributed to one of the most destructive wars in all history.

What other appeal was made to bring support to the trade-agreement program? It was urged by the New Deal proponents of this scheme that, if adopted, the trade agreements would be the means of increasing our exports. Did it increase exports? No; the New Deal advocates soon found to their consternation that our exports did not increase under the low-tariff policy of the Trade Agreement Act. Thus, the New Dealers in the State Department were faced with the dilemma that their program did not prevent war and the further fact that it did not increase exports. They realized that they could only save face by developing at all costs, whether in American blood or money, an increase in our exports. To meet their desperate problem, the free-trade internationalists in the State Department went into a huddle to see if they could find a solution for their diminishing exports. World conditions were in their favor. The dictators, Mussolini, Hitler, and Hirohito were in desperate need of war materials.

This was manna from heaven for the State Department free-traders. Here was an opportunity to build up exports by the sale and shipment of vast quantities of war materials to the aggressors. Thus the trade-agreement program was to be saved by exporting raw cotton, petroleum, aviation gasoline, iron and steel scrap, steel ingots, tin plate, tin-plate scrap, refined copper, copper scrap, motortrucks, aircraft and parts, machine tools, firearms and ammunition.

Here was a demonstration of the good-neighbor policy with a bloody vengeance. These exports, the New Dealers felt confident, would convince the public that the trade-agreement policy had fulfilled the promise of increased exports. Where were these war materials shipped? They were shipped to Germany, Italy, and Japan during the years 1936, 1937, 1938, 1939, and 1940. If there were any virtue in the trade-agreement program, then with all these countless tons of war materials our exports ought not to have been 20 percent less under so-called reciprocity than under the American tariff system, but such was the result. I may add that this arming of aggressors with war materials herein mentioned, and more, to build up a case for the trade-agreement program, did not square with the good-neighbor policy and the peace policy so piously enunciated as a reason for enacting the program in 1934 and for the subsequent extensions of the Trade Agreement Act.

I may add further that if the State Department officials were not aware that they were depleting our national resources to supply aggressor nations with vital war materials, their combined astuteness was far behind that of the average American citizen.

The gruesome fact is that millions of our boys had to face the impact of these war materials which the New Deal trade-agreement proponents caused to be shipped to the stock piles of the aggressors. The loss of the battleship *Arizona* and seven others damaged can be charged to the trade-agreement policy of shipping 8,000,000 tons of scrap iron, steel, and other materials to Japan in a wild effort to build up exports.

Those of you who have read Wendell Willkie's One World no doubt found a reference to this question of shipping scrap iron to Japan. What did the trade-agreement sponsors care about the use that would be made of these war materials as long as it built up a fake case for their promised exports under the trade-agreement program? Would they listen to the protest of those who saw in this stock pile of war material the murder of men, women, and children? No! The program of deception must be carried out regardless of its cost in human lives. The casualties at Pearl Harbor alone were 2,117 killed in the Navy and Marine Corps, with 900 missing. Does it not matter to the trade-agreement advocates and the internationalists that this fake export program furnished our enemies with the materials they needed to accomplish that dastardly act and that our enemies bragged about it as indicative of their superior diplomacy? The same group is again shouting peace, brotherly love, increased exports through free trade, as an inducement to the emotional and the selfish to support a further reduction of the tariffs.

All that is required to create a utopian world of unlimited international trade and prosperity, so the American people are told by the internationalists, is to lend and lend billions and billions of our taxpayers' money to foreign nations with which to buy our automobiles and other American products. This prosperity will last just so long and no longer than the American taxpayer can lend the money to the foreigners to buy our products. This artificial stimulation, this needling of the arm of normal trade, can bring us nothing but headaches and obligations that will weigh heaviest upon us when we can least afford to meet them.

This effort to deceive the American people on the subject of increased exports had other serious repercussions. This typical New Deal subterfuge, this double dealing with the American people, contributed to the death of thousands of our boys. It caused thousands of them to be blinded and crippled for life. To reveal the entire ghastly picture of the trade-agreement program would require volumes. Without fear of successful contradiction it can be truthfully said that the trade-agreement program did not tend to appease or stabilize or contribute to world peace. It did, however, add to the fury of the fight and the wholesale slaughter of our boys. Those of us who opposed the arming of our potential enemies protested these shipments; but to no avail. On numerous occasions in 1938, 1939, and 1940, I stood upon this floor and warned the country of what the export-hungry State Department was doing to us. Today I deplore the fact that after such a record of New Deal treachery we find the same group now operating behind the iron curtain of the State Department, again seeking to plague our national economy by advocating a further reduction in our tariff duties.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Has the gentleman any information as to what the State Department proposes to accomplish through the creation of this International Trade Organization that is proposed to be set up in Geneva?

Mr. REED of New York. I believe it is more or less of a secret, but there is plenty of evidence, I am sure, to the effect that what they propose to do over there is to get us just as close to the border of free trade as they possibly can by negotiation.

Mr. SMITH of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Wisconsin.

Mr. SMITH of Wisconsin. Can the gentleman enlighten us any on the proposition that has been submitted to the press in the last couple of days about the understanding between the President and two of our distinguished Senators?

Mr. REED of New York. I am going to comment on that just a little later, if the gentleman does not mind.

What do these free-trade experts and exponents now urge as a reason for again lowering tariff rates? Some of them still insist that a further reduction of tariffs will insure future peace. Others take it for granted that the people have forgotten what was said in 1934 with reference to stimulating our exports, which the trade agreements have deplorably failed to do. Whether the people who were swindled during the trade-agreement era, with reference to the promised exports and the prevention of war, have had enough of this double dealing I do not know. I am sure that they have not forgotten what the program cost the United States in blood, suffering, and wealth as a result of arming Japan, Germany, and Italy. It is enough to say at this point that had it not been for these shipments of war materials it is quite possible that there would have been no Pearl Harbor and probably no war of consequence in the Pacific.

In another speech which I made, I reduced these shipments to airplanes, tanks, submarines, and battleships, and it is the most astounding picture, at a time when we lacked the materials to get ready for war. I will go into that just a little later.

Thousands of mothers today are without the sons who died gloriously to protect the American way of life. Those boys were killed, many of them, by the very metals and other materials our State Department shipped so frantically to support its ill-considered theory.

But we are again confronted with the same old appeal that the lowering of duties on imported goods will increase our exports, create good will, prevent war, and thus enrich our Nation. I want to call attention to a very significant fact with reference to this question of exports. The record shows that during the last 5-year prewar peacetime period of prosperity in the United States—that is from 1925 to 1929—our national revenue from custom duties averaged almost $600,000,000 per annum. To be exact, $580,748,-

055. Now then, here is the contrast: During the 5-year period under reciprocal-trade agreements preceding World War II, that is from 1935 to 1939 inclusive, our national revenue from custom duties averaged considerably less than $400,000,000 annually. To be exact, $378,909,157. What about our loss of revenue over a period of 10 years under the trade-agreement program? The fact is that the decrease in national revenue under the trade-agreement program has exceeded $200,000,000 annually or the equivalent of $2,000,000,000 in a period of 10 years.

I would say that this is a considerable sacrifice in national revenue incident to an unrealistic, experimental change in economic policy, and, again may I add, it failed to keep us out of war or to increase our exports. Moreover, when the year 1939 is compared with 1929, the decrease in revenue is from $600,000,000 to $300,000,000, a decrease of 50 percent. I do not like to use statistics when addressing my colleagues, but it is of the utmost importance that this whole free-trade program should be debunked. We have suffered enough from listening to false statements and emotional appeals on this question of increased exports as a means of building up our prosperity. This decrease in revenue during the reciprocal trade program is no small matter in view of the terriffic burden of national debt which hangs like a cloud over our economy. The decrease in revenue to which I have referred cannot be accounted for as a result of a falling off in the quantity of imports. It is only necessary in this connection to compare the imports during the 5-year period from 1925 to 1929 with the recent 5-year period from 1935 to 1939. Not only this, but the physical quantity of imports in 1937 was exactly the same as the physical quantity of imports during the most prosperous year of all, 1929. It is significant, too, that the average physical quantity of imports during the two 5-year periods, namely 1925–29 and 1935–39, did not vary more than 5 percent.

Let me repeat for emphasis that the physical volume of exports was actually 20 percent less under reciprocity than under the American system of prosperity at home. Not only was the physical quantity of exports 20 percent less under reciprocity than during 1925–29, but the exports under reciprocity included huge quantities of scrap iron and steel, petroleum products for military purposes, trucks, tractors, and other vehicles, machinery for making war implements, and stock piles of cotton, grain, tobacco, and other products.

To put this whole matter bluntly, our concession as to tariff rates merely meant loss of revenue and injury to the domestic market, while such foreign concessions as were claimed to have been made to us not only did not build up our export trade but merely made it possible for foreign enemy governments to equip themselves for World War II.

It is interesting to go back and look at the record. When the appeal was being made to get the farmers to support the trade-agreement program, I recall that when Secretary Hull appeared before the Ways and Means Committee in 1937 urging an extension of the trade-agreement program, he stated:

> A primary purpose of this trade-agreement program, and it has no more paramount purpose, is to restore as far as possible the foreign markets for American agriculture.

I do not regard it impertinent to ask at this point whether the trade agreements did restore the foreign market for American agriculture. I can say definitely that it did not. Instead, when the New Deal administration realized that the reciprocal-trade program was not increasing our exports of farm surpluses it embarked in July 1938 on a major export subsidy program. To be more specific, the men behind the iron curtain in the State Department saw no objection to our dumping our goods upon the markets of other nations. In an effort to prove that the trade agreements would open foreign markets for agriculture, 116,293,000 bushels of wheat were subsidized for export between July 1938 and November 1939 at a cost of approximately $32,871,000 in subsidies. It is true also that from July 27, 1939, through November 1939, 4,340,297 bales of cotton were exported at a cost, for the subsidy alone, of approximately $34,844,000.

Thus, through the failure of the reciprocal trade-agreement program to move our agricultural surpluses, it cost our taxpayers in subsidies $67,715,000 during the period of 16 months, August 1938 through November 1939.

The advocates of the trade-agreement program, as a means of removing our surplus farm commodities, were becoming desperate. Something had to be done. They even went so far as to bring the Federal Surplus Commodities Corporation into action in the fiscal year 1938 and 1939 and through it spent $30,479,112 for the surplus removal operations of 20 commodities while imports of these same commodities during the same period were valued at $92,298,000. This shows clearly that our surplus commodities were not removed by the low-tariff program.

I may say that dumping is the practice of selling goods in the foreign market at a price below that charged for the same goods in the domestic market, and often at a price below the cost of production and shipment abroad.

Needless to say, dumping is an unfair international trade practice, and has been vigorously condemned as such by our Government. Now then, closely akin to dumping is the practice of governments in subsidizing in one way and another the export of goods by their nationals so that the product may be sold in foreign markets below the domestic price. Furthermore, dumping has always been fruitful of international resentment and discord. Thus, the international ethics and idealism, of which the New Deal administration prates so often and so loudly, were and are deliberately violated by this subsidy, dumping program.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield for a question.

Mr. SIMPSON of Pennsylvania. It is my understanding that under these reciprocal trade agreements into which we entered our great country agreed that we would not dump our goods and that we would not impose restrictions and limitations upon international trade. Does the gentleman say our country has nevertheless continued to restrict international trade?

Mr. REED of New York. Oh, yes.

Mr. SIMPSON of Pennsylvania. After these agreements were made?

Mr. REED of New York. Yes.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. EBERHARTER. The gentleman and I agree on many subjects. I am glad the gentleman is making his talk this afternoon. However, we disagree quite a bit on other subjects. I noticed the gentleman in his opening remarks made reference to New Deal treachery, swindlers, and double-dealing. I am just wondering if the gentleman means that Cordell Hull, Charles Taft, and Eric Johnston, and many other persons who stand very high in Republican circles and who believe firmly and wholeheartedly in this program and are advocating it today, are guilty of treachery and double-dealing in advocating this program.

Mr. REED of New York. I say that the program itself speaks for the character of the men. I am no respecter of persons when the vital interests of our country are endangered by them. I will handle some of the other types of men in the State Department before I complete my talk.

Mr. EBERHARTER. In other words, it is treacherous and double-dealing.

Mr. REED of New York. Yes, sir.

Mr. EBERHARTER. And swindling?

Mr. REED of New York. That and a great deal more. I am for this country first, last, and all the time and you can take any position you like.

Mr. KNUTSON. I think under the circumstances the gentleman from New York [Mr. REED] is very moderate in his language.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. Before the gentleman got into his colloquy with the gentleman from Pennsylvania [Mr. EBERHARTER] he was discussing dumping. I would like to know if the gentleman knows this fact, that in 1946 we imported into this country a greater amount of imports than in any other year in the history of the Republic, and that December, the last month of 1946, was the heaviest month of importations in the history of the Republic?

Mr. REED of New York. I thank the gentleman for his contribution.

This very month it was announced that the Department of Agriculture offered surplus potatoes for commercial export at a price of 5 cents a hundred pounds.

It grieves me, and it should cause the American voter a great deal of consternation to know, that our great Nation finds itself with a reputation for not letting the right hand know what the left hand is doing. Yet we cannot penalize our farmers for doing a good job.

There is no need to drive any agricultural industry of any foreign country to the wall by our sharp practices. We can handle our surpluses at home, and I do not mean by the easy way of shooting innocent little pigs who could not help being born, or by destroying millions of dollars' worth of potatoes or grain. If our Department of State was at all mindful of the welfare of American farmers they would use a small portion of the millions they have wasted in a futile attempt to capture foreign markets at the expense of their own home industries on ways of increasing domestic use of surplus commodities.

It is a curious thing that the agricultural products that are so sought after, so vital in time of war or famine, are the ones that are surplus in more fortunate times. When a farmer sows his wheat he hopes for a bumper crop, he looks for an average one, he fears a small one, and thanks God for what he gets. There is no possible way of producing just enough. Until we find ways of leveling out the fat and the lean years we shall have surpluses, and the food producers of our country, or of any other country, should not be punished for trying to raise good crops. Would it not be wise to devote a little less time to international meddling and a lot more to a scientific study of our home problems.

For example: Some of our free-trade friends made rash promises abroad about dismantling our synthetic rubber plants and have apparently never dreamed of using surplus crops to make the rubber that we dare not be without again. We have hundreds of millions of dollars invested in synthetic rubber plants, some designed to use alcohol, some for petroleum. If the Government, which now operates those plants, used grain, or even potatoes, to make alcohol for those plants we would be making use of the bounties of nature and not destroying them or dumping them on foreign markets. With grain at 25 to 35 cents a bushel, rubber can be made as cheaply as from petroleum, and if we must do that rather than destroy the grain or dump it on foreign markets at the expense of the good will of foreign countries, then why not try it out? We could do a lot of things if we paid a little attention to tidying up our own house before we begin telling other nations how the world should be run.

I am not surprised that our laboring men as well as our farmers are beginning to realize the danger that confronts them under the trade-agreement program. The friends of labor have striven for many years to build up sound immigrations laws, which of course are being undermined by the lowering of the duties on products made by cheap labor abroad. There is no surer way of destroying the pay rolls of this country than to transfer them to other countries under a low tariff policy. Is it wise for the United States to continue a policy that will ultimately weaken the social protection and security programs built up by the National Government and States for the promotion of production and security of the great mass of individuals privately employed? I do not want to see the United States continue an international trade policy under the trade-agreements program that will nullify our anti-child-labor legislation, the laws eliminating sweatshops, laws prescribing sanitary and health conditions, both in places of employment and in residential districts. I know that it is an unwise public policy to throw those who labor on farms and in factories in competition in our market with the people of those areas abroad where conditions are so bad as a result of poor sanitary conditions and disease that the average span of life is 25 to 30 years. This, however, is what the men now supporting the trade-agreement program would have us do.

A glance at the record of statutory enactments during the last half century and longer will show that the people of the United States, under a system of representative republican States and national governments have been aware of the importance of protecting all individuals, producers, consumers, and all special groups against any and all forms of unfair public practices. One of the purposes of the Federal Trade Commission is to provide for legal action in the courts of the land to protect our people from such unfair trade practices. Why destroy all of this security by opening our market to foreign producers who are not required to meet the standards we require of our producers? I maintain that it is just as essential to protect our people from the unfair practices of foreign governments as it is to protect them from the unfair practices of domestic concerns.

I believe our people are fully aware that a multitude of different forms of unfair methods of competition, such as dumping, quotas, licenses, and many foreign discriminations, were introduced or resulted from the so-called reciprocal trade agreements entered into by the United States with foreign countries and between foreign countries.

The thought never entered the minds of the trade-agreement negotiators of our State Department as to the importance of the child labor laws, minimum hours of labor for adults, comparable to ours in countries competing in our market. I had always supposed that social legislation had a tendency to increase the price of our manufactured product, and therefore placed in a position of disadvantage the home industry subjected to such laws unless similar laws were in force in all competing countries, but the trade-agreement experts disagree. It would be interesting to know how many nations with which we have trade agreements have minimum hours of labor comparable to ours.

Do the nations with whom we have trade agreements have to meet our standards affecting health and safety, such as sanitation, lighting, safeguards from dangerous machinery and chemicals, compensation for injuries sustained while at work, insurance of health, insurance against unemployment, pensions or insurance against old age, extra pay for night work, special provisions prohibiting limiting or regulating child labor, and special laws to protect working women? Laws and regulations such as those I have enumerated enter into the cost of production in the United States. I know of no other nation with comparable requirements. These wholesome laws will have little effect in protecting our labor standards if importing nations can ignore them.

I am firmly convinced that, instead of the vast maze of confusing schemes to dominate or to overplay our part of leader throughout the world, it would be a much wiser policy for commercial economic treaties to include all such reciprocal concessions as may meet the judgment of the legislative branches of the different countries in which the people make their own policies.

The Congress of the United States should express the mature judgment of the people.

We have had much talk during the last decade or more about tariff rates under the act of 1930. Yet, twice as many items or commodities were placed upon the free list as were made subject to duty. One more reduction, such as is contemplated, and this with the action planned at Geneva in April, will bring free trade to the United States. It has been well demonstrated that unless the cost of production here and abroad of articles entering our market is taken into consideration and adequate protection provided for our producers against low production costs abroad there will be a steady decline in the production of those articles here.

I claim it is folly to ignore the items of cost that enter into our production in this country as against the cost of production of competitive articles abroad.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield for a question?

Mr. REED of New York. I yield.

Mr. JENKINS of Ohio. Is not the real basic foundation of all these trade agreements the fact that the difference ought to be measured by the difference between the cost of labor in one country and that in the other?

Mr. REED of New York. Yes; and the landed cost as well.

For instance, postal service here is operating at a deficit, an item which enters into the cost of production. The same is true of good roads, education, health, and sanitation and a host of other expenses which other countries do not have to meet at the same high level of cost as we do here.

Is it to the interest of our Republic to entrust the State Department, in view of its infiltration by Communists, with negotiations relating to our trade with 18 foreign nations?

I believe in the sanctity of our constitutional principles in the conduct of both our domestic and our foreign relations. I did not come here as a horse trader, but as a legislator sworn to preserve, protect, and defend our Constitution. The jurisdiction of trade agreements relating to revenue is a subject of legislation that must originate in the House, unless and until what are now passed off as trade agreements are raised to the dignity of treaties.

If it is to our benefit to lower a tariff rate here or there, and if it can be shown that it would really benefit us, and that such reduction would in no way injure domestic producers or interfere with the American right of free enterprise, then let Republicans and Democrats alike

combine to reduce that rate. Let it be done in good order and with dignity, with all the facts on the table. If flexible tariffs are required, then let them be adjusted by experts and after a full and proper investigation. This petty bargaining by men who know nothing of commodities and too much of secret diplomatic horse trading cannot possibly result in anything but the creation of world-wide barriers erected solely or largely for the purpose of betting them against those of other countries.

Can it be to the interest of our Republic to entrust the future of hundreds of domestic industries, many of them founded in blood and sweat, to a handful of Communist-minded self-admitted internationalists? Surely it has become evident by this time that the farther this country departs from our traditional foreign policy of nonintervention in the political affairs of other countries, the greater will be the cost in lives, industry, and prestige.

Many of the 18 foreign nations at the proposed meeting in Geneva will represent ideologies in utter conflict with the philosophy of our Republic. Is it this fact that has finally caused the Chief Executive to finally awaken to the fact that all the trade agreements entered into, except one, contained no safety provision to prevent the wiping out of a vital domestic industry? He has said that anyone who thinks he has the power to limit or stop imports that may be destroying an American industry and putting American labor out of work is "laboring under a fundamental misapprehension." To paraphrase, "Your cause may be just, but I can do nothing for you." And all this time vital information concerning our trade-agreement program is kept from the public, which is being propagandized and misled, while the information it cannot get is handed out to foreign nations.

I claim for myself and for the people of this great country the right to vote on such a vital issue as whether we shall have absolutely free trade, the obvious object of this whole program. So obvious, in fact, that they flaunt it in our faces. I quote the exact words of one of the panel members hearing testimony for the Committee for Reciprocity Information. Discussing the present program, he said:

> The answer in the ultimate would be no tariffs at all, complete freedom from controls. It is just one part of a whole pattern and working toward trade freedom and free enterprise in trade.

Gentlemen I warn you as I have done before, that the industries of this country are hanging by a thread, and that thread is being frayed more and more as these trade agreements are forced upon us and upon other nations by a group which admittedly would sacrifice the sanctity of the American way of life for a mess of foreign-brewed pottage.

I want to call your attention to another very vital proposition now before this country. In my comments about copper shipped to Japan, at a time when we should have had all of those resources here to build up for the war that was coming, there were sent out of this country over 358,623 tons of copper. Now, let us see how these silly, stupid theorists and Communists down in the State Department acted, urging exports to build up a fake program, and what that has done to our country at the present time. When I mention that amount of copper I am not mentioning the amount that was shipped to Germany, and I traveled abroad on a ship that was loaded as heavily as they could load it with copper for Germany 6 weeks before the war. Then there was what we sent to Italy, but that which was sunk at sea, has not been mentioned.

You members of the Ways and Means Committee will recall when we wanted to get ready for war we were stripped of all these essential war materials. Take scrap iron alone. The State Department came before our committee and wanted us to remove the tariffs so they could send junk dealers down to Central America, down into the Caribbean Sea area and into South America to tear up old sugar mills, abandoned sugar mills, and other steel scrap to be shipped here so that we could begin to really prepare for our own entrance into the war that we saw coming.

Now in regard to the copper. Copper is out of the country. You will recall that the school children of this country were required to contribute copper pennies for war purposes. The people are still flooded with iron pennies because the copper had been exported to our enemies. Today, according to all the reports that are pouring in from industries, as the Members of the House know, copper is reduced to the vanishing point. Every industry of consequence in this country will soon be slowed down for want of copper. Some are slowing down now. Now, we have to get away from this group down in the State Department who have done such a disservice to our country. We would not have been short; we would have had enough to take care of ourselves and our allies and still enough to run our factories at full employment for many months hence if they had not ignored the vital interests of our country. Our automobile concerns and others are desperately short of copper. They are not in shape to go ahead without copper. This Congress, if it has the vision, which I believe it has, will have to come to the relief of industry and labor. A supply of copper will have to be found or our country will take a nose dive. There is no bureaucrat wise enough to meet the problems of the Nation. He may have the highest degree in his college, a Phi Beta Kappa key, or what not; yet when he comes out of college and goes to the Bureau, perhaps saturated with communism, and starts to formulate the industrial policy, the economic policy of this country, and also attempts to run our foreign affairs, the ultimate result is too dangerous to contemplate.

Copper is holding up the housing for our veterans. We all know now, of course, that the housing program that was brought in here and passed has been a failure. But even so, neither free enterprise nor the Government has copper. Pipes and plumbing and the various articles which are needed are not available. We are paying the price of bureaucratic bungling and we are bound to pay a price and a serious price which is now endangering and will continue to endanger our Nation. Time and again the businessmen have come here, like the people who need copper, for relief only to find shortages from bureaucratic ineptitude. Congress can hear the evidence and act for our citizens, but for them to seek relief from bureaucracy is fatal to their business. But what do they do behind the iron curtain down at the State Department? The time has come when we should speak for the sovereign people who, in the aggregate, know what is best for this country.

The SPEAKER. The time of the gentleman from New York has expired.

Under previous order the gentleman from Illinois [Mr. VURSELL] is recognized for 30 minutes.

BONUS FUNDS FOR UNRRA

Mr. VURSELL. Mr. Speaker, Wednesday of last week I took the time of the House to give a brief picture of the operations of the UNRRA organization and to speak of the great contribution the United States had made in billions of dollars in an attempt to bring food, medicine, and relief, particularly to the people in Europe and China affected by the devastation of the recent World War. I also listed some of our major financial commitments through the Export-Import Bank to such nations for rehabilitation and reconstruction. I believe the facts I gave establish, beyond a doubt, that the American Government has carried too great a load, that the work of the UNRRA organization has shown gross incompetence, and that the United States Government has not even received the credit due it from other nations for the food and relief we have extended. Due to the bad administration of UNRRA, in fact the people of other nations, in many instances, give credit for this food and help to other nations and not to the United States.

I demanded in this speech that whatever relief this Nation extends to foreign countries after July 1, when UNRRA closes shop, be handled by our Government only as to allocation and distribution to such foreign countries. I also urged that the $350,000,000 requested by the President in his budget for further relief after July 1, be looked into carefully by the Appropriations Committee in an effort to see if it would not be possible to greatly reduce this amount.

I am glad to note that the President within the past 2 days has also taken the position that such relief in the future should be handled by the United States Government separate and apart from other nations. I hope now that he will go a step further, and I know Congress will approve this position, and urge that any relief distribution in foreign countries furnished by the United States shall be supervised solely by American citizens. I should like to go further and urge that in the occupied countries all civilian relief personnel be withdrawn and that the allocation and distribution and relief in occupied countries be handled solely by our army of occupation. This should result in bringing home the civilian reliefers who have done a bad job of it to

date and will affect a reduction of overseas civilian Federal pay rolls, with a large saving to the American taxpayers who are furnishing the relief.

Mr. Speaker, I want to support this request by reading a letter which will prove the wisdom of this proposal and which will prove how badly civilians have handled relief. I received this letter yesterday from the United Lithuanian Relief Fund of America, Inc., signed by the national president of that organization, Rev. Dr. Joseph B. Koncius. This organization has its headquarters at 19 West Forty-fourth Street, New York City. The content of this letter is important. This is a real relief organization of high standing. On its honorary committee are such eminent names as Hon. John W. McCormack, our United States Congressman, former majority leader of the House and now the Democratic whip; His Eminence Dennis Cardinal Dougherty, archbishop of Philadelphia; His Excellency Most Rev. Richard J. Cushing, archbishop of Boston; Hon. James A. Farley; Hon. Dwight H. Green, Governor of Illinois; William Green, president of American Federation of Labor; United States Senator Edward Martin, former Governor of Pennsylvania, and others. The letter is as follows:

FEBRUARY 24, 1947.

Hon. CHARLES W. VURSELL,
Member of Congress,
The House of Representatives,
Washington, D. C.

HONORABLE SIR: I read with great interest your comments on UNRRA made in Congress and reported in the New York Sun of February 20.

Your observations and findings, as embodied in your eight questions, are very interesting and I hope that our Government will investigate your charges.

From January to October 1946, I made a wide tour of Lithuanian displaced persons' camps in Germany, Austria, Italy, and other western European countries. During that tour I had contacts with UNRRA officials, especially in Munich, in the United States zone of Germany, and in Rome, Italy. In both places and elsewhere I found that many UNRRA officials were not so much interested in doing humanitarian work as they were in spreading propaganda unfriendly to our democratic ideals.

About 80 percent of UNRRA employees in the United States zone of Germany were not American citizens, while, at the same time, our taxpayers were defraying about 80 percent of UNRRA expenses. Many honest and sincere humanitarian social workers among the UNRRA officials were idle, sitting around without assignment and drawing salaries.

For instance, Mr. R. H. A. Dales, an honest Hollander, from 12 Regenesselaan, Apeldoorn, Holland, stayed in Munich for over a month without an assignment, became thoroughly disappointed and dissatisfied with the UNRRA administration and system.

It is my sincere opinion that no international organization, UNRRA or IRO, can properly administer the care of displaced persons or refugees. The administration of relief should be delegated to the military authorities in each zone. International bodies only create confusion, unnecessary red tape, and cause conflict with the occupying military authorities.

Please accept my heartfelt congratulations for your humanitarian interest in suffering European people.

Respectfully yours,
Rev. Dr. JOSEPH B. KONCIUS,
National President.

Mr. Speaker, this is a true and astounding indictment of the utter failure of UNRRA, when he says he found that many UNRRA officials in Italy, Munich, and other places were less interested in doing humanitarian work than they were in spreading propaganda unfriendly to our democratic ideals and our Nation. We can better understand the great mistake we have made in ever joining the UNRRA organization and some of the reasons why the expansion of communism is on the march, enveloping the continent of Europe.

From the earliest inception of UNRRA I opposed placing $2,700,000,000 in the hands of the international organization, because I feared the management of this organization, by its great majority, would control it so that our Government would not be given due credit for our great humanitarian efforts by the people we sought to help. We, more than any other nation, helped to liberate these people, and we gave them 72 percent of all the relief they got, but we helped to make it less possible to build a lasting peace, because we lost, to a large extent, the appreciation and thanks of those people in those countries and others who took the advantage of our generosity. We immeasurably weakened our power in the peace councils in Europe.

Mr. Speaker, today I want to shed some further light on the maladministration and waste of the UNRRA organization. Because of the Immunity Act passed which prevents any committee of Congress from making an investigation of UNRRA, it is difficult to get the facts; however, I have been able to secure some authentic information even though the money has been wasted. My purpose in bringing these facts to the Congress and the Nation is, if possible, to prevent the present UNRRA crowd from moving in when UNRRA closes shop and taking over the direction of procurement, allocation, and distribution of any of the $350,000,000 the President has requested for further relief to countries not now under military occupation. You know the practice has been that when one organization folds up most of the high-salaried employees with influence are transferred to some other governmental agency. I hope that in any new set-up none of the present officials and employees of UNRRA will be employed in any newly constituted relief organization. Their failure of the past should, it would seem, prevent them from further failures in the future as relief employees.

Mr. Speaker, I want to show how well the UNRRA organization has taken care of themselves in salaries and bonuses during their administration. This group coming from many nations have the power, by majority vote, to lay down the rules and regulations. They have the power to raise their salaries and vote bonuses and they have done it. Since UNRRA was organized they have given themselves a bonus of 7½ percent raise in salaries from what they call or term the "provident funds." All employees, consiting of thousands in this UNRRA set-up, got this 7½ percent from the provident fund annually in addition to their salaries, from the lowest-paid employee to the highest.

Mr. Speaker, in addition to this gratuity, the Council of UNRRA, around August of 1946, voted to give every employee who was dismissed at the end of the year, December 31, 1946, an additional 2 months' base pay. That means that an employee drawing $550 a month received an increase out of this 7½ percent provident fund of $536.25 plus a 2 months' bonus when he retired of $1,100, making a yearly increase for the employee of an additional $635 added to his yearly salary of $7,150, which, in fact, made his salary $8,758.

Mr. Speaker, that is not all. They then decided that all employees who stayed on the job after January 1947 to June 30, 1947, when UNRRA is supposed to close up, should be given a 20-percent additional bonus which will amount to an extra month's salary for those who stay on the job the last 6 months of UNRRA. These bonuses referred to exclude any employee working less than 6 months. And they went further by issuing a regulation that any employee after 6 months' service, upon the recommendation of his supervisor, will receive an increase in salary in the amount of $500 or more per year. If his supervisor is particularly interested in a particular person, and so recommends, he could have his salary increased by $2,000 a year. You can see that this discretion placed in the hands of the supervisors in UNRRA places them in a position to absolutely, in most cases, control the action and loyalty to them of their subordinates. Throughout civil service in our Nation no such discretion or power has ever been given to our own people, and no such power will probably ever be given. There are some 8,000 employees now in UNRRA. These bonuses, provident funds, and increases in salaries add up to a tremendous amount of money—yes, a tremendous waste of the taxpayers' money, which, had they been invested in foods instead of such waste in salaries, would have brought relief to hundreds of thousands of starving people.

This Congress and the American people who pay the taxes have a right to deeply resent this diversion of their funds into high salaries and bonuses, which funds were voted by the Congress and paid by the people to relieve suffering and starving humanity in Europe and China.

As I suggested earlier, this organization has been granted immunity from investigation. No committee of the Congress has the power of subpena to bring them in before a committee for an investigation. I hope that some way can be found that at even this late date the entire work of the UNRRA organization can be brought to the attention of our Government and our people by a thorough investigation, if at all possible, by a congressional committee.

Mr. Speaker, UNRRA seems to think first that charity begins in UNRRA. While over 80 percent of the UNRRA organizaton are citizens of other countries, you can readily see that while we furnish 72 percent of the money, we are really in a world organization and do not have control. This is a good example of the danger of not safeguarding America's interest in such international combines.

Mr. Speaker, let me give you a specific example of how well the UNRRA officials have taken care of themselves financially. To do this we will take one of the officials, Mr. Karl Borders, of Chicago, one of our Americans and Director of Supplies.

His salary beginning July 1, 1944, and terminating July 1, 1947, fixed at $11,500 a year would render him an increase at 7½ percent for 3 years of $2,587.50 from what they term "a bonus from the provident fund."

But this is not all the bonus they provided for themselves. As I suggested before, he would be entitled to the extra 2 months' pay, which would give him roughly $2,000 more, added to the provident fund of $2,587.50, would increase his gratuity over and above his salary to the total sum of $5,587.50.

Mr. Speaker, and yet this is not all. In addition all employees are entitled to 30 days' leave with pay each year. Those employees who have not taken their 30 days will get an additional 1-month salary for each year of service. Assuming Mr. Borders has not taken his terminal leave, as an example, he would be entitled for 3 years' service to a further, let us call it, terminal pay of $3,000.

Mr. Speaker, I have now in my possession the final payment of salary and provident fund account of an employee which shows that he draws a bonus of $597.91, annual leave of $776.25, and from the provident fund $639.33, which, after taxes, comes to the net amount of $2,454.83.

Mr. Speaker, when you give a little group of men at the top the protection of immunity from investigation by the Congress, when you give them the opportunity without restraint to vote bonuses, establish provident funds, raise salaries without let or hindrance, you may be pretty certain that the horse will be taken from out the barn before the door is locked.

Is it any wonder that we are now appalled with the waste, extravagance, bad allocation and distribution, diversion of the purposes of UNRRA, and general maladministration?

Mr. Speaker, when you think about the missionary funds raised by the good people of our churches of all faiths in this country, and the thousands of courageous men and women who have left this blessed land of plenty to carry the gospel to foreign lands to administer to the sick, aid the poor, establish churches, hospitals, and schools, and perform untold deeds of mercy and brotherly love, then we realize how underpaid and unappreciated they are compared to the lavishly compensated employees of UNRRA whose love of humanity seems to take a second place to their love of the almighty dollar.

Mr. Speaker, after reading the Washington Post of this morning reporting some of the testimony of Under Secretary of State William L. Clayton yesterday before the House Foreign Affairs Committee, I am indeed fearful that the administration in its further relief will not set up an organization that will see to it that American relief is allocated, followed through and distributed to those for which it is intended. I am fearful that under the proposed set-up relief will continue to go to the satellite countries of Russia which in fact, in my opinion, should be stopped. Any relief going to these countries might about as well be shipped direct to Russia.

Mr. Speaker, I pointed out last week that the UNRRA organization had gone beyond the law providing for food, medicine, and immediate relief; that they have spent tremendous sums for reconstruction of other nations. Today I want to point out to this Congress and to those in charge of the Housing Administration who have talked so much about building homes for veterans, that 18 $20,000 apiece concrete-mixing machines made by the Besser Manufacturing Co. of Alpena, Mich., have been bought through UNRRA, part of them have been shipped, and part of them are yet to be shipped, to the European countries, part or all of them going to satellite nations dominated by Russia.

While veterans have implored me for my assistance in trying to procure concrete-mixing machines, and other people have done likewise in the construction business, now we find that with this terrible shortage of construction equipment in America that $360,000 worth of these machines have been built, earmarked, and shipped, or are awaiting shipment, to European countries as above designated, bought by UNRRA with the taxpayers' money and being shipped almost 2 years after VJ-day. This is only one of many instances that have been occurring, and I think it ought to be stopped now.

You would have thought that the furor and objections to shipping the ice-making machines from Evansville, Ind., last summer would have deterred this later shipping of scarce concrete-mixing machines to foreign countries.

Mr. BUSBEY. Mr. Speaker, will the gentleman yield?

Mr. VURSELL. I am glad to yield the able gentleman from Illinois.

Mr. BUSBEY. I think the gentleman from Illinois is to be complimented for bringing this to the attention of the Members of Congress, as well as to the attention of the country at large. I am just a little bit puzzled as to who has the authority to set up these bonuses and these bonuses on top of bonuses.

Mr. VURSELL. This UNRRA organization of the several countries, in which the United States has only one vote, simply vote themselves these gratuities. They are immune from any investigation or subpenas from any congressional committee. Congress has nothing to do with it, and the American people have no control over it. All the American people do is to put up the $2,750,000,000, and UNRRA takes care of themselves first, and the poor starving people for whom the money is appropriated through the efforts of the taxpayers take what they can get of what is left.

Mr. BUSBEY In view of the facts that the gentleman has brought to our attention this afternoon, I am happier than ever that I did not vote for UNRRA in the first place.

Mr. VURSELL. I, too, opposed UNRRA because I was afraid of this very thing happening. You can imagine the tremendous amount involved in these bonuses and this wild and reckless raising of salaries, and you can imagine the hundreds of thousands of dollars that will not go to the people to whom we are trying to bring relief. Hundreds of thousands of hungry and starving people have been cheated by the profligate waste of the organization of UNRRA, taking away from the people of the world the needed relief.

Mr. GEARHART. Mr. Speaker, will the gentleman yield?

Mr. VURSELL. I shall be glad to yield to the gentleman from California.

Mr. GEARHART. I am very grateful for having had an opportunity to hear the gentleman's remarks. I think we owe the gentleman a debt of gratitude for revealing the things he has just called to our attention. Like the gentleman from Illinois [Mr. BUSBEY], I am reassured and very proud to declare at this time that I also voted against UNRRA because I, too, feared the occurrence of the very things which the gentleman has pointed out have happened.

Mr. VURSELL. I might go just one step farther and say that the waste is still going on. I made two or three telephone calls into Michigan and made considerable research to find out whether or not it was a fact that they have shipped and are shipping scarce concrete-mixing machines to the satellite nations of Russia to the extent of $360,000 of UNRRA's money and I find that is correct. I also have a picture which was sent to me of those 18 machines, most of them shipped and the others to be shipped, costing $20,000 each, when the Housing Administration is talking about the shortage of houses for veterans, and when veterans are asking Members of Congress to try to help them get concrete-mixing machines in their own business to help them, still this is going on through the maladministration of UNRRA and diversion and violation of the law written by Congress, giving away the substance of our country.

Mr. BUSBEY. Mr. Speaker, will the gentleman yield?

Mr. VURSELL. I yield.

Mr. BUSBEY. The gentleman from Illinois may recall that when UNRRA was before us I offered an amendment to the bill, which, in effect, was a substitute bill, that provided that the money to be appropriated for the relief of these downtrodden people should be spent under the American Red Cross and the jurisdiction of the International Red Cross. Does not the gentleman believe that if my amendment had been adopted we would not be faced with all this scandal and our money being used to propagandise against us by the Soviet Union?

Mr. VURSELL. There is no question about it whatsoever. It is true, we are locking the barn after the horse has been stolen, but I want to bring these facts to the attention of the press and the country and the Members of the Congress. I hope that before we vote for this $350,000,000, or any part of it which the President has asked for, the Committee on Appropriations will go into it most carefully in an effort to reduce it. Then I hope we can tie it up in some way so that it will be allocated and distributed

by Americans so that they who receive it will know it is the gratuity of this country. I hope, with little faith, that if a new organization is set up, the President will ban any of our American citizens in UNRRA, who have made such a farce of this matter, from becoming a part of this organization, because I know they are now expecting to move in on this new $350,000,000 and continue the record they have established.

EXTENSION OF REMARKS

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by Vernon McKay, which appeared in the Foreign Policy Bulletin of February 14, 1947, entitled "Palestine Crisis Calls for United States Action," and an article by Julian Louis Meltzer, which appeared in the magazine section of the New York Times on Sunday, February 16, 1947, entitled "Formula for Troubled Palestine." This may exceed the permissible limit established by the Joint Committee on Printing, but notwithstanding the excess I ask unanimous consent that the extension may be made.

The SPEAKER. Notwithstanding the excess, without objection the extension may be made.

There was no objection.

SPECIAL ORDER GRANTED

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes on Tuesday, March 4, after the legislative business of the day and any special orders heretofore entered for that day.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER. Under the previous order of the House, the gentleman from Texas [Mr. BURLESON] is recognized for 10 minutes.

REVISION OF COURT-MARTIAL PROCEDURE

Mr. BURLESON. Mr. Speaker, I call attention to H. R. 2143 which I introduced on the 21st of this month. This bill proposes to amend the Articles of War and the Articles for the Government of the Navy relative to court-martial proceedings. You who have served in the armed forces in either World War I or II and have ever had any occasion to learn anything of our court-martial system will, perhaps, agree with me that the boy charged with an offense in service does not have the same rights to defend himself as is afforded the most hardened and habitual criminal in the jurisdiction of most of our State courts. You know, too, that by the loose and wide latitude given under the Articles of War and under the naval courts and boards, a convening authority or a commanding officer can become a virtual dictator. My observation from experience has been that such practices were more prevalent overseas, but perhaps more limited in the States.

Now it is not my intent to propose technical limitations as we find in the jurisdiction of our civil courts. It is a matter of determining the saturation point whereby common sense and discretion can be exercised without binding procedures in technicalities.

You know, of course, from the press and otherwise that the Army has proposed certain changes in the court-martial system and—as I understand it—some of these changes not requiring congressional action have been approved by the Secretary of War. It is my further understanding that the proposed changes requiring legislation are to be submitted to this Congress. Also, you are aware that the VFW has a committee on military justice which, I understand, will make its recommendations for certain changes.

Let me say here that the bill I have introduced is far from perfect, but it specifically provides for some fundamental changes which I believe to be essential to justice in court-martial proceedings. H. R. 2143 provides that a majority of enlisted men shall sit in cases where the accused is an enlisted man, and a majority of officers shall sit in cases where an officer is the accused. It provides that the accused shall not be called upon for or permitted to make a written statement unless he is first definitely warned that if he makes any statement it may be used in evidence against him in the trial for the offense of which he is accused. Further, my bill provides that within 3 days after the accused is arrested or confined, he shall be furnished a true copy of such charges and specifications, and that he shall forthwith have a hearing. However, the accused shall not be forced into the trial of his case within a period of 5 days subsequent to the service of charges, in order that he may prepare for trial.

H. R. 2143 proposes that each side, that is, the judge advocate and the accused or his counsel, shall be privileged to examine any member under oath as to his competency as a member of the court-martial board, and to place challenges for fitness against such member. Now you can imagine the position of an enlisted man who goes before a general court-martial board composed of officers—as is the present provision—to challenge a member as being incompetent to serve in the trial of his case, due to any prejudice or knowledge of purported facts. You know and I know that such an enlisted man would prejudice his position, and probably convict himself before the trial had ever started. Even if it were known that a member of a court-martial board had previously made up his mind from hearsay that the accused was guilty, in how many instances do you think an enlisted man would exercise the present flimsy and weak provision of challenge to the officer member? We know that the judge advocate, under the weak provision now in force, theoretically is supposed to see that the accused has fairness. However, in most instances the judge advocate is a junior officer, and he is not too willing nor ready to challenge a senior member of a court-martial board who may be—and usually is—there to convict the accused. Therefore, I maintain there should be a positive provision that each member of a court-martial board should be examined separately as to his fitness to serve impartially and without restraint and reservation in dealing with the life and liberty of one brought before the board charged with crime.

The bill provides that the president of the court shall state the proposition to all members of the court that:

First. The law presumes every person to be innocent of any violation of these articles until his guilt has been established by legal and competent evidence, and until it has been so established the accused is presumed innocent.

Second. After all testimony and evidence has been adduced in open court, if there is a reasonable doubt in the minds of the members of the court as to the guilt or innocence of the accused, the doubt must be resolved in favor of the accused and he must be acquitted.

Third. If there is a reasonable doubt as to the degree of guilt, the conclusion must be resolved in favor of the accused and the finding must be in a lower degree as to which there is no doubt.

Fourth. In making any finding, the court must strictly observe the rule that it must reach its conclusion solely from the evidence adduced.

Fifth. It is the individual responsibility of each member to exercise his duties as a member of the court in accordance with the foregoing rules of law.

H. R. 2143 further provides that the reviewing or confirming authority shall examine the entire proceedings to determine whether any error was committed which injuriously affected any substantial right of an accused. In any case where error was committed, the proceedings of the court shall be held invalid, and the findings disapproved in whole or in part, whichever may be necessary to protect the substantial rights of the accused. Any reasonable doubt as to whether an error has injuriously affected a substantial right of the accused shall be resolved in favor of the accused.

These are some of the high lights in H. R. 2143, and again I emphasize that it is not a cure-all bill by any means, and that improvement can be made. For instance, I believe it would be a good thing to permit the accused through his counsel to make exceptions to the rulings of the court, and to state those objections as a part of the record setting out reasons for so doing with the view of bringing the matter to the attention of the reviewing authority as is done in appeals in our civil courts. I have not incorporated such provision in my bill because it does become technically involved depending upon the extent to which it may be allowed. But as a matter of record, I call this to the attention of the Armed Services Committee for study by their legal counsel. I might go even further and say that it might not be a bad idea to have a supreme reviewing board in Washington to review such cases as may be finally submitted to them in the form of an appeal on merits.

Now I am not a criminal lawyer, never was, and never intended to be. But I do know that a great many of you in this House are aware that wide abuses have existed under our present, antiquated system of court martial. I judge that in many cases—and in all cases which I

happen to know anything about—the accused does not have the same privilege of defending himself before a jury of his peers as is accorded the criminals in our civil courts. I am constrained to tell you of one situation that I experienced on Okinawa. I doubt that it is radically different from many others, except no other place could have had an officer in command of the receiving station who had a greater disregard or who could have been more grossly incompetent than the one at that place. I want to call his name and have it printed in this RECORD because I have silently promised myself and the thousands of men who came under his command that some day I would try to do something about it.

I hope that I may be pardoned for this personal reference and experience; but something like 30 days after hostilities had ended in the Pacific, my job being more or less at an end, I began defending boys charged with offenses before the general court-martial board on Okinawa. I did so at the insistence of a chaplain friend of mine who told me of the existing situation and prevailed upon me as a matter of moral duty to try to do something about it. I am not a martyr to causes, and am even inclined to distrust martyrs. But be that as it may, I did find a number of boys being held in a bullpen—you know what that is: a wire stockade with no protection from the elements at all—living in mud and filth worse than a pigpen. Some of them had been there for days without any formal charges placed against them. Inquiry among officers revealed that this commanding officer, Commander Howard W. Neely, was instructing prospective members of the court-martial board—before he appointed them to that duty—as to the sentence to be imposed on certain of the accused. It would be comparable for a judge in our civilian courts to say to a prospective juror, "You will be accepted on this jury if you are willing to impose a sentence of 5 years, or 10, or 20, or even death, upon this defendant, or accused."

In defending these boys, I argued from the standpoint of the criminal law, which I once knew something about as a State's attorney in Texas. I freely admit I used every trick of the trade, took every advantage, and used the truth loosely in my effort to defend them. The president of the general court-martial board a great part of the time was a sympathetic gentleman from Orlando, Fla., who had served as a district or circuit judge in that State, and who was understanding of the situation. He was liberal enough to afford advantages resulting in the acquittal of a number of boys—a thing unheard of until that time. I never had an understanding with that officer, but he was a kindly man, and rendered a real service in an almost intolerable situation.

Some of you may have observed or experienced the position of the officer who volunteers, or who is appointed to defend those accused of crime before a general court-martial board. In too many instances their duty is imposed upon them and either they do not realize their moral responsibility as an attorney, or else they are aware that they may become unpopular with the convening authority if too great an effort is made to defend the accused. I know, of course, that the recorder or Judge Advocate is supposed in such cases to see that the accused is given a fair trial, and that even though he may have no defense counsel at all, it is the duty under existing procedures that the accused's side of the matter shall be presented. But the Judge Advocate is fundamentally a prosecutor, who is usually more conscious of his duty to have imposed a conviction and a sentence, than he is to find in favor of the accused. Therefore, he cannot be one and the same. Though my bill does not so provide, consideration should be given to afford a counsel for an accused who is qualified, and who may conduct the defense free from the influence of the reviewing authority or immediate superior officers.

We must realize that all these items are fundamental. They are principles dealing with the liberty and in some instances the very lives of those involved. While a lot of people are crying their eyes out about the infractions of rights and liberties of our civilian population, these practices have gone on for years in the Army and Navy. It seems to me that while West Point and Annapolis are giving so much time to the high training of men to conduct war, they might be a little more practical and teach the men how to exercise more common sense in matters such as I have mentioned. And I might add as a purely collateral matter that the authorities might call attention at some convenient time in the educational processes, that the dollars which support the Army and Navy—which, in turn, of course, support the national defense of the country—come out of the pockets of the taxpayers. Though it is a seemingly inexhaustible source, the American taxpayer does not think so, as he will be well reminded the middle of next month.

I hope that every Member of this House will find the interest and time to give some thought to these matters. I hope you may find an interest in reading the bill which I have introduced and to study proposals made by the Army and Navy if, as, and when they are presented. As I said in the beginning, I know nothing of their intents other than what I read in the press, but if that is all there is to it, it involves about as many generalities as was contained in the Doolittle report, which did not go into the fundamentals at all. It only touched on those matters which were commonly known to the public, and which appeared at the time to be most popular. We probably never will be able to eliminate such men as Commander Howard W. Neely whom I have mentioned, but we should remove from the hands of such unscrupulous men the dictatorial powers which he and his kind administered overseas when they thought they could get by with it. Incidentally, I want to say here that I am not vindictive, nor did this Commander Neely ever do me a personal injury. In fact, I had no contact with him at all, and he was not my commanding officer. But I am not through with him yet. The record shows that by a board of inquiry he was recommended for a general court martial, and was relieved of his command. He was never tried for dereliction of duty, but instead, I understand, was promoted to rank of captain and is now up for retirement at 75 percent of his base pay as a captain. I expect to volunteer my opinion to the Navy Department on the subject.

There are some men who are just not big enough to be entrusted with authority, and it is better that they be in civilian life where—under the ordinary rule of conduct—they must earn their position and make their own way, and usually it is necessary for them to remain sober and at least fairly respectable.

I believe the changes proposed in H. R. 2143 will correct some of the present gross inequities, and I hope I may have your support in the passage of this bill.

The SPEAKER. Under previous order, the gentleman from Pennsylvania [Mr. EBERHARTER] is recognized for 10 minutes.

REPATRIATION OF DISPLACED PERSONS

Mr. EBERHARTER. Mr. Speaker, I cannot permit myself to remain quiet at this most critical period in the lives of literally hundreds of thousands of persons living in the displaced persons camps in Europe.

No one who has had an opportunity to visit the war-ravaged countries of Europe has been able to find words to adequately describe the misery and the hopelessness of these persons—and the saddest part of it all is that there does not seem any prospect of a betterment in the immediate future. This is particularly true with respect to that portion of the displaced persons population who are Jews.

Prejudice and hate of the Jews has reached such a degree in nearly every European country that the only possible solution seems to be the establishment of Palestine as a Jewish national home with the right of unlimited immigration to that area of all persons who are Jews, or at least those who are homeless in Europe.

I think, Mr. Speaker, I am only expressing here in Congress the general attitude of the American public at large and, indeed, liberal opinion throughout the world when I say that the only humane and decent solution to the tragic problem of these people—haunted by fear and hunger, sick, and minus clothing and shelter—is to immediately repatriate them.

This great land of ours, founded on principles of justice and freedom, has a great moral responsibility not only to raise its voice but to take the necessary steps in a solemn demand that the United Nations permit the immediate immigration into Palestine of these 100,000 humans seeking and urgently needing a haven of security.

During the past quarter of a century Jews all over the world have bent their energies toward the upbuilding of their homeland and poured in great resources of capital, labor, and scientific knowledge to increase the absorptive capacity of the country. These people have given the

world an example of cooperative endeavor which has aroused the admiration of men of all views and of all walks of life. Palestine has been transformed from a poverty-stricken, disease-ridden backwater of the Turkish Empire into the most advanced country in the Middle East. The country has facilities to accommodate these 100,000 Jews and their immigration would entail no cost whatever to any country or to world society.

The Jewish people have made unparalleled sacrifices on the altar of war and for the victory over the enemies of humanity.

No people have fought more valiantly and selflessly for the cause of freedom as have the Jewish people. No people have suffered so much by impoverishment, torture, and death as have the Jews. They deserve the reconstitution of Palestine as a free democratic Jewish commonwealth.

It is a matter of national pride that from the time of President Wilson, who played a creative role in obtaining the Balfour Declaration, every succeeding President has reiterated support for the Jewish national home.

Therefore, Mr. Speaker, I urge that no stone be left unturned by this Government to expedite the repatriation of those who are justly entitled to a haven in their historic and recognized homeland.

WAA MUST BE REORGANIZED AT ONCE

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, this past week my attention was called to two important problems of direct concern to the Nation's taxpayers arising from the administration of our War Assets Administration.

The first of these issues is represented by a pair of pajamas. I found these in one of the largest department stores in Cleveland where they were on sale, marked down from $2.95 to $2.39. What bothered me were the little labels inside the coat and pants of these very good pajamas. One said:

> Stadium Manufacturing Co., Inc., P. O. No. 6453, Dated November 17, 1944, Fed. Spec. No. 139–0, Medical Item No. 71640–10, Phila. Q. M. Depot.

The other said:

> Nite Kraft Corp. Pajama Pants Contract W 669–Q. M. 24232, December 14, 1942, Spec. No. DDD.P–76. Stock No. 71660–10. Phila. Q. M. Depot.

I wondered how these articles got into the hands of this department store and how much they cost the Government originally, and I had my office check. We discovered that these pajamas were bought by the Federal Government for $1.50; 75 cents for the coats and 75 cents for the bottoms. The War Assets Administration informed us that they were sold as surplus property in St. Louis to veterans at retail only and in Kansas City to Federal agencies and veterans. They were sold for $1.08 a set, and there were 100,000 pairs offered.

This means that Uncle Sam lost $42,000 on this transaction to start with. But the thing does not end there. I am informed by one of the largest wholesalers in this line that these pajamas could have brought $24 a dozen without the slightest difficulty. And I am also informed that our Treasury Procurement Department is buying the identical type of merchandise for our hospitals and prisons at prices from $1.75 to $2.25, in spite of the fact that WAA offered them for sale at $1.08. You can figure out the loss we are taking on this kind of transaction every day.

One department of our Government apparently does not know what the others are doing. Or if it does, there is something very peculiar about this whole business. Why does not the Procurement Office of the Treasury Department buy directly from the WAA? How did these pajamas get into the hands of a retail department store, where they were offered for sale at a price more than twice what they were advertised for by WAA? Who fixed the price of $1.08 for merchandise worth over $2?

And this is not all. Within the past few days I received a letter from a man who is still an employee of the War Assets Administration. He says:

> The feeling of most of the employees of this office, from the head of the department down to the typists, is "Nothing around here is important, so why should I knock myself out doing a job?"

This employee says that he overheard someone who was apparently head of the WAA department say, "The Government could give the stuff away and save money instead of letting the War Assets sell it."

Not only is nobody busy at WAA, but there is nobody who appears able to give out any authoritative information. Veterans get the run-around in their efforts to buy anything from typewriters to trucks. Merchandise in warehouses or in boxes is frequently uncataloged for months and buyers cannot find anybody who can tell them how much the goods will cost or even when they will become available for sale. The Republican Party prides itself on efficiency. Let us start by cleaning out this mess in the War Assets Administration. There is no reason for our taxpayers to continue paying big taxes when Uncle Sam simply squanders it foolishly. It is costing more money to store our surpluses and to operate a sales force, to advertise the merchandise, than the property appears likely to bring. Certainly, if we lose money on every sale when we could do better by holding a public auction, it is time to clean house.

Mr. Speaker, I trust that the special committee headed by the gentleman from Oklahoma, Representative RIZLEY, the subcommittee of the Committee on Expenditures, will turn the searchlight on. At the present moment there are between seven and eight billion dollars' worth of surplus property under the jurisdiction of the War Assets Administration that has not even been cataloged. There are so many former Army officers being taken in as employees in this department who have no idea what the job is all about and who have had no experience or training for this work.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield.

Mr. EBERHARTER. The gentleman said something which struck me immediately when he said that there are so many Army officers in charge of the various branches of the War Assets Administration. Anybody who has been in the Army or anybody who has seen the buck-passing that always goes on in the Army and the lackadaisical manner in which they perform their duties when it comes to handling merchandise in the Quartermaster Department would come to the conclusion that perhaps if we cleaned up some of those officers, the retired Army officers or the ones who have not been active in the military, and put in some practical merchandisers, we might get some results.

Mr. BENDER. I think the gentleman has a good point, and I am entirely in accord with his views.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to my friend.

Mr. McCORMACK. I am curious to know how the department store got that set of pajamas.

Mr. BENDER. That is what I would want to know, and I hope this committee will make it its business to find out.

Mr. McCORMACK. Mr. Speaker, I hope the suit is large enough for my friend.

Mr. BENDER. This is marked "Medium size." I am sure the gentleman from Massachusetts, as well as the gentleman from Pennsylvania [Mr. EBERHARTER] might both get into them very easily.

Mr. McCORMACK. But my friend purchased them. Seriously, I was wondering if the gentleman made any inquiry as to how this department store got them when, as I understood, they were supposed to be sold to veterans for retail purposes.

Mr. BENDER. I think I know. We are going to ask the gentleman from Oklahoma [Mr. RIZLEY], to subpena some of these people before his committee.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for three additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. The committee can do a great deal of good. I supported it. The committee can do real constructive work. There is no question about that. But my curiosity was how that department store got this material when it was supposed to be sold to veterans. We know that by act passed by the Congress, in which we participated, veterans are given a preferential status in the purchase of surplus goods. I was wondering how it was. I assume these were sold to veterans. Of course, some veteran resold them in violation of the terms under which they were sold to them. Certainly, a matter like that ought to be prosecuted to the fullest ex-

tent to find out if the law is being violated by anyone who purchased them and the department store.

Mr. BENDER. I am in entire accord with the views expressed by the gentleman from Massachusetts. I am sure that this committee which has just been appointed and has been provided sufficient funds will delve into this matter. We will place all the facts before them. Obviously it is a violation.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield.

Mr. EBERHARTER. I wonder whether the Procurement Division of the Treasury Department gets notices from the War Assets Administration as to the various sales. I thought the WAA notified all Government departments on the matters they have for sale.

Mr. BENDER. Certainly the Procurement Division of the Treasury Department can read. I trust they receive these notices. Possibly they do not get all of them. When they need garments of this kind, the exact garment, I would say the first places they would look, under the law, would be the War Assets Administration, and determine if these garments were available.

Mr. EBERHARTER. I hope the special committee will look into that phase of it.

Mr. BENDER. I trust it will.

Mr. McCORMACK. Will the gentleman yield further?

Mr. BENDER. I yield.

Mr. McCORMACK. It is my recollection of the law that where any department has anything that is surplus it must notify every other agency of the Government to see whether they are interested in it before it can be declared surplus and sold by the War Assets Administration. That is my understanding. Has the gentleman any information as to that?

Mr. BENDER. That is the law. All of the facts have been checked thoroughly.

Mr. McCORMACK. I am not questioning that at all and the gentleman from Pennsylvania [Mr. EBERHARTER] is not. We are trying to have the record as complete as possible. I do know that Mr. Mack, who has been in the Federal service longer than I have been in Congress, is a very honorable man, as the gentleman well knows. It seems to me there is a law that other agencies are to be notified of surpluses by any agency having the surplus. The gentleman has called attention to something which ought to be looked into and all the facts ascertained, and let the chips fall where they may.

The SPEAKER. The time of the gentleman from Ohio [Mr. BENDER] has expired.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. GROSS, for February 27, to attend a funeral in his district.

To Mr. JUDD (at the request of Mr. MARTIN of Massachusetts), until Friday, February 28, on account of death in his family.

To Mr. DOMENGEAUX (at the request of Mr. HÉBERT), for an indefinite period, on account of death of father.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 568. An act to authorize the Secretary of Agriculture to cooperate with the Government of Mexico in the control and eradication of foot-and-mouth disease and rinderpest.

ADJOURNMENT

Mr. TALLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 44 minutes p. m.), the House adjourned until tomorrow, February 27, 1947, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON VETERANS' AFFAIRS

There will be an open meeting of the Committee on Veterans' Affairs at 10 a. m., on Thursday, February 27, 1947, on the subject, Subsistence Allowances.

COMMITTEE ON PUBLIC LANDS

The Irrigation and Reclamation Subcommittee of the Committee on Public Lands will meet at 10 a. m. on Thursday, February 27, in suite 1324, to consider House Joint Resolution 59, House Joint Resolution 117, and House Joint Resolution 61.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Full committee meeting 10 a. m., Thursday, February 27, 1947, committee room 213, House Office Building, to hear Civil Service Commission explanation of new civil-service rules and regulations authorized by the President February 24, 1947.

COMMITTEE ON EDUCATION AND LABOR

(Thursday, February 27, to Friday, February 28, 1947)

The Committee on Education and Labor will continue hearings on bills to amend, revise, repeal, or modify the National Labor Relations Act in the caucus room, third floor, Old House Office Building, at 10 a. m. each morning.

COMMITTEE ON FOREIGN AFFAIRS

The Committee on Foreign Affairs will meet at 10:30 a. m., Friday, February 28, 1947, to hear testimony of the Honorable Herbert Hoover on House Joint Resolution 134, providing for relief assistance to countries devastated by war. The meeting will be held in the Ways and Means Committee caucus room, first floor, New House Office Building.

COMMITTEE ON PUBLIC WORKS

The Subcommittee on Rivers and Harbors of the House Committee on Public Works will conduct a regular meeting in the committee room, 1304, New House Office Building, on Friday February 28, 1947, at 10 a. m.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., Thursday, February 27, 1947.

Business to be considered: Executive session. Conference with officials of the Interstate Commerce Commission and the Office of Defense Transportation pursuant to the Legislative Reorganization Act of 1946.

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., Friday, February 28, 1947.

Business to be considered: Executive session. Conference with officials of the Federal Trade Commission pursuant to the Legislative Reorganization Act of 1946.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., March 4 and 5, 1947.

Business to be considered: Public hearing for 2 days on H. R. 505, H. R. 601, and H. R. 1111, inflammable materials.

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., March 6 and 7, 1947.

Business to be considered: Public hearing for 2 days on H. R. 942, H. R. 1815, H. R. 1830, H. R. 1834, and H. R. 2027, National Science Foundation.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

395. A communication from the President of the United States, transmitting changes in the drafts of proposed provisions pertaining to existing appropriations of the Navy Department and Naval Establishment, in the form of amendments to his submission of January 24, 1947 (H. Docs. Nos. 66 and 147); to the Committee on Appropriations and ordered to be printed.

396. A letter from the Secretary, Federal Prison Industries, Inc., Department of Justice, transmitting the annual report of the Directors of the Federal Prison Industries, Inc., for the fiscal year 1946; to the Committee on the Judiciary.

397. A letter from the Secretary of War, transmitting a draft of a bill entitled "A bill to amend the act entitled 'An act authorizing the designation of Army mail clerks, and for other purposes,' approved August 21, 1941 (55 Stat. 656), and for other purposes"; to the Committee on Armed Services.

398. A letter from the Secretary of State, transmitting a draft of a proposed bill to amend the act of May 19, 1926 (44 Stat. 565), as amended by the acts of May 14, 1935 (49 Stat. 218), and of October 1, 1942 (56 Stat. 763), providing for the detail of United States military and naval missions to foreign governments; to the Committee on Armed Services.

399. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to amend section 12 of the Naval Aviation Cadet Act of 1942, as amended, so as to authorize lump-sum payments under the said act to the survivors of deceased officers without administration of estates; to the Committee on Armed Services.

400. A communication from the President of the United States, transmitting a draft of a proposed bill entitled "National Security Act of 1947" (H. Doc. No. 149); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

401. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend subsection (a) of section 23 and subsection (a) of section 40 of the District of Columbia Alcoholic Beverage Control Act, approved January 24, 1934, as amended; to the Committee on the District of Columbia.

402. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend an act entitled "An act to provide for the annual inspection of all vehicles in the District of Columbia," approved February 18, 1938; to the Committee on the District of Columbia.

403. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to provide revenue for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

404. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend the act entitled "An act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes," approved April 23, 1924; to the Committee on the District of Columbia.

405. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to provide additional revenue for the District of Columbia by imposing a tax on admissions paid in the District of Columbia; to the Committee on the District of Columbia.

406. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to provide additional revenue for the District of Columbia; to the Committee on the District of Columbia.

407. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to raise additional revenue for the government of the District of Columbia by levying a tax on the sale of cigarettes in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

408. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to provide additional revenue for the District of Columbia by imposing a tax on gas and electricity used in the District of Columbia and telephone service originating in the District of Columbia; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODWIN: Committee on the Judiciary. H. R. 2157. A bill to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes; without amendment (Rept. No. 71). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRADLEY of Michigan: Committee on Merchant Marine and Fisheries. House Joint Resolution 133. Joint resolution authorizing and directing the Commandant of the United States Coast Guard to waive compliance with the navigation and vessel-inspection laws relating to merchant-marine personnel; with amendments (Rept. No. 74). Referred to the Committee of the Whole House on the State of the Union.

Mr. HINSHAW: Committee on Interstate and Foreign Commerce. H. R. 2045. A bill to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of streptomycin, or any derivative thereof, and for other purposes; without amendment (Rept. No. 75). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLACKNEY: Committee on Armed Services. S. 276. An act to provide for payment and settlement of mileage and other travel-allowance accounts of military personnel; without amendment (Rept. No. 76). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 246. A bill to raise the ceilings on wages and allowances payable to veterans undergoing training on the job, and for other purposes; with amendments (Rept. No. 77). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANGELL:

H. R. 2219. A bill to provide for the joint return and taxation of the income of husband and wife; to the Committee on Ways and Means.

By Mr. HINSHAW:

H. R. 2220. A bill to establish a National Aviation Council for the purpose of unifying and clarifying national policies relating to aviation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PHILLIPS of California:

H. R. 2221. A bill to amend certain sections of Public Law 464, Seventy-seventh Congress, chapter 110, second session (S. 1630), to provide for the advancement on the retired list of certain officers of the United States Navy and Marine Corps; to the Committee on Armed Services.

By Mr. SHEPPARD:

H. R. 2222. A bill to amend certain sections of Public Law 464, Seventy-seventh Congress, chapter 110, second session (S. 1630), to provide for the advancement on the retired list of certain officers of the United States Navy and Marine Corps; to the Committee on Armed Services.

By Mr. BARTLETT:

H. R. 2223. A bill to amend section 5 (a) of the Farm Credit Act of August 19, 1937 (50 Stat. 703); to the Committee on Agriculture.

By Mr. HOEVEN:

H. R. 2224. A bill to provide that, to minimize the danger of loss of life in hotel fires, the Secretary of Commerce shall establish standards for the construction of hotels and the materials used therein, shall prepare proposals for laws and ordinances embodying such standards, shall issue certificates of compliance to hotels complying with such standards; to the Committee on Interstate and Foreign Commerce.

By Mr. WEST:

H. R. 2225. A bill authorizing the transfer to the United States Section, International Boundary and Water Commission, by the War Assets Administration of a portion of Fort McIntosh at Laredo, Tex., and certain personal property in connection therewith, without exchange of funds or reimbursement; to the Committee on Expenditures in the Executive Departments.

By Mr. BAKEWELL:

H. R. 2226. A bill to provide an equitable adjustment for retirement pay of naval and Marine Corps officers commissioned from the enlisted ranks; to the Committee on Armed Services.

By Mr. BUCK:

H. R. 2227. A bill to amend section 2002 (a) (1) and 2002 (a) (3) of the Internal Revenue Code (relating to taxes on tobacco and tobacco products); to the Committee on Ways and Means.

By Mr. LANE:

H. R. 2228. A bill to amend the Communications Act of 1934, with a view to preventing the use of broadcasting facilities for the dissemination of matter subversive to the American form of government; to the Committee on Interstate and Foreign Commerce.

By Mr. LYLE:

H. R. 2229. A bill to amend the act of June 25, 1938, relating to the appointment of postmasters under civil service; to the Committee on Post Office and Civil Service.

By Mr. PLUMLEY:

H. R. 2230. A bill to amend section 7 (a) of the Fair Labor Standards Act of 1938, as amended; to the Committee on Education and Labor.

By Mr. SHEPPARD:

H. R. 2231. A bill to provide for the payment by the United States of premiums on bonds given to the United States by persons employed in the field and departmental service of the Post Office Department; to the Committee on Post Office and Civil Service.

H. R. 2232. A bill to amend the act of May 24, 1928 (45 Stat. 724); to the Committee on Post Office and Civil Service.

By Mr. WOLCOTT:

H. R. 2233. A bill to amend the Federal Reserve Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. ANDREWS of New York:

H. R. 2234. A bill to provide leave of absence for officers and employees of the United States or of the District of Columbia who are members of the Enlisted Reserve Corps, and for other purposes; to the Committee on Armed Services.

By Mr. CARSON:

H. R. 2235. A bill to amend the Natural Gas Act approved June 21, 1938, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. FELLOWS (by request):

H. R. 2236. A bill to amend the Nationality Act of 1940, to preserve the nationality of naturalized veterans, their wives, minor children, and dependent parents; to the Committee on the Judiciary.

H. R. 2237. A bill to correct an error in section 342 (b) (8) of the Nationality Act of 1940, as amended; to the Committee on the Judiciary.

H. R. 2238. A bill to amend section 327 (h) of the Nationality Act of 1940; to the Committee on the Judiciary.

By Mr. SHAFER:

H. R. 2239. A bill to amend section 13 (a) of the Surplus Property Act of 1944, as amended; to the Committee on Expenditures in the Executive Departments.

By Mr. SMATHERS:

H. R. 2240. A bill to repeal the prohibition against the filling of a vacancy in the office of district judge for the northern and southern districts of Florida; to the Committee on the Judiciary.

By Mr. VINSON:

H. R. 2241. A bill to repeal existing provisions of law which authorize increases in pay for certain naval personnel assigned to submarine duty and for certain military, naval, and other personnel assigned to aviation duty, and for other purposes; to the Committee on Armed Services.

By Mr. WILLIAMS:

H. R. 2242. A bill to provide for determination through judicial proceedings of claims for compensation on account of disability or death resulting from disease or injury incurred or aggravated in line of duty while serving in the active military or naval service, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PRICE of Florida:

H. R. 2243. A bill to repeal the prohibition against the filling of a vacancy in the office of district judge for the northern and southern districts of Florida; to the Committee on the Judiciary.

By Mr. HARLESS of Arizona:

H. R. 2244. A bill providing for the erection at the seat of the United Nations of a monument symbolizing peace; to the Committee on Foreign Affairs.

By Mr. RIVERS:

H. R. 2245. A bill to repeal the tax on oleomargarine; to the Committee on Agriculture.

By Mr. ANDERSON of California:

H. J. Res. 140. Joint resolution to restore the name of Hoover Dam; to the Committee on Public Lands.

By Mr. HOEVEN:

H. Con. Res. 25. Concurrent resolution to declare the date of termination of the wars in which the United States has been engaged since December 7, 1941; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H. Res. 119. Resolution to authorize the Committee on Expenditures in the Executive Departments to investigate and study Federal aid to States and Territories; to the Committee on Rules.

By Mrs. ROGERS of Massachusetts:

H. Res. 120. Resolution to direct the Committee on Veterans' Affairs to inspect the Veterans' Administration; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to make such appropriations and take such other steps as may be necessary in order to discover and effect a cure for the dread disease of cancer; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to take whatever steps necessary to make a greater amount of sugar available to the American people; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H. R. 2246. A bill for the relief of Carl E. Lawson and Fireman's Fund Indemnity Co.; to the Committee on the Judiciary.

By Mr. ANDREWS of New York:

H. R. 2247. A bill to authorize the President to appoint Maj. Gen. Laurence S. Kuter as representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, without affecting his military status and perquisites; to the Committee on Armed Services.

H. R. 2248. A bill to authorize the Secretary of War to grant an easement and to convey to the Louisiana Power & Light Co. a tract of land comprising a portion of Camp Livingston in the State of Louisiana; to the Committee on Armed Services.

By Mr. BLOOM:

H. R. 2249. A bill for the relief of Ghetel Pollak Kahan, Mrs. Magdalena Kahan, and Susanna Kahan; to the Committee on the Judiciary.

H. R. 2250. A bill for the relief of Mrs. Daisy A. T. Jaegers; to the Committee on the Judiciary.

H. R. 2251. A bill for the relief of Hermanegild Sanz; to the Committee on the Judiciary.

H. R. 2252. A bill for the relief of Erich Juhn; to the Committee on the Judiciary.

H. R. 2253. A bill for the relief of Bahram Suzenijian; to the Committee on the Judiciary.

H. R. 2254. A bill for the relief of Mrs. Johanna Thal-Birsen; to the Committee on the Judiciary.

By Mr. D'EWART:

H. R. 2255. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Everett H. Hanson; to the Committee on Public Lands.

By Mr. DINGELL:

H. R. 2256. A bill for the relief of Vincenzo Leone; to the Committee on the Judiciary.

By Mr. HOBBS:

H. R. 2257. A bill for the relief of Southeastern Sand & Gravel Co.; to the Committee on the Judiciary.

By Mr. HORAN:

H. R. 2258. A bill for the relief of Martha A. Donaldson; to the Committee on the Judiciary.

By Mr. HULL:

H. R. 2259. A bill for the relief of the Willow River Power Co.; to the Committee on the Judiciary.

By Mr. KEATING:

H. R. 2260. A bill to authorize the cancellation of deportation proceedings in the case of George Namy; to the Committee on the Judiciary.

H. R. 2261. A bill to authorize the cancellation of deportation proceedings in the case of Antonios Apostolis Malles; to the Committee on the Judiciary.

By Mr. LARCADE:

H. R. 2262. A bill for the relief of Noah Labby, Erwin Heirs, Inc., Joseph Natali, and J. E. Fournier; to the Committee on the Judiciary.

By Mr. LESINSKI:

H. R. 2263. A bill for the relief of Joseph Barabas; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H. R. 2264. A bill for the relief of Frank E. Blanchard; to the Committee on the Judiciary.

By Mr. SMATHERS:

H. R. 2265. A bill for the relief of Lloyd L. Warfield; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H. R. 2266. A bill for the relief of Axel A. Stromberg; to the Committee on the Judiciary.

H. R. 2267. A bill for the relief of Mrs. Russell C. Allen and Molly Ann Allen; to the Committee on the Judiciary.

H. R. 2268. A bill for the relief of Charles E. Crook; to the Committee on the Judiciary.

By Mr. YOUNGBLOOD:

H. R. 2269. A bill for the relief of Frank A. Constable; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

139. By Mr. CASE of South Dakota: Memorial of the Thirtieth Session of the Legislature of the State of South Dakota, House Concurrent Resolution No. 4, memorializing the Congress of the United States of America to reclaim and keep in full force and effect all Federal taxes, license fees, and regulatory measures now existing, relating to the manufacture, distribution, and sale of margarine or butter substitutes; to the Committee on Ways and Means.

140. Also, memorial of the Thirtieth Session of the Legislature of the State of South Dakota, House Concurrent Resolution No. 3, memorializing the Congress of the United States of America to discontinue the Federal gasoline tax and Federal lubricating-oil tax as soon as possible and refuse to reenact such taxes; to the Committee on Ways and Means.

141. By Mr. MUNDT: Memorial of the Thirtieth Session of the Legislature of the State of South Dakota, memorializing the Congress of the United States of America to appropriate the necessary funds to carry on the construction of Fort Randall and Angostura Reservoirs and to initiate construction of the Oahe Reservoir as proposed by the Corps of Engineers and to initiate construction of the Shadehill Reservoir as proposed by the Bureau of Reclamation; to the Committee on Appropriations.

142. Also, memorial of the Thirtieth Session of the Legislature of the State of South Dakota, memorializing the Congress of the United States of America to grant full rights of citizenship to American Indians who served in the armed forces of the United States of America in time of war; to the Committee on Armed Services.

143. By Mr. LYNCH: Petition of National Department, Catholic War Veterans, New York City, urging admission to the United States of 300,000 displaced persons; to the Committee on Foreign Affairs.

144. By Mr. SMITH of Wisconsin: Resolution adopted by the Lithuanian fraternal and cultural organizations which constitute the Racine, Wis., chapter of the Lithuanian-American Council, at their mass meeting held at St. Casimir's Church hall, February 16, 1947; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 27, 1947

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Lord, at this moment of supplication, we pray that Thou mayest be the food for our thoughts and the wisdom for our understanding, and that in Thee we may find rest of mind and soul. O hold before us the object of our quest, that our endeavors may bear the sense of dignity and humble toil.

As we are confronted with hard duties in our high calling, give us the courage to be kind rather than resentful; to be merciful rather than arrogant; and, above all virtues, crown us with the spirit of self-sacrifice rather than self-assertion. As shadows are still hovering over our world, constrain us to unburden ourselves of all unreality and find heart's ease in being true to the living precepts of our Lord. Without pretense, may we live in that upper realm of freedom and sincerity, with reverence for God, for home, and for native land. Through Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERMISSION TO ADDRESS THE HOUSE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include therein a copy of a resolution.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

[Mr. PHILBIN addressed the House. His remarks appear in the Appendix.]

THE COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMAS of New Jersey. Mr. Speaker, there has been some criticism leveled at the Committee on Un-American Activities in the past along the lines of our not having introduced legislation. Much of that criticism has been unjustified.

I wish to announce to the membership today, however, that the Committee on Un-American Activities has in preparation some 15 different bills which will be introduced in the near future. Two of these bills will be introduced today. All 15 are aimed at the elimination of un-American activities in the United States. If this Congress should approve all or a majority of these bills, un-American activities would be to all practical purposes eliminated.

The first of these bills to be introduced is one to combat un-American activities by providing for forfeiture of the office or position of any Government employee whose loyalty to the United States is found to be in doubt.

Mr. McDOWELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McDOWELL. Mr. Speaker, by direction of the Committee on Un-American Activities, I am introducing a resolution today which will raise the crime of contempt of the Congress from a misdemeanor to a felony. The top level of punishment would be established at a fine of $5,000 and 5 years in jail.

The committee unanimously feels the last two persons who were found in contempt of the United States Congress chose to accept the punishment that was given for contempt of this House under the existing laws. I am sure the House will welcome this and will probably unanimously support it.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

[Mr. STEFAN addressed the House. His remarks appear in the Appendix.]

THE WASHINGTON POST

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I am getting tired of being maligned, lied about, and abused by the Washington Post, a Jewish newspaper published in Washington, which is doing the Jews of this country more harm, the Negroes of Washington more injury, and the white people of the District of Columbia more damage than any other paper I know.

Mr. Speaker, in addition to publishing all the lies that Drew Pearson spreads about me over the radio, the Post came out editorially on yesterday and attacked me and the majority of the members of the Committee on World War Veterans' Legislation, and the real veterans' organizations, particularly singling out the Veterans of Foreign Wars, because of a resolution our committee adopted to stand by the policies that the members of the Veterans' Committee have stood by for the last 22 years.

I ask you to turn to the RECORD of February 24 and read my speech on page 1365, answering the attacks on the Committee on Veterans' Affairs. This outfit that the Post is complaining about has joined the Communists in picketing even the homes of Members of Congress.

The editorial goes on to say that this organization stuck its nose into BILBO's election contest in Mississippi.

Not only that, but I may say, Mr. Speaker, there is a Member of this House, the gentleman from Michigan [Mr. DONDERO], whose home was picketed by this same outfit. I am told they also joined the Communists in picketing Senator BILBO's home here in Washington. They were after the gentleman from Michigan [Mr. DONDERO] because he would not vote to extend the OPA.

If the Post wants to continue its campaign against me, I say:

Lay on, Macduff,
And damn'd be him that first cries, "Hold, enough!"

I am ready for them.

EXTENSION OF REMARKS

Mr. ARNOLD asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial appearing in the Wall Street Journal of February 25.

PERMISSION TO ADDRESS THE HOUSE

Mr. BAKEWELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

[Mr. BAKEWELL addressed the House. His remarks appear in the Appendix.]

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

[Mr. SMITH of Wisconsin addressed the House. His remarks appear in the Appendix.]

COMMITTEE ON FOREIGN AFFAIRS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that tomorrow the Committee on Foreign Affairs may sit during the session of the House.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

EXTENSION OF REMARKS

Mr. WEICHEL (at the request of Mr. HALLECK) was given permission to extend his remarks in the RECORD.

Mr. BUFFETT asked and was given permission to extend his remarks in the RECORD and include an editorial by Dorothy Thompson.

Mr. CHADWICK asked and was given permission to extend his remarks in the RECORD and include a speech recently made at a meeting in his county.

"HELLO, SUCKERS"

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include a memorial adopted by the South Dakota Legislature.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. MUNDT. Mr. Speaker, back in the fantastic twenties, before the debacle of 1929, a young lady in the night-club circles of New York by name of Texas Guinan made a great reputation for herself by addressing the customers as "Hello, suckers," when they came into the night club. In 1947 on every income-tax payment date the people of 9 community-property States of the Union might well say, "Hello, suckers," to the other 39 States of the Union because the people of these 9 favored States get by with paying a fractional percent of the tax that the rest of the country has to pay. I hope that the Committee on Ways and Means of the House under Republican leadership for the first time in 16 years corrects this iniquity.

This is a perfectly idiotic injustice that the people living in the same commonwealth of States, with the same incomes, and the same tax levies, and the same exemptions, should permit the people of 39 States to pay approximately twice as much tax per individual as the people living in those 9 favored States of California, Washington, Idaho, New Mexico, Arizona, Nevada, Oklahoma, Louisiana, and Texas. I think that situation should be corrected by the current Congress. With these remarks I now call attention to Senate Concurrent Resolution No. 4 passed on this subject by the South Dakota Legislature a few days ago:

Senate Concurrent Resolution 4

Concurrent resolution memorializing the Congress of the United States of America to give like privileges to income-tax payers resident in non-community-property States as are being enjoyed by residents of community-property States

Whereas an inequality exists between citizens and residents of the several States of the United States, in that residents of 9 States having community-property laws are privileged to divide incomes between husband and wife for income-tax purposes, thereby reducing the income taxes required to be paid by said residents, which privilege is being denied to the residents of 41 States not having community-property laws; and

Whereas, by reason of the premises, legal privileges are enjoyed by a minority of the citizens of the United States of America, solely determined by residence, which are not permitted to all the citizens of the United States; and

Whereas it is within the power of the Congress of the United States of America to correct such inequality by adopting suitable and appropriate legislation therefor: Now, therefore, be it

Resolved, That the Legislature of the State of South Dakota, in its thirtieth regular session assembled, respectfully memorialize the Congress of the United States of America that suitable and appropriate legislation be

enacted permitting division of income between husband and wife for income-tax purposes by the citizens and residents of all of the States of the United States; be it further

Resolved, That a copy of this resolution be dispatched to United States Senators CHAN GURNEY and HARLAN J. BUSHFIELD, to Congressmen FRANCIS CASE and KARL E. MUNDT, and to United States Senator EUGENE D. MILLIKIN and to Congressman HAROLD KNUTSON.

SIOUX K. GRIGSBY,
President of the Senate.

Attest:

NIELS P. JENSEN,
Secretary of the Senate.

G. W. MILLS,
Speaker of the House.

Attest:

W. J. MATSON,
Clerk of the House.

HENRY WADSWORTH LONGFELLOW

Mr. HALE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. HALE. Mr. Speaker, I take this occasion to say a few words in commemoration of the one hundred and fortieth anniversary of the birth in 1807 of a man who was born in Portland, Maine, which I have the honor to represent, who loved it and praised it in many of his works. As earlier this month we have observed the birthdays of Abraham Lincoln, Thomas A. Edison, and George Washington, it seems fitting to give this moment of deference to a man who was neither a general nor a statesman, nor an inventor, but who loved and served his fellow man and preached in a moving way the dignity and worth of men. I refer to the poet, Henry Wadsworth Longfellow.

More than most poets Longfellow has suffered from being best known by some of his worst poems. But he wrote works of insight and dignity. He wrote most memorably of elementary things, the sea and ships, the Indians, the daily occupations of men on this continent. Many of his tales and ballads like that of Paul Revere are still at our tongues' end. He was a fine scholar and student of the romance languages, a famous teacher in Bowdoin College in Maine, and in Harvard College, and an interpreter of the humanitie to generations of young men. He pondered the same problems of war and human welfare that so tragically occupy us today. And though he may not have changed the current of human history, his will always be one of the most familiar and best loved names in the history of American letters in the nineteenth century, when this country was beginning to assert itself in literary expression.

THE PACIFIC ISLANDS AND THE GEARHART RESOLUTION

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEARHART. Mr. Speaker, the day before yesterday the American people were electrified and very agreeably surprised, gratified is, perhaps, a better word, to learn from what appeared in the public prints that Russia had gladly conceded the right of America to retain the Pacific islands.

Today we find that that generous concession by the Russians was typically in line with their policy toward the United States; in other words, their consent to our retention of the islands that our boys died to win is upon conditions.

From this morning's paper, I ascertained what those conditions are. The Times-Herald tells us:

> One of the conditions would authorize the Security Council to order changes in the trusteeship agreement giving the United States control of the islands.

The plain implication of this is that Russia can keep us in hot water from now on, creating and fomenting trouble for us in the United Nations forever and anon. If this concession, or, rather, condition, is acceded to by the United States, it will mean that we will be constantly called upon to resist proposal upon proposal to in one way or another modify and change the status of these Pacific islands. This would be intolerable.

To read further from the Times-Herald:

> Another [condition] would pledge the United States to let the 48,000 natives on the islands work toward independence as well as toward self-government.

So the Russians speak piously of independence for the uncomplaining peoples of the mid-Pacific. Could they possibly have been thinking of the Poles, the Lithuanians, the Latvians, the Estonians, or, perhaps, of the Manchurians or Koreans when they concocted that? Or were they dreaming of the world revolution, of the part these backward peoples might be made to play in the blood drama which so many believe is a part of their master plan? But whatever their motive in suggesting it, it bodes no good for these United States.

And, as the Times-Herald recites, the U. S. S. R.'s deep solicitude for the United States is reflected in this final condition which the Soviets would impose upon us:

> The final Soviet proposal would strike out an American proposal to administer the islands as an integral part of the United States.

Though our friends the Russians generously concede that it is right and proper for the United States to control the Pacific isles, the emphasis, it strikes us, is a bit heavy on that which might be regarded as right and proper; but, oh, so very, very light on the control they would permit us to exercise over them.

Mr. Speaker, to agree to any of those conditions to a trusteeship over those dearly won Pacific islands would be to beggar the heroism, discount the sacrifices, insult the memory, of the thousands upon ten thousands of our servicemen who laid down their lives on those enemy-occupied and disease-infested atolls that liberty might not perish on this earth. Is it possible that those who represent us in the United Nations conferences would barter away America's honor upon such base considerations? May God forbid it.

Mr. Speaker, these islands of the Pacific mean nothing to the defense of any Eurasian country, least of all to the Russians who propose these humiliating conditions. But to America, upon which rests the unwelcome burden of the maintenance of the peace of the Pacific, they mean everything. And we should have them. And not upon any conditions that might be laid down in councils held behind the iron curtains, but by the right of conquest, the letting of the blood that won them.

Mr. Speaker, let us hear no more of mandates and trusteeships and stand up for our dearly purchased rights for once if never again. Let us pass the Gearhart resolution—House Joint Resolution 137—and be done with this.

EXTENSION OF REMARKS

Mr. GEARHART asked and was given permission to extend his remarks in the RECORD.

Mr. HART asked and was given permission to extend his remarks in the RECORD and include an editorial.

EUGENE MEYER

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I listened with considerable chagrin, if not sadness, to the gentleman from Mississippi, who used this Chamber as a forum to asperse the character of a good citizen, Eugene Meyer, publisher of a splendid paper, the Washington Post of this city. The gentleman again shows his flair for intolerance—intolerance of freedom of opinion. He spoke of this gentleman as being a publisher of a "Jewish newspaper." He undoubtedly used the word "Jewish" to connote opprobrium—to connote contempt. I must resist efforts of that sort with every power within me. I ask the gentleman to read the Federalist—the writings of Jefferson—and read what he said with reference to freedom of opinion and freedom of speech. I fear me that the gentleman from Mississippi just cannot take it. He gets rather excited when anyone disagrees with him. The right to disagreement is a precious right in our land, and Eugene Meyer has that right, as everyone else in this House or this country has.

PALESTINE

Mr. KLEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a White House statement.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KLEIN. Mr. Speaker, I am sure most of the Members of the House have

read the intemperate and insulting remarks of the Foreign Minister of Great Britain, Mr. Bevin, about the President of the United States. Not only are those remarks false, as remarks by that gentleman usually are when they regard Palestine, but they are insulting as well to the head of a friendly nation.

I call the attention of this House to the fact that in 1944 and 1945, before the present Labor government was elected in Great Britain, one of the pledges they made to their people and one of the planks in their platform was to the effect that they advocated the immediate admission of 100,000 Jewish displaced persons into Palestine. They also agreed that if the findings of the Anglo-American Inquiry Committee were unanimous, they would implement them by permitting the immediate admission of 100,000 Jews. The findings were unanimous, and yet no such action was taken.

Mr. RICH. If the gentleman will yield, that is what we get for giving Britain $4,400,000,000.

Mr. KLEIN. I am afraid I agree with the gentleman.

Now Mr. Bevin is seeking to blame President Truman for his own faithlessness and double dealing on this question and for his failure to live up to his solemn promises, or those of his Government, to resolve this problem, at least temporarily.

All right-thinking people must condemn the present regime in Palestine. This once-great Government has descended to employ its Army and Navy in military operations against defenseless men, women, and children who have lived with death for many years, and who ask only the elementary human rights of life, work, and home.

The American Government has gone on record many times as favoring the immediate admission of 100,000 Jews. I suggest that you read the White House reply to Mr. Bevin, issued yesterday.

PALESTINE

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, if the Government of the United States, in accordance with its repeated pledges, intends to assume practical, as well as moral, leadership in settling the dangerous controversies which threaten world peace, it must without further delay assume leadership in solving the problem of Palestine.

If our recent vacillations and procrastinations continue, the hope of any peaceful solution will become increasingly remote. Not only is the artificial hostility engendered among the Arab leaders becoming more acute but Palestine threatens to become a scene of increasing contention.

The commonwealth will come into being only when the United Nations decides, as it must, that the establishment of a Jewish commonwealth in Palestine is essential to world peace and to world stability.

Unless the international trusteeship council of the United Nations is charged with the obligation of carrying out such a decision, the commonwealth of Palestine will continue to be an ideal and not a reality. Only the concerted determination of the free peoples of the world who possess the authority can achieve a final solution of the Palestine problem.

President Truman's courageous official statement of yesterday is testimonial that a solution must be found for this question now.

Are not 6,000,000 Jewish dead sufficient or must British obstinacy destroy the remaining 1,500,000? American Jewry is outraged at this failure to get action and demands that during this interim period before the Palestine matter is resolved by the United Nations that the Palestine mandate be carried out in letter and spirit.

This Nation must assume a larger share of responsibility for Palestine than we have been willing thus far to bear.

EXTENSION OF REMARKS

Mr. HUBER asked and was given permission to extend his remarks in the RECORD and include an address to be delivered by Louis E. Starr, chairman of the Veterans of Foreign Wars.

Mr. LANE asked and was given permission to revise and extend his remarks in the RECORD.

Mr. GILLIE asked and was given permission to extend his remarks in the RECORD and include an editorial.

REGULATING THE RECOVERY OF PORTAL-TO-PORTAL PAY

Mr. ALLEN of Illinois. Mr. Speaker, I call up House Resolution 117 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 2157) to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. Speaker, this resolution makes in order consideration of H. R. 2157, to define the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes. To be more specific, passage of this resolution would bring before the House a measure to relieve the uncertainty confronting the Nation's industry because of claims exceeding five and three-fourths billions of dollars for retroactive portal-to-portal pay. H. R. 2157 is rightly considered urgent legislation. Its passage would put an end to these uncertainties which now threaten our national economy.

Realizing that Members of Congress representing all grades and variations of social and economic opinion will want to assert themselves on this important issue, this resolution has provided 4 hours of general debate. This is a general open rule to which I think there will be no objection. Amendments to the bill are in order under the 5-minute rule, and provision is made for one motion to recommit.

Opponents of this bill will probably charge that its provisions limit the rights and privileges of labor, and they will probably try to make political capital of today's debate. They undoubtedly will say that the Republican Party has taken the side of capital and has forsaken the laboring man. This, of course, is not true. And those who should make such a statement will know it is not true. We all realize, of course, that some have built their political careers by encouraging the belief that the welfare of labor must be mutually exclusive to the welfare of capital. I cannot subscribe to this theory.

The Republican Party does not believe that capital should be brought to its knees at the feet of labor, nor does it believe that labor wants capital crippled permanently. Neither does the Republican Party believe that any of the legitimate rights and privileges of labor should in any way be diminished or, for that matter, even questioned. We believe that the future welfare of both capital and labor are inextricably bound together. We believe that both capital and labor can derive equal benefit from legislation intelligently drawn after consideration of the needs of both members of our industrial team.

I refer to capital and labor as our industrial team because the Republican Party refuses to foster the class hatred that has been, and is being, encouraged by some political groups. Such class hatred can never produce anything desirable in the way of social, economic, or political development. It is merely a vehicle by which some political charlatans hope to rise to power. This philosophy can lead only to the total destruction of our economic and social system, and finally to the collapse of the form of government under which we, as a people, have chosen to live.

Visualizing capital and labor as an industrial team, the Republican Party is cognizant of the fact the one can do nothing without the cooperation of the other. What helps one, benefits the other; and, just as indisputedly, what harms one, hinders the other.

Those who recognize and appreciate the problems of both members of the team can undeniably do more to insure its smooth operation than those who imagine a cleavage, and therefore believe that one member must be crushed that the other may survive.

It is my sincere hope that all legislation passed by this Congress will be drawn in a spirit of sympathy for both

members of the team. In my opinion, such legislation should restrict neither, but should simply define the rules, thereby increasing the benefits of both. I do not find any of the provisions of H. R. 2157 inconsistent with this concept.

In effect, this bill would outlaw claims for make-ready time in portal-to-portal suits. It would also establish restrictions on actions of employees to recover other forms of overtime pay to which they have no just claim. To this extent, this bill would repeal those sections of the Fair Labor Standards Act, the Walsh-Healey Act, and the Bacon-Davis Act which are inconsistent with its provisions.

Because many of these claims cover past years on which management has long since closed its books, H. R. 2157 protects employers from unexpected liabilities, which in many cases exceed working capital, and in some cases exceed the employer's net worth. In other words, these suits would force many employers into bankruptcy.

This measure would protect employers who acted in good faith, consistent with court decision and Government regulations. It takes into consideration the custom of the industry regarding payment for make-ready time. In most union contracts make-ready time is considered in fixing wages for hours actually worked. In such cases, these portal-to-portal suits are not morally justified.

The bill would also allow an employer to compromise with employees to settle disputes involving claims for other accrued wages. Under existing laws, no such compromise is possible. Either workers must strike, or employers must lock out their employees. This legislation was drawn in recognition of the just points in both sides of the argument.

Realizing that collection of these claims would in many instances plunge industrial corporations into bankruptcy, workmen themselves generally regard the portal-to-portal suits with disfavor, particularly the effort to make collection retroactive.

I cannot believe that organized labor, which has filed these claims against industry, would be willing to wreck companies by which it is employed in order to collect money for which it has no legitimate claim.

The opinion of a large segment of organized labor on the portal-to-portal issue was expressed recently by John P. Frey, president of the metal trades department of the American Federation of Labor. I will quote a few excerpts from his article in the February issue of the American Federationist, the official magazine of the American Federation of Labor:

> In reaching a decision on the question of suing employers for so-called portal-to-portal back wages, the executive council * * * was governed by one basic consideration * * * its faith in and loyalty to the principle of collective bargaining.
>
> When labor and management enter into negotiated agreements, the integrity of both is involved. Unless such agreements can be depended upon by both parties, collective bargaining cannot be successfully continued.

Remember that is a representative of organized labor speaking. He continues:

> When agreements have been negotiated and signed, they specifically express what the employers are willing to pay in the field of wages and what trade-unionists are willing to accept for the period covered by the agreement.
>
> In the application of all terms and provisions of agreements * * * the question of each party's good faith and integrity is involved. Without this good faith and integrity, collective bargaining would be of little, if any, value to either labor or management.

The spokesman for the American Federation of Labor then sums up the crux of the point in question in these words:

> When an agreement is entered into the employer knows what his labor costs will be, so far as wages are involved. Trade-unionists under the agreement pledge themselves not to introduce new questions of wages during the life of the agreement unless the agreement specifically contains a provision for the reopening of the agreement.
>
> To inject now the question of back pay for portal-to-portal time would be an admission that when wage agreements were signed by trade-union representatives they had been insincere during the negotiations and had held mental reservations which they were unwilling to discuss with employers while seated at the conference table.

That is the view of organized labor on the portal-to-portal-pay question.

Having carefully considered the needs and desires of this body before reporting this resolution from the Rules Committee, I earnestly urge its adoption. The bill, consideration of which it makes in order, should, in my opinion, be passed to protect our economy from chaos and uncertainty which might lead to catastrophe.

The SPEAKER. The gentleman from Illinois has consumed 10 minutes.

The gentleman from Illinois [Mr. SABATH] is recognized.

RULE ON GWYNNE BILL

Mr. SABATH. Mr. Speaker, the chairman of the Committee on Rules, my colleague the gentleman from Illinois [Mr. ALLEN], has splendidly and adequately explained the rule which makes in order H. R. 2157, an ill-advised and poorly constructed catch-all for harrying labor unions.

This is, I am happy to say, a broad and liberal rule, for which, of course, I am grateful, notwithstanding that I was denied the opportunity of bringing before the Rules Committee the minority members of the Committee on the Judiciary who signed the minority report, in order that they might at least be given a chance to explain their opposition to the bill, and why they felt the rule should not be granted with unseemly haste.

I did not, of course, expect much more than I received, namely, that the rule was gaveled through; and I did not have many on the Rules Committee to support me in my urging that additional time be given for consideration.

GUILTY CONSCIENCE DICTATES WORDS

As has been explained by my chairman, the rule provides for 4 hours of general debate and for amendment. Thus the Members, either in debate or under the 5-minute rule, will have an opportunity to be heard.

It seems to me that my chairman must have a guilty conscience, for he began his remarks by saying that Democrats very likely would charge the Republicans with unfriendliness to labor. No one had yet made that statement on the floor; but it seems to me, nevertheless, that the implication is there, and the Democrats will be compelled to repeat, again and again, the clear and undeniable charge that the Republican Party is unfair to organized labor, and to labor in general, and always has been.

VICIOUS AS ANY BILL EVER PRESENTED

This bill, to my mind, is as vicious as any other antilabor bill ever brought to this House. You remember that last year we had a Gwynne bill before us. The committee has taken that bill and has made it more drastic than the original. They even ignored the recommendation of their own subcommittee of the Committee on the Judiciary that a 3-year limitation of liability be substituted for the absurdly brief period in this bill of 1 year in which to bring proceedings for recovery of wages.

In actual fact, some of the most restrictive and unfair provisions have been embodied in the present bill.

The proponent of this bill stated before the Rules Committee that it does not deprive labor of any rights or benefits; whereupon I inquired why then the bill was before us for a rule.

But the gentleman could not answer.

He knows, and I know, and all those familiar with the bill know, that it is as stringent and restrictive of the rights of labor as any that ever came before us here; and it aims, if not utterly to destroy labor, at least at weakening the cause of labor by taking away legal rights of equity.

The Democratic members of the Committee on the Judiciary who have signed the minority report will, I am certain, more thoroughly explain my contention, and make clear why my position is correct, and show that the bill is antilabor and in the interest only of employers. Its effect is to emasculate the Bacon-Davis Act, the Walsh-Healey Act, and the Fair Labor Standards Act.

PORTAL-TO-PORTAL PAY PROVISIONS RESTRICTIVE

As to the portal-to-portal-pay provisions, I concede that some suits of this character have been unfairly instituted; but in the majority of instances such actions are justifiable, and are not based merely on walking to and from the place of work but on work actually done.

The minority report from the Committee on the Judiciary says in this connection:

> The phrase "portal-to-portal" is a bad label to designate all these suits, suits which are for "time worked" as in the following:
>
> (a) Checking machinery.
>
> (b) Adjusting and readjusting safety equipment.
>
> (c) Repairing, oiling, washing machines.
>
> (d) Checking and sharpening tools.
>
> (f) Taking inventory.
>
> (g) Submitting to a periodic physical examination.

(h) Travel time within the plant or mine, which sometimes consumes as much as a half hour.

(i) Cleaning and washing off the body grease, soot, and toxic matter.

Nevertheless, this legislation will adversely affect all suits that have been filed and which may be filed in which justice may demand that labor receive extra pay and extra compensation for extra work performed pursuant to orders, and which I feel they are properly entitled to.

LAWS PASSED IN GOOD FAITH

We have in good faith passed laws giving labor certain rights and privileges. This bill would repeal those rights and privileges given by the Congress and upheld by the courts. It is, in my opinion, manifestly unfair to do that. However, in view of the actual circumstances, of our fundamental law, and the precedents of the courts, it is not really necessary for me to dwell upon this point because this bill will never become law. It is unconstitutional beyond doubt. It is ex post facto legislation, and the courts will not violate the Constitution by holding it to be within the Constitution. That, at least, is my opinion.

REPUBLICANS FEARFUL OF SHADOWS

Our Republican friends have said they are fearful that if this bill is not passed that the poor manufacturers, industrialists, and employers of labor may be ruined; that they cannot survive if labor is not shorn of its rights under the Constitution to proceed with legal action to recover what they feel to be just and fair and due them.

WHERE ARE THESE INDUSTRIALISTS FACING IMMINENT RUIN?

So far I have been unable to find any of those manufacturers or employers that have been ruined or are imminently threatened with ruin by the Labor Relations Act.

If you will read the newspapers and the financial reports, whether it be Dun & Bradstreet's, the New York Journal of Commerce, the Wall Street Journal, or any other, and you know that none of them is unduly friendly to labor, you will find that not only are the manufacturers and the industrialists, the businessmen of this country, in a splendid position, but they have made more and more millions in 1945 and 1946; and even in this year are increasing their profits to such an extent that they are now obliged to declare extra stock dividends and cash dividends, thereby increasing their shares outstanding, so it cannot be shown how much per share is being paid. They are accumulating great surpluses and retiring their indebtedness.

PROFITS INCREASING BY LEAPS AND BOUNDS

In view of the fact that their profits still are increasing by leaps and bounds I do not think they are going to be seriously hurt.

Mr. Speaker, I ask unanimous consent to include as a part of my remarks some reports and articles as well as statements relative to the profits and standings of these corporations which my colleague, the Chairman of the Rules Committee, is fearful might be ruined or destroyed.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I am indeed grateful that business is prosperous. I hope that the country and business generally will continue to prosper notwithstanding the temporary control of the legislative body by the Republicans. In my opinion, with all their effort, they will not be able to arrest the growth of business, profits, and the prosperity of our Nation. Because of these ever-increasing profits, and increased materials cost, the cost of living has gone up tremendously, as you all must know. In the last six months the cost of food, yes, of living generally, has increased over 50 percent.

DUN & BRADSTREET REPORTS SHOW RISES

No one can successfully accuse Dun & Bradstreet of being too favorably disposed toward labor or toward the Democratic Party. Dun & Bradstreet are a well-known, highly respected firm of business reporters and analysts whose credit and market reports are standard in all business circles.

Their current consolidated food-price index shows that food costs hit an all-time high on February 25 of $6.62 a pound for 31 standard food staples. This was the price per pound arrived at by adding up the cost per pound of these 31 items. This is a rise of $2.42 since last July, or 55-percent increase since the original OPA was killed. There has been an increase of 13 cents a pound in this index in the short time since the last high point last November 19.

Or take the Dun & Bradstreet commodity index, which shows the level, in terms of percentage over their base year, of basic commodities, which includes foodstuffs, grains, metals, rubber, leather, hides, cotton, rayon, and wool.

This index reached an all-time high on February 25 of 252.33, a rise of 72 points or 40 percent since January 1, 1946, when the basic commodity index stood at 180.

CONFIRMED BY FEDERAL RESERVE

These exorbitant increases are confirmed by every official source. The Department of Labor, the Department of Commerce, the Federal Reserve, all point to the same conclusion. The newspapers published the story of the figures from the Bureau of Labor Statistics showing a 33½-percent rise in the wholesale prices of foods in 1946, all of which took place after OPA was done in.

The Federal Reserve cost-of-living index shows a jump of 20 points, from 133.3 in June 1946 to 153.3 on December 31, 1946.

In the United States a coalition of Republicans and other reactionaries killed the Office of Price Administration after a violent campaign of propaganda and misrepresentation from big business; but Great Britain and Canada kept their price controls on. Here are the comparative figures from the Federal Reserve Bulletin:

	1942	1946	Increase
	Points	*Points*	*Points*
Great Britain	200	204	4
Canada	117	127	10
United States	117	153	36

In other words, because the vast pressures brought by organized greed in an unparalleled campaign of misrepresentation brought about the end of effective price controls, prices have increased in the United States nine times as much as in England in the last 4 years, and almost four times as much as in Canada. England and Canada have both had genuine and absolute shortages in many items; the United States has been saved from the wildest kind of inflation—thus far—only by the fact that we are the richest Nation in the world in our natural resources and in our national production. Our shortages have been relative, and due to the increase in purchasing power and to maldistribution and not to absolute shortages of any commodity except perhaps sugar and soap.

WORST STILL TO COME

Even so, economists and statisticians agree that the worst is yet to come.

The Bureau of Labor Statistics says today that wholesale prices have reached a new high not yet felt at the neighborhood market.

You and I, Mr. Speaker, and the gentlemen of this House, may not feel that rise so acutely. It is doubtful if the members or the employees of the National Association of Manufacturers or of the National Association of Retail Dry Goods Dealers or of the Textile Institute will feeel it appreciably.

But the workers—the clerks, the machinists, the laborers, the mechanics, the railroad men, the newspaper reporters, and telegraph messengers—will feel it and feel it hard.

REAL WAGES FALLING

The wages and salaries and annuities of the 18,000,000 white-collar workers and pensioners have not kept pace with this rapid spiral of prices. Department of Commerce figures show that average weekly earnings and average hourly earnings have been declining steadily for the last 2 years, in spite of wage increases here and there.

Real wages are falling more rapidly.

Every price increase is a wage and salary cut for the little man.

If the real wages of John Jones, laborer, were $2,000 a year on January 1, 1946, and he has had no increase in dollars, then his real wages today are but half of that.

RENTS UP NEXT

It will not be long until the rent ceilings are pierced or perhaps destroyed.

That will mean another cut in the real wages of the people.

Can you please tell me how these people can continue to exist when you continually pass legislation which gives in-

dustry greater power, greater opportunity to push up production costs artificially, to push up the cost of living, pass all their added expense and bookkeeping charges on to the consumers, who are the workers, and yet evade the law we passed in good faith and the courts sustained?

RELATIONS PEACEFUL NOW

In spite of the unbalance between corporation earnings and individual earnings; in spite of high living costs and low real wages; in spite of all the labor-baiting and price raiding that is being done; in spite of an unending campaign to destroy labor organization and the rights of the common people, we are in a period of great peace right now.

Labor and capital exhibit almost perfect harmony outside of Washington. Our employment levels are high. Purchasing power is great despite rising prices. Our national production was never so high.

We should not destroy this truce.

But if we pass this bill, which is class legislation, which is unconstitutional ex post facto legislation, which is punitive and discriminatory legislation, and deny labor the right to recover wages properly due under the law and under their contracts, at a time when employers can and should meet the assessments without financial injury, we are going to cause trouble.

WILL BE FORCED TO DEMAND MORE INCOME

If people cannot live decently on what they earn and we make it difficult or impossible to recover through the courts and the process of law, working people will be compelled, yes, forced, to demand higher wages and higher incomes.

I know that when that time comes all these businesses and industries will say, as they have said in the past, "Oh, we cannot afford it."

But when their true report is made and they send the statement of their real financial condition to their stockholders you will find that the statements that they have been making to mislead the American people are not founded on fact, and are untrue.

While there have been some instances of operations at a loss, they have or will recover it in rebates on taxes under the law that was passed. Let me remind you again that the Ruml tax plan "forgave" some six billions of corporate tax liabilities, and that the repeal of the excess-profits taxes gave back more billions in gifts.

Let me again remind you that estimates based on Government figures indicate that profits in 1947 will reach the staggering figure of $20,000,000,000.

FARMERS ARE PROSPERING

I saw a report a few days ago that showed the tremendous progress that has been made not only by American industry but also by agriculture.

If my recollection is correct, this showed that agriculture, due largely to Democratic legislation, has increased its profits by some 135 percent.

The December issue of Survey of Current Business, an official reporting service of the Department of Commerce, shows, for instance, that cash income from farm marketing in 1946 would substantially exceed $26,000,000,000.

Contrast that with the low point of $5,000,000,000 in 1932, when a Democratic, progressive, responsible administration took over after 12 years of Republican misrule.

Wheat and other grains are still going up. Hogs were selling last Monday at an all-time high of $30, and only buying resistance brought down that phenomenal price by a dollar.

Do not misunderstand me, Mr. Speaker; I do not begrudge the farmers of this Nation one cent of their incomes. Unless the farmers are prosperous the country cannot be prosperous. They work hard for what they make.

SHOULD NOT FOLLOW TRUSTS' EXAMPLE

But I hope and pray that they will not follow the example of the avaricious industrial combines and demand and insist upon ever higher prices; for instance, the poor packers, such as Armour & Co., who, in 1946, by their own report, made profits of $20,700,000, or Swift & Co., with reported net profits of $16,394,739.

And there are many others which have increased their earnings in the same proportion.

These tremendous increases in profits are due to their successful emasculation and murder of OPA, and their long strike against the American consumer when they deliberately withheld meat from the market waiting for the end of price controls and a chance for quick and easy profits at the expense of consumers—and the consumers are all of us, but especially the workers and the farmers who are also the producers. The kind of manipulation was worked in dairy products, vegetables, and fruits.

JUST AS TRUE IN HOUSING

You must remember that that also applies to housing, when the builders groups insisted that if price ceilings on homes and controls on materials were removed they would be in position to supply the need of housing for our veterans at reasonable prices the veterans could pay. I will leave it to you whether they have kept their promises.

How many homes have they built in the last 6 months? The few that they did build they hold for sale at exorbitantly high prices. The only excuse they give is that it is due to the cost of labor. The fact is that construction labor has increased but 10 percent, while the price of homes to the veterans have increased from 33⅓ to 100 percent. This should and will be remembered by the veterans and the people in general.

FARMERS OPPOSE UNION WRECKING

Who wants these union-wrecking bills?

Not the farmers, Mr. Speaker.

Here is a news story from the conservative Washington Star provided by the equally conservative Associated Press—and I challenge any Member to say that the Star or the Associated Press are pro-New Deal—which tells of one public declaration on that:

FARM LEADERS OPPOSE CRIPPLING OF UNIONS

(By the Associated Press)

DES MOINES, February 15.—Leaders of two large farm organizations today decried what they termed existing antogonisms between farmers and urban laborers.

Joseph W. Fichter, Columbus master of the Ohio State Grange, and Ole L. Olson, Buxton, N. Dak., president of the Farmers Union Grain Terminal Association, voiced their sentiments at a panel discussion of the ninth annual National Farm Institute on problems to be faced with declining farm prices.

"We farm folks should oppose any legislation considered by Congress which would seriously cripple our labor unions," Mr. Fichter asserted. "Farm folks must come to see the point of view of the great labor groups of the city."

Mr. Olson declared that the farmer must realize "that the stomach of the worker is his greatest market."

William G. Murray, economics chairman at Iowa State College, said he believed that farmers would be in a better position now than after World War I if prices should decline because they have a better cash reserve.

Mr. Olson asserted that the large commercial farm operator would be better off, but that the small farmer did not have the necessary cash backlog.

WOMEN AND CONSUMERS OPPOSE UNION WRECKING

It is not the women, who are the buying agents for our great mass of ultimate consumers, Mr. Speaker.

Here is another story from the Washington Star of February 17, Mr. Speaker, which tells about the decisions of one of the largest and most respected of the national women's organizations, the Women's International League for Peace and Freedom; and this is typical of the attitude of thinking women and thinking consumers everywhere:

WOMEN'S LEAGUE ASKS CONGRESS TO REJECT ANTIUNION BILLS

Rejection by Congress of all proposed antiunion legislation was asked last night by the national board of the Women's International League for Peace and Freedom, which closed a 2-day meeting at the YWCA downtown center, 614 E Street NW.

The board suggested strengthening of Federal arbitration machinery and the provision of competent industrial relations advisers for both labor and management. In a resolution it said both labor and management should assume responsibility in making and keeping contracts, and should make their records available for public inspection.

The resolution opposed particularly the anti-closed-shop proposals now before Congress and legislation to ban industry-wide bargaining.

The board in other resolutions:

1. Expressed opposition to the bill of Representative KNUTSON, Republican, of Minnesota for a 20 percent across-the-board cut in income taxes. Objections were raised to cuts in useful peaceful functions of Government and to tax cutting in general until the end of this inflationary trend.

2. Urged passage of the Wagner-Ellender-Taft housing bill but asked elimination of the unfortunate pattern of (racial) segregation now practiced in public housing.

3. Backed the administration's reciprocal trade agreement policy.

4. Called for the United States to accept a fair share of the war's displaced persons, suggesting that 400,000 refugees could be admitted; half or even less of the war years'

unused immigration quota numbers were used for that purpose.

Miss Annie Lee Stewart, of Chicago, national president of the organization, presided at the meeting.

WHERE IS LABOR'S SHARE?

They have all prospered; they are all making money—the farmers, the packers, the manufacturers, the brokers, the retailers.

But when labor comes and says, "You gentlemen have added this extra cost to the price of what you have produced and sold to us and to other American consumers and to the Government, and we want our share," why, then, that is not so good, and all the professional labor baiters rush in and demand a new law. During the war we heard that labor should not strike while the country is at war, but now we just hear that labor should not strike.

We have this Gwynne bill to restrict the rights of labor in the courts, although the labor baiters want to get the unions into court.

MOST PAY SUITS JUSTIFIED

In some instances, perhaps, as I have said earlier, the so-called portal-to-portal pay suits are not justified; the burden of unpaid work is too little to support the court action. Perhaps some have been frivolous or retaliatory.

The fact remains that most of these actions have been entered into, not only in good faith but under great justification, against employers always ready and willing to chisel a little free work from the men and women who work for them. The employees performed the work; the employers benefited; the employees got nothing but tired.

We should not by our action here today preclude them from recovering that which is actually due them.

To deprive the workers of rights and benefits which are theirs, which we granted them by law, and which the courts have approved, is manifestly unfair, unwarranted, and unjustifiable.

THIS BILL IS AGAINST LABOR

If you think such a bill as this is in the interest of labor, I must of necessity disagree with you.

You surely cannot honestly maintain that there is nothing in this bill inimical to the rights of organized labor and of all workers.

My colleague the gentleman from Illinois [Mr. ALLEN] read extracts from testimony given by one of the minor labor leaders, and I think from an actually uninformed and unthinking leader, who must, unfortunately, be one of those who always play into the hands of the labor squeezers.

Read instead the statements of William Green, the head of the great American Federation of Labor, and of Philip Murray, the head of the great Congress of Industrial Organizations. You will find out then whether intelligent and responsible labor leaders favor this legislation. You will learn what they think of it.

I say again it is one of the most drastic antilabor bills ever brought in here.

REPUBLICANS DO NOT SERVE CAUSE OF LABOR

Of course, Mr. Speaker, you Republicans are in power here.

You have a great majority; but not because you promised before the election that you would legislate against labor. Most of you promised labor you would be fair, that you would see that no legislation was enacted which would be detrimental to their interest.

But now, after your election, after you are in control, you come in here and with almost complete unanimity you bring in discriminatory legislation of this kind and you consistently vote against the interests of labor.

My colleague has asserted that the Republican Party does not serve the big interests. Well, surely, it is not serving the interests of labor.

Oh, I know there may be a few gentlemen on our side who are unfriendly to labor, and they may join with you, which I naturally deplore and regret, but you do not need their assistance at this time.

DEMOCRATIC PARTY IS PEOPLE'S PARTY

I think that in the best interests of the Nation the Democratic Party should and will continue to be the party of the people—the party which has the interests of the workers and the farmers and the small businessmen and the little people generally always at heart.

I hope and I expect that we will, with very few exceptions, continue to vote that way, work that way, strive that way, and we will again be in a position to show the country that the Democratic Party is a party that all those who believe in justice and fair play and in mature, responsible government can and will support, to restore a Democratic majority in the Congress and at the right time to reelect a Democratic President.

PRESIDENT TRUMAN CAN BE REELECTED

For President Truman, Mr. Speaker, if he consents to run, will be reelected, because the country realizes that he is honest and fearless, and has the interest of the country and of the people at heart.

Oh, I appreciate that the Wall Street controlled cartels and industrial czars, because of their inability to use him, now and until election day, will exert every conceivable effort to defeat him. And that, I presume, will be followed by a few labor leaders, like Lewis, but every honest and sincere labor leader will recognize that it is for their own and the country's interest to reelect him. The Republicans, of course, who are controlled by the interest, will again nominate a man that they can own and control.

VOTERS ALREADY REPENT

All I wish to say in conclusion is this: The big industrial leaders, almost without exception, misled not only the American people but the Congress in promising that if OPA were done to death, price regulations thrown down the well, and free enterprice given its head—but enterprise is not free, but is saddled and bridled and ridden with a tight rein by cartels and trusts and monopolistic trade associations—the black market would be eliminated and prices would be held down by natural laws.

It looks as if those natural laws, so-called, which are not laws but the inevitable result of uncontrolled greed, just did not work, or did not exist.

Today neither those who planned and paid for that propaganda barrage, nor anyone else, can honestly deny that their purposes were purely selfish and were for the purpose of hiking prices and profits, and that has been the result in almost every line. This the American people are commencing to realize, and to recognize as a fact.

The proof is in my mail; for almost daily I receive communications from many who state that they permitted themselves to be misled by these false statements and assurances.

Mr. ALLEN of Illinois. Mr. Speaker, does the gentleman from Illinois [Mr. SABATH] care to use any more of his time?

Mr. SABATH. Knowing the situation, and that the rule will be adopted, and in view of the fact that there will be 4 hours of general debate, I shall not take more time now.

Mr. ALLEN of Illinois. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. MICHENER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2157) to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 2157, with Mr. JENKINS of Ohio in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the time is divided equally between the chairman and ranking minority member of the Committee on the Judiciary.

Mr. MICHENER. Mr. Chairman, there has been considerable talk on the rule explaining the bill. In addition, my very good and distinguished friend, the former chairman of the Committee on Rules, the gentleman from Illinois, [Mr. SABATH], has just made a political speech. I hope, in the beginning, that we all realize we are legislating or attempting to legislate here in the interest of the American people. I hope we all realize that this bill is not a Democratic bill, a Republican bill, a labor bill or an antilabor bill. It is an honest effort to deal with an emergency which at the moment faces the economy of the country.

If there ever was a time when there should be no thought of class legislation in this House or in the debate of Members, it is at this good hour. The Committee on the Judiciary has given long hours and days in an effort to bring before the House legislation which will be helpful—not perfect, no, but we have not asked for a closed rule. We simply bring the bill before the House for its consideration and action. The subcommittee which held the hearings has done a grand job and a laborious one. There has been no undue speed. There has

been no rush. Every group and every interest which wanted to be heard has been heard, and as a result I hold in my hand the printed hearings consisting of 512 pages. These hearings have been available for several days. The report of the committee is available. It explains in detail just what this bill attempts to do and the reasons why this attempt is being made. The members on the majority side are Mr. GWYNNE, of Iowa; Mr. GOODWIN, of Massachusetts; and Mr. KEATING, of New York. The minority members are Mr. WALTER, of Pennsylvania; Mr. BRYSON, of South Carolina; and Mr. LANE, of Massachusetts. These gentlemen heard the witnesses, asked them questions and studied the problem with them. I am sure they are best able to discuss the details of the bill.

Mr. Chairman, this bill had its genesis in the Gwynne bill—H. R. 584—on which the hearings were held. After completion of the hearings and due deliberation, the subcommittee prepared another draft of the bill, which was further considered by the full Judiciary Committee, and that committee wrote the bill—H. R. 2157—which is now before the House. In short, the bill as here presented was not written by anyone outside of the Congress.

There will be 4 hours of general debate. It is hoped that all Members desiring will be given an opportunity to express their views in connection with this proposal. At the conclusion of the general debate, the bill will be read line by line for amendment. We are not considering this bill under a closed rule, and all Members desiring will be permitted to offer germane amendments.

Much care has been taken in preparing the committee report. It is complete and understandable, and any additional statement on my part would be superflous. I therefore want to impress upon the membership that report, which is as follows:

GENERAL STATEMENT

H. R. 2157 may be divided into two parts. One part deals with certain claims, actions, and proceedings concerning alleged wages and overtime compensation, based on activities not at the time in question considered compensable, either (1) by express agreement between employer and employee, or (2) by custom or practice at the time and place of employment. These are popularly known as portal-to-portal claims or suits, although the term is not entirely accurate. The other part relates generally to claims, causes of action, actions, and proceedings under the Fair Labor Standards Act, the Walsh-Healey Act, and the Bacon-Davis Act.

PART I. CLAIMS BASED ON ACTIVITIES NOT AT THE TIME CONSIDERED COMPENSABLE BY EXPRESS AGREEMENT OR BY CUSTOM OR PRACTICE

1. Nature of the problem

The Fair Labor Standards Act requires the payment to all employees under the act of a certain minimum wage, together with overtime compensation at a rate not less than one and one-half times the regular rate at which each is employed. Section 16 (b) provides that any employer who violates these provisions "shall be liable to the employee or employees affected in the amount of their unpaid minimum wages, or their unpaid overtime compensation, as the case may be, and in an additional equal amount as liquidated damages."

Provision is made for an action by any employee in behalf of himself and other employees similarly situated, in which attorney fees may also be taxed as part of the costs against the employer.

The Fair Labor Standards Act does not define "work" or "workweek" and does not prescribe what preliminary or incidental activities shall be compensable under the provisions of the law. That was left to be settled by the employer and employee, either by express agreement or by implied agreement, based on the custom or practice in that particular place of employment. That had been the general situation for many years prior to the passage of the act.

In *Anderson* v. *Mount Clemens Pottery Co.* the Supreme Court had before it important issues "concerning the proper determination of working time for purposes of the Fair Labor Standards Act." Involved was the question whether time spent in walking on the employer's premises to the work station and time spent in certain preliminary and incidental activities must be included in the compensable workweek.

The Court said:

"It follows that the time spent in walking to work on the employer's premises, after the time clocks were punched, involved 'physical or mental exertion (whether burdensome or not) controlled or required by the employer and pursued necessarily and primarily for the benefit of the employer and his business' (*Tennessee Coal Co.* v. *Muscoda Local* (321 U. S. 590, 598); *Jewell Ridge Co.* v. *Local No. 6167* (325 U. S. 161, 164–166)). Work of that character must be included in the statutory workweek and compensated accordingly, regardless of contrary custom or contract."

A similar conclusion was reached in regard to the preliminary activities.

The far-reaching result of this new doctrine may be demonstrated by applying it to a concrete situation.

For example, suppose an employee receiving a 70-cent regular hourly rate and who had already worked during that week the statutory maximum number of hours had also put in 30 minutes each day in the walking or other incidental activities referred to by the Court. For a 5-day week, such employee could recover under section 16 (b) $2.625 in addition to the wages previously agreed upon between him and his employer either by express agreement or by custom or practice. Assuming he worked 50 weeks in the year, the recovery for that period would be $362.50. There being no Federal statute of limitations covering the Fair Labor Standards Act, the claimant's right of recovery would extend back to the beginning of his employment, limited only by the effective date of the act (June 25, 1938), and by any applicable State statute of limitations. If the latter were 4 years, the liability of the employer would be $1,050, plus attorney fees and costs. Multiply that figure by the number of employees similarly situated and an idea will be obtained of the employer's potential liability. Apply these calculations to the total number of employers under the act and an idea will be gained as to the seriousness of the threat to the national economy.

It must be remembered also that the action for liquidated damages under the wage-hour law cannot be waived or compromised by agreement between the employer and employee (*Brooklyn Savings Bank* v. *O'Neil*, 323 U. S. 698).

Nor can the Court avoid the assessment of the full amount of liquidated damages, regardless of the good faith of the employer.

"Is this provision of the law as to liquidated damages mandatory or discretionary? Since the act has been violated in good faith in this case, we would indeed like to hold that it is discretionary. It seems a keen injustice for employers bewildered by strange legislation and confused by divergent authority in the courts to be subjected to such a measure. Yet no matter how much we lament its harshness, the section appears to be mandatory, and virtually all the courts have so construed it (*Missel* v. *Overnight Transportation Co.*, 316 U. S. 572)."

2. Extent of the problem

Following the decision in the Mount Clemens Pottery case, many suits were filed in all parts of the country seeking to recover large amounts claimed to be due under the formula laid down in that case.

The quarterly report of the Director of the Administrative Office of the United States Courts, dated February 13, 1942, points out that between July 1, 1946, and January 31, 1947, 1,913 such cases were filed in the Federal district courts. Of this number, 398 did not claim a definite amount but left the court to establish how much was due. The remaining 1,515 cases claimed a total of $5,785,204,606. Sixty-two percent of the 1,913 cases commenced during the 7-month period were filed the last month thereof, January 1947.

The report, of course, does not include the number of similar cases filed in the State courts.

Considerable evidence has been presented as to the impact of these suits in particular industries. For example, one listing of suits filed in all parts of the country shows 395,223 employees claiming a total of $775,705,800, or an average of over $1,900 for each claimant. One incident is known where the amount claimed for a single employee is $10,000. The fact that the time period involved includes the war years when wages were high with many hours worked over the statutory maximum, has greatly increased the potential liability. Then, too, the coverage of the Fair Labor Standards Act has been greatly extended since its effective date in 1938. The Administrator estimated as of October 4, 1945, that the act applied to 21,000,000 workers.

The serious nature of these claims is illustrated by the largest settlement reported to date. Under this settlement, an employer agreed to pay a total of $4,656,000 to 4,200 employees and covering a period from September 9, 1940, to September 9, 1946, or an average of $1,108 per employee.

The procedure in these suits follows a general pattern. A petition is filed under section 16 (b) by one or two employees in behalf of many others. To this is attached interrogatories calling upon the employer to furnish specific information regarding each employee during the entire period of employment. The furnishing of this data alone is a tremendous financial burden to the employer.

One employer testified that he had been called upon to furnish information concerning 462 claimants. The data called for included job classification for each of 425 weeks, the scheduled starting and quitting time, total number of hours for which compensation was paid, the regularly hourly rate paid, number of hours for which payment had been made at overtime rates, number of hours shown on their cards between punching the time clock in and out. In all, 4,123,050 items would need to be listed separately at a total estimated cost of $80,000. The same witness estimated the total cost to supply data for all employees, plus the cost of defending the suit, would be $300,000.

In addition to the financial problem, the suits constitute a serious threat to industrial relations and to the principle of collective bargaining. In some cases the time now sought to be declared compensable had been the subject of collective-bargaining agreements.

One good illustration will be found in the coal industry. For many years, both coal miners and operators generally agreed that "traveltime" was not worktime. Wages

were adjusted on that basis. In fact, it was the subject of collective-bargaining agreements between the operators and the union. In accordance with this understanding, the Wage and Hour Administrator ruled that such traveltime was not worktime under the act. Thereafter, in the case of *Jewell Ridge Coal Co.* v. *Local No. 6167, United Mine Workers* (322 U. S. 756), the Supreme Court of the United States held that, notwithstanding the collective-bargaining agreement, traveltime was worktime. This decision had the practical effect of creating new and unforeseen contingent liabilities which both parties had deliberately attempted to avoid.

The successful prosecution of these suits will cost the Federal Government a staggering sum of money. The amounts paid by employers having cost-plus-fixed-fee contracts, together with litigation expenses, are all chargeable against the Government. The Comptroller General has so decided (Comptroller General Decision B-38642, 23 Comp. Gen. 439). There will also be a loss of revenue through deductions and refunds in taxes.

Cost-plus-a-fixed-fee contracts in the War Department during the period 1941 to 1946 totaled between forty and forty-five billion dollars. As of February 14, 1947, claims had been asserted under these contracts of about $600,000,000. It was estimated by Under Secretary Kenneth C. Royall at the hearings that the maximum potential liability could go as high as $1,400,000,000.

Attention was also called to the fact that during the period 1941 to 1946 the War Department also awarded approximately $100,000,000,000 in lump-sum contracts. While the Government would not have the same legal liability as attaches in the cost-plus-fixed-fee type of contract, nevertheless there might be a moral obligation, the discharge of which would add another huge amount.

There might also be an additional, although apparently limited loss, in connection with renegotiation proceedings.

As of February 5, 1947, the Maritime Commission had received notification from 18 contractors of the filing of portal-to-portal suits against them. In five of the suits the amount claimed was $128,500,000. The witness for the Commission estimated the additional liability as between $50,000,000 and $150,000,000.

"The greatest potential liability would undoubtedly arise under the ship-construction contracts. To a lesser extent, liability will presumably arise under ship-repair contracts, stevedoring contracts, terminal contracts, and miscellaneous contracts of a cost-plus-a-fixed-fee nature."

The Honorable W. John Kenney, Assistant Secretary of the Navy, pointed out in his statement to the committee the effect of the portal-to-portal pay problem on the Navy Department. He said:

"There are four fields in which the Navy has an interest. First, cost-plus-fixed-fee contracts; second, fixed-price contracts containing provision for escalation in price by reason of increased labor costs; third, terminated fixed-price contracts; and fourth, renegotiation."

Mr. Kenney estimated a potential liability in cost-plus-fee contracts of $720,000,000. In the field of fixed-price contracts with escalation clauses, he declined to make an estimate but said the liability "will probably be substantial, as the great bulk of contracting done by the Navy Department during the war was on a fixed-price basis, and many contracts contained escalation clauses of this character." In regard to terminated fixed contracts and renegotiation, there was also the possibility of liability but apparently in smaller amounts.

The Walsh-Healey Act also concerns itself in its field with minimum wages and overtime compensation. The Bacon-Davis Act has provisions relating to minimum wages and other conditions of employment. These two acts are therefore affected by the Mount Clemens decision. The situation described herein as to the Fair Labor Standards Act applies to that existing under the Walsh-Healey Act and the Bacon-Davis Act. The same necessity exists there for remedial legislation.

The witnesses for the Government departments called attention to the serious administrative burden placed upon the departments "in maintaining such controls and review as are necessary to safeguard the best interests of the Government." It was admitted generally that the expense involved here would be tremendous, whether the various suits were successfully prosecuted or not.

The evidence is conclusive that the maintenance of these suits or the attempts to prosecute them further is a serious threat to the welfare of the Nation. The cost would bankrupt many employers and seriously retard the activities of many others. The amount claimed in some suits is more than the value of the employer's plant. The aircraft industry reports that the suits against it amount to more than its present net worth.

The uncertainty of the present situation with its tremendous threat is seriously interfering with efforts to return to a peacetime economy with full and efficient production; it has clogged the courts with new and expensive litigation; it interferes with the right of collective bargaining; it threatens to add greatly to the cost of goods and services bought by the Government, while at the same time reducing the Federal revenue; it is a serious burden on interstate commerce.

Pay for the activities and time in question was not contemplated when the contract of employment was made. As stated by Under Secretary William C. Foster, of the Department of Commerce, at the hearings:

"Businessmen have indicated to the Department that when they worked out employment agreements, the rates of pay which were set were regarded as compensating the employee for all work done for the employer's benefit."

The amounts recovered are purely a windfall to the persons recovering them.

3. The remedy proposed in H. R. 2157

The claims and suits heretofore described are dealt with directly in sections 3 and 4 of this bill. These sections prohibit the maintenance of such suits in any of the courts of the United States, either Federal or State, and declare that such courts shall have no jurisdiction to proceed with such actions. These sections apply to actions commenced prior to the effective date of the act as well as those commenced thereafter.

The sections apply to all actions and proceedings of every kind based on the activities in question, including all suits for wages, damages, or penalties, actions for injunctions and criminal prosecution.

4. Constitutionality

The constitutional questions involved have been carefully considered by the committee. No attempt will be made here to review the many cases bearing on the subject. We call attention however to the following propositions:

A. Congress has the power to regulate the jurisdiction of the Federal district courts and may withdraw entirely the right of such courts to proceed with suits based on rights created by a Federal statute (*Kline* v. *Burke Construction Co.*, 260 U. S. 226).

B. It also has the power to withdraw from the State courts the right to adjudicate causes arising out of Federal statutes (*Bowles* v. *Willingham*, 321 U. S. 503).

C. Claims for minimum wages, overtime compensation, liquidated damages and penalties are not vested property rights within the protection of the fifth amendment. They are purely statutory rights which may be withdrawn by the Congress at any time before they have ripened into a final judgment from which appeal cannot be taken (16 C. J. S., sec. 254; *Norris* v. *Crocker*, 13 How. 429; *U. S. ex rel Rodriguez* v. *Weekly Publication, Inc.*, 144 F. 2d, 186; *National Carloading Corporation* v. *Phoenix-El Paso Express, Inc.*, 142 Tex. 141; *In re Joseph T. Hall*, 167 U. S. 38; *Western Union Telegraph Co.* v. *L. & N. R. R. Co.*, 258 U. S. 13; *Maryland* v. *B. & O. R. R. Co.*, 3 How. 534).

D. Even if the right to recover overtime compensation, etc., is a vested property right, it could nevertheless be abrogated by Congress in the exercise of its constitutional duty to regulate interstate commerce (*Norman* v. *B. & O. R. R. Co.*, 294 U. S. 240; *Louisville & Nashville R. R. Co.* v. *Mottley*, 219 U. S. 467; *Second Employer's Liability* cases, 223 U. S. 1; *Philadelphia B. & W. R. Co.* v. *Schubert*, 224 U. S. 603; *North American Co.* v. *Securities & Exchange Comm.*, 327 U. S. 686; *American Power & Light Co.* v. *Securities & Exchange Comm.*, 67 Sup. Ct. 133).

PART II. PROVISIONS AFFECTING ALL CLAIMS, CAUSES OF ACTION, AND ACTIONS UNDER THE FAIR LABOR STANDARDS ACT (29 U. S. C. SECS. 201, 219), THE WALSH-HEALEY ACT (41 U. S. C. SECS. 35, 45), AND THE BACON-DAVIS ACT (40 U. S. C. SECS. 276A TO 276C)

1. Statute of limitations

Actions for the recovery of wages, overtime compensation, penalties, or damages (actual, liquidated, or compensatory) must be commenced within 1 year after the cause of action accrued. This provision applies to actions accruing both before and after the effective date of this act. Causes of action which had accrued more than 1 year prior to the effective date of the act may nevertheless be commenced within 6 months after said effective date. As to the individual claimant, the action is deemed to be commenced when he is named as a party to the action. In other words, the commencement of an action does not stop the running of the statute for all those who later become parties. Causes of action which on the effective date of the act are already barred by any applicable State statute of limitations are not revived but remain barred. In computing the 1-year or 6-month period, the period or periods of time during which a defendant is not found within the United States so that process may be served on him, will be excluded.

The limitation herein provided applies only to the statutory actions or proceedings set forth in the acts enumerated in section 5 of H. R. 2157. Actions under the common law, or under State statutes for recovery of wages are not affected.

The desirability of a uniform Federal statute of limitations has often been pointed out. In the absence of such a statute, courts are required to enforce the State statute deemed to be applicable. (See U. S. Code, title 28, sec. 725.) This has caused confusion and a lack of uniformity throughout the Nation.

2. The good-faith provision

The purpose of this provision is to protect the employer against the retroactive effect of changes in administrative regulations, etc. It is not limited to regulations of the Wage and Hour Administration. On the contrary, the protection extends to all regulations, etc., of the executive branch of the Government which affect the liability of the employer in the three statutes set out in section 5. Included also is a decision of a court of record to which the employer was a party in interest.

The defense must be pleaded and proved by the employer. It is a permissible defense in any action pending on the effective date of this act or commenced any time thereafter. It applies to causes of action regardless of the time when they may have accrued.

Congress has the power to provide protection to employers who have complied in good

faith with administrative regulation, interpretation, or enforcement practices. (See *Graham & Foster* v. *Goodsell*, 282 U. S. 409; *Skidmore* v. *Swift & Co.*, 323 U. S. 134.)

3. Settlement of claims

Section 2 (b) provides that any claim, cause of action, or action may be settled or released. This provision applies to settlement both before and after the effective date of the act. To be valid, however, such a settlement must be free from fraud or duress.

Assignment of such claims, causes of action, action, or interest therein, is prohibited.

4. Assessment of damages

In *Missel* v. *Overnight Transportation Co.* (316 U. S. 572) the court expressed regret that the imposition of the full amount of liquidated damages under section 16 (b) of the Fair Labor Standards Act was mandatory. Section 2 (g) of this act would remedy that situation. Under its provision, the court could award liquidated damages or penalties for a violation of the law only if it found that the violation was in bad faith and without reasonable ground. In that event, the amount awarded would be in the discretion of the court but not of course in excess of the maximum specified in the law under which the action arose.

Mr. Chairman, I now yield to the gentleman from Iowa [Mr. GWYNNE], the author of the bill, 20 minutes.

Mr. GWYNNE of Iowa. Mr. Chairman, following the hearings the subcommittee and later the full committee gave very careful consideration to this entire subject. I mean this general subject of portal-to-portal claims and suits, and also other problems caused by giving retroactive effect to certain rulings and regulations. Growing out of those investigations this bill, H. R. 2157, was recommended.

I believe I can say that this is a committee bill, in every sense of the word. It represents the final majority views of the committee. However, I do not wish to infer that every member is in accord with all the provisions of the bill. There will be some disagreements about certain provisions, and you will hear about those later.

The bill has to do with three acts of Congress.

First, the Fair Labor Standards Act; second, the Walsh-Healey Act, which is the Public Contracts Act; and, third, the Bacon-Davis Act, which is the act regulating the building of buildings in behalf of the Government.

The bill, however, is not an amendment to those acts. It affects certain liability under those acts.

This bill may be divided into two parts. The first part has to do with general claims and actions under those three statutes. You will find that in section 2 of the bill. Section 2 undertakes to prescribe certain limitations, to lay down certain conditions under which action for wages, liquidated damages, attorney's fees, and costs may be brought. The first limitation laid down has to do with the statute of limitations. Under existing law there is no Federal statute of limitations limiting the time within which suits may be brought under any of these acts. This bill would put a limit of 1 year. That is to say, every person must sue his claim within 1 year after the cause of action arose. That applies whether the cause of action arises prior to the effective date of the act or after the effective date of the act. Of course, when the act becomes law there will undoubtedly be certain causes of action which have already been running more than a year. Those are not cut off, however. All those people have 6 months after the effective date of the act within which to bring their suits.

In the absence of a Federal statute of limitations, the courts, in trying these cases, are required under the Conformity Act to apply any applicable State statute of limitations. So, under those statutes, some actions are now barred. This act makes it clear that any action now barred under State statute is not revived. We have also cleared up a point about which there was some confusion among the courts. That has to do with the question when the statute begins to run as to a person who later joins a representative or class action. In other words, is the statute tolled by the bringing of the action for everyone who later joins in? This bill makes it clear that such is not the case. Every person joining the action can be met by the statute of limitations, and it begins to run at the time he is made a party to the action.

Let me say this to you about the statute of limitations: It purports only to limit the time within which the statutory actions may be brought; that is, for example, under the wage-and-hour law, an employee may sue for minimum wages or for overtime compensation and may recover that amount, plus an equal amount as liquidated damages and attorneys' fees and costs. That is the statutory action. This would limit only the time for beginning of that action; it does not affect his right under common law to bring an action for any wages in the State courts, and be subject there to the usual statute of limitations.

I think the situation is entirely similar to that which exists in cases of mechanics' liens. For example, suppose I buy material for my house from a lumber dealer. He may furnish me the lumber and sue me for the amount involved at any time within the statutory period, which, in my State, is 5 years on oral contracts. It was thought by the legislature that that was not an adequate remedy, so they gave the lumber dealer a special statutory right—just like we gave to employees under the Fair Labor Standards Act. They gave the lumber dealer a mechanics' lien. He could file in the courthouse a statement of the amount due and that became a lien on my property; that gave him great rights over every other creditor, and he could foreclose it in due time. The legislature required—and you will find similar provisions in your own State—that the filing of that lien must be within 90 days and the action to foreclose it must be brought within 1 year.

I point that out simply to indicate that it has been the general policy of legislative bodies when they give a special and drastic statutory remedy to require that that remedy be exercised within a rather short period of time. If the beneficiary thereof does not care to rely upon that particular remedy his right to sue under common law as ordinary people sue ordinary claims is in no way affected.

The next provision has to do with the so-called good-faith provision. One of the great complaints about the operation of the Fair Labor Standards Act has to do with the many conflicting and confusing rulings. The act has been greatly extended, as you know, the coverage of the act has every year been made broader and broader. Just to give you one example, they held, and the Supreme Court held with the Administrator some time ago, that an elevator operator in a building who simply took customers up to the top floor where a company was engaged in manufacturing goods to be sold in interstate commerce, that that elevator man was under the Fair Labor Standards Act. There are literally hundreds of cases that might be cited. The net result has been that many small employers have gone to the person responsible for enforcing the law, have gotten rulings, interpretative bulletins, and have relied on them, only to find that next year the ruling has been changed by the Administrator or that a court decision has changed it.

Regardless of his good faith, the employer finds himself subject to suit, not just for the amount involved but for twice the amount involved, together with attorney's fees and costs. This simply provides that the employer in any such case may plead and prove that what he did was done in good faith and in reliance upon administrative rulings or regulations.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. I yield to the gentleman from Pennsylvania.

Mr. WALTER. I notice in that section reference to reliance in good faith on any administrative regulations and in the report, page 7, second paragraph, it is provided that the protection extends to all regulations, and so forth, of the executive branch of the Government which affect the liability of the employer under the three statutes set out in section 5. I am wondering whether or not the language in the report is a correct statement of the intention of the committee. I was under the impression that the good faith was to be extended to reliance on orders of the War Labor Board as well as good faith reliance on all orders from any executive branch of the Government.

Mr. GWYNNE of Iowa. That is correct. My understanding is exactly the same as the gentleman's. This good-faith provision extends to any administrative order, regulation, or practice of any department of the executive branch of the Government insofar as it affects liability under these three acts.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. I yield to the gentleman from North Carolina.

Mr. BARDEN. I would like to clear my mind on that. For instance, if the Wage and Hour Administrator, or one of his deputies, issues a ruling or an interpretation under the act, the employer is allowed to proceed under that without being penalized later when they change their minds?

Mr. GWYNNE of Iowa. That is correct.

Mr. BARDEN. That is the same issue that was fought out here on the floor when the amendments were offered 2 or 3 years ago.

Mr. GWYNNE of Iowa. That is correct.

Mr. BARDEN. And they turned me down on that.

Mr. GWYNNE of Iowa. I hope we have better luck now.

Mr. BARDEN. They turned me down on the 1-year limitation also. I hope they are truly repentant today.

Mr. GWYNNE of Iowa. We should bear in mind that this in no way interferes with the right of any administrator to issue rules and regulations and interpretations as provided by law and to change those rules and regulations. All this provides is that the changes will not operate retrospectively.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. I yield to the gentleman from New York.

Mr. REED of New York. I have listened to the colloquy between the gentleman from Pennsylvania and the gentleman from Iowa, and I was very much interested. I thought he raised the point that the committee's real intention was not expressed in the report, and whether or not the interpretation that you now place on it is different from that of the report. I would like to know about that because if it comes to a matter of ascertaining the intent of Congress and the court referred to the report, perhaps not looking into the debates, I am wondering where we stand now.

Mr. GWYNNE of Iowa. I think the report sets out very clearly what the gentleman from Pennsylvania [Mr. WALTER] and I have in mind. It says:

> The purpose of this provision is to protect the employer against the retroactive effect of changes in administrative regulations, etc. It is not limited to regulations of the Wage and Hour Administration. On the contrary, the protection extends to all regulations, etc., of the executive branch of the Government which affect the liability of the employer in the three statutes set out in section 5.

Mr. REED of New York. Then it is understood that in your colloquy here you did not intend to say that the report did not reflect the intention of the committee?

Mr. WALTER. What I had in mind was clarifying the order feature of the language in the report because, after all, the proceedings are under one of the three statutes; however, wages may be fixed by a Government agency other than the wage-hour, Walsh-Healey, or Bacon-Davis agencies.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. I yield to the gentleman from Wisconsin.

Mr. KEEFE. As illustrative of this situation, the Wage and Hour Administration, as you know, was required to define areas of production under the Fair Labor Standards Act. They issued such a definition under which the employers, especially in the canning business in the agricultural fields, operated. The case went to the Supreme Court of the United States in which the Supreme Court held that that definition was unconstitutional, and set it aside, and required the Wage and Hour Administrator to issue a new definition of "area of production," something that the Congress refused or failed to. Now, then, under this new definition of area of production, as now defined by the Wage and Hour Administrator, we find that under the decision of the Supreme Court it is retroactive, and an employer who may have been complying with the first definition may now find that he is faced with penalties that have arisen because of this decision of the Supreme Court which makes those penalties retroactive.

Mr. GWYNNE of Iowa. That is correct.

Mr. KEEFE. What I want to know is this: Is it intended, under this good-faith provision which the gentleman discussed on page 7 of the report, that an employer who has in good faith complied with the regulations established by the Wage and Hour Administrator under his then existing definition of area of production, is protected against suits for double damages or treble damages because of the subsequent change by the Supreme Court directing a new area-of-production definition?

Mr. GWYNNE of Iowa. That is correct. That is exactly what we have in mind.

There are two other features in part I of the bill that are quite important. Under existing law this action for double damage under the Wages and Hours Act cannot be settled. We allow settlements to be made, and a settlement will be valid in the absence of fraud or duress. Also under existing law if there has been a violation of the wage-and-hour law or any of these laws, regardless of the good faith of the employer who makes the violation, the court has no discretion other than to assess the amount found due plus an additional amount for liquidated damages. In this bill we provide that the court may assess this liquidated damage only if he finds that the violation of the law was in bad faith and without reasonable grounds, and then he may assess such amount as he thinks is right, but not to exceed the amount fixed in the particular law.

Mr. KARSTEN of Missouri. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. I yield to the gentleman from Missouri.

Mr. KARSTEN of Missouri. Upon whom is the burden of proof as far as this bad faith is concerned?

Mr. GWYNNE of Iowa. I presume it would be on the plaintiff.

Mr. KARSTEN of Missouri. The employee rather than the employer. It would be a question of having the employee prove the state of mind of the employer; is that correct?

Mr. GWYNNE of Iowa. I do not know that that is it at all. The bill simply says that if the court finds that the employer acted in bad faith then he may assess such sum as he thinks is equitable.

Mr. KARSTEN of Missouri. The burden is on the employee then?

Mr. GWYNNE of Iowa. I would not say it was. It is a question for the court to determine; whoever proves it or disproves it. I do not suppose it makes any great difference.

The second part of the bill has to do with suits for the recovery of compensation in connection with activities which, at the time they were performed, were not considered compensable either by express agreement or by implied agreement, based on custom or practice—portal-to-portal, so to speak.

The portal-to-portal situation is simply this: The wage-and-hour law, the Walsh-Healey Act, and others, do not contain any definition of "worktime" or "workweek." Those acts do not say what activities are compensable. It was the general understanding, I believe, when the laws were passed, that that would be settled by agreement between the parties either expressly or by custom and practice which necessarily would enter into the minds of the contracting parties.

In the Mount Clemens case the Supreme Court considered whether or not certain walking time from the gate to the work station or time used in certain preliminary activities, changing clothing, and so forth, was compensable under the wage-hour law. The court held that it was compensable time and was covered by the Wages and Hours Act, even though the parties themselves may have expressly agreed that it was not compensable.

We set out in the report exactly what that would mean in practical figures. Take a person working at a basic rate of 70 cents an hour and putting in 30 minutes every day in these preliminary activities. If he worked 5 days a week and 50 weeks a year for a period of 4 years, he would be entitled to recover from his employer over $1,000 with attorney fees and costs. You can multiply that figure by the number of employees in the plant and apply those calculations to all the employees under the wage-hour law and see what it means to the economy of the country.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. MICHENER. Mr. Chairman, I yield five additional minutes to the gentleman from Iowa.

Mr. GWYNNE of Iowa. We move in on that problem very directly. Section 3 provides that the courts, Federal and State, have no jurisdiction to entertain suits of that character. It is as simple as that.

This brings me to a question I had better touch on before my time expires, the question of constitutionality. The ex post facto provision of the Constitution prohibits the making of any criminal statute retroactive under any circumstances. There is, however, no similar provision in regard to civil legislation. That does not mean that the Congress is without limitation in the matter, quite the contrary. We are limited by the fifth amendment, which states that no person's property shall be taken from him without due process of law.

What does "property" mean? The court has held that "property" was used in that amendment in the same sense you and I ordinarily use it. It means tangible, definite property. It does not mean some inchoate right that you have

not reduced to possession. It does not mean some fish in the river you have not yet caught. It does not mean some judgment under a statutory right that you might recover but have not yet recovered.

What is this right of the employee to recover time and a half for overtime? Is it based on the common law? Certainly not. Is it based on contract? Certainly not. It is based entirely on a statute of the Congress. The Congress in the exercise of a great public policy said, "We believe it to be in the national interest that any person who works more than a certain number of hours a week should be paid time and a half of the basic rate for that time." It is purely a statutory right, and the courts have held that all those statutory rights that are given by Congress may be taken away by the Congress at any time until they have ripened into a judgment from which further appeal may not be taken.

I can make that very clear if I give you an illustration or two. Prior to 1850 Congress passed a law which provided that any person who aided in the escape of a fugitive slave could be sued by the master and a $500 penalty collected from him. A man named Norris brought such a suit against a man named Crocker. He proved all these facts and was entitled to recover.

While the case was pending, the Congress amended the law and took away that penalty. The Supreme Court held, in substance, that Congress simply had pulled the rug out from under Mr. Norris.

We did the same thing in the informer statute.

We did the same thing in connection with the insurance bill. You remember in the Southeastern Underwriters case, the Supreme Court held that the business of insurance was interstate commerce, thereby reversing decisions of 75 years' standing. The net result of that was that the insurance companies of the land were immediately made liable to suit for treble damages under the antitrust laws, and chaos faced the insurance companies as well as the country at large. The Congress moved in and passed Public Law No. 15, of the Seventy-ninth Congress, which provided that these suits could not be maintained until January 1 of next year, at which time it was thought that other legislation will take care of the matter.

Somebody may say, "You are wrong in your major premise. You are going on the theory—which I am—that this right to recover overtime is purely a statutory right coming under the decisions which are cited." Let us assume it is not a statutory right but that it is a private right and, therefore, does not come under these decisions. Let us assume that and proceed from there. Some years ago a man named Norman bought from the B. & O. Railroad a gold bond. He paid his money and received the bond, which entitled him to recover the face value thereof in gold of a certain weight and fineness. That was not a statutory right, was it? That was clearly a private right which he had bargained for. That was property in any man's language, and no court would hold other than that that was a property right such as was meant to be protected by the fifth amendment. In the meantime, the Congress stepped in and passed the well-known gold law. When this man brought suit against the B. & O. Railroad to recover in accordance with the provisions of the bond, he was met by that statute which made it impossible for the railroad to pay the bond in gold of the agreed weight and fineness. The Court held, in substance, that every contract right in the country is subject to the paramount duty of the Congress to regulate interstate commerce and to perform the other great duties which it must perform for the country. That was the case of *Norman v. The B. & O. Railroad* (294 U. S. 240).

There are many other cases I could cite but I will not take up your time further.

The due-process clause is one of the great basic principles of government, and we have relied on it many times. For instance, a great depression comes along. Courts always held that a man was entitled to sue on his mortgage bond if the defendant does not pay the interest. According to the decisions of the courts, that creditor is entitled to his pound of flesh even though it carries with it the blood of the unfortunate debtor who cannot pay. That is what the courts have held. But during the depression the State legislatures stepped in there and stayed the hands of the courts. The action of the State legislatures was upheld under the due-process clause. We do the same thing in time of war when all the young men who produce food and clothing for the people are out on the battlefield. Here is a man at home who has bought a lot of food and clothing. He says, "It is mine. I will charge what I please." The Congress says, "You will not. We will recognize the right of the public as superior to any contract right you have." Putting it briefly, that is the due-process clause. You may cite cases by the hour and all you would conclude finally is that it is a basic principle of law which is rooted deep in the great fundamentals of common sense, justice, and fair play.

This due-process clause has often been applied to protect the few against the many, but it is just as powerful to protect the many against the few, as we are doing in this case.

Mr. Chairman, the due-process clause is a shelter for the helpless in the time of their emergency. It is not a sword for the unrighteous in the day of their aggression.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. HOBBS].

Mr. HOBBS. Mr. Chairman, you have just listened to one of the major prophets of the law in this Congress, and I think you have listened to an exposé of the law with reference to the pending bill as succinctly put as any man could have done. We in our committee regard the gentleman from Iowa, JOHN GWYNNE, as one of the soundest and best lawyers in this House. We believe that he and the subcommittee over which he so ably presides have done as fine a job with this bill as could be done with the approach they used. My hat is off to them. I am for the bill very cordially. I think that an amendment which I will propose would be helpful to the bill and helpful to the cause. I understand that the Parliamentarian will, as the distinguished chairman of the Judiciary Committee did in our committee, rule my amendment out of order. I have no hard feeling, and bow respectfully, as I must.

My proposal of that amendment was simply because I believe profoundly that it goes to the root of the trouble and is the best possible approach. I know it is being ruled out of order because the Congress, as I see it, is following the practice of the jurisdictional strike, which I abhor. The reason the point of order was sustained, and will again be sustained, is because jurisdiction over the so-called Fair Labor Standards Act of 1938 is in the Labor Committee rather than the Judiciary Committee. That may or may not be true, but we are representatives of the people of America. What we are trying to do is to do a thorough, workmanlike job for the people of America against pending and threatened evils that jeopardize our economy nationally. No matter who does the job, I submit, it ought to be done. The proper approach in all such matters is to do what needs to be done, well, thoroughly, and immediately. When you have a cancer, medical science has convinced the surgeons who know their business that the way to cure it is to excise it entirely. They cut it out wholly, root and branch. We are dealing here with a cancer. We may treat it otherwise, no matter how skillfully, but if we spare the knife the patient may die.

Every single pillow-to-pillow or portal-to-portal claim arises out of these three sections of the Wage and Hour bill. The manly, the right, the direct, the skillful, and the only safe approach is for Congress to repeal those three sections from which all our trouble flows. Then either in the same act, this act, or some separate act, whichever may be preferable, we can reenact those three sections suitably revised and safeguarded.

I believe that this bill with the repeal of sections 6, 7, and 16 (b) of the Wage and Hour bill will be a better bill than it is now. It is good now, but I have no fear that with the repeal of those three sections it will be a better bill and one which is more bombproof. So I submit with the highest respect for the subcommittee, for its able leader, the gentleman from Iowa, JOHN GWYNNE, and for the great committee which has brought this bill to the floor, that we ought to do the whole job that needs doing, and kill what may otherwise kill the economic life of the Nation.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. CELLER. Mr. Chairman, I yield myself 10 minutes.

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. CELLER. Mr. Chairman, I speak for the members on the Judiciary Committee who signed the principal minority report. It is always difficult to swim

against the tide, and I fear that in making my remarks this afternoon I will be swimming against the tide; I feel intense currents of opposition; but somebody has to bring these facts out, and I willingly do so.

The gentleman from Michigan, the distinguished chairman of the Judiciary Committee, said that the American people were interested in this bill. I want to remind my distinguished chairman, for whom I have the highest regard, that the working men and women of this country who, with the members of their families, very likely constitute over 100,000,000 of the population of the land, are vitally concerned with this bill. That number of people is a pretty good chunk of the American people.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. MICHENER. The gentleman is going on the false assumption that all of those people favor these portal-to-portal suits.

Mr. CELLER. I wish the gentleman would let me finish. I did not say that. I will say that those workingmen and their loved ones are very much interested in this bill and they are very much concerned that under the guise of blacking out or blocking out some unwarranted so-called portal-to-portal suits we are attacking and emasculating the Fair Labor Standards Act; and surely those working men and women are very much interested to see that the Fair Labor Standards Act is not destroyed even piecemeal.

As the gentleman from Alabama [Mr. HOBBS] said, he would like to cut out the "cancer" in its entirety, meaning the Fair Labor Standards Act. Should his suggested amendments prevail, the very guts of the act would be taken out and there would be no Fair Labor Standards Act. He spoke truly when he said that we are doing this thing piecemeal, this destruction of the Fair Labor Standards Act. So what I say finds favorable lodgment and is reechoed in the mind of the gentleman from Alabama. There has been a great deal of hysteria about these portal-to-portal claims. Some of those cases are good and some of those cases are bad. I am sure the distinguished author of the bill, the gentleman from Iowa, will agree to that. He did say in committee that he wanted to protect the good cases, but, again, this bill would at least throw a shadow across all the good claims if it would not preclude and proscribe them.

The adding machines have been taken out by some commentators and some of the publicists appearing for newspapers and they give a staggering figure as to the amount of these portal-to-portal claims. The figures are greatly exaggerated. What is claimed in a suit and what is recovered are entirely two different matters. In a lawsuit lawyers for plaintiffs usually balloon the claims. I admit willingly that many of these suits are utterly unwarranted and should never have been brought by the representatives of labor. Those who instituted some of the cases have done labor a disservice. But much of the hubbub is unwarranted. There are many good claims and we must protect those good claims. The bill does the opposite.

There is nothing new about portal-to-portal claims, although we are told that it is a novel situation; that we have never had portal-to-portal claims heretofore. Look at the interpretative bulletins of the Wage and Hour Division and you will see that Mr. Metcalfe Walling away back in 1939 warned management that they would have to pay for this type of work. I read from his testimony given before the subcommittee of the Judiciary Committee, page 245. Mr. Metcalfe Walling, a very distinguished administrator, states:

> I make no claim that I anticipated the situation created by the Mount Clemens case specifically, but I have made it clear on repeated occasions that I was seriously concerned about the possibility of retroactive liability growing out of a fundamental defect in the act.

That fundamental defect, he said, was his inability to make any administrative regulations. We deprived him of the right to make rules and regulations. May I say, Mr. Chairman, if we had given to the Administrator of the Wages and Hours Act the power to make rules and regulations, and therefore to define a workday or a workweek, or a productive day or a productive week, we would not have been bothered by all these portal-to-portal claims. He could have readily and timely settled all of them.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Michigan.

Mr. MICHENER. Was it the purpose of the Congress in not doing the thing the gentleman states, that employers' employees could under the Collective Bargaining Act settle their own disputes, bargain, and collect, and if they have done that they have acted in good faith; but because some misguided court makes a mistake as to what Congress intended and the people intended who entered into the bargain, we find ourselves in this emergency?

Mr. CELLER. The observation made by the distinguished chairman of the Judiciary Committee is in part sound, but it does not go far enough. Surely that is the situation with organized labor. But how many organized men are there in this land? Fourteen million. But what of the forty or fifty million unorganized men? The situation that the gentleman adverted to does not apply to unorganized labor, and we must be interested in unorganized labor as well as organized labor. The unorganized workers cannot collectively bargain. It is the unorganized man who does not know his rights. He has not got the pipe line of intelligence to the counsel of the union who can tell him adequately what his rights are. But the vast army of unorganized labor, forty or fifty million—I do not know the exact number—does not have the advantages that the union can give its men. When we adopted the Fair Labor Standards Act, we adopted it not only for union labor but for nonunion labor as well, and particularly for the nonunion workingmen.

Again, to supplement the statement I made that there is nothing new with reference to these portal-to-portal claims, the contrary notwithstanding, as the editorials and the commentators would have it, I call attention to the Tennessee Coal & Iron case, decided in 1944, which, in part, reads as follows—the Supreme Court speaking:

> We are not here dealing with mere chattels or articles of trade, but with the rights of those who toil, of those who sacrifice a full measure of their freedom and talents to the use and profits of others. Those are the rights that Congress has specifically legislated to protect.

And, again, further down in the opinion:

> It is vital, of course, to determine first the extent of the actual workweek. Only after this is done can the minimum-wage and maximum-hour requirements of the act be effectively applied. And in the absence of a contrary legislative expression, we cannot assume that Congress here was referring to work or employment other than those words are commonly used * * * as meaning physical or mental exertion (whether burdensome or not) controlled or required by the employer and pursued necessarily and primarily for the benefit of the employer and his business.

Now, that was fair notice to all the employers. I am sure that you will agree with me that all employers are not lily white. There are some who cut corners and, to use words of common parlance, there are many chiselers, and it is because of those chiselers that we must be very careful, and I fear we are not careful in this legislation when we seek to offer amendments to the Fair Labor Standards Act.

Now, it has been the practice in many unions to recognize portal-to-portal claims. I had this to say in the minority report, and you will forgive me for repeating it:

> A wide variety of activities which employers have always compensated, not unlike the portal-to-portal claims, occur in the building trades, longshoring, petroleum, newspaper editorial and photographic work. In the American Federation of Labor unions, time spent in traveling from designated bases to the work site, by collective bargaining, is considered worktime and paid for. In carpenters' agreements, tool sharpening is considered worktime during working hours and paid for. In street and bus transportation, getting the car ready for servicing and returning it to the barn is considered time worked and paid for.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Chairman, I yield myself five additional minutes.

This is in organized labor. That time is paid for. But that time is not paid for when it concerns the unorganized working men and women of the United States.

Judge Picard, who has been maligned up and down the Nation, and who was sought to be impeached—I think it was by a Member of this body—has rendered another decision, a second decision, which says where the time expended is of little consequence, is ineffectual and of very short duration, applying the so-called de minimis rule, suit should not be brought and is of no value, and he threw the case out of court, and I wager that thousands upon thousands of cases brought will be thrown out of court by virtue of Judge Picard's second decision.

Now I come to a provision of the Gwynne bill which to my mind is most obnoxious, and that is the limitation of 1 year as a statute of limitations. All past claims have applied to them a limitation of 6 months. But when it comes to future claims, I have many objections to the statute of limitation of 1 year. To my mind that is a rank discrimination against the working man.

In my State of New York a businessman has 6 years within which to bring a money claim against anybody. If a workman borrows money from him, the employer can wait 6 years before he brings action for recovery of the loan against the employee. Many of our Federal statutes have more than 3 years, at least more than 2 years, in which actions may be brought. Under present law a suit for a penalty of forfeiture operates under a 5-year statute of limitations. A suit under the Federal Employers' Liability Act operates under a statute of limitations which was originally 2 years but that was found to be inadequate and the Congress changed it to 3 years. A suit for infringement of patent rights operates under a 6-year statute of limitations. Suits under the Trust Indentures Act of 1939 and the Perishable Commodities Act operate under a 3-year statute of limitations.

We passed a bill similar to the Gwynne bill in the last Congress. We did not say in that bill that the statute of limitations was to be 1 year, we said it was to be 2 years, and over in the other Chamber they lifted it to 3 years. The bill died finally because of the abrupt ending of Congress.

I should like to warn the businessmen and warn management that if Congress can take away the rights of labor by limiting their claims to 1 year, then let businessmen beware. There is here established a very solemn and serious precedent, and similiar rights may be filched from businessmen and management in the future.

Let us see what the statutes are in the various States concerning claims for compensation. In Arkansas it is 5 years; California, 3 years; Illinois, 5 years; Indiana, 6 years; Nebraska, 4 years; Nevada, 6 years; New Hampshire, 6 years; New Jersey, 6 years; New Mexico, 4 years; New York, 6 years; North Carolina, 3 years; Ohio, 3 years; and Oklahoma, 3 years. Where in several States the statute was made 1 year or 6 months, the courts declared the statutes unconstitutional as setting entirely too short a period of time within which a claim could be brought.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Chairman, I yield myself five additional minutes.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Ohio.

Mr. VORYS. Would the gentleman claim that any of these statutes of limitation on bringing actions for wages are repealed or amended by this law, which merely applies to the special double damages and other features provided in the Federal laws?

Mr. CELLER. I am only instancing these particular State statutes to show that there is far more wisdom in the States with reference to statutes of limitation than there is in this Congress if we pass a 1-year statute of limitations. Also if we pass the bill it would control the time in the various States within which a suit for wages can be brought.

Mr. VORYS. I asked for information. Is it not true that even if the Gwynne bill were passed in its present form an employee would still have a right for an action for work performed?

Mr. CELLER. No. This law would be paramount to State statutes, and it would be only 1 year. In the various States I indicated, where there are 5- and 6-year limitations, the time would be whittled down to 1 year if we passed this bill.

Mr. VORYS. Can the employee recover for any work for which his employer agreed to pay him under the longer statute of limitations? I think that is obviously the case.

Mr. CELLER. If the claim is brought under the Bacon-Davis Act or under the Walsh-Healey Act, or under the Fair Labor Standards Act, if we pass this bill which is applicable to all three acts, there is only 1 year in which the claim can be brought in court.

Mr. VORYS. That is perfectly true, but the man would still have his right under the common law to recover if the employer agreed to pay him.

Mr. CELLER. Yes. That is under common law but not if he bases his claim on the right that we accorded him under the Fair Labor Standards Act.

Mr. ROBSION. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Kentucky, my very distinguished colleague on the committee.

Mr. ROBSION. The gentleman speaks of the statute of limitations with reference to the question of wages and so forth. The statutes to which the gentleman has referred do not carry with them this penalty as provided in the Federal Wages and Hours Act.

Mr. CELLER. That is correct; but we are taking away the liquidated damages.

Mr. ROBSION. I agree with the gentleman from Ohio that the limitation would not apply to the cases where the claim is just for wages, but with reference to double damages, that is an unusual weapon or privilege granted to the worker.

Mr. CELLER. But may I remind the gentleman that he forgets that if we pass this act as it is worded now we practically take away the so-called liquidated damages, which is the incentive for an employer to abide by the law. If we pass this law, we say that the employee cannot bring his action for anything other than the amount of the wages that the employer had to pay in the first instance, unless the employer was guilty of bad faith. We take away the right of the employee to sue for what is known in the act as liquidated damages, which is 100 percent of the amount of wages due unless there is bad faith. If we take that right away, we take away from him the right to sue for liquidated damages and the right to sue for the penalty. Then what happens? If a man violates a law, all he will be responsible for, despite his violation, is the amount of wages he would have had to pay in the first instance. What kind of penalty do you have then? What kind of incentive is there in the act so that the law will be obeyed? Remember, also, that the public, in addition to the employee, is interested in the matter of liquidated damages.

Mr. VORYS. The criminal penalty is still in the law; is that not true?

Mr. CELLER. But the criminal penalty is greatly changed by this act because even in the case of bad faith the court is not compelled to impose the full penalty but has discretion in the imposition of the penalty. Therefore, upon a showing of good faith, all the employer is obliged to pay is the amount which he was obligated to pay in the first instance. Therefore, there would be an incentive to violate the law instead of obeying it, and an employer could do all in his power to prevent giving an adequate wage to an employee for 1 year, and if he was successful in doing so for 1 year, then the employee is out of luck.

Mr. ROBSION. May I remind my friend the gentleman from New York that there is not a line in this bill which wipes out the liquidated-damages provision. It merely provides for changing this provision of liquidated damages or civil penalty to the extent that it gives the court discretion not to allow no sum at all but to allow an amount according to the proof.

Mr. CELLER. Oh, no. I must respectfully differ with the gentleman. There is no provision providing for the collection of liquidated damages unless there is bad faith, and in good-faith cases liquidated damages go out the window.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. WALTER. Where in the act is the liquidated-damage provision of the Fair Labor Standards Act eliminated?

Mr. CELLER. On page 5, subsection (g), which provides that in cases where the action of the employer was "in bad faith and without reasonable ground," and then the court may award the penalty up to the limit of 100 percent of the wage—that is, up to full liquidated damages in its discretion.

Again, I am interested in the nonorganized workers. A worker would be very fearsome of bringing in a claim for any action, especially if he is not in a union, because there would be fear and trepidation that he might lose his job. We must help in every way the worker—especially the unorganized worker. He is not inclined to make any claim, but even if he is inclined to make a claim, and he does make a claim, no matter how violative of the law the employer may be, the employer can compromise any claim; he can stick under the nose of an unsuspecting employee a waiver or release and shove into his hand a $10 bill, and then there is compromised a claim for perhaps several hundred dollars. I do not think that is the American

way, and that is why I must oppose this bill.

Now, beyond that, take this 1-year statute of limitations: The testimony showed there were 550,000 establishments in this country subject to investigation by the Wage and Hour Division. Mr. Walling testified that with his staff he could only conduct 50,000 investigations. Therefore, it would take over 10 years to complete the investigations of these various establishments who operate under the Fair Labor Standards Act. Yet the poor devil who is not a member of the union, who does not know his rights, must rely upon the investigation of the Wage and Hour Division and he may have to wait for 10 years before he will know his rights. By that time he is confronted with a fait accompli: this 1-year statute of limitations will have operated against him.

Mr. ROBSION. Mr. Chairman, will the gentleman yield for one other question?

Mr. CELLER. I yield.

Mr. ROBSION. Does the gentleman object to a worker having the right to settle his claim?

Mr. CELLER. I think that the worker should be permitted to consult the Wage and Hour Division, the various regional offices, to determine what his right is. I think the Wage and Hour Division, particularly with reference to unorganized workers, should first have some say in the matter. For that reason I hope that we can amend the bill to permit the Wage and Hour Division to determine, by regulation, what is productive work, what is a workweek, and what is a workday.

An employer can absolve himself completely if he claims he relied on any "administrative regulation, order, ruling," and even "enforcement policy or practice."

There is no limitation to rulings or interpretations of the Administrator. Any minor regional official can make any ruling that will absolve the corner-cutting employer.

A complete defense is not only reliance upon administrative opinion, ruling, interpretation, regulation, or order, but also even something called "enforcement policy or practice." Frequently an enforcement policy may include a decision not to act in certain cases only because of lack of funds or because it is decided that other cases are more important and more urgent.

Rights of workingmen are thus dependent on rather vague formulas.

It were better to give the Administrator power to make rules and regulations—a power which we withheld. Such power would enable the Administrator to make rules defining "workday," "workweek," "production work," "compensation for work," and so forth. That power heretofore granted would have done away with the so-called portal-to-portal suits.

The employer can, under the bill, compromise and settle any claim. Thus an employer may pay his employee 30 cents an hour instead of the legal rate of 40 cents and then free himself from liability for his law violation simply by securing from the underpaid employee a signature on a waiver or release.

Also liquidated damages can only be recovered if bad faith is shown. The bill says in effect that double damages can only be recovered by proving something that is quite difficult if not impossible—bad faith—the operation of the employer's mind. Yet even the product of the employer's bad faith the proposed bill would permit the employee to compromise away. Compensation may be barred by custom or practice. And it is not custom or practice in the industry but in the particular establishment. Practices in different plants within the industry may differ. Thus wages may differ in different places. That may be noncompetitive conditions.

What is practice, especially in a new plant or new industry? It would take more than 1 year—the statute of limitations is 1 year—to know what the custom and practice in a new plant is. But by that time the claim for overtime pay is foreclosed.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has again expired.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Chairman, of course, in the consideration of a measure of this sort, sometimes people, accidentally or otherwise, get away from the legislation under consideration.

This bill does not do any of the things that either the gentleman from New York [Mr. CELLER] or the gentleman from Illinois [Mr. SABATH] were so apprehensive about in their statements. You must bear in mind that when the attention of the country was focused on the so-called portal-to-portal suits it was the opinion of everyone that there were things in the wage-and-hour law, in the Walsh-Healey Act, and in the Bacon-Davis Act that required clarification so that the chaotic condition that our Government, courts, employers, and our labor unions found themselves in could not be continued for long.

This bill does not whittle away one single right of the workers under the wage-and-hour law. I say to you if it did I would not be in the well of this House urging that this bill be enacted. After all, when the wage-and-hour law was written, it was written to protect the health, efficiency, and general well-being of workers who are engaged in those activities which are considered to be interstate commerce. The statute affects about 21,000,000 workers, of which number approximately 12,000,000 are unorganized.

These 12,000,000 workers should be given even greater protection than they now have from those unscrupulous employers that very few of us know very much about. Unfortunately, when we consider legislation of this sort, we think of the reputable employer, we think of the man who is today confronted with claims for something he never anticipated he would be obliged to defend against, and we lose sight of those people who would destroy the reputable businessman and get into his markets through the cutting of corners. There is nothing in this bill, as I said before, that affects that class of employers, that I think we should continue to protect to the best of our ability.

What have we done that affects the wage-hour law? We have provided that where an employer acts in good faith and does that which in his judgment he has a right to do by virtue of established custom not in violation of the law, or by virtue of a decision of a court in an action in which he was a party, or by virtue of a ruling by an administrative agency, he has a valid defense, which, of course, must be established as is any defense, when a suit is brought under the statutes set out in section 5 of the bill, and in that instance only. Even the very capable Administrator of the wage-and-hour law, Mr. Walling, urged that settlement of claims should be allowed. Bear this in mind, that under existing law, under section 16 (b) of the wage-hour law, the court has absolutely no discretion whatsoever in the imposition of a penalty when there has been a violation, whether willful or otherwise. If the court finds that an employee is entitled to compensation for minimum wages or for overtime employment, then it is mandatory on the court to impose the penalty. In many cases the courts have stated that they would like, if possible, to relieve the employer of a penalty for something that he did innocently and not deliberately, but are powerless to do anything but impose a penalty as liquidated damages in an amount equal to the amount recovered for unpaid minimum wages or overtime compensation.

We have provided in this bill that where there is a violation then the court has jurisdiction to impose whatever penalty he sees fit to impose up to double the amount of the claim. I cannot imagine a court anywhere in this land that would not impose the full penalty prescribed under the statute in a case of willful violation of the law.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield.

Mr. CELLER. Does the gentleman think it fair to have the employer rely upon the administrative ruling or interpretation of law by anyone, say, of the lesser echelons of the Wage and Hour Division, some insignificant servant or employee?

Mr. WALTER. It seems to me, I may say to the gentleman from New York, in that regard, that the usual rules of the law of agency should prevail, and that where a person is apparently clothed with the indicia of authority to speak for his employer, in this instance the agency, then it seems to me that the person who receives his interpretation from such a person ought to have the right to rely on it. Certainly if he calls some minor official or writes a letter to a minor official, if the minor official has the right to reply to such letter it ought not to be construed as bad faith to rely on it.

Mr. CELLER. Mr. Chairman, will the gentleman yield further?

Mr. WALTER. I yield.

Mr. CELLER. There is nothing in the act which puts that limitation upon the

ruling; it can be any administrative ruling, or order, or interpretation by anybody in the service.

Mr. WALTER. But the record discloses that the rulings are made by the Administrator—and this is Mr. Walling's testimony—the rulings are either made by him or made by somebody to whom he had delegated the authority to make the rulings. I cannot imagine the important queries we have in mind ever reaching the desk of anyone without the authority to act thereon.

Now, that is the substance of the testimony as disclosed by the record. The thing that appealed to the members of the subcommittee charged with the responsibility of considering this problem was the language of the wage-hour law which ties the hands of the court in the imposition of the penalty in all cases.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Connecticut.

Mr. MILLER of Connecticut. As a layman, I cannot quite understand the language in section 3, particularly the words "either by custom or practice." Would that mean that if the custom or practice is admittedly bad or in error that would be a defense?

Mr. WALTER. I was about to come to that. That phase of the problem as contained in section 3 of the bill caused our committee a great deal of trouble. What is custom and practice? What is the custom and practice in determining what the employer has a right to compel his employees to do? You will notice that that language applies to activities that are heretofore or hereafter engaged in. As to activities heretofore engaged in there can be little question; however, as to what is a custom or practice in a new business will cause difficulty. Bearing in mind the fact there are about 55,000 new employers a year, of course we can foresee difficulty. But custom and practice in that connection means a custom and practice not in violation of the law. Certainly no employer could, for example, compel an employee to get to his place of business an hour before he punches the clock and because he had done that for a while relieve himself of his responsibility to comply with the law by saying, "That is the custom and practice of my business." No court would uphold any arrangement of that sort. Certainly that is work under any of the definitions of the courts and we have to rely on a common-sense interpretation of that language.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from California.

Mr. HOLIFIELD. Would not the effect of that particular section also make the agents in collective bargaining a little more careful in writing the terms and conditions of their employment?

Mr. WALTER. Of course, it would be notice to the employer and the collective-bargaining representatives of the employees that their contract ought to be very explicit. But I am not thinking of that kind of a situation because where there is a strong labor union certainly the employee is protected against the vicious practices which some of us know about and the kind of practices that were heard described in the testimony adduced at many hearings before various committees of both the House and Senate. No employer can establish as a practice activities for which an employee should be compensated. That would clearly be in violation of the law. As to that language, I am certain that while there may be some confusion for the moment there is not going to be any great difficulty in proving what is de minimus and what is a genuine claim for compensation under the law, and I cannot foresee any employee being imposed upon because of this provision. However, with the 1-year limitation written in the act, there will be a strong temptation on the part of chiselers to take a chance. There is no reason for such a short period of limitation, and I am sure that something more reasonable will be provided before this legislation becomes a law.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MICHENER. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. GOODWIN], a member of the subcommittee considering the bill, 10 minutes.

Mr. GOODWIN. Mr. Chairman, I want to amplify the suggestion made a few moments ago by the distinguished gentleman from Alabama [Mr. HOBBS] when he paid a very well-deserved compliment to the able and distinguished chairman of our subcommittee, the gentleman from Iowa [Mr. GWYNNE]. In my opinion, we owe a debt of gratitude to the gentleman from Iowa for the ability and the industry which he has displayed in the matter of this legislation. His masterful presentation of the issue early in this debate is entirely in line with the industry he has displayed throughout the consideration of this matter, and in my opinion his contribution is little less than monumental, and I say this without derogating at all from the credit which is due the distinguished chairman of the Committee on the Judiciary, the gentleman from Michigan [Mr. MICHENER], and the other members of the subcommittee and of the full committee. Something has been said in debate, and more will be said, undoubtedly, to the effect that there is danger that we may magnify and overemphasize the issue before us, and I think we ought to make very certain that we do not minimize the urgency of the situation.

The need for the legislation now being considered becomes dramatically apparent from the avalanche of so-called portal-to-portal pay suits which have been filed following the decision of the Supreme Court in the Mount Clemens Pottery Co. case in which it was held that certain incidental activities of employees are compensable under the wage-hour law.

These incidental or preliminary activities now declared compensable under the Fair Labor Standards Act are not defined in that law. Everybody, the Congress, the employer, and employee have apparently always assumed that that was something which was to be settled between the employer and employee either by agreement, express or implied, or by custom or practice in the locality or in the industry.

The Mount Clemens decision has opened the flood-gates to an epidemic of suits based upon claims allegedly valid under this new and unexpected formula.

It is estimated that nearly 1,000 companies have been sued and that the claims may be in excess of $6,000,000,000. In some cases claims have been filed for an amount greater than the working capital or net worth of the company. In very many cases if pending suits were upheld, bankruptcy and ruin would be inevitable.

Industry faces a situation little short of chaotic. Credit is impaired and the necessity for preparation for defense of the suits interferes with the normal process of production. If the suits are successful operating capital might be wiped out.

The confusion and uncertainty creates a serious hazard to our economic system which is all the more unfortunate at this particular period of national recovery when full speed ahead in production is so urgently needed throughout every segment of industry and business.

If industry must pay for these dead horses in the shape of back pay that was never contemplated or considered, then with an increase in costs, with no more goods provided, it will mean higher prices and the consumer must in the end pay the bill.

In the light of uncertainty as to what may happen as the result of suits which may be brought, it is certain that we shall see a slowing down of production. Business will naturally cancel plans for expansion and jobs. Thus everybody is affected, the businessman, the investor, the wage earner, the consumer, and the taxpayer.

Also aside from the portal-pay issue, it appears likely that future demands for liquidated damages penalties and other claims which may be made against employers, even though acting in good faith, might equal or even exceed the actual portal-to-portal pay claims because of the retroactive effect of the new ruling.

We face still another economic danger. It seems probable that those concerns which are least likely to weather the storm let loose by the court decision are the smaller and weaker companies. Thus is fostered the possibility of further concentration of economic power in the hands of those few larger and stronger concerns whose greater facilities for procuring extended credit in time of financial stress may enable them to survive.

The Government, and that means the taxpayers, has a tremendous stake in our attempted solution of the problem imposed by this portal-pay issue. I think I can do no better than quote from our report, on page 4:

> The amounts paid by employers having cost-plus-fixed-fee contracts, together with litigation expenses, are all chargeable against the Government. The Comptroller General has so decided. There will also be a loss of revenue through deductions and refunds in taxes.

Cost-plus-a-fixed-fee contracts in the War Department during the period 1941 to 1946 totaled between forty and forty-five billion dollars. As of February 14, 1947, claims had been asserted under these contracts of about $600,000,000. It was estimated by Under Secretary Kenneth C. Royall at the hearings that the maximum potential liability could go as high as $1,400,000,000.

Attention was also called to the fact that during the period 1941 to 1946 the War Department also awarded approximately $100,000,000,000 in lump-sum contracts. While the Government would not have the same legal liability as attaches in the cost-plus-fixed-fee type of contract, nevertheless there might be a moral obligation, the discharge of which would add another huge amount.

There might also be an additional, although apparently limited loss, in connection with renegotiation proceedings.

As of February 5, 1947, the Maritime Commission had received notification from 18 contractors of the filing of portal-to-portal suits against them. In five of the suits the amount claimed was $128,500,000. The witness for the Commission estimated the additional liability as between $50,000,000 and $150,000,000:

"The greatest potential liability would undoubtedly arise under the ship-construction contracts. To a lesser extent, liability will presumably arise under ship-repair contracts, stevedoring contracts, terminal contracts, and miscellaneous contracts of a cost-plus-a-fixed-fee nature."

The Honorable W. John Kenney, Assistant Secretary of the Navy, pointed out in his statement to the committee the effect of the portal-to-portal pay problem of the Navy Department. He said:

"There are four fields in which the Navy has an interest. First, cost-plus-fixed-fee contracts; second, fixed-price contracts containing provision for escalation in price by reason of increased labor costs; third, terminated fixed-price contracts; and, fourth, renegotiation."

Mr. Kenney estimated a potential liability in cost-plus-fixed-fee contracts of $720,000,000. In the field of fixed-price contracts with escalation clauses he declined to make an estimate but said the liability "will probably be substantial, as the great bulk of contracting done by the Navy Department during the war was on a fixed-price basis, and many contracts contained escalation clauses of this character." In regard to terminated fixed contracts and renegotiation, there was also the possibility of liability but apparently in smaller amounts.

Witnesses for the Government departments called attention to the serious administrative burden placed upon the departments, whether or not these suits are successful, in maintaining such controls and review as is necessary to safeguard the best interests of the Government, and it was admitted before the committee that the expense involved here would be tremendous.

Mr. Chairman, with all this outstanding liability against the Government, with a possibility of millions and millions of dollars having to be paid back in taxes to the companies that have suits filed against them, I think it is safe to say that unless and until this Congress is able to find some solution to this portal-pay threat as it exists today, it is absolutely useless for this Congress even to consider any reduction in income taxes.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. MICHENER. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. RIZLEY. Mr. Chairman, will the gentleman yield?

Mr. GOODWIN. I yield to the able gentleman from Oklahoma.

Mr. RIZLEY. Subsection (f) of section 2, which is at the bottom of page 4 and continues on page 5, disturbs me a little bit. It is provided in that section that—

> Any claim, cause of action, or action may be comprised, adjusted, settled, or released, in whole or in part, either before or after commencing such action by the person entitled to bring such action, and any such compromise, adjustment, settlement, or release according to the terms thereof, and in the absence of fraud or duress, shall be a complete satisfaction of such claim.

In view of what the gentleman has just said, does he believe that the phrase "in the absence of fraud or duress" is sufficient to protect the Government against settlements that might be made? In other words, I can see where an employer and an employee might get together and make a settlement which would contemplate, of course, ultimately that where a contract on a fixed-fee basis had been readjudicated or otherwise compromised, they would go back to the Government for that amount of money. Does the gentleman believe that provision is sufficient to protect the Government in such a case?

Mr. GOODWIN. I think the general observation of the gentleman is absolutely sound. There would be a temptation, and the temptation has already been taken advantage of, to effect these settlements, with the understanding on the part of the employer that the Government will reimburse him for what he has to pay.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. GOODWIN. I yield to the distinguished gentleman from Connecticut.

Mr. MILLER of Connecticut. Can the gentleman explain to us why the one-year period was determined for the statute of limitations rather than the average throughout the country, which I understand is a longer period of time?

Mr. GOODWIN. Because it appeared to the majority of the committee that that was a reasonable period, considering the unusual subject matter concerned, and that we are legislating here for something entirely apart, in our opinion, from the ordinary run of contracts, and, therefore, the employee should be restricted to that limited period of time if he wants to take advantage of his rights.

There was also this consideration which influenced some of us to some extent. If an employee, and I am not saying that all employees would be of that kind, but there might be some; but if an employee, knowing full well that he would be able to get the benefit of these liquidated damages and penalties and that this right to sue would run over a long period of time, were tempted to withhold the filing of his suit until the period had expired, he could do so in order to get the greatest benefit from it, and in the meantime the employer would have no notice of the claim to be made against him.

Mr. MILLER of Connecticut. I thank the gentleman. That information will be very helpful in replying to inquiries concerning that matter.

Mr. ROBSION. Mr. Chairman, I arise in support of H. R. 2157, the revised Gwynne bill. Few measures have received more extensive, careful, and sincere consideration than this bill. The members of our Judiciary Committee had no desire except to find a solution that would be just and fair both to employees and employers, and with that high purpose of mind a great deal of time has been given by the members of our committee in hearing witnesses for both sides and also from Federal officials who are familiar with matters of this kind. Our committee was anxious to preserve the rights of the workers and at the same time protect employers from unfair and unjust demands. Let it be said in the outset that this is not a bill in the interest of the chiselers. No one on our committee is interested in that type of employer, and neither are the members of our committee interested in a group of workers making unfounded and unjust claims. We want to protect all from any unfair treatment by chiselers, either employers or workers. We desire to do the right thing and the just thing for workers and employers.

I wish to commend the officers and members of the American Federation of Labor and the editorials in the publication called Labor, spokesman in many respects for the railroad brotherhoods, and also the officers of the railroad brotherhoods, for their condemnation of the avalanche of the so-called portal-to-portal suits aggregating more than $6,000,000,000. Some of these distinguished representatives of labor pointed out that some of these single suits involved tens and tens of millions of dollars, and in the aggregate amounted to billions of dollars, and were without merit, and the filing of this great number of damage suits was most harmful to the cause of labor. The reaction to these suits throughout the country was most unfavorable to the workers.

I wish to point out, however, that practically all of these suits were instituted by the CIO. Many officials and leaders of the A. F. of L. and railroad brotherhoods urged the members of their organizations not to file such actions. These actions sought recovery and damages from their employers for wages under the wage-and-hour law, also for overtime and a like amount for so-called liquidated damages, attorneys' fees, and costs over a period of many years, and some of our courts take the position that the employees would not have to make out their case but the employers were required to make out the case for the plaintiffs. This litigation was precipitated by a decision handed down by the Supreme Court in the case of Anderson against Mount Clemens Pottery Co. The master commissioner of the Federal judge of that court, after hearing the witnesses, arguments, evidence, and so

forth, made a report to the judge that the plaintiffs were not entitled to recover.

The judge took a different view and awarded the plaintiffs several thousand dollars. The pottery company took the case to the United States Court of Appeals and this court reversed the decision of the district court. The plaintiff, Mr. Anderson, then appealed to the Supreme Court and the Supreme Court reversed the decision of the Court of Appeals and the case was sent back to the district Federal court for further consideration.

In the month of January 1947, under this ruling of the Supreme Court, more than 1,500 cases were filed, making claims for approximately $6,000,000,000 in wages and damages. The district judge recently retried this case of Anderson against the Mount Clemens Pottery Co. and reached the conclusion that Anderson and his associate workers, plaintiffs in the action, were not entitled to recover any sum. The action of the Supreme Court created consternation among the employers in the country and a lot of unrest among the workers. To meet this situation, many bills were introduced in Congress. Among them was the bill introduced by our colleague, the gentleman from Iowa [Mr. GWYNNE] one of the most capable and honorable men as well as one of the very best lawyers in the House.

In the Seventy-ninth Congress and after the Supreme Court's decision in the Mount Clemens Pottery Co. case the gentleman from Iowa [Mr. GWYNNE] introduced a bill, which passed the House and was also passed in the Senate with some amendments. Due to the adjournment of Congress it was never finally acted upon by the Congress. Many of us believe if that bill had become law we might have avoided this upset in the economic and industrial life of the Nation. We have pointed out that more than 1,500 of these suits were filed in January 1947.

I suggest that my colleagues examine carefully the reason set forth in the bill making necessary this legislation. The bill declares:

That the Congress hereby finds that serious inequities and hardships have resulted and are resulting from the administration and enforcement of the statutes of the United States mentioned in section 5 of this act, thereby creating a serious national emergency, endangering the public welfare, and giving rise to certain evils hereinafter described; that the statutes above referred to, regulating wages, hours of work, and other conditions of employment have been and are being administered and interpreted in disregard of long-established customs, practices, and agreements between employers and employees with the result that:

(1) The retrospective effect of frequent changes and innovations arising in the interpretation and application of such statutes has been and is creating great uncertainty, with new and unexpected financial liabilities upon employers and windfalls of unearned compensation to employees.

(2) Voluntary collective bargaining is being interfered with and industrial disputes are being created.

(3) These new and wholly unexpected liabilities, immense in amount and retroactive in operation, threaten many employers with financial ruin and seriously impair the capital resources of many other employers, thereby resulting in reducing industrial operations, curtailing employment, and the earning power of employees and burdening and obstructing interstate commerce.

(4) The Public Treasury will be deprived of large sums of revenue and the public finances seriously deranged by claims against the Public Treasury for refunds of taxes already paid.

(5) The cost to the Government of goods and services heretofore and hereafter purchased will be unnecessarily increased, * * * stabilization of the currency, and the maintenance of the national credit.

(6) The courts of the country are being burdened with excessive and needless litigation.

We know that these large claims will impair the credit of many concerns. A company's credit may be good for a million or five million but when some group suddenly files a suit demanding twenty, fifty, or one hundred million dollars, claiming wages and liquidating damages, financial institutions furnishing the credit will at once be alarmed. This would not only close down many industrial plants and throw many workers out of work but it would discourage persons from investing their money in job-producing industries and activities. These suits cover contracts carried on over a period of years and during the war. Many of these contracts were cost-plus, cost-plus-a-fee contracts. Settlements were made with the contractors from month to month on the money paid out by them. If these claims should be allowed, these contractors could come back on the Government, and Government officials indicate that these suits mean a potential liability to the amount of one billion and four hundred million. Early in February 1947, the Maritime Commission had received notification from 18 contractors of the filing of portal-to-portal suits against them claiming $128,500,000 damage. This Commission states that this would involve an additional liability on the Government for refund to the contractors of fifty million to one hundred fifty million. Of course, the employers had settled with the Government for their taxes on the basis of the amount that they had paid out for wages and so forth.

If the claimants should be successful in these suits, representing billions and billions of dollars, the contractors could come back on the Government for a refund of taxes. This would mean, of course that our national debt would likely be increased and there could be little hope of balancing the budget or reducing the income taxes for the workers as well as the employers.

It can be seen at once that this is not merely a matter of concern between the workers and the employers, but the people of the Nation as a whole, workers and all, are vitally and deeply concerned.

COLLECTIVE BARGAINING

The decision of the Supreme Court in the Mount Clemens Pottery Co. case is a heavy blow at collective bargaining. The company and the pottery workers had a collective-bargaining contract freely entered into and which was accepted by both sides as to wages, working conditions, and so forth, and the workers and employer had been operating under that contract. The Supreme Court ignored this collective-bargaining agreement and authorized the recovery over and above the contract. Such action had never been contemplated by the parties to the contract.

The workers, as I well known, were first given the right under the law to bargain collectively when the railroads were returned to their owners after World War I. I helped to pass that law. In nearly all of these actions involving billions and billions of dollars, the workers and the employers had collective-bargaining agreements but these suits ignore these collective-bargaining contracts and are demanding additional billions of dollars. If these collective-bargaining contracts are not to be observed by the parties to them and one side or the other rises up many years after they have been entered into and makes claims that were not included in or contemplated by either party to the contract, then we might as well wipe out our collective-bargaining statutes.

We have always beer told that the right to organize and bargain collectively is a part of the great charter of American labor, but the Supreme Court, in the Mount Clemens Pottery case, disregarded these contracts. Many of these collective-bargaining agreements contain the so-called portal-to-portal pay provisions. The United Mine Workers have such a provision in their contract and many other industries. This bill does not take away the right of the workers and employers to bargain collectively on portal-to-portal pay, the hourly rate of pay, and overtime. This bill reiterates and preserves the minimum-wage law, time and a half time for overtime, and the right to sue for liquidated damages. It takes away no right that the workers now have under the wage-and-hour law, the Bacon-Davis Act, or the Walsh-Healey Act.

This measure denies to workers the right to recover provided the employer has paid the employees the amount agreed upon by collective-bargaining contract, or the amount agreed upon by implied contract or in accordance with custom and practice, where there is no express or implied contract. In other words, if the employer has paid his employees according to the collective-bargaining agreement, or according to an implied agreement, understood between the parties, or without such express or implied contract, according to the custom and practice in that plant and other plants, and in that particular industry and section, he could not be required to pay a greater sum; but, of course, it is expressly stated in this bill that he cannot, by agreement or otherwise, pay less than the statutory minimum wage or less than one and one-half the basic hourly rate for overtime.

It can be seen here at once that the express provisions of the wage-and-hour law, as to minimum wages and overtime, are reaffirmed and continued. Is there any good reason why the employees and employers should not enter into a contract through their bargaining agents, or if the shop or plant is not organized, for each individual to understand fully

what he is to receive and what work he is to do and when his worktime begins and ends? But, the employer cannot enter into any agreement in violation of the wage-and-hour law.

The purpose of this bill is to eliminate trumped-up claims that are not included in agreement between the parties express or implied or are contrary to the customs and practices when the employee rendered his service in the particular plant if there is no agreement express or implied. The wage-and-hour law as to minimum wages and as to overtime, remains intact. Congress is trying to eliminate these billions of dollars worth of unconscionable and inequitable claims. It does not cut out just and honest claims for wages or liquidated damages.

EMPLOYER NOT LIABLE

This measure relieves the employer of being mulcted in damages where he has followed and relied upon a decision of a court of record in a case in which he is a party defendant or if he has obeyed in good faith regulations, orders, rules, interpretations, approved enforcement policy or practice of the Administrator and his authorized deputies or Executive orders of the President or other executive officers of the Government in carrying out the provisions of the wage-and-hour law, but in this regard he cannot escape liability if he has not paid the minimum wages or paid for time and one-half overtime as provided by the wage-and-hour law. It would be unfair to permit liquidated damage against employers who followed the orders and the judgments of the courts and the orders and directives of those who administer the wage-and-hour law, the directives of the President and the other executive agents and departments of the Government.

Of course, under this act the employer must pay according to his collective-bargaining agreements with the workers or according to the implied agreement between him and his workers, and if there is no such agreement then according to the customs and practices at the time the services were rendered. It can be seen at once on every hand the rights of the workers under the wage-and-hour law are protected.

This bill also gives the worker and his employer the right to compromise, adjust and settle any claim that the worker may have against his employer, and such compromise or settlement shall be binding in the absence of fraud or duress. Under the present law it has been held that the employer and the worker cannot settle or compromise any dispute as to wages and so forth.

LIQUIDATED DAMAGES

Under the present law the worker has the right to sue for back wages, including wages for overtime and attorneys' fees, and for liquidated damages, and under the present law the courts are compelled to award to him liquidated damages for a sum equal to the amount of wages recovered.

In the case of *Missel* v. *Overnight Transportation Co.* (316 U. S. 572), the Supreme Court expressed regret that the imposition of the full amount of liquidated damages under the Fair Labor Standards Act was mandatory in any case.

This bill does make some changes in that respect. Where the court should find that the employer is liable for back wages, the court must award damages, but he is given discretion as to the amount of damages, not to exceed a sum equal to the award for wages. This is put in the bill as a matter of equity and fair dealing between man and man. There are some chiseling employers. No doubt, a court in dealing with that type of defendant, can and will award to the worker the maximum amount, which is the same as is now provided in the present law. On the other hand, the failure to pay to the employee the full amount of wages may be due to mistake and an honest misunderstanding on the part of the employer. In such a case, the court could award in liquidated damages a less amount than 100 percent. In nearly all of our laws we recognize that there is a difference in degree of culpability or responsibility in civil and criminal cases and Federal courts are given discretion to fix the punishment or amounts according to the degree of culpability as shown by the evidence. Granting discretion in this measure follows the general principle of all Federal statutes. In some cases no doubt 100 percent would be just and proper, while in others a less amount would be in keeping with common sense and justice.

EIGHTEEN MONTHS' LIMITATION

It has been pointed out that there is quite a difference in the limitation of time for the filing of actions in the various States of the Union. Many of these have a limitation of 1 year, others more than a year, for collecting wages or other debts; but we must bear in mind that where a longer period of limitation is fixed in these State actions to recover wages, there is not this extraordinary remedy to collect additional sums as liquidated damages or punishment. This is an extraordinary remedy, and the parties ought to be required to appear in court within a reasonable time while witnesses are available and their evidence can be had. It is quite a different thing to be sued for wages or other debts with no liquidated penalty attached and sued to recover for not only the wages but for an additional sum as liquidated damages as punishment and also attorneys' fees and costs.

I worked in the shops and mills and other places by the hour and by the day, and I never had any trouble of knowing whether or not my employer owed me. They paid every 2 weeks, and when any of my associate workers on pay day believed they were paid less than due them there were squawks about it, and they set about to correct whatever error had been made. I cannot understand why it should be claimed that a worker could not find out for several years that somebody owed him back wages. While the limitation is 1 year from the time the cause of action accrues, yet as a matter of fact it is 18 months. This bill provides that the worker shall have an additional 6 months from the date this measure becomes effective to file his action, provided not more than a year had elapsed before the effective date of this act. In other words, the worker will have 18 months, and not 12 months, on all the claims arising at the time of the effective date of this act.

The chief opponent of this limitation stated that he had no complaint as to the causes of action heretofore accrued. He seems to be worried about the future. I am quite sure that workers in the future will be alert as to the amount of wages that may be due them and will know within a year after they become due and payable.

We are now engaged in general debate. The bill will be read word for word, and full opportunity will be afforded to offer amendments; and while the Judiciary Committee has worked long and hard on this bill, we do not claim to be infallible. We are trying to meet this situation with a measure that will be just and fair to sincere workers and employers, and that will stop chiselers whether they be employers or workers.

Mr. BRYSON. Mr. Chairman, I yield myself such time as I may use.

The CHAIRMAN. The gentleman from South Carolina is recognized.

Mr. BRYSON. Mr. Chairman, in explanation as to how the House Committee on the Judiciary acquired jurisdiction of the bill now before the House, H. R. 2157, I will state that such jurisdiction is acquired by our committee by reason of the fact that the substance thereof relates to the courts. Of course, the House Committee on Education and Labor normally has jurisdiction of proposed laws with reference to labor.

It is generally conceded throughout the country that in view of the confusion which has arisen as evidenced by the number of portal-to-portal-pay suits. that the law should be clarified. The opening paragraph of the pending bill clearly states the condition which now obtains:

That (a) the Congress hereby finds that serious inequities and hardships have resulted and are resulting from the administration and enforcement of the statutes of the United States mentioned in section 5 of this act, thereby creating a serious national emergency, endangering the public welfare, and giving rise to certain evils hereinafter described; that the statutes above referred to, regulating wages, hours of work, and other conditions of employment, have been and are being administered and interpreted in disregard of long-established customs, practices, and agreements between employers and employees with the result that (1) the retrospective effect of frequent changes and innovations arising in the interpretation and application of such statutes has been and is creating great uncertainty, with new and unexpected financial liabilities upon employers and windfalls of unearned compensation to employees; (2) voluntary collective bargaining is being interfered with and industrial disputes are being created; (3) these new and wholly unexpected liabilities, immense in amount and retroactive in operation, threaten many employers with financial ruin and seriously impair the capital resources of many other employers, thereby resulting in reducing industrial operations, curtailing employment, and the earning power of employees and burdening and obstructing interstate commerce; (4) the Public Treasury will be deprived of large sums of revenue and the public finances seriously deranged by claims against the Public Treas-

ury for refunds of taxes already paid; (5) the cost to the Government of goods and services heretofore and hereafter purchased will be unnecessarily increased, thereby causing serious interference with the development of sound fiscal policies, the stabilization of the currency, and the maintenance of the national credit; and (6) the courts of the country are being burdened with excessive and needless litigation.

The many so-called portal-to-portal suits have turned into a giant snowball, gaining size and momentum as it rolls along, to threaten not only the financial structure of many small and large industrial plants and thereby cause unemployment and labor unrest and confusion, but also to place a burden on the taxpayers who must carry a great portion of the load by the refund of taxes by the Government, which the Treasury Department has said must be done in many cases.

It is indeed unfortunate that such a piece of legislation must be contemplated. But in fairness to all concerned, including, of course, the millions of workers in industry, something must be done to stave off this crisis.

As the representative of a great industrial area, I am happy to say that to my knowledge no portal-to-portal cases have been filed in my district. The workers in the textile plants of South Carolina have a high sense of responsibility and an inate regard for justice. They do not search for legal loopholes whereby they may throw their employers into bankruptcy. There are no sweatshops in my district, and consequently there has been a bare minimum of labor-management strife, even when the Nation as a whole was wracked by industrial confusion and strikes.

The need for legislation to forestall the economic catastrophe that would certainly result if the many portal-to-portal suits are permitted to continue until final judicial determination is not a moot question; a national calamity is impending. This is no less true now than before the district court, to which the Supreme Court remanded the case, found that the compensatory time claimed in the action was within the deminimis doctrine, for the uncertainty of the employer as to his potential liability for portal-to-portal pay, and so forth, still persists.

The cause of this drastic action stems from the unfortunate fact that the Supreme Court has dared give a definition of the term "work" and other terms which the Congress deliberately refused to define when writing the laws under which these portal-to-portal cases have been filed. Those definitions were left to agreement between workers and employers. The Court established the means whereby millions of employees would be allowed to receive pay for which they had neither bargained nor expected to receive.

It is significant that following the Mount Clemens case, thousands of suits began flooding into the courts throughout the Nation. If prior to that decision it was generally believed by the labor organizations that workers were entitled to receive compensation for portal-to-portal time and other related activities, then why had these cases not come into the courts long before? It is my observation that labor organizations have never been reluctant to file suits against employers whenever it was believed they had the slightest legitimate claim under the law. Why were these portal-to-portal cases not filed before the Mount Clemens decision of the Supreme Court? It appears that the Court in that case usurped the power of Congress and wrote into the law certain considerations which Congress itself had deliberately omitted.

The subsequent effect of this legislation written by the Supreme Court is illustrated in a letter written to members of the Textile Workers Union of America in Georgia by one of the union officials, in which he said:

> The United States Supreme Court has ruled that you are entitled to be paid for all the time you spent in the plant, either before beginning your regular shift or after your regular shift ends.

You will notice that this union official said that a decision of the United States Supreme Court, not an act of Congress, authorized this extra pay for time not spent at work.

Between July 1, 1946, and January 31, 1947, there were 1,913 portal-to-portal suits filed in the United States district courts; of these suits there were 1,515 claiming a definite total of $5,785,204,606, while 398 did not claim a definite amount, but if they were proportional in amount to those making definite claims, they would add approximately $1,446,301,152 to the outstanding claims for portal-to-portal pay. In addition, it is to be remembered that there may be many similar suits pending in the State courts, but I have not been able at this time to determine definitely the number of such suits nor the approximate amount claimed.

The recovery of this enormous sum would create a serious Nation-wide emergency, endangering the public welfare, in that it would bankrupt or close many businesses, and may even permanently cripple or destroy whole industries. An instance which would lead to bankruptcy was cited by Frank L. Dirver, of the Dirver-Harris Co., to the House Judiciary Committee when he testified that his company is involved in a suit with the United Steelworkers of America, CIO, covering alleged overtime wages and damages of $4,000,000. This amount, he asserted, is more than the net worth of the company, and, if finally levied, would bankrupt the company. The closing of a business was cited by Frederick H. Waterhouse, general counsel of the Manufacturers' Association of Connecticut, Inc., when he declared before the Senate Judiciary Committee that one company with 65 employees in his State had been closed down by a portal-to-portal suit for $65,000. The possible destruction of an industry was clearly indicated by Mr. E. E. Wilson, chairman of the board of the Aircraft Industries Association of America, Inc., when he testified before the Senate Judiciary Committee that the aircraft industry would inevitably succumb if the disaster threatened by portal-to-portal suits materializes.

It is neither hysteria nor organized propaganda that supports the demand for legislation to prevent these portal-to-portal suits, but it is the inherent and undeniable sense of fair play characteristic, thank God, of the vast majority of the citizens of our great country. In this majority there will be found many millions of laborers whose sense of justice balks at such an attempt to reap a windfall of unearned compensation. They realize and readily admit that their contracts and agreements with their employers did not contemplate payment for such inconsequential fragments of time as are the basis of most of the portal-to-portal suits which have been filed so far.

The bill before us is not denying the laborer his just wage.

It is not discernible from the wording, nay, it is not even conceivable to a rational imagination that the Fair Labor Standards Act requires an employer to pay, or entitles an employee to receive, the wages demanded in the many fantastic claims filed. For example, Fred Davis, treasurer of the Potash Co. of Americ cited the suit against his company in which pay is demanded for a 21-mile bus ride in a public carrier from the workers' homes to the mines, for cleaning up time, and for walking time.

This bill is applicable to every claim, cause of action, and action for the recovery of wages, overtime compensation, penaties, or damages—actual, liquidated, or compensatory—pursuant to the act of August 30, 1935 (49 Stat. 1011); the act of June 30, 1936 (49 Stat. 2036, the Walsh-Healey Act); and the act of June 25, 1938 (52 Stat. 1060, the Fair Labor Standards Act). The bill requires that all actions predicated upon the foregoing acts for the foregoing reasons shall be brought within 1 year after the cause of action accrues but requires that all actions accrued upon the date of approval of this bill shall be brought within 6 months. This provision, I think, is constitutional, for all that is required in such cases is that a reasonable time be allowed in which to bring suit. See *Mills* v. *Scott* (99 U. S. 25); *Vance* v. *Vance* (108 U. S. 514); *Wilson* v. *Isminger* (185 U. S. 55); *Atchafalaya Land Co.* v. *F. B. Williams Cypress Co.* (250 U. S. 190).

The act, in addition to placing a limitation upon these causes of action, permits a defense of good faith when consistent with or in reliance upon a court decision or an administrative order or regulation. Certainly this provision is not unreasonable nor inconsistent with justice.

The bill allows the compromise, adjustment, settlement, or release of liquidated damages. This is in accordance with the usual procedure and is felt necessary because of a previous ruling of the Supreme Court in the case of the *Brooklyn Savings Bank* v. *O'Neil* (325 U. S. 697).

In favor of labor this bill permits courts to award penalties or damages upon proof of bad faith on the part of an employer with respect to wages claimed under these acts.

On the other hand the employer is protected under the bill by a prohibition

against recovery of wages for activities which were not required to be paid for by custom or practice of such employer or by express agreement between the employer and the employee or his collective-bargaining representative.

To accomplish these purposes the bill denies jurisdiction to Federal to other courts except in conformity with the foregoing provision.

Manifestly all of the provisions of the bill are not totally acceptable to all the Members of the House. It must be acknowledged that the subcommittee on which I served as a member of the Judiciary Committee, has carefully considered all the testimony and the present bill is a fair compromise of all the views expressed.

Mr. Chairman, I now yield 10 minutes to the gentleman from New York [Mr. KLEIN].

Mr. KLEIN. Mr. Chairman, in my opinion, there are many objectionable features in this bill, but I will devote my remarks at this time to the statute of limitations, the 1-year limitation in the bill.

I can conceive of no greater incentive to violate the provisions of the Fair Labor Standards Act than that offered under this bill. Here is a bill that would practically wipe that law from the statute books. It would expunge that law by extracting its teeth, leaving its minimum wage, overtime compensation, and child-labor standards mere pious declarations, to be flouted at will by unfair and unscrupulous employers.

I am referring to section 2 (a) of this bill, which curtails the rights of employees to sue for back wages under the Fair Labor Standards Act. This section provides that no action shall be maintained unless the same is commenced within 1 year after such cause of action accrued. There are other rights that are abridged under this bill, but I want to direct your attention, Mr. Chairman, to this section which limits a worker's right to collect back wages illegally withheld from him—wages that are rightfully his—to a period of 1 year. His grocer, his butcher, the small-loan company from whom he borrowed money, the automobile finance company can sue him for a period of from 3 to 6 years on his debts. But his rights on a debt of his employer—on money he earned which has been proved to be due him—would be limited to but 1 year under this bill.

Let us look at the facts. The Wage and Hour Division, in its annual report for 1946, states that there are currently about 550,000 establishments with employees subject to the Fair Labor Standards Act. During 1946 the Division inspected 42,000 of these establishments. At that rate of inspection—and let me say that the Division did a pretty good job in enforcing the act—at that rate it seems virtually certain that an employer can illegally withhold money from an employee for more than a year before the Division finds it out.

I have heard it mentioned here that the wage-and-hour law is pretty much self-enforcing — that section 16 (b), which gives employees the right to sue, takes care of enforcement. I wish it were true, but it just is not so. The annual report of the Division states that employee's suits have been instituted in only a small percentage of cases in which substantial violations were found. In fact, not only do few workers sue their employers but only 14 percent of the inspections made were made as a result of complaints. Only about 6,000 workers of about 20,000,000 covered by the act filed complaints against their employers. It is evident that employees are slow to sue for their back wages, even slow to file complaints. Either they are afraid to sue or file a complaint or they do not know their rights under the law. This is particularly true of the workers who do not belong to a union, and about half of the workers covered by the wage-and-hour law do not belong to unions.

These figures, representing employee suits and complaints, do not mean that the rest of the employers were complying with the act. I will quote you a few more figures from the Division's report. Half of the 42,000 establishments inspected in 1946 were in violation of major provisions of the act, 36 percent in substantial violation. In that 1 year, the Division found over $21,000,000 due as back wages owed to 365,000 employees. This was a year of generally high wages and high profits, yet 11 percent of the establishments inspected were in violation of the minimum-wage provisions of the act.

These figures indicate clearly that dependence cannot be placed on the worker to enforce the act, that in thousands of establishments there are violations which employees—through lack of knowledge of the law, through weakness or fear—do not bring to light. And every violation, Mr. Chairman, means that the law-abiding employer is put at a competitive disadvantage. Regardless of whether the violation is intentional or not, the competitors of the violator must operate at a disadvantage.

I do not wish to seem to imply, from the statistics I have quoted, that half the employers in the country are violating the Wage and Hour Act. The Division states that it inspects where a need for enforcement is indicated, and perhaps a measure of its success in this endeavor is the high ratio of violations found. I do want to make this clear—it is not the employer who complies with the act that is our chief concern, it is the chiseler, the corner-cutter, and the downright unscrupulous who need our attention. It is this small percentage of employers who drag down our business standards and make it harder for the overwhelming majority of our American businessmen to compete on a decent basis. These are the men for whom we need a Fair Labor Standards Act—let me call it a Fair Labor Competition Act—and these are the men we should keep in mind in voting on this bill. With this kind of employer, a 1-year statute of limitations is utterly and totally inadequate unless we are prepared to greatly enlarge the Division's enforcement staff.

The 1 year given an employee to sue for his back wages, it is evident, must be looked at realistically. The typical worker does not institute suit against his employer—he waits for the Division to do so. Where violations are involved, the Division has found that about 4 months are required to complete the inspection. There may be several more months involved in attempting to get the employer to come into compliance and pay the back wages rightfully due his employees. If he refuses, another 2 months are required to prepare the case for court action after the employee is informed of his rights. And this is the case where violations are promptly brought to light. In the great majority of cases claims will be barred under this bill even before they are ever brought to light.

Mr. Chairman, you can see what a 1-year statute of limitations means to the law-abiding businessman. He gains nothing by it, he plays fair. His competitors who operate unstable concerns, who have a great temptation to cut wage costs, can chisel and undercut him with practically no penalty to them. The wage-and-hour law would remain on the books, but it would be an empty and meaningless law. In the period into which American economic life is entering, a highly competitive period where businessmen must struggle to reduce costs and lower prices, we need a Fair Labor Standards Act that has teeth in it.

I urge the Members of this House to recommit this bill, so that we can have an equitable bill brought before us.

I understand my colleague the gentleman from New York [Mr CELLER] will introduce an amendment tomorrow to raise the statute of limitations to 2 years. I hope that the Members will see fit, in their wisdom, to vote for it.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. KLEIN. I yield to my colleague from New York.

Mr. COUDERT. My colleague the gentleman from New York, as well as our other colleague from New York, contends that in judging the significance of the merits of the proposed 1-year statute you may judge it by analogy to the long list of statutes of limitation applicable to all other sorts of suits and claims.

Mr. KLEIN. That is correct.

Mr. COUDERT. Does the gentleman completely ignore the profound and vast difference between this kind of a claim and the ordinary contract claim where the amount sued for was fixed and final at the time the debt was originally contracted, and could only increase through the years by the amount of interest for failure to pay, whereas in this case are we not dealing with a claim that is unknown to begin with, unascertainable in fact, constantly increasing and contingent, so that the employer in the case is entitled to have his liabilities either disposed of or fixed at an early date so that he will not run the risk of being confronted by numerous unknown and unascertainable liabilities.

Mr. KLEIN. My colleague from New York is too good a lawyer to use that kind of argument. There are many, many cases, and I am sure he knows of them, where suit can be brought for a claim, the amount of which was not ascertainable at the time it accrued or that the debt came into existence. Certainly he will not deny that in our State, particularly, we have a 6-year statute of

limitations for debts of this kind. I cannot see that it makes much difference what kind of a suit is brought; whether it is for an ascertainable amount, or whether it is on contract. If a debt is actually due, then the creditor should have the right to bring suit within a specified period. I do not believe, however, that he should be limited to so short a period as this.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentlewoman from New Jersey [Mrs. NORTON].

Mrs. NORTON. Mr. Chairman, my particular interest in this bill is in its relation to the wage-and-hour law.

I have asked for this time in order to comment on certain aspects of this legislation which I believe may be lost sight of because of the emphasis on portal-to-portal issues dealt with in H. R. 2157. I believe that the public and this Congress have an interest in these aspects of the legislation which is at least equal to the interest of management and labor.

I refer to the interest which the entire Nation has in maintaining a national uniform floor under wages which will protect the minimum living standards of the millions of unorganized American wage earners and which will protect the ethical American employer against the unfair competition of those relatively few employers who would again under this bill be able to obtain a competitive advantage at the expense of their employees' wages and living conditions. Section 3 of the pending bill in effect defines work for purposes of the Fair Labor Standards Act of 1938, the Davis-Bacon Act of 1935, and the Walsh-Healey Act of 1936, as those activities for which each employer pays, according to the custom or practice or agreement in effect at the time in his plant. What does this mean? It means, in my opinion, an opportunity for complete destruction of the national minimum-wage standards established in the Fair Labor Standards Act. Such a definition leaves unorganized workers at the mercy of their employers. Whatever work their employers choose to pay for will, under the provisions of section 3 of this bill, become the compensable worktime under the law, since the employer's payment will establish the custom or practice or employment agreement for his plant.

In the nature of things, such practices will vary from plant to plant, industry to industry, and area to area. Thus, instead of a uniform floor under wages for the entire country, we shall find ourselves with a multitudinous series of levels. As a matter of fact, the floor need not even remain constant at the same plant since the employer can, under the language of the bill, change his custom and practice from pay period to pay period. I am afraid that the legislation, if enacted, may as effectively cut the heart out of the minimum-wage and overtime provisions of the wage-and-hour law, as well as the Walsh-Healey Public Contracts Act and Davis-Bacon Act, as would a bill permitting each employer to decide for himself whether to pay 20 cents an hour, or 30 cents an hour, or 40 cents an hour. For if an employer paying 40 cents an hour can work his employees 10 hours a day and pay them only for 8 hours, he is in the same position as if he were permitted to pay them only 32 cents an hour for 10 hours of work. Thus, an employer whose practice is not to pay for such make-ready work as obtaining and cleaning tools, preparing machines, and putting on required safety equipment will, under this bill, receive a substantial competitive advantage over the more modern and enlightened employer whose custom is to pay for such work. It is easy to foresee that in a short time the employers with the antiquated and unfair practices will force down the standards of their more modern and ethical competitors.

There are other important aspects of the legislation: a 1-year statute of limitations, provision for compromises of claims in the future, the establishment of a good-faith defense to new suits, and the nullification of the effectiveness of future employee actions, all of which I shall attempt to analyze.

The so-called portal-to-portal bill prepared by the Judiciary Committee may have started out as a bill to solve the problem of retroactive liability arising out of claims for portal-to-portal pay made after the Supreme Court decision in the Mount Clemens Pottery case. The bill, in fact, goes far beyond the portal-to-portal pay question and constitutes instead a full-scale attack on the very foundations of the Fair Labor Standards Act and the other acts to which it applies. It alters basic provisions of the act, cancels fundamental rights under it, and thwarts its objectives. Even that part of the bill which seems most nearly pertinent to the portal-to-portal question is far too sweeping in its reach and far too drastic in its remedies.

I realize that a great deal of excitement and public emotion have been generated by the wide publicity given to the portal-to-portal pay suits. There is grave danger that the good work and the hard work of many years in the establishing of fair labor standards for American industry will be undone if the undiscriminating emotionalism with which the phrase "portal to portal" seems to be charged is permitted to carry along this bill to enactment. Every part of this bill should be given the most careful scrutiny, so that the full meaning of its unjustifiable and insupportable provisions may be made clear.

As I have pointed out, the bill applies to the Fair Labor Standards Act, the Public Contracts Act, and the Davis-Bacon Act. Section 1 is a long description of the uncertainties in industry, losses of revenue by the Government, and other aspects of enforcement of the Fair Labor Standards Act, all of which together are represented as tending to burden and obstruct the flow of commerce. The presumptive purpose of this section is to give the amending bill the status of having a purpose lying in the same general field as the Fair Labor Standards Act itself, and to secure the advantages of its construction by the courts as a remedial statute.

The statement is made in section 1 that these laws "have been and are being administered and interpreted in disregard of long-established customs, practices, and agreements between employers and employees," with results that are described as threatening the entire fabric of the American economy and jeopardizing the functioning of the Government. This is an astonishing assertion. If the Congress which enacted the Fair Labor Standards Act of 1938 had not intended antisocial practices of certain types of employers in dealing with their employees to be replaced by minimum fair labor standards, that Congress would not have passed the law. As to the final interpretation of the law, under the Constitution of the United States that function rests with the courts. Certainly, in matters which the Administrator was given authority to issue regulations, he has exercised the utmost care and judgment in ascertaining the full facts of the industrial operations and the employer-employee relationships involved. Interested parties have been heard in full statements of their views. Decisions in such matters were made, giving the greatest possible weight to the need for avoiding disruption of industry, consonant with the basic objectives of the law. The right to petition for hearing and for review of administrative acts has been held open.

Some remarks are in order, also, on the extent of the calamity described in section 1 as hanging over the Nation. The portal-to-portal pay claims have been grossly exaggerated. This scarcely needs elaboration, in view of Judge Picard's recent decision, dismissing the claims in the Mount Clemens Pottery case. Perhaps the vast effects so vaguely and terrifyingly set forth in section 1 are an indirect admission of the obvious fact that this bill goes very far beyond the portal-to-portal question.

The content of the substantive sections of the bill are given here in brief summaries, to provide a quick view of its tenor and scope. Comments on each of the major provisions follow.

Section 2 (a): One-year statute of limitations.

Section 2 (b): Six-month savings clause. This does not appear to apply to actions covered under section 3, below.

Section 2 (c): Individual claimants must be named in the action.

Section 2 (d): Time lost in serving process because the person liable is outside the United States is disregarded in computing the applicable period of limitations.

Section 2 (e): Employer's defense in pending or subsequent actions: good faith, consistent with or in reliance on any decision of a court in connection with which such employer was a party in interest, or any administrative regulation, order, ruling, interpretation, enforcement policy, or practice.

Section 2 (f): Compromise or waiving of claims. Any and all claims that have arisen under the acts or that will hereafter arise under the acts may be compromised or waived at any time and under any circumstances. The provisions of the subsection are also applicable to settlements previously made.

Section 2 (g): Damages. The Court may award not more than the amount

specified under the law as penalty or damages, in its discretion, if the violation was "in bad faith and without reasonable grounds."

Section 3: No action may be maintained for payment for activities heretofore or hereafter engaged in not specifically required to be paid for either by plant custom or practice or by express agreement.

Section 4: The provisions of the bill are applied to future and pending actions, including actions in which final judgment has already been entered but from which an appeal can still be taken.

Section 5: The bill applies to all actions under the Fair Labor Standards Act, the Public Contracts Act, and the Davis-Bacon Act:

Any parts of said acts inconsistent with any provisions of this act are to such extent hereby repealed.

Section 6: Separability of provisions.

SECTION 2

The sweeping provisions of section 2 go far beyond the portal-to-portal problem, and strike at the foundations of the enforcement of the act. The 1-year statute, the good-faith defense, the compromising or waiving of claims, and the bad faith and without reasonable grounds barrier to the imposition of liquidated damages in any court action actually concluded are basic changes in the whole structure of administration and enforcement of the act. The 1-year statute and some parts of the good-faith provision would require several times the Division's present staff in administrative employees as well as in enforcement employees in order to leave some hope of maintaining even the present dangerously low level of enforcement activity. Other parts of these broad provisions are so elusive and disruptive as to preclude any expectation of equitable law enforcement if this bill is enacted.

SECTION 2 (A)

The 1-year statute of limitations would virtually nullify the rights of hundreds of thousands of employees to the wages legally due them under the acts even if this were the only change proposed. Many employees do not know of their rights under the FLSA, for example, until after the Divisions have made an inspection. The disclosure of violations on inspection results in the employees' finding out that money is due them. By the time the inspection case is closed an employer of the type that is intent on evading the act may cancel claims of the employees by coming into temporary compliance. The provisions of the acts would thus be ineffective both as measures to compensate employees for the loss of wages legally due, and as measures to discourage the unscrupulous type of employer from violating the law. With a 1-year statute and an enforcement staff that can inspect only one-twelfth of all establishments with covered employees in a year, an employer seeking an unfair advantage over his law-abiding competitors at the expense of his own employees can do so almost with impunity.

It is obvious that employers voluntarily maintaining fair-labor standards would be subject to severe competition. Employees in low-standard establishments would fail to secure the protection of minimum standards established in the act. No doubt the millions of unorganized workers engaged in covered activities would feel this blow first, but the competitive inequities thus created would soon spread to all covered employment. The whole purpose of the act would be thwarted.

SECTION 2 (C)

The added requirement that each employee must be named in the action merely tightens the stricture of the 1-year statute. In almost every inspection case disclosing violations it is found that there are many former employees to whom back wages are due. If the Divisions have made an inspection, the Divisions might succeed in locating former employees to tell them what their rights are, but the time lost in finding them would mean a further whittling away of their just claim for reimbursement. In the ordinary case such former employees would lose out altogether.

SECTION 2 (E)

The good-faith defense would on its own account be as disastrous to equitable enforcement of the law as the 1-year statute of limitations. The provision deals with action consistent with, required by, or in reliance upon administrative regulation, order, ruling, interpretation, enforcement policy, or practice. In its context in the proposed bill this provision merely adds confusion to a situation already hopelessly chaotic. Even if it stood by itself, however, it would seriously undermine enforcement. The inclusion of interpretation, enforcement policy, and practice as defenses against action for recovery would greatly burden the administration of the act. Inspection activity would be bogged down under the necessity for extreme thoroughness, with no possibility for oversight or omission and little or no room for on-the-spot judgment of the inspector.

This would follow from the fact that any action or decision by an inspector could be considered an administrative enforcement policy or an administrative practice. Detailed searching to make sure there is no minor error or omission would ordinarily not be worth while in terms of securing the maximum compliance with limited personnel. Under the proposed bill, few errors or omissions could be considered minor. The failure to check through on such a matter in a single inspection might result in noncompliance over a wide area if the word were spread that a new practice was available for use in court defense. Inspection time on a case would thus be greatly lengthened and the large increase in the inspection staff would be necessitated. Along with this would be the need for careful and detailed review of each inspection case before closing in place of the currently used, and far more efficient, spot-check postreview. Reviewers would call upon the national office for detailed analyses in advance of closing cases involving difficult questions and decisions that could be interpreted in varying ways under other circumstances.

These provisions of the proposed bill are worlds apart from a clean-cut grant of the rule-making power. Under the rule-making power, all pertinent evidence is analyzed, interested parties are heard, and expert judgment applied to any of the major problems arising in the administration of the law. The aim is to clarify the rights and obligations of parties subject to the law and to achieve a reasonable balance between the needs of uniformity in law enforcement and of a reasonable flexibility in the application of general rules to complex and varying situations.

Whatever the purpose of the provisions of section 2 (e), the results are very different from those to be achieved under a rule-making power. Thousands of employers would argue before thousands of judges as to the meaning of a "practice," and as to whether their own action was consistent with a given decision or practice or "in reliance" on it. Economic situations are complex and changing. The situations differ, and so do opinions about them. Assuming "good faith" on the part of all concerned, the result would still be chaos.

SECTION 2 (F)

Section 2 (f) provides for the settling, in whole or in part, of any claim arising under the acts. The provision also applies retroactively to any settlement previously made. There are no safeguards in this provision against unfair settlements. There is no requirement, for example, for administrative or court review or approval. In addition to weakening the employee's rights to liquidated damages and even back pay under the FLSA, for which compromise might reasonably be permitted in certain situations and with proper safeguards, it permits compromise settlements of employees' rights to the basic wage guarantees in the act.

This provision would apply not only to the past but to the future. It would result in a very uneven application of the act, since each employer's liability would vary with his ability to "drive a bargain" with his employees. Workers in unorganized low-wage industries would be likely to settle claims on an individual basis and would thus get a relatively smaller share of the wages and damages due them. Even if the waivers or compromises are limited to disputes on hours worked and on rates of pay in excess of the minimum, the basic minimum wage would still be seriously endangered. Hours actually spent on the employee's work might be traded away in a compromise by an employee getting the bare minimum for the hours for which he has been compensated. The result would be the granting of full legal sanctions to what is in fact a violation of the statutory minimum wage.

The result of this unlimited permission to waive or compromise basic rights under the act would be the wholesale cancellation of wages due. The authorization to make settlements would apply not only to past liabilities but to future liabilities as well.

This sweeping authorization for employers to compromise or arrange the waiver of any and all claims under the

act violates a fundamental principle of labor legislation. Traditionally, and uniformly, labor legislation has outlawed the compromising or waiving of the wage earner's claims for pay due him under the law. This has always been recognized as a basic protection of the individual employee and of the complying employer. Without it there is gross inequality in the benefits actually received by individual employees who are within the scope of the law and who are equally affected by its terms. Without it the law applies unequally to competing employers who are intended to comply with uniform minimum standards.

Here, again, the bill proposes an answer that is all out of proportion to the problem in hand. The problem of uncertainty under the law is raised and the solution proposed is to nullify the law, not only for the area of uncertainty but over much wider areas; not only for the past but for the future. This is done in spite of the availability of a clear remedy for uncertainty in the future. The rule-making power, with whatever guides and boundaries the Congress chooses to set upon it, is the obvious answer, for the future, to the problem of uncertainty. This is the answer that would not whittle away basic substantive provisions of the act but would apply directly to the problem of uncertainty. This is the answer of those who do not seek to undermine the substance and purpose of the act but who truly seek to improve its administration.

The final subsection of section 2 rules out liquidated damages unless the court finds that the violation was in bad faith and without reasonable grounds. Where the court makes such a finding it may in its discretion award damages not to exceed the maximum now provided in the act. The extremely broad definition of good faith provided in section 2 (e) would put an almost insurmountable barrier in the way of an award of liquidated damages. It appears to be intended to make this even more difficult by adding "and without reasonable grounds." Such a provision would encourage the unscrupulous employer to find some plausible pretext for underpaying an employee. After the long delays and hardship of litigation, the employee would still be most likely to receive only the sum to which he was entitled in the first place. There is thus no incentive for this type of employer to pay what the law requires. Operations of such employers constitute the type of competition in labor standards that the law was designed to prevent.

The individual employee would have to go through the difficulty of court action in order to recover the wages he should have been paid currently. He is in no way reimbursed for the delay. Unorganized employees are the most likely to suffer this loss.

SECTION 3

This section provides that no action may be maintained against an employer to the extent that such action is based upon nonpayment for activities which at the time of the nonpayment were not specifically required to be paid for by custom or practice of the individual employer at the individual employee's place of employment, or by agreement at the time in effect between the employer and the individual employee or the employee's collective-bargaining representative. Section 3 is apparently the section designed to deal with the portal-to-portal problem. In other words, this section is the vehicle on which the whole bill rides. It is obvious that, even in this section itself, the bill goes far beyond the portal-to-portal question and beyond anything that could be called a related question.

No activities are excepted from section 3. It is therefore not limited to fringe activities or matters that have been subject to debate, but to a host of other activities that the vast majority of employers have long regarded as part of the workweek. The section would perpetuate the worst practices followed anywhere. Employers who have been refusing to pay for special types of work done by their employees in open defiance of regulations by the Administrator or by specific ruling of the Supreme Court in situations totally unrelated to portal to portal could continue to do so with impunity. Practices of the type that obtained before the act was passed would now be made legal. For example, an employer in a logging operation who refused to pay his mule tender for 2 hours a day spent in feeding and taking care of mules could legally continue that practice. A mine operator who refused to pay his miners for hours of arduous work laying track, putting in supports, and extending drifts underground would be free to go ahead.

Not only would such existing evils be perpetuated, but employers of the type engaging in them would be encouraged to institute new practices of that sort. There is nothing to prevent the unscrupulous type of employer from instituting new practices depriving his employees of pay that is morally due them and would be legally due them but for section 3. The individual employee in the unorganized establishment has no choice but to agree when confronted with pressures, statements, or implications that would still be well within the bounds of provable fraud and duress. And even this last puny protection of such employees does not appear in section 3. Compromise and waiver of wages due are limited under section 2 (f) by the requirement that there must be no fraud or duress. While this may be legally implied in section 3, it is not mentioned. In any event, it would be a forlorn hope to think that fair labor standards could be maintained when any employer is free to make any arrangement he pleases with respect to compensating his workers for various types of activities with only the proviso that he must not engage in fraud or duress in a manner making it possible for his employees to prove fraud or duress in court.

Obviously, section 3 is not designed to clarify labor standards, but to undermine them. Whatever its purpose, this is the effect.

Other courses of action are clearly open to anyone interested in solving the portal-to-portal problem within the framework of maintaining fair labor standards. Section 3 does not even give the minimum protection to employers voluntarily maintaining decent labor standards against the unfair competition of other types of employers that might be obtained by looking to industry practice rather than the practice of an individual employer.

It would be far better to approach the whole problem through rule-making power. Even the most extreme position for which there could be any shadow of defense should limit the compromising or cancellation of employee's rights in the debated issues to past liabilities. Many would question the wisdom and justice of going that far. Surely, some safeguards must be provided in administrative or court review of compromises or settlements. Some rules must be set down that have regard for the basic value of general application of a law. Provision for flexibility is important, but if each employer can rewrite the law on his own terms, there is no law. Under section 3 there is no hope of establishing fair labor standards with respect to the activities involved in areas where such standards have not yet been established, or of maintaining them for long where they now obtain. The activities to which section 3 would apply are not defined, and the language is vague enough and broad enough to include an enormous range of activities. The enactment of section 3 would be disastrous to efforts to establish and maintain fair labor standards.

All of these issues cause me to conclude that the pending legislation, although allegedly aimed only at the so-called portal-to-portal issues, in reality hits at and destroys the very foundation and cornerstone of the minimum wage and other labor standards embodied in the Fair Labor Standards Act of 1938, as well as the Walsh-Healey and Davis-Bacon Acts.

So I emphasize, and repeat, that this bill raises issues far beyond the travel-time problems so sensationally presented in the newspaper headlines. This bill compels us to ask ourselves searching and serious questions as we consider and prepare to vote on its provisions: Are we against a real, honest-to-goodness minimum-wage law with national uniform standards? Do we wish to stop protecting the millions of unorganized wage earners of this country and the thousands of fair-minded, ethical businessmen against the destructive and unfair competition of those few who would pay subminimum wages in order to gain a competitive advantage? Or are we fair-minded and patriotic enough to place the prosperity and national welfare of this country ahead of selfish partisan advantage and narrow class interest? These are serious questions which must be honestly answered when we vote on this bill.

Mr. CELLER. Mr. Chairman, I yield 6 minutes to the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Mr. Chairman, I think we are about 8 years late in passing this legislation, but I am delighted to see

that the House has finally gotten around to again considering a bill with the provisions contained in H. R. 2157. This is the second time I have advocated these provisions on the floor of this House—and I hope they will be adopted. The thing that shocked the American people about these portal-to-portal suits was the unfairness involved. To me that is a rather encouraging indication. I am not afraid of the American employer. Most of them I know are good Americans. I am not afraid of the American employee. The overwhelming majority of them are good Americans. I am not afraid to let them deal among themselves. I am afraid we can bring about a serious situation if we continue to promote and encourage strife, differences, confusion, and lawsuits between employees and employers.

There is nothing taken away from the employees in this bill. What so-called rights are taken away from the employees? This Congress passed an act and wrote provisions in it for overtime pay, and so forth, and unwisely left out any statute of limitations or any definition as to what should be compensable work, or any protection to an employer proceeding in good faith to comply with an Administrator's order. Under that law we proceeded in a normal way for several years. Just recently a few folks discovered a technicality whereby they could get something—this does not apply to the rank and file of labor—but where they could get something to which they had never thought of being entitled. Then along came the agitation and along came the suits. I will say right now you had better not give much consideration to a reduction of the budget and a reduction of taxes unless you do something to stop these claims, amounting to several billion dollars, that will eventually have to be paid by the Federal Government. You had better incorporate that in your budget for the coming year if you are going to defeat this bill. That is just plain ordinary horse sense.

I have never been much of a man to try to get something which I did not feel I had earned, and to which I was not justly entitled. I have never felt I was justified in pressing a claim against one of my neighbors just because some loose clause in the law would give me the right to proceed against him. I would rather have a little more sound basis for action. The average worker feels that way. This was a statute. What rights they have were conveyed under that statute by this Congress. If the Congress feels it has made a mistake, then the same Congress which wrote that law should have and does have the right, the duty, and the obligation to correct it and make it fit into our American plan of economy.

I have been sitting on the Labor Committee for several weeks, and I say to you that I am not an alarmist when I say that some agitators are rapidly trying to spread dissension, confusion, and disturbance between the employers and the employees. Pitting one against the other.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. CELLER. Mr. Chairman, I yield three additional minutes to the gentleman from North Carolina.

Mr. BARDEN. Somewhere, somehow the other 140,000,000 people in this country are going to demand some consideration. No sensible man would want to injure, harm, or retard the financial, social, or economical progress of a worker, certainly not; and no fair-minded, honest man would want to encourage any worker to step in the face of anybody else who might also be a worker. On yesterday while the president of the Brotherhood of Railroad Trainmen was before our committee—and I have always regarded the Brotherhood of Railroad Trainmen as one of the model employee organizations of this country—I think in the main they are sound and composed of very fine men—but we were discussing the question of strikes, and he said, "Our only weapon is to strike and if need be to shut down the railroads."

I asked him how many million workers were employed in the railroads, and he said about 1,000,000. I asked how many million electrical utility workers there were, and I think we agreed on something like 4,000,000. I said, "There are 5,000,000 men, and these 5,000,000 men can stagnate our national economy, throw our society out of joint, do billions of dollars of damage, and impair the health, convenience, and happiness of every citizen in America."

Then I said to Mr. Whitney: "I want to ask you the $64 question which we as legislators must answer, and that is, If the strike is your weapon, what kind of weapon have the other 145,000,000 got to defend themselves with?" He did not have the answer.

The answer to that, Mr. Chairman, is the answer the people of the United States are expecting us to bring forth. I hope we can work it out. I refuse to accept the theory that in order to make five or ten million secure we must make 140,000,000 insecure. There should be, and I believe there is, a way to provide equal security to all, employees and employers alike. Unfair laws, unfair treatment of the strong or the weak, rich or poor, majority or minority, organized or unorganized, has always been frowned upon by the American people; and if such a law is passed, its life will be of short duration, so long as we remain a democracy committed to the principle of equal justice to all.

It has been brought forcibly to our attention that the National Labor Relations Act contains some one-sided and unfair provisions. I hope we will hasten to correct them. No good can come from their continuation as statute law. Let us pass H. R. 2157 now, then turn to other corrective legislation which trial and error has proven to be necessary.

Mr. MICHENER. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. SPRINGER], a member of the Committee on the Judiciary.

Mr. SPRINGER. Mr. Chairman, at the very outset of what I have to say on this subject I wish to compliment the subcommittee which has handled this particular piece of legislation. The gentleman from Iowa [Mr. GWYNNE], chairman of the subcommittee, has worked for a long period of time on this subject. He has reviewed many of the cases. He has a fine background for this service, I may say, in the Seventy-ninth Congress when he prepared and introduced H. R. 2788, a portion of which measure is embraced in this particular bill now under consideration. H. R. 2788 passed the House of Representatives and also it passed in the Senate in the last Congress, but there was some slight disagreement between the House version and the version of the other body. Before the conference committee could act upon it and report the measure back to the House and to the other body, the Congress adjourned and that particular measure was not adopted.

May I say that the very first portion of the present pending bill, H. R. 2157, embraces practically everything embraced in H. R. 2788 of the Seventy-ninth Congress. It refers to the collection of penalties which grow out of the administration of the Fair Labor Standards Act, the Walsh-Healey Act, and the Bacon-Davis Act. I may say that I happened to have served as a member of the Subcommittee of the Judiciary Committee which held hearings on H. R. 2788 in the Seventy-ninth Congress.

Mr. Chairman, there is one particular matter to which I wish to direct attention, and this has been emphasized by some of those who have spoken on the measure—that is, the statute of limitations which has been fixed in the pending measure with respect to the time actions should be commenced to collect penalties and so forth under this measure. All of us know that there has been no Federal law upon this subject. When these various acts were passed there was no provision contained with respect to limitation of time within which such an action may be filed. The result was, and the result has been, that under the conformity law those actions have been forced to resort to the statute in the particular State in which such action was pending. That has been true throughout, and that is true up to the present moment.

This measure, in the initial portion, seeks to fix the statute of limitations in this measure and provides 1 year as that limitation for commencement of the action. May I say to the membership that this limitation does not mean the action must be brought, the case tried and disposed of before the expiration of 1 year. It merely means that the action shall be filed and commenced within that period of 1 year. Then it is thereafter tried and disposed of in the regular course, which may be 2 years, it may be even longer before the action is finally disposed of in the court in which the action is pending.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from California.

Mr. HOLIFIELD. I may say to the gentleman all of us are deeply interested in this bill. We realize that something should be done in regard to certain of these unjustified suits. How does the gentleman reconcile the fact that in practically all other cases in law more

than a 1-year limitation is allowed, while you enforce the 1-year limitation here?

Mr. SPRINGER. I understand the gentleman's question and it is a good one. May I say that where you recover a penalty, as is provided in this particular measure, where you recover double damages, where you recover attorney's fees, it becomes a penalty statute. In my own State of Indiana we have a provision by which there are mechanics and materialmen's liens, where the lien may be asserted if filed within 60 days and it becomes a lien on the property. That lien may be foreclosed. It gives the person who asserts the lien a priority and the property may be sold for the purpose of obtaining funds with which to pay the lienholder. That is a penalty measure. In my State of Indiana, those actions must be commenced within 1 year. They do not fall in the same category as other classes of cases, for instance a tort case for damages, or a case on account, or matters of that kind, in which a longer period of time is granted. But those actions which provide a penalty measure, such as this one here, and such as the mechanics or materialmen's liens to which I have just referred, are in a different and separate category, and the action must be brought in a much shorter period of time, so that all persons may know what the situation is and what has developed.

Long delay in the institution of suits in such class of cases as those to which I have referred, under H. R. 2157, is disadvantageous to both the employer and the employee. As a matter of fact, the employee wants to know whether or not he is going to get that additional money. On the other hand, the employer should know, and he has a right to know, what his budget should be. If an action of that kind is long delayed, and there is a multiplicity of those actions, those might well operate to put that plant out of business and throw every employee off the pay roll. Witnesses become scattered. Their evidence is unobtainable after a long period of time elapses. Persons who are cognizant of the facts die and their evidence cannot be secured under any circumstances. So to my way of thinking, may I say to my good friend, the gentleman from California, it is to the especial advantage of the employee as well as the employer that actions of this character be commenced within as short a period of time as possible.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from New York.

Mr. COUDERT. Is there not a further fundamental distinction in addition to those that the gentleman has just mentioned that characterize this kind of action and distinguish it, to wit, the fact that the obligation is continuing and cumulative, and that is what is so important in the building up of this great accumulation of funds, and therefore an additional reason for shortening the period of the statute, and the further fact that the statute of limitations of one year really means that you are allowing the employee to recover for a whole year.

Mr. SPRINGER. May I say to my friend that he is entirely correct and I wish to thank him for that observation. That is an additional reason and a potent reason for that limitation. In this pending bill we have not sought to cut off or disallow any one whose right of action had accrued and the statute of limitations had run against it, but we grant 6 months' additional time for the bringing of that character of action. Remember, that is just the filing of his suit. His case need not be disposed of within that period of 1 year.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. MICHENER. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. SPRINGER. That refers, only, to the filing of the action and not the trial of it; not to the completion of it; not the rendition of judgment in the case, but all the person who has a claim of that character has to do is to file his action in court within that period of 1 year and that, to my mind—and I feel convinced in the minds of all those within the hearing of my voice or a majority of them at least—is ample and sufficient time. I, too, want to protect the employee. On the other hand, I want to protect the employer. I want to be entirely fair as between those two groups in matters of this kind. But since we have granted the additional time where a cause of action has expired under this particular statute, where the 1 year has passed, we have granted 6 months additional time in which to file the action, and then those actions which accrue hereafter, those should be filed within 1 year from the date of their accrual, it would appear to be ample time in which to act. I hope, after having considered this measure, having gone through it step by step, having taken up the various provisions in it, that the Members of this body will see fit to approve this measure as they approved H. R. 2788 in the Seventh-ninth Congress, and that we will have adopted a yardstick upon which the people of this country can stand and rely respecting actions of this particular character. With the present large number of pending suits, this is a very important subject—the American people are looking to Congress for relief—and our Government seeks relief from the huge liability it may incur unless the pending measure is adopted by the House. Let us assume our responsibility in this instance.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. KEFAUVER].

Mr. KEFAUVER. Mr. Chairman, this bill finds many of us, I am sure, in somewhat of a dilemma as to the action we should take and the way we should vote on it. I say very sincerely that as far as I am concerned I have no sympathy with the great majority, 90 percent, of the portal-to-portal lawsuits and claims that have been filed. I do not think employees generally or anyone else, for that matter, are going to win any benefit that will be very lasting, substantial, or wholesome, by a windfall resulting from some technical provision that they might run across which enables them to bring a suit. I realize also that for the good of the employees as well as the employers, industry is entitled to know how they stand. An employer is entitled to know what his liability is and not have to worry about a possible contingent liability that may arise years later. Also the employer would not be in a very good position to bargain with his employees for higher wages if he thought he might be presented later with portal-to-portal suits in large amounts. I am sure most Members of the House feel the same way. But the question presents itself as to whether in trying to remedy the situation about portal-to-portal suits we are doing just that or are going into an entirely different matter and emasculating the Bacon-Davis Act, the Wage-Hour Act, and the Walsh-Healey Act.

I hope that before the final vote comes on this bill the committee or the sponsor, the gentleman from Iowa [Mr. GWYNNE], who is a very capable lawyer and for whom I have the highest respect—I think he wants to be fair about the matter—will consider and will agree to some amendments that will allay our fears that we are going way beyond what we are setting out to do, namely, to make impossible the large majority of portal-to-portal suits we have had recently.

I want to address my remarks particularly to two provisions of the pending bill. I think these need some amending and some further consideration before we enact them into law. First, section 2 (f). Some method should be found for the purpose of enabling a compromise of existing portal-to-portal suits under safeguards, but the thing I am fearful about in connection with section 2 (f) is that it not only applies to pending claims, but sanctions the compromise of future claims. You will notice the language, "any claim," which of course means all claims. It permits the settlement of all future claims that may arise under the Fair Labor Standards Act, the Walsh-Healey Act, and the Bacon-Davis Act. In this respect I think it goes far beyond what is necessary to meet the present portal-to-portal situation. It opens the door to flagrant violations of the wage-and-hour laws by those employers who wish to take unfair advantage of their employees and competitors.

In enacting the wage-and-hour laws, Congress intended to insure decent wages and hours to those workers in American industry whose economic bargaining position is too weak to enable them to secure those standards for themselves. By the same legislation, Congress intended to protect fair-minded employers who are willing to establish decent wages and hours against the unscrupulous competition of chiselers. To permit the compromising of any claim arising under these laws is to invite these chiselers to pressure their employees into settlements which may once again subject those employees to the same sweatshop conditions they were forced to endure before these laws were enacted. Note, if you will, that this bill not only sanctions compromises where there exists a bona fide dispute of fact as to the number of hours worked or as to the rate of pay, but, if I read this bill correctly, it sanctions all compromise settlements,

whether or not such dispute of fact exists, and regardless of the extent to which an employer has failed to comply with the act. An employer is free to pay less than the statutory wages, waits until an injunction or employees' suit seems imminent, and then makes every effort to compromise his way out of the violation. Having settled that claim he is free to repeat the process ad infinitum. And the act would no longer be uniform in its application, for this provision would give a distinct competitive advantage to an employer whose employees are more willing to accept a compromise of their claims than the employees of his competitors.

Let us consider human nature in these matters. If an employer is paying less than the minimum wage, and he takes a petition or a release or settlement blank around to his employees, the employees are usually going to sign it, particularly if they are not members of a bargaining unit. Frankly, I am very much afraid that this is going to give the unscrupulous, chiseling employer a distinct advantage over the one who wants to follow the real intent of the wage and hour law.

Another provision which I hope will be amended is section 3, which reads:

> No action or proceeding of any kind whether or not commenced prior to the effective date of this act, shall be maintained to the extent that such action is based upon failure of an employer to pay an employee for activities heretofore or hereafter engaged in by such employee other than those activities which at the time of such failure were required to be paid for either by custom or practice of such employer at the plant or other place of employment of such employee.

Let us see what that does. In the committee, incidentally, I offered an amendment to include the word "lawful" before the words "custom or practice." The amendment was voted down. The provision as it stands would enable two plants side by side manufacturing the same product to have different practices to the extent where one could have a custom of having its employees work four extra hours and the other would not have that advantage and nothing could be done about it. Therefore, it would do away completely with uniformity in the various industries of the Nation even though they may be manufacturing the same products and also be in the same locality.

The gentleman from New York [Mr. KEATING] offered an amendment providing that this custom or practice should be that practiced by the industry in a particular locality. That would help to a certain degree, but that amendment unfortunately was not adopted.

Suppose there were a custom or practice in a particular industry over a long period of years for the employees to work eight extra hours a week. As long as that employer could get employees who were willing to work in compliance with that custom, there is nothing that could be done about it. Competitors starting in a new business could probably only get employees to work 40 hours a week, whereas the custom would enable the competing industry to work 48 hours a week.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. KEFAUVER. I yield.

Mr. HOLIFIELD. Is it not true that the old sweatshop conditons that existed, for instance, in the needle trades, were the result of competitors trying to compete on a full-labor market or a surplus-labor market where the competitors would hire employees at a lower price in order to make a competitive article cheaper? Thereby the whole industry would be in chaos because of the competitive practice.

Mr. KEFAUVER. That is my understanding of the matter.

Mr. HOLIFIELD. Such language is certainly new language.

Mr. KEFAUVER. But mere "custom or practice" might mean anything in any industry.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. CELLER. Mr. Chairman, I yield five additional minutes to the gentleman from Tennessee.

Mr. KEFAUVER. Mr. Chairman, how do you establish a custom or practice? Suppose a new industry is starting and it proclaims "Our custom here is to work 10 hours overtime per week, that is the practice."

I do not know whether it must have been a long-existing custom or practice or whether it can be one that is newly started. There certainly should be some protection to the employer who wants to be fair, who really wants to carry out the intent of the act.

But even more dangerous than the custom or practice provision is the next clause of section 3:

> Or by express agreement at the time in effect between such employer and such employee or his collective-bargaining representative.

In other words, suppose the employer and the employee sign an express agreement that he would work 10 hours above the maximum week, or 60 hours a week; no suit could be brought about it. They would have a perfect right to make that agreement I assume for it does not say that it is prohibited. It would be a lawful agreement. It does not say it must be an agreement in compliance with existing statutes, with the wage-and-hour law, but it can be any kind of agreement and the employee would be unable to do anything about it.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield further on that point?

Mr. KEFAUVER. I yield.

Mr. HOLIFIELD. Is it not true that an employer could, for instance, make an agreement with a minority group of 10, 15, or 20 employees, get them to sign an agreement and then use that as a means of enforcing those contract terms upon the majority of his employees?

Mr. KEFAUVER. That could well be one of the results. Here would be plant A making hosiery, complying with the Wages and Hours Act, but right across the street would be plant B which entered into a written agreement with its employees to let them work 10 additional hours a week for the same wage. Under this provision nobody could do anything to prevent it, to prohibit it by injunction, or to collect any wages because of the 10 hours' overwork. That is not fair to plant A that wants to comply in good faith with the provisions of the wage-hour law.

In the committee I had understood that the sponsor of this bill was going to give some consideration to a suggestion made by the gentleman from New York [Mr. KEATING] relative to an amendment to make the practice in any one locality uniform. I wonder if I could inquire of the chairman of the subcommittee or of the committee whether such amendment is going to be accepted?

Mr. MICHENER. Mr. Chairman, the chairman of the subcommittee stepped out, but I believe the policy of the majority of the committee will be to vote for the bill. All amendments, however, will be considered. I regret that the gentleman now addressing the House—a member of the committee—was not present when this matter was discussed in the committee, because if he had been he would not ask the question he now asks on the floor of the House.

Mr. KEFAUVER. I was present at the time the gentleman from New York [Mr. KEATING] offered his amendment to have the practice or custom uniform in any given locality. He was finally persuaded to withdraw his amendment on the understanding that the subcommittee or the sponsor of the bill was going to consider some language to take care of the situation.

I see the gentleman from New York [Mr. KEATING] here. I might inquire if that was not his understanding at that time.

Mr. KEATING. I prefer to have the chairman of the subcommittee to speak for himself. I do not think I should be called upon to answer a question of that kind.

Mr. MICHENER. If the gentleman will permit, I can answer that question. After that discussion to which the gentleman refers, this matter was discussed in the committee, and, as I think the gentleman from New York [Mr. KEATING] knows, it was the opinion of the committee that the language in the bill should be carried in the bill. So that the bill represents the views of a majority of the committee, as it is written. Of course, the gentleman has the privilege of offering his amendment.

Mr. KEFAUVER. The gentleman will remember I offered an amendment to insert the word "lawful" before the words "custom and practice." At the same time, the gentleman from New York [Mr. KEATING], or before that time, had made objection that this would give advantage to one industry, or might not provide uniform practice among industries in the same locality. So he offered his amendment to make it the customary practice of the industries in that locality.

Mr. MICHENER. Yes; but both amendments were voted down.

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. KEFAUVER] has expired.

Mr. MICHENER. Mr. Chairman, I yield the gentleman two additional minutes.

Permit me to say the amendment was offered by the gentleman from New York [Mr. KEATING], as well as the amendment

by the gentleman from Tennessee [Mr. KEFAUVER], but they were not accepted by the committee. The committee should not be criticized by the gentleman who happened to offer an amendment which the committee did not think was wise. The committee should not be criticized if it did not accept his particular amendment.

Mr. KEFAUVER. I am not criticizing the committee, but I think I am stating the facts correctly in saying that the gentleman from New York [Mr. KEATING] offered his amendment. Then, because objection was raised to that amendment on the ground that it should be worked out very carefully as to phraseology, it was stated at the time the bill was reported out that the sponsor of the bill would give further consideration to the matter and he was hopeful that something could be devised that would take care of the objection of the gentleman from New York [Mr. KEATING]. I am not asking the gentleman from New York whether that is correct or not, but that is my impression.

Mr. KEATING. May I say to the gentleman that my understanding of what went on in committee was that I offered the amendment and it was rejected, and that is all there was to it. The majority of the committee felt that the amendment should not be adopted.

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. KEFAUVER] has again expired.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentlewoman from California [Mrs. DOUGLAS].

Mrs. DOUGLAS. Mr. Chairman, I shall vote against this bill. I will vote against it despite the fact that I am convinced, as the gentleman who has just spoken was convinced, that a majority of the suits now before the courts are unjustified.

I shall vote against the bill because I think it goes far beyond what a simple portal-to-portal bill should encompass. I agree with the gentlewoman from New Jersey [Mrs. NORTON] that it strikes at the wage-hour law. I think that has been proven conclusively this afternoon. I am not going to burden you with a repetition of the facts about the statute of limitations or the part of the bill that deals with custom or practice as a definition of "work."

I shall talk about what really is worrying us. Why has this bill been introduced? As one of the Members said, "This bill was introduced because it was felt that portal-to-portal suits now before the courts are in such great number, amounting to $5,000,000,000, that they are a threat to the financial and economic stability of the country."

We are all agreed that we want a sound and stable economy. That is right. But we are not going to insure soundness or stability with this bill. What we do insure is the destruction of effective enforcement of the Fair Labor Standards Act. If it is portal-to-portal pay which we are trying to regulate, why do not we have a simple portal-to-portal bill before us.

One of the Members referred to the author of the bill as having done a monumental work in the writing of this bill. I wish this afternoon that a monumental job had been done or was being done by Congress on housing. I wish that a monumental job had been done or was being done to keep down the cost of living. I wish today that a monumental job was being done to deal with the facts of living as they are at the grass roots. If there had been any real understanding of the working and living problems confronting one-third of the men and women of America, we would not have a great number of unwarranted suits before the courts today. Neither passing this bill nor any other restrictive labor legislation, legislation for instance which would prohibit men and women in this country from striking, will solve the problem of living costs that is growing day by day and becoming more explosive throughout the country.

How do we get a sound economy? We get a sound economy only if we have three factors in operation—full production, full employment, and sound consuming buying power.

We came out of the war with a sound, healthy economy. Today there are grave danger signals which we must recognize.

What are these danger signals? Let's look at what happened in the twenties.

Between 1924 and 1929 profits for all corporations after taxes increased from $4,000,000,000 to $7,000,000,000, or 72 percent.

The output per man-hour in manufacturing increased 35 percent. Wages increased only one-half cent per hour per year. As a result, consumer purchasing power did not keep up with production. The result of this combination of facts was the crash in 1929—and the tears of 1931.

The same danger signals which lead up to vanishing markets, closed factories, bread lines are present today.

From 1942 to 1945, the average corporation profit was $9,500,000,000 and the peak wartime profit was $9,900,000,000.

For 1946, corporation profits, after taxes, will run to $11,800,000,000.

Estimated 1947 profits, before taxes, for manufacturing corporations, are estimated at fifteen billion five hundred million and would allow seven billion seven hundred million for wage increases and leave sufficient profits, after taxes, to equal those of the war years and twice those of prewar years.

But wages are not keeping up to a point where a sound consumer market can be maintained to sustain these profits.

I would like to insert in the RECORD, at this point, some interesting figures from Business Week for February 15, 1947, which show that buying power in this country is decreasing:

HOW REAL INCOME OF EMPLOYEES HAS CHANGED

The war and its aftermath have revolutionized the United States standard of living. But rising prices and higher taxes obscure both the extent of the change and the degree to which various groups have shared its benefits.

The economics staff of Business Week has attempted to remove these obscurities and to show below how the real income of those at work in various parts of the economy has shifted. To this end income and employment taxes have been deducted from estimates of weekly pay envelopes for certain key dates. The amount remaining has then been converted into dollars of fixed purchasing power, with prices paid by consumers in 1939 as the basic yardstick. The results are startling.

GAINS CUT

With few exceptions, higher wages and more stable employment have lifted workers to a new plateau of real income since 1939. But rising prices and decreased overtime during 1946 cut their gains. Moreover, wide disparity exists in the way different groups fared.

The bituminous-coal worker leads the manufacturing and mining group; his average weekly real income is 62 percent over 1939, partly because of a longer workweek.

And at the opposite end of the scale, the public school teacher and others working in public education suffered a decline in real income that averaged almost one-fifth.

SIGNIFICANT STORY

In one sense the data presented are misleading—the same people did not always stay in the same jobs. And a man usually moved to better-paying work.

But in spite of this shortcoming of the data, and the fact that the statistics in each instance are an average of varying rates of pay within the industry, Business Week believes this table tells a significant story of relative change in the economic well-being of the Nation's working population.

	Average weekly income available for spending in terms of 1939 dollars			Percent change in real income available for spending		
	1939	Mid-1945	Autumn, 1946	1939 to mid-1945	Mid-1945 to autumn 1946	1939 to autumn 1946
Manufacturing industries:						
Iron and steel	27.20	36.50	31.50	+34	−14	+16
Electrical machinery	26.80	35.00	30.80	+21	−12	+15
Machinery, except electrical	29.00	38.40	32.90	+32	−14	+13
Automobiles	32.60	38.20	33.10	+17	−13	+2
Transportation equipment except autos	30.20	41.90	33.90	+39	−19	+12
Nonferrous metals	26.50	35.50	31.00	+34	−13	+17
Lumber	18.90	25.00	25.40	+32	+2	+34
Furniture and finished lumber products	19.80	27.50	27.10	+39	−2	+37
Stone, clay, and glass	23.70	30.10	28.60	+27	−5	+21
Textile products	16.70	23.50	24.70	+41	+5	+48
Apparel	18.00	22.70	23.80	+26	+5	+32
Leather and products	19.00	26.40	24.00	+39	−9	+26
Food manufacturing	24.20	29.80	28.30	+23	−5	+17
Tobacco products	16.70	23.00	23.90	+38	+4	+43
Paper and products	23.50	30.40	29.20	+29	−4	+24
Printing and publishing	32.10	34.20	33.90	+7	−1	+6
Chemicals	25.30	33.20	29.20	+31	−12	+15
Petroleum and coal refining	32.30	41.00	34.00	+27	−17	+5
Rubber products	27.60	37.30	32.30	+35	−14	+17
Miscellaneous	24.20	32.20	28.90	+33	−10	+19

	Average weekly income available for spending in terms of 1939 dollars			Percent change in real income available for spending		
	1939	Mid-1945	Autumn, 1946	1939 to mid-1945	Mid-1945 to autumn 1946	1939 to autumn 1946
Mining industries:						
Anthracite coal	25.40	34.70	37.90	+37	+9	+49
Bituminous coal	23.60	36.60	38.30	+55	+5	+62
Metal	27.80	33.60	31.40	+21	−1	+13
Nonmetals and quarrying	21.40	32.00	30.80	+50	−4	+44
Crude petroleum	33.80	38.90	34.50	+15	−11	+2
Transportation	31.40	37.20	35.50	+18	−5	+13
Public utilities	32.10	33.60	31.50	+5	−6	−2
Finance	31.20	32.60	30.00	+4	−8	−4
Service	16.20	21.30	20.50	+31	−4	+27
Construction	24.10	36.70	33.50	+52	−9	+39
Retail trade	21.00	22.00	21.50	+5	−2	+2
Wholesale trade	29.60	33.20	31.50	+12	−5	+6
Federal Government (civilian)	38.80	42.60	35.50	+10	−17	−9
State and local governments	25.60	23.80	23.50	−7	−1	−8
Public education	26.10	22.50	21.00	−14	−7	−20
Agriculture and related industries	7.60	14.90	14.50	+96	−3	+91

Data are estimates by Business Week based on information published by the Department of Labor and the Department of Commerce. Because statistical adjustments of the character applied to the basic data leave results that are only approximations of the true averages, the statistics for weekly income available for spending have been rounded out to the nearest 10 cents and in some cases to the nearest 50 cents. Thus, the figures for mid-1945 and autumn 1946 are of use chiefly as an indication of the general magnitude of the change in real income.

The income of the wage earner has gone down in 1946 from 1945. True, the income of the wage earner in the country in 1946 is higher than it was in 1939 but we had millions of unemployed in 1939, too.

Goodness knows, we do not want to go back to that.

The average weekly earnings by production workers today cannot sustain sufficient buying power to continue full production and full employment. Today 97 percent of the working population is employed and that is the way we want to keep it.

The average weekly earnings by production workers today cannot provide a decent standard of living, however, with prices what they are.

The Heller budget from the University of California for a family of four in October 1946 was $70.52 a week. The average weekly earnings by production workers was $45.83. These average weekly earnings have dropped from January 1945 when they were $47.50 and the buying power in terms of 1945 dollars was down to $39.27 as measured by the Bureau of Labor Statistics Price Index.

The minimum character of the Heller budget is evident in that it provides one overcoat for the wage earner every 6 or 7 years; a new suit once every 3 years; one winter coat for the wife every 4 years, and two regular dresses and two house dresses each year.

In the food line, it provides such items as one-fourth pound of bacon, 2 dozen eggs, 1 pound each of butter and margarine a week. No choice cuts of meat allowed.

We can expect if we allow the wages in the country to continue to take a downward spiral there will again be unemployment, because the great mass purchasing power of this country does not come from the small group at top where excessive profits have been made and are being made. It comes from the great mass of American people about whom, incidentally, we are talking today. The relative change in the economic well-being of the Nation's working population is significant.

We cannot ease our conscience in this attack upon the Fair Labor Standards Act as one gentleman did by suggesting that this bill seeks to protect 140,000,000 people against a small handful of willful, unreasonable citizens.

There are 15,000,000 organized working people in the country. This figure does not include their families. You can fix the figure any place you want to—some place around forty-five to fifty million people.

The CHAIRMAN. The time of the gentlewoman from California has expired.

Mr. CELLER. Mr. Chairman, I yield the gentlewoman two additional minutes.

Mrs. DOUGLAS. Mr. Chairman, we are not talking about a few people here, as has been suggested. We are talking about forty-five or fifty million people. That is quite a handful.

When we contemplate voting out a bill which will undermine the Wages and Hours Act we are jeopardizing the earning power of millions of American people. As a matter of fact we are also jeopardizing the earning capacity of unorganized labor.

When the buying power of one-third of the people goes down, what happens? Production goes down. When production goes down, what happens? Employment goes down. That is what this Congress should be concerned with.

Full production, full employment, sound consumer buying power alone will keep our economy sound and healthy.

If the economy is sound and healthy, that is what will keep "isms" out of this country. People who have roofs over their heads and some security do not go down sidetracks. You can scream your head off, you may wrap the flag around yourself and talk about democracy until you are deaf, dumb, and blind, but if we allow a great segment of our people to be put into a strait-jacket where they cannot strike, where they cannot protest, where they are virtually slave labor and are required to live on less than they can live on, we are going to have trouble.

There is the beginning of trouble in this bill. I question no one's motives at all, but I think there is a lack of vision here today; lack of vision, just as there was when the Price Control Act was wrecked, so that prices have gotten out of line. And what was that but an open invitation to strikes in this country? If people cannot live on what they make, they have to protest; that is simple, and everybody knows that prices are still rising, and anybody that knows anything about conditions back home knows that the people do not have enough roofs over their heads today, and I say that that is what we should be concerning ourselves about.

Mr. MICHENER. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, the purposes of and the necessity for this bill are set out in a finding of facts which the committee made upon evidence heard in support of the provisions of the bill. These findings are set forth in section 1 of the bill.

Now, ordinarily $5,000,000,000 worth of lawsuits are not held in abeyance for months and years if the persons bringing such suits have a genuine cause of action. A man is prone to forget his obligations to others, but he rarely forgets the obligations of others that are due him. Overnight out of the blue this unexpected avalanche of suits confronted the employers of this country.

Now, let us look at these suits in the light of our common sense, our experience, and what we know about human nature. We all know that if these men who are bringing these suits had had a valid cause of action, they would have brought them when their causes of action accrued. The percussion cap that set these suits off was the Mount Clemens Pottery Co. case, in which the Supreme Court held that the workers were entitled to, well—portal-to-portal, or, as Judge Picard finally put it, pillow-to-pillow pay. In holding that the employees of this company were entitled to pay for walking on the company's premises and for the performance of certain activities preliminary to the beginning of their day's work, the Supreme Court held:

> It follows that the time spent in walking to work on the employer's premises, after the time clocks were punched, involved "physical or mental exertion (whether burdensome or not) controlled or required by the employer and pursued necessarily and primarily for the benefit of the employer and his business" (*Tennessee Coal Co.* v. *Muscoda Local* (321 U. S. 590, 598); *Jewell Ridge Co.* v. *Local No. 6167* (325 U. S. 161, 164–166)). Work of that character must be included in the statutory workweek and compensated accordingly, regardless of contrary custom or contract.

I approach this subject on the theory and on the assumption, and I believe I am warranted in assuming, that the average employer in this country and the average employee are friends and not enemies. From what I get from many employers and employees in talking to them and in the letters that they write me, the men and women who work are very much of the frame of mind of the patriarch Job, who when his supposed friends stood around his bedside of affliction and advised, "Job, curse God and die," and Job said in reply, "O God, deliver me from my friends."

The laboring people may well pray to be delivered from their professed friends,

those who live by the sweat of their tongues, and not by the sweat of their brows.

Now, let us see what this bill proposes to do. It provides that a laborer who thinks he has a claim against his employer can settle; he can compromise. Why should not anybody 21 years of age, of sound mind, be permitted to settle a controversy or a claim that he has? He does not need an agitator as his guardian. He is not asking for that. This bill makes it lawful for an employer and his employee to fairly settle and compromise their differences. Then it gives the employer the right, when he is confronted with one of these suits, to rely upon the fact—

That the action or omission complained of was done or omitted in good faith consistent with, required by, or in reliance on any decision of a court of record in connection with which such employer was a party in interest, or any administrative regulation, order, ruling, interpretation, approval, enforcement policy, or practice.

There was a time when an employer or anybody in business might rely upon the law of the land as it had existed and had been repeatedly declared by the courts for 150 years, but under administrative law and practices and under the day-to-day shift in judicial interpretations of the law, and under these multitudinous rules, regulations, orders, interpretations, and explanations and other decrees that are handed down by bureaucrats with which nobody on earth could keep up, no man knows when he is acting in violation of the law. It is provided in this bill that if anybody relies in good faith upon any of these regulations, orders, rulings, interpretations, approvals, enforcement policies or practices that have been promulgated by these Federal administrative authorities, that is a complete defense, to these suits mentioned in this bill and such reliance and compliance ought to be a complete defense.

Let us see what else this bill does. It permits the court to have some latitude in assessing damages or penalties.

Mr. DEVITT. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from Minnesota.

Mr. DEVITT. I should like to get the viewpoint of the distinguished gentleman with reference to subsection (e) of section 2. The gentleman spoke with derogation of the rulings and the findings and the practices of the bureaucrats. Then he pointed to the second paragraph of subsection (e) and said that it provides that those rulings and practices are impregnable.

Mr. JENNINGS. No; I say that if anybody relies on them in good faith—and there is no answer to that—if somebody clothed with the power so to do issues an edict or an order having the force and effect of law, and the citizen acts in reliance upon such edict or order in good faith, such action and reliance ought to clothe him with absolute immunity from liability in either a civil or a criminal suit.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. MICHENER. Mr. Chairman, I yield three additional minutes to the gentleman from Tennessee.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from Mississippi.

Mr. RANKIN. Right along that line, I think it might be of interest to Congress to know that on the 22d of February this news item came out of London, England:

Two thousand British Communists shouted today when William Z. Foster, head of the Red party in the United States, opened the Communist Congress here by telling them the news they all wanted to hear, that America is nearing a bust.

Mr. JENNINGS. If he will just stay over there we can all shout with joy.

Mr. RANKIN. Yes; but that is what they have been praying for, and I am not sure that it is not in the motive behind these suits.

Mr. JENNINGS. Let me make this further observation: As I said a moment ago, I approach this subject upon the assumption that employers and employees are usually friends. Most of the employers of this country are men who at one time worked for wages. Not long ago in my town a man passed away who came there 50 years ago as a young man from Alabama, without a dollar in his pocket, but he was filled with energy and industry, and God Almighty had planted inventive genius in his mind. He became an inventor. He founded a great plant that bears his name. During this war the Fulton-Sylphon plant in my city made instruments without which airplanes and submarines could not have been effectively operated. Mr. Fulton died wealthy, but he made scores of others rich and thousands prosperous.

I am never worried about what a man like that has. He shares it with others. If anybody asks me what a man leaves when he dies, I do not have to go to the office of the probate clerk to learn. He leaves all he has. There are no pockets in a shroud.

I do not want to see my country and your country, this country of the employers and employees, duplicate the performance of Great Britain in wrecking and nationalizing our system of free enterprise, based on collective bargaining. You cannot go halfway over Niagara. This bill enacted into law will end the uncertainty and financial ruin now hanging over the business of this country like the sword of Damocles. The 6 months' and 12 months' limitations within which such suits may be brought will put an end to the threat to our industry, and to the jobs of millions of our working people. Realizing the threat these suits are to the solvency of business and to the welfare of the working people, William Green, and other leaders of the American Federation of Labor, have denounced them as unwise and without merit.

This bill should be enacted as reported by the committee.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. O'TOOLE].

Mr. O'TOOLE. Mr. Chairman, the legislation before us this afternoon is typical of most omnibus legislation, a carry-all that embodies many things created and conceived out of hysteria and sired by hatred of labor. The thinking people of this country seek industrial peace so that the Nation may go forward to take its proper place in the world scene. But we are not going to achieve that goal by introducing legislation in this Congress which is strictly class legislation—legislation that is punitive in its nature with the penalties to be exacted but from one group—the workers.

Perhaps there have been mistakes in the past in some of our labor legislation, but we are not going to rectify this condition with hysterical legislation of this type which is morally unsound and philosophically dishonest.

We are attempting here to go beyond our own sphere and we are ceasing to be a legislative body and attempting to become the judicial process of our Government. We are attempting to dictate the policies that the courts of the country must follow, and we are endeavoring to interpret the laws before they have an opportunity to do so. We must be calm and we must be reasonable if we are to work out the difficulties that exist in the present labor program. We cannot do it by introducing bills of an omnibus nature which affect four or five acts of a highly controversial sort.

I certainly believe that the best thing this House can do is to defeat this measure and turn it back to the Committee on the Judiciary of the House with a proposal that both the Committee on the Judiciary and the Committee on Education and Labor make a prolonged study of the entire labor situation and also of all existing labor legislation.

Mr. MICHENER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. KEATING] a member of the subcommittee.

Mr. KEATING. Mr. Chairman, before I speak regarding this bill, I want to express my deep gratitude to the chairman of the Committee on the Judiciary for the opportunity he gave me of serving on this subcommittee. Although perhaps not young in years, I am at least new in this House. I sincerely wish that every man and woman in this country could have been present during the deliberations of this subcommittee because they would have been gratified and heartened to learn there was not for one instant at any time injected into those deliberations any degree of partisan politics. The distinguished chairman of the subcommittee, the gentleman from Iowa, has done, and I repeat what was said before, a monumental job. The distinguished gentleman from Massachusetts [Mr. GOODWIN] and, likewise, the minority members, Messrs. WALTER, of Pennsylvania, and BRYSON, of South Carolina, worked long and hard to try to bring out a bill which is fair and just to every one. Each one of these able gentlemen labored with diligence and devoted dedication to the task in hand.

I favor the passage of this legislation, although there are two respects in which I feel amendments would improve the bill and accomplish greater fairness to all concerned which I am sure is the ultimate aim of all of us.

We are faced today with the prospect of stagnation in production and bankruptcy for industry particularly small businesses and possibly economic chaos leading to small and large businesses going to the wall and leading to men walking the streets for want of a job. On top of that we are told by the witnesses from the Government who have appeared before us that a very large amount of these staggering claims will, in the final analysis, fall on the Government itself through contract renegotiation and claims for tax refunds.

Such a situation as that, in my opinion, challenges this Congress to act. In doing so, we must be careful to be fair to everyone. I believe that this act does not deprive the laboring man of any of his legitimate rights nor emasculate the Fair Labor Standards Act or any other statute enacted for his benefit. If I felt otherwise, I would be against it.

On the other hand and along that line, although I differ with him, I have the greatest respect for my colleague the gentleman from Alabama [Mr. HOBBS], who, with admirable frankness, tells us he thinks that the Fair Labor Standards Act ought to go out of the window. If I agreed with his objective, I would favor such a direct approach. But I do not agree, and I believe that is not the intention of any of the subcommittee members who worked so hard on this bill and who, with the exception of the statute of limitations amendment with which I shall deal in a minute, reported the bill unanimously to the Committee on the Judiciary. Nor will that, in my opinion, be the effect of the bill if it is passed.

Mr. DEVITT. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. DEVITT. The gentleman was a member of the subcommittee which conducted hearings, was he not?

Mr. KEATING. I was. That is right.

Mr. DEVITT. Do you recall the testimony that was presented there by certain agents of employees of the Northwest Airlines?

Mr. KEATING. I do remember that; yes.

Mr. DEVITT. Does the gentleman feel that those employees would be denied coverage by virtue of the enactment of this bill?

Mr. KEATING. I was much impressed with the testimony given by those employees. I will say to the gentleman, who I know has labored long and hard in their behalf, that I do not believe the passage of this bill would injure their rights. I think the gentleman has reference to the good faith provision of the bill. In section (e) on page 4 you will note that the employer only has protection if he has acted in good faith, in reliance upon that administrative ruling. In the situation to which the gentleman refers, the employer acted in reliance on one governmental agency and then another one came along and gave a different ruling. But the employer in the first instance, knowing there was doubt about his position, appealed to the United States Government and got indemnification. I would certainly vigorously urge in that case, if I were appearing for those people, that this action was evidence of the fact that this employer did not act in good faith and could not avail himself of the defense afforded under this subsection (e).

This bill in the first part states the findings which gave rise to it, and the declaration of policy of this Congress.

Then section 3 strikes out what I like to call the illegitimate portal claims. I agree there are probably some legitimate lawsuits pending. I feel most of them are without foundation, after hearing some 500 pages of testimony, but those which are retained in good standing by this bill are those which are based on agreements between employer and employee or his collective bargaining agent, and those which are represented by custom and practice in that industry.

At the proper time I have the feeling and shall urge that there is one class of legitimate claims to which we have not yet given the immunity to which they are entitled. That is the case of the claim based upon the custom or practice in the industry generally. We were given an instance of a case where some men moved from New York City into northern Pennsylvania and started making shirts. The girls they employed to make the shirts were required to put in little piles the various cut out parts of the shirt, the left arm, the front of the shirt, and the back, and the right arm, and the collar before they started sewing. The employer established the practice in a time of depression that he would not pay those girls for the time they were putting those items in separate piles but would start their pay only when they actually started their needles. That was contrary to the general custom and practice in the industry and it was contrary, it seems to me, to fundamental fairness and right. Such a situation, it seems to me, should not give an employer immunity. If this language were broadened to say also an action could be maintained in the case of a custom or practice in the industry, then we would give protection to an employee who was being overreached and at the same time would give protection to the vast bulk of honest, honorable employers who do not try that kind of abuse and are subjected to unfair competition from those who do.

The other amendment which I feel would help make this bill fairer is one to increase the period of the statute of limitations. In my State—New York—an employee now has 6 years within which to maintain an action such as this. I do not for one moment—and I want this most clearly understood—charge any unfairness upon the part of anyone who feels that a 1-year statute is right. The gentleman from Iowa has a 2-year statute in his State and the gentleman from Indiana has a 1-year statute in his State. I can well understand why they with the utmost sincerity favor a 1-year statute.

But the gentleman from Illinois [Mr. SABATH] said earlier in the day that when we were elected to Congress we told labor we were going to be fair. With that I agree, although I cannot go along with his rationalization wherein he contends that all the Republicans who support this bill are venal and the many Democrats who share the same view are uninformed. But I want my conscience in voting on this bill to be absolutely clear. I want to be entirely and unquestionably fair, as I see the problem, and in my case, coming from a State which now has a 6-year statute, I cannot convince myself that I will have been fair in this matter if I go too much below the Nation-wide average, which is now 3.8 years.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MICHENER. Mr. Chairman, I yield two additional minutes to the gentleman from New York.

Mr. KEATING. It is true—and this should in all candor be said—that there are some 13 States which have dealt with this precise problem and have passed statutes of limitation applicable only to this type of action. Those statutes run from 6 months to 2 years.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. HALLECK. That was the question arising in my mind, whether the 6-year statute of limitations in New York State would be applicable in a case where an employee alleged he had not been paid in the regular sort of routine as distinguished from this special statutory provision.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. KEATING. May I answer the gentleman from Indiana first?

In New York, an employee would have 6 years within which to bring an action under the Fair Labor Standards Act as well as to bring an action at common law for unpaid wages. Since there is no special statute applicable, as is true, I understand, in some 35 States, the general statute applicable to action ex contractu would govern.

What I started to indicate was that many States, of which mine is not one, have legislated specifically for actions under this law and those statutes of limitations run from 6 months to 2 years.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. KEATING. In just a moment.

But, as I indicated a moment ago, the Nation-wide average is 3.8 years. In using that figure I refer to all of the applicable statutes, Nation-wide, which include the 13 which have specifically dealt with this law and others where a common law right of action would govern their recovery.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Tennessee.

Mr. JENNINGS. This 1-year limitation applies to actions brought under this or some other Federal act. The 6-year statute of limitations in the gentleman's State applies to common-law actions, it applies to suits involving unpaid wages, for instance.

Mr. KEATING. The gentleman is partially correct. I may say to the gentleman from Tennessee that at the pres-

ent moment the 6-year statute would apply to both a common-law action for unpaid wages and an action under the Fair Labor Standards Act in my State. But there is a distinction between the two types of actions, I recognize that. What I say is that if we favor the Fair Labor Standards Act as such then we must admit that there are legitimate claims under that act and, it is important to bear in mind, all illegitimate claims have presumably been eliminated by the good-faith provisions of this bill. Therefore, it seems to me we should not reduce the statute of limitations on legitimate claims under the Fair Labor Standards Act to such an extent as this bill contemplates.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from New York.

Mr. CELLER. I am very happy the gentleman has taken the position he has taken. It might be well to say right here that in the State of South Carolina there was a bill passed providing for a 1-year limitation, 1 year in which an action for wages would have to be brought under the Fair Labor Standards Act. I am informed this statute, which was enacted in 1945, was declared unconstitutional by the Appellate Court at Richmond on the ground 1 year was insufficient.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. MICHENER. Mr. Chairman, I yield the gentleman one additional minute.

Mr. KEATING. I may say to the gentleman from New York in the interest of clarity, it is not my understanding that the basis of unconstitutionality in that case was the short period of time involved but was the fact it was discriminatory to allow a different and shorter length of time in an action under such a Federal statute as against other types of actions of similar character under State statutes.

In conclusion, I respectfully refer my colleagues to the arguments advanced in the additional views of the gentleman from Pennsylvania and myself in the committee report for supporting a statute of limitations in excess of 1 year, and I favor the passage of this bill, as I said in the beginning, feeling only that these suggested amendments will help to make it fairer, both to the workingman who has a legitimate cause of action and to the ethical employer who should be protected from the unfair competition of the minority who would seek to exploit their employees.

Mr. MICHENER. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. WELCH].

Mr. WELCH. Mr. Chairman, in 1938, I participated in a legislative battle to secure a minimum wage for underpaid American workers. We fought for a bare minimum necessary to safeguard the worker and his family from privation and want. As the ranking minority member of the Committee on Labor, I was among those standing steadfast until our cause carried through to victory. I sensed a feeling of tremendous and lasting accomplishment when, finally, after 2 years of legislative investigation and discussion, the Fair Labor Standards Act of 1938 was forced to the floor by a petition on the Speaker's desk and was passed by a substantial majority.

The reason for the Fair Labor Standards Act was stated in the act itself. Congress found that in interstate industries there were labor conditions detrimental to minimum standards of living. Production and sale of goods throughout the country spread and perpetuated these conditions among the workers of the country. Fair wages paid by fair employers were undercut by the unscrupulous; the cutthroat competition of chiselers forced prices and wages downward. The result was sweatshop labor, particularly for women and children.

These findings were not merely pulled out of the air. They were based on harsh and sometimes cruel pathetic facts presented on page after page of committee reports of lengthy committee hearings on this measure.

To correct these conditions without hardship, Congress established a minimum wage of 40 cents for each hour an employee was permitted to work. Prior to the establishment of the minimum-wage law, it was brought out in the testimony that women were working under sweatshop conditions almost within the shadows of the Capitol itself for $6 a week; they worked 10 hours a day 6 days a week to earn this pittance.

Congress decreed that this modest rate would go into effect only after 7 years of lower rates. Then, in order to correct the disastrous effects of constant toil for long working hours, the act provided for payment of one and one-half times the regular rate of pay for work in excess of 40 hours a week.

Now let us take a look at the pay envelope of the worker who receives the bare minimum guaranteed by the act. At the end of a 40-hour week it would contain the princely sum of $16, before taxes. At the end of a 48-hour week it would contain $20.80, before taxes. That would not go very far toward supporting one person, much less a family, under present-day living conditions.

Today this House is asked to consider new legislation amending that act and designed to correct certain injustices which its provisions have inflicted upon the American employer. These amendments have had the initial objective of protecting from employee wage suits brought under the act to recover for the time spent in walking from the gate of a plant to the work bench within the plant. If this were the sole result, I do not believe that any fair-minded man would take issue. But they go much further. H. R. 2157 would, in a few sweeping words, destroy utterly the basic guaranties so solemnly enacted into law in 1938. Millions of defenseless workers would again be left to the mercies of the unfair employers—powerless to defeat a vicious cycle which caused Congress to act in their protection.

I refer to section 3 of H. R. 2157. This section defines work, not only for the purpose of the Fair Labor Standards Act of 1938, but also for the purpose of the Davis-Bacon Act regarding prevailing wages on public works. The latter was passed during the time I was chairman of the Committee on Labor and it was an administration measure. It gives similar definition to the Walsh-Healey Act of 1936 covering minimum wage rates under certain Government supply contracts. Thus this bill affects virtually every existing Federal minimum wage control.

This, ladies and gentlemen, is what will happen under amendments now before you seemingly designed solely to solve the limited issue of portal-to-portal pay. Standards, by now long accepted in industries as a whole, would meet renewed challenge from the cut-throat competitor. Goods produced at unjustly low wages would again flow unimpeded through the channels of commerce, with disastrous effects upon every market they touch. The floor under wages for which we fought in 1938 will have disappeared by 1948 thereby endangering the American standards of living.

May I remind you that you are not only dealing with the pay of the organized worker, you are dealing with the lives and health and the fortunes of over 50,000,000 of law abiding, home loving, American wage earners, organized and unorganized.

Neither these people nor the American public have given us license to impair or destroy the laws of this country which protect a living wage under the rally cry of portal-to-portal pay.

If our object is to protect employers from the possible disastrous effects of wage suits under the Fair Labor Standards Act for pay which, until a few months, neither workers nor employers nor the enforcement agencies of Government conceived as due under the act, let us direct our energies to this problem alone. I am convinced that a reasonable solution can be reached, and that solution does not entail the destruction of every protecting minimum wage standard which the American people have after a long uphill fight succeeded in writing into law.

Mr. MICHENER. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include certain amendments to this bill which I will offer tomorrow.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JAVITS. Mr. Chairman, the following are the amendments to be offered to H. R. 2157 by me:

[Matter proposed to be stricken in black brackets; new matter in italics]

On page 4, line 15:

"(e) In any action, whether or not commenced prior to the effective date of *rules and regulations to be promulgated by the Secretary of Labor under* this act, the employer may plead and prove that the act or omission complained of was done or omitted in good faith consistent with, required by, or in reliance on any decision of a court of [record] *final appeal* in connection with which such employer was a party in interest, or any administrative regulation, order, ruling, interpretation, approval, enforcement policy, or practice.

"Such a defense, if established, shall be a bar to the action, notwithstanding that after such act or omission, such decision, administrative regulation, order, ruling, interpretation, approval, enforcement policy, or practice is modified, rescinded, or determined by judicial authority to be invalid or of no legal effect.

"The Secretary of Labor shall have power to make, issue, amend, and rescind such regulations and orders as are necessary or appropriate to carry out any of the provisions of the Fair Labor Standards Act of 1938. The regulations and orders of the Secretary of Labor shall be published in the Federal Register and shall be effective upon publication or at such later date as the Secretary of Labor shall direct. No provision of the Fair Labor Standards Act of 1938 imposing any liability shall apply to any act done or omitted in conformity with any regulation or order of the Secretary of Labor notwithstanding that such regulation may, after such act or omission, be amended or rescinded or be determined by judicial authority to be invalid for any reason.

"SEC. 3. No action or proceeding of any kind whether or not commenced prior to the effective date of this act, shall be maintained to the extent that such action is based upon failure of an employer to pay an employee for activities heretofore or hereafter engaged in by such employee, *covered by a collective bargaining agreement then in effect,* other than those activities which at the time of such failure were required to be paid for either by custom or practice of such employer at the plant or other place of employment of such employee or by express agreement at the time in effect between such employer and such employee or his collective-bargaining representative, *or upon the failure of an employer to pay any other employee for activities heretofore or hereafter engaged in by such employee, other than those activities which at the time of such failure were specifically required to be paid for either by custom or practice of the particular industry most nearly applicable to such activities, or by express agreement at the time in effect between such employer and such employee."*

Mr. MICHENER. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Chairman, collective bargaining received a paralyzing blow when our courts decided to force employers to pay wages they had never bargained for. To me, that is the nub of the portal-to-portal question. The staggering sums represented in the portal-to-portal cases that have been filed are not the results of past collective bargaining, the payments to be forced from employers by these suits are to be for time which neither the worker nor his employer considered pay time, according to the Supreme Court, which described this type of time and said it must be paid for at double the value of agreed working time, "regardless of contrary custom or contract." This decision is the most outrageous and unconscionable instance of judicial usurpation of the law-making power that I have ever seen. It is an attempt to write into the law something that Congress never intended, so as to create a liability for pay that neither workers nor employers ever intended. The result of this decision, if Congress does not act to right this judicial wrong, will be not only to enrich thousands of workers by payments they do not deserve, not only to impoverish industry by losses they could not foresee, not only to burden all taxpayers by an additional tax load caused by the decrease in tax payments by industry, but to impoverish workers in the future who will be unable to secure increases from businesses that have been disorganized and impoverished by the results of this decision.

The Gwynne bill, in my judgment, will correct the evils caused by this decision. I want to pay my tribute to the gentleman from Iowa [Mr. GWYNNE] and the Judiciary Committee which has worked out this bill. The legislative problem involved in correcting this decision was complex and difficult, but the committee, as shown in its excellent report, has found judicial decisions and precedents for each provision of the bill. If this bill is interpreted by the courts according to recognized principles of American jurisprudence, the threat of portal-to-portal suits to our economy will be over; businessmen can face their future problems knowing that no unforeseen liability will be created for past wages; unions can proceed with collective bargaining, knowing that they are dealing with businesses not made insolvent by unexpected, court-created payments for work already done.

One danger remains. Will the courts that created this situation through invasion of the legislative field, construe this law as courts should, or will our Supreme Court once more attempt to usurp the powers of Congress by rewriting the new law? At this time we can only hope that the courts will return once more to the judicial processes that won them the respect of our people. If the courts once more throw this situation into turmoil, we will be facing a threat not only to our economy but to constitutional government. If such a threat should arise, we still have machinery under our Constitution to protect the independence of the three branches of government in our Republic. I have faith, however, that the Gwynne bill will be interpreted in such a way that it will mark the end of the assault on our economy and the lawmaking power of Congress which is involved in the portal-to-portal cases.

Mr. MICHENER. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. MCGARVEY].

Mr. MCGARVEY. Mr. Chairman, in voting to outlaw the portal-to-portal pay suits, I would like it emphasized that I am doing so in the interests of the people whom I represent. My district is a section of Philadelphia thickly populated by the workers employed in the industrial plants of the city. I have had personal contact with these men, who supported me in the recent election.

They have convinced me that they are vitally concerned regarding the future of their unions. They realize that if the unions continue to instigate such action as the portal-to-portal pay suits it will prove detrimental to the workingman whom the union is supposed to shield.

I would like it understood that I am highly in favor of unions and any measures which have for their aim the protection of the honest, decent American worker. That is why I uphold Congressman GWYNNE's bill.

Seeking damages for portal-to-portal pay could mean bankruptcy and utter ruin to the industries sued and a resultant loss of jobs to the very workers for whom the suits were instigated.

Small businesses, such as the many which are located in my district, would be unable to pay their bills or meet their pay rolls if the suits were successful. After paying heavy damages, they would have no capital left for expansion or the creation of new jobs, a vital need in these times when we have so many veterans of World War II on the unemployment lists.

The total result, as I see it, is chaos and a downhill slide toward another depression. The people of my district put me in office to protect them and their interests. I feel that I am doing that today. They realize, as I do, that the preservation of American enterprise means a bright future for them and their families.

Mr. MICHENER. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. DEVITT], a member of the committee.

Mr. DEVITT. Mr. Chairman, as the chairman has just said, I am a member of the Committee on the Judiciary and one of the Republican members thereof. I rise today, however, in opposition to this bill, and I intend tomorrow, at the appropriate time, to introduce an amendment to make it conform to what in my judgment would be a fair and just settlement of the problem.

I am new as a legislator, but I personally have grave doubts as to the expediency of attempting to cure all the evils associated with the administration of these labor laws in one bill. I, too, am vigorously opposed to these CIO inspired racketeering, ill-founded portal-to-portal pay suits, and I am satisfied that Mr. GWYNNE's subcommittee, in certain provisions in this bill, has amply taken care of those suits.

There is one provision in this bill to which I object very strenuously. It is section (e) of section 2 of the bill. I hope that before any Member of the House votes on this bill he will take time to read that provision not once or twice, but three or four times. I think that is one of the most dangerous provisions that has been presented during the present Republican-controlled Congress. When you read that provision this becomes apparent: What the Congress of the United States does is to say that any kind of a ruling or administrative order or regulation that was made by any kind of an administrator or bureaucrat in any of the hundreds of administrative agencies of the Government takes precedence over any judicial decision handed down by a court of the United States. That is just what we are saying in that provision. We are elevating offhand opinions of bureaucrats above the dignity of judicial decision. I am against that kind of legislation. I am satisfied that the people of the State of Minnesota whom I represent did not send me down here for the purpose of elevating the opinions of bureaucrats above the dignity of judicial proceedings.

May I tell you a little story? About 2,500 workers who live in my district were employed by the Northwest Airlines, with headquarters in St. Paul, Minn.

During the arduous days of the war, the War Department asked Northwest Airlines to operate a bomber-modification plant in St. Paul. With patriotic zeal the Northwest Airlines hired several thousand employees, and for four or five years they very efficiently operated such a bomber-modification plant.

As they started to enlarge their operations, the air-lines officials went to the regional director of the Wage and Hour Administration and said "Are we governed by the Wages and Hours Act?" The regional director said, "Yes." So they came to Washington and asked the National Director, "Are we governed by the Wages and Hours Act?" He said, "Yes." So the Northwest Airlines published notices throughout its plant which stated that employees who worked more than 40 hours a week would collect time and a half for the overtime in accordance with the act.

Then, lo and behold, another bureaucrat came along who headed the wartime railway labor panel and he said: "Why, you people are not governed by the Fair Labor Standards Act; you are governed by the Railway Labor Act. You have to pay time and a half only for all time over 48 hours a week." So the Northwest Airlines said, "Well, we will follow your opinion then."

However, so insecure did they feel at that offhanded opinion contained in a letter that they asked the War Department for legal assurance that they would be reimbursed in case the courts later held that they were governed by the Fair Labor Standards Act. The War Department gave legal assurance that they would pay judgments, attorneys' fees, and costs which might be recovered.

Well, the war is over. These employees instituted a suit about 2½ years ago to determine whether they were governed by the Fair Labor Standards Act or the Railway Labor Act. On January 18 of this year the Federal District Court in the State of Minnesota, through one of the ablest jurists in the United States, held that these employees were entitled to the protection of the Fair Labor Standards Act.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. DEVITT. I yield to the gentleman from New York.

Mr. JAVITS. Does the gentleman mean to indicate that this act will affect that judgment?

Mr. DEVITT. Yes; may I advise my colleague from New York that it will. If the gentleman will examine section 4 of this act he will find in line 14 on page 6 that this bill prohibits the courts of the United States from entertaining any suits under this act except such suits in connection with which judgment has been entered and in connection with which the time for appeal has expired. I expect that soon a judgment will be entered in this case, but the time for appealing will not have expired by the time this bill will probably be passed.

This is what happens to the 2,500 people who live in Minnesota if this bill is passed. It means that this offhanded opinion of a Federal administrator 3 or 4 years ago takes precedence over the well-reasoned opinion of a court of the United States. It is not my intention as a Member of this great legislative body to give any kind of encouragement to the raising up in this country of the principle of man-made government. I think this last election evidenced the fact, if it did not evidence anything else, that we want in this country a government of laws rather than a government of men, and we cannot have a government of laws unless we have respect for the dignity and the decisions of courts of the United States.

I intend tomorrow to offer at the appropriate time an amendment to this bill, which in other respects I think is a laudable measure, by the terms of which all of subsection (e) of section 2 will be abolished; or, in the alternative, I will seek to amend section 4 so as to give some kind of validity to the present judgments of United States courts.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. DEVITT. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I am wondering in the gentleman has taken into consideration the language which appears in subsection (e) of section 2, which states that the employer may plead and prove that the act or omission complained of was done or omitted in good faith consistent with, required by, or in reliance on any decision of a court of record. In other words, subsection (e) itself, it seems to me, places first the possibility of reliance upon a decision of a court of record.

Mr. DEVITT. May I say that that is not the case. This decision was just handed down on January 18 of this year, so the employer did not rely on the judgment of a court when he failed to pay the overtime in question.

Mr. CASE of South Dakota. I was directing my question to the gentleman's general objection to subsection (e), and saying that subsection (e) itself, it seems to me, places in there the possibility of reliance upon a decision of a court of record.

Mr. DEVITT. If he is a party to the suit, but it does not apply to any other cases to which he is not a party.

Mr. KEATING. Does the gentleman feel that this employer, getting this second ruling, and then immediately going to the Government and getting from the Government an indemnification agreement, could be said to have acted in good faith in reliance on that ruling? It seems to me that when a person is acting in good faith in reliance upon something he does not, shortly thereafter, go out and get someone else to indemnify him. What does the gentleman have to say about that?

Mr. DEVITT. All employers in recent years have been in a quandary with many rulings emanating from hundreds of boards and agencies. I would not offer to presume to judge the motives of an employer because I do not think that would be proper. I am interested in seeing to it that the judgments of courts are not set aside as against the opinions of some bureaucratic agencies.

Mr. KEATING. I agree with the gentleman.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I want to express a word of appreciation for the words of the gentleman from New York [Mr. KEATING]. I find myself in much the same quandary with regard to the statute of limitations. I happen to be an employer of labor at the present time and have been for the last 25 years in business enterprises outside of my congressional duties.

Under the present bill, an employee of mine would have 1 year to file suit against me for underpayment of wages. However, in the State of California, I would have 3 years to enter suit against that employee for over-paid wages or for money advanced to him which he, in the way of a loan, would not have had the proper time to pay back to me. It seems to me that if we want to do the fair thing about this, as the gentleman from New York [Mr. KEATING] said, we will extend the statute of limitations. I say that, in view of the fact that I realize a businessman should know his liabilities for wage payments, but at the same time the sums involved are comparatively small in relation to the total wages paid and total business transactions of most businesses.

It seems to me that in all fairness we should give the worker a little more time, where he is not aware of his rights, and give him the same privilege that the employer has to recover moneys due him from the other party.

Another part of this bill which concerns me deeply is this definition of custom or practice. I understand the Supreme Court has defined work as "physical or mental exertion controlled or required by the employer and pursued necessarily and primarily for the benefit of the employer." Now, I do not think that particular definition is complete. I wish there were an attempt in this bill to give us a little better definition than that. I submit to you that to substitute the words "custom or practice" for this Supreme Court definition is certainly taking a step backward.

I hope an amendment is offered to eliminate that language contained in the section which uses the words "custom or practice." It in effect substitutes it for the present interpretation of "work" by the Supreme Court. If it were the custom or practice for an employer to pay for only a part of the week's work, this practice would be acceptable under this law. A new employer would be free to rewrite the law to suit himself. A competitor of mine, for instance, could start in employing people at 20 percent less than I am paying, and, of necessity, I would have to meet that competition, if it was in manufacturing or in retailing. I could not substantiate my business on a 20-percent higher wage payment. Therefore, the first thing I would do would be to cut my own workers 20 percent. In a surplus labor market it puts labor at the mercy of the lowest chiseling employer. We have tried to get away from chiseling and sweatshop practices for many years. We know it brings no

good to the employer and it brings no good to the employees. We have seen the case in the great needlework industry in New York and other populous centers, where the bundle practice of letting out work at very cheap wages, according to contract, if you please—contracts which are permitted under this bill—in violation of certain standards that are set up, such as the minimum-wage law. I think possibly it opens up the field for the old "yellow dog" contract to a certain extent. Certainly we do not want to be a party to any such practice as that.

I agree with many of the progressive Members of the House that many of these portal-to-portal pay suits are not justified. I think a law should be passed to bring justice into this condition which has arisen, but I say to you that this bill as presented certainly needs some correcting in a few instances. I hope amendments are offered tomorrow that I can vote for.

The CHAIRMAN. The time of the gentleman from California [Mr. HOLIFIELD] has expired.

Mr. MICHENER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, the case which precipitated the bringing of this legislation to the floor of the House originated within a very few miles of my home in Michigan. The court that tried the case is still nearer to my home, in fact, in Detroit, and a part of Detroit is in my congressional district. It is somewhat because of a letter I received a few days ago from a person who was present in the court when this now famous pottery case from Mount Clemens, Mich., was tried, that compels me to express my views regarding it.

We have prided ourselves in this country on our judicial system. We have said to the world that here in the United States of America the poorest and humblest citizen shall have a fair trial in a court of justice, either to have his issues determined by a jury of his peers or to have his case decided by a fair and impartial judge. In fact, on the front entrance of the Supreme Court of the United States in this Capital City are inscribed four words in marble, "Equal justice under law."

I now come to this case and the trial of it. I must say from the information received, if the incident which occurred in that court had not occurred it is very probable that the chaos and confusion now confronting the United States Government and the business and industrial life of the Nation in these portal-to-portal suits, and the 2,000 cases filed in the courts involving nearly $6,000,000,000 in claims, and the legislation before us would never have been heard from. The case was tried by a jury. The jury returned twice to announce to the court they had found in favor of the employer; that there was no justifiable ground for the suit. It was upon the second occasion that the jury emerged from the jury room that the Federal judge said to the jury, according to the letter received—and I think it had some publicity in the press—"This is a prolabor court." The judge might just as well have said, "This court is prejudiced and biased in favor of labor." It would have been equally vicious on the part of the judge to have said, if he had been of different mind, "This is a proemployer court. This court is biased and prejudiced in favor of employers of industry and of business." Such a statement as the judge directed to the jury is at complete variance with the law of the land and the spirit, intent, and meaning of "equal justice under law." When he made that statement he immediately injected into this case what goes to the very root and foundation upon which our judicial system is founded, that is, a trial of law and the facts by a fair and impartial court. He removed himself from fairness and impartiality. I mention this for the reason that the type and form of government which you, my colleagues and I represent in this Chamber is under attack in this world, and anything which strikes at the integrity of our judicial system, being one of the three separate departments of the Government as founded in 1787, strikes at free representative institutions here and everywhere else in this world and becomes a very dangerous thing. In this legislation before us, therefore, is involved more than merely the passage of a bill to correct the chaos and confusion which confronts the people of the United States. A deep and fundamental principle of justice is also at stake.

I hope this bill, H. R. 2157, will be approved not to injure labor but to aid labor.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CELLER. Mr. Chairman, I yield back 19 minutes time on this side. I have no further requests for time.

Mr. MICHENER. Mr. Chairman, I yield the balance of the time on this side to the gentleman from Michigan [Mr. CRAWFORD].

The CHAIRMAN. The gentleman from Michigan is recognized for 6 minutes.

Mr. CRAWFORD. Mr. Chairman, I have found the time to read this bill and to read the committee report together with the several minority views.

I propose to support the bill as is, unless it is amended. I shall be very glad to support it. If an amendment is submitted which changes the period of the statute of limitations and that holds the time element down to 18 months I think I shall be in position to support that. I would not quarrel too much on a 1-year period for suits involving this particular question.

When a firm today approaches a bank for a line of credit it is necessary for the credit manager of the bank to have in mind portal-to-portal pay suits and possibilities; and this because of the contingent liability which rests on practically all industry which comes under the Fair Labor Standards Act, and therein is where I find my hitching post with respect to the statute of limitations.

I was very much interested in what the gentleman from New York had to say on this particular phase of the bill when he had the floor, and I certainly would not be willing to extend this time to 3 years, or 5 years, or 6 years, because I believe it would be highly destructive to all American labor and American industry generally. It seems to me that those who operate under collective-bargaining agreements have all the time they need in which to file their claims if they have from 6 to 18 months. I have never had a job with a company whether it was a proprietorship, a partnership, or a corporation where I could not bargain with the management and where I could not make up my mind and take such action as I thought was necessary within the period of 1 year. That is the reason I am as friendly to the 1-year proposition set forth in the bill as I am; but, as I say, I might in order to get something through go along with an 18-month period if that proves to be necessary, otherwise hold it to 1 year.

I will vote against anything which goes beyond 18 months if it is submitted in the form of an amendment. I believe that the Congress is in a position where it should act on this question without any further delay. I hope that the other body will take prompt action and that we can get this legislation through the White House and that the President will see fit to approve whatever bill we send down there so that we can get this benefit out to the people of this country.

When I study and try in my limited manner to understand the involvements of the international agreements to which we have become a party, when I consider our present discussions on the budget, the amount of revenue we must raise, when I receive such information as we all received with respect to Britain and the British Empire checking out of the general picture as they are, when I see the necessity of the United States stepping in as Britain steps out, it makes me more anxious to get amendments through to these various labor laws so that the Congress, insofar as it can, will remove the sanctifications and the blessings which we have placed on organized labor and which gives it monopoly powers. A labor monopoly is highly destructive as are other monopolies. I think the Congress should take fast steps to remove those blessings so we can put our house in better order to carry out the obligations which we have assumed and which we shall have to carry out rather than repudiate.

I have no sympathy, Mr. Chairman, with those who constantly approach me with the thought to the effect that the election in November canceled these international agreements. The elections did not do any such thing. Those agreements are not cancelable in that manner. I have had to tell many of my friends that irrespective of how they interpret the November 5 vote we still have these agreements before us, we have to carry them out and we cannot carry them out unless we have full employment in the United States. According to my calculations if we are to substantially meet our present obligations we must have no less than $175,000,000,000 national income annually on today's price level, with people willing to pay a lot of taxes into the Federal Treasury and buy a lot of Government refunding issues and all on the assumption that we can now permanently arrest the growth of the na-

tional debt, and not permit it to go beyond where it stands at the present time.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. MICHENER. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. LEFEVRE].

Mr. LEFEVRE. Mr. Chairman, I very much favor the passage of the Gwynne bill which we are now discussing. This avalanche of portal-to-portal suits brought on by the unions against their employers would wipe out hundreds of industries in our country. A friend of mine very actively interested in what I would consider a very sound business, with a surplus of over $2,000,000, informs me that the union members working for them filed suits for portal-to-portal pay amounting to over $4,000,000. This is money the employers never expected they would be called upon to pay and money the employees never expected to get. In the meantime, just imagine what such a suit, hanging over the head of the company, could do to the credit standing of the company. This bill outlaws portal-to-portal suits unless they relate to activities for which employers are required to pay by custom or contract and provides a 1-year limitation on all future suits for back wages. All back claims are barred unless brought up within 6 months of the passage of the act. It seems to me the provisions in this act are wholly justified. How could any business operate today feeling that at any time they could be sued for more than they are worth by their employees for back pay at the instigation of greedy labor leaders.

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That (a) the Congress hereby finds that serious inequities and hardships have resulted and are resulting from the administration and enforcement of the statutes of the United States mentioned in section 5 of this act, thereby creating a serious national emergency, endangering the public welfare, and giving rise to certain evils hereinafter described; that the statutes above referred to, regulating wages, hours of work, and other conditions of employment, have been and are being administered and interpreted in disregard of long-established customs, practices, and agreements between employers and employees with the result that (1) the retrospective effect of frequent changes and innovations arising in the interpretation and application of such statutes has been and is creating great uncertainty, with new and unexpected financial liabilities upon employers and windfalls of unearned compensation to employees; (2) voluntary collective bargaining is being interfered with and industrial disputes are being created; (3) these new and wholly unexpected liabilities, immense in amount and retroactive in operation, threaten many employers with financial ruin and seriously impair the capital resources of many other employers, thereby resulting in reducing industrial operations, curtailing employment, and the earning power of employees and burdening and obstructing interstate commerce; (4) the Public Treasury will be deprived of large sums of revenue and the public finances seriously deranged by claims against the Public Treasury for refunds of taxes already paid; (5) the cost to the Government of goods and services heretofore and hereafter purchased will be unnecessarily increased, thereby causing serious interference with the development of sound fiscal policies, the stabilization of the currency, and the maintenance of the national credit; and (6) the courts of the country are being burdened with excessive and needless litigation.

(b) It is hereby declared to be the policy of the Congress in order to meet the existing emergency and to correct the existing evils (1) to regulate the jurisdiction of the courts; (2) to relieve and protect interstate commerce from practices which burden and obstruct it; (3) to protect the right of collective bargaining; (4) to recognize bona fide agreements, customs, and practices where not inconsistent with assuring payment of applicable statutory minimum wages or one and one-half basic hourly rate for overtime, by the provisions hereinafter set forth.

Mr. MICHENER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. JENKINS of Ohio, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 2157) to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. CASE of South Dakota asked and was given permission to extend his remarks in the RECORD and include an address delivered by the gentleman from Iowa [Mr. CUNNINGHAM] at the annual session of the American Highway Association.

Mrs. DOUGLAS asked and was given permission to revise and extend the remarks she made in Committee and include certain articles.

Mr. HOLIFIELD asked and was given permission to extend his remarks in the RECORD and include an article entitled "Teaching Is No Longer a Profession—It Is a Procession From the Class Room."

Mr. MURDOCK asked and was given permission to extend his remarks in the RECORD.

ELECTION CONTEST

The SPEAKER laid before the House the following communication, which was referred to the Committee on House Administration and ordered printed:

FEBRUARY 26, 1947.

The honorable the SPEAKER,
House of Representatives.

SIR: That there is in progress, under the provisions of the statutes, a contest growing out of the election held November 5, 1946, for the seat in the House of Representatives from the Sixth Congressional District of the State of Illinois in the Eightieth Congress is made apparent by the filing in the Clerk's office of the following communications, viz:

1. On December 23, 1946, for information only, by Hon. Harold C. Woodward, of a copy of notice of his intention to contest the election of Hon. THOMAS J. O'BRIEN as the returned Member from the Sixth Congressional District of Illinois.

2. On February 26, 1947, of a letter dated February 25, 1947, from the contestant, Hon. Harold C. Woodward, together with affidavit of personal service of notice of intention to contest and a further copy of said notice.

Since the letter of the contestant (item 2) requests the Clerk to refer this matter to the House of Representatives for appropriate action, and, further, since the question raised by the contestant in this communication will have to be decided by the House itself, the Clerk is transmitting these communications herewith for consideration by the appropriate committee.

Very truly yours,

JOHN ANDREWS,
Clerk of the House of Representatives.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. DAVIS of Georgia, for 3 days, on account of attendance at funeral of a friend.

To Mr. MACKINNON, for March 3 and 4, on account of official business.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 20 minutes.

Mr. HOFFMAN. Mr. Speaker, instead of taking the time now, I ask unanimous consent that on Monday next, following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 45 minutes p. m.), under its previous order, the House adjourned until tomorrow, Friday, February 28, 1947, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON EDUCATION AND LABOR

(Friday, February 28, 1947)

The Committee on Education and Labor will continue hearings on bills to amend, revise, repeal, or modify the National Labor Relations Act in the caucus room, third floor, Old House Office Building, at 10 a. m.

COMMITTEE ON FOREIGN AFFAIRS

The Committee on Foreign Affairs will meet at 10:30 a. m., Friday, February 28, 1947, to hear testimony of the Honorable Herbert Hoover on House Joint Resolution 134, providing for relief assistance to countries devastated by war. The meeting will be held in the Ways and Means Committee caucus room, first floor, New House Office Building.

COMMITTEE ON PUBLIC WORKS

The Subcommittee on Rivers and Harbors of the House Committee on Public Works will conduct a regular meeting in the committee room, 1304, New House Office Building, on Friday, February 28, 1947, at 10 a. m.

COMMITTEE ON VETERANS' AFFAIRS

There will be a meeting of the Committee on Veterans' Affairs at 10 a. m., Friday, February 28, 1947, in suite 356, Old House Office Building. Two veterans now attending school under the GI bill of rights will be heard upon the subject of subsistence allowances.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., Friday, February 28, 1947.

Business to be considered: Executive session. Conference with officials of the Federal Trade Commission pursuant to the Legislative Reorganization Act of 1946.

COMMITTEE ON BANKING AND CURRENCY

The Committee on Banking and Currency will hold open hearing on H. R. 2233, a bill to continue the authority of the Federal Reserve banks to purchase Government securities directly from the United States. The meeting will begin at 10:30 a. m., Monday, March 3, 1947, in the Committee room 1301, New House Office Building, with Marriner S. Eccles, Chairman, Board of Governors of the Federal Reserve System as the witness.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

The Subcommittee on Public Buildings and Grounds of the Committee on Public Works will meet at 10 a. m., Tuesday, March 4, 1947, to hold hearings on H. R. 2086, to authorize the furnishing of steam from the central heating plant to the property of the Daughters of the American Revolution.

The meeting will be held in room 1435, New House Office Building.

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., March 4 and 5, 1947.

Business to be considered: Public hearing for 2 days on H. R. 505, H. R. 601, and H. R. 1111, inflammable materials.

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., March 6 and 7, 1947.

Business to be considered: Public hearing for 2 days on H. R. 942, H. R. 1815, H. R. 1830, H. R. 1834, and H. R. 2027, National Science Foundation.

EXECUTIVE COMMUNICATIONS, ETC.

409. Under clause 2 of rule XXIV, a letter from the adjutant general, Veterans of Foreign Wars of the United States, transmitting the proceedings of the Forty-seventh National Encampment of the Veterans of Foreign Wars of the United States, held in Boston, Mass., September 1–6, 1946 (H. Doc. No. 150), was taken from the Speaker's table, referred to the Committee on Armed Services, and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JENNINGS: Committee on the Judiciary. H. R. 348. A bill for the relief of Dr. Alma Richards and Mrs. Mary Block; with amendment (Rept. No. 78). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 381. A bill for the relief of Allen T. Feamster, Jr.; with amendment (Rept. No. 79). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on the Judiciary. H. R. 566. A bill for the relief of Choctawhatchee Electric Cooperative, Inc.; with amendment (Rept. No. 80). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. McDOWELL:

H. R. 2270. A bill to amend section 102 of the Revised Statutes with reference to the penalty applicable in case of contumacy of persons summoned by authority of Congress; to the Committee on the Judiciary.

By Mr. MICHENER:

H. R. 2271. A bill to incorporate into the Judicial Code the provisions of certain statutes relating to three-judge district courts, and for other purposes; to the Committee on the Judiciary.

H. R. 2272. A bill to amend section 289 of the Criminal Code; to the Committee on the Judiciary.

By Mr. POTTS:

H. R. 2273. A bill to amend the act of May 29, 1944, providing for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal; to the Committee on Merchant Marine and Fisheries.

By Mr. SHEPPARD:

H. R. 2274. A bill to provide clerical assistance at offices of the fourth class during the period of annual or sick leave of the postmaster; to the Committee on Post Office and Civil Service.

By Mr. THOMAS of New Jersey:

H. R. 2275. A bill to combat un-American activities by providing for forfeiture of the office or position of any Government employee whose loyalty to the United States is found to be in doubt; to the Committee on Un-American Activities.

By Mr. ANDREWS of New York:

H. R. 2276. A bill to authorize the Secretary of War to pay certain expenses incident to training, attendance, and participation of personnel of the Army of the United States in the Seventh Winter Sports Olympic Games and the Fourteenth Olympic Games and for future Olympic games; to the Committee on Armed Services.

By Mr. CASE of South Dakota:

H. R. 2277. A bill granting a 15-percent increase in pensions received under special acts of Congress, not otherwise increased since March 4, 1933; to the Committee on Veterans' Affairs.

H. R. 2278. A bill to provide for the completion of Mount Rushmore National Memorial and the financing thereof by issuance of a special coin; to the Committee on Banking and Currency.

By Mr. DIRKSEN:

H. R. 2279. A bill to provide additional revenue for the District of Columbia by imposing a tax on admissions paid in the District of Columbia; to the Committee on the District of Columbia.

H. R. 2280. A bill to provide additional revenue for the District of Columbia by imposing a tax on gas and electricity used in the District of Columbia and telephone service originating in the District of Columbia; to the Committee on the District of Columbia.

H. R. 2281. A bill to provide additional revenue for the government of the District of Columbia by levying a tax on the sale of cigarettes in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H. R. 2282. A bill to provide revenue for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H. R. 2283. A bill to amend the act entitled "An act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes," approved April 23, 1924; to the Committee on the District of Columbia.

H. R. 2284. A bill to amend subsection (a) of section 23 and subsection (a) of section 40 of the District of Columbia Alcoholic Beverage Control Act, approved January 24, 1934, as amended; to the Committee on the District of Columbia.

H. R. 2285. A bill to amend an act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938; to the Committee on the District of Columbia.

By Mr. DOLLIVER:

H. R. 2286. A bill to amend the Nationality Act of 1940; to the Committee on the Judiciary.

By Mr. FALLON:

H. R. 2287. A bill to make certain imported merchandise subject to the same internal-revenue taxes as similar merchandise of domestic origin; to the Committee on Ways and Means.

By Mr. GILLIE:

H. R. 2288. A bill to amend the Social Security Act, and for other purposes; to the Committee on Ways and Means.

By Mr. MORRIS:

H. R. 2289. A bill to provide for disposition of the lands comprising the Fort Reno Military Reservation in Canadian County, Okla.; to the Committee on Armed Services.

By Mr. DIRKSEN:

H. R. 2290. A bill to provide additional revenue for the District of Columbia; to the Committee on the District of Columbia.

By Mr. BLOOM:

H. R. 2291. A bill to authorize the painting of the signing of the United Nations Charter for placement in the Capitol Building; to the Committee on House Administration.

By Mr. DAVIS of Tennessee:

H. R. 2292. A bill to amend the Natural Gas Act approved June 21, 1938; to the Committee on Interstate and Foreign Commerce.

By Mr. BRADLEY of Michigan:

H. R. 2293. A bill to amend the act entitled "An act to regulate navigation on the Great Lakes and their connecting and tributary waters," approved February 8, 1895; to the Committee on Merchant Marine and Fisheries.

By Mr. LANE:

H. R. 2294. A bill to establish a self-sustaining national pension system that will benefit retired citizens 60 years of age and over; to stabilize the economic structure of the Nation; and to induce a more equitable distribution of wealth through monetary circulation; to the Committee on Ways and Means.

By Mr. LYNCH:

H. R. 2295. A bill to amend the Interstate Commerce Act, as amended, so as to provide limitations on the time within which actions may be brought for the recovery of undercharges and overcharges by or against common carriers by motor vehicle and freight forwarders; to the Committee on Interstate and Foreign Commerce.

By Mr. PLUMLEY:

H. R. 2296. A bill to provide increases in the rates of pensions payable to Spanish-American War Veterans and their dependents; to the Committee on Veterans' Affairs.

By Mr. WOLVERTON:

H. R. 2297. A bill to amend the Interstate Commerce Act, as amended; to the Committee on Interstate and Foreign Commerce.

H. R. 2298. A bill to amend the Interstate Commerce Act, as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H. R. 2299. A bill to amend section 25 of the Interstate Commerce Act to require certain common carriers by railroad to install and maintain communication systems and to establish and observe operating rules, regulations, and practices to promote safety of employees and travelers on railroads, and for

other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NORMAN:

H. J. Res. 141. Joint resolution to authorize the Secretary of Agriculture to establish and operate forest-products pilot plants in the Northwestern States; to the Committee on Agriculture.

By Mr. PHILBIN:

H. Res. 121. Resolution to establish a select committee to investigate the present rapid rise in price levels and the high cost of living; to the Committee on Rules.

By Mr. LANE:

H. Res. 122. Resolution authorizing the Committee on Interstate and Foreign Commerce to investigate railroad accidents; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Wyoming, memorializing the President and the Congress of the United States relating to public lands in, and funds and other relief due, the State of Wyoming from the United States of America; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of Wyoming, memorializing the President and the Congress of the United States to enact legislation relating to the Shoshone and Arapahoe Tribes of the Wind River Reservation in Wyoming; to the Committee on Public Lands.

Also, memorial of the Legislature of the Territory of Alaska, memorializing the President and the Congress of the United States to fight any increase in water-borne freight rates; to the Committee on Merchant Marine and Fisheries.

Also, memorial of the Legislature of the State of Georgia, memorializing the President and the Congress of the United States with the request that an immediate and thorough investigation be instituted into the affairs concerning veterans of World War II who are being defrauded by unscrupulous building contractors throughout the State of Georgia and the Nation as a whole; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALBERT:

H. R. 2300. A bill for the relief of Ebbie Kirschke; to the Committee on the Judiciary.

By Mr. BLOOM:

H. R. 2301. A bill for the relief of Mimemori Aoyama; to the Committee on the Judiciary.

By Mr. BAKEWELL:

H. R. 2302. A bill for the relief of New Jersey, Indiana & Illinois Railroad; to the Committee on the Judiciary.

By Mr. GRANGER:

H. R. 2303. A bill for the relief of Mitsu M. Kobayashi, who is the wife of Edward T. Kobayashi, a citizen of the United States; to the Committee on the Judiciary.

By Mr. JOHNSON of Indiana:

H. R. 2304. A bill for the relief of Raymond Nelson Hickman; to the Committee on Armed Services.

By Mr. LYNCH:

H. R. 2305. A bill for the relief of Kazimir Roth; to the Committee on the Judiciary.

By Mr. MORTON:

H. R. 2306. A bill for the relief of Myrtle Ruth Osborne, Marion Walts, and Jessie A. Walts; to the Committee on the Judiciary.

By Mr. PRICE of Florida:

H. R. 2307. A bill for the relief of Demetrios Geranis; to the Committee on the Judiciary.

By Mr. SUNDSTROM (by request):

H. R. 2308. A bill for the relief of Raymond Rego; to the Committee on the Judiciary.

By Mr. SHAFER:

H. R. 2309. A bill authorizing the naturalization of George Zakoor; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

145. By Mr. HART: Petition of the Department of New Jersey, Disabled American Veterans, in State executive committee meeting, protesting against the stoppage of work and the cancellation of veterans' emergency housing units; to the Committee on Banking and Currency.

146. Also, petition of executive committee of the Department of New Jersey, Disabled American Veterans, protesting to Congress that no cuts be permitted in the proposed budget reduction that will take away any benefits from the disabled veterans of the Nation; to the Committee on Appropriations.

147. Also, petition of the Department of New Jersey, Disabled American Veterans, in executive committee meeting, vigorously opposing any rent increase at this time or the removal of rent controls, as such action would definitely aggravate present housing situation; to the Committee on Banking and Currency.

148. Also, petition of the Jersey City chapter of the Polish-American Congress expressing gratification and hearty approval of the President's advising the Ambassador of the present Russian puppet regime in Poland of this Nation's disapproval of the recent elections held in Poland; to the Committee on Foreign Affairs.

149. By Mr. JONKMAN: Petition of citizens of the Fifth District of Michigan recommending that Congress correct the present sugar situation and make sugar available ration free; to the Committee on Banking and Currency.

150. By Mr. NORBLAD: Petition signed by Rev. Clark E. Enz and 17 other citizens of Polk County, Oreg., protesting against the advertisement of alcoholic beverages; to the Committee on Interstate and Foreign Commerce.

151. By Mr. ROHRBOUGH: Petition of Mr. and Mrs. G. F. Woofter and 23 other signers; to the Committee on Interstate and Foreign Commerce.

SENATE

FRIDAY, FEBRUARY 28, 1947

(Legislative day of Wednesday, February 19, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Give to us open minds, O God, minds ready to receive and to welcome such new light of knowledge as it is Thy will to reveal. Let not the past ever be so dear to us as to set a limit to the future. Give us the courage to change our minds, when that is needed. Let us be tolerant of the thoughts of others, for we never know in what voice Thou wilt speak.

Wilt Thou keep our ears open to Thy voice, and make us a little more deaf to whispers of men who would persuade us from our duty, for we know in our hearts that only in Thy will is our peace and the prosperity of our land. We pray in the lovely name of Jesus. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, February 26, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

CALL OF THE ROLL

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Myers
Baldwin	Hayden	O'Conor
Ball	Hickenlooper	O'Daniel
Barkley	Hill	O'Mahoney
Brewster	Hoey	Overton
Bricker	Holland	Reed
Bridges	Ives	Revercomb
Brooks	Jenner	Robertson, Va.
Buck	Johnson, Colo.	Russell
Butler	Johnston, S. C.	Saltonstall
Cain	Kem	Smith
Capehart	Kilgore	Stewart
Capper	Knowland	Taft
Connally	Langer	Taylor
Cooper	Lodge	Thomas, Okla.
Cordon	Lucas	Thomas, Utah
Donnell	McCarran	Thye
Downey	McCarthy	Tobey
Dworshak	McClellan	Tydings
Eastland	McGrath	Umstead
Ecton	McKellar	Vandenberg
Ellender	Magnuson	Watkins
Ferguson	Malone	Wherry
Flanders	Martin	White
Fulbright	Maybank	Wiley
George	Millikin	Williams
Green	Moore	Wilson
Gurney	Morse	
Hatch	Murray	

Mr. WHERRY. I announce that the Senator from South Dakota [Mr. BUSHFIELD] is necessarily absent; the Senator from Wyoming [Mr. ROBERTSON] is necessarily absent on state business; the Senator from New Jersey [Mr. SMITH] is absent because of illness; and the Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate on state business.

Mr. LUCAS. I announce that the Senator from Virginia [Mr. BYRD] and the Senator from Arizona [Mr. MCFARLAND] are absent on official business.

The Senator from Connecticut [Mr. MCMAHON], the Senator from Florida [Mr. PEPPER], and the Senator from Alabama [Mr. SPARKMAN] are detained on public business.

The Senator from New York [Mr. WAGNER] is necessarily absent.

The PRESIDENT pro tempore. Eighty-five Senators having answered to their names, a quorum is present.

Mr. HATCH. My colleague the junior Senator from New Mexico [Mr. CHAVEZ] is unavoidably detained from the Senate and will not be able to attend the session today. I ask that he be excused, and that the announcement stand for the remainder of the week.

The PRESIDENT pro tempore. Without objection, the order is made.

REFERENCE OF NOMINATION OF EUGENE R. BLACK TO BE EXECUTIVE DIRECTOR OF INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The PRESIDENT pro tempore. As in executive session, the Chair lays before the Senate the nomination of Eugene R. Black, of New Jersey, to be Executive Director of the International Bank for Reconstruction and Development.

There is some possibility of controversy, under the language of the Reorganization Act, as to the appropriate committee reference of this nomination. In the opinion of the Chair, however, inasmuch as the legislation establishing the bank originated in the Committee on Banking and Currency, the nomination should be referred to the Committee on Banking and Currency, and that order will be made, without objection. The Chair hears no objection, and the order is made.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing two nominations, which nominations were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

TREATIES OF PEACE WITH ITALY, RUMANIA, BULGARIA, AND HUNGARY

The PRESIDENT pro tempore. As in executive session, the Chair lays before the Senate a message from the President of the United States, which the clerk will read.

The Chief Clerk read as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith copies of the treaties of peace with Italy, Rumania, Bulgaria, and Hungary, signed at Paris on February 10, 1947.

I transmit also for the information of the Senate the report made to me by the Secretary of State regarding these treaties of peace, and the summary of each treaty which accompanied that report.

HARRY S. TRUMAN.

THE WHITE HOUSE, *February 28, 1947.*

[Enclosures: 1. Report of the Secretary of State, with accompanying summaries; 2. Copies of the treaties of peace with Italy, Rumania, Bulgaria, and Hungary.]

The PRESIDENT pro tempore. These treaties will be referred to the Committee on Foreign Relations, and the chairman of the Committee on Foreign Relations wishes to announce that a public hearing will be held next Tuesday morning at 10:30 o'clock, at which Secretary Marshall and former Secretary of State Byrnes will appear to present the treaties.

Without objection, the injunction of secrecy is removed from the treaties which have just been reported.

The Chair hears no objection.

PROTOCOL EXTENDING INTERNATIONAL SUGAR AGREEMENT

The PRESIDENT pro tempore. As in executive session, the Chair lays before the Senate a message from the President of the United States, which the clerk will read.

The Chief Clerk read as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification I transmit herewith a certified copy of a protocol dated in London August 30, 1946, prolonging for 1 year after August 31, 1946, the international agreement regarding the regulation of production and marketing of sugar, signed at London on May 6, 1937.

I transmit also for the information of the Senate the report made to me by the Secretary of State with respect to this matter.

HARRY S. TRUMAN.

THE WHITE HOUSE, *February 28, 1947.*

[Enclosures: 1. Report of the Secretary of State; 2. Certified copy of the protocol of August 30, 1946.]

The PRESIDENT pro tempore. Without objection, the injunction of secrecy will be removed from the protocol and it will be referred to the Committee on Foreign Relations.

The Chair hears no objection, and it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on February 26, 1947, he presented to the President of the United States the enrolled bill (S. 568) to authorize the Secretary of Agriculture to cooperate with the Government of Mexico in the control and eradication of foot-and-mouth disease and rinderpest.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF CIVIL AERONAUTICS ACT OF 1938

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the Civil Aeronautics Act of 1938, as amended, to empower the Civil Aeronautics Board to prescribe rates and practices and to suspend rates of air carriers in foreign air transportation, and for other purposes (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

DEVELOPMENT AND IMPROVEMENT OF CERTAIN AIRPORTS

A letter from the Secretary of Commerce, transmitting, pursuant to law, a request of the Administrator of Civil Aeronautics Authority to undertake during the fiscal year 1948 certain projects for the development of class 4 and larger airports (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

REPORT OF BOARD OF DIRECTORS OF FEDERAL PRISON INDUSTRIES, INC.

A letter from the secretary of the Federal Prison Industries, Inc., transmitting, pursuant to law, the annual report of the Board of Directors of that organization for the fiscal year 1946 (with accompanying papers); to the Committee on the Judiciary.

UNITED STATES TERRITORIAL EXPANSION MEMORIAL COMMISSION

The PRESIDENT pro tempore. Under authority of Public Resolution 32, approved June 15, 1934, the Chair appoints the Senator from Oregon [Mr. MORSE] and the Senator from Pennsylvania [Mr. MARTIN] as the members on the part of the Senate of the United States Territorial Expansion Memorial Commission, to fill the vacancies thereon caused by the death of the late Senator Van Nuys, of Indiana, and the expiration of the term of service of Hon. James J. Davis as Senator from the State of Pennsylvania.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of South Carolina, relating to the cure and control of cancer; to the Committee on Labor and Public Welfare.

(See concurrent resolution printed in full when presented by Mr. JOHNSTON of South Carolina, February 26, 1947, page 1416, CONGRESSIONAL RECORD.)

A joint memorial of the Legislature of the State of Idaho; to the Committee on Agriculture and Forestry:

"House Joint Memorial 1

"To the Honorable Senate and House of Representatives of the United States in Congress assembled:

"We, your memorialists, the Legislature of the State of Idaho, do respectfully represent; that—

"Whereas the present emergency farm labor-supply program expires on June 30, 1947; and

"Whereas it appears that farm labor will remain inadequate for at least another crop season; and

"Whereas in view of the continued prospects for an inadequate supply of farm labor it appears most feasible to extend the farm labor-supply program in the same form in which it has operated since 1943; and

"Whereas Idaho farmers need assurance of an adequate supply of labor in order to produce to their fullest capacity such high labor requirement crops as sugar beets and other important Idaho crops needed to maintain ample food resources: Now, therefore, be it

"Resolved by the House of Representatives and the Senate of the State of Idaho (jointly), That the Congress of the United States be, and is hereby, memorialized to enact legislation providing for the continuance of the emergency farm labor-supply program for the 1947 crop season; be it further

"Resolved, That the secretary of state of Idaho be, and he is hereby, authorized and directed to send copies of this joint memorial to the President of the United States; to the Senate and House of Representatives of the United States of America; to the Senators and Representatives of Idaho in the two Houses of Congress; and to the chairman of the House Agricultural Committee of the Eightieth Congress of the United States."

A joint memorial of the Legislature of the Territory of Alaska; to the Committee on Public Lands:

"Senate Joint Memorial 1

"To the President of the United States, the Congress of the United States, the United States Maritime Commission, the Secretary of the Interior, and the Delegate from Alaska:

"Your memorialist, the Legislature of the Territory of Alaska, in eighteenth session assembled, respectfully submits that:

"Whereas the legislature has studied Delegate BARTLETT'S telegraphic report relating to the Alaska shipping situation; and

"Whereas the Alaska Steampship Co. and the Northland Transportation Co. have challenged Alaska by threatening to discontinue operation of ships from Seattle on March 1, 1947, if the Territory opposes their recent

proposal, by taking same to the Maritime Commission for hearing; and

"Whereas the proposed over-all 35 percent increase would cover passenger fares as well as freight rates, and in practice constitutes an average increase in freight rates of about 45 percent over present levels, which levels already include a 16 percent wartime surcharge, which would be ruinous to the Territory's economy; and

"Whereas previous stoppages of service of said carriers have resulted in groundwork having been laid for establishing other means of transportation, such as an operation by Briggs Steamship Co. from Prince Rupert to southeastern Alaska at 20 percent below present freight rates, and service by Portland interests to westward Alaska; and

"Whereas emergency transportation could be obtained during the threatened shutdown, including possible amendment of section 27 of the Jones Act to permanently remove discrimination against Alaska, or temporary suspension thereof, making Canadian service available; and

"Whereas it is not believed that Seattle distributors and attendant interests would permit any sustained discontinuance of service by carriers headquartered in their city; and

"Whereas the development of Alaska into a strong buffer State is of paramount importance to the national security, which should be safeguarded by unstinting relief with insistence on efficiency measures, to solve this transportation problem, with the view that added development would soon increase freight business to the point where operators could reduce their rates below the present high level, rendering adequate Federal assistance but a temporary burden, in the nature of a sound investment.

"Therefore your memorialist accepts the challenge laid down by the carriers and directs its administrative officers to fight any increase in water-borne freight rates with every means at their disposal, and hereby urges Federal authorities to lend support to the Territory in this matter of national concern.

"And your memorialist will ever pray.

"Passed by the senate February 4, 1947.

"Approved by the governor February 10, 1947.

"ERNEST GRUENING,
"Governor of Alaska."

A resolution adopted by Post No. 1, of the Federal Employees Veterans Association, Philadelphia, Pa., favoring an investigation of the operation and administration of the Veterans Preference Act of 1944; to the Committee on Civil Service.

The petition of the annual provisional conference of the Methodist Church of Puerto Rico, praying for the enactment of legislation to determine the political status of the people of Puerto Rico; to the Committee on Public Lands.

By Mr. MURRAY:

A joint memorial of the Legislature of the State of Montana; to the Committee on Public Lands:

"Senate Joint Memorial 1

"Joint memorial of the Senate and of the House of Representatives of the State of Montana to the President and the Congress of the United States relative to the postwar construction of an adequate tuberculosis sanitarium for Indians at a suitable location within the State of Montana

"To the President of the United States and to the Honorable Senate and House of Representatives of the United States in Congress assembled:

"Whereas there is within Montana a large Indian population on numerous Indian reservations; and

"Whereas the people of Montana are deeply concerned with the extremely high death rate of Montana Indians from tuberculosis; and

"Whereas there are no existing special facilities within the State for their treatment and hospitalization: Now, therefore, be it

"Resolved, That the Senate of the State of Montana, and the House of Representatives concurring, strongly urge that the Congress of the United States include in the Federal postwar building program an appropriation for the construction and equipment of an adequate tuberculosis sanitarium for Indians at some suitable location within the State of Montana; be it further

"Resolved, That copies of this memorial be forwarded by the Secretary of State to the President of the United States, to the Vice President of the United States, to the Speaker of the House of Representatives of the United States, to the Senators and Representatives in Congress from this State, to the Secretary of the Interior, and to the Commissioner of Indian Affairs."

A joint memorial of the Legislature of the State of Montana; to the Committee on Agriculture and Forestry:

"Senate Joint Memorial 2

"Joint memorial to the Congress of the United States petitioning Congress to strengthen present sanitary requirements governing the importation of livestock and livestock products and to appropriate additional funds to the Bureau of Animal Industry, United States Department of Agriculture, in order that border inspection may be strengthened and a system of patrol established along the northern boundary of Mexico to guard against the importation of people, animals, and materials carrying the infection of foot-and-mouth disease, and also petitioning Congress to offer to the Government of the Republic of Mexico such facilities as may be available from the Bureau of animal industry, United States Department of Agriculture, and appropriating money to provide for such facilities and to extend financial aid to the Republic of Mexico in order that foot-and-mouth disease may be eradicated.

"To the President of the United States and to the Honorable Senate and House of Representatives of the United States in Congress assembled:

"Whereas foot-and-mouth disease now exists in livestock in the Republic of Mexico; and

"Whereas, the disease has spread from the six original states involved in the vicinity of Mexico City as far west and north as the State of Zacatocas; and

"Whereas, it is extremely doubtful if the Government of the Republic of Mexico can eradicate this disease from their livestock without additional assistance; and

"Whereas, the presence of foot-and-mouth disease in the Republic of Mexico presents a very definite threat to the prosperity of the livestock industry and the entire economic welfare of the United States: Now, therefore, be it

"Resolved by the Thirtieth Legislative Assembly of the State of Montana (the Senate and House of Representatives concurring), That we earnestly petition the Congress of the United States to strengthen the present sanitary requirements governing the importation of livestock and livestock products from Mexico and from other countries in which foot-and-mouth disease exists; be it further

"Resolved, That we earnestly petition Congress to appropriate additional funds to the Bureau of Animal Industry, United States Department of Agriculture in order that border inspection may be strengthened and a system of patrol be established along the northern boundary of Mexico to guard against the importation of people, animals, and materials carrying the infection of foot-and-mouth disease; be it further

"Resolved, That we petition and urge the Congress of the United States to offer to the Government of the Republic of Mexico such facilities and assistance as may be available from the Bureau of Animal Industry, United States Department of Agriculture and to appropriate funds to provide for this assistance and to provide direct financial aid to the government of the Republic of Mexico in order that foot-and-mouth disease be eradicated from their livestock; and be it further

"Resolved, that a copy of this joint memorial be forwarded by the secretary of state to the President of the United States and to the President pro tempore of the United States Senate, the Speaker of the House of Representatives, the Honorable Secretary of State, the Honorable Secretary of the United States Department of Agriculture, and to the Senators and Representatives in Congress from the State of Montana with the request that they bring this matter forcibly to the attention of the Members of the Congress of the United States.

"Approved February 11, 1947.

"SAM C. FORD,
"Governor."

A joint memorial of the Legislature of the State of Montana; to the Committee on Armed Services:

"House Joint Memorial 4

"Joint memorial to the President and Congress of the United States requesting the introduction and enactment of appropriate legislation authorizing the immediate redemption of bonds issued to the enlisted members of the armed forces for accumulated leave pay under the terms of the Armed Forces Leave Act of 1946

"To the President of the United States and to the Honorable Senate and House of Representatives of the United States in Congress assembled and to the Honorable James E. Murray, the Honorable Zales N. Ecton, the Honorable Mike Mansfield, and the Honorable Wesley A. D'Ewart:

"Whereas the avowed purpose of the Armed Forces Leave Act of 1946 is to grant equal treatment in the matter of leave to all personnel of the armed forces; and

"Whereas under the terms of that act commissioned officers continue to receive compensation for accumulated leave in cash while enlisted personnel receive only a fraction of their accumulated leave pay in cash and the balance in bonds which are nonnegotiable and payable only after 5 years from the date of issuance; and

"Whereas the need of former enlisted members of the armed forces for immediate compensation for accumulated leave in cash is, in most cases, greater than that of commissioned officers in order to assist such members in the trying period of readjustment to civilian life, therefore justice and fairness require that such enlisted members should have the benefit of immediate payments under the terms of the Armed Forces Leave Act of 1946; and

"Whereas a consideration of the equities and a balancing of alleged inflationary effects of such payments against the very urgent need of enlisted personnel for such compensation immediately demonstrates that enlisted personnel are entitled to prompt cash payment for all accumulated leave: Now, therefore, be it

"Resolved by the House of Representatives of the Thirtieth Legislative Assembly of the State of Montana (the Senate concurring), That we respectfully urge the Congress of the United States to enact proper legislation providing for the immediate redemption of all bonds issued under the terms of the Armed Forces Leave Act of 1946 in cash,

and that all future payments under the terms of such act be made in cash; be it further

"Resolved, That copies of this memorial be forwarded by the chief clerk of the house of representatives to the President of the United States, to the President pro tempore of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to the Honorable JAMES E. MURRAY and ZALES N. ECTON, Senators from Montana, and to the Honorable MIKE MANSFIELD and WESLEY D'EWART, Representatives in Congress from Montana."

By Mr. O'MAHONEY:

A joint memorial of the Legislature of the State of Wyoming; to the Committee on Public Lands:

"Senate Joint Memorial 1

"Joint memorial memorializing the Congress of the United States of American to enact legislation relating to the Shoshone and Arapahoe Tribes of the Wind River Reservation in Wyoming

"Whereas the business councils of the Shoshone and Arapahoe Tribes of the Wind River Reservation in Wyoming desire and are entitled to the abolishment of the Federal Indian Bureau and the vesting in members of such tribes, of their proper tribal heritages; and

"Whereas there is now pending in the Eightieth Congress of the United States of America, H. R. 1098, proposing authorized division of designated trust funds for joint credit of such tribes: Now, therefore, be it

Resolved by the Senate of the Twenty-ninth Legislature of the State of Wyoming (its House of Representatives concurring), That it is the will of such legislature that said Shoshone and Arapahoe Tribes be promptly granted such tribal heritages and that said Indian Bureau be promptly and finally abolished in order that all members of said tribes may fully assume their appropriately independent status and responsibilities as citizens of said United States of America; and be it further

"Resolved, That copies of this memorial be sent to the President of the United States, to the presiding officer of the United States Senate, and the Speaker of the House of Representatives of said Congress, to Hon. JOSEPH C. O'MAHONEY, Hon. E. V. ROBERTSON, and Hon. FRANK A. BARRETT, Senators and Representatives respectively in the United States Congress, from Wyoming, and to the following members of said United States Senate's new Civil Service Committee: Senator LANGER, of North Dakota; Senator CHAVEZ, of New Mexico; Senator THYE, of Minnesota; Senator UMSTEAD, of North Carolina; Senator O'CONOR, of Maryland; Senator BALDWIN, of Connecticut, and Senator ECTON, of Montana.

"Approved February 20, 1947.

"LESTER C. HUNT,
"Governor."

(The PRESIDENT pro tempore laid before the Senate a joint memorial of the Legislature of the State of Wyoming identical with the foregoing, which was referred to the Committee on Public Lands.)

A joint resolution of the Legislature of the State of Wyoming; to the Committee on Public Lands:

"Senate Joint Resolution 1

"Joint resolution related to unfair policies of the Forest Service of the United States with respect to the livestock industry in Wyoming

"Whereas establishment of national forest areas in Wyoming has greatly reduced the total of taxable lands in said State, the related load upon real and personal property of Wyoming livestock growers is greater than that upon property of any other industry in such State and they have always been rightfully dependent upon and entitled to continuity of fair and stabilized Forest Service management programs concerning summer grazing of livestock on such areas, present impairment of which is opposed to the national interest; and

"Whereas greatly too many officials employed by the Federal Government in its administration of affected forestry programs in their bureaucratic disregard of said affected industry's equities, the national interest and related advice from experience-seasoned, capable, and patriotic advisory board members, have adopted policies so vacillating, unreasonable, and dangerously restrictive, that enforced disposition or reduction by such industry of commensurate property and its liquidation of its tax-revenue producing livestock, is assuming alarming, resultant proportions: Now, therefore, be it

"Resolved, by the Senate of the Twenty-ninth Legislature of the State of Wyoming (its House of Representatives concurring), That the Congress of the United States is hereby requested to correct the criticized situation in Wyoming by appropriate legislation after prompt and full investigation by congressional public-lands committees, of all affecting policies and action of and appropriations for, the Forest Service; be it further

"Resolved, That copies hereof be sent to the Honorable JOSEPH C. O'MAHONEY, the Honorable E. V. ROBERTSON, and the Honorable FRANK A. BARRETT, Senators and Representative, respectively, in the United States Congress, from Wyoming.

"Approved February 20, 1947.

"LESTER C. HUNT,
"Governor."

A joint resolution of the Legislature of the State of Wyoming; to the Committee on Public Lands:

"Senate Joint Resolution 2

"Joint resolution relating to public lands in, and funds and other relief due, the State of Wyoming from the United States of America

"Be it resolved by the Legislature of the State of Wyoming (two-thirds of all members of each of its two houses, voting separately, concurring therein):

"Whereas lands now constituting the State of Wyoming were acquired largely under treaties with France and Mexico, having provided that the territory embraced under such acquisition 'shall be formed into free, sovereign, and independent States and incorporated into the Union of the United States of America as soon as possible, and the citizens thereof shall be accorded the enjoyment of all the rights, advantages, and immunities as the citizens of the original States,' and said Louisiana Purchase Treaty with France having contained almost identical requirements; and

"Whereas in the early days of the public domain none questioned but that it should and soon would pass to the several States within which it was situate, the then excuse for withholding such action having been that it was pledged to secure a national debt created by the Revolutionary War but after said debt was paid, such lands having been retained by the Federal Government and funds rapidly accumulated from disposal thereof, with a relatively minor exception, having been loaned to and among the then 26 States of the Union, most of which had never contributed toward such fund, and which fund with accumulated interest is now reported to be in excess of $2,000,000,000, distribution thereof being equitably due to said public-land States; and

"Whereas although the act admitting Wyoming into the Union, approved by the Federal Congress on July 10, 1890, included the express provision that 'the State of Wyoming is hereby declared to be a State of the United States of America and is hereby declared admitted into the Union on an equal footing with the original States in all respects whatever,' and although the United States never asserted ownership of the lands, minerals, or waters of the original States and by paragraph 17 of section 8 of article I of its Constitution, the Federal Congress was authorized to exercise authority over, in addition to the District of Columbia, only such places as the Nation might purchase, by and with the consent of the legislature of the State in which the same are located, for specified purposes not including forests, minerals, monuments, or waters; and

"Whereas instead of vesting in the State of Wyoming full title to all public land within its borders, as legally and equitably due said State under the treaty and constitutional provisions aforesaid, the Federal Government has followed a program of Executive withdrawals under which there have been additional lands eliminated from the tax rolls and control of this State which program included administrative set-up of the so-called Jackson Hole Monument, covering several hundred thousands acres of Wyoming land, portions thereof being privately or State owned, and the will of Congress in setting aside such autocratic Executive action having been defeated by Presidential veto: Now, therefore, be it

"Resolved by the Senate of the Twenty-Ninth Legislature of the State of Wyoming (its House of Representatives concurring), That the Honorable JOSEPH C. O'MAHONEY, the Honorable EDWARD V. ROBERTSON, and the Honorable FRANK A. BARRETT, Senators and Representative, respectively from Wyoming in the Congress, and the Honorable Lester C. Hunt, Governor of this State, be and they are hereby requested, first, to continue their efficient past action in opposing establishment of said so-called monument; second, to have initiated and diligently prosecuted appropriate legislation by the Congress looking to early restoration to this State or to its citizens of full title to all public-grazing lands inside its boundaries; and, third, to initiate and prosecute in like manner, action looking to recovery by this State of all moneys properly payable to it on account of lands and minerals previously and improperly withdrawn from it or from private ownership, including but not by way of limitation, the proportionate amount due said State on account of the one specific fund previously mentioned, and be it further

"Resolved, That certified copies hereof be forwarded to the President of the United States, the Secretary of the Department of the Interior, the President of the Senate, and the Speaker of the House of Representatives of the Federal Congress, the Honorable JOSEPH C. O'MAHONEY, the Honorable EDWARD V. ROBERTSON, and the Honorable FRANK A. BARRETT, Senators and Representative, respectively, in said Congress from Wyoming, and to Hon. Lester C. Hunt, Governor of Wyoming.

"Approved February 20, 1947.

"LESTER C. HUNT,
"Governor."

(The PRESIDENT pro tempore laid before the Senate a joint resolution of the Legislature of the State of Wyoming identical with the foregoing, which was referred to the Committee on Public Lands.)

RESOLUTION OF NEBRASKA LEGISLATURE RELATING TO FOOT-AND-MOUTH DISEASE

Mr. BUTLER. Mr. President, I ask unanimous consent to present a resolution adopted by the Nebraska Unicameral Legislature with reference to the foot-and-mouth disease, a subject which has already been acted upon by the Congress, but I think the resolution, with the signatures of the members, should be printed in the RECORD as a part of my remarks.

There being no objection, the resolution was received, referred to the Com-

mittee on Agriculture and Forestry, and ordered to be printed in the RECORD, with the signatures attached, as follows:

To the President of the United States, the Senate, and the House of Representatives of the United States:

Whereas foot-and-mouth disease now exists in livestock in the Republic of Mexico; and

Whereas the disease has spread from the six original states involved in the vicinity of Mexico City as far west and north as the state of Zacatecas; and

Whereas it is extremely doubtful if the government of the Republic of Mexico can eradicate this disease from their livestock without additional assistance; and

Whereas the presence of foot-and-mouth disease in the Republic of Mexico presents a very definite threat to the prosperity of the livestock industry and the entire economic welfare of the United States:

Now, therefore, we the undersigned members of the Sixtieth Session of the Legislature of Nebraska, 1947, petition the Congress of the United States:

1. To strengthen the present sanitary requirements governing the importation of livestock and livestock products from Mexico and from other countries in which foot-and-mouth disease exists.

2. To appropriate additional funds to the Bureau of Animal Industry, United States Department of Agriculture, in order that border inspection may be strengthened and a system of patrol be established along the northern boundary of Mexico to guard against the importation of people, animals, and materials carrying the infection of foot-and-mouth disease.

3. To offer to the government of the Republic of Mexico such facilities and assistance as may be available from the Bureau of Animal Industry, United States Department of Agriculture, and to appropriate funds to provide for this assistance and to provide direct financial aid to the government of the Republic of Mexico in order that foot-and-mouth disease be eradicated from their livestock.

Ed Hoyt, Clyde F. Cretsinger, Harold C. Prichard, J. V. Benesch, H. P. Heiliger, Lloyd Kain, Ray Babcock, John P. McKnight, Harry A. Foster, O. H. Person, Henry D. Kosman, Fred A. Seaton, John S. Callan, William Hern, Ernest C. Raasch, Harry F. Burnham, Roy B. Carlberg, Fred A. Mueller, Arthur Carmody, C. C. Lillibridge, Ed. F. Lusienski, Dwight W. Burney, Otto J. Prohs, Joe W. Leedom, R. B. Steele, C. Petrus Peterson, Charles F. Tvrdik, Lester H. Anderson, Daniel Garber, Harry L. Pizer, Earl J. Lee, Walter R. Raecke, John L. Copeland, Karl E. Vogel, George W. Bevins, Glenn Cramer, William A. Metzger, N. F. Schroeder, W. J. Norman.

CONCURRENT RESOLUTION OF SOUTH CAROLINA LEGISLATURE RELATING TO SUGAR

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a concurrent resolution adopted by the House and Senate of the State of South Carolina memorializing and petitioning the Congress of the United States and other agencies of the Federal Government to take whatever steps are needful and necessary to make a greater amount of sugar available to the American people.

There being no objection, the concurrent resolution was received, referred to the Committee on Banking and Currency, and, under the rule, ordered to be printed in the RECORD, as follows:

Concurrent resolution memorializing and petitioning the Congress of the United States and other agencies of the Federal Government to take whatever steps needful and necessary to make a greater amount of sugar available to the American people

Whereas sugar has always been the most indispensable and the best loved essential in the diet of the American people; and

Whereas for years this element of saccharin bliss has been only enough to tease and never enough to satisfy the palate of 140,000,000 Americans; and

Whereas to the appetite that cries out for jams, jellies, preserves, frosted cakes, pies, and candies even as the ancient Hebrews sighed for the fleshpots of Egypt the mere canning of fruits and the gnawing of sweet-potato candy can never bring to the sweet tooth of the American people that feeling of deep content and satisfaction which long has been its solace and heritage; and

Whereas soon every household in the land will have access to another crop of berries, fruits, and produce which, without adequate sugar become as tasteless and unsatisfying as the apples of Sodom; and

Whereas in order to secure again a reasonable indulgence of appetites long sensitive to the sweet and the delectable the American people are willing to part with a little more money, which satisfieth not, in exchange for more sugar, which satisfieth much: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That the Congress of the United States be, and hereby is, respectfully and prayerfully implored, memorialized and petitioned to take whatever steps needful and necessary, along with any and all other agencies of the Federal Government, to make available at whatever cost more of this delightful and tantalizing element of nutritional enjoyment commonly known as sugar to the end that once again meal time may become the sweet and pleasurable hour for which millions of American homes have long sighed and pined in vain; be it further

Resolved, That a copy of this resolution be forwarded to the Presiding Officer of each House of the Congress, to the Secretary of Agriculture, and to each Representative in the two Houses of Congress from the State of South Carolina.

The PRESIDENT pro tempore laid before the Senate a concurrent resolution identical with the foregoing, which was referred to the Committee on Banking and Currency.

FREE SCHOOL LUNCH PROGRAM IN SOUTH CAROLINA

Mr. MAYBANK. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a letter addressed to me by Jesse T. Anderson, State superintendent of education of my State, showing the necessity for additional appropriations for the free hot-lunch program for the children of South Carolina.

There being no objection, the letter was referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH CAROLINA,
DEPARTMENT OF EDUCATION,
Columbia, S. C., February 21, 1947.

Senator BURNET R. MAYBANK,
Washington, D. C.

DEAR SENATOR MAYBANK: We are now facing a situation that will be most detrimental to the program unless some additional Federal funds are made available through a deficiency appropriation. We find that South Carolina will need $320,965 more to continue the program until the end of the school term. Without this, our money will run out between the 15th of March and the 1st of April.

As you know, the hot-lunch program in South Carolina has met with marked success and our State legislature has probably gone further than most of the States in providing for the services. You will recall that the State pays the salary of a supervisor for each county and appropriates an additional $150,000 that is given to the county boards of education in promoting the program, and it would be a calamity upon our program should we be forced to close our lunchrooms. It is practically impossible for the school-lunch program to continue without Federal funds and I am herewith urging you to use your influence in seeing that the deficiency appropriation is made and that South Carolina's needs will be met.

With best wishes to you, I am,

Very sincerely yours,

JESSE T. ANDERSON,
State Superintendent of Education.

PROTESTS AGAINST DISCONTINUANCE OF CERTAIN SERVICES BY WESTERN UNION TELEGRAPH CO.

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD five telegrams which I have received from my State of North Dakota; one from the Rudolf Hotel, another from the Anderson Furniture Co., a third from the Valley City Times-Record, one from Duffy Motors, and one from Valley City Junior Chamber of Commerce, all of Valley City, N. Dak.

I might call the attention of the Senate to the fact that at the time the vote was taken on the measure providing for the consolidation of the Western Union and the Postal Telegraph Cos. 11 Senators voted against the consolidation. We said at that time that it would create a monopoly. The telegrams ask that the Western Union Telegraph Co. be prohibited from shortening the hours of service at certain of its offices and closing certain of its offices.

There being no objection, the telegrams were ordered to be printed in the RECORD as follows:

VALLEY CITY, N. DAK., *February 21, 1947.*

Senator WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

Western Union imperative to our business as well as others in community. Please try to discontinue shortening of office hours and closing office.

RUDOLF HOTEL.

VALLEY CITY, N. DAK., *February 21, 1947.*

Senator WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

Please do utmost discontinue closing and shortening office hours of the Western Union Telegraph. Telegraph cannot function properly if this does not stop.

ANDERSON FURNITURE CO.,
W. B. KRAUSE.

VALLEY CITY, N. DAK., *February 21, 1947.*

Senator WILLIAM LANGER,
Washington, D. C.:

Please do utmost discourage closing of Western Union offices or shortening of office hours. This service necessary to all communities.

VALLEY CITY TIMES-RECORD.

VALLEY CITY, N. DAK., *February 21, 1947.*
Senator WILLIAM LANGER,
Washington, D. C.:
It is essential to have Western Union service in this community as well as others. Please try discontinue closing offices or shortening office hours.
DUFFY MOTORS.

VALLEY CITY, N. DAK., *February 22, 1947.*
Senator WILLIAM LANGER,
Washington, D. C.:
Appreciate your support that Western Union must stop closing offices and reducing hours. Understand FCC now considering. Service necessary to all communities.
VALLEY CITY JUNIOR CHAMBER OF COMMERCE.

ALLOWANCES GRANTED CHILDREN OF VETERANS

Mr. BALDWIN. Mr. President, I ask unanimous consent to have incorporated in the RECORD excerpts from a letter written to me by the widow of a veteran of the last war, a man who gave his life in the battle of the North Atlantic, commenting upon the monthly allowance to a growing child under the present law and commenting on a proposed law which would increase the allowances for the support and maintenance of widows of veterans who gave their lives for their country, and also providing for their children.

There being no objection the matter referred to was ordered to be printed in the RECORD, as follows:

HARTFORD, CONN., *February 20, 1947.*
The Honorable RAYMOND E. BALDWIN,
Senator from Connecticut,
Washington, D. C.

DEAR SENATOR BALDWIN: * * * Because you have introduced this bill, I know that you are aware that $15 is an inadequate amount for the monthly allowance of a growing child. At the present level of prices the milk requirement alone, for a child, consumes more than 50 percent of the monthly allowance. You may have noticed in the newspapers recently, a case in the Connecticut courts, where the children's aid asked $14 weekly from a father for the board, medical and dental care of a child. They deemed this amount necessary for the care of the child.

I believe the greatest honor we can do these men, who have given their lives, is to see that their children have the security and freedoms for which they fought. I am sure that my husband, a brilliant young physician who lost his life in the North Atlantic in 1943, while serving with the United States Coast Guard, would ask no greater memorial than the welfare and security of his sons.

* * * * *

Believe me,
Yours faithfully,
FRANCES F. CHAMBERLIN
(Mrs. T. L.).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WILEY, from the Committee on the Judiciary:

S. J. Res. 69. Joint resolution to prepare a revised edition of the Annotated Constitution of the United States of America as published in 1938 as Senate Document 232 of the Seventy-fourth Congress; with an amendment (Rept. No. 41).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

H. J. Res. 122. Joint resolution to authorize the United States Maritime Commission to make provision for certain ocean transportation service to and from Alaska until July 1, 1948, and for other purposes; with amendments (Rept. No. 42).

By Mr. BRIDGES, from the Committee on Appropriations:

H. R. 1968. A bill making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes; with amendments (Rept. No. 43).

REPORTS OF COMMITTEE ON BANKING AND CURRENCY

Mr. FLANDERS. Mr. President, from the Committee on Banking and Currency, I ask unanimous consent to report two bills which have been introduced at the request of the Treasury Department. The Banking and Currency Committee has considered them, and I now report the bills from that committee.

The PRESIDENT pro tempore. Without objection, the reports will be received, and the bills will be placed on the calendar.

By Mr. FLANDERS, from the Committee on Banking and Currency:

S. 565. A bill to amend section 3539 of the Revised Statutes, relating to taking trial pieces of coins; without amendment (Rept. No. 39); and

S. 566. A bill to amend sections 3533 and 3536 of the Revised Statutes with respect to deviations in standard of ingots and weight of silver coins; without amendment (Rept. No. 40).

ADVERSE REPORT OF A NOMINATION

Mr. REVERCOMB. Mr. President, as in executive session, from the Committee on Public Works, I ask unanimous consent to submit an adverse report on the nomination of Gordon R. Clapp, of Tennessee, to be a member of the Board of Directors of the Tennessee Valley Authority for the remainder of the term expiring 9 years after May 18, 1945, to which office he was appointed during the last recess of the Senate.

The PRESIDENT pro tempore. Without objection, the report will be received and placed on the Executive Calendar.

REPORT ON ACTIVITIES OF THE INTERNATIONAL LABOR ORGANIZATION CONFERENCE AT MONTREAL, CANADA

Mr. THOMAS of Utah. Mr. President, I ask unanimous consent to have made a part of my remarks and printed in the body of the RECORD a statement in the nature of a report to the Senate on the activities of the International Labor Organization Conference at Montreal, Canada, September 19 to October 9, 1946, at which conference I had the honor to be one of the national representatives of the United States.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, an important conference of most of the nations of the world has recently been concluded. The twenty-ninth session of the International Labor Conference was held in Montreal, Canada, from September 19 to October 9, 1946. Forty-six member nations sent representatives, and two nonmember nations, the Philippine Republic and El Salvador, sent observers. There were 8 representatives of the United Nations, 5 representatives of other specialized international agencies, and 14 representatives of provincial governments among the 429 persons participating in the conference.

I attended this conference as one of the two Government delegates nominated by the Secretary of Labor and appointed by the President of the United States.

Members of the Senate will recall that the ILO is an association of nations that has been in existence for 27 years. Fifty-two nations are members of the organization. The ILO is unique among international organizations—both management and labor are voting partners in the work of the ILO. At this twenty-ninth session of the conference, Mr. James David Zellerbach represented American employers, Mr. Robert J. Watt represented the workers of the United States, and Assistant Secretary of Labor David A. Morse and I were the Government delegates. Mr. AUGUSTINE B. KELLEY, of the House, and Miss Frieda Miller, of the Department of Labor, served as substitute delegates. There were also qualified technical persons present to advise the Government, employer, and worker delegates. It was a well-rounded and cooperative delegation—a good team.

Important action was taken at this conference. First, from the standpoint of international significance was the approval of the draft agreement between the ILO and the United Nations. This was the first agreement negotiated under article 57 of the United Nations Charter. When the agreement was approved by the General Assembly of the United Nations in December 1946, the ILO was thereupon brought into relationship with the United Nations Economic and Social Council as a specialized agency.

The agreement will permit the ILO to continue its unique position as an organization devoted to improving working conditions and raising living standards throughout the world. It will also permit cooperation with the United Nations Economic and Social Council to accomplish their mutual objectives of promoting higher living standards, full employment, and social and economic progress and development. Finally, the agreement provides for coordination in the administration of ILO and United Nations affairs for reasons of efficiency and economy.

Both contracting organizations believe that their association will contribute greatly to the realization of their mutual objectives. As Secretary-General Trygve Lie, of the United Nations, told the conference:

"The United Nations needs the full and active support of the International Labor Organization. On the other hand, the International Labor Organization is bound to be strengthened by its close relationship with the United Nations and other specialized agencies."

The Secretary-General also told the Conference of the effect ILO had already had upon the United Nations. He said:

"The successful experience of the International Labor Organization was the most important single factor in developing the new idea of specialized agencies. That experience proved the value of separate organizations, with a large measure of autonomy, operating as instruments of international cooperation in their specific fields."

The second important achievement of the conference was the amendment of the ILO constitution. The experiences of the ILO during the war, the dissolution of the League of Nations, and the establishment of the United Nations were factors requiring revision of the constitution of the Organization.

The Conference had placed before it for adoption a substantial number of significant amendments to the constitution. These amendments were adopted by the Conference and now must be ratified by member states. Since the United States is one of the eight states of chief industrial importance, five of which must ratify amendments before they take effect, this Government's ratification of these amendments is of real importance to the Organization. Ratification of these amendments is also of importance to this Government because the amendments satisfy in almost every detail the interests of the

United States and will, it is believed, greatly strengthen the ILO as the principal international agency for raising labor standards. The Congress will have to take action, and I am informed that proper measures are being taken to present the revised constitution to us for consideration. Since United States membership in the ILO was taken by the President upon the basis of a joint resolution of both Houses, it may be appropriate for the revised constitution to be ratified in the same manner. In connection with ratification of the revised constitution of the ILO, the Senate may be interested to know that the representatives of the governors of 43 States endorsed it at the thirteenth national conference on labor legislation held in December 1946. This is particularly significant in view of the increased State participation in ILO work made possible by the new constitution.

Two of the amendments to the constitution merit brief discussion:

1. PROVISIONS FOR APPLICATION OF CONVENTIONS AND RECOMMENDATIONS

The present constitution provides that conventions or recommendations adopted by the Conference are to be submitted by member governments to the appropriate national authorities for the enactment of legislation or other action. In the case of a convention, if the member obtains the consent of the competent authorities, it communicates a formal ratification to the ILO and reports annually to the ILO on the measures it has taken to give effect to the convention. If a convention is not ratified, or no action is taken on a recommendation, no further obligation rests upon the member. In the case of federal states, like the United States, the power of which to enter into conventions on labor matters is limited, the governments are permitted to treat conventions as recommendations.

The Conference delegation considering revision of the constitution took the view that the work of the organization to raise labor standards might be made more effective by providing for a system of reporting on the extent to which effect is given to any of the provisions of an unratified convention and stating the difficulties which prevent or delay the ratification of the convention.

At the Conference itself, the government representatives of Australia, Canada, and the United States recommended a joint amendment, which clarified further the obligations to be assumed by Federal States. This joint amendment was presented to the constitutional questions committee by the United States Government representative and was adopted without objection. It provides that for conventions covering subjects that lie within the power of the Federal Governments, the obligations of Federal Governments are the same as governments of nonfederal states. In the case of conventions the subject matter of which, in whole or in part, is appropriate for action by constituent States, the Federal Government will refer the convention to the States for the enactment of legislation or other action, and will report to the ILO the extent to which effect is given to any of the provisions of the conventions through Federal or State action.

In recommending this amendment, Mr. David Morse stated:

"In undertaking this obligation, my Government is fully aware of and willing to assume the enormous administrative burden entailed in dealing with 48 State jurisdictions and reporting on their actions. In this connection it is worthy of note that in many instances our States have already surpassed the standards set by ILO recommendations and conventions. Never before, however, were we in a position to obtain formal reports on these matters. Consequently, the proposed amendment will make possible more accurate reflection of the United States' real position with respect to the application of conventions."

2. PROVISIONS CONCERNING NONMETROPOLITAN TERRITORIES

The Conference delegation proposed and the Conference adopted changes designed to increase the participation of nonmetropolitan territories in the works of the ILO. Article 3 was amended to authorize each member nation responsible for the international relations of nonmetropolitan territories to appoint representatives of the territories as additional advisers to its delegates with regard to matters concerning the non-self-governing territories or within their self-governing powers.

Conference delegation proposals dealing with nonmetropolitan territories were clarified by a joint amendment to article 35 proposed by the United States, Great Britain, and the Netherlands. Under this amendment the procedure for application of conventions to nonmetropolitan territories has been clarified and strengthened.

The third important accomplishment of the Conference was the adoption of three conventions and two recommendations for the protection of children and young workers. The interest of the ILO in development of international regulations for the protection of working children dates back to the very beginning of the Organization's work. At the first ILO Conference, held in 1919, two conventions dealing with minimum age and regulation of night work for children in industry were adopted. Action was taken with respect to standards for children in nonindustrial occupations in 1932 when a minimum-age convention was adopted.

At the Montreal Conference further action was taken for the protection of children and young people. The Conference adopted conventions concerning (1) medical examination for fitness for employment in industry of children and young persons, (2) medical examination of children and young persons for fitness for employment in nonindustrial occupations, (3) restriction of night work of children and young persons in nonindustrial occupations and recommendations concerning these subjects. All except the convention concerning medical examination for employment in nonindustrial occupations were adopted unanimously. The recommendations define more explicitly the scope of the conventions and set up more detailed administrative principles and procedures for carrying out the conventions. These conventions and recommendations represent a great step forward in the protection of children and young workers.

The fourth important achievement of the Conference was action preparing for the adoption at the Geneva Conference this June of conventions dealing with non-self-governing territories. At the twenty-sixth session of the International Labor Conference in Philadelphia in 1944 and at the twenty-seventh session in Paris the following year attention was given to the question of social problems and labor standards in non-self-governing territories. Recommendations concerning them were adopted at both Philadelphia and Paris. Certain provisions of these recommendations were deemed appropriate for conventions and were put on the agenda for first discussion at the Montreal Conference.

In accordance with regular ILO procedure, the office prepared a detailed set of draft conclusions which constituted the basis of discussion in the committee on social policy in dependent territories at this Conference. I had the honor to serve as chairman of this committee. We agreed upon the texts of three "conclusions" for approval by the Conference relating to proposed conventions concerning (1) social policy in nonmetropolitan territories, (2) application to such territories of international labor standards contained in 12 existing conventions, and (3) maximum length of contracts. The Conference adopted the report of the committee.

The Conference also adopted resolutions submitted to it by the committee drawing attention of member countries to the need of ratification and application of previously adopted conventions on forced labor, and on recruitment, contracts, and penal sanctions in the employment of indigenous workers; placing the three conclusions on the agenda of the next conference for final decision on conventions covering their provisions; inviting the governing body to take action regarding technical assistance by the office to governments requesting it, regular meetings to implement the proposed convention on social policy, and an ILO branch office in Africa.

Action was taken with respect to a number of other matters coming before the conference, but consideration of these is beyond the scope of this report.

The ILO's association with the United Nations will provide an opportunity for increased service in the cause of peace and improved living standards throughout the world. As a specialized international agency of proved efficiency, the ILO will be in a strategic position to assist materially in the realization of the objectives of the United Nations.

The ILO has outlined for itself an ambitious program. In addition to the regular sessions of the governing body and the conference, the Organization will attempt to hold annual meetings of its eight industrial committees. There will also be regional conferences from time to time, such as the Asiatic Regional Conferences scheduled for 1947 and 1948.

The twenty-ninth session of the International Labor Conference accomplished much. Its achievements afford clear and convincing evidence of the vitality of the ILO and the effectiveness of international cooperation in improving working standards and living conditions throughout the world.

An invaluable concomitant of such international cooperation to establish social justice is world peace. Establishment of the United Nations carried us one step ahead on the road to world peace. Bringing other international agencies like the ILO into relationship with the United Nations has strengthened our facilities for international cooperation and taken us another step forward on this road to peace. To take two steps in the same direction is to walk. We are now walking toward peace. Walking may be a discouragingly slow means of locomotion. International cooperation for peace is, however, still in its infancy, and children must learn to walk before they can run. I have faith in the natural course of human development.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MURRAY:

S. 729. A bill to provide for the payment in a lump sum to Montana State College of national service life insurance granted the late Ralph Coldwater; and

S. 730. A bill to provide pensions for disabled veterans of the World War under similar conditions, and in the same amounts, as now provided for disabled veterans of the Spanish-American War; to the Committee on Finance.

By Mr. BUTLER:

S. 731. A bill to amend the Fair Labor Standards Act of 1938, as amended, so as to exempt from the requirements of sections 6 and 7 of such act employees engaged in the capacity of outside buyers; to the Committee on Labor and Public Welfare.

(Mr. BUTLER also introduced Senate bill 732, to provide for the granting of honorable discharges to certain persons who served in the armed forces during World War I, which

was referred to the Committee on Armed Services, and appears under a separate heading.)

By Mr. CAIN:

S. 733. A bill to authorize the Secretary of the Interior to acquire the property and facilities of the Rainier National Park Co. within the Mount Rainier National Park, Wash., to repair and reconstruct same, and to construct such new facilities as may be necessary to assure adequate summer and winter accommodations for the public visiting said park, and for other purposes; to the Committee on Public Lands.

By Mr. MOORE (for himself and Mr. FERGUSON):

S. 734. A bill to amend the Natural Gas Act approved June 21, 1938, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. REED:

S. 735. A bill to amend paragraph 15 (a), section 1, of the Interstate Commerce Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. McGRATH:

S. 736. A bill authorizing the Commissioners of the District of Columbia to establish daylight saving time in the District of Columbia during 1947; to the Committee on the District of Columbia.

By Mr. MYERS:

S. 737. A bill for the relief of Mrs. Mary Wadlow; and

S. 738. A bill to amend the act entitled "An act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal," approved May 29, 1944; to the Committee on Interstate and Foreign Commerce.

By Mr. CONNALLY:

S. 739. A bill authorizing the transfer to the United States Section, International Boundary and Water Commission, by the War Assets Administration of a portion of Fort McIntosh at Laredo, Tex., and certain personal property in connection therewith, without exchange of funds or reimbursement; to the Committee on Armed Services.

By Mr. LUCAS:

S. 740. A bill to record the lawful admission to the United States for permanent residence of Naka Matsukata Rawsthorne; to the Committee on the Judiciary.

By Mr. STEWART:

S. 741. A bill providing for immediate cash redemption of bonds issued pursuant to the Armed Forces Leave Act of 1946 and for future payment of terminal leave compensable under such act in cash; to the Committee on Armed Services.

S. 742. A bill for the relief of R. C. Owen; to the Committee on the Judiciary.

S. 743. A bill to provide for an increase of 20 percent in the monthly rates of pension payable to veterans of the Spanish-American War and their dependents; to the Committee on Finance.

By Mr. EASTLAND:

S. 744. A bill to prohibit the Government from furnishing stamped envelopes containing any lithographing, engraving, or printing; and

S. 745. A bill to amend the act entitled "An act authorizing the Director of the Census to collect and publish statistics of cottonseed and cottonseed products, and for other purposes," approved August 7, 1916; to the Committee on Civil Service.

S. 746. A bill for the relief of Robert E. Graham; to the Committee on the Judiciary.

By Mr. CAPEHART:

S. 747. A bill for the relief of J. H. Westfield; and

S. 748. A bill for the relief of Margaret Dunn; to the Committee on the Judiciary.

By Mr. BRICKER (for himself, Mr. CAIN, and Mr. ROBERTSON of Virginia):

S. J. Res. 79. Joint resolution to provide for the temporary continuation of the functions of the Reconstruction Finance Corporation with respect to the importing, purchase, production, allocation, and disposition of rubber; to the Committee on Banking and Currency.

HONORABLE DISCHARGES TO CERTAIN MEMBERS OF THE ARMED FORCES

Mr. BUTLER. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill providing for the granting of honorable discharges to certain persons who served in the armed forces during World War I. I request that a statement prepared by me in explanation of the bill may be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and without objection the statement presented by the Senator from Nebraska will be printed in the RECORD.

There being no objection, the bill (S. 732) to provide for the granting of honorable discharges to certain persons who served in the armed forces during World War I, introduced by Mr. BUTLER, was received, read twice by its title, and referred to the Committee on Armed Services.

The statement presented by Mr. BUTLER was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUGH BUTLER

Mr. President, the bill I am introducing today is designed to do justice to a large class of men who received discharges other than honorable from the United States Army during World War I.

During 1917 and 1918, a large number of enemy aliens became members of the United States armed forces. In the case I have particularly in mind, Fred F. Koslowski, a respected citizen of my State, Polish by origin, but classed as a German national because his part of Poland was at that time under German rule, was a sergeant in the Army. He had already taken out his first naturalization papers. The Army, however, decided to force the discharge of as many enemy aliens as possible, but to refuse to grant them honorable discharges. Mr. Koslowski was told bluntly that he would have no chance to become an officer or to serve overseas and that he might as well resign. His discharge was "other than honorable." Since that time, he has acquired American citizenship and has maintained the same fine record of citizenship and service that his record shows he rendered in the Nebraska National Guard and later in Federal service.

His case has been taken up with the War Department on several occasions, but the War Department has persistently refused to grant an honorable discharge. The last letter I have received from the War Department indicates clearly to me that the Department did not even trouble to give the case careful consideration.

Mr. President, last summer in the Congressional Reorganization Act, we decided to stop the practice of introducing individual bills for correction of military records. In that act, we granted full authority to the War Department to correct injustices. In this case, the injustice is apparent. This honorable discharge is being denied for no reason except that the man in question was at that time a German national. It happens that, being a Pole, he was probably much more bitterly anxious to fight against the Germans than were many of our own citizens. Nevertheless, he was denied promotion and virtually forced to accept a discharge without honor. If this is not injustice, I have never seen it. If the War Department does not intend to use its authority to correct injustice to better effect than this, it occurs to me that we may have to return to the practice of handling these cases by private bills, much as I would regret such a step.

My bill would simply direct that honorable discharges be granted to those men in the position of Mr. Koslowski, who were forced out of the service without honor by reason of their nationality and who later became United States citizens.

HELEN A. GRICKIS

Mr. MOORE. Mr. President, I ask unanimous consent to submit a resolution, and request its immediate consideration.

There being no objection, the resolution (S. Res. 88) was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate is authorized and directed to pay out of the contingent fund of the Senate, to Helen A. Grickis, the sum of $297.82, as compensation for services performed by her in distributing the Final Report of the Special Committee Investigating Petroleum Resources, in answering the accumulated correspondence, and in performing other duties incident to the termination of the work of said committee during the period of February 1 to 25, 1947, said sum to be paid from the balance remaining to the credit of said committee.

INVESTIGATION OF NATIONAL DEFENSE PROGRAM—INCREASE IN LIMIT OF EXPENDITURES

Mr. BREWSTER, from the Special Committee To Investigate the National Defense Program, reported an original resolution (S. Res. 89), which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the limit of expenditures under Senate Resolution 71, Seventy-seventh Congress, first session, agreed to March 1, 1941, and resolutions supplemental thereto and amendatory thereof, including Senate Resolution 46, Eightieth Congress, first session, agreed to January 22, 1947 (relating to the investigation of the national defense program) is hereby increased by $150,000.

COMPENSATION OF DEPUTY CLERKS AND COMMISSIONERS OF DISTRICT COURTS—AMENDMENT

Mr. EASTLAND submitted an amendment intended to be proposed by him to the bill (S. 157) to amend the act entitled "An act defining the compensation of persons holding positions as deputy clerks and commissioners of United States district courts, and for other purposes," approved June 16, 1938, which was referred to the Committee on the Judiciary, and ordered to be printed.

REDUCTION OF INDIVIDUAL INCOME TAX PAYMENTS—AMENDMENT

Mr. STEWART submitted an amendment intended to be proposed by him to the bill (H. R. 1) to reduce individual income tax payments, which was referred to the Committee on Finance, and ordered to be printed.

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES—AMENDMENTS

Mr. McGRATH submitted amendments intended to be proposed by him to the bill (S. 70) to exempt employers from liability for portal-to-portal wages in certain cases, and for other purposes, which were severally ordered to lie on the table and to be printed.

Mr. BUTLER submitted an amendment intended to be proposed by him to the bill (S. 70) to exempt employers from liability for portal-to-portal wages in certain cases, and for other purposes, which was ordered to lie on the table and to be printed.

THE PACKING OF SAUERKRAUT IN NO. 2 CANS

Mr. WILEY. Mr. President, today I addressed to Hon. Clinton P. Anderson, Secretary of Agriculture, and Gen. Philip B. Fleming, Administrator, Office of Temporary Controls, a letter inviting their attention to what I think is a very serious case of bureaucratic bungling. I called attention to the fact that certain officials in the Office of Temporary Controls who are administering Order M–81 to grant application for the packing of sauerkraut in No. 2 cans are "missing the boat." Former President Hoover in a statement printed in this morning's newspapers says that the food situation in Germany is very critical, and calls for the appropriation of nearly one-half billion dollars to be used in an effort to keep starvation and the ensuing deterioration and disorder from that country. Yet, here at home a policy is being followed under which certain foods are permitted to perish. This letter goes into details on the subject, and I ask that it be printed in the RECORD following my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 28, 1947.

Hon. CLINTON P. ANDERSON,
Secretary of Agriculture,
Washington, D. C.

Gen. PHILIP B. FLEMING,
Administrator, Office of Temporary Controls, Washington, D. C.

GENTLEMEN: I am addressing this letter to you to invite your attention to what I regard as a most serious case of bureaucratic bungling and blockheadedness; namely, the refusal of certain officials in the Office of Temporary Controls, who administer Order M–81, to grant applications for the packing of sauerkraut in No. 2 cans.

While this may seem at first glance a purely isolated and minor case, nevertheless it affects so many cabbage growers and canners in my own and other States and it so symbolizes the type of work of bureaucratic square pegs in round holes that I am addressing this urgent letter to you and to other officials who I hope will take immediate corrective action on it.

The headlines tell us this very morning of former President Hoover's appeal for food for the stricken German population, and of the grim want and hunger throughout the world. Why, then, should not urgent action be taken to put to good use the supply of vitamin-rich sauerkraut instead of allowing it to spoil as much of it now seems, unfortunately, destined to do?

The sauerkraut packing industry has addressed repeated appeals for No. 2 cans and sufficient tin for the packing of kraut which is now filling the industry's tanks. I should like to cite the various facts which it seems to me irrefutably reenforce these appeals:

1. Urgency of need: We may note first that the industry's tanks are filled at the present time to 70-percent capacity, whereas the normal percentage at this time of year is 20 to 25 percent. The normal kraut-consuming season will be past its peak in another 30 days. With the use of No. 2 cans, the industry would be able to move between 20 and 25 percent of the kraut in its tanks in the next 30 days.

The kraut industry cannot plan for the next season with its tanks 70 percent full of bulk kraut at the present time. If uncorrected, this condition will result in upsetting of the economic structure of the portion of the food industry that pertains to cabbage growing and kraut packing. The cabbage growers cannot possibly move their cabbage crop, since the kraut industry will not be able to take care of same unless it has immediate relief. The result will be that the Department of Agriculture will be faced with a tremendous crop of cabbage for which it will have to find a home.

In the normal years before the war 25 percent of the entire industry's pack was put in No. 2 tins and the percentage was increasing every year. In the Middle West, as high as 70 percent of individual packs were put in No. 2 tins; therefore, the industry is losing a considerable distribution.

2. Potential loss to Government: The United States Government will face a loss of revenue from taxes on an industry valued at from seven to nine million dollars, plus possible retroactive tax claims against the Government on losses for the year 1947.

3. Reasons for need of No. 2 can: Since the end of World War II, hundreds of thousands of GI's and their families (consisting of a wife and possibly one child) have been forced to live in trailers and one-room shacks due to the housing shortage. They have no refrigeration equipment and will not buy a No. 2½ can of kraut, which contains approximately 30 ounces of kraut, because they cannot use this amount in one meal. The average small family, even if it has refrigeration facilities, will not buy a 30-ounce can of kraut which it cannot use in one meal, as it will not put the remainder of the kraut in the refrigerator because the aroma might permeate the other foods. The majority of the kraut packers have received countless numbers of requests for a No. 2 can size of sauerkraut, the reasons being that the No. 2½ can, which is the smallest size permitted under M–81, results in the spoilage of the unused portion of the product after the meal, for the reasons stated above.

4. Discrimination against kraut-packing industry: The movement of the kraut has been held up since last fall due to the fact that the industry was not permitted the use of No. 2 tins, while some 45 other vegetable items were permitted the use of No. 2 tins and smaller sizes. During the war, dog foods, oil, kraut, and other items were not permitted the use of tin for civilian sale. While dog foods and the other industries were again given tin even before they had purchased the necessary raw materials, their can sizes were not restricted. Yet kraut was not permitted to use No. 2 cans even after the packers had already purchased their raw material. The kraut industry is one of the oldest canning industries, while many other enterprises like dog food in tin are relatively new.

5. Saving of materials through No. 2 can: The permitted use of No. 2 cans for the packing of kraut would only increase the use of tin 10.3 percent on that portion of the kraut put into No. 2 cans. However, the use of No. 2 cans would save materially on the steel requirements, because the No. 2 can is made up of a body of 90 gage and ends of 95 gage, while the No. 2½ can is made up of both body and ends of 95 gage.

6. Splendid record of kraut industry: May I remind you, gentlemen, that the kraut industry has always done more than its share in cooperating with the Government. During the war, for instance, the industry often took care of surplus cabbage crops from Wisconsin to Texas and from California to New York.

These facts, it seems to me, justify immediate action for relief of the kraut industry from order M–81 in order to allow it No. 2 cans for packing.

Looking forward to hearing from you on this matter and with every good wish, I am,

Sincerely yours,

ALEXANDER WILEY.

BROADCAST BY STATION WFIL, PHILADELPHIA, OF TRIAL OF THE COINS

Mr. MYERS. Mr. President, on February 12, 1947, WFIL, Philadelphia, made the first broadcast in the history of one of the country's oldest ceremonial functions. As ordered by Federal statute in 1792, the United States Mint at Philadelphia held the annual Trial of the Coins. This year's Assay Commission is the one hundred and fifty-fifth in our country's history, 154 having been held in Philadelphia, while one, in the year 1801, was held in Washington. Mrs. Nellie Tayloe Ross, Director of the United States Mint, conducted the broadcast.

Because of its educational importance, particularly to Philadelphia school children, WFIL considered this event a "must" in the interest of public service. This station is one of the most influential forces in the community and I congratulate it upon the fine service which it is rendering to the people of Pennsylvania.

GRAZING LANDS—ARTICLE BY FREDERICK P. CHAMP

[Mr. HATCH asked and obtained leave to have printed in the RECORD an article dealing with Government-held grazing lands, by Frederick P. Champ, published in the Denver Post of February 23, 1947, which appears in the Appendix.]

NEW JERSEY'S FIGHT ON CANCER—ADDRESS BY GEORGE E. STRINGFELLOW

[Mr. REVERCOMB asked and obtained leave to have printed in the RECORD an address entitled "How New Jersey Raises Funds and Fights Cancer," delivered by George E. Stringfellow, president of the New Jersey division of the American Cancer Society, at St. Louis, Mo., February 7, 1947, which appears in the Appendix.]

THE CANCER PROBLEM—EDITORIAL FROM THE NEWARK (N. J.) STAR-LEDGER

[Mr. REVERCOMB asked and obtained leave to have printed in the RECORD an editorial entitled "A Jersey Adventure," dealing with the subject of cancer, published in the Newark (N. J.) Star-Ledger of February 16, 1947, which appears in the Appendix.]

DEFINITION OF DEMOCRACY—EXCERPT FROM EDITORIAL IN LIFE

[Mr. BALDWIN asked and obtained leave to have printed in the RECORD an excerpt from an editorial on democracy, published in Life magazine, which appears in the Appendix.]

EDITORIAL COMMENT ON LINCOLN DAY ADDRESS BY GOV. GREEN, OF ILLINOIS

[Mr. BROOKS asked and obtained leave to have printed in the RECORD an editorial entitled "An American Program for the Republican Party," published in the Chicago Herald-American of February 26, 1947, which appears in the Appendix.]

FINAL ADDRESS TO THE PEOPLE'S COURT BY ARCHBISHOP STEPINAC

[Mr. McGRATH asked and obtained leave to have printed in the RECORD a pamphlet entitled "My Conscience Is Clear—I Am

Ready to Die," being the English translation of the final address to the people's court made by Archbishop Stepinac at his trial in Zagreb, Yugoslavia, which appears in the Appendix.]

HOUSING FOR VETERANS (H. DOC. NO. 151)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read and referred to the Committee on Banking and Currency.

(For President's message, see today's proceedings of the House of Representatives on p. 1578.)

REPORT OF NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read and, with the accompanying report, referred to the Committee on Interstate and Foreign Commerce.

(For President's message, see today's proceedings of the House of Representatives on p. 1574.)

THE LEGISLATIVE BUDGET

The Senate resumed the consideration of the concurrent resolution (S. Con. Res. 7) establishing the ceiling for expenditures for the fiscal year 1948 and for appropriations for the fiscal year 1948 to be expended in said fiscal year.

The PRESIDENT pro tempore. The parliamentary situation at the moment is as follows: The question is on agreeing to the amendment proposed by the Senator from Ohio [Mr. TAFT] to the amendment of the Senator from California [Mr. KNOWLAND], to strike out in line 4 the numeral "3" and in lieu thereof to insert the numeral "1." Upon the amendment to the amendment the yeas and nays have been ordered. The Senate is proceeding under a 20-minute limitation on debate. The Senator from Ohio [Mr. TAFT] is recognized.

Mr. TAFT. Mr. President, I wish to speak briefly on the proposal of the Senator from California to make a compulsory application to the national debt of $3,000,000,000 of any excess. The figures in the resolution, as it has now been amended by the Senate, show that our estimates are $39,100,000,000 for receipts and $33,000,000,000 for expenditures, or a total excess of $6,100,000,000. The application of $3,000,000,000 on the debt would leave approximately $3,000,000,000 available for tax reduction.

My own feeling is very strong that the question of tax reduction is more important at the present time than the question of the reduction of the debt. That is due in part to the fact that we do not have a normal budget. Our expenditures are steadily decreasing. After this year they should be decreased by four or five billion dollars more. There is still a substantial amount of expenditures as a result of the aftermath of the war, which expenditures will disappear in the next year or 2 years.

I think the Senator from California is correct in stating that in the Reorganization Act itself there is a reference to the application of funds to reduce the debt, although it is somewhat indefinite. The La Follette-Monroney Act provides that if the estimated receipts exceed the estimated expenditures, the report shall contain a recommendation for a reduction in the public debt. It does not specify the amount, but probably the spirit of the act is that some amount should be named; and I have no objection to naming an amount, although I really prefer to determine at a later date what disposition is to be made of the $6,000,000,000 of excess. It seems to me that the less we tie our hands beyond what is actually required by law, the better off we shall be.

I believe that a reduction of $3,000,000,000 in the public debt at the present time would not be a good thing for the economy of the country during the next year. I think it should be pointed out that that would mean taking from the people of the United States $3,000,000,000 more than we are paying out. That is to say, we would be reducing the purchasing power of the people by $3,000,000,000.

Furthermore, we are also taxing, and properly charging to the budget, all the receipts for the old-age pension fund, for the unemployment trust fund, for veterans' life insurance, for the Federal employees' retirement fund, and for the railroad retirement account, and we are paying out of those funds very much less than we are taking in. In other words, we are taxing the people through those funds approximately $2,700,000,000 more than we are actually paying out of the funds. So the net result, if the amendment of the Senator from California should be adopted, would be to take away from the people of the United States during the next fiscal year approximately $5,780,000,000 more than the Government would pay out. We should be reducing the purchasing power of the people by that much.

I doubt whether that is a wise thing to do. The President's Economic Report calls attention to the fact that there is danger of a steady decrease in purchasing power during the next year. He says:

> Maximum production and employment this year would yield a substantial increase in the available supply of consumer goods and services, especially in the area of durable goods. This requires higher real purchasing power to take the goods off the market. If price and wage adjustments are not made, and made soon enough, there is danger that consumer buying will falter, orders to manufacturers will decline, production will drop, and unemployment will occur.

I do not know how great that danger is, but it seems to me that as a matter of degree we should be making a mistake now if we were to commit ourselves to take out of the people's purchasing power $5,700,000,000 more than the Government is spending or giving back to the people. I believe that an annual reduction in the debt of between one billion and two billion dollars is desirable. I point out that the actual existence of the debt is not at the time a danger. The danger was in the increase of the debt when we inflated purchasing power by tremendous figures, beyond anything that we were taking away from the people, and created a steadily rising price and wage level. Of course the debt should be reduced, but I think the reduction should be gradual, and not so fast as to have a deflationary influence, or result in a reduction of the proper standards of activity in the United States. Of course that is a question of degree. I should like to reduce the debt to a sufficient extent every year so that the credit of the Government would remain good, and its bonds would be strong, and so that gradually we could get down to a figure from which we could start with greater safety if we should have another war or another extraordinary emergency in the United States.

Furthermore, apart from the question of the effect of taking this money away from the purchasing power of the people, it seems to me that tax reduction in itself is an end. Everyone must admit, I believe, that the very purpose of cutting the budget and trying to accomplish the results which we are now trying to accomplish is to reduce the tax burden on the people of the United States. The only question involved is a question of timing. Should we do it this year, or wait until 12 months from now?

I think we should make such a tax reduction today. I think it is desirable and necessary if we are to encourage the people to start new businesses, to reorganize their old businesses, and to put money into new enterprises which will furnish new jobs and maintain the present high level of employment, which is high because of many rather extraordinary circumstances. Wartime activities must be replaced by more permanent and normal peacetime activities.

I believe that it is worth while to call attention to the taxes now imposed by the Government, merely from the standpoint of the tremendous burden which they place on most of the people of the United States. In this discussion I shall deal only with those who are today receiving incomes of $5,000 a year or less. It is rather interesting to note that the group receiving $5,000 a year or less is by far the overwhelming majority of those who pay taxes.

Today returns are filed by 44,817,360 persons who receive $5,000 a year or less, as compared with 1,866,000 returns from those receiving more than $5,000 a year. The question of tax reduction and its effect on economy is primarily a question of the tax on those with incomes of $5,000 and less.

A single man or woman—a schoolteacher, for example, who receives $1,000 a year must pay $95 in taxes. I do not know how a person can live on $1,000 a year.

A married couple with an income of $1,500 must pay $95 in taxes.

A married couple with one child and an income of $2,000 must pay $95 in taxes.

A single woman with an income of $1,500 must pay $190 in taxes.

A married couple with an income of $2,000 must pay $190 in taxes, or practically 10 percent of what they receive. I do not know of any married couples who find it easy to live on $2,000.

A married couple with one child and a total income of $2,500 must pay $190 in taxes.

A married couple with an income of $3,000 must pay $380 in taxes.

A married couple with an income of $4,000 must pay $589 in taxes.

A married couple with a gross income of $5,000 must pay $800 in taxes.

That is a perfectly terrific burden on the people of the United States. Forty-five million taxpayers fall in that class. Whatever the burden may be on those who receive from $12,500 to $15,000, as do Senators, the burden is nothing like that falling on those with incomes of $5,000 and less.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TAFT. I am sorry, but I cannot yield at this point. If I have to take time on the resolution itself, I shall yield.

Mr. President, I believe very strongly that taxes themselves are a tremendous burden. In the upper brackets they are a deterrent. Many corporation executives, for example, feel that it is useless to work any harder. They would rather go to Florida and earn less, because the Government takes practically all the additional money they can earn.

I find the same tendency among writers. When they find the Government taking 75 percent of their earnings they do not care to work. Taxes are a general deterrent in that respect.

In the upper brackets, with a tremendous tax, people are deterred from putting money into risk enterprises. They would rather put it into Government bonds and receive 1 percent than to take a chance on losing it in projects that would put people to work and develop industry. It is far better from their standpoint, under present tax rates, simply to take a safe return and not go into a game in which, if they lose, they lose their own money, or if they win, the Government takes it all away from them.

The total burden of Federal taxation is $39,100,000,000. If there be added ten or eleven billion dollars of State and local taxes it amounts to approximately $51,000,000,000 out of a national income of $160,000,000,000, which is approximately 30 percent of the total, or approximately one-third. On the average people are working 1 day in 3 for the Government. I do not see how free enterprise can survive under such conditions. The reduction of taxes is an end in itself, and I do not believe we ought to tie our hands so that we cannot give whatever tax reduction we may wish to give.

It has been said that in the conference the question will probably be resolved, and that in the adjustment of the figures with the House there will result a substantial tax reduction. It seems to me that as a question of policy the Senate should declare that it does not want to make a compulsory application on the debt now without having considered the question of how much tax reduction we ought to give. I think we ought to say that we will apply $1,000,000,000 on the debt, providing a definite cushion against the possibility of not balancing the budget. Later, when we come to the question of tax reduction, in the interest of the economic welfare, in the interest of prosperity, and in the actual interest of the welfare of the taxpayers of the United States, we can make such reduction as we think best.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Colorado.

Mr. MILLIKIN. I think it is quite certain that we are to arrive at a certain figure. I believe it would be a very fortunate thing, and reassuring to the country, if our debate did not involve figures having within themselves too wide a disparity. During the course of the Senator's very able remarks he said that he thought the figure should be somewhere between one and two billion dollars. I wonder if, after further developments of the debate, he might be willing to change his own amendment to make the figure 2 instead of 1?

Mr. TAFT. It is a question of degree. I think $3,000,000,000 is certainly too much. If the chairman of the Committee on Finance feels that $2,000,000,000 is sufficient protection, and we have sufficient opportunity to consider what tax reductions might possibly be made this year, I am perfectly willing to modify my amendment to $2,000,000,000 if that is what the chairman of the Committee on Finance thinks should be done.

The PRESIDENT pro tempore. The yeas and nays have been ordered. It will require unanimous consent for the Senator to change his amendment. Does he ask unanimous consent?

Mr. TAFT. No; I have not yet done so, because I do not know what the Senator is asking me to do.

Mr. MILLIKIN. I am somewhat conscious of the fact that I shall be one of the conferees on this subject, and I should like very earnestly to suggest that at an appropriate time, possibly under the development of debate, the Senator modify his amendment so as to make the figure $2,000,000,000.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Ohio [Mr. TAFT] to the amendment of the Senator from California [Mr. KNOWLAND].

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Maryland.

Mr. TYDINGS. I am somewhat concerned as to the figure which shall be finally settled. Whether it be $5,000,000,000 or $4,500,000,000, does the Senator from Ohio suggest that $1,000,000,000 of the $5,000,000,000 should be applied to the debt and that three or four billion dollars should be applied to tax reduction?

Mr. TAFT. Not necessarily. One billion dollars would be definitely applied to the debt. Of course, the debt is in this situation, that when we have decided on what tax reduction should be made, whatever is left is automatically applied to the debt. A specific resolution in that regard would not be required in determining how much tax reduction is desirable. It may be in excess of $1,000,000,000; it may be $2,000,000,000. I think probably it could be $2,000,000,000. But I think it is too much to say definitely now that $3,000,000,000 should be applied on the debt.

Mr. TYDINGS. If I may pursue the inquiry further, we are about to adopt a ceiling for cuts in expenditures which in my judgment will finally be either five billion or six billion dollars. If we are to have that ceiling as our objective, then we should have a similar objective as to the amount of payment on the debt. If we are to save $6,000,000,000, we can readily apply $3,000,000,000 on the debt. If it is conceded that we cannot save that much, then I think the amendment of the Senator from Ohio might come with more force. But so far no Senator has advocated a saving of less than $4,500,000,000.

Mr. TAFT. There is a saving of $4,500,000,000. The budget, which we are cutting, has a surplus of a billion and a half dollars; that gives a total of about $6,000,000,000. So before we can consider tax cuts at all we must give priority to the application of $3,000,000,000 on the debt. My only point is that we ought not to tie our hands in relation to tax reduction. We should determine what is necessary for tax reduction and then whatever is left over should go on the debt.

Mr. TYDINGS. I understand the position of the Senator from Ohio, but it seems to me that if we set our sights for a payment of only $1,000,000,000 on the national debt we are saying in effect that there is not going to be a $4,500,000,000 or $6,000,000,000 cut in the budget, because if we knew for certain that there was to be a $6,000,000,000 saving in the budget, I do not believe the Senator from Ohio would object to paying $3,000,000,000 on the national debt. But the very fact that he offers an amendment providing for a payment of only $1,000,000,000 on the national debt leads me to believe that the possibility of reaching a figure of either $4,500,000,000 or $6,000,000,000 in savings is pretty nebulous.

Mr. TAFT. No; that does not follow at all. The figure I have had in my mind is that we should cut the over-all tax burden which I have tried to describe by approximately 20 percent, or $3,500,000,000. I should hate to tie our hands so that we cannot make at least a 20-percent cut. If it is decided that it is not safe to reduce taxes to that extent, and that the figure should be $2,500,000,000 or $3,000,000,000, well and good; but I do not think we ought to tie our hands now and say that under no circumstances can we cut taxes by more than $3,000,000,000. I do not see why we should do that. Why should we now determine that question? Why not determine it when we come to the question of tax reduction?

Mr. TYDINGS. Mr. President, let me recall to the Senator that a moment ago he said that a billion and a half dollars——

The PRESIDENT pro tempore. The time of the Senator from Ohio has expired.

Mr. HOLLAND. Mr. President, will the Senator from Ohio yield for a question?

Mr. TAFT. I shall be glad to yield in the Senator's time.

Mr. HOLLAND. I was impressed with the figures the Senator gave in his argument as to the amount by which the unfunded indebtedness will be increased. As I recall, he stated the figure as $2,700,000,000, due to the collections this year on such items as social-security

taxes and the like. In the event the Senator's amendment is adopted and we are obligated to make a reduction of $1,000,000,000 on only the funded obligations, it seems to me that would leave the Members of the Congress in the position of committing ourselves to bringing about a situation under which the total obligations of the Nation, both funded and unfunded, would be increased, instead of diminished. I wonder whether the Senator has a comment to make on that point.

Mr. TAFT. No, Mr. President; the Senator from Florida is not correct. The question of the money collected in taxes and put into trust funds does not affect the budget, nor does it affect the debt. I have not used it in any way as bearing on the question of balancing the budget or reducing or increasing the debt. I use it only to show that we are actually taking out of the hands of the people approximately $2,700,000,000, and are putting it away in a closet, and are decreasing their purchasing power by that much; even before we get to the question of reducing the debt we are actually drawing that much more than we are spending. If we then reduce the debt $3,000,000,000, we are taking away in all $5,700,000,000 of the purchasing power of the people, which they cannot spend.

What happens is that with that money, which comes in as taxes under the old-age-pension fund, we buy bonds, either in the open market or from the Treasury; and if they are purchased from the Treasury, then the Treasury has that much cash with which it retires bonds in the open market. So there is no effect on the total debt. When we conclude that process, the total outstanding debt is just what it was when we started, except the Government owes some of it to itself, instead of to the public. That process does not create that much more debt, simply because the unfunded note is put into the old-age-pension fund.

Mr. HOLLAND. Mr. President, will the Senator yield for a further question?

Mr. TAFT. I yield.

Mr. HOLLAND. Then, is it the understanding of the Senator from Ohio that collections of the type he has mentioned, such as social-security taxes, are actually being invested in bonds which constitute a trust fund in the form of that investment?

Mr. TAFT. Yes.

Mr. HOLLAND. That has not been my understanding.

Mr. TAFT. Yes; that is what is being done. As I understand, the Government issues a kind of informal bond of so much money—let us say, $1,000,000,000—in return for which it gets cash from the old-age-pension fund, which has collected the cash in taxes, and then it takes that $1,000,000,000 and reduces the outside debt by that amount. I think that is the actual process.

Mr. SALTONSTALL. Mr. President, during the past 2 weeks I have listened intently to the debates on the legislative budget. I have hesitated to think that at this late date I could add anything to what has been said, but it seems to me there are several points which thus far have only been touched upon. These points I should now like to emphasize.

The junior Senator from California [Mr. KNOWLAND] made an appealing argument concerning the importance of reducing the national debt. With that argument, I entirely agree, but I respectfully differ with him as to what should be done with debt reduction in connection with the resolution which is now before the Senate.

Section 138 of the Congressional Reorganization Act requires us to include in our legislative-budget resolution a recommendation for a reduction in the public debt if the estimated receipts exceed the estimated expenditures.

I have on my desk, Mr. President, an amendment which I may offer in due course. It would cover the budget resolution and at the same time would be a little less definitive, a little less compulsory, and a little less of a moral commitment than the amendment of the Senator from California.

Most of the debate on the resolution has concerned itself with the amount of expenditures to be made in the fiscal year 1948—whether the recommendations of the President should be cut $6,000,000,000, $4,500,000,000, or more or less. There have been broad differences of opinion as to how much the cut should be and what expenditures for the Army and Navy should be. That point has just been brought out by the Senator from Maryland [Mr. TYDINGS] in his questions addressed to the Senator from Ohio [Mr. TAFT]. When we discuss current appropriations, we are debating something that is completely within our power to control. We do not have to vote appropriations unless we decide that they are wise appropriations to make.

On the other hand, the reduction of debt involves several factors, some of which are beyond our control. Reduction of debt cannot be accomplished unless the money is in the pocket of the debtor at the time when the debt is to be paid. We can make estimates now of the revenues we expect the Government to receive from the taxes we establish, but whether the taxes so levied will produce revenue that in the next fiscal year will exceed the expenditures, and, if so, by how much, is a matter that is not presently in our control. Whether the estimates will be met is a matter that time, and time alone, can tell. Let us remember that Uncle Sam must have the cash in his pockets at the time when he pays off and retires an outstanding debt. He cannot pay it off on guesses or estimates. We all agree that in this first year of the legislative budget our statements are to a great extent guesses or estimates. They cannot be based on accurate calculations. Those can come only after the proposals for expenditures are examined in detail. What the excess of revenues over expenditures in the next fiscal year will be cannot be definitely known, in my opinion, before at least a year elapses. Whether our Government will have in its pockets at that time sufficient excess revenues to warrant reducing the debt by $3,000,000,000 or a greater amount depends on the flow of revenue derived from the taxes finally provided for by the Eightieth Congress. I approve, as do we all, of making the maximum reduction of our debt consistent with national security and the Nation's needs. I am in hearty sympathy with the thought of the junior Senator from California. On the other hand, I feel the same way about the reduction of the debt as I did about the reduction of expenditures. It becomes at best a guess or an estimate; and that estimate, I consider, becomes to a large degree a moral commitment on our part. I want to see expenditures reduced to the greatest possible degree consistent with our national security and our national needs; but, concurring in the view so ably stated by the Senator from Michigan [Mr. VANDENBERG] I would prefer at this time to a cut of a smaller amount, with the sincere hope that we can make it a greater amount when the matters are examined in detail, rather than to recommend a larger cut which at the moment is more than we are able to sustain when the recommendations are minutely examined. Likewise, I believe it is much wiser for us to agree to a debt reduction of something less than $3,000,000,000. My amendment proposes that the reduction be not less than $1,000,000,000 or more than $3,000,000,000. This gives a leeway of $2,000,000,000 against future contingencies. It leaves a greater flexibility of commitment by us; and at the same time, in my opinion, it fulfills the requirements of the Reorganization Act. It is more a realistic approach to the problem of cutting down the national debt. It involves a moral commitment that is more likely of fulfillment, considering all the known and unknown factors.

Throughout this debate we have heard somewhat of the problem of tax reduction. The senior Senator from Ohio has just emphasized them. Many Members are giving serious thought to some form of tax reduction at this session. But some of our most distinguished Members have stated that they prefer to reduce the debt before reducing taxes. Many people throughout our country hope and expect to receive the benefit of some tax reduction. Perhaps we have given them false hopes. Perhaps our statements as to the amount of possible cuts in expenditures may give them exaggerated ideas, but I, personally, feel that if we can give some tax reduction this year, it will enormously increase the confidence of our citizens, and provide an incentive to greater production. I, personally, feel that some tax reduction this year is justified even if it results in a smaller amount of debt reduction. I hope that greater production will bring greater tax revenues, and thus permit us to reduce our national debt in greater amounts in 1949. The question before us at this moment, therefore, on the very little information we have at hand—and with the hopes engendered in the minds of many people—is as to how much debt reduction to make, how much tax reduction to consider.

The senior Senator from Virginia [Mr. BYRD], in his able address on Wednesday, February 19, stated—and I quote the figures from page 1170 of the RECORD—that the present estimate of $38,800,000,000 in tax revenues for the fiscal year 1948 was

based on an anticipated national income of $167,000,000,000. This, I believe, is the largest anticipated income in the peacetime history of our country. We cannot be certain that in the fiscal year of 1948 this estimate will be fulfilled. If, as the distinguished Senator says, this anticipated income falls from $167,000,000,000 to $160,000,000,000, our revenue will shrink by $4,300,000,000. "If our income," he states, "falls to $150,000,000,000, then the revenue will shrink by $6,000,000,000." In other words, it takes but a comparatively small shrinkage of the country's income to reduce our revenue to a point where no debt reduction can be made, and where our revenues may not even equal our reduced estimate of expenditures.

Mr. FERGUSON. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield.

Mr. FERGUSON. Can the Senator inform us what the highest wartime national income was?

Mr. SALTONSTALL. I have not that figure and am not certain of it, but, as I recall, it was around $200,000,000,000.

In the recent colloquy between the Senator from Ohio and the Senator from Maryland, the Senator from Maryland spoke of the reduction of expenditures and the reduction of the debt, but at no time in the discussion was any consideration given to the fact that the revenues of the country, on which such reductions must be made, would be maintained at $39,100,000,000, the figure in the estimate which is before the Senate today.

Mr. President, I hope that this statement is not unduly pessimistic about our future. I hope that our revenues will not fall off. I hope that we may reduce our taxes, and that greater production will bring an increase of revenue rather than reduced revenues; but these are all uncertainties. They make our estimates at this time even more hazardous. I, personally, am sorry that we had to reach such vital conclusions on so little information as it was possible for us to receive at this particular session. But in voting on the pending resolution we fulfill one of the responsibilities imposed by the Reorganization Act. I feel that, having acted, we are morally bound to do our utmost to fulfill the estimates set forth in this legislative budget. If we feel that they are moral commitments, we must be careful not to create the feeling in the minds of our people that the estimates of our expenditures are greater than the expenditures actually will be and that the national debt is to be reduced by a greater amount than it can be. The revenues of our Government, as I have already stated, are not entirely in our hands to control. We create the tax laws, but the revenues such laws produce depend upon our country's productive ability. Our debt can be paid only when Uncle Sam has the funds with which to pay it.

As I have said, Mr. President, I may or may not submit the amendment which is on the desk in relation to the subject of debt retirement, but the main point of my amendment is to give greater flexibility to the pending resolution, considering all known and unknown factors. I hope we may ultimately have some debt reduction in the next fiscal year. I hope that ultimately we may have some tax reduction in the next fiscal year, I hope our expenditures in the next fiscal year will be kept lower than we now estimate them; but in all these matters I would rather now make commitments we can safely promise to keep than commitments which will be beyond our power to keep.

For the reasons I have given, Mr. President, I hope we may proceed carefully in acting on the subject of debt reduction.

Mr. HAWKES. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield to the Senator from New Jersey.

Mr. HAWKES. I understood the Senator from Michigan [Mr. FERGUSON] to ask what was the highest national income of the Nation, and I understood the Senator from Massachusetts to say he thought it was somewhere around $200,000,000,000.

Mr. SALTONSTALL. The Senator from New Jersey is correct; but that was a guess.

Mr. HAWKES. I may not be correct, but my best information is that the income on which we are basing our proposed action, namely $167,000,000,000, I think it is——

Mr. SALTONSTALL. That is correct.

Mr. HAWKES. Is almost as high as it has ever been in the history of the Nation, even during the period of the war, or a fraction higher. I do not think we have ever had a higher national income, even during the war, than the figure we are using now.

Mr. SALTONSTALL. Mr. President, I would not dispute the Senator from New Jersey in that regard. I have seen the figures in the past, and according to my memory, they do not agree with the Senator's statement; but I am not sure as to that.

Mr. HAWKES. I may be wrong, but I think the Senator will find I am correct.

I wish to say to the distinguished Senator from Massachusetts that he has touched on one matter which seems to me to be vital. If the impression is created in the mind of the American people, that we have agreed to make a definite payment of $3,000,000,000 against the debt, when in reality we have no way in the world of knowing whether we will have the money with which to do it, we are fooling the people, which of course is something which should never be done. I am inclined to like the thought underlying the Senator's amendment, that Congress has an intent to pay off the Nation's debts, that it proposes to fix a minimum and then leave a latitude so that our action can fit in with the conditions which may subsequently exist.

If the Senator will permit me to interrupt him further, I should like to say that in talking this morning with one of the most distinguished citizens of our country, I said "It is fine to pay our debts and I want to pay mine, but let us remember that the only way to pay one's debts is to have profits, and in the case of the Government it is necessary that its citizens have profits from which can be collected tax revenue with which the Government's debts can be paid. I believe these things should be meshed into one another and synchronized so that we may do something for the people in the way of sound tax reduction in order that they may have profits, and that we continue the policy of paying safely against our national debt, not for 2 or 3 years, but year after year, and have some consistency and continuity in our actions."

I asked this gentleman, "What would you think if we paid $3,000,000,000 against the debt this year and $3,000,000,000 next year, and then found we had wrecked the great machine, that we had not put any gasoline into it to keep it running, and could not continue the payments?" What would be the effect if we made two or three payments of substantial sums and then found we could not continue our payments? Let us not overreach ourselves, but keep within the limits which experience tells us we can safely observe.

Mr. SALTONSTALL. I agree with the Senator from New Jersey.

Mr. HAWKES. I thank the Senator.

Mr. FERGUSON subsequently said: Mr. President, I should like to place in the RECORD, following the remarks of the Senator from Massachusetts, certain figures I have previously referred to. I have asked for and obtained from the Bureau of the Budget figures of the national income during the war years to ascertain what the highest national income was during those years. Suggestion was made that the figure might be as high as $200,000,000,000. I have obtained from the Bureau of the Budget the figures of the national income for the years 1932 to 1947, inclusive, as follows:

In 1939 the national income was $70,800,000,000. In 1940 the national income was $77,500,000,000. In 1941 it was $96,800,000,000. In 1942 it was $122,000,000,000. In 1943 it was $149,000,000,000. In 1944 it was $158,000,000,000. In 1945 it was $161,000,000,000. For 1946 the Bureau gave me two figures, $164,000,000,000 or $165,000,000,000. The anticipated amount of national income for 1947 is $166,000,000,000.

I understand that it was indicated earlier today that the national income for next year is anticipated to be $167,000,000,000. So then national income would be higher in 1948 than it has been during any war year.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Ohio [Mr. TAFT] to the amendment of the Senator from California [Mr. KNOWLAND].

Mr. KNOWLAND. Mr. President, we have heard much discussion of the Federal public debt, and whether or not the Congress of the United States has a responsibility, a prime responsibility, toward its retirement.

At the last session of the Senate I recited the fact that our debt had grown from $16,000,000,000, in 1930, to $42,000,000,000, in 1940, and to $259,000,000,000, as it is today, representing a per capita obligation upon every American individual higher than it has ever been before, and an average of about $7,009 for every family in the United States. If we accept the figure of the Senator from Ohio of $1,000,000,000 a year, it would mean that we would be paying on the Federal debt for the next 259 years.

Considering the enormous debt we now have, I believe that we have a moral obligation to make a commitment that would certainly enable us to retire it within one century. The present debt of $259,000,000,000 is 10 times more than it was at the height of World War I. I pointed out at the last session of the Senate, and I now reiterate, that during the decade from 1920 to 1930 we made substantial payments on the Federal public debt in each of the 10 years; and in three of those years, with a debt just one-tenth as much as it is today, we retired more than a billion dollars, in each of 3 years.

If we were to operate now on the debt that we have on the same basis, we would be retiring $10,000,000,000 a year. Obviously we cannot do that.

I recognize that Congress in its judgment may determine that certain tax adjustments should be made. The amendment which I have offered will not prevent such adjustments.

Another thing I wish to call to the attention of the Senate is that this amendment of course must go to conference, as will the concurrent resolution as amended by the so-called Millikin amendment, and I am not so sanguine as to believe that the Senate conferees will necessarily be able to maintain the Senate's position completely, though I hope the conferees will make a very earnest effort to obtain a satisfactory adjustment of the differences.

Mr. MILLIKIN. Mr. President.

Mr. KNOWLAND. I yield to the Senator from Colorado.

Mr. MILLIKIN. I believe that I shall be one of the conferees. Our hands as conferees would be immensely strengthened if we could go into conference with a figure which had the rather unanimous support of the Senate.

There seems to be a rather wide difference, as of the moment, between the figure suggested by the distinguished senior Senator from Ohio and the figure of the distinguished Senator from California. First, I want to compliment the distinguished Senator from California on his insistence that we accept responsibility for getting at the job of reducing the national debt. As to that, I believe there is entire unanimity in the Senate.

During the course of his remarks the senior Senator from Ohio indicated that he might be willing to change his own amendment and to make the figure $2,000,000,000. I wonder whether, in the interest of fixing a figure which almost all of us could support, the distinguished Senator from California would be willing to split the difference between two and three, so that we could go into conference with a figure, as I said before, which would have behind it a large vote and thereby strengthen our position in conference.

Mr. KNOWLAND. I will say to the Senator from Colorado that in the interest of the parliamentary situation which he mentions, I should be willing to accept the figure $2,600,000,000, which would be a 1 percent reduction on the Federal debt, and which would at least provide a goal of being able to retire it in not less than 100 years and permit us to hope that either this year or in future years it may be possible to exceed the figure of not less than $2,600,000,000.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. MILLIKIN. I had of course hoped that the Senator would go a little deeper than that, but he has made a very gracious and generous gesture in the direction of the result toward which I have been trying to lead.

I wonder if the Senator would yield so I may ask a question of the distinguished senior Senator from Ohio?

Mr. KNOWLAND. I yield.

Mr. MILLIKIN. In view of the concession the Senator from California is willing to make, and so that we may get this matter to conference with a good strong vote behind it, I wonder if the Senator from Ohio would cooperate by accepting the modification which the Senator from California is willing to make?

Mr. REVERCOMB. Mr. President, will the Senator from California yield, before the Senator from Ohio answers?

Mr. KNOWLAND. I yield to the Senator from West Virginia.

Mr. REVERCOMB. I appreciate the effort by the able Senator from Colorado to bring about an agreement upon figures. However, I feel that I ought to express my own views upon it, and I hope that the Senator from Ohio will not recede from the figure $1,000,000,000.

Mr. President, I thoroughly admire and commend the view taken by the able Senator from California on the question of reducing the national debt. I want more than $3,000,000,000 paid upon the debt, if possible, and I think it is a great mistake to fix such a sum as we enter upon the course of determining taxes for the coming year.

Mr. KNOWLAND. Mr. President, I do not want to be discourteous to the Senator from West Virginia, and I have yielded to him but I should like to remind him that we are under a 20-minute limitation of debate.

Mr. REVERCOMB. Mr. President, may I ask unanimous consent at this time that the time not be charged to the Senator from California, but that it be charged against me?

Mr. BARKLEY. Mr. President, inasmuch as we are operating under a 20-minute rule, and inasmuch as the Senator from West Virginia can obtain 20 minutes in his own time, I should hesitate to agree that there be an extension of the 20 minutes to any Senator.

Mr. REVERCOMB. I did not ask for an extension; I asked that it be charged against the Senator from West Virginia.

Mr. BARKLEY. It could only be charged against the Senator from West Virginia in the event he took the floor in his own right and subtracted from the 20 minutes whatever time he occupies now.

The PRESIDENT pro tempore. The Senator from California has 4 minutes remaining.

Mr. REVERCOMB. Was there objection to my request?

Mr. BARKLEY. I suggest to the Senator from West Virginia that he take the matter up in his own time.

The PRESIDENT pro tempore. Does the Senator from California yield, and if so, to whom?

Mr. KNOWLAND. I will yield to the Senator from Ohio to answer the question asked by the Senator from Colorado.

Mr. TAFT. Mr. President, in the first place, the Senator from California suggests 1 percent of the national debt. As a permanent sinking fund, that might be all right. My question is whether it would be wise to do it this year. Furthermore, the ordinary sinking fund of 1 percent will retire the bonds in 50, not 100 years, because the interest is reduced and applied on the sinking fund.

However, while I should rather there would be no binding provision, I am willing to agree to the figure $2,600,000,000, which leaves, I calculate, $3,500,000,000 of unallocated funds that might be applied to tax reduction, if the Senate so desires. So that I am willing, I think, Mr. President, in the interest of accomplishing the purpose suggested, if the chairman of the Finance Committee desires me to do so, to withdraw my amendment, if the Senator from California will modify his amendment first.

Mr. KNOWLAND. Mr. President, I ask that my amendment be modified to read "$2,600,000,000." As the author of the amendment, I believe I have the right to have the amendment modified.

The PRESIDENT pro tempore. The Senator has the right to modify his amendment, inasmuch as the yeas and nays have not been ordered. The Chair understands that the amendment submitted by the Senator from California is amended to read——

Mr. KNOWLAND. "Not less than $2,600,000,000."

Mr. TAFT. Mr. President, I ask unanimous consent to withdraw the amendment which I offered.

The PRESIDENT pro tempore. Is there objection?

Mr. SALTONSTALL. Mr. President, most respectfully, I object.

Mr. ROBERTSON of Virginia. Mr. President, will the Senator from California yield for a question?

Mr. KNOWLAND. I should like to extend the courtesy to the Senator, but my time is limited. I probably do not have more than 3 minutes left, and I should like to complete my remarks if possible.

Mr. President, I believe it is essential to establish a definite basis for the debt reduction, because the country cannot afford either to get into another major depression or to become involved in another war, with a debt standing at $259,000,000,000, or anywhere near it. As a member of the Republican Party, and as a Member of the Senate, I recognize no obligation to support any fixed formula for tax reduction of 20 percent across the board, as has been suggested by some Members of the other House, or of a flat 20-percent figure. I hope that the Congress, in its wisdom, may find it possible to make some tax adjustments.

The able Senator from Ohio has presented some figures to show the tremendous tax burden upon the American people. We all recognize that the burden is heavy and we all want to see it lightened; but I point out to the Senator

from Ohio and to the other Members of the Senate that it may be possible to lighten the load upon those in the average-income brackets by increasing the exemptions under the revenue laws, by giving more credit to those who have children, and who are trying to educate their children in schools and colleges. We can furnish a great deal of relief to the taxpayers of the country with that type of adjustment. I certainly have not closed my mind to any particular type of tax adjustment if the Congress of the United States in its wisdom feels that such an adjustment would be wise, but I say to the Senate that such a reduction should not, in my opinion, have priority over the task we must perform of reducing the huge Federal public debt, which, in my opinion, threatens the very solvency of the Government of the United States.

We have discussed the matter of the national income. The Senator from New Jersey [Mr. HAWKES] has pointed out, as has also the Senator from Massachusetts [Mr. SALTONSTALL], that the national income is now almost at its high point in American history, and I ask, If we are not to begin reducing the vast Federal public debt now when the national income is high, then when, in heaven's name, will we start reducing it?

I pointed out last Friday that during the 150 years we have been in existence as a nation under the Constitution in approximately 90 years the Government has had an excess of receipts over expenditures, while in about 62 years its operations have resulted in a deficiency. Obviously we cannot reduce the Federal public debt when we are operating under a deficiency, because at such a time the Federal public debt is being increased.

Finally, Mr. President, I point out to the Senate that the present huge Federal public debt is definitely an inflationary factor. The Senator from Ohio complains that my proposal may have a deflationary tendency. I point out to the Senate that today wholesale prices are at their peak, and certain other inflationary signs confront our Nation. We have seen what has happened to the currency of China and of Greece and of most of the countries of Europe, and it is certainly advisable that we start to consider and ponder the whole situation which threatens the American people.

Therefore, Mr. President, I hope that the amendment offered by the Senator from Ohio which provides for the application of only $1,000,000,000 toward payment on the public debt will be rejected, and that at least not less than $3,000,000,000 will be applied to reduction of the Federal public debt.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Ohio [Mr. TAFT] to the amendment offered by the Senator from California [Mr. KNOWLAND], as modified.

Mr. TAFT. Mr. President, I again ask unanimous consent to withdraw the amendment, in spite of the fact that the yeas and nays have been ordered.

The PRESIDENT pro tempore. Is there objection?

Mr. LUCAS. I object.

The PRESIDENT pro tempore. Objection is heard.

Mr. REVERCOMB. Mr. President, again I wish to express my admiration and commendation of the general view for substantial payment on the national debt and continuous reduction of it. However, it seems to me that there is nothing really worth while to be gained in saying that at least a certain amount must be paid annually, or this year, upon the debt. It is my hope that even an amount in excess of $3,000,000,000 may be paid. It appears to me that the first consideration the Congress faces today with respect to dealing with the income of the Government and its use is the reduction of taxes for the current year and the years to come. We have been given a figure representing the estimated income for this year. It is but an estimate, and if we start at any figure, whether it be $3,000,000,000 or $1,000,000,000, we are at once placing a limitation upon possible tax cuts.

It is unnecessary to fix a minimum amount that must be paid upon the debt when certainly it will be the purpose of any administration that may be in office, as certainly it will be the purpose of the Congress, to see that the great national debt is paid. But of the important question which confronts the Congress with respect to its fiscal affairs of the year, the first, it seems to me, is the fixing of a tax cut to apply to the American people, not only for their immediate relief but in order that they may be ready to face any situation which may confront them in the future.

I was very glad indeed to hear the able Senator from California say that he wanted a tax reduction, and that, in particular, he wanted a tax reduction by way of increasing personal exemptions so that those of lesser incomes and those with large families to support might receive the first benefit of the reduction. I heartily subscribe to that view. But when we come to the question of fixing taxes for the year it seems to me that if we try to fix a minimum amount to apply upon our indebtedness we are at that time putting a wall around the efforts of those who want to reduce the tax burden on the people of the country.

I think that first things should come first, and that no minimum limitation whatsoever should be placed upon the amounts to be paid and if such a limitation is to be placed it should be the lowest figure we can agree upon; and then in fact pay the greatest amount we can regardless of any limitation adopted. No one is more desirous than I that reductions in debt be made quickly. But I feel that such reduction is a secondary question. For my part I would rather the Congress not provide a minimum sum to be paid. I shall therefore support a smaller amount as the lesser of two evils.

In view of the very first question before us, that of a proper adjustment of the taxes of the country, and in view of the fact that we can only surmise and estimate what the income will be, I feel that no amount ought to be fixed as the least amount that we should pay on the public debt. If an amount is to be fixed I hope it will be the least amount, and that the result will be a payment on the debt far in excess of any speculative sum that we may fix.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT] to the amendment of the Senator from California [Mr. KNOWLAND] as modified. The yeas and nays have been ordered.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Myers
Baldwin	Hayden	O'Conor
Ball	Hickenlooper	O'Daniel
Barkley	Hill	O'Mahoney
Brewster	Hoey	Overton
Bricker	Holland	Reed
Bridges	Ives	Revercomb
Brooks	Jenner	Robertson, Va.
Buck	Johnson, Colo.	Russell
Butler	Johnston, S. C.	Saltonstall
Cain	Kem	Smith
Capehart	Kilgore	Stewart
Capper	Knowland	Taft
Connally	Langer	Taylor
Cooper	Lodge	Thomas, Okla.
Cordon	Lucas	Thomas, Utah
Donnell	McCarran	Thye
Downey	McCarthy	Tobey
Dworshak	McClellan	Tydings
Eastland	McGrath	Umstead
Ecton	McKellar	Vandenberg
Ellender	Magnuson	Watkins
Ferguson	Malone	Wherry
Flanders	Martin	White
Fulbright	Maybank	Wiley
George	Millikin	Williams
Green	Moore	Wilson
Gurney	Morse	
Hatch	Murray	

The PRESIDENT pro tempore. Eighty-five Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT] to the modified amendment of the Senator from California [Mr. KNOWLAND].

Mr. TAFT. Mr. President——

The PRESIDENT pro tempore. The Senator has spoken on the amendment.

Mr. TAFT. I will take time on the concurrent resolution.

The PRESIDENT pro tempore. The Senator from Ohio is recognized on the concurrent resolution.

Mr. TAFT. Mr. President, I have agreed with the Senator from California that I will accept his amendment with the figure $2,600,000,000. Therefore I ask unanimous consent to withdraw my amendment. If consent is not given, I shall ask the Senate to vote against it, and I, myself, shall vote against it.

As I take it, the reduction we now have available under the terms of the concurrent resolution is $6,100,000,000. If the figure stated in the amendment of the Senator from California is reduced to $2,600,000,000, it will leave $3,500,000,000, which I, at least, intend to advocate shall be applied to the reduction of taxes, representing an over-all 20-percent reduction in the personal income tax. I believe that the reduction in that tax should be substantial. Although I should prefer not to go as high as the figure in the Knowland amendment, I feel that it represents an allocation of the surplus in the manner in which I believe it should be finally allocated. Therefore I ask

unanimous consent to withdraw my amendment.

The PRESIDENT pro tempore. The Senator from Ohio asks unanimous consent to withdraw his amendment to the amendment of the Senator from California [Mr. KNOWLAND]. Is there objection?

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. Is there any limit on the number of times a Senator may make request to withdraw an amendment?

The PRESIDENT pro tempore. The Chair thinks not.

Mr. LUCAS. I shall not object to the request.

The PRESIDENT pro tempore. The amendment of the Senator from Ohio [Mr. TAFT] to the amendment of the Senator from California [Mr. KNOWLAND] is withdrawn. The order for the yeas and nays also is rescinded by unanimous consent. The question is now upon the amendment submitted by the Senator from California as modified.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays.

The PRESIDENT pro tempore. Is the demand for the yeas and nays seconded?

Mr. GREEN. Mr. President, I desire to offer a substitute for the amendment offered by my good friend and colleague the Senator from California [Mr. KNOWLAND]. I should like to have the clerk state the amendment.

The CHIEF CLERK. At the end of the concurrent resolution it is proposed to insert the following new sentence:

It is further declared to be the judgment of the Congress that any excess of revenues over expenditures be applied toward reduction of the public debt.

The PRESIDENT pro tempore. Is the Senator from Rhode Island offering his proposal as a substitute for the modified amendment offered by the Senator from California?

Mr. GREEN. I am.

Mr. President, in the first place, let it be clearly understood that my substitute for the amendment to Senate Concurrent Resolution 7 proposed by the Senator from California in no way indicates any opposition to his attempt to aid in the reduction of the Federal debt. In fact, he and I are in substantial agreement as to the primary necessity of reducing the debt if there is any excess of receipts over expenditures. As a matter of fact, at the meeting of the Joint Committee on the Legislative Budget, of which we are both members, the Senator offered a resolution similar to that which he has now offered, and I offered an amendment similar to that which I now offer. They both came very near being adopted. I am glad to say that mine, on a voice vote, came within one vote of being adopted, and within eight votes when there was a division on the ayes and noes. The only difference is that the Senator from California believes that as a matter of policy the amount recommended should be limited to not less than $3,000,000,000, while I believe there should be no limitation. In other words, his amendment is a restriction on the authority which the Secretary of the Treasury now has, while my substitute continues the existing authority and recommends its exercise.

The existing law, which seems to have been ignored in most of the debate, reads as follows:

Purchase or redemption of bonds: The Secretary of the Treasury may at any time apply the surplus money in the Treasury not otherwise appropriated, or so much thereof as he may consider proper, to the purchase or redemption of the United States bonds: *Provided*, That the bonds so purchased or redeemed shall constitute no part of the sinking fund, but shall be canceled.

What I have read may be found in section 741 of title 31 of the United States Code. This section, known as the bond-purchase clause was a part of the sundry civil appropriation act for the fiscal year 1882. In other words, it has been on the Federal statute books for 65 years. This unlimited power of the Secretary of the Treasury in his discretion to apply to the reduction of the national debt surplus money not otherwise appropriated has not only been on the statute books for 65 years, but from time to time it has been exercised and the debt thereby reduced. This has been notably the case during the past year. In every month of the past year the Secretary of the Treasury has exercised this power and paid off marketable securities. From March 1, 1946, through February 1, 1947, the reductions amounted to over $24,446,000,000. However, the last figure is offset somewhat by increase in the public debt of other issues, such as savings bonds, special issues to trust funds, and so forth. One year ago today the direct public debt outstanding amounted to $279,214,000,000. I have not, of course, the figure for today, but one week ago, February 21, 1947, the public debt was $259,236,000,000, a reduction of approximately $20,000,000,000.

I ask leave to have printed at the end of my remarks a table showing by dates, March 1 and March 15, and so forth, the amounts by which the debt was reduced.

The PRESIDENT pro tempore. Without objection, the order is made.

(See exhibit A.)

Mr. GREEN. Mr. President, both of our proposals recommended action by the Secretary of the Treasury which, under existing law, is only permissive. If the amendment proposed by my good friend and colleague from California had been in effect, only $3,000,000,000 of that $20,000,000,000 would have been paid off. If my substitute, however, had been in effect the entire $20,000,000,000 would have been paid off.

It seems to me unwise to mention a limit of three billion dollars in connection with this power of the Secretary of the Treasury which has been his for the last 65 years. It is especially undesirable at this time when the public debt is so enormous. Its reduction is most desirable to make firmer the credit of our government, and to stabilize the value of the Government bonds in the hands of our fellow citizens and to encourage reduction in the expenses of government.

In discussing this matter with Members of Congress and with private citizens I have met with no effective criticism. However, it is urged that favorable action on my proposal would amount to a recommendation that the taxes be not reduced. My proposal has nothing to do with taxes and nothing to do with receipts. It leaves those matters to be settled separately. The present law has nothing to do with taxes or with receipts. Attention is directed simply to any surplus of receipts over expenditures. It remains with Congress as before to determine both receipts and expenditures. But critics say it will be difficult to make the people generally understand this. They say to me, "Senator, you may be right; we believe you are right; but we do not want to vote in such a way that we will be misunderstood as opposing either reduction in expenditures or reduction in taxes."

I have greater confidence in the common sense and understanding of the masses of our fellow citizens than have these critics. I believe that the people can be brought to understand exactly what this proposal means. At any rate I believe it is my duty to analyze a situation such as this and to act for what I believe to be the best interests of the people who sent me to the Senate and of the people generally throughout the great American Republic.

I certainly believe it is desirable not to take away, even morally, the power of the Secretary of the Treasury to apply the surplus of receipts over expenditures to the reduction of the Federal debt, but to recommend to him that he exercise it fully.

Mr. President, I shall vote for the substitute amendment. I offer it, and I hope it will be adopted, without regard to any misconstructions which may be placed upon it or any misunderstandings of its effect.

EXHIBIT A

Retirements of marketable securities beginning with Mar. 1, 1946

	Amount paid off
Mar. 1, 1946	$1,014,000,000
Mar. 15	1,291,000,000
Mar. 15	439,000,000
Apr. 1	1,991,000,000
May 1	1,579,000,000
June 1	2,025,000,000
June 15	819,000,000
June 15	1,036,000,000
July 1	1,994,000,000
Aug. 1	1,246,000,000
Sept. 1	1,995,000,000
Oct. 1	2,000,000,000
Nov. 1	2,003,000,000
Dec. 1	487,000,000
Dec. 15	3,261,000,000
Jan. 1, 1947	13,000,000
Jan. 1	196,000,000
Feb. 1	1,007,000,000
Total	24,446,000,000

The above figure is offset somewhat by increase in the public debt by other issues, such as savings bonds, special issues to trust funds, etc.

On February 28, 1946, direct public debt oustanding—$279,214,000,000. On February 21, 1947, public debt was $259,236,000,000—a reduction of approximately $20,000,000,000 compared with February a year ago.

The PRESIDENT pro tempore. The question is on agreeing to the amendment in the nature of a substitute offered by

the Senator from Rhode Island [Mr. GREEN] to the modified amendment of the Senator from California [Mr. KNOWLAND].

Mr. MILLIKIN. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. REVERCOMB. Mr. President, I wish to address a question to the able Senator from Rhode Island regarding his amendment. If his amendment were adopted, would it mean that there would not be any tax reduction this year?

Mr. GREEN. It has nothing to do with tax reduction. The Congress would be just as free to make tax reductions wherever it chose to do so, and would be just as free to make appropriations. The amendment simply is a recommendation to the Secretary of the Treasury that if there is any excess of receipts over expenditures, he shall apply such excess to reduce the Federal debt. That is all the amendment provides.

Mr. REVERCOMB. Of course, that would include any deficiency appropriations which may be made between now and the end of the year; would it not?

Mr. GREEN. Certainly.

The PRESIDENT pro tempore. The question is on agreeing to the amendment, in the nature of a substitute, offered by the Senator from Rhode Island [Mr. GREEN] to the modified amendment of the Senator from California [Mr. KNOWLAND]. On this question the yeas and nays have been demanded and ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED (when his name was called). I have a general pair with the senior Senator from New York [Mr. WAGNER]. On this vote, I transfer that pair to the senior Senator from Virginia [Mr. BYRD], who, if present, would vote as I intend to vote. I am, therefore, at liberty to vote, and I vote "nay." If the Senator from Virginia were present, he would vote "nay." If the Senator from New York were present, he would vote "yea."

The roll call was concluded.

Mr. WHERRY. I announce that the Senator from New Jersey [Mr. SMITH] is absent because of illness. If present and voting he would vote "nay."

The Senator from South Dakota [Mr. BUSHFIELD] and the Senator from Delaware [Mr. WILLIAMS] are necessarily absent. If present and voting, both Senators would vote "nay."

The Senator from Wyoming [Mr. ROBERTSON] is necessarily absent on state business, and the Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate on state business.

Mr. LUCAS. I announce that the Senator from Connecticut [Mr. MCMAHON], the Senator from Florida [Mr. PEPPER], and the Senator from Alabama [Mr. SPARKMAN] are absent on public business. If present, all of them would vote "yea" on this question.

The Senator from Virginia [Mr. BYRD] and the Senator from Arizona [Mr. MCFARLAND] are absent on official business.

The Senator from New Mexico [Mr. CHAVEZ] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The result was announced—yeas 33, nays 49, as follows:

YEAS—33

Aiken	Johnston, S. C.	Myers
Barkley	Kilgore	O'Mahoney
Connally	Langer	Overton
Eastland	Lucas	Robertson, Va.
Ellender	McCarran	Russell
Fulbright	McClellan	Stewart
Green	McGrath	Taylor
Hatch	Magnuson	Thomas, Okla.
Hayden	Maybank	Thomas, Utah
Hill	Morse	Tobey
Johnson, Colo.	Murray	Wilson

NAYS—49

Baldwin	Flanders	Moore
Ball	George	O'Conor
Brewster	Gurney	O'Daniel
Bricker	Hawkes	Reed
Bridges	Hickenlooper	Revercomb
Brooks	Hoey	Saltonstall
Buck	Holland	Taft
Butler	Ives	Thye
Cain	Jenner	Tydings
Capehart	Kem	Umstead
Capper	Knowland	Vandenberg
Cooper	Lodge	Watkins
Cordon	McCarthy	Wherry
Donnell	McKellar	White
Dworshak	Malone	Wiley
Ecton	Martin	
Ferguson	Millikin	

NOT VOTING—13

Bushfield	McMahon	Wagner
Byrd	Pepper	Williams
Chavez	Robertson, Wyo.	Young
Downey	Smith	
McFarland	Sparkman	

So Mr. GREEN's amendment in the nature of a substitute for Mr. KNOWLAND's amendment, as modified, was rejected.

The PRESIDENT pro tempore. The question recurs on the perfected amendment submitted by the Senator from California [Mr. KNOWLAND]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED (when his name was called). I have a general pair with the Senator from New York [Mr. WAGNER]. I am informed that on this vote he would vote as I am about to vote. Therefore I am at liberty to vote. I vote "yea."

Mr. LANGER (when Mr. YOUNG's name was called). My colleague, the junior Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate on state business. I am authorized to state that if present and voting, he would vote "yea."

The roll call was concluded.

Mr. WHERRY. I announce that the Senator from Indiana [Mr. CAPEHART] is necessarily absent. If present, he would vote "yea."

The Senator from New Jersey [Mr. SMITH] is absent because of illness. If present he would vote "yea."

The Senator from Delaware [Mr. WILLIAMS] is necessarily absent. If present he would vote "yea."

The Senator from South Dakota [Mr. BUSHFIELD] is necessarily absent. If present he would vote "yea."

The Senator from Wyoming [Mr. ROBERTSON] is necessarily absent on state business. If present he would vote "yea."

Mr. HATCH. Repeating the announcement I have heretofore made relative to the absence of my colleague, the junior Senator from New Mexico [Mr. CHAVEZ], I announce, with his authority, that if present and voting, he would vote "yea" on the pending amendment.

Mr. LUCAS. The Senator from Virginia [Mr. BYRD] and the Senator from Arizona [Mr. MCFARLAND] are absent on official business.

The Senator from Connecticut [Mr. MCMAHON], the Senator from Florida [Mr. PEPPER], and the Senator from Alabama [Mr. SPARKMAN] are absent on public business.

The Senator from New York [Mr. WAGNER] is necessarily absent.

If present and voting, the Senator from Virginia, the Senator from Connecticut, the Senator from Florida, and the Senator from Alabama would vote "yea."

The result was announced—yeas 82, nays none, as follows:

YEAS—82

Aiken	Hawkes	Murray
Baldwin	Hayden	Myers
Ball	Hickenlooper	O'Conor
Barkley	Hill	O'Daniel
Brewster	Hoey	O'Mahoney
Bricker	Holland	Overton
Bridges	Ives	Reed
Brooks	Jenner	Revercomb
Buck	Johnson, Colo.	Robertson, Va.
Butler	Johnston, S. C.	Russell
Cain	Kem	Saltonstall
Capper	Kilgore	Stewart
Connally	Knowland	Taft
Cooper	Langer	Taylor
Cordon	Lodge	Thomas, Okla.
Donnell	Lucas	Thomas, Utah
Downey	McCarran	Thye
Dworshak	McCarthy	Tobey
Eastland	McClellan	Tydings
Ecton	McGrath	Umstead
Ellender	McKellar	Vandenberg
Ferguson	Magnuson	Watkins
Flanders	Malone	Wherry
Fulbright	Martin	White
George	Maybank	Wiley
Green	Millikin	Wilson
Gurney	Moore	
Hatch	Morse	

NAYS—0

NOT VOTING—13

Bushfield	McMahon	Wagner
Byrd	Pepper	Williams
Capehart	Robertson, Wyo.	Young
Chavez	Smith	
McFarland	Sparkman	

So Mr. KNOWLAND's amendment, as modified, was agreed to.

The PRESIDENT pro tempore. If there be no further amendment to be offered, the question is on the concurrent resolution as amended.

Mr. WHERRY. Mr. President, I send an amendment to the desk and ask to have it read.

The PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. At the end of the concurrent resolution it is proposed to add a new sentence, as follows:

It is further declared to be the judgment of the Congress that all proceeds from the transfer or disposition of property under the Surplus Property Act of 1944, as amended, which are covered into the Treasury as miscellaneous receipts should be applied to the reduction of the public debt.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Nebraska.

Mr. WHERRY. Mr. President——

The PRESIDENT pro tempore. The Senator from Nebraska is recognized for 20 minutes.

Mr. WHERRY. Mr. President, this amendment in no way conflicts with the

amendment just adopted by the Senate. The Senate has already adopted an amendment to the resolution providing that in the ensuing fiscal year $2,600,000,000 shall be paid on the national debt. For the information of the Senators, let me say that if they will turn to page A–18 of the budget, they will find that the amount of money covered into the Treasury from the sale of surplus property for the fiscal year 1946 was $549,000,000, a little less than one-fourth of the amount which the Senate has just voted should be paid upon the debt this year. But this amendment provides that in the ensuing years, ending 1947 and 1948, the money received from the sale of surplus property shall be paid on the debt.

Again, for the information of Senators, if they will turn to page A–18, they will find that the budget reveals that for the fiscal year 1947 the estimate of receipts from surplus property is approximately $1,960,000,000, and, for the fiscal year ending 1948, it is $1,009,000,000; so that in neither case do the expected receipts exceed the sum involved in action already taken by the Senate today, to pay at least $2,600,000,000 on the debt this year. The amendment merely declares it to be the judgment of the Senate that the proceeds from the sale of surplus property, regardless of whether or not there is a cushion left in the budget, shall be applied on the national debt.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. WHERRY. I am glad to yield.

Mr. TYDINGS. May I ask the Senator if it is the intention of his amendment that the proceeds from the sales of surplus war property, which it is contemplated are to be applied to the national debt shall be in addition to the $2,600,000,000 or a part of the $2,600,000,000?

Mr. WHERRY. Mr. President, perhaps I failed to make that plain. If my amendment should be adopted, at least the money derived from the sale of the surplus property would be applied to the debt, regardless of the cushion that might be left.

Mr. BARKLEY. Mr. President, may I ask the Senator a question?

Mr. WHERRY. Yes.

Mr. BARKLEY. Is it the purpose of the Senator's amendment to apply all receipts from the sale of surplus property to the debt, or only such receipts as are covered into the Treasury during the fiscal year 1948?

Mr. WHERRY. It is my intention, I will say to the distinguished Senator from Kentucky, to apply what may be covered into the Treasury as budget receipts; in other words, the net amount of the proceeds from the sale of surplus property, after deduction of selling expense, which totals the figure I gave.

Mr. BARKLEY. I know; but that covers a period of years?

Mr. WHERRY. That is correct.

Mr. BARKLEY. The way the Senator's amendment is drafted, it would not be limited to sales during the fiscal year 1948, which is the period covered by the amendment.

Mr. WHERRY. If there is any doubt about that, let me say to the distinguished Senator that I do not want to limit it to years; I want to limit it only by the total amount of whatever is covered into the Treasury, or in special accounts, as the net sales from surplus property.

Mr. BARKLEY. Regardless of the year?

Mr. WHERRY. Yes.

Mr. BARKLEY. Then the Senator's amendment does what I understood a moment ago from what he said he meant it to do in that it is limited to the current year 1948.

Mr. WHERRY. On, no.

Mr. BARKLEY. It does not do that.

Mr. WHERRY. I appreciate the Senator's calling the attention of the Senate to that point. My intention is to apply to the debt all the receipts derived from net sales of surplus property regardless of the year in which the receipts come. I merel, gave the estimates of the budget to enable Senators to realize the amount that was expected to accrue.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. TAFT. I understand that if the resolution should be amended as the Senator wishes, then all receipts from the sales of surplus property during this fiscal year would be applied on the debt.

Mr. WHERRY. That is correct.

Mr. TAFT. And then such additional amount as would bring the total payment on the debt to $2,600,000,000 would also be applied?

Mr. WHERRY. That is absolutely correct.

Mr. TAFT. That is the intention of the Senator from Nebraska, is it not?

Mr. WHERRY. It is.

Mr. TAFT. In addition to that, it declares it to be the policy that the proceeds from sales of surplus property in the fiscal years 1949 and 1950, if there are proceeds then, shall be applied on the debt in those years?

Mr. WHERRY. That is all.

Mr. TAFT. That is the total effect of the Senator's amendment?

Mr. WHERRY. It goes a little further than that. It constitutes a commitment based upon our judgment that at least the amount derived from the sale of surplus property shall be applied on the war debt, in the event no cushion is left under the action the Senate has just taken.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. WHERRY. I am glad to yield.

Mr. HAWKES. From what the Senator has said I draw the conclusion that he considers everything falling in the designation "war assets to be disposed of" was in part responsible for creating the national debt?

Mr. WHERRY. That is correct.

Mr. HAWKES. Therefore, the Senator wants to make certain that when a sale is made of these assets and surplus property that came from the war and helped to create the national debt, then the proceeds shall be applied to reducing the debt and used for no other purpose?

Mr. WHERRY. That is correct.

Mr. HAWKES. And the Senator's amendment does not in any way increase the total debt payment of $2,600,000,000?

Mr. WHERRY. No.

Mr. HAWKES. The Senator wants to make it certain that the money derived from surplus property sales, when received, is not diverted to other uses?

Mr. WHERRY. That is absolutely correct. The Senator has stated it better than I could have. It is not my purpose to interfere in any way with the payment of $2,600,000,000 on the debt this year, but, after hearing all the debate, I am apprehensive whether or not there will be sufficient to apply on the debt and also to do what everybody expects to be done under the budget. I am for a balanced budget, but I feel, regardless of whether or not there is left a cushion in sufficient amount to apply $2,600,000,000 on the debt, that, as it has done once in the past, Congress should at least go on record once again, by adopting my amendment, as favoring the idea that money derived from the sale of surplus property shall be applied upon the national debt and be accounted for in that way.

I hope there will be a cushion, and if the figures concerning it are correct, as the debate would seem to indicate, then the money derived from the sale of so-called war assets will be only a part of the $2,600,000,000; in no way will there be a conflict with the amendment offered by the Senator from California, which has been agreed to.

Mr. FERGUSON. Mr. President——

Mr. WHERRY. I am glad to yield to the Senator from Michigan.

Mr. FERGUSON. The question I desire to ask is this: Under the present procedure, the War Assets Administration turns into the Treasury a part of its receipts only; part is turned into the RFC and various other agencies.

Mr. WHERRY. That is correct.

Mr. FERGUSON. Would this in any way compel the War Assets Administration to turn their receipts into the Treasury, or would it compel the other agencies, when they receive the money, to turn it into the Treasury to be applied on the debt, or could they use it in any way they saw fit?

Mr. WHERRY. Mr. President, the Surplus Property Act provides that 20 percent of the money received shall be returned to the disposal agencies. It is not my purpose to interfere with that. All I am asking is that the net amount that is recovered and deposited either in a special fund or in the United States Treasury, after the selling expense has been deducted, and after the 20 percent is paid back to the disposal agencies, as is already provided by the Surplus Property Act, shall be applied upon the debt. The net amount is estimated in the Budget to be the figure I gave. If the Government can recover any more money than the amount estimated, of course it should endeavor to do so.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. LUCAS. Will the Senator repeat the amount that was realized in 1946 from the sale of surplus property?

Mr. WHERRY. In the fiscal year ending 1946 the amount, as shown on page A–18 of the budget report, was $549,000,000. The amount expected to be recovered for the next year, 1947, from the disposition of surplus property, is $1,960,000,000. And for the fiscal year ending 1948 it is estimated to be about $1,009,000,000.

Mr. LUCAS. If the $1,960,000,000 estimate should prove to be correct and that amount should be saved, it would be deducted, as I understand, from the $2,600,000,000.

Mr. WHERRY. I should like to correct the Senator. The amendment offered by the Senator from California would apply only to the present fiscal year. The figure $1,960,000,000 referred to by the Senator from Illinois is the estimate of surplus property recoveries for the year 1947, with respect to which the Congress has taken no action.

Mr. LUCAS. In other words, the $549,000,000 the Senator has mentioned was actually recovered in the fiscal year 1946.

Mr. WHERRY. Yes.

Mr. LUCAS. So if the Senate should adopt the amendment offered by the Senator from Nebraska, the $2,600,000,000 figure would really be cut to approximately $2,000,000,000?

Mr. WHERRY. I think the Senator from Illinois misunderstood me. The $549,000,000 covered by my amendment would become a part of the $2,600,000,000 provided for in the amendment of the Senator from California. All I am asking is that at least the amount of $549,000,000 realized from the sale of surplus property be paid upon the national debt. The amount above $549,000,000, running up to $2,600,000,000, would be the difference that would be applied on the debt this year. The reason I am offering the amendment, I will say to the distinguished Senator from Illinois, is that if the cushion fails and no other money is left to apply on the national debt, I still want $549,000,000, the amount of money recovered from the sale of surplus property, to be applied on the national debt.

Mr. LUCAS. Then, under any circumstances, by the amendment offered by the Senator from Nebraska, $549,000,000 would be applied on the debt?

Mr. WHERRY. Yes.

Mr. LUCAS. Under the Knowland amendment, the amount applied on the national debt could not be more than $2,600,000,000?

Mr. WHERRY. Yes.

Mr. LUCAS. That would include the $549,000,000 provided by the Senator's amendment?

Mr. WHERRY. Yes.

Mr. LUCAS. So, in reality, adoption of the Wherry amendment would mean cutting the Knowland amendment figure down to about $2,000,000,000?

Mr. WHERRY. No. If the Senator will study the budget figures, he will see that the amount received from the sale of surplus property is considered and becomes a part of the current budget. The Senate has adopted an amendment providing a payment of $2,600,000,000 on the debt. That amount is all that will be paid in this fiscal year, because that will include the $549,000,000 I am talking about. What we are doing in acting on the resolution is simply expressing a judgment. I think the distinguished Senator from Maryland [Mr. TYDINGS] called the proposal a New Year's resolution. If we do not cut the debt by $2,600,000,000, then it is the judgment of the Senate, if my amendment is adopted, that $549,000,000 should be paid on the national debt, regardless of what may happen with respect to the $2,600,000,000 already earmarked for payment on the debt. I think that is plain. But I think it goes further than that. It also is the judgment of the Senate that the same thing should be done in the years 1947 and 1948.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. STEWART. I am relying on memory only, but is it not true that there is already a law on the statute books providing that the proceeds from the sale of surplus property shall be applied on the national debt? I recall that such a law has already been passed.

Mr. WHERRY. Yes.

Mr. STEWART. I think that is what the Senator's amendment covers.

Mr. WHERRY. Yes.

Mr. STEWART. Then does not the fact that such a law is on the statute books render the Senator's amendment unnecessary?

Mr. WHERRY. No. If the Senator will reflect, an amendment similar to mine was once heretofore adopted by the Senate by a voice vote. There was no opposition to it in the preceding Congress.

Mr. STEWART. The law the Senator from Nebraska has in mind was enacted shortly before Congress adjourned.

Mr. WHERRY. A provision similar to that contained in my amendment was also adopted by the House. It went to conference and the conferees deleted it. I am coming to that point if I may be permitted to conclude my remarks.

Mr. TAFT. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. TAFT. The amendment of the Senator from Nebraska is not in order under section 138 of the Reorganization Act, the so-called La Follette-Monroney Act, which is now a rule of the Senate. That act provides:

> (b) The report shall be accompanied by a concurrent resolution adopting such budget, and fixing the maximum amount to be appropriated for expenditure in such year.

The whole nature of the concurrent resolution is one relating solely to the present fiscal year, and it seems to me that it is not in order to include in it a general declaration of legislative policy or general legislation dealing with the disposition of the proceeds of surplus property in future years.

Mr. WHERRY. Mr. President, I thought such a point of order would probably be made. It is my opinion that my amendment is germane. It deals with a part of the appropriations to be made this year. The amount in question would be treated as governmental receipts. The concurrent resolution points to the present fiscal year. But certainly Congress is not foreclosed in the same concurrent resolution from adopting a policy relating to two succeeding years. Such a policy represents only the judgment of the Congress.

The PRESIDENT pro tempore. It is the opinion of the Chair that the language in the La Follette-Monroney Act, while directing certain affirmative action, does not preclude any further action which the Senate may in its wisdom care to take. Therefore, in the Chair's judgment, the amendment of the Senator from Nebraska is in order.

Mr. WHERRY. Mr. President, as I stated a moment ago during a colloquy with the distinguished Senator from Tennessee [Mr. STEWART], my amendment or an amendment similar thereto was, in the preceding Congress, adopted by the Senate, as well as by the House by a nearly unanimous voice vote, but as I stated, it was deleted by the conferees. The conferees brought back a report which did not contain the amendment and the report was adopted because at that time Mr. Bell, in whom we all have confidence, who was then Acting Secretary of the Treasury, was opposed to it until the budget had been balanced. I think some Senators will remember the meeting we had with him at which we discussed that subject. Mr. Bell stated:

> Giving that provision its most extravagant application, then during the present period of deficit financing it would have to be fulfilled by the futile mechanical measure of applying the special fund to retire a given amount of outstanding public debt while simultaneously offering additional public-debt obligations to recoup the same funds in order to meet Government expenditures required by congressional appropriations not covered by the proceeds of revenue measures enacted by Congress.

That was Mr. Bell's explanation, and that was all the explanation he gave. In spite of the action taken by the Senate as well as by the House in adopting the amendment, the conferees rejected it, and both Houses adopted the conference report without the amendment in it. The reasons advanced by the conferees as well as the administration for not including the amendment in the Seventy-ninth Congress have now been eliminated.

We are now to have a balanced budget. There are Members of the Senate asking for debt reduction. The Senate a few moments ago adopted an amendment by which $2,600,000,000 is to be applied to reducing the national debt. So we should at least apply to the national debt the nominal amount of money recaptured from the sale of surplus property, as provided by my amendment for the present year, and for the fiscal year 1947 $1,950,000,000, and for the fiscal year 1948 $1,009,000,000. We should do this for the reasons set forth in the Baruch-Hancock report on this very subject. Let me read from that report:

> All of the war surpluses will have been paid for by the American public either through

war taxes or the increase in the national debt. Therefore, the proceeds of all sales should go to reduce the debt; lowering the postwar carrying charges will have to be met through taxation. Certainly no agency should be permitted to sell surpluses and use the proceeds for other purposes.

The fact that surplus sales will lower the debt dramatizes an important point which some business groups are inclined to forget. The net result of an effective disposal program will aid all business, which is an important consideration to be balanced against the possible short-term effects of individual sales.

Mr. President, to enlarge upon the point, we say that surplus property has been produced through the sale of bonds, which in reality represent a mortgage upon the individual incomes of the American people. A public debt, I take it, is like a private debt. The proceeds from the sale of surplus property should be applied upon this debt, and no other place. At the present time they are being covered into the Treasury as a part of the budget, and are not being applied on the national debt.

The PRESIDENT pro tempore. The time of the Senator from Nebraska on the amendment has expired.

Mr. WHERRY. I will take time on the concurrent resolution.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. WHERRY. I am sorry; I have only 20 minutes on the concurrent resolution. I shall be glad to yield in the Senator's time.

The PRESIDENT pro tempore. The Senator cannot do that.

Mr. WHERRY. Furthermore, the surplus which is estimated for the fiscal year 1948, as shown in the President's budget, is made possible only by the inclusion among the receipts of items which are not really current receipts. I have already given those items. They are: $549,000,000 for 1946; $1,960,000,000 for 1947; and $1,090,000,000 for 1948. They are covered into the Treasury as miscellaneous receipts. Almost $2,000,000,000, or about two-thirds of all miscellaneous receipts, is in the class of recoveries of past outlays.

There is another reason why the money recaptured from the sale of surplus property should be applied on the war debt. It will keep the record straight, and those interested in the sale of surplus property can turn to the budget each year and see how much money has been actually derived from the sale of surplus property by noting the actual amount applied on the debt.

Let us examine the record. As I have already stated, the estimate is $549,000,000 for the fiscal year 1946, $1,959,000,000 for the fiscal year 1947, and $1,009,000,000 for the fiscal year 1948, or a total of approximately only $3,517,000,000. That is all we can expect from the sale of surplus property.

These figures, as shown in the present budget, represent the entire amount of money which is to be deposited from the domestic sales of surplus property up to and including June 1943. I shall give the foreign figures later. I was told yesterday that this is about all we can expect from the sale of surplus property. I was told that in the final analysis there might be about $2,000,000,000 wrapped up in what we call war plants, which may be leased or kept for the national defense, but that when these sales are concluded they will represent practically all the money we shall recover from the sale of surplus property.

This is the startling feature of the surplus-property program: The Baruch-Hancock report, which I have just mentioned, estimated that the amount of surplus property we would have for sale would be approximately $103,000,000,000. That figure was used time and again in the report and in the debates in the Senate. Think of it. One hundred and three billion dollars was the amount of surplus property we were supposed to have had. Of this amount, I am told that the total domestic sales will gross approximately $5,500,000,000. I received this information from the War Assets Administration only yesterday. Consider those figures. The amount of surplus property for sale represented a sum of $103,000,000,000. Now, we are expected to gross only $5,500,000,000 when all the property is sold. So our expectations will not run more than $3,700,000,000 of gross deposits in the Treasury as the total amount of money recaptured from the entire amount of $103,000,000,000. We must pay the sales expense, nearly $1,000,000,000, and we must pay back to the disposal agencies 20 percent.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. FERGUSON. I merely wished to have it clear on the record whether or not, o page A–18 of the budget, the $1,030,000,000 is included in the income of the Government.

Mr. WHERRY. My understanding is that that item is the estimated amount which will be received in the fiscal year 1948.

Mr. FERGUSON. Is it included in the estimated national income for 1948?

Mr. WHERRY. Yes.

Mr. FERGUSON. So all the Senator is trying to insure is that, notwithstanding any other legislation, this particular amount, if received from the sale of war assets, shall be applied on the debt, and may not be used for any other purpose.

Mr. WHERRY. That is correct. The effect of the resolution would be extended for 2 years to come.

Whatever this recovery is, it ought to be made public information and the Congress should be informed. I think it will be an amazing fact to the taxpayers of the country that of $103,000,000,000 worth of property—although some of it cannot be recovered in money—we shall realize less than $4,000,000,000. But what amazes me is that of the $103,000,000,000 original value of property which we have sold—the money for which has been or will be recovered—there will be deposited in the Treasury of the United States less than $4,000,000,000.

In connection with the foreign sales of surplus property, handled by the Foreign Liquidation Commission, the office of the budget director of the State Department states that the total amount of surplus property received for disposal—the total inventory all through the years—is $8,805,000,000 as of December 31, 1946. I am speaking of surplus property overseas. To this figure should be added $2,000,000,000 which has not yet been turned over to them, but which will be turned over to them when the Army and Navy release it. This makes a grand total of approximately $10,805,000,000 of surplus property which will be sold overseas by the State Department. The Foreign Liquidation Commission has already disposed of $7,437,000,000 of that property. Some of it has been involved in the agreements with foreign countries, in the settlement of lend-lease and other indebtedness which they owe the United States. We have all heard about some of those transactions.

So actually we have $3,360,000,000 of property still to be sold in foreign lands. Perhaps this amendment will induce the surplus property disposal agencies to get a little more money from the sale of surplus property. At any rate, we have that much more to sell. However, of the $10,805,000,000 total, according to the estimates we shall receive in cash only $1,046,000 for the fiscal year 1946. We shall receive only $362,000,000 in the fiscal year 1947; and we shall receive only $70,000,000 in the fiscal year 1948.

In addition, however, in the settlement we shall have $1,368,000,000 worth of notes or debentures of several foreign countries, which of course are of questionable value. In other words, all we can reasonably expect from the total sales of surplus property overseas in the amount of $10,805,000,000, is $400,000,000 in cash. So when the settlement is analyzed from an impartial point of view, we can say that if the estimate holds true, out of the $10,805,000,000 worth of surplus property in foreign countries actually we shall receive approximately $400,000,000 in cash, plus whatever we can collect from the foreign countries which have been given long-time credit on the $1,368,000,000. Such collections are very uncertain. This means that we are settling the entire debt of $10,800,000,000 and selling our surplus property at a fraction of 1 percent of the inventory value of the property. I think the public ought to know it when we are talking about balancing the budget.

We have been talking about expenditures. This is a place where we can be optimistic. We should demand more receipts from the sale of surplus property before it is too late. There is no reason in the world why that question should not be investigated. I am certainly glad that a subcommittee of the Committee on Expenditures in the Executive Departments has been appointed to look into the sales of surplus property. Certainly from the sale of $103,000,000,000 worth of surplus property we ought to realize more than $3,700,000,000 to apply on the debt.

There is another reason why I think we should be apprehensive at this moment. I raised the question on the floor of the Senate day before yesterday. I asked the Committee on Foreign Relations if they knew of any commitment that had been made or might be contemplated with respect to foreign loans, be-

cause we are telling the people of this country what our budget is to be. I am one who believes in balancing the budget. I think that is a responsibility. I think the thing to do is to go carefully over every expenditure which we think will be made during this fiscal year. I asked if any member of the Foreign Relations Committee of the Senate could advise us whether any loans to foreign countries are contemplated this year. The Senator to whom I addressed the question stated that he knew nothing about it, and I accepted his statement. A few moments ago I was handed a release from London which states that the British Government is now asking our Government to make a loan to Greece to help stabilize the Grecian Government. I think that if any members of the Committee on Foreign Relations have knowledge of any contemplated loan to a foreign nation, now is the time to consider it, and not after the loan has been made through an agreement with the State Department, when the Senate will be told about it and asked to support what the Department has done.

If we are ever to reduce the debt we should start to reduce it. If we are ever to balance the budget we ought to start now. I think that is a mandate from the people.

In conclusion, Mr. President, let me say that, no matter what happens to the cushion to which I have alluded, whether it be one figure or another, in the final analysis if we do not have sufficient money left after balancing the budget to apply on the debt, the least we can do is to state in the pending resolution that it is our judgment, as we have already voted unanimously, that every dollar which is covered into the Treasury of the United States, either in specific deposits or in the general fund as the result of the sale of surplus property, should be applied on the national debt. It will show good faith on the part of the Senate to reduce it by that much.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. FERGUSON. Does the Senator from Nebraska have in mind that under the law the title to all lend-lease property is in the United States?

Mr. WHERRY. That is correct.

Mr. FERGUSON. When settlements are made and the money is received from that source, does the Senator have in mind that such money should be applied to reduce the debt, under this resolution?

Mr. WHERRY. I certainly do, and I hope that that point is brought out in the investigation which the Senator's committee makes, because I understand that this money is not to be covered into the Treasury as miscellaneous receipts, from which it could be appropriated.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. TAFT. The total figure of $39,100,000,000 includes approximately $1,000,000,000 from the sale of surplus property. It is a part of the receipts on which we have been continuously counting.

Mr. WHERRY. That is correct.

Mr. TAFT. I wonder if the Senator, in accord with his statement of intention, would be willing to make it clear that this is a part of the $2,600,000,000.

Mr. WHERRY. Yes.

Mr. TAFT. I have a proposal that at the end of his amendment there should be added:

> But any such reduction in the fiscal year 1948 may be counted as part of the $2,600,000,000 referred to in the preceding sentence.

Would the Senator be willing to accept that modification?

Mr. WHERRY. Yes; I shall be glad to accept it; but I want the distinguished Senator from Ohio to concur in my statement that if $2,600,000,000 is not available, still the $549,000,000 for 1946 the $1,960,000,000 in 1947, and the $1,090,000,000 in 1948 should be paid regardless of that fact.

Mr. TAFT. I do not quite understand what the Senator means.

Mr. WHERRY. I do not quite understand the amendment of the Senator from Ohio. If it means only that the $549,000,000 is a part of the $2,600,000,000, I am perfectly agreeable to the amendment; but if it means that there is no cushion of $2,600,000,000 to which to apply the $549,000,000, then I am not for the amendment.

Mr. TAFT. Mr. President, will the Senator yield further?

Mr. WHERRY. I yield.

Mr. TAFT. This is not legislation. The President will not sign the concurrent resolution. It is an expression of the intention of the Senate. The Senate is expressing its intention as to how these funds should be applied. Therefore if there is no surplus whatever I would say that proceeds from the sale of surplus property are to be applied on the public debt. Is that what the Senator means?

Mr. WHERRY. That is what I want. Let me repeat that in the year 1946 I want to have $549,000,000, or such amount as may be derived from the sale of surplus materials to be applied on the war debt; and I am not objecting to its being a part of the $2,600,000,000. That is perfectly agreeable to me. I will say to the distinguished Senator from Ohio that if $2,600,000,000 is not available to be applied on the debt, we should still apply on the debt $549,000,000, or whatever money accrues from the sale of surplus property. I want the same understanding to apply to the year 1947 and the year 1948. I think the Senator's amendment should be changed if he is having it apply only to the fiscal year 1946.

Mr. TAFT. The resolution applies to the fiscal year 1948, beginning the 1st of next July.

Mr. WHERRY. I stand corrected. So the Senator from Ohio agrees with me that this amendment simply means that the $1,009,000,000, or whatever is collected from the sale of surplus property should be considered a part of the amount referred to in the Knowland amendment, and if no cushion is recovered from the general treasury there should still be applied on the debt whatever is recovered from the sale of surplus property for that year. Is that correct?

Mr. TAFT. Yes; that is correct, so far as I am concerned.

Mr. WHERRY. Is that what the amendment provides?

Mr. TAFT. That is the effect of the amendment.

Mr. WHERRY. I will accept the amendment on that basis.

The PRESIDENT pro tempore. Will the Senator from Ohio send the amendment to the desk if it is written?

Mr. TAFT. I will.

Mr. MORSE. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Oregon?

Mr. WHERRY. I yield.

Mr. MORSE. Mr. President, I was called to the telephone just as the Senator from Ohio presented his amendment. I wish to be sure that I understand the situation. I want to see to it, to the extent that I can, that at least the $2,600,000,000 provided for in the Knowland amendment is to be paid on the debt out of tax income. I am perfectly willing to apply on the national debt any additional money which may derive to the Treasury of the United States from the sale of surplus property over and above the $2,600,000,000.

Is that the proposal made by the Senator from Ohio?

Mr. TAFT. It is just the opposite of the proposal made by the Senator from Ohio.

Mr. MORSE. I was afraid of that.

Mr. TAFT. The language of my amendment, to be added to the proposal of the Senator from Nebraska, is as follows:

> But any such reduction in the fiscal year 1948 may be counted as part of the $2,600,000,000 referred to in the preceding sentence.

The PRESIDENT pro tempore. As the Chair understands, the Senator from Nebraska [Mr. WHERRY] has modified his amendment as suggested by the Senator from Ohio.

Mr. WHERRY. Mr. President, I accept the suggestion of the Senator from Ohio, because it is not my intention to add to the amount in the Knowland amendment the $549,000,000 for 1946 or the $1,959,000,000 for 1947. I am afraid that when this proposal is watered down instead of having a surplus which can be used under the Knowland amendment to pay on the debt, we shall not have such surplus. I do not want to be discouraging and I do not want to be pessimistic, but I am insisting that the money recovered from the sale of surplus property be applied on the public debt. That is all my amendment does.

Mr. LUCAS. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. The time of the Senator from Nebraska has expired.

Mr. WHERRY. Then I yield the floor.

Mr. LUCAS. Mr. President, if I correctly understand the amendment offered by the distinguished Senator from Ohio to the amendment of the Senator from Nebraska, and by which the amendment of the Senator from Nebraska has now been modified, it seems to me that the effect would be to apply the $1,079,000,000 which it is estimated will be derived from the sale of surplus property in 1948 to the $2,600,000,000 of debt reduction provided for by the Knowland amendment. I

think the Senator from Ohio will agree with me as to that.

Mr. TAFT. Will the Senator restate the point, Mr. President?

Mr. LUCAS. I say that if I correctly understand the purport of the modification which has been made in the amendment of the Senator from Nebraska in accordance with the suggestion of the Senator from Ohio, if the amendment as modified is adopted by the Senate, the amount of money which it is estimated will be received in 1948 from the sale of surplus property, which is believed to be approximately $1,079,000,000, will be applied to the $2,600,000,000 of debt reduction provided for by the Knowland amendment which has been adopted by the Senate.

Mr. TAFT. That is correct; and the other $1,600,000,000 would have to come out of taxes.

Mr. LUCAS. That is as I understood it. In other words, Mr. President, by the amendment of the Senator from Nebraska, as modified by the suggestion of the Senator from Ohio, we would be striking a hard blow at what we have done today in our pledge to reduce the national debt.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. WHERRY. If that is the interpretation of the senior Senator from Ohio, certainly it is not the explanation which I understood he made a few minutes ago to the Senate. I said that in the event $1,079,000,000 or some similar amount should be received in 1948 from the sale of surplus property, I would not object to providing that that amount of money be applied to the $2,600,000,000.

I ask the Senator from Ohio if he will restate his position.

Mr. TAFT. Certainly. I think my position is perfectly clear, but I shall be glad to restate it, if the Senator from Illinois will yield to me.

Mr. LUCAS. I shall yield any length of time that is desired, if the two Senators wish to confer to see if they can adjust their differences upon this controversial issue.

Mr. TAFT. Mr. President, I asked the Senator from Nebraska whether he intended the money obtained from surplus property sales to be an application on the debt, in addition to the $2,600,000,000. He said, "No." But when I examined his amendment, it seemed to me to be somewhat ambiguous. Therefore, I suggested that he clarify it in accordance with his own statement of intention when he first proposed it.

All I have proposed is that the amount from surplus property be applied to the debt. If it is $3,000,000,000, then the total reduction will be $3,000,000,000. If it is $1,000,000,000, however, then any such reduction may be counted as part of the $2,600,000,000 referred to in the preceding sentence.

Mr. LUCAS. Mr. President, now I think I thoroughly understand what the Senator from Ohio has in mind in connection with the suggestion he has made, which has been adopted by the Senator from Nebraska as a modification of his amendment; and I am sure the Senator from Nebraska and other Senators understand the purpose. The purpose is to definitely cripple and impair what the Senate of the United States unanimously did with respect to the Knowland amendment.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LUCAS. I shall yield in a moment.

Mr. President, the Senate unanimously adopted the Knowland amendment which provides that at least $2,600,000,000 shall be applied upon the national debt, out of the revenues produced from taxation. Now what the Senator from Ohio seeks to do through his modification of the Wherry amendment is to apply at least $1,000,000,000 received from the sale of surplus property in 1948 to the $2,600,000,000, which in reality would mean that in adopting the Knowland amendment we provided for the payment of $1,600,000,000 on the national debt, assuming that $1,000,000,000 is received from the sale of surplus property in 1948.

Mr. O'MAHONEY and Mr. TAFT addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Illinois yield; and if so, to whom?

Mr. LUCAS. I yield first to the Senator from Wyoming.

Mr. O'MAHONEY. I suggest to the Senator from Illinois that it would seem advisable to have a quorum call so that the Senator from California may be present and may understand what is being done to his amendment. He originally proposed the application of $3,000,000,000, at least, of the revenues of the United States upon the national debt. The Senator from Ohio offered an amendment to make an application of only $1,000,000,000 to the national debt; and then, upon the floor of the Senate, as I understand the matter, the Senator from Ohio and the Senator from California reached an agreement to the effect that the amendment of the Senator from Ohio would be withdrawn if the Senator from California would reduce the amount provided by his amendment from $3,000,000,000 to $2,600,000,000.

Now the Senator from Ohio proposes to cut from the agreement he has made with the Senator from California whatever may be produced by way of surplus property receipts.

Therefore, Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. Does the Senator from Illinois yield for that purpose?

Mr. TAFT. Mr. President, will the Senator from Illinois yield to me, to permit me to make a statement of fact?

The PRESIDENT pro tempore. The Senator from Illinois has the floor. Does he yield for the purpose requested by the Senator from Wyoming?

Mr. LUCAS. I will not yield to anyone for any purpose, for the moment.

The PRESIDENT pro tempore. The Senator from Illinois has the floor.

Mr. TAFT. Mr. President, will the Senator from Illinois yield, though, to me, to permit me to answer a statement which is not a statement of fact?

Mr. LUCAS. I do not yield for the moment.

The PRESIDENT pro tempore. The Senator from Illinois declines to yield.

Mr. LUCAS. I think I have only 10 or 12 minutes remaining on the amendment.

Mr. President, I may be mistaken about the matter, and if I am I want the able Senator from Ohio to explain when I conclude the brief statement I am about to make. But as I sat here and tried to follow the able argument which was being made by the Senator from Nebraska upon his amendment, I thought, after a colloquy with him, that I understood it.

However, after propounding further questions and after listening to the debate, I have received the distinct impression that what he is attempting to do is, irrespective of whether the revenues from taxation are sufficient to reach a total of $2,600,000,000 of receipts over expenditures, the Senator from Nebraska wants the money which will come from the sale of surplus property in 1948 to be definitely applied upon the national debt.

Mr. WHERRY. That is correct.

Mr. LUCAS. That is as I understood the Senator.

Then the Senator from Ohio offered his amendment, which the Senator from Nebraska accepted, apparently under a misapprehension of its purport, if I have correctly understood the Senator from Ohio. If I am rightly informed, that amendment simply means that instead of being an addition to the $2,600,000,000 to be applied as a reduction of the national debt, any amount which is received from the sale of surplus property in the year 1948 will be applied upon the $2,600,000,000 debt reduction which has been provided for by the amendment unanimously adopted by the Senate today.

Now I yield to the Senator from Ohio, and I ask him whether the statement I have made is correct.

Mr. TAFT. No; it is not a correct statement.

Mr. LUCAS. Then I respectfully request that the Senator from Ohio had better correct his previous remarks.

Mr. TAFT. Mr. President, it was suggested that the agreement with the Senator from California was that the $2,600,000,000 be paid out of taxes. There was never any such suggestion, and there was no such agreement.

In the list of revenues of the Government which appears in the budget, as the Senator will observe if he will study the budget, there is included, besides receipts from taxes, $2,619,000,000 of miscellaneous receipts. If Senators will refer to that list of miscellaneous receipts, they will find that in it is included an item of $1,079,000,000 from the sale of surplus property. In other words, we have always counted the income from the sale of surplus property as a part of the income of the Government; and when we refer to a total income of $39,100,000,000, we include as a part of the total over $1,000,000,000 of receipts from the sale of surplus property.

Therefore, if this amendment is not adopted and if the ambiguity which I fear occurs, out of the total income of $39,100,000,000 we would be reducing the debt a net amount, not of $2,600,000,000, but of approximately $3,600,000,000, and therefore we would have remaining prac-

tically no money with which to make any tax reductions at all.

So, Mr. President, my amendment is entirely innocent and entirely in order and entirely what the Senator from Nebraska intended.

Mr. LUCAS. I regret that I cannot agree with the argument made by the distinguished Senator from Ohio, as to the effect of his amendment. I doubt that the Senator from Nebraska agrees.

Mr. WILSON. Mr. President, will the Senator yield to me?

Mr. LUCAS. I yield.

Mr. WILSON. Mr. President, in order to clarify the matter, taking the amendment as offered by the Senator from Nebraska I move that the word "should" in the last line thereof be stricken out and that the words "shall be" be inserted.

The PRESIDENT pro tempore. Does the Senator from Illinois yield for the purpose of the submission of the amendment?

Mr. LUCAS. No; I do not yield for that purpose. I should like to have the Senator from Iowa make his suggestion in his own time.

The PRESIDENT pro tempore. The Senator declines to yield for the purpose.

Mr. LUCAS. I desire to discuss for a moment the amendment which was adopted by the Senate, which provides:

> It is the further judgment of the Congress that sound fiscal policy requires that not less than $2,600,000,000 of the excess of revenues over expenditures be applied toward reduction of the public debt during said fiscal year.

That means something. We have unanimously passed it by a record vote. We should not tamper with it by innocent, innocuous amendments, which may not be so innocent after all, when properly applied.

If the amendment offered by the Senator from Ohio is such an innocent one, I would suggest that he withdraw the amendment and let the amendment go through as originally submitted by the Senator from Nebraska. I think everyone understands that, and I am not sure that anybody understands just what the Senator from Ohio contemplates doing as a result of the language of the amendment, or what the ultimate effect may be.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Nebraska as modified.

Mr. TAFT. Mr. President, the Senator from Illinois seems to be unable to understand perfectly clear English and perfectly clear figures. The receipts from surplus property have been considered revenue. They have always been treated as such in the budget, and they are now so treated in the budget. They are included in the $39,100,000,000 of revenue in the President's budget, against which he is trying to charge thirty-seven and one-half billion of receipts. He is using them as revenue, and we have always considered them as revenue.

Mr. BARKLEY. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. BARKLEY. The Senator from Ohio is correct to the extent of saying that the $39,100,000,000 includes receipts contemplated from surplus property. I had some doubt about it in my own mind, because there is a big difference between revenues and receipts. We usually think of revenues as coming from taxes. Receipts may come from any source. But in order to make sure, I just called the Director of the Budget, who advises me that the thirty-nine billion one hundred million includes all the miscellaneous receipts, including the contemplated $1,079,000,000 from surplus property.

But that does not necessarily clear up the complication involved in the amendment of the Senator from Nebraska, because if it be true that we must now consider the amendment of the Senator from California, which we have already adopted unanimously, as providing that out of the difference between the $39,100,000,000, made up of taxes and all other receipts, and whatever the expenses may be, $2,600,000,000 must be applied to the public debt, and the amendment offered by the Senator from Ohio, which the Senator from Nebraska is on the verge of accepting, provides that that $2,600,000,000 shall be reduced by whatever amount is involved in the sale of surplus property, I am laboring under a constant fear that step by step we are whittling down the amount we are finally going to apply to the public debt.

Mr. TAFT. Mr. President, I thank the Senator from Kentucky for clearing up the misapprehension in the minds of some of the Senators. So far as we are concerned, receipts from surplus property sales are just like receipts from taxes, and that is as we have counted them all along. The original concurrent resolution on the desk reads:

> That revenues during the period of the fiscal year 1948 will approximate $39,100,000,000 and that expenditures during such fiscal year should not exceed $31,500,000,000.

So they have been counted already. The surplus left after we amended the concurrent resolution yesterday is about $6,100,000,000. Of that we apply $2,600,000,000 to the debt, if in addition to that we took another billion out of surplus property, we would be applying $3,600,000,000 to the debt, and, as I have said, leave something less than two and a half billion for possible application to reduction of taxes, if we wish to do that.

As I understand, the desire of the Senator from Nebraska is rather to establish a principle, not to change the $2,600,000,000. We are not whittling away the $2,600,000,000. When we get through with his amendment, we still reduce the debt by $2,600,000,000. He wants to establish the principle that if that reduction be taken out of surplus property, and we should sell $3,000,000,000 worth of surplus property, then we would have $3,000,000,000 to apply on the debt, and we would also have a much larger revenue and could afford to do it.

I do not see any reason why the Senator from Nebraska should not accept the amendment. He has accepted, I think, the amendment I suggested, and it makes the whole matter entirely clear, that is, that next year we are to have a reduction in the debt of $2,600,000,000 unless the surplus-property receipts exceed that sum, in which case we will have a reduction in the amount of the surplus-property receipts.

Mr. TYDINGS. Mr. President, I offer an amendment to the proposal of the Senator from Nebraska, as amended, to strike out the Taft amendment, so-called, from the original proposal.

The PRESIDENT pro tempore. The Senator from Maryland proposes to strike certain words from the amendment submitted by the Senator from Nebraska.

Mr. TYDINGS. In that respect, Mr. President, I should like to say a brief word.

At the beginning of the present session I thought there was an excellent chance for my friends on the other side of the aisle to take over control of at least two of the three branches of the Government, but as this debate proceeds I am beginning to question whether they really want to take them over.

There are some splendid men on the other side of the aisle. There is the senior Senator from Ohio [Mr. TAFT], the junior Senator from Ohio [Mr. BRICKER], indeed I could call the roll and include almost every Senator on the other side of the aisle as a Presidential candidate, along with the great Governor of New York. But I think they are going to bring on a shoe shortage, and if we have a shoe shortage in this country, there are going to be millions of votes lost as the people in our large cities go barefooted, because the Republicans are marching up and down the hill so fast, it is going to take all the shoe factories a long while to keep them supplied with shoes.

We started out with a proposal for a $6,000,000,000 cut, publicized in all the newspapers day after day, not a cut because of revenues derived from the sale of surplus property, but that the expenses of the National Government were to be cut $6,000,000,000. Not $5,000,000,000, but $6,000,000,000, were to be cut from the expenditures of the Federal Government. The billion-dollar income we will get from the sale of surplus property was never mentioned in any of the original estimates of the reduction in governmental expenditures. The spending spree was to be cut by $6,000,000,000. That is what the newspapers said, that is what the House of Representatives voted for.

When the proposal came to this body, there was a division as to whether or not the expenditures of the Government were to be cut by six billion or by four and one-half billion. I voted for the four-and-one-half billion cut, thinking that my "Presidential" friends on the other side of the aisle were going to cut four and one-half billion from the expenses of the Government. Now, I have just learned that in the $4,500,000,000 there is included more than a billion dollars which does not represent a cut in expenditures at all but which is derived, and would be derived if we never made any reduction at all, from revenues of the Government. So that cuts the amount down to $3,500,000,000 from the original $6,000,000,000.

Mr. TAFT. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. TAFT. The reasoning of the Senator is peculiar. We are cutting the expenditures. The Senate has resolved, with the Senator's acceptance, I take it, to cut the expenditures of the Government from $37,500,000,000 to $33,000,000,000. That has no relation whatever to receipts, no relation to the surplus property, and no relation to anything else the Senator is talking about, so far as I can see.

Mr. TYDINGS. I thank the Senator for his explanation, which but proves my point—that instead of there being a cut of $6,000,000,000 or $4,500,000,000 in Government expenses, we are going to have a cut now of either five billion, if the House provision shall prevail, or three and one-half billion, if the Senate provision shall prevail. So that of the $6,000,000,000 that was the original target, we are up to $4,500,000,00^ already. There has been a retreat down the hill, after we marched up Suribachi, with colors flying, with the shells of economy bursting all around us. We went right down the hill, with the flag lowered, and lost $1,000,000,000 in the first foray against the capture of economy hill.

Then there was the talk of the 20 percent tax cut across the board. That has gone so far away that even Admiral Byrd, in the best plane which could be produced, would never find the thing called a 20-percent tax reduction across the board.

We are now down to the point of questioning whether we are going to get 10 percent. For heaven's sake, gentlemen, get together, or we Democrats will elect another President, even in spite of everything.

It was stated in the headlines week after week—and good headlines—the kind the people want to read—"Six billion-dollar slash in expenses." Lo and behold, there has been an error of 16½ percent in every headline that went forth 3 months ago, 2 months ago, 1 month ago, 1 week ago, 1 day ago. Even great Democratic newspapers like the Chicago Tribune are saying that we Democrats are likely to elect another President if the Republicans do not watch out. I wanted to dispute that with them, but since I came into the Chamber this afternoon and listened to the debate, it looks as if we might have to put up with another Democratic administration for 4 more years.

Even the friend of all of us, that outstanding columnist, Mr. Westbrook Pegler, in today's Times-Herald, writing in his column, Fair Enough, says the President we have—whom he calls "George Spelvin," and whom we call Harry Truman—looks to him like a pretty good bet for the Republican voters of the country.

I ask unanimous consent to have inserted at the end of my remarks the article to which I refer.

There being no objection, the article was ordered to be printed in the RECORD.

(See exhibit A.)

I am very fond of the Senator from Ohio. He is one of the most industrious and able citizens of this Nation, and as his friend and as the friend of all the Presidential candidates on the other side I say, "Gentlemen, get together, and either go up the hill, or go down it, or stay in the middle, so we Democrats will know what you are trying to do."

[Manifestations of applause in the galleries.]

The PRESIDENT pro tempore. The galleries are admonished that any evidences of approval or disapproval are strictly against the rules of the Senate.

EXHIBIT A

[From the Washington Times-Herald of February 28, 1947]

FAIR ENOUGH

(By Westbrook Pegler)

Somehow I keep coming back to that fellow. He sort of caught me that first day when they telephoned him that he was it, an ordinary, play-poker, play-piano county commissioner pitched into the most important, the most responsible and the most dangerous job in the world, and he said to the reporters, "pray for me, boys. And I mean it."

We had been having a lot of neck-prayers on dress occasions before then, but never, in many a year, a spontaneous, mother's-knee prayer from the heart of a man who would say "Dear God, help me," and not seem to mean "how am I doin', partner?"

He can be happy without flippancy and I dont recall hearing a sneer out of him since he took over. He can be serious without being morose. He can get tough without nastiness, but if you like it that way, don't go bawling to your maw that he hit you with your own shinny-stick.

I will bet you I know a million Republicans, which is nonsense because nobody knows a million anybodies, but anyway, I know a lot of Republicans who wish he was their fellow so they could be for him.

Why can't they?

Well, you know, the union bosses, the New Deal crowd, the bleeding-hearts, the Communists, the old girl—and all them. To be for him you have to be with them and sort of B squad at that.

But I don't know.

Madam Perkins, she was New Deal, and where is she at now? Ickes. Where is he? Wallace. Morgenthau. Biddle. Frankfurter. You don't hear much about "Old Weenie" any more, do you? Somebody must have taken up his latchkey. Nor the guy with the jaw. Remember Chester Bowles and all that commotion how you couldn't make an even trade of a pound of double-saws for a pound of hamburger if they canceled OPA? Missing: Chester Bowles; no reward.

Leon Henderson. No, thanks for the memory.

John L. Lewis. John had a permanent bead on "Mr. Big" and moved him around and kept him off balance and licked him every time they started. Then along comes Johnny One-Suit, always looking like his old maw just dressed him up and slicked his hair for the strawberry social, and he belts John right through the skylight without even a glare. He just turned his back on the toughest mugg in town and when he came back from Key West, John's lawyers were fanning him with their hats and he was muttering, "He pulled a knife on me." Hexed him, he did. Hexed him bow-legged, and the first guy to lick him since Girdler.

Do you notice how you don't notice his wife? No taffy pulls for the ladies of the press. No popping off about what the British ought to do to Franco. No cigars, cigarettes, souvenirs, and nuts. No graft. Have you noticed how quiet it is? Maybe not, but you don't notice a tooth when it quits aching.

It has been a long time since you heard of old Dan Tobin, of the teamsters in and out of the White House, and the PAC is buried alongside the Anti-Saloon League. Sidney Hillman and Wayne B. Wheeler setting on a cloud bragging what they had done and secretly calling each other the boastfullest old bore that ever lived, like Noah and the hero of the Galveston flood.

It took that fellow a spell to get the feel of the track, to learn timing and pace. He floundered on that proposition of 26 weeks at $25 a week for the laid-off war workers after the UAW had been boasting that it got the highest wages in history and even $80 a week for a sweeper.

I figure it was the old crowd who handed him that one, not so much that they hoped to get it as to show they had him for theirs. He was terrible on OPA when he tried to save it for them, but I figure he was still listening when he should have been thinking.

Then, all of a sudden, the fellow was there.

I remember the night Paavo Nurmi ran his first race in America in the old Garden. Little Al Copeland, the old sprinter and coach, was sitting there and after three or four laps he said, "Yep, this one is a runner."

And that is what I am thinking.

I am thinking that if the Republicans had him, at his present political size and with the class he has shown, not merely since election when he came on so stylish, but along in there when he was quietly passing the old New Dealers on the turns, they would have it all. The Democrats would have nobody then because he is all they have got.

Don't heckle me about his past with Pendergast or the way he stalls and fills in about union legislation or Lilienthal or the budget.

I keep coming back to him in spite of Pendergast. I don't reconcile it. I look him over and hear him in a voice that was made for talking to people and not to excite and make fools of them and I feel that still he is all-American and will belly up to Stalin and step on his toes and say "Listen, you," instead of, "Now, Joe."

I notice that he has ditched them all, Wallace, the widow, and Ickes, and made them tag along and it doesn't matter a damn to him if they don't because if they quit him that will win him two votes for every one they can take away.

I can feel that he hates the Communists and has been a very good ratter driving them out, even up to now.

I keep coming back to him, no wonderman, but George Spelvin, American, trimming a little but doing his best and with his pants a little knee-sprung from kneeling and not to Stalin, either.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Maryland [Mr. TYDINGS] to strike certain words from the amendment of the Senator from Nebraska [Mr. WHERRY].

Mr. ROBERTSON of Virginia obtained the floor.

Mr. LANGER. Mr. President, will the Senator yield for a moment?

Mr. ROBERTSON of Virginia. I yield.

Mr. LANGER. I ask unanimous consent to be excused from attendance on the Senate for the remainder of the afternoon. One of my friends has become very seriously ill, and I am trying to get him into a hospital.

The PRESIDENT pro tempore. Without objection, the consent is granted.

Mr. ROBERTSON of Virginia. Mr. President, I have no desire to delay the vote, which all of us want to see cast, to end the discussion of what we shall do with the national debt. I am in thorough accord with the position taken by the distinguished Senator from Nebraska, that proceeds realized from the sale of surplus war property should be applied to the debt created in its purchase, but I am not at all disturbed

over the proposal that we should endeavor to apply at least $2,600,000,000 to the national debt, because if we applied as much as $5,000,000,000 a year to the debt, it would take over half a century to pay it. If in the period of our greatest prosperity, we debate and hesitate to apply as much as $2,600,000,000 to the debt, we know that in periods of adversity we shall apply nothing to it.

Mr. President, I am unwilling that this debate should come to a close without inviting the attention of the Senate to the fact that the real and actual debt is from eight to ten billion dollars more than the technical debt of $259,000,000,000 which we have been discussing. That comes about by reason of the act passed by Congress last year fixing a debt limit of $275,000,000,000. In that act we changed the definition of how the Treasury was to carry the obligations on its books, from a maturity value, which is the actual debt we will ultimately pay, to current redemption value; and in making that technical change many persons were led to believe that we had automatically written off about $8,000,000,000 of debt. That is not the case; that amount is still there, and it will have to be paid. Furthermore, Mr. President, that act, which was passed last year, provided that guaranteed obligations of the Government which were held by the Treasury Department would not be included in the total of the national debt. How many of those obligations the Treasury now holds I do not know; but it is a considerable sum.

It was said in debate earlier today that the estimated receipts of $2,194,000,000 from the social-security tax, when invested in Government bonds, would not increase the national debt. I know of nothing in the Social Security Act, or in any other act, that requires anything more of the Treasury Department than to issue bonds equal to the receipts of the social-security fund.

In the total of $39,000,000,000-plus of expected revenue is included this item of $2,194,000,000. Prior to 1939 the Treasury had to issue 3-percent bonds to be turned over to the trustees of the Social Security Act trust fund. In 1939 Congress changed that and provided that such bonds would bear the current interest rates. We know that at least up until 1946 the Treasury put into the general fund all the receipts from the social-security tax, spent the money, and did not retire any bonds to offset the bonds placed in the hands of the trustees of the Social Security Act.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. ROBERTSON of Virginia. I yield.

Mr. TAFT. The Treasury did that, but when it was done it showed up in the deficit of the Federal Government; so that when there was a deficit of $3,000,000,000 for the year 1937, we will say, that included $1,000,000,000 of the funds to which the Senator referred.

It is true that the cash which the Treasury gets does not necessarily have to be used to reduce other debt, but it does show up in the expenses of the Government, and if the budget is balanced, then necessarily the cash that is received must reduce other debt. The total debt is not increased, provided the budget is balanced. The key is to balance the budget.

Mr. ROBERTSON of Virginia. I would say to my distinguished colleague from Ohio that we must do two things: We not only must balance the budget but we must require the Treasury Department to retire outstanding bonds, if and when they issue bonds for the social-security trust fund.

Otherwise the debt will of necessity be increased by that amount. So I say, Mr. President, we are actually facing a debt of from $8,000,000,000 to $10,000,000,000 more than we have been discussing, and it well behooves us today to vote to make a maximum payment in this period of prosperity to the end that faith and confidence in the fiscal soundness of the Government may be maintained.

Mr. TAFT. Mr. President, I only wish to say that I oppose the amendment of the Senator from Maryland [Mr. TYDINGS], which I hardly think is offered seriously. It seems obvious to me that we have settled the problem of how much reduction we want to make in the debt. We settled it previously by action taken on the amendment of the Senator from California. We want to make a reduction of $2,600,000,000. I think that amount too much, and I agreed to the amendment reluctantly. But I certainly do not want to change the amount so as to provide for a reduction of $3,600,000,000, which I think would be far too much. Therefore, I hope the amendment of the Senator from Maryland will be rejected.

Mr. KNOWLAND. Mr. President, will the Senator yield to me?

Mr. TAFT. I yield.

Mr. KNOWLAND. I missed a part of the earlier debate, but as I understand the Senator has no intention by his amendment to change the purpose of the amendment of the Senator from California, which was unanimously adopted, and which provides that not less than $2,600,000,000 shall be applied toward payment of the Federal public debt.

Mr. TAFT. There would be no change whatever. Some misapprehension arose because the suggestion was that the receipts from the sale of surplus property were not included in the revenues. They are included in revenues. They have been included in revenues all along from the very beginning of the calculation. Without the amendment I suggested to the amendment of the Senator from Nebraska, the effect, it seemed to me, would be to apply about $3,600,000,000 on the debt.

Mr. KNOWLAND. Mr. President, will the Senator yield for one more question?

Mr. TAFT. I yield to the Senator from California.

Mr. KNOWLAND. Let us assume that the Senator from Nebraska had not offered his amendment at all, is it not the case that the amounts received from the sale of surplus property are covered into the miscellaneous receipts of the Treasury, and are included in the estimates made by the Director of the Budget as to what the revenues or receipts of the Federal Government will be during the coming fiscal year?

Mr. TAFT. The Senator is entirely correct. Not only that, but they are included in the word "revenues" in the concurrent resolution we have been considering, which states that revenues for the fiscal year 1948 will approximate $39,100,000,000. That figure is reached by including the receipts from the disposition of surplus property.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BARKLEY. There are also included, as I understand, the receipts from the social-security tax, which are invested in an equivalent amount of Government securities. So that if by any chance the requirements of the social-security fund should take all the fund which is collected in any one year, it would be necessary in order to arrive at the real net income of the Government, its revenue, to take the social-security tax from the total amount because it is not revenue in the real sense of the word. It is calculated as revenues just as are surplus property proceeds and a great many miscellaneous taxes.

Mr. TAFT. As a matter of fact, the Senator is not quite correct because in the ordinary method of figuring the receipts, the net appropriation to the Federal old-age and survivors insurance trust fund, $1,987,000,000, is deducted before reaching the $39,100,000,000. For some reason it is treated differently from any of the other receipts. The Senator will find in the total estimate of budget receipts a total figure which includes the taxes on the old-age insurance, and then a net appropriation is specifically deducted, not as an expense, but as a reduction from costs.

Mr. BARKLEY. I understand that, but there is bound to be a difference, because from year to year the Treasury has used the excess of the tax received under the Social Security Act over the outlay which has been required and applied it to the current expenses of the Government. It has issued Government bonds in lieu of that excess. It is required by the law that money from this source be invested in Government bonds, and the Government has expended the money and issued its bonds in lieu of cash.

Mr. TAFT. I thank the Senator. I merely ask, Mr. President, that the pending amendment be rejected.

Mr. KNOWLAND. Mr. President, will the Senator yield for one more question?

Mr. TAFT. Yes.

Mr. KNOWLAND. I ask the question because there has apparently been a misunderstanding which I should like to have cleared up. As I understand the situation now, the amount to be applied under the amendment which the Senate unanimously adopted would be not less than $2,600,000,000, and that in nowise would be changed by the amendment of the Senator from Nebraska or the amendment of the Senator from Ohio. The purport of the amendment offered by the Senator from Nebraska is that the $2,600,000,000 shall not be reduced, but in the event—and it is rather a far-fetched possibility—that surplus property should be sold in the amount we will say of $3,500,000,000 in 1 year, the entire

$3,500,000,000 would be applied on the debt.

Mr. TAFT. Instead of $2,600,000,000.

Mr. KNOWLAND. Yes, instead of $2,600,000,000. So there might be applied to the debt a larger sum, but in no event a lesser sum than $2,600,000,000.

Mr. TAFT. The Senator is entirely correct. That is exactly the effect of the amendment of the Senator from Nebraska.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. AIKEN. As I understood the discussion of the Knowland amendment and the compromise which was effected at $2,600,000,000, it was stated that the $2,600,000,000 figure would be taken to conference. When that is done usually the figure determined upon by the Senate does not stand in conference. We will assume the House to say, "We are not going to have any figures whatsoever," or that the proposal of the Senator from Ohio, which was for a reduction of $1,000,000,000, is agreed upon. Then we will assume that surplu. property sales amount to $1,000,000,000, and that money is turned into the Treasury to be applied on the debt. That leaves the entire difference between the appropriation and the Federal income to be applied on tax reduction, and in my opinion would leave the Knowland amendment completely meaningless.

Mr. KNOWLAND. Mr. President, will the Senator from Ohio yield to me at that point?

Mr. TAFT. One moment. Does the Senator from Vermont know of any way by which to compel the House to do anything they do not wish to do?

Mr. AIKEN. I do not know of any way.

Mr. TAFT. Any action we ever take in the Senate is always subject to objection in the House of Representatives. We cannot get away from that. I do not know what the Senator from Vermont wants us to do.

Mr. AIKEN. It is my opinion that if after taking this to conference the Senate conferees come away with an agreement of a one-billion-dollar debt reduction they will be doing very well. I believe that a part of the reduction in Government expenses certainly should be applied to reducing the national debt. The people at home are asking to have the debt reduced to a safe margin and are asking to have the budget balanced. They would also like tax reductions, but not many of them put tax reduction ahead of the other two conditions, namely, balancing the budget and reducing our obligations to a point consistent with national safety.

Mr. KNOWLAND. Mr. President, will the Senator from Ohio yield to me?

Mr. TAFT. I yield to the Senator from California.

Mr. KNOWLAND. I should say to the Senator from Vermont that if I thought such a situation would be brought about I would not be favorable to the amendment, but I call the attention of the able Senator from Vermont to the fact that the adoption of the concurrent resolution merely expresses certain judgments of the Congress; and if perchance the conference committee should reduce the amount to such a point that the Congress did not feel it was adequate to a sound fiscal arrangement, we would still have the last crack at the proposal, because while the Constitution says that revenue legislation must originate in the House of Representatives, it is also a requirement that the United States Senate must pass any tax measure. We have it in our power to decide whether there shall be any tax reduction at all; and if there is no tax reduction, or if there is a limited tax reduction and a surplus occurs in the Treasury of the United States, under the existing law, the Secretary of the Treasury may take money from the excess of receipts over disbursements and apply it to the Federal public debt.

Mr. TAFT. Mr. President, the able Senator from California very accurately states the situation. This is only a declaration of intention. We may have to amend our views in conference, although the Senator may be sure that I shall do everything possible to try to maintain the $2,600,000,000 application to the debt. However, we do have the last word on the question of whether or not we shall make a tax reduction and how large a tax reduction we shall make. Everything over and above that must be applied on the national debt. It will be automatically applied on the national debt under the present system of operation.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. AIKEN. I was about to say that I think the Senator from California has correctly stated what may happen. But I wish to add that I think the Senate should aim its sights high at the target of good, sound government, because, after all, the resolution must go to conference. We must remember that leading Members of the House made the promise of a 20-percent reduction in taxes, straight across the board. They made the assertion that we should eliminate 1,000,000 Federal employees, without knowing from what departments they could be eliminated. We must deal with Members of the House. We shall probably have to compromise with them. Therefore, I do not believe that we can aim too high at the target of sound and progressive government.

Mr. FULBRIGHT. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. FULBRIGHT. Mr. President, last year Congress passed and the President signed a bill relating to the use of certain credits from the sale of surplus property abroad, in limited amounts, to finance the exchange of scholars, and for other purposes. Would the present proposal interfere with that arrangement?

Mr. TAFT. No. As I understand the Senator from Nebraska, his amendment relates only to money which is derived from the sale of surplus property and paid into the Treasury as miscellaneous receipts. As I understand, in the situation referred to by the Senator from Arkansas that money never gets into the Treasury as miscellaneous receipts.

Mr. FULBRIGHT. I wished to make it clear that it was not intended to alter that program.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BARKLEY. The situation which might arise under this amendment is automatically somewhat confusing. While it is not binding so far as the overall goal is concerned, if the amendment of the Senator from Nebraska had any effect at all, it would be this: Let us suppose that, regardless of the $39,100,000,000 which we have estimated as revenues from all sources, the revenues did not reach that amount. Let us suppose that when all the appropriation bills were added together they aggregated an amount equal to all the revenues from all sources. There would be no surplus of income over outgo. Would the Senator's amendment still require that the amount obtained from the sale of surplus property be applied to the public debt?

Mr. WHERRY. Yes.

Mr. BARKLEY. If that were true, would it not create a deficit which would automatically increase the public debt by the same amount by which it was reduced as a result of the sale of surplus property?

Mr. WHERRY. That is correct.

Mr. TAFT. I think the Senator from Kentucky is correct. That is a proper criticism of the amendment. The Senator from Nebraska proposes to pay our debts, even though we must borrow the money with which to pay them.

Mr. BARKLEY. In other words, we would be taking money out of one pocket and putting it in another, and the result would be the illusion that we had more money than we had at the start.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. WHERRY. That is the very argument which was used 2 years ago on the floor of the Senate as a reason why we should not adopt the amendment when the conferees came back with the report. The Senator can laugh it off if he so desires; but I maintain that the money which is recovered from the sale of surplus property should be applied on the debt, if for no other reason than to let the people know what it is, even if we must borrow the money. If we had to borrow the money, perhaps some of the people would object to buying bonds. The time has come when that question must be met, and that is the principle which we are declaring here today.

Mr. TAFT. The Senator wishes to emphasize the fact that if we apply the proceeds from the sale of surplus property to the debt, it will be brought to the attention of the people that we are really living beyond our income, because we should not have used the money for current expenses.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Maryland [Mr. TYDINGS] to strike certain words from the amendment of the Senator from Nebraska [Mr. WHERRY] as modified.

Mr. MORSE. Mr. President, the debate on the Wherry amendment, with the

modification suggested by the Senator from Ohio [Mr. TAFT], has made one or two principles pretty clear.

I think it has been made clear that there is not much inclination in the Senate to levy taxes with which to pay for debt reduction.

As I understand the discussion of the Senator from Nebraska [Mr. WHERRY], and the Senator from Ohio [Mr. TAFT], what they really have in mind is to use property which the Government now owns, namely, war surplus property, and apply it on the national debt thereby enabling them to use whatever savings we can make in the expenses of administering the Government for application on a tax-reduction program. I am perfectly willing to have whatever money we may get from transferring Government surplus property into money as payments on the national debt but I do not want those sums to be used as a substitute for at least a $2,600,000,000 payment on the national debt collected through taxes.

Hence I wish to express for the RECORD my view. I think the time has come when we ought to recognize the importance of levying taxes with which to reduce the national debt. I think it is very clear from the discussion of the senior Senator from Ohio that it is his desire to reduce taxes at this time rather than reduce the national debt. It happens to be my judgment that we cannot reduce taxes at this time and make any substantial payment on the national debt. When we talk about applying income from the sale of surplus property, on the basis of the fact that the President's budget includes within the term "revenue" receipts from the sale of surplus property, I would point out that that is a misuse of the term "revenue." When we translate governmental real property, governmental tanks, or governmental property of any other type into money, all we do is to indulge in recoupment.

For example if one gives $100 to his wife to buy a piece of furniture and she spends only $80 for it and gives him back $20 he has not received $20 in new income. What he has done is recouped $20 from the $100 that he set aside for the purchase of a piece of furniture.

I have on my desk here a book belonging to the Government. I imagine it is worth about 50 cents. If the Government sells the book for 50 cents and applies the 50 cents on the national debt it has not obtained for itself any new revenue but has only engaged in a form of recoupment.

I am perfectly willing to apply the proceeds from surplus property as payments on the national debt, but in addition to that I want to maintain at least the present tax structure and take at least $2,600,000,000 of tax revenue for additional payment on the national debt. I certainly think that is the spirit of the Knowland proposal and if it is not we ought to make it so.

If we are really to reduce the national debt, as the Senator from Kentucky [Mr. BARKLEY] recently pointed out in his exchange with the Senator from Nebraska, we must tax the American people to do it. That is what the politicians do not like to do.

I think we would serve the people best in this year of great prosperity by levying taxes so that we can pay, not $2,600,000,000, but a great deal more, on the public debt. I voted for that figure in the Knowland proposal, because it was the best we could get. What we ought to be saying to the American people today is that we propose to tax them to pay, if at all possible, $10,000,000,000 on the national debt and protect the value of the American dollar. I think that if we made this issue clear to the people, they would be willing to pay about that sum on the debt if we showed good faith in eliminating unnecessary administrative costs of government.

We have now reached a point where it is proposed, because we are going to call the proceeds from the sale of surplus property revenue, to take that so-called revenue and apply it to the $2,600,000,000 involved in the Knowland amendment. I think that would be a most unfortunate fiscal policy for the Senate to adopt. I think it is our duty to inform the American people as to the great fiscal danger which confronts them today.

So, Mr. President, I would amend the amendment of the Senator from Nebraska, as proposed a few minutes ago by the Senator from Iowa [Mr. WILSON] on behalf of both of us, by changing the word "should" in the last line of the Wherry amendment to the word "shall."

The PRESIDENT pro tempore. The amendment is not in order at the present time.

Mr. MORSE. I serve notice that when it is in order, that is the amendment that I shall offer.

I close these remarks by reiterating that what the debate during the past hour and a quarter has really shown to the American people is that the design is to reduce our obligation to raise debt reduction revenue by way of taxation by applying on the National debt recoupment money obtained from trading already owned Federal property into money. If that is not juggling, if that is not indulging in fiscal gymnastics, then I have never seen that type of gymnastics.

I think that the proposal of the Senator from Nebraska [Mr. WHERRY] places form over substance. I think that the proposal of the Senator from Ohio [Mr. TAFT] has as its primary objective a book transaction by applying surplus property which is already owned by the Government as recoupment payment on the national debt. By using such surplus property recoupment payments as debt reduction credits against the $2,600,000,000 called for under the Knowland amendment then the plan will be to reduce income taxes. I think that that is pure legerdemain and I am against it because I think the American people should be told that this year they should pay a substantial sum on the national debt out of tax dollars. I do not see how we are ever going to protect the value of our dollar if we do not tax ourselves now before it is too late in order to pay a considerable sum on the national debt this year.

Mr. O'MAHONEY. Mr. President, there are two points of view involved in this debate. They have been involved in the debate from the very beginning of the discussion of the resolution which seeks to reduce the budget submitted by the President and to place a ceiling upon appropriations. Those two contrary points of view are between the Members of the Congress who believe that any excess of receipts or of revenue should be applied to the reduction of the national debt, and those who, following the lead of the chairman of the House Committee on Ways and Means and the chairman of the House Committee on Appropriations, want to preserve the largest amount of excess revenues or receipts for the reduction of taxes. Republican leadership would give tax cut for big business priority over debt reduction.

When the distinguished Senator from California [Mr. KNOWLAND] offered his amendment in the Joint Committee on the Legislative Budget to provide that at least $3,000,000,000 of revenues in excess of expenditures should be applied upon the national debt, he met the argument from Republican leaders in the House and in the Senate that if the amendment were adopted it would make it practically impossible to reduce any taxes. So in the Joint Committee on the Legislative Budget the amendment of the Senator from California was voted down.

I glory, Mr. President, in the fact that the Senator from California had the courage to carry on the fight and to bring it upon this floor, to demand that whatever excess of revenue there might be should be applied upon the national debt, at least to the extent of $3,000,000,000.

The Senator from Georgia [Mr. GEORGE] speaking upon this floor yesterday, called attention to the fact, which no one can deny, that big business interests in this country are at this moment charging "everything that the traffic will bear," instead of reducing prices so as to make it possible for the people of the United States to buy the things which they need. These great enterprises which made billions of dollars out of the war are keeping their prices up, although the facts show that their profits in 1946 were substantially greater than their profits in 1945.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I shall be very glad to yield.

Mr. HAWKES. I should like to call the Senator's attention to a fact which is so definite and certain that nobody can possibly deny it or disprove it; namely that the profits of the corporations of the United States over a number of years have not shown more than 4 to 4½ percent net over all. I shall produce some figures which are very authoritative and which will prove what I am saying. In other words, American corporations have received on hazard investment and capital only a little more and, in some cases, less, than they could have gotten in savings banks.

Mr. O'MAHONEY. Mr. President, the United States Steel Corp. for the 5 years of the war was engaged in the hazardous business of selling the product of the

steel mills to the bondholders of America, to the taxpayers of America, to the people of America. They were facing a great hazard. I will say to the Senator from New Jersey that if he will refer to Moody on Banks and Business for their monthly earnings, he will discover that the United States Steel Co.'s earnings in 1946 were about 37 percent greater than they were in 1945.

THOSE WHO PROFITED MOST FROM WAR WOULD ALSO PROFIT MOST FROM INCOME-TAX CUT

What has been transpiring here? The distinguished Senator from Ohio [Mr. TAFT] offered an amendment to perfect, as was suggested, the amendment offered by the Senator from California [Mr. KNOWLAND] by reducing the amount that could be applied upon the national debt from $3,000,000,000 as proposed by the Senator from California, to $1,000,000,000. That amendment was designed to carry out the original plan to have as large an amount as possible applied not to preserve the soundness of the bonds of the United States, not to preserve the American fiscal system, but to reduce the tax burden upon those who are paying income taxes. That was the purpose. But it was quite evident, Mr. President, that there were a sufficient number of Republican Senators in this body who, when joined by the Democratic Senators, would see to it that the amendment offered by the Senator from Ohio could not possibly prevail. The rejection of that amendment was avoided by an agreement between the Senator from California and the Senator from Ohio by which the Senator from California agreed to change his amendment from $3,000,000,000 to be applied upon the national debt to only $2,600,000,000. In consideration of that the Senator from Ohio abandoned his amendment to reduce the amount to be applied upon the national debt to only $1,000,000,000.

What happened? The Senator from Nebraska [Mr. WHERRY] offered his amendment to provide that the receipts, not the revenues, to be derived from the sale of surplus property should also be applied upon the national debt. That was a sound, straightforward, clear-thinking amendment, because this surplus property already belongs to the United States. In no sense does it constitute any revenue. It is property that belongs to the people of the United States, in the form of surplus plants, in the form of guns, in the form of clothing, in the form of trucks, automobiles, and all of the materials which were manufactured during the war in order to win the war, and in the building and making of which those who will most benefit from the reduction of income taxes made profits beyond imagination.

Mr. HAWKES. Mr. President, will the Senator yield for a moment?

Mr. O'MAHONEY. I may say that the earnings of the Bethlehem Steel Co. likewise increased, not to the same extent as those of United States Steel, but perhaps only 18 percent. I may say that the earnings of du Pont de Nemours, that top-flight company which owns many of the concentrated enterprises of America, earned 52 percent more in 1946 than in 1945. Yet Senators upon the other side of the aisle say "Let us reduce the taxes of persons and corporations whose incomes have so greatly increased."

Mr. HAWKES. Mr. President, will the Senator yield for a moment?

Mr. O'MAHONEY. Yes; I yield.

Mr. HAWKES. I merely desire to finish the statement I rose to make. It can be proved beyond all question of doubt that all the profits the Senator has been talking about, and others are talking about, are in 50-cent dollars, and they are related to real invested dollars made by sweat and toil before the era of inflation. If credit is to be given to 50-cent dollars in connection with all the labor, wage and salary demands which have been made, then credit in 50-cent dollars must be given to the profits of corporations.

Mr. O'MAHONEY. I will say to the Senator from New Jersey that unless we begin now to reduce the national debt by every single penny we can gather, the bondholders will be paying in 100-cent dollars.

Let us be realistic about it. The debt this country now faces is $259,000,000,000, after a reduction of $20,000,000,000 made during the last year by the application by the present administration of excess cash to the debt. That action by the administration reduced the national debt from $279,000,000,000 to $259,000,000,000. But, Mr. President, that $259,000,000,000—two hundred and fifty-nine thousand million dollars—is ten times greater than the debt which was accumulated to fight World War I.

O Mr. President, we adopted the policy of income-tax reduction, instead of debt reduction, during the 12 years of Harding, Coolidge, and Hoover. Five times the Congress passed an income tax reduction law. Then the depression came. In March 1933, when there was a change of administration, the national debt of the United States was above $22,000,000,000. There had been no substantial reduction of the debt. So we found ourselves plunged into depression with a national debt which made the fight against depression difficult and hazardous, indeed. But in spite of all the spending that was carried on during the fight against the depression, we entered the recent war in 1941 with a national debt of less than $50,000,000,000. Twenty billion dollars has already been paid off. Suppose only $200,000,000,000 had been added for the purpose of fighting the war. If $5,000,000,000 a year were applied upon the war debt, it would take 40 years to pay it off. What are businessmen thinking of if they imagine that there can be any profit for them in reduced taxes while we permit the national debt to stay at the tremendous pinnacle it has reached? The very system of free enterprise is at stake, Mr. President. If we permit the greedy and the narrow-minded and the selfish to drive us into reducing taxes, now that the revenues of the United States are twice as great as they were at any time during the era of Harding and Coolidge and Hoover, we shall be destroying every effort to pay off the national debt.

TO CUT INCOME TAXES BEFORE REDUCING DEBT IS TO COURT DISASTER

Ah, Mr. President, we have not yet reached peace. The distinguished Presiding Officer of this body knows how narrow is the margin and how difficult the road to achieve permanent peace among the nations of the world. If we do not achieve peace, and achieve it speedily, all this talk about income-tax reduction will be merely idle gossip, meaning nothing. If we confront another crisis, either an economic crisis within our own borders or an international crisis beyond them, while this debt remains at $259,000,000,000, it will be impossible to preserve the American system, because we cannot see revenues decline again while the debt remains at this dizzy height.

O Mr. President, the Senator from California did a noble piece of work when, by standing by his guns, he brought about the support, upon the Republican side of his amendment to apply $2,600,000,000 to the national debt. But now it is proposed by the language inserted by the Senator from Ohio, but which will be stricken out if the amendment of the Senator from Maryland is adopted, to acquire more money to reduce taxes—less for the payment of the debt and more for the reduction of taxes. I say to you, Mr. President, and I say to all other Members of the Senate, that if we follow that policy, we shall be following a policy of driving the American free enterprise system down the hill to disaster.

Mr. President, I shall do what I can to support the amendment of the Senator from Maryland, and I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Moore
Baldwin	Hatch	Morse
Ball	Hawkes	Murray
Barkley	Hayden	Myers
Brewster	Hickenlooper	O'Conor
Bricker	Hill	O'Daniel
Bridges	Hoey	O'Mahoney
Brooks	Holland	Overton
Buck	Ives	Revercomb
Butler	Jenner	Robertson, Va.
Cain	Johnson, Colo.	Russell
Capehart	Johnston, S. C.	Saltonstall
Capper	Kem	Stewart
Connally	Kilgore	Taft
Cooper	Knowland	Taylor
Cordon	Lodge	Thomas, Okla.
Donnell	Lucas	Thomas, Utah
Downey	McCarran	Thye
Dworshak	McCarthy	Tobey
Eastland	McClellan	Tydings
Ecton	McGrath	Umstead
Ellender	McKellar	Vandenberg
Ferguson	Magnuson	Watkins
Flanders	Malone	Wherry
Fulbright	Martin	White
George	Maybank	Wiley
Green	Millikin	Wilson

Mr. WHERRY. I announce that the Senator from Kansas [Mr. REED] and the Senator from Delaware [Mr. WILLIAMS] are necessarily absent, and that the Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

The PRESIDENT pro tempore. Eighty-one Senators having answered to their names, a quorum is present.

Mr. CAPEHART. Mr. President, I have been sitting here all afternoon lis-

tening to the able Senators across the aisle lecture us on this side in respect to fiscal matters. I cannot understand how any Senator on the other side of the aisle, representing an administration which for the past 14 years has known so little about financial matters, which has known so little about how to balance the budget, which has created the greatest debt in the history of the Nation, which has taxed our people the highest sums in our history, which never once in 14 years ever balanced the budget, which will go down in history as being the most expensive administration in the history of the Nation——

Mr. BARKLEY. Mr. President——

Mr. CAPEHART. I refuse to yield at the moment. I do not see how Senators can stand over there and lecture us on this side, who have been in control for less than 2 months, trying to make provision to reduce a $260,000,000,000 debt, trying in some way to give the American people a little relief from onerous and burdensome taxes, trying to unscramble the confusion and to curtail the waste and extravagance of 14 years of Democratic administration. I am satisfied that the American people, the taxpayers, those who have paid these heavy taxes during the last 14 years, and who will have to pay them for the next 100 years, are getting a great chuckle out of the debate which is proceeding in the United States Senate this afternoon.

We on this side can well take care of ourselves, and we certainly do not want to be lectured by those who themselves have been so unsuccessful for 14 years in doing what we at least are trying to do, and have only about 7 weeks in which to do it.

WATER TRANSPORTATION SERVICE FOR ALASKA

Mr. JENNER obtained the floor.

Mr. MAGNUSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Washington?

Mr. JENNER. I am glad to yield.

Mr. MAGNUSON. I wish to ask that the Senate proceed to consider an emergency measure, which will take only 5 minutes.

Mr. JENNER. I refuse to yield for that purpose, because the debate will come out of my time.

Mr. MAGNUSON. I did not mean that it should come out of the Senator's time.

The PRESIDENT pro tempore. The Senator from Washington may ask unanimous consent that this emergency matter be considered in his own time.

Mr. JENNER. Then that is all right.

The PRESIDENT pro tempore. Without objection, the Senator from Washington is recognized for that purpose.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and the Senate proceed to the consideration of Senate Joint Resolution 65.

Mr. WHERRY. Mr. President, what is the resolution?

Mr. MAGNUSON. I shall explain it.

Mr. WHERRY. Very well.

Mr. MAGNUSON. I wish to have House Joint Resolution 122 substituted for the Senate joint resolution.

The PRESIDENT pro tempore. The Senator from Washington will proceed. The House joint resolution is not available at the moment.

Mr. MAGNUSON. I saw it at the desk a few moments ago.

Mr. TAFT. I object to the unanimous-consent request.

The PRESIDENT pro tempore. Objection is made to the unanimous-consent request by the Senator from Ohio.

Mr. MAGNUSON. Mr. President, I wish to say that this is an emergency matter involving Alaskan shipping. A similar joint resolution has been unanimously passed by the House of Representatives, and unanimously reported by the Senate Committee on Interstate and Foreign Commerce. It involves the extension of the authority of the Maritime Commission to act on Alaskan shipping on the expiration of its powers, which will expire tomorrow.

The House is waiting for the Senate to act. This is a matter that was acted on unanimously by the Senate committee and is very important. Unless prompt action is taken on the joint resolution, Alaskan shipping will close down on Monday, which, of course, would cause great hardship.

Mr. TAFT. The House joint resolution is not on the desk, and we cannot take action until it is.

Mr. MAGNUSON. I wanted to make the explanation so that when I rise again there will be no objection.

The PRESIDENT pro tempore. The House joint resolution is now available, and the clerk will state it by title for the benefit of the Senate.

The CHIEF CLERK. A joint resolution (H. J. Res. 122) to authorize the United States Maritime Commission to make provision for certain ocean transportation service to and from Alaska until July 1, 1948, and for other purposes.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the House joint resolution be substituted for the Senate joint resolution and be immediately considered.

The PRESIDENT pro tempore. The first question is whether the Senate will give unanimous consent temporarily to lay aside the unfinished business for the consideration of the measure to which the Senator from Washington refers. Is there objection? The Chair hears none.

The Senator from Washington now asks that the Senate proceed to the consideration of House Joint Resolution 122, which, the Chair is advised, has been reported today by the Senate Committee on Interstate and Foreign Commerce.

Mr. MAGNUSON. I ask unanimous consent for the immediate consideration of the House joint resolution.

Mr. TAFT. Is the House joint resolution the same as the Senate joint resolution?

Mr. MAGNUSON. Exactly the same.

Mr. TAFT. And the Senate joint resolution has been unanimously approved by the Committee on Interstate and Foreign Commerce of the Senate?

Mr. MAGNUSON. Yes.

Mr. TAFT. I have no objection.

Mr. WHITE. Mr. President, the joint resolution reported by the Senate Committee on Interstate and Foreign Commerce of the Senate is identical with the measure as it passed the House save in two particulars. Two amendments were offered in the committee, which were agreeable to the proponents of the joint resolution. They were persuasive with the other members of the committee; they had the approval of the Maritime Commission, and I think I am justified in saying they had the approval of the shipping interests of the country which are concerned with the situation in the North Pacific.

The joint resolution authorizes the Martime Commission to keep in operation various vessels in the Alaskan trade. I express the hope that there may be favorable consideration of the joint resolution at this time.

The PRESIDENT pro tempore. Is there objection to the consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Interstate and Foreign Commerce with amendments.

The PRESIDENT pro tempore. The clerk will state the amendments.

The amendments of the Committee on Interstate and Foreign Commerce were stated, as follows, on page 1, line 8, after the word "arrangements" to strike out "with American citizen operators deemed by the Commission" and insert "with American citizens operating American flag-line vessels deemed by the Commission," and on page 2, line 20, after the words "by the" to strike out "Commission for the use of the privately owned vessels, and" and insert "Commission for the use of the existing privately owned vessels, and in the case of vessels acquired subsequent to the enactment of this act an amount equivalent to 15 per centum per annum of the purchase price of said vessel plus capitalized betterments, and".

The amendments were agreed to.

The PRESIDENT pro tempore. The question is on the engrossment of the amendments and the third reading of the joint resolution.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

THE LEGISLATIVE BUDGET

The Senate resumed the consideration of the concurrent resolution (S. Con. Res. 7) establishing the ceiling for expenditures for the fiscal year 1948 and for appropriations for the fiscal year 1948 to be expended in said fiscal year.

Mr. JENNER. Mr. President, I know that a freshman Senator is not supposed to think, much less talk, on the floor of this body, but I want to serve notice now on my distinguished colleagues on both

sides of the aisle that as a freshman Senator I am disgusted.

In the first place, it seems to me that there are many candidates for President on both sides of the aisle. I have heard from Senators across the aisle arguments for the reduction of the national debt in order to save our great Nation. To me, as a freshman Senator, that is refreshing, because I thought all the New Dealers had been so indoctrinated that they did not need to worry about a debt; the suggestion was the people merely owed it to themselves. So why should we be discussing here at all the reduction of the $259,000,000,000 debt, when we have been taught for the past 14 years that debt did not mean anything?

I am sorry that I even voted for the Knowland amendment; if I had an opportunity to change my vote I would do so now, because, as I see it, the attitude of the Senate, and particularly of the Senators on the other side is to prevent any debt reduction, and, furthermore, to prevent any tax reduction.

I deplore the differences which seem to be growing amongst the Senators on the other side. Their great President, whom, in spite of us, they are afraid they are going to elect for four more years, wanted to reduce the debt only $202,000,000, and yet the Senators cry their eyes out about a billion-dollar reduction proposed in the amendment of the Senator from Ohio. That is almost five times as much as President Truman wanted to reduce the debt.

I say in all sincerity, this is much ado about nothing. If we are going to reduce the debt and taxes, there is only one way to do it, and that is not to debate and discuss resolutions that show the attitude of Congress. The way to do it is by reducing the expenditures, and the way to do that is by efficiency in government. But the selfish attitude taken here indicates to me that it is going to take a tremendous effort to reduce either debt or taxes; and I say in all sincerity that to me tax reduction seems just as important as debt reduction. The tax structure imposed upon the Nation today is so burdensome that the free-enterprise system of America cannot continue if there should be the least bit of shaking of the national economy. I am afraid there are some on this floor who would not mind seeing the financial structure crumble.

I think the Nation's debt should be divided into its two proper categories. There is a debt that came about as a result of the war, and then there is another part of the debt which came about through New Deal boondoggling. I should like to see whatever funds are applied to the reduction of the debt applied in such fashion that the American people would know what they were paying, whether they were paying for a great war emergency, or whether they were paying for New Deal boondoggling.

We heard the slogan "Don't worry about the debt—you simply owe it to yourselves!"

Senators on the other side eulogized the Senator from California for his statesmanship in taking this great and noble stand. At least, if nothing has happened here by reason of these windy resolutions—that is all they are—we have converted those on the other side from the viewpoint of the New Deal to a concern about debt.

Mr. BREWSTER. Mr. President, I am happy that we have so many converts, as has been pointed out, to the philosophy of debt reduction. I am surprised that there should be any question regarding tax reduction, as I had understood that that was at least of some consequence.

In recent weeks, from both columnists and various sides, in Congress and outside, we have heard a good deal about the suggestion of a 20-percent tax reduction as being impossible in the extreme, and as something that only demagogs of the first water would dare even to suggest, particularly in a period preceding an election campaign.

Consequently I was interested to find in the records that there is distinguished sponsorship for the idea that not only can we reduce taxes by 20 percent, but that we can and should reduce taxes by 50 percent; and that particular policy was advocated on the eve of an election by none other than the Senator from Kentucky [Mr. BARKLEY] at that time the distinguished majority leader of this Chamber. I take the liberty to quote from the New York World Telegram of Friday, June 30, 1944, which, as I recall, it was an election year, the Senator was speaking in what I am sure was not an entirely nonpolitical forum, since it was before the Annual Independence Day Dinner of the Society of Tammany, in the National Democratic Club, New York.

I find this statement:

TAXES TO BE HALVED, BARKLEY ASSERTS

ALBEN W. BARKLEY, Democrat, of Kentucky, Senate majority leader and potential Democratic candidate for Vice President——

Mr. BARKLEY. Will the Senator yield?

Mr. BREWSTER. I am very happy to yield to the Senator.

Mr. BARKLEY. I am afraid that my potential candidacy was no more potential than that of the Senator from Maine.

Mr. BREWSTER. I am happy that the Senator from Kentucky refers to it, as, five times, distinguished Members on that side, beginning with the Senator from Arizona and ending with the Senator from Kentucky, have thought it proper or prudent to bring up that very matter.

Whether they think it has any relevance to existing facts, I think it would be well for at least some of the Senators to bear in mind their own potential candidacies of other years and perhaps exhibit that tenderness for political sensibility which would be justified by their own experience, when we were reliably informed that certain gentlemen were even going to retire from the Democratic Convention because of unforeseen developments that created dissension of a rather serious character. I am quite willing to drop the matter of potential candidacies of any sort, but I myself do not propose to be a target further for suggestions from that side of the Chamber, which are only aspersions upon the motives of Members of this Chamber, strictly forbidden by the rules.

I am simply reading the record.

Mr. BARKLEY. Mr. President, will the Senator yield further?

Mr. BREWSTER. If the Senator will wait a moment, I should like to finish this quotation. I shall then be happy to yield to him.

ALBEN W. BARKLEY, Democrat, of Kentucky, Senate majority leader and potential Democratic candidate for Vice President, declared last night that taxes will be reduced after the war by "at least 50 percent."

I shall be happy to have the Senator from Kentucky tell the Senate and the country when that pledge, made on the eve of the 1944 Democratic Convention, is going to be redeemed, and what he considers to be "after the war," and how the 50-percent reduction in taxes is going to be achieved.

Mr. BARKLEY. Will the Senator from Maine yield?

Mr. BREWSTER. I yield.

Mr. BARKLEY. I merely rose to suggest to the Senator that when I referred to his potential candidacy, which has been a matter of some comment in the public press and otherwise, I meant to cast no aspersions upon him. I did it merely because he had referred to what he called my potential candidacy of the past, which he did not regard as an aspersion nor as an impugnment of any motive.

I rose also to say that so far as I am concerned I intended to compliment the Senator from Maine, because I am strongly for him for the Republican nomination for Vice President. [Laughter.]

Mr. BREWSTER. I appreciate very much the sponsorship of the Senator from Kentucky. I suspect perhaps he thinks it may be the kiss of death. [Laughter.] That is not improper. I did not drag this subject in by the heels. It was only incidental to the report contained in the newspapers—in the New York World Telegram of that time. But I call the attention of the Senator from Kentucky to the fact that it was only four days ago that, when I was advocating certain measures on this floor in the debate, he dragged this particular suggestion in by the heels. It was peculiarly ungrateful—I blush when I say it—on the part of the Senator from Kentucky, because it was in 1944 that, as the Senator well knows, I gave my most enthusiastic support at a distinguished gathering to the nomination of the Senator from Kentucky for the Presidency, and now to suggest that I should retire to the Vice Presidency seems to be ingratitude in the highest degree. [Laughter.]

Mr. BARKLEY. That particular endorsement turned out to be the real kiss of death because I was not nominated.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Maryland [Mr. TYDINGS] striking out certain words from the amendment submitted by the Senator from Nebraska [Mr. WHERRY].

Mr. DONNELL. Mr. President, I think that in the debate this afternoon it is easily possible for us to overlook inadvertently the real effect of the motion made by the distinguished Senator from Maryland. I desire to address myself very briefly to his motion, as I under-

stand it, and to speak in opposition to it. I precede my remarks concerning the motion by a statement of recognition of the high ability and high integrity and high motives of my distinguished colleague from Maryland.

The motion, as I understand it, of the Senator from Maryland relates to certain language which was submitted by the distinguished Senator from Ohio [Mr. TAFT] as an amendment to the so-called Wherry proposal. It will be recalled that as a result of the action taken by the Senate this afternoon the so-called Knowland amendment was adopted in the following language:

It is the further judgment of the Congress that sound fiscal policy requires that not less than $2,600,000,000 of the excess of revenues over expenditures be applied toward reduction of the public debt during said fiscal year.

Mr. President, it will be observed that the effect of the amendment which was adopted is to agree upon the figure $2,600,000,000, or rather not less than that amount, to be applied toward the reduction of the public debt. There was then submitted by the Senator from Nebraska his amendment, which reads:

It is further declared to be the judgment of the Congress that all proceeds from the transfer or disposition of property under the Surplus Property Act of 1944, as amended, which are covered into the Treasury as miscellaneous receipts, should be applied toward reduction of the public debt.

Mr. President, it will be observed that the Senator from Ohio proceeded upon the theory and with the proper solicitude that the language offered by the Senator from Nebraska might and probably would increase by $1,000,000,000 the amount of debt retirement for which the Senate is this afternoon at least morally obligating itself. And thereupon the Senator from Ohio added, by his amendment, the language:

But any such reduction in the fiscal year 1948 may be counted as part of the $2,600,000,000 referred to in the preceding sentence.

It is this language offered by the distinguished Senator from Ohio to which the motion addressed by the eminent Senator from Maryland is directed.

Mr. President, it seems to me that a change of $1,000,000,000 by way of an increase in the amount fixed by action taken by the Senate earlier this afternoon upon the Knowland proposal is worthy of the most careful and thoughtful consideration. To my mind it is unwise to attempt by the action proposed in the Wherry amendment to increase by $1,000,000,000 the amount of retirement of obligations of debt to which the Senate would thereby obligate itself. So, Mr. President, it appears to me that the action suggested by the Senator from Ohio is sound and proper.

The motion made by the Senator from Maryland proceeds, as I understand it, at least in part, from his remarks, upon the thought that the Taft amendment in some way signifies a retreat by the Republican Party from the four and one-half billion dollars of savings below the President's budget, down to a smaller figure. I think the motion of the distinguished Senator from Maryland and my friend proceeds upon a misunderstanding or a misapprehension of the Taft amendment. The Taft amendment does not, as I read it—and I say so most respectfully—in any way amount to a retreat of one single dollar or any number of dollars below the savings contemplated to be affected by a reduction of four and one-half billion dollars in the President's budget.

In the first place, Mr. President, the four and one-half billion dollars of savings to which the Senate has already agreed in the action taken a day or so ago does not at all come from the portion of the action which is referred to by the Senator from Maryland or by the Senator from Nebraska or by the Senator from Ohio. The savings of four and one-half billion dollars below the President's budget comes from the earlier action in amending Senate Concurrent Resolution 7, which, as amended, reads as follows:

That it is the judgment of the Congress, based upon presently available information, that revenues during the period of the fiscal year 1948 will approximate $39,100,000,000 and that expenditures during such fiscal year should not exceed $33,000,000,000, of which latter amount not more than $25,100,000,000 would be in consequence of appropriations hereafter made available for obligation in such fiscal year.

Mr. President, the saving of $4,500,000,000 results by reason of the fact that the Presidential budget was $37,500,000,000 for expenditures, whereas the provision of Senate Concurrent Resolution 7, which I have just read, sets up the figure $33,000,000,000 of expenditures, a difference of $4,500,000,000. This portion of the resolution, the main portion of it so far as the extent of the language is concerned, and the first part of the resolution, as it is, is not the part at all to which either the Senator from Nebraska, the Senator from Ohio, or the Senator from Maryland addresses himself.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. DONNELL. With the consent of the Senator, I should like to complete this thought very briefly, and then I shall be glad to yield to the Senator for any questions I may be able to answer.

Mr. TYDINGS. Very well.

Mr. DONNELL. It seems to me, therefore, that the effect of carrying out what the Senator from Ohio proposes does not directly or indirectly have anything to do with the saving of $4,500,000,000. The reduction from thirty-seven and one-half billion in the President's budget to $33,000,000,000 in the Millikin amendment, as it was adopted, and therefore now in Senate Concurrent Resolution 7, still remains in effect; and nothing in neither the Wherry amendment, the Taft amendment, or the Tydings amendment would have the remotest connection with that saving of $4,500,000,000.

What is the effect of the motion made by the distinguished Senator from Maryland? It seems to me that clearly the effect of the motion, if it were to prevail, would be to strike out the Taft amendment and thereby to increase the amount of the reduction of debt upon which we have agreed this afternoon—$2,600,000,000—to an indeterminate figure which would be $2,600,000,000 plus—as the Wherry amendment provides—the proceeds from the sale of surplus property.

It is my understanding that the proceeds from the sale of surplus property are somewhere in the neighborhood of $1,000,000,000. Therefore, regardless of the excellent intention of the Senator from Maryland, the effect of the amendment which he now proposes would be to set aside the earlier action taken by the Senate this afternoon in favor of a reduction in the debt of $2,600,000,000, and substitute therefor, in all probability, a reduction for the year 1948 of $3,600,000,000.

What is the effect of the Taft amendment? As I understand—and if I am incorrect, I am sure I shall be corrected—the effect of the Taft amendment is to leave the amount of debt to be retired in 1948 at $2,600,000,000, except that if the proceeds from the sale of surplus property exceed $2,600,000,000, the amount of such proceeds from the sale of surplus property will be the amount of debt retired in 1948.

So, Mr. President, the Tydings motion proceeds upon what I deem to be the incorrect assumption that we are in some way reversing our motion up the hill, as he so dramatically and beautifully described this afternoon, and results in our coming down the hill. By reason of the fact that he is mistaken in that assumption, it seems to me that there is no reason for apprehension on the part of the Senate if we adopt the Taft amendment and reject the Tydings motion.

In the second place—and I close with this observation—its seems to me that it would be a decided mistake to adopt the Tydings amendment, because its effect would be, to say the least, to throw doubt upon whether the amount of debt to be retired is to be $2,600,000,000 or $2,600,000,000 plus approximately $1,000,000,000 of proceeds from the sale of surplus property. It seems to me that the doubt to which I have referred amounts, in fact, from the construction of the language, to a practical certainty that if the Tydings amendment were to be adopted the amount of debt reduction to which the Senate would have committed itself would be approximately $3,600,000,000, instead of $2,600,000,000, which was agreed upon only a few hours ago.

So I earnestly urge, notwithstanding the various branches into which the argument has digressed this afternoon—some of them of a more or less personal nature—that the Senate should not adopt the amendment proposed by the Senator from Maryland, but should see to it that by the adoption of the language of the amendment of the Senator from Nebraska, plus the modification suggested by the Senator from Ohio, we shall follow what we decided earlier this afternoon; namely, the figure of $2,600,000,000, with the exception that if the proceeds from the sale of surplus property exceed $2,600,000,000, the amount of such proceeds from the sale of surplus property will be the amount of debt retired in 1948.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. DONNELL. I promised to yield to the Senator from Maryland.

Mr. TYDINGS. Mr. President, has the Senator any further time? I should like to take the floor in my own right, so that I may answer the Senator and clear up any misunderstanding which may exist.

The PRESIDENT pro tempore. The Senator from Missouri has 6 minutes remaining.

Mr. TYDINGS. If the Senator will yield, I should like to ask him a question.

Mr. DONNELL. I am glad to yield.

Mr. TYDINGS. Is it the Senator's position that the $4,500,000,000 under discussion is to be gleaned from a cut in the expenses of the Government?

Mr. DONNELL. I take it that that will necessarily follow to a large extent, and perhaps entirely. But let me say that the $4,500,000,000 saving is the difference between the President's budget of thirty-seven and one-half billion and the $33,000,000,000 budget which the Senate agreed upon a few days ago.

Mr. TYDINGS. In other words, the Senator says that the expenses of the Government are to be cut by $4,500,000,000.

Mr. DONNELL. I should say that the expenditures, as stated in Senate Concurrent Resolution 7, will be $33,000,000,000 instead of $37,500,000,000, as set forth in the President's budget.

Mr. TYDINGS. We may be in agreement. What I wish to do first is to get a definition of what we are discussing. Let me ask the Senator if it is his understanding that, in addition to the $4,500,000,000 saving resulting from a cut in expenditures, another possible $1,000,000,000 is to come from the sale of war surplus property?

Mr. DONNELL. Let me state it in this way: My understanding of the resolution is that the judgment of Congress is that the revenues will approximate $39,100,000,000. I understand that the $39,100,000,000 includes approximately $1,000,000,000 of proceeds from the sale of surplus property. Then I understand that the saving which is to be effected between the President's figures and the Senate figures arises by reason of the fact that in his budget the President provided for expenditures of $37,500,000,000, whereas the Senate provided for expenditures of $33,000,000,000.

Mr. TYDINGS. Let me put it to the Senator in this fashion: Is the $1,000,000,000 of tentative receipts arising from the sale of war surplus property included in the $4,500,000,000 of savings?

Mr. DONNELL. I should say that that——

Mr. TYDINGS. Will the Senator please answer "Yes" or "No"?

Mr. DONNELL. I shall endeavor to answer the question. The $1,000,000,000 representing proceeds from the sale of surplus property is a part of the receipts or revenues; and the savings arise from the difference between expenditures and receipts. The $1,000,000,000 is not included in the expenditures. Expenditures are outlays. The $1,000,000,000 of proceeds from the sale of surplus property to which I refer is included in the receipts embraced in the $39,100,000,000.

Mr. TYDINGS. I have a very high regard for the Senator from Missouri, and I assure him that I am trying to understand his point of view as accurately as I can. Let me say to him that I am still confused. Perhaps he could clear up my confusion if he would tell me whether or not, in the $4,500,000,000 of contemplated savings set forth in the original resolution, as adopted, there is included $1,000,000,000 arising from the sale of surplus property, or whether it is not included?

Mr. DONNELL. I should say that the $1,000,000,000 from the sale of surplus property is included in the $39,100,000,000.

Mr. TYDINGS. That does not answer my question.

Mr. DONNELL. Oh, yes; it answers the question. No one can say that the saving comes from this fund or the other fund, unless the funds are earmarked for that purpose. The distinguished Senator need not assure me of his regard for me, because it is thoroughly reciprocated, and I am sure of his sincerity in proceeding here this afternoon. The answer to his question is that the saving of $4,500,000,000 is of course embraced within the thirty-nine and one-tenth billion, which includes approximately $1,000,000,000 of surplus-property proceeds.

Mr. TYDINGS. Mr. President, will the Senator further yield.

The PRESIDENT pro tempore. The time of the Senator from Missouri has expired.

Mr. TYDINGS. I wish to take time on the concurrent resolution.

The PRESIDENT pro tempore. The Senator from Maryland is recognized for 20 minutes on the concurrent resolution.

Mr. TYDINGS. Mr. President, in view of the levity indulged in a while ago, I wish to say with complete sincerity that there is no new Member of the Senate for whom I have a higher regard than I have for the Senator from Missouri, whose work I have watched for some time. I know that he is an able, sincere, and conscientious Senator and citizen. But I am confused, because if one of his premises in the argument which he just made is right, then his conclusion is wrong; or, to put it differently, if his premise is wrong, then his conclusion is also wrong.

Mr. DONNELL. Mr. President, I take it that the Senator thinks my conclusion is wrong in either event.

Mr. TYDINGS. No. It might be right if the Senator would define whether or not the $1,000,000,000 of savings resulting from the sale of war assets is included in or is excluded from the $4,500,000,000 set forth in the resolution. Surely he knows what he thinks about it. Will he tell me what he thinks about it?

Mr. DONNELL. Mr. President, it is impossible to segregate the four and one-half billion dollars into its component parts and say that so much of it comes from liquor taxes, so much from income taxes, so much from surplus-property proceeds. I repeat—and I think it is a correct answer—that the four and one-half billion dollars of savings results from the fact that instead of expending thirty-seven and one-half billion dollars of the $39,100,000,000 of revenues and receipts, under the plan agreed upon by the Senate we are to expend $4,500,000,000 less than $37,500,000,000, namely $33,000,000,000.

Mr. TYDINGS. Does the Senator consider that the sale of war surplus property to the extent of $1,000,000,000 constitutes a cut in the expenditures of the Government?

Mr. DONNELL. I would say, of course, Mr. President, that the sale of surplus property does not constitute a cut in expenditures, because the sale of the property results in an increase in the receipts.

Mr. TYDINGS. At least we have got hold of one end of the broomstick, namely, that if the $1,000,000,000 is included in the $4,500,000,000, then the savings is only three and one-quarter billion dollars.

Mr. DONNELL. I do not want to trespass upon the Senator's time, but I have not said at all that the $1,000,000,000 from the sale of surplus property is included in the four and one-half billion dollars. It is included in the $39,000,000,000; and the difference between the amounts to be received constitutes the four-and-one-half billion dollars.

Mr. TYDINGS. Now I have the complete answer of my good friend from Missouri. He does not claim that the $1,000,000,000 arising from the sale of war surplus property is within, and he does not claim it is without, the four and one-half billion dollars of proposed savings. As a matter of fact, from his remarks—and I say this with no desire to reflect on him—he has told me in so many words that he really does not know.

Mr. DONNELL. Mr. President, I beg the Senator's pardon. The surplus-property proceeds have no relation to the four and one-half billion dollars of savings. The $1,000,000,000 of proceeds from sale of surplus property goes into the receipts of $39,100,000,000. Under the plan proposed by the President, we were to expend $37,500,000,000. The $39,100,000,000, of course, includes the proceeds from the sale of surplus property. The Senate has decided that instead of spending $37,500,000,000 we are to expend only $33,000,000,000; and the savings will result by reason of that decision.

Let me say, if it will in any sense answer the Senator, that of course the more receipts that come in the greater the savings, and that the savings can be made greater and are greater by reason of the fact that the surplus-property receipts are contained therein. But the savings themselves consist merely of the difference between receipts and expenditures.

Mr. TYDINGS. I think the Senator, at the last try, has pretty well answered my question. At least he has given me the information which I wanted, but which perhaps I did not ask for in such fashion as to elicit it before, namely, that by a reduction in expenditures from $37,500,000,000 to $33,000,000,000 it is contemplated that there will be a saving of $4,500,000,000; and in addition, if there shall be receipts from the sale of war property such as are contemplated there will be a saving of $4,500,000,000; and in addition there will be receipts from the sale of war property which it is estimated will amount to approximately

$1,000,000,000. Therefore the Senator now proposes, as I understand the argument he makes, to reduce to the extent of $2,600,000,000 the amount that would have been applied to the payment of the war debt from the savings of $4,500,000,000. He proposes to reduce that by another billion dollars by taking out of the war surplus fund a billion dollars to be applied to payment on the national debt; so the net effect is that the amendment offered by the Senator from California contemplates that of the $4,500,000,000 of savings resulting from cutting the expenditures of the Government, $2,600,000,000 shall be applied to the national debt. By the adoption of the Taft amendment, if $4,500,000,000 is cut from the expenses of the Government, only $1,600,000,000 shall be applied to the payment of the national debt and $3,000,000,000, twice as much, shall be applied perhaps to tax reduction.

In order to perform on the trapeze and still pay something on the debt and make it appear that there is to be a $2,600,000,000 payment on the debt, by taking the money we already have out of one pocket and transferring it to another we keep up the illusion of paying $2,600,000,000 on the debt, when, as a matter of fact, what the resolution proposes to do is to pay only $1,600,000,000 on the debt. If the House should cut expenses by $6,000,000,000 we shall have in that category $4,400,000,000 for tax reduction and $1,600,000,000 for debt payment. That is the theory of the Taft amendment.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. TAFT. Is the Senator really serious? Is he unable to understand the difference between an asset and a liability?

Mr. TYDINGS. I hope I can understand the difference.

Mr. TAFT. Or is the Senator deliberately trying to confuse the Senate?

Mr. TYDINGS. No; I am not. I never was more serious.

Mr. TAFT. The Senator's statement is so absolutely impossible of comprehension that I cannot understand it at all.

Mr. TYDINGS. Mr. President, how much time have I left?

The PRESIDENT pro tempore. The Senator has 8 minutes remaining.

Mr. TYDINGS. I yield to the Senator, but I ask him not to make too long an argument in my time, because obviously I want an opportunity to answer him.

Mr. TAFT. The $4,500,000,000 comes out of various items—legislative, judicial, and executive. It comes out of the expenditures which the President intends to make. It has no relation whatever to surplus property.

Mr. TYDINGS. I agree with the Senator.

Mr. TAFT. If the Senator from Maryland agrees with that, then in no way is the figure $4,500,000,000 reduced to $3,000,000,000.

Mr. TYDINGS. There is no figure of $3,000,000,000 here; it is $2,600,000,000, if I understand correctly.

Mr. TAFT. The Senator's whole argument was that the amendment reduced the proposed budget cut from $4,500,000,000 to $2,600,000,000. Now I take it that the Senator recedes from that position.

Mr. TYDINGS. No; I do not; and I ask the Senator this question: If his contention is correct, and if this amendment does not take money from the receipts and use it for debt reduction, then why does he offer his amendment? Why does not he let the amendment of the Senator from California and the amendment of the Senator from Nebraska stand, without saying that such receipts shall be applied to debt reduction, if his contention is as he has stated?

Mr. TAFT. The effect of the amendment is perfectly clear. It is that from the total receipts of $39,000,000,000, we shall apply $2,600,000,000 to reduction of the debt. That is what the Senate decided earlier this afternoon.

If the Senate now strikes out these words and requires the application of these particular receipts to the debt, in addition to the $2,600,000,000, that will call for the application of $3,600,000,000 to the debt, which is not what the Senate wishes to do at this moment or what it wished to do earlier this afternoon.

The only effect of the Wherry amendment is to leave the $2,600,000,000 exactly where it is. If the sale of surplus property exceeds $2,600,000,000, and is $3,000,000,000 or $4,000,000,000, then $3,000,000,000 or $4,000,000,000 will have to be applied to the debt.

Mr. TYDINGS. I understand the Senator's position.

Mr. President, if I may have the attention of the Senator from California and the Senator from Nebraska, let me take the time remaining to me to ascertain whether what we started out to do will really be done. In the joint meeting of the two committees, the Senator from California offered a proposal that $3,000,000,000 of any savings must be applied on the debt. I supported him in the joint committee, and I also supported him on the floor of the Senate. In the Senate his amendment, after some modification, was finally adopted, carrying the figure $2,600,000,000.

Then the Senator from Nebraska rose and offered his amendment, namely, that the receipts arising from any sale of war surplus property in 1948 should likewise be applied on the national debt. It was the supposition, I believe, of the Senator from Nebraska—and as a result of his colloquy with the Senator from Ohio it was certainly the supposition of those on this side of the aisle—that in addition to the $2,600,000,000 of savings effected by the Congress which would come under this resolution, all receipts from the sale of war surplus property were likewise to be applied to the national debt. Then there was a colloquy between the eminent Senator from Nebraska and the able Senator from Ohio on that point, showing that there was a misunderstanding; and then I did not know whether the Senator from Nebraska had gone over to the point of view of the Senator from Ohio or not.

Mr. WHERRY. Mr. President, will the Senator yield to me?

Mr. TYDINGS. First I yield to the Senator from California who rose first; and then I shall yield to the Senator from Nebraska.

Mr. KNOWLAND. Mr. President, I simply say to my able colleague, the senior Senator from Maryland, that if he will recall what took place in our joint legislative committee hearings, he will remember that section 6 of the committee report, appearing on page 9, which we had before us on that particular day, contains language reading as follows, which was presented to us by the subcommittee:

> The committee recommends that a portion of the excess receipts over expenditures be applied on the public debt.

At that time in the committee I offered an amendment to change that language so as to read:

> The committee recommends that not less than $3,000,000,000 of the estimated excess receipts over expenditures be applied to the public debt.

So the provision, as thus stated, called for the application to the public debt of $3,000,000,000 of the excess of receipts over expenditures.

As I understand, the estimated receipts from the sale of surplus property appear in the list of receipts into the Treasury, under the heading "Miscellaneous receipts." So I do not see that the amendment of the Senator from Nebraska changes the legislative intent as expressed here today, because in no event will less than $2,600,000,000 of the excess be applied on the debt.

The only possible change which the amendment of the Senator from Nebraska, as modified by the amendment of the Senator from Ohio, can have is that if $3,000,000,000 worth of surplus property is sold in 1 year or if $4,000,000,000 of surplus property is sold in 1 year, the payments on the Federal public debt will be either $3,000,000,000 or $4,000,000,000 rather than $2,600,000,000.

For that reason, I am delighted to accept the amendment of the Senator from Nebraska.

Mr. TYDINGS. Mr. President, perhaps I can develop the difference that has arisen by asking the Senator a question; and I ask him to give a short answer to it, rather than a long one. My question is as follows: In the event the sale of surplus property amounts to $2,600,000,000, how much of the $4,500,000,000 saved by cutting expenses will then be applied to the payment of the national debt?

Mr. WHERRY. Mr. President——

Mr. TYDINGS. I ask the Senator from Nebraska to wait a moment, please.

Mr. WHERRY. Does the Senator ask me the question?

Mr. TYDINGS. No; I ask it of the Senator from California.

Mr. WHERRY. Oh; I beg the Senator's pardon.

Mr. KNOWLAND. I would say to the Senator——

Mr. TYDINGS. I ask the Senator from California to give me a brief answer to that question.

Mr. KNOWLAND. Just a moment, Mr. President. If the Senator from Maryland is going to ask me a question, I do

not wish to be asked to reply to a question similar to the one, "Have you stopped beating your wife? Answer 'Yes' or 'No.' "

Mr. TYDINGS. There is no "have you stopped beating your wife?" to this question. I repeat my question: If the sale of war-surplus property brings into the Treasury $2,600,000,000, and if the budget cuts amount to $4,500,000,000, how much of the $4,500,000,000 will then be applied to making payments on the national debt?

Mr. KNOWLAND. I say to the Senator from Maryland that in that event the situation will not be changed one iota from what it would have been if the Senator from Nebraska had never offered his amendment, because if $2,600,000,000 comes into the Treasury, instead of the $1,000,000,000 estimated, the receipts into the Treasury will merely be that much greater. So that will not change the situation or make one iota of difference in regard to the $4,500,000,000 of savings.

Mr. TYDINGS. Mr. President, the Senator from California has answered my question. The answer could have been given in one sentence, thus: In that event all the $4,500,000,000 will be available for tax reduction; and none of it, under this resolution, will be used to make payments on the national debt.

The original proposition of the Senator from California in the joint committee—and I now use his own words—was as follows:

> Mr. Chairman, I propose that $3,000,000,000 of any savings be applied to the liquidation of the national debt.

Mr. KNOWLAND. Mr. President, I do not like to dispute what has been said by my friend the Senator from Maryland, but I must say that I now hold in my hand the very paper which was presented to us on that day, on which I myself wrote the language of the amendment which I then proposed, and which I have since proposed in the Senate of the United States. It reads as follows:

> The committee recommends that not less than $3,000,000,000 of the estimated excess receipts over expenditures be applied to the public debt.

Mr. TYDINGS. I did not read the Senator's resolution, but I remember the words he used. Probably he used the words inadvertently. He will recall that I met him on the way out, and I told him I felt that if we could save $3,000,000,000 I should support his proposition.

The net result, after this long debate, is that at least we have this figure—namely, that if the sale of war surplus property brings into the Treasury $2,600,000,000, and if there is a $4,500,000,000 cut in expenses, there will not be any payment on the national debt larger than $2,600,000,000, and all the rest of the $4,500,000,000 will be available for any other purpose for which the Congress may wish to use it. That is what I have been trying to develop for the last 15 minutes.

Mr. KNOWLAND. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. KNOWLAND. The point is that under the amendment which the Senate adopted today by unanimous consent, it is provided that "not less than $2,600,000,000," and so forth. The Senate and the Congress still have in their hands the power to say how much, if any, tax reduction will be given, and we have within our control power to make a tax reduction, let us say for the sake of argument, of $1,000,000,000.

The PRESIDENT pro tempore. The time of the Senator from Maryland has expired.

Mr. KNOWLAND. The difference could be applied to the debt.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Maryland [Mr. TYDINGS] amending the amendment offered by the Senator from Nebraska [Mr. WHERRY].

Mr. TYDINGS. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	Morse
Baldwin	Hawkes	Murray
Ball	Hayden	Myers
Barkley	Hickenlooper	O'Conor
Brewster	Hill	O'Daniel
Bricker	Hoey	O'Mahoney
Bridges	Holland	Overton
Brooks	Ives	Revercomb
Butler	Jenner	Robertson, Va.
Cain	Johnson, Colo.	Russell
Capehart	Johnston, S. C.	Saltonstall
Capper	Kem	Stewart
Connally	Kilgore	Taft
Cooper	Knowland	Taylor
Cordon	Lodge	Thomas, Utah
Donnell	Lucas	Thye
Dworshak	McCarran	Tobey
Eastland	McCarthy	Tydings
Ecton	McClellan	Umstead
Ellender	McGrath	Vandenberg
Ferguson	McKellar	Watkins
Flanders	Magnuson	Wherry
Fulbright	Martin	White
George	Maybank	Wiley
Green	Millikin	Wilson
Gurney	Moore	

The PRESIDENT pro tempore. Seventy-seven Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Maryland [Mr. TYDINGS] to strike certain words from the amendment offered by the Senator from Nebraska [Mr. WHERRY], which will be stated.

The CHIEF CLERK. It is proposed to strike from the Wherry amendment, as modified, the words "but any such reduction in the fiscal year 1948 may be counted as part of the $2,600,000,000 referred to in the preceding sentence."

Mr. TYDINGS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. HATCH. On this vote my colleague the junior Senator from New Mexico [Mr. CHAVEZ] is unavoidably detained. He would vote "yea" if present.

Mr. WHERRY. I announce that the Senator from Kansas [Mr. REED] is necessarily absent and has a general pair with the Senator from New York [Mr. WAGNER], who is necessarily absent.

The Senator from Delaware [Mr. WILLIAMS] is necessarily absent.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate on state business.

The Senator from Wyoming [Mr. ROBERTSON] is necessarily absent on state business.

The Senator from South Dakota [Mr. BUSHFIELD] and the Senator from Delaware [Mr. BUCK] are necessarily absent; the Senator from New Jersey [Mr. SMITH] is absent because of illness; and the Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

Mr. LUCAS. I announce that the Senator from Virginia [Mr. BYRD] and the Senator from Arizona [Mr. MCFARLAND] are absent on official business.

The Senator from California [Mr. DOWNEY] and the Senator from Oklahoma [Mr. THOMAS] are unavoidably detained.

The Senator from Connecticut [Mr. MCMAHON], the Senator from Florida [Mr. PEPPER], and the Senator from Alabama [Mr. SPARKMAN] are detained on public business.

The Senator from New York [Mr. WAGNER] is necessarily absent.

If present and voting, the Senator from Connecticut [Mr. MCMAHON], the Senator from Florida [Mr. PEPPER], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Oklahoma [Mr. THOMAS] would vote "yea."

The Senator from New York [Mr. WAGNER] has a general pair with the Senator from Kansas [Mr. REED].

The vote was recapitulated.

The PRESIDENT pro tempore. On this vote the yeas are 38, the nays——

Mr. TYDINGS. Mr. President, I ask for a recapitulation.

The PRESIDENT pro tempore. The Clerk will recapitulate the vote.

The vote was again recapitulated.

The PRESIDENT pro tempore. On this vote the yeas are 38——

Mr. TAYLOR. Mr. President——

Mr. TAFT. It is too late, Mr. President.

Mr. TYDINGS. Oh, no; it is not. The result has not been announced.

The PRESIDENT pro tempore. The Senator from Idaho is recognized.

Mr. TAYLOR. I vote "yea."

The result was announced—yeas 39, nays 38, as follows:

YEAS—39

Aiken	Holland	Myers
Barkley	Johnson, Colo.	O'Conor
Connally	Johnston, S. C.	O'Mahoney
Cooper	Kilgore	Overton
Eastland	Lucas	Robertson, Va.
Ellender	McCarran	Russell
Fulbright	McClellan	Stewart
George	McGrath	Taylor
Green	McKellar	Thomas, Utah
Hatch	Magnuson	Tobey
Hayden	Maybank	Tydings
Hill	Morse	Umstead
Hoey	Murray	Wilson

NAYS—38

Baldwin	Ecton	Millikin
Ball	Ferguson	Moore
Brewster	Flanders	O'Daniel
Bricker	Gurney	Revercomb
Bridges	Hawkes	Saltonstall
Brooks	Hickenlooper	Taft
Butler	Ives	Thye
Cain	Jenner	Vandenberg
Capehart	Kem	Watkins
Capper	Knowland	Wherry
Cordon	Lodge	White
Donnell	McCarthy	Wiley
Dworshak	Martin	

NOT VOTING—18

Buck	McFarland	Smith
Bushfield	McMahon	Sparkman
Byrd	Malone	Thomas, Okla.
Chavez	Pepper	Wagner
Downey	Reed	Williams
Langer	Robertson, Wyo.	Young

So Mr. TYDINGS' amendment to Mr. WHERRY's amendment was agreed to.

The PRESIDENT pro tempore. The question recurs on agreeing to the amendment offered by the Senator from Nebraska [Mr. WHERRY] as amended by the amendment just agreed to.

Mr. TYDINGS. Mr. President, I move to reconsider the vote by which my amendment was agreed to.

Mr. LUCAS. I move to lay that motion on the table.

The PRESIDENT pro tempore. The Senator from Maryland moves to reconsider the vote.

Mr. TAFT. On that motion I ask for the yeas and nays.

The PRESIDENT pro tempore. The Senator from Ohio asks for the yeas and nays on the motion to reconsider.

Mr. BARKLEY. On the motion to table.

The PRESIDENT pro tempore. The Chair has not yet received the motion to table. The yeas and nays are requested. Is the demand sufficiently seconded? Evidently it is. The clerk will call the roll on the question of reconsidering the vote by which the amendment of the Senator from Maryland was agreed to.

Mr. BARKLEY. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Kentucky will state it.

Mr. BARKLEY. Upon the offering of the motion to reconsider the vote made by the Senator from Maryland, the Senator from Illinois rose and moved to lay on the table the motion of the Senator from Maryland.

The PRESIDENT pro tempore. The Senator from Illinois did, without being recognized.

Mr. BARKLEY. The Chair did not recognize him?

The PRESIDENT pro tempore. The Chair did not.

Mr. RUSSELL. I now move to lay on the table the motion of the Senator from Maryland [Mr. TYDINGS].

The PRESIDENT pro tempore. The yeas and nays have been ordered.

Mr. TYDINGS. I withdraw my motion.

The PRESIDENT pro tempore. The Senator from Georgia is entitled to move to lay the motion on the table.

The question is on agreeing to the motion of the Senator from Georgia to lay on the table the motion to reconsider.

Mr. BARKLEY and Mr. BRIDGES asked for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. WHERRY. I announce that the Senator from Kansas [Mr. REED] is necessarily absent and has a general pair with the Senator from New York [Mr. WAGNER] who is necessarily absent.

The Senator from Delaware [Mr. WILLIAMS] is necessarily absent.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate on state business.

The Senator from Wyoming [Mr. ROBERTSON] is necessarily absent on state business.

The Senator from South Dakota [Mr. BUSHFIELD] and the Senator from Delaware [Mr. BUCK] are necessarily absent; the Senator from New Jersey [Mr. SMITH] is absent because of illness; and the Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

Mr. LUCAS. I announce that the Senator from Virginia [Mr. BYRD] and the Senator from Arizona [Mr. MCFARLAND] are absent on official business.

The Senator from California [Mr. DOWNEY] is unavoidably detained.

The Senator from Connecticut [Mr. MCMAHON], the Senator from Florida [Mr. PEPPER], and the Senator from Alabama [Mr. SPARKMAN] are detained on public business.

The Senator from New York [Mr. WAGNER] is necessarily absent.

If present and voting, the Senator from Connecticut [Mr. MCMAHON], the Senator from Florida [Mr. PEPPER], and the Senator from Alabama [Mr. SPARKMAN] would vote "yea."

The Senator from New York [Mr. WAGNER] has a general pair with the Senator from Kansas [Mr. REED].

Mr. HATCH. I am authorized to state that my colleague [Mr. CHAVEZ], who is unavoidably detained, would vote "yea" if present.

The result was announced—yeas 40, nays 38, as follows:

YEAS—40

Aiken	Johnson, Colo.	O'Mahoney
Barkley	Johnston, S. C.	Overton
Connally	Kilgore	Robertson, Va.
Cooper	Lucas	Russell
Eastland	McCarran	Stewart
Ellender	McClellan	Taylor
Fulbright	McGrath	Thomas, Okla.
George	McKellar	Thomas, Utah
Green	Magnuson	Tobey
Hatch	Maybank	Tydings
Hayden	Morse	Umstead
Hill	Murray	Wilson
Hoey	Myers	
Holland	O'Conor	

NAYS—38

Baldwin	Ecton	Millikin
Ball	Ferguson	Moore
Brewster	Flanders	O'Daniel
Bricker	Gurney	Revercomb
Bridges	Hawkes	Saltonstall
Brooks	Hickenlooper	Taft
Butler	Ives	Thye
Cain	Jenner	Vandenberg
Capehart	Kem	Watkins
Capper	Knowland	Wherry
Cordon	Lodge	White
Donnell	McCarthy	Wiley
Dworshak	Martin	

NOT VOTING—17

Buck	McFarland	Smith
Bushfield	McMahon	Sparkman
Byrd	Malone	Wagner
Chavez	Pepper	Williams
Downey	Reed	Young
Langer	Robertson, Wyo.	

So the motion to lay on the table was agreed to.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Nebraska [Mr. WHERRY] as amended.

RECESS TO MONDAY

Mr. WHITE. Mr. President, I move that the Senate stand in recess until 12 o'clock noon on Monday next.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Maine that the Senate take a recess until 12 o'clock noon on Monday next.

Mr. LODGE. Mr. President, I should like to propound a unanimous-consent request. I ask unanimous consent that I be recognized at the convening of the session on Monday.

The PRESIDENT pro tempore. A unanimous-consent agreement has been entered into covering the limitation of time. The Chair will recognize the Senator from Massachusetts now, and he may yield, which is the usual practice, so the Senator from Maine can make his motion to recess.

Mr. TOBEY and Mr. BUTLER addressed the Chair.

The PRESIDENT pro tempore. The motion of the Senator from Maine is not debatable. The question is on the motion of the Senator from Maine that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 26 minutes p. m.) the Senate took a recess until Monday, March 3, 1947, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 28 (legislative day of February 19), 1947:

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Eugene R. Black, of New Jersey, to be United States executive director of the International Bank for Reconstruction and Development for a term of 2 years and until his successor has been appointed.

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America:

Patten D. Allen, of New York.
Carlos C. Hall, of Arizona.
John A. Hopkins, of Iowa.
Robert P. Joyce, of California.
C. Montagu Pigott, of California.
Arthur T. Thompson, of Iowa.
Harry R. Turkel, of California.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

Raymond F. Courtney, of Delaware.
Dennis A. Flinn, of Illinois.
William M. Gibson, of New York.
John Gordon Mein, of Kentucky.
Randall S. Williams, Jr., of New York.

Henry A. Hoyt, of California, for appointment as a Foreign Service officer of class 5, a consul, and a secretary in the diplomatic service of the United States of America.

Roy T. Davis, Jr., of Maryland, for appointment as a Foreign Service officer of class 5, a vice consul of career, and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Robert G. Bailey, of New Jersey.
Charles G. Stefan, of California.

SUPREME COURT OF PUERTO RICO

Borinquen Marrero Rios, of Puerto Rico, to be associate justice of the Supreme Court of Puerto Rico, vice Hon. Jorge Luis Cordova Diaz, resigned.

COLLECTOR OF CUSTOMS

James R. Wade to be collector of customs for customs collection district No. 45, with headquarters at St. Louis, Mo. (Reappointment.)

APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES

TO BE PROFESSOR OF ORDNANCE AT THE UNITED STATES MILITARY ACADEMY, WITH RANK FROM DATE OF APPOINTMENT

Col. John Will Coffey (lieutenant colonel, Ordnance Department), Army of the United States.

IN THE MARINE CORPS

The following-named officers to be second lieutenants in the Regular Marine Corps:

Eugene J. Ambrosio	James W. McIlwain
Robert S. Anderson	John D. McLaughlin
Herbert J. Bain	Merrill J. Melton
Frederick W. Baker, Jr.	Charles A. Meyer
Neil E. Barber	Rex Z. Michael, Jr.
Foster W. Blough	Jack L. Miles
Norman H. Bryant	Lester Miller
Lyle W. Bullard	Roland E. Miller
Thomas R. Burns	Mason H. Morse
Harrison M. Butler	Herbert A. Moses
John W. Carraway	Stanley A. Myzienski
James G. Costigan	John H. Papurca
Charlie J. Dunkley	Joseph A. Piedmont, Jr
Frank M. Fitzpatrick, Jr.	Ollie B. Porter
Homer D. Frison	Charles A. Read
Melvin K. Green	Augustine B. Reynolds, Jr.
Richard P. Grey	Edward L. Roberts
Robert Hall	George C. Schmidt, Jr.
Ernest C. Hargett	Clarence R. Stanley
LeRoy C. Harris, Jr.	Richard E. Stansberry
Joe L. Hedrick	Charles S. Stribling
William J. Heepe	Alfred C. Taves
Hermann Heinemann	David S. Taylor
John V. Huff	Earl W. Thompson
Clarence M. Hurst	Owen I. Thompson
James D. Jordan	Homer E. Tinklepaugh
Jack F. Kelly	William P. Vaughan
James F. King	Alan J. Warshawer
Harold R. Kurth, Jr.	James O. Webb
George E. Leppig	Marshall A. Webb, Jr.
Alan E. Lowry	Edgar D. Webber
Henry A. Maas, Jr.	William S. Witt
James P. Mariades	Edward A. Wilcox
Walter D. Maskall	Wallace L. Williamson
John C. McClelland, Jr.	Kermit M. Worley
Robert H. McCormick	John R. Wyatt, Jr.
Burd S. McGinnes	

WITHDRAWALS

Executive nominations withdrawn from the Senate February 28 (legislative day of February 19), 1947:

POSTMASTERS

Mrs. Sara Devine to be postmaster at Copper City in the State of Michigan.

Mrs. Helen D. Burbridge to be postmaster at Alligator in the State of Mississippi.

HOUSE OF REPRESENTATIVES

FRIDAY, FEBRUARY 28, 1947

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Touch that strange power within us, O God, that will steel our faith in Thee by a settled and a steadfast will. Make us invincible in the presence of every temptation, counting no struggle too great and no sacrifice too costly to fulfill Thy law and our obligation to the Republic. Make us great in mind, strong in principle, pure in spirit, and, above all, enlarge our capacity for joy, for service, and for the consideration of all men. Bless us with the virtues of resistance and restraint, for these give form and force to blameless character. Dignify this day with duty wisely performed, for herein lies true nobility of soul. O blow, ye winds, and fill the sails of our great Ship of State, and send us on and on to our ultimate task and our final triumph. In Jesus' name. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. REED of New York asked and was given permission to extend his remarks in the RECORD in three instances; in one to include an address by Hon. Herbert Hoover; another relating to the shortage of copper; and another relating to the budget; and to include therein an article appearing in the Times-Herald this morning.

Mr. GRAHAM asked and was given permission to extend his remarks in the RECORD and include a short editorial.

PERMISSION TO ADDRESS THE HOUSE

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. WHITTINGTON addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. HOWELL asked and was granted permission to extend his remarks in the RECORD and include a copy of a letter written by John McCann, president of the International Union, Progressive Mine Workers of America, to Hon. ROBERT A. TAFT.

Mr. SEELY-BROWN asked and was granted permission to extend his remarks in the RECORD and include certain printed material.

Mr. STEVENSON asked and was granted permission to extend his remarks in the RECORD and include an editorial from the La Crosse Tribune, of La Crosse, Wis.

Mr. SMATHERS (at the request of Mr. SIKES) was granted permission to extend his own remarks in the RECORD.

SPECIAL ORDER GRANTED

Mr. SADOWSKI. Mr. Speaker, I ask unanimous consent that today, after the conclusion of the regular business and any other special orders heretofore granted, I may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ARMED FORCES IN KOREA

Mr. OWENS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. OWENS. Mr. Speaker, I have just received a letter from a man in Chicago whose son is a soldier in Korea. He enclosed with his letter an article from the Chicago Daily News of February 22, 1947, which he says is a letter from a GI which expresses the thoughts of his son and other boys in Korea.

The letter follows:

Who is it that said the American Army is the best-fed, best-clothed, and best-supplied army in the world? That person should visit the Army camps in Korea.

Conditions here are definitely not good. The food is poor and insufficient, the heating is bad, baths are taken out of our helmets, the PX is poorly supplied, and the lighting is not good.

Is this the peacetime Army or the wartime Army? There is no excuse for poor conditions like this in a United States Army camp, even if it is in far-away Korea.

We are here to do a job in the occupation army. We can't do this job if we are unable to live like men. We're not animals but men. We're the brothers of you men and women that live in the finest country in the world and deserve better living conditions.

Please publish this letter. The public must know how their Army is being treated.

A GI IN KOREA.

I submit our Army has had plenty of money to take care of a matter like this. Our boys should receive the best treatment in Korea, not only because it is just and right but because it will act as a good example to the people of Korea, to whom we are trying to present a picture of our American way of life. If we cannot take care of our boys over there, then let us bring them home from Korea.

The SPEAKER. The time of the gentleman from Illinois [Mr. OWENS] has expired.

APPROPRIATIONS FOR SMALL AIRPORTS

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I want to call attention to a telephone conversation I have just had with some people representing the smaller airports in my district. There is a rumor abroad that some gentlemen in another body not very far from here, at the other end of the Capitol, are desirous of taking away $45,000,000 that was given the Civil Aeronautics Administration, that was intended to be allotted to the small airports of the country, the small communities of this country; this would take that money into the big airfields of the large cities such as Washington, New York, Chicago, Boston, and so forth. When it comes to the big boys getting the money for the big cities of this country and taking it away from all of our small communities, we should just let them know that we are here to fight. We are not going to let them take that money already appropriated from the small communities, where it belongs, where it was appropri-

ated to assist in an effort to promote aviation all over the United States, and give it to the great cities. It is not right. It is not just, and we will not permit it.

I am for the smaller airfields in this $79,000,000 appropriation of the Seventy-ninth Congress, to be awarded in accordance with the act as the Civil Aeronautics Administration is supposed to award the money and in accordance with the agreements already made by the Department, so that many smaller airports can be built in small communities and that other airports already in existence can be improved. I am for the small towns as against the great large city airports. I am for the small businessman as against the great large corporations. I am for the small airports to get a start. Let us build up aviation all over the country in every town that is willing to maintain and support an airport. He who strives to divert these funds will come to grief, let me warn you now. If the bill was right last year it still is good legislation.

The SPEAKER. The time of the gentleman from Pennsylvania [Mr. RICH] has expired.

EXTENSION OF REMARKS

Mr. KLEIN asked and was given permission to extend his remarks in the Appendix of the RECORD and include a memorandum prepared by the New York Housing Authority.

Mr. RIVERS asked and was given permission to extend his remarks in the RECORD and include a statement by the American Medical Association.

Mr. FORAND asked and was given permission to extend his remarks and include an editorial.

Mr. LANDIS asked and was given permission to extend his remarks in the RECORD and include excerpts from letters and other material.

Mr. FOOTE asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter on the subject of the Federal income tax.

AMENDING THE HOUSING ACT TO MEET INCREASED COSTS

Mr. KLEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KLEIN. Mr. Speaker, I have introduced a joint resolution today amending the United States Housing Act of 1937 by exempting certain contract and cost limitations. This applies to low-income housing projects which I am sure are being built or have been contracted for throughout the country. With building costs rising so extremely high it is impossible to complete these projects based upon contracts made in 1937. My resolution would amend the act so that new contracts can be made at today's prices so that these projects may be continued to completion. The localities and cities where they are under construction cannot finance these projects themselves. It is up to the Federal Government to help out, so that the veterans and others who have no homes may be adequately housed.

Under leave to extend my remarks in the Appendix of the RECORD, I have inserted a memorandum explaining my resolution. I trust the Members will read it.

THE FERTILIZER SHORTAGE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I desire to endorse what my distinguished colleague from Mississippi [Mr. WHITTINGTON] said a few moments ago.

The people in this country who as a rule sent the largest percentage of their sons to the war were the farmers. Very few of them are exempted.

Those sons are back home now trying to work. They are not asking for sit-down money, and the majority of them cannot go to college. As a rule they are not engaged in any job training. They are back at home at work, and I am opposed to taking fertilizer away from the American farmers and sending it to other countries throughout the world.

While I am on the subject I want to say to you that I am opposed to going down into the pockets of the American taxpayers to get money to feed and clothe every lazy lout from Tokyo to Timbuktu and taking away from our farmers the fertilizer necessary to enable them to make a crop.

Let us look after the American people first.

PROGRAM FOR THE WEEK OF MARCH 3

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute in order that I may ask the gentleman from Indiana [Mr. HALLECK] what we may expect as a program for next week.

Mr. HALLECK. I will be glad to respond to the gentleman's suggestion. This statement as to what the program will be for next week will depend upon certain committee actions which I think probably will come along so that these matters can be reached.

On Monday we will call the Consent Calendar. There are a number of bills on this calendar. We want to take care of them.

On Tuesday we will call the Private Calendar, and in addition it is hoped we can call up H. R. 2102, a bill from the Committee on Agriculture providing a 6 months' extension and final liquidation of the farm labor-supply program. We also shall consider House Resolution 118, reported by the Rules Committee, to give the Committee on Expenditures certain investigatory powers.

It is our plan to adjourn from Tuesday to Thursday.

On Thursday, if the bill is reported and the rule granted, we propose to take up House Joint Resolution 140, to restore to the now designated "Boulder Dam" the name "Hoover Dam," which it originally carried. We also hope to call up H. R. 1327, which has been reported by the Veterans' Affairs Committee, providing for a renewal of the 5-year level-premium term insurance for veterans. Also on Thursday we hope to call up House Resolution 120, which is before the Rules Committee, a resolution to authorize the Committee on Veterans' Affairs to carry on certain investigations.

Unless something unforeseen should develop, it is our plan to adjourn from Thursday to Monday.

Mr. RAYBURN. I thank the gentleman.

THE BOXCAR SHORTAGE

Mr. O'HARA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. O'HARA. Mr. Speaker, one of the most alarming conditions in the country is the boxcar shortage. Because of this shortage, and because proper consideration has not and is not being given to diverting sufficient boxcars for the movement of high-moisture corn before mild weather commences, between 100,000,000 and 200,000,000 bushels of this corn in the Midwest and Northwest is about to spoil. As a matter of fact, I have recently received a sample of corn showing that some of it is in a highly moldy condition.

In addition to the general shortage of boxcars, one of the principal difficulties has been that the boxcars which belong to railroads of the Midwest and Northwest are being used in other parts of the country and are not being returned. On February 4 I called a conference of the Members of Congress from six of the Midwest States to meet with Mr. W. C. Kendall and Mr. R. V. Fletcher, president of the Association of American Railroads, in an effort to get some action on this matter. Subsequent to that meeting I was assured by Mr. Kendall that the boxcars necessary would be provided. However, from very recent information I have received, it appears that the boxcar situation has not improved to any appreciable degree.

I charge that it is the responsibility of those in authority, from President Truman down, to see that the necessary boxcars are provided in time to move this high-moisture corn so that it is not lost to the American people and a starving world.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

EXTENSION OF REMARKS

Mr. McCORMACK asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. TOLLEFSON asked and was given permission to extend his remarks in the RECORD in two instances and include an editorial and a memorial.

REGULATING THE RECOVERY OF PORTAL-TO-PORTAL PAY

Mr. MICHENER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 2157) to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 2157, with Mr. JENKINS of Ohio in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. For the information of the Committee, the Chair may say that the first section of the bill was read yesterday for amendment. If there are no amendments to be offered to section 1 the Clerk will read.

The Clerk read as follows:

SEC. 2. Every claim, cause of action, and action for the recovery of wages, overtime compensation, penalties, or damages (actual, liquidated, or compensatory), pursuant to any of the laws of the United States mentioned in section 5 hereof shall be subject to the following limitations and conditions:

(a) Hereafter no such action shall be maintained unless the same is commenced within 1 year after such cause of action accrued.

(b) No such claim or cause of action which had accrued prior to the effective date of this act, and which would otherwise be barred by subsection (a) hereof, shall be maintained unless action thereon is commenced within 6 months after the effective date of this act: *Provided, however,* That this subsection shall not be construed to revive or extend any claim or cause of action which but for the enactment of this act would have been barred by any statute of limitation applicable to such action.

(c) An action shall be deemed to have been commenced as to any individual claimant as of the date when such claimant is named in such action as a party thereto.

(d) If at any time within such 1-year period or 6-month period, as the case may be, process may not be served on the person liable by reason of his absence from the United States, the period of such absence shall be disregarded in computing the applicable period.

(e) In any action, whether or not commenced prior to the effective date of this act, the employer may plead and prove that the act or omission complained of was done or omitted in good faith consistent with, required by, or in reliance on any decision of a court of record in connection with which such employer was a party in interest, or any administrative regulation, order, ruling, interpretation, approval, enforcement policy, or practice.

Such a defense, if established, shall be a bar to the action, notwithstanding that after such act or omission, such decision, administrative regulation, order, ruling, interpretation, approval, enforcement policy, or practice is modified, rescinded, or determined by judicial authority to be invalid or of no legal effect.

(f) Any claim, cause of action, or action may be compromised, adjusted, settled, or released, in whole or in part, either before or after commencing such action by the person entitled to bring such action. Any such compromise, adjustment, settlement, or release according to the terms thereof, and in the absence of fraud or duress, shall be a complete satisfaction of such claim and a complete bar to any action based on such claim. No such claim, cause of action, action, or interest therein, shall be the subject of lawful assignment. The provisions of this subsection shall also be applicable to any compromise, adjustment, settlement, or release heretofore so made or given.

(g) In any action pursuant to any of the acts mentioned in section 5 hereof, the court, if it finds that the violation of the law giving rise to such action was in bad faith and without reasonable ground, may, in its sound discretion, award not to exceed the amount specified as penalty or damage in the law under which such action arises.

Mr. CELLER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CELLER: Page 3, line 17, after "within", strike out "1 year" and insert "2 years."

Mr. CELLER. Mr. Chairman, the effect of this amendment would increase the statute of limitations from 1 year to 2 years. I would ask the Members of the House to do in this Congress what you did in the last Congress when you adopted the Gwynne bill, namely, establish the statute of limitations longer than 1 year. In the last Congress we voted for a 3-year statute. In my humble opinion if you leave it at 1 year you will emasculate the act so as to render it quite impotent, particularly for those workers who do not have the benefit of the advice and counsel ready available from some lawyer of a labor organization. I refer specifically to the vast army of employees who are not in unions.

Now, there is a veritable hodgepodge of laws throughout the States with reference to the time within which claims may be brought for compensation for wages under the basic Wages and Hours Act. We failed in the basic act to provide a statute of limitations. Therefore the various States passed their own acts. These statutes vary from 1 year to 6 years to 8 years. It is a veritable mishmash, and it is very essential that we establish some uniformity. The question is, What price uniformity? Will we bolster up the Fair Labor Standards Act by making it possible for a worker to know his rights and to be able to enforce them within a reasonable time? Will you do that with a 2-year statute of limitations or will we so narrow the time to 1 year so as to make it quite impractical for the worker to know and sue in time? Will we deny the worker his rightful reward for productive work by a fairly reasonable statute of limitations, or will we make sure that some chiseling employers—and there are some—can successfully euchre their employees out of compensation for work done by dodging and by stalling for at least a year? Then the production work prior to the 1 year which should be compensated for remains unpaid and the employer cannot be made to pay. The money, as far as the employee is concerned, goes down the drain, as it were, if the statute of limitations of 1 year would apply. One year is entirely too short. It is very significant that the States that have had most experience with these matters, the States where there are the greatest number of workers, do not provide for a statute of limitations of 1 year. We find 6 years in the States of New York, New Jersey, and Pennsylvania, and 3 years in Ohio and California.

I offer a compromise. I would prefer 3 years, and I think a substitute will be offered to make it 3 years, but I urge upon you to be reasonable to the workers in this regard and set a reasonable time limit. I think a fair time limit would indeed be 2 years. Otherwise the bad employer can gamble, he can take his chances, and instead of abiding by the Minimum Wage Act and paying 40 cents an hour, he can pay 20 cents an hour. He can do that for 4 or 5 years before they catch up with him, and then for 1 year back he might have to pay the 40 cents as provided in the Minimum Wage Act, but for all the prior years he would be absolved from obligation to abide by a solemn act which we solemnly passed in this Chamber.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Indiana.

Mr. HALLECK. If the employer is in violation of the act, does not the gentleman think that either the administrative agency or the man or men affected ought to be able to determine within a year that he is so violating the act, and hence bring their suits to correct it?

Mr. CELLER. The Administrator of the Wage and Hour Division of the Fair Labor Standards Act testified that there are over 500,000 establishments covered by the act, and it takes from 10 to 12 years with his present staff to make the proper inspections. So a chiseling employer could wait 3 or 4 years and, when he is examined and inspected, then pay back wages for 1 year that were due the employee, and then go on chiseling again, taking his chances that maybe he would not again be examined for another 6 or 7 or 8 or even 10 years.

What is the Senate doing? The chairman of the Judiciary Committee has offered a bill which provides for a 2-year statute of limitations. I think we should follow suit.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the distinguished chairman of the committee.

Mr. MICHENER. I wonder if the gentleman has lost sight of the fact that a penalty applies, and that there is also a criminal action possible under the law. I can hardly conceive that the employer is going to delay the matter—to be a chiseler, as the gentleman suggested—when he knows that if he is wrong he pays a double penalty, plus what he owes, and is subject to criminal prosecution.

Mr. CELLER. I defy the gentleman from Michigan to tell me of one case where there were criminal proceedings brought against a so-called euchring or chiseling employer.

Mr. MICHENER. There is a difference between possibilities and what happens.

Mr. CELLER. But there has been no criminal proceeding.

Mr. MICHENER. If the gentleman had asked me 6 months ago if there would be any of these portal-to-portal suits where there was a collective-bargaining contract, I would have said, "Certainly not."

Mr. CELLER. I desire to protect the low-income worker—usually a nonunion man. He is usually uninformed. He has not the advantage of information usually open to union men.

It takes him more than a year to know his rights. By the time he becomes aware of his claims, the year has set in.

He must rely upon information given him by the Wage and Hour Division. That Division must, with insufficient staff, inspect 550,000 establishments under the basic act. That will take from 10 to 12 years. Bad employers can gamble on the chance that it will take years before his plant will be inspected.

The pending Senate bill provides 2 years. We passed the Gwynne bill last year with a 2-year statute of limitation, and the Senate raised it to 3 years.

A 1-year statute would be a rank discrimination against labor.

The Fair Labor Standards Act did measurably succeed in stamping out the blights of excessive hours and inadequate pay. It advanced the public interest by improving the lot of the worker, by increasing purchasing power, by improving health of workers, by advancing the Nation's economy.

Kill bad so-called portal-to-portal suits, but in doing so do not eviscerate the Fair Labor Standards Act. One-year statute of limitations will do just that.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GWYNNE of Iowa. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this raises one of the questions about which there is difference of opinion in the committee and in the House and probably in the country. That difference of opinion as to what the statute of limitation should be is in the minds of people who very firmly believe there should be a limitation. I think the limitation should be 1 year, as the committee fixed it. All I want to do now is point out the reasons why I think a short statute of limitations should be fixed.

Let us bear in mind that this limitation applies only to statutory actions, which seek to recover not only the minimum wages or the overtime compensation but an additional amount as liquidated damages, and attorneys' fees and costs. It applies to that action which cannot be settled under existing law and as to which the court has no discretion in the assessment of the liquidated damages.

Someone has said here that we are making a different rule for the worker suing for his wages than we are for the grocer suing for his grocery bill. Nothing could be further from the truth. We are now proposing to put the employee in exactly the same position as the grocer and every other person in this country. If the grocer should be given a special action which would allow him to recover not only the amount of his grocery bill, but an equal amount as liquidated damages and attorney's fees and costs, and in addition have created some officer of the Federal Government who had the power to secure injunctions and institute criminal prosecutions, then you would have an analogous situation, and I would say that the 1-year limit should apply to that statutory action for the grocer. We have always followed that policy, not only in this Congress, but in State legislatures. Where we have given a special drastic cause of action or we have given a man a sharp sword, we have said, "You must use that quickly or not at all."

Here is an illustration. When we passed the Price Control Act, allowing ceilings to be placed on prices of commodities, those ceilings entered into every contract throughout the land, and if someone in Iowa overcharged me I could at that time sue him for the amount of the overcharge. I could sue him within 5 years, the time allowed me under the statute. But Congress thought that remedy was not sufficient, so we gave to the person overcharged a special drastic remedy, just as we are giving here to the employee, whereby the person overcharged could recover $25. But we included in that law a provision that the person must exercise that right within 1 year. We do the same thing in the case of mechanics' liens. Someone has said that we are providing a shorter statute than the average throughout the country. They say the average now is 3.8 years. Let me tell you how they arrive at that 3.8. Of course, you will understand, when there is no Federal statute, the district courts in applying the law must look around and find some State statute which applies. In my State they applied the 5-year general statute covering oral contracts. In Maryland they applied the 12-year statute. To get away from that obvious injustice which Congress had refused to correct, the State legislatures moved in, and if you are interested in knowing what your State legislatures thought about this you will find the information in the table on page 159 furnished by Mr. Walling during the hearings on H. R. 2788. The table shows that since 1938, which was the effective date of the wage-hour law, 11 States have reduced the period of limitations. Two States have reduced it to 3 years. One was Maryland, which reduced it from 12 years to 3 years. Three States have reduced the statutory period to 2 years, and six States have reduced it to 1 year or less. Incidentally, I found no case, as was indicated here yesterday, where any court has held that 1 year is unconstitutional or unreasonable. They have held some statutes unconstitutional but have done so not because of the time element involved, which they have pointed out is a matter for the legislative body, but they have held those statutes bad because they sought to discriminate between actions under the Federal law and actions under State law.

I think this 1-year period of limitation is reasonable and should stay in the law.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. I yield.

Mr. RANKIN. Can the gentleman give us that citation again?

Mr. GWYNNE of Iowa. That is on page 159 of the hearings on H. R. 2788, the bill which was before the Committee on the Judiciary in 1945.

Mr. RANKIN. Is that the same list on page 82 of the hearings on this bill?

Mr. GWYNNE of Iowa. I cannot say as to that.

Mr. RANKIN. Will the gentleman insert the list in the RECORD so that we will have it before us?

Mr. GWYNNE of Iowa. I will be glad to insert the list.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. WALTER. Mr. Chairman, I offer a substitute, which is at the Clerk's desk.

The Clerk read as follows:

Substitute amendment offered by Mr. WALTER for the amendment offered by Mr. CELLER: On page 3, line 17, strike out "1 year" and insert "3 years."

Mr. WALTER. Mr. Chairman, my distinguished friend the gentleman from Iowa [Mr. GWYNNE] called to the attention of the committee the statutes of limitations in the several States. I, too, want to call your attention to those statutes. They are listed on page 82 of the hearings on the bill now under consideration. It is significant to note that in all of the States there are 13 statutes of less than 3 years and 35 statutes providing a limitation of 3 years or more, up to 8 years.

Now, it seems to me unfair that we should single out this particular type of ex contractu actions and fix the statute of limitations at 1 year. In most States the statutes are about 5 years. The national average, even considering the State of Iowa where the statute was for 1 year and which, incidentally, was declared to be unconstitutional—taking the average of all of the States of the Union the average is 3.8. I just cannot see how we can justify cutting the period within which a worker may proceed against an unscrupulous employer to 1 year. We must bear in mind this very important fact, that in this bill we have provided a complete defense for anyone who does not willfully violate the wage-hour law. It would be a very simple matter for unscrupulous employers—and unfortunately there are a great many of them in this country—through subterfuge, deceit, or any kind of device, to prevent their employees from receiving that to which they are entitled under the Wages and Hours Act.

I do not know whether there have been many cases where employers who have complied with what they honestly believed the law to be have been injured, except insofar as this wave of portal-to-portal suits is concerned, and I would like to call your attention to the testimony of Mr. Smethurst, who appeared for the National Association of Manufacturers. On page 448 of the hearings on this bill, near the bottom of the page, he said:

If you give more than a year there ensues an advantage in not raising questions of violation, because of the effect of the double damage section of the act.

That was the reason why he insisted on the period of 1 year; but I submit to you we have removed the question that he raised by providing in the courts some discretionary power in the imposition of penalties. So that no longer would it be

to the advantage of the employee to refrain from bringing his action in a proper suit.

On page 449, in interrogating the representative of the National Association of Manufacturers, the distinguished chairman of the subcommittee which reported this bill made this statement:

Mr. GWYNNE. Well, at least if the court would consider the good faith of the employer, and measure the amount of the liquidated damages by that yardstick, it would help a great deal, would it not?

Mr. SMETHURST. I think it would help tremendously.

And it was because of that that we endeavored to clothe every reputable employer with the protection required to resist claims improperly brought and those claims withheld for the purpose of collecting not only the wages but the penalty. The honest employer is amply protected. Let us exercise the same degree of fairness with the employee who has a legitmate claim.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it is most unfortunate that the chairman of the Committee on the Judiciary reported out a bill which goes far beyond the portal-to-portal question. Under the guise of meeting the portal-to-portal question the majority of the Committee on the Judiciary have reported out a bill which for all practical purposes in setting the statute of limitations at 1 year seriously impairs if not destroys the effectiveness of the Fair Labor Standards Act, the Bacon-Davis Act, and the Walsh-Healey Act. Certainly when the portal-to-portal legislation was introduced I know of few Members on either side who felt that this far-reaching bill that stepped upon the proper exercise of legal rights by millions of employees with reference to other legislation would be reported out of the Committee on the Judiciary.

I have been a lawyer a little over 30 years. A very substantial percentage of the Members of the House are members of the legal profession. Anyone who is a lawyer knows what a 1-year statute of limitations means. One-year statutes of limitations exist in very few States. We can take the case of the very man who hires employees covered by any one of these acts—and I am addressing my remarks to the men outside of the portal-to-portal field who sell goods to these employees—he has a 6-year statute of limitations, yet if this employer fails to pay his 40 cents an hour to the man or woman working for the minimum wage, the statute of limitations runs against that unfortunate employee at the end of 1 year.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. WALTER. Is it not a fact that under the wage-and-hour law an employer must keep his records for a period of 3 years?

Mr. McCORMACK. There is no question about that; that is the law. This is a matter of elemental justice. It can be put through; of course, the majority will prevail, but the responsibility will be definitely placed. If this bill were confined to a solution of the portal-to-portal issue and that question alone it would go through the House without opposition. It is the other provisions of the bill, particularly the 1-year limitation, that is unfair in its results, discriminatory in its results—and I use the word not from the angle of intent of the proponents but the results of the legislation—discriminatory upon millions of employees, and at least 14,000,000 of them are unorganized.

I know a little about minimum-wage legislation. I remember my first year in the Massachusetts Legislature in 1920. We had a minimum-wage law in Massachusetts which was passed in 1912 or 1913. The law provided for the establishment of minimum-wage boards, but once a board was established and made its findings as to a minimum wage for a group covered under it, there was no authority in law to reconvene the wage board or order a new one unless the employer requested it or the employees filed a petition.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Chairman, during 1914, 1915, and 1916, up to the time we entered the First World War, wage boards had been established, covering scrubwomen, charwomen, stenographers, and others, who were covered by a minimum-wage decree. Then 1920 came along. Not a wage board had been reconvened or a new one ordered during those years, with the cost of living increasing right along? Why? No employer would petition for the establishment of a new wage board because the wage decrees were based upon 1914, 1915, and 1916 conditions, and were low in relation to what they should have been in 1920. The employees did not petition because they were afraid to—afraid to lose their positions.

Mr. Chairman, I introduced a bill giving the commissioner of labor the authority upon his own initiative when in his judgment he thought there was a change in the cost of living to either reconvene the old wage board or order a new one. The same fear in the case of employees to assert their rights under this 1-year provision will take place if the pending bill limiting it to 1 year becomes law.

Mr. MATHEWS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New Jersey.

Mr. MATHEWS. As I understand the situation, there is a double-damage clause in these acts which gives the man twice the wages which may be coming to him. This being so, is it not a fact that a 1-year limitation under those circumstances is actually a 2-year limitation?

Mr. McCORMACK. If the gentleman feels that way, I thoroughly respect his views, but I am in disagreement with him?

Mr. MATHEWS. Why is that not so?

Mr. McCORMACK. I cannot agree with the gentleman. Last year the gentleman from Iowa [Mr. GWYNNE] agreed to a 3-year limitation. Why this sudden change? Why? What reasons are there for my friend changing from 3 years last year to 1 year this year?

Mr. GWYNNE of Iowa. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I think it was 2 years, as a matter of fact. I yield to the gentleman from Iowa.

Mr. GWYNNE of Iowa. I think the gentleman understands what the situation was last year. The committee reported a bill for 1 year. We got a rule for it, and in spite of the fact we had a rule the gentleman's party did not call it up. I finally agreed to accept a 2-year compromise to get it on the floor, and we passed it with the 2-year limitation.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Michigan.

Mr. MICHENER. The gentleman from Massachusetts was at that time the distinguished majority leader of the House, and he stated on the floor that he was opposed to the Gwynne bill and that he would not program it.

Mr. McCORMACK. Exactly.

Mr. MICHENER. He stated he would not permit it to come up under any conditions unless compelled by the House. He was compelled to do so under the rules. He did call it up, and it did pass. The bill went to the Senate; it came back, and the leadership neglected, let us say, to permit the bill to come up after it had been amended by the Senate. Then the House adjourned for the session.

Mr. CELLER. The Senate made it 3 years.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. KEATING. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, there exists, as most of us know by now, an honest difference of opinion between the distinguished chairman of the subcommittee and some of the other Members on this side regarding this question, and there is one item that has been discussed to which I would appreciate directing your attention.

The point has been made, and well made, that there are some 11 or 13 States which have specifically dealt with this problem and have passed statutes of limitation of from 6 months to 3 years, whereas there are some 35 States which have not, and when you average all of these States together, both those which have and those which have not, you have an average of 3.3 years in which such actions may be brought Nation-wide.

It has been ably argued that the fact that certain particular States have legislated indicates that those States feel that a shorter period is desirable. To that specific point I would like to direct your attention. These States legislated, cutting down this period, at a time when we had the existing Wages and Hours Act, not the Wages and Hours Act as modified,

or more accurately put, affected by the provisions of this act. In this bill we have inserted a good-faith provision so that an employer, if he acts in good faith in reliance upon administrative rulings, is absolutely protected not only from the basic cause of action, but also from the penalty, and if he acts in good faith and with reasonable ground, even though not in reliance upon a specific ruling, he is exempted from the penalty provision and is only liable for the basic claim for wages which, if you accept the underlying soundness and merit of the Fair Labor Standards Act and do not take the position which some of my colleagues do as typified by the remarks of the gentleman from Alabama, and, perfectly legitimately, that the entire act should go out of the window—if you accept the act. I say, as I do, then you are committed to the conclusion that there are legitimate causes of action under it. It is for that reason that it seems to me when we reduce the period of time in such a State as mine, for instance, where an employee now has 6 years to bring his action—when we reduce that to 3 years, we have gone as far as we should. If this substitute amendment fails, I shall support the 2-year provision, but to limit it to 1 year seems to me to go beyond the point where we should go, in fairness and justice.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to my colleague the gentleman from New York.

Mr. COUDERT. Does the gentleman, in referring to our 6-year statute of limitations in New York, refer to the original general statute of contractual limitations, or did we in New York at any time adopt a special statute of limitations for this kind of action?

Mr. KEATING. My understanding is that we have never taken such action, and I am referring to the limitation of 6 years, applicable to actions ex contractu.

Mr. COUDERT. Then the fact is that, in New York and in all of these other States upon which the gentleman and those in his position rely by way of analogy, you are really referring to the underlying general statute of contractual limitations, and not statutes that those States may have specifically enacted to deal with this very extraordinary and unique cause of action.

Mr. KEATING. The gentleman is partially correct. The average of 3.8 which I have cited includes those States which have and also those which have not acted on this specific proposition.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Indiana.

Mr. HALLECK. Of course, the gentleman recognizes that this being a statutory remedy and right, and being extraordinary in character because of the provisions for double liability, it differs from the ordinary contractual obligation.

Mr. KEATING. That is a point to which I am very happy to address myself.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. KEATING. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. My point is that by the provisions of this bill, which I favor, whereby we have given to the employer the defense of good faith, which I feel he should always have had, and by the further provision where we have permitted settlement between the employer and the employee which seems to me to be to the decided advantage of both parties, we have created quite a different situation from the one which applied to the original Wages and Hours Act, upon which those State legislators acted when they passed the shorter period, which they have.

Mr. GWYNNE of Iowa. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Iowa.

Mr. GWYNNE of Iowa. In order to clarify that matter, the table referred to on page 82 is of course a list of the general statutes applicable to actions in general and does not purport to set out the States which have acted specifically. Is that correct?

Mr. KEATING. That may be right. I am not sure. I think the Nation-wide average, however, is 3.8 years.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Pennsylvania.

Mr. WALTER. If the gentleman has the hearings before him, he will find that the State statutes of limitation to which the gentleman from Iowa referred include both, and they are the number of years for which back pay can be claimed either under a special statute or under the statute relating to actions ex contractu.

Mr. KEATING. As to what the list on page 82 covers I do not know, but my understanding is that the Nation-wide average is 3.8 years and in my State of New York it is now 6 years.

Mr. GWYNNF of Iowa. If the gentleman will yield further, the gentleman does not deny the fact, does he, that of 11 States which have acted specifically and positively 6 have enacted a statute of 1 year or less?

Mr. KEATING. That is right, I believe, but they have acted upon the existing wage-hour law, not the law as we are now proposing to amend it.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Michigan.

Mr. MICHENER. Assuming that good faith is involved and that the employer gets before a district judge who has the audacity to state, "Now, this is a prolabor court," would not it naturally follow that a prolabor decision would result? Should we not guard against any possibility of that kind?

Mr. KEATING. I agree entirely with the distinguished gentleman that there should be some statute of limitations written into this law. He and I are in an honorable difference of opinion as to the length of time which should be written into this bill.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. HOBBS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I rise in support of the committee bill with all the pleasure in the world. It does not take me a year to yell "Ouch," if somebody hurts me, and that is all that the filing of a claim is. You can file a suit in 1 hour, and if your resentment at the outrageous treatment of management be sufficient you can do it in less than an hour.

I do not believe in saving up these claims like Octagon soap wrappers for 8 years, as the night watchman did over here in an Alexandria ice plant, and then filing a suit of $34,600. That is an illustration of one of the reasons our committee recommended a 1-year statute in the Gwynne bill last year, to stop such racketeering. What did you do, how many hours did you work on September 16, 1936? You do not know and no one else knows. But now we have perfect time books showing exactly what happened.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. Nothing gives me greater pleasure than to yield to my distinguished colleague.

Mr. WALTER. The gentleman is citing a perfectly ridiculous situation, of course. But is it not a fact that employers, under the law, must retain their records for a period of 3 years?

Mr. HOBBS. That is my understanding. This is just warmed over food from last year, and the House is going to eat it the same way they did before, because they know it is good and we are hungry. Anybody who has an honest claim under any of these civil statutes—which have no relation at all to the statutes of limitations in criminal cases—can certainly file his suit, if he thinks he has a case, within 12 months. Not only is that common sense, but it is justice, and is preeminently fair to every honest claimant.

I rather resent the imputation that we are trying to do something unfair to organized labor. It is not true, no matter how much the distinguished gentleman may be in utter sincerity in saying so.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am so glad to yield to my friend, the distinguished dean of the House.

Mr. SABATH. May I inquire why the same provision should not apply to other actions that are commenced? I believe the average on civil actions under the different laws is nearly 4 years. Why is this different from other civil actions? Why should labor be the only one to be treated differently? Do you think the country would approve of that? No. Unfortunately, you are picking on labor, but not on the businessman or anyone else. You are just picking out labor for this different treatment.

Mr. HOBBS. I am so glad to have the elucidating explanation and statement of the distinguished gentleman. May I say that nothing is further from the

thought of the Committee on the Judiciary than to pick on labor. We did not select any particular group or any particular act. The Gwynne bill last year brought up the point that there were 19 civil laws providing civil penalties no one of which had any limitation, no derailing switch, and therefore we provided one, which met with the almost unanimous approval of the House. We are trying to do the same thing today.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am glad to yield to my friend the gentleman from New Mexico.

Mr. FERNANDEZ. Under the statute, one employee may file a suit for himself and for others similarly situated. There is one section in the bill which troubles me, and if the gentleman can help me, I will certainly appreciate it. Subsection (c) of section 2 says:

> An action shall be deemed to have been commenced as to any individual claimant as of the date when such claimant is named in such action as a party thereto.

Do I understand that to mean that if the individual himself is not named, then at the expiration of the statute of limitations he is out?

Mr. HOBBS. Yes, sir. The gentleman is exactly right.

Mr. FERNANDEZ. And he is not protected by the fact that some other employee has filed suit for himself and others similarly situated?

Mr. HOBBS. That is exactly right, but anybody who has a claim can be named in any such suit, and, of course, would be if he wished.

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. CHELF. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed for five additional minutes. We members of the committee gave this matter long and serious consideration, and the gentleman should have an opportunity to explain it.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. HOBBS. Mr. Chairman, I deeply appreciate the kindness of my friend, as well as the indulgence of the House, but I shall not consume the entire 5 minutes, but I will be delighted to conclude my answer. The point that the gentleman from New Mexico raised relates to that part of the bill which interdicts the practice that has obtained thus far, of having a group frequently in a distant city bring in 176,000 cases, in one instance without any permission from the alleged claimants; without any knowledge of many of the alleged claimants. Many of them repudiated the pretense of authority to act for them. Therefore, the committee bill provides that if anyone has a claim, either he or one of his buddies acting for him with his authority should put his name in, so that we may know who is really back of the propounding of the claim.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am so happy to yield to the distinguished gentleman from Pennsylvania, the dean of the Democratic minority from Pennsylvania.

Mr. EBERHARTER. Suppose there are 1,500 employees and they all want to join in an action, each must be named individually?

Mr. HOBBS. Named, yes. But they can all sue in a group. In other words, all of those who really want to be in the suit can put their names in the complaint and thereby preserve their rights. We are delighted to have that provision. It is salutary. The only thing we are after by that provision is the unauthorized suing for people who do not want it done.

Mr. Chairman, I yield back the remainder of my time.

Mr. JENNINGS. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, this bill grows out of the necessities of the situation that confronts the businessmen of this country and their employees. Not only the owners and managers of business, but the men and women who work for them are threatened and are in peril.

These portal-to-portal suits, aggregating almost $6,000,000,000, hang like a pall over the business of this country. They operate to stop the flow of what we call risk capital—new money that people might put into business if they thought they could do business without being destroyed by a law that has really been misconstrued by the United States Supreme Court. Those suits do not grow out of any contract between the employer and employee. They do not grow out of any usage or custom in industry. They grow out of a judicial effort to legislate. So far it has accomplished its purpose. The Mount Clemens Pottery Co. case flooded the courts with thousands of unprecedented and unexpected suits.

I feel that a majority of this Congress are here under a mandate from the people to relieve them from this sort of a threat to the solvency of this Nation and of our industries.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the distinguished majority leader.

Mr. HALLECK. Of course, we all know the gentleman from Tennessee is a very able member of the great Committee on the Judiciary. As the gentleman has pointed out, the filing of these portal-to-portal suits shocked the conscience of our people. They demand that something be done. I rise at this moment to commend the gentleman's committee, the Committee on the Judiciary, for the expeditious manner in which they have approached the solution of this very difficult problem. I think the committee has done a good job with it. I think the majority of the committee in reporting this bill are dealing fairly and honestly and properly with the issue that is presented. As far as I am concerned I propose to stand with the committee in the matter of this legislation.

I trust that the bill, as reported, may proceed to speedy enactment.

Mr. JENNINGS. I thank the majority leader for his contribution; and may I say that I do not for one moment lay the flattering unction to my soul that this Committee on the Judiciary is the repository of all knowledge and all wisdom, but I do say that the able members of the subcommittee who had this bill in charge and under consideration, and who wrote it and reported it to the whole committee and to this House gave it careful and studious attention. It is a good bill. I am getting letters from both working people and men in business from all over my State and my district. They are asking me, "Does the Congress propose to function? Has it got the guts to stand up? Or are we going to march up the hill and then back down again because somebody comes at us with a wooden gun or threatens us with some reprisal at the hands of some organization."

William Green and the thoughtful members of the American Federation of Labor have disapproved of these portal-to-portal suits. I have been threatened and you have been threatened by scalp hunters who went out under the banner of certain labor organizations and denounced us as unworthy representatives of the people. I have no quarrel with any workingman. I think the workingmen are just as patriotic—the great body of them—as I am; but many of them have been misled, and the time for action is now. We are face to face with an opportunity, and the first opportunity we have had in this session of Congress, to do something to protect the people who are in industry, to protect the jobs of our workers. There can be no job for any man unless there is an employer financially able to pay him for work when he has performed it. In addition to that, it requires from six to seven thousand dollars in money to create and maintain a job for any man or woman in industry. When you stop the flow of capital, when you terrorize those who put their money in business, you have threatened not only the solvency of that particular business, but when you have an avalanche of suits like this, you threaten the entire economy of the country. You may destroy the jobs of millions.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. JENNINGS. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee.

There was no objection.

Mr. JENNINGS. This limitation of 1 year applies only to actions brought under these laws that are now in question. Any workingman who has a claim against his employer in my State, or your State, simply for wages and not for the penalties and not pursuant to the remedies afforded by these labor laws, has 6 years within which to bring a suit for what is due him for wages. We are undertaking to set a period of limitation upon the suits that involve these penalties, this time and a half, and these attorneys' fees and costs; that is all we are doing. This matter ought to be set at rest, and set at rest now. Everybody knows that the working people of this country are well advised, they are informed, they have their lawyers and their leaders. This debate in this House,

the pendency of this measure, its terms, are known to the working people all over the country, and any man who has sense enough to have a job can certainly learn within a year whether or not somebody has treated him wrong. I have never yet seen the time when a man or woman in this country who conceived himself or herself to be aggrieved did not go to the courthouse. People down in my country are litigious; they are good supporters of the lawyers and they are good asserters of their own rights. I believe human nature is pretty much the same all over this country. Let us not emasculate this bill; let us not kill this bill with weakening amendments; let us not disappoint the people of this country; let us quit shadow-boxing and adopt a period of limitation here within which these suits may be brought that will stop the uncertainty which is about to stop the wheels of industry in this country. The passage of this measure by this House by an overwhelming majority will enkindle new hope, faith, and courage in the people eagerly awaiting our action here today. I predict that we will not disappoint those who sent us here to do this job.

Mr. WILSON of Texas. Mr. Chairman, I move to strike out the last six words.

Mr. Chairman, I want to state at the outset that I intend to vote for this law. The debate seems to have gotten off the point, however, as most of the gentlemen are talking about the general statute of limitations. I do not know how many States like Texas have special statutes creating labor liens and material men's liens, but our time limit has been for years that when a man worked at a job building a house he had 30 days within which to file a labor lien after the job was completed. That time has been recently extended to 120 days. That same law applies to material men, the people who furnish the lumber, the mortar, and the brick to go into a house. Many States have such laws.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. WILSON of Texas. I yield to the gentleman from Illinois.

Mr. SABATH. That applies, of course, to actions that are known as lien actions?

Mr. WILSON of Texas. That is right. This is drastic action. This law has been written by the Committee on the Judiciary and it has allowed a very reasonable time. It has been written to take care of a very ridiculous situation that has arisen so far as the business of this country is concerned.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. WILSON of Texas. I yield to the gentleman from Pennsylvania.

Mr. WALTER. I would like to call the gentleman's attention to the fact that in his own State of Texas an employee has 2 years within which to bring a suit for wages.

Mr. WILSON of Texas. That is true of oral contracts. The limitation is 2 years. On written contracts the limitation is 4 years. But that is not relevant to this matter. This law as written is fairly liberal, in my estimation.

I, like the gentleman from Tennessee, think this Congress should adopt the pending measure by an overwhelming majority and thereby cure a ridiculous situation that has arisen in this country, not by contract but dragged out of thin air, by some of our labor unions.

The laws of Texas further require that after a laborer or a materialman files his itemized list of either labor performed or material furnished with the county clerk that he must bring suit within 6 months in order to foreclose that lien which gives him an over-all period of time of 10 months in which to file and prove his lien.

This bill allowing 1 year limitation should be ample for any laborer who feels that he has a claim to file on it. I urge the passage of this bill.

Mr. FERNANDEZ. Mr. Chairman, I rise in support of the substitute amendment.

Mr. Chairman, I am in favor of the substitute amendment and I hope it passes, but whether it passes or not I am going to support this bill and I am going to support it wholeheartedly.

There are other amendments I would like to see to this bill. In my opinion it is a little too broad. It is not the kind of a bill I would have written; in fact, it is not the kind of a bill I wrote. I presented a bill, H. R. 1440, which I thought went as far as we ought to go to take care of the problem. But, as I stated, whether the amendments which are going to be offered are accepted or not I am going to support this bill wholeheartedly. However, I do want to offer at the appropriate time an amendment which I think ought to be adopted for clarification of the act.

The amendment I shall offer will be to line 13, page 5, section 2. In that section there are used the words "without reasonable ground" and the complete section reads as follows:

(g) In any action pursuant to any of the acts mentioned in section 5 hereof, the court, if it finds that the violation of the law giving rise to such action was in bad faith and without reasonable ground, may, in its sound discretion, award not to exceed the amount specified as penalty or damage in the law under which such action arises.

Mr. Chairman, I do not know just exacty what is meant by the words "without reasonable ground" but from a reading of the report I think what is meant can be made clear by the amendment which I shall offer at the proper time.

In lieu of the words "without reasonable ground" I am going to offer an amendment to strike out those words and insert in lieu thereof "or with intent to evade the provisions of said acts relating to fair labor standards and practices." I mention that matter now so that you may be giving it some thought before the amendment comes up. I think that is what the committee had in mind. In any event, the words "or with intent to evade the provisions of said acts relating to fair labor standards and practices" have at least the virtue of being clear. I think we ought to take time in drafting and passing this law and see to it that all the terms are clear.

Mr. GIFFORD. Mr. Chairman, I move to strike out the last six words.

Mr. MICHENER. Mr. Chairman, if the gentleman will yield, we have this one amendment before the House, and let us not get into a discussion of other amendments until we dispose of this. I wonder if we could not agree on time as to this particular phase? Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, before you close debate are you not going to allow some of us who introduced bills long before you started in on this to say anything?

Mr. MICHENER. The gentleman was yielded 10 minutes yesterday, and he was not here.

Mr. HOFFMAN. I stayed around here until after dark, and I thought perhaps I could not get any light on it then.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GIFFORD. Mr. Chairman, I am only a juror in this case. But should you not be willing to hear a comment from a juror? We have heard this legalistic conversation going on for some hours. Of course, we know the issue. It is simple enough. We know there is a flood, and we should turn off the spigot and shut off the flood as soon as possible. However, it seems as if we have been flooded this morning with argument of sympathy for the lawyers themselves, who want 2 or 3 years to bring a suit for possible clients. How you do look after your profession. What a wonderful harvest for the legal profession. I want to congratulate the membership of the bar on this side of the House, who are willing to forego the harvest of fees which would necessarily follow. As a juror, I should remind other jurors of this feature of the proposed amendment. We think we know the issue, and we should not have to sit here much longer to determine simply which side has the best lawyers. Again, the issue is a very simple one to determine.

The CHAIRMAN. The Chair recognizes the gentleman from Maine [Mr. FELLOWS].

Mr. FELLOWS. Mr. Chairman, when they say that the laboring man does not understand his rights, that he is not capable of understanding just where he stands at any time, I wish to call this to your attention, because I think it is unfair to the laboring man to insinuate that he does not understand. The Supreme Court decision came down in June, and within a matter of a few months they not only understood their rights but they instituted lawsuits numbered in thousands and in amounts aggregating $6,000,000,000. They knew that the Supreme Court decision in the pottery case had come down before you did. I shall support the limitation of 1 year.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, when my distinguished leader the gentleman

from Michigan [Mr. MICHENER], whose slightest wish, whenever I can ascertain what it is, I delight to follow, chides me for not being around yesterday, it becomes expedient—it is not necessary—for me to offer an alibi. I was here pretty nearly all afternoon, but I was so overcome by the flow of eloquence and information I received from the members of the Judiciary Committee who spoke, that I did not feel competent to add anything at that time to its debate. I wanted to spend the night in collecting my thoughts, if I could, and see if there was anything they had not said that I might say to add to this discussion. I found out there was not a thought that had to do with the merits of the issue that had not been expressed far better than I could give it utterance. So today my only purpose is to call your attention to the fact that these lawsuits are the result of a decision of Justice Murphy and four of his associates. Justice Jackson was not there when the opinion was handed down. He was across in Germany doing something else, making new international law. The other four justices may have been asleep or down to lunch. There was something wrong, anyway, over there, because they overruled a unanimous decision in which they had all joined just a little while before. Skidmore against Swift, in which they held that the master should find the facts and was what might be called the old formula in awarding damages, if any. So Justice Murphy wrote this Pottery decision and the other justices, apparently not knowing what it was all about, four of them, they signed up, and that decision—lawsuits against industry—$6,000,000,000 worth—is Justice Murphy's attempted gift to the CIO.

JUSTICE MURPHY IS CIO'S SANTA CLAUS

Way back in 1937 Justice Murphy gave us the sit-down strikes in Michigan, and you gentlemen from the other States have had the benefit of that over the years. That action of the then Governor of Michigan was a gift to the CIO—which enabled it to exist.

This is the way it works out. There is a little company in Benton Harbor, Mich., in the Fourth Congressional District. They had just 35 employees at the beginning. Then in wartime they went up to 100. When this decision of Justice Murphy came down in 1946 the CIO sponsored and filed a portal-to-portal suit against the company, based on the Mount Clemens Pottery decision, asking for $575,000. They also called a strike over there. There were no employees on the picket line, but they brought in pickets from outside to stop the workers, but were not successful. Then on top of that what do you think happened? The National Labor Relations Board, which now is over there across the hall in the room with the subcommittee of the Appropriations Committee asking for more money, went down there and filed unfair labor practice charges against that company. The suit, you see, was not enough. Along comes the Labor Board and dips its oar in and brings this charge, and refuses, bless their heart, to call an election so that the employees themselves can determine whether or not that organization represents them in this suit and in their other labor relations.

On top of that, what happens? The CIO puts an ad in the daily paper saying in substance, "If you worked in 1940 or any year between 1940 and the present time you are entitled to hundreds of dollars, and if you will call at our office and we will be open until midnight"—they are accommodating—"we will file a suit for you and it will not cost you anything." How do you like that for a speculation? How do you like that for a racket? That is the Supreme Court's gift to industry. I have the highest respect in the world for that Court, or at least if I have not right this minute, I will have when any three of them can agree on any one opinion when they file a decision.

The CHAIRMAN. The time of the gentleman from Michigan has expired. All time has expired.

The question is on the substitute offered by the gentleman from Pennsylvania [Mr. WALTER] to the amendment offered by the gentleman from New York [Mr. CELLER].

The question was taken; and on a division (demanded by Mr. WALTER) there were—ayes 40, noes 145.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. CELLER].

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes 73, noes 124.

Mr. CELLER. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

Mr. DEVITT. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. DEVITT: On page 4, line 18, after the word "practice", insert the following: "of the Wage and Hour Division of the Department of Labor, or of any Government agency having jurisdiction of the subject matter."

Mr. DEVITT. Mr. Chairman, I offer here a relatively simple amendment to this bill which I hope will have the favorable consideration of the House. I offer the amendment in order to take care of several situations of which I have personal knowledge and in order to clarify the bill. As the bill reads now, you will note in subsection (e) of section 2 that it is provided that in any action where the employer relies on an administrative regulation, order, ruling, interpretation, approval, enforcement policy, or practice, such reliance is a good defense to an action, even in the face of a later court decision to the contrary. Personally, I object to a law which gives to administrative orders a precedence over judicial decisions. But I believe by the amendment which I have offered we will be able to limit the scope of this law. What I seek to do is to limit the force given to these regulations and orders and make the law applicable only to those agencies of Government which have jurisdiction of the subject matter.

So my amendment would make subsection (e) read as follows:

In any action, whether or not commenced prior to the effective date of this act, the employer may plead and prove that the act or omission complained of was done or omitted in good faith consistent with, required by, or in reliance on any decision of a court of record in connection with which such employer was a party in interest, or any administrative regulation, order, ruling, interpretation, approval, enforcement policy, or practice of the Wage and Hour Division of the Department of Labor, or of any Government agency having jurisdiction of the subject matter.

What I seek to do is to strike from the bill the administrative policies, regulations, or rules of all kinds by Government agencies, bureaus, or departments which have absolutely nothing to do with the subject matter of the employment.

I related to the Members of the House yesterday afternoon the facts with reference to the lawsuit in my own congressional district, where a decision has already been rendered, but where, if this bill is passed without amendment, some 2,500 employees would be denied recovery which a court of the United States has said they were entitled to receive.

Under the proposed amendment I feel sure that these employees will be saved from the operation of this bill and that other groups of employees throughout the country similarly situated will also be saved.

Most of the administrative rules and regulations which the employers have relied upon in the past have been rules and regulations which have been issued by the Wage and Hour Division of the Department of Labor. I dare say that some 95 or 96 percent of the rules have emanated from that particular department.

I emphasize that the purpose of this amendment is to make sure that the employer cannot stand up years later and say that he relied on a regulation which was issued by some department—and certainly there are thousands of agencies and departments in our Government today issuing regulations—which had absolutely nothing to do with the subject matter. That was the case in the Northwest Air Lines lawsuit which I told you about yesterday.

I urge the members of this committee to give favorable consideration to this clarifying amendment.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. DEVITT. I yield to the distinguished gentleman from Michigan.

Mr. MICHENER. Assuming that a representative of the Wage and Hour Division, having his card and credentials, appeared in the factory and advised the employer and the employee that they must do a particular thing; assuming that they acted in good faith and complied. A month or two later another agent comes from Washington, representing another agency of the Government, and shows his card and identifies himself and says he has authority, and commands the employer to do a certain thing. Does the gentleman mean that before that employer has any protection he must come to Washington and make an investigation to find out which man

had authority, before he acts in good faith?

Mr. DEVITT. The gentleman's question is answered in the negative. I am sure he would not need to come to Washington to make an investigation. The question of good faith and reasonableness is involved. I am sure that any kind of a businessman with business acumen could find out the authority of somebody who walked into his plant and told him what to do. That would be the first thing he would do.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. DEVITT] has expired.

Mr. MICHENER. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Take the case about which the gentleman told us yesterday. The first representative of the Wage and Hour Board came along and told this concern what it should do. They complied. Later another representative came along and said he represented the Railroad Labor Board and it was the duty of the factory to do what he said. The factory accepted his authority. They did what he said, in good faith. If the gentleman is right now, he was wrong yesterday.

Mr. DEVITT. Just a moment. You say they did that in good faith. Does the gentleman recall the rest of the facts of that case that I cited yesterday? What did the Northwest Airlines do?

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DEVITT. May I answer the gentleman from Michigan? In the case of the Northwest Airlines, when they had two conflicting rulings from two departments of the Government they did not rely on this second contradictory ruling. They went to the War Department and told the War Department the situation and said that if this ruling should be reversed by a court of competent jurisdiction, and judgment should be entered against them for this overtime pay they wanted the War Department to reimburse them; and the War Department said they would do so. Now, I ask the chairman of the Judiciary Committee: Was that acting in good faith on the ruling of the Railroad Labor Board?

Mr. MICHENER. It might have been good faith, but the question is this: Under the pending amendment offered by the gentleman from Minnesota no one could rely on the authority of any representative without making an investigation to find out what his authority was.

Mr. DEVITT. I may say to the gentleman from Michigan that that is true in any aspect of life. If anybody comes up to you with a proposition you ask: Who are you? What is your authority?

Mr. MICHENER. We are striving by this bill to remedy things that have already happened.

Mr. DEVITT. Yes; and I am trying to limit the scope of the bill so that it will not apply to all rules and regulations of all kinds of agencies. I am trying to limit the bill to the pertinent agencies.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. DEVITT. I yield.

Mr. OWENS. Is it the understanding of the gentleman from Minnesota that this bill applies only to an action arising under the laws set out in section 5?

Mr. DEVITT. That is right.

Mr. OWENS. And that it should be limited to the administrative boards that have been appointed under those certain laws.

Mr. DEVITT. That is right; and I will go even further than that, I may say to the gentleman from Illinois, to provide that it should be limited to the rules and regulations of the board having jurisdiction of the subject matter. I think that is certainly wide enough to cover the situation.

Mr. REEVES. Mr. Chairman, will the gentleman yield?

Mr. DEVITT. I yield.

Mr. REEVES. I take issue with the suggestion that in determining whether or not the employer is in good faith he, the employer, must always pass on the question of jurisdiction. I submit that the amendment the gentleman has offered would impose upon employers the obligation of determining at their peril a jurisdictional question, which ought not to bear on the question of their bona fides or their good faith.

Mr. DEVITT. The answer to the question propounded by the gentleman from Missouri is the same as the answer to the question asked by the gentleman from Michigan, that any businessman having dealings with a regulatory body must exercise reasonable judgment to determine its functions and authority.

Mr. REEVES. But that is the very question which the court has to decide in any matter of good faith.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. REEVES. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota may proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. REEVES. But the custom is that in any question of good faith the courts look into the reasonableness of the reliance of the party claiming good faith. What the gentleman's amendment does, I believe, is to substitute for reasonable reliance in good faith the responsibility of determining the question of the jurisdiction of the several governmental agencies.

Mr. DEVITT. I beg to differ with the gentleman. The object of this amendment is to limit the scope of the bill so it will not cover the entire field of these boards and their numerous regulations.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. GWYNNE of Iowa. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I trust this amendment will not be adopted. I trust that for the sake of helping somebody's lawsuit out in Minnesota, you are not going to wreck the hopes and the aspirations of hundreds of thousands of employers all over this country.

This good-faith provision is not new to this bill; we had it in the last session in H. R. 2788; we had it before that in the bill that was sponsored by the gentleman from North Carolina [Mr. BARDEN]. Its intent is to bring the maximum of protection to a group of people who have been greatly abused and mistreated, the small employers in this country.

We do not wish in any way to limit the authority of any administrator to make whatever rules and interpretations he has the right to make, or to change them from time to time.

All we are trying to get into the law is a provision that if an employer relies upon a ruling or interpretation of the Administrator, of the Board, of the authority that has been given the power to enforce the law, he will be protected and any change in ruling will not operate retroactively. The courts have recognized that theory.

What is attempted by this amendment is to limit it to the rules and regulations of the Administrator of the wages-and-hours law. Why? Because, then, then, their lawsuit would be safe. That is the whole story.

Mr. Chairman, I submit that if we ever start making a crazy-quilt out of this legislation which has been gone over carefully with a thought to writing a bill which would be the maximum protection for everybody, if we are going to start now letting this fellow out and letting the other fellow out, we will soon have no bill at all.

In the first place, I have heard their case explained and I have serious doubt if their case is affected by the present bill for the reason that it simply provides if the employer relies in good faith on any rule or interpretation of some administrator in the executive branch of the Government he will be protected. That will take care of the great majority of the situations.

What happens when there is confusion in the temple, when there are conflicting rules and regulations of various boards and groups? Could a man be said to be in good faith if he picks out one he wants to comply with and complies with it? I am not so sure he would. I am not so sure this bill will affect the case the gentleman has in mind, and even if it did, I would not be in favor of adopting an amendment to save that case and scrap the rights of the many thousands of other employers all over the country.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. I yield to the gentleman from Tennessee.

Mr. JENNINGS. The effect of this amendment, if adopted, would be to write into the base of the general law a special

act for the protection and relief of one group of business?

Mr. GWYNNE of Iowa. That is exactly right.

Mr. OWENS. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, I am not rising to say anything with respect to suits which I think are improper. However, many suits which have been filed were filed justifiably and correctly and have as their object giving relief to employees who are entitled to that relief. We understand that this act is to be limited to certain laws which have heretofore been passed and which are set forth in section 5. In view of that fact I believe that when persons are raising defenses based on good faith, that defense being that they were informed by some administrative agency of some provision which caused their action should certainly be limited to an administrative body appointed under one of those laws which are set forth in section 5, or some administrative body which clearly has jurisdiction of the subject matter.

Mr. Chairman, this is a mighty drastic law which affects the rights of employees throughout the Nation. For this reason we should be very careful and give consideration to a just amendment of this type.

I therefore submit and urge you to support the amendment that was submitted by the gentleman from Minnesota.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. DEVITT].

The amendment was rejected.

Mr. FERNANDEZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FERNANDEZ: Page 5, line 15, strike out the words "and without reasonable ground" and insert in lieu thereof the words "or with intent to evade the provisions of said acts relating to fair labor standards and practices."

Mr. FERNANDEZ. Mr. Chairman, under subsection (e) of the act we make good faith a defense. Under subsection (g) we say that if the court finds that the defendant acted in bad faith or without reasonable ground, the penalties provided by the statute may be imposed. The words "without reasonable ground" stand out with a big question mark. It seems to be a new expression in this connection. It is hard to understand what is meant by those words. If the members of the committee who are more able than I can tell us what that means, I will withdraw my amendment. But I do think that we should endeavor to make the meaning clear. From the report I gather that what the committee meant was that if the defendant acted in bad faith or with intent to evade the provisions of these three statutes, then the court may impose the penalty and damage provisions of the act.

Therefore, to make that clear, I have offered the amendment to substitute for the words "and without reasonable ground" the words "or with intent to evade the provisions of said acts relating to fair labor standards and practices." If the court should so find, then, of course, the court would impose damages and penalties.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the proposed amendment which adds the words "or with intent to evade the provisions of said acts relating to fair labor standards and practices" would seem to me to add nothing to the present wording of bad faith. Anybody who acts with intent to evade the law would be acting in bad faith and without any reasonable grounds. The addition of this proposed wording would be repetitious.

Mr. OWENS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in view of the fact that we have already passed on subsection (e), I believe we could justly support this amendment, because certainly where we want to prove that the person was not acting in good faith it is sufficient to show that it was with intent to evade the law. I do not see that there is anything wrong at all with this amendment. As I said before, I believe this is a very drastic law, and we ought to give some support to the position of those employees whose actions are brought in good faith.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico [Mr. FERNANDEZ].

The amendment was rejected.

The Clerk read as follows:

SEC. 3. No action or proceeding of any kind whether or not commenced prior to the effective date of this act, shall be maintained to the extent that such action is based upon failure of an employer to pay an employee for activities heretofore or hereafter engaged in by such employee other than those activities which at the time of such failure were required to be paid for either by custom or practice of such employer at the plant or other place of employment of such employee or by express agreement at the time in effect between such employer and such employee or his collective-bargaining representative.

Mr. HOBBS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: On page 5, after section 2, insert a new section as follows:

"SEC. 2½. The whole of section 6, the whole of section 7, and the whole of section 16 (b), Public Law 718, of the Seventy-fifth Congress, are hereby repealed."

Mr. MARCANTONIO. Mr. Chairman, I make a point of order against the amendment. It is not germane. It deals with sections of the Fair Labor Standards Act not within the scope of this bill.

The CHAIRMAN. Does the gentleman from Alabama desire to be heard on the point of order?

Mr. HOBBS. Mr. Chairman, I was heard yesterday in the general debate, speaking to this amendment, and I try never to burden the House with my remarks if I can possibly avoid it. Therefore, I thank the Chairman, but decline to avail myself of the privilege. The ruling in the Committee was against me on this point of order, and I understand the Parliamentarian is of the same opinion, so further argument on the point of order would be useless.

May I assure the House, however, that nothing is further from my thought than to cut off any real, honest right. My amendment would cut out the cancer, root and branch, and cure the disease that afflicts our national economy to the point of threatening its life. But no one could be so foolish as to think that immediately following that beneficent surgery there would not be further amendment fully protecting every honest portal-to-portal claim, and doing full justice to all concerned with respect to wages and hours of honest labor. My amendment is but an invitation and challenge to straight thinking, urging that detours be avoided until the first city of refuge shall have been reached by the safe highway of good legislation.

Mr. MARCANTONIO. If the gentleman wants to be heard, I will reserve my point of order so that he can make his statement. However, I shall press the point of order after the gentleman has made his statement.

Mr. HOBBS. I thank the gentleman, but I do not wish to take the time of the House.

The CHAIRMAN. The point of order is sustained.

Mr. HINSHAW. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HINSHAW: At the end of section 3, strike out the period and insert "or upon failure of an employer to pay overtime compensation for items of inactive or unproductive time or services, which pursuant to either such practice or custom or such agreement have been absorbed in the rate of pay or have been treated as noncompensable."

Mr. HINSHAW. Mr. Chairman, the purpose of this amendment is to include under the provisions of section 3 those arrangements that are made with certain employees whereby those employees remain in a standby status for some period of hours after the normal period of employment, where compensation for the unproductive standby period is supposed to be included in the rate of compensation which is agreed to and paid. That condition obtains in a number of industries. It obtains in emergency or repair aspects of industries of several kinds. It may be that the intent of the language which I have offered is actually covered by intent of the committee in this or other portions of the bill. If so, I shall be glad to withdraw my amendment. May I now ask the distinguished gentleman from Iowa [Mr. GWYNNE], the author of the bill, whether this intent is covered in the bill?

Mr. GWYNNE of Iowa. Mr. Chairman, I think the committee is familiar with the circumstances the gentleman has in mind.

Section 3 has been written with a great deal of care and is designed to rule out all cases which are based upon compensation for activities that were not agreed to be paid for, either by express agreement or by custom or practice. I would think the words in the gentleman's amendment to distinguish between productive and nonproductive time would have a very unfortunate effect. Nonproductive time is just as compensable as purely productive time. But the distinction we have tried to make is between activities for which there was an under-

standing that they were to be paid for either by express agreement or by custom or practice. If your situation falls in that category, you have the protection now of section 3.

Mr. HINSHAW. I thank the gentleman from Iowa. I believe the bill covers the situation that has been presented by this amendment. The amendment was offered merely for clarifying purposes, and in view of the clarifying statement of the gentleman from Iowa, Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, although because of other hearings that are going on, it has not been my privilege to hear all the debate on this bill, I have been surprised at some of the debate that I have heard because of the apparent indifference of some speakers relative to the effect that this portal-to-portal question has on the public treasury. There have been some of those who have spoken rather slightingly of this legislation who have been among those who in times gone by have spoken very strongly for the control of excess war profits. They must be overlooking the fact that the real target of these portal-to-portal decisions, if they were to be made, would be the United States Treasury.

The committee report on the bill calls attention to the fact that cost-plus-fixed-fee contracts in the War Department between 1941 and 1946 totalled between forty and forty-five billion dollars, and it was estimated by Under Secretary Royall that a potential liability could rest against the Government of $1,400,000,000 on those contracts alone. In addition to that, there were $100,000,000 worth of lump-sum contracts. While the Government may not have the same legal responsibility there, it would have a moral responsibility which would add another large amount.

I am a little perplexed by the following sentence from the committee report which says:

> There might also be an additional although apparently limited loss in connection with the renegotiation proceedings.

It would be limited only to the extent that when renegotiation is completed, the Government does have a fixed settlement. But the moral liability would still remain.

As was pointed out in a letter from Colonel Hirsch, which I placed in the RECORD a week or two ago, the contracts under renegotiation which have not been completed are those with contractors who were the obstreperous sort, generally speaking. Those who came in and were willing to renegotiate their excess profits have been settled and, while the Government liability there may be closed, it is not closed in those which have been less willing to settle, those who would now stand to benefit if this legislation is not passed.

Mr. GWYNNE of Iowa. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. GWYNNE of Iowa. The witness for the Government who appeared before the subcommittee pointed out that there would be liability in that field. It would merely be smaller than the liability in the other fields. The gentleman is entirely correct.

Mr. CASE of South Dakota. I am glad to have the statement of the chairman. All of this must be taken in consideration in connection with the announcement of the Treasury that if individual firms or employers were liable for judgments under these portal-to-portal claims, credit would be given to the employer in the year in which the claim was reduced to judgment. The significance of that is that the tax rate was higher a few years ago during the time when some of these contracts existed. The tax rate will be lower this year and in succeeding years when these claims may be reduced to judgments and the Treasury would suffer an additional loss, because it would admit the loss under a lower tax rate.

Apparently there is a feeling on the part of some folks that what you can get from the Government is all right; perhaps that does not hurt anyone. When I think of this I am reminded of a thing General Eisenhower said in a committee hearing the other day. He said that it was a regrettable thing in the history of the United States when we started dropping the word "patriotism" out of our Fourth of July speeches.

Now, for the life of me I cannot see any reason why claims should be defended when they cannot be made in good faith. I think section 3 of this bill, protecting the employer in the case of good faith, is one of the most important sections of the bill. I am glad the committee reported the bill with that section in it.

So, I repeat the real target would have been the Treasury of the United States in many of these claims. It is the responsibility of the Congress to protect the Treasury of the United States as much as the employer or the employee. That is what we are really protecting in passing this legislation.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. JAVITS. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

> Amendment offered by Mr. JAVITS:
>
> On page 5, line 23, after the word "employee", insert "covered by collective-bargaining agreement then in effect."
>
> On page 6, line 5, strike out the period after the word "representative" and substitute a semicolon and insert the following clause: "or upon the failure of an employer to pay any other employee for activities heretofore or hereafter engaged in by such employee other than those activities which at the time of such failure were specifically required to be paid for, either by custom or practice of the particular industry most nearly applicable to such activities, or by express agreement at the time in effect between such employer and such employee."

Mr. JAVITS. Mr. Chairman, I would like to read the section as amended so that you will get the meaning of it clearly:

> No action or proceeding of any kind, whether or not commenced prior to the effective date of this act, shall be maintained to the extent that such action is based upon failure of an employer to pay an employeee covered by a collective-bargaining agreement then in effect for activities heretofore or hereafter engaged in by such employee other than those activities which at the time of such failure were required to be paid for either by custom or practice of such employer at the plant or other place of employment of such employee or by express agreement at the time in effect between such employer and such employee or his collective-bargaining representative; or upon the failure of the employer to pay any other employee for activities heretofore or hereafter engaged in by such employee other than those activities which at the time of such failure were specifically required to be paid for either by custom or practice of the particular industry most nearly applicable to such activities or by express agreement at the time in effect between such employer and such employee.

Mr. Chairman, this amendment goes to the heart of this bill. It is not an amendment for the purpose of making some minor changes. It seeks to separate the sheep from the goats in this way: First, it states that this bill shall stand as is with respect to those cases in which a collective-bargaining agreement exists. I am firmly of the opinion that in no case where people meet and bargain should they get a greater advantage than what they bargained for. The bill, however, is not confined to collective-bargaining agreements; it goes into the whole question of the protection of the Fair Labor Standards Act for people who are not covered by collective-bargaining agreements, and the major portion of the workers of the country are not. I am a Republican who was elected to come here and defend labor and employer alike—to give them justice—and that is what I am here speaking for. I want justice done in this bill, and in justice I am against portal pay suits where those portal pay suits are drummed up by unions for the purpose of getting advantage they never bargained for. But I am not for any act where a man may be victimized under the Fair Labor Standards Act—an act which was designed to prevent such victimization.

My amendment simply separates collective-bargaining agreements from others and does justice by everybody.

I should like to make just one further observation: The majority which the Republican Party now has was created by men elected from the big cities, just like me, and it has lifted Republicans—many of whom have been here for years in the minority—lifted them into the majority. Let us not forget that. I campaigned—and I think many of my colleagues campaigned—on a platform of even-handed justice. That is all I ask be done; and, Mr. Chairman, do not forget this other thing—this is not an inconsequential bill; this bill will be considered the length and breadth of America as a pilot-plant vote by the Congress, as to whether it is going to be just to labor and employer alike—as to whether

it is going to legislate with a cutlass instead of a scalpel, which is the instrument that should be used in any legislative procedure.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. MICHENER. The gentleman says his amendment refers only to collective-bargaining agreements and not to cases where there are no collective-bargaining agreements. In the latter cases the employee would have no protection. In other words, it would only protect union shops where there is collective bargaining and not anyone else who did not happen to have a closed shop and collective bargaining. This latter group would not be protected by the amendment offered by the gentleman from New York.

Mr. JAVITS. May I say to the distinguished chairman of the Judiciary Committee that my amendment does exactly take care of that situation by doing the following: It protects those who have collective-bargaining agreements and it also covers those without collective bargaining agreements by providing in those cases that payment, and so forth, shall only be for practices customary in that industry in the absence of agreement between employer and employee. I cover them both.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GWYNNE of Iowa. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I can state my objection very briefly. The bill as written was designed to protect not only collective-bargaining agreements between a powerful union and an employer but was designed just as surely to protect the agreement between one workman and his employer.

The provision in the amendment relating to practice and custom would create this situation as I understand it. Let us assume there are four plants in the same industry in one community, that in three of those plants 15 minutes of these preliminary activities are paid for as a matter of custom and practice generally but that in the fourth plant the employer was a little more liberal and paid for 20 minutes of such time. Is there any reason why the better agreement or the better custom and practice in the one plant should not be recognized and enforced as to the employees of that plant? What we are trying to do in section 3 is to protect every collective-bargaining agreement about these activities and to protect every practice and custom which we assume must have entered into the minds of the people when they made the contract. I am afraid the amendment would introduce confusion where we have tried to write a section which will adequately cover all cases.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. CELLER. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, I must, indeed, admire the forthright and very courageous statement of the gentleman from New York in offering his amendment, which particularly provides that the custom and practice must prevail throughout the industry nearest appertaining thereto. Unless we do that, then you have different practices and customs in the very same area of production. You will have black spots and white spots in an industry. Different plants within an industry could have different conditions and wages of employment.

I would like to ask, What is custom and practice in a new enterprise, a new employer who goes into business? He could declare his own practice; he could write his own ticket; he could write his own law, because there is no practice theretofore established. If we do not have uniformity throughout the industry, if you do not adopt the amendment offered by the distinguished gentleman from New York, you will have uneven and unequal conditions throughout the length and breadth of a particular industry. You will have unfair competition and those types of employers who want to do the fair and honorable thing, pay adequate wages, and provide decent conditions, will have to meet at their own disadvantage the chiseling, the corner-cutting employers who do not provide for decent employment conditions and who do not pay decent wages.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. It seems to me that the gentleman's argument runs rather wide, although I am not going to bring that up. The gentleman overlooks the fact that, if this amendment means what he implies it to mean, it may result in setting up a basis for a claim which was not in the minds of either of the contracting parties at the time—either the employee or employer—and that the fair thing to do is to let the matter rest upon good faith and what was the meeting of the minds of the employer and the employee at the time the employment contract was entered into.

Mr. CELLER. I do not object to that. The amendment offered by the gentleman from New York provides that if there is an express agreement or if there is collective-bargaining agreement, that shall prevail. I am speaking in general of the workers who are not organized and do not bargain collectively.

Mr. CASE of South Dakota. Even without a collective-bargaining contract, there is a contract of employment, so to speak, between the individual employee and his employer and whatever the meeting of the minds of the employer and employee was at the time that he entered the employment relationship it seems to me should be allowed to prevail.

Mr. CELLER. I may say to the gentleman there are many cases where there are no collective-bargaining agreements and, therefore, custom and practice must prevail. What custom and practice? Shall it be the custom and practice of the individual establishment or shall it be the custom and practice in the area of production? It should be the latter and the New York gentleman's amendment provides for the custom and practice that prevails generally in the industry so that there will be an evening out of conditions and wages to all competing establishments of the industry.

I repeat the argument I made when I drafted the minority report to the bill:

> In our judgment the proposal to make the law depend on the custom or practice of the employer accomplishes a virtual destruction of any standards under an act which by its title is supposed to set standards, namely, the Fair Labor Standards Act.
>
> The bill proposes that the question of whether certain activities are or are not required to be compensated under the law is to be determined by the custom or practice of the employer. This means that a new employer setting up his business for the first time is free to write the law for himself. He will determine what is his custom or practice and that will determine what is the law as far as he is concerned.
>
> Even among employers already in business, the proposed bill means that instead of setting any uniform or even any minimum standard the law will vary from employer to employer. Those employers who have been more liberal and decent and who have compensated their employees fully for all activities engaged in for the benefit of the employer will be penalized. For them the law will be quite stringent, based on the decent practices they have followed.
>
> On the other hand, the employer who has cut corners, who has given the most restricted possible interpretation to his duties under the law, who has paid his employees as little as possible, who has required his employees to engage in a substantial amount of work without compensation, is to be favored under the proposed bill. He is to be rewarded for his sweatshop conditions. The more vicious his practices have been the more he is rewarded since the law, for him, will set standards as low as those he himself has set.

Mr. Chairman, for the reasons above set forth, I hope the amendment will prevail.

Mr. FERNANDEZ. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, the rules providing for the consideration of bills by the Committee of the Whole House on the State of the Union are for the purpose of permitting Members who are not members of a committee to have their own ideas about the matter expressed and considered carefully.

I think that this Committee ought to consider the amendment just offered by the gentleman from New York, which I think is most fair. Everybody agrees that these laws were written to protect men from being over-reached by employers; the men who could not protect themselves. We have unions now that are strong and that are able to protect their own men. We could do without some of these protective laws as to those men who are fully protected by their unions, but as to those who do not come in that category, I think that we should protect them by continuing protective laws as to them. This bill as written, I think, will weaken those laws. The gentleman's amendment is fair in that it reaches the problem without the danger of weakening those laws. I thoroughly agree with him.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. It seems to me that the greatest value of the gentleman's amendment is that it would give a standard for a new industry starting out in a particular line of business in the matter of custom or practice to go by; otherwise it seems to me that an industry just beginning could declare its custom or practice to be anything it wanted to which might not be in conformity with the fair standards of that particular industry.

Mr. FERNANDEZ. I think so. I think the gentleman is correct. I think we ought to consider that amendment; in fact, I think all amendments so far offered today have been good amendments, and we ought to have considered them more carefully.

I started to say that I fully agree with the gentleman from New York. His amendment would tend to limit this act to the problem which is before us. In my own bill—H. R. 1440—and I ask the indulgence of the House if I may read a part of it—I tried to limit the act to the problem which is before us. My bill, in part, reads as follows in that respect:

SEC. 2. In any action now pending or hereafter instituted, based upon services performed by any employee prior to the effective date of this act, claim for which is based on the mandate of sections 6, 7, and/or 16 of the Fair Labor Standards Act of 1938 (act of June 25, 1938, ch. 676, as amended) and not upon the express or implied provisions of any contract, no compensation shall be allowed by the courts, either as compensatory or as liquidated damages where it is found by the court—

(1) that the services were rendered pursuant to a contract of employment defining the hours of work or workweek and entered into through collective bargaining and in good faith; or

(2) where the claim is based on items of time or services which were, pursuant to general and established custom and with the acquiescence of the employee, absorbed in the rate of pay but excluded from measured time; or

(3) where the claim is based on incidental activities required as preliminary or preparatory to the actual performance of productive work otherwise compensated, or required as incidental to the conclusion of such productive work, which incidental activities were not, because of usage or custom, included in the measured time and were not contemplated as items to be included in the measured time by either the employer or employee under the terms of employment express or implied.

I think this House ought to limit itself to the problem and not go out and broaden the bill to where it invites more trouble.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. The committee hearings have been going on for 3 weeks. Why did the gentleman not appear before the committee and present his proposal instead of coming on the floor of the House and taking up our time? The committee has now brought in a bill and you gentlemen come in with a lot of amendments to muddy up the waters, and we are not getting anywhere.

Mr. FERNANDEZ. Just a moment.

Mr. GAVIN. Let me take some time. I waited on the gentleman, and the gentleman yielded to me.

Mr. FERNANDEZ. I yielded to the gentleman for a question and he asked the question. Let me answer it.

In the first place, my bill was submitted to the gentleman's committee. If the gentleman did not look at it, that is not my fault.

Mr. GAVIN. It is not my committee. They tell me the committee was holding hearings on it.

Mr. FERNANDEZ. It was in the Judiciary Committee. I do not know whether the gentleman is on that committee or not.

Mr. GAVIN. I am not on that committee.

Mr. FERNANDEZ. The committee was holding hearings on the bill. My bill was before them and I assume was considered by them. Perhaps they did not quite agree with me. As to offering amendments here and taking up the gentleman's time——

Mr. GAVIN. You are taking up everybody's time.

Mr. FERNANDEZ. I think we are taking time in a good cause, and we ought to take time, and plenty of it, right here in this House.

The CHAIRMAN. The time of the gentleman from New Mexico has expired.

Mr. GAVIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I listened with a great deal of interest to the distinguished gentleman from New York [Mr. JAVITS], who told us he represents the great metropolitan area. I might tell the gentleman that I represent a rural area of Pennsylvania, and that the American people are sick and tired of the conditions that have been prevailing, and are watching the Congress, requesting that they be given relief from the conditions that have existed. The hearings on the bill have been held. The committee, I presume, has given everybody an opportunity to present any proposal they may have had, and why they have not I do not know. But most of the Members here are ready to vote on this legislation. Now amendment after amendment is being offered to muddy up the waters, with the result that we are unable to take definite action and clean up this matter and give the American people the relief they are asking. It is time for action and not talk.

COMMUNIST FOSTER PREDICTS DOWNFALL OF UNITED STATES BEFORE COMMUNIST CONGRESS IN ENGLAND

Mr. RANKIN. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Chairman, this is one of the most important measures that ever came before the Congress of the United States. For my part, I expect to follow the Judiciary Committee.

We had before our Committee on Un-American Activities on yesterday laborers who told how the strike in the Allis-Chalmers plant had been inspired by Communists and promoted and expanded by Communist influences. Those influences have been found behind every movement to paralyze industry in this country; and I think they are behind these suits.

A few days ago William Z. Foster, head of the Communist Party—the man who said that just as surely as the sun rises the Communists will take over this country, that when that day comes it will not be a capitalist government but a "Soviet government, and behind that government will stand the Red Army to enforce the dictatorship of the proletariat"—a few days ago this same William Z. Foster spoke to the Communists in England. Let me read you this news item from London on February 22:

Two thousand British Communists shouted today when William Z. Foster, head of the Red Party in the United States, opened the Communist congress here by telling them the news they all wanted to hear—that America was nearing a bust.

For months the British Communists, like Reds the world over, have been predicting the downfall of America, but getting the word straight from America made it seem final.

In other words, when William Z. Foster, whose pernicious influence is found in all these disturbances, went to England and assured them that America was on her way to a downfall, these enemies of civilization stood and applauded.

The paper quotes Foster as saying:

The economic crisis in America will shake not only that country but the entire capitalist world.

Then it says:

The ovation given him was tremendous.

Foster, in England as a reporter for an American Communist paper, is the distinguished guest at the congress, to which the Communist Parties in 30 countries have sent delegates.

After cheering Foster's obituary of America, the Communists heard the British party leader, Harry Pollitt, say that even under the present Labor government England could not meet competition from modern industrial America, and they cheered him when he denounced this American economic domination of the world.

Trained to expect the unexplainable contradictions in the Moscow party line, the Communists found no conflict in descriptions of America as dying, and a few minutes later as a ruler of the world.

The congress is the largest ever held in Britain. All of the 1,000 branches of the Communist Party in England, Wales, and Scotland have sent at least one delegate to the 3-day meeting—all expenses paid.

This man Foster has gone from one end of the country to the other spreading communism. His influence has been found stirring up strife in labor unions, stirring up and promoting strikes, and stirring up racial hatred. His influence is seen in the picketing of the National Theater here in Washington, and in the race rioting in Detroit, according to the Negro Nowell, who testified before our committee the other day. He plays the renegade, if not the traitor, to America

by telling the Communists in England that the United States is headed for the downfall for which he has been working.

It is time for real Americans to stand together to save America from such influences and to preserve this country for our children and our children's children.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. KEEFE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I assume it is entirely within the rights of any Members of Congress in the Committee of the Whole to offer amendments to legislation reported by any of the legislative committees.

May I say to the Members, however, that a bill which comes from the Committee on the Judiciary under the sponsorship of the distinguished gentleman from Iowa [Mr. GWYNNE] you may rest well assured has received most careful consideration. So far as I am concerned, not being privileged to serve upon any legislative committee of this House, but being obliged to be a drudge, so to speak, sitting in the background with the Committee on Appropriations trying to save a dollar here and there and trying to understand how in the name of conscience we are going to put our financial house in order, I want to remind you again this afternoon of the critical situation that faces our country and to arouse, if I can, from their lethargic attitude, the people not only of this Congress but of the country who seem unable to realize that we are sitting on top of a volcano which may erupt at any time.

It is important that this bill be passed. But, my colleagues, may I say to you, as the leaders of this Government in secret meetings are telling groups every day, it may be of small moment ultimately what we do here now unless we restore, protect, and preserve the economic stability of our country. The demands that are going to be made of you in the next few days, demands which must be met, are going to be staggering because of conditions which exist throughout the world.

I implore the Members of this Congress to take the position, wherever it can be taken as we proceed from day to day, to let the people of the United States know that, regardless of any line that may exist in this Chamber, there is one thing that, as Americans, we must be ruthless about. That is, if we are to save our country from collapse and keep it strong enough to maintain our commitments to the other peoples of the world, it will require heroic efforts on the part of the Members of this Congress.

As these bills come in, may I repeat—and they will start coming to this Congress shortly—there must be a new attitude manifested on both sides of this aisle. New vision must be brought to bear on this whole question if America is to survive. Realize, if you will, that unless we are just devastatingly ruthless in cutting down expenditures, we may be through as a nation sooner than we expect.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. KEEFE] has expired.

Mr. HOLIFIELD. Mr. Chairman, I rise to support the amendment offered by the gentleman from New York [Mr. JAVITS].

The gentleman from New York is one of the new Members of this House and he has presented an amendment in good faith. I think it is a good amendment and I want to support the amendment. If that amendment is defeated, which seems probable, because we have seen that most amendments have been defeated today, I still want to say that I shall support it. At this time I want to pay compliment to the gentleman from Iowa [Mr. GWYNNE] and other members of the Judiciary Committee who have handled this bill in the very fair manner in which it has been presented. They have not sought to cut out debate. They have not sought to keep Members from giving their ideas on amendments. I am somewhat amazed at the remarks of the gentleman from Pennsylvania [Mr. GAVIN] who just came to this well a few moments ago and gave some of the new Members on his side a tongue lashing for presenting amendments in Committee of the Whole. I wonder if the gentleman from Pennsylvania has ever offered an amendment to a bill presented by the committee.

Mr. GAVIN. No.

Mr. HOLIFIELD. I am glad to hear that. Now, will the gentleman sit down. I refuse to yield further. The gentleman had his 5 minutes to give the new Members a tongue lashing and now I am going to say something on behalf of the new Members. I want the new Members to know, if they do not already know it, that they have the parliamentary privilege of presenting amendments when in their good judgment and in their conscience they think an amendment should be presented. I have known very good bills to come to this floor and I have known them to be amended very remarkably to the welfare of the Nation as a whole. So when you present an amendment, present it in good conscience, because you think the people of your district sent you here for the purpose of producing a good piece of legislation. When one of the older Members gets up and gives you a tongue lashing and implies you are reflecting on the judgment of the members of the committee which brought in the bill, it is just so much hogwash. It does not amount to anything. It is a grandstand play for the benefit of the galleries.

The CHAIRMAN. The time of the gentleman from California [Mr. HOLIFIELD] has expired.

Mr. ROGERS of Florida. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am going to support this bill. I think it is a constructive bill. I think this is a time when Congress should concern itself with legislation such as this that will bring about better days not only for industry but for the workingman. We have a job before us to do, and I hope that both Republicans and Democrats have the stamina, I hope we have the character, I hope we have at heart sufficiently the interest of this country that we will come here and vote for those measures that are good for the country and not for any particular class, any particular organization, or any particular industry.

I wish to congratulate the gentleman from Iowa [Mr. GWYNNE] for bringing in this constructive measure. His explanation of the bill on yesterday was one of the finest, one of the most lucid, I have ever listened to, and I went immediately to him and congratulated him on his fine explanation of the bill. I have read the bill; I have studied it. It contains one provision, however, that I do not like, and I am sure that if the gentleman from Iowa [Mr. GWYNNE] got the same reaction from this bill that I did, this particular phraseology would not be in the bill. I intended to offer an amendment, but at the time that portion of the bill was reached I happened to be out of the Chamber preparing the amendment, so I cannot offer it now except by unanimous consent, but I wish to read this language and submit it for the consideration not only of the gentleman from Iowa but of the membership at large. I speak particularly with reference to the paragraph beginning in line 12 on page 5:

> In any action pursuant to any of the acts mentioned in section 5 hereof the court, if it finds that the violation of the law giving rise to such action was in bad faith and without reasonable ground—

Then the court may, in its discretion, award damages or penalty, and so forth.

Now, under this language the court has got to find these two things, that it was brought in bad faith and without reasonable ground—

> may in its sound discretion award not to exceed—

And so forth. This provision of the bill alleges two conditions: After the court has found it is in bad faith and has found that it is without reasonable ground. But you still repose in the court the duty then to say whether or not in the court's sound discretion a judgment should be awarded. Congress should not pass the buck like that. Why should we pass it on to the courts? Why does not the Congress say in simple language that if you, Mr. Judge, find that the action is in bad faith, if you find it is without reasonable grounds you shall award certain damages? If you do not do that, you had just as well strike out the penalty in the original bill.

Let us not throw on the courts the responsibility which belongs to Congress, the responsibility which is our duty. Let us not shirk our duty. Let us not put a subterfuge in this bill and try to dodge a responsibility which is ours. Let us adopt language so clear there will be no question of doubt, absolutely none. The reason we are here now considering this bill is because Congress failed to do its duty to define in the Fair Labor Standards Act what is meant by a workday. This was left to the court to define, and portal-to-portal pay was permitted under the court's decision. Congress failed to legislate fully and the court legislated for us.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. FERNANDEZ. Mr. Chairman, I ask unanimous consent that the gentleman from Florida may proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield.

Mr. FERNANDEZ. The first words I uttered in this House today were that, regardless of whether amendments were adopted or not, I was going to support this bill wholeheartedly. I supported a similar bill in the last session and I am going to support it again regardless of whether or not amendments are adopted.

I wish to join the gentleman from Florida in complimenting the gentleman from Iowa [Mr. GWYNNE], the chairman of the committee, for this excellent bill. I do not hesitate to say that it is better than mine, although I was very proud of my own.

Mr. ROGERS of Florida. I am sure every Member of Congress wants to be fair. We want to be honest. We want to deal with every particular section of our economy, with labor, management, and the citizens at large.

I say that this Congress should not pass that responsibility and say that after you have found those facts you still have a discretion. Let us not do that.

The CHAIRMAN. The time of the gentleman from Florida has expired.

The question is on the amendment offered by the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, I ask unanimous consent that the amendment be read again.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

The Clerk reread the pending amendment.

Mr. SABATH. Mr. Chairman, I would like to be heard.

The CHAIRMAN. The question has been put and I think the gentleman's request comes too late.

Mr. SABATH. I have not heard it put.

The CHAIRMAN. If there is no objection, the distinguished gentleman from Illinois may proceed for 3 minutes.

Mr. SABATH. For 3 minutes?

The CHAIRMAN. Yes. Did not the gentleman ask for 3 minutes?

Mr. SABATH. No. I am rising for the purpose of supporting the amendment offered by the gentleman from New York.

The CHAIRMAN. The gentleman will be recognized for 5 minutes, if there is no objection.

There was no objection.

AMENDMENT TO GWYNNE BILL

Mr. SABATH. Mr. Chairman, I am of the opinion, personally, that this is a splendid amendment and I favor its adoption, but I realize and understand that because it might aid and protect the laboring man to some extent in his rights the gentlemen on the Republican side, I am certain, will vote solidly against it.

The gentleman from Wisconsin [Mr. KEEFE] showed a little while ago that he was very much interested in financial stability and made a great plea, as he is capable of doing, for that happy condition. Unfortunately, no such plea was made by anyone on the Republican side when the so-called Ruml plan was considered and forced through Congress. That action cost the Nation about $6,000,000,000. No such plea was made when a vote was taken on the carry-back provisions under which the Government is now refunding millions upon millions of dollars to the manufacturers. Nor was any such plea made when the excess-profits-tax legislation was before us, which permitted the profiteers of this Nation to get away with some $3,000,000,000. At that time the gentlemen on the Republican side had confidence in their ability to have the Government pay for any possible losses that business employers might sustain by their willful and deliberate refusal to agree to fair pay adjustments with their labor.

LABOR ALSO LOST MILLIONS

But labor lost millions of dollars in wages in those work stoppages, and the workmen and their families suffered privation of the most severe kind. In some States, denied the benefits of unemployment insurance, they used up their savings, if they had any, drained the union treasuries, and were succored by sympathizers who were in their turn smeared by Red-baiting columnists.

Who made up to the workers the wages they lost?

Nobody.

Not so with Westinghouse Electric Corp., with General Motors, and with other corporations.

Under leave given me, Mr. Chairman, I insert at this point a news report from the staid and respectable New York Times; in fact, from the financial pages of the New York Times for yesterday, February 27.

This article explains how tax refunds from the carry-back tax gifts enabled Westinghouse to have an operating loss of $59,768,997 but a net profit of $8,823,846 in the year 1946. Members may recall that 2 months ago the president of the company expected to have a net profit of only $4,000,000. Even that was considerably more than the net profits of Westinghouse workers in 1946, who were virtually locked out of the plants for 4 months last year when the company refused even to discuss terms of the contract. The company had confidence in the Congress; the workers had confidence only in their cause.

The text of the New York Times story is as follows:

OPERATIONAL LOSS FOR WESTINGHOUSE—$59,768,997 DEFICIT IN 1946 AGAINST $48,443,839 NET IN 1945 LAID TO STRIKE

The Westinghouse Electric Corp. had an operating loss last year of $59,768,997 in contrast to an operating profit of $48,443,839 in 1945, the annual report disclosed yesterday. Tax refunds arising from the carry-back feature of the Federal tax laws and other income, however, enabled Westinghouse to show a net income of $8,823,846 for 1946, which compared with the net income of $26,744,055 the year before.

Gwilym A. Price, president, explained the large operating loss resulted from a strike last year that lasted 4 months, scarcity of materials, inadequate prices under the Office of Price Administration, and expansion outlays. While operating losses continued throughout the first 11 months of 1946, improvement in production and prices was reflected in an operating profit of $1,446,763 in December, he declared.

Unfilled orders at the close of last year reached a new peacetime high of $589,583,459 which compared with $303,873,749 a year earlier. Notwithstanding the production difficulties during the year, output, as represented by net sales billed, also made a new peacetime high of $301,691,788, Mr. Price points out. This, however, was substantially below the 1945 figure of $685,132,854, most of which represented war production.

OTHER COMPANIES GET SAME BENEFITS

I wish I could take the time and space to continue to quote from this same newspaper—from page 35 of the New York Times of February 27. It is filled with cheering news. Profits are everywhere—cash dividends, stock dividends, expansion programs, new high record sales, new high profits.

But I shall pass over this interesting and optimistic page of reports, except to note that the carry-back provisions added substantially to the net profits of R. G. Le Tourneau, Inc., and of Ryan Aeronautical Co.

Now let me paraphrase from another publication which would never be accused of unfriendliness to business, big or small, Moody's Industrials, reporting on another great industrial unit which, you may recall, had a little labor trouble last year.

I refer to General Motors Corp.

In the first 9 months of 1946 this far-flung industrial empire lost $68,000,000; but an $82,000,000 tax credit turned that operating loss into a net profit of $14,000,000. I wonder if all the unions of which you Republicans seem so fearful have total assets as great as this profit?

WHERE ARE REPUBLICAN PROTESTS AGAINST THESE VAST GIFTS TO CORPORATIONS?

How many more millions of dollars will be thus refunded to war profiteers and multimillion corporations no one can now foretell.

But it can be prophesied with absolute certainty that there will be no Republican squawks against this law which bestows so many generosities on corporations, and enables them to turn a lockout into a net profit.

With equal certainty it may be foretold that whenever and wherever the underpaid employees seek their rights, under the law, to recover unpaid wages for overtime work—oh, Mr. Speaker, what a hue and cry will then be raised.

Obviously, then, in the face of this predetermined judgment no amendment which might minimize or mitigate such discriminatory antilabor legislation as this has the slightest chance of adoption; and the bill, I feel sure, will be forced through with an almost unanimous vote from the Republican side.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. SABATH. I cannot yield.

Mr. KEEFE. The gentleman referred to me.

Mr. SABATH. I referred to the general vote.

Mr. KEEFE. The gentleman referred to the gentleman from Wisconsin.

Mr. SABATH. I referred to the statement that the gentleman made on the floor.

Mr. KEEFE. The gentleman declines to yield?

Mr. SABATH. I decline to yield because I only have 5 minutes.

REPUBLICAN TAX POLICY, IF ANY, PROMISES MILLIONS TO MILLIONAIRES

Mr. Chairman, not content with all this prodigal generosity to the profit-gorged vested interests, the gentleman from Minnesota [Mr. KNUTSON], the chairman of the powerful Committee on Ways and Means, comes in with a demand for a straight, across-the-board, 20-percent cut in income taxes.

This means millions for millionaires, pennies for the people.

I realize that it is highly debatable that there is a Republican tax policy.

It is somewhat difficult to read the widely differing reports from Republican leaders and know just what the official party policy is.

The one thing we can be reasonably sure of is that their policy, as it finally comes out in the revenue act, will sock the poor and coddle the rich.

DRY THOSE CROCODILE TEARS

O Mr. Chairman, the crocodile tears that have been shed on this floor for the poor, oppressed business interests that are being oppressed and bankrupted by the portal-to-portal pay suits, so-called.

Unfortunately, many well-intentioned, sincere, and honest men have permitted themselves to be influenced by these far-fetched statements made here on the floor and in the press and in the unending flood of propaganda we receive in our offices from high-pressure lobbyists.

I have risen to bring to you the real facts, and to show that there is no more justification for these crocodile tears than for any belief that you will not vote solidly for this and for every other piece of legislation proposing to protect capital and industry at the expense of the American wage earner.

THESE ARE THE FACTS

I will give you the facts.

You have heard, as I have heard, that if all the so-called portal-to-portal pay cases filed were upheld in the courts it would cost $10,000,000,000 and bankrupt American industry.

The fact is that it is impossible to estimate what the total back-pay bill would be.

The $10,000,000,000 figure has been exploited because it sounds huge; yet that could be arrived at only if the courts held that every minute of preparatory time had to be paid for.

But in the key case, the Mount Clemens Pottery case, the court did not so hold.

CASE DISMISSED AS INSUBSTANTIAL

The fact is that the principle that work done should be paid for has been upheld; but the key case was dismissed on the grounds that the preparatory time for which pay was sought was not sufficiently substantial to establish a claim, although the master's finding showed it averaged about 15 minutes.

Therefore, the fact is that the total bill for back pay probably would not exceed $1,000,000,000.

Most fair-minded Americans accept the principle of pay for work performed.

INDUSTRY IN NO DANGER OF INSOLVENCY

But if the courts did uphold all the pending cases for back pay for preparatory work, I can find no imminent danger of bankruptcy, insolvency, and industrial chaos in the picture.

We must remember that whatever the liability is, that liability is actually a part of production costs, and as such a charge against total costs before taxes. American corporations have paid taxes upon production costs which did not include portal-to-portal pay. The Federal Treasury has received tax revenues upon profits that have not included portal-to-portal pay.

WILL GET TAX REBATE, TAKE NO LOSS

If the court upholds any given suit and awards judgment, it will then become the legal obligation of the corporation to pay for the preparatory work, in which case the Government will have to refund taxes paid on that portion of the profits which now will be legally returned to the workers involved. The corporations would have their undistributed profits on earned surpluses reduced to the extent of the wage payments. Had the corporations, from 1939 on, paid for preparatory work their earned-surplus positions and the Treasury's tax revenue would have been adjusted accordingly.

Consequently, the fact is that there is really no loss to the corporations and no loss to the Federal Government if the claims are paid.

Moreover, the burden of paying the claims would not fall on the corporations alone. For the war years 85 percent would be borne by the Government, and for 1946, 30 percent by the Government.

CORPORATIONS HAVE FARED WELL

According to the Securities and Exchange Commission, and again these are facts, the net working capital of United States corporations in 1939 was $24,600,000,000. In 1945 it had grown to $52,000,000,000. By the end of the third quarter of 1946, these corporations—which we have been assured are on the verge of financial collapse because of labor demands—had increased their working capital to $55,400,000,000. I should like to point out that that is not only an increase of $30,800,000,000, or 100 percent above the 1939 position, but also approximately equal to one-fifth of our total national debt.

Working capital is nothing more than the difference between total current assets and total current liabilities of corporations.

The assets position of our corporations has been improved mainly through earned surpluses. Most of this earned surplus was, during the war years, put into one of three categories of assets: increased inventories; increased cash balances; increased holding of United States Government securities.

LIQUID ASSETS OF CORPORATIONS UP OVER 600 PERCENT IN 7 YEARS

The cash balance of American corporations increased from $10,900,000,000 in 1939 to $22,300,000,000 in the third quarter of 1946, or more than 100 percent.

Their holdings of United States Government securties increased in the same period from $2,200,000,000 to $16,200,000,000, or over 600 percent.

The claim made by the National Association of Manufacturers that the portal-to-portal pay claims can break American corporations because the claims exceed current profits is a bald misrepresentation of facts. The fact is that it is working capital or net current assets position of the corporations which determines their ability to pay.

INDIVIDUAL CORPORATIONS PROVE TOTALS

I have been talking about total figures for all American corporations, big and little. I will not take up time and space with a long catalog; here are just a few examples: United States Steel has increased its working capital from $432,000,000 to $600,000,0000 in 7 years. Westinghouse has increased its working capital from $102,000,000 to $245,000,000 in that period. General Motors—and remember that I am reducing this to simplest terms, for there are other favorable factors involved—has increased its working capital from $434,000,000 in 1939 to $775,000,000 in 1945.

As to smaller companies, I quote from the Federal Reserve Bulletin of December 1946:

> The improvement in financial position during the past 5 years has been relatively greater in small and middle-size concerns than in larger concerns. This is because of the relatively greater increase in sales, profits, and assets * * *. At the end of 1945 the small and middle-size concerns were probably in a more liquid position than they had ever been in the history of the country.

FARMERS TOO ARE IN CLOVER

Nor are the farmers suffering right now.

I quote now from the January issue of Illinois Business Review, published by the College of Commerce of the University of Illinois, which I just received this morning:

CASH FARM INCOME

> Cash-farm income in Illinois jumped to a record peak of $206,077,000 in October 1946, almost three times the figure for September, up 35.8 percent for the year, and more than five times the average for 1935–39. In the United States as a whole, October income rose 65.4 percent from September and 40.7 percent from October 1945. Illinois cumulated cash-farm income for the first 10 months of 1946, $1,066,716,000, was 13.5 percent greater than for the comparable period of 1945.

Lest it escape you gentlemen, for it did not escape me, note that this sudden increase of 65.4 percent in farm income in October followed the murder of OPA and preceded the November elections.

I wonder if, a year from now, farm profits will still be on the increase as they have been in recent years. Can you Republicans continue to reap the advantage of wise Democratic administration? Will the index of farm prices still

be above 250 percent of the base years of 1935–39? Will farm incomes top 500 percent of the base price?

ANTILABOR LEGISLATION DESTROYS PROSPERITY

This kind of antilabor legislation destroys prosperity, because it destroys the purchasing power on which all these high profits, high sales, high business indices of every kind are based.

You will encourage high corporate profits at the expense of workers, so workers buy less, so farmers get less, so farmers buy less, so workers are laid off, so sales drop, so profits begin to drop.

I may at another time insert in the RECORD a table showing how 1946 corporation profits rose over 1945 profits. Right now it is enough to say that for one company it was 760.5 percent; for another 487.6 percent; for a third, 322.9 percent. Fifty big companies increased their profits from 22.7 percent to the top figure I just cited in 1 year.

Estimated profits in 1946, after taxes, are $11,800,000,000, and in 1947 are projected at $16,100,000,000 after taxes.

Our annual national production rate for 1946 is now estimated at $185,000,000,000 gross, four times as great as under President Hoover, while estimates based on Government figures indicate that in 1947 the national product will exceed $200,000,000,000 in value.

Consequently, I find it difficult to become frightened by all the forebodings that have been shown here, by the NAM propaganda, and the cries of disaster. I only hope that by passing this bill and other restrictive and discriminatory bills of like intent you do not bring on the disaster you so fear and retard our progress and destroy our prosperity.

In conclusion, Mr. Chairman, though I could continue to cite facts and then more facts, I can only repeat that I deplore these alarmist statements and only hope that they do not frighten away our present good fortune.

Mr. JAVITS. Mr. Chairman, I ask unanimous consent to proceed for 1 minute to make a personal explanation.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JAVITS. Mr. Chairman, I think it is only fair to my colleagues who are on the Committee on the Judiciary to say that I have the highest regard and respect for their judgment, that I did distribute copies of my amendment to the members of the subcommittee headed by the distinguished gentleman from Iowa [Mr. GWYNNE] some days ago, and that all has proceeded with complete cooperation and graciousness. I think there should be no misconception on that score whatever.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. JAVITS].

The question was taken; and on a division (demanded by Mr. JAVITS) there were—ayes 53, noes 131.

So the amendment was rejected.

Mr. KEFAUVER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEFAUVER: Page 6, line 1, after the word "by", insert "lawful."

Mr. KEFAUVER. Mr. Chairman, this amendment is not offered for the purpose of emasculating the bill or of creating any confusion in connection with it. I sincerely believe and feel that this amendment would greatly improve the bill.

Section 3 provides that no action shall be brought for any wages which violate a custom or practice of a particular employer; that is, conditions that grew out of either a custom or practice in the particular industry shall not be considered the subject matter of a suit. The question presented here is whether you want to sanction an illegal custom or whether you do not. All my amendment says is that if that custom is lawful, then no suit may be brought for wages or any claim growing out of that lawful custom or practice. If the custom is unlawful, I cannot believe that the Members of the House want to give sanction to it and to protect that industry in the event it is following an unlawful, illegal custom or practice.

Some may argue that the words "custom or practice" standing alone would mean a lawful custom or practice. If that is true, and if that is your position about the matter, what harm would be done by inserting the word "lawful" to make doubly sure that it is a lawful custom or practice that we refer to and protect?

But I am afraid that the words "custom or practice" in line 1 of page 6 are not confined to lawful customs and practices. In other words, I am afraid this language would enable an industry to start out and have the management declare, "In this industry the custom or practice is to pay one-half of the minimum provided in the Fair Labor Standards Act," or to pay any amount that they may want to establish as their custom, or to pay any amount that would permit that industry to be in violation of the other labor laws that are dealt with in this bill and say, "That is the custom." Then there is nothing anyone can do about it. So let us at least provide that they must begin their industry in compliance with the lawful custom or practice of the particular industry.

Mr. GWYNNE of Iowa. Mr. Chairman, will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from Iowa.

Mr. GWYNNE of Iowa. Is not the trouble with the gentleman's amendment that under the decision of the Supreme Court in the Mount Clemens case it refused to recognize custom? Therefore, if we say this bill applies only to lawful custom, are we not running rather counter to our efforts to upset that decision?

Mr. KEFAUVER. I do not think so. The only thing I am concerned about is that we do not allow one side, industry, to completely write its own ticket as to the meaning of these laws by saying, "This is the custom and practice in this particular industry." Let us require it to be a lawful custom and practice.

Mr. FOLGER. Mr. Chairman, will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from North Carolina.

Mr. FOLGER. Going a little further than that, does not this make the custom or practice that is established by any employer regardless of what may appear in the industry generally the law, if this is adopted?

Mr. KEFAUVER. It makes it the law as to that particular plant, whether it is legal or not, and regardless of what the custom is in the industry generally, unless this word "lawful" is written into the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. KEFAUVER].

The question was taken; and on a division (demanded by Mr. KEFAUVER) there were—ayes 48, noes 100.

So the amendment was rejected.

Mr. HOLIFIELD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOLIFIELD: On page 6, line 1, after the word "for", strike out "either by custom or practice of such employer at the plant or other place of employment of such employee or."

Mr. HOLIFIELD. Mr. Chairman, this seeks to do in a simple way what the amendment offered by the gentleman from New York [Mr. JAVITS] and the amendment offered by the gentleman from Tennessee [Mr. KEFAUVER] sought to do, which was to put some specific meaning on the phrase "custom or practice." The amendments to accomplish this purpose have failed. There is no doubt in the world that this amendment will fail, too, because the steam roller is working pretty well. I notice only about five or six of the Members on the Republican side voted for the amendment offered by the gentleman from New York.

If they fail to get a crust of bread from their parents, why should I expect anything but a stone? But there is a great deal of concern on the part of some of us as to the bringing in of this new phrase, "custom or practice." It is indefinite and may be used by chiseling employers to substantiate wage rates in their industry which will in effect not only hurt the employees but may hurt other employers. The bill proposes that the question whether certain activities are or are not to be compensated for under the law is to be determined by the custom or practice of an employer. It does not specify whether that custom or practice is in one of the low-wage States or one of the high-wage States or in an adjoining town or across the street or any other specific limitation on the meaning of "custom or practice."

I submit to you that if those words which I have asked to be eliminated are eliminated, then the vagueness is eliminated and the prohibition against an action resolves itself to the terms of an

agreement, whether it be collective bargaining or individual agreement between employer and employee. Certainly that is what we want to get at. If an employer and an employee have certain terms in their agreement, certainly the employee should not be allowed to sue the employer for additional moneys which are not included in that agreement. That is just a matter of common justice. That is what the committee hopes to attain in this act which they have presented in good faith, and it is what I hope to attain.

I ask that consideration be given to take out this indefinite wording, this phrase, "custom or practice," and permit the filing or not filing of a suit to depend upon an agreement between the employee and employer, whether it be a written or verbal agreement. It could still be substantiated in court and would prohibit the employee from suing and collecting any damages for something that was not in the verbal or written agreement.

Mr. FOLGER. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. FOLGER. Therefore, it is not proposed by your amendment, nor was it proposed by the amendment offered by the gentleman from New York, to avoid an agreement?

Mr. HOLIFIELD. Absolutely not. I think, as an employer myself, that the employer and employee should have an agreement, preferably in writing, and if not in writing, at least verbal.

Mr. FOLGER. Is it not true when you adopt this language "by custom or practice of such employer" you take that category of people entirely out of the provisions of the Fair Labor Standards Act?

Mr. HOLIFIELD. I think you do. I think it would supersede it to that extent and would modify it to the extent at least of giving a chiseling employer grounds for substantiating a chiseling practice against employees and against other employers.

Mr. ROBSION. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. ROBSION. Does the gentleman contend that the employee and employer could enter into any agreement which would take away the protection of the minimum wage or time and a half?

Mr. HOLIFIELD. Certainly, and if that is not the case, then this wording is superfluous and should be removed.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. JENNINGS. The proposition you are advancing is disadvantageous to the worker.

Mr. HOLIFIELD. I do not think so.

Mr. JENNINGS. You say in effect by your amendment that if a worker is performing work which according to custom or usage existing between him and the employer entitles him to be paid he cannot have that pay.

Mr. HOLIFIELD. I do not think so. The gentleman is wrong.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HOLIFIELD].

The question was taken; and on a division (demanded by Mr. HOLIFIELD) there were—ayes 36, noes 113.

So the amendment was rejected.

The Clerk read as follows:

SEC. 4. No court of the United States, and no other court, deriving jurisdiction under or pursuant to a law of the United States, over actions, causes of action, or proceedings defined in this act, shall have jurisdiction to entertain, proceed with, impose liability in, or enter judgment upon any such action except in accord with the conditions, limitations, and policies herein prescribed, whether or not such action was commenced prior to the effective date of this act, except actions upon which final judgment was entered prior to such effective date and from which no appeal had been or could be taken.

SEC. 5. This act shall apply to all actions, causes of action, or proceedings arising under or pursuant to the act of June 30, 1936, as amended (49 Stat. 2037; 41 U. S. C., secs. 35–45); the act of June 25, 1938 (52 Stat. 1069; 29 U. S. C., secs. 201–219); and the act of August 30, 1935, as amended (49 Stat. 1011; 40 U. S. S., secs. 276a–276c). Any parts of said acts inconsistent with any provision of this act are to such extent hereby repealed.

Mr. PRICE of Illinois. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. PRICE of Illinois: On page 6, after line 24, insert the following new section:

"SEC. 6. Nothing contained herein shall permit the lowering of any existing wage or hour standards now contained in any laws of the United States mentioned in section 5 hereof."

Mr. PRICE of Illinois. Mr. Chairman, I have offered this section as an amendment to this measure in order to clarify its effect on existing laws that have become cornerstones in our basic industrial economy.

I am certain that anyone who will approach this matter in a fair-minded way will agree that it is not the intent of the authors of the bill to disturb existing wage and hours structures provided for in other laws. In the event that the Davis-Bacon Act, the Walsh-Healey Act or the minimum wage provisions of the Fair Labor Standards Act were disturbed it would be a death blow to thousands of unorganized American workers who are now working under substandard conditions.

The leaders of both major parties have committed themselves to increases in the minimum wage provisions of the Fair Labor Standards Act. I feel certain that had this bill been considered by the Committee on Education and Labor of the House, who are experts in legislative matters affecting labor relations, provision would have been made to prohibit the lowering of any existing wage or hour standards as mentioned above.

I sincerely hope that the House will adopt this section as an amendment in order to guard against a recession in the progress of America's underprivileged workmen.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GWYNNE of Iowa. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am sure the gentleman offers this amendment in the same spirit that actuated the committee. That is, that nothing will be done here which will damage the great essential features of the wage-and-hour law. Nevertheless, I think the adoption of this amendment might bring considerable danger to this bill. I will read the amendment:

Nothing contained herein shall permit the lowering of any existing wage or hour standards now contained in any laws of the United States mentioned in Section 5 hereof.

That means any law of the United States as presently construed by the highest court of the land. The very thing we are trying to do here is to disagree with the construction of the wage-hour law put on it by the Supreme Court. For example, the Supreme Court has construed the workweek provision to include as compensable time, time which was agreed should not be compensable. That is the law now, that is the standard now of the wage-hour law as interpreted by the Supreme Court. It is now interpreted to include certain travel time, certain preliminary activities which it had been agreed by employers and employees either by agreement or through customs and practices were not compensable. Now we are taking that out, and I suppose in that particular we are reducing the standard of the wage-hour law as interpreted by the court.

I suggest that the amendment be voted down.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. I yield.

Mr. JENNINGS. In other words, this amendment is an effort to suspend and take away from the Congress the right to express its legislative will on this proposition.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. I yield.

Mr. HOLIFIELD. I do not know whether I heard the gentleman aright or not, but did the gentleman make the statement or admit the fact that this bill would reduce the wage standards under the present Fair Labor Standards Act?

Mr. GWYNNE of Iowa. I am sure the gentleman heard me; I am sure the gentleman understands me.

Mr. HOLIFIELD. Will the gentleman please explain what he said to me?

Mr. GWYNNE of Iowa. I will explain it again. We have been very careful to put nothing in this law which would take away the essential features of the wage-hour law. The very thing which has caused the trouble is that the Supreme Court has given it a construction which will result in raising, if you want to say that, the wage standards of certain workers of this country by $6,000,000,000 at the expense of everybody else. That is just exactly what we are trying here to prevent.

Mr. HOLIFIELD. Does not the gentleman believe that this bill will go far beyond that?

Mr. GWYNNE of Iowa. No, no; certainly not. The bill is designed to overcome the decision of the Supreme Court.

Mr. HOLIFIELD. The gentleman does not believe that this is only a bill to prevent portal-to-portal pay suits, does he? He means, does he, that it does not go beyond that factor?

Mr. GWYNNE of Iowa. All I am saying is this: I am afraid this amendment may introduce a very disastrous factor into the bill. It may upset the entire bill. Possibly I am not making myself clear, but this might nullify the very thing we are trying to do in this bill.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. I yield.

Mr. HALLECK. The gentleman's amendment, if adopted, might be so construed as to reinstate portal-to-portal pay suits.

Mr. GWYNNE of Iowa. Absolutely.

Mr. HALLECK. And that is the very thing we are trying to stop.

Mr. GWYNNE of Iowa. That is exactly what I am getting at; in other words, the law will be as construed by the last decision of the Supreme Court, exactly what we are trying to get away from.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

The question is on the amendment offered by the gentleman from Illinois.

The amendment was rejected.

The Clerk read as follows:

SEC. 6. If any provision or portion of any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of this act and the application of such provision or portion thereof to other persons or circumstances shall not be affected thereby.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. JENKINS of Ohio, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 2157) to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes, pursuant to House Resolution 117, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The bill was ordered to be engrossed and read a third time and was read the third time.

Mr. CELLER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CELLER. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CELLER moves to recommit H. R. 2157 to the Committee on the Judiciary with instructions to report the same back forthwith with the following amendment: On page 3, line 17, strike out "1 year" and insert "2 years."

Mr. MICHENER. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes 42, noes 219.

Mr. CELLER. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. MICHENER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 345, nays 56, not voting 31, as follows:

[Roll No. 16]

YEAS—345

Abernethy	Coudert	Hill
Albert	Courtney	Hinshaw
Allen, Calif.	Cox	Hobbs
Allen, Ill.	Cravens	Hoeven
Allen, La.	Crawford	Hoffman
Almond	Crow	Holmes
Andersen, H. Carl	Cunningham	Hope
Anderson, Calif.	Curtis	Horan
Andresen, August H.	Dague	Howell
Andrews, Ala.	D'Alesandro	Jackson, Calif.
Andrews, N. Y.	Davis, Tenn.	Jarman
Angell	Deane	Jenison
Arends	Devitt	Jenkins, Ohio
Arnold	D'Ewart	Jenkins, Pa.
Auchincloss	Dirksen	Jennings
Bakewell	Dolliver	Jensen
Banta	Dondero	Johnson, Calif.
Barden	Donohue	Johnson, Ill.
Barrett	Dorn	Johnson, Ind.
Bates, Ky.	Doughton	Johnson, Tex.
Bates, Mass.	Drewry	Jones, Ala.
Battle	Durham	Jones, N. C.
Beall	Eaton	Jones, Ohio
Beckworth	Elliott	Jonkman
Bell	Ellis	Judd
Bender	Ellsworth	Kean
Bennett, Mich.	Elsaesser	Kearney
Bennett, Mo.	Elston	Kearns
Bishop	Engel, Mich.	Keating
Blackney	Evins	Keefe
Bland	Fallon	Kefauver
Boggs, Del.	Fellows	Kerr
Bolton	Fenton	Kersten, Wis.
Boykin	Fernandez	Kilburn
Bradley, Calif.	Fisher	Kilday
Bradley, Mich.	Flannagan	Knutson
Bramblett	Fletcher	Kunkel
Brehm	Folger	Landis
Brooks	Foote	Lanham
Brown, Ga.	Fulton	Larcade
Brown, Ohio	Gallagher	Latham
Bryson	Gamble	Lea
Buck	Gary	LeCompte
Buffett	Gavin	LeFevre
Bulwinkle	Gearhart	Lemke
Burke	Gifford	Lewis
Burleson	Gillette	Lodge
Busbey	Gillie	Love
Butler	Goff	Lucas
Byrnes, Wis.	Goodwin	Lyle
Camp	Gossett	McConnell
Canfield	Graham	McCowen
Cannon	Grant, Ala.	McDonough
Carson	Grant, Ind.	McDowell
Case, N. J.	Gregory	McGarvey
Case, S. Dak.	Griffiths	McGregor
Chadwick	Gross	McMahon
Chapman	Gwinn, N. Y.	McMillan, S. C.
Chelf	Gwynne, Iowa	McMillen, Ill.
Chenoweth	Hale	MacKinnon
Chiperfield	Hall, Edwin Arthur	Mahon
Church	Hall, Leonard W.	Maloney
Clark	Halleck	Manasco
Clason	Hand	Martin, Iowa
Clevenger	Hardy	Mason
Clippinger	Harless, Ariz.	Mathews
Coffin	Harness, Ind.	Meade, Md.
Cole, Kans.	Harris	Merrow
Cole, Mo.	Harrison	Meyer
Cole, N. Y.	Hartley	Michener
Colmer	Hébert	Miller, Conn.
Combs	Hedrick	Miller, Md.
Cooley	Herter	Miller, Nebr.
Cooper	Heselton	Mills
Corbett	Hess	Mitchell
Cotton	Hill	Monroney
Coudert	Hinshaw	Morris
Courtney	Hobbs	Morton
Cox	Hoeven	Muhlenberg
Cravens	Hoffman	Mundt
Crawford	Holmes	Murdock
Crow	Hope	Murray, Tenn.
Cunningham	Horan	Murray, Wis.
Curtis	Howell	Nixon
Dague	Jackson, Calif.	Nodar
D'Alesandro	Jarman	Norblad
Davis, Tenn.	Jenison	Norman
Dawson, Utah	Jenkins, Ohio	O'Hara
Deane	Jenkins, Pa.	O'Konski
Devitt	Jennings	Owens
D'Ewart	Jensen	Pace
Dirksen	Johnson, Calif.	Passman
Dolliver	Johnson, Ill.	Patman
Dondero	Johnson, Ind.	Patterson
Donohue	Johnson, Tex.	Peden
Dorn	Jones, Ala.	Peterson
Doughton	Jones, N. C.	Philbin
Drewry	Jones, Ohio	Phillips, Calif.
Durham	Jonkman	Phillips, Tenn.
Eaton	Judd	Pickett
Elliott	Kean	Ploeser
Ellis	Kearney	Plumley
Ellsworth	Kearns	Poage
Elsaesser	Keating	Potts
Elston	Keefe	Preston
Engel, Mich.	Kefauver	Price, Fla.
Evins	Kerr	Priest
Fallon	Kersten, Wis.	Rains
Fellows	Kilburn	Ramey
Fenton	Kilday	Rankin
Fernandez	Knutson	Rayburn
Fisher	Kunkel	Reed, Ill.
Flannagan	Landis	Reed, N. Y.
Fletcher	Lanham	Rees
Folger	Larcade	Reeves
Foote	Latham	Rich
Fulton	Lea	Richards
Gallagher	LeCompte	Riehlman
Gamble	LeFevre	Riley
Gary	Lemke	Rivers
Gavin	Lewis	Rizley
Gearhart	Lodge	Robertson
Gifford	Love	Robsion
Gillette	Lucas	Rockwell
Gillie	Lyle	Rogers, Fla.
Goff	McConnell	Rogers, Mass.
Goodwin	McCowen	Rohrbough
Gossett	McDonough	Ross
Graham	McDowell	Russell
Grant, Ala.	McGarvey	Sadlak
Grant, Ind.	McGregor	St. George
Gregory	McMahon	Sanborn
Griffiths	McMillan, S. C.	Sarbacher
Gross	McMillen, Ill.	Sasscer
Gwinn, N. Y.	MacKinnon	Schwabe, Mo.
Gwynne, Iowa	Mahon	Schwabe, Okla.
Hale	Maloney	Scoblick
Hall, Edwin Arthur	Manasco	Scott, Hardie
Hall, Leonard W.	Martin, Iowa	Scrivner
Halleck	Mason	Seely-Brown
Hand	Mathews	Shafer
Hardy	Meade, Md.	Short
Harless, Ariz.	Merrow	Sikes
Harness, Ind.	Meyer	Simpson, Ill.
Harris	Michener	Simpson, Pa.
Harrison	Miller, Conn.	Smith, Kans.
Hartley	Miller, Md.	Smith, Maine
Hébert	Miller, Nebr.	Smith, Ohio
Hedrick	Mills	Smith, Va.
Herter	Mitchell	Smith, Wis.
Heselton	Monroney	Snyder
Hess	Morris	Springer
Hill	Morton	Stanley
Hinshaw	Muhlenberg	Stefan
Hobbs	Mundt	Stevenson
Hoeven	Murdock	Stigler
Hoffman	Murray, Tenn.	Stratton
Holmes	Murray, Wis.	Sundstrom
Hope	Nixon	Taber
Horan	Nodar	Talle
Howell	Norblad	Taylor
Jackson, Calif.	Norman	Teague
Jarman	O'Hara	Thomas, N. J.
Jenison	O'Konski	Thomas, Tex.
Jenkins, Ohio	Owens	Thomason
Jenkins, Pa.	Pace	Tibbott
Jennings	Passman	Tollefson
Jensen	Patman	Towe
Johnson, Calif.	Patterson	Trimble
Johnson, Ill.	Peden	Twyman
Johnson, Ind.	Peterson	Vail
Johnson, Tex.	Philbin	Van Zandt
Jones, Ala.	Phillips, Calif.	Vinson
Jones, N. C.	Phillips, Tenn.	Vorys
Jones, Ohio	Pickett	Vursell
Jonkman	Ploeser	Wadsworth
Judd	Plumley	Walter
Kean	Poage	Weichel
Kearney	Potts	West
Kearns	Preston	Wheeler
Keating	Price, Fla.	Whitten
Keefe	Priest	Whittington
Kefauver	Rains	Wigglesworth
Kerr	Ramey	Williams
Kersten, Wis.	Rankin	Wilson, Ind.
Kilburn	Rayburn	Wilson, Tex.
Kilday	Reed, Ill.	Winstead
Knutson	Reed, N. Y.	Wolcott
Kunkel	Rees	Wolverton
Landis	Reeves	Wood
Lanham	Rich	Worley
Larcade	Richards	Youngblood
Latham	Riehlman	Zimmerman
Lea	Riley	
LeCompte	Rivers	
LeFevre	Rizley	
Lemke	Robertson	
Lewis	Robsion	
Lodge	Rockwell	
Love	Rogers, Fla.	
Lucas	Rogers, Mass.	
Lyle	Rohrbough	
McConnell	Ross	
McCowen	Russell	
McDonough	Sadlak	
McDowell	St. George	
McGarvey	Sanborn	
McGregor	Sarbacher	
McMahon	Sasscer	
McMillan, S. C.	Schwabe, Mo.	
McMillen, Ill.	Schwabe, Okla.	
MacKinnon	Scoblick	
Mahon	Scott, Hardie	
Maloney	Scrivner	
Manasco	Seely-Brown	
Martin, Iowa	Shafer	
Mason	Short	
Mathews	Sikes	
Meade, Md.	Simpson, Ill.	
Merrow	Simpson, Pa.	
Meyer	Smith, Kans.	
Michener	Smith, Maine	
Miller, Conn.	Smith, Ohio	
Miller, Md.	Smith, Va.	
Miller, Nebr.	Smith, Wis.	
Mills	Snyder	
Mitchell	Springer	
Monroney	Stanley	
Morris	Stefan	
Morton	Stevenson	
	Stigler	

NAYS—56

Blatnik	Holifield	Marcantonio
Bloom	Huber	Meade, Ky.
Brophy	Hull	Miller, Calif.
Buchanan	Jackson, Wash.	Morgan
Buckley	Javits	Norton
Byrne, N. Y.	Johnson, Okla.	O'Brien
Carroll	Karsten, Mo.	O'Toole
Celler	Kee	Pfeifer
Crosser	Kelley	Powell
Dingell	Kennedy	Price, Ill.
Douglas	Keogh	Rabin
Eberharter	King	Rayfiel
Fogarty	Kirwan	Rooney
Forand	Klein	Sabath
Gordon	Lane	Sadowski
Gorski	Lesinski	Somers
Granger	Lynch	Spence
Hart	McCormack	Welch
Havenner	Madden	

NOT VOTING—31

Boggs, La.	Gerlach	Mansfield, Tex.
Bonner	Gore	Morrison
Clements	Hagen	Norrell
Davis, Ga.	Hays	Poulson
Dawson, Ill.	Heffernan	Redden
Delaney	Hendricks	Scott, Hugh D., Jr.
Domengeaux	Jones, Wash.	Sheppard
Engle, Calif.	Lusk	Smathers
Feighan	Macy	Stockman
Fuller	Mansfield, Mont.	Woodruff
Gathings		

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Davis of Georgia for, with Mr. Feighan against.

Mr. Redden for, with Mr. Delaney against.

Mr. Woodruff for, with Mr. Dawson of Illinois against.

General pairs:

Mr. Macy with Mr. Bonner.

Mr. Jones of Washington with Mr. Gathings.

Mr. Hagen with Mr. Heffernan.

Mr. Hugh D. Scott, Jr., with Mr. Smathers.

Mr. Fuller with Mr. Engle of California.

Mr. Stockman with Mr. Boggs of Louisiana.

Mr. Poulson with Mr. Morrison.

Mr. GAVIN. Mr. Speaker, is the gentleman from Pennsylvania [Mr. HUGH D. SCOTT, JR.] paired as voting "aye"?

The SPEAKER. The gentleman is not paired.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their own remarks on H. R. 2157 just passed.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. REED of New York asked and was given permission to extend his remarks in the Appendix of the RECORD and include a report of Mr. Hoover to the President of the United States on the food situation in Germany.

Mr. REED of New York asked and was given permission to extend his remarks in the RECORD and include an article that appeared on February 25 in Pathfinder.

M . SHAFER. Mr. Speaker, the other day I asked and obtained unanimous consent to extend my remarks in the RECORD and include a magazine article from Plain Talk. I am informed by the Public Printer that this will exceed two pages of the RECORD and will cost $230.75, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. BURKE asked and was given permission to extend his remarks in the RECORD in reference to the death of two outstanding Ohioans.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. LODGE asked and was given permission to extend his remarks in the RECORD and include a speech by Hon. JOSEPH W. MARTIN.

Mr. GAVIN asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. TIBBOTT asked and was given permission to extend his remarks in the RECORD and include a speech made by the Honorable RICHARD M. SIMPSON, of Pennsylvania, delivered at Philadelphia.

Mr. KEARNS asked and was given permission to extend his remarks in the RECORD and include a speech of the Speaker of the House.

Mr. BYRNE of New York asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the New York Herald Tribune of Friday, February 28, 1947, entitled "Mr. Truman Grows."

Mr. BRYSON asked and was given permission to extend his remarks in the RECORD and include an editorial from his home town newspaper.

Mr. MADDEN asked and was given permission to extend his remarks in the RECORD and include a communication from the American Lithuanian Council of Lake County, Ind.

Mr. KELLEY asked and was given permission to extend his remarks in the RECORD.

Mr. BLATNIK asked and was given permission to extend his remarks in the RECORD on H. R. 2157.

Mr. KEFAUVER asked and was given permission to extend his remarks in the RECORD and include excerpts from two editorials.

SPECIAL ORDER GRANTED

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent that on Thursday next after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

RECORDING OF VOTE

Mr. BANTA. Mr. Speaker, I ask unanimous consent that I may be recorded as voting "yea" on the last roll call.

The SPEAKER. The Chair is obliged to inform the gentleman that he cannot be recorded in that way. Was the gentleman here and did he answer to his name when called?

Mr. BANTA. I did not hear my name called.

The SPEAKER. The gentleman may ask unanimous consent to have the roll call corrected.

Mr. BANTA. Mr. Speaker, I ask unanimous consent that the last roll call be corrected to show me as voting "yea."

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ADJOURNMENT OVER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

EXTENSION OF REMARKS

Mr. WEICHEL (at the request of Mr. HALLECK) was given permission to extend his remarks in the RECORD.

Mr. WORLEY asked and was given permission to extend his remarks in the RECORD.

SPECIAL ORDER GRANTED

Mr. BENDER. Mr. Speaker, I ask unanimous consent that on Tuesday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committees on Armed Services and Interstate and Foreign Commerce:

To the Congress of the United States:

In compliance with the provisions of the act of March 3, 1915, establishing the National Advisory Committee for Aeronautics, I transmit herewith the Thirty-second Annual Report of the Committee covering the fiscal year 1946, and containing a review of the unreported war years.

HARRY S. TRUMAN.

THE WHITE HOUSE, *February 28, 1947.*

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. SADOWSKI] is recognized for 20 minutes.

THE COMING MOSCOW CONFERENCE—POLAND'S WESTERN BOUNDARY IS ON THE ODER AND NEISSE RIVERS

Mr. SADOWSKI. Mr. Speaker, I have before me the results of a Gallup poll taken from a clipping in the Washington Post dated February 7. The poll indicates that the overwhelming sentiment among the peoples of five allied nations—the United States, Great Britain, Canada, Holland, and France—is that the warlike ideals of Germany have not been rooted out, and that she will one day become an aggressor nation again.

Mr. Speaker, I feel that the results of this poll deserve careful consideration by my fellow colleagues, by our foreign policy makers, and particularly by Secretary Marshall. For here we have, less than 2 weeks away from the Moscow Conference, when the great powers will tackle the core of the peace problem—Germany—an expression on the part of the peace-loving peoples of five allied nations that they are fearful that we are rebuilding Germany's war machine so that some day it will be able to threaten world peace again.

As March 10, the date of the opening of the Peace Conference, approaches, we hear expressions of sympathy for Germany with increasing frequency. More and more we are told that the rapid reconstruction of Germany, before it is denazified and democraticized, is essential to world peace. This is simultaneously accompanied with a "get tough with our allies" attitude. In some circles our wartime reliance upon our allies to help us defeat Germany has now been replaced by a reliance upon Germany to assure peace.

This attitude has alarmed the constituents of my district, as well as myself and many of my friends. I come from Detroit, Mich. I come from a district largely populated by Americans of Polish descent—a district which took no second place in its contributions toward victory. From this district flowed a steady stream of arms and munitions which hastened the end of the war. All the various phases of activities to promote the war effort found enthusiastic support in my district. To many of the people there the complete destruction of the German war machine would provide a twofold

satisfaction, for they knew what it would mean to their kinfolk in Poland.

They are disturbed by the growing feeling of compassion for those responsible for World War II, which is combined with a more calloused and harsh approach to our ally, Poland. When they hear new proposals which would reward Germany at the expense of its victims, they feel that it is time to protest.

They are aware of the great sacrifices of Poland and cannot grasp why an ally that was never found wanting by us in 6 years that it fought overwhelming odds should today find its considerations secondary to those of Germany in the thinking of certain circles in this country and abroad. Perhaps this would be a good place to refresh our memories and impress us of our moral obligations to a heroic people by presenting some statistics. Six million one hundred and four thousand nine hundred and ninety Poles were tortured, burned alive, and murdered by the Nazi butchers. This includes millions of women and children. Nearly a million civilians have suffered heavy injuries of the body and mind. This was the human cost to Poland of German aggression.

Since, in our approach toward the peace treaty with Germany, the question of the western frontiers of Poland plays such an important role, I think it is necessary for a clarification of American policy to eliminate some of the confusion and distortion which has been injected into the case. It is important to the United States that this problem be settled justly and correctly, for it will be one of the pillars of the future peace structure. Failure to do so will endanger world peace and possibly involve our country in another world war.

A brief examination of the developments affecting the question of the Polish frontier in the west up to the present moment might contribute to a better understanding of the problem.

It was at the Crimean Conference in February of 1945 that the Big Three agreed that the eastern border of Poland should follow the Curzon line with a few digressions in favor of Poland and in return for which the three heads of government recognized "that Poland must receive substantial accessions of territory in the north and west."

Poland agreed to accept this decision and proceeded to make the painful readjustments which such a revision of its eastern borders entailed, accepting in good faith the pledge made by all three governments that she would be compensated in the north and west by "substantial accessions of territory."

The Big Three further agreed that:

> The opinion of the new Polish Provisional Government of National Unity should be sought in due course on the extent of these accessions and that the final delimitation of the western frontier of Poland should thereafter await the peace conference.

At Potsdam on August 2, 1945, both pledges were realized. After consultation with representatives of Poland, the Big Three agreed to grant "substantial accessions of territory" to that country. The Potsdam accord declared that:

> The three heads of government agree that, pending the final determination of Poland's western frontier, the former German territories east of the line running from the Baltic Sea immediately west of Swinemunde, and thence along the Oder River to the confluence of the western Neisse River and along the western Neisse to the Czechoslovak frontier, including that portion of East Prussia not placed under the administration of the Union of Soviet Socialist Republics in accordance with the understanding reached at this conference and including the former Free City of Danzig, shall be under the administration of the Polish State and for such purposes should not be considered as part of the Soviet zone of occupation.

The language is clear and the implication is obvious. There is not the slightest suggestion that the frontier defined was simply a demarcation line. This decision was hailed joyously by the Polish people, who now, with the return of their former areas, could look to a happier future.

It is obvious that the Potsdam Conference was not the peace conference and that any steps undertaken there would have to await formal ratification at the peace conference when it would be held. Here only the principles and bases for the peace conference were under preparation, and one of the most important, dealt with the question of Poland and it cannot be shrugged off through any verbal gymnastics or ingenious interpretations.

Following the Potsdam Conference, specific agreements were reached within the Inter-Allied Commission on the evacuation of Germans from the areas granted Poland, which further implemented Potsdam and which permit of no misinterpretation as to the proposed permanency of that frontier.

The attack upon the Potsdam decisions and specifically in reference to Poland was launched by Winston Churchill at Fulton, Mo., where he wept bitter tears over the sad fate of those who only recently were dropping bombs on the defenseless women and children in London, Paris, Prague, Warsaw, and scores of other heavily populated areas. This stanch defender of the British Empire, which seethes with unrest and strife, took his place in the vanguard of those who defend the Germans when he charged that the Polish Government "has been encouraged to make enormous and wrongful inroads upon Germany, and mass expulsions of millions of Germans on a scale grievous and undreamed of are now taking place."

But the American people are alarmed most not by what Churchill, who was decisively repudiated by the English people, said, but by the statement made by former Secretary of State James H. Byrnes at Stuttgart. Byrnes gave hope to the unrepentant Germans when he declared on September 6, 1946, that:

> The United States will support the revision of these (western and northern) frontiers in Poland's favor. However, the extent of the area to be ceded to Poland must be determined when the final settlement is agreed upon.

I was disturbed by the implications in the Stuttgart speech, as were many of my constituents who had looked to the United States to take the leadership in living up to the spirit and intent of the Big Three commitments to Poland made at Crimea and Potsdam. The Big Three had committed itself to grant Poland substantial accessions of territory, and at Potsdam compensated Poland with 39,000 square miles of territory for its loss of 69,000 square miles in the east. To lessen the amount of territory granted as suggested in the Stuttgart speech would be to take it out of the realm of substantial compensation.

Understandably, the Poles and all of the Slavs are more than perturbed by these developments. The hobnailed boot of the Nazi aggressor is still a very fresh memory in every Slav home in Europe. Recollections of the unexampled bestiality of the Germans will live for generations and every move that would strengthen Germany is regarded with great doubt and suspicion. When one keeps this in mind, one cannot help but be surprised at the remarkable restraint of their criticism of the suggestion that there is a possibility that the Germans will again be provided with a dagger aimed at the heart of the Slav nations in the form of areas rightfully Poland's. Two world wars were largely fought on Slav soil—they do not want a third to devastate it again.

Since the Stuttgart speech there have been many inspired stories in the press quoting responsible sources calling for the return of Pomerania and Brandenburg to Germany. Some Congressmen, and even congressional committees, have joined the press and radio in the hue and cry to defend German interests attempting to justify their position in various ways, with which I will deal later.

It is interesting to note here that those who cried most loudly against the injustice done Poland at Crimea when the Curzon line was accepted as Poland's eastern border are among the most vehement and determined to see that the Potsdam accord which compensated Poland for its loss of territory in the east be violated grossly. It might also be in order to make the observation that those who shed themselves of isolationism rather belatedly are numbered among the most ardent defenders of the "poor Germans." They are, at least, consistent.

A profoundly disturbing document was released recently which attempts to make a case for the need to rebuild Germany while simultaneously calling for cutting off all forms of assistance to our allies in Europe. It was the House joint committee report released December 30, 1946, by my colleague, the gentleman from Mississippi, Representative COLMER. Its solicitude and good will toward the Germans, whose crimes against humanity have been unequaled, is alarming.

This report takes us, the Congress, to task for having made "inadequate provisions for feeding both Germany and Austria." At the same time it calls for the liquidation of UNRRA which was, and continues to be, so important to the rehabilitation of the victims of Nazi aggression and degradation.

> It does not require prophetic power to show that a continuation of this plight for Germany—

Declares the report—

> means slow starvation and disease on a widespread basis to say nothing of the effect

upon the working ability and political unrest of the population.

It then proposes that:

An immediate increase in the funds available to the Army for relief to bring the ration up to a real subsistence level is essential and should be regarded as the most serious emergency action immediately confronting American foreign policy.

There are, at the moment, 3,500,000 children in Poland who need additional nourishment. Two million five hundred thousand children require medical care. There are 1,000,000 orphans in desperate need of assistance in a country which fought the full fury of the Nazi Wehrmacht for several years before we entered the fray against Germany, and the Colmer report runs history upside down and declares that the "most serious emergency action confronting American foreign policy" is to feed the Germans.

A stranger unacquainted with the events of the last decade could only conclude that Germany had been our ally in the last World War, and that Poland, France, Czechoslovakia, and our other European allies were our enemies. He could only conclude that Germany must be rewarded for its role, and the other nations punished.

But the report raises an even more fundamental problem: Are we to rebuild Germany first or are we to rebuild those nations destroyed by Germany? Are we to again establish Germany as the dominant European power, or are we to guarantee the peace of Europe by rebuilding its neighbors? The problem comes down to that. The American people, I am convinced, do not want a Germany that will be a threat to world peace again.

The Colmer report adopts the position that a loan should be granted Germany and that no loan should be granted to the greatest victim of German brutality, Poland. It states:

In the final report of the committee, therefore, a special emphasis has been put upon the key problems which revolve around the position of Germany and Austria in the European economy because of their crucial import to the recovery of western Europe.

This approach is so reminiscent of the post World War I period which saw Germany rebuilt, granted loans and concessions, wooed by world powers and placed in the position where it challenged the world to combat and left over 30,000,000 dead on fields of battle.

I deal at length with this report because I am firmly convinced that this approach can only do irreparable harm to the cause of world peace and security. I am of the opinion that no Germany, but the victims of German aggression should be reconstructed. It is my considered opinion that the reconstruction of Poland and the development of its recovered territories has greater importance for Europe and world peace than the resurrection of Germany. I cannot forget that we who hailed Poland as the inspiration of the world during the war have a deep responsibility toward her. It is no accident that the Colmer report derived satisfaction from the Byrnes Stuttgart speech which it says "reminded the world that the western boundaries are not yet drawn," while at the same time it calls for a return of railroad cars from Poland to Germany, a step which would further cripple Poland's economy which relies so much upon its coal production.

Further, in the last few weeks we have been showered with reasons which purport to prove why Pomerania and Brandenburg should be returned to Germany. All sorts of spurious arguments have been advanced which will not hold water upon closer examination in an effort to camouflage the real reasons behind the desire to return these age-old Polish areas to Germany.

An Associated Press dispatch dated December 29, 1946, which was prominently displayed on the front pages of the American press declared that:

The American position will be that Germany cannot be self-sustaining with the loss of 25 percent of her best agricultural land and that this loss will only provide for a new war, these sources (that is responsible sources in Berlin) said.

It referred to Pomerania and Brandenburg.

There is a remarkable coincidence between this line and that followed by the German delegation at the Versailles Peace Conference. There the Germans talked about these areas being economically indispensable to Germany, but conveniently forgot to mention that in comparison with the rest of Germany they were not economically developed.

What are the facts? These areas are no more indispensable to Germany after this war than they were after the first. I want to quote Dr. Wilhelm Volz, professor at the Leipzig University, who in one of his most important works issued in 1930, wrote that:

For the German Reich the east plays no role whatsoever as a supplier of wheat and a quite insignificant role as a supplier of rye. The Reich has no need whatever of the east for its supply of potatoes.

Dr. Volz points out that the Polish recovered territories supplied the Reich with only 0.77 percent of wheat, 4.53 percent of rye, 2.27 percent of potatoes, 5.68 percent of pigs, and with 2.75 percent of cattle.

And in a letter to the Manchester Guardian on November 15, 1946, Prof. W. J. Rose, of the London University, said that on the basis of prewar German statistics, the territories lost to Germany supplied the rest of the Reich with 0.86 percent of the total wheat, 5.1 percent of rye, and 2.7 percent of potatoes. These figures include areas now ceded to Russia.

The same conclusions were reached by many other German scholars who cannot be considered prejudiced toward Germany.

Further, there has been a constant migration of Germans from these areas over the recent years, leaving them so depopulated of Germans that they depended upon Polish migratory farm workers for harvesting the fields. Pomerania and Brandenburg by no stretch of the imagination can be termed a granary of a peacetime Germany.

But the German delegation at Versailles fought for the retention of these lands for a much more important reason. They are a first-rate military base for operations in the east, and World War II confirmed that indisputably. We cannot shut out eyes to this danger. We cannot be lulled to sleep by that familiar refrain harking back to the period before World War II, that Germany could never again wage war.

On the contrary, it can be proven that these territories never were indispensable to Germany and constitute a hinterland for Poland now needed as never before in its history.

German written history is replete with reference to Pomerania, Brandenburg, and Silesia as colonies. The many years of Germanization and colonization never succeeded. The Prussian east as it was known, had the lowest density of population as a result of the exodus of German colonizers in the last century. It was impossible to sow the fields and reap the harvests without Polish labor. The huge estates of the Junkers would have been forced to lie fallow if Poles were not seasonally employed. In marked contrast, there was a dense population across the border in Poland with sufficient surplus labor to migrate seasonally to sow and reap the German harvest. Minus the lands of the east, Poland today more desperately than ever, requires its lands in the west.

A further point emphasizing the fact that these lands were considered as a colony was the presence of only 1,500,000 Germans in all of these territories as of July 1945. The Germans had fled into their native land.

Where, then, is the argument advanced by some German apologists today that Poland cannot exploit the land and that the economy of Europe requires that they be returned to Germany? They have simply turned the facts topsy-turvy. The only guaranty that these lands will be fully exploited to balance the food supply of all of Europe is their possession by Poland from whom they had been wrested by conquest.

Now, for the first time in its history, the Polish Nation has an opportunity to develop a healthy, industrial economy. The return of Stettin, Pomerania, and the control of the Oder River insures rapid expansion of the Silesian industries and the possibility of unlimited foreign trade. Pomerania and Brandenburg are rich in agricultural potentials. In the recovered territories are situated 25 percent of Poland's textile industries, 30 percent of her metal production, and 50 percent of her freight-car and trolley manufacturing plants, according to a recent dispatch from Marguerite Higgins in the New York Herald Tribune, dated February 19. With the acquisition of these areas, the mining and industrial production, which amounted to 215 zlotys per head before the war, will show an increase to 324—or 96 percent. The Polish cotton industry will increase production by 30 percent; wool industry by 60 percent; linen industry by 25 percent; sugar industry, 60 percent; cement industry by 30 percent; steel by 100 percent.

But, without the recovered territories, Poland's 3-year plan for economic reconstruction will be severely wrecked. The five or six million Poles who will have resettled in these areas would have to live in a much smaller area. It would mean

overpopulation, unemployment, and low consumption, which not only would cripple Poland's economic recovery and lower the standards of its people considerably, but would have drastic effects on world trade. For its reconstruction Poland desperately needs heavy machinery. America has this needed commodity. In the interests of American businessmen, Poland should retain these territories. In the hands of the Germans these territories would once again provide the base for international cartels, which benefit, not the independent businessman in America, but the cartelist and monopolist.

The economic, political, and social achievements that have been realized in these territories since Potsdam solidifies Poland's claim to these lands. Devastated areas have been rebuilt. Transportation and communication lines have been repaired. Over 4,000,000 Poles have been resettled, while only approximately 500,000 Germans remain. Factories and industries are flourishing.

Here are some figures: As of August 1946, 825 factories were operating, employing 226,305 workers, or 13 percent of the total for all Poland; 10,000,000 tons of coal were produced last year; the lower Silesian mines produced 60 percent more coke than the Germans did in 1939; despite the complete destruction of nearly all factories and the removal of all machinery the metal industry in the recovered territories has been built, and is now producing 19 percent of the overall Polish production; the ports of Stettin, Danzig, and Gdynia, which were mined and blocked by sunken ships when the Poles received them, are back in operation. Prussian estates have been and still are being broken up and parceled among the peasants.

In the field of cultural advancement, much progress has been made also; trade-union membership in lower Silesia exceeds 12,000; there are 4,000 schools of all types, three polytechnics, one university, and one academy of medicine; there are about 1,000 kindergartens and 130 homes for children; there are 31 newspapers and magazines, and 800 libraries; about 6,000 workers have been trained in special courses; over 80 industrial schools have been organized, training 9,000 pupils.

In short, the foundations for a fuller and better life have been laid. If these territories are taken away from Poland, all the good that has been accomplished will be undone. It would mean misery, privation, and despair for the millions of Poles who are now permanently resettled there.

What are the guardians of German interests doing when they ask that these territories revert to the Germans?

When at Potsdam, the accord of the Big Three was reached and the western territories reverted to Poland's possession, the Polish Nation embarked on one of the greatest tasks in European history—the resettlement and reconstruction of a war-devastated area which involved the movement of millions of people. The enormity of the problem is difficult to grasp. Since then, the bulk of the Germans have been evacuated and over 4,000,000 Poles resettled despite the lack of transport, food supplies, housing, medical supplies, and services. All public bodies had to be reconstituted and a million-and-one complicated situations resolved at a tremendous cost of both money and expenditure of human energy. Order has replaced chaos. Fallow fields have been resown. Devastation repaired. Transport and communications lines reestablished. The preconditions for an expanding and richer life were being fulfilled.

And with this as a background, just to pose the question of the return of these areas to Germany seems like a crime against the Polish people. In fact, it is rewarding the aggressor at the expense of the victim. Not only was Poland devastated by the Germans but she now also would have to reconstruct territories deserted by the Germans for the Germans. That is exactly what it means to raise any doubt about the permanency of Poland's western frontier.

From whatever angle you examine the question of Poland's recovered territories, you cannot help but be convinced of the justice of the decision reached at Potsdam.

Militarily it means that Germany will be deprived of a huge arsenal of war in Silesia. The Junkers, arch proponents of militarism and the "Drang Nach Osten" policy, will be rooted out from their huge estates in Pomerania and Brandenburg. Germany will be deprived of a place d'armes for future aggression. Poland will be provided a defensible frontier based on the Baltic, the Oder, and the Neisse Rivers—a frontier which now will have decreased almost fivefold from 1,180 miles to approximately 250. This is a practical program for the disarmament of Germany.

Historically it will mean the righting of a grievous wrong done Poland. The area between the Oder and the Vistula Rivers was the cradle of the Polish Nation. Poland was deprived of these lands through the aggression of Teutonic hordes. Until the German invasions Silesia was uninterruptedly Polish and from there came several of her kings. Despite many years of the most unmerciful Germanization, the Germans did not succeed in accomplishing their task. From 1919 to 1921 there were three successive uprisings of Poles in this area, only subdued by the greatest brutality. Stettin was Poland's outpost on the Baltic which was seized by conquest together with Pomerania and Brandenburg. These areas are studded with ruins of Polish castles and churches. Historical archives are replete with evidence of the Polish character of these lands. Archeological excavations further confirm Poland's just claims to this area. The cultural ties of this area were never severed with Poland.

Economically, these lands were always a hinterland of Poland. The economic interdependence of Poland and Silesia was freely admitted by the Germans. Except in time of war, Silesia had to rely upon Poland to keep its industries going. Its fields in Pomerania and Brandenburg could not produce without Polish labor. The return of Silesia provides Poland with an industrial base which prewar Poland lacked and as a result fell before the Nazi onslaught. By the return of Stettin and Pomerania, Poland has been provided with broad access to the sea routes of the world, and, with the possibility of developing its foreign trade to record proportions. Its control of the Oder River assures the rapid expansion of Silesia which is indispensable for the task of reconstructing war-devastated Poland. For the first time in its history Poland will have the opportunity to develop a healthy economy which will be further assurance of a peaceful world. If the pledges we made to Poland during the war that we would help in her reconstruction are to be kept, we cannot retreat from our position adopted at Potsdam.

Morally, by supporting Poland's claim to these areas, we recognize the tremendous sacrifices made by the Polish people, both in human lives as well as in material wealth, in the common cause of victory over the Germans. Polish arms played an important role in recovering these areas. Poland won back these lands not in a war of conquest and aggression, but in a just war against a nation which was out to rule the world. Furthermore, this territorial readjustment is not at the expense of Germany. Poland is being rewarded with not one inch of German lands. The policy is one of restoring to the Polish people lands that had been previously stolen from them by German military power.

For the past 1,000 years Germany has followed a policy of brutal military aggrandizement against all of its neighbors and particularly against the Polish nation and the Polish people. The territory east of the Oder and the Neisse Rivers is ancient Polish land which was taken away from them by German military power. It is time to declare an end forever to the German policy of Drang Nach Osten.

The Potsdam agreement has created the basis for an ethnographically homogeneous Poland, uniting all of the Poles within areas clearly Polish. They have also created the conditions for Poland's most rapid recovery and development. They have given Poland safeguards against future German aggressions. Had the Poland of 1939 been a homogeneous nation with a strong economy and based on strategic frontiers rightly hers, then it should be obvious to us that Germany would have found itself confronted by a foe able to withstand its onslaughts. The Potsdam agreement eliminated sore spots and trouble areas which remained after Versailles because of the shortsightedness of the peacemakers. To revise the Polish western frontier is to invite trouble and conflict. Even to raise the question is to create doubt and distrust among the Allies to the benefit of Germany.

Poland was the battleground of two World Wars. Poland was repeatedly the victim of aggression throughout history. One of the deepest desires that the Polish people possess is the desire for peace—lasting peace. On that score the Poles and the Americans think in similar terms. To hear arguments which, in effect, imply that Poland is seeking a peace settlement which would not assure her of peace is simply so much balderdash.

The traditional friendship between Poland and our country goes back to the day of our Revolutionary War of Independence, in which Kosciuszko and Pulaski and their compatriots distinguished themselves. It is natural, therefore, that the Poles look to the United States for support of their sacred cause, a cause which will promote peace.

The Atlantic Charter, signed by our late great President, Franklin D. Roosevelt, declared that—

After the final destruction of the Nazi tyranny they—

The signers—

hope to see established a peace which will afford all nations the means of dwelling in safety within their own boundaries and which will afford all nations assurance that all the men in all lands may live out their lives in freedom from fear and want.

We recognized that principle at Potsdam. All that remains is that it be formally accepted at the Peace Conference which will open at Moscow on March 10. I think we would make a great contribution to the peace negotiations and eliminate a serious source of friction and delay if we were to announce unequivocally that we will live up to our commitment at Potsdam by supporting Poland's just claims to Silesia, Pomerania, and Brandenburg. This would be a serious blow to all those who are already conniving and plotting for another war. It would deprive them of the opportunity of fishing in troubled waters and trying to establish blocs and unholy alliances.

The Prussians, the Junkers are now where they belong—in Germany, on the other side of the Oder and Neisse Rivers. It took a long time to drive the Nazi-Prussian barbarians off of Polish soil. They should be kept out forever from now on.

Mr. PEDEN. Mr. Speaker, will the gentleman yield?

Mr. SADOWSKI. I yield to the gentleman from Oklahoma.

Mr. PEDEN. I have listened with great interest to the gentleman's talk on Poland which, in my opinion, during the past few years constitutes the greatest crime on the pages of American history. However, the reasons that are given are ones we should consider, but I should like to ask the gentleman a question. I understand from what he has stated that he requests aid to Poland now, which is needed. Does the gentleman agree that Poland is now a free country to which aid can be given by this country?

Mr. SADOWSKI. It is a question of aiding the Polish people. The Government of Poland may not satisfy me, it may not satisfy the gentleman—that does not enter into the question. The question of aiding the Polish people is something entirely different from aiding the government. The people must be helped. No people on the face of the earth have suffered as much as the Polish people have for the last 6 years. No people have been so thoroughly despoiled. No nation has been so thoroughly ruined as has Poland. We are not going to let the Polish people continue to suffer merely because the gentleman and others do not happen to like the government that Poland has at the present time.

The SPEAKER. The time of the gentleman from Michigan has expired.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

HOUSING FOR VETERANS (H. DOC. NO. 151)

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on Banking and Currency and ordered to be printed:

To the Congress of the United States:

A significant contribution to the amount of rental housing so direly needed by veterans and their families at rentals they can afford has been made during the past year by the temporary reuse program under title V of the Lanham Act.

Under this program, Army barracks and other military or civilion wartime structures are converted into temporary dwellings. Many of these are reused on their sites; others are moved and set up on the campuses of universities for the use of student veterans. Still others have been placed on new sites in cities where the housing shortage is desperate.

These educational institutions, municipalities, and other public bodies have used their own funds tc provide sites for these temporary reuse homes. In many cases, also, they have provided the necessary utilities. The Federal Government, through the Congress, made two appropriations, totaling $445,627,000, to finance its part of this program.

Originally, it was planned to convert war structures into 200,000 temporary units under this program. This would, of course, have provided accommodations for many more than 200,000 persons. Rising costs of labor and building materials, as well as rising costs caused by the increased time required for completion due to shortages, have made it necessary for the Government several times during the past year to cut back the temporary reuse program.

Prior to February 1, 1947, allocations had been made for 158,834 units, but the rising costs of building and the scarcity of materials made it necessary recently to suspend 8,357 of these. With cutbacks which had been ordered earlier, it now appears that it will be possible, out of the Federal appropriations, to provide for only about 150,000 units, or approximately 25 percent fewer than was planned. Of these 95,451 units have been completed and around 55,000 including suspended units are under construction.

No more allocations out of the funds available under the Lanham Act can be made. Prior to the time cut-backs and suspensions were ordered, as a result of the approaching exhaustion of funds, however, many local groups such as city governments and educational institutions, already had obligated or spent considerable funds of their own, as required under the Lanham Act. This was done to acquire sites, provide utilities or community facilities to accommodate the housing which they confidently expected would be set up. In some instances they also spent funds on a reimbursable basis, to provide utilities and perform other necessary work in connection with these houses. When it became obvious that some temporary reuse units could not be completed at Federal expense, many local bodies set aside funds of their own in order to bring these units to completion.

The result is that in order for the Federal Government to fulfill its contractual obligations a further appropriation by the Congress of $50,000,000 is necessary.

These obligations fall into four categories:

1. Completion of all units now under contract, including approximately 8,357 units suspended since December 14, 1946.

2. Completion of approximately 4,869 units which were canceled in previous cut-backs.

3. Reimbursement of public bodies for expenditures of their own funds for the completion of approximately 400 units which otherwise would have been canceled.

4. Reimbursement of public bodies for the cost of utility and other on-site work performed by them in connection with veterans' temporary housing on a reimbursable basis.

The Federal Government must carry out contractual obligations accepted in good faith by educational institutions, municipalities and other local bodies.

It is recommended, therefore, that the authorization contained in section 502 (d) of the Lanham Act be increased by $50,000,000 and that the funds subsequently appropriated under the increased authorization be available to meet the four obligations specified above.

Over and above these contractual obligations, we have obvious responsibilities to those who served their country in the armed forces. Under our program about half of the temporary reuse housing is made available to colleges and other institutions of learning to house veterans while they are studying under the terms of the GI bill of rights. The other housing is set up in crowded cities, where otherwise many of our returned servicemen would be unable to find accommodations. Rentals of these temporary structures average $30 per family unit. I am sure I do not need to stress the urgency of the completion of this program to alleviate the stringent housing shortage faced by so many of our veterans.

I urge the Congress to make a further appropriation of $50,000,000 in order that the Government may meet its contractual obligations referred to and in order that this phase of our continuing program of aid to veterans may be carried out.

HARRY S. TRUMAN.

THE WHITE HOUSE, *February 28, 1947.*

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. PRICE of Illi-

nois, for 3 days, March 3 to 5, inclusive, on account of death in family.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 24 minutes p. m.) the House, under its previous order, adjourned until Monday, March 3, 1947, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON BANKING AND CURRENCY

The Committee on Banking and Currency will hold open hearings on H. R. 2233, a bill to continue the authority of the Federal Reserve banks to purchase Government securities directly from the United States. The meeting will begin at 10:30 a. m., Monday, March 3, 1947, in the Committee room 1301, New House Office Building, with Marriner S. Eccles, Chairman, Board of Governors of the Federal Reserve System as the witness.

COMMITTEE ON FOREIGN AFFAIRS

An executive meeting of the Committee on Foreign Affairs will be held in the Foreign Affairs Committee room, gallery floor, the Capitol, on Monday, March 3, 1947, at 10:30 a. m., on House Joint Resolution 134, providing for relief assistance to countries devastated by war.

SUBCOMMITTEE OF THE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE

The Subcommittee of the House Post Office and Civil Service Committee to investigate the civil-service structure will meet Monday, March 3, 1947, at 10 a. m., to continue hearings on the new civil-service rules and regulations.

The Subcommittee of the Post Office and Civil Service Committee to consider H. R. 1714, a bill to exclude certain interns, student nurses, and other student employees of hospitals of the Federal Government from the Classification Act and for other purposes, will meet Tuesday, March 4, 1947, at 10 a. m., 213 Old House Office Building.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

The Subcommittee on Public Buildings and Grounds of the Committee on Public Works will meet at 10 a. m., Tuesday, March 4, 1947, to hold hearings on H. R. 2086, to authorize the furnishing of steam from the central heating plant to the property of the Daughters of the American Revolution.

The meeting will be held in room 1435, New House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., March 4 and 5, 1947.

Business to be considered: Public hearing for 2 days on H. R. 505, H. R. 601, and H. R. 1111, inflammable materials.

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., March 6 and 7, 1947.

Business to be considered: Public hearing for 2 days on H. R. 942, H. R. 1815, H. R. 1830, H. R. 1834, and H. R. 2027, National Science Foundation.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

410. A communication from the President of the United States transmitting a deficiency estimate of appropriation for the fiscal year 1946 in the amount of $75,000 for the Post Office Department (H. Doc. No. 152); to the Committee on Appropriations and ordered to be printed.

411. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1947 in the amount of $20,000,000 for the Federal Works Agency (H. Doc. No. 153); to the Committee on Appropriations and ordered to be printed.

412. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1948 in the amount of $87,532,000 and a draft of a proposed provision for the Department of Commerce in the form of amendments to the budget for said fiscal year (H. Doc. No. 154); to the Committee on Appropriations and ordered to be printed.

413. A communication from the President of the United States, transmitting a proposed provision and supplemental estimates of appropriation for the fiscal year 1947 in the amount of $7,580,630 for the Department of State (H. Doc. No. 155); to the Committee on Appropriations and ordered to be printed.

414. A letter from the Clerk of the House of Representatives, transmitting notice of a contest growing out of the election held November 5, 1946, for the seat in the House of Representatives from the Sixth Congressional District of the State of Illinois, in the Eightieth Congress (H. Doc. No. 156); to the Committee on House Administration and ordered to be printed.

415. A communication from the President of the United States, transmitting a proposed revision for the Post Office Department, in the form of an amendment to House Document 100, Eightieth Congress (H. Doc. No. 157); to the Committee on Appropriations and ordered to be printed.

416. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill authorizing the establishment of a band in the Metropolitan Police force; to the Committee on the District of Columbia.

417. A letter from the Chairman, District Unemployment Compensation Board, transmitting the eleventh annual report of the District of Columbia Unemployment Compensation Board; to the Committee on the District of Columbia.

418. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill to amend the Civil Aeronautics Act of 1938, as amended, to empower the Civil Aeronautics Board to prescribe rates and practices and to suspend rates of air carriers in foreign air transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. SMITH of Maine: Committee on Armed Services. H. R. 1943. A bill to establish a permanent Nurse Corps of the Army and the Navy and to establish a Women's Medical Specialist Corps in the Army; with amendments (Rept. No. 81). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HOWELL:

H. R. 2310. A bill to amend the Railroad Unemployment Insurance Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PLOESER:

H. R. 2311. A bill to amend title X of the Social Security Act, as amended; to the Committee on Ways and Means.

By Mr. TOLLEFSON:

H. R. 2312. A bill authorizing the Secretary of the Interior to acquire on behalf of the United States Government all property and facilities of the Rainier National Park Co.; to the Committee on Public Lands.

By Mr. ANDREWS of New York:

H. R. 2313. A bill to amend the act of May 19, 1926 (44 Stat. 565), as amended by the acts of May 14, 1935 (49 Stat. 218), and of October 1, 1942 (56 Stat. 763), providing for the detail of United States military and naval missions to foreign governments; to the Committee on Armed Services.

H. R. 2314. A bill to amend section 12 of the Naval Aviation Cadet Act of 1942, as amended, so as to authorize lump-sum payments under the said act to the survivors of deceased officers without administration of estates; to the Committee on Armed Services.

By Mr. BEALL:

H. R. 2315. A bill concerning common-trust funds and to make uniform the law with reference thereto; to the Committee on the District of Columbia.

By Mr. LARCADE:

H. R. 2316. A bill to amend the Federal Reserve Act, as amended, to provide that the absorption of exchange and collection charges shall not be deemed the payment of interest on deposits; to the Committee on Banking and Currency.

By Mr. MEYER:

H. R. 2317. A bill relating to institutional on-farm training for veterans; to the Committee on Veterans' Affairs.

By Mr. HILL:

H. R. 2318. A bill to authorize the Secretary of Agriculture to provide support for wool, to amend section 22 of the Agricultural Adjustment Act (reenacted by the Agricultural Marketing Agreement Act of 1937) by adding thereto a new section relating to wool, and for other purposes; to the Committee on Agriculture.

By Mr. HOFFMAN:

H. R. 2319. A bill to promote the national security by providing for a National Defense Establishment, which shall be administered by a Secretary of National Defense, and for a Department of the Army, a Department of the Navy, and a Department of the Air Force within the National Defense Establishment, and for the coordination of the activities of the National Defense Establishment with other departments and agencies of the Government concerned with the national security; to the Committee on Expenditures in the Executive Departments.

By Mr. LODGE:

H. R. 2320. A bill to amend the Armed Forces Leave Act of 1946 so as to require that leave compensated for under such act be considered as active service in determining the period for which a veteran is entitled to education and training under title II of the Servicemen's Readjustment Act of 1944, as amended; to the Committee on Armed Services.

By Mrs. SMITH of Maine:

H. R. 2321. A bill to provide for payment to certain retired Naval and Marine Corps Reserve officers of a lump sum equal to their active-duty pay and allowances for the period during which such officers remained in an

inactive status without pay; to the Committee on Armed Services.

By Mr. GRANT of Indiana:

H. R. 2322. A bill to suspend certain import taxes on copper; to the Committee on Ways and Means.

By Mr. LEWIS:

H. R. 2323. A bill to establish a commission on the legal status of women in the United States, to declare a policy as to distinctions based on sex, in law and administration, and for other purposes; to the Committee on the Judiciary.

By Mr. WOLVERTON:

H. R. 2324. A bill to amend the Interstate Commerce Act with respect to the liability of common carriers by motor vehicle, common carriers by water, and freight forwarders for payment of damages to persons injured by them through violations of such act; to the Committee on Interstate and Foreign Commerce.

By Mr. KLEIN:

H. J. Res. 142. Joint resolution exempting certain contracts from the applicability of the cost limitations fixed by the United States Housing Act of 1937, as amended; to the Committee on Banking and Currency.

By Mr. BENDER:

H. Res. 123. Resolution to authorize the Committee on Expenditures in the Executive Departments to investigate and study certain personnel practices in the executive branch; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States to enact legislation providing for the continuance of the emergency farm labor supply program for the 1947 crop season; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 2325. A bill for the relief of Mamie L. Hurley; to the Committee on the Judiciary.

By Mr. LEONARD W. HALL:

H. R. 2326. A bill for the relief of Mrs. Marion M. Martin; to the Committee on the Judiciary.

By Mr. KEFAUVER:

H. R. 2327. A bill for the relief of Panagiotes Xiriches; to the Committee on the Judiciary.

By Mr. MARCANTONIO:

H. R. 2328. A bill for the relief of Enrico Lascala; to the Committee on the Judiciary.

By Mr. PLOESER:

H. R. 2329. A bill for the relief of Murphy & Wischmeyer; to the Committee on the Judiciary.

By Mr. SADLAK:

H. R. 2330. A bill for the relief of Helen Gronek; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

152. By Mrs. SMITH of Maine: Resolution of the Maine Woolen Overseas Association, of Waterville, Maine, urging that the interests of our industries be protected in trade agreements with other nations; to the Committee on Ways and Means.

153. By Mr. SMITH of Wisconsin: Resolution adopted by Wm. A. Bancroft Camp, No. 16, United Spanish War Veterans, in regular meeting assembled, at Racine, Wis., February 12, 1947, urging that action be taken to safeguard the country from sneak attacks and subversive activity; to the Committee on Un-American Activities.

154. Also, petition of the Racine Trades and Labor Council, representing A. F. of L. labor unions in Racine, Wis., disapproving any further reduction in tariffs; to the Committee on Ways and Means.

SENATE

MONDAY, MARCH 3, 1947

(Legislative day of Wednesday, February 19, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Lord God of Heaven, who hath so lavishly blessed this our beloved land, keep us humble. Forgive our boasting and our pride, and help us to share what Thou hast given. Impress us with a sense of responsibility, and remind us, lest we become filled with conceit, that one day a reckoning will be required of us.

Sanctify our love of country, that our boasting may be turned into humility and our pride into a ministry to all men everywhere. Make America Thy servant, Thy chosen channel of blessing to all lands, lest we be cast out, and our place be given to another. Make this God's own country by making us willing to live like God's people.

We ask these things in the name of Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Friday, February 28, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on February 28, 1947, the President had approved and signed the act (S. 568) to authorize the Secretary of Agriculture to cooperate with the Government of Mexico in the control and eradication of foot-and-mouth disease and rinderpest.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had passed a bill (H. R. 2157) to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes, in which it requested the concurrence of the Senate.

THE LEGISLATIVE BUDGET

The Senate resumed the consideration of the concurrent resolution (S. Con. Res. 7) establishing the ceiling for expenditures for the fiscal year 1948 and for appropriations for the fiscal year 1948 to be expended in said fiscal year.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. WHERRY], as amended, proposing the addition of certain words at the end of the concurrent resolution.

When the Senate adjourned on Friday last, the Senator from Massachusetts [Mr. LODGE] had the floor, and he is now recognized.

Mr. TAFT. Mr. President, will the Senator from Massachusetts yield to me for the purpose of suggesting the absence of a quorum?

Mr. LODGE. Yes; I yield.

Mr. TAFT. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum having been suggested, the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Myers
Baldwin	Hayden	O'Conor
Ball	Hickenlooper	O'Daniel
Barkley	Hill	O'Mahoney
Brewster	Hoey	Overton
Bricker	Holland	Pepper
Brooks	Ives	Reed
Buck	Jenner	Revercomb
Bushfield	Johnson, Colo.	Robertson, Va.
Butler	Johnston, S. C.	Russell
Byrd	Kem	Saltonstall
Cain	Kilgore	Smith
Capehart	Knowland	Sparkman
Capper	Langer	Stewart
Chavez	Lodge	Taft
Connally	Lucas	Taylor
Cooper	McCarran	Thomas, Utah
Cordon	McCarthy	Thye
Donnell	McClellan	Tobey
Dworshak	McFarland	Tydings
Ecton	McGrath	Umstead
Ellender	McKellar	Vandenberg
Ferguson	McMahon	Watkins
Flanders	Malone	Wherry
Fulbright	Martin	White
George	Maybank	Wiley
Green	Millikin	Williams
Gurney	Moore	Wilson
Hatch	Morse	Young

Mr. WHERRY. I announce that the Senator from New Hampshire [Mr. BRIDGES] is necessarily absent, and the Senator from Wyoming [Mr. ROBERTSON] is necessarily absent on state business.

Mr. LUCAS. I announce that the Senator from California [Mr. DOWNEY] is absent because of illness.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness in his family.

The Senator from Montana [Mr. MURRAY] and the Senator from Oklahoma [Mr. THOMAS] are absent on public business.

The Senator from Washington [Mr. MAGNUSON] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDENT pro tempore. Eighty-seven Senators having answered to their names, a quorum is present.

Mr. LODGE. Mr. President, a man said to me the other day, "Only America can prevent the end of the world." It is not hard to see what he meant. When we consider the prevailing misery and the economic chaos; when we hear the suggestion of new and more horrible wars; when we see old nations going under and new ones rising; when we note the saturation of populations coupled with the exhaustion of natural resources, it is no wonder that this friend of mine came to the conclusion that today the

only force left in the world which is able to counteract these deadly trends was the United States, acting through its Government.

Maybe there was a time, when we were proceeding on the theory of the less government the better, when we could meet with an amused smile the news of inefficiency and cumbersomeness in our Federal Government. But that time has long since passed. The effectiveness of our Government involves the issue of life and death for ourselves and for the world.

How effective is it? It is no exaggeration to say that it is organized in a way that makes efficient, farsighted action difficult, if not impossible. If an army or a navy or a business enterprise or a newspaper office were organized the way the United States Government is, it would incur almost certain defeat at the hands of an enemy or of its business competitors.

For example, I was told the other day that 90 high officials report direct to the President of the United States. I started an investigation of my own, and discovered that actually 150 members of boards and commissions, 15 heads of departments and major agencies, 5 persons in the Executive Office of the President, 7 persons in the White House staff proper, 11 in the emergency agencies which are still functioning, and 3 persons from the Joint Chiefs of Staff have direct access to the President. To this list should be added in the interest of completeness, the Tax Court of the United States, certain officers of the District of Columbia, members of the International Boundary Commission and all ambassadors, ministers, and personal representatives of foreign governments. It may be admitted that some of these officials have a purely nominal amount of reporting to do; but the fact still remains that there are probably some 90 officials whose reporting to the President is not merely routine.

Merely to illustrate the point, do Senators know how many subordinates General Eisenhower had to talk to in order to direct his ground troops in their invasion of Germany? He talked to three men—Field Marshal Montgomery, commanding the northern group of armies; General Bradley, commanding the central group of armies; and General Devers, commanding the southern group of armies. This is one illustration which could be multiplied countless times in military and business life. But President Truman must talk to as many as 90.

Furthermore, it is a well-known rule of good management that fiscal responsibility—that is, the control of funds—must parallel management responsibility. The bureaus of the Government should be involved only in the fiscal affairs of the activities which they control because only thus can the heads of the departments and the Congress be constantly in possession of accurate information; only thus can waste be avoided at its source before it even starts. But we know that the bureaus are not so organized, either within the departments or among the departments, and waste and confusion are the results. We appropriate in a schematic line that proceeds vertically, while the functions of the Government extend horizontally; the result is confusion.

Oftentimes officials of the executive branch tell us—and the statement irritates us—that the cuts which we make will have to come out of essential activities. If we are going to make cuts, we ask: Why cut out essential items? Why cut out airplanes or food or medical care? Why not cut out the waste? Why not eliminate items such as the one that came to light in the House last week, when it was disclosed that one of our armed services was ordering very fancy cut glass and silver finger bowls and salt shakers, at the very same time that the Army and Navy were disposing of thousands of finger bowls and salt shakers through the War Assets Administration? Why cannot savings be made in such items as that?"

Mr. AIKEN. Mr. President, will the Senator yield to me?

Mr. LODGE. I yield.

Mr. AIKEN. I should like to advise the Senator from Massachusetts that I do not think the purchases have been made. In all, there was involved about a million dollars, of which only $50,000 was for silver-plated finger bowls for the officers' wards, but, in view of the reports which were going around the Capitol and the general feeling of objection, I, on behalf of the Committee on Expenditures in the Executive Departments, asked the Secretary of the Navy to hold up placing the orders until the committee had an opportunity to examine the request for bids.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. PEPPER. Will the Senator from Vermont kindly speak loud enough so that the Senators on this side may be able to hear what he is saying?

Mr. AIKEN. I was advising the Senator from Massachusetts, who referred to the Navy's asking for bids on chinaware and silver-plated finger bowls, amounting to about a million dollars, at the same time that a great deal of such material, it is reported, was declared surplus; and I was advising the Senator from Massachusetts that in view of these reports I had asked the Secretary of the Navy, on behalf of the Committee on Expenditures in the Executive Departments, to withhold placing the orders for these materials until the committee had an opportunity to examine the request for bids. I have received a note from the Secretary. I have forgotten exactly what he said, but, in effect, I think he is complying with the request.

There was not a million dollars' worth of silver-plated finger bowls requested; the number, I think, was 36,000 or 38,000, and it was anticipated that they would cost $1.20 apiece.

Mr. LODGE. I am very glad to have that information. I mentioned the incident as an example.

Mr. AIKEN. The fact remains that the request for bids for about a million dollars' worth of chinaware and silverware and other articles had been sent out, and I think the bids were to be opened the latter part of last week.

Mr. LODGE. I am obliged to the Senator from Vermont for that information. I was bringing that up as one illustration—many others might be given—of the fact that unless management control and fiscal control are made to go along in a parallel way it will be found impossible to prevent such things happening.

Mr. AIKEN. The Senator is entirely correct in that statement; I agree with him.

Mr. LODGE. I thank the Senator from Vermont very much.

That is why, when I hear some of my colleagues say that officials in the executive branch, in order to prevent the making of reductions by the Congress, are deliberately threatening the Congress by the suggestion that economies proposed will result in cutting out essential items. I doubt whether that is true, because I think that the one reason why cuts are not made in the right places in the executive departments is that in many of them modern management methods do not exist. The result is that those who are supposedly operating the departments actually do not know what their departments are doing, and they do not know how to make intelligent cuts. If modern management methods prevailed, then the Congress should do what it wants to do—keep the essential things, and cut out the waste. I refuse to admit that there are not the brains in this body to set up such a system.

There is, however, another cause for the waste of public funds that can be laid at the door of Congress itself. In the able speech which was made by the Senator from Washington the other day, he referred to the subject of flight pay, which undoubtedly leads to a great many abuses and to a great deal of waste of public funds. In large measure, flight pay is governed by acts of Congress, and the departments are helpless to do away with it.

We badly need a study of obsolete legislation because that is another factor which is forcing the departments into extravagance.

Anyway, the thing is still mushrooming—aimlessly, pointlessly, pleasing no one and frustrating the very causes which the people want served. The Senator from Virginia [Mr. BYRD], a recognized authority, said recently:

"The conclusion is inescapable that the cessation of hostilities has brought little reduction in the tremendous war expansion of the Government. It is inconceivable that the departments and old-line agencies, expanded to 777 component parts at the height of the war, should now need to expand still further to require 920 principal component parts. There is no justification for having 1,200 Federal offices in New York, 1,000 in Chicago, and over 500 each in Philadelphia and Los Angeles, to mention only a few, as was so recently the case."

He also pointed out that—

"At present the annual pay roll of the executive branch of the Government approximates $6,250,000,000. This is $1,500,000,000 more than the entire Government spent for all purposes in 1933. The executive branch now employs more people than all the State, city, and county governments of the entire 48 States. With the exception of school teachers, this includes, besides the regular

State and municipal authorities, all the policemen, firemen, and public-service employees of the entire Nation."

Another great authority on this subject is Representative WIGGLESWORTH, of Massachusetts. He says:

"There has been great duplication and overlapping of functions. The Comptroller General has stated not so long ago that there were no less than 29 agencies lending Government funds, 3 insuring deposits, 34 engaged in the acquisition of land—"

Think of it, Senators, 34 agencies are engaged in activities in connection with the acquisition of land—

"16 in wildlife preservation, 10 in Government construction, 9 in credit and finance, 12 in home and community planning, 10 in materials and construction, 28 in welfare matters, 14 in forestry matters, 4 in bank examinations, and 65 in gathering statistics. There are in many States more Federal employees than there are State employees. Excluding the Army and Navy, there are more Federal employees on the pay rolls today than there were on VJ-day. The Comptroller General of the United States has recently reported the loss of many billions, particularly in connection with cost-plus contracts, renegotiation, and contract termination. He has castigated the procurement agencies of the Government for laxity and lack of ethical standards. He has reported in one instance that the United States Maritime Commission and the War Shipping Administration have failed to account properly for over $8,000,000,000."

Representative WIGGLESWORTH then refers to increases which are proposed to be made for the next fiscal year. He points out that it is proposed to appropriate $947,000,000 as compared with an actual appropriation this year of $723,000,000 for the Department of Agriculture; $264,000,000 as compared with $194,000,000 this year for the Department of Commerce; $313,000,000 as compared with $272,000,000 this year for the Department of the Interior; $111,000,000 as compared with $99,000,000 this year for the Department of Justice; and $352,000,000 as compared with $295,000,000 this year for the Post Office Department.

He tells us that a similar comparison for some of the independent agencies of the Government shows an increase from $12,000,000 to $12,700,000 for the Civil Service Commission, from $5,500,000 to $7,300,000 for the Federal Communications Commission, from $3,300,000 to $4,200,000 for the Federal Power Commission, from $2,500,000 to $3,900,000 for the Federal Trade Commission, from $9,600,000 to $11,900,000 for the Interstate Commerce Commission, from $1,000,000 to $1,700,000 for the National Archives, from $4,000,000 to $7,900,000 for the National Labor Relations Board, from $4,900,000 to $6,500,000 for the Securities and Exchange Commission. These, he says, are but examples.

I shall not burden the Senate with any more of these gloomy statistics. It is sufficient to sum it all up by saying that 30 years ago the number of executive establishments of the rank of a bureau or the equivalent is reported to have been 158. That figure had increased to 521 in 1932. By 1944 it had reached 1,141. During this same period of time the number of civilian employees of the executive branch had increased from 438,057 in 1916; to 528,542 in 1926; 824,259 in 1936; to about 900,000 in 1939; to the grand total of 2,766,165 in 1946. This means an increase of about 1,400,000 since 1939 which may represent an expenditure of $5,000,000,000. To which can be added the fact that we have a national debt 10 times as large as the maximum debt of World War I.

There we have a brief sketch of the waste and confusion. What are we going to do about it? Remember we do not know much about the details which make up these totals. The New York Times on February 16 said: "There has been no close study, at home or abroad, of what is essential and what is not." How are we going to remedy the situation?

I saw one solution proposed in a newspaper the other day in an exchange before a committee between a Senator and a Mr. Herbert J. Slaughter, chief of the Interior Department's legislative staff. According to the newspaper account, the Senator asked the witness: "How many employees could you fire and still run the Department?" The witness is said to have replied: "That is a very difficult question to answer. I can only say that there are places where reductions can be made." The Senator then had the understandable reaction. He said: "I think that a good way would be to fire about half of these Government people and see if the public complains of poor service."

It is an understandable reaction, but the trouble with such a solution is that undoubtedly the public would complain if such a procedure were followed.

Mr. President, the whole Senate has very recently been put in this same dilemma by being required to approve overall budget figures without knowing the facts. We were completely in the dark. We are determined, for example, as I said before, to get rid of the waste in the Army and Navy—and all of us who were in the service or who know anybody who was in the service are aware that there is much waste. We are also resolutely determined not to weaken our armed forces in any essential respect. But we have no chance to vote on these matters. We have no chance to express our true policy. No; we are given a choice of several over-all figures and the certainty that no matter what we do it will be wrong. We are sure either to cut off too much or not to cut off enough.

I submit, Mr. President, that that is not satisfactory. I believe we can do better than that the next time. I realize that we cannot hope in six short weeks to undo the confusion of 16 years of expanding emergency government, of which 4 years were years at war—and there has been no reorganization since the war.

But we can and we must look to the future. We can turn on the light. We can go through the Federal Government with a fine-toothed comb and find out what its functions are—there is no one book that can be obtained which lists all its functions—lay bare the waste and duplication and make informed and firm decisions. I refuse to admit that we must always remain in the dilemma of either cutting too much or not cutting enough. I contend that we can eliminate the waste and preserve—and indeed, enhance—all the vital functions of government.

To this end I have introduced a bill, a companion to one introduced in the House by Representative BROWN of Ohio. It calls for a study by experts and Members of Congress of the reorganization of our executive branch and to report back to Congress in January 1949, just at the time when the Eighty-first Congress will be beginning. Thus this commission will have a full year and a half to go through the Government with a fine-toothed comb and to throw light into all the musty old corners. The noncongressional members, who would be the ones really to carry the load, should be men of stature, like President Compton or President Conant, Justice Roberts, former Senator La Follette, or Secretary Forrestal, who has done pioneer work in introducing modern management methods into the Government.

I am glad to say that the Senator from Vermont [Mr. AIKEN] has kindly promised me an early hearing for my bill in the Committee on Expenditures in the Executive Departments.

Mr. O'MAHONEY. Will the Senator yield?

Mr. LODGE. I will yield briefly, but I am speaking under the 20-minute rule.

The PRESIDENT pro tempore. The Senator's time on the amendment has expired.

Mr. LODGE. I will now take 20 minutes on the concurrent resolution.

The PRESIDENT pro tempore. The Senator from Massachusetts is recognized for 20 minutes on the concurrent resolution.

Does the Senator from Massachusetts yield to the Senator from Wyoming?

Mr. LODGE. I yield, but I ask the Senator to make the question brief, please.

Mr. O'MAHONEY. I noted the statement of the Senator from Massachusetts about the necessity of introducing modern management methods into government. Does not the Senator believe that if we proceed upon that line we shall only come out with a bigger government and more highly concentrated power? Speaking for myself, after having had the advantage of presiding over the Temporary National Economic Committee, I am convinced that what we need is not greater centralization of government, but decentralization of business. The growth of the managerial form of government is a direct result of the development of management in business, which knows no local lines, no county lines, no State lines, and in some cases not even national lines.

The solution to our problem is to open the door of opportunity to small enterprises. Until that is done we may multiply study upon study without getting anything more than a continued growth of big government.

A month ago I had occasion to point out that although the Eightieth Congress was then less than 4 weeks old, 30 bills had already been introduced, some by Democrats and some by Republicans, expanding the powers of the Washington government.

I thank the Senator for his indulgence.

Mr. LODGE. I am very much obliged to the Senator from Wyoming. He has

made a study of the whole question of centralization of economic power, and he is unquestionably correct when he suggests that much may be said for the decentralization of economic activity. Of course, I am not arguing at all for increasing the centralization of government or increasing, necessarily, the power of government. I am asking that whatever we do we do well. I am asking that if we undertake to do certain things through our Government, we do those things economically and effectively.

Mr. President, I shall conclude. We hear much said about why people voted as they did at the last election. I shall not undertake to give all the reasons. I contend, however, that we were not sent here to put back the clock, but to wind it up, get it going again and take the rat's nests and bread crumbs out of the works. The measure to which I refer gives us this chance. Never again must we be caught as we were some days ago—obliged to make blindfolded decisions.

Let me say that there are innumerable precedents for setting up such a commission as I propose. Within my own memory here we have had the Temporary National Economic Committee of 1938, to which the Senator from Wyoming refers, composed of three Senators, three Representatives and one expert each from the Treasury, Justice, and Labor and Commerce departments, the Securities and Exchange Commission and the Federal Trade Commission.

Mr. President, Congress has reorganized and streamlined itself. Let the same be done for the executive branch.

This is not a job which Congress alone, working through congressional committees and using its own staffs, can do. We in Congress have not the time. There is no use deluding ourselves about that. We have not the time to do the job that needs to be done. We would have to leave it to our staffs; and our staffs would not have the standing which the members of this commission would have in their relation to the departments. I envisage full time work for at least a year and a half. All sorts of expert knowledge would be required, possibly, including the services of industrial engineers and management experts. It would take time and money.

I am in no way minimizing the vital importance of setting up proper Congressional staffs to probe for waste and extravagance and to scrutinize the budget estimates for next year. They have a vital task to perform. But they are definitely not set up to undertake the great overhauling which I have in mind.

Let me say that I have no pride of authorship in this bill. If the Senate or the Committee wishes to change its detailed provisions so as to have 5 instead of 12 members or any other detailed alteration, I shall gladly acquiesce. The important thing is to start the job.

Such a study will, I am convinced, make great economies possible. Careful students of the problem have told me that between seven billion five hundred million and eleven billion could be saved in 1 year. This is important.

Overshadowing even this consideration, however, is the fact that it will make our Government an effective instrument for translating into action the aims and the aspirations of the people. In military parlance, it will make the Government operational. This is not only important. In this modern age, it is essential.

The reason for the destruction and disappearance of democracy in so many countries of the Old World is that it did not or could not translate into effective actions the aims and aspirations of the people. Let us keep our system vigorous and alive by making it effective and thereby give what leadership we can toward preventing the end of the world.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a copy of Senate bill 164, which I introduced on January 13.

There being no objection, the bill (S. 164) for the establishment of the Commission on Organization of the Executive Branch of the Government was ordered to be printed in the RECORD, as follows:

Be it enacted, etc.,

DECLARATION OF POLICY

SECTION 1. It is hereby declared to be the policy of Congress to promote economy, efficiency, and improved service in the transaction of the public business in the departments, bureaus, agencies, boards, commissions, offices, independent establishments, and instrumentalities of the executive branch of the Government by—

(1) limiting expenditures to the lowest amount consistent with the efficient performance of essential services, activities, and functions;

(2) eliminating duplication and overlapping of services, activities, and functions;

(3) consolidating services, activities, and functions of a similar nature;

(4) abolishing services, activities, and functions not necessary to the efficient conduct of government; and

(5) defining and limiting executive functions, services, and activities.

ESTABLISHMENT OF THE COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH

SEC. 2. For the purpose of carrying out the policy set forth in section 1 of this act, there is hereby established a bipartisan commission to be known as the Commission on Organization of the Executive Branch of the Government (in this act referred to as the "Commission").

MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) Number and appointment: The Commission shall be composed of 12 members as follows:

(1) Four appointed by the President of the United States, two from the executive branch of the Government, and two from private life;

(2) Four appointed by the President pro tempore of the Senate, two from the Senate and two from private life; and

(3) Four appointed by the Speaker of the House of Representatives, two from the House of Representatives and two from private life.

(b) Political affiliation: Of each class of two members mentioned in subsection (a), not more than one member shall be from each of the two major political parties.

(c) Vacancies: Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

ORGANIZATION OF THE COMMISSION

SEC. 4. The Commission shall elect a chairman and a vice chairman from among its members.

QUORUM

SEC. 5. Seven members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 6. (a) Members of Congress: Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress; but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) Members from the executive branch: The members of the Commission who are in the executive branch of the Government shall each receive the compensation which he would receive if he were not a member of the Commission, plus each additional compensation, if any (notwithstanding section 6 of the act of May 10, 1916, as amended; 39 Stat. 582; 5 U. S. C. 58), as is necessary to make his aggregate salary $12,500; and they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(c) Members from private life: The members from private life shall each receive $50 per diem when engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

STAFF OF THE COMMISSION

SEC. 7. The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, in accordance with the provisions of the civil-service laws and the Classification Act of 1923, as amended.

EXPENSES OF THE COMMISSION

SEC. 8. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this act.

EXPIRATION OF THE COMMISSION

SEC. 9. Ninety days after the submission to the Congress of the report provided for in section 10 (b), the Commission shall cease to exist.

DUTIES OF THE COMMISSION

SEC 10. (a) Investigation: The Commission shall study and investigate the present organization and methods of operation of all departments, bureaus, agencies, boards, commissions, offices, independent establishments, and instrumentalities of the executive branch of the Government, to determine what changes therein are necessary in their opinion to accomplish the purposes set forth in section 1 of this act.

(b) Report: Within 10 days after the Eighty-first Congresss is convened and organized, the Commission shall make a report of its findings and recommendations to the Congress.

POWERS OF THE COMMISSION

SEC. 11. (a) Hearings and sessions: The Commission, or any member thereof, may, for the purpose of carrying out the provisions of this act, hold such hearings and sit and act at such times and places, and take such testimony, as the Commission or such member may deem advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or before such member.

(b) Obtaining official data: The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purposes of this act; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestion, estimates, and statistics directly to the Commission, upon request made by the chairman or vice chairman.

PRECEDENTS OF THE SENATE REGARDING RECAPITULATIONS OF VOTES

The PRESIDENT pro tempore. Before the Chair recognizes Senators further, he wishes to make a statement regarding a parliamentary situation which arose last Friday in connection with the request of the Senator from Maryland [Mr. TYDINGS] for a recapitulation of the vote by which the Taft amendment to the Wherry amendment was ultimately defeated.

The Senate will recall that the situation arose as follows: The preliminary roll call on the Taft amendment stood at 38 to 38, whereupon the Senator from Maryand, before the announcement of the result, asked for a second recapitulation, which the Chair granted. Before the result was announced, the Senator from Idaho [Mr. TAYLOR] arrived and was permitted by the Chair to vote. The result was that the Taft amendment was defeated by a vote of 39 to 38.

The Chair was intrigued by the situation to the extent of inquiring into the precedents, because the Chair is exceedingly anxious to keep the precedents straight.

There is no rule in the Senate on the subject. There is at least a very definite practice in the House which does not permit any Member to vote after a recapitulation has been ordered. In the Senate the procedure has been purely a matter of custom. As all Senators know, there is one automatic recapitulation of every yea-and-nay vote. That is a matter of custom. Beyond that, there has been a variety of practice in respect to requests for second recapitulations, the requests obviously being, upon most occasions, parliamentary devices to gain time.

There are some precedents that the granting of such a request is in the discretion of the Chair. There are some precedents that it is a matter of unanimous consent; and of course the Senate can always do as it pleases by unanimous consent. There is some practice that the second recapitulation can be requested at any time prior to the actual announcement of the result and that any Senator arriving in the Chamber prior to the announcement of the result may be permitted to vote. It was under that practice that the Chair, in an anxiety to be scrupulously fair, permitted the Senator from Idaho to vote.

But lest that stand as a precedent, the Chair wishes to say that after a very careful examination of all the precedents it is his opinion that the standard practice of the Senate should be as follows:

That a second recapitulation may be ordered only after the announcement of the result of the vote, on the theory that the recapitulation is to test the correctness of the announcement; that when a recapitulation is thus ordered a second time, since it is only an effort to be sure that the record is accurate, no Senator arriving in the Chamber after the recapitulation has been ordered will be permitted to vote or, except by unanimous consent, to change or withdraw his vote.

Therefore the Chair is simply putting the Senate on notice that hereafter, so far as the present occupant of the Chair is concerned, a request for a second recapitulation will not be recognized by the Chair until after announcement of the vote; and that thereafter, if a recapitulation is granted, no Senator who enters the Chamber can vote, and, except by unanimous consent, no Senator who voted can change or withdraw his vote.

The Chair has felt it necessary to make that statement in order to clarify the record and to establish what the Chair believes to be the standard of proper procedure as well as to put the Senate on notice as to the Chair's expectations hereafter.

Mr. BARKLEY. Mr. President, suppose a Senator had voted and there were reason to assume that his vote might have been incorrectly recorded. Suppose that during the first recapitulation the Senator stepped out to the telephone and came back after the recapitulation and after the announcement was made. Would he be denied the opportunity to correct his vote—not to change it, but to have it recorded as he intended?

The PRESIDENT pro tempore. He could change his vote by unanimous consent; and the Chair would assume that a statement of such a reason for changing his vote would be accepted by the Chair and by the Senate.

Mr. BARKLEY. I have no doubt of that. But it is conceivable that such a situation might occur, and I have myself observed on one or two occasions that it has occurred. If the Chair were to deny the right of a Senator, except by unanimous consent of the Senate, to correct his vote—not to change it, but to correct it and have it recorded as he originally intended--and were to hold that that could not be done, although there was an obvious mistake, it might sometimes put Senators in a rather embarrassing situation. The object of a recapitulation, whether it be the first or second, is primarily to ascertain whether a correct record has been made.

The PRESIDENT pro tempore. It seems to the Chair the Senator's statement is very persuasive. Rather than to take snap judgment on it, the Chair would like to inquire into that portion of the Senate's precedents.

Mr. LUCAS. Mr. President, referring to the ruling made by the Chair, I should like to ask a question. Do I correctly understand the ruling to be that after a recapitulation of a vote is taken, before the vote is announced by the Chair, it will be impossible after the first recapitulation for any Senator to vote?

The PRESIDENT pro tempore. The ruling of the Chair was that after the first recapitulation and prior to the announcement of the vote any Senator who had not voted could vote.

(At this point several Senators submitted items of routine business, which appear elsewhere in today's RECORD under appropriate headings.)

The PRESIDENT pro tempore. Senators will understand that under the present unanimous-consent agreement those now making requests to present routine matters are charged with speaking full time on the pending amendment.

SIXTIETH ANNIVERSARY OF WILLIAM RANDOLPH HEARST AS NEWSPAPER PUBLISHER

Mr. CAPPER. Mr. President, tomorrow, March 4, is the sixtieth aniversary of William Randolph Hearst as a newspaper publisher.

As we remember this remarkable career we are able to look back at the great advances that have taken place in our country since 1887; and if we look closely enough, we can see that in most of these historic changes a leading champion of what was novel at the time but has proved progressive since has been William Randolph Hearst.

On March 4, 1887, George Hearst, a notable Member of this body, charged his son with the operation henceforth of the Senator's little San Francisco Examiner. The Examiner immediately began to become a great newspaper, but it is now only one of the great newspapers Mr. Hearst has established and fostered and continues to operate throughout the country.

Mr. Hearst has always been a fighting liberal in the real sense of the word. Essentially and basically he has stood for democratic advancement in the United States, which implied, of course, the protection of the United States.

Let us look back upon some of the great progressive steps which we take for granted now, but which were so startling to most of the people when Mr. Hearst began aggressively advocating them. He had not been long in the editor's chair of the San Francisco Examiner before he expressed a principle to which he has adhered ever since—an inflexible enmity for all forces which would destroy the established governmental form of the United States. In the September 1 edition of the San Francisco Examiner in 1887 there appeared and editorial which asserted:

> There is little doubt that the seven Chicago anarchists will suffer the extreme penalty for their atrocious crime. There should be no sympathy for them.

The great anarchist scare of that period is past, but Mr Hearst is no less vigorous in his present-day war against another revolutionary, degrading concept—communism.

It would be a formidable task to list all the great projects which Mr. Hearst advocated from their very earliest inception and which are now accomplished.

He was among the very first to raise his voice and use the influence of his increasing newspapers for woman suffrage.

Expressing the liberalism which has always been characteristic of him, he spoke first and strongest for the initiative, the referendum, and the recall.

When the world was dark for labor, he called for higher wages and better working conditions, declaring them the first essential of something he has always sought, namely, the very highest standard of living for the American people.

He has believed that a militarily strong United States would be the world's greatest safeguard for the peace. So he threw the full force of his newspapers behind the Panama Canal project. In every decade, in every year, he has contested

anything and everything that would weaken us and make us the prey of jealous foreign nations. He was the first to campaign for air power.

With all this, he has been perhaps the world's leading pacifist. He has foreseen wars which we might have escaped with full honor, and he has warned against the steps that led us into these wars, following closely the injunction of George Washington that we must not become the victim of foreign entanglements through the machinations of those who would destroy us.

As he warned against the Red menace 60 years ago, so did he warn decades ago against the yellow peril. And, as we have seen the Red menace become a fact, so did we eventually go to war with an aggressive Japan, although many had scoffed at both those warnings.

Beginning when he campaigned against the Chinese opium dens of old San Francisco, Mr. Hearst has been and is today the implacable foe of the illegal narcotics traffic. We find his newspapers fighting it today and speaking for a strong antinarcotics commission within the United Nations so as to stop entirely throughout the world all narcotics production except for the strict requirements of medicine and science. Some of us can recall his great campaign for two laws long on the statute books, the Harrison Antinarcotics Act and the Jones-Miller Act, to regulate the import and export of narcotics.

Mr. Hearst opposed the great bankers when the bankers were wrong. He spoke for municipal ownership of vital utilities. He has always fought monopoly and greed. He crusaded for a Nationwide network of fine roads when the automobile was a freak and when there were no good roads. He wrought great changes for the better in prison administration.

Large or small, minor or important, he and his newspapers, under a personal direction that continues even to this day, overlooked nothing that was to the advantage and the greatness of the United States.

Through it all I find a human factor that especially marks him. Nothing engages his sympathy so quickly as the helpless of the earth, nothing inflames his anger so much as wrong to those who are helpless. Throughout these 60 years he has been the defender of women and children, conducting many a crusade for laws which would protect them from brutality and hardship. And the voice he has raised in behalf of humane treatment of the dumb creatures of the world has been heard by us all.

Mr. MALONE. Mr. President, will the Senator yield to me?

Mr. CAPPER. I yield.

Mr. MALONE. Inasmuch as the Senator from Kansas is discussing the sixtieth anniversary of the William Randolph Hearst newspapers, I think it is only fitting to say that the foundation of the Hearst fortune was laid in Virginia City, Nev., along with that of the MacKays, the Floods, and the Fairs, much of which was used in building up the first great city of San Francisco. George Hearst, father of William Randolph Hearst, walked into Virginia City in the early days, and later made a fortune through investments in mining property located in that city. It has always been a source of admiration to me that in Nevada was made the fortune which led to the founding of the great string of newspapers which today pay perhaps the largest salaries of any that are paid by any newspaper chain. Such salaries are paid to its leading men, its great reporters, and its great editors, such as Clarence Lindner, of San Francisco, and while its owner, William Randolph Hearst, has been in the newspaper business for more than half a century, he is still his own best editor. I am a great admirer of that chain of newspapers, not because I always agree with them, but because they are fearless and make the people think.

I thank the Senator from Kansas for yielding to me.

Mr. CAPPER. I appreciate the statement of the Senator from Nevada.

Mr. President, Mr. Hearst was a good newspaperman by instinct, and he became a great newspaperman by experience and accomplishment and the constant and indefatigable practice of the standards of news worthiness and accuracy and readability, which are the sinews of good journalism.

It is fitting that Mr. Hearst's name be mentioned in the Senate today. He was a Member of the House of Representatives from New York in the Fifty-eighth and Fifty-ninth Congresses, having been elected on a ticket which at that time exemplified a new spirit of progress in the United States.

REQUEST TO DISPENSE WITH PRINTING OF HEARINGS ON NOMINATION OF GORDON R. CLAPP

Mr. REVERCOMB. Mr. President, by direction of the Committee on Public Works, I ask unanimous consent, out of order, that the committee may be authorized to dispense with the printing of the testimony and evidence submitted before it at the hearings on the nomination of Gordon R. Clapp to be a member of the Board of Directors of the Tennessee Valley Authority. The committee has directed me to request such unanimous consent for the reason that there are some 1,580 pages of testimony and several volumes of the printed transcript. Therefore, under the order of the committee, I ask unanimous consent that the committee be authorized to dispense with printing the hearings, and that the three copies of the typewritten transcript be used in lieu of the printed record.

Mr. BARKLEY. Mr. President, inasmuch as Senators are required to pass upon this nomination, which has been reported adversely to the Senate, and inasmuch as it would be impossible for 96 Senators to familiarize themselves with the testimony by passing three copies from hand to hand, I shall for the moment object. I wish to look further into the question, because it involves not only a Presidential appointment but the right of the appointee and also the right of the Senate to know upon what testimony the committee brought in the adverse report. Therefore for the time being I feel compelled to object.

The PRESIDENT pro tempore. Objection is made to the request of the Senator from West Virginia.

Mr. REVERCOMB. Mr. President, in behalf of the committee, let me make this explanation: The request has been made solely for the sake of economy and to save the expense of having the large record printed. I well understand the position taken by the Senator from Kentucky; and, of course, if the transcripts available cannot serve the purpose, the point is well taken that printed copies should be made available. But the committee wished to save the expense of having the record printed, and the committee has asked me to make this request.

Mr. BARKLEY. I understand that. I think I am as much interested in economy as is any other Member of the Senate. I suppose the committee took this position under its view of a duty which it felt called upon to perform; but, Mr. President, it is physically impossible for 96 Senators to absorb, upon hasty perusal of three volumes of typewritten testimony, the information which they should have in order to act on the question involved in fairness to the Senate and to the nominee. So for the time being I object.

THE LEGISLATIVE BUDGET

The Senate resumed the consideration of the concurrent resolution (S. Con. Res. 7) establishing the ceiling for expenditures for the fiscal year 1948 and for appropriations for the fiscal year 1948 to be expended in said fiscal year.

Mr. JOHNSTON of South Carolina. Mr. President, because it bears directly upon the subject of the budget for the next fiscal year which the Senate is now considering, I ask unanimous consent to have printed in the RECORD an editorial entitled "Will the 'Ceiling' Hold?" which was published in the Greenville News, of Greenville, S. C., on February 28, 1947.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WILL THE "CEILING" HOLD?

The Senate's vote for a 1947-48 fiscal year budget of no more than $33,000,000,000 indicates the likelihood that the final agreement of the two Houses of Congress will be to put the "ceiling" on spending at $32,500,000,000.

This rather long-winded argument, which still has to go to a free conference committee, has been merely a move for general congressional agreement on a maximum total for the various separate appropriation bills which are still to be written and passed. This is a new procedure for Congress under the reorganization plan; and it must be said that it yet remains to be seen whether the maximum or "ceiling" now being decided on will actually prevent Congress from adopting a series of appropriation measures whose grand total will exceed the figure now being agreed on. This will be the real test of the value of this reorganization plan budget procedure; and until we see the final result it will still be a question as to whether the "ceiling" decisions now being made mean anything at all.

But if Congress definitely agrees on a ceiling of no more than $32,500,000,000 for appropriations in the coming year, and actually sticks by that decision, it will mean a schedule of appropriations about $5,000,000,000 lower than the President has recommended. And with revenues calculated on

present rates at about $39,000,000,000, with the continuation of the wartime exicse tax rates on sales of various goods and services, there should be opportunity to reduce taxes on individual incomes to the extent of around $3,000,000,000 and still leave a surplus of several billions to apply on debt reduction.

The two big questions, of course, are (1) whether revenues will run as estimated in the coming fiscal year; and (2) whether Congress, after having agreed on a budget "ceiling" will really abide by it. And in the light of these questions it seems to this newspaper that it is a pretty good idea to agree with the Knowland proposal that the first three billions of any surplus be devoted to debt reduction, and that tax cutting wait on assurance that taxes can be reduced while still paying that sum on the debt. For our first duty is to start working this debt down.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. WHERRY], as amended.

Mr. TAFT. Mr. President, on the particular procedural question which the Chair has announced, I merely wish to say that I myself am in favor of accepting the amendment offered by the Senator from Nebraska, and then I favor having the Senate proceed to final consideration of the resolution itself. I think it is vitally important that we quickly conclude our action on the resolution, which for some 2 weeks has prevented consideration by the Senate of other important business.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. WHERRY], as amended, adding at the end of the concurrent resolution certain words.

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BARKLEY. What amendment was added to the original Wherry amendment?

The PRESIDENT pro tempore. The amendment submitted by the Senator from Ohio was added, but subsequently was stricken out.

Mr. BARKLEY. So the amendment now before the Senate is the original Wherry amendment; is that correct?

The PRESIDENT pro tempore. The Senator from Kentucky is correct.

The question is on agreeing to the amendment of the Senator from Nebraska as amended [putting the question].

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The Chair now lays before the Senate House Concurrent Resolution 20, which will be read by title.

The LEGISLATIVE CLERK. A resolution (H. Con. Res. 20) establishing the ceiling for expenditures for the fiscal year 1948 and for appropriations for the fiscal year 1948 to be expended in said fiscal year.

The PRESIDENT pro tempore. Without objection, the House concurrent resolution will be substituted for the Senate resolution, and the House resolution will be amended by striking out all after the resolving clause and inserting the language of the Senate concurrent resolution, as amended.

The question now is on agreeing to House Concurrent Resolution 20, as amended.

Mr. TAFT. On this question, Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BARKLEY. Mr. President, have I exhausted the time which I had on the resolution itself?

The PRESIDENT pro tempore. The Senator's time is exhausted.

Mr. COOPER. Mr. President, the resolution now pending before the Senate, reducing the President's budget by $4,500,000,000, reverses the fiscal policy of the present administration and prior administrations, a policy marked by 17 years of spending and deficits. I believe that a second requirement in our movement toward a sound fiscal policy is the adoption of a program of debt management and debt reduction. It is evident, however, from the debate and from the action which has been taken, with the exception of the amendment proposed by the distinguished Senator from California [Mr. KNOWLAND], and the purpose is evident in the amendment offered by the distinguished Senator from Nebraska [Mr. WHERRY], that the emphasis of a great many Members of this body is placed upon tax reduction, rather than upon debt reduction.

Much has been said in the Senate in the last few days about tax reduction. It has been urged that it is necessary that taxes be immediately and substantially reduced in order to promote the full flow of capital investment and to relieve burdened taxpayers. I believe that every Member of this body supports these objectives, and desires that tax reduction and tax revision be effected as quickly as is possible, consistent with the circumstances and conditions in which we now find ourselves.

It is my conviction, however, that in this year of continuing transition from war to peace, this year of uncertainty, in which we are seeking to establish the stability of our domestic and international position, this body will act wisely if it does not reduce taxes until a substantial budgetary surplus is assured, and a substantial payment on the public debt made.

It has been urged in some quarters that a mandate has been imposed by the people upon the Congress to make an immediate and substantial tax reduction. With all due regard to that position, I do not believe there is any obligation imposed upon the Congress with respect to tax reduction, other than to take such action as will promote a sound fiscal policy in the present circumstances.

The reasons upon which I base my position that debt reduction should receive emphasis over tax reduction have been stated by many Members of the Senate, and I shall not take time to discuss them fully.

During the war, billions of dollars of the Government's obligations were sold to the banks of the Nation. It was a necessary practice, but it created an inflationary condition, through the manufacture of bank deposits and check-book money. It has been urged that the inflationary condition cannot be aggravated except by increasing the debt. I contend that the base for expansion is still present, and the only safe procedure is to constrict and reduce the base by substantial annual payments upon the debt.

A second danger which is inherent in the public debt is its large fixed annual interest charge of $5,000,000,000, which, as has been stated by the Senator from California, is larger than the total budget of the early thirties, and approximates the average annual budget of the late thirties, the largest budgets in our peacetime history. It is even possible that the interest charge may be increased. In the next 5 years it will be necessary to refund $73,000,000,000 of the obligations of the Government. In a proper program of debt management it will be necessary to readjust the debt, and in this process to move the debt from banking institutions into the hands of individuals and nonbanking institutions. It may be necessary to change the composition of the debt from short-term obligations to long-term obligations. Who can say that under worsened economic conditions, or in a market in which investors demand higher rates of interest, the annual interest charge of $5,000,000,000 may not be increased?

We have already reached into the future, and imposed upon those who will live in the future, a heavy principal sum of debt. It will be inequitable if we, by our failure to make debt payments, project the principal sum of the debt further into the future, and increase the burden by continuing the heavy interest charge of $5,000,000,000.

Another consideration which has been mentioned many times is that this year, above all others, is the year we are able to pay a substantial sum upon the debt. It is certain that in the lean years we will not be able to pay any substantial sum, but if we cannot pay a substantial sum in the fiscal year, with maximum employment and with the largest income in our history, then, I ask, when will we be able to do so?

The chief reason which I advance in support of my argument that debt reduction should be placed above tax reduction grows out of the uncertainties of the year. As was pointed out a few days ago by the distinguished senior Senator from Virginia [Mr. BYRD], when we make payments upon the debt, we create a kind of reserve; we create a condition, a cushion, which will protect us in the event some emergency arises this year or in the years that lie ahead.

If we reduce the surplus now by income-tax reduction we take away the protection, which we may need this year. I should like to point out that a few days ago the distinguished former President, Mr. Hoover, with his great honesty and clarity, made a report to the Nation in which he pointed out the demands that may be made upon the Nation because of our occupation of Germany. It has been suggested to us that perhaps demands will be made upon us in relation to Greece. I do not know what action may be taken with respect to those de-

mands, but I say they are prophetic, they are symbolic of the uncertainties of this year. For myself, I should like to see maintained a reserve which will protect us against such emergencies. If it should develop in the latter part of the session that emergencies have not arisen, we will have ample opportunity and time to make tax reductions, and I hope that it can be done.

The prosperity incident to the war was not a sound prosperity; it was fictitious. It was not based upon the production of goods which added to the wealth of the Nation; it was based upon the production of destructive goods, which reduced the wealth of the world.

The prosperity of today is a continuing war prosperity based upon deferred demands for goods which could not be supplied during the war years. Industry, labor, agriculture—all of us prospered, and prosper still, because of war. It is obvious that those who have prospered and who prosper today because of war expenditures should help pay the debt and interest today.

I think my position is a sound Republican position. During the New Deal administration, when the prewar debt was being created, attention was brought to the huge debt in every campaign, in every speech made by a Republican leader. Time after time it was said that if the Republican Party could secure control of the administration or of the Congress, the debt would be reduced. Debt payment has been an honest objective of the Republican Party during its entire history. I am glad to be in accord with the historic position of the Republican Party.

It is my conviction every consideration of honesty, equity, and sound fiscal practice demands that we place debt reduction above tax reduction this year, and that we assume the obligations which we brought upon ourselves and which we have contracted to pay.

Mr. BARKLEY. Mr. President, I move to reconsider the vote by which the language of the Senate concurrent resolution was substituted for the language of the House concurrent resolution. I make the motion, I say frankly, in order that I may have opportunity to say just a word in regard to the final action on the concurrent resolution.

The PRESIDENT pro tempore. The Senator from Kentucky moves to reconsider the vote by which the language of the Senate concurrent resolution has been substituted for the language of the House concurrent resolution. The Senator from Kentucky is recognized.

Mr. BARKLEY. Mr. President, the question of the adoption finally of the concurrent resolution has been given serious consideration by a number of us in the Senate on both sides of the aisle. There are some Senators who doubt whether we can reduce the budget by $4,500,000,000. I do not know. I have some doubt about it, in view of contingencies. I voted for the $4,500,000,000 reduction, as between that and the $6,000,000,000 reduction. I do not wish to put myself in the attitude of voting against any reductions, because I think it may be possible to make some, and I shall cooperate, as appropriation bills come along, to the extent of my ability, in making reductions where it seems they may be made without serious injury to the public welfare and without serious injury to our national defense. But, on the whole, I have concluded in my own mind to vote for the adoption of the resolution, and I wish also to state to the Senate that if I should be a conferee—which I may be, depending on the number—I shall do my utmost in the conference to maintain the position of the Senate, and I should express the very fervent hope that all Senate conferees will do the same.

I realize that from another quarter there has been a barrage hurled at the Members of the Senate within the last few days, the charge being made that the Senate leadership and the Senate generally are cockeyed, because they wished to reduce the public debt. I do not intend to reply in kind, but I should be willing to suggest that if the Civil Service Commission were authorized to hold an examination to determine who is the most cockeyed Member of the Congress of the United States, I do not think the three highest on the list would come from the Senate.

So, Mr. President, while I do so with some hesitation and some doubt, yet I am voting for this $4,500,000,000 reduction resolution because I want to bring about any wise reductions that are possible, and because I do not wish to be put in a false position where it can be claimed that I am opposed to any reductions that can wisely be made. At the same time I know full well that what may happen in regard to the ultimate reduction, if any, will depend upon the sum total of appropriations that the Congress will pass between now and its adjournment.

Mr. President, I now withdraw my motion to reconsider.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Wyoming?

Mr. BARKLEY. I yield.

Mr. O'MAHONEY. I desired merely to make a statement before the Senator withdraws his motion.

My purpose, Mr. President, is to make clear that it will be my intention to vote against the resolution in its amended form. That does not mean that I am voting against economy or for spending because my view is altogether opposed to that. I shall vote for economy, and, as a member of the Appropriations Committee, I shall do my best to eliminate waste and extravagance when the appropriation bills are before the Appropriations Committee.

I believe that public spending should be reduced to the utmost, but I recognize the fact, which the whole country ought to know, that this resolution is nothing more than a gesture; it means nothing; it is not a commitment. In fact, the report of the Joint Committee on the Legislative Budget has said in specific language that it is not a commitment, and I shall not be one to contribute to the perpetration of a deception upon the people of America. They will be entitled to believe, when this resolution is adopted, that there has been a commitment to cut $4,500,000,000 from the budget, but I know, Mr. President, that the whole world, including this country, is now in the midst of a crisis which makes it impossible for any Member of Congress to say how much can be cut.

The Senator from California last week, in discussing his amendment to apply three billion, and then, later, two billion six hundred million, to the reduction of the debt, pointed out the fact that $2,600,000,000 is only 1 percent of the national debt, and that at the same rate it will take 100 years to retire the debt. Are we to go before the public of the United States and convey the impression that we can afford to take 100 years in reducing this debt? Are we going to say to them that we can afford to take 10 years? No man in this body—no man in Congress—can tell what demands will be made upon the country next week, next month, or next year.

So, Mr. President, I want the record to be very clear that the reason I am voting against this resolution is that it is utterly meaningless; and it has been so described by its authors.

Now, Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks at this point a radio talk which I made last week on this subject.

There being no objection, the radio address was ordered to be printed in the RECORD, as follows:

DEBT REDUCTION IS THE FIRST ESSENTIAL

Former President Herbert Hoover, returning from a special mission to Germany, has just reported to President Truman that if the United States hopes to see western civilization survive it must undertake substantial expenditures to save Germany.

General MacArthur, who has performed a superlative job in the conquest and the rehabilitation of Japan, has told us that America cannot afford to permit the Japanese to starve.

Senator ARTHUR VANDENBERG, of Michigan, only a few days ago, speaking to a delegation of Michigan citizens, declared in positive terms that he would not support an economy program that would endanger the defense of the United States at a time when, as he put it, "the chips are down in our negotiations for world peace." Senator VANDENBERG made good on this declaration when, in the Senate on Wednesday last, he was one of those to vote against the $6,000,000,000 budget reduction proposed by the Republican leadership.

Almost one-half of the Republican Members of the Senate refused to give their approval to the $6,000,000,000 reduction. These men, like the Democratic Senators who are standing behind President Truman, were not voting against economy; they were voting against jeopardizing the leadership of the United States in the bitter struggle for the establishment of world peace and the preservation of human liberty.

They know, as does every person who gives the slightest consideration to what is going on in the world, that the American philosophy of government is facing its most difficult test.

In the crisis which engulfs the whole world, the totalitarian principle of government and the democratic principle present the choice which must be made by the people of the world. There can be no doubt that if America surrenders its world leadership, if it turns

back to false notions of normalcy and isolation, the democratic principle of government cannot survive. This and not any question of economy or tax reduction is the issue involved in the current debate on the legislative budget.

I have no hesitation in saying that short-sighted individuals who are more concerned in saving a few dollars in taxes than they are in saving the American system are now making an effort to mislead the country into the belief that the Republican budget program is designed only to prevent waste and extravagance in government.

I undertake to show that this is not the case and that under the leadership of President Truman there has already been an unparalleled reduction of Federal expenditures and an extraordinarily large payment upon the national debt.

Expenditures for the purposes of war reached their peak in 1945 when there was paid out of the Federal Treasury $100,404,000,000. Immediately after VJ-day, President Truman gave orders to cut unnecessary expenditures even though the war against Japan was still going on. Expenditures for 1946 were reduced below $64,000,000,000 and for the year ending June 30, 1947, it is estimated that expenditures will be less than forty-three billions. That is a total reduction since the end of the war of almost $60,000,000,000, and the President's estimate for the year 1948, namely thirty-seven and a half billions, represents another reduction.

Not only have the expenditures been progressively reduced since VE-day, but President Truman has been applying every dollar that could be secured upon the reduction of the national debt. Between February 1946 and February 1947, the debt has been reduced by more than $20,000,000,000. The record is clear, therefore, that the administration has been reducing both expenditures and the public debt. The issue before the American people now is whether this sound fiscal policy of reducing expenditure and debt shall be continued, or whether, on the contrary, as the Republican majority has proposed, we shall endanger our leadership abroad and reconversion at home by dangerously cutting expenditures so as to provide a 20-percent across-the-board income-tax cut, a reduction which would benefit the rank and file of our people to the extent of only a few cents and dollars, but which would mean a saving of thousands and tens of thousands of dollars for those in the upper income brackets who have profited tremendously from the expenditures of war.

The advocates of tax reduction base their hopes upon the belief that the people will not understand the present need for expenditures approximately thirty-seven and a half billions when they compare that sum with the expenditure of only a little more than $9,000,000,000 in 1939. That it is a huge amount no one can deny. It is four times greater than the expenditures of 1939. No one who has not had an opportunity to study the figures and who, therefore, does not know the appalling cost of the war could be blamed for believing that there must be something seriously wrong with such a tremendous expenditure 2 years after the end of the war, but analysis reveals the fact that almost four-fifths of this total represents expenditures which are the direct result of the war, expenditures which were not incurred in 1939 or in any other peacetime year and which we cannot now avoid.

The National City Bank of New York in its February letter on Government finance in comparing the budget expenditures for 1939 with those proposed for 1948, had this to say:

"It will be seen that five items alone—national defense, veterans' services and benefits, interest on the public debt, international affairs and finance, and tax refunds—come to $29,200,000,000 or almost four-fifths of the total budget."

All of these items thus recognized by the National City Bank as "the cost of the war and its aftermath of debt" have already been substantially reduced by President Truman below the estimates made by the various agencies. If, therefore, you take the $11,250,000,000 for national defense, seven and three-tenths billions for veterans' services, five billions for interest on the public debt, three and five-tenths billions for international affairs, and two and six-tenths billions for tax refunds, which, as the National City Bank points out, make up four-fifths of the President's budget and add to them the civil items contained in the budget expenditures for 1939, the total amounts to almost three and six-tenths billions, or only $1,750,000,000 below the President's budget. This difference vanishes when we realize that the civil expenditures for 1948 contain items like $444,000,000 for atomic energy which was never contained in any peacetime budget; $528,000,000 for the conservation and development of land and water resources which, in 1939, amounted to less than $200,000,000; appropriations for the building of highways, neglected during the war; for the promotion of aviation and the provision of new airports, little of which was done in 1939. The truth is that the budget has already been deeply cut by President Truman and additional reductions will fall on agriculture, on the development of national resources, on the care of veterans, and on national defense.

It was because the Republican program for a $6,000,000,000 slash was made without thought or analysis that Senator MILLIKIN, of Colorado, offered the amendment to cut the Knutson-Taber reduction from six billions to four and one-half billions. But even after that modification was adopted in the Senate, no one on the majority side could say where this cut of four and one-half billions would fall. Indeed, the Republican majority made it clear that it does not have the slightest idea where the saving is to be made, for on page 4 of its report it acknowledges its complete lack of information in the following specific sentence:

"Of course, if the accompanying resolution be adopted there is no commitment as to any reduction in specific items contained in the budget."

The clear purpose of the Republican majority program is to reduce the taxes of the wealthy rather than to pay the debt.

This is the same policy which helped to bring on the depression of 1929.

World War I resulted in a debt of $25,480,000,000.

After the end of that war and before the administration of President Harding began, the Wilson administration reduced World War I debt by about one and one-half billions, so that the Republicans on March 4, 1921, under President Harding, inherited a total debt of slightly less than twenty-four billions. During the succeeding 12 years they passed 5 separate laws reducing income taxes and when the Roosevelt administration took over in 1933 the national debt was still more than twenty-two billions. Income-tax reduction rather than debt payment under the Republican administration left the Nation a legacy of unpaid debts and a depression. Now Republican leadership proposes to make precisely the same mistake.

The national debt at this moment amounts to more than two hundred and fifty-nine billions. We cannot face another depression or another war without concentrating every thought and every effort upon the payment of the maximum reduction of that debt. The annual interest alone amounts to almost $5,000,000,000. That means five thousand millions and it must be paid every single year out of earnings of the American people until we make up our minds to cut the debt. This huge sum is greater than the total amount ever raised in income and profit taxes in any year prior to 1942. It is more than 10 times greater than the entire annual cost of Congress, of all the Federal courts and the executive offices of the President. It must be reduced if the free-enterprise system is to be saved.

The people of America have greater earnings now than at any time in history. Their income in 1946, more than one hundred and sixty billions, was twice the income they received in the most prosperous days of the Harding-Coolidge administrations. Never were they better prepared than now to make a contribution toward the payment of the debt and the reestablishment of peace.

An examination of the monthly earnings record of the great corporations of America as reported by the well-known private statistical publication, Moody's Banks and Finance, justifies the statement made on the floor of the Senate by Senator WALTER GEORGE on Wednesday, February 26, that corporate earnings "are running very high, and in the case of some of the corporations they are running entirely too high, in my judgment. They convince a careful student of affairs that some businesses in the United States are yet perfectly willing to take on all the traffic will bear."

I have before me the figures which show that the earnings of United States Steel, for example, were 31 percent greater in 1946 than they were in 1945; that Bethlehem Steel increased its earnings by 27 percent; and the du Pont Co. by 52 percent; that National Distillers gained 184 percent; and the International Paper Co. 192 percent in the same period.

There were losses, to be sure. General Motors suffered a loss, as did certain other automobile corporations and some mining corporations, but the record on the whole shows that corporate earnings and the national income of the United States were never at a higher level than now.

The minute that income falls, then will fall also the Federal receipts, just as they did during the Hoover administration after the beginning of the depression. When Federal receipts begin to fall it will be impossible to pay the debt and it may be impossible even to pay the interest on the debt.

The national debt is a mortgage on all future production in this country. It is a mortgage beyond the imagination, and if we have any hope of preserving the free-enterprise system we must go busily about the business now of cutting the national debt while we have the money in our pockets with which to do it. Even if we were to pay off $5,000,000,000 every year it would take 50 years to liquidate it.

We have no time to lose. Reduction of income taxes now instead of reduction of the national debt is an invitation to disaster.

The PRESIDENT pro tempore. The Chair understands the Senator from Kentucky to withdraw his motion to reconsider.

Mr. BARKLEY. I withdraw the motion I made to reconsider.

Mr. TAFT. Mr. President, I wish to say only this, in reply to the Senator from Wyoming: When we adopt this resolution cutting the budget four and a half or five billion dollars, whatever it may be, finally, following the conference, where we shall do the best we can, I shall regard it as a promise, so far as I personally am concerned, to see that the appropriations passed by the Senate do not exceed that amount.

I think it is a sound procedure. I think we should, at the beginning of the session, fix an over-all limit of Federal expenditures, and it seems to me from now on in connection with legislative proposals and issues that we must consider whether or not we are keeping what is in

effect a promise to the people to reduce the expenses of the Government.

It is suggested that things may happen. Of course, things may happen. If we go to war, all bets are off. So far as the Grecian situation is concerned, I see no reason why it should have any effect on the total over-all figure we may set.

The budget already contains a total of $3,500,000,000 for expenditure abroad in one way or another during the next 12 months, beginning the 1st of July. Certainly, if we need some of these dollars more for one place than another, we can shift them somewhere else. I see no reason why any crisis which is now presented or discussed in the press should in any way increase the over-all amount already in the budget for foreign expenditures; in fact, I should expect such expenditures to be well below $3,500,000,000, including any money that may be requested for Greece, in the present conditions. So that I do not see that that changes in any way the situation.

I believe the adoption of this resolution will constitute a landmark. I believe that for the first time Congress is trying to exercise some thought about the over-all fiscal policy of the Government, and I believe that those who vote for this resolution are bound, as they go through the remainder of this session, to see that our appropriations are cut in every possible and feasible manner, in order that we may comply with what in effect is a promise made to the people of the United States.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. TOBEY. I am interested in what the Senator has just said, as I am always interested in what he says. Was the Senator from Ohio one of those who were invited to the White House when the President called in a selected group?

Mr. TAFT. No; I was not at the White House then, I will say to the Senator from New Hampshire.

Mr. TOBEY. Was the Senator informed by some who were there of the substance of what took place at that meeting?

Mr. TAFT. No; I have not been informed. I have read the newspapers with care and great interest, and I certainly do not reject the proposals as set forth in the newspapers. I only say that so far as any sum has been mentioned, it is a sum that can easily be included in the total over-all foreign expenditures without increasing the total budget.

Mr. TOBEY. I thank the Senator. Then what the Senator from Ohio has said, and his recommendations and his convictions, reflect the import of what was stated to the group of Senators the other day by the President, as to the magnitude and the scope of the proposals which were then made?

Mr. TAFT. Yes, as I have read it in the newspapers.

Mr. LUCAS. Mr. President, there have been some votes upon the pending measure due to the unusual parliamentary situation now which may be wrongfully construed as to the position certain Senators have taken upon this concurrent resolution and amendments thereto. I voted for the four-and-one-half-billion-dollar cut in the budget, and I did so because I wanted to defeat the proposal for $6,000,000,000. But I took the position then that I could not ultimately support either proposal, in view of the fact that it was admitted by those who proposed a $6,000,000,000 cut in the budget and those who proposed a four-and-one-half-billion-dollar cut in the budget, that both would materially affect the item in the budget known as national defense. I voted for debt reduction. I am certain that such is necessary to a sound economy and a stable Nation. It is an amendment and now becomes a part of the resolution. It may appear that by voting "No" on the resolution, as amended, I am repudiating my vote for debt reduction. That, Mr. President, is not the case. I merely consider the national defense more important than any other items in the budget, or any amendment thereto.

Nothing in the affairs of mankind since the debates started has changed my viewpoint. The fact of the matter is that the affairs of the world, at least in some parts thereof, at this very moment, convince me more today than they did 10 days ago that I was correct in my point of view. In this hour of travail, I cannot under any circumstances, Mr. President, oppose a man like George Marshall or General Eisenhower on the national defense program. For fear that I will ultimately be misunderstood if I should vote for the four-and-one-half-billion-dollar cut, upon the question of defense alone, I cannot support the four-and-one-half-billion-dollar cut, much as I should like to. I hope when the time comes to review the budget as a whole that I may be in a position, when the evidence is before us from the Appropriation Committee, to look at it with a microscopic eye in order to cut down to the bone all waste and extravagance in Government.

Mr. President, no one knows what is going to happen tomorrow or next week or next month, and I disagree violently with those who say that the condition of the world should not have anything to do with our vote at this particular time upon a budget dealing with national defense. I am convinced that if we were to say to the world at this moment that we stand behind the President of the United States upon this one item, that we stand back of George Marshall, and General Eisenhower, and the Secretary of War, and the Secretary of the Navy, we would do more to promote the best interests of this country and the world than any single thing we could do.

It is not necessary to take the Navy out in the ocean and sink it under the terms of a disarmament conference in order to destroy it as we did following World War I. There are other ways of destroying the Navy as well as the Army. They can be reduced to immobility here in the Senate Chamber or in the House of Representatives if we do not give them the appropriations which are necessary to keep them effective. It may be that a considerable amount of fat can be cut out in due course, but before that is done I want to hear the evidence upon that question. I want to read the reports upon it. I want to hear the arguments that are made with respect to it. I am not going to set myself up at this stage of the game as an economic strategist in the Senate to oppose men who ought to know best what is necessary for our defense, men who have been trained to serve the country in its defense, men who have lived with that question, men who are great Americans, men who did a superb job when the chips were down.

The PRESIDENT pro tempore. The question is on the adoption of the concurrent resolution, as amended.

Mr. MYERS. Mr. President, I ask unanimous consent to have inserted at this point in the RECORD a letter which recently came to me which discusses the Federal budget and tax reduction and kindred matters. The letter is signed by about 35 of my constituents in Hershey, Pa., the majority of whom spent several years in the military service of their country.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HERSHEY JUNIOR COLLEGE,
Hershey, Pa., February 21, 1947.

DEAR SENATORS MYERS, MARTIN, AND REPRESENTATIVE KUNKEL: The economics class of the Hershey Junior College, Hershey, Pa., was discussing the issue of appropriations to the armed forces a few days ago, which is now before Congress. After thoroughly discussing the issues pro and con, we came to this conclusion: The budget should be cut in all spots where the amount of money can be lowered without harm to the Nation. On one occasion we disagreed with the Republican majority in Congress who favored a cut in the appropriations to the armed forces, and here we disagreed with Congress violently. The amount of money claimed to be needed for the Army and Navy should not be cut one cent. We feel that just as you have been chosen to represent our State in Congress because of your ability to make sound decisions and safeguard our Nation, we also feel that General Eisenhower and Admiral Nimitz have been selected for their positions for the same reason. They have both proven themselves in the recent war, and we heartily urge you to grant them whatever they deem necessary for the defense of our Nation.

The Congress now in session is advocating a reduction in the national debt. In this we heartily concur, but the way in which Congress proposes to make this reduction is a bit puzzling to us. According to the reports published in our local newspapers, Congress plans to cut the national debt by reducing the budget. This is sound economical thinking, but reading further we discover that Congress also proposes to cut taxes at the same time. This does not sound like good economic sense. By reducing the Government's income there is less money available for existing Government business. We realize, of course, that it is possible to still reduce the national debt under these circumstances if the appropriations to the military are drastically reduced, and we consider any cut lower than the amount asked for by Eisenhower and Nimitz to be drastic. The best solution, as we see it, is to reduce the budget wherever possible with the exception of the military, and at the same time retain the present tax rate or lower the rate somewhat less than the 20 percent now proposed.

We understand that by reducing the tax a favorable impression may be created upon the minds of the people in order to promote good will. The Senators and Representatives must be thought of favorably by their constituents or the Congressmen now in office will not be reelected. We know and you

know that all politicians give consideration to the coming elections in regard to voting on legislation, but we feel that in so serious a matter as this you must vote for the defense of our Nation, not for the defense of your office.

After World War I the people and Congresses of this Nation were foolish enough to sacrifice our national welfare by cutting our armed forces to the bone—sometimes we feel they even penetrated the bone—and it was this short-sightedness which led to the disaster of Pearl Harbor. We implore you not to make this mistake again. Perhaps the reason for our great concern over this affair is the fact that a majority of us spent a number of years in the military service of our country in the recent war.

Once again we urge you to give the appropriations to the War and Navy Departments which General Eisenhower and Admiral Nimitz deem necessary for the proper defense of our country. We will be following the newspaper accounts of your activities closely and hope that we will see and hear of your favorable action soon.

Sincerely yours,

Frederick R. Houser, Melton H. Snavely, Clyde S. Bomgardner, Ziegler Heilman, John F. Rineman, B. M. Gumm, Glenn B. Wagner, Glenn A. Stover, Francis P. Coyle, Gene S. Haupt, James M. Stover, John J. Ebersole, John H. Gunning, Jean Walmer, Morton J. Weiss, Matthew R. Prang, Joseph A. Smertneck, Bernard Amentz, Gerald Bayer, Donald C. Gish, Ray S. Laudermiht, Glenn Sullivan, Carl R. Baum, Hugo R. Mandes, Baxter M. Heil, B. F. Whisler, H. Allison Winters, Wesley E. Vail, Richard H. Barnes, Stanley F. Huber, William H. Snyder, Jr., Ralph Greer, Chester W. Fry, Jr., students of Hershey Junior College.

Mr. FULBRIGHT. Mr. President, before a vote is had on the concurrent resolution I should like to make a statement. I have not expressed myself on the resolution, but I have arrived at the decision finally that I should not vote for the resolution. I think, as does the Senator from Wyoming [Mr. O'MAHONEY], that the resolution amounts to a deception in that it has already created, and I am sure its final adoption will further create, the impression that if it does not in itself bring about an actual cut now, at least it is a binding promise that the budget must be cut. While I agree that cuts can be made in many departments and agencies of the Government, I do not think that at this time we know enough about the situation, and particularly the developments that are taking place in the world, to bind ourselves to a cut of any specific amount. I think the proposed action is premature, particularly in view of the report of ex-President Hoover and another report which while it has not been made public in all its details, has enabled us to form an impression concerning matters in the Near East.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. TAFT. I only wanted to point out that the figures contained in Mr. Hoover's report are if anything less than those recommended by the budget. They do not represent in any way an addition to the budget already submitted by the President of the United States.

Mr. FULBRIGHT. I do not understand that they are less than the amount we had anticipated for Germany.

Mr. TAFT. Yes; I understand they are less than the amount we had anticipated for Germany.

Mr. FULBRIGHT. The total figure was, I believe, just short of $1,000,000,000, and it was assumed that Great Britain was going to pay half of it. That is another point. The assumption with respect to Great Britain is one former President Hoover may not be warranted in making.

Mr. TAFT. President Hoover's figures were based on 18 months and not on 12 months, the period on which the budget is based. I think the Senator from Arkansas will find that in former President Hoover's statement of need there is absolutely nothing beyond what was originally contemplated. In fact I think his statement of need of the other countries is somewhat less than was already provided for in the budget.

Mr. FULBRIGHT. What about the situation in Greece? Assuming that our obligations there would be in the neighborhood of $300,000,000; is that provided in the budget?

Mr. TAFT. The figures for food are already in the budget. That item has already been contemplated. Three hundred and fifty million dollars was in the budget for Greece, Italy, Austria, and for one or two minor requirements.

Mr. FULBRIGHT. That is the overall figure for those countries. As I understand, obligations with respect to Greece, which are being discussed, relate not only to food, but to economic loans, loans for rehabilitation, and so forth.

Mr. TAFT. The recent figure I have seen in the newspapers is probably $250,000,000 in addition to the food, and over a period probably closer to 2 years than 1 year, as I understand.

Mr. FULBRIGHT. I do not question the Senator's understanding, but he says the figures are "as I understand them." I do not think our information is at all positive and conclusive on any of these matters. The principal point that is persuasive to me is that it has become evident within the last month, the last few weeks, the last few days, that the British Empire is much weaker than was generally supposed. I want to read one statement, by way of background from one of the great newspapers of the country, the St. Louis Post-Dispatch. I shall read but a paragraph. I have seen similar statements in a great many leading newspapers and also heard them made by commentators. This has given rise to the thought that we are premature in judging a question of basic policy. In other words, we shall be faced with the decision as to what course this country shall pursue, assuming conditions to be as bad as they now appear to be, in that area where the British Empire heretofore, for 150 years, has had great influence. We may differ as to the merits of that influence. Nevertheless, it has been a stabilizing influence; and if they withdraw we shall be then faced with a decision as to what our actions are to be. I think that a vote on this resolution prejudges that decision. It almost announces to the world that we are not going to have anything to do with it. Perhaps that will be the ultimate decision, but I do not think this is the time to make it, in a more or less casual manner, in voting upon our fiscal policy. Certainly that is an important question to be considered.

By way of background, let me read these three paragraphs:

The British predicament in Palestine is symptomatic of a far greater problem. That is the abdication of British imperialism. Whatever one may think of the faults and virtues of British rule, it has been the great factor in world order for more than a century and a half. Now Britain's will to rule is gone, and the world is faced with the vacuum of decaying empire. Complicating the problem is the fact that Britain's economic strength, which also has been a force for world order, is oozing out. What this means and what might be done about it is the subject of a thoughtful editorial in Life magazine, reprinted under the cartoon on this page today.

Britain's mantle would fall naturally to the United States, the strongest military and economic power in the world, but politically and temperamentally Americans are little interested in empire. Yet there is no such thing as a vacuum of power; unless the vacuum of power is filled by a British-American coalition or by a strengthened United Nations, the situation beckons irresistibly to people who have more vigorous purposes and intentions as to what they want the rest of the world to be like. The Russians are such a people.

America is not yet sufficiently awake to the significance of what is happening to the British Empire. It is time to give the matter thought. Mr. Bevin's ill temper of yesterday proceeded, one would think, less from irritation over the Palestine situation than from general anxiety over the terrific problems with which he and Mr. Attlee are having to wrestle. In a sense, they are America's problems, too.

I am not proposing to suggest any solution to that problem today. I do not know what the solution is. I do not think the administration has yet made up its mind, in consideration of all the implications of this situation, what it will recommend, or what it will try to do. But certainly one significant item in that consideration will be what the Congress does. If now, with so little information—practically no authentic information as to what that situation is—we by a large vote adopt this resolution, what will be the effect on the people of the United States and on the people of other countries? I think the first reaction of the people of other countries will be that we are not going to undertake the obligations which we have, in a sense, professed we were going to exercise in various parts of the world. I admit that we are faced with far greater obligations than we anticipated by reason of the apparent crumbling of the British Empire. I confess that I myself have misjudged in the past the ability of the British to rehabilitate themselves. It is evident that their machinery for production is much more obsolete and worn out by the efforts of the war than I had thought. The terrible winter has further strained their resources. I confess that I misjudged the situation even a year ago, in the discussion of the British loan.

However that may be, I think the effect of this resolution is, in a very real

sense, for us to prejudge the situation and say that regardless of the conditions which face us, we are not going to spend any money, no matter how bad the situation may be. I do not care to be placed in that position. I agree that I am worried about this vote in the same sense that the minority leader is. It may be misconstrued. I certainly intend to cooperate in cutting down expenses in many of our domestic agencies. I can think of one or two that could be completely abolished with great savings. But I cannot commit myself to this resolution with the implication which I think it carries, that we are not going to exercise any additional influence or assume any additional obligations in the area of the world where the British have formerly operated, and where I think the future of western civilization is involved.

The budget is the first real proposal that has come from the Executive. After the last election we heard a great deal about cooperation. This resolution is a drastic challenge to the proposal of the Executive for a budget. I think it indicates, and will be so construed by the American people and by the people of other countries, the presence of a difficulty which has worried me considerably. I refer to the division of authority between the executive and the legislative, and the difficulty of their cooperating. It is quite true in our history that always following a strong Executive there has been a tendency for the Congress to try to take over, in a sense, the executive functions, to dominate the Executive. That is a tendency which is natural in our system. I believe that our actions in this instance also cause a great deal of uneasiness about the prospects for any effective cooperation between the executive and legislative. For these reasons I feel compelled to vote against the concurrent resolution.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an editorial entitled "World Crisis," published in the Washington Post of March 1, 1947.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WORLD CRISIS

The canvass of the world crisis that the President and Secretary Marshall undertook Thursday with key legislators seems to have had a sobering effect on Capitol Hill. What Secretary Marshall reported has not been revealed except in respect to Greece. But he who runs can read the import of what Marshall must have said. The forces of disintegration are on the march in all the countries which share our belief in the kind of world order we seek to establish. Of the Big Five, three are obviously prostrate. A raging inflation, coupled with civil war, has China in its grip. Britain and France both are afflicted with an anemia which is disabling them for world responsibilities. Their sickness has made the harsh winter look like a malignant fate applying the last straw. One result is the announcement that the British must quit Greece unless American aid is forthcoming. Other areas of power are now in course of being vacated as these historical states with their far-flung interests seek to trim ends to their straitened means. Britain and France are hard put to it to cope with their internal troubles, let alone the commitments they have abroad. In these circumstances the fate of Europe is looming as an issue between Russia and America.

It is a bad situation when two titans with no common policy hold the keys to world power. But it is our firm belief that there is little to distinguish between the weakness of Russia and the weakness of our other allies. In other words, we are actually the only titan in the modern world. For instance, we reported the other day the first news of a famine in southern Russia of proportions surpassing even the dreadful famine of 1921. The difference between Russia and our other allies is that Russia is shrouded in mystery and held down by the police, but they are all in the same condition of economic weakness. The fact is that for some reason or other only known to Himself, God has limited His favors to America. But you would not realize this unique position we enjoy in the world of nations. We are great, but, as a result of our political set-up, we are great as a nation not as a state. Russia, on the contrary, is a great state but a weak nation. At one period it was sufficient for America to be great in Kansas. Nowadays, if we are to live up to our destinies, if we are not going to see the world fall apart, we must be as strong in western Europe as in Kansas.

That can be done by the exercise of leadership both in Congress and in the Executive. There has been no positive program for winning the peace after the most debilitating war in all history. We have allowed the Russians to block even our puny efforts at reconstruction. But, more importantly, we have concerned ourselves with what we have called our own affairs. The successful campaign to get rid of price controls put an intolerable burden on dollar-poor Europe dependent on buying in America. Last week Congress, in the interests of the candy and soft-drink people, wrung a bigger quota of sugar for America out of the world's supply. In a word, since the Eightieth Congress assembled we have had a run of peanut politics. So the first essential is for our leaders to live up to our greatness. This puts the burden on all the politicians fiddling with their fears about Lilienthal or chipping at the budget to be statesmen. A statesman thinks of the next generation, not the next election. And there will be no next generation if we do not grapple with our world responsibilities, that is to say, unless Congress gives the green light to the Executive to act audaciously.

A plan of action, executed in the spirit of system, would at least call for the protection of the bastions of power in all the accesses to our continent. While the world is sick, let us get over our paralyzing and foolish fears about intervention and about imperialism. Everywhere it must be known that the United States is the natural enemy of aggression. A job has to be done, and we are the only country that can do it. The task includes help for our friends so that they can help us in keeping order and making it stick through the United Nations. The relief program should be legislated swiftly, the World Bank can now attend to the French application for a loan, China should be aided to go back to silver standard, and the British should be so relieved of dollar commitments undertaken in behalf of peacemaking that we can tackle and bring back into full production the key resource of Europe, viz, the Ruhr. The gloom of the legislators on leaving the White House testified to a realization of the gravity of the world crisis.

The PRESIDENT pro tempore. The question is on agreeing to House Concurrent Resolution 20, as amended. On this question the yeas and nays have been ordered.

Mr. BALDWIN. Mr. President, I have listened with a great deal of interest to the extensive debate on the proposed limitation of public expenditures for the coming fiscal year. I think it is a grand thing that we have had this debate. I myself favor a reduction of four and one-half billion dollars. I do so because I believe an attempt to cut Federal expenditures more than that, and indiscriminately, may endanger some of the policies and programs of the armed forces, which are very vital at this particular time. It might also endanger some of our commitments for the support of people who have felt the heel of war upon their necks, and to whom we must extend help and support.

It seems to me that the Reorganization Act intended to accomplish two things. First, it expressed the hope—because it could not be more than a hope, inasmuch as the job could not be accomplished between the 3d of January and the 15th of February—that there would be before the Congress a legislative budget which could be considered in connection with the executive budget. With the new Congress, I think we must frankly admit that that is an impossibility. With a budget as thick as the city directory of many of our large American cities, going into infinite detail, as it must, it is quite impossible for a committee of 102 members, or any number of members, to prepare a detailed legislative budget. I think the committee has done the best job that could be done under the circumstances in following out the second main purpose of the Reorganization Act, namely, to indicate what is to be the policy of the Congress when it considers the cost of government for the next year.

It seems to me that the adoption of this resolution would indicate clearly that the policy of the Congress is to reverse the trend that has been going on for 15 years, and to reduce, instead of to increase, the cost of the Federal Government. It seems to me that the resolution does exactly that, and that Senators who support the resolution indicate to their respective constituencies that it is their purpose and their desire, as well as their hope and judgment, that the cost of the Federal Government shall be decreased, that the trend of increasing debts, deficit spending, and the expansion of all sorts of Government agencies shall stop, and that march in the other direction shall begin.

No doubt many of us have received letters, telegrams, and petitions from the folk back home. I myself have received many of them, and I find in them an earnestness of purpose, a keen desire and apprehension for the welfare of their country which I think is most sincere and most earnest.

I desire to read a telegram which has already been read into the RECORD in the House. It comes from a vice president of the International Silver Co. of Meriden, Conn., one of the largest business concerns in the State of Connecticut. The International Silver Co., just as any other company, is looking for business. It wants to maintain employment. I am frank to say that during the depression years it did a good job, and during the war years it went from the silver business into the production of all sorts of material and equipment for the armed

services. It performed patriotically and well.

The telegram, which is addressed to Hon. CHARLES A. HALLECK, House of Representatives, reads as follows:

Following Sinclair Weeks' telegram—

Who is also in the silver business—

Navy request here bid on approximately 140,000 pieces silver-plated hollow ware included in which 38,000 finger bowls and 39,000 plates for same. All in expensive design fluting and piercing and gadroon mounted border adding substantially to cost. Also included 23,000 salts and peppers with cut-glass linings. Cut-glass linings today are very expensive. Other items also. Understand War Assets Administration offering surplus items made for Navy during war apparently good for current use. My guess is that is just sample of operations which makes me believe we can have adequate national defense at less than the cost called for in the budget.

Mr. President, there is a company which was invited to bid on this exceedingly large order, but so earnestly and sincerely does that company believe in debt reduction and tax reduction and in the general reduction of the cost of the Government that it is willing to lay this matter before the Congress, knowing that if the procedure indicated is adopted it will lose business. Nevertheless the company sincerely and earnestly believes that there must be a reduction in the cost of government in the United States.

I believe that Members of Congress who support the resolution are just as earnest and sincere as is this businessman, as are hundreds of thousands, yes, millions, of other American citizens who believe that there must be a change in the trend that has been going on for all these years.

I shall close, Mr. President, by saying that I am aware, as are most other Senators, of our responsibilties abroad. I know that we shall have to spend a great deal of money there. I also know that the solvency of the United States of America is not only vitally important to us, but also to the rest of the world. I think we must take some action now which will indicate that we cannot be bled white. We must establish here a firm going, productive economy out of which to produce the wealth which will make it possible for us to help the unfortunate peoples of the world.

The PRESIDENT pro tempore. The question is on agreeing to House Concurrent Resolution 20, as amended.

Mr. HATCH. Mr. President, I rise without criticism of any Senator for the way he may vote on the pending resolution, or of any of the reasons he may assign for his vote. It is a question on which each Senator must make up his mind. I realize the importance of what has just been said by the Senator from Connecticut and other Senators. One of the greatest contributions we can make to the general welfare is to reduce expenditures. I think that every Member of the Congress, regardless of the side of the Chamber on which he may sit, believes that he would like to reduce every unnecessary expense and eliminate all waste and extravagance, wherever it may be. I agree wholeheartedly with the statement made by the Senator from Massachusetts [Mr. LODGE] earlier today with reference to efficiency in government. Certainly we all desire that greatly, and will work and cooperate in every way possible to bring about a more effective and a more efficient government.

My objection to the pending resolution is that it does not provide any information whatever as to what expenditures are to be reduced, but calls for a general reduction of $4,500,000,000. It has been said on the floor of the Senate that it is only a "windy" resolution and that it binds no one and that it will not affect appropriations yet to come. That is my objection to it. If I say to the people of America that the expenses of Government are to be cut $4,500,000,000, then, regardless of where that cut may come, regardless of how much it hurts, I shall keep my promise. It may be called a New Year's resolution; it may be called a "windy" resolution; but the unalterable fact remains that the Senate of the United States in adopting this resolution is saying to the people of America that regardless of the necessity for armed forces, regardless of the farm program, regardless of capital investments to be made in the West, regardless of demands now made in connection with foreign affairs, and which may be made tomorrow, and to which none of us can give an intelligent answer today—in the face of those uncertainties we are saying to the American people that regardless of responsibility, regardless of commitments, regardless of duty, regardless of obligation, we shall cut the budget by $4,500,000,000.

Mr. President, I shall make no such promise today or at any other time. I say to the people of America and to members of the majority party who are so anxious to cut expenditures, show me where any reasonable reduction can be made, and I shall vote for such reduction. But I will not promise something which I have no idea whatever that I can perform.

Therefore, Mr. President, regardless of how other Senators may vote or what their reasons may be for so voting, I shall vote "no" on the resolution.

Mr. DONNELL. Mr. President, I have heard with much interest the remarks of the distinguished Senator from New Mexico. I arrive at a conclusion exactly contrary to his, and I shall vote this afternoon for the concurrent resolution as it has been amended. As I see it, it does two things which require that my vote should be cast for it.

In the first place, the resolution declares that it is the judgment of the Congress, based upon presently available information, that expenditures during the fiscal year 1948 should not exceed $33,000,000,000. Mr. President, the significance of that declaration of judgment, based upon presently available information, arises in largest part from the fact that the budget of the President of the United States is $4,500,000,000 greater, in point of expenditures, than the figure stated in the resolution. So I submit that it is wholesome, as indicated in the eloquent remarks of the Senator from Connecticut [Mr. BALDWIN] a few moments ago, that there should be a ringing declaration to the Nation that it is the judgment of the Congress, based upon presently available information—the same information as that which the President has before him—that the expenditures of the Federal Government can be cut $4,500,000,000.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for a question?

Mr. DONNELL. I yield.

Mr. HICKENLOOPER. I wonder whether the Senator recalls the time, 12, 13, or 14 years ago, when in a political campaign the expenditures of Government and the apparently growing increase in bureaucracy were quite an issue; and I wonder whether the Senator further recalls that at that time the successful Presidential candidate advocated the reduction of taxes by 25 percent and the reduction in the number of Government employees. The point I wish to make is that after that candidate was successful in the election, we saw the national debt pyramid from approximately $16,000,000,000 to approximately $44,000,000,000, and we saw bureaucracy grow to unimaginable proportions. Therefore, does not the Senator think that, instead of giving mere lip service to the desired reduction of the debt, it is high time that we take some positive and understandable and determinable steps toward such reduction?

Mr. DONNELL. I thank the Senator, and I heartily concur both in his recollection and in his declaration of the advisability of the course upon which we are about to embark.

Mr. President, in the second place this resolution comes forward, as amended, through the courage and ability of the Senator from California [Mr. KNOWLAND], coupled with the unanimous recognition by the Senate of the soundness of his amendment. In that respect, the resolution accomplishes a second purpose, namely, the declaration that—

It is the further judgment of the Congress that sound fiscal policy requires that not less than $2,600,000,000 of the excess of revenues over expenditures be applied toward reduction of the public debt during said fiscal year.

Mr. President, those two ringing declarations contained in the resolution, as amended, to my mind require that my vote be cast in favor of the amended resolution.

I am not unmindful of the fact that several days ago the Senate had under consideration the so-called Wherry amendment, which declares:

It is further declared to be the judgment of the Congress that all proceeds from the transfer or disposition of property under the Surplus Property Act of 1944, as amended, which are covered into the Treasury as miscellaneous receipts should be applied toward reduction of the public debt.

Mr. President, I regard it as a mistake that the Senate did not adopt the Taft amendment to the Wherry amendment, for in my judgment the Wherry amendment provides that whatever may be the amount of the surplus property proceeds so described such amount shall be a cumulative addition to the $2,600,000,000. But, although I think the Senate made a

mistake in not adopting the amendment of the Senator from Ohio to the Wherry amendment, nevertheless, I do not regard that mistake—if it be one, as I think it is—as being of such a nature or significance as to justify a refusal on my part—I speak for myself only—to vote for the resolution, as now amended, which contains the two declarations to which I have referred, namely, the declaration of judgment that, based upon presently available information, the expenditures should not exceed $33,000,000,000, representing $4,500,000,000 less than the Presidential estimate, and the further declaration that sound fiscal policy requires that not less than $2,600,000,000 of the excess of revenues over expenditures be applied toward reduction of the public debt during the next fiscal year.

Mr. President, I now address myself briefly to the proposition discussed a few moments ago by the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from New Mexico [Mr. HATCH]. As I understood his remarks, the Senator from Arkansas said he could not possibly support this resolution because he thinks it is a fraud upon the public. I understood the distinguished Senator from New Mexico to take a somewhat similar and perhaps identical position. He undertook to state that the resolution may be, and has been declared to be, a "windy resolution," and that he is not standing for any "New Year's resolutions."

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. DONNELL. I yield for a moment, although my time is limited.

Mr. HATCH. I wish to say that I should like to have quotation marks placed around both those expressions, for they were not mine. I was quoting others.

Mr. DONNELL. Very well; I thank the Senator. He has quoted those expressions; but I do not concur in them. To my mind, no deception whatsoever is practiced upon the people of the United States by the adoption of the pending resolution. To my mind the resolution speaks for itself. I may differ in some respects with some of my brethren on this side of the aisle in their construction of what the resolution does, but the only way I know how to understand language is to consider what the language is. So, Mr. President, let us consider what the resolution is. What is it? It is a recital. This is what the country is being told by the Senate of the United States by means of this resolution:

> That it is the judgment of the Congress, based upon presently available information, that revenues during the period of the fiscal year 1948 will approximate $39,100,000,000 and that expenditures during such fiscal year should not exceed $33,000,000,000, of which latter amount not more than $25,100,000,000 would be in consequence of appropriations hereafter made available for obligation in such fiscal year.

To that is added the language of the Knowland amendment:

> It is the further judgment of the Congress that sound fiscal policy requires that not less than $2,600,000,000 of the excess of revenues over expenditures be applied toward reduction of the public debt during said fiscal year.

Mr. President, this resolution, as thus amended, recites all that the Congress could recite. We cannot stand here as prophets and undertake to determine what the needs of the Nation will be during the next fiscal year. We cannot undertake to say here that a great national disaster might require the expenditure of $500,000,000 of additional money, or that no such disaster will occur. All we can do, all that the country can expect us to do, all that any good businessman would do, all that any statesman would do, is to express the present judgment of the Congress, based upon presently available information. That is what we have expressed in this resolution. We do not go to the country with any so-called windy resolutions. We do not go to the country with any so-called New Year's resolutions. We express in careful, deliberately chosen and well-chosen language our present judgment, based upon presently available information.

Mr. President, I am not unmindful of the fact that in the La Follette-Monroney Act it is provided that—

> The report shall be accompanied by a concurrent resolution adopting such budget, and fixing the maximum amount to be appropriated for expenditure in such year.

I dare say there is not a Member of this body who regards the expression "fixing the maximum amount" as making it obligatory upon the Congress in all events to confine itself to the figure so fixed.

An illustration was presented by the Senator from Ohio [Mr. TAFT] in regard to the possibility of a war. I am not in any sense prophesying war, but pointing out that if we should have war, of course the figure I give would have to go by the board.

I undertake to say that in voting for the concurrent resolution I shall have no qualms of conscience if I should find, during this year, that great internal improvements of some kind shall make it advisable, from the standpoint of the general welfare, to go even beyond the figure we here express as our judgment. I shall have no qualm of conscience for voting for such a measure as I shall deem to be proper and needed for the general welfare of the United States of America.

I say that there is no deception of the public in the language thus used, notwithstanding the provision of the La Follette-Monroney Act which I have read. Congress is interpreting the meaning of that language by going no further than to express its judgment based, as it is, upon presently available information.

Mr. President, it is the earnest desire of the Senate, I believe, to keep within these figures. My judgment is, we will exercise every possible effort, within the confines of good judgment, within the confines of the welfare of our Nation, to keep within the figures. There is nothing "windy," to quote again, nothing in the nature of a "New Year's resolution," however made or even assumed, that exists within the language of the concurrent resolution.

So, Mr. President, I close by a repetition of the two points in the concurrent resolution which, to my mind, make it obligatory that I should vote for it. First, there is the fact that it contains a declaration of judgment based upon presently available information that the expenditures of the Federal Government in the year 1948 shall not exceed an amount four and a half billion dollars below that fixed in the executive budget. Second, that there is an equally clear and unmistakable statement of the further judgment of the Congress that sound fiscal policy requires that not less than $2,600,000,000 of the excess of revenues over expenditures shall be applied toward reduction of the public debt during the said fiscal year.

Mr. President, with principles such as these, with sound business judgment such as this embodied in the concurrent resolution, I undertake to say that the flag of our Nation will be carried farther, to greater and greater heights, that the duties of patriotism will be the better subserved, by our adhering to the concurrent resolution, by our voting for its adoption.

The PRESIDENT pro tempore. The question is on agreeing to the concurrent resolution, as amended. The yeas and nays have been ordered, and the clerk will call the roll.

Mr. WHITE. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hayden	O'Conor
Baldwin	Hickenlooper	O'Daniel
Ball	Hill	O'Mahoney
Barkley	Hoey	Overton
Brewster	Holland	Pepper
Bricker	Ives	Revercomb
Brooks	Jenner	Robertson, Va.
Buck	Johnson, Colo.	Russell
Butler	Johnston, S. C.	Saltonstall
Byrd	Kem	Smith
Cain	Kilgore	Sparkman
Capehart	Knowland	Stewart
Capper	Langer	Taft
Chavez	Lodge	Taylor
Connally	Lucas	Thomas, Utah
Cooper	McCarran	Thye
Cordon	McCarthy	Tobey
Donnell	McClellan	Tydings
Dworshak	McFarland	Umstead
Ecton	McGrath	Vandenberg
Ellender	McKellar	Watkins
Ferguson	McMahon	Wherry
Flanders	Malone	White
Fulbright	Martin	Wiley
George	Maybank	Williams
Green	Millikin	Wilson
Gurney	Moore	Young
Hatch	Morse	
Hawkes	Myers	

The PRESIDENT pro tempore. Eighty-five Senators having answered to their names, a quorum is present.

The question is on agreeing to the concurrent resolution, as amended. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McMAHON (when his name was called) voted "present."

The roll call was concluded.

Mr. WHERRY. The Senator from Wyoming [Mr. ROBERTSON] is necessarily absent on state business. He is paired with the Senator from Montana [Mr. MURRAY.] If present and voting, the

Senator from Wyoming would vote "yea," and the Senator from Montana would vote "nay."

The Senator from New Hampshire [Mr. BRIDGES] has a pair with the Senator from Washington [Mr. MAGNUSON]. The Senator from New Hampshire is necessarily absent. If present and voting, he would vote "yea," and the Senator from Washington would vote "nay."

The Senator from Kansas [Mr. REED], who is necessarily absent, has a general pair with the Senator from New York [Mr. WAGNER]. If present and voting, the Senator from Kansas would vote "yea," and the Senator from New York would vote "nay."

The Senator from South Dakota [Mr. BUSHFIELD] is necessarily absent. If present and voting, he would vote "nay."

Mr. LUCAS. I announce that the Senator from California [Mr. DOWNEY] is absent because of illness.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness in his family.

The Senator from Montana [Mr. MURRAY] and the Senator from Oklahoma [Mr. THOMAS] are absent on public business.

The Senator from Washington [Mr. MAGNUSON] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Washington [Mr. MAGNUSON] is paired on this vote with the Senator from New Hampshire [Mr. BRIDGES]. If present, the Senator from Washington would vote "nay" and the Senator from New Hampshire would vote "yea."

The Senator from Montana [Mr. MURRAY] is paired on this vote with the Senator from Wyoming [Mr. ROBERTSON]. If present, the Senator from Montana would vote "nay" and the Senator from Wyoming would vote "yea."

The Senator from New York [Mr. WAGNER] has a general pair with the Senator from Kansas [Mr. REED]. If present, the Senator from New York would vote "nay" and the Senator from Kansas would vote "yea."

I announce further that, if present and voting, the Senator from Oklahoma [Mr. THOMAS] would vote "yea."

The result was announced—yeas 64, nays 20, voting "present" 1, as follows:

YEAS—64

Aiken	Gurney	O'Daniel
Baldwin	Hawkes	Revercomb
Ball	Hickenlooper	Robertson, Va.
Barkley	Hoey	Russell
Brewster	Holland	Saltonstall
Bricker	Ives	Smith
Brooks	Jenner	Stewart
Buck	Johnson, Colo.	Taft
Butler	Johnston, S. C.	Thye
Byrd	Kem	Tobey
Cain	Knowland	Tydings
Capehart	Langer	Umstead
Capper	Lodge	Vandenberg
Connally	McCarthy	Watkins
Cooper	McClellan	Wherry
Cordon	McGrath	White
Donnell	McKellar	Wiley
Dworshak	Malone	Williams
Ecton	Martin	Wilson
Ferguson	Millikin	Young
Flanders	Moore	
George	O'Conor	

NAYS—20

Chavez	Kilgore	O'Mahoney
Ellender	Lucas	Overton
Fulbright	McCarran	Pepper
Green	McFarland	Sparkman
Hatch	Maybank	Taylor
Hayden	Morse	Thomas, Utah
Hill	Myers	

VOTING "PRESENT"—1

McMahon

NOT VOTING—10

Bridges	Magnuson	Thomas, Okla.
Bushfield	Murray	Wagner
Downey	Reed	
Eastland	Robertson, Wyo.	

So the concurrent resolution, as amended, was agreed to, as follows:

Resolved, etc., That it is the judgment of the Congress, based upon presently available information, that revenues during the period of the fiscal year 1948 will approximate $39,100,000,000 and that expenditures during such fiscal year should not exceed $33,000,000,000, of which latter amount not more than $25,100,000,000 would be in consequence of appropriations hereafter made available for obligation in such fiscal year. It is the further judgment of the Congress that sound fiscal policy requires that not less than $2,600,000,000 of the excess of revenues over expenditures be applied toward reduction of the public debt during said fiscal year.

It is further declared to be the judgment of the Congress that all proceeds from the transfer or disposition of property under the Surplus Property Act of 1944, as amended, which are covered into the Treasury as miscellaneous receipts should be applied toward reduction of the public debt.

Mr. WHITE. Mr. President, I move that the Senate insist on its amendments, ask for a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. BRIDGES, Mr. MILLIKIN, Mr. TAFT, Mr. GURNEY, Mr. BROOKS, Mr. BUTLER, Mr. MCKELLAR, Mr. GEORGE, Mr. BARKLEY, and Mr. HAYDEN conferees on the part of the Senate.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

VOCATIONAL REHABILITATION REVOLVING FUND, VETERANS' ADMINISTRATION

A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to amend paragraph 8 of part VII, Veterans' Regulation Numbered 1 (a), as amended, to authorize an appropriation of $3,000,000 as a revolving fund in lieu of $1,500,000 now authorized, and for other purposes (with an accompanying paper); to the Committee on Labor and Public Welfare.

AMENDMENT OF NATIONAL HOUSING ACT

A letter from the Administrator of the National Housing Agency, transmitting a draft of proposed legislation to amend section 603 (a) of the National Housing Act, as amended (with an accompanying paper); to the Committee on Banking and Currency.

NATIONAL DEFENSE HOUSING

A letter from the Administrator of the National Housing Agency, transmitting a draft of proposed legislation to amend section 301 of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes" (with an accompanying paper); to the Committee on Banking and Currency.

REPORT OF OPERATIONS OF EXPORT-IMPORT BANK OF WASHINGTON

A letter from the Chairman of the Export-Import Bank of Washington, transmitting, pursuant to law, a report of the operations of that bank as of the close of business December 31, 1946 (with an accompanying report); to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint memorial of the Legislature of the State of Oregon; to the Committee on Agriculture and Forestry:

"House Joint Memorial 7

"Whereas Oregon agriculture again faces the possibilities of an agriculture depression caused by surplus production; and

"Whereas a program of planned scarcity is neither an economic or sensible solution to the problem; and

"Whereas increased consumption of agricultural products is the sound method of meeting the problem of surplus production of agricultural products; and

"Whereas the Seventy-ninth Congress enacted the Hope-Flannagan Act, Public Law 733, which provides for a marketing research program to develop new and greater markets for agricultural products; and

"Whereas the act authorizes substantial annual appropriations for marketing research; and

"Whereas marketing research is of special interest to the State of Oregon because of the large variety of specialty crops it produces: Now, therefore, be it

"Resolved by the House of Representatives of the State of Oregon (the senate jointly concurring therein), That the Congress of the United States be urged to appropriate the funds authorized by the Hope-Flannagan bill for agricultural marketing research at the earliest possible date; and be it further

"Resolved, That the secretary of state of the State of Oregon be authorized and directed to forward immediately certified copies of this joint memorial to the President of the United States, the President of the United States Senate, and the Speaker of the House of Representatives of the United States, the members of the Oregon congressional delegation and the chairmen of House and Senate agricultural committees."

A joint memorial of the Legislature of the State of Oregon; to the Committee on Public Lands:

"House Joint Memorial 9

"To the Honorable Senate and the House of Representatives of the United States of America in Congress assembled:

"We, your memorialists, the House of Representatives and the Senate of the State of Oregon, in legislative session assembled, most respectfully represent and petition as follows:

"Whereas there are now pending in the Congress of the United States of America certain measures designed to abolish the present method of making in lieu tax payments to States and their local taxing subdivisions on account of national forest lands and other real property owned by the United States, and to substitute therefor a system of annual payments based on equitable percentages of the fair value of such lands; and

"Whereas such payments in lieu of taxes under existing Federal statutes are based on varying percentages of the receipts, if any, derived from the administration of such property, which receipts vary greatly from year to year and provide a very uncertain source of revenue which the local taxing subdivisions of the State of Oregon are unable to anticipate or forecast with any degree of accuracy in order that they may be included in their budgets in conformity with local constitutional and statutory requirements: Now, therefore, be it

"Resolved by the House of Representatives of the State of Oregon (the senate jointly concurring therein), That the Congress of the United States be and it hereby is memorialized, and this Forty-fourth Legislative Assembly of the State of Oregon does hereby petition that honorable body to enact such remedial legislation and to place in operation a system of payments in lieu of taxes based on the fair value of national forest lands and other real property of the United States as soon as circumstances will permit; and be it further

"Resolved, That the secretary of state of the State of Oregon be and he hereby is directed to transmit copies of this memorial to the President of the Senate, to the Speaker of the House of Representatives of the United States, and to each Senator and Representative therein representing the people of the State of Oregon."

By Mr. O'MAHONEY:

Two joint memorials of the Legislature of the State of Wyoming; to the Committee on Public Lands:

"Senate Joint Memorial 3

"Joint memorial memorializing the Congress of the United States that all presently proposed Federal irrigation projects and all such which are proposed in the future, for construction in the State of Wyoming, be continued in all stages under the direct supervision of the United States Bureau of Reclamation

"Whereas the United States Bureau of Reclamation has had many years of, and the only, experience in initiation, construction, maintenance, and development of all Federal irrigation projects in the West, and in such matters has been and is required by laws of the Nation, to comply with all affecting State laws: Now, therefore, be it

"Resolved by the Senate of the Twenty-ninth Wyoming Legislature (its house of representatives concurring), That the Congress of the United States be and it is hereby memorialized, to promptly and effectively enact such legislation as may be appropriate to vest in said Bureau beyond any possibility of judicial doubt or executive direction concerning congressional intent, continued and direct supervision of the initiation, construction, maintenance, and development of all Federal irrigation projects wholly or partially within the State of Wyoming, now or in the future proposed, consistent with objectives of the so-called Pick-Sloan plan and opposed to objectives of such plans as the so-called Murray bill, S. 555, which failed for proper cause in the Seventy-ninth session of the United States Congress; and be it further

"Resolved, That certified copies of this joint memorial be sent to the President of the Senate and the Speaker of the House of the United States Congress and to the Honorable JOSEPH C. O'MAHONEY, the Honorable EDWARD V. ROBERTSON, and the Honorable FRANK A. BARRETT, Senators and Representatives, respectively, in said Congress, from Wyoming.

"Approved February 24, 1947.

"LESTER C. HUNT,
"Governor."

"Senate Joint Memorial 4

"Joint memorial memorializing the Congress of the United States of America to proceed with the development of the Colorado River in the upper basin States

"Be it resolved by the Legislature of the State of Wyoming:

"Whereas the development of the Colorado River in the upper basin States, consisting of Arizona, Colorado, New Mexico, Utah, and Wyoming, is of foremost importance to the future development and general welfare of said States and of the western United States; and

"Whereas the Upper Colorado River Basin Compact Commission has been appointed and is presently engaged in negotiating a compact for the allocation of the waters of the Colorado River apportioned to the upper basin by the Colorado River compact; and

"Whereas it now appears unlikely that any compact can be executed and submitted to the legislatures of said States for approval during the legislative term of 1947; and

"Whereas it has been recommended to the Secretary of the Interior by the United States Bureau of Reclamation that 'the States of the Colorado River Basin, acting separately or jointly, recommend for construction, as the next stage of development, a group of projects, the stream-flow depletion of which will assuredly fall within the ultimate allocation of Colorado River water which may be made to the individual States'; and

"Whereas the construction of such projects need not await the execution of the compact and may in fact proceed immediately without prejudice to any State or to the writing of a compact: Now, therefore, be it

"Resolved by the Senate and the House of Representatives of the State of Wyoming:

"1. That consistent with the policy of permitting each State to proceed with the development of the Colorado River and the use of the water so long as that State does not construct projects which will call for a stream-flow depletion in excess of that which assuredly will fall within the amount that will ultimately be allotted to that State from the waters of the Colorado River, the Congress of the United States be memorialized and urged to appropriate funds for the construction of projects within each of the upper basin States to enable each of said States to use beneficially waters which will assuredly be ultimately allocated to each State.

"Projects proposed by Wyoming for initial construction program showing contemplated ultimate depletion

Project	New land	S. S.	Estimated depletion
	Acres	*Acres*	*Acre-feet*
West Side	29,050	37,000	66,570
Daniel	5,160		7,224
Elkhorn	134,030		187,042
Seedskadee	40,830		57,162
Lyman	3,100	20,910	18,977
Eden	20,250		28,350
Little Snake	8,240	10,320	18,750
Total	240,660	68,230	384,685

	Acre-feet
Present depletion in Wyoming—USBR	374,000
Potential depletion in Wyoming initial plan	384,685
Total depletion in Wyoming (present and initial plan) (or 10.1 percent of 7,500,000 acre-feet).	758,685

"Approved February 24, 1947.

"LESTER C. HUNT,
"Governor."

(The PRESIDENT pro tempore laid before the Senate two joint memorials of the Legislature of the State of Wyoming, identical with the foregoing, which were referred to the Committee on Public Lands.)

By Mr. CORDON:

A joint memorial of the Legislature of the State of Oregon; to the Committee on Labor and Public Welfare:

"House Joint Memorial 10

"Whereas the Servicemen's Readjustment Act of 1944, as amended, provides, among other things, for the readjustment of war veterans of World War II by a plan of education and training which makes available to men who are attending school or receiving on-the-job training a payment from the Federal Government of $65 a month to single men and $90 a month to married men; and

"Whereas Public Law 679, which amended the original act, became effective in August, 1946, and placed a limit on the gross earnings, including the payment from the Government, of a veteran receiving this benefit in the amount of $175 for single men and $200 for married men; and

"Whereas this benefit, especially as it pertained to men receiving 'on-the-job training' and apprentices, was intended to supply a total payment somewhat approaching a journeyman's pay during the training period; and

"Whereas the amounts thus provided are inadequate considering living costs and the reduction has created hardships for those involved in the program; and

"Whereas while a reasonable ceiling should be placed on gross earnings, those as established are too low: Now, therefore, be it

"Resolved by the House of Representatives of the State of Oregon (the senate jointly concurring therein), That the Congress of the United States be urged to increase the limit to $250 for single trainees and apprentices and $300 for married trainees and apprentices."

A joint memorial of the Legislature of the State of Oregon; to the Committee on Public Lands:

"House Joint Memorial 11

"Joint memorial memorializing Congress to set aside certain tracts, within the present boundaries of Vancouver Barracks, as a national monument under the direction of the National Park Service

"To the Honorable Harry S. Truman, President of the United States of America, and to the Senate and the House of Representatives of the United States in Congress assembled:

"We, your memorialists, the Senate and the House of Representatives of the State of Oregon, in legislative session assembled, most respectfully represent and petition as follows:

"Whereas Vancouver, Wash., is one of the oldest cities of the western part of the United States, having been established by the Hudson's Bay Co., in the year 1825, with Fort Vancouver thereafter becoming the center of all business, government, agriculture, commerce, education, culture, and civilization on the Pacific slope of these United States; and

"Whereas Vancouver Barracks, presently a United States military reservation located in Vancouver, Wash, contains the site of this historic landmark; and

"Whereas the restoration of old Fort Vancouver is now mandatory in order to preserve for present and future generations this shrine of early American history, ranking equally in historical importance with those already perpetuated by the Nation on the Atlantic coast of the United States; and

"Whereas the preservation of this historic shrine transcends local interest and concern and is of historic value and essence to each and every citizen of the United States of America; and

"Whereas the probable cost of the restoration of this landmark is beyond the financial

means of local, State, and regional government and rightfully should be borne by all of the citizens of this Nation, they being joint inheritors of the history and civilization here begun; and

"Whereas failure to keep and preserve for all time this historical site would constitute incalculable loss to all citizens of this Republic; and

"Whereas Vancouver Barracks is now surplus to needs of the War Department and is to be disposed of as surplus property, thereby making immediate and effective action imperative: Now, therefore, be it

"Resolved, That we, the Senate and the House of Representatives of the State of Oregon, do hereby respectfully memorialize and petition the Congress of the United States:

"That the following tracts within the present boundaries of Vancouver Barracks be forever set aside as a national monument under direction of the National Park Service.

"1. That area south of what is known as Officers' Row to East Fifth Street and from the present eastern boundary of Vancouver Barracks Military Reservation to McLoughlin Road; and

"2. That area within 200 feet of what is known as the First Apple Tree now enclosed within a chain fence; and

"3. The building known as 'General Grant's quarters,' and

"4. The Military Cemetery; and be it further

"Resolved, That copies of this resolution be placed in the hands of the Honorable Harry S. Truman, President of the United States, the Members of Congress, and in those of all persons, corporations, groups, or agencies interested in the preservation for posterity of this their rightful heritage."

By Mr. LANGER:

A concurrent resolution of the Legislature of the State of North Dakota; to the Committee on Finance:

"House Concurrent Resolution G

"Whereas nine States of this Nation, Arizona, California, Idaho, Louisiana, Navada, New Mexico, Oklahoma, Texas, and Washington, are so-called community-property States and have laws providing that the income from property and earnings of both husband and wife is community income and belongs to each equally; and

"Whereas in these States each spouse may report one-half of the income to the Federal Government in separate income-tax returns and thus secure the benefit of income-tax savings, thus giving to about 21,000,000 people in the United States a tax privilege which is denied to the remainder of the population; and

"Whereas this situation in these times, when so large a burden of taxation rests upon us, is intolerable; and

"Whereas if this condition be not corrected, many of those in the middle and higher brackets will be lured away from North Dakota to establish their homes in one of the community-property States; and

"Whereas the privileges which the citizens of these community-property States enjoy cannot be taken away because of the laws on their own statute books which the Federal Government recognizes; and

"Whereas the inequality can be cured by a Federal law providing for a Nation-wide method of division of family incomes for income-tax purposes, which method is now under consideration by certain officials of the United States Treasury: Therefore be it

"Resolved by the House of Representatives of the State of North Dakota (the senate concurring therein), That we do hereby protest and condemn the aforesaid unfair condition which exists with respect to Federal income taxes, and that we urge the speedy amendment of our Federal income-tax laws to provide for a Nation-wide method of division of family incomes for income-tax purposes; that we urge our Senators and Representatives in Congress to do all in their power to secure such an amendment and correct this unfair situation; be it further

"Resolved, That the chief clerk of the house is hereby authorized to forward a copy of this resolution to each Member of the congressional delegation from the State of North Dakota; also a copy to the Secretary of the Treasury, to the President pro tempore of the United States Senate, to the Speaker of the United States House of Representatives, and to Hon. HAROLD KNUTSON, chairman of the Finance Committee, House of Representatives, Washington, D. C."

Two concurrent resolutions of the Legislature of the State of North Dakota; to the Committee on Appropriations:

"House Concurrent Resolution D

"Concurrent resolution memorializing the Congress of the United States to provide funds for the payment of a 30-cent bonus on all wheat produced in 1945, on which a 30-cent bonus has not been paid

"Be it resolved by the House of Representatives of the State of North Dakota (the senate concurring therein):

"Whereas the United States Government paid a bonus of 30 cents per bushel on wheat marketed between April 19, 1946, and May 25, 1946, on so-called famine relief wheat; and

"Whereas the payment of this bonus was unfair and unjust to all those farmers who had marketed their wheat prior to the declaration of the bonus, in that:

"1. Government news releases and reports issued during the fall of 1945 and the winter of 1946 indicated that the effective ceiling prices on wheat would be maintained and that there would be no benefit to the farmer in holding his wheat.

"2. The farmers were repeatedly urged by the United States Government, its agencies and representatives, to market their wheat so as to make it available for starving foreign peoples.

"3. The price ceilings, maintained during the time that the farmers were so urged to market their wheat, were below parity as defined by Congress.

"4. The bonus payments on wheat were made to those farmers who needed the bonus the least, and those farmers who had to sell their wheat to live and maintain themselves and their families and pay debts received no bonus.

"5. The farmers who sold their wheat prior to the bonus either because they had to or were induced to do so by propaganda, must help pay for the cost of the 30-cent bonuses already paid through taxation.

"6. Large subsidy payments were made to industry during the war in the form of cost-plus contracts, and contracts based on noncompetitive costs of production.

"7. Industry in this period of rising prices obtained bonuses by the simple method of holding their products off the market and creating shortages.

"8. Retroactive bonuses were granted to labor.

"9. What is in substance retroactive bonuses was granted to industry by the Ruml plan of income-tax payments and the Tax Adjustment Act of 1945: Now, therefore, be it

"Resolved, That we, the members of the Thirtieth Legislative Assembly of the State of North Dakota respectively memorialize Congress to provide Federal funds for the payment of a 30-cent bonus on all wheat produced during the year of 1945; and be it further

"Resolved, That a copy of this resolution be forwarded to the Secretary of Agriculture of the United States, to the United States Senate, and United States House of Representatives, and to each of the Senators and Representatives of the State of North Dakota in the Congress of the United States."

"House Concurrent Resolution E

"Concurrent resolution memorializing Congress for Federal appropriations for immediate construction of the Heart River project, including the Heart Butte and Dickinson Reservoirs, the Sheyenne Dam, and other portions of the Missouri-Souris project, all integral parts of the coordinated plan for Missouri Basin development, as authorized by the Congress in Public Law 254

"Be it resolved by the House of Representatives of the State of North Dakota (the senate concurring therein):

"Whereas the Congress of the United States in the Flood Control Act passed December 22, 1944, provided for a comrehensive development of the Missouri River Basin; and

"Whereas one of the large reservoirs in connection therewith is located in the State of North Dakota, justifiable primarily for navigation, power, and flood control; and

"Whereas said act provides for the diversion of Missouri River waters from the Fort Peck Reservoir into western, central, and eastern North Dakota for irrigation and reclamation; and

"Whereas such diversion is desperately needed for rehabilitation of Devils Lake and providing for the domestic and commercial needs of such cities, among others, as Jamestown, Valley City, Enderlin, Fargo, Moorhead, Grand Forks, and East Grand Forks; and

"Whereas surveys and other necessary preliminary work have been completed on both the Dickinson and Heart Butte Reservoirs to justify letting of construction contracts on said projects; and

"Whereas the Sheyenne Dam is a part of said basin-development plan and necessary both to effect such conversion and reclamation and to permit of the irrigation of large acreage in eastern Montana and northwestern and central North Dakota; and

"Whereas $200,000,000 have been authorized for initial stages of construction in connection with said Missouri Basin development: Now, therefore, be it

"Resolved by the House of Representatives of the State of North Dakota (the senate concurring therein), That Congress and the Federal agencies having said development in hand be, and hereby are, memorialized and petitioned to provide or make available the necessary funds for immediate construction of the Dickinson and Heart Butte Dams and such portions of the Missouri-Souris project as have reached construction stage, and in particular the Sheyenne Dam, this being the regulatory reservoir effecting diversion to the Devils Lake Basin and the restoration of Devils Lake and the James, Sheyenne, and Red River of the North, where water is sorely needed for human consumption and industrial development, especially in the cities hereinbefore referred to; and be it further

"Resolved, That copies of this resolution be sent by the secretary of state to the President of the United States, the Secretary of the Interior, the Secretary of War, the Chief of the Corps of Army Engineers for this district, and the Commissioner of the Bureau of Reclamation, as well as the chairmen of the Appropriations, Irrigation, and Rivers and Harbors Committees of the House and Senate of the United States. That copies be likewise sent to the secretary of the National Reclamation Association and to North Dakota's delegation in Congress."

By Mr. MORSE:

A joint memorial of the Legislature of the State of Oregon; to the Committee on the Judiciary:

"House Joint Memorial 5

"To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

"We, your memorialists, the House of Representatives and the Senate of the State

of Oregon, in legislative session assembled, most respectfully represent and petition as follows:

"Whereas the Congress, in furtherance of the prosecution of World War II, enacted the War Powers Act granting to the President of the United States extraordinary powers, which powers are wholly unwarranted in peacetime; and

"Whereas the said War Powers Act among other things provided that the President of the United States might by Executive order transfer the duties of Government agencies from one to another, but expressly provided that the powers granted therein could be exercised only in matters relating to the conduct of the war; and

"Whereas the President of the United States on January 16, 1942, promulgated Executive Order No. 9024 whereby there was created a Government agency known as the War Production Board; and

"Whereas by Executive Order No. 9040, promulgated on January 24, 1942, the primary duty of the said War Production Board was to "exercise general direction over the war procurement and production program," and said order further provided that the chairman of said board may exercise the powers, authority, and discretion conferred upon him by such order and in such manner as he might determine, and that his decisions are final; and

"Whereas on October 4, 1945, long after the unconditional surrender of our enemies, the President of the United States promulgated Executive Order No. 9638 whereby he abolished the said War Production Board, and created another Government agency designated as the Civilian Production Administration, and conferred upon it all the extraordinary war emergency powers theretofore possessed by the said War Production Board; and

"Whereas the said Civilian Production Administration has since purported and is now purporting to exercise power and authority over every person and corporation throughout the United States who undertake to erect or repair a building or structure at a cost of even a nominal sum, and among other things has decreed all such construction to be unlawful unless first authorized by such Civilian Production Administration; and

"Whereas government by such Executive fiat is wholly contrary to the American system of constitutional government, and is not within the powers delegated to the Federal Government by the several States of the Union, and such exercise of authority by a Federal agency over the lives of the people of this State has not increased housing facilities, but on the contrary has created more chaos and confusion, and the assertion of such authority by said agency, and the exercise of such extraordinary powers by the President of the United States should be promptly terminated: Now, therefore, be it

"Resolved by the House of Representatives of the State of Oregon (the senate jointly concurring therein), That the Congress of the United States be and it hereby is memorialized and requested, and this forty-fourth legislative assembly of the State of Oregon does hereby petition that honorable body, to abolish the said Civilian Production Administration, and to promptly terminate all the functions and activities assumed by said agency pursuant to the aforesaid Executive order, or any other order or statute; and be it further

"Resolved, That the secretary of state of the State of Oregon be and hereby is directed to transmit copies of this memorial to the President of the Senate and to the Speaker of the House of Representatives of the United States Congress and to each Senator and Representative therein representing the people of the State of Oregon."

By Mr. DWORSHAK:

A joint memorial of the Legislature of the State of Idaho, favoring the enactment of legislation providing for the continuance of the emergency farm-labor supply program for the 1947 crop season; to the Committee on Agriculture and Forestry.

(See joint memorial printed in full when laid before the Senate by the President pro tempore on February 28, 1947, p. 1520, CONGRESSIONAL RECORD.)

A joint memorial of the Legislature of the State of Idaho; to the Committee on Agriculture and Forestry:

"Senate Joint Memorial 2

"Joint memorial to the President and the Congress of the United States to extend the present Commodity Credit Corporation purchase program to cover the entire 1947 domestic wool clip, and to enact such legislation as will provide a long-range price-stabilization plan for domestic wool

"We, your memorialists, the Senate and House of Representatives of the Twenty-ninth Legislature of the State of Idaho, do hereby respectfully represent that—

"Whereas the present supply of wool within the United States greatly exceeds the stocks normally required to supply the commercial demands of the trade; and

"Whereas this surplus has been created through the cumulation of a large war stock pile and through the heavy importations of foreign wools; and

"Whereas this importation of foreign wools continues to aggravate this situation, and tends to reduce the consumption of present stock piles of wool and the current domestic clip, and causes an unstable economy within the industry; and

"Whereas a continuing policy on the part of the State Department extending the program of the reciprocal trade agreements will further reduce the tariff protection given the industry by the Congress of the United States and cause further economic hardship and hazard within the wool industry, and facilitate the importation of foreign wools: Be it therefore

"Resolved by the Legislature of the State of Idaho, That the Congress of the United States enact such legislation as is necessary and instruct the Secretary of Agriculture to extend the present Commodity Credit Corporation purchase plan to cover the entire 1947 domestic wool clip; and be it further

"Resolved, That the President and the Congress of the United States enact a long-range wool-price-stabilization program to preserve the interests of the domestic sheep-growing industry on a plane commensurate with the American standard of living and to effectuate this program; that there be established a wool branch within the Department of Agriculture to study, prepare, and administer such program; be it further

"Resolved, That the President of the United States instruct the Secretary of State to cease the present reciprocal trade-agreement program relative to importation of wool."

(The PRESIDENT pro tempore laid before the Senate a joint memorial of the Legislature of the State of Idaho identical with the foregoing, which was referred to the Committee on Agriculture and Forestry.)

By Mr. TYDINGS:

A resolution adopted by the Council of Lithuanian Societies of Baltimore, Md., relating to the sovereignty of the Republics of Lithuania, Latvia, and Estonia; to the Committee on Foreign Relations;

A petition of sundry citizens of the State of Maryland, praying for the enactment of legislation to prohibit liquor advertisements in newspapers, periodicals, and over the radio; to the Committee on Interstate and Foreign Commerce.

A petition of sundry railroad employees of Baltimore, Md., praying for the repeal of the so-called Crosser Act, being Public Law 572, Seventy-ninth Congress, to amend the Railroad Retirement Act, the Railroad Unemployment Insurance Act and subchapter B of chapter 9, of the Internal Revenue Code, and for other purposes; to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. REED, from the Committee on Interstate and Foreign Commerce:

S. 110. A bill to amend the Interstate Commerce Act with respect to certain agreements between carriers; with amendments (Rept. No. 44).

By Mr. WHITE, from the Committee on Interstate and Foreign Commerce:

S. 445. A bill to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of streptomycin, or any derivative thereof, and for other purposes; without amendment (Rept. No. 45).

REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—REPORT ON FEDERAL SUBSIDIES AND FEDERAL GRANTS-IN-AID TO STATES (S. DOC. NO. 13)

The PRESIDENT pro tempore. The Chair lays before the Senate a letter from the Senator from Virginia [Mr. BYRD], chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, transmitting, pursuant to law, an additional report of the joint committee on the subject of Federal subsidies and Federal grants-in-aid to States.

Mr. BYRD. Mr. President, I should like the RECORD to show that the information included in the report is based upon research and compilations conducted over the past year by the committee with the assistance and cooperation of the Treasury Department and the Bureau of the Budget.

In presenting the report I invite public attention generally, and congressional attention in particular, to the following summary of the contents, and I shall take the liberty of interposing a few personal observations of the chairman which are outside the formal text.

THREE AND ONE-HALF BILLION DOLLARS A YEAR

As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures I am submitting to the Senate today an additional committee report on Federal Subsidies and Federal Grants-In-Aid to States which shows that we are subsidizing business, agriculture, States, and individuals with more than $3,500,000,000 a year in Federal money.

Federal subsidies to business and agriculture totaled $13,000,000,000 in the years from 1934 to 1946. Federal grants-in-aid to States and payments within States totaled $35,000,000,000 in the same period. With allowances for overlapping items, the total Federal subsidy bill since 1934 amounts to $43,000,000,000, an average of about three and a third billion dollars a year. The amounts for the past 2 years have been in excess of the average, and there are indications of pressure for continuation of high-level subsidies which, once on, usually become standing commitments.

FOUR TYPES OF SUBSIDIES

Federal subsidies fall generally into four categories: Business, agriculture, grants-in-aid to States, and payments within States, which usually are in the nature of relief to individuals frequently passing through State or local channels.

The 287-page report includes a complete listing of all subsidies to business

and agriculture for the years 1934 through 1946 along with estimates for 1947 and 1948, with the annual totals of these two types aggregating $311,162,000 in 1934, $727,976,000 in 1935, $595,865,000 in 1936, $516,968,000 in 1937, $366,171,000 in 1938, $725,053,000 in 1939, $997,978,000 in 1940, $869,947,000 in 1941, $748,029,000 in 1942, $1,114,608,000 in 1943, $2,044,373,000 in 1944, $2,124,284,000 in 1945, $2,468,506,000 in 1946.

Subsidies through grants-in-aid to States and payments within States rose continually until reduced by the exigencies of war, and now that shortages in requirements for State projects are easing, a rise in these categories threatens again. A summary of the report's tabulations in these two categories shows annual totals aggregating $1,826,012,000 in 1934, $2,221,313,000 in 1935, $2,171,861,000 in 1936, $3,743,175,000 in 1937, $2,952,068,000 in 1938, $4,420,564,000 in 1939, $3,922,290,000 in 1940, $3,476,396,000 in 1941, $3,225,636,000 in 1942, $2,729,651,000 in 1943, $1,762,110,000 in 1944, $1,353,427,000 in 1945, $1,290,107,000 in 1946.

In consideration of these figures, together, allowance must be made for overlapping among them, probably to the extent of about 10 percent. This is necessary, because there is a lack of standardized definitions within the Federal agencies having to work with them.

STATE OF THE STATES

Supplementing its information on grants-in-aid to States, the report shows that the States are able to carry a greater portion of the expenditures for State functions which are now shared with the Federal Government.

In 1940 the total gross debt of the States was $3,642,000,000. The latest available figures for 1945 show this total debt was reduced to $2,471,000,000, or 32 percent. Along with the debt figures the report shows that in 1945 the States had a combined total of $1,188,000,000 in their general fund balances. Yet there is no indication that the Federal Government intends to return to the States more control over matters which are essentially of State and local concern.

EXPENDITURE CURTAILMENT POSSIBILITIES

The report itself is strictly factual. In view of the apparent need by both the legislative and executive branches of the Government for all data suggesting expenditure curtailment possibilities, publication of the report was expedited to the exclusion of recommendations which customarily accompany the committee's reports.

However, as chairman of the reporting committee, I am taking the liberty of making some personal observations at this time which may be considered for those who may be interested.

1. LACK OF APPORTIONMENT UNIFORMITY

Under examination the various methods of apportioning subsidy aid are revealed to be so lacking in related uniformity as to cry for reappraisal.

2. EXAMINATION OF SUBSIDY POLICIES URGENT

The report indicates conclusively that the need is urgent for a thorough examination of any or all Federal subsidy policies which may exist and their effect upon the basic economic maladjustments.

3. PERTINENT BUDGET REDUCTION DATA

The wealth of data contained in the report constitutes a vast field of pertinent information which would aid in efforts to reduce Federal expenditures.

4. APPROPRIATIONS COMMITTEES' JOB

It occurs to me that the Appropriations Committees of the House and the Senate could profitably spend the time in the current deliberations on appropriation bills necessary to develop fundamental information with respect to Federal subsidy policies and, if possible, eliminate or reduce nonessential Federal subsidy expenditures. If this could not be done in some cases without additional legislation, I would hope that the committees would recommend the necessary legislation through proper channels. Such a course by the Appropriations Committees would afford a means of a practicable and immediate beginning on the problem, and the information they develop would be a good beginning for a more complete study which I hope will be started immediately.

Mr. President, I ask unanimous consent that the report may be printed as a Senate document.

The PRESIDENT pro tempore. Without objection, the report will be printed as a Senate document, as requested by the Senator from Virginia.

PRINTING OF REPORT RELATING TO DEVELOPMENT AND IMPROVEMENT OF CERTAIN AIRPORTS (S. DOC. NO. 14)

Mr. BREWSTER. Mr. President, I ask unanimous consent that the report of the Department of Commerce, transmitted to the Senate under date of February 28, 1947, dealing with the program for class 4 and larger airports under the enabling legislation of last year be printed as a Senate document. The program for classes 1, 2, and 3 airports comes under a different provision. I think it has already been printed as a Senate document. Senators should bear in mind that inquiries regarding airports may require reference to the two documents before an adequate answer can be given.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Maine? The Chair hears none, and the report will be printed as a Senate document.

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BUTLER:

S. 749. A bill to amend the Organic Act of the Virgin Islands of the United States to provide for a Resident Commissioner from the Virgin Islands; to the Committee on Public Lands.

By Mr. HAYDEN:

S. 750. A bill for the relief of Charles J. Smith; to the Committee on the Judiciary.

By Mr. CAPPER (for himself and Mr. McGRATH):

S. 751. A bill to permit the use of appropriations of the National Capital Housing Authority for the maintenance and operation of buildings and grounds used for nurseries and nursery schools established by the Board of Public Welfare of the District of Columbia within projects under the jurisdiction of such Authority; to the Committee on the District of Columbia.

By Mr. ECTON:

S. 752. A bill to provide for payments by the United States to the several States with respect to certain Indian lands; and

S. 753. A bill to authorize the Secretary of the Interior to defer the collection of certain irrigation construction charges against lands under the Flathead Indian Irrigation project; to the Committee on Public Lands.

By Mr. WILSON:

S. 754. A bill for the relief of Mrs. Rosario Andrada Studier; to the Committee on the Judiciary.

By Mr. JOHNSON of Colorado:

S. 755. A bill for the relief of Toraichi Ambo; to the Committee on the Judiciary.

S. 756. A bill to provide for the settlement of certain parts of Alaska by war veterans; to the Committee on Public Lands.

S. 757. A bill to establish a program for the rehabilitation of alcoholics, promote temperance, and provide for the medical and scientific treatment of persons found to be alcoholics by the courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

(Mr. GURNEY introduced Senate bill 758, to promote the national security by providing for a National Defense Establishment, which shall be administered by a Secretary of National Defense, and for a Department of the Army, a Department of the Navy, and a Department of the Air Force within the National Defense Establishment, and for the coordination of the activities of the National Defense Establishment with other departments and agencies of the Government concerned with the national security, which was referred to the Committee on Armed Services, and appears under a separate heading.)

By Mr. GURNEY:

S. 759. A bill to amend the act of May 19, 1926 (44 Stat. 565), as amended by the acts of May 14, 1935 (49 Stat. 218), and of October 1, 1942 (56 Stat. 763), providing for the detail of United States military and naval missions to foreign governments; and

S. 760 (by request). A bill to grant to members of the Enlisted Reserve Corps who are Government employees the same rights to leave of absence from their civilian duties when ordered to military duty for not more than 15 days as are now enjoyed by members of the Officers' Reserve Corps; to the Committee on Armed Services.

By Mr. McCARRAN:

S. 761. A bill to provide additional funds for the fiscal year 1947 to enable the Secretary of Agriculture to carry out the provisions of the National School Lunch Act; to the Committee on Appropriations.

By Mr. TYDINGS:

S. 762. A bill to incorporate the Junior Cavalry of America; to the Committee on the Judiciary.

By Mr. TAYLOR:

S. 763. A bill to amend subsection (c) of section 19 of the Immigration Act of February 5, 1917, as amended;

S. 764. A bill for the relief of Antonio Mario Pedro Arguinano;

S. 765. A bill for the relief of Santiago Solabarrieta;

S. 766. A bill for the relief of Julian Uriarte;

S. 767. A bill for the relief of Paul Arruti;

S. 768. A bill for the relief of Luis Astuy Aboitis;

S. 769. A bill for the relief of Francisco Gamboa Goicoechea; and

S. 770. A bill to amend the Immigration Act of 1924; to the Committee on the Judiciary.

By Mr. HAWKES:

S. J. Res. 80. Joint resolution authorizing and requesting the President to issue annually a proclamation designating December

15 as Bill of Rights Day; to the Committee on the Judiciary.

RECOMMITTAL OF A BILL

On motion of Mr. WILEY, and by unanimous consent, the bill (S. 70) to exempt employers from liability for portal-to-portal wages in certain cases, and for other purposes, was taken from the calendar and recommitted to the Committee on the Judiciary.

DISTRIBUTION AND PRICING OF SUGAR—AMENDMENT

Mr. BUTLER submitted an amendment intended to be proposed by him to the joint resolution (S. J. Res. 58) to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes, which was referred to the Committee on Banking and Currency and ordered to be printed.

REDUCTION OF INDIVIDUAL INCOME TAX PAYMENTS—AMENDMENT

Mr. BUTLER submitted an amendment intended to be proposed by him to the bill (H. R. 1) to reduce individual income-tax payments, which was referred to the Committee on Finance and ordered to be printed.

HOUSE BILL REFERRED

The bill (H. R. 2157) to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes, was read twice by its title and referred to the Committee on the Judiciary.

ADDRESS BY SENATOR TAFT TO YALE ALUMNI

[Mr. TAFT asked and obtained leave to have printed in the RECORD an address delivered by him to Yale alumni in New Haven, Conn., February 22, 1947, which appears in the Appendix.]

ADDRESS BY SECRETARY OF STATE AT PRINCETON UNIVERSITY BICENTENNIAL CELEBRATION

[Mr. UMSTEAD asked and obtained leave to have printed in the RECORD an address delivered by Hon. George C. Marshall, Secretary of State, at Princeton University's bicentennial celebration on February 22, 1947, which appears in the Appendix.]

ADDRESS BY MR. JUSTICE FRANKFURTER AT WILLKIE AWARD DINNER

[Mr. KNOWLAND asked and obtained leave to have printed in the RECORD an address delivered by Mr. Justice Frankfurter at the Willkie award dinner in Washington, D. C., on February 28, 1947, which appears in the Appendix.]

AIR TRANSPORTATION—ADDRESS BY C. BEDEL MONRO

[Mr. ELLENDER asked and obtained leave to have printed in the RECORD an address entitled "Air Transportation" delivered by C. Bedel Monro, president, PCA, at the twenty-eighth anniversary dinner of Capital Airlines, PCA, at the Statler Hotel, Washington, D. C., on February 27, 1947, which appears in the Appendix.]

LABOR LEGISLATION—STATEMENT BY LEWIS MERRILL

[Mr. PEPPER asked and obtained leave to have printed in the RECORD a statement by Lewis Merrill, president, United Office and Professional Workers of America, CIO, on legislation pending before the Senate Labor and Public Welfare Committee, which appears in the Appendix.]

FUTURE OF FREE ENTERPRISE—ARTICLE FROM NEW YORK TIMES

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an article entitled "Future of Free Enterprise in World Found Uncertain," published in the New York Times of Monday, March 3, 1947, which appears in the Appendix.]

NOMINATION OF DAVID E. LILIENTHAL—ANALYSIS OF EVIDENCE

[Mr. SPARKMAN asked and obtained leave to have printed in the RECORD an analysis of the evidence in the Lilienthal confirmation hearings, from the Washington Post on Monday, March 3, 1947, which appears in the Appendix.]

NOMINATION OF DAVID E. LILIENTHAL

[Mr. STEWART asked and obtained leave to have printed in the RECORD an editorial entitled "It's a Long Story but Very Interesting," published in the Washington Times-Herald of March 3, 1947, which appears in the Appendix.]

THE CLOSED SHOP—EDITORIAL FROM OREGON DAILY JOURNAL

[Mr. MORSE asked and obtained leave to have printed in the RECORD an editorial entitled "The Closed Shop," published in the Oregon Daily Journal, of Portland, Oreg., which appears in the Appendix.]

VIEWS OF COLUMBIA TYPOGRAPHICAL UNION ON LABOR LEGISLATION

[Mr. MORSE asked and obtained leave to have printed in the RECORD a letter received by him from Jesse B. Manbeck, President of the Columbia Typographical Union, which appears in the Appendix.]

PRESIDENTIAL TERM—EDITORIAL FROM WASHINGTON EVENING STAR

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD an editorial entitled "Third Term Ban," published in the Washington Evening Star of February 24, 1947, which appears in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had passed without amendment the following bill and joint resolutions of the Senate:

S. 235. An act to authorize the Secretary of the Navy to convey to the city of Los Angeles, Calif., an easement for construction and operation of a storm drain in and under certain Government-owned lands situated in that city;

S. J. Res. 33. Joint resolution to amend the act of August 9, 1946 (Public Law 711, 79th Cong.), for the purpose of allowing the Philadelphia National Shrines Park Commission additional time in which to prepare and to submit its report to the Congress; and

S. J. Res. 60. Joint resolution to authorize the San Carlos irrigation and drainage district, Arizona, to drill, equip, and acquire wells for use on the San Carlos irrigation project.

The message also announced that the House had agreed to the amendments of the Senate to the joint resolution (H. J. Res. 122) to authorize the United States Maritime Commission to make provision for certain ocean transportation service to and from Alaska until July 1, 1948, and for other purposes.

SELECTIVE SERVICE—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 162)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read and referred to the Committee on Armed Services.

(For President's message, see today's proceedings of the House of Representatives on p. 1622.)

RULING ON REFERENCE OF BILL PROPOSING UNIFICATION OF ARMED FORCES

The PRESIDENT pro tempore. Pursuant to the previous unanimous-consent agreement of the Senate, the Chair now lays before the Senate the President's message and the bill relating to the Army and Navy merger. The Chair also now rules that the bill shall be referred to the Committee on Armed Services. The Chair recognizes the Senator from Vermont.

Mr. AIKEN. Mr. President, after the reference of the so-called merger bill to the Committee on Armed Services last Wednesday, and after the agreement to the unanimous-consent request that the bill and the decision of the Chair lie upon the table until the disposal of the budget resolution, the Committee on Expenditures in the Executive Departments met and discussed the situation. It appeared to us that this bill was a reorganization-of-Government bill of great importance and, under the Legislative Reorganization Act which was passed at the last session of Congress, it clearly should be referred to the Committee on Expenditures in the Executive Departments.

However, we recognize the fact that there is a great deal in the bill referring to the common defense generally; that there is much matter in it that is of a military nature which in the ordinary course of events might well be considered by the Committee on Armed Services. Therefore we proposed to the Committee on Armed Services that unanimous consent be sought to have the bill referred first to the Committee on Armed Services, which would conduct hearings on it. We requested that a subcommittee of the Committee on Expenditures in the Executive Departments be authorized to sit in on such hearings and to report back to the full committee. We then proposed that when the bill was reported to the Senate by the Committee on Armed Services it be referred to the Committee on Expenditures in the Executive Departments, so that our committee could perform its duties as required by the law.

Our proposal, however, was not received with favor by the Committee on Armed Services, but was rejected. In view of that fact we feel that we must appeal from the ruling of the Chair in referring the bill to the Committee on Armed Services, and leave it to the Senate to decide to which committee the bill shall be referred.

The PRESIDENT pro tempore. The Senator from Vermont appeals from the decision of the Chair. Therefore the pending question is: Shall the decision of the Chair stand as the judgment of the Senate?

The Senator from Vermont is further recognized.

Mr. AIKEN. Mr. President, let me say at the outset that no one can deny that we have a problem relating to the achievement of maximum coordination among our armed services or that the strengthening of our defenses is necessary until such time as the nations of the world can agree upon a general disarmament program.

It is entirely probable that legislative action is required in order to effect such maximum coordination.

The problem confronting the Congress is one of determining what kind of legislation is necessary and whether such legislation should pertain to the military branches of government alone or should reach out into other agencies of government and into our entire national economy itself.

Evidently the framers of the proposed so-called merger bill believe that legislation designed to strengthen the military branches of our Government alone is insufficient to meet the problem which national security involves.

Therefore, they have incorporated in this bill provisions which involve radical reorganization, not only of the armed services branches of the Government, but provisions which are only a short step from a radical departure in our concept of government itself.

Such being the case, the question arises here as to whether such proposed legislation should be referred to the Committee on Armed Services of the Senate, on the ground that it is a matter relating to the "common defense generally," or whether the bill should be referred to the Committee on Expenditures in the Executive Departments, on the ground that it is—and I quote from the law—a "reorganization in the executive branch of the Government." That is the basis, Mr. President, on which I understand the Senate will vote on the reference of the bill. The Senate will decide as to whether there is greater weight on the side of common defense generally, in which case the bill would be referred to the Committee on Armed Services, or whether the greater weight should be given to the bill as a reorganization in the executive branch of the Government, in which case it would automatically under the law have to go to the Committee on Expenditures in the Executive Departments.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. SALTONSTALL. There is one more matter referred to the Committee on Armed Forces:

7. Size and composition of the Army and the Navy.

It seems to me that is proper to add to the Senator's explanation.

Mr. AIKEN. I think that item No. 7 would be subordinate to the common defense generally, and if I recall correctly the Chair made his reference on the ground of the provisions referring to the common defense generally, although I am not sure as to that.

It is the contention of the Committee on Expenditures in the Executive Departments that the provisions of the bill relating to reorganization of government are of such momentous importance that they outweigh the provisions relating to the "common defense generally."

No one can question the fact that if the bill were enacted into law as written, it would constitute a reorganization of government of paramount importance; in fact, it would be the most far-reaching step in the reorganization of our Government during the last 150 years.

A cursory reading of the bill will indicate that it abolishes two Cabinet posts and establishes one new one to be known as the National Defense Establishment, which shall consist of a Department of the Army, a Department of the Navy, and a Department of the Air Force.

A single Secretary of National Defense is to be appointed by the President by and with the advice and consent of the Senate and under him shall be a Secretary of the Navy, a Secretary of the Army and a Secretary of the Air Force.

Although subordinate to the Secretary of National Defense, the bill provides:

That nothing herein contained shall prevent the Secretary of any such department from presenting to the President, after first so informing the Secretary of National Defense, any report or recommendation relating to his department which he may deem necessary.

This would appear to give each of these three secretaries and his department a considerable degree of importance, and independent action. However, such is not the case.

The Secretary of National Defense can exercise virtually complete control over the three subordinate departments by either of two methods which are provided for in the bill.

Nowhere in the bill is there a definition of the functions of these three subordinate departments.

According to a letter written to the President under date of January 16, 1947, by Secretary of the Navy James Forrestal and Secretary of War Robert Patterson, it was evidently contemplated that the functions of these three departments should be set forth by the President by the issuance of an Executive order, and I quote from that letter as follows:

We are agreed that the proper method of setting forth the functions (so-called roles and missions) of the armed forces is by the issuance of an Executive order concurrently with your approval of the appropriate legislation. We attach for your consideration a mutually agreed draft of such on order.

However, the bill itself makes no reference to any authority for setting forth the functions of these three departments of the National Defense Establishment and to all appearances leaves the definition of these functions to the Secretary of National Defense.

This is an unprecedented power to lodge with a Cabinet officer and would permit the Secretary of National Defense to weaken or virtually abolish any one of these three departments through the simple procedure of minimizing its functions to the vanishing point.

It would enable him to concentrate virtually all the functions of any or all of the three departments in a single department which he might deem best suited to exercise these functions.

In any case, the definition of the functions of the departments of armed services which have heretofore rested with the legislative branch of the Government are now seemingly transferred to the Secretary of National Defense.

This in itself constitutes a wide departure from the exercise of controls over the armed services departments by the legislative branch of the Government.

The other method by which controls over the Department of the Army, Department of the Navy, Department of the Air Force could be exercised by the Secretary of National Defense will be found in section 102 (a) which vests in the Secretary complete control over the military budget.

Section 102 (a) reads as follows:

SEC. 102. (a) The Secretary of the National Defense shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. Under the direction of the President, he shall establish policies and programs for the National Defense Establishment, and for the departments and agencies therein; he shall exercise direction, authority, and control over such departments and agencies; he shall supervise and coordinate the preparation of budget estimates by the departments and agencies of the National Defense Establishment, which shall be submitted to him at such time and in such manner as he may direct; he shall formulate and finally determine the budget estimates of the National Defense Establishment for submittal to the Bureau of the Budget; and he shall supervise and control the budget program of the National Defense Establishment under the applicable appropriation acts: *Provided*, That the Department of the Army, the Department of the Navy, and the Department of the Air Force, under the direction of the Secretary of National Defense, shall be administered as individual units by their respective secretaries: *And provided further*, That nothing herein contained shall prevent the secretary of any such department from presenting to the President, after first so informing the Secretary of the National Defense, any report or recommendation relating to his department which he may deem necessary.

That clearly gives the Secretary of National Defense control over the budget for all the departments within the national defense establishment; and certainly control over the budget would constitute virtually complete control over the operations of any department of the National Defense Establishment.

Inasmuch as it is proposed to spend more than one-third of the entire cost of Government on national defense and inasmuch as control over the expenditure of these funds is vested solely in the Secretary of National Defense and thereby constitutes a tremendous increase in power given to a single department head, it would appear that the granting of such power should be of great concern to everyone.

By exercising control over the budget, the Secretary of National Defense could easily select one branch of the National Defense Establishment which could dominate all the others.

Such a radical grant of power to a single department head should be considered not by a committee dealing with armed services alone, but by a committee which is concerned with the structure of government itself.

How can the Committee on Expenditures in the Executive Departments be expected to perform the duties which rest upon it by virtue of law if there is removed from its purview expenditures exceeding one-third of the total expenditures of government?

I now wish to discuss briefly title II of the bill—Coordination for National Security.

There is set up under this title a National Security Council to be composed of the Secretary of State, the Secretary of National Defense and other representatives of departments directly controlled by the Secretary of National Defense; also a Central Intelligence Agency and a National Security Resource Board.

I call attention to the functions of this Board. Paragraph (c) of section 203 reads as follows:

(c) It shall be the function of the Board to advise the President concerning the coordination of military, industrial, and civilian mobilization, including—

1. Policies concerning industrial and civilian mobilization in order to assure the most effective mobilization and maximum utilization of the Nation's manpower in the event of war.

Of course the mobilization of manpower for industrial purposes has been in the hands of the War Labor Board, the War Production Board, and other boards set up by executive order during the last war.

I read further from paragraph (c) of section 203:

2. Programs for the effective use in time of war of the Nation's natural and industrial resources for military and civilian needs, for the maintenance and stabilization of the civilian economy in time of war, and for the adjustment of such economy to war needs and conditions.

It will be seen that under this paragraph recommendations for conducting the civilian economy of the country in time of war would be turned over to the military.

3. Policies for unifying, in time of war, the activities of Federal agencies and departments engaged in or concerned with production, procurement, distribution, or transportation of military or civilian supplies, materials, and products.

That turns over that part of our economy to the military.

4. The relationship between potential supplies of and potential requirements for manpower, resources, and productive facilities in time of war.

5. Policies for establishing adequate reserves of strategic and critical material, and for the conservation of these reserves.

That is not confined to times of war.

6. The strategic relocation of industries, services, Government, and economic activities, whose continuous operation is essential to the Nation's security.

That is all of paragraph (c) of section 203.

This section of the bill clearly cuts across the functions of many, if not all, the civilian agencies of Government, both those established by acts of Congress and those established by Executive order.

This section is apparently written with a view to the assumption of military control of the entire civilian economy in time of war or even in time of preparation for war.

American industry and American labor set an all-time record for production of war materials during the late war. They did things which no one thought American industry and American labor were capable of doing. The production was simply stupendous. The War Production Board was the Government agency primarily responsible for the production of war materials.

It is common knowledge that friction existed almost throughout the duration of the war between the War Production Board and the War Department, although close cooperation was generally achieved between the War Production Board and the Navy and the Maritime Commission. In substantiation of the statement that friction existed all during the war between the civilian agencies of the Government and the military agencies of the Government, I wish to read several excerpts from the book Arsenal of Democracy, written by Donald M. Nelson, former head of the War Production Board.

I read from page 358 of the book by Mr. Nelson. Speaking of the division of authority in connection with materials, he states:

As far as the Navy was concerned, this delegation of authority and division of responsibility worked out extremely well. The Navy, from my observation, is a smart organization; it knows how to fit itself and its requirements into the framework of civilian control needed to conduct a war economy.

But the case was different with the Army. The Army's Services of Supply was not satisfied to tell us what its requirements were and when these had to be met; it also insisted on telling us how to get what it wanted. This, I hasten to add, was not true of what may be called the working branches of the Army. As I have said, our relations with the Quartermaster Corps, the Ordnance Department, the Signal Corps, the Medical Corps, and the Engineer Corps, which were the chief procurement agencies, were always splendid. But above this level we always had trouble. The difficulty arose over a question of policy; from the beginning I had made it a practice to pare down the less essential part of the civilian economy whenever this action became necessary in order to insure the production of munitions. The top men in the Army's supply set-up, however, consistently opposed giving any consideration to even the most essential civilian needs. For example, they fought against allocating material or machinery for the production of farm machinery, insisting that the farmer could use his old equipment and did not need anything new.

On page 360, I quote further from Mr. Nelson:

One of our bitterest, most long-drawn-out arguments with the Army was over the allocation of newsprint to newspapers, especially for Sunday editions. Since the demand for paper was so much greater than the supply, we had to limit each publisher to a certain amount of newsprint—and this extremely difficult situation was very well met by the group of newspaper publishers who lent their services to WPB. But reducing the amount of paper which a publisher may have is one thing and telling him what he may do with it is quite another. The Army vigorously maintained that we should adopt the latter course. Time and again I heard Judge Patterson argue that the production of comic strips and Sunday "funny papers" entailed a waste of critical material which should be stopped, and on innumerable occasions I was sharply attacked by the Army for permitting the use of newsprint for this purpose. But I fought back, for I felt that if we attempted to dictate the use to which publishers should put the paper they were authorized to buy we would be paving the way for Government control of the press in its tightest and most acute form, no matter what name we gave it. A government that uses its control of newsprint to forbid the printing of comic strips is in the publishing business. If it can stop the printing of comic strips, it can—and inevitably will—forbid the publication of cartoons and other material, perhaps, ultimately, of certain classes of editorial matter which, in its opinion, represents a waste of newsprint. That is precisely the situation which the Army people tried to create; it is, indeed, the situation in which the Government would have found itself if the Army had made good its attempt to control our wartime economy. By no stretch of the imagination could this be called a minor issue.

On page 361 Mr. Nelson says:

Very soon after I had made, and stuck to, that decision, articles began appearing in the press stating that 1,500 plants making munitions of war were going to have to shut down because they could not get materials. War Department officials in high places were feeding out those stories, which quite openly conveyed the implication that the production program was in a mess, and that, because of indecisive control at the top, American lives were likely to be lost and we might even lose the war. Of course, what they were protesting against, was not indecision, but a decision which they did not like; nor did the 1,500 plants have to shut down, as predicted. Production was not in a mess; rather, it was being pulled out of a mess and put on an even footing. But that barrage of scare publicity, guaranteed to appeal to the fears and to the patriotism of readers in every section of the country, was the sort of thing the Army could and did turn on whenever it wished to do so. I had a great deal to experience with it during the war—and I can assure you that when the Army turns loose a blast against you it is deadly.

I now turn to page 391 of Mr. Nelson's book. I shall not quote very extensively from it. I am doing this for the purpose of indicating the friction which existed between the civilian agencies of Government and the high command of the military during the war, because that is involved in the bill which we have before us. On page 391 Mr. Nelson writes as follows:

The long and bitter controversy with the military over control of America's civilian economy came to its climax in the summer of 1944, with the fight over our reconversion program. To a large extent this battle was lost. To a large extent, the military took control over the economy, and many of the reconversion difficulties which arose later, after Germany and Japan had finally been knocked out, can be traced directly to that fact.

On page 402 Mr. Nelson says:

The Army cannot be blamed for its determination to protect war production. However, this determination ought to have been linked to some degree of understanding of American economy and American

psychology, but if such understanding existed on the top echelons of our Army's supply services I saw not the faintest indication of it.

For the Army was, quite openly, out to protect war production by the simple means of creating pools of unemployment. The issue was as simple as that, and I have heard it stated just so bluntly.

On page 403 Mr. Nelson further says:

Furthermore, there were many reasons for these spotty, localized shortages. Many were attributable to the Army supply services, which had grievously misjudged their requirements. Most of the military programs which were behind schedule in the summer of 1944 were programs which the Army had cut back very sharply some months previously, only to find that it had made miscalculations and would have to raise its sights again. Very large increases, consequently, had to be ordered, but production could not be obtained overnight. As a result, schedules would run ahead of production, and for a few months the situation would look very bad indeed and would call for the most strenuous efforts. But a shortage of manpower was seldom the cause of such a situation, and the remedy seldom lay in merely finding more men. Instead, the solution had to be worked out on a case-by-case basis.

Take a case in point: In that summer of 1944 we needed foundry workers very badly, for some of our most urgent war programs. Foundry work is, as they say, hot, heavy, and dirty. Wages are low, in comparison with those in many other industries. For the most part, semiskilled labor is required. It was nothing less than absurd to insist, as some of the Army people did insist, that if dollar-and-a-quarter-an-hour machine-tool operators in their fifties were thrown out of work by cut-backs they would gravitate toward the foundries.

Mr. President, I have read these extracts from Mr. Nelson's book simply to show the additional difficulties which occurred between the high military command and the civilian agencies of government during the war, with both the civilian agencies and the military departments believing that they could procure production faster. I have given these quotations from Mr. Nelson's book simply to point out this difference of opinion not only during the war but during the reconversion period as well.

I do this because it seems to be the clear intent of the bill now before us to transfer to the military the functions and controls exercised by civilian agencies of government during the late war.

Clearly, it is the intent to transfer to the military complete controls over manpower, production, procurement, distribution, and transportation, not only of military supplies, but of civilian supplies as well.

It is true that paragraph (e) of section 203 states:

(e) In performing its functions, the Board shall utilize to the maximum extent the facilities and resources of the departments and agencies of the Government.

But, Mr. President, it is clearly apparent that civilian agencies of government are to be subordinated to the National Defense Establishment, which, in turn, can be completely dominated by a single administrator.

Perhaps the time has come when national security demands that such great power be vested in the military department of government.

It may be that the civilian economy of the Nation should be subordinated to military control, although it has always been the American concept that the military is designed to protect civilian economy, rather than to dominate it.

But regardless of whether the military department of government should be granted such immense powers, it seems perfectly clear, Mr. President, that the delegation of such powers by the Congress is a matter to be considered in the light of its effect upon all departments of government; and, therefore, a bill on that subject should be referred to the Committee on Expenditures in the Executive Departments rather than to the Committee on Armed Services, which deals with matters concerned with the armed services alone.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. SALTONSTALL. I wish to ask the Senator from Vermont a question. He has been referring to section 203 and he has been stating that certain powers are delegated or turned over to the military. If I read subsection (c) correctly, it provides that it shall merely be the function of the Board to advise the President concerning these things in time of war, and to be ready to prepare for the Nation's security, but not to take over anything.

Mr AIKEN. The Senator from Massachusetts is correct about that. The Board simply takes over the advisory capacities which the civilian agencies of government had during the late war.

Mr. President, it occurred to the staff of the Committee on Expenditures in the Executive Departments that those who wrote the Reorganization Act would be in the best position to know what was meant by the provisions of that act. Therefore I now wish to read from a letter which I received from Dr. George B. Galloway, who is assumed to be the author and the actual writer of the Reorganization Act. He was the staff director of the La Follette-Monroney committee. In a letter addressed to me, under date of January 20, 1947, Dr. Galloway stated the following:

It was the intention of the joint committee that all proposed legislative measures, and so forth, relating to reorganization of the executive branch of the Government, including the consolidation and transfer of departments, bureaus, and agencies, should be referred to and handled by the Committees on Expenditures in the Executive Departments. The joint committee felt that the machinery of government at all levels needs continuous study and frequent readjustment to fit the changing conditions of the modern world. It felt, further, that Congress is the logical and responsible place where such continuing study of our governmental machinery should be carried on, and it recommended that this important task be assigned to the standing Committee on Expenditures.

Mr. President, the Committee on Expenditures in the Executive Departments now has had referred to it many bills relating to reorganization. I wish to cite a few of them, as follows:

Senate bill 28, introduced by the Senator from Nevada [Mr. MCCARRAN], to supersede the provisions of Reorganization Plan No. 3 of 1946 by reestablishing the offices of registers of land offices, and providing for appointment of the Director and Associate of the Bureau of Land Management, and for other purposes;

Senate bill 79, introduced by the Senator from Wisconsin [Mr. WILEY], to create an executive department of Government to be known as the Department of Peace. That measure could have been referred to the Foreign Relations Committee had it not been a reorganization bill;

Senate bill 164, introduced by the Senator from Massachusetts [Mr. LODGE], for the establishment of a Commission on Organization of the Executive Branch of the Government;

Senate bill 352, introduced by the Senator from Michigan [Mr. FERGUSON], for himself and the Senator from Oregon [Mr. MORSE], to provide for the reestablishment of the United States Employees' Compensation Commission with the same functions it had prior to the time when Reorganization Plan No. 2 became effective. That measure might have been referred to the Committee on Labor and Public Welfare, but inasmuch as it was a reorganization bill it was referred, very properly, to the Committee on Expenditures in the Executive Departments;

Senate bill 493, introduced by the Senator from Arkansas [Mr. FULBRIGHT], for himself and myself, to provide for the coordination of agencies disseminating technological and scientific information, and for the more efficient and orderly administration of a program to make the discoveries of engineers, inventors, scientists, and technicians more readily available to American industry and business, and for other purposes. That measure conceivably could have been referred to the Committee on Interstate and Foreign Commerce; but because it was a reorganization bill it was required, under the law, to be referred to the Committee on Expenditures in the Executive Departments;

Senate bill 585, introduced by the Senator from Oregon [Mr. CORDON], to amend the Reorganization Act of 1945 to require that reorganization plans submitted thereunder be accompanied by statements of the economics and increases in efficiency, if any, to result from the taking effect of such plans;

Senate Concurrent Resolution No. 3, submitted by the Senator from Arkansas [Mr. MCCLELLAN], to amend the Legislative Reorganization Act of 1946, and so forth;

Senate Concurrent Resolution No. 9, submitted by the Senator from Iowa [Mr. WILSON], to amend section 138 of the Legislative Reorganization Act of 1946; and

A bill introduced by the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Ohio [Mr. TAFT], establishing a Department of Health, Education, and Security. It would create a new Cabinet post, with a Secretary who would take his proper place in the Cabinet.

So, Mr. President, up to this time the measures which have for their purpose reorganizations in the executive branch of Government have been referred to the Committee on Expenditures in the Executive Departments. It seems to me that if we deviate from the law at this time we shall weaken the ground upon

which every committee of the Senate stands.

Mr. President, I have read in the newspapers that a statement has been made that if this bill is referred to the Committee on Armed Services, prompt hearings will be held by that committee. I quote from an article appearing in the New York Times of one day last week, as follows:

> Senator GURNEY indicated today that if jurisdiction is awarded his committee, hearings will be arranged quickly and the bill will be reported out at the earliest possible date. Senator AIKEN has indicated his belief that because of the confidential nature of the unification issue, the hearings might require considerable time.

I say now that if the bill is referred by the Senate to the Committee on Expenditures in the Executive Departments, no time will be lost in holding hearings, but ample opportunity will be given to opponents as well as proponents to testify on the measure before our committee. The bill is of such vast importance that it should be considered carefully and should be carefully deliberated. That can be done without unnecessary delay.

As I said in the beginning, I do not question the need for greater coordination or possibly the unification of the armed services; but when they involve, also, potential control of the civilian economy of the Nation, they should be considered not simply by the committee which has jurisdiction over military affairs or the armed services, but by a committee which has general jurisdiction over the reorganization of the Government as a whole.

With that statement, Mr. President, I conclude what I have to say.

The PRESIDENT pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. GURNEY. Mr. President, I shall not take long to discuss this question, for I feel that it is unthinkable that a measure with these objectives should be referred to any committee except the Armed Services Committee. I say that because I believe that the reference of such measures is provided for not only generally but specifically in the Reorganization Act, which Congress passed last year, as well as by action taken previously by the former Committees on Military Affairs and Naval Affairs.

A further reason for reference of the bill to the Committee on Armed Services is that there are now on that committee six Senators who formerly were members of the Military Affairs Committee and six Senators who formerly were members of the Naval Affairs Committee, all of whom have had previous and long experience with such legislation. In addition to them, there is one new member of the committee. As I understand, on the other committee are two Senators who formerly were members of either the Committee on Naval Affairs or the Committee on Military Affairs.

Mr. AIKEN. Mr. President, will the Senator yield to me for a moment?

Mr. GURNEY. I am glad to yield to the Senator from Vermont.

Mr. AIKEN. I merely wanted to say, while the Senator from South Dakota is dealing in sixes, that 6 members out of the 13 who compose the Committee on Expenditures in the Executive Departments have been in command of the national guard units of their respective States.

Mr. GURNEY. That is fine. All honor to them.

Mr. President, I believe we could talk on this subject from now until doomsday, and certainly we could talk the remainder of this week, and could not any better describe the situation in which the Senate finds itself regarding the kind of legislation involved than was set forth in such detail last Wednesday by the President pro tempore. He pointed up the arguments in two columns of the RECORD, and I do not believe we could do better if we talked all week.

Legislation of the kind proposed should be referred to the Armed Services Committee generally, and, under the Reorganization Act, specifically—specifically because under the functions of our committee as set forth in the law we are to deal with "the Navy Department and the Naval Establishment generally," with items having to do with "Pay, promotion, retirement, and other benefits and privileges of members of the armed forces," with the "size and composition of the Army and Navy," and so forth. These are specific duties which our committee is to attend to. Then there is maintenance and operation of all forts, ammunition depots, and what not. Lastly and specifically, we are to consider matters having to do with "strategic and critical materials necessary for the common defense."

Therefore, Mr. President, the National Resources Board proposed to be created by the bill comes directly under the jurisdiction of the Armed Services Committee.

Mr. President, I might say that the bill does not seek to do one solitary thing which was not done in a haphazard manner during the war. The Army, Navy, and Air Forces were put under the combined Chiefs of Staff.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. GURNEY. I shall yield if the Senator will excuse me until I finish this thought.

There was also placed under the combined Chiefs of Staff, subject to the President, war planning, not only as to men, but as to materials, resources of all kinds. They all were at the beck and call of the Army and Navy. A central intelligence agency was also under the combined Chiefs of Staff.

I now yield to the Senator from Michigan.

Mr. FERGUSON. I merely wish to inquire if anything provided for by the so-called merger bill could not have been done during the war, and whether or not what is proposed in the bill could not be done without legislative consent. Is there anything of that kind in the bill?

Mr. GURNEY. Yes.

Mr. FERGUSON. What are the items?

Mr. GURNEY. I may mention combining the budget for the services under the Secretary of National Defense.

Mr. FERGUSON. Is that the only item?

Mr. GURNEY. No.

Mr. FERGUSON. Will the Senator name other items?

Mr. GURNEY. Not at the moment. We are not debating the merits of the bill. I do not want the Senator even to intimate that the Senator from South Dakota is in complete agreement with every specific line and paragraph in the bill. I am merely arguing that the proposals in the bill, and other proposals which will naturally come from Senators and from other sources all over the land, should be considered by the Committee on Armed Services.

Mr. FERGUSON. Is it true that an identical bill has been introduced in the House and has been referred to the Committee on Expenditures in Executive Departments?

Mr. GURNEY. The Senator knows, and he could have made a statement to that effect.

Mr. FERGUSON. That is a fact. How does the Senator account for that, if the powers and the duties of the two committees are identical?

Mr. GURNEY. The Senator from South Dakota is not going to take on the responsibility of accounting for what was done in another body.

Mr. HICKENLOOPER. Mr. President, will the Senator from South Dakota yield?

Mr. GURNEY. I yield.

Mr. HICKENLOOPER. I should like to ask the Senator whether in his opinion the proposed legislation is a reorganization under the executive branch of the Government.

Mr. GURNEY. Of course, all agencies outside the legislative come directly under the President, and especially do the Army and the Navy. I would say, however, that that is under the President's function as Commander in Chief of the Army and Navy, not in the same way that he might exercise control over the Treasury Department, which is a fiscal agency of the Government.

I may say to the Senator, while he is on his feet, that I am sure that when Senators voted on the Reorganization Act they were thinking of the bills that had come before the Congress during the past 4 or 5 years, giving the President authority to reorganize fiscal branches of the Government, and also other executive departments, such as the Department of Labor, and what not. At the time we passed the Reorganization Act we were not thinking that the Committee on Expenditures in the Executive Departments would handle such a matter as the big subject of national defense, which had for 150 years, I believe, been in the jurisdiction of the Committees on Military and Naval Affairs.

Mr. President, that about ends the argument, so far as I am concerned. I am in complete agreement with the statement made by the Senator from Vermont that he approached me as to whether or not our committees should act jointly on the bill. I agreed readily that members of his committee could sit in with our committee while we were holding hearings, and I may say that we would be glad to have any Senator sit in with

our committee and ask questions and receive answers.

I do not feel, however, that after our committee has taken the responsibility and the time to hear all the testimony and gather all the information we can possibly get which might affect the national defense, we should then be requested to let some other committee take over, after we have reported the measure to the Senate.

Mr. FERGUSON. Mr. President, will the Senator yield again?

Mr. GURNEY. I yield.

Mr. FERGUSON. Does the Senator believe that the word "reorganization," as used in paragraph B under the provision relating to the Committee on Expenditures in the Executive Departments, relates only to those reorganization measures which are sent to the House and to the Senate which have to be acted upon within 60 days or become law? Is that what the Senator contends that word means?

Mr. GURNEY. No; I do not. I do not even suggest it.

Mr. FERGUSON. The law enacted at the last session does not apply to those cases?

Mr. GURNEY. No. If the Senator will remember my words he will recall that I said that I was sure that when we passed the bill Senators were thinking of such items as had come up from the President in which he said the reorganizations should be made, most of them by Executive order.

Mr. President, if there are no further questions, I have concluded.

Mr. HICKENLOOPER. Mr. President, I have just a few observations to make in regard to the question before the Senate.

My interest is as a member of the Committee on Expenditures in the Executive Departments. I am under no illusions. I do not believe prolonged debate on this question will change the result of the vote. I do believe, however, that it is incumbent upon us at the outset of the experimentation, if I may so call it, under the Reorganization Act, to establish quite clearly what the avenues of reference should be under the act.

I turn to the powers of the Committee on Expenditures in the Executive Departments as set forth in the Reorganization Act, and for the RECORD I read section g (1):

> Committee on Expenditures in the Executive Departments, to consist of 13 Senators, to which committee—

I call attention to the fact that there is no equivocation about this language—

> to which committee shall be referred all proposed legislation—

I call attention to the word "all"—

> all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:
>
> * * * * *
>
> (B) Reorganizations in the executive branch of the Government.

Perhaps one of the most important and far-reaching reorganizations in the executive branch of the Government is the proposed consolidation of the national defense agencies. I, therefore, am firmly of the opinion—and I shall not undertake to read the bill itself or extensive portions from it, because the subject has been ably covered by the Senator from Vermont—that the bill itself cuts across many lines, involves the activities and the provinces of many departments of government, and, while it is denominated a national defense measure and refers with greater emphasis perhaps to the Army, the Navy, and the Air Corps than to other departments that are brought in, yet the bill itself is ample evidence that it will reach its fingers into many other departments of a nonmilitary nature, in spite of any interpretation that may be put on it. It therefore comes squarely, in my opinion, under the all-inclusive reference contained in the Legislative Reorganization Act to measures which are allocated to the Committee on Expenditures in the Executive Departments.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. McCARTHY. Would the Senator from Iowa have any objection to the suggestion made by the chairman of the committee of which the Senator from Iowa is a member, that the Committee on Armed Services consider the bill and hold such hearings as it normally would hold, and that the chairman of the Committee on Expenditures in the Executive Departments appoint a subcommittee to sit with the Committee on Armed Services, such subcommittee to report back to the full Committee on Expenditures in the Executive Departments, allowing that committee to decide whether or not further hearings are wanted?

Mr. HICKENLOOPER. Mr. President, I not only approve that proposal, but I so expressed myself in the committee. I was about to discuss that phase of it.

Mr. McCARTHY. Mr. President, will the Senator yield once more?

Mr. HICKENLOOPER. I yield.

Mr. McCARTHY. I would appreciate it if at some time during the debate the Senator from South Dakota [Mr. GURNEY] would tell us what, if any, objection he has to such a procedure.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from South Dakota.

Mr. GURNEY. In answer to the query put by the Senator from Wisconsin, I may say that many bills are passed on by many committees of the Senate, in which some other standing legislative committee of the Senate has an interest. In other words, the Committee on Foreign Relations might hold hearings on a treaty with another country, and might approve the treaty. The treaty might in some manner affect the ability of our defense forces to undertake its enforcement. The Committee on Armed Services might like to have a reference of the treaty to it, but it would be unthinkable that we should suggest to the Committee on Foreign Relations that they send all treaties to our committee. We have the chance on the floor of the Senate to state our case, suggest amendments, have them thoroughly debated, and then have a vote on the amendments. In this case, if the Committee on Expenditures in the Executive Departments wants to have some of its members sit in with our committee—I venture to say they will not, but if they do, they will have full opportunity to take all our hearings into their committee, discuss them freely in their committee, work out an amendment or substitutes, or even at a subsequent time come before the Senate and say, "The bill has not yet had sufficient consideration, and we ask the Senate to vote to send it to our committee."

Mr. McCARTHY. Will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. McCARTHY. For the benefit of the Senator from South Dakota, and for the benefit of the other Members of the Senate, let me say that our committee felt, almost to a man, that there was a great deal of ability represented by the members of the committee of which the Senator from South Dakota is chairman, and that the Senator from South Dakota had had much experience with this line of legislation, but, in view of the fact that the Legislative Reorganization Act definitely provides that this type of legislation shall be referred to the Committee on Expenditures in the Executive Departments, that committee should at least be given the courtesy of having a subcommittee sit with the Armed Services Committee, and then, after the hearings were completed, if the Committee on Expenditures in the Executive Departments felt that the matter required further investigation, it could be referred to our committee, for a limited period of time, not exceeding 2 weeks.

I frankly cannot conceive of any reason why the Committee on Armed Services can object to that very sensible procedure, especially in view of the fact that the so-called merger bill involves such a complete reorganization. The bill proposes to establish a new Cabinet post—a Secretary of National Defense—and I can see no reason why, for an additional 2 weeks, the Committee on Expenditures in the Executive Departments, which, after all, is primarily concerned with efficiency and economy, should not be allowed to consider the measure, after the Committee on Armed Services concludes its hearings.

It is my belief that, unless the Senator's committee agrees to the proposal, we should then make an all-out fight and argue this question at very great length.

The PRESIDENT pro tempore. The Chair will state that when the Committee on Armed Services reports, if it receives jurisdiction, the report will be entirely within the jurisdiction of the Senate; if the Senate wishes to do so, it can send it to the Committee on Expenditures in the Executive Departments at that time.

Mr. AIKEN. Will the Senator yield?

Mr. GURNEY. Will the Senator yield to permit an answer to the question asked by the Senator from Wisconsin?

Mr. HICKENLOOPER. I yield first to the Senator from South Dakota, and then I will yield to the Senator from Vermont.

Mr. GURNEY. I will say to the Senator from Wisconsin that in his opening question he stated that his committee voted on the basis of the feeling that

this kind of legislation was definitely assigned to that committee. Of course, we feel similarly that it is definitely assigned to the Committee on Armed Services, under the general provision; and, in addition to that, it is assigned specifically for 12 other single, separate, and distinct reasons.

Mr. HICKENLOOPER. I now yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, what we sought from the Committee on Armed Services was a unanimous agreement that after that committee had had hearings on the military phases of the bill, the Committee on Expenditures in the Executive Departments might have the bill sufficiently long to examine the relationship of the proposed new department to the general structure of the Government. We felt that the Committee on Armed Services should be willing to agree to the unanimous-consent request that the bill be referred to our committee for a reasonable length of time. Nobody wants to hold up the bill any longer than it is necessary for the Members of this body to familiarize themselves with it.

I call attention to a statement prepared by counsel for our committee:

A similar situation involving interpretation of provisions of the Legislative Reorganization Act, defining the jurisdiction of committees, arose on the floor of the Senate only a few days ago in connection with the reference of Senate Joint Resolution 61—offered by the Senator from Maryland [Mr. TYDINGS]—

Proposing an amendment to the Constitution—

Mr. TYDINGS, who introduced the resolution for himself and Mr. BRIDGES, explained that the amendment, if adopted, would provide an automatically balanced Federal budget in peacetime. He asked that it be referred to the Committee on Appropriations before it was referred to the Judiciary Committee, "to which committee," the act provides, "shall be referred all proposed legislation and other matters relating to constitutional amendments."

He claimed that, in considering the matter, it would be necessary to make a great many financial computations based on the experience of the Appropriations Committee, and that a report from that committee would be most helpful to the Judiciary Committee.

The President pro tempore ruled that "because of the clear language of the Reorganization Act, the Chair has no authority to refer the joint resolution anywhere except to the Committee on the Judiciary."

I agree thoroughly with that decision of the Chair.

At the suggestion of the President pro tempore, however, Mr. TYDINGS requested unanimous consent that the resolution be first referred to the Committee on Appropriations for examination and report and thereafter to the Judiciary Committee for final action. There was no objection to the request, and the order was entered accordingly.

Here was a case where a resolution fell within the general field of the Appropriations Committee, in that it affected appropriations, and within the field of Committee on Expenditures in the Executive Departments, in that it was a budgetary measure, and yet it was held that the specific language of the act giving the Judiciary Committee jurisdiction over constitutional amendments made reference to that committee mandatory upon the presiding officer.

The provision that measures relating to reorganizations in the executive branch of the Government shall be referred to the Committee on Expenditures in the Executive Departments is equally specific and, it is submitted, equally requires reference of the armed forces unification bill to that committee.

I have been reading from an opinion given by the counsel of our committee.

It seems to me that we now confront a situation which is analogous to the one before us a few days ago when a bill which fell within the general field of the Appropriations Committee had to be referred to the Committee on the Judiciary because of a requirement of the law. Now we are discussing the reference of a bill which many might claim falls within the general field of the Armed Services Committee, but there is an equally specific provision of law which states that reorganizations in the executive branch of the Government shall be referred to the Committee on Expenditures in the Executive Departments.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I should like to make a parliamentary inquiry of the Chair. If I correctly understood the statement made by the President pro tempore a few moments ago it was to the effect that when the bill is reported by the Armed Services Committee and again reaches the floor of the Senate any Member of the Senate may rise to a point of order and ask the Chair to rule, subject to an appeal to the Senate, on the question whether or not, under the rules, in his opinion, this measure should then properly be referred to a second committee.

The PRESIDENT pro tempore. The Chair made a different statement. The Chair said that when the Committee on Armed Services had reported the bill to the Senate, and the bill was placed on the calendar, any Senator would be free to move to refer the bill to the Committee on Expenditures in the Executive Departments.

Mr. SALTONSTALL. And when a Senator makes such a motion if a point of order is raised, it then becomes the duty of the Chair to rule on the motion. Am I not correct?

The PRESIDENT pro tempore. No point of order would lie against such a motion. The motion is in order under the rules.

Mr. HILL. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. For what purpose?

Mr. HILL. I wish to submit a parliamentary inquiry.

Mr. HICKENLOOPER. I yield for that purpose.

Mr. HILL. In other words, the bill would be in no different position than any other bill reported by a committee which has been placed on the calendar. Any bill on the Senate Calendar is subject to a motion by any Member to be referred to any committee of the Senate. Is that not correct?

The PRESIDENT pro tempore. The Senator from Alabama is correct.

Mr. HICKENLOOPER. Mr. President, I am in complete agreement with the statement of the Chair on that question and that is the very proposition I am discussing. In the very few minutes I shall take on this matter, I should like to cite two or three or four provisions of the bill. In the first place, under section 113 (c) there is a provision that the new board within the National Defense Establishment shall take charge of matters regarding industrial matters, including the procurement, production, and distribution plants of the establishment.

Then after reciting a number of military matters, we find, in subsection (8), that it is given authority "to maintain liaison with other agencies for the proper correlation of military requirements with the civil economy."

In section 201, among the functions the new department has is the organization of a National Security Council, which shall examine into the coordination of the policies of the departments and agencies of the Government, and perform other functions relating to the national security, thus clearly cutting across the lines outside the Military Establishment.

In subsection 202, paragraph (c), the bill refers to the creation and the functioning of the Central Intelligence Agency, which presumably goes into far greater fields than the military alone, although it may point up the national defense.

Section 203 establishes a National Security Resources Board, and an examination of that section will show that it goes into industrial activities which may eventually be connected with the national defense.

The bill contains a number of provisions of that kind.

I wish to conclude my remarks. In my personal view it would be a mistake—and I would not advocate such a course of procedure—to bring the bill to the floor of the Senate for final action unless it had the measured and considered judgment of the Armed Services Committee, the combined committee composed of members of the former Military Affairs Committee and the Committee on Naval Affairs. I think it would be a mistake for the bill to be taken up on the floor without their consideration of it, because in the past the members of those committees have had much experience in military matters, and those relating to the national defense. But I also say to the Senate that the experience of the members of that combined committee has been limited to matters of national defense, military or naval matters. Here we have the Committee on Expenditures in the Executive Departments whose exclusive duty it is to examine into and pass upon consolidations, the unification of the departments of Government. That is a duty specified in the new act. I believe we will flagrantly disregard the act unless the desirability from an economic standpoint and from a governmental unity standpoint of this great merger proposal is submitted to this

committee for action and for determination. That undoubtedly involves a consideration of the bill by two committees. Certainly I think no one will say that this is an unimportant piece of legislation. It does involve national defense. It may involve a complete revolution of the control of our national defense policy from a military and naval standpoint. I say in all frankness, Mr. President, that I think the committee of which the Senator from South Dakota [Mr. GURNEY] is chairman, should pass upon the technical and professional matters involved which are so intimately wrapped up with national defense; but by the same token, because it is a merger of great size and magnitude, and because the Reorganization Act has specifically placed in the hands and under the jurisdiction of the Committee on Expenditures in the Executive Departments the very subject of the consolidation of great departments of Government, I think that phase of the question must, if the law is not to be wantonly and wilfully disregarded at the very outset, be referred to the Committee on Expenditures in the Executive Departments.

Mr. President, as I understood the proposal submitted by the Chairman of the Committee on Expenditures in the Executive Departments to the chairman of the Committee on Armed Services, it was that the Committee on Expenditures in the Executive Departments believed that the Committee on Armed Services, because of its technical background and experience, should be given the opportunity—in fact the obligation—of passing on the military phases of this proposal, but that the Committee on Expenditures in the Executive Departments wished to send a subcommittee to sit with the Committee on Armed Services, not as voting members, but recognized in their capacity as representatives of the Committee on Expenditures in the Executive Departments. After the Committee on Armed Services had canvassed the bill and held its hearings, the subcommittee from the Committee on Expenditures in the Executive Departments would have the recognized right to make a report to the Committee on Expenditures in the Executive Departments. That subcommittee might report that no further action by the Committee on Expenditures in the Executive Departments was desirable, whereupon the subject would be closed, and the bill would be reported to the Senate by the Committee on Armed Services.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I shall be glad to yield in a moment.

Mr. GURNEY. Will the Senator yield at that particular point?

Mr. HICKENLOOPER. Let me say one further word, and then I shall be glad to yield to the Senator from South Dakota.

If the subcommittee felt that there were phases of the unification involving the efficiency of the reorganization in government, rather than the technical or professional phases of military activity, for a limited time, under its jurisdiction as clearly laid down by the law, the Committee on Expenditures in the Executive Departments would have the recognized right to examine into the phases of reorganization involving efficiency, economy, and desirability as related to the proposed reorganization of government.

I now yield to the Senator from South Dakota.

Mr. GURNEY. It seems that Senators opposing the ruling of the Chair now feel that the Committee on Armed Services should first consider the bill. I shall try to state my understanding of the Senator's statement. He believes that there is a distinct possibility that the subcommittee from the Committee on Expenditures in the Executive Departments which might sit with the Committee on Armed Services might report back to the Committee on Expenditures in the Executive Departments that no further action was necessary. Then why decide at the moment that after the Committee on Armed Services is through with the bill and has reported it to the Senate it should automatically be referred to the Committee on Expenditures in the Executive Departments?

Mr. AIKEN. Mr. President——

Mr. HICKENLOOPER. I shall be glad to yield to the Senator in a moment.

The only time the jurisdiction can be fixed is now. It would be a useless and vain thing to say that the Committee on Expenditures in the Executive Departments shall now abandon its jurisdiction, subject to the tender mercies of a vote at some time in the future, when perhaps Senators will have many other things to do, and may disregard the rights, privileges, and jurisdiction of this committee.

The question before us involves the making of a record at this time, and the statement at this time by members of the committee that we do not abandon our jurisdiction, and have no intention to be understood as abandoning it.

I now yield to the Senator from Vermont.

Mr. AIKEN. The Senator from Iowa is entirely correct in the conclusions which he draws. The reason an agreement must be reached now, if at all, is that as chairman of the Committee on Expenditures in the Executive Departments I gained the distinct impression that the chairman of the Committee on Armed Services would oppose reference of the bill to the Committee on Expenditures in the Executive Departments at any time.

We simply ask for the same kind of an agreement as was reached in regard to Senate Joint Resolution 61, I believe, introduced by the Senator from Maryland [Mr. TYDINGS] the other day. It was agreed by unanimous consent that the joint resolution should be referred to the Appropriations Committee, and after examination and report by that committee, should then be referred to the Committee on the Judiciary, which committee is clearly entitled to consideration of the joint resolution under the law. That is exactly what we requested from the chairman of the Committee on Armed Services. It was a perfectly fair request. We asked that a subcommittee from our committee be permitted to sit with the Committee on Armed Services during the hearings. The chairman of the Committee on Armed Services readily agreed to that request. The reason the subcommittee desired to sit with the Committee on Armed Services during the hearings was to avoid delay in acting upon the bill ourselves, or bringing our own recommendations before the Senate after the bill had been considered by the Committee on Armed Services. We do not wish to go through this argument again after the Committee on Armed Services holds its hearings and makes its report. We wish to know now that the bill will be referred to us after being considered by the Committee on Armed Services, so that we can perform our functions as a committee, as required under the Reorganization Act.

Mr. HICKENLOOPER. I thank the Senator from South Dakota, who does not agree with me. I thank the Senator from Vermont for his contribution. But I wish to conclude.

The parliamentary situation at this moment is this: The Chair has made a ruling. I find myself in agreement with the ruling so far as it goes, but it does not go far enough, and, therefore, I must disagree with it. The action we must take today is either to sustain or overrule the ruling of the Chair. As I understand, there can be no amendment to the ruling of the Chair. There is nothing we can do except to vote for or against the ruling.

A moment ago I stated that I believed that the Committee on Armed Services should pass upon the military phases of this question, because of the technicalities involved and because of the experience of members of the committee; also because of the high personal regard I have for each of the members of that committee, and for their integrity and zeal in these matters. But I also feel that there are important precedents involved in connection with the Committee on Expenditures in the Executive Departments. There are rights and jurisdiction that may be overridden if the ruling of the Chair stands, limited as it is to a reference only to the Committee on Armed Services.

I give notice that, so far as I am concerned, this question is no precedent as affecting the jurisdiction of the Committee on Expenditures in the Executive Departments. Today when I vote against the ruling of the Chair I do so with great humility and with profound respect for the judgment of the President pro tempore and for rulings of the Chair generally. I do so because I conceive the ruling to be limited, and not subject to amendment. It involves something which we must either take or leave. Therefore, in the interest of maintaining the jurisdiction of the Committee on Expenditures in the Executive Departments, and in the interest of not permitting a precedent to be established if I can prevent it, I shall be forced to vote not to sustain the ruling of the Chair. I hope the ruling will not be sustained.

The PRESIDENT pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. AIKEN. Mr. President, at this time I should like to make a request of the chairman of the Committee on Armed Services. He has stated that he objects to reference of the bill to the Committee on Expenditures in the Executive Departments after the Committee on Armed Services shall have held hearings on it and considered it. Would the chairman of the Committee on Armed Services be willing to help to get a unanimous-consent agreement—and that is the only way it can be done—for a concurrent reference of the bill to the two committees?

Mr. GURNEY. Mr. President, if the Senator will yield I will make reply. I think it would be very inefficient for the Senate to act in that manner. I believe both committees are responsible, and certainly I should not want to consider any piece of legislation simultaneously with the Senator's committee, which had been given original jurisdiction. I would rather wait to see what the conclusions of the Senator's committee were, and then undoubtedly I would agree with the report of the committee. Certainly, I do not feel that it would be an economical use of time to have two committees considering the same measure at the same time.

Mr. AIKEN. Am I to understand that the chairman of the Committee on Armed Services is proposing that the bill be referred first to the Committee on Expenditures in the Executive Departments?

Mr. GURNEY. Not yet.

Mr. AIKEN. He objects to its being referred to the Committee on Expenditures in the Executive Departments after being reported from the Committee on Armed Services. Therefore it is clear that the inference which I drew that the chairman of the Committee on Armed Services objects to the consideration of this bill by the Committee on Expenditures in the Executive Departments at any time is correct.

Mr. GURNEY. By all means, no. Any committee of the Senate can at any time consider any subject it wishes to consider. It may consider an amendment to a treaty that is being handled by the Committee on Foreign Affairs, and may offer an amendment on the floor of the Senate as committee action. The reference of the bill to the Committee on Armed Services does not in any way prevent the Senator from Vermont from considering any phase of this proposed legislation or any other proposed legislation that may be presented to the Senate.

Mr. AIKEN. That is entirely true. Any Member of the Senate has a right to propose amendments or substitutes to any bill. But a proposal by a Member does not have the force which it would have if it were supported by a legal reference to a committee.

I wonder if the Senator from South Dakota would join me in asking unanimous consent that after the Committee on Armed Services has held hearings on this bill and considered it, it may then be referred to the Committee on Expenditures in the Executive Departments with instructions to report it back to the Senate within 2 weeks.

Mr. WHITE. Mr. President, I had not intended to say anything on this subject. I have a very definite feeling that the ruling of the Chair is correct and that it ought to be sustained.

I think it is something entirely novel in the way of parliamentary procedure to ask unanimous consent of the Senate to refer a single piece of legislation to two or three or more committees of the Senate for consideration. Of course, after a committee has reported legislation to the Senate, in many instances we have referred it to a second committee for the considered judgment of the second committee. I should not have any objection if, after the Committee on Armed Services made its study and report, it were proposed that the Senate should then make a second reference of the bill either to the Committee on Expenditures in the Executive Departments or to some other committee. But I think it would be decidely unwise and would lead us into many embarrassments if the Chair were to rule that two or more committees had jurisdiction and that the legislation should be referred to two or more committees to consider at the same time.

Mr. AIKEN. Mr. President——

The PRESIDENT pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the Senate? [Putting the question.] The "ayes" have it, and the decision of the Chair stands as the judgment of the Senate.

Mr. AIKEN. Mr. President, I was asking recognition of the Chair at the time the question was put. I did not know the Chair was going to put the question so quickly. May I ask that the Chair put the question again? I ask unanimous consent that the Chair put the question again.

The PRESIDENT pro tempore. The Senator from Vermont asks unanimous consent that the announcement which the Chair just made may be set aside and the vote be retaken. Is there objection? The Chair hears none.

The question is, Shall the decision of the Chair stand as the judgment of the Senate? [Putting the question.]

The "ayes" have it, and the decision of the Chair stands as the judgment of the Senate.

Mr. GURNEY subsequently said: Mr. President, now that the Senate has resolved the question of reference of the unification bill, I wish to introduce the bill submitted to the Senate by the President. I do so merely in order that the bill may have a number and in order that it may be in readable form, making for efficiency in the committee during the consideration of the bill.

I ask unanimous consent to introduce the bill and that it be printed.

The PRESIDING OFFICER (Mr. CAIN in the chair). The Chair understands that under the rules it will be printed as a matter of course.

Mr. GURNEY. I thank the Chair.

There being no objection, the bill (S. 758) to promote the national security by providing for a National Defense Establishment, which shall be administered by a Secretary of National Defense, and for a Department of the Army, a Department of the Navy, and a Department of the Air Force within the National Defense Establishment, and for the coordination of the activities of the National Defense Establishment with other departments and agencies of the Government concerned with the national security, introduced by Mr. GURNEY, was received, read twice by its title, and referred to the Committee on Armed Services.

THE PRESIDENTIAL TERM

Mr. WILEY. Mr. President, I ask unanimous consent for the immediate consideration of House Joint Resolution 27, which is number 31 on the calendar, a joint resolution proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

The PRESIDENT pro tempore. The joint resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A joint resolution (H. J. Res. 27) proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

Mr. BARKLEY. Mr. President, it was my understanding that following the disposition of the appeal from the ruling of the Chair the calendar would be called. Is it the purpose now to call the calendar?

Mr. WILEY. I yield to whatever may be the judgment of the majority leader, but I propose to move that the joint resolution be made the order of business after the call of the calendar.

Mr. WHITE. Mr. President, I assume that what the Senator from Wisconsin [Mr. WILEY] is seeking to do is to make the joint resolution proposing an amendment to the Constitution the unfinished business; but if he has no objection, I ask that consideration of such motion be deferred at least until we have disposed of some other matters, such as the Legislative Calendar, and perhaps the Executive Calendar. Would it be agreeable to the Senator to proceed with those matters and then either proceed to consider the joint resolution or let it go over until the next session?

Mr. WILEY. I am very happy to agree to that method of procedure. As I understand, there will be a call of the calendar, and then House Joint Resolution 27 will be the order of business after the calendar is disposed of.

THE CALENDAR

Mr. WHITE. Mr. President, I ask unanimous consent that the Senate proceed with the call of the calendar.

The PRESIDENT pro tempore. Without objection, the order is made.

The clerk will state the first order of business on the calendar.

BILL PASSED OVER

The bill (S. 27) to provide for suspending the enforcement of certain obligations against the operators of gold and silver mines who are forced to cease operations because of the war was announced as first in order.

Mr. WHITE. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

AMENDMENT OF FEDERAL FIREARMS ACT

The bill (S. 502) to amend the Federal Firearms Act was announced as next in order.

Mr. KNOWLAND. Mr. President, reserving the right to object, I should like to have an explanation of Senate bill 502.

Mr. PEPPER. Let the bill be passed over.

Mr. WILEY. Mr. President, if the Senator from Florida will withhold that request, let me say there has been a great deal of misunderstanding about this bill. The first bill on the subject, which I introduced at the request of the Attorney General, has been withdrawn. That is the bill regarding which most Senators have received numerous communications.

Let me state the sum and substance of this bill. All it does is to include in the language embodied in the existing statute the word "robbery," which is thus included in the list of crimes set forth. It was the opinion of the Attorney General and it was the consensus of opinion of the members of the Judiciary Committee that the bill should pass. It has nothing to do with the registration of firearms, as the previous bill did.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. WHITE. Mr. President, let me make an inquiry: Is it correct that the only change provided by the bill is the inclusion of the word "robbery" among the list of crimes covered by the act?

Mr. WILEY. That is correct.

Mr. STEWART. Mr. President, I have on my desk a copy of the bill, and I understood the Senator from Wisconsin to say, in explaining it, that it does not affect the registration of firearms or the payment of taxes on firearms.

Mr. WILEY. That is correct.

I shall be glad to explain the bill: In the existing law, the term "crime of violence" is defined as meaning murder, manslaughter, rape, mayhem, kidnaping, burglary, housebreaking; assault with intent to kill, commit rape, or rob; assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than 1 year. However, robbery was not included in that list. The measure now under discussion would include robbery, so as to make that part of the statute read as follows:

> The term "crime of violence" means murder, manslaughter, rape, mayhem, kidnaping, robbery, burglary, housebreaking; assault with intent to kill, commit rape, or rob; assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than 1 year.

I wish to make it clear that this bill has nothing to do with the registration of firearms. It will be noticed that in the report it is stated that—

> Need for enactment of the bill arises from the apparent oversight of excluding "robbery" in the definition of "crime of violence," although the lesser offense of assault with intent to rob was included.

I also call attention to the letter of the Attorney General, which is included in the report. I trust that this explanation will suffice.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 502) to amend the Federal Firearms Act was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1, subsection 6, of the Federal Firearms Act of June 30, 1938 (52 Stat. 1250; U. S. C., title 15, sec. 901 (6)), be, and the same is hereby, amended to read as follows:

"The term 'crime of violence' means murder, manslaughter, rape, mayhem, kidnaping, robbery, burglary, housebreaking; assault with intent to kill, commit rape, or rob; assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than 1 year."

AMENDMENT OF LAW RELATING TO LARCENY IN INTERSTATE OR FOREIGN COMMERCE

The PRESIDENT pro tempore. The clerk will state the next measure on the calendar.

The bill (S. 363) to amend section 3 of the act of July 24, 1946 (Public Law 534, 79th Cong.), was announced as next in order.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. PEPPER. May we have an explanation, Mr. President?

Mr. WILEY. Mr. President, the bill would amend section 3 of the act of July 24, 1946. If the bill is passed, section 3 of that act will read as follows:

> To establish the interstate or foreign commerce character of any shipment in any prosecution under this act the waybill, or other shipping document, of such shipment shall be prima facie evidence of the place from which and to which such shipment was made.

Mr. PEPPER. Mr. President, I have no objection.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 363) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 3 of the act of July 24, 1946 (Public Law 534, 79th Cong.), be, and it is hereby, amended to read as follows:

"To establish the interstate or foreign commerce character of any shipment in any prosecution under this act the waybill, or other shipping document, of such shipment shall be prima facie evidence of the place from which and to which such shipment was made."

APPLICATION OF CERTAIN STATE LAWS TO FEDERAL OFFENSES

The PRESIDENT pro tempore. The clerk will state the next measure on the calendar.

The bill (S. 487) to amend section 289 of the Criminal Code was announced as next in order.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment, on page 2, in line 1, after the word "on", to strike out "January 1" and insert "February 15," so as to make the bill read:

Be it enacted, etc., That section 289 of the Criminal Code (U. S. C., title 18, sec. 468), be, and it is hereby, amended to read as follows:

"SEC. 289. Whoever, within the territorial limits of any State, organized Territory, or district, but within or upon any of the places now existing or hereafter reserved or acquired, described in section 272 of the Criminal Code (U. S. C., title 18, sec. 451), shall do or omit the doing of any act or thing which is not made penal by any laws of Congress, but which if committed or omitted within the jurisdiction of the State, Territory, or district in which such place is situated, by the laws thereof in force on February 15, 1947, and remaining in force at the time of the doing or omitting the doing of such act or thing, would be penal, shall be deemed guilty of a like offense and be subject to a like punishment."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 503) to establish and effectuate a policy with respect to the creation or chartering of certain corporations by act of Congress, and for other purposes, was announced as next in order.

Mr. MOORE. Let the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. WILEY subsequently said: Mr. President, I should like to have the Senate return to Senate bill 503, Calendar No. 27, a bill to establish and effectuate a policy with respect to the creation or chartering of certain corporations by act of Congress, and for other purposes. I should like to say a few words in relation to it, to see whether it can be passed today.

Mr. BARKLEY. It cannot be passed today.

The PRESIDENT pro tempore. The Senator from Oklahoma objected to consideration of the bill.

Mr. WILEY. I wish to ask him whether he will withdraw his objection.

Mr. MOORE. Mr. President, I desire to submit an amendment to the bill, but I do not have it ready now. Therefore, I must object to present consideration of the bill.

The PRESIDENT pro tempore. The Senator from Oklahoma continues to object.

The bill (H. R. 597) to protect American agriculture, horticulture, and livestock by prohibiting the importation of garbage derived from products originating outside of the United States was announced as next in order.

Mr. TAFT. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

CLAIM OF SWISS GOVERNMENT

The bill (S. 240) to authorize the payment of $425.88 by the United States to the Government of Switzerland was considered, ordered to be engrossed for a

third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized to pay to the proper representatives of the Government of Switzerland, out of any money not otherwise appropriated, the sum of $425.88, in full settlement of all claims against th United States for the loss of food and other items stored aboard the Japanese vessel *Awa Maru*, when that vessel was sunk in western Pacific waters.

INCREASE OF PAY OF CADETS AND MIDSHIPMEN

The bill (S. 321) to amend section 17 of the Pay Readjustment Act of 1942 so as to increase the pay of cadets and midshipmen at the service academies, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 17 of the Pay Readjustment Act of 1942 (56 Stat. 368; 37 U. S. C. 117), is hereby amended by striking therefrom the figures "$780" and substituting therefor the figures "$936."

SEC. 2. The increases in pay provided by this act shall become effective on the first day of the first month following its enactment, and no increase in pay for any period prior thereto shall accrue by reason of the enactment of this act.

THE AMERICAN NATIONAL RED CROSS

The bill (S. 591) to amend the act of January 5, 1905, to incorporate the American National Red Cross was announce as next in order.

The PRESIDENT pro tempore. Is there objection to present consideration of the bill?

Mr. TAFT. Mr. President, may we have an explanation of the bill?

The PRESIDENT pro tempore. If the Chair may be permitted to make a brief statement, the following is submitted by way of explanation: This measure changes the basis of incorporation of the American National Red Cross in only two particulars. In one particular, it increases the national governing body from 18 to 50, so as to broaden its democratic scope. In the other particular, it increases the authority of the local chapters of the American Red Cross, so as to enable them to exercise a substantially increased authority in the choice of the general management. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 591) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act to incorporate the American National Red Cross, approved January 5, 1905, is hereby amended by inserting the following paragraph immediately following the second paragraph of the said act:

"Whereas the said treaty has been revised and extended by a treaty or convention for the amelioration of the condition of the wounded and the sick of armies in the field, signed at Geneva, July 27, 1929, and adhered to by the United States of America, effective August 8, 1932; and."

SEC. 2. The fourth paragraph of the act to incorporate the American National Red Cross is hereby amended to read as follows:

"Whereas a permanent organization is an agency needed in every nation to carry out the purposes of said treaties, and especially to secure supplies and to execute the humane objects contemplated by said treaties, with the power to adopt and use the distinctive flag and arm badge specified by said treaties, on which shall be the sign of the Red Cross, for the purpose of cooperating with the 'Comité International de Secours aux Militaires Blessés' (International Committee of Relief for the Wounded in War); and."

SEC. 3. Section 2 of the act to incorporate the American National Red Cross, approved January 5, 1905, is hereby amended to read as follows:

"SEC. 2. That the name of this corporation shall be 'The American National Red Cross', and by that name it shall have perpetual succession, with the power to sue and be sued in courts of law and equity, State or Federal, within the jurisdiction of the United States; to have and to hold such real and personal estate as shall be deemed advisable and to dispose of the same, to accept gifts, devises, and bequests of real and personal estate for the purposes of this corporation hereinafter set forth; to adopt a seal and the same to alter and destroy at pleasure; and to have the right to have and to use, in carrying out its purposes hereinafter designated, as an emblem and badge, a Greek red cross on a white ground, as the same has been described in the treaties of Geneva, August 22, 1864, and July 27, 1929, and adopted by the several nations acceding thereto; to ordain and establish bylaws and regulations not inconsistent with the laws of the United States of America or any State thereof, and generally to do all such acts and things as may be necessary to carry into effect the provisions of this act and promote the purposes of said organization; and the corporation hereby created is designated as the organization which is authorized to act in matters of relief under said treaties and under any other treaty or convention similar in purpose to which the United States of America may hereafter adhere. In accordance with the said treaties, the delivery of the brassard allowed for individuals neutralized in time of war shall be left to military authority."

SEC. 4. Paragraphs "First" and "Second" of section 3 of the act to incorporate the American National Red Cross, approved January 5, 1905, is hereby amended to read as follows:

"First. To furnish volunteer aid to the sick and wounded of armies in time of war, in accordance with the spirit and conditions of the conference of Geneva of October 1863, and also of the treaties of the Red Cross, or the treaties of Geneva, of August 22, 1864, and July 27, 1929, to which the United States of America has given its adhesion, and also of any other treaty or convention similar in purpose to which the United States of America may hereafter give its adhesion.

"Second. And for said purposes to perform all the duties devolved upon a national society by each nation which has acceded to any of said treaties or conventions."

SEC. 5. The act to incorporate the American National Red Cross, approved January 5, 1905, is hereby amended by adding thereto a new section 4a to read as follows:

"SEC. 4a. That membership in the American National Red Cross shall be open to all the people of the United States, its Territories, and dependencies upon payment of the sums specified from time to time in the bylaws.

"The chapters of the American National Red Cross shall be the local units of the corporation within the States and Territories of the United States. The regulations with respect to the granting of charters to the chapters and the revocation of the same, the territorial jurisdiction of the chapters, the relationship of the chapters to the corporation, and compliance by the chapters with the policies and rules of the corporation shall be as determined from time to time by the board of governors. Such regulations shall require that each chapter shall, in the election of the governing body of the chapter and in the selection of delegates to the national convention of the corporation, adhere to democratic principles of election as specified in the bylaws."

SEC. 6. Section 5 of the act to incorporate the American National Red Cross, approved January 5, 1905, is hereby amended to read as follows:

"SEC. 5. That the governing body of the corporation in which all powers of government, direction, and management of the corporation shall be lodged, shall consist of a board of governors numbering 50 persons, to be appointed or elected in the manner following, namely:

"(a) Eight governors shall be appointed by the President of the United States. Of the governors so appointed, one shall be designated by the President of the United States to act as the principal officer of the corporation with such title and such functions as may from time to time be prescribed in the bylaws; and the remainder shall be officials of departments and agencies of the Federal Government, whose positions and interests are such as to qualify them to contribute toward the accomplishment of Red Cross programs and objectives. Of these at least one and not more than three shall be selected from the armed forces.

"(b) Thirty governors shall be elected by the chapters. The governors so elected shall be elected at the national convention under procedures for nomination and election which shall be such as to insure equitable representation of all the chapters, having regard to geographical considerations, to the size of the chapters, and to the size of the populations served by the chapters.

"(c) Twelve governors shall be elected by the board of governors as members-at-large. The governors so elected shall be individuals who are representative of the national interests which it is the function of the Red Cross to serve, and with which it is desirable that the corporation shall have close association.

"The term of office of all governors shall be 3 years, except that the term of office of any governor appointed by the President of the United States (other than the principal officer of the corporation) shall expire if and when such governor shall retire, prior to the date on which his term as governor would otherwise expire, from the official position held at the time of his appointment as governor.

"Of the first board of governors to be selected hereunder, those governors to be elected pursuant to subsection (b) of this section 5 shall be elected at the first national convention following the enactment of this act, those governors to be elected pursuant to subsection (c) shall be elected as soon as practicable following such first national convention, and those governors to be appointed pursuant to subsection (a) shall be appointed so as to take office at the same time. The governors so elected pursuant to subsections (b) and (c) shall be divided by lot into three classes, the terms of which shall expire at the end of 1, 2, and 3 years, respectively, so that thereafter one-third of the members of the board of governors elected pursuant to subsections (b) and (c) will be chosen at the time of each national convention, and shall take office at such time or as soon as practicable thereafter.

"The President of the United States shall fill as soon as may be any vacancy that may occur by death, resignation, or otherwise in the office of the principal officer of the corporation or in the membership of the board of governors appointed by him. Any vacancy that may occur in the governors elected by the chapters pursuant to subsection (b) or in the governors-at-large elected by the board of governors pursuant to subsection (c) shall be temporarily filled by appointment made by the board of governors, such appointees to serve until the next national convention.

"The board of governors shall have power (i) to appoint from its own members an executive committee of not less than 11 persons, who, when the board of governors is not in session, shall have and exercise all the powers of the board of governors, and (ii) to appoint and remove, or provide for the appointment and removal of, all officers and employees of the corporation, except the principal officer designated by the President of the United States.

"The annual meeting of the corporation shall be the national convention of delegates of the chapters, which shall be held annually on such date and at such place as may be specified by the board of governors. In all matters requiring a vote at the national convention, each chapter shall be entitled to not less than one vote. The number of votes which each chapter shall be entitled to cast shall be determined according to allocation by the board of governors, which shall be established on an equitable basis, giving consideration both to the size of the membership of the chapters and to the size of the populations in the territories served by the chapters. Such allocations shall be reviewed at least every 5 years.

"Voting by proxy shall not be allowed at any meeting of the board of governors, or at the national convention, or at any meeting of the chapters: *Provided, however*, That in the event of any national emergency, which in the opinion of the board of governors makes attendance at the national convention impossible, the board of governors may permit the election of governors by proxy at the national convention."

SEC. 7. Section 8 of the act to incorporate the American National Red Cross, approved January 5, 1905, is hereby amended to read as follows:

"SEC. 8. That the endowment fund of the American National Red Cross shall be kept and invested under the management and control of a board of nine trustees, who shall be elected from time to time by the board of governors under such regulations regarding terms and tenure of office, accountability, and expense as the board of governors shall prescribe."

SEC. 8. The corporation now existing as the American National Red Cross under the act of January 5, 1905, as amended, shall continue as a body corporate and politic in the District of Columbia. The first national convention after the enactment of this amendatory act shall be convened and held under rules and regulations prescribed by the governing body of the corporation as presently constituted. After such first national convention the board of governors of the corporation from time to time shall constitute the associates and successors of the incorporators named in the said act of January 5, 1905, and neither the said incorporators nor any associates or successors theretofore designated by them or by their successors shall have any powers or duties.

Mr. McFARLAND. Mr. President, let me inquire about Calendar No. 31, House Joint Resolution 27.

The PRESIDENT pro tempore. House Joint Resolution 27, Order No. 31, proposing an amendment to the Constitution of the United States relating to the terms of the office of the President, will, as the Chair understands, be taken up when the remainder of the calendar is called.

Mr. PEPPER. Mr. President, let me inquire about Senate bill 70, Calendar No. 32.

The PRESIDENT pro tempore. Senate bill 70, Calendar No. 32, exempting employers from liability for portal-to-portal wages in certain cases, was recommitted.

APPOINTMENTS TO CIVIL SERVICE OF PERSONS WITH PHYSICAL HANDICAP

The Senate proceeded to consider the bill (S. 459) to amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having impaired hearing to positions in the classified civil service, which had been reported from the Committee on Civil Service with amendments, on page 1, in line 8, after the words "because of", to strike out "his or her impaired hearing" and insert "any physical handicap"; on page 2, in line 3, after the word "with", to strike out "impaired hearing" and insert "such a physical handicap: *And provided further*, That his or her employment will not in any way endanger the health or safety of fellow employees"; and in line 7, after the word "with", to strike out "impaired hearing" and insert "a physicial handicap", so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to regulate and improve the civil service of the United States," as amended (22 Stat. 403), is amended by adding at the end of paragraph "Second" the following new subparagraph:

"Ninth, that no person shall be discriminated against in any case because of any physical handicap, in examination, appointment, reappointment, reinstatement, reemployment, promotion, transfer, retransfer, demotion, or removal, with respect to any position the duties of which, in the opinion of the head of the agency concerned, may be efficiently performed by a person with such a physical handicap: *And provided further*, That his or her employment will not in any way endanger the health or safety of fellow employees."

SEC. 2. On and after the date of enactment of this act, any person with a physical handicap who shall have served at least 1 year in the postal service and whose separation from the service is involuntary and without prejudice shall acquire, upon passing such suitable noncompetitive examination as the Civil Service Commission shall prescribe, a classified civil-service status.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "An act to amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having any physical handicap to positions in the classified civil service."

BILLS PASSED OVER

The bill (S. 565) to amend section 3539 of the Revised Statutes relating to taking trial pieces of coins was announced as next in order.

Mr. LUCAS. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 566) to amend sections 3533 and 3536 of the Revised Statutes with respect to deviations in standard of ingots and weight of silver coins was announced as next in order.

Mr. LUCAS. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

PREPARATION OF REVISED EDITION OF ANNOTATED CONSTITUTION OF THE UNITED STATES

The Senate proceeded to consider the joint resolution (S. J. Res. 69) to prepare a revised edition of the Annotated Constitution of the United States of America as published in 1938, as Senate Document No. 232 of the Seventy-fourth Congress, which had been reported from the Committee on the Judiciary with an amendment, on page 2, in line 8, after the word "Office", to strike out "as a Senate document" and insert "Three thousand copies shall be printed, of which two thousand two hundred copies shall be for the use of the House of Representatives and eight hundred copies for the use of the Senate," so as to make the joint resolution read:

Resolved, etc., That the Librarian of Congress is hereby authorized and directed to have the Annotated Constitution of the United States of America, published in 1938, revised and extended to include annotations of decisions of the Supreme Court prior to January 1, 1948, construing the several provisions of the Constitution correlated under each separate provision, and to have the said revised document printed at the Government Printing Office. Three thousand copies shall be printed, of which 2,200 shall be for use of the House of Representatives and 800 copies for the use of the Senate.

SEC. 2. There is hereby authorized to be appropriated for carrying out the provisions of this act, with respect to the preparation but not including printing, the sum of $35,000 to remain available until expended.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

BILL PASSED OVER

The bill (H. R. 1968) making appropriation to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, was announced as next in order.

Mr. WHITE. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

That completes the calendar.

PROHIBITION OF PORTAL-TO-PORTAL PAY SUITS

Mr. WILEY obtained the floor.

Mr. LUCAS. Mr. President, will the Senator from Wisconsin yield?

Mr. WILEY. I yield.

Mr. LUCAS. What became of Order of Business No. 32, Senate bill 70?

The PRESIDENT pro tempore. The bill was recommitted to the Committee on the Judiciary earlier in the day.

Mr. LUCAS. By unanimous-consent agreement?

The PRESIDENT pro tempore. Yes.

Mr. LUCAS. I ask the Senator from Wisconsin when he expects to have the bill before the Senate, since it has been returned to the committee.

Mr. WILEY. At the request of the chairman of the subcommittee which had charge of the bill, the Senator from Missouri [Mr. DONNELL], this morning the committee agreed that the bill should go back for some corrections or slight modifications which the chairman of the subcommittee thought were proper. The committee is to have a meeting Wednesday, and the understanding is that the bill will be reported to the Senate and placed on the calendar Wednesday.

Mr. LUCAS. Will there be hearings on the bill or have the hearings been closed?

Mr. WILEY. Although I am not definitely informed, I understand there are merely some slight changes in language to be made, which were requested by the chairman of the subcommittee. So the action of the committee was that the request should be granted. I made the request on the floor of the Senate today, and the bill was ordered recommitted to the committee.

THE PRESIDENTIAL TERM

The PRESIDENT pro tempore. Does the Senator from Wisconsin renew his motion that the Senate proceed to the consideration of Order of Business No. 31, House Joint Resolution 27?

Mr. WILEY. Yes.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

Mr. HATCH. Mr. President, will the Senator from Wisconsin yield in order that I might ask him a question in regard to a bill on the calendar?

Mr. WILEY. I yield to the Senator.

Mr. HATCH. As I understand the situation, Order of Business No. 27, Senate bill 503, relating to the creation or chartering of certain corporations by act of Congress, was called in regular order and the Senator from Oklahoma [Mr. MOORE] objected to its present consideration. I think the Senator from Oklahoma stated that he merely desired to offer an amendment. I understand the Senator from Oklahoma does not now have his amendment ready. I do not know what the amendment is. I do know something about the general nature of the bill. I think it is a commendable measure, which the Senate should pass. However, if a Senator desires to offer an amendment, and needs time to prepare it, I respectfully submit that there is no immediate urgency for action on the bill, which has been pending before the committee at least a year or 2 years, to my knowledge, and I suggest that the Senator wait until the Senator from Oklahoma can prepare and offer his amendment.

The PRESIDENT pro tempore. The Senator is speaking of an entirely different bill.

Mr. HATCH. I may be, but I am asking for information.

Mr. WILEY. The Senator from New Mexico is confused. What the Senator from Oklahoma had in mind was Order of Business No. 27, but I have asked that Order of Business No. 31 be made the unfinished business.

INVESTIGATION OF SECURITIES AND EXCHANGE COMMISSION AND POST OFFICE DEPARTMENT

Mr. McCARRAN. Mr. President, before the Senator from Wisconsin persists with his motion, will he yield for the consideration of a resolution I wish to offer?

The PRESIDENT pro tempore. The Senator from Wisconsin does not hold the floor. He has made a motion, and the Senator from Nevada is recognized.

Mr. McCARRAN. Mr. President, I send to the desk a resolution and ask the attention of the leader of the majority and the leader of the minority.

The PRESIDENT pro tempore. The Senator from Nevada submits a resolution, which the clerk will state for the information of the Senate.

The resolution (S. Res. 90) was read, as follows:

Resolved, That the subcommittee established on January 20, 1947, by the Committee on the Judiciary (to continue the investigation of the Securities and Exchange Commission and the Post Office Department, authorized by Senate Resolution 35, Seventy-ninth Congress, as extended) shall be deemed to have been established on January 2, 1947; and the functions, powers, and duties imposed on the subcommittee in existence on January 1, 1947, by such Senate Resolution 35, shall be deemed to have been transferred on January 2, 1947, to the subcommittee established on January 20, 1947.

Mr. McCARRAN. Mr. President, I should like to say a word in explanation.

Mr. TAFT. Mr. President, does the resolution refer to a subcommittee of the Committee on the Judiciary?

Mr. McCARRAN. Yes. A resolution was offered during the Seventy-ninth Congress by both Senators from the State of Florida, requesting that the Committee on the Judiciary or a subcommittee thereof make certain investigations as to the acts of agents of the Post Office Department and the Securities and Exchange Commission.

Pursuant to that resolution a subcommittee was appointed to make the investigation. We made the investigation, except as to one witness whom we were unable to subpena until the early part of this year, and two other witnesses whom his testimony indicated we should hear.

During the latter part of the Seventy-ninth Congress the Senator from Illinois [Mr. LUCAS] submitted a resolution, which was unanimously adopted, providing that all subcommittees and special committees then empowered to hold hearings and proceed might go forward with their hearings until the 1st day of February of this year. Pursuant to that resolution a subcommittee of the Committee on the Judiciary held hearings after the third of January this year. At the present time the financial clerk of the Senate refuses to pay $209, or thereabouts, because the hearing was held after the 3d of January.

The Committee on the Judiciary of the Senate, in order to continue the hearings, appointed a new subcommittee, which is now in existence, and which will go forward with the hearings to a conclusion, which will be worked out very shortly.

The financial clerk of the Senate, in order to satisfy the requirements as he sees them, thinks the resolution I am now offering should be adopted. The legislative counsel, who drew the resolution, deems it necessary.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution? The Chair hears none, and the question is on agreeing to the resolution.

The resolution was agreed to.

ALLOCATION OF HIDES FOR EXPORTS

Mr. BUTLER. Mr. President, the Office of Export Controls has just reduced by 15,000 the allocation of hides for export from the February figure of 60,000 to 45,000 for March. This reduction has caused an immediate break in the hides market, and further weakness is indicated. Since hides are the most important byproduct of cattle slaughter, there is no doubt that this price collapse will be reflected right back to the farmer.

Just recently it was necessary for some of us to protest very strongly to the Office of Export Controls in order to secure permission to export any hides at all. Until recently there was an absolute embargo on the export of hides, in spite of the fact that domestic hides were in good supply, and the domestic price was barely half the price being charged by Argentina and other export countries.

In my opinion, this matter of hide exports gets at the very heart of the question of whether we are willing to extend some assistance to the devastated countries abroad. I am told that in Poland, for example, the shortage of hides and leather is so great that a pair of shoes costs as much as an entire month's salary for the average man. This is due, in part, at least, to the world shortage of hides and the exorbitant prices that are being charged by a few other exporters.

We can do our part toward granting some assistance to these impoverished nations overseas by breaking down this monopoly war price and making just a few of our domestic hides available for Europe. For these reasons, I have protested very strongly to the Office of Export Controls and the Office of War Mobilization and Reconversion against the reduction in the export quota.

While we are on the subject, Mr. President, it occurs to me that we might well consider wiping out entirely this export control on hides, in connection with all the other unnecessary war-time restrictions that we are abolishing. It is clear to me that there is no drastic urgency for retaining this control on the export of hides. I believe we have here another case of a regulation which is retained simply for the purpose of regulating. Incidentally, if the State Department is as interested in expanding our export markets as it always pretends to be, it might take this opportunity to permit expansion of exports of a farm product, for a change, and use its influence to have the controls on hide exports abolished.

THE PRESIDENTIAL TERM

Mr. WILEY. Mr. President, I renew my motion.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Wisconsin that the Senate proceed to the consideration of House Joint Resolution 27.

The motion was agreed to and the Senate proceeded to consider the joint resolution (H. J. Res. 27), proposing an amendment to the Constitution of the United States relating to the terms of office of the President, which had been reported from the Committee on the Judiciary with amendments.

CONDITIONS IN THE COAL-MINING INDUSTRY

Mr. CAPEHART. Mr. President, I have recently interested myself in a matter which I feel certain is also a matter of interest to the Congress and, I know,

to the American people. I find this unusual situation today, namely, that the coal mines of the country are being operated, technically speaking, by the Government. The American people and I think the Senate will be interested in four or five questions:

First. Are we going to have another coal strike?

Second. When are the mines going to be returned by the Government to their rightful owners?

Third. Why have not the mine owners and the union made a new contract, or at least made an effort to make a contract?

Fourth. Why has not the Government insisted that the mine operators take back their mines?

Fifth. What has happened to the so-called miners' welfare fund?

I think we should interest ourselves particularly in the last question.

To try to obtain information and to get some enlightenment on this subject, I addressed a letter to Mr. John L. Lewis, president of the United Mine Workers of America. I should like first to explain the letter, and then I shall ask unanimous consent to have a copy of my letter printed in the RECORD. In the letter I asked Mr. Lewis four specific questions:

1. What steps has the Government taken concerning returning the mines to the mine owners?
2. When will negotiations start between the mine operators and the miners' union with respect to a new contract?
3. What disposition has been made of the miners' welfare fund, and how much money is in the fund at the moment? How much money has been spent, and for what purposes?
4. Who are the trustees of the welfare fund?

Mr. President, I ask unanimous consent to have a copy of my letter inserted in the RECORD at this point, so that I may not have to read the entire letter.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 27, 1947.

Mr. JOHN L. LEWIS,
President, United Mine Workers of America, Washington, D. C.

DEAR MR. LEWIS: We have a number of coal mines and many coal miners in the State of Indiana, and I am vitally interested in the subject of coal and employment for our Indiana miners.

I am hopeful that a strike can be avoided when your contract with the Government expires next April 1, and would appreciate very much your position on the following:

1. What steps has the Government taken toward returning the mines to the mine owners?
2. When will negotiations start between the mine operators and the miners' union with respect to a new contract?
3. What disposition has been made of the miners' welfare fund, and how much money is in the fund at the moment? How much money has been spent and for what purposes?
4. Who are the trustees of the welfare fund?

I am likewise dispatching a letter today to Mr. Julius Krug, Secretary of the Interior, along similar lines.

While I hope I am wrong, nevertheless I am fearful that the matter of returning the coal mines to their owners is one that very little thought, if any, is being given at the moment by the Government or the operators themselves.

Sincerely,

HOMER E. CAPEHART.

Mr. CAPEHART. Mr. President, on the same day I wrote to the Honorable Julius A. Krug, Secretary of the Interior, asking him the same questions, except that I added one question, as follows:

5. Why has not the report of the Government health department concerning the necessity for welfare for the miners been released to the public?

In order to save time I ask unanimous consent that a copy of my letter to Mr. Krug be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 27, 1947.

Hon. JULIUS KRUG,
Secretary of the Interior, Washington, D. C.

DEAR MR. KRUG: We have a number of coal mines and many coal miners in the State of Indiana, and I am vitally interested in the subject of coal and employment for our Indiana miners.

I am hopeful that a strike can be avoided when the Government's agreement with the miners expires on April 1, and would appreciate very much your understanding of the following:

1. What steps has the Government taken toward returning the mines to the mine owners?
2. When will negotiations start between the mine operators and the miners' union with respect to a new contract?
3. What disposition has been made of the miners' welfare fund and how much money is in the fund at the moment? How much money has been spent and for what purposes?
4. Who are the trustees of the welfare fund?
5. Why has not the report of the Government health department concerning the necessity for welfare for the miners been released to the public?

While I hope I am wrong, nevertheless I am fearful that the matter of returning the coal mines to their owners is one that very little thought, if any, is being given at the moment by the Government or the operators themselves.

Sincerely,

HOMER E. CAPEHART.

Mr. CAPEHART. I received a reply to both letters, one from Mr. John L. Lewis; the other from Capt. N. H. Collisson, United States Naval Reserve, who is the Coal Mines Administrator. I read from the letter from Mr. Lewis:

Hon. HOMER E. CAPEHART,
United States Senate, Washington, D. C.

DEAR SENATOR CAPEHART: I will undertake to answer categorically the four questions set forth in your letter of February 27.

I am now reading from the letter of John L. Lewis:

No. 1. What steps has the Government taken toward returning the mines to the mine owners?

That was my first question. John L. Lewis' answer is that there has been "none."

My second question—I am reading from Mr. Lewis' letter—is:

When will negotiations start between the mine operators and the miners' union with respect to a new contract?

His answer is as follows:

This depends solely upon the Government and the mine operators. Since December 7, last, the United Mine Workers have been publicly on record as willing to negotiate a new wage agreement for the bituminous industry, either with the Government or with the associated coal operators. During the period from December 7, last, to date, no overtures of any character on this subject have been made to the United Mine Workers of America.

Mr. Lewis goes on to say:

I attach formal statement on this subject, issued December 7, 1946, in verification.

At this point, Mr. President, I ask unanimous consent to have the statement of the president of the United Mine Workers of America, addressed "To all members and all local unions in the bituminous districts of the United States, United Mine Workers of America," printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

UNITED MINE WORKERS OF AMERICA,
Washington, D. C., December 7, 1946.

To All Members and All Local Unions in the Bituminous Districts of the United States, United Mine Workers of America, Greetings:

The administration "yellow-dog" injunction has reached the Supreme Court. The Supreme Court of the United States is a constitutional court. Its powers are derived from the Federal Constitution. The Supreme Court is, and we believe will ever be, the protector of American liberties and the rightful privileges of individual citizens. The issues before the Court are fateful for our Republic. It may be presumed that the verdict of the Court, when rendered, will affect the life of every citizen. These weighty considerations and the fitting respect due the dignity of this high tribunal imperatively require that, during its period of deliberation, the Court be free from public pressure superinduced by the hysteria and frenzy of an economic crisis. In addition, public necessity requires the quantitative production of coal during such period.

Each member is therefore advised as follows:

All mines in all districts will resume production of coal immediately until 12 o'clock midnight, March 31, 1947. Each member is directed to return to work immediately to their usual employment, under the wages, working hours, and conditions of employment in existence on and before November 20, 1946. Each mine committee, in cooperation with the officers of each bituminous district, will enforce these employment conditions at each mine. Further advice and instructions will be sent from time to time as authorized by the national policy committee or the responsible and authoritative officers of your organization.

During the working period thus defined, the negotiating committee of the United Mine Workers of America will be willing to negotiate a new wage agreement for the bituminous industry with such parties as may demonstrate their authority so to do, whether it be an alphabetical agency of the United States Government or the associated coal operators. If, as and when such negotiations ensue, your representatives will act in full protection of your interests, within the limitations of the findings of the Supreme Court of the United States.

Let there be no hesitation upon the part of any individual member with respect to the effectuation of the policy herein defined. Complete unity of action is our sole source of strength. We will, as always, act together and await the rendition of legal and economic justice.

I salute you, beside whom I have been privileged to fight.

Sincerely,

JOHN L. LEWIS.

Mr. CAPEHART. My third question to Mr. Lewis was:

What disposition has been made of the miners' welfare fund and how much money is in the fund at the moment? How much money has been spent, and for what purposes?

His answer is as follows:

Accrued moneys in the welfare and retirement fund, created under the agreement of May 29, 1946, between the Government and the United Mine Workers of America, amounted to $13,472,848.78 as of the close of business on January 31, 1947. As an ad interim arrangement pending the selection of trustees to administer the fund, this money is in possession of Rear Adm. W. A. Buck, SC, USN. During the 9 months of the contract there have been no disbursements from the fund nor expenditures of any kind for any purpose.

My fourth question was:

Who are the trustees of the welfare fund?

His answer is as follows:

Under the agreement, the Government is to appoint one trustee, the United Mine Workers one, and these two to select a third. The Government has recently designated Capt. N. H. Collisson, USNR, Coal Mines Administrator, as its trustee of the fund. The United Mine Workers of America has designated the undersigned. The undersigned has submitted to Captain Collisson a list of 11 eminent and qualified Americans for possible selection as the third trustee. We now await the Government's decision in the premises.

Mr. Lewis goes on to say further:

You will appreciate, I am sure, that the undersigned is obliged to talk with restraint on this subject. The decision of the Supreme Court is not yet forthcoming as affecting the yellow-dog injunction issued by Judge Goldsborough.

That is signed by John L. Lewis.

Mr. President, I ask unanimous consent to have a copy of the letter from Mr. Lewis printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED MINE WORKERS OF AMERICA,
Washington, D. C., February 28, 1947.

Hon. HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPEHART: I will undertake to answer categorically the four questions set forth in your letter of February 27.

1. What steps has the Government taken toward returning the mines to the mine owners?

Answer. None.

2. When will negotiations start between the mine operators and the miners' union with respect to a new contract?

Answer. This depends solely upon the Government and the mine operators. Since December 7, last, the United Mine Workers have been publicly on record as willing to negotiate a new wage agreement for the bituminous industry, either with the Government or the associated coal operators. During the period from December 7, last, to date, no overtures of any character on this subject have been made to the United Mine Workers of America. I attach formal statement on this subject, issued December 7, 1946, in verification.

3. What disposition has been made of the miners' welfare fund and how much money is in the fund at the moment? How much money has been spent and for what purposes?

Answer. Accrued moneys in the welfare and retirement fund, created under the agreement of May 29, 1946, between the Government and the United Mine Workers of America, amounted to $13,472,848.78 as of the close of business on January 31, 1947. As an ad interim arrangement pending the selection of trustees to administer the fund, this money is in possession of Rear Adm. W. A. Buck, Supply Corps, United States Navy. During the 9 months of the contract there have been no disbursements from the fund nor expenditures of any kind for any purpose.

4. Who are the trustees of the welfare fund?

Answer. Under the agreement, the Government is to appoint one trustee, the United Mine Workers one, and these two to select a third. The Government has recently designated Capt. N. H. Collisson, United States Naval Reserve, Coal Mines Administrator, as its trustee of the fund. The United Mine Workers of America has designated the undersigned. The undersigned has submitted to Captain Collisson a list of 11 eminent and qualified Americans for possible selection as the third trustee. We now await the Government's decision in the premises.

You will appreciate, I am sure, that the undersigned is obliged to talk with restraint on this subject. The decision of the Supreme Court is not yet forthcoming as affecting the "yellow dog" injunction issued by Judge Goldsborough.

Sincerely yours,

JOHN L. LEWIS.

Mr. CAPEHART. Now, Mr. President, I have a letter from Capt. N. H. Collisson, Coal Mines Administrator, on the same subject, answering the same five questions. I shall read his letter:

The Honorable HOMER E. CAPEHART,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Your letter of February 27 addressed to the Secretary of the Interior has, in his absence from the city, been referred to me for reply. Both the Secretary and I share your interest in the production of bituminous coal and in uninterrupted employment in this industry.

I should note, by way of preliminary comment, that I consider your statement that "the Government's agreement with the miners expires on April 1" to be mistaken. The present Krug-Lewis agreement does not contain any termination date.

That was a matter of controversy, of course, between the union and the Government, as Senators will remember, some few months ago, and I shall not comment on that, except to say that in the present situation the Government and the miners are working under an agreement which has no expiration date. I will have something to say about that in a moment. Then Captain Collisson continues:

I am glad to answer each of the specific questions set forth in your letter:

1. What steps has the Government taken toward returning the mines to the mine owners?

2. When will negotiations start between the mine operators and the miners' union with respect to a new contract?

Those were two questions which I put to Captain Collisson, Mr. Krug's representative. Captain Collisson answered them as follows:

On September 11 last, the then Coal Mines Administrator convened a meeting of the union representatives and the coal operators' negotiating committee.

That was on last September 11.

At this meeting differences developed between the so-called northern and southern operators, and Mr. Lewis declined to enter into negotiations on other than a national basis.

On October 19 Mr. Lewis stated his willingness to attend any conference with the operators which might be called. However, during the period November 1 to November 15, and until December 7, the union refused to negotiate with the operators.

On the other hand, representatives of the operators, including the southern operators, assured the Secretary of the Interior of their willingness to negotiate with the union.

On December 7, Mr. Lewis published his letter to his union membership, in which he stated the willingness of the union "to negotiate a new wage agreement for the bituminous industry with * * * the associated coal operators."

On December 13 a group representing a substantial segment of the operators assured the Secretary of the Interior that they were prepared to advise the union of their willingness to open negotiations.

Upon urging of the Coal Mines Administrator, the National Bituminous Coal Operators' negotiating committee met in Washington on December 19 with a view to opening negotiations with the union. From statements made public at the close of that meeting, it appeared that the southern and far western operators refused to join in negotiations with the union on a national basis at that time. I am informed that for all practical purposes the operators' national negotiating committee was dissolved at that meeting by adjourning sine die.

Since that time I have been constantly engaged, through talks with numerous operators, representative of all groups, to bring about a negotiating conference between the operators and the union. These efforts have been fruitless. According to my best information, the causes for the unwillingness of the parties to enter into contract negotiations are: The desire for a decision in the case pending in the Supreme Court; the lack of a representative national negotiating organization on the part of the operators; the divergent interests and attitudes of the operators; and the uncertainty with respect to labor legislation pending before the Congress. It is my personal view—

That is, the personal view of Captain Collisson, the Coal Mines Administrator—

that these considerations present no valid basis for the failure of the parties to meet for the purpose of negotiating a new contract. In these circumstances, I cannot give categorical answer to your inquiry as to when negotiations will start between the mine operators and the miners' union. You may, however, be assured that it is a primary objective of this Administration to bring about such negotiations at the earliest possible date.

My third question was as follows:

3. What disposition has been made of the miners' welfare fund and how much money is in the fund at the moment? How much money has been spent and for what purposes?

Captain Collisson's answer to that question is as follows:

Pending selection of trustees pursuant to section 4 (a) of the Krug-Lewis agreement, by arrangement with the union dated June 27, 1946, the Paymaster General of the Navy, as custodian, is collecting payments to this fund. Such payments are made from day to day and I am informally advised that the

fund now aggregates approximately $15,500,000. Under the arrangement referred to, the custodian is not authorized to make any disbursements except to turn the fund over to the trustees when appointed. No money has therefore been spent from this fund for any purpose.

My fourth question was:

4. Who are the trustees of the welfare fund?

To that question Captain Collisson replied as follows:

The Krug-Lewis agreement provides for the appointment of one trustee by the United Mine Workers of America and one trustee by the Coal Mines Administrator, these two to select a third. On December 30 I received a letter dated December 26 from the United Mine Workers of America advising, for the first time, that the union's international executive board had on June 19, 1946, designated Mr. Lewis as its trustee.

At the suggestion of the Secretary of the Interior, I, as Coal Mines Administrator, appointed myself one of the trustees pursuant to the Krug-Lewis agreement nd advised the union of this appointment under date of January 22, 1947.

On February 26 I received from Mr. Lewis, as trustee, a letter enclosing a list of the names of 11 persons for consideration as the third trustee. The appointment of the third trustee is now being given the thorough consideration which it deserves.

My fifth question was as follows:

5. Why has not the report of the Government health department concerning the necessity for welfare for the miners been released to the public?

Captain Collisson replied to my fifth question as follows:

The survey of medical and sanitary facilities undertaken by the Coal Mines Administrator under section 5 of the Krug-Lewis agreement was carried out by naval medical officer personnel and was started in June 1946. It has required detailed inspection of, and collection of data regarding, mining communities widely spread throughout the Nation. The field work of this survey was completed in late October 1946—

That is 4 months ago—

and the task of assembling, digesting, and correlating the statistics and information collected was immediately commenced. By virtue of excessive overtime hours on the part of the survey staff, the final report has been largely completed and it is estimated that a minimum of 30 days will be required for proofreading, printing, binding, and release of the final report.

Captain Collisson's concluding paragraph is as follows:

Let me assure you that whatever may be the varying attitudes of the operators and the union from time to time, the return of the coal mines to their owners has at all times been and will continue to be a primary objective of the Coal Mines Administration.

Sincerely yours,

N. H. COLLISSON,
Captain, United States Naval Reserve,
Coal Mines Administrator.

Mr. President, I ask unanimous consent that the letter may be printed in full in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
COAL MINES ADMINISTRATION,
Washington 25, D. C., March 2, 1947.

The Honorable HOMER E. CAPEHART,
The United States Senate,
Washington, D. C.

MY DEAR SENATOR: Your letter of February 27th addressed to the Secretary of the Interior has, in his absence from the city, been referred to me for reply. Both the Secretary and I share your interest in the production of bituminous coal and in uninterrupted employment in this industry.

I should note, by way of preliminary comment, that I consider your statement that "the Government's agreement with the miners expires on April 1" to be mistaken. The present Krug-Lewis agreement does not contain any termination date.

I am glad to answer each of the specific questions set forth in your letter:

1. What steps has the Government taken toward returning the mines to the mine owners?

2. When will negotiations start between the mine operators and the miners' union with respect to a new contract?

On September 11 last, the then Coal Mines Administrator convened a meeting of the union representatives and the coal operators' negotiating committee. At this meeting differences developed between the so-called northern and southern operators and Mr. Lewis declined to enter into negotiations on other than a national basis.

On October 19 Mr. Lewis stated his willingness to attend any conference with the operators which might be called. However, during the period November 1 to November 15 and until December 7, the union refused to negotiate with the operators.

On the other hand representatives of the operators, including the southern operators, assured the Secretary of the Interior of their willingness to negotiate with the union.

On December 7, Mr. Lewis published his letter to his union membership in which he stated the willingness of the union "to negotiate a new wage agreement for the bituminous industry with * * * the associated coal operators."

On December 13 a group representing a substantial segment of the operators assured the Secretary of the Interior that they were prepared to advise the union of their willingness to open negotiations.

Upon urging of the Coal Mines Administrator, the national bituminous coal operators' negotiating committee met in Washington on December 19 with a view to opening negotiations with the union. From statements made public at the close of that meeting it appeared that the southern and far western operators refused to join in negotiations with the union on a national basis at that time. I am informed that for all practical purposes the operators' national negotiating committee was dissolved at that meeting by adjourning sine die.

Since that time I have been constantly engaged, through talks with numerous operators, representative of all groups, to bring about a negotiating conference between the operators and the union. These efforts have been fruitless. According to my best information, the causes for the unwillingness of the parties to enter into contract negotiations are the desire for a decision in the case pending in the Supreme Court; the lack of a representative national negotiating organization on the part of the operators; the divergent interests and attitudes of the operators; and the uncertainty with respect to labor legislation pending before the Congress. It is my personal view that these considerations present no valid basis for the failure of the parties to meet for the purpose of negotiating a new contract. In these circumstances, I cannot give categorical answer to your inquiry as to when negotiations will start between the mine operators and the miners' union. You may, however, be assured that it is a primary objective of this administration to bring about such negotiations at the earliest possible date.

3. What disposition has been made of the miners' welfare fund and how much money is in the fund at the moment? How much money has been spent and for what purposes?

Pending selection of trustees pursuant to section 4 (a) of the Krug-Lewis agreement, by arrangement with the union dated June 27, 1946, the paymaster general of the Navy, as custodian, is collecting payments to this fund. Such payments are made from day to day, and I am informally advised that the fund now aggregates approximately $15,500,000. Under the arrangement referred to, the custodian is not authorized to make any disbursements except to turn the fund over to the trustees when appointed. No money has, therefore, been spent from this fund for any purpose.

4. Who are the trustees of the welfare fund?

The Krug-Lewis agreement provides for the appointment of one trustee by the United Mine Workers of America and one trustee by the Coal Mines Administrator, these two to select a third. On December 30 I received a letter, dated December 26, from the United Mine Workers of America advising, for the first time, that the union's international executive board had on June 19, 1946, designated Mr. Lewis as its trustee.

At the suggestion of the Secretary of the Interior, I, as Coal Mines Administrator, appointed myself one of the trustees pursuant to the Krug-Lewis agreement and advised the union of this appointment under date of January 22, 1947.

On February 26 I received from Mr. Lewis, as trustee, a letter enclosing a list of the names of 11 persons for consideration as the third trustee. The appointment of the third trustee is now being given the thorough consideration which it deserves.

5. Why has not the report of the Government health department concerning the necessity for welfare for the miners been released to the public?

The survey of medical and sanitary facilities undertaken by the Coal Mines Administrator under section 5 of the Krug-Lewis agreement was carried out by naval medical officer personnel and was started in June 1946. It has required detailed inspection of, and collection of data regarding, mining communities widely spread throughout the Nation. The field work of this survey was completed in late October 1946, and the task of assembling, digesting, and correlating the statistics and information collected was immediately commenced. By virtue of excessive overtime hours on the part of the survey staff the final report has been largely completed, and it is estimated that a minimum of 30 days will be required for proofreading, printing, binding, and release of the final report.

Let me assure you that whatever may be the varying attitudes of the operators and the union from time to time the return of the coal mines to their owners has at all times been, and will continue to be, a primary objective of the Coal Mines Administration.

Sincerely yours,

N. H. COLLISSON,
Captain, USNR, Coal Mines Administrator.

Mr. CAPEHART. Mr. President, after hearing read the letters I wrote and questions I submitted to both Mr. Krug and Mr. Lewis, and after listening to the answers of both, I think my colleagues

must be about as much confused as I am, and about as much confused as are the American people. I am not only somewhat confused, but I am likewise a little frightened, because, from a technical standpoint, we have at the moment nationalized our coal mines. We have a situation in which our Government is operating the coal mines under an agreement between it and the miners, and yet the coal operators are taking the profits. We have a situation, as is brought out by the two letters which I have just finished reading, in which it appears to me that the coal operators, meaning the mine owners, have made no effort to take back their own property. We have likewise the situation that, while Mr. John Lewis states that he has been ready at all times to sit down and negotiate with the Government or with the operators, yet Captain Collisson in his reply, it will be noted, states on one or two occasions that Lewis evidently was not willing to sit down and negotiate. It is a very serious situation. Someday the Government will have to return the coal mines to their rightful owners, or the Government will have to continue to operate them forever, either on the basis of the owners keeping the profits, or the Government taking over the coal mines and nationalizing them, to which I am 100-percent opposed.

So far the Government has been unable to get the mine owners to take their mines back. So far the Government has been unable to get the mine owners and the miners' union to sit down and negotiate a contract. In other words, collective bargaining in this instance has completely failed. I shall not discuss the merits or demerits of the welfare fund, or the coal strike which occurred about a year ago. I shall not discuss the merits or demerits of the question whether the miners should have more pay or less pay. I have my own opinion on that subject. I do not rise today to uphold Mr. Lewis' position, the Government's position, or the position of the mine operators. I do rise to point out to the Senate and to the people of America the situation which actually exists today, and to say that so far as I am able to learn, no effort is being made—or at least no progress is being made—in respect to returning private property which is now technically in the hands of our Government. To me the situation is serious and dangerous.

The able chairman of the Committee on Interstate and Foreign Commerce [Mr. WHITE] has told me that he feels that the Government, the mine operators, and the miners' union should be called before the Committee on Interstate and Foreign Commerce to give testimony on the exact status of the situation which exists. I understand that no legislation is necessary; but I call the attention of the Senate to the situation so that Senators may know that I am hopeful that the able chairman of the Committee on Interstate and Foreign Commerce will call the various interests together in order that we may get the answer as to what Congress and the American people may expect in the future.

Mr. President, if this question is not settled the Congress will be called upon some of these days to enact legislation in an effort to untangle what today, in my opinion, is a very serious situation. As I understand, the decision of the Supreme Court has absolutely nothing to do with what we are talking about. In closing, I express the sincere hope that the Congress of the United States will take some action. In my opinion that action should be a hearing on this subject.

TREATMENT OF PRISONERS OF WAR

Mr. KNOWLAND. Mr. President, I wish to discuss very briefly a matter which I think is of considerable concern to the American people and to the Government of the United States.

Late in January there came into my hands information from an unimpeachable source relative to the treatment of prisoners of war. I refer to enemy prisoners of war in the European theater of operations. I wish to call attention to the fact that it is generally understood that 2,000 calories are considered necessary to maintain a decent standard. However, the information which I have shows that approximately 1,700 calories will result in slow starvation, and that there are many thousands of prisoners of war being held who are receiving 1,500 calories or less.

I immediately dispatched a letter to both the Secretary of War and the Secretary of State, to see just what the situation might be relative to the prisoners held in custody by the Government of the United States. First, I wish to read my letter to the Secretary of War. I may say that my letter to the Secretary of State was in similar language. My letter to the Secretary of War is as follows:

JANUARY 27, 1947.

Hon. ROBERT P. PATTERSON,
Secretary of War, Washington, D. C.

DEAR MR. SECRETARY: Would you please furnish me with information as to the number of prisoners of war the United States turned over to the French or other Allied powers who are still being held by those powers; also information as to the number of prisoners of war, if any, by nationalities, which the United States is now holding?

I would also like to have information as to the return of prisoners of war that were held by this country to their respective nations of origin, by months, since VJ-day.

Sincerely yours,

WILLIAM F. KNOWLAND,
United States Senator.

I ask unanimous consent to have printed in the RECORD at this point the reply from the Secretary of State, which I received on February 10.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, February 10, 1947.

The Honorable WILLIAM F. KNOWLAND,
United States Senate.

MY DEAR SENATOR KNOWLAND: I refer to your letter of January 27, 1947, requesting certain information concerning the disposition of prisoners of war captured by the American forces.

In connection with your inquiry regarding the number of such prisoners of war turned over to the French and other Allied Powers, you are informed that approximately 674,000 German prisoners of war were transferred to the French, Belgian, Netherlands, and Luxemburg Governments. Of this number, approximately 620,000 were turned over to the French authorities. As you are no doubt aware, this Government recently approached the four Governments concerned asking that these prisoners of war be repatriated under a graduated program to be completed by October 1, 1947, at the latest. Negotiations are now under way with these Governments to set in motion this program.

With respect to the number of enemy prisoners of war still under the direct control of American military authorities, the following is submitted, based on most recent figures received from the War Department:

1. In the United States: Of the total number of enemy prisoners of war formerly held in this country, only 147 Germans and Italians now remain. These are confined in disciplinary or medical institutions. There are no Japanese prisoners of war presently held in the United States.

2. In Europe: Approximately 58,000 German military personnel are now held under the direct control of the American authorities in Europe. It is expected that all of these will have been repatriated by July 1, 1947, at the latest. There are no Italian or Japanese prisoners of war held by us in Europe.

3. In the Far East: The repatriation of Japanese prisoners of war held under the direct control of American authorities in the Far East has been completed with the exception of those held in connection with war crimes.

Since the repatriation of enemy prisoners of war is carried out by the military authorities, your request for repatriation data by months since VJ-day is being referred to the War Department for reply direct to you on that portion of your inquiry.

Sincerely yours,

G. C. MARSHALL.

Mr. KNOWLAND. On February 14 I received a reply from the War Department, which I desire to read:

WAR DEPARTMENT,
WAR DEPARTMENT SPECIAL STAFF,
LEGISLATIVE AND LIAISON DIVISION,
Washington, D. C., February 14, 1947.

Hon. WILLIAM F. KNOWLAND,
United States Senate,

DEAR SENATOR KNOWLAND: The Secretary of State has transmitted to the Secretary of War a copy of your letter dated January 27, 1947, requesting certain information concerning the disposition of prisoners of war captured by the armed forces.

The information transmitted to you by the Secretary of State is basically correct with the principal exception being in regard to the number of enemy prisoners of war still under the direct control of American military authorities in Europe. As of February 3, 1947, 24,834 German prisoners of war remained in the United States custody in the European theater of operations, approximately 2,216,000 prisoners having been discharged.

With regard to your request for information as to the return of prisoners of war held by this country to their respective nations of origin, by months, since VJ-day, it is regretted that this information is not presently available since the final disposition of prisoners of war is made by the theater commander concerned and at present the War Department has yet to complete over 1,000,000 prisoner-of-war files as required by the provisions of article 77 of the Geneva Convention. However, of the 435,788 prisoners of war interned in prisoner-of-war camps in the United States, all were returned to the

theater in which they were captured for rehabilitation between November 1945 and July 1946 except approximately 175,000 British-captured prisoners who were returned to the British, and 150 prisoners still in the United States in penal institutions, held for trial, in hospitals, etc.

It is regretted that specific information you request is not available, but trusted that the information contained herein will be adequate for your purpose. However, if additional information is desired, please do not hesitate to ask us.

Sincerely yours,

JOHN C. PITCHFORD,
Colonel, GSC.

It is my understanding, Mr. President, that the Government of the United States turned over to the French approximately 600,000 prisoners of war who were captured by the American forces, and it seems to me that we have a serious obligation, under the Geneva Convention, to make certain that the prisoners of war captured by the American Army and turned over to a foreign power shall receive the treatment required to be given prisoners of war under that convention. From the unimpeachable source from which I have received the information, I have reason to believe that the prisoners of war who are now in the hands of the French Government are not receiving the minimum requirements under the Geneva Convention.

It seems to me, Mr. President, that the Committee on Armed Services, if that be the proper committee of the Senate, and certainly the War Department, which is responsible for the capture of the prisoners, have a moral responsibility to see to it that such prisoners receive the treatment required by the Geneva Convention.

I sincerely hope, for the future of the Government of the United States in our dealings with matters of this kind, that the War Department is conducting a continuous survey of every prisoner-of-war camp in which men who have been turned over to the French by the American Government are incarcerated. If we are not very careful there may arise to embarrass us in later years a situation in which it can be shown that some prisoners captured by American forces are being treated not a great deal better than were some other prisoners who were thrown into concentration camps in Nazi Germany.

Mr. MORSE. Mr. President, I wish to associate myself with the remarks just made by the Senator from California, because I think he has raised a point which calls for immediate consideration by an appropriate committee of the Senate. I agree with him, speaking as a member of the Committee on Armed Services, that that committee is the appropriate committee to consider the subject.

The Senator refers to the number of calories being made available to prisoners of war, and he points out quite accurately that 1,550 calories, which I think is the present number allowed, are certainly not sufficient to maintain the human body in health. Of course, it should also be pointed out, I may say to the Senator from California, that under our military government in Germany, that is all we have thus far been able to allow the civilian population of Germany. When one has traveled through Germany, as I did last fall, he comes to the conclusion by personal observation that that amount of food is not sufficient to enable a people as a people to maintain the condition of health which is so necessary if Germany is to reconstruct itself and eventually become a self-supporting nation.

Along the line of the comment made by the Senator from California I wish to offer for the RECORD an article by Miss Dorothy Thompson on the question of war prisoners which was recently published in the newspapers. With the consent of the Senate I should like to have the article incorporated in the body of the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ON THE RECORD

(By Dorothy Thompson)

The crisis in which the world finds itself today—a crisis unparalleled in the history of the white race and western civilization—is a moral crisis. It is marked by the almost universal break-down of morality and law. The war has not been won and it is impossible to make peace because the moral crisis, which—we thought—culminated in the murderous regime of Adolf Hitler, has not been resolved. We are in a state of progressive moral anarchy, and add to our confusion by calling progressive disintegration progress.

In Nuremberg a Herr Sauckel was condemned and hanged because he brought foreign workers to Germany and impressed them into slave labor. Slave labor is labor performed against consent and without free contract.

In sentencing Herr Sauckel, the Allies departed from a time-honored principle of western law, that a crime is not a crime unless it has been previously so defined in law. The moral justification for branding as a crime an act justified as wartime necessity and clearly not defined and subject to legal sanctions in international law was that it was, in fact, a crime before the conscience of mankind. The test of such justification is, however, that the prosecutors, as guardians of that conscience, should henceforth recognize it as a crime—whenever and by whomever committed—subject to the same conscience and the same sanctions.

There is no law except that which its codifiers, prosecutors, and judges agree to live under themselves.

However, on the day following the execution of Herr Sauckel newspapers reported that Russia had repulsed German protests against the exportation of Germans for labor in Russia on the ground that the "Germans had unconditionally surrendered and therefore had no voice in the matter." No conscience of mankind was involved. A certain American major in Munich, who directed a German paper, had previously expressed a similar opinion regarding the forced deportations of Germans from the East. Since then a Soviet newspaper in Irkutsk has stated that 5,000,000 prisoners of war are being retained in Siberia for labor on railroads, in mines, and on public works projects.

The Soviet Union is not the only country who thus, nearly 2 years after the end of hostilities, is employing what was defined at Nuremberg as slave labor. The Soviet Union was never a signatory to the Geneva Convention respecting prisoners of war. But the United States and France were. The United States held to that convention during the war, when American prisoners of war were in the hands of the Germans. But when our own and French prisoners were released, so that there was no possibility of reprisals, the United States turned over German prisoners of war to France. That country, thereafter, with our consent and connivance and in defiance of the Geneva Convention, has been employing them ever since as slave labor under the same definition of slave labor as that used against Herr Sauckel in Nuremberg.

The general attitude of the public in Allied countries is that "it serves the Germans right." Few care to recall that President Roosevelt, in his foreign-policy speech of September 1944, gave a specific pledge to the German people: "The Allies do not traffic in human slavery."

Whoever raises his voice today in behalf of the application of the new Nuremberg law to all, including ourselves, is promptly castigated as pro-German.

But do only a handful of people see that we are therewith deepening the moral anarchy which is developing into physical anarchy?

Do only a handful of people see that we cannot possibly achieve universal peace unless we can put universal foundations under our political life?

Do only a handful of people see that if, having defeated Germany, we accept for ourselves Hitler's standards and Hitler's methods, Hitler has conquered?

The only way peoples and governments can establish moral foundations under their national and international life is by the acceptance and application of the Golden Rule. It is to do to no one what you would not want done to yourself under similar circumstances. That is the essence of justice—the capacity to put oneself, one's nation, one's class, one's race, one's society in the dock on the charges preferred against another, and ask: Were I in this position—I, my Nation, class, or race—would I accept this judgment as just?

That question is the basis of morality and law. And until we accept this foundation we shall have neither international peace, social peace, nor peace of mind. We shall simply go on going crazy, in a split-personality division between our avowed moral standards and our actual behavior.

Mr. MORSE. Mr. President, Miss Thompson does well to raise, as did the Senator from California, the question of the treatment of German prisoners of war who have been turned over to the French by the Americans. She also points out, as has the Senator from California, that we have an obligation in regard to those prisoners. But there is another body of war prisoners not mentioned by the Senator from California, whom I would mention, and for whom I admit we are not directly responsible, but in regard to whom I think we must show some interest in the coming Moscow Conference. They are the German prisoners held by the Russians. How many thousands of them there are I do not know, but I think, as participants in the Geneva Conference, we have an obligation to see to it that the principles of the Geneva treaties, insofar as the treatment of war prisoners is concerned, are lived up to by an ally as well as by ourselves, because, after all, the Allies have like responsibilities in regard to the treatment of war prisoners.

In this article Miss Thompson uses the term "labor slaves" as applied to war prisoners, in calling the matter to our attention. I think we need to give due consideration to the subject.

I close this part of my remarks with this conclusion. We are not going to have permanent peace, Mr. President, unless in the Moscow Conference and other conferences—because there will be

many additional conferences—we as signatories to the San Francisco Charter make it perfectly clear to the world that we propose, through the United Nations, to see to it that the objectives of that Charter become the policy of the world, and that we propose to find out whether all the signatories to the San Francisco Charter, including all our allies, have the same objectives in mind.

It means also, Mr. President, that if we wish the objectives of the San Francisco Charter to become the objectives of the world we must be able to see into all the countries of the world, including Russia. I hope that question will also be discussed at Moscow because, to me, peace is a living and dynamic thing, not a matter of form, under which we can escape obligations once we put our signatures on a document of peace such as the San Francisco Charter. If we are to make it a dynamic thing, I think as a nation we need to make it perfectly clear at the Moscow Conference that we have a humanitarian interest in the treatment that prisoners of war are receiving from any nation in the world, I care not what the nation is. There are too many American boys buried as a result of this war who sacrificed themselves to establish the type of humanitarianism for which I am pleading this afternoon for us to disregard our obligations insofar as writing a fair and just peace is concerned. We cannot write a fair and just peace on the basis of the principle of national sovereignty which gives to any nation, including our own, and also including Russia, the right to determine what treatment shall be given to prisoners of war.

DEPORTATION ORDERS AGAINST BASQUE SHEEPHERDERS

Mr. TAYLOR. Mr. President, the wool-growing industry of the State of Idaho is being greatly embarrassed and troubled by the actions of the Department of Justice in bringing deportation orders against law-abiding people who by their skill and industry have made themselves extremely valuable to our great sheep and wool industry. I refer to the numerous deportation cases which now are being brought against our Basque population. Many of these people entered the country legally as seamen, but overstayed their visit illegally in order to take up residence in our State, where their native skill in handling sheep has been a blessing. For many years they lived in peace as useful and law-abiding citizens. Then Congress passed a law requiring registration of aliens. They complied with the law by registering. But when their registration papers were examined technical defects were found. At great expense to the Government, Justice Department investigators have investigated each of their cases and have chased these people into the far corners of our grazing lands. I do not blame the Department of Justice for this, because under the statute the Department had no choice. The law is mandatory; it leaves no discretion whatever to the Justice Department.

The Department must hold hearings at great expense, and then it must arrange, at further great expense, to deport these people.

I have received hundreds of complaints, not from the Basques themselves, but from the employers who find their services so valuable. I have also had complaints from their neighbors, who have found them to be excellent people of good character and of unimpeachable habits and reputations. Their moral conduct has never been subject to reproach.

The Department of Justice does not like this unpleasant duty, but it has no choice.

From time to time my colleagues and I have introduced special bills for the relief of individual Basques. Frankly, that is no real solution to the problem. Last year when we passed the Congressional Reorganization Act we were almost unanimous in our condemnation of special bills of all sorts.

The problem is one, therefore, which certainly should be handled on the basis of general legislation.

Today I have introduced a bill to limit the time within which proceedings may be instituted against aliens subject to deportation on technical grounds. We already prescribe time limitations against the prosecution of criminals and against the institution of stale lawsuits in the civil courts of the land. The courts have time and again noted that deportation proceedings are civil in nature. Nevertheless, we do not even afford law-abiding aliens the same protection against prosecutions which is accorded to common criminals. The purpose of my bill is to prescribe a 10-year statute of limitation barring the deportation of aliens who merely have technical defects in their immigration papers.

The bill would also redefine the term "entry." Under existing interpretations, this term has been held to mean any entry, no matter what the purpose or duration of the absence which precedes it. This results in numerous exclusion and deportation proceedings in cases where lawfully resident aliens depart to Mexico or Canada for a day, an evening, or even an hour. It has resulted in many capricious and inhumane rulings.

In the Seventy-ninth Congress, a House subcommittee conducted a thorough and painstaking investigation of our immigration laws, and held hearings throughout the United States. Many witnesses who appeared before that subcommittee urged the enactment of legislation of this nature. The House subcommittee and the full House committee favored its enactment. A bill introduced by Representative GEORGE MILLER, of California, embodying these points, is presently before the House Judiciary Committee. I believe that the provisions of this bill should be enacted into law so that the injustices of existing law may be corrected, and in order that law-abiding aliens may no longer be threatened with or subjected to useless and unnecessary deportation proceedings after the expiration of the period of limitation.

I am also introducing a companion bill the purpose of which is to give the Attorney General discretionary power in these cases. Very often alien residents of many different races have rendered signal service to this country in war, and yet they are subject to deportation. I know of some who were sent abroad as translators during the war, who rendered extremely valuable service, and yet on their return they find themselves subject to deportation orders. These are cases which, if individually called to our attention, would excite our deepest sympathy. We do not, however, have the time to hear them. The Attorney General does; and I think he should have the power, after investigating these cases, to use his discretion in withholding the sanctions of the immigration laws in instances where special consideration is merited.

I wish to point out one other circumstance. Not only do these sturdy sheepherders make an appeal because of their value to the wool-growing industry, but I think it would be particularly callous to deport them because in so doing we would be forcing them to return to the tyrannical oppression which we all know exists in Fascist Spain. The Basques, who come from the hills of the Pyrenees, are freedom-loving people. They were the last to submit to the yoke of the tyranny which was imposed by the German, Italian, and Moorish armies which fought under Franco. They share the burning memory of the merciless bombardment of their capital, Guernica. We all remember how Goering waited until market-day, when the farmers and the sheepherders from the surrounding country came to town for the fair, and then unleashed his Luftwaffe to destroy them, their families, and the products of their fields which they had driven to market in their little carts. That was the first major atrocity of the late war. The Basque people will never forget it. It is hard for me to believe that Congress wishes to force the Justice Department to take these Basque sheepherders from their new-found happiness and usefulness in the hills of Idaho and the other Western States and to return them to such brutal oppression.

Mr. McGRATH. Mr. President, I merely wish to make a few remarks on the subject about which the Senator from Idaho has spoken. I rise to do so because I do not see on the floor of the Senate at this time any other member of the Judiciary Committee.

Mr. President, in connection with this subject, I wish to say that the Judiciary Committee spent the whole morning giving it very serious consideration. I desire to add my voice to that of the Senator from Idaho, because in the section of the country from which I come we are interested not so much in the raising of sheep as in the product which comes from sheep. The people to whom the Senator from Idaho has referred support our great woolen industry. Many of those men and women were brought here deliberately by our Government, during the war, and they have made a tremendous contribution to the maintenance of the sheep industry in the great western part of the United States.

On behalf of the Judiciary Committee, I wish to say that representatives of the Department of Justice, who appeared before the committee this morning, expressed their great sympathy in regard to this problem.

I believe that the Department itself intends to offer some remedial legislation on the subject. I am quite certain that if the chairman of the Committee on the Judiciary had been present at this moment, he would have expressed these thoughts himself, and that he will approve of my having done so in his absence.

EXECUTIVE SESSION

Mr. WHITE. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. CAIN in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of the Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. VANDENBERG, from the Committee on Foreign Relations:

Lewis W. Douglas, of Arizona, to be Ambassador Extraordinary and Plenipotentiary to Great Britain; and

Warren R. Austin, of Vermont, to be the representative on the United Nations Commission for Conventional Armaments.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Herman B. Baruch to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Netherlands.

Mr. WHITE. Mr. President, I ask that that nomination be passed over.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

The legislative clerk proceeded to read sundry other nominations in the diplomatic and Foreign Service.

Mr. WHITE. I ask unanimous consent that the other nominations in the Diplomatic and Foreign Service be confirmed en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and without objection, the nominations are confirmed en bloc.

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

The legislative clerk read sundry nominations to the District of Columbia Redevelopment Land Agency.

Mr. WHITE. I ask unanimous consent that the nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

TENNESSEE VALLEY AUTHORITY

The legislative clerk read the nomination of Gordon R. Clapp to be a member of the Board of Directors of the Tennessee Valley Authority, which had been reported adversely.

Mr. WHITE. Over.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

That completes the calendar.

Mr. WHITE. I ask unanimous consent that the President be immediately notified of all confirmations of today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

RECESS TO WEDNESDAY

Mr. WHITE. As in legislative session, I move that the Senate stand in recess until Wednesday next at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 2 minutes p. m.) the Senate took a recess until Wednesday, March 5, 1947, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 3 (legislative day of February 19), 1947:

ASSISTANT ATTORNEY GENERAL

A. Devitt Vanech, of Connecticut, to be an Assistant Attorney General, to fill an existing vacancy.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named candidates for promotions in the Regular Corps of the Public Health Service:

SURGEON TO BE SENIOR SURGEON

Langdon R. White

ASSISTANT SURGEONS TO BE SENIOR ASSISTANT SURGEONS

Harold S. Barrett
Wade H. Etheridge

CONFIRMATIONS

Executive nominations confirmed by the Senate March 3 (legislative day of February 19), 1947:

DIPLOMATIC AND FOREIGN SERVICE

TO BE CONSULS GENERAL OF THE UNITED STATES OF AMERICA

Charles E. Dickerson, Jr.
Gilson G. Blake

TO BE CONSULS OF THE UNITED STATES OF AMERICA

William K. Ailshie
V. Harwood Blocker
Frederick D. Hunt

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

Mark Lansburgh to be a member, for a term of 5 years. (Appointed by the President.)

George A. Garrett to be a member, for a term of 3 years. (Appointed by the President.)

James E. Colliflower to be a member, for a term of 4 years. (Appointed by the Commissioners of the District of Columbia.)

Edward A. Dent to be a member, for a term of 2 years. (Appointed by the Commissioners of the District of Columbia.)

Richard R. Atkinson to be a member, for a term of 1 year. (Appointed by the Commissioners of the District of Columbia.)

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 3, 1947

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O spirit of the living God, we praise Thee for the abiding assurance that Thy mercy never faileth. Eternal love is in Thy heart and Thy children of every realm are ever before Thee. We beseech Thee to bring our people under Thy blessed ministry, making our land the evangel of our Elder Brother.

Grant that we may not, as a people, be slaves of the flesh, eating and drinking and given to idle luxury, but look to the Good Samaritan as our model—feeding the hungry, clothing the naked, destroying inequalities, and setting the prisoners free. Fill our land with hearts undaunted, eager to break down barriers of race, creed, and color, and to prove to the world that we are in deed and in truth a Christian nation, heeding the Macedonian call for help. O America, harken and heed!

"To serve the present age,
My calling to fulfill;
O may it all my powers engage
To do my Master's will!"

We pray in the name of Jesus. Amen.

The Journal of the proceedings of Friday, February 28, 1947, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 122. Joint resolution to authorize the United States Maritime Commission to make provision for certain ocean transportation service to and from Alaska until July 1, 1948, and for other purposes.

NEWSPRINT INVESTIGATION

The SPEAKER. Pursuant to the provisions of House Resolution 58, Eightieth Congress, the Chair appoints as members of the select committee to conduct a study and investigation of all matters related to the need for adequate supplies of newsprint, printing and wrapping paper, paper products, paper pulp, and pulpwood the following Members of the House: Mr. BROWN of Ohio, chairman; Mr. WOLVERTON; Mr. SHAFER; Mr. VURSELL; Mr. BECKWORTH; Mr. HARLESS of Arizona; and Mr. SIKES.

EXTENSION OF REMARKS

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD in four instances and include in each a memorial from the Oregon State Legislature.

POTATO DAY ON CAPITOL HILL

Mr. SHAFER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SHAFER. Mr. Speaker, on behalf of the thousands of farmers who grow potatoes throughout the Nation, the men who market and distribute potatoes, and the manufacturers who use potatoes either principally or incidentally in their production, I take pleasure in announcing to my colleagues that today is Potato Day on Capitol Hill.

As all of my colleagues now know, potatoes are not good for food only as potatoes. They are used in a variety of ways by many types of American business, not the least of which is the American baking business. An increasing amount of the Nation's potatoes are going into the manufacture of potato culture, which in turn is used in baking potato bread like our mothers used to make.

Today, when you go into the House restaurant to eat, you will see plenty of potato bread on the table waiting for you. There is plenty over in the Senate dining room, too. Also, you will be served cake which was made with potato culture. Both the cake and bread will be served fresh, but if it were necessary that you had to keep either one for several days, you would find that each one retains its freshness much longer than does bread or cake made without potato culture.

In addition, you will find plenty of potato chips, furnished by the alert executive secretary of the National Potato Chip Institute, which maintains executive headquarters in Cleveland, Ohio.

Mr. Speaker, although my interest in potatoes is an abiding one and although I thought I knew a lot about potato marketing and potato uses in general, I must admit that I was somewhat surprised to learn the other day that my own State of Michigan is the leading producer among all States of potato chips. In Detroit alone, there are 19 automatic potato machines which peel, wash, and slice potatoes. These machines use 16 100-pound sacks of potatoes per hour, during which they produce 400 pounds of potato chips.

It requires 4 pounds of potatoes to make 1 pound of potato chips. Last year, the potato-chip industry converted 924,832,764 pounds of potatoes into potato chips, so you can understand how important this industry is to the potato grower, not only in Michigan but in Maine, Idaho, California, and, indeed, throughout the Nation.

So, Mr. Speaker, I say to my colleagues on the order of Dr. I. Q.: "Let's have a spud, bud, and I promise it won't be a dud."

PERMISSION TO ADDRESS THE HOUSE

Mr. TWYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

[Mr. TWYMAN addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. MEYER asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. PLOESER (at the request of Mr. BAKEWELL) was given permission to extend his remarks in the RECORD in two instances and to include an article by David Lawrence and a letter.

SPECIAL ORDER GRANTED

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent that on Thursday next, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore granted, I may address the House for 30 minutes.

The SPEAKER. Is there any objection to the request of the gentleman from Ohio?

There was no objection.

WHAT DETERMINES FOOD PRICES

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MURRAY of Wisconsin. Mr. Speaker, during the past few days there has been an evident attempt to show that the advances in wheat and hog prices are due to the death of the OPA. There are no calories in the OPA.

Saturday night Mayor LaGuardia called attention to the meat prices in Canada with 45 cents per pound for steak.

Now is the appropriate time to see what the left hand is doing as well as the right hand.

The Department of Agriculture must assume its part of the responsibility for the agriculture prices. The Department January 14, 1947, press release asked the American wheat producer to plant over a million acres less wheat in 1947 than 1946. The Department of Agriculture on January 14, 1947, asked the American hog producer to reduce the number of brood sows. The Department has recently asked for a reduction of beef cattle on United States farms. The Department of Agriculture has, on January 14, 1947, asked for an increase of over 400,000,000 pounds in United States milk production, even though last week they put a floor price of 10 cents per pound on powdered skim—4½ cents less per pound than the OPA ceiling. The fact that powdered skim with its 35 percent digestible protein has had only a 10-cent per pound support, indicates that our Agriculture Administration may find itself giving the American consumer dairy prices comparable to the 30-cent pork prices.

The old witch, Mrs. Scarcity, has been seen by so many for so long by the Department of Agriculture that the Department appears incapable of providing a constructive food program.

Anyone trying to deceive the American people into believing that the death of OPA has determined or will determine wheat and pork prices can well obtain the facts before they become too deeply involved.

EXTENSION OF REMARKS

Mr. ROBERTSON asked and was granted permission to extend his remarks in the RECORD and include a concurrent resolution passed by the North Dakota Legislative Assembly.

SPECIAL ORDER GRANTED

Mr. MERROW. Mr. Speaker, I ask unanimous consent that on Thursday next, after the disposition of business on the Speaker's desk and any other special orders, I may address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

GOVERNMENT OF GREECE

Mr. MERROW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. MERROW. Mr. Speaker, according to press reports over the week end the State Department has agreed in principle to help Great Britain carry the burden of maintaining the present government in Greece. It is reported that the total financial aid under consideration for the program of assistance will be approximately $350,000,000 and that possibly $250,000,000 will be required during the first year.

I wish to go on record as complimenting the Department of State on this show of firmness and realism in our foreign policy. It will serve the interests of the United States to halt the march of communism to the west. It will serve the interests of the United States to prevent the control of Greece by the Communists who take orders from Moscow. It will serve our interests to prevent the Soviet Union from becoming a Mediterranean power.

In 1945 I visited Vienna, Prague, Budapest, Belgrade, and Athens. From what I saw and from the information received I was convinced that Greece and Greece alone is the only hope for democracy in the Balkan area. Greece is the one country in this section where Anglo-American ideals and principles have a chance of surviving and spreading. It is the only country in which Great Britain and the United States have an opportunity to make their influence felt.

I hope that the United States will do everything in its power to aid Greece. I hope it will do everything in its power to assist Great Britain in Greece. I hope it will do everything in its power to prevent communism from controlling a strategic Mediterranean country.

THE FISCAL POLICY OF THE UNITED STATES GOVERNMENT

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, Senate action in reducing from six billion to four and one-half billion, the House proposal to cut spending, and then earmarking more than one-half of the proposed reduction for application to the public debt is a curious piece of business. For one thing, it would indicate a lack of confidence in the revenue committees of both House and Senate, and, secondly, it might jeopardize a reduction in taxes, no matter what form a tax bill might finally take.

Equally important is the strange hypersensitivity that has been expressed toward economy. It may be that the spending bug bit so deep these many years that there is today a confirmed allergy toward saving money for the taxpayers. It takes such interesting forms. It is whispered that the budget cannot be cut—that this is only a gesture, that military needs will not permit, that peace is in the balance, that foreign obligations will rapidly increase. These folks better call it the "bulg-et," rather than the budget.

We better get over our cynicism about this thing.

It is the arithmetic of folly to suppose that 60,000,000 American producers can carry the burdens of the whole world. Certainly we can supply some food and medicines to alleviate hunger and suffering. But the economic heresy persists that we can rehabilitate the world.

In June of this year, we observe the second anniversary of the United Nations Charter. Who can confidently assert that real progress has been made. Red fascism marches on despite American food, cash, and credit. The largest beneficiaries of our aid are in the arms of communism. We are rapidly expending our own resources. We better begin thinking about the survival of America in this mad world.

The cynics who believed that we must continue the shell game—shelling out that is—for every purpose both at home and abroad are playing with fire. There is an end to the resources of any country where one-third of the whole national income is taken for local, State, and Federal taxes.

EXTENSION OF REMARKS

Mr. ENGEL of Michigan. Mr. Speaker, I ask unanimous consent that on each of the next three legislative days I may extend my remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MASON asked and was given permission to extend his remarks in the RECORD in two instances and to incorporate a radio address by Mr. Sam Pettengill, a former Member of the House.

Mr. SPRINGER asked and was given permission to extend his remarks in the RECORD and include therein a newspaper article.

AMERICA FIRST

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, if the gentleman from Illinois [Mr. DIRKSEN] had made that speech a year or two ago, William Powers Maloney, if he had not at the moment been before the local court for disorderly conduct, might have had him down before a grand jury charged with being a seditionist, for in those days being a loyal American was in some folks' opinion a crime.

This idea that Americans should begin to think about their own country, look after their own interests, think of their country's future, has been out of the picture for some time. Since November 5 it is not quite so dangerous to talk Americanism. As an isolationist I am glad to see that I am again privileged to speak up for my own country.

I call attention to the fact that this tax matter is just a minor affair. It is but part—a small part—of the picture. After we have given all the money and all the munitions of war and supplies in support of Great Britain, the next thing we will be asked to do is to draft American youth to go over and settle the troubles in the Balkans, Greece, in China, all over the world. That is just what is coming if we keep on the road now opening before us. That is the thing I do not like and I do not intend to do anything to promote that policy. Our dollars, our supplies, our munitions of war, our youth—millions of them—will for the third time be the pawns, the cannon fodder, in the game played by the internationalists, the one-worlders, by United Nations. Today I warn the mothers of America—I warn our youth of the gateway opening before them.

THE SCHOOL-LUNCH PROGRAM

Mr. PRESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PRESTON. Mr. Speaker, I wish to call to the attention of the House this morning the serious danger that is threatening the school-lunchroom program. March 15 will find this very worth-while program bankrupt and so far as the records of the Eightieth Congress reveal there has not been any action taken to prevent this from happening. The gentleman from Louisiana [Mr. MORRISON] has introduced a bill calling for the appropriation of $15,000,000 to continue the program through the fiscal year 1947, but no action has been taken on the bill.

I would like to call to the Members' attention a table inserted in the CONGRESSIONAL RECORD on February 17 by Senator AIKEN which is very informative on this subject. All States participate in the program and health authorities agree that it is a fine investment which makes for better health conditions in the future. Four and one-half million children ate these balanced lunches this year.

How can he reconcile sending three hundred and fifty millions to occupied countries and deny this vital program to our youth?

The people of America want this program continued, and what the masses want we should provide, so long as it is consistent with our ability to provide it.

If this program dies during this session, its death will go down to our everlasting discredit.

THE LAST SPEECH OF ARCHBISHOP STEPINAC

Mr. O'TOOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'TOOLE. Mr. Speaker, the freedom-loving world watched with amazement and chagrin the trial and persecution of Archbishop Stepinac. I have had the good fortune to procure the official text of the defense speech delivered by Archbishop Stepinac at his so-called trial at Zagreb, Yugoslavia. It is not only an historical document, but it is also one of the finest statements ever made by a man who loves liberty and who would not retreat even though his own life and freedom were at stake.

I recommend that every Member of this House read the archbishop's words that appear in the Appendix of the RECORD, page A769, so that you may have a better understanding of the question and at the same time realize the patriotism and sanctity of the archbishop.

PROTECTING GOVERNMENT DOCUMENTS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I have offered this day a bill to prohibit the appropriation for any unofficial purposes of certain documents by officers or former officers of the United States.

The bill specifies that no officer of the United States, while holding or upon leaving office shall appropriate for any unofficial purpose any document or portion thereof, or any copy of such document or portion thereof, which is in his possession or subject to his control by reason of his office.

The passage of this bill would prevent the fiasco of a former Cabinet officer's taking with him on his retirement from office official documents and placing them in 900 private volumes.

Mr. Speaker, it is high time we declare there is no private ownership in any official documents. Anyone violating the provisions of the act would subject himself to a fine of $1,000.

The mere offering of this bill should be warning to all officials in the Government that they cannot lift, take, and appropriate official documents and use them for their own private interests or for their own private profit.

The SPEAKER. The time of the gentleman from New York has expired.

FINAL LIQUIDATION OF THE FARM LABOR SUPPLY PROGRAM

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 124, Rept. No. 82), which was referred to the House Calendar and ordered to be printed.

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 2102) to provide for a 6 months' extension and final liquidation of the farm-labor supply program, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. KARSTEN of Missouri asked and was given permission to extend his remarks in the RECORD and include an address by Gen. Dwight D. Eisenhower at St. Louis on February 24.

Mr. D'ALESANDRO asked and was given permission to extend his remarks in the RECORD and include a letter he received from the Lithuanian Legation.

Mr. CARROLL asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the New York Times.

Mr. FORAND asked and was given permission to extend his remarks in the RECORD and include a resolution.

DEBT REDUCTION

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONRONEY. Mr. Speaker, I was surprised and shocked this morning to read a United Press dispatch quoting one of the most distinguished Members of the House, the chairman of the Committee on Appropriations, regarding the unanimous action of the other body in earmarking $2,600,000 for retirement of the public debt in the legislative budget as cockeyed. If that is the attitude of the Republican Party, which he presumes to represent, then I am sure the people that I represent do not appreciate such a careless attitude toward the important subject of reduction of our record-breaking public debt.

My people prefer to have debt reduction rather than tax reduction and it certainly is not cockeyed to vote for debt reduction when we have the most staggering debt in the world's history.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Pennsylvania.

Mr. RICH. Is the gentleman going to vote to cut down all of these appropriations that are not essential? In other words, is he going along with the idea to determine whether we are going to have any money at all to pay for the things which the gentleman and many Members of the House voted for?

Mr. MONRONEY. I will vote to reduce every nonessential item. I will do that, but I still say we have to reduce this public debt and to reduce it is not cockeyed action by the Congress.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

FEDERAL GOVERNMENT OBLIGATION TO EDUCATIONAL INSTITUTIONS, MUNICIPALITIES, ETC.

Mr. CARROLL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. CARROLL. Mr. Speaker, the other day the President of the United States sent a message to Congress in which he strongly urged the Congress to increase the authorization in the Lanham Act by $50,000,000 in order that the Federal Government might fulfill its contractual obligations to educational institutions, municipalities, and other public bodies, arising under that act. Today I have introduced a bill to achieve that end.

Mr. Speaker, this is the first opportunity that the Members of the Eightieth Congress have had to do something specific for veterans in connection with the housing program. This is only the first step, but it is of vital importance that we take this first step quickly. Other housing bills will come before this Congress which, too, are of great importance. I should like to emphasize that this Congress cannot devote itself to any legislation more important than meeting the problems, the evils, and the shortages resulting from our failure to properly act in the housing field. We have been in session 2 months. A third of the legislative time of this body has passed and, notwithstanding the importance of housing legislation, nothing has been done.

We all realize that the increased costs of production and labor have caused the condition complained of in the President's message. We must go forward with this program. This is the responsibility of the Federal Government. Educational institutions and municipalities have spent considerable money clearing land and installing public utilities and they have incurred great expense under the original provision of the Lanham Act. I repeat, the Federal Government cannot shirk its responsibility now. Moreover, there is desperate need for the speedy fulfillment of the intent of the Lanham Act. Veterans and their families need homes now and we must not spend our time upon legislation which is relatively unimportant. I ask that all veterans in Congress and those interested in the plight of veterans give this legislation their immediate attention.

The SPEAKER. The time of the gentleman from Colorado has expired.

EXTENSION OF REMARKS

Mr. MCMILLAN of South Carolina asked and was given permission to extend his remarks in the RECORD and include an address he delivered before the Wildlife Bureau of South Carolina.

Mr. HEDRICK asked and was given permission to extend his remarks in the RECORD and include an article appearing in the Charleston Gazette.

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the RECORD and include an address delivered by Hon. Tom C. Clark, Attorney General, before the Veterans of Foreign Wars on February 22.

Mr. BUFFETT asked and was given permission to extend his remarks in the RECORD in two instances and to include in each editorials.

THE PUBLIC DEBT

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, it is a great thing for me to sit here now and listen to the gentleman from Oklahoma [Mr. MONRONEY], and many of the Members on that side of the House, when they talk about how much they are for economy and what they are interested in doing in trying to get this country on its feet financially. You know, I have sat here for a good many years, and I asked the question years ago, "Where are you going to get the money?" That was when the New Deal started to spend the money, to squander our resources, when you tried to do everything for everybody, without doing anything for it, and increased this debt. I saw this debt grow from $21,500,000,000 under the New Deal to $270,000,000,000. I know who the Members were that voted for all these expenditures—most of them on that side of the aisle—and now that the Republican Party is trying to cut down the national debt, that those fellows on that side of the House created, they are the very same people that should now come in and say, "Gentlemen, we are going to do everything we can to cut this debt down and eliminate these expenses and try to pay something on the public debt, even if we have to have increased taxation." But oh, no; that is not the case; oh, no; they criticize the gentleman from New York [Mr. TABER]. Well, you spenders do something to help, not retard this gentleman from New York [Mr. TABER]. Follow him, and we will cut out unnecessary spending. We will balance the Budget, and we will pay more than two and one-half billion on this New Deal-created debt. We, as Americans, must assume that responsibility, even though we are not responsible for creating the

debt. You Democrats who created it should stop your criticizing our desire in trying to pay your debt. You should be mighty glad you have a party now that believes in sound government, a sensible budget, basing our spending on our ability to pay, with some realization of the taxpayers' ability and his wishes in the matter. Be wise and economize.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Masachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

[Mrs. ROGERS of Massachusetts addressed the House. Her remarks appear in the Appendix.]

FOREIGN COMMITMENTS

Mr. BUFFETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BUFFETT. Mr. Speaker, I am hopeful that before the administration commits the American people to the spending of two or three hundred million dollars in Greece, that this House and the people have a full and genuine opportunity to discuss and appraise the merits and demerits of this adventure.

We have sent a good many hundreds of millions of dollars into France in the last 2 years, between half a billion and a billion dollars, yet who is there that will say that France is further away from communism now than it was 2 years ago?

We have sent hundreds of millions of dollars into Yugoslavia in the last 2 years, yet who is there that will say that Yugoslavia is further away from communism today than it was 2 years ago?

We have sent many hundreds of millions of dollars into China, yet who is there that will say that China is further away from communism today than it was 2 years ago?

It was Lenin himself who declared that the surest way to overturn the existing social order is to debauch the currency. This attempt to control Greece by hand-outs will accelerate the debauching of the American money system.

It is a real question whether we are not in fact playing into the hands of Stalin and the Communists when we keep spread out over the world with spending activities that bleed our taxpayers and create continuous inflation.

Soon we may find that in the economic field, we have repeated the mistakes made by Napoleon and Hitler in the military field with reference to Russia. Both of those men became militarily overextended when in conflict with Russia, and their overextended position defeated them.

Today, with economic adventures two-thirds of the way around the world, America is in critical financial position. We must contract our hand-out activities, or we will have an easy victim for totalitarianism.

EXTENSION OF REMARKS

Mr. KEATING asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter from the Strob-Lappan-Klem American Legion Post, of Rochester, N. Y.

Mr. GAVIN asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. STEFAN asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. McCORMACK asked and was given permission to extend his remarks in the RECORD and include an article.

OCEAN TRANSPORTATION SERVICE TO AND FROM ALASKA

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H. J. Res. 122) to authorize the United States Maritime Commission to make provision for certain ocean transportation service to and from Alaska until July 1, 1948, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 1, lines 8 and 9, strike out "with American-citizen operators deemed by the Commission" and insert "with American citizens operating American flag-line vessels deemed by the Commission."

Page 2, lines 20 and 21, strike out "Commission for the use of the privately owned vessels, and" and insert "Commission for the use of the existing privately owned vessels, and in the case of vessels acquired subsequent to the enactment of this act an amount equivalent to 15 percent per annum of the purchase price of said vessel plus capitalized betterments, and."

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. JACKSON of Washington. Reserving the right to object, Mr. Speaker, and I shall not object, the two amendments in question are merely clarifying amendments and do not in any wise change the substance of the legislation as it passed the House.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

SELECTIVE SERVICE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 162)

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on Armed Services and ordered to be printed:

To the Congress of the United States:

The Selective Service and Training Act will expire on March 31, 1947. The only assured way of maintaining the Army and the Navy at their required strengths during the fiscal year 1948 is through resort to Selective Service. I have decided, however, after most careful consideration and consultation with the Secretary of War and the Secretary of the Navy, and with the earnest desire of placing our Army and Navy on an entirely volunteer basis at the earliest possible moment, that I should not recommend an extension of the act at this time. In order that my position may be better understood, the following facts are submitted.

The strength of the Army, including the Air Forces, must be maintained throughout the next fiscal year at 1,070,000 and the Navy, including the Marine Corps, must be maintained at a strength of 571,000 if this Nation is to have reasonable assurance of security. These requirements are absolute, and we must not divest the War and Navy Departments of the means of meeting any material shortages.

Personnel losses from the Army through separation during fiscal year 1948 can be computed with a reasonable degree of accuracy. They will reach a total of 360,000, or an average of 30,000 per month. Gains, on the other hand, cannot be so accurately determined. A recruiting campaign for volunteers for the Army was initiated in September 1945, but shortages in recruiting have heretofore forced the War Department to fill the gap through Selective Service. The last 2 months of 1946 provided an average of 18,000 recruits per month. During January 1947, however, they rose to some 35,000 enlistments and during the first 2 weeks of February were about 13,000. Giving weight to the fact that past records prove January to be the best recruiting month of the year, it is estimated by the War Department that if present efforts to obtain volunteers are continued, it can count with a fair degree of certainty on an average of 20,000 enlistments and reenlistments per month during the coming fiscal year. If only 20,000 recruits per month are obtained, the deficit in required strength will be about 120,000 by July 1, 1948. However, there is a reasonable expectation that better results may be obtained.

The War Department is now engaged in reducing the Army to the strength of 1,070,000 on June 30, 1947, provided for in the budget. In effecting this reduction it will shortly direct the discharge of all nonvolunteers.

The Navy Department is also reducing the Navy to the strength provided for in the budget for the next fiscal year. To maintain an average strength of 571,000 during the fiscal year 1948 the Navy will require approximately 150,000 recruits. Without the incentive of selective service it is not certain that this number of recruits can be obtained.

The Army and the Navy are still reducing their forces, and the Army is not using inductees for the full term the law allows; consequently, an extension of selective service at this time would be solely on the basis of predicted shortages during the next year. With a recent brightening in recruiting prospects this

appears to be the logical time to shoulder the risks involved.

Therefore, I recommend that no extension of selective service at this time be made, but with the understanding that—

First, the War and Navy Departments will request the reenactment of a Selective Service Act at a later date if they are unable to maintain the Army at a strength of 1,070,000 men and the Navy at a strength of 571,000 through voluntary enlistments.

Second, the Army and Navy be authorized from appropriated funds to employ temporarily the necessary civilian personnel over and above those specifically authorized and appropriated for by the Congress to the extent necessary to balance any shortage of enlisted personnel when strength may fall below the required levels.

The efforts of the War Department to reach the desired goal of an entirely volunteer Regular Army are worthy of the maximum support on the part of the administration, the Congress, and the people.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 3, 1947.*

THE ZIONISTS OR COMMUNIST ORGANIZATIONS ATTEMPTING TO STIR TROUBLE BETWEEN GREAT BRITAIN AND THE UNITED STATES

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I cannot remain silent while a little band of Communists who call themselves Zionists, and who are opposed by the conservative Jews as well as a vast majority of gentiles in America, are attempting to stir up a war between the United States and Great Britain over the Palestine question.

Somebody in Cleveland, Ohio, sent me a newspaper clipping showing the picture of one Rabbi Zapkinsky, who is over here for the purpose of stirring up trouble between Great Britain and the United States. This alien rabbi is quoted as saying:

> Eleven unknown agents Irgun have come to the United States to elicit sympathy and support for Palestine organizations which are actively fighting the British.

This organization of Zionists has been playing hand in glove with the Communists of this country. As I said, they are not supported by the conservative Jews of the Nation.

I, for one, am not willing to sit here and see this organization spread this poisonous propaganda and to try to stir up friction between the United States and Great Britain at a time when that great country is suffering in the agonies of a crisis the like of which she has never seen before.

The SPEAKER. The time of the gentleman from Mississippi has expired.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

CLAIM OF SWITZERLAND AGAINST THE UNITED STATES

The Clerk called the bill (H. R. 1040) to authorize the payment of $425.88 by the United States to the Government of Switzerland.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CARROLL. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from New Jersey [Mr. EATON] to give me some information on this. Has the Solicitor of the State Department been queried about this bill? I note the Navy Department recommends enactment and the Bureau of the Budget has no objection, but it occurs to me that perhaps the Solicitor might have some interest in this because it may establish a legal precedent. I wonder if that matter has been taken up with the Solicitor's office.

Mr. EATON. We have not taken it up with the Solicitor's office, but the Department of State is in favor of the bill.

Mr. CARROLL. Have they submitted a report?

Mr. EATON. We have a report; yes. The report is here.

Mr. CARROLL. It was not submitted with the bill. That is why I asked the question.

Mr. EATON. No.

Mr. CARROLL. But you do have such a report and they are in favor of it?

Mr. EATON. Yes.

Mr. CARROLL. Mr. Speaker, I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted, etc.,* That the Secretary of the Treasury is authorized to pay to the proper representatives of the Government of Switzerland, out of any money not otherwise appropriated, the sum of $425.88, in full settlement of all claims against the United States for the loss of food and other items stored aboard the Japanese vessel *Awa Maru,* when that vessel was sunk in western Pacific waters.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACCEPTANCE OF DECORATIONS, ORDERS, MEDALS, AND EMBLEMS TENDERED BY COBELLIGERENT NATIONS

The Clerk called the next bill, H. R. 1381, to amend the act of July 20, 1942 (56 Stat. 662) relating to the acceptance of decorations, orders, medals, and emblems of officers and enlisted men of the armed forces of the United States tendered them by governments of cobelligerent nations or other American Republics.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DEANE. Mr. Speaker, reserving the right to object, this bill provides "that officers and enlisted men of the armed forces of the United States be, and they are hereby, authorized during the present war and for a year thereafter to accept from the governments of cobelligerent nations, neutral nations, or other American Republics such decorations, orders, medals, and emblems as may be tendered them, and which are conferred by such governments upon members of their own military forces, hereby expressly granting the consent of Congress required for this purpose by clause 8 of section 9, article I, of the Constitution: *Provided,* That any such officer or enlisted man is hereby authorized to wear any decoration, order, medal, or emblem accepted pursuant to authority contained in this act or heretofore accepted by such person from the government of a cobelligerent nation, neutral nation, or of an American Republic."

May I request the gentleman from New York [Mr. ANDREWS] to explain why the necessity for this bill at this time, since hostilities have not ceased and we have 1 year from that date in which to confer these medals.

Mr. ANDREWS of New York. Has the gentleman read the report?

Mr. DEANE. Yes, sir.

Mr. ANDREWS of New York. It is very clear in the report. The bill therefore has the joint effect of permitting members of the armed services to accept decorations from neutral nations, and to clarify the act of July 20, 1942, so as to permit officers and enlisted men to accept such decorations awarded subsequent to July 20, 1942. That is all it does.

Mr. DEANE. This bill will carry it forward for what period of time?

Mr. ANDREWS of New York. We do not know.

Mr. DEANE. What are the underlying reasons for this legislation?

Mr. ANDREWS of New York. My own idea is that it is a very fine thing, particularly for enlisted men. They do not get a lot out of war except some infantry badges. It means a good deal to an enlisted man to have a ribbon from some of these countries when serving overseas after the war. The proposed law provides that officers and enlisted men of the armed forces of the United States be, and they are hereby, authorized during the present war and for a year thereafter to accept from the governments of cobelligerent nations, neutral nations, or the other American Republics, such decorations, orders, medals, and emblems, and so forth. I cannot see any objection to it whatever. The bill came from the committee by a unanimous vote.

Mr. DEANE. Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted, etc.,* That section 1 of the act of July 20, 1942 (56 Stat. 662; 10 U. S. C. 1423a), be, and hereby is, amended to read as follows:
>
> "That officers and enlisted men of the armed forces of the United States be, and they are hereby, authorized during the present war and for a year thereafter to accept from the governments of cobelligerent nations, neutral nations, or the other American Republics such decorations, orders, medals,

and emblems, as may be tendered them, and which are conferred by such governments upon members of their own military forces, hereby expressly granting the consent of Congress required for this purpose by clause 8 of section 9, article I, of the Constitution: *Provided*, That any such officer or enlisted man is hereby authorized to wear any decoration, order, medal, or emblem accepted pursuant to authority contained in this act or heretofore accepted by such person from the government of a cobelligerent nation, neutral nation, or of an American Republic."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made and include further quotations from the article from which I quoted.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

CONSENT CALENDAR

RENEWAL OF 5-YEAR LEVEL-PREMIUM-TERM POLICIES

The Clerk called the next bill, H. R. 1327, to amend existing law to provide privilege of renewing expiring 5-year level-premium-term policies for another 5-year period.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, reserving the right to object, there is now pending before the Rules Committeee a request from the gentlewoman from Massachusetts [Mrs. ROGERS] for a rule on this bill, and I therefore ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

CONSTRUCTION OF EXPERIMENTAL SUBMARINES

The Clerk called the bill (H. R. 1367) to authorize the construction of experimental submarines, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CARROLL. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from New York [Mr. ANDREWS] if the purpose of this bill is not to change the appropriation of $30,000,000 to the construction of experimental submarines?

Mr. ANDREWS of New York. I will ask the gentleman from Ohio [Mr. HESS], chairman of the subcommittee, to answer the question. He has all the information.

Mr. HESS. The bill merely repeals a statutory provision limiting the availability of the balance of funds appropriated for increase and replacement of naval vessels.

The money has already been appropriated but the act must be amended to permit these ships to be built.

Mr. CARROLL. In other words, $30,000,000 is to be used for building two experimental submarines.

Mr. HESS. Yes.

Mr. CARROLL. It is a laudable purpose, but I want to call attention to the $50,000,000 we are asking for veterans' housing.

Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of the act of February 18, 1946 (Public Law 301, 79th Cong., ch. 30, 2d sess.), or any other provision of law enacted prior to the date of approval of this act, the Secretary of the Navy is authorized and directed to undertake the construction of approximately 4,000 displacement tons of submarine vessels for experimental purposes in order to guide the future design and construction of such vessels.

With the following committee amendment:

At the end of the bill insert the following: "*Provided*, That the cost of the vessels, the construction of which is authorized by this act, shall not exceed $30,000,000."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THEODORE ROOSEVELT NATIONAL MONUMENT

The Clerk called the bill (H. R. 731) to erect a monument in memory of Theodore Roosevelt in the village of Medora, N. Dak., and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DEANE. Mr. Speaker, reserving the right to object, I talked at length to the distinguished gentleman from North Dakota [Mr. LEMKE] concerning his meritorious bill. It seems that this bill was agreed to during the last session but I think it would be helpful to have the gentleman explain to the House just what the bill provides.

Mr. WELCH. Mr. Speaker, the gentleman from North Dakota [Mr. LEMKE], the author of the bill, is here and will gladly explain it.

Mr. LEMKE. Mr. Speaker, I will answer that there is no expenditure required in connection with this bill for this year because the budget has already been completed; and, further, if the present land remains under the Wildlife Service it will cost more than to create this national monument to a great statesman.

Mr. DEANE. Does the gentleman have any approximate idea of what the present cost would be?

Mr. LEMKE. The present cost—there will be no cost this year—will be $75,000. The monument to Theodore Roosevelt in the village of Medora will cost $35,000; and, then meeting the objection of the President to the bill, before that there was nothing for the reestablishment of the home where Theodore Roosevelt used to live, we added $40,000 to reestablish and reconstruct the original ranch home in which Theodore Roosevelt lived and wrote most of his books.

Mr. DEANE. Is there any difference of opinion between the Department of the Interior and the Wildlife Service on this subject?

Mr. LEMKE. There is some friction between the Wildlife Service and the National Park Service. The trouble seems to be between two subordinate bureaus within the Department of the Interior.

I have been assured by the National Park Service that if this bill is passed they will be glad to take it on; and, further, that a Great Plains National Park would be very desirable in connection with people going to Yellowstone Park from Chicago and the Great Lakes and regions in between.

Mr. SMITH of Ohio. Mr. Speaker, reserving the right to object, the gentleman from North Dakota has stated that the initial cost would be $75,000. What will the ultimate total cost be?

Mr. LEMKE. The ultimate total cost will depend upon what is done. There is no specific appropriation for any of these national monuments. What the National Park Service may desire to spend in bringing this monument into keeping with the rest of the Nation's national parks is something none of us can foretell.

Mr. SMITH of Ohio. So the gentleman cannot tell the House what the ultimate cost will be.

Mr. LEMKE. Any more than I can tell what the ultimate cost of any other national park will be.

Mr. BARRETT. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman.

Mr. BARRETT. Mr. Speaker, I may say to the gentleman from Ohio that the cost to the Government under this legislation will be no different than it is at the present time. This land is being administered by the Wildlife Bureau of the Department of the Interior and the cost would be approximately the same under both situations.

Mr. SMITH of Ohio. The gentleman talks about administration. I am talking about the construction cost of the memorial.

Mr. BARRETT. The memorial authorized to be constructed here is a statue of Theodore Roosevelt at a cost of some $35,000. Once it is constructed it will cost nothing to maintain.

Mr. SMITH of Ohio. May I say that I am not going to object to this request, but I think it is high time we in this Congress begin to think about the Federal debt. It is these little things that set a precedent, it is the pyramiding of these little amounts that ultimately eventuate in large amounts.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DEANE. Mr. Speaker, reserving the right to object, if this bill is passed, what precedence will this project take over existing parks that are now greatly depleted because of lack of funds, involving the building of roads and a great many other problems which the Interior Department indicates it cannot carry through because of the shortage of appropriations?

Mr. LEMKE. It would not take any precedence; in fact, it would come after those.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all those certain tracts, pieces, or parcels of land, title to which is vested in the United States of America, and being in the State of North Dakota, and within the boundaries particularly described, as follows, to wit: Beginning at the point where the north line of the right-of-way of United States Highway Numbered 10 intersects the east boundary of section 36, township 140 north, range 101 west, fifth principal meridian; thence southwesterly and northwesterly along the north line of said right-of-way through section 1, township 139 north, range 101 west, and sections 36, 35, 34, 27, 28, and 29, township 140 north, range 101 west, to the west boundary of said section 29; north along section lines to the northwest corner of said section 29; west along section line to the southwest corner of section 19, township 140 north, range 101 west; north along township line to the southeast corner of the northeast quarter of the northeast quarter of section 24, township 140 north, range 102 west; west to the southwest corner of the northeast quarter of the northeast quarter of said section 24; north to the northwest corner of the northeast quarter of the northeast quarter of said section 24; westerly along section lines to the southwest corner of section 16, township 140 north, range 102 west; northerly along section lines to the northwest corner of section 4, township 140 north, range 102 west; thence west along township line to the southwest corner of the southeast quarter of section 34, township 141 north, range 102 west; northerly through the center of sections 34 and 27 to the northwest corner of the northeast quarter of section 27 of said township 141 north, range 102 west; easterly along section lines to the northeast corner of section 28, township 141 north, range 101 west; south along section lines to the southeast corner of said section 28; east along section line to the northeast corner of section 34, township 141 north, range 101 west; south to the northwest corner of the southwest quarter of section 35, township 141 north, range 101 west; easterly through center of sections 35 and 36 to the northeast corner of the southeast quarter of said section 36 of said township 141 north, range 101 west; south to the southeast corner of said section 36; thence east along township line to the northeast corner of lot 3, section 2, township 140 north, range 101 west; southerly through the center of sections 2 and 11 to the southeast corner of the southwest quarter of said section 11, township 140 north, range 101 west; easterly along section lines to the northeast corner of section 13 of said township 140 north, range 101 west; southerly along township line to the northwest corner of section 19, township 140 north, range 100 west; easterly along north line of said section 19 to the northeast corner of the northwest quarter; southerly through center of sections 19, 30, and 31 to the northwest corner of the southeast quarter of section 31; easterly along the center of said section 31 to the northeast corner of the southeast quarter; southerly along the east line of said section 31 to the southeast corner; westerly along the township line to the east line of section 36, township 140 north, range 101 west; northerly along the township line between townships 140 north, range 100 west and 140 north, range 101 west to the north right-of-way line of United States Highway Numbered 10, the place of beginning, containing 35,270 acres, more or less, are hereby dedicated and set apart as a public park for the benefit and enjoyment of the people, and shall be known as the Theodore Roosevelt National Park. The Secretary of the Interior is authorized, in his discretion, to construct and maintain a road or highway through the park connecting with a State or Federal highway.

SEC. 2. The Secretary of the Interior is hereby authorized to cause condemnation proceedings to be instituted in the name of the United States under the provisions of the act of August 1, 1888, entitled "An act to authorize the condemnation of lands for sites for public buildings, and other purposes" (25 Stat. 357), to acquire title to the lands, interests therein, or rights pertaining thereto that are privately owned within the boundaries of the said national park, and such property, when acquired, shall become a part thereof: *Provided,* That when the owner of such lands, interests therein, or rights pertaining thereto shall fix a price for the same, which, in the opinion of the Secretary of the Interior, shall be reasonable, the Secretary may purchase the same without further delay: *Provided further,* That the Secretary of the Interior is authorized to accept, on behalf of the United States, donations of land, interests therein, or rights pertaining thereto required for the Theodore Roosevelt National Park: *And provided further,* That title and evidence of title to land and interests therein acquired for said park shall be satisfactory to the Attorney General.

SEC. 3. That for the purposes of acquiring non-Federal lands within the boundaries of said park as established by this act, the Secretary of the Interior is hereby authorized, in his discretion, to exchange federally owned lands within the Roosevelt recreational demonstration area project, located outside the boundaries of the park for State or privately owned lands of approximately equal value within the boundaries of the park, when in his opinion such action is in the interest of the United States, the title to any lands acquired under this section to be satisfactory to the Attorney General. Upon the vesting of title thereto in the United States, any lands acquired pursuant to this authorization shall become a part of the park and shall be subject to the laws applicable thereto.

SEC. 4. The Secretary of the Interior is further authorized to obtain by purchase or condemnation proceedings, as part of said Theodore Roosevelt National Park, the northwest quarter of section 33, township 144, range 102, and to reconstruct thereon the log ranch house 30 by 60 feet, the log blacksmith shop 16 by 20 feet, one log stable 16 by 20 feet, one log stable 20 by 30 feet, log dog house, three log rectangular corrals, and one log circular corral, as they existed at the time the premises were occupied by Theodore Roosevelt: *Provided,* That the total cost of such land and buildings shall not exceed $40,000.

SEC. 5. The administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916 (39 Stat. 535), entitled "An act to establish a National Park Service, and for other purposes," as amended.

SEC. 6. The Secretary of the Interior is authorized to erect a monument in memory of Theodore Roosevelt in the village of Medora, N. Dak., with the advice of the Commission of Fine Arts: *Provided,* That the cost of the monument shall not exceed $35,000 and there shall be conveyed to the United States such suitable site as may in the judgment of the Secretary be required for said monument: *Provided further,* That the village of Medora, or other public agency or organization, shall furnish in writing assurance satisfactory to the Secretary of its willingness to assume the perpetual care and upkeep of the monument.

SEC. 7. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right-of-way, or any other purposes whatsoever, or shall affect the right of any such claimant, locator, or entryman to the full use and enjoyment of his land.

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

With the following committee amendment:

Page 6, line 1, strike out "the northwest quarter" and insert "lots 2, 3, 4, and 5."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PHILADELPHIA NATIONAL SHRINES PARK COMMISSION

The Clerk called the bill (H. J. Res. 33) to amend the act of August 9, 1946 (Public Law 711, 79th Cong.), for the purpose of allowing the Philadelphia National Shrines Park Commission additional time in which to prepare and to submit its report to the Congress.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that the Senate bill, Senate Joint Resolution 33, be substituted for the House bill. It is identical.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There being no objection, the Clerk read the Senate joint resolution, as follows:

Resolved, etc., That section 4 of the act of August 9, 1946 (Public Law 711, 79th Cong.), is amended by deleting therefrom the date "January 3, 1947" and inserting in lieu thereof the date "January 3, 1948."

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. J. Res. 33) was laid on the table.

A motion to reconsider was laid on the table.

SAN CARLOS DRAINAGE AND IRRIGATION DISTRICT, ARIZONA

The Clerk called the bill (H. J. Res. 126) to authorize the San Carlos Irrigation and Drainage District, Arizona, to drill, equip, and acquire wells for use on the San Carlos irrigation project.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. SMITH of Ohio. Mr. Speaker, reserving the right to object, what will this cost?

Mr. WELCH. It will not cost anything.

Mr. BARRETT. I may say to the gentleman from Ohio that the cost of the project is $300,000; however, the entire amount is charged against the land and will be paid by the people owning the land there.

Mr. SMITH of Ohio. So that ultimately there will be no cost to the Federal Government?

Mr. WELCH. There will be no cost to the Federal Government whatsoever.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that Senate Joint Resolution 60, an identical bill to the House bill, be substituted for the House bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There being no objection, the Clerk read the Senate joint resolution, as follows:

Whereas the San Carlos irrigation project, Arizona, has been constructed under authority of the act of June 7, 1924 (43 Stat. 475), as supplemented and amended; and

Whereas a contract has been executed pursuant to such legislative authority between the Secretary of the Interior and the San Carlos irrigation and drainage district providing for the repayment of the proper share of the cost of project irrigation works by the San Carlos irrigation and drainage district on behalf of project lands in private and public ownership; and

Whereas, at the beginning of the 1947 irrigation season, due to extended drought, there is virtually a complete lack of surface and reservoir water supply on the project for the irrigation of the lands of the district and the Pima Indians of the Gila River Indian Reservation, thus creating an emergency: Now, therefore, be it

Resolved, etc., That there is hereby authorized to be constructed an extension of the system of wells and pumping works of the San Carlos irrigation project, including the enlargement, rehabilitation, and repair of the present pumping and drainage works of the said project, and in order to expedite and assist the accomplishment thereof, the San Carlos irrigation and drainage district, is hereby authorized, (1) to develop underground water within and without the area of the San Carlos irrigation project exclusively for use as a part of the common stored and pumped water supply of said project; (2) to drill irrigation wells within and without the project area necessary for making underground waters available exclusively for use on all lands of the project, and equip the same with pumping facilities and equipment, including the deepening, replacement, and repair of existing project wells and equipment; and (3) to purchase with the consent of and under agreement with the owner thereof and to develop privately owned wells within or adjacent to the project areas, together with rights-of-way necessary to the operation of such wells: *Provided*, That the cost of the wells, exclusively for use as part of the common stored and pumped water supply of said project, equipment, and pumping works herein authorized to be constructed or acquired shall not exceed the sum of $380,000 and, within that limit, such cost shall be deemed a project charge to be distributed equally per acre over both the Indian lands and the lands in public and private ownership within the San Carlos irrigation project, and shall be repayable to the United States in accordance with existing law: *Provided further*, That the Secretary shall, at the earliest practicable date, enter into an agreement with the San Carlos irrigation and drainage district, which agreement shall describe the scope and extent of the work to be done by the district, the plans and specifications therefor, and such other provisions, in conformity herewith, as may be agreed upon between the Secretary and the district: *Provided further*, That the San Carlos irrigation and drainage district shall be reimbursed for costs expended by it in the construction and acquisition of such wells, equipment, and pumping works; and the Secretary is hereby authorized to make such reimbursement: First, by releasing the district from the payment of construction charges due the United States annually by the district under the repayment contract executed pursuant to said act of June 7, 1924, as amended, as such charges become due and payable, until the amount of the payments so released shall equal the total amount of the funds certified under oath by the district as having been expended by it for the construction and acquisition of wells and equipment under the terms of the agreement provided for herein, the first of such annual payments so to be released by the Secretary being that due from the district on December 1, 1947; or second, by paying to the district the full amount of the funds so certified as expended by it in the work authorized to be done, or any balance thereof not otherwise paid as hereinabove provided, out of appropriations hereafter made by Congress for this purpose; and there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $380,000, or so much thereof as may be necessary, to carry out the purposes of this joint resolution.

Mr. MURDOCK. Mr. Speaker, Senate Joint Resolution 60 is identical with House Joint Resolution 126. In order to expedite the legislation, it is well to substitute the Senate measure which has already passed the other body in this form. This bill is to take care of an emergency situation where time is of the essence, and by substituting we can hasten final action.

This measure authorizes the project to provide 20 additional new wells on its area, half of which is on the San Carlos Indian Reservation in Final County, Ariz., and also to provide for deepening and improving some of the existing wells in connection with that project. Half of the project lands are Indian lands, and half belong to white farmers. As has been explained, the cost of this work is to be added to the total cost of the project and is reimbursable under the existing repayment contracts.

The original plan for this project built by the Indian Service contemplated a certain number of wells on the project which were to be put down as a part of the cost of the whole project. This arrangement contemplated supplying 80 percent of the total water requirement from stored water in the reservoir behind Coolidge Dam, with 20 percent to be supplied from wells on the project. The project was not entirely completed with regard to the necessary number of wells, and the existing wells have not been kept in first-class equipment because of the lack of material and supplies during recent years. Therefore, this measure merely expedites carrying out the original intent of the law.

The reason for great haste at this time is that a drought is continuing in that area, and there is too little water stored behind Coolidge Dam now to begin to supply the next growing season adequately. The planting season comes early in southern Arizona. In fact, the spring planting has already begun, and crop yield depends upon the prospective water supply, which this coming year must probably come from new wells and deepened old wells. For that reason, these farmers—both whites and Indians—are hoping for quick action to grant the authority to proceed with the work.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. J. Res. 126) was laid on the table.

A motion to reconsider was laid on the table.

LEGALIZING DEPENDENCY ALLOWANCES TO SERVICEMEN

The Clerk called the bill (H. R. 1363) to amend further the Pay Readjustment Act of 1942, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DEANE. Mr. Speaker, reserving the right to object, may I question the gentleman from New York [Mr. ANDREWS] to advise us how many servicemen, approximately, are involved in this situation.

Mr. ANDREWS of New York. I yield to my colleague the gentleman from Michigan [Mr. BLACKNEY].

Mr. BLACKNEY. Mr. Speaker, in reply to the inquiry, I would state that there would only be 12 to 24 in the entire group. One department reported that there would not be more than 12 that would come under the provisions of the act. It does not cover an especially large number, but it is a good thing in that it relieves them from penalization that now occurs.

Mr. DEANE. Has considerable study been given to this legislation?

Mr. BLACKNEY. Yes; it has been checked very carefully.

Mr. DEANE. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Pay Readjustment Act of 1942, as amended, is hereby amended by adding the following paragraph at the end of section 4 thereof:

"Payments of allowances which have been or hereafter may be made under this act based on a purported marriage and made prior to judicial annulment or termination of such marriage are valid: *Provided*, That it is adjudged or decreed by a court of competent jurisdiction that the marriage was entered into in good faith on the part of the spouse in military service or that, in the absence of such a judgment or decree, such finding of good faith is made by the head of the department concerned or by such officer of the department concerned as he may designate for the purpose."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSPORTATION OF DEPENDENTS OF NAVAL PERSONNEL

The Clerk called the bill (H. R. 1376) to amend the acts of October 14, 1942 (56 Stat. 786), as amended, and November 28, 1943 (57 Stat. 593), as amended, so as to authorize transportation of dependents and household effects of personnel of the Navy, Marine Corps, and Coast Guard to overseas bases.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act to authorize the transportation of dependents and household effects of personnel of the Navy, Marine Corps, Coast Guard, and Coast and Geodetic Survey, incident to secret or confidential orders, and for other purposes," approved

October 14, 1942 (56 Stat. 786), as amended, is hereby further amended as follows:

(a) Strike out the words "points to new stations in the United States to which such personnel may be subsequently ordered for duty, under such regulations as the Secretary of the Navy may prescribe: *Provided*, That the wives of" as they appear in lines 13, 14, and 15 thereof, on page 786, volume 56, Statutes at Large, and insert in lieu thereof the words "points to current or new stations to which such personnel may be subsequently ordered for duty, at which restrictive conditions no longer prevail, under such regulations as the Secretary of the Navy may prescribe, and without regard to cost of transportation previously provided for dependents and household effects to such points: *Provided*, That the wives of".

(b) Strike out the words "personnel concerned have been so ordered shall constitute authority" as they appear in line 26 thereof, on page 786, volume 56, Statutes at Large, and insert in lieu thereof the words "personnel concerned have been so ordered, or that they have been ordered to new duty stations or continued on current duty stations where their dependents are not restricted from joining them, shall constitute authority."

SEC. 2. The act entitled "An act to authorize the transportation of dependents and household effects of personnel of the Navy, Marine Corps, and Coast Guard under certain conditions, and for other purposes," approved November 28, 1943 (57 Stat. 593), as amended, is hereby further amended as follows:

(a) Strike out the words "United States, and from such points to new stations in the United States to which such personnel may be subsequently ordered for duty" as they appear in lines 21 and 22 of section 1 thereof, on page 593, volume 57, Statutes at Large, and insert in lieu thereof the words "United States, and from such points to current or new stations to which such personnel may be subsequently ordered for duty."

(b) Strike out the words "or Government quarters for their dependents are available" as they appear in line 24 of section 1 thereof, on page 593, volume 57, Statutes at Large, and insert in lieu thereof the words "without regard to cost of transportation previously provided for dependents and household effects to such points."

(c) Strike out the words "them, the wives of such personnel, or such other responsible persons" as they appear in line 7, section 2 thereof, on page 594, volume 57, Statutes at Large, and insert in lieu thereof the words "them, or have been ordered to new duty stations at which their dependents are not restricted from joining them, or have continued on current duty stations where restrictive conditions no longer prevail, the wives of such personnel, or such other responsible persons."

SEC. 3. Section 1 of this act shall be effective in all respects as provided in section 2 of the act of October 14, 1942 (56 Stat. 786), and section 2 of this act shall be effective in all respects as provided in section 6 of the act of November 28, 1943 (57 Stat. 593), as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EASEMENT IN LANDS IN LOS ANGELES, CALIF.

The Clerk called the bill (S. 235) to authorize the Secretary of the Navy to convey to the city of Los Angeles, Calif., an easement for construction and operation of a storm drain in and under certain Government-owned lands situated in that city.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he hereby is, authorized to convey to the city of Los Angeles, Calif., under such terms and conditions as he may consider appropriate, a perpetual easement for the construction, reconstruction, inspection, maintenance, operation, and repair of a storm drain in, under, and along a part of a plot of approximately 15/10 acres of land located in the city of Los Angeles, Calif., and acquired by the United States through condemnation proceeding No. 2044–BH, Civil, in the District Court of the United States for the Central Division of the Southern District of California, metes and bounds description of which is on file in the Navy Department.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FARM LABOR SUPPLY PROGRAM

The Clerk called the bill (H. R. 2102) to provide for a 6 months' extension and final liquidation of the farm labor supply program, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SMITH of Ohio. Reserving the right to object, Mr. Speaker, I would like an explanation of this bill.

Mr. COLE of New York. Mr. Speaker, if the gentleman will yield, I am not in a position to explain it. I am sure a request will be made to have the bill go over.

Mr. TRIMBLE. Mr. Speaker, further reserving the right to object, in view of the fact that this bill is programed for later on in the week, I ask unanimous consent that it be passed over without prejudice.

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, in view of the situation, perhaps, objection should be made, but I did discuss this with the chairman of the Committee on Agriculture the other day, and he said that the urgency of it was that the beet-sugar contracts are just now under way in certain parts of the country, and if we are to get sugar produced and have these beet-sugar growers signed up, they should know what the labor program will be. There is considerable urgency about it if you are going to have the sugar produced this year that we want in this country.

Mr. COX. Mr. Speaker, further reserving the right to object, I would like to say that the Committee on Agriculture was before the Committee on Rules this morning, and because of the urgency of quick action, a rule was granted for the consideration of this bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

AMENDING THE NATIONAL ARCHIVES ACT

The Clerk called the bill (H. R. 1350) to amend the act entitled "An act to establish a National Archives of the United States Government, and for other purposes."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SMITH of Ohio. Mr. Speaker, reserving the right to object, I would like to have an explanation of this bill.

Mr. COLE of New York. Mr. Speaker, if the gentleman will yield, in view of the fact that the report accompanying this bill does not comply with the rules, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PROVIDING FOR PROMOTION OF SUBSTITUTE EMPLOYEES

The Clerk called the bill (H. R. 1713) to provide for the promotion of substitute employees in the postal service, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DEANE. Mr. Speaker, reserving the right to object, I would like to press the gentleman from Kansas [Mr. REES] to explain the difference between the present figure of the retirement amount on the present annual basis, and the annual basis as proposed in the bill.

Mr. REES. The best information we have from the Post Office Department is to the effect that it does not change the amount so much that the substitute employee receives at the end of the year as in the long run. However, this measure would bring about a much easier method of computing his salary. The Post Office Department recommends the passage of the bill and all postal employee organizations support it. They tell us it will save a lot of time, energy, and expense in computing the salaries of these substitute employees. It is beneficial not only to the substitute employees but to the Post Office Department, and it will not cost the Government any more money.

Mr. DEANE. Does the Post Office Department sponsor this bill?

Mr. REES. It does.

Mr. McCORMACK. Reserving the right to object, Mr. Speaker, of course the inquiry submitted by the gentleman from North Carolina is in connection with his duties as a member of the objectors committee on this side. As we all know, it is very important that Members introducing bills or committees reporting out bills make statements concerning them for the RECORD when requested to do so, because that plays a very important part in connection with the interpretation and the administration of the legislation in the future.

Mr. REES. If the gentleman will yield, it is of benefit not only to the Congress but the country to know exactly what kind of legislation we are adopting.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all substitute employees in the postal service shall be promoted successively at the beginning of the quarter following 1 year's satisfactory service in each grade until they reach the maximum grade authorized for the respective assignment, without regard to the number of hours they are actually employed in the postal service during the year.

SEC. 2. Each substitute employee in the postal service shall, for promotional and leave purposes, receive credit for one-twelfth of a year for each whole calendar month that the substitute employee has been on the rolls as a substitute since his last promotion as a substitute or appointment as a substitute, whichever is later: *Provided*, That when a regular employee has been reduced to a substitute position, the months of service as a regular employee shall be included with the months served as a substitute to determine the date he will be eligible for automatic promotion under section . of this act: *Provided further*, That the automatic promotion of a substitute employee in the postal service shall be withheld (1) for 3 months when such employee is absent on leave without pay and not available for duty for 90 days during a calendar year; (2) for 6 months when such employee is absent on leave without pay and not available for duty for 180 days during a calendar year; (3) for 9 months when such employee is absent on leave without pay and not available for duty for 270 days during a calendar year; and (4) for 1 year when such employee is absent on leave without pay and not available for duty for 360 days during a calendar year.

SEC. 3. Section 1 of the act of March 6, 1946 (Public Law 317, 79th Cong.), entitled "An act to provide credit for past service to substitute employees of the postal service when appointed to regular positions; to extend annual and sick-leave benefits to war-service indefinite substitute employees; to fix the rate of compensation for temporary substitute rural carriers serving in the place of regular carriers in the armed forces; and for other purposes," is amended to read as follows:

"Upon appointment to a regular position in the postal service, any employee who was a substitute in the postal service prior to July 1, 1945, shall receive credit for actual substitute service including time served as a special-delivery messenger, performed prior to July 1, 1945, computed on the basis of 1 year for each unit of 2,448 hours of service, but such credit shall not exceed 4 years. The credit thus computed shall be added to credit for the time the employee has been on the rolls as a substitute employee in the postal service on and after July 1, 1945, computed on the basis of one-twelfth of a year for each whole calendar month that the employee has been on the rolls. Upon the appointment of any such employee to a regular position he shall be placed in the salary grade to which he would have progressed had his original appointment been made to a regular position of grade 1, plus four grades, and the progression shall be computed on the basis of years of substitute service as herein provided. Any fractional part of a year's substitute service accumulated since the last compensation increase as a substitute shall be included with the regular service as a regular employee in determining eligibility for promotion to the next higher grade following appointment to a regular position: *Provided*, That no substitute shall be appointed to a higher grade of a regular position than the highest grade to which employees may progress through annual promotions: *Provided further*, That upon appointment of a substitute employee to a regular position he shall not be placed in or promoted to a grade higher than the grade to which he would have progressed, including benefits authorized by section 23 of Public Law 134, approved July 6, 1945, had his original appointment been to a regular position of grade 1: *And provided further*, That employees shall not be allowed credit for service performed under temporary or war-service appointments except when such service is continuous to the date of appointment as a classified substitute or regular employee."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTIFICATION OF STREPTOMYCIN UNDER FEDERAL FOOD, DRUG, AND COSMETIC ACT

The Clerk called the bill (H. R. 2045) to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of streptomycin, or any derivative thereof, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SMITH of Ohio. Reserving the right to object, Mr. Speaker, I should like to know what the occasion is for the enactment of this bill.

Mr. HINSHAW. The occasion for its enactment is a request on the part of the Food and Drug Administration, which is concurred in by the manufacturers of this drug.

Mr. SMITH of Ohio. What is the specific purpose of it?

Mr. HINSHAW. The specific purpose of the bill is to include the drug known as streptomycin with insulin and penicillin in the requirement as to testing their capacity to do the work, and certification.

Mr. SMITH of Ohio. Is it a protective measure?

Mr. HINSHAW. It is a protective measure, for the purpose of protecting the users and the doctors who prescribe the medicines. The bill states that the potency of the drug must be stated upon the bottle, and so forth.

Mr. SMITH of Ohio. Has the American Medical Association said anything about it?

Mr. HINSHAW. No; but I assume the American Medical Association, having approved the other action, likewise approves this. If it does not, certainly the manufacturers want to have the testing done.

Mr. SMITH of Ohio. I am wondering if there have been any complaints about this preparation to which the gentleman refers.

Mr. HINSHAW. The complaints come from both the manufacturers and the Department, that it is necessary to certify the potency of this drug in the normal use of it. Only through batch testing such as is done for penicillin and insulin can this be assured.

Mr. CARROLL. Reserving the right to object, Mr. Speaker, may I explain to the gentleman from Ohio that there is a similar law applicable to penicillin and insulin, and this bill is to bring streptomycin into the same category, for the protection of the public, because there are manufacturers who are bringing much of these drugs onto the market without making the proper test. The Government desires to make that test, according to my understanding.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. CARROLL. I yield.

Mrs. ROGERS of Massachusetts. Is it not true that streptomycin has cured a great many cases? I know of a man in the hospital who was operated on 16 times. The bone graft never took, but he has no infection at all, and streptomycin cured him.

Mr. CARROLL. It is a wonderful drug. They do not know how effective it is, and they do not know how toxic it will be. The Government has to experiment to test its qualitative and quantitative effect.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 301 (j) of the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended (U. S. C., 1940 ed., title 21, ch. 9), is amended by inserting "506, 507," after "section 404, 505."

SEC. 2. Section 502 (l) of such act, as amended, is amended by inserting "or streptomycin" after "penicillin."

SEC. 3. The heading of section 507 of such act, as amended, is amended by inserting "or streptomycin" after "penicillin"; and the first sentence of subsection (a) of such section 507 is amended by inserting "or streptomycin" after "penicillin."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE FEDERAL FIREARMS ACT

The Clerk called the bill (H. R. 1778) to amend the Federal Firearms Act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TRIMBLE. Mr. Speaker, reserving the right to object, may I ask the gentleman from New Jersey, the author of the bill, if I am correct in my understanding that this bill is merely to amend the law to correct a situation which arose in the circuit court of appeals?

Mr. WOLVERTON. The gentleman has correctly stated the purpose of the bill. The subject matter of the proposed amendment came to the attention of the Committee on Interstate and Foreign Commerce by reason of a communication addressed to the Speaker of the House by Tom C. Clark, Attorney General. He pointed out in his letter dated February 3, 1947, an unfortunate situation which resulted in the setting aside of a conviction because of a deficiency which exists in section 1, subsection 6, of the Federal Firearms Act of 1938 (52 Stat. 1250, U. S. C., title 15, sec. 901 (6)). This deficiency was pointed out by the Circuit Court of Appeals for the Ninth Circuit in the case of Nicholson against United States, decided March 29, 1944 (141 Fed. (2d) 552). In that case defendant was convicted in the District Court of the United States for the Southern District of California of a violation of the Federal Firearms Act, in that he knowingly transported a firearm in interstate commerce after having been convicted of a crime of violence. He had previously been convicted of robbery in the first degree. The circuit court of appeals reversed the conviction on the ground that robbery had not been included with other crimes of vio-

lence enumerated in the definition contained in the Federal Firearms Act of 1938. In the drawing of the original bill the word "robbery" was omitted. It was undoubtedly an oversight. The amendment proposed by this bill is for no other purpose than to correct the mistake and make clear that robbery was intended to be included in the definition of crimes of violence.

Mr. TRIMBLE. I thank the gentleman.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, reserving the right to object, supplementing what the distinguished chairman of the Committee on Interstate and Foreign Commerce has said, does this bill have anything to do with requiring generally the registration of firearms such as shotguns and rifles, as has been proposed in other legislation?

Mr. WOLVERTON. The bill has nothing to do with the subject that the gentleman has in mind.

Mr. SHORT. If it did, it would not get very far, I can assure the gentleman of that.

Mr. WOLVERTON. I can assure the gentleman from Minnesota [Mr. ANDRESEN] and the gentleman from Missouri [Mr. SHORT] that I am in full accord with the views that underlie the statements they have just made. If the amendment I have proposed had gone as far as to apply to the situation to which they have in mind, I would not have introduced the bill. It applies only to shipments by those individuals who have been convicted of crimes of violence, such as we know robbery to be.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1, subsection 6, of the Federal Firearms Act of June 30, 1938 (52 Stat. 1250; U. S. C., title 15, sec. 901 (6)), be, and the same is hereby, amended to read as follows:

"The term 'crime of violence' means murder, manslaughter, rape, mayhem, kidnaping, robbery, burglary, housebreaking; assault with intent to kill, commit rape, or rob; assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than 1 year."

With the following committee amendments:

Page 1, line 3, strike out "section 1, subsection 6" and insert "paragraph (6) of the first section."

Line 7, insert "(6)."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARBLEHEAD MILITARY RESERVATION

The Clerk called the bill (H. R. 450) providing for the conveyance to the town of Marblehead, in the State of Massachusetts, of Marblehead Military Reservation for public use.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DEANE. Mr. Speaker, reserving the right to object, may I inquire if there is any consideration involved in this transfer?

Mr. BATES of Massachusetts. There is no consideration involved in the transfer. This bill is patterned entirely on three bills which passed the Congress last year for the transfer of Fort Morgan, in the State of Alabama, the transfer of lighthouse property in the city of Atlantic City, N. J., and the transfer of lighthouse property in the city of Ipswich, Mass., and the transfer of 45 other parcels in the last omnibus bill which was passed by the Congress, none of which provided for any consideration.

Mr. DEANE. Can the gentleman advise us why the Bureau of the Budget does not recommend the passage of the bill?

Mr. BATES of Massachusetts. I do not know whether the Bureau of the Budget objected to the bill, but perhaps the War Assets Administration did for the reason that all this property is surplus property. This property is an old landmark. It is historical property. It was the viewpoint of Congress, apparently, in passing these three bills last year, which were signed by the President, that old historic landmarks are not to be declared surplus war property.

Mr. DEANE. Mr. Speaker, in this case, as in several other bills which we have been asked to consider, very few reports have been submitted. It is rather difficult to determine the merits of legislation without full and complete facts; and notice is here served on the House membership that in the future the committee be given full details, substantiated by documentary evidence, of the merits of all bills submitted under the Consent Calendar.

In this case it seems the Treasury Department has no objection. The War Assets Administration does not favor enactment; the Bureau of the Budget does not favor enactment.

I would like to ask unanimous consent that this bill be passed over so that we may include reports from the last two agencies mentioned.

Mr. MANASCO. Will the gentleman withhold that request for a few moments?

Mr. DEANE. Yes; I withdraw my request for the time being.

Mr. MANASCO. Mr. Speaker, will the gentleman yield?

Mr. DEANE. I yield.

Mr. MANASCO. This bill was before the Committee on Expenditures in the Executive Departments last year. Our committee refused to report it on the ground that it would be establishing a dangerous precedent. The gentleman from Massachusetts [Mr. BATES] cited several other instances where other committees had reported bills out favorably, transferring title to old forts and other sites, without any consideration. In my own district there is a small town of 2,500 people, which had representatives of the city council in Washington for 3 days last week. Our people tried to get this property for nothing, but they found out that under the Surplus Property Act they could not get it. So we submitted a bid for approximately $4,000 for the purchase of part of an abandoned prisoner-of-war camp to be used for recreational purposes.

The reason our committee last year opposed the passage of all bills granting property to cities, States, or other governmental bodies without compensation was because we thought we should recover as much money for the Treasury of the United States in the sale of surplus property as possible, to be applied to our staggering war debt. I am not going to object to this bill, but if the House passes the bill I am going to offer a bill to grant to the town of Aliceville, Ala., some part of the property that was used as a prisoner-of-war camp without compensation, because I do not think we should make a town of 2,500 people pay $4,000 for a piece of property for recreation purposes when you give other towns similar property for nothing.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. DEANE. I yield.

Mr. McCORMACK. Without entering into a discussion of the problem confronting the gentleman from Alabama [Mr. MANASCO], it seems to me that he should start a bill of his own—but the facts in this case are distinguishable, without my passing judgment as to how I would vote on a bill which the gentleman from Alabama might introduce if reported out by a committee. The facts in this case seem to me clearly distinguishable from the facts in the gentleman's case. In his case the Government purchased the land recently in connection with war activities or activities which might have been connected with the war. In this particular case the Government purchased this property in 1835 and the Government has been the owner of the property for 111 years. The report clearly shows it was acquired in 1835 by the War Department from the Department of Commerce.

Mr. BATES of Massachusetts. For $250.

Mr. McCORMACK. For $250, and the property has been used for the maintenance of a lighthouse. It has long been open to the public and is famed both as a landmark, which gives it historical value, and as a place to which the residents of the area have repaired for recreational purposes. For many years it has been a public gathering place, particularly for persons going to Marblehead for the annual summer regattas held there. Of course, I hope the gentleman from Alabama [Mr. MANASCO] will not object and will not offer any amendments, and I hope the objectors will permit this bill to be passed, because an examination of the report further shows that the Treasury Department, through a representative, testified that its only interest was in the continued maintenance of the light, and the right-of-way thereto. Well, the bill provides for that. Now, the position of the War Assets Administration was this: They object to any kind of a bill on the ground that its enactment would constitute a piecemeal disposal of surplus property, contrary to the provisions of the Surplus Property Act of 1944, and would lead to the enactment of additional legislation of this type. That is all. That is a perfectly proper position for an agency to take as an agency, but unless

something is done this property will be disposed of.

Unless this bill is passed this property will be disposed of to private interests, undoubtedly, and it will then be too late. We should adopt the procedure—and I am not talking about this particular bill—I supported the legislation passed last year—I think that instead of having this property sent back to the agency that had it declared surplus and sent to the War Assets Administration that we are using our own judgment as a legislature in saying that the people of this district, Marblehead—and it is not located in my district—are entitled to have this historic site continue. It is to be used for a public purpose. The bill specifically provides that it must be maintained as a public park and that it shall be up to the local government, not the Federal Government, to take care of the maintenance charges. The bill further provides that if it is ever discontinued title reverts back to the Federal Government. It seems to me that we have thoroughly protected the interests of the Federal Government and at the same time have a proper regard for the interests and sentiments of the local people. It seems to me that Congress, in these circumstances, will be justified in acting favorably on this.

Mr. MANASCO. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MANASCO. I wish to say to the gentleman that I have not offered an amendment to this bill, but I am just watching this as a precedent that we are setting. The gentleman referred to this as a historic landmark. My town could not, at present, of course, be considered a historic landmark.

Mr. McCORMACK. It is historic because it sent the gentleman here, and that means a lot.

Mr. MANASCO. What I am trying to do is to make it a historic landmark.

Mr. McCORMACK. The gentleman certainly is.

Mr. MANASCO. If the United States Government is going to give property away I want them to start with the poor folks in Aliceville.

Mr. McCORMACK. I want to say this to the gentleman from Alabama [Mr. MANASCO], so the record will show, that he is a very serious and able representative of his people. He has the respect of all of his colleagues without regard to party.

I think that on the facts of the gentleman's case it should be viewed very liberally. Congress should view the sentiments of local communities very liberally and not in a limited way. The agency involved having taken the position it feels is justified, the agency has done its full duty. The matter now comes before Congress for consideration and the agency is out of the picture. In viewing these matters they should be viewed liberally rather than in a limited way. While not committing myself I am practically stating that I hope the gentleman will introduce this bill, that it will be reported out and I am sure if it is, because of his persuading personality, the gentleman from Alabama will get it through the House unanimously.

Mr. MANASCO. If the gentleman will yield at that point I want to say that I was opposed to giving this property to anybody. I think it should be paid for, and it was at my suggestion that people from Aliceville came up here last week negotiating for the sale of the property at a fair market value, less the 10-percent preference that the War Assets Administration gives to States and municipalities. I think that policy should be followed with all the surplus property owned by the Federal Government.

Mr. McCORMACK. I think there are distinguishing features here. Here is something of real historic interest that has been enjoyed by the people of this area for decades and generations. The people have a historical attachment to it. In such cases, without regard to the section of the country, I think such historic sites should be preserved for the people of the locality.

Mr. BATES of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield, if the gentleman from North Carolina will permit me.

Mr. DEANE. Certainly.

Mr. BATES of Massachusetts. The gentleman from Alabama stated that this creates a precedent. I call his attention to the fact that three bills similar to this, identical in language, were passed during the Congress last year with the same point of view of the War Assets Administration. These bills were signed by the President last year. This bill therefore does not establish any precedent.

Mr. DEANE. In view of the explanation by the gentleman from Massachusetts [Mr. McCORMACK], I withdraw my objection.

Mr. CASE of South Dakota. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is demanded.

Mr. DEANE. Mr. Speaker, I withdraw my motion.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Coast Guard, or such agency of the United States as holds title, be, and hereby is, authorized and directed to convey, by quitclaim deed, to the town of Marblehead, in the State of Massachusetts, for perpetual use as a public park or other public use, all the proprietary right, title, and interest of the United States to and in that certain tract of land, together with all improvements thereon owned by the United States, embraced within the military reservation situated on Marblehead Neck at the east entrance to Marblehead Harbor, in the State of Massachusetts, and containing approximately three and seventy-four one-hundredths acres; and said property being that which was acquired by the War Department from the Department of Commerce pursuant to an act of Congress approved May 28, 1935 (Public Law No. 81, 74th Cong.): *Provided*, That an area 100 feet square surrounding the lighthouse tower, with right-of-way both by land and sea, shall be reserved for lighthouse purposes: *Provided further*, That the town of Marblehead shall not have the right to sell or convey aforesaid property, nor to devote the same to any other than a public use; and in the event that said property shall not be used as above provided, the right, title, and interest hereby authorized to be conveyed shall revert to the United States.

With the following committee amendment:

Page 2, line 13, after the word "than", insert the word "for" and after the word "public", insert the word "park."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO SECTION 1 OF FEDERAL POWER ACT WITH RESPECT TO TERMS OF OFFICE OF MEMBERS

The clerk called the bill (H. R. 1777) to amend section 1 of the Federal Power Act, with respect to the terms of office of members of the Federal Power Commission.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the second paragraph of section 1 of the Federal Power Act, as amended (U. S. C., 1940 ed., title 16, sec. 792), is amended by inserting immediately after the second sentence thereof a new sentence as follows: "Upon the expiration of his term of office a commissioner shall continue to serve until his successor is appointed and shall have qualified."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That concludes the call of bills on the Consent Calendar.

EXTENSION OF REMARKS

Mr. JUDD asked and was given permission to extend his remarks in the Appendix of the RECORD and to include an article.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the Appendix of the RECORD on the subject of Battle of the Budget and also on the subject Justice Assured for Trainees Under the On-the-Job Training Program.

Mr. H. CARL ANDERSEN asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. MURDOCK asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous matter.

SPECIAL ORDER GRANTED

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent that on tomorrow after disposition of business on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 25 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from North Carolina [Mr. FOLGER] is recognized for 20 minutes.

Mr. FOLGER. Mr. Speaker, part of my remarks today were to be addressed to the matter of conscription or extending the selective-service law, to which I was opposed. That would be a moot question at this time. I therefore withdraw my unanimous consent request to

address the House for 20 minutes today and will reframe my remarks.

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 20 minutes.

OUR NATIONAL DEFENSE

Mr. HOFFMAN. Mr. Speaker, during the last few days the press has carried the very disturbing news that this country, in order to stop Russia, must feed, clothe, and house the German people—that we must make Germany strong enough to stop Russia. If my reading of the press reports is correct, former President Hoover, who probably knows more about world conditions and world needs than any other individual, stated that unless we feed the Germans and give them materials of all kinds, including fertilizer which our own farmers need, to rehabilitate themselves and make their nation economically and militarily unbeatable, there will be danger of Russia not only overwhelming all of Europe but wiping out England as well.

It is also my understanding from what I read that Mr. Hoover stated that the Germans were the only people, other than our own, in the whole world who showed any inclination to work and save and maintain themselves. So it seems that what we have done over the last few years was to join Great Britain and Russia in destroying the German Government, its armies, its power to make war, its people—bring them to the verge of starvation—and that now, having destroyed them and their power to produce and protect and maintain themselves, we must take up the burden of reestablishing German military might. To do that, it appears we must first put the German people on their feet. If that situation is correctly pictured by former President Hoover, and I assume that it is, it is rather conclusive proof that we did not gain very much by this last war.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Minnesota.

Mr. KNUTSON. How much did we gain from the first war?

Mr. HOFFMAN. Well, I think that certainly we did not profit nor we did not learn anything by our experience in the first war. Had we, we would not have been led into this last one.

Mr. KNUTSON. No; dragged in.

Mr. HOFFMAN. Well, the gentleman says we were dragged in. I am inclined to accept that. I assume that the gentleman from Minnesota means that we were, though we did not know it, in a shooting, fighting war while the President was telling us that the administration was endeavoring to keep out of war. That is what the gentleman means, is it not, may I ask the gentleman?

Mr. KNUTSON. Well, I am not attempting to defend anyone. I long since gave up criminal practice.

Mr. HOFFMAN. That is the situation in any event.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. COX. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 10 minutes, and I hope that the Members will not leave the floor.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. RANKIN. During the fall of 1945 General Patton came to Washington and he came by my office, as he expressed it, to thank me for defending him on this floor when, as he said, he was on the battlefront and could not defend himself. In the course of the conversation he said, "Why do they want to feed Germany?" I said, "General, surely you are not charging that up to me; I have not insisted on it." He said, "I have been all over Germany." I believe he said he had flown all over Germany. He said, "They have the finest crops in Germany I ever saw." He said, "We did not shoot up the fields, we shot up the towns." Last year I was talking to General Bradley, who was General Patton's superior at that time, and I called his attention to General Patton's statement. I said, "Now, what is wrong?" He said, "The trouble was that the the Communists got in there, drove off the livestock and stripped the farms of the farm machinery, and so forth, and almost everything that those people had to make a living with."

Now, if we will put a stop to a gang of Reds we are sending over there or that are going over there, pretending to represent us, and let those German people go to work, they will make a living without the taxpayers of America having to feed them for all time to come.

Mr. HOFFMAN. Mr. Speaker, it is not only the population of Germany, as the picture is given us in the press, but it is the people of the Balkans, and the men and women and children of Greece at the moment, and we might as well add of China—in fact of every other nation on earth. If Great Britain is on the way out as an empire; is to go as other nations in the past have gone out, I do not know whether we can prevent that or not.

As former President Hoover is reported to have said, as the gentleman from Illinois [Mr. DIRKSEN] earlier today told us, it is extremely doubtful whether we here in America, some fifty million workers, can assume and successfully carry on the burden of rebuilding the war-devastated countries—feeding, clothing, and building homes for the undernourished people, then go beyond that, rebuild and equip their factories and put them into production so that they may successfully meet and turn back the forces of Russia and the countries she can gather to her aid.

From labor leaders we hear not a little about involuntary servitude, but, in our efforts to accomplish so much, will we not fasten a yoke upon ourselves, bring ourselves to our knees, and render us incapable of helping ourselves to pull our domestic burden, to say nothing of that which United Nations and its spokesmen, some here in our own country would load upon us.

But in any event one thing is sure: If we are to feed the Germans, if we are to contribute to the military power of Greece, if we are to meet Russia on every front—if we are to take over the task of seeing to it that Churchill does not live to see the dismemberment of the British Empire, and I am afraid that is what we are being led or driven to assume, then the food and all aid of every kind which goes across should have on it the label which will enable those who get it, and the same as to the clothes, those who wear them, to know that the things they get do not come from Russia but that they come from the United States of America, and that this country is the one which is feeding and clothing them and endeavoring to again make fertile the fields and enable the people there to plant and harvest their crops, make them a free self-sustaining nation. It is time that no more of our money, no more of our materials, be used for political purposes. In my judgment, the distinguished citizen was right when he said that UNRRA had misrepresented us and that it was time now that everyone who received anything from this land should know from whence it came.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Georgia just for an observation.

Mr. COX. I asked the gentleman to yield because I wished to make the observation that it is my opinion that when the British Empire goes to pieces we lose all that we have. The responsibility of saving this country rests upon you gentlemen on that side. I have never been one who has found it particularly pleasing to blow Mr. Hoover's horn, but I believe that he is a great man and I believe he has a wide understanding of the problem. I intend to go along with the gentleman to the end that we do that which is necessary to save this country.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Mississippi.

Mr. RANKIN. I cannot go as far as the gentleman from Georgia. I do not think the life of this Republic depends upon the British Empire.

Mr. HOFFMAN. I say no, it does not. If we will attend to our own business, we, our young men and women, have the productive ability, the courage, and the determination to defend us against all enemies.

Mr. RANKIN. That is what I say.

But I do say that if we let this bunch, Zionist Communists, that is now undermining Great Britain succeed in destroying the British Government it will mean the collapse not only of Britain but probably of all western Europe; then communism, the greatest menace civilization has ever known, would overrun the whole European continent.

Mr. HOFFMAN. Yes; and if that is true, it is time that Americans begin to think of America.

Mr. RANKIN. Yes; and to expose and drive out the Communists that are boring in here.

Mr. HOFFMAN. It is time that we begin to make ourselves strong, able to meet all comers—so strong we can stand upon our own feet—all of which

brings me now to the thing that is in my mind. This last war was won, as everyone knows, in the factories and by the American men and women in the factories, and those young men and women who went abroad. It was won by production here at home, that is the way it was won, on the home front and by the courage and sacrifices of our fighting men and women. Here we are, along in March, and no matter what kind of a law we pass, April 1 is coming. You can move Thanksgiving around but you cannot change April 1st.

Mr. RANKIN. April fool.

Mr. HOFFMAN No; you cannot fool everybody all the time nor the same folks twice with the same bait. So what? Labor disputes and strikes are destructive. No nation can remain strong unless it has production and contented workers. I do not know what the Supreme Court did today but I do know that January and February are in the past, that another coal strike may be on the way and that we have not yet on the books any legislation designed to prevent a coal strike, upon which all industrial production in this country depends. Nor have we a law to prevent strikes which injuriously affect the public health, safety, or welfare. Now, why? Is it so difficult? There are certain things about basic labor legislation that we all know we must have in the law. A law must be just. It must be fair. It must impose equality.

Saturday in a hearing of the Committee on Labor I heard the former head of a union and the present head of a union admit that certain practices on the part of organized labor, chiefly the officials, were wrong and should not be permitted. Then he was asked, "Are you willing that those practices which you admit are wrong should be spelled out in a law and a penalty applied when that law is violated?" That gentleman had just said that in his opinion the National Labor Relations Act should be amended so as to provide a fine and a prison sentence, one or the other or both, to employers who were guilty of an unfair labor practice. The present law does not make anything a union or a union member does an unfair labor practice. Yet when the question was put as to whether we should not define unfair labor practices on the part of the unions, he said, "No." You see the attitude. That is the attitude taken by practically every one of the labor leaders who appeared before the House Committee on Labor which is now holding hearings.

There are certain things such as jurisdictional strikes, secondary strikes, boycotts, violence on the picket lines which must be banned. Industry-wide bargaining which makes a monopoly of labor and which permits the union boss to sell his men as other men sell coal and steel should go. We must have those things covered by the law. We all know it. There is no difficulty in defining the objectives that we want to obtain. The difficulty comes, perhaps, in the wording of the various provisions. That is the business which in my judgment we should be about—now—so that before we get a strike in the coal industry we will have something on our books or at least we will have something to send over to the other end of the Capitol which will at least aid in preventing a Nation-wide strike. Then let the other body answer to the people if we do not get legislation. We are going to hold hearings, I understand, on labor racketeering. I saw a list of 15 or more witnesses who are to come down and explain or deny racketeering.

Permit me to ask, What is the necessity of holding hearings before a labor committee to determine whether there is or is not racketeering? Anyone who wants to learn whether over the past 5 or 10 years there has been racketeering in this country needs but to go over to the library and read Westbrook Pegler. It has been there for 10 years. All you need to do is to go to the public press and look at the pictures. Read the factual accounts of the reporters. All you need to do is read the hearings of the old Truman committee of March 1943 where it appears that $500,000—half a million dollars—was taken from men who wanted to work in the service of their country in building a camp where our men could be trained for war. Yet, before those men could go to work and complete that job of building training quarters they had to come across with $50 each. Why, the record is full of specific instances. We all know—if we read the press and if we are familiar with the situation in our own districts—we all know that for 10 years men have been forced to pay tribute in order to work, not only for themselves, but when they wanted to work for the Government. Now a veteran who fought to give the Chinaman and the Hottentot freedom must pay tribute before he can hold a job which he must have if his child and wife would eat. I can cite you an instance where the former Acting Secretary of the Navy Edison and the commander of the third district here in the defense area backed up and retreated, ran away in the face of union demands that machinery, turbines, guns, and planes belonging to the Navy, mark you, and supplies belonging to the Army, should not go across the picket line until negotiations had been carried on with union leaders. While our men were fighting and dying abroad, here at home high-ranking officials of both branches of the service backed up and backed down, stood with hat in hand until the union said that the supplies that our fighting men needed might go forward. And yet—and yet, it takes us more than 2 months to even bring out on the floor of this House a bill curbing the activities of labor. No—no, there are just a very few—you can almost count them on your fingers and toes—labor leaders, so-called, who are painting this unpleasant picture of labor and who are racketeering or collecting from individual workers.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. RANKIN. I wonder if the gentleman is familiar with the fact that Cecil B. de Mille, one of the greatest artists of all time, has been driven from the radio because he refused to be shaken down for money to finance a political campaign to which he was opposed?

Mr. HOFFMAN. I will answer the gentleman by saying that before the Labor Committee the other day I made an apparently very egotistical statement which was to the effect that I was going to make three of the best and greatest speeches that have ever been heard in this House on labor legislation. If I can get the time I am going to do it—three of the best and greatest speeches on that subject that were ever made here. Now, that is bragging some, and I am going to make good by taking the statement of Cecil B. de Mille, made before the Labor Committee, and cutting it up into three sections and reading it. It was the clearest, most logical, and most convincing statement that I have ever had the privilege of hearing. While I have the highest regard—and while I stand in awe of my colleagues here, I just venture to say there is not a man on the floor who can read that statement and offer any additional arguments for labor legislation. I commend it to you. I beg of you to get the statement and read it. I venture to predict that if you do you will say that that man's patriotism and his perseverance have far outrun his desire to make a few hundred thousand dollars by just paying a dollar to somebody for the privilege of working. He has rendered a patriotic service that it would be difficult to surpass.

So I come back. I want to go along with the leadership of this House. I propose to do so, but I do say it is about time—I see two or three or four members of the Labor Committee before me—I say it is about time that we in the Labor Committee begin to write a bill and that we do not put it off very much longer.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. COX. Will the gentleman be kind enough to repeat the author of the article he has been discussing?

Mr. HOFFMAN. I will put it in the RECORD.

Mr. Speaker, I ask unanimous consent to include at the conclusion of my remarks the statement to which reference was just made.

The SPEAKER pro tempore (Mr. HOEVEN). Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, that is all I have to say upon that subject. Can we not get together, we Republicans, upon whom the responsibility now rests, can we not now—not 2 weeks, not 2 months from now—write and bring to the floor a labor bill? That is what the people want; that is what the people expect; that is what they have a right to expect. United Nations, finding itself unable to agree upon world peace, is falling apart, or at least unable to make and maintain peace. So the United States is called upon to send the money, the food, the clothing, all things necessary to rebuild all nations which are in need. Again, we are asked to make safe Britain's position in Greece and in the Middle East. Again, Britain is asking for the tools, but this time she is not saying, as she said before, that if we gave her the tools she would finish the job.

Today, the situation is clear, the door is open, the way is clear—if we accept the invitation—follow the one-worlders, the United Nations—we will be sending your boys once more to fight on foreign soil. The very least we can do is to prepare for whatever is to come.

Mr. Speaker, I yield back the balance of my time.

The statement of Cecil B. de Mille before the House of Representatives Committee on Education and Labor, February 21, 1947, is as follows:

To the Honorable the Committee on Education and Labor of the House of Representatives:

The American workman is regarded as raw material by most business management and most labor management. Congress must give the workman protection from both. His civil and political rights must be protected. He looks to this Congress to protect them. The average American workman is a real American. He wants his home and his children to be American. It is up to this Congress to restore his freedom as an individual and as a free citizen.

No domestic problem is more important to the general welfare of the United States than the problem of labor relations.

The people expect the Eightieth Congress to make such laws as are necessary and proper to hasten the solution of this problem.

Legislation alone will not solve it. It must be solved by labor and management bargaining in an atmosphere of freedom and equity.

But that atmosphere is lacking today because the present laws and recent Government policy have produced unfreedom and inequity.

New legislation can and must right these wrongs. Where a bad or mistaken labor policy has produced chaos, a new policy can and must produce order.

I thank the committee for this opportunity to present my views on this all-important subject. I do not hold a brief for either management or unions. My brief is for the American citizen as a human being. I am not a big businessman. I am a union member who has had some personal experience of a union's power over its members. That experience and a citizen's interest in the general welfare of the United States are my only credentials before this committee. In a democracy these credentials are sufficient.

I am a member of the Screen Directors Guild. I am a member of the American Federation of Radio Artists (known as AFRA). I have been a member of AFRA since it was organized. Under AFRA's union-shop contract with the radio industry, every radio artist is obliged to join the union in order to work at his profession. In 1944 my local of AFRA levied upon all its members an assessment of $1 to finance a campaign against a proposition appearing on the California ballot at the general election of that year. I personally favored the proposition. I refused to pay a dollar to oppose my own convictions as a citizen. For this adherence to my political right, I was suspended by AFRA and, under the provisions of the union shop, prevented from appearing on the radio program which I had produced for more than 8 years.

Because I refused to pay a political assessment, I was deprived of the right to work.

I am not seeking from this committee a judgment on my individual case. I am stating it as one example—one example among many that could be adduced—to show the power a union has under the closed or union shop.

There is no need of a fact-finding commission to spend months discovering facts that are clearly apparent to every Member of the Congress and every citizen of the United States.

Today—not tomorrow—is the time for Congress and the Nation to face the issues raised by the closed shop. The evidence is in. Neither Congress nor the Nation has anything to gain by delay.

The only question is, Can the closed shop be regulated so as to protect fully the freedom and rights of the individual worker, or do the workers' freedom and rights demand the abolition of the closed shop?

What George Washington said to his fellow citizens in his Farewell Address is, I am confident, no less true of the Eightieth Congress: "Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment."

I am confident that if this committee is convinced that its choice lies between the closed shop and the freedom and rights of American workers, it will without hesitation recommend that the closed shop must go.

For the purposes of this brief, I make no distinction between the closed shop and the union shop. In this use of language, I follow the precedent of President Franklin D. Roosevelt, who said, with reference to the United Mine Workers' demand for a union shop in 1941: "The Government of the United States will not order, nor will Congress pass legislation ordering, a so-called closed shop." (Quoted in Harold W. Metz, Labor Policy of the Federal Government, pp. 145–146.) While the union shop may allow the employer greater freedom in hiring than the closed shop does, the effect upon the individual worker is the same in either case. His right to work is made dependent upon membership and good standing in a union, and it is for the worker rather than the employer that I am appearing before this committee.

I propose to show—

1. That the closed shop is a monopoly;
2. That the closed shop is undemocratic;
3. That the closed shop, by its very nature, leads to the invasion of rights guaranteed by the Constitution;
4. That there is at present no practical redress available to a union member whose rights have been violated by a closed-shop union;
5. That nothing short of abolition of the closed shop can effectively remedy its abuses;
6. That labor's gains need not be adversely affected by the abolition of the closed shop;
7. That there is ample precedent for the abolition of the closed shop;
8. That abolition of the closed shop is in accord with the will of the people.

1. THE CLOSED SHOP IS A MONOPOLY

That the closed shop is a monopoly of labor is self-evident. A monopoly is defined as "exclusive control of the supply of any commodity or service in a given market." (Webster's Collegiate Dictionary, fifth edition.)

I am not here primarily concerned with the monopolistic aspect of the closed shop as it affects the employer or the industry in question. Much could be said about this. In my own industry, motion pictures, for example, there is no doubt that closed shop practices are keeping fresh and needed talent out of the industry. I could cite instances from my own experience. For more than 30 years I have felt it part of my duty to motion pictures to give a hand and a start to creative young minds. More than once recently I have found that I cannot do that any more in certain fields, where the union has decided that seniority is a substitute for talent.

But here and now I am more concerned with the monopolistic effect of the closed shop upon the individual worker. It monopolizes his very right to work. This fact is established by these words of the Supreme Court of California.

"Where a union has * * * attained a monopoly of the supply of labor by means of closed-shop agreements and other forms of collective-labor action, such a union occupies a quasi public position similar to that of a public-service business and it has certain corresponding obligations. It may no longer claim the same freedom from legal restraint enjoyed by golf clubs or fraternal associations. Its asserted right to choose its own members does not merely relate to social relations; it affects the fundamental right to work for a living. * * * The question presented * * * is not one of prices or of serving the public but one of employment. * * * However, the principle is the same." (*Joseph James* v. *Marinship Corp. et al.* (25 Calif. (2d) 721, pp. 731–732).)

My union, the American Federation of Radio Artists, is an example of a labor monopoly. It has an industry-wide contract, under which no one can work as a radio artist unless he joins AFRA and keeps in good standing in the union. I cannot work as a radio artist anywhere in the United States where AFRA's contract is in force because I refused to pay a political assessment. When a man's right to work depends upon his submitting to such an imposition, the union's monopolistic power is too apparent to require further proof.

Americans instinctively dislike monopoly. We recognize that some monopolies are necessary—but these are either publicly owned, like the post office, or placed under strict public regulation, like the telephone company. Transportation of the mails has been a Government function since the beginning of our Republic; and, as Stuart Chase says, "You would go crazy with half a dozen competing telephone companies running a line into your house." (Democracy Under Pressure, p. 58.) But our American tendency and tradition is to restrict monopoly to areas where it is absolutely necessary and keep all other areas open to free enterprise. Thus the Supreme Court, in the Associated Press case, "held the bylaws of the Associated Press to contravene public policy because their effect was to restrict the entry of new publishers into the newspaper business." (Ludwig Teller, A Labor Policy for America, p. 135.)

American public policy then is antimonopoly. This policy should be invoked against any monopoly of the right to work. No likeness exists between the closed shop and such legitimate monopolies as the post office or the telephone company. If, as Teller says (p. 135), "there perhaps was a time * * * when control of the job market, though unjustified, was organized labor's only method for protecting its meager existence," that is not at all true today, when Federal legislation explicitly recognizes and protects labor's right to organize and bargain collectively. In Teller's words again, "the right to combine in proper cases for mutual protecton is one thing; the right to monopolize quite another" (p. 134). Coercion and collective bargaining are two different things. There is a difference between an agreement and a hold-up.

The only way to end this unnecessary and dangerous monopoly is to abolish the closed shop.

2. THE CLOSED SHOP IS UNDEMOCRATIC

Under the Wagner Act, a union is certified as collective bargaining agent for any unit of industry when it represents the free choice of a majority of the workers in that unit. This is a reasonable and democratic procedure.

But the advocates of the closed shop go further. They demand (and recent Government policy has supported their demand) that the minority be forced to join the union of the majority's choice. This is not democracy. This, to quote President Roosevelt again, is "much like the Hitler method." (Metz, p. 146.)

Democracy in America has never meant that the majority has the right to enforce its will in disregard of the minority's rights. Democracy has worked in America because majority rule has gone hand in hand with minority rights.

Thomas Jefferson expressed the American concept when he said: "The minority possess their equal rights, which equal laws must protect and to violate which would be oppression."

Every worker in industry has an equal right to work. He has a right to join a union if he sees fit. He has a right to choose which union he will join. Federal law, as I understand it, guarantees these rights.

These rights are not lost to any individual simply because 51 percent of his coworkers choose to exercise their rights in a different way. These rights are among the minority rights which Jefferson said equal laws must protect and to violate which would be oppression.

But the closed shop strips the minority of these equal rights.

If 51 percent of the citizens of any county are Republicans, that does not mean that the other 49 percent must join the Republican Party.

If 51 percent of the people in any city are Protestants, that does not mean that the other 49 percent must join the Protestant church.

This committee reports bills to the House by a majority vote—but the minority members of the committee do not lose their seats when they vote against the bill.

But a workingman in a closed shop can lose his job if he opposes a union majority.

A Justice of the Supreme Court is not stripped of his robes if he dissents from the majority of his brethren.

But a worker in a closed shop can be stripped of his right to work if he dissents from a union majority.

This is not democracy. It is collectivist absolutism. There is not an iota of difference in principle between it and the dictatorships which we have lately defeated on the field of battle. Hitler and Musolini had their majorities. Did that make them right?

We are dealing here with what I can only call a false mysticism of numbers. The idea seems to be that some infallible wisdom resides in 51 percent. This is a delusion common to both fascism and communism, if we can judge from the lengths to which both systems go to roll up majorities.

Our American idea of democracy is totally different. We accept majority rule, limited by a constitution, as the most practical and equitable alternative to anarchy. But, with us, the majority's rights end at the point where they would begin to infringe the equal rights of the minority.

One reason we must doggedly defend the equal rights of the minority is to safeguard one of the most precious of them—the minority's right to hold to its opinion and work by every lawful means to become a majority.

But the closed shop union is a grotesque departure from American democracy. Its power is absolute. Through control of the right to work, it controls the right to live. With this crushing weapon in its hands, it can make short work of any minority or any individual member who dares to oppose the sacred will of the 51 percent.

I have been speaking all along of union majorities as if they were always real majorities. The sad fact is that they are often fictitious majorities—majorities of quorums which may actually represent only a handful of the membership. For example, the vote under which I was suspended from my union actually represented about 10 percent of the membership of my local.

Too often the cry of "majority rights" is no more than a cloak for minority wrongs.

It is well known that some unions are controlled by tightly disciplined minorities. Others are controlled by dictatorial labor bosses. If such unions have a closed shop—and some of them have—the individual's right to work is at the mercy not even of a majority, but of a small clique or single czar. In the face of these facts, to say that the closed shop is democratic is a mockery of democracy.

But whether a closed-shop union is run by a minority or a single boss, or even a genuine majority, compulsory membership in any private organization is undemocratic in principle. It has no place in our system and way of life. It should be abolished.

3. THE CLOSED SHOP BY ITS VERY NATURE LEADS TO THE INVASION OF RIGHTS GUARANTEED BY THE CONSTITUTION

The Constitution guarantees to the people certain rights. It does not create those rights. Their origin is expressed in the second sentence of the Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

That sentence expresses the American philosophy of government. Scholars call it the doctrine of natural rights. But a child can understand it. Our Creator gave us the right to everything we need to fulfill our destiny as His creatures. No power under God can take those rights away, unless we forfeit some of them by crime.

The framers of the Declaration of Independence specified the rights to life, liberty, and the pursuit of happiness. But they did not imply that those are our only unalienable rights. They said that life, liberty, and the pursuit of happiness are among the unalienable rights of man—implying that there are others.

The Bill of Rights and other amendments to our Constitution imply the same doctrine.

The Supreme Court has declared: "The very purpose of a bill of rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the courts. One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections." (87 L. ed. 1638.)

Note that the Supreme Court refers to "other fundamental rights" as well as those named.

The ninth amendment is still more explicit: "The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people."

There is no right more fundamental than the right of the human being to work. It is by work that men live. The right to life, specified in the Declaration of Independence and guaranteed by the fifth and fourteenth amendments to the Constitution, clearly implies the right to work.

The closed shop places in jeopardy this fundamental right to work. I am not arguing the unconstitutionality of the closed shop in itself. That is a matter for the courts. I am stating the facts of the actual situation in our country, wherever the closed shop prevails.

These facts can best be seen in an industry-wide closed shop—which is the "ideal" aimed at by many unions. But the situation is comparable in any closed shop, in greater or less degree.

Wherever the closed shop prevails, if a union member is expelled or suspended by his union, he loses his right to work in that shop. In an industry-wide closed shop, he loses his right to work in that industry. In a completely unionized society, under a universal closed shop, expulsion from a union would mean complete and absolute loss of the right to work. The leader of the current Hollywood strike was not exaggerating when he said, "We contemplate putting out a bill so everybody in the country has to join a union, and you will be in a bad fix when it comes to that." (Deposition of Herbert K. Sorrell, taken by Wesley Cupp, attorney, quoted by Mr. Cupp over radio station KFAC, Los Angeles, March 25, 1945.)

Millions of Americans are in that bad fix right now—wherever a closed shop contract renders their right to work dependent on keeping in the good graces of a union, which often means a union boss.

A closed-shop union, able to deprive a man of the right to work, is in a sense more powerful than government itself. The Government does not claim the power to take away a man's right to work, unless he has been convicted of crime, after fair trial and due process of law. When the Government puts a man in prison, it assumes the responsibility for keeping him alive, at least, with food and medical care—as well as shelter. A closed-shop union takes no such responsibility for a member who has incurred its displeasure. As far as the union is concerned, he is left with the right to starve.

A closed-shop union cannot justly claim the same right to choose its own members that a golf club or other voluntary association claims. A man and his family are in no danger of starvation because he gives up golf. They are, if he is obliged to give up work. A man may join another golf club, but if his closed-shop union is powerful enough, as many of them are, he will find the door of every shop slammed in his face.

The right to work is only one of the constitutional rights which the closed shop, by its very nature, tends to invade.

In my own case, the right of political freedom was invaded when I was given the choice between working or paying a political assessment. Freedom to pay or not to pay one's money to a political cause is clearly part of the right of suffrage. The Supreme Court of Wisconsin has stated: "All the activities of the electorate, from the time the primary begins until the result of a valid election is declared, are one thing, the exercise of the political power vested in the electorate by the Constitution." (*State* v. *Kohler* (228 N. W. 895, p. 910).)

You can read through the Bill of Rights and find scarcely one which has not been invaded by a closed-shop union.

The first amendment to the Constitution forbids Congress to make any law "prohibiting the free exercise" of religion. But a closed-shop union has usurped power that surpasses the power of Congress in this respect.

No freedom is more precious to us than religious freedom, but I have seen a copy of a letter from a union officer to an official of a church, some of whose members had refused to join the union because, they said, it was contrary to their religious beliefs. The union officer wrote: "If we are compelled to enforce agreements and one of your people should take this stand, there is nothing else that we could do but to insist on its enforcement," which means that a man could not work if his religion forbids him to join a union. I am not at liberty to cite the names involved in this correspondence. Neither do I wish to discuss the tenets of any religious denomination. I quote only that one sentence from the union officer's letter, to show that at least one union is prepared to override religious freedom in order to compel men to join the union—and the closed shop gives the union the power to carry out its threat.

Congress is forbidden by the same amendment to abridge "the freedom of speech * * * or the right of the people peaceably to assemble." But in some unions no member dares to speak out or to combine with his fellow members against the en-

trenched power of the union boss or so-called union majority. It would make this brief far from brief if I attempted to list all the cases of infringement of free speech by closed-shop unions that have come to my attention. I will cite only one case, mentioned by the Senator from Minnesota [Mr. BALL], in a recent article: "A wireless telegrapher with a family to support was expelled from a union and lost his job merely because he spoke up in meeting against Communist leadership." (Liberty, January 18, 1947, p. 54.)

The first amendment further forbids Congress to abridge the people's right "to petition the Government for redress of grievances." But a Massachusetts teamster was expelled from his union because he appeared before a legislative committee on behalf of a bill that the union opposed.

The fifth amendment states that "no person shall be * * * deprived of life, liberty, or property, without due process of law." For any union member to appeal to the courts is practically equivalent to signing his death warrant as far as his union membership is concerned. In Hollywood, three members of one union were suspended for appealing to the courts against a political assessment—and two others were suspended because they spoke up in a union meeting in defense of the other three.

The eighth amendment forbids "cruel and unusual punishments." The courts cannot inflict such punishments—but a closed shop union can deprive a man of his livelihood, often for the most frivolous of reasons. Only a few weeks ago, a young man in Chicago was expelled from his union and his job because he drew a mustache on a picture of a union officer. The union has assumed more power than the courts. The union can inflict cruel punishment—and can make it "usual."

There is no need to expand this list further. I can make my own these further words of Senator BALL, from the same article: "For every individual case of that kind, I know there are hundreds I never hear of, and many thousands of other workers who accept the tyranny of union leaders because they dare not risk losing their jobs."

It is said by advocates of the closed shop—even by some judges—that the unions are justified in going to these lengths because otherwise their existence might be threatened. I shall show under another heading that this is an invalid claim, but, even so, is the existence of any private organization so important that this Government should permit it to override the natural and constitutional rights of its citizens?

It is said that union members sign away some of their individual rights when they join the union. Is it sound public policy to permit this—especially when membership is not voluntary, but forced, as it is under the closed shop? On the contrary, any contract which pretends to sign away an unalienable right should be regarded as null and void. It is said that the constitution of the union permits these excesses and therefore the courts should sustain them. This raises the question which this Congress and the Nation must face once and for all:

Does the constitution of a union take precedence over the Constitution of the United States?

Under the closed shop, it does.

We need a second Emancipation Proclamation to free those who have been forced to sign away their individual liberty.

That is the primary reason why the closed shop must go.

4. THERE IS AT PRESENT NO PRACTICAL REDRESS AVAILABLE TO A UNION MEMBER WHOSE RIGHTS HAVE BEEN VIOLATED BY A CLOSED-SHOP UNION

Under a closed-shop contract the employer must discharge any employee when the latter is expelled or suspended by his union. In practical terms, for probably 99 percent of union members, this means that the man's livelihood is cut off. He may have small savings on which to live for a short time; he may be able to get another job in another trade or profession or business, usually at wages lower than he has been receiving—but these are matters of chance. He cannot do his chosen work, in which he is trained and skilled, in any shop where his union has jurisdiction.

The most ardent prounion advocate will grant that a union might unjustly expel a member. What can he do about it?

The union constitutions provide for appeals, from the local trial board all the way up to the national convention. The convention may be anywhere from 1 to 5 years from the time the member was expelled. How many wage earners can wait that long without working?

It is notorious that some union trials are a travesty of justice. It is not unknown that a man's very accusers are appointed to serve on the board that tries his case.

The average union member cannot take his case to court. Most courts will insist that he first exhaust his remedies within the union—which may mean months or years of carrying a prejudged case through the farcical mumbo-jumbo of appeals from one union body to another.

But suppose he does exhaust his so-called remedies within the union and is still not satisfied that justice has been done him. He may then go to court—and face, with his meager resources, the expensive talent of the union's legal department and the union's increased determination to make an example of him. Let us be realistic. How many workers—even if they were working steadily—could afford the long-drawn-out litigation thus forced upon them? How much less can a man afford it when he has been out of work for months or years?

The average man has absolutely no available redress of wrongs done him by a closed-shop union. The average union member, wronged by his union, has to battle with empty hands—with hands emptied when the union took away his right to work. What chance has he? To say that he has any chance is to deal in fictions as cruel as they are unreal.

It is not surprising that men and women with no income but their wages, with families to support and educate, many with debts to pay, have submitted to wrongs imposed by closed-shop unions rather than face the impossible task of seeking redress.

It is not surprising, but is it any longer tolerable? That is the question which this Congress must answer.

It is within the power of this Congress to answer it resoundingly. It is within your power to do more than give redress to those already wronged. You can remove the power to inflict such wrongs again. The closed shop places that power in the union's hands. Abolition of the closed shop will remove that power forever.

5. NOTHING SHORT OF ABOLITION OF THE CLOSED SHOP CAN EFFECTIVELY REMEDY ITS ABUSES

A poultice will not cure a cancer. Regulation cannot remedy the abuses to which the closed shop, by its very nature, tends.

The closed shop, controlling the individual's right to work, represents absolute power. In Acton's familiar words, "absolute power corrupts absolutely."

The only way absolute power can be controlled is by rendering it no longer absolute. The only way to eliminate the corruptions born of the closed shop is by taking control of the right to work out of the hands of any private individual or group.

If all unions were administered by angels, absolute control of the members' right to work would still be too great a power to leave even in angelic hands. And the record shows that union power is all too often in hands that are all too human.

Numerous proposals to regulate the closed shop have been put forward by sincere men who are fully aware of its abuses. But I submit to this committee that no law or set of laws could be drawn that would forestall all the possible abuses, because no legislative body could foresee their limitless extent.

Who could have drawn, ahead of time, a law to protect the boy who lost his job because he drew a mustache on a union officer's picture?

Such regulatory laws would necessarily have to be worded in general terms. Their interpretation would necessarily be left to the courts. And we have seen that appeal to the courts is, for the average union member, an illusory privilege.

In view of the evidence gathered under the preceding headings of this brief, it seems needless to labor the point of regulation versus abolition. An evil tree cannot bring forth good fruit; and no amount of pruning can make an evil tree good.

The vices of the closed shop are not accidental. They are inherent in its nature. They grow directly out of putting control of the right to work within the power of the union—which is the very essence of the closed shop.

You can as easily tame a raging lion with a thread of silk as attempt to cure the closed shop with palliative regulations.

The only practical result of attempting to regulate the closed shop would be to create another army of bureaucrats, reaching into the internal affairs of unions and businesses, patching and tinkering with a system that would inevitably defeat their efforts because its power is absolute. Attempting to regulate the closed shop would only extend the reign of administrative law, of which we have had more than enough. The result would be confusion worse confounded and corruption made more easily corrupt. Abolition of the closed shop is the only answer.

6. LABOR'S GAINS NEED NOT BE ADVERSELY AFFECTED BY ABOLITION OF THE CLOSED SHOP

The Senator from Oregon [Mr. MORSE] is quoted by the Associated Press as saying, "We have to protect workingmen from employers who want to destroy the right to organize for economic benefit." (Hollywood Citizen-News, February 5, 1947, p. 1.)

I am entirely in agreement with that statement.

I need not tell this committee the story of the unions' rise from handfuls of brave pioneers, defying the economic tyranny of short-sighted employers, to the great organizations that they are today. Through organization and collective bargaining, the unions have won substantial gains for labor.

I do not want to see any of labor's just gains destroyed or diminished.

The abolition of the closed shop need not either destroy or diminish them.

Present law guarantees labor's right to organize and bargain collectively. Abolition of the closed shop will not touch that right.

Present law, forbidding the "yellow-dog contract," guarantees the individual's right to join a union without loss of his right to work. The closed shop is simply the "yellow-dog contract" in reverse. Abolishing it will not affect a man's freedom to join a union. It will restore his fredom to join or not to join as he sees fit.

Abolition of the closed shop will not affect wage-and-hour legislation or legislation governing working conditions. It will not affect the unions' right to campaign by lawful means for improvements in wages, hours, and working conditions, wherever improvement is needed and possible.

Abolition of the closed shop will not weaken the unions—if the unions are doing a job for their members. Any man will gladly and freely join an organization whose benefits to himself he plainly sees.

Union leaders must have little faith in their unions if they claim that the closed shop is necessary to the union's existence.

The Railway Labor Act specifically forbids the closed shop on the railroads. Yet the railroad unions are among the strongest and best in the country.

The success of the railroad unions is not explained away by saying that they succeeded in spite of open shop. To stop with that observation is to neglect the most significant fact, viz, that these unions became powerful not in spite of but because of open-shop conditions.

"The explanation is simple. The abolition of continuous compulsory membership placed the control of the unions in the hands of the employees and prevented it from reverting into the hands of union officials. The employees now had the whip of rejecting an unsatisfactory union. Normal political opposition within the union could not be aborted because there was no job control in the hands of the officials. The result was that the unions became truly representative; the union officials were secure so long as, but only so long as, they performed their functions honestly and efficiently; wherefore they performed their functions honestly and efficiently. Employees in unorganized units, no longer fearing racketeering or maladministration and no longer fearing being organized only to be sold down the river, flocked to the unions. Under those conditions unions served their needs, did their bidding, sought sane solutions for their problems. Thus unionism spread in the railroad field, and thus it continues to spread, because unions cannot rest upon force; they have to be good to succeed. To succeed, they become good; being good, they succeed in larger measure." (Bernard H. Fitzpatrick, Understanding Labor, p. 158.)

With this example before us, we can justly be suspicious of those who cry "antilabor" whenever the closed shop is criticized. Are they interested in labor or their own power?

As David Lawrence writes, "No proposals have been advanced by anybody in Congress to weaken collective bargaining or to take away basic rights from labor, but the remarkable opposition * * * toward any changes in existing laws is confirming the general impression that vested interests and special privileges die hard, no matter whether on the side of labor or management." (Hollywood Citizen-News, February 4, 1947, p. 12.)

In point of fact, abolition of the closed shop will be prolabor legislation—if by labor we mean the man who does the work. It will free him from a serfdom unparalleled in American history since the abolition of slavery.

There is only one argument for the closed shop that has any shadow of merit—the argument of the "free ride." Its proponents say that if a union gets benefits for all the workers in a shop, all should bear a fair share of the costs of negotiating and administering the contract. The reasoning is sound, but the conclusion—that therefore every worker should be forced to join the union—goes far beyond the premises. It would be one thing if a man could pay tribute to a union for the benefits he receives and then be let alone to live his life and pursue his destiny in freedom, but it is entirely another thing when, after having paid his tribute and become a member, his entire life is circumscribed and his fundamental rights laid open to invasion by the union—as we have seen above.

The free ride can be wholly eliminated, without the closed shop. It has been done in Canada. It can be done here. If nonunion workers derive real benefits from a union contract, they can reasonably be expected to pay a fair share of the cost of negotiating and administering the contract. This formula is in operation in some twenty Canadian plants and seems to work to the satisfaction of all concerned.

This involves no signing away of freedom or rights. The nonunion worker retains his rights, but pays a reasonable charge for services rendered, comparable to the fees one might pay an attorney or an agent.

Some such arrangement could be written into our law—not as compulsory, but permissive. It would demolish the free-ride argument completely. It should of course provide that the service charge must be fair and not excessive. Political assessments and other improper levies should be absolutely banned in any case.

The desperation of the closed shop advocates is shown by one argument recently quoted on the radio. A speaker stated that the closed shop was necessary in order to fight communism. His reasoning was that, if a union was trying to purge itself of communism and had a closed-shop contract, it could deprive Communists of the right to work—whereas without the closed shop, the employer could retain Communists on his pay roll. This needs no comment. Having caught only that much of the broadcast, I cannot identify the station or the speaker. For the sake of his reputation, that is just as well.

To sum up the argument under this heading, I reaffirm that abolition of the closed shop need not adversely affect labor's gains. I think I have here proved it. Cries of "antilabor" and threats of economic reprisal are not an answer to reasoned argument. I do not believe that this committee will be swayed by noise or threats.

7. THERE IS AMPLE PRECEDENT FOR THE ABOLITION OF THE CLOSED SHOP

There are already two Federal laws prohibiting the closed shop in the fields which they cover.

The Railway Labor Act of 1926, as amended in 1934, prohibits the closed shop on the railroads—with the excellent results that we have seen above.

"The Bankruptcy Act of 1933 prohibits a trustee in bankruptcy from entering into a closed shop agreement with a union covering employment in any enterprise for which he is acting as trustee." (Metz, p. 145.)

Measures prohibiting the closed shop have been passed by the legislatures or the people in seven States—Alabama, Arizona, Arkansas, Florida, Nebraska, South Dakota, Tennessee, and Virginia. In Louisiana, the legislature passed a law banning the closed shop, but it was vetoed by the Governor.

There is ample precedent for a new Federal law abolishing the closed shop in all industries engaged in interstate commerce—restoring to the workers in all those industries the freedom now enjoyed by the railroad workers, those covered by the Bankruptcy Act, and those within the growing number of States which have banned the closed shop.

I believe that more and more States will prohibit the closed shop within their own borders. But only Congress has power "to regulate commerce * * * among the several States." (Constitution of the United States, art. I, sec. 8.)

Necessity and precedent combine in giving this Congress an opportunity to free all American workers, by abolishing the closed shop.

8. ABOLITION OF THE CLOSED SHOP IS IN ACCORD WITH THE WILL OF THE PEOPLE

Government's responsibility to the will of the people is of the essence of democracy. Under our form of representative democracy, office-holders must periodically stand the test of election, rendering an account of their stewardship to their constituents. The people choose and reject on the basis of what they believe best for themselves and for the country.

The American people are opposed to the closed shop.

There is direct evidence for this statement in the most recent Gallup poll on the subject. (Los Angeles Times, January 19, 1947.) The scientific accuracy of Dr. Gallup's methods is generally conceded.

Sixty-six percent of the people are in favor of the open shop.

Only 18 percent are in favor of the union shop.

Only 8 percent are in favor of the closed shop, strictly so-called.

Only 8 percent expressed no opinion—which is significant of the widespread public interest in this question.

The break-down of these figures by occupational groups is equally significant. Seventy-eight percent of farmers favor the open shop. Seventy-three percent of business and professional people favor the open shop. Sixty-nine percent of white-collar workers favor the open shop. Fifty-six percent of manual workers favor the open shop.

Union members, the supposed beneficiaries of the closed shop, voted 41 percent for open shop—with only 33 percent for union shop and only 19 percent for the closed shop, strictly so-called.

Let us keep these figures in mind when advocates of the closed shop claim to speak for labor. They do not even speak for union labor with anything like a unanimous voice—and union labor is itself only a small minority of the people.

For whom, then, do union leaders speak when they insist that the closed shop must not be touched? They speak for themselves and their own power, not for labor.

Farmers, business and professional people, white-collar workers, unorganized manual workers—they are labor, too. They are the vast majority of the people. And they are overwhelmingly opposed to the closed shop.

Who speaks for them?

They expect Congress to speak for them.

I am not suggesting that Congress should be a tabulating machine or a rubber stamp. I am suggesting only that you listen to a clear and accurate expression of the people's will, as well as to the inflated pretensions of a few bosses—and then that you guide your course of action according to your own best judgment.

I pray this committee not to be deceived by any honeyed messages about a so-called era of good feeling, when hard upon the heels of these messages come threats that if Congress touches the power of the union bosses, they will take vengeance upon the Nation with another wave of strikes.

We should rejoice and applaud at every evidence of labor-management harmony. A genuine partnership between management and labor can ultimately be produced.

But this kind of partnership implies freedom and equality between the partners. Labor law reform is the first step toward that goal. Abolition of the closed shop is the first step in labor-law reform.

The people will no longer tolerate a situation where a handful of men can tie up every major seaport and tie up every industry in the country within a few hours.

It is the closed shop that gives the unions this power. If the Congress wishes to protect the country from this power, it will abolish the closed shop.

The people know these facts. They have expressed themselves in more ways than one. The Gallup poll is one evidence. But there is stronger evidence in another and more meaningful poll—the last national election.

The people voted for a change—not merely a change of faces, but a change of policy.

Union power was an issue in that election. The people had had 15 years of the policy which gave unlimited power to the unions. They were promised reform. They accepted that promise and elected a Congress pledged to fulfill it. They did not vote to destroy unions, but to restore equality and freedom in labor relations. They will not be satisfied with anything less.

Freedom and equality will not be restored as long as the closed-shop monopoly

survives. The people look to their Eightieth Congress to end it.

I am confidenent the people's Congress will not fail them.

Respectfully submitted.

CECIL B. DE MILLE.

SPECIAL ORDER GRANTED

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that on next Thursday, after all legislative business and any other special orders heretofore entered, I may address the House for 15 minutes on labor and management.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

ADJOURNMENT

Mr. LECOMPTE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 44 minutes p. m.) the House adjourned until tomorrow, Tuesday, March 4, 1947, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON ARMED SERVICES

There will be a meeting of the full Committee on Armed Services Tuesday, March 4, at 10 a. m., in room 313, for consideration of H. R. 1366 and H. R. 1377.

COMMITTEE ON BANKING AND CURRENCY

The Committee on Banking and Currency will meet in open hearing at 10:30 a. m., Tuesday, March 4, 1947, in the committee room, 1301, New House Office Building, to continue its consideration of the bill H. R. 2233. Mr. Eccles, Chairman of the Board of Governors of the Federal Reserve System, will again be the witness.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs will meet in executive session at 10 a. m. on Tuesday, March 4, 1947, in the committee rooms, suite 356, Old House Office Building.

COMMITTEE ON FOREIGN AFFAIRS

An executive meeting of the Committee on Foreign Affairs will be held in the Foreign Affairs Committee Room, gallery floor, the Capitol, on Tuesday, March 4, 1947, at 10:30 a. m., on House Joint Resolution 134, providing for relief assistance to countries devastated by war.

COMMITTEE ON PUBLIC LANDS

There will be a meeting of the full Committee on Public Lands on Tuesday, March 4, 1947, at 10 a. m., for the purpose of taking action on bills reported favorably by various subcommittees, and such other matters as may come before the committee.

SUBCOMMITTEE OF THE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE

The subcommittee of the Post Office and Civil Service Committee to consider H. R. 1714, a bill to exclude certain interns, student nurses, and other student employees of hospitals of the Federal Government from the Classification Act and for other purposes, will meet Tuesday, March 4, 1947, at 10 a. m., 213 Old House Office Building.

COMMITTEE ON PUBLIC LANDS

The Mines and Mining Subcommittee of the Committee on Public Lands will meet at 3 p. m. on Tuesday, March 4; at 10 a. m. on Wednesday, March 5; and at 10 a. m. on Thursday, March 6, in suite 1324. The following bills will be considered in the order listed: H. R. 193; H. R. 871 (and similar bills H. R. 972, H. R. 1284, H. R. 1602, H. R. 1619, and H. R. 1829); H. R. 1432 (and similar bill 1591); H. R. 1684; H. R. 1694; and House Joint Resolution 47.

COMMITTEE ON PUBLIC WORKS

The Subcommittee on Public Buildings and Grounds of the Committee on Public Works will meet at 10 a. m., Tuesday, March 4, 1947, to hold hearings on H. R. 2086, to authorize the furnishing of steam from the central heating plant to the property of the Daughters of the American Revolution.

The meeting will be held in room 1435, New House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., March 4 and 5, 1947.

Business to be considered: Public hearing for 2 days on H. R. 505, H. R. 601, and H. R. 1111, inflammable materials.

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., March 6 and 7, 1947.

Business to be considered: Public hearing for 2 days on H. R. 942, H. R. 1815, H. R. 1830, H. R. 1834, and H. R. 2027, National Science Foundation.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

419. A letter from the Administrator, Veterans' Administration, transmitting a draft of a proposed bill to amend paragraph 8 of part VII, Veterans' Regulation No. 1 (a), as amended, to authorize an appropriation of $3,000,000 as a revolving fund in lieu of $1,500,000 now authorized, and for other purposes; to the Committee on Veterans' Affairs.

420. A letter from the Administrator, National Housing Agency, transmitting a draft of a proposed bill to amend section 301 of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes"; to the Committee on Banking and Currency.

421. A letter from the Secretary of Commerce, transmitting the request of the Administrator of Civil Aeronautics for authority to undertake in fiscal year 1948 certain projects for the development of class 4 and larger airports; to the Committee on Interstate and Foreign Commerce.

422. A letter from the Clerk, House of Representatives, transmitting a letter from the chief clerk of the Missouri House of Representatives, dated February 24, 1947, accompanied by affidavits and exhibits with reference to the election in certain counties in the State of Missouri; to the Committee on House Administration.

423. A letter from the Administrator, National Housing Agency, transmitting a draft of a proposed bill to amend section 603 (a) of the National Housing Act, as amended; to the Committee on Banking and Currency.

424. A communication from the President of the United States, transmitting supplemental estimates of appropriation in the amount of $8,366,000 and decreases in certain estimates in the amount of $164,549, together with a draft of a proposed provision pertaining to appropriations of the Department of State, all in the form of amendments to the budget for the fiscal year 1948 (H. Doc. No. 158); to the Committee on Appropriations and ordered to be printed.

425. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1947 in the amount of $75,000,000 for the War Assets Administration (H. Doc. No. 159); to the Committee on Appropriations and ordered to be printed.

426. A communication from the President of the United States, transmitting revised estimates of appropriation for the fiscal year 1948, involving a net increase of $70,000 for the Railroad Retirement Board, in the form of amendments to the budget for the said fiscal year (H. Doc. No. 161); to the Committee on Appropriations and ordered to be printed.

427. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1947 in the amount of $32,000 for the legislative branch, Architect of the Capitol (H. Doc. No. 160); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHORT: Committee on Armed Services. H. R. 1359. A bill to amend the act of August 29, 1916 (39 Stat. 556), as amended, so as to increase the total authorized number of commissioned officers of the active list of the Corps of Civil Engineers of the Navy; with amendment (Rept. No. 83). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHAFER: Committee on Armed Services. H. R. 1365. A bill to establish a Chief of Chaplains in the United States Navy, and for other purposes; without amendment (Rept. No. 84). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WOLVERTON:

H. R. 2331. A bill to amend section 20a of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER:

H. R. 2332. A bill to prohibit the appropriation for unofficial purposes of certain documents by officers or former officers of the United States; to the Committee on the Judiciary.

By Mr. HOWELL:

H. R. 2333. A bill declaring the birthday of Abraham Lincoln to be a legal holiday; to the Committee on the Judiciary.

By Mr. MILLER of California:

H. R. 2334. A bill to authorize the American River development as an integrated feature of the Central Valley project, California, for irrigation and reclamation and other purposes; to the Committee on Public Lands.

By Mr. WOLVERTON:

H. R. 2335. A bill to amend the Interstate Commerce Act, as amended; to the Committee on Interstate and Foreign Commerce.

H. R. 2336. A bill to amend section 327 of the Communications Act of 1934 so as to permit, subject to certain conditions, the use of Coast Guard radio stations for the reception and transmission of commercial messages; to the Committee on Interstate and Foreign Commerce.

H. R. 2337. A bill to amend the Civil Aeronautics Act of 1938, as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H. R. 2338. A bill to amend sections 204 and 304 of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDREWS of New York:

H. R. 2339. A bill to amend the act entitled "An act authorizing the designation of Army mail clerks and assistant mail clerks," approved August 21, 1941 (55 Stat. 656), and for other purposes; to the Committee on Armed Services.

By Mr. CARROLL:

H. R. 2340. A bill to amend section 502 (a) of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes"; to the Committee on Banking and Currency.

By Mr. COLE of New York:

H. R. 2341. A bill to amend the act of August 29, 1916, as amended, so as to require the lessee of certain public property to pay State, Territorial, county, municipal, or local taxes thereon; to the Committee on Armed Services.

By Mr. KILDAY:

H. R. 2342. A bill to amend the act to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America, as amended; to the Committee on the Judiciary.

By Mr. KNUTSON:

H. R. 2343. A bill to continue the increases in the postal rates, fees, and charges prescribed by section 1001 (a) of the Revenue Act of 1932, as amended, and by title IV of the Revenue Act of 1943, as amended, and for other purposes; to the Committee on Ways and Means.

By Mr. TALLE:

H. Con. Res. 26. Concurrent resolution to provide for the use of Schick General Hospital at Clinton, Iowa, for the Veterans' Administration; to the Committee on Veterans' Affairs.

By Mr. ANDREWS of New York:

H. Res. 125. Resolution requesting a rule on bill H. R. 1943; to the Committee on Rules.

By Mr. HARTLEY:

H. Res. 126. Resolution to provide funds for the Committee on Education and Labor; to the Committee on House Administration.

By Mr. MARCANTONIO:

H. Res. 127. Resolution making H. R. 7, a bill making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers, a special order of business; to the Committee on Rules.

By Mr. PRICE of Florida:

H. Res. 128. Resolution to organize a benefit baseball game; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States to propose an amendment to the Constitution of the United States relative to the right of the individual to work regardless of membership or nonmembership in a labor union; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Wyoming, memorializing the President and the Congress of the United States that all presently proposed Federal irrigation projects and all such which are proposed in the future for construction in the State of Wyoming be continued in all stages under the direct supervision of the United States Bureau of Reclamation; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of Wyoming, memorializing the President and the Congress of the United States to proceed with the development of the Colorado River in the Upper Basin States; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States that this Government join with the Dominion of Canada and the Province of British Columbia to build a highway to connect with the present military highway in the vicinity of White Horse, Yukon Territory, and to extend to the Prince George area in British Columbia, and there connecting with existing highways, thereby providing a feasible overland route from the Pacific coast and the Nation at large to Alaska; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Oregon, memorializing the President and the Congress of the United States to appropriate the funds authorized by the Hope-Flannagan bill for agricultural marketing research at the earliest possible date; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States to extend the present Commodity Credit Corporation purchase program to cover the entire 1947 domestic wool clip, and to enact such legislation as will provide a long-range price stabilization plan for domestic wool; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Utah, memorializing the President and the Congress of the United States to appropriate money for the construction of a dam and reservoir in aid of the Bear River Migratory Bird Refuge; to the Committee on Appropriations.

Also, memorial of the Legislature of the Territory of Alaska, memorializing the President and the Congress of the United States with regard to the necessity of the adoption of the proposed rehabilitation plan of the Alaska Railroad, or one similar in extent, and make available the required funds to carry it out without delay; to the Committee on Public Lands.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKLEY:

H. R. 2344. A bill for the relief of Umberto Garlandini; to the Committee on the Judiciary.

By Mr. GOFF:

H. R. 2345. A bill for the relief of Arthur W. Middleton; to the Committee on the Judiciary.

By Mr. GORDON:

H. R. 2346. A bill for the relief of Ionnis Demetrios Gavalos; to the Committee on the Judiciary.

By Mr. GRAHAM:

H. R. 2347. A bill for the relief of Mrs. Akiko Tsukado Miller; to the Committee on the Judiciary.

By Mr. GRANGER:

H. R. 2348. A bill for the relief of Charles J. Smith; to the Committee on the Judiciary.

By Mr. PATMAN:

H. R. 2349. A bill for the relief of Mrs. Gertrude Wooten; to the Committee on the Judiciary.

By Mr. SPRINGER:

H. R. 2350. A bill for the relief of Mrs. Daisy Park Farrow; to the Committee on the Judiciary.

By Mr. EATON:

H. J. Res. 143. Joint resolution to authorize Herschel V. Johnson, deputy representative of the United States to the Security Council of the United Nations, to be reappointed to the Foreign Service; to the Committee on Foreign Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

155. By Mr. FORAND: Petition of Betty Hogan, Kathleen Brennan, and 971 other students of St. Xavier's Academy, Providence, R. I., protesting against the indignant treatment already undergone by Archbishop Aloysius Stepinac and the unjust imprisonment following an unfair trial by the Soviet sycophants of Yugoslavia, and demanding his liberation; to the Committee on Foreign Affairs.

156. By Mr. NORBLAD: House Joint Memorial No. 10, adopted by the House of Representatives and Senate of the Forty-fourth Legislative Assembly of the State of Oregon, urging that the Congress of the United States increase the limit to $250 for single trainees and apprentices and $300 for married trainees and apprentices; to the Committee on Veterans' Affairs.

157. Also, House Joint Memorial No. 9, adopted by the House of Representatives and Senate of the Forty-fourth Legislative Assembly of the State of Oregon, petitioning the Congress of the United States to enact such remedial legislation and to place in operation a system of payments in lieu of taxes based on the fair value of national-forest lands and other real property of the United States as soon as circumstances will permit; to the Committee on Public Lands.

158. Also, House Joint Memorial No. 7, adopted by the House of Representatives and Senate of the Forty-fourth Legislative Assembly of the State of Oregon, urging the Congress of the United States to appropriate the funds authorized by the Hope-Flannagan bill for agricultural marketing research at the earliest possible date; to the Committee on Appropriations.

159. Also, House Joint Memorial No. 11, adopted by the House of Representatives and Senate of the Forty-fourth Legislative Assembly of the State of Oregon, memorializing the Congress of the United States to set aside certain tracts within the present boundaries of Vancouver Barracks, Wash., as a national monument under the direction of the National Park Service; to the Committee on Public Lands.

160. By the SPEAKER: Petition of the annual provisional conference of the Methodist Church of Puerto Rico, petitioning consideration of their resolution with reference to requested approval of a law project authorizing a plebiscite that may offer to the consideration of their people those formulas that may be established definitely as the solution of their political status; to the Committee on Public Lands.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 4, 1947

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father and our God, for those in the morning of life, the youth of our land, facing the unknown years, we ask Thy guiding hand. As they stand at the crossroads, do Thou turn their feet into

the paths of obedience to parents and a sacred regard for all virtues pertaining to good citizenship. O guard them from false pride and selfish indulgence; teach them and lift up their hearts that they may seek the ways of wisdom, for out of them come the issues of a good life.

Grant that parents may add their part sacrificially, that homes may be citadels of care, of discipline, and reverence for age and authority. Deepen their sense of responsibility, lest the hope and joy of tomorrow be put in the balance, and they be sorely wounded. Make us all to realize that no earthly power alone can change the harvest from the seed sown today. Blessed Father of mercy, hear our prayer and lighten our eyes through Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 240. An act to authorize the payment of $425.88 by the United States to the Government of Switzerland;

S. 321. An act to amend section 17 of the Pay Readjustment Act of 1942, so as to increase the pay of cadets and midshipmen at the service academies, and for other purposes;

S. 363. An act to amend section 3 of the act of July 24, 1946 (Public Law 534, 79th Cong.);

S. 459. An act to amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having any physical handicap to positions in the classified civil service;

S. 487. An act to amend section 289 of the Criminal Code;

S. 502. An act to amend the Federal Firearms Act;

S. 591. An act to amend the act of January 5, 1905, to incorporate the American National Red Cross; and

S. J. Res. 69. Joint resolution to prepare a revised edition of the Annotated Constitution of the United States of America as published in 1938 as Senate Document 232 of the Seventy-fourth Congress.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 20. Concurrent resolution establishing the ceiling for expenditures for the fiscal year 1948 and for appropriations for the fiscal year 1948 to be expended in said fiscal year.

The message also announced that the Senate insists upon its amendment to the foregoing concurrent resolution, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BRIDGES, Mr. MILLIKIN, Mr. TAFT, Mr. GURNEY, Mr. BROOKS, Mr. BUTLER, Mr. MCKELLAR, Mr. GEORGE, Mr. BARKLEY, and Mr. HAYDEN to be the conferees on the part of the Senate.

COMMITTEE ON EDUCATION AND LABOR

Mr. HARTLEY. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor be permitted to meet while the House is in session for the next 10 days.

And may I add I expect this to be the last such request.

Mr. RAYBURN. Mr. Speaker, reserving the right to object, and I shall not object to this request, but I do think it is a dangerous practice to have committees meeting, especially when bills are being read under the 5-minute rule. Hereafter I shall have to act accordingly.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

COMMITTEE ON WAYS AND MEANS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight to file a conference report.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

EXTENSION OF REMARKS

Mr. KNUTSON asked and was given permission to extend his remarks in the RECORD.

JOINT COMMITTEE ON THE BUDGET

Mr. TABER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House Concurrent Resolution 20, establishing the ceiling for expenditures for the fiscal year 1948 and for appropriations for the fiscal year 1948 to be expended in said fiscal year, with Senate amendments, disagree to the amendments of the Senate, and agree to the conference asked by the Senate, and that the Chair appoint conferees.

The Clerk read the title of the concurrent resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. RANKIN. Mr. Speaker, reserving the right to object, will not the gentleman agree to the Senate amendments?

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. TABER, KNUTSON, WIGGLESWORTH, REED of New York, DIRKSEN, JENKINS of Ohio, CANNON, DOUGHTON, MAHON, and COOPER.

RESIGNATION AS MEMBER OF THE BOARD OF VISITORS TO THE UNITED STATES NAVAL ACADEMY

The SPEAKER laid before the House the following communication, which was read:

WASHINGTON, D. C., *March 3, 1947.*

Hon. JOSEPH W. MARTIN,
The Speaker, House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: Thank you for naming me as one of the members of the Board of Visitors to the United States Naval Academy for 1947.

I appreciate it but, in accordance with our recent conversation, herewith hand you my resignation.

Sincerely yours,

MARGARET CHASE SMITH,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

APPOINTMENT AS MEMBER OF THE BOARD OF VISITORS TO THE UNITED STATES NAVAL ACADEMY

The SPEAKER. Pursuant to the provisions of title 34, section 1081, United States Code, the Chair appoints as a member of the Board of Visitors to the United States Naval Academy to fill the existing vacancy thereon the gentleman from Pennsylvania [Mr. FULTON].

EXTENSION OF REMARKS

Mr. REED of New York asked and was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper article.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. MCGREGOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address made by myself in Philadelphia on February 22. I am informed by the Public Printer that this will exceed two pages of the RECORD, but I ask that it be printed notwithstanding the fact that it will exceed two pages of the RECORD.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. TOLLEFSON asked and was given permission to extend his remarks in the RECORD in two instances and include in each an editorial.

Mr. SEELY-BROWN asked and was given permission to extend his remarks in the RECORD in two instances and include a letter and resolutions.

Mr. ROBERTSON asked and was given permission to extend his remarks in the RECORD and include a concurrent resolution from the Legislative Assembly of North Dakota and also to extend his remarks in the RECORD and include an editorial on the subject New Relations With Workers and Customers.

SPECIAL ORDER GRANTED

Mr. DEVITT. Mr. Speaker, I ask unanimous consent that on Monday, March 17, after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered, I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

THE INTERNATIONAL BANK

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JAVITS. Mr. Speaker, whether the United States should take over great administrative responsibilities abroad, as in Greece, is no longer a question, for the answer has been given unmistakably by the facts of life themselves. In this meeting of the United States with destiny, we shall succeed as we bring higher standards of living and freedoms to other people, and fail as we bring reluctance

and prejudice. But we need not tackle the job alone. The International Bank for Reconstruction and Development, with its newly acquired president, vice president, and executive director, all United States citizens, must at this moment come alive. Its 40 member nations are now ready to do the job of facilitating the restoration and reconstruction of the economy of members whose metropolitan territories have suffered great devastation from enemy occupation or hostilities. The aggregate capital of the bank is $9,100,000,000 and its present subscribed capital exceeds seven thousand eight hundred millions, of which the United States has subscribed two and three-fourths billions and Great Britain one and three-tenths billions. Russia, with an assigned subscription of one thousand two hundred millions—a small amount for so great a country—should join now in this great family-of-nations bank and answer most of the world's and her own fears before the opening of the Moscow Four Power Conference. Then, indeed, could the world feel that peace was truly on the way.

JOHN BENJAMIN POWELL

Mr. ARNOLD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ARNOLD. Mr. Speaker, it seems fitting that this Congress should pause a moment to pay tribute to a great Missourian and a great newspaperman who died in the city of Washington last week. John Benjamin Powell, a native of Hannibal, Mo., and one of the foremost writers on the Far East, last Friday succumbed to grave injuries inflicted upon him by the Japanese during the Pacific war. Shortly before his death, John B. Powell addressed a challenge to the people of America to maintain our Pacific defenses strong in the years ahead. Mr. Speaker, it is a challenge which we cannot afford to ignore.

John Powell began his journalistic career as a student at the University of Missouri School of Journalism. He later edited the Hannibal Courier-Post before joining the faculty of the Missouri University. Before World War I he sailed for the Far East to take up a post as a writer alongside Thomas F. Millard, another pioneer newsman in the Far East, who also is a Missourian. It was in 1917 that Powell began writing of the Far East, of its economic importance, its political importance, and most important of all, of Japanese expansion that eventually cost the lives of untold numbers of America's finest young men.

Among his friends and colleagues in the writing profession, Powell became known as the fightingest two-fisted newspaperman in Asia. As a native of the little Missouri town that so proudly claims that great writer, Mark Twain, J. B. Powell lived up to the finest traditions of his profession. Without regard for his personal safety, Powell continued to warn the world of the Rising Sun in the Pacific, of the very same ruthless aggression that, in the end, caused his death. Though his warnings went for the most part unheeded by his own country, he persisted until suppressed and maimed by the Japanese in World War II.

John Powell died after delivering an address to the members of the alumni association of the University of Missouri. His final address was a fervent plea for us, here in America, to recognize the supreme importance of Asiatic developments.

Mr. Speaker, it is men like this of whom America can be proud. It is men like John B. Powell that we, here in Congress, and that we, the people of the United States, must not forget, for it is in the hearts and the minds and the undying spirits of men like this wherein lies the real strength of our great Nation.

EXTENSION OF REMARKS

Mr. WEICHEL asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. BOGGS of Delaware asked and was given permission to extend his remarks in the RECORD and include an address delivered by his colleague, Hon. JAMES T. PATTERSON.

Mr. GROSS asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Bristol Courier entitled "Twilight of Britain."

IRRATIONAL POSITION ON PROPERTY OWNERSHIP

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, I am today presenting a bill that I hope will iron out certain difficulties and avoid embarrassment in the collection of certain revenue by the Government. Certain States have community property tax laws. It so happens that I have constituents—and there are many in the same position in your districts—who, if they lived in California, for instance, would pay $75,000 less in income taxes. By amending the law it will iron out and save much embarrassment and humiliation, and possibly avoid trouble for the Government as well as the individual in the future. I want you to give consideration to this matter as you go along. I am sure you will all be interested.

Let me explain the purpose of the bill as follows:

IRRATIONAL POSITION ON PROPERTY OWNERSHIP

The disallowance by the Treasury of a family partnership for income-tax purposes does not mean that it will not later recognize the same partnership for estate-tax purposes. For example, suppose Mr. A takes his wife into his business as a partner with a 50-percent interest. The business earns $200,000 per year for three successive years. Treasury says that this income is all taxable to Mr. A and collects about $470,000 income tax from Mr. A alone instead of about $400,000 it would have collected if the income had been equally divided between husband and wife. Then Mrs. A dies. Treasury then says that Mrs. A owns a capital account in the business worth $300,000 and collects about $83,000 more in estate tax from her estate.

Justice Reed commented on this absurdity in his dissenting opinion in the Towers case and many conferees of the Treasury Department are privately embarrassed in trying to justify it.

COMMUNITY-PROPERTY STATES

Nine States and the Territory of Hawaii have so-called community-property laws. These laws provide that except for property acquired by gift, devise, or inheritance, all property however acquired after marriage, by either husband or wife or both, is community property. Under these laws each spouse may report one-half of the community income for income-tax purposes. The Treasury has been quietly trying for years to get around these provisions but has, apparently, not been able to do anything about them.

The practical effect of them is that Mr. Pennsylvania enters into a legal partnership agreement with his wife. They have partnership income in 1946 of $100,000 and each pays income tax of about $26,000. But the Treasury says that all this income is taxable to Mr. Pennsylvania. The wife is not an acceptable partner and the Treasury collects about $15,000 more income tax.

On the other hand, Mr. California owns a business outright, having acquired it before he got married on January 1, 1946. The business earns $100,000 in 1946. Mr. California makes no pretensions that his wife is a partner, or has contributed capital or services to the business. Nevertheless, the Treasury recognizes Mrs. California's right to report one-half of the income and the California family's 1946 income-tax bill is $52,000, as compared to $67,000 for the Pennsylvania family.

The Treasury Department has been so embarrassed in trying to answer the question of why, in effect, income-tax rates are lower in California than they are in Pennsylvania, it is now proposed to extend community-property State law principles to all States in reporting family income, provided congressional approval can be obtained. At least two speeches in recent months by an Under Secretary of the Treasury have proposed this, and such a provision will probably appear in some future revenue act. This will solve the family partnership muddle to some extent, but meanwhile additional taxes are being collected from residents of non-community-property States.

AMERICAN FOREIGN POLICY

Mr. COUDERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. COUDERT. Mr. Speaker, a problem that has been obviously in the making since VJ-day has at last burst upon us like thunder out of Greece.

I refer to the inescapable problem of shaping an over-all American foreign policy in a world approaching anarchy, a policy upon which Americans will be prepared to, and able to, successfully stand.

To accomplish this purpose, we shall first have to put aside all emotion and appraise objectively the needs of American security in the light of American resources, military and economic. We shall then be confronted with the hard choice of deciding to what extent, if any, where and how, our power is to be employed abroad to the best advantage. Merely aimless use of American resources abroad without regard to an over-all plan and purpose will not necessarily contribute to a world-wide peace and prosperity, which should be the ultimate aim of American policy, for that way lies American interest. Surely the Government of the United States, that is, the President and Congress working in the closest collaboration, should be able to work out, without delay, the broad outlines of a comprehensive and effective policy upon which Americans can wholeheartedly agree. This will call for the hardest kind of thinking on the part of all concerned, in Congress and out. The responsibility is great, the problem, difficult. We cannot escape it by failing to face it.

I call the attention of my colleagues to an article by Walter Lippmann appearing today in the Washington Post.

EXTENSION OF REMARKS

Mr. ROHRBOUGH asked and was given permission to extend his remarks in the RECORD and include a letter.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include some tables.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

[Mr. MURRAY of Wisconsin addressed the House. His remarks appear in the Appendix.]

SHORTAGE OF COPPER

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GRANT of Indiana. Mr. Speaker, this morning's newspapers bring us further evidence of the critical situation that exists in this country with respect to our supply of copper. The plight of American industry today is due, in part, to the irresponsible, thoughtless, and short-sighted policies of this Government in the days preceding Pearl Harbor, when, over a 5-year period, we exported some 358,000 tons of copper to Japan alone, along with other critical items such as scrap iron. Today we are actually at the bottom of the copper barrel. The Reconstruction Finance Corporation is now proposing to sell some 55,000 tons of copper over the next 2 or 3 months. That is the end of the stock pile. When that is gone there is no more. We in this country today are producing less than two-thirds of our domestic requirements of copper. Back in 1932 this Congress imposed a 4-cents-a-pound-excise-import tax on copper. At that time our domestic mines could not compete with low-cost foreign production. But today this Congress must act, and act soon, to relieve our domestic business of that 4-cent import levy. We are today paying subsidies to those high-cost domestic producers who account for about one-fifth of our domestic production. At the same time we have, for all practical purposes, a tariff of $80 per ton against the importation of foreign copper. Those two policies are very inconsistent.

The need for additional copper is very great and is most urgent. I hope that we may have immediate attention to this critical situation.

HOWARD UNIVERSITY

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KEEFE. Mr. Speaker, I think it will be conceded by all who are in position to know the facts that there is a very critical shortage of medical men in this country today, a shortage not only of doctors and medical technicians but of nurses, and also a great shortage of hospital beds. We have here in the District of Columbia, supported by Federal funds in large part, Howard University, which is a great colored university, one of the greatest, not only in the United States but in the world. Howard University Medical School is recognized in the field of medicine as one of the great training centers for colored people who aspire to be medical men. At the present time they have some 817 applications of well-qualified young men, many of them veterans, who want to enter Howard University Medical School next fall. They will be able to matriculate only 60 new men. The reason they are so limited is that they are limited in their clinical facilities to the beds in Freedmen's Hospital, which is a colored hospital. Just a little way down the line there exists Gallinger Hospital. Three-fifths of the patients in that hospital are colored people, segregated into buildings for colored patients.

Howard University officials told our committee the other day that if they were permitted to use the beds in Gallinger Hospital which are occupied by colored patients and allow their colored doctors and students to use those beds for clinical facilities they could put 70 more fine colored people into the medical school and graduate them so that they could go out and help take care of the 15,000,000 colored people in these United States. They are barred from even entering Gallinger Hospital at the present time.

I call the attention of the District Committee to that fact in order that something may be done to relieve this situation.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

EXTENSION OF REMARKS

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD in two instances and include certain excerpts in each.

PERMISSION TO ADDRESS THE HOUSE

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[Mr. GAVIN addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. BECKWORTH asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. TRIMBLE asked and was given permission to extend his remarks in the RECORD and include a letter from the Production and Marketing Administration, Field Service Branch, Yellville, Ark.

PRESIDENT TRUMAN'S MEXICO CITY ADDRESS

Mr. LYLE. Mr. Speaker, I ask unanimous consent to adress the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LYLE. Mr. Speaker, President Truman's address in Mexico City last night exemplified the qualities of understanding, courage, and statesmanship which so eminently equip him for leadership of a great nation, conscious of its responsibilities, its limitations and powers. Surely he speaks the thoughts of America. How fortunate it would be for Congress to have so keen an understanding and equal courage. Assuredly we desire a good, great, and prosperous United States, but, lest we forget, Mr. Speaker, we must have a world to put it in.

TAX REFUNDS

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, I call your attention to the fact that the newspapers today report that tax refunds for the fiscal year 1946 will amount to approximately $3,035,000,000. May I also call your attention to the fact that the President's budget estimated the tax refunds would amount to $3,116,000,000, showing that the President's estimate was practically exactly correct, insofar as tax refunds are concerned.

I also call your attention to the fact that there are approximately $1,000,000,000 in unsettled claims under the excess-profits refund provisions, and also many

other billions of dollars in unsettled claims by reason of a special relief provision in the 1941 Tax Act. It is known as section 722. So we have several billion dollars' worth of claims against the Treasury which are still unsettled. Should taxes be reduced now in the face of these facts and figures?

The SPEAKER. The time of the gentleman from Pennsylvania [Mr. EBERHARTER] has expired.

EXTENSION OF REMARKS

Mr. CELLER asked and was granted permission to extend his remarks in the RECORD in two instances.

Mrs. DOUGLAS asked and was granted permission to extend her remarks in the RECORD in four instances and include certain extraneous matter.

Mr. LYLE asked and was granted permission to extend his remarks in the RECORD and include the address given at Mexico City by the President of the United States.

Mr. GORDON asked and was granted permission to extend his remarks in the RECORD and include a telegram giving the correct year of General Pulaski's birth.

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. LODGE (at the request of Mr. SEELY-BROWN) was granted permission to extend his own remarks in the RECORD.

Mr. EDWIN ARTHUR HALL asked and was granted permission to extend his remarks in the RECORD and include a radio address.

BENEFIT BASEBALL GAME BETWEEN THE SENATE AND THE HOUSE OF REPRESENTATIVES

Mr. PRICE of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PRICE of Florida. Mr. Speaker, yesterday I introduced a resolution asking the Speaker to invite the Senate to participate in a benefit baseball game.

There has been much in the papers about raising money for the Boys Clubs of the District. I believe the people of Washington would support such a game and that several thousand dollars would be collected for this very important work. What better way could you raise money for Boys Clubs then through a benefit baseball game?

It would be asking the Members of the House and Senate to make a very small contribution of time. This country has been operating under a strain for several years because of the war and since the war the political battle has been almost as bad.

Do you not think it would have a wholesome effect on our country for the people to relax for one afternoon and say, "Well, we shall not have to worry or fret today. Our lawmakers are out making a little money for the underprivileged boys of our Capital instead of spending millions on some people in a far-away land that were perhaps only a few short years ago killing the big brothers of these same boys."

Is there a Member of this House who would not be willing to contribute his efforts for such a worthy cause?

Let us give the taxpayers a break. Let us give them a chance to yell at us. Let us give them an opportunity to tell us to our faces just what they have been calling us to our backs. Do you not think they would get a big kick out of shouting, "Look at that bum fumble the ball; hit that ball, you so-and-so; run for home, doggone you, run"? I can hear them scream, "Throw him out." Just think what some of the fans would call the gentleman from ———, who may be umpiring.

Boy, what do you think they would pay for that privilege? I can see them standing in line to buy tickets now.

Mr. RANKIN. Why not ask them to play ball with us in the Capitol?

The SPEAKER. The time of the gentleman from Florida has expired.

THE SCHOOL-LUNCH PROGRAM

Mr. FOLGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. FOLGER]?

There was no objection.

Mr. FOLGER. Mr. Speaker, I am receiving, and I am quite sure other Members of the House are receiving, appeals for the extension of the school-lunch program for this unfinished school year. In the mail I received a picture of some children at a school lunch table, and under it were the words, "Must move and give this up by the 31st day of March."

Mr. Speaker, I think this is one of the most humane and necessary provisions this Congress has made for the children of this country. I do appeal to the members of the Committee on Appropriations to make a deficiency appropriation to wind up this year's work in this great and noble cause. The next year's requirements will be for next year's consideration.

The SPEAKER. The time of the gentleman from North Carolina [Mr. FOLGER] has expired.

INVESTIGATION OF VETERANS' ADMINISTRATION

Mr. ALLEN of Illinois, from the Committee on Rules, submitted the following privileged resolution (H. Res. 120), which was referred to the House Calendar and ordered printed:

Resolved, That the Committee on Veterans' Affairs, acting as a whole or by subcommittee, is authorized and directed to conduct an inspection of the Veterans' Administration with a particular view to determining the efficiency of the administration and operation of Veterans' Administration installations.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), as soon as practicable during the present Congress, the results of its inspection, together with such recommendations for legislation as it deems advisable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such records, documents, and papers, to administer oaths, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member.

INVESTIGATION OF VETERANS' ADMINISTRATION

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, the rule just reported by the chairman of the Committee on Rules is a resolution to investigate General Bradley, the best friend the soldiers of this country have. The resolution was reported without a single sound reason having been given for reporting it and without the general having an opportunity to be heard, a thing never done by the committee to my recollection.

The SPEAKER. The time of the gentleman from Georgia has expired.

EXTENSION OF REMARKS

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD and include an article on the natural gas shortage in western Pennsylvania.

Mr. BAKEWELL asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. ANDERSON of California asked and was given permission to extend his remarks in the Appendix of the RECORD and include a statement.

Mr. CRAWFORD asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an address by the president of Notre Dame and in the other a statement of the director of the National Property Owners' Foundation on H. R. 2025.

Mr. McCORMACK asked and was given permission to extend his remarks in the Appendix of the RECORD and include a copy of a letter he sent to Secretary of State George C. Marshall.

THE PRIVATE CALENDAR

The SPEAKER. This is the day for the calling of the Private Calendar.

The Clerk will call the first bill on the calendar.

REAR ADM. CHARLES E. ROSENDAHL, UNITED STATES NAVY

The Clerk called House Joint Resolution 92, authorizing the presentation of the Distinguished Flying Cross to Rear Adm. Charles E. Rosendahl, United States Navy.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That the Distinguished Flying Cross, with accompanying ribbon, shall be presented to Rear Adm. Charles E. Rosendahl, United States Navy, by the Secretary of the Navy in recognition of his heroic and distinguished action as commanding officer of the Navy dirigible U. S. S. *Shenandoah* on September 3, 1925, on the occasion of its

destruction and loss during a violent storm and particularly for the extraordinary achievement of this officer in the successful navigation of the airborne remnant of the airship, without injuiry to the survivors of the catastrophe.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMERICAN TELEPHONE & TELEGRAPH CO.

The Clerk called the bill (S. 220) to authorize the Secretary of the Navy to convey to American Telephone & Telegraph Co. an easement for communication purposes in certain lands situated in Virginia and Maryland.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to grant, subject to such terms and conditions as he may prescribe, to American Telephone & Telegraph Co. of Virginia, a corporation, an easement for the installation, maintenance, operation, replacement, and removal of underground communication systems consisting of cables, wires, conduits, manholes, drains and splicing boxes, surface testing terminals, repeaters, markers, and other appurtenances as the said corporation may from time to time require (a) upon, under, and across the following parcels of land within the boundaries of the United States Naval Proving Grounds, King George County, Va., the metes and bounds descriptions of which are on file in the Navy Department:

(1) a strip of land $16\frac{5}{10}$ feet in width and approximately 5,616 feet in length extending from the westerly boundary of said naval reservation to the Potomac River, north of and adjacent to United States Highway No. 301;

(2) a strip of land $16\frac{5}{10}$ feet in width and approximately 420 feet in length connecting with the aforesaid strip of land and running northeasterly to the Potomac River;

(3) a piece or parcel of land containing approximately $116\frac{375}{1000}$ square feet for an auxiliary repeater station site;

and (b) upon, under, and across the railroad right-of-way of the United States of America between Fredericksburg and Dahlgren, King George County, Va., at station 1450 plus 57 of said railroad station system, the metes and bounds description of which is on file in the Navy Department.

SEC. 2. The Secretary of the Navy is further authorized to grant, subject to such terms and conditions as he may prescribe, to American Telephone & Telegraph Co. of Baltimore City, a corporation, an easement for the purposes contained in section 1 of this act, upon, under, and across the railroad right-of-way of the United States of America between Indian Head and White Plains, Charles County, Md., at a point in said right-of-way 2,431 feet distant along the railroad centerline from the point of switch with the main line of the Pope Creek Branch of the Baltimore and Washington Railroad, the metes and bounds description of which is on file in the Navy Department.

SEC. 3. The conveyances made pursuant to this act shall be at no cost to the grantee.

With the following committee amendment:

Page 3, line 14, strike out all of lines 14 and 15.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VIRGINIA ELECTRIC & POWER CO.

The Clerk called the bill (S. 221) to authorize the Secretary of the Navy to grant and convey to the Virginia Electric & Power Co., a perpetual easement in two strips of land comprising portions of the Norfolk Navy Yard, Portsmouth, Va., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to grant and convey by quitclaim deed under such conditions as he may approve, to Virginia Electric & Power Co., a corporation organized and existing under and by virtue of the laws of the Commonwealth of Virginia, without cost to said corporation, a perpetual easement in two strips of land, each 20 feet in width, and 414 feet in length and 663 feet in length, respectively, containing four hundred and ninety-four one-thousandths of an acre of land, more or less, comprising portions of the salvage yard and the Public Works storage lot, Norfolk Navy Yard, Portsmouth, Va., for the construction, maintenance, operation, renewal, replacement, and repair of electric power transmission and distribution lines consisting of poles, wires, cables, and other fixtures and appurtenances incidental thereto, the metes and bounds descriptions of which are on file in the Navy Department.

SEC. 2. The Secretary of the Navy, in consideration of the transfer to the United States by Virginia Electric & Power Co. title to certain equipment consisting of poles, wires, cross-arms, insulators, and other incidental materials, is further authorized to transfer, under such conditions as he shall approve, to said Virginia Electric & Power Co., without cost to said corporation, all of the right, title, and interest of the United States of America, in two electric cables, each three conductor, 350,000 circular mils, 11,000-volt, and each 3,910 feet in length, which are installed within two conduits of the United States of America, constructed in and upon a strip of land comprising a part of the Norfolk Navy Yard, Portsmouth, Va.; and the Secretary of the Navy is further authorized to grant and convey, under such conditions as he may approve, to Virginia Electric & Power Co., without cost to said corporation, a perpetual easement to maintain, operate, renew, replace, and repair the aforesaid electric cables within said conduits, the metes and bounds description of the location of which is on file in the Navy Department.

With the following committee amendments:

Strike out words "without cost to said corporation" on page 1, line 8.

Add the word "of" after the word "Company" on page 2, line 15.

Strike out the words "without cost to said corporation" on page 2, line 19.

Strike out the words "without cost to said corporation" on page 3, line 4.

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EASEMENT IN LAND IN BIBB COUNTY, GA., TO THE CENTRAL OF GEORGIA RAILWAY CO.

The Clerk called the bill (S. 234) to authorize the Secretary of the Navy to convey to the Central of Georgia Railway Co. an easement for railway purposes in certain Government-owned lands situated in Bibb County, Ga.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he hereby is, authorized to convey to the Central of Georgia Railway Co. a perpetual easement for the installation and operation of a railroad spur track in, over, and across a $50\frac{1}{2}$-foot strip of land at the Naval Ordnance Plant, Macon, Ga., containing approximately 0.033 acre of land, metes and bounds description of which is on file in the Navy Department.

SEC. 2. The Secretary of the Navy shall require, as a condition precedent to the conveyance herein authorized, payment by the grantee to the United States of a sum equal to the current market value of the easement herein authorized to be conveyed. The grantee shall bear the expense of relocating fencing, gates, and power poles now located on the land.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ALMA RICHARDS AND MRS. MARY BLOCK

The Clerk called the bill (H. R. 348) for the relief of Dr. Alma Richards and Mrs. Mary Block.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DEANE and Mr. TRIMBLE objected, and under the rule, the bill was recommitted to the Committee on the Judiciary.

ALLEN T. FEAMSTER, JR.

The Clerk called the bill (H. R. 381) for the relief of Allen T. Feamster, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Allen T. Feamster, Jr., of North Hollywood, Calif., the sum of $4,596.42. The payment of such sum shall be in full settlement of all claims of the said Allen T. Feamster, Jr., against the United States, arising out of the .45 caliber bullet wound received by him on March 25, 1942, while he was lawfully on the camp grounds of the One Hundred and Twenty-fifth United States Infantry Regiment, Los Angeles, Calif.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$4,596.42" and insert in lieu thereof "$2,666.07."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHOCTAWHATCHEE ELECTRIC COOPERATIVE, INC.

The Clerk called the bill (H. R. 566) for the relief of the Choctawhatchee Electric Cooperative, Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Choctawhatchee Electric Cooperative, Inc., De Funiak Springs, Fla., the sum of $972.93. The payment of such sum shall be in full settlement of all claims of the said cooperative against the United States on account of furnishing to the officers' mess at White Point, Eglin Field, Fla., electric power during the period July 12, 1941, to December 12, 1941, both inclusive.

With the following committee amendments:

Line 7, strike out the figures "$972.93" and insert in lieu thereof the figures "$899."

At the end of the bill, add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the calling of the Private Calendar.

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Mr. HARNESS of Indiana. Mr. Speaker, I call up House Resolution 118 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Committee on Expenditures in the Executive Departments, acting as a whole or by subcommittee, is authorized to conduct studies and investigations of any action, rule, procedure, regulation, order, or directive taken or promulgated by any department or independent agency of the Federal Government where complaint is made to the committee, or subcommittee thereof, that such action, rule, regulation, procedure, order, or directive—

(1) is beyond the scope of the power or authority granted to such department or independent agency by Congress or by Executive order;

(2) invades the constitutional rights, privileges, or immunities of citizens of the United States;

(3) inflicts penalties for failure to comply with such rules, regulations, or directives, without affording those accused of violation an opportunity to present their defense before a fair and impartial tribunal.

For such purposes the said committee or any subcommittee thereof is hereby authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

That the said committee shall report to the House of Representatives during the present Congress the results of their studies and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

Mr. HARNESS of Indiana. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Illinois [Mr. SABATH].

Mr. Speaker, this resolution simply sets up within the Committee on Expenditures in the Executive Departments a similar committee to that which the House authorized in the Seventy-ninth Congress, known as the Smith committee, headed by the gentleman from Virginia [Mr. SMITH]. This resolution is made necessary because of the scope of the authority granted the committee. Under the Reorganization Act the Committee on Expenditures in the Executive Departments does not have all of the authority which the old special Smith committee had and it is proposed in this resolution to give to the committee and its subcommittees the same power that the old Smith committee had. I am sure every Member of the House who is familiar with the splendid record of the old Smith committee will applaud this proposal.

Mr. PICKETT. Mr. Speaker, will the gentleman yield?

Mr. HARNESS of Indiana. I yield to the gentleman from Texas.

Mr. PICKETT. May I ask the gentleman if it is not true that in the proposed resolution as compared with the resolution creating the Smith committee there is additional authority given to the Committee on Expenditures in the Executive Departments by this resolution over that granted under the House Rules and under the Reorganization Act?

Mr. HARNESS of Indiana. Yes. I tried to make that clear. The three points covered must be authorized by the House, which gives to the Committee on Expenditures in the Executive Departments additional authority beyond that which the Reorganization Act gave.

Mr. PICKETT. Can the gentleman enlighten us as to the necessity for that at this time?

Mr. HARNESS of Indiana. I think every Member of the House recognizes the necessity for such a committee. Scarcely a day passes that some Member of Congress does not receive a complaint from his constituency against an official of one of the bureaus or agencies of the Government in which complaint is made that they are taking advantage of him, not giving him an opportunity to be heard, or that they are exceeding the scope and power of authority granted to them by the Congress.

It is proposed in this resolution that this committee may examine those complaints, call the man in against whom the complaint is made, and also the complainant, and find out what is wrong. You may find in some instances where the complainant is wrong. On the other hand you may find the agency of Government or some official in that agency who is exceeding his authority under the law. That is the purpose of it.

Mr. PICKETT. Will the gentleman yield further for an additional question or two?

Mr. HARNESS of Indiana. I will be very happy to.

Mr. PICKETT. Is it not possible that the passage of this resolution, in the phraseology that it is now couched, and with the authority that is apparently granted to it, would be an overlapping one with perhaps the Committee on the Judiciary in some respects, and even the Committee on Un-American Activities, both of which are standing committees of the House?

Mr. HARNESS of Indiana. No; I do not think it will overlap any other committee of the House. This simply gives to a standing committee of this House the authority which I believe no other committee of the House now has.

Mr. PICKETT. The gentleman is familiar, of course, with rule XI, section L, dealing with the judiciary, which confers upon that committee the authority to investigate and look into those things dealing with violation of civil liberties. In that connection would not subsection 2 of this resolution that is now proposed to be adopted have, to some extent, an overlapping function?

Mr. HARNESS of Indiana. There is a possibility that some phases of civil liberties would be involved, in one's constitutional rights and privileges, but I do not think that it in any way presents a conflict of jurisdiction.

Mr. PICKETT. Then the same thing might be said in effect with reference to section 3 of this resolution, might it not?

Mr. HARNESS of Indiana. No. I do not know of any other committee of the House that has the jurisdiction covered by section 3 of the resolution.

Mr. PICKETT. All right. Now, will the gentleman answer one further question, please? In lines 13, 14, and 15 the language of this resolution is as follows:

Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him.

If the gentleman will recall, we have been regaled in the press in the past few days over an apparent lack of authority that caused a man in high office in the Government to be subpenaed by the subcommittee of a standing committee, and the authority for that subpena issuance was not the chairman of the standing committee, and subsequent to the issuance of the subpena the action of the gentleman who did issue the subpena was rescinded by authority of the chairman himself. Has the proponent of this resolution given any thought to the probability that we might have similar difficulties if authority is given to any member of the subcommittee to issue subpenas?

Mr. HARNESS of Indiana. I think the committee already has that power by resolution which passed the House here some few days ago, and, of course, that is all within the province of the chairman of the committee, who has the authority.

Mr. PICKETT. Of course, it is; but does not the gentleman think that we may resolve ourselves into the same dilemma if that course is pursued in this instance?

Mr. HARNESS of Indiana. I do not think so, and I do not see anything wrong with what the gentleman is talking about, except the chairman and the subcommittee chairman perhaps did not have a complete understanding about it.

Mr. PICKETT. Evidently the chairman of the committee thought something was wrong because he rescinded the action of his subcommittee chairman.

Mr. HARNESS of Indiana. I now yield to the gentleman from Illinois.

EXTENSION OF SUBPENA POWERS TO COMMITTEE ON EXPENDITURES IN EXECUTIVE DEPARTMENTS

Mr. SABATH. Mr. Speaker, this is just one more resolution to investigate. Only this morning we reported another. There are half a dozen, or perhaps a dozen, waiting for action by the Committee on Rules, proposing to investigate anything and everything. I am indeed surprised that the committee feels it must have more power than the original Smith committee.

CONTINUES WORK OF SPECIAL COMMITTEE UNDER DEMOCRATIC MAJORITY

You have submitted this resolution to continue an investigation originated in the Democratic Congress, continued through two Congresses under the chairmanship of the gentleman from Virginia [Mr. SMITH], a most thorough and capable investigator; and I think that all the allegations of abuse of power by executive agencies have been pretty thoroughly looked into.

You will recall that the investigation was initiated on the basis of charges that some agencies of Government exceeded their powers. I believe that in a few minor instances some substantiation was found for the charges against what you are pleased to call the bureaucrats, who are men and women trying to administer the laws we enact.

When the Democrats were in power we did not hesitate to order an investigation of our own administration. It was thorough. It was completed.

Therefore, it is amazing to me that after this earlier committee has so thoroughly sifted the ground you should come in here seeking a new mandate for a subcommittee clothed with the power of issuing subpenas independent of the authority of the chairman.

POLITICAL MOTIVATION SEEMS OBVIOUS

It seems to me that the obvious answer is politics.

You believe that in some obscure corner you may be able to find somebody who, in the stress of wartime, has interpreted loose legal language to enable him to cut red tape of which you prate so much. Perhaps you hope to be able to do some smearing, duplicating the hard mud slinging of other committees designed for that purpose.

Perhaps it is merely hoped by constant snooping to scare our administrative agencies into impotence.

Mr. HARNESS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Indiana.

Mr. HARNESS of Indiana. I understood the gentleman to say this resolution would give to the Committee on Expenditures in the Executive Departments more power than the Smith committee had.

Mr. SABATH. Yes.

Mr. HARNESS of Indiana. I think the gentleman is mistaken about that, because this gives the committee the same powers the old Smith committee had.

Mr. SABATH. Then why did you not merely extend the life of that committee an additional year or two?

Mr. HARNESS of Indiana. For the simple reason that we wanted to keep it within the standing committee of the House and not set up another special committee. Certainly that is in keeping with the policy of the Reorganization Act.

Mr. SABATH. Notwithstanding what the gentleman says, I am of the opinion that this resolution goes much further and gives greater power to that committee because it authorizes the chairman of a subcommittee to issue subpenas. Surely the Smith committee had no such loose delegation of authority. Even if this were not authorized, I feel this committee would go as far as it possibly could to find some defect somewhere.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Michigan.

Mr. HOFFMAN. That cannot be, because if memory serves me correctly you just withdrew a member from the Committee on Expenditures and put on the whip, your former majority leader. The gentleman is not accusing him of any ulterior motives, is he?

PREVIOUS INVESTIGATION THOROUGH

Mr. SABATH. Of course I am not, and I could not. I think the question the gentleman has propounded has nothing to do with this resolution. I do not know about the withdrawal or changing of the members of that committee. That is nothing unusual. It is done very frequently to help and strengthen these committees.

Mr. HOFFMAN. That is right.

Mr. SABATH. As has been suggested by the question of the gentleman from Texas, this resolution gives the committee the power to issue subpenas, and gives it such broad powers that I am afraid, despite the fact the gentleman from Michigan, the chairman of the committee, may not wish to exceed proper authority, that this resolution goes altogether too far. I know that no one can accuse the gentleman from Virginia of not having conducted a thorough, painstaking investigation. He brought about some changes that were helpful and beneficial. If there were any errors of omission or commission they have been rectified.

Hence, I do not see why this resolution is necessary. It seems to me that it has been introduced only because it is the aim of the majority, rather than bringing out legislation in the interest of the people, to devote themselves and the time and money of the Government and the taxes of our people on unnecessary investigations. I have no objection to an honest and proper investigation. If any agency or commission or department has exceeded its authority and made a mistake, if there has been an abuse of power, the House can at all times by action here correct it without going through this investigation, which I know will cost the Government tremendous sums of money.

WHERE IS THIS ECONOMY?

You gentlemen speak of economy, economy, economy; yet every day you dump a new bunch of resolutions here to investigate anything and anybody, all of which will cost the people more money.

I cannot see that you have accomplished anything which will either reduce the cost of government or remedy any situation genuinely against the best interests of the people.

Naturally, with those opinions, I am opposed to the resolution and believe it should not pass.

I know, however, the Republican side will support it solidly. You prefer to spend your time here, not in serious and constructive legislation, but in boondoggling investigations, just as you did after the last World War; but again, as then, you will find that such abuses as occurred were by and for the benefit of Republicans.

Of course, all these investigating committees will do a lot of traveling, and you love to travel at public expense. I can only say that I hope it gives some of you an opportunity to learn something about your own great country.

Mr. HARNESS of Indiana. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, the gentleman from Illinois [Mr. SABATH] should be listened to by the new Members with a great deal of interest because if anyone can tell them anything about investigations and traveling around the country and hiring lawyers and investigating, this, that, or the other, because of his experience, he can do it.

But this is not a committee to investigate bonds or bondholders or bond sellers or anything else up in Chicago. The gentleman ought to be consistent. He gets down here in the well of the House and kicks because "you are giving a standing committee additional authority." Then he asked why we did not create another special committee. He was just hollering about additional authority to standing committees. I do not know whether he wants to keep investigations within the standing committees created by the Reorganization Act or whether he wants special committees. You cannot tell from what he says what he does want.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. SABATH. I think the standing committees should have the power to investigate.

Mr. HOFFMAN. Yes; so do I, but you object to the standing committee doing the work. You then ask why did we not recreate the Smith committee. That is what you said. The Smith committee had $191,500 to spend, and this committee will ask for but a fraction of that.

Mr. SABATH. But that committee has made its investigation, and I do not think

there is anything to investigate in addition to what has been already investigated.

Mr. HOFFMAN. You do not? That committee did a remarkable job. The work for this committee is on subsequent matters. Listen to this, then. For instance, here is the CPA—Civilian Production Administration.

Out in my home town a veteran wanted to buy a stove, a heating stove. Now, the gentleman may not know what a heating stove is because he lives in a place where they have radiators, and they get heat that way. But this veteran wanted a heating stove. There was no way of heating his house for himself, his wife, and his kids except by a stove. But along comes the CPA and says, "You cannot buy a stove until you get a priority." So the CPA agent travels from Grand Rapids, 40 miles down to my home town, and 40 miles back, and reaches the conclusion after looking over the premises that the landlord, instead of the tenant, ought to buy the stove. How do you like that one?

A couple of veterans, one a paratrooper and one a former marine, got together and started to put up one of these little sheet-iron houses. The cost was less than a thousand dollars. They got it all up except the top section. Down comes the CPA agent from Grand Rapids, 40 miles away and then 40 miles back, and says, "You have to wait now and file an application with our office in order to get permission to put the roof on."

Then there is another instance concerning Three Rivers, Mich., and another one in White Pigeon, and another one over in Hastings. The home folks get buildings partly constructed and along comes the CPA and says, "You can't finish the job until you see us."

NLRB

The National Labor Relations Board went down to St. Louis, down to Jasper, Ind., to the Jasper Desk Co. There was a jurisdictional fight between an independent and CIO union, so the National Labor Relations Board goes down there and it files a complaint against whom? Against the Jasper Desk Co. and against the independent union and, bless your heart, against a newspaper which had the audacity to write an editorial condemning the organizing activities of the Board and the CIO, and they sent Dorothy L. Craig, one of their investigators, around to inquire of manufacturers up in Michigan as to whether or not they bought advertising space in the Labor Digest, which had condemned, editorially, this CIO and the NLRB.

During the last session of Congress, the Smith committee handled dozens of these things without spending money except for the clerical staff and perhaps a special counsel, and they got relief for the folks at home.

The SPEAKER. The time of the gentleman from Michigan [Mr. HOFFMAN] has expired.

Mr. HARNESS of Indiana. Mr. Speaker, I yield the gentleman one additional minute.

Mr. HOFFMAN. This committee will confine itself to investigations in the line of the authority which is conferred upon the regular standing committee and that exercised by the former Smith committee. I am happy to add that the minority—and I say this without in any way casting any reflections upon anyone who got off of that committee—has now put on that committee, so as to be absolutely certain—absolutely certain—that the committee will not do a thing that is wrong, the distinguished gentleman from Massachusetts, the former majority leader. I am sure there is no man who is better qualified, who has more courage, and who will be more active and determined on that committee than he.

The SPEAKER. The time of the gentleman from Michigan has again expired.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. PICKETT].

Mr. PICKETT. Mr. Speaker, it is not my purpose to get into another scrap opposing this resolution, whether it comes within or without the scope and purview of the Reorganization Act. We took that matter up last Wednesday at some length when we discussed the creation of two select committees of the House. It occurs to me that the gentleman from Indiana [Mr. HARNESS] was very much concerned about staying within what he thought some of us believed were the proper terms of the Reorganization Act, when he said that was the reason they did not bring this in as a select committee. I think he is following the proper procedure in this instance, permitting the standing committee to appoint a subcommittee to do the stated purpose.

There is one question I would like to ask the gentleman from Michigan [Mr. HOFFMAN]. Is it in contemplation of his plan now, as chairman of the standing Committee on Expenditures in Executive Departments, to utilize the expert and clerical staff that you already have, or that you can appoint in keeping with the Reorganization Act to carry on investigations of this sort, or do you intend to request funds for the employment of additional personnel other than those provided within the reorganization law?

Mr. HOFFMAN. Beyond question, there will be requests. I never knew a committee to be created that did not ask for something, but the demand will be modest, and as far as I am personally concerned I will never move until I have consulted the former majority leader and the ranking member of the minority, the gentleman from Alabama [Mr. MANASCO], and the gentleman from Massachusetts [Mr. MCCORMACK], whenever they are available. I would not feel as though I could do much of anything unless they advised me what to do and gave their support. I intend to follow their wishes as far as I can.

Mr. PICKETT. I am sure they will give you pertinent and succinct advice if you call upon them for it.

Mr. HOFFMAN. May I interrupt the gentleman?

Mr. PICKETT. Certainly.

Mr. HOFFMAN. I have already called, I have begged, I have beseeched. I call on them now. They are here on the floor at this moment.

Mr. PICKETT. And I am sure they will be delighted to do so. But some of us still would like to know if the gentleman has any idea he can give us as to what personnel his subcommittee is going to require other than the four experts and the clerical staff of six provided by the Reorganization Act.

Mr. HOFFMAN. I may say to the gentleman that coming from a small town where $2,500 is considered a fair income that he need not worry about that. We will count not only the nickels but the pennies, and we will not spend as much as any other committee would spend under similar circumstances.

Mr. PICKETT. I take it, then, by the gentleman's failure to answer the question twice that he does not know what the answer is.

Mr. HOFFMAN. No; not in dollars and cents; of course I do not, any more than your committee over here on House Administration knows what the answer is in each case.

Mr. PICKETT. We are not asking for this, if the gentleman will yield to me a minute of my own time, we are not asking for the creation of this authority ourselves. We want to know what the gentleman has in mind in seeking its creation. We want to be cooperative about the matter, but we would like to have that information.

Mr. HOFFMAN. No one knows what the final answer is, but considering the $191,500 this other committee has throughout its history I do not believe the Members of the House need worry about our wasting money.

Mr. PICKETT. I may say to the gentleman from Michigan in that respect that had he come before the Subcommittee on Accounts of the Committee on House Administration with any figures to show what he wanted his money for and what he proposed to use it for, then he perhaps would have got considerable more consideration out of that committee than was accorded him.

And I will say to him again that if he would bear in mind in hearings that he attends that if he seeks funds at the hands of the Committee on Accounts he should make an estimate in writing of how many he expects to employ and in what capacity he expects to employ them, what his anticipated expenditures may be with full knowledge and understanding, of course, that you cannot delineate it in detail and expect to be bound completely by it for all future time, but with the knowledge that once you have done that and shown what had been done with what was allotted, and ask for more funds it can be justified and he may get more funds.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. SABATH. Mr. Speaker, I yield the gentleman five additional minutes.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield for a correction right there?

Mr. PICKETT. Yes; I will be glad to yield.

Mr. HOFFMAN. The gentleman said I appeared before his committee. I did not appear before the full committee; I appeared before the subcommittee. The subcommittee unanimously reported that we should have $60,000—$50,000 to go to the subcommittee on expenditures,

which was investigating war assets, and the other $10,000 for all the rest of the subcommittees. They did not give us even the $10,000.

Now, I can make an estimate like this Committee on War Assets made, which took over the old Slaughter committee's pay roll, and said they guessed they would have to spend about what the other committee did. They gave them $50,000.

Mr. PICKETT. If the gentleman, as I say, will come with a detailed estimate of what his committee needs the money for, I assure him that his application will receive careful consideration and a very favorable reception.

Mr. HOFFMAN. And money—some money, I hope.

Mr. PICKETT. Let me ask a question. I call attention to subsection 2 of this resolution, reading as follows:

> Invades the constitutional rights, privileges, or immunities of citizens of the United States.

Does he concede this gives the subcommittee broad power and discretion in its investigations? And if he does so concede, then will he please advise us to what extent he expects to pursue the authority and jurisdiction that is conferred in that section?

Mr. HOFFMAN. May I say to the gentleman in the first place and by way of a preliminary statement, knowing, as I do, that the chairman of the Committee on the Judiciary, whose interest the gentleman from Texas seems to be representing now, is headed by the distinguished gentleman from Michigan [Mr. MICHENER], there will be no conflict as to jurisdiction. He is my senior here by many years, and I certainly would not go contrary to his wishes—at no time.

Now, the Smith committee had to do with the action of these executive agencies. We are not now concerned with the question of civil rights generally. It is when some bureau down here makes some ruling, order, regulation, or directive which it has no right to make, which deprives an individual or individuals in our home community or somewhere else in the United States of his rights. I may say to the gentleman that I think our committee has the authority, but the Parliamentarian disagreed—said there might be some doubt—and told us to get this resolution. I followed the easy road.

Mr. PICKETT. I understand the gentleman to say that with the same authority granted here that was had by the Smith committee during the course of its existence, he does not seek to extend the scope of the investigations beyond that which was considered to be the scope exercised by the Smith committee; is that correct?

Mr. HOFFMAN. No. I would not think of it. I thank the gentleman.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PICKETT. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I notice language here that authorizes the issuance of subpenas over the signature of either the chairman of the committee or any member of the committee designated by him. In view of a most unpleasant experience that one committee had, I am wondering whether or not it is felt by the majority that that language should be in here. That is a responsibility that rests on the majority, of course, because no amendment may be offered unless the gentlemen in charge yields for that purpose. It does seem to me that the most careful procedure to follow would be for the chairman to issue the subpenas, and, in my opinion, the Speaker should also be consulted in relation to the issuance of subpenas. We have had a most unpleasant experience. I am not going to comment on it at this time, but certainly we should not want to have a repetition of that, and when language in a resolution is such as the provision contained in here, certainly there always exists the possibility of a repetition of the unfortunate and regrettable incident that happened only a few days ago.

Mr. PICKETT. I may say to the gentleman from Massachusetts that I made inquiry in reference to the same matter of the gentleman from Indiana [Mr. HARNESS] a few minutes ago, and from his answer I take it that he does not feel this will cause any further trouble.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. HARNESS of Indiana. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. THOMAS].

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMAS of New Jersey. Mr. Speaker, as chairman of the Committee on Un-American Activities, I wish to report that our investigations reveal that an elaborate scheme of "legal espionage" operations is being carried on in the United States by the Russian Government. One phase of this legal espionage has been the tapping of the inventive genius of America's industrial and military development for the benefit of the Soviet Government.

Since 1943, the Soviet Union, acting through its agencies in the United States, has succeeded in obtaining practically every industrial, chemical, and military patent from our Patent Office—hundreds of thousands of them—dealing with every phase of our technological development. They have ordered as many as 60,000 in one request. And what have we received in return? Nothing. Since 1927, Russia has refused to give us a single patent, yet we have obligingly handed to them in this one-way exchange, our industrial and military know-how.

Russia obtained these patents, for example, by having one of their front agencies in the United States flood the Patent Office with orders for patents. One order from this dummy agency dated January 2, 1945, called for all patents for the year 1942 and part of 1943. This agency known as the Four Continent Book Corp., of 253 Fifth Avenue, New York City, is described on its letterhead as being importers from the U. S. S. R. of new, old, and rare books.

They did it by having the Amtorg Trading Corp., of 210 Madison Avenue, New York City, official trading agency of the U. S. S. R. in the United States, place orders for thousands of patents in every field.

They did it by having the Soviet Purchasing Commission, of 210 Madison Avenue, New York City, file huge orders and by having their embassy and consulate offices in the United States likewise place orders. They even had the Soviet Legation, in Ottawa, Canada, placing orders.

I sent committee agents down to the Patent Office to get these orders and I have them here. They are most interesting, and we shall continue to investigate various phases of this matter.

This is a sample of the way Russia uses her allies. They are mere birds to be picked clean and get nothing in return. And what kind of patents did the Amtorg Trading Corp. request? As an example, I shall refer to their order of April 20, 1944, and list and describe the patents:

Patent No. 2,316,885: Airplane.

Patent No. 2,316,895: Parachute and parachute pack.

Patent No. 2,316,896: Parachute and parachute pack.

Patent No. 2,316,949: Method of plasticizing synthetic rubber.

Patent No. 2,317,019: De-icing device for airplane propellers, wings, and so forth.

Patent No. 2,317,115: Parachute.

Patent No. 2,317,392: Portable emplacement for machine guns.

Patent No. 2,317,412: Military tank.

Patent No. 2,317,610: Airplane-wheel construction.

Patent No. 2, 317,945: Bullet-resistant glazing unit.

Patent No. 2,317,973: Cartridge belt.

Patent No. 2,318,155: Gun-rifling machine.

Patent No. 2,318,333: Aircraft propeller.

Patent No. 2,317,238: Gunfire-control apparatus.

Patent No. 2,317,251: Ship control.

Patent No. 2,317,256: Bomb-dropping device.

Patent No. 2,317,267: Aircraft wing system.

Patent No. 2,317,285: Float for aircraft.

Patent No. 2,317,323: Resilient tire.

Patent No. 2,317,340: Helicopter.

Patent No. 2,317,341: Helicopter and method of operating same.

Patent No. 2,317,354: Explosive cartridge assembly.

Patent No. 2,317,358: Communication system.

Patent No. 2,318,301: Bullet-resisting armor.

Patent No. 2,318,833: Airplane control.

Patent No. 2,320,238: Aircraft gun and gunner's seat mount.

Patent No. 2,281,336: Recovery of rubber.

Patent No. 2,320,354: Gyroscope system.

Patent No. 2,320,574: Hydroaircraft.

Patent No. 2,320,971: Method of making explosives.

Patent No. 2,320,986: Mine sweeper.

Patent No. 2,321,044: Trigger mechanism for firearms.

Patent No. 2,321,045: Repeating firearms.

Patent No. 2,321,051: Stabilized horizon—aircraft instrument.

Patent No. 2,321,312: Ship torpedo protector.

Patent No. 2,321,298: Ammunition manufacture.

Patent No. 2,321,321: Cartridge shell crimper.

Patent No. 2,321,323: Ammunition trimming apparatus.

Patent No. 2,321,344: Projectile.

Patent No. 2,321,543: Gyro drift control.

Other orders requested such patents as bomb sights, pilot directors, range-finding and flight-director apparatus, and thousands of other technical and military patents which will help in building Russia's military might.

But there is another and more extraordinary and interesting aspect of this sudden and frantic effort of Russia to secure within the past few years all of our industrial techniques and processes. We now know that the real secret of the atom bomb is a thousand secrets, comprising the industrial processes and extension of processes which only American industry and genius have mastered. Therefore, Russia must unravel and put together this jigsaw of processes to get the know-how.

To my mind, it is no coincidence that Russia's sudden interest in all of our patents on industrial development was simultaneous with our atomic research and development.

Through our coddling policy of giving Russia our patented knowledge, she may well be on her way to the discovery of many, if indeed not all, of these thousands of industrial processes and secrets which constitute the great secret of the atomic bomb.

Mr. Speaker, if our Government is to survive, such folly and legal espionage must cease. Consider how ridiculous we are to permit Russia to have in this country at this very moment, 3,696 official agents, while in Russia we have approximately 210 people. That includes our Embassy employees, UNRRA, Red Cross, the Army and Navy, and their wives and dependents. The ratio, in other words, is 18 plus to 1. This to my way of thinking is not realistic reciprocity.

Not only did Russia burden our Patent Office with these orders, they even had the audacity on July 26, 1945, to have the Amtorg Trading Corp. call upon our Patent Office to furnish them with all German patents for 1941, 1942, 1943, and part of 1944. Who was responsible for permitting this one-way patent traffic with the Soviet Government? I think Mr. Henry Wallace, former Secretary of Commerce, should answer to the proper committee of this House as to why such a policy was permitted.

On March 10 of this year, General Marshall will represent the United States at the Four Power Conference of Foreign Ministers to be held in Moscow. I would like for him to take a copy of my remarks with him and to cite it as an example of the type of cooperation we are receiving from Moscow.

Mr. HARNESS of Indiana. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and thirty-two Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 304, nays 42, not voting 86, as follows:

[Roll No. 17]

YEAS—304

Abernethy	Delaney	Johnson, Tex.
Albert	Devitt	Jones, Ala.
Allen, Calif.	D'Ewart	Jones, N. C.
Allen, Ill.	Dingell	Jones, Ohio
Allen, La.	Dirksen	Jones, Wash.
Almond	Dolliver	Jonkman
Andersen, H. Carl	Domengeaux	Judd
Anderson, Calif.	Dondero	Karsten, Mo.
Andresen, August H.	Dorn	Kean
Andrews, Ala.	Doughton	Kearns
Andrews, N. Y.	Eaton	Keating
Angell	Elliott	Keefe
Arends	Ellis	Kelley
Arnold	Ellsworth	Kennedy
Auchincloss	Elsaesser	Kerr
Bakewell	Engel, Mich.	Kersten, Wis.
Banta	Evins	Kilburn
Barrett	Fallon	Kilday
Bates, Ky.	Fellows	Knutson
Bates, Mass.	Fenton	Kunkel
Battle	Fisher	Lanham
Beall	Flannagan	Larcade
Beckworth	Foote	Latham
Bender	Fulton	Lea
Bennett, Mich.	Gamble	LeCompte
Bennett, Mo.	Gary	LeFevre
Bishop	Gavin	Lewis
Blackney	Gearhart	Love
Boggs, Del.	Gifford	Lucas
Bolton	Goff	McConnell
Bonner	Goodwin	McCowen
Boykin	Graham	McDonough
Bradley, Calif.	Grant, Ala.	McDowell
Bramblett	Grant, Ind.	McGarvey
Brehm	Gregory	McGregor
Brooks	Gross	McMahon
Brophy	Gwinn, N. Y.	McMillan, S. C.
Brown, Ga.	Hagen	McMillen, Ill.
Brown, Ohio	Hale	MacKinnon
Bryson	Hall, Edwin Arthur	Macy
Buchanan	Hall, Leonard W.	Mahon
Buck	Halleck	Maloney
Buffett	Hand	Manasco
Bulwinkle	Hardy	Martin, Iowa
Burke	Harless, Ariz.	Mason
Burleson	Harness, Ind.	Mathews
Busbey	Harris	Meade, Ky.
Butler	Harrison	Meade, Md.
Byrnes, Wis.	Hartley	Merrow
Cannon	Hedrick	Meyer
Carson	Hendricks	Michener
Chadwick	Herter	Miller, Calif.
Chelf	Heselton	Miller, Conn.
Chiperfield	Hess	Miller, Md.
Church	Hill	Miller, Nebr.
Clason	Hinshaw	Mills
Clevenger	Hoeven	Monroney
Coffin	Hoffman	Morris
Cole, Kans.	Holifield	Murray, Tenn.
Cole, Mo.	Holmes	Murray, Wis.
Colmer	Hope	Nixon
Cooper	Horan	Nodz
Corbett	Howell	Norblad
Cotton	Hull	Norman
Coudert	Jackson, Calif.	O'Brien
Courtney	Jarman	O'Konski
Cox	Javits	Owens
Cravens	Jenison	Pace
Crawford	Jenkins, Ohio	Passman
Crow	Jennings	Peden
Cunningham	Jensen	Peterson
Dague	Johnson, Calif.	Phillips, Calif.
D'Alesandro	Johnson, Ill.	Phillips, Tenn.
Davis, Ga.	Johnson, Ind.	Pickett
Dawson, Utah	Johnson, Okla.	Potts
Price, Fla.	Schwabe, Okla.	Preston
Priest	Scrivner	Thomason
Ramey	Seely-Brown	Tibbott
Rankin	Shafer	Tollefson
Rayburn	Sheppard	Towe
Reed, Ill.	Sikes	Trimble
Reed, N. Y.	Simpson, Ill.	Twyman
Rees	Smathers	Vail
Reeves	Smith, Kans.	Van Zandt
Rich	Smith, Maine	Vinson
Riehlman	Smith, Ohio	Vursell
Riley	Smith, Va.	Walter
Rizley	Smith, Wis.	Weichel
Robertson	Snyder	Welch
Robsion	Spence	West
Rogers, Fla.	Springer	Wheeler
Rogers, Mass.	Stanley	Whitten
Rohrbough	Stefan	Whittington
Ross	Stigler	Wigglesworth
Russell	Stockman	Williams
Sadlak	Stratton	Wilson, Tex.
St. George	Sundstrom	Winstead
Sanborn	Taber	Wolcott
Sarbacher	Talle	Wood
Sasscer	Teague	Youngblood
Schwabe, Mo.	Thomas, N. J.	Zimmerman

NAYS—42

Blatnik	Forand	Mansfield, Mont.
Boggs, La.	Gordon	Marcantonio
Camp	Gorski	Morgan
Carroll	Granger	Murdock
Celler	Havenner	O'Toole
Clark	Heffernan	Price, Ill.
Cooley	Jackson, Wash.	Rabin
Deane	Kee	Rains
Douglas	Kefauver	Sabath
Drewry	King	Sadowski
Durham	Kirwan	Thomas, Tex.
Eberharter	Klein	Worley
Fernandez	Lusk	
Fogarty	Lynch	
Folger	Madden	

NOT VOTING—86

Barden	Gillette	Patman
Bell	Gillie	Patterson
Bland	Gore	Pfeifer
Bloom	Gossett	Philbin
Bradley, Mich.	Griffiths	Ploeser
Buckley	Gwynne, Iowa	Plumley
Byrne, N. Y.	Hart	Poage
Canfield	Hays	Poulson
Case, N. J.	Hébert	Powell
Case, S. Dak.	Hobbs	Rayfiel
Chapman	Huber	Redden
Chenoweth	Jenkins, Pa.	Richards
Clements	Kearney	Rivers
Clippinger	Keogh	Rockwell
Cole, N. Y.	Landis	Rooney
Combs	Lane	Scoblick
Crosser	Lemke	Scott, Hardie
Curtis	Lesinski	Scott, Hugh D., Jr.
Davis, Tenn.	Lodge	Short
Dawson, Ill.	Lyle	Simpson, Pa.
Donohue	McCormack	Somers
Elston	Mansfield, Tex.	Stevenson
Engle, Calif.	Mitchell	Taylor
Feighan	Morrison	Vorys
Fletcher	Morton	Wadsworth
Fuller	Mundt	Wilson, Ind.
Gallagher	Norrell	Wolverton
Gathings	Norton	Woodruff
Gerlach	O'Hara	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. McCormack for, with Mr. Powell against.

Mr. Engle of California for, with Mr. Rayfiel against.

Mr. Morton for, with Mr. Rooney against.

Mr. Fletcher for, with Mr. Dawson of Illinois against.

Mr. Hugh D. Scott, Jr., for, with Mr. Pfeifer against.

Mr. Simpson of Pennsylvania for, with Mr. Keogh against.

Mr. Donohue for, with Mr. Somers against.

General pairs until further notice:

Mr. Canfield with Mr. Feighan.

Mr. Woodruff with Mr. Davis of Tennessee.

Mr. Taylor with Mr. Byrne of New York.

Mr. Stevenson with Mr. Redden.

Mr. Gallagher with Mr. Rivers.

Mr. Case of New Jersey with Mr. Bland.

Mr. Bradley of Michigan with Mr. Kefauver.

Mr. Rockwell with Mr. Huber.

Mr. Hardie Scott with Mr. Barden.

Mr. Short with Mr. Clements.
Mr. Wadsworth with Mr. Gathings.
Mr. Scoblick with Mrs. Norton.
Mr. Wolverton with Mr. Buckley.
Mr. Ploeser with Mr. Lane.
Mr. Chenoweth with Mr. Philbin.
Mr. Cole of New York with Mr. Gore.
Mr. Jenkins of Pennsylvania with Mr. Hart.
Mr. Gillette with Mr. Morrison.
Mr. Clippinger with Mr. Hébert.
Mr. O'Hara with Mr. Chapman.
Mr. Case of South Dakota with Mr. Lesinski.
Mr. Kearney with Mr. Hobbs.
Mr. Curtis with Mr. Patman.
Mr. Fuller with Mr. Poage.
Mr. Paulson with Mr. Combs.
Mr. Gwynne of Iowa with Mr. Crosser.

Mr. JACKSON of Washington changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit this afternoon during the session of the House.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

RELIEF OF DR. ALMA RICHARDS AND MRS. MARY BLOCK

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that the bill H. R. 348, No. 5 on the Private Calendar, be restored to the calendar for further study.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

SPECIAL ORDER TRANSFERRED

Mr. HOLIFIELD. Mr. Speaker, upon unanimous consent request I was granted permission to address the House for 30 minutes on Wednesday. As the House does not meet on Wednesday, I ask unanimous consent that the time be transferred to Monday next.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

FARM-LABOR-SUPPLY PROGRAM

Mr. ALLEN of Illinois. Mr. Speaker, I call up House Resolution 124 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 2102) to provide for a 6 months' extension and final liquidation of the farm-labor-supply program, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Michigan [Mr. SHAFER] such time as he may require, and ask unanimous consent that he may proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SHAFER. Mr. Speaker, one of the most dangerous boundary lines in the world today is in Korea.

It was created artificially with the sanction and approval of Franklin D. Roosevelt. It was done in secret and without either the knowledge or consent of the American people. It splits the Korean nation asunder.

Korea is back in the headlines today. These headlines are fraught with the gravest peril.

On one side of the line, and in control of 10,000,000 unhappy Koreans, is a huge military force of Soviet Russia. On the other side of the line, and in control of 20,000,000 unhappy Koreans, is a relatively small military force of the United States Army.

Soviet and American troops were reported the other day to have exchanged shots across this infamous and abominable boundary, the thirty-eighth parallel.

Our American commander, Lt. Gen. John R. Hodge, back in Washington to report on Korea, says the Russians are creating in their zone a slave army of nearly half a million Koreans. The reason for this is that the Korean people and their leaders in the south want their own representative government. But Russia tolerates no freedom near its doorstep. Accordingly, it has marked Korea as its next victim.

We are told that history repeats itself. Right now a repetition of the vilest sort is working itself out with results that may be disastrous for the United States.

We all know how Poland was sold down the river in a power-politics deal that benefited no country except Soviet Russia. Exactly the same thing is now happening on the other side of the world—in Korea.

Russia wanted control of Poland and she got it in a secret deal. Russia also wanted control of Korea, and she is in possession of the northern half of that country as the result of still another secret deal.

We all know that Korea is a friendly country. The Koreans fought valiantly against our common enemy—Japan—for 40 years. We all know that Koreans were promised their independence at the Cairo meeting attended by Roosevelt, Churchill, and Chiang Kai-shek. We know that this promise of independence was reaffirmed at Potsdam, with Russia sitting in.

We look at a map and we see Korea split in two, just as Poland. We see that the Red army of occupation is sitting in northern Korea, down to the thirty-eighth parallel. We know an American force is occupying southern Korea, waiting until the Russians agree to withdraw so the Americans can leave, too, and give the Koreans their independence. But there are no signs that the Russians have any intention of getting out. Instead, they are digging in.

The Russians poured into Korea during the last week of the war just as fast as they were able to get there. Although there was no fighting, the Russians went in with a force of a quarter of a million men. They pushed right up to the thirty-eighth parallel line and began to fortify it as though it were the permanent boundary of a hostile power. The only power on the other side of the line was a small force of Americans. The Americans have not fortified their position. They did not crowd up to the Russian line, but left a neutral no-man's land 2 or 3 miles deep between themselves and the Red army.

The Russians at once dropped an iron curtain down along the thirty-eighth parallel line. They refused to let newspapermen into their zone. They would not even let official representatives of the American Army go in. They stopped all trade and all travel back and forth across the line. They shut it up so tight that they will not even broadcast weather information from the northern zone to American weather stations in the south.

Inside their zone in Korea the Russians have applied the same tactics they have used in Poland and elsewhere. They have clamped on a totalitarian dictatorship. They have prohibited freedom of speech, so the Koreans could not criticize what they are doing. They keep out all news from the outside world, so they can tell the Koreans just exactly what they want them to hear. They plaster all the towns with pictures of Lenin and Stalin, and they fill the newspapers and airways with Communist propaganda. And they forbid any Korean to listen to any radio program from outside.

The Russians are hurrying just as fast as they can to make northern Korea a Communist state. They have brought back into their zone several hundred thousand Koreans who had fled to Siberia to escape the Japs, and who have been indoctrinated with communism. They have set up a puppet Communist administration which they claim allows "self-government" to the Koreans in their zone, and they are using three methods to make Communists of as many as they can of the 10,000,000 Koreans who are captive north of the thirty-eighth parallel.

These three methods are force, bribery, and exile. Let us examine them one at a time.

The first method has all the Communist totalitarian earmarks of sheer terrorism. For the first 2 months of their occupation the Russians turned their army loose on the people to rape, loot, and brutalize just as they pleased. When a semblance of "order" was restored, it was the order of the prison house. Koreans were not allowed to travel outside their own villages without papers of identification—and they can

only get those papers after they have convinced their Russian masters that they will be "good" collaborators with the Communist regime.

The Russians also announced that all Koreans who had collaborated with the Japs should be punished. They decided at the start that all Koreans who owned property were Japanese collaborators, so they seized their property and put the Koreans in jail. They took Cho Man Sik, the Korean patriot leader of the north, and tried to make him head of the Communist regime. When Cho Man Sik refused to cooperate with them, they threw him in jail. He has never been heard from since.

The Russians in northern Korea have made it perfectly plain to the people there that the only way to be safe is to give up their national patriotism and support the Russian plans.

Their second method of imposing a Communist state is by bribery. They took over all Japanese-owned property, and all the landholdings of the rich Koreans as well. They then proceeded to redistribute the farm lands. They had some 2,000,000 acres of arable land in their possession, and here is what they did with it. They divided it up into communes. They then told the Korean peasants that in order to hold any land in a commune, they would have to work with the Communist Party. The choice was to play the Russian game, or to starve.

Actually, this land redistribution was a gigantic fake. The Russians told the Korean farmers that the old share-crop system of paying half their crop to the landlords as rent was a crime. That extortion, they said, was ended by the beneficent rule of the Communists. But, they explained, of course the new government had to be supported by taxes. And for the time being at least, the taxes would be the same 50 percent of the crops.

The Korean peasants, naturally, were helpless to oppose the Red army's will. Whatever the terms offered, they had to accept. So they moved back onto the same old farms, and operated them in the same old way. But now title rests in the Communist Party, and they are subject to the will of the Communist state.

The third method the Russians have used is exile. There have been many Koreans who would not accept the new regime on the Russian terms, but at the same time were generally so well-behaved that there was no excuse for executing them or throwing them in jail. To these Koreans the Russians gave the opportunity to escape. They could leave all their property behind, and sneak down through the mountains to the American zone. Thousands of patriotic Koreans accepted that choice. They left their property, their friends, and their home communities behind to join their 20,000,000 fellows south of the thirty-eighth parallel.

This is only a part of the story in Korea today. It is a system based on agreements made in secret, and it operates in secret behind the iron curtain the Russians have dropped across the thirty-eighth parallel line. But it is far from being the whole story.

In northern Korea the Russians are trying to establish communism so firmly that they will always have a Communist regime there to help them dominate the future of the country. But they also are spreading communism through the American-occupied south by every means in their power.

In order to get money with which to do this they substituted a military currency for the 5,000,000,000 paper yen in circulation in their zone. The Americans have kept the paper yen in the south, so all the five billions the Russians have acquired have been available for their propaganda activities in the south.

The question is, What does the United States intend to do to block Russian plans to make Korea another Communist puppet state? We agreed with them at Moscow in December 1945 that Korea should be reunited and a Korean provisional government set up over the whole country. But this decision has never been put into effect. When the Russian-American Joint Commission met last spring to try to put it into effect, the Russians blocked any action by insisting that only Communists should be consulted or permitted to have any part in the provisional government.

That is the situation concerning Korea today. Eighteen months have passed since the Japanese surrender. The Cairo pledge of independence for Korea is further away today than ever before. The Russians are entrenching themselves solidly in northern Korea. The job of prying them loose from Korean control is growing more difficult with every day that passes.

Yet, so far, our only policy is to let the situation alone and wait. What I want to know is what are we waiting for? Why are we giving the Russians still more time? They said over a year ago that they were ready to get out. Why are we not demanding that they keep their word?

The Moscow decision of 1945 has never been enforced. Unless we are willing to sell Korea down the river just as Poland was sold, we had better take some positive action now. The time has come for us to tell Russia that the promises she has made must be kept. If the United States is ever to have any position of respect and prestige in the Orient, the pledges we have made to the Korean, people must be made good. We can never win friends by continuing to back down. Nor can we win friends by denying the Korean people self-government, maintaining a censorship, preventing them from trading with the rest of the world, and treating them not as allies—which they were—but as enemies, which they were not.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, this resolution would make in order consideration of the bill (H. R. 2102) to provide for a 6 months' extension and final liquidation of the farm-labor-supply program, and for other purposes.

This bill, allowing the continued recruitment and channeling to critical farm areas of domestic and foreign farm labor, was reported by the Committee on Agriculture, and it cannot, in any way, be construed as a partisan measure. Therefore the Committee on Rules, mindful of the pressure of other business, and cognizant of the bipartisan nature of the bill, has provided but 1 hour's general debate. This resolution allows amendments under the 5-minute rule, and provides one motion to recommit. As this is a general rule, I doubt that there will be any objections to it.

It is not my intention to infringe upon the prerogative of the chairman of the Committee on Agriculture by going into the details of the provisions of H. R. 2102, but I would like to make some general observations regarding the need for extension of the farm-labor program, as provided in this bill.

Like so much other legislation that has come, and will continue to come before this body, H. R. 2102 is designed to eliminate some of the uncertainty that has arisen out of the economic and social dislocation resulting from the war. For a number of reasons, most of which are directly traceable to the war, farm labor is critically short. This shortage of manpower works a hardship not only on the farmer, but on the canners and other food processors, and ultimately the burden falls on all consumers, who will face a shortage of food unless immediate action is taken.

Because of uncertainty about the supply of farm labor, farmers throughout the country will hesitate to plant crops larger than they can harvest with the help they now have available. That will mean that many thousands of acres of land will lie idle during the growing season. Whereas, these same farmers would plant crops on all tillable acreage if they were assured the labor necessary at harvest time. This bill would tend to remove that uncertainty.

Canners and food processors contract with producers for crops before the actual planting. As I have pointed out, farmers hesitate to contract sale of more than conditions at planting time indicate they can produce. This causes great uncertainty among canners, packers, and other types of processors. Confronted with this dilemma, it is impossible for them to make adequate plans for processing and distributing food.

The general public is not aware, and therefore, at present, unconcerned with, the shortage of farm labor. But it is obvious that it is the consuming public that will bear the brunt of any shortage of food arising out of a farm-labor shortage. It is the duty of Congress to foresee such contingencies, and to prevent them. And that is what this bill is designed to do.

I understand that farm associations, canners, and consumer groups have all endorsed this bill, and, as I stated previously, it was unanimously reported by the Committee on Agriculture. I urge your sympathetic consideration and favorable vote on the bill, and the adoption of House Resolution 124, to make possible its consideration.

Mr. Speaker, I now yield 30 minutes to the gentleman from Illinois [Mr. SABATH].

EXTENSION OF FARM-LABOR-SUPPLY PROGRAM

Mr. SABATH. Mr. Speaker, during the war, at the urgent request of agriculture, and on a showing that an additional supply of farm labor was needed to insure the continued increase in the production of crops already rising by leaps and bounds, the President and the Democratic Congress passed the Farm Labor Supply Program Act.

The act was highly advantageous to farmers, and provided them not only with a supply of docile labor bound by contract but also provided a substantial subsidy through the assumption of all but direct wages by the Government.

But I certainly do not begrudge our farmers that added subsidy; they established a magnificent wartime production record. It was wartime. Emergency measures were well justified. I supported the legislation then, and I merely want the record to show that this was another benefit to agriculture initiated and carried out by the Democratic administration.

SET UP EXEMPTIONS FROM IMMIGRATION LAW

It seems pertinent at this time also to point out that in addition to outright appropriations of funds the law also exempted native-born residents of North and Central America and the adjacent islands from payment of head tax on entry to the United States and from nearly all other provisions of law relating to immigration of residents of this hemisphere except departure bonds.

To protect farmers from labor raiding, a rigid prohibition was written into the law against paying transportation of any individual from one county to another unless the county agent in the county of residence certified his nonessentiality, with all protection of the workers under the minimum wage laws or possible housing standards.

NEW DEAL LEGISLATION NOW EXTENDED

I repeat, Mr. Speaker, I supported this act at the time of passage, and far from begrudging any wartime benefits to the farmers who made America the granary of democracy while our workers made it the arsenal of democracy, I give them all praise.

But now the war is over.

The emergency is passed by, our Republican colleagues have assured us time after time as they have attacked every control which might have helped us pass through the dangerous and delicate reconversion period without the present price chaos.

Why, then, are they reintroducing this wartime act, which a few years ago they denounced as New Deal legislation, and asking for its extension until next December 31?

I am gratified and amazed that they actually find some of the legislation enacted by the Democratic Party under the leadership of President Roosevelt admirable and desirable and beneficial to the farmers and to our Nation. I am sorry only that the farmers of our country seem to have failed to appreciate the fact that not only this enactment but countless other New Deal laws were to their direct advantage and have refused to recognize the accomplishments of the Democratic Party and the Democratic administration.

They will soon, if I am a judge of political weather.

BENEFITS OF LABOR SUPPLY ACT

Let me quickly run over some of the direct benefits of the Farm Labor Supply Act, Mr. Speaker.

Approximately 275,000 individuals have been imported in the 4 years of the operation of the act: in 1943, 65,000; 1944, 84,581; 1945, 73,435; 1946, 51,149.

By country of origin, agricultural workers included 201,621 from Mexico; 47,890 from Jamaica; 12,351 from the Bahamas; 4,095 from Barbados; 9,980 from Canada; and 1,735 from Newfoundland. In addition, we had 135,283 Mexican track workers and 15,129 industrial workers from British Honduras, Barbados, and Jamaica.

The cost of transporting these foreign laborers, including travel and subsistence from their native country to their place of employment here and return, was borne by the Government to a total cost of approximately $30,000,000.

The Government established 161 farm-labor-supply camps and centers in 25 States. The pay of the foreign agricultural workers varied from State to State, but it was low-priced compared with industrial wages in war plants and to a large extent this labor replaced the American farm laborers who were drawn to high industrial wages. The hourly pay ranged from 65 cents to $1.05 in California; from 50 to 65 cents in Colorado and Indiana; 30 to 45 cents in Louisiana.

FARMERS IN ADVANTAGEOUS POSITION

Reports today indicate that the American farmer is in the most advantageous position of any segment of the national economy; and I dare say has profited as much as any industry in the United States. Various reporting services show that net profits of farmers are 135 percent above normal expectations.

I ask unanimous consent, Mr. Speaker, that I may insert in my remarks information as to the prices which the farmers now receive and the cost consumers pay for food and other agricultural products, in comparison with former levels.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Under leave given me I will also insert in the RECORD the higher prices of food that now prevail.

Ever since you gentlemen on the left first emasculated and then murdered OPA, cost of living has increased more than 50 percent. I have called attention to that fact before and I shall call attention to it again so as to bring home to the American people who is responsible for the ever-rising prices. Reports indicate we have not yet reached the top; that the prices will still soar. Only in this morning's paper I read where one of the outstanding Republicans appeared before a committee and demanded that we should get rid of the OPA and eliminate sugar rationing and the ceiling on sugar prices now holding down the price of sugar to a reasonable figure. He feels and he so testified, that the price of sugar should be increased 50 percent and said sugar may reach a price of 20 cents. I think it is outrageous to make such a request which would affect every person in the United States, not only the masses but many industries.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. ABERNETHY. I am sure the gentleman wants to be fair to the farmers of this country who were called upon to reach unexcelled production during the war. The gentleman stated he intended to put in the RECORD the present high prices which are being paid by the consumer for the farmers' products. Will the gentleman also be fair to the farmers and insert in the RECORD the prices which the farmer has to pay for the machinery and for the things which he has to buy, that are made in the industrial centers such as the city which the gentleman represents?

Mr. SABATH. Mr. Speaker, I ask unanimous consent that I may have the right to include those prices or any other prices that go into the cost of living as requested by the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. SABATH. I first insert the cover page of the April 29, 1946, report of the Bureau of Agricultural Economics, United States Department of Agriculture, in order that it may be seen how the ensuing figures are computed. Note that at this time, almost a year ago, prices received by farmers had reached 117 percent of parity:

UNITED STATES DEPARTMENT
OF AGRICULTURE,
BUREAU OF AGRICULTURAL ECONOMICS,
April 29, 1946.

INDEXES OF PRICES PAID BY FARMERS FOR COMMODITIES, AND OF PRICES PAID, INTEREST, AND TAXES, 1910–1945

Prices received by farmers for agricultural commodities averaged about 117 percent of parity on April 15, 1946. Parity prices for agricultural commodities having as their base the period August 1909–July 1914 are calculated by the use of the index of prices paid, interest, and taxes, while parity prices for commodities whose base period is August 1919–July 1929 or August 1934–July 1939 are computed by use of the index of prices paid. Current estimates of these indexes are published each month in Agricultural Prices. In view of the widespread interest in parity prices and the parity indexes currently in use, a short description of the construction of these indexes, together with appropriate tabulations is reissued in the following pages.

What is the index of prices paid by farmers for commodities? It is an attempt to measure as accurately as possible the over-all changes that occur in the level of prices charged to farmers and their families for commodities used in living and farm production. The indexes are based upon prices for 86 items used in family living and 94 items used in farm production. Prices are obtained quarterly from several thousand retail merchants serving the farm population in all parts of the Nation. In addition, reports are obtained each month from feed dealers and chain-store operators and these are used as a basis for estimating changes between the regular sample surveys taken in March, June, September, and December. Prices were collected only annually from 1910 through 1922.

Briefly, the steps in calculating the indexes are as follows:

1. Prices paid for individual commodities are averaged by States and then weighted by the latest available estimate of purchases of each item made by farmers in each State to obtain an average for the nation.

2. National average prices are combined into various sub-indexes—food, clothing, feed, etc.—by giving each item a weight based upon the average quantity purchased per farm during the six years 1924–29. The subgroup values or aggregates thus obtained are then expressed as a percentage of the values or aggregates for the same commodities during the base period 1910–14.

3. The sub-indexes are then combined into an index of prices paid for commodities used for family living and an index of prices paid for commodities used in farm production. These two indexes are then combined into a single over-all index of prices paid by farmers by weighing each according to its relative importance with regard to farm expenditures during the six years 1924–29. The percentage weights used in combining the various group indexes are shown on page 26.

4. The index of prices paid by farmers for commodities is combined with interest per acre on mortgage indebtedness secured by farm real estate and taxes per acre on farm real estate to obtain the index of prices paid, interest, and taxes by giving prices paid for commodities a weight of 86.0 percent, interest 7.2 percent, and taxes 6.8 percent.

Now, Mr. Speaker, to avoid the insertion of long rows of figures, I am going to take the liberty of excerpting the most pertinent facts.

First I shall summarize or excerpt from a table showing the index numbers of prices paid by farmers from 1923 to 1947 for commodities used in living. This table shows—and I am taking the February 15 reports as being closest to the time of this debate—that in 1923 the index figure was 160.

Under the Republican misrule of the ensuing 12 years that figure fell steadily, and toward the last rapidly, to 114 in 1932 and 101 in 1933, when it began to climb again. Do not be deluded by the idea that this was advantageous for the farmers; for if it cost them less to live they also received still less for their own labor.

From 1933 this figure climbed steadily—120 in 1934, 123 in 1936, 121 in 1940—when prices for farm products were high—148 in 1942, 177 in 1944, and now, with all price controls off on the things which farmers have to buy merely to live, an all-time high of 248 on February 15, 1947.

The cost of things that farmers have to buy to be able to produce—the tools and implements and feed and fertilizer—followed living costs, but have not risen so high because the last Republican drive failed to kill all the controls on those items.

Beginning with 142 in 1923, this index rose to 149 in 1929, the year of the boom that burst, and sank rapidly to 102 in 1933 when the Democratic administration came in. The rise has been steady but not nearly as great as in food and other living items, until on February 15, 1947, the index reached 215.

Now, when all those items are combined, but without adding taxes and interest, we see that the index started at 152 in 1923, sank to 101 in 1933, then came up as the Democratic administration began to bail out the country after the Republican crash, and reached the all-time high of 234 last February 15.

But now, in spite of all the talk about high taxes, we see a strange thing when taxes and interest are added.

The weighted average index number was 167 in 1923 under the Republicans, 15 points higher than with only living and production items; but on February 15, 1947, the weighted index number including living and production costs, taxes, and interest was 221, 13 points lower than without taxes and interest.

It seems the farmers have received some benefits in that field under the Democrats, also.

INDEX SHOWS HIGHEST PROPORTIONATE RETURNS

Now, Mr. Speaker, I have supplied the gentleman with figures on what the farmer pays.

Let me turn now to a table which compares what the farmer has to pay out with what he takes in.

Again, I am going to summarize and excerpt to save space and time; but I heartily recommend an earnest consideration of this table to every American farmer who wants a high standard of living and an adequate return, so that he will see how he has fared in the last 37 years in black and white.

This table goes back to 1910, and the average of prices in the 4-year period, 1910–1914, equals 100.

Under President Wilson farmers' costs grew but incomes grew faster, and the ratio between expenses and income topped parity for the first time in 1917 when the index reached 118. In 1920, when the Republicans were elected, it was still at 104 of parity.

This parity ratio dipped to 75 in the first year of Republican misrule; climbed slowly to 80 in 1930; and then, in the grand debacle of Hooverism, slid down to 64 in 1931, 55 in 1932, and then up to 60 in 1933.

In 1942 this index—and remember this is the ratio between prices paid and prices received—again topped parity at 106; in 1943, 119; in 1944, 115; in 1945, 116; and in 1946 reached the all-time high of 120.

In 1946 prices received by farmers had hit the historical record of 233, compared with an index figure of 194 for all farming costs—living, production, taxes, and interest. Because these figures are a little different from the others I gave you, let me remind you that the scale here is the 1910–14 base average of 100.

AVERAGE PRICES ABOVE PARITY

Now, Mr. Speaker, I turn to another table in the report of agricultural prices issued by the Bureau of Agricultural Economics on January 29, 1947, which gives a comparison of prices for an earlier base period, then with calculated parity prices, and then with average current prices. I am going to select just a few items; but it must be borne in mind that these are not retail prices, but the prices received by farmers in the rough, so to speak.

Wheat: In the 1909–14 base, $0.884; parity January 15, 1947, $1.90; average price same date, $1.91.

Rye: 1909–14 base, $0.72; parity January 15, 1947, $1.50; average price on that date, $2.18.

Potatoes: 1918–19 base, $1.12; parity January 15, 1947, $1.45; average price that date, $1.29.

Apples: 1909–14 base, $0.96; parity January 15, 1947, $2.06; average price that date, $2.65. Citrus fruits were selling below parity on that date but have since risen sharply.

Hogs: 1909–14 base, $7.27; parity January 15, 1947, $15.60; average price that date $21.80—and have since risen to $29 and even $30. January 15, 1946, $14.10.

Beef: 1909–14 base, $5.42; parity January 15, 1947, $11.70; average price then, $17.30. January 15, 1946, $11.80.

Lambs: 1909–14 base, $5.83; parity January 15, 1947, $12.60; average price $19. January 15, 1946, $13.

Butterfat: 1909–14, $0.263; parity, $0.565; average price, $0.717, and $0.492 a year ago.

Milk: 1909–14, $1.60; parity, $3.64; average price, $4.68—$3.20 January 15, 1946.

Eggs: 1909–14, $0.215 parity, $0.462; average price, $0.397.

RETAIL PRICES RISE MORE QUICKLY

I have one last quotation from the Bureau of Agricultural Economics, this time from the report of February 28, 1947. This report, I must explain, shows that with removal of controls on lumber a rapidly rising lumber cost has pressed the idex of what the farmer buys higher, more than could be compensated for by a fall in the price of feeds.

Now, on page 6 of this report, I find that the prices received by farmers on February 15, 1947, for all farm products, with no allowance for seasonal adjustment, was 262 percent of the 1909–14 base average; just a month before the index was 260. On livestock and products it was 278; on meat alone 319; on dairy products 270.

On prices paid by farmers for all commodities and for interest and taxes the index was 221 percent of the base; on living costs, 248 percent—and that is the figure, of course, for American citizens generally; and for production costs, 215.

The last figures for farm machinery were 187 on December 15, 1946.

SUBSTANTIATED BY PRIVATE INDEXES

The Dun & Bradstreet index of weighted average commodity prices, representing 31 food staples, hit $6.62 on February 25, an all-time, purse-shattering record.

On the same day the Dun & Bradstreet general commodity index stood at 252.33, a rise of 40 percent in a single year.

Read the grocery-store advertisements in the daily newspapers, or go out shopping yourself.

Try to find any choice meats at less than 70 cents a pound. Buy pork chops or lamb chops if you dare.

Here is a big Washington dairy which charges 18 cents a quart for milk, 60 cents a dozen for eggs. A 12-ounce package of cottage cheese costs 25 cents. Coffee which sold a few months ago at 29 cents is now 51 cents. New potatoes

are advertised at 3 pounds for 23 cents, and that is a bargain price. Flounder is 43 cents a pound.

Mr. KEEFE. Mr. Speaker, reserving the right to object, I would like to ask the gentleman before that request is granted, to state to the House if he is for or against this bill.

Mr. SABATH. This is the resolution.

Mr. KEEFE. Are you for or against this bill? I know you are talking on the resolution from the Rules Committee.

Mr. SABATH. Yes; once more I am going to support this farm-subsidy bill. I do so in the hope and the belief that you gentlemen who represent agricultural districts and farmers' interests will reciprocate when legislation affecting the interest of labor is before us. Unfortunately, you have not in the past shown that friendliness toward labor that labor has for you. Nevertheless, and as I have said, I am supporting this legislation.

Mr. KEEFE. Then, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. SABATH. Mr. Speaker, as the gentleman from Wisconsin knows, I have advocated this and all other measures to aid agriculture. I am still in favor of helping the farmers of the country; but on the other hand I feel that these continuous demands for increase of prices, whether for cattle or hogs or anything else, must stop, because the American people cannot afford them.

Personally, as I stated, I voted for this act as a war measure. At that time labor was scarce and the Democratic administration went to great lengths to aid the farmers in obtaining labor from Mexico and other countries. The farmers were able to produce, they had sufficient labor and in many instances cheaper labor than they could obtain right at home. In addition to this imported labor they also had something like a nundred thousand prisoners of war assigned to the farms, to whom they were not obliged to pay the high wages which they frequently complain of.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. HOLIFIELD. The gentleman made a very interesting remark when he said that it cost the United States Government a certain amount of money to bring these laborers in for the benefit of the farmers and the big agricultural employers throughout the country. Does the gentleman know how much it cost the taxpayers for each one of these workers?

Mr. SABATH. No; I do not. I have the figure somewhere, but not right before me. As you know I am speaking extemporaneously. The over-all cost was about $30,000,000 for 4 years.

Mr. HOLIFIELD. Perhaps I can help the gentleman out.

Mr. SABATH. I will appreciate the help.

Mr. HOLIFIELD. As I recall, it cost something like $200 each to bring these agricultural workers in. That was the transportation and administrative cost. I know the gentleman's record of voting for subsidies for the farmers and others. Does not the gentleman agree that this is a subsidy for the farmer?

Mr. SABATH. Yes; it was a subsidy to the farmer.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield further?

Mr. SABATH. What I am pleading for now is that in view of the fact that prices have gone higher than ever dreamed of, let them stop urging still higher and higher prices, in the interest of the millions of people obliged to work for wages and those whose income is very meager. We have nearly 18,000,000 white-collar workers and those who live on annuities, a little interest here and a little other income there. These 18,000,000 people cannot live under present conditions. I am afraid that unless this thing is stopped somewhere, an end put to this ever-increasing upward spiral of prices, labor must of necessity demand their wages be increased.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. In a minute.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I have already yielded to the gentleman from California.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I cannot yield to everybody.

Mr. HOFFMAN. I only want the gentleman to yield to one.

Mr. SABATH. I always try to accommodate my friend.

Mr. HOFFMAN. I know the gentleman does and I hope he will again. Will the gentleman yield?

Mr. SABATH. For a brief question, but make it brief, please.

Mr. HOFFMAN. The gentleman from California [Mr. HOLIFIELD] called attention to how much it costs to get each individual worker to this country so that the farmers could grow food to feed the people in Illinois and other places. Can the gentleman tell me how hungry they would get if the farmer did not grow this food?

Mr. SABATH. Yes; I will say that the people working in the big cities, in Chicago and in Michigan and in other sections of the country, if they could not get food raised by farmers, would get very hungry. But before the people in Chicago or anywhere else in the country can obtain food, the farmer must have implements, the farmer must have tools, the farmer must have many things before he can grow the crops and before he can send them to the market. He requires labor, and the labor which produces these facilities for the farmer, making it possible for the farmer to produce, is entitled to live and is entitled to sufficient earnings to provide for themselves and their families. As I said before, with all the friendship I have for the unappreciative farmers of this country, notwithstanding the fact I hope they will continue to prosper, I trust they will go no further in pressing for higher prices.

NOT ALL NEW DEAL LAWS BAD?

Mr. Speaker, I feel that this action on the part of the Republican majority in approving New Deal legislation justifies me in saying that not all New Deal legislation, and which they strenuously opposed, was as bad as they tried to lead the country to believe.

Legislation adopted under the leadership of President Roosevelt and the Democratic Party was in the interest of the country and of the masses. The country produced more, we experienced greater prosperity, there have been greater profits and greater accumulations than ever before in the history of the world. The people that should be taken into consideration now are those people who are obliged to work for meager wages or salary, who cannot afford the ever-increasing cost of living. Those are the ones I am interested in and I hope in the future the Republican majority will be obliged to approve many other acts that have been passed during the Democratic administration in the interest of all the people.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SABATH. For a question, not for a speech.

Mr. GROSS. For an observation?

Mr. SABATH. No. I do not need any information.

Mr. GROSS. Then for a question.

Mr. SABATH. I yield for a question.

Mr. GROSS. Why were the writers of this legislation, those New Deal writers, so short-sighted that they had this expire in the middle of a crop year? We are only asking to have it carried through to the end of a crop year in order to cover up the confusion that the gentleman's party created by having it expire in the middle of a crop year. This is not an extension of New Deal legislation.

Mr. SABATH. That is the very best we could do, that is the best we could get out of it, because you opposed nearly all of the legislation and we were obliged to reduce and to limit the time so that we could get legislation for the farmers through this House.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from North Carolina.

Mr. COOLEY. Is it not a fact, and I think almost everyone in the House knows it except the gentleman who just propounded the question, that the Congress provided the labor program should terminate 6 months after the termination of hostilities?

Mr. SABATH. The gentleman is right, I fully appreciate that, but, as I say, hostilities are over, yet the Republicans still come in and ask for an extension of the legislation.

Therefore, I am not going to oppose the rule making this bill in order, because once more I am going to aid the farmers to the best of my ability, in the hope that they will recognize and appreciate their friends, and what has been done for them, and that they will come to the conclusion that they should show some appreciation for the great services that have been rendered them by the Democratic Party in the years gone by.

Mr. PACE. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Georgia.

Mr. PACE. The gentleman has a right to express concern over the question of the price and the supply of sugar in this country. I would like to say to the gentleman that for my part, and the part of many members of the committee, this bill was reported out largely in order to assure as sufficient a supply of American sugar production as possible. That is one of the principal purposes.

Mr. SABATH. I fully appreciate that the importation of Mexican labor is in the interest of the sugar-beet growers in Colorado, Michigan, and other sugar beet growing sections. I know also that it will be beneficial to other farmers and to the canners. In fact, as I have said, the only thing that I am pleading for is that we should stop rising prices, if we can, by legislation; that we should hold prices down and stop the inflation that is with us now and may plague us in the years to come.

I only fear that if avaricious profiteers have their way, not only will sugar jump to 20 cents—or perhaps to 50 cents—but all other commodities in proportion.

Mr. HERTER. Mr. Speaker, I yield 8 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, I confess that it is with some trepidation that I lift my rather feeble voice in opposition to a bill which, according to report, has the unanimous endorsement of the legislative Committee on Agriculture. I do so for a good many reasons, but perhaps at the outset some history ought to be recited so that there is a full appreciation of what is before us.

The impact of war upon the country was certainly burdensome upon our manpower and upon industry and upon agriculture, and those functions and enterprises that had to depend upon manpower. Everybody is familiar with the fact that the long arm of the draft reached into the human quotient of the country and siphoned away boys from the farm as well as from the city. Everybody knows the difficulties that we encountered and the necessity for setting up a Manpower Commission to conserve energy wherever possible and keep people in the industries that were producing the sinews and the materials of war. So, during the war, there was a genuine physical labor shortage. It is a thing to be emphasized. There was a genuine physical shortage of manpower. So we had to subsidize or supplement our manpower wherever we could in order to keep crops moving. The result was that in an appropriation bill for the fiscal year 1944 there was written this whole labor supply program. I had a part in it. It was done in a deficiency bill, as I remember, and I was a member of the subcommittee that was in the conferences that finally provided that legislation in an appropriation bill. We made provision then for the apportionment of a certain amount of money to the Farm Extension Service in the different counties for the purpose of carrying on a program of farm recruitment and farm placement.

Then we gave to the administrator of the program the authority to bring people in from outside the United States. It was in pursuance of that authority that people were brought in from Newfoundland, that people were brought in from Mexico, that people were brought in from the Bahamas, and that people were brought in from Jamaica, for a variety of functions in the whole agricultural domain. There were some of these people detasseling corn in the Corn Belt where I live. Others were engaged in picking vegetable and fruit crops. So there was a need for it. We appropriated altogether $113,100,000 for this program.

But today the war is over. The war is nearly two years behind us, and we do not have this physical problem any more. The young men who went forth to fight for their country are back home, in large part. The young men and the old men who were laboring in industry operating lathes and bandsaws and drills and all this other machinery to produce shells and airplanes, and equipment, are no longer engaged in those pursuits. That physical requirement has relented with the war. So we have a labor quotient in the country today that ought to be sufficient for our purposes.

The fact of the matter is that we have about 2,400,000 and probably more, people unemployed, as of the last figure that I could obtain from the Department of Labor this morning. One million nine hundred and fifty thousand of those are men. That figure is as of January 15, 1947. There are 1,050,000 veterans who are unemployed as of January 15, 1947. The latest figure on agricultural labor was the month of October, and the number was about 220,000, as I remember it. The fact of the matter is that there has been an increase in the number of unemployed in the country since October of substantially 450,000, and that may be a rising curve.

It occurs to me as a fundamental proposition, as a matter of national philosophy, that with the war over and our manpower back home, is there a real philosophical, is there a real logical justification for going beyond the confines of this country to find people in other countries to be imported at an average expense of perhaps $250 or more to plant the crops and to harvest the crops of our own country?

We boast about our ingenuity in the field of agriculture, and we vaunt to all the world how productive we are, yet we propose now to carry on a philosophy that began in wartime and for which, in my judgment, there is no logical excuse now.

If an allergy toward certain kinds of work is developing in America, do we propose now to appease it by going beyond our borders to find people from the outside to do our work, or are we going to follow a philosophy that accounts for the ruination of the Old World today and makes them suppliant at our door to the extent of hundreds of millions of dollars?

The best observer I know came back recently. He was officially accredited by this country. At breakfast I said, "What did you find over there?" He said, "The most startling thing is that the willingness to work and the will to work has gone out, except for one country."

We have already several millions of unemployed. Then, when we cannot coax men into the harvest field or into a vegetable patch, we say, "We will go abroad and find them, and spend the money of the taxpayers of this country."

I lieve in a farm belt. I am reasonably close to the American Farm Bureau Federation and to the National Grange. They are my friends and I trust that they regard me as a friend. They come before the committee on which I have been serving which has been providing money for the Department of Agriculture for years. But, ladies and gentlemen, there is something involved here, whether you agree or not, that seems a departure from a very fundamental concept. If we cannot get people of our own to work, then we ought to meet the issue resolutely and go back and spell out some of the difficulties and weaknesses in other laws like the whole social-security fabric where a person does not have to take a job unless suitable employment has been found, and if suitable employment is not furnished to a person, that person can receive the largesse of this country which is paid for by the taxpayers and he does not have to work even though today there is this importunity to find people on the outside.

Mr. HOPE. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. Mr. Speaker, may I say that I have a great regard for my friend the gentleman from Kansas [Mr. HOPE] who brings leadership and talent to the Committee on Agriculture, so I find myself always in a distressing position when I have to part company with him. Now I yield to the gentleman.

Mr. HOPE. May I say to my friend from Illinois that I respect his opinion deeply though he is on the opposite side of this question for the same reasons that he has expressed.

The gentleman told us how many unemployed people we have in the country today. Can the gentleman tell us whether he can guarantee that any one of those people who are unemployed will get down on their knees and thin beets or pick peas and detassel corn or do some of these necessary things? That is the problem confronting the farmers of the country. It is a very rea problem. I am in full sympathy with what the gentleman from Illinois has said on the philosophical side of it, but we have a real problem here which the committee is trying to meet by bringing this legislation to the floor of the House. It clearly extends the act for 6 months and then liquidates the program.

Mr. DIRKSEN. May I take the liberty of repeating the observation made by the gentleman from Kansas. He says: "What guaranty is there that out of the unemployment reservoir of this country you can get those people to thin out beets and do that kind of work for which the imported labor will be required?" That is a fair question. Let me give you the parallel. Chester Bowles and John Small were sitting here last year and they were telling us about the difficulties of getting the brick plants of the country started so that there might be an adequate supply of bricks for veterans' housing. I said, "Mr. Small, as Administrator of the Civilian Production Administration, why is it?" He said, "Well, the fact of the matter

is they cannot get any people." I said, "Why cannot people be found to do the rough and dirty work in a brick plant?" He said, "They cannot pay enough." Consequently with an OPA ceiling on the price of bricks, there were 18 brick plants shut down, as I remember the figures. I said, "What is the answer?" He said, "We went to see Mr. Bowles to get him to lift the ceiling. When they can get $2 a thousand more for brick and can pay a little more for help, then they can get the people to work." Is that perhaps the answer? I do not know. But it does seem to me so singular to go beyond our borders to find people to come in and do our work.

There is something more important involved here. In the first place, you are going to have a duplication of effort. If you look at the bill you will find in section 2 that this farm-placement work shall go on and in addition thereto the United States Employment Service shall have the restrictions upon it removed so it can also pursue the job of farm-placement work. Let us look at that for a moment. First, on the 15th of November, after a running fight that lasted nearly 8 months on the floor of this House in which the gentleman from Wisconsin [Mr. KEEFE] took such an active part, we finally got the United States Employment Service back in the hands of the States.

It was a great job, but the farm-labor-supply program was in effect at the time and the United States Employment Service, then a Federal function, said administratively—you will find the allusion to it in the committee's own report, at the bottom of page 2—they said, "Administratively we have concluded this program." The reason they concluded their placement activities was simply because Congress provided a farm-labor-placement program in an appropriation bill. Now it is proposed to lift that restriction and have the emergency program go to the end of the year and at the same time to have the United States Employment Service carry on that recruitment and that placement function. If this bill were not passed, by administrative order, and not by legislation, the United States Employment Service could then resume the placement function, and seek to find people to do the work that is necessary in the agricultural field.

Mr. HOPE. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Kansas.

Mr. HOPE. I just want to say the provision to which the gentleman alludes was put in the bill for the express purpose of meeting the situation which he so well described in the earlier part of his remarks. It was put in there for the purpose of meeting the situation, by giving the State employment offices the right to assign a man to a job on the farm; to place him on the farm, if he came in and asked for a job. Heretofore, as the gentleman knows, that has not been possible. I will agree there may be an element of duplication for a period of 6 months, but the committee felt, in view of the fact that we were operating in the middle of the season and that the State employment services were not equipped to take this over, there would be no harm in having the two agencies with authority to make placement during that brief period. Of course, that was the purpose of the committee in putting into the legislation what might superficially look to be a duplication for a short period of time.

Mr. DIRKSEN. Will the gentleman agree to this, that if this bill were not passed, the United States Employment Service administration office in Washington could issue an administrative order and get it translated to that whole program now on a State basis so that they could go on with the program of recruitment and placement of farm workers, and we will meet this whole proposition with the exception of the importation of farm workers from foreign countries, because that authority would cease as of June 30, 1947? Does the gentleman agree with that?

Mr. HOPE. Yes. I agree that they could do that. In other words, the reason would be taken away which they now give for not placing farm workers.

Mr. DIRKSEN. Mr. Speaker, I have expressed my feeling on this and it seems to me we have got to make this transition from war to peace and make it now. One way to do it is to resist the legislation that is now proposed. We must make a constructive start in terminating war programs. We must make our contributions to the cause of economy by preventing expenditures all along the line which are not justified. I do not feel that the expenditure which this bill will authorize is justified and so I feel constrained to oppose it.

The SPEAKER. The time of the gentleman from Illinois [Mr. DIRKSEN] has again expired.

Mr. HERTER. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. PHILLIPS].

Mr. BUSBEY. Mr. Speaker, will the gentleman yield for a question?

Mr. PHILLIPS of California. I yield briefly. My time is short.

Mr. BUSBEY. If this bill is passed, in your judgment do you not believe this would be a double subsidy; a subsidy on the farmers and also a subsidy in the way of unemployment compensation for these 2,000,000 people who are not working?

Mr. PHILLIPS of California. Whether or not it is a subsidy is not the question today. It is whether or not you want food.

I follow two distinguished gentlemen, the gentleman from Illinois [Mr. SABATH], who represents the great agricultural area of downtown Chicago, and the gentleman from Illinois [Mr. DIRKSEN], who is my own chairman of the Subcommittee on Agriculture of the Committee on Appropriations. Yet, neither of those gentlemen, with all the knowledge which they have of this subject, has had time to give you all the facts on this bill.

The gentleman from Illinois is correct, that the matter of paying the costs of bringing in labor did start during the war, but the farmers of California, or the farmers of Texas, or the farmers of New Mexico, or Florida were not the ones who started it. It was the result of a new understanding between the State Department of the United States and the Republic of Mexico, which is an independent Republic over which we have no control.

Failure to pass this will not re-create the earlier situation to which the gentleman from Illinois [Mr. DIRKSEN] so eloquently refers. It could be re-created. I have an idea that the farmers of the United States would be very much in favor of seeing it re-created, but as far as 10 years before the date given by the gentleman from Illinois [Mr. DIRKSEN] this same situation existed. Forty years before that the same situation existed, at certain times in harvests in certain areas of the United States for labor for the harvesting of flash crops, the crops that come into harvest suddenly. Some of our fruits and vegetables must be harvested within a few days if they are to be taken to the markets of Chicago, New York, and other areas.

The legislation refers to both domestic and imported labor. The Extension Service, or some other agency, is to have charge of the movement of domestic labor from place to place as it is needed. There come times, however, and these have existed every year throughout the history of agriculture in the United States—there comes a time when it is necessary to secure a supply of labor which cannot be had from any domestic source. Up to the date suggested by the gentleman from Illinois [Mr. DIRKSEN] it was possible to arrange for the bringing in of this supplementary labor, for the payment of it, the harvesting of the crops, and the return of the laborers to Mexico or wherever the laborers might have originated.

Mr. BARRETT. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS of California. I yield.

Mr. BARRETT. The gentleman from Illinois [Mr. DIRKSEN] contends that we have some 3,000,000 unemployed in this country, and consequently he assumes we can get these men to go out on the farms and do this stoop labor. Well, that would be fine, but try and get them to do it. It is just one line of work that not one in a thousand will think of accepting. Now, then, there are some large manufacturing plants in Illinois—perhaps even in the district of the gentleman who spoke against this bill. If those manufacturers of farm equipment had been able to produce the machines on order from the beet growers of the West since the fall of 1945, then our farmers would have been able to plant and harvest their sugar beets without the importation of foreign labor, but, Mr. Chairman, these manufacturers also have been unable to get into production, and reconversion for them has been just as slow as this matter of getting farm labor, particularly stoop labor, has been for the beet growers of the West. It would not be sufficient to plant and harvest these sugar beets.

Mr. PHILLIPS of California. The gentleman is correct. I thank him.

Mr. BARRETT. But for the past year and a half, since the fighting has been over, these farm-machine-equipment people have been practically at a standstill, and so we have not been able to get any help from that source. We cannot

get the labor here at home and we cannot get the machines, so we need this bill.

Mr. PHILLIPS of California. That is correct.

The SPEAKER. The time of the gentleman from California has expired.

Mr. SABATH. Mr. Speaker, I yield the 4 minutes' time remaining on this side to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Speaker, we are faced with a very amusing situation here today. We find the Republican leadership bringing in a bill that calls for subsidies out of the pockets of the taxpayers of the United States for a certain class. I want to pay a little compliment—indeed a big compliment—to the gentleman from Illinois [Mr. DIRKSEN]. He speaks so persuasively in the well of this House. I always listen to his remarks although I confess I do not always follow his advice—but I do listen to his remarks because I realize they come from a sincere heart and they come with a good deal of statistical evidence behind them. He is, at least, consistent in the position he is taking here, the position of economizing by cutting down on these extra governmental expenses. The Republicans passed a bill the other day to cut $6,000,000,000 off the budget. If you are going to support this farmer-subsidy bill how are you going to make a $6,000,000,000 budget cut? I know some of my friends from my own State will take exception to these remarks but I will say that during the war I supported the subsidy program, supported it for the consumers to keep down the cost of living so there would not be strikes, so there would not be demands for more wages and so that the price of war materials would not go up.

I also supported the subsidy program to bring farm labor into California, and the other farm States, but as the gentleman from Illinois [Mr. DIRKSEN] stated, the war is over. We have a growing unemployment roll in the State of California and throughout the Nation. Why are you going to go ahead and bring in a bill here that will require more subsidies?

It does not seem to me, Mr. Speaker, that the Republicans' stand on this point is very consistent. It costs about $200 apiece to bring in these laborers from Mexico to New Mexico, California, Utah, and other States. That $200 comes out of the taxpayers' pockets. Who gets the benefit of that? The big agricultural employers, whether they be in the State of California, Louisiana, Florida, or wherever they are located. They get these employees at a reduced rate. They would probably have to pay a little more if they went into the open labor market, but they get cheap labor by this bill. It is all right with me for them to get cheap labor, but if they are so anxious to get this cheap labor, why do they not pay the $200 themselves? Why do they come to the tax treasury of the United States to get this $200?

Just recently there was a change made in the definition of "agricultural employment." They can bring these men in not only to work in the fields but also to work in packing sheds, to truck vegetables, and to go into all the other fields of endeavor that have some close association with agriculture. You will find here a very easy means of bringing in cheap labor to cut down on the American standard of living and the American wage scale.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Wisconsin.

Mr. KEEFE. Is the gentleman familiar with the contracts under which foreign labor is brought into this country under this program?

Mr. HOLIFIELD. I am.

Mr. KEEFE. Does the gentleman find any provision in those contracts for importing cheap labor? Is not the wage paid to these people who are brought in the wage rate that is agreed upon between two sovereign governments, and is it not compatible with the wage rate that is paid in that area of the United States?

Mr. HOLIFIELD. Part of what the gentleman says is very true.

Mr. KEEFE. It is not cheap labor, is it?

Mr. HOLIFIELD. Oh, yes; it is, and I will tell you why. If the gentleman's contractual agreements were not made on the basis of a certain minimum of 75 cents an hour, then the agricultural employer would have to go into the field of American labor and pay whatever was necessary to get the labor. That is why it is a contractual agreement in behalf of cheap labor.

The SPEAKER. The time of the gentleman from California has expired.

Mr. HERTER. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma [Mr. RIZLEY].

Mr. RIZLEY. Mr. Speaker, it is hard to tell from this debate today whether this is a politically controversial matter; but I am sure that there is one event, upon which we can all agree at this point in the debate, that is not controversial. If I mistake not, it was 34 years ago today that the former distinguished Speaker of this House the gentleman from Texas, the Honorable SAM RAYBURN, commenced his membership in this body, and from this side of the aisle I am sure we can also say it is not a controversial political matter as to whether he has rendered a fine service to the people of Texas and to the people of this country during that 34 years.

Therefore, Mr. Speaker, I feel it is well at this time to pause to pay our respects to the former distinguished Speaker. The House of Representatives has been his life and love. Permanent history will record his work as one of the great Speakers of this Republic. We congratulate you, Mr. Speaker, and if you continue to reside in Texas we hope for you 34 more years of service. We cannot elect Republicans down there.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. HERTER. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I am somewhat surprised that the opposition has stated this is a continuation of the farm-labor program. I voted in committee to support the chairman of the committee the gentleman from Kansas [Mr. HOPE] on the premise that we would wind up the affairs of this whole farm-labor program as soon as possible.

As an operator of a small family-sized farm myself, I found one way to overcome the farm-labor shortage. Fortunately, unlike many others, I have four boys and two girls, and I have been able to divide the duties of our farm among the six children, so that they take the burden off me to quite some extent. I am not a large operator by acreage but I can say that so far as the farm-labor shortage goes on my farm premises I have not suffered from it.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. As a mother and a grandmother, may I inquire whether the gentleman is obeying the child-labor laws?

Mr. EDWIN ARTHUR HALL. I want to assure the gentlewoman that question would hardly enter into my picture, because, first, the children like to do their 1 hour's work a day, and second, they are doing it for themselves for eventually they will divide what few earthly goods I have anyway.

Mr. BUSBEY. Mr. Speaker, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield to the gentleman from Illinois.

Mr. BUSBEY. If the gentleman from New York thought that he was voting with the chairman of the committee to bring a termination of this about, I refer him to the title of the bill which says, "To provide for a 6 months' extension."

Mr. EDWIN ARTHUR HALL. I direct the gentleman's attention to the further title of the bill which mentions the fact that it winds up the farm-labor program. He should have continued reading the title. There is no dispute about the fact that this program has worked out, and I think we can wind it up at this time by passing this bill.

If the passage of this bill does nothing more than to harvest this coming season's sugar beet crop, as is one of its objectives, it will be justified.

Frankly, I am alarmed at the mail I receive from home about the lack of sugar everywhere in America. To a favored few, who are able to get all the sugar they need from hidden and forbidden sources, this shortage seems like a big joke. I have been challenged by that selfish group, because I want to see us all get enough sugar.

These favored few are now raising the cry that we do not need to harvest the beet-sugar crop. The answer to them is, you will have a little revolution on your hands if you keep the housewives from getting more sugar. You may not realize how mad people are about this since you have enough yourselves. But give the rest of us a break. Let us get behind this program and see it through to a successful conclusion.

Mr. HERTER. Mr. Speaker, I yield the balance of the time to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Speaker, during the years that I have served on the Committee on Agriculture,

when this legislation has been under consideration, we have never made it a political or partisan issue, and it is not that today, in spite of the fact that the gentleman from Illinois [Mr. SABATH] would indicate that this was originally a New Deal measure, sponsored by the late President Roosevelt, to which the Republicans are now giving support. It was never a New Deal measure. It was a measure that was brought about by force of necessity to secure vital food production in this country.

Now, I dislike very much to continue a program of this kind. If it were not for the fact that certain laboring men in our large cities, like Chicago, do not desire to go out and do this hand work on the farms, and produce sugar beet and vegetable crops, why, there would not be any need for it. If the gentleman from Illinois would convince his people that they should go out and do this hand work on the American farms to produce sugar beets and vegetable crops and the other crops requiring a great deal of hand work, why, then you could do away with it here today.

We are now trying to get more sugar for the American people. To get it we must produce more in the United States. That takes hand labor, and unless we get this hand labor in the last 6 months of the year there will be less sugar for the American housewives and for the American consumers generally throughout the country. Now, to break off the program in the middle of the year, when the southern half of the country has had its required labor, and then leave the sugar-beet crops and the vegetable crops in Northern States to the mercy of prospects of getting American labor, why, that is just nonsensical and the people will suffer from it.

I would like to point out another thing in the remarks made by the gentleman from Illinois, who always claims to be such a defender of the American farmers. This measure is not in the interest of the farmers of the country. This is in the interest of the consumers of the United States so that they will have more sugar and cheaper sugar, and more vegetables and cheaper vegetables. Unless we are willing to subscribe to continuing the program for the balance of the year and then liquidate it and then take our chances in the future, why you can see there will be a scarcity of sugar and a scarcity of vegetable crops.

There may be one way out of it, and I think it could well be explored by the Congress. We have an overpopulation in Puerto Rico. What is the matter with bringing in about 25,000 Puerto Ricans to do some of this work? They claim status as American citizens. Or what is the matter with permitting some of these refugees that have been brought into the United States by the millions, you might say, to go out and work in the fields? No; they do not want to do that kind of work. So we are up against a practical situation here, a situation which deals with the reality of furnishing the people of the United States with vital food products. Therefore, I definitely feel that this legislation should be continued in the interest of the general welfare and to enable all the people of the country to secure more food.

Mr. GRANGER. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Utah.

Mr. GRANGER. Everything that has been said here today, of course, the committee has considered. I think the opinion of the committee generally was the opinion expressed by the gentleman from Illinois [Mr. DIRKSEN]. But the situation, after we have heard all the evidence, discloses the fact that this program is going to run to mid-year anyhow. Most of the expense has already been incurred. To extend it another 6 months certainly is not going to cost the United States Treasury a lot more money.

Mr. AUGUST H. ANDRESEN. I agree with the gentleman, and in conclusion I urge the passage of the bill which will provide labor for the sugar beet and fruit and vegetable areas, with final liquidation of the law on December 31 of this year.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. HERTER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. HOPE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2102) to provide for a 6 months' extension and final liquidation of the farm-labor-supply program, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 2102, with Mr. SPRINGER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HOPE. Mr. Chairman, I yield myself 8 minutes.

Mr. Chairman, this bill extends for 6 months and provides for the final liquidation at the time of the farm-labor program, which was first set up in this country back in 1943 as a war measure. Since that time it had been renewed from year to year. This year, if no action is taken, the program will expire on July 1 next—right in the middle of the crop season.

The program consists of two parts: First, there is the foreign-labor program, which deals with the importation of labor into this country from Mexico and the West Indies. That has been running about 80,000 or 85,000 persons a year, and the estimates for this year are about the same. In addition, there is the domestic labor-placement program, whereby the extension services in the various States have undertaken the work of placing workers on the farms.

The war is over, as has been said here several times this afternoon, but the emergency, as far as the production of food is concerned, is not over.

I call your attention to the fact that the acreage goals which the Secretary of Agriculture has requested the farmers to reach this year are greater than the actual acreage at any time during the war years. So we have the farmers of this country being asked this year to produce more than they actually did produce at any time during the war. That is going to take labor. It is true, as has been stated on the floor this afternoon, that we have some people unemployed in this country, and if anyone can give me any assurance that those people who are unemployed will go out in the beet fields and vegetable fields of this country and do the hard, tough, stoop labor which is so important, then I would be the first to say that we do not need this extension. But the committee was given no assurance of that kind. In fact, all the evidence which the committee had on the question indicated there was no possibility of getting this work performed except through the importation of foreign labor.

We had before us farmers and representatives of farm organizations from all parts of the country. The tenor of all their testimony was that they would much prefer to use native labor; that this foreign labor was not satisfactory, but it was the best they could get. They wanted it because they could not get anything any better.

It is important to pass this legislation now because this is the time of the year when the producers of sugar beets are signing up their contracts with the sugar factories and when the producers of canning crops must sign up their contracts with the canning factories. Unless those farmers can be given the assurance that they are going to have the labor to plant and harvest those crops, they cannot and they dare not sign the contracts to produce them. That is the reason the legislation is before us at this time. It is an emergency matter because if we cannot give this assurance during this month, then we are going to be faced with a continual shortage of sugar in this country and a shortage of vegetables which go into cans.

Mr. BUCK. Mr. Chairman, will the gentleman yield for a question?

Mr. HOPE. I am glad to yield to the gentleman for a question.

Mr. BUCK. Will the gentleman tell us why this foreign labor would not also be necessary in 1948?

Mr. HOPE. May I say to the gentleman it may be necessary to have foreign labor in 1948. One reason we are bringing this legislation in at this time is to serve notice on the people who have been using this foreign labor that they will have to make some other arrangements in 1948. I do not know whether or not it will be necessary in 1948. In some lines of production, particularly in the production of sugar beets, mechanization is going to do a lot of this work. It is going to overcome the need for much of this hand labor. But, as was stated by the gentleman from Wyoming [Mr. BARRETT], a while ago, mechanization is just beginning. The farmers cannot get the machinery as yet which they need to plant and harvest sugar beets and thus avoid a great deal of this hand labor.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Missouri.

Mr. ZIMMERMAN. Further answering the question of the gentleman from New York, I think we must remember that these farmers are now making their plans for this crop year and entering into these contracts. When the time comes to make plans for the crop year in 1948, the farmers will know that this law is expiring. In other words, this farm-labor program is being terminated and the farmer will be making his plans with the knowledge that he will not have this foreign labor. But if we do not continue this program this year, we are going to break faith with the farmers, and I know no one in this Congress wants to break faith with the farmers of this country, who have gone on the assumption that they would have this labor for this year.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. EDWIN ARTHUR HALL. Am I correct in stating that every responsible farm organization in the country, or nearly every one of them, is for this bill?

Mr. HOPE. Yes; I can say to the gentleman that the farm organizations which appeared before the committee—and nearly all of them did—urgently requested the passage of this legislation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOPE. I yield myself two additional minutes, Mr. Chairman.

I may say further to the gentleman from New York [Mr. BUCK] there are other ways by which this foreign labor can be brought in. Under existing law, this is the only way; but if we decide later in this year that it may be necessary to bring in foreign labor in another year, then I think we can pass legislation which will make it possible for the farmers themselves or cooperative organizations of farmers to bring in this labor. But it is not possible at this time to work out the details of that kind of a program because we must know within a few weeks what the farmers can depend upon in the way of labor this year.

The question was asked a while ago as to how much this will cost. The estimates by the Department of Agriculture are that it will cost an additional $10,000,000 to extend the program for 6 months. I am not sure that means that $10,000,000 more than would otherwise be spent will actually have to be spent, because many of these foreigners are now in the country. Under the agreement they have to be taken back at the end of this program. It is not going to cost any more to take those now here back in December than in June, and we will have the benefit of their labor during that period.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. CRAWFORD. The farmers of our country today are hesitating in mapping out their 1947 plantings for fear these workers will be returned as of June 30 this year. We should settle this question and settle it positively without further delay with respect to the 1947 crop year.

One other thought. I do not know of any surer way to prevent production of canned vegetables or to prevent the gathering of fruit crops this summer, or to further aggravate the shortage of sugar in this country, than to fail to pass this bill.

Mr. HOPE. I agree with the gentleman 100 percent.

The CHAIRMAN. The time of the gentleman from Kansas has again expired.

Mr. FLANNAGAN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, under ordinary circumstances I would be bitterly opposed to this legislation. In the beginning I want to eliminate some of the driftwood that has been brought in. This is not a continuation of so-called New Deal legislation. It is not a continuation of Republican legislation. It is not a continuation of the so-called subsidy program. This legislation originally was considered in a nonpartisan manner and unanimously reported out of the Committee on Agriculture, because the necessity brought about by the war forced us to report the legislation.

No one is more bitterly opposed to farm subsidies than I am. I have never been in favor of the farm-subsidy program, because I have always believed and still believe the farmer is entitled to a fair price in the market place for what he produces.

Mr. Chairman, as I say, this legislation was the outgrowth of the necessity to increase our food production during the war. We found that it was necessary for the Government to go out and bring in the Mexican and this other foreign labor in order to keep our food supply up to the requirements. We went into it with our eyes open. What is the situation? Here are the farmers who were urged to produce. That urge was so great that the Federal Government went out and brought in farm labor in order to enable them to produce. This legislation as originally passed and as continued from time to time was extended from one fiscal year to the next fiscal year. Now we want to wind the program up. I want to wind it up at the earliest moment possible; but is it right to wind this program up in the middle of the crop season, especially when the demand is still upon us? Is not the decent thing, the fair thing, to do to give the farmers time within which to make the readjustment? We are serving notice on them today that this program will be discontinued at the end of this year, and that is the only reason I am here supporting this legislation. I do not want to get the farmer out on a limb, encourage him to get out on that limb, and then come in here with a hacksaw and saw the limb off; I want to give him an opportunity to climb back down the tree and get his feet on the ground. That is all we are asking you to do in this legislation. This legislation, as I say, is not a piece of so-called New Deal legislation, a piece of Democratic legislation, or a piece of Republican legislation. It was reported out originally, as I remember, by a unanimous vote of the House Committee on Agriculture, and it has been extended every year by a unanimous vote. During the hearings we carefully went into the situation of winding it up but thought that it would be unfair to wind it up in the middle of the crop season. After full and complete hearings we unanimously agreed to wind the program up at the end of this year.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. FLANNAGAN. Mr. Chairman, I yield myself one additional minute.

Mr. MILLER of Connecticut. I may say that last year in Connecticut the potato crop could not have been harvested had it not been for the Jamaicans who were in that area to harvest the shade-grown tobacco crop. They have been a well-behaved group. I have had them reside within a mile of my home and would never know they were in the community. They have been a very desirable class of workmen.

Mr. FLANNAGAN. Let me say to the gentleman from Connecticut that that situation prevails not only in the Northeast but in every section of America.

These farm laborers were brought in in order to enable the farmers to meet the crop goals that had been set by the Secretary of Agriculture as being necessary in order to sustain our war effort.

Mr. MILLER of Connecticut. If the gentleman will yield further, may I say also that these same farmers have made their commitments, plowed their land, bought their seed and fertilizer for this year, assuming that this labor would be available.

Mr. FLANNAGAN. The gentleman is right.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. GROSS].

Mr. GROSS. Mr. Chairman, there has been a lot of loose talk and there have been a great many erroneous statements made before the committee.

I am going to support this bill for the simple reason that otherwise the program would fold up in the middle of the crop year and create a lot of confusion.

Mr. Chairman, in order to get the slant from my own people I sent out a questionnaire recently asking certain questions. You know, this request comes from men down in the Department who want this thing to go on indefinitely in order to continue their jobs and make them permanent. They came in and asked for this program and that it be made permanent.

I made that point my first question and every answer that came back said, "No; this should not be made permanent."

The second question was: "Do you believe the program should be extended until the end of the crop year?" About 75 percent of the questionnaires returned said it should because of the confusion that had been created by folding it up in the middle of the crop year.

I also asked whether they found these workers satisfactory and the majority said they were better than no help at all, but not satisfactory.

I asked them this question: "Do you believe farm labor for 1947 could and should be recruited from the ranks of the unemployed within the United States?" The general feeling was that help should be recruited from the ranks of the unemployed, but a good many questioned whether it could be done as long as men get $20 a week for not working.

Those fellows down in the Department were very strong in telling us that the farmers want this labor. It was definitely stated by them that the State of Pennsylvania wants 600 of them. So I added another question and I asked: "Have you been consulted by any Federal agency concerning your labor requirements for 1947?" Two said they were consulted and told them they would not need any. Every one of the other answerers replied: "We were not consulted."

This goes to show that the men down in the Department of Agriculture have strenuously misrepresented the case. It is not true that the farmers want this help because they are cheap. I have seen man and wife migrants from Florida digging potatoes in my district getting $30 a day. I have seen Puerto Ricans and Jamaicans getting $16 a day picking cherries.

Mr. Chairman, the farmers do not want this labor. They all want this program to be folded up at the end of the crop year and it can very well be.

So far as the harvesting of canning crops is concerned, this is no longer strictly a farmer's problem. The canners do practically everything in many cases except the planting and cultivating. They do the picking, they do the spraying, they gather the beans, and they gather the tomatoes. Some of the canning companies recruit their own help in various parts of the country. They bring them from Baltimore and other cities in large groups. They are sick and tired of these foreigners who come in here, 70 percent of whom it can be proven by the records have venereal disease.

I have a letter from one of my canners who states:

One of the labor camps was on my property for the last 3 years. During 1946 I could not see my way clear to hire any of them. I left the canning factory idle and a number of the farms practically idle for the reason that I could not produce enough of crops to pay help when they were taking two men to do one man's work. Why can't we have the names of the unemployed and strong hardy people who are on relief published in our papers so that we may know who to get in contact with when we want help?

It is universally the opinion that this foreign labor is not the kind of labor we should employ. Local labor could be recruited. For instance, one of the largest canners in the eastern part of the country located in my district rather than take any of these people went to the anthracite coal region and brought down boys and girls who, he stated, are worth twice as much as these fellows from Jamaica, Puerto Rico, and Mexico.

I have a canning company up there that states:

Commenting only for my company, the foreign agriculture-labor program was one of the least satisfactory and most expensive Government projects affecting us during the war years.

Another canner has this to say:

We had considerable experience with foreign labor as well as prisoner-of-war labor, and, therefore, can report the following as first-hand experience:

Generally speaking, the program by the Department of Agriculture was entirely negative and the only labor we secured from that Department was some Jamaicans. Up to about the beginning of 1946 the program by the USES was satisfactory and considering the labor they had available, the USES did a good job. At the beginning of 1946 we realized that we would no longer have prisoner-of-war labor, and we had been employing during each summer an average of better than 150 prisoners of war a day. We therefore had to make plans for 1946 to replace this prisoner-of-war labor. We gave careful consideration to imported labor from the Bahamas and from Jamaica. To use this labor, housing had to be erected. The labor itself had never proved very satisfactory except for the first year, which was about 1943. After that time this labor not only proved quarrelsome and expensive but very inefficient. In view of this we decided that we would spend all of our efforts toward securing local labor; and supplement local labor with the normal migratory Polish labor out of Baltimore. To this end we erected additional housing and had a very satisfactory supply of labor during 1946.

In 1947 the prospects are about as follows:

1. Sufficient male labor will be available for all jobs in this area.

2. The quality and efficiency of labor are beginning to improve.

3. Female labor is still short and will probably continue short during 1947, perhaps longer.

In talking with other canners at the recent national convention in Atlantic City the latter part of January, the above situation seems to be pretty general over the United States. Farm labor is still very scarce and unless we had purchased machinery and guaranteed to supply labor for harvest we would have had very limited acreage from 1943 on. However, canners have met this problem by recruiting labor for the farmer and by buying mechanical equipment for harvesting for the farmers' account. We believe your best source of information as to the general labor conditions on farms can be secured from canners because their problems are identical with the farmers. Considering the improving conditions, the steps which have already been taken to assist the farmer in his labor problems, and the inefficiency of the entire Department of Agriculture system for recruiting labor, we see no reason to continue this program beyond the next 30 days.

The following comments were made by growers:

My opinion is, it costs too much. If we as taxpayers want the budget lowered we must cooperate, and I sure believe it should be reduced.

Another said:

It appears now that there is plenty of help available which is caused in most cases by industrial plants being temporarily closed for lack of raw materials. In our business, which is fruit growing, there could easily be a shortage of harvest help in the event there is a bumper crop. This, of course, remains to be seen.

Another said:

Our co-op will naturally need harvest help this year. Appreciate the help we have had from existing agency. But, the war is over. Emergency spending must stop. May as well stop here first.

Another grower said:

It is time to cut out some of the hangers-on. Let men work for their living. The men that are interested in seeing this program made permanent are the camp mongers, over supervisors, etc.; men who are drawing a good salary with no work. We think it is time to quit.

This man employed 30 farm workers for a period of 85 days each.

Another comment says:

A great many of the ex-servicemen are not applying for work until their $20 a week runs out.

Another said:

Experience has taught us that persons drawing unemployment insurance will not go out into the fields and pick string beans or tomatoes, or do work in the sweet-corn fields.

This one said:

The labor supply to date is very little better than during the past years. Too much money and boondoggling by Government has them spoiled. Not until many people realize that we have a duty, as well as a privilege, will it get better.

Another states:

We have found these workers only fair—got tired after a while—could not stand prosperity. We have advised local county agent we will not need their services again.

So far as my people are concerned they take the attitude that if we want to balance the budget and cut taxes we have got to cooperate. They want to go along on this thing of saving Government money and, as I stated, the only reason I am for this pending bill is because it is going to carry us through to the end of the crop year, then period. That is what all of my people want done that have answered my questionnaires.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FLANNAGAN. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I shall vote for this bill, but I shall do so very reluctantly. I think that the gentleman from Illinois [Mr. DIRKSEN] made a very sound and forceful argument, and while I favor a continuation of this program for six additional months, I think that we should now sound a warning to the farmers who have utilized this imported labor that this program will not be made permanent and they cannot look to Congress in 1948 to provide them with the expensive labor which is provided by the pending bill.

As chairman of a subcommittee of the House Committee on Agriculture I had an opportunity to investigate the labor centers which have in the past housed this migratory labor in California, Texas, Arizona, and other parts of the country.

Mr. PHILLIPS of California. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from California.

Mr. PHILLIPS of California. Does not the gentleman think that this warning should be directed to the State Department and not to the farmers, who do not want this system, and who have it imposed upon them; and does not the gentleman also think he should say that the farmers pay for this labor?

Mr. COOLEY. Of course, the farmers pay the prevailing wage, but if the farmers had to pay the cost of maintenance of the labor centers, including medical care and dental care and nursing in every form and fashion——

Mr. PHILLIPS of California. They do pay most of it. In addition, they pay a stand-by charge when labor is not employed.

Mr. COOLEY. If the farmer is paying the cost of it, why do we have this bill pending in Congress?

Mr. PHILLIPS of California. Because the State Department has a contract with the Government of Mexico. That is the only way in which that labor is permitted to work in the United States.

Mr. COOLEY. In other words, the Federal Government pays the cost.

Mr. PHILLIPS of California. The Federal Government pays the cost of administration.

Mr. COOLEY. I will ask my friend the gentleman from California if it is not a fact that foreign labor was imported into California to help in agriculture long before we ever had a Federal labor program?

Mr. PHILLIPS of California. That is correct.

Mr. COOLEY. And the farmers then paid the cost of it.

Mr. PHILLIPS of California. That is correct.

Mr. COOLEY. While during the war the Federal Government has borne the enormous cost of maintaining these labor centers and transporting labor.

Mr. PHILLIPS of California. They paid the railroad charges up and back.

Mr. COOLEY. And they paid the medical charge and dental care, and other costs.

Mr. PHILLIPS of California. The farmer paid a great deal of that and paid the cost when labor did not work. The farmer also paid for not working.

Mr. COOLEY. If the gentleman will look at the estimates on the desk before him, he will find that there is an item contained therein for medical care and dental care.

Mr. PHILLIPS of California. That is supervisory.

Mr. COOLEY. And these workers not only bring in themselves, but their families, and they have babies, and we provide medical care and attention for them.

Mr. PHILLIPS of California. We do that anyway near the line.

Mr. COOLEY. You do what?

Mr. PHILLIPS of California. Near the line, the Mexican line, we do that anyway.

Mr. COOLEY. Another thing is the fact that in providing this labor, somebody in a responsible position went not to the Mexican border, but went 800 miles south of Mexico City to recruit the labor.

Mr PHILLIPS of California. That was required by the Mexican Government. That is the point I am trying to make.

Mr. COOLEY. That is it; so they get a nice junket, a nice ride from 800 miles south of Mexico City to the city of Portland, Oreg., or some other far-distant point. That is an expensive program, there is no doubt about it. It may be needed, and I am voting for it this time, because I am willing to follow my committee in the belief that it is needed. But, are we faced with a situation that American labor is unwilling to till the fields of America and to cultivate the crops of America? If so, we better appoint a committee now to start preparing for a permanent labor program for the future.

I know that this is a burden that should be borne by the farmers themselves, or certainly by the States and the localities, and I believe that these labor centers, which have been objectionable in many of the localities, and tremendously expensive, should be taken over. It would be a good act on the part of Congress if we would give them away, give them to the States and let the States maintain them, because migratory labor is not a problem in all of the States of the Union.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. FLANNAGAN. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from California.

Mr. HOLIFIELD. In regard to this State Department argument that my friend from California has just raised, may I say that in order to get Mexican labor out of Mexico during the war the former Mexican Government insisted that they be brought in under certain contractual safeguards, with certain minimum wages and certain types of buildings that were to be furnished for them to live in while they were here.

Mr. COOLEY. And certain types of food had to be furnished.

Mr. HOLIFIELD. The thing the gentleman from California is objecting to is that the private employers of labor are not allowed to go into Mexico and recruit them without any regard to minimum wages or their living conditions here.

Mr. PHILLIPS of California. No; that is not a correct statement.

Mr. HOLIFIELD. That course was followed before the contractual agreements were entered into.

Mr. COOLEY. I should like to use a little of my time myself. One other reason I am for this bill is this: To date landlords throughout the country have not been able to obtain the necessary building materials to provide housing facilities for migratory labor. Within the next 6 months, or certainly within the next 12 months, the landlords of America should be ready, able, and willing to provide at least temporary quarters to house migratory labor. Otherwise they ought not to expect the Federal Government to dig down into the taxpayers' pockets to support the centers such as we have seen throughout the country. They are numerous and they are expensive. People ride into labor camps, park their cars, and move into quarters and take possession; and, according to our investigation, they were unwilling even to cut the weeds away from their front door, and when they did cut the weeds or grass around their little cottages, they had to be paid for it out of the taxpayers' money. I think the time has come to stop it, and I hope it will be stopped at the end of this year.

It seems to me that States in which migratory labor is a problem would welcome an opportunity to take over and to operate the labor camps and other facilities used in connection therewith, and to finance and maintain them. It also occurs to me that landowners engaged in cultivating large acreages, or even specialty crops, should be willing to provide housing facilities and other necessities for migratory labor which is so necessary in the harvesting season. Before shelters and camps were provided these laborers slept and lived out in the open, on ditch banks and in other places. Wherever it is possible landlords should provide all-year employment for a sufficient number of laborers to enable them to harvest their crops. This situation of American families traveling from one end of the country to the other, following the harvest seasons, should not longer be tolerated. It is a problem of great magnitude and one which should arouse the people of the communities and States in which it prevails. Foreign labor should not be imported except in the days of great emergency. The people of America should be encouraged to till the fields of America and to harvest the crops of their country. Certainly, no American will be encouraged to work in the fields if shelter and the bare necessities of life are not provided.

The attention of the Nation has been focused upon the desperate and distressing situation which has heretofore existed. May we hope that within the next year the people and the communities which have a great and personal financial interest in the crops to be harvested will get busy and do something about it, and thereby make it possible for the Federal Government to withdraw completely from activity in this field.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. JOHNSON].

Mr. JOHNSON of Illinois. Mr. Chairman, I believe that no man in this House, with the possible exception of the gentlemen from Ohio [Mr. CLEVENGER, Mr. SMITH, and Mr. JONES], have better voting records than I in the matter of doing away with useless expenditures, but I am supporting this bill because I think it is very necessary. It will not entail the expenditure of a tremendous amount of money.

Many of you who come from the Middle West have in the last couple of months received many letters like those I have received, telling me the writers had first-hand information, or they could prove, that great warehouses out in the Midwest were jam-packed full of sugar, while they could not get any sugar. They asked why the sugar was not distributed so the consumers, so the house-

wives, could get it. You looked into the matter just as I did and you found that that sugar was beet sugar which had just been processed, and that there will be no more beet sugar harvested or processed until next fall. That beet sugar has to be spread out so as to last us until the new crop comes in. We need sugar mighty bad, and everybody knows that, but I warn you that unless we make available this extra labor that is needed to produce beet sugar we are going to have an awfully short crop of beet sugar this fall. At the time when we look forward to getting plenty of sugar we will find the cupboard bare, and we will be no better off than we are today unless we do something about this matter and pass this legislation.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Illinois. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. I wonder if the distinguished gentleman can tell us approximately what it will cost to carry on and wind up this program in December 1947? What will be the over-all cost, approximately?

Mr. JOHNSON of Illinois. I cannot tell the gentleman that because nobody knows. They are beginning to get their applications in now. The operators of many of the canning factories throughout the Midwest tell me that many of them that had some of this labor before do not expect to use any of it this year, but there are places where they are absolutely dependent upon it, in the far West, and this is true particularly of the sugar and the canning factories.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Illinois. I yield to the gentleman from North Carolina.

Mr. COOLEY. The gentleman was a member of the committee that investigated the labor centers throughout the country. Does not the gentleman feel that at some time in the very near future the Federal Government should withdraw all of its support from the maintenance of these labor camps and centers throughout the country?

Mr. JOHNSON of Illinois. They should do it, and if we give them this extension, they should have it done at that time.

Mr. COOLEY. That is, at the end of this year.

Mr. JOHNSON of Illinois. It will give an opportunity to these growers who want to buy these housing units and use them.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Illinois. I yield.

Mr. HOPE. If we pass this bill, they will do it at the end of that time.

Mr. JOHNSON of Illinois. That is right.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Illinois. I yield briefly.

Mr. GAVIN. May I ask the chairman of the committee if he can give us an estimate of the approximate cost of the job?

Mr. HOPE. A short time ago, when the chairman had the floor, he stated estimates from the Department of Agriculture showed that it would probably cost about $10,000,000 to continue the program for an additional 6 months.

Mr. GAVIN. That will wind it up?

Mr. HOPE. That will wind it up.

Mr. JOHNSON of Illinois. May I add that this bill says it shall be liquidated and that is the purpose of this bill—to liquidate the program within this period. These canners are all dependent on peas, corn, and tomatoes, and if you know anything about it you would realize what these people are up against. Was it the gentleman from Illinois [Mr. DIRKSEN] awhile ago who said we are getting into an era—I do not know if those are his exact words—of unwillingness to work. We can lay that to the fault of this Congress if a great number of people would rather go along not working, for a smaller allowance, than work for a salary. These canneries are going to need those products, and we are going to need the canned vegetables. I know something about that. They have to know something about it pretty quickly if they are going to get the crops in so that we will have enough corn, tomatoes, peas, and so forth. I was a grower of vegetables myself. I used to grow 20 acres of tomatoes right near Peoria, in the district of the gentleman from Illinois. The 20 acres of tomatoes were sold to a canning factory. We would have a contract by this time and the canning factory would agree to take all that we would produce, all at a stipulated price. The seed would be going into the ground now in that section of the country, that is, in hot beds, and they would be getting ready to transplant the seedlings to the fields. I am sure there will be little of that labor needed in central Illinois, but I do know in the far West and in California, where they do not have 20-acre plots, but have hundreds and thousands of acres, it will be necessary.

Mr. FLANNAGAN. Mr. Chairman, I yield 3 minutes to the gentleman from Utah [Mr. GRANGER].

Mr. GRANGER. Mr. Chairman, I do not know that there was anyone more opposed to this proposal to extend authority to recruit farm labor outside the continental United States when it was brought before the committee than I was. I am only voting for the continuation of this legislation after listening to the pleas of farm organizations and others who have convinced me that it was necessary. The committee is aware of the objections to this legislation. I think the gentleman from Illinois [Mr. DIRKSEN] expressed the view of nearly every member of the committee. But after listening to the farmers and those interested in this matter, we concluded and voted unanimously to continue this legislation for another 6 months. Then the legislation would be discontinued. As I said earlier, you are going to have this program in any event until midyear, that is, right in the middle of the crop year. Perhaps it would be more necessary to have this labor during the harvest than to have it during the planting time. For those reasons I am convinced that we should pass this legislation.

It has been observed that the State Department caused some of these contracts to be made. It must be recognized that the State Department makes a contract with another country.

I would have very little regard for the Republic of Mexico if they did not make some requirements of this country and not allow this country to go down there and indiscriminately take nationals from their country and not guarantee to give them some protection.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. GRANGER. I yield.

Mr. HOLIFIELD. Is it not also true that the farm organizations came before the State Department and advocated that they make such an agreement because they knew that was the only way they could get the labor out of Mexico?

Mr. GRANGER. Certainly.

Mr. HOLIFIELD. And to attack the State Department is entirely unwarranted?

Mr. GRANGER. I think so, too. I do not subscribe to the statements that were made about it.

Furthermore, there seems to be much said about New Deal legislation. I am a farmer who went broke during those glorious days when we did not have New Deal legislation. I want to say the only decent legislation that has ever helped the farmer has been New Deal legislation.

The CHAIRMAN. The time of the gentleman from Utah has expired.

Mr. FLANNAGAN. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. SADOWSKI].

Mr. SADOWSKI. Mr. Chairman, I do not have a farmer in my district, but I have got a lot of labor and a lot of consumers of food. I think this bill means more food at cheaper prices, and I am going to vote for it.

I saw the chairman of the Committee on the Judiciary in the Chamber a few minutes ago. I want to bring this letter to the attention of the House. It is signed by the chairman of the committee, and it states:

> DEAR MR. ATTORNEY GENERAL: During each session of the Congress the Government is put to a great deal of embarrassment and expense through the introduction of private bills relating to immigration and naturalization.
>
> The committee is aware that in many cases your Department stays deportation proceedings and is otherwise harassed because of the mere introduction of these bills. We feel this situation is in need of correction.
>
> Accordingly, unless the committee addresses some formal communication to you after the introduction of any such bill or bills, you may feel free to disregard the practice of staying deportation proceedings.
>
> This letter is written pursuant to a resolution passed by the House Judiciary Committee at a session this morning and is not a letter of the chairman but is the letter of the committee.

Now, since when has the Judiciary Committee usurped that authority? What sort of meat do they feed on that they have become so great? Does the average Member of the House have no standing any more? Have some of these people gone power-mad because they have been out of power for 14 years? The chairman of my Committee on Interstate and Foreign Commerce, the gentleman from New Jersey [Mr. WOLVERTON] permits every Member to come

over there. He has invited them to come and appear on their bills. That is how fair we are. But here is a committee that does not invite you to appear on your bill, it does not give you an opportunity, but sends a letter to the Department telling them, in effect, "You go ahead and deport a man" when you have a bill to stay proceedings, and it is a hardship case. I want to ask the Speaker of the House if he authorized this action, and, if he did, I am going to appeal to the President of the United States to tell the Attorney General not to permit any such action.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. SADOWSKI] has expired.

Mr. FLANNAGAN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. ELLIOTT.].

Mr. ELLIOTT. Mr. Chairman, I have always been opposed to foreign labor if it was at all possible to harvest the crops without it. The farmers do not wish to have farm laborers imported to harvest their crops. I can remember many years ago when we brought foreigners from various countries, but since that time rules and regulations have forbidden the individual farmer to make a deal for himself. Conditions have changed today. The farmer is called upon to provide housing for farm laborers different from that provided many years ago. For that reason the farmer in the past has not been able to obtain sufficient material to provide decent quarters for the average farmer and his family to live in. Mexican nationals can be brought in and housed in quarters where 150 or 200 single men can be kept together. You cannot do that with American labor. The cost of harvesting various types of fruit with foreign labor is from $3.50 to $6 a ton more than when harvested by our own American laborers.

This is not the big landowners' problem as some have said here today. Many small farmers, during the war period and at the present time, would be unable to harvest their crops if sufficient labor were not supplied from some other source. Farm-labor camps and labor camps with foreign laborers make it possible for the small farmer to call at the camp and transport to and from his farm the number of men needed to harvest his crops. Our American laborers are just not available to work on the farms. It is impossible in my section to have the cotton picked in the fall of the year without some outside help, as it cannot be obtained locally. And in the peak of the fruit season when you have on hot days—and I wish to mention that the temperature might run from 102 to 110—you have millions of tons of fruit in my State to be harvested in a period of 10 days to 2 weeks' time, depending on the type of crop. You must make arrangements in advance. We know that the labor must be brought in to be there at the time that crop is going to ripen.

I can say to you most sincerely that it is not the wish of the farmers to bring in Mexican nationals, but they are forced to. They wish the people of this country would raise their boys to want to be farmers and go out on the farms. That is what I would like to see happen today. Instead of that we see young men leaving the farms when they grow up. The modern young man does not want to go out and work the long hours one has to work on the farm to make a living. So our farmers who are using this foreign labor are doing something they do not want to do. Some say that what the big farmer wants is cheap labor. That is not the case. It costs more to use that kind of labor than it does to work our own American laborers. I have employed some of them of different nationalities. I have employed Jananese, Chinese, Mexicans, Hindus, and people of practically every race there is, but they do not seem to get the job done like our own American boys. So certainly it is not cheap labor; it is most expensive labor.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. ELLIOTT. I yield.

Mr. COOLEY. Does not the gentleman feel that after all it is a problem of the States and localities rather than of the Federal Government to provide for the importation, support, and maintenance of these people while they are here?

Mr. ELLIOTT. I will agree with the gentleman that perhaps it is the duty of the State and in some instances of the communities to provide this labor, but with the labor supply taken away from us like it has been and with our being refused materials to provide homes how can we attract American labor? We today are not doing our duty to see that material is made available to the farmers with which they can provide homes on their farms. You cannot criticize the young man for not wanting to take his wife on a farm and expect her to live in a tent, yet that is the way a lot of this labor has to live.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. HILL].

Mr. HILL. Mr. Chairman, it would be impossible to discuss a question like this is 5 minutes, but I would like to mention some angles I think Members who have spoken failed to consider. First of all, the war itself and its direct effect on farm labor was absolutely terrific in my section. They took our farm boys and they still were taking them last September. And then you tell me the war is over and the effect on agricultural products in my territory is not being felt. We are still living under war-time conditions in many sections of Colorado.

Let me call attention to another thing. We do not live close to these great centers where you can get help on a moment's notice from the ranks of the unemployed. We have to bring them a long, long ways, and we cannot get the help in when we need it unless we have some type of organization to bring it in.

Let me say that this war not only took our farm boys but it came into our territory, and renters and even farm owners quit the farms and moved into the large industrial centers, where they felt they could make more money in 6 months or a year than they could in a lifetime on a farm.

Here is another thing. We could not help it. No one is to blame. Neither the Democratic Party nor the Republican Party. No one is to blame. These are conditions over which man has no power. But let us analyze another element. Someone mentioned farm implements. Let me say that we could not even buy farm implement repairs, and they are scarce even today. I heard someone here say: "Let us look at this great volume of farm implements in relation to the amount of money you spend for farm implements." That does not mean a thing unless you manufacture the small equipment that is necessary for the average farm. The farm implements are not here and the supply will not be on hand in 1947; do not forget that; so it is not only manpower these farms need, it is machinery. If you will give us in the beet industry 5 to 7 years we will have it completely mechanized. We are working toward that end.

This bill does not concern itself with the remarks that were made by two gentlemen on the floor of this House. This bill concerns temporary help—not permanent. These men come in quickly, as the gentleman from California who just preceded me told you. He could just as well have said, too, that unless that help comes in immediately, unless that help is there when the crop is ready, it is absolutely a complete and total loss in many cases. I direct your attention to green beans, where a few days will make it impossible for those green beans to be canned. The same applies to many of the other vegetables, such as red beets, sweet corn, tomatoes, and a whole list of vegetables.

We heard testimony that if he could not get help when the vegetables were ready to pick and bring them into the cannery, the whole community would have to change their farm operations.

I am surprised that some of you gentlemen oppose this legislation. Let us see who is for the legislation. The best processors appeared and gave their testimony. There was a whole list of them that I put in the record. The beet farmer himself says he must have this type of legislation. He needs it for the coming 6 months. Then we can drop the whole program at the end of that time. We do not want any outside help if we can find our own labor within the Nation. The canning industry appeared and gave us some real testimony as to why we need this temporary foreign labor. The Department of Agriculture appeared before us in support of this legislation. Regardless of what a gentleman said to you previously, I tell you that the county agricultural agent knows where these men are needed, and if the great State of Pennsylvania has the kind of county agents that the gentleman says they have up there, it is about time that the great State of Pennsylvania fire some of their county agents and come out to California, Colorado, or Wyoming, some of our Western States, and get men who know how to handle a county agent's job. There is not a county agent in our State who does not know when his farmers need extra help.

In closing let me say that the farm organizations appeared before us, and they are for this temporary legislation.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. HOPE. Mr. Chairman, I yield the gentleman one additional minute.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield to the gentleman from Pennsylvania.

Mr. GROSS. I want to make the observation that while a county agent may not know what he wants, the farmers do.

Mr. HILL. The county agent knows what the farmers want because the farmers have confidence in him and approve of his program.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. If the program is as good as the gentleman has outlined it to us, why does the committee recommend that it be terminated in December 1947?

Mr. HILL. No one said this is a good program. We say this is a temporary program, as I told the committee a minute ago that this is a temporary program and applies to temporary help only.

Mr. FLANNAGAN. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. LEA].

Mr. LEA. Mr. Chairman, I see no reason to read any political question into this problem. From the beginning of this particular program, it has always been brought to the House from the Committee on Agriculture practically by unanimous consent. Today I commend the committee for what it has done in bringing this legislation to the House. I justify this program not for any theoretical reasons but for very practical ones. The beginning of it and the continuation of it are justified on the basis of necessity, and not otherwise. Those who today draw a picture of the farmers of the country wanting this program in order to get cheap labor are presenting a picture not faithful to the facts. That is not the motive behind this legislation.

As indicated by one or two previous speakers, it is decidedly more expensive for the farmers to use this foreign labor than it is the domestic supply. They would like to get rid of the program as soon as other taxpayers of the country.

But I have seen the operation of this program in our State. Much of the production in California of food products, vegetables as well as fruits, is upon a wholesale mass production basis. Last year California produced the largest canned crop of both vegetables and fruits that was ever produced. Those products are needed by this country and by the countries that we are trying to aid in the distressed situation of the world. I can say to you as a practical fact that a substantial part of that production of fruits and vegetables would never have gone to the canners if it had not been for this means of providing labor to assist the American farmer who produced it. It is literally true that millions of dollars' worth of such foods in the past 3 years has been produced with the help of this imported labor. Again, I want to emphasize the fact that it is costing the farmers more than domestic labor. There is still a definite prospect that there is not going to be an adequate supply of domestic labor this year.

Within the last week the Governor of California was here and it has been revealed that California today has more labor employment than it had in the peak of war production. Now, with that situation before us the consumers of the country must realize that, if this program is not continued, they are likely going to have a less supply of the necessary food products in this country for the coming year.

Mr. FLANNAGAN. Mr. Chairman, I yield such time as he may desire to the gentleman from Montana [Mr. MANSFIELD].

Mr. MANSFIELD of Montana. Mr. Chairman, I am, indeed, surprised at the opposition to this bill to provide needed farm labor for the West. Believe me, I would not be here fighting for the passage of this measure if it was not vitally needed.

I have heard many cries of distress because we do not have enough sugar. Yet if you defeat this bill, you will take away from the beet growers in my State of Montana the only means by which they can harvest this very needed crop.

When I plead for this legislation I do so on the basis of my unhappy experiences over the past 4 years in getting labor for the sugar-beet fields of Montana. My farmers do not want a continuation of this type of labor any longer than necessary, but they do want this labor until a permanent farm-labor program is inaugurated and until they can mechanize their fields as much as possible.

My only thought is that this legislation is needed now to give assurance to our sugar-beet farmers so that they can have some assurance for the crop year ahead.

Mr. HOPE. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Chairman, this legislation merely extends this beneficial program to the end of the calendar year and corrects the difficulty so often encountered with our appropriations by fiscal years. These end, of course, on June 30, the very middle of the crop season.

It is also worthy of note that, since the program is already lined up and commitments made, only a small percentage of savings would be made.

Mr. FLANNAGAN. Mr. Chairman, I have no further requests for time.

Mr. HOPE. Mr. Chairman, I yield such time as he may desire to the gentleman from Maryland [Mr. MILLER].

Mr. MILLER of Maryland. Mr. Chairman, my district is the Eastern Shore of Maryland. It has been said that our section is allergic to foreigners—that we are self-sufficient and look upon strangers with suspicion. Be that as it may, the laborers that have been imported under the Farm Labor Supply Appropriation Act may not have been the most desirable class of laborers, and it may well be that we would like to be able to do without them, but for this coming crop season they are an unpleasant necessity.

My district is in many ways a huge food factory. The farmers, packers, and watermen produce a huge quantity of fine food: fresh, frozen, and canned vegetables, fruits, and seafoods, and our bottleneck comes at the time that this food must be harvested or packed and preserved for the market.

I sincerely hope that a sound plan of providing necessary labor to take care of the peak loads may be worked out in future years so that, with adequate machinery, local labor—or at least American labor—will be sufficient to meet our needs. It would, however, be a calamity if we were unable to save our crops and supply the hungry mouths of the world this particular year. The bill under consideration, if passed, will not change the situation in the midst of a crop year and at the same time it serves notice that the present plan will be liquidated by the end of 1947.

For these reasons, I urge the passage of the bill.

Mr. HOPE. Mr. Chairman, I yield the remainder of the time on this side to the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY of Wisconsin. Mr. Chairman, I did not know until this bill got on the floor that it was a political question. I know that, as far as my own side was concerned, nearly every Member was opposed to the bill in the form in which it first appeared in the committee. However, most of us have to change our positions some and make agreements to work for the common good. There is not any question but what sugar production in 1947 and canned vegetables for 1947 are dependent on this legislation. California and the sugar-beet areas of the West are very dependent on this legislation.

This legislation was considered very carefully in the committee. The situation just brought out by our distinguished colleague, the gentleman from California [Mr. LEA], was presented. When we realize that the State of California produces about 20 percent of the vegetables in the United States and has to put them into cans, then I think we begin to appreciate what the problem is.

We have a timetable on this program now, which we did not have when it came into the committee. This whole business is over with on January 1. I want it to appear in the RECORD at this point that should it happen to have a bad reception in some other body and it comes back here with anything on it beyond January 1, 1948, I do not want to be a party to it. I can assure every person here that we have tried to bring this in as a compromise.

It was brought out this morning that the Government is spending five or six billion dollars renegotiating with the business firms of this country after the war. How much money we are going to spend, whether three, four, five, up to ten million dollars, to renegotiate the farm-labor problem, is for you to judge and decide.

We have plenty of confidence that our distinguished colleague, the gentleman

from Illinois [Mr. DIRKSEN], with his eagle eye, will not let any money be wasted on this program this year, but we trust that he will have an approach that will not deny the needed labor to any group. If we are going to follow anywhere near the food commitments that are being made, and perhaps being made rather loosely, to the peoples of this world, that we are going to feed them, I guess it would be pretty good public policy to go along with this labor program at least until January 1, 1948.

While I have always felt that if these additional funds were given to American workmen sufficient domestic labor could be secured, I am willing to go along with the distinct understanding that the program terminates January 1, 1948. I mean January 1, 1948.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. All time has expired.

The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the farm-labor supply program conducted pursuant to the Farm Labor Supply Appropriation Act, 1944 (Public Law 229, 78th Cong., 2d sess., title I), as amended and supplemented, including the exemptions relating to the admission of farm laborers authorized by section 5 (g) of such act, may be continued for a period not to exceed 6 months after June 30, 1947: *Provided*, That such program shall be liquidated by December 31, 1947. In order to continue to make available for the purposes of this program all labor-supply centers, labor homes, labor camps, and facilities heretofore available in this program, section 2 (d) of the Farmers' Home Administration Act of 1946 (Public Law 731, 79th Cong., 2d sess.) is hereby amended by deleting therefrom the following language: "or until 6 months after the termination of the present hostilities as determined by concurrent resolution of the Congress or by the President, whichever is the earlier" and inserting in lieu thereof the following language: "or December 31, 1947, whichever is the earlier." Such amounts as may be necessary for the continuance and liquidation of such program as provided in this act are hereby authorized to be appropriated.

Mr. DIRKSEN. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. DIRKSEN moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. DIRKSEN. Mr. Chairman, may I assure the members of the committee that I find no particular felicity in the position that I feel constrained to take upon this and upon certain other legislation, but let me admonish you now that it is only a few days ago that this House by a resounding action imposed a ceiling on expenditures $6,000,000,000 below the President's budget, which was subsequently reduced to $4,500,000,000 by another body. In the middle of this week the conferees from both bodies will meet to join the issue. It is not an easy job, I assure you gentlemen, to find $6,000,000,000, but I think we can do it. But when you add to that burden the job of finding money for this expenditure, and perhaps others, I assure you it becomes an immeasurably more difficult task. Only a few days ago a measure passed this House to provide a program with respect to the hoof-and-mouth disease at an estimated cost of $60,000,000. My own estimate of what this will cost is at least $15,000,000. The maximum in other years was about $26,000,000.

The Committee on Appropriations, of which I have the honor to be a member, has thus far appropriated $113,000,000 for this purpose since fiscal 1944. So, remember, there is a ceiling, and it is the responsibility of every individual to carefully scrutinize every bill which seeks to appropriate or authorize the appropriation of money.

There is no estimate for this in the President's budget. Examine the budget when you get back to your offices, and you will find that the last estimate was for the fiscal year 1947. What is proposed here today is the lifting of the budget of the President of the United States after we made a determined effort here 2 weeks ago to impose a ceiling on expenditures. Does the action then taken have no significance for us now?

The question was raised here of breaking faith with the farmers. It was raised by the gentleman from Missouri [Mr. ZIMMERMAN]. The law is just as plain as print can be that the cut-off date for this law was June 30, 1947. There is no breaking faith with the farmers. The farm organizations and their legislative representatives know that the program was to end in June. They know what it means when an act says it shall end on June 30, 1947. That is what we said to the farmers last year. So, where is the element of lack of faith or betrayal involved on the part of Congress?

They say this is a short program of 6 months to provide for liquidation. Is it going to be a liquidation program? Here is a letter from the Farm Bureau Federation addressed to a Senator from Illinois. It was written on the 19th of February 1947. With respect to this bill, it says:

Yes; we favor a 6-month extension for this purpose, with a provision for 90-day liquidation of the farm workers' program after that date.

And, further:

We are also working on a permanent farm-labor program to be carried out through the extension service.

This bill must go to another body. They will have a whack at it. It will come back here after a conference and thus may well become the springboard for a permanent program that will cost the people millions of dollars from here on out.

Gentlemen, do not be disillusioned, deceived, or dismayed by the representation that it is necessarily a temporary sort of business because I have been through that mill before. I aided in ending farm crop insurance here on this floor once—and I say it with all modesty—but the whole program was written back into the appropriation bill over in the other body. Today, it is in effect, and the losses through indemnities on some items are greater than they ever were. Make no mistake about it. Now then, here is a preferential motion to test the sentiment of the committee. Do you want it or do you not? But, remember, permanency is lurking right around the corner.

Mr. HOPE. Mr. Chairman, I rise in opposition to the motion of the gentleman from Illinois.

Mr. Chairman, this bill is to liquidate the farm-labor program. The gentleman from Illinois can be assured, and I know I am speaking for those who will be on the conference committee, that if there are amendments adopted in the Senate, changing this to a permanent program, the conferees on the part of the House will not agree to them in conference. We intend to keep this as a liquidation bill, and I know of no disposition in the other body to modify this bill by setting up a permanent program.

There is such a thing as being penny wise and pound foolish. This bill is going to cost a little money. The Department of Agriculture says $10,000,000. The distinguished gentleman from Illinois, of course, as the chairman of the Subcommittee on Agricultural Appropriations is going to be the man who will determine how much it will cost. We all have enough confidence in him to know there is not going to be any money wasted on this program.

Now let me call your attention to some of the testimony before the committee as to just how necessary and important this program is. Here is a paragraph from a letter from the Minnesota Canners' Association. Minnesota is one of the largest of our canning-crop States. It reads as follows:

As an illustration, in Minnesota alone in 1946, 90 percent of the sweet corn, 70 percent of the peas, and 90 percent of the other canning crops were harvested by this imported labor.

Then it goes on to say that unless this labor is available this year their operation cannot be carried out. They cannot make contracts with their producers. They say the need is as great this year as it was last year.

Let me read to you from the testimony of Josiah Ferris, representing the United States Sugar Corp., of Clewiston, Fla. He says:

If we are unable to continue the use of the foreign labor we now have in our employ, approximately 3,000 Jamaicans and Barbadians, we will be unable to harvest and process our 1947–48 crop, which will mean in sugar to the housewives of America a loss of about 200,000,000 pounds.

Let me call attention to the statement of Colonel Buie, who is director of foreign labor program in the Department of Agriculture. He says:

We worked 22,000 Mexicans in the great sugar beet harvest last fall. In other words, 22,000 Mexicans harvested 35 percent of the sugar beets, representing approximately $130,000,000.

Every Member of this House has had letters from housewives wanting to know when they are going to get more sugar. If we refuse to pass this legislation out of a sense of false economy, what are you going to tell them when they write to you next year? Are you going to say, "We did not have the foresight a year ago to provide the farmers with enough labor to plant and harvest the sugar beet crop, so we are short"? Yet, I am

sure that there is no one, after hearing the discussion on this floor today, who is not convinced that it is absolutely necessary to have this legislation if we are going to produce the sugar that we need in this country, or if we are going to have the canned fruits and vegetables that we need if we are going to feed our people.

I hope the committee will vote down the motion offered by the gentleman from Illinois [Mr. DIRKSEN] by an overwhelming majority.

The CHAIRMAN. The question recurs on the preferential motion of the gentleman from Illinois [Mr. DIRKSEN].

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 32, noes 105.

So the motion was rejected.

Mr. CLEVENGER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as a member of the Committee on Agriculture, I merely rise, as our old friend from New York used to say, in the interest of the record.

We are working at the present moment on an extension. Had we not had one 6 months' extension this thing would have been all wrapped up in mothballs and forgotten on the 31st day of last December. Last spring, when this measure was due to expire in December, representation was made to us that it would be necessary to get all of these aliens out of the country by the 31st of December and that they might be taken out of the beet fields right in the middle of the harvesting season. I was a member of the committee that went down to consult with the Secretary of Agriculture and others about it. We went down asking him for an extension to give them time to assure that the beet crop would be harvested. Somewhat against my own impulses and only in the interest of being assured that the beet crop would be taken in I went along and was a member of this party. So this thing was continued until June 30. I was for March 1 but my views did not prevail. We are now here with an extension on an extension to make this thing live through the calendar year 1947.

I shall perhaps vote for this bill. Out in my country we raise some tomatoes. They may be vegetables in some of your districts but up in northern and western Ohio where we raise them they are fruit. Some of you may have seen a ton of tomatoes. A ton of tomatoes is a lot of tomatoes, and a thousand tons of tomatoes is a lot of tomatoes. Well, they raised 125,000 tons in my district last year.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. CLEVENGER. I yield.

Mr. McCORMACK. Coming from a city district it seems to me that the proponents of this bill in the emergency that exists have made out a clear case justifying it not only for the farmer but also in the interest of the country, the consumer as well.

Mr. CLEVENGER. I may say to the gentleman from Massachusetts that I am coming to that right now. As I said before, 125,000 tons of tomatoes is a lot of tomatoes; and the sugar beets are there also, and we have feather-bedded employment—there is no question about it. Until we get tough enough to do as old John Smith did down in the James River peninsula when some of the gentlemen at Jamestown said that their hands were not toughened to the ax, they were informed that if they did not chop they would not eat——

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. CLEVENGER. I yield.

Mr. HOPE. Does not the gentleman believe we have pretty well taken care of that situation by the amendment in section 2 of this bill?

Mr. CLEVENGER. I think so; and I am voting for this bill only with the assurance from my chairman that this thing is dead and is going to be embalmed and buried.

Mr. Chairman, I yield back the balance of my time.

Mr. BUSBEY. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the distinguished chairman of the Committee on Agriculture, the gentleman from Kansas [Mr. HOPE], just read from the testimony of Mr. Ferris, vice president of the United States Sugar Corp., that they would not be able to continue their program unless they could have the benefit of the 3,000 Jamaicans and Barbadians they employ on their plantation at Clewiston, Fla. There is an old saying: We should put the oil where the squeak is. A few years ago I had the opportunity and pleasure of going over this entire sugar plantation at Clewiston. They have a development there so large that they had to bring in thousands of Negroes and build many villages on the plantation for them.

One of the conditions that surrounds this whole problem is due to what happened right on that big plantation. A few years ago the New Deal administration said to the United States Sugar Corp. at Clewiston, Fla.: "You will have to cut down the acreage you have under cultivation by over half." What did that do? It threw thousands and thousands of these colored employees out of work and they immediately went on the dole. Then when the sugar situation got acute and they wanted these colored people to go back to work on this plantation, they refused to do so. They would not go back to work. This is one of the reasons they have had to resort to the importation of foreign labor.

Mr. Chairman, this is as good a time as any to start redeeming our campaign pledge to cut down Government expenditures, and particularly subsidies. This is a double subsidy bill. It is a subsidy on the program provided in the bill, and it is a subsidy on people drawing unemployment compensation who are not willing to work.

It has been stated that this is a temporary bill. It extends subsidies 6 months. If we do not extend it 6 months, subsidies die on June 30 of this year. If you do extend it 6 months, this is going to give the crowd who wants subsidies 6 months longer to drum up a permanent proposition. There is not a thing in the world to prevent them from coming to the floor of this House at the beginning of the second session of the Congress and introducing legislation identical to this. How can anyone say it is temporary? It is time to start reducing Government expenditures and redeeming our campaign pledges. This is an excellent place to start.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. BUSBEY. I yield to the gentleman from Kansas.

Mr. HOPE. If we vote this bill down today, there is nothing to keep anyone from introducing the same bill in the second session of the Congress, is there?

Mr. BUSBEY. It gives them 6 months longer to cook up another bill.

Mr. HOPE. They will have the same 6 months whether we kill it or pass it.

Mr. BUSBEY. If we are going to start cutting, we better start now. Day after day you are going to have bill after bill come in here that a special group will want passed. If you were sincere last fall during the campaign, when you promised the people you were going to cut expenditures, you will vote against this resolution.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. BUSBEY. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. I wonder what the corporation to which the gentleman refers is going to do next year. Does the gentleman have anything to suggest as to what position they will be in?

Mr. BUSBEY. What did they do before they imported this labor?

Mr. GAVIN. Evidently they got along all right.

Mr. BUSBEY. If the people who originally worked this plantation are not willing to go back there and work, while we have 2,000,000 unemployed in this country, and we have to subsidize imported labor, the people of this country should be told the truth about it.

The gentleman from Illinois [Mr. DIRKSEN] estimates this extension will cost approximately $15,000,000. The people of this country are demanding a cut in income taxes. It will be difficult to give it to them if we pass resolutions like this one, especially when it is not even asked for in the President's budget.

It is time we stop playing politics and vote our convictions.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. D'EWART. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, this is important legislation not only to the agriculture of my State but to the sugar consumers of the whole country. In 1945 we produced 871,000 tons of sugar in Montana. Last year we produced about 1,000,000 tons.

If this bill is passed today it will encourage the beet growers of my State to produce another million tons of sugar for use in this country. In order to produce a million tons of sugar last year, we had last spring some 4,000 prisoners of war and some 2,500 Mexican nationals.

Those prisoners left about July 1. In the fall of the year we had between 3,000 and 3,500 Mexicans to harvest that crop.

We only harvested the crop with the greatest of handicaps due to early fall snow and other difficulties. Those beet growers were very discouraged before that crop was finally harvested. Now, if we do not give them some assurance of a labor supply to harvest this year's crop they are not going to grow that millon tons, and it will be a serious thing to the whole country.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. D'EWART. I yield to the gentleman from Tennessee.

Mr. JENNINGS. Have you any other source of labor to enable your people to grow this million tons of beet sugar this year?

Mr. D'EWART. We do not have sufficient labor in our State.

Mr. JENNINGS. Then you are dependent upon the passage of this bill to get it.

Mr. D'EWART. We have to have the assurance of this labor if we are going to grow that million tons.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. D'EWART. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. Would the gentleman be able to say the same thing about 1948, 1949, and 1950?

Mr. D'EWART. We sincerely hope not. We hope to mechanize that crop out there so that we can produce it by machinery.

I have here a letter that I would like to quote from very briefly from a processor in my State which throws some light on this situation:

Nearly everyone I contact in this particular district is asking when they can expect more sugar to be granted the household user as well as the commercial user.

The feeling regarding sugar beet growing in 1947 is quite good at the present time. As yet we do not have a contract to present the growers. However, I anticipate signing a good acreage for this factory this year. The question in the minds of nearly all of the growers is the one we have had in past years, "What about the labor situation?" I learn now that the permanent labor program has been sidetracked for the time being and that efforts are now being put forth to extend the present bill another 6 months to December 31.

The sugar beet industry as a whole was quite disappointed to learn that at a meeting held in Chicago on January 13, the implement manufacturers would be unable to supply the harvesters that could be sold this year. It seems that steel is one of the big bottlenecks in implement manufacture, and bearings are even more of a problem, with the result that the manufacturers plan to build only about one-fourth of the harvesting machines that the sugar beet industry feels would be needed.

The sugar beet growers are taking to the mechanization program very rapidly; and I am quite sure that if more machines were made available all of them would be placed with sugar beet growers. Now that we know these machines are not going to be built we must again plan to carry on with hand labor, although with a lesser number than in former years.

In conclusion, I would like to quote from the report on the sugar situation issued by our subcommittee of the Committee on Agriculture, dated February 1. That committee said:

The committee feels that steps should now be taken to assure abundant sugar production in the United States, including Hawaii and Puerto Rico, for use by the American people in 1948. Adequate supplies of fertilizer, labor, and machinery should be provided sugar-beet and sugar-cane growers, as well as a satisfactory incentive to secure maximum production in all United States sugar-producing areas. The time to plan for sugar supplies for use in 1948 is at hand. Failure to do so can only mean continued shortages of sugar.

This statement goes on to say that labor is necessary. I sincerely hope that this bill will be adopted.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. Upon the enactment of this act—

(a) The provisions of the Farm Labor Supply Appropriation Act, 1944 (Public Law 229, 78th Cong., 2d sess., title I), as amended and supplemented, and as extended by this act, shall not be construed to limit or interfere with any of the functions of the United States Employment Service or State public employment services with respect to maintaining a farm placement service as authorized under the act of June 6, 1933 (48 Stat. 113).

(b) The Secretary of Agriculture and the Secretary of Labor shall take such action as may be necessary to assure maximum cooperation between the agricultural extension services of the land-grant colleges and the State public employment agencies in the recruitment and placement of domestic farm labor and in the keeping of such records and information with respect thereto as may be necessary for the proper and efficient administration of the State unemployment compensation laws and of title V of the Servicemen's Readjustment Act of 1944, as amended (58 Stat. 295).

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SPRINGER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 2102) to provide for a 6 months' extension and final liquidation of the farm labor supply program, and for other purposes, pursuant to House Resolution 124, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. BUCK) there were—ayes 140, noes 39.

Mr. HOLIFIELD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and ninety-nine Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 243, nays 110, not voting 79, as follows:

[Roll No. 18]

YEAS—243

Abernethy	Gearhart	Miller, Calif.
Albert	Gillette	Miller, Conn.
Allen, Calif.	Goff	Miller, Md.
Allen, Ill.	Gordon	Mills
Allen, La.	Gore	Monroney
Almond	Gorski	Morris
Anderson, Calif.	Gossett	Morton
Andresen, August H.	Graham	Muhlenberg
	Granger	Mundt
Andrews, Ala.	Grant, Ala.	Murdock
Andrews, N. Y.	Gregory	Murray, Tenn.
Angell	Gross	Murray, Wis.
Arends	Hagen	Norblad
Arnold	Hale	Norman
Auchincloss	Hall, Edwin Arthur	Pace
Barrett		Passman
Bates, Ky.	Hall, Leonard W.	Patman
Bates, Mass.		Patterson
Battle	Halleck	Peden
Beall	Hand	Peterson
Beckworth	Hardy	Phillips, Calif.
Bell	Harless, Ariz.	Phillips, Tenn.
Blackney	Harness, Ind.	Pickett
Blatnik	Harris	Preston
Boggs, Del.	Harrison	Price, Fla.
Boggs, La.	Hart	Price, Ill.
Bolton	Hedrick	Priest
Boykin	Hendricks	Rayburn
Bradley, Calif.	Herter	Reed, Ill.
Bradley, Mich.	Hill	Rees
Bramblett	Hinshaw	Reeves
Brooks	Hobbs	Richards
Brown, Ga.	Hoeven	Riley
Brown, Ohio	Holmes	Rizley
Bryson	Hope	Robertson
Burke	Horan	Robsion
Burleson	Howell	Rockwell
Cannon	Jackson, Calif.	Rogers, Fla.
Carroll	Jackson, Wash.	Rogers, Mass.
Carson	Jarman	Sabath
Case, S. Dak.	Javits	Sadlak
Chadwick	Jenison	Sadowski
Chapman	Jennings	St. George
Chelf	Johnson, Calif.	Sanborn
Chenoweth	Johnson, Ill.	Sasscer
Clason	Johnson, Ind.	Scrivner
Clevenger	Johnson, Okla.	Seely-Brown
Coffin	Johnson, Tex.	Sheppard
Cole, Kans.	Jones, Ala.	Sikes
Colmer	Jones, N. C.	Simpson, Ill.
Cooley	Jones, Ohio	Smathers
Cooper	Karsten, Mo.	Smith, Kans.
Cotton	Kefauver	Smith, Maine
Courtney	Kerr	Smith, Va.
Cravens	Kilburn	Snyder
Crawford	Kilday	Spence
Dague	King	Springer
D'Alesandro	Knutson	Stefan
Davis, Ga.	Lanham	Stigler
Dawson, Utah	Lea	Stockman
Deane	LeCompte	Stratton
D'Ewart	LeFevre	Taber
Dingell	Lemke	Talle
Dolliver	Lewis	Teague
Domengeaux	Lucas	Thomas, Tex.
Dorn	Lusk	Thomason
Doughton	Lyle	Tibbott
Drewry	McConnell	Trimble
Elliott	McCormack	Weichel
Ellsworth	McDonough	Welch
Engel, Mich.	McGregor	West
Evins	McMillan, S. C.	Wheeler
Fallon	Mahon	Whitten
Fellows	Manasco	Whittington
Fernandez	Mansfield, Mont.	Williams
Fisher		Wilson, Tex.
Flannagan	Martin, Iowa	Wolcott
Fletcher	Mathews	Wolverton
Folger	Meade, Ky.	Wood
Foote	Meade, Md.	Worley
Forand	Merrow	Zimmerman
Fulton	Meyer	
Gary	Michener	

NAYS—110

Andersen, H. Carl	Brehm	Canfield
	Brophy	Chiperfield
Bakewell	Buchanan	Church
Banta	Buck	Clark
Bender	Buffett	Cole, Mo.
Bennett, Mich.	Busbey	Corbett
Bennett, Mo.	Butler	Coudert
Bishop	Byrnes, Wis.	Crosser

Crow	Judd	Plumley
Cunningham	Kean	Potts
Delaney	Kearney	Rabin
Devitt	Kearns	Rains
Dirksen	Keating	Rankin
Douglas	Keefe	Reed, N. Y.
Durham	Kelley	Rich
Ellis	Kersten, Wis.	Richlman
Elsaesser	Kirwan	Rohrbough
Fenton	Klein	Rooney
Fogarty	Kunkel	Ross
Gamble	Latham	Russell
Gavin	Lodge	Sarbacher
Gifford	Love	Schwabe, Mo.
Goodwin	Lynch	Schwabe, Okla.
Grant, Ind.	McCowen	Shafer
Griffiths	McMahon	Smith, Ohio
Gwinn, N. Y.	McMillen, Ill.	Smith, Wis.
Havenner	MacKinnon	Sundstrom
Heffernan	Madden	Thomas, N. J.
Heselton	Maloney	Tollefson
Hoffman	Marcantonio	Towe
Holifield	Mason	Twyman
Huber	Morgan	Van Zandt
Hull	Nodar	Vorys
Jenkins, Ohio	O'Brien	Walter
Jensen	O'Konski	Wigglesworth
Jones, Wash.	O'Toole	Winstead
Jonkman	Owens	Youngblood

NOT VOTING—79

Barden	Gathings	Pfeifer
Bland	Gerlach	Philbin
Bloom	Gillie	Ploeser
Bonner	Gwynne, Iowa	Poage
Buckley	Hartley	Poulson
Bulwinkle	Hays	Powell
Byrne, N. Y.	Hébert	Ramey
Camp	Hess	Rayfiel
Case, N. J.	Jenkins, Pa.	Redden
Celler	Kee	Rivers
Clements	Kennedy	Scoblick
Clippinger	Keogh	Scott, Hardie
Cole, N. Y.	Landis	Scott, Hugh D., Jr.
Combs	Lane	Short
Cox	Larcade	Simpson, Pa.
Curtis	Lesinski	Somers
Davis, Tenn.	McDowell	Stanley
Dawson, Ill.	McGarvey	Stevenson
Dondero	Macy	Taylor
Donohue	Mansfield, Tex.	Vail
Eaton	Miller, Nebr.	Vinson
Eberharter	Mitchell	Vursell
Elston	Morrison	Wadsworth
Engle, Calif.	Nixon	Wilson, Ind.
Feighan	Norrell	Woodruff
Fuller	Norton	
Gallagher	O'Hara	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Miller of Nebraska for, with Mr. Hartley against.

Mr. Vursell for, with Mr. Celler against.

Mr. Nixor for, with Mr. Keogh against.

Mr. Gathings for, with Mr. Pfeifer against.

Mr. Bonner for, with Mr. Rayfiel against.

Mr. Kee for, with Mr. Powell against.

Mr. Donohue for, with Mr. Eberharter against.

Additional general pairs:

Mr. Macy with Mr. Feighan.

Mr. Eaton with Mr. Engle of Califorina.

Mr. Woodruff with Mr. Poage.

Mr. Simpson of Pennsylvania with Mr. Somers.

Mr. Wadsworth with Mr. Hébert.

Mr. Case of New Jersey with Mr. Bland.

Mr. Hess with Mr. Kennedy.

Mr. Scoblick with Mr. Dawson of Illinois,

Mr. Short with Mr. Clements.

Mr. Jenkins of Pennsylvania with Mr. Buckley.

Mr. Dondero with Mr. Lane.

Mr. Fuller with Mr. Morrison.

Mr. Cole of New York with Mr. Philbin.

Mr. McDowell with Mrs. Norton.

Mr. Clippinger with Mr. Redden.

Mr. McGarvey with Mr. Barden.

Mr. Gallagher with Mr. Davis of Tennessee.

Mr. Gillie with Mr. Combs.

Mr. Elston with Mr. Camp.

Mr. Curtis with Mr. Byrne of New York.

Mr. Landis with Mr. Lesinski.

Mr. O'Hara with Mr. Bulwinkle.

Mr. Hardie Scott with Mr. Larcade.

Mr. Hugh D. Scott, Jr., with Mr. Rivers.

Mr. Ploeser with Mr. Mansfield of Texas.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. HOPE. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

ADJOURNMENT OVER

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

SEA-AIR TRANSPORTATION—WHY NOT?

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BRADLEY] be permitted to extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, the responsibility of our Merchant Marine and Fisheries Committee is to strive to maintain the American merchant marine paramount on the high seas. For many years the most progressive elements of the American merchant marine have been seeking to utilize overseas aircraft in conjunction with steamships for the purpose of coordinating the two facilities and providing the public with an integrated and improved transportation service. Congress itself gave energy to this program by incorporating in section 212 of the Merchant Marine Act of 1936 a provision which authorizes and directs the Maritime Commission to cooperate with vessel owners in devising means by which transoceanic aircraft service may be used in connection with or in lieu of steamships. Following that authorization, great progress was made in planning the use of flying boats in conjunction with steamships.

When the Civil Aeronautics Act of 1938 was adopted, the steamship lines, having been assured that the act gave them the right to enter the air transport field on the basis of equality with any other person, stepped up their plans for the establishment of coordinated sea and air services.

In creating the Civil Aeronautics Board, the Congress provided a national policy for the regulation of aeronautics and the development of a sound economic and adequate transportation system by air—properly adapted to the needs of the foreign and domestic commerce of the United States, of the postal service, and of national defense. The ultimate objectives of this policy are identical with those prescribed for the Maritime Commission for the development of our American merchant marine.

But, under the Civil Aeronautics Act of 1938, no steamship company can operate in overseas or foreign air commerce until a certificate of convenience and necessity has been issued by the Civil Aeronautics Board. In its decisions the Board has held that this act "rigidly limits the participation of the older forms of transportation in the air-transport field." It interpreted a section of the act as extremely restrictive and only those limited air-transport services which are auxiliary and supplementary to other transport operations and which are therefore incidental thereto can meet the conditions laid down by that proviso.

We in the Merchant Marine and Fisheries Committee have heretofore been helpless in coping with the Civil Aeronautics Board, inasmuch as all legislation pertaining to its activities is assigned to the Committee on Interstate and Foreign Commerce. Consequently, last week, I introduced House Resolution 109 for the purposes of amending the rules of the House so that measures concerning the operation of aircraft by shipping companies over their own shipping routes would be referred to our committee. We are most hopeful that this resolution will be enacted so that we can get to the bottom of the sea-air controversy and set the Civil Aeronautics Board straight on this issue once and for all.

While we here in America are denying to our merchant marine the right to operate transoceanic aircraft service, our world-wide competitors are reaping the cream of the crop. Our Civil Aeronautics Board, persuant to commendable bilateral agreements with other countries, has readily granted overseas air permits to 15 foreign lines and is obligated to grant a possible 19 more. Negotiations are in progress with 13 others. The most active and important of these are in one way or another controlled or dominated by foreign subsidized steamship interests. We are favoring foreigners instead of Americans in this instance.

The CAB in actual practice has excluded, on major routes, all air applicants which did not exist at the time of its inception, permitting those fortunate companies then existent—such as Pan American, TWA, and American Airlines—to build themselves through the war years into vast networks and granting to them alone the right to fly overseas. Our entire domestic American air transport business is being monopolized by a total of only 28 certificated air lines and practically all of our overseas air commerce is being conducted by only six certificated air lines. The Big Four of these companies do 66 percent of the total domestic business.

Contrast the above with the fact that there are over 143 steamship companies engaged in carrying our domestic and foreign water-borne trade—with no artificial barriers to new entries in foreign commerce.

The fact that the steamship lines are the only ones with the management,

finances, and overseas organizations to adequately protect American foreign trade seems to escape the Civil Aeronautics Board. Also the Board apparently has not awakened to the tragic fact that their monopolistic grants to these favored few air-line companies are probably the "kiss of death" for some of them. It is well known that the domestic air lines are making an unholy mess of their business—many of you may have read the article in Fortune magazine last August entitled "What's Wrong With the Air Lines," or the article in the Saturday Evening Post for October 19, 1946, entitled "Why Air Passengers Get Mad," and there have been numerous others. It will obviously take every ounce of energy that the domestic air lines can muster to put their tottering house in order. To, at this time, saddle them with the difficult job of developing the complicated pattern of our overseas foreign trade is leading them to disaster through financial and managerial overexpansion. The overseas job is simply asking too much of them—first, because they are overtaxed at home; second, because of their lack of experience in foreign trade; and, third, because of the intense and experienced competition being brought to bear by our foreign competitors.

While we are on this subject let us remember, also, that it has been the business of the United States flag steamship companies to maintain contact men, agents, and establishments not only in Europe but throughout the ports and inland cities of the world since the days of the clipper ships and the China trade. It still is, and these facilities exist today. It is this 100 years of knowledge and assets that our CAB to date has ignored in dividing the trade and travel zones of half the world among these favored few air lines, of which but one—Pan American—enjoyed any direct previous overseas experience; the second—American—bought out a ship company's air line to enter the market the CAB had given it, and the third began world-wide services with no prior foreign commercial experience at all.

To appreciate the tragic economic significance of the exclusion of ship lines from world air trade, it must be remembered that passenger traffic on American-flag vessels ceased with Pearl Harbor, and since December 7, 1941, all passenger and cargo passenger ships of our merchant marine have been requisitioned by our Government for use of the Army and Navy as troop transports, hospital ships, and so forth, and now, of course, are being released. World commerce entered a new era during the war, with air transport becoming a major enterprise and successful and profitable shipping operations are no longer a matter of surface carriers functioning independently—and of course they are not yet a matter of aircraft functioning alone. The two mediums are natural collaborators and in fact, I believe, are inseparable. I firmly believe that the maritime operator who offers an integrated sea and air service in the future will get the business and the operator who does not offer it will eventually go out of business. It seems that all the major maritime nations, except the United States, have recognized the situation, and are making provision for it. British shipping lines are being not only permitted but encouraged by their government to supplement their existing surface facilities with aircraft. The great shipping lines of Sweden, Norway, and Holland are authorized by their governments to conduct integrated sea and air services.

Our steamship carriers are not seeking to acquire control of air transportation. They have been merely requesting from the CAB authorization to perform overseas and foreign air service in conjunction with their steamship service over and along their established steamship routes. They do not even request exclusive rights over these routes, but are willing to operate in competition with any other air service that the CAB may consider to be in the public interest.

If the steamship carriers are authorized to enter the air-transportation field, they will merely be handling the same traffic which they have handled for many years and which they have done much to build.

Maintain our merchant marine paramount is the aim and responsibility of our Merchant Marine and Fisheries Committee. We believe that the merchant marine of tomorrow will be a powerful protector of our economic safety which must be zealously guarded to assure greater economic stability to the whole world. A strong merchant marine will help keep war away from America and promote our good-neighbor policy to all nations. In this postwar world, it is clear that we will have a Navy commensurate with our national stature. Our merchant marine as an auxiliary thereto must be equally as strong and an adequate merchant marine calls for a coordinate merchant marine air-sea transportation system. This I feel certain was the policy of the Congress in 1936 when it enacted the Merchant Marine Act. Our Maritime Commission has been consistent in voicing that same opinion.

The position of our American merchant marine in this postwar period will be difficult at best. Other maritime nations, who through a combination of war losses and our accelerated building program, have been relegated to minor roles, are striving desperately to regain their former positions on the high seas. British shipowners have been urged and encouraged to pursue a policy of aggressive competition with us. In fact, while their yards are feverishly building a newer, faster fleet, we graciously permit them to continue to operate 360 United States-owned vessels in direct contravention of the intent of Congress as expressed in the Ship Sales Act of 1946. It has again and again been asserted that postwar competition in shipping will be keener and more serious than any heretofore met by American steamship companies. It is only dear Uncle Sam who has adopted a short-sighted policy of restricting the merchant marine in the utilization of aircraft in connection with steamship operations. Unless we change that short-sighted policy, and do it soon, this vital auxiliary of our Army and Navy and important factor in our international trade will be able to offer only surface transportation in competition with the integrated and efficient sea-air service offered by foreign lines. We are indeed at the present, handing on a silver platter to foreign lines, the cream of our future overseas commerce. The interests of the American wage-earner, the American taxpayer are tied up in this problem because in an effort to place American ships on a basis of competitive equality with foreign-flag ships, Congress has provided large subsidies to equalize the cost of construction and operation. These farsighted measures will be rendered largely ineffective unless we permit our merchant marine to compete on equal grounds with those of foreign nations.

UNITED STATES COAST GUARD

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 130, Rept. No. 88), which was referred to the House calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 76, authorizing and directing the Commandant of the United States Coast Guard to waive compliance navigation and vessel-inspection laws administered by the Coast Guard. That after general debate, which shall be confined to the joint resolution and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Merchant Marine and Fisheries, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

SUSPENSION OF NAVIGATION AND VESSEL-INSPECTION LAWS

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 131, Rept. No. 89), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution, it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1240) to provide for the suspension of navigation and vessel-inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

RESTORING THE NAME OF HOOVER DAM

Mr. ALLEN of Illinois, from the Commitee on Rules, reported the following privileged resolution (H. Res. 132, Rept. No. 90), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 140, to restore the name of Hoover Dam, and all points of order against said joint resolution are hereby waived. That after general debate, which shall be confined to the joint resolution and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Public Lands, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution for amendment, the committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. WOLCOTT asked and was given permission to extend his remarks in the RECORD and include an address he made last Wednesday night, February 26, before the National Association of Home Builders of the United States, on the question of housing and rents.

Mr. OWENS asked and was given permission to extend his remarks in the RECORD and include a telegram from the Illinois Master Plumbers Association and the Plumbing Contractors Association of Illinois with respect to wrought steel pipe.

Mr. KEATING asked and was given permission to extend his remarks in the RECORD and include a bill introduced by him today.

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. BENDER] is recognized for 30 minutes.

WAR ASSETS AND OUR PROCUREMENT DEPARTMENT

Mr. BENDER. Mr. Speaker, during the war the Navy purchased raincoats in very large quantities and used top priorities in obtaining them at a cost of something between $8.50 to $10.50 per coat. After the cessation of hostilities when the Navy Department took account of its stock, it was found that the supplies of these coats was very excessive and several hundred thousand were sold as surplus at a price of a little over $3 per coat.

These coats have been kicking around the market for some time. In fact, during the last 2 or 3 weeks they have been advertised by a New York jobber offering to sell a quantity at under $4 per coat.

Now, we understand that the Navy Purchasing Department at 111 East Fifteenth Street, New York City, last week sent out invitations to a number of manufacturers to supply over 60,000 new coats of exactly the same type. I believe the bids are to be opened on March 6, and according to the terms of the invitations, contractors must start delivery in March and complete the contract in 4 months, a condition which anyone with the slightest experience in either purchasing or manufacturing knows could not be met, as it normally takes between 6 weeks to 2 months in order to finish the cloth, have it coated, combined, and manufactured into finished garments.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield.

Mr. HOFFMAN. Do I understand you correctly that the Navy bought these coats and then sold them as surplus for a fraction of the original cost and that now the Navy Department is buying other coats of the same quality, paying a much higher price. Is that what is happening?

Mr. BENDER. That is right.

Mr. HOFFMAN. How can that be?

Mr. BENDER. Some of these things that the Government and the Government agencies do are past all understanding. No one can possibly understand how they do these things. But here is a concrete illustration of the way the Navy Procurement, the Army Procurement, and the War Surplus agencies operate. These garments were purchased by the Navy at a cost of $8.50 to $10.50 per coat.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield.

Mr. JENNINGS. Of course, that contributes to the deficit in the Treasury and gives force and effect to the gentlemen who do not want to cut the budget or have taxes reduced or have any payment made on the public debt. It is perfectly consistent with the philosophy of the New Deal.

Mr. BENDER. The gentleman is 100 percent correct.

Mr. ROBSION. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield.

Mr. ROBSION. The gentleman said that that was the way the bureaus of the Government and the Navy and other departments, such as the War Assets Corporation, operate. Does it not clearly show that that is the way in which they do not operate?

Mr. BENDER. That is correct.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield.

Mr. HOFFMAN. The gentleman is a very distinguished and active member of the committee to which has been referred the unification bill. Do you think there is some prospect that that bill might help if we create one purchasing agency for the two services? Do you think it might help in preventing such a condition as you have here described?

Mr. BENDER. I am not at all convinced that it will. As a matter of fact, I have my doubts, but I have an open mind on that issue. I am waiting to hear what the gentlemen have to say about it when they come before our committee.

Mr. O'KONSKI. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield.

Mr. O'KONSKI. The distinguished gentleman from Ohio has stated that it is the policy that the left hand not know what the right hand doeth. I think that is a wrong interpretation. I think the left hand knows what the right hand is doing, because it creates more jobs.

Mr. BENDER. Well, I think the gentleman has a point there.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield.

Mr. JENNINGS. How many coats are being sold at these bargain prices for which advertisements have been published for more coats of the same kind at many times the price?

Mr. BENDER. Sixty thousand additional coats. They have disposed of thousands of these garments at $3 per coat, which cost the American taxpayers anywhere from $8.50 to $10.50 each.

Mr. JENNINGS. What are they? Raincoats?

Mr. BENDER. They are raincoats. Under the market conditions today I doubt seriously if the Navy can purchase these garments for any less than twelve or fourteen dollars per coat. They sold them for $3, and they sold them in great quantities. Now they are opening bids on March 6 for 60,000 of these very garments that they sold. If you can imagine a more ridiculous operation, I cannot think of it. It requires certain processing that the manufacturers of the cloth cannot possibly produce in the time specified in the Navy specifications. It is perfectly absurd.

Several prospective bidders have approached a manufacturer requesting a price and the deliveries of the dyed cloth. I repeat, after having expressed their surprise that the Navy Department having so recently disposed of large quantities of these coats at a substantial loss, they should now be trying to buy an additional quantity. I feel sure that the orders placed today for additional quantities will far exceed, as I have said before, the original cost of $8.50 to $10.50 per coat. As one manufacturer expressed it, this seems to be where our money goes.

Yesterday I had a call from an officer in the Veterans' Bureau. This Veterans' Bureau is crying for typewriters and for various business machines which the War Department has in abundance. As he put it, "They are lousy with them." They have those machines in great quantities which they have frozen for 5 years. We know that in 5 years most of those machines will be obsolete. We know that today we are in an economy Congress and that those machines are needed now by other governmental agencies. If the War Department cannot use them now they should be released.

Mr. JENNINGS. Will the gentleman yield further?

Mr. BENDER. I yield.

Mr. JENNINGS. Of course that would be contrary to the fixed policy of the administration, because if those machines are sold now while they are usable and while there is a big demand for them and while they are inaccessible from those who make them because they are unable to make them on account of steel, and so forth, they would bring a big price.

Mr. BENDER. Of course they would.

Mr. JENNINGS. But under this policy they keep it for 5 years, until it becomes

obsolete, then they will sell them for a very small price, a song, and the Government will sing it. Then there will be a big loss; so the administration is entirely consistent.

Mr. BENDER. I wish to say to the gentleman that the Hoffman committee, the Committee on Expenditures in the Executive Departments, got the authority today from the House to really go to work. They have some of the tools to work with.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield.

Mr. HOFFMAN. What does the gentleman mean? We got some authority here today; but does not the gentleman realize that they have not given us so much as a red cent?

Mr. BENDER. I will amend my statement to say that we have some authority but we do not have the money that we need to really do the job.

Mr. HOFFMAN. The gentleman knows what makes the old horse go.

Mr. BENDER. But now we do have the authority to subpena some of these gentlemen, call them in, and ask them some questions that we did not have until today.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield further?

Mr. BENDER. I yield.

Mr. HOFFMAN. It is my understanding that the gentleman from Minnesota [Mr. JUDD], who is on that committee, is preparing a bill calling for the departments to declare this surplus property surplus and then to sell it.

The gentleman is a member of the committee. He will recall that we wrote a bill on the floor and that the bill was so amended as to give priorities to half a dozen different agencies, to give priorities to veterans. It has been my experience that I have never been able to get one single thing for a veteran on his priority.

Mr. BENDER. I cannot understand how so much of this merchandise is sold to veterans and then it finds its way to the counters of the largest department stores in the country in great quantities such as was the case about which I informed the House last week wherein pajamas that were sold in Cleveland by a department store at a retail price of $2.39. The War Assets Administration has hundreds of thousands of new pajamas for sale. Our national prisons and hospitals need those pajamas. WAA has thousands of towels, sheets, mattress covers, shorts, shirts. Our Treasury Procurement Department needs these.

You might think that this is an ideal situation to save Uncle Sam's taxpayers some of their hard-earned money. But somewhere, somehow, somebody is slipping up. Those pajamas—100,000 pairs of them—cost you $1.50 a pair. They could get $2 on any market. Our WAA advertised them for sale at $1.08 per pair to veterans and priority holders out in St. Louis. Somehow, part of them found their way to the counters of a retail department store in Cleveland, where they were marked down from $2.95 to $2.39. Meanwhile, the purchasing agents of our Treasury Procurement Department were out buying the same kind of merchandise for a lot more than $1.08.

There is something rotten here, and we do not mean the state of Denmark. WAA tells us that it sends out notices to all Government agencies announcing its sales. To date there is no word of explanation from the agencies that ought to be vitally interested in buying. One hand just does not seem to know what the other hand is doing, and when that happens too often it sounds like some fancy prestidigitation.

I trust this entire problem will get the immediate attention not only of our committee but of the entire Congress, inasmuch as we are economizing and we say that we are going to reduce the cost of government, and since we have between twenty and thirty billions of dollars of merchandise on our hands today that we cannot possible use, it should be declared surplus and sold, using modern merchandising methods—and that is very simple. Why, a peanut-stand man can tell some of these important military people who are in the War Assets Administration what to do with the stuff and how to get the money out of it.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield.

Mr. JENNINGS. The gentleman has made a very informative and constructive criticism of this situation. If the people in charge of the disposal of this surplus property had got hold of some successful operator of a peanut stand this debacle would not have taken place.

Mr. BENDER. The gentleman is absolutely right. I want to make another statement, which is apropos of what we are talking about. I read a number of criticisms today. This may be just a little bit off the subject, yet it has something to do with our responsibility in this Congress. I say the Republican Members of this Congress have cooperated wonderfully well and are doing a grand job. I appreciate the fact that the national chairman of the Republican Party has asked for cooperation. I am sure he is not referring to this body when he asks for that cooperation. The national Republican chairman is not out of order in calling attention to our platform and to the fact that we need cooperation. That there is a need for teamwork. No one can take exception to that. It is entirely in order. Our leadership in this House has an eye single to our platform which calls for efficiency in the matter of disposal of these surplus commodities, balancing the budget, reducing the cost of government, and reducing taxes.

Those of us in the majority party, I am sure, are not going to be deterred in our efforts to see to it that our platform pledges are kept and, irrespective of what the opposition says, we are going to perform and we are performing. Our committees are functioning as I have never known them to function in the years I have been a Member of this body. We are doing an excellent job and we have nothing to apologize for. By the time July 1 rolls around, the American people will be pleased with our performance.

The people of America have a right to expect better sense from their Government than the administrative rulers of our country have exhibited to date. The arrogant despots who have made a shambles of OPA and CPA, who devote their time to preventing the people of our country from seeking to improve the land which gave them birth, do not represent the needs or the desires of this Nation. The best of them succumb to the mania for the assertion of authority and power which afflicts every petty bureaucrat, and we have seen the rise of a new era of administrative lawmakers who are responsible to no one and who conceal their activities in the cloak of anonymity.

It is time to end this tyranny. It is time to end the nightmarish illusion fostered by our Government that controls which are completely out of keeping with the sentiment of the Nation and with human nature, can achieve prosperity. Prosperity and economic plenty can come only with the establishment of a general Nation-wide climate of cooperation and economic sanity. The Republican Party is taking the lead in preparing a legislative program for the Eightieth Congress which will demonstrate that constructive conservatism is no less dramatic than irresponsible bureaucratic radicalism, and far more beneficial to the well-being of this great country.

I say to you that the Republican Party today stands in exactly the same position as a good doctor. This country is sick. We have permitted a cancerous growth to cut down our life stream, to stop the circulation of our blood. What does a surgeon do when he comes across a cancer? He cuts it out first. Is that constructive? You bet it is. The Republican Party is the surgeon. Before we can start the treatment, we will have to clean out the dry rot.

And when that job is done, what will the Republican Party do?

The first thing we will do will be to balance the Federal budget. A few months ago our President said that he hoped to balance it. Three days afterward his Secretary of the Treasury said that it could not be done just yet. Then, when everybody was trying to figure out which one was kidding us, the two of them got together and said that it was all a mistake; they were really saying the same thing. But the only thing that we really do know is that the Republican Party is the party that believes in cutting down Government expenses.

To balance the budget, we must cut out all war agencies. The Republican Party believes that the war emergency is over. It is time to declare that the war has ended, to wipe out the amazing powers we have given to a few men, to let the country know that the duration is over. And when we have finally ended the war and balanced the budget, the Republican Party will go to work to solve the complex problems of labor and management.

This is a Government of laws and not of men. There must be some place where every argument gets finally settled. When people in our country get into a dispute and go to court, they know that eventually somebody is going to lose.

They do not refuse to accept the final decision. In our labor-management issues, somebody must have the final word. Every dispute must go through some channels to a final decision. Incredible as it may seem, under the present national administration there is no such animal as a court of final resort in the whole area of labor disputes, and when the Republican Party has ended the war emergency and balanced the budget and worked out an intelligent labor-management policy, we will start our country rolling on the production lines. Once that happens, we shall be able to take our place in solving the world's major problems. We shall be able to raise world living standards by producing more goods at lower prices than any other nation on the face of the globe.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. SMITH] is recognized for 25 minutes.

GREECE

Mr. SMITH of Ohio. Mr. Speaker, according to news reports, Britain has made a proposal to the United States to assume the burden of maintaining her military position in Greece. It is said the United States has agreed in principle to this request.

Upon receipt of the British request, President Truman called a secret conference of congressional leaders of both parties and they were given the complete low-down on the crisis at a hush-hush conference at the White House.

We are further informed that a bipartisan move was afoot on Capitol Hill to provide cash quickly to execute this commitment. Upward of $400,000,000 and at least 50 Liberty ships would be required to carry out our part of the deal. We are to believe that the transaction does not provide for direct military intervention in Greece, but that some military aid has been promised. One newspaper says that what military assistance the United States is prepared to give was reported to consist of weapons and ammunition only. The weapons would be entirely of the small-arms type; no troops, under any circumstances, would be dispatched.

Britain, we are informed, is planning to withdraw her economic support from Greece by the end of this month, because of her economic stringency at home. Although officially in London no reference is made to the Soviet Union, there is no attempt in quarters close to the British Government to hide the serious concern lest the withdrawal lead to a political vacuum in Greece on which communism would certainly try to capitalize for the benefit of Moscow. The authoritative view in London is that Greece is the kingpin of the entire Mediterranean situation. If withdrawal from Greece were followed by civil war and chaos, with Communist-dominated parties gaining control, then Turkey would be bound to be decisively affected. This might well start the snowball rolling westward, with unpredictable results in Italy and eventually in France as well.

This should be enough to give the American people a pretty good idea of the situation that confronts them. What this, in substance, amounts to is that the British have officially informed the United States that their economy and military power have become so weakened that they are no longer able to hold their Empire together. They have now formally turned to the United States and are importuning us to assume that burden for them.

Guns and ships now for Britain to hold her military position in Greece, kingpin of the Mediterranean. Who would be next on the list? It is already hinted that the Dardanelles also present something in the nature of a key to the control of the Mediterranean and much that lies beyond. Would not the provisioning of Britain with munitions of war to fortify her position in Greece anticipate the need to do the same for her in Turkey?

What about Austria, France, Belgium, Holland, Norway, Finland, "Free Poland," Czechoslovakia, and the others? Are they not one and all of the family of kingpins controlling things tangible and intangible that we would fain have on our side to preserve the democracy that was made safe for all mankind by World War I and the incarnation of the "four freedoms" and universal peace that were so auspiciously vouchsafed us by World War II?

Then there is the vacuum where Germany was. What thought, if any, is being given to it, sphinx of all sphinxes for the wise diplomats and statesmen and military geniuses in this hour of world travail? Could it be possible they might be meditating on whether there could be some human material in that fearful chasm which might somehow be made to underpin the forces of democracy against those of communism?

What, are we starting off on another round of lend-lease? Is the United States again to become the arsenal? And if so, for what? And are we going to complete the whole cycle for the third time?

Of course, dissolution of the British Empire would have deleterious repercussions on the United States. No one can envision the harm that would come to our people should this eventuate. All thinking persons agree that this will be great if worst does come to worst. But if the character and nerve of the English people have been so enervated that they can persuade themselves that slavery—"all socialism involves slavery," said one of England's greatest prophets, Herbert Spencer—is preferable to liberty, which surely appears to be the case, what in the world can the United States do to save their Empire?

Nothing can be done to save much of anything for any nation that neglects its real seers and follows a false god like Lord Keynes.

Even should the United States by military force hold intact the British Empire, England under her socialist system could not possibly maintain it. It should not require much discussion to show that we could not long do this for her.

I, for one, refuse to be bound by any agreement, whether by commission or omission, that may have been entered into by any leaders of my party to furnish Britain aid for maintaining her military establishment in Greece or anywhere else.

The United States will have to stop somewhere. It is sheer madness to believe that we can support economically and financially the whole world. The cult of internationalism has already committed our Nation to more than it can deliver and endure. It must be thwarted before it is too late.

The United States could do something to dampen the fires of communism that are raging in Europe and elsewhere by simply discontinuing the ill-advised policy of pouring out financial and other aid to the peoples involved. When we stop pampering them they will go to work and start on the way to sanity.

If we really want to fight communism there is plenty of work for us to do right here at home, for we are already in it almost up to our necks. It is not Russian communism we have to fear but New Deal communism.

Mr. SCHWABE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from Missouri.

Mr. SCHWABE of Missouri. I think the gentleman should be commended for making such a timely and thoughtful speech. It evidences much research on his part.

May I ask the gentleman if he thinks there will be any end to it if we embark upon this third cycle, as he called it? What can we see in the future as an end to such possible world participation on our part to help the British Empire?

Mr. SMITH of Ohio. I feel that the participation of the United States in the last war went a long way toward destroying our America. In my judgment, it will be difficult to restore her to a normal state of health. I sincerely believe that if the United States is dragged into another world war, the prospect of saving any of the social and spiritual values we have heretofore considered basic to our welfare will be very difficult.

Mr. SCHWABE of Missouri. I take it, then, that the gentleman's position is that if we are to do the most we can for humanity and for the world as a whole we should think of America first and be sure to keep America strong as a nucleus around which to build?

Mr. SMITH of Ohio. I feel that way.

Mr. McDOWELL. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from Pennsylvania.

Mr. McDOWELL. It appears that England takes the position that if she withdraws from Greece communism will overcome Greece. Has it occurred to the gentleman from Ohio that since Great Britain is now pouring troops, money, and ammunition every day into Palestine, a few miles away from Greece, and since there is no intention on the part of Britain, as far as I can see, to retire from Palestine, perhaps the solution of Britain's problem would be to remove her establishment from Palestine, where it is not wanted, and take it up to Greece, where it is wanted? Does not the gentleman believe that might at least relieve America of the burden of doing this thing?

Mr. SMITH of Ohio. It is very difficult to know what the true situation is with respect to Palestine.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 321. An act to amend section 17 of the Pay Readjustment Act of 1942, so as to increase the pay of cadets and midshipmen at the service academies, and for other purposes; to the Committee on Armed Services.

S. 363. An act to amend section 3 of the act of July 24, 1946 (Public Law 534, 79th Cong.); to the Committee on the Judiciary.

S. 459. An act to amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having any physical handicap to positions in the classified civil service; to the Committee on Post Office and Civil Service.

S. 487. An act to amend section 289 of the Criminal Code; to the Committee on the Judiciary.

S. 591. An act to amend the act of January 5, 1905, to incorporate the American National Red Cross; to the Committee on Foreign Affairs.

S. J. Res. 69. Joint resolution to prepare a revised edition of the Annotated Constitution of the United States of America as published in 1938 as Senate Document 232 of the Seventy-fourth Congress; to the Committee on House Administration.

ENROLLED JOINT RESOLUTION SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 122. Joint resolution to authorize the United States Maritime Commission to make provision for certain ocean transportation service to and from Alaska until July 1, 1948, and for other purposes.

SENATE ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to enrolled bill and joint resolutions of the Senate of the following titles:

S. 235. An act to authorize the Secretary of the Navy to convey to the city of Los Angeles, Calif., an easement for construction and operation of a storm drain in and under certain Government-owned lands situated in that city;

S. J. Res. 33. Joint resolution to amend the act of August 9, 1946 (Public Law 711, 79th Cong.), for the purpose of allowing the Philadelphia National Shrines Park Commission additional time in which to prepare and to submit its report to the Congress; and

S. J. Res. 60. Joint resolution to authorize the San Carlos Irrigation and Drainage District, Ariz., to drill, equip, and acquire wells for use on the San Carlos irrigation project.

ADJOURNMENT

Mr. SCHWABE of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 20 minutes p. m.), under its previous order, the House adjourned until Thursday, March 6, 1947, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON FOREIGN AFFAIRS

An executive meeting of the Committee on Foreign Affairs will be held in the Foreign Affairs Committee room, gallery floor, the Capitol, on Wednesday, March 5, 1947, at 10:30 a. m., on House Joint Resolution 134, providing for relief assistance to countries devastated by war.

COMMITTEE ON PUBLIC LANDS

The Mines and Mining Subcommittee of the Committee on Public Lands will meet at 3 p. m. on Wednesday, March 5; and at 10 a. m. on Thursday, March 6, in suite 1324. The following bills will be considered in the order listed: H. R. 193; H. R. 871 (and similar bills H. R. 972, H. R. 1284, H. R. 1602, H. R. 1619, and H. R. 1829); H. R. 1432 (and similar bill 1591); H. R. 1684; H. R. 1694; and House Joint Resolution 47.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., Wednesday, March 5, 1947.

Business to be considered: Public hearing for 2 days on H. R. 505, H. R. 601, and H. R. 1111, inflammable materials.

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., March 6 and 7, 1947.

Business to be considered: Public hearing for 2 days on H. R. 942, H. R. 1815, H. R. 1830, H. R. 1834, and H. R. 2027, National Science Foundation.

COMMITTEE ON BANKING AND CURRENCY

The Committee on Banking and Currency will meet in open hearing at 10:30 a. m., Wednesday, March 5, 1947, in the committee room, 1301, New House Office Building, to continue its consideration of the bill H. R. 2233. Mr. Eccles, Chairman of the Board of Governors of the Federal Reserve System, will again be the witness.

SUBCOMMITTEE ON EDUCATION, TRAINING, AND REHABILITATION OF THE VETERANS' AFFAIRS COMMITTEE

The Subcommittee on Education, Training, and Rehabilitation of the Veterans' Affairs Committee will hold a hearing at 10 a. m., on Friday, March 7, 1947, in the committee room, suite 356, Old Home Office Building, upon the subject of subsistence allowances.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

428. A letter from the Chairman, Export-Import Bank of Washington, transmitting a report of the operations of the Export-Import Bank of Washington as of the close of business December 31, 1946; to the Committee on Banking and Currency.

429. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal by various Government agencies; to the Committee on House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 120. Resolution to direct the Committee on Veterans' Affairs to inspect the Veterans' Administration; without amendment (Rept. No. 85). Referred to the House Calendar.

Mr. FELLOWS: Committee on the Judiciary. H. R. 1975. A bill to amend subsection (c) of section 19 of the Immigration Act of 1917 and subsection (a) of section 338 of the Nationality Act of 1940; with amendment (Rept. No. 86). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. House Joint Resolution 140. Joint resolution to restore the name of Hoover Dam; without amendment (Rept. No. 87). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 130. Resolution to make in order consideration of House Joint Resolution 76, authorizing and directing the Commandant of the United States Coast Guard to waive compliance navigation and vessel-inspection laws administered by the Coast Guard; without amendment (Rept. No. 88). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 131. Resolution to make in order consideration of the bill H. R. 1240 to provide for the suspension of navigation and vessel inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended; without amendment (Rept. No. 89). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 132. Resolution providing for the consideration of House Joint Resolution 140, to restore the name of Hoover Dam; without amendment (Rept. No. 90). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PHILLIPS of California:

H. R. 2351. A bill to provide housing for veterans of Riverside County, Calif.; to the Committee on Banking and Currency.

By Mr. D'EWART:

H. R. 2352. A bill to provide for sale to the Crow Tribe of interests in the estates of deceased Crow Indian allottees; to the Committee on Public Lands.

H. R. 2353. A bill to authorize the patenting of certain public lands to the State of Montana or to the Board of County Commissioners of Hill County, Mont., for public-park purposes; to the Committee on Public Lands.

By Mr. ELLSWORTH:

H. R. 2354. A bill to reopen the revested Oregon & California Railroad and reconveyed Coos Bay Wagon Road grant lands to exploration, location, entry, and disposition under the general mining laws; to the Committee on Public Lands.

By Mr. GROSS:

H. R. 2355. A bill to amend section 3797 (a) (2) of the Internal Revenue Code, relating to the definition of the term "partner"; to the Committee on Ways and Means.

By Mr. HAGEN:

H. R. 2356. A bill to amend section 451 of the Tariff Act of 1930, as amended; to the Committee on Ways and Means.

By Mr. LARCADE:

H. R. 2357. A bill to extend the educational benefits of the Servicemen's Readjustment Act of 1944 to persons who served in the merchant marine of the United States during World War II; to the Committee on Veterans' Affairs.

By Mr. PASSMAN:

H. R. 2358. A bill to prohibit Federal land banks from reserving mineral or timber rights when they dispose of certain real property, and for other purposes; to the Committee on Agriculture.

By Mrs. ST. GEORGE:

H. R. 2359. A bill to provide for the construction of a water-filtration plant on the military reservation at West Point, N. Y., and for other purposes; to the Committee on Armed Services.

H. R. 2360. A bill to authorize the acquisition of certain tracts of land in Orange County, N. Y., for use as an addition to the military reservation at West Point, N. Y.; to the Committee on Armed Services.

By Mr. SPRINGER:

H. R. 2361. A bill to clarify the legal status of certain lands described in a treaty between the United States and the Delaware Indians, dated October 3, 1818; to the Committee on Public Lands.

By Mrs. DOUGLAS:

H. R. 2362. A bill to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public kindergarten or kindergarten and nursery-school education; to the Committee on Education and Labor.

By Mr. ELLSWORTH:

H. R. 2363. A bill relating to the administrative jurisdiction of certain lands in the State of Oregon; to the Committee on Public Lands.

By Mr. HAGEN:

H. R. 2364. A bill to provide automatic increases and overtime pay for postmasters; to the Committee on Post Office and Civil Service.

By Mr. NORRELL:

H. R. 2365. A bill to authorize cities and municipalities to apply for designation as terminal points or intermediate points on routes of air carriers; to the Committee on Interstate and Foreign Commerce.

By Mr. PATTERSON:

H. R. 2366. A bill to amend the Armed Forces Leave Act of 1946 so as to require that leave compensated for under such act be considered as active service in determining the period for which a veteran is entitled to education and training under title 11 of the Servicemen's Readjustment Act of 1944, as amended; to the Committee on Armed Services.

By Mr. HOFFMAN:

H. R. 2367. A bill to amend section 203 (52 Stat. 1060) of title 29 of the United States Code, the same being the Fair Labor Standards Act of 1938; to the Committee on Education and Labor.

By Mrs. ROGERS of Massachusetts (by request):

H. R. 2368. A bill to amend paragraph 8 of part VII, Veterans Regulation No. 1 (a), as amended, to authorize an appropriation of $3,000,000 as a revolving fund in lieu of $1,500,000 now authorized, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BARTLETT:

H. R. 2369. A bill providing for the suspension of annual assessment work on mining claims held by location in the Territory of Alaska; to the Committee on Public Lands.

By Mr. FLETCHER:

H. R. 2370. A bill to amend certain sections of Public Law 464, chapter 110, Seventy-seventh Congress, second session (S. 1630), to provide for the advancement on the retired list of certain officers of the United States Navy and Marine Corps; to the Committee on Armed Services.

By Mr. KEATING:

H. R. 2371. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the return of the amount of deductions from the compensation of any employee who is separated from the service or transferred to a position not within the purview of such act; to the Committee on Post Office and Civil Service.

By Mr. HARLESS of Arizona:

H. J. Res. 144. Joint resolution providing for the comprehensive observance of the bicentennial of John Paul Jones; to the Committee on House Administration.

By Mr. BRADLEY of Michigan:

H. J. Res. 145. Joint resolution prohibiting the transfer of equipment and other products to the Union of Soviet Socialist Republics; to the Committee on Foreign Affairs.

By Mr. NORRELL:

H. Con. Res. 27. Concurrent resolution creating a joint committee of the Senate and House of Representatives for the selection and procurement of a medal representative of service in the armed forces of the United States in World War I and World War II; to the Committee on Rules.

By Mr. PATMAN:

H. Res. 129. Resolution to authorize payment of $2,706.07 to settle debt of the select committee investigating the national defense program in its relation to small business in the United States; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States, requesting that the sum being paid by the Veterans' Administration to the State auditor of Montana for the care of eligible members of the Montana State Soldiers' Home be increased; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARDEN:

H. R. 2372. A bill for the relief of George Cleve Williams; to the Committee on the Judiciary.

H. R. 2373. A bill for the relief of Stanley-Yelverton, Inc.; to the Committee on the Judiciary.

H. R. 2374. A bill for the relief of Nita H. Stanley; to the Committee on the Judiciary.

By Mr. BUTLER:

H. R. 2375. A bill for the relief of John J. Redmond; to the Committee on the Judiciary.

By Mr. CLASON:

H. R. 2376. A bill for the relief of Marie Louise Schall; to the Committee on the Judiciary.

By Mr. COUDERT:

H. R. 2377. A bill for the relief of the Gluckin Corp.; to the Committee on the Judiciary.

H. R. 2378. A bill for the relief of Nicholas Malitch; to the Committee on the Judiciary.

H. R. 2379. A bill for the relief of Markoto Iwamatsu; to the Committee on the Judiciary.

By Mr. D'EWART:

H. R. 2380. A bill authorizing the issuance of a patent in fee to Mr. and Mrs. James Archdale; to the Committee on Public Lands.

H. R. 2381. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Edwin Huso; to the Committee on Public Lands.

By Mrs. DOUGLAS:

H. R. 2382. A bill for the relief of Nicholas Ray Schlegel; to the Committee on the Judiciary.

H. R. 2383. A bill for the relief of Edward A. Cupp; to the Committee on the Judiciary.

H. R. 2384. A bill for the relief of Colbert H. Cannon; to the Committee on the Judiciary.

By Mr. ELLSWORTH:

H. R. 2385. A bill for the relief of Mrs. Ada M. Ryan; to the Committee on the Judiciary.

By Mr. GRANGER:

H. R. 2386. A bill for the relief of Oran Currey; to the Committee on the Judiciary.

By Mr. GRANT of Indiana:

H. R. 2387. A bill for the relief of John W. Crumpacker; to the Committee on the Judiciary.

By Mr. GROSS:

H. R. 2388. A bill for the relief of York Engineering & Construction Co.; to the Committee on the Judiciary.

By Mr. LEONARD W. HALL:

H. R. 2389. A bill for the relief of Harriet Townsend Bottomley; to the Committee on the Judiciary.

By Mr. JENNINGS:

H. R. 2390. A bill for the relief of Elmer A. Norris; to the Committee on the Judiciary.

By Mr. JONES of Washington:

H. R. 2391. A bill for the relief of Flora W. Haymaker; to the Committee on the Judiciary.

H. R. 2392. A bill for the relief of Presly Holliday, quartermaster sergeant, Quartermaster Corps, on the retired list, and for other purposes; to the Committee on Armed Services.

By Mr. MARCANTONIO:

H. R. 2393. A bill for the relief of Bernard William D'Souza; to the Committee on the Judiciary.

By Mr. McMILLAN of South Carolina:

H. R. 2394. A bill to authorize and direct the Commissioners of the District of Columbia to reinstate Robert S. Hall as a private, Metropolitan Police Department; to the Committee on the District of Columbia.

By Mr. NORRELL:

H. R. 2395. A bill for the relief of the Cypress Creek drainage district of the State of Arkansas; to the Committee on the Judiciary.

By Mr. PATTERSON:

H. R. 2396. A bill for the relief of Manuel L. Fiel; to the Committee on the Judiciary.

By Mr. REED of Illinois:

H. R. 2397. A bill for the relief of Mrs. Mary Bezvoda; to the Committee on the Judiciary.

H. R. 2398. A bill for the relief of Joseph Ochrimowski; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H. R. 2399. A bill for the relief of Joseph W. Beyer; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

161. By Mr. HARLESS of Arizona: Memorial of the Legislature of the State of Arizona, relating to Federal contribution for old-age assistance; to the Committee on Ways and Means.

162. By Mr. LYNCH: Petition of the Lithuanian American Council of Societies of New York, adopted by such societies during the Bill of Rights Week and Lithuanian Independence Day; to the Committee on Foreign Affairs.

163. By Mr. McGARVEY: Petition of the National Luggage Dealers Association, with

regard to excise taxes on luggage and leather goods; to the Committee on Ways and Means.

164. By Mr. MURDOCK: Memorial of the House of Representatives of the State Legislature of Arizona, relating to Federal contribution to old-age assistance; to the Committee on Ways and Means.

SENATE

WEDNESDAY, MARCH 5, 1947

(Legislative day of Wednesday, February 19, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Our Father, we know that we, by ourselves, are not sufficient for these days and for problems greater than the measure of our best wisdom. We pray that Thou wilt grant safe journey to our Secretary of State as he carries the hopes and the prayers of this Nation to the conference across the sea. A soldier himself, may he remember the price that was paid by millions for this opportunity, and may we, who pray for the success of the mission, be willing to pay the price for peace.

We believe, O Lord, that Thou wilt be present, with the marks of the nails in Thy hands, to lead them, and bless them, if they will receive Thy spirit.

May the ministers be aware of the Unseen Delegate. May Thy spirit move them, that there may be concession without coercion, and conciliation without compromise. May they, who represent us, represent Thee and, in Thy spirit, be courageous enough to begin anew, fearless enough to admit mistakes, and loving enough to forgive others. May we have the courage to apply what we applaud, to the end that we may help to establish Thy way of life for the people of the world. So may we all do the best we can, by Thy help, and be willing to leave the issue in Thy hands, through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Monday, March 3, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had passed without amendment the bill (S. 234) to authorize the Secretary of the Navy to convey to the Central of Georgia Railway Co. an easement for railway purposes in certain Government-owned lands situated in Bibb County, Ga.

The message also announced that the House had passed the bill (S. 220) to authorize the Secretary of the Navy to convey to American Telephone & Telegraph Co. an easement for communication purposes in certain lands situated in Virginia and Maryland, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 221) to authorize the Secretary of the Navy to grant and convey to the Virginia Electric & Power Co. a perpetual easement in two strips of land comprising portions of the Norfolk Navy Yard, Portsmouth, Va., and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendment of the Senate to the concurrent resolution (H. Con. Res. 20) establishing the ceiling for expenditures for the fiscal year 1948 and for appropriations for the fiscal year 1948 to be expended in said fiscal year; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TABER, Mr. KNUTSON, Mr. WIGGLESWORTH, Mr. REED of New York, Mr. DIRKSEN, Mr. JENKINS of Ohio, Mr. CANNON, Mr. DOUGHTON, Mr. MAHON, and Mr. COOPER were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 381. An act for the relief of Allen T. Feamster, Jr.;

H. R. 450. An act providing for the conveyance to the town of Marblehead, in the State of Massachusetts, of Marblehead Military Reservation for public use;

H. R. 566. An act for the relief of Choctawhatchee Electric Cooperative, Inc.;

H. R. 731. An act to establish the Theodore Roosevelt National Park; to erect a monument in memory of Theodore Roosevelt in the village of Medora, N. Dak.; and for other purposes;

H. R. 1040. An act to authorize the payment of $425.83 by the United States to the Government of Switzerland;

H. R. 1363. An act to amend further the Pay Readjustment Act of 1942, as amended;

H. R. 1367. An act to authorize the construction of experimental submarines, and for other purposes;

H. R. 1376. An act to amend the acts of October 14, 1942 (56 Stat. 786), as amended, and November 28, 1943 (57 Stat. 593), as amended, so as to authorize transportation of dependents and household effects of personnel of the Navy, Marine Corps, and Coast Guard to overseas bases;

H. R. 1381. An act to amend the act of July 20, 1942 (56 Stat. 662), relating to the acceptance of decorations, orders, medals, and emblems by officers and enlisted men of the armed forces of the United States tendered them by governments of cobelligerent nations or other American Republics;

H. R. 1713. An act to provide for the promotion of substitute employees in the postal service, and for other purposes;

H. R. 1777. An act to amend section 1 of the Federal Power Act, with respect to the terms of office of members of the Federal Power Commission;

H. R. 1778. An act to amend the Federal Firearms Act;

H. R. 2045. An act to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of streptomycin, or any derivative thereof, and for other purposes;

H. R. 2102. An act to provide for a 6 months' extension and final liquidation of the farm labor supply program, and for other purposes; and

H. J. Res. 92. Joint resolution authorizing the presentation of the Distinguished Flying Cross to Rear Adm. Charles E. Rosendahl, United States Navy.

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bill and joint resolutions, and they were signed by the President pro tempore:

S. 235. An act to authorize the Secretary of the Navy to convey to the city of Los Angeles, Calif., an easement for construction and operation of a storm drain in and under certain Government-owned lands situated in that city;

S. J. Res. 33. Joint resolution to amend the act of August 9, 1946 (Public Law 711, 79th Cong.), for the purpose of allowing the Philadelphia National Shrines Park Commission additional time in which to prepare and to submit its report to the Congress;

S. J. Res. 60. Joint resolution to authorize the San Carlos irrigation and drainage district, Arizona, to drill, equip, and acquire wells for use on the San Carlos irrigation project; and

H. J. Res. 122. Joint resolution to authorize the United States Maritime Commission to make provision for certain ocean transportation service to and from Alaska until July 1, 1948, and for other purposes.

NOTICE OF HEARINGS ON PROPOSED CONTINUATION OF SECOND WAR POWERS ACT

Mr. WILEY. Mr. President, I wish to announce that under the authority of Senate Resolution 35 of the Eightieth Congress, beginning on Friday, March 7, at 10 a. m., a subcommittee of the Judiciary Committee will hold public hearings in connection with the President's message of February 3 requesting a continuation of certain titles of the Second War Powers Act.

Government witnesses have been scheduled for Friday morning and non-Government witnesses will be scheduled thereafter as they make their requests known to the committee.

NOTICE OF HEARING ON NOMINATION OF BORINQUEN MARRERO RIOS TO BE ASSOCIATE JUSTICE OF THE SUPREME COURT OF PUERTO RICO

Mr. WILEY. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing has been scheduled for Wednesday, March 12, 1947, at 10 a. m., in the Senate Judiciary Committee room, room 424, Senate Office Building, upon the nomination of Borinquen Marrero Rios, of Puerto Rico, to be associate justice of the Supreme Court of Puerto Rico, vice Hon. Jorge Luis Cordova Diaz, resigned. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from Kentucky [Mr. COOPER], chairman, the Senator from Oklahoma [Mr. MOORE], and the Senator from Washington [Mr. MAGNUSON].

CALL OF THE ROLL

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hayden	Myers
Baldwin	Hickenlooper	O'Conor
Ball	Hill	O'Daniel
Barkley	Hoey	O'Mahoney
Brewster	Holland	Overton
Bricker	Ives	Pepper
Bridges	Jenner	Reed
Brooks	Johnson, Colo.	Revercomb
Buck	Johnston, S. C.	Robertson, Va.
Bushfield	Kem	Russell
Butler	Kilgore	Saltonstall
Byrd	Knowland	Sparkman
Cain	Langer	Stewart
Capehart	Lodge	Taft
Capper	Lucas	Taylor
Chavez	McCarran	Thomas, Okla.
Cooper	McCarthy	Thomas, Utah
Cordon	McClellan	Thye
Donnell	McFarland	Tobey
Dworshak	McGrath	Umstead
Ecton	McKellar	Vandenberg
Ellender	McMahon	Watkins
Ferguson	Magnuson	Wherry
Flanders	Malone	White
Fulbright	Martin	Wiley
George	Maybank	Williams
Green	Millikin	Wilson
Gurney	Moore	Young
Hatch	Morse	
Hawkes	Murray	

Mr. WHERRY. I announce that the Senator from New Jersey [Mr. SMITH] is absent because of illness, and the Senator from Wyoming [Mr. ROBERTSON] is necessarily absent on state business.

Mr. LUCAS. I announce that the Senator from Texas [Mr. CONNALLY] is en route to Waco, Tex., to be present on the occasion of the awarding of an honorary degree to President Truman by Baylor University on Thursday, March 6. The Senator from Texas is an alumnus of Baylor University.

The Senator from Mississippi [Mr. EASTLAND] is necessarily absent.

The Senator from California [Mr. DOWNEY] and the Senator from Maryland [Mr. TYDINGS] are absent because of illness.

The Senator from New York [Mr. WAGNER] is necessarily absent.

The PRESIDENT pro tempore. Eighty-eight Senators having answered to their names, a quorum is present.

UNITED STATES PRINCETON UNIVERSITY BICENTENNIAL COMMISSION

The PRESIDENT pro tempore. The Chair appoints the Senator from Utah [Mr. THOMAS] a member on the part of the Senate of the United States Princeton University Bicentennial Commission, established by Public Law 367, approved April 26, 1946, to fill the vacancy created by the expiration of the term of service of Hon. Joseph F. Guffey as Senator from Pennsylvania.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF BOARD OF TRUSTEES OF FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND

A letter from the Board of Trustees, signed by the Secretary of the Treasury, the Secretary of Labor, and the Federal Security Administrator, transmitting, pursuant to law, the seventh annual report of that Board (with an accompanying report); to the Committee on Finance.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. LANGER and Mr. CHAVEZ members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of North Dakota, memorializing Congress to provide funds for the payment of a 30-cent bonus on all wheat produced in 1945; to the Committee on Appropriations.

(See concurrent resolution printed in full when presented by Mr. LANGER on March 3, 1947, p. 1596, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of North Dakota, favoring the enactment of legislation to provide for a Nation-wide method of division of family income for income-tax purposes; to the Committee on Finance.

(See concurrent resolution printed in full when presented by Mr. LANGER on March 3, 1947, p. 1596, CONRESSIONAL RECORD.)

A joint memorial of the Legislature of the State of Washington; to the Committee on Foreign Relations:

"House Joint Memorial 3

"To the Honorable Harry S. Truman, President of the United States, and to the Senate and House of Representatives of the United States of America in Congress Assembled:

"We, your memorialists, the Senate and House of Representatives of the State of Washington in legislative session assembled, most respectfully represent and petition as follows:

"Whereas there has long existed a need for a practicable overland route from the United States to Alaska for commercial and military purposes; and

"Whereas the present military highway is inadequate for such purposes: Now, therefore, be it

"Resolved, That we, the Senate and House of Representatives of the State of Washington, do hereby respectfully memorialize and petition the President and the Congress that this Government join with the Dominion of Canada and the Province of British Columbia to build a highway to connect with the present military highway in the vicinity of White Horse, Yukon Territory, and to extend to the Prince George area in British Columbia, and there connect with existing highways, thereby providing a feasible overland route from the Pacific coast and the Nation at large to Alaska."

A concurrent resolution of the Legislature of the State of South Dakota; to the Committee on the Judiciary:

"House Concurrent Resolution 6

"Concurrent resolution memorializing the Congress of the United States of America to propose an amendment to the Constitution of the United States, relative to the personal right of the individual to work at a gainful occupation regardless of membership or nonmembership in a labor union

"Be it resolved by the House of Representatives of the State of South Dakota (the senate concurring therein):

"SECTION 1. No person shall be denied employment because of membership in or affiliation with, or resignation or expulsion from a labor organization or because of refusal to join or affiliate with a labor organization; nor shall any individual or corporation or association of any kind enter into any contract, written or oral, to exclude persons from employment because of membership in or nonmembership in a labor organization.

"SEC. 2. This article is self-enforcing and shall supersede all provisions in conflict therewith. Legislation may be enacted to facilitate its operations but no law shall limit or restrict the provisions thereof; and be it further

"Resolved, That this resolution expressing the majority opinion of the legislature now in session is enacted in accordance with article V of the Constitution of the United States and is not subject to executive veto or to amendment or revocation by any succeeding legislature; and be it further

"Resolved, That the Secretary of State of South Dakota be, and hereby is, directed to send a duly certified copy of this resolution to the Senate of the United States and one to the House of Representatives in the Congress of the United States."

A memorial of the House of Representatives of the State of Arizona; to the Committee on Finance:

"House Memorial 3

"Memorial relating to Federal contribution for old-age assistance

"To the Congress of the United States:

"Your memorialist respectfully represents:

"The Congress of the United States, on the 10th day of August 1946, enacted chapter 951, tite V, section 501, 60 Statutes —, subsection (a) of which provided that Federal contribution to the States for old-age assistance for the period commencing October 1, 1946, and ending December 31, 1947, shall be two-thirds of the State's expenditures up to $15 monthly per individual plus one-half of the State's expenditure over $15, and one-half of the State's expenditure for administration.

"The need for increased old-age assistance will continue long past December 31, 1947, and Federal contribution is necessary to properly assist the aged persons of the State of Arizona and the other States.

"Wherefore your memorialist, the House of Representatives of the State of Arizona, requests:

"1. The Congress of the United States reenact the provisions of chapter 951, title V, section 501, 60 Statutes —, making the same a permanent part of the laws of the United States.

"Passed the house February 25 1947.

"Filed in the office of the secretary of state February 25, 1947."

A joint memorial of the Legislature of the Territory of Alaska; to the Committee on Public Lands:

"Senate Joint Memorial 10

"To the President of the United States; Congress of the United States; the Honorable Julius A. Krug, Secretary of the Interior; and the Subcommittee on Appropriations:

"Your memorialist, the Legislature of the Territory of Alaska, in eighteenth session assembled, respectfully submits that:

"Whereas adequate transportation is vital to the civilian economy of the Territory of Alaska; and

"Whereas the Alaska Railroad, operating between Seward, Whittier, Anchorage, and Fairbanks, is one of the few main transportation arteries that are available to the people of the Territory for the necessary transport of supplies and equipment required for the support of homes and businesses over a large area; and

"Whereas the necessity of developing military and naval bases in the Territory of Alaska for the proper defense of the United

States has been demonstrated beyond question and to properly construct, supply, and maintain such military bases in many areas would be impossible without the Alaska Railroad being maintained and equipped to transport the required tonnage; and

"Whereas there has been no substantial rehabilitation of roadbed, structures, or equipment of the railroad for many years and as a result its condition is such that it cannot now adequately care for either civilian or military freight; and

"Whereas a program has been advanced to provide the required new equipment, roadbed, and buildings to place the railroad in good condition with a proper plant sufficient to efficiently discharge its responsibilities in moving freight and passengers that are now available.

"Now, therefore, your memorialist, the Legislature of the Territory of Alaska, respectfully prays that the Department of the Interior and the Congress of the United States recognize the necessity of the adoption of the proposed rehabilitation plan of the Alaska Railroad, or one similar in extent, and make available the required funds to carry it out without delay as the need is immediate and urgent, and failure to carry out such a program would result in a complete breakdown of the only rail transportation in the Territory of Alaska and do irreparable harm, both from a civilian and military standpoint.

"And your memorialist will ever pray."

A letter from C. Arthur Cheatham, director, Department of Veterans' Service, Atlanta, Ga., transmitting a copy of Resolution 18 of the Senate of the State of Georgia, requesting an investigation of impositions on veterans of World War II by building contractors throughout the State of Georgia and the Nation as a whole (with an accompanying paper); to the Committee on Labor and Public Welfare.

A resolution adopted by the Democratic Association of Parents and Teachers, Guayama, P. R., favoring the appointment and confirmation of Prof. Mariano Villaronga, as Commissioner of Education for Puerto Rico; to the Committee on Public Lands.

By Mr. THOMAS of Utah:

A joint memorial of the Legislature of the State of Utah; to the Committee on Appropriations:

"House Joint Memorial 5

"Joint memorial to the Congress of the United States to appropriate money for the construction of a dam and reservoir in aid of the Bear River migratory bird refuge

"Be it resolved by the Legislature of the State of Utah:

"Whereas the State of Utah by its act of February 15, 1929, has consented to the acquisition of lands by the United States for the establishment, maintenance, and operation of a refuge for migratory wild fowl at the Bear River Bay and vicinity; and

"Whereas the United States has constructed the Bear River migratory bird refuge at a cost of over a million dollars; and

"Whereas said refuge is not operating at its maximum efficiency due to lack of a controlled water supply; and

"Whereas the construction of a dam at or in the vicinity of Deweyville, Boxelder County, Utah, would provide storage water for use on the Bear River refuge, and would permit the distribution of such water during the dry summer months thus assuring adequate feed for wild fowl and providing a stable habitat for the nesting and hatching of wild fowl; and

"Whereas the construction of said dam and the stabilized water supply would thereby eliminate the death of wild fowl from botulism or a western duck malady; and

"Whereas the Bear River refuge is a principal migration route of the Central and Pacific flyway and the benefits derived from a maximum functional operation of the Bear River refuge will benefit all of the sportsmen and bird lovers in the western United States as well as in Canada and Mexico; and

"Whereas the wild fowl population has decreased to alarming proportions; and

"Whereas the legislature believes that the construction of such a dam and reservoir will be a benefit to all of the United States and Dominion of Canada and the Republic of Mexico; and

"Whereas the construction of said dam at said site will not impair nor conflict with any beneficial use of such waters for domestic, municipal stock water, irrigation, power or industrial purposes: Be it therefore

"Resolved, That the State Legislature of Utah in regular session assembled hereby urges Congress to provide an appropriation of $650,000 to be used in the construction of a dam and reservoir at Deweyville, Boxelder County, State of Utah, for the purpose of impounding and storing the surplus waters of the Bear River for use on the Bear River migratory water-fowl refuge and such other migratory water-fowl projects as may be benefited therefrom; be it further

"Resolved, That the secretary of state send copies of this resolution to the President of the Senate and the Speaker of the House of Representatives of the United States, to the chairman of the Wildlife Subcommittees of the Committees on Agriculture of the House of Representatives of the United States, and the Senate of the United States, and to Members of the congressional delegation from the State of Utah."

(The PRESIDENT pro tempore laid before the Senate a joint memorial of the Legislature of the State of Utah, identical with the foregoing, which was referred to the Committee on Appropriations.)

By Mr. LUCAS:

Memorials of sundry citizens of Chicago and vicinity, in the State of Illinois, remonstrating against the enactment of antilabor legislation, including the so-called Taft-Ball-Case bill; to the Committee on Labor and Public Welfare.

PROTEST AGAINST REDUCTION IN CERTAIN GOVERNMENT APPROPRIATIONS

Mr. LANGER. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a resolution adopted by the Federal Workers Union, Local No. 20, United Public Workers of America (CIO), New York City, N. Y., protesting against reduction in certain Government appropriations.

There being no objection, the resolution was received, referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Whereas Congress is planning to slash Government appropriations drastically without regard for the proper functioning of our Government; and

Whereas Congress by these slashes intends to cripple and wipe out vital government services needed by, fought for, and won by the American people; and

Whereas the American people suffered severely to help win the war against fascism and are now entitled to the benefits of the democracy that they fought for; and

Whereas additional thousands of Federal employees who have served their Government loyally and conscientiously throughout the war period and since will be laid off unnecessarily; and

Whereas laid-off Government workers do not benefit by the unemployment compensation law: Therefore be it

Resolved, That Federal Workers Union, Local 20, United Public Workers of America, CIO, at its membership meeting held on Wednesday, February 26, 1947, opposes slashes in Government appropriations for socially necessary Government functions under the guise of economy, and demands—

1. Extension of socially necessary Government functions.

2. Increased appropriations to promote the welfare of the American people.

3. Revision of the present tax laws to tax those who can afford to pay.

4. Unemployment compensation for laid-off Federal workers; be it further

Resolved, That copies of this resolution be sent to President Truman, members of the House and Senate Appropriation Committees, members of the House and Senate Civil Service Committees, all New York Congressmen and Senators, the Greater New York CIO Council, and the press.

EMPLOYMENT RIGHTS OF WORLD WAR II VETERANS

Mr. LANGER. Mr. President, I ask unanimous consent to present a resolution adopted by the Francis Brown Lowry Post, No. 501, Veterans of Foreign Wars of the United States, relating to the employment rights of World War II veterans, and request that it be appropriately referred and printed in the RECORD.

There being no objection, the resolution was received, referred to the Committee on Civil Service, and ordered to be printed in the RECORD, as follows:

Be it resolved by the Francis Brown Lowry Post, No. 501, Veterans of Foreign Wars of the United States:

Whereas it has come to the attention of the members of Francis Brown Lowry Post, No. 501, Veterans of Foreign Wars of the United States, that certain evasions of the letter and spirit of the laws of the United States relating to the protection of World War II veterans in positions and jobs held by them when inducted or received in service of the armed forces have been practiced and permitted by municipal, State, and national employment authorities; and

Whereas pretended reclassification of jobs and positions and reorganizations of departments and other methods have been employed to circumvent returning World War II veterans regaining the jobs and positions, advancements and increases in salary due them; and

Whereas nonveterans are now holding positions and jobs and enjoying advancements rightfully belonging to World War II veterans; Now, therefore, be it

Resolved, That this post deems such practices illegal, unfair, and inimical to the best interests of World War II veterans and the Veterans of Foreign Wars of the United States; that we hereby call upon the Congress of the United States and the legislature of the State of Colorado to speedily enact legislation which will adequately protect the veterans in their jobs and positions, prevent unjust discrimination, prohibit such practices, and provide for punishment for violations of the employment rights of World War II veterans; be it further

Resolved, That copies of this resolution be sent to the Governor of the State of Colorado, the Members of Congress from the State of Colorado and to the several members of the State legislature of the State of Colorado.

WILLIAM E. ROSE,
Commander.
LESTER P. SMITH,
Adjutant.

HEART RIVER PROJECT AND SHEYENNE DAM OF MISSOURI SOURIS, N. DAK.

Mr. LANGER. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD resolutions adopted by the

boards of city commissioners of the cities of Bismarck and Dickinson, in the State of North Dakota, relating to the construction of Heart River project and Sheyenne Dam of Missouri Souris.

There being no objection, the resolution was received, referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, N. DAK.

The following resolutions were adopted by the Board of City Commissioners of the City of Bismarck at a meeting held on the 25th day of February 1947:

"Whereas surveys and investigations have advanced to a stage on the Heart River project, the Sheyenne Dam of the Missouri Souris project where construction could be started in 1947; and

"Whereas construction of these units are vital to the economic welfare and domestic water needs of North Dakota and the furtherance of the Missouri Basin water development program; and

"Whereas the Bureau of Reclamation is charged with the responsibility of the construction of these projects: Now, therefore, be it

"*Resolved by the Board of City Commissioners of the City of Bismarck,* That we urge Congress to provide the necessary funds to start actual construction of these units during the fiscal year 1948, so that these various units may proceed in an orderly manner to bring about the over-all development as authorized by Congress; and be it further

"*Resolved,* That a copy of this resolution be sent to the Governor of the State of North Dakota, the Honorable Fred G. Aandahl, and to the North Dakota delegation in Washington, Hon. WILLIAM LANGER, Hon. MILTON R. YOUNG, Hon. WILLIAM LEMKE, Hon. CHARLES R. ROBERTSON."

STATE OF NORTH DAKOTA,
County of Burleigh, City of Bismarck, ss:

I, Myron H. Atkinson, the duly appointed, qualified, and acting city auditor of the city of Bismarck, N. Dak., do hereby certify that the foregoing is a true and correct copy of the original resolution of the board of city commissioners of said city adopted at a regular meeting held on February 25, 1947.

In witness whereof I have hereunto set my hand and the seal of the city of Bismarck this 27th day of February 1947.

MYRON H. ATKINSON,
City Auditor.

RESOLUTION

The following resolution was adopted by the Board of City Commissioners of the City of Dickinson, N. Dak., at a meeting held on this 24th day of February 1947:

"Whereas surveys and investigations have advanced to a stage on the Heart River project, the Sheyenne Dam of the Missouri Souris project where construction could be started in 1947; and

"Whereas construction of these units are vital to the economic welfare and domestic water needs of North Dakota and the furtherance of the Missouri Basin water development program; and

"Whereas the Bureau of Reclamation is charged with the responsibility of the construction of these projects: Therefore be it

"*Resolved by the Board of City Commissioners of the City of Dickinson, N. Dak.,* That we urge Congress to provide the necessary funds to start actual construction of these units during the fiscal year 1948, so that these various units may proceed in an orderly manner to bring about the over-all development, as authorized by Congress; be it further

"*Resolved,* That a copy of this resolution be sent to the Governor of the State of North Dakota, the Hon. Fred G. Aandahl, and to the North Dakota delegation in Washington, Hon. WILLIAM LANGER, Hon. MILTON R. YOUNG, Hon. WILLIAM LEMKE, and Hon. CHARLES R. ROBERTSON."

W. K. JOHNSON,
President of the Board of City Commissioners, City of Dickinson, N. Dak.

Attest:

D. D. MARS,
City Auditor.

REPORT OF A COMMITTEE

Mr. BALDWIN, from the Committee on Civil Service, to which was referred the bill (S. 547) to provide for annual and sick leave for rural letter carriers, reported it with amendments, and submitted a report (No. 47) thereon.

INVESTIGATION OF NATIONAL DEFENSE PROGRAM—INCREASE IN LIMIT OF EXPENDITURES

Mr. BROOKS. Mr. President, from the Committee on Rules and Administration, I ask unanimous consent to report favorably without amendment Senate Resolution 89, and request its immediate consideration.

There being no objection, the resolution (S. Res. 89) submitted by Mr. BREWSTER on February 28, 1947, was considered and agreed to, as follows:

Resolved, That the limit of expenditures under Senate Resolution 71, Seventy-seventh Congress, first session, agreed to March 1, 1941, and resolutions supplemental thereto and amendatory thereof, including Senate Resolution 46, Eightieth Congress, first session, agreed to January 22, 1947 (relating to the investigation of the national defense program) is hereby increased by $150,000.

STATUE OF LATE SENATOR BORAH, OF IDAHO

Mr. BROOKS. Mr. President, I also ask unanimous consent to report favorably from the Committee on Rules and Administration, without amendment, Senate Concurrent Resolution 8, and I request its immediate consideration.

There being no objection, the concurrent resolution (S. Con. Res. 8) submitted by Mr. DWORSHAK on February 26, 1947, was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Borah Memorial Statue Commission of Idaho is hereby authorized to place temporarily in the rotunda of the Capitol a statue of the late William E. Borah, of Idaho, and to hold ceremonies in the rotunda on said occasion; and the Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

PRINTING OF ADDITIONAL COPIES OF HOUSE DOCUMENT NO. 754, ENTITLED "COMMUNISM IN ACTION"

Mr. BROOKS. Mr. President, I also ask unanimous consent to report favorably from the Committee on Rules and Administration, with amendments, House Concurrent Resolution 17, and I request its present consideration.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Illinois? The Chair hears none, and the clerk will state the amendments.

The LEGISLATIVE CLERK. In line 2, to strike out "five hundred" and insert "four hundred and twenty-five", and in line 7 to strike out "one hundred and twenty-five" and insert "fifty."

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed 425,000 additional copies of House Document No. 754, Seventy-ninth Congress, entitled "Communism in Action," of which 375,000 copies shall be for the use of the House of Representatives and 50,000 copies shall be for the use of the Senate.

APPOINTMENT OF POSTMASTERS—REPORT OF COMMITTEE ON CIVIL SERVICE

Mr. LANGER. Mr. President, by direction of the Committee on Civil Service, I ask unanimous consent to report with amendments Senate Resolution 81. I may state that the Senator from Delaware [Mr. BUCK], the Senator from Minnesota [Mr. THYE], the Senator from Connecticut [Mr. BALDWIN], the Senator from Montana [Mr. ECTON], the Senator from Delaware [Mr. WILLIAMS], and myself voted to report the resolution; while the Senator from New Mexico [Mr. CHAVEZ], the Senator from Maryland [Mr. O'CONOR], and the Senator from North Carolina [Mr. UMSTEAD] voted against it. I may further state that the Senator from Texas [Mr. O'DANIEL], the Senator from Tennessee [Mr. MCKELLAR], the Senator from South Carolina [Mr. JOHNSTON], and the Senator from Vermont [Mr. FLANDERS] were absent at the time of the vote. I ask unanimous consent that the resolution now be referred to the Committee on Rules and Administration.

The PRESIDENT pro tempore. Without objection, the report will be received, and the resolution will be referred to the Committee on Rules and Administration.

ENROLLED BILL AND JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on today, March 5, 1947, he presented to the President of the United States the following bill and joint resolutions:

S. 235. An act to authorize the Secretary of the Navy to convey to the city of Los Angeles, Calif., an easement for construction and operation of a storm drain in and under certain Government-owned lands situated in that city;

S. J. Res. 33. Joint resolution to amend the act of August 9, 1946 (Public Law 711, 79th Cong.), for the purpose of allowing the Philadelphia National Shrines Park Commission additional time in which to prepare and to submit its report to the Congress; and

S. J. Res. 60. Joint resolution to authorize the San Carlos irrigation and drainage district, Arizona, to drill, equip, and acquire wells for use on the San Carlos irrigation project.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. YOUNG:

S. 771. A bill to amend section 1537 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended, so as to provide for service of process on agents or employees

of a nonresident individual, partnership, association, group, organization, or foreign corporation conducting a business in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BUSHFIELD:

S. 772. A bill to eliminate the requirement that temporary housing transferred by the National Housing Administrator to educational institutions and other organizations be removed at some time in the future; to the Committee on Banking and Currency.

S. 773. A bill authorizing the issuance of a patent in fee to Mrs. Mary E. Leaf; and

S. 774. A bill authorizing the issuance of a patent in fee to David Carlow; to the Committee on Public Lands.

By Mr. REVERCOMB:

S. 775. A bill authorizing the promotion of Col. John A. Bickel to the grade of brigadier general, Army of the United States; to the Committee on Armed Services.

S. 776. A bill to provide for recognition of the State of West Virginia as a community-property State for Federal income-tax purposes; to the Committee on Finance.

By Mr. THOMAS of Utah:

S. 777. A bill providing for the suspension of annual assessment work on mining claims held by location in the United States, including the Territory of Alaska; to the Committee on Public Lands.

By Mr. SPARKMAN:

S. 778. A bill to continue rent control until June 30, 1948; to the Committee on Banking and Currency.

By Mr. SPARKMAN (for himself and Mr. HILL):

S. 779. A bill to exempt admissions to certain charitable entertainments from the Federal admissions tax; to the Committee on Finance.

By Mr. VANDENBERG:

S. 780. A bill to amend the act entitled "An act to amend section 451 of the Tariff Act of 1930, and for other purposes," approved June 3, 1944; to the Committee on Finance.

By Mr. DWORSHAK:

S. 781. A bill to permit legalization of residence in the United States of certain Basque sheepherders; to the Committee on the Judiciary.

By Mr. SALTONSTALL (for himself and Mr. MARTIN):

S. 782. A bill to incorporate the Descendants of the Signers of the Declaration of Independence; to the Committee on the Judiciary.

By Mr. LANGER:

S. 783. A bill to amend section 251 of the Internal Revenue Code; to the Committee on Finance.

S. 784. A bill to provide maternity leave for Government employees; and

S. 785. A bill to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945; to the Committee on Civil Service.

S. 786. A bill to authorize the appropriation of funds to assist the States in furnishing adequate living quarters for school teachers; to the Committee on Labor and Public Welfare.

S. 787. A bill to transfer the administration of Indian hospitals to the Public Health Service;

S. 788. A bill to transfer the functions of the Office of Indian Affairs with respect to agricultural extension services and management of forests on Indian reservations to the Department of Agriculture; and

S. 789. A bill to provide for a reduction of expenditures of the Office of Indian Affairs; to the Committee on Public Lands.

By Mr. ECTON:

S. 790. A bill authorizing the Secretary of the Interior to convey certain lands in the State of Montana to Raymond Scott, Jr.; and

S. 791. A bill authorizing the issuance of a patent in fee to Mr. and Mrs. James Archdale; to the Committee on Public Lands.

By Mr. MCCARRAN:

S. 792. A bill to provide for an increase in the rate of pension paid to widows of veterans of the Civil War; to the Committee on Finance.

By Mr. WHERRY:

S. 793. A bill amending section 3797 (a) (2) of the Internal Revenue Code, as amended, relative to contributions by a partner to the capital of an organization; to the Committee on Finance.

By Mr. HOEY:

S. 794. A bill to authorize the sale of a small tract of land on the Cherokee Indian Reservation, N. C.; to the Committee on Public Lands.

By Mr. MAGNUSON:

S. 795. A bill for the relief of G. R. Below; to the Committee on the Judiciary.

By Mr. BUCK (by request):

S. 796. A bill to provide for the establishment of a Department of Veterans' Affairs within the government of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. BUSHFIELD (for himself, Mr. MOORE, Mr. MALONE, Mr. ECTON, and Mr. LANGER):

S. 797. A bill to repeal the act of June 18, 1934 (48 Stat. 984), and the act of June 15, 1935, supplementary thereto (49 Stat. 378), and for other purposes; to the Committee on Public Lands.

By Mr. MORSE:

S. 798. A bill for the relief of Elbert and Myrtle Eastman; to the Committee on the Judiciary.

S. 799. A bill to authorize the Federal Public Housing Commissioner to settle the claims for overtime compensation of certain persons who were employed in connection with the University Homes project; to the Committee on Banking and Currency.

(Mr. MORSE (for himself, Mr. CORDON, and Mr. JOHNSON of Colorado) introduced Senate bill 800, to make additional funds available for access roads to standing timber, which was referred to the Committee on Public Lands, and appears under a separate heading.)

By Mr. DWORSHAK:

S. J. Res. 81. Joint resolution authorizing the President to transfer posthumously the late Dick D. Gudmundsen from the One Hundred and Thirty-third Eagle Squadron, Royal Air Force (British) to the Army Air Forces (United States); to the Committee on Armed Services.

By Mr. BUTLER (for himself, Mr. ROBERTSON of Wyoming, Mr. ECTON, Mr. MALONE, and Mr. LANGER):

S. J. Res. 82. Joint resolution to provide for the transfer to the Bureau of Reclamation of functions relating to irrigation projects on Indian reservations; to the Committee on Public Lands.

ADDITIONAL FUNDS FOR ACCESS ROADS TO STANDING TIMBER

Mr. MORSE. Mr. President, Mr. Creedon, who is the Veterans' Housing Expediter, is endeavoring to do a very good job under most difficult circumstances and handicaps. One of the great problems in connection with the housing program is that of getting out logs from which to cut lumber. In the West there is involved the problem, arising because of the lack of access roads, of reaching the timberlands which are on Government property.

At the last session of Congress, funds to the extent of approximately $15,000,000 were made available for the construction of access roads; but that sum is entirely inadequate to do the job that needs to be done if the necessary lumber is to be obtained and if what I think is a sorely needed lumber-conservation program is to be carried forward. As I indicated a few days ago, if we are to undertake such a program on a sound basis, then, of course, we must devise a plan of scientific cutting so as to prevent present methods, whereby our forests are being cut at a much more rapid rate than they are being replanted. It is a truism in forestry that timber is a crop, and it should be farmed as other crops are farmed, the only difference being that it is a crop which requires years and years of growth and development before the harvest.

There is a need for scientific cutting, Mr. President, on Government-owned timberlands. We must perfect a reasonable arrangement with those who have in trust the responsibility of making the most beneficial use possible of the timber resources of the United States in the interest of the present generation, keeping in mind at all times, of course, the right of future generations to have handed down to them by those of us in this generation adequate timber resources so that they will not be confronted with the situation of a lumber shortage 50, 75, or 100 years from today; and now is the time to take such action as may be necessary to inaugurate a sound, scientific timber-cutting program.

I assure you, Mr. President, that one has only to go through the lumber areas to realize that there is need for drastic changes in our timber-cutting policies. Our lumber producers are entitled to the cooperation of the Federal Government in working out programs which include full Government cooperation; and it is necessary to a long-range program to have access to the Government-owned timber lands.

The immediate emergency is, of course, the veterans' housing program. It is the consensus of opinion that that program would be greatly expedited if we were building now, and should continue to build in the spring at a much more rapid rate, some access roads into timber which now is inaccessible.

Therefore, Mr. President, on behalf of myself and my distinguished colleague [Mr. CORDON] and the Senator from Colorado [Mr. JOHNSON], I ask unanimous consent to introduce for appropriate reference a bill which we hope will receive very early attention. It seeks in essence to make available an additional $10,000,000 which can be used for the construction of access roads this year.

There being no objection, the bill (S. 800) to make additional funds available for access roads to standing timber, introduced by Mr. MORSE (for himself, Mr. CORDON, and Mr. JOHNSON of Colorado), was received, read twice by its title, and referred to the Committee on Public Lands.

CHANGE OF NAME OF CIVIL SERVICE COMMITTEE

Mr. LANGER submitted the following resolution (S. Res. 91), which was referred to the Committee on Rules and Administration:

Resolved, That paragraph (1) (e) of rule XXV of the Standing Rules of the Senate

is amended by striking out "Committee on Civil Service" and inserting in lieu thereof "Committee on Post Office and Civil Service."

PRINTING OF REVIEW OF REPORTS ON HARBOR OF REFUGE AT POINT JUDITH AND POINT JUDITH POND, R. I. (S. DOC. NO. 15)

Mr. REVERCOMB. Mr. President, at the request of the Senator from Rhode Island [Mr. GREEN], I ask unanimous consent to have printed as a Senate document the report of the Chief of Engineers dated June 25, 1946, submitted by the Secretary of War under date of February 11, 1947, on a review of reports on the harbor of refuge at Point Judith and Point Judith Pond, R. I.

The PRESIDENT pro tempore. Without objection, it is so ordered.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred, as indicated:

H. R. 381. An act for the relief of Allen T. Feamster, Jr.; and

H. R. 566. An act for the relief of Choctaw-hatchee Electric Cooperative, Inc.; to the Committee on the Judiciary.

H. R. 450. An act providing for the conveyance to the town of Marblehead, in the State of Massachusetts, of Marblehead Military Reservation for public use;

H. R. 1363. An act to amend further the Pay Readjustment Act of 1942, as amended;

H. R. 1367. An act to authorize the construction of experimental submarines, and for other purposes;

H. R. 1376. An act to amend the acts of October 14, 1942 (56 Stat. 786), as amended, and November 28, 1943 (57 Stat. 593), as amended, so as to authorize transportation of dependents and household effects of personnel of the Navy, Marine Corps, and Coast Guard to overseas bases;

H. R. 1381. An act to amend the act of July 20, 1942 (56 Stat. 662), relating to the acceptance of decorations, orders, medals, and emblems by officers and enlisted men of the armed forces of the United States tendered them by governments of cobelligerent nations of other American Republics; and

H. J. Res. 92. Joint resolution authorizing the presentation of the Distinguished Flying Cross to Rear Adm. Charles E. Rosendahl, United States Navy; to the Committee on Armed Services.

H. R. 731. An act to establish the Theodore Roosevelt National Park; to erect a monument in memory of Theodore Roosevelt in the village of Medora, N. Dak.; and for other purposes; to the Committee on Public Lands.

H. R. 1713. An act to provide for the promotion of substitute employees in the postal service, and for other purposes; to the Committee on Civil Service.

H. R. 1777. An act to amend section 1 of the Federal Power Act, with respect to the terms of office of members of the Federal Power Commission; to the Committee on Interstate and Foreign Commerce.

H. R. 2102. An act to provide for a 6 months' extension and final liquidation of the farm labor supply program, and for other purposes; to the Committee on Agriculture and Forestry.

CLAIM OF SWISS GOVERNMENT

The PRESIDENT pro tempore. The present occupant of the chair in his capacity as a Senator wishes to submit a unanimous consent request. On March 3 the Senate passed Senate bill 240 to authorize the payment of $425.88 by the United States to the Government of Switzerland. On the same date the House passed an identical bill. In order to conclude the legislation unanimous consent is requested that the Senate consider House bill 1040, to authorize the payment of $425.88 by the United States to the Government of Switzerland, and pass that bill. Is there objection?

There being no objection, the bill (H. R. 1040) to authorize the payment of $425.88 by the United States to the Government of Switzerland, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL FIREARMS ACT

Mr. WILEY. Mr. President, I desire to make a similar request to that just made by the President of the Senate. On March 3 the Senate passed Senate bill 502, to amend the Federal Firearms Act, and on the same date the House passed an identical bill, House bill 1778. In order to complete the legislation, I ask that the Senate now consider the House bill.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin for the present consideration of House bill 1778, a bill identical with Senate bill 502, which was passed on March 3

Mr. REVERCOMB. Mr. President, I merely wish to inquire of the able Senator from Wisconsin, what is the subject matter of the bill?

Mr. WILEY. All the bill does is to include in the language embodied in the existing statute the word "robbery," which is not included in the list of crimes set forth.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin?

There being no objection, the bill (H. R. 1778) to amend the Federal Firearms Act was considered, ordered to a third reading, read the third time, and passed.

INSURING OUR NATIONAL SECURITY—ADDRESS BY SENATOR GURNEY

[Mr. GURNEY asked and obtained leave to have printed in the RECORD an address delivered by him on March 4, 1947, before the Overseas Press Club, at the Waldorf-Astoria Hotel, New York, N. Y., which appears in the Appendix.]

TRIBUTE TO SENATOR SPARKMAN BY THE MONTGOMERY ADVERTISER

[Mr. HILL asked and obtained leave to have printed in the RECORD an editorial entitled "Honor to a Statesman," from the Montgomery (Ala.) Advertiser of March 4, 1947, which appears in the Appendix.]

THE WAGNER LABOR RELATIONS ACT—ARTICLE BY SENATOR WAGNER

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an article entitled "The Wagner Act—A Reappraisal," written by Senator WAGNER, published in the March issue of the Sign, which appears in the Appendix.]

REPUBLICAN DILLY-DALLYING—EDITORIAL FROM THE WORCESTER (MASS.) TELEGRAM

[Mr. LODGE asked and obtained leave to have printed in the RECORD an editorial entitled "Republican Dilly-Dallying" from the Worcester (Mass.) Telegram of February 17, 1947, which appears in the Appendix.]

INVOLVEMENT OF THE UNITED STATES IN INTERNATIONAL COMMITMENTS—EDITORIAL FROM THE ENID (OKLA.) NEWS

[Mr. MOORE asked and obtained leave to have printed in the RECORD an editorial entitled "Our Feet Deeper Into the International Mire" from the Enid (Okla.) News of March 2, 1947, which appears in the Appendix.]

GOVERNMENT SPENDING AND DAIRY PRICES—EDITORIALS FROM THE DAILY OKLAHOMAN

[Mr. MOORE asked and obtained leave to have printed in the RECORD three editorials from the Daily Oklahoman, the first entitled "Spending Imaginary Money," the second "A Strange Inconsistency," and the third "Monkeying With Dairy Prices," which appear in the Appendix.]

LABOR LEGISLATION—ARTICLE BY WESTBROOK PEGLER

[Mr. MOORE asked and obtained leave to have printed in the RECORD an article entitled "Congress Hearings on Labor Measures," by Westbrook Pegler, published in the New York Journal and American of March 1, 1947, which appears in the Appendix.]

THE BUDGET MYSTERY—EDITORIAL FROM THE NEW YORK TIMES

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an editorial entitled "The Budget Mystery," from the New York Times of March 5, 1947, which appears in the Appendix.]

NOMINATION OF DAVID E. LILIENTHAL—EDITORIAL FROM THE CHRISTIAN SCIENCE MONITOR

[Mr. TOBEY asked and obtained leave to have printed in the RECORD an editorial entitled "A Question of Confidence," from the Christian Science Monitor of March 3, 1947, having to do with the Lilienthal nomination, which appears in the Appendix.]

RADIO REGULATION—ARTICLE FROM THE NEW YORK HERALD TRIBUNE

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD excerpts from an article entitled "The Republican Congress and the FCC," by John Crosby, published in the New York Herald Tribune of February 6 and 7, 1947, which appear in the Appendix.]

GERMAN FOOD—ARTICLE BY MRS. ELEANOR ROOSEVELT

[Mr. MYERS asked and obtained leave to have printed in the RECORD an article entitled "German Food," by Mrs. Eleanor Roosevelt, from the Philadelphia Bulletin of March 3, 1947, which appears in the Appendix.]

EIGHT HUNDRED THOUSAND DP'S—ARTICLE BY DANIEL A. POLING

[Mr. MYERS asked and obtained leave to have printed in the RECORD an article entitled "Eight Hundred Thousand DP's," by Daniel A. Poling, from the Philadelphia Bulletin of March 3, 1947, which appears in the Appendix.]

THE BUDGET—EDITORIAL FROM THE PHILADELPHIA BULLETIN

[Mr. MYERS asked and obtained leave to have printed in the RECORD an editorial entitled "Senate Aid for Services," from the Philadelphia Bulletin of February 28, 1947, which appears in the Appendix.]

ESTONIA, LATVIA, AND LITHUANIA

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD a statement entitled "The Basic Policy Declaration of the Government of the United States" relative to Estonia, Latvia, and Lithuania, and

two statements relative thereto by Hon. Carroll Reece, chairman of the Republican National Committee, which appear in the Appendix.]

ROLE OF THE UNITED STATES IN WINNING THE PEACE

[Mr. MORSE asked and obtained leave to have printed in the RECORD three articles, entitled, respectively, "How Far in a Generation?", "Fighting For—and Winning—the Peace," and "The Troubled Outlook of the Hour," published in the Christian Science Monitor of February 28, 1947, which appear in the Appendix.]

EXECUTIVE-LEGISLATIVE STATEMENT—ARTICLE BY MARQUIS CHILDS

[Mr. HATCH asked and obtained leave to have printed in the RECORD an article entitled "Executive-Legislative Statement," written by Marquis Childs and published in the Washington Post of March 5, 1947, which appears in the Appendix.]

AUTOMOBILES FOR AMPUTEES, RETROACTIVE TERMINAL-LEAVE PAY FOR ENLISTED MEN, ETC.

[Mr. LODGE asked and obtained leave to have printed in the RECORD a preliminary program of legislation on veterans' affairs supported by the American Veterans Committee and adopted at the constitutional convention of the American Veterans Committee, at Des Moines, Iowa, June 1946, relating to specially equipped automobiles for amputees and retroactive terminal-leave pay for enlisted men, etc., which appears in the Appendix.]

PRESIDENT TRUMAN'S TRIBUTE TO THE MEXICAN CADETS WHO DIED IN DEFENSE OF CHAPULTEPEC

Mr. HATCH. Mr. President, frequently—almost daily—President Truman demonstrates some attribute of greatness, but he does it in such a way and manner, so simple and modest is his customary approach, that the strong elements of character so exhibited often pass by unnoticed, unobserved, and sometimes, I fear, unappreciated. But this, Mr. President, is in itself outstanding evidence of a truly great man. When men do magnificent or superb things in a modest, unostentatious way, thinking only of the duty they are performing or the task to be accomplished, and not of their own places in the sun, then do they, indeed, approach greatness in the finest and truest sense of the word.

Such a thing occurred yesterday during President Truman's visit to our neighbor, the Republic of Mexico. Not on his program and entirely unscheduled, without any accompanying fanfare or publicity, President Truman paid a visit to and laid a wreath upon the Chapultepec Monument to Mexico's boy heroes who gave their lives in the war between that country and our own.

According to news dispatches, this simple act of a modest man, paying tribute to young boys who had given their lives for their country, completely captivated the Mexican people, and many of their newspapers are today saying that President Truman's friendly gesture in this unprecedented and unexpected way was worth a thousand orations on the good-neighbor theme. The Government of Mexico itself voiced its approval through her Foreign Minister, Jaime Torres Bodet, who eloquently said:

The highest kind of friendship between men and peoples is that which has the courage to base itself on a feeling for the truth. President Truman, by rendering homage to the immortal glory of the boy heroes in a gesture worthy of a gentleman and a friend, spans an abyss of the past by another bridge into the future.

These fine words of the Foreign Minister of Mexico, expressing such splendid appreciation of President Truman's honest tribute to bravery and courage wherever it may be found, cannot be added to. May we express the hope here today that no word or act of ours in the future shall ever detract from them!

THE PRESIDENTIAL TERM

The Senate resumed the consideration of the joint resolution (H. J. Res. 27), proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

Mr. WILEY. Mr. President, I respectfully ask that the clerk read the joint resolution to which I am about to address myself.

The PRESIDENT pro tempore. Without objection, the clerk will read as requested.

The Chief Clerk read the joint resolution (H. J. Res. 27) as proposed to be amended, as follows:

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in the several States, as provided in the Constitution.

"ARTICLE —

"SECTION 1. A person who has held the office of President, or acted as President, on 365 calendar days or more in each of two terms shall not be eligible to hold the office of President, or to act as President, for any part of another term; but this article shall not prevent any person who may be holding the office of President or acting as President during the term within which this article becomes operative from holding the office of President or acting as President during the remainder of such term.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within 7 years from the date of its submission to the States by the Congress."

Mr. WILEY. Mr. President, in view of the fact that my remarks will be brief, I respectfully request that I may pursue the tenor of my statement without interruption until I complete it, and then I shall be very happy to respond to any inquiry or any comments.

I should like to present the various reasons as I see them for enactment of the pending joint resolution; but before I do so, I should like to make this point:

RESOLUTION ABOVE PERSONALITIES

This resolution should be considered apart from discussion of the personality of the late President Roosevelt. It is not intended as a criticism of him, and prejudices for or against him should not be considered. We should be taking this step in terms of what the American people need in the future and should not be misled by bitter feelings of one kind or another of the past.

What are the reasons for this resolution? It might be noted at the outset that it has already been approved, in substance, on February 6 by a vote of 285 to 121 in the House of Representatives, including the favorable votes of 238 Republicans and 47 Democrats—22 percent of the total Democratic votes cast.

MAKING FORMAL AN AMERICAN CUSTOM

First. The resolution merely puts into writing in the Constitution a custom which the American people have observed throughout their history prior to President Roosevelt's tenure. This custom originated with the unforgettable Farewell Address of our first President, George Washington, on September 19, 1796, in which he stated his refusal to be a candidate for a third term.

DANGER OF DICTATORSHIP

Second. Too-long occupancy of the Presidential office and too-long continuance of the same administration always make for danger of dictatorship. Power corrupts even when it is in the hands of angels. I quote the words in 1932 of the late President Roosevelt himself, who, in turn, quoted President Calvin Coolidge, as follows:

For one reason or another, even a wisely led political party, given a long enough tenure of office, finally fails to express any longer the will of the people; and when it does so fail to express the will of the people, it ceases to be an effective instrument of government. It is far better for such a political party—and certainly better for the state—that it should be relegated to the role of the critic, and that the opposing political party should assume the reins of government. This condition appears to have arrived in America.

That is the statement of President Coolidge as quoted by President Roosevelt. Then Mr. Roosevelt went on to say:

That, my friends, is the sober conclusion of a cautious public man, not long ago President of the United States—Calvin Coolidge. With every word of it I heartily agree.

TEMPTATION TO OBTAIN ADDITIONAL TERMS

Third. If we do not enact this resolution, there will be constant temptation to Presidential incumbents to attempt to achieve a third and a fourth term.

EASE OF RENOMINATION OF INCUMBENT

Fourth. When any man occupies the Presidential office, there is always a certain reluctance in his party not to nominate him for another term. It is the President, of course, who is the head of his party, and who, through disposition of a large number of jobs, can win the allegiance of many members of the party. Thus, he has an inside track on nomination for a third and fourth term.

POSSIBLE CREATION OF EMERGENCIES BY INCUMBENT

Fifth. It has been argued that the people's hands should not be tied so that, in case of an emergency, a President can be reelected to office. This argument ignores the fact that a President can create an emergency and thus create reasons for his continuance in office.

We have found, too, that no civilian and no military man is indispensable in any emergency. Throughout the Second World War, we saw countless instances of commanders replaced without any adverse effect to the outcome of battles in any particular area.

STIMULATING MULTIPLE LEADERSHIP

Sixth. When we guarantee that no individual will occupy the Presidential office for more than two terms, we serve to encourage political leadership in other individuals. We assure a constant replacement of new blood into important positions in political parties. Every President always has with him a certain group of followers who tend to become smug and complacent in their positions when they, like the Chief Executive, occupy those positions too long. They tend to promote only their own cohorts and to freeze other leadership talent out.

Through this resolution, we will be helping to assure a full supply of constantly new talent for leadership of the Nation.

AMENDMENT OF HOUSE RESOLUTION

The resolution already enacted by the House of Representatives on this subject reads as follows:

Any person who has served as President of the United States during all or portions of any two terms shall thereafter be ineligible to hold the office of President. But this article shall not prevent any person who may hold the office of President during the term within which this article is ratified from holding such office for the remainder of such term.

Your Judiciary Committee, in its resolution, struck this language out and suggests to the Senate the following:

A person who has held the office of President, or acted as President, on 365 calendar days or more in each of two terms shall not be eligible to hold the office of President or to act as President for any part of another term; but this article shall not prevent any person who may be holding the office of President or acting as President during the term within which this article becomes operative from holding the ffice of President or acting as President during the remainder of such term.

Then there is another change in the Senate version. The Judiciary Committee struck out the language:

The legislatures of three-fourths of the several States—

And inserted—

Conventions in the several States as provided in the Constitution.

I, personally, had no particular desire to change the language of the House measure relating to ratification by the legislative branch of the States. But the committee felt that ratification by conventions was closer to the people. That, I believe, is a debatable question. At any rate, that is the provision in the Senate version.

I believe that the Senate should, with promptness and thoroughness, enact this limitation of Presidential tenure. In so doing, I believe that it will be expressing the will of the American people as indicated at the last election and it will be fulfilling the mandate given to the majority party. It will also be fulfilling the express intent of some of the great democratic leaders, as expressed in the past on the floor of the Senate.

I recommend the adoption of the Senate version of the resolution. Whatever differences of opinion may then exist can be ironed out in conference.

BREAKING OF TWO-TERM TRADITION

We will recall that when Mr. Roosevelt broke the long-term tradition by accepting the third-term nomination on July 19, 1940, he announced that he did so, "thinking solely of the national good," and because "it was my clear duty, with the aid of Congress, to preserve our neutrality." He said further, "No call of party alone would prevail upon me to accept reelection."

The debate over his action reflected debate which had raged a century and a half before at the Constitutional Convention in 1787. There were few subjects in the Convention that caused more controversy than the tenure and reeligibility for Presidential office. At one time, we remember that a draft of the Constitution called for a 7-year Presidential term.

THE ISSUE AT STAKE

Now, through this proposed twenty-second amendment to the Constitution, we can seal this long controversy. We can settle one of the fundamental issues which was left unsettled by the founders of the Republic. That issue is whether or not the principle of long-time continuance in office by so-called indispensable leaders—called by some the fuehrer-prinzip—is compatible with our Republican form of government. Jefferson, when he refused a third term, sensed the danger when he said:

No pretext should ever be permitted to dispense with it (he was referring to the principles of rotation in the Executive) because there will never be a time when real difficulties will not exist and furnish a plausible pretext for dispensation.

How well Jefferson read the future. In 1940, President Roosevelt's pretext was "clear duty to preserve our neutrality," and in 1944, he justified his fourth-term candidacy as necessary to defeat "those who opposed lend-lease" as unneutral.

We who contend for a two-term limitation recognize that it is necessary for the safety of the Republic. It is true that under the Senate resolution, one might hold office two terms and up to 364 days additional, or if he held office over 365 days he could only hold it for another term.

I repeat that I believe that, if there is any lesson to be learned from the past 20 years, it is that power in the hands of any man or group, if it remains there long enough, has a tendency to become dangerous to the general welfare.

CONCLUSION

Let us now, however, in unmistakable terms, indicate to one and to all that the American people reject the "fuehrer-prinzip." I respectfully urge the adoption of the resolution.

Mr. OVERTON. Mr. President, will the Senator yield for a question?

Mr. WILEY. I yield.

Mr. OVERTON. First I wish to congratulate the able Senator from Wisconsin on the presentation of the proposed constitutional amendment.

Mr. WILEY. I thank the Senator.

Mr. OVERTON. I believe there is one point which the Senator failed to note. At the time of the adoption of the Constitution the power of the several States was greater than that of the Central Government, but in the course of time the power of the Central Government has become stronger than that of the States. The influence of the Chief Executive has grown with the increasing power of the National Government. It is therefore much more urgent now than it was at the time of the adoption of the Constitution, much more urgent now than at the time Washington declined a third term and Jefferson impliedly, at least, spoke against it, that there should be a limitation on the number of terms a President may serve. Otherwise, as the Senator has pointed out, we are likely to drift into an undemocratic form of government. If a President can succeed himself for an indefinite number of terms, the longer he stays in office the better position he is in to succeed himself.

Mr. WILEY. I thank the distinguished Senator. I think he has nailed down the thought I expressed when I stated that in these later days we have seen the development of the "fuehrer-prinzip," which is an autocratic concept—almost an international disease—which we have witnessed in the past 20 years. I recognize fully the increased necessity for this limitation for the very reason that the distinguished Senator has mentioned, which is that back in the early days of the Republic the States were really autonomous and had powers which since, because of world conditions probably, have been released to the Federal Government.

URGENT DEFICIENCY APPROPRIATIONS

Mr. BRIDGES and other Senators addressed the Chair.

The PRESIDENT pro tempore. Does the Senator yield, and if so, to whom?

Mr. WILEY. I yield to the Senator from New Hampshire.

Mr. BRIDGES. Mr. President, I ask unanimous consent that the unfinished business be laid aside temporarily so that the Senate may take up the urgent deficiency bill which is on the calendar. I assume it will not take a long time.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from New Hampshire that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of House bill 1968, which will be stated by title?

The LEGISLATIVE CLERK. A bill (H. R. 1968) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

There being no objection, the Senate proceeded to consider the bill (H. R. 1968) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, which had

been reported from the Committee on Appropriations with amendments.

Mr. BRIDGES. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the amendments of the committee be first considered.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LUCAS. Mr. President, will the Senator from New Hampshire yield to me for the purpose of suggesting the absence of a quorum?

Mr. BRIDGES. I yield.

Mr. LUCAS. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hayden	Myers
Baldwin	Hickenlooper	O'Conor
Ball	Hill	O'Daniel
Barkley	Hoey	O'Mahoney
Brewster	Holland	Overton
Bricker	Ives	Pepper
Bridges	Jenner	Reed
Brooks	Johnson, Colo.	Revercomb
Buck	Johnston, S. C.	Robertson, Va.
Bushfield	Kem	Russell
Butler	Kilgore	Saltonstall
Byrd	Knowland	Sparkman
Cain	Langer	Stewart
Capehart	Lodge	Taft
Capper	Lucas	Taylor
Chavez	McCarran	Thomas, Okla.
Cooper	McCarthy	Thomas, Utah
Cordon	McClellan	Thye
Donnell	McFarland	Tobey
Dworshak	McGrath	Umstead
Ecton	McKellar	Vandenberg
Ellender	McMahon	Watkins
Ferguson	Magnuson	Wherry
Flanders	Malone	White
Fulbright	Martin	Wiley
George	Maybank	Williams
Green	Millikin	Wilson
Gurney	Moore	Young
Hatch	Morse	
Hawkes	Murray	

The PRESIDENT pro tempore. Eighty-eight Senators having answered to their names, a quorum is present.

The clerk will state the first amendment reported by the committee.

The first amendment of the Committee on Appropriations was, under the heading "Title I—General Appropriations Legislative", on page 2, after line 2, to insert:

SENATE

For payment to Margaret S. Andrews, widow of Charles O. Andrews, late a Senator from the State of Florida, $10,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 6, to insert:

For payment to Edith Pou Bailey, widow of Josiah W. Bailey, late a Senator from the State of North Carolina, $10,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 9, to insert:

For additional clerical assistance in the Disbursing Office at the rate of $3,000 per annum from March 1 to June 30, 1946, fiscal year 1947, $1,000.

Mr. BRIDGES. Mr. President, on page 2, line 12, in the committee amendment, there is a typographical or printing error. Instead of the words and figures "June 30, 1946,", it should read "June 30, 1947,".

The PRESIDENT pro tempore. Without objection, that amendment to the committee amendment will be made.

The question is on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

The clerk will state the next amendment.

The next amendment was, on page 2, after line 12, to insert:

The sum of $50,000 made available out of the contingent fund of the Senate by the Legislative Branch Appropriation Act, 1947, for the purpose of enabling the Senate Committee on Appropriations to employ expert and clerical assistance, is hereby made available for the employment of a consultant at not to exceed $35 per day when actually employed, including all pay increases authorized by the Federal Employees Pay Act of 1945, as amended.

The amendment was agreed to.

The next amendment was, on page 2, after line 20, to insert:

For payment to Henry V. DeMott for services rendered the special committee investigating the production, transportation, and marketing of wool during the months of October and December 1939, and January and March 1940, 1 month at the rate of $3,300 per annum, fiscal year 1940, $275.

The amendment was agreed to.

The next amendment was, on page 3, after line 2, to insert:

For an amount necessary to increase the salary of one clerk under the Office of the Sergeant at Arms from $2,500 to $3,300, effective March 1, 1947, fiscal year 1947, $267, and the Legislative Branch Appropriation Act for the fiscal year 1947 hereby is amended accordingly.

The amendment was agreed to.

The next amendment was, on page 3, after line 7, to insert:

For the employment of six additional telephone operators from March 1 to June 30, 1947, at $1,800 each per annum, fiscal year 1947, $3,600.

The amendment was agreed to.

The next amendment was, on page 3, after line 10, to insert:

For an additional amount for rent of warehouse for storage of public documents, fiscal year 1947, $2,174.40.

The amendment was agreed to.

The next amendment was, under the subhead "House of Representatives," on page 3, after line 19, to insert:

EDUCATION OF SENATE AND HOUSE PAGES

For reimbursement to the District of Columbia for education of congressional pages and pages of the Supreme Court, from January 2, 1947, pursuant to the provisions of section 243 of the act of Congress entitled "An act to provide for increased efficiency in the legislative branch of the Government," approved August 2, 1946, fiscal year 1947, $10,600, which amount shall be credited to the appropriation for "General supervision and instruction, public schools, District of Columbia, 1947," and the Board of Education of the District of Columbia is hereby authorized to employ such personnel for the education of pages as may be required and to pay compensation for such services from January 2, 1947, in accordance with such rates of compensation as the Board of Education may prescribe: *Provided*, That the facilities provided for the education of such pages shall be available from and after January 2, 1947, also for the education of such other minors who are congressional employees as may be certified by the Secretary of the Senate and the Clerk of the House of Representatives to receive such education.

The amendment was agreed to.

The next amendment was, on page 4, after line 16, to insert:

JOINT COMMITTEE ON ATOMIC ENERGY

For salaries and expenses of the Joint Committee on Atomic Energy created by section 15 of the Atomic Energy Act of 1946, including compensation of consultants at such rates as may be fixed by the committee but not exceeding $35 gross each per day while actually employed, fiscal year 1947, $50,000, to be disbursed by the Secretary of the Senate on vouchers approved by the chairman; and the Secretary of the Senate hereby is authorized to advance to the committee on the receipt of the chairman such sums within the appropriation as may be necessary from time to time to defray incidental expenses, to be accounted for in the same manner as provided by law for Senate committees.

The amendment was agreed to.

The next amendment was, on page 5, after line 7, to insert:

COMMITTEE ON FEDERAL EXPENDITURES

For an amount which is hereby authorized to enable the Joint Committee on Reduction of Nonessential Federal Expenditures to carry out the duties imposed upon it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the committee, $7,500, to be disbursed by the Secretary of the Senate.

The amendment was agreed to.

The next amendment was, on page 5, after line 14, to insert:

ARCHITECT OF THE CAPITOL

Senate Office Building: For an additional amount, fiscal year 1947, for maintenance, including the objects specified under this head in the Legislative Branch Appropriation Act, 1947, $32,000, to be expended by the Architect of the Capitol for structural and mechanical alterations and improvements to provide accommodations in the Senate Office Building for the Senate folding room, including all necessary and incidental expenses in connection therewith.

The amendment was agreed to.

The next amendment was, under the heading "Executive Office of the President—Office for Emergency Management—Office of Defense Transportation," on page 6, line 5, after "Salaries and expenses," to strike out "$130,000" and insert "$143,000."

The amendment was agreed to.

The next amendment was, on page 6, after line 5, to insert:

OFFICE OF TEMPORARY CONTROLS

Salaries and expenses: For an additional amount, fiscal year 1947, for carrying out the functions of the Office of Price Administration transferred by Executive Order 9809 of December 12, 1946, to the Office of Temporary Controls, $7,991,815, which amount shall be merged with the funds transferred, pursuant to said Executive order, from the appropriation "Salaries and expenses," Office of Price Administration, in the Third Deficiency Appropriation Act, 1946. Funds transferred to the Office of Temporary Controls pursuant to Executive Order 9809 in connection with the transfer of functions by said Executive order shall be available for the payment of claims pursuant to part 2 of the Federal Tort Claims Act (Public Law 601, 79th Cong.) arising, respectively, from the activity concerned: *Provided*, That

it is the intent of the Congress that all funds heretofore and herein appropriated shall be used to defray all expenses incident to the closing and liquidation of the Office of Price Administration and the Office of Temporary Controls by June 30, 1947.

Mr. TAYLOR. Mr President, I have sent to the desk an amendment to this provision. It is my understanding that the committee has increased the appropriation for the Office of Temporary Controls with the understanding that it be liquidated by June 30. As I understand, from talking to officials of the Office of Temporary Controls, that means that they will actually have to liquidate by April 30, because so much of the money appropriated will have to be expended to pay employees in the process of separating them from the bureau or agency.

Mr. President, the Office of Temporary Controls has a very important function which cannot be wound up at this time. I should like to mention some of the subjects which come under this particular bureau and the duties which they have been charged to perform. In effect, this committee amendment is intended to wind up the affairs of this agency, without the enactment by Congress of legislation designed actually to wind them up.

Let me state some of the duties of the Office of Temporary Controls. On June 30 the last payments will become due under the premium price plan for copper, lead, and zinc. Claims for those payments must be processed after July 1 by the Office of Temporary Controls. Government claims against violators of price regulations and orders must continue to be prosecuted. Such claims total approximately $75,000,000. In my estimation, Mr. President, it would be poor economy to do away with the machinery for prosecuting OPA violations, when the Government is likely to recover large sums of money because of clear-cut violations. The OPA and the OTC have dismissed the cases which they felt did not involve really severe violations of the regulations. Final audit of various subsidy operations now being carried on must be completed. Cost audits under the industrial alcohol program, under which the OPA priced sales of industrial alcohol to the DSC, must be completed. In the list from which I have been reading is a footnote which says, "Programs 3 and 4 also involve a saving to the Government of many million dollars."

The responsibilities imposed under section 17 of the Contract Settlement Act of 1944, the Tax Amortization Act, and the requisitioning acts must be carried to conclusion. In this connection, the OTC is presently preparing defenses in the case of some 117 claims against the Government, which involve a total sum of $13,800,000. Yet, Mr. President, we would order it to liquidate its affairs, with the result that it could not follow through on actions involving the recovery of vast sums of money for the Government.

On June 30 there will be thousands of cubic feet of heretofore active files to be disposed of in accordance with law and the policies of the National Archives.

On June 30 there will be permanent-status employees, now in the OTC, who under existing regulations must be carried on the pay rolls until the expiration of their annual leave, for their annual leave cannot be paid in a lump sum. There will be many employees in that category on June 30.

Mr. President, all my amendment does is to reduce the amount of the appropriation for the Office of Temporary Controls from $7,991,815 to $5,290,000, which I believe is the amount requested by the Office of Temporary Controls. That item is to be found on page 6, in line 11.

On the same page, in line 21, beginning with the word "Provided," my next amendment would strike out all down to and including the figure "1947," in line 25. The proviso thus stricken out is the one calling for liquidation of the Office of Temporary Controls by June 30. As I have already pointed out, such a requirement would really mean its liquidation by April 30.

When we come to a later place in the bill, I shall offer another amendment; but all of these are really tied together, because the same thing would be done to the OPA.

So I ask that the first amendment which I have offered be read at this time.

The PRESIDENT pro tempore. The amendment to the committee amendment will be stated.

The LEGISLATIVE CLERK. In the committee amendment on page 6, in line 11, it is proposed to strike out "$7,991,815," and to insert in lieu thereof "$5,290,000."

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Idaho to the committee amendment.

Mr. HILL. Mr. President, will the Senator yield to me?

Mr. TAYLOR. I yield.

Mr. HILL. I wish to ask the Senator from Idaho whether his amendment affects the CPA, the Civilian Production Administration.

Mr. TAYLOR. I do not know whether it is under the Office of Temporary Controls. It has to do, has it not, with controls over buildings?

Mr. HILL. Yes; it does.

Mr. TAYLOR. I know that such controls are affected. They will go out the window. The veterans' housing program will no longer be controlled.

Mr. HILL. The Senator from Idaho has mentioned the very thing in which I am interested, and in which I know he likewise is interested. I am extremely concerned, as I am sure all other Members of the Senate are, about veterans' housing, about the present terrific shortage of housing, and about the situation which now confronts our veterans under which they are not able to obtain housing and are unable to provide anything like proper or decent shelter for themselves and their families. Thousands of them find themselves in that situation.

As we know, the Civilian Production Administration has promulgated a regulation known as VHP–1, under which it has controlled the amount of materials which go each month into commercial and industrial construction. What I fear is that if we strike down all regulations and all controls under the CPA, there will be no materials to go into veterans' housing, and all materials will go into commercial and industrial construction. Of course, as we know, there is no rent control on commercial and industrial property, and the commercial and industrial property operators can and will pay more for materials than the veterans can afford to pay.

So I wish to ask the Senator from Idaho whether our action today, if we adopt the committee amendment, will make it even more difficult, if not impossible, for our veterans to get the housing they so desperately need.

Mr. TAYLOR. It will make it absolutely impossible to carry on even our present inadequate housing program.

Mr. HILL. In other words, what we are doing now for housing will fail, if we pass this bill with the amendment which has been submitted by the committee. Is that the judgment of the Senator from Idaho?

Mr. TAYLOR. On April 30 there will be no machinery left to enforce any building materials priorities allocations. Operators then will be able to start building anything they please. That will mean the end of the veterans' housing program and the end of the construction of medium-cost housing, for at that time the actual situation will be that nothing but mansions will be able to be built, and they are all the houses that will be built until such time as the market for mansions is saturated.

Mr. HILL. In other words, it will mean that the veterans will have to take the hindmost, and actually there will not be any hindmost; is that correct?

Mr. TAYLOR. That is correct.

Mr. HAYDEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Arizona?

Mr. TAYLOR. I yield.

Mr. HAYDEN. I wish to make a point of order.

The PRESIDENT pro tempore. Does the Senator from Idaho yield for that purpose?

Mr. TAYLOR. I do.

Mr. HAYDEN. I make the point of order that the proviso beginning in line 21, on page 6, reading as follows: "*Provided,* That it is the intent of the Congress that all funds heretofore and herein appropriated shall be used to defray all expenses incident to the closing and liquidation of the Office of Price Administration and the Office of Temporary Controls by June 30, 1947," is legislation on an appropriation bill, which is prohibited by rule XVI, section 2, reading as follows:

The Committee on Appropriations shall not report an appropriation bill containing amendments proposing new or general legislation.

The PRESIDENT pro tempore. The Chair suggests that the point of order is not in order until the pending amendment, relating to a previous section of the bill, is disposed of.

Mr. HAYDEN. I thought a point of order was in order at any time.

The PRESIDENT pro tempore. Not in the judgment of the Chair, when the point of order is raised with respect to a portion of the bill which is not pending before the Senate.

The question now is on agreeing to the amendment submitted by the Senator from Idaho to the committee amendment, which has been stated.

Mr. LUCAS. Mr. President, will the Senator yield to me?

Mr. TAYLOR. I yield.

Mr. LUCAS. Let me inquire of the Senator from Arizona if the point of order as the Senator from Arizona has suggested it, is sustained as to this particular portion of the committee amendment, would not that accomplish the same result which the Senator from Idaho seeks to accomplish by his amendment to the committee amendment?

Mr. HAYDEN. Yes. If I may discuss the question for a moment, let me say that, in the judgment of the majority of the committee, the appropriations contained in the bill as it was reported would be sufficient to pay the terminal leave and to allow the Office of Temporary Controls to operate until the 30th of June; but that simply cannot be done with the amount of money provided if liquidation is required according to the terms of the proviso. That is why I should like to have the proviso stricken out.

The PRESIDENT pro tempore. The Chair suggests that if the Senator from Idaho is willing to withdraw his pending amendment temporarily, and ask for the submission of his other amendment, the matter might be before the Senate.

Mr. TAYLOR. Mr. President, it is agreeable to me that that be done.

The PRESIDENT pro tempore. The question then is on the second amendment submitted by the Senator from Idaho, proposing to strike out the proviso at the bottom of page 6. The Senator from Arizona is recognized on the point of order.

Mr. HAYDEN. Mr. President, it appears clearly to me that this is legislation on an appropriation bill. It states "That it is the intent of the Congress that all funds heretofore and herein appropriated shall be used to defray all expenses incident to the closing and liquidation of the Office of Price Administration and the Office of Temporary Controls by June 30, 1947."

It is either legislation or it is merely the expression of a pious hope. In any event, it has a legislative effect, and if it has a legislative effect, if it is binding upon anybody, it is not in order on the pending bill.

Mr. THOMAS of Oklahoma. Mr. President——

The PRESIDENT pro tempore. The Chair is prepared to rule. The Senator from Oklahoma is recognized.

Mr. THOMAS of Oklahoma. Mr. President, I submitted this proviso in the Committee on Appropriations. History has shown for a long time that governmental bureaus, when once created, never end their tasks voluntarily. I think recent events have convinced many people that the OPA should be terminated as soon as possible. I think it is generally agreed that OPA will not be continued after June 30, 1947.

In order to serve notice on what remains of the OPA that they will be expected to use the funds already available and the funds herein appropriated to close up their affairs by June 30, the provision is inserted. It is not legislation; it is a limitation upon the money they now have and a limitation upon the money appropriated in the pending bill, and it was so intended.

Mr. BRIDGES. Mr. President, I desire to say a word on the point of order. I do not think the provision is subject to a point of order, for the reasons outlined by the distinguished Senator from Oklahoma.

There is already on the statute books legislation terminating OPA as of June 30, 1947. This provision in no way legislates. All it does is establish the conditions for carrying out a law already on the statute books.

Mr. HAYDEN. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. Certainly.

Mr. HAYDEN. Until the 30th of June OPA will be performing its normal functions as to rent control and sugar rationing, with the necessary force, and then, when the 30th of June comes about, under the law all that activity will cease, and we will proceed after that date to liquidate the agency. The intent of the amendment is that the liquidation shall take place now, and that is wherein it changes the existing law.

Mr. BRIDGES. The intent of Congress when it passed the original law, which is legislation, was to end OPA on June 30, 1947. All the proviso does is to prescribe the conditions under which the legislation shall be carried out, and in my view it is not legislation on an appropriation bill.

Mr. PEPPER. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield to the Senator from Florida.

Mr. PEPPER. So that we may have no ambiguity in our minds about what the facts are and what the intention of the committee is in respect to this matter, first let me ask, if this proviso remains in the committee amendment, what will be its effect upon the present allocation of materials, so that the temporary controls agency will allocate a certain limited quantity of materials weekly to nonresidential construction, and the like?

Mr. BRIDGES. It will force OPA to carry on its activities between now and June 30 with reduced personnel; it will have to reduce drastically. There is no question about that. It will be able to carry on its work with reduced personnel until June 30, the date set by Congress for the ending of OPA.

The PRESIDENT pro tempore. The Chair would like to suggest that the merits of the amendment are not at the moment under discussion. There is a point of order to be settled. Is the Senator speaking on the point of order?

Mr. PEPPER. I will say, Mr. President, that it seems to me, if I may say so, that the point of order made by the Senator from Arizona is well taken.

It has been noted in the press, and has been generally the subject of comment, that Congress is practically going to destroy, by indirection, for example, the rent-control program. I think it is a fairer and a better method of legislating for the Congress to say in so many words what it purposes to do. If we are to destroy rent control, we have a right to do that. It might or might not be good public policy to do it, but we should do it in such a way that those who vote to do it know that that is what they are voting, that those who oppose it will know how they are voting, and that the public will know how we are all voting.

When such an item is contained in provisions like those before us, it is difficult for Senators to understand what the exact effect of their votes will be, and it is hard for the public to understand the effect of our votes. It certainly seems to me that the point of order is well taken, that this is an indirect way of doing what the Congress, under the rules, is expected to do directly.

The PRESIDENT pro tempore. The question on which the Chair is about to rule, of course, has nothing to do with the merits of the amendment.

Mr. LUCAS. Mr. President, the proviso reads:

> That it is the intent of the Congress that all funds heretofore and herein appropriated shall be used to defray all expenses incident to the closing and liquidation of the Office of Price Administration and the Office of Temporary Controls by June 30, 1947.

I ask the Senator from New Hampshire whether that includes the item of accrued annual leave, which amounts to $7,000,000.

Mr. BRIDGES. Yes. I do not desire to go into the merits.

Mr. LUCAS. My only reason for asking the question is that if it does include the $7,000,000, it seems to me definitely to be legislation on an appropriation bill.

Mr. BRIDGES. Let me say for the benefit of the Senator from Illinois that I attempted to explain the matter, and if I may take a moment to answer the Senator's question, I shall proceed.

As the bill came to the Senate, the House had eliminated an item of between five and six million dollars, an appropriation which had been asked for, and also made a rescission of $9,000,000,000. So that if the House figure had been adhered to, OPA would have ceased to exist on February 28, or March the 1st, one of those two dates. However, the House provided no sum for liquidation of OPA nor did it include provision for terminal-leave pay which is a direct obligation on the Federal Government. The two items of $7,000,000 and $6,000,000 make approximately $13,000,000 in round figures. What the Senate did was restore the rescission of nine million and give $7,991,815 more, which would pay the accrued terminal leave of all employees, amounting roughly to $7,000,000; it would pay all the liquidating expense, about $6,000,000 more, and then with the difference between, roughly thirteen million and seventeen million, the OPA could operate during the next 4 months, of course with reduced personnel. So the organization as established by law would

be continued to June 30; but it would have to cut down its expenditures drastically in the next 4 months, which would involve a reduction in personnel. So far as I can see, there is no reason why there should not be such a reduction because OPA has been overstaffed and has not retrenched in proportion to the decrease in its duties. To my way of thinking, this is the orderly way of bringing about a desirable result, rather than by following the original request of OPA, or concurring in the action by the House. I think that is a fair explanation.

Mr. PEPPER. Mr. President, will the Senator yield for a question?

Mr. BRIDGES. Certainly.

Mr. PEPPER. It is pertinent, Mr. President, in determining whether the point of order is well taken to know what is the intention of the Appropriations Committee in proposing the proviso. If its effect is simply to indicate to the Senate that only a limited amount of money will be appropriated, and we know that the amount appropriated will not be sufficient to enable the agency to discharge a legal obligation imposed upon it by statute, namely, to perform certain functions, so that the proviso has no effect in law, then it might not be subject to a point of order; but if it has the effect in law of impairing the validity of the statute under which the OPA is now administered, either as to date of termination or as to impairment of function, it would seem to me that the point of order would be well taken, because that would be legislation, and that is why I think the intention of the committee is very pertinent to the consideration of the subject.

The PRESIDENT pro tempore. The Chair is prepared to rule, and the Chair prefers to rule before there is further debate on the merits of the matter, because the Chair does not wish his decision to be confused with any conclusion as to the merits of the question .

Mr. O'MAHONEY. Mr. President, will the Chair permit me to make a remark or two about the point of order, not about the merits?

The PRESIDENT pro tempore. Certainly.

Mr. O'MAHONEY. I should like to invite the attention of the Chair to the language of the proviso, in line 22. I am calling attention particularly to the use of the word "heretofore." The language reads:

Provided, That it is the intent of the Congress that all funds heretofore and herein appropriated shall be used to defray all expenses incident to the closing and liquidation of the Office—

And so forth. The word "heretofore," as I see it, is purely legislative language, because if this proviso will have any effect at all it will have the effect of placing a restriction upon the very appropriation that has heretofore been made, wherever it has been made, however it has been made, and whatever the intention of Congress was in making it. It is clear to me, therefore, that this language is subject to the point of order.

Mr. THOMAS of Oklahoma. Mr. President, just one additional word. The last Congress made an appropriation to carry on the OPA activities until June 30, 1947. The OPA is not able to carry on its work, apparently, with the appropriations made last year. The OPA, or its successor, is asking for funds with which to operate until June 30, 1947.

The proviso was intended to serve notice on what remains of the OPA structure, and its successor, that only the funds already appropriated and the funds appropriated in the pending bill shall be available for the closing of their office, and that after June 30, 1947, there will be no funds from any source available to that agency. If that is not a notice to them to close up by June 30, then I do not know what a notice could be; and that was the intent of the proviso.

The PRESIDENT pro tempore. The Chair states again that his ruling has no bearing whatever upon the merits of the argument. The sole question is whether the proviso in lines 21–25, on page 6, is general legislation on an appropriation bill.

The Chair very respectfully disagrees with both the Senator from New Hampsire and the Senator from Arizona; the former, in respect to his interpretation of the effect of the proviso; the latter, therefore, in respect to its eligibility. In the Chair's opinion, this is not legislation at all; it is what the Senator from Arizona described as a "pious wish." In the Chair's opinion it is purely an expression of intent, which is not binding or of legal effect in any aspect. It is a completely novel method of trying to limit appropriations without using the usual limitations form.

Since it is, therefore, nothing, in the Chair's view, except an expression of intent, the Chair overrules the point of order.

Mr. HAYDEN. Mr. President, then I am to understand, so far as the ruling of the Chair is concerned, that no official of the Government is required, under this language, to pay any attention to it?

The PRESIDENT pro tempore. The Chair will have to let the Senator from Arizona put his own interpretation upon the ruling of the Chair. I think it is very obvious what the interpretation is.

Mr. HAYDEN. If the language is without legal effect, it is not law, it is merely, as I have stated, the expression of a pious wish. If I were an administrator I would say, "I intend to carry out the intent of the Congress, which I shall do." But to do that, the OPA would have to be closed up on the 30th of April. It is utterly impossible to carry out this direction and do the things that are necessary to be done. That is my judgment, based upon as careful a study as I can make with respect to the proposal.

The PRESIDENT pro tempore. The Chair can make his viewpoint perhaps even clearer by indicating what in his judgment would be the usual and traditional form in which a proviso of this character could be inserted. If it were to have teeth, it would read as follows:

Provided, That no part of the funds herein appropriated shall be used after June 30, 1947, to defray any expenses incident to the closing and liquidation of the Office of Price Administration and the Office of Temporary Controls.

That would be the usual form; it would be in order; it would be effective.

Mr. HAYDEN. There is no question about that.

The PRESIDENT pro tempore. The Chair repeats, the proviso as it appears in the bill does not have legal effect in achieving the result which is expressed in the form of an intent.

Mr. O'MAHONEY. Mr. President, I listened carefully to what the Chair has just said in restating the language of this proviso in what he termed to be the parliamentary and proper form.

The PRESIDENT pro tempore. Provided there is a desire to reach the objective which is expressed.

Mr. O'MAHONEY. Precisely; and I was very much interested to note that in so stating the correct form of the language, the Chair omitted the word "heretofore."

The PRESIDENT pro tempore. The Senator from Wyoming is totally correct. The word "heretofore," if this were a proviso that had any legal effect, would certainly make the proviso out of order.

Mr. O'MAHONEY. So, therefore, Mr. President, if I may say so, we are in the position, that although the Chair ruled that the use of the word "heretofore" in a limitation of the kind that he has stated renders it subject to the point of order, the use of that word in this expression of intent does not subject it to the point of order.

The PRESIDENT pro tempore. The Senator from Wyoming is entirely correct. The Chair's ruling hangs completely upon the first five words, that this is an expression of intent—an entirely unique situation.

Mr. O'MAHONEY. From what the Chair has said, officials of the executive branch who are in charge of the administration of appropriations heretofore made are now on notice by the language used by the Presiding Officer of the Senate, that the language of the proviso does not affect such appropriations so made.

The PRESIDENT pro tempore. The Chair again says to the Senator from Wyoming and to the Senator from Arizona that each may put his own interpretation on the ruling of the Chair; which it seems to the Chair is completely lucid and obvious.

Mr. LUCAS. Mr. President, will the Senator yield to me?

Mr. HAYDEN. I yield.

Mr. LUCAS. In a clear-cut opinion the Chair has decided the point of order. I agree with the distinguished occupant of the chair that the language of the proviso does not mean a single thing other than to express a pious hope or wish and it seems to me that the Senate should not undertake to legislate in such a manner. I submit, however, with all due deference to the Committee on Appropriations that the officials of the OPA should not be placed in such a position as they would be placed if the proviso were adopted. I hope the able Senator from New Hampshire, as chairman of the Appropriations Committee, will withdraw the proviso from the bill in view of the careful and conscientious ruling of the Chair.

Mr. HAYDEN. Mr. President, if I may interrupt, I should like to make the same

suggestion for the reason that what the committee intended to do is clearly set forth in the report of the committee. The committee states in its report:

> The committee expects OPA by a drastic reduction in its personnel and the practice of other economies to continue its programs until June 30, and make provision for the payment of terminal leave and other liquidation activities within the sum of $7,991,815 proposed.

That really tells what the committee had in mind. The amendment was adopted as an afterthought. Its meaning is not clear; its meaning can be strained in any way which may be desired. That is not true of the report of the committee, which would be equally binding upon the officials of the OPA, for the rule is that if either a House or Senate committee report indicates how money is to be spent, Congress expects it to be spent in that way. I cannot see much sound sense in permitting to remain in the bill a provision which was adopted hastily, without due consideration, and which seems to involve two conflicting ideas or proposals. What the committee has suggested in its report and what the proviso suggests cannot all be done within the same space of time.

Mr. BRIDGES. Mr. President, the issue is very clear. The Congress of the United States by legislation has said that OPA should be terminated on June 30, 1947. The OPA originally submitted a request to the House committee for a certain sum of money to enable it to continue until June 30, and at the end of June 30 OPA would still have owed its employees their terminal leave. So it is probable that by that time the amount needed for terminal leave would be in excess of $8,000,000, and OPA would still have need for liquidating expenses in the amount of between five million and six million dollars, representing by that time a total of thirteen million or fourteen million dollars. The House in its wisdom provided for a rescission of $9,000,000 of the funds of OPA, and stopped further appropriations summarily, thus cutting off OPA on March 1 or February 28.

Mr. President, the weakness of the position of the House committee in its desire to discontinue the activities of OPA lies in the fact that the terminal leave of the thirteen or fourteen thousand workers in OPA is an obligation of the Federal Government which Congress cannot escape paying. It is necessary also to provide for cancellation of leases and other matters. If OPA were to continue after June 30, it would have to have roughly thirteen or fourteen million dollars for that purpose, or if the Senate were to do what the House did, it would be necessary to provide the money now for that purpose. The Senate Appropriations Committee did neither. After hearing about these things, the committee said, "We are going to live up to the intent of Congress to terminate OPA by June 30. We are not going to stop its operations now. Therefore we restore the rescission of $9,000,000 and we give OPA $7,991,815." This will enable OPA to do three things:

First. OPA may pay its employees terminal leave, which is a solemn obligation of the Federal Government.

Second. OPA may pay all its liquidating expenses.

Third. OPA may continue on a very much reduced scale, with a greatly decreased number of personnel.

We have heard much said in recent days to the effect that all Members of Congress are for economy. The Senate Appropriations Committee believes that OPA can carry on the very limited duties it has to perform, with a reduced force. Therefore we provide money for OPA to do so.

Mr. HAYDEN. Mr. President, if I am correctly advised, it is costing now about $5,000,000 a month for the pay roll.

Mr. BRIDGES. That is correct.

Mr. HAYDEN. And the proposal which has been reported by the committee is that OPA shall have less than a million dollars a month.

Mr. BRIDGES. I would say not less than a million dollars, but a little more than a million dollars a month.

Mr. HAYDEN. Yes; but that would mean that OPA would have to make an 80-percent reduction in their personnel.

Mr. BRIDGES. With one change. The Senator knows that the $5,000,000 or $6,000,000 to be used for liquidation purposes includes personnel expense.

Mr. HAYDEN. What I have in mind is that in the enforcement of rent control and the continuance of sugar rationing OPA would be required to operate in those fields with a reduction of 80 percent in their force because of the limited amount of money they would have with which to operate.

Mr. BRIDGES. That is roughly correct.

Mr. HAYDEN. I have grave doubt whether OPA can administer rent control and sugar rationing with an 80-percent reduction in personnel.

Mr. BRIDGES. That is an open question; it is a matter of opinion; but it is the judgment of the majority of the committee that the few remaining functions of OPA could be carried on with a considerably reduced personnel. I think OPA can perform its remaining functions with a considerably reduced personnel. I do not think a considerable cut in its personnel would hurt. Congress must determine whether rent control shall be continued, and if so, what agency shall have rent control in charge. Congress must determine whether sugar rationing shall continue until June 30, and if so, whether the Department of Agriculture shall have charge of sugar rationing or what agency of Government shall administer it. In the meantime, the committee proposal provides for, first, the fulfillment of the obligations of government; second, liquidation of OPA; and, third, the continuation of the orderly processes of OPA, but with a very drastically reduced personnel force. That is what I am for; that is what the majority of the committee favored.

Mr. HAYDEN. Mr. President, the way the chairman of the committee states the proposition he is in total disagreement with the officials of the Office of Temporary Controls in this respect, namely, according to their statement, that if they are to enforce rent control, if they are to enforce sugar rationing, they must have an adequate force with which to do the work, and the minute they cease to have an adequate force, then they must stop. That was the proposal by OPA, that if Congress wanted to cut it off, very well, do so, but advance the date. If I myself were operating the agency I would want to carry it on satisfactorily, and not in a haphazard way. Take rent control, for example. Sufficient money is not provided in the appropriation to pay terminal leave and to pay the cost of liquidation. Under such circumstances, obviously, OPA cannot administer the rent control throughout the United States. If I were the Administrator, it would be my obligation to say "Very well, we will discontinue rent control in Pittsburgh. We will carry it on in Kansas City." That is all that could be done. It could not be administered successfully all over the United States with the amount of money that is contained in the bill. If I were Administrator I would not try to do so.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. The Senator from New Hampshire has the floor. Does the Senator from New Hampshire yield to the Senator from Wyoming?

Mr. BRIDGES. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. I desire to suggest to the Senator from New Hampshire that the statement he made just a moment ago is a complete demonstration of the great danger which is involved in this amendment. If I understood him correctly, the Senator from New Hampshire stated that the purpose of this amendment is to make sure that OPA is cut off by June 30. Another amendment will cut off CPA on the 30th of June, regardless of what happens.

Mr. BRIDGES. That is what the law on the statute books requires.

Mr. O'MAHONEY. That is correct.

Mr. BRIDGES. All we are doing, for the first time, or one of the few times in history, is proceeding to carry out the provisions of the law and finally end a governmental agency.

Mr. O'MAHONEY. The Senator refers to the fact that rent control, sugar control, and veterans' housing are involved in the action which we take here today. I speak as one who in the last Congress, as chairman of a subcommittee of the Committee on the Judiciary, brought before the Senate a bill extending the War Powers Act in certain respects. That bill, as approved by the Judiciary Committee, cut off the power of the President under the War Powers Act with respect to more than half of the titles contained in the original act, but allowed certain war powers to remain because of the conviction that it was necessary to have those powers in order properly to carry on reconversion. There was no disposition on the part of the Judiciary Committee or on the part

of the Congress, when the extension bill was passed, to do anything but cut the war powers as rapidly as they could be safely cut and still preserve the public interest.

As a result of the language in this bill, before Congress has acted and determined what it wishes to do with respect to rent control; before Congress has had an opportunity to decide what it wants to do with respect to the rationing of sugar; before Congress has had an opportunity to decide in a legislative manner what should be done with respect to veterans' housing, the Appropriations Committee is coming into the picture with a provision which would cause those activities to be terminated almost immediately.

Mr. BRIDGES. Mr. President, the Senator has given a wholly ambiguous picture. The law now provides that the OPA shall end on June 30. All we are doing is complying with the law. If the Senator has any quarrel, it is with the previous Congress.

Mr. O'MAHONEY. Mr. President, will the Senator further yield?

Mr. BRIDGES. I yield.

Mr. O'MAHONEY. The trouble is, not that we are saying that the OPA shall terminate on the 30th of June 1947, which has already been said by the Congress; but that we are putting into the appropriation bill, by the provision under discussion, language which will result, not in termination on June 30th, but in termination almost immediately. Thereby we shall be interfering with the express intent of Congress that rent control, sugar control, and veterans' housing shall be carried on until the Congress, by legislative action, shall undertake to do otherwise.

If the Senator will bear with me just a moment, I know how earnest he is in his desire to cut off OPA. No one knows better than I—because I have protested against it many times—how some of the agents of OPA, by improper public relations, have caused the demand for its immediate elimination. I have complained about that publicly and privately. But what I am saying to the Senate is this: If sugar rationing comes to an end as the result of this action by the Appropriations Committee, the public will suffer. Those who are engaged in the raising of sugar beets in this country will suffer. Those who are engaged in the raising of sugarcane in continental United States will suffer. The consumers of sugar will suffer, and more particularly the householders, because they will be deprived of the protection——

Mr. BRIDGES. Mr. President, I decline to yield further. The Senator is wholly in error.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield for one or two questions?

Mr. O'MAHONEY. Mr. President, I shall take the opportunity to discuss the question in my own time.

Mr. BRIDGES. I yield to the Senator from Oklahoma.

Mr. THOMAS of Oklahoma. Is it not a fact that if rent control is extended it will require additional legislation, and additional funds will have to be made available after June 30, 1947?

Mr. BRIDGES. That is true.

Mr. THOMAS of Oklahoma. If rent control is to be continued, will it not require legislation and appropriations to carry on the program after June 30, 1947?

Mr. BRIDGES. That is true.

Mr. THOMAS of Oklahoma. One further question. Is it not a fact that if this amendment is agreed to it will in all probability save the Treasury money?

Mr. BRIDGES. It will.

Mr. THOMAS of Oklahoma. If we do not express our intent, this organization will be intact on June 30, to the extent of tens of thousands of employees who will have to be taken care of. That will cost the Treasury money. If this is a money-saving amendment, I ask this question: Will not the amount of money saved help to balance the budget?

Mr. BRIDGES. It will.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. HAYDEN. Can the Senator guarantee to the Senate that rent control will be continued and enforced as it now is, and as effectively as it is now enforced, without change throughout the United States, with the amount of money in this bill?

Mr. BRIDGES. The only difference is that it will be done at less cost to the Government.

Mr. HAYDEN. Is the Senator satisfied that we can reduce personnel in connection with rent control throughout the United States and do the job just as effectively with less money? Can it be done with an 80-percent cut?

Mr. BRIDGES. My answer is "Yes." I am for rent control. I always have been. Today I am for rent control. But there is no excuse in the world for the number of employees in the various agencies of the Government. The Senator well remembers the discussion on this subject. The figures which we use are the agency's own figures for continuation of its work in full force until April 30.

Mr. HAYDEN. That is correct. The agency can carry on in full force up to April 30. If I were an administrator conscientiously attempting to enforce an act of Congress, I would want to execute the law in the proper way; and if I could not do it I would quit.

Mr. BRIDGES. Representatives of the agency stated that it could carry on in full force with the present personnel. I say that they can start reducing their force now, and with a greatly reduced force perform the duties which are now entrusted to them, and that the job can be done as effectively at lower cost, and with drastically reduced personnel.

Mr. HAYDEN. Let me illustrate how I think this provision would work. Let us assume that there is an office in Boston which is very effectively administering rent control with a certain number of employees. Congress directs that liquidation shall take place. A liquidating official of the OPA walks into the Boston office and says to the rent-control administrator in Boston, "I am sorry, but we are canceling the lease on the building which you now occupy. I must have your desk. I am going to sell it as surplus; and, as required under the law, your records must go to the Archives."

The man administering rent control in Boston might very properly say, "How am I to carry on?" The liquidating officer might say to him, "I do not know how you are going to do it, but you will have no office, no desk, and no papers. You will be out of business, because we are required to liquidate, and we cannot do it on the last day of June. We must start now, and I am starting in Boston."

So rent control in Boston would be at an end the minute we liquidated that office. That is what would happen all over the United States. The problem cannot be handled in that way. We cannot have rent control under the terms of the proviso which we are now debating, and it ought to go out of the bill for that reason.

Mr. BRIDGES. A start could be made by eliminating this office and that office, and gradually the number of offices would be reduced and the number of personnel would be reduced without affecting duties or jobs. The difficulty is apparent. The Senator from Arizona and others Senators on the other side of the aisle—notably the Senator from Wyoming [Mr. O'MAHONEY]—present their case very ably. But the Senator from Wyoming made the statement a little while ago that what is proposed will ruin the sugar-beet farmers and other producers throughout the country. That is not an accurate statement. I do not think the Senator wants to convey that impression. This will not ruin anyone. Business will be conducted with a reduced personnel. One can go into any OPA office in the country and find officials falling over each other. It is not the number of individuals in an office which determines the efficiency of the office. A wrong idea on that score is projected into the minds of many people as the result of the years which we have been through. It is the wrong gage.

Mr. HAYDEN. The Senator's proposal calls for an 80-percent reduction in the number of personnel. I am unable to understand how an agency can operate as efficiently with 20 percent of its force, and give the public as good service.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. BARKLEY. During the discussion of the budget and the consideration of other matters since the Congress met, the statement has been made that one can go into any Government building anywhere in the United States and find employees falling over one another; and the Senator from New Hampshire reiterates that statement today.

Mr. BRIDGES. That is correct.

Mr. BARKLEY. I should like to ask the Senator if he can point to any Government office in Washington or elsewhere in which he has seen any employee falling over another employee, or

any number of employees, in the offices to which he has general reference; and, if so, whether he can tell us who it was that fell over whom, why he fell over him, and what happened to both of them when one fell over the other. It seems to me that we should have some concrete evidence of this falling-over process if we are compelled to listen to it all the time.

Mr. BRIDGES. I am delighted that the Senator from Kentucky desires to lighten the debate by injecting a little humor into it.

Mr. BARKLEY. No; I beg the Senator's pardon.

Mr. BRIDGES. I used the expression "falling over each other" as a figure of speech. I am sure that if they did not watch themselves very carefully it actually would have occurred.

Mr. BARKLEY. Where would it have occurred?

Mr. BRIDGES. In practically every Government office in Washington.

Mr. BARKLEY. That is a general statement. Can the Senator name one office in which it might have occurred?

Mr. BRIDGES. The OPA, for one.

Mr. BARKLEY. In what division was it?

Mr. BRIDGES. I shall not specify.

Mr. BARKLEY. The Senator refuses to get down to offering proof of what he has been talking about.

Mr. HICKENLOOPER. Mr. President, will the Senator yield to me for a moment?

Mr. BRIDGES. I yield.

Mr. HICKENLOOPER. It so happens that about 4 days ago a Democratic appointee on one of the prominent commissions in the Government and who has held office for about 2 months as a member of the commission made the statement—and I hope the Senator from Kentucky will pardon me if I do not mention the man's name——

Mr. BARKLEY. That is just the trouble. We hear general statements to the effect that somebody told somebody else, who heard it through a third person, that somebody fell over somebody in some department.

Mr. HICKENLOOPER. I am trying to contribute to the kaleidoscopic domino-row knocking-down discussion by furnishing information.

Mr. BARKLEY. The Senator always contributes information in any discussion in which he participates, but I am somewhat curious to get down to names, places, and cases, because I am as much opposed to anybody falling over anybody else as is the Senator from Iowa or the Senator from New Hampshire. I want to protect the victims of the falling-over process, if it is going on. I should like to have the name of one person in one office, anywhere, who was hurt or who fell over somebody else by reason of this supernumerosity of officers and employees.

Mr. HICKENLOOPER. Mr. President, will the Senator yield so that I may stumble along in the falling-over process?

Mr. BARKLEY. I hope the Senator will not fall over me.

Mr. HICKENLOOPER. I am sure that anyone who has ever collided with the distinguished Senator from Kentucky has done so to his own detriment and injury. But I will say that a few days ago the man to whom I have referred, who came to Washington a few months ago, made the statement that he had accepted his commission of appointment, that he had been going religiously to his office, and that, so far as he was able to determine, in the 2 months he had been employed there, no member of the commission had anything to do. His private secretary had nothing to do. The employees, sitting around in large numbers, had nothing to do.

I give that incident as an illustration. I shall not reveal the man's name.

Mr. BARKLEY. Will the Senator tell us what agency or commission it is?

Mr. HICKENLOOPER. I do not wish to identify the commission.

Mr. BARKLEY. It seems to me that if there is a member of any commission who is so disturbed by the fact that he has nothing to do and that nobody in his commission has anything to do, instead of going around privately and whispering it into the ear of the Senator from Iowa or some other Senator, he ought to be frank enough to come before the proper Senate committee and ask that his job be abolished. I am not willing to protect anybody against knowledge of his identity if he is refusing to divulge to a committee—the Appropriations Committee or any other committee—the information which he seems to have divulged to the Senator from Iowa.

Mr. HICKENLOOPER. I will say that this particular man did not suggest appearing before any committee of the Senate, although it was suggested to him that it would be very helpful if he should do so; but he did say that he was seriously considering resigning.

Mr. BARKLEY. He has not yet resigned, has he?

Mr. HICKENLOOPER. Not that I know of.

Mr. BARKLEY. Does any part of this appropriation affect the commission of which he is a member?

Mr. HICKENLOOPER. I do not think I had better identify the commission.

Mr. BARKLEY. If there is such an item in this bill, will the Senator offer an amendment on the floor to eliminate it?

Mr. BRIDGES. I shall take care of that. My amendment will eliminate the danger of anyone falling over anyone else in the OPA. All the Senator has to do is to support the committee amendment.

Mr. BARKLEY. That is not exactly the situation. I want to look into the committee amendment. I do not know any more now than I did when I started.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. DWORSHAK. I might suggest for the information of the majority leader——

Mr. O'MAHONEY. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. O'MAHONEY. For the past three quarters of an hour the Senator from New Hampshire [Mr. BRIDGES] has been standing in his place farming out the time of the Senate in the discussion of the question which is pending. No Senator is permitted to talk except by leave of the Senator from New Hampshire; and if any Senator says something to which the Senator from New Hampshire objects, he pulls the string and says that he does not desire to yield further. I suggest, Mr. President, that if the Senator from New Hampshire does not have some remarks of his own to make, he should yield the floor and let those of us who desire to speak upon this subject do so in our own time. I think the rule is being violated.

The PRESIDENT pro tempore. Under the rules of the Senate the Senator can yield only for a question. The rule ordinarily is given very wide latitude as a matter of courtesy. The Senator from Wyoming was the chief beneficiary of this courtesy. If it is desired by the Senate that there shall be no courtesy, the Chair will be delighted to proceed accordingly.

Does the Senator from New Hampshire yield to the Senator from Idaho?

Mr. BRIDGES. I yield.

Mr. DWORSHAK. I was about to observe that if the minority leader will read the monthly report issued by the United States Civil Service Commission showing how many Federal employees there are on the civilian pay roll of the Government he will see that there are now at least twice as many civilian employees as there were immediately prior to Pearl Harbor. If there is justifiable reason to employ all of that personnel now, one must reach the conclusion that it takes two persons to do one job. In view of the fact that hostilities have ceased and at least in part the wartime emergency has terminated, I think it is reasonable for the legislative branch of the Government to demand that the appropriations which are made to pay the salaries of employees in the executive departments and agencies shall be used economically and judiciously, and I think the time has come when we should demand that each employee render a full day's service for each full day's pay.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. BRIDGES. I yield.

Mr. BARKLEY. I do not wish to violate the rule which has recently been announced, so as to bring down upon my head an obiter dictum, ex cathedra ruling of the Chair; but I should like to ask the Senator from Idaho a question, namely, whether by his reference to the Civil Service Commission he intimates that I can obtain from that Commission the information I am seeking as to what office or agency is overstaffed or in what building or what agency employees are falling over one another.

Mr. DWORSHAK. Yes.

Mr. BARKLEY. We all know that there are more Government employees now than there were before the war. We do not have to read the reports of the Civil Service Commission in order to know that. But I ask whether the Civil

Service Commission's reports, issued each month, indicate the number of employees which that Commission thinks should be eliminated.

Mr. DWORSHAK. The monthly reports of the Civil Service Commission indicate that in practically every bureau and agency of the Government there are approximately twice as many Government employees now as there were prior to Pearl Harbor. Obviously, if there is the same amount of work to be done, twice as many employees should not be required to do it.

Mr. BARKLEY. Of course, Mr. President, there is much more work to be done now than there was before Pearl Harbor. We shall have a much larger budget, regardless of the particular amount which is finally arrived at by the Congress. Does the Senator from Idaho mean to intimate by his inquiry that the activities of a Government which has a budget of approximately $35,000,000,000 can be carried on with the same number of employees that the Government had prior to Pearl Harbor, when the total Government budget was much smaller?

Mr. DWORSHAK. I think substantial reductions in the number of employees can be effected by most departments and agencies of the Government. If the Senator will read the reports filed by the so-called Byrd committee, he will find in them an indication that there can be an immediate curtailment of the Federal pay rolls.

Mr. BARKLEY. I think I have been as diligent as my time and circumstances permit in reading all the reports; but I thank the Senator from Idaho for calling them to my attention.

Mr. DWORSHAK. I am glad to render that service.

Mr. MYERS. Mr. President, will the Senator yield to me?

Mr. BRIDGES. I yield.

Mr. MYERS. I do not wish to violate the recent ruling of the Chair; but in view of the Chair's prior ruling on the point of order made by the Senator from Arizona, it occurs to me that it might be well to observe that the Seventy-eighth Congress was known as the War Congress, and the Seventy-ninth Congress was known as the Victory Congress, and probably the Eightieth Congress will be known as the Congress of Pious Wishes and New Year's Resolutions.

Mr. BRIDGES. Mr. President, inasmuch as there has been considerable discussion, let me say that I have tried to have the debate proceed in an orderly manner.

Before I yield the floor I wish to say that the issue is very simple. In the last session, the Congress of the United States set a termination date for the OPA. All the Appropriations Committee did was within the legislative action of the previous Congress in terminating the OPA. We thought the OPA was overstaffed, we thought the OPA could drastically reduce its personnel, we thought it could pay terminal leave to its employees, gradually liquidate its activities and conduct its operations with a very greatly reduced personnel.

The Senator from Kentucky has spoken about the reference to employees falling over one another. Of course, I used that expression in a figurative manner of speaking. For example, natually I have not been sitting under a desk in the OPA, to see who falls over whom; but I know that I have seen so many people standing around doing nothing in the OPA agencies, specifically—here in the city of Washington, for example—that if they were to close their eyes they could easily fall over each other and cause a major catastrophe. So I think the point is not so far-fetched.

We are attempting to end the OPA on June 30, which is what the last Congress intended, and what it legislated should be done. The committee has recommended that the OPA be provided with sufficient money to be able to continue its functions on a very reduced scale. The OPA is now operating on a reduced scale, and there is no reason why it should not. Under the committee's recommendations, the OPA can continue rent control and sugar rationing, with a very reduced personnel, without injuring anyone in the country.

So on that statement I rest the case.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Idaho to the committee amendment, striking out the proviso at the bottom of page 6.

Mr. O'MAHONEY. Mr. President——

The PRESIDENT pro tempore. The Senator from Wyoming.

Mr. O'MAHONEY. Let me begin by saying that these are very sad days for the Members of the Senate on this side of the aisle. We are compelled to debate not only with Members who are speaking from the floor, but with the Chair as well. The Chair, in administering a little reproof to me a few moments ago as the beneficiary of the courtesy of the very courteous Senator from New Hampshire [Mr. BRIDGES], was overlooking the fact that when I rose the Senator from Arizona was speaking. He had been speaking at length. I assumed that the Chair was administering the rules of the Senate, and that the Senator from Arizona had the floor. In any event, when I rose, I say to the Chair, I directed my request to the Senator from Arizona, to ask whether he would yield so that I might make a remark. Thereupon, the Presiding Officer turned his back upon the Senator who was making the request and turned his beaming countenance upon the Senator from New Hampshire, and asked the Senator from New Hampshire, "Does the Senator yield?"

My own impression was that the Senator from New Hampshire was kept upon his feet only by the remarks which were being made by Senators upon this side of the aisle; and that impression has just been demonstrated as being a correct one, because as soon as the rule was enforced the Senator from New Hampshire ran out of conversation and took his seat.

Mr. President, let me now inquire whether the Chair desires to enter into the debate.

The PRESIDENT pro tempore. The Chair has been very courteous to the Senator from Wyoming and to all other Senators on his side of the aisle, and will hope to continue to do so.

Mr. O'MAHONEY. I am sure the Senator will.

Mr. President, the question now before us is a much more serious one than would be indicated by the persiflage which has been indulged in about unnamed persons falling over one another in various agencies and departments of the Government. It is very easy to say that the number of civilian employees of the Government is greater than is necessary. It is very easy to seek to carry to the public the impression that more money is being spent than should be spent, by comparing the number of persons now employed by the Federal Government with the number employed in 1939 or in some other year prior to the war.

Every Senator and every person who makes that comparison is closing his eyes to the fact that as a result of the war we have had increased Federal expenditures. We have had increased expenditures not only in the executive arm of the Government, but in the legislative arm, and this very appropriation bill now before the Senate for consideration carries with it an appropriation of $50,000 for the Joint Committee on Atomic Energy, $50,000 to enable that committee of the Congress to function between now and the 30th of June. That is an expenditure which never before was carried in any legislative bill. It is an amendment which calls for the employment of personnel.

I happened to drop in at the hearing of the subcommittee on the deficiency bill, the bill now before us, when the chairman of the Joint Committee on Atomic Energy was testifying. He laid before the committee a budget for some $250,000 for a year, a budget which provided for the employment of some 81 different employees, an increase in the personnel. The committee compromised by providing only a deficiency appropriation, and not an appropriation for the full year.

The point I make is not the size of the appropriation, not at all. The point I make is that in Congress as well as in the executive departments the laws which we pass require the employment of larger staffs.

Take the Veterans' Administration alone as an example. I had occasion just a few days ago to look at a chart printed in the United States News. It was a comparison of the number of veterans who had been awarded pensions for service-connected disabilities in World War I and in World War II within 18 months after the termination of hostilities. The figures show that 18 months after the termination of hostilities in World War I there were 25,000 veterans who had been awarded compensation for service-connected disabilities. But within 18 months after World War II 1,700,000 veterans with service-connected disabilities had been awarded their pensions, 1,700,000, and that is but the beginning of what is going to take place.

The Veterans' Administration has expanded. There are more employees now upon the rolls of the Veterans' Administration than were on the rolls of that administration prior to World War II, and

considerably more than in 1939 or 1938. It is an unavoidable increase. It would be possible to go down the line and examine one bureau after another, and point out how the new demand for personnel is arising.

The Atomic Energy Commission was created by law last year. It did not exist in 1945, it did not exist in 1944. It was created last year because of the discovery of an efficient method of splitting the atom. Republicans and Democrats agree we must have the Commission, but that requires more employees.

What I suggest to our friends on the other side of the aisle is that they are talking in emotional terms about a condition which has ceased to exist. They complain about the funds which were expended to fight the depression, and the number of employees who were put upon the Federal pay roll to fight the depression. But, Mr. President, when the appropriation bills making those provisions were before the Senate and the House, there was no complaint of that kind, and when we examine the figures for those years we find that the number of employees and the number of dollars spent do not begin to compare with what had to be done as the result of the war.

Mr. President, we are dealing with the aftermath of the greatest war that was ever fought, and it remains true that here we have a bill which, if enacted in the language in which it was reported by the Committee on Appropriations, may very well put an end, in a month, to veterans' housing activities, to sugar rationing, and to rent control.

Mr. HILL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HILL. That is exactly what General Fleming says so far as housing is concerned. He says the program for veterans' housing will be ended by March 31, that that will be the end.

Mr. O'MAHONEY. The Senator is quite right. I was about to read a letter from General Fleming.

Mr. President, we are dealing with cold facts. I say to the Senate, and particularly to those Members of the Senate who come from areas which are interested in the growing of sugar beets, that if we bring about a condition in this country which will result in a termination of sugar rationing, the demand for Cuban sugar will become so great that it will be difficult to revive the domestic beet sugar industry, after the chaos which will be produced has had its effect upon the people.

There are many Members of the Senate on both sides who have contrary views upon rent control. There are Republicans who believe that rent control should be continued, and Republicans who think it should be discontinued. There are Democrats who think it should be continued, and Democrats who think it should not be continued. It is a wholly nonpartisan issue. Yet, Mr. President, if by adopting the language of the appropriation bill we make it impossible for the agency which administers rent control to function, then we forestall the action of the legislative committees now studying that problem.

Mr. President, we are playing with fire because Senators are in such a great hurry to penalize and punish the OPA. I say to the Senate that the OPA has been progressively demobilized. I have no desire to prolong the life of OPA. Nevertheless, I am sure that no Member of Congress can read the current newspapers without knowing that prices are once more rising. Prices of food are up again. Prices of housing are up again. Prices are going up all along the line. That question will be dealt with by the appropriate committees, but here we have three items—rent control, veterans' housing, and sugar rationing—which are directly affected by this appropriation bill.

Let me read from the letter of General Fleming, addressed to the chairman of the Senate Committee on Appropriations.

Mr. HILL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HILL. Would it disturb the Senator if I should call attention to an article which appeared just 1 week ago in the Washington Post, on the front page? The Senator referred to prices going up. The Senator may have seen the article. It was captioned, "Hog'n hominy prices set United States record; Senate unit votes 10-percent rent rise, OPA end."

Then it proceeds to tell the story:

Pork-chop price seen at $1 a pound.

Is the Senator familiar with the article?

Mr. O'MAHONEY. I saw the article. I should be very glad to have the Senator read it.

Mr. HILL. Will the Senator yield to me to read the article?

Mr. O'MAHONEY. If I may do so without losing the floor.

Mr. HILL. The article is under a Chicago date line, February 25, and reads as follows:

Hog, corn, and wheat prices soared to new records today as the cost of living spiraled upward toward a predicted all-time high.

Hog prices shot up in a buying splurge on most midwestern livestock markets, hitting $30 per hundredweight in Chicago, a new top; prices of most wheat futures hit their highest levels in 30 years; corn futures reached their highest levels in 27 years. Cotton prices also were up.

In a picture of things to come, livestock men predicted housewives would be paying $1 a pound for pork chops in 2 weeks. Government sources, basing predictions on the rising livestock, grain, and cotton prices, said costs generally would hit a new high within 4 months.

Slaughter steers and heifers were up as much as 50 cents a 100 pounds as beef prices crept up slightly, but experts said plentiful beef supplies would protect housewives for a time against soaring prices for steaks and roasts.

The price advances, comparing with the old OPA ceiling of $16.25, were attributed to small receipts at the major markets.

At Washington, Labor and Agricultural Department sources agreed that the worst was yet to come, especially in food prices.

A Labor Department source predicted that the cost of living would climb to a new record peak by the end of June. The Department reported that on January 15 retail food prices were 30 percent higher than on the corresponding date a year ago.

If the Senator will yield a moment further, he will recall, no doubt, that last year when we were——

Mr. WHERRY. Mr. President, I rise to a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. WHERRY. I should like to state to the distinguished Senator from Wyoming, inasmuch as he made a forceful speech about violations of the rules, that birds always come home to roost. Here we have the situation reversed. I am not going to object, but I point out to the distinguished Senator that the very practice about which he complained a few moments ago is now being indulged in by a Member of the minority side.

Mr. HILL. Mr. President, if the Senator from Nebraska makes the point of order, I shall resume my seat.

Mr. WHERRY. I want the Senator to put the material in the record, because, after all, it was the President of the United States who took off price controls. So, go ahead and put it in.

The PRESIDENT pro tempore. The Senator from Wyoming has the floor.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I shall yield to the Senator for a question.

Mr. McFARLAND. That is the purpose of my asking the Senator to yield. Will the Senator kindly explain what would be the effect of the language on page 6 which a Senator seeks to have stricken out?

Mr. O'MAHONEY. I shall be very glad to do so.

Mr. HATCH. Mr. President, will the Senator yield to me for a question?

Mr. O'MAHONEY. I yield for a question.

Mr. HATCH. Perhaps I should address the question to the Senator from Nebraska. Did I understand correctly the Senator from Nebraska to be complaining of the action in removing controls?

Mr. O'MAHONEY. Oh, no; the Senator from Nebraska was not complaining; the Senator from Nebraska was trying to have a little fun with the Senator from Wyoming. He did it sub rosa, while the Senator from Alabama was speaking, and it was quite all right.

Several Senators addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Wyoming yield; and if so, to whom?

Mr. O'MAHONEY. I yield first to the Senator from Alabama for a question.

Mr. HILL. Mr. President, as we know, the Senator from Wyoming is a man of great ability, and, among his many other accomplishments, he is an accomplished mathematician. Could he tell us how many times the Senator from Nebraska rose on this floor demanding the abolition of price controls, particularly the abolition of price controls on beef, and cattle, and food products?

Perhaps that is an unfair question, for I am afraid, great as is the ability of the Senator from Wyoming, he would have to have an adding machine in order to be able to answer that question.

Mr. HATCH. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. I yield to the distinguished Senator from New Mexico for a question.

Mr. HATCH. In all seriousness, I desired to propound a question because I felt there was a direct implication or charge in the statement the Senator from Nebraska just made, in which he placed responsibility on the President of the United States. I should like to inquire if the Senator means to say that the President of the United States removed price controls over the opposition of the Senator from Nebraska?

Mr. BARKLEY. Mr. President, will the Senator yield at this point for a question?

The PRESIDENT pro tempore. Does the Senator yield; and if so, to whom?

Mr. O'MAHONEY. I yield to the distinguished Senator from Kentucky.

Mr. BARKLEY. Regardless of who may have been responsible for the removal of price controls, can the Senator advise us as a mathematician, using all the figures at his disposal, when the Senator from Nebraska will make his final report on the meat situation?

Mr. O'MAHONEY. Mr. President, the exchanges which have been taking place here for the last few minutes are indicative of a situation which I should like to avoid. These exchanges have all been, I believe, in good spirit, designed to be more or less humorous, and they are I think, to some extent, prompted by partisan division. Mr. President, I want to say that partisan division upon questions of the kind we are considering is the last thing in which we should engage at this moment. If our friends upon the other side of the aisle propose to approach the legislative problems that are before this Congress as though we were still engaged in the campaign which ended upon election day, November 5, 1946, then I say to those Senators, in all sincerity and in all good faith, they will be digging a trench into which they themselves will fall. This is not a time for puny partisan divisions. This is a time for dealing with the fundamental issues of our economy and the fundamental problems of what the Government of the United States should do for the people.

My purpose in rising here this afternoon has been to call to the attention of the Senate the language of General Fleming, head of the Office of Temporary Controls, who is appealing to us, not as a partisan, but as an executive officer, upon whose shoulders has been placed the responsibility of administering the temporary controls which under the law of Congress must be carried on until Congress changes them. That is what we are dealing with.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. McFARLAND. Will the Senator kindly answer the question I asked?

Mr. O'MAHONEY. I am just about to answer it. If the Senator will bear with me, I am laying the foundation.

Mr. WILEY. I think it is a trench.

Mr. O'MAHONEY. No; the Senators on the other side are doing very well with the trench. I am trying to fill it in at this moment.

At the very outset—

Said General Fleming—

> I should like to make clear that the principal concern of the administration is that the substantive programs—rent control, sugar rationing, housing controls—be continued effectively. The administration is less concerned what particular agency or agencies of Government be entrusted with the task of administration. In fact, I have already begun to dissolve OPA, CPA, and OWMR, the constituent agencies of OTC; and to reconstitute them into a single integrated agency.

Let me interrupt the reading of General Fleming's letter to point out that under Executive order issued by the President, the demobilization of these various agencies was undertaken—General Fleming was made the head of the Office of Temporary Controls—all for the purpose of cutting down control, for the purpose of demobilizing personnel, for the purpose of restoring the utmost amount of liberty of action in all branches of our economy, and to concentrate in one group the Office of Temporary Controls, the administration of those controls like veterans' housing, sugar rationing, and the others which, under the legislation of Congress, still had to be carried on.

> In my opinion, the use of the OTC as reconstituted would be the most economical and efficient way to handle these controls, as long as Congress decides they are necessary. Nevertheless, any decision of the Congress as to the agency or agencies of the Government which should administer the various programs now within the province of OTC will be implemented promptly.
>
> I wish to make it very clear that the liquidation of OPA, CPA, or OTC is not the question that concerns me. What does deeply concern me is that the Congress appropriate sufficient funds to enable the substantive programs to be continued effectively until the Congress itself decides what it wants to do with them and who shall administer them.

That is the paragraph to which I wish to call the attention of the Senate.

Responding now to the inquiry of the Senator from Arizona [Mr. McFARLAND] I shall say to him that the last proviso contained in lines 21 to 25 will have the effect of terminating these controls, not on the 30th of June 1947, but by the end of March or April. In other words the effect, as we are advised, and as I firmly believe, will be to hasten the dissolution before Congress has had an opportunity to decide what it wants to do with rent control, with sugar rationing, and with veterans' housing.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. McFARLAND. May I ask the Senator another question? Would that include such items as the premiums on copper, lead, and zinc which were included in the OPA Act which was passed last year?

Mr. O'MAHONEY. I am inclined to believe that these premiums would be directly affected because the inevitable result of the adoption of the pending amendment will be such a reduction of personnel that OPA and CPA and the Office of Temporary Controls will be unable to function. It depends, of course, on whether these agencies administer the premiums.

Mr. McFARLAND. I should like to ask another question. Is it the opinion of the Senator from Wyoming that the language just referred to limits the expenditures to those of liquidation, or reduces the expenditures to such an extent that they would not be sufficient for the other necessary purposes?

Mr. O'MAHONEY. Let me read to the Senator another paragraph or two of this letter which I think will completely answer his inquiry:

> The item in H. R. 1968 applicable to the Office of Price Administration functions is intended to cover three major activities: Rent control, sugar control, and liquidation activities. The committee report clearly indicates its recognition of the legal obligation that rests upon the Government in meeting the accrued annual leave of employees. This item, which amounts to more than $7,000,000, cannot be reduced.

That is an item which was ordered by the Congress in legislation passed by the Congress. The Appropriations Committee cannot change that policy. These accruals remain the obligation of the Government of the United States. But as General Fleming, I think, clearly demonstrates in his letter, if this bill is passed as it comes from the committee, it will result in the repudiation of that obligation. General Fleming continues:

> If I read the report correctly, the committee also recognizes the obvious necessity of using funds to carry out liquidation activities. This is a relatively inflexible sum amounting to about $5,750,000. The saving that the committee apparently contemplated in expenditures for OPA functions must lie, therefore, in reduction of expenditures for the two major operating programs; that is, rent control and sugar rationing.

I will say to the Senator now, in response to his recent inquiry, that this is a clear statement by General Fleming that the result of the adoption of the amendment will be to provide the funds to carry the terminal pay, but to deny the funds with respect to sugar rationing and rent control. General Fleming continues:

> If the liquidation and leave expenses are deducted from current unobligated balances plus the $8,000,000 deficiency appropriation item in the bill, the net amount of total available funds for the operating programs will be only $5,000,000 on March 31. However, the amount currently being expended on these same programs is $5,000,000 per month. Thus, the bill would permit operations at the present level only to April 30. To require the programs to be continued until June 30 with these funds, as the committee proposed, would call for reductions in staff so drastic as to cripple the programs.

This, I will say to the Senator from Arizona, has to do with the Office of Price Administration. There is another item in the bill which deals with the Civilian Production Administration, which, I assume, is the agency which handles the particular program in which the Senator is interested, namely, the premium on the production of copper. That item is covered in the remainder of this letter, which

I do not propose to read to the Senate at the moment.

Therefore, Mr. President, I shall close my remarks at this point with a request for unanimous consent that the entire text of the letter from General Fleming to the chairman of the Appropriations Committee of the Senate may be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF TEMPORARY CONTROLS.

Hon. STYLES BRIDGES,
Chairman, Committee on Appropriations, United States Senate.

DEAR SENATOR BRIDGES: I am pleased to take advantage of your invitation to convey to you my comments and suggestions regarding the Senate Appropriations Committee's action on H. R. 1968, concerning administrative expenses for functions transferred to the Office of Temporary Controls under Executive Order No. 9809.

I have read the report of your committee with care and I am most appreciative of the concern with which the committee examined the problems of the Office of Temporary Controls with regard to the functions transferred to it by Executive Order No. 9809. Nevertheless, I find that the language of the appropriation bill, as amended by the committee, and the report itself will lead to results that are contrary to the expressed desire of the committee and will make it extremely difficult to insure consistent and coherent legislative and administrative action on certain programs of major consequence. Rectification of this situation by amendment of the bill as reported out by the committee appears to me essential.

At the very outset, I should like to make clear that the principal concern of the administration is that the substantive programs—rent control, sugar rationing, housing controls—be continued effectively. The administration is less concerned what particular agency or agencies of Government be entrusted with the task of administration. In fact, I have already begun to dissolve OPA, CPA and OWMR, the constituent agencies of OTC; and to reconstitute them into a single integrated agency. In my opinion, the use of OTC as reconstituted, would be the most economical and efficient way to handle these controls as long as Congress decides they are necessary. Nevertheless, any decision of the Congress as to the agency or agencies of the Government which should administer the various programs now within the province of OTC will be implemented promptly. I wish to make it very clear that the liquidation of OPA, CPA, or OTC is not the question that concerns me. What does deeply concern me is that the Congress appropriate sufficient funds to enable the substantive programs to be continued effectively until the Congress itself decides what it wants to do with them and who shall administer them.

THE OPA APPROPRIATION ITEM

The item in H. R. 1968 applicable to the Office of Price Administration functions is intended to cover three major activities: rent control, sugar control, and liquidation activities. The committee report clearly indicates its recognition of the legal obligation that rests upon the Government in meeting the accrued annual leave of employees. This item, which amounts to more than $7,000,000, cannot be reduced.

If I read the report correctly, the committee also recognizes the obvious necessity of using funds to carry out liquidation activities. This is a relatively inflexible sum amounting to about $5,750,000. The saving that the committee apparently contemplated in expenditures for OPA functions must lie, therefore, in reduction of expenditures for the two major operating programs, i. e., rent control and sugar rationing.

If the liquidation and leave expenses are deducted from current unobligated balances plus the $8,000,000 deficiency appropriation item in the bill, the net amount of total available funds for the operating programs will be only $5,000,000 on March 31. However, the amount currently being expended on these same programs is $5,000,000 per month. Thus, the bill would permit operations at the present level only to April 30. To require the programs to be continued until June 30 with these funds, as the committee proposed, would call for reductions in staff so drastic as to cripple the programs.

Let me point out that the funds made available for OPA functions under H. R. 1968 are inadequate only because so large a proportion must be used for accrued leave and other mandatory liquidation expenses. It is the mandatory liquidation proviso that causes the difficulty. In fact, without it, the deficiency appropriation for these functions could be reduced from the present figure of approximately $8,000,000 to approximately $5,300,000.

An appropriation of this amount without the mandatory liquidation proviso would give the Congress sufficient time to determine congressional policy with regard to the continuation of these programs without running the risk of crippling them in the meantime. If the Congress decides to assign these functions to agencies other than the OTC, the funds can, of course, be transferred to such agencies at that time.

THE CPA APPROPRIATION ITEM

The report of the committee contains no discussion of the Civilian Production Administration functions. It leaves unchanged the rescission amount of $2,400,000, included in the bill as it passed the House, and merely alters the language of the discontinuance proviso so that it now reads "and its affairs shall be entirely liquidated not later than June 30, 1947."

The most important activity of CPA, the activity requiring the bulk of the personnel, is the assistance rendered the Veterans' Emergency Housing program. In the hearings before the committee it was pointed out that the OTC carries out the following functions in connection with the housing program:

1. Administering the construction limitation order which prevents the use of critical building materials in nonhousing projects that are not essential and can be deferred.

2. Increasing the production of critical building materials through channeling raw materials and equipment to the producers of these scarce items.

3. Obtaining compliance with the regulations required to carry out the housing program.

4. Auditing production records of manufacturers who have been receiving premium payments for increased production under the premium payment plan of the Housing Expediter.

It is obvious that the Veterans' Emergency Housing program cannot continue without these supporting activities.

These functions that CPA has been carrying on require a large staff for the balance of this fiscal year but a very much smaller staff thereafter. The CPA does not receive any reimbursement from the Housing Expediter for performing these functions. Consequently, the reduction in funds from the $1,200,000 rescission, which the President proposed to the Congress, to $2,400,000 voted by the House of Representatives and carried in this report, coupled with the mandatory liquidation requirement, would necessitate a cessation of this activity in support of the housing program completely on March 31 by CPA.

It must be observed that this sudden termination of OTC activities in this field with its disastrous effect on the housing program will occur in the face of continuing concurrent authority for the housing program that carries until June 30 under the Second War Powers Act and until December 31 under the Patman Act. Indeed, the report of the House Committee on Appropriations indicated that these OTC activities were to continue under present appropriations until June 30. This expressed intent cannot in fact be carried out. The funds that will remain available for CPA functions of OCT, if the bill is passed in its present form, will be so restricted that it will be necessary to send dismissal notices immediately to all CPA employees engaged in the administration of nonhousing limitation order and the other related housing activities. Accordingly, it is urgent that the mandatory liquidation proviso be removed from the bill and the rescission amount be reduced from $2,400,000 to $1,200,000.

In closing I wish to point out that regardless of the assignment of the functions for the operating program, the liquidation of many functions now vested in OTC, due to statutory requirements, cannot be completed legally, or in fact, by June 30, 1947. A few varying examples of the kinds of activities that must be carried on after June 30 are listed in appendix A. All of these functions which must continue after June 30 are presently vested in the OTC. The OTC must continue to carry them out until the Congress decides either to eliminate them or to transfer them to some other Government agency or agencies. Together these programs will save the Government many times the amount of additional funds required to continue them.

I append, for such use as you deem desirable, suggested amendments to H. R. 1968 (appendix B) that would avoid the undesirable, and, I believe, undesired results that will inevitably occur if the bill becomes law in its present form.

Sincerely yours,

PHILIP B. FLEMING,
Major General, United States Army, Administrator.

APPENDIX A

ACTIVITIES NOW VESTED IN OTC THAT MUST BE CONTINUED AFTER JUNE 30, 1947

1. On June 30 the last payments will become due under the premium price plan for copper, lead, and zinc. Claims for those payments must be processed after July 1.

2. Government claims against violators of price regulations and orders must continue to be prosecuted. These claims total $75,000,000.

3. Final audit of various subsidy operations now being carried on must be completed.

4. Cost audits under the industrial alcohol program under which OPA priced sales of industrial alcohol to the DSC must be completed.

Programs 3 and 4 also involve a saving to the Government of many millions of dollars.

5. The responsibilities imposed under section 17 of the Contract Settlement Act of 1944, the Tax Amortization Act, and the Requisitioning Acts must be carried to conclusion. The OTC in this connection is presently preparing defenses on some 117 claims against the Government which total $13,800,000.

6. On June 30 there will be thousands of cubic feet of theretofore active files to be disposed of in accordance with law and the policies of the National Archives.

7. On June 30 there will be permanent status employees—now in OTC—who, under existing regulations, must be carried on the pay roll until the expiration of their annual leave and whose leave cannot be paid in a

lump sum. There will be many employees in this category on June 30.

APPENDIX B

SUGGESTED AMENDMENTS TO H. R. 1968 AS REPORTED OUT BY SENATE APPROPRIATIONS COMMITTEE

1. Page 6, lines 11, 21–25: Substitute "$5,290,000" for "$7,991,815." Strike the following proviso: *"Provided,* That it is the intent of the Congress that all funds heretofore and herein appropriated shall be used to defray all expenses incident to the closing and liquidation of the Office of Price Administration and the Office of Temporary Controls by June 30, 1947."

2. Page 9, lines 7–10: Substitute "$1,200,000" for "$2,400,000" and strike the following proviso: *"Provided,* That the Civilian Production Administration shall be discontinued and its affairs shall be entirely liquidated not later than June 30, 1947."

Mr. WILEY. Mr. President, in connection with the subject now under discussion, I ask to have printed in the RECORD an editorial appearing in today's issue of the Washington Evening Star entitled "Significant Warning." The editorial comments on the position taken by the National Federation of Federal Employees on the issue of reduction in Federal personnel. The editorial says in substance that it is unusual for a union of Federal employees to comment on the reduction of Federal personnel.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SIGNIFICANT WARNING

The position taken by the National Federation of Federal Employees on the issue of a reduction in Federal personnel is so unusual as to be worthy of special attention.

The NFFE is the oldest, wealthiest, and probably the largest union of Federal workers. Ordinarily one would expect a union of that status to be in the ranks of those resisting the efforts of the new Congress to bring about a contraction of the Federal Government's working force. Far from joining this opposition movement, however, the NFFE, in the March issue of its official publication, sharply rebukes those officials of the executive department who are resisting the drive to reduce pay rolls and eliminate employees of "dubious loyalty."

At first glance this might seem to be strange procedure for a union presumably interested in keeping as many of its members as possible on the public pay roll. Actually, however, it is a move that is indicative of a degree of intelligence all too often lacking in union tactics.

For the fact of the matter is that the Republican Congress is going to insist on a substantial reduction in force in the executive branch. If there are administrators who believe, as the NFFE charges, that their agencies cannot be curtailed "in the slightest degree," and who hope to be able to "outsmart" the congressional Appropriations Committees, they have a rude awakening in store. For the cut-backs are coming.

The only real question is whether this will be done as painlessly as possible, with the intelligent cooperation of executive officials, or whether, in the words of the NFFE statement, an exasperated Congress will resort to "meat ax" tactics. If the latter proves to be the case, then the best interests of all Federal workers will suffer most.

Mr. AIKEN. Mr. President, I desire to speak briefly in regard to the subject now before the Senate.

It appears that the time has come when the Congress must decide which of the wartime controls it wishes to continue, and how it wishes to continue those which should be continued. I wish to present a few facts and observations concerning the OPA.

It appears that the OPA now has three functions, namely, rent control for residences only, sugar control, and rice control. To exercise these three functions the agency had at the beginning of this year a total of 15,574 employees. That number may be somewhat reduced by this time, but that was the number on December 31, 1946. Of this number 6,654 wer engaged in rent control. The agency had 8 regional offices and 329 area rent offices, besides 315 branch rent offices.

So far as the controls over rice and sugar are concerned, it is my understanding that the OPA already depends upon the Department of Agriculture for its estimate of the supply, and usually follows the suggestions of the Department of Agriculture as to rationing rice and sugar. It is perfectly clear that if the OPA were abolished by one method or another rice and sugar rationing and controls could readily be transferred to the Department of Agriculture. That leaves us with consideration of rent control, which is the largest single activity in the OPA, and utilizes almost half of its personnel.

Mr. O'MAHONEY. Mr. President, will the Senator yield for a question?

Mr. AIKEN. I yield.

Mr. O'MAHONEY. In making the statement that sugar control could be transferred to the Department of Agriculture, has the Senator taken into consideration the fact that in this amendment, the elimination of which is requested, we find the word "heretofore," which refers to any appropriation that may heretofore have been made? The Chair has ruled that that language has no legal binding effect; but if it is retained in the bill it will certainly have a moral effect. Does not the Senator believe that if we desire to maintain sugar rationing we should not tamper with a dangerous amendment of this character?

Mr. AIKEN. I shall come to that point a little later. As I understand the ruling of the Chair, it was—perhaps not in so many words—to the effect that this amendment would have no force of law in requiring the OPA to use all its funds for liquidating purposes. As I stated, the OPA has a total of 652 offices devoted to rent control. The biggest problem involved is the quick hearing of complaints and appeals by landlords and tenants at hundreds of widely scattered points.

It would appear—and I say this after receiving information which I consider to be authentic and accurate—that the rent-control activities could well be transferred to the Department of Commerce, and that funds for this purpose could also be transferred to the Department of Commerce. If that were done, it is my understanding that the Department of Commerce could carry on the functions of rent control with approximately 3,000 more employees than it now has. In other words, we would have to transfer about 3,000 employees from the present rolls of the OPA to the Department of Commerce, if that permanent agency of government were to take over rent-control activities. The Department of Commerce already has 77 regularly established offices, with 852 employees. Those 77 offices could be used as a nucleus for what is needed for rent-control activities.

Mr. LUCAS. Mr. President will the Senator yield for a question?

Mr. AIKEN. I yield.

Mr. LUCAS. Is the Senator now telling the Senate that there is legislation pending whereby the rent-control agency will be transferred to the Department of Commerce?

Mr. AIKEN. Unfortunately, there is not. I shall reach that point in a few minutes, and then I shall be through.

Mr. LUCAS. It seems to me that until such legislation is pending we cannot anticipate that that will be done, so far as what we are attempting to do through this appropriation bill is concerned.

Mr. AIKEN. I was simply stating what would be necessary in the way of personnel if the activities were transferred to the Department of Commerce. The best information which I have—and this information is received through the staff of the Committee on Expenditures in the Executive Departments, which has been making a study of the functions and activities of a good many departments of government—is to the effect that 3,000 employees transferred to the Department of Commerce, with the organization which the Department of Commerce already maintains, could exercise as much control over residential rents as does the existing organization of the OPA.

What I wish to say is that if we are to transfer to permanent agencies of Government the functions of the OPA in regard to sugar and rice rationing and rent control, it should be done by the Congress in an orderly manner. We should not do it by going in the back door and making it impossible for the OPA to perform the functions which it is required by law to perform. For that reason I should have voted to strike out the proviso in the bill that the funds appropriated shall be used for liquidating the OPA. Very obviously that would make it impossible for the OPA to perform its duties as required by law. So it seems to me that we should continue OPA for the time being. I hope that it will use this appropriation in performing its duties as it is supposed to perform them, so long as the money lasts.

I have heard the date April 30 mentioned. It seems to me that by April 30 the Congress could make arrangements for transferring the functions of rent control, sugar control, and rice control to permanent agencies of the Government if it is determined that such controls are to be continued. If that were done, there would be a saving by reason of a reduction in the number of Government employees from 15,574, which were employed by OPA on January 1, to probably a third of that number. Probably a third of that number could carry on the duties which now rest on the OPA, if the actiivties were incorporated with existing agencies of Government. We

must do that sometime. It may be that this spring is the time when such duties should be transferred.

We have also obtained data in regard to the CPA and the Office of Temporary Controls. I think there are approximately 6,000 employees in those two agencies. I do not agree with those who say that the three agencies should be combined into one and continued. It seems to me that it would be best to transfer to regular departments of the Government such functions as the Congress determines should be continued. In the case of the OPA, that would mean the Department of Agriculture and the Department of Commerce. I believe that a real saving in personnel and funds could be made by so doing. Although I shall vote for the appropriation as set forth in the deficiency appropriation bill, I shall not do it with the expectation, or even the hope, that the OPA will use the money for the purpose of liquidating, but will use it for the purpose of performing its duties as required by law so long as the money lasts.

Mr. HAYDEN. I take it from the Senator's last remark that he agrees with me that this proviso should be stricken from the bill. I can understand perfectly that if we were to adopt the amendment omitting the proviso, it would be possible, with the arrangement we have set up, to carry on until a legislative committee of the Senate could determine what to do. But if that proviso were to be retained, directing that OPA must liquidate and do nothing else, it would be liquidated before it would be possible for the Congress to enact legislation saying what shall be done with rent control and what is to be done otherwise.

Mr. AIKEN. The proviso does not have the effect of law.

Mr. HAYDEN. If the Senator were an administrative officer, and the act stated that it was the intent of the Congress that certain things should be done, would he not do them? Would he ignore the law?

Mr. AIKEN. I assure the Senator from Arizona that if I am required to vote for this proviso in order that the bill may pass, it is not my intention that the money shall be used for liquidating purposes, but for the purpose of performing the duties of the OPA so long as the money lasts.

Mr. HAYDEN. It is utterly impossible to do so.

Mr. AIKEN. In the meantime I think we should provide for transferring to other agencies of the Government such functions as are continued.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. LANGER. Will the Senator tell me how many employees the OPA had when it was in full bloom?

Mr. AIKEN. My recollection is that the number was 45,000 or 50,000.

Mr. LANGER. And there are 15,000 now?

Mr. AIKEN. There were 15,574 on the 31st of December 1946.

Mr. LANGER. How many do they have now?

Mr. AIKEN. I do not know. I think there has been a slight reduction.

Mr. SALTONSTALL. Mr. President, will the Senator yield to me so that I may give the figures?

Mr. AIKEN. I yield.

Mr. SALTONSTALL. In December 1945 OPA had 37,464 employees; in July 1946 they had 33,330; in November 1946 they had 32,368; on December 15, 1946, 15,574, and in January 1947, 14,006.

Mr. AIKEN. There has been a slight reduction. Of the 15,000 or more, approximately 6,600 were engaged in rent control. From the studies which the Committee on Expenditures in the Executive Departments has made through its staff, the conclusion has been reached that if 3,000 of those employees were transferred to the Department of Commerce, using the facilities of that Department they could perform the same functions as the 6,600 are now performing.

Mr. LANGER. That would get rid of 3,000?

Mr. AIKEN. That is correct. We would also get rid of the over-all organization.

I want to give the OPA credit for doing much good work during the war in spite of the numberless aggravating mistakes they made; but I think the time has come—it had to come sometime—when temporary Government agencies must be dispensed with and the remaining functions transferred to regular establishments of the Government.

Mr. LANGER. When does the Senator think that time should arrive?

Mr. AIKEN. I think it is here, so far as the OPA is concerned.

Mr. LANGER. What is the objection to the proviso which the Senator from Arizona [Mr. HAYDEN] just mentioned?

Mr. AIKEN. I do not like it. I do not believe in eliminating the effectiveness of OPA by inserting a proviso which makes it impossible to function properly during the time it has left.

Mr. LANGER. How would it prevent them from functioning properly?

Mr. AIKEN. If they had to use the money appropriated for liquidation purposes, or paying terminal leave, or whatever it is called in the OPA, they would not be able to use the same amount of money in the performance of other duties. I agree with the Senator from New Hampshire [Mr. BRIDGES] that they could do their work for less money than they are doing it for now, but I think that some other agency of Government, particularly the Department of Commerce, could do it for probably a fourth as much as the work is now costing.

Mr. BRIDGES. Mr. President, if I may answer the distinguished Senator from North Dakota——

The PRESIDENT pro tempore. Does the Senator from Vermont yield?

Mr. AIKEN. I yield for that purpose.

Mr. BRIDGES. The bill as reported by the committee proposes to give OPA approximately $7,000,000 to pay all terminal leave obligations and approximately $6,000,000 for liquidation expenses, or a total of approximately $13,000,000. The bill also provides more than $4,000,000 for administrative expense. A part of the cost of liquidation may be involved in that sum. The total sum makes possible a continuation of operations until June 30, but on a very reduced scale as to personnel. In the meantime, we are in the process of liquidating the agency and paying the obligations involved.

The Senator from Kentucky [Mr. BARKLEY] objected to my using the figure of speech about employees "falling over each other." They will have plenty of room to move about in the various offices with the force we are giving them, but in my judgment there will still be a sufficient number of employees to perform the duties required by law, which, as the Senator from Vermont has said, will involve simply rent control on residences, sugar rationing, and rice rationing, until Congress can determine what it wants done with those subjects in the coming year.

Mr. AIKEN. The point I was raising was that in all probability the OPA, operating as a separate entity, cannot perform the functions on so greatly reduced a scale, but if the functions of rent control were transferred to the Department of Commerce, and sugar and rice control were transferred to the Department of Agriculture, it would be possible to continue such controls at approximately 25 percent of the cost which would be entailed if OPA were retained as a separate agency.

Mr. LANGER. Mr. President, will the Senator yield for another question?

Mr. AIKEN. I yield.

Mr. LANGER. Does that statement mean that the personnel will be reduced 75 percent?

Mr. AIKEN. Yes, if the functions are transferred to other departments of government; but not if the OPA is retained as a separate agency.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. BRIDGES. Under the committee's provision, even as a separate agency, OPA would be reduced by 75 percent. The only question between the Senator from Vermont and myself is that he prefers to have the functions, when the reduction is made, placed in the hands of some other agency rather than in the hands of the OPA until it is transferred.

Mr. AIKEN. I maintain that in all probability the OPA cannot perform its duties with a 75-percent reduction, but that if its duties were transferred to regular departments of the Government they could be administered.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. HAYDEN. Is there any legislation or any prospect of legislation providing for what the Senator is suggesting? As matters now stand, certain bills provide for the control of sugar rationing and the rationing of other commodities?

Mr. AIKEN. Yes.

Mr. HAYDEN. But no action has been taken. The Senate has nothing before it to indicate what will be the recommendations of the committees. In the meantime, the Committee on Appropriations reports a bill with a proviso tying up the money for the OPA in terminal leave and liquidation activities, so

reducing the sum that the OPA cannot function, according to the testimony before the committee, beyond the 30th day of next month or about 6 weeks from now. If Congress does not do something by that time there will be no rent control and there will be no sugar rationing. It will all be over, because there will be no money to pay the personnel to carry on.

Mr. AIKEN. I agree with the Senator from Arizona.

Mr. HAYDEN. If that be the case, I do not see why we should tie the subject up in that kind of a package, with the proviso that the OPA must use the money for liquidation and not for operation. Without this directive it would be possible to carry on until Congress can enact appropriate legislation providing that rent control shall be transferred to a certain agency and that sugar rationing shall be transferred to another agency, and directing that the remaining appropriations and personnel be transferred to such agencies so as to enable them to do that work.

We are now acting absolutely in the dark; and any Senator who votes for the proviso, votes to kill rent control on the 30th of April, because under the proviso there is no way that the intention of Congress can be carried out except by killing rent control and killing sugar rationing on that date. Let us be frank about it.

Mr. TAFT. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield.

Mr. TAFT. Sugar rationing will be through by March 31, and we shall have a sugar rationing bill by that time. There is no reason why we should not have a rent control bill by the 30th of April. The adoption of the proviso is the way to stop the operations of this agency. If the proviso is deleted, the agency will be back for more money.

Mr. HAYDEN. Oh, no.

Mr. TAFT. It absolutely will be back for more money. If we delete this proviso, the agency will be able to come back to Congress for more money, and will do so, of course.

Mr. HAYDEN. Mr. President, the Senator from Ohio is entirely mistaken about that.

Mr. AIKEN. Mr. President, I agree with the Senator from Ohio that the Congress should act without delay upon rent control and sugar rationing. I do not think we can act too soon upon those two important matters; and when we act upon them, I think we should transfer enforcement of those controls to other agencies of the Government. In the meantime, I think the OPA should have adequate funds with which to perform the duties required of it under the law.

Mr. HAYDEN. I am in entire accord with the views expressed by the Senator.

Mr. AIKEN. I do not like this amendment.

Mr. HAYDEN. I am in entire accord with the Senator's views.

Mr. President, when the Congress passes a bill relating to rent control, regardless of where the appropriation for it may be made, Congress can provide in the bill that the money shall go along with the functions. We shall not lose anything if we proceed in that way. But if by this proviso the Congress directs that the money can be spent only for terminal leave and liquidation expenses, and if no provision is made for sufficient money to enable the agency to carry on its legitimate functions, it must quit. That is all it can do if it obeys the intent of Congress.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Idaho striking out in the committee amendment the proviso at the bottom of page 6.

Mr. BRIDGES obtained the floor.

Mr. CORDON. Mr. President——

Mr. BRIDGES. I yield to the Senator from Oregon.

Mr. CORDON. I should like to inquire of the Senator from New Hampshire whether there is an error in the present wording of the proviso at the bottom of page 6 of the committee amendment. To explain my point, let me say it was my understanding at the committee meeting that the purpose of the proviso was to make available for liquidation expenses and terminal-leave costs all funds made available or remaining available or herein made available to the OPA.

The wording is:

Provided, That it is the intent of the Congress that all funds heretofore and herein appropriated shall be used to defray all expenses incident to the closing and liquidation of the Office of Price Administration and the Office of Temporary Controls by June 30, 1947.

Is it not the Senator's view, as it is mine, that the proper language should be:

That it is the intent of the Congress that the funds heretofore and herein appropriated shall include all expenses incident to the closing and liquidation of the Office of Price Administration and the Office of Temporary Controls by June 30, 1947.

Mr. BRIDGES. That is correct, and that is the way the language should read.

Mr. CORDON. At the appropriate time, I should like to offer an amendment to that effect.

Mr. BRIDGES. After the amendment of the Senator from Idaho is voted upon I think such an amendment would be in order. So far as I am concerned, I shall be delighted to accept it, because I think it clarifies the meaning.

The PRESIDENT pro tempore. In the opinion of the Chair, the language of the proviso should be perfected before the amendment of the Senator from Idaho to strike out the proviso is submitted to the Senate.

Mr. BRIDGES. Very well.

Mr. CORDON. Then, Mr. President, I offer the following amendment: In the committee amendment, on page 6, in line 22, strike out the word "all" and insert in lieu thereof the word "the"; and at the end of that line strike out the word "be." In line 23, on that page, strike out the words "used to defray", and insert in lieu thereof the word "include."

The PRESIDENT pro tempore. The proviso as it would read with the amendment just offered will be stated.

The legislative clerk read as follows:

Provided, That it is the intent of the Congress that the funds heretofore and herein appropriated shall include all expenses incident to the closing and liquidation of the Office of Price Administration and the Office of Temporary Controls by June 30, 1947.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Oregon to the committee amendment on page 6.

Mr. HAYDEN. Mr. President——

The PRESIDENT pro tempore. The Senator from Arizona is recognized.

Mr. HAYDEN. I wish to make inquiry as to the effect of the amendment to the committee amendment. As I read it now it is, again, an expression of a pious wish which carries no legal obligation at all. According to my view of the amendment, it would provide that the Office of Price Administration and the Office of Temporary Controls may use the funds herein appropriated, in part, or to such an extent as they may determine, to cover expenses incident to the closing and liquidation of the respective agencies, but they are not required to do so.

Mr. CORDON. Mr. President, the legal effect of the proviso has at least been stated by the chairman of the committee to be in accord with his view. My view of it is that it will at least be strongly binding upon the OPA, requiring it to follow the expressed wish of the Congress. As I view the amendment, if it be the expression of a pious wish, at least it is a pious wish exactly and correctly expressed; and as I recall the figures which were before the committee, if the agency follows that pious wish the result will be substantially as follows: The agency now has $15,000,000 of unused funds from existing appropriations. It estimates that it will need, in round figures, $12,700,000 to pay terminal leave and liquidation charges. That would leave $2,000,000 available for current and future expenses, to which there is added, in round numbers, $8,000,000, making a total of $10,000,000, exclusive of liquidation costs and terminal-leave costs, with which the OPA can continue in operation until the 30th day of June—or $2,000,000 a month. The OPA claims it is now spending, in round numbers, $5,100,000 a month.

Mr. HAYDEN. That is correct.

Mr. CORDON. However, it is also claimed that it will cost $5,700,000 for the OPA to quit. I do not mean that it will cost the OPA that much to pay wages or to pay accumulated leave; but I mean after the OPA has paid them, it will cost that much money, according to the claim, for the OPA to fold up and quit. I cannot understand how, based on any standard of economy, it can cost $5,700,000 for that agency to quit work. I believe it can quit with the expenditure of far less money, and I believe that whatever money is saved in connection with that operation will then be available to the OPA to be added to the $2,000,000 a month, thus maintaining a reasonable operation not only to the end of April, but into May, and, if necessary, to the end of June.

Mr. HAYDEN. Mr. President, I am no better qualified than is the Senator from Oregon to express an opinion as to what the cost of liquidation will be, but I know that personnel are required to cancel leases for offices, to gather up

equipment and sell it, to gather up papers and file them in the Archives, and to do all the other things that it is necessary to do, including making up pay rolls, and so forth. The estimate is $5,000,000. The effect of the amendment, if its provisions should be carried out in good faith, would be to cut down by three-fifths the operation of rent control and of sugar rationing, for, according to the Senator's figure, the force now used in carrying forward the activities of the OPA in connection with rent control and sugar rationing and its other activities would be cut by three-fifths.

Mr. CORDON. If I may answer the question, if we prorate the available funds over 4 months, that is correct. There is no requirement, however, that they be prorated on an average basis. There may be $4,000,000 used in March, $3,000,000 in April, $2,000,000 in May, and one million in June, and there would still be used the same amount of money. There is ample latitude for the Administrator to continue the job which he is now doing, that of reducing the field force and the office force. He says he can reduce it, and as he does reduce it, he needs less money.

Mr. HAYDEN. It is not possible to liquidate the Boston office and at the same time operate it. Those two things simply cannot be done at the same time. As I pointed out awhile ago, either the office has to be continued to carry on rent control in the city of Boston until the 30th of June, or it will be necessary to liquidate the office, whether it is done in April or May or some other time. It has to be done with all other offices in the United States in the same way.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submittted by the Senator from Oregon [Mr. CORDON] to the committee amendment.

Mr. LUCAS. Mr. President, I have attempted to analyze the amendment which has been reported by the Committee on Appropriations, in the hope that I could go along with the committee; but it seems to me that what we are asked to do would cripple the services of the OPA insofar as any real enforcement of rent control or sugar rationing is concerned. That is especially true if the funds which they have will not enable them to carry on in an efficient way beyond April 30, as is set forth in the letter from General Fleming to the distinguished Senator from New Hampshire [Mr. BRIDGES].

I undertake to say that there is not any evidence before the committee or the Senate on which anyone can make a fair guess as to the number of employees it will take to carry on in an efficient manner the functions of rent control. I am inclined to believe that the agency should be supplied with sufficient personnel to enable it to carry on its work until at least the 30th of June, the date of the termination of the Office of Price Administration.

Why all this rush, Mr. President? Only 2 months or so remain before the OPA will expire, or before whatever is left of it will be transferred to some other Government agency. It is rather strange to see intelligent men rushing forward to cut these appropriations, as is being done now, in order to kill off completely the OPA.

Today there are being considered before the Committee on Banking and Currency bills to increase the amount of rent which may be charged by landlords. I think there is merit in some of the bills which are now before the committee, but I do not think there is anyone who wants to kill rent control completely, and that is exactly what is being done in the pending appropriation bill. When the efficient enforcement of rent control is destroyed as of April 30 and there is no personnel whatever of any kind to carry on enforcement activities of that agency, we might as well say that rent control in this country is at an end.

There will remain on the statute books a law penalizing severely landlords who violate it, yet there will be no one in Boston, Chicago, Detroit, or St. Louis, or any other regional office with the personnel to do anything whatever about the enforcement of that law from April 30 to June 30. It is preposterous to have a law with criminal penalties without any machinery for enforcement. That is the truth of the matter, and there is no way of escaping it. This is the beginning, by a back door method, of destroying rent control. If that is the purpose it should not be effectuated by indirect methods.

Those who favor such a course should come forward with a bill, let the Senate debate it pro and con, and decide whether it wants to continue sugar control, whether it wants to continue rent control, or any other control that is in existence at the present time.

Such proposals are frequently made by the Committee on Appropriations of the Senate. Instead of letting the proper legislative committee propose a bill, they take it upon themselves to put some agency out of existence by denying it the proper appropriation.

Mr. MYERS. Mr. President, will the Senator from Illinois yield?

Mr. LUCAS. I yield to the Senator from Pennsylvania.

Mr. MYERS. Then, am I to understand the Senator from Illinois to mean that it is his interpretation that a vote against the Taylor amendment is a vote against effective rent control as of April 1, 1947?

Mr. LUCAS. That is my own opinion about it.

Mr. MYERS. I am perfectly in accord with the Senator's opinion. That is my own opinion.

Mr. LUCAS. That is my opinion about the matter. I must reach that conclusion after I carefully analyze the letter which has been written by General Fleming, who is now in charge of the agency affected.

Mr. HAYDEN. Mr. President, will the Senator from Illinois yield?

Mr. LUCAS. I yield to the Senator from Arizona.

Mr. HAYDEN. I wish to invite the attention of the Senator and of the Senate to the fact that if we adopt the pending amendment General Fleming, as the responsible executive officer, will construe it to mean that he must close down rent control and close down sugar rationing on the 30th day of April, as the only way in which he can carry out the directive. If we understand that and know what we are doing, it is all right with me.

Mr. LUCAS. I will say, with all due deference to the ruling of the Chair—and I think he is correct in it—in view of the fact that OPA has taken a continuous pounding by the Senate of the United States for failure to carry out the intent of the Congress, if I were in Philip Fleming's place I would follow out the letter of the proviso.

Mr. HILL. Mr. President, is it not true that the Senate Committee on Banking and Currency is the committee which has jurisdiction over the matter of controls, rent control and the other controls?

Mr. LUCAS. The Senator is correct.

Mr. HILL. And that that committee, or a subcommittee has been studying the matter ever since the present Congress met, and from what we see in the newspapers, is not that committee about ready to render its decision as to what it thinks should be done?

Mr. LUCAS. That is correct.

Mr. HILL. Yet, without waiting for the decision of the proper committee, the committee which has studied the matter, the committee whose business it is to suggest legislation on the subject, we are asked this afternoon, in considering the pending appropriation bill, to stamp out rent and other controls.

Mr. LUCAS. The Senator is absolutely correct on that score, and that is what I said a moment ago with respect to rent control. That is one of the last controls that is left in the United States. If we had plenty of sugar at the present time there would be no rationing of sugar; but, so far as I know, no one wants the complete abandonment of control over rents. There are many bills before the Committee on Banking and Currency with respect to an increase in rent charges, many of which in my opinion have merit. But speaking directly to my able friend from New Hampshire, for whom I have great affection, I say that just so surely as this amendment shall be agreed to, we will find on April 30 that there will be no rent control whatever in this country. One office after another will be completely closed, or at least will have working only a skeleton force which will not be worth talking about so far as any real enforcement is concerned. Just so surely as rent control is broken down during May and June, then when an attempt is made to restablish it, the situation will be reminiscent of what happened last year. Senators recall, no doubt, what happened last year in the case of OPA after we took off the controls and then attempted to reestablish them. It just did not work, and this will not work either.

I hope that the Senator from New Hampshire will withdraw the committee amendment, because of the ruling of the Chair, who emphatically states that this proviso means nothing, and yet I am certain the agencies responsible for its administration are bound to construe it in the manner stated by the Senator from Arizona.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BRIDGES. Has the Senator concluded?

Mr. LUCAS. I have not concluded; but I shall be glad to yield.

Mr. BRIDGES. I merely desire to keep the record straight. I do not desire to ask the Senator a question, but I should like to straighten out the record a little, if I may.

Mr. LUCAS. I would be pleased to have the record straightened out.

Mr. BRIDGES. The Senate Committee on Appropriations did not voluntarily come in with this provision. How did it originate? The OPA themselves came before the Congress and in effect said, "We have violated the law; we have violated title 31 of section 665 of the United States Code." That being so, the officials are subject to the penalty of imprisonment, and drastic action may be taken. Let me say to the Senator, the departments of the Government for 15 years have been operating on a deficit basis. They do not know how to live within their appropriations, and many of them frankly do not intend to do so.

This issue was not raised by the Senate or by the Senate Committee on Appropriations; it was raised by the OPA. Why? Because they had violated the laws of the land by spending more money than the law authorized; after which they came forward with requests for deficiency appropriations.

The Senator has stated that a vote for this measure is the beginning of the end of rent control. I say that that is incorrect. A vote for it is a beginning of the end of OPA; I admit that; but not of rent control. Of course, they can carry on. Let us be fair. Let us take the Washington office. Turning to the House hearings, at page 80, whom do we find they have employed in the Washington office?

Mr. LUCAS. Mr. President, do I have the floor?

The PRESIDENT pro tempore. The Senator from Illinois had the floor. He has yielded. He may reclaim the floor if he wishes to do so.

Mr. LUCAS. I merely wondered if I had the floor.

Mr. BRIDGES. I told the Senator I was not asking a question; but I should like the courtesy of being permitted to explain the position.

Mr. LUCAS. That is perfectly all right. Go right ahead.

Mr. BRIDGES. In the Washington office there are 914 employees receiving in excess of $4,000 a year. There are but 851 employees of less than executive status. In other words, there are more executives than there are ordinary employees in the Washington office. That is a deplorable condition—there are more generals than privates.

Let us look at some of them. On page 80 of the House hearings there are listed 122 economists. We are told that the only thing that is being done is the work of rent control; the only things they are doing are rice rationing and sugar rationing. Why do they need 122 economists, if all that is being done is to regulate those three things?

Looking further down the list, we find graphic analysts, executive officers, training specialists—employees are still being trained—commodity standards specialists; historians. There is almost an entire group of historians working in the Washington office at the present time. There are employees of all kinds—personnel officers, archivists—I do not know what they are, but there are quite a number of them on the pay roll, all in big executive jobs, all receiving more than $4,000 a year. In the Washington office I repeat, there are more executives than there are ordinary personnel. That holds true throughout OPA.

Let no one tell me that it is impossible to cut down the personnel of OPA and still have it operate in an efficient manner, performing the job that has been given it to do, which is to perform only those three functions until June 30.

Mr. LUCAS. Mr. President, I shall not detain the Senate much longer. If it is desired to cut off OPA at the roots, at this particular time, I can stand it. I shall be able to get along. But I believe that the country would be better satisfied if we liquidated OPA in an orderly and systematic fashion. That is all I am advocating.

I make the prophecy that if this amendment is adopted, OPA will for all intents and purposes be completely out of business on April 30. We will experience a total break-down in the rent controls throughout the country.

Mr. President, I respectfully submit that this is not the way to eliminate rent and sugar controls. Once the enforcement agency is put out of business, it will never again function. I suspect that is exactly what is wanted by some Senators, but that is not the way that I would do it. That is especially true, in view of what the Committee on Banking and Currency is doing now with respect to the bills which have been introduced, seeking to raise rents by a percentage, but not abolishing rent control altogether.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Oregon [Mr. CORDON].

The amendment was agreed to.

The PRESIDENT pro tempore. The question now recurs on the motion of the Senator from Idaho [Mr. TAYLOR], to strike out the proviso at the bottom of page 6, as amended.

Mr. HAYDEN. Let us have the yeas and nays.

Mr. BRIDGES. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WHITE. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

Aiken	Donnell	Jenner
Baldwin	Dworshak	Johnson, Colo.
Ball	Ecton	Johnston, S. C.
Barkley	Ellender	Kem
Brewster	Ferguson	Kilgore
Bricker	Flanders	Knowland
Bridges	Fulbright	Langer
Brooks	George	Lodge
Buck	Green	Lucas
Bushfield	Gurney	McCarran
Butler	Hatch	McCarthy
Byrd	Hawkes	McClellan
Cain	Hayden	McFarland
Capehart	Hickenlooper	McGrath
Capper	Hill	McKellar
Chavez	Hoey	McMahon
Cooper	Holland	Magnuson
Cordon	Ives	Malone
Martin	Pepper	Thye
Maybank	Revercomb	Tobey
Millikin	Robertson, Va.	Umstead
Moore	Russell	Vandenberg
Morse	Saltonstall	Wagner
Murray	Sparkman	Wherry
Myers	Stewart	White
O'Conor	Taft	Wiley
O'Daniel	Taylor	Williams
O'Mahoney	Thomas, Okla.	Wilson
Overton	Thomas, Utah	Young

The PRESIDENT pro tempore. Eighty-seven Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment of the Senator from Idaho [Mr. TAYLOR] to strike out the proviso at the bottom of page 6, as amended. On this question the yeas and nays have been ordered.

Mr. HAYDEN. Mr. President, I should like to state for the information of Senators who have just come into the Senate Chamber the effect of the adoption of the proviso. According to the testimony before our committee and according to the letter written by General Fleming, he will carry out the intent of Congress, but in order to do so he will pay out some $7,000,000 in terminal leave and liquidation will cost about $5,000,000, which means that sugar rationing and rent control will come to an end on the 30th day of April. If Senators want to cut off sugar rationing and rent control on the 30th of April, they should vote "nay" on the pending question. If Senators want to have sugar rationing and rent control carried on in a reasonable way until Congress can act, then they should vote to strike out the proviso.

Mr. TAFT. Mr. President, I merely wish to point out that so far as sugar rationing is concerned, it ends on the 31st of March, anyway, and we have to pass a sugar bill before the 31st of March if we wish to have the sugar rationing continued, because the Second War Powers Act has expired.

So far as rent control is concerned, there is no reason whatever why we should not decide what our policy with respect to rent control shall be before the 30th of April.

Mr. HAYDEN. The Senator from Ohio does not disagree with me, however, that the administrative authority, for whom we are making this appropriation, serves notice on the Congress now that in good conscience we should know what he intends to do in the carrying out of this proviso, which is to bring these two controls to an end on the 30th of April.

Mr. LODGE. Mr. President, during the years I was a member of the Appropriations Committee, I often heard some of the executives of Government agencies state that they could not do this or could not do that unless they were granted a certain amount of money. I am sure they were often very sincere in such statements. Yet it is remarkable what can be done when the old American spirit of improvisation is invoked. So I do not think we can accept didactic statements on either side of this question exactly as they are written.

I was a little late in coming into the Senate Chamber because I had some other business to attend to. I should like to ask the Senator from New Hampshire one or two questions to clarify the subject in my mind. As I understand,

$9,000,000 was asked for, but was not allowed by the House. Is that correct?

Mr. BRIDGES. No. When OPA came before the House they said they had approximately $9,000,000, and then they asked for a sum of $5,290,000 in a new appropriation. What the House did was to deny them the appropriation and make a rescission, that is, the House provided that they should pay back into the Treasury $9,000,000, which in effect would have closed their doors on February 28.

Mr. LODGE. The point on which I am trying to get enlightenment is this: On page 2 of the report the statement is made, and I do not see that it is challenged anywhere, that an appropriation of approximately $8,000,000 is to be made to permit the OPA to carry on until June 30, 1947, and to provide for the liquidation activities and the payment of all terminal leaves. That indicates to me that the activities could be continued until June 30, 1947. Is that correct?

Mr. BRIDGES. That is correct.

Mr. LODGE. Then it is evident that the contention that OPA could continue only until April 30, 1947, is simply a mere matter of opinion?

Mr. BRIDGES. That is correct.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Idaho [Mr. TAYLOR] to strike out the proviso as amended.

Mr. THOMAS of Oklahoma. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. THOMAS of Oklahoma. Is it not a fact that the lines proposed to be eliminated are now in the bill? Therefore the question is whether those lines shall remain in the bill. Senators who favor the retention of the lines, which mean the proviso, should vote "yea," and those opposed to the retention of the lines should vote "nay"?

The PRESIDENT pro tempore. That is not the Chair's understanding of the situation. The Senator from Idaho has offered an amendment striking out the proviso. Therefore the question is submitted in this form. Those who wish to strike out the proviso will vote "yea". Those who wish to retain the proviso will vote "nay."

The clerk will call the roll.

Mr. TAYLOR. Mr. President——

The legislative clerk proceeded to call the roll, and Mr. AIKEN voted "yea" when his name was called.

Mr. TAYLOR. Mr. President, in view of the Chair's ruling that the proviso as it now stands merely expresses a pious wish, it seems to me to be passing strange that the Congress should undertake to enact legislation that really has no meaning and will be confusing to everyone, including the agency at which it is aimed. If we are going to indulge in that kind of practice perhaps we had better install on the floor of the Senate in front of the desk, a wishing well, where we can throw such legislation.

Mr. BREWSTER. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BREWSTER. I understood the call of the roll had been begun, and that the Senator from Vermont [Mr. AIKEN] had voted "yea" when his name was called.

The PRESIDENT pro tempore. The Senator from Idaho addressed the Chair before the vote started. In the opinion of the Chair the Senator from Idaho is entitled to proceed.

Mr. TAYLOR. Mr. President, I mean to say that if——

Mr. AIKEN. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. AIKEN. Does my vote stand?

The PRESIDENT pro tempore. The Senator's vote does not stand. If the Senator responded, the vote does not stand. The roll call will start from the beginning when it is called.

Mr. AIKEN. I thank the Chair.

The PRESIDENT pro tempore. The Senator from Idaho may proceed.

Mr. TAYLOR. Mr. President, I am a member of the Committee on Banking and Currency. As has been previously pointed out, we have been considering the subject of rent control for a number of weeks and have done much work on it. If now we are to kill rent control by indirection, it will make all the work which we have been doing in the committee a complete loss, and will make a farce of the whole operation.

As I understand, the Reorganization Act is specifically against the idea of legislating on appropriation bills. It was most gratifying to me a moment ago to hear the Senator from Nebraska [Mr. WHERRY] try to get out from under the responsibility for killing OPA last summer by stating that the President killed OPA.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. TAYLOR. I am happy to yield.

Mr. WHERRY. I asked the question, if it was not true that the President killed OPA. I am not trying to get out from under anything.

Mr. TAYLOR. I did not so understand the Senator.

Mr. WHERRY. I asked the question, Did not the President kill OPA? Let the Senator answer the question.

Mr. TAYLOR. I did not so understand the Senator.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. TAYLOR. I yield.

Mr. TOBEY. Who killed Cock Robin?

Mr. TAYLOR. Mr. President, this is the first time I ever heard the Senator from Nebraska when he was willing to share honors with the President of the United States on the question of who killed OPA. I distinctly remember the Senator from Nebraska and the distinguished Senator from Ohio [Mr. TAFT] almost coming to blows on the other side of the aisle over who should have the greatest honor in killing OPA.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. TAYLOR. I yield.

Mr. WHERRY. The Senator from Texas [Mr. O'DANIEL] wanted the honor.

Mr. TAYLOR. He wanted to participate, but he did not take part in the argument between the Senator from Nebraska and the Senator from Ohio. That was one of the most heated arguments I have ever heard on the floor of the Senate. The argument was over the question who had been most influential in scuttling OPA. Both Senators wanted the honor. The time seems to have come when they are not so anxious to have the honor, and they are willing to take President Truman in and share the honor with him. The chickens are coming home to roost. Prices are going out through the roof of the hen house, and it is time to take to the tall timber, hide out in the tules, and try to become pygmies in the pigweeds to confuse the issue further.

Let us not allow the same thing to happen again. OPA was killed with amendments last summer. Of course, we tried to revive it, but it simply would not work. Sure enough, the President had to inter the corpse, but let us not have the same thing happen again. Let us make it clear that on this amendment a vote to retain the proviso as it is is a vote to kill OPA as of April 30, according to General Fleming.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Idaho [Mr. TAYLOR], to strike out the proviso beginning in line 21, on page 6, as amended. On this question the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. WHERRY. I announce that the Senator from Kansas [Mr. REED] is necessarily absent and is paired with the Senator from New York [Mr. WAGNER].

The Senator from New Jersey [Mr. SMITH] is absent because of illness and the Senator from Wyoming [Mr. ROBERTSON] is necessarily absent on State business.

Mr. LUCAS. I announce that the Senator from Texas [Mr. CONNALLY] is en route to Waco, Tex., to be present on the occasion of the awarding of an honorary degree to President Truman by Baylor University on Thursday, March 6. The Senator from Texas is an alumnus of Baylor University.

The Senator from Mississippi [Mr. EASTLAND] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from California [Mr. DOWNEY] and the Senator from Maryland [Mr. TYDINGS] are absent because of illness.

The Senator from New York [Mr. WAGNER] has a general pair with the Senator from Kansas [Mr. REED].

If present and voting, the Senator from California [Mr. DOWNEY] and the Senator from New York [Mr. WAGNER] would vote "yea."

The result was announced—yeas 29, nays 58, as follows:

YEAS—29

Aiken	Holland	O'Mahoney
Barkley	Kilgore	Pepper
Chavez	Lucas	Robertson, Va.
Ellender	McFarland	Russell
Fulbright	McGrath	Sparkman
Green	McMahon	Stewart
Hatch	Magnuson	Taylor
Hayden	Murray	Thomas, Utah
Hill	Myers	Umstead
Hoey	O'Conor	

NAYS—58

Baldwin	George	Moore
Ball	Gurney	Morse
Brewster	Hawkes	O'Daniel
Bricker	Hickenlooper	Overton
Bridges	Ives	Revercomb
Brooks	Jenner	Saltonstall
Buck	Johnson, Colo.	Taft
Bushfield	Johnston, S. C.	Thomas, Okla.
Butler	Kem	Thye
Byrd	Knowland	Tobey
Cain	Langer	Vandenberg
Capehart	Lodge	Watkins
Capper	McCarran	Wherry
Cooper	McCarthy	White
Cordon	McClellan	Wiley
Donnell	McKellar	Williams
Dworshak	Malone	Wilson
Ecton	Martin	Young
Ferguson	Maybank	
Flanders	Millikin	

NOT VOTING—8

Connally	Reed	Tydings
Downey	Robertson, Wyo.	Wagner
Eastland	Smith	

So Mr. TAYLOR's amendment was rejected.

The PRESIDENT pro tempore. Does the Senator from Idaho wish to offer his other amendment now?

Mr. TAYLOR. No. As I understand, the other amendment should be offered at a later time.

The PRESIDENT pro tempore. If the Senator wishes to change the amount in this section he should offer his amendment now.

Mr. TAYLOR. No, Mr. President.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment on page 6, beginning in line 21, as amended.

The amendment as amended was agreed to.

AMERICAN AIR POWER

Mr. McCARRAN. Mr. President, on several occasions in the past I have drawn the attention of the Senate to conditions existing with reference to American air power abroad. An article entitled "Will Russia Rule the Air?" by W. B. Courtney, appearing in Collier's magazine of January 25, 1947, is most interesting and should be brought to the attention of the Congress. The subtitle, reading as follows, is especially interesting:

Who dominates the ocean of the air will control the world tomorrow. The race is on. It's conceivable that we could lose it—other nations are already leaving us behind. Here are startling facts—a survey of supreme importance to the future of every American.

I ask unanimous consent that the article be included in the RECORD, in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILL RUSSIA RULE THE AIR?

(By W. B. Courtney)

(Who dominates the ocean of the air will control the world tomorrow. The race is on. It's conceivable that we could lose it—other nations are already leaving us behind. Here are startling facts—a survey of supreme importance to the future of every American.)

One hundred and seventy-two years ago come April 18, on a night when danger threatened, a patriot hung two lanterns in the tower of the Old North Church in Boston.

Every American child early learns the story. The lanterns were a prearranged signal for which Paul Revere watched from the opposite shore—"Ready to ride and spread the alarm. One, if by land, and two, if by sea."

Their faint gleams across the dark Charles River, summoning the country folk to assemble, united against a common peril, have never gone out. The light they made in that New England spring midnight has lived as a spiritually illuminated call for Americans, old and new, of whatever race or faith, to unite.

The time has come to hang a third lantern aloft.

For the Old North Church, substitute the Capitol in Washington. For the patriot of 1775, substitute the Eightieth Congress of the United States. And to the two lanterns add the third for "if by air."

We've got to get together again.

In the air, a grave hazard is clouding over the United States today.

The danger is not, primarily, one of war.

There is a justification for a hope—if not yet for a firm belief—that war may have gone for good. But the possibility of war, and its unsure fortunes, must still be reckoned an unpredictable part of the future of any nation.

The danger, for the time being, lurks in peace. All thinking men know that peace must bear inherent risks and problems no less complex than those of war. The United States can lessen those risks. Little needs to be done; just a resolute uniting—akin to Concord and Lexington. The means are in our hands. We invented and developed them.

Unfortunately, they are not in our hands alone. During the war we shared our means with friends who, becoming our rivals in peace, have turned them against us. In an economic and political sense their widespread custody now stiffens the talk of foreign statesmen and the confidence of foreign militarists. The greatest stalling in diplomatic history is now taking place. It has this reason behind it:

Our third lantern is to signal not the imminent approach of a foe by stealth in the night but the first lap of a race. It is a great world race, paced by historic precedents. It is no less an actual race because it has not yet reached full public knowledge and debate. It is supremely necessary, then, for Americans to recognize the race.

This race is for command of another ocean, upon the shore of which mankind now chafes; the ocean of the air—the ocean with the coast line that stands on edge. Its conquest requires vision, but is no longer visionary. The beach has been consolidated. Brain, courage, and soul brought man to it. Now he is preparing to shove off.

The stake is prodigious.

Victory in the race will gain for the winner moral, economic, and political world leadership.

The race can be won without another war. The United States had the best chance of winning it. But the United States is no longer running in first place. Only three nations have the requisite might, size, and resources to compete at all—Great Britain, Russia, and the United States.

The recent war did not cause the three-way race, although the last bomb dropped on the Axis was its starting gun. What the war did was lend urgency to fantastic advances of science which, becoming available for use or misuse by governments, made such a race inevitable. For shadows, rising out of long past centuries, had written an old lesson in new skies. It is that a basic new world pattern begins to unfold in men's affairs with each advent of a truly revolutionary basic new power.

The new power is air power—suddenly full grown by the infusion of atomic power. Not air power in its partial military sense, but in its complete sense of airfaring; in the sense of the relationship that sea power bore to the importance of seafaring nations.

Before the dawn of history, man guided his boats along coastal outlines; or, at the most venturesome, to visible islands. He was afraid to leave the familiar sight of land. About 2000 B. C., from the land of Canaan on the eastern Mediterranean, the Phoenicians took the most imaginative and daring step of ancient times, and pushed out straight across the markless waters.

ADVENT OF INTERNATIONALISM

A new power was born—sea power. A new character was made available for nations—seafaring. A new relationship between ocean-separated countries was created—the first genuine internationalism.

The seafaring Phoenicians ruled Mediterranean commerce, and even traded as far away as the East Indies and the Baltic. Greece, Rome, Turkey, and the Italian city states were helped by sea power in their flourishing years; and the seafaring Hanseatic League spread prosperity through north Europe. By the sixteenth century the race for leadership in the design then fully spread out by the seafaring age of discovery was intense. England finally won command of the ocean of water that had fixed the pattern; and held it against Holland, Denmark, France, and Germany.

England's dominion for 300 years over palm and pine in world affairs, her famous balance of power policy, were rooted in command of the ocean.

The parallels are inescapably plain.

The winner of air-ocean command will be the Britannia of future years; but immensely more potent on this shrunken globe. The lesser airfaring nations will subsist by her grace.

POLITICAL SWING AS SHOWN BY GALLUP POLL

Mr. JOHNSTON of South Carolina. Mr. President, earlier today the senior Senator from New Mexico [Mr. HATCH] had something to say in regard to the failure of some persons to appreciate the work the President of the United States is doing today. I think the people as a whole appreciate what he is doing. In that connection let me say that I hold in my hand the Gallup poll which was published today in the Washington Post. It reads as follows:

THE GALLUP POLL—DEMOCRATS IN SHARP RALLY; NOW POLL 51 PERCENT IN SURVEY—PARTY STATUS GAINS 6 PERCENTAGE POINTS SINCE RECENT LOW

(By George Gallup, director, American Institute of Public Opinion)

PRINCETON, N. J., March 4.—Republican leaders who have been viewing the 1948 Presidential election picture with rose-colored glasses had better take them off.

For the swing of voters' sentiment in recent weeks has been back toward the Democratic Party—sharply.

In fact, if a Presidential election were being held today, 51 percent—a majority—say they would prefer to cast their votes for the Democratic Party, 49 percent for the Republican Party.

This means that the Democratic Party has regained in Presidential party support 6 percentage points from its post-Roosevelt low right after the November elections.

A lot will of course depend on the candidates, both the Republican and the Democratic, and the question of candidates was not a part of today's survey.

HAS SLIGHT MAJORITY

The facts in today's story are based on a question dealing with party preferences in a Presidential election today—aside from who the candidates may be.

Research experience during the past 11 years indicates that polls of this kind provide the best index of party strength throughout the Nation.

Democratic Party strength sagged to its lowest point in a poll by the institute right after the November elections. At that time,

45 percent said they would prefer a Democrat in a Presidential election then.

From that point on, Democratic Party strength has been climbing.

These facts are shown in the following table giving replies in periodic surveys on the question:

"If a Presidential election were being held today, which party would you vote for—the Democratic or the Republican?"

Major party vote

	Democratic	Republican
	Percent	*Percent*
1944 election	54	46
August 1945	58	42
February 1946	55	45
May	52½	47½
July	49	51
September	50	50
October	47	53
November (postelection)	45	55
December	47	53
January 1947	50	50
Today	51	49

Certainly one of the contributing factors (but not necessarily the primary one) in the Democratic recovery as shown above is the rising popularity of President Truman, who was found at an all-time low in popularity before the November elections.

From a low in October of 32 percent approving the way Mr. Truman was handling his job, the President's rating soared 16 percentage points—to 48 percent. This rise was reported by the institute in early February.

Whether the movement toward the Democratic Party will continue is a question which only the future can answer.

Meanwhile, the Democrats find themselves in a vastly different position today from what they were a few short months ago, when some observers were handing the Presidency to anyone the Republicans might choose to put up.

Readers should be reminded that it is not popular votes but electoral votes which elect Presidents. Because of the peculiar situation which exists in the South, where the overwhelming majority of popular votes go to the Democratic candidate, the Democrats normally need slightly more than 50 percent of the popular vote for the Nation as a whole in order to win enough electoral votes to elect their man.

Mr. President, if my memory serves me correctly, a former Gallup poll was quoted by the Republicans last year, just before the election, almost as if it were the Bible.

In the Gallup poll which I have just read to the Senate, I notice that Mr. Truman's rating has risen 16 percentage points. I think it would be well to call the attention of the Nation to what the people are thinking about the President. I wish it were possible to print in the CONGRESSIONAL RECORD the picture which appears at the top of the article I have read, for it is most informative. However, I understand it is not possible to have illustrations printed in the RECORD. That is unfortunate, for I believe the picture would convey an excellent idea of the swing in the sentiment of the people throughout the Nation.

Immediately after the election I predicted that the Senators across the aisle would handle matters in such a way that when they got through labor would not be satisfied, capital would not be satisfied, and nobody would be satisfied. I think that prediction has about come true. If we give them a few more months, we shall not have to even make any speeches when the campaign begins in 1948.

NOMINATION OF DAVID E. LILIENTHAL

Mr. STEWART. Mr. President, I desire to read a letter which is of interest in connection with the matter of the confirmation of the nomination of David E. Lilienthal. The letter turned up during the hearings before the Senate section of the Joint Committee on Atomic Energy. The letter is from the Commerce Clearing House, Inc., of Chicago. It was filed in the record of the hearings before that committee the other day by Mr. Lilienthal himself, according to my information, and it was done in an effort to explain why Mr. Lilienthal, in violation of the plain provisions of Wisconsin law, was receiving compensation from two sources at the same time. In other words, he had a position on the Wisconsin Public Service Commission, under the State of Wisconsin, and at the same time he continued to represent the Commerce Clearing House, of Chicago, a client of his.

The letter is dated February 5, 1931. I call attention to that date because it is exactly 7 days before Mr. Lilienthal was employed by the State of Wisconsin to serve the Wisconsin Public Service Commission, then called the Wisconsin Railroad Commission. The letter reads as follows:

COMMERCE CLEARING HOUSE, INC.,
Chicago, February 5, 1931.

DEAR MR. LILIENTHAL: Following your report to me yesterday that you would like to accept the position of member of the Wisconsin Railroad Commission, provided your appointment is confirmed, I am glad to inform you that we should be willing to give you a leave of absence for a year, with an option to renew the absence the second year.

It is understood that you will render no personal services for us during this period and will receive no compensation from us. The editorial work heretofore performed by you and carried on in your office by assistants under your direction is to be continued by them during your absence, pursuant to this arrangement.

Your present weekly check from us of $385 will be reduced initially to $240 per week. This check will be drawn directly to you to avoid unnecessary bookkeeping and is to reimburse you for liabilities (such as rent, salaries, etc.) heretofore assumed by you primarily to carry on our work. In addition to such reimbursement, these weekly checks drawn to you during your absence will include a margin above reimbursement as part payment for your past services, particularly in the training of assistants to carry on this editorial work. We estimate this sum to be $2,000 per year, although it may be less. Your right to the reimbursement of payments above provided for is not, and will not, be in any way affected by the extent to which we market the service.

COMMERCE CLEARING HOUSE, INC.,
WM. KIXMILLER, *President.*

Accepted:

DAVID E. LILIENTHAL.

Mr. President, that concludes the letter. I read it in order to emphasize the fact that the young lady, whose name I do not recall now, but who testified at the hearings a few days ago and said she was Mr. Lilienthal's secretary at that time, stated that she and two other clerks worked in the office for Mr. Lilienthal before he was employed by the Wisconsin Railroad Commission and for 18 or 19 months thereafter, and that for that service to Mr. Lilienthal they were paid. Her salary, as I recall, was $28 a week, the second clerk received $24 a week, and the third about $17.50 a week, very small salaries.

I read this letter in corroboration of her testimony to the effect that for a year and a half, in violation of law, Mr. Lilienthal continued to draw compensation from the Commerce Clearing House, his client, during the period following his appointment on the Railroad Commission of Wisconsin.

Mr. KNOWLAND. Mr. President, will the Senator from Tennessee yield?

Mr. STEWART. I yield to the Senator from California.

Mr. KNOWLAND. I do not know whether the Senator has been closely following the hearings before the Senate section of the Atomic Energy Committee, but the evidence presented before that committee indicates quite clearly, I believe, that there was no effort to hide the fact that Mr. Lilienthal had such arrangements with the Commerce Clearing House. To the contrary, there is a telegram in the RECORD from the then Governor of Wisconsin, Phil La Follette, saying that a full disclosure had been made of these arrangements, and that they were well known. The testimony before the committee indicates that there was no attempt to hide the arrangement to which the Senator has referred, and the letter itself was offered as evidence before the committee by Mr. Lilienthal.

Mr. STEWART. I had understood the situation to be exactly as related by the Senator from California, but certainly he does not take the position that Governor La Follette had a right to give Mr. Lilienthal permission to violate the law.

Mr. KNOWLAND. No, and of course that would be a matter of interpretation. I do not think Mr. Lilienthal maintains, nor do I think the evidence supports the contention, that Governor La Follette gave any permission to violate the law of Wisconsin. To the contrary, the other interpretation which might be placed upon it is that there was no violation of the law of Wisconsin.

Mr. STEWART. The Senator read the law of Wisconsin that was placed in the RECORD, did he not?

Mr. KNOWLAND. Yes.

Mr. STEWART. It provided that no man should serve on the Railroad Commission who was employed in any other occupation.

Mr. KNOWLAND. I did not intend to get into a full-time debate on this subject at this time, except that I wanted to keep the record straight regarding the testimony before the committee.

Mr. STEWART. The Senator said it was a matter of interpretation, and I was proceeding to interpret it. When the law says no man can follow any other occupation, that covers every sort of situation that can be named. It means not only another position of public trust but any other employment. The purpose is manifold. But we will not take time to discuss it now. I read this letter to

emphasize the fact that Mr. Lilienthal served two masters, that he was otherwise employed at the same time he was employed by the Wisconsin Railroad Commission, that he was also accepting remuneration or fees by reason of being employed by a private concern, and that that was in violation of the absolutely plain wording of the Wisconsin law.

Mr. President, I should like to read an editorial which appeared in the Washington Times-Herald today, entitled "These Days," by George E. Sokolsky. He says:

Whatever may be Senator McKELLAR'S faults, he never sought patronage from TVA. Whatever may be the cause of his opposition to David Lilienthal, it has never been due to the fact that Lilienthal refused McKELLAR patronage.

Yet the lie has been spread, repeated, reiterated, retailed, and retold that McKELLAR is a patronage hunter and that Lilienthal is an angel-pure reformer who gives no patronage to Senators. Let's have a look at the record:

On February 19, 1945, before a senatorial committee, David Lilienthal testified:

"Mr. LILIENTHAL. I am convinced no one can point to any instance in which the TVA employees or anyone connected with TVA has participated in politics.

"Senator McKELLAR. I am equally confident that I have never attempted to introduce any political matter into the TVA from the very beginning to the present time."

On June 20, 1946, the following colloquy took place (the chairman is Senator McKELLAR):

"The CHAIRMAN. In 1945 you were present before the committee and I asked you a question and I want to ask that question again, now.

"Did I ever recommend any human being to you or to your authority, so far as you know, to hold any office in your organization or any position in your organization?"

Speaking of TVA:

"Mr. LILIENTHAL. Senator, so far as I can recall, and I think I would recall, you have never urged the appointment of any individual.

"The CHAIRMAN. I am sure that is correct, and I want to thank you for that statement.

"Mr. LILIENTHAL. If there are any exceptions I believe they would be purely formal recommendations."

The editorial continues and states that the committee had to investigate this proposition of patronage-seeking by Senator McKELLAR:

It has held hearings at which some lauded Lilienthal to the pearly gates of heaven beyond the just deserts of any human being, while other condemned him as a traitor in sheep's wool.

His friends assumed that anyone who praised him is a candidate for celestial honors, while those who opposed him are in a deep conspiracy to rob the United States of a great mind, a noble personality, a paragon of perfection.

Recital of hyperbole is not investigation.

The editorial then suggests that the committee should undertake an investigation of the Southern Conference for Human Welfare, which was adverted to before it. I know nothing about it. I was not present. The editorial continues:

In the early days of the New Deal, such congressional committees as those headed by Senator Hugo Black or Senator Robert La Follette were not so squeamish about the feelings of persons alive or dead. They investigated with a deep and barbed probe.

These current Republicans are either too lazy, too incompetent, or too gentlemanly. The fact is that they are investigating nothing.

It is important that the voters who elected these Republicans to office know that the Republican Senators, particularly some of the freshmen, are not functioning as a political party, but are individually submitting to pressures by so-called liberal groups which kept them out of office for 14 years and are splitting them into splinters with the object of achieving their defeat in 1948.

Mr. President, I ask that the remainder of the editorial be printed in the RECORD as a part of my remarks.

There being no objection, the remainder of the editorial was ordered to be printed in the RECORD, as follows:

The honeymoon for freshmen Senators is over. Some freshmen Senators, who are so wet behind the ears that they cannot read a bill without instruction, refuse to accept the advice, counsel, and direction of their elders, because they figure that they will shop around for support that will give them advantage in the New York City headlines and in the weeklies published in New York for national consumption.

In the Lilienthal matter, some of these boys are the carriers of the lie about McKELLAR's patronage, and they will have to keep far away from patronage themselves hereafter lest the adage concerning those who live in glass houses be applied to them.

URGENT DEFICIENCY APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 1968) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

The PRESIDENT pro tempore. The clerk will state the next amendment of the Committee on Appropriations.

The next amendment was, under the heading "Independent Offices," on page 7, after line 1, to insert:

FEDERAL SECURITY AGENCY

BUREAU OF EMPLOYEES' COMPENSATION

Employees' compensation fund: For an additional amount, fiscal year 1947, for "Employees' compensation fund", $3,474,000, to be expended in accordance with the provisions of Public Law No. 650, Seventy-ninth Congress, second session, and the Federal Employees' Compensation Act of 1916, as amended.

The amendment was agreed to.

The next amendment was, under the subhead "Veterans' Administration," on page 7, line 14, before the word "*Provided*," to strike out "$135,000,000" and insert "$165,000,000."

The amendment was agreed to.

The next amendment was, under the heading "Title II—Reductions in Appropriations and Authorizations—Executive Office of the President," on page 9, line 9, after the word "affairs," to strike out the words "placed in liquidation" and insert "shall be entirely liquidated."

The amendment was agreed to.

The next amendment was, on page 9, after line 10, to strike out:

Salaries and expenses, Office of Price Administration functions, Office of Temporary Controls, 1947, $9,000,000.

The amendment was agreed to.

The next amendment was, on page 9, after line 13, to strike out:

Salaries and expenses, Office of War Mobilization functions, Office of Temporary Controls, 1947, $60,000.

And insert in lieu thereof the following:

Salaries and expenses, Economic Stabilization, Office of War Mobilization and Reconversion functions, Office of Temporary Controls, 1947, $44,000.

Salaries and expenses, guaranteed annual wage plans, Office of War Mobilization and Reconversion functions, Office of Temporary Controls, 1946–1947, $16,000.

The amendment was agreed to.

The next amendment was, under the subhead "Independent Offices," on page 11, after line 11, to strike out:

Military and naval compensation, Veterans' Administration, $16,693.29.

The amendment was agreed to.

The next amendment was, under the subhead "Federal Works Agency," on page 14, line 5, after "(national defense)," to strike out "$1,897,030" and insert "$2,101,972."

The amendment was agreed to.

The next amendment was, on page 14, line 7, after "(national defense)", to strike out "$278,158" and insert "$282,431."

The amendment was agreed to.

The next amendment was, under the subhead "Treasury Department," on page 20, line 24, after the word "fund", to strike out "$1,000,000" and insert "$1,280,000."

The amendment was agreed to.

The next amendment was, on page 21, line 1, after "Procurement Division", to strike out "$1,483,480.02" and insert "$1,323,480.02."

The amendment was agreed to.

The PRESIDENT pro tempore. That completes the committee amendments. Are there any further amendments to be offered to the bill?

Mr. HAYDEN. Mr. President, on page 9, line 7, I move to strike out "$2,400,000" and insert in lieu thereof "$1,200,000."

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Arizona.

Mr. HAYDEN. The purpose of the amendment is to restore a budget estimate, and I shall take the time to make a statement to the Senate. Perhaps the shortest way of explaining the amendment is by reading from the letter written by General Fleming, who has charge of these matters, as to what the effect of the legislation would be.

In brief, it means that the activity now carried on by the Civilian Production Administration allocating materials to veterans' housing will come to an end at the end of this month. There will not be sufficient money to carry it along any further. This is what the general says:

The most important activity of CPA, the activity requiring the bulk of the personnel, is the assistance rendered the veterans emergency housing program. In the hearings before the committee it was pointed out

that the OTC carries out the following functions in connection with the housing program:

1. Administering the construction limitation order which prevents the use of critical building materials in nonhousing projects that are not essential and can be deferred.

2. Increasing the production of critical building materials through channeling raw materials and equipment to the producers of these scarce items.

3. Obtaining compliance with the regulations required to carry out the housing program.

4. Auditing production records of manufacturers who have been receiving premium payments for increased production under the premium payment plan of the Housing Expediter.

It is obvious that the veterans' emergency housing program cannot continue without these supporting activities.

These functions that CPA has been carrying on require a large staff for the balance of this fiscal year but a very much smaller staff thereafter. The CPA does not receive any reimbursement from the Housing Expediter for performing these functions. Consequently, the reduction in funds from the $1,200,000 rescission, which the President proposed to the Congress, to $2,400,000 voted by the House of Representatives and carried in this report, coupled with the mandatory liquidation requirement, would necessitate a cessation of this activity in support of the housing program completely on March 31 by CPA.

* * * * *

This expressed intent cannot in fact be carried out. The funds that will remain available for CPA functions of OTC if the bill is passed in its present form will be so restricted that it will be necessary to send dismissal notices immediately to all CPA employees engaged in the administration of nonhousing limitation order and the other related housing activities. Accordingly, it is urgent that the mandatory liquidation proviso be removed from the bill and the rescission amount be reduced from $2,400,000 to $1,200,000.

That is the situation. If Senators wish to provide that there shall be no further control of material used in veterans' housing, they should vote against my amendment; because otherwise the Administration will immediately give dismissal notices to all engaged in it, and that activity will cease at the end of this month.

Mr. HILL. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. HILL. In other words, as I understand, if the bill now before the Senate is passed without the Senator's amendment, all the Government's efforts and activities to help promote further veterans' housing will be ended. Is that correct?

Mr. HAYDEN. A key activity of the Government is allocating material to veterans' housing. If there is no allocation of materials, and no authority to do that, and no one does it, the materials will go into other types of construction, and not into veterans' housing.

Mr. HILL. The average veteran is very much limited in what he can pay for a house. As I recall the figures, the average veteran cannot afford to pay more than $4,300 or $4,500 for a house. If we do not adopt the Senator's amendment, then there will be no allocation of materials to the veteran and the materials will, of course, go to industrial and commercial construction, so that the industrialists, the men who want to build houses or build for commercial purposes, will buy up all the materials and there will be none for the veterans. Is not that correct?

Mr. HAYDEN. That is undoubtedly true, because the necessity for this order has been demonstrated over and over again by the number of attempts which have been made to violate it, and the necessity of prosecuting persons who are anxious to get the materials for commercial purposes.

Mr. HILL. Surely the veteran cannot compete with a person who wants to build for commercial purposes, or with an industry that wants to build for industrial purposes. Is not that true?

Mr. HAYDEN. There can be no doubt about that.

Mr. HILL. And there will be no materials for the veterans. Is not that a fact?

Mr. HAYDEN. That is correct.

Mr. HILL. So this would be the death knell to veterans' housing.

Mr. CORDON. Mr. President, does the Senator have at hand information as to the number of CPA personnel engaged in the allocation of materials for veterans' housing?

Mr. HAYDEN. I do not happen to have it at hand at the moment, but I know it is the larger part of their activities.

Mr. CORDON. May I make one further observation?

Mr. HAYDEN. Certainly.

Mr. CORDON. I am very much in sympathy with the Senator's views. I find myself in this instance not in accord with some of my own colleagues; which I regret.

Mr. HAYDEN. The Senator asked me about the number. Mr. Houston, who handled this matter, states, on page 42 of the Senate hearings, as follows:

Because our largest activity is in connection with the housing program. Our field offices are devoted almost exclusively to the veterans' housing program. If we are forced to reduce our employment to some 700 people—

That is all that will be left—

we could not handle this construction limitation order. With this severe cut in the number of people, we could not retain the offices we have in the field, and would not be able to handle the number of applications which come in, and the number of compliance cases which we have coming in.

It does not say how many are engaged in it, but they will all be gone except 700.

Mr. CORDON. Will the Senator further yield?

Mr. HAYDEN. I yield.

Mr. CORDON. Is the Senator in agreement with me in my understanding of the legal effect of what was done by committee? As I understand, the President's budget recommended that there be a rescission of $1,200,000 of funds heretofore appropriated for CPA. The House doubled that amount and made the rescission $2,400,000. At the same time, in addition to taking away the extra $1,200,000 from the appropriated funds, it also added the proviso that the CPA be discontinued, and its affairs placed in liquidation not later than June 30, 1947. I ask the Senator to give me his views on the matter. As I understand, the proviso adopted by the House simply requires a discontinuance of CPA on the last day of June, and the commencement of the liquidation of the office at that time. The Senate Appropriations Committee amended the language of the House bill by providing that the CPA shall be discontinued and its affairs entirely liquidated not later than June 30, 1947.

Mr. HAYDEN. That is correct; so that the amount of money that remains available must be used to a large extent for liquidation. That being true, that is the reason why General Fleming states that he will have to proceed to liquidate immediately, and he will wind up the agency by the end of this month. There will be no more after that date.

Mr. CORDON. Then if the Senator's motion prevails and the rescission figure is reduced from $2,400,000 to $1,200,000, it would mean, if I understand correctly—and again I ask for the Senator's judgment—that while the rescission recommended by the President would be adopted, there would still be an obligation on CPA within the limits so set, not only to function, but also completely to conclude its operations, pay its terminal leave amounting to some $1,400,000, and completely liquidate by June 30.

Mr. HAYDEN. That is why I had intended, if the amendment I am now offering were adopted, to move to strike out the proviso. Otherwise, the amount of money contained in the budget estimate contemplated for carrying on the work until June 30, with liquidation after that date, would no longer avail.

Mr. CORDON. Will the Senator yield further?

Mr. HAYDEN. Yes.

Mr. CORDON. I desire to observe that I am willing to go along with the Senator on either of the two roads, but not on both. I am ready to go along with him on the reduction from $2,400,000 to $1,200,000 and require complete liquidation by June 30, or retain the amount of $2,400,000 and delete the requirement for complete liquidation by that date.

Mr. HAYDEN. I have made the first motion. Let us see what happens to that.

Mr. BRIDGES. Mr. President, has the Senator from Arizona completed his statement?

Mr. HAYDEN. Yes.

Mr. BRIDGES. Before the Senate votes on the question let me say that both the House and the Senate committees listened to the evidence in this case. It is not the intention of the Senate Appropriations Committee, or of the House committee, so far as I know, to interfere in any way with the duties imposed on CPA respecting veterans' housing except to the extent of saying that these agencies must be wound up at some time. We have given them a reasonable amount of money. The present activity is not provided for in the law. It comes about as the result of a directive by the Housing Expediter in which he transferred the duty to CPA. Then the President transferred CPA to the Office of Temporary Controls. So it was done by directive in the one case by the Housing Expediter

and in the second case by the President. In case the agency now in charge of the work does not have sufficient money to do so, and it is necessary to continue the work afterward in the interest of an equitable administration of the rules and regulations as to veterans' housing, all that would happen would be that the Housing Expediter himself would perform the duties he is now delegating to a temporary agency. What I am seeking is a method of allowing the temporary agencies to carry on so far as they can and when they are dissolved, if it is necessary to carry on further, then to have the Housing Expediter take over the duties which he has delegated by directive to an agency.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. HAYDEN. Does the Senator deem it to be good business to delegate the authority in the first place? Was not such delegation a saving of public money? Was not the agency to which the delegation was made a proper agency to undertake the work? Was it not better for the Housing Administrator to do it in that way than to attempt to set up his own organization?

Mr. BRIDGES. I will say to the Senator from Arizona that the Civilian Production Administration set up the organization. One or the other agency had to do the work. I think it should have been done originally by the Housing Expediter himself. But it has been done by the CPA. We have no quarrel with what has been done to date, except that we believe that these temporary agencies must have some termination date, and that if it is necessary to continue any of the duties, there is no reason why the Housing Expediter, who is in that business, should not take over and carry on the duties and protect the veterans' housing.

Mr. HAYDEN. If the Senator will further yield to me, I may say that it seemed to me at the time when the Housing Expediter appeared before our committee, that he was seeking to save money for the Treasury by using the existing organization, rather than to recruit an entirely new force, inexperienced and incapable of immediate action, whereas the use of the existing force was a matter of economy so far as the Government was concerned. I cannot see how a new organization can be set up and act as efficiently as an existing organization can. Does the Senator agree with me that the effect of the cut in the amount—or the increase in the rescission and the adoption of the proviso—will be that the agency will liquidate this month?

Mr. BRIDGES. No; I would not say that the agency will liquidate this month, but I should say that it will have to carry on. The Senator said, as I recall, that the agency would carry on with 700 employees. Was that his statement?

Mr. HAYDEN. The agency said that it would reduce the number of its employees to 700.

Mr. BRIDGES. As I understand, CPA now has 2,900 employees, of whom about 2,000 are working on this particular subject.

Mr. HAYDEN. CPA has 700 left in its entire organization.

Mr. BRIDGES. And there would be a substantial reduction in the number of employees working on this matter. But I still think the agency could carry on. If not, then they should carry on as long as they could do so effectively, and then the work would merely be transferred back to the organization which directed CPA to take it over in the first place.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN] in line 7, page 9, to strike out "$2,400,000" and insert in lieu thereof "$1,200,000."

The amendment was rejected.

The PRESIDENT pro tempore. Are there any further amendments to be offered?

Mr. BRIDGES. Mr. President, on page 8, under the heading "Treasury Department," in line 7, appears the figure "$3,000,000." I have received a letter from Mr. Snyder, Secretary of the Treasury, who says that from an analysis of the method of refunding tax payments and other payments, he believes that if $520,000 were added to that figure it would result in saving several times that amount. The saving would come through reduction in interest paid on the tax refunds that would be delayed in case the personnel were cut to the bone, which would result in an immense slowing up of tax refunds. That question was not presented to the committee, but I have a letter from Mr. Snyder, which, if the Senate wishes to take the time, I should be glad to have read. I think he makes a pretty good case. I therefore offer an amendment on page 8, line 7, after the word "expenses", to strike out "$3,000,000" and insert in lieu thereof "$3,520,000", which is the figure asked by the Secretary of the Treasury, in order that this work may be expedited.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. BRIDGES].

Mr. HAYDEN. Mr. President, I hope the amendment may be adopted. The situation is this: In January of every year, when tax deductions have been made by various corporations from their pay rolls, they discover that they have paid into the Treasury more money than is required, so they immediately apply early in the year for refunds of such taxes, to which they are entitled. From the 15th of March on, if the refunds are not paid, they bear interest at 6 percent. One can readily see that with the billions of dollars involved in tax refunds, it does not take long to eat up a large sum of money. So I am in entire accord with the Senator from New Hampshire that this amendment would effect a material saving to the taxpayers, because it takes just as long to write the checks and settle the refunds a year from now as it would to do it now. In the meantime we should be paying interest at 6 percent.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New Hampshire.

The amendment was agreed to.

Mr. BRIDGES. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the letter written by the Secretary of the Treasury in justification of the amendment.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE TREASURY,
Washington, March 4, 1947.

Hon. STYLES BRIDGES,
Chairman, Senate Committee on Appropriations, United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: On January 24 President Truman sent to the Speaker of the House a supplemental estimate of appropriation of $3,520,100 to enable the Treasury Department's Division of Disbursement to continue its activities during the remainder of the current fiscal year. This amount is exclusive of $762,900 required for increases in pay of employees under Public Law 390, Seventy-ninth Congress.

The House Appropriations Committee reduced the amount requested to $3,000,000. This item appears on page 8, line 7, of H. R. 1968, as introduced in the Senate on February 28.

The Treasury did not appeal this reduction to your committee until a careful study could be made of the effect of the reduction on payments to Government beneficiaries, claimants, and public creditors, and what steps could be taken to adjust administrative machinery to meet the problem. I have just received a report from the Fiscal Assistant Secretary of the Treasury which causes me great concern and which I feel should be brought to your attention. Apparently, on the basis of House Report No. 36, page 4, the House Appropriations Committee's action was predicated upon the rate of expenditures during the first 6 months of the year and continuing during the last 6 months. This would have been a proper basis of computation except for the fact that refunds of excess withholdings of pay by employers for income taxes are made by the Treasury almost entirely between January 1 and June 30.

During the past couple of years the Treasury has made a special effort to speed up its machinery for making refunds of withheld taxes with substantial savings in interest paid on such refunds. As you know, the Treasury is required by law to pay interest at the rate of 6 percent per annum from March 15 on all claims which are not paid prior to April 16. The savings in interest by speeding up the refunding operations, covering taxes for the calendar years 1943, 1944, and 1945, are indicated below:

	1943	1944	1945
Total number of individual income-tax returns filed	43,650,000	46,000,000	47,000,000
Number of refunds paid	16,000,000	22,000,000	30,250,000
Amount of refunds paid	$587,000,000	$1,000,000,000	$1,400,000,000
Time used to complete refunds from Mar. 15	1 year	7 months	3½ months
Interest paid on refunds	$22,000,000	$17,000,000	$4,000,000

It will be noted that for the calendar year 1943 the Treasury made 16,000,000 tax refunds, amounting to $587,000,000. It required a year from March 15 to complete these payments, at an interest cost of $22,000,000. For the following year, 1944, the number of refunds increased to 22,000,000 and the amount to $1,000,000,000. It took 7 months to complete these payments, at an interest cost of $17,000,000. For 1945 the number of refunds paid increased to 30,250,000 and the amount to $1,400,000,000. The time used to complete these refunds was reduced to 3½ months and the interest cost was reduced to $4,600,000. In other words, while the tax refunds for the calendar year 1945 (paid in the fiscal year 1946) were $813,000,000 more than for 1943, the interest paid on such refunds was $17,400,000 less than the amount paid on the 1943 returns. This saving in interest was accomplished by expediting the payment of the tax refunds.

At the present time the collectors of internal revenue are busily engaged in the scheduling for payment by the Division of Disbursement of tax-refund claims relating to the calendar year 1946. It is estimated that there will be 30,500,000 such claims, involving the total sum of $1,300,000,000. The Treasury's plans were to complete these payments before June 30. Unless the Treasury can carry out these plans, there will be a loss to the Government in interest running somewhere between five and ten millions of dollars.

Unless the appropriation for the Division of Disbursement, appearing on page 8, line 7, of H. R. 1968 is increased to $3,520,000 (assuming also that the Congress will appropriate $762,900 in the current fiscal year to cover the pay increases under Public Law 390), it will be necessary for the Treasury immediately to begin to reduce the personnel in the Division of Disbursement. Since it would not be feasible to postpone payments to veterans, social-security benefits, pensions, pay rolls, purchase invoices, etc., it will be necessary for the Treasury to defer payment of a large number of tax-refund claims until the 1948 appropriation becomes available on July 1, 1947.

Before taking this action, in view of the serious consequences, I thought it advisable to acquaint you with the situation. It seems to me that there are three things which you may wish to consider (1) the substantial loss to the Government of somewhere between five and ten million dollars on account of increased interest charges; (2) the public dissatisfaction which will come through any delay in payment of refunds due taxpayers, and (3) the increased administrative expenses which inevitably will result through increased correspondence with persons who will be affected by the delayed payments. In connection with the last item you will also want to keep in mind that, while there will be a loss to the Government on account of interest, the withholding of the $520,000 of additional funds needed by the Division of Disbursement will not ultimately result in a saving of administrative expenses for the reason that the refund claims which are not paid this year will have to be paid next year.

In view of the foregoing, I sincerely hope that you may see your way clear to offer an amendment to H. R. 1968 increasing the appropriation for the Division of Disbursement appearing on line 7, page 8, from $3,000,000 to $3,520,000.

If there is any further information that the Department can furnish you I would greatly appreciate it if you would call me.

Very truly yours,

JOHN W. SNYDER,
Secretary of the Treasury.

The PRESIDENT pro tempore. The bill is before the Senate and open to amendment. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 1968) was read the third time and passed.

Mr. BRIDGES. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. BRIDGES, Mr. BROOKS, Mr. GURNEY, Mr. BALL, Mr. MCKELLAR, Mr. HAYDEN, and Mr. TYDINGS conferees on the part of the Senate.

THE PRESIDENTIAL TERM

The Senate resumed the consideration of the joint resolution (H. J. Res. 27), proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

Mr. WHITE. Mr. President, I inquire of the Senator from West Virginia [Mr. REVERCOMB] whether he is ready to proceed this evening.

Mr. REVERCOMB. Mr. President, I understand that we shall not be able to conclude this subject tonight. I prefer to proceed when the Senate next meets.

MASS CERTIFICATION OF DRUGS CONTAINING STREPTOMYCIN

Mr. WHITE. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of House bill 2045, which has been messaged over from the House, and I believe it is on the desk.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The bill (H. R. 2045) to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of streptomycin, or any derivative thereof, and for other purposes, was read twice by its title.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Maine?

There being no objection, the Senate proceeded to consider the bill.

Mr. GEORGE. Mr. President, I should like to have an explanation of the bill.

Mr. WHITE. I shall make a very brief explanation of the bill, if that will satisfy Senators.

The bill proposes to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, by providing for the certification of batches of drugs composed wholly or partly of any kind of streptomycin, or any derivative thereof.

The bill was considered by the House Committee on Interstate Commerce, approved, and passed by the House. It is identical in its substantial provisions with a bill reported by the Senate Committee on Interstate and Foreign Commerce, Senate bill 445. It seems to provide a larger degree of control in the food and drug officials of the Government than exists under the present law with respect to this particular drug and its derivatives.

Mr. GEORGE. Mr. President, I have no objection to the bill. I was under the impression that it was a bill relating to taxes.

The PRESIDENT pro tempore. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 445 is indefinitely postponed.

EXECUTIVE SESSION

Mr. WHITE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. If there be no reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

DIPLOMATIC AND FOREIGN SERVICE—NOMINATION PASSED OVER

The legislative clerk read the nomination of Herman B. Baruch to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Netherlands, which nomination had previously been passed over.

Mr. WHITE. Mr. President, I ask that this nomination again be passed over.

The PRESIDENT pro tempore. Without objection, the nomination will be passed over.

TENNESSEE VALLEY AUTHORITY—NOMINATION REPORTED ADVERSELY

The executive clerk read the nomination of Gordon R. Clapp to be a member of the Board of Directors of the Tennessee Valley Authority.

Mr. WHITE. Mr. President, I ask that this nomination be passed over.

The PRESIDENT pro tempore. Without objection, the nomination will be passed over.

Mr. HILL. Mr. President, will the Senator yield?

Mr. WHITE. I yield.

Mr. HILL. I wonder if the Senator can give us any idea as to when it may be his disposition to consider the nomination of Mr. Clapp.

Mr. WHITE. So far as I am personally concerned, it would be agreeable at any time. I understand that there is some conflict over the nomination, and I have been requested to ask that it be passed over.

Mr. HILL. The Senator realizes that there will be some debate on this nomination. Ordinarily if there is to be controversy or debate over a nomination, we receive some notice as to when it is to be considered.

Mr. WHITE. If it is not passed over, I shall be compelled to ask for a quorum.

Mr. HILL. I am not asking for action now. I did not mean to imply that at all. When the leaders decide to take up this nomination, will it be possible to give us a little notice?

Mr. WHITE. I shall let the Senator know as soon as I know. I hope that may be very shortly.

Mr. HILL. I thank the Senator.

DIPLOMATIC AND FOREIGN SERVICE—LEWIS W. DOUGLAS

The legislative clerk read the nomination of Lewis W. Douglas to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Great Britain.

The PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination.

Mr. WHITE. Mr. President, I have been asked by the Senator from North Dakota [Mr. LANGER] to say that he has been unavoidably called from the Senate Chamber, but that if he were present and voting he would vote against the confirmation of the nomination of Mr. Douglas.

Mr. HAYDEN. Mr. President, the people of Arizona are highly pleased that the President has selected a native and a resident of our State as Ambassador to the Court of St. James. We know him well as a man of rare ability and great courage, with a background of experience which makes it certain that no better choice could possibly have been made.

Lewis Douglas faces a hard task at London, but he will perform it in a manner most helpful to the United States of America, the British Empire, and the future peace of the world.

Mr. McFARLAND. Mr. President, I concur in the statement just made by my colleague in regard to Hon. Lewis W. Douglas. He is an able and fearless statesman. It is my opinion that the President made a wise choice.

The PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the nomination of Lewis W. Douglas to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Great Britain?

The nomination was confirmed.

UNITED NATIONS

The legislative clerk read the nomination of Warren R. Austin to be representative of the United States of America on the United Nations Commission for Conventional Armaments.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

That completes the calendar.

Mr. WHITE. Mr. President, I ask that the President be immediately notified of all nominations confirmed this day.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

RECESS TO FRIDAY

Mr. WHITE. As in legislative session, I move that the Senate stand in recess until 12 o'clock noon on Friday next.

The motion was agreed to; and (at 4 o'clock and 38 minutes p. m.) the Senate took a recess until Friday, March 7, 1947, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 5 (legislative day of February 19), 1947:

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

Those officers whose names are preceded by the symbol (×) are subject to examination required by law. All others have been examined and found qualified for promotion.

To be lieutenant colonels

Maj. Harold Rathbun Turner, Ordnance Department (temporary lieutenant colonel), with rank from June 30, 1946.

Maj. Glenn Castle Wilhide, Ordnance Department (temporary lieutenant colonel), with rank from June 30, 1946.

Maj. Henry Ignatius Szymanski, Infantry (temporary lieutenant colonel), with rank from July 4, 1946.

Maj. Robert Wellington Chutter, Infantry, with rank from July 14, 1946.

Maj. Richard Gimbel, Air Corps (temporary colonel), with rank from July 26, 1946.

Maj. Henry Gale Visgar Hart, Air Corps (temporary lieutenant colonel), with rank from July 27, 1946.

×Maj. James Glore, Quartermaster Corps (temporary colonel), with rank from October 6, 1946.

Maj. Donald Church Foote, Quartermaster Corps (temporary colonel), with rank from October 20, 1946.

Maj. Ernest Tuttle Owen, Field Artillery (temporary colonel), with rank from October 24, 1946.

Maj. Harold Thomas Gallagher, Signal Corps (temporary colonel), with rank from October 26, 1946.

Maj. Donald Robert Van Sickler, Adjutant General's Department (temporary colonel), with rank from October 28, 1946.

×Maj. Jules Krafft French, Jr., Infantry (temporary lieutenant colonel), with rank from 31 October 1946.

×Maj. Ford Trimble, Field Artillery (temporary colonel), with rank from October 31, 1946.

×Maj. Donald McGrayne, Field Artillery (temporary lieutenant colonel), with rank from November 10, 1946.

×Maj. Ulysses Sam Nero, Air Corps (temporary lieutenant colonel), with rank from November 13, 1946.

×Maj. Allen Milton Murphy, Infantry (temporary lieutenant colonel), with rank from November 20, 1946.

×Maj. Martin Hamlin Burckes, Field Artillery (temporary lieutenant colonel), with rank from December 19, 1946.

×Maj. Harold Thomas Lentz, Corps of Engineers (temporary lieutenant colonel), with rank from January 1, 1947.

×Maj. Grady Lincoln Smith, Air Corps (temporary lieutenant colonel), with rank from January 14, 1947.

×Maj. Frank Anthony Valente, Ordnance Department, with rank from January 22, 1947.

×Maj. Lynell Frank Gordon, Quartermaster Corps (temporary lieutenant colonel), with rank from January 23, 1947.

×Maj. Henry Lockwood McGrath, Ordnance Department (temporary colonel), with rank from January 30, 1947.

To be majors

Capt. Claude Newman Shaver, Field Artillery (temporary lieutenant colonel), with rank from July 3, 1946.

Capt. Alton Oscar McLane, Signal Corps (temporary major), with rank from July 7, 1946.

Capt. Harold Edgar Liebe, Field Artillery (temporary lieutenant colonel), with rank from July 8, 1946.

Capt. James Blythe Macdougall, Infantry (temporary lieutenant colonel), with rank from July 8, 1946,.

Capt. Jerome Brooks McCauley, Air Corps (temporary colonel), with rank from July 14, 1946.

Capt. Ludlow Calhoun Adams, Ordnance Department (temporary lieutenant colonel), with rank from July 20, 1946.

Capt. William Webb Browning, Quartermaster Corps (temporary lieutenant colonel), with rank from July 29, 1946.

Capt. Fred McManaway, Infantry (temporary lieutenant colonel), with rank from July 31, 1946.

Capt. John Smith Blair 3d, Field Artillery (temporary lieutenant colonel), with rank from August 1, 1946.

Capt. Carl Hendon Hatch, Signal Corps (temporary colonel), with rank from August 5, 1946.

Capt. Mark Joseph Roy, Air Corps (temporary lieutenant colonel), with rank from August 5, 1946.

Capt. Sidney Mason Forbes, Infantry (temporary colonel), with rank from August 11, 1946.

Capt. Carroll Keith Moffatt, Quartermaster Corps (temporary lieutenant colonel), with rank from August 15, 1946.

Capt. Leland Claypool Shannon, Field Artillery (temporary major), with rank from August 20, 1946.

×Capt. John Ruding Dey, Cavalry (temporary lieutenant colonel), with rank from August 20, 1946.

Capt. Paul Saunders Shoemaker, Infantry (temporary lieutenant colonel), with rank from August 22, 1946.

Capt. William Thomas Mulligan, Adjutant General's Department (temporary lieutenant colonel), with rank from August 23, 1946.

Capt. Louis Gottlieb Bumen, Quartermaster Corps (temporary colonel), with rank from August 23, 1946.

×Capt. Harold Edgar Meyer Nelson, Quartermaster Corps (temporary colonel), with rank from August 31, 1946.

Capt. Harold Roy Johnson, Quartermaster Corps (temporary lieutenant colonel), with rank from August 31, 1946.

Capt. Russell Whitney Schmelz, Field Artillery (temporary major), with rank from September 1, 1946.

×Capt. Philo Orson Rasmusen, Air Corps (temporary lieutenant colonel), with rank from September 1, 1946.

×Capt. Erasmus Hardin Strickland, Infantry (temporary lieutenant colonel), with rank from September 2, 1946.

Capt. Joel Burlison Olmsted, Judge Advocate General's Department (temporary colonel), with rank from September 4, 1946.

Capt. George Elston Price, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Richard Clark Lindsay, Air Corps (temporary brigadier general), with rank from September 4, 1946.

Capt. John Gordon Fowler, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. John Lyle Nedwed, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Paul Thomas Cullen, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. George Graham Northrup, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Thomas Sarsfield Power, Air Corps (temporary brigadier general), with rank from September 4, 1946.

Capt. Lloyd Harold Watnee, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Philip David Coates, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Talma Watkins Imlay, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. John Herold Bundy, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Mills Spencer Savage, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Harold Webb Bowman, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Lorry Norris Tindal, Air Corps (temporary colonel, with rank from September 4, 1946.

×Capt. Merlin Ingels Carter, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. John Walker Sessums, Jr., Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Charles Kenneth Moore, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Wycliffe Eugene Steele, Air Corps (temporary colonel), with rank from September 4, 1946.

×Capt. Roy Henry Lynn, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Robert Bruce Davenport, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Donald Leander Putt, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Merrill Davis Burnside, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Hollingsworth Franklin Gregory, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Harold Winfield Grant, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Reuben Columbus Hood, Jr., Air Corps (temporary brigadier general), with rank from September 4, 1946.

Capt. Leslie Oscar Peterson, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Floyd Bernard Wood, Air Corps (temporary colonel), with rank from September 4, 1946.

×Capt. Theodore Mathew Bolen, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Norman Delbert Sillin, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Flint Garrison, Jr., Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. James Leroy Jackson, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Chester Price Gilger, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Hugh Arthur Parker, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. Thomas David Ferguson, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. William Basil Offutt, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. James Arthur Ronin, Air Corps (temporary colonel), with rank from September 4, 1946.

Capt. James Thomas Walker, Jr., Infantry (temporary lieutenant colonel), with rank from September 6, 1946.

×Capt. James Wood Nichols, Quartermaster Corps (temporary lieutenant colonel), with rank from September 13, 1946.

Capt. Raymond Porter Tarr, Jr., Quartermaster Corps (temporary lieutenant colonel), with rank from September 16, 1946.

Capt. Joe A. Bennett, Air Corps (temporary lieutenant colonel), with rank from September 25, 1946.

Capt. Donovan Milligar Vance, Field Artillery (temporary colonel), with rank from September 26, 1946.

×Capt. Forrest Barber Volkel, Coast Artillery Corps (temporary colonel), with rank from September 30, 1946.

×Capt. Lloyd Roosevelt Moses, Infantry (temporary lieutenant colonel), with rank from September 30, 1946.

Capt. James McLaren Clow, Quartermaster Corps (temporary lieutenant colonel), with rank from October 7, 1946.

Capt. John Christopher Lackas, Finance Department, with rank from October 15, 1946.

×Capt. Edmund Theodore Bullock, Signal Corps (temporary lieutenant colonel), with rank from October 18, 1946.

×Capt. James Clarke Richardson, Air Corps (temporary lieutenant colonel), with rank from October 19, 1946.

×Capt. Norman Allen Moore, Infantry (temporary lieutenant colonel), with rank from October 23, 1946.

×Capt. Clifford Algy Poutré, Signal Corps (temporary major), with rank from October 24, 1946.

×Capt. Louis Henry Shirley, Quartermaster Corps (temporary lieutenant colonel), with rank from October 25, 1946.

Capt. Arthur Frederick Reinhardt, Air Corps (temporary lieutenant colonel), with rank from October 28, 1946.

Capt. Frederick Theodore Voorhees, Quartermaster Corps (temporary colonel), with rank from October 29, 1946.

×Capt. Richard Collins, Jr., Field Artillery (temporary colonel), with rank from November 2, 1946.

×Capt. Kenneth William Foster, Coast Artillery Corps (temporary lieutenant colonel), with rank from November 7, 1946.

×Capt. George Harold Graham, Quartermaster Corps (temporary lieutenant colonel), with rank from November 9, 1946.

×Capt. Thomas Edmund Coony, Finance Department (temporary lieutenant colonel), with rank from November 11, 1946.

×Capt. Henry Frasier Taylor, Infantry (temporary colonel), with rank from November 13, 1946.

Capt. Wilburn Edward Langlotz, Corps of Engineers (temporary colonel), with rank from November 15, 1946.

Capt. George Edward Levings, Judge Advocate General's Department (temporary lieutenant colonel), with rank from November 26, 1946.

×Capt. John William McDonald, Quartermaster Corps (temporary lieutenant colonel), with rank from November 29, 1946.

Capt. Worth Lytton Kindred, Field Artillery (temporary lieutenant colonel), with rank from December 4, 1946.

Capt. Gordon Kennedy Smith, Finance Department (temporary lieutenant colonel), with rank from December 8, 1946.

Capt. Alton Arrington Hill, Quartermaster Corps, with rank from December 9, 1946.

×Capt. Harold Augustus Davenport, Infantry (temporary colonel), with rank from December 25, 1946.

×Capt. Merle C. Bowsky, Signal Corps (temporary lieutenant colonel), with rank from December 25, 1946.

×Capt. Eugene Fodrea Cardwell, Coast Artillery Corps (temporary colonel), with rank from December 29, 1946.

Capt. Norman Bert Olsen, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. Kenneth Ross Crosher, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. Stuart Phillips Wright, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. Ivan Lonsdale Farman, Air Corps (temporary brigadier general), with rank from January 6, 1947.

Capt. William Alexander Schulgen, Air Corps (temporary colonel), with rank from January 6, 1947.

×Capt. Daniel Beckett White, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. Donald Harvey Baxter, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. Roy Thomas Wright, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. Edward Wharton Anderson, Air Corps (temporary brigadier general), with rank from January 6, 1947.

Capt. Winslow Carroll Morse, Air Corps (temporary brigadier general), with rank from January 6, 1947.

Capt. Casper Perrin West, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. William Leroy Kennedy, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. Jesse Auton, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. John Paul Ryan, Air Corps (temporary colonel), with rank from January 6, 1947.

×Capt. Robert Shuter Macrum, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. Charles Lawrence Munroe, Jr., Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. Llewellyn Owen Ryan, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. William Richard Morgan, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. John Waldron Egan, Air Corps (temporary colonel), with rank from January 6, 1947.

×Capt. Hanlon H. Van Auken, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. Robert Oswald Cork, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. Herbert Henry Tellman, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. John Koehler Gerhart, Air Corps (temporary brigadier general), with rank from January 6, 1947.

Capt. Elder Patterson, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. Francis Hopkinson Griswold, Air Corps (temporary major general), with rank from January 6, 1947.

Capt. Leon Ray Brownfield, Air Corps (temporary lieutenant colonel), with rank from January 6, 1947.

Capt. Robert Whitney Burns, Air Corps (temporary brigadier general), with rank from January 6, 1947.

Capt. Daniel Webster Jenkins, Air Corps (temporary colonel), with rank from January 6, 1947.

×Capt. William Marshall Prince, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. Clarence Frank Hegy, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. James Presnall Newberry, Air Corps (temporary colonel), with rank from January 6, 1947.

×Capt. Stoyte Ogleby Ross, Air Corps (temporary colonel), with rank from January 6, 1947.

Capt. Joseph Wiley Baylor, Air Corps (temporary colonel), with rank from January 6, 1947.

×Capt. William John Clinch, Air Corps (temporary colonel), with rank from January 6, 1947.

×Capt. William Richard Frederick, Jr., Field Artillery (temporary lieutenant colonel), with rank from January 17, 1947.

×Capt. Russell Edward McMurray, Infantry (temporary lieutenant colonel), with rank from January 18, 1947.

×Capt. Herbert Lloyd Phyfe, Quartermaster Corps (temporary lieutenant colonel), with rank from January 24, 1947.

×Capt. Albert Meldrum Kuhfeld, Judge Advocate General's Department (temporary lieutenant colonel), with rank from January 25, 1947.

To be captains

First Lt. William James Cummings, Jr., Air Corps (temporary colonel), with rank from June 30, 1946.

First Lt. Austin Haley, Ordnance Department (temporary captain), with rank from July 6, 1946.

First Lt. Roy Vernon Porter, Infantry (temporary lieutenant colonel), with rank from July 8, 1946.

First Lt. Roy Ernest Doran, Infantry (temporary lieutenant colonel), with rank from July 8, 1946.

First Lt. Marshall Caldwell Preston, Quartermaster Corps (temporary captain), with rank from July 9, 1946.

First Lt. Donald Carl Beck, Ordnance Department (temporary major), with rank from July 11, 1946.

First Lt. L. J. Dean Northington, Air Corps (temporary major), with rank from July 12, 1946.

First Lt. Asa Calvin Black, Field Artillery (temporary lieutenant colonel), with rank from July 14, 1946.

First Lt. Bolick Albert Saholsky, Ordnance Department (temporary lieutenant colonel), with rank from July 15, 1946.

First Lt. Ward Earl Bankert, Air Corps (temporary major), with rank from July 18, 1946.

First Lt. Charles Kofoed Nelson, Jr., Air Corps (temporary lieutenant colonel), with rank from July 18, 1946.

First Lt. Ralph Breckenridge Coffin, Coast Artillery Corps (temporary lieutenant colonel), with rank from July 18, 1946.

First Lt. Emett Robert White, Cavalry (temporary lieutenant colonel), with rank from July 19, 1946.

First Lt. Norvell Riley Stark, Cavalry (temporary major), with rank from July 20, 1946.

First Lt. Lowell Brower Pickett, Ordnance Department (temporary major), with rank from July 20, 1946.

First Lt. James Mostyn Williams, Coast Artillery Corps (temporary lieutenant colonel), with rank from July 21, 1946.

First Lt. Roger Garfield Fuller, Air Corps (temporary lieutenant colonel), with rank from July 25, 1946.

First Lt. Donald Lewis Adams, Signal Corps (temporary major), with rank from July 26, 1946.

First Lt. Donald Alexander Wolfe, Air Corps (temporary lieutenant colonel), with rank from July 27, 1946.

First Lt. George Brown Hooker, Jr., Air Corps (temporary lieutenant colonel), with rank from July 27, 1946.

First Lt. Walter Ernest Schoenfeld, Quartermaster Corps (temporary lieutenant colonel), with rank from July 27, 1946.

First Lt. Leonard Frank Walker, Signal Corps (temporary major), with rank from July 29, 1946.

First Lt. Walter Wilson Woodard, Air Corps (temporary lieutenant colonel), with rank from July 29, 1946.

First Lt. Samuel Loyd Irwin, Infantry (temporary lieutenant colonel), with rank from July 30, 1946.

First Lt. Carl August Steidtmann, Ordnance Department (temporary captain), with rank from August 1, 1946.

First Lt. William Rhoads Vivian, Field Artillery (temporary major), with rank from August 3, 1946.

First Lt. William Welch Hill, Jr., Field Artillery (temporary major), with rank from August 4, 1946.

First Lt. Lawrence Lee Lewis, Air Corps (temporary lieutenant colonel), with rank from August 5, 1946.

First Lt. Joseph Wiley Knott, Field Artillery (temporary major), with rank from August 7, 1946.

First Lt. Fredrick William Shipe, Air Corps (temporary lieutenant colonel), with rank from August 7, 1946.

First Lt. James Robert Tully, Infantry (temporary captain), with rank from August 8, 1946.

First Lt. Chester Dombrowski, Chemical Corps (temporary captain), with rank from August 9, 1946.

First Lt. Robert Bruce Tomlinson, Signal Corps (temporary lieutenant colonel), with rank from August 10, 1946.

First Lt. John James Moore, Infantry (temporary major), with rank from August 10, 1946.

First Lt. John Paul Tawes, Coast Artillery Corps (temporary captain), with rank from August 15, 1946.

First Lt. Leonard Frank Colwell, Quartermaster Corps (temporary major), with rank from August 15, 1946.

First Lt. Henry Grady MacDaniel, Air Corps (temporary lieutenant colonel), with rank from August 16, 1946.

First Lt. Robert Danahy Albro, Infantry (temporary lieutenant colonel), with rank from August 16, 1946

First Lt. Earl James Gebbie, Finance Department (temporary captain), with rank from August 17, 1946.

First Lt. Myron Hartley Pike, Air Corps (temporary major), with rank from August 18, 1946.

First Lt. James Lawrence Goodnow, Field Artillery (temporary captain), with rank from August 19, 1946.

First Lt. Marvin Robert Scott, Jr., Quartermaster Corps (temporary captain), with rank from August 19, 1946.

First Lt. Robert Kenneth Kemp, Infantry (temporary captain), with rank from August 23, 1946.

First Lt. Jacob William Bealke, Jr., Infantry (temporary lieutenant colonel), with rank from August 24, 1946.

First Lt. John Yeomans Brightman, Coast Artillery Corps (temporary major), with rank from August 25, 1946.

First Lt. Rollin Harvey Smith, Quartermaster Corps (temporary lieutenant colonel), with rank from August 28, 1946.

First Lt. Robert Thornton Walker, Signal Corps (temporary lieutenant colonel), with rank from August 29, 1946.

First Lt. Charles Aaron Jenkins, Field Artillery (temporary lieutenant colonel), with rank from August 30, 1946.

First Lt. Lloyd Atmer Freeman, Air Corps (temporary captain), with rank from August 31, 1946.

First Lt. Robert Oscar English, Jr., Infantry (temporary captain), with rank from August 31, 1946.

First Lt. Harold Cecil Williams, Signal Corps (temporary lieutenant colonel), with rank from September 4, 1946.

First Lt. Carl Barber Lindstrand, Air Corps (temporary major), with rank from September 5, 1946.

First Lt. Charles Mitchell Bowling, Jr., Field Artillery (temporary major), with rank from September 6, 1946.

First Lt. Maurice Kilburn Schiffman, Infantry (temporary lieutenant colonel), with rank from September 6, 1946.

First Lt. Clyde Vernon Pickell, Infantry (temporary lieutenant colonel), with rank from September 7, 1946.

First Lt. Samuel Theodore Miller, Field Artillery (temporary major), with rank from September 7, 1946.

×First Lt. Bland West, Field Artillery (temporary lieutenant colonel), with rank from September 8, 1946.

×First Lt. Nathaniel Ramsey Hoskot, Infantry (temporary lieutenant colonel), with rank from September 10, 1946.

First Lt. Roy Webster Marcy, Infantry (temporary lieutenant colonel), with rank from September 12, 1946.

×First Lt. William Joseph Stover, Field Artillery (temporary lieutenant colonel), with rank from September 13, 1946.

First Lt. George Lee Witt, Infantry (temporary lieutenant colonel), with rank from September 13, 1946.

First Lt. Richard Henry Curtis, Air Corps (temporary colonel), with rank from September 14, 1946.

×First Lt. Menon Walker Whitsitt, Ordnance Department (temporary lieutenant colonel), with rank from September 14, 1946.

First Lt. John Joseph Dunn, Infantry (temporary major), with rank from September 14, 1946.

First Lt. John Charles Abercrombie, Quartermaster Corps (temporary captain), with rank from September 14, 1946.

First Lt. Charles Roy Wright, Jr., Infantry (temporary major), with rank from September 15, 1946.

First Lt. Carter Lavelle Hilsabeck, Infantry (temporary lieutenant colonel), with rank from September 16, 1946.

First Lt. Marvin Maxwell Harvey, Air Corps (temporary lieutenant colonel), with rank from September 18, 1946.

First Lt. William Edward Barkman, Coast Artillery Corps (temporary captain), with rank from September 18, 1946.

First Lt. Lester Lee Woodward, Air Corps (temporary lieutenant colonel), with rank from September 19, 1946.

First Lt. Dace Theodore Garrison, Air Corps (temporary major), with rank from September 20, 1946.

First Lt. Roland Ellsworth Sliker, Air Corps (temporary lieutenant colonel), with rank from September 21, 1946.

First Lt. Frederick Edson St. John, Jr., Field Artillery (temporary major), with rank from September 21, 1946.

×First Lt. James Alexander Richardson, Chemical Corps (temporary captain), with rank from September 24, 1946.

First Lt. Joseph Holmes Harrison, Field Artillery (temporary lieutenant colonel), with rank from September 25, 1946.

First Lt. Thomas Ezra Cuttino, Quartermaster Corps (temporary lieutenant colonel), with rank from September 27, 1946.

First Lt. Francis Albert Dunphy, Finance Department (temporary lieutenant colonel), with rank from September 28, 1946.

First Lt. Harry Charles Olson, Quartermaster Corps (temporary captain), with rank from September 29, 1946.

First Lt. Paul Adam Anson, Coast Artillery Corps (temporary major), with rank from September 29, 1946.

First Lt. Charles Peyton Baer, Air Corps (temporary lieutenant colonel), with rank from September 30, 1946.

First Lt. George Elmer Danald, Chemical Corps (temporary major), with rank from September 30, 1946.

First Lt. Godfrey T. McHugh, Air Corps (temporary lieutenant colonel), with rank from September 30, 1946.

×First Lt. John Calhoun Noel, Jr., Infantry (temporary captain), with rank from September 30, 1946.

×First Lt. Charles Berton Root, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. William Melville Brown, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Herman Alfred Schmid, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Lloyd Pauahi Hopwood, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. James Arthur DeMarco, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Joseph Day Lee, Jr., Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Leslie Raybold, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Wilbur Walter Aring, Air Corps (temporary colonel), with rank from October 1, 1946.

×First Lt. James Oscar Guthrie, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Charles Phillip Hollstein, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Jack Lindley Randolph, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Homer Astley Boushey, Jr., Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Don Orville Darrow, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Harold Austin Gunn, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Francis Leslie Rivard, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Frederic Henry Miller, Jr., Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Donald Robert Hutchinson, Air Corps (temporary brigadier general), with rank from October 1, 1946.

First Lt. John Allen Hilger, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Lawrence Clinton Coddington, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Frank Richardson Cook, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Paul Engberg Todd, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Louis William Proper, Air Corps (temporary colonel), with rank from October 1, 1946.

×First Lt. Ralph Charles Rockwood, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Tom Jefferson Cunningham, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. William Henry Gist, Jr., Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. William Ross Robertson, Jr., Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Joseph Stanley Holtoner, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. James Clyde Selser, Jr., Air Corps (temporary colonel), with rank from October 1, 1946.

×First Lt. Douglas Ellsworth Williams, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Lewis Leo Mundell, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Brooke Emple Allen, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. John Beaumont Cornett, Air Corps (temporary colonel), with rank from October 1, 1946.

×First Lt. John Hal Jeffus, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Boyd Hubbard, Jr., Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Lawrence Worthington Greenbank, Air Corps (temporary lieutenant colonel), with rank from October 1, 1946.

First Lt. Norman Lewis Peterson, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Victor Raymond Haugen, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Hilmer Cannon Nelson, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. William Parker Fisher, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Robert Windeck Hall, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Paul Howard Dane, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Graves Hubbard Snyder, Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. Chester Witten Cecil, Jr., Air Corps (temporary colonel), with rank from October 1, 1946.

First Lt. John Markward Reynolds, Air Corps (temporary colonel), with rank from October 1, 1946.

×First Lt. Lawrence Edwin Sommers, Field Artillery (temporary lieutenant colonel), with rank from October 2, 1946.

×First Lt. Daniel Melvin Carter, Infantry (temporary major), with rank from October 3, 1946.

First Lt. John Daniel Hines, Quartermaster Corps (temporary colonel), with rank from October 4, 1946.

First Lt. Curry Ned Vaughan, Cavalry (temporary major), with rank from October 6, 1946.

First Lt. Walter Charles Sharp, Jr., Infantry (temporary major), with rank from October 7, 1946.

×First Lt. Donald Burns Williams, Corps of Engineers (temporary major) with rank from October 10, 1946.

×First Lt. Sam S. Williams, Corps of Engineers (temporary major), with rank from October 10, 1946.

×First Lt. Gordon Everett Larson, Infantry (temporary major), with rank from October 11, 1946.

First Lt. Thomas Fettyplace Stein, Jr., Quartermaster Corps (temporary captain), with rank from October 11, 1946.

×First Lt. Charles Yates Allen, Infantry (temporary lieutenant colonel), with rank from October 13, 1946.

×First Lt. Morris Fritz Hobbs, Finance Department (temporary major), with rank from October 18, 1946.

First Lt. Harry Ernest Lyman, Finance Department (temporary lieutenant colonel), with rank from October 18, 1946.

×First Lt. James Wester Luker, Air Corps (temporary lieutenant colonel), with rank from October 19, 1946.

First Lt. Michael Jacob Gordan, Air Corps (temporary lieutenant colonel), with rank from October 20, 1946.

×First Lt. William Albert Kuhn, Infantry (temporary lieutenant colonel), with rank from October 20, 1946.

×First Lt. Lloyd Mitchell Marr, Infantry (temporary lieutenant colonel), with rank from October 21, 1946.

First Lt. Leroy Patterson, Field Artillery (temporary captain), with rank from October 21, 1946.

First Lt. Gustav Adolph Neuberg, Finance Department (temporary lieutenant colonel), with rank from October 22, 1946.

×First Lt. Everett Kencheon Spees, Air Corps (temporary major), with rank from October 25, 1946.

×First Lt. Harry Frank Kinsella, Quartermaster Corps (temporary captain), with rank from October 25, 1946.

×First Lt. Bradford Butler, Jr., Field Artillery (temporary lieutenant colonel), with rank from October 26, 1946.

×First Lt. William Ellis Strathern, Air Corps (temporary major), with rank from October 27, 1946.

×First Lt. Carl Clifford Jensen, Infantry (temporary lieutenant colonel), with rank from October 29, 1946.

×First Lt. Ara Guy Lindley, Field Artillery (temporary lieutenant colonel), with rank from October 30, 1946.

×First Lt. John Kercheval Lawson, Air Corps (temporary major), with rank from October 31, 1946.

×First Lt. Robert Iddings Fletcher, Air Corps (temporary colonel), with rank from November 2, 1946.

×First Lt. Dured Ellsworth Townsend, Infantry (temporary lieutenant colonel), with rank from November 2, 1946.

×First Lt. Seymour Blair Satterwhite, Infantry (temporary lieutenant colonel), with rank from November 4, 1946.

×First Lt. John Robert Magnusson, Field Artillery (temporary lieutenant colonel), with rank from November 4, 1946.

×First Lt. Ford Edwin Pratt, Coast Artillery Corps (temporary lieutenant colonel), with rank from November 7, 1946.

×First Lt. John Lanier Harris, Air Corps (temporary major), with rank from November 7, 1946.

×First Lt. Carl Leonard Whitney, Quartermaster Corps (temporary major), with rank from November 7, 1946.

×First Lt. Vernon Allen Shurm, Corps of Engineers (temporary lieutenant colonel), with rank from November 9, 1946.

×First Lt. John Gordon Fort, Quartermaster Corps (temporary lieutenant colonel), with rank from November 9, 1946.

×First Lt. William Serle Blodgett, Jr., Ordnance Department (temporary lieutenant colonel), with rank from November 11, 1946.

×First Lt. William Sewell Fultz, Coast Artillery Corps (temporary lieutenant colonel), with rank from November 11, 1946.

×First Lt. Richard Milner Ragland, Air Corps (temporary major), with rank from November 14, 1946.

×First Lt. William Franklyn Murphy, Field Artillery (temporary captain), with rank from November 15, 1946.

×First Lt. Gratian Michael Yatsevitch, Ordnance Department (temporary lieutenant colonel), with rank from November 16, 1946.

×First Lt. Norbert Charles Miller, Signal Corps (temporary lieutenant colonel), with rank from November 16, 1946.

First Lt. Theodore Chandler Bunker, Air Corps (temporary major), with rank from November 17, 1946.

×First Lt. Joseph Shields Brinkley, Jr., Chemical Corps (temporary captain), with rank from November 17, 1946.

×First Lt. David Hayden Arp, Finance Department (temporary lieutenant colonel), with rank from November 19, 1946.

×First Lt. Edwin Shelton Howell, Air Corps (temporary captain), with rank from November 20, 1946.

×First Lt. Leonard George Robinson, Jr., Field Artillery (temporary lieutenant colonel), with rank from November 24, 1946.

×First Lt. Edmund Joseph Borowski, Air Corps (temporary lieutenant colonel), with rank from November 24, 1946.

×First Lt. Eldridge Downes 3d, Quartermaster Corps (temporary captain), with rank from November 24, 1946.

×First Lt. Donald Anthony Oberst, Ordnance Department (temporary major), with rank from November 25, 1946.

×First Lt. Robert Allen Gardner, Air Corps (temporary colonel), with rank from November 26, 1946.

×First Lt. Clair Hall Thurston, Infantry (temporary major), with rank from November 26, 1946.

First Lt. James Frances Quinn, Quartermaster Corps (temporary lieutenant colonel), with rank from November 27, 1946.

×First Lt. Sam Abbott Carnes, Air Corps (temporary lieutenant colonel), with rank from November 30, 1946.

First Lt. Roland Philip Carlson, Field Artillery (temporary lieutenant colonel), with rank from December 2, 1946.

×First Lt. James Leonard Sweeney, Field Artillery (temporary major), with rank from December 4, 1946.

First Lt. Thomas Harvey Hubbard, Air Corps (temporary lieutenant colonel), with rank from December 4, 1946.

×First Lt. William Walton, Infantry (temporary lieutenant colonel), with rank from December 4, 1946.

×First Lt. Charles Francis Nowe, Infantry (temporary major), with rank from December 4, 1946.

×First Lt. Dyson Crawford Sweger, Field Artillery (temporary lieutenant colonel), with rank from December 5, 1946.

×First Lt. Clifford Weldon Howell, Infantry (temporary captain), with rank from December 6, 1946.

×First Lt. John Richard Smoak, Infantry (temporary lieutenant colonel), with rank from December 8, 1946.

×First Lt. William Earl Anglin, Quartermaster Corps, with rank from December 8, 1946.

First Lt. John Arthur Goshorn, Quartermaster Corps (temporary lieutenant colonel), with rank from December 9, 1946.

First Lt. William Darien Duncan, Infantry (temporary lieutenant colonel), with rank from December 9, 1946.

×First Lt. Richard William Keyes, Infantry (temporary lieutenant colonel), with rank from December 11, 1946.

×First Lt. Leland Rockwood Dunham, Infantry (temporary captain), with rank from December 12, 1946.

×First Lt. James O. Guthrie, Ordnance Department (temporary major), with rank from December 12, 1946.

×First Lt. Thomas Howard Swan, Signal Corps (temporary major), with rank from December 12, 1946.

×First Lt. Thomas Barnes Donoho, Corps of Engineers (temporary lieutenant colonel), with rank from December 12, 1946.

First Lt. Robert Harold Shell, Finance Department (temporary lieutenant colonel), with rank from December 13, 1946.

×First Lt. William Austin Stricklen, Jr., Coast Artillery Corps (temporary lieutenant colonel), with rank from December 17, 1946.

×First Lt. Eugene Mimms Lee, Field Artillery (temporary lieutenant colonel), with rank from December 17, 1946.

×First Lt. Edward Konken Hensch, Air Corps (temporary captain), with rank from December 20, 1946.

×First Lt. Michael Kane, Jr., Infantry (temporary captain), with rank from December 22, 1946.

×First Lt. Waldemar John Klasing, Corps of Engineers (temporary major), with rank from December 26, 1946.

×First Lt. Duane Williams Malone, Coast Artillery Corps (temporary major), with rank from December 27, 1946.

×First Lt. Edward Joseph Vincent, Cavalry (temporary captain), with rank from December 27, 1946.

×First Lt. Arthur Burton Chatham, Finance Department (temporary major), with rank from December 28, 1946.

×First Lt. Silas Gassett, Field Artillery (temporary lieutenant colonel), with rank from January 1, 1947.

×First Lt. Joseph Patrick McElligott, Coast Artillery Corps (temporary captain), with rank from January 5, 1947.

×First Lt. Norman Arnold Anderson, Field Artillery (temporary lieutenant colonel), with rank from January 9, 1947.

×First Lt. Edward Daniel Comm, Corps of Engineers (temporary colonel), with rank from January 10, 1947.

×First Lt. Mabry Griffin Miller, Infantry (temporary lieutenant colonel), with rank from January 13, 1947.

×First Lt. Henry James Heuer, Signal Corps (temporary lieutenant colonel), with rank from January 13, 1947.

×First Lt. Howard Wilson Darrow, Field Artillery (temporary captain), with rank from January 14, 1947.

×First Lt. Joseph Stephen Magrath, Jr., Finance Department (temporary major), with rank from January 15, 1947.

×First Lt. Claude Harvey Matchette, Field Artillery (temporary major), with rank from January 17, 1947.

×First Lt. John Lucien King, Jr., Quartermaster Corps (temporary captain), with rank from January 17, 1947.

×First Lt. David Thomas McKnight, Air Corps (temporary lieutenant colonel), with rank from January 17, 1947.

×First Lt. Oliver Tillman Simpson, Jr., Finance Department (temporary lieutenant colonel), with rank from January 21, 1947.

×First Lt. Ralph LeRoy Dickie, Cavalry (temporary lieutenant colonel), with rank from January 22, 1947.

×First Lt. Thomas George Worley, Coast Artillery Corps, with rank from January 24, 1947.

×First Lt. Robert Rube Ellis, Air Corps (temporary major), with rank from January 25, 1947.

×First Lt. Jack Allen Clark, Field Artillery (temporary lieutenant colonel), with rank from January 26, 1947.

First Lt. Claude Dean Roscoe, Infantry (temporary major), with rank from January 26, 1947.

×First Lt. Polyvios Aristotle Voyatzis, Coast Artillery Corps (temporary captain), with rank from January 29, 1947.

×First Lt. Max Millard Stratton, Air Corps (temporary major), with rank from January 29, 1947.

×First Lt. Glover Steiner Johns, Jr., Infantry (temporary lieutenant colonel), with rank from January 31, 1947.

×First Lt. Samuel Angus Bethune, Quartermaster Corps (temporary major), with rank from January 31, 1947.

To be first lieutenants

Second Lt. Paul Chmar, Infantry (temporary captain), with rank from June 29, 1946.

Second Lt. Stephen Cheney Wilson, Air Corps (temporary captain), with rank from June 30, 1946.

Second Lt. LeRoy Martin Brown, Air Corps (temporary first lieutenant), with rank from June 30, 1946.

Second Lt. Amos Ernest Waage, Air Corps (temporary captain), with rank from June 30, 1946.

Second Lt. Ellie Everett Davenport, Air Corps (first lieutenant), with rank from June 30, 1946.

Second Lt. John Martin Gaither, Air Corps (temporary first lieutenant), with rank from June 30, 1946.

Second Lt. Russell Harriman Rothman, Air Corps (temporary captain), with rank from June 30, 1946.

Second Lt. Dana Woodfin Stewart, Jr., Air Corps (temporary captain) with rank from June 30, 1946.

×Second Lt. Robert William Condon, Air Corps (temporary first lieutenant), with rank from June 30, 1946.

Second Lt. Charles Sheldon Oldfield, Air Corps (temporary first lieutenant), with rank from June 30, 1946.

Second Lt. Roy Michael Walsh, Air Corps (temporary first lieutenant), with rank from June 30, 1946.

Second Lt. Robert MacDonald Fry, Air Corps (temporary major), with rank from June 30, 1946.

Second Lt. George Burnell Quisenberry, Air Corps (temporary captain), with rank from July 1, 1946.

Second Lt. Kenneth Johnson Edwards, Jr., Field Artillery (temporary first lieutenant), with rank from July 1, 1946.

Second Lt. Charles Luther Lowell, Air Corps (temporary major), with rank from July 2, 1946.

Second Lt. Byron Eliot Sheppard, Coast Artillery Corps (temporary first lieutenant), with rank from July 4, 1946.

Second Lt. Leo John McManmon, Air Corps (temporary captain), with rank from July 5, 1946.

Second Lt. Donald Victor Mayer, Air Corps (temporary captain), with rank from July 5, 1946.

Second Lt. Jack Arthur Curry, Quartermaster Corps (temporary captain), with rank from July 5, 1946.

Second Lt. Donald Jack Kundinger, Air Corps (temporary first lieutenant), with rank from July 7, 1946.

Second Lt. Richard Theodore St. Sauver, Infantry (temporary captain), with rank from July 7, 1946.

Second Lt. Richard Louis Seidel, Corps of Engineers (temporary captain), with rank from July 7, 1946.

Second Lt. Roy Marcus Sullivan, Jr., Air Corps (temporary captain), with rank from July 8, 1946.

Second Lt. Norman Oscar Creech, Air Corps (temporary captain), with rank from July 8, 1946.

Second Lt. John Vester McLain, Field Artillery (temporary captain), with rank from July 8, 1946.

Second Lt. Richard Harry Schoning, Quartermaster Corps (temporary captain), with rank from July 8, 1946.

Second Lt. William Adolph Roemer, Field Artillery (temporary first lieutenant), with rank from July 9, 1946.

×Second Lt. Charles William Koburger, Jr., Infantry (temporary first lieutenant), with rank from July 9, 1946.

Second Lt. Arnold Vendelberg Anderson, Cavalry (temporary captain), with rank from July 10, 1946.

Second Lt. Stephen Foster Kolvas, Air Corps (temporary first lieutenant), with rank from July 10, 1946.

Second Lt. Edwin Rhodes, Air Corps (temporary first lieutenant), with rank from July 10, 1946.

Second Lt. Wilson Wayne Howard, Air Corps (temporary captain), with rank from July 10, 1946.

Second Lt. Robert Clemons Goforth, Field Artillery (temporary first lieutenant), with rank from July 10, 1946.

Second Lt. Russell George Anderson, Air Corps (temporary captain), with rank from July 10, 1946.

Second Lt. William Rosser Williams, Jr., Infantry (temporary first lieutenant), with rank from July 12, 1946.

Second Lt. James Davis Smith, Air Corps (temporary captain), with rank from July 12, 1946.

×Second Lt. Kermet Hurd Applewhite, Quartermaster corps (temporary captain), with rank from July 14, 1946.

Second Lt. Ralph Howe Angus, Air Corps (temporary captain), with rank from July 14, 1946.

Second Lt. George Francis McSoley, Field Artillery (temporary captain), with rank from July 15, 1946.

Second Lt. Milo Igersheimer, Coast Artillery Corps (temporary captain), with rank from July 15, 1946.

Second Lt. August Angelo Krometis, Field Artillery (temporary captain), with rank from July 15, 1946.

Second Lt. Harman Eugene Chapman, Air Corps (temporary captain), with rank from July 15, 1946.

Second Lt. Frederick Lucius Ingham, Coast Artillery Corps (temporary first lieutenant), with rank from July 15, 1946.

Second Lt. Robert Eugene Neiman, Jr., Infantry (temporary major), with rank from July 17, 1946.

×Second Lt. Edward Barbour Apperson, Air Corps (temporary captain), with rank from July 17, 1946.

Second Lt. Robert Middleton Buttler, Infantry (temporary captain), with rank from July 19, 1946.

Second Lt. Stanley Carl Waldner, Field Artillery (temporary first lieutenant), with rank from July 19, 1946.

Second Lt. John Nairn Horton, Air Corps (temporary captain), with rank from July 21, 1946.

Second Lt. Edward Lewis Ramsey, Infantry (temporary major), with rank from July 23, 1946.

Second Lt. Edward George Worrad, Air Corps (temporary captain), with rank from July 24, 1946.

Second Lt. Howard Harrison Cooksey, Infantry (temporary first lieutenant), with rank from July 24, 1946.

Second Lt. Alvin Lee Pennington, Air Corps (temporary captain), with rank from July 25, 1946.

Second Lt. Amos Loutelle Bossa, Air Corps (temporary first lieutenant), with rank from July 26, 1946.

Second Lt. Claude Allen Hughes, Jr., Air Corps (temporary captain), with rank from July 26, 1946.

Second Lt. John Jacob Mahoney, Quartermaster Corps (temporary captain), with rank from July 26, 1946.

Second Lt. Jack Kenneth Gamble, Air Corps (temporary captain), with rank from July 27, 1946.

Second Lt. Delbert Foster Blount, Air Corps (temporary first lieutenant), with rank from July 28, 1946.

Second Lt. Maurice Kent Mott, Air Corps (temporary captain), with rank from July 28, 1946.

Second Lt. Richard Roy Shamblin, Air Corps (temporary first lieutenant), with rank from July 28, 1946.

Second Lt. Wyman Mayo Bridges, Air Corps (temporary first lieutenant), with rank from July 28, 1946.

Second Lt. James Harrison Smith, Air Corps (temporary captain), with rank from July 28, 1946.

Second Lt. Ralph Bernard DeSutter, Air Corps (temporary captain), with rank from July 28, 1946.

Second Lt. Joe Frank Richmond, Air Corps (temporary captain), with rank from July 28, 1946.

Second Lt. Glenn Oliver Kaufman, Air Corps (temporary first lieutenant), with rank from July 28, 1946.

Second Lt. Stanley Jones Nixon, Air Corps (temporary captain), with rank from July 28, 1946.

Second Lt. Billy Payne Gibson, Air Corps (temporary first lieutenant), with rank from July 28, 1946.

×Second Lt. Lee Andrew Archer, Air Corps (temporary first lieutenant), with rank from July 28, 1946.

Second Lt. Paul Ray Williams, Air Corps (temporary first lieutenant), with rank from July 28, 1946.

×Second Lt. John Wesley Bolyard, Infantry (temporary captain), with rank from July 28, 1946.

Second Lt. Raleigh Emerson Tabor, Jr., Air Corps (temporary first lieutenant), with rank from July 28, 1946.

×Second Lt. LeRoy Victor Grosshuesch, Air Corps (temporary captain), with rank from July 28, 1946.

Second Lt. Howard Marshall Moore, Air Corps (temporary first lieutenant), with rank from July 29, 1946.

Second Lt. George William Casey, Air Corps (temporary captain), with rank from July 29, 1946.

Second Lt. William Grauley Henderson, Quartermaster Corps (temporary captain), with rank from July 29, 1946.

Second Lt. Charles E. Trumbo, Jr., Air Corps (temporary first lieutenant), with rank from July 29, 1946.

Second Lt. James Leslie Louden, Air Corps (temporary captain), with rank from July 29, 1946.

Second Lt. Charles Ignatius Maggio, Air Corps (temporary first lieutenant), with rank from July 29, 1946.

Second Lt. John Joseph Kropenicki, Air Corps (temporary captain), with rank from July 29, 1946.

Second Lt. Richard Howard Hansen, Field Artillery (temporary first lieutenant), with rank from July 29, 1946.

Second Lt. Robert Page Cowart, Corps of Engineers (temporary first lieutenant), with rank from July 29, 1946.

Second Lt. Walter Melville Fowler, Air Corps (temporary first lieutenant), with rank from July 29, 1946.

Second Lt. Harvill Hamilton Patterson, Infantry (temporary captain), with rank from July 30, 1946.

×Second Lt. Albert Victor Mathwin, Infantry (temporary first lieutenant), with rank from July 31, 1946.

×Second Lt. John Robert Byers, Air Corps (temporary first lieutenant), with rank from July 31, 1946.

×Second Lt. Van Arman Neiswender, Air Corps (temporary captain), with rank from July 31, 1946.

×Second Lt. John Carl Crego, Air Corps (temporary captain), with rank from July 31, 1946.

Second Lt. Wendell Maurice Raschke, Air Corps (temporary first lieutenant), with rank from August 1, 1946.

Second Lt. La Voi Blackham Davis, Air Corps (temporary first lieutenant), with rank from August 1, 1946.

Second Lt. Wagner Warner Dick, Air Corps (temporary captain), with rank from August 1, 1946.

Second Lt. Everette Lance Marcum, Air Corps (temporary captain), with rank from August 1, 1946.

Second Lt. Fred Zurmehly Gearhart, Air Corps (temporary captain), with rank from August 2, 1946.

Second Lt. Charles Aubrey Morris, Infantry (temporary captain), with rank from August 4, 1946.

Second Lt. George Cahelo, Jr., Air Corps (temporary captain), with rank from August 5, 1946.

Second Lt. Daniel Wade McElwee, Signal Corps (temporary first lieutenant), with rank from August 5, 1946.

Second Lt. John Powell MacDonald, Quartermaster Corps (temporary first lieutenant), with rank from August 5, 1946.

Second Lt. Andrew James Boechler, Coast Artillery Corps (temporary first lieutenant), with rank from August 6, 1946.

Second Lt. John Perry Dring, Infantry (temporary captain), with rank from August 7, 1946.

Second Lt. Edwad Alfred Robinson, Infantry (temporary first lieutenant), with rank from August 9, 1946.

Second Lt. Milton Richard Buls, Cavalry (temporary captain), with rank from August 9, 1946.

Second Lt. William Gene Phelps, Infantry (temporary major), with rank from August 9, 1946.

Second Lt. Stanley Richard Mathews, Jr., Field Artillery (temporary first lieutenant), with rank from August 11, 1946.

Second Lt. Lawrence Joseph White, Cavalry (temporary first lieutenant), with rank from August 12, 1946.

Second Lt. Rollin Richard Bullinger, Air Corps (temporary captain), with rank from August 12, 1946.

Second Lt. Kenneth Edward Wehrman, Air Corps (temporary captain), with rank from August 12, 1946.

Second Lt. Ray Edison Porter, Jr., Field Artillery (temporary first lieutenant), with rank from August 12, 1946.

Second Lt. Henry Richard Lema, Infantry, with rank from August 12, 1946.

×Second Lt. William Campbell Hoge, Field Artillery (temporary first lieutenant), with rank from August 13, 1946.

Second Lt. David Nichols Wilton, Air Corps (temporary first lieutenant), with rank from August 13, 1946.

×Second Lt. Charles Wesley Green, Infantry (temporary captain), with rank from August 13 1946.

Second Lt. Rufus Kermit Keeling, Air Corps (temporary captain), with rank from August 14 1946.

Second Lt. Peter Cornelius Sweers, Jr., Coast Artillery Corps (temporary first lieutenant), with rank from August 14, 1946.

Second Lt. Leo Galen Bradford, Air Corps (temporary first lieutenant), with rank from August 15, 1946.

Second Lt. Richard Hurley Cotter, Air Corps (temporary first lieutenant), with rank from August 18, 1946.

Second Lt. William Joseph Grundmann, Air Corps (temporary captain), with rank from August 19, 1946.

Second Lt. James Howard Scheer, Quartermaster Corps (temporary first lieutenant), with rank from August 20, 1946.

Second Lt. Robert Jouett Mitchell, Air Corps (temporary captain), with rank from August 20, 1946.

Second Lt. James William Newman, Coast Artillery Corps (temporary captain), with rank from August 20, 1946.

×Second Lt. John Francis McHugh, Jr., Air Corps (temporary first lieutenant), with rank from August 21, 1946.

×Second Lt. Harvey James Harris, Air Corps (temporary captain), with rank from August 21, 1946.

Second Lt. John Henry Gordon, Air Corps (temporary first lieutenant), with rank from August 21, 1946.

Second Lt. Victor James Schneider, Jr., Air Corps (temporary captain), with rank from August 21, 1946.

Second Lt. Roy Wallace Preston, Infantry (temporary first lieutenant), with rank from August 21, 1946.

Second Lt. James Robert Dew, Cavalry (temporary first lieutenant), with rank from August 23, 1946.

Second Lt. Albert Jean Parker, Infantry (temporary first lieutenant), with rank from August 23, 1946.

×Second Lt. Richard Mahlon Ripley, Field Artillery (temporary captain), with rank from August 23, 1946.

×Second Lt. John Jerome Rooks, Infantry (temporary first lieutenant), with rank from August 23, 1946.

×Second Lt. John Harvey Fye 3d, Field Artillery (temporary captain), with rank from August 24, 1946.

Second Lt. Marvin Cecil Onks, Air Corps (temporary captain), with rank from August 25, 1946.

×Second Lt. John Wesley Simmons 2d, Ordnance Department (temporary captain), with rank from August 25, 1946.

Second Lt. Robert Montgomery Cather, Air Corps (temporary captain), with rank from August 26, 1946.

×Second Lt. Kenneth Stratiff Boggs, Air Corps (temporary first lieutenant), with rank from August 26, 1946.

Second Lt. Robert Thomas Duff, Air Corps (temporary first lieutenant), with rank from August 26, 1946.

Second Lt. Harold Henry McCarty, Air Corps (temporary first lieutenant), with rank from August 27, 1946.

Second Lt. James Lewis Aylor, Field Artillery (temporary first lieutenant), with rank from August 28, 1946.

Second Lt. Claude Watts Gilliam, Quartermaster Corps (temporary first lieutenant), with rank from August 28, 1946.

×Second Lt. James Ellis Shelly, Air Corps (temporary captain), with rank from August 30, 1946.

×Second Lt. Stephen John Gurd, Air Corps (temporary first lieutenant), with rank from August 30, 1946.

Second Lt. John Jackson Jett, Quartermaster Corps (temporary first lieutenant), with rank from August 30, 1946.

Second Lt. Samuel Eugene Rosser, Air Corps (temporary captain), with rank from August 30, 1946.

Second Lt. Benjamin Wylie Tarwater, Air Corps (temporary captain), with rank from August 30, 1946.

×Second Lt. Thomas Elbert Broughton, Air Corps (temporary first lieutenant), with rank from August 30, 1946.

×Second Lt. Robert Jacob Fassler, Air Corps (temporary first lieutenant), with rank from August 30, 1946.

×Second Lt. James William Eversole, Jr., Air Corps (temporary first lieutenant), with rank from August 30, 1946.

Second Lt. James Henry Titsworth, Jr., Air Corps (temporary captain), with rank from August 30, 1946.

Second Lt. Richard Lawrence Nickerson, Air Corps (temporary captain), with rank from August 30, 1946.

Second Lt. John Otto Moench, Air Corps (temporary major), with rank from August 30, 1946.

Second Lt. LeRoy Joseph Manor, Air Corps (temporary captain), with rank from August 30, 1946.

×Second Lt. Arthur Joseph Fitch, Air Corps (temporary captain), with rank from August 30, 1946.

Second Lt. Filbert Eugene Arbogast, Air Corps (temporary first lieutenant), with rank from August 30, 1946.

Second Lt. Kenneth Gregory Barzee, Air Corps (temporary first lieutenant), with rank from August 30, 1946.

×Second Lt. Lawrence Ulysses Gray, Air Corps (temporary captain), with rank from August 30, 1946.

×Second Lt. Robert Howard Riemensnider, Air Corps (temporary major), with rank from August 30, 1946.

Second Lt. LeRoy Alger, Infantry (temporary first lieutenant), with rank from August 30, 1946.

Second Lt. William John Luckey, Jr., Field Artillery (temporary captain), with rank from August 30, 1946.

×Second Lt. Charles Wendell Riffle, Air Corps (temporary captain), with rank from August 30, 1946.

×Second Lt. Robert Edward Gill, Infantry (temporary captain), with rank from August 30, 1946.

Second Lt. John Ludlow Denman, Infantry (temporary first lieutenant), with rank from August 30, 1946.

Second Lt. Fred Lee Suther, Jr., Air Corps (temporary captain), with rank from August 30, 1946.

×Second Lt. Donald Earl Adams, Field Artillery (temporary first lieutenant), with rank from August 30, 1946.

Second Lt. Francis Marion Watson, Jr., Infantry (temporary first lieutenant), with rank from August 30, 1946.

×Second Lt. Nolan Edward Burch, Infantry (temporary first lieutenant), with rank from August 30, 1946.

×Second Lt. Arthur Jefferson Steele, Infantry (temporary first lieutenant), with rank from August 31, 1946.

×Second Lt. James Joseph Butler, Jr., Air Corps (temporary captain), with rank from August 31, 1946.

×Second Lt. William Henry Mathis, Infantry (temporary captain), with rank from September 1, 1946.

Second Lt. Kenneth Edwin Neidigh, Air Corps (temporary captain), with rank from September 1, 1946.

Second Lt. Alfred Edgar Barbour, Quartermaster Corps (temporary captain), with rank from September 1, 1946.

Second Lt. Whitney Douglas Stuart, Field Artillery (temporary first lieutenant), with rank from September 2, 1946.

Second Lt. Joseph Bland Patterson, Air Corps (temporary first lieutenant), with rank from September 2, 1946.

Second Lt. Eugene John Braun, Quartermaster Corps (temporary captain), with rank from September 2, 1946.

Second Lt. Warren Donald Johnson, Air Corps (temporary first lieutenant), with rank from September 2, 1946.

Second Lt. Oliver Levi Mercer, Infantry (temporary captain), with rank from September 3, 1946.

×Second Lt. Virgil Young Decamp, Air Corps (temporary first lieutenant), with rank from September 4, 1946.

×Second Lt. Ralph James Steele, Air Corps (temporary captain), with rank from September 6, 1946.

×Second Lt. John Walter Sensor, Air Corps (temporary captain), with rank from September 7, 1946.

Second Lt. Richard Thompson Cann 4th, Coast Artillery Corps (temporary first lieutenant), with rank from September 9, 1946.

Second Lt. John Allen Stewart, Jr., Field Artillery (temporary first lieutenant), with rank from September 9, 1946.

Second Lt. Robert Ben Lewis, Field Artillery (temporary first lieutenant), with rank from September 9, 1946.

×Second Lt. James Arville Loudermilk, Coast Artillery Corps (temporary first lieutenant), with rank from September 9, 1946.

Second Lt. Gene Allison Walters, Infantry (temporary first lieutenant), with rank from September 10, 1946.

Second Lt. Eugene Roman Lukosky, Field Artillery (temporary first lieutenant), with rank from September 10, 1946.

×Second Lt. Robert Benjamin Walker, Infantry, with rank from September 11, 1946.

×Second Lt. Oliver Raymond Dinsmore, Jr., Quartermaster Corps (temporary captain), with rank from September 15, 1946.

×Second Lt. Robert Campbell Mize, Jr., Field Artillery (temporary captain), with rank from September 15, 1946.

×Second Lt. Manley James Morrison, Air Corps (temporary captain), with rank from September 16, 1946.

Second Lt. Edwin Mann, Air Corps (temporary first lieutenant), with rank from September 16, 1946.

×Second Lt. Roger Herman Miller, Air Corps (temporary captain), with rank from September 16, 1946.

Second Lt. Thomas Leslie Simpson, Air Corps (temporary first lieutenant), with rank from September 16, 1946.

×Second Lt. Elnomac Vester Creel, Field Artillery (temporary first lieutenant), with rank from September 16, 1946.

Second Lt. William Richardson Kenney, Air Corps (temporary first lieutenant), with rank from September 17, 1946.

Second Lt. Fred Washington Dollar, Quartermaster Corps (temporary captain), with rank from September 17, 1946.

×Second Lt. John Harvey Holt, Infantry (temporary first lieutenant), with rank from September 18, 1946.

Second Lt. Jack Taylor Dempsey, Infantry (temporary first lieutenant), with rank from September 18, 1946.

Second Lt. Joseph Walker, Jr., Infantry (temporary captain), with rank from September 18, 1946.

Second Lt. George Morison Livers, Air Corps (temporary captain), with rank from September 19, 1946.

Second Lt. Harold Cecil Thompson, Air Corps (temporary captain), with rank from September 20, 1946.

Second Lt. Edward Farrell Dolan, Infantry (temporary first lieutenant), with rank from September 20, 1946.

×Second Lt. Sammy Alpheus Pierce, Air Corps (temporary captain), with rank from September 20, 1946.

Second Lt. Richard Lee Ramer, Air Corps (temporary captain), with rank from September 20, 1946.

×Second Lt. Joseph Walter Stephens, Jr., Coast Artillery Corps (temporary first lieutenant), with rank from September 22, 1946.

×Second Lt. Hampton Jervis Godfrey, Coast Artillery Corps (temporary first lieutenant), with rank from September 23, 1946.

×Second Lt. Keith Devone Swisher, Air Corps (temporary captain), with rank from September 23, 1946.

Second Lt. James Huston McClurkin, Field Artillery (temporary first lieutenant), with rank from September 23, 1946.

×Second Lt. Spillman New Fitzpatrick, Jr., Field Artillery (temporary first lieutenant), with rank from September 23, 1946.

×Second Lt. James John Meholic, Air Corps (temporary captain), with rank from September 23, 1946.

Second Lt. Barney Quinten Hopkins, Infantry (temporary first lieutenant), with rank from September 25, 1946.

×Second Lt. Earl Lester Russell, Jr., Field Artillery (temporary first lieutenant), with rank from September 25, 1946.

×Second Lt. Quentin Cletus Soprano, Ordnance Department (temporary first lieutenant), with rank from September 25, 1946.

×Second Lt. John Lee Mohl, Infantry (temporary captain), with rank from September 28, 1946.

×Second Lt. Richard Gasser Nelson, Air Corps (temporary captain), with rank from October 1, 1946.

×Second Lt. Robert Glenn Truitt, Air Corps (temporary captain), with rank from October 1, 1946.

×Second Lt. Billie Bernard Brown, Air Corps (temporary captain), with rank from October 1, 1946.

×Second Lt. John Aldrich Fenton, Air Corps (temporary captain), with rank from October 1, 1946.

×Second Lt. William Eugene Diggs, Air Corps (temporary first lieutenant), with rank from October 1, 1946.

Second Lt. Kermit Allan Wagner, Air Corps (temporary captain), with rank from October 1, 1946.

×Second Lt. Richard Munro Hurley, Air Corps (temporary captain), with rang from October 1, 1946.

×Second Lt. August Jeremiah Cronin, Air Corps (temporary first lieutenant), with rank from October 1, 1946.

×Second Lt. Edwin Thomas Mims, Air Corps (temporary captain), with rank from October 1, 1946.

Second Lt. William Charles Mayo, Air Corps (temporary first lieutenant), with rank from October 1, 1946.

Second Lt. Richard Harold Cartwright, Jr., Air Corps (temporary captain), with rank from October 1, 1946.

×Second Lt. Alfred Lafayette Waters, Air Corps (temporary first lieutenant), with rank from October 1, 1946.

×Second Lt. Robert Leonard George, Air Corps (temporary first lieutenant), with rank from October 1, 1946.

×Second Lt. Jack Jasper Henderson, Air Corps (temporary captain), with rank from October 1, 1946.

×Second Lt. Norris Hobart Gerber, Air Corps (temporary first lieutenant), with rank from October 1, 1946.

×Second Lt. Harold George Goodlad, Air Corps (temporary captain), with rank from October 1, 1946.

×Second Lt. John Parker Grimes, Air Corps (temporary first lieutenant), with rank from October 1, 1946.
×Second Lt. Patrick Homer Henry, Air Corps (temporary first lieutenant), with rank from October 1, 1946.
×Second Lt. John Francis Fitzpatrick, Jr., Air Corps (temporary first lieutenant), with rank from October 1, 1946.
Second Lt. Maurice George Fikes, Air Corps (temporary first lieutenant), with rank from October 1, 1946.
Second Lt. Edward Collins Unger, Air Corps (temporary captain), with rank from October 1, 1946.
Second Lt. Edward Michael Walsh, Jr., Air Corps (temporary first lieutenant), with rank from October 1, 1946.
Second Lt. Leonard James La Cagnin, Air Corps (temporary first lieutenant), with rank from October 1, 1946.
Second Lt. John Edson Dougherty, Field Artillery (temporary captain), with rank from October 2, 1946.
×Second Lt. Donavon Francis Smith, Air Corps (temporary major), with rank from October 2, 1946.
×Second Lt. Robert Miles Young, Field Artillery (temporary first lieutenant), with rank from October 2, 1946.
×Second Lt. Robert Lawrence Ferguson, Air Corps (temporary first lieutenant), with rank from October 4, 1946.
Second Lt. John Francis Aschoff, Jr., Infantry, with rank from October 4, 1946.
×Second Lt. William Alexander Bailey, Air Corps (temporary first lieutenant), with rank from October 4, 1946.
×Second Lt. Cortland Tilden Krams, Infantry (temporary captain), with rank from October 4, 1946.
×Second Lt. George Edward Bonitz, Air Corps (temporary first lieutenant), with rank from October 7, 1946.
×Second Lt. George Layton Trimble, Jr., Air Corps (temporary first lieutenant), with rank from October 7, 1946.
×Second Lt. Samuel Morgan Coggins, Quartermaster Corps (temporary captain), with rank from October 8, 1946.
Second Lt. Phillip Winslow O'Dwyer, Air Corps, with rank from October 9, 1946.
×Second Lt. Girard Sullivan Tallent, Air Corps (temporary first lieutenant), with rank from October 9, 1946.
Second Lt. Frank Alexander Gregg, Infantry (temporary captain), with rank from October 9, 1946.
×Second Lt. Walter Fred Kessinger, Air Corps (temporary captain), with rank from October 12, 1946.
×Second Lieutenant Mac Colbert Wells, Air Corps (temporary first lieutenant), with rank from October 14, 1946.
×Second Lt. Robert Gardner Cochrane, Air Corps (temporary first lieutenant), with rank from October 14, 1946.
×Second Lt. Raymond Spires Westerman, Air Corps (temporary first lieutenant), with rank from October 14, 1946.
×Second Lt. Robert Donavan Cummings, Air Corps (temporary captain), with rank from October 15, 1946.
×Second Lt. Walter Edward Cook, Air Corps (temporary captain), with rank from October 15, 1946.
Second Lt. Joseph Charles Vizi, Air Corps (temporary captain), with rank from October 15, 1946.
×Second Lt. James Carleton Walker, Air Corps (temporary first lieutenant), with rank from October 15, 1946.
×Second Lt. Warren Ambrose Giles, Cavalry, with rank from October 15, 1946.
×Second Lt. Lester Drew Stowell, Air Corps (temporary first lieutenant), with rank from October 16, 1946.
×Second Lt. Ramon Allen Waldrop, Air Corps (temporary first lieutenant), with rank from October 16, 1946.
×Second Lt. John Robert Hiltenbrand, Air Corps (temporary first lieutenant), with rank from October 17, 1946.
×Second Lt. Alfred Paul Jelley, Cavalry (temporary first lieutenant), with rank from October 17, 1946.
×Second Lt. Radford Chamberlin Calkins, Air Corps (temporary captain), with rank from October 17, 1946.
×Second Lt. Frank Mikell Remmele, Air Corps (temporary first lieutenant), with rank from October 18, 1946.
×Second Lt. William Archie Wennergren, Jr., Air Corps (temporary first lieutenant), with rank from October 21, 1946.
×Second Lt. Jerry Porter Moore, Air Corps (temporary captain), with rank from October 21, 1946.
Second Lt. Donald A. Crawford, Infantry (temporary captain), with rank from October 22, 1946.
×Second Lt. Russell Edgar Parker, Infantry (temporary first lieutenant), with rank from October 23, 1946.
×Second Lt. Charles Floyd Barclay, Air Corps (temporary captain), with rank from October 23, 1946.
×Second Lt. John Henry Dunn, Air Corps (temporary captain), with rank from October 23, 1946.
×Second Lt. Ralph LeRoy Smith, Air Corps (temporary captain), with rank from October 23, 1946.
×Second Lt. Vern Raymond Schwab, Air Corps (temporary first lieutenant), with rank from October 23, 1946.
×Second Lt. William Henry Stobie, Air Corps (temporary first lieutenant), with rank from October 23, 1946.
×Second Lt. David Day Campbell, Air Corps (temporary first lieutenant), with rank from October 24, 1946.
×Second Lt. Charles Joseph Chenault, Air Corps (temporary first lieutenant), with rank from October 24, 1946.
×Second Lt. Donald Allen Crowe, Air Corps (temporary first lieutenant), with rank from October 25, 1946.
×Second Lt. James Joseph Ursano, Infantry (temporary captain), with rank from October 26, 1946.
×Second Lt. Delbert Eugene Buerger, Air Corps (temporary first lieutenant), with rank from October 28, 1946.
×Second Lt. Robert Charles Hixon, Field Artillery (temporary first lieutenant), with rank from October 28, 1946.
×Second Lt. Bryan Meeks Shotts, Air Corps (temporary captain), with rank from October 29, 1946.
×Second Lt. William Clyde Lafield, Jr., Chemical Corps (temporary first lieutenant), with rank from October 30, 1946.
×Second Lt. Alfred Gordon Hutchins, Air Corps (temporary captain), with rank from October 30, 1946.
×Second Lt. William Traipe Call, Jr., Infantry (temporary first lieutenant), with rank from November 2, 1946.
Second Lt. Dale LeRay Darby, Air Corps (temporary first lieutenant), with rank from November 3, 1946.
×Second Lt. George Wilson Gleason, Air Corps (temporary captain), with rank from November 3, 1946.
×Second Lt. Archie William Grant, Air Corps (temporary captain), with rank from November 3, 1946.
×Second Lt. George Walton Franklin, Air Corps (temporary first lieutenant), with rank from November 3, 1946.
Second Lt. Carroll Mitchell Stone, Air Corps (temporary captain), with rank from November 3, 1946.
×Second Lt. Alfred Edgar Johnson, Air Corps (temporary captain), with rank from November 3, 1946.
×Second Lt. Harold Irvin Hill, Air Corps (temporary first lieutenant), with rank from November 3, 1946.
×Second Lt. Jack Fletcher Prather, Air Corps (temporary captain), with rank from November 3, 1946.
×Second Lt. John Edward Wilson, Jr., Air Corps (temporary captain), with rank from November 3, 1946.
×Second Lt. Glenn Ross Alexander, Air Corps (temporary first lieutenant), with rank from November 3, 1946.
×Second Lt. Denver Jeff Wood, Air Corps (temporary first lieutenant), with rank from November 3, 1946.
×Second Lt. Henry Lee Laird, Air Corps (temporary first lieutenant), with rank from November 3, 1946.
×Second Lt. James Cain Thoms, Jr., Air Corps (temporary first lieutenant), with rank from November 3, 1946.
×Second Lt. Wayne D Morgan, Air Corps (temporary captain), with rank from November 3, 1946.
×Second Lt. Edwin Robert Kregloh, Air Corps (temporary captain), with rank from November 3, 1946
×Second Lt. James Edward Heintz, Air Corps (temporary captain), with rank from November 3, 1946.
×Second Lt. Herman Findley Guffey, Air Corps (temporary first lieutenant), with rank from November 3, 1946.
×Second Lt. Leonard Francis Donnelly, Air Corps (temporary first lieutenant), with rank from November 3, 1946.
×Second Lt. Leonard Maurice Legge, Air Corps (temporary first lieutenant), with rank from November 3, 1946.
×Second Lt. Harold Anthony Schlipf, Air Corps (temporary captain), with rank from November 3, 1946.
×Second Lt. Frank Carrol Sweeney, Jr., Air Corps (temporary captain), with rank from November 3, 1946.
×Second Lt. Cecil Thornton Bush, Air Corps (temporary first lieutenant), with rank from November 3, 1946.
×Second Lt. Donald Kenneth Goss, Air Corps (temporary captain), with rank from November 3, 1946.
Second Lt. Jack Bernard Keith, Air Corps (temporary first lieutenant), with rank from November 3, 1946.
Second Lt. Hugo Zimmermann, Quartermaster Corps (temporary captain), with rank from November 3, 1946
×Second Lt. Paul Guy Galentine, Jr., Corps of Engineers, with rank from November 3, 1946.
×Second Lt. Royce Whitman Priest, Air Corps (temporary captain), with rank from November 3, 1946.
Second Lt. Donald Wayne Vincent, Air Corps (temporary first lieutenant), with rank from November 4, 1946.
Second Lt. Raymond Theodore Reid, Coast Artillery Corps (temporary first lieutenant), with rank from November 4, 1946.
×Second Lt. Victor Paul Blair, Quartermaster Corps (temporary captain), with rank from November 4, 1946.
×Second Lt. Homer Franklin Teague, Air Corps (temporary first lieutenant), with rank from November 4, 1946.
×Second Lt. Irvin Dennis Smith, Jr., Field Artillery (temporary first lieutenant), with rank from November 4, 1946.
×Second Lt. James William Heyroth, Air Corps (temporary captain), with rank from November 5, 1946.
×Second Lt. George Jewell Iles, Air Corps (temporary first lieutenant), with rank from November 6, 1946.
×Second Lt. Lloyd Blaine Holden, Air Corps (temporary first lieutenant), with rank from November 6, 1946.
×Second Lt. Jack Paul Libby, Cavalry (temporary captain), with rank from November 6, 1946.
×Second Lt. Averill Francis Holman, Air Corps (temporary captain), with rank from November 10, 1946.

×Second Lt. Hugh Delaney Dow, Air Corps (temporary major), with rank from November 10, 1946.

×Second Lt. Ernest Franklin Dukes, Jr., Air Corps (temporary first lieutenant), with rank from November 11, 1946.

×Second Lt. Daniel Burr Jones, Jr., Field Artillery (temporary captain), with rank from November 11, 1946.

×Second Lt. Kenneth Edward Rufener, Air Corps (temporary first lieutenant), with rank from November 13, 1946.

×Second Lt. Fred John Schmidt, Air Corps (temporary captain), with rank from November 13, 1946.

Second Lt. Charles Ernest Tychsen, Signal Corps (temporary first lieutenant), with rank from November 13, 1946.

×Second Lt. John Bruce Cartmill, Air Corps (temporary captain), with rank from November 13, 1946.

Second Lt. Abraham Edward Shook, Air Corps (temporary major), with rank from November 14, 1946.

×Second Lt. Rene Jean-Andre Guiraud, Infantry (temporary captain), with rank from November 16, 1946.

×Second Lt. Charles Henry Dalton 3d, Infantry (temporary first lieutenant), with rank from November 16, 1946.

×Second Lt. William Edson Hydorn, Jr., Air Corps (temporary first lieutenant), with rank from November 16, 1946.

Second Lt. John Robert Hauser, Quartermaster Corps, with rank from November 17, 1946.

×Second Lt. Eugene Harvey Kipp, Jr., Coast Artillery Corps (temporary first lieutenant), with rank from November 18, 1946.

Second Lt. James Litchfield Beavers 2d, Air Corps (temporary captain), with rank from November 20, 1946.

×Second Lt. William Grover Morton, Air Corps, with rank from November 22, 1946.

×Second Lt. Charles Wilson Richardson, Jr., Air Corps (temporary captain), with rank from November 22, 1946.

×Second Lt. William Perry Craddock, Jr., Field Artillery (temporary first lieutenant), with rank from November 23, 1946.

×Second Lt. Robert Marquis Leighty, Air Corps (temporary first lieutenant), with rank from November 24, 1946.

×Second Lt. Lauritz Solberg Larsen, Air Corps (temporary first lieutenant), with rank from November 27, 1946.

×Second Lt. Herschel Thomas Pascoe, Air Corps (temporary captain), with rank from November 27, 1946.

×Second Lt. Lawrence William Steinkrauss, Air Corps (temporary first lieutenant), with rank from November 29, 1946.

×Second Lt. Walter Clyde Lowry, Jr., Field Artillery (temporary captain), with rank from November 30, 1946.

×Second Lt. William Reice Henry, Quartermaster Corps (temporary first lieutenant), with rank from December 1, 1946.

×Second Lt. K. Wayne Claybaugh, Air Corps (temporary captain), with rank from December 1, 1946.

×Second Lt. Charles Van Doran Graft, Jr., Field Artillery (temporary first lieutenant), with rank from December 2, 1946.

×Second Lt. Walter Morrow Turner, Infantry (temporary first lieutenant), with rank from December 3, 1946.

×Second Lt. Jack Marvin MacGregor, Air Corps (temporary captain), with rank from December 3, 1946.

Second Lt. George Edward Strand, Air Corps (temporary first lieutenant), with rank from December 4, 1946.

×Second Lt. Edward Emmett Beaty, Air Corps (temporary major), with rank from December 4, 1946.

×Second Lt. Melvin Dewey Shelton, Jr., Air Corps (temporary first lieutenant), with rank from December 5, 1946.

×Second Lt. Orlean Lincoln Jerome Twedt, Air Corps (temporary first lieutenant), with rank from December 5, 1946.

×Second Lt. Steve Joseph Chetneky, Air Corps (temporary first lieutenant), with rank from December 5, 1946.

×Second Lt. John Edwin Lindsey, Air Corps (temporary first lieutenant), with rank from December 5, 1946.

Second Lt. James Franklin Kinney, Air Corps (temporary first lieutenant), with rank from December 5, 1946.

Second Lt. Robert Edward McDaniel, Air Corps (temporary captain), with rank from December 5, 1946.

×Second Lt. Haynes Madden Baumgardner, Field Artillery (temporary captain), with rank from December 5, 1946.

×Second Lt. Lawrence Edward De Zonia, Air Corps (temporary first lieutenant), with rank from December 5, 1946.

×Second Lt Ronald Mitchell Howard, Air Corps (temporary captain), with rank from December 5, 1946.

×Second Lt. Gene Moore Cushman, Field Artillery (temporary first lieutenant), with rank from December 5, 1946.

×Second Lt. Frank Joseph Malkiewicz, Air Corps, with rank from December 5, 1946.

×Second Lt. Lewis Drake Nixon, Air Corps (temporary captain), with rank from December 5, 1946.

×Second Lt. Robert Edward Zimmerman, Air Corps (temporary captain), with rank from December 5, 1946.

×Second Lt. Robert Jones Friend, Air Corps (temporary captain), with rank from December 5, 1946.

Second Lt. Henry Paul Rettinger, Air Corps (temporary captain), with rank from December 5, 1946.

×Second Lt Peter George Palmos, Air Corps (temporary captain), with rank from December 5, 1946.

×Second Lt. Phillips Jerome Copeland, Air Corps (temporary captain), with rank from December 5, 1946.

×Second Lt. George Franklin Deckert, Jr., Air Corps (temporary first lieutenant), with rank from December 5, 1946.

×Second Lt. Glyn Randolph Dunlap, Air Corps (temporary captain), with rank from December 5, 1946.

Second Lt. Guy Edward Ridgway, Jr., Air Corps (temporary captain), with rank from December 5, 1946.

×Second Lt. Mitchell Albert Rolin, Air Corps (temporary first lieutenant), with rank from December 5, 1946.

×Second Lt. David James Havard, Air Corps (temporary captain), with rank from December 5, 1946.

×Second Lt. Francis Leo Mosher, Air Corps (temporary captain), with rank from December 5, 1946.

×Second Lt. William Alfred Arnold, Jr., Air Corps (temporary captain), with rank from December 5, 1946.

×Second Lt. John William Griffis, Jr., Air Corps (temporary first lieutenant), with rank from December 5, 1946.

×Second Lt. John Charles Newman, Air Corps (temporary captain), with rank from December 5, 1946.

×Second Lt. Edward Oliver Stillie, Air Corps (temporary first lieutenant), with rank from December 5, 1946.

×Second Lt. Sanford Kenneth Moats, Air Corps (temporary captain), with rank from December 5, 1946.

×Second Lt. William Altus Faver, Air Corps (temporary first lieutenant), with rank from December 5, 1946.

×Second Lt. Dante Eugene Bulli, Air Corps (temporary first lieutenant), with rank from December 5, 1946.

Second Lt. Edward John Stenger, Cavalry (temporary first lieutenant), with rank from December 5, 1946.

×Second Lt. Arthur Jackson Stokes, Air Corps (temporary first lieutenant), with rank from December 5, 1946.

×Second Lt. James T. Dyer, Jr., Air Corps (temporary first lieutenant), with rank from December 5, 1946.

×Second Lt. Gerald Eugene Mann, Air Corps (temporary first lieutenant), with rank from December 5, 1946.

×Second Lt. John Joseph Neu, Infantry (temporary captain), with rank from December 5, 1946.

Second Lt. Robert Bradley Shea, Air Corps (temporary captain), with rank from December 5, 1946.

×Second Lt. Albert John Kuehn, Infantry (temporary first lieutenant), with rank from December 7, 1946.

×Second Lt. Robert Ferguson Phillips, Infantry (temporary first lieutenant), with rank from December 7, 1946.

×Second Lt. Nelson Alexander Mahone, Jr., Field Artillery (temporary first lieutenant), with rank from December 9, 1946.

×Second Lt. Jack Iden Hamlin, Quartermaster Corps (temporary captain), with rank from December 10, 1946.

×Second Lt. Hugh Humphrey Armstrong, Signal Corps (temporary first lieutenant), with rank from December 11, 1946.

×Second Lt. Grady Lee Hicks, Jr., Infantry (temporary first lieutenant), with rank from December 12, 1946.

Second Lt. Charles Carroll Thebaud, Field Artillery (temporary first lieutenant), with rank from December 13, 1946.

×Second Lt. Morris Winfield Goodwin, Infantry (temporary captain), with rank from December 14, 1946.

×Second Lt. John Harold Miller, Infantry (temporary first lieutenant), with rank from December 14, 1946.

Second Lt. William Benton Carne, Infantry (temporary captain), with rank from December 14, 1946.

Second Lt. Jack Carney Green, Air Corps (temporary first lieutenant), with rank from December 14, 1946.

×Second Lt. George Washington Lewis, Quartermaster Corps (temporary first lieutenant), with rank from December 15, 1946.

×Second Lt. Myron DeWayne Yantis, Coast Artillery Corps (temporary captain), with rank from December 16, 1946.

×Second Lt. Wayne Henry Wernimont, Signal Corps (temporary first lieutenant), with rank from December 17, 1946.

Second Lt. James Donald O'Neal, Field Artillery, with rank from December 18, 1946.

Second Lt. Donald Allen Streeter, Air Corps, with rank from December 20, 1946.

×Second Lt. George Frederick Brame, Air Corps (temporary first lieutenant), with rank from December 24, 1946.

×Second Lt. George Field Gillespie, Air Corps (temporary first lieutenant), with rank from December 24, 1946.

Second Lt. Charles Woodbury Wollam, Air Corps (temporary first lieutenant), with rank from December 24, 1946.

×Second Lt. Lawrence Louis Mowery, Infantry (temporary first lieutenant), with rank from December 24, 1946.

×Second Lt. Paul Marion Nance, Infantry (temporary first lieutenant), with rank from December 28, 1946.

Second Lt. John Erwin Lance, Jr., Infantry (temporary captain), with rank from December 28, 1946.

×Second Lt. Roger Williams Sheridan, Infantry (temporary first lieutenant), with rank from December 29, 1946.

×Second Lt. David Harrison Williams, Jr., Infantry (temporary first lieutenant), with rank from December 30, 1946.

×Second Lt. Rex Royden Blewett, Infantry (temporary first lieutenant), with rank from December 30, 1946.

×Second Lt. Stanley Lester Koslow, Air Corps (temporary captain), with rank from December 30, 1946.
×Second Lt. Dewey Thomas Pfeiffer, Infantry (temporary first lieutenant), with rank from December 31, 1946.
×Second Lt. Robert McKain Smith, Ordnance Department (temporary first lieutenant), with rank from December 31, 1946.
×Second Lt. Stephen Mattick, Air Corps (temporary first lieutenant), with rank from January 2, 1947.
×Second Lt. Milton Rose, Air Corps (temporary first lieutenant), with rank from January 3, 1947.
×Second Lt. Raymond Leo Hurley, Air Corps (temporary first lieutenant), with rank from January 4, 1947.
×Second Lt. Neil James Graham, Field Artillery (temporary captain), with rank from January 4, 1947.
×Second Lt. Merle Lee Hite, Coast Artillery Corps (temporary captain), with rank from January 5, 1947.
×Second Lt. Alan Ross Toffler, Field Artillery (temporary first lieutenant), with rank from January 6, 1947.
×Second Lt. William Wright Evans, Infantry (temporary captain), with rank from January 6, 1947.
×Second Lt. James Leander Atkins, Infantry, with rank from Janury 6, 1947.
×Second Lt. Marvin Leroy Wells Peters, Infantry (temporary first lieutenant), with rank from January 6, 1947.
×Second Lt. John Robert Blunk, Quartermaster Corps (temporary captain), with rank from January 7, 1947.
×Second Lt. Nathan Chester Hardy, Air Corps (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. Ramon Reeves Melton, Air Corps (temporary captain), with rank from January 7, 1947.
×Second Lt. Joseph Jackson Rattie, Air Corps (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. Ervine Claude Pratt, Air Corps (temporary captain), with rank from January 7, 1947.
×Second Lt. Daniel Clayton Johnson, Air Corps (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. William Henry Wilhelmi, Air Corps (temporary captain), with rank from January 7, 1947.
×Second Lt. Adam William Swigler, Jr., Air Corps (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. George James Iannacito, Air Corps (temporary captain), with rank from January 7, 1947.
×Second Lt. William Carson Waterhouse, Air Corps (temporary captain), with rank from January 7, 1947.
×Second Lt. Henry Bailey McDaniel, Jr., Coast Artillery Corps (temporary captain), with rank from January 7, 1947.
×Second Lt. Elmer Torgesen, Air Corps (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. Tom Garrison Laster, Air Corps (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. Robert Baron Nourie, Air Corps (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. Donald Edward McCulloch, Air Corps (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. Cyril Branston Spicer, Jr., Infantry (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. Robert Edward Moore, Air Corps (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. Seward Mortimer Meintsma, Air Corps (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. Jack Kennard Sewell, Air Corps (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. Thomas Henry Stringer, Air Corps (temporary captain), with rank from January 7, 1947.
×Second Lt. Herbert Lee Young, Air Corps (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. Charles William Warmack, Air Corps (temporary captain), with rank from January 7, 1947.
×Second Lt. Ralph Joseph Butler, Air Corps (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. Wilbur Ross Lindsey, Jr., Air Corps (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. Francis Carmel Lozito, Chemical Corps (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. Zane Edwin Corbin, Air Corps (temporary captain), with rank from January 7, 1947.
×Second Lt. Roy Arthur Dix, Coast Artillery Corps (temporary first lieutenant), with rank from January 7, 1947.
×Second Lt. Joseph Park Kelly, Air Corps (temporary first lieutenant), with rank from January 9, 1947.
×Second Lt. Charles Robert Fish, Ordnance Department, with rank from January 9, 1947.
×Second Lt. John William Gephart, Ordnance Department (temporary first lieutenant), with rank from January 10, 1947.
×Second Lt. Robert Howard Allan, Infantry (temporary first lieutenant), with rank from January 12, 1947.
×Second Lt. John Thomas Burke, Air Corps (temporary major), with rank from January 12, 1947.
×Second Lt. Richard Koczak, Quartermaster Corps (temporary captain), with rank from January 13, 1947.
×Second Lt. Harold Bruce Graham, Air Corps (temporary major), with rank from January 13, 1947.
×Second Lt. Truman Raymond Ashbrook, Air Corps (temporary captain), with rank from January 13, 1947.
×Second Lt. John Hale Elrod, Air Corps (temporary first lieutenant), with rank from January 14, 1947.
×Second Lt. June Crawford Caton, Infantry (temporary captain), with rank from January 14, 1947.
×Second Lt. Frederick A. Clark, Air Corps (temporary first lieutenant), with rank from January 15, 1947.
×Second Lt. Richard Forrest Downey, Air Corps (temporary captain), with rank from January 15, 1947.
×Second Lt. John Paul Doherty, Air Corps (temporary captain), with rank from January 15, 1947.
×Second Lt. Robert Seymour Anderson, Air Corps (temporary first lieutenant), with rank from January 15, 1947.
×Second Lt. John Wayne Hanlen, Air Corps (temporary captain), with rank from January 15, 1947.
×Second Lt. Jeffrey Greenwood Smith, Infantry (temporary first lieutenant), with rank from January 15, 1947.
×Second Lt. Charles Grimes Ives, Infantry (temporary first lieutenant), with rank from January 16, 1947.
×Second Lt. William Holman Brandenburg, Field Artillery (temporary first lieutenant), with rank from January 17, 1947.
×Second Lt. David Ray McNaught, Infantry (temporary first lieutenant), with rank from January 18, 1947.
×Second Lt. Robert Alan Hobbs, Air Corps (temporary captain), with rank from January 19, 1947.
×Second Lt. Joe John Bartek, Air Corps (temporary first lieutenant), with rank from January 21, 1947.
×Second Lt. William Charles Hacker, Infantry (temporary first lieutenant), with rank from January 21, 1947.
×Second Lt. Robert Henry Dittberner, Infantry (temporary captain), with rank from January 21, 1947.
×Second Lt. Daniel Valentine Matto, Jr., Infantry (temporary first lieutenant), with rank from January 21, 1947.
×Second Lt. Billy Gene Edens, Air Corps (temporary captain), with rank from January 21, 1947.
×Second Lt. Roy Morris Taylor, Jr., Infantry (temporary captain), with rank from January 21, 1947.
×Second Lt. John E. Hilburn, Infantry (temporary first lieutenant), with rank from January 23, 1947.
×Second Lt. Edward Thomas Flash, Infantry (temporary first lieutenant), with rank from January 25, 1947.
×Second Lt. Elzeard John Deschamps, Infantry (temporary first lieutenant), with rank from January 25, 1947.
×Second Lt. John Samuel Benner, Jr., Quartermaster Corps (temporary captain), with rank from January 25, 1947.
×Second Lt. Frederick Richards Burnet, Corps of Engineers (temporary first lieutenant), with rank from January 26, 1947.
×Second Lt. James Clarence Vaughn, Cavalry (temporary first lieutenant), with rank from January 28, 1947.
×Second Lt. Henry William Brown, Air Corps (temporary major), with rank from January 29, 1947.

MEDICAL CORPS

To be lieutenant colonels

Maj. August Wesley Spittler, Medical Corps (temporary colonel), with rank from August 1, 1946.
Maj. Robert Francis Bradish, Medical Corps (temporary colonel), with rank from August 1, 1946.
Maj. Leonard Dudley Heaton, Medical Corps (temporary colonel), with rank from August 1, 1946.
Maj. Thomas William Ellsworth Christmas, Medical Corps (temporary lieutenant colonel), with rank from August 1, 1946.
Maj. Harold Willard Glattly, Medical Corps (temporary colonel), with rank from August 1, 1946.
Maj. Francis Elbert Council, Medical Corps (temporary colonel), with rank from August 1, 1946.
×Maj. John Presly Bachman, Medical Corps (temporary colonel), with rank from August 1, 1946.
Maj. Hugh Richmond Gilmore, Jr., Medical Corps (temporary colonel), with rank from August 25, 1946.
Maj. Rawley Ernest Chambers, Medical Corps (temporary colonel), with rank from September 3, 1946.
×Maj. Rafael Rodriguez-Molina, Medical Corps, with rank from September 22, 1946.
×Maj. Milton Strong Thompson, Medical Corps (temporary lieutenant colonel), with rank from October 26, 1946.

To be majors

Capt. Julian Adolph Jarman, Medical Corps (temporary lieutenant colonel), with rank from July 8, 1946.
Capt. Walter Neil Jensen, Medical Corps, with rank from July 21, 1946.
Capt. Albert Woods Shiflet, Medical Corps (temporary lieutenant colonel), with rank from August 10, 1946.
Capt. Paul Alexander Paden, Medical Corps (temporary colonel), with rank from August 11, 1946.
×Capt. Delmar Eichler Domke, Medical Corps (temporary lieutenant colonel), with rank from August 14, 1946.
Capt. Tom French Little, Medical Corps (temporary major), with rank from August 14, 1946.
×Capt. Gottlieb Leonard Orth, Medical Corps (temporary lieutenant colonel), with rank from August 20, 1946.
×Capt. Edward Alexander Cleve, Medical Corps (temporary lieutenant colonel), with rank from September 17, 1946.
Capt. Douglas Blair Kendrick, Jr., Medical Corps (temporary lieutenant colonel), with rank from October 3, 1946.

Capt. George Walter McCoy, Jr., Medical Corps (temporary lieutenant colonel), with rank from October 10, 1946.

Capt. James Clark Van Valin, Medical Corps (temporary colonel), with rank from October 12, 1946.

×Capt. George Milton Knauf, Medical Corps (temporary major), with rank from October 17, 1946.

Capt. Lucius George Thomas, Medical Corps (temporary lieutenant colonel), with rank from November 15, 1946.

×Capt. Victor Robert Hirschmann, Medical Corps (temporary lieutenant colonel), with rank from November 15, 1946.

×Capt. Walter Dudley Spearman, Medical Corps (temporary lieutenant colonel), with rank from November 16, 1946.

×Capt. John William O'Donnell, Medical Corps (temporary lieutenant colonel), with rank from November 20, 1946.

Capt. Fred Howenstine Mowrey, Medical Corps (temporary colonel), with rank from December 1, 1946.

Capt. Hubert Thaddeus Marshall, Medical Corps (temporary colonel), with rank from December 1, 1946.

Capt. William Byrd Stryker, Medical Corps (temporary lieutenant colonel), with rank from December 1, 1946.

Capt. William Langford Spaulding, Medical Corps (temporary colonel), with rank from December 6, 1946.

×Capt. Harold Winfield Glascock, Jr., Medical Corps (temporary lieutenant colonel), with rank from December 16, 1946.

Capt. John Thompson Brown Strode, Medical Corps (temporary colonel), with rank from December 17, 1946.

Capt. Paul Hartsock Leach, Medical Corps (temporary lieutenant colonel), with rank from December 17, 1946.

×Capt. Ralph Moody Patterson, Medical Corps (temporary colonel), with rank from January 1, 1947.

Capt. Louis Harmon Jobe, Jr., Medical Corps (temporary lieutenant colonel), with rank from January 1, 1947.

Capt. Rex Clayton House, Medical Corps (temporary colonel), with rank from January 10, 1947.

Capt. Clifford Paul Michael, Medical Corps (temporary colonel), with rank from January 14, 1947.

×Capt. Oscar Samuel Reeder, Medical Corps (temporary colonel), with rank from January 14, 1947.

Capt. Robert John Hoagland, Medical Corps (temporary lieutenant colonel), with rank from January 23, 1947.

×Capt. Edwin Sharp Wallace, Medical Corps (temporary lieutenant colonel), with rank from January 28, 1947.

Capt. James Leo Tobin, Medical Corps (temporary lieutenant colonel), with rank from January 31, 1947.

×Capt. Allen Nelson Bracher, Medical Corps (temporary colonel), with rank from January 31, 1947

To be captains

First Lt. Walter Lee Lumpkin, Jr., Medical Corps (temporary captain), with rank from July 10, 1946.

×First Lt. Gerald John Conlin, Jr., Medical Corps, with rank from August 9, 1946.

First Lt. George Nicholas Pappas, Medical Corps, with rank from August 28, 1946.

×First Lt. Albert Anthony Dunn, Jr., Medical Corps (temporary major), with rank from September 8, 1946.

×First Lt. Spurgeon Hart Neel, Jr., Medical Corps (temporary major), with rank from October 7, 1946.

×First Lt Linden Henry Schwab, Medical Corps (temporary major), with rank from October 29, 1946.

×First Lt. John Robert Pracher, Medical Corps (temporary captain), with rank from December 26, 1946.

First Lt. William Karl Barton, Medical Corps (temporary major), with rank from December 29, 1946.

First Lt. Nathaniel Roscoe Spencer, Medical Corps (temporary major), with rank from December 31, 1946.

DENTAL CORPS

To be majors

Capt. Adolph Charles Naderhoff, Dental Corps (temporary major), with rank from July 30, 1946.

Capt. Maurice Alexander Meador, Dental Corps (temporary major), with rank from August 3, 1946.

Capt. John Lloyd MacKown, Jr., Dental Corps (temporary major), with rank from August 15, 1946.

×Capt. Conrad Toral Kvam, Dental Corps (temporary lieutenant colonel), with rank from August 20, 1946.

Capt. Hugh Davis Avary, Dental Corps (temporary major), with rank from August 21, 1946.

Capt. Paul Anderson Miller, Dental Corps, with rank from September 23, 1946.

×Capt. James Moles Fairchild, Dental Corps (temporary major), with rank from October 11, 1946.

×Capt. George Thomas Perkins, Dental Corps (temporary lieutenant colonel), with rank from October 14, 1946.

Capt. Roy L. Bodine, Jr., Dental Corps (temporary lieutenant colonel), with rank from October 21, 1946.

Capt. George Farrer Jeffcott, Dental Corps (temporary lieutenant colonel), with rank from November 17, 1946.

×Capt. Henry Bulkeley Fitch, Dental Corps (temporary lieutenant colonel), with rank from November 24, 1946.

×Capt. Charles Dodson Disheroon, Dental Corps (temporary major), with rank from December 24, 1946.

×Capt. Joseph Leroy Bernier, Dental Corps (temporary lieutenant colonel), with rank from January 1, 1947.

×Capt. Earl Reid Nichols, Dental Corps, with rank from January 10, 1947.

×Capt. Karl Fredrick Ehrlich, Dental Corps (temporary major), with rank from January 20, 1947.

To be captain

×First Lt. William Duncan Love, Dental Corps (temporary captain), with rank from December 2, 1946.

VETERINARY CORPS

To be lieutenant colonel

Maj. Stanley McLeod Nevin, Veterinary Corps (temporary lieutenant colonel), with rank from August 4, 1946.

To be majors

Capt. James Ralph Karr, Veterinary Corps (temporary lieutenant colonel), with rank from September 4, 1946.

×Capt. James Bernhard Nichols, Veterinary Corps (temporary lieutenant colonel), with rank from October 15, 1946.

×Capt Horace Reynolds Collins, Jr., Veterinary Corps (temporary major), with rank from October 18, 1946.

Capt Albert Arthur Roby, Jr., Veterinary Corps (temporary lieutenant colonel), with rank from November 17, 946.

×Capt. Willard Merrill Van Sant, Veterinary Corps (temporary major), with rank from November 18 1946.

×Capt Daniel Stevens Stevenson, Veterinary Corps (temporary colonel), with rank from December 1, 1946.

Capt. William Francis Collins, Veterinary Corps (temporary lieutenant colonel), with rank from December 1, 1946.

Capt. Velmer Wayne McGinnis, Veterinary Corps (temporary lieutenant colonel), with rank from December 17, 1946.

To be captain

×First Lt. George Foster Dixon, Veterinary Corps (temporary captain), with rank from January 1, 1947.

PHARMACY CORPS

To be lieutenant colonel

×Maj. George William Hunter 3d, Pharmacy Corps, with rank from January 27, 1947.

To be majors

Capt. Robert Schick, Pharmacy Corps (temporary major), with rank from July 14, 1946.

Capt Walter Parmelee Mead, Pharmacy Corps, with rank from July 26, 1946.

Capt. Arthur Dennis Sullivan, Pharmacy Corps, with rank from August 7, 1946.

Capt. Dwight Stephen Hollis, Pharmacy Corps (temporary major), with rank from August 10, 1946.

Capt. Trygve Obert Berge, Pharmacy Corps (temporary major), with rank from August 19, 1946.

Capt. Gene Quinn, Pharmacy Corps (temporary major), with rank from August 25, 1946.

Capt. James Elton Rice, Pharmacy Corps (temporary major), with rank from September 13, 1946.

×Capt. Carlos Verdery Mobley, Pharmacy Corps (temporary major), with rank from November 1, 1946.

Capt. Eli Egbert Daman, Pharmacy Corps (temporary lieutenant colonel), with rank from November 23, 1946.

×Capt. Walter Lorraine Deemer, Jr., Pharmacy Corps (temporary lieutenant colonel), with rank from December 11, 1946.

×Capt. Lawrence Bryan Hardesty, Pharmacy Corps, with rank from December 14, 1946.

Capt. Everett Walter Partin, Pharmacy Corps (temporary major), with rank from December 21, 1946.

Capt. Omar Kenneth Andrews, Pharmacy Corps (temporary lieutenant colonel), with rank from December 21, 1946.

×Capt. John Luft, Pharmacy Corps (temporary major), with rank from January 12, 1947.

To be captains

First Lt. Marion Crawley Stith, Pharmacy Corps (temporary major), with rank from June 30, 1946.

First Lt. Clarence Tillman Olson, Pharmacy Corps (temporary captain), with rank from June 30 1946.

First Lt. Milliard Christian Monnen, Pharmacy Corps (temporary major), with rank from July 25, 1946.

First Lt. Joseph Armand Walter Lemire, Pharmacy Corps (temporary major), with rank from July 26, 1946.

×First Lt. Martin Zachar, Jr., Pharmacy Corps, with rank from July 27, 1946.

First Lt. Manley Glenn Morrison, Pharmacy Corps (temporary captain), with rank from July 29, 1946.

First Lt. Edgar William Leonard, Pharmacy Corps (temporary major), with rank from August 3, 1946.

First Lt. Wilford Paulard Heisel, Pharmacy Corps (temporary captain) with rank from August 6, 1946.

First Lt. William Herbert Thornton, Pharmacy Corps, with rank from August 9, 1946.

First Lt. Frank Kenneth Lawford, Pharmacy Corps (temporary major), with rank from August 12, 1946.

First Lt. Roy Irving Barham, Pharmacy Corps (temporary captain), with rank from August 13, 1946.

First Lt. Leander Frank Erpelding, Pharmacy Corps (temporary major), with rank from August 27, 1946.

First Lt. Eugene Tulie Brown, Pharmacy Corps, with rank from September 7, 1946.

First Lt. Edward Casimir Rogowski, Pharmacy Corps (temporary major), with rank from September 11, 1946.

×First Lt. Donald Harry Behrens, Pharmacy Corps (temporary captain), with rank from September 22, 1946.

×First Lt. Herman Abington Walker, Pharmacy Corps (temporary major), with rank from September 27, 1946.

×First Lt. Francis Oberlin Chapelle, Pharmacy Corps (temporary captain), with rank from October 9, 1946.

First Lt. William Lee Austin, Pharmacy Corps, with rank from October 12, 1946.

×First Lt. Perry Cecil Bullard, Pharmacy Corps (temporary major), with rank from November 4, 1946.

×First Lt. William Emory Gott, Pharmacy Corps (temporary captain), with rank from November 12, 1946.

×First Lt. Ross Anderson Wood, Pharmacy Corps (temporary captain), with rank from November 30, 1946.

×First Lt. Albert Leibovitz, Pharmacy Corps, with rank from November 30, 1946.

×First Lt. Willis Monroe, Pharmacy Corps (temporary major), with rank from December 9, 1946.

×First Lt. Chris Dallas Hoover, Pharmacy Corps (temporary major), with rank from January 5, 1947.

×First Lt. Robert Craig Miller, Pharmacy Corps (temporary captain), with rank from January 6, 1947.

×First Lt. John Darval Medwed, Pharmacy Corps (temporary captain), with rank from January 12, 1947.

×First Lt. Thomas Richard MacMillan, Pharmacy Corps (temporary captain), with rank from January 25, 1947.

×First Lt. Edward van Laer Lipscomb, Pharmacy Corps (temporary captain), with rank from January 29, 1947.

To be first lieutenants

Second Lt. John Raymond Williams, Pharmacy Corps (temporary captain), with rank from July 7, 1946.

×Second Lt. Joseph Earl Willett, Pharmacy Corps (temporary first lieutenant), with rank from August 4, 1946.

×Second Lt. David Franklin Hoover, Pharmacy Corps (temporary first lieutenant), with rank from August 4, 1946.

Second Lt. John Joseph Erb, Jr., Pharmacy Corps (temporary first lieutenant), with rank from August 4, 1946.

Second Lt. Joseph Stanislaus Foley, Pharmacy Corps (temporary first lieutenant), with rank from August 4, 1946.

Second Lt. Norman Clarence Holladay, Pharmacy Corps (temporary first lieutenant), with rank from August 4, 1946.

Second Lt. John Redmond, Jr., Pharmacy Corps (temporary captain), with rank from August 8, 1946.

Second Lt. Harry Robert Zielazinski, Pharmacy Corps, with rank from August 18, 1946.

Second Lt. Bernard Anthony Hart, Pharmacy Corps (temporary first lieutenant), with rank from August 18, 1946.

×Second Lt. Forrest Harvey Stanley, Pharmacy Corps (temporary first lieutenant), with rank from August 18, 1946.

Second Lt. Frederick Myers Wells, Pharmacy Corps (temporary first lieutenant), with rank from August 18, 1946.

×Second Lt. Lawrence Joseph Pfeiffer, Pharmacy Corps (temporary first lieutenant), with rank from September 1, 1946.

×Second Lt. James Arthur Wilson 2d, Pharmacy Corps (temporary first lieutenant), with rank from September 1, 1946.

×Second Lt. James Hyram Phifer, Jr., Pharmacy Corps, with rank from September 24, 1946.

×Second Lt. Nathan Cooper, Pharmacy Corps, with rank from September 25, 1946.

×Second Lt. William Olva Prettyman, Jr., Pharmacy Corps (temporary captain), with rank from November 3, 1946.

×Second Lt. Jordan Lee Epperson, Pharmacy Corps (temporary first lieutenant), with rank from November 17, 1946.

×Second Lt. Dudley Page Cook, Pharmacy Corps (temporary first lieutenant), with rank from December 1, 1946.

×Second Lt. Jack Lewis Flora, Pharmacy Corps (temporary first lieutenant), with rank from December 29, 1946.

CHAPLAINS

To be colonel

Chaplain (Lt. Col.) Ralph Winfred Rogers, United States Army (temporary colonel), with rank from August 29, 1946.

To be majors

Chaplain (Capt.) John Joseph Hlopko, United States Army, with rank from September 11, 1946.

×Chaplain (Capt.) Herman Johan Kregel, United States Army (temporary major), with rank from September 13, 1946.

×Chaplain (Capt.) Edward Joseph Saunders, United States Army (temporary major), with rank from November 6, 1946.

×Chaplain (Capt.) Gregory Regis Kennedy, United States Army, with rank from November 7, 1946.

×Chaplain (Capt.) Ernest Frank Pine, United States Army, with rank from November 19, 1946.

×Chaplain (Capt.) William John Reiss, United States Army (temporary lieutenant colonel), with rank from December 5, 1946.

×Chaplain (Capt.) Lucien Aguste Madore, United States Army, with rank from December 24, 1946.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO ADJUTANT GENERAL'S DEPARTMENT

Lt. Col. Charles Dayton Carle, Infantry (temporary colonel), with rank from August 18, 1940.

Lt. Col. George Raymond Connor, Infantry (temporary colonel), with rank from June 4, 1942.

Lt. Col. Melville Fuller Grant, Infantry (temporary colonel), with rank from June 13, 1945.

Lt. Col. Alfred Lawrence Price, Field Artillery (temporary colonel), with rank from June 13, 1945.

Lt. Col. Arthur Charles Purvis, Infantry (temporary colonel), with rank from August 30, 1940.

Maj. William Grant Caldwell, Infantry (temporary colonel), with rank from June 9, 1945.

Maj. Robert Vernon Lee, Coast Artillery Corps (temporary colonel), with rank from September 26, 1943.

Maj. Cleo Zachariah Shugart, Infantry (temporary colonel), with rank from June 30, 1943.

Maj. James Stack, Quartermaster Corps (temporary lieutenant colonel), with rank from June 1, 1945.

Capt. David Hayden Arp, Finance Department (temporary lieutenant colonel), with rank from November 19, 1946.

Capt. Garlen Randolph Bryant, Infantry (temporary lieutenant colonel), with rank from June 10, 1945.

Capt. Arthur Burton Chatham, Finance Department (temporary major), with rank from December 28, 1946.

Capt. Francis Albert Dunphy, Finance Department (temporary lieutenant colonel), with rank from September 28, 1946.

Capt. Harry Ernest Lyman, Finance Department (temporary lieutenant colonel), with rank from October 18, 1946.

Capt. Robert Harold Shell, Finance Department (temporary lieutenant colonel), with rank from December 13, 1946.

TO QUARTERMASTER CORPS

Lt. Col. Helmuth Ernest Beine, Infantry (temporary colonel), with rank from December 11, 1942.

Lt. Col. Everett Busch, Field Artillery (temporary colonel), with rank from August 18, 1940.

Lt. Col. Fred William Koester, Cavalry (temporary colonel), with rank from October 26, 1940.

Lt. Col. Roswell Emory Round, Infantry (temporary colonel), with rank from July 1, 1943.

Maj. James Byron Colson, Infantry (temporary colonel), with rank from June 30, 1943.

Maj. Oswaldo de la Rosa, Infantry (temporary colonel), with rank from June 12, 1941.

Capt. Stephen Disbrow Cocheu, Infantry (temporary lieutenant colonel), with rank from June 12, 1945.

Capt. William Little, Signal Corps (temporary lieutenant colonel), with rank from June 10, 1942.

Capt. Julius Desmond Stanton, Infantry (temporary lieutenant colonel), with rank from June 12, 1945.

First Lt. Frank Edward Hartman, Infantry (temporary lieutenant colonel), with rank from June 14, 1941.

First Lt. Darwin Jack Kitch, Infantry (temporary captain), with rank from January 19, 1946.

First Lt. Alva William Swartz, Coast Artillery Corps (temporary captain), with rank from July 1, 1945.

TO FINANCE DEPARTMENT

Lt. Col. Alfred Nelson Taylor, Infantry (temporary colonel), with rank from November 24, 1942.

Maj. James Edward Allen, Quartermaster Corps (temporary lieutenant colonel), with rank from January 23, 1946.

Maj. Harry Wells Crandall, Infantry (temporary colonel), with rank from June 12, 1942.

First Lt. Alfred Edgar Barbour, Quartermaster Corps (temporary captain), with rank from September 1, 1946.

TO CORPS OF ENGINEERS

Maj. Ludlow Calhoun Adams Ordnance Department (temporary lieutenant colonel), with rank from July 20, 1946.

Maj. Oliver Wolcott van den Berg, Field Artillery (temporary colonel), with rank from June 30, 1943.

Capt. Louis Wenzel Correll, Infantry (temporary lieutenant colonel), with rank from September 22, 1945.

Capt. Thomas Ezra Cuttino, Quartermaster Corps (temporary lieutenant colonel), with rank from September 27, 1946.

Capt. Harry Otto Fischer, Quartermaster Corps (temporary lieutenant colonel), with rank from January 10, 1943.

Capt. Harry Louis Hart, Ordnance Department (temporary major), with rank from June 7, 1944.

Capt. Jack Cassels Jeffrey, Field Artillery (temporary lieutenant colonel), with rank from April 17, 1946.

Capt. Howard Winston Langley, Ordnance Department (temporary lieutenant colonel), with rank from December 18, 1945.

Capt. Steven Malevich, Infantry (temporary lieutenant colonel), with rank from January 1, 1946.

Capt. James Bernard McNally, Signal Corps (temporary major), with rank from March 31, 1944.

Capt. Seymour Austin Potter, Jr., Quartermaster Corps (temporary lieutenant colonel), with rank from March 22, 1943.

Capt. Jerome Lyon Spurr, Cavalry (temporary lieutenant colonel), with rank from February 10, 1940.

First Lt. Edward Gustav Anderson, Jr., Coast Artillery Corps (temporary captain), with rank from July 25, 1945.

First Lt. Roger Martin Bachman, Infantry (temporary major), with rank from July 1, 1942.

First Lt. Roger Alexander Bertram, Coast Artillery Corps (temporary captain), with rank from January 19, 1946.

First Lt. William Clarence Carter, Jr., Air Corps (temporary captain), with rank from May 12, 1946.

First Lt. George Moses Cookson, Quartermaster Corps (temporary lieutenant colonel), with rank from August 15, 1941.

First Lt. Jack Walton Fickessen, Cavalry (temporary major), with rank from May 17, 1945.

First Lt. Ernest William Fischer, Ordnance Department (temporary major), with rank from January 7, 1941.

First Lt. Camden Page Fortney, Jr., Ordnance Department (temporary lieutenant colonel), with rank from June 27, 1943.

First Lt. Frank Arthur Gleason, Jr., Ordnance Department (temporary major), with rank from April 25, 1945.

First Lt. William Reed Hahn, Cavalry, with rank from January 19, 1946.

First Lt. John Stevens Harnett, Coast Artillery Corps (temporary lieutenant colonel), with rank from June 11, 1943.

First Lt. McGlachlin Hatch, Air Corps (temporary major), with rank from January 19, 1946.

First Lt. Charles Chilton Holbrook, Infantry (temporary lieutenant colonel), with rank from May 27, 1944.

First Lt. Peter Clarke Hyzer, Infantry (temporary lieutenant colonel), with rank from June 12, 1940.

First Lt. Eugene Francis Lawrence, Coast Artillery Corps (temporary major), with rank from July 1, 1944.

First Lt. John Pallo, Coast Artillery Corps (temporary captain), with rank from August 19, 1945.

First Lt. Willard Roper, Air Corps (temporary lieutenant colonel), with rank from July 18, 1944.

First Lt. Roger Lee Russell, Jr., Signal Corps (temporary captain), with rank from May 29, 1945.

First Lt. Lewis Frew Samusson, Infantry (temporary captain), with rank from June 10, 1945.

First Lt. William Adolph Sundlof, Field Artillery (temporary lieutenant colonel), with rank from June 14, 1941.

First Lt. Max Campbell Tyler, Cavalry (temporary major), with rank from June 11, 1944.

First Lt. James Afred Vivian, Coast Artillery Corps (temporary major), with rank from May 29, 1945.

First Lt. Sam Floyd Warren, Field Artillery (temporary major), with rank from February 28, 1945.

Second Lt. Edwin Carl Adams, Coast Artillery Corps (temporary first lieutenant), with rank from May 16, 1944.

Second Lt. Robert Howard Allan, Infantry (temporary first lieutenant), with rank from January 12, 1944.

Second Lt. James Edward Devine, Chemical Corps (temporary first lieutenant), with rank from July 12, 1944.

Second Lt. Harold Burton Gibson, Jr., Ordnance Department (temporary captain), with rank from October 27, 1944.

Second Lt. Norman Cornelius Shepard, Jr., Field Artillery (temporary captain), with rank from June 6, 1944.

Second Lt. Robert Rogers Wessels, Infantry (temporary first lieutenant), with rank from June 6, 1944.

TO ORDNANCE DEPARTMENT

Col. Herbert Joseph Lawes, Quartermaster Corps, with rank from July 1, 1942.

Col. Delmar Samuel Lenzner, Coast Artillery Corps, with rank from October 1, 1939.

Lt. Col. Jerome David Cambre, Infantry (temporary colonel), with rank from December 11, 1942.

Lt. Col. Oscar George Fegan, Quartermaster Corps (temporary colonel), with rank from October 15, 1941.

Lt. Col. Lloyd Milton Garner, Quartermaster Corps (temporary colonel), with rank from October 24, 1940.

Lt. Col. Herbert Carl Reuter, Coast Artillery Corps (temporary colonel), with rank from July 2, 1943.

Lt. Col. Francis Earle Rundell, Quartermaster Corps (temporary colonel), with rank from September 2, 1942.

Lt. Col. Lyle Meredon Shields, Quartermaster Corps (temporary colonel), with rank from December 18, 1941.

Lt. Col. Ray Olander Welch, Quartermaster Corps (temporary colonel), with rank from July 2, 1943.

Lt. Col. Milton Edward Wilson, Quartermaster Corps (temporary colonel), with rank from December 11, 1942.

Maj. James Gallagher Bain, Coast Artillery Corps (temporary lieutenant colonel), with rank from June 9, 1945.

Maj. George Emmert Elliott, Infantry (temporary colonel), with rank from June 12, 1941.

Maj. William Kerr Ghormley, Quartermaster Corps (temporary colonel), with rank from June 13, 1946.

Capt. Clarence Albert Cozart, Coast Artillery Corps (temporary lieutenant colonel), with rank from June 12, 1946.

Capt. Jean Evans Engler, Quartermaster Corps (temporary lieutenant colonel), with rank from June 13, 1943.

Capt. Leo Harold Heintz, Infantry (temporary colonel), with rank from June 13, 1943.

Capt. Oren Eugene Hurlbut, Infantry (temporary lieutenant colonel), with rank from June 13, 1943.

Capt. Cam Longley, Jr., Field Artillery (temporary lieutenant colonel), with rank from June 13, 1943.

Capt. Thomas Randall McDonald, Infantry (temporary lieutenant colonel), with rank from June 10, 1942.

Capt. John Brown Morgan, Coast Artillery Corps (temporary lieutenant colonel), with rank from June 12, 1945.

Capt. William Pierce O'Neal, Jr., Infantry (temporary major), with rank from June 12, 1945.

Capt. Stanley Woodard Smiley, Quartermaster Corps (temporary major), with rank from January 31, 1944.

Capt. Thomas Eugene Wood, Field Artillery (temporary colonel), with rank from June 12, 1944.

First Lt. Jack Lee Grubb, Cavalry (temporary lieutenant colonel), with rank from June 14, 1941.

First Lt. Paul Richard Kemp, Quartermaster Corps (temporary lieutenant colonel), with rank from June 11, 1944.

First Lt. John Erwin Kuffner, Signal Corps (temporary captain), with rank from January 19, 1946.

First Lt. William Ragland Maxwell, Infantry (temporary colonel), with rank from June 12, 1940.

First Lt. Ralph Allen McCool, Quartermaster Corps (temporary major), with rank from June 11, 1944.

First Lt. George Caldwell McDowell, Field Artillery (temporary lieutenant colonel), with rank from June 12, 1940.

First Lt. Henry Augustine Miley, Jr., Coast Artillery Corps (temporary lieutenant colonel), with rank from June 11, 1943.

First Lt. Walter Raleigh Mullane, Quartermaster Corps (temporary major), with rank from June 11, 1944.

First Lt. Asher Burtis Robbins, Jr., Field Artillery (temporary colonel), with rank from June 12, 1940.

First Lt. Paul William Scheidecker, Cavalry (temporary colonel), with rank from June 12, 1940.

First Lt. Edward MacDonald Serrem, Cavalry (temporary lieutenant colonel), with rank from June 12, 1942.

First Lt. William Neville Sloan, Jr., Quartermaster Corps (temporary major), with rank from July 1, 1944.

TO SIGNAL CORPS

Lt. Col. Donald Handley Nelson, Cavalry (temporary colonel), with rank from December 11, 1942.

Capt. Jesse Nicholas Hill, Infantry (temporary major), with rank from February 14, 1946.

Capt. Lassiter Albert Mason, Field Artillery (temporary major), with rank from June 13, 1943.

First Lt. Edward Noel Dahlstrom, Field Artillery (temporary lieutenant colonel), with rank from December 25, 1943.

First Lt. Joseph Samuel Ryan, Ordnance Department (temporary captain), with rank from April 17, 1942.

Second Lt. Stewart Penfold Blake, Infantry (temporary first lieutenant), with rank from May 23, 1944.

TO CHEMICAL CORPS

Capt. Emory Alexander Lewis, Infantry (temporary lieutenant colonel), with rank from June 12, 1944.

Capt. Carl August Steidtmann, Ordnance Department, with rank from August 1, 1946.

TO CAVALRY

Capt. Marion Monroe Brown, Infantry (temporary lieutenant colonel), with rank from August 23, 1942.

Capt. Emmanuel Salvador Cepeda, Philippine Scouts (temporary lieutenant colonel), with rank from June 13, 1943.

Capt. Louis Martin Nawrocky, Infantry (temporary major), with rank from August 19, 1944.

Capt. John Clinton Welborn, Infantry (temporary colonel), with rank from June 10, 1942.

First Lt. Jack Lynn Balthis, Infantry (temporary major), with rank from December 7, 1944.

First Lt. Thomas Augustine Barrow, Field Artillery (temporary captain), with rank from February 26, 1945.

First Lt. Edward Bautz, Jr., Field Artillery (temporary major), with rank from December 7, 1944.

First Lt. Lance Ernest Booth, Jr., Infantry (temporary major), with rank from October 21, 1940.

First Lt. Jack Pershing Brubaker, Field Artillery (temporary captain), with rank from August 8, 1945.

First Lt. James Thomas Clark, Infantry (temporary captain), with rank from October 4, 1944.

First Lt. Glen Ercil Daugherty, Coast Artillery Corps (temporary captain), with rank from February 19, 1942.

First Lt. William Arthur Dwight, Infantry (temporary major), with rank from December 7, 1944.

First Lt. George Chandler Fairbanks, 3d, Coast Artillery Corps (temporary major), with rank from November 1, 1943.

First Lt. Carl Peter Keiser, Jr., Infantry (temporary major), with rank from May 23, 1945.

First Lt. Lem Morris Kelly, Infantry (temporary major), with rank from June 13, 1942.

First Lt. Jackson Stuart Lawrance, Jr., Infantry (temporary lieutenant colonel), with rank from July 28, 1941.

First Lt. David Roger Longacre, Jr., Infantry (temporary major), with rank from March 18, 1944.

First Lt. Robert Bruce McRae, Infantry (temporary lieutenant colonel), with rank from December 23, 1943.

First Lt. John Riley Mitchell, Infantry (temporary captain), with rank from January 19, 1946.

First Lt. Rieder William Schell, Infantry (temporary major), with rank from August 18, 1943.

First Lt. Robert John Schwind, Infantry (temporary captain), with rank from November 29, 1944.

First Lt. Jackson Evert Shirley, Infantry (temporary lieutenant colonel), with rank from December 7, 1944.

First Lt. Dale William Taylor, Field Artillery, with rank from December 10, 1945.

First Lt. James Kuykendall Wade, Coast Artillery Corps (temporary captain), with rank from June 1, 1946.

First Lt. John Parsons Wheeler, Jr., Infantry (temporary captain), with rank from January 19, 1946.

First Lt. Leslie Ray Wilcox, Infantry (temporary lieutenant colonel), with rank from March 5, 1942.

Second Lt. Eugene Corbett Patterson, Field Artillery (temporary first lieutenant), with rank from October 15, 1944.

Second Lt. James Cliffton Smith, Field Artillery (temporary first lieutenant), with rank from September 5, 1944.

TO FIELD ARTILLERY

Capt. James Wilbur Barker 2d, Coast Artillery Corps (temporary major), with rank from June 26, 1943.

Capt. Ralph Breckenridge Coffin, Coast Artillery Corps (temporary lieutenant colonel), with rank from July 18, 1946.

Capt. Arthur Albert Fiedler, Coast Artillery Corps (temporary major), with rank from April 21, 1942.

Capt. Albert Ambrose Matyas, Cavalry (temporary lieutenant colonel), with rank from June 12, 1945.

Capt. Russell Manly Nelson, Coast Artillery Corps (temporary lieutenant colonel), with rank from June 10, 1942.

Capt. Estel Averal Thompson, Coast Artillery Corps (temporary major), with rank from November 12, 1941.

First Lt. Charles Warren Adcock, Coast Artillery Corps (temporary major), with rank from July 1, 1944.

First Lt. Donald Hilary Connolly, Jr., Coast Artillery Corps (temporary major), with rank from May 29, 1945.

First Lt. Richard Lewis Duckwall, Coast Artillery Corps (temporary major), with rank from February 3, 1944.

First Lt. Frederick Lorimer Graham, Coast Artillery Corps (temporary major), with rank from October 5, 1945.

First Lt. Charles Edward Howard, Coast Artillery Corps (temporary captain), with rank from December 7, 1944.

First Lt. Edward Anthony Kreml, Coast Artillery Corps, with rank from June 1, 1946.

First Lt. Herbert William Kreuger, Coast Artillery Corps, with rank from May 29, 1945.

First Lt. Harmon Porter Rimmer, Coast Artillery Corps (temporary major), with rank from June 11, 1943.

First Lt. Sydney Emil Sacerdote, Coast Artillery Corps (temporary lieutenant colonel), with rank from April 17, 1940.

First Lt. Robert William Schafer, Coast Artillery Corps (temporary major), with rank from November 22, 1943.

First Lt. Albert Nicholas Thompson, Coast Artillery Corps (temporary captain), with rank from May 29, 1945.

First Lt. William Holmes Tomlinson, Coast Artillery Corps (temporary captain), with rank from June 1, 1946.

First Lt. Louis Blanton Umlauf, Jr., Coast Artillery Corps (temporary captain), with rank from June 1, 1946.

First Lt. Thomas Eugene Watson, Jr., Chemical Corps (temporary major), with rank from July 1, 1944.

First Lt. Edward Woodrow Wild, Coast Artillery Corps (temporary captain), with rank from December 7, 1944.

TO COAST ARTILLERY CORPS

Lt. Col. Edward Forstall Adams, Infantry (temporary colonel), with rank from June 12, 1946.

Lt. Col. Allen Milton Murphy, Infantry, with rank from November 20, 1946.

TO INFANTRY

Maj. George Edward Lynch, Field Artillery (temporary colonel), with rank from June 13, 1946.

Capt. John Louis Davids, Field Artillery (temporary lieutenant colonel), with rank from September 24, 1944.

Capt. William Ernest Harrison, Field Artillery (temporary major), with rank from June 19, 1943.

Capt. Richard Cox Zalesky, Field Artillery (temporary lieutenant colonel), with rank from February 10, 1941.

First Lt. Clare Hibbs Armstrong, Jr., Quartermaster Corps (temporary captain), with rank from June 11, 1944.

First Lt. James Lewis Aylor, Field Artillery, with rank from August 28, 1946.

First Lt. Edwin Fahey Black, Coast Artillery Corps (temporary lieutenant colonel), with rank from June 11, 1943.

First Lt. William Sailor Bowers, Field Artillery (temporary major), with rank from December 19, 1941.

First Lt. Joseph Francis Boyle, Coast Artillery Corps, with rank from June 1, 1946.

First Lt. Harvey Seymour Browne 3d, Coast Artillery Corps (temporary major), with rank from June 22, 1942.

First Lt. Wesley Herbert Burr, Finance Department (temporary captain), with rank from August 11, 1941.

First Lt. Richard Thompson Cann 4th, Coast Artillery Corps, with rank from September 9, 1946.

First Lt. James Chrietzberg, Jr., Coast Artillery Corps (temporary captain), with rank from December 7, 1944.

First Lt. William Oeland Denham, Coast Artillery Corps (temporary captain), with rank from May 8, 1945.

First Lt. Ralph Martin Flynn, Coast Artillery Corps (temporary lieutenant colonel), with rank from December 7, 1944.

First Lt. Floyd Frederick, Field Artillery, with rank from June 26, 1945.

First Lt. Stewart Shepherd Giffin, Jr., Coast Artillery Corps, with rank from June 1, 1946.

First Lt. Bruce Barton Jones, Coast Artillery Corps (temporary major), with rank from December 7, 1944.

First Lt. Eldeen Henry Kauffman, Quartermaster Corps (temporary captain), with rank from September 30, 1945.

First Lt. Vitaly Kovalevsky, Field Artillery (temporary major), with rank from February 20, 1945.

First Lt. Lewis Edward Maness, Corps of Engineers (temporary lieutenant colonel), with rank from December 7, 1944.

First Lt. Marshell Garrett McBee, Field Artillery (temporary captain), with rank from January 8, 1943.

First Lt. Robert Bruce McBride 3d, Field Artillery (temporary captain), with rank from May 5, 1946.

First Lt. Robert Emmett McMahon, Cavalry (temporary lieutenant colonel), with rank from June 12, 1942.

First Lt. Delmar Lewis Oaks, Jr., Field Artillery (temporary captain), with rank from December 7, 1944.

First Lt. Thomas Augustine Schintz, Quartermaster Corps, with rank from August 24, 1944.

First Lt. James Armitt Scott, Jr., Coast Artillery Corps (temporary lieutenant colonel), with rank from June 12, 1940.

First Lt. James George Shanahan, Field Artillery (temporary captain), with rank from July 6, 1945.

First Lt. Neil Geiger Stewart, Field Artillery (temporary major), with rank from August 16, 1944.

First Lt. John Charles Fremont Tillson 3d, Cavalry (temporary lieutenant colonel), with rank from June 14, 1941.

First Lt. Stanley Livingston Wilson, Jr., Coast Artillery Corps (temporary captain), with rank from June 1, 1946.

First Lt. Willard Young, Field Artillery (temporary major), with rank from July 15, 1945.

Second Lt. James Bradshaw Adamson, Coast Artillery Corps (temporary captain), with rank from June 6, 1944.

Second Lt. Robert Mitchell Cowherd, Coast Artillery Corps (temporary first lieutenant), with rank from June 6, 1944.

Second Lt. Richard Edwin Cross, Field Artillery (temporary first lieutenant), with rank from January 9, 1945.

Second Lt. Warren Dudley Hodges, Coast Artillery Corps (temporary captain), with rank from June 7, 1944.

Second Lt. William Thomas Miller, Coast Artillery Corps (temporary first lieutenant), with rank from June 6, 1944.

Second Lt. Jack LeMaster Treadwell, Field Artillery (temporary captain), with rank from March 23, 1944.

Second Lt. James Wesley Weathers, Jr., Coast Artillery Corps (temporary captain), with rank from June 6, 1944.

TO AIR CORPS

Lt. Col. Hugh Gibson Culton, Cavalry (temporary colonel), with rank from May 4, 1941.

Lt. Col. Joseph Vincent de Paul Dillon, Judge Advocate General's Department (temporary colonel), with rank from July 2, 1943.

Maj. Woodbury Megrew Burgess, Cavalry (temporary colonel), with rank from June 14, 1944.

Maj. Matthew Kemp Deichelmann, Coast Artillery Corps (temporary colonel), with rank from June 14, 1944.

Maj. Gares Garber, Chemical Corps (temporary lieutenant colonel), with rank from December 25, 1945.

Maj. Rogers Alan Gardner, Cavalry (temporary colonel), with rank from June 12, 1942.

Maj. Joseph Halversen, Infantry (temporary colonel), with rank from June 12, 1943.

Maj. George Eldridge Keeler, Jr., Coast Artilery Corps (temporary colonel), with rank from June 13, 1946.

Maj. Raymond Coleman Maude, Signal Corps (temporary colonel), with rank from June 12, 1943.

Maj. Marvin John McKinney, Coast Artillery Corps (temporary colonel), with rank from June 12, 1943.

Maj. Alvin Louis Pachynski, Signal Corps (temporary colonel), with rank from June 14, 1944.

Maj. James Elmer Totten, Signal Corps (temporary colonel), with rank from June 9, 1945.

Capt. Carroll Keleher Bagby, Corps of Engineers (temporary lieutenant colonel), with rank from June 12, 1946.

Capt. Richard Spencer Carter, Field Artillery (temporary colonel), with rank from June 11, 1941.

Capt. Walden Bernald Coffey, Infantry (temporary lieutenant colonel), with rank from June 10, 1942.

Capt. Adolph William Eberle, Infantry (temporary lieutenant colonel), with rank from August 3, 1943.

Capt. Alfred Christian Gay, Coast Artillery Corps (temporary lieutenant colonel), with rank from June 11, 1941.

Capt. Thew Joseph Ice, Jr., Infantry (temporary lieutenant colonel), with rank from June 12, 1944.

Capt. Hall King, Field Artillery (temporary lieutenant colonel), with rank from October 9, 1942.

Capt. Orin Houston Moore, Infantry (temporary colonel), with rank from June 12, 1945.

Capt. Gustav Adolph Neuberg, Finance Department (temporary lieutenant colonel), with rank from October 22, 1946.

Capt. George Brendan O'Connor, Field Artillery, with rank from June 12, 1945.

Capt. John Peterson O'Connor, Coast Artillery Corps (temporary major), with rank from October 1, 1943.

Capt. Arthur Robert Pidgeon, Jr., Quartermaster Corps (temporary major), with rank from December 23, 1941.

Capt. Jack Griffin Pitcher, Quartermaster Corps (temporary colonel), with rank from June 12, 1940.

Capt. Robert Totten, Coast Artillery Corps (temporary colonel), with rank from June 13, 1943.

Capt. Victor Hermann Wagner, Signal Corps (temporary colonel), with rank from June 12, 1946.

Capt. Frank Thornton West, Signal Corps (temporary major), with rank from June 17, 1944.

First Lt. Julian Ray Abernathy, Jr., Cavalry (temporary captain), with rank from July 20, 1945.

First Lt. Nathan Jasper Adams, Field Artillery (temporary captain), with rank from December 7, 1944.

First Lt. LeRoy Alger, Infantry, with rank from August 30, 1946.

First Lt. Robert Gordon Babb, Field Artillery, with rank from April 22, 1946.

First Lt. Wyley Lovelace Baxter, Coast Artillery Corps (temporary major), with rank from May 29, 1945.

First Lt. Robert LeRoy Beers, Ordnance Department (temporary captain), with rank from July 3, 1945.

First Lt. Eddie Lowell Bennett, Infantry, with rank from March 10, 1946.

First Lt. John Brereton Bestic, Signal Corps (temporary colonel), with rank from June 12, 1942.

First Lt. John Wesley Bolyard, Infantry (temporary captain), with rank from July 28, 1946.

First Lt. John Stump Buckwalter, Coast Artillery Corps (temporary captain), with rank from May 20, 1945.

First Lt. Milton Richard Buls, Cavalry (temporary captain), with rank from August 9, 1946.

First Lt. Philip Clare Calhoun, Infantry (temporary major), with rank from February 20, 1945.

First Lt. Walter Callahan, Coast Artillery Corps, with rank from August 21, 1945.

First Lt. William Francis Carr, Infantry, with rank from June 5, 1946.

First Lt. Edgar Raymond Cavin, Finance Department, with rank from October 9, 1945.

First Lt. Robert Page Cowart, Corps of Engineers, with rank from July 29, 1946.

First Lt. Richard Daniel Curtin, Coast Artillery Corps (temporary lieutenant colonel), with rank from June 12, 1942.

First Lt. Gene Moore Cushman, Field Artillery, with rank from December 5, 1946.

First Lt. Joe Rowan Daniel, Corps of Engineers (temporary major), with rank from April 17, 1944.

First Lt. John Ludlow Denman, Infantry, with rank from August 30, 1946.

First Lt. John Edson Dougherty, Field Artillery (temporary captain), with rank from October 2, 1946.

First Lt. John Christian Eigenmann, Field Artillery (temporary major), with rank from December 7, 1944.

First Lt. Jerome Pershing Ellis, Infantry, with rank from May 29, 1945.

First Lt. Harlen Benton Ferrill, Coast Artillery Corps (temporary lieutenant colonel), with rank from June 11, 1943.

First Lt. Paul Guy Galentine, Jr., Corps of Engineers, with rank from November 3, 1946.

First Lt. Robert Edward Gill, Infantry (temporary captain), with rank from August 30, 1946.

First Lt. Claude Watts Gilliam, Quartermaster Corps, with rank from August 28, 1946.

First Lt. Gordon Thomas Gould, Jr., Signal Corps (temporary lieutenant colonel), with rank from June 11, 1944.

First Lt. John McMullan Gulick, Coast Artillery Corps (temporary major), with rank from June 12, 1940.

First Lt. Orlo Victor Harkness, Infantry (temporary captain), with rank from November 10, 1945.

First Lt. Carll Truett Harris, Infantry, with rank from September 17, 1945.

First Lt. Glynn Lovett Harris, Corps of Engineers, with rank from September 5, 1943.

First Lt. Joe Leslie Harris, Corps of Engineers (temporary captain), with rank from April 26, 1944.

First Lt. Charles Junious Harrison, Signal Corps (temporary colonel), with rank from June 12, 1940.

First Lt. Yates Michel Hill, Signal Corps (temporary major), with rank from May 29, 1945.

First Lt. Robert Maitland Howe, Infantry (temporary captain), with rank from December 7, 1944.

First Lt. Henry Randolph Howell, Jr., Cavalry (temporary major), with rank from December 31, 1944.

First Lt. John Benedict Hunter, Field Artillery (temporary captain), with rank from March 20, 1946.

First Lt. Kenneth Earl Husemoller, Infantry, with rank from June 1, 1945.

First Lt. John Jackson Jett, Quartermaster Corps, with rank from August 30, 1946.

First Lt. Ernest Bryant Jones, Coast Artillery Corps (temporary lieutenant colonel), with rank from June 11, 1943.

First Lt. Russell Park Jones, Signal Corps (temporary captain), with rank from July 1, 1945.

First Lt. Leo Austin Kiley, Jr., Ordnance Department (temporary major), with rank from December 7, 1944.

First Lt. Robert W. Kleinhelter, Field Artillery, with rank from March 6, 1946.

First Lt. Jean Koke Lambert, Infantry (temporary lieutenant colonel), with rank from February 20, 1945.

First Lt. Gerard Anthony LaRocca, Coast Artillery Corps (temporary major), with rank from June 11, 1944.

First Lt. Weston Monroe Lennox, Ordnance Department (temporary major), with rank from December 7, 1944.

First Lt. Adolph John Leocha, Coast Artillery Corps (temporary major), with rank from February 20, 1945.

First Lt. Elmer Theodore Lian, Infantry (temporary captain), with rank from December 7, 1944.

First Lt. Douglas Harold Logan, Ordnance Department, with rank from February 2, 1946.

First Lt. James Arville Loudermilk, Coast Artillery Corps, with rank from September 9, 1946.

First Lt. William John Luckey, Jr., Field Artillery (temporary captain), with rank from August 30, 1946.

First Lt. Charles Jean Lutz, Field Artillery (temporary lieutenant colonel), with rank from August 11, 1943.

First Lt. William Jerome Lynn, Cavalry (temporary captain), with rank from May 13, 1945.

First Lt. Howard Powers McClain, Quartermaster Corps (temporary captain), with rank from February 6, 1946.

First Lt. David Webster McKinney, Chemical Corps, with rank from October 11, 1945.

First Lt. F. C. Melton, Jr., Field Artillery (temporary captain), with rank from May 16, 1945.

First Lt. Bryce Stearns Moore, Quartermaster Corps, with rank from June 2, 1945.

First Lt. Wayne Laverne O'Hern, Signal Corps (temporary lieutenant colonel), with rank from June 12, 1942.

First Lt. Leonard John Otten, Jr., Signal Corps (temporary captain), with rank from December 7, 1944.

First Lt. Kenneth Wegner Prien, Quartermaster Corps (temporary captain), with rank from September 5, 1945.

First Lt. William Cyrus Robinson, Infantry (temporary captain), with rank from December 7, 1944.

First Lt. Harry Glenn Sanders, Cavalry (temporary major), with rank from January 9, 1945.

First Lt. Clifford Roger Silliman, Corps of Engineers (temporary major), with rank from January 9, 1945.

First Lt. Milton Drake Sprinkel, Chemical Corps, with rank from March 31, 1946.

First Lt. Edward John Stenger, Cavalry, with rank from December 5, 1946.

First Lt. Robert Luther Stephens, Infantry, with rank from May 22, 1946.

First Lt. James Edwin Sturgis, Quartermaster Corps (temporary major), with rank from February 19, 1942.

First Lt. Victor Georg Thiel, Finance Department, with rank from May 25, 1946.

First Lt. John Robert Thompson, Jr., Quartermaster Corps, with rank from July 3, 1945.

First Lt. Charles Frederick Tiessen, Infantry, with rank from January 30, 1946.

First Lt. Russell Kenneth Weller, Infantry (temporary captain), with rank from May 23, 1945.

First Lt. James Alfred Williams, Ordnance Department, with rank from May 24, 1946.

First Lt. Milton Eugene Wills, Jr., Quartermaster Corps (temporary major), with rank from December 20, 1941.

First Lt. James Arthur Wilson, Coast Artillery Corps (temporary major), with rank from December 13, 1944.

First Lt. Charlton Whitfield Winchester, Jr., Quartermaster Corps, with rank from July 2, 1945.

First Lt. Harold Delmar Wodruff, Cavalry (temporary captain), with rank from July 7, 1945.

First Lt. David Seavey Woods, Signal Corps (temporary lieutenant colonel), with rank from June 11, 1944.

First Lt. William Jack Worcester, Coast Artillery Corps (temporary colonel), with rank from June 12, 1940.

First Lt. Gilbert Osborne Wymond, Jr., Cavalry (temporary lieutenant colonel), with rank from December 12, 1944.

First Lt. Alfred Yorston, Jr., Cavalry (temporary captain), with rank from September 29, 1945.

First Lt. Hugo Zimmermann, Quartermaster Corps (temporary captain), with rank from November 3, 1946.

Second Lt. Marvin Ellis Anding, Pharmacy Corps (temporary first lieutenant), with rank from June 27, 1944.

Second Lt. Ellis Crain Baker, Jr., Infantry (temporary first lieutenant), with rank from March 12, 1944.

Second Lt. John Robert Blunk, Quartermaster Corps (temporary captain), with rank from January 7, 1944.

Second Lt. Albert James Brown, Field Artillery (temporary first lieutenant), with rank from February 5, 1944.

Second Lt. James Morton Bush, Infantry, with rank from February 1, 1945.

Second Lt. Roy Arthur Dix, Coast Artillery Corps (temporary first lieutenant), with rank from January 7, 1944.

Second Lt. Dale Robert Fleming, Coast Artillery Corps (temporary captain), with rank from June 6, 1944.

Second Lt. Neil James Graham, Field Artillery (temporary captain), with rank from January 4, 1944.

Second Lt. Wilbert Edward Habakangas, Infantry, with rank from February 1, 1945.

Second Lt. John Francis Jamieson, Quartermaster Corps, with rank from March 11, 1945.

Second Lt. Francis Carmel Lozito, Chemical Corps (temporary first lieutenant), with rank from January 7, 1944.

Second Lt. Henry Bailey McDaniel, Jr., Coast Artillery Corps (temporary captain), with rank from January 7, 1944.

Second Lt. William Nicholas Michels, Infantry (temporary captain), with rank from March 6, 1944.

Second Lt. Robert Dale Miller, Field Artillery, with rank from May 23, 1945.

Second Lt. Floyd George Nixon, Infantry (temporary first lieutenant), with rank from March 12, 1944.

Second Lt. Marvin Leroy Wells Peters, Infantry (temporary first lieutenant), with rank from January 6, 1944.

Second Lt. Kenneth Weare Rasmussen, Cavalry, with rank from May 23, 1944.

Second Lt. James Paul Robertson, Quartermaster Corps (temporary first lieutenant), with rank from May 23, 1944.

Second Lt. Donald Jack Seed, Quartermaster (temporary first lieutenant), with rank from March 14, 1945.

Second Lt. Milton Edward Sicklesteel 3d, Field Artillery (temporary first lieutenant), with rank from August 23, 1944.

Second Lt. Richard Eri Stanley, Cavalry, with rank from November 18, 1944.

Second Lt. Peter David Summer, Ordnance Department (temporary first lieutenant), with rank from February 13, 1945.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 5 (legislative day of February 19), 1947:

DIPLOMATIC AND FOREIGN SERVICE

Lewis W. Douglas to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Great Britain.

UNITED NATIONS

Warren R. Austin to be the representative of the United States of America on the United Nations Commission for Conventional Armaments.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 6, 1947

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal God, by whose merciful providence we behold the light of another day, we praise Thee that Thou art the spring of comfort and refreshment. With Thee every weakness can be made strength and every hindrance an inspiration. Amid chance and change and withering emotions that lead only to uncertainty and instability, constrain us to order our lives wisely.

Thou who art the light of the world, brood over the counsels of the chosen delegates of the nations. Take out of every contest the spirit of suspicion and selfishness and make unity of purpose to dominate all hearts and minds. Help them to see through the vistas of fear and doubt, and behold the morning of a world at peace and in mutual understanding. O God, grant unto our beloved soldier-statesman the assurance that right will prevail, and that "behind the dim unknown standeth God within the shadow, keeping watch above His own."

Dear Lord, let the robe of divine care be about our President, our Speaker, and all Members of the Congress. Give dignity and poise to the deliberations of Congress, with brave hearts and strong minds to face life calmly, and to do Thy will. In the name of Christ our Saviour. Amen.

The Journal of the proceedings of Tuesday, March 4, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 1040. An act to authorize the payment of $425.68 by the United States to the Government of Switzerland;

H. R. 1778. An act to amend the Federal Firearms Act; and

H. R. 2045. An act to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of streptomycin, or any derivative thereof, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 1968. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BRIDGES, Mr. BROOKS, Mr. GURNEY, Mr. BALL, Mr. MCKELLAR, Mr. HAYDEN, and Mr. TYDINGS to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 17. Concurrent resolution authorizing the printing of additional copies of House Document No. 754, Seventy-ninth Congress, entitled "Communism in Action."

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 8. Concurrent resolution relative to placing temporarily a statue of the late Senator Borah, of Idaho, in the rotunda of the Capitol and the holding of ceremonies in connection therewith.

The message also announced that the President pro tempore has appointed Mr. LANGER and Mr. CHAVEZ members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Commerce.
2. Department of the Interior.
3. Department of the Navy.
4. Post Office Department.
5. Department of State.
6. Department of the Treasury.
7. Civil Service Commission.
8. National Archives.
9. Office of Temporary Controls.
10. Railroad Retirement Board.

CONTESTED-ELECTION CASE — HAROLD C. WOODWARD AGAINST THOMAS J. O'BRIEN (H. DOC. NO. 163)

The SPEAKER laid before the House the following communication from the Clerk of the House, which was read and referred to the Committee on House Administration and ordered to be printed:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D. C., March 5, 1947.

The Honorable the SPEAKER,
House of Representatives.

SIR: From the contestant in the contested-election case of Harold C. Woodward against Thomas J. O'Brien for a seat in the Eightieth Congress from the Sixth Congressional District of the State of Illinois, the Clerk received on February 26, 1947, a communication citing the failure of the contestee to reply to his notice to contest said election. The communication of the contestant further raised certain questions which could only be decided by the House itself and were therefore transmitted to the Speaker of the House for disposal. This matter was, by the Speaker, referred to the House Committee on Administration for consideration.

Now comes the contestee with his answer to the notice to contest, which is transmitted herewith for reference to the committee having jurisdiction over this matter.

Very truly yours,

JOHN ANDREWS,
Clerk of the House of Representatives.

LET'S HAUL DOWN A FEW SUBVERSIVE PROFESSORS

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEARHART. Mr. Speaker, in my hands I hold a photostat of a newspaper clipping from the Syracuse (N. Y.) Post-Standard of Sunday, February 16.

In this article it is revealed that one Milton Mayer, a University of Chicago professor, while addressing a meeting of One Worlders in Syracuse, unbosomed himself in the following words which I quote:

> We must haul down the American flag. And if I wanted to be vulgar and shocking, I would go even further, and say haul it down, stamp on it, and spit on it.

And this article contains the further information, equally startling, equally disconcerting, which I also quote:

> Most of the nearly 200 persons attending the meeting greeted Mayer's statement with prolonged applause.

If that is a sample of the subversive sentiments which some of our professors in some of our publicly supported and privately endowed educational institutions of our country are giving expression to, subversive sentiments to which certain of our public audiences are shouting their approval, I say it is high time that the American people begin to haul down, not the flag, but the professors who are preaching and teaching such destructive ideas.

It is pedagogic expressions of this kind, expressions of which the one I have quoted is but an example, which are constantly bringing down upon the members of a noble profession undeserved embarrassment and unmerited criticism, constantly exposing our teachers to false charges of entertaining subversive sentiments and of indulging in unpatriotic activities. The sooner we kick out of the educational world these people who fatten upon the contributions of patriotic citizens only to stab their benefactors in the back, the better off this country will be.

And incidents such as the one to which I have just called the attention of the Congress and the country reminds us forcibly that, for some reason or other, reasons quite beyond understanding, this Congress has never in the one-hundred-

and-sixty-odd years of its existence passed any law to authorize Federal officials to apprehend and punish the desecrators and mutilators of the flag of the United States, though, strange to relate, heavy penalties have been imposed upon those who mutilate a 5-cent piece or disfigure the dollar goddess which emblazons our coins.

If the symbol of Old Glory, the noble sentiments which it represents, mean as much to the American people as the dollar mark on our coins, then, indeed, it is high time that the Congress of the United States enact legislation which will provide an adequate punishment for those who desecrate the flag of this Republic, visit upon them the contempt which every true-blue American has for their ilk. Such a bill I have offered to the Congress of the United States in my H. R. 234.

Let us promptly enact it and have an end to such incidents as occurred in Syracuse, and, while we are about it, let us haul down a few subversive professors, this creature from the University of Chicago, along with the rest.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. GEARHART. I yield.

Mr. RANKIN. You will find those subversive professors are being subsidized by somebody who wants to destroy the Government of the United States.

Mr. GEARHART. I am not surprised to hear that.

The SPEAKER. The time of the gentleman from California has expired.

TREASURY-POST OFFICE DEPARTMENT APPROPRIATION BILL

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight Friday night to file a privileged report on the Treasury-Post Office Department appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. CANFIELD]?

There was no objection.

Mr. RAYBURN. Mr. Speaker, I reserve all points of order.

EXTENSION OF REMARKS

Mr. ROBERTSON asked and was granted permission to extend his remarks in the RECORD and include an important letter from one of his constituents.

Mr. MATHEWS asked and was granted permission to extend his remarks in the RECORD and include an address made by John Thomas Taylor, national representative of the American Legion.

Mr. McGREGOR asked and was granted permission to extend his remarks in the RECORD in two instances, in one to include an editorial appearing in the New York World-Telegram of March 1, and in the other an article written by Louis Bromfield entitled, "Army-Navy Could Trim Cost by Cutting Out Waste and Red Tape."

Mr. JAVITS asked and was granted permission to extend his remarks in the RECORD and include an editorial from the New York Herald Tribune, Strength Must Be Used.

Mr. MUHLENBERG asked and was granted permission to extend his remarks in the RECORD and include a statement.

WORLD AFFAIRS

Mr. MUHLENBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. MUHLENBERG]?

There was no objection.

Mr. MUHLENBERG. Mr. Speaker, it is perhaps somewhat presumptuous for a new Member to rise to express a viewpoint on national and international affairs at some variance with remarks made on Monday last by two outstanding and often-quoted Members of the Republican majority—one to the effect that we were "dragged into this war," the other to state flatly that he is an "isolationist." These lead the general public, as I have already discovered, to the impression of a party position already taken. May I be permitted to state that many of the men who have just entered the Congress hold no such views; and that perhaps the viewpoint which deserves more the label of majority Republican opinion is one that believes the safety and security of the world is indeed our problem and the solution of that problem our real safety; that succor of starving and enslaved peoples is indeed our obligation, an obligation much greater and in the long view much sounder for our preservation than the immediate reduction either of debt or taxes.

We, close to the people, elected in many districts by the confidence of many Democrats who have lost faith in the glittering generalities and empty words of the New Deal, but who have faith in our knowledge and judgment of world affairs, shall speak for ourselves and are bound by no man. We shall use our experience to judge matters for the good of the Nation in a cooperative world where we are in truth today, and perhaps for our own selfish interests, our brother's keeper.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. MASON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. MASON]?

There was no objection.

[Mr. MASON addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. RICH. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein an article by Sam Pettengill, a former Member of Congress, who thinks right and shoots straight. The article is entitled "Ceiling on Tribute."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. REEVES asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. SOMERS asked and was given permission to extend his remarks in the RECORD and include a letter from the Capital Motion Picture Co.

Mr. HOLIFIELD asked and was given permission to extend his remarks in the Appendix of the RECORD on the subject of the so-called portal-to-portal pay bill.

Mr. HUBER asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Lorain Journal.

PERMISSION TO ADDRESS THE HOUSE

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

[Mr. SABATH addressed the House. His remarks appear in the Appendix.]

(Mr. SARATH asked and was given permission to revise and extend his remarks and include a resolution.)

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

[Mr. DAVIS of Georgia addressed the House. His remarks appear in the Appendix.]

TERMINAL-LEAVE BONDS

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, on Tuesday, March 4, I filed with the Clerk a discharge petition to bring before you for consideration House bill 3, which I introduced on January 3, providing that terminal-leave bonds should be redeemable in cash at the option of the veteran, and providing for cash payments instead of bonds hereafter. This is not a complicated bill; it is just a simple piece of legislation.

It requires no hearings, since the House in the Seventy-ninth Congress unanimously endorsed cash payment and was approved by a vote of 379 to 0.

When the bill was sent to the Senate, they changed the payment of terminal leave to 5-year bonds, which was accepted by the House with the distinct understanding that the Eightieth Congress would correct this injustice and pay these bonds in cash, if requested.

When the House was considering the conference report, our now distinguished Speaker, the gentleman from Massachusetts [Mr. MARTIN] said, among other things:

If the officers could have cash, then there is no reason on earth why the private soldier

should not be treated the same. After all, it is the good old private and noncom that carries the greater burden of war. If we do not give fair, equal treatment today, then the next Congress will see that the injustice is corrected. Eventually the American people will see that fair play prevails.

I hope you will sign this petition, and let us pass this bill No. 3.

EXTENSION OF REMARKS

Mr. FULTON asked and was given permission to extend his remarks in the RECORD and include an address of the Governor of Pennsylvania before the Pennsylvania Manufacturers Association at Philadelphia on Tuesday, February 25, 1947.

Mr. JUDD asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances, in each to include an editorial.

PERMISSION TO ADDRESS THE HOUSE

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an article appearing in Kiplinger's magazine on the subject, York: A Good Kind of Town To Live In.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[Mr. GROSS addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD and include extraneous data.

Mr. KEARNEY asked and was given permission to extend his remarks in the Appendix of the RECORD and include a resolution adopted by the American Lithuanian Society of Amsterdam, N. Y.

Mr. D'EWART. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include a statement by Mr. Sylvan J. Pauly, of Montana, president of the National Wool Growers Association, before the Agriculture Committee. Mr. Pauly discusses the wool situation.

The Public Printer advises me that this statement is estimated to make 2⅓ pages of the CONGRESSIONAL RECORD and will cost $165.67. Notwithstanding this fact, I ask unanimous consent that it may be printed.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. McDONOUGH asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an editorial from the Los Angeles Times and in the other to include a resolution adopted by the Los Angeles County Board of Supervisors.

Mr. HILL asked and was given permission to extend his remarks in the RECORD and include memorial No. 3 of the Colorado State Senate petitioning the Congress to pass appropriations for the control and eradication of the foot-and-mouth disease in Mexico.

Mr. BRADLEY of California asked and was given permission to extend his remarks in the RECORD and include an article appearing in the Artesia News, Artesia, Calif.

ADJOURNMENT OVER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

CALENDAR WEDNESDAY

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PROGRAM FOR NEXT WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute to announce the program for next week.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, the Committee on Appropriations has obtained unanimous consent to have until midnight tomorrow night to file a report on the Treasury and Post Office appropriation bill. That report will be filed tomorrow, and we expect to call it up for consideration on Monday next. It is expected that general debate will continue through Monday, and that we will begin the reading of the bill on Tuesday. It is probable that that bill can be disposed of finally on Tuesday. If it is necessary to hold general debate longer than Monday, that may be done at the discretion of the committee.

When the appropriation bill is finally disposed of, we propose to call up through Wednesday and Thursday H. R. 1943, a bill to establish a permanent Nurse Corps of the Army and the Navy and to establish a Women's Medical Specialist Corps in the Army; also H. R. 1327, which was scheduled for consideration today, but on which a rule has not yet been granted, but on which it is expected that a rule will be granted. That is a bill to amend existing law to provide the privilege of renewing the expiring 5-year level premium term policies for another 5-year period; also to call up two bills from the Committee on Merchant Marine and Fisheries that have been characterized as rather technical, but requested by the executive branch of the Government; House Joint Resolution 76, authorizing and directing the Commandant of the United States Coast Guard to waive compliance with navigation and vessel-inspection laws administered by the Coast Guard; and H. R. 1240, providing for the suspension of navigation and vessel-inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended.

If those matters are disposed of by the evening of Thursday next, it is our plan to adjourn over until the following Monday.

COMMUNIST PROPAGANDA

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, if the attacks on me were published in decent newspapers, I would have a right to rise to a question of personal privilege, but since they were published in the Communist Daily Worker, I feel like rising to a question of personal gratification.

I notice this morning, as usual, a cartoon of me on the front page of the Communist Daily Worker, accusing me of being responsible for the Committee on Un-American Activities that is now delving into the traitorous conduct of certain elements and individuals and exposing their efforts to undermine and destroy our form of Government and our American way of life.

I am gratified indeed to have these subversives attack me and accuse me of being the worst enemy they have in this country.

The SPEAKER. The time of the gentleman from Mississippi has expired.

RESTORING THE NAME OF HOOVER DAM

Mr. BROWN of Ohio. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 132 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H. J. Res. 140) to restore the name of Hoover Dam, and all points of order against said joint resolution are hereby waived. That after general debate, which shall be confined to the joint resolution and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Public Lands, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Illinois, the ranking member of the Committee on Rules [Mr. SABATH], and yield myself such time as I may use.

Mr. Speaker, this resolution would make in order the consideration of House Joint Resolution 140, to restore the name of Hoover Dam. This rule provides for 1 hour of general debate, and allows amendments to be offered under the 5-minute rule. Points of order against the joint resolution have been waived, simply as protection from dilatory action which might otherwise have arisen on technical or irrelevant points. The rights of the minority are fully protected

by the provision in the rule for one motion to recommit.

House Joint Resolution 140 would restore the name of Hoover Dam. It should be pointed out, however, that Mr. Hoover has never asked that his name be restored to the dam for which he, more than any other man, was responsible. It is not as if he were seeking honor, but that we the Congress, representing the people of the United States, recognizing the propriety of such action, seek to bestow honor where honor is due.

During debate on this measure, it is my hope that all Members of this body will bear in mind that this is an unsolicited honor, and will therefore realize the impropriety of detracting from the reputation of our only living ex-President.

Political convictions are probably the most inviolable aspect of the personalities of most of us who are here, yet in most cases we cannot trace the incidents or the decisions which have brought about the political convictions that we hold so sacred. I have never doubted that every Member of Congress is deeply sincere, politically, and acts entirely within the dictates of his conscience. It is obvious that we disagree on many things, yet we are all sincere in our disagreements. Therefore, in politics we should remember always that in opposing in any way what a man thinks on particular issues we should not oppose the man personally because of the way he thinks. Here in the House of Representatives I believe this principle is firmly established. I have profound personal respect and affection for all the Members of this House, regardless of their political convictions, and I believe most of the other Members of the Congress have similar feelings in this respect.

This principle should be applied when we consider House Joint Resolution 140. I am very happy and pleased to be able to stand here today and say to you that when this matter was considered before the Committee on Rules no partisanship was displayed, that this resolution was reported unanimously, being supported by all the Democratic members of that committee. In fact, if my memory serves me right, the motion to report the resolution was made by a Democratic member of the Committee on Rules, a wonderful gesture and a fine tribute both to Mr. Hoover and to the Americanism of the great Rules Committee.

We are not attempting to honor the political convictions of ex-President Hoover, nor are we attempting to honor the political party he represented in the Presidency. We are honoring the man—a great man and a great American. To do otherwise would be inconsistent with the American principle which has always recognized and honored men for their contributions to the country. By observing this custom, we have provided an incentive for personal contributions which have made this country the greatest in the world.

As will probably be brought out in debate on this issue, the dam on the Colorado River in the Black Canyon was originally called the Hoover Dam. The name was later changed, however, for purely political reasons. Our only living ex-President was denied this token of honor to his personal greatness merely because of his political convictions. I am sure that none of us would be a party to such an injustice.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. RANKIN. I was here when the Boulder Dam bill was passed. One of the greatest forces behind that measure was Herbert Hoover and two others were Senator Hiram Johnson and Representative Phil Swing.

For a time it was called the Hoover Dam, with the approval, I thought, of everybody in the House. When Secretary Ickes came into office, as I understand it, he changed the name to Boulder Dam. I was opposed to that change. I never voted for President Hoover, and he knows it, but nobody has ever attempted to change the name of the Wilson Dam, which was named after Woodrow Wilson. Nobody has ever attempted to change the name of the Roosevelt Dam which was named after Theodore Roosevelt. I was opposed and I made it known then that I was opposed to changing the name of this dam from Hoover Dam to Boulder Dam.

I shall vote for the resolution.

Mr. BROWN of Ohio. I thank the gentleman for his contribution.

I would like to add that there have been numerous public projects and structures named after the late President, Franklin Delano Roosevelt, and there has never been any attempt, so far as I know, to change the name of any of these.

The honor originally given Mr. Hoover was not revoked in favor of doing greater honor to another, but was denied in favor of the name Boulder Dam—a name which has no significance—a dull, lifeless name.

As to the propriety of naming a public work in honor of a living person, there are other precedents. The Roosevelt Dam, the Wilson Dam, as the gentleman from Mississippi has pointed out, and the Coolidge Dam were all named in honor of men who have served in the great office of President of the United States. It is even more appropriate that we should restore the name Hoover Dam to the Boulder Canyon structure, as Herbert Hoover labored faithfully and successfully as Secretary of Commerce in the early 1920's to reconcile the conflicting interests of the States that had obstructed the building of the dam. Further, as an engineer, he interested himself in the actual construction of the dam. Does it not seem more appropriate—regardless of political consideration—to identify the structure with the name of Hoover, than to refer to it by an inanimate name with no significance.

I hold a deep respect and a warm personal regard for Mr. Hoover. It is not my intention to eulogize here, but I would like to make the observation that Herbert Hoover's life is the story of the typically American way to success.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. RANKIN. Let me call attention to another thing. We had battle after battle over Cove Creek Dam. I remember one time when we lost every vote in Tennessee except Mr. McReynolds. One man at the other end of the Capitol who stood out for the development of Cove Creek Dam was Senator George Norris, and when that dam was finally built we named it Norris Dam. It will remain Norris Dam if I have my way about it.

Mr. BROWN of Ohio. I thank the gentleman for his statement, but to continue:

Many of you have traveled the same path yourselves, and you will be able to appreciate how the son of a village blacksmith rose to the Presidency of the United States.

Orphaned when he was 7, Herbert Hoover was raised by an uncle on an Oregon farm. Later he earned his own way through Stanford University, where he received a degree in engineering. In short, Hoover was brought up the hard way. He knew poverty and the value of an honest dollar. By observation, he knew the problems of the poor. He knew that if he were to succeed, it had to be through hard work and sound management since he had no inherited power of wealth or name to ease his path. On leaving college, Hoover worked at manual labor in a mine in northern California, and later became associated with a firm of mining engineers. He remained in the job for 14 years, and during that time traveled throughout the world. He later started his own firm, which he operated until shortly before World War I. Hoover was in London at the time of the outbreak of the war. Finding many stranded American tourists, he gave unsparingly of his time and money to aid them. Before the United States entered the First World War, Hoover was appointed Administrator of Belgian Relief, an adventure which plunged him into international diplomacy and politics.

With our entrance into the war, President Woodrow Wilson, ignoring partisan politics, perceived in Hoover the logical candidate to stimulate production and aid in the conservation of food in the United States and appointed him Food Administrator in 1917.

Following the war, Hoover spent 2 years in Europe as American Relief Administrator. In this capacity, he conducted one of the most spacious humanitarian efforts in history, distributing more than $11,000,000,000 in food products in the famine-ridden lands of Europe.

In 1921 President Harding appointed Herbert Hoover Secretary of Commerce. He served in this capacity until he was nominated for the Presidency in 1928. Whether or not we agree with such a man on political views, we cannot but respect him as a man. Were he not noble, he could not have risen to such heights. It is my sincere hope that we pass this resolution to honor a man who so justly deserves it.

In recent weeks and months Mr. Hoover has been serving as the special envoy or representative of President Truman in making surveys of conditions and needs for American help in many foreign lands. A few months ago, at the age of 72, he made a trip around the earth for his Government and his President. Just

last Sunday he returned from spending several weeks in Europe, and especially in Germany, where again, as the representative of his Government and his President, he made a survey of conditions there, especially as to the need of American aid for the sick and starving.

I had the pleasure of visiting with Mr. Hoover just last week and of having breakfast with him. I heard him pay great tribute at that time to President Truman. He stated that President Truman had asked him to do these things, and had given him full support and a completely free hand to report the facts as he found them, and that the President had accepted his report in full, and that they were working together, not as Democrat or Republican but as Americans, to meet the obligations of this Nation to all humanity.

I am sure Mr. Hoover will be recognized by the people of the United States, and by the Members of this Congress, as one who, even in the years of his age, has made a great contribution to the welfare of America and of all the world. I wish to compliment the gentleman from California [Mr. ANDERSON], the author of this House joint resolution, for having introduced it.

I hope the rule will be adopted and, in turn, that, as a tribute to a great American, House Joint Resolution 140 will be adopted by this body by a unanimous vote.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman from Ohio has consumed 15 minutes.

Mr. SABATH. Mr. Speaker, I yield such time as he may desire to the former Speaker of the House, the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, I shall take only a minute or two. I am not, of course, going to oppose this resolution. If anyone wants to change the name of this dam to Hoover Dam it is perfectly all right with me. Herbert Hoover has been a great American; I think he still is a great American and is serving his day and generation now in very fine fashion. There is, however, one thing I wish to call to your attention that I think is a great mistake. The name of this dam has been bandied about between Hoover and Boulder, and so on and so forth. I believe it is a mistake to name great public works for living people, for the personality is too close to us. I think it would have been a very bad thing to have built a monument 555 feet tall to George Washington while he was living, and I just want to express the hope that hereafter we not name great public projects for living people.

You will remember they built a dam across Red River between my district and the State of Oklahoma. That river is 1,350 miles long. Someone suggested that they name it the Rayburn Dam. The name "Rayburn Dam" would not have meant anything; certainly it meant nothing to me and it would not have meant anything to anybody else because if somebody had started out to find Rayburn Dam on 1,350 miles of that river they might have a mighty hard time doing it. The dam was finally named "Denison Dam" and it is near Denison, Tex. Everybody knows where it is. After that Oklahoma wanted to get into the picture and they convinced the powers that be that they ought to change the name of the lake above the dam so that Oklahoma would have some part in the name. They changed the name of the lake to Lake Texhoma. It was still Denison Dam, but Lake Texhoma. Now, there is a little town way out in the West named Texhoma. I vision the day when some Nimrod wanting to do some fishing along the banks of beautiful Lake Texhoma with a 1,200-mile shore line, getting ready to throw his line will find himself 200 miles away from the lake.

Mr. BROWN of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Speaker, I am in full accord with the remarks made by my good friend from Texas. I think it would have been a fine thing to have named that dam down there Rayburn Dam, because I know of no man who can dam things up better than the gentleman from Texas when the need arises.

But I cannot help remembering that Norris Dam was named after Senator Norris while he was yet living. As I recall the old gentleman several times capitalized on it, in fact, in his campaigns. Of course, as long as he was running under our banner we did not offer any objection even though he took himself out more often than he put himself in.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. PICKETT].

Mr. PICKETT. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKETT. Mr. Speaker, it is with a mixed feeling of pride and humility I address the House on this occasion.

To those of us whose loyalty to our native soil, the State of Texas, is second only to that to these United States, this, the 6th day of March, is another anniversary among those we humbly note as we reflect on the glories of our State. Ordinarily a discourse of this nature is made on the floor of the House on the day of Texas independence. However, that day fell on Sunday this year.

On this day 111 years ago Col. William Barrett Travis and 187 other determined warriors perished in the cradle of Texas liberty, the Alamo. That tragic episode in our glorious past succeeded by 4 days only the declaration of independence by the intrepid band of patriots who had assembled at Washington on the Brazos a few days before on March 2 and made the second most resounding declaration of its kind ever penned on these shores. That declaration concludes as follows:

We, therefore, the delegates, with plenary powers, of the people of Texas, in solemn convention assembled, appealing to a candid world for the necessities of our condition, do hereby resolve and declare, that our political connection with the Mexican Nation has forever ended, and that the people of Texas, do now constitute a free, sovereign, and independent republic, and are fully invested with all the rights and attributes which properly belong to independent nations; and conscious of the rectitude of our intentions, we fearlessly and confidently commit the issue of the decision to the Supreme Arbiter of the destinies of nations.

Events followed swiftly in the succeeding days and culminated at Buffalo Bayou on April 21, 1836; another date of great significance in the history of our State. Then, Gen. Sam Houston and his army of 783 men attacked and destroyed a Mexican force of twice that number with the loss of only 7 killed and 27 wounded. That victory, encompassing the capture of the Mexican General Santa Anna, was the crowning achievement that resulted in Texas independence.

We, from Texas, whose pride of heritage is so often mistaken for provincialism, call you to witness that those undaunted pioneers: Austin, Bowie, Travis, Fannin, Houston, Rusk, Bonham, Milam, Lamar, Crockett, and the host of their fellows were from all sections of what was then the United States. Scarce among them was a native-born son. They were Americans whose hardy spirits had decreed they migrate to what was then a wilderness for reasons best known to themselves. It was their individuality as Americans that, once banded together in what they deemed a righteous cause, brought forth on this continent another Republic and which since was welded by common consent into an association of States by its treaty of annexation to aid in forming the greatest nation ever to have existed on the face of the globe.

Since becoming a part of this great Nation a spirit of amity and friendship has been conceived and nurtured between the two great republics of North America, the United States and Mexico. The wounds of old have healed and the good-neighbor policy has been substituted. Evidences of these things are countless and the just-concluded visit of President Truman to our neighbor on the south bears witness to the community of ideals enjoyed by the two nations in which we of Texas also take great pride.

Thus, on this day in which we commemorate the fall of the Alamo, we direct to your attention that our seeming provincialism is but the result of pride in our American heritage and the part we have been permitted to play in the development of this great Nation and its relationships with other countries.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. PICKETT. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, we on this side of the aisle join with the gentleman from Texas in commemorating the anniversary of Texas and wish for him and the State of Texas a long and very fine life in the Union of States.

Mr. PICKETT. I thank the gentleman.

Mr. BROWN of Ohio. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. REED].

EXTENSION OF REMARKS

Mr. REED of New York asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article.

RESTORING THE NAME OF HOOVER DAM

Mr. BROWN of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio [Mr. HERTER], who, by the way, served for many years as secretary to Mr. Hoover.

Mr. Speaker, will the gentleman yield?

Mr. HERTER. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I have asked the gentleman to yield to inform the Members of the House that the Supreme Court has just handed down a decision affirming the conviction of John L. Lewis and, I believe, reducing the fine to $750,000.

Mr. HERTER. Mr. Speaker, I cannot let this occasion go by without saying a word about a man who was my boss, my chief, for a period of 5 years; 5 years during which he spent a considerable portion of his time and energy toward working out the many very complicated problems that arose in connection with the construction of the dam whose name we plan to change today. He was not only Secretary of Commerce at that time but he was also Chairman of the Colorado River Commission, which commission had to determine in conjunction with an interstate treaty among six States how the waters of the Colorado River would be divided in future years. The negotiations were presided over by Mr. Hoover. They were carried on for a good many months, and I believe that if it had not been for the amazing skill, the great patience, yet greater persistence with which he insisted that agreement be reached among the six sovereign States, that dam could never have been built.

I agree entirely with the statement made by the gentleman from Texas [Mr. RAYBURN] that we ought not to name monuments to living people, or, at least, that we should go very slowly in naming monuments to living people, but in this case the facts do not coincide with any such conclusion.

The particular dam to which we are having reference today was named Hoover Dam. It was officially Hoover Dam for a period of 6 years. Then suddenly, and without warning, its name was changed. I am not going to bring in partisan, political matters into this discussion, but I know of nothing more humiliating to an individual than to have had that change take place without debate and without notice. Mr. Hoover is still alive. It is very seldom that we have an opportunity of doing justice to a man and to his memory while he is still alive. I believe that today we have the opportunity of righting what was to my mind a great injustice and at the same time paying a well deserved tribute to one of the greatest of American statesmen.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. HERTER. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I simply wish to say that I am very happy to see the Committee on Rules reporting this resolution and bringing this bill out. During the Seventy-ninth Congress I prepared a resolution on this same subject at the outgrowth of a colloquy on the floor, January 22, 1946, with the gentleman from Arizona [Mr. MURDOCK] over a small bill to amend the Boulder Canyon Act. I was advised at that time, however, that it might be difficult to obtain passage, and on the advice of several friends did not press it for passage at the time. But the correspondence which I received voluntarily and unsolicited from various parts of the country indicated to me how well the country as a whole will receive the passage of this resolution today.

Among the letters I received after it was reported I was preparing such a bill, was one from Dr. Ray Lyman Wilbur, under date of January 28, 1946, in which he said:

> I am herewith sending you some material which may give you some helpful information. I had thought perhaps we might have to wait * * * to clear up this injustice. If I can supply any further information at any time please let me know. I call your particular attention to the opinion of Attorney General Homer S. Cummings.

Subsequently it appeared that nothing could be accomplished in the Seventy-ninth Congress and I so advised Dr. Wilbur, among others, in thanking him for the information he had sent. Thereupon Dr. Wilbur, under date of February 25, wrote me:

> Thank you for your letter of February 16, about restoring the name of Hoover Dam. I think you are quite right that a more favorable time for the introduction of legislation will appear somewhat later. If there is anything that I can do at any time please call on me.

This is that more favorable time, and I compliment the gentleman from California for presenting the legislation and the Committee on Rules for bringing it before us. Its passage is a fitting recognition of recent services performed by a great man who continues to serve his country in a noble way whenever called upon.

Mr. HERTER. I thank the gentleman.

Mr. SABATH. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. HERTER. Mr. Speaker, I yield the gentleman from Mississippi two additional minutes.

Mr. RANKIN. Mr. Speaker, I do not agree with the gentleman from Texas [Mr. RAYBURN] that we should wait until Mr. Hoover dies to pay him this compliment, and I am not in favor of waiting until the gentleman from Texas dies to name Denison Dam the Rayburn Dam. I have taken that position before.

I remember when this battle was on to develop Boulder Dam. There was a great conflict. I was in favor of an authority; I think yet we should have had an authority. I can never forget the great fight waged by Senator Hiram Johnson, a great Senator and a great American, and by Representative Phil Swing.

But let me show you what Hoover Dam means to the West. Now, it was called Hoover Dam in the beginning, just as Wilson Dam was named Wilson Dam long before Mr. Wilson died, and my recollection is that Roosevelt Dam was named before Theodore Roosevelt died.

Counties all over the country were named after living human beings. There is a county in my State named after a former Member of Congress of my name, Christopher Rankin. My recollection is that Rankin County was named while Christopher Rankin was still alive.

Norris Dam was named after Senator Norris while Senator Norris was still in the Senate.

When Queen Elizabeth was dying she is said to have kept repeating that Latin expression, Mortua sed non sepulta—dead but not buried.

Someone has said that maybe we are just paying a political debt. Many politicians, many Members of the House and of the Senate, and many governors of States who have contributed to the development of their States and their areas have gone out of office and have had projects named for them while they were still living physically. I can see no objection to it.

Mr. COLE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. May I call the attention of the gentleman to the fact that a dam in Texas has been named for our beloved and very able former chairman of the House Committee on Rivers and Harbors [Mr. MANSFIELD].

Mr. RANKIN. Yes; and I was in favor of that.

Let me say a word about this dam and about Herbert Hoover. Herbert Hoover is an honest man. I know Mr. Hoover. I knew him when he was Secretary of Commerce. I knew him when he was President, and I have watched his career since that time. He is America's No. 1 private citizen today. His Americanism cannot be questioned.

Let us see what Boulder Dam means. Look at Great Britain today, struggling in the throes of a crisis that threatens to last for years. I saw in the paper this morning that they would have to ration electricity for their homes probably for years to come. The power generated at Boulder Dam alone exceeds the combined physical strength of every man in the United States living west of the Mississippi River. It is one of the greatest contributions to that great western country, and especially that section of it that is without gas, coal, and oil. I remember the struggle he waged here to get this dam constructed. When they named it Hoover Dam we discussed it here, and I said, I thought it ought to be named Hoover Dam, and I was disappointed when by an Executive order, or a bureaucratic order, the name was changed. I am in favor of adopting this resolution and restoring to this dam the name of Hoover Dam.

Mr. BARRETT. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Wyoming.

Mr. BARRETT. There should be no partisanship in this matter. When Secretary of the Interior Wilbur issued the order designating this project as Hoover Dam, the chairman of the Committee

on Appropriations, the Honorable Edward Taylor, from the great State of Colorado, a Democrat, said on the floor of this House that it was peculiarly proper to name it Hoover Dam, and in his extended remarks he stated that he was happy that the Committee on Appropriations had accepted the designation of the name Hoover for this dam; and the committee repeatedly thereafter brought in appropriations under the designation of Hoover Dam. So there is no partisanship in this question. We are here today correcting a situation. It is not only right and proper but eminently fair.

Mr. RANKIN. There is certainly no politics in it as far as I am concerned. I think Mr. Hoover will understand that it is not a political matter with me.

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from California.

Mr. JOHNSON of California. The gentleman from Mississippi has said how important this dam is to the West. I should like to have the gentleman know that California water users and California water districts are committed by binding contracts to pay for the entire dam and all the interest on the money.

Mr. RANKIN. Certainly. As I pointed out the other day, we have 230,000,000,000 kilowatts of electricity, hydro-power, going to waste in our navigable streams and their tributaries every year. For my part, I am in favor of developing all of it, because we are going to need it in the years to come.

But while Mr. Hoover is still alive, carrying on as best he can as a great American, I am in favor of restoring his name to this dam to let him understand that we as Democrats and Republicans, we as Americans, are grateful to him for the service he has rendered.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. SABATH. Mr. Speaker, I had the honor of having known former President Hoover long before any of the Members present and long before he was appointed by President Wilson to perform that great humane food mission. I had occasion to visit his offices in San Francisco and see his associate, Mr. Charles Hadsell, who was my attorney then in certain reclamation actions. Of course, I cooperated with him after the First World War when he advocated aid for the starving people of Russia. At that time there was opposition to the proposition, but on the basis of his plea and his report we passed favorably upon his recommendations. I think we even increased the amount, if I remember correctly, from $10,000,000 to $20,000,000. At that time I pointed out that the amount we would appropriate for that purpose would come back to us manyfold. Lo and behold, this resulted in a short space of time to the benefit of our farmers who received at least 25 percent to 30 percent more for their wheat and corn and other products which were used to help feed the starving people of Russia.

Mr. Hoover has been honored twice, once by President Wilson before he himself became President, and again when he was called upon by President Truman to make a needed survey in Europe. I know that he has performed his duties well. Unfortunately, however, as a President, he did not please the American people. But I have always maintained that it was not his fault, but the fault of his party since he was carrying out the policy of his party. Under the policy of the Republican Party there was brought about a condition which he inherited and which he could not very well adjust. Unfortunately, as a result of that policy our country suffered the greatest crisis in its history. So, the then criticism and condemnation of his party was borne by him.

As to changing the name of this dam, I not only have no objection but I think it is fair in view of the fact that the dam was started when Mr. Hoover was Secretary of Commerce. This dam, the construction of which I supported, has proved to be a blessing to hundreds of thousands of our people. I do not oppose the resolution; in fact, I am going to vote for it. In conclusion, I feel that we should not inject politics into matters of this kind. Some of my friends have asked, "How can you justify your vote to change the name of this dam from Boulder Dam to Hoover Dam?" They say it is a political gesture on the part of the Republicans. I said, "I feel they do and are guilty of many things which they think might help them. But in this instance I do not think that was really intended on their part, although they never overlook anything that may help them in that direction. The people are commencing to realize they made a mistake in the last election and they are going to rectify it the same as we are going to rectify and change the name of this dam."

Mr. KEFAUVER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. KEFAUVER. I think it is entirely fitting and proper to name this dam after a great American who is continuing to give vigorously of his time, intellect, and ability to the American people. I certainly hope all of the Members on this side follow the lead of the distinguished gentleman from Illinois [Mr. SABATH] and that there will not be a dissenting vote to this resolution.

Mr. SABATH. I will say to the gentleman that I appreciate his remarks. I always tried to be fair.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. SABATH. Mr. Speaker, I yield the gentleman from Illinois two additional minutes.

The SPEAKER. The gentleman from Illinois [Mr. DIRKSEN] is recognized for 5 minutes.

Mr. DIRKSEN. Mr. Speaker, ever so often there is a gracious destiny that manifests itself that somehow revitalizes one's faith in the processes of history.

It was in September 1930 that Ray Lyman Wilbur, who was Secretary of the Interior, authorized the use of the name Hoover Dam. It was in that same year, in the month of December, that a great Democrat, who later became chairman of the House Appropriations Committee, and under whom I had the honor to serve, introduced the joint resolution officially naming it Hoover Dam as a fitting tribute to a great President and a great public servant.

It was in May 1933 when the administration changed and a new Secretary of the Interior came along that word went out to the Reclamation Commissioner that the name Boulder Dam or Boulder Canyon Dam should be used. The action that Congress takes—and it is a gracious action, indeed, and far more important than readily meets the eye—reminds me of a story that I encountered a long time ago.

It is the story of the Emperor Justinian who had planned a great mosque to the glory of his own God. He wanted it to be his work and carefully supervised and directed the assembling of the materials and the construction of this edifice. When completed there was to be a great dedication to which people were to be summoned for miles and miles around. It was planned that the cornerstone should bear the name of Justinian and an unveiling ceremony was arranged.

After years of long and arduous labor the structure was completed and the day for unveiling came. Justinian was in all his glory but when the drapes were snatched away ostensively to reveal his name he found instead the name of St. Sophia.

Here was an outrage against the dignity and glory of the Emperor and forthwith he ordered that the Empire be scoured to find the perpetrator of this misdeed. At long last they brought into his presence an aged and bedraggled washerwoman as the person who had committed this act. Justinian could scarcely believe his eyes. He fairly shouted at her in his anger and asked, "Are you the perpetrator of this outrage?" In humility she responded, "Yes, sir; as the laboring horses hauled the heavy stone to the site of this edifice I took off the straw in my pallet and held it out to them in the hope that I might have a small part in the building of this mosque."

It is recorded that for this deed the angels came from heaven and erased the name Justinian and substituted the name St. Sophia.

Today the Congress becomes a gracious angel to erase one name and to substitute another—the name of a man who has given of his energy, his talent, his substance, and his riches for the benefit of mankind. He is a humanitarian who clearly deserves the title not only from our people but from people in all the corners of the world. How fitting then that Congress should this day restore his name to a structure which in the language of our old friend, Chairman Taylor, of Colorado, will make him remembered so long as human beings inhabit this planet.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. SABATH. Mr. Speaker, I have no further requests for time on this side. I therefore yield back the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield the balance of my time to the gentleman from Indiana, the majority leader [Mr. HALLECK].

The SPEAKER. The gentleman from Indiana is recognized for 4 minutes.

Mr. HALLECK. Mr. Speaker, I do not know that there is anything I can personally add to what has already been said with respect to the historic facts that give rise to this bill. The distinguished gentleman from California [Mr. ANDERSON], the author of the particular bill before us, and the distinguished gentleman from Connecticut [Mr. FOOTE], the author of a similar bill, have individually made exhaustive studies of the origin and history of the Boulder Canyon project, as well as all the facts with respect to the naming and renaming of the Hoover Dam. And, likewise, the distinguished gentleman from California [Mr. PHILLIPS] and the distinguished gentleman from Iowa [Mr. JENSEN], both of whom testified before the Committee on Public Lands in behalf of this legislation, have made a careful examination of the record in the case.

Each of these gentlemen is able to give you every historic detail, and I should like to commend each of them on the thorough, painstaking, truly objective manner in which they have gone into this subject. Perhaps it is significant, Mr. Chairman, that they represent the far West, the Midwest, and the East. They thus evidence, if you will, that across the entire United States there is sincere desire on the part of the fine people of this great country that such legislation as this be enacted to correct a grave injustice done a truly great man.

We do not propose by this bill to rename what is now called Boulder Dam. On the contrary, Mr. Speaker, we simply propose by this bill that it be given its rightful name—the Hoover Dam. By the enactment of this bill we will be restoring a deserved honor to a man who, probably more than any other, contributed to this great engineering project and made it possible.

In 1921 Congress authorized the negotiation of an interstate compact, looking to the construction of this dam, for the purpose of apportioning the waters of the Colorado River system between the upper and lower basin. At that time Herbert Hoover was Secretary of Commerce and was recognized as one of the most outstanding engineers of the world. He was designated as the representative of the Federal Government in the negotiations of the seven States involved in the contemplated compact. Thanks to his technical ability and confidence in his fairness, under his leadership, the Colorado River compact was drafted, ratified by all the States except Arizona, and on December 21, 1928, President Coolidge signed the bill for the construction of the dam in Boulder Canyon or Black Canyon.

In the following March of 1929 Herbert Hoover became President of the United States. He assumed the leadership in bringing this project to completion. On July 3, 1930, he signed the first appropriation bill to enable the construction of the dam to proceed.

And so, Mr. Speaker, while many people had a part in bringing this project into being, as is always true in every such project, President Hoover played a conspicuous part. This was not simply a case of naming a project after a prominent individual who had little or nothing to do with the project itself. This was not simply a case of naming a dam after a President of the United States merely because he was President. This, Mr. Speaker, is a case where a project was named after a President of the United States who made it possible and who, even before he became President, contributed immeasurably to its successful fruition.

On May 27, 1929, one of the most beloved Members of this House, Congressman Ed Taylor, Democrat, of Colorado, introduced House Joint Resolution 81 to name the project the Hoover Dam, "in appreciation of his distinguished services as the official representative of our Government in the negotiation of the Colorado River compact, in recognition of his preeminent ability and international reputation as one of the world's greatest engineers, and as a fitting tribute to our President."

On the suggestion of the then Secretary of the Interior, Ray Lyman Wilbur, Congress took no action on this and other like resolutions. Secretary Wilbur pointed out that Congress had not yet made the appropriation for the proposed dam and that it would be advisable to defer naming it until its construction had been assured. Moreover, a special act of Congress was not necessary to name the dam, in that under the reclamation law the Secretary of the Interior had such authority.

Accordingly, on September 17, 1930, following the enactment of the first appropriation act, Secretary Wilbur issued an order designating the project the Hoover Dam. This was in accordance with many precedents. The Roosevelt Dam in Arizona, the Elephant Butte Dam in New Mexico, the Shoshone Dam in Wyoming, and the Ashurst-Hayden Dam in Arizona had all been named initially by the Secretary of the Interior.

When Secretary of the Interior Wilbur named the Hoover Dam he had clear legal authority to do so, supported by many precedents, and in so doing he was giving recognition to contributions made by the then President which dated back to the days before he became President.

In addition, Mr. Speaker, Congress itself approved the name selected by the Secretary of the Interior. In December of 1930 when the Interior Department appropriation bill was before the House, Congressman Ed Taylor, the distinguished Democrat from Colorado, called special attention to the fact that the bill specifically referred to the Hoover Dam. He said:

> This is the first time that name has appeared in any bill or official act of Congress. This Interior Department appropriations committee thought that following the precedents of the naming of the Roosevelt Dam during President Roosevelt's administration, and the Wilson Dam during President Wilson's administration, and the Coolidge Dam during his administration, that President Hoover was very justly entitled to the same distinction, so we unanimously and very gladly wrote into this action those words making the naming of that great dam the Hoover Dam by action of Congress.

The House and Senate concurred in the views expressed by Congressman Taylor. Thus by the act of February 14, 1931, the Congress confirmed the name Hoover Dam. And in the next four succeeding appropriation acts, all of which are cited in the bill before us, Congress referred to the structure as the Hoover Dam. It is worthy of note, and to the great credit of my distinguished friends on the other side of the aisle, that the last of these acts was passed after Mr. Hoover was defeated for reelection to the Presidency and the last four of these acts were passed when my distinguished friends on the other side of the aisle held a majority in this House.

The Democratic Members of Congress rose above partisan considerations. It was not a question whether Mr. Hoover was a Republican or a Democrat. It was not a question whether you agreed or disagreed with his policies. The fact was that he contributed more than any other man to the project. You believed recognition should be given his great work by having his name attached to the outstanding engineering feat he made possible.

Why is it then that, notwithstanding the fact that the designation Hoover Dam was officially made by the Secretary of the Interior Wilbur, pursuant to his clear legal authority under the reclamation laws and established precedents, that notwithstanding the fact that Congress itself on five specific occasions officially confirmed the name, it is necessary for us to take the action proposed by this bill?

Mr. Speaker, we take this action to correct an injustice done not by a Congress or a party, but by an individual. In 1933 when the Bureau of Reclamation prepared a descriptive pamphlet of the dam for distribution at the Chicago Century of Progress where a model was to be displayed, the then Secretary of Interior Harold L. Ickes sent the proof back to the Commissioner stating that he wanted the dam referred to as "Boulder Dam." He took no official action to change it. He issued no order. He simply told his subordinate that hereafter he was to use the name "Boulder Dam" in referring to the project. And he subsequently complained to the Attorney General, Homer Cummings, that in the pleadings in the case of the United States of America against the State of Arizona the references were to Hoover Dam rather than Boulder Dam. The Attorney General replied that he was not aware that any official action to change the name had been taken, and called attention to the fact that the acts of Congress refer to it as "Hoover Dam" and the contract between the United States and the metropolitan water district referred to it as Hoover Dam. And to this day, insofar as any official departmental action is concerned, the name of the project is Hoover Dam.

This bill will remove the resultant confusion from the personal actions of Secretary Ickes to have the name changed.

It will make it clear that Congress originally intended that the name shall be Hoover Dam and that the Congress stands by its original intent.

Mr. Speaker, Mr. Hoover is a great and patriotic American. He has ever been willing to serve his country in any capacity his great ability can be used. He holds no bitterness. He does not seek revenge upon those who vilified him. He does not seek glory, public acclaim, or monetary reward. He does not ask that this dam which he made possible be named after him. With that same quiet dignity that he retired from public office, he seeks only to serve the country he loves. When our Democratic President, Mr. Truman, asked him, a former Republican President, to assist in the problem of feeding the devastated countries abroad, Mr. Hoover responded with his characteristic true devotion to country and deep love of humanity.

Mr. Speaker, the Congress of the United States will, by the passage of this bill, demonstrate that it has a deep sense of justice. And I venture to say that the present President of the United States will welcome the opportunity to fix his signature to this legislation. I hope that this bill will pass this House by an overwhelming majority, and for it I ask the wholehearted support of Democrats and Republicans alike.

The SPEAKER. The time of the gentleman from Indiana has expired. All time has expired.

Mr. BROWN of Ohio. Mr. Speaker, I move the previous question on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXCISE TAX EXTENSION

Mr. KNUTSON. Mr. Speaker, I call up the conference report on the bill (H. R. 1030) to continue in effect certain war excise-tax rates, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1030) to continue in effect certain war excise tax rates, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 7. (a) Section 2401 of the Internal Revenue Code (relating to the tax on furs) is hereby amended by inserting after the words 'chief value' a comma and the following: 'but only if such value is more than three times the value of the next most valuable component material'.

"(b) The amendment made by subsection (a) shall apply in the case of articles sold on or after the first day of the first month which begins more than twenty days after the date of the enactment of this Act."

And the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 8. (a) Section 3469 (a) of the Internal Revenue Code (relating to the tax on transportation of persons) is hereby amended by inserting after the first sentence two new sentences to read as follows: 'The tax shall not apply with respect to transportation any part of which is outside the northern portion of the Western Hemisphere, except with respect to any part of such transportation which is from any port or station within the United States, Canada, or Mexico to any other port or station within the United States, Canada, or Mexico. For the purposes of this section, the words "northern portion of the Western Hemisphere" mean the area lying west of the thirtieth meridian west of Greenwich, east of the International Date Line, and north of the equator, but not including any country of South America.'

"(b) The amendment made by subsection (a) shall apply to amounts paid on or after the first day of the first month which begins more than 20 days after the date of the enactment of this Act for transportation on or after such first day.

"(c) Effective with respect to tickets sold or issued on or after the first day of the first month which begins more than 20 days after the date of the enactment of this Act, section 1806 of the Internal Revenue Code (relating to stamp tax on passage tickets) is hereby repealed."

And the Senate agree to the same.

HAROLD KNUTSON,
DANIEL A. REED,
BERTRAND W. GEARHART,
RICHARD SIMPSON,
R. L. DOUGHTON,
JERE COOPER,
JOHN D. DINGELL,
Managers on the Part of the House.

E. D. MILLIKIN,
ROBERT TAFT,
HUGH BUTLER,
WALTER F. GEORGE,
ALBEN W. BARKLEY,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1030) to continue in effect certain war excise tax rates, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying Conference Report:

Amendment No. 1: Section 2401 of the Internal Revenue Code imposes a tax on the retail sale of "articles made of fur on the hide or pelt, and articles of which such fur is the component material of chief value." The Senate amendment makes the tax apply to "articles made of fur on the hide or pelt, and articles of which such fur is a component material the value of which is greater than three times the value of the component material of chief value without regard to such fur." Under existing law the component material of chief value is the one that exceeds in value at the time of assemblage of the article the value at such time of the next most valuable component material. The only change in existing law and its application made by the Senate amendment is to provide that the component material of chief value is the one which at the time of assemblage of the article is more than three times the value at such time of the next most valuable component material.

The Senate amendment also provides that the amendment with respect to the fur tax shall take effect on the first day of the first month which begins more than 20 days after the date of the enactment of the act.

The House recedes with clerical amendments.

Amendment No. 2: The Senate amendment excludes from the tax on transportation of persons, amounts paid in the United States for transportation without the United States, effective on the date of the enactment of the act.

The House recedes with an amendment which (1) limits the exclusion to transportation any part of which is outside the northern portion of the Western Hemisphere, as more fully described below; (2) makes the amendment applicable with respect to amounts paid on or after the first day of the first month which begins more than 20 days after the date of the enactment of the act for transportation after such first day; and (3) repeals section 1806 of the Internal Revenue Code, which imposes a stamp tax on passage tickets for transportation by water, sold or issued in the United States, such repeal to be effective with respect to tickets sold or issued on or after the first day of the first month which begins more than 20 days after the date of the enactment of the act.

As above stated, the amendment agreed to in conference excludes from the tax amounts paid in the United States for transportation any part of which is outside the northern portion of the Western Hemisphere. However, even in the case of transportation part of which is outside the northern portion of the Western Hemisphere, the tax shall apply to any part of such transportation which is from any port or station within the United States, Canada, or Mexico to any other port or station within the United States, Canada, or Mexico. The term "northern portion of the Western Hemisphere" is defined as the area lying west of the thirtieth meridian west of Greenwich, east of the international date line and north of the Equator, but not including any country of South America. Broadly speaking, the amendment as agreed to in conference exempts from taxation trans-Atlantic and trans-Pacific travel and travel to South America, but keeps within the tax travel in or near North America and Central America and the West Indies.

The following examples illustrate the application of the amendment as agreed to in conference:

Example 1: A purchases a ticket in New York for transportation to Lisbon aboard a vessel or aircraft bound from New York to Lisbon, with a stop at Bermuda. No part of the amount paid by A for his ticket is subject to the tax on transportation of persons.

Example 2: If, in the foregoing example, A decides to disembark at Bermuda and not to continue to Lisbon, A is liable for the tax with respect to the amount paid for transportation to Bermuda and, upon presentation of his ticket for refund, the carrier is required to withhold such tax.

Example 3: B, C, and D purchase tickets in New York for transportation aboard a vessel bound from New York to San Francisco via the Panama Canal, with stops at Trinidad and Venezuela. B's ticket entitles him to transportation to Port of Spain, Trinidad; C's ticket is for Asuncion, Venezuela; and D's ticket is for San Francisco. The amount paid by B is subject to tax, since Trinidad is not a country of South America and is within the northern portion of the Western Hemisphere. The amount paid by C is not subject to tax, since Asuncion is located on the island of Nueva Esparta and is included within Venezuela, a country of South America. The amount paid by D is not subject to tax even though the voyage begins at a port within the United States and ends at an-

other port within the United States, since part of the transportation was to Venezuela, a country of South America.

Example 4: E purchases in Chicago a round-trip ticket for transportation by air from Chicago to New York to Newfoundland to London. The amount paid for that part of the transportation between Chicago and New York on both going and return trips is subject to tax. If because of weather or other emergency the aircraft is forced, while on the New York-Newfoundland leg of the journey, to land at Boston, no tax is imposed by reason of such emergency stop.

Example 5: F purchases a ticket in Detroit for transportation from Ottawa to Vancouver to Honolulu to Shanghai. Only the amount paid for transportation from Ottawa to Honolulu is subject to the tax.

HAROLD KNUTSON,
DANIEL A. REED,
BERTRAND W. GEARHART,
RICHARD SIMPSON,
R. L. DOUGHTON,
JERE COOPER,
JOHN D. DINGELL,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. COLE of Missouri asked and was given permission to extend his remarks in the RECORD and include a letter and other factual information he received from Mr. Don Houseworth, city editor of the St. Joseph Gazette, regarding the maladministration of OPA at St. Joseph, Mo.

FURTHER PROGRAM FOR NEXT WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, a short time ago I announced the program for next week. Since that time I have learned that the Committee on Ways and Means is planning to report out a bill dealing with the matter of the import excise tax of 4 cents per pound on copper, which I understand is a matter of considerable urgency. If that bill is reported and a rule is granted thereon we hope to call it up for consideration next week.

EXTENSION OF REMARKS

Mr. SADOWSKI asked and was given permission to extend his remarks in the RECORD and include an article appearing in the Christian Science Monitor.

RESTORING NAME OF HOOVER DAM

Mr. WELCH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H. J. Res. 140) to restore the name of Hoover Dam.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 140, with Mr. HERTER in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

Mr. WELCH. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, House Joint Resolution 140 simply restores the name given to the great dam built in the Black Canyon of Nevada that was given to it at the time of its completion.

I visited the site of this great dam before the ground breaking. To reach it I went through the Black Canyon, and indeed it was black. It is more than 30 miles distant from the Boulder Canyon, and to have changed its name from Hoover Dam to Boulder Dam was, in the least, an error with relationship to the topography of the country.

To restore the name of Hoover Dam by affirmative congressional action will put at rest for all time confusion that has been continuously existing from the time the dam was first built down to the present, and it will give some small recognition to the only living ex-President of the United States, under whose administration as President the dam was dedicated. It must always be borne in mind that he has given freely of his time and his talent to serve his country and the world at large. It should be remembered that he responded to a request of his President, your President, and my President of the United States to give of his time and his valuable experience commencing with the First World War when he served under President Wilson to bring relief to the stricken people of the world. Again under the present administration, and regardless of his own convenience and well-being, he is serving in a similar capacity.

I have read Mr. Hoover's statements made through the press since his return from Europe, but in statements which were made off the record which it was my privilege to hear, he explained the problems he faced much more eloquently than anything I can hope to say.

The matter of the restoration of the name of the dam to that of the only living ex-President, and a great American, could and should have been taken up and passed by this House by unanimous consent.

Mr. SOMERS. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, while I want to honor Mr. Hoover now as one of the greatest living Americans, I cannot enthuse over this measure before us. I do not want to be misunderstood in my action and my attitude toward this resolution. If I vote for it, I might seem to approve all of Mr. Hoover's relation to this total development, and thus I shall displease many of the people in Arizona, for a reason which I hope to explain later. If I vote against it, as someone has just said, that vote may be taken as showing a lack of proper respect for this great American in the work he has recently been doing, and is now doing.

Let me explain my position. I want to honor ex-President Hoover today. I feel honor in my heart for him in his present task. I think there is more than one way in which we can express that honor. I am not at all pleased with this particular way of doing it.

Why do we want to honor Mr. Hoover, especially now? He is the only living ex-President; he is an outstanding American; he is the greatest humanitarian of today; he has been properly eulogized; and I cannot add to that, although I would be glad to do so.

As a student at the University of Iowa at Iowa City in 1924 and 1925, I made frequent trips over to the boyhood home of Herbert Hoover some miles east of Iowa City. I know how the people of that community felt toward his home and toward the scene of his childhood, and I have pretty much the same feeling.

I recall, as has been said here so fittingly, that he has served his country in every way in every clime with all of his talents. I recall that he served a starving world after the First World War, and did it in a magnificent fashion. Now, I note that he has, at the request of our President, traveled all over the stricken world, and has come back saying we must save the starving people of the world. That is in keeping with his great heart. He has suggested that several hundred million dollars be appropriated for that purpose. I have proposed to honor this great American by voting for every dollar he has suggested for that purpose.

An adverse vote here today against this bill might be misconstrued as against Mr. Hoover in certain parts of the world. I recognize the possibility of that and want to make very clear that I honor his recent great work and heartily approve it. The best way we can honor Mr. Hoover and let the world know that we stand squarely behind his magnanimous report recently made to the President is to vote the money he has called for to carry out the great program as he has suggested it. That is exactly what I propose to do.

This is not the time nor the place, nor have I the time today if it were fitting, to go back into the dusty past of the last 25 years and point out why my people are so apprehensive about the trend of legal and physical development on the Colorado River. I hope to do that at some future time.

This dam on the Colorado River, the tallest in the world, is the keystone of the physical development and, while strategic, it is not the most important thing after all. The basic law governing the total development in the Colorado River Basin is far more important. Mr. Hoover had a part to play in the writing of such basic law, including the Colorado River treaty, known as the Santa Fe compact, and also subsequent congressional legislation. Because this seven-State treaty—now that it has been emphasized by the physical construction—is more unchanging than the laws of the Medes and Persians, it may be presumed to last a thousand years. If, through improper and unfair interpretation, which is possible, my State shall be adversely affected, the harm will be irreparable. This is a complex but very

vital matter to Arizona which I hope eventually to make clear to the Congress and to the Nation.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. WELCH. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. ANDERSON].

Mr. ANDERSON of California. Mr. Chairman, it is apparent from the trend the debate has taken thus far on House Joint Resolution 140 that there is very little I need to say. It is also apparent that this resolution, of which I am proud to be the author, will pass the House of Representatives today with practically no opposition.

We are doing two things today: One, correcting a mistake that was made by Mr. Ickes in 1933, and, two, honoring a great American citizen who is still serving his country with distinction.

There can be no question about the need for the passage of House Joint Resolution 140. Without affirmative congressional action the name of Hoover Dam might be changed again at a later date by some other Secretary of the Interior. I welcome the support of both Republicans and Democrats and I hope there will not be a dissenting voice when the vote on final passage comes this afternoon.

Mr. WELCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Colorado [Mr. ROCKWELL].

Mr. ROCKWELL. Mr. Chairman, there are many reasons why I am interested in and favor the passage of this resolution to restore the name of Hoover Dam to the dam on the Colorado River in Black Canyon. In the first place, it would right a great wrong. Herbert Hoover, more than any other American, was responsible for the events that led up to the authorization and construction of this great dam. It was he, while Secretary of Commerce, who arranged for the meeting of representatives of the seven States in the Colorado River Basin and the agreement on the Santa Fe compact that divided the waters of the Colorado River between the four upper and the three lower basin States. After this agreement was signed, he called meetings in each of the States and persuaded the legislatures of all but Arizona to ratify the compact. During those years—1922 to 1924—I served as Lieutenant Governor of Colorado and was, therefore, the presiding officer of the Colorado Senate when the Santa Fe compact was ratified by that body. The upper basin States could not and would not approve the building of this dam until they had been assured through this compact of their share of the waters of the Colorado.

In the summer of 1930, Secretary of the Interior Ray Lyman Wilbur dedicated the project with appropriate ceremonies at the site, and formally christened the project "Hoover Dam." The precedent of calling structures after living persons had long been established by the naming of Roosevelt Dam in Arizona for President Theodore Roosevelt, the Wilson Dam in Tennessee after President Woodrow Wilson, and the Coolidge Dam in Arizona after President Calvin Coolidge. The name "Hoover Dam" carried through 3 years of Federal appropriation bills and contracts in Congress before it was changed by Secretary of the Interior Ickes.

My precedessor in this office, Congressman Edward T. Taylor, ranking Democrat on the Appropriations Committee, made this statement in the course of the debate on the Interior Department appropriation bill for the fiscal year 1932:

> There is another feature of this section of the bill under consideration that I feel ought not to be passed over in silence.
>
> I refer to the three words in the second line, "the Hoover Dam."
>
> Do you realize that those words just read by the Clerk are making history for thousands of years to come?
>
> This is the first time that name has ever appeared in any bill or official act of Congress. This Interior Department appropriations committee thought that following the precedents of the naming of the Roosevelt Dam during President Roosevelt's administration, and the Wilson Dam during President Wilson's administration, that President Hoover was very justly entitled to the same distinction, so we unanimously and very gladly wrote into this action those words making the naming of that great dam the Hoover Dam by the action of Congress that will be a monument to him for centuries after every other act of his administration, and of this Congress, will have passed into utter oblivion.
>
> In fact, it will be a tribute to him as long as this planet is inhabited by human beings. This committee hopes and believes his administration and entire life will be preeminently worthy of his honor, and that history will approve this action of Congress. If I may, without impropriety, refer to my own personal sentiment in this matter, I will say that when that act was passed I thought that dam should have been given the name of the President; because it was not, on May 27, 1929, I introduced House Joint Resolution 81, as follows:
>
> "House Joint Resolution 81
>
> "Joint resolution naming the Hoover Dam
>
> *"Resolved, etc.,* That in appreciation of his distinguished services as the official representative of our Government in the negotiation of the Colorado River compact, signed at Santa Fe, N. Mex., November 24, 1922, and in recognition of his preeminent ability and international reputation as one of the world's greatest engineers, and as a fitting tribute to our President, the highest and greatest dam ever built authorized to be constructed on that river by the act of Congress of December 21, 1928, shall be known and designated on the public records as the Hoover Dam."

It has been my privilege as chairman of the Irrigation and Reclamation Committee of the Public Lands Committee, to preside at the hearings on this bill and to assist it to the floor of this House. President Hoover never asked that this dam, or any other structure, be named after him. In this resolution we merely restore his name to the dam for the construction of which he was so largely responsible, as a matter of justice. He is one of the world's great engineers; he is the only living former President of this Republic of ours; he is a fine, patriotic American, and one of the world's greatest humanitarians. Let us give him this recognition while he still lives.

Mr. WELCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Chairman, we members of the House Committee on Foreign Affairs have had occasion in the past few days to realize that former President Hoover is still a very important and very effective public servant. His testimony before our committee on the relief needs of the world and on the best ways for us to help in meeting these needs was a great contribution to clear thinking on this problem. Mr. Hoover realizes that we must contribute to the relief of the war-devastated countries in ways that will not impoverish us to a condition where we ourselves become objects of relief. At the same time, he showed his deep humanitarian feelings, his profound desire to help the needy and to help his country respond in wise compassion and intelligent generosity to the pleas of the needy throughout the world.

Today, in restoring his name to Hoover Dam, we are perpetuating our memories of him as an engineer. The world will never forget his humanitarian efforts in relief, which have extended over three decades, and which are still continuing. He has made possible the relief feeding of more people, over a longer period of time, than any other man on this planet. He has been able to do this because he combined a great heart with a keen mind and, with deep spiritual background and broad human sympathies, applied his engineering genius to the logistics of the battle against starvation. We have seen fuzzy thinking and poor planning result in the waste and diversion of millions of dollars contributed by American taxpayers to be expended in the name of relief. We restore an honor to President Hoover today. We will also honor him and benefit ourselves and the world if we give heed to his wise, compassionate counsel in the field wherein he is so able, experienced, and expert—the relief of mass human suffering.

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Chairman, I shall support this legislation with great pride. I find in the life of Herbert Hoover two instances particularly which reflect very favorably upon this great citizen. In fact, it reflects favorably on the American citizenship generally. I remember very well the inauguration ceremonies for Mr. Roosevelt on the steps of the Capitol. Mr. and Mrs. Hoover were there. We had just come through a terrific campaign. There were perhaps 150,000 people in front of the Capitol. Even though the people had rejected Mr. Hoover in the election, the acclaim for him on that day was wonderful as he made his final appearance as President of the United States. Immediately after that wonderful acclaim and great cheering for Mr. Hoover, as soon as Mr. Roosevelt stepped before the people they did the same for him. I thought that was a great compliment to the American people. They realized the situation. They had exercised their franchise at the election. They had made a decision. There were the two great men—one passing into political oblivion, as it were, and the other starting the upward climb.

Another incident in the life of Mr. Hoover greatly impressed me. It was just a few months ago and during the

recent serious situations that developed in our food situation. It was then that the President of the United States, Mr. Truman, who was driven to desperation in trying to solve the problem of what was the best thing to do to feed the people of the world, called on Mr. Hoover, who up to that time had not been given very much consideration by the preceding incumbent. That is another instance where the magnanimity and fairness of the American people was reflected by the action of Mr. Truman. He needed the assistance of the most capable person in the country. He asked the former President to help him and the former President responded without any hesitation. This was Americanism at its best. I was very much impressed with the remark made by my distinguished friend from Arizona [Mr. MURDOCK] when he referred to the home life of Herbert Hoover. I was at his old home in Iowa in the summer of 1928. I was a member of the committee of notification of the Republican convention, whose mission was to notify the Presidential nominee of the Republican Party. Mr. Hoover chose to have this notification ceremony held at his childhood home. He told us there a story and I should like to have time to tell that story. We were in the house where he was brought up as a child. He told us the story, which probably has not been repeated very much. In that campaign he was a candidate against Al Smith. I think they were two as deserving Americans as we have had in modern times; they both had humble beginnings, almost as humble as that of Abraham Lincoln. For instance, take the life of Al Smith, a boy off the sidewalks of New York, and Herbert Hoover, a country boy brought up in the Midwest, left an orphan at an early age.

He told us that before his father was a mechanic, maybe a blacksmith. He showed us where his father operated and the little house in which they lived. There were three children left, a boy and two little girls, all of them small. The mother was a Quaker. She acted as a teacher in that community and kept the little family together until she died. She died when Mr. Hoover was about 8 years old, I think. He told this story in compliment to his own people. He said, in effect, "Our relations came from all over the country, our father's brothers and sisters and our mother's brothers and sisters." After the funeral they came back to the house and they put us three children in a back room while they talked about what they would do with us. I think he said they could hear through the keyhole or the crack in the door what they were talking about. Something had to be done with the children. He said, "To the everlasting compliment of my own people, they were ready to assume the responsibility." He thought because he was a boy none of them would want him; that they would put him aside and take the little girls. He said early in the discussions one of the men spoke up and, in effect, said, "I know most of you folks would prefer to have the little girls, but I want to do my part and I want to take charge of the little boy. I will take that responsibility gladly." Mr. Hoover was proud of that fact, that someone volunteered immediately in the group to take charge of him, because they thought he would be the greatest care. He said the next day he started out with his hand in the hand of his uncle. The sisters went with some of the other relatives. He went into the great Northwest, into Oregon or into one of the Northwestern States, with his uncle who was a lumberman. From that location he, like many other American boys, worked his way down to one of the great universities of California and graduated from there as an engineer. And then the world got him as a world citizen. A great beginning for Al Smith and a great beginning for Mr. Hoover, and a great end for both of them who were candidates for the Presidency in that campaign. Truly America is the land of the free and the brave. It is the land of opportunity.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. JENKINS] has expired.

Mr. SOMERS. Mr. Chairman, I yield 5 minutes to the gentleman from New Mexico [Mr. FERNANDEZ].

Mr. FERNANDEZ. Mr. Chairman, I am not going to take much of the time of the Committee. This House has more important things to do than to spend time on this resolution. It is evident here today that the members of my party as such are not going to take issue with the majority party on this resolution. They love their country and they place the welfare of their country above partisan politics. Hoover is a great man, as our great former Speaker well said, and I should agree with him. If he is as great in character as our own SAM RAYBURN, who under similar circumstances refused to have a dam named after him, in line with his settled belief that dams should not be named after living men, then I say he would not want it. If we are going to continue to name dams after living men that is one thing, but I believe that Mr. Hoover himself agrees with SAM RAYBURN, because while he was still President a resolution was introduced to name this dam the Hoover Dam and it was never passed, undoubtedly because he dissuaded the members of his party from pursuing the matter further. If we are going to name the dam now officially by action of the Congress there should be no objection to attaching the name "Hoover" to Boulder Dam. No matter what we call this dam officially, it will still be Boulder Dam to all of us from the West. History books show it as Boulder Dam. Literature has been scattered all over the country, and in fact all over the world, calling it Boulder Dam. It will be known as Boulder Dam regardless of what we do here today. Even the gentleman from Mississippi [Mr. RANKIN] a while ago could not help calling it Boulder Dam. He finally corrected himself and called it Hoover Dam, in line with his contention that that is its real name. In reading the debates at the time the project was before Congress, I find it was called the Boulder Canyon project. The act itself is named Boulder Canyon Project Act and throughout the years it has been called unofficially Boulder Dam. It is so known. For that reason and because I believe it is the fair thing to do, I offered in the committee an amendment which I would offer on the floor today if I thought the Republican members of the Public Lands Committee after reflection would agree to the amendment and not oppose it.

The amendment I offered would designate it as the "Hoover-Boulder Dam." I believe that will satisfy everybody and at the same time do honor to this great man—and he is a great man. He would have been a far greater man if while he was President he had been able to do the things which would have averted the great depression that followed his administration. He could not do it, not because he was not an able man, but because of the shortsighted policies of his party. If you are going to criticize anybody for that period you should not criticize Hoover so much as his party.

Mr. Chairman, I yield back the balance of my time.

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. FOOTE].

Mr. FOOTE. Mr. Chairman, it gives me great pleasure to stand here today and say a few words in support of the adoption of this resolution. I do so not only because I am personally in favor of it but because I know the people of the Third Congressional District of Connecticut are in favor of it; indeed, the people of the State of Connecticut are in favor of it. As a matter of fact, at or about the time the gentleman from California [Mr. ANDERSON] introduced his bill, I introduced a similar one at the request of several constituents living in New Haven. At the time of the hearing before the Public Lands Committee the gentleman from California introduced a substitute bill which I was very glad to accede to.

When I received this request I went over to the Congressional Library and looked up the record. I fully satisfied myself as to the propriety of this action. I do not believe it is necessary for me here today to go into the history of this great engineering project and the circumstances attending the elimination of the name "Hoover" from it, as the matter has been fully covered by those who preceded me. Feeling that possibly I might be in error on this subject, I knew that I had back in my district in the city of New Haven a man who had been very close to this entire situation.

In the time when this project was considered—yes, even when Mr. Hoover was President—there was as majority leader of this House in 1930–32, as I recall the years, none other than Col. John Q. Tilson, of New Haven, who is known to all the older Members of the House and greatly respected by them. I wrote Colonel Tilson, and I said, "I wish you would let me know how you feel about this matter." I received the following letter from him:

It is gratifying to learn that you are interested and actively cooperating in an effort to restore the rightful name to the great enterprise in the Colorado River. It was during the time of my leadership in the House that this great undertaking was finally agreed upon. Before the matter was finally settled, I made a special trip to Arizona, California, and Nevada in order to

see for myself. I even negotiated the rapids at Black Canyon aboard a crude motorboat during a freshet. I returned thoroughly satisfied that the enterprise should be carried through and gave it my support. I felt humiliated at the changing of the name. Not that such a performance would in anywise lessen the stature of the man who more than anyone else was responsible for this great engineering achievement. However, it is high time that the matter be set right again, and I am pleased that you thus early in your service are giving it your support.

Mr. Chairman, those are the words of John Q. Tilson, a Member of this House for some 25 years and for a time its majority leader.

I trust that the House by unanimous action here today will honor our only living ex-President, who is also a great humanitarian and friend of all mankind.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. SOMERS. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina.

Mr. FOLGER. Mr. Chairman, I ask unanimous consent that for part of my time I may speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOLGER. Mr. Chairman, may I say in the beginning that I expect to vote for the pending resolution. I went over to a meeting of the Committee on Foreign Affairs the other day and heard Mr. Hoover testify with animation and interest on behalf of the undernourished children of the world. That was not surprising to me, because he has answered, I think, every request that has been made of him since he was President, and particularly during the war, that he contribute of his intelligence and his industry to the performance of duties that were helpful not only to the American people, but to the peoples of the world.

Mr. Chairman, I asked to speak a little out of order for part of this time, yet it is not too much out of order. I reiterate my appeal to the Appropriations Committee to provide for the carrying on of the school lunch program the rest of this year, not going into next year because that will take care of itself, and consideration can be given in the next general appropriation bill.

This program will go out on the 31st of March and there will be some 2 or 3 months left that the poor children will not be able to get the benefit of these school lunches. Those who are able to pay will get the benefit, the others will have to stand aside and do without.

I hold in my hand a photograph of a lot of school children in my home town partaking of the school lunch. It would have been complete if the photographer could have had the opportunity to take a photograph of the colored children in another school nearby being furnished the same opportunity that those of the white population were furnished. It shows these happy faces, and all of them you look at are happy. They are seated at school lunch tables partaking of a meal that is nourishing, a meal that helps those who may be or are apt to be undernourished. It is a program that we should not let die.

I am going to pin this on the board outside the Chamber here with the request that you look at it and I hope that you Members will appeal to the Appropriations Committee to help us carry on this good work. The program is most worthy, and a necessary provision for the welfare of our children.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. WELCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Nevada [Mr. RUSSELL].

Mr. RUSSELL. Mr. Chairman, I am in support of this measure, which would restore the name of Hoover Dam to the dam on the Colorado River in Black Canyon, not as a measure political in nature, for there can be no political implications in righting a wrong which was caused through the actions of one man.

You will recall that on September 17, 1930, the Honorable Ray Lyman Wilbur, then Secretary of the Interior, drove the silver spike which inaugurated the actual construction of the project; officially named the dam, "Hoover Dam," and issued an order to the Commissioner of Reclamation so designating it. This action was based on a long line of precedents, and Secretary Wilbur unquestionably had the authority to name the dam, "Hoover Dam." Mr. Hoover had an essential part in making the construction of the dam, so vital to Nevada, possible, and, while Secretary of Commerce in 1922, took part in the formulation of the Colorado River compact, and later as President signed the Boulder Canyon Project Act, which authorized construction of the dam.

Use of the name "Boulder Dam" grew up after Mr. Hoover left office, when the Interior Department avoided the use of the name "Hoover Dam," and substituted the name "Boulder Dam." This action was unwarranted; it was against custom previously adhered to when such other dams had been formally christened, such as Roosevelt Dam, Coolidge Dam, Wilson Dam, and others.

I am pleased that the leadership of both parties have taken the stand they have on this measure, keeping politics out of the consideration of this bill, and considering the measure on its merits, of restoring justice and established practice of honor to Mr. Hoover, who was not only at one time our President, took part in bringing the construction of the dam into actuality, but also in recognition of his great service as a private citizen to his Nation at the call of President Truman.

Mr. Chairman, my State is probably more affected by any name change than any other State, since literature of all kinds which makes reference to the location of the dam, has used the term "Boulder Dam." The dam is one of the most famed attractions in southern Nevada, yet by recognizing the name of the dam again as "Hoover Dam," by which it was officially designated, the dam is not changed, nor its location or attraction. It is still and will remain one of the greatest engineering feats in the West, whose benefits to the West are incalculable.

Mr. SOMERS. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Chairman, I am taking this 5 minutes to discuss the resolution before this body. I am very much surprised to learn that there is anybody opposed to honoring our former President, Mr. Hoover, in naming this dam after him, changing it from the present name of Boulder Dam to Hoover Dam. To me, I think this is something that the American people owe from time to time to those who have given so much to our country.

I can remember back when the people of Los Angeles County looked forward to the completion of this great project, and since then every person, in all walks of life, has received great benefits from the construction of this dam. Mr. Hoover is responsible that the undertaking was brought about and completed and put into operation. We should stop and think for a few moments of the great benefits that our Nation received from electric energy in the war we have just won, which was brought about by the construction of this dam. It was due to Herbert Hoover's foresight, and certainly we can pay tribute to him by changing it back to its rightful name as proposed by the gentleman from California [Mr. ANDERSON]. It should have been left as it was named in the first place.

I am not one of those who believe that we should wait until a person dies to have something named for him or given to him. I can remember just a few weeks ago that the Democrats on my right purchased a Cadillac automobile and gave it to our former Speaker, the gentleman from Texas [Mr. RAYBURN]. We did not wait until he passed on and then give him an automobile, to ride in to go to hell or heaven or wherever he was going. We gave it to him now.

I feel that as Americans, if we are going to be Americans, we should honor our people while they are on earth. I have been called practically everything in my lifetime, so I am accustomed to most of the names, but if somebody is going to wait until I die and then name something after me, I am telling them now to just not do that kind of thing, because I do not believe in it. I think we should honor and respect the people who have done great deeds, such as Herbert Hoover has done in his lifetime, so that they can enjoy it and appreciate what the American people think of their work. I have not always agreed with Herbert Hoover's program or what he has stood for, but he is one of our greatest living Americans. The President of the United States, Mr. Truman, has time and again called upon Herbert Hoover to go and do a job. There were plenty of Democrats available if we could have gotten them or if we could have found the right one. At the age of 70, Herbert Hoover time and again has gone out and done a job that would tax the strength of a much younger man.

We should not have a dissenting vote on this resolution when it is voted on

today; not a dissenting vote should we have, if we believe in paying great Americans the honor that is due them. I urge that everybody in this House vote for this resolution.

Mr. SOMERS. Mr. Chairman, I yield the balance of the time under my control to my very gallant and illustrious friend and chairman the gentleman from California [Mr. WELCH].

Mr. WELCH. I thank the gentleman.

Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I was tremendously amazed and somewhat confused at the attitude of the gentleman from Arizona. I remember a year ago an occasion when he brought some constituents before the old Committee on Irrigation and Reclamation. They wanted to have a dam built and name it after some prominent person out there. He very definitely told the committee that he intended to carry that program on in the construction of irrigation and reclamation projects, and he intended to do that in other States. That was to be the policy. It was then that I reminded him not to go so far afield, that I remembered that Boulder Dam was at one time called Hoover Dam.

Today I am very happy at what this House is going to do. I am very happy at the attitude of the rank and file of the gentlemen on the other side of the aisle. Herbert Hoover has always been an ideal of mine. I have followed his career closely and have read about him whenever I could. I love him for what he is and has done. But the building of Hoover Dam and his great humanitarian work for the world have not been his outstanding achievements. In my opinion, the greatest characteristic of his life, that shows his true worth and his true greatness, is that through the years when his character was being assassinated, when he was being belittled and humiliated and besmirched, Herbert Hoover never showed any sign of resentment or bitterness. He went his way doing the work he believed was his to do. If men in public life generally followed that attitude, this whole world would be better today. Herbert Hoover served around the world for many years and never asked for anything, never even took a dollar pay. I hope God will spare him for many years that the world may have his wise counsel.

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman—

If with pleasure you are viewing
Any work a man is doing,
If you like him or you love him,
Tell him now.

Don't withhold your approbation
'Til the priest makes his oration
And he lies with snowy lilies
On his brow.

For no matter how you shout it.
He'll not know about it,
For he cannot read his tombstone
When he's dead.

Mr. Chairman, I like what some of my Democratic brethren have been saying about the renaming of this dam. I like it because of the fine attitude displayed. They rise above their partisanship and pay tribute to a great man. It is most pleasing for this Congress that we pause at times to pay tribute to great men irrespective of party.

As was pointed out by the gentleman from California [Mr. WELCH], Herbert Hoover has been called upon not only by the citizens and organizations of this country but by the present President of the United States to render the services to humanity for which he is best equipped.

During the time he was President, I understand, Herbert Hoover never accepted a penny of his salary. As a matter of fact, he never accepted compensation for any of his public service. He was not the richest man to occupy the White House. It is true that he is a man of wealth, but in any event he never personally profited 1 cent from any public service that he rendered. He had a summer camp here in Virginia, which I believe was known as Camp Rapidan. He gave that to the United States Government after he retired from the Presidency.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I yield gladly.

Mr. RANKIN. No intelligent man has ever accused Herbert Hoover of being tainted with un-Americanism.

Mr. BENDER. The gentleman is 100 percent right.

When Mr. Hoover left the White House he provided a place in Stanford University for his official papers, not at the expense of the taxpayers of the United States, which he paid for out of his own pocket. He is that kind of man. He is not a man who has a flair for publicity or a flair for propaganda about himself. He has never had a staff of publicity agents promoting him. Perhaps he should have had. In any event, we are beginning now to appreciate his great service as President of the United States. I trust we will honor more public servants in this way.

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. PHILLIPS].

Mr. PHILLIPS of California. Mr. Chairman, I am tremendously pleased that the Congress is prepared today to honor a man whom the whole world esteems and respects. On August 2 of last year I put into the CONGRESSIONAL RECORD a chronological statement of the events which led up to the changing of the name of this dam. It was my intention upon returning to this session of the Congress to introduce a resolution, such as the one introduced by the gentleman from California [Mr. ANDERSON], upon which we vote today. I believe that was the intention of more than one Member of the House of Representatives. So, today, all of us are pleased to support this resolution, which apparently will pass this House by a very large majority. When we honor Herbert Hoover we honor a man who richly deserves anything which the United States of America may be able to bestow upon him in the way of honor.

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman, nothing that I can say will add to what has been said about Mr. Hoover.

As you all know, he is probably the outstanding humanitarian in the whole world. I have always felt that his work along humanitarian lines is a reflection of his experience as a boy when he was well treated by relatives and friends. He also expressed his gratitude to his university, Stanford University. He gave them a great deal of money to build a large memorial library. There in that library is one of the finest collections of books on war and peace in the entire United States.

One thing that I think has not been mentioned today illustrates what a practical man Mr. Hoover is. When this great dam was under consideration and under construction, it was through his business ability and foresight that commitments were made for the purchase of the water from this great river, which would repay the American taxpayer every dollar put into it, plus interest. All of those dollars are coming from California water users and California water districts.

I do not think it is inappropriate at this time, in honoring Mr. Hoover, to mention one or two people, Californians, who had a great deal to do with the development and construction of the great Hoover Dam. I believe the Reclamation Commissioner was Professor Mead, formerly with the University of California, and the lake behind the dam is known as Mead Lake. Two distinguished men in Congress devoted a great many years of tireless effort to bringing about the consummation of this great project. Senator Hiram W. Johnson presented a bill in the Senate and Congressman Phil Swing, who was in this House a great many years, presented a bill in the House. Those two men worked incessantly for years, trying to explain the need for this dam and get the Congress to understand its necessity. They finally succeeded in getting the Congress to understand this project and the project was built. Senator Johnson has gone to the great beyond. Mr. Swing is still alive. He is here frequently. I want the RECORD to show that in honoring Mr. Hoover and correcting an injustice that was done to him in calling Hoover Dam "Boulder Dam" we are also thinking of those two other great Californians, Hiram W. Johnson and Phil Swing, who had such a great part in bringing about the consummation of this great project.

The bill providing for the construction of this great conservation project is called the Swing-Johnson bill, in honor of these two great men. We owe them our undying gratitude for their statesmanship in piloting through Congress this important legislation.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield.

Mr. SABATH. I wish to state that I was a Member of Congress during the time Mr. Swing was a Member and I remember the great service rendered and the efforts put forth by him. I know he devoted 2 or 3 years' time and finally succeeded in bringing about the construction of the Boulder Dam, which I

am pleased to know will be named Hoover Dam.

Mr. JOHNSON of California. I thank the gentleman for his contribution. I hope there will not be a single dissenting vote on the passage of this resolution. It seems to me, if you want to be fair and just, you will have to vote for this resolution.

The CHAIRMAN. The time of the gentleman from California [Mr. JOHNSON] has expired.

Mr. WELCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Colorado [Mr. CHENOWETH].

Mr. CHENOWETH. Mr. Chairman, I am delighted to see this legislation on the floor. I think it is long past due. No one has ever been able to determine just why the name of this dam was ever changed. We have an opportunity today to rectify a great wrong that was done, and it is to the credit of this House that this measure will be passed without opposition.

We are today recognizing the part that Mr. Hoover played in making this dam possible. It has always been conceded that he was the moving spirit in this stupendous undertaking. It took the skill and technical knowledge of an outstanding engineer like Mr. Hoover to suggest such a project, and it is only fitting that this great dam should bear his name.

It gives me great pleasure today to join with my colleagues in paying tribute to this preeminent American not alone for his part in this enterprise but also for his contribution to society and civilization throughout the world. I introduced him some years ago at a meeting in Colorado as America's foremost citizen, and no one now disputes that he occupies that position.

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. RAMEY].

Mr. RAMEY. Mr. Chairman, let it be understood from the beginning that I intend to give my most hearty support to this measure, so do not misunderstand me in the statement I am about to make.

I have never favored personalizing public improvements. Each toiler who worked there was entitled to the same credit as a builder. I do not believe in personalizing principle or activity. I believe that Mr. Hoover in his humility would be the last person to ask that this great achievement be named for him. However, it was named for him from the beginning. There is no change. He deserves it.

The gentleman from California [Mr. JOHNSON] spoke of two or three others in his remarks. I think one of the outstanding things in Mr. Hoover's administration was his wisdom in the appointment of persons to public positions. I am thinking of his wisdom in the appointment of his Postmaster General, Hon. Walter F. Brown, a man who acted in a political position in the Cabinet without going across the country in order to promote partisan advantage; a man who was on the job as a Cabinet member; a man who had more on the shelf and less on the display counter than any Postmaster General this country has ever had. Postmaster General Walter F. Brown did the work of a cabinet member without making a fuss about it.

Another reason for honoring the man, or any ex-President today is perhaps the fact that so many would-be writers after a President is gone, as the gentleman on the other side of the aisle mentioned, are given to libeling our Presidents. They libel them after they are gone and have no opportunity to defend themselves—George Washington, Abraham Lincoln, Andrew Johnson, Grover Cleveland, Woodrow Wilson, Warren Harding—most of our Presidents have been libeled after they were gone and not here to defend themselves. Their executors cannot sue for libel. The libeler to that extent is immune. I understand Mr. Coolidge was the only ex-President who has not been libeled by these mental sadists.

Mr. BENDER. Will my able colleague yield?

Mr. RAMEY. I yield.

Mr. BENDER. The statement of my good friend the gentleman from Ohio [Mr. RAMEY] is most welcome not only because of the tribute paid to President Hoover but also because of his gracious remarks regarding a great Ohioan, Walter F. Brown. I well remember as a boy my great admiration for Mr. Brown when he was leading the Progressives of 1912 in the Theodore Roosevelt campaign.

Mr. RAMEY. I thank the gentleman for his gracious tribute to the great Ohioan, the great American, that man who has worked so much and talked so seldom, the Honorable Walter F. Brown.

On February 12 at the city of Toledo on the occasion of the Lincoln Day banquet at the Commodore Perry Hotel Walter F. Brown was the guest of honor.

At the request of Hon. Harry N. Hansen he was presented to his home people by Hon. Frank A. Wiley, the presiding judge of the municipal court of Toledo. The demonstration of our citizens not only in standing applause but in their love for this genuine man was the most outstanding we had ever witnessed.

Mr. WELCH. Mr. Chairman, I have no further requests for time.

The Clerk read as follows:

Resolved, etc., That the name of Hoover Dam is hereby restored to the dam on the Colorado River in Black Canyon constructed under the authority of the Boulder Canyon Project Act, approved December 21, 1928 (45 Stat. 1057), and referred to as Hoover Dam in the act approved February 14, 1931 (46 Stat. 1146); in the act approved April 22, 1932 (47 Stat. 118); in the act approved July 1, 1932 (47 Stat. 535); in the act approved July 21, 1932 (47 Stat. 717); and in the act approved February 17, 1933 (47 Stat. 845). Any law, regulation, document, or record of the United States in which such dam is designated or referred to under the name of Boulder Dam shall be held to refer to such dam under and by the name of Hoover Dam.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HERTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration House Joint Resolution 140, to restore the name of Hoover Dam, pursuant to House Resolution 132, he reported the same back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FIRST DEFICIENCY APPROPRIATION BILL SENT TO CONFERENCE

Mr. TABER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1968) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. TABER, WIGGLESWORTH, ANGELL, STEFAN, CASE of South Dakota, KEEFE, CANNON, KERR, and MAHON.

THE LATE HON. JOHN J. COCHRAN

Mr. KARSTEN of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. KARSTEN of Missouri. Mr. Speaker, it is my sad duty to announce the death of John J. Cochran, a former Member of this body. It was my privilege to be associated with him as his secretary for many years. I came to know him as a son would know his father, and his passing is a great personal loss to me.

Crippling illness caused the voluntary retirement of Mr. Cochran in January. He was one of the most outstanding men ever to serve in this House. Measured by any yardstick, he was great. Some men have had great moral courage, some great physical courage, some great hearts, and some great minds. Jack Cochran had all of them. It is not often that a man in public life so conducts himself that even those whose cherished plans or schemes he had to oppose respected and loved him. If Jack Cochran had a real enemy no one ever heard of him. A few years ago, when physical adversity overtook him, Republicans, as well as Democrats, bowed their heads in sorrow. From the White House to the poorest home in his beloved Thirteenth District prayers went up for the restoration of his health. Those prayers were answered. Overcoming perhaps the greatest physical handicaps, he carried on his work here from a wheel chair. In this well he served as an inspiration to everyone with whom he came in contact.

Thousands, through the years, went to him with their problems. Some perhaps belonged to a group with powerful influence, others perhaps important in one way or another, or perhaps it would be the mother of a boy who had not been heard from since he followed the colors into some bomb-racked danger spot in the war. Perhaps it would be a poor colored man or some old woman, doubtful about their rights under the old-age assistance or social-security plan. Per-

haps to their neighbors they were just a nobody, but great body or nobody, when they knocked at Jack Cochran's door they did not knock in vain. When they knocked he did not ask whether they lived in his district. He did not ask what ticket they voted or intended to vote. He did not ask their color, creed, or calling. He only asked, "What can I do for you?" That was his philosophy, help thy fellow man.

I know the Members of this House join me in mourning the death of this great statesman and expressing heartfelt sympathy to the members of his family.

Mr. CANNON. Mr. Speaker, in all the long line of able men who have served in this House from his native State, none has served more conscientiously, courageously, and capably than Jack Cochran. And none has enjoyed to a larger extent the confidence and affectionate regard of his colleagues on this floor.

Few Members of the Congress have exerted so wide an influence or have left their impress so indelibly on national legislation. He had the advantage of a long and privileged apprenticeship under such men as Stone and Hawes and came to the House a veteran in legislative experience and parliamentary procedure. He was early recognized as one of the effective Members of the House and his grasp of public questions, his sound judgment, his high sense of responsibility and his personal popularity soon established him as one of the substantial Members to be consulted when important decisions were to be made.

He had an indefatigable capacity for hard work, a genius for getting things done, and a passion for economy and business efficiency. It would be difficult to estimate the amounts he saved the taxpayers of the Nation in the 22 years of his service here, especially during his chairmanships of the Committee on Accounts and the Committee on Expenditures in the Executive Departments. Unquestionably it would aggregate millions of dollars. No bill to pay a claim against the Government was ever called up in the committee or the House without his personal scrutiny and without being stripped of every dollar not fully warranted by the law and the circumstances.

He never hesitated to say "No." He stood foursquare and voted against both friends and constituents when convinced of the merit of his position. His disinterested devotion to his convictions was never better demonstrated than in his vote on the reapportionment of congressional districts. I remember his saying here on the floor: "No Member of this body could be more vitally affected by reapportionment than I will be. When it becomes effective my service here will terminate." The effect was to throw him into a district with six to eight thousand majority against him. But to the astonishment of the State—and I think of Jack himself—the district, with an overwhelming majority against him, returned him to Congress and continued to return him to Congress until his retirement last December. He could again have been elected to Congress had not his high sense of duty intervened. All that was necessary was for him to announce his candidacy and he would have been returned as a Member of the Eightieth Congress. But feeling that his health would not permit him to devote to the office the energy and labor he thought the position demanded, he declined to become a candidate. In both instances he met the test with an unselfish fortitude that was characteristic of his entire public service.

Jack Cochran was fundamentally a liberal. He sympathized with the underdog. He was a progressive and a Democrat in every sense of the word and was the key figure in many a congressional battle for economic and social reform. I remember hearing him enunciate his political philosophy during his hectic campaign for the United States Senate—in which he came within a few thousands of votes of victory—"the Government is not an end in itself but a means to an end, an instrumentality for achieving social justice. The Government is made for the people—not the people for the Government." Or, as he expressed it a little more tersely in the language of the street, "Help the other fellow. Give the other guy a break." With that mission in life, Jack Cochran spent the vital years of his life doing things for other people. He never wanted anything here in the House, or the party or the organization, for himself. He was always working to get it for his friends. He was a living exemplar and practitioner of the Golden Rule, and I want to here make acknowledgment of countless kindnesses which I have never been able to repay—and which I now can never repay.

When Jack Cochran relinquished his seat in this body he did not relinquish his place in the hearts of his friends. And he can never relinquish his place in the esteem and affection and admiration of his colleagues who have had the privilege of association with him here through these eventful years of his service to his State and his country.

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, like all who knew Jack Cochran, I was saddened a few minutes ago when I heard of his passing. I have served in this House, I guess, with 2,000 men and women since I first came here. Jack Cochran was probably the best Congressman I have ever served with. He knew more about more things that came before the House of Representatives than any other man I have ever known, with the possible exception of James R. Mann, of Illinois, who was the minority leader of this House at one time since I came here.

Jack Cochran was a gentle soul; he was a noble, good man; he was one of those who gave love and attracted it from other people. You were not just Jack Cochran's friend. You had a deep devotion for him—those who were associated with him as closely as I was.

With his constituents and those others who knew and loved him, I shall miss him terribly and always.

The SPEAKER. The Chair recognizes the gentleman from Missouri [Mr. BAKEWELL].

Mr. BAKEWELL. Mr. Speaker, it is my privilege to serve a district in St. Louis immediately adjoining that of the late beloved John Cochran. I know how he was loved by all of St. Louis. I came to Congress on the same day the late John Cochran retired from the Congress, and, though he was of different political faith than myself, I can honestly state that the highest aspiration I could have in this Congress is in some small way to endeavor to emulate the pattern of true public service which he always rendered.

St. Louis has lost a devoted and beloved son, and the Nation suffers an irreparable loss of a distinguished public servant.

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, the death of our late beloved friend, John Cochran, grieves each and every one of us who knew him, and particularly those of us who served with him. John Cochran was a true friend. Toward those that he entertained friendship it meant what real friendship stands for: loyalty, and fidelity to his friends.

I agree with our distinguished colleague the gentleman from Texas [Mr. RAYBURN] that John Cochran was the most outstanding Member of Congress that I have served with, and our friend, the gentleman from Texas, has served in this body many more years than have I. Over and above that, he was one of the most courageous men that I have ever met. Those of us who served with him can see him now in the well in his chair, with both of his legs amputated. We know the serious condition he suffered prior to the surgical operation that resulted in the amputation of his limbs. He had a bad heart condition. His life was despaired of for a long period of time. We all know of the indomitable courage of Jack Cochran. Jack Cochran was a religious man. He had that refined, direct contact that each of us understood and appreciated and evaluated in its proper light. But, he was truly a religious man, a man of deep religious convictions, and a man who by every action and expression showed the influence of the deep religious convictions he entertained.

His passing is an irreparable loss, not only to St. Louis and the State of Missouri, but to the Nation as a whole, and especially to those of us who had the privilege of knowing John Cochran. He leaves a memory that will always remain with each and every one of us.

The SPEAKER. The Chair recognizes the gentleman from New Jersey [Mr. SUNDSTROM].

Mr. SUNDSTROM. Mr. Speaker, it is with extreme regret that I just learned of the death of our friend and former colleague, the Honorable John J. Cochran. I had the pleasure to serve as the ranking minority member on the Committee on Accounts with Jack Cochran. As chairman of that committee he always showed fairness to the minority. He was a man of integrity and a man who kept his word. Despite all his physical handicaps, he had cheerfulness and abounding energy, and even in later years when he was handicapped he carried on diligently and courageously.

To his family I know I express the views of all of us when I extend our sincere sympathies.

The SPEAKER. The Chair recognizes the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Speaker, for 2 and 20 years I served in this House with Jack Cochran. We both entered the Sixty-ninth Congress. Through the years, he and his wife and Mrs. Whittington and I were close personal friends. For years we served together on the Committee on Expenditures in the Executive Departments. He attended all committee hearings, and he was not satisfied until he mastered all bills reported by the committee. He had had previous experience as a clerk to a distinguished Senator and as a clerk to an able Representative. He was thoroughly familiar with the executive departments of the Government. I never knew a more efficient Member of Congress or a more capable member of a committee. If there is one assignment where Members come to know one another better and where Members can take the true measure of other Members better, it is when they are members of the same committee.

Jack Cochran was jealous of the interests of the district he represented and faithful in promoting the progress of the people who sent him to the House. At the same time he recognized his responsibility to the Nation and was faithful in the discharge of his obligations to the country. He watched the Private and the Consent Calendars, as well as the other calendars of the House. He saved the Federal Treasury millions and millions of dollars. I often called my devoted friend the watchdog of the Federal Treasury.

Jack Cochran possessed all of the qualifications of a faithful public servant. He was industrious. In his latter years he was physically handicapped, but he was still the indefatigable worker that he was when he entered Congress. I have often marveled at both his industry and accomplishments, handicapped physically as he was in his last years. He was not only familiar with legislation pending before the committees on which he served, but he was probably more familiar with general pending legislation than any other Member of the body. I never knew a more industrious man.

Jack Cochran was courageous, but he was fair. He was willing to hear both sides of any question, but he had the courage of his convictions. Once convinced, he was as immovable as the Rock of Gibraltar.

He was a patriot. He was proud of the city of St. Louis and the district that he represented. He was an American first, and he was a patriot always. He knew that his own district could not prosper unless his country prospered. He had the national outlook, and he rendered service to the entire country.

The friendships formed in this body where Members are measured at their true worth, are enduring. Jack Cochran was a true and loyal friend. He knew that the best way to have friends was to be a friend. No man was ever more devoted to his friends than Jack Cochran. Our departed colleague was loyal to every friend and faithful to every trust.

The country needs the services of men like Jack Cochran. The House can ill afford to lose such Members as he. I gladly join in paying deserved tribute to his memory.

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Speaker, when I first came to this House as a Republican Member and saw and heard John Cochran in action I was distressed not a little bit as he was a hard-hitting partisan. I thought he was quite vehement at times.

I also became acquainted with a former Member of this House, Albert Carter, who incidentally has been ill for over a year. Al Carter and Jack Cochran would meet in the lobby, and I never heard two men go after each other as they did. I thought they meant it. I was very much concerned that they would come to blows. Then I discovered the true character of Al Carter and Jack Cochran. They were fine friends. Even though they disagreed violently on issues on the floor of the House they were good friends, and they had a deep and abiding affection for each other. They knew what good friendship meant.

I share the views of those who have spoken before. I believe it is most fitting that today, while we are commenting on another great American, Herbert Hoover, we should pay tribute to a great Democrat, a man who served his district and country well.

I saw Jack Cochran on a number of occasions when he was in the hospital. Jack Cochran lived a strenuous life. As the gentleman from Mississippi [Mr. WHITTINGTON] said, I never knew a more diligent, painstaking, and conscientious member of the Committee on Expenditures. We will miss him.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that all Members who so desire may extend their remarks at this point in the RECORD on the life and character of John J. Cochran.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, I am saddened at the announcement just made to the House by the gentleman from Missouri [Mr. KARSTEN] of the death of our beloved former colleague, the Honorable John J. Cochran, of St. Louis.

It seems only a short time ago that many of us took the floor to pay tribute to Jack Cochran's long years of tireless service in this body as he announced to his people back home that he would not be a candidate for reelection in November of 1946. We were saddened then at the thought of losing the company of this great man, but we who knew him so well hoped that he would have many years of rest and comfort as a reward for his labors in behalf of his district, city, State, and Nation.

The news today, therefore, brings us much sorrow. We extend to his former constituents our deepest sympathy in their loss of a sincere and courageous champion. I know that in every home in the sections of St. Louis which were fortunate enough to be included in Jack Cochran's district there will be genuine mourning over his passing. There will be tears in the eyes of countless numbers all through the city of St. Louis, because everywhere Jack Cochran was known there was that personal touch that brought him close to every individual.

I represent a district in Illinois across the Mississippi River from our former colleague's constituency—close enough to have been an observer through the years of Jack Cochran's work in Congress and to have observed the high regard in which he was held by the people of St. Louis—Republicans as well as the members of his own Democratic Party. So universally recognized were Jack Cochran's numerous achievements that on many occasions he was left unopposed on election day. There may have been political trends that would have threatened the security in office of other candidates, but in November the trend in North St. Louis was always toward Jack Cochran.

I particularly have always been a staunch admirer of our departed colleague. I have known him personally since March 1933, when I came to Capitol Hill as a secretary. Jack Cochran also first came to Capitol Hill as a secretary. In time he became a Member in his own right, and everyone here—and everyone throughout the length and breadth of this land—knows the splendid record he compiled as a Member.

Those of us who are Members of Congress today after having first served an apprenticeship as a congressional secretary, always looked to Jack Cochran as our patron. When in our freshmen years we encountered difficult problems, Jack Cochran was the man we turned to for advice and counsel. This he freely gave. He set an example in his own conduct of official duties that when followed by others always meant better service to the Nation. His judgment was sound—he was tireless in his efforts and he thought always in terms of what he believed to be best in the Nation's interest.

The best tribute we can pay to Jack Cochran is to pledge to his memory that we as servants of the people will try to be, at all times, the same kind of a Congressman Jack Cochran was during his 22 years in the House of Representatives.

Mr. MANASCO. Mr. Speaker, I was deeply shocked, although not surprised, to learn of the death of our former distinguished colleague, Hon. John J. Cochran, of Missouri.

I had known Mr. Cochran since I came to Washington in 1933. I soon learned that he was one of the hardest workers, if not the hardest worker, in the House of Representatives. I was amazed to watch him on the floor day in and day out as he discussed all kinds of legislation as only an expert could discuss it. I still do not know how he found the time to study and comprehend every bill that was considered by the House while he was a member.

After my election to the House, I served with him on the Committee on

Expenditures in Executive Departments until his retirement.

Jack Cochran was severely handicapped by the loss of both legs and an ailing heart during the last few years of his service in the House. Most of us would have stayed away from our committee work under similar circumstances, but not Jack Cochran. He would sit for hours at a time in committee hearings and or conference committees without complaint. He had a keen conception of legislation.

Although he fought with great tenacity for the principles for which he stood, when he saw that he could not gain his point, he was a ready compromiser. He was tolerant of the views of those who opposed his position.

Jack Cochran not only was a statesman in the truest sense of the word, but was also a most able advocate for the rights of his constituency. In all probability he personally handled more complaints for his constituents with executive departments of the Federal Government than any other two Members of the House.

His courage, although he was seriously physically handicapped, will always be an inspiration to me and to those who served with him. Our Nation can ill afford to lose men like Jack Cochran. May his spirit rest in peace.

Mr. ELLIOTT. Mr. Speaker, a few minutes ago my colleague, Mr. FRANK KARSTEN, announced the death of his former boss, Jack Cochran. Many Members of this House, who were formerly associated with him, I know, are saddened to learn of his passing. I was privileged, Mr. Speaker, and honored, to serve on two important committees with Jack Cochran. He had a great knowledge of various important bills which passed the Congress through the years, and he served his country, on the whole, as a great American. Mr. Cochran and I were members of the House Accounts Committee and I well remember the many times he called attention of the membership of the House to the manner money was being spent, unnecessarily, by some of our investigating committees. He was against such expenditures because he was for economy. He talked economy year after year, and was voted down time and time again by both sides of the aisle, when, to my way of thinking, he was right. I considered Jack Cochran my friend. I valued his knowledge and sincerity. This Nation has lost a great legislator and a fine American. My deepest sympathy is extended to his family.

Mr. ZIMMERMAN. Mr. Speaker, the announcement of the death of Hon. John J. Cochran, of Missouri, which occurred about noon today at his home in St. Louis, brings a deep sense of sorrow and sadness to all of us who knew him while a Member of this body.

During the 20 years of service in this body, no district or State had a more industrious, able, faithful, or effective Representative than the district and State which he represented. Mr. Cochran enjoyed the well-earned reputation of being one of the hardest-working, best-informed Members of Congress; and while a hard fighter for the things he believed in, and likewise against the things he believed to be wrong, he at all times enjoyed the confidence and respect of his colleagues, irrespective of which side of the aisle they occupied.

Personally, I keenly feel the loss I have sustained in the passing of our friend. Jack Cochran was never too busy to help or advise a friend. When I became a new Member of this body at the opening of the Seventy-fourth Congress, I soon learned to rely upon the advice and counsel of Mr. Cochran, who was always ready and willing to help a new Member. Our friend was truly a man who loved his fellow man, and he never faltered in his efforts to bring the light of a better day to his fellow man, high or low, rich or poor.

I join with his many friends in extending sympathy to his family and relatives during these sad days and hours, and, in a final salute, "Well done, thou good and faithful servant."

Mr. FORAND. Mr. Speaker, our true friend, Jack Cochran, has answered his last roll call. Announcement of his passing was a shock to many of us, and his death means a great loss to his State and to the Nation.

To those of us who were privileged to know him, he was a friend and counselor. He was most unselfish in his efforts to help all who sought his assistance. He was an indefatigable public servant and yielded to no man in his patriotic devotion to his public duties. He was fearless in espousing causes which he considered just. He would not compromise his principles for political expediency.

Jack Cochran was a real man. He was a God-fearing man, and our Nation is better because he lived.

Mr. JARMAN. Mr. Speaker, few Members have left this body since I became a Member of it who have been as greatly missed as Jack Cochran has. As the gentleman from Texas, Speaker RAYBURN, has just said, few if any Members have ever been his equal during the history of this country. Few Members were as loved as Jack was by his colleagues, which attitude was thoroughly reciprocated by him.

By the same token the passing of few former Members would cause as much deep heartfelt regret as does his going. I know that every Member who served with him heartily joins his successor in his expression of regret and bereavement and in conveying this regret and our sympathy to the bereaved ones. Just as the House can ill afford to lose such illustrious Members, just as his congressional district, fortunate though it was to have available such an able and experienced successor, could ill afford to lose his service in the House, his district, the city of St. Louis, the State of Missouri, and the world can ill afford to lose such a lovable, able, and distinguished citizen. However, all of these are better because of his residence in them, just as we whose privilege it was to serve with him here are better because of having known him.

EXTENSION OF REMARKS

Mr. O'KONSKI (at the request of Mr. HALLECK) was given permission to extend his remarks in the RECORD.

Mr. KEATING asked and was given permission to extend his remarks in the RECORD.

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the RECORD in three instances and include excerpts in each.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD on the subject of the case against the admirals.

COMMITTEE ON VETERANS' AFFAIRS

Mr. BROWN of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 120 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Committee on Veterans' Affairs, acting as a whole or by subcommittee, is authorized and directed to conduct an inspection of the Veterans' Administration with a particular view to determining the efficiency of the administration and operation of Veterans' Administration installations.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), as soon as practicable during the present Congress, the results of its inspection, together with such recommendations for legislation as it deems advisable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such records, documents, and papers, to administer oaths, and to take such testimony as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. Speaker, House Resolution 120, which has been reported by the Committee on Rules, is a resolution authorizing the Committee on Veterans' Affairs, acting either in whole committee or by subcommittee, to conduct an inspection of the Veterans' Administration and its various facilities during the life of the present Congress. At the time this resolution was brought before the Committee on Rules there was concern expressed as to whether the adoption of the resolution, and the inspection authorized thereunder, would reflect upon General Bradley or the Veterans' Administration.

The Committee on Rules was assured by the various members of the Committee on Veterans' Affairs that the introduction of this resolution in no way was to be considered as a reflection upon the services, ability, or patriotism of Gen. Omar Bradley, whom we all recognize has done exceptionally able work in behalf of the veterans of this and other wars.

The resolution was not reported unanimously. There were some objections to reporting it. However, the majority of the committee, feeling that, after all,

the Committee on Veterans' Affairs is charged with the responsibility of bringing to the floor of the Congress all legislation on veterans' affairs, which legislation will have a great effect upon the lives and happiness of no only our veterans but of their families, that the committee should have every opportunity to learn everything possible about the way the Veterans' Administration functions and is being conducted.

Certainly, the Congress of the United States has two great responsibilities: First, it is the duty of the Congress to legislate; second, it is the duty of the Congress to investigate. I personally feel very strongly that every committee of Congress should have the opportunity to obtain all possible information, from any and every source, on the subject over which it has legislative jurisdiction. In fact, the Legislative Reorganization Act so provides. I am convinced that it would be virtually impossible for the members of the Committee on Veterans' Affairs to bring to the floor of the House well-considered, well-tempered, and well-seasoned legislation for the benefit of the veterans of our various wars, and at the same time properly protect the interest of the general taxpaying public, without having the authority this resolution confers.

If you will notice the wording of this resolution, you will see that the committee is not empowered to "investigate" the Veterans' Administration, but instead to "inspect" it and its various facilities.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. SABATH. I fully appreciate that the wording is "inspection" and not "investigation." If that is true, why is it necessary for the committee to have the power of subpena and to sit anywhere and everywhere throughout the United States?

Mr. BROWN of Ohio. To answer the gentleman, it is my honest opinion that the committee will never be called upon to use its power of subpena, but when you give a committee authority to inspect, it certainly should have authority to subpena and bring in, if necessary, any of the records or any of the equipment that it may want to inspect. We have a grave responsibility to those who bore the brunt of battle in the hour of the Nation's peril. It is the responsibility of this Congress, representing the people of the United States, to make certain that the affairs of the great Veterans' Administration are being carried on as we, the Congress, and the people want them carried on.

I have great respect for General Bradley, yet I am convinced that General Bradley, being only human, cannot possibly know of everything that is going on within the Veterans' Administration. Perhaps there are things there that we and he would change if we and he knew about them. Certainly, unless the members of this committee see and know for themselves how the work of the Veterans' Administration is carried on, they are not in a good position to even understand what General Bradley may be talking about when he comes before them asking for additional legislation, additional authority, additional facilities, or additional equipment needed to care for our veterans.

I say to you it is just common sense that we, as the Congress, authorize the committee which we have named to represent us on matters pertaining to veterans' legislation to go out into the field and to see for themselves how the Veterans' Administration is functioning, so that when they take the floor of the House in support of or in opposition to legislation which may come before us, that they can tell us that they know whereof they speak from their own personal knowledge and observation.

So I am hopeful that this legislation, just as the sensible thing to do, will be adopted. I know of no reason why it should not be adopted. I know of many reasons, and I have given you a number of them, why it should be adopted.

Again I want to assure you that this resolution is not here today to reflect in any way upon Gen. Omar Bradley or upon any other individual. May I remind you that time is fleeting. Just a moment ago we received word of the passing of one of our old colleagues. General Bradley may not be with us always. He may not be the head of this great Veterans' Administration in the months and years ahead. Administrative heads may change, but the Congress of the United States goes on and on and has a responsibility, not only to the people whose money it spends, some seven billion dollars a year in the conduct of the Veterans' Administration, but also a deep and grave responsibility to the men we are attempting to care for—the veterans of the last World War and of our other wars.

So I am hoping that this resolution will be adopted.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr BROWN of Ohio. I yield.

Mr. VAN ZANDT. Is it not true that the mere presence of a congressional committee in a hospital will be of benefit to all the patients?

Mr. BROWN of Ohio. It will certainly demonstrate to the veterans that the Congress of the United States is at least sufficiently interested in their welfare to send representatives of the Congress around to visit them, to find out how their affairs are being handled, and whether they are being taken care of as we desire.

Mr. KEARNEY. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. KEARNEY. The gentleman is absolutely correct, and I am glad to hear what he said about General Bradley.

I reiterate that so far as every individual member of this committee is concerned this resolution is not directed at General Bradley. If it were I believe the entire committee would fight it.

Mr. BROWN of Ohio. I am sure that is correct. I believe I can also assure the membership that this is not a partisan resolution in any degree.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. VAN ZANDT. The gentleman knows that none of the organized veterans is against the resolution. Does the gentleman know of any veteran organization that is opposed to the resolution?

Mr. BROWN of Ohio. I do not. Instead I understand they favor it.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman from Connecticut has consumed 1½ minutes.

Mr. SABATH. Mr. Speaker, I yield such time as he may desire to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks on the life and service of John J. Cochran, to be placed in the RECORD immediately following the announcement of his death.

The SPEAKER. All Members have that privilege.

Mr. SABATH. Mr. Speaker, I yield 10 minutes to the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Speaker, I hate a sham wherever I find it. This resolution is a sham. The hearts of my Republican friends are not in it, and I am glad they are not.

Mr. Speaker, I have not asked for this time in order to rasp the Republicans; that does not represent my feeling toward them. I want them to give the country a fine administration. I vote with them often, always when I believe they are right; and just as freely as I vote against my party when I believe it wrong.

This resolution, Mr. Speaker, was reported by the Rules Committee without a single sound reason having been given for its support. After the hearing was over and the committee adjourned you could hear all over this House that the committee asking for the rule had failed to make out a case. They did fail to make out a case. They predicated their reason for wanting the resolution on the assertion that there was a desire and possibly a necessity within the Veterans' Committee to educate new members of the Committee on Veterans' Affairs. Think of it, Mr. Speaker, to set up an investigation of a great department of the Government which carries an indictment against a great soldier who was conscripted and put at the head of this great department simply in order to give a junketing trip to a committee upon the pretense that it was necessary to inform the committee about the business with which they were to deal is worse than being ridiculous and absurd.

General Bradley, as fine a man as ever served the Government, is put under indictment by this resolution for no offense that was ever committed, and for no wrong or shortcoming charged against his department. It is enough to break his heart. If I were the general and this resolution passed, I would hand my commission back to the President.

Mr. Speaker, this resolution was reported without the committee's having even given the general the privilege of coming before the committee and telling the story. Nobody said anything derogatory of the Veterans' Administration, but all went out of their way to testify to the high character, to the fine executive ability, to the great patriotism, to his

brilliant record as a soldier, and to the fine service that General Bradley is still rendering the country.

Mr. Speaker, the real reason why this resolution is being offered on this floor today has not been given to you. Kindness, courtesy, and consideration makes it inadvisable that I give you the information now. But you pass this resolution and you make the worst mistake that you have thus far made. I have marveled over the fine way in which you people newly coming into power have conducted yourselves; but, my friends on the Republican side, this is the worst mistake that you could possibly make.

The gentleman from Ohio [Mr. BROWN] said that this is not a partisan measure. You are making it a partisan measure. Watch the vote. You are making it a party measure and, Mr. Speaker, that is a mistake. If the Veterans' Administration is functioning admirably, if the general has done nothing of which complaint can fairly be lodged, tell me why, Mr. Speaker, you indict him and put him on trial?

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. COX. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. May I ask the gentleman if it is not a fact that the committee which asked for this resolution was unanimous in its request, with the exception of one member? The Democratic members as well as the Republican members appeared before the Rules Committee requesting this authority.

Mr. COX. The gentleman from Mississippi [Mr. RANKIN], former chairman of the committee, said that this might well be made an inquisitorial matter, letting Members go to these installations and seeing what was going on without going to the trouble and involving the expense and casting a reflection upon General Bradley and his department that the adoption of this resolution would result in. You may say what you please of the gentleman from Mississippi [Mr. RANKIN], but he has been worth a thousand of your most able people in this country so far as the veterans are concerned.

Mr. BROWN of Ohio. Will the gentleman answer the question?

Mr. COX. What is the question?

Mr. BROWN of Ohio. I asked whether or not it is a fact that every member of the Veterans' Affairs Committee with the exception of the one gentleman from Mississippi [Mr. RANKIN] requested this resolution?

Mr. COX. I will put the question on trial with this statement: Did they not come armed with the single reason that I had named why the resolution should be adopted?

Mr. BROWN of Ohio. I had reasons, and they expressed them.

Mr. COX. What was the reason?

Mr. BROWN of Ohio. The reason was they could not be properly informed to carry on the work of the committee. Now, that might not be a good reason to the gentleman, but it was the reason of those of us who supported the resolution.

Mr. COX. If we must enter upon the policy of educating every new Member who comes to this Congress about work in which he is to be engaged by sending him all over the country at public expense, then, Mr. Speaker, we are making a sorry record of which we will later be ashamed.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. COX. Yes; I yield with pleasure to my friend.

Mr. HALLECK. Of course, the gentleman knows of my high regard for him.

Mr. COX. The gentleman knows, too, that I have both confidence in and affection for him.

Mr. HALLECK. I would like to bring a little history to the gentleman's attention. I see here the gentleman from Mississippi [Mr. RANKIN] to whom the gentleman referred as the one time chairman of the Committee on World War Veterans' Legislation. When I first came to Congress in 1935, it was my good fortune to be assigned to that committee, and I served under the chairmanship of the gentleman from Mississippi [Mr. RANKIN]. Along in that session of Congress he said to us that he thought it would be a good idea for the members of the committee to acquaint themselves with the various operations of the Veterans' Administration, and particularly the operation of the veterans' hospitals.

Mr. COX. All right. Let them inquire themselves, but not at the expense of the people of the country.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. SABATH. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. COX. Let me say to the gentleman that he cannot be proud of the committee for reporting this resolution, because it was the sorriest day's work the committee ever did.

Mr. HALLECK. The gentleman can put whatever interpretation on the action that he wants to. I do not put any such interpretation upon it. But if the gentleman will permit me to conclude, what I undertook to say was that I had never been in a veterans' hospital before, yet I was charged with legislating in respect to them. It was arranged by the gentleman from Mississippi [Mr. RANKIN] that the members of the committee should visit the various veterans' facilities. Now, the Government spent some little money sending the members of that committee to inspect those various hospitals, but they never spent better money on any occasion. I came back a defender of the Veterans' Administration. And I know this also——

Mr. COX. The gentleman must not take all of my time. Let me say to the gentleman that arrangements can still be made for this opportunity to visit these institutions, if that is the object that you have in mind, and it can be done without the adoption of a resolution that you should never have thought of bringing to the floor of this House.

Mr. HALLECK. The resolution uses the word "inspection" and not "investigation," and that certainly is indicative of what is meant.

Mr. COX. You ask for subpena powers and you know it is an investigation that you intend to make.

The SPEAKER. The time of the gentleman from Georgia has again expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield 7 minutes to the gentleman from Oklahoma [Mr. RIZLEY].

Mr. RIZLEY. Mr. Speaker, of course, all of us have the highest regard and respect for the distinguished gentleman from Georgia [Mr. COX], but certainly we do not abrogate to him or the other members of the Committee on Rules the right of doing our thinking on these matters that come before that committee.

Why is this particular thing such a sacred cow? No one appearing before the Veterans' Committee, either Democratic or Republican, said that General Bradley had done any wrong, or that they were going to investigate General Bradley. But here is a huge institution, charged with the responsibility of the general welfare of thousands and hundreds of thousands of veterans in every conceivable category. We are spending approximately $7,000,000,000 of the taxpayers' money. These veterans are taxpayers. Is it ridiculous as my friend from Georgia would have you believe, for the Congress of the United States to study and check into an institution of that magnitude? Why all this terrible fuss, just because a committee set up by this House to handle veterans' affairs has asked for the opportunity of going in and inspecting some of the things that are going on? Does the gentleman from Georgia means that the Democratic member, the gentlewoman from New Mexico [Mrs. LUSK], that kindly, fine lady, had some sinister motive or purpose in mind when she requested this rule? She came before the Rules Committee and said, as did many other minority members of the Veterans' Committee, "We want to know something about this huge institution, the Veterans' Administration."

Is there a Member of Congress who does not daily have dozens and dozens of complaints from veterans over the country and who does not think that it might perhaps be helpful to General Bradley if he knew about some of the things that are going on in the various institutions throughout the land?

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield to the gentleman from Indiana.

Mr. HALLECK. As I remember it, the Reorganization Act impresses upon each standing committee of the House of Representatives the responsibility for making a continuing survey of the various departments and agencies coming within its jurisdiction. It occurs to me that on that basis, if upon no other, this resolution should be supported. May I make this further statement in respect to the subpena power about which the gentleman from Georgia seems so disturbed. It runs in my mind that a very vicious attack was made on the Veterans' Administration a short time ago, and that the person who made that attack was brought before the Committee on

Veterans' Affairs and much of the attack was exploded. In other words, instead of the Committee on Veterans' Affairs being in a position against the Veterans' Administration, it was in the position of upholding the Veterans' Administration in the work it was doing.

Mr. RIZLEY. Certainly; the gentleman is correct. While the distinguished gentleman from Mississippi appeared in opposition to this resolution, I do not believe it was more than 2 years ago that he was in here with a resolution asking for the same authority to go into the Veterans' Administration and make inspections, and no one contended then that it was a personal attack upon the Administrator.

Mr. MONRONEY. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield to the gentleman from Oklahoma.

Mr. MONRONEY. I quite agree with the gentleman from Oklahoma and the gentleman from Indiana that our rules do impose this task on the standing committee that has the power to legislate and to correct. Such an inspection should not cast any reflection at all on the administration, because all of the committees are charged with making that kind of inspection over the areas of their jurisdiction. May I ask the gentleman, however, if this $25,000 anticipates the employment of special counsel in addition to the four experts provided under the Reorganization Act, who are paid $8,000 a year?

Mr. RIZLEY. I think not. I did not so understand at the time the resolution was under consideration.

Mr. MONRONEY. This is simply to acquaint the Members with the problem?

Mr. RIZLEY. Absolutely.

Mr. KEARNEY. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield to the gentleman from New York.

Mr. KEARNEY. It has been insinuated on the floor of the House that this is a plot against General Bradley. Has the gentleman heard General Bradley complain about this proposed investigation?

Mr. RIZLEY. I have heard no complaint from General Bradley. I have heard no complaint from anyone except the gentleman from Georgia.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. As a matter of fact, this resolution does not provide for the appointment of any additional aid of any kind, it contemplates only the use of the present facilities of the committee.

Mr. RIZLEY. I thought I had made that clear.

Mr. BROWN of Ohio. May I point out to the gentleman that in the hearings before the Committee on Rules the representatives of both great political parties appeared and asked for this rule. I do not believe I have heard the gentleman from Mississippi opposing this measure on the floor, and I question that he will oppose it because I think he realizes fully that it is necessary.

Mr. RIZLEY. I thought I had made that point very clear, it was not in any manner considered as a partisan matter. The Veterans' Committee were very fair. They were after the scalp of no one. They simply wanted to look into this huge Veterans' Administration that has been set up, to see if they could be of some assistance to the veterans they represent and be in a better position to legislate intelligently.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I had a talk yesterday with General Bradley lasting three-quarters of an hour or an hour, and at that time General Bradley said he greatly appreciated the cooperation of the committee. He already asked the committee to go into Veterans' Administration installations and go over them and make suggestions. The General is not opposing this resolution. I think he would feel hurt if he thought we had meant the inspection as an attack upon him. Such is not the case. The members of the committee have the highest respect and admiration for General Bradley as a great fighting general and as a man. General Bradley has the most difficult job of any Government official after the President of the United States. We have done this in an effort to help him. I think you will find that General Bradley underneath is very grateful for our help in the running of the biggest insurance business in the world, for one thing, and the running of the biggest medical and surgical department in the world, for another. He welcomes our help and our advice on all his various problems. The Committee on Veterans' Affairs has a very grave responsibility to the veterans, over 18,000,000 persons are now affected by the pending legislation the Committee on Veterans' Affairs has passed. It costs $7,000,000,000 today to carry out the work of the Administration with the various benefits due the veterans. It is a great privilege to be chairman of this committee and to work with the fine, able members who are working on a nonpartisan basis and who are determined to help the ex-service men and women and pass wise legislation.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Louisiana [Mr. ALLEN].

Mr. ALLEN of Louisiana. Mr. Speaker, I am very sorry that this question is to some extent taking on the aspects of a partisan matter. There is no room for partisan politics here. The great Committee on Veterans' Affairs, during the years that I have been a member of it, has never displayed any partisan politics. You could watch us vote in that committee, and yet could not tell which were the Republicans and which were the Democrats from the way we voted on veterans' matters.

May I say at the beginning that I have a very, very high regard for General Bradley. I am one of those who supported General Hines, and I have always supported General Bradley. I am his friend. I do not want anyone to say that the bringing of this resolution to the floor of the House by that committee implies that anyone on the committee is against General Bradley in any shape, form, or fashion. We recognize he is a great soldier, a great man, and a great leader. He is doing a good job. He is doing a very hard job. During my service in this House I have never seen anybody in our Government get as broad a grasp of a most difficult job as quickly as General Bradley has, and that is saying a great deal. He is doing great work. We are behind him and we intend to stay behind him.

This resolution, let me repeat, is not aimed at General Bradley or anybody else in the Veterans' Administration. It is not, and I deeply regret that some of my very dear friends have seen fit to leave that implication, because I feel it is not fair to the Veterans' Committee, which is trying to do a difficult work. I do not feel it is fair to General Bradley, and I am persuaded it is not fair to the veterans themselves. So I will vote to adopt this resolution, and I have no apology in the world to make for supporting it.

General Bradley enjoys the confidence of the committee. I have never heard a single person on that committee say one derogatory thing about General Bradley. We are for him. He knows he can always come to us and find a sympathetic understanding.

But, ladies and gentlemen, we have a terrific responsibility. We are trying to legislate for 20,000,000 Americans who paid a terrible price that our country could live. We are dealing with the biggest item of the budget—amounting to over $7,000,000,000.

If you are going to send people from the Committee on Territories to the islands of the seven seas to look after the islanders, and so forth, as has been done by this House time and time again; if you are going to send people to visit our foreign-affairs offices all over the world, as I think has been done; if you are going to do all of those things, why not let the members of the Committee on Veterans' Affairs go into the hospitals and talk with the men and work with General Bradley to solve the biggest problem that has ever faced this Nation at any time in its peacetime history?

Mr. Speaker, last year we went into the hospitals. We got a lot of good out of it. We saw for ourselves. These visits were well worth while. It helped us, the veterans and the Veterans' Administration. That was not a move against anybody at all. We did that in a constructive, cooperative way. This is not an investigation. It is more of a visitation. Something was said about the power of subpena. I do not care whether the resolution has subpena power in it or not. The objective is for the committee to make these visits so that first-hand information may be obtained to enable the committee to deal with this very, very big problem.

The SPEAKER. The time of the gentleman from Louisiana [Mr. ALLEN], has expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. CARROLL. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Louisiana. Pardon me, please. I have very little time. Last year we went into these hopsitals. We saw the problems. We wrote the present medical bill. General Hawley says now he is able to do a good job under that bill. He said he could not do the job without that medical bill which we wrote as a result of our hearings last year and our visits to the hospitals.

This is not against General Bradley. It is not against the Veterans' Administration. I heard General Bradley say last night that he had over 200,000 employees under him. How can that great, good, and able man know all that is going on? We are going into those hospitals cooperatively, without prejudice, solely with a desire to be helpful to General Bradley and all concerned. This move is in line with the very spirit of the Reorganization Act. It will be to the best interests of General Bradley. He will know he can lean on us in solving the great problems arising every day. It will be to the best interests of the Veterans' Administration, and finally, as God gives us wisdom and light to do this great job, it will be the best thing for the veterans of this country. Help us to do the best possible job for the veterans.

The SPEAKER. The time of the gentleman from Louisiana [Mr. ALLEN] has again expired.

Mr. BROWN of Ohio. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. KEARNEY].

Mr. KEARNEY. Mr. Speaker, I favor the passage of this resolution.

Mr. Speaker, in supporting House Resolution 120, I do so in the belief that as a member of the Veterans' Affairs Committee, each and every one of the members of that committee is a guardian of American veterans over whom the Veterans' Administration has some jurisdiction, particularly those of our disabled now in the hospitals throughout the country. As members of this committee, we of necessity must be fully informed in the operations of the Veterans' Administration, including the regional offices, the hospitals, and the central office here in Washington. Let me say at the outset that this resolution is not aimed at any investigation of Gen. Omar N. Bradley. If I thought it were, I would be the first to fight it. General Bradley, in the short time he has been the Veterans' Administrator, has done a most magnificent job. He is a soldier's soldier, one of our foremost combat generals in World War II, and an administrator of veterans' affairs in whom the entire country has great confidence. It is also true that as Administrator of the Veterans' Administration, General Bradley has not only the hospitals under his charge and control but also has a total of over 200,000 employees. This Veterans' Administration is big business, and I reiterate that it is our job as members of the Veterans' Affairs Committee to be thoroughly informed of all its activities.

This resolution is not an investigation in the true sense of the word "investigation." While it is true that an investigation may develop as a result of the findings of the committee or subcommittees sent out through the various regions, our primary motive is to inform ourselves fully as to the conduct of the affairs of the entire Veterans' Administration.

We have on our committee several new Members of the House, many of whom served their country in World War II, in combat all over the world. They are earnest, diligent, and intelligent members of this great committee. I believe that as a result of the passage of this resolution, particularly those new Members will be able to journey out through the country and learn for themselves what this Veterans' Administration is doing in the operation of the care for our disabled men and women; and the administration of claims, both for compensation, insurance, educational benefits, and so forth, incidental to the operation of the Administration.

There must be periodic visits in the field if we are to report back intelligently to the House appropriate legislation. In order to do our job as the Members of the House expect us to do it, Resolution 120 should be adopted unanimously.

Mr. BROWN of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER of Connecticut. Mr. Speaker, I am surprised that there is any opposition to this resolution. I would vote for it if the word "investigation" were contained in the resolution. I would not feel I was casting any aspersions at General Bradley, even if we proposed to investigate his agencies in a cooperative way. I do not think he would object to that kind of an investigation. I am reminded today of the first time I met the gentlewoman from Massachusetts [Mrs. ROGERS], now chairman of the Committee on World War Veterans' Legislation. It was in the early twenties. I was a patient in a Government hospital in Boston. We were visited by the gentlewoman from Massachusetts [Mrs. ROGERS], whose husband was then a respected Member of this House. The gentlewoman from Massachusetts [Mrs. ROGERS] was touring the country visiting veterans' hospitals. She came into that hospital and had occasion to talk with any patient who wanted to talk to her. Most of them did. She got a lot of information from that visit, and the patients in that hospital felt that they had talked to somebody from Washington who would take back their stories of the conditions that existed in the hospital at that time, most of which were good. Some of them were not so good.

There are things going on in the Veterans' Administration facilities around the country that are not what General Bradley would want them to be. I think this committee, visiting those installations and facilities, will get a great deal of information and will give the patients in those hospitals an opportunity to talk to their elected representatives. I visit every veterans' facility in my State frequently, but it is one thing for me to go in and talk to the manager and get what information I can as a Member of Congress or as a private citizen. I have been treated just as cordially in both instances; and it is another thing for an official committee, backed by a resolution of this House, to go in and look it over.

The subpena power may never be used, but if some minor official does not want to cooperate with the committee, or its representative, they will have the power to make them produce their records or to make them talk. I think they should have that power even though they may never use it.

I hope to submit to the committee, or some member of the committee, a few questions I would like to have answered about the operations of the Veterans' Administration. I do not want to mention them on the floor. I would like to have them quietly looked into by some official representative of this House. If the information I have it correct, there are certain conditions that can be improved.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.

Mr. BROWN of Ohio. As I understand it, approximately half the membership of this committee is composed of new members, most of whom are veterans of World War II. In the gentleman's opinion is it not a good idea that these individuals have an opportunity to see and know what is going on in these veterans' hospitals? They are the true representatives of the veterans in the Congress.

Mr. MILLER of Connecticut. I think it should be done not only this year but by every Congress. I do not know what it would cost to send the members of this committee to the various cities to visit these facilities, but what if it does cost $25,000? We are dealing with a $7,000,000,000 appropriation and with hundreds of thousands of human lives. I want not only the members of this committee but the entire membership of the Congress to go into these hospitals and into every facility operated by the Veterans' Bureau so that they can have first-hand information on what is going on.

I thought one of the objectives of the reorganization bill was to give to the committees of the House a better opportunity to study the agencies over which they have legislative jurisdiction. The Interstate and Foreign Commerce Committee of the House has been doing something along the same line, but we did not have to go out and investigate and look over every telegraph line or power plant in the country. We requested representatives of the FCC, the Federal Communications Commission, the CAA, the FPC, and the rest of them, to bring information to the committee.

The SPEAKER. The time of the gentleman from Connecticut has expired.

Mr. SABATH. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, I am not opposed to visiting veterans' hospitals or veterans' facilities. I have insisted on it all the way along, and I have insisted that every Member of Congress go through veterans' hospitals and veterans' facilities at every opportunity.

But here is the part of this resolution to which I am opposed, the part that gives the power to require the attendance of witnesses, production of records, documents, and papers, to administer

oaths, and so on and so forth. Last year we made a thorough investigation of the Veterans' Administration. We heard all the charges made against the Administration. We saw stuff put into the record, quoting men, servicemen, and when we ran them down we found that as a rule they were statements made by men who were insane.

We had two propagandists writing attacks on the Veterans' Administration, and when they were brought before the bar of the committee their statements were invariably found to be false. We went to all of that trouble and expense and investigated veterans' facilities from one end of the country to the other.

We found some things that were wrong. They have been corrected. The Veterans' Administration is doing a splendid job and I do not want to see it unnecessarily harassed to the detriment of the veterans themselves.

I want to substitute the provisions of the resolution we have always adopted for visiting these veterans' hospitals and veterans' facilities. I want to strike out the last paragraph and insert:

That said committee or subcommittees are empowered to sit during the sessions of Congress or during the recess between sessions of Congress, and to incur necessary expenses for transportation and subsistence, and for clerical and stenographic services, which shall be paid out of the contingent fund of the House upon vouchers signed by the chairman thereof, and approved by the Committee on House Administration.

Mr. MILLER of Connecticut. Mr. Speaker, will the gentleman yield briefly?

Mr. RANKIN. I yield.

Mr. MILLER of Connecticut. Did the people writing those libelous stories appear before the gentleman's committee voluntarily?

Mr. RANKIN. We had the power of subpena; it was an investigation.

Mr. MILLER of Connecticut. We might run into that situation again.

Mr. RANKIN. If they find there is anything wrong in any of these facilities let them come back and report it to the committee and then let a separate resolution be adopted by the committee to investigate a particular facility, and I am sure the Congress will back them up.

What I am opposed to here is the wording and the powers it carries. In my opinion, when you adopt this resolution the story will go out to the country that you have started a Nation-wide investigation of veterans' facilities, veterans' regional offices, and veterans' hospitals. In my opinion, it will do more harm than good. We had better follow the policy we have been following.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. COX. Could not the purpose the gentleman desires effectuated be accommodated by striking the word "and inspection" out of the third line and the tenth line, and then striking out the rest of the section?

Mr. RANKIN. I have the amendment prepared, I may say to the gentleman from Georgia, and it reads as follows:

Mr. RANKIN moves to strike line 12, page 1, and all of page 2 from line 1 down to and including line 11, and insert the following.

Then insert the provisions which I have just read and which we have adopted in all our former resolutions for inspection.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. SABATH. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. RANKIN. Mr. Speaker, if you are going on an inspection trip, then let us be honest about it and make it an inspection and not a camouflaged investigation, or inquisition that would do more harm than good.

Mr. COX. That will take away the unfavorable part of it.

Mr. RANKIN. And it will give the Veterans' Affairs Committee all the power it needs. So far as I know, not a single veterans' organization came before the committee and asked for any such inquisition or that such power be granted. So, if I get a chance, I am going to offer a motion to strike the last part of this resolution and insert the provision I have quoted. That will do the work.

Mr. Speaker, I went on this committee at the request of Finis J. Garrett, minority leader, 22 years ago. I was chairman of the committee for 16 years, and my whole services in that capacity have been in the interest of the servicemen of this country. Do not forget that untold thousands of these men are mental patients, thousands of them are tubercular patients, and the less you disturb them the better off they will be.

I am opposed to putting on an inquisition at this time when I know it is unnecessary.

The SPEAKER. The time of the gentleman has again expired.

Mr. SABATH. Mr. Speaker, I yield myself the remaining time on this side.

WORSE MISTAKES STILL TO COME

Mr. Speaker, since it is not unusual for me to disagree with either the gentleman from Mississippi [Mr. RANKIN], or the gentleman from Georgia [Mr. COX], you will not be surprised if I beg to disagree again with their statement that this investigation is the worst mistake the Republicans have made.

They have made many worse in the past, and I am confident they will make many worse in the future. The results of the current Gallup poll show that they are making so many that soon they will be deprived of the opportunity to make them at will.

However, I do agree, and I am most regretful that it is for the first time in many years, with both gentlemen that this proposed investigation is unnecessary and wasteful, and that in view of the thorough and repeated investigations made in the last Congress it is sheer extravagance to expend the $25,000 involved here, especially when Republicans prate daily of economy. Again they are spending the taxpayers' money unnecessarily.

It is a pleasure to find myself once more in agreement with my friend and colleague, the gentleman from Georgia [Mr. COX], and with the gentleman from Mississippi [Mr. RANKIN], and hope sincerely that I can look forward to continued cooperation.

The gentleman stated correctly that he had, in the past, voted many times in agreement with the Republicans and against the Democrats, always to my regret, for I am very fond of him and dislike to see him do things I know he will regret. I am afraid that both of my friends now are finding out, now as they will in the future, that they can hope for no reciprocity from the Republican side. They respond to the crack of the party line like cattle, and forget all friendliness in the past.

OUTSTANDING ADMINISTRATORS

Some object to this inspection, which I believe will be actually another snooping investigation, because of the subpena power. Everyone claims that General Bradley and his aide are two of the most outstanding, capable, courageous, and honest men in Government, and that they are conducting the affairs of the Veterans' Administration as economically and efficiently as possible.

Who made this request for an investigation? Not a soul has appeared that I know of asking for it. The American Legion did not ask for it. No other veterans' organization has asked for it. So why force it at this time? Of course, it is claimed that this will be a junket. Personally, I do not think that is the intention, nevertheless these Members want to travel around some. In my opinion, many of them need a lot of information about our country so that they can legislate properly in the future and so that they will not always vote as they are dictated to by the powers that be.

WOULD SAVE MINORITY FROM MISTAKES

Mr. Speaker, I know that this resolution will pass. I am not going to make certain statements that have been suggested to me because I do not want to be unfair. I always try to be helpful to the present minority and save them from making many more mistakes that they are apt to make.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to my genial and pleasant colleague.

Mr. BROWN of Ohio. I want to assure the gentleman that we equally appreciate the grave concern he has for the welfare of the majority. He has been very, very helpful, many, many times.

Mr. SABATH. I thank the gentleman for his acknowledgment. I am just as much interested as any man in seeing that our veterans obtain the best possible treatment that we can provide for them, and if I thought they were not receiving that kind of treatment, naturally, I would favor the resolution. But the fact is that there are no charges, no complaints, no requests from anywhere, with the exception of the Members, as has been stated, who desire to make a trip at Government expense.

CAN GO ON JUNKET ANYWAY

They can make it without this resolution. There is nothing that would stop them to go and visit the hospitals in their districts as well as the adjoining districts. They have the right and they have the power. In view of the testimony that has been given by Democrats and Republicans alike as to General Brad-

ley's wonderful conduct, I do not see why you should pass this resolution, and I think in the interest of real service to the veterans the resolution should be withdrawn or, at least, amended as has been suggested by the gentleman from Georgia [Mr. Cox].

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Speaker, I see nothing in this resolution of a political nature. It certainly seems to me that, if we consider the fact that General Bradley inherited a tremendous operation, the activities of which have been expanded a hundredfold, he should welcome the information that the splendid Committee on Veterans' Affairs will unquestionably provide him with. Nobody intends by this resolution to cast any reflection on General Bradley. But we must bear in mind the fact that after the last war the Veterans' Administration was conducted in a scandalous manner. Conceivably this investigation would point out the pitfalls to the present Administrator and guard him against the scandals that might arise now.

I hope this resolution is adopted. All of us are interested in the veteran, of course, and we should welcome the opportunity of receiving whatever information we possibly can so as to benefit our veterans in every possible way.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Certainly, if in the wisdom of the House this power should be given to any committee, the Committee on Veterans' Affairs is the committee that should receive the power.

Mr. WALTER. Of course, and under the Reorganization Act, it is the duty of the Committee on Veterans' Affairs to conduct the investigation contemplated under this resolution.

Mr. BROWN of Ohio. Mr. Speaker, I yield 1 minute to the gentlewoman from New Mexico [Mrs. LUSK].

Mrs. LUSK. Mr. Speaker, I speak on behalf of House Resolution 120. We have the greatest respect for General Bradley and the work he is trying to do, but the members of this committee are all new. Many of them are veterans just out of World War II. Because we realize that the work of this committee will touch the lives of more citizens, perhaps, than the work of any other committee of this House, we feel that the most we can do will not be enough to understand the problems of our people. For that reason, we are asking for an opportunity to visit various centers and hospitals in order that we may know first-hand the feeling of the people within those centers and hospitals and may take proper action to do the things that they would have done.

Mr. BROWN of Ohio. Mr. Speaker, I yield the remainder of my time to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker, one of the finest tributes paid this resolution was contained in the statement by the gentlewoman from New Mexico [Mrs. LUSK] who had three sons in World War II, one of whom did not return. When the gentlewoman from New Mexico [Mrs. LUSK] stands in the well of this House and supports this resolution, I feel that she speaks for the many mothers and fathers of the United States whose sons made the supreme sacrifice.

Mr. Speaker, some years ago it was my privilege to serve one of the great veterans' organizations of this country as its national commander. Immediately after concluding my tenure of office I was elected to the Congress of the United States. As a leader of an organized veteran group and as a Representative in Congress it was my privilege and honor to visit every single Veterans' Administration hospital within the confines of the United States.

As I visited the veterans at the various hospitals and shook their hands I realized that I was making a contribution to their welfare, by simply listening to their problems and giving them words of encouragement. As commander in chief of the Veterans of Foreign Wars of the United States I brought their problems to Washington and discussed them with such distinguished Members of Congress as John McCormack, John Rankin, Royal Johnson, now deceased, Mrs. Rogers and others. After I was elected to Congress and as a member of the House Committee on World War Veterans' Affairs these problems were more forcibly presented to my colleagues.

Mr. BURLESON. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Texas.

Mr. BURLESON. Which does the gentleman think has the greatest opportunity really to find out the conditions in a veterans' hospital, the American Legion or an investigating committee of this Congress?

Mr. VAN ZANDT. The major veteran organizations are watchdogs over these hospitals, and naturally are of great assistance in handling complaints of patients. However, a congressional investigating committee has the knack of securing factual information that ordinarily would be withheld by patients.

Mr. BURLESON. Will the gentleman yield for an observation?

Mr. VAN ZANDT. Surely.

Mr. BURLESON. I say this very meekly and I say it very humbly, and perhaps I will never be put on a committee to make a tour of the country on an investigation, but I have seen some congressional investigations overseas of this, that, and the other, and I have seen some congressional investigating committees—please understand me; this is not too critical—that never found out a great deal about what they were looking at. If I were going out to make an investigation of anything I would spend about 3 weeks. I would really know what I was looking for. I would not walk down the hall of a hospital——

Mr. VAN ZANDT. I yielded for a question.

Mr. BURLESON. I thank the gentleman very much. I am sorry to take that much time.

Mr. VAN ZANDT. In my humble opinion one of the greatest contributions we could make to the welfare of veterans in hospitals is to support this resolution and thereby make possible inspection tours of Veterans' Administration hospitals by members of the House Committee on Veterans' Affairs.

Mr. KEARNEY. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from New York.

Mr. KEARNEY. While we are speaking about investigating committees, let us be fair on this subject. Is it not true that while the gentleman was in the South Pacific many investigating committees came out there to investigate him and his comrades?

Mr. VAN ZANDT. That is right.

Mr. KEARNEY. Is it not true that the House Committee on the Territories and other committees have gone around the country and other places in the world making their own investigations?

Mr. VAN ZANDT. That is correct.

Mr. KEARNEY. Just as in the case of the Inspector General of the Army, it is the duty of this committee to be properly advised as to what is going on in these hospitals and the regional offices.

Mr. VAN ZANDT. It has not been so many months ago that I was ordered by my commanding officer to proceed to Manila and there act as an aide to a congressional committee investigating conditions in the Philippines, then under the command of the greatest soldier that ever lived, Gen. Douglas MacArthur. So, investigations are nothing new or novel, and an investigation of these hospitals will prove of practical value by providing veterans with a real remedy for any just complaint.

If amendments were in order, I would propose that Members of the House who visit the various hospitals should talk to the boys and learn their problems. At the same time it would be a good idea to take along some cigars, cigarettes, and candy, and in general have an enjoyable visit with the boys. Such a spirit of comradeship would prove a stimulating tonic and of real value to the veterans and Members of Congress.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. A Member going through the hospital will also be able to find out whether any doctors or surgeons stay after 4 o'clock or on Saturday and Sunday so that they can perform emergency work if an emergency should arise.

Mr. VAN ZANDT. The gentlewoman is correct.

Mr. LUCAS. Mr. Speaker, I rise in favor of this resolution. Recognizing that the duty of the Congress is to see that all veterans are properly represented before the Government departments, I believe that such a resolution as this will bring about better relations between the veteran and his Government. I have no doubt that the Veterans' Administration itself would have no objection to an inspection of its operation and this resolution calls for exactly that.

The Congress of the United States, acting for all the people of the country, has provided so enlightened a program for the relief of those who have defended this Nation in time of war that we are admired throughout the world. We have indeed attempted to show our gratitude for the sacrifices which our fighting men have made.

It is, then, our duty to see that the laws which the Congress has enacted are properly administered. It is our duty to see that every veteran is permitted to enjoy every privilege and right which has been granted him by his grateful Government.

I am one of those who feel that the Veterans' Administration is inefficient. So large an undertaking as this, expending billions of dollars annually, is bound to make mistakes and to be cumbersome in some parts of its operation, and this Congress, by the passage of this resolution, can smooth out those inefficiencies and bring about, not only better service to those who deserve it, but better Government and a more economical administration of the functions of this department.

I take the liberty at this time of calling to your attention several specific cases of inefficiency and maladministration in order to show to you gentlemen that this tremendous operation is stumbling over itself in failing to carry out the duties as provided in the legislation previously enacted by the Congress. Let me tell you a few instances wherein the veterans in my section, justifiably, complain of inexcusable delays. Here is one. A student at a theological college within my district entered that college in September of last year. Although he has tried every possible way to get his allowance he has never received one answer to the number of letters he has written to the Dallas veterans' office. He wrote to me on March 3 that he was still being accorded this same sort of treatment, appealing for help. His Government has allotted to him $90 per month and he has received not one cent for the last 6 months. Is this what Congress intended? Let me give you another illustration.

In May 1946 a veteran within my district signed up to take advantage of the on-the-job training program. Although this man, who had spent 43 months in the jungles of the Southwest Pacific, had importuned repeatedly the Veterans' Administration for payment of his subsistence, he has not yet received one check; and, gentlemen, he began his on-the-job training in May of 1946. The company was approved and other veterans who were working alongside this man were receiving their monthly allowances.

Mr. Speaker, I could give dozens of illustrations, but let me conclude with this final example of the inefficiency of the Dallas veterans' office. A young veteran who is receiving on-the-job training appealed to me in a letter dated February 8 to assist him in securing the full payment to which he was entitled. The Veterans' Administration had failed, over a period of 4 months, to make satisfactory adjustment of his allowance. On February 12 I wired the Dallas office and requested a report. Gentlemen, to this very hour I have not received an answer to that telegram. Is not a Member of Congress entitled to at least the courtesy of an acknowledgment of his communication?

I have experienced just such delays in many previous communications and have been compelled to appeal to the officials of the Veterans' Administration here in an effort to get information on specific cases which have arisen in my district.

Let me conclude by assuring the Members of this House that I do not in any way criticize Gen. Omar Bradley. He is doing a very good job, and my purpose in supporting this resolution is to assist him in performing a better job and to provide for the veterans, not only in my district, but throughout the Nation, that service to which they are duly entitled.

Mr. BROWN of Ohio. Mr. Speaker, I move the previous question on the resolution.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Ohio [Mr. BROWN] yield for a parliamentary inquiry?

Mr. BROWN of Ohio. I do not yield, Mr. Speaker. I have moved the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. LEWIS asked and was given permission to extend his remarks in two instances and include a newspaper article in each instance.

Mr. JOHNSON of Oklahoma asked and was given permission to extend his remarks in the RECORD.

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the RECORD and include an article from the Progressive of March 3, 1947, by Richard Neuberger.

Mr. McDOWELL asked and was given permission to revise and extend his remarks and include a newspaper article.

The SPEAKER. Under previous order of the House, the gentleman from Tennessee [Mr. KEFAUVER] is recognized for 45 minutes.

BETTER COOPERATION NECESSARY BETWEEN LEGISLATIVE AND EXECUTIVE BRANCHES OF GOVERNMENT

Mr. KEFAUVER. Mr. Speaker, it seems to me that since the United States is obviously now in the position where it must assume more and more leadership in the international field and we, the Congress, are being called upon to establish and deal with international policy to an extent that this country has never known before, we should examine our congressional procedure to see whether we are really equipped properly as a legislative body to adequately handle the problems being thrust upon us.

On the domestic front, there is great need for better understanding between the legislative and executive branches of our Government. Several days ago I read an editorial by Marquis Childs in the Washington Post. I would like to read the first two paragraphs. It says:

> Underlying nine-tenths of the confusion and conflict in Washington today is one central, paramount fact that almost no one speaks about or thinks about. It is almost as though a deliberate conspiracy existed to prevent us from considering it.
>
> When the two corollary powers, executive and legislative, are divided between opposing parties, the machine of government stalls. This has happened again and again and again. Yet we register a kind of puzzled and hurt surprise that all is not harmony and progress on the Potomac.

For many, many years there has been evident need and advocacy of some procedure which will bridge the gap between Capitol Hill and the other end of Pennsylvania Avenue. Even when the Executive and the legislative members of our Government are of the same party, bickerings and differences between the legislative and the Executive commence very soon after the inauguration. I believe that regardless of whether we have a Democrat or a Republican in the White House, or whether we have Republican control or Democratic control of the Congress, Members of both branches sincerely and earnestly want to make the Government work efficiently for the best interests of America. Nowadays it is imperative that Government function smoothly. In this way we can take our place of effective leadership in world affairs. Both of the political parties are devoted to those two objects. We know that the time comes when there is lack of understanding and differences between the President and the Congress, regardless of whether or not there is a person of the same party in the White House as in control of the Congress. For many years I have been advocating a proposal which I think will do much to bring about closer cooperation and understanding between the President and the Congress. Now that we do have a situation which I think has occurred some 28 times in our history, of divided responsibility between the Presidency and one or the other Houses of Congress, it seems to me it is all the more important that we try to devise ways and means to come to a better understanding and better working together with our national program.

The proposal that I have made this year, as in several years past, is for a so-called report-and-questioning period. It is contained in House Resolution 17. Under that proposal it is provided that once every week, or at least every 2 weeks, there should be set aside not more than 2 hours on the floor of the House for some legislative committee of the House to have the opportunity of inviting a Cabinet member or a top administrator to appear in the Chamber of the House to answer questions previously submitted to him by the legislative committee which issued the invitation. The first half of the time would be devoted to the Cabinet member answering written questions previously submitted, and the second half consumed by questions from the floor. The chairman of the committee and the ranking minority member would control the time for asking questions.

The Rules Committee would fix the order of appearance, in the event more than one request was pending.

Here is an example of how this program would operate: Suppose when Secretary Marshall returns from Moscow, the Foreign Affairs Committee of the House should feel it important that his message be heard by all the Members of the House and such Members of the Senate as might wish to come over. Under this proposal the Foreign Affairs Committee would contact Secretary Marshall, arrange a time, and discuss the agenda. They would prepare questions to be printed in the RECORD 2 days before the hearing. On the date of his appearance, one-half of the allotted time, whether it were 1 hour or 2 hours, would be taken by the Secretary in a discussion of the questions furnished him or agreed upon by him with the members of the Foreign Affairs Committee. After his report, the members of the Foreign Affairs Committee, or any Member of the House, by securing permission from the chairman or the ranking minority member, could ask him supplemental questions which, however, must be germane to the preceding discussion. It would not be a period of heckling. If an improper question were asked, since the Cabinet member came voluntarily, he would not have to answer it. The Speaker could rule the question out of order as not being germane. A point of order could be made by any Member to an improper question.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. KEFAUVER. I yield to the distinguished majority leader.

Mr. HALLECK. Does not that statement indicate that the members of the executive department would tell us just what they wanted to tell us and nothing else? Does it not follow what they probably are doing now, telling us what they want us to know and not telling us what they do not want us to hear?

Mr. KEFAUVER. I do not think that would be the result at all. What I had reference to as an improper question was a question for heckling purposes or something entirely aside from the point of discussion. I have in mind, of course, that in the case of Secretary Marshall there would perhaps be some matters involving national security that it would be proper for him to refuse to answer in a public appearance.

I am certain that these would be periods of real cooperation between the Cabinet officer and the Members of Congress.

Mr. HALLECK. Mr. Speaker, will the gentleman yield further?

Mr. KEFAUVER. I yield.

Mr. HALLECK. I have felt many times during my service in the Congress that we have been required to legislate in a vacuum, particularly insofar as legislation dealing with our foreign affairs was concerned.

I am convinced that for us to know more about what is going on and what is really before us would be helpful in arriving at the right solution. Does the gentleman believe, however, having regard to the present controversies and difficulties that seem to be coming up to confront us, that General Marshall would feel it proper for him to respond to inquiries that might be addressed to him in respect to the problems involved in our foreign affairs at this time?

Mr. KEFAUVER. I am glad the gentleman asked that question. I believe General Marshall appreciates the fact that the foreign policy of the United States is one that must be understood and participated in by Members of both the Senate and the House. No foreign policy can long last unless it has public support and implementation from the Members of the House of Representatives. And an indication, I may say to the gentleman from Indiana, of the way I think Secretary Marshall would respond to an invitation of this kind can be found in what General Marshall did during the war. The gentleman will recall that on two, if not three, occasions, General Marshall in connection with the conduct of the war and the necessity of congressional understanding of what was being done, and of congressional support of the war effort, even went to the extent of arranging meetings in the auditorium of the Library of Congress. I am sure the gentleman attended those meetings. General Marshall spoke on those occasions, as did General Eisenhower, Secretary Stimson, Under Secretary and later Secretary Patterson. Who were the audience they had on those occasions? They were Members of Congress who were eager to know what the overall picture was. These leaders of our war effort were anxious that the Members of Congress should have a full and complete picture.

The only trouble on those occasions was they told us exactly what they wanted us to hear. We were more or less like school children sitting there to get the message. We had no opportunity of talking with them before the discussion and suggesting matters we wanted them to discuss or of asking questions during the course of the discussion. How much better it would be to have them appear here in our own forum and for us to have an opportunity to participate.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from Ohio.

Mr. VORYS. I wanted to point out just the point the gentleman has made, and that is that in these very interesting meetings which General Marshall conducted during the war there was no opportunity to ask questions. Also, I want to point out that often if there had been such opportunity, there would have been no possibility for the public to know what his answers were. This system has worked in parliamentary countries right through the war. When questions were legitimately embarrassing, those questions were not answered. On the other hand, when perfectly proper questions were asked and when cabinet members in other countries avoided those questions, the public knew about that. Very often that cabinet member had to come around and explain what the answer was and also why he had not answered. If the gentleman will indulge me a moment further, I would appreciate it.

Mr. KEFAUVER. I am happy to indulge the gentleman as long as he wishes. The gentleman and I have discussed this matter a long time, and I feel it is really his idea, that he is really the sponsor of a proposal of this kind. He saw and expressed the need of a plan like this long before I did. I hope the gentleman will take the lead in its sponsorship.

Mr. VORYS. The gentleman flatters me. I have long been interested in this proposal, and while I was interested in it at previous sessions of Congress, I feel it is of great importance at the present session of Congress when each of the Cabinet members would be of one party and when the control on the Hill is in the other party. It is true that such a question period would give the Cabinet officer a chance to tell his side of the story to all of the Congress at once and to the country as well. Now, that is a good thing, because it would save that Cabinet officer's time in running around to as many as eight or nine different committee hearings in the period of a week, as has been the case in certain instances in the past. This procedure would save the time of the Cabinet officer in answering questions of general interest to Congressmen and to their constituents. In the first place, it would save the time of repeated congressional hearings and, in the second place, it would save his time spent in conferences with Congressmen and Senators and on the phone answering their questions. So it would be of advantage to the Cabinet officer, and I am sure he would take advantage of it to tell his views in this public and important way. On the other hand, it would be of great advantage, it seems to me, to those of us, who might not appreciate or understand or agree with the point of view of the Cabinet officer. It would give us a chance to get his answers in public, and then it would give us the opportunity later on, possibly on the same day, to give our comments on his answers. In this way you would have a tighter, more adequate system for the exchange of views between Capitol Hill and the executive departments, which would be of great benefit to the Republic.

Of course, if this system were instituted, we might have some few members who would try to take undue advantage of it. It is a possibility, although I hope an improbable one, that there might be publicity seekers who would attempt unduly to put a Cabinet officer or other Government official on the spot in an unfair way. There would be two remedies in case such a situation arose. One would be the remedy which I understand the gentleman's proposal provides, and that is that the Speaker would interrupt or would stop an obviously improper question, or that the Cabinet officer would himself refuse to answer it.

There would be a second remedy, however, for improper or unfair questions, and that would be the remedy of public opinion. When you get this arrangement going you will find that the American people who appreciate the spirit of fair play in any sort of public discussion would be quick to resent and show their resentment if a Member of Congress acted unfairly. I firmly believe that

the American public and the press and the radio commentators would be just as quick to resent and to show their resentment if a Cabinet officer took unfair advantage of his position here on the floor. So that not only in the rules that the gentleman has set up, but in traditions, customs, and precedents that would be established almost immediately, you would have the sort of exchange that goes on during the question period, for instance, in the British Parliament, where several matters are cleaned up in a short time, with a saving of time to the Cabinet officials, furnishing great clarification to the Members of Parliament sitting there, and explaining the many situations to the public. I certainly feel that this is an experiment worth trying.

I ask the gentleman to forgive this long interruption.

Mr. KEFAUVER. I want to say to the gentleman that I am glad he made his excellent contribution to this discussion. I am sure that the Members of Congress will be greatly interested in the viewpoint of the gentleman from Ohio. We all recognize that he is one of the leading authorities on congressional procedures in the Congress.

Let us examine some of the other reasons why a plan like this should be adopted. In these days there are many great issues with which the Congress has to deal. They transcend the interest of any one committee. There are matters of foreign affairs, as well as matters relating to taxes. Even today we passed a resolution to investigate the Veterans' Administration. Would it not be a very healthy thing if the Committee on Veterans' Affairs, under proper rules, could have General Bradley come here and discuss the veterans' rehabilitation program and ask him just what is being done? You know, it is impossible for the Members of Congress, or most of them, to attend all of the committee meetings of their own committee, let alone going to the 15 or 16 other committees to hear matters of great public concern which may be brought out by witnesses testifying before them. We need some method here where the Members of the House can keep currently advised of the position of the Government and the plans of the departments on these great issues that transcend the jurisdiction of any one committee. There is no way that we can do that now. The best thing we can do is try to read the committee hearings. Well, you cannot read all of the committee hearings. That is a physical impossibility. The hearings on an appropriation bill, with 1,000 or 2,000 pages of fine print, is an example. If you read all of them, you might have a pretty good picture of what some particular department or section downtown is doing. But we might as well recognize the physical limitations. It cannot be done.

Mr. HOBBS. Mr. Speaker, will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from Alabama.

Mr. HOBBS. The gentleman is making a very illuminating and wise, and, to my mind, a statesmanlike statement, and I hate to interrupt. But I do so merely to request, as I have in the past, the privilege of associating myself with his remarks by saying a fervent amen.

Mr. KEFAUVER. I thank the gentleman. That is substantial support and assistance, which I am glad to have. The views of the gentleman from Alabama carry great weight.

The other method by which we are supposed to keep advised of what the departments are doing is through the reading of the annual reports filed with the Congress by the various departments. I have been here almost 8 years. I must say that I have never read any one of the great voluminous annual reports, resembling a Sears, Roebuck catalog. And, besides, they are post mortems. In those reports the administrators tell pretty much what they want to tell about how their department has been conducted. The crying need of the Congress of the United States is for some method to keep currently advised of problems, policies, difficulties, and plans of the executive agencies of our Government. This is the best method I know of doing that. If we try this method and it does not work, we do not have to issue any invitations. But certainly let us at least give it a trial.

Mr. Speaker, there is a further matter of importance that this procedure would affect. The gentleman from Ohio referred to it. We must recognize that during the years Congress has lost some prestige. Look at almost any newspaper and you see where a Cabinet member has had a press conference. What that Cabinet officer said at his press conference—and I am not blaming him—usually takes the headlines. But you have to go to the inside pages to find out what went on in the two great Houses of Congress. Yet the Congress is supposed to be the predominant branch of our Government. If we could have occasions of report and question period, the great news to the Nation would come from the Halls of Congress and not from the press conferences of the members of the executive departments. On the occasions of these periods the galleries would be packed, the newspapers and the radios would carry full reports about what took place on the floor of the House of Representatives. It would do much to help restore the prestige and the standing of the Congress of the United States.

Mr. VORYS. If the gentleman will indulge me further, may I call attention to one way in which this might improve relations between the Hill and the departments? Possibly the gentleman is going to comment on it. If, as, and when questions are presented in advance for answer by the Cabinet official, in many instances he gives the answers informally in advance to the Member, or he explains in advance why it would be difficult to give a full answer. The whole matter is then cleared up before it ever gets to the floor. That is the way the system operates in parliamentary countries that use this system, in that many of the questions which are propounded are not reached on the floor because they have already been disposed of to the satisfaction of the Member and of the official. On the other hand, if the questions are of such a nature that both the Member and the official feel that a statement should be made on them that can also be done. By this system every Member of Congress will be sure that his question will get attention right at the top of any department, instead of having many of the questions on routine matters go to the departments and be kicked around in the mail there for some time before some assistant down the line gets around to answering them.

While the gentleman has been discussing questions of momentous import which might be answered by means of this system, I think it would be wise to bear in mind that many details of government and many criticisms of departmental action could be cleaned up in this way: First, by making sure that they would get attention by the official involved; and, second, by being explained and answered here on the floor of the House. And if the answer is not satisfactory, then it would be time for the Congress to take action, which, of course, is the fundamental reason why the discussion period would be so important.

Mr. KEFAUVER. The gentleman is entirely correct, and I again thank him.

I think this also would be true. Suppose the Committee on Veterans' Affairs was going to ask General Bradley to appear on the floor of the House 2 weeks hence. That fact would be known. Any Member of the House would have an opportunity of filing questions with the Committee on Veterans' Affairs. On the basis of those questions, the general discussion would be decided.

Also I would point out that the questions which would not be asked would be in the files of the committee which would be turned over to General Bradley. He would see that the Member who wanted information and had filed the question with the committee obtained the information that was desired. It would do away with many of the difficulties which cause so much friction between the Cabinet members and the Congress.

I also call attention to the very wholesome effect that this would have on the Cabinet members and the administrators. It would be like the situation with reference to bank examiners. The bank official keeps his house in order because he knows the bank examiner is eventually going to come around. He may not come this month or he may not come for 6 months, but sooner or later he is going to come and examine the condition of the bank. So it is with an administrator. He might not be called for 6 months or a year, and he would not know when Congress was going to invite him to come to the floor of the House to give an accounting of his administration of the program laid out by the Congress and to explain how he is carrying out the congressional intent as contained in the legislation of the Congress. So he would keep his house in good order.

What I am going to say now is not with reference to any Cabinet member. We have a very splendid Cabinet. But Presidents would be even more careful in the selection of Cabinet members if such members were called to give reports here on the floor of the House. He would have to secure very able men. If they did not know their business and make a

good impression, it would reflect on the administration of the President. Furthermore, Cabinet members would have to be well versed in the business of their departments before coming to the Congress or make a poor showing. They would have to decide policy matters. If the President had not decided matters of policy on his level, the matters would have to be attended to before a Cabinet member came before the Congress. I think a great deal of value is secured by face-to-face meetings. Any arrangement where we have an opportunity of seeing the man who administers the laws we have passed, and where they have an opportunity of seeing and talking with us, will result in public good. It would give us an opportunity to let them know what we think about the way they are administering the law we had passed, the viewpoints of our constituents, by the questions asked. There is no easy way of bringing Members of Congress and Cabinet members together under our present arrangement.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from Ohio.

Mr. VORYS. I had occasion some time ago to talk to one of the Cabinet officers about this proposal and asked him what he thought of it. He thought it was very good. He said he thought it would eliminate from the service any official who was not able to talk and give a good accounting of his department, whether he could make a speech or not; anyone who was unable to express himself, man to man, before a group. He also said that if this became tradition it would probably result in more former Members of Congress being selected for such positions because of their ability to explain their ways on the floor. I pose this opinion for consideration in this matter. I feel sure the gentleman will agree with me that if one result was that our officials become more and more those who were former Members of Congress and who knew the ways of Congress, that might be a very good thing.

Mr. KEFAUVER. I will say to the gentleman I think any Cabinet member who really wanted to do his job well, who appreciates, as he would have to appreciate, that he can do a better job if he gets along with Congress, will be very happy to accept an invitation to come here to explain his department and any difficulties he may be having, and to give information on the floor of this House.

Mr. Speaker, this is not an innovation. It can be done without a constitutional amendment. It is not a party matter. It does not seek to place executive officials under undue domination. It does not seek to give them any dominance over us. It is a simple provision that would enable us to have a face-to-face discussion with the men who are enforcing the laws we make. It would result in much good to the Congress and much good to the members of the executive department and to the Nation.

More than 200 daily newspapers have carried favorable editorials supporting this plan. Here are three recent ones.

The New York Herald Tribune of January 8, 1947:

A QUESTION PERIOD IN CONGRESS

To many students of American Government, the separation between the legislative and executive branches has seemed too sharp. The chief check which Congress now has on how its will is carried out comes from formal written reports. These naturally stress what the executive thinks important and impressive, but not necessarily what the legislators may want to know. Congress' contact even with the Chief Executive is a one-way affair. The President sends messages, reports on the State of the Union. There is no equivalent of the British Parliament's question and answer period, when the legislators may ask directly what they want to know about the state of any particular affair.

ESTES KEFAUVER, Representative from Tennessee, reports that he is drafting a bill to permit Congress to summon any executive except the President to a regular question and answer period. His idea is that such sessions be held once a week or once in 2 weeks. The suggestion is the more interesting coming from the Democratic side, because a Republican Congress may be expected to have searching questions to put to the Democratic executive branch.

A regular period allowing for questioning pertinent to legislation immediately under consideration could not substitute entirely for time consuming public hearings called by congressional committees on projected bills. It might, however, preclude the necessity for official testimony retailed by committee-to-Congress session. It should speed, or else make unnecessary, lengthy congressional investigations undertaken on suspicion that Congress' will is not being carried out. It would be an interesting, perhaps fruitful, experiment which might appropriately be fitted into the current reorganization. Congress should give Mr. KEFAUVER'S idea really thoughtful consideration.

The Gazette, of Kalamazoo, Mich., January 12, 1947:

LEGISLATIVE AND EXECUTIVE

What might be described as an adaptation of a long-standing British custom is now being advocated by Representative KEFAUVER, of Tennessee, who says that he is preparing a bill which would permit the United States Congress to summon any Federal Government executive except the President to regular question-and-answer periods in the legislative branch. Mr. KEFAUVER, a Democrat, evidently is convinced that such an arrangement should prove particularly advantageous in the present governmental situation where the administration is in one party's hands and the control of Congress is held by the opposite party. "Now, more than ever, there has got to be some way of establishing communication between the executive and the legislative," the Tennessee lawmaker declares.

Such communication, of course, already exists in a limited degree. But it is very indirect and very formal, being carried on chiefly through written reports and Presidential messages and committee sessions. Representative KEFAUVER seems convinced that there would be much better understanding between the executive and legislative branches—and perceptibly better government, as a result—if responsible administrative leaders could be called before Congress at stated times to answer questions and present their views on issues of current importance. And it certainly does seem that an arrangement of this sort would have enough benefits to do more than offset whatever inconvenience it might cause to busy members of the administration. It would enable the lawmakers to get first-hand information from authoritative executive sources and it would also give the administrative officials an opportunity to present their own positions on controversial matters.

There is, to be sure, a fundamental difference between the American and the British governmental systems which makes the question-and-answer period more naturally applicable at London than at Washington. The British Premier is not an independently elected official, as the American President is. He is the parliamentary leader of his own political party, and his Cabinet is chosen from Parliament itself. The British, in other words, make no attempt at that sharp division between executive and legislative authority which is supposed to be one of the main characteristics of our American system. Yet, in spite of the official division we have here in the United States, the fact remains that a working understanding and even fairly close cooperation between the two branches of Government are often necessary in practice and are so recognized. It should be possible to gain the practical benefit of a plan like the one Mr. KEFAUVER advocates without really jeopardizing anything of value in our division-of-authority principle.

The Jefferson Republican, of Ranson, W. Va.:

BETTER GOVERNMENT

The proposal by Representative KEFAUVER, Tennessee Democrat, calling for periodic sessions between congressional groups and Executive appointees can have but the best consequences if enacted into law. One of the great weaknesses of the republican form of government has been the great 4-year chasm between the executive branch and the legislative branch.

As a result, Congress very often is completely in the dark as to legislative proposals emanating from the Executive offices, simply because no adequate machinery exists—as it exists under the English parliamentary system—to bring Cabinet officers and other members of the executive branch, short of the President, before Congress so that issues may be clarified, debatable points settled, and a fuller understanding reached in a face-to-face session without reliance upon the ponderous system of official messages and heavy state papers.

Under Mr. KEFAUVER'S scheme, Cabinet officers and others, short of the President himself, could be summoned before Congress for questioning. They would have the opportunity of explaining their positions relative to legislation. In all, Mr. KEFAUVER believes it would be helpful. In that belief, we concur.

It has become the vicious habit of late for various liberal literary spokesmen in the press to belittle the activities of the legislative branch of our Government. Members of Congress are held up to be a collection of boobs and fools who commit glaring and ludicrous errors of commission and omission. Yet, these same apologists for an overpoweringly powerful executive branch of the Government fail to explain that when Congress pulls a boner it is usually due to its ignorance of all the facts in the case, and that the executive branch hasn't been too anxious to make the facts public.

Mr. KEFAUVER'S proposed remedy might correct this situation.

(Mr. KEFAUVER asked and was granted permission to revise and extend his remarks and include a number of editorials and excerpts.)

EXTENSION OF REMARKS

Mr. TEAGUE (at the request of Mr. LUCAS) was granted permission to revise and extend his remarks in the RECORD on the veterans' question.

The SPEAKER pro tempore (Mr. SMITH of Wisconsin). Under previous order of the House, the gentleman from

Ohio [Mr. JENKINS] is recognized for 20 minutes.

IMMIGRATION

Mr. JENKINS of Ohio. Mr. Speaker, I expect to devote the time which has been so graciously allotted to me to the discussion of a very important subject. That subject is immigration. The movement of people in all countries is the story of the development of civilization. Human beings and their personal wants and inclinations have been the main consideration of all governments. Probably no government in the history of the world has a more illustrious history from the standpoint of the movement of people than our country has. From Christopher Columbus to St. Augustine to Jamestown and Plymouth Rock is a very short time when we consider the whole history of man. And from these events up to the present time has taken only two or three centuries out of the many centuries since creation. Yet, in such short time, the greatest nation the world has ever seen has grown up to its present stature.

In our early history we welcomed all nationalities. But there came a time when we were required to protect ourselves against undesirables. It was then that the United States Government laid down the principle—probably for the first time in the history of the world—that it was an inherent right of every country to protect itself against the influx of other peoples. From this beginning we established the policy known as restrictive immigration. When this policy was first invoked we laid down literacy tests and health tests, and so forth. It soon developed that these tests did not provide sufficient restrictions. In spite of these tests over a million two hundred thousand immigrants came to the United States in 1907. Probably an equal number at least came to the country illegally, for in the early days the illegal entrants about equaled the legal entrants.

When the country really appreciated the impact of this great influx we began to make preparation for additional restrictions. I shall not engage your attention or enter into any detailed discussion of these preparations.

From 1921 to 1924 great strides were made from the legislative standpoint in this effort to restrict immigration. It was then that the policy of national origins was adopted. By national origins is meant that the population of the country in 1790 was surveyed to ascertain what percentage owed its origin to Great Britain and what percentage to Germany and France, and so forth. Quotas were fixed in accordance with this policy. An over-all figure of 153,000 was set as the number of immigrants to be admitted lawfully into the country. For instance, Great Britain and all of her provinces was given a quota of about 65,000. This was by far the largest quota given to any group. Since the establishment of this policy immigrants have been admitted in accordance with these quotas.

The immigration laws, however, have also admitted for temporary purposes unlimited numbers beyond the quota. This group, such as students, teachers, and visitors, is the group that has given our country much trouble because many of them have deliberately lost themselves in the population, and they and their offspring have populated the country.

In the early days of immigration enforcement we had here in the Government strong departments on immigration and naturalization. These departments functioned very efficiently. They were handling a completely new business, and it is only natural that by the trial and error process they developed some loopholes, but at the same time they improved the service greatly. Those were the days when those in authority were open and above board with their work and when it was possible for any Congressman to find out what was going on.

With the development of the country the work of these departments grew in importance and the personnel grew in number and in quality. Today we have an immigration force in the field of which we have a right to be proud. I wish the higher-ups were as dependable. We have a border patrol which has made a name for itself.

I should like to tell you a little story to show you how popular these organizations were when they were open and aboveboard. In our country President Coolidge is a synonym for economy. Yet when a bill of which I was the author and which provided for the expenditure of quite a large sum of money came up for consideration, Mr. Coolidge gave it his O. K. That legislation established a principle as to the Immigration Service and the border patrol which has later been accepted in all departments of the Government. I refer to the principle of automatic promotions. By reason of this legislation to which I refer, the Immigration Department was rehabilitated and the border patrol was reestablished and put on a sound basis. Mr. Coolidge recognized the importance of this work and gladly authorized the expenditure of what in those days was a tremendous sum of money. His judgment has been justified in many ways.

The Roosevelt administration brought to immigration a different attitude than that which had been assumed by any of its predecessors. Roosevelt when he was Governor of New York had steadily refused to cooperate with the immigration authorities and he and Secretary Perkins proceeded on a policy that to my mind has undermined the immigration laws and the administration of immigration laws until today it is almost impossible for any Congressman to find out anything about this governmental activity.

Time will not permit me to go into details with reference to these matters but I wish to say that a number of Congressmen have asked me whether there are any authentic figures with reference to how many persons are unlawfully in this country. I have never been able to find any answer for this question. In fact I am of the opinion that it has been the policy of the immigration authorities in the past 15 years to keep the public in the dark as much and as far as possible with reference to immigration matters. There is no question but that there are tens of thousands of persons in this country today who came here illegally. I have heard from well-versed students of immigration that there are hundreds of thousands of persons in this country who came here illegally. No doubt many of these could easily have been identified by the Government authorities if they had been inclined to do it. I have no doubt but that this situation has at least been passively encouraged by those in authority and by those whose responsibility it was to enforce the law.

I have no personal animosity toward any group or any nationality, and while I had the honor of being the author of a number of laws dealing with this great subject I never have been in favor of total restriction of immigration from any country from which our immigration has been coming regularly, and I would not today favor total restriction. But the conduct of those who have the responsibility of the immigration laws has been so flagrantly inefficient that a tremendous sentiment has grown up in this country in favor of total restriction. Those responsible for this sentiment have done a great injustice to the intelligent and deserving people of foreign countries who might wish to migrate to the United States.

I think that a great mistake was made when the Bureau of Immigration and Naturalization was abolished and when immigration was placed in the Department of Justice. Especially was this true when immigration was placed under the control of men who were totally out of sympathy with it and who were completely in favor of letting down the bars at every opportunity. In this respect I call upon the Attorney General to refrain from the customs and policies of Biddle and his gang. By background and by training the present Attorney General would not naturally proceed in the footsteps of Biddle and his group. I am afraid, however, that the policies of Biddle are still the policies of the office force of the present Attorney General. I hope that the present Attorney General realizes that the sentiment of the American people is in favor of sensible and efficient restriction. The people are not in favor of wholesale importation of all classes of people, many of whom will never espouse our ideals and many of whom will undermine our theory of government at every opportunity.

Another great blow was suffered by the cause of immigration when in the Reorganization Act by which the Congress was recently reorganized the Immigration Committee was done away with. While for the past few years under the Roosevelt-Perkins administration this committee did not function as I think it should to be in consonance with American sentiment, still it was an organized group of Congressmen in whose responsibility this great work was vested from a legislative standpoint. By the reorganization law immigration legislation is placed within the jurisdiction of the Judiciary Committee. I am in a way glad for this change in view of the very high standing of the Judiciary Committee. A subcommittee of that great committee has been appointed to deal with immigration legislation. I am sure that if that subcommittee will have time from its other important duties to

function that it will function efficiently. I have the greatest respect for the membership of that subcommittee and I have privately and I do now publicly pledge to them my most loyal support. I hope that they will do away with the practice of the consideration of legislation for the relief of individual cases. Under the Republican administration we did not permit this practice but with the Roosevelt administration the practice developed. I did my part by opposing it most vigorously but my protests were of no avail. In the last few years at least hundreds of these private bills have been acted upon favorably with the result that many persons who were undesirable have been by congressional action given citizenship while no doubt there were many hundreds who were much more deserving who did not have the finances or the social standing with which to make legislative contact.

There is a constant and persistent influence at work in our country to violate the immigration laws in almost every conceivable way. No doubt this is due to the fact that in the State Department and in the Attorney General's office are many employees who have persistently infiltrated themselves into these Departments so as to encourage this practice of unlawful entry into the country. I do not charge this directly to the Secretary of State nor to the Attorney General except that I say that they could well afford to screen their personnel and to ascertain who in their Departments are undermining the law and in that way undermining the Government. I am sure that a careful screening would develop a large number who should be suspended from the service immediately.

Formerly the immigration authorities were diligent in their inspection of persons who came by boat to our shores. The law provided a severe penalty against steamship companies for bringing to our shores undesirable individuals. This was a proper policy for few if any aliens could come to our land except by boat. The steamship companies, in fear of the fine of $1,000 for each violation, soon found it profitable to obey the law. They still obey the law largely through fear of the penalty. The airplane companies are also bound to obey this law. However, they are now planning to change the law.

There is presently a committee of 11 members headed by Harry G. Tarrington, Director of International Activities Service, Foreign Office of the Civil Aeronautics Administration, making a survey of 19 major airports throughout the Nation with a view of simplifying entry requirements for passengers and freight. The general purpose may be well founded since there is, no doubt, useless red tape that has from time to time been put into effect by regulations, administrative orders, and other forms of directives, but:

The air lines, and apparently from press reports, also this committee, are taking this occasion to recommend what appears to be destruction of the purpose of our immigration laws. Some of the proposals of the air lines, approved at least in press interviews by this committee, must not be allowed to be enacted into law.

They propose that the word "immigrant" be substituted for the word "alien" in section 3 of the Immigration Act of February 5, 1917. To do this would deprive our Immigration Service of the power to refuse admission to this country of such classes as idiots, imbeciles, insane persons, chronic alcoholics, prostitutes, criminals, persons who advocate the overthrow by force or violence of the Government of the United States, and several other such classes of excluded aliens if they were asking to come here temporarily as nonimmigrants. Incidentally, nonimmigrants make up the major portion of our alien travel. This would appear also to deprive the Immigration Service of the right to deport such classes since they are now deported from this country, if found to be here, on the ground that they were a member of an excluded class at the time of entry. This Congress and especially the subcommittee of the Judiciary Committee of the House should give careful attention to this matter.

Another proposal is to put the permit issuing authority—consuls—and the examining authority—immigration inspectors—in the same department. In other words, transfer the immigration inspectors to the State Department. This would reduce our Immigration Service to a "rubber stamp" agency since obviously the State Department would never permit an official below the rank of consul—visa-issuing authority—to seriously question the acts of his superior. If this is to be done, we may as well do away with that part of the Immigration Service whose duties are the examination of aliens arriving in the United States, for its usefulness in excluding the undesirables will have vanished in thin air.

I again most respectfully call upon Tom Clark, the Attorney General, not to permit those in his Department who are inclined to let down the bar at every opportunity to put over the program of the airplane companies unless it can be justified from every angle. He should not give too much heed to the clamor of any special-interest group.

In summary, the air lines propose that the responsibility for predetermining an alien's right to apply for admission to the United States rests solely with the embassies and consulates. Under present laws and regulations nonimmigrant or passport visas are valid in most instances for a period of 1 year. Do they want us to welcome a bank robber with open arms to our country if he got a visa in January and did not rob the bank until February, or the person who became afflicted with a loathsome and contagious disease after getting his visa from a consul? Many of the cases where the Immigration Service refuses admission of aliens to the United States are from instances originating or their origin ascertained after consular officials had already granted them a visa. To destroy the right of immigration officers to exclude nonimmigrants in possession of a visa would let many undesirable aliens into the United States who are not now eligible for admission regardless of whether or not they have a visa.

In this connection the subject of seamen has been carefully avoided since the proposals are presented by air lines, but the proposed revision would also appear to effect seamen. Does anyone believe for one minute that a United States consul examines all of the crew members of such vessels as the *Queen Mary*, the *Queen Elizabeth*, and, in fact, all of the ships coming to our ports? Certainly not. For a fee he places a visa stamp on the crew list. The only examination given these people by the Government of the United States is by immigration officers. These proposals would appear to tie the hands of the immigration officer completely from two standpoints. First, the seaman would have a visa since the crew list of foreign ships are required to be visaed. Second, by changing the word "alien" to "immigrant," the exclusion of this class would be impossible under section 3 of the Immigration Act of 1917 because seamen are one of the classes of nonimmigrants, and if the act applied only to immigrants they could not be examined with reference to all of these basic reasons for exclusion from admission to the United States.

The air lines point out in the prologue of their agenda that the laws and regulations not only of the United States but throughout the world should be streamlined and made more uniform both as to the text and application, in order to avoid continued vexatious and expensive delays in the transportation of passengers and cargo by air. Yet, their recommendations do not appear to have the purpose of eliminating the unessential work which really would speed up travel, but rather to relieve the transportation companies of all penalties and obligations under the immigration laws.

They propose, at the top of page 8 in their agenda, that transportation companies be accorded the opportunity to correct manifest errors upon arrival in the United States, and at the same time the $10 fine for manifest errors be eliminated. Passenger manifests in compliance with the laws of Congress are necessarily rather long since quite a bit of information is essential. To present these manifests to the transportation lines for correction of errors after passengers have arrived in the United States instead of immigration inspectors correcting them at the time of examination of the passengers certainly would not expedite or in any way facilitate the entry of their passengers.

The air lines further propose that sufficient numbers of immigration inspectors be assigned to designated ports of entry to furnish all year 24-hour-a-day coverage for inspection and clearance of international passengers, and that the transportation companies not be responsible for the payment of overtime for aircraft arriving at designated ports of entry regardless of arrival time, whether on, or behind schedule; and that unscheduled aircraft which arrive at designated ports of entry at a time when immigration inspectors are on duty not be subject to overtime payment. At the present time we are making every possible effort to reduce the Government expenditures and reduce the number of Federal employees to the bare essentials

to carry on the necessary functions of Government. To place immigration inspectors 24 hours a day every day in the year at all international airports would enormously increase the number of immigration inspectors required. In Miami, Fla., alone there are four approved international airports. The greater volume of travel comes through the Thirty-sixth Airport. I was informed in that office that the approved seaplane base at Dinner Key frequently did not have an international arrival for a week or more at a time, and that arrivals at night hours are very irregular at two of the other approved airports. If we followed the recommendation of these air lines we would have to place immigration inspectors at these places on a 24-hour basis, 365 days a year, to twiddle their thumbs the great majority of their time, in order to save the transportation company from having to pay an inspector who has performed his tour of duty one-half day's pay for each 2 hours of work when called out during hours after 5 p. m. and before 8 a. m., or 2 days' pay on Sundays or holidays.

Our laws at the present time provide for absolutely free immigration inspections of scheduled planes which arrive within an hour of their scheduled time, regardless of the day or night, Sunday or holiday, with no charge whatsoever for inspection by the Immigration Service. For those that are not scheduled, they may easily avoid overtime payments by arriving between the hours of 8 a. m. and 5 p. m. on weekdays. I see no reason that the Government should employ a greater number of immigration inspectors in those instances where the law provides that such charges may be made.

There are, as I said before, some proposals that appear to be sound, but they may be put into effect without legislation. For instance, the air lines ask why it takes 8 weeks to get a decision on an appeal of an excluded alien. The laws now provide that when at the time of arrival an alien is believed to be inadmissible to the United States he shall be held for a hearing before a board of special inquiry composed of three members. If he is excluded by this board and does not appeal, he should be immediately deported. If he does appeal, the record in his case is transcribed and forwarded to the Board of Immigration Appeals for final decision. I am told that the record in these cases is reviewed first by the officer in charge of the port, then it is forwarded to the office of the district director of immigration where it is again reviewed; it is then forwarded to the office of the Commissioner of Immigration in Philadelphia, where it is again reviewed; it is then forwarded to the Board of Immigration Appeals in Washington, where it is again reviewed and a final decision made. No wonder the alien waits 8 weeks and the transportation companies complain about detention charges. Congress did not pass any law requiring all that review, and they do not need to change any laws to eliminate it.

Our laws regulating immigration are all right—all we need is sensible enforcement of them.

I can say the same for the border patrolmen. This department has improved its efficiency greatly, and is manned by men of courage and ability. Their work during the war in ferreting out undesirable and alien enemies was of a very high order. It is rumored that it is the purpose of those in high authority to turn over the work of the border patrol to the FBI. While I have great regard for the FBI, I hope that this rumored plan will not be effectuated. The FBI primarily and almost exclusively is intended to deal with lawbreakers and criminals of all kinds. The great bulk of the people who come to our country are not criminals. One need only to go to one of our ports of entry, New York or Miami, and watch the cargo of passengers disembark and he will be convinced that very few of the thousands who travel to and from our country are criminals. But practically every one of them must pass inspection by our custom officers and our immigration officers and our health authorities. This is not the work of the FBI. It is a work that has been well done heretofore. Of course I would admit that any such an expansion system can constantly be improved. I advocate that, but I advocate care in accepting suggestions on these matters from persons or sources that have a financial gain in sight or that have in mind undermining the immigration laws of our land.

LEGISLATION TO MEET POSTAL DEFICIT

Mr. REES. Mr. Speaker, we have been concerned with the mounting deficit of the Post Office Department, which for the fiscal year 1948 is estimated to be over $287,000,000. Unless this deficit is taken care of through the Post Office Department, it will, of course, be a charge against the Federal Treasury and against the taxpayers of this country.

The Post Office Department was requested to present specific recommendations to the Congress for rates in the various classes of mail which would bring revenues of the Post Office Department up to the level of the cost of operation.

The Post Office Department has presented certain schedules which they estimate will improve the fiscal picture of the Post Office Department. If the present 3-cent rate is extended and all of their recommendations placed in effect, there would still be some question as to whether there would be sufficient funds to meet the deficit for the fiscal year 1948. However, since these are the best estimates and suggested rates which the Post Office Department can present, I have prepared a bill in line with the proposal of the Post Office Department and the Committee on Post Office and Civil Service will hold hearings on the proposed legislation so that whatever legislation is adopted by this Congress, it may become effective before the beginning of the next fiscal year.

I believe it should be emphasized that in addition to increases in rates, in order to bring the fiscal status of the Post Office Department into balance, we must also increase the efficiency of the postal operation. There should be revision of procedures where they would reduce cost and still maintain the best possible service. Since nearly 80 percent of the expenditures of the Post Office Department is for personnel, it is reasonable that we should expect to increase the efficiency of the postal operations and improve personnel utilization by revised procedures and by taking advantage of new techniques.

I believe that increased efficiency can be brought about through effective administration. A savings in personnel utilization would make a savings of such degree as to take care of a considerable amount of the deficiency in the Post Office Department. I believe that with added efficiency and utilization of personnel, together with the rates included in the legislation I have submitted, there should be sufficient funds to place the Post Office Department on a basis where it will not need to charge the Federal Treasury with funds, in order to carry on its services.

The bill I have introduced includes provisions which will continue the wartime increases on postal rates, which without such provisions, would cease to be in effect July 1 of this year. It is therefore necessary that action on this legislation be expedited so that, first, the wartime rates will continue in effect after July 1 and, second, that the Post Office Department will have the benefit of the additional revenue during the entire fiscal year of 1948.

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from New Hampshire [Mr. MERROW] is recognized for 30 minutes.

REPORT BY CONGRESSMAN CHESTER E. MERROW ON THE FIRST GENERAL CONFERENCE OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION HELD IN PARIS

Mr. MERROW. Mr. Speaker, it was my honor and privilege to serve as one of the congressional advisers to the American delegation of the first general conference of the United Nations Educational, Scientific, and Cultural Organization held in Paris late last year. At that meeting I had the opportunity to observe UNESCO—to employ its short title—come into active existence, with new officers, a proposed budget, and a program of action for the current year. I am going to report to the House on the activities of the Paris Conference and to emphasize their significance, not only for the United States but for the entire world. I will preface the details of this report with a prediction and a short summary of the purposes of the new organization.

A PREDICTION

The prediction is first. In my opinion—and I am certain that time will prove me correct—the organization of UNESCO has set in motion a trend toward better world understanding and mutual helpfulness. This movement, if given the realistic and enthusiastic support of the more fortunate nations, will grow constantly in effectiveness. In the near future UNESCO can and will become one of the most important of the specialized agencies of the United Na-

tions, assisting immeasurably in man's struggle to achieve an enduring peace.

PURPOSES OF UNESCO

UNESCO's aims can be realized if mankind has the determination to realize them.

The purpose of the Organization—

In the words of the constitution—

is to contribute to peace and security by promoting collaboration among the nations through education, science, and culture in order to further universal respect for justice, for the rule of law, and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language, or religion, by the Charter of the United Nations.

When this has been achieved, when men everywhere have acquired the habit and the means of working and thinking together, then it will be possible to consider peace as something more than a period between battles. Then, and then only, will the nations of this world be able to afford, in the words of the old Negro spiritual, to "study war no more."

The early evidences of such a change in international habits are hard to pin down and difficult to speak about realistically; to stress them while the old habits of political maneuvering are so clearly in the saddle is to invite the deserved criticism of wishful interpretation. Even at the UNESCO meetings in Paris the new direction in thinking was not always apparent. There, as at every international conference, narrow interests loomed large in much of the discussion. Yet the basic aims of the Conference had an amazingly genuine acceptance among the representatives. They bargained, it is true, over immediate tactics, but my experience at the Conference convinced me of their over-all sincerity and their tense awareness of the opportunities for mutually profitable world cooperation in science, education, and cultural affairs. The proof rests in their reaffirmation of UNESCO's purposes and in the steps outlined for the first phase of achievement.

A YEAR OF PREPARATION FOR THE PARIS CONFERENCE

The UNESCO Conference in Paris extended from November 19 to December 10, 1946. In these few weeks a year of preparatory work was brought to a focus. The planning was begun at the UNESCO Constitutional Drafting Conference that met in London in November 1945. I attended this Conference as a delegate and on November 26, 1945, made a report on its conclusions to the House. I wish to reemphasize that the delegates of the 44 nations who formulated the constitution of UNESCO in 1945 thought clearly and planned well. The General Conference of 1946 fulfilled every reasonable expectation of a modest and practical beginning for the new world educational organization.

That so much has been accomplished in such a short period of time is in my opinion due to two factors: first, the explicit provisions of the UNESCO constitution; and, second, the labors of the many specialists from the United States and other countries who worked on the provisional programs through 1946.

UNESCO'S CONSTITUTION

Support for UNESCO'S general aims developed steadily throughout the year. There was widespread agreement on their importance. The necessity for such an organization grows naturally out of the aims and problems of the United Nations. If the peoples of the world are to be united in friendly cooperation then the causes of the fear and suspicion which now separate them must be uprooted and destroyed. The deep-seated prejudice and fear; the festering suspicions, bigotries and hatreds; the crippling ignorance and the lack of educational means, which wall mankind off into warring cliques—these are still strangling the growth of a friendly society of nations. To eradicate them and minimize their effects calls for a concerted effort to open the minds of individual men everywhere to tolerance and truth. UNESCO is organized to achieve these ends. In the words of the preamble to its constitution:

Ignorance of each other's ways and lives has been a common cause, throughout the history of mankind, of that suspicion and mistrust between peoples of the world through which their differences have all too often broken into war.

* * * the great and terrible war which has now ended was a war made possible by the denial of the democratic principles of the dignity, equality, and mutual respect of men, and by the propagation, in their place, through ignorance and prejudice, of the doctrine of the inequality of men and races.

* * * the wide diffusion of culture and the education of humanity for justice and liberty and peace are indispensable to the dignity of men and constitute a sacred duty which all nations must fulfill in a spirit of mutual assistance and concern.

These general propositions are summed up in UNESCO's central axiom "that, since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed."

THE ORGANS OF UNESCO

UNESCO's remarkable constitution calls for an organizational structure that is simple and flexible. A General Conference of up to five delegates from each member state will meet annually to perform the legislative functions for the Organization. The General Conference bears the same relation to UNESCO as the General Assembly bears to the United Nations or this Congress to the United States. The UNESCO constitution provides for an Executive Board of 18 members, elected by the General Conference from among the delegates of the member states. The third organ of UNESCO is a Secretariat, or permanent staff, which will be in constant session. The Secretariat will be under a Director General.

In addition to the above, there will be various joint committees which will effect direct cooperation between UNESCO and the other intergovernmental agencies and with private international organizations which have similar or related ends in view. Member states may mesh their domestic and regional programs into the master plan of UNESCO as they see fit. This is an important consideration for the United States, which has maintained a mutually profitable information and cultural relations program with the other American Republics since 1940.

CONGRESS APPROVES UNESCO CONSTITUTION

Late in January 1946, I introduced in the House, and Senator MURRAY in the Senate, a joint resolution (H. J. Res. 305) authorizing United States participation in UNESCO. The House passed the joint resolution on May 23, 1946, and the Senate approved an amended version on July 17, 1946. A conference committee recommended the Senate version, and both Houses acted in accordance with its report. President Truman signed the measure—Public Law 565—on July 30, 1946.

THE NATIONAL COMMISSION

The amended measure requires the creation of a National Commission on Educational, Scientific, and Cultural Cooperation not to exceed 100 members. This body was organized in the manner prescribed by the law and held its first meetings in September 1946. Its relationship with the international organization is specified in the following paragraphs taken from article VII of UNESCO's constitution:

Each member state shall make such arrangements as suit its particular conditions for the purpose of associating its principal bodies interested in educational, scientific, and cultural matters with the work of the organization, preferably by the formation of a National Commission broadly representative of the Government and such bodies.

National Commissions or national cooperating bodies, where they exist, shall act in an advisory capacity to their respective delegations to the General Conference and to their Governments in matters relating to the Organization and shall function as agencies of liaison in all matters of interest to it.

The Organization may, on the request of a member state, delegate, either temporarily or permanently, a member of its Secretariat to serve on the National Commission of that state, in order to assist in the development of its work.

The United States National Commission gave direct and valuable aid to the American delegation to the General Conference in Paris. But that is only one part of its significant contributions. In itself, as an organization, it represents a great advance in national unity, for it is the first formal body to serve as a focal center for the intellectual and cultural life of the United States. In a plenary meeting of the General Conference in Paris, Assistant Secretary of State Benton summed up the significance of the National Commission in these words:

[It] is a body unique in American history. It unites in one assembly spokesmen of the arts, sciences, and learned professions; of the educational system at all levels; of radio, motion pictures, and the press; of the educational interests of labor and agriculture, and of religious bodies; and of many other American groups that are now working for the establishment of peace. * * * My nine associates, appointed by President Truman to our delegation here, are all of them members of the United States Commission for UNESCO.

In the short period of its operations the National Commission has demonstrated the efficiency of combined action and

underscored the necessity for the united attack upon threats to the peace which brought UNESCO into being.

THE PREPARATORY COMMISSION

The London Conference in 1945 set up a Preparatory Commission to formulate an agenda for the first General Conference in Paris. The Commission under the terms of a separate instrument signed by 41 nations at the end of the Conference consisted of one representative from each of the signatory governments. From these an executive committee of 15 members and an executive secretary were elected. A provisional secretariat was assembled and a system of technical subcommittees organized. As outlined in the instrument, the Commission's duties were, first, to convoke the first session of the General Conference and arrange for the transfer of activities from London to Paris; second, to prepare the provisional agenda for the first session of the General Conference and make all proper and necessary recommendations; third, to prepare plans for the budget of the Organization; and, fourth, to "provide without delay for immediate action on urgent needs of educational, scientific, and cultural reconstruction in devastated countries."

The Preparatory Commission held two brief meetings immediately after the London Conference to elect its officers and to draft rules of procedure. Sir Alfred Zimmern was chosen executive secretary. His prolonged illness made a replacement necessary, however, and the choice fell to Dr. Julian Huxley, also of Great Britain. The Commission held brief sessions in January and February 1946. Six sections of the Secretariat with advisory subcommittees were organized to evaluate the numerous proposals for the agenda of the first General Conference. These groups considered programs on, first, education; second, natural sciences; third, libraries and special projects; fourth, social sciences; fifth, media of mass communication; and, sixth, the creative arts.

No fewer than 147 proposals were cleared by the subcommittees and gathered together by the temporary Secretariat into a report known as Document 51. It was the analysis of this document, item by item, that constituted the major part of the Preparatory Commission's task in its fifth and most extended session held in London, July 5 to July 12, 1946. This report, as revised by the Preparatory Commission and its executive committee, comprised the provisional program submitted to the General Conference in Paris. A separate report was submitted to the Conference by the Technical Subcommittee on Reconstruction and Rehabilitation. The Preparatory Commission as a whole also presented a report on administrative and financial arrangements, legal questions, and external relations.

WAR AND THE INDIVIDUAL MIND

Throughout the preparations for the General Conference and throughout the Paris meetings there was one unifying concept: that the breeding ground of war is in the human mind. Wars are an aggregate sickness of the human spirit. They are not a part of the mutation and change of normal growth. They closely resemble a cancer of the social body. As in that malignant disease of the human body some of the individual cells reverse their life-giving function. They multiply, absorb or starve the healthy tissues and eat at the vital organs of first a nation, then a group of nations, and finally the whole of world society. If the blight spreads unchecked, eventually there comes a point at which peace-minded peoples in self-preservation must fight back by entering the armed conflict. The result is a world war with millions dead, and a maimed, if not destroyed, civilization.

In the past decade we have had an opportunity to observe the clinical details. The symptoms we are now able to recognize are those of personal and national paranoia; of hatred engendered by economic maladjustment; of arrogant ignorance and crippling illiteracy; of savagely attacked racial minorities; of bigotry and ruthless ambition in self-styled, self-elected leaders and their mob-minded followers.

We have no need of a psychologist or a philosopher to interpret the rudimentary meaning of UNESCO's constitution. Wars do "begin in the minds of men" and for the safety of our Nation we must cooperate with other governments to do what we can to erect "the defenses of the peace" in the minds of men. Medical science has not yet found the cure for cancer. It may be that we have found a way, a simple and human way, to eliminate the causes of war.

Of course the total structure of the peace will not rise without additional and broader activities than those of UNESCO. But in the totality of effort the informed conscience of the individual citizen must play a crucial and determining role. It is this building up of the peace in terms of the individual mind that is the central purpose and function of UNESCO. Former Secretary of State Byrnes summed up this aspect of the general program when he said:

I can conceive of no more important endeavor than to make the mind of man a constructive force for peace. That effort is fundamental to the success of the United Nations organization. We realize that world peace can be maintained only by the united efforts of all peoples. Men work together most effectively when they have learned to think together and to feel together. Without common knowledge, common agreement is difficult or impossible. The discovery of atomic energy has made the task of the United Nations Educational, Scientific, and Cultural Organization an even more imperative one. In a world where nations may arm themselves with weapons against which there is no physical defense, basic security lies in the creation of mutual trust and confidence among peoples of the world. If UNESCO can bring that goal nearer by one step, it deserves our prompt and wholehearted participation.

PARIS

Although this high seriousness provided the central theme for the meetings of the General Conference in Paris, it must be admitted the Government of France went to considerable pains to make the stay of the delegates a pleasant experience. The members of the United States delegation have every reason to be grateful for the thoughtfulness of their host. There were shortages of food, coal, clothing, and other basic necessities of life in Paris, but it was still the beautiful city so well known to Americans. It seemed miraculous that this great capital in Europe had escaped the devastation that other such cities suffered in England and the Continent.

The Conference itself took place in the Hotel Majestic, now known as UNESCO House. This well-known hotel has been made available by the French Government as the headquarters of this specialized agency of the United Nations.

The American delegation stayed in the Hotel Crillon, on the famous Place de la Concorde. Delegation meetings were held in the Eagle Room of that hotel. In this room, President Wilson presided over representatives of the major powers, following the last war, in drafting the Covenant for the League of Nations.

THE SORBONNE

The Conference wa formally opened in the amphitheater of the Sorbonne of the University of Paris. It was a stirring session, with the most distinguished leaders and intellectuals of France present along with the delegates from the many countries represented at the UNESCO Conference. Speeches were given by the provisional president, M. Bidault, the French Minister of Education, and several other distinguished leaders. In the University of Paris, which since the Middle Ages has been a world center of intellectual endeavor, delegates were well aware of the opportunity that was presented them, as well as the many difficult problems that we must have to face and solve to achieve the objective contained in the constitution of UNESCO.

STATES REPRESENTED AT THE CONFERENCE

As I have noted earlier in this report, the general sessions of the Conference at UNESCO House were marked from the first hours by an energetic belief on the part of the delegates that UNESCO has a major contribution to make to world peace. The broad support backing that belief is certain to make UNESCO a powerful factor in world affairs. Thirty governments have approved UNESCO's constitution and deposited instruments of acceptance with the British Government. These member states sent representatives to Paris and held voting power in the General Conference. They were Australia, Belgium, Bolivia, Brazil, Canada, China, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, France, Greece, Haiti, India, Lebanon, Mexico, Netherlands, New Zealand, Norway, Peru, Philippines, Poland, Saudi Arabia, Syria, Turkey, United Kingdom, Union of South Africa, United States, Venezuela.

In addition 18 countries sent observers to the Conference. These representatives held no voting power, but their views were heard by the Conference, as notably in the address delivered at a plenary meeting by Mr. Ribnikar, the representative of Yugoslavia. The countries sending observers were: Argentina, Chile, Colombia, Costa Rica, Cuba, Guatemala, Iceland, Iraq, Lybia, Luxemburg,

Nicaragua, Panama, Salvador, Sweden, Paraguay, Switzerland, Uruguay, Yugoslavia.

RUSSIA ABSENT

Russia was the only major power without representation at the Conference. Her absence was deeply regretted by the delegates. It was held generally that one of UNESCO's primary tasks will be to win the support of the Soviet Government and through that Government the active participation of the Soviet peoples. Through its present membership UNESCO can achieve great and useful ends. Many believe, however, that the organization will not be able to realize its full potentialities until the Soviet Union joins constructively in the work. A hopeful interpretation has been placed upon the absence of an official declaration from Moscow and upon the fact that the proceedings at Paris were ignored by the Communist press. It has been pointed out that the Soviet Union has thus no commitments and can move freely toward membership at a later date.

CONFERENCE HARMONIOUS

The Conference, on the whole, was harmonious and fruitful. The differences were mainly those of emphasis. There were delegates from some countries, such as the United States, the United Kingdom, the Scandinavian countries, the British Commonwealth, and the other American republics, who felt that they could begin immediately to build the defenses of peace in the minds of men. But there were also representatives from the devastated countries, such as China, France, the Philippine Republic, Belgium, Czechoslovakia, Yugoslavia, Poland, and Greece, who face the task of rebuilding and reconstructing their educational, scientific, and cultural institutions before they would have the basis to achieve the objectives of UNESCO.

THE AMERICAN DELEGATION

The American delegation to the UNESCO Conference numbered 40. It was smaller than the French and British delegations, but a representative group of distinguished men and women competent in the fields of education, science, culture, and press, radio, and motion pictures. The head of the delegation was Mr. William Benton, Assistant Secretary of State. The deputy head of the delegation was Mr. Archibald MacLeish, former Assistant Secretary of State and Librarian of Congress. The other three delegates were Mrs. Anne O'Hare McCormick, of the New York Times; Dr. Arthur Compton, chancelor of Washington University, St. Louis; and Dr. George Stoddard, president of the University of Illinois. The alternate delegates were Mr. Chester Bowles, former Administrator, Office of Price Administration; Dr. Milton S. Eisenhower, president of Kansas State College; Dr. Charles Johnson, president of Fisk University; and Dr. George Shuster, president of Hunter College.

In addition to the delegates and the alternates, there were a number of advisers and technical consultants. The American delegation worked hard and efficiently. It usually met as a group each morning and each evening. The morning session was devoted to consideration of questions and problems that would arise in Commission or General Conference meetings that day, while the evening session was used to learn from the various members of the delegation, sitting on the different committees, the developments of the day, and to plan strategy for the next sessions.

ORGANIZATION OF THE CONFERENCE

The Conference was quickly organized, with M. Blum as the president of the General Conference. Delegates of the United States, the United Kingdom, Brazil, China, South Africa, the Philippine Republic, and Saudi Arabia were elected as vice presidents. The Executive Board of 18 members was constituted. The Conference set up three major commissions—the Program Commission, the Reconstruction and Rehabilitation Commission, and the Administrative and Financial Commission. The Secretariat of the Preparatory Commission of UNESCO, made up of some 376 specialists from some 28 different countries, was organized to service the delegates in their work.

DIRECTOR GENERAL

The Conference elected Dr. Julian Huxley, of Great Britain, as the Director General, to serve for the next 2 years. Dr. Walter Laves, of the United States, is the Deputy Director General. The Director General and his staff, under the guidance of the Executive Board, will develop and implement the projects and programs agreed upon by the General Conference of UNESCO.

THE WORK OF THE GENERAL CONFERENCE

The first session of the General Conference of UNESCO at Paris commenced its deliberations with certain invaluable advantages. Summarized briefly, these were:

First. A carefully assembled and documented provisional program submitted by the Preparatory Commission. It was the primary task of the Conference to review and select from these projects and to formulate an official program.

Second. A body of ideas and information from earlier organizations, notably the Institute of Intellectual Cooperation of the League of Nations; the Council of Allied Ministers of Education, which was organized during the war years in London; and the Joint UNRRA-UNESCO Committee set up in 1946.

Third. The prospect of active cooperation from private organizations with international membership.

Fourth. The advice and experience of the delegates from governments operating regional and world programs in cultural relations, such as the Office of International Information and Cultural Affairs of our Department of State.

THE PROGRAM COMMISSION

The Program Commission of the Conference established six subcommissions, one for each of the specialized fields of activity. The final reports of these six groups were reviewed by a drafting committee and submitted, along with a commentary by the chairman, Mr. Archibald MacLeish, to the General Conference. They were adopted with minor changes.

The total program adopted by the conference displays at first glance a somewhat bewildering complexity. Perhaps more than 100 potential projects emerged in the final report, a tremendous bite for an untried organization. Several factors, however, should be kept in mind when judging this proposed program. First, a start must be made, or at least planned for, in each of the fields of UNESCO's interests, and the range here takes in the whole of present-day cultural and scientific activity. Second, limitations of budget and time will center the most energetic promotion upon a few pilot projects rather than upon the whole of the adopted program. Third, the cumulative experience and judgment of the Director General and the executive board will determine the most profitable division between immediate and long-term emphasis.

A brief summary of the typical projects outlined by the program commission will indicate the general nature of UNESCO's obligations in 1947.

THE PROPOSALS ON EDUCATION

The most interesting project in the educational section of the program is the long-range plan for universal education. The UNESCO Secretariat, aided by a panel of experts, will begin in 1947 to assist in establishing a minimum fundamental education for all persons throughout the world. As a part of that effort, a start will be made on the collection of data on adult education from the member states. The central staff will help in providing suitable materials—books, pictures, films, and radio scripts. Assistance will be sought in collateral fields such as library services and the social sciences. As the program develops, follow-up work will carry the new skills of reading and writing into everyday life and build a growing recognition of international problems.

A second major project will be a comprehensive program for the improvement of textbooks and related teaching materials with the aim of aiding international understanding. As a first step the member states will be asked to send to the Secretariat in 1947 full sets of their most commonly used textbooks in history, geography, civics, and similar subjects. With the assistance of the national commissions and other national bodies, the Secretariat will arrange for the study of these materials and will make a report to the next general conference in Mexico City. The voluntary nature of this activity should be emphasized. UNESCO has neither the power nor the desire to interfere in any national system of education. Article I, section 3, of its constitution specifically forbids such interference:

> With a view to preserving the independence, integrity, and fruitful diversity of the cultures and educational systems of the states, members of this organization, the organization is prohibited from intervening in matters which are essentially within their domestic jurisdiction.

MASS COMMUNICATIONS

The mass communications program for 1947 gives first priority to rehabilitation. The first and most pressing measure for UNESCO will be the appointment of three commissions on immediate technical needs, one each for films, radio, and press. Their job will be to examine the requirements of those countries,

particularly in Europe and the Far East, where the war has caused serious loss of equipment or personnel, or where rehabilitation and reconstruction are affected by inadequate technical knowledge and facilities. They will examine the present needs for raw materials, equipment and trained personnel. Their inquiries will cover the supply of raw film stock, pulp and paper; film cameras and projectors; radio transmitting and receiving apparatus; printing machinery and type. The three commissions are required to present their reports within 6 months. Their recommendations will concern immediate measures for correcting the deficiencies and plans for further supply and technical improvement.

As a parallel project a technical training scheme is also given top priority. The secretariat will facilitate through fellowships, the pooling of experience by an international exchange of instructors and trainees.

In the long-term planning for mass communications, two projects have considerable importance. UNESCO will cooperate with the Freedom of Information Subcommission of the United Nations Commission on Human Rights in the preparation of a report on the obstacles to the free flow of information and ideas. The report will itemize world facilities for the spread of information and discuss the restrictions, suppressions, and distortions of information caused by any condition or influence. Also in cooperation with the United Nations, UNESCO will explore the possibilities of creating a world-wide broadcasting network. A committee of experts will be appointed to study proposals relating to this project.

The American delegates were especially interested in the proposals concerning the media of mass communication. Their view that the media are ideally suited to UNESCO's purposes had gratifying support at the Conference.

THE NATURAL SCIENCES

The primary project in the field of the natural sciences is a concerted attack upon the problem of satisfactory living in the equatorial forest zone, a world area with almost limitless possibilities of development. As a concrete beginning UNESCO will take over the coordination of the various researches by many nations in the great Amazonian forest region with a view to establishing an International Institute of the Hylean Amazon at Para, Brazil. The Secretariat is directed to consult with Brazil, Colombia, Bolivia, Ecuador, Peru, Venezuela, France, Great Britain, the Netherlands, and the United States of America with the purpose of setting up at once an International Scientific Commission. The Commission will investigate all aspects of the proposal on the spot and frame a draft agreement of cooperation.

A similar project relates to the study of undernourished populations. UNESCO will institute a group of field teams in nutritional science and food technology. They will consist of scientists of high quality and will operate where possible from existing laboratories, but will be made fully mobile by special transportation aids. Teams will be formed immediately for India, the Hylean Amazon, China, and as soon as conditions permit, for Africa.

The Secretariat also will explore the possibilities for establishing new international laboratories, observatories, and stock rooms for pure substances, new materials, and radioactive isotopes.

SOCIAL SCIENCES, PHILOSOPHY, AND THE HUMANITIES

In the field of the social sciences the most striking project is that of a study of the tensions crucial to peace. This study will examine three interconnected groups of world problems—those relating to nationalism and internationalism, those relating to population, and those relating to technological progress. The whole battery of specialists in political science, economics, sociology, anthropology, human geography, and psychology will be brought to bear upon every aspect of these problems. The purpose will be to devise and develop new instruments and methods for estimating these tensions, and always with the direct object of practical action. An additional project will be the preparation of a world inventory of research resources in the social sciences, primarily to assist the operations of UNESCO.

In the field of philosophy the Secretariat is directed to cooperate with the UN Commission on Human Rights in organizing an international conference to clarify the principal basis to a modern declaration of the rights of men. In the humanistic studies the Secretariat will explore basic principles and inquire into the place that studies of the past should occupy in present-day education.

LIBRARIES AND MUSEUMS

The libraries and museums of the world constitute tested and active channels of education and information. UNESCO's purpose is to improve them generally and to coordinate their efforts toward world understanding. UNESCO will promote the creation of new public circulating and reference libraries and museums for adults and children. The Secretariat will encourage free access to all museums, sites, and collections and will stimulate special scientific, cultural, and educational activities for adults and children in the public libraries and museums throughout the world.

The rehabilitation of libraries, museums, and archives will be an immediate consideration. The Secretariat will help in the rehabilitation, protection, and restoration of sites, museums, collections, and documents affected by the war. It will make an inventory of the needs, especially in those areas where the facilities are still in danger and require urgent attention.

UNESCO will also establish an international clearing house for publications. It will attempt to fill in the serious gaps in public collections and encourage the creation of a national lending library in each country to be part of an international lending system serviced by UNESCO.

THE CREATIVE ARTS

The general conference at Paris agreed that UNESCO should study the role of the creative arts at all levels including professional schools. Information services, a central exchange for artistic products and persons and international festivals and conferences will be organized. The Secretariat will help artists obtain tools, methods, and materials. It will initiate the recording of folklore and the preservation of native arts and culture.

To protect the artist at his proper work, the subcommission adopted a resolution suggesting that UNESCO, acting on the behalf of the peoples of all nations, "take such measures as are open to it under its Constitution to protect and defend the freedom of the artist wherever it is put in danger."

In the field of literature the secretariat will set up a translation office that will maintain an international literary pool to supply magazines and newspapers with material for publication. In the field of the theater, which includes the ballet and opera, UNESCO will call a meeting of experts to found an International Theatrical Institution independent of UNESCO and supported by private national branches and centers.

All these projects I have been describing were submitted by the six program subcommissions and approved in principle by the General Conference. There are many more of them. Viewed as a whole they give, I believe, a picture of the tremendous range—and therefore possibilities—of UNESCO's fields of action. The number of these projects which will be considered crucial and realizable for 1947 will depend upon UNESCO's budget and upon the extent of reconstruction and rehabilitation activities.

COMMISSION ON RECONSTRUCTION AND REHABILITATION

The work of the Commission on Reconstruction and Rehabilitation comprises perhaps the most immediately important effort of the General Conference. The Commission had as the basis of its deliberations an exhaustive report prepared by the Preparatory Commission's special technical subcommittee on reconstruction and rehabilitation.

The Commission approved the following activities:

First. UNESCO will serve as the central agency in an extensive fund-raising campaign among private relief groups and agencies. It will formulate relief proposals, secure contributions, make arrangements to distribute supplies, and stimulate the National Commissions and voluntary organizations to cooperate in these activities. The reconstruction and rehabilitation section of the secretariat has begun to carry out these objectives. It has launched a drive for $100,000,000 in goods and money for the reconstruction and rehabilitation of schools, libraries, laboratories, and museums devastated by the war.

Second. For needy areas UNESCO will publish materials of direct value to schools and institutions, seek fellowships for qualified leaders in these areas, and arrange for specialists to conduct educational seminars and workshops in wartorn sectors. It may underwrite the administrative costs of a few pilot projects in order to stimulate rehabilitation.

Third. UNESCO is authorized to set up a limited reserve fund to purchase surplus war property, especially scientific apparatus, and to pay for the transportation of goods in emergency cases. Resolutions were passed to cooperate with the World Health Organization and with the UN Economic and Social Council in continuing the UNRRA work for children. Close relations between donor and receiving countries were proposed. The Governments of devastated countries will send concrete information on their most urgent needs and report on the operations in their countries of the national and international voluntary relief organizations. Donor countries will be urged to report regularly to UNESCO on the overall progress of their contributions to reconstruction and rehabilitation.

Throughout the planning for reconstruction and rehabilitation the expressed attitude of the conference was that UNESCO should not act as a relief agency. It was agreed that UNESCO could serve most valuably by stimulating and coordinating the relief efforts of voluntary organizations. The total resources of these groups were clearly beyond any that UNESCO itself could muster. As Mr. Benton pointed out in a plenary meeting, American private agencies have already raised, since 1939, some $40,000,000 for relief and reconstruction in UNESCO's fields of interest.

UNESCO'S BUDGET

The activities of the voluntary organizations have an important bearing upon UNESCO's budget. The relative modesty of the sums proposed may be interpreted as the result of a basic philosophy of action. Three considerations dominated the discussion:

First. The Organization is still a fledgling with a tremendous long-term job in front of it. It will be necessary to build soundly, and slowly, for a continuing program. For that reason, if for none other, 1947 should be a year of exploration and programing for UNESCO.

Second. It was agreed among the delegates that UNESCO should initiate few direct-action projects. Its role was conceived as being primarily to stimulate and facilitate. A minimum of pilot ventures should be set up and operated in the closest possible collaboration with the other agencies of United Nations. It is expected that these pilot projects will then provide a nucleus for expended private and governmental cooperation along the major lines of a sound program. They should provide the initial interest and establish a precedent for others to follow.

Third. Membership of UNESCO does not now include all of the United Nations. An ambitious program at this time would impose disproportionate costs on the present members and commit governments which may later enter the organization to actions which they did not help to formulate.

The Administrative and Financial Subcommission proposed that the conference adopt a budget for 1947 of $6,950,000 and set up a revolving fund of $3,000,000 to provide a means by which UNESCO can continue to operate each year pending receipt of contributions from member states. The resolutions containing these figures were adopted by the General Conference, on the understanding that contributions would be subject to the legislative decisions of the member governments, and that allocation of the funds would be subject to the approval of the Executive Board.

Of the adopted figure of $6,950,000 the resolution stipulated that $6,000,000 must be allocated to UNESCO activities, including (a) educational, scientific, and cultural reconstruction, and (b) a substantial contingent fund, at least at the beginning of the year. The remaining amount not exceeding $950,000 must be allocated to paying costs incurred prior to January 1, 1947. These costs represented the repayment of the amounts expended by Great Britain and France on the work of the Preparatory Commission.

THE REVOLVING FUND

The purpose of the revolving fund of $3,000,000 is to supply the Organization with sufficient permanent operating capital to carry it from 1 year's budget to another. The fund would thus provide an operating credit for the awkward but unavoidable period of delay at the beginning of each year while the contributions of the member states are being collected and made effective. It was suggested that the fund be made up of deposits from the member states which would be held by the Organization interest free and remain the property of the member states. As contributions are received from member states, the amounts expended from the revolving fund are returned to it. The adopted resolution reads:

Deposits to be made by member states to the revolving fund, which shall be interest-free and shall remain the property of the member states, shall be made in the same ratios as the contributions of Member States to the budget of the Organization for the year 1947.

DEBATE ON THE BUDGET

There was considerable debate on the total figure of the 1947 budget, both in the subcommission and in the plenary meetings of the General Conference. The subcommission had before it two estimates. One was that of the Preparatory Commission based upon the projects it had submitted. The other was an informal estimate presented by the Secretariat and based upon the projects voted by the Program Commission of the General Conference. After the consideration of both estimates the subcommission concluded that a more careful cost analysis was required. It felt that the programs should be reformulated as specific projects, cost estimates prepared, and the whole appraised in terms of priorities and available funds. It therefore decided to vote a lump sum rather than an itemized budget, leaving the preparation of a detailed budget to the Director General and the Executive Board. Throughout the budget debates the United States position was consistently for a modest budget for the first year of operation. This position won out in the approved budget of $6,950,000.

AMENDMENTS REJECTED

The debate in the plenary meetings concerned two proposed amendments. The delegate of the United Kingdom moved that the budget figure be increased $1,500,000, to a total of $7,500,000 for activities and $950,000 for past expenses. In the discussion the increase was approved by the Danish, Polish, and Indian delegates, and opposed by the delegates of the United States, Czechoslovakia, Australia, South Africa, and New Zealand. The amendment was rejected by a vote of 20 to 8. The second proposal introduced by the French delegate asked for an increase of $550,000, with the provision that this additional sum be devoted to rehabilitation projects in education, science, and culture. The United States delegate pointed out that private organizations in the United States have made great efforts to obtain the funds required for reconstruction and rehabilitation, and that if the amendment was accepted, there would be a danger that the work undertaken by UNESCO would duplicate that done by the American organizations. A vote by roll call rejected the amendment by 18 votes to 10.

CONTRIBUTIONS OF MEMBER STATES

The problem of adjusting the individual contributions of member states to the budget of UNESCO raises some difficult questions. The resolution adopted by the General Conference resolved that the scale for 1947 shall be as follows:

1. The scale shall be that adopted by the United Nations for contributions to its administrative budget, subject to the adjustment specified in (2) below;

2. Inasmuch as the membership of the United Nations and UNESCO are not identical, the scale established under (1) above shall be adjusted to cover the budget of the organization.

3. The Executive Board, to whom the duty of making the adjustment in conformity with the principles adopted by the United Nations as regards contributions is hereby entrusted shall, before promulgating the scale, enter into such consultations with member States as may be desirable.

The United States now contributes approximately 40 percent of the budget of the United Nations. The precise figure, I believe, is 39.89 percent. This percentage, adjusted as indicated in the resolution, would bring the United States contribution to the UNESCO budget to approximately 47 percent. The Department of State, however, proposed that this percentage be reduced by setting aside 5 percent of the total budget to be paid by states expected to become members during the year. This brings the United States' percentage down to 44.03 percent. The same ratio is used as a basis of detemination of each member nation's share in the revolving fund. The Department has proposed that only $1,000,000 of the revolving fund be called this year. On this basis the United States' share will be approximately $3,000,000 to the budget and about $500,000 to the revolving fund—a total of about $3,500,000. This amount represents, as you may note, about two-thirds of the cost of a modern submarine.

1947 A YEAR OF BEGINNINGS

The views of the United States delegation on the budget and the plans for 1947 were presented most accurately by Mr. Benton at the seventh plenary meeting of the general conference. He termed the amounts proposed for UNESCO a

"fledgling budget" and warned that governments should not regard it as establishing the norm for future years.

If we think of it as the fledgling that indeed it is, while we test our wings and plan our course of flight—

He told the delegates—

this will prepare our governments for the more costly projects that UNESCO must embrace when the world emerges from this period of struggle for subsistence. Future budgets must be scaled to the magnitude of UNESCO's opportunities; and to the promise of UNESCO's organization as it grows in strength.

The year 1947 will be clearly a year of beginnings for UNESCO, a year of exploring and planning by a fledgling organization with much to learn and achieve on a primary level. It will take time to weld together an international body and infuse it with a single purpose. And it will take time to create liaison channels and collaborative units. UNESCO's task is reminiscent of the difficulties faced in the establishment of the United States. For the six long and troubled years following the Revolutionary War the word "united" was an ironical term to apply to our Nation. It was only in 1789, with the establishment of our present Government, that the 13 separate sovereignties of the Original States were brought into an actual unity. It may take UNESCO even more than 6 years to achieve its characteristic form, but 1947 will undoubtedly be a year in which reasonable men will need to exercise caution in their judgments of its possibilities.

THE PERMANENT SECRETARIAT

One immediate problem facing UNESCO is that of building a secretariat. The member states are understandably anxious to place as many of their nations as they can upon the permanent staff of UNESCO. A resolution adopted by the Conference authorized the director-general "to continue the employment of the members of the staff of the Preparatory Commission under the present terms and regulations until February 28, 1947, or until such prior date as the director-general may determine."

To assemble a permanent secretariat on such short notice will not be easy. To make it a representative one will be still more difficult. There is a world shortage of trained men that is most keenly felt in the smaller nations. These countries are already taxed by the effort of maintaining competent staffs in the United Nations and in its specialized agencies. UNESCO has considered various training and "apprenticeship" programs to this end. The problem now is the clear necessity of securing the best possible secretariat for UNESCO and the equally clear danger that it might be a second-rate one.

UNESCO'S RELATIONSHIPS

UNESCO has recently formalized its relationship with the United Nations. Other steps to be taken include, first, conclusion of a General Convention on the privileges and immunities granted by member states; second, assistance in setting up national commissions in member states which have not originated such bodies; third, the creation of liaison with the international nongovernmental organizations; and fourth, the initiation of formal agreements with the other specialized agencies of the United Nations.

Upon completion of these steps UNESCO should be able to enter fully into the planned teamwork of the commissions and specialized agencies which will operate under the general guidance of the Economic and Social Council of the United Nations. Five of the specialized agencies are now in official operation. They are UNESCO, the Food and Agriculture Organization, the International Bank for Reconstruction and Development, the International Monetary Fund, the Provisional International Civil Aviation Organization, and the International Labor Organization. Two others have reached an interim status. They are the World Health Organization and the International Refugee Organization. A third, the International Trade Organization, has just begun to emerge from the planning stage.

The concept of planned teamwork will determine most of UNESCO's active relationships. One expected result will be immediate action on the cooperative programs, especially those which call for the use of equipment and established channels. As a fledgling organization UNESCO naturally has few facilities in the media of mass communication. Yet one of the brightest notes in its future is the implied support of governments which have developed the means of broad-scale cultural relations. The cooperative use of national facilities will be a responsibility placed upon each such member government. This added obligation is one which the House might do well to keep in mind when it considers the appropriation for the Department of State's information and cultural relations program.

UNESCO'S FUTURE

The difficulties facing UNESCO in 1947 are, in summary, the normal and expected difficulties of a new organization. Restraint and a limited program in keeping with the realities have discounted most of them in advance. Eventual success or failure for UNESCO will depend, as it does for the whole of the United Nations effort, upon the support of the great world powers. As one of the sponsoring Governments for both the United Nations and UNESCO, the United States should act with promptness in exercising the leadership and statesmanship necessary to ensure the success of UNESCO, the one specialized agency of the United Nations devoted to producing a world mentality which will make enduring peace possible.

The SPEAKER pro tempore (Mr. SMITH of Wisconsin.) Under previous order of the House, the gentleman from Rhode Island [Mr. FOGARTY] is recognized for 15 minutes.

LABOR LEGISLATION

Mr. FOGARTY. Mr. Speaker, there is a lot of talk today about the need to protect all Americans against the harmful effects of selfish acts by individuals or groups of individuals.

The majority party in Congress pledged itself to do this and to bring order out of what it termed confusion in the field of industrial relations and to provide the benefits of progress and prosperity to all Americans—and not merely to the privileged few.

What has happened? The Labor Department—a Department of Cabinet rank, set up to plan and provide for stable and satisfactory labor relations, is threatened with drastic budget cuts which will reduce to practical impotency those sections which deal intimately with the everyday problems of working men and women. This defies the development of a stable and satisfactory industrial relations policy.

At the same time, the Department of Justice faces the prospect of insufficient funds for its Antitrust Division, so that it will be unable to raise more than a feeble whisper in the never-ending fight against monopoly and the concentration of national wealth in the hands of the privileged few.

Like the weather—economic security is drawing a great deal of comment—everyone talks about it but little is being done about it.

Hundreds of measures have been poured into the hoppers of this Eightieth Congress, everyone presented as the absolute solution to the many and complex problems which surround the industrial life of our country. But, little if any consideration is given to the history of that industrial life, and the background of what we term today—our industrial relations.

Admission is made that security is a desirable thing. Promises are made that everything possible will be done to promote that security. But, actually, all the emphasis is on legislation which will impose restrictions on the operations of labor unions and their members.

Free enterprise is presented as the great goal toward which we must strive. But, under the guise of fostering free enterprise, there is a constant clamor to strip trade-unions of all forms of freedom and initiative. Labor is blamed for all our economic, social, and political ills. The great hope of the country, some insist, lies in the elimination—or at least the drastic curtailment—of these trade-union bodies.

There have been occasions when unions have been guilty of errors of judgment. There have been times in the past when labor unions have been driven, by sheer desperation, to adopt some of the ignoble tactics of their employers, in order to wrest from the clutches of greedy operators some semblance of social justice.

The possibility of error is one of the failings of human nature.

But throughout the entire history of the trade-union movement labor has waged the greatest battle for social justice for all the people. Without the trade-union movement the little man and woman would not yet have a spokesman to plead his cause for a better share of the fruits of his toil.

There was a time, and it is well within the recollection of most of men living today, when labor was regarded as free and independent. The greatest Court in the land handed down momentous decisions upholding the freedom of the employee.

He was free to bargain away the best years of his life in virtual bondage for whatever pittance a mill owner or industrial magnate saw fit to award him. He was free to live in company villages and buy his employers' provisions—with all hope for the future denied him and his family—as he accepted, week after week, instead of a pay envelope, an account of his steadily mounting debt to the company store. He was free to accept this generous provision for his welfare—as he was free to refuse it and to starve.

In those so-called good old days of industrial freedom, the employee had no leaders, and he looked in the direction of management; but that management failed him.

The management which now cries about injustice and pleads for more equitable consideration had the opportunity to provide the leadership, which it now claims is misused by labor unions, but it rejected that opportunity because of its selfishness and greed.

In the early days of our country, with our free enterprise system, leadership naturally went to those men with initiative and ability, who gathered together the men and the machines, the material and the money, for the production of goods of all sorts.

In the field of material things, they provided brilliant leadership. They built the best factories and shops in the world. They developed the best machinery and equipment. They built the fastest vessels to sail the seas of the world, and they exploited the best markets. Their enterprises expanded, and their coffers swelled until we were looked upon as a nation mighty and wealthy in material resources.

But for the human element, which made their vast progress possible, management had never a thought unless it was one of contempt. Industrialists proclaimed, as an incontrovertible fact, that the labor of men was merely an article of commerce to be purchased at the lowest possible price. Laborers were set one against the other, competing for the available jobs, willing to accept any price in order to provide their families with at least the absolute minimum of life-sustaining food and cover. No attempt was made to raise employees to a higher standard. The direct opposite of such a plan was the mode of the day. Concentration was placed rather on labor-saving devices, the stretch-out, lay-offs, and the ever-present specter of unemployment with its resultant hunger, poverty, and misery.

Those days are not so far back in the shadows of time that we cannot recall them vividly. In the life of this mortal sphere which we inhabit for a short while, those days were but yesterday. And their recollection makes it quite clear why employees formed labor unions to get for themselves and their children a little better lot in life, a little bit more of the wealth they were helping to create by the sweat of their brows.

Form labor unions they did—and offered to management once more an opportunity for the leadership which it now decries in others. There was an opportunity for management to demonstrate its sincere belief in the future well-being of the country—and its confidence in the honesty and decency of the average American man and woman. But management spurned this opportunity and met the offers of trade unions with rebuffs, lock-outs, and in many instances, goons, guns, and bludgeons.

The company union and the yellow-dog contract were the weapons ready at hand, and the employers made use of them in their blind hatred of unions. With them they sought to beat their employees back into the state of dumb submission which had marked their former years.

But because man is an individual created by God—with a dignity which demands expression and respect—management failed in this ruthless war on the organizations workingmen had created as an expression of their God-given free will.

Instead of the cooperation which was sought, management gave the labor unions insult and abuse, and labor unions were forced, whether they would or no, to turn to their Government—the Government of the people, for the people, and by the people—for recognition and protection of the rights with which they were endowed as free men.

Industrialists with vision, conscious of the changing pattern of man's thinking, aware of the constant development of human society, had realized that the union was here to stay. They sought, through cooperation, as free men, to achieve their common goal. Their success makes up the most brilliant chapter in the story of industrial relations in the United States.

But those who molded opinion among the leaders of management generally, refused to recognize the union, refused to bargain with the chosen representatives of their employees. The natural result of this blind obstinacy was the enactment, by Congress, of the Wagner Act with its recognition and protection of collective bargaining.

Management had always provided for the retirement and replacement of its equipment and capital goods—it provided insurance for the down time of its machinery—but made no provisions for the human beings which operated it. When those human beings turned to their Government for the leadership they found lacking in management, that Government provided social security to see they received some consideration when they were unable, through unemployment or old age to earn their sustenance.

In many industries management insisted on sweatshop wages and working conditions. The Government—into whose arms labor had been driven—provided the Fair Labor Standards Act, in an endeavor to assure at least a minimum of earning power and a maximum of decency.

Because this recognition had been made of the permanence of trade-unions, their representatives were enabled to bargain for, and obtain, vacations with pay—group insurance—sickness benefits, and other considerations which management had looked upon as revolutionary and evil.

Management, which had the opportunity for leadership and had failed, then found itself subject to many administrative orders and regulations, which apparently were considered obnoxious. It bewailed the fact that it could no longer bargain with its employees—but must also bargain with the State as the supreme authority. It now finds labor, quite understandably, unwilling to give up the protections which it has won after a long and bitter and bloody struggle.

Management claims it is no longer free and cries for what it terms "corrective legislation," but in its refusal to face facts it is actually fighting for the imposition of even more legislative and administrative orders and decrees.

Examine the present crop of labor legislation with which this Congress is expected to wrestle. Does it return industrial relations to the shop and the factory? Does it seek to promote genuine collective bargaining among free men?

Quite the contrary, it seeks to replace one set of rules with another; to supplant one service by setting up a greater and more powerful one; to replace one board by an inverted pyramid of services, boards, commissions, and courts.

Then what is the answer? The answer lies with management once again. Let it demonstrate that it has learned from experience and make a showing of the leadership of which it claims it is capable.

In the field of science, with technical skills, in the development of material resources, industry has demonstrated its know-how. Pains are taken to develop the best—to provide the finest—to become the greatest. Why would it not be worth while to experiment with this painstaking effort in the field of human relations?

The present majority party in Congress vowed that the solution of all our ills lay in the removal of Federal controls.

Abundance of food, clothing, housing, and supplies of all kinds awaited only on the demise of OPA. Thus spoke the voice of management just a few months ago. It has had its way and the result is apparent to all.

Consider if you will the plight of the man trying to maintain a home and raise a family on $40 a week—and most shop workers and laborers do not make that much. The cost of the necessities of life is constantly rising. Monopoly—in fact, not fancy—is interested only in getting all the traffic will bear. It is impossible to make a week's pay cover the essentials which a family needs. Every working man and woman has actually had his purchasing power reduced by half.

Instead of the abundance he was promised—he faces going without the things his family needs—because his week's pay cannot stretch far enough.

How can he be sold on economic philosophies under such circumstances?

How can he be convinced of the desirability of our free enterprise system?

Is it not only natural—in the face of these facts—that he should ask for more money? Is it surprising that he should insist on being paid enough to care properly for his family? Yet, he is told that the increases he has been given in the past are responsible for the present high

prices. You know, and I know, that industry exacted ten times as much in increased prices as it gave out in wage increases to its employees. In recent weeks there have been no wage increases—but you know and I know what has happened to prices. One industrialist decided of his own accord to reduce prices in order to stimulate an orderly return to normal market conditions. His associates—and industry in general—laughed at his gesture and gave prices another boost.

Is this the way to restore economic sanity? Is this the social justice which has been promised if free enterprise were but allowed to go its own way unmolested?

In my opinion—management is inviting more trouble. It is refusing once again to demonstrate any capacity for leadership. Its selfishness and greed will destroy all hope of free collective bargaining between employer and employee.

Its present insistence on legislation is of the sort to bring about that result. It is insisting on more controls instead of less. It is fostering a greater dependence upon the state rather than greater reliance on cooperation among free men. The net result will be state control—not alone control of labor unions—but of industry as well. And when that day dawns, management will again blame labor unions for its plight. But—if that happens—it would not be important to decide where the responsibility lies—because free enterprise, as such, will be through. We will have a system of socialism—and it will do no good to wail about the glories of the past.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 8. Concurrent resolution relative to placing temporarily a statue of the late Senator Borah, of Idaho, in the rotunda of the Capitol and the holding of ceremonies in connection therewith; to the Committee on House Administration.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1040. An act to authorize the payment of $425.88 by the United States to the Government of Switzerland;

H. R. 1778. An act to amend the Federal Firearms Act; and

H. R. 2045. An act to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of streptomycin, or any derivative thereof, and for other purposes.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 234. An act to authorize the Secretary of the Navy to convey to the Central of Georgia Railway Co. an easement for railway purposes in certain Government-owned lands situated in Bibb County, Ga.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on Enrolled Bills, reported that that committee did, on March 5, 1947, present to the President, for his approval, a joint resolution of the House of the following title:

H. J. Res. 122. Joint resolution to authorize the United States Maritime Commission to make provision for certain ocean transportation service to and from Alaska until July 1, 1948, and for other purposes.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 18 minutes p. m.), under its previous order, the House adjourned until Monday, March 10, 1947, at 12 o'clock noon.

COMMITTEE HEARINGS

SUBCOMMITTEE ON EDUCATION, TRAINING, AND REHABILITATION OF THE VETERANS' AFFAIRS COMMITTEE

The Subcommittee on Education, Training, and Rehabilitation of the Veterans' Affairs Committee will hold a hearing at 10 a. m., on Friday, March 7, 1947, in the committee room, suite 356, Old House Building, upon the subject of subsistence allowances.

COMMITTEE ON FOREIGN AFFAIRS

An executive meeting of the Committee on Foreign Affairs will be held in the Foreign Affairs Committee room, gallery floor, the Capitol, on Friday, March 7, 1947, at 10:30 a. m., on House Joint Resolution 134, providing for relief assistance to countries devastated by war.

COMMITTEE ON PUBLIC LANDS

The Committee on Public Lands will meet at 10 a. m., on Friday, March 7, in suite 1324, to begin hearings on H. R. 49, and similar bills H. R. 50, H. R. 51, H. R. 52, H. R. 53, H. R. 54, H. R. 55, H. R. 56, H. R. 579, H. R. 1125, and H. R. 1758, providing for statehood for Hawaii. The hearings will continue for an indefinite period of time. First witnesses will be Hon. Julius A. Krug, Secretary of the Interior, and Hon. I. M. Stainback, Governor of Hawaii.

COMMITTEE ON THE JUDICIARY

On Friday, March 7, 1947, Subcommittee No. 4 of the Committee on the Judiciary will hold hearings on the following bills:

H. R. 1465: To relieve collectors of customs of liability for failure to collect certain special tonnage duties and light money, and for other purposes.

H. R. 1467: To amend the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," of June 15, 1917, as amended, and the Alien Registration Act, 1940, to increase the penalties for violation of such acts.

H. R. 2271: To incorporate into the Judicial Code the provisions of certain statutes relating to three-judge district courts, and for other purposes.

H. R. 2272: To amend section 289 of the Criminal Code.

The hearings will be held in room 345, House Office Building, and will begin at 10 a. m.

SUBCOMMITTEE TO INVESTIGATE CIVIL SERVICE

Subcommittee To Investigate Civil Service will meet Friday, March 7, 1947, 10 a. m., 213 House Office Building, to hear Mr. Fred Telford and United Public Workers regarding new civil-service rules and regulations.

COMMITTEE ON THE JUDICIARY

Beginning at 10:30 a. m., on Friday, March 7, 1947, Subcommittee No. 1 of the Committee on the Judiciary will hold hearings on the following bills:

H. R. 1600: To revise, codify, and enact into positive law title 18 of the United States Code, entitled "Crime and Criminal Procedure."

H. R. 2055: To revise, codify, and enact into positive law title 28 of the United States Code entitled "Judicial Code and Judiciary."

The hearings will be held in room 346, House Office Building.

There will be a hearing before Subcommittee No. 3 of the Committee on the Judiciary on Monday, March 17, 1947, on the following bills:

H. R. 1468: To provide for the review of certain orders of the Interstate Commerce Commission and the United States Maritime Commission and giving the United States courts of appeals jurisdiction on review to enjoin, set aside, or suspend such orders.

H. R. 1470: To provide for the review of orders of the Federal Communications Commission under the Communications Act of 1934, as amended, and of certain orders of the Secretary of Agriculture made under the Packers and Stockyards Act, 1921, as amended, and the Perishable Agricultural Commodities Act, 1930, as amended.

The hearing will begin at 10 a. m., and will be held in room 346, House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Tuesday and Wednesday, March 18 and 19, 1947.

Business to be considered: Public hearings on H. R. 2185, H. R. 2235; and H. R. 2292, a bill to amend the Natural Gas Act approved June 21, 1938, as amended.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

430. A letter from the secretary, American Chemical Society, transmitting the Annual Report of the American Chemical Society for the calendar year 1946, to the Committee on the Judiciary.

431. A letter from (1) the Secretary of the Treasury and managing trustee of the trust fund, Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund; (2) Secretary of Labor; (3) Federal Security Administrator, transmitting the Seventh Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund; to the Committee on Ways and Means.

432. A letter from the Attorney General, transmitting a report reciting the facts and pertinent provisions of law in the cases of 100 individuals whose deportation has been suspended for more than 6 months under the authority vested in the Attorney General, together with a statement of the reason for such suspension; to the Committee on the Judiciary.

433. A letter from the Clerk of the House of Representatives, transmitting answer of the contestee in contested-election case of HAROLD C. WOODWARD against THOMAS J. O'BRIEN for a seat in the Eightieth Congress from the Sixth Congressional District of the State of Illinois (H. Doc. No. 163); to the Committee on House Administration, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HOFFMAN: Committee on Expenditures in the Executive Departments. H. R. 2076. A bill to limit the time within which the General Accounting Office shall make final settlement of the monthly or quarterly accounts of fiscal officers, and for other purposes; without amendment (Rept. No. 92). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLACKNEY: Committee on Armed Services. S. 321. An act to amend section 17 of the Pay Readjustment Act of 1942, so as to increase the pay of cadets and midshipmen at the service academies, and for other purposes; without amendment (Rept. No. 93). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRADLEY of California: Committee on Merchant Marine and Fisheries. H. R. 1240. A bill to provide for the suspension of navigation and vessel-inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended; with amendments (Rept. No. 94). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRADLEY of California: Committee on Merchant Marine and Fisheries. House Joint Resolution 76. Joint resolution authorizing and directing the Commandant of the United States Coast Guard to waive compliance navigation and vessel-inspection laws administered by the Coast Guard; with amendment (Rept. No. 95). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 193. A bill to amend section 35 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 191), as amended; without amendment (Rept. No. 97). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 197. A bill to transfer part of block 90 and the school building thereon of Petersburg townsite, Alaska, used for school purposes, to the town of Petersburg, Alaska; with amendment (Rept. No. 98). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 490. A bill providing for the appointment of a United States Commissioner for the Big Bend National Park in the State of Texas, and for other purposes; with amendment (Rept. No. 100). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 729. A bill to provide that the United States District Court for the Western District of Virginia shall alone appoint the United States commissioner for the Shenandoah National Park; without amendment (Rept. No. 101). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 804. A bill authorizing the reduction of certain accrued interest charges payable by the Farmers' Irrigation District, North Platte project; with amendment (Rept. No. 102). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WELCH: Committee on Public Lands. H. R. 173. A bill to authorize the sale of certain public land in Alaska to Victory Bible Camp Ground, Inc.; without amendment (Rept. No. 96). Referred to the Committee of the Whole House.

Mr. WELCH: Committee on Public Lands. H. R. 1288. A bill to authorize the Secretary of the Interior to grant a private right-of-way to Roscoe L. Wood; without amendment (Rept. No. 99). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DEVITT:

H. R. 2400. A bill to amend subsection 602 (j) of the National Service Life Insurance Act of 1940, as amended; to the Committee on Veterans' Affairs.

By Mr. HERTER:

H. R. 2401. A bill to encourage the production of sheep, to protect the domestic price for wool, to provide for the national defense, and for other purposes; to the Committee on Agriculture.

Mr. SABATH:

H. R. 2402. A bill to authorize the Federal Works Administrator through the Commissioner of Public Buildings to operate the building known as the Capitol Park Hotel as a dwelling for Members of Congress and their employees; to the Committee on Public Works.

By Mr. SHAFER:

H. R. 2403. A bill to provide for the payment of a death gratuity to the dependents of officers and enlisted men of the Regular Army who died between October 5, 1917, and December 18, 1919; to the Committee on Armed Services.

By Mr. PATTERSON:

H. R. 2404. A bill to suspend certain import taxes on copper; to the Committee on Ways and Means.

By Mr. CAMP:

H. R. 2405. A bill to provide that, to minimize the danger of loss of life by fire, the Secretary of Commerce shall establish standards for the construction of hotels and other buildings where large numbers of persons congregate or are housed and the materials used therein, and shall prepare proposals for laws and ordinances embodying such standards; to the Committee on Interstate and Foreign Commerce.

By Mr. KLEIN:

H. R. 2406. A bill to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public kindergarten or kindergarten and nursery-school education; to the Committee on Education and Labor.

By Mr. MILLER of California:

H. R. 2407. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

By Mr. REES:

H. R. 2408. A bill to provide for permanent postal rates; to the Committee on Post Office and Civil Service.

By Mrs. ROGERS of Massachusetts (by request):

H. R. 2409. A bill to increase the minimum allowance payable for rehabilitation in service-connected cases; to the Committee on Veterans' Affairs.

By Mr. MORRIS:

H. R. 2410. A bill to amend the Social Security Act (49 Stat. 620) by adding a new title thereto to be known as title XIV, and for other purposes; to the Committee on Ways and Means.

By Mr. JACKSON of Washington:

H. R. 2411. A bill to authorize patenting of certain lands to public hospital district No. 2, Clallam County, Wash., for hospital purposes; to the Committee on Public Lands.

By Mr. REED of Illinois:

H. R. 2412. A bill to amend section 60 of an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended; to the Committee on the Judiciary.

By Mr. WOLCOTT:

H. R. 2413. A bill to amend the Federal Reserve Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. PRICE of Florida:

H. R. 2414. A bill to provide all interstate commerce to be operated on standard time; to the Committee on Interstate and Foreign Commerce.

H. R. 2415. A bill to amend the Farm Credit Act of 1933, as amended, and the Federal Farm Loan Act, as amended, so that after June 30, 1947, employment by production credit associations and national farm loan associations will be covered by the old-age and survivors insurance benefit provisions of the Social Security Act, and for other purposes; to the Committee on Agriculture.

H. R. 2416. A bill increasing the pensions for widows and other dependents of Indian war veterans; to the Committee on Veterans' Affairs.

By Mr. LARCADE:

H. R. 2417. A bill to provide that the Federal Works Agency shall transfer to the city of De Ridder, La., for resale certain bonds issued by such city, and for other purposes; to the Committee on Public Works.

By Mr. WOLCOTT:

H. J. Res. 146. Joint resolution to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes; to the Committee on Banking and Currency.

By Mr. SABATH:

H. Res. 133. Resolution to investigate the cause of high prices; to the Committee on Rules.

By Mr. FALLON:

H. Res. 134. Resolution requesting the Secretary of the Navy to return the U. S. S. *Constellation* to the State of Maryland for preservation at Fort McHenry as a permanent historical shrine; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 2418. A bill for the relief of Luz Martin; to the Committee on the Judiciary.

By Mr. BUCKLEY:

H. R. 2419. A bill for the relief of the Sun Laundry Corp.; to the Committee on the Judiciary.

By Mr. DURHAM:

H. R. 2420. A bill for the relief of Werner P. Friederich; to the Committee on the Judiciary.

By Mr. HORAN:
H. R. 2421. A bill for the relief of Roy F. Arnold; to the Committee on the Judiciary.
By Mr. HART:
H. R. 2422. A bill for the relief of the American Crossarm & Conduit Co., a corporation; to the Committee on the Judiciary.
By Mr. JACKSON of Washington:
H. R. 2423. A bill for the relief of the legal guardian of Lyle Bena, a minor; to the Committee on the Judiciary.
By Mr. JACKSON of California:
H. R. 2424. A bill for the relief of Terez Hagymasi; to the Committee on the Judiciary.
By Mr. JOHNSON of California:
H. R. 2425. A bill for the relief of August Dane Tetuaearo; to the Committee on the Judiciary.
By Mr. KEAN:
H. R. 2426. A bill to declare Harry Eric Elbot an American citizen at birth; to the Committee on the Judiciary.
By Mr. LYNCH:
H. R. 2427. A bill for the relief of Jose Cabral Lorenzo; to the Committee on the Judiciary.
By Mr. McGARVEY:
H. R. 2428. A bill for the relief of Jacob L. Aaron and Mrs. Lena Aaron; to the Committee on the Judiciary.
By Mr. O'TOOLE:
H. R. 2429. A bill for the relief of Louis Podesta; to the Committee on the Judiciary.
By Mr. RIZLEY:
H. R. 2430. A bill conferring jurisdiction upon the United States District Court for the Western District of Oklahoma to hear, determine, and render judgment upon the claim for refund of income tax erroneously paid by A. L. Bogan; to the Committee on the Judiciary.
H. R. 2431. A bill conferring jurisdiction upon the United States District Court for the Western District of Oklahoma to hear, determine, and render judgment upon the claim of Gladys Janow, the widow of David Jefferson Janow, for herself and seven minor children, namely, Vernon Janow, James Jefferson Janow, Virginia Janow, Hazel Janow, William Janow, Patsy Janow, and Jefferson Janow; said claim growing out of the death of said David Jefferson Janow, who was killed on or about the 25th day of January 1944 while working at the Enid Army Air Field, at Enid, Okla., when he was struck by a United States Army airplane being driven by Army student pilots at said Army airfield base; to the Committee on the Judiciary.
By Mr. SMATHERS:
H. R. 2432. A bill for the relief of Harry V. Ball; to the Committee on the Judiciary.
By Mr. STIGLER:
H. R. 2433. A bill for the relief of the legal guardian of Joseph DeSouza, Jr.; to the Committee on the Judiciary.
By Mr. VORYS:
H. R. 2434. A bill for the relief of Ruth A. Hairston; to the Committee on the Judiciary.
By Mr. AUCHINCLOSS:
H. R. 2435. A bill for the relief of Arthur G. Robinson; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

165. By Mr. LEWIS: Petition of orchardists relative to a permanent farm-labor program; to the Committee on Agriculture.
166. By Mr. MANSFIELD of Montana: House Joint Memorial No. 12, a memorial to the Congress of the United States of America, requesting that the sum being paid by the Veterans' Administration to the State auditor of Montana for the care of eligible members of the Montana State Soldiers' Home be increased; to the Committee on Veterans' Affairs.
167. Also, House Joint Memorial No. 9, a joint memorial to the Congress of the United States urging the immediate enactment of legislation to extend the terms of the Steagall amendment to the Commodity Credit Act beyond December 31, 1948; to the Committee on Agriculture.
168. By Mr. TIBBOTT: Resolution of Cambria County Bar Association, Ebensburg, Pa., endorsing the Jennings bill, H. R. 1639, to amend section 2 of paragraph 6 of the Federal Employers Liability Act; to the Committee on the Judiciary.
169. By the SPEAKER: Petition of the political parties in Greece, petitioning consideration of their resolution with reference to protection of Greek independence and democratic liberties; to the Committee on Foreign Affairs.
170. Also, petition of director, department of veterans service, Atlanta, Ga., petitioning consideration of his resolution with reference to a request for an immediate and thorough investigation into the affairs concerning veterans of World War II who are being defrauded by unscrupulous building contractors throughout the State of Georgia and the Nation as a whole; to the Committee on Banking and Currency.

SENATE

FRIDAY, MARCH 7, 1947

(Legislative day of Wednesday, February 19, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

O Thou Holy Spirit, who hast promised to lead us into all truth, prepare our hearts and minds for the business of this day, that we may behave with true courtesy and honor. Compel us to be just and honest in all our dealings. Let our motives be above suspicion. Let our word be our bond. Save us from the fallacy of depending upon our personality, or ingenuity, or position, to solve our problems. Since Thou hast the answers, make us willing to listen to Thee, that we may vote on God's side, and that God's will may be done in us. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, March 5, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL AND JOINT RESOLUTIONS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on today, March 7, 1947, the President had approved and signed the following act and joint resolutions:

S. 235. An act to authorize the Secretary of the Navy to convey to the city of Los Angeles, Calif., an easement for construction and operation of a storm drain in and under certain Government-owned lands situated in that city;
S. J. Res. 33. Joint resolution to amend the act of August 9, 1946 (Public Law 711, 79th Cong.), for the purpose of allowing the Philadelphia National Shrines Park Commission additional time in which to prepare and submit its report to the Congress; and
S. J. Res. 60. Joint resolution to authorize the San Carlos irrigation and drainage district, Arizona, to drill, equip, and acquire wells for use on the San Carlos irrigation project.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1030) to continue in effect certain war excise-tax rates, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 1968) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TABER, Mr. WIGGLESWORTH, Mr. ENGEL of Michigan, Mr. STEFAN, Mr. CASE of South Dakota, Mr. KEEFE, Mr. CANNON, Mr. KERR, and Mr. MAHON were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a joint resolution (H. J. Res. 140) to restore the name of Hoover Dam, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 234. An act to authorize the Secretary of the Navy to convey to the Central of Georgia Railway Co. an easement for railway purposes in certain Government-owned lands situated in Bibb County, Ga.;
H. R. 1040. An act to authorize the payment of $425.88 by the United States to the Government of Switzerland;
H. R. 1778. An act to amend the Federal Firearms Act; and
H. R. 2045. An act to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of streptomycin, or any derivative thereof, and for other purposes.

ANNOUNCEMENT AS TO NIGHT SESSIONS AND NOTICE OF REPUBLICAN CONFERENCE

Mr. TAFT. Mr. President, it was formally announced, I may say, by unanimous vote of the Republican conference, that there would be sessions of the Senate Monday and Wednesday evenings, beginning next Monday. The measure now before the Senate is the only one of any particular importance ready at the moment for consideration. The portal-to-portal pay bill and the Lilienthal nomination, I thought, would be reported this week, but it now appears they will not be reported until Monday, and will not be on the calendar until Wednesday. Therefore, it will not be necessary to have a night session Monday. We expect to proceed with the night session on Wednesday.

I may say further to the Republicans that it is planned to have a Republican conference Monday evening, and, since Senators no doubt expected a night ses-

sion of the Senate on Monday, I hope they will be able to attend the Republican conference that evening, of which notice will be sent them.

CALL OF THE ROLL

Mr. HILL obtained the floor.

Mr. WHITE. Mr. President, I was about to suggest the absence of a quorum.

Mr. HILL. I yield to the Senator from Maine for that purpose.

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Murray
Baldwin	Hayden	Myers
Ball	Hickenlooper	O'Conor
Barkley	Hill	O'Daniel
Bricker	Hoey	O'Mahoney
Bridges	Holland	Overton
Brooks	Ives	Pepper
Buck	Jenner	Reed
Bushfield	Johnson, Colo.	Revercomb
Butler	Johnston, S. C.	Robertson, Va.
Byrd	Kem	Robertson, Wyo.
Cain	Kilgore	Russell
Capehart	Knowland	Saltonstall
Capper	Langer	Smith
Chavez	Lodge	Sparkman
Connally	Lucas	Stewart
Cooper	McCarran	Taft
Cordon	McCarthy	Taylor
Donnell	McClellan	Thomas, Okla.
Downey	McFarland	Thomas, Utah
Dworshak	McGrath	Thye
Ecton	McKellar	Tobey
Ellender	McMahon	Umstead
Ferguson	Magnuson	Vandenberg
Flanders	Malone	Watkins
Fulbright	Martin	White
George	Maybank	Wiley
Green	Millikin	Williams
Gurney	Moore	Wilson
Hatch	Morse	Young

Mr. WHITE. I announce that the Senator from Maine [Mr. BREWSTER] and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

Mr. LUCAS. I announce that the Senator from Maryland [Mr. TYDINGS] is absent because of illness.

The Senator from Mississippi [Mr. EASTLAND] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDENT pro tempore. Ninety Senators having answered to their names, a quorum is present.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

SUSPENSION OF DEPORTATION OF ALIENS

A letter from the Attorney General, transmitting, pursuant to law, a report reciting the facts and pertinent provisions of law in the cases of 100 individuals whose deportation has been suspended for more than 6 months by the Commissioner of Immigration and Naturalization Service under the authority vested in the Attorney General, together with a statement of the reason for such suspension (with an accompanying report); to the Committee on the Judiciary.

PATENT OFFICE FEES

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to fix the fees payable to the Patent Office and to amend section 4934 of the Revised Statutes, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

SPECIAL REPORT ENTITLED "THE PRESENT TREND OF CORPORATE MERGERS AND ACQUISITIONS"

A letter from the Acting Chairman of the Federal Trade Commission, transmitting, pursuant to law, a special report entitled "The Present Trend of Corporate Mergers and Acquisitions" (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint memorial of the Legislature of the State of Montana; to the Committee on Labor and Public Welfare:

"House Joint Memorial 12

"Joint memorial to the Congress of the United States of America, to the Honorable United States Senators JAMES E. MURRAY and ZALES N. ECTON, and to the Honorable Representatives in Congress MIKE MANSFIELD and WESLEY A. D'EWART, and to the Administrator of Veterans' Affairs requesting that the sum being paid by the Veterans' Administration to the State auditor of Montana for the care of eligible members of the Montana State Soldiers Home be increased

"To the Honorable Senate and House of Representatives of the United States in Congress Assembled:

"Whereas the cost of maintaining the State soldiers' home for the care and comfort of veterans and their widows entitled to admission to such home has steadily increased: Now, therefore, be it

"Resolved, That the House of Representatives of the Thirtieth Legislative Assembly of the State of Montana (the Senate of said Assembly concurring), does most respectfully urge the Congress of the United States that the said Congress cause necessary action to be initiated by the Director of the Veterans' Administration to make necessary appropriations to provide for an increase in the present payment of $75 per quarter per patient to $125 per quarter per patient; be it further

"Resolved, That duly attested copies of this memorial be transmitted to both Houses of Congress, to the Honorable James E. Murray and the Honorable Zales N. Ecton, United States Senators for the State of Montana, and to the Honorable Mike Mansfield and the Honorable Wesley A. D'Ewart, United States Representatives in Congress for the State of Montana, and to Gen. Omar N. Bradley, Administrator of Veterans' Affairs."

A petition of Local R. P. No. 16, National-State Guard Veterans, of Fort Worth, Tex., praying for the removal of alleged discrimination against the various State Guards Service of the Nation; to the Committee on Armed Services.

By Mr. BUSHFIELD:

A joint memorial of the Legislature of the State of Montana; to the Committee on Agriculture and Forestry:

"House Joint Memorial 9

"Joint memorial to the Congress of the United States urging the immediate enactment of legislation to extend the terms of the Steagall amendment to the Commodity Credit Act beyond December 31, 1948

"To the Honorable Senate and House of Representatives of the United States in Congress Assembled:

"Whereas by action of the President of the United States cessation of hostilities has been proclaimed; and

"Whereas under the Steagall amendment to the Commodity Credit Act such proclamation has the effect of terminating the present parity-support-price program with the 1948 crop year; and

"Whereas there is still need for record-breaking production of food to aid the starving of the world and farmers of America are still being urged to produce to the limit of their capacity to aid the starving peoples of the world; and

"Whereas unless steps are taken to prevent a disastrous drop in agricultural prices such as that which occurred after World War I the farmers of America cannot with safety meet the production goals now needed; and

"Whereas the farmers of America may face disaster through a sudden and drastic farm price reduction; and

"Whereas such a drastic drop in agricultural prices which will occur unless steps are taken now to prevent it will severely penalize the farmers of America for their high production which contributed so greatly to the winning of the war: Now, therefore, be it

"Resolved, That the Senate and the House of Representatives of the State of Montana do hereby urge upon the Congress of the United States that the provisions of the Steagall amendment to the Commodity Credit Act be extended beyond December 31, 1948; be it further

"Resolved, That copies of this memorial be sent to the chairman and members of the Committee on Agriculture in both the Senate and in the House of Representatives of the United States and to the members of the Montana delegation in the House of Representatives and in the Senate of the United States and to the Honorable Clinton P. Anderson, Secretary of Agriculture."

By Mr. THOMAS of Oklahoma:

A resolution of the Senate of the State of Oklahoma; to the Committee on Banking and Currency:

"Enrolled Senate Resolution 6

"Resolution requesting the Congress of the United States to enact legislation regulating trading in farm products on commodity exchanges and boards of trade, and to establish a uniform system of grading of farm products

"Whereas there was wide and unusual fluctuations in the price of cotton and other farm products on the commodity exchanges and boards of trade during the period between July 1, 1946, and January 1, 1947; and

"Whereas there is no apparent reason for the break in the cotton market and the wide variation in the price of other commodities during this period except speculation and possible manipulation of prices, which is made possible because of lack of regulation of trading in such commodities on such exchanges and boards of trade; and

"Whereas speculation and manipulation is encouraged by the fact that sales of such commodities may be, and are frequently, made without delivery of the commodity sold by persons who do not have or own the commodity which they purport to sell; and

"Whereas this speculative trading in such commodities has resulted in serious losses to the producers of such commodities who must sell same at or near the time when produced and has further resulted in increased cost to consumers: Now, therefore, be it

"Resolved by the Senate of the Twenty-first Legislature of the State of Oklahoma:

"SECTION 1. The Congress of the United States is requested to enact legislation placing the control of commodity exchanges and boards of trade directly under the supervision of the State department of agriculture, and to enact laws to regulate the sale of farm products on such exchanges and boards of trade, to protect producers and processors of cotton, grains, and other commodities.

"SEC. 2. The Congress of the United States is further requested to cause a complete investigation to be made of the cotton exchanges and boards of trade throughout the United States by the Department of Agriculture and the Department of Justice working in conjunction with each other for the purpose of making findings of fact, and recommendation as to legislation needed, to correct and eliminate the evils of speculative trade in farm commodities.

"SEC. 3. The Congress of the United States is further requested to immediately enact legislation which will prohibit the sale of cotton and grain on exchanges and boards of trade by any person who does not have actual possession of a warehouse receipt or certificate covering evidence of ownership of the amount of cotton or amount of grain sold by such person; and requiring that every such sale shall be accompanied by the transfer of a warehouse receipt or certificate evidencing title to the commodity sold or transferred, and that the number of bales of cotton or bushels of grain that may be sold by any one person, firm, or corporation during any one day be limited. It is further recommended that the Congress limit the amount by which the price of cotton or grain may be reduced on any exchange or board of trade in any one day to $2 per bale on cotton and one-half percent per bushel on wheat.

"SEC. 4. It is further suggested that the Congress of the United States should enact legislation establishing a uniform system for the grading of cotton and grains by licensed graders throughout the United States, and providing that when any such products are graded, the grade thereby established, subject to appeal therefrom by the producer, shall constitute the final grade of such product which shall be used as the basis for the determination of value in all subsequent sales of such commodities, and that the grade thereof be endorsed on the warehouse receipt at the time that such products are warehoused.

"SEC. 5. The president pro tempore of the senate is directed to send two certified copies of this resolution to the Agriculture Committees of both Houses of Congress, the Secretary of Agriculture, and to each member of the Oklahoma congressional delegation.

"Adopted by the senate, February 20, 1947."

By Mr. O'MAHONEY:

A joint memorial of the Legislature of the State of Wyoming; to the Committee on Agriculture and Forestry:

"Enrolled Senate Joint Memorial 2

"Joint memorial to the Congress of the United States petitioning Congress to strengthen present sanitary requirements governing the importation of livestock and livestock products and to appropriate additional funds to the Bureau of Animal Industry, United States Department of Agriculture, in order that border inspection may be strengthened and a system of patrol established along the northern boundary of Mexico to guard against the importation of people, animals, and materials carrying the infection of foot-and-mouth disease, and also petitioning Congress to offer to the Government of the Republic of Mexico such facilities as may be available from the Bureau of Animal Industry, United States Department of Agriculture, and appropriating money to provide for such facilities and to extend aid to the Government of the Republic of Mexico in order that foot-and-mouth disease may be eradicated

"*To the President of the United States and to the Honorable Senate and House of Representatives of the United States in Congress Assembled:*

"Whereas foot-and-mouth disease now exists in livestock in the Republic of Mexico; and

"Whereas the disease has spread from the six original States involved in the vicinity of Mexico City as far west and north as the State of Zacatecas; and

"Whereas it is extremely doubtful if the Government of the Republic of Mexico can eradicate this disease from their livestock without additional assistance; and

"Whereas the presence of foot-and-mouth disease in the Republic of Mexico prevents a very definite threat to the prosperity of the livestock industry and the entire economic welfare of the United States: Now, therefore, be it

"*Resolved by the Twenty-ninth Legislative Assembly of the State of Wyoming (the Senate and House of Representatives concurring)*, That we earnestly petition the Congress of the United States to strengthen the present sanitary requirements governing the importation of livestock and livestock products from Mexico and from other countries in which foot-and-mouth disease exists; be it further

"*Resolved*, That we earnestly petition Congress to appropriate additional funds to the Bureau of Animal Industry, United States Department of Agriculture in order that border inspection may be strengthened and a system of patrol be established along the northern boundary of Mexico to guard against the importation of people, animals, and materials carrying the infection of foot-and-mouth disease; be it further

"*Resolved*, That we petition and urge the Congress of the United States to offer to the Government of the Republic of Mexico such facilities and assistance as may be available from the Bureau of Animal Industry, United States Department of Agriculture and to appropriate funds to provide for this assistance and to provide direct financial aid to the Government of the Republic of Mexico in order that foot-and-mouth disease be eradicated from their livestock; be it further

"*Resolved*, That a copy of this joint memorial be forwarded by the secretary of state to the President of the United States and to the President pro tempore of the United States Senate, the Speaker of the House of Representatives, the Honorable Secretary of State, the Honorable Secretary of the United States Department of Agriculture and to the Senators and Representative in Congress from the State of Wyoming with the request that they bring this matter forcibly to the attention of the Members of the Congress of the United States.

"Approved February 24, 1947.

"LESTER C. HUNT,
"Governor."

A joint memorial of the Legislature of the State of Wyoming; to the Committee on Finance:

"Enrolled Senate Joint Memorial 5

"Joint memorial memorializing the Congress of the United States of America to enact legislation relating to employers' sinking funds and reserves and taxability thereof

"Whereas sound efforts by employers to set aside sinking funds and to establish other reserves for employment of returned veterans, for the taking care of necessarily deferred maintenance, for plant and other industrial reconversions, for current post-war business adjustments, for protection of livestock against adverse weather hazards, and as a precaution against otherwise required payment of interest in the future on money which must be borrowed if present surpluses are dissipated and present market conditions or income levels become depressed, are now impaired if not completely frustrated by United States Treasury Department regulations under which the Internal Revenue Bureau assumes arbitrary authority to decide whether or not such reserves and funds are so 'unduly' accumulated as to require their being either distributed or taxed out of existence, thus defeating experience-based plans of employers to safeguard the future welfare of their employees and business corporations, resulting in present unnecessary and unwarranted spending of funds which should be preserved to accomplish the future purposes indicated and to preserve a stable, tax-producing structure: Now, therefore, be it

"*Resolved by the Senate of the Twenty-ninth Legislature of the State of Wyoming (its House of Representatives concurring)*, That the Congress of the United States is hereby memorialized to promptly enact suitable legislation as required to eliminate or appropriately modify the criticized regulations, to expressly permit and encourage accumulations by business enterprises and other employers, of sinking funds and other reserves for the objectives stated and to provide that while set aside as such, they shall not be so taxed as to defeat their intended purposes; and be it further

"*Resolved*, That copies of this memorial be sent to the President of the United States Senate, the Speaker of the United States House of Representatives, to Hon. JOSEPH C. O'MAHONEY, Hon. EDWARD V. ROBERTSON, and Hon. FRANK A. BARRETT, Senators and Representative, respectively, in the United States Congress, from Wyoming.

"Approved February 25, 1947.

"LESTER C. HUNT,
"Governor."

CONCURRENT RESOLUTION OF SOUTH CAROLINA LEGISLATURE RELATING TO AMENDMENT OF SOCIAL SECURITY ACT

Mr. MAYBANK. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a concurrent resolution of the Legislature of the State of South Carolina memorializing the Congress to amend the Social Security Act in certain particulars.

There being no objection, the concurrent resolution was received, referred to the Committee on Finance, and, under the rule, ordered to be printed in the RECORD, as follows:

Concurrent resolution memorializing the Congress of the United States to amend the Social Security Act in certain particulars

Whereas the existing method of providing grants-in-aid to the various States for public assistance under the Social Security Act of Congress results in unequal Federal aid to needy persons in equal need but residing in different States, and provides least adequate Federal aid in those States where the need is most acute; and

Whereas the existing method of providing grants-in-aid for public assistance limits such aid to needy persons over 65 years of age, to dependent children under 18 years of age, and to needy blind persons, and provides no Federal aid for other mentally or physically handicapped persons in need; and

Whereas the insurance provisions of the Social Security Act at present exclude millions of workers who are entitled, equally with those included, to the benefits provided in the insurance titles of the act: Now, therefore, be it

Resolved by the House of Representatives of the State of South Carolina (the Senate concurring):

1. That the Congress of the United States be, and it is hereby, respectfully urged to amend the Social Security Act during its current session so as to:

(a) Provide for Federal grants-in-aid to the State for public assistance on the basis of the economic capacity of the respective States to provide such assistance from their

own resources, in order that persons in equal need may be given approximately equal aid without regard to their States of residence;

(b) Provide for Federal grants-in-aid to the States, on the same basis, for the assistance of mentally or physically handicapped persons in need without regard to age;

(c) Provide for the inclusion of the entire working population of the country under the insurance provisions of the act.

2. That certified copies of this resolution be forwarded to the President pro tempore of the Senate of the United States, to the Speaker of the National House of Representatives, and to each Senator and Representative from the State of South Carolina in the Congress of the United States.

(The PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of the State of South Carolina identical with the foregoing, which was referred to the Committee on Finance.)

RESOLUTION BY STATE-WIDE FARMERS MEETING AT REDFIELD, S. DAK.

Mr. BUSHFIELD. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a resolution adopted by farmers at a State-wide meeting at Redfield, S. Dak.

There being no objection, the resolution was received, referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

REDFIELD RESOLUTION A PRONOUNCEMENT THAT WILL STAND—THE REDFIELD EXPRESSION IN ITS ENTIRETY—READ IT AND BE CONVINCED THAT FARMERS ARE CAPABLE OF SPEAKING FOR THEMSELVES WHEN GIVEN AN OPPORTUNITY TO DO SO

Whereas the plight of landlocked States became further aggravated by reason of the Panama Canal, which brought water-borne commerce rates into competiiton with transcontinental rail shipments, as a result of which there followed reduced transcontinental rail rates and increased rail rates from either coast to interior points and between interior points, resulting in population gains along the seaboards and depopulation of landlocked States suffering from high freight rates and inadequate transportation service; and

Whereas railroads exacting confiscatory rates for bad service are resisting Missouri River navigation; and

Whereas the Minneapolis private grain trade fearing diversion of grain from Minneapolis to down-stream markets has taken a stand against navigation; and

Whereas South Dakota is in a high cost electric power producing area due to the local availability of neither oil nor suitable coal for electric power production; and

Whereas private electric power companies have conducted a campaign of contradiction, confusion, and distortion of facts to limit production of Missouri River power and obstruct transmission of electric power to consumers at cost. Contradictory propaganda calculated to throttle production of electricity has followed these two patterns: (1) Only enough electric power can be generated to pump water out of the river for irrigation; (2) electric power potentialities are so enormous as to make maximum production unnecessary and extravagantly wasteful; and

Whereas the Pick-Sloan plan, designed to impound flood waters in the upper reaches of the Missouri River back of a series of mud dams without lock systems for navigation, holds forth no definite assurance of electric power production beyond the amount required to pump water out of the river for irrigation to which it grants priority; and

Whereas the Pick-Sloan combination seeks to return agriculture to prewar economic conditions by solving problems which do not exist and by ignoring problems which do exist—by emphasizing irrigation and by excluding navigation and by producing only an undetermined amount of electric energy with whatever water is left after saturating 5,000,000 acres of land to artificially produce more food to further aggravate an already threatened over-production before completion of the project; and

Whereas approximately 75 percent of the power generating sites on the main stem of the Missouri River are located in South Dakota; from which points, electric power could be successfully transmitted to all parts of our State, and long-distance transmission lines could deliver electricity to rural and urban consumers in other valley States which would require maximum production to the last kilowatt; and

Whereas the pressing need in landlocked raw-material States is navigation plus an abundance of low-cost electric power to diversify our economy, promote industry, create a home market for farm products and to conserve coal and oil; and

Whereas this Nation confronted with the possibility of an atomic race involving all major nations necessitates maximum power generation and inland navigation to serve defense plants located in the interior: Therefore be it

Resolved by the farmers at this State-wide meeting at Redfield, S. Dak., this 28th day of February 1947, That we reject irrigation priority; denounce Pick-Sloan mud dams without lock systems; and disapprove of electric power limitations; be it further

Resolved, That we propose to attain our objective by unequivocally supporting impoundment of flood waters back of a series of indestructible, reinforced, multipurpose, concrete dams in the upper reaches of the Missouri River, with maximum power-generating facilities; lock installations for navigation; surplus water for irrigation where feasible; and transmission of current to all consumers in valley States at cost with decentralized administrative authority; be it still further

Resolved, That copies of this resolution be sent to President Truman, Secretary of Interior Krug, and to South Dakota Senators and Congressmen.

RESOLUTION BY OFFICIALS OF VILLAGE OF HAMPDEN, N. DAK.

Mr. LANGER. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the body of the RECORD a resolution adopted by the officials of the village of Hampden, N. Dak.

There being no objection, the resolution was received, referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

The following resolution was adopted by the Board of Hampden Village at a meeting held on this 3d day of March 1947:

"Whereas surveys and investigations have advanced to a stage on the Heart River project, the Sheyenne Dam of the Missouri Souris project, where construction could be started in 1947; and

"Whereas construction of these units are vital to the economic welfare and domestic water needs of North Dakota and the furtherance of the Missouri Basin water development program; and

"Whereas the Bureau of Reclamation is charged with the responsibility of the construction of these projects: Therefore be it

"*Resolved by the Board of Hampden Village,* That we urge Congress to provide the necessary funds to start actual construction of these units during the fiscal year 1948, so that these various units may proceed in an orderly manner to bring about the over-all development, as authorized by Congress; be it further

"*Resolved,* That a copy of this resolution be sent to the Governor of the State of North Dakota, the Honorable Fred Aandahl, and to the North Dakota delegation in Washington, Hon. William Langer, Hon. Milton Young, Hon. William Lemke, Hon. Charles R. Robertson."

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 7, 1947, he presented to the President of the United States the enrolled bill (S. 234) to authorize the Secretary of the Navy to convey to the Central of Georgia Railway Co. an easement for railway purposes in certain Government-owned lands situated in Bibb County, Ga.

AGREEMENTS AMONG COMMON CARRIERS—MINORITY VIEWS (S. REPT. NO. 44)

Mr. TOBEY. Mr. President, there will shortly come before the Senate, Senate bill 110, to amend the Interstate Commerce Act with respect to certain agreements between carriers, commonly known as the Bulwinkle bill, the Committee on Interstate and Foreign Commerce having reported the bill favorably with two dissenting votes.

I present minority views in opposition to the bill. I wish to read the first three paragraphs of my minority views, and then I shall request that they be printed entire as a part of my remarks:

I dissent from the recommendations of a majority of the committee that the bill (S. 110) be passed.

This would give the railroad, motor carrier, water-carrier, pipe-line, and freight-forwarder industries the opportunity of obtaining complete exemption from the antitrust laws. If enacted into law, the proposed legislation would cut the antitrust laws from the heart of our economy—the transportation industry. Such legislation would be an opening wedge in entirely destroying the antitrust laws, designed to guard and preserve the American system of free enterprise.

The obvious purpose of the bill is to deprive the courts of jurisdiction in pending cases instituted by the Department of Justice and the State of Georgia. The Department of Justice, in a suit at Lincoln, Nebr., is seeking to enjoin powerful combinations of railroads, railroad associations, and bankers from violating the antitrust laws, fixing arbitrary and discriminatory freight rates, limiting railroad services, suppressing improvements in railroad equipment and facilities, and preventing the development of modes of transportation competitive with the railroads. The State of Georgia's suit is now being tried in the Supreme Court of the United States and seeks to enjoin combinations in the railroad industry from fixing noncompetitive and discriminatory freight rates. These important cases, brought to enforce basic laws enacted by the Congress, could become moot if this bill is enacted. A dangerous precedent would be set, encouraging other powerful groups to seek legislation immunizing them from established laws and the power of the courts to enforce them.

Cartelization of the transportation industry cannot be isolated from the national economy. Transportation costs are a major element in determining the price of goods in other industries. The power to control the cost of transportation is a power which may be used to dictate whether other businesses shall enjoy competitive success or be stifled

to death. Analysis of the bill shows that it would permit the legalization of private controls over the Nation's economy not only by transportation combinations but, under the broad terms of the bill, by industrial and financial combines working in alliance with combinations in the transportation industry. This legislation sets a pattern for supplanting the American system of competitive enterprise and for the cartelization of the Nation's entire economy.

It should be recognized that the enactment of the bill would result in the worst kind of special legislation for special interests. It would constitute a most dangerous precedent which could henceforth be used to justify the exemption of any or all industries from the safeguards of the antitrust laws. The pursuit of such a program inevitably means the extinction of the free and competitive economy of the United States. It is plain, therefore, that the bill should not be enacted into law.

Mr. President, I renew my request that the minority views in their entirely be printed in the RECORD at this point. I may add that one of those favoring the bill and leading the fight for it made the statement that "We have the votes to pass the bill, and we have the votes also to pass it over a veto by the President." That may be true, Mr. President. The wheels may all be greased by fine Italian handwork that may have been done; men may have been seen and cajoled and even threatened, but the Senate of the United States still stands, and I believe in the integrity of its Members and in the cause I represent on this floor. The appeal I make to my fellow Senators is this: Read the minority views; know what you are doing; do not listen to the siren voice of powerful interests; and remember always that our first allegiance is to the people of the United States whom we primarily represent.

There being no objection, the minority views were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS

I dissent from the recommendations of a majority of the committee that the bill (S. 110) be passed.

This bill would give the railroad, motor carrier, water carrier, pipe line, and freight forwarder industries the opportunity of obtaining complete exemption from the antitrust laws. If enacted into law, the proposed legislation would cut the antitrust laws from the heart of our economy—the transportation industry. Such legislation would be an opening wedge in entirely destroying the antitrust laws, designed to guard and preserve the American system of free enterprise.

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ANALYSIS OF THE BILL

Under the specific provisions of paragraph (2), the transportation industry could set up and perpetuate a private government which could have the power, through concerted action, to determine the rates to be charged and the service to be performed; the time at which trains shall depart and the time they shall arrive at their destinations, from where they shall leave, over which routes they shall run, and the places at which they shall stop; the equipment and facilities to be used, and whether or not improvements thereon shall be made or suppressed; the part of the rate each carrier shall receive; the allowances which shall be granted to shippers; and the basis and extent of settling claims of passengers and shippers against a particular carrier.

The phrase "promotion of adequacy, economy, or efficiency of operation or service" is so broad as to authorize concerted action comprehending every activity in the transportation industries. It would include the financing, construction, and utilization of equipment, safety devices, facilities, stations, and terminals. It would include action determining whether spur tracks or other facilities, necessary to meet the requirements of particular shippers, shall be constructed, and whether new types of service necessary to promote an advancing economy shall be instituted.

Approval of agreements permitting the industry to organize into combinations and by joint action to make determinations of such wide scope would constitute a delegation to private groups completely to cartelize transportation.

Competition would be eliminated not merely among the carriers of the same type or class but among the several competitive modes of transportation—the railroads, the water carriers, the freight forwarders, the pipe-line companies. Paragraph (4) would permit agreements between carriers of different classes if the agreements concern matters relating to freight classifications or to transportation under joint rates or over through routes. Since rates to be charged for transporting freight are matters relating to freight classifications, this provision would authorize approval of agreements between groups of carriers in the different spheres of transportation whereby the rates in each sphere could be privately manipulated so as to eliminate competition between the various classes of carriers. Moreover, the words "matters relating to * * * transportation under joint rates or over through routes" are so broad as to permit the approval of agreements between the carriers in all the classes of transportation under which collective action could be taken to curtail services, equipment, and facilities. All these things relate to transportation under joint rates or over through routes and, indeed, are within the term "transportation," as defined in the Interstate Commerce Act. The term is defined in that act to include "locomotives, cars, and other vehicles, vessels, and all instrumentalities and facilities of shipment or carriage, irrespective of ownership or of any contract, express or implied, for the use thereof, and all services in connection with the receipt, delivery, elevation, and transfer in transit, ventilation, refrigeration or icing, storage, and handling of property transported."

It would thus be possible for the railroads, the trucks, the water carriers, the freight forwarders, and the pipe lines to combine into private organizations and to take concerted action determining with immunity the rates to be charged, the quality of services to be performed, and the facilities to be installed in each mode of transportation.

Under paragraph (9)—

"No agreement approved by the Commission under this section, and no conference or joint or concerted action pursuant to and in conformity with such agreement as the same may be conditioned by the Commission, shall be deemed to be a contract, combination, conspiracy, or monopoly in restraint of trade or commerce within the meaning of the antitrust laws."

Thus not only would combinations of carriers participating in agreements for joint and concerted action be immunized from the antitrust laws but their bankers and financiers, manufacturers of railroad and other carrier equipment, and powerful shippers, taking "joint or concerted action pursuant to and in conformity with" the carriers' agreement, would be immunized from the antitrust laws. By these adroit provisions, effectively eliminating the application of the antitrust laws, financial and powerful shipping interests, acting through rate-making and other procedures provided in agreements approved by the Interstate Commerce Commission, could ally themselves with the dominant carrier associations to fix transportation rates and limit transportation services so as to stifle new competitors and perpetuate monopoly.

Similarly the bill would permit the reestablishment of old arrangements existing under the illicit "pullman monopoly" recently divested by the courts in an antitrust suit brought by the Government. This monopoly, which had for so long a period of time prevented the introduction and use of modernized and improved equipment, would be restored and the court's mandate nullified.

The approval by the Interstate Commerce Commission, as envisaged by this bill, is not merely with respect to particular rates or other specific action agreed upon or taken by carriers. Under the scheme of the legislation here proposed, the Commission would approve the basic plan of organization setting up the rules, regulations, and procedures under which the private cartel could regiment and control transportation.

The amendments to paragraph (9), adding two provisos thereto, contain much verbiage but fail uttterly to contravene the power of the monopoly group, once its plan of organization is approved by the Commission. The second proviso, that approval of an organization agreement providing for procedures on time schedules, facilities, settlements of claims, and other nonrate matters "shall not be deemed to be approved of any joint or concerted action" on such matters, is meaningless because, under the terms of the bill, exemption from the antitrust laws would apply when concerted action is taken "pursuant to and in conformity with" the approved agreement. Immunity for concerted action flows from approval of the agreement. Concerted action, itself, need not be separately approved. Nor is the first proviso effective in curtailing monopoly power by requiring, in the case of nonrate matters, separate approval of agreements made pursuant to the approved procedures. The power of the monopoly group does not

depend on carrier agreements openly arrived at, but on concerted action, effectuated through the coercions and pressures inherent in the organizational structure. Such concerted action, taken through the procedures provided in the association's plans of organizations, would be insulated from attack under the antitrust laws by virtue of previous approval of the plans of organization of, and the procedure in, the associations.

Moreover, even if the amendments to paragraph (9) were effective to deny monopoly the power to control services, the bill, insofar as it provides for the legalization of monopolies in determining prices to be paid for services, is sufficient to stifle competition in the industry.

This bill, which would delegate to the Commission authority to delegate to a private government powers to control every aspect of transportation, could vest in the private government powers greater than those exercised by the Commission itself. As observed by the Commission in its fifty-second annual report (1938):

"There is gross exaggeration in the idea that every act of the railroads is subject to regulation. The railroads have a large degree of initiative in the making of their rates, and have freely made a multitude of reductions to meet competition. We have no power to control their passenger service, and exercise very little control over their freight service. They select and pay their officers without supervision or hindrance. Nor do we undertake to tell them what equipment and supplies they may buy; how they shall operate their shops or maintain their tracks; what rails, ballast, and ties they shall use; what stations or other buildings they shall erect; what construction contracts they shall let; or how they shall manage their affairs in many other ways. The pattern of their regulation is in no way unique but is substantially the same as is now applied generally throughout the country by the States or the Federal Government to other public-utility companies."

But these matters, which the Interstate Commerce Commission declares it has no power to control, could, under this bill, be delegated to a private government to control.

Paragraph (6) purporting to guarantee a party to the agreement the right of independent action is devoid of such guaranty. The paragraph, upon close examination, merely protects the right to take independent action after a determination or report is made through such procedure as is provided in the agreement. The bill does not preserve independent action taken prior to the collective determination. In the face of a determination already collectively agreed upon, a carrier, desirous of deviating from the action of the association, would at once be confronted with the exercise against it of the coercive power of the entire combination. A carrier who persists in adhering to its own managerial prerogatives and rights and who persists in refusing to yield to the collective determination runs the hazard of ostracism as a nonconformist, who takes the benefits of the combination but refuses to make required sacrifices. The detailed day-by-day operations in the transportation industry are so complex and the relationships between the carriers and the industrial and financial interests are so involved as to afford numerous opportunities for retaliatory action against the nonconformist. Such retaliation may be carried out so subtly as to leave no evidence of the restraints exercised against such carrier. Under these circumstances a stipulated right to act independently is illusory. The danger is accentuated when it is considered that, by various devices, initial determinations or reports concerning proposals unsatisfactory to the dominant interests may, under approved procedures as established in the existing private system of judicature of the rate bureaus and associations, be delayed for long periods of time before acted upon.

Moreover, the prohibition in paragraph (6) against boycott, duress, or intimidation would seem to be applicable only to protect independent action following the determination arrived at through the association's procedures. And, in any event, coercion, other than by means of boycott, duress, or intimidation, is at no time prohibited. Economic pressures, exercised by interlocking financial and industrial powers, is sufficient to coerce carrier management.

The sole purpose of this bill is to remove the legal restraints against monopoly inherent in militant enforcement of the antitrust laws. Yet, while the bill would insulate the transportation monopoly and its allies from the courts (pars. (2) and (9)) and reduce the Attorney General to the status of a private complainant before the Interstate Commerce Commission (par. (7)), it would provide no adequate regulatory safeguards, if they be possible, even to insure compliance with agreements approved by the Commission.

Paragraph (7) in essence limits the power of the Commission to determining whether action taken under an agreement approved by the Commission is in conformity with such approval "and is consistent with the standards" set forth in the bill, and whether its approval should be modified or terminated or additional terms or conditions prescribed "with respect to the particular action complained of." Thus, the Commission may merely prescribe additional admonitions for future conduct in the matters complained of. But neither the Commission, nor any other agency of government would, under this bill, be given power to impose any penalty for past offenses.

It must be recognized that the adoption of this bill would result in the worst kind of special legislation for special interests. It would constitute a most dangerous precedent which could henceforth be used to justify the exemption of any or all industries from the safeguards of the antitrust laws. The pursuit of such a program inevitably means the extinction of the free and competitive economy of the United States. It is plain, therefore, that this bill should not be enacted into law.

CHARLES W. TOBEY.

MATERIAL TURNED OVER TO NATIONAL ARCHIVES BY COMMITTEE ON PUBLIC LANDS

Mr. BUTLER. Mr. President, under the Reorganization Act the present Committee on Public Lands is a consolidation of five former committees, namely, the Committee on Territories and Insular Affairs, the Committee on Public Lands and Surveys, the Committee on Irrigation and Reclamation, the Committee on Indian Affairs, and the Committee on Mines and Mining. As chairman of the new committee I endeavored to gather together all the available records and take care of them. A large stock of material acquired during previous Congresses, extending as far back as the Seventy-third Congress, has been filed with the National Archives.

In order that the RECORD may be clear as to exactly what material we have sent to the National Archives, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a detailed memorandum of such material.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

The following material has been turned over to the National Archives for filing:

Records of the former Senate Committee on Public Lands and Surveys, consisting of correspondence, reports, work papers, and other miscellaneous records, 1897–1940, including docket files for the Seventy-fifth and Seventy-sixth Congresses.

Records of the former Senate Committee on Mines and Mining for the Seventy-fifth, Seventy-sixth, Seventy-seventh, and Seventy-eighth Congresses.

Records of the former Senate Committee on Irrigation and Reclamation, consisting of correspondence, reports, and work papers, 1904–44, including Seventy-third, Seventy-fourth, Seventy-fifth, Seventy-sixth, Seventy-seventh, and Seventy-eighth Congresses' docket files.

Records of the former Senate Committee on Territories and Insular Affairs, consisting of correspondence, reports, and work papers, together with docket files, for the Seventy-third, Seventy-fourth, Seventy-fifth, and Seventy-sixth Congresses.

Records of the former Special Committee of the Senate to Investigate Production, Transportation, and Marketing of Wool, consisting of correspondence and work papers, 1936–37.

(Above material covered approximately 60 cubic feet, as estimated by the National Archives.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. TOBEY, from the Committee on Banking and Currency:

Eugene R. Black, of New Jersey, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of 2 years and until his successor has been appointed.

By Mr. WHITE, from the Committee on Interstate and Foreign Commerce:

Joseph K. Carson, Jr., of Oregon, to be a member of the United States Maritime Commission for the term expiring September 25, 1952.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TOBEY (for himself and Mr. MCGRATH):

S. 801. A bill to amend the Federal Home Loan Bank Act, and for other purposes;

S. 802. A bill to amend the Federal Home Loan Bank Act, and for other purposes;

S. 803. A bill to amend the Federal Home Loan Bank Act, title IV of the National Housing Act, the Home Owners' Loan Act of 1933, and for other purposes; and

S. 804. A bill to adjust the rate of dividends paid by the Federal Savings and Loan Insurance Corporation on its capital stock and to decrease the premium charge for its insurance; to the Committee on Banking and Currency.

By Mr. WATKINS:

S. 805. A bill authorizing an appropriation for the construction, extension, and improvement of a high-school building near Roosevelt, Utah, for the district embracing the east portion of Duchesne County and the west portion of Uintah County; and

S. 806. A bill to amend the Mineral Leasing Act of February 25, 1920, in order to promote the development of coal on the public domain; to the Committee on Public Lands.

By Mr. SALTONSTALL (for himself and Mr. LODGE):

S. 807. A bill to provide for the reimbursement of the town of Watertown, Mass., for the loss of taxes on certain property in such town acquired by the United States for use for military purposes; to the Committee on the Judiciary.

By Mr. BALDWIN (by request):

S. 808. A bill to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945; and

S. 809. A bill to abolish the position of substitute employee in the postal service and to provide that all classified substitute employees shall be appointed to regular positions; to the Committee on Civil Service.

By Mr. LANGER:

S. 810. A bill for the relief of Petros Katsros; to the Committee on the Judiciary.

By Mr. BUSHFIELD:

S. 811. A bill authorizing the issuance of a patent in fee to Ben Mills; and

S. 812. A bill authorizing the issuance of a patent in fee to Sidney T. Mills; to the Committee on Public Lands.

By Mr. THOMAS of Oklahoma (for himself and Mr. MOORE):

S. 813. A bill to authorize the patenting of certain lands which formed a part of the original Kiowa, Comanche, and Apache Reservation in Oklahoma to the city of Lawton, Okla., and for other purposes; to the Committee on Public Lands.

By Mr. ROBERTSON of Wyoming:

S. 814. A bill to provide support for wool, continue Commodity Credit Corporation as an agency of the United States, and for other purposes; to the Committee on Agriculture and Forestry.

S. 815. A bill to prohibit permanent withdrawals from the public lands of the United States; to provide a means of making certain temporary withdrawals; and for other purposes; to the Committee on Public Lands.

By Mr. WHITE (for himself and Mr. MCFARLAND):

S. 816. A bill to amend the Communications Act of 1934, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. STEWART:

S. 817. A bill to provide that temporary housing transferred by the National Housing Administrator to educational institutions and other organizations may be permanently retained by such institutions and organizations; to the Committee on Banking and Currency.

S. 818. A bill to establish a Bureau of Immigration and Naturalization as an independent agency of the United States, and for other purposes; to the Committee on Expenditures in the Executive Departments.

S. 819. A bill to exempt from taxation all income received by persons in the armed forces as compensation for active service; to the Committee on Finance.

S. 820. A bill to deny admittance into the United States to all immigrants while the number of unemployed persons within the United States is 1,000,000 or more; to the Committee on the Judiciary.

S. 821. A bill to supplement the Federal-Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations for the post-war construction of greatly needed rural local roads, to provide for the creation within the Federal Works Agency of a new administration to administer the provisions of this act, to provide for the immediate preparation of plans and acquisition of rights-of-way, to cushion the postwar conversion to peacetime economy, and for other purposes; to the Committee on Public Works.

By Mr. CORDON:

S. 822. A bill to require that certain enlisted personnel in the Regular Military and Naval Establishments be carried as additional numbers, and for other purposes; to the Committee on Armed Services.

By Mr. MURRAY:

S. 823. A bill to provide for sale to the Crow Tribe of interests in the estates of deceased Crow Indian allottees; to the Committee on Public Lands.

By Mr. BARKLEY:

S. 824. A bill for the relief of Marion O. Cassady; to the Committee on the Judiciary.

By Mr. THOMAS of Utah:

S. 825. A bill for the relief of Ern Wright; to the Committee on the Judiciary.

By Mr. FERGUSON:

S. 826. A bill to amend section 60 of an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended; to the Committee on the Judiciary.

By Mr. PEPPER:

S. 827. A bill for the relief of Capt. John F. Lynch; to the Committee on the Judiciary.

PRINTING OF OPINION OF SUPREME COURT IN THE CASE OF UNITED STATES v. UNITED MINE WORKERS AND JOHN L. LEWIS (S. DOC. NO. 16)

Mr. JENNER. Mr. President, I send to the desk an order and ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The order will be read for the information of the Senate.

The Chief Clerk read as follows:

Ordered, That the opinion of the Supreme Court of the United States, together with the concurring and dissenting opinions, in the cases of the *United States of America* v. *United Mine Workers of America, and John L. Lewis, respectively; United Mine Workers of America, and John L. Lewis, respectively,* v. *The United States of America;* and *United Mine Workers of America and John L. Lewis* v. *The United States of America,* delivered on March 6, 1947, be printed as a Senate document, and that 5,000 additional copies be printed for the use of the Senate document room.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Indiana? The Chair hears none, and without objection, the order is agreed to.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 140) to restore the name of Hoover Dam was read twice by its title and referred to the Committee on Public Lands.

PERSONAL STATEMENT—NOMINATION OF LEWIS W. DOUGLAS

Mr. LANGER. Mr. President, on Wednesday last, during my absence from the Senate, the nomination of Lewis W. Douglas to be Ambassador to Great Britain came up for consideration in the Senate. At that time the majority leader very kindly inserted in the RECORD a statement of the fact that if I were present I would vote against confirming the nomination of Mr. Douglas to be Ambassador to Great Britain.

I wish to state briefly why I took that position. It is my belief that at this particular time the Ambassador to Great Britain above everything else should be an American citizen, a fighting American. I hold in my hand an article recently published in the New York Daily Mirror. One of the leading commentators said:

Douglas' grandfather was a Scottish professor of geology who migrated to Arizona via Canada, where he established the base of the Phelps-Dodge copper millions.

But, though the family is worth millions and Douglas, Ariz., is named for him, Grandpa Douglas refused to become a citizen. He sent his wife back to Canada whenever a child was expected, so all his children would be British subjects. Of his two sons, Walter Douglas remained British. Jim Douglas, Lew's father, fell in love with Josephine Williams, daughter of a miner, who refused to let his daughter marry a foreigner.

Because of this, Lew, to be Ambassador to Britain, happened to be born a United States citizen. But he kept close ties with Canada, was chancelor of McGill University, Montreal. His father, married to an American, went back to resume Canadian citizenship.

* * * * *

Some who wondered whether Douglas was Canadian or American wonder whether he will be another Walter H. Page, more British than the British, or stand up for the United States.

* * * * *

Shortly after VE-day, he turned up in Germany, for reasons known to himself and his brother-in-law, Jack McCloy, ex-assistant secretary. Why the civilian head of Mutual Life, close to the Morgans, should be in Germany when civilians were barred, hasn't been explained.

Mr. MCFARLAND. Mr. President, I very much regret that the loyalty of Lewis Douglas has been challenged in the United States Senate. Lew Douglas has had a long and honorable career as a statesman in the United States. He served in the First World War with distinction. He served as a Member of the House of Representatives from Arizona. He was President Roosevelt's appointee as Director of the Budget, and has filled important posts in our Government. Regardless of what one may think about his views, on the record his loyalty as an American citizen cannot be challenged.

I do not desire to take the time of the Senate to review his career and his service in behalf of our Government because they speak for themselves, but I do most sincerely regret that his worthiness for the post for which he has been nominated by President Truman has been questioned. I am certain that he is one of the able and outstanding American citizens of his time and that he will prove an able and conscientious Ambassador in these troublous times.

PERSONAL STATEMENT—THE RULE OF COMITY

Mr. MORSE. Mr. President, it appears that I have injured the sensitivities and feelings of a very distinguished Democratic Member of the House of Representatives, Mr. RANKIN, of Mississippi, by introducing into the Appendix of the RECORD the other day an editorial that was published in the Washington Post entitled "Flouted Veterans." It referred to the objections raised by Congressman RANKIN when a representative of the AVC sought to testify before a House committee.

I would not, of course, think of injuring the sensitivity of Mr. RANKIN, or of any other Member of the Congress. I was not aware that there is apparently a so-called custom and practice of comity that calls upon us not to introduce in the RECORD any statements or editorials that criticize any other Member of Congress. Apparently the interpretation made of this editorial is that it is an unfair criticism. Of course, it will have to speak for itself, but under the practice of comity previously referred to, I am pleased to ask that the editorial be withdrawn from the permanent RECORD.

I am glad to find out about the rule, Mr. President. I did not know of its existence. I have some evidence that would support my innocence in the matter, because on April 3, 1946, not by way of publishing anything in the Appendix of the RECORD that somebody else wrote in the form of an editorial, but, in a very interesting speech on the floor of the House, another distinguished Member of the House of Representatives, a gentleman by the name of Mr. CLARE E. HOFFMAN, paid his disrespects to me and questioned my Republicanism. He judged my Republicanism, of course, on the basis of his conceptions of Republicanism. I surmise there is some difference between his and mine. I thought that the Representative from Michigan had the right to make that speech, and I would not take that right away from him, because I believe in free speech, and without limitations upon it, even on the floor of the Congress.

I assume that Mr. HOFFMAN does not know about this custom of comity. However, it is perfectly all right with me for him to make all the speeches about me that he wants to, as can anybody else—but my innocence about the comity practice is portrayed by the fact that I knew of the speech of Mr. HOFFMAN'S, which I considered it his right to make, although highly critical of me. Of course, I think that any Member of the House who wants to question my Republicanism is welcome to do it, because I am perfectly willing to let the Republican voters of Oregon decide on my brand of Republicanism.

But, Mr. President, to show how fair I want to be about these things, I wish to refer to a two-page mimeographed statement of criticism of me written by another distinguished Member of the House, Representative PAUL W. SHAFER, Republican, of Michigan. I do not have any doubt about the fact that he is a Republican, representing a certain Republican point of view, and I represent another Republican point of view. In this mimeographed statement he pays his disrespects to me, and I think it is such interesting reading—and I have been informed by the Parliamentarian that the request I am about to make does not violate any rule of comity—that I am going to ask unanimous consent to have Mr. SHAFER'S opinion of me, as set forth in this two-page mimeographed statement, published in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY REPRESENTATIVE PAUL SHAFER, REPUBLICAN, OF MICHIGAN

Like most of my colleagues, I hesitate to get in public quarrels with members of either the House or Senate, but one of our former colleagues here has been subject to such ridiculous attacks that I feel keenly I must reply to his tormentor.

I refer to the perfectly ridiculous and asinine assertions that have been made by WAYNE MORSE, the so-called Republican from Oregon, on B. Carroll Reece, a long-time and honored Member of the House and now chairman of the Republican National Committee.

It has been galling to most Republicans of my acquaintance that WAYNE MORSE ever should have called himself a Republican in the first place. And I might add that my acquaintance includes a number of Senators, Representatives, and quite a few voters who were Republicans and were supporting Republicans for office when WAYNE MORSE was a chore boy for the New Deal.

The basis for the attack on B. Carroll Reece by WAYNE MORSE hardly could have been called inflammatory by any intelligent and sensible Republican, or, for that matter, by a political figure of either party. Mr. Reece simply wrote an editorial for the Republican News calling on us who are Members of Congress for more team play so that our program might be put through with a minimum of friction.

Is there anything dishonorable about asking for team play in the Congress in the United States?

Did he make any threats about withholding patronage from any Republicans who failed to cooperate? Is there one other Republican who can say sincerely that he found one phrase in Mr. Reece's editorial which could be interpreted by any sane man as being biased or as being unfair to all members of the Republican Party?

The obvious answers to these questions is "No."

The only point to Carroll Reece's statement was a gentle urging for us Republicans to stand together to work for a legislative program which we promised the people we would enact.

Taking this plea by the elected head of the Republican National Committee, WAYNE MORSE, in his tricky and suspicious mind, interpreted it as a personal attack. It is highly doubtful that Carroll ever even thought of WAYNE MORSE at the time he was composing the editorial.

MORSE called Reece an agent of the "Republican reactionaries." He went on with some other of his own particular brand of double-talk in which he uses words that have meanings that can be interpreted 15 ways from yesterday by everyone who reads them. I want the Republicans of the United States to know that when Carroll Reece speaks, he speaks for a vast majority of his former colleagues in the House of Representatives and for the most of the Republican Senators in the Senate of the United States. I believe also that he speaks for the millions of Americans who have watched and waited for 14 long years while this Government was being wrecked. During those years, the so-called Republican from Oregon, WAYNE MORSE, was working hand-in-glove with the New Dealers and was helping to perpetuate the same policies against which the overwhelming number of Republicans were working.

WAYNE MORSE speaks for himself. He has the right to speak for himself. But as far as I am concerned, and I believe I speak for millions of Republicans, he has no right to speak as a Republican, because he is nothing in the world but another New Dealer of the Wallace stripe. As a matter of fact, I sometimes think that MORSE is the New Deal secret weapon among the Republicans. He could well be a creature of Wallace himself. Wallace, you know, discovered hybrid corn. WAYNE MORSE is a hybrid New Dealer and we might find that he is just another kind of hybrid corn. He has the tassel around his mouth.

As the chairman of the subcommittee of the Armed Services Committee, I know that WAYNE MORSE has fed the people another batch of illogic by saying that the Republican majority wants to sell our international obligations and to sell national defense short.

In every newspaper in which WAYNE MORSE'S statement against Reece and the other millions of so-called "Reactionary Republicans" appeared, there was a notice that President Truman himself had said that he would not ask for extension of the draft. The Army, itself, by so urging the President, has admitted that we are no longer in the emergency period that was kept in effect for propaganda reasons for so long after the war. The truth is, we have not cut the military as much as we should have cut it and I serve notice now that next year we are really going to get down to making some whacks. We cannot afford to waste billions of dollars o an outmoded and static military machine. We could afford better to offer a free scholarship to every boy and girl in the United States who wanted to study science and to learn new methods of scientific ingenuity and progress, for any war in which we engage again will be a war of science and we will win it or lose it because of the caliber of the intelligence of the millions of our citizens.

As far as I am concerned, I am willing to let WAYNE MORSE make his demagogic and wholly unsound statements, but I want to make it crystal clear that he speaks for no other Republican of my acquaintance anywhere in the United States.

Mr. MORSE. Mr. President, in view of the fact that apparently I have injured the sensitivity of Mr. RANKIN, I ask to have the editorial of the Washington Post of February 19 withdrawn from the permanent files of the RECORD.

The PRESIDING OFFICER. Without objection, the request of the Senator from Oregon is granted.

Mr. MORSE. I close, Mr. President, by asking unanimous consent to have published in the body of the RECORD an article of mine which was published in last Sunday's Oregonian. It sets forth some of my views as to international problems that I think face us, based upon some observations I made during the course of a 6 weeks' trip through Europe and the Middle East last fall.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATORIAL WARNING: UNITED STATES MUST NOT RELAX—WAYNE MORSE, OF OREGON, SEES THREAT OF WORLD WAR III UNLESS AMERICANS CONVINCED OF THEIR RESPONSIBILITIES

(By WAYNE MORSE, United States Senator from Oregon)

Forty-two days, just 6 weeks, is a very short time in which to make observations in France, Germany, Austria, Italy, Greece, Egypt, Palestine, Lebanon, England, and Scotland. When such a trip is broken down into the principal cities visited during that short period of time the miracle of modern transportation facilities by airplane, train, and car becomes even more marvelous to comprehend, let alone experience.

Paris, Frankfurt, Berlin, Wiesbaden, Munich, Berchtesgaden, Nuremberg, Salzburg, Vienna, Wels, Marseille, Rome, Naples, Sorrento, Athens, Cairo, Jerusalem, Tel Aviv, Beirut, London, Glasgow, and Edinburgh, plus many intervening countryside towns, were the principal municipal stops on the map that dotted the itinerary of my recent observation tour.

Time is never ample on such a bird's-eye flight to make an intensive study of anything. Yet it is remarkable how much time one really does have on such a journey to make many careful observations if he travels alone and devotes his full time to working at the job of looking at and hearing about the problems of war and peace in Europe and Middle East. One finishes such a trip knowing full well that it has not provided him with any of the answers to the many complex, unsolved aftermath problems of World War II. At the same time, such a trip makes

crystal clear that unless those problems are solved quickly in accordance with the principles of the Atlantic Charter and in keeping with the objectives of the United Nations Charter, the horrors of World War III will not even wait to victimize our grandchildren.

Wherever one goes in Europe he sees that the struggle for peace is being carried on against great odds. Germany and Italy are thoroughly beaten nations. Their people are more than beaten to their knees; they are prostrate in defeat. City after city bombed into ruins, the highways and countryside still showing the debris of defeated armies and disorganized retreat. Bridges gone, railroads crippled, resources of productive employment destroyed, all present the victor with stunning and frightful evidence of the destructive force of modern warfare.

You remember our saying when we went into this war that this time we would give the Germans a full dose of their own medicine and teach them what it means to suffer defeat. Well, we did that and more, too. We taught them that our terms of unconditional surrender meant total national prostration, and we taught it to the Italians, too. There is no doubt about our German and Italian enemies knowing that they were defeated. Likewise, there is no doubt that the complete defeat which the Allies dealt them was both deserved and necessary if the rest of the world was to save itself from being crushed by the iron pincers of fascism.

However, the American people, devoted to the ideals for peace, have yet to learn that the total military defeat of our enemies did not result automatically in winning the peace. The peace is far from won. It will be a long time in the winning because even the signing of peace treaties, no matter how fair and just their terms may be, will still mean years of work ahead for the Allies and the other United Nations to perform in perfecting the peace and keeping it won.

As one looks at the faces of the people of Europe and sees registered there the daze of defeat, the sullen bitterness of resentment, the fear of the future, and the suffering of hunger and pain, he sees more clearly that the military defeat of our enemies is not synonymous with peace. Rather he feels that the people of Europe for the most part are acting today on the basis of instincts rather than as rational beings. Their consuming interest is to secure enough to eat, enough clothes to wear, and some form of shelter in order to keep alive. Many of them are failing in that instinctive struggle for survival. Few of them have time or energy even to think about the clash of ideologies that has produced their defeat. They are not ready to do the necessary rethinking on social and political objectives which they must do before they can be entrusted safely with any of the responsibilities of peace. That is going to take years, but first we must not forget that hungry people, faced with a future of many years of economic deprivations, cannot be expected to show much interest in our theories of peace.

GERMANS STILL PREFER NAZI TYPE OF GOVERNMENT

They find no sustenance in the phrases of political ideologies of either communism or of democracy. In fact, wherever I went in Germany and carried on any prolonged discussion with Germans representing a cross section of the German population, I found that the preference for the totalitarian form of government of the Nazi type is deeply embedded in the thinking of the German people. Thus in a variety of language forms, the views expressed to me in all parts of Germany by all age groups and by all types and classes of people, irrespective of economic status or education, were that what Germany needs is a new leader—a good leader. They would always hasten to make clear to me that Hitler was a bad leader. He and his gang failed the people. They misled and deceived the people. If only they had been good leaders, Germany would have won the war.

I was disappointed and disturbed to discover that apparently the mass of people in Germany still do not see that what Germany needs is not a new leader but new leaders—men and women selected from the ranks of all classes of the people to represent and lead them into the channels of self-government, economic stability, and peace.

How naive I was, before I went to Germany, to believe that the war certainly would teach that lesson to the German people. I overlooked that that lesson is the lesson of democracy and the Germans simply do not understand self-government because they have been conditioned to the ways of authoritarian government and the iron rule of men who hold dictatorial power over them. It will take many years to lead younger generations of Germans into the paths of self-government, but until that is done the war in Europe will not be over and the peace will not be won.

I am afraid that, given the resources and complete freedom of action, the German people would wage war again just as soon as possible.

Thus of the many impressions which hammered their mark upon my senses as I moved about through the misery, suffering, intrigue, and hates of Europe, none cut deeper into my consciousness than the realization that the war is not over. Only the large-scale armed hostility is over. Only wishful-thinking Americans at home think the war is over. Unless the statesmen of our country have the political courage to tell the American people the unpleasant facts about world conditions today and educate them into an understanding of the importance of America remaining not only strong in its forces of defense and security, but also in maintaining its full share of surveillance responsibilities in Europe, the-war-is-over attitude of the American people will sentence our children, rather than our grandchildren, to the tortures and punishment of another war. We cannot even give those children any assurance that those among them who survive that war will have the opportunity, as victors, to establish a world order of permanent peace. Such an opportunity is now ours as victors in this war, thanks to the gallantry of our armed forces and the war-production record of our civilians on the home front. It must not be overlooked that the chances are better than even that there will be no victors in the next war except the victory of chaos.

If every Member of Congress could see Europe today; if hundreds of the leaders and molders of American public opinion could walk among the ruins of Europe; if thousands of our American citizens could only take a look at war-wrecked Europe as she is today, the dangerous trend in America of assuming that the war is over and of relaxing into the comforts of our own economic well-being would end abruptly. Only tragedy lies ahead if the American people come to think that they can follow a course of national economic isolationism, while most of the people of the rest of the world see the Atlantic Charter only as a mirage. After one looks at the ravages of modern war and comprehends the twisted ideologies that are taking root in the thinking of people abroad, he comes away from it all realizing more than ever that time is truly of the essence in winning the peace. He knows that the American people would not fail in their responsibilities of winning that peace if only they could be made to see and understand the dangers inherent in failing to give much more adequate support to our military government and State Department programs abroad.

There is certainly a great need to mobilize all the educational resources of America into a program presenting a factual, realistic picture of world conditions as they actually exist today. The American people must be led to see that there can be neither long-lasting economic prosperity at home nor international security for us abroad until a fair and just peace is both won and implemented. They do not like to hear that winning such a peace is going to cost us some sacrifices. For instance, they prefer to hear their politicians tell them that they can have drastic tax reductions and peace, too.

Our people want to believe the demagogs who would fool them into thinking that we fulfilled all of our responsibilities and obligations in the war when we made the terrific sacrifices of men and resources in defeating the military forces of our enemies. They don't like to face up to the painful fact that our military victory has only given us an opportunity to build a one-world system of permanent peace. Confronted with a tremendous war debt, harassed by many internal economic difficulties and fearful of a possible depression, it is easy to understand why many Americans are a little short of patience with those who point out that winning the peace is a matter of years and will cost substantial economic sacrifices on the part of the United States as well as of other nations which have so much to lose in another war.

Many of our people do not like to be told that no matter how much the peace costs us it is cheap at any price compared with the cost of another war. They are resisting thinking the problem through and seem to prefer to take their chances in avoiding another war rather than facing reality and the necessity of paying whatever it takes to win the peace if we are to have any peace.

Too many of the old patterns of emotional thinking which characterized American public opinion in the years immediately following the First World War are again in evidence in our country. Thus heavy pressure is being placed upon Members of Congress to withdraw our forces from Europe, to cripple our military government and foreign service by denying them adequate appropriation, to cut drastically Federal taxes even at the risk of cheapening the value of the American dollar, and to allow selfish groups in America such freedom from reasonable Government controls as to enable them once again to exploit human beings for profit dollars. Make no mistake about it, such presure groups are doing the work of isolationists in disguise and they are selling short the next generation of Americans.

AMERICANS WORK FOR SELVES INSTEAD OF PEACE

It is quite understandable, but nevertheless very sad and unfortunate, that so many of our people are devoting more attention to the pursuit of selfish economic interest than of permanent peace. The old American pastimes of believing what we want to believe, of passing the buck, of blaming the politicians for our national ills, and of rationalizing our selfishness are once again discoloring American public opinion.

However, indulgence in wishful thinking, no matter how psychologically comforting and pleasant it may seem to be, constitutes in fact a betrayal of those of our own national flesh and blood who died that we might have an opportunity to win the peace. They did not die in order that selfish individuals could make huge profits out of the economic dislocations, at home and abroad, which are always some of the economic results of war. They did not die in order to provide an opportunity for economic groups in America to carry on an internal conflict over wages, prices, profits, and selfish economic aspirations.

When they died they thought the American people were united in the determination to see to it that a one-world order of permanent peace resulted from their sacrifice. Possibly they overlooked the fact that it is human nature for people to forget pain, once

they cease to experience it, until injury is inflicted upon them again. Nevertheless, we who survived the war have no right to commercialize the sacrifices of those who died. We have the clear obligation to subordinate our international economic interests to the winning of the peace which certainly has yet to be won.

Someway, somehow, the American people must be made to understand that even from the standpoint of our children's best economic interests we cannot afford to let the seeds of war be resown in Europe. My trip abroad convinced me that war will engulf the world again if we continue to weaken our position in Europe. Already we have lost prestige and influence in Europe, chiefly because of the fact that we have left our devoted public servants, in charge of military government and foreign affairs over there, so understaffed and lacking in adequate facilities with which to carry on their work that many of the objectives have been impossible of accomplishment.

We not only have failed to give our military leaders in Europe adequate military and civilian personnel to do many of the things that need to be done, if our occupation program is to be successful, but too frequently we have weakened their standing abroad by unfair and unsupportable criticisms here at home. Would that some of those critics, including those people who, without examination of the facts, have accepted the misrepresentations of the critics, could be required to face the problems of military government and the security problems which have confronted some of our military leaders in Europe.

On the basis of my observation and study of their work I wish to pay my respects to, and express my confidence in, the great service which has been rendered to the American people by such generals as McNarney, Clay, Keating, Mueller, Lewis, Clark, Collins, Jaynes, Lee, and the other military leaders who have been entrusted with the task of administering the foreign-affairs policies of our Government in the conquered and liberated countries of Europe.

They have demonstrated for history in a manner unequaled by any other occupying forces, in this or any other war, what it means to take over a country as victors and not as oppressors. Their work in Europe coupled with the great work of MacArthur in Japan, has clearly demonstrated that we fought the war for peace and not for selfish gain; that we fought the war to establish in the world the principles of the Atlantic Charter to be implemented in keeping with the objectives and procedures of the United Nations.

These great leaders have done a magnificent job in carrying out the bipartisan foreign-affairs policies of our Government as worked out by our President, his advisers, and the Congress. All of our military generals and officials who have had the great responsibility of directing the affairs of our occupational forces on foreign soil have had the benefit of the cooperation and policy-making leadership of three great Cabinet officers whose duties and responsibilities are directly related to our military government abroad—Secretary of State Byrnes, Secretary of War Patterson, and Secretary of the Navy Forrestal.

The empty-headedness of most of their critics becomes manifestly clear when one goes to Europe and sees first-hand the many difficulties which confront our American officials, both those in the military and in the Foreign Service. Many of the difficulties are the direct result of our failure to give these officials sufficient numbers of seasoned and competent help. Take, for example, the problems of military security in Germany. We have reduced our military forces to a constabulary basis which, in numbers, would not be sufficient to put down any well-organized revolt among the German people. That has had its effect both on psychological attitudes in Germany and in securing the necessary cooperation from the German people in carrying out our program.

FORCE MUST BE KEPT UP IN GERMAN NATION

We Americans do not understand German attitudes because under our political system of individual freedom and liberty we have never experienced the evil effects of regimentation upon the individual. However, we should not forget that Germany is a police state in the sense that the individual German has become conditioned to the controls of military force and gestapo police methods. He is quick to detect weakness and lack of sufficient power to enforce a program of military order. It is certainly true that we do not want to perpetuate in Germany a police state, but it is most unrealistic to think that German attitudes can be changed overnight or that we can withdraw military forces from Germany as quickly as we have and are withdrawing them and still maintain security and peace in Germany.

The too rapid depletion of our military forces in Germany has not only created a serious security problem, insofar as our American personnel in Germany is concerned, but it also has weakened our ability to protect the lives and property of racial minority groups in Germany as well as of those too few Germans who see the importance of democratizing the new Germany.

The security situation has been made worse by sending to Germany, as military replacements, 18- and 19 year-old boys, who for the most part, are completely lacking in both the necessary military training and the maturity required for the work of occupational forces. Many of these boys have had only a few weeks of military training and the impression which they make on the German people is not favorable. Then, too, the experiences which many of these young boys are having in their relations with the German population are not good for them either from the standpoint of good character building or good citizenship. They should be replaced with older men, carefully selected for the duties of an occupational army service; soldiers who should be given comparable standing to Government employees who perform civilian work in our military government abroad.

Our military leaders in Europe should not be criticized because of any problems that arise from sending young, immature boys to serve in the occupational army in Germany. We here at home are the ones to be criticized because we are responsible for it in that we have not given to the War Department the support it needs if a better quality army is to serve abroad.

Further, it should be mentioned that any realistic approach to our occupational job in Europe should cause us to recognize that our program has been greatly handicapped because of the fear, which I found wherever I went, that the Americans cannot be counted upon to stay in Europe for very long. That fear has slowed up cooperation with us on the part of German people and undoubtedly it has had its effect, for example, on the denazification program in Germany. It is very easy for us to put pressure upon German civilian officials to carry on more rapidly an effective denazification program, but we should not overlook the fact that nazism and a totalitarian philosophy is far from dead in Germany. For the most part it has only been driven underground where it is smoldering and simmering preparatory to an eruption if we withdraw from Germany before the Germans are habituated to the ways of self-government. It is only natural that the German anti-Nazi should ask himself, "What will happen to me if the Americans withdraw from Germany in the next few years or so weaken their forces over here that they cannot protect me and my family from Nazi groups which at the present time have simply gone underground?" Thus from the standpoint of the objective of democratizing Germany the all too rapid withdrawal of adequate military forces in Germany has been one of our major blunders.

ANTI-NAZIS FEEL UNITED STATES FORCES WEAKENED TOO MUCH

I talked to many German workers, to former trade-union officials, to businessmen, teachers, farmers, and other classes of German individuals who belong to the anti-Nazi division of the German population. They uniformly expressed to me their great concern about what will happen to them if the Americans should withdraw from Germany too soon. They told me that from the standpoint of internal security in Germany we had already weakened our military strength far too much. They told me something else, and that was that although the German people, as a population, have no love for America, because they recognize that if we had not come into the war they would have won it, nevertheless they fear and dislike Russia even more. There is not a doubt that a certain fear prevails throughout Germany—the fear that if we withdraw from Europe, Germany will fall under the domination and control of Russia. The unanimity of that point of view among the Germans is so complete that we cannot afford to ignore it in determining our European policy.

The Russians have not made the mistake of weakening their military strength in Europe. It certainly is to be hoped that the Moscow conference in March will result in some agreement on the number of military forces to be maintained by the Allies in the conquered countries. The fact now is that Russia is maintaining very large military forces in her zones in Europe and that fact, accompanied by her harsh economic policies and her iron-curtain barrier imposed in the Russian-occupied territories, has not been conducive to the spreading of a peace psychology in Europe.

I am not one of those who believe that war with Russia is inevitable. In fact, I think it can and must be avoided through our insistence that issues of international misunderstanding, when they arise, shall be settled through the procedures of the United Nations Charter and in keeping with our agreements entered into with Russia and the other allies. However, one cannot observe Russia's policies in Europe today without recognizing that she must make considerable modifications in her tactics and policies if she is to quiet the fears and suspicions that her own conduct is building up against her. Her iron-curtain policy cannot be reconciled, at least in the thinking of occidental minds, with a spirit of friendly cooperation and good-faith intentions to help build a world power of permanent peace.

I have yet to hear any reasonable explanation of the exaggerated national modesty on the part of Russia which causes her to shut herself in from international observations by dropping the iron curtain along her border. The degree to which she has carried this iron-curtain policy, even in Russian occupied zones in Europe, is perfectly fantastic. As a result, many lips of all nationalities are asking the questions: "What is it that Russia is trying to conceal?" "What is it that she doesn't want us to see?" Oh, yes, occasionally, either by chance or design, a few individuals from the allied countries are allowed to go to Moscow by way of conducted tours through narrow corridors of entry and exit. However, for the most part, in the case of Russia, the world is treated to the spectacle of a great power whose leaders talk in terms of disarmament and peace but who at the same time maintain a rigid censorship over the news, a rigid military policing system over conquered territory and a rigid iron curtain at its borders.

It is difficult to understand how Russia can be a signatory to the San Francisco Charter and thereby underwrite the bill of human rights set forth in that Charter and at the

same time follow such a strongly nationalistic and isolationistic policy in relation to her allies. How much easier it would be to work out the terms of peace and develop fine relations with Russia free of any basis of suspicion if she would open the doors of her country on the basis of reciprocity to any visiting nations of the world. How much easier it would be to develop friendly understanding of Russian policies and problems if she welcomed within her borders on a reciprocal basis newspapermen of other nations free of censorship restrictions.

When I was in England, I talked to a member of the British Labor Party who last summer was favored by the Russian Government by receiving permission to visit certain parts of Russia. He said that although his trip through Russia was circumscribed by many restrictions, nevertheless he felt that if Russia could only be made to see the wisdom of opening up her country to international travel, it not only would greatly strengthen her economic position in the world but would remove from her the cloud of international fear and suspicion that now hangs over her.

He said that he suspected that part of the explanation of Russia's "iron-curtain" policy is that her leaders are somewhat sensitive about the hardships that many of the Russian people have to live under. For example, he stated that at least 6,000,000 Russian people are homeless because the devastations of war have produced a great housing shortage. Standards of living for many of them are very low, and the economic struggle which lies ahead for the people of Russia is a very rugged one compared with the more favorable conditions of people in many other parts of the world, such as in the United States. However, as he put it, and I agree with him, there would be a very great desire on the part of the nations of the world generally to help Russia solve her problems if she were more willing to follow a policy of neighborliness.

Many of us in public office are perfectly willing in the interest of laying lasting foundations of peace to lean over backward in an endeavor to cooperate with Russia. We are trying to understand her point of view and the basis for whatever suspicions she may entertain toward our country. However, we find it very difficult to figure out many of her policies and to reconcile them with the conduct of a friendly ally that is seeking peace.

As one travels through Europe today he is constantly bumping up against some arbitrary action, unilateral in character, initiated by the Russians, which causes continual misunderstanding and frequently ill will. For example, when one lands in an American airplane at the airport just a few miles outside of Vienna he is surprised to learn that it will take him about an hour and 15 minutes to drive into the city. He is told that the direct and main highway would take between 20 and 30 minutes, but the Russians refuse to permit the airport traffic to take the direct route. Instead, one is required to drive over a round-about road for an hour and a quarter before reaching Vienna. I was unable to find any official in Vienna who could give me any reasonable explanation of the reason lying back of this annoying Russian policy that causes no small inconvenience to our officials in Vienna.

Likewise, in this section of Europe, the Russians have been very arbitrary in regard to the airway-corridor regulations and restrictions which they have imposed upon American planes. It took us about an hour longer to fly from Vienna to Rome through the corridor that the Russians required us to travel than it need take if the Russians were less arbitary about the matter and permitted our planes to follow a more direct route. I mention these as examples only of the little incidents that certainly are not promoting the best of cooperative relations between the Russians and the other allies in Europe.

Each one of these little incidents standing alone is not of great significance, but when multiplied by many such incidents their cumulative effect helps produce the war of nerves developing in Europe.

RUSSIANS ABUSE VETO POWER IN COMMITTEE WORK

Then, of course, there are bigger issues. One only has to sit in at any of the meetings of the four-power unanimous-rule-coordinating committees charged with the responsibility of determining allied policies in the occupied countries to see what importance Russia places upon the veto power. Maybe as time goes on the Russians will come to recognize that their allies are acting in good faith and therefore refrain from such a frequent use of the veto as now characterizes their conduct on such committees. Maybe they will come to understand the importance of give-and-take compromises between and among the allies if we are to administer the conquered countries in the interest of a just and lasting peace. However, certainly to date there is no denying the record that the Russians have used the veto as an instrument of negativism and as a means of establishing what amounts, in many instances, to rule by the minority.

Anti-American propaganda published by the communistic papers in the various Russian zones of influence is one of the major sources of misunderstanding and suspicion in Europe. Personally, I do not think that Americans should be too sensitive about such propaganda, although it certainly is not indicative of the conduct of a cooperative ally. Possibly, if we patiently protected freedom of the press in our zones, even though a reciprocal freedom is not allowed in the Russian zone, in due course of time the Russian leaders will come to recognize our good faith and fairness and cease printing and broadcasting their misrepresentations about America.

Of course, I think that we in this country should never forget what apparently those within our country who have been criticizing the Truman-Byrnes-Vandenberg-Connally foreign policy seem to have forgotten, namely, that Russia is a police state in the true sense. She is a state which is just as totalitarian in her basic principles of operation as any form of totalitarianism can be, whether you call it fascism or communism. In such a state arbitrary rule and the finality of dictatorial judgment is all-controlling. Any hesitation to accept the decision of those in power results in a very effective policing of one degree or another.

Hence, if one keeps that basic difference between the Russian system of government and our system of personal freedom in America in mind, it becomes clear why we must be exceedingly patient in our international deliberations with the Russians in the hope that they will come to appreciate somewhat better the sincerity of our friendly motives toward them. However, at the same time let us not be so soft, nor so short-sighted, nor so foolhardy as to overlook the imperative importance of our being firm in seeing to it that the objectives of permanent peace, for which we fought the war and assisted in creating the United Nations, are not endangered by any misinterpretations on the part of Russia of our determined intention to see to it that the peace is maintained.

ADDRESS BY THE PRESIDENT ON RECEIVING HONORARY DEGREE OF DOCTOR OF LAWS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the address delivered by the President on the occasion of his receiving the honorary degree of doctor of laws at Baylor University, Waco, Tex., March 6, 1947, which appears in the Appendix.]

COMMENT ON THE PRESIDENT'S ADDRESS AT WACO

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an editorial entitled "Mr. Truman at Waco," published in the New York Times of March 7, 1947, which appears in the Appendix.]

NECESSITY FOR AMERICAN MILITARY AND ECONOMIC STRENGTH—ADDRESS BY HON. WARREN R. AUSTIN

[Mr. SMITH asked and obtained leave to have printed in the RECORD an address entitled "Collective Security Depends Upon American Military and Economic Strength," delivered by Hon. Warren R. Austin, United States representative at the seat of the United Nations, before the Overseas Press Club, in New York City, on March 4, 1947, which appears in the Appendix.]

CZECHOSLOVAK DAY—PROCLAMATION BY GOVERNOR DEWEY

[Mr. IVES asked and obtained leave to have printed in the RECORD a proclamation issued by Hon. Thomas E. Dewey, Governor of the State of New York, naming Friday, March 7, as Czechoslovak Day, which appears in the Appendix.]

GEORGE WASHINGTON AND THE NATIONAL CAPITAL—ADDRESS BY H. PAUL CAEMMERER

[Mr. YOUNG asked and obtained leave to have printed in the RECORD a radio address entitled "George Washington and the National Capital," delivered on February 22, 1947, by H. Paul Caemmerer, Secretary, National Commission of Fine Arts, which appears in the Appendix.]

REORGANIZATION OF THE EXECUTIVE DEPARTMENT

[Mr. LODGE asked and obtained leave to have printed in the RECORD two articles dealing with the proposed reorganization of the executive branch, one by Phelps Adams, published in the New York Sun of January 22, 1947, and the other by Frank C. Waldrop, published in the Washington Times-Herald of March 6, 1947, which appear in the Appendix.]

THE SITUATION IN GREECE—EDITORIAL FROM ANNISTON (ALA.) STAR

[Mr. SPARKMAN asked and obtained leave to have printed in the RECORD an editorial entitled "It's Money Now or Bullets Later," published in the Anniston (Ala.) Star of March 2, 1947, which appears in the Appendix.]

ACTIVITIES OF CONGRESS UNDER REPUBLICAN LEADERSHIP

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article entitled "The Political Mill," by Gould Lincoln and an article entitled "Democratic Recovery Laid to Decontrol," by David Lawrence, both from the Evening Star of Washington, D. C., March 6, 1947, which appear in the Appendix.]

LEAVE OF ABSENCE

Mr. MARTIN. Mr. President, I ask consent to be absent from the Senate until Tuesday afternoon.

The PRESIDENT pro tempore. Without objection, consent of the Senate is granted.

THE PRESIDENTIAL TERM

The Senate resumed the consideration of the joint resolution (H. J. Res. 27) providing an amendment to the Constitution of the United States relating to the terms of office of the President.

The PRESIDENT pro tempore. The question is on the first committee amendment, which will be stated.

The CHIEF CLERK. On page 1, line 6, after the word "by", it is proposed to strike out "the legislatures of three-fourths of the several States" and insert "conventions in the several States, as provided in the Constitution."

Mr. HILL. Mr. President, the pending amendment to the Constitution would place the wisdom of the people in a strait-jacket. It would be a limitation on their right of free election. No matter what the emergency or what the danger, no matter how strongly the people might wish to continue a man in the Presidency, at the end of his second term they would be prohibited from doing so. The proposed amendment to the Constitution would place in the Constitution a rigid prohibition against the right of the people to reelect a man at the end of his second term. There is a vast difference between a rigid prohibition in the Constitution, absolutely denying such a right to the people, and a custom under which the people ordinarily do not exercise the right. I have no disagreement with the custom of ordinarily electing our Presidents for not more than two terms. The custom is well and good in customary times to meet ordinary conditions, but the difficulty about the proposed amendment is that once this rigid prohibition is imposed on the people, they are absolutely bound by it until and unless, at some future date, the Constitution is again amended and the rigid prohibition removed.

We all know the difficulties attendant upon amending the Constitution. We realize what a long, slow, and tedious process it is. No man can possibly know what the future holds; no man can know what tomorrow may bring forth, what dangers there may be for our country, what emergencies the Nation may face. Who, standing on this floor 10 years ago, could have foreseen the momentous and revolutionary events which have occurred in the history of the United States and of the world during the past 10 years? When we contemplate the world today and recall what it was like 10 years ago we can readily realize how violent and revolutionary have been the changes. We are accustomed to think we live in the air age. Yet the world is moving forward so rapidly that before we have passed out of the adolescence of the air age we find ourselves in the atomic age.

Within the past week many of us have been shocked by the revelations of conditions in Greece and Turkey, by the challenge of certain obligations and duties resting upon our country in those far-away lands which perhaps most of us had not even considered. Only a few days ago even so wise and level-headed and able a Member of this body as the distinguished junior Senator from Georgia [Mr. RUSSELL] suggested that constituent members of the United Kingdom, England, Wales, Scotland, and Ireland be admitted into the American Union as States. This shows, Mr. President, how uncertain conditions are in the world today, and it suggests that many of the old moorings and the old landmarks seem to have disappeared. No one, I repeat, can know what may lie ahead of us or what danger or emergency may confront our Nation in the days ahead. Why then, should we suggest writing into the Constitution of the United States a rigid prohibition which might prevent the American people from meeting a danger or an emergency as they in their wisdom may think best?

Mr. President during the history of our country approximately 170 joint resolutions have been introduced, either in this body or in the House of Representatives proposing to limit the term of office of the President. No one of those resolutions has ever been able to command sufficient support on the part of the people of the United States to be passed by the necessary votes in both Houses of Congress. Why should we now, at this late date, after more than 150 years of our history under the Constitution, submit such a rigid prohibition for incorporation into the Constitution?

When we speak of a third term we think of George Washington, our first President, because it is said that he set the custom, that he established the precedent of a President's serving only two terms in office. Washington spoke very directly on the question of the wisdom of placing such a limitation on the people and the free election of their President. On April 28, 1788, he wrote a letter to the Marquis de Lafayette in which he spoke of the Constitutional Convention having given most careful consideration to this question, and of having finally come to the conclusion that there should be no limit on the people's right in the matter of the election of their President. Washington closed his letter to the Marquis de Lafayette with these words:

> Under an extended view of this part of the subject I can see no propriety in precluding ourselves from the service of any man who, in some great emergency, shall be deemed universally most capable of serving the public.

That was George Washington speaking 170 years ago. It illustrates the wisdom of Washington. He did not foresee the air age or the atomic age. He did not even foresee the railroads, the telegraph, the telephone, or any of the other inventions which have made the world one common neighborhood; but in his wisdom he foresaw that a great emergency might arise in which the people might wish to continue a man in office. So he said he saw no propriety in limiting the people in their right to meet an emergency as they deemed wisest and best.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. HILL. I yield.

Mr. LUCAS. The fact that George Washington refused a third term has been referred to as evidence that Washington was opposed to anyone serving a third term. I think the able Senator will agree with me that that is an inaccurate conclusion.

Mr. HILL. It is a wholly inaccurate conclusion. Not one word, not one expression, is to be found in George Washington's statements or his writings against a President serving more than two terms. On the contrary, there is the express opinion which I have just read to the Senate. Anyone who has studied the history of George Washington should know that the principal reason stated in his Farewell Address for his not even considering a third term was a personal reason. He had been in command of the Continental Army for 7 or 8 years; he had been away from his beloved Mount Vernon; he had served 8 years as President; and the desire closest to his heart was to retire from public service, to be relieved of the burdens and labors of public office, and return to his beautiful acres at Mount Vernon.

Mr. LUCAS. Mr. President, will the Senator further yield?

Mr. HILL. I yield.

Mr. LUCAS. It is accurate to say that he rejected a third term for the reasons stated by the Senator from Alabama, but it is wholly inaccurate to say that George Washington ever opposed the principle or the wisdom of anyone's being reelected to a third term.

Mr. HILL. The Senator is exactly correct. In that connection I shall not take the time of the Senate to read from Washington's Farewell Address. It was very eloquently read here only a few days ago by the distinguished Senator from West Virginia [Mr. REVERCOMB]; but I ask that at this point I may include in the RECORD an excerpt from the Farewell Address, which states very clearly that Washington did not desire a third term because he earnestly wished to retire; he devoutly wished to be relieved of the burdens of public service.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.
>
> I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.
>
> The acceptance of and continuance hitherto in the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.
>
> I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with

the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

Mr. LUCAS. Mr. President, will the Senator further yield?

Mr. HILL. I yield.

Mr. LUCAS. I think history shows that George Washington did not desire even a second term.

Mr. HILL. The Senator is exactly correct. George Washington was willing to serve for a second term only because of the conditions then existing in Europe. Men highly placed in the Government and men influential throughout the country appealed to him, in view of the situation in Europe, to continue in office for a second term; and George Washington agreed to serve for a second term only because of his sense of duty to his country.

Mr. LUCAS. Mr. President, will the Senator further yield to me?

Mr. HILL. I yield.

Mr. LUCAS. While the Senator from Alabama is discussing the first President of the United States I wish to call the attention of the Senate, as well as the attention of the country, to a further fact, which, of course, the Senator from Alabama may later include in his remarks: George Washington was the President of the Constitutional Convention and presided over that Convention throughout its deliberations. He heard all the arguments, both pro and con; and I think the record shows that during all that time he never entered into the debate either on one side or the other; but, of course, he finally voted with the majority on that question.

Mr. HILL. Mr. President, the Senator from Illinois is exactly correct. Furthermore, in his letter to the Marquis de Lafayette, George Washington referred to this matter and made clear that his position regarding it was the one I have stated.

Mr. President, neither can there be any doubt as to how this question evolved in the Constitutional Convention. As the Senator from Illinois well knows, it was first suggested that there be a limit on the length of service of any President—namely, one term of 7 years—but that he be elected by the National Legislature, in other words, by the Congress. However, the more the framers of the Constitution thought about the matter, the more they debated it, and the more thoroughly they explored it, the more definitely they came to the conclusion that the President should not be elected by the National Legislature, and that there should be no limit on his term of office.

It is interesting to know, as we all do, that under the will of the people of the United States, the election of the President has for many years been, not by the electoral college, but by the people themselves. The people themselves have asserted their right to elect their President.

Mr. SPARKMAN. Mr. President, will the Senator yield to me?

Mr. HILL. I yield.

Mr. SPARKMAN. Much has been said about the precedent set by George Washington. While my colleague is speaking about it, I should like to inquire whether it is true that in his Farewell Address, George Washington mentioned the fact that at the end of his first term he had actually prepared a farewell address, intending to give up the office at that time, but that he was prevailed upon to accept a second term because of the troubled conditions then existing? Is it not also true that at the end of his second term those conditions had cleared up to such an extent that he felt free to ask the people to relieve him; and did he not make the definite statement that patriotism did not forbid his taking that course?

Mr. HILL. The Senator is exactly correct. He accepted a second term only because of what he felt was the compulsion of duty to his country. He did not wish to have a second term.

Mr. SPARKMAN. Certainly it is fair to draw the inference from what he said there that had those conditions continued to exist at the end of his second term, he would have accepted a third term.

Mr. HILL. He practically said as much in his letter to the Marquis de Lafayette.

Mr. SPARKMAN. And he also indicated it in his Farewell Address.

Mr. HILL. Yes; he did in both his Farewell Address and in his letter to the Marquis de Lafayette.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. KNOWLAND in the chair). Does the Senator from Alabama yield to the Senator from Arkansas?

Mr. HILL. I yield.

Mr. FULBRIGHT. Inasmuch as the Senator from Alabama has been discussing George Washington's Farewell Address, let me inquire whether he recalls what Washington said in his Farewell Address about the growth of political parties.

Mr. HILL. Of course, at that time there were no political parties, as we know them today. George Washington did not favor political parties; the Senator from Arkansas is correct about that. But, after all, the question we are considering today has nothing whatever to do with political parties.

Mr. FULBRIGHT. George Washington spoke of the growth of political parties as being one of the great dangers to government, and I thought there possibly might be a little partisan politics involved in the joint resolution which is now before the Senate.

Mr. HILL. The Senator from Alabama is indeed correct about politics in the pending resolution, and I shall refer to it later in my remarks.

Mr. President, we know that none of the founding fathers was more strongly in favor of rotation in office than was Thomas Jefferson. No man feared autocratic power more, or was more conscious than he of the threat of autocratic power. Yet we find the following statement made by Mr. Jefferson in a letter written on January 6, 1805, to his friend, Colonel Taylor, of Virginia:

> There is, however, but one circumstance that could engage my acquiescence in another election; to wit, such a division about a successor as might bring in a monarchist. But this circumstance is impossible.

That statement by Thomas Jefferson shows that although he was the strongest advocate of rotation in office, nevertheless he recognized that there might arise a situation involving a danger and an emergency in which he himself would favor a continuation in office of the President.

Mr. President, I believe that Alexander Hamilton is generally credited as being, if not the founding father, certainly the spiritual father of the Republican Party. I wish to call the attention of the Senate, and particularly the attention of my Republican friends on the other side of the aisle, to what Alexander Hamilton had to say on the question of a limitation of the Presidential term. In the Federalist he wrote that the President—

> Is to be elected for 4 years, and is to be eligible as often as the people of the United States shall think him worthy of their confidence.

Then he added:

> There is no nation which has not, at one period or another, experienced an absolute necessity of the services of particular men, in particular situations, perhaps it would not be too strong to say to the preservation of its political existence. How unwise, therefore, must be every self-denying ordinance, as serves to prohibit a nation from making use of its own citizens, in the manner best suited to its exigencies and circumstances.

Mr. President, in connection with this statement by Alexander Hamilton, it is interesting to think of Winston Churchill and of the conditions which existed in Britain at the time when Mr. Churchill came into office during the past war. It is not necessary for me to attempt to depict those conditions to the Senate. I think most of us have wondered what might have been the fate of Britain but for the courage and leadership of Mr. Churchill in that dreadful hour.

John Quincy Adams spoke on this subject. He saw no reason for a limitation on the tenure of office or the number of terms which a President might serve. Other of the founding fathers—James Wilson, Gouverneur Morris, and Roger Sherman, who likewise were members of the constitutional convention—had strong convictions on the subject; they were opposed to any limitation on the people in their right of free election of their President.

Perhaps one of the best statements ever made on this subject was made by a former President of the United States when he was a Member of the House of Representatives. I refer to James Buchanan. In 1829, on the floor of the House of Representatives, he had the following to say:

> The day may come, when dangers shall lower over us, and when we may have a president at the helm of State who possesses the confidence of the country, and is better able to weather the storm than any other pilot; shall we, then, under such circumstances, deprive the people of the United States of the power of obtaining his services for a second term? Shall we pass a decree, as fixed as fate, to bind the American people and prevent them from ever reelecting such a man? I am not afraid to trust them with this power.

Mr. President, in those words Representative Buchanan, later President Buchanan, summed up eloquently and conclusively the case against the pending amendment.

To come to a more recent period, let me refer to a Republican who challenged my admiration more than any Republican of our time, Theodore Roosevelt. Let me read what he said:

> If, for instance, a tremendous crisis occurred at the end of the second term of a man like Lincoln, as such a crisis occurred at the end of his first term, it would be a veritable calamity if the American people were forbidden to continue to use the services of the one man who they knew, and did not merely guess, could carry them through the crisis. * * *
>
> While it is well to keep it as a custom, it would be a mark both of weakness and of unwisdom for the American people to embody it into a constitutional provision which could not do them good and on some given occasion might work real harm.

Mr. President, why put such an amendment as this in the Constitution? Of some 32 different Presidents only one has been elected for more than two terms. Can we not trust the wisdom, the judgment, of the people of the United States? Why put the iron hand of this rigid prohibition on the people of the United States?

The great protagonist and contemporary of Theodore Roosevelt, Woodrow Wilson, spoke on this subject, too. When he was asked about limiting a President to one 6-year term, with prohibition against reelection, he made the following statement——

Mr. LUCAS. Mr. President, will the Senator yield before he leaves Theodore Roosevelt?

Mr. HILL. I yield.

Mr. LUCAS. The Senator was discussing what Theodore Roosevelt said. He will also remember that Theodore Roosevelt said at one time after finishing his second term, he would never be a candidate for President again. That was in 1908.

Mr. HILL. He did.

Mr. LUCAS. But we all recall that in 1912 he threw his hat in the ring. I think those were the very words he used, "My hat is in the ring." It will also be recalled that at that time, in 1912, Theodore Roosevelt, being a candidate for President for a third time, got more votes than did President Taft, who was then running for a second term.

Mr. HILL. The Senator is exactly correct, and I was coming to that later in my remarks.

Mr. LUCAS. My only reason for interrupting was that I thought the Senator was leaving the discussion of Theodore Roosevelt.

Mr. HILL. No; I expected to return to Theodore Roosevelt, who was such a dynamic man that it is difficult at times to refrain from discussing him. Roosevelt received 88 and Taft received only 8 electoral votes in the election of 1912. But I shall come to that in a moment, if the Senator will bear with me.

I was about to quote that Woodrow Wilson said on this question:

> Put the customary limitation of two terms into the Constitution, if you do not trust the people to take care of themselves.

That is the whole question here today: If we do not trust the people, if we do not have faith in the people to act with wisdom, to act with sound judgment, to act with intelligence, to do that which is wisest and best, then we are justified in limiting them in their actions by such a constitutional amendment as the one now proposed.

Woodrow Wilson also said:

> We singularly belie our own principles by seeking to determine by fixed constitutional provision what the people shall determine for themselves.

We say we believe in the people, that the people should be sovereign, that they should be the ruler, and, indeed, that they are the rulers. But as Woodrow Wilson well said, we singularly belie those expressions and principles of democracy—

> By seeking to determine by fixed constitutional provision what the people shall determine for themselves.

Mr. BALDWIN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Connecticut?

Mr. HILL. I yield.

Mr. BALDWIN. I have listened to much of the argument advanced by the learned Senator from Alabama, but on the particular point he is now raising, let me inquire would it not be the people who were deciding for themselves if this joint resolution were passed and the whole question were submitted to conventions in the several States? A great many people think this would be a good constitutional change. Why not let them decide that question for themselves?

Mr. HILL. In theory, it would be the people deciding, perhaps, but we know something about conventions; we know something about how delegates are elected; we know something about what happens in conventions. Why should we submit this question to conventions, when the people themselves, by direct vote, by going to the ballot boxes and themselves voting, could pass on the question? I shall come to that point later.

The Senator from Connecticut refers to constitutional conventions, and I notice that the joint resolution reported by the Committee on the Judiciary proposes to submit the question of ratification to constitutional conventions in the States. Having been a Member of Congress for a long time, and having observed conference committees over a series of years, I have serious doubt whether the pending measure, if it shall be passed by the Senate, will come out of the conference with a provision for ratification by constitutional conventions. When the resolution was before the House of Representatives the gentleman from Mississippi [Mr. COLMER] offered an amendment to have the question submitted to constitutional conventions rather than the State legislatures, and the Colmer amendment was shouted down. Knowing conferences with the House as I do, I rather fear that when this provision goes to conference the House conferees will be found standing adamant in their insistence that the House provision be accepted and that the amendment be submitted to the State legislatures.

I shall discuss that question a little later in my remarks, but I may say to the Senator now that if this amendment is submitted that it will go to the people with a certain recommendation from the Congress; it carries a congressional imprint which gives it a certain urge, as it were, for approval by the people.

Mr. BALDWIN. Mr. President, will the Senator yield further?

Mr. HILL. I yield.

Mr. BALDWIN. In the election of 1940, and again in 1944, did not upward of 20,000,000 people in the United States express the opinion that they thought the President ought not to serve more than two terms? Of course, that was intermingled with the other issues in the campaign, but it is well to use that as an argument against, as well as an argument for, the Senator's position.

Mr. HILL. The Senator from Connecticut indulges in a violent presumption when he says that all the 20,000,000 people voted on the third-term issue. For instance, I do not imagine my able and distinguished friend from Connecticut would have voted for the Democratic candidate, regardless of whether there had been any question of a third term. I am sure he would not have voted for the Democratic candidate.

Mr. BALDWIN. Will the Senator yield?

Mr. HILL. I yield.

Mr. BALDWIN. The Senator says I am indulging in a violent presumption by suggesting that upward of 20,000,000 people voted against a third or a fourth term. I might remind my good friend that he is also indulging in a more violent presumption in intimating that twenty-three-million-odd people voted for it. So it cuts both ways.

Mr. HILL. Twenty-three-million-odd people exercised their right to continue a man in office for a third term.

Mr. LUCAS. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. LUCAS. I should like to know where all the excitement with respect to the proposed constitutional amendment arises. The Senator from Illinois has received exactly eight letters from his constituents on this question. That is a pretty fair indication that the people of Illinois and of the Nation are not very much excited about the constitutional limitation which it is now sought to write into the Constitution. They are more interested in the high cost of living; in the portal-to-portal pay bill; and in other labor measures than they are in this particular question. This is a political issue, and that is all there is to it. Consider the vote in the House of Representatives. The record in the House of Representatives—and the able Senator from Wisconsin [Mr. WILEY] used it as an argument on Wednesday last—shows that 44 Democrats voted favorably on this issue. The Senator from Wisconsin did not state the fact that in the House of Representatives not a single Republican voted against this issue; yet this is referred to in the discussion as being a nonpartisan approach to a great question of this kind.

Mr. HILL. Of course, as the Senator from Illinois suggests, if this were not a political matter it would not be rushed on to the floor of the Senate without hearings.

Mr. LUCAS. Of course not.

Mr. HILL. It would not be rushed in ahead of all the important legislation to which the Senator has referred.

Mr. BALDWIN. Mr. President, will the Senator yield, to permit me to answer the statement about this being a political matter?

Mr. HILL. I yield.

Mr. BALDWIN. I think that is rather a ridiculous assumption to make. Of course it is political. Ours is a political form of government, a party form of government, and we are only fooling ourselves when we say we are not indulging in politics. I hope we are indulging in politics of the highest order, politics in the sense of politics being the science of government. In this situation I should like to quote as authority the founder of the Democratic Party who, away back in 1805, said:

> The service for 8 years with a power to remove at the end of the first four, comes nearly to my principle as corrected by experience; and it is in adherence to that, that I determine to withdraw at the end of my second term. The danger is that the indulgence and attachments of the people will keep a man in the chair after he becomes a dotard, that reelection through life shall become habitual, and election for life follow that.

May I say further——

Mr. HILL. Mr. President, I do not wish to be discourteous to the Senator, but I should prefer that he make his speech in his own time, because I should really like to proceed.

Mr. BALDWIN. I beg the Senator's pardon.

Mr. HILL. I yield. I do not want to be discourteous.

Mr. BALDWIN. I close by saying that I understand the Senator does not subscribe to that pronouncement of doctrine by Thomas Jefferson.

Mr. HILL. I do not know whether the Senator was on the floor at the time, but I read to the Senate a little earlier in my remarks the doctrine of Thomas Jefferson to which I subscribe, a doctrine expressed by Thomas Jefferson in the year 1805, when, in a letter written to Colonel Taylor, of Virginia, on January 6, 1805, Mr. Jefferson said:

> There is, however, one circumstance that could engage my acquiescence in another election; to wit, such a division about a successor as might bring in a monarchist. But this circumstance is impossible.

In other words, Jefferson says that there might arise circumstances or conditions involving danger or an emergency, and in such event he would acquiesce in another election.

Mr. BALDWIN. In answer to my good friend, I am of the opinion from reading other statements made by Jefferson, that his final decision was that whatever the circumstance might be other considerations against a third term far outweighed the arguments for it. It seems to me that is the point.

Mr. HILL. I think not. I think Jefferson's language speaks for itself. I think it is very clear. Mr. Jefferson's language is clear that under certain circumstances he would acquiesce in another election.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Possibly this is not the appropriate time to ask the question I am about to ask, and if it is not, the Senator, I hope, will tell me so; but he has quoted Washington, Hamilton, Buchanan, Wilson, and Theodore Roosevelt, all of whom were in positions of authority and responsibility many years ago. In the last 30 years many changes have taken place in forms of government throughout the world. We have seen greater concentrations of power, including a much greater concentration of power in the Government of the United States. Does not the honorable Senator think that that alters the situation, so that the opinions of many of those he has cited have become out of date, and does he not believe that the question before us today concerns much more the last 30 years than anything that had happened during the previous 200 years?

Mr. HILL. No; I think that the dictatorships of recent years are a reversion to early tyrannies in that power has been taken out of the hands of the people, as the Senator from Massachusetts suggests and put into the hands of the few. The Senator will recall that Woodrow Wilson spoke about fighting World War I to make the world safe for democracy. Unfortunately and tragically most of the democracies that came into being at the end of that war, and that were in existence at that time, have ceased to be.

The power has been taken out of the hands of the people and put into the hands of a few. That is the very reason that I am so strongly opposed to this proposed constitutional amendment. I want the power to remain in the hands of the people. I trust the people. I have faith in them. I do not want to deny them this power.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. LUCAS. As a thought-provoking answer to the question raised by the distinguished Senator from Massachusetts I should like to remind the Senator that when the founders of the Republic gave birth to the Constitution of the United States they had been living under a king for many long years. Much is said today about dictatorships. We know that kings of that day were just as ruthless, arbitrary, capricious, brutal, and vile as any dictators who have appeared on the scene in later years.

Mr. HILL. We know too that every nation in the world, except our own and tiny Switzerland, was under an absolute king or monarch.

Mr. LUCAS. That is correct and notwithstanding that experience of being governed by kings which the founders of the Republic had for many years they set forth, after long and bitter debate, what we find in the Constitution today.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HILL. Yes; I yield.

Mr. SALTONSTALL. May I say in reply to the distinguished Senator from Illinois, that the quotations from the early Presidents and others in authority in our history showed that they wanted no man to remain in office for too long a time.

Mr. HILL. The quotations show that those men wanted the people to retain the power, and the right to use their wisdom and their best judgment in continuing a man in office, in a great crisis or emergency. That is what they show.

Mr. President, it has not been very long since the leonine Senator Borah, of Idaho, sat on this floor. Many of us who are present today had the great privilege of serving with him. It is interesting to note what Senator Borah had to say. Speaking on this floor not many years ago, he stated:

> One of the fundamental reasons for opposing the joint resolution—

That was a resolution, of course, to limit the term, to limit the right of the people to elect their President—

> One of the fundamental reasons for opposing the joint resolution is that the people who could be trusted to determine whether or not they desire a President for a second term may also be trusted to determine whether or not they desire a President for a third term.

In other words, Senators in favor of this amendment are saying, "Well, we will let them elect the President the first time; we will let them elect him the second time; but we do not trust them so far as the third time is concerned. We who oppose the amendment have faith in their wisdom, in their judgment, in their patriotism, to let them determine whether they think it is to the best interests of our country, and whether they feel that the needs and the conditions of our country demand that a President be retained in office."

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Illinois.

Mr. LUCAS. Does the Senator understand that an amendment will be proposed, limiting Senators to two terms?

Mr. HILL. If it is, I readily predict it will not receive a handfull of votes.

Mr. LUCAS. I was told that a Senator was thinking of introducing such a bill. It was one of the rumors that go around and which we hear.

Mr. OVERTON. Mr. President, will the Senator yield to me?

Mr. HILL. I yield to the Senator from Louisiana.

Mr. OVERTON. For many years in the State of Louisiana we have enjoyed—and I used the word "enjoyed" advisedly—a constitutional inhibition against the Governor of the State succeeding himself. He can have one term of 4 years. A similar provision is to be found in the constitutions of other States. Am I to be told that the people of such States which have adopted such a provision have no confidence in themselves? These State constitutions were for the most part adopted by the people.

The constitutional amendment under consideration would be submitted for ratification to the people assembled in conventions in the different States. Why cannot the people of the United States say, "We think it is unsafe for a President to have the power to succeed himself for a fourth term?" Why cannot the people say, "In our opinion the President, who may be popular and who may be persuasive, and who may have a greedy grasp for power will, the longer he remains in office, be more able to control the elections, and he will by virtue of his high office be in a position to exercise a potent political influence for his own benefit and his own aggrandizement"?

That, Mr. President, is the attitude of the people of my State. It is not that they do not have any confidence in themselves; but they do not have such a superlative degree of confidence in the elected Chief Executive as to say that he might not use the power of his office for political purposes.

Mr. LUCAS. I was wondering if the Senator from Louisiana thinks we made a mistake in 1940?

Mr. OVERTON. Indeed, I do. When Roosevelt announced for a third term, I came out openly in the newspapers and opposed his nomination. And when he announced for a fourth term, I opposed his nomination. But after he was nominated, being a Louisiana-born, dyed-in-the-wool Democrat who never scratched the Democratic ticket in his life on general election day, I went through and "stamped the rooster," which is the emblem of the Democratic Party in Louisiana, and thereby voted for all the Democratic electors and for every Democrat on the ticket from ward constable on up. But when it came to the nomination for a third and a fourth term, I recorded in the newspapers, not once but a number of times, my opposition to the renomination of Roosevelt to be President of the United States. I am sorry the Senator from Illinois does not keep up with current history.

Mr. LUCAS. Oh, I know the Senator was against the renomination of President Roosevelt in the convention, but I was wondering what he did in the general election. He now takes such an unqualified position and pleads so eloquently against the great danger that is involved that I do not see how he could have supported Roosevelt in 1940 under such conditions.

Mr. OVERTON. Oh, there are other reasons, and I think the Senator knows the other reasons. In Louisiana we have got to be Democrats. We have got to be Democrats because we want a Caucasian government in Louisiana, and that is the best way to have it.

Mr. HILL. Mr. President, my good friend the Senator from Louisiana was in effect propounding a question to me in what he said. Permit me to say that I can see no analogy whatever between the Governor's office and the office of the President of the United States. With all due respect to the Governor and to his office and to its powers and importance, that office, in respect to its importance to the people of the United States, in respect to the problems which may or will confront it, is not in any way whatever comparable to the office of President of the United States.

There has never been any office in all the world's history that has placed so much responsibility upon the shoulders of one man, that has brought so many problems for solution to any one man, that involves so much so far as the fate of his country and of other countries are concerned, as the office of the President of the United States does today.

Mr. OVERTON. Mr. President, will the Senator again yield to me?

Mr. HILL. I yield.

Mr. OVERTON. That is the very reason I favor this constitutional amendment. There is vested in the President of the United States not only a greater responsibility than that vested in any governor but there is vested in him an infinitely greater power. When he becomes President of the United States to serve for two terms there is an opportunity for him not only to be elected for a third term by reason of the exercise of the tremendous power which he has, but to make a life termer of himself. That is a danger which we confront. From that we might drift into a dynasty.

Mr. HILL. The Senator has branched off onto the subject of dynasties. I do not want to enter into a discussion of that subject. I want to talk about democracy.

Mr. OVERTON. I understand that. A governor has a great deal of power. The President has much greater power. At the time of the adoption of the Constitution the governors of the several States had greater powers than did the President. But gradually the central government has encroached upon the powers of the local governments. Greater and greater power has been concentrated in the hands of the President until, when elected, he stands like a great giant over the body politic of the United States, and he cannot only succeed himself for a second term but, if he desires, he has a very good opportunity to succeed himself for a third term, a fourth term, and a fifth term until he perishes in his office.

Mr. HILL. Of course, the President has no power whatever to continue himself in office for a second term, a third term, or for any other additional term or terms. The only way any man can be President of the United States is by the suffrage of the people of the United States.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. BALDWIN. I take it the Senator believes there has been no man in the history of the United States who relied more firmly on the belief that the people knew what was best for them than did Thomas Jefferson. Is that not so?

Mr. HILL. Thomas Jefferson certainly had great faith in the people.

Mr. BALDWIN. Undoubtedly he had great faith in the people. My good friend from Alabama a little while ago read a letter which Thomas Jefferson wrote to Mr. Taylor in 1807, as I recall, in which there was an intimation to the effect that if the country were in difficulty at the time of the ending of his second term that might be occasion for his continuing in office. Is that correct?

Mr. HILL. That was not his language, but that was the gist of what he said.

Mr. BALDWIN. If I may I should like to read excerpts from a letter written by Thomas Jefferson to Henry Guest in January 1809, which, as I recall, was after Jefferson ceased to be President. He said:

> I am sensible of the kindness of your rebuke on my determination to retire from office at a time when our country is laboring under difficulties truly great. But if the principle of rotation be a sound one, as I conscientiously believe it to be with respect to this office, no pretext should ever be permitted to dispense with it, because there never will be a time when real difficulties will not exist, and furnish a plausible pretext for dispensation. You suppose I am "in the prime of life for rule." I am sensible I am not; and before I am so far declined as to become insensible of it, I think it right to put it out of my own power.

Apparently between the time Jefferson wrote the letter to Mr. Taylor and the time he wrote the letter to Mr. Guest he may have had a change of heart. Nevertheless, it seems to me, Mr. President, that the later statement of Thomas Jefferson is most conclusive on the subject of whether or not difficulties can be so great as to require that a man be continued in the Presidential office.

I thank the Senator from Alabama for yielding to me.

Mr. HILL. As I understood what the Senator from Connecticut read, Jefferson made some reference to his physical condition. The idea was that his physical condition, among other things, would not permit him to accept the place for a third term. But when he was physically sound and able to carry on the office he declared that there was a circumstance under which he would acquiesce in continuing in office.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. BALDWIN. The language used by Thomas Jefferson was this:

> But if the principle of rotation be a sound one, as I conscientiously believe it to be with respect to this office, no pretext should ever be permitted to dispense with it.

Mr. HILL. The Senator from Connecticut simply took a sentence from the context. He must go further and read the statement of Mr. Jefferson which I read.

Mr. STEWART. I was not in the Chamber when the Senator from Alabama began his address. Reference was made by the Senator from Connecticut to the fact that we often refer to Thomas Jefferson as the founder of the Democratic Party, which is correct. I do not know whether the Senator from Alabama quoted from the founder of the Republican Party on this subject, but I have before me a quotation from Alexander Hamilton.

Mr. HILL. I will say to my friend that I quoted from Alexander Hamilton.

Mr. STEWART. He was the founder of the Republican Party. In a letter which appears in the Federalist, and in which he had written in March 1788,

when the newly drafted Constitution was being circulated among the States for approval, Mr. Hamilton said, in supporting the framers of our Constitution in their position that no limitation should be placed upon the number of terms a man might serve as President of the United States:

A fourth ill effect of the exclusion (that is, limitation on number of terms) would be the banishing of men from stations in which, in certain emergencies of the state, their presence might be of the greatest moment to the public interest or safety. There is no nation which has not, at one period or another, experienced an absolute necessity of the services of particular men in particular situations; perhaps it would not be too strong to say to the preservation of its political existence. How unwise, therefore, must be every such self-denying ordinance as serves to prohibit a nation from making use of its own citizens in the manner best suited to its exigencies and circumstances. Without supposing the personal essentiality of the man, it is evident that a change of the Chief Magistrate at the breaking out of a war—

How prophetic his words were—

or at any similar crisis, for another, even of equal merit, would at all times be detrimental to the community, inasmuch as it would substitute inexperience to experience, and would tend to unhinge and set afloat the already settled train of the administration.

If that is repetition—which it perhaps is to a certain extent—I apologize to the Senator. But I wished to make that observation at this particular time because it seems that the founders of the two parties are somewhat at variance in their opinions. Last night I thought I had my mind pretty well made up on this question; but after reading considerable from Jefferson and Hamilton I find myself more at sea than ever. As a matter of fact, both of them seem to have weighed this question and to have expressed their opinions on both sides, as is often done here in the Senate.

As I say, I find myself somewhat disturbed as to how to vote on the question; but the chief thing to be decided here today, as I see it, is whether or not this question shall be submitted to the people, as, indeed, all resolutions which have for their purpose the amendment of the Constitution must be. But this question would not have arisen, would it, if it had not been for the fact that President Roosevelt was elected for a third and a fourth term.

Mr. HILL. The Senator is exactly correct. In the history of our country there have been approximately 170 such resolutions, none of which was able to muster sufficient strength or support from the people to pass both Houses of Congress.

Mr. STEWART. I remember on one occasion reading a statement by Jefferson, when he was insisting that perhaps there should be a limitation on the number of terms, to the effect that if such a limitation were not adopted in the early history of the country, perhaps it would never be adopted, because he had the feeling that the Government would continue to grow stronger and continue to encroach upon the liberties of the people, and that the liberties of the people would continue to be surrendered to such encroachment.

Mr. HILL. Instead of encroaching on the liberties of the people, the history of our country shows that the people have obtained more and more rights and greater and greater power. A study of the amendments to the Constitution—and I expect to refer to them shortly in my address—discloses that we have protected the people in their rights, and augmented and extended them.

As I stated a little while ago, so far as the election of President is concerned, instead of carrying out the original intent of having the President elected by the electoral college, almost from the beginning, as a practical matter, the President has been elected by the direct vote of the people.

So far as the President being able to continue himself in office is concerned, he has no power to do so. He cannot do it unless the people, by their suffrage, vote, to continue him in office.

It is most interesting to note in this connection that of the 33 Presidents of the United States, only 8 have served two full consecutive terms. As we know, Grover Cleveland served two terms, but they were not consecutive. But of the 33 Presidents we have had in the United States, only 8 have been able to serve two full consecutive terms; and of the eight only three have served since the War Between the States. During that whole period of 85 years since the War Between the States, only three Presidents have been reelected and have served for two consecutive terms.

Mr. LUCAS rose.

Mr. OVERTON. Mr. President, will the Senator yield so that I may address a question to both the Senator from Alabama and the Senator from Tennessee?

Mr. HILL. Mr. President, there are three Senators on their feet. Let the Senator from Tennessee conclude.

Mr. OVERTON. I should like to address one brief question to the Senator from Alabama and the Senator from Tennessee.

Mr. HILL. I yield for that purpose.

Mr. OVERTON. Is it not a fact that at one time Hamilton advocated a monarchy for the United States?

Mr. HILL. He advocated life tenure. Every schoolboy knows that.

Mr. STEWART. Mr. President, will the Senator further yield?

Mr. HILL. I yield.

Mr. STEWART. One interesting observation concerning Mr. Jefferson's insistence from time to time in his letters that there should be a limitation on the number of terms is that on one occasion, in one of his letters, written during the administration of George Washington, he stated, in effect, that the President then serving should not be subject to the two-term limitation because of the fact that he had merits and was an able man. I think that very observation weakens many of the statements Mr. Jefferson might have made in opposition to perpetuation in office, as he calls it.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. LUCAS. I should like to make a further observation with respect to Jefferson. Jefferson took the position, long before he was President of the United States, that the President should serve only one term.

Mr. HILL. That is correct.

Mr. LUCAS. He argued that question back and forth and broadcast his views to all parts of the country through letters; but he had no qualms about seeking reelection for a second term. He told the country that the people and the party were demanding that he accept a second term. That is history. That is exactly what Thomas Jefferson did. He went on to say, in his letter to Taylor, which the Senator has already read, that in a great emergency he would even take a third term.

Mr. HILL. The Senator is exactly correct.

Mr. President, I wonder if I might call the attention of the Senate at this time to a statement of the distinguished grandfather of the distinguished junior Senator from Massachusetts [Mr. LODGE], the late Senator Henry Cabot Lodge, Sr., in which he said:

I have no fear that they [the American people] can be fully trusted with the power to say whether or not a man shall serve a second term or a third term.

The pending joint resolution, which seems to be so strongly supported by Senators on the other side of the aisle, Members of the Republican Party, found no such support by Republicans in past days. In 1880, 306 delegates to the Chicago Republican Convention held out for 36 ballots for the nomination of Gen. Ulysses S. Grant, who was running for a third term. The roll was called 36 times, and on each and every one of those 36 roll calls the faithful Old Guard of Republicans held out for a third-term nomination for General Grant. As we know, of course, it was only when General Garfield was brought forward as a compromise candidate that the convention was able to make a nomination, and it nominated General Garfield.

In 1912, 4,206,020 Republicans voted for Theodore Roosevelt for a third term. Theodore Roosevelt received 88 electoral votes. Only 3,483,922 Republicans voted for President Taft, and President Taft received only 8 electoral votes. So the majority of Republicans voting in the election in 1912 felt that the situation was such that a former President should be put back in office for a third term. They felt, in spite of what their feelings might be about two terms or any other limitation on the Presidency, that the situation at that time warranted them in voting to put Theodore Roosevelt back into the Presidency for a third term.

The Senator from Illinois has referred to the politics of this situation. We might as well be frank. We know that there are some who still hate and fear Franklin D. Roosevelt. There are some who would like to slap at the ghost of Franklin D. Roosevelt.

There are legitimate reasons why one might support this resolution; but surely there are some who would support it in an effort to repudiate the memory, the work, and the immortal services of Franklin D. Roosevelt.

History shows that in the 85 years since the War Between the States, only one Republican President has been elected for two full terms. That Presi-

dent, of course, was Gen. Ulysses S. Grant. No other Republican President has ever been able to serve two full terms in all that 85 years of time. Perhaps it is feared that the Democratic Party, the party of Jefferson, of Jackson, of Wilson, of Roosevelt, may suddenly bring forth another great giant among men, and that the American people, if they have the right to do so, may wish to continue him in office for more than the customary two terms. The people may feel that it is to the best interests of the country, and that it is the better part of wisdom, to keep so great a President in the Presidential office.

As I said a few minutes ago, the whole tenor of our Government has been toward a greater degree of democracy and placing more power in the hands of the people. There is not an action which we have taken in the amendment of our fundamental law, the Constitution, which was in any way a negation of representative democracy.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Connecticut.

Mr. BALDWIN. I take it that there have been few men in the history of the United States who have believed more strongly in the rule of the people than did Andrew Jackson. Is that correct?

Mr. HILL. Yes; and I know what the Senator is about to say. He is about to say that Andrew Jackson, in his first and second messages to Congress, recommended that the Presidency be limited to one term, and then took a second term himself, and that he proceeded to name his successor. No man in the history of our country ever named his successor as completely as did Andrew Jackson in naming Martin Van Buren.

Mr. BALDWIN. Mr. President, will the Senator yield to permit me to read from those two messages?

Mr. HILL. If the Senator wishes to read them into the RECORD I am glad to have him do so. I hope the Senator will put some "punch" into it.

Mr. BALDWIN. Mr. President, this quotation comes from President Jackson's message in which he was discussing the change in the Constitution with reference to the electoral college, which he recommended. He then went on to say—and I shall try to imitate the vehemence of that great citizen:

> In connection with such an amendment it would seem advisable to limit the service of the Chief Magistrate to a single term of either 4 to 6 years.

In his second annual message to Congress, in December, 1830, he said this:

> I cannot too earnestly invite your attention to the propriety of promoting such an amendment of the Constitution as will render him ineligible after one term of service.

That is what he believed.

Mr. HILL. No one admires Andrew Jackson more than I do. He has been one of my great heroes, one of the great figures not only of our country but of all the world. But Andrew Jackson did what we sometimes see even in this body; he talked one way and later acted another way, because he declared himself to be in favor of one term and then accepted a second term.

Mr. BALDWIN. I did not suppose a Democrat ever did that.

Mr. HILL. Oh, yes. I will say to the Senator that I realize I am divulging a great secret, but once in a while a Democrat might do that for the reason that men change their minds. I have found that the greater a man is the more likely he is to change his mind; certainly the more ready he is to change his mind. I recall that on one occasion a friend of Abraham Lincoln rather chided him for changing his mind, but Mr. Lincoln's horse-sense reply was, "It is an exceedingly dumb man who doesn't have more sense today than he had yesterday."

After Andrew Jackson had been in office as President of the United States, he had the experience and the knowledge which came from serving in that office. He was a wiser man when he accepted a second term than he was when he declared against a second term.

Mr. BALDWIN. Mr. President, will the Senator yield further to me?

Mr. HILL. I yield to my friend, the Senator from Connecticut.

Mr. BALDWIN. Does it not seem, then, that a man who makes a statement that he will serve only one term or only two terms, and then changes his mind, brings about a situation which ought not to be permitted to exist? It is along that route, it seems to me, that dictatorships move. That is why, Mr. President, I believe that now is the time, in the calmness of this hour, that we should submit this question to the people, to let them decide it, as the joint resolution proposes to let them do, in the conventions which would be set up under its provisions.

Mr. HILL. Mr. President, what is it that the Poet said about consistency and little minds going together? Perhaps my distinguished friend, the Senator from Arkansas [Mr. FULBRIGHT], who is a graduate of Oxford, could give us the exact words. There is no question that the smaller the man, the smaller the mind, the more routine and consistent and rigid he is in his conduct and his views. It is the man of great mind and intellect, of great comprehension, and a genius for large affairs, a man such as Abraham Lincoln, who realizes that he has more sense today than he had yesterday, and who makes today's decision on the basis of his knowledge, experience, and intelligence of today, not on the basis of a decision which he made at some prior time.

Mr. President, as I was saying, a majority of the Republicans of 1912 voted for Theodore Roosevelt for a third term. In that connection it is interesting to note the votes cast for Franklin D. Roosevelt. In 1940, 27,243,466 Americans voted for Franklin D. Roosevelt to continue in office for a third term. Twenty-two million three hundred and four thousand seven hundred and fifty-five Americans voted for Wendell Willkie. So a majority of approximately 5,000,000 votes were cast for Franklin D. Roosevelt for a third term. Mr. Roosevelt received 449 electoral votes, while Mr. Willkie received only 82 electoral votes. Mr. Roosevelt carried 38 of the 48 States.

In 1944 the question was not a third term, but a fourth term for Mr. Roosevelt. He received 25,603,152 votes, and Mr. Dewey received 22,006,616 votes. In other words, Mr. Roosevelt received approximately 3,600,000 more votes than Mr. Dewey did, when the question was whether Mr. Roosevelt should be elected for a fourth term. Mr. Roosevelt then received 432 electoral votes; Mr. Dewey received only 99 electoral votes. Mr. Roosevelt carried 36 States, or three-fourths of all the States of the United States, when he was running for election for a fourth term.

In view of the votes for Theodore Roosevelt in 1912 and in view of the votes for Franklin D. Roosevelt in 1940 and 1944, Mr. President, is it surprising that today there is no demand from the people for the adoption of the constitutional amendment proposed by the joint resolution? The Senator from Illinois said he had received only eight letters about such a constitutional amendment. I can say that I have received no letter, no telegram, no telephone call, not one word from anyone, about such a constitutional amendment. If there be any real support among the people for such a constitutional amendment, it is so small that not even one person has been able to get himself a job as a lobbyist to come before the Congress and try to have it pass the joint resolution proposing such a constitutional amendment. So far as I know, there is no call, no demand, no request on the part of anyone for the passage of the joint resolution and the adoption of such an amendment to the Constitution.

The people realize that they are sovereign in this country. The first words in the Constitution of the United States are:

> We the people of the United States • • • do hereby ordain and establish this Constitution for the United States of America.

The people are the residuaries of all power.

They are not here today asking us to take away from them some of their power. The limitations provided by the Constitution are not limitations on the people, but they are limitations which the people placed on the Congress, on the Chief Executive, and on the judiciary. The Constitution provides that the Congress shall not pass an ex post facto law or a law prohibiting freedom of religion, freedom of speech, or freedom of the press. The inhibitions provided by the Constitution, Mr. President, are upon the Congress and the Chief Executive and the judiciary, but not upon the people.

As I said earlier in my remarks, all the steps that have been taken in the development of our Government have been in the direction of more democracy, more power in the hands of the people, and a greater exercise of such power. In fact, we know that the Constitution could not be ratified by the people until the first 10 amendments were agreed upon, and those 10 amendments were written into the Constitution in order to absolutely protect and safeguard the people in their great fundamental, individual rights.

Other amendments subsequently were made a part of the Constitution. One is the amendment providing for the direct election of Senators, so that those who sit in this body must hold their commissions directly from the people themselves, and the qualifications and fitness of those who hold seats in this body must be passed upon by the people when they go to the ballot boxes in their respective States.

Another amendment to the Constitution is the one providing for woman's suffrage. That amendment gives to a great body of our people, the women, the right to vote, the right to take part in elections, the right to have their say as to who shall be President of the United States, who shall sit in the Senate, who shall sit in the House of Representatives, who shall represent them, who shall pass their laws for them.

Mr. BALDWIN. Mr. President, will the Senator yield to me?

Mr. HILL. I yield to my friend, the Senator from Connecticut.

Mr. BALDWIN. I should like to make this inquiry: Does not the Constitution of the State of Alabama provide that the Governor of that State can serve for only one term, and cannot succeed himself?

Mr. HILL. The Constitution of Alabama provides that the Governor of Alabama may serve as many terms as he can be elected to but that he may not be his own immediate successor. But let me say to the Senator from Connecticut, as I said a short time ago to the Senator from Louisiana, that I can see no analogy whatever, today, between the office of governor of a State and the office of President of the United States. I elucidated a little earlier what I thought about that. I suppose the Senator was called off the floor on some important matter. The duties, responsibilities, and problems and burdens of the President of the United States, his importance to the people of the United States, his importance to the people of all the world, cannot be compared with those of the governor of a State.

Mr. BALDWIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. YOUNG in the chair). Does the Senator from Alabama yield to the Senator from Connecticut?

Mr. HILL. I yield.

Mr. BALDWIN. I am under the impression that a good many of the States in recent years have adopted that sort of an amendment to their constitutions. It did not used to be so. I am sorry I did not hear what the learned Senator said as to the reason why the people of Alabama adopted that kind of an amendment.

Mr. HILL. I have no objection to the State provision, just as I said to the Senator I have no objection to the custom, ordinarily of a man not holding the office of President for more than two terms. The fact is that as to a number of Presidents I am very glad indeed they served but one term.

Mr. BALDWIN. I share the Senator's view in that regard.

Mr. HILL. I do not care to make a political speech about this matter at this time, but, oh, I have lived through days under some Presidents when I was most thankful that the American people, exercising their sovereign rights, sent them back home, away from the White House.

Mr. BALDWIN. Will the Senator yield to one more question?

Mr. HILL. Certainly I yield to the Senator.

Mr. BALDWIN. It seems strange to me that my friend on the other side of the aisle should be quoting as his authority prominent Republicans, and I should be quoting as authority for my side the arguments of prominent Democrats. But there is one more Democrat whose views I should like to get into the record. He, too, I believe, was a man in whom the people had great confidence, and who in turn looked to the people for his guidance and had great faith in their wisdom and judgment. I refer to Grover Cleveland. In a letter accepting the nomination for the Presidency in 1884, he said:

> And of the means to this end not one would, in my judgment, be more effective than an amendment of the Constitution disqualifying the President from reelection.

Of course, Mr. Cleveland served two terms, but they were not consecutive. So he was very consistent in what he himself said and did.

Mr. HILL. Some historians tell us that Mr. Cleveland was not altogether, shall I say, unhappy over the thought that he might be called, or drafted, for a third term. Certainly he lost no sleep over that report, I will say to the Senator from Connecticut.

Mr. BALDWIN. I think that is the point that should be made, that these men, even though they put themselves on record as in favor of only one term, or two terms, yet when the time comes and the opportunity to continue themselves in office and in power is presented, they always yield. That is what this amendment to the Constitution would prevent.

Mr. HILL. The record shows that the people, in their wisdom and in the soundness of their judgment, did not under ordinary circumstances give a man a third term. Only one man in the whole history of the United States had a third term. I am not sure whether the Senator was on the floor or not, but I stated that of all the 33 Presidents, only 8 had had 2 full consecutive terms. As I said, only one Republican President has had two full terms in all the 85 years since the War Between the States.

Mr. BALDWIN. Will the Senator yield?

Mr. HILL. I yield.

Mr. BALDWIN. Of course, on the basis of that argument, I should be against the amendment, with the hope that a Republican might some time have the opportunity. I am willing to prevent it.

Mr. HILL. The Senator has many charming characteristics, and certainly one of them is his boundless optimism. [Laughter.] If the Senator is about to leave the floor I hope he will not do so at this time. The Senator knows, as well as I know, that if in 1912 and 1916 and 1932, whenever we had a Presidential election, the Republican Party had nominated a man for a third term, as a good Republican the Senator would have been campaigning to the limit of his ability to elect that Republican for a third term.

Mr. BALDWIN. Again I say, that is the very vice of the whole system. That should not be possible.

I am sorry the Senator has asked me not to leave the floor, because I have a meeting with a delegation I must attend. I should like nothing better than to remain and listen to the Senator.

Mr. HILL. My distinguished friend sheds such an aura of optimism around this Chamber that I really like to have him here, but I well understand the situation which compels him to leave, and I want him to know it has been a pleasure to yield to him.

Mr. BALDWIN. I thank the Senator.

Mr. LUCAS. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield to the Senator from Illinois.

Mr. LUCAS. What is difficult for me to understand, in weighing the arguments of the proponents of the amendment, is this: Everyone knows that if the amendment is ratified it will be an absolute limitation upon the sovereign rights of the people. In my early days in grade school and in high school I studied civics and history. I have always understood that ours is a government of the people, and that the people have the right to make a choice of a man for President of the United States, and that it is the only government in the world where the people have such a right. Now a proposal is made to amend the Constitution by inserting a limitation of the kind proposed, taking away that right from the people of the United States. It is in violation of a fundamental principle of human rights. I consider the proposal dangerous to our liberties.

Mr. HILL. The Senator is exactly correct. I think he had to leave the floor for a few moments, but I called attention to the fact that the very first words in the Constitution are "We the people." All the rights, all the powers, belong to us, the people, except and save as we may delegate them to government, either to the Federal Government, to the States, or to some local government.

As I said also, all the limitations in the Constitution are on the Congress to protect the people, they are on the Chief Executive to protect the people, they are on the judiciary to protect the people. There are no limitations in the Constitution on the people. Now it is proposed that a limitation be put on the people, an iron prohibition to strike at the very cornerstone of democracy, the cornerstone of the rule of the people, which is the ballot box.

Mr. LUCAS. The Senator is absolutely correct, if he will pardon a further interruption—and I shall not concern myself much longer with the question in the Senator's time. It has seemed to me very strange when in the last few years I have heard, times without number, the argument made by those on the other side of the aisle that this administration was continuously whittling away the rights of the people, that we were constantly encroaching upon State governments, and upon the individual rights

of the citizens of this country, to such a point that unless they removed the Democratic administration from office in Washington there would be a dictatorship. They charged over and over that the administration was gradually taking away the sovereign rights of the people.

Mr. President, the proposal before us is the real beginning of the taking away of the basic, sovereign rights of the American people, because the right of franchise is the most sacred right existing in this country today. This is one of the few places left in the world, as I said a moment ago, where people can exercise their free choice. Ours is still the people's government, and under no circumstances should they be deprived of their right to pass, by a straight-out vote at a national election, on who shall be President, just as was done in 1940 and 1944.

The Senator remembers that in 1940 billboards all over the United States carried a picture of Uncle Sam with his thumbs down on the third term. It was a big issue in that election, and the people made a choice, and I think they should have a right to do it again in the event circumstances like those in previous elections arise again.

Mr. HILL. The Senator is exactly correct in everything he has said, and I want him to take note of the fact that the first piece of legislation the Republican House of Representatives passes is the joint resolution proposing this constitutional amendment.

The first piece of legislation of any consequence that the Republican majority brings before the Senate—I am not ready to concede it will be passed, but the first piece of legislation of any consequence that the Republicans bring in when they obtain control of the Senate is a proposal by way of a constitutional amendment to try to take fundamental rights away from the people.

Mr. President, I was saying that the whole trend of Government in the United States was for more democracy, more power in the people, and I had referred to the woman's suffrage amendment and the direct election of Senators. Then, of course, there was the so-called lame duck amendment to bring the Congress closer to the people, to make the Congress more responsive to the will of the people, to make the Congress more directly representative of the wishes of the people. The whole course of our Government from the very beginning down to date has been toward more democracy, the enjoyment and exercise of greater rights by the people, the enjoyment and exercise of more power by the people. While we have advanced toward more democracy, while we have advanced for a greater rule by the people, we have found other nations throughout the world turning toward totalitarianism, toward autocratic rule. Today democracy in many countries is only a memory, and in its stead stands the denial of the rights of the people, the concentration of power in the hands of autocratic and ruthless leaders.

The pending proposed constitutional amendment would be a backward step; it would be retrogression; it would be traveling down the road of reaction; it would be a denial of democracy itself. It has been our proud boast for 170 years that the people of the United States are sovereign. Let us reject this proposed amendment and make sure that the people shall continue to be sovereign, that our Government shall continue to be in truth a Government of the people, by the people, and for the people.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point some remarks which I prepared the day after the death of the late Franklin D. Roosevelt.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FRANKLIN D. ROOSEVELT

We gather today in the shadow of a great sorrow. Not since Abraham Lincoln fell has this Nation suffered such a tragedy. Franklin Roosevelt was the foremost man of America. He was the foremost man of all this world. His death is a loss to the Nation and to the world so great that no one today can know just how irreparable it is. He, more than any other man, held the hopes of the world.

Who can forget those dark days of the depression when men with questioning eyes, deep in distress, walked the streets or tramped the highways, searching for the jobs that were not to be found—when those who had held the political and economic power of the land and who had directed its business and shaped and controlled its Government knew not what to do and literally gave up the ghost. Banks had gone down, hundreds of them, like autumn leaves before winter's wind, and the Nation hung on the brink of economic chaos and financial ruin.

Who can forget that gallant, brave spirit, with his smile of courage and his words of hope, as he took over the Presidency of our country and declared that we had nothing to fear but fear itself. He promised action, and he gave us action. He did the needful and the daring. He met the great crisis. He restored the confidence of the people.

Under his inspiring leadership America again knew her greatness and felt her power. Because of the fundamental justice of his program business and industry and labor and agriculture began the long climb back to strength and stability, and the Nation was saved.

His program gave us the strength and the power with which we wage victorious warfare today. As our Armies race to Berlin, as our Navy and Air Force sweep the Pacific, we know the contribution that Franklin Roosevelt made to the victory that he did not live to see but that awaits us. For he was a leader possessed with genius for large affairs and the imagination and capacity for great and world-encompassing decisions.

Under his leadership the Nation's resources, human and material, have been mobilized and its strength and productive capacity have been marshaled in a way that has astounded not only the world but ourselves as well. We have done the things that men counted impossible. We have brought the full power of the Nation's might against our enemies while giving untold aid and strength to the British, the Russians, and the Chinese. We have crossed the seven seas, saved the freedom of our people, beaten Hitler's master race, and made impossible the dreams of the Japanese war lords.

When Franklin Roosevelt gathered at the table of giants, with Churchill, Stalin, and Chiang Kai-shek, he stood forth as a leader of the giants, who knew them and understood them and commanded their confidence and their admiration.

With Churchill, he gave us the Atlantic Charter, and it was he who proclaimed the "four freedoms." He gave to us and our western world the good-neighbor policy which has grown surer and stronger through the years, brought 21 nations of this Western World, with one exception only, to stand side by side in the present war, and found its splendid fruition in the Mexico City Conference.

At Moscow, Teheran, Cairo, Dumbarton Oaks, and Yalta, Franklin Roosevelt gave leadership and direction to the course that led the United States, Great Britain, Russia, and China to lay the foundation stones for an international organization for the peace of the world. As we look to the final erection at San Francisco of the edifice of such an organization for peace into which must go so much of his handiwork, we know that, like Moses of old, he was permitted to look down upon the promised land but not to enter into it.

Today he was to join with his fellow countrymen in paying tribute to Thomas Jefferson. He fought the battle that Jefferson fought; he fought for the fundamentals that Jefferson gave us. He fought for human rights, human progress, and human welfare. He fought that the people might enter into their inheritance and that every man and woman in the Republic might have a stake in government. He fought that democracy might be real in this land and that those who inhabit it might enjoy its fruits. He fought for a better and fairer opportunity for all the people and that a new light might shine in their faces—the light of hope, of peace, and of security.

And now he stands with Washington, with Jefferson, with Lincoln, with Wilson. He has joined the choice and master spirits of all the ages.

Mr. President, I loved Franklin Roosevelt living and I love him now. He is not dead. Is Washington dead? Is Jefferson dead? Is Lincoln dead? Franklin Roosevelt will never die. The influence of his life and work, of all that he did and of all that he stood for, will grow with the progressing years. His spirit will lift the hearts and purposes of men, move and inspire them to noble endeavor and great works, and light the pathway for humanity down the centuries.

Mr. O'CONOR. Mr. President, I have listened with the greatest interest to the discussion by the able senior Senator from Alabama, and while I cannot agree with his conclusions, I must compliment him highly upon the earnestness of his presentation, and particularly upon the depth of his research.

In approaching the consideration of provisions of the pending joint resolution one is given pause by the realization that never before in the history of the Union has any constitutional limitation been imposed upon Presidential tenure.

Yet it cannot be stated that a proposal of this general nature is something novel. As an indication of the fact that it has been a recurring question, it might be noted that there have been 140 proposals in the Congress regarding the imposition of a limitation on Presidential tenure. While the Senate should not be diverted from a reasoned and sound course of action, merely because the Constitution has endured without such an amendment, this very fact should suggest the advisability of considering the proposal entirely as an abstract one, upon its merits. It would seem preferable to avoid unnecessary references to a single case in which the two-term custom was not followed lest the fundamental question might be lost sight of in the collateral, even perhaps

personal, references to the particular case. In this connection I wish to say that I recall that the able Senator from Wisconsin [Mr. WILEY] expressed such a sentiment a few days ago, a sentiment in which I heartily concur.

Limiting the consideration to what is best for the Nation, I favor passage of the joint resolution.

The primary purpose of this proposal is to allow the people of the Nation to decide for themselves whether they desire to have such a constitutional limitation. It would seem reasonable and proper that a proposal which has been recurring through the decades and has aroused such extended discussion and debate should be presented for decision by the people, who are entitled to have the Constitution conform to their wishes.

Nor should the Congress be deterred from taking such action by the contention that the Constitution is sacrosanct. The Constitution has been amended before, and doubtless will be amended again. As is, of course, known to everyone, the Constitution provides, by its terms, how it should be amended, thus indicating that even its framers recognized that developments in regard to the Nation's progress and economy might well warrant some modification.

In seeking now to provide a formal procedure for establishment of constitutional safeguards against long continuance in the Presidency, we are acting in accord with the thinking of the authors of the Constitution; otherwise, why the many safeguards which these men insisted upon? Why the early adoption of checks and balances to offset the accumulation of power in any branch of Government? Why the power of impeachment, of veto, of overriding a veto, of referendum, and repeal? Why the passage by the First Congress of the Bill of Rights? Why the insistence upon State rights?

And to whom was it given to maintain these defenses against unintended powers? It was given to Congress because this body had an ever-changing personnel and was beholden most intimately to the people. The authors of the Constitution, many of whom were members of the early branches of Government, were not so presumptuous as to suppose they had acted infallibly. As early as 1800—the fourth Presidential election—they discovered that they had made a serious mistake—one for which Alexander Hamilton paid with his life.

I refer to the original method of electing the President and the Vice President on the same ballot. It will be recalled that, either by coincidence or connivance, Aaron Burr—a Vice Presidential candidate—turned up in a tie vote for the Presidency with Thomas Jefferson. What did the Congress do about this error? It rectified it with just the sort of legislation we are considering today. The twelfth amendment shut the door forever on the possibility that a schemer could enter the Presidency by the back door.

Particularly as a representative of the people of Maryland do I believe it is consistent for me to support the pending proposal. At this very time in our State a similar proposed constitutional amendment is being readied for submission to the voters to limit the tenure of the governor of the State to two terms.

It may not be amiss to observe that this amendment to the State constitution was originated at the Democratic State convention held last July in Baltimore and also was included in the State platform to which we subscribed in our candidacies in the November elections. The people elected the State-wide Democratic ticket upon such a platform, and within the past month the proposed constitutional amendment has been passed by both houses of the General Assembly of Maryland and will be submitted at the next general election. I might say parenthetically that it has not been a party matter in Maryland, because the members of both parties have supported it, as is indicated by the fact that in the Maryland House of Delegates, composed of 123 members, representatives, of course, of both parties, there was a unanimous vote in favor of submitting the question to the people.

Not only does this occur to me as justification for the position I am taking but, referring to the situation in the State of Maryland, it will be most interesting to have the people take definite action and, after considering all phases of the questions, express their decision regarding the tenure of the Chief Executives both of the State and of the Nation.

Apropos of some references made during the very splendid address of the able Senator from Alabama, it came to my mind that today 18 States of the Union have in their constitutions limitations upon the terms of their chief executives.

Reverting to the question of the abstract principle involved, many considerations suggest themselves as supporting some restriction upon the occupancy of the office of Chief Executive of the Nation, as has been indicated here both by the questions and by the answers. No one was more definite, or more insistent, as to the danger of too long a service in the Presidency than was Thomas Jefferson.

Time and again did Andrew Jackson declare himself for a limitation of the service of the Chief Magistrate. Of the same mind was President Polk. James Buchanan proclaimed his belief that the example of Washington and his successors had determined that no President should be more than once reelected. And likewise as has been indicated here today, President Cleveland and other Chief Executives.

Mr. President, in my humble opinion, another consideration—and an important one—suggests itself. By that I refer to the need for keeping our governmental processes as close as possible to the people and to guard against any step which might tend to establish autocratic rule in our land. The example of the totalitarian countries is fresh in our minds.

With much force it can be argued, as was indicated by one of the questions of the able Senator from Massachusetts [Mr. SALTONSTALL] that the world of today is a different world than that in which the framers of our Constitution lived. There are ideologies of government rampant in the world today which are actively and unceasingly opposed to democracy as we know it. They would deny all those rights of the individual which we consider our priceless heritage. They would vest, and actually do vest in a great part of the world today, supreme power in a detached government—an autocratic power over every phase of the daily life of its citizens. So thoroughly have these alien doctrines of government been established in a vast portion of the world, and so widely have their proponents been able to spread their poisonous ideas, that today America almost alone of all the world powers stands as the true exemplar and exponent of democratic ideals as written into our Constitution by the founding fathers.

With such doctrines of government abroad, and with the minds of many, even in this country, saturated with ideas incompatible with democracy, there is danger, real danger, that in the days ahead some self-seeking leader may gain the Presidency and make use of the powers and privileges of that office to entrench himself therein.

We are living in a world of suddenness, and we have recognized this. We have delegated more and more authority into the hands of the President. This is well and good, but it calls for precautionary measures. Since there is less and less limit upon the powers of a Chief Magistrate, it is proper—it is wise—that there be more limits upon his tenure.

It would appear, therefore, that the resolution now before us, and likewise the amendment offered in the committee, providing that the voice of the States be expressed through conventions called for the purpose, are worthy of support. I believe that a convention specially called to consider this matter, with all the attendant publicity and special interest focused thereby upon the matter, will serve to bring forth an expression of public opinion that will represent to the fullest the wishes of all the people of all the States.

The point has been raised that in the event of a great national emergency, perhaps another war, it might be vital to America's security to retain a Chief Executive in office for a third term or longer.

When the time comes that there is no other man available among our 140,000,000 Americans who can adequately provide the required national leadership, no matter what the emergency, then America indeed will be in danger of destruction or dictatorship. Never, since the first volley on Bunker Hill, has America been without the leadership necessary to bring it through any crisis.

The only way to encourage and to guarantee continuance of such leadership is to take action to eliminate influences that would stifle the development of leaders in our political life.

Certainly nothing could act more definitely to halt or impede development of potential leadership in city, State, or Nation than to permit any one man or any one party to persuade the people that he or they alone are competent and therefore must be perpetuated in office.

To conclude, let it be said that, in accordance with American tradition and

American doctrine, the citizenry ought to be afforded the opportunity of deciding for themselves whether this limitation is to be imposed and respectfully I urge that they be given such an opportunity through the adoption of this resolution.

We have an opportunity on this measure to set up a safeguard that will certainly help to prolong the life of democracy in America.

REPUBLICAN PROMISE AND PERFORMANCE

Mr. BUSHFIELD obtained the floor.

Mr. McCARRAN. Mr. President——

Mr. BUSHFIELD. I yield to the Senator from Nevada.

Mr. McCARRAN. Mr. President, I was recognized by the Chair. I should like to know why it is necessary for the Senator from South Dakota to yield to me.

The PRESIDING OFFICER (Mr. THYE in the chair). The Senator from South Dakota had the floor assured to him at the conclusion of the speech of the Senator from Maryland [Mr. O'CONOR].

Mr. McCARRAN. If that policy is to be pursued, it is a question which certainly should be discussed as it has been discussed in years past. No Senator has a right to the assurance of the floor. That question arose in the Seventy-ninth Congress, and in the Seventy-eighth Congress. It seems to me that the practice must stop, because if we are to have our names on a list to be recognized, the rules of the Senate will have to be changed very materially. The Presiding Officer recognized the Senator from Nevada, as he had a right to do, because he was first on his feet. I bring this question to the attention of the Senate now because if this custom is to prevail, some of us will have to protest.

Mr. BUSHFIELD. Mr. President, I think I was recognized first.

The PRESIDING OFFICER. The Chair recognized the Senator from South Dakota.

Mr. McCARRAN. Mr. President, will the Senator from South Dakota yield?

Mr. BUSHFIELD. I yield.

Mr. McCARRAN. I will not stand idly by and permit this practice to continue. Senators should not be recognized because their names are on a list before the Presiding Officer. If such a practice is to be followed, favored Senators will be recognized right along, and some of us probably never will be recognized. If the Senator will now yield in order that I may place some material in the RECORD, I will submit this time.

Mr. BUSHFIELD. I stated that I would yield to the Senator.

Mr. McCARRAN. Very well. I want it known that I do not recognize that the Senator has the floor.

I ask the indulgence of the Senate for 10 minutes with respect to a matter which I consider to be of substantial importance.

Mr. BUSHFIELD. Just a moment, Mr. President. I decline to yield for 10 minutes. I understood that the Senator wished me to yield in order that he might place something in the RECORD. I have the floor, and expect to retain it.

Mr. McCARRAN. The Senator has yielded to me. Does he take back his permission? Is that the attitude of the Senator from South Dakota?

The PRESIDING OFFICER. The Senator from Nevada asked that he might have a moment. Does the Senator wish a moment, or does he wish to make a speech?

Mr. McCARRAN. What is a moment?

Mr. BUSHFIELD. The Senator asked permission to insert something in the RECORD.

Mr. McCARRAN. That is exactly what I wish to do.

Mr. BUSHFIELD. I decline to yield for 10 minutes at this time.

Mr. McCARRAN. Very well.

Mr. BUSHFIELD. Mr. President, Republicans were startled yesterday by the publication of the Gallup poll, which stated that 51 percent of the voters would vote Democratic if an election were held today. I am not particularly startled at the publication of this statement. Republicans in Congress have only themselves to blame for that situation.

Every Member of the Senate promised his constituents at the election on November 5 that if elected he would do certain things. Among the things that were promised was a reduction in taxes, a reduction in the amount of Government expenditures. We Republicans promised our constituents that if elected, some sensible labor legislation would be enacted. When the President's budget came along, we endeavored to make a substantial reduction in the budget as proposed. The joint committee of the Congress recommended a reduction in the budget by $6,000,000,000. The chairman of the Appropriations Committee of the Senate stated on the floor that a reduction of $6,000,000,000 could be obtained. The Senator from Virginia [Mr. BYRD], a Democrat, stated on the floor that such a reduction could be obtained.

Two months after election the Republicans took over complete control of the Congress, selecting all the chairmanships and organizing the Congress. More than 2 months have passed since Congress was thus organized, and what has been accomplished? Practically nothing. No labor legislation has been enacted, the budget has not been balanced, and we failed to cut the President's budget by $6,000,000,000 as we were told could be done, and practically nothing has been accomplished in the way of legislation.

The leaders of Congress are in confusion among themselves and have not agreed upon any major legislation, which we had promised. Just how Congress expects to carry out the program which the people of this country had expected us to carry out is beyond me. Putting it bluntly, we have failed in everything which we promised the voters, and in view of that situation, it is not surprising that the Gallup poll paints a picture which, to say the least, is disappointing to the Republican Party.

The Republicans swept the election on November 5, after 14 years of failure, and today, if the Gallup poll may be taken as an index, we are in the unenviable position of being once again in the minority. I predict that unless the Republicans come alive and carry out the promises that were made to the voters in that election, they will fail again when the next election comes around. This position is one which can be overcome if the Republicans will get together and agree upon the program which the people expect them to carry out and which can be carried out if we do agree.

We stated that we would reduce taxes by a substantial amount. We stated that we would remove some of the pay rollers who now clog the wheels of Government. We stated that we would do something about the labor situation, which the people are demanding. In all of these things we have failed to carry through and the Republican Party must keep their promises if they expect to be returned to power. No other explanation can be given to this switch in sentiment as evidenced by the Gallup poll. It is time for us to act and act quickly; and we may just as well recognize the realities which face our party.

CENSUSES OF MANUFACTURES, MINERAL INDUSTRIES, BUSINESS AND DISTRIBUTION, AND TRANSPORTATION

Mr. McCARRAN. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Nevada.

Mr. McCARRAN. Mr. President, I ask the indulgence of the Senate for a few minutes with respect to a matter which I consider to be of substantial importance.

I have introduced at this session of the Congress a bill (S. 6) to provide for censuses of manufactures, mineral industries, business and distribution, and transportation.

I ask unanimous consent that the text of Senate bill 6 may be inserted in the RECORD at this point as a part of my remarks.

There being no objection, the bill (S. 6) to provide for censuses of manufactures, mineral industries, business and distribution, and transportation, was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 17 of the act entitled "An act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress," approved June 18, 1929, as amended, is hereby amended to read as follows: "That the Director of the Census be, and he is hereby, authorized and directed to take, compile, and publish, for the year 1946 and every fifth year thereafter, a census of manufactures, a census of mineral industries, a census of business and distribution (including the distributive trades, warehouses and storages, and service establishments) and a census of transportation. The census of transportation herein provided for shall include statistics of the commercial transportation industries, including both contract and common carriers of persons or goods by highway, by waterway, and by air, but shall not include statistics of transportation by rail. Schedules used to take the censuses of manufactures, of mineral industries, and of business and distribution, provided for in this act, shall include inquiries designed to provide information as to the extent to which each establishment covered by each such census makes use in the conduct of its business of each of the principal means of transportation, namely, railways, highways, waterways, and air transportation; and the extent to which each such establishment furnishes its own transportation facilities, either through truck ownership and use, by waterway, or by any other means."

Mr. McCARRAN. Senate bill 6 is virtually identical with Senate bill 1705 which I introduced during the Seventy-ninth Congress.

I shall not take up the time of the Senate with a lengthy statement concerning this bill; but so that Senators may know my views concerning it, I ask unanimous consent that there be printed in the RECORD at this point, as a part of my remarks, the statement which I made with respect to the bill S. 1705 at the time I introduced it.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR M'CARRAN

The need for authentic, up-to-date information of the nature which can be provided only by such censuses should be clear to every Senator.

Proposals for taking censuses of manufactures, of mineral industries, and of distribution and business already have been approved by the Secretary of Commerce and by the Census Bureau. The proposal for a census of transportation should have the endorsement of anyone who will take the time to think the matter through.

At the present time no Government agency has the sort of basic transportation statistics needed by the Congress, and by the executive departments, for rational transportation legislation, direction, and planning.

Transportation vitally affects the operations of every industry and individual, and is of intense current interest to Congress and to the executive agencies of the Federal Government.

The original census of 1790 covered population only. In later years the scope of census taking has been progressively broadened, as its importance in the national economy came to be recognized. Census taking has thus come to be acknowledged as the appropriate medium for collecting data, not otherwise available, for the use of the Congress, of executive branches of the Government, and of others in their study of our national problems. The Bureau of the Census was specifically created by the Congress as a national fact-finding agency. Down through the years it has proved helpful in many ways. Clearly, the time has come when the Congress should add to the functions of the Census Bureau to provide for the obtaining of the basic facts concerning transportation at periodic intervals. The taking of censuses on manufactures, mineral industries, wholesale and retail trade, and so on will provide unique opportunity to ascertain the transportation services used by each. Concurrently, there should be a census of both common-carrier and contract-carrier transportation, by highway, by waterway, and by air. The bill which I have just introduced provides for such a census.

This bill does not cover a census of rail transportation, since statistics on rail transportation are now gathered and compiled, adequately, by the Interstate Commerce Commission. The bill does cover motor-truck transportation, since the statistics on motor carriers gathered by the Interstate Commerce Commission are neither sufficiently comprehensive nor sufficiently detailed.

The importance of transportation in our national economy needs no argument. Nor is there any need to argue that the problems involved, in seeing to it that the true public interest is preserved in our national transportation policy, are both complex and serious. The solution of these problems is going to require a lot of straight, hard thinking. To be realistic, this thinking must be based on the most adequate body of factual data which it is possible for the Congress and the executive branches of the Government to assemble.

Recognition of the complexity of our transportation problems, and the need for searching analysis to arrive at proper solutions thereof, is demonstrated by the fact that the Senate now has before it at least two resolutions calling for transportation investigations. In the other House of the Congress, the Committee on Interstate Commerce is reported to be working actively on such an investigation.

Yet, as I have pointed out, no Government agency has in hand, or is currently gathering, anything approaching adequate transportation statistics. For example, nowhere are data available as to the relative use which manufacturers in a given line make of railways, highways, waterways, and air transportation facilities, in the assembling of materials and in the shipment of products. The same holds true of mineral industries, retail trade, wholesale trade, and other businesses.

In short, there is no way of measuring, on the basis of currently available data, the contributions which the various kinds of transportation are making to industry and business, either by kinds or by geographic locations. Nor are data available showing the extent to which manufacturers, businessmen, farmers, and others furnish their own transportation through truck ownership and use.

If the role of transportation in our national economy is of sufficient importance to warrant serious study by the Congress and by several of the executive departments, it would seem entirely logical and in keeping with sound legislative procedure for the Bureau of the Census to be now instructed to assemble the basic facts on transportation.

Mr. McCARRAN. Mr. President, some departments and agencies of the Federal Government reported adversely on this bill during the Seventy-ninth Congress, notably the Census Bureau and the Interstate Commerce Commission. The ICC, in my opinion, rather went out of its way to file a strongly-worded adverse report. Other departments and agencies of the Federal Government filed favorable reports. One of these favorable reports is particularly interesting, coming from the Commissioner of Public Roads, Mr. Thomas H. MacDonald. I ask unanimous consent that Mr. MacDonald's letter, with enclosures, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter and enclosures were ordered to be printed in the RECORD, as follows:

FEDRAL WORKS AGENCY,
PUBLIC ROADS ADMINISTRATION,
Washington, February 21, 1946.

Hon. PAT MCCARRAN,
United States Senate.

MY DEAR SENATOR MCCARRAN: It is a pleasure to comply with the request in your letter of January 12 for my personal opinion on the matters covered by your bill S. 1705. I am in hearty accord with your objectives as I understand them from a reading of the bill and with the remarks you made on the floor of the Senate at the time you introduced it.

You have pointed to one of the weakest spots—if not in fact the weakest—in the whole general field of Government statistics. In my years of contact with transportation, one fact stands out as prominently as any. That is that while numerous responsible Government officials (including the late Mr. Joseph B. Eastman) have repeatedly and forcibly emphasized the urgent need for more adequate Government transportation statistics, relatively little has been done about the matter. In spite of the expansion and improvement in the Government's statistical program in other lines, and in spite of new developments in transportation, Government data on transportation still remain inadequate.

Hence, it is heartening that you have determined that the Government should develop an adequate factual basis for evaluating the transportation practices and needs of the Nation. Such facts are perhaps more urgently needed at the present time than ever before, especially because the Congress is being urged to adopt legislation which would radically alter the traditional relationships existing between the various transport agencies.

Your bill, S. 1705, is, in my opinion, very well phrased to insure that the Congress and the interested Government agencies will have available the essential data for analysis prior to consideration of any proposed changes in our national transportation legislation and policy.

The Public Roads Administration has repeatedly urged the Bureau of the Budget and the Bureau of the Census to incorporate transportation inquiries in the schedules used in the various censuses. In recommending that the Bureau of the Census gather the essential data, we had in mind that, while our own needs for the information were such as to warrant our undertaking to obtain it at first hand, the census method would be more economical and would also make the data available on a Nation-wide and uniform basis for other interested agencies.

Thus specifically in 1939 we recommended that such inquiries be included in the 1940 census of agriculture, manufactures, business, or distribution, and of service establishments. Had these inquiries been included, it very likely would not have been necessary for the Public Roads Administration, at the request of the War Department, to conduct the Nation-wide inventory of trucks and busses in the fall of 1941 in anticipation of the possible need of mobilization of such equipment in the event of war.

Again in 1944 we recommended that transportation inquiries be included in the 1945 census of agriculture. When it was thought that there might be a census of manufactures in 1946 covering the year 1945, we repeated our earlier requests.

And when in October 1945 we learned of the proposal to ask the authorization of the Congress for rather complete censuses of industry and business to be taken in 1947, a letter renewing our earlier suggestions was immediately sent to Director Capt by Mr. H. S. Fairbank, deputy commissioner of research. A copy of this letter is attached for your information and that of your staff, as are also copies of letters referring to our earlier proposals. In November I personally called Secretary Wallace's attention to the matter, as did Maj. Gen. Philip B. Fleming, Administrator of the Federal Works Agency. Copies of these letters are also attached.

Your request that I give you my suggestions concerning the wording of the bill and a summary of arguments in favor of or against specific provisions is very much appreciated. To do this in detail would be beyond the scope of a letter, but we are having prepared, by a member of our staff who has been working directly on this matter, a more detailed statement covering objectives, needs for the data, and methods for its collection, together with some of the arguments which have been advanced against these proposals. I shall be glad to forward a copy of this statement to you as soon as it is completed.

In the meantime, may I suggest the desirability of assuring that the language of your bill is sufficiently broad in scope to assure coverage of airports, truck and bus terminals, taxicabs, and the city transit industry.

Very truly yours,

THOS. H. MACDONALD,
Commissioner of Public Roads.

MARCH 9, 1939.

Hon. WILLIAM L. AUSTIN,
Director, Bureau of the Census,
United States Department of Commerce, Washington, D. C.

MY DEAR MR. AUSTIN: The Bureau of Public Roads in various States which are cooperating in the highway planning surveys has found the various data gathered by the Bureau of the Census to be of great value in this work.

Several months ago certain recommendations as to inquiries which we feel it desirable to have included in the next census of agriculture were forwarded to the Department of Agriculture Committee on the Census.

At that time the committee instructed our representatives to forward direct to the office such suggestions as we care to make on the census of business and the census of manufacturing.

Our recommendations as to these two censuses are herewith submitted in duplicate, and their careful consideration by yourself and staff will be greatly appreciated. While the recommendations are probably self-explanatory for the greater part, the following comments may help to set forth our interest in having these data secured:

The highway planning surveys have as their purpose a determination of: (a) Existing highway facilities; (b) how and by whom and to what extent these highways are used; (c) limitations on desirable highway use due to inadequate or improperly located highways; and (d) on the basis of the above facts properly analyzed, a determination of immediate and future highway developments and improvements. The county maps now being developed as part of the road inventory and showing all public roads by type with cities and villages, farm homes, rail and waterways, country schools, churches, stores, etc., properly located, will furnish the first really complete transportation maps ever available. Adding to these data those on the use of highways by farmers, townspeople, manufacturers, wholesalers, and retailers will enable the Bureau of Public Roads and the cooperating States to present such a picture of the present and potential highway transportation situation as is absolutely essential for the formulation of intelligent State and Government policies with regard to highway development.

I wish to direct your personal attention particularly to one set of inquiries, namely, those covering the use of motor vehicles by manufacturers, wholesalers, and retailers. There is at present no source to which Government or State agencies working on highway or other transportation problems can now turn for authentic Nation-wide data as to the extent to which industrial plants and wholesale and retail establishments use or are served by motor vehicles and roads. In our opinion such data must be gathered by some Federal agency and we believe that the Bureau of the Census is the logical organization to undertake this work. Such data as we recommend securing would go far toward eliminating guess work from thinking and talking about the national and State transportation problems.

If the 1940 census is to cover the motor trucking and motor bus businesses we should appreciate an opportunity of also making recommendations concerning the schedules to be used.

Very truly yours,

H. S. FAIRBANKS,
Chief, Division of Information.

SEPTEMBER 19, 1944.

Mr. STUART RICE,
Assistant Director, Division of Statistical Standards, Bureau of the Budget,
Washington, D. C.

MY DEAR MR. RICE: This is with further reference to our letter of September 7, 1944, urging that use be made of the 1945 census of manufactures in obtaining much-needed information concerning manufacturer's transportation methods. The attached material indicates, in a tentative manner, the sorts of inquiries which we believe would be instrumental in developing the data needed.

Page 1 of this material is identical with the enclosure in the letter of the above-mentioned date and sets forth the values and probable uses of such data. Pages 2 and 3 contain the proposed inquiries. As will be noted from the context it is not our idea that the inquiries need to be worded in exactly this manner, but they do serve to indicate more in detail what we have in mind.

If it is so desired the Public Roads Administration will be glad to cooperate with your office and the Bureau of the Census in developing the exact form of inquiries to be used and also instructions to the field force. If such assistance is desired or if further information is needed concerning the intent and purpose of the inquiries and proposed uses of the data either my office may be contacted or the matter may be taken up direct with Mr. Charles D. Bohannan of our staff. Mr. Bohannan's room number is 3015, Federal Works Building, branch 4825.

Very truly yours,

H. S. FAIRBANK,
Deputy Commissioner, Public Roads Administration.

OCTOBER 15, 1945.

Dr. STUART RICE,
Director, Division of Statistical Standards, Bureau of the Budget,
Washington, D. C.

MY DEAR DR. RICE: Enclosed is copy of letter just written to Director Capt, of the Bureau of the Census. The letter is probably chiefly self-explanatory, as it consists essentially of a repetition of our recommendations for the inclusion of transportation and motor vehicles inquiries on schedules used with manufacturers, wholesalers, retailers, and service establishments.

Also, we are requesting that serious consideration be given to conducting a census of transportation at the same time the census of manufactures and census of business are taken. We understand that plans are now being laid for such censuses in the year 1947 covering the year 1946.

While the Public Roads Administration realizes that such inquiries and the proposed census would require a considerable amount of time and effort in their planning and a considerable expenditure of public funds to carry them out, we believe that at the present juncture in our national economy such effort and expenditure would be more than justified. It occurs to us that there is no other means which would be as feasible nor in the long run as economical to obtain data which are so urgently needed in transportation planning and the development of the transportation policy.

Because of the importance which we attach to this matter we are again glad to offer both to the Bureau of the Budget and the Census such technical or advisory assistance as may be desired, either in the preliminary work of drawing up the proposed forms and in drafting statements as to the need for such census data or in the further stages if the census be approved and carried through.

Very truly yours,

H. S. FAIRBANK,
Deputy Commissioner, Public Roads Administration.

OCTOBER 15, 1945.

Mr. J. C. CAPT,
Director, Bureau of the Census,
Department of Commerce,
Washington, D. C.

MY DEAR MR. CAPT: Further reference is made to our letters of January 26 and February 1, 1945, in which we urged the advisability of utilizing the opportunities presented by the taking of a census of manufactures and a census of business, in procuring much needed information on transportation.

We have been informed that provision was not made by the Congress for taking either the census of manufactures nor the census of business covering the year 1945. However, we also understand that at present plans are being laid looking toward a rather complete census of manufactures and also of business and service establishments covering the year 1946.

Hence the Public Roads Administration wishes to repeat in substantially the same form the recommendation that transportation inquiries be incorporated in the schedules used in obtaining data from manufacturers, wholesalers, retailers, and the various kinds of service establishments.

We also wish to propose that serious consideration be given to incorporating in the census plans definite provision for a census of transportation covering the various classes of for-hire truckers, bus operators, city transit lines, and for-hire carriers by water, at least on the inland waterways and coastwise.

Data as to railways are probably already sufficiently covered by their reports to the ICC and as to airways by reports to the Civil Aeronautics Board. The scope and extent of the activities of the other transport agencies above mentioned are not, however, so adequately reported on to any of the various Government agencies as to enable an accurate analysis of their importance in the national economy, either in absolute terms or as to the relative contribution of each in the movement of persons and goods, employment, wages, expenditures for plant, equipment, supplies, etc.

It is scarcely necesary, I presume, to do more than merely point out the desirability from the standpoint of governmental policy determination of having available a more comprehensive factual body of data on transportation than now exists in any governmental agency. We believe, as we have previously stated, that such data would not only be of great value in the work of the Public Roads Administration but also in that of several other Federal agencies concerned with transportation matters. The lack of sufficiently broad and related data on numerous phases of transportation has repeatedly been pointed out by responsible officials of various agencies, including the late Joseph Eastman, when Coordinator of Transportation.

A census of transportation such as here contemplated would provide data which, put together with those resulting from the recommended inquiries to manufacturers, business and service establishments, would furnish for the first time something approaching an adequate factual background concerning this highly essential and at the same time highly controversial phase of our economic life.

During the recent war emergency there were many occasions on which adequate data on transport agencies, methods of shipment, etc., would have materially facilitated the work of numerous agencies. Now, that victory has been achieved, there is almost as urgent a need for such data in planning for the transitional period and future development. The two Houses of Congress already have before them several resolutions calling for transportation investigations.

We fully realize that a considerable amount of expense would be involved in carrying out the proposals which we have made. However, the matter of transportation planning and direction is so essential and the need so urgent for more complete data that, in our opinion, such additional expenditures would be more than justified. Further, it seems to us that the most feasible, and in the long run the most economical, way for the Government to provide itself with such data is

in connection with the taking of the various censuses.

Copy of this letter is being sent to the Bureau of the Budget, which was also furnished copy of our earlier recommendations. We shall be glad to have an opportunity to discuss, both with you and the Bureau of the Budget, the needs for and the practicability of the proposals. Further, we are again glad to offer such technical assistance from our staff as may be desired in connection with the proper framing of the inquiries and schedules, instructions to enumerators, editing, coding, tabulation procedures, etc.

Because of our keen interest in this matter we have authorized Mr. Bohannan, of our research staff, to devote as much time as seems desirable, both in the exploratory phases of the work and its final phases, if such a census is approved and carried through. Mr. Bohannan not only is acquainted with our needs in the matter and familiar with the problems and practices of both for hire and private carriers, but also, as you may know, has some familiarity with census problems and procedures due to his previous work with that bureau.

Very truly yours,

H. S. FAIRBANK,
Deputy Commissioner, Public Roads Administration.

NOVEMBER 7, 1945.

The Honorable HENRY A. WALLACE,
Secretary of Commerce.

MY DEAR MR. SECRETARY: Commissioner MacDonald of the Public Roads Administration has called to my attention recommendations of that agency regarding certain additions to the schedules of the censuses of manufactures, business, and service establishments that are proposed to be taken in 1947 to cover the year 1946. The recommendations are directed toward the obtaining for the first time of an adequate body of data on transportation so that the importance of the various modes of transportation to the various types of business and industry and upon the economy of the entire Nation may be evaluated.

I wish to endorse Mr. MacDonald's recommendations. It seems to me that the information that he proposes be collected is essential to the establishment of a sound program of public works and would be invaluable to regulatory bodies and to all other agencies, private and public, concerned with the transportation problem. I am calling the subject to your personal attention because of your interest in transportation and your recognition of its importance in a healthy economy.

If you feel that it is desirable, I should be glad to present my views to the Director of the Budget.

Sincerely yours.

PHILIP B. FLEMING,
Major General, United States Army, Administrator.

NOVEMBER 8, 1945.

The Honorable HENRY A. WALLACE,
Secretary of Commerce.

MY DEAR MR. SECRETARY: It is understood that plans are now being developed for censuses of manufactures and of business and service establishments, to be taken in 1947 covering the year 1946. The Public Roads Administration is keenly interested in these plans for the official data on industry and trade by kinds, size of establishments, and geographic location resulting from previous censuses have been of considerable value in planning the national and State highway systems.

The value of the census data in our work and in that of all the State highway departments, as well as in many other Government agencies, would be greatly increased, however, by the extension of the coverage to include information on transportation. Nowhere, in Government or elsewhere, are adequate statistics available on the various phases of this important segment of our economy. The desired result could be accomplished by adding to the schedules certain inquiries on transportation and motor-vehicle ownership, and by taking concurrently a separate census of transportation covering for-hire highway and waterway carriers.

Our recommendations have already been transmitted in some detail to Director Capt, and to the Bureau of the Budget, in letters of which copies are attached. Following these recommendations will produce a body of data on transportation invaluable to us in our own work, and of great value also to all other agencies, public and private, concerned with transportation.

While I have no doubt that Director Capt will give full consideration to our suggestions because of the importance we attach to the subject, I wish to call your personal attention to it and to repeat Mr. Fairbank's offer to Director Capt to assist in the development of the schedules or in any other way we can.

Sincerely yours,

THOS. H. MACDONALD,
Commissioner of Public Roads.

Mr. McCARRAN. I mentioned previously, Mr. President, that the Interstate Commerce Commission had filed a strong adverse report on my bill S. 1705. The Commission was prompt to file another adverse report on the bill S. 6, in this session of the Congress. I ask unanimous consent that the report from the Interstate Commerce Commission, on S. 6, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

INTERSTATE COMMERCE COMMISSION,
Washington, January 24, 1947.

Hon. WALLACE H. WHITE, Jr.,
Chairman, Committee on Interstate and Foreign Commerce, United States Senate, Washington, D. C.

MY DEAR CHAIRMAN WHITE: Mr. Jarrett's letter of January 15, addressed to the Chairman of the Commission and requesting comments on S. 6, introduced by Senator McCARRAN, "To provide for censuses of manufactures, mineral industries, business and distribution, and transportation," has been referred to our legislative committee. After careful consideration by that committee, I am authorized to submit the following comments in its behalf:

S. 6 is identical in wording with S. 1705 (79th Cong., 1st sess.). S. 6 would provide for a quinquennial census of manufactures, including among other things a census of transportation, which "shall include statistics of the commercial transportation industries, including both contract and common carriers of persons or goods by highway, by waterway, and by air, but shall not include statistics of transportation by rail." The bill further would provide for inquiries designed to provide information as to the extent to which each establishment covered by the censuses of manufactures, of mineral industries, and of business and distribution "makes use in the conduct of its business of each of the principal means of transportation, namely, railways, highways, waterways, and air transportation; and the extent to which each such establishment furnishes its own transportation facilities, either through truck ownership and use, by waterway, or by any other means." The foregoing provisions relating to transportation are of principal interest to us.

We question the desirability of the proposed census which would embrace statistics relating to common and contract carriers by motor vehicle and by water engaged in interstate commerce. Such carriers now file with this Commission annual statistical reports, which are available for public inspection. The Commission currently publishes statistical compilations based on these reports. The duplication of the statistics in census reports would entail unnecessary expense to the Government and would be burdensome to the carriers. As the census would be taken only every 5 years, the statistics so compiled would soon be superseded by the statistics reported annually to this Commission and compiled by it. This consideration was presumably the reason for excepting railroad statistics from the bill, and the fact that it applies equally to motor and water carriers may have been overlooked.

We therefore suggest that the bill be amended by deleting the words "of transportation by rail", in line 7 of page 2, and substituting therefor the words "of common and contract carriers and freight forwarders subject to the Interstate Commerce Act, as amended."

The provision for collecting information concerning the kind of transportation facilities utilized by business establishments would, no doubt, disclose facts which would be of some interest to us. It is not clear, however, from an examination of the bill what statistics of the commercial transportation industries, not including railroads, are to be included in the transport census. Offhand, it appears that the Civil Aeronautics Board, the Board of Engineers for Rivers and Harbors, the Maritime Commission, and this Commission publish annually practically all the statistics that would be collected by such a census from air, waterway, and highway carriers, excepting only those highway commercial transportation enterprises which do not file reports with the Commission. Subject to this possible qualification, therefore, it does not appear that anything would be gained by the census of transportation that is now proposed.

Respectfully submitted.

WALTER M. W. SPLAWN,
Chairman, Legislative Committee.
CHARLES D. MAHAFFIE.
JOHN L. ROGERS.

Mr. McCARRAN. Mr. President, after the Interstate Commerce Commission had filed an adverse report on my bill, S. 1705, during the last session of the Congress, I addressed a letter to the chairman of the Commission asking for information from which I hoped it would be possible to determine the extent of the Commission's coverage in the field of transportation statistics. I received a reply which, in my opinion, should be read in connection with the Commission's adverse report on S. 6. I therefore ask unanimous consent that my letter to the chairman of the Interstate Commerce Commission under date of March 19, 1946, and his reply thereto, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

MARCH 19, 1946.

Mr. JOHN L. ROGERS,
Chairman, Interstate Commerce Commission, Washington, D. C.

MY DEAR MR. CHAIRMAN: I shall appreciate it very much if you can furnish me with the following information:

1. What is the total number of motor carriers in the United States?

2. What is the number of interstate motor carriers in class 1?

3. What is the number of interstate motor carriers in each of classes 2 and 3?

4. What is the number of interstate motor carriers exempted under the Federal statutes?

5. What is the number of intrastate motor carriers in the United States?

6. What is the number of private motor carriers in the United States?

7. From how many motor carriers does the Commission receive periodic reports, and in what periods?

Thanking you in advance for your attention to this request for information, and with kindest regards, I am,

Sincerely,

PAT MCCARRAN.

INTERSTATE COMMERCE COMMISSION,
Washington, March 29, 1946.

Hon. PAT MCCARRAN,
United States Senate,
Washington, D.C.

MY DEAR SENATOR: This has reference to your letter of March 19, 1946, in which you asked for information on seven tabulated questions concerning the number of motor carriers. The following answers to question Nos. 2, 3, and 7 are taken from this Commission's records. The answers to the other questions are partly estimates, and have been taken from data published by the Office of Defense Transportation, based upon certificates of war necessity issued by that organization to August 31, 1944. Exact current figures are not available.

1. What is the total number of motor carriers in the United States?

Office of Defense Transportation certificates issued to property carriers	3,334,394
Same for local and suburban bus operators	4,439
Same for intercity bus operators	2,312
Same for private-school bus operators	27,000
Same for Government school bus operators	23,000
Same for taxicab operators	32,460
Total	3,423,655

These figures include private carriers. Included in the certificates issued to property carriers are 40,701 certificates issued to Federal, State, and municipal governments, but not including the armed forces. These certificates covered 233,935 vehicles. The above table does not include 26,899 certificates issued to persons operating ambulances and hearses.

2. What is the number of interstate motor carriers in class 1?

Property carriers	2,168
Passenger carriers	397
Total	2,565

3. What is the number of interstate motor carriers in each of classes 2 and 3?

Class 2 property carriers	3,843
Class 2 passenger carriers	279
Total	4,122
Class 3 property carriers	14,897
Class 3 passenger carriers	830
Total	15,727

4. What is the number of interstate motor carriers exempted under the Federal statutes?

Property carriers	20,000
Passenger carriers	700
Total	20,700

These figures are estimates based upon bus and truck inventory issued by the Public Roads Administration for the year 1941, and the certificates issued by the Office of Defense Transportation.

5. What is the number of intrastate motor carriers in the United States?

Carriers of property for hire	282,587
Carriers of passengers for hire	87,724
Total	371,311

It is assumed that this question refers to motor carriers for hire.

6. What is the number of private motor carriers in the United States?

Private carriers of property	2,932,765

No data are available on private carriers of passengers.

The above figure includes approximately 1,000,000 farmers who operate trucks in connection with, but not exclusively on, their farms.

7. From how many motor carriers does the Commission receive periodic reports, and in what periods?

All class 1 carriers (2,565) file annual and quarterly accounting reports, and monthly reports of excess hours of service of drivers.

All class 1 carriers of passengers (397) also file monthly accounting reports.

The above figures are the latest that are available and to the extent that estimates are used, they are based upon the best information available.

Very truly yours,

GEORGE M. BARNARD,
Chairman.

Mr. MCCARRAN. Mr. President, I do not want to burden the RECORD unduly, and so I shall not ask to have printed various favorable reports on the bill, S. 6, which have been made to the Senate committee to which the bill has been referred. I do, however, wish to call the attention of the Senate to a report just submitted by the panel on motor-transport statistics of the Subcommittee on Transportation of the Federal Committee on Economic Statistics. This report has, I am informed, been accepted by the Subcommittee on Transportation of the Federal Committee on Economic Statistics. In some of the reports from governmental agencies last year, on my bill, S. 1705, it was suggested that action on the question of taking a census of transportation should await completion of studies being made by an interdepartmental board or committee, under the direction of the Budget Bureau, the purpose of which was to determine the need for such statistics. The report which I hold in my hand is the end product of that study, according to my best information; and, in my opinion, this report is full and complete justification for taking the census which I have proposed. I therefore ask unanimous consent that this report may be included in the RECORD at this point as a part of my remarks.

FEDERAL COMMITTEE ON ECONOMIC STATISTICS, SUBCOMMITTEE ON TRANSPORTATION—REPORT OF THE PANEL ON MOTOR TRANSPORT STATISTICS—FEDERAL STATISTICS ON MOTOR TRANSPORT—PRESENT STATUS, DEFICIENCIES, AND RECOMMENDATIONS

The report herewith was unanimously adopted by the panel on motor transport on February 14, 1947, presented to and unanimously adopted by the Subcommittee on Transportation February 19, 1947.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

1. Present Federal statistics on motor transport are inadequate.

2. Really adequate data should be of considerable value to the Congress, numerous Federal agencies, and the public.

3. The only part of the motor carrier industry now covered by regularly recurring reports to any Federal agency are those made to the ICC by the larger or class I interstate for-hire carriers. The exact total number of all for-hire carriers is unknown. Estimates indicate that the reports to ICC may cover only about 2 percent of the for-hire carriers of property and 8 percent of the for-hire carriers of passengers.

4. To provide adequate Federal statistical coverage for both for-hire and private motor carriers it is recommended:

(a) That ICC secure annual reports from the class II and III interstate for-hire carriers now under its jurisdiction.

(b) That statistics on exempt interstate for-hire carriers and intrastate for-hire carriers be obtained through a census of for-hire transportation, the first to be taken in 1948, covering 1947.

(c) That statistics on private carriers; i. e., industries, businesses, etc., which operate trucks or busses in connection with their business be obtained by inclusion of appropriate inquiries at the taking of each census of manufactures, business, mines, warehouses and storages, service businesses, agriculture, etc.

(d) That subsequent censuses of for-hire transportation be taken as of the same year or years as covered by the censuses referred to in "c" above.

(e) That the reports issued by the Bureau of the Census incorporate the basic data from the reports rendered to the ICC to the end that there may be available for the use of Government and the public uniform statistics on motor carriage of property and passengers.

The Panel on Motor Transport Statistics will appreciate receiving any critical comments or constructive suggestions which you may care to offer. Such statements might well include comments as to the value which you feel such statistics and reports might have in connection with your own official work or business. They should be addressed to:

CHARLES D. BOHANNAN,
Chairman, Panel on Motor Transport Statistics, Public Roads Administration.

FEDERAL STATISTICS ON MOTOR TRANSPORT—PRESENT STATUS, DEFICIENCIES, AND RECOMMENDATIONS

PRESENT FEDERAL STATISTICS ARE INADEQUATE

This simple, and perhaps blunt-sounding statement, highlights not only the concensus of this panel but also of numerous administrative and research persons in various Federal agencies.

This opinion as to the general inadequacy of motor-transport statistics and the need of making provision for really adequate data on this very important aspect of transportation is known to be shared by numerous nongovernmental organizations, firms, and individuals

The situation has, in fact, been characterized by some as being probably one of the weakest spots in the whole Federal statistical program.

Adequate data on both for-hire and private carriers necessary as they were, and are felt still to be, for rational transportation and industrial planning during peacetimes are of outstanding importance during emergency such as war. During the war just closed the lack of such data seriously handicapped and delayed numerous phases of war planning and frequently important decisions had to be made on the basis of rather hurriedly prepared estimates, some of them with but too little factual data on which to rest. In other cases hasty surveys of a particular phase of the field were made and some of these were subject to the difficulties inherent in any survey necessarily made under the pressure of urgent need and the lack of broad basic data as a starting point.

PREVIOUS GOVERNMENT STATISTICAL COVERAGE

Some Federal agencies and individuals had in fact some time prior to the war recognized the urgent need for more comprehensive data and had worked on the problem either through their own agencies or by attempting

to obtain the cooperation of other Federal agencies therein.

Here mention should be made of the work of the Federal Coordinator of Transportation, the late Mr. Eastman, whose staff reports provided some very helpful data on certain aspects of motor transport. The Public Roads Administration (then Bureau) of its own initiative and in cooperation with various States had made highway transport surveys in a number of States at even an earlier date, each of which developed significant data—again valuable but also fragmentary.

The Highway Planning Surveys inaugurated in 1936, and conducted by each of the 48 States in cooperation with PRA furnished extremely valuable data on various phases of highway transport including the largest sample ever taken of truck movements, loadings, and so forth.

In 1935 the Bureau of the Census as part of the Census of Business conducted a Census of Motor Trucking for Hire and of Motor Bus Transportation.

Also during this period the Interstate Commerce Commission, under the Motor Carrier Act, 1935, began a collection and publication of data on motor carriers subject to its jurisdiction.

The Bureau of Internal Revenue compiles and releases annual financial data from the tax returns of several thousand corporations engaged in the several types of transportation, including separate itemization of some phases of for-hire motor transport.

The PRA also made urgent recommendations that inquiries on truck ownership and use be incorporated in the schedules for the censuses of agriculture, manufactures, and business in connection with the 1940 Census. Although these recommendations were joined in by some other Federal agencies, and numerous nongovernment groups the attempt thus to secure data, later most vitally needed, was not successful.

Subsequently the PRA at the request of the Highway Traffic Advisory Committee to the War Department conducted in cooperation with the States a truck and bus inventory, covering data as of the year end of 1941. This was essentially an equipment inventory and additionally showed the principal commodities for which trucks were used and differentiated between publicly owned, private not for-hire, and for-hire trucks.

Some valuable data are also available in the compilations made by ODT from the certificates of war necessity covering the year of 1944.

The USDA and some of the State agricultural experiment stations have for years, in connection with studies of marketing and transportation developed data and reports containing much valuable information on motor carriage of property—especially farm products. These studies have, however, necessarily been limited as to area, time, and information coverage.

NO RECENT COMPREHENSIVE COVERAGE

Yet in spite of the very valuable character of the data assembled by the above-mentioned and other Federal agency studies, because of their nature, limitations of scope, and the time element it still remains true that no Federal or other agency has in its possession the kinds of data on motor transport deemed essential.

With the exception of the class I interstate carriers now reporting to ICC the words of Mr. Eastman are still true, when he said, in his fourth report as coordinator, "no satisfactory data are available with respect to persons and property carried and labor employed in highway motor-vehicle transportation." As noted in the more detailed discussion of for-hire carriers even the reports on class I interstate carriers of property are lacking in commodity data.

POTENTIAL FEDERAL USERS OF THE DATA IF ADEQUATE

Because of the obvious importance of motor transport in the industrial and total economy of the Nation and the present inadequacy of the data thereon the panel feels that on this point of potential users of the data it is sufficient merely to mention some of the Federal agencies which feel the need thereof without going into detail as to the exact kind of uses which each agency might probably make of the data. Undoubtedly once adequate data are available, new and perhaps unsuspected uses will be found for them.

As of the present, the following may be listed as having a known active interest in motor transport data as well as in transportation data in general.

The Congress.

The War and Navy Departments.

The Federal Works Agency—Public Roads Administration.

Department of Agriculture—Production and Marketing Administration and Bureau of Agricultural Economics.

Bureau of Foreign and Domestic Commerce.

Interstate Commerce Commission.

The Bureau of Mines.

The Bureau of Internal Revenue.

The Bureau of Labor Statistics.

The panel accordingly recommends that provision be made for supplying the evident need for more comprehensive data on transportation by motor carriers. This coverage should include both the carriage of persons and of property.

It is suggested that for the present the coverage of carriers by motor of passengers be confined to for-hire carriers—including all such carriers whether interstate, intrastate, or local.

The coverage of motor transport of property should include both for-hire carriers (including exempt) and private carriers.

For-hire carriers by motor are, as implied in the term, individuals, partnerships, corporations, et al., which set themselves up to perform transport service for others in return for compensation.

As pointed out more fully in subsequent pages, there are numerous kinds and classes of these for-hire carriers. No one knows with any assurance the approximate number of such carriers.

Private carriers of property by motor are individuals, partnerships, corporations, et al., which for one reason or another furnish part or all of their own motor transport service. Included in this category are manufacturers, mines, wholesale, retail, and service establishments, and farmers.

While the Bureau of the Census and other agencies do from time to time publish data as to the total number of these and other kinds of industry and business, there are with very limited exceptions no Government data showing the number and percent of such firms which furnish part or all of their own motor carrier transport, the amount of for-hire transport service used (motor, rail, water, or airway), the number of motor vehicles owned and operated, nor how these matters vary from business to business by kind, size, or geographic location.

Some general clue as to the relative number of vehicles used in private motor carriage and for-hire motor carriage of property may be obtained from the fact that the truck and bus inventory showed that 83 percent of all trucks reported were used privately and not for-hire, and by the further fact that in the compilations made from the ODT data covering 1944 only 13 percent of the trucks were classed as being used for-hire.

STATUS OF THE FEDERAL STATISTICS ON MOTOR CARRIERS FOR HIRE

I. Classes and number of for-hire carriers

Federal statistics on for-hire carriers by motor are, as a whole, quite inadequate. Even the number of for-hire carriers of property and of persons is not of record, nor, excepting only the larger interstate for-hire carriers, are any up-to-date Federal statistics available as to size and scope of business, the number of vehicles used, amount and kind of commodities or number of persons hauled, number and compensation of employees, and other such data as would serve to indicate their importance in the national economy or the role played by them in furnishing transportation service.

In discussions of matters pertaining to this industry two general classifications are made use of; namely, interstate for-hire carriers and intrastate for-hire carriers. Intrastate carriers are such carriers as operate wholly within a single State and do not have arrangements with other carriers for the through handling of shipments or persons moving across State lines. Many carriers engage in both inter- and intra-state operations.

Interstate carriers of property: Under the administration of the Motor Carrier Act by the Interstate Commerce Commission, the following classes of for-hire interstate carriers of property are recognized:

Class I, which includes those carriers whose average gross revenue from transportation by motor vehicle exceeds $100,000 per annum. There are approximately 2,100 class I carriers.

Class II, which includes those carriers whose average gross revenue from transportation by motor vehicle is $25,000 or more but under $100,000 per annum.

Class III, which includes those carriers whose average gross revenue from transportation by motor vehicle is less than $25,000 per annum. In class II and class III there are approximately 19,000 carriers.

In 1941, of an estimated total number of 22,500 class I, II, and III for-hire carriers of property, approximately 76 percent, or 17,100, were intercity in character and the remaining 24 percent, or 5,400, were local.

Exempt carriers, which engage primarily in the handling of unmanufactured agricultural commodities, livestock, fish (including shellfish), and farm cooperative associations. The only record of interstate carriers, which record is known to be incomplete, lists about 3,150 carriers.

Interstate carriers of passengers: For-hire carriers of persons are classified or grouped into similar classes:

Class I operators whose average gross revenues per annum exceed $100,000, 350 carriers, of which approximately 266 are classed as intercity, while the remaining 64 are classed as local.

Class II operators whose average gross revenues per annum are $25,000 but not more than $100,000.

Class III operators whose average gross revenues per annum are less than $25,000. There are approximately 1,220 class II and class III carriers of passengers.

Exempt are certain types of passenger carriers for hire, such as school buses and taxicabs.

Intrastate carriers: There are no Federal statistics available to show even a close approximation as to the total number of intrastate carriers of property. The situation is the same with respect to intrastate carriers of passengers. Some intrastate carriers for hire are not subject to regulation.

II. Extent of present statistical coverage

Class I interstate carriers are at present the only class of for-hire carriers of property and of passengers which regularly file accounting and statistical reports with the ICC or any other Federal agency.

According to the latest available information, the ICC is receiving such reports from 2,160 class I carriers of property and 350 carriers of passengers. The property carriers include approximately 1,600 intercity carriers

and 500 local carriers; the passenger carriers include 266 intercity carriers and 84 local carriers.

Local carriers are carriers which perform for-hire transportation service within a municipality or contiguous municipalities. Carriers of property which derive 25 percent or more of their total operating revenues from local service are classified as local carriers.

Passenger carriers whose average fare is less than 20 cents are classified as local carriers.

Some indication of the limited extent of the coverage of the entire field of for-hire carriage of property which is afforded by the reports made to the ICC by class I interstate carriers may be found in the fact that in 1944 the owned power units of class I carriers represented approximately 10 percent of the total number of power units operated by all such carriers, both interstate and intrastate. A substantial number of other power units i used by class I carriers under leasing arrangements. It is to be noted that for-hire motor vehicles tend to be larger and to be operated more miles per annum than those used in private carriage.

The class I interstate for-hire carriers of persons regularly reporting to the ICC accounted for approximately 53 percent of all vehicles employed for hire in the intercity carriage of persons in both intrastate and interstate commerce in 1943, exclusive of those carriers wholly or preponderantly engaged in city or suburban service.

Other official data on for-hire trucking: As noted above, the only regularly recurring reports secured by any Federal agency are those made to the Interstate Commerce Commission by class I interstate carriers of freight and passengers. Some additional data have in the past been developed covering specific years, but no continuous series of data have resulted.

Of this sort of coverage, mention may be made of the ICC data obtained from the class II and III carriers of freight and passengers for the years 1939 to 1941, inclusive; the compilation made by ODT of pertinent data from the certificates of war necessity for 1944; the census of for-hire trucking and bus operations by the Bureau of the Census, 1935, and the truck and bus inventory conducted by Public Roads Administration for the Highway Advisory Committee of the War Department, the data for which covered the year 1941. The Highway Planning Surveys previously mentioned also provided some data on for-hire carriers.

The ICC report on class II and III carriers of property for 1941 included 21,300 such operators, and the data of for-hire carriers of passengers covered 1,287 operators.

Both the ODT compilation and the truck and bus inventory covered vehicles used in for-hire operations as well as those used for private operation. Neither of these, however, covered the general business statistics of the for-hire industry nor commodity data. Hence these reports, while containing some valuable data as of the years covered, fall short of providing adequate data on for-hire operations even for those years.

The marketing and transportation studies conducted by the United States Department of Agriculture and the Agricultural Experiment Stations, mentioned above, have included some valuable but fragmentary data on for-hire carriers of property.

Adequacy of present statistics on for-hire carriers: It is evident from the foregoing discussion that dependable recurring data on for-hire carriers by motor and their traffic, other than those in the class I category, are not presently available.

The reports (quarterly and annual) presently filed by class I carriers of property or passengers set out extensive balance-sheet and income information, expenses, etc.; equipment data; and operating statistics; and include data on number and compensation of employees.

With respect to the class I carriers of passengers, the panel believes that the data now obtained by the ICC are generally adequate. The panel believes that the data would have additional value for some users if it should prove practicable for the ICC to obtain data showing the number of passengers originating and terminating by States. The panel also believes that the reports as filed by class I carriers of property contain data which in general are adequate, except in the case of commodity data. The nearest approach to commodity statistics in the reports of class I carriers is found in the table dealing with carrier classification (general commodity haulers, carriers of household goods, petroleum, etc.). Such commodity data as are furnished, however, do not provide information on each of the major commodity groups.

It is believed by the majority of the panel that the reports issued on the basis of the data rendered might be made of greater value to users outside of the ICC if so set up as to show in greater detail the geographic distribution of the carriers, e. g., by States and cities. Further, in the event a census of for-hire motor carriers be taken, even if the class I carriers be excepted therefrom, the panel believes that the reports issued by the Census thereon should incorporate data from the ICC reports on class I carriers in order that the reports may constitute a uniform report of all classes of for-hire carriers.

Need for additional data: In view of the importance of for-hire transportation by motor vehicle in the economy of the country, it is necessary that more information be available with respect to numbers of carriers, numbers of units of equipment by types, miles operated, average length of haul, income and operating statistics, commodity data, and information of related character.

Various Federal agencies, as noted earlier in this report, need data of this type in the discharge of their statutory duties. Without such data any critical analysis of the role, in absolute terms or relatively, played by the various transport agencies is impossible. In times of national emergency, such information is essential for the proper distribution of critical materials, such as motor fuel, tires, and parts, as well as to determine the availability and location of motor vehicles of various kinds and types.

It is the opinion of the panel that not only Government, but industry and the public generally are concerned with such information. This is indicated by the many requests upon Government agencies for data of this kind.

The kinds of data needed: In general these may be characterized as being the kinds of data which will show the extent and scope of the for-hire motor-carrier industries—property and passengers. The data, methods of tabulating, etc., should be such as to result in reports on the economic characteristics of these industries somewhat similar to those now available through the Bureau of the Census on other segments of American business and industry.

The panel has not believed that it was essential at this time to set forth specifically and in detail each item which should be covered in a report form or schedule, nor to attempt to develop a tentative draft of such schedule. The panel does, however, wish to express its willingness both as a group and as to each member thereof to aid in preparing such schedules, the necessary instruction, etc., if this be the wish of the subcommittee or of any agency which may be intructed to obtain the data needed.

In summary, the data should cover:

I. The usual firm or individual identification.

II. The geographic location: (a) State, county, city, town, street adress; (b) the same for each establishment or terminal if operations are conducted out of more than one city address; (c) if a home office concern, the name and address thereof.

III. Names and addresses of any subsidiaries, affiliates, or parent companies.

IV. Date established—date coming under present ownership if not the original owners.

V. General character of operations as: Common: interstate, exempt, intrastate, local, regular or irregular routes; contract: ditto.

VI. Gross revenues:

(a) From trucking.

(b) From other kinds of business, with kind indicated and receipts therefrom.

VII. Employees and compensation: Officers and wage-earners, sex, occupational classification as practical.

VIII. Inventory of equipment by kind, type, capacity, age, etc.

IX. Operating expenses, total:

(a) Salaries and wages.

(b) Truck and tractor fuel—by kinds and amounts.

(c) Lubricating oils and greases.

(d) Rents.

(e) License, weight, fuel, and other operating taxes.

(f) Tires.

X. Commodity data:

Principal commodities hauled and tonnage, actual or estimated of each, together with area of distribution, e. g., States of origin and destination. Total tonnage hauled.

In the above list of data the panel has sought rather to indicate the sorts of data on motor transport which it believes are needed by some of the interested Government agencies than to indicate the detailed contents of a census schedule.

The panel is fully cognizant of the fact that any general schedule so developed as to make it applicable and practically useful with all members of the for-hire motor industry cannot furnish all the detailed statistics which some of the agencies find it desirable to have for their own work. To meet such special needs, such agencies may well need to develop intensive studies and analyses of certain segments of the field with the actual work generally done either by their own staffs or in cooperation with other interested agencies.

For example, to meet certain of the needs for additional details on commodity movement a special waybill sample study might be made to cover either the specific industry in which certain Government agencies are interested or specific geographic areas. Such studies are now in process regarding rail and water transportation. Moreover, the ICC has made such waybill studies in special areas; namely, the Western Trunk Line and Southern territories and similar studies in the other rate territories will go forward as rapidly as possible.

Further, in the case of the necessarily more detailed data needed, both by PRA and USDA on motor transport of farm products to processing plants, markets, etc., a joint undertaking of these two agencies might be considered.

RECOMMENDED PROCEDURES FOR OBTAINING THE DATA

It is evident that provision of adequate Federal statistics of the for-hire motor carrier industry must involve plans to procure such statistics on the very large segments of the industry not now covered.

Recapitulation of the status quo may be helpful at this point.

Presently covered: The only part of the industry on which any regularly recurring statistical reports are made to any Federal agency is class I interstate carriers of property and passengers now reporting to ICC—totaling about 2,450 carriers. Class I carriers of property account for more than 60 percent of the revenues of class I–III carriers and class I carriers of passengers account for more than 80 percent of the revenue of class I–III carriers of passengers.

Presently not covered: Class II and class III interstate carriers of property and passengers under jurisdiction of ICC, but not rendering regular reports—about 20,200.

Exempt interstate carriers of property (3,150 of record with ICC, but by some estimated to number 15,000 to 20,000). Intrastate carriers—of which it is believed there may be close to 100,000 carriers of property.

The panel makes the following recommendations:

1. Interstate carriers under ICC jurisdiction:

(a) That the ICC incorporate in its reporting forms for class I carriers of property inquiries which will develop additional commodity data.

This gap might be filled in part by having motor carriers report the volume of commodities handled under truckload rates. This distribution of truckload shipments, taken together with the carrier's present statement of total commodities carried, would also provide information as to aggregate volume of l. t. l. shipments. The data thus furnished by the motor carriers might be tabulated by the ICC on the basis of classification similar to the AAR freight-commodity classification.

(b) That the ICC should require annual reports from class II and class III carriers, both of property and passengers. The report forms might in general follow the pattern of those used in 1939–41 with certain amplifications and modifications.

(c) That annually the ICC should publish reports based on the above data and that the arrangement of the tabulations and form of the reports should give due consideration to such method of presentation as would make them of maximum value to the user agencies and to the general public.

2. Exempt interstate carriers; and

3. Intrastate carriers.

These two classes of carriers are not subject to the jurisdiction of the ICC with the exception of safety and hours of service in case of the exempt interstate carrier. Nor are data reported by them to any Federal agency. Hence the situation with respect to plans for securing the recommended kinds of data is essentially different.

Manifestly, what is needed is as complete coverage as possible and the development of comprehensive reports in which there may be incorporated the essence of the business statistics reported to the ICC by carriers under their jurisdiction.

The panel recommends as the most feasible and practical method of obtaining the data that the Bureau of the Census periodically take a census of only the above classes of carriers.

This should include the complete or full census at each 5-year interval plus limited annual survey.

The quinquennial census of for-hire motor carriers should coincide with the quinquennial census of manufactures, mineral industries, business, including construction and service, and warehousing and storage.

It is further recommended that the first such census of exempt and intrastate for-hire carriers be taken in 1948 covering the year 1947. It is realized that this first census would probably necessarily be rather limited as to commodity data because of the condition of the carriers' records.

It has been suggested that in lieu of a census of such transportation the interested Federal agencies prepare a questionnaire and request cooperation of State regulatory commissions in serving the questionnaire on all for-hire carriers not subject to the Interstate Commerce Act. These questionnaires to be returned to the State commissions for their information if desired and forwarding to Washington for tabulation.

The panel, however, has no way of knowing whether:

(a) The State commissions have adequate up-to-date usable records, of the kind necessary for such procedure;

(b) The State commissions are so staffed as to make this work a reasonable request;

(c) Whether under their existing legal authority the State commissions could undertake to do this; and

(d) Whether such State commissions would care to be placed in a position to have to require such reports.

Because of the above and other reasons involving actual experience in working with State records, the panel entertains serious doubt that the plan is practical. Nor is it believed that it would provide the essential data as readily and as economically as would the recommended census.

Moreover, there would still be entirely uncovered statistically the exempt interstate carriers.

In the event that the Interstate Commerce Commission feels it cannot arrange to make a substantially complete coverage of the carriers subject to its jurisdiction, the panel recommends that this be done by the Bureau of the Census in connection with the recommended quinquennial census of intrastate and exempt carriers and coinciding with the date of taking the censuses of manufactures, mines, and business.

It is well known that at present any interested party can find in available Government reports data as to the number, size, employees, and wages, etc., of manufacturing, wholesale, retail, and service establishments by kind for practically any county or city in which such person is interested. No such data are available on for-hire motor carriers, even the class I carriers now reporting to the ICC.

It is the opinion of the panel that only such comprehensive reports as are here in mind, developed on a uniform basis, will fill the needs of the Congress, the various Federal agencies, and the general public for up-to-date adequate information on for-hire transportation by motor.

STATUS OF FEDERAL STATISTICS ON PRIVATE CARRIERS BY MOTOR

I. Classes and number of private carriers by motor

The term "private carrier," as was noted in the introductory statement, is used as a general term of convenience in referring to those persons, individuals, firms, et al., who furnish part or all of their own motor transport of property or persons in connection with the operation of their industry or business.

Thus the so-called private carriers of property may include:

Manufacturers—the census reported 185,732 establishments in 1939.

Retailers—1,770,355 according to 1940 census.

Wholesalers—200,573 according to 1940 census.

Service establishments—646,024 according to 1940 census.

Farmers—6,096,799 in 1940, of which 944,184 or 15.5 percent reported on trucks.

Included, too, would be railroads, waterway companies, truck lines, warehouses, etc., to the extent that they own and use trucks incident to the conducting of their businesses but not for hire.

There are no recurring reports made to any Federal agency showing even the total number of individuals, businesses, industries, etc., which own and operate motor vehicles in connection with their business operations.

II. Extent of present statistical coverage

With the exception of data developed by certain special marketing and transportation studies by various agencies incident to their own work or in cooperation with the various States and State institutions practically no Federal statistics are available on private carriers.

The census of agriculture does include the number of automobiles and the number of trucks on farms but develops no data as to the extent or kind of their use. Also in the past, the census of manufacturers has obtained delivery equipment data from some few kinds of manufacturing. Such inquiries have apparently been discontinued in most instances.

It is, of course, known in general that in some kinds of businesses truck ownership and use have grown markedly. This is shown by the increase in truck registrations as reported to Public Roads Administration by the States. However, because of differences in State registration deadline dates, duplication of registration as between States and other variations in registering and reporting, it is extremely difficult to arrive at a reliable figure even as to the total number of trucks in operation as of a given date.

Further, the registration data as published, do not differentiate as between those vehicles used for hire and those used in the private operation of business.

III. Adequacy of present statistics and need for additional data

No extended comment is needed here in view of the situation as described above.

The need for such data seems to be universally accepted and is actively evidenced on the part of numerous Federal agencies, as well as by nongovernmental organizations and individuals.

IV. Kinds of data needed

These may be summarized as being those data which will enable development of the facts concerning motor-vehicle ownership and use by kinds of business, by geographical location, and in relation to for-hire motor transportation and other modes of transportation. It is desired to measure the amount and extent of such private transport in comparison to for-hire transportation by various other means and the relative extent to which industry and business use private carriage and for-hire carriage.

V. Recommended procedures

Since private carriers of property by motor are manufacturers, mineral industries, assemblers, and wholesalers, retailers, construction-service businesses, and farmers, each of which is periodically covered by a census, it seems quite obvious that the most feasible and economical method for the Government to use in providing the needed statistics thereon is through the incorporation in the regular census schedules of appropriate motor-transport inquiries.

While it is true that certain other Federal agencies under existing authority could proceed to obtain coverage of all or parts of this phase of motor transport, the panel believes that this should be undertaken by the census.

Among the reasons which might be cited are:

(a) It would undoubtedly be more economical than for such other agencies to supply and train a separate force of enumerators or interviewers.

(b) It would obviate the necessity of businesses, industries, etc., having to report to two different Federal agencies at about the same time and such reporting would necessarily involve duplication of certain inquiries.

(c) It would provide opportunity to obtain at the same time the information as to the use of the other forms of transportation.

(d) It would be more apt to result in uniformity of and hence increased usefulness of reports.

The panel deemed it unnecessary at this time to work out the details of the inquiries which it believes should be incorporated in the schedules used with each of the other censuses.

The panel does recommend, however, that provision should be made to secure essentially the following data:

1. Inventory of equipment by kind, type, and age, including passenger cars used in the business.

2. The extent to which raw materials, supplies, etc., are received by motor, both owned and for hire, with comparative data on other modes of transport.

3. Comparable data on shipment or delivery of products or merchandise with suitable variations to care for differences in the kind and conduct of operations of industry, business, etc.

For the most part the panel accepts the recommendations made on this matter by the transportation subcommittee approximately 1 year ago. However, the panel feels that the inquiries at that time proposed for addition to the census of manufactures schedules were probably developed too much in detail.

Specifically the panel does recommend that such inquiries as are calculated to produce the needed data be incorporated in the census of manufactures now authorized for 1948, covering the year 1947, in the event that Congress makes appropriation for the conduct thereof. Further, if additional censuses of business, mineral, industries, etc., be authorized and appropriated for, the panel recommends that the schedules used thereon should also contain such transportation inquiries.

It is further recommended that at the time of the taking of the next farm and ranch census, now authorized for 1950, suitable provision should be made to secure adequate transportation statistics in connection with that census.

The panel recommends that a program for providing adequate Federal statistical coverage of motor-carrier transport along the above lines be expedited as much as possible.

The panel realizes that implementation of the work on the part of some of the agencies mentioned might be contingent on the matter of additional appropriations.

Unanimously adopted by the panel:

Panel on Highway Transport Statistics of Subcommittee on Transportation of the Federal Committee on Economic Statistics: John C. Winter, Department of Agriculture; Kenneth Myers, Department of Agriculture, alternate; Knute E. Carlson, Bureau of Foreign and Domestic Commerce; W. H. S. Stevens, Interstate Commerce Commission; C. W. Emken, Interstate Commerce Commission, alternate; Charles D. Bohannan, Public Roads Administration, chairman.

FEBRUARY 14, 1947.

Mr. McCARRAN. Mr. President, in conclusion, I have been advised that the Committee on the Civil Service, to which the bill (S. 6) has been referred, proposes to consider the measure at an early date. I sincerely hope this is so. I feel confident that public hearings on the bill will support fully the need for such legislation, and I earnestly hope that the bill may be brought before the Senate for action at an early date.

PETROLEUM AND NATURAL GAS RESERVES

Mr. MOORE obtained the floor.

Mr. LANGER and Mr. SMITH addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield, and if so, to whom?

Mr. MOORE. I am perfectly willing to yield, but since the Senator from Nevada [Mr. McCARRAN] raised the point of strict adherence to the rule, I think perhaps I should not yield.

Mr. LANGER. Will the Senator from Oklahoma yield to me?

Mr. MOORE. I yield to the Senator from North Dakota.

Mr. LANGER. I thank the Senator very much. When I am through I shall yield back the floor to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma has the floor.

Mr. MOORE. I think I shall have to decline to yield if the Senator from North Dakota is going to make a speech. I do not claim to have the power to farm out the floor.

Mr. SMITH. Mr. President, will the Senator yield for a short statement?

Mr. MOORE. No; I decline to yield.

Mr. McCARRAN. Mr. President, a parliamentary inquiry. The Senator will yield for that, will he not?

Mr. MOORE. Yes; I shall be glad to yield.

The PRESIDING OFFICER. The Senator from Nevada will state his parliamentary inquiry.

Mr. McCARRAN. Mr. President, when a Senator who wants to speak rises and addresses the Chair before other Senators do, does the present occupant of the chair rule that he should be recognized as against the list which is before the Presiding Officer? In that regard, let me say that it is the position and always has been the position of the Senate that lists before the Presiding Officer do not stand as against a Senator who is recognized and has the floor.

The PRESIDING OFFICER. The Chair was about to say to the Senator from Nevada that the list is for the convenience of the Chair, as the Chair thinks the Senator from Nevada knows. In the opinion of the Chair the Senator is not in error when he raises the question in the parliamentary manner in which he just raised it.

Mr. McCARRAN. Very well, Mr. President.

Mr. MOORE. Mr. President, in view of the public concern as to this country's position with respect to petroleum reserves, I have from time to time in the past called the attention of Members of Congress to the estimates of domestic reserves made by the American Petroleum Institute. The recent report of the Special Committee To Investigate Petroleum Resources dealt at some length with the question of our domestic reserves, as compared with the petroleum reserves of other countries, and the interest of American nationals in reserves located in foreign countries.

On February 27, the American Petroleum Institute's committee on petroleum reserves issued its latest estimate concerning proved domestic petroleum reserves as of December 31, 1946. According to this latest estimate, we have in the United States proved petroleum reserves totaling 20,873,560,000 barrels. It is interesting to note that this figure is an increase of a billion barrels over the 19,941,846,000 barrels of estimated proved reserves as of December 31, 1945. During the year 1946 we produced a total of 1,726,340,000 barrels, which means that we have had an over-all increase of estimated proved reserves to the extent of over 2,600,000,000 barrels.

Approximately 2,400,000,000 barrels of the increase is attributable to the extension of known pools, and approximately 245,000,000 barrels represent new discoveries.

It is an interesting fact that the basis on which these estimates are made does not include reserves of oil under the unproved portions of partly developed fields, oil in untested prospects, oil that may be present in unknown prospects in regions believed to be generally favorable, oil that may become available by secondary recovery methods, oil that may become available through chemical processing of natural gas, or oil that can be made from oil shales, coal, or other synthetic sources.

According to the committee's report, these estimates are based upon actual development under producing methods being employed at the present time.

In addition to these estimated petroleum reserves, the committee also estimates, as of December 31, 1946, condensate reserves at 1,050,794,000 barrels and other natural gas liquid reserves at 2,270,233,000 barrels, making a total estimated domestic liquid hydrocarbon reserve of 24,194,587,000 barrels. Natural gas liquids include condensate, natural gasoline, and liquefied petroleum gases.

Proved natural gas reserves, as of December 31, 1946, are estimated at approximately 160,000,000,000,000 cubic feet, as compared with approximately 148,000,000,000,000 as of December 31, 1945, or an increase of about 8 percent for the year. The net production of natural gas for the year 1946, after deducting gas returned to underground reservoirs, is estimated at 4,900,000,000,000 cubic feet.

THE PALESTINE SITUATION

Mr. IVES. Mr. President, within the past few days, a matter has arisen which once again brings the Palestine problem to the fore. Following Britain's decision to submit the Palestine question to the United Nations, it is now proposed that a special United Nations' committee be created to study this question with a view toward reporting to the General Assembly in its second session in September recommendations for its settlement. The Secretary General of the United Nations has communicated this proposal to the British, American, Russian, French, and Chinese delegations.

It seems to me that the decision of the British Foreign Office to put the matter of Palestine before the United Nations Assembly offers little hope of a constructive solution.

In the first place, the Assembly does not meet until next September. In the second place, the Assembly is not itself a body which can independently evolve any acceptable solution of this extremely complicated and delicate problem. It is true that the Assembly might ratify and confirm a solution. But a popular body representing 55 nations and with a membership of several hundred, most of whom are unfamiliar and unconnected with the

problem, cannot be expected itself to evolve a solution. Furthermore, it has no authority to impose a solution.

A brief analysis of the pertinent provisions of the United Nations' Charter will, I believe, make this abundantly clear.

The Charter provides two main avenues of approach to this problem. First, under article 14, the General Assembly "May recommend measures for the peaceful adjustment of any situation, regardless of its origin, which it deems likely to impair the general welfare of friendly relations among nations." Second, under article 77, the United Nations trusteeship system may be invoked with respect to territories now held under mandate.

One thing is sure: It is not yet clear whether the British propose to make a recommendation for "peaceful adjustment"—the first approach—or whether they propose in due course to proceed for "trusteeship"—the second line of approach.

A trusteeship—if this be proposed—can only be created by agreement between "the States directly concerned, including the mandatory power." It is known that the Arab states press the view that they are "states directly concerned" in Palestine and that there can be no trusteeship except on terms approved by them. Whether or not this is a correct interpretation of the Charter, it does in fact create immediately a serious obstacle to a satisfactory trusteeship arrangement. Furthermore, Britain as a mandatory power would have to propose concrete and specific terms of trusteeship. But Britain has made no trusteeship proposals as yet.

The reference of the Palestine problem to the Assembly without recommendation by the British Government has merely resulted in dumping this complex problem into the lap of the Assembly, presumably for the formulation of its own trusteeship agreement. At the last session of the General Assembly, eight separate trusteeship agreements were approved, but in each case the mandatory power made its own specific proposals, and these were concurred in by the overwhelming majority of the other member states, including "the states directly concerned."

Moreover, if the United Kingdom proposes to follow the first approach I have mentioned, that is, to have the General Assembly recommend a "peaceful adjustment" of the Palestine problem, just what is that proposal to be? It does not seem to me, upon close analysis, that the Assembly of the United Nations is the forum best calculated to achieve a just and acceptable result.

This week's proposal to create a Committee of Inquiry—to which I referred at the outset of my remarks—involves the setting up of a committee which, in order to achieve a just result, would have to be free from bias. The selection of such an impartial committee in and of itself creates a first major problem. Even assuming a competent committee free from bias is at all possible, it would then be faced with a fact-finding project of major proportions, with all of the resultant delays. Furthermore, if the creation of such a committee must await approval by the Assembly itself in September of this year—and there is ground for this view—then a committee report would not be available until the succeeding meeting of the Assembly, which would normally occur in October 1948.

While on the subject of the committee proposal, I think it well to point out that the Anglo-American Committee of Inquiry, upon which we had all rested so much hope, submitted on April 20, 1946, to the British and American Governments a report containing a series of recommendations on Palestine. But even this report seems now to have been relegated to the limbo of the forgotten, its recommendations entirely ignored.

It is my considered view, therefore, that the course now being pursued does not really contain the sound elements of an early or just solution.

Nor does it actually relieve the United Kingdom as the mandatory power of the responsibility of itself formulating either a proposed trusteeship or a proposed recommendation to the General Assembly. These are necessary preliminaries to effective action by the Assembly.

In the event the Palestine problem is to be embodied in a trusteeship agreement, no time should now be lost formulating its terms. The Assembly cannot be expected to act intelligently until not only the whole problem has been explored, but an approach to its solution has been furnished by the mandatory power. The Committee proposal now suggested will mean a further delay of perhaps 1 or 2 years.

I respectfully urge the President and the State Department to weigh carefully their decision with respect to the Committee proposal submitted to this Government by the Secretary General of the United Nations. The proposal is fraught with delay. There is need for more realistic thinking in the evaluation of methods which are to be employed in helping to bring about an early and just solution.

The Palestine problem is only a part of the larger problem involving displaced persons. A bill with regard to the immigration of certain displaced persons into this country, which I shall propose, should tend in some measure to alleviate the present distress in which so many thousands of young, innocent victims of the war now find themselves.

The entire problem of displaced persons will be measurably assisted by immediate substantial immigration of Jews into Palestine, as recommended by the Anglo-American Committee of Inquiry last year. This immigration, which Britain alone can make possible, cannot await a solution of the entire Palestine problem. Human life cannot languish so long.

This problem is a matter of concern for men of all faiths. Assistance to victims of persecution and tyranny is a major test of our war and peace aims. We must, in the name of common humanity, help to provide for these displaced people who seek refuge, a chance at life itself. By doing our part in meeting this problem we shall help to insure a better day to come for all mankind.

CONTINUATION OF CERTAIN WAR EXCISE TAX RATES—CONFERENCE REPORT

Mr. MILLIKIN. Mr. President, I present the conference report to accompany House bill 1630, called the Excise Tax Act of 1947.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1030) to continue in effect certain war excise tax rates, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 7. (a) Section 2401 of the Internal Revenue Code (relating to the tax on furs) is hereby amended by inserting after the words 'chief value' a comma and the following: 'but only if such value is more than three times the value of the next most valuable component material'.

"(b) The amendment made by subsection (a) shall apply in the case of articles sold on or after the first day of the first month which begins more than twenty days after the date of the enactment of this Act."

And the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 8. (a) Section 3469 (a) of the Internal Revenue Code (relating to the tax on transportation of persons) is hereby amended by inserting after the first sentence two new sentences to read as follows: 'The tax shall not apply with respect to transportation any part of which is outside the northern portion of the Western Hemisphere, except with respect to any part of such transportation which is from any port or station within the United States, Canada or Mexico to any other port or station within the United States, Canada or Mexico. For the purposes of this section, the words "northern portion of the Western Hemisphere" mean the area lying west of the thirtieth meridian west of Greenwich, east of the International Date Line, and north of the Equator, but not including any country of South America.'

"(b) The amendment made by subsection (a) shall apply to amounts paid on or after the first day of the first month which begins more than twenty days after the date of the enactment of this Act for transportation on or after such first day.

"(c) Effective with respect to tickets sold or issued on or after the first day of the first month which begins more than twenty days after the date of the enactment of this Act, section 1806 of the Internal Revenue Code (relating to stamp tax on passage tickets) is hereby repealed."

And the Senate agree to the same.

E. D. MILLIKIN,
ROBERT TAFT,
HUGH BUTLER,
WALTER F. GEORGE,
ALBEN W. BARKLEY,
Managers on the Part of the Senate.

HAROLD KNUTSON,
DANIEL A. REED,
BERTRAND W. GEARHART,
RICHARD SIMPSON,
R. L. DOUGHTON,
JERE COOPER,
JOHN D. DINGELL,
Managers on the Part of the House.

Mr. MILLIKIN. Mr. President, Senators may remember that the Senate added two amendments to the bill as it came from the House. The House conferees and the House have accepted the Senate amendments, with amendments. The conference report was unanimously adopted by the conferees. The two amendments concerned excise taxes on furs and taxes on travel.

The fur amendment was accepted in exact substance as it left the Senate, with only clerical changes. The travel amendment was changed to the extent that the tax remains on transportation from this country to certain delimited areas including Canada, Mexico, Central America, and certain of the off-shore islands, on the theory that if we took the tax off as to those places we would be giving unfair competition to the resort areas of our own country.

Mr. WILEY. If I understood the Senator's remarks correctly, he said the Senate amendment regarding furs was agreed to substantially in its entirety.

Mr. MILLIKIN. In substance. There was some change in clerical verbiage.

Mr. WILEY. I thank the Senator.

Mr. MILLIKIN. I ask unanimous consent for the immediate consideration of the conference report.

The PRESIDING OFFICER. Is there objection?

There being no objection, the report was considered and agreed to.

PERSONAL STATEMENT

Mr. LANGER. Mr. President, some weeks ago when, as chairman of the Senate Committee on Civil Service, I announced that the postal rates on the large magazines, publications, and the large newspapers would have to be raised in order to meet the $300,000,000 deficit in the Postal Department, I was warned that if I persisted bitter attacks, no matter how unfounded, would be made against my personal character. Conceiving it to be our duty, the entire membership of the Senate Civil Service Committee, including myself, has proceeded with the investigation and have demanded that the Post Office Department recommend rates sufficient to wipe out the deficit as nearly as possible. On Tuesday that recommendation was filed with us, and we announced hearings for March 18; and I am here to assure the Senate that those hearings will be held, regardless of any pressure of any kind or character.

Certainly there can be no justification for a large publication making profits running into the millions of dollars being mailed out at the expense of the taxpayer. The Post Office is operated by the Government as a business enterprise, and it should be run on a business basis; and a newspaper or magazine making large profits should welcome the opportunity to pay enough postage to cover the actual mailing, rather than making money at the expense of the rank and file of the taxpayers.

This morning the Times-Herald, published here in Washington, led off with the attack against my personal character that I had been told would come. This newspaper stated:

The U. S. S. *Marine Adder* will steam out of the Golden Gate with 256 very unwilling Indonesian ex-seamen aboard—but most significant of all, 10 additional Indonesians will be exempt and remain in this country, because they are the friends of a friend of a United States Senator—Senator WILLIAM LANGER, Republican, of North Dakota.

The case itself calls attention to a host of recent developments in Congress regarding immigration, and may well set off the next real roundhouse battle on Capitol Hill over postwar immigration policies.

LANGER's connection with it throws a hard, cold light on a startling practice which other Congressmen have been indulging in for years to protect their special friends from the long arm of their own laws.

Briefly, this is what happened in the Javanese case. During the war several hundred Indonesian seamen jumped ship or were stranded in this country. Because of their racial background they were not eligible to become citizens.

After much detective work the tough, quick-drawing agents of the Immigration and Naturalization Service rounded up 256 and chartered a boat to deport them to Batavia on June 13, 1946.

A few days before the scheduled sailing the Indonesians' lawyers applied for a writ of habeas corpus in the Federal district court at San Francisco. They claimed they were supporters of the Indonesian republican government which was fighting the Dutch at that time, and would be slapped into prison immediately in Batavia as political criminals.

The writ was denied; the Ninth Circuit Court of Appeals affirmed the decision, and the United States Supreme Court refused to review it. But in the meantime the boat sailed without the Indonesians. The Immigration Service held them in its big detention center at Crystal City, Tex., until today's shipment could be arranged.

Incidentally, the quarrel between the Dutch and rebel Indonesian Government has been settled now, and the Dutch authorities in Batavia have promised not to molest any of the deportees.

Here's where LANGER came in. On February 14, 1947, he introduced a private bill into the Senate to waive the immigration laws in the case of 10 Indonesians in New York City and let them become permanent residents of the United States "on payment of visa fee of $10 and head taxes of $8 a person."

Immediately, the Department of Justice stopped all deportation proceedings against the 10, pending action by Congress on the bill. This is a long-established courtesy given Senators and Representatives by the Attorney General.

The wheels of justice stand still, as long as the bill is in the hopper, whether it passes or not. Presumably, LANGER can introduce a similar bill every session, and delay the Indonesians' deportation indefinitely.

This maneuver, of course, has been open to all Senators and Representatives for many years. Only last week, the House Judiciary Committee took steps to tighten up the rules, and Chairman Representative EARL C. MICHENER (Republican), of Michigan, ran smack into a storm of angry protests.

In the Seventy-eighth Congress, 117 such antideportation bills were introduced. In the Seventy-ninth Congress, 443 were introduced, with only 13 becoming laws. So far in this Congress, the Eightieth, which is just 2 months' old, 353 have been tossed into the hopper, with a grand total of over 1,000 predicted.

Nobody really expects many of these bills to become laws, but they furnish protection to all the persons named, for the next 2 years.

To knock this off, and save the Government "a great deal of embarrassment and expense," MICHENER wrote Attorney General Tom C. Clark last week that the Justice Department "may feel free to disregard the practice of staying deportation proceedings," unless the full Judiciary Committee request such action. The Department averages 1,500 deportation cases a month. Another 15,000 persons are caught every month close to the borders, and taken back bodily by the immigration patrol.

The Senate Judiciary Committee, which now has 75 such bills, did not follow the House group's example, however. So, presumably Clark must continue to hold up deportation of every person named in a Senator's bill—including LANGER's Javanese. It is known that immigration agents took the 10 off the passenger list for the *Marine Adder*.

In addition to the Indonesians, LANGER also has a bill in the hopper to give permanent residence to eight British Indians.

Why is a North Dakota Senator so interested in Javanese and Indians (Hindu, that is, not Sioux), all of whom live in New York City? This question admittedly baffles his colleagues. An office assistant merely explains that the Indians were "friends of a friend" of the Senator, and the Indonesians were "just a similar case."

Other observers speculate that another explanation must lie somewhere in LANGER'S amazing career.

He was elected Governor of North Dakota in 1933, removed from the office by the State supreme court in 1934, reelected Governor in 1937; elected Senator in 1940, and allowed to serve after a bitter floor fight.

Mr. President, I have always been one of those men in public life who believe that the actions of a public official should be above reproach and open at all times to the fullest investigation. Also, I feel that this is one body left in the whole world where a Member under oath can truly express himself and be responsible only to his conscience and to Almighty God. Upon several occasions, I have voted alone against a confirmation or proposed measure. For example, I voted alone against the appointment of the millionaire Stettinius as Secretary of State, not because he was a millionaire but because I considered him entirely unfit for the position, and events justified my opinion. Alone I voted against the extension of lend-lease, and I believe events have justified that vote, also.

I know from my association with the Members of this body, made up as it is of two men coming from every State in the Union, that there naturally is a divergence of views; and never once have I questioned the honesty or the motives of any Senator who has introduced a bill or cast his vote, and I have been most happy in the knowledge that until today my motives likewise have not been questioned. But being questioned as they are by this unbelievably insidious attack of slander and innuendo, I propose to meet it head-on. Therefore, I wish to repeat the last four paragraphs of this newspaper article:

The Senate Judiciary Committee, which now has 75 such bills, did not follow the House group's example, however. So, presumably, Clark must continue to hold up deportation of every person named in a Senator's bill—including LANGER's Javanese. It is known that immigration agents took the 10 off the passenger list for the *Marine Adder*.

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Why is a North Dakota Senator so interested in Javanese and Indians (Hindu, that is, not Sioux), all of whom live in New York City? This question admittedly baffles his colleagues. An office assistant explains merely that the Indians were "friends of a

friend" of the Senator, and the Indonesians were "just a similar case."

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He was elected Governor of North Dakota in 1933, removed from the office by the State supreme court in 1934, reelected governor in 1937; elected Senator in 1940; and allowed to serve after a bitter floor fight.

Mr. President, a reading of the Congressional Directory will disclose that I state therein that I was sent to the United States Senate by the Republicans of North Dakota with the endorsement of the Non-Partisan League. The Non-Partisan League is a forerunner of what a real United Nations Organization should be and is not. I owe my election, not to any political clique or to the support of any powerful special interests in North Dakota, but I was elected by the rank and file of the people, regardless of race, color, sex, or creed. Supporting me almost unanimously were the physically handicapped, particularly the blind. Supporting me were the aged, receiving old-age assistance, who remembered my work in their behalf as governor and who were familiar with my attempts to assist them here. Supporting me were thousands upon thousands of farmer tenants and small farmers, who remembered the moratorium which I declared that saved their homes. Supporting me also were thousands of North Dakota citizens who gladly support any Senator whom they believe to be honest and fighting for what he believes is right.

It was with that kind of support from people who have so loyally voted for me for over 30 years that I came to the Senate, and it is for those men and women all over America that I shall ceaselessly work. Their ideals are my ideals. Their hopes and expectations are my hopes and expectations. Their wants and hunger and suffering and privations are my wants and hunger and suffering and privations. Let me say to the large publishers, to all of those who live without working, to those who live upon the tears and sacrifices and blood of their fellow human beings, that WILLIAM LANGER is not their man; and that during the last 6 years I have voted for and will continue to vote for as long as I am upon this floor, the underprivileged, the physically handicapped, the man unjustly accused of crime, the man in jail because of prejudice, the man who is not getting an honest deal.

It was in line with this duty that approximately 3 years ago I introduced a bill providing that some 3,000 people from East India who had come to this country before 1924 should, by complying with the naturalization laws, have a chance to become naturalized citizens. I believe the decision of the United States Supreme Court written by Judge Sutherland, that these 3,000 people are neither negroid or Caucasian is fundamentally wrong and that overwhelming evidence shows that these Indians are of the Caucasian race. At the subcommittee hearing last year before the Senate Committee on Immigration, the Department of Labor officials of the Immigration Department, members of the India Welfare League, ministers of both the Catholic and the Protestant faiths, leaders of labor organizations all testified that the bill should be passed. And no one, during the weeks that that bill was before the committee, spoke in opposition to it. Over in the House, Clare Boothe Luce and EMANUEL CELLER led the fight for these Indian people. The net result of it all was that my bill did not pass, but a quota of a hundred a year was established. This year I promptly reintroduced my bill, and it is pending today, and I am doing everything I can to see that it is passed.

These 3,000 Indians in 5 States of this Union cannot own land; the land they had was taken away from them, after they had slaved on it for from 20 to 25 years; they cannot secure licenses to drive their automobiles; nor can they exercise the benefits of free human beings, although many of them have resided here for over 30 years. I voted for and supported the bill providing for a quota of 107 Chinese, and I have consistently supported all legislation to wipe out any discrimination because of a person's race, color, sex, or creed.

During the war, as Senators all know, I led the fight for those people from South American countries, hundreds of whom were interned at Bismarck, N. Dak., and Crystal City, Tex., and insisted on securing the ultimate release of most of them.

Coming now to the last four paragraphs of the article which I quoted, this newspaper wonders why a North Dakota Senator would be interested in Javanese and Indians, all of whom lived in New York City. If this newspaper had sent their reporter to me, he would have found that I did so because, for a long while, I have been working with a nonpartisan defense agency of the labor movement, known as the Workers Defense League, with national headquarters at 112 East Nineteenth Street, New York City, which is headed by Rev. Aron S. Gilmartin, national chairman, and Rev. Donald Harrington, chairman of the action committee. If any Senator wants to get in touch with the Workers Defense League, their New York telephone number is Algonquin 4-4953. This nonpartisan organization is one that fights for poor people everywhere, regardless of race or color, sex or creed. It was at their request that I introduced the bill for the 10 Indonesians. I have upon my desk the letter which was sent to me by the Workers Defense League. There are only about 1,000 Indonesians in the whole United States. They are uniformly poor people, laboring men and women without money, without influence, without much hope, and in my opinion, with a knowledge that, in spite of all the assurance they have been given by Great Britain, when they are deported, many of them will face certain death.

What is the background of some of these Indonesians who are being deported? Let us consider the case of Philip Sumampow. According to Rowland Watts, the associate secretary of the Workers Defense League, this Indonesian has been in this country for 18 years, during most of which time he has been employed at the General Analine Co., Elizabeth, N. J., and held a responsible position as foreman at the time of his detention last week. He is married to an American, has five American children, ranging in age from 15 years to 18 months, and his wife is now pregnant. I ask, Why should this family be broken up? This man, who has been convicted of no crime, but who has an honest record as a hard-working, laboring man who gave all he could in the war effort—why should this man be sent thousands of miles away from his family by the Immigration Department? But a man like Charlie Chaplin, with his communistic leanings, with his unsavory record of lawbreaking, of rape, or the betrayal of American girls 16 and 17 years of age, remains. Is it, I ask, because the one man is poor and the other man almost unbelievably rich? Philip Sumampow, symbol of fine, hard-working men and women who have made America what it is today, is deported; Chaplin, the debaucher of girls, the symbol of everything that the average American young boy should not aspire to, stays. I introduced a bill last year to have Chaplin deported and gotten out of the United States, whose hospitality he has for many years abused; but the Immigration Department wrote me that there was nothing doing. Chaplin, who, upon the witness stand under oath, has admitted everything with which I am charging him here. Chaplin is one of the darlings of the Communist Party; and, significantly enough, none of the large magazines or newspapers supported me in the fight to get him out of the country.

Today I am introducing a bill in behalf of Petros Katsros, a Greek boy who, at 14 years of age, entered the Greek Army, fighting against Hitler, for the freedom of his country. This boy, who was captured and for 4 years kept in a concentration camp, and who as a stowaway landed at Detroit and was found upon the ship, is to be deported on Monday. I do not know this lad. I do not know any of his relatives. But I do know that America would be a better country if he were allowed to remain here. So long as we have a provision in our laws which permits certain foreign boys to come over here and become students, I have notified the Immigration Department that I shall leave nothing undone that human ingenuity can devise, nothing that I can think of that can honestly be done, to get the immigration authorities to permit this young boy to enter one of the schools of the United States so that in years to come this brave lad may return to Europe, well educated, to preach the value to the common people of a true democracy. This boy, with his record for bravery, heroism, and initiative, certainly is as much entitled to become a student here as is the son of some European milionaire potentate.

Mr. President, so far as the last paragraph of this unwarranted newspaper article is concerned, it will be sufficient for me to say that during my public career in North Dakota I have been arrested and sued before juries 16 times; that in every instance I have demanded a jury trial and in every instance except one the jury decided in my favor. In that one instance the circuit court of appeals in Kansas City promptly reversed the decision as a frame-up entered into by a

crooked Federal judge and a group of enemies headed by the private power companies and big-wig politicians. It is true that that jury convicted me on the 17th day of June, 1934; but it is also true that 10 days later I was renominated for governor by one of the biggest votes ever cast in a primary election by the people of my State. It is also true that this crooked Federal judge was able to prevent my getting my appeal to the circuit court of appeals in time for the fall election by holding up the printing of the record; but it is also true that in the next general election the people of my State reelected me governor, although I ran neither as a Democrat nor as a Republican, but as an independent with the support of the Nonpartisan League. Mr. Landon headed the Republican ticket and Mr. Roosevelt the Democratic ticket. My name went off one side of the ballot.

It is also true that when I entered the Senate it took me 15 months to be permanently seated; but it is further true that I was seated by a vote of 52 to 30 in this body; and that in the election last November, with the big, fat crowd aided by money from Minneapolis and New York unable to defeat me, although they sent out speeches delivered by Senators on the floor of the Senate in opposition to me, and sent out every word of testimony that was given here, the people of North Dakota voted for me, with the result that I carried every one of the 53 counties in the State of North Dakota. Those people know me as they have known my grandfather and my father before me. They are familiar with the fight of the Langer family over a period of time that commenced long before North Dakota was a State, and while it was still a Territory. They know that I can be trusted on the floor of the Senate.

So far as my personal honesty is concerned, I have today written a letter to President Truman asking that he make my income-tax returns during all the time that I have been in the Senate available to the Times-Herald or to any agent of the Times-Herald; and I challenge any or all of them to examine them and to do their worst. During the time that I have been a Member of the Senate I have never represented special interests. I have never directly or indirectly received one penny for introducing a bill of any kind or character or for making any speech upon this floor. I have fought and will continue to fight for the people of North Dakota and for the people of this country. I will continue to be the champion of the poor and the oppressed everywhere all over this world. I fundamentally believe that people of any country, no matter how small, should have a right to govern themselves, and that any man or woman, no matter how humble, no matter whether he be an alien refugee, a stowaway, or a citizen, should have the right to go to the office of any representative of the people and obtain a hearing.

Mr. President, of the 2,000,000,000 people on this earth, we have only 140,000,000 in the United States. The time will come when America will need the friendship of the brown and the yellow races. Here in our own country the American Indian is not yet free. After 175 years he is still cooped up on reservations. Around the council table of the United Nations sit representatives of countries against whom we are discriminating. It is this discrimination which is being played up by Communists all over the world. It is this discrimination that organizations such as the United Action for Freeing Indonesians, a Communist-inspired organization, no longer protest because the communistic forces in Indonesia are capitalizing on the development of Indian-American disagreement.

In conclusion I ask the Senate what has become of paragraph 3 of article I of the Charter of the United Nations, which states that one purpose of the United Nations is "to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion."

So, Mr. President, I do not condemn the man who wrote this article for the Times-Herald or men like him. I do not call them names. I do not say anything mean or vicious about them or about Sissy Patterson, the publisher of the Times-Herald, because for 30 years I have had the opposition of the millionaire press of the country. But I want them to know that when I say my prayers tonight I shall ask Almighty God that these men and women may, through the grace of God, have understanding, wisdom, and faith in humanity; that they may have the strength and the courage to battle for the rights of the weak and the oppressed; and that, above all, they may learn to realize that the 96 men who compose the Senate, with all their individual faults and weaknesses, constitute one of the bulwarks of this Nation, and that by unjustly attacking any Member of this body they are only weakening the confidence among the people of this country that I believe the Senate so justly merits.

THE LEGISLATIVE BUDGET—PERSONAL STATEMENT

Mr. SMITH. Mr. President, unfortunately it was not possible for me to be present in the Senate during the debate on the budget question, although I did return in time for the final vote last Monday. I should like, therefore, to make a brief statement of my position for the RECORD.

I supported the $4,500,000,000 deduction rather than the $6,000,000,000 deduction, and I also approved the Knowland amendment providing that—

> It is the judgment of the Congress that sound fiscal policy requires that not less than $2,600,000,000 of the excess of revenues over expenditures be applied toward reduction of the public debt during the fiscal year 1948.

The final vote, in which I participated, was in line with a statement which I released to the press on February 18, when I was confined to my home because of illness. In that statement I endeavored to analyze the budget issue and to present the problems involved. For the purpose of the RECORD, I now read the statement which I released on February 18:

> The budget issue presents four problems of immediate and pressing importance:
>
> 1. Balancing of the budget.
> 2. Maintenance of the necessary strength of our Military Establishment.
> 3. Debt retirement.
> 4. Tax cuts.
>
> I have listed these items in what I believe is the proper order of their importance.
>
> We must balance the budget. There can be no defense of deficit financing in peacetime, and especially when our national income is at an all-time high.
>
> We must maintain the necessary strength of our Military Establishment at this moment of international uncertainties. Secretary Marshall must have the all-out support of the Nation in his coming conferences. Ambassador Austin must have our all-out support as our representative to the United Nations and as the United States member of the Security Council. And this includes the vitally necessary food program in the occupied countries. We must furnish enough food for a minimum ration or we will be compelled to furnish more soldiers to maintain order. Whether the military and naval budgets can be cut is a proper matter of inquiry, but an arbitrary slash of nearly $2,000,000,000 without adequate hearings, seems to me difficult to defend.
>
> We must make ourselves debt-conscious by a determination to reduce the national debt immediately and annually. As a famous statesman said in years gone by: "The way to resume (specie payments) is to resume"—so today we must face the issue squarely—the way to reduce the debt is to reduce it. This means that there can be no more deficit financing and there must be debt reduction each year and every year beginning at once.
>
> We all favor tax reduction, and we can have tax reduction. We can prune the budget of nonessential items. We can reduce the overburdensome overhead. We can cut out the reckless cost of an unjustifiable Federal paternalism. We can sincerely allocate the sources of tax revenue between the Federal and State governments—and thus pass back to the States the responsibility for their share of social welfare. We can establish a program of Federal-State cooperation which will be effective in cutting the cost of Federal bureaucracy.
>
> But let me emphasize that the tax-cutting program must follow and not precede budget balancing, armed services needs including relief, and reasonable debt retirement.

Mr. President, as important as I feel tax reduction to be, especially as it undoubtedly will have a bearing on the stimulation of industry, with consequent expanded employment, I feel that our first responsibility is the critical world situation, including not only the adequate provision for our armed forces but especially the need for relief in the desperate areas of the world, and the assumption of such responsibilities as we may be called upon to assume in light of the British crisis and the serious situation in Greece. At the moment we do not have enough facts to determine what our financial commitments will be, but I feel we must recognize our international responsibilities in these matters.

Let me add just a word as to my conviction with regard to the world picture. The United States must face the clear-cut issue of accepting its responsibility for leadership in world affairs. The alternative would be to let the world drift into civil wars and inevitable chaos.

Such a situation would threaten the appearance somewhere of the inevitable "man on horseback," with terrible results similar to those we saw when Hitler emerged in Germany. We must help the world return to the maximum measure of sanity, and we must help make it self-sustaining. In saying this, I do not advocate the giving of blank checks. We are not in a position to support the whole world, nor would it be proper for us to do so. I do, however, strongly support Mr. Hoover's recommendations with regard to food relief in the desperate areas of the world, and especially in our zone in Germany. I believe that we should endorse the set-up for the International Refugee Organization under the United Nations, and that we should do all we can to solve the distressing problem of the displaced persons.

Let me emphasize that, although I recognize these obligations, I do not think the motive should be to enter the vacuum ourselves merely to prevent Russia from doing so. I am opposed to our getting into a position of antagonism to Russia. We must make Russia a more active participant in the work of the United Nations in rebuilding the world. We cannot think in terms of two spheres of influence. We cannot think in terms of a balancing of power between the Russian group of satellite countries and the United States, leading the western nations. We must give all that we can to building the conception of one world led by the United Nations organization, and our part obviously must be one of positive, aggressive, courageous leadership in bringing the United Nations to see their responsibilities in this critical situation.

THE PRESIDENTIAL TERM

The Senate resumed the consideration of the joint resolution (H. J. Res. 27), providing an amendment to the Constitution of the United States relating to the terms of office of the President.

Mr. O'DANIEL. Mr. President, for many years I have been sponsoring a proposal to limit the tenure of office of the President of the United States. I am glad the subject has finally reached the floor of the Senate for debate.

A proposed amendment to the Constitution limiting to 6 years the tenure of office of the President and Vice President of the United States and the Members of Congress, and imposing limitations on the appointment or election of certain persons to office has been before this body for some time.

My resolution was first introduced on October 14, 1943, in the first session of the Seventy-eighth Congress, and was referred to the Committee on the Judiciary. At that time the resolution was known as Senate Joint Resolution 86. No action was taken on it.

I reintroduced this joint resolution on January 22, 1945, in the first session of the Seventy-ninth Congress; and it was referred to the Committee on the Judiciary. In the Seventy-ninth Congress it was known as Senate Joint Resolution 21. No action was taken on it.

I again reintroduced the resolution on January 8, 1947, in the first session of the Eightieth Congress, and it was referred to the Committee on the Judiciary. In the Eightieth Congress the resolution is known as Senate Joint Resolution 18.

I now offer my resolution, Senate Joint Resolution 18, as a substitute for the joint resolution which is pending.

Mr. President, my resolution, which I am offering as a substitute for the pending resolution, goes further than the pending resolution, by including in addition to the office of President, the office of Vice President and all Members of both branches of the Congress. My resolution would limit to 6 years the tenure of all elective offices in our Federal Government. It would also prevent appointment of Members of the Senate or the House of Representatives to any civil office for 5 years after the termination of their elective job.

For the information of the Senate, Mr. President, I now read my resolution:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The term of office of each President of the United States and of each Vice President of the United States elected after the date of this article takes effect shall be 6 years; and no person who shall have served as President or Vice President shall be eligible for election to the office of President or the office of Vice President.

"SEC. 2. No person shall be eligible for election or appointment to the office of Senator or Representative in Congress for any term which, if served by such person, would cause the aggregate service of such person as a Member of either or both the Senate and the House of Representatives to exceed 6 years.

"SEC. 3. Nothing contained in section 1 or section 2 of this article shall be construed to prevent any person who may hold the office of President, Vice President, Senator, or Representative in Congress, during the term within which this article is ratified from holding such office for the remainder of such term.

"SEC. 4. No person shall be appointed to any civil office under the authority of the United States who holds, or who shall have held within 5 years next preceding the date of such appointment, the office of Senator or Representative in Congress or of judge of any court under the authority of the United States, but nothing contained in this section shall be construed to prevent the appointment or assignment of a person who holds the office of judge of a court under the authority of the United States, to the office of judge of any other court under the authority of the United States.

"SEC. 5. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress."

Mr. President, I have prepared an article on this subject, and it gives quotations from former public officials and others. I ask unanimous consent that the article may be printed in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

The theory embodied in Senate Joint Resolution 18 is not new. When the Constitutional Convention was in session Randolph offered a number of resolutions, the fourth of which follows:

"*Resolved*, That the Members of the first branch of the National Legislature ought to be elected by the people of the several States every —— for the term of ——; to be of the age of —— years at least; to receive liberal stipends by which they may be compensated for the devotion of their time to the public service; to be ineligible to any office established by a particular State, or under the authority of the United States, except those peculiarly belonging to the functions of the first branch, during the term of service, and for the space of —— after its expiration; to be incapable of reelection for the space of —— after the expiration of their term of service, and to be subject to recall."

The fifth resolution reads:

"*Resolved*, That the Members of the second branch of the National Legislature ought to be elected by those of the first, out of a proper number of persons nominated by the individual legislatures, to be of the age of —— years at least; to hold their offices for a term sufficient to insure their independency; to receive liberal stipends, by which they may be compensated for the devotion of their time to the public service; and to be ineligible to any office established by a particular State, or under the authority of the United States, except those peculiarly belonging to the functions of the second branch during the term of service; and for the space of —— expiration thereof." (The Madison Papers, vol. 2, pp. 731–732, 1840.)

Still referring to the legislative branch of the Government, we find in the Records of the Federal Convention of 1787, edited by Max Farrand, volume 2, pages 285–287, the following summary of discussion on this question:

"Mr. Gerry read a resolution of the Legislature of Massachusetts passed before the act of Congress recommending the Convention, in which her deputies were instructed not to depart from the rotation established in the fifth article of Confederation, nor to agree in any case to give to the Members of Congress a capacity to hold office under the Government. This he said was repealed in consequence of the act of Congress with which the State thought it proper to comply in an unqualified manner. The sense of the State however was still the same. He could not think with Mr. Pinkney that the disqualification was degrading. Confidence is the road to tyranny. As to ministers and ambassadors, few of them were necessary. It is the opinion of a great many that they ought to be discontinued, on our part; that none may be sent among us, and that source of influence be shut up. If the Senate were to appoint ambassadors as seemed to be intended, they will multiply embassies for their own sakes. He was not so fond of those productions as to wish to establish nurseries for them. If they are once appointed, the House of Representatives will be obliged to provide salaries for them, whether they approve of the measures or not. If men will not serve in the Legislature without a prospect of such offices, our situation is deplorable indeed. If our best citizens are actuated by such mercenary views, we had better choose a single despot at once. It will be more easy to satisfy the rapacity of one than of many. According to the idea of one gentleman (Mr. Mercer) our Government it seems is to be a government of plunder. In that case it certainly would be prudent to have but one rather than many to be em-

ployed in it. We cannot be too circumspect in the formation of this system. It will be examined on all sides and with a very suspicious eye. The people who have been so lately in arms against Great Britain for their liberties will not easily give them up. He lamented the evils existing at present under our governments, but imputed them to the faults of those in office, not to the people. The misdeeds of the former will produce a critical attention to the opportunities afforded by the new system to like or greater abuses. As it now stands it is as complete an aristocracy as ever was framed. If great powers should be given to the Senate we shall be governed in reality by a Junto as has been apprehended. He remarked that it would be very differently constituted from Congress. (1) There will be but two deputies from each State, in Congress there may be seven and are generally five. (2) They are chosen for 6 years; those of Congress annually. (3) They are not subject to recall; those of Congress are. (4) In Congress, nine States are necessary for all great purposes—here eight persons will suffice. Is it to be presumed that the people will ever agree to such a system? He moved to render the Members of the House of Representatives as well as of the Senate ineligible not only during, but for 1 year after the expiration of their terms. If it should be thought that this will injure the Legislature by keeping out of it men of abilities who are willing to serve in other offices, it may be required as a qualification for other offices, that the candidate shall have served a certain time in the Legislature.

"Mr. Gouverneur Morris. * * * He was against rendering the members of the legislature ineligible to office. He was for rendering them eligible again after having vacated their seats by accepting office. Why should we not avail ourselves of their services if the people choose to give them their confidence. There can be little danger of corruption either among the people or the legislatures who are to be the electors. If they say we see their merits, we honor the men, we choose to renew our confidence in them, have they not a right to give them preference, and can they be properly abridged of it?"

There is one additional point which I would like to mention that was discussed in the Federal Convention, a brief quotation from records of the Federal Convention, by Farrand, volume 1, page 362, being sufficient for the purpose:

"Mr. Sherman preferred annual elections, but would be content with biennial. He thought the representatives ought to return home and mix with the people. By remaining at the seat of government they would acquire the habits of the place which might differ from those of their constituents."

It will be observed that in the days of the formation of the Republic the same questions were discussed that are involved in Senate Joint Resolution 18. The fears of the delegates to the Constitutional Convention of permitting members of the legislative branch of the Government to hold office in the executive branch appear to me to be just as real as in the days of the Constitutional Convention and are not lessened by the fact that now they wait until the expiration of their terms and, if they have rendered faithful service to the administration then in power, they are taken care of by appointment to some place in the executive branch of the Government where they can serve as long as they can be taken care of and then can become eligible for retirement, counting the years that they have served in Congress toward the number of years' service in the Government on which retirement pay is based.

On June 11, 1944, Gould Lincoln, in an article in the Evening Star of Washington, D. C., under the heading "Six-Year Limit Urged for Congress," wrote at some length on this subject, with particular reference to Congressman WAT ARNOLD's efforts along the same lines as Senate Joint Resolution 18. Quoting Mr. ARNOLD, Mr. Lincoln wrote:

"I favor a limitation of the terms of office of all elected representatives of the people of the United States of America, and such an attitude seems to border closely upon betrayal of the sacred trust of political office-holding."

Quoting further from Mr. ARNOLD, Mr. Lincoln said:

"No American should aspire to a career as a President, or as a Congressman. Industries, institutions, and ideas change too swiftly. Overlong exposure to the impersonal glare of the public spotlight focused upon Capitol Hill causes the sense of perspective which guides a public servant to diminish or even disappear entirely."

Again quoting Mr. ARNOLD, Mr. Lincoln says:

"A public officer, in my opinion, should be so restricted in his tenure of office that his efforts as a legislator would not have the opportunity to become completely unhinged from every day realities, as calculated from the standpoint of John Q. Public.

"His period of service to his country should be spent in compete freedom from the aggravating responsibility of continuously building toward reelection. A Congressman should serve his term of office and then return to his district to see if he could earn a decent moral living under the laws which he has been instrumental in enacting. No Congressman who cannot demonstrate his usefulness to his constituents in a practical enough way to justify his continuance in office for three terms should expect to be returned to Congress indefinitely. Such a down-to-earth approach to the problem should be a forever effective bar to the overloading of the statute books with legislation as ill-conceived as is its effect upon a red-tape-ensnarled citizenry.

* * * * *

"The exigencies of war make it imperative that the Congress remain in almost continuous session. Until the moment of victory comes, and well into the period of reconstruction following the conflict, it will be necessary to follow the same legislative schedule in the interest of the Nation's welfare.

"Naturally such a condition tends to expand tremendously the dangerous policy of increased centralization of government in Washington. The issue of States' rights may become irrevocably lost in the complex maze of bureaucracy and government by directive unless a substantial bulwark is established against further encroachment.

"To guarantee a regular infusion of new blood into the ranks of Congress would provide an excellent means of anticentralization control.

* * * * *

"The shores of the pond of Washington society are littered with an accumulation of humanity deposited there by reason of the presence of public servants in various stages of activity—mostly defunct."

When a man is elected to the Congress of the United States, I believe that he should be accountable to the voters who elected him and to no one else. That is not always the case, in my judgment, under present conditions. The power of Federal patronage can be invoked to reward those who follow the administration's policies and to punish those who vote against them. When a man for reasons which he considers to be valid and proper opposes the policy of the administration then in power it is always possible to refuse any request the man may make, no matter how worthy. If he goes along with the administration and secures his share of patronage he can "point with pride" to his success in forthcoming elections, and if he fails to do so his opponent can "view with alarm" his inability to obtain proper consideration for his State or district by the authorities as evidenced by his failure to obtain Federal projects and Federal appointments for citizens of his State or district who are primarily interested in legislation which they believe will be to the interest of their own particular group. Forming solid cohesive units many of them exercise substantial influence and political power.

There are in Washington various pressure groups, the stock argument of such groups being "vote as we say or we will defeat you in the next election." If a person knew in advance that he would not be a candidate in the next election this argument would fall flat. If a Member of Congress was barred from reelection I believe that there would be far less opportunity for pressure groups to influence legislation. In fact I believe most of the pressure groups will go out of business if Senate Joint Resolution 21 is adopted.

I firmly believe that it is to the best interest of the people of the United States to adopt this amendment and I also believe it is for the best interest of the Members of Congress themselves.

The office of Vice President is purely incidental to the office of President although he serves in the legislative branch as President of the Senate, unless by chance the man elected to that office should become the President of the United States.

For that reason I do not believe that there is any necessity to dwell on the necessity, or desirability, of a limited tenure for the Vice President. Anything that might be said about the office can be included in what I have to say in reference to the Presidency, and I therefore shall not advance any specific arguments concerning the Vice Presidency.

In reference to the executive branch of the Government it is only necessary to deal with the President because of the fact that all other officers and employees draw their authority from him and are responsible to him for their action. There is no question but what a strong Cabinet will, to a limited extent, be reflected in the political life of the country. In the final analysis the responsibility for and the authority under which they operate both rest with the President of the United States.

From the beginning of the Government various Presidents have discussed this subject. The first being George Washington, who in a letter to the Marquis de Lafayette on April 28, 1788, which appears in Ford Worthington Chauncey, the Writings of George Washington, which was collected and edited by New York and London, G. P. Putnam's Sons, 1891, the particular letter appearing in volume 11, pages 257-258:

"There are other points (in the proposed Constitution) in which opinions would be more likely to vary. As, for instance, on the ineligibility of the same person for President after he should have served a certain course of years. Guarded so effectually as the proposed Constitution is, in respect to the prevention of bribery and undue influence in the choice of President, I confess I differ widely myself from Mr. Jefferson and you as to the necessity of expediency of rotation in that appointment. The matter was fairly discussed in the Convention, and to my full conviction, though I cannot have time or room to sum up the argument in this letter. There cannot, in my judgment, be the least danger that the President will by any practicable intrigue ever be able to continue himself one moment in office, much less perpetuate himself in it, but in the last stage of corrupted morals and political depravity; and even then, there is as much danger that any other species of domination would prevail. Though when a people shall have become incapable of governing themselves, and fit for a master, it is of little consequence from what quarter he comes. Under an extended view of this part of the subject, I can see no

propriety in precluding ourselves from the service of any man who on some great emergency shall be deemed universally most capable of serving the public."

President Washington evidently felt that the only danger in connection with this situation would come when the people were no longer able to govern themselves. However, placing a readily available species of domination in position to be exercised might conceivably accentuate that danger.

Thomas Jefferson was wholeheartedly in favor of the limitation in the Jeffersonian Encyclopedia, compiled by John P. Foley, printed by Funk & Wagnalls Co., New York, 1900, pages 865-867, the following occurs:

(a) Letter to John Taylor, January 1805:

"My opinion originally was that the President of the United States should have been elected for 7 years, and forever ineligible afterward. I have since become sensible that 7 years is too long to be irremovable, and that there should be a peaceable way of withdrawing a man in midway who is doing wrong. The service for 8 years, with a power to remove at the end of the first 4, comes nearly to my principle as corrected by experience; and it is in adherence to that that I determine to withdraw at the end of my second term. The danger is that the indulgence and attachments of the people will keep a man in the chair after he becomes a dotard, that reelection through life shall become habitual, and election for life follow that. General Washington set the example of voluntary retirement after 8 years. I shall follow it. And a few more precedents will oppose the obstacle of habit to anyone after a while who shall endeavor to extend his term. Perhaps it may beget a disposition to establish it by an amendment of the Constitution. I believe I am doing right, therefore, in pursuing my principle. I had determined to declare my intention, but I have consented to be silent on the opinion of friends, who think it best not to put a continuance out of my power in defiance of all circumstances. There is, however, but one circumstance which could engage my acquiescence in another election, to wit, such a division about a successor, as might bring in a monarchist. But that circumstance is impossible" (p. 865).

(b) Letter to Marquis de Lafayette, May 1807:

"I am panting for retirement, but am as yet nearly 2 years from that goal. The general solicitations I have received to continue another term give me great consolation, but considerations public as well as private determine me inflexibly on that measure" (p. 866).

(c) Letter to Mr. Weaver, June 1807:

"If some period be not fixed either by the Constitution or by practice, to the services of the first magistrate, his office, though nominally elective, will, in fact, be for life; and that will soon degenerate into an inheritance" (p. 865).

(d) Letter to Abner Watkins, December 1807:

"Believing that a definite period of retiring from this station will tend materially to secure our elective form of government and sensible, too, of that decline which advancing years bring on, I have felt it a duty to withdraw at the close of my present term of office; and to strengthen by practice a principle which I deem salutary" (p. 865).

(e) Reply to Vermont Legislature, December 1807:

"I received the address of the Legislature of Vermont, bearing date of the 5th of November 1806, in which with their approbation of the general course of my administration, they were so good as to express their desire that I would consent to be proposed again, to the public voice, on the expiration of my present term of office. Entertaining, as I do, for the Legislature of Vermont those sentiments of high respect which would have prompted an immediate answer, I was certain, nevertheless, they would approve a delay which had for its object so interesting as the election of the Chief Magistrate. That I should lay down my charge at a proper period, is as much a duty as to have borne it faithfully. If some termination to the services of the Chief Magistrate be not fixed by the Constitution, or supplied by practice, his office, nominally for years, will, in fact, become for life; and history shows how easily that degenerates into an inheritance. Believing that a representative government, responsible at short intervals of election, is that which produces the greatest sum of happiness to mankind, I feel it a duty to do no act which shall essentially impair that principle; and I should unwillingly be the person who, disregarding the sound precedent set by an illustrious predecessor, should furnish the first example of prolongation beyond the second term of office. Truth, also, requires me to add, that I am sensible of that decline which advancing years bring on; and feeling their physical, I ought not to doubt their mental effect. Happy if I am the first to perceive and to obey this admonition of nature, and to solicit a retreat from cares too great for the wearied faculties of age" (p. 867).

(f) Letter to James Sullivan, March 1808:

"I derive great personal consolation from the assurances in your friendly letter, that the electors of Massachusetts would still have viewed me with favor as a candidate for a third Presidential term. But the duty of retirement is so strongly impressed on my mind, that it is impossible for me to think of that" (p. 866).

(g) Reply to Taber Fitch, Esq., chairman, Connecticut Republicans, 1808:

"Having myself highly approved the example of an illustrious predecessor in voluntarily retiring from a trust, which, if too long continued in the same hands, might become a subject of reasonable uneasiness and apprehension, I could not mistake my own duty when placed in a similar situation" (pp. 865-866).

(h) Letter to Henry Guest, January 1809:

"I am sensible of the kindness of your rebuke on my determination to retire from office at a time when our country is laboring under difficulties truly great. But if the principle of rotation be a sound one, as I conscientiously believe it to be with respect to this office, no pretext should ever be permitted to dispense with it, because there never will be a time when real difficulties will not exist, and furnish a plausible pretext for dispensation. You suppose I am 'in the prime of life for rule.' I am sensible, I am not; and before I am so far declined as to become insensible of it, I think it right to put it out of my own power" (p. 867).

(i) Letter to James Martin, September 1813:

"I am for responsibilities at short periods, seeing neither reason nor safety in making public functionaries independent of the Nation for life, or even for long terms of years. On this principle I prefer the Presidential term of 4 years, to that of 7 years, which I myself had at first suggested, annexing to it, however, ineligibility forever after; and I wish it were now annexed to the second quadrennial election of President" (p. 866).

(j) Autobiography, 1821:

"The reeligibility of the President for life (in the new Constitution), I quite disapproved. * * * My fears of that feature were founded on the importance of the office, on the fierce contentions it might excite among ourselves, if continuable for life, and the dangers of interference, either with money or arms, by foreign nations, to whom the choice of an American President might become interesting. * * * My wish, therefore, was that the President should be elected for 7 years, and be ineligible afterward. This term I thought sufficient to enable him, with the concurrence of the legislature, to carry through and establish any system of improvement he should propose for the general good. But the practice adopted, I think is better, allowing his continuance for 8 years, with a liability to be dropped at halfway of the term, making that a period of probation. * * * The example of four Presidents voluntarily retiring at the end of their eighth year, and the progress of public opinion, that the principle is salutary, have given it in practice the force of precedent and usage; insomuch, that, should a President consent to be a candidate for a third election, I trust he would be rejected, on this demonstration of ambitious views" (pp. 866-867).

James Madison also mentioned this question in a letter to Robert Lee, February 22, 1830, which will be found in the letters and other writings of James Madison, volume 4, pages 66 and 67, published by J. B. Lippincott & Co., 1865. The pertinent part of which reads as follows:

"The question of reeligibility in the case of a President of the United States admits of rival views, and is the more delicate because it cannot be decided with equal lights from actual experiment. In general, it may be observed, that the evils most complained of are less connected with that particular question than with the process of electing the Chief Magistrate, and the powers vested in him. Among these, the appointing power is the most operative in relation to the purity of government and the tranquillity of republican government, and it is not easy to find a depository for it more free from the dangers of abuse. The powers and patronage of a Chief Magistrate, whether elected for a shorter term and reeligible for a second, or for a longer, without that capacity, might not, in their effect, be very materially different, though the difference might not be unimportant."

Andrew Jackson was as prolific on this subject as Jefferson. In six of his annual messages to Congress he discussed the subject—the references being found in Richardson's Messages and Papers of the Presidents, volume III, pages 1011, 1082, 1120, 1168, 1253, 1336 (J81.B97):

(a) First Annual Message to Congress, December 1829:

"I would therefore recommend such an amendment of the Constitution as may remove all intermediate agency in the election of the President and Vice President. The mode may be so regulated as to preserve to each State its present relative weight in the election, and a failure in the first attempt may be provided for by confining the second to a choice between the two highest candidates. In connection with such an amendment it would seem advisable to limit the service of the Chief Magistrate to a single term of either 4 or 6 years. If, however, it should not be adopted, it is worthy of consideration whether a provision disqualifying for office the Representatives in Congress on whom such an election may have devolved would not be proper" (p. 1011).

(b) Second Annual Message to Congress, December 6, 1830:

"It was a leading object with the framers of the Constitution to keep as separate as possible the action of the legislative and executive branches of the Government. To secure this object nothing is more essential than to preserve the former from all temptations of private interest, and therefore so to direct the patronage of the latter as not to permit such temptations to be offered. Experience abundantly demonstrates that every precaution in this respect is a valuable safeguard of liberty and one which my reflections upon the tendencies of our system incline me to think should be made still stronger. It was for this reason that, in connection with an amendment of the Constitution removing all intermediate agency in the choice of the President, I recommend

some restrictions upon the reeligibility of that officer and upon the tenure of offices generally. The reason still exists, and I renew the recommendation with an increased confidence that its adoption will strengthen those checks by which the Constitution designed to secure the independence of each department of the Government and promote the healthful and equitable administration of all the trusts which it has created. The agent most likely to contravene this design of the Constitution is the Chief Magistrate. In order, particularly, that his appointment may as far as possible be placed beyond the reach of any improper influences; in order that he may approach the solemn responsibilities of the highest office in the gift of a free people uncommitted to any other course than the strict line of constitutional duty, and that the securities for this independence may be rendered as strong as the nature of power and the weakness of its possessor will admit, I cannot too earnestly invite your attention to the propriety of promoting such an amendment of the Constitution as will render him ineligible after one term of service" (p. 1082).

(c) Third Annual Message to Congress, December 6, 1831:

"I have heretofore recommended amendments of the Federal Constitution giving the election of President and Vice President to the people and limiting the service of the former to a single term. So important do I consider these changes in our fundamental law that I cannot, in accordance with my sense of duty, omit to press them upon the consideration of a new Congress. For my views more at large, as well in relation to these points as to the disqualification of Members of Congress to receive an office from a President in whose election they have had an official agency, which I propose as a substitute, I refer you to my former messages" (p. 1120).

(d) Fourth Annual Message to Congress, December 4, 1832:

"I beg leave to call the attention of Congress to the views heretofore expressed in relation to the mode of choosing the President and Vice President of the United States, and to those respecting the tenure of office generally. Still impressed with the justness of those views and with the belief that the modifications suggested on those subjects if adopted will contribute to the prosperity and harmony of the country, I earnestly recommend them to your consideration at this time" (p. 1168).

(e) Fifth Annual Message to Congress, December 3, 1833:

"I would also call your attention to the views I have heretofore expressed of the propriety of amending the Constitution in relation to the mode of electing the President and the Vice President of the United States. Regarding it as all important to the future quiet and harmony of the people that every intermediate agency in the election of these officers should be removed and that their eligibility should be limited to one term of either 4 or 6 years, I cannot too earnestly invite your consideration of the subject" (p. 1253)

(f) Sixth Annual Message to Congress, December 1, 1834:

"I trust that I may be also pardoned for renewing the recommendation I have so often submitted to your attention in regard to the mode of electing the President and Vice President of the United States. All the reflection I have been able to bestow upon the subject increases my conviction that the best interests of the country will be promoted by the adoption of some plan which will secure in all contingencies that important right of sovereignty to the direct control of the people. Could this be attained, and the terms of those officers be limited to a single period of either 4 or 6 years, I think our liberties would possess an additional safeguard" (p. 1336).

James K. Polk addressed the House of Representatives, February 25, 1835, "In discussion of joint resolutions on subject of election of President and Vice President of the United States," found in the Congressional Globe, February 25, 1835, Twenty-third Congress, second session, page 292:

"Mr. Polk said, he believed he had discovered a very important omission in the resolution. They nowhere stated the number of votes to which each State was entitled, although they laid down the mode and manner in which the elections should be held. Mr. P. was for a single term; against an election by that House, and would, in all cases, confine the election to the people; but he did not think that they should pass upon so weighty a subject in half an hour's deliberation."

James Buchanan also discussed this matter in the House of Representatives on February 6, 1829, the reference appearing in Gales and Seaton, Register of Debates in Congress, February 6, 1829, Twentieth Congress, second session, page 321. The remarks reading as follows:

"The example of Washington, which has been followed by Jefferson, Madison, and Monroe, has forever determined that no President shall be more than once reelected. This principle is now become as sacred as if it were written in the Constitution. I would incline to leave to the people of the United States, without incorporating it in the Constitution, to decide whether a President should serve longer than one term. The day may come when dangers shall lower over us, and when we may have a President at the helm of State who possesses the confidence of the country, and is better able to weather the storm than any other pilot; shall we, then, under such circumstances, deprive the people of the United States of the power of obtaining his services for a second term? Shall we pass a decree, as fixed as fate, to bind the American people and prevent them from ever reelecting such a man? I am not afraid to trust them with this power."

Andrew Johnson, in his message to Congress, July 18, 1868, made recommendations for a constitutional amendment. The recommendation reading in part:

"My object in this communication is to suggest certain defects in the Constitution which seem to me to require correction, and to recommend that the judgment of the people be taken on the amendments proposed.

"The first of the defects to which I desire to direct attention is in that clause of the Constitution which provides for the election of President and Vice President through the intervention of electors, and not be an immediate vote of the people. The importance of so amending this clause as to secure to the people the election of President and Vice President by their direct votes was urged with great earnestness and ability by President Jackson in his first annual message, and the recommendation was repeated in five of his subsequent communications to Congress, extending through the 8 years of his administration. In his message of 1829, he said:

* * * * *

"I would therefore recommend such an amendment of the Constitution as may remove all intermediate agency in the election of the President and Vice President. * * * In connection with such an amendment it would seem advisable to limit the service of the Chief Magistrate to a single term of either 4 or 6 years.

* * * * *

"I feel called upon by an imperative sense of duty to revive substantially the recommendation so often and so earnestly made by President Jackson, and to urge that the amendment to the Constitution herewith presented, or some similar proposition, may be submitted to the people for their ratification or rejection." (Richardson's Messages and Papers of the Presidents, vol. VIII, pp. 3838, 3839.)

In Johnson's message to Congress on December 9, 1868, he wrote as follows:

"I renew the recommendation contained in my communication to Congress dated the 18th July last—a copy of which accompanies this message—that the judgment of the people should be taken on the propriety of so amending the Federal Constitution that it shall provide—

"First, for an election of President and Vice President by a direct vote of the people, instead of through the agency of electors, and making them ineligible for reelection to a second term.

* * * * *

"Profoundly impressed with the propriety of making these important modifications in the Constitution, I respectfully submit them for the early and mature consideration of Congress. We should, as far as possible, remove all pretext for violations of the organic law, by remedying such imperfections as time and experience may develop, ever remembering that 'the Constitution which at any time exists until changed by an explicit and authentic act of the whole people is sacredly obligatory upon all.'" (Richardson's Messages and Papers of the Presidents, vol. VIII, p. 3889.)

In the Senate on March 22, 1875, appearing in the CONGRESSIONAL RECORD, Forty-fourth Congress, special session of the Senate, page 123, the following appears:

"I know the determination of that people (in Louisiana). Their great object is to be restored back into the Union upon equal footing with all the other States, and have a fair participation in the legislation of the country. That is all they desire. But what is that to those who are acting behind the curtain and who are aspiring to retain power, and if it cannot be had by popular consent and the approval of their public acts would inaugurate a system of terrorism, and in the midst of the excitement, in the midst of the war cry triumphantly ride into the Presidency for a third Presidential term; and when that is done, farewell to the liberties of the country.

* * * * * *

"It is my honest conviction that the real meaning of all this is a desire for a third term for the Presidency of the United States, violating the example that Washington set and which has become equal to a part of the Constitution by the general acquiescence and approval and almost looked upon as sacred as if it was a part of the Constitution itself. Even Washington, the Father of his Country, when he had served 4 years, wanted to retire at the expiration of his first term. He thought that was long enough, and his farewell address was partly prepared at the termination of his first term of 4 years; but being prevailed upon by those who surrounded him, in view of the peculiar condition of the country, to accept a second term when that expired, he terminated his connection with the Government. That example has since been pursued and followed and looked upon as a part of the Constitution of the country. But I suppose it is almost out of order to refer to Washington now. Is not the present condition of affairs humiliating when we look at the example that he set in many things? Look at the great probity of his character. When he accepted office, what did he say in reference to the morals of the country and the expenditures of the Government? In his message that he sent to Congress with regard to making provision for the executive department he asked them to make no further provision for the executive department than was absolutely necessary to defray the legitimate expenses of the office. We know, furthermore, that Washington was opposed to

a third term, and set the example of serving but two."

And in a letter to Gen. Harry White, President Grant wrote on May 29, 1875, as follows:

"A short time subsequent to the Presidential election of 1872, the press, a portion of it hostile to the Republican Party, and particularly so to the administration, started the cry of 'Caesarism' and 'The Third Term,' calling lustily for me to define my position on the latter subject. I believed it to be beneath the dignity of the office which I have been twice called upon to fill to answer such a question before the subject should be presented by competent authority to make a nomination, or by a body of such dignity and authority as not to make a reply a fair subject of ridicule. * * * But a body of the dignity and party authority of a convention to make nominations for the State officers of the second State in the Union having considered this question, I deem it not improper that I should speak.

"In the first place, I never sought the office for a second, nor even for a first nomination. To the first I was called from a life position, one created by Congress expressly for me for supposed services rendered to the Republic. * * * Without seeking the office for the second term, the nomination was tendered to me by a unanimous vote of the delegates of all the States and Territories selected by the Republicans of each to represent their whole number for the purpose of making their nomination. * * *

"Now, for the third term. I do not want it any more than I did the first time. I would not write or utter a word to change the will of the people in expressing and having their choice. The question of the number of terms allowed to any one Executive can only come up fairly in the shape of a proposition to amend the Constitution, a shape in which all political parties can participate, fixing the length of time or the number of terms for which any one person shall be eligible for the office of President. Until such an amendment is adopted the people cannot be restricted in their choice by resolution further than they are now restricted as to age, nativity, etc. It may happen in the future history of the country that to change an Executive because he has been 8 years in office will prove unfortunate if not disastrous. The idea that any man could elect himself President, or even renominate himself, is preposterous. It is a reflection upon the intelligence and patriotism of the people to suppose such a thing possible. Any man can destroy his chances for office, but no one can force an election or even a nomination.

"To recapitulate, I am not, nor have I ever been, a candidate for a renomination. I would not accept a nomination if it were tendered, unless it should come under such circumstances as to make it an imperative duty, circumstances not likely to arise." (New York Tribune, May 31, 1875, col. 4, p. 1.)

Rutherford B. Hayes recommended in his inaugural address the amendment of the Constitution along the lines provided for in Senate Joint Resolution 18. His recommendation reading:

"In furtherance of the reform we seek, and in other important respects a change of great importance, I recommend an amendment to the Constitution prescribing a term of 6 years for the Presidential office and forbidding a reelection." (Richardson's Messages and Papers of the Presidents, vol. IX, p. 4397.)

And in the Grover Cleveland Addresses, State Papers, and Letters, page 52, Alfred E. Bergh quotes a letter from Cleveland accepting a nomination for President, dated August 18, 1884, reading:

"Then an election to office shall be the selection by the voters of one of their number to assume for a time a public trust, instead of his dedication to the profession of politics; when the holders of the ballot, quickened by a sense of duty, shall avenge truth betrayed and pledges broken, and when the suffrage shall be altogether free and uncorrupted, the full realization of a government by the people will be at hand. And of the means to this end not one would, in my judgment, be more effective than an amendment to the Constitution disqualifying the President from reelection. When we consider the patronage of this great office, the allurements of power, the temptations to retain public place once gained, and, more than all, the availability a party finds in an incumbent whom a horde of office holders, with a zeal born of benefits received and fostered by the hope of favors yet to come, stand ready to aid with money and trained political service, we recognize in the eligibility of the President for reelection a most serious danger to that calm, deliberate, and intelligent political action which must characterize a government by the people."

William McKinley also issued a public statement in reference to this matter under date of June 10, 1901, which is contained in House Report 885, Sixty-second Congress, second session, page 7, reading:

"I regret that the suggestion of a third term has been made. I doubt whether I am called upon to give to it notice, but there are new questions of the gravest importance before the administration and the country, and their just consideration should not be prejudiced in the public mind by even the suspicion of the thought of a third term.

"In view, therefore, of the reiteration of the suggestion of it I will now say, once for all, expressing a long-settled conviction, that I not only am not and will not be a candidate for a third term, but I would not accept a nomination for it if it were tendered to me.

"My only ambition is to serve through my second term to the acceptance of my countrymen, whose generous confidence I so deeply appreciate, and then with them to do my duty in the ranks of private citizenship."

And Theodore Roosevelt, in a public statement of November 8, 1904, as reported in House Report 885, Sixty-second Congress, second session, pages 7-8, reads:

"On the 4th of March next I shall have served 3½ years, and this 3½ years constitute my first term. The wise custom which limits the President to two terms regards the substance and not the form, and under no circumstances will I be a candidate for or accept another nomination."

Roosevelt at a later date changed his mind in reference to this and running for office on the Bull Moose was defeated.

William Howard Taft, in a lecture at Columbia University in 1915, which was later published in book form (Our Chief Magistrate and His Powers, by W. H. Taft, Columbia University Press, 1916) said:

"I am strongly inclined to the view that it would have been a wiser provision, as it was at one time voted in the Convention, to make the term of the President 6 or 7 years, and render him ineligible thereafter. Such a change would give to the Executive greater courage an i independence in the discharge of his duties. The absorbing and diverting interest in the reelection of the incumbent, taken by those Federal civil servants who regard their own tenure as dependent upon his, would disappear and the efficiency of administration in the last 18 months of a term would be maintained."

Calvin Coolidge's autobiography, published in 1929, pages 239 to 247, contains some very interesting comments on this situation. Extracts appearing herein cover his views in some detail.

"The Presidential office takes a heavy toll of those who occupy it and those who are dear to them. While we should not refuse to spend and be spent in the service of our country, it is hazardous to attempt what we feel is beyond our strength to accomplish (p. 239).

"Irrespective of the third-term policy, the Presidential office is of such a nature that it is difficult to conceive how one man can successfully serve the country for a term of more than 8 years.

"While I am in favor of continuing the long-established custom of the country in relation to a third term for a President, yet I do not think that the practice applies to one who has succeeded to a part of a term as Vice President. Others might argue that it does, but I doubt if the country would so consider it.

"Although my own health has been practically perfect, yet the duties are very great and 10 years would be a very heavy strain. It would be especially long for the mistress of the White House. Mrs. Coolidge has been in more than usual good health, but I doubt if she could have stayed there for 10 years without some danger of impairment of her strength (p. 240).

"It is difficult for men in high office to avoid the malady of self-delusion. They are always surrounded by worshippers. They are constantly, and for the most part sincerely, assured of their greatness.

"They live in an artificial atmosphere of adulation and exaltation which sooner or later impairs their judgment. They are in grave danger of becoming careless and arrogant.

"The chances of having wise and faithful public service are increased by a change in the Presidential office after a moderate length of time.

"It is necessary for the head of the Nation to differ with many people who are honest in their opinions. As his term progresses, the number who are disappointed accumulates. Finally, there is so large a body who have lost confidence in him that he meets a rising opposition which makes his efforts less effective.

"In the higher ranges of public service men appear to come forward to perform a certain duty. When it is performed their work is done. They usually find it impossible to readjust themselves in the thought of the people so as to pass on successfully to the solution of new public problems.

"An examination of the records of those Presidents who have served 8 years will disclose that in almost every instance the latter part of their term has shown very little in the way of constructive accomplishment. They have often been clouded with grave disappointments.

"While I had a desire to be relieved of the pretensions and delusions of public life, it was not because of any attraction of pleasure or idleness (p. 241-242).

"The Presidential office differs from everything else. Much of it cannot be described, it can only be felt. After I had considered the reasons for my being a candidate on the one side and on the other, I could not say that any of them moved me with compelling force.

"My election seemed assured. Nevertheless, I felt it was not best for the country that I should succeed myself. A new impulse is more likely to be beneficial.

"It was therefore my privilege, after seeing my administration so strongly endorsed by the country, to retire voluntarily from the greatest experience that can come to mortal man. In that way I believed I could best serve the people who have honored me and the country which I love" (p. 246-247).

Two Presidents openly opposed the limitation on terms of office for Presidents—John Quincy Adams and Woodrow Wilson. Adams in his memoirs, taken from his diary from 1795 to 1848, vol. IV, pages 451-452, printed by J. B. Lippincott & Co., wrote:

"Upon all subject of eminent importance Crawford's opinion is becoming whatever is not mine. I lament this, because its tendency must be to weaken and distract the public councils; but the seeds of this discord are sown in the practice which the Virginia

Presidents have taken so much pains to engraft upon the Constitution of the Union, making it a principle that no President can be more than twice elected, and that whoever is not thrown out after one term of service must decline being a candidate after the second. This is not a principle of the Constitution, and I am satisfied that it ought not to be. Its inevitable consequence is to make every administration a scene of continual and furious electioneering for the succession to the Presidency. It was so during the whole of Mr. Madison's administration, and is so now."

Woodrow Wilson wrote a letter to Hon. A. Mitchell Palmer, of Pennsylvania, on February 5, 1913, which will be found in the CONGRESSIONAL RECORD, Sixty-fourth Congress, first session, page 12620, reading:

"It was characteristically considerate of you to ask my views with regard to the joint resolution which has just come over from the House to the Senate with regard to the Presidential term.

"I have not hitherto said anything about this question, because I had not observed that there was any evidence that the public was very much interested in it. I must have been mistaken in this, else the Senate would hardly have acted so promptly upon it.

"It is a matter which concerns the character and conduct of the great office upon the duties of which I am about to enter. I feel therefore that in the present circumstances I should not be acting consistently with my ideals with regard to the rule of entire frankness and plain speaking that ought to exist between public servants and the public whom they serve if I did not speak out about it without reserve of any kind and without thought of personal embarrassment.

"The question is simply this: Shall our Presidents be free, so far as the law is concerned, to seek a second term of 4 years, or shall they be limited by constitutional amendment to a single term of 4 years or to a single term extended to 6 years?

"I can approach the question from a perfectly impersonal point of view, because I shall most cheerfully abide by the judgment of my party and the public as to whether I shall be a candidate for the Presidency again in 1916. * * *

"Four years is too long a term for a President who is not the true spokesman of the people, who is imposed upon and does not lead. It is too short a term for a President who is doing, or attempting a great work of reform, and who has not had time to finish it.

"To change the term to 6 years would be to increase the likelihood of its being too long, without any assurance that it would, in happy cases, be long enough. A fixed constitutional limitation to a single term of office is highly arbitrary and unsatisfactory from every point of view.

"The argument for it rests upon temporary conditions which can easly be removed by law. Presidents, it is said are effective for one-half of their term only because they devote their attention during the last 2 years of the term to building up the influence, and above all, the organization, by which they hope and propose to secure a second nomination and election.

* * * * *

"Put the present customary limitation of two terms into the Constitution, if you do not trust the people to take care of themselves, but make it two terms (not one, because 4 years is often too long), and give the President a chance to win the full service by proving himself fit for it.

"As things stand now the people might more likely be cheated than served by further limitations of the President's eligibility. His fighting power in their behalf would be immensely weakened. No one will fear a President except those whom he can make fear the election.

"We singularly belie our own principles by seeking to determine by fixed constitutional provision what the people shall determine for themselves and are perfectly competent to determine for themselves. We cast a doubt upon the whole theory of popular government.

"I believe that we should fatally embarrass ourselves if we made the constitutional change proposed. If we want our Presidents to fight our battles for us, we should give them the means, the legitimate means, the means their opponents will always have. Strip them of everything else but the right to appeal to the people, but leave them that; suffer them to be leaders, absolutely prevent them from being bosses."

Note his comments on fighting the people's battles.

Roosevelt's ideas are too well known to need comment. It seems that those who are not in favor of limiting the terms of men in the office of President are perfectly willing to lead the Nation into war.

Insofar as the dangers incident to the Judiciary are concerned I can do no better than to quote the statement which I made orally before the subcommittee:

"The dangers to the Judiciary appear to me to be very clear cut also. The framers of the Constitution gave to the Federal Judiciary life tenure in order to remove the temptation to 'play politics.' However, when one man is in control of the appointment of members of the Judiciary, it appears to me that there is a serious danger of a disproportionate number of judges who are of the same political, economic and social theories as the man who makes the appointments. I believe it far better to have a well balanced judiciary and I also believe that is impossible when one man has the opportunity through length of service to appoint a majority of the judges either in the inferior courts or the Supreme Court of the United States."

In addition to the dangers which I have pointed out, as I see them, there are two additional reasons why I favor the resolution which I have introduced.

One of them is that I believe firmly in the theory of rotation in office. I do not consider any man indispensable to the service of the people of the United States. In my judgment there are many, many thousands who can fill any office of public honor or trust in the United States in a thoroughly satisfactory and efficient manner. Why then should a small group hold on to such places year after year and thus deprive other citizens who are well qualified from exercising their talents and ability for the common good of all citizens of the United States. Such a system will bring men to the Congress with a fresh viewpoint, with an understanding of the problems which are confronting the ordinary citizen who does not hold public office, and generally with a better understanding of the law needed to give everyone a fair chance, than would be the case if the greater part of their experience was with the people who make and enforce the laws rather than the people who have to endeavor to make a living under them.

It is also my firm belief that every man who votes for a law should later be required to go back into private life and endeavor to make a living under the laws which he has helped to enact. When that time comes I believe that we will have much more thoughtful consideration of the effect that the application of such laws will have than is the case at present. If a man knows that the law which he helps enact will affect him personally the law will become a personal thing, instead of the highly impersonal thing which is to alter the lives and ways of earning a living of someone else. Such at least is my theory and I hope that I will have an opportunity to see it work out.

The other reason for advocating the approval of the resolution is that when a man retires from public office under the provisions of this amendment he will have many years in which he can be of service to the people in his community as a connecting link with government. Such is not now the custom. When a man retires from public office now, he is either seeking another public office or he is too old to be of great value to the people of his community as a civic leader. Either, as a general rule, he retires because of age or ill health or he is retired by his constituents and carries back with him to his home community either a desire to rest for the remainder of his life or a burning desire for vindication by being reelected.

While the main purpose of my amendment is to bring about an improvement in our Government which will be beneficial to the rank and file of our people, yet the proposal is not wholly without benefit to those who serve in these public offices.

When once one is elected to a Federal position he soon finds himself hemmed in between two raging fires. His friends shower praise or flattery upon him, insisting that he is the one man who can save democracy and urging him to run for reelection. On the other hand, his enemies pour out their poison propaganda that he is a complete failure and would not dare to run again because he would face certain defeat.

Between these two fires, his pride and his esteem for his friends prompt him to run again, while his fearless courage and his desire to prove that his enemies are wrong also urge him to run.

Thus, he accepts the challenge and starts down the long pathway of a most nerve-wracking vocation which offers little remuneration and only controversial fame, but in time definitely brings certain defeat and humiliation or an untimely death.

For these reasons, I urge favorable action on Senate Joint Resolution 18.

Mr. O'DANIEL. Mr. President, it seems to me that if we are going to upset the elective machinery of the Government, which has been in operation ever since the United States became a nation, and if we are to start limiting the tenure of office of one of the elective officials of our Government, we should not be selfish about it but should go all the way and take such action in regard to all elective officials of the United States Government. There may be differences of opinion as to exactly what benefit will accrue from limiting the tenure of office of the President; but if we are going to discuss and act on the subject of tenure of office, I see no reason why we should confine our discussions and actions solely to the question of the tenure of office of the President. In my judgment we should discuss the subject fully and act on it fully, rather than to have the legislative branch of government pick on the President and take the position that while great harm may result to the Nation from long tenure in the Presidential office the same objections cannot be raised to long tenure by those who serve in the Senate and the House of Representatives. I know that the subject of limiting the tenure of office of the President has been discussed for many years. I do not know that any other resolution to include all the other elective officials of the Government under such a limitation of tenure has previously been offered. However, in fairness and equity and justice, I think the whole problem should be considered at this time.

It may be that we are not now ready to go all the way because of our personal interest in the matter. At any rate, the subject is at present up for discussion, and I have offered my joint resolution as a substitute for the pending joint resolution. I certainly trust that it will receive consideration and will be adopted as a substitute.

Mr. TAFT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Murray
Baldwin	Hayden	Myers
Ball	Hickenlooper	O'Conor
Barkley	Hill	O'Daniel
Bricker	Hoey	O'Mahoney
Bridges	Holland	Overton
Brooks	Ives	Pepper
Buck	Jenner	Reed
Bushfield	Johnson, Colo.	Revercomb
Butler	Johnston, S. C.	Robertson, Va.
Byrd	Kem	Robertson, Wyo.
Cain	Kilgore	Russell
Capehart	Knowland	Saltonstall
Capper	Langer	Smith
Chavez	Lodge	Sparkman
Connally	Lucas	Stewart
Cooper	McCarran	Taft
Cordon	McCarthy	Taylor
Donnell	McClellan	Thomas, Okla.
Downey	McFarland	Thomas, Utah
Dworshak	McGrath	Thye
Ecton	McKellar	Tobey
Ellender	McMahon	Umstead
Ferguson	Magnuson	Vandenberg
Flanders	Malone	Watkins
Fulbright	Martin	White
George	Maybank	Wiley
Green	Millikin	Williams
Gurney	Moore	Wilson
Hatch	Morse	Young

The PRESIDENT pro tempore. Ninety Senators having answered to their names, a quorum is present.

The question is on agreeing to the first amendment reported by the committee.

Mr. BARKLEY. Mr. President, may we have the amendment stated?

The PRESIDENT pro tempore. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 1, line 6, after the words "ratified by", it is proposed to strike out "the legislatures of three-fourths of the several States," and to insert "conventions in the several States, as provided in the Constitution."

Mr. McCLELLAN. Mr. President, this amendment, and one other amendment proposed to this joint resolution, in my judgment, are very objectionable. I had considered and am inclined to vote for a resolution of this character, limiting the terms of the President, but I do not believe that the convention method of ratification is the best method to carry out democratic processes, although the convention method is authorized by the Constitution. I much more favor the House joint resolution as originally passed by the House, without the Senate committee amendments in it.

There is no hurry; there is no emergency; we are under no stress to get this proposed constitutional amendment adopted immediately. A period of 7 years' time is given, under the terms of the joint resolution, for the amendment to be ratified by three-fourths of the States. If it provided that it be ratified by the legislatures of the several States, then it would afford opportunity for those who seek legislative positions in their respective States to discuss the issue in future campaigns. The people could be advised, and candidates would be afforded opportunity to state their positions, and by that method and through that process the people would have a better opportunity of making a choice and having their sentiments expressed as to the ratification or rejection of the amendment than they will have if the convention process is adopted.

For this reason, Mr. President, I shall vote against the Senate amendments providing for ratification by conventions. If the joint resolution shall be presented in the form as it passed the House, then I shall be inclined to favor it. But I know that the process of ratification through action of the State legislatures affords the best opportunity for getting the correct sentiment of the people, because legislators are elected, whereas in many States delegates to conventions are appointed and the question is not made an issue and debated before the citizenship and the electorate, before the votes are cast.

Mr. President, I shall not vote for the committee amendments providing for conventions, and I trust they will be rejected. I wanted to make this explanation of my views regarding the Senate committee amendments before any vote was taken.

I shall not vote for the committee amendments, and I trust that they will be defeated. I wanted to make that explanation of my views regarding the Senate amendments before any vote was taken on them.

Mr. WILEY. Mr. President, in regard to the pending amendment which proposes to strike out "the legislatures of three-fourths of the several States," and insert the words "conventions in the several States, as provided in the Constitution," I desire to state that in committee, as I recall the change was brought about largely due to the insistence of some of the Democratic Members, and I believe I am stating their argument correctly when I say they felt that conventions to consider and act on proposed constitutional amendments were nearer to the people. I could not agree with that, but their contention was that if under the Constitution conventions were held, representatives to the conventions would be elected on the specific issue. That was their position.

I personally stated in my opening argument on the floor, as I now repeat that I held to the opposite position, but I went along with the committee because in my opinion in order to accomplish results in considering proposed legislation there must be give and take. That is the situation as it appears to the chairman of the Judiciary Committee, and I repeat that it was largely due to the insistence of the Democratic Members that this language was inserted.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. WILEY. I yield to the Senator from West Virginia.

Mr. REVERCOMB. I join the able chairman of the Judiciary Committee in the statement that there was some disagreement in the committee. As a matter of fact, I was one of those who thought that perhaps the best method of passing on the proposed amendment was through action by the State legislatures. However, after some discussion it was generally agreed to submit the amendment in the form in which it now appears.

The question was addressed to me, which I now want to address to the chairman of the Committee on the Judiciary, whether or not it is incumbent upon the Senate to set up the machinery for holding conventions, or whether that must be left to the separate States; that is, in allocating the number of delegates to a convention, and prescribing how the convention shall be held. I would like an answer on that question while the pending amendment is before us.

Mr. WILEY. Mr. President, in seeking an answer to that question, I turned to the Constitution itself to see if there were any annotations in relation to it. I could find none. It seems to me that the machinery of the several States would go into operation without further direction from the Congress. In other words, power is conferred on the States to organize conventions.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WILEY. I am very happy to yield.

Mr. BARKLEY. The only instance within my recollection in which conventions were provided for was on the submission of the repeal of the eighteenth amendment. I would have to refresh my recollection, but as I recall it the whole matter of providing machinery for conventions was left to the State legislatures.

Mr. WILEY. That is correct.

Mr. BARKLEY. The Senate did not undertake to write out a blueprint of how the States should select their delegates. As a rule, there are no provisions in State statutes for the calling of such conventions. My recollection is that in case the State did not have such machinery, the legislature had to enact a law providing for the calling of a convention, the determination of representation, and so forth. It also had to pay the expense of the election and of the convention.

Mr. WILEY. That is my understanding.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. REVERCOMB. Following the remarks of the Senator from Kentucky, is it not a fact that in some instances the State legislatures resolved themselves into conventions, sitting as conventions, even though they were regularly elected members of the legislatures? Can the Senator from Kentucky advise me upon that point? I have heard it raised.

Mr. BARKLEY. I would not be able to answer that question without further inquiry. It would be possible, I have no doubt, for the legislature to provide for a convention made up of its own members; and while it was sitting as a convention, it would not be acting as a legislature. That is a sort of fiction of legislative process, but it is not impossible for it to be done in that way, in my judgment.

Mr. REVERCOMB. It would be within the province of the legislature to determine the method to be followed.

Mr. BARKLEY. Yes, absolutely; because I recall only one case in which the Congress attempted to set up the machinery within the State and to prescribe the method by which the convention of the State should be called.

Mr. WILEY. Mr. President, I think the Senator from Kentucky has confirmed my own conclusion, which is, that when the Constitution was written, using this language, no power was taken away from the States with respect to regulating how, when, and where the conventions should be held. Rather, the States had inherent power or derived therefrom the Constitution to hold conventions. If the Congress, on the other hand, had decided to set up machinery pursuant to the Constitution, then I think that would be guiding; at least, it would determine the direction that the States should take. But my recollection from a cursory review of the subject is the same as that of the Senator from Kentucky, that the States themselves, either pursuant to a legislative enactment already on the books, or pursuant to legislative action that followed the proposed amendment, would take action prescribing how the conventions were to be held. I conclude with that statement.

Mr. MAGNUSON. Of course, the action of the committee, changing the method of ratification from the State legislatures to conventions, held under the Constitution, is only a quasi modification of the original proposal, because, as the Senator from Kentucky has well said, in order to hold a convention under the Constitution, while the State legislature has to act, it can act in one of two ways: It can convert itself into a State convention for this purpose and sit as such, or it can provide that on a date certain, a special election shall be held at which delegates shall be elected to a State convention.

In my own State when it came to the repeal of the eighteenth amendment, the legislature acted and provided that on a day certain there should be a convention held for the purpose of repealing the eighteenth amendment, and it set up the machinery whereby the delegates were to be elected, and required them to state their position on filing, whether in favor of repealing or in favor of retaining the amendment. In 1933, I myself was a delegate in my own State.

In my judgment, the committee amendment represents only a half-way modification. Suppose a State legislature not to be in favor of this proposal; then all it would need to do would be to fail to set up the machinery for a convention.

What the chairman of the committee said of the Democratic members is true; we did feel that if this proposed amendment were to be submitted to the people it should be submitted directly to them, and that, if the State legislatures were to follow out the procedure under the Constitution, there would be really a democratic plebiscite, showing whether or not the people wanted the Constitution amended in the manner proposed. As a matter of fact, it offers both systems, because the State legislatures can act as members of the conventions. It depends on the State. It would not violate State rights. We thought it a good amendment.

Mr. WILEY. Mr. President, there seems to be no disagreement in relation to the appropriate answer to the question of the Senator from West Virginia, and that is that the power is in the States to determine how conventions shall be held.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. WILEY. Yes; I yield.

Mr. McCLELLAN. I merely want to make an observation in reply to the Senator from Washington. He says that the legislature can act, and that if the legislature failed to act there would never be an expression of sentiment on the proposed amendment. The legislature in my State is elected every 2 years, and I presume the same practice prevails in most of the other States. If the legislature does not act the first time the question is presented to it the people can elect a legislature which will act, if the people want action taken. The States do not have to act on the question at all. They do not have to call conventions. They do not have to act either way. Unless the matter is agitated, and the people are concerned about it, and want to vote on it, and want their State to approve or disapprove the constitutional amendment, there is no reason for calling for a convention to be held. The machinery is already in existence by which action can be had. The legislature of a State can act on the question. If one legislature does not act on it, and the people want the legislature to act on it, they can themselves elect other legislators who will act. In my humble judgment, Mr. President, the legislative method is the best method for action to be taken on this question. In that manner we can obtain an intelligent expression of sentiment from the people.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. MAGNUSON. As the Senator from Arkansas well knows, an individual who runs for the State legislature sometimes runs on various planks of a platform. He may be in favor of a road to be built over here, or something to be done over there and, in his campaign, he may only incidentally mention that a constitutional amendment will be before the State legislature for consideration. But State legislatures which really represent the people of their States will submit the specific question to the people, and the people can act on it. We Democratic members of the Committee on the Judiciary, who are always for pure democracy as we see it, voted for the convention form of action, and I think, of course, it is the best system.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. BARKLEY. I wonder if those members of the committee who believe in pure democracy and therefore the submission of the proposed constitutional amendment to State conventions would vote for an amendment to the joint resolution providing for a really pure manifestation of democracy by having the President of the United States elected by popular vote instead of by the electoral college? That would really be a pure democracy.

Mr. REVERCOMB and Mr. LUCAS addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield; and if so, to whom?

Mr. WILEY. Mr. President, I presume the last question was addressed to me.

Mr. BARKLEY. It was addressed over the Senator's shoulder to the Senator from Washington.

Mr. WILEY. Then, in the interest of brevity, I shall not attempt to answer it.

I gladly yield to the Senator from West Virginia.

Mr. REVERCOMB. Mr. President, to recur to the question at hand, it seems to me that the one conclusion to be drawn from this discussion with respect to the matter of submission to the State legislatures or to State conventions is that the determination finally will rest with the legislature itself. The legislature itself will determine whether it will sit as a convention or whether it will provide for a special convention. I say that to the able Senator from Arkansas with great respect for his views. The legislature itself will determine whether it shall itself act upon the question or provide for a special convention. If we were to limit the action to a special convention, which I take it we cannot do, and do not so provide by the joint resolution, that would be one thing. But the question is referred to the legislature of the State, which may resolve itself into a convention and the members of the legislature may act as delegates to the convention, although they are members of the legislature—the same members that the able Senator from Arkansas wants to act upon the question. So I do not think it is very important, Mr. President, whether the constitutional amendment be referred to the legislature or referred to a special State convention. If it is referred to a special convention, to be ratified by the convention, the legislature will determine whether it shall act in both capacities, whether the legislature shall resolve itself into a convention, or whether it shall call a special convention. It seems to me that the question is rather unimportant.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. LUCAS. If I may, I should like, in the time of the Senator, to make one observation with respect to the views of the able Senator from West Virginia. Obviously, I am not acquainted with what the West Virginia Legislature might do, but I undertake to say that the Legislature of Illinois would not dare, under the laws of our State, or under the Constitution of the United States, to attempt to sit as a convention on a serious question of this kind under a resolution of this character. In my opinion, it is mandatory that the legislature call a convention. So much for that.

I ask this question of the Senator from Wisconsin. The joint resolution, as I

understand, was introduced by the Senator from Wisconsin. Am I correct?

Mr. WILEY. The one now pending is a House measure. I believe I did introduce one joint resolution on the subject. I think there were a series of resolutions.

Mr. REVERCOMB. Several of them.

Mr. WILEY. This is really a committee joint resolution.

Mr. LUCAS. Whoever introduced the measure originally provided that the constitutional amendment should be ratified by the legislatures of three-fourths of the several States.

Mr. WILEY. That is the provision of the House joint resolution.

Mr. LUCAS. That is the measure that came to the Senate Judiciary Committee, as I understand, and at least one measure introduced in the Senate was of the same nature.

Mr. WILEY. I think there were several.

Mr. LUCAS. What I am inquiring about is what was the persuasive force in the committee that caused the Committee on the Judiciary to change from the House version and from the version originally submitted by some Senators.

Mr. WILEY. I thought I had answered that question. I shall be glad to go over it again. The standing committee to which was referred the various proposals for amendment of the Constitution brought out, I believe, substantially this amendment. I am not positive whether, when it first came before the committee, it provided that it should be ratified by the legislatures of three-fourths of the several States. Then what took place was that the Democratic members of the committee argued very convincingly that the convention method would be nearer to the people and would provide in a more democratic way an answer to the question that would be submitted under the joint resolution than would action by the legislatures. I think that is the substance of what took place.

Mr. LUCAS. Am I to understand the able Senator to say that a couple of Democratic members of the committee convinced him that they were right?

Mr. WILEY. I shall now state the third point: The Committee on the Judiciary is made up of strong individuals. It is not a one-man committee; and in order to assure the measure being reported there had to be give and take. I do not think there is a better committee of the Senate than the Committee on the Judiciary, from the standpoint of acting in a bipartisan or nonpartisan manner. We try to understand each other's viewpoints. The result of our discussion was agreement on the measure now before the Senate, with, as I recall, 1 vote cast against it.

Mr. LUCAS. That leads me to this question. The House of Representatives, as the Senator knows, voted down by quite a majority this same provision when it was offered, as I recall, by Representative COLMER, of Mississippi. What I want to know is: When the Senate passes the joint resolution, how strong a stand are the conferees on the part of the Senate going to take when they meet with the conferees on the part of the House, who are supporting the House version? That is my next question.

Mr. WILEY. Of course, I cannot speak for the conferees. If I happen to be one of them, in view of the position I took in the committee, which I have stated heretofore in the opening argument on the joint resolution, I shall seek for a reasonable time to have the Senate version adopted. I would feel that the conferees would be in the same position that the Democrats and Republicans are on the Committee of the Judiciary. They must give consideration to each other's thoughts, judgments, and convictions, and in that way arrive at a result.

Mr. LUCAS. As I understand, the Senator would try to give and take. What the Senator from Illinois is asking is whether the Senator from Wisconsin will give more than he receives? That is the point.

Mr. WILEY. I doubt whether I could look into the future and say what will happen.

Mr. LUCAS. I ask the question seriously, because the able chairman of the committee will be the important member when the conferees meet. He is chairman of the committee; and whether he comes back here with the House version or whether he comes back with the proposal which is apparently about to be adopted by the Senate will depend upon his power, persuasion, vigor, and force in the conference.

I think it is a very important question, because Senators differ as to the way in which ratification should be effected. We may not have another opportunity to vote on the question after the conferees are through.

Mr. WILEY. Mr. President, let me ask the Senator how he feels about this amendment.

Mr. LUCAS. I am for the legislative method. I know how conventions are taken care of. In my judgment, members of the legislature are the proper ones to consider the question. It has been said that the convention system is closer to the people. That is simply not so. A proposal of this kind will be thoroughly understood by everyone, and the delegates will be carefully chosen by those who are vitally interested in seeing this amendment to the Constitution either defeated or passed.

Mr. WILEY. As the Senator has heard me say several times already today, I was in favor of ratification by three-fourths of the legislatures. That was my personal view. But if this amendment should be agreed to by the Senate, I would feel that it would be my duty in conference to attempt to uphold the view of the Senate, and to persuade the House conferees that the Senate's view was correct. However, I realize that the majority of the conference would govern on that question.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. BARKLEY. I appreciate the Senator's frankness. I interpret his reply to mean that as chairman of the committee he feels it his duty to support the action of the committee.

Mr. WILEY. And the direction of the Senate.

Mr. BARKLEY. That does not necessarily change the Senator's personal convictions.

Mr. WILEY. That is correct.

Mr. BARKLEY. There is nothing inconsistent about that position. As I indicated a while ago in trying to respond to the question of the Senator from West Virginia [Mr. REVERCOMB], the only time I can now recall when the convention system was adopted was when the amendment repealing the eighteenth amendment was submitted. That was done largely because the question of prohibition was a question which agitated every human breast in America, either for or against it. There was almost fanatical advocacy on one side or the other. When we submitted the eighteenth amendment itself, it was submitted to the States. It was not submitted to conventions. Three-fourths of the States promptly ratified it. But when the question of repeal arose, in view of the agitation and controversy which existed all over the country, in which everyone was interested, and with respect to which everyone would take an interest in a local convention to select delegates to a State convention, it was felt that the convention method would probably be more representative—at least, more recently representative—of the desires of the people, than would be the case with State legislatures which had been previously elected.

As I see it, there is no great popular agitation at the grass roots with respect to this question. It is largely a legalistic, constitutional question. Many persons have convictions one way or the other; but I doubt whether there would be such an outpouring of the people to select delegates to a convention as would be more representative than the legislature elected by the people, although not on that issue.

Does not the Senator feel that in submitting this question to the convention the chances would be very great that it would be a hand-picked convention, whether it was selected by popular vote or whether, as the legislature might provide, the delegates to the State convention were selected in county conventions, which in all likelihood would be sparsely attended, attended by politically minded persons who were interested in the constitutional amendment one way or the other? In my judgment, there would not necessarily be a popular response one way or the other, for or against—certainly no greater popular response than if the question were submitted to the legislatures to be acted upon, as has been done in nearly all cases since the Constitution was adopted.

Mr. WILEY. I will say in reply to the distinguished minority leader that he has stated far better than I did, and probably more persuasively, the exact convictions which I held before the committee. In substance, I stated that I felt that in the States—and I had my own State in mind—if the assemblymen and senators in the two branches of the legislature had this question before them, they, representing relatively small

areas or small populations, and being, as was suggested, in contact with the people, would attempt at least to ascertain the wishes of the people. Being politically minded, they would, of course, seek to be guided by the wish of the majority. I felt that such a method would provide as close democratic contact as could be had by means of a convention.

The argument on the other side, as stated by the Senator from Washington [Mr. MAGNUSON], is that the legislative branch of the State government would be concerned with a multitude of problems, as we are here, whereas in a convention men and women would be selected on the basis of a single issue, and with the sole direction to vote for or against the amendment. It would be the only issue under consideration.

As a result, a consensus was arrived at in reporting the joint resolution with this amendment. I think there is much to be said on both sides. If I had not felt that way, I would have voted not to report the joint resolution; but I wanted it to come to the floor of the Senate.

I cannot quite agree with the minority leader that there is not widespread interest in this question. I believe that possibly because of other questions at the present time, foreign and domestic, the minds of men and women are diverted from this subject. I feel that if the question is submitted either to the legislatures or to conventions it will be found that there is a great interest in it. I believe that it will be found—as was true in former days, not so long ago—that large masses of our people, as shown by the Gallup poll, feel the need for a measure of this kind.

At any rate, whatever the Senate does, we shall try to uphold the wishes of the Senate.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. BARKLEY. I appreciate the Senator's statement. However, I have a genuine fear that there will not be aroused among all the people a dynamic interest in what happens to this particular amendment if it is submitted. I fear that here may not be the same interest that was aroused, for example, over the question of popular election of United States Senators, which question was submitted to the legislatures of the States. That issue did not involve the question of how long anyone should hold office, but it involved the right of the people to decide for themselves through the popular election of United States Senators, who should hold office. In my judgment there would have been more reason to have submitted that amendment to conventions, where it would have been made an issue in a proceeding to select delegates, than is the case with this particular amendment. The pending amendment does not involve the question of who is to be elected President, or even the method of his election. It merely involves the question of how long he may hold office, provided the people want him to hold office. The people can get rid of him at the expiration of his term without a constitutional amendment, if they wish to do so. They have frequently done so. On occasion the people have applied the same lash to Senators. They have the power to control, at the expiration of the term of any officeholder, how long he shall continue in office, or whether he shall continue in office. But that is slightly different from the right to choose the man himself, which was the question involved in the amendment providing for the direct election of United States Senators. Yet notwithstanding the widespread interest in the right of the people, rather than the legislatures, to elect their Senators, the Congress submitted to those very legislatures the amendment to determine whether Senators should be elected by popular vote. Although that amendment took away from the legislatures the right to elect Senators, the legislatures ratified the amendment by the required number, and since 1912 we have been electing Senators by direct vote of the people.

I have a very distinct fear that this question, which to some people may be very academic—though I recognize its importance and its impact upon future possibilities in regard to the tenure of office—is not likely to arouse a great volume of popular sentiment either for or against the amendment to the extent that a convention would be truly representative and would avoid the possibility that a particular group interested either for or against the adoption of the amendment could hand-pick delegates to the convention. It might not at all represent the will of the people. For that reason I feel that in this case the State legislature is a more desirable repository for the authority to determine whether this amendment shall go into the Constitution than would be a convention under any circumstances, or any procedure.

Most of the members of our legislatures are ambitious men. A large proportion of them always aspire to further political preferment, and they will not consciously wander very far away from the sentiment of the people. Members of a convention could be, and probably would be, specially selected men who might have some particular desire for or against the amendment, which in the long run would not, in my judgment, automatically make it more representative than, or as representative as the legislature.

In my State we elect a legislature this year. It will meet next January; and if this amendment should be submitted to the legislature members of the legislature would not only have an opportunity but could be required by the people to announce how they stood upon the question. So there might be a sort of referendum in the primaries and in the general election.

Mr. WHITE and other Senators addressed the Chair.

The PRESIDENT pro tempore. Does the Senator yield; and if so, to whom?

Mr. WILEY. I yield first to the Senator from Maine.

Mr. WHITE. There is a question which has not been alluded to, but which interests me somewhat in connection with this matter. I have no hesitation in saying that I favor the legislative method rather than the convention method. I suggest for the Senator's consideration the fact that the framers of the joint resolution evidently desired early action upon the proposed amendment, because they wrote into the last paragraph of the joint resolution a limitation of time within which there must be affirmative action either by legislatures or conventions. I assume that was done to avoid delay in bringing to a consummation whatever might be the judgment of the people of the several States.

If I am correct in that assumption I do not see the reason for imposing a further obstacle to legislative action. In the one instance, if the proposed amendment is to be ratified by the legislatures, it will go directly to the State legislatures. The legislatures may be in session and may act immediately, or there may be some delay. But if the convention system is adopted it must go through the legislative process of submission and then of subsequent legislation by the several States. Then comes a new obstacle, namely, that of holding a convention. It does not seem to me that that additional step ought to be required if there is any justification for pressure or for any limitation of time.

Mr. BARKLEY. Mr. President, I should like to comment on that suggestion by way of affirmation of the Senator's fears. Many of the legislatures have been in session this year. Most of their sessions are expiring or have expired. If we were to submit this amendment to conventions, and the legislatures should not meet again until next January, they could not even provide for a convention until the session at which they themselves could act upon the amendment if it were submitted to them.

If it were submitted to convention the same legislatures would then be required to devise machinery for a convention, and that would bring about greater delay than if the legislatures themselves were authorized to consider it.

Mr. COOPER. Mr. President, will the Senator yield so that I may ask a question of my colleague?

Mr. WILEY. I yield to the junior Senator from Kentucky.

Mr. COOPER. If ratification is permitted by legislatures, is it not true that members of legislatures now in session who were elected last year were elected at a time when this issue could not have been acted upon by the people? To that extent the people could not ratify this amendment.

Mr. BARKLEY. That would be true of legislatures which were still in session at the time the amendment was submitted. I think there would be very few legislatures in session. Most of them have been in session since the 1st of January. I doubt very much if by the time this amendment could be submitted and certified to the legislatures for their action, many of them would be still in session. Those that were still in session could take action. It is true that they were elected at a time when this amendment was not in issue. That argument would have vitiated all amendments to the Constitution except one, because they were all submitted to legislatures. Some members were elected afterward; some of the legislatures were in session at the time, but the members of many of them had been previously elected. So an

amendment cannot be submitted to legislatures in which there would not be some legislators who would act upon it who had been chosen prior to the submission of the amendment.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. WILEY. I yield to the Senator from West Virginia.

Mr. REVERCOMB. This discussion has been very interesting. We continue to discuss in the Senate whether the ratification shall be by conventions or by legislatures, when, as a matter of fact, however we submit the question to the States, whether we say the amendment shall be ratified by conventions or by legislatures, the legislatures of the States will determine it. With all due respect to the views stated, we are debating a question which I feed is somewhat moot, because if we say we are going to submit the amendment to the States to be ratified by conventions, the State legislatures may resolve themselves into conventions then and there.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. REVERCOMB. Just a moment, please. In any event, a legislature may say, "We want to act on this matter by a convention." So in the last analysis our discussion here cannot resolve the question whether ratification shall be by legislatures or by conventions, because the legislatures will determine that question.

The able Senator from Washington [Mr. MAGNUSON] has brought home to us a very definite case in which he himself took part as a member of the legislature. In acting upon the eighteenth amendment, the legislature of his State resolved itself into a convention and acted as a convention. That amendment specified that it was to be ratified by conventions.

So I get back to the point that there is nothing to be gained by this debate upon the floor of the Senate as to which method shall be used, because in the last analysis, and in essence and finality, the legislatures of the States will say how they shall act, whether they themselves shall act as conventions or select others to act for them.

Mr. BARKLEY. I cannot agree with the Senator from West Virginia that it is a moot question as to whether we submit the amendment to State legislatures or to conventions provided by the State legislatures. It may be that in some State the legislature might seek to circumvent the intention of the Congress by resolving itself into a convention, but I think it would be a very rare legislature that would do that.

Mr. REVERCOMB. What about the Legislature of the State of Washington?

Mr. MAGNUSON. Mr. President, I wish to correct an erroneous impression. I said that we had a convention for a specific purpose. The legislature acted.

Mr. BARKLEY. But the legislature did not resolve itself into a convention.

Mr. MAGNUSON. No.

Mr. REVERCOMB. Then I misunderstood.

Mr. DONNELL and other Senators addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield; and if so, to whom?

Mr. WILEY. I yield first to the Senator from Missouri.

Mr. DONNELL. Mr. President, I should like to ask a question of the Senator from Kentucky: Does he not believe there is very great doubt as to the right of a legislature to resolve itself into a convention?

Mr. BARKLEY. I very seriously doubt it.

Mr. DONNELL. Mr. President, I should like to be heard on that subject because I, too, seriously doubt it.

Mr. BARKLEY. If a legislature attempted to do so, it would nullify the action of the Congress in declaring that conventions should be called.

Mr. DONNELL. Mr. President, I endorse what has been stated by the Senator from Kentucky. In fact, I would say, furthermore, that undoubtedly it would circumvent the very clear distinction, presented by article V of the Constitution, between ratification by legislatures and ratification by conventions, because that article provides for the validity of an amendment "when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress."

If the legislature of a State can resolve itself into a convention, obviously, it seems to me, it would thus directly undertake to nullify the clear distinction stated in the constitutional provision to which I have referred.

Mr. GEORGE. Mr. President, will the Senator yield to me?

Mr. WILEY. I yield.

Mr. GEORGE. I merely wish to suggest that one very practical question involved is that, if this joint resolution is passed, it will be necessary to obtain a two-thirds majority in the Congress, and all the votes which can be obtained will be needed. I think it is perfectly obvious that the notion of a convention is merely theoretical at best, and that the safest and clearest way is to submit the amendment to the legislatures of the several States.

Mr. MAGNUSON. Mr. President, will the Senator yield to me?

Mr. WILEY. I yield.

Mr. MAGNUSON. I think there has been a great deal of misunderstanding about substituting conventions for the State legislatures. I do not know how all States handle such matters or handle such conventions. I do know about the procedure in my own State and in three others. The State legislature acts, and then the people of the State vote on the specific issue in choosing delegates to represent them on it. A person who runs for election as a delegate to the State constitutional convention will say whether he is for or against the proposed constitutional amendment. The conventions therefore are perfunctory, because no one can influence the delegates; each delegate is committed when he goes to the convention. Such conventions are not like political conventions.

Mr. President, we thought this way was the best way to take the issue to the people. After all, the members of the State legislatures are elected for many reasons. In my own State the members of the State senate were elected last fall, for a term of 4 years, and in the election held at that time the proposed constitutional amendment now under discussion was not an issue. Consequently, that legislature can act on this matter without ever knowing how the people of the State feel about it.

So we thought this way would be the best way; and the founding fathers thought so, too. Regardless of how many voters take part in electing delegates to such a convention, at least we shall know how many of the citizens vote "yes" and how many vote "no" on this question.

After all, Mr. President, candidates for election to State legislatures run for various reasons. Of course, many State legislatures can resolve themselves into State conventions. As a matter of fact, in many States the candidates run from legislative districts.

So, Mr. President, there is nothing wrong with the method here proposed. The conventions thus provided for cannot be raped. As a matter of fact, as I have said, these conventions are merely perfunctory, and the issue is clear. The way we have proposed is the quickest way to bring the issue to the people. I voted for this measure in the committee, and I shall vote for it in the Senate; but I think the people of my State have a right to pass upon it, and to do so in the most democratic way.

In some States the legislatures are controlled in one way or another. Sometimes they are controlled by the big interests. But if a legislature calls a convention for this purpose, at least the people will have a right to vote on the question, and thus to express their views regarding it.

I am frank to say I do not know how many votes are likely to be cast at such a time. Perhaps there will be only a sprinkling of votes. But whoever exercises his duty of citizenship in voting on this issue will have an opportunity to vote either "Yes" or "No," and the delegates who are selected to go to such conventions will be bound to vote in accordance with the views of the citizens who have elected them.

Mr. BARKLEY. Mr. President, let me inquire whether the Senator from Washington thinks that "big interests" which could control a legislature—which means they would have elected the legislature—would be any less likely to control such a convention.

Mr. MAGNUSON. The convention could not be touched. The election is what they would have to control.

Mr. BARKLEY. But the process by which an election could be touched would be identical to the one by which a convention could be touched.

Mr. MAGNUSON. That is true; but if a convention is called, at least the people will have a right to vote their views on the matter. In my State, State senators are elected for a term of 4 years, and the entire State senate was elected

last fall. So, if the legislature acts on this question, the people of the State will not have a chance to vote on it.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. LUCAS. I merely wish to correct a misapprehension about how delegates are selected. I undertake to say that the legislature does not have to provide candidates shall be either for or against such an amendment. A delegate can be elected to a convention of this kind without being committed in advance as to how he shall vote.

Mr. MAGNUSON. I understand; and I say I do not know how the matter is handled in all the other States. But the way I have outlined is the way it is handled in my State.

Mr. DONNELL. Mr. President, will the Senator yield to me?

Mr. WILEY. I yield.

Mr. DONNELL. I desire to make a few remarks, in addition to directing a brief inquiry to the Senator from Wisconsin; and I ask unanimous consent that I may do so.

The PRESIDENT pro tempore. The Senator from Wisconsin cannot hold the floor indefinitely.

Mr. WILEY. I have not held the floor indefinitely thus far, Mr. President; but I am perfectly willing to take my seat at this time, and I do so.

Mr. DONNELL. Mr. President, do I have the floor?

The PRESIDENT pro tempore. The Senator from Missouri has the floor.

Mr. DONNELL. Mr. President, several very interesting questions have been presented in the last few minutes. I should like to refer briefly to a question suggested by the Senator from West Virginia [Mr. REVERCOMB], namely, whether it is necessary for Congress to prescribe the machinery for the selection of a convention.

Mr. REVERCOMB. Mr. President, will the Senator yield to me?

Mr. DONNELL. I yield.

Mr. REVERCOMB. I did not intend to convey the idea that it is necessary to select one or the other procedure. Is that the point the Senator had in mind?

Mr. DONNELL. No. I understood that inquiry had been made of the Senator from West Virginia, which he in turn addressed to the Senator from Wisconsin, as to whether it is necessary for Congress to prescribe the machinery for the selection of delegates to State conventions called for the purpose of ratifying proposed constitutional amendments. Am I correct in my interpretation of the Senator's remarks?

Mr. REVERCOMB. Yes; that is the inquiry I made, and I shall be very glad to hear the Senator from Missouri discuss that subject.

Mr. DONNELL. Mr. President, I should like to say that the question thus presented is very interesting, and it seems to me that even though we look into the matter rather hastily, it is still worth while for the RECORD to show the results of one or two great adjudications upon it.

It may be pointed out that in 1933, in my own State of Missouri, a convention was provided for and called, as I understand, to pass upon the twenty-first amendment. In that case certain litigation ensued, leading to the decision of State ex rel. Tate against Sevier, to be found in 333 Missouri 662. I quote the following language from pages 667 and 668 of that decision:

> Our State constitution does not authorize the legislature to set up the machinery by which a convention may be assembled to ratify or reject an amendment to the Federal Constitution. That authority emanates from the Federal Constitution. Article V thereof provides that the Congress shall determine whether ratification shall be by conventions in the several States, or by the legislatures thereof. When the Congress proposes an amendment for ratification by conventions, although it does not provide how and by whom such conventions shall be assembled, its direction that the ratification shall be by conventions, necessarily implies authority to provide for the assembling of such conventions. (5) It therefore follows that when the legislature enacted House Bill 514 which provides the method for assembling a convention, it was not, strictly speaking, performing the functions of a legislative body for the State, but was acting as a representative of the people, pursuant to authority delegated to it by the Federal Constitution to provide a method for obtaining and assembling conventions to represent the people in ratifying or rejecting proposed amendments to the Federal Constitution.

So, Mr. President, I submit that at least the Supreme Court of Missouri has taken the view that it is not necessary for Congress to enact the details for the selection of the delegates to a convention.

I call attention also to the fact that that court cited another case from another jurisdiction, namely, the case of *Donnelly* v. *Myers, Secretary of State* (186 Northeastern 918), decided by the Supreme Court of Ohio on July 12, 1933. With the permission of the Senate I read the following from the decision of the Supreme Court of Missouri with respect to the Ohio case. Says the Supreme Court of Missouri at page 668 of 333 Missouri:

> The facts of that case—

That is to say, the Ohio case—

> show that after the Seventy-second Congress proposed an amendment to the Federal Constitution repealing the eighteenth amendment, the General Assembly of Ohio enacted Senate bill No. 204 setting up the machinery for the calling of a convention to pass upon amendments to the Federal Constitution. Thereafter on June 21, 1933, a petition purporting to be signed by the requisite number of persons seeking a referendum on Senate bill No. 204 was filed with the secretary of state. A suit was brought to prohibit the secretary of state from submitting the question to a vote of the people. The question thus presented to the Supreme Court of Ohio is the exact question which is presented in the case at bar. In denying the right to a referendum the Supreme Court of Ohio said—

Then follows the quotation to which I refer:

> Under the decision of the Supreme Court of the United States in *Hawke* v. *Smith, Secretary of State* (253 U. S. 221), there can be no referendum upon the decision of a State legislature to ratify or to reject a proposed amendment to the Federal Constitution.

Then I proceed to the further quotation from the Ohio court:

> In our opinion, however, the calling of such convention is but a step necessary and incidental to the final action of the convention in registering the voice of a State upon the amendment proposed by the Congress. The action of the Legislature in performing this function rests upon the authority of article V of the Constitution of the United States. It is a Federal function, which in the absence of action by the Congress, the State legislature is authorized to perform.

Citing *Lesser* v. *Garnett* (258 U. S. 137), *Smiley* v. *Holm* (285 U. S. 355).

So, Mr. President, I undertake to say that the decision of the Supreme Court of Missouri and that of the Supreme Court of Ohio indicate very clearly that it is not necessary for Congress to enact the details of the machinery for the selection of delegates to a convention.

I observe also in the annotations of the United States Code, annotated, with respect to article V of the Constitution, this language:

> Convention to ratify or reject proposed amendments to Federal Constitution must come into being pursuant to State law which must be duly enacted pursuant to State constitutions.

Citing Opinions of the Justices, 1933, 148 Southern 107, 226 Alabama 565, which would appear to bear out the same view taken by the Missouri and Ohio courts.

Mr. President, the second point which was presented a little while ago was as to whether or not a legislature can itself act as a convention; that is to say, if we adopt the pending joint resolution providing for a convention, can the legislatures of the respective States resolve themselves into conventions?

I have not taken the opportunity to look into the precedents on this point, and I do not know whether or not any State legislatures have taken the view that they can do so; but I desire to emphasize, in a very few sentences, both the remarks of the distinguished Senator from Kentucky [Mr. BARKLEY], the minority leader, and the remarks which I made a few moments ago, to the general effect that it would seem perfectly clear that under article V of the Constitution it was the intention of the framers of the Constitution either that the legislatures shall be the ratifying bodies, or that conventions shall be the ratifying bodies.

It appears to me, therefore, Mr. President, by the language which I read a few moments ago from that article, that if any legislature should resolve itself into a convention it would be a clear nullification of the intention of article V.

Whether or not such action would be subject to collateral attack, whether or not it has ever been done by any legislature, I do not know; but I desire at this moment to place in the RECORD the position, as clearly as I can, to the effect that no legislature has the moral or the legal right to resolve itself into a convention to pass upon such an amendment.

Mr. REVERCOMB. Mr. President, will the Senator from Missouri yield?

Mr. DONNELL. I yield to the Senator from West Virginia.

Mr. REVERCOMB. The Senator has expounded the view that all matters of machinery and the arrangements for the convention are within the unlimited powers of the State legislatures. If the State legislatures have the power to set up the machinery of holding a convention, let us say, what is to limit their power to say that "the members of this legislature shall be the delegates to the convention?"

Let me address a further question to the able Senator. The legislatures fix the method of the selection of the delegates, they say how many delegates there shall be, what units of territory are included within the representation of the delegates—all those things are fixed by the legislature. There is no limit upon it. What, then, is there to prevent the legislature from saying, as a matter of saving expense to the people, "We have been elected by the people, we discussed this in an election, therefore we say that the members of the legislature shall be the delegates to the convention?" What is there to prevent that?

Mr. DONNELL. Mr. President, the answer is twofold. In the first place, article VI of the Constitution reads in part as follows:

> This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land.

That is one point. The further point is that just as the Constitution has provided that it and the Federal laws and treaties shall be the supreme law of the land, it then follows that we should look into the Constitution to see whether or not there is any prohibition against the legislatures doing what the distinguished Senator from West Virginia mentions, namely, the setting up of themselves as conventions.

In that connection, I reiterate that article V clearly, it seems to me, contemplates that the legislatures have no power to do so, because article V distinctly discriminates between legislatures on the one hand and conventions on the other. If article V can be construed to authorize the legislatures to constitute themselves into conventions, then the legislatures have it within their power utterly to wipe out and ignore the very distinction and discrimination drawn by the Constitution, which latter instrument is, as indicated before, under article VI, among the instruments which constitute the supreme law of the land. That is my answer to the question.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. DONNELL. I shall yield, unless the Senator from West Virginia desires to further interrogate me.

Mr. REVERCOMB. Just one or two observations.

Mr. DONNELL. I shall be glad to yield to the Senator from Texas as soon as the Senator from West Virginia shall conclude.

Mr. REVERCOMB. I was very much interested in the line of argument made to the effect that if the legislature made a condition that members of the legislature should be the delegates to the convention, it would defeat——

Mr. PEPPER. Mr. President, until the acoustics of the Senate Chamber are improved, Senators on the other side who desire to have their colleagues hear what they say will have to speak a little louder. Will not the Senator from West Virginia speak louder?

Mr. REVERCOMB. Very well. The argument has been made that if the legislatures of the States should provide that the members of the legislatures should be the delegates to conventions to consider the ratification of an amendment to the Constitution, that would defeat the provisions of the Constitution, and that the same State legislators would not in fact, under such a decision, be a convention. Does the Senator go so far as to say that if delegates running before the people for election to the legislature should advocate that course, and the same persons should be selected as delegates to a convention and also as members constituting the legislature, that would be a violation?

Mr. DONNELL. Mr. President, my answer is "No," if the members of the electorate of a State were privileged to vote for those individuals, both as members of the legislature and as members of the convention. But I undertake to say that even though every member of the legislature should run for the legislature upon a plank providing what he would do or what he would not do with respect to an amendment, there is no moral or legal or constitutional right for such legislature to resolve itself into a convention. Article V of the Constitution clearly and obviously distinguishes between the two, and expresses the intent of the framers of the Constitution, that the choice must be made between the legislature on the one hand and the convention on the other.

Now I yield to the Senator from Texas.

Mr. CONNALLY. Mr. President, I congratulate the Senator from Missouri. I think he is sound in the argument he has just made. I merely wish to make a suggestion, in answer to the Senator from West Virginia, as to what the remedy will be. If the State legislature should assume to convert itself into a convention, the Federal Government could reject its action and say you have not done this in the way that is prescribed, which was by convention. Its vote would not count when the certification came to Washington to be filed with the Secretary of State. He would reject it. I think that is one answer.

Mr. DONNELL. Mr. President, I appreciate the suggestion by the Senator. As I indicated a few moments ago, I do not know whether an attack, collateral, or whatever it may be, could be made upon the action of a State legislature, whether there would come into play some sort of theory that there was a political action with which the Supreme Court of the United States would not interfere. I am not saying what the ultimate decision would be, but I thoroughly agree with the soundness of the principle suggested by the distinguished Senator from Texas, and it would seem to me that obviously if the Legislature of the State of Missouri or Iowa, or any other State, were to resolve itself into a convention, and the action of such so-called convention were then to be certified to Washington, a test could be made upon a mandamus suit directed against the proper official here, directing him either to file or not file the instrument so presented.

As one Member of the Senate, I want to reiterate most strongly that to my mind any legislature which undertakes to resolve itself into a convention is violating the Constitution, to wit, article V.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DONNELL. I yield to the Senator from Kentucky.

Mr. BARKLEY. If one State could do that, all 48 States could do it.

Mr. DONNELL. Precisely.

Mr. BARKLEY. It certainly would go to the validity of the action of all of them in ratifying, if they did ratify this amendment.

Mr. DONNELL. I thank the Senator and concur with him.

I hasten on because I realize the lateness of the hour, and I want to say a word, as a third proposition, on the question that we have been debating—as to whether the action of ratification should be taken by conventions or should be taken by legislatures.

It happens to be my very highly esteemed privilege to be a member of the Committee on the Judiciary of the United States Senate, and I want to say, along the line of the remarks of our distinguished chairman, the Senator from Wisconsin, that I have found the members of that committee to have individual minds, expressive of individual opinions, though they have shown a fine spirit of cooperation in the attempt to resolve their various differences along reasonable and proper lines.

I was one of those who at first glance took the position, in my own mind, that the method of proceeding before legislatures was the proper method. I was somewhat firmly entrenched in that view, I thought, by reason of the fact that I found that in every instance ratification of a constitutional amendment had been accomplished by the legislatures of the States, with the single exception of the twenty-first amendment. But, Mr. President, on further consideration, after the very strong presentation, as I recall it, by the distinguished Senator from Rhode Island [Mr. McGRATH], upon the proposition that there is an advantage in action by convention, I came to the conclusion that there is. My position upon that matter is simply this: As has been so well stated by other Senators this afternoon, when men are elected to a convention upon the specific issue of being in favor of or opposing the amendment, then a convention has been selected, not to pass upon some road question, not to pass upon the support of the penitentiary, not to pass upon the numerous local questions which always enter into the equation when men are candidates for the legislature, but there is action by a body which was chosen for one specific purpose, a body upon which the full force of publicity can be centered, a body which has the responsibility which every citizen in the State

has the right, at any rate, to know is going to be observed by that convention.

I was greatly impressed with the suggestion made by the distinguished junior Senator from Kentucky, upon my own side of the aisle, and I hope that he will not feel that this is in any sense flattery, and I hope that no other Senator will so regard it. I want to say that our distinguished minority leader has given to this body a fine example of leadership in the past and at the present, and I want to say that, in my judgment, he is to be congratulated, as well as the State of Kentucky and the Senate, upon the fact that he has a colleague of the capacity and the integrity and stamina of the distinguished junior Senator from Kentucky. I have worked with him in the Judiciary Committee, and I think I know whereof I speak. I was digressing, but I think, in justice to him, it is well for the Senate to know something of the hard, conscientious work which the junior Senator from Kentucky has been doing in the Judiciary Committee of this body.

I was impressed with his point, namely, that members who have been already elected to the legislature of his or of other States this year, and are now serving in the legislatures, would, if the legislatures were to be permitted to pass upon this problem, vote upon the amendment, perhaps decide whether the amendment should be adopted or should be defeated, and yet not a single one of them was elected upon the issue as to whether this amendment should or should not be ratified.

I appreciate the fact, Mr. President, that there may be some delay involved in securing action upon this amendment if it be submitted to conventions for ratification. I am aware of that fact, but, on the other hand, I realize that we have lived for a good many years under the existing provisions. To my mind, it is no criticism of the convention method to suggest that it may afford opportunity for further and adequate consideration by the country, even though it results in some cooling off in the process of consideration, even though it involve some delay in the consideration of and action upon the amendment.

Mr. President, to my mind we have a choice between submitting this amendment to bodies and individuals throughout the 48 States who have not been selected, and who will not be selected upon the issue of whether this amendment should or should not be ratified; we have the opportunity, I say, of choosing between that alternative on the one hand, or, on the other hand, of choosing a method by which every man who votes upon the proposition will have been elected by reason of the fact that the people knew that he stood for or against, or at least that he had the opportunity to be catechised upon that question by the people before he was elected to the convention.

So, Mr. President, in closing, I submit three propositions:

First, it is not necessary for Congress to prescribe the machinery for the selection of conventions. The cases which I have mentioned, I think, amply substantiate that point.

In the second place, to my mind the legislatures have no moral or legal right to constitute themselves into conventions; and

In the third place, the proper, the appropriate, and the wise plan for the handling of this matter should be through the method of the choice by conventions, as I finally came to believe after hearing the splendid arguments of the Senator from Rhode Island and doubtless other members of our committee.

The PRESIDENT pro tempore. The question is on agreeing to the first committee amendment.

Mr. WILEY. Mr. President, in view of the lateness of the hour, and in view of the fact that many of the Senators have gone home, I desire to propose a unanimous-consent request. First, I ask that at not later than 12:30 Monday a vote be taken on the pending amendment.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin that on Monday, at not later than 12:30 o'clock, the Senate shall vote on the first committee amendment?

Mr. WHITE. Mr. President, reserving the right to object, I have occasion to know that there are Senators on this side of the aisle who would object to any unanimous-consent request fixing a definite time for voting. Under those circumstances, I feel I must object.

The PRESIDENT pro tempore. Objection is heard.

Mr. WILEY. Mr. President, there has been much newspaper criticism with respect to inaction by Congress. I think everything has been said that could be said pro and con in relation to the pending constitutional amendment. My purpose in submitting the request was to try to facilitate action on the joint resolution. I intended to follow it up by the request, which I shall now make, that not later than 5 o'clock on Monday next the Senate shall vote on all amendments to the joint resolution and on the joint resolution itself.

The PRESIDENT pro tempore. The Senator from Wisconsin submits the unanimous-consent request that on Monday, at not later than 5 o'clock, the Senate shall vote upon all amendments to the pending joint resolution and upon the joint resolution itself. Under the rule a quorum call is necessary before that request can be agreed to.

Mr. WHITE. Mr. President, every consideration which led me to object to the previous request applies in the present instance. I understand the Chair to be correct in his statement that there must be a quorum call before action can be taken on the request, and it does not seem to me that we ought to proceed to that extremity at this time. I object.

The PRESIDENT pro tempore. Objection is heard.

Mr. BARKLEY. Mr. President, I should like to address myself to the Senator from Wisconsin. While both requests which he made were agreeable to me, I can appreciate the reasons why the Senator from Maine feels called upon to object. I think the chances are very great that we will be able to conclude consideration of all the amendments and the joint resolution itself on Monday regardless of the absence of any agreement. I shall cooperate to that end to the extent of my ability. I do not know how many other Senators want to address the Senate on the main proposal. I myself wish briefly to discuss it. I know of two or three other Senators who also wish to do so. But I see no reason why we cannot conclude action on Monday.

Mr. WILEY. I thank the Senator from Kentucky.

Mr. MAGNUSON. Mr. President, I submit an amendment to the pending joint resolution and ask that it be printed. I shall not ask for its consideration at this time.

The PRESIDENT pro tempore. The amendment offered by the Senator from Washington to the joint resolution will be printed and lie on the table.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

RECESS TO MONDAY

Mr. WHITE. Mr. President, I think it is obvious that we cannot proceed further to any advantage this afternoon. I therefore move that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 23 minutes p. m.) the Senate took a recess until Monday, March 10, 1947, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 7 (legislative day of February 19), 1947:

FEDERAL COMMUNICATIONS COMMISSION

Edward Mount Webster, of the District of Columbia, to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1, 1942.

FEDERAL DEPOSIT INSURANCE CORPORATION

Henry Earl Cook, of Ohio, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation for the unexpired term of 6 years from September 6, 1945.

SECURITIES AND EXCHANGE COMMISSION

Harry A. McDonald, of Michigan, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1951.

WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR

William R. McComb, of Missouri, to be Administrator, Wage and Hour Division, Department of Labor.

NATIONAL MEDIATION BOARD

Francis A. O'Neill, Jr., of New York, to be a member of the National Mediation Board for the term expiring February 1, 1950.

BUREAU OF MINES

James Boyd, of Colorado, to be Director of the Bureau of Mines, vice Royd R. Sayers.

INDIAN CLAIMS COMMISSION

The following-named person to be Chief Commissioner of the Indian Claims Commission:

Edgar E. Witt, of Texas.

The following-named persons to be Associate Commissioners of the Indian Claims Commission:

William M. Holt, of Nebraska.
Charles F. Brannan, of Colorado.

APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES

TO BE PROFESSOR OF MODERN LANGUAGES AT THE UNITED STATES MILITARY ACADEMY, WITH RANK FROM DATE OF APPOINTMENT

Col. Charles Joseph Barrett (lieutenant colonel, Field Artillery), Army of the United States.

IN THE NAVY

The following-named officers to the ranks indicated in the line of the Navy.

((*) Indicates officers to be designated for EDO and SDO subsequent to acceptance of appointment)

LIEUTENANTS

*Ashton, Arthur H.
*Blamphin, Arthur M.
*Grange, Gifford

LIEUTENANTS (JUNIOR GRADE)

*Albert, John W.
*Buddress, Elmer N.
Conway, John P.
Luther, Roger W.
*Rogers, Lafayette E.
*Schwab, Herbert S.
Trudell, George T.
*Wimberley, Louis P.
Youngjohns, Ernest J., Jr.

ENSIGNS

*Abercrombie, Theodore J.
Adams, Kenneth
Ahrendts, Luther A.
Allison, Frank E.
Alterson, Irwin
Anderson, Robert E.
Ayers, Alvin G.
Bailey, Emera S.
Barr, James H.
Beck, William, Jr.
Becker, Martin S.
Behm, Charles H. H.
Berry, Henry M.
Bevan, Kenneth F.
Bihr, Richard A.
Bird, Comer H., Jr.
Bitting, Frederick E.
Blakeney, Harvey N.
Bliesener, Arthur B.
Blumberg, David H.
Boice, Grant
Bond, John C., Jr.
Borowski, Chester
Bothwell, John H.
Bradshaw, Ray H.
*Braley, Gerald N.
Brown, Francis T.
Brown, Lewis C.
Brown, Marcus A.
Brown, Walter A., Jr.
Bruck, Thomas J.
Brueggemann, Arthur R.
Buck, Maurice D.
Buller, Ronald M.
*Busscher, Harry A.
Butler, John E.
Carroll, Kent J.
Carson, James D.
Case, George O.
Castro, James
Chapman, Tyrus C.
Chartier, Wilfred G.
Cochran, Joseph D.
Collis, James E.
Comingore, Edward G., Jr.
*Conforti, James, Jr.
Cooper, Robert J.
Corrigan, John F., Jr.
Costanzo, Carl J.
*Coughlin, Charles E.
Coulter, William G.
Craig, Preston S.
Creighton, Bert H., Jr.
Crockett, David S.
*Cullen, Albert J.
Custer, Prentice J.
Cutshall, Harland B.
*Davis, John A.
DeCamp, Edgar A.
Delaney, Charles E.
De Witt, Ward A.
Dickson, Richard "D"
Drennen, Grant A.
*Duchin, Morris G.
Eagan, Bryan R.
Edmunds, Wesley N.
*Everson, John K.
Fagan, Philip J.
Fenwick, Joseph E.
Field, Gerald C.
Fossum, Theodore T.
Fowler, Earl B.
*Fraser, George R.
Frellson, Max E.
Friel, James T.
Fuleihan, Nave "A", Jr.
*Gard, Louis S.
Gardner, Charles A.
Goforth, Calvin T.
Goodwin, Everett R.
Goodwin, Norman, Jr.
Gordon, Arthur D.
*Gordon, Earle C., Jr.
Goudy, Maynard P.
Grimball, Daniel E.
Gross, James R.
Hallam, Orval K.
Hallen, Walter E.
Hancock, Burton W.
Hannon, Paul G.
Hare, Guy C.
*Hare, Robert H.
Hargis, Jack R.
Hartwell, James O.
*Haughey, Leo E., Jr.
Heidorn, Lawrence H.
Henderson, Charles W.
Hewitt, William S.
Hill, Robert E.
Hill, Robert J.
Hollandsworth, Herbert C.
Hoover, Ralph A., Jr.
*Horne, Edward V. P.
*Hudgins, William H.
Hughes, Leslie D.
*Humphreys, Thomas H., Jr.
Iler, John W.
Jacobs, Andrew E.
Jacobson, Ray O., Jr.
*Jacoby, Edmond M.
James, Evan L., Jr.
Jensen, William G.
Johnson, Arthur G.
Johnston, Harry D.
*Juergens, Richard C.
Junghans, Robert C.
Kearns, Edward L.
Keller, William F., Jr.
Kelly, John J.
*Kendrick, Mercator C.
Kirklighter, James F., Jr.
Kleist, Roy F.
Klepin, Leon "E"
Knowles, Cline H., Jr.
Krejcarek, Donald J.
Kulik, Paul B.
LaPerche, Jacques B.
Lee, James F.
*Lee, Robert E., Jr.
*Leichter, Herbert L., Jr.
Liss, Irving E.
Lloyd, Norman E.
Long, Douglas L.
Lotzgesell, James H., Jr.
Lutkenhouse, William J.
Maguire, Joseph W.
Mallard, Joseph F., Jr.
Maloney, David A.
Manger, Arthur J.
Mansfield, Samuel K.
Markey, Francis H.
Martin, Linwood F.
Mathwick, Leon E. L.
Matthews, William R.
*McCabe, Donald C.
McDaniel, William O.
*McDevitt, Joseph B.
McEwan, Sheldon S
McGann, Thomas F.
McKinley, Robert T.
McLaughlin, Norman H.
Meekins, Willis E.
Meissner, Robert W.
Meyer, Wayne E.
Midgette, Oliver F.
Miller, David
Miller, Robert C., Jr.
*Milota, Robert F.
Minger, Eugene J.
*Mitchell, Michael G.
Mitchell, Robert W.
Moehle, Wilfred
Moffat, Robert E.
Moore, Charles R.
Morgan, Theodore L.
*Morris, William R.
Morrow, Sam A.
Muller, George R.
Negele, John H., Jr.
Nemoff, Alfred J.
Norman, Robert J.
O'Connor, John J.
Odum, Richardson A.
Oechslin, Robert E.
Pankratz, Ronald D.
Parks, Thomas B.
Peyser, Richard W.
Poe, Robert V.
Porterfield, Floyd R.
Poynter, Robert J.
Quintero, Donald B.
Rappenecker, James C.
Rawls, Raymond L.
Reding, Willis B.
Reisinger, Edward A.
*Richards, John M.
Roden, Dan C.
Rollins, Henry G., Jr.
Ross, Royal R., Jr.
Rummelhoff, Warren E.
Russ, William T.
Sawyer, Kenneth E.
Saylor, Beverly
Scheller, William F.
Schultz, Charles F.
Scott, Norvell O., Jr.
*Scudder, Kenneth R.
Shorts, Donald E.
*Shryock, Raymond D.
Skidmore, Howard H.
Slabey, Theodore M.
Smith, Harry B.
Snicer, Edward
Snure, Robert O.
Snyder, Charles E.
Sobien, Joseph W.
*Stallknecht, Leland P.
Stanfield, Henry L.
Stapelfeld, Johann F.
Starkweather, Robert L.
Stell, Albert L., Jr.
*Sullivan, Harry F.
Suttles, Raymond H.
Swanson, Keith E.
Swartz, Neil A.
Sydow, John P.
Talmadge, Charles J.
Tanner, Sylvan
Tarbox, James S.
Tarbox, Stanley
Tennyson, Durward J.
Thomas, Robert E.
Thompson, Clifford E.
Tigert, Marion A.
Timm, Fred C.
Tindall, George R.
Tinny, John D.
Tkach, George
Tobin, Daniel P.
Toomey, Carl E.
Vail, Malcolm E.
*Vail, Ronald A.
Vincent, Patrick T.
Votolato, John
Wallace, William D.
Walters, Joseph A., Jr.
Ward, David V. V.
Ward, Raymond E.
*Waterbury, Daniel E.
Webster, Harvey O., Jr.
Weeks, Edward F.
Weeks, Robert E.
Wente, David A.
West, Raymond W.
White, Richard L.
Whitehead, Andrew D.
Whitsell, John D.
Wilhelmi, Edward H.
*Williams, Bill J.
Wilsie, Roger M.
Wilson, Frederick C., Jr.
Woerman, William B.
Wolff, Paul M.
Woody, William S.
Wright, Fred E.
Wright, William R.
Yerly, Harold J.
*Yoemans, Moreau
Zeltner, Walter R.
Zseltavy, Robert R.
Zuehlke, Lloyd T.
Altieri, Mickelangelo
Dominguez, Arnold C.
O'Leary, Stephen J., Jr.
Redner, Harold A., Jr.
Senden, John J. H.
Lent, Robert E.
Mercier, Emmett J.
Patterson, Frank H., Jr.
Roberts, Maynard R.
Schmidt, Harold A.
Stonum, Robert H.
Vogel, Robert E.
Waits, Melville L.
Arnall, Dwight L.
Burwick, Herbert A.
Heitmeyer, Richard C.
Huntley, John B.

The following-named officers to the grades and ranks indicated in the Medical Corps of the Navy:

ASSISTANT SURGEONS WITH THE RANK OF LIEUTENANT (JUNIOR GRADE)

Weaver, Richard H.
McNerney, John C.

The following-named officers to the grades and ranks indicated in the Supply Corps of the Navy:

ASSISTANT PAYMASTER WITH THE RANK OF LIEUTENANT (JUNIOR GRADE)

Dean, Jack G.

ASSISTANT PAYMASTERS WITH THE RANK OF ENSIGN

Bower, Ralph R.
Christenson, Carl L.
Coon, Leroy E
Crane, Frank E., Jr.
Cromwell, Julian E., Jr.
Cummings, Harold J.
Donahue, Daniel F.
Dorrance Sumter E.
Feller, Benjamin P.
Ford, Robert R.
Kreska, William P.
Lenon, Richard A.

The following-named officers to the grades and ranks indicated in the Civil Engineer Corps of the Navy:

ASSISTANT CIVIL ENGINEERS WITH THE RANK OF LIEUTENANT (JUNIOR GRADE)

Karp, Alfred
Wilson, John W.

ASSISTANT CIVIL ENGINEER WITH THE RANK OF ENSIGN

Smith, Donald E.

The following-named officer to the grade and rank indicated in the Dental Corps of the Navy:

ASSISTANT DENTAL SURGEON WITH THE RANK OF LIEUTENANT (JUNIOR GRADE)

Dayton, Charles A.

The following-named officers to the rank of Commissioned Warrant Officer in the Navy in the grades indicated:

CHIEF BOATSWAINS

Davis, George W.
Jaworski, Stanley

CHIEF GUNNERS

Betleyoun, Charles A.
Crisman James L.
Railsback Robert A.
Shablowski, Chester T.

CHIEF TORPEDOMEN

Parolini, Geacomo A. "G"
Woods, Ivan E.

CHIEF ELECTRICIANS

Davis, Albert
Jackson, Wilbur J.

CHIEF RADIO ELECTRICIANS

Salem, Albert M.
Yetter, Donald A.

CHIEF MACHINIST

Smith, Cecil L.

CHIEF CARPENTERS

Biechlin, Louis E.
Gilmore, Joseph C.
Jones, Merle V.
Lee, Cletus A.

CHIEF SHIP'S CLERKS

Gregg, Robert A.
Herrmann, Donald E.
Kern, Horace A.
Lewis, Heber S.
Sullivan, John E.

CHIEF PHARMACISTS

Allen, Robert A.
Bryant, Forrest H.
Fenn, Frank L.
Herrick, Stewart V.
Lanning, John R.
Lee, Charlie W.
Martin, Kenneth V.
Nalls, Nathan C.
Riley, William E.
Rye, Jens O.
Sims, Milfred E.
Stamp, Loren E.

CHIEF PAY CLERKS

Le Ribeus, Francis
Miller, Junice W.
Stalls, Henry M.

The below-named officer to be a second lieutenant in the United States Marine Corps from the 6th day of June 1947:

Roscoe F. Good, Jr.

The below-named officer to be a second lieutenant in the United States Marine Corps to correct his given name, James J. Bozek, as previously nominated and confirmed:

John J. Bozek

POSTMASTERS

The following-named persons to be postmasters:

ARKANSAS

Jack B. Carter, Elkins, Ark., in place of Dewey Carter, deceased.

Myrtle H. Dowell, Tuckerman, Ark., in place of F. B. Dowell, deceased.

CALIFORNIA

Chester N. Frost, Etiwanda, Calif., in place of W. H. Frost, retired.

Paul R. Todd, Garberville, Calif., in place of D. E. Knapp, deceased.

GEORGIA

Myrtice T. Skinner, Midland, Ga., in place of J. W. Miller, transferred.

Eda M. McDonell, Thunderbolt, Ga., in place of E. E. Starkey, resigned.

W. Cecil Crew, Whigham, Ga., in place of D. P. Trulock, resigned.

IDAHO

Harold E. J. Wayne, St. Maries, Idaho, in place of M. H. Moshinsky, resigned.

ILLINOIS

LaVerne E. King, Ashkum, Ill., in place of Fred Rohr, transferred.

Irwin C. Stoltz, Bellmont, Ill. Office became Presidential July 1, 1945.

William P. Hohs, Skokie, Ill., in place of W. K. Lyon, deceased.

INDIANA

Ralph N. Smith, Atlanta, Ind., in place of L. B. Morehead, retired.

IOWA

William G. Strunce, Creston, Iowa, in place of T. M. Conway, deceased.

Fred J. Ehrhardt, Sac City, Iowa, in place of C. L. Anderson, resigned.

Zita L. Humbert, Volga, Iowa, in place of Otto Germar, resigned.

KENTUCKY

Denzil F. Stumbo, Martin, Ky., in place of Anna Vincent, resigned.

LOUISIANA

Ernest B. Martin, Baldwin, La., in place of M. M. Rogers, retired.

Clarfie J. Trosclair, Harvey, La., in place of F. J. Orgeron, transferred.

MICHIGAN

Marjorie V. Hammond, McMillan, Mich., in place of H. J. Skinner, resigned.

MISSOURI

Paris M. Hill, Glenwood, Mo. Office became Presidential July 1, 1945.

Stella Siebert, Pilot Knob, Mo. Office became Presidential July 1, 1946.

MONTANA

David C. Bryan, Whitehall, Mont., in place of T. E. Devore, retired.

NEW JERSEY

Thomas L. Edsall, Hamburg, N. J., in place of L. B. Vail, resigned.

William J. Morris, Newton, N. J., in place of Walter McCracken, transferred.

OHIO

Frank Edwin Treon, Miamisburg, Ohio, in place of William Alexander, retired.

George J. Stoll, Piketon, Ohio, in place of G. E. Leist, resigned.

OKLAHOMA

Florence S. Campbell, Castle, Okla., in place of H. B. Sitz, removed.

OREGON

Joseph Omlin, Jr., Gold Beach, Oreg., in place of Vincent Byram, deceased.

PENNSYLVANIA

Adeline Lobb, Brisbin, Pa. Office became Presidential July 1, 1945.

George E. Myers, Cowansville, Pa. Office became Presidential July 1, 1945.

Israel M. Ziders, Laughlintown, Pa. Office became Presidential July 1, 1946.

Mildred E. Thomas, Shelocta, Pa. Office became Presidential July 1, 1944.

SOUTH CAROLINA

Nelle C. Wells, Manning, S. C., in place of R. R. DuRant, Jr., resigned.

SOUTH DAKOTA

Laddie E. Kostel, Tabor, S. Dak., in place of C. D. King, transferred.

TEXAS

Euna C. Kelly, Freer, Tex., in place of M. H. Freeman, resigned.

Louise E. Gordon, Talpa, Tex., in place of C. H. Grounds, deceased.

VIRGINIA

Arthur G. Ware, Jr., Amherst, Va., in place of R. H. Mahone, removed.

WASHINGTON

Daniel F. Coulter, South Bend, Wash., in place of H. M. Connor, removed.

Raymond D. Spurrell, Willapa, Wash., in place of J. H. Owens, resigned.

WEST VIRGINIA

Charles A. Cabell, Carbon, W. Va., in place of R. M. Yeager, resigned.

WISCONSIN

Louis W. Kurth, Neillsville, Wis., in place of L. W. Kurth. Incumbent's commission expired April 26, 1942.

Estelle H. Beck, Rolling Prairie, Wis. Office became Presidential July 1, 1946.

WYOMING

Signe S. Mackinen, Frontier, Wyo., in place of R. M. Turner, retired.

SENATE

MONDAY, MARCH 10, 1947

(Legislative day of Wednesday, February 19, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Our Father, as we come into Thy presence this morning, we are saddened by the announcement of the great loss and bereavement sustained by one of the most distinguished Members of this body. Our sympathy goes out to him, deep and tender, as we stand at his side sharing his sorrow as far as friends may and joining our prayers that he may feel even now the everlasting arms upholding him and Thy grace and Thy love sustaining him in this dark hour.

We give Thee thanks for his constant devotion, for the courage and the fidelity to duty that has marked these last years when he was called upon by Thy strange and mysterious providence to walk a hard road; and we give Thee thanks for the beauty and inspiration that his helpmeet provided in the difficult experiences they shared together.

We thank Thee for her charm and for the winsome beauty of her life and spirit, and we pray that Thy grace may be sufficient now for him who was her partner and for the members of the family who mourn her going.

We thank Thee for the hope Thou hast given us that there will come a day when the lost chords of life may be found again in that happy land, and all that is dark and mysterious now shall be revealed and its purposes made plain.

We pray that in this great sorrow, shared by each Member of this body, we may be drawn closer to each other in true comradeship and fellowship. May sympathy unite our hearts to each other, and bind us to Thee, who dost mark our tears and hast promised to wipe them away.

So may Thy blessing be upon our brother now and upon all who are with him in the fraternity of sorrow, that their faith may be strengthened and their hope made bright and triumphant. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Friday, March 7, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on March 7, 1947, the President had approved and signed the act (S. 234) to authorize the Secretary of the Navy to convey to the Central of Georgia Railway Co. an easement for railway purposes in certain Government-owned lands situated in Bibb County, Ga.

TRIBUTES TO MRS. ALBEN W. BARKLEY

Mr. COOPER. Mr. President and Members of the Senate, it was with deep regret that I learned, just a little while ago, of the death this morning of the wife of the distinguished senior Senator from Kentucky [Mr. BARKLEY]. I am aware that no eulogy of her is necessary to those who knew her, and I realize that little can be said in sympathy which can be helpful. I should like to say, however, that throughout the years the people of her native State, Kentucky, have held in affection and respect the wife of our distinguished colleague. They have known the strong and beautiful qualities of her character and intellect, her devotion and helpfulness to her husband, and their respect and affection have been deepened by the knowledge of her long and patient suffering.

They have known, also, of his selflessness and devotion to her. And so today, in a very inadequate manner, I desire to express my own sorrow and the sorrow of the people of my State upon the death of Mrs. Barkley, and to extend to our colleague, Senator BARKLEY, deep and heartfelt sympathy.

Mr. MORSE. Mr. President, I wish to extend, in behalf of myself and Mrs. Morse, deep sympathy to the distinguished Senator from Kentucky [Mr.

BARKLEY] in this hour of sorrow. I am conscious of the great spiritual values which sustain him at this moment of bereavement.

Mr. GEORGE. Mr. President, a large circle of friends is saddened today by the announcement of the death of Mrs. Alben Barkley at her home in this city. Mrs. Barkley had been a part of the life of the city of Washington for more than 30 years. During the days of her strength and good health she was constantly with her friends and enjoyed the respect and the love and admiration of a very large circle of men and women in public life and men and women from all sections of the United States. She possessed those peculiar womanly charms and the strength of character which made her the center of a beautiful and delightful home.

Her husband, who served for a long period of years in the National House of Representatives, and who served as majority leader of this body for a longer period of time than any other man in the history of the Senate, and who is at the present time the minority leader, was constantly weighted with the care of his own responsibilities as well as the illness of the wife who had meant so much to him in his home and in his life. Mrs. Barkley had been indeed a tower of strength to the distinguished senior Senator from Kentucky.

Those of us who knew Senator BARKLEY well throughout the years, and who had the opportunity to observe him and who knew with what fidelity he met his responsibilities as majority leader and as a Member of the Senate, often wondered how he managed to do so in view of the long-continued illness of the wife to whom he was so sincerely devoted. There was a strong tie of affectionate love between Senator BARKLEY and his wife.

She was not only a popular woman here in Washington, but in her own native State of Kentucky as well. Those of us who have served here with Senator BARKLEY and those who have had the privilege of knowing Mrs. Barkley through the years have the deepest sympathy for the bereaved family, and for the Senator himself, on whom the loss falls with peculiar force.

Mr. President, a woman who rears a delightful family, who is the center of honor within the family group, and who through a long life retains the affection and deepest respect of a good husband has not lived in vain. The passing of Mrs. Barkley today not only has saddened a large circle of friends here and elsewhere, but has brought keenly to our minds and to our imagination the burdens under which the distinguished Senator from Kentucky has labored in this body during the years of her protracted illness.

Mr. CONNALLY. Mr. President, I am most happy that the senior Senator from Georgia should have made this most appropriate and eloquent address dealing with the passing of Mrs. Alben W. Barkley.

When I first became a Member of the House of Representatives—it will soon be 30 years ago—in company with the Senator from Maine [Mr. WHITE], who entered that body on the same day I entered it, I became acquainted with Senator BARKLEY, then a Member of the House, and shortly thereafter I became acquainted with Mrs. Barkley. Mr. President, our families were very intimate for a great number of years. I learned to know Mrs. Barkley and found her to be a gracious, intelligent, charming woman, possessed of all the graces and fine qualities which ornament noble womanhood. She was an inspiration to her husband in his public career and in his private life.

I happen to know that some years ago they purchased an old estate near Paducah, Ky., remodeled and refurnished it with all of the period furnishings which would revive its ancient splendor. They took great pride in providing a home back in Kentucky, their native State.

I am personally deeply grieved at the passing of Mrs. Barkley. I profoundly sympathize with Senator BARKLEY, because I know the great loss which he has suffered. I am sure that, as already suggested, Mrs. Barkley did not live in vain. She made a distinct contribution to the age in which she lived, and she ennobled and uplifted every circle in which she moved.

Mr. President, I shall not prolong these remarks, but I wished to say this much so that the record might bear testimony to my admiration for Mrs. Barkley and for the wonderful life she lived.

Mr. LUCAS. Mr. President, it was with a sense of profound sorrow that I learned this morning of the passing of the wife of our esteemed minority leader, the Senator from Kentucky [Mr. BARKLEY]. Modest and retiring by nature, she was loved by all who knew her. Her devotion to her husband and family was a source of strength and inspiration which will be sorely missed. She pursued the arts of the home with grace, and brought dignity and character to the raising of a fine family which will always remain a tribute to her.

She was known and admired throughout the State of Kentucky for her kindness and character. When she came to Washington to be at her husband's side during his service in the Congress, she won the esteem and affection of all who were privileged to know her. Her married life extended over almost 44 years. The unmatched devotion of Senator BARKLEY and his wife to each other throughout their lives, and especially during the long illness of Mrs. Barkley, became a matter of public comment.

I do not suppose that any words of ours at this moment can serve to lessen the deep sorrow which has thus befallen our colleague and his family. We can only extend to them our deepest sympathy in this hour of their loss.

Mr. WHITE. Mr. President, we on this side of the aisle—and I know it to be equally true of Senators on the other side—learned this morning with the keenest regret of the tragic loss suffered by our colleague the distinguished minority leader [Mr. BARKLEY].

For more than 40 years Mrs. Barkley has been an affectionate mother, a loving and helpful wife, a companion in fellowship with the Senator from Kentucky in the trials and vicissitudes, as well as the triumphs, of his long and honorable public career. Through the years Mrs. Barkley has won the hearts and the enduring respect of all who have been privileged to know her. To our colleague goes the assurance of a sympathy which we feel in full measure, but which we can express but inadequately. There goes to him assurance of our respect and affection as he meets with courage and faith this great affliction visited on him.

Mr. BROOKS. Mr. President, it was not my privilege to know Mrs. Barkley. It has been my privilege to know her husband. Knowing Mrs. Barkley through those who have spoken so kindly of her, it seems to me that she typifies those wonderful women who have come to the Capital of the greatest country on earth, and sometimes humbly, and many times quite unknown, carried the burden of the heart and the work of their husbands. I wish to pay my tribute to this lady whom I did not know, and express my deep and sincere sympathy to her distinguished husband.

LEAVE OF ABSENCE

Mr. CAIN. Mr. President, I ask unanimous consent to be absent from the Senate on Wednesday of this week.

The PRESIDENT pro tempore. Without objection, the leave is granted.

ROBERT MONTGOMERY

Mr. TOBEY. Mr. President, I take just 30 seconds to point out that in the recent war remarkably fine service was rendered by some of those engaged in the great professions of our country. There is in the gallery to my right one who rendered valiant and distinguished service in our naval forces in the war, the movie actor, Robert Montgomery. I point this out for the edification and interest of my colleagues. A tribute to whom tribute is due.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

G. F. ALLEN

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation for the relief of G. F. Allen, former Chief Disbursing Officer, Treasury Department, and for other purposes (with accompanying papers); to the Committee on the Judiciary.

REGIONAL DISBURSING OFFICERS OF TREASURY DEPARTMENT

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to provide for the orderly transaction of the public business in the event of the death, resignation, or separation from office of regional disbursing officers of the Treasury Department (with an accompanying paper); to the Committee on Expenditures in the Executive Departments.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Banking and Currency:

"Senate Joint Resolution 13

"Joint resolution memorializing the Congress of the United States to remove all controls upon the production and sale of sugar

"Whereas sugar is one of the most important food items used in the American home and without it housewives are seriously hampered in supplying their families with a properly balanced diet; and

"Whereas the lack of sugar for canning during the past season caused housewives to curtail their fruit and vegetable canning, thereby causing great quantities of Wisconsin grown fruit and vegetables to go to waste which would otherwise have been preserved for winter use by canning; and

"Whereas there is every reason to believe that this waste of Wisconsin fruit and vegetables will be repeated during the coming growing season if the present system of sugar controls is continued; and

"Whereas labor in the food processing industry has been thrown out of work and the producers of fruits and vegetables have suffered great financial loss because of the sugar shortage; and

"Whereas in 1946 the sugar under the direct control of the United States increased by more than one-half million tons and no portion of this increase was made available to the American people; and

"Whereas black-market operators in sugar have flourished and grown rich during the period of sugar rationing and will continue to aggrandize themselves at the expense of the general public so long as controls on the production, sale, and consumption of sugar are continued: Now, therefore, be it

"Resolved by the senate (the assembly concurring), That the Congress of the United States is respectfully requested to provide by law for an immediate decontrol of sugar for home consumption and for industrial use; and be it further

"Resolved, That Congress is respectfully requested to remove all controls from the production, distribution, rationing, sale, and importation of sugar; and be it further

"Resolved, That duly attested copies of this resolution be immediately transmitted to the clerks of both Houses of the Congress of the United States and to each Member of the Congress from this State."

A joint memorial of the Legislature of the State of Wyoming, memorializing Congress to strengthen the present sanitary requirements governing the importation of livestock from the Republic of Mexico; to the Committee on Agriculture and Forestry.

(See joint memorial printed in full when presented by Mr. O'MAHONEY on March 7, 1947, p. 1762, CONGRESSIONAL RECORD.)

A joint memorial of the Legislature of the State of Wyoming, memorializing the Congress to enact legislation relating to employers' sinking funds and reserves and taxability thereof; to the Committee on Finance.

(See joint memorial printed in full when presented by Mr. O'MAHONEY on March 7, 1947, p. 1762, CONGRESSIONAL RECORD.)

A resolution adopted by the Louisiana Legislative Committee on Educational Survey, Baton Rouge, La., praying for the enactment of the bill (S. 472) to authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools, and in reducing the inequalities of educational opportunities through public elementary and secondary schools, for the general welfare, and for other purposes; to the Committee on Labor and Public Welfare.

A letter in the nature of a petition from the United Home Owners of Illinois, Chicago, Ill., praying for the enactment of legislation to abolish rent controls; to the Committee on Banking and Currency.

By Mr. DWORSHAK:

A joint memorial of the Legislature of the State of Idaho; to the Committee on Public Lands:

"Senate Joint Memorial 3

"Joint memorial to the President and the Congress of the United States of America in opposition to the policy of the Secretary of the Department of the Interior, Mr. J. A. Krug, as announced on February 2, 1947, accompanying his first annual report, of keeping all federally owned mineral lands in permanent Federal ownership, permitting development only under leasing laws, and that the present mining laws which permit the patenting of mineral lands should be repealed

"Whereas because of a number of circumstances continuing since the early 1930's and up to the beginning of World War II, such as low metal prices and restrictive legislation bearing most heavily upon the mining industry, the development of old mines languished and few new mines were discovered. Not the least amongst these hindrances to prospecting and exploration for new sources of metals has been the policy of the Department of the Interior which has practically made it impossible to acquire title to mineral lands, thus thwarting the intent of Congress and the interpretations of the courts; and

"Whereas the mining industry, as well as all other industries of this country, made every effort to produce the utmost for the needs of war and handicapped as they were by a shortage of man power, it became necessary to concentrate on production of ore and sacrifice the development of additional areas to replace those which had been extracted; and

"Whereas we now find because of this series of circumstances that the normal ore reserves of this country have been depleted to a very considerable degree and by various means of propaganda this thought that our ore reserves have approached complete exhaustior has largely been promulgated by various bureaus under the Department of the Interior: Now, therefore, be it

"Resolved by the Senate and the House of Representatives of the State of Idaho (the Governor concurring therein), That we bitterly reject and condemn what appears to us to be a subtle conspiracy of the Department of the Interior, and of which this gaining absolute autocratic control of the mineral resources is but the entering wedge, as a theory utterly foreign to the philosophy of the Government of this country. To those whom we address, we respectfully call attention to the fact that despite the acknowledged scholastic abilities and integrity of members of the United States Geological Survey and the Bureau of Mines, and the years of effort and the millions of money spent by these departments, the mineral resources of this country have been discovered and developed by the adventurous resident population of these Western States and the function of these departments has been largely a compilation of the history of these undertakings. We believe a lease law covering all the multitudinous variations of ore deposits is a thing impossible of accomplishment; that it will result in flagrant abuses and concentration of power and rather than adding to our reserves of mineral resources will have exactly the contrary effect. The proposal of Secretary Krug to spend a billion dollars in taking an inventory of our mineral resources appears to be but a repetition of the way these departments operate. The compilation of data is not nearly so important as the finding of ore; the mining companies of Idaho and all the Western States are spending large sums of money for exploration and development with hope of finding new ore bodies to insure the Nation's metal requirements. The expenditure of such vast sums by men of energy, experience and ability in finding and developing new deposits will largely correct our present shortages. These companies could hardly be expected to spend millions in the development of new ground unless they could obtain title to these grounds if ore bodies should be developed. Leasing system as proposed would kill all prospecting. The title to mining claims must be granted to promote good sound business in mining. We feel the expenditure of such a sum of $1,000,000,000 by the Department of the Interior to write the obituary of the mining industry is somewhat amusing if it were not so tragic; be it further

"Resolved, That the Secretary of the State of Idaho be hereby authorized and directed to send copies of this joint memorial to Hon. Harry S. Truman, President of the United States; Hon. J. A. Krug, Secretary of the Interior; Hon. President of the Senate and Speaker of the House; Hon. Henry Dworshak, chairman of Mines and Mining; Hon. Edward V. Robertson, chairman, Public Lands Committee; Hon. Andrew L. Somers, chairman, House, Public Lands Committee; Hon. Hugh Butler, chairman, Public Lands Committee; and to the Senators and Representatives of Idaho in the two Houses of Congress."

A joint memorial of the Legislature of the State of Idaho; to the Committee on Finance:

"Senate Joint Memorial 4

"Joint memorial to the President and the Congress of the United States of America in opposition to the policy of the State Department to reduce tariffs on mineral products under the Trade Agreements Act

"Whereas because of the heavy depletion of mineral resources during the war years and the lack of new exploration for and discovery of mineral deposits for many years it is now recognized, as announced by the Secretary of the Interior Department, J. A. Krug, that search for new ore deposits and mines is of vital importance to the national welfare. The prospecting and exploration for new mineral deposits has been held back by lack of manpower during and since World War II, by low OPA metal ceilings and other restrictive Government legislation and also by the constant threat of tariff reductions under the Trade Agreements Act. Private industry is willing to take the gamble of spending large amounts of capital in mineral exploration if it can be guaranteed adequate tariff protection against the competition of lower labor costs and richer natural deposits in foreign countries when conditions in these countries return to normal; and

"Whereas there is a serious world shortage of many metals and with postwar demand far higher than prewar demand, this country will of necessity have to be more dependent on its own mineral resources. The metals produced in Idaho (antimony, copper, lead, mercury, tungsten, and zinc) are badly needed in both war and peace and the encouragement of the mining and the search for these metals is therefore in the national interest. One method of encouragement is by a real protective tariff; and

"Whereas the present threat of tariff cuts presents a serious problem to the mining industry. Due to the possibility of tariff concessions, the present tariffs on minerals no longer can be considered to offer any future protection. The development of new ore in

old mines and the opening up of new mining enterprises call for long-term planning and large capital expenditures and with the lack of any guaranty as to future tariff protection, the incentive for mine development disappears completely in many cases. Mining is a big enough gamble, in itself, without in addition gambling on whether or not the State Department is going to cut tariffs; and

"Whereas the actual reduction in tariffs would not only discourage the search for and development of new mines, but would also shut down many mines that are now producing; and

"Whereas although it is argued that tariff concessions will remove trade barriers to imports and allow free access to the world's raw materials, it is a fact that most important metals can be shipped to this country without difficulty and sold here at world price plus duty. There are certain trade barriers on exports from this country, however. For example, the United States Government prohibits the export of antimony produced domestically; and

"Whereas in addition to harming the mining industry, tariff cuts which cause the shut-down of domestic mines could result in our country being at the mercy of foreign cartels which could then dictate their own terms as to quantities and prices of certain metals shipped to this country; and

"Whereas the development of new mining and smelting operations in this country not only contributes to the national security, but also creates new jobs and adds to the national wealth: Now, therefore, be it

"*Resolved by the Senate and the House of Representatives of the State of Idaho (the Governor concurring therein)*, That we believe, from the standpoint of national security, special tariff consideration should be given to our mineral resources and that no further tariff reductions on mineral products should be made under the Trade Agreement Act; be it further

"*Resolved*, That the secretary of the State of Idaho be hereby authorized and directed to send copies of this joint memorial to Hon. Harry S. Truman, President of the United States; Hon. President of the Senate and Speaker of the House; Hon. Henry Dworshak, chairman of Mines and Mining Committee; Hon. Edward V. Robertson, chairman of Public Lands Committee; Hon. Andrew L. Somers, House Public Lands Committee; Hon. Hugh Butler, chairman of Public Lands Committee; F. Morton Leonard, Chief, Metals Division, United States Tariff Commission, Washington, D. C.; and to the Senators and Representatives of Idaho in the two Houses of Congress."

By Mr. GREEN (for himself and Mr. McGRATH):

A joint resolution of the Legislature of the State of Rhode Island; to the Committee on Public Lands:

"Joint resolution memorializing the Senators and Representatives from Rhode Island in the Congress of the United States with relation to the establishment of a national cemetery in the State of Rhode Island and Providence Plantations

"*Resolved*, That the Senators and Representatives from Rhode Island in the Congress of the United States be and they are hereby earnestly requested to use their best efforts to obtain acquiescence in the matter of the will of the General Assembly of the State of Rhode Island and Providence Plantations in its unanimous desire to have a national cemetery established in the State of Rhode Island and Providence Plantations for the interment of any veteran of any of the wars in which the United States has been or may in the future be engaged; and be it further

"*Resolved*, That the secretary of state is hereby authorized and directed to transmit duly certified copies of this resolution to His Excellency John O. Pastore, Governor of Rhode Island and to the Senators and Representatives from Rhode Island in the Congress of the United States."

A joint resolution of the Legislature of the State of Rhode Island; to the Committee on Finance:

"Resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to use their good offices to secure prompt passage of the George bill, so-called, or a similar measure, to restore to the veterans of World War II the benefit rights to which they are justly entitled

"Whereas it is regrettable that Congress has failed to pass a bill to restore to veterans the social-security status they would have had if war had not interrupted their employment in insurable industry; and

"Whereas the Social Security Act should have been worded in such a way that service in the armed forces would not adversely affect the rights of workers, but it was not so worded; and

"Whereas time out for military service is not considered insurable employment and has prevented veterans from reaching a fully insured status; and

"Whereas this oversight is seriously affecting the benefit rights to which veterans, or their dependents, are by every right entitled; and

"Whereas legislation restoring to veterans the social-security credits which have been jeopardized by their military service should be enacted with the least possible delay; and

"Whereas there is now pending before the Congress of the United States a bill known as the George bill, which would protect the veterans prewar social-security credits and arbitrarily credit his account with an amount equal to that which he would have earned if he had spent his military service in an insurable employment; and

"Whereas the members of the Rhode Island General Assembly feel that the abovementioned bill, or a similar one, should be enacted with the least possible delay: Now, therefore, be it

"*Resolved*, That the Senators and Representatives from Rhode Island in the Congress of the United States are hereby requested to use their good offices to secure prompt passage of the now pending George bill, so-called, or a similar measure, to restore to veterans of World War II the benefit rights to which they are justly entitled; and be it further

"*Resolved*, That the secretary of state be, and he is hereby, authorized and directed to transmit to the Senators and Representatives from Rhode Island in the Congress of the United States duly certified copies of this resolution."

By Mr. GEORGE:

A resolution of the Legislature of the State of Georgia; to the Committee on Labor and Public Welfare:

"Senate Resolution 24

"Whereas in initiating, supporting, and maintaining the national school lunch program, the Government of the United States has rendered invaluable aid to the cause of public education, from which the common school system of Georgia has enjoyed its full participation since this wise legislation was originally fostered and the benefits thereof first became available to the pupils in our public schools; and

"Whereas it is essential to the realization of Georgia's ambitious plans for the full development of its educational program and the adequate instruction of the children of our State, that these Federal grants which were so auspiciously launched and so successfully maintained during recent years, whereby nourishing food at lunch time may be available to the growing generation of America's future citizens, shall continue without interruption; and

"Whereas in the movement for retrenchment in national expenditures now so widely advocated, there is grave danger that this essential service shall be placed in jeopardy or sacrificed to the serious detriment of our educational interests: Therefore be it

"*Resolved by the Senate of the State of Georgia (the House of Representatives concurring)*, That we hereby memorialize and urgently bespeak the favorable consideration of the Congress of the United States of suitable appropriations that will insure the continuance and maintenance of the national school lunch program upon substantially the same basis which has heretofore represented such an important contribution to the institution of public education as it has come to be recognized among the paramount obligations assumed by the public treasury; be it further

"*Resolved*, That copies hereof be transmitted at once to the Members of Georgia's delegation in the Senate and House of Representatives of the Congress of the United States."

ADMISSION OF JEWS INTO PALESTINE

Mr. GREEN. Mr. President, on behalf of my colleague the junior Senator from Rhode Island [Mr. MCGRATH] and myself, I ask unanimous consent to present for appropriate reference and printing in the RECORD a resolution adopted by the City Council of the City of Providence, R. I., recommending the immediate admission of 100,000 European Jews into Palestine.

There being no objection, the resolution was received, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas the United States has already gone on record, by congressional resolution and Executive statement, as favoring the establishment, in Palestine, of an independent democratic Jewish commonwealth, as set forth in the Balfour Declaration; and

Whereas such a program has been heartily endorsed by both our great political parties in their last national convention platforms; and

Whereas the recent Anglo-American Commission recommended the immediate admission of 100,000 European Jews into Palestine, which recommendation is favored and approved by President Truman; and

Whereas there are hundreds of thousands of displaced persons in Europe, rapidly losing all hope for the future, of which about one-third are Jewish refugees seeking an opportunity to enter Palestine to start life there anew: Now, therefore, be it

Resolved, That this council, in recognition of the suffering endured by such refugees, and the need for some prompt action, does hereby memorialize, implore and entreat the Congress, its Members and the President, to take immediate steps to implement the report of said Commission; to act at once, by resolution, diplomatic channels or otherwise, in the name of justice and humanity to the end that the solemn declaration of the mandatory power be fulfilled, thus permitting the mass entrance of refugee Jews into Palestine and restoring peace in the Holy Land; and be it further

Resolved, That this resolution be spread upon the records, and that copies thereof be sent to the President of the United States and to the Rhode Island Members of the United States Senate and House of Representatives.

A true copy.

Attest:

[SEAL] D. EVERETT WHELAN,
City Clerk.

COMMEMORATION OF POLISH UPRISING IN 1863

Mr. MYERS. Mr. President, I ask unanimous consent to present for printing in the RECORD a resolution which was adopted in Philadelphia on February 9 by a group of Americans of Polish descent, assembled at the Polish Home of Philadelphia, to commemorate the uprising of the Polish people against tyrants and oppressors in 1863.

I also ask unanimous consent that a letter written by me in reply to the resolution be printed in the RECORD.

There being no objection, the resolution and letter were received and ordered to be printed in the RECORD, as follows:

We, Americans of Polish descent, assembled at the Polish Home of Philadelphia, 211 Fairmount Avenue, Philadelphia, to commemorate the uprising of the Polish people against their tyrants and oppressors in 1863, on this day, Sunday, February 9, 1947, unanimously adopted the following resolution:

"Whereas the Moscow-engineered Polish elections were held under complete communistic control and were characterized by arrests, intimidations, terrorism, and murder; and

"Whereas the elections were a fraud and mockery and gone through as a pretense in order to propitiate the powers that believe in democracy and the rights of man; and

"Whereas from the notes exchanged with the Warsaw government and the principles enunciated therein, it is evident that our Government is aware of this sham and mockery of democratic principles and the dangers this entails; and

"Whereas these alleged elections clearly demonstrate the dangers and risks to those whose political beliefs are opposed to communistic principles and practices, and therefore the inability of the displaced persons to return to their native land.

"Now, therefore we, assembled here, appeal to and urge our Government to stand fast on the principles set forth in the Warsaw notes, to repudiate the fake elections and to withhold recognition of the counterfeit government imposed upon the Polish Nation by a foreign power; and we further urge that our Government in recognition of the principles of democracy and the rights of men, do its utmost that the despairing plight of the displaced persons be alleviated, and a safe haven be found for them in this country, or any other friendly Allied nation."

MARTIN DABROWSKI,
Chairman.
ALEXANDER BUCZEK,
Secretary.

MARCH 6, 1947.

MR. ALEXANDER BUCZEK,
Secretary, National Committee of Americans of Polish Descent, Inc.
Philadelphia, Pa.

DEAR MR. BUCZEK: I should like to convey to the members of your organization my appreciation for receiving a copy of a resolution adopted by Philadelphians of Polish descent on February 9, 1947, the anniversary of the uprising of 1863.

You know, of course, that my views on the recent Polish "elections" coincide with yours. The whole thing was a farce. In unprecedentedly strong language President Truman said substantially the same thing in his anything but cordial acceptance of the credentials of the new Polish Ambassador. I am sure we will continue all our efforts to see to it that Poland recaptures the control of her own destiny.

As for the problem of Polish displaced persons who understandably are unwilling to return to their homeland under its present regime, I have advocated for some time that this country offer a haven for many of these unfortunate refugees from tyranny by use of unused immigration quotas. I think it is to the credit of our Government that despite the expense of caring for these displaced persons, we have resisted every effort to force them to return against their will to Poland.

I think it would be advisable for an organization such as yours to express to President Truman your appreciation for the efforts he has already made in this tragic situation. So often, Mr. Truman receives only complaints. I know he would appreciate hearing how his efforts in the Polish situation are being appreciated by Americans of Polish descent.

Sincerely yours,

FRANCIS J. MYERS.

ECONOMY AND SOUND BUSINESS POLICIES IN GOVERNMENT

Mr. CAPPER. Mr. President, I have received a fine letter from F. W. Spaeth, of the Wyatt Manufacturing Co., Salina, Kans., setting forth the need of economy and sound business policies in Government affairs. I ask unanimous consent to have the letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WYATT MANUFACTURING CO.,
Salina, Kans., February 18, 1947.

HON. ARTHUR CAPPER,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPPER: Today in Washington there seems to be a lot of wavering, compromising, or otherwise drifting away from the clearly defined program imparted by the millions of voters who have been completely fed up with the spend-crazed and leftish principles of the New Deal.

These voters have not in the least swayed away from their original objectives and the changes which must be made in Washington, but they are beginning to wonder if the new Congress is going to achieve the necessary changes, or will Congress use half-measures and continue to compromise with those who have been so power drunk and extravagant for so many years.

I believe there were four major objectives which the voters wanted, and which created the election reversal, as follows:

1. Adopt new labor legislation which will definitely remove the existing labor monopoly. Congress should stop being lolled into complacency by the apparent conciliatory "dove-of-peace" feeling now proffered by dictator union leaders. It is a guaranteed fact that they will remain holed up only so long as they are assured Congress will continue to weaken and forgive them—and make no important remedial changes in existing labor laws. They are hopeful that by staying out of sight Congress will again resort to half-measures—and as soon as those inedaquate compromises are written into law, it is also a guaranteed fact that there will be another long cycle of serious labor strife—continuing an upward inflation cycle.

2. Reduce the budget to a point, for practical comparisons, equal to that existing prewar, adding enough to cover defense needs, VA, and higher national debt interest—with a top ceiling around $30,000,000,000. No one, including many of those in high offices in bureaus, will not admit that there exists 15 to 20 percent pure waste in practically all legislative departments. Anyone who has been in Washington or in any Federal department, such as War Assets, will readily understand this statement. If the waste alone were eliminated, our budget would be less than thirty billion—without affecting to any degree any required program.

Voters hope the time has come when every dollar in the national budget should produce 100 cents for its service, and they have no reason to feel that a bureau head might not just as easily spend $2 or $3 for the $1 job, if Congress gives him $2 or $3 to spend. Voters feel that a ceiling on personnel might be a start, and then next they would like to know why the earning capacity of the bureau head depends on how many people are employed in his department. Many departments—many parasitic hangers-on which continue to mushroom, and which only seem to create more work for one another, rather than serve the people, should be eliminated instantly. A new psychology in the Government should be adopted that economy is to replace frenzied, idiotic extravagance.

3. Provide for national-debt reduction. We are entering a declining period with a national debt of two hundred and sixty billions. When will there be a better time than now, and possibly for a few more years, to reduce this figure? Unless there is a drastic budget reduction which can reduce the debt, and possibly provide some token-tax reduction, the present Republican Congress will be rightly blamed for having plunged the country into financial ruin within 10 years. This is not a farfetched statement in any sense of the word.

4. There should be a certain token reduction in taxes. Congress should get together on this, and stop playing politics. This should be a flat, across the board reduction, no matter what the percentage is—to help the working man make his pay check go further and to relieve the confiscatory taxes now on large incomes, thus permitting more incentive capital for plant and product expansion, guaranteeing more employment and higher working standards in the future, or at the very least permit many companies to have a narrow margin to cushion the shock when times change.

I feel that these four measures crystallize the expectations of the hopeful voters who held a minor revolution at the polls last November. Immediately before and after the election, a number of the successful Congressmen indicated that these things would be done, but apparently since then things have happened which have tended to befog these major issues.

Sincerely,

F. W. SPAETH.

REDUCTION IN TAXES AND GOVERNMENT SPENDING

Mr. CAPPER. Mr. President, I have received a letter from C. M. Hayman, 8201 Nall Avenue, Overland Park, Kans., offering several excellent suggestions with a view to encouraging tax reductions and reducing Government spending. I ask unanimous consent to have his letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FORUM CAFETERIAS OF AMERICA, INC.,
Kansas City, Mo., February 28, 1947.

HON. ARTHUR CAPPER,
Senator, Senate Office Building,
Washington, D. C.

DEAR SIR: First, I would like to tell you that I think you are doing a grand job and that your efforts in our behalf are appreciated. Then I would like to express my opinion on the tax-relief situation and Government spending.

I favor the Knutson bill (H. R. 1) for a 20-percent across-the-board tax cut. This would make more money available for business expansion, which would mean more jobs. Our taxes are too high, anyway.

I believe that Government expenditures could, and should, be lowered. There are too many employees on the Government pay rolls. These people are needed in private industries.

Thank you for any consideration you may give the above.

Sincerely,

C. M. HAYMAN.

PORTAL-TO-PORTAL PAY—REPORT OF A COMMITTEE

Mr. WILEY. Mr. President, on March 3, 1947, by unanimous consent, Senate bill 70 was taken from the calendar and recommitted to the Committee on the Judiciary for further study. In lieu thereof, from the Committee on the Judiciary, I ask unanimous consent to report favorably with an amendment, House bill 2157, to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes, the so-called portal-to-portal bill, and I submit a report (No. 48) thereon. In the House bill 2157 as now reported from the Committee on the Judiciary, all after the enacting clause of the bill as it came from the House is stricken out and the language agreed to by the Senate Committee on the Judiciary is inserted in lieu thereof.

The PRESIDENT pro tempore. Without objection, the report will be received, and the bill will be placed on the calendar.

STRIKING OF MEDALS, IN LIEU OF COINS, FOR COMMEMORATIVE PURPOSES

Mr. FLANDERS. Mr. President, from the Committee on Banking and Currency, I ask unanimous consent to report an original bill to provide for the striking of medals, in lieu of coins, for commemorative purposes, and I submit a report (No. 49) thereon.

The PRESIDENT pro tempore. Without objection, the bill and report will be received, and the bill will be placed on the calendar.

The bill (S. 865) to provide for the striking of medals, in lieu of coins, for commemorative purposes, was received, read twice by its title, and ordered to be placed on the calendar.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. WILEY, from the Committee on the Judiciary:

A. Devitt Vanech, of Connecticut, to be an assistant attorney general, to fill an existing vacancy; and

John D. Clifford, Jr., of Maine, to be United States district judge for the district of Maine, vice John A. Peters, retired.

ATOMIC ENERGY COMMISSION—REPORTS ON NOMINATIONS

Mr. HICKENLOOPER. Mr. President, as in executive session, on behalf of the members on the part of the Senate of the Joint Committee on Atomic Energy, I ask unanimous consent to report favorably the nomination of Carroll L. Wilson, of Massachusetts, to be the General Manager within the Atomic Energy Commission, and the nominations of David E. Lilienthal, of Tennessee, Robert F. Bacher, of New York, Sumner T. Pike, of Maine, Lewis L. Strauss, of Virginia, and William W. Waymack, of Iowa, to be members of the Atomic Energy Commission.

The PRESIDENT pro tempore. Without objection, the reports will be received, and the nominations will be placed on the Executive Calendar.

Mr. HICKENLOOPER subsequently said: Mr. President, there was sent to the desk this morning the reports of the members on the part of the Senate on the Joint Committee on Atomic Energy on the nominations of the members of the Atomic Energy Commission and of the General Manager. I wish to announce at this time upon the conclusion of the business now pending before the Senate I shall ask that the question of confirmation be considered.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TOBEY:

S. 828. A bill to amend the Federal Reserve Act, and for other purposes; and

S. 829. A bill to provide for control and regulation of bank holding companies, and for other purposes; to the Committee on Banking and Currency.

By Mr. IVES:

S. 830. A bill to permit certain displaced persons under 14 years of age orphaned as a result of World War II to enter the United States as nonquota immigrants; to the Committee on the Judiciary.

By Mr. CAIN:

S. 831. A bill to provide a temporary increase in the tax on gasoline sold in the District of Columbia;

S. 832. A bill to fix the amount of the annual payment of the United States toward defraying the expenses of the government of the District of Columbia;

S. 833. A bill authorizing the United States and District of Columbia Governments to pay for water and water services secured from the District of Columbia water system, and authorizing loans from the United States Treasury for the expansion of the water system;

S. 834. A bill to exempt from taxation certain property of the Robert E. Lee Memorial Foundation, Inc., in the District of Columbia;

S. 835. A bill to exempt from taxation certain property of the Department of the District of Columbia, the American Legion, situated in the District of Columbia;

S. 836. A bill to provide additional revenue for the District of Columbia by imposing a tax on admissions paid in the District of Columbia;

S. 837. A bill to provide additional revenue for the District of Columbia by imposing a tax on gas and electricity used in the District of Columbia and telephone service originating in the District of Columbia;

S. 838. A bill to raise additional revenue for the government of the District of Columbia by levying a tax on the sale of cigarettes in the District of Columbia, and for other purposes;

S. 839. A bill to provide revenue for the District of Columbia, and for other purposes;

S. 840. A bill to amend the act entitled "An act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes," approved April 23, 1924;

S. 841. A bill to amend subsection (a) of section 23 and subsection (a) of section 40 of the District of Columbia Alcoholic Beverage Control Act, approved January 24, 1934, as amended;

S. 842. A bill to amend an act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938; and

S. 843. A bill to provide additional revenue for the District of Columbia; to the Committee on the District of Columbia.

By Mr. BUCK (by request):

S. 844. A bill to authorize the establishment of a band in the Metropolitan Police Force; to the Committee on the District of Columbia.

By Mr. COOPER:

S. 845. A bill to exempt from taxation certain property of the American Legion, Department of the District of Columbia; to the Committee on the District of Columbia.

By Mr. HILL (for himself and Mr. SPARKMAN):

S. 846. A bill to provide that schools constructed under the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, my be donated to local school agencies; to the Committee on Banking and Currency.

By Mr. WHERRY:

S. 847. A bill for the relief of Guy Albert Wheaton; and

S. 848. A bill to amend section 421 of the Internal Revenue Code so as to provide for the refund of income taxes paid for taxable years beginning after December 31, 1941, by persons who die while serving in the armed forces; to the Committee on Finance.

By Mr. McGRATH:

S. 849. A bill to provide for the preservation of the frigate *Constellation;* to the Committee on Armed Services.

(Mr. WILEY introduced Senate bill 850, to provide for the care and custody of insane persons charged with or convicted of offenses against the United States, and for other purposes, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. BYRD:

S. 851. A bill for the relief of Belmont Properties Corp.; to the Committee on the Judiciary.

By Mr. ECTON:

S. 852. A bill authorizing and directing the Secretary of the Interior to issue a patent in fee to John Takes Gun; to the Committee on Public Lands.

By Mr. EASTLAND:

S. 853. A bill to increase loan rates on basic agricultural commodities, to extend and increase price support on nonbasic agricultural commodities, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. O'MAHONEY (for himself and Mr. TOBEY):

S. 854. A bill to amend section 502 (a) of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes"; to the Committee on Banking and Currency.

By Mr. McFARLAND:

S. 855. A bill to permit veterans receiving educational benefits under the Servicemen's Readjustment Act of 1944, as amended, to receive subsistence allowance for dependents on account of brothers or sisters dependent because of minority or physical or mental incapacity; to the Committee on Finance.

By Mr. McMAHON:

S. 856. A bill to provide for the relief of Orlando DiTomasso; to the Committee on the Judiciary.

(Mr. KILGORE introduced Senate bill 857, to provide a correctional system for youth offenders convicted in courts of the United States, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

(Mr. MORSE introduced Senate bill 858, to amend the National Labor Relations Act, which was referred to the Committee on Labor and Public Welfare, and appears under a separate heading.)

(Mr. MORSE introduced Senate bill 859, to provide for keeping the Congress fully informed on current developments in the field of collective bargaining and labor-management relations; to provide basic information needed by management and labor organizations when engaged in collective bargaining; and to aid conciliation, mediation, arbitration, and other Government agencies in the process of settling or preventing labor-management disputes and work stoppages, which was referred to the Committee on Labor and Public Welfare, and appears under a separate heading.)

By Mr. HATCH:

S. 850. A bill to amend the Surplus Property Act of 1944, as amended, with respect to disposal of property to meet the needs of small business; to the Committee on Armed Services.

By Mr. LANGER:

S. 861. A bill to change the law of Congress to permit the Indians of the United States to select the Commissioner of Indian Affairs;

S. 862. A bill to make possible "home rule" and administrative autonomy on Indian reservations and to repeal existing law to that effect;

S. 863. A bill to provide for the leasing of the allotted lands of Indians; and

S. 864. A bill to provide for the payment to Indians of their individual moneys under the control of the Secretary of the Interior; to the Committee on Public Lands.

(Mr. FLANDERS from the Committee on Banking and Currency, reported an original bill (S. 865) to provide for the striking of medals, in lieu of coins, for commemorative purposes, which was ordered to be placed on the calendar.)

By Mr. TAFT (for himself, Mr. ELLENDER, and Mr. WAGNER):

S. 866. A bill to establish a national housing objective and the policy to be followed in the attainment thereof; to facilitate sustained progress in the attainment of such objective and to provide for the coordinated execution of such policy through a National Housing Commission, and for other purposes; to the Committee on Banking and Currency.

By Mr. PEPPER:

S. 867. A bill for the relief of the alien, Michael Soldo; and

S. 868. A bill for the relief of Harry V. Ball; to the Committee on the Judiciary.

By Mr. IVES:

S. J. Res. 83. Joint resolution to strengthen the common defense by maintaining an adequate domestic rubber-producing industry; to the Committee on Banking and Currency.

By Mr. TAFT (for himself and Mr. TYDINGS):

S. J. Res. 84. Joint resolution to provide for the restoration and preservation of the Francis Scott Key mansion; to establish the Francis Scott Key National Monument; and for other purposes; to the Committee on Public Lands.

CARE AND CUSTODY OF CERTAIN INSANE PERSONS

Mr. WILEY. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to provide for the care and custody of insane persons charged with or convicted of offenses against the United States, and for other purposes, and I request that a letter from the Acting Attorney General in connection with the bill may be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and, without objection, the letter will be printed in the RECORD.

There being no objection, the bill (S. 850) to provide for the care and custody of insane persons charged with or convicted of offenses against the United States, and for other purposes, introduced by Mr. WILEY, was received, read twice by its title, and referred to the Committee on the Judiciary.

There being no objection, the letter presented by Mr. WILEY is as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., March 6, 1947.

Hon. ALEXANDER WILEY,
Chairman, Committee on the Judiciary, United States Senate, Washington, D. C.

MY DEAR SENATOR: For the past several years the need for improvement in the manner of dealing with delinquents suffering from mental disorders has become increasingly apparent. A disturbing number of persons are being sentenced for Federal offenses and sent to prison who, because of insanity, should not have been convicted, and who, because of their mental incapacity to participate rationally in their defense, should never have been brought to trial. There is another group of persons whose mental deficiency is not discovered until after trial and conviction but whose mental condition gives rise to the probability that they should never have been tried. A third group includes those who develop insanity while serving sentence and who have not recovered at the expiration of their terms of confinement but who cannot with saftey be set at large in their communities.

Of course, conviction of an insane person is void and open to attack on habeas corpus. Federal statutes, however, prescribe no procedure for determining the accused's mental competence to stand trial. The courts have dealt with the problem in various ways and it seems most desirable that a definite procedure be established for raising the question as to the competence of an accused to stand trial and for the determination of such issue. It is equally important that a procedure be available when preexisting insanity becomes manifest only after a person has been convicted and sent to the penitentiary. Likewise there should be some provision of law authorizing the continued restraint of such persons after their sentences expire.

By act approved May 13, 1930 (46 Stat. 270; 18 U. S. C. 871–880) the Congress authorized the establishment of a hospital for defective delinquents. This hospital is located at Springfield, Mo., and existing law includes authority for the placing therein of mentally defective Federal prisoners. The law also provides that when the sentence of an insane prisoner is about to expire, the prison officials shall notify the proper authorities of the State of his residence and deliver him into their custody. A most serious problem arises, however, when the legal residence of an insane prisoner cannot be determined or when the State authorities refuse to accept custody or fail to accord him proper care and treatment.

A committee of the judicial conference of senior circuit judges working in close cooperation with representatives of this Department has had this entire matter under consideration for a number of years. As a result of careful study a bill has been evolved which is designed to solve the present difficulties. I enclose a copy of the bill and recommend its enactment.

I have been advised by the Director of the Bureau of the Budget that this recommendation is in accord with the program of the President.

Sincerely yours,

DOUGLAS W. MCGREGOR,
Acting Attorney General.

CORRECTIONAL SYSTEM FOR JUVENILE OFFENDERS

Mr. KILGORE. Mr. President, at the request of the judicial conference I ask unanimous consent to introduce for appropriate reference a bill to provide a correctional system for youthful offenders, and I should like 1 or 2 minutes to explain the bill.

In the Seventy-ninth Congress, at the request of the judicial conference, I introduced a bill providing for a correctional system for youthful offenders, and establishing a probationary system for the United States courts. Because of objections on the part of the district courts, action was not taken in the Seventy-ninth Congress.

After further discussion by the judicial conference, and in agreement with the district courts, the bill I am now introducing was prepared. It is applicable to youthful offenders only, but permits the commission which is created to act in cases involving adult first offenders.

A few nights ago on a Nation-wide broadcast over the Columbia Broadcasting System, on a program called the Eagle's Brood, the question of juvenile delinquency within the United States was discussed. One cannot pick up a morning newspaper without reading something about juvenile delinquency, of acts committed within the District of Columbia, in the city of New York, in Detroit, in Pittsburgh, and all over the country. The purpose of this bill is to enable a study to be made, which may serve as the basis for necessary corrective action.

The bill, it is true, raises the age limit of a juvenile delinquent to 24 years. I think that is highly important at this time. Recently in the Nation's stress boys were taken at the ages of 17 and 18, juveniles; they were taught that results were the only things that counted, and that methods, violent or otherwise, necessary to attain the desired results, were excusable, so long as results were attained. With such a mental background and with such a training, which was forced upon them, to attempt now to punish them would be highly unfair. For that reason, I think the age level of juvenile delinquents should be for some time at least raised, to make allowance for those who were inducted at 18 or who enlisted at the age of 17, who were taught to kill and to commit acts of violence, so that now when they find themselves in a tight place they sometimes resort to force.

That is one of the principal purposes of the bill. It merely creates a Commission of three, one of whom would be the Superintendent of the Bureau of Prisons, working under the Department of Justice; another would be appointed by the United States Supreme Court, who would, of course, work in conjunction with the judiciary; the third would be appointed by the President of the United States, with the advice and consent of

the Senate. The first of the three would draw no salary whatever. It would be the duty of the Commission, in conjunction with the Department of Justice, to devise a system for the handling of juvenile delinquents and such other cases of first offenders as might be referred to the Commission by the district courts, the idea being to return juvenile delinquents to society as useful citizens rather than to punish them unduly, to make of these youthful offenders worth-while citizens, rather than merely to lock them up as habitual criminals.

There being no objection, the bill (S. 857) to provide a correctional system for youthful offenders convicted in courts of the United States, introduced by Mr. KILGORE, was received, read twice by its title, and referred to the Committee on the Judiciary.

THE PRESIDENTIAL TERM—AMENDMENT

Mr. LANGER (for himself and Mr. TAYLOR) submitted an amendment in the nature of a substitute intended to be proposed by them, jointly, to the joint resolution (H. J. Res. 27) proposing an amendment to the Constitution of the United States relating to the terms of office of the President, which was ordered to lie on the table and to be printed.

PRINTING OF SPECIAL REPORT ENTITLED "THE PRESENT TREND OF CORPORATE MERGERS AND ACQUISITIONS" (S. DOC. NO. 17)

Mr. O'MAHONEY. Mr. President, last Friday, pursuant to the provisions of the Clayton Act, the Federal Trade Commission sent to the Senate a special report entitled "The Present Trend of Corporate Mergers and Acquisitions." The report involves a matter of very great importance and I think it should be available to all Members of the Senate. I have consulted the majority leader, and I therefore request that the report be printed as a Senate document.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMERICAN CITIZENS HELD IN POLISH PRISONS

Mr. BROOKS. Mr. President, I ask unanimous consent to submit a resolution, and ask that it be read.

The PRESIDENT pro tempore. Without objection, the resolution will be read.

The resolution (S. Res. 92) was read, as follows:

Whereas Arthur Bliss Lane, formerly the American Ambassador to Poland, who has been recalled as a part of the American protest against the Provisional Polish Government's failure to grant free elections in accordance with the agreement made at Yalta, has stated publicly that despite his insistent efforts he was denied the opportunity to confer with approximately 100 American citizens held in Polish prisons for political reasons: Therefore be it

Resolved, That the Committee on Foreign Relations is authorized and directed (1) to obtain a complete report regarding the status of these American citizens, (2) to ascertain what steps are necessary to obtain their liberation, and (3) to report to the Senate thereon at the earliest practicable date.

Mr. BROOKS. I ask that the resolution be appropriately referred.

The PRESIDENT pro tempore. Without objection, the resolution submitted by the Senator from Illinois will be received and referred to the Committee on Foreign Relations.

Mr. BROOKS. Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks two resolutions which were adopted by the Polish-American Congress on February 14, 1947, in the city of Washington.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

WHY POLAND'S CASE SHOULD GO TO UNITED NATIONS

A petition to the United States Senate and the United States House of Representatives, adopted at the Second Annual Convention of the Supreme Council of the Polish American Congress, Inc., at Hotel Statler, Washington, D. C., February 14, 1947.

AN UNFULFILLED PLEDGE

On February 4, 1947, while receiving the mock-ambassador sent to Washington by the usurpers of Poland's sovereignty and the oppressors of the Polish Nation, the President of the United States declared that the United States joined with Great Britain and Soviet Russia at the Yalta and Potsdam Conferences in guaranteeing free elections in Poland. "It is a cause of deep concern to me and to the American people"—the President said—"that the Polish provisional government has failed to fulfill that pledge."

This statement of the President of the United States was corroborated fully and officially by the State Department on January 28, 1947, when it declared that, "* * * the provisional government (of Poland) * * * employed (during the election campaign) widespread measures of coercion and intimidation against democratic elements which were loyal to Poland although not partisans of the government bloc. In these circumstances the United States Government cannot consider that the provisions of the Yalta and Potsdam agreements have been fulfilled."

TERRORIZED ELECTION REFUTES WAR AIM

In the words of the Honorable ARTHUR H. VANDENBERG, President pro tempore of the United States Senate, delivered on the floor of the Senate on January 29, 1947, "* * * a world war which started in behalf of Polish liberty is something more than a rigged and terrorized election which defies and defeats every elementary concept of autonomy, self-determination and democracy and which nullifies the most solemn pledges of which Britain and the United States and Soviet Russia are capable. This finding now seems to be officially confirmed to a controlling degree by the statement issued by the State Department in Washington."

It was always the opinion of the 6,000,000 Americans of Polish descent, united in the Polish American Congress, that what Senator VANDENBERG rightly calls "defeat of every elementary concept of autonomy, self-determination, and democracy" actually was the result of the Yalta agreement which was never ratified by the United States Senate and is therefore null and void. Under this perfidious agreement Poland, deprived of its national sovereignty, partitioned by her allies, had a government imposed upon her people by a foreign power. The only point which was designed to conceal the fact that the Yalta agreement was a complete capitulation to Russian aggressive imperialism at the expense of Poland was the proviso under which free and unfettered elections were to be held in Poland.

The leading United States authorities have now declared this proviso was violated. They express the view of the majority of Americans that the Yalta agreement, fraught with mortal dangers for the peoples of Europe and the Western Hemisphere, the United States included, has lost its validity.

THE CASE CANNOT REST

The Supreme Council of the Polish American Congress, assembled at its annual convention in Washington, D. C., desires to point to the conclusions reached by Senator VANDENBERG in his speech of January 29, 1947, namely, that there cannot be any thought "of resting the case upon the mere filing of an unpursued indictment, when the indictment charges basic violation of the very fundamentals of the Atlantic Charter and the United Nations Charter. There must be a more convincing answer." The Supreme Council of the Polish American Congress, fully shares Senator VANDENBERG's conviction that the United States cannot rest the Polish case after having filed an indictment.

The above-mentioned statements of President Truman and Senator VANDENBERG, substantiated and corroborated by eye-witness reports of numerous American correspondents who observed the "vicious travesty upon the promised freedom and democracy in Poland"—reveal a flagrant violation of the Charter of the United Nations.

HUMAN RIGHTS OF UNITED NATIONS CHARTER VIOLATED

The Government of Soviet Russia, indulging since 1939 to this day in threat or use of force against the territorial integrity or political independence of any state, stands accused of this violation under article 2, paragraph 4, of the Charter. Moreover, the conduct of the Government of Soviet Russia clearly violates the stipulations of the preamble of the Charter of the United Nations, to wit: "We the peoples of the United Nations are determined * * * to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations larger and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained."

This conduct also violates stipulations of paragraphs 1 and 2 of article 1 of said Charter, to wit: "The purposes of the United Nations are: (1) To maintain international peace and security and to that end to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace * * *. (2) To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples."

CASE IS TEST FOR UNITED NATIONS FUNCTION

Being deeply convinced that American security and the value of official pledges as well as basic principles of conduct in international affairs are at stake in the test case of Poland, the Supreme Council of the Polish-American Congress, Inc., expresses its confidence that the case of Poland, temporarily closed by the illegal, null, and void Yalta agreement, will be reopened before the supreme international body of the General Assembly of the United Nations as a first step toward restoration of justice and principles of decency in international relations.

The Supreme Council of the Polish American Congress, therefore respectfully petitions the Senate and the House of Representatives to take all necessary steps in order to have the case of Poland submitted to the General Assembly of the United Nations.

However, it is not Poland that shall stand accused before the United Nations. The people of Poland cannot be brought to justice and punished for what has been and is being done to them by their alien oppressors. The Polish people should not be penalized by withdrawal of relief from abroad or by any similar actions, because they are not guilty of the crimes perpetrated upon them by the totalitarian regime of Soviet Russia and its

agents acting in Poland. Action should be taken against the oppressor and his agents and not against the oppressed.

Having carefully considered all the facts and circumstances of the case of Poland as presented by official United States Government statements and bearing in mind that very recently, namely on December 12, 1946, the General Assembly of the United Nations acted with regard to a country, which is not occupied by a foreign power, on a case in which a distinction was made between the interests of the people and those of a government, the Supreme Council of the Polish American Congress, Inc., is convinced that the United States Government should submit the case of Poland to the General Assembly of the United Nations, thus paving the way to further action aiming at recall of Russian occupational troops and full restoration of Poland's sovereignty and territorial integrity.

For the Supreme Council of the Polish American Congress, Inc.

CHARLES ROZMAREK,
Chairman.
JOHN A. STANEK,
Secretary.

RESOLUTION ADOPTED BY THE SUPREME BOARD OF THE POLISH AMERICAN CONGRESS AT ITS ANNUAL MEETING ON FEBRUARY 14 IN WASHINGTON, D. C.

On March 15 1947, at a peace conference to be held in Moscow, our foreign policy and the future of the world will be put to a test. The main subject will be the role Germany is to play among the nations of Europe, whom they ruthlessly destroyed.

The result of this conference will not only determine the basis on which peace and stability will be founded in Europe, but it also will constitute a true measure of our victory and moral achievements of this war.

As Americans of Polish descent, we are deeply concerned with our position and result thereof concerning the United States and Poland.

It is unfortunate that the United States will again be on the defensive in Moscow, due to grave political errors committed during the war, by accepting the road of retreat through appeasement and sacrifices, at Teheran, Yalta, Moscow, and Potsdam.

Today we learn of demonstrations against the United States in China and Italy, the Yugoslavs shoot down our planes, in Poland a campaign to disseminate hatred of the United States has become one of the principal aims of the Soviet-dominated puppets and the puppets in other countries. We have agreed to relinquish such important strategic positions as the southern part of Sakhalin and some of the Kurile Islands; we are being constantly harassed at the United Nations where attempts are being made to wrest the control of the atomic bomb from the United States; in Germany we have yielded every political, military, and moral advantage. We are going to Moscow carrying the fatal heritage of Yalta. In other words, we are going to Moscow to salvage whatever is left after these grave losses.

It will be in Moscow that the United States will again be challenged and again, as before, the cause of Poland will be the testing stone.

Whatever happens in Poland and to Poland is to a great extent our responsibility.

It was only recently, in connection with the outcome of elections in Poland, that the President and our State Department acknowledged our responsibility.

Had it not been for the United States, half of Poland and 12,000,000 Polish citizens would not have been delivered into Soviet bondage. Had we not agreed to destroy Poland from within by accepting the Russian fifth column in the form of a puppet government—Poland would still be our free ally instead of being a tool of Russia.

Had Poland been protected by the United States, the Soviet would not have been able to reach the heart of Europe over prostrated Poland. Poland—the first to fight—the last to quit—has lost half of its territory—by a secret agreement—not her own—reached at Yalta. The people of the United States join the people of Poland denying the validity of such an agreement. History will some day demand an account why half of Poland was given to Soviet Russia. It would be our shame to admit that this happened against the will of the Polish people, without the approval of the Senate of the United States. Therefore, our delegates to the conference in Moscow should not recognize Yalta as binding the United States; they should not accept the eastern boundaries of Poland as definitely established, they should denounce and repudiate Yalta and invoke the four freedoms, the Atlantic Charter, and the Charter of the United Nations.

Our delegates must not accept the enslavement of Poland as an accomplished fact. It is not accomplished. It has no moral or legal basis, it is against the will of our peoples; it violates every principle for which we fought and, above all, it endangers the peace and reaches the very foundations of the United Nations organization.

To start out by discussing the boundaries of Germany—without reviewing the eastern boundaries of Poland, would be tantamount to accepting the pattern of Munich and Yalta instead of the Atlantic Charter and the aims of the United Nations.

The United States' moral line of defense in Europe is in Poland's eastern boundaries. It is there that we have been defeated—it is there that we must win: Be it therefore

Resolved, That this resolution be transmitted to the Secretary of State, to the Members of the United States House of Representatives, to the Members of the United States Senate, and to the American delegates to the United Nations organization.

Resolutions committee: Adam Olszewski, Chairman; Peter P. Yolles, Z. Stefanowicz, K. Piatkiewicz, J. Trzaska, Mrs. M. Korpanty, Rev. W. Sikora, Rev. S. Zjawinski, L. Lesnicki, F. J. Wazeter, A. Gadek, W. Kosicki, J. Przymusinski, Mrs. J. Karlowiczowa, M. Kowalski, Rev. F. Burant, S. W. Warakomski.

Mr. BROOKS. Mr. President, from what we hear in the corridors of the Congress and what we read in the press, we learn that great decisions are impending; and as we look to our responsibility for the future, I belive that the resolution which I have submitted and those which were adopted by the Polish-American Congress might well be brought to the attention of America to remind us of the things which we have allowed to happen in the past.

THE SONG OF THE CARDINAL—ARTICLE BY THE LATE SENATOR JOSIAH W. BAILEY

[Mr. UMSTEAD asked and obtained leave to have printed in the RECORD an article entitled "The Song of the Cardinal," written by the late Senator Josiah W. Bailey, and an article by Clarence Poe, president and editor of the Progressive Farmer, which appear in the Appendix.]

AMERICAN FOREIGN POLICY—ADDRESS BY HON. SAMUEL B. PETTENGILL

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD a radio address on "Our Foreign Policy," delivered on March 9, 1947, by Hon. Samuel B. Pettengill, former Representative from Indiana, which appears in the Appendix.]

FARMER COOPERATIVES' VIEWS ON TAXATION

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio broadcast by Arthur Gaeth and Karl D Loos, on Tuesday, March 4, 1947, presenting the views of farmer cooperatives on taxation, which appears in the Appendix.]

TAXATION OF COOPERATIVE ORGANIZATIONS—EDITORIAL FROM ARKANSAS DEMOCRAT

[Mr. MCCLELLAN asked and obtained leave to have printed in the RECORD an editorial entitled "Tax Those Giant Co-ops," published in the Arkanasas Democrat of February 12, 1947, which appears in the Appendix.]

PUBLIC EDUCATION—ARTICLE BY FRED BRENCKMAN

[Mr. BYRD asked and obtained leave to have printed in the RECORD a statement regarding public education, by Fred Brenckman, Washington correspondent for the National Grange Monthly, which appears in the Appendix.]

GOVERNMENT SUBSIDIES—ANALYSIS BY MISS SEGRID ARNE

[Mr. BYRD asked and obtained leave to have printed in the RECORD an analysis prepared by Miss Segrid Arne, of the Washington Associated Press staff, with respect to the various kinds of subsidies being paid by the Federal Government, which appears in the Appendix.]

RELATIONS WITH RUSSIA—ARTICLE BY JAMES RESTON

[Mr. LODGE asked and obtained leave to have printed in the RECORD an article entitled "United States Is Making a Crucial Decision on Russia," written by James Reston, and published in the New York Times of March 9, 1947, which appears in the Appendix.]

MILITARY BUDGET CAUTION—ARTICLE BY HANSON W. BALDWIN

[Mr. LODGE asked and obtained leave to have printed in the RECORD an article entitled "Military Budget Caution," written by Hanson W. Baldwin, and published in the New York Times of March 9, 1947, which appears in the Appendix.]

VISIT BY PRESIDENT TRUMAN TO MEXICO—ARTICLE BY FELIX BELAIR, JR.

[Mr LUCAS asked and obtained leave to have printed in the RECORD an article by Felix Belair, Jr., from the New York Times of March 5, 1947, having to do with the visit of President Truman to Mexico, which appears in the Appendix.]

COLOR STREAMERS OF CONFEDERATE REGIMENTS

[Mr. TYDINGS asked and obtained leave to have printed in the RECORD an editorial entitled "A Chance for Congress To Make a Graceful Gesture," published in the Baltimore Sun of March 10, 1947, which appears in the Appendix.]

SELECTIVE TRAINING AND SERVICE—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 168)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read and referred to the Committee on Armed Services.

(For President's message, see today's proceedings of the House of Representatives on p. 1897.)

REPORT OF DEPARTMENT OF STATE ON PROGRAM OF INTERNATIONAL EDUCATIONAL EXCHANGES (H. DOC. NO. 167)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Foreign Relations.

(For President's message, see today's proceedings of the House of Representatives on p. 1872.)

THE PRESIDENTIAL TERM

The Senate resumed the consideration of the joint resolution (H. J. Res. 27), providing an amendment to the Constitution of the United States relating to the terms of office of the President.

The PRESIDENT pro tempore. The question is on the first amendment reported by the committee.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to a concurrent resolution (H. Con. Res. 28) providing that the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, March 12, 1947, at 1 p. m., for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

JOINT MEETING OF THE TWO HOUSES

Mr. WHERRY. Mr. President, I ask the Chair to lay before the Senate House Concurrent Resolution 28, and I ask unanimous consent for its present consideration.

The PRESIDING OFFICER (Mr. IVES in the chair) laid before the Senate the concurrent resolution (H. Con. Res. 28), providing that the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, March 12, 1947, at 1 p. m., which was read, considered, and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, March 12, 1947, at 1 p. m., for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

VIEWS AND PROPOSALS ON LABOR LEGISLATION

Mr. MORSE. Mr. President, I desire to discuss at some length today some of my views and proposals on labor legislation. The Senate Committee on Labor and Public Welfare has just completed several weeks of public hearings on the multitude of suggestions and recommendations which witnesses and Members of the Congress have offered as legislative remedies for some of the Nation's labor ills. These have been excellent hearings which I have attended as faithfully as my other Senate duties have permitted.

When I have not been able to be in attendance at the committee hearings, I have read the prepared statements of witnesses which have been filed with the members of the committee, in most instances 24 hours before the testimony was given. I have followed the transcript of the record of the hearings very carefully. I wish to commend the chairman of the committee the senior Senator from Ohio [Mr. TAFT] for the way the hearings have been conducted and for their thoroughness, in spite of the limited time which could be set aside for public hearings.

It seems to me that the hearings have covered just about every conceivable point of view that could be presented on labor legislation. As the chairman of the committee suggested when the public hearings were closed last Saturday, we could go on and hold hearings on this subject for many more weeks, and I am sure there would be plenty of additional witnesses to hear, but such a procedure would be cumulative because the record we have already made in the few weeks we have conducted hearings contains much repetition of the same points of view and suggestions.

Furthermore, it should be noted that the committee will have the benefit in its executive meetings and discussions of the records of the public hearings which the Senate Committee on Education and Labor conducted on proposed labor legislation during the Seventy-ninth Congress. The chairman of our committee has made it very clear that the views of those witnesses who testified at our hearings during the Seventy-ninth Congress, but who were not recalled at the hearings of the Senate Committee on Labor and Public Welfare just closed, will be made available to the members of the committee.

Of course, it should be recognized by all that the most important work of the committee must now be done in executive sessions, at which meetings and discussions their job will be to thrash out the merits of the conflicting points of view of the many witnesses who have been before us, as well as the differences of points of views of the members of the committee itself, to the end of trying to come forward with the most fair, reasonable, and effective proposals for labor legislation that a majority of us can agree upon.

In other words, I think that our task is to write a committee legislative program rather than recommend as a committee, without any changes, any of the bills now pending before the committee—including my own.

I do not know how many of the other members of the committee feel the way I do about it, but I shall not be surprised to find that such a view is pretty much the consensus of opinion. I do not know of any member of the committee who wants to do injury to the legitimate rights of either labor or industry. If the result of some of the legislation proposed would do grievous injury to the legitimate rights of labor, industry, and the public—and I think the passage of some of the legislation would result in such injuries—I am convinced that no member of the committee is motivated by any desire to accomplish such undesirable and unfair results.

I know how easy it is to attribute motives and designs to holders of public office, because each one of us in the Senate is frequently victimized by such unfair tactics. However, differ as we may within the committee, I am satisfied that each and every member of the Committee on Labor and Public Welfare is motivated by only one desire, and that is to do what he thinks is best for his country, by way of labor legislation, without any motivation to injure the rights of labor, employers, or any other group in the country.

As I have listened to the witnesses appearing before our committee, I have at the same time been working on a series of proposals for amendments to the Wagner Act. I would be less than honest if I did not say that the many conflicting points of view which have been presented at the hearings; the myriad of legal technicalities that must be considered in drafting legislation if the legislation is to meet the tests of our constitutional system; the implications and economic effects of labor legislation in such a complex field of human relations as labor relations; all have made the task I have undertaken a very difficult one.

I am afraid I have not helped the paper shortage any by the number of wastebaskets I have filled with discarded legislative work sheets. However, as we have gone through the hearings I have tried out some of my ideas on the various experts who have come before us, with the result that I think each suggestion by way of amendments to the Wagner Act, which I shall make in this speech today has been discussed to a greater or less extent in the hearings.

I have waited to introduce my amendments until now primarily for two reasons. First, I simply have not been able to complete the work until now because the views and arguments which have been presented at the hearings have compelled me time and time again to study some new angle of the problem as raised by the hearings, and frequently to discard previously held views.

Second, I thought it highly desirable to take advantage of the hearings themselves as an aid to drafting the legislation and then make available to the committee for its most important work in executive session my proposed legislative recommendations.

In offering certain specific amendments to the Wagner Act today, I wish to make very clear that they are not final with me. My mind is completely open regarding them, and I shall consider changes in them as we debate them in committee and here on the floor of the Senate.

Next, I want to make clear that the proposals I offer today are not the only proposals I will consider favorably when it comes to voting upon labor legislation in this session of Congress. There are other legislative proposals pending which involve some suggestions which I shall favor when the final vote is taken. Nevertheless, I hope that as a result of executive sessions of our committee we shall be able to iron out many of these proposals in legislative form in a manner so satisfactory that a vote for them will be absolutely sound and justifiable.

Mr. SMITH. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. IVES in the chair). Does the Senator from Oregon yield to the Senator from New Jersey?

Mr. MORSE. I yield.

Mr. SMITH. In view of the statement the Senator from Oregon has just made, I ask him whether he feels that the right approach to labor legislation should be by amendment of the Wagner Act or by both such amendment and additional labor legislation?

Mr. MORSE. I think we must have legislation over and above amendments to the Wagner Act.

Mr. SMITH. Does the Senator think that primarily we should amend the Wagner Act itself?

Mr. MORSE. The contribution I am trying to make is by way of amendments to the Wagner Act, and then I shall be very happy to cooperate with the Senator from New Jersey and other Senators to perfect additional legislation going over and above amendments to the Wagner Act.

Mr. SMITH. I thank the Senator.

Mr. MORSE. Mr. President, for example, I am not offering anything on the portal-to-portal pay problem, but surely we must have some legislation in this field. I intend to vote for some legislation in this field, but I hope it will be legislation that will limit itself to the portal-to-portal pay issue rather than to seek to use that issue as a device for destroying any of labor's hard-won, legitimate rights under the Fair Labor Standards Act.

I have not given an intensive study to all the recommendations of the Subcommittee of the Judiciary Committee which has been working on the portal-to-portal-pay problems, but I shall be very much surprised if we shall not be able to take the legislation finally proposed by that committee and pass at least its main provisions. I say that because I know that the senior Senator from Missouri [Mr. DONNELL] and his colleagues on the subcommittee have been giving to the portal-to-portal-pay problems the type of conscientious study and thorough analysis which in my opinion is bound to result in a legislative analysis of the problems on which we can base sound legislation.

Furthermore, I am not introducing any legislation such as that prohibiting mass picketing, as I believe that is going to be covered in some other legislation. Moreover, I have not as yet been able to make up my mind as to just how we should handle mass picketing if we are to handle it at all, by way of Federal legislation. I certainly hold no brief for mass picketing but I am inclined to think that as far as a legislative remedy for its abuses is concerned it is one which should be solved primarily by State legislation.

However, it may be that when we come to discuss the problem in executive sessions of our committee, we can reach some agreement as to what should be done, if anything, by the Federal Government with the problem of mass picketing. It has always been my view that mass picketing is an abuse of, rather than in keeping with, the constitutional right of free speech and free assemblage. Nevertheless, I think it is a matter which falls primarily within the province of the police powers of the State rather than within any of the delegated powers of the Federal Government.

There are certain practices of unions not specifically covered by the amendments I am offering today, which other Members of the Congress are attempting to regulate by other pieces of legislation they have introduced. I hope we can work out, by way of conscionable compromises, modifications of their proposals so that the legitimate objectives they seek can be accomplished without destroying the basic right of workers to organize into unions and run their own affairs without having constantly to fight a battle against unfair restrictive legislation.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DONNELL. May I ask the distinguished Senator whether, in the event it be developed that mass picketing interferes with interstate commerce and with the flow of such commerce, he would regard it as beyond the power of the Federal Government to legislate upon that subject?

Mr. MORSE. Not at all. I think it is on that premise that any Federal legislation respecting mass picketing should be founded. I think an examination of the record of some of our important labor disputes will disclose indisputable evidence that the type of picketing indulged in has in fact interfered with free flow of interstate commerce.

Mr. DONNELL. I thank the Senator.

Mr. MORSE. Mr. President, just how to strike the balance between too little Government control and too much Government control in this complex field of labor relations presents a real test of the legislators' statesmanship. I wish I could say that I know for a certainty just exactly how far the Government should go by way of legislation in these matters, but the fact is I am not at all sure about it. I suspect that most of those who are speaking with such finality on the subject are no nearer to a sound answer to the problem than are those of us who frankly say we do not know for a certainty what should be done.

However, the fact that we recognize the limitations of the legislative approach to the solution of our labor-employer problems is no justification for our taking the position that we should not at least try to draft some legislation that will be helpful in meeting the public demand for greater stability in employer-labor relations. Hence, as a matter of principle, I shall not oppose fairly worded legislation which seeks to protect the rights of the individual worker to the type of protection which would flow from guaranteeing to him certain democratic procedures in the conducting of union affairs.

For example, I have always been at a loss to understand why unions particularly object to making public their financial statements. Most good unions for many years have made their financial statement a matter of public record. Likewise, I shall certainly be open-minded on the legislative suggestion that the check-off system should rest upon the written consent of the individual worker; and in the absence of that consent the employer should not be required to check off his union dues. I think I know the pros and cons of this issue, but I think the right of the individual to protection from having money taken away from him for any purpose without his consent is paramount to the matter of the dues-collecting convenience to the union in having an automatic check-off system.

Operating a check-off system without the written consent of the individual worker causes many people to think that some unions are more interested in union dues than they are in union service to their members. I think that, by and large, this is an unfair criticism but an understandable one whenever the automatic check-off system results in friction in labor relations—and certainly it has done that in a multitude of instances.

I mention the point that I am not introducing legislation on certain labor subjects this afternoon in order to make clear that I am not offering any omnibus labor bill. There are those in my State who seem to think that I should offer a catch-all omnibus labor bill designed to cover all possible legislative approaches to labor problems under one bill. I am very much opposed to that approach to passing legislation, not only in the field of labor relations but in most legislative fields dealing with human relations and economic problems.

Rather, I think the best approach to such problems is to handle each labor issue in a separate bill or at least include in one bill only those issues which can be separated from the rest of the bill and voted upon as separate and individual sections of the bill. Thus in the proposals I make this afternoon, insofar as amending the National Labor Relations Act is concerned, it would be possible for us to consider them together or consider each one separately.

In my judgment there are many reasons for making such a legislative approach, all of which are well known to my colleagues in the Senate but often overlooked by our citizenry generally.

First, I would mention the one of legislative strategy. An omnibus bill, as a matter of legislative form, is not the best type of law to be on the statute books, because our law reports are full of decisions in which the courts have thrown out all or part of such bills because of inconsistencies, ambiguities, and irreconciliabilities within them. I know of no more beautiful example of what I mean than the Case bill of the Seventy-ninth Congress. I felt that it would provide a field day for lawyers, and before American employers got through with all the litigation that would be stirred up by that omnibus bill, they would wish they never had heard of it.

In fact, I noticed that the longer employers studied the Case bill of the last Congress the more they reached the conclusion that it was a legal monstrosity—or at least a full-employment bill for industrial relations lawyers. On this point I think it important to point out that the adoption of legislation as drastic as the Case bill type of legislation is going to throw into litigation a great many well-established principles of American labor law. If such legislation passes, it

will not be very long before the charge will be made that many antilabor employers are attempting to litigate their unions out of existence.

That will not produce industrial peace in America. We are not going to solve our problems of industrial unrest by enacting legislation which will bring employers and unions into antagonistic relationships in the courts of America. I see no hope of solving labor problems by litigation, and I am fearful that much of the legislation that is being proposed would result in a great multiplicity of court actions which would not be conducive to harmonious employer-employee relations.

Court litigation over labor relations is somewhat different from the usual situation between plaintiff and defendant. Usually when two citizens in a civil action get to the point that they find themselves opposed to each other in court, it is not to be expected that following the court action they are to be thrown together again in further business relations with each other. Usually at least they try to avoid such future relationships.

However, that is not true of the parties to labor litigation. In most instances economic circumstances force them to continue to try to work together, and that is bound to be made more difficult if they resort to litigation against each other through the courts.

All I am trying to point out here is that conflicts in the field of labor relations between parties who must continue, in the very economic nature of things, to work together as a usual thing cannot best be solved by trying to beat each other in the courts.

I have met very few persons who were satisfied when they lost a case in court, or who felt very friendly toward the opposing party who beat them in court action. Hence I merely wish to point out that various omnibus labor bills that seek to solve our labor problems by court procedures and sanctions will in the long run not prove to be very much of a boon to American industry.

Furthermore, I do not like the omnibus labor bill approach because from the standpoint of legislative strategy in passing legislation, the task is made more difficult because such bills tend to rally the opponents of each section of the bill into a combination of effective opposition against the entire bill. Too frequently an omnibus bill puts a legislator in a position in which he has to decide whether he will vote against the entire bill, because of his disapproval of certain parts of it, or vote against his own convictions as to the objectionable parts in order to pass some legislation on the general subject covered by the bill.

Legislators differ in their points of view as to how they should vote under such circumstances. It seems to me that unless one's objections to some parts of an omnibus bill are only minor objections and do not involve matters of vital principle, he has no other choice but to vote against a bill which he cannot support in its entirety. Hence I think it is much easier to work out conscionable legislative compromises in support of bills that are much more limited in scope than omnibus bills.

I speak of conscionable compromises because I think we should try to make clear to the American people that the very essence of the legislative process is compromise and our task is to work out the fairest and most reasonable compromises we can in this field of labor legislation, so long as they do not do irreparable injury to the basic rights of labor and industry. I think it is much easier to do that when we try to handle only a limited segment of labor problems in an individual bill rather than try to cover the whole alphabet of labor issues from A to Izzard in one bill.

In addition, it should be said that as a general practice the omnibus type of bill usually goes much further than is necessary to accomplish the objectives which need to be accomplished. I think that is due to a basic drafting problem which is inherent in constructing an omnibus bill. When one tries to cover in a single bill a great many issues with varying degrees of relationships to each other, it becomes necessary to use language so broad in scope in many places in the bill, so as to include within it, as we say, everything but the kitchen sink. Thus the result is that when one gets through he usually finds that the bill, particularly if it is a labor bill, has so restricted freedom of action that the proposed law becomes an enforcement impossibility.

In the proposals I am making today I am not offering any labor code by way of an omnibus labor bill. I hope that my suggestions will prove to be as constructive as I think they are, and that when considered along with other reasonable proposals which I am sure we shall work out together as a result of our deliberations on the Labor Committee, we shall be able to offer to the Senate and to the people of the country some legislative proposals that can be characterized as being moderate, fair, and reasonable.

Personally, I think that should be our objective in this session of Congress. I think we should try to pass legislation which will be moderate, fair, and reasonable. We have a duty of trying to persuade the American people to see that we cannot solve labor problems by passing legislation based on emotional attitudes or out of a spirit of revenge or an angry desire to punish labor for some of its excesses.

We in Congress have been criticized frequently because we have not pulled some legislative rabbit out of a hat and thereby, with a stroke of the magician's wand, given our people at least an imaginative relief or illusionary remedy on the stage of labor relations. It has been my policy to work conscientiously with those of my Senate associates who recognize that the important job is not to perform a legislative magician's act that will fool the people into believing that the country's labor ills can be solved by legislation, but rather that our job is to produce such changes in our procedural machinery for settling labor disputes as will make successful and effective the operation of the voluntary principles of free collective bargaining within the framework of such reasonable controls by law as are necessary to protect the legal and property rights of the parties to a given dispute as well as the public.

To that end I made certain specific proposals in the last session of Congress, but in many instances we did not even get to the point of submitting a committee report to the Senate. In the Seventy-ninth Congress I felt that we should pass a resolution which called for a Senate investigation of both employer and union practices and policies which were and are causing labor difficulties. In fact, in a meeting of the Committee on Education and Labor I offered an amendment to the Kilgore resolution which broadened that resolution to cover an investigation of union practices and policies as well as employer practices and policies.

A majority of the members of the committee agreed with me on this amendment, with the result that when we made our report to the Senate the resolution was so broadened. However, as the record shows, our bill did not get very far on the floor of the Senate. I think that if we had made such an investigation last year as proposed by our resolution, our task in this session would be an easier one. I was satisfied that it was only a matter of time before the demand for labor legislation would be so great that Congress in keeping with democratic pressures and processes—and rightly so—would deem it absolutely necessary to pass some sort of labor legislation.

I wanted investigative groundwork laid for that legislation last summer and fall so that there could be no question whatsoever about our legislation resting upon sound, objective data. However, that was not done, and now we find ourselves in the position where I think legislation will be passed on the basis of such information as we have at hand.

Also, in this last session of Congress I urged, when the proposed new minimum wage bill was before the Committee on Education and Labor that it be amended so as to provide for a 2-year statute of limitations in retroactive-pay cases. Officials of the Wage and Hour Division in the Department of Labor opposed my views, as did the principal labor leaders of the country and some of the members of the Labor Committee.

However, those of us who favored such a 2-year statute of limitations prevailed in the committee, and the bill which was reported to the floor of the Senate contained such a proposal. Nevertheless, as the Senate knows, the bill was lost in the legislative shuffle, and we came out of the Seventy-ninth Congress with no bill at all.

At that time the Gwynne bill, with its proposed 1-year statute of limitations, was pending in the House. I think this is entirely too short a period and would result in anything but a moderate, fair, and reasonable solution to the problem. Be that as it may, the fact is that at least part of the portal-to-portal pay crisis would not have confronted this session of Congress if those of us who fought for a 2-year statute of limitations amendment to the Fair Labor Standards Act, insofar as retroactive-pay cases are concerned, had succeeded in having our views prevail in the Seventy-ninth Congress.

I digress for a moment to point out that we have not the slightest idea of the effect which such a 2-year statute of limitations might have had on the judicial decisions which have been rendered since the adjournment of the Seventy-ninth Congress. I deeply regret that we were not able in that session of the Congress to pass such a statute of limitations with such retroactive-pay provisions as were recommended and as the majority of my colleagues supported on the floor of the Senate.

Likewise in the Seventy-ninth Congress there were many of us who favored the creation of an independent mediation, conciliation, and arbitration board. Again in this session of Congress we are making the same proposal in two or three different forms. Here again I am perfectly willing to go along with any reasonable compromise, but I think it is very important that we set up an adequate mediation, conciliation, and arbitration service. I say that because, after many years of experience in the field of arbitration, I think there is a great opportunity for the development of a set of procedures for the settlement of labor disputes through conciliation, mediation, and arbitration which, when put into practice, would materially reduce the use of economic action in the settlement of labor disputes.

I simply refuse to dismiss from my mind the thought and hope that American labor and employers will have the good sense to recognize that they must stop trying to take advantage of each other by resorting to Government compulsions. They should see the handwriting on the wall and recognize that they must make free collective bargaining work by acting in good faith toward each other.

A Federal as well as State conciliation, mediation, and arbitration service, operating through a board which offers its services on a purely voluntary basis, is in keeping with my very deep conviction that the only long-time hope for peaceful settlement of labor disputes is through the voluntary action of the parties to those disputes.

I care not what legal machinery we set up so long as it rests on Government compulsion it will be causative to some degree—and I fear to a much greater degree than most people suspect—of serious friction between employers and labor when either one resorts to Government compulsion and sanctions for the settlement of difficulties.

I readily admit that in some cases it will be necessary to use some such sanctions in order to force settlements of differences in labor relations as to which both labor and employers have demonstrated that they cannot be counted upon to reach amicable solutions. In those instances in which the public interest is damaged by a failure of labor and employers to live up to their obligations I shall never hesitate, now or in the future any more than I have in the past, to take the position that Government must protect the public interest.

I believe that the Government must step in and act in such cases. By doing so it protects not only the public's interest but, in the long run, the best interests of labor and employers and the best interest of the American system of free collective bargaining. I say that because when the negotiations of major labor disputes break down to the degree that a very large segment of our economy is threatened with paralysis, then neither labor nor industry has the right in the name of freedom to bring suffering upon a large segment of the Nation or upon the entire Nation.

I think we can preserve free collective bargaining in this area of so-called essential industry without permitting either labor or employers to paralyze the Nation by prolonging strikes. I would not destroy labor's right to strike in such instances, because I recognize that there are times and circumstances when the attention of the country needs to be directed to the plight of some of our workers in these industries by strike action.

We cannot ignore the fact that the use of economic action in some of our great major industries in this country over the period of our history has been necessary to educate the American people to an understanding of the intolerable conditions that some of our fellow citizens have had to endure in these industries.

I wonder where the mine workers of America, or even our railroad workers, would be today from the standpoint of their standard of living if they had not had the right to strike. On this point it should be mentioned that of course the public itself is not a very good employer when its economic toes are stepped on.

The record is clear that the public has from time to time resisted paying increased rates for various types of public service when the increase has been necessary to provide a decent standard of living for the workers in those services. Frequently it has been necessary to stage a rather tough strike in order to educate the public into an understanding as to why it should itself be a better employer. However, here again we are dealing with the problem of degree as to how far we need or should go with economic action in essential industries where a stoppage causes great national suffering and loss.

I cannot ignore the fact that when there is such a break-down in a system of voluntarism covering the relations between employers and labor, governmental intervention and compulsion are always at the cost and loss of some freedom; but if labor and employers, by conduct which jeopardizes the public interest, insist upon abusing their freedom, I do not know what else our Government can do but attempt to restrict such harmful actions by passing the most reasonable legislation necessary to accomplish that end.

Mr. SMITH. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield.

Mr. SMITH. Does the Senator have in mind the possibility of extending that part of the Smith-Connally Act which provides for the Government's taking over in those cases and possibly handling them along the line of a recent decision of the Supreme Court of the United States?

Mr. MORSE. I will say to the Senator from New Jersey that I do not have in mind extending any part of the Smith-Connally Act, because I think it should die.

Mr. SMITH. I agree with the Senator.

Mr. MORSE. I think it should have been repealed long before this; indeed, I think it never should have been passed because, in my opinion, it has not been very helpful in producing labor harmony. But, to answer the Senator's question directly, I believe we will have to give consideration to new legislation which embodies the principle of the right of the Government to step in in the so-called national paralysis cases and exercise governmental control of the industries involved for the benefit, let me say, of neither party, whether labor or industry, so far as the financial rewards are concerned, until such time as the parties sit down and work out between themselves a free collective-bargaining contract.

Mr. SMITH. Mr. President, I am glad to hear the Senator from Oregon make that statement because my own thinking has been running along the same general line. I remind the Senator that at the hearing last Saturday, when Mr. LaGuardia, who was one of the authors of the Norris-LaGuardia Act, was present, he took exactly the same position, namely, that there might arise a crisis in which the Government would have to intervene, and in which even the injunctive process might have to be used, despite the fact that the use of that process is prohibited by the act of which he was a cosponsor—the Norris-LaGuardia Act.

Mr. MORSE. Mr. President, a little later in my remarks I shall make a comment on that principle.

Let me say, however, that as legislators we need to be careful that we do not go along with those who advocate legislation which would put the Government in the business of union busting. We must not support legislation, for example, which would make it profitable for either labor or industry to have the Government take over the railroads or the coal fields or public utilities as the result of a failure on the part of the parties to participate in good-faith collective bargaining. I think the Government should intervene in such cases only to the extent of protecting the public interest in an endeavor to do whatever it can by the use of governmental powers to provide the public with the minimum services necessary to alleviate their suffering until a settlement of the case can be reached—preferably by negotiations between the parties themselves.

It seems to me that the facts and circumstances of such cases are always going to vary to such a great degree that it is practically impossible to devise any piece of legislation that can be automatically applied to such cases. What I think we should try to work out is legislation which seeks to define the powers of Government in such cases, and thereby make perfectly clear to the parties, both labor and industry, that it is not the intention of the Government to stand idly by, impotent to act because of the failure of Congress to confer the power to do

whatever the Government finds necessary to be done, under such circumstances, in order to protect the public interest. One of the sad commentaries about such major disputes as those involved in railroads, coal, and public utilities is that the parties themselves and everyone else in the country affected by such disputes know very well at the start of the stoppage that eventually the dispute will be settled on some reasonable terms—usually on terms closely approximating some of the sensible suggestions for settlement made at the very time the stoppage occurred. In fact, in most instances the stoppage itself has very little effect upon determining the terms of settlement. That is why in my opinion it is so important that we provide the parties to such disputes with whatever procedural machinery will be helpful to them in settling their disputes on a voluntary basis of free collective bargaining, mediation, conciliation, and arbitration, making clear to them that in the last analysis if they attempt to throw the country into an economic tailspin, the people, through their Government, will step in and will exercise the rights of the public which are superior to the selfish interests of the disputants.

I believe that in the executive sessions of our committee we are going to be able to reach some conscionable compromises on this type of legislation which will not go too far, but which at the same time will meet the demand of the public for greater Government participation in the settlement of such disputes.

However, one of the points I desire to stress today in this speech is that the American people are expecting entirely too much of labor legislation as a panacea for industrial ills. I am afraid that too many in the Republican Party, both in and out of Congress, have misled themselves into thinking that a maximum of industrial freedom in this country can be attained by putting American labor into a legislative strait-jacket. They have not stopped, I fear, to study the history of either the American labor movement or of the experiences which have resulted in the passage from time to time of restrictive, punitive labor legislation in some of our States.

Legislation of a punitive, restrictive, prohibitive type in the field of labor relations has invariably met with great resistance. It always provides the agitator and radical labor leader with plausible propaganda against employers. It permits of the emotion-arousing type of argument that "industry and your employers control the State legislatures, the Congress, and the courts, and through their political power even use the law to deny you economic justice." Unsound as such arguments are, the fact is that, when confronted with an unjust law, it is only natural that working people resent its passage and find it easy to attribute bad motives to both employers and public officials.

I think it is a fair statement to say that unfair restrictive labor legislation will always cause more labor trouble than it will ever be successful in preventing. What happens after the passage of such legislation is that, for a time, usually only for a brief time, labor suffers a setback; and then it begins to dig in along a united front, inspired by the single objective of freeing itself from the shackles of such unfair legislation.

Applying the old saying that "There is more than one way to skin a cat," clever devices of indirection, sympathetic resistance, noncooperation, and economic action are adopted. In other words, under such conditions labor unites to fight for what it considers to be its just and free rights. It is an old pattern that has been repeated over and over again throughout the history of the American labor movement; and it will always be repeated, in my judgment, so long as we attempt to do by legislation what American employers and workers should do by good-faith, free, collective bargaining.

We should remember that good faith cannot be legislated. A desire on the part of employers and labor to deal fairly with each other cannot be legislated. A conviction that our system of private enterprise is dependent upon a high standard of living and a high purchasing power for all groups in America, including labor, cannot be legislated. Unselfishness cannot be legislated. In other words, we should remember that the weaknesses of human nature cannot be corrected by legislation. However, we can and should set up by legislation the minimum standards and controls necessary to protect the commonly accepted rights of individuals and groups from being exploited and transgressed either by industry or by labor or by anyone else.

When we come to vote upon and pass labor legislation in this session of Congress, I hope we shall not forget that legislation in the social and economic fields should be tested by the question: Is enforcement of this law feasible? It is bad legislative policy and it is not in the interest of government by law to pass legislation which is going to be so opposed by such a large number of people that its enforcement becomes next to impossible. Of course, it is easy for anyone to say that if labor wants to make a test between itself and Government, then Congress should rise up and pass legislation in order to force that test; but there is not very much realism in such an attitude, because, when any law is unacceptable to such a large number of people that it cannot be enforced successfully, then it becomes a dead-letter law. We have many such laws on our statute books, and such a condition of nonenforceability does not breed a respect for government by law.

What I am trying to point out is that in a democratic society we cannot afford to place upon the administration of justice a greater strain than it can well bear. We do not strengthen government by law by passing legislation which is certain to break down in its enforceability.

As I listened to the witnesses testifying at our hearings on labor legislation during the past few weeks, I felt that many of them were making the mistake of thinking that a plausible paper plan for the handling of labor problems is synonymous with a workable plan. So many of them seemed to miss the vital difference between static theory and dynamic practice. They overlooked the human equation which is the most vital ingredient in the kettle of fish in which we now find ourselves, insofar as the labor crisis is concerned. Men just do not act the way they would have them act under their nicely drawn paper plans for settling labor controversies.

When we start tinkering legislatively with the livelihood of millions of our fellow-Americans we should know from experience that in organizational unity there is economic strength. We should not be so naive as to think that the passage of restrictive labor legislation which weakens both the unity and economic strength of organized labor is going to result in their sending us flowers of appreciation.

I think this is as good a place as any to direct attention to the main objective of the free labor movement as we have it in America. I appreciate the fact that it has many objectives, and now I am speaking of the objectives of a free labor movement as contrasted with the personal power objectives of some of the labor leaders in the country. However, in fairness to labor leaders it should be said that by and large the labor leaders of the country, big and small, are motivated primarily by the desire to improve the economic lot of the producers of the wealth which flows from the operation of American industry under our system of private property economy.

Their endeavors in that respect spring from the economic essence of the labor movement, and that is to secure for the workers a greater share of the wealth produced by their labors. I am not at all frightened by that objective. I recognize it as essential to preserving our capitalistic economy. I want to see that economy preserved, because, as I have said before, I think political democracy cannot be separated from economic democracy. By economic democracy I mean our American system of a private property economy which is the very heart of our competitive capitalistic system.

Here again we must look at the alternatives. What other type of economy could we have? Move away from a private property capitalistic economy and you move in the direction of a totalitarian economy. Call it what you will—national socialism, fascism, communism—they are one and the same thing insofar as their effects upon the rights, liberties, freedoms and dignities of the individual are concerned. In practice they spell out statism. They can survive only on the basis of an economy regimented, directed, and absolutely controlled by the state. They are synonymous with economic dictatorship. Neither American labor nor American employers should forget that their rights as individuals disappear under any system of totalitarianism.

It is a deep conviction of mine, and I have expressed it for many years, that a high standard of living for American workers is dependent upon making our capitalistic system work and fulfill its maximum economic potentialities. I do not think we have more than scratched the surface of the pontentialities of our economic system. There are still great economic frontiers for us to explore in advancing our American civilization under our system of political and economic democracy.

It is a mistake for people to brand as socialistic the objective of organized labor to secure for itself a more equitable share of the product of its labor. In fact, I think that if progress toward that objective will only keep pace with increased production of national wealth we shall have a complete rebuttal answer to those agitators and leftists who in some small cells of American labor are trying to convince workers that our capitalistic system denies them their economic rights.

When such propaganda is passed out against our American private property economy system it can be answered by pointing out that the individual does not have any rights as an individual economically, politically or otherwise under a totalitarian government with its economy of statism. Under a police state, the rights of the individual are subordinated to and subject to the dictates of the small group of dictators who run the country. Employers and businessmen, too, have no rights under the system of a totalitarian economy. Employers and businessmen of Germany and Italy learned that sad fact too late. They finally discovered that when they played into the hands of Hitler and Mussolini in helping those dictators destroy free trade-unions in Germany and Italy they thereby also helped destroy their own economic freedom as well. They were next on the list, and such a pattern marks all movements toward fascism.

In a communistic state freedom of employers and businessmen are destroyed first, and then the rights of workers become so circumscribed by police methods that they are destroyed next. Resistance means liquidation. Thus we find no free trade unionism under communism. It would be well for American workers always to remember that fact, even in moments of discontent. Likewise national socialism in its variety of forms also sacrifices liberties of the individual, and substitutes an economic dictatorship by government for individual incentive and ingenuity.

I am not one who believes that any of these totalitarian ideologies are a serious threat to a continuation of our American economic system based upon private property and the right to make fair profits from the investments of capital and wealth-producing enterprises. I do think that if we are to keep our system secure and economically healthy we must avoid depressions and the cycle of boom and bust. We cannot afford the economic loss which flows from such breakdowns in our economic machinery. We cannot justify the human suffering resulting from the unemployment, the hunger and the fears of economic insecurity which result from such breakdowns. They are unnecessary if American labor, industry, agriculture and all other segments of our economic population will recognize that it is not regimentation to develop cooperative planning between and among a friendly government, labor, industry, farmers and all the rest of us to the end of maintaining full employment, high production, and a fair distribution of profits. There is no other answer if our American system is to accomplish the great economic objectives of which it is capable.

I do not agree in any degree whatsoever with those who argue that depressions are a part of the price of freedom, or that economic insecurity for millions of our fellow American citizens is unavoidable under a free-enterprise system. If that were true, then the system would be for the enterprisers with little freedom for the rest of us. Those who hold to the views that depressions, unemployment, and economic insecurity are unavoidable social and economic results of our capitalistic system perform a great disservice to that system by so contending. They should recognize that depressions produce tremendous discontent, and greatly increase the number of people who in the midst of their troubles, fears, and panic reach the conclusion that they have little if anything to lose from an economic change. We saw signs of that during the early thirties, when some segments of our population showed some manifestations of direct action. It is out of such social phenomena that great political and economic changes can take place in a country.

However, I submit that the major objective of the American labor movement has served over our history as a great stabilizer of our capitalistic system. As our workers have joined themselves together in effective labor-union organizations for the advancement of their economic welfare they have succeeded over the years in raising the level of real wages to a point far above that of any other workers in the world.

It is not my intention in this speech to dwell at any length on the part that organized labor in America has played in improving the standard of living for all Americans but I do want to say in passing that, in my judgment, the standard of living of all Americans has benefited greatly from the economic campaign which organized labor has waged over the years for better wages, hours, and working conditions. I know of no group in our country who has benefited more from organized labor's endeavors to raise the standard of living of the workers of the country than American employers, businessmen, and industrialists themselves.

Our system of competitive enterprise can sustain itself only on the purchasing power of the consumers of the country. Lower that purchasing power and the charts and graphs of our economic statisticians begin to show immediately serious distortions in the movement of economic goods through the channels of trade. Paradoxical as it may seem the fact is that our profit system depends upon distributing profits into the pockets of the consumers of America. This includes for the most part the workers, the farmers, and the millions of people who make up our so-called white collar class. The base of that distribution of profits must be a wide one because upon the purchasing power of the American consumer depends the expansion and ever greater productivity of our private-enterprise system. Profits cannot be made out of a contracting and declining production. It is increased production and expansion through new industry which develops the economic power of our system and makes possible a higher purchasing power through a greater distribution of profits among our consumers.

However, labor has some grave responsibilities and obligations in connection with the operation of our capitalistic system. It has no more right to seek to profiteer at the expense of a stable economy than have the employers and the industrialists. Labor can destroy its own house if it listens to those radicals in its midst who would misrepresent the extent of profits being made by industry. The old adage about the goose that laid the golden egg sets forth a great and simple truth.

The need for applying a fair share of profits to new capital investments is too frequently ignored by some labor leaders when making their demands upon employers. Such capital investments are essential if we are to meet the needs at all times of full employment and increased production of national wealth out of which new tax dollars can flow. Labor must recognize that if we are to protect the value of the American dollar we are going to have to increase the production of new wealth out of which we can get the taxes necessary to reduce our national debt which in its present amount threatens the standard of living of all of us in the country, including labor.

Although this discussion of mine about basic objectives of the American labor movement and the relation of those objectives to the preservation of our capitalistic economy may seem somewhat remote from the problem of passing labor legislation in the Eightieth Congress, it is not in fact nearly so remote as it may seem at first glance. If we are to make our American system work we must remember that it will not and cannot work independent of reasonable governmental regulations and controls over all groups within the system.

The reason for that is that human beings are what they are. They tend to seek to advance their own selfish interests by taking advantage of the other fellow's interests. Labor is no exception to that rule of human conduct. It is no more entitled to exemptions from legal checks upon its excesses than are employers, businessmen, and corporations. It too must be required to advance its legitimate interests within a framework of law approved by the people as a whole. It does not follow that reasonable legal restrictions which protect the individual worker and the public from union excesses deny any fundamental freedoms to organized labor.

Certainly the principle of reasonable legal regulations and control, necessary to check excesses, does not in the abstract deny labor any basic rights. It is the application of the abstract principle in the form of specific legislation which presents the real test to us as legislators. However, the main point I wish to make in this part of my speech is that labor too, in a government of law rather than of men, must recognize that its rights are relative and not absolute, in that they must be exercised in a manner that will

promote the common good and not just the selfish good of labor alone.

Our economic system cannot function in a prosperous way unless the Government, through friendly cooperation manifested through the democratic processes imposed upon all of us by the elected representatives of the people, sees to it that no economic group is allowed to take advantage of, transgress upon or exploit the rights of the public. I am afraid that sometimes some labor leaders and some labor groups so concerned about the economic difficulties which confront American workers make the mistake of thinking that the workers' economic interest can be considered separate and apart from our other national economic problems.

They overlook the fact that we must balance the interests of all groups in our economy or we cannot have long-time prosperity for any group. I want to see all consumer groups in the country progress steadily and as rapidly as possible consistent with national economic stability toward a higher standard of living, but that never will be accomplished if labor and industry fail to settle their problems through good-faith collective bargaining and stop resorting to all unnecessary economic action.

There is no denying the fact that legislation is going to be passed by the Eightieth Congress. I hope it will be constructive and helpful legislation rather than restrictive and punitive legislation. I hope that the Congress will exercise leadership rather than yield to pressure for punitive legislation in its attempts to improve industrial relations. It is to be regretted that much of the need for corrective legislation grows out of the failure on the part of labor to do voluntarily some of the things which now I am satisfied it must be required by law to do.

Although I shall discuss it at much greater length later in this speech, I wish to mention, as an example of what I mean, namely, jurisdictional disputes. In my judgment American labor cannot excuse itself for not settling jurisdictional disputes without resort to economic action. This is especially true of disputes between affiliates of the same parent, such as the A. F. of L. The right to organize, the right to strike, the right to carry on union activities, like all other rights which we as free Americans enjoy and are entitled to, are not absolute rights. It is basic to our system of law that rights must be exercised in such fashion as not to destroy or unreasonably to impinge upon the rights of others.

It is elementary that one of the cherished rights of our American system is the right to own private property, as contrasted with some forms of totalitarianism, such as communism. However, I must exercise my rights of private ownership of property in a manner which does not injure unwarrantedly either the property rights of others or the individual liberties of others.

Thus I have the right to buy a vacant lot on Sixteenth Street, but I do not have the right to build a slaughterhouse on the lot.

I have the freedom and the right to defend my home as my castle, but I do not have the right to use unreasonable force in ejecting a trespasser from my property.

All of us have to exercise our property rights and our personal liberties within a legal framework of law which imposes upon those rights and liberties many limitations necessary in order to protect the fair rights of others and the public welfare. When we abuse our rights to the detriment of others—and in many instances to the detriment of ourselves—then government through law steps in and checks our course of action on the very sound theory that there is a difference between freedom and license.

Unfortunately some of the practices and abuses of labor are doing violence to our concepts of freedom and liberty because they are, through the exercise of license, injuring the common good. The jurisdictional dispute is a good example of what I mean. It violates the property and personal rights of innocent third parties, including both employers and the general public.

Mr. President, I ask unanimous consent to have published at this point in my remarks an analysis of existing types of jurisdictional disputes. In this memorandum I have tried to make available to the Members of the Senate a description of the various types of jurisdictional disputes. There is so much misunderstanding about jurisdictional disputes and what they involve that I thought it would be helpful to include in my remarks some descriptive and definitional material. I shall not take time to read the memorandum now, but ask to have it printed in the RECORD at this point as exhibit 1.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

JURISDICTIONAL DISPUTES

The term, "jurisdictional disputes," has been used very loosely to cover a great variety of situations that have as their common ingredient a controversy between two or more labor unions. Before discussing the specific provisions of the proposed bill on this subject, it will be useful to consider the type of disputes commonly labeled as jurisdictional disputes and the decisions of the National Labor Relations Board dealing with such controversies.

The following controversies have at one time or another been termed "jurisdictional disputes."

TYPE OF JURISDICTIONAL DISPUTES

1. Disputes over territorial jurisdiction: This type of dispute results when two or more locals of the same international union have been allotted the right to organize employees within the same community. As a result they may come into conflict. However, this type of dispute is not common because the international union is generally able to force an agreement between its subordinate locals.

2. Trade jurisdiction: Trade jurisdiction is the converse of territorial jurisdiction, inasmuch as the former implies that a union has the right to organize given workers in a particular territory. The assignment of specific trade jurisdiction to one union presumably excludes other unions from seeking to enroll workers performing the same type of work. When two or more subordinate unions of the same international assert that, by reason of the jurisdiction granted them in their charter, each has the right to organize workers performing the same type of work, "a dispute arises which is properly termed a jurisdictional dispute."

3. Demarcation disputes: These usually arise over work which borders on two or more crafts belonging to the same central organization and trades which are closely related. Changes in the methods of machinery frequently furnish a basis for claims of one group against another.

4. Dual union disputes: A dual union is commonly referred to as an organization which claims to maintain itself as an independent body rivaling another organization that has control over the same class of workmen and operates within the same territory. Such unions usually arise as a result of schism within the parent organization.

5. Rival union disputes: These arise from the existence of two central labor organizations. Thus the A. F. of L. and the CIO are frequently in competition for the allegiance of the same group of workers, and they stand ready to assume the representation of workers currently represented by the other. Disputes arising between the CIO and the A. F. of L. have generally been termed "jurisdictional disputes," but strictly speaking they do not fall within this category.

NATIONAL LABOR RELATIONS BOARD POLICY

The early policy of the National Labor Relations Board was to refuse to undertake to resolve a jurisdictional dispute between unions affiliated with the same parent organization. In the leading case on this subject (Aluminum Co. of America, 1 N. L. R. B. 580) the Board stated that it "should not interfere with the internal affairs of labor organizations" and that the affairs of the A. F. of L. and its chartered bodies "can best be decided by the parties themselves."

With the advent of the CIO the Board was faced with the question of deciding whether it would handle cases presenting disputes between A. F. of L. unions and CIO unions that were still technically affiliated with the A. F. of L. The Board recognized that the CIO unions had ceased to be under the authority of the A. F. of L., and consequently rejected the contention that the policy it had announced in the Aluminum Co. case was applicable (Interlake Iron Corp. 2 N. L. R. B. 1036).

Present Board practice is to proceed with cases involving representation disputes between two unions affiliated with the same parent organization. This is especially true in situations presenting controversies of long standing between A. F. of L. affiliates, such as the rivalry between the brewery workers and the teamsters and between the printing pressmen and the lithographers. However, the Board does ask the parent organization what steps are being taken to resolve the controversy between its affiliates before proceeding with the case. Presumably if the parent organization advises that it is making efforts to settle the dispute the Board will, at least temporarily, refrain from processing the case.

NATIONAL LABOR RELATIONS BOARD POLICY

The United States Bureau of Labor Statistics divides its data concerning so-called jurisdictional strikes into two groups: jurisdictional strikes and rival-union strikes. Although the Bureau has not officially defined these classifications, apparently a jurisdictional strike means a strike resulting from a dispute between two or more unions concerning the right to organize or retain membership in a particular trade or industry. Since the A. F. of L. and the CIO do not recognize jurisdictional boundaries between them, it follows that A. F. of L.-CIO disputes are not included in the Bureau's statistics on jurisdictional strikes. It appears that the Bureau's definition of rival-union disputes includes controversies between two or more unions as to which shall represent a particular group of workers. Thus a rival-union dispute differs from a jurisdictional dispute in that the latter is concerned with

claims to jobs or kinds of work; whereas in a rival-union dispute the unions recognize no jurisdictional boundaries between them, but each claims the right to represent the same workers. Of course, the rival-union dispute is not limited to A. F. of L. and CIO controveries but extends to disputes between independent unions and affiliated unions as well.

The following table, prepared from figures compiled by the Bureau of Labor Statistics, shows the total number of strikes, the workers involved, and the man-days of idleness caused by jurisdictional and rival-union strikes:

Jurisdictional and rival union strikes and percent of total for all causes, 1935 to June 1946

PART A. TOTAL JURISDICTIONAL AND RIVAL UNION STRIKES

Year	Strikes ending in the year					
	Number of strikes		Workers involved		Man-days idle	
	Number	Percent	Number	Percent	Number	Percent
1935	37	1.8	11,640	1.0	266,628	1.8
1936	39	1.8	8,276	1.2	75,716	.6
1937	179	3.7	87,356	4.5	737,655	2.4
1938	150	5.4	34,513	5.1	851,591	9.5
1939	156	5.9	49,539	4.2	633,634	3.4
1940	158	6.3	26,641	4.6	208,808	3.1
1941	272	6.3	155,322	6.6	1,355,317	5.9
1942	159	5.2	67,272	7.9	415,795	8.8
1943	130	3.6	37,278	1.9	199,603	1.5
1944	159	3.3	95,889	4.5	815,845	9.2
1945	149	3.3	135,600	4.5	1,188,400	4.9
1946 (January to June)	74	3.4	20,700	.7	(1)	(1)

PART B. JURISDICTIONAL STRIKES ONLY

1935	25	1.2	3,535	0.3	63,025	0.4
1936	37	1.7	4,236	.6	62,236	.5
1937	54	1.1	6,013	.3	90,026	.3
1938	54	1.9	4,495	.7	62,162	.7
1939	75	2.8	8,671	.7	68,809	.4
1940	77	3.1	8,087	1.4	59,016	.9
1941	93	2.2	37,410	1.6	260,985	1.1
1942	50	1.6	8,956	1.1	41,599	.9
1943	53	1.4	9,362	.5	40,544	.3
1944	70	1.4	17,551	.8	56,656	.6
1945	72	1.6	49,100	1.6	645,800	2.7
1946 (January to June)	24	1.1	12,200	.4	(1)	(1)

PART C. RIVAL UNION STRIKES ONLY

1935	12	0.6	8,105	0.7	203,603	1.4
1936	2	.1	4,040	.6	13,480	.1
1937	125	2.6	81,343	4.2	647,629	2.1
1938	96	3.5	30,018	4.4	789,429	8.8
1939	81	3.1	40,868	3.5	564,825	3.2
1940	81	3.2	18,554	3.2	149,792	2.2
1941	179	4.1	117,912	5.0	1,094,332	4.8
1942	109	3.6	58,316	6.8	374,196	7.9
1943	77	2.2	27,916	1.4	159,059	1.2
1944	89	1.9	78,338	3.7	759,189	8.6
1945	77	1.7	86,500	2.9	542,600	2.2
1946 (January to June)	50	2.3	8,500	.3	(1)	(1)

[1] Not available.

Compiled and computed from data supplied by the U. S. Bureau of Labor Statistics.

REGULATION OF DISCHARGES OVER CLOSED-SHOP CONTRACTS

The proviso to section 8 (3) of the National Labor Relations Act provides that an agreement requiring union membership as a condition of employment shall not be unlawful if the requirement is made pursuant to an agreement with a labor organization not company dominated or assisted, and provided further that the organization is the exclusive representative of the employees in an appropriate bargaining unit at the time the agreement is made. The Board has always construed these provisions narrowly and has insisted that they be met before it would uphold a discharge pursuant to a closed-shop contract.

In recent years the Board has been presented with a number of cases involving closed-shop agreements that have been used in such fashion as to deprive employees of their employment and to prevent them from exercising the right guaranteed them in section 7 of the act—to select collective-bargaining representatives of their own choosing. The usual situation is that employees near the end of their contract term wish to change their representation. However, because the agreement requires membership as a condition of employment, they run the risk of being expelled from membership and consequently being discharged if they engage in any activity designed to oust the contracting union as their representative. It is obvious, therefore, that the closed-shop contract lends itself to the perpetuation of one union as the collective-bargaining representative, and, consequently, deprives employees of the rights guaranteed them by Congress freely to choose and select representatives of their own.

The only remedy presently available to the Board is to proceed against the employer if he knowingly enters into or applies a closed-shop agreement when the contracting union's purpose is to discipline employees who have agitated, at an appropriate time, for a rival organization. No remedy is available against the contracting union. A few leading Board decisions will illustrate the problem.

In the *Rutland Court* case (44 N. L. R. B. 587, 46 N. L. R. B. 1040) the employer had a closed-shop agreement with union A. Near the end of the contract term the employees became interested in union B and sought to have the employer recognize it as their bargaining representative. Union A, however, expelled the employees from membership and demanded that the employer discharge them pursuant to the closed-shop agreement. The employer had knowledge that union A expelled the employees because they attempted to designate a new representative. Upon charges filed by union B, the Board ordered the employer to reinstate the employees with back pay. The Board stated that effectuation of the policies of the act required "as the life of the collective contract draws to a close that the employees be able to advocate a change in their affiliation without fear of discharge by an employer for so doing."

In the *Henri Wines* case (44 N. L. R. B. 1310) the majority of the employees applied for membership in a union, thereby designating it as their collective-bargaining representative. An official of the union then negotiated a closed-shop contract with the employer. The union, however, then rejected the membership applications of the employees and thereafter demanded that they be discharged because they were not members. Since the employer entered into the contract with knowledge that the union intended to proceed in this unscrupulous fashion, the Board held that his discharge of the employees constituted an unfair labor practice and accordingly ordered the employees reinstated with back pay.

Probably the most important case is that involving the *Wallace Corporation* (50 N. L. R. B. 138) which was subsequently affirmed by the United States Supreme Court (323 U. S. 251). In that case the employer entered into a consent election agreement with two contending unions. As a part of that agreement the employer agreed to execute a closed-shop contract with the winning union. The election was won by union A, which then demanded the execution of a closed-shop contract; stating, however, that it intended to use the agreement for the purpose of denying membership to a number of leaders of union B and thereby secure their discharge from employment. Although the employer protested, he nevertheless entered into the contract. Union A then denied membership to a number of employees who had been active in behalf of union B, and their discharge followed. The Board held that the employer had committed an unfair labor practice and rejected the employer's defense that the discharge was permissible under the closed-shop agreement.

The Supreme Court sustained the Board's decision by a 5-to-4 opinion. The majority stated that the authorization of a closed-shop contract in the act could not be taken as an indication of an intention on the part of Congress to authorize a majority of workers and a company, as in this case, to penalize minority groups of workers by depriving them of that full freedom of association and self-organization which it was the prime purpose of the act to protect for all workers.

A necessary condition for granting relief to employees in the foregoing situations is that the employer have knowledge of the purpose to which the closed-shop agreement will be put. If the employer does not have that knowledge or if the Board cannot prove that he had such knowledge, the employees have no remedy under the act as it now stands. In any case, the contract union which expells employees from membership and thereby brings about their discharge from employment is certainly as culpable as the employee who acquiesces in such a program. It seems desirable, therefore, that some remedy should be available against the offending labor organization.

Mr. MORSE. Mr. President, rationalize it as they attempt to do, labor cannot avoid the indisputable fact that the American people are fed up with the use of economic action in the settlement of jurisdictional disputes; and they are demanding, as they have the right to demand under our democratic system of government, that Congress attempt to do something about it.

I say attempt advisedly because I am none too sure as to how effective and successful any procedure we devise legislatively to handle such a problem will be. However, I am convinced that if it should come to pass that such legislation as we propose to set up for the settling of jurisdictional disputes should not prove to be successful, because of lack of cooperation on the part of labor, the long-time loser will be labor itself. I say that because if legislation were passed that is fair and reasonable, it will not be in the best interest of labor leaders to defy the public will.

It has been an opinion of mine ever since the National Labor Relations Act—known as the Wagner Act—was passed that the act would never prove to be the Magna Carta for labor until it was modified in those respects necessary in order to make the rules applicable to both teams, so to speak. Over the years I have argued many times that the rights and the protection which the Wagner Act gives to labor were long overdue, and that the act was absolutely necessary to protect labor from unfair labor practices of employers; also that it was necessary to check the well known union busting tactics of employers which visited upon us such celebrated cases of labor violence as we witnessed from the 1890's until 1937, and even later, when

the act as passed was finally declared constitutional.

In the midst of the present tremendous propaganda drive for punitive labor legislation, it is easy for the American people to forget what has happened in the past—and what is bound to happen again in the future if certain types of employers are freed from the limitations of the Wagner Act. In fact, no one can study the American industrial scene without recognizing that in the competitive struggle for profits it is very easy to treat human beings as commodities to be bought and sold on the labor market on the basis of supply and demand, unless the Government is ever vigilant through such legislation as the Wagner Act, the Fair Labor Standards Act, safety legislation, and all the rest of our very much needed labor legislation, to protect the freedom of free workers.

One cannot sit in the hearings of the Senate Committee on Labor and Public Welfare and listen to the various types of employer witnesses who have come before us without frequently being shocked and disappointed on discovering that there are still many powerful employers in America who believe that the free-enterprise system is synonymous with a benevolent paternalism under which they shall enjoy the license of parceling out the benevolence as best suits their selfish interests. I think it is important that voices be heard in America these days pointing out that there are still many employers who have not learned—or who are not willing to admit—that collective bargaining through the elected representatives of the workers is here to stay; and that if they continue in their drive to tear down the benefits achieved by organized labor they will tear down also the liberties of organized industry and seriously cripple the economy of the Nation.

I am convinced that if today we abolished the Wagner Act within less than 6 months American industrial life would in large part return to the unfair labor practices that existed prior to the passage of the Wagner Act. I see too much evidence of an attitude of union busting and antilabor sentiment in some of the employer witnesses appearing before the Labor Committee not to be convinced that the extremists among American employers are still sufficiently large in number so that the repeal of the Wagner Act would result in another era of labor exploitation that ultimately would lead to tremendous violence and chaos.

When one stops to think about it, that is not a very surprising thing because human nature does not have a tendency to change, especially in the relatively short space of 12 years. Given the economic power they possess and taking into account all the compulsions of competition, it is understandable that too many employers will seek now, as they did in the past, to exploit labor. In consequence, it is my conviction that those of us who recognize that the very survival of political democracy in this country is dependent upon a successful private property economy must resist to the fullest possible extent any attempt to repeal legislation which now keeps American employers from having the license to treat labor as a commodity.

We cannot preserve a political democracy alongside of an employer-industrial dictatorship. The United States of this decade cannot survive as a political Dr. Jekyll and an economic Mr. Hyde—as a political democracy and a laissez-faire economy. Either we are going to march forward as a political and an economic democracy, with a free and cooperative government maintaining only such minimum standards of control as are necessary to protect the economic weak from exploitation by the economic strong, and yet allow free play for American initiative and ingenuity; or we are going to destroy our rights as a democratic people by adopting some form of economic totalitarianism or industrial anarchy.

If we should permit the strangle hold of monopolist practices of big business to continue its death grip upon the throat of private enterprise, we shall develop a form of economic totalitarianism by a relatively few business tyrants in America.

If, coupled with that serious and ominous threat to our free enterprise system, we should repeal or emasculate such pieces of social and labor legislation as the Wagner Act, the Social Security Act, and the Fair Labor Standards Act, we shall succeed only in strengthening the forces of those whose practices and policies—if permitted to go unchecked—would lead to economic totalitarianism in America. Unfortunately the American people are not sufficiently aware of the tremendous revolution that is taking place throughout the world. There is little question about the fact that world economic patterns of the last half century are gone forever.

Private enterprise as we know it in this country and as I want to preserve and strengthen it in this country just does not exist in most of the world today. I see nothing on the international horizon that indicates to me that our American economy is going to be adopted as a model in most of the countries of the world.

There are a great many reasons for that, a discussion of which would be foreign to the purpose of this speech, but nevertheless I feel that this particular facet of the world economic situation should be mentioned and kept in mind as we discuss labor legislation which bears such a vital relationship to our economic system of private enterprise. Economic totalitarianism is the prevailing pattern in most of the countries of the world, and I think leaders of American industry and labor should ponder that fact with a solemnity which I fear does not characterize their present day negotiations and bickerings.

Unfortunately, industry and labor, by their quarrels and frequent displays of bad faith in their negotiations with each other, injure not only themselves but all the rest of us as a people. What is even more important, a continuation of the type of industrial strife that exists in this country today is bound to diminish the influence for good that this Nation can have upon the future.

As we see the British Empire break up before our very eyes in these dramatic days; as we see hunger and want, famine and death stalk the earth—in practically every corner of the earth except this land of ours—we cannot deny what is now a truism, namely, that the one-world concept is not only a political concept but an economic concept as well. We are living in a one world—both politically and economically—whether we will it or not and irrespective of whether we like it or not.

Furthermore, I have no doubt that if we as a people should ever again make the mistake of ignoring or blindly resisting the implications which flow from the reality of the one-world concept, we shall be working against our own best interests. I would that American labor and American industry could grasp the great obligations that our present position in the world places on them. With the world on fire we are being treated to the spectacle of American labor and industry adopting courses of action which are producing tremendous domestic discord within our country, when in fact our national welfare this day calls for a greater national unity on the part of the American people than at any time since Pearl Harbor.

Here we are in the Congress presently devoting our greatest energies to the task of trying to devise legislative procedures which will check the abuses of labor and of industry; trying to devise legislation which will require American labor leaders and employers to live up to the spirit and intent of our Constitutional Bill of Rights. When one stops to think about it, the plight we are in, regarding labor legislation, is a sad reflection upon us as a people. We truly should be ashamed for allowing ourselves to be distracted by these domestic problems which are of such small significance when compared with the great issues of world-wide importance that this Congress in fact should be facing.

Oh, I do not deny the fact that we must render decisions on these domestic issues, and I am ready to suggest what I think some of those decisions should be; but the fact that we have to take legislative cognizance of our labor problems is not a credit to either labor or industry. I am sure that no matter what we pass in this session of Congress, labor will not like it, because apparently it is labor's point of view that to pass anything is going too far. On the other hand, many business and industry groups will not like what we do because in their judgment we will not have gone far enough. Certainly I hope the Congress will not go so far as to satisfy all industry representatives clamoring for restraints on labor.

In reaching my conclusions as to what labor legislation I think should be passed, I have attempted to analyze some of the legislative proposals we have before us, many of which I cannot support.

In the comments I am now about to make on some of the bills upon which we have been hearing testimony I shall confine myself to the most important provisions of those bills which have a direct bearing upon the Wagner Act. Detailed

and exhaustive analysis of each of the bills would unduly lengthen this speech. However, I do not wish my silence at this time on some of the provisions of pending bills to be construed as agreement with them.

I turn first to Senate bill 360, introduced by the Senator from Minnesota [Mr. BALL]. We must inquire into what the bill does to the collective-bargaining relationship, because it is an obvious fact—though frequently overlooked—that it is certainly as important today to maintain and insure industrial peace, when 15,000,000 workers are organized, as it was in 1935 when there were only 4,000,000 workers organized.

We should also inquire into what contribution Senate bill 360 or any other bill makes to reward those employers who have accepted collective bargaining and find it a healthy and useful way of dealing with their employees. There are many of these. They far outnumber the articulate minority who wish to return to an outmoded concept of labor relations. Does this bill permit an employer who really wants to give meaning to the rights of his employees to do so without fear that by so doing he will be forced into an untenable competitive position? In other words, is Senate bill 360 one which encourages the employer to sit down with the freely chosen representative of his employees and go to work on things that matter to both of them? Or does it encourage him to destroy this relationship?

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. FLANDERS. So that we may follow him more easily, will the Senator kindly give us names in connection with the bills to which he is referring by number?

Mr. MORSE. Senate 360 is the bill introduced by the distinguished Senator from Minnesota [Mr. BALL], setting forth his proposals for amendments to the Wagner Act.

In general Senate bill 360 attempts to do four things: First, by a change in definitions, procedures, and substantive requirements of procedures, to limit and in some cases, abolish, remedies which employees have been customarily granted by the NLRB under the Wagner Act; second, to make available to employers certain newly created procedures; third to reconstitute the National Labor Relations Board by splitting its functions in half and making the Department of Justice responsible for administrative and investigative functions; and fourth, to repeal the Clayton Act of 1914 and the Norris-LaGuardia Act of 1932 in vital respects and thus to make virtually all strikes illegal and subject unions and strikers to injunctions at the instance of employers, to treble damage actions, and to criminal prosecution as well.

By a change in the definition of the term "employee," section 2 (b) (3) of Senate bill 360 not only removes all remedies available to strikers under the Wagner Act; for all practical purposes, it completely destroys the right to strike, one of the most basic in our land, as Lincoln has said. This is accomplished by a simple parenthetical insert, whereby a worker loses his employee status if, while engaging in a strike, he has been replaced or has refused an offer of reinstatement. Even at the common law, employees who were out on strike were still employees. This concept was incorporated in the Wagner Act. The magnitude of the effect of this change can best be illustrated by example.

Let us assume that an employer has been dealing for 15 years with a union as the representative of his employees. There had never been any certification of the representative by the Board, as there has not been in thousands of American plants, because both parties knew that the union represented the men. Management changes, let us assume, and the new management decides to rid itself of the union. It does so by refusing to discuss wages at the time of the expiration of the old contract and the negotiation of a new one. The moment the workers strike, the employer tells all of his employees to come back to work. They refuse. He then brings in strikebreakers. Under S. 360, these strikebreakers are now the only employees of the employer. Those out on strike are mere outsiders with no rights; they cannot even be termed "striking employees," as at the common law. If they continue to strike after the employer has ordered them back to work, then the employer may seek an injunction under section 13 to break the strike. This follows because the dispute is no longer a labor dispute. If a United States conciliator is called, he cannot settle the strike by mediating between the union and the employer, since the union no longer represents a majority of the employees. We would thus, by removing a striker from the concept of employee, do irreparable injury to the collective-bargaining process. As the Senate committee in 1935 stated in its report on the bill which became the Wagner Act, it would be undesirable to withdraw the Government from the field at the very point where the process of collective bargaining has reached a critical stage and where the general public interest has mounted to its highest point."

If the strike was caused by the employer's unfair labor practices, the situation would be even worse under S. 360. If the employer discharged all of the union leaders, physically assaulted them, and told each man to get out of the union or else, those who went out on strike in protest against such conduct could lose their status as employees also, unless they came back to work at the employer's beck and call, regardless of whether the unfair practices were stopped. The Senate committee in 1935, reporting on the Wagner Act said:

> And to hold that a worker who because of an unfair labor practice has been discharged or locked out or gone on strike is no longer an employee, would be to give legal sanction to an illegal act and to deny redress to the individual injured thereby.

Mr. BALL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BALL. I think the Senator from Oregon has misread that portion of the section, because the part which leaves a striker still an employee if unemployed because of an unfair labor practice is left as it is under the present law. Under the present Wagner Act if an employee on an economic strike is replaced, according to the present Board's decisions, he is no longer an employee. The situation which concerned me—and I have some doubt as to whether this is the proper answer—is one in which a strike continues, as it has in the Allis-Chalmers plant, for more than a year. That plant is in a small community where there is no possibility of replacement. Yet the union has such a hold that only between a third and a half of the employees have gone back to work. They are disgusted with the strike. A recent election was indecisive because approximately 150 voted for no union. The employees, including those who were still out, voted about 50–50 as between a new union and the one which is certified. The employer is helpless. He can deal only with a union which obviously does not represent the overwhelming employee sentiment. He cannot get the men back to work, and the ones who are working are subject to discrimination by the union which has been certified, if it eventually wins. Somehow or other we must meet the situation which develops when there is a strike which lasts a year or so, and in which obviously the particular union, with its current leadership, will never be able to reach a settlement with the employer.

Mr. MORSE. I shall be very happy to try to work out with the Senator from Minnesota a satisfactory solution. I am trying to point out today that I think the legal effects of the bill which the Senator has introduced will be those which I am setting forth in my speech. I feel that on this point the legal effect of the language of the Senator's bill will make it possible for an employer to break a strike by offering to take the strikers back; and of course when they do not come back, as they will not, unless they can get a fair contract from the employer, under the terms of the Senator's bill they will cease to be employees, and the strike then is of course broken, because the employees will not have any rights under the National Labor Relations Board as it would exist under the provisions of the Senator's bill. That is my legal interpretation of the situation. I am satisfied that when this part of the Senator's bill—if the bill is enacted—goes to the courts in litigation, that is what the courts will find.

Mr. BALL. Does the Senator from Oregon believe that an employer should have no right or opportunity to beat a strike, regardless of the situation which faces him, the demands made upon him, and the attitude of the union?

Mr. MORSE. Not with the aid of Government. Either we must recognize the economic right to strike or lock out, and fight it out on the economic front, or substitute the Government for that economic right. In my judgment, the bill of the Senator from Minnesota would put the Government on the employer's side of the table with such

power, as to break a strike if a strike were called. There cannot be the right to strike and the right to lock out without having injuries inflicted. People suffer from the exercise of economic action. I would be the first to admit it. But the point I want to make is that I think the Senator's bill would give the employer the aid of such governmental power under the change of definition of "employee" as found in the bill, that it would be a pretty stupid employer who would not be able to use the bill in such a manner as to defeat any strike.

Mr. BALL. I am inclined to agree that, taken in conjunction with the amendment to section 13 of the act, the bill does go too far and has an effect which I did not foresee when we drafted it. But the Senator speaks of the employers right to lock out as the parallel right to the employees right to strike. It seems to me that that is faulty reasoning, because no employer, in that sense, ever locks out an employee. There are very few cases. The only effective weapon the employer has is to defeat a strike if he thinks it is completely impossible to reach a settlement. I think the Wagner Act, as it has been interpreted, has tended to make it impossible for any employer to defeat a strike, because the bargaining unit continues in perpetuity, so long as the strike lasts. So, all the employers can do is to negotiate with the union. I think the reason we have so many "quickie" strikes is that the unions have not lost a major strike in the last 10 or 12 years, although they should have lost some of them.

Mr. MORSE. I think the Senator from Minnesota is overlooking the fact that in most cases there are both strikes and lock-outs. It is easy to jump to the conclusion that because labor goes out on strike the fault is all that of labor and the action is direct action by labor. It has been my experience in this field that many strikes are an inseparable combination of lock-out on the part of the employer and strike on the part of labor, in the sense that the employer says, "This is it. Take it or else." He thinks he is going to strengthen his position in further negotiations with them or in negotiations with Government agencies. He knows that when men begin to be hungry, when families begin to suffer, he is then in a better position to negotiate a settlement satisfactory to him in termination of a strike.

So my point is that I think it is a mistake, when we see a story in the newspaper about a strike, to think that in any sense it is unilateral. We have got to go back of the strike and find out what led up to it. Frequently it will be found that it was provoked by the employer and that he greatly welcomed direct action on the part of the union, because it permitted him to keep concealed what was also in fact a lock-out as well as a strike.

I wish to say that I appreciate the interruptions which have been made by the Senator from Minnesota, and I shall appreciate having him make other interruptions if he desires to take exception to anything I say in regard to his bill, because I am exceedingly fond of him, as he knows, and I am desirous only of trying to reach some meeting of minds so as to prepare the best possible amendments to the Wagner Act.

I agree with the Senator from Minnesota that the Wagner Act should be amended. I cannot agree with his main pattern of amendment, and hence I am taking this opportunity to express my point of view in regard to his bill. I think it necessary that my point of view regarding his bill be known before I shall be able to make much justification of my attitude with respect to the amendments which I shall offer to the Wagner Act, because in many respects they differ from those of the Senator from Minnesota.

Mr. BALL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BALL. As I understand the situation now, no matter how long the strike is dragged out, an employer cannot directly communicate with his employees, inviting them to come back to work, without being cited for violation of the act, in that he is required to go through the certified bargaining agent, which means that any proposal he makes must be made through the union, which, of course, has called the strike.

Mr. MORSE. That is in accordance with his contract.

Mr. BALL. But usually, in connection with a major economic strike, the contract has expired. However, it is the law that the union is exclusive bargaining agent, and therefore the employer is held to have violated the law if he has communicated directly with his employees by writing them a letter saying, "Here is our proposal; and if you want to come back to work on it, you can."

Does the Senator think the employer should have that kind of right at some stage in a prolonged strike?

Mr. MORSE. I am sure the senior Senator from Minnesota and the Senator from Oregon are trying to join on one amendment, namely, one restoring to employers in the United States the absolute right of free speech in labor relations cases, so that they shall have the right to communicate with their employees.

Mr. BALL. But what I refer to is more than free speech; it is the right of employers to make direct offers to the employees in connection with the negotiations. As I understand the National Labor Relations Act, it denies that right.

Mr. MORSE. I hope that among the proposals we adopt there will be one giving the employer the right to communicate with his employees.

Mr. BALL. I hope we can accomplish that objective. If we do, we shall accomplish what I seek, namely, the chance for an employer to communicate with his employees. I do not hold with the Senator from Oregon as to the point of view that such communication by an employer will lead to a lock-out in connection with a strike. It seems to me that once the union negotiations have broken down, the employer's counteroffer is not a threat to lock them out. If he says, "anyone may come back to work on these terms," of course, the men may walk out from under the union.

As a rule, it is the union leadership which causes prolonged strikes. Too many times the men themselves get only a distorted version of what has actually been proposed in the course of the negotiations. The purpose of my amendment is to make that union leadership more responsible to the wishes of the majority of the individual employees.

Mr. MORSE. Mr. President, I wish to make one point regarding a matter which the Senator from Minnesota has been discussing. He pointed out that when a strike is under way and the contract is broken, the employer must still deal with representatives of the union. Of course, that is a part of his obligation under the law; and until it can be shown that the union representatives do not in fact represent the majority of his employees, it seems to me to permit the employer to follow any other course of action than to bargain collectively with those representatives in an endeavor to find some common ground on which they can settle the strike, would destroy a very important right of organized labor, because then there would be a situation in which the employer would have two shots in his gun. First he could take the position, "I simply am not going to renew this contract. I am going to get the employees in a weakened position, first by getting them hungry for a while, after letting them strike." Very frequently that is not at a very great economic loss to the employer. Of course, sometimes a tremendous economic loss to the employer is involved; but usually when the employer uses such strategy he does not feel any great disappointment that the "boys have hit the bricks," so to speak.

The second shot that is in his gun then, if we give him the opportunity or the right to circumvent the elected representatives of his men and to deal with individual employees or with dissident groups or with the nucleus of a company-dominated union which may be springing up in his plant, is that he would be given a chance to kill the union itself by using those devices.

So I think we must find some area of compromise. I think our free-speech amendment will be very helpful, for it will give the employer a chance to carry on his discussions with his men and tell them what his point of view is in regard to what he thinks is the unreasonable position of the union's representatives on various matters, but still it will protect the union by requiring that when the time comes to negotiate the contract, until it can be shown that its representatives do not in fact represent the employees, the contract must be made with them.

Mr. BALL. Mr. President, will the Senator further yield?

Mr. MORSE. I yield.

Mr. BALL. Of course, the Senator from Oregon recalls the testimony in connection with the redwood-lumber industry on the west coast, where a strike has been going on for over a year, I believe. In that connection a witness testified that in his particular company's sawmill—which had employed approximately 250 persons as I recall—although the strike is still going on, they are working full blast, and the sawmill is completely

manned, mostly by veterans. Obviously the carpenters' union, which called the strike, does not represent the wishes of the persons now actually working there. Nevertheless, the only way that employer can settle the strike is by dealing with the carpenters' union, which is insisting as one of its grounds of settlement that all the employees now working there be thrown out, and that the persons who originally went on strike, or what are left of them, come in and replace the present employees.

What kind of position does that put the employer in, and whose rights are entitled to be respected—those of the 250 persons now working in the sawmill, or those of the former employees who went on strike, many of whom have now drifted away?

Mr. MORSE. Mr. President, I am not in a position to pass on that case. It has been one of the most plaguing cases on the west coast, as the Senator from Minnesota has pointed out, for many months.

Before we can lay down any rule of thumb which should be applied with respect to the rights of employees in that case, I think the Board should have imposed upon it the duty of looking into the merits of the causes of the dispute. If it finds that, after all, the union has followed an entirely unreasonable course of action, and that the employer has kept himself free of unfair labor practices, I think some relief should be given him by a right of petition to have determination made of the question as to who should represent the union.

Mr. TYDINGS. Mr. President, will the Senator yield to me?

Mr. MORSE. I am glad to yield.

Mr. TYDINGS. I understood the Senator from Oregon to say in his colloquy with the Senator from Minnesota that after a contract has expired, certain procedures are still mandatory upon the employer because they are in the contract. I think the Senator meant to say they are in the law.

Mr. MORSE. Yes.

Mr. TYDINGS. But I understood the Senator to say that they are in the contract.

Mr. MORSE. I thank the Senator for his observation, because I was referring to the National Labor Relations Act itself.

Mr. TYDINGS. Of course, after the contract had expired, I do not see how the employer could be bound by it.

Mr. MORSE. Yes, that was a slip of the tongue. I meant to say that the National Labor Relations Act itself would require the procedures in question.

I was saying, Mr. President, that in 1935 the Senate committee, in reporting on the Wagner Act, said this:

> And to hold that a worker who because of an unfair labor practice has been discharged or locked out or gone on strike is no longer an employee would be to give legal sanction to an illegal act and to deny redress to the individual injured thereby.

In my judgment, that observation is equally valid today.

I think it would be most difficult to conceive of any kind of strike that could not be made subject to the injunctive procedures of S. 360.

Under the Wagner Act, strikers who are driven to strike because of an employer's illegal conduct have some protection, namely, reinstatement—replacing strikebreakers. They do not—contrary to the assertions of some witnesses before the committee—receive an award of back pay from the Board until they elect to abandon the strike. They do not get back pay for all the time they are on strike. Under S. 360 they have not only lost this measure of protection—they are faced with injunctions. Under the Wagner Act strikers against unfair labor practice can look forward to returning to their jobs after months and even years of litigation; under S. 360 they face immediate sentence to jail in case they wish to exercise their constitutional right of free speech and assembly in furtherance of the strike which the employer himself has caused. To say, as does the draftsman of the bill, that S. 360 does not "impair any rights which workers attained under the Wagner Act," seems to me to tax the credulity of the American workingman. Even if we assume he has not lost a legal right, it is plain that he has lost a vital remedy. It does not matter to the American human being involved whether he has lost rights or remedies; the fact is that he has lost his job and his livelihood in protection of his right to select a representative of his own choosing.

Definitions are not the only method used in S. 360 to deprive employees of remedies. Direct assaults on the substantive provision of the heart of the Wagner Act—section 8—are made. Section 8 (1), forbidding interference and coercion, is amended by forbidding the Board to base any findings of unfair practices on anything an employer says that contains no threat of force or economic reprisal. It seems to me that this provision would deprive the Board of using as evidence, in support of a finding of a discharge for union activity, statements which clearly show motive but are not coercive on their face.

Another change in S. 360—and one which has been opposed by virtually all union representatives and some employer spokesmen who have appeared before the committee—is that repealing the so-called closed-shop proviso in the Wagner Act. All contracts or agreements with labor organizations which make union membership any kind of a condition of employment are, in effect, abolished outright by S. 360. No type of union security provision may hereafter be urged as a defense to a discharge under section 8 (3). Such contracts may still be entered into, but the employer, if he tries to enforce them, will be subject to reinstatement and back-pay proceedings before the Board. By putting this kind of a burden on the employer, indirectly, it is apparently assumed that union security provisions will be abolished.

The arguments for and against the closed shop are many, and, I think, generally familiar to Senators. I do not deny that the closed shop has, in some instances, led to abuses. But I seriously question whether it is any answer to such abuses for the Congress to make it an unfair labor practice for employers to enter into such contracts with unions that are the freely chosen representatives of a majority of the workers before the contract is made.

One of the difficulties, Mr. President, is that too frequently—and I would be one of the first to admit it—it is not known and cannot be established that the representatives who offer the closed shop contract to the employer are in fact the chosen representatives of a majority of his employees. There is too great a tendency for them to walk in before the employer and say, "Sign this—or else," and the employer says, "I do not know whether you represent a single man in my plant," and he is told, in effect, "We do not, either, but that is the contract we are going to insist upon." I hold no brief for such a situation as that.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. MORSE. I am glad to yield to the Senator from Maryland.

Mr. TYDINGS. Let us assume that a group of men working in a plant want to have an election to determine what organization, affiliated or unaffiliated with a union, shall represent those who work in that place; let us assume that as a result of the election a certain union wins, or a majority say they want their own local union, unaffiliated with the larger union; let us assume that after that is done there immediately arises an agitation for a new election, although there is no complaint that the first election was not a fair one. Has the Senator given any thought as to how, without taking from the employees the right to reconsider, if they should actually desire to reconsider any vote that theretofore had been taken, they can be protected from actually having to take a vote all over again, when they have just taken one in good faith, and as to which there is no question of fraud?

Mr. MORSE. I have given some consideration to that point, and I hope that amendments I intend to propose later in my speech will cover that situation. I think the Senator from Maryland has raised a hypothetical case which can be resolved only upon the determination of a question of fact, and that therefore jurisdiction must be given to the National Labor Relations Board to take a petition from the employer in order to determine the fact. Take, for instance, the case of employees wanting to reconsider their action. I think the Board should have jurisdiction to order an election for that purpose at appropriate times. In fact, the Board has many times said that a certification is good for a reasonable time, usually 1 year.

Mr. TYDINGS. I have in mind a case where the employees of a concern have had an election, and the question was whether they should belong to a certain union, or should belong to a local union which had no affiliation with large nation-wide unions—a local union which was particularly applicable to the particular plant and locality. Let us assume an election was held, and the overwhelming majority wanted to belong to the local union.

Mr. MORSE. Is the proceeding in question at the expiration of the old contract?

Mr. TYDINGS. Yes; it is. The new contract is made with the local union, but notwithstanding that there is an immediate agitation on the ground that sentiment has changed and it goes on until it reaches the point where a new election is ordered.

In the case I have in mind the employees again vote that they want to be in the local union rather than in the larger union. But even that does not stop the agitation. It begins again, and sometimes it goes on for a year, but it makes no headway, and they ask for still another election.

The point I am making is that it seems to me that when an election is held not only once but twice to decide the same issue, there should be a quiet period of longer duration before another election can be forced upon the employer and employees, which would have a tendency to disrupt and throw out of order all operations. I think that has happened in my own State a couple of times, and that is why I asked the Senator the question.

Mr. MORSE. I think it is more common than that. I think it has happened more than a few times.

Mr. TYDINGS. I think some protection should be thrown around a group of men who, after an issue is thoroughly debated, have made a decision, so that they would not have to make it all over again, and then be confronted a third time with passing on whether they will belong to this, that, or the other union.

Mr. MORSE. I agree with the Senator's observation. It is my understanding that the Board requires that its certifications be observed for a reasonable period, during which it will not entertain a new petition in the absence of unusual circumstances, and further that the courts have sustained this view.

Certainly any proposal seeking to outlaw the closed shop should be carefully weighed and closely examined in the light of industrial-relations experience. In this connection I should like to refer to some data collected by the Department of Labor bearing on this problem.

EXTENT OF THE CLOSED SHOP

An examination by the Industrial Relations Branch in 1945 on the extent of collective bargaining (Bulletin 865) of the Department of Labor indicated that approximately 30 percent of the workers under agreement were covered by the closed shop. The closed shop (and union shop, with preferential hiring, which is equivalent to the closed shop) prevails in the following manufacturing industries: Baking, brewery, canned and preserved foods, hosiery, men's and women's clothing, printing and publishing, and shipbuilding. An examination of the number of workers covered by the closed shop will give some idea of the possible impact of the outlawing of closed shop provisions on existing collective bargaining agreements. A study prepared by the Bureau in 1939 indicates that more than one-half of the 7,000 agreements on file with the Bureau, and current at that time, contained provisions requiring that all employees be members of the union. The estimate at that time was that approximately 3,000,000 of the nearly 8,000,000 organized workers in the United States were working under closed shop conditions.

THE CLOSED SHOP IN RELATION TO MAJOR DISPUTES IN 1946

Detailed statistical information for the full year 1946 on major issues involved in work stoppages is not yet available. For the year 1945 see Department of Labor Bulletin No. 878. The closed or union shop, and the closed or union shop combined with wages and/or hours, were relatively minor as issues in dispute in work stoppages during the year 1945. The closed or union shop, as a major issue, was involved in only 126 work stoppages, affecting 57,700 workers, and responsible for only 1.9 percent of the total man-days of idleness. Issues in which wages and/or hours were involved, as well as the closed or union shop, accounted for an additional 90 stoppages, involving 40,700 workers and accounting for 2.6 percent of total man-days of idleness for the year. The information for the year 1946 is available in a limited form for the first 6 months. The closed or union shop was involved in 37 stoppages and affected 5,680 workers; the closed or union shop combined with wages/or hours accounted for 170 stoppages and affected some 79,300 workers.

A review of the major labor-management disputes in 1946 indicates that there were 29 stoppages which began during the year, each of which directly involved 10,000 or more workers. These stoppages affected 2,900,000 workers and resulted in 66,190,000 man-days of idleness. The total man-days of idleness reported for all work stoppages which began in 1946 was 95,690,000.

An examination of the more detailed statement below indicates that none of the major strikes originating in 1946 would have been avoided had the existing legislation on the closed shop been passed. In only 4 of the 29 stoppages, which accounted for approximately 1 percent of the total man-days lost, were there predominantly closed-shop industries involved, and in all four of these instances the major issue was the question of wages. It can, of course, be argued that had existing closed-shop legislation been passed there might well have been strikes as the result of the legislation itself. Statements submitted to the Senate and House Labor Committees would seem to indicate that there might well be serious labor-management disputes if the closed shop were outlawed.

Of the man-days idle resulting from the 29 major strikes originating in 1946, 96 percent resulted from disputes in which the major issue was wages, and almost 4 percent—3.8—from disputes in which wages and some form of union security were involved. The distribution of the 29 major strikes originating in 1946, by major issue and man-days idle, is given below.

Mr. President, I ask unanimous consent to have published at this point in my remarks a table setting forth that data.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Major issue	Number of stoppages	Number of man-days idle
Wages	21	63,500,000
Wages and union security	3	2,500,000
Union recognition	2	120,000
Other (protest over discharge, seniority rules; vacation pay for veterans)	3	70,000
Total	29	66,190,000

Only 4 of the 29 stoppages involved industries predominantly closed shop but in all of these the only issue involved was wages:

Industry:	*Man-days idle*
Building construction:	
Cincinnati	12,000
Buffalo	162,000
Cuyahoga, Geauga, and Lake Counties, Ohio	48,000
Trucking companies: NYC area and northern New Jersey	487,000

Mr. MORSE. The total of 709,000 man-days idle resulting from these four strikes in closed-shop industries accounted for 1 percent of the total man-days lost as a result of the 29 major stoppages.

Mr. President, in order to save time, I ask unanimous consent to have published at this point in my remarks another table under the heading "Approximate number of workers covered in 1945 by closed shop and union shop with preferential hiring."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Approximate number of workers covered in 1945 by closed shop and union shop with preferential hiring

MANUFACTURING

Industry	Closed shop	Union shop with preferential hiring
Food	200,000	125,000
Tobacco	7,000	
Textiles	16,000	78,000
Apparel	380,000	198,000
Lumber	12,000	44,000
Furniture and finished lumber	25,000	13,000
Paper and allied products		12,000
Printing and publishing	200,000	
Chemicals	2,000	2,000
Petroleum and coal	1,000	
Rubber		2,000
Leather	20,000	40,000
Stone, clay, and glass	20,000	25,000
Iron and steel	30,000	20,000
Nonferrous metals	22,000	10,000
Electrical machinery	13,000	6,000
Machinery, excluding electrical	7,000	49,000
Automobiles	2,000	1,000
Transportation equipment	313,000	79,000
Miscellaneous	16,000	9,000
Total	1,286,000	713,000

In 1945 there were approximately 2,000,000 nonmanufacturing workers under closed-shop provisions and 19,000 under union shop with preferential hiring. Included in this group are employees in construction, trucking, warehousing, services, clerical, sales and professional occupations, mining, transportation, communications and public utilities. For manufacturing and nonmanufacturing together there are about 3,500,000 workers under closed shop and about 750,000 workers under union shop with preferential hiring.

Mr. MORSE. Mr. President, what does S. 360 do to the duty to bargain collectively? Section 8 (5) of the Wagner Act has always been thought of as one requiring employers to bargain in good faith. Usually the test of this formula was the making of counterproposals. As Chairman Herzog explained in detail to the committee, concessions are not necessary; neither are agreements. But an open mind, ready and willing to discuss in good faith, is necessary. S. 360 would only require meetings for the purpose of conferring. It does not even require that the employer actually confer. All he has to do is to sit and listen.

Mr. President, over the years I have watched the technicians and the literalists on both sides of the collective-bargaining table, and I have noted that they are always fast on the trigger when it comes to shooting at the literal meaning of either a law or a decision or a contract. There are employers that will say, "I met for the purpose of conferring, and that is all the law says I have to do."

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CAPEHART. I was wondering if the able Senator from Oregon believes in collective bargaining for political parties. I mean by that, does the Senator believe that Republican or the Democratic Party caucuses should be held, with a majority vote binding the party?

Mr. MORSE. If I have not made my position perfectly clear to the Senator from Indiana, let me do so now: Here is one Republican who will never be bound by any vote taken in a Republican caucus in the Senate of the United States.

Mr. CAPEHART. Am I to understand the Senator to mean that if he were a member of a union, he would refuse to be bound by the collective-bargaining agreement and would refuse to join a closed shop?

Mr. MORSE. Not if I were a member of a union; but I think it is rather novel for the Senator from Indiana to inject into this discussion the idea that the Republican Party is a union.

Mr. CAPEHART. We are employees of the people, and we hold a responsibility for the success of the party as a whole. I was merely wondering why the same collective-bargaining principle would not apply to a political party. If it is a good thing for the workers, it certainly should be a good thing for the politicians.

Mr. MORSE. The reason why that does not hold is because the situations have not elements in common which would make the analogy applicable. I am sure the Senator from Indiana knows that, but I am happy to let him have his fun.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. AIKEN. Is it not a fact the Members of Congress are employees of the Government? Has the Senator from Oregon advocated collective bargaining between the Government and its employees yet?

Mr. CAPEHART. Does not the able Senator from Vermont agree with me that a member of a party owes some responsibility to the party, and that he is part and parcel of the party?

Mr. MORSE. The Senator from Oregon agrees with the Senator from Indiana on that.

Mr. CAPEHART. And does the Senator agree that he should be bound by a majority of votes of the party? Is not that collective bargaining? Is not that the principle of trade unionism?

Mr. MORSE. It is the last statement of the Senator from Indiana with which the junior Senator from Oregon does not agree. But I may say to the Senator from Indiana that, in order to show his appreciation of the responsibility of individual members of a party to the party, in the 1946 elections the junior Senator from Oregon campaigned, as I believe the count will show, in about 15 States.

Mr. CAPEHART. I do not question that.

Mr. MORSE. Let me finish the sentence. And the junior Senator from Oregon did so because he was a member of the elections committee of the Republican Party of the United States Senate. In 1948 he will be campaigning for the party again. But he is not going to take the position that because he is a Republican Member of the Senate he must vote on issues contrary to his convictions; nor is he going to let the chairman of the National Republican Committee, even by a cleverly worded editorial, indicate that when a Member of the Senate does not take orders from the so-called Republican quarterbacks he is committing an offense against the Republican Party. I hope we have not reached the time in American politics when a member of the Republican Party cannot stand on the floor of the Senate for his principles, and vote in keeping with his convictions.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. MORSE. I am glad to yield.

Mr. CAPEHART. I should like to say that I hope we have not arrived at the point in the United States when a man in order to obtain work must join a union, and in order to hold a job must join a union. I hope likewise we have not arrived at a point in the Senate when a man must follow the dictates of his party, but I say that there is a parallel between what I am trying to state and a caucus, or collective bargaining, in the Senate or in a party.

If the able Senator from Oregon belonged to a union he would be denied the rights that he is given in the Senate and that are accorded him by the Republican Party. I say that the able Senator from Oregon would not make a good union member, because he is an individualist; he wants to say what he pleases, when he pleases, and to work for whomsoever he pleases. If he were a member of a union, today he would be unable to do that, and, unless he joined a union, in literally thousands and thousands of shops in America today, the Senator would not be able to secure a job.

I hope the time has not arrived, likewise, when a man within the United States must join a union in order to be able to obtain work. When that time arrives, then, in my opinion, we shall have arrived at a time when we have given up our liberty and our freedom.

Mr. MORSE. Mr. President, I shall do everything I can to see to it that the Senator from Indiana shall have the right to vote whatever views he cares to within the Republican Party, and I appreciate the fact that by implication at least he admits I should have the same right.

What does Senate bill 360 do about the duty to bargain collectively? Before the last colloquy took place I stated that under the provisions of S. 360 there is the duty on the part of the employer to meet for the purpose of conferring, and I was suggesting that I thought a great many employers not particularly sympathetic with organized labor would be literalists with regard to that language. The language does not even require that the employer actually confer. All he has to do is to sit and listen. Bargaining thus becomes a sham. A recalcitrant employer leaves the union with no choice except to strike. This results in a strange situation, indeed. If the employer refuses to meet at all, the Board may find an unfair labor practice. The results of striking against this conduct are, as pointed out above, perilous. And yet if the employees do go to the Board, all the Board can do after a hearing and enforcement in the circuit court of its order, is to require the employer to meet, which is hardly any inducement to offer the employees in return for subjection to such a cumbersome and lengthy procedure. A strike with all of the perils present and risks involved, is more likely to appear to achieve the desired effect—genuine collective bargaining.

If, somehow, in spite of S. 360, a collective-bargaining agreement is reached, more peril is in store for the union as the representative of the employees. Although its agreement covers all employees within the unit, S. 360, unlike the Wagner Act, permits individuals or minority unions to make side deals with the employer, without the participation of the exclusive bargaining agent, which might well undermine the representative position of such a union.

This is not an exhaustive picture of all of the remedies limited or abolished by S. 360. However, it can be seen, in summary, that substantial parts of the heart of the Wagner Act are gone. So, also, are all methods of union security and an effective right to strike. What is left, the Board may still enforce, with such powers as remain in its hands after it has been split in two, deprived of much of its assistance from its staff, and subjected to more rigid control from the Circuit Court of Appeals.

Only a shell of the original Wagner Act is left and a badly cracked shell at that in the form of S. 360. I would call S. 360 an attempt to repeal the Wagner Act by emasculation. Antiunion employers who are advocating the outright repeal of the Wagner Act can accomplish to all intents and purposes their objectives by working for the passage of S. 360. Effective protection of American workers

through law from the unfair labor practices of employers will be destroyed if S. 360 becomes law. Do we want to go back to employer tactics that were exercised with impunity before the Wagner Act was passed in 1935? If anyone really thinks that such a step backward will produce labor peace in America the events which will follow the passage of S. 360 will prove him dead wrong.

S. 360 has been greeted by some as a new charter of rights for employers. It has been assumed that it equalizes the Wagner Act. These statements should be carefully examined and the practical effects thoroughly analyzed.

Under S. 360 employers may, as they cannot now under the NLRB's regulations, petition the Board for an election if they have been presented with a claim to be recognized by a labor organization claiming to be the representative of a majority of employees within a particular unit. I do not oppose this change, in principle, and shall later on in this speech offer a provision along the same lines.

S. 360 permits employers to file charges against labor organizations or their agents for: First, interfering with, restraining, or coercing employees in the exercise of their rights guaranteed in section 7; and second, refusing to bargain collectively with an employer, provided it is the majority representative of his employees. Here, again, I am in general agreement, except that I think much of the so-called coercion by unions of workers can more effectively be handled at the State level, rather than making a national police court of the National Labor Relations Board.

Another major change effected by S. 360 is that relating to separation of functions. Under the National Labor Relations Act the Board is made the exclusive agency for the enforcement of the act. It is charged with the exclusive responsibility for administering that law, from the investigation, trial, and decision of cases to the institution of enforcement proceedings in the courts. It is now proposed, however, to divide this responsibility between the Department of Justice and the Board by transferring to a division of the Department of Justice the duty and responsibility for administering all phases of the act except hearing and deciding cases which the Department determines to institute.

I am opposed to this proposal for three reasons: First, because I believe it would result in a complete break-down of administration of the act and protection of the legitimate rights of labor under the act; second, because I am convinced that the separation of functions proposed is entirely unnecessary to protect private parties who appear before the Board against abuses; and, third, because I believe the proposal unfairly singles out the Board among all the Government agencies for special treatment and separation.

I may say, Mr. President, that this is one of the most difficult subjects with which I have tried to wrestle, not only so far as the National Labor Relations Board is concerned but as concerns procedure under administrative law machinery. I strongly believe that in executive agencies there must be a separation of the so-called judicial function from administrative and prosecuting functions. For a time I worked on a proposed amendment, which I finally discarded, to set up an administrative director of the National Labor Relations Board under whose office all questions of administration and prosecution would come. Why did I discard it? I did so because I found I had committed an error which I am suspicious other Members of the Senate may have committed. It was an error of not giving due consideration to the Administrative Procedure Act which was passed in the Seventy-ninth Congress; for when I took that act and proceeded to study the actual reforms conviction of mine about what ought to be done with the Wagner Act. At brought about in connection with the separation of powers within our Administrative law tribunals, I had to throw away what had up to that time been a least I had to take the position, in all fairness, that the bill which was passed last year ought to be given a trial. I think we now must have proof that the main objective which we had in mind, namely the separation of judicial and prosecuting functions was not accomplished by the law we have already put on the books.

That law has had an interesting history. It was considered by the Administrative Law Committee of the Attorney General when Mr. Justice Jackson was Attorney General. Members of the Senate will find an excellent report which was prepared after long study and work by the Attorney General's committee. The principles of that report in the main were enacted into law by the Seventy-ninth Congress in the Senate, under the able leadership of the great Senator from Nevada [Mr. MCCARRAN].

Furthermore, over the years the American Bar Association Committee on Administrative Law Procedure has worked on the subject. The findings of that committee on the question of separation of functions were incorporated in principle in the law which we passed last year. The consensus of opinion of the great lawyers who have worked during the years on this problem is that the law which we passed on their recommendation should be applied to all administrative law tribunals. That is why I say that my third reason is that I believe it would be unfair to single out the National Labor Relations Board among all the Government agencies that deal in the field of administrative law, and say that this is the one and only agency which ought to receive different treatment. I am making these statements because I want the RECORD to show my explanation as to why I have changed a previously held opinion on this subject. I hope I shall never reach the point where I cannot be convinced by the facts and the law that my position on any issue is erroneous. At least I have been sufficiently convinced on this point to satisfy me that we ought to put to trial the Administrative Law Procedure Act passed by the Seventy-ninth Congress before we adopt such a proposal as is made in Senate bill 360, whereby a part of the functions would be transferred entirely to the Department of Justice.

The serious disadvantages of a dispersion of authority and responsibility for administering the National Labor Relations Act seem almost too clear for argument. Instead of one agency charged with making and executing the policy, we would have two. Obviously, both would have to be sympathetic to the basic purposes of Congress announced in the act. Both would have to be familiar with the numerous economic, social, and legal problems which a law protecting self-organization and collective bargaining raises. And both would have to have the specialized knowledge and special training which these problems require to handle them. Otherwise, there would inevitably be constant friction and application of divergent policies between them.

The Department of Justice, however, is the law office of the Nation. It is not a body of labor relations experts. To require it to take over the functions of labor relations experts and to absorb into its personnel field examiners and labor relations specialists now employed by the Board, very few of whom are lawyers and none of whom are required to be lawyers, would change its whole character and complexion.

But even if we assume that the Department of Justice could be adequately staffed and organized to assume these novel functions that are wholly foreign to its true character and business, the consequences of the dispersion of responsibility for administering the act would still be tragic, in my opinion. The Department of Justice, for example, might adopt one policy for dealing with the problem of raiding by unions. The Board, on the other hand, might adopt a different policy. Or the Department of Justice might adopt a policy for handling and discouraging stale and harassing charges, whereas the Board might prefer a different policy. Inevitably there would be pulling and hauling between the two.

Moreover, cease and desist and other orders which the Board issues are not self-executing. There are no sanctions which they carry to compel obedience to them until a circuit court of appeals reviews and enforces them. But the Board would have no control over the institution of proceedings for enforcement of its orders. Instead, the Department of Justice would decide in each case whether or not the order should be enforced. Accordingly, Board orders which the Board might regard as very important would be completely meaningless and unenforced unless the Department of Justice agrees with the remedy the Board had ordered and that the case was one which should be pressed in the courts. This would leave final enforcement of the statute entirely to the Department of Justice and not to the Board.

There would also be other serious disadvantages, I believe, not only to the public, but to private interests. The Board would not be able, for example, to prevent the institution and trial of cases which it knows in advance it will surely dismiss. If only to save itself time and money, the present Board will not permit such cases to be pressed today. Moreover, private parties will be less likely to accept informal settlement of

cases and will prefer to litigate them if the settlement negotiations are with prosecutors who cannot turn to the Board for the applicable policy. Board statistics, it seems to me, are very illuminating on this score. These show that less than 15 percent of the cases filed ever go to formal complaint, hearing, or adjudication by the Board. Under the division of functions, however, many more of these cases would certainly be litigated because there could not be the same sure sifting and weeding process applied to the cases. The result would be more delays, intolerable to employers and unions, added governmental expense at a time when we are making every effort to economize, and unnecessary harassment of private parties by litigation which could be wholly avoided if there were a coordinated policy.

These advantages of a single coordinated responsibility for administration over dispersed and dual responsibility are not hypothetical. Congress had had experience with both kinds of administration when in 1935, in enacting the National Labor Relations Act, it deliberately selected the single coordinated type of administration. Congress had before it at that time the wholly satisfactory experience of other administrative tribunals, notably the Interstate Commerce Commission and the Federal Trade Commission, which had a single unified system of administration. Congress also had before it the experience under the NRA, where court enforcement was obtained through the Department of Justice. That experience showed that only one suit was brought out of 33 referred to the Department of Justice for enforcement. It led Chairman Biddle to testify—

> The system under which we are working and the machinery under which we are trying to enforce the law makes inevitable the break-down of legal enforcement—

And that—

> the division of responsibility creates chaos. (Testimony of Chairman Biddle before Senate Committee on Education and Labor, holding hearings on S. 1958, 74th Cong., 1st sess., pp. 93–95.)

Congress then, wisely as I believe, decided "to dispel the confusion resulting from dispersion of authority and to establish a single paramount administrative or quasijudicial authority"—report of Senate Committee on Education and Labor on Senate bill 1958, Seventy-fourth Congress, first session, page 15. See also pages 5, 8, 14–15. It seems clear to me that every reason for making that decision then applies just as fully today.

The second basic reason for my opposition to the proposal to bifurcate the Board is my conviction that such a separation is entirely unnecessary to protect the rights of parties before the Board.

The Board, like other similar administrative agencies is, of course, subject to the provisions of the Administrative Procedure Act of 1946. This act is the culmination of more than 10 years of the most intensive and well-informed study of the operations and procedures of administrative agencies, including the National Labor Relations Board. These studies and proposals were made and conducted in the executive department of the Government, the legislative department, before many congressional committees, by organizations such as the American Bar Association, and by many private practitioners and students of the subject. One of the sponsors of the legislation, Mr. Carl McFarland, chairman of the American Bar Association's special committee on administrative law—see Legislative History of the Administrative Procedure Act, Senate Document No. 248, page 79—described this very problem of the separation of functions as the subject that had evoked most comment, criticism, and study. Upon the basis of these careful and informed studies and proposals from every quarter, including proposals for complete separation of agencies, the Congress recognized the inherent administrative difficulties which would result from a complete separation and it deliberately selected a different method for safeguarding the rights of parties against the abuses which might flow from mingling functions—statement of Senator McCarran, chairman of the Senate Committee on the Judiciary, discussing the Administrative Procedure Act on the floor of the Senate, Legislative History of Administrative Procedure Act, Senate Document No. 248, page 299.

The scheme of separation of functions which Congress enacted last year in the Administrative Procedure Act is applicable to the Board and to all other agencies. Its provisions adequately "assure that no investigating or prosecuting officer shall directly or indirectly in any manner influence or control the operations of hearing and deciding officers, except as a participant in public proceedings, and even then in no different fashion than the private parties or their representatives"—Senate Document No. 248, pages 262, 203. The plan of protection includes, in general, provisions for detailed and carefully thought-out basic procedures for the conduct of hearings and formulation of decisions.

There is also required a complete separation within each agency, including the Board, of all persons who participate or have anything to do with investigating and trying cases and persons who participate in or are consulted about the decision of cases. Hearing officers are also given a more important status. Instead of merely sitting to conduct a hearing and receive evidence, the Procedure Act requires that these hearing officers make either the initial or recommended decision of the cases in which they preside, and the new law insures that these decisions shall reflect the examiners' genuinely independent views by providing new and very specific machinery for their independence and security of tenure and salary during good behavior. This enhanced status and security is protected by the Civil Service Commission and is made independent of the recommendations or rating of the particular Government agencies to which the trial examiners might be attached. See sections 5 (c) and 11 of the Administrative Procedure Act; statement of Senator McCarran, Legislative History of Administrative Procedure Act, Senate Document No. 248, pages 299, 327; reports of Senate and House Committees on the Judiciary, pages 193, 246.

In this way, it was agreed on both sides of this Chamber, private litigants would be fully protected against abuses and unfair, biased decisions in administrative agencies and, at the same time, the serious difficulties which would flow from a complete separation of the agencies would be avoided. We should not throw into the scrap heap this carefully approved and prepared scheme which was universally acclaimed in all quarters as a correct solution less than 1 year ago. I think it should be given ample opportunity to demonstrate whether the problems which have confronted us with regard to the separation of judicial and prosecuting functions of all our administrative agencies, the National Labor Relations Board included, will be solved by the Administrative Procedure Act.

Following the enactment of the Administrative Procedure Act the Board carefully reexamined its practices and procedures and issued revised rules and regulations designed to put them in full compliance with the letter and spirit of the new law. Certain changes were made. These changes were presented and discussed at a meeting with the leading attorneys from all parts of the country, including representatives of the National Association of Manufacturers, the United States Chamber of Commerce, the American Federation of Labor, the CIO, independent unions, and private firms of attorneys who frequently have business with the Board. No substantial complaints have been heard regarding the Board's procedures in so far as separation of functions is concerned.

Let us examine briefly these procedures of the Board, which unquestionably comply with the Administrative Procedure Act and fully protect private parties. Investigations and the trial of cases are handled by regional offices, far from the Board's central office in Washington, almost entirely on an autonomous and independent basis. If advice is desired as to hearing or trial procedure, special units of the field and legal divisions consider and give such advice. Where advice as to formal procedures is required, a special committee consisting of the Director of the Field Division and the Associate General Counsel in charge of field legal operations responds. None of these persons has anything to do with the decision of cases or with the supervision or control over Board personnel who have anything to do with the decision of cases.

The hearing of cases is conducted before trial examiners who constitute a special autonomous division of the Board under the direction and supervision of a Chief Trial Examiner. The Chief Trial Examiner is responsible directly to the Board and to no one else, and the findings of the trial examiners in unfair-labor-practice cases where they preside are normally adopted as the final Board decision unless one of the parties to the proceeding files exceptions which are found clearly to have merit. The Board is assisted in the decision of cases by a group of attorneys who operate as a general pool of law clerks to the Board members. These attorneys are completely

separated from personnel who have anything to do with the investigation and prosecution of cases, and they have no other function except to assist the Board in reviewing records.

These procedures seem more than adequate to insure the Board's bringing to the decisional process an impartial and dispassionate judgment free from the predispositions which the performance of investigations and advocacy might produce.

Finally, I am opposed to the proposed transfer of functions of the Board to the Department of Justice because I believe it unfairly singles out the Board for special treatment. I confess to a native sense of fairness which finds it repugnant to select the Board, without good reason, as the single pariah in whom, alone, of all the Government agencies, the mingling of functions operates to the prejudice of respondents. In view of the uniform application of the Administrative Procedure Act to all agencies, including the Board, and the clear compliance of the Board with its requirements, a claim that the combination of functions in a single agency is contrary to principles of justice can, for me, have no more pertinency to the Board than it has to the Interstate Commerce Commission, the Federal Trade Commission, the Securities and Exchange Commission, and similar administrative bodies. Yet no one, so far as I know, has seriously suggested the cleavage of these other agencies.

Under the Administrative Procedure Act, moreover, the procedures of all these agencies are made subject to the same basic requirements. They are all now subject to the same uniform system of administrative procedure and judicial review. I remember that on the floor of the Senate during the Seventy-ninth Congress a group of us fought for the establishment of the substantial-evidence rule in the act, and we were successful in having included in the act all agencies, including the National Labor Relations Board itself.

Under that law it is recognized that good practices for one agency are likewise good practices for other agencies that perform similar functions and have similar duties and responsibilities. Congress deliberately rejected all efforts to give special treatment to any agency. To me, this not only makes good common sense, but it seems the essence of fairness and uniform treatment.

If the Board and the procedures of the National Labor Relations Act are to have the confidence and respect of the public and the courts, which they must have, to operate effectively; if workingmen and their unions are to believe that their basic rights of self-organization and collective bargaining are protected and that self-help and strikes are unnecessary to achieve these rights; if the country is to know that we are not intent upon stifling these legitimate rights and aspirations of working people but that we mean only to correct abuses, not to create new injustices, we cannot afford to single out and remove from the general law and scheme of procedures applicable to all other agencies the one agency which deals with and is intended to protect these basic rights of labor.

Before concluding my remarks on Senate bill 360, I feel it necessary to refer to its impact upon the Clayton Act and the Norris-LaGuardia Act. I have previously referred to the effect of Senate bill 360 on the right to strike. As amended by Senate bill 360, section 13 of the Wagner Act would make any strike, an objective of which is to compel an employer to, first, bargain collectively with a labor organization or other person not certified as the representative of his employees under section 9; second, to remedy practices for which an administrative remedy is available under this act; or third, to violate a provision of this act or some other law of the United States unlawful and not protected by the immunities of sections 6 and 20 of the Clayton Act and not a labor dispute within the meaning of the Norris-LaGuardia Act.

The Norris-LaGuardia Act is an act limiting the jurisdiction of Federal courts sitting in equity in issuing injunction in labor disputes or in issues growing out of or involving a labor dispute. If a labor dispute is not in the picture, the act does not apply. Courts are then free to issue injunctions in the old-fashioned way. The Norris-LaGuardia Act provides that where a labor dispute is involved, courts can issue injunctions only under very specific conditions, after a procedure involving a hearing and the making of specific findings, and only in aid of an employer who has used every reasonable effort to settle the controversy and has complied with all of his legal obligations. The act also limits Federal equity judges in the form their decrees take and as to the specific action their decrees may restrain. Lastly, on trials for contempt of such decree, the defendant is entitled to a jury trial.

Section 6 of the Clayton Act provides as follows:

> That the labor of a human being is not a commodity or article of commerce. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purposes of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade under the antitrust laws.

Section 20 of the Clayton Act is a modified form of the Norris-LaGuardia Act, but is not so broad as the Norris-LaGuardia Act. It provides that United States district courts may not issue injunctions in cases growing out of disputes between employers and employees which enjoin the ceasing of work, peaceful persuasion, peaceful assembly, giving of strike benefits, "or from any act which might lawfully be done in the absence of such dispute by any party thereto."

These are the acts repealed by section 13 of the Wagner Act, as amended by Senate bill 360. If Senate bill 360 becomes law, there will be no reason why the various district courts cannot enjoin practically all types of activity in support of any strike. If the strike is not one for a remedy provided by the Board, the strike—because the strikers have lost their employee status—becomes one to force an employer to recognize a union no longer representing the employees.

Without the provisions of the Norris-LaGuardia Act, district judges will have power to decree what workers can say on the picket lines, what expressions they shall have on their faces when they speak to nonstrikers, where and how many of them can assemble together, the purpose of such assembly, and the number of such pickets, and so forth.

The right of trial by jury, thought by most Americans to be one of their basic rights, is not guaranteed in injunction cases. Violation of a decree is punishable by contempt, before a judge without a jury.

The repeal of section 6 of the Clayton Act means that labor is again a commodity. The concept that it was not, fought for over many years, led Samuel Gompers to characterize the words of section 6 as "hammer blows to the wrongs and injustices" so long inflicted upon the workers. If we repudiate the Clayton Act, the Norris-LaGuardia Act, and most of the Wagner Act, we shall have come full circle—back to 1912 and even further.

Another labor bill now pending before the Senate and upon which I wish to make a few remarks, is Senate bill 133, which seeks to prevent industry-wide collective bargaining. I do not propose to enter upon a detailed analysis of the bill at this time, but I wish to make clear on the RECORD, for future reference, that I think passage of this bill would be very disruptive of labor relations of this country along a good many fronts. I think it represents again a legislative attempt to destroy a proper right because of instances in which the exercising of this right has been abused. A false analogy is being drawn by the proponents of this bill between monopoly in business and alleged monoply in labor relations through industry-wide bargaining.

I have been unable to see anything common between monopolistic practices of big business where powerful business combines secure control of the supply or means of production of certain goods and then set up economic dictatorship over the prices that are to be charged for those goods and the terms and circumstances under which they are to be produced both as to quantity and quality, and, on the other hand, free collective-bargaining practices of unions and associations of employers whereby under master contracts, they work out an agreement covering wages, hours, and conditions of employment for the plants owned by the employer members of the association. Sometimes the contracts cover practically an entire industry, sometimes only a small segment of it, as I shall point out later. So-called industry-wide or multi-employer collective bargaining takes on a variety of forms; but to allege that such open and aboveboard free collective bargaining within the law, subject to all the checks of the Wagner Act, constitutes anything that even resembles monopoly, is very difficult for me to see.

I think it is very important that multi-employer collective bargaining with a union or a group of unions should not be binding upon any employers who are not members of the employers' association. It will be seen from the amendments to the Wagner Act which I am introducing today that I make very clear that employers not members of such associations shall not be bound by any so-called master contract to which they are not a party or to which they do not subsequently, through collective bargaining, voluntarily agree. I think the Members of the Senate need to analyze some pertinent facts concerning the extent of so-called industry-wide bargaining and the way it actually functions in practice before they jump to the conclusion that anything needs to be done about it as destructive as is proposed in Senate bill 133.

My years of work in the field of labor relations have taught me one thing, if they have not taught me anything else, and that is to make certain as to whether charges that are made against labor and employers in regard to any of their practices can be substantiated in fact, or whether they represent only motivations of prejudice and a desire to weaken the effectiveness of legitimate unionism and employer rights and, in this instance, employer rights to bargain with labor as a group.

Hence, a few weeks ago I wrote to the Secretary of Labor a letter asking him for assistance, through his staff, in collecting some objective data on various types of industry-wide bargaining and the extent to which it exists in this country. On January 24 he replied to my letter, in his usual fine, cooperative manner, by informing me that he had asked Mr. Boris Stern, of the Industrial Relations Branch of the Department of Labor, to compile the data for which I had asked.

I should like, Mr. President, to have incorporated in the RECORD as a part of my remarks at this point the letter which I received from Secretary Schwellenbach.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF LABOR,
Washington, January 24, 1947.

The Honorable WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: Immediately upon receipt of your letter of January 17, we checked with the Bureau of Labor Statistics and found that the Industrial Relations Branch of the Bureau, under the direction of Mr. Boris Stern, has already prepared some material on Nation-wide and multicompany collective bargaining, which may prove useful to you. The material, however, is available in very rough form and I am suggesting that, at your discretion, Mr. Stern, whom you no doubt know, bring it to you personally, with the view of letting you have such parts of the data as you may need immediately, or, if necessary, prepare the material in a form most useful for your purposes.

I hope this approach will prove entirely satisfactory to you.

Sincerely yours,

L. B. SCHWELLENBACH.

Mr. MORSE. I feel, Mr. President, that not only I but every other Member of the Senate is indebted to the Secretary of Labor and to Mr. Boris Stern for the excellent work which has been done for us in compiling some very helpful information on industry-wide collective bargaining. I think each Senator should study this material very carefully before he reaches any final conclusion on Senate bill 133.

When I first talked to Mr. Boris Stern in regard to industry-wide collective-bargaining problems, I discovered that he was at work on a pamphlet which he hoped to have ready for release within a very few weeks. Just last Friday, March 7, this bulletin came off the press. Its title is "Collective Bargaining With Associations and Groups of Employers, Bulletin No. 897." I shall not take the time to read it to the Senate this afternoon, Mr. President, but I ask that pages 1 to 14 of the bulletin be printed in the RECORD at this point as a part of my remarks as exhibit 2.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From Bulletin No. 897 of the U. S. Bureau of Labor Statistics]

COLLECTIVE BARGAINING WITH ASSOCIATIONS AND GROUPS OF EMPLOYERS [1]

Most of the examples of industry-wide bargaining in the United States are the product of generations of experience, and as a rule the employer-union relations in these industries have been remarkably stable and peaceful. In the pressed or blown glassware industry, one of the branches of glass and glassware having national bargaining, no major strike throughout the industry has occurred since collective bargaining began with an employers' association in 1888. Similar conditions have prevailed in the pottery industry since 1922. The 1946 contract between the National Automatic Sprinkler and Fire Control Associations and the United Association of Journeymen Plumbers and Steamfitters (AFL) is a revision of the original agreement of 1915; and the 1946 agreement between the Anthracite Coal Operators and the United Mine Workers of America (AFL) is a compilation of resolutions, revisions, rulings, and decisions dating back to 1903. Bargaining on an industry basis exists in the elevator installation and repair, installation of automatic sprinklers, pottery and related products, stove making, and wallpaper industries, and in coal mining.

Agreements covering all the employers in an industry within a geographic region are somewhat more numerous than those having application throughout an entire industry. Even more numerous are the instances in which associations or groups of employers are dealt with on a city-wide or metropolitan area basis. In this study, the existing extent and the areas of bargaining with associations and groups of employers are described. The most significant extension of this form of bargaining in recent years occurred during World War II in the shipbuilding industry. The metal trades department of the American Federation of Labor negotiated a master agreement during 1941 with Pacific Coast shipyards organized by unions affiliated with the AFL. Prior to this time, joint agreements had been signed by these unions on the West Coast with employers in a single city. In other industries, since 1939, the practice only widened in those that had used this method of dealing for many years. The number of workers covered by these agreements increased somewhat as more of the Nation's industry became organized and was brought under agreement. However, the relative proportion covered in most industries did not change greatly.

Few of the examples of collective bargaining on an industry, geographic, or city basis occurred in the mass-production industries, although a single agreement in the automobile industry, for instance, may cover many more employees than an association agreement covering every employer in an industry or trade within the same city. In mass-production industries, trends are developing toward standardized conditions in large segments of industries through corporation-wide collective bargaining. The efforts of unions are directed first toward bringing all the plants of a given large corporation, regardless of geographic location, within the scope of a single agreement. An example is the corporation-wide bargaining between the Ford Motor Co. and the United Automobile, Aircraft and Agricultural Implement Workers of America (CIO). Notwithstanding the great number of workers affected, corporation-wide bargaining differs widely from multi-employer collective bargaining which is the subject of the present study.

Early in 1947, more than 4,000,000 workers were covered by agreements negotiated between trade-unions and associations and groups of employers. These are about equally divided between manufacturing and nonmanufacturing industries. Approximately a fourth of all workers covered by union agreements in manufacturing and a third of such workers in nonmanufacturing are working under agreements negotiated with groups or associations of employers. The agreements were negotiated by one or more unions (1) with a formal or informal association of employers or (2) with informal multi-employer groups. In presenting the information on agreements, no attempt was made to distinguish between agreements with associations and with other multi-employer groups. Identical agreements signed by separate employers with the same union were included, if there appeared to have been negotiations with a group or committee of employers.

WORKER COVERAGE OF GROUP BARGAINING

In table 1, the extent of association and employer-group bargaining is shown, based upon the percent of total workers under agreement in the respective industries.

TABLE 1.—*Percent of all workers under agreement who are covered by agreements with associations and groups of employers, by industry*

EIGHTY TO ONE HUNDRED PERCENT

Clothing, men's; clothing, women's; coal mining; laundry and cleaning and dyeing; longshoring; maritime; shipbuilding and boatbuilding.[a]

SIXTY TO SEVENTY-NINE PERCENT

Baking; book and job printing and publishing; canning and preserving foods; construction; dyeing and finishing textiles; glass and glassware; malt liquors; pottery and related products; trucking and warehousing.

FORTY TO FIFTY-NINE PERCENT

Building service and maintenance; leather products, other; newspaper and periodical printing and publishing.

[1] Prepared by Roy M. Patterson and the staff of the Collective Bargaining Division of the Bureau's Industrial Relations Branch, under the general supervision of Harold S. Roberts, chief. Special credit is also due for the contributions made by Abraham Weiss, Jesse Carpenter, and Philomena Marquardt.

[a] During World War II most of the industry was covered by tripartite zone standard agreements, signed by representatives of unions, employers, and certain Government agencies. The principal association agreement other than the zone standard agreements is between Pacific coast shipbuilders and the metal-trades department of the AFL, covering yards organized by AFL unions.

TWENTY TO THIRTY-NINE PERCENT

Beverages, nonalcoholic; hosiery; hotels and restaurants; jewelry and silverware; lumber; shoes, cut stock and findings; trade.

ZERO TO NINETEEN PERCENT

Agricultural machinery and tractors; aircraft and parts; automobiles and parts; bus and streetcar, local; bus lines, intercity; carpets and rugs, wool; cement; chemicals, excluding rayon and allied products; clerical and professional, excluding transportation, communication, theaters, and newspapers; cotton textiles; confectionery products; crude petroleum and natural gas; dairy products; electrical machinery, equipment and appliances; flour and other grain products; furniture; knit goods, except hosiery; leather (tanned, curried and finished); light and power; machinery and machine tools; meat packing; metal mining; motorcycles, bicycles, and parts; newspaper offices; nonferrous metals and products, except jewelry and silverware; nonmetallic mining and quarrying; paper and pulp; paper products; petroleum and coal products, except refining; petroleum refining; railroad equipment; rayon and allied products; rubber products; silk and rayon textiles; steel, basic; steel products; stone and clay products, other; sugar, beet and cane; telegraph service and maintenance; telephone service and maintenance; tobacco manufactures; woolen and worsted textiles.

AREA COVERAGE OF GROUP BARGAINING

The industries are classified by area of bargaining in table 2.

TABLE 2.—*Area of bargaining with associations or groups of employers, by industry*

BARGAINING ON A NATIONAL OR INDUSTRY-WIDE SCALE

Coal mining, elevator installation and repair, glass and glassware, installation of automatic sprinklers, pottery and related products, stoves, wall paper.

BARGAINING BY GEOGRAPHIC (REGIONAL) AREAS

Canning and preserving foods [a]; dyeing and finishing textiles [a]; fishing; hosiery; leather (tanned, curried, and finished) [a]; longshoring [a]; lumber [a]; maritime; metal mining; nonferrous metals and products, except jewelry and silverware [a]; paper and pulp; shoes, cut stock and findings.[a]

BARGAINING WITHIN A CITY, COUNTY, OR METROPOLITAN AREA

Baking; beverages, nonalcoholic; book and job printing and publishing; building service and maintenance; clothing, men's [b]; clothing, women's [b]; confectionery products; construction; cotton textiles; dairy products; furniture [b]; hotel and restaurant; jewelry and silverware; knit goods; laundry and cleaning and dyeing; leather products, other; malt liquors; meat packing; newspaper printing and publishing; paper products, exept wall paper; silk and rayon textiles; steel products, except stoves [b]; tobacco; trade [b] trucking and warehousing.[b]

APPROACH TO STANDARDIZATION OF WORKING CONDITIONS

One of the major efforts of labor unions in this country has been directed toward the standardization of working conditions throughout an industry or area, in order to lift substantial wages and to eliminate or reduce the factors of wages and hours in competitive costs. One of the ways the labor movement has sought to attain this objective has been by pressing for Federal or State legislation for the protection of certain groups of workers or to establish minimum standards applicable to all workers. Legislation has been sought especially for women and minors on the ground that the interests of society as a whole require that the health and welfare of these groups of workers be protected, and also because they often are in a weak bargaining position and might be used to lower the standards of all workers. Certain minimum standards of health, safety, and sanitation were established by legislation when large sections of the population felt a need for such, and the labor movement from time to time has favored legislative action as the most effective remedy for problems of health and safety. Under the Fair Labor Standards Act, minimum wage and hour standards have been established in much of American industry, thus raising the area of collective bargaining on these issues to higher levels.

Prior to World War II the approach to standardization of wages and working conditions throughout governmental action was secondary as far as American trade-unions are concerned. Organized labor in this country has directed its chief efforts toward standardization by means of collective bargaining. For this reason the labor movement generally has encouraged parallel organizations of employers for collective-bargaining purposes, in order to obtain extended coverage under one agreement. In some industries the employers also have favored the extension of uniform wages and working conditions by making the terms of a collective-bargaining agreement applicable to a large segment of an industry. When collective bargaining with groups or associations of employers has proved impracticable or impossible, some unions have utilized the technique of presenting identical agreements to the employers within an industry or competitive area. This latter method usually is practicable only in instances where there are a large number of small employers, particularly within a metropolitan area.

Although industry-wide trade associations have come to be a common characteristic of American business, the scope of employer groups or associations engaged in collective bargaining is generally much more limited. Within an industry, employers may be organized for purposes of collective bargaining on a city, regional, or in a few instances, Nation-wide basis, or two or more such employer organizations may exist in the same area. As a rule, the unions work toward the extension of the collective-bargaining agreement to as wide a section of the industry as possible. In a number of cases the unions and employer organizations together have directed their efforts toward bringing unorganized sections of the industry within the scope of collective-bargaining agreements. A necessary corollary of dealing through employers' associations is a high degree of unionization among the employees.

During World War II, industry-wide production drives, settling of labor disputes by the National War Labor Board on the basis of industry or area practice, and the Government's wage stabilization policies all contributed to standardization of wages and working conditions throughout the industries or areas. Directives of the National War Labor Board were influenced by precedent and prevailing practices in the industry or area and many agreements in the same industry came to have similar provisions on certain subjects. Frequently an order of the Board would affect several employers and the substance of the order would be incorporated into union agreements the employers might have negotiated, without regard to the existence of an employers' association. In the shipbuilding industry, in which a stabilization commission was established, tripartite zone standard agreements were negotiated, covering a limited number of subjects. The parties to the agreements were the Government itself and most of the employers and unions in the industry. The shipbuilding industry in the United States was divided into four zones, in each of which the zone standards determined practices with regard to those subjects covered by the agreements.

The attention directed to a few national associations with long records of collective bargaining should not be permitted to obscure thousands of employer organizations which have negotiated agreements on a regional or metropolitan basis and which affect hundreds of thousands of workers. These employer groups vary widely as to type, structure, procedure, and scope of activity. Some are temporary and highly informal, with no tangible evidences of permanent organization. Others have complex structures with elaborate constitutions and a staff of full-time employees. Between these extremes there are wide variations in organization, procedures, and functions.

NATION-WIDE COLLECTIVE BARGAINING IN THE COAL INDUSTRY

In anthracite mining a single agreement is signed to cover the entire industry. In bituminous-coal mining, the union negotiated agreements with the operators in the central competitive field (Ohio, Indiana, Illinois, and West Virginia) from 1898 until 1927. The agreement for this area set the pattern for negotiations in other areas between districts of the union and local associations of coalmine operators. The interstate bargaining relationship in the central competitive field collapsed in 1927 and was not reestablished until after the passage of the National Industrial Recovery Act. In 1934 an agreement was signed with the operators in the Appalachian area which served, as the previous interstate agreement had, as a pattern which the remainder of the industry generally followed. Districts of the United Mine Workers of America negotiate agreements with parallel associations of employers, which follow the terms of the Appalachian agreement. In 1941 the northern and southern groups of operators in the Appalachian area signed separate agreements with the union, and unified negotiations were not reestablished until 1945. In that year, the first industry-wide agreement in bituminous-coal mining was negotiated.

Following the break-down of negotiations between the union and the operators in the spring of 1946, which led to a Nation-wide soft-coal strike, and the rejection by both the union and the operators of President Truman's May 16 arbitration proposal, the President on May 21 authorized and directed the Secretary of the Interior to take over the mines. On May 29 an agreement was signed by John L. Lewis, president of the union, and J. A. Krug, Coal Mines Administrator and Secretary of the Interior. The agreement covered all the mines which were seized.

NATIONAL BARGAINING ON THE RAILROADS

The traditional bargaining unit in railroad transportation is the individual railroad system. The workers are organized on the basis of craft, and agreements with the various systems are negotiated by each craft union or by "system federations" of shop craft unions. Although the regular working agreements continue to be signed by systems, on occasion certain specific questions of major importance, as wages, have been settled on a Nation-wide basis. Negotiations are generally conducted by the nonoperating unions (clerical, maintenance, and shop crafts) and by the operating unions (train and engine service) separately with representatives of the railroads selected on a regional basis.

OTHER INDUSTRY OR TRADE-WIDE BARGAINING

The American examples of trade-wide bargaining of longest status occur in the pottery and glassware industries. Since the early years of this century, an annual meeting has been held between the representatives of the United States Potters' Association and the National Brotherhood of Operative Potters. The current agreement between these parties, for example, continues a provision for

[a] There also is some bargaining on a city, county, and/or metropolitan area basis.

[b] There also is some bargaining on a regional and/or industry-wide basis.

joint discharge committees first set up in 1913. Since 1888 the National Association of Manufacturers of Pressed and Blown Glassware, or its predecessor, has been meeting with the American Flint Glass Workers Union. The "Star Island Agreement" of 1903 established a grievance procedure which still is utilized in this industry. The Glass Bottle Blowers' Association of the United States and Canada signed its first national agreement in 1890 and currently has an agreement with the Glass Container Manufacturers' Institute which affects several thousand employees in the industry.

In each of these cases the bargaining agreements are confined chiefly to detailed piecerate schedules, although a considerable body of "unwritten law" has developed to supplement the national agreement in governing employer-employee relations within a plant. Originally, the trade-wide bargaining was established to regulate the working conditions of highly skilled craftsmen within these industries. With the development of technological changes, one skilled occupation after another has been eliminated. As a result, the unions have extended their jurisdiction to include a major part of the workers in and around the plants and these skilled and semiskilled employees are now covered in the national agreements to the degree that they are unionized. In the glassware industry, however, there are some companies which have negotiated separate agreements. In the pottery industry virtually all of the vitreous and semivitreous branches of the industry are covered by the association agreement.

A different kind of bargaining relationship has been built up in the manufacture of flat glass. By far the major part of the production in this industry is centralized in two large producing companies. These companies, the Pittsburgh Plate Glass Co. and the Libby-Owens-Ford Glass Co., negotiate their agreements jointly, both with the Window Glass Cutters League (AFL) and the Federation of Glass, Ceramic, and Silica Sand Workers (CIO), but each company signs separate, identical agreements. The two companies also collaborate in the administration of the agreement to insure uniform patterns of interpretation. Most of the other manufacturers are organized into the Fourcault Manufacturers' Association, which negotiates the agreement with the unions.

There are a few other instances of industry-wide dealing, each of them originating from the efforts of a highly skilled craft to protect its conditions of employment. Among these are the Wallpaper Institute and the United Wallpaper Craftsmen and Workers of North America, covering wallpaper printing; the National Automatic Sprinkler Association and the United Association of Journeymen Plumbers and Steamfitters of the United States and Canada, covering sprinkler fitting; and the Manufacturers Protective and Development Association and the International Molders and Foundry Workers Union of North America, covering stove-molding and hot-water castings.

Employers engaged in the manufacture of paper-mill wire cloth sign similar agreements with the American Wire Weavers' Protective Association. Another instance of trade-wide bargaining occurs in the installation, repair, and maintenance of elevators. Although wage rates are negotiated locally, other working conditions are regulated by conferences between the National Elevator Manufacturing Industry, Inc., and the International Union of Elevator Constructors. A standard agreement is used in all localities, with the locally negotiated rates inserted as agreed upon.

The manufacture of wooden kegs and barrels should also be mentioned as an instance of national conferences between the employers and the union. The conferences, however, have resulted in no agreement on an industry scale, and discussion of working conditions has been of far less importance than mutual discussion of trade-promotion plans.

INDUSTRY-WIDE BARGAINING IN MASS-PRODUCTION INDUSTRIES

In the more recently organized, mass-production industries there are at present no examples of industry-wide collective bargaining resulting in a single union agreement covering the full range of employer-union relations. In a few such industries, however, certain bargaining relationships have come into existence which produce considerable uniformity in the agreements throughout an industry. In the rubber industry, for example, a wage-increase agreement was signed on March 2, 1946, by the four largest manufacturers, which affected a large proportion of the workers in the industry. This so-called Big Four agreement is limited in scope to a few subjects; it differs from the usual union agreement also in that it does not have the customary provisions relating to termination and renewal. The agreement provides: "This agreement shall finally dispose of all issues covered in these negotiations including all of the union's seven-point program for a period of 1 year except that during this 1-year period the general wage scale shall be subject to negotiation of conditions economically and in the industry warrant, but only on a four-company (Big Four) basis." If this joint relationship of the four corporations with the United Rubber, Cork, Linoleum, & Plastic Workers of America is continued in the future, it may be possible to describe the collective bargaining in this industry as approaching industry-wide negotiations.

A degree of standardization has been achieved in the meat-packing industry through the medium of uniform expiration dates of the agreements with the principal packers. Certain agreements affecting a large number of workers negotiated by the United Packing House Workers of America (CIO) and by the Amalgamated Meat Cutters & Butcher Workmen of North America (AFL), covering various plants of the four largest corporations in the industry, have expired on the same day each year for several years.

NEGOTIATION OF SIMILAR AGREEMENTS IN THE STEEL INDUSTRY

In the basic steel industry in the United States there is no employers' association which engages in collective bargaining, yet a great deal of standardization in industrial relations has occurred in recent years. The industry is composed of two dominant groups of employers, one known as Big Steel and the other as Little Steel. The first includes the United States Steel Corp. and its subsidiaries, and the second is made up of a number of independent companies. The Steel Workers Organizing Committee, now the United Steelworkers of America, first signed written agreements with the United States Steel Corp. in 1937 and since then, with a few exceptions, practically all of the basic steel industry has been brought under agreement. Even though there is no bargaining by employers' associations, the major provisions of agreements throughout the basic steel industry are similar. This degree of uniformity is occasioned by a number of factors, first among them probably being the predominant position of the United States Steel Corp. Agreements with this corporation tend to set the pattern for the rest of the industry. Also, by long-established practice the same wage adjustments generally are made throughout the industry at the same time. During World War II directives of the National War Labor Board, which generally were applicable to large sections of the industry, further encouraged the growth of uniform collective-bargaining practices. The United Steelworkers of America, the most important union in the industry, also tended to bring a degree of uniformity into the bargaining relationships and practices. Agreements with most of the employers in the basic steel industry will expire in February 1947, and negotiations are in process for new agreements. (Since this was written the parties have agreed to extend the agreements until April 30, 1947.)

COLLECTIVE BARGAINING BY GEOGRAPHIC AREAS

In the hosiery industry a bargaining relationship has existed between the Full-Fashioned Hosiery Manufacturers of America, Inc., and the American Federation of Hosiery Workers since 1927. The employers' association, originally covering only Philadelphia mills, now covers a major part of the northern section of the full-fashioned hosiery industry. Conferences occur annually, with occasional additional meetings on specific subjects. Under the agreement the joint relations are administered by a permanent impartial chairman.

In the textile industry there are association agreements between the Textile Workers' Union of America and associations of silk and rayon mills in a number of States. A joint arrangement of longer standing exists in the dyeing and finishing of textiles in nonintegrated mills. In cotton textiles in Massachusetts and in knit goods in Philadelphia and New York many of the employers are members of associations which negotiate union agreements.

Maritime workers usually deal with employer organizations which represent the shipping operators on a given coast. Practically all the union agreements in the maritime industry are negotiated with associations or informal committees representing the employers. On the Pacific coast the companies are organized into the Pacific American Shipowners' Association. On the Atlantic and Gulf coasts the most recent agreements were negotiated and signed by a committee for companies and agents, Atlantic and Gulf coasts, most of the members of which are also members of the American Merchant Marine Institute.

The Waterfront Employers of the Pacific Coast embraces employers of longshoremen along the entire west coast; much of the work of the association, however, is carried on through affiliated local waterfront employers' associations in Seattle, Portland, San Francisco, and San Pedro (Los Angeles). The International Longshoremen's and Warehousemen's Union (CIO) negotiates a general cargo agreement with the coast-wide association, which signs "on behalf of" the four local organizations. Separate agreements covering dock workers and ship clerks are negotiated with each of the port associations. On the Atlantic coast the International Longshoremen's Association (AFL), as a rule, negotiates separate agreements with employer associations in each port.[2]

In the Pacific Northwest the pulp and paper industry, although dealing elsewhere on the basis of individual companies, is combined into the Pacific Coast Association of Pulp and Paper Manufacturers which deals with the two national unions in the field.

[2] For some time there has been no formal federated organization of the unions in the maritime industry. For a few months during 1946, however, the CIO unions and an independent formed the committee for maritime unity for the purpose of joint negotiations with all employers simultaneously. The American Federation of Labor, also in 1946, established a maritime trades department, composed of AFL unions in the industry. Most of the unlicensed personnel on the Atlantic coast are represented by the National Maritime Union (CIO). On the west coast these workers are represented principally by three unions, the Sailors' Union of the Pacific (AFL), the Pacific Coast Marine Firemen, Oilers, Watertenders, and Wipers' Association (independent), and the National Union of Marine Cooks and Stewards (CIO).

The unions, representing different occupations in the industry, are the International Brotherhood of Papermakers and the International Brotherhood of Pulp, Sulphite, and Paper Mill Workers. The employers' organization is described in the agreement as follows: "This Pacific Coast Association of Pulp and Paper Manufacturers * * * of which the signatory company is a member, is an employer association of a majority of the pulp and paper manufacturing companies in the Pacific coast area, comprising the States of Washington, Oregon, and California, and as bargaining agent with authority to bind its members by a majority vote of such mills, has met with a bargaining committee from the signatory union for a period of years, beginning in 1934 * * *." Notwithstanding this provision, each company signs a separate document with the local unions which represent its employees.

The lumber industry is one which is not yet well organized throughout the country but in which the dominant method of present dealing is through associations within the producing area. The Columbia Basin Loggers' Association and the Timber Producers' Association in Minnesota are examples of associations dealing with the union in this industry.

The fishing industry, particularly on the Pacific coast where it is well organized, is an example of collective bargaining almost exclusively on an association basis. The employers, however, are organized into a number of separate associations, such as the Alaska Packers' Association and the Central Pacific Wholesale Fish Dealers' Association.

In retail trade the National Association of Retail Meat Dealers, composed of affiliated State and local associations throughout the United States, negotiates with the Amalgamated Meat Cutters and Butcher Workmen of America. The national agreement between these parties, first negotiated in 1937, is confined to a statement of principles and policies of mutual interest to both parties, who agree to "give their aid and good offices to the execution of fair and reasonable contracts between local unions and affiliated associations in the various localities where the said unions and affiliated associations exist." The agreement further states that it is recognized "that local conditions require local treatment and that it is not practical or feasible to include in this agreement the matters of wages, hours, and conditions of employment." In the Midwest the Central States Drivers' Council, an organ of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America (AFL) negotiates agreements with the Central States Area Employers Association Negotiating Committee. Collective bargaining in canning and preserving foods on the west coast is largely on an association basis.

Most of the shipbuilding and boatbuilding industry on the west coast is covered by a master agreement negotiated by the metal trades department of the American Federation of Labor. During the war, as previously noted, bargaining on major issues in this industry was on a tripartite basis, and wages and certain other questions were determined by the zone standards. Issues not covered by the zone standards were settled in the ordinary processes of collective bargaining. At the present time the zone standards are still in effect.

BARGAINING IN THE NEEDLE TRADES WITHIN METROPOLITAN AREAS

Outstanding examples of stable bargaining relationships over a long period of time between employers' associations and unions are found in the needle trades. In the men's and women's clothing, men's hats and millinery, and fur industries the earliest efforts of unions to organize were accompanied by efforts to combine into associations the employers within the producing area. Bargaining has become established in these industries, with highly developed industrial relations machinery within each of the metropolitan areas which are important as producing centers. These unions and employers' associations customarily make use of a permanent impartial chairman to administer the agreement and there are numerous examples of joint trade boards, stabilization commissions, and other similar bodies which deal on a day-to-day basis with the problems of the industry.

These industries all have the problem of "run away" shops, which leave the unionized areas and, with the small capital investment required, are able to establish themselves in low-wage, semirural sections. This has been a major reason for the unions' insistence upon dealing on an association basis, for it is through the combined pressure of both the union and the employer association that these "run away" shops can be brought under control. Another problem within these industries is the regulation of the jobber-contractor relationship. Jobbers have taken advantage of both the extreme seasonal fluctuations and the small investment required in setting up a shop to encourage an oversupply of contractors. Cutthroat competition among the contractors has been furthered by the frequent practice of establishing fly-by-night shops for the duration of a contract secured by underbidding regularly operating shops. Both the owners of shops operating under union conditions and their workers have thus faced a constant threat to industrial stability. Through collective bargaining, the oversupply of contractors has been dealt with and the jobber's responsibility for maintaining union conditions in his contract shops has been established. A large portion of the employer-union negotiations in the needle trades deal with these three-way problems, in addition to the usual wages, hours, and working conditions.

The employers within a given city are usually organized into more than one association within each of the needle trades. The basis of distinction is both the type of product and the classification of employers (i. e., jobbers, contractors, or inside manufacturers). The unions have frequently expressed a desire for more uniformity among the employers' organizations throughout the industry. Although a major part of the production in the country is covered by the New York City agreements alone, the unions have made repeated efforts over several decades to secure industry-wide dealing in the interests of national standardization. Thus far, however, only in men's clothing has there been a successful approach to industry-wide bargaining. For a number of years the Amalgamated Clothing Workers of America has negotiated major wage questions with the Clothing Manufacturers' Association of the United States and with the shirt industry.

OTHER CITY-WIDE BARGAINING

In many industries and trades characterized by numerous small establishments within a city, collective bargaining has been conducted with associations of employers within the city. In many cases the associations are formal organizations in which the association officers have the power to bind all members to the agreed terms of employment. In other cases the employers may unite informally and perhaps only for the duration of the bargaining conferences. In many instances the lack of a continuing employers' association makes no difference in the actual negotiation of the agreement, but complicates considerably the enforcement of the agreement.

In cases of city-wide bargaining the extent of coverage of the employers' association generally depends upon the strength of the union. It is common to find within a city an organized group of employers dealing with the union, while other employers within the same industry are organized into a separate association or have no organization. In some cases the union employers form an organized group within a trade association which also includes nonunion employers in the city.

There are probably 5,000 local or city employer associations throughout the country which deal with various unions. More of these are found in building construction than in any other single industry. Other examples, in which the predominant method of dealing is with city-wide associations, are brewing, retail trade, baking, printing and publishing, restaurants, trucking, and barber shops. An important development is found in the electrical machinery industry, where the United Electrical, Radio and Machine Workers of America (CIO) recently negotiated an agreement with the Electronics Manufacturers' Association, representing 20 employers in the New York City area. This association was formed at the insistence of the employers, who are relatively small and who previously had signed separate agreements. The employers desire, through negotiating a single blanket agreement, to achieve a degree of uniformity in wage and working conditions in order to reduce these as competitive factors in costs.

ASSOCIATIONS OF EMPLOYERS ACROSS INDUSTRY LINES

Employer-group federations embracing all types of business within a city are largely a development of the last 10 years and are concentrated in the far Western States. Leader in this field is the San Francisco Employers Council, formed in 1939, and which in April 1945 had 1,995 members, 919 of whom were affiliated through their various industry groups. The other members were individuals or independent companies. The objectives of the council, as stated in its articles of incorporation, are (1) to encourage the organization of autonomous employer groups and cooperation among these groups in matters relating to labor relations; (2) "to promote the recognition and exercise of the right of employers to bargain collectively"; and (3) upon request, "to assist its members and others in matters relating to the negotiation, execution, and performance of fair labor contracts." The council negotiates or participates in negotiations of agreements between its members and the unions in the city, and performs various other services.

Of a similar character is the Industrial Conference Board of Tacoma, Wash.—an over-all agency for a number of independent companies and 15 or 20 employers' associations each of which has one or more union agreements. Both the Reno Employers Council of Reno, Nev., and the Silver Bow Employers Association of Butte, Mont., participate in the negotiation of labor contracts for their various employer groups. In Sacramento, Calif., the Sacramento Valley Associated Industries is the unifying agency for a dozen or more associations covering such varied fields as bowling alleys, beverages, furniture warehouses, taxicabs, machine shops, liquor and tobacco dealers, retail foods, wholesale bakeries, draymen, druggists, tire dealers, and building owners. Each association has a union contract signed in its behalf by an individual, who serves both as executive secretary to the associations and as general manager of the Associated Industries.

Mr. MORSE. Mr. President, as the debate on Senate bill 133 progresses I think that later in this session we shall want to refer repeatedly to the information contained in this excellent bulletin on Collective Bargaining With Associations and Groups of Employers, because I think it is clear from the data presented in the bulletin that passage of Senate bill 133 would be disruptive of the labor relations in a large number of industries, involving a great many thousands of employees.

The testimony that was presented to us by some employer representatives at our committee hearings, Mr. President, shows that there are many employers who are completely sold on the desirability of group-employer collective bargaining with labor insofar as the particular problems of their industry are concerned. Take, for example, the maritime industry, with which I have had some years of experience as the Pacific-coast arbitrator. I am satisfied that the formation of the West Coast Ship Owners Association for collective-bargaining problems brought remarkable labor-relations stability to the industry during the years when I was arbitrator. I do not mean we did not have a great deal of trouble, for we did; but I do mean that the united actions of the shipowners in the great cases that we tried were a great boon to them. Prior to the formation of their employers' association the union strategy—and it is not a bad one as far as effectiveness is concerned—was to pick off shipowners one at a time, starting with the ones the union felt were in the weakest bargaining position. However, after the association was formed the officers of that association, principally through Mr. Frank Foisie, the president, and Mr. Gregory Harrison, its general counsel, were in a position to represent and speak for all the shipowners on the west coast.

I saw with my own eyes how the procedures which were developed under that type of industry-wide bargaining developed responsibility and stability within the industry. Hence, I was not at all surprised to hear Mr. Almon E. Roth, president of National Federation of American Shipping, testify in effect that the passage of Senate bill 133 would be ruinous to the maritime industry in this country insofar as stable labor relations are concerned. When Senators get the printed proceedings of the hearings I recommend that they turn to Mr. Roth's testimony, because I think he presented a very clear picture of the undesirable effect that Senate bill 133 would have upon the maritime industry. Other witnesses expressed similar views in regard to the undesirable effect of Senate bill 133 upon their industry.

Now for a few minutes let us take a look at the nature of this type of collective bargaining called industry-wide bargaining.

Industry-wide bargaining presupposes authorized representatives of employers and workers, sitting across the table from each other, negotiating a labor contract that will cover all the terms of employment for an entire industry during the life of the agreement.

In this theoretical and comprehensive sense industry-wide bargaining does not exist in any industry, with the possible exception of the coal industry, and some new, narrowly defined or locally concentrated industries. In the major industries and their chief divisions, there are many unions and many employers. Some unions within the same industry may bargain on an industry-wide scale, while others bargain locally. Some employers within the same industry may form associations to bargain on a broad regional or national scale, but the resulting contracts may still be short of industry-wide bargaining.

In an over-all sense, labor agreements are a combination of master contracts, supplemental agreements, interpretations, rulings, and understandings worked out between the parties at different levels of a structure, which, on the union side, rises from the union locals to the headquarters of the international union, and which, on the employers' side, rises from the individual plant to the national office of the company or the national headquarters of the employers' association.

Where the master contract is negotiated locally, supplemental agreements on matters of regional or industry-wide concern may be negotiated at higher levels. Conversely, master contracts negotiated at the higher levels usually require supplemental agreements to permit local diversities on matters of local concern. Even a single company contract, national in its geographic coverage, may be supplemented by local agreements negotiated at the company's local plants.

GENERAL EXAMPLES

Full-fashioned hosiery industry: The 35 member companies of the Full-Fashioned Hosiery Manufacturers of America are scattered from Massachusetts to California and the 1946–47 contract with the American Federation of Hosiery Workers states that it "shall apply uniformly to all full-fashioned factories in the United States who are members of the association." But this master agreement covers only about 35 percent of the industry. It is not a product of industry-wide bargaining.

Meat-packing industry: The Nation-wide contracts of the Big Four meat packers with headquarters in Chicago cover plants from coast to coast, but each packing company negotiates its own contracts with one or more of the three unions in the field. Such contracts are not a product of industry-wide bargaining.

Maritime industry: The Pacific American Shipowners Association and the Committee for Companies and Agents, Atlantic and Gulf Coasts each have a number of coastwide contracts with various maritime unions. Although these agreements cover extensive areas, they are not industry-wide, nor are other coastwise contracts between employers and workers in longshore operations—such, for example, as the master agreement of the Galveston Maritime Association, the Houston Maritime Association, and the Master Stevedores Association of Texas with 21 locals of the International Longshoremen's Association, A. F. of L.

Narrowly defined industries: If the transportation of automobiles or the construction of elevators or the manufacture of automatic sprinkler and fire-control equipment can be considered separate industries, then the contracts of the National Automobile Transporters with the International Brotherhood of Teamsters; of the National Elevator Manufacturing Industry, Inc., with the International Union of Elevator Constructors; and of the National Automatic Sprinkler and Fire Control Association with the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, approximate industry-wide bargaining, although none of these agreements pretends to cover all the contractual relationships between the parties on the terms of employment.

Stove manufacturing industry: The Manufacturers Protective and Development Association is a national employers' association in the stove manufacturing industry which has bargained with the International Molders and Foundry Workers Union since 1891. Its 30 or more members, though scattered throughout many States, represent less than 25 percent of the industry. The master agreements it negotiates usually do not set the pattern for other labor contracts in the industry.

Rubber industry: Basic agreements are negotiated between each of the big four rubber companies and the United Rubber Workers, CIO. In the spring of 1946 these four companies—Firestone, Goodrich, Goodyear, and United States Rubber—combined to negotiate wage increases with the United Rubber Workers on an industry-wide basis. This supplemental contract is now being renegotiated. The master agreements negotiated between each company and the union may themselves be a product of Nation-wide or local bargaining. In January 1947 the United States Rubber Co. negotiated with the United Rubber Workers its first country-wide basic contract. But this master agreement will not become effective until supplemental contracts are negotiated between the union locals and each of the 30 plants scattered from Rhode Island to California.

Railroad industry: Agreements covering the general terms of employment are negotiated between each individual railroad system and one or more of the operating or nonoperating unions. Supplemental agreements relating to vacations, general wage increases, and certain other items have, from time to time, been negotiated on an industry-wide basis through three regional carriers' conference committees sitting in joint session with representatives of the various unions.

Shipbuilding industry: At the top of the hierarchy of the collective-bargaining structure in the industry is the National Shipbuilding Conference—such as that of February 1946—at which industry-wide amendments to the four zone standard agreements are negotiated. The zone standard agreements—one for each of the Atlantic, Gulf, Great Lakes, and Pacific coast zones—the Government was a third party to them—are, in turn, superimposed on regional or local agreements. The most important of these is the Pacific coast shipbuilders' agreement of 1941, to which 56 shipbuilding companies and 13 different international unions were parties. Still further decentralization of bargaining within the framework of the Pacific coast shipbuilders' master agreement occurs when supplemental agreements are negotiated for each craft union and local regulations are negotiated between each company and the union.

DOES INDUSTRY-WIDE BARGAINING RESULT IN UNIFORM STANDARDS OF EMPLOYMENT?

Industry-wide bargaining does not necessarily lead to industry-wide uniformity in the terms of the labor contract, whether the subject be wages or

otherwise; nor will a prohibition on industry-wide bargaining necessarily prevent a development of uniform labor standards throughout an industry.

Industry-wide negotiating conferences may accept the principle of wage differentials and create variables in the wage scale for different localities or plants, or the general industry conference may leave wage negotiations for supplemental bargaining between union and employer at the local level. As a third possibility, the general conference may prescribe minimum-wage standards above which each employer and the union local may be free to negotiate on wages. This principle also applies to vacations, seniority, hours of work, holidays, union seniority, and other clauses of the master contract. No master agreement of wide area coverage puts all the terms of employment into a strait-jacket of uniformity.

There are several ways in which the terms of labor contracts might become standardized throughout an industry without industry-wide bargaining: First, employers and employees in preconference discussions among themselves may adopt common policies toward proposed contract terms and then attempt to maintain them through contact with their local representatives at the conference tables; second, employers and unions may follow the lead of a key company or association by accepting the same terms which it has negotiated with the union; third, through independent or cooperative research in the administration of existing contracts employers and employees may arrive at an understanding as to what terms subsequent contracts in the industry should contain. The maintenance of industry-wide research agencies by employers' associations and international unions whose findings may lead to mutual understandings between the employers and organized workers in an industry does not constitute industry-wide bargaining.

GENERAL EXAMPLES

Flour, feed, and cereal industry: A regional agreement in the Pacific Northwest between the Flour, Feed, and Cereal Employers' Association of Washington and Oregon and the Northwest Council of Grain Processors applies the generally accepted principles of legislative federalism in the following language:

> While this agreement generally covers working conditions in the plants of all employers, it is recognized that there may be local conditions at individual plants which cannot be negotiated on an area-wide basis. Accordingly a supplemental agreement for each plant shall be executed between the employer and the local union which shall set forth classifications of employment, rates of pay, seniority rules, and other stipulations, but not in substantial contradiction herewith, covering such local conditions. Such supplemental agreements, including any amendments thereto or modifications thereof, shall not be effective until approved by both the council and the association.
>
> General wage rates for employees covered by this agreement shall be negotiated on an area-wide basis between the association and the council. The specific rates for classifications established for each plant shall be set forth in supplemental agreements, but such rates shall be in accordance with those negotiated between the association and the council. However, where, due to the operations of an individual plant, the general prevailing rate for any particular classification is inequitable either to an employee or group of employees or to an employer, the rate for such classification may be negotiated between the local union and the employer, but, before becoming effective, any rate so negotiated must be approved by both the association and the council.
>
> The parties hereto recognize the principle of seniority, which shall be construed to be plant seniority unless otherwise provided in supplemental agreements entered into for each plant.
>
> During the calendar year of 1946 vacations will be granted in accordance with current practice in each plant. After the execution of this agreement the association and the council will negotiate uniform provisions regarding vacations for each plant to be effective for the calendar year of 1947 and subsequent years.

The retail meat industry: The National Association of Retail Meat Dealers with headquarters in Chicago has a national agreement with the Amalgamated Meat Cutters and Butcher Workmen of America which is confined to a statement of principles and policies of mutual interest to both parties, who agree to give their aid and good offices to the execution of fair and reasonable contracts between local unions and affiliated associations in the various localities where the said unions and affiliated associations exist.

Electrical manufacturing industry: In January 1947 officials of the United Electrical, Radio, and Machine Workers, CIO, on behalf of 225,000 members in the four largest manufacturing companies, drew up contract proposals which would be presented to each of these companies—General Electric, Westinghouse, Sylvania Electric, and the electrical division of General Motors—in separate contract negotiations. Such contract planning is in advance of actual collective bargaining on an employer or multiemployer basis.

Woolen manufacturing industry: Although representatives of some 170 woolen companies meet in conference with representatives of the Textile Workers Union, CIO, to exchange proposals and submit views, agreement is seldom reached. After the conference is concluded, the union and the American Woolen Co. negotiate a contract which often becomes the pattern for the industry. The terms of this contract are generally adopted by other companies and their union locals.

Men's clothing industry: Although the United States Clothing Manufacturers Association may negotiate no industry-wide agreements with the Amalgamated Clothing Workers, CIO, the national bargaining committee of the association and officials of the union may informally agree upon wage standards and submit their findings to the parties negotiating contracts in the various cities or market areas.

WHAT PART, IF ANY, DOES AREA-WIDE OR INDUSTRY-WIDE BARGAINING PLAY IN THE ADMINISTRATION AND ENFORCEMENT OF COLLECTIVE BARGAINING CONTRACTS?

Area-wide or industry-wide bargaining as now practiced provides a means for establishing a structure of joint agencies to administer and enforce labor contracts.

In a few instances regional or industry-wide bargaining is directed exclusively to establishing over-all administrative agencies which may act as a tribunal of last resort in settling disputes arising from the application of local contracts. In most cases of area-wide bargaining for a master contract a structure of executive agencies is provided to carry out the terms of the agreement.

GENERAL EXAMPLES

Newspaper publishing industry: The American Newspaper Publishers Association and the International Typographical Union have an international arbitration agreement, whose code of procedure is used by the Washington, D. C., Newspaper Publishers Association and local 101 of the Typographical Union in arbitrating disputes on proposed amendments to their contracts.

Retail meat industry: The National Association of Retail Meat Dealers and the Amalgamated Meat Cutters and Butcher Workmen of North America, AFL, have an industry-wide agreement creating a seven-member national labor relations board for the retail meat trade. Each party contributes 3 members, who, together with the neutral chairman, have appellate jurisdiction over labor disputes arising out of contracts negotiated between local associations and union locals throughout the United States.

Construction industry: The National Electrical Contractors Association and the International Brotherhood of Electrical Workers, AFL, have sponsored a council on industrial relations of the electrical construction industry of the United States and Canada, which has been accepted by local chapters of the association and local lodges of the union as a tribunal of last resort in resolving their differences arising from the administration of their local or regional contracts.

In January 1947 the Associated General Contractors of America and the building and construction trades department of the American Federation of Labor negotiated an industry-wide agreement creating a national joint conference committee to assist in settling disputes in the construction trades not otherwise resolved. The association and the union each select a member to represent the heavy-construction industry, another to represent the highway- and road-construction industry, a third for the building trades, and a fourth to represent specialized and subcontracting employers and their workers. These eight members of the national joint conference committee will set up separate committees for each of the three major branches of the construction industry, and in addition will appoint a suitable committee for disputes that appear to cut across two or more branches. Jurisdiction will be accepted only after all other means provided in local contracts for settlement have failed. Jurisdiction is voluntary with the parties, but once it is accepted, decisions will be binding.

Maritime industry: The Waterfront Employers Association of the Pacific Coast has a coastwise agreement with the International Longshoremen's and Warehousemen's Union, CIO, which permits appeals from local joint port labor relations committees in Seattle, Portland, San Francisco, and San Pedro to a joint coast labor relations committee with headquarters in San Francisco.

Another coastwise agreement between steamship companies in the intercoastal and offshore trade of the Pacific coast and the Sailors' Union of the Pacific provides that the employers and the union shall appoint representatives in Seattle, Portland, and San Pedro to hear and adjudicate disputes arising at these ports. Appeals in case of disagreement are taken to the port committee at San Francisco from whom a final appeal, in case of a deadlock, may be taken to a referee whose decision is binding.

The Pacific American Shipowners Association, representing 34 shipping companies, has a contract with the National Union of Marine Cooks and Stewards which, in case of disputes, also provides for appeals from the decision of employer and union representatives in Seattle, Portland, or San Pedro to the port committee at San Francisco. In a case of a deadlock—the employers and the union each have three members on the port committee—a final decision may be rendered by a referee, selected by the parties, if possible, or otherwise selected by the Conciliation Service of the United States Department of Labor.

The trucking industry: The Central States Employers Negotiating Committee representing some 800 common and contract carriers in 12 States have a master contract with the International Brotherhood of Teamsters which establishes for administrative purposes permanent State committees representing the two parties separately. Disputes not settled between the individual company and the union local are appealed to their appropriate State committees sitting jointly. Above them are permanent over-all area committees representing the two parties. These area committees sitting jointly are the highest agency for the settlement of disputes. Similar agreements are found in the Southern States, six-State agreement; New England, three-State agreement; and the Southwestern States, four-State agreement.

Mr. President, I wish to say, for the information of the President pro tempore, because I think he is entitled to a statement from me, that when I rose today to make a speech I thought certainly I could finish it in much less time than I have taken. But I believe the Chair is entitled to this explanation, that as I started to speak today there was still much of the speech in the typewriters, because I have been dictating night after night for some nights past, up to 2 o'clock this morning. Then from 8:30 a. m. until 11:30 o'clock this morning, when I came to the floor. There is more material than I originally thought, but I want to finish it this afternoon rather than proceed at some later date, in order that there may be some continuity to my statement and that it may appear in the RECORD in its entirety, because I think it will serve at least as a basis for reference so far as this very much-needed objective is concerned, if the Senate is to approach labor legislation in an intelligent and objective manner.

The PRESIDENT pro tempore. The Chair thanks the Senator for the information; but what is the latest word from the Senator's typewriters?

Mr. MORSE. I think the typewriters have stopped pounding.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a very excellent statement by Prof. Sumner H. Slichter, of Harvard University, who is, of course, one of the recognized authorities on labor-relations problems in the United States. I hope that every Member of the Senate will read what Professor Slichter has to say on the desirability of industry-wide bargaining.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TO END STRIKES IN ESSENTIAL INDUSTRIES

(By Sumner H. Slichter, Lamont University professor at Harvard)

PROHIBIT INDUSTRY-WIDE BARGAINING

The proposal to prohibit industry-wide bargaining would obviously not reach the problem presented by electric light and power companies, gas companies, and telephone companies. In these cases there is usually only one company in a market. Even in other industries the prevention of industry-wide bargaining would not prevent industry-wide shut-downs. The United Steelworkers have no industry-wide contracts, and yet the union shut down the steel industry last winter by the simple process of terminating all of its contracts simultaneously.

The prohibition of industry-wide bargaining could impose a grievous burden on employers, because it would help unions pursue the policy of picking them off one by one. Employers who sought to protect themselves against this tactic by organizing and bargaining as a unit (as they have in many instances) would be halted by the prohibition of industry-wide bargaining. Many large employers, it is true, are strongly opposed to industry-wide bargaining, but for many small employers bargaining as a group is their only hope of gaining some rough equality with large and powerful unions.

LIMIT THE PROPORTION OF AN INDUSTRY WHICH SINGLE UNIONS MAY CONTROL

The proposals that unions be limited in the proportion of men or plants in an industry which they may organize have not been carefully worked out. Occasionally one meets the suggestion that unions be limited to a single company. This would mean over 150,000 unions in manufacturing alone. A less extreme proposal is that any union be prohibited from controlling more than a given fraction (say one-fourth or one-third) of the employees in an industry or an occupation.

Breaking up unions into several in each industry would not prevent the public from being completely deprived of service in such industries as electric light and power, gas, or telephone, where one company ordinarily serves an entire city or region. Even in railroading, breaking up the unions would fail to protect many thousands of communities from being completely deprived of railroad service because many towns have only one railroad.

In other industries three or four unions would be a headache. The unions would be either in competition or in collusion. Competition would make them tough customers for employers because each union would be afraid that its rivals would accuse it of being "reasonable" or "soft." Hence competition between unions for prestige and influence would produce bad industrial relations and would tend to increase strikes. Competition in the course of time would probably lead to collusion between the several unions. If that occurred the purpose of the policy of breaking up the unions would be defeated.

Mr. MORSE. Mr. President, I also ask to have printed at this point, as part of my remarks, an evaluation of the results of multiemployer bargaining; that is, some examples of opinion of employers and labor leaders, who are parties to labor contracts and who, it seems to me, are in an excellent position to inform the Senate as to how effective the contracts are.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

EVALUATION OF RESULTS OF MULTIEMPLOYER BARGAINING

Examples of opinions or statements of fact concerning:

National Association of Manufacturers of Pressed and Blown Glassware: "The instant case involved 47 companies and 18,000 employees in the pressed and blown glassware industry. The National Association of Manufacturers of Pressed and Blown Glassware represents the companies; The American Flint Glass Workers' Union, A. F. of L., represents the employees.

"The parties have had contractual relations since 1888, 1 year after the Union was first organized. Since that date all issues have been settled amicably with neither party resorting to strikes or lockouts to attain its aims." (From the opinion of the National War Labor Board in a case to determine a wage issue. In Re National Association of Manufacturers of Pressed and Blown Glassware and American Flint Glassworkers Union, A. F. of L., 18 War Labor Report 53, at page 54 (August 24, 1944).)

New England Trucking Employers (the Tri-State agreement covering 10 cities in Connecticut, Massachusetts, and Rhode Island had created a fair trade practice board to enforce and interpret the contract): "Both union and employer are unanimous in praise of the board. Both sides seem to feel that the benefits which they have derived from its operation have more than offset any possible losses.

"As for the union, the most important contribution which the board has made to locals has been to enable them to enforce their contracts. In past years employers frequently violated their contracts. In many cases locals were unable to do very much about the violations, partly because they did not know of them and partly because they could not afford to be continually involved in the controversies and strikes necessary to bring all employers into conformity with the agreement. The board has provided machinery by which locals can effectively ascertain the extent of suspected violations of the contract and obtain redress for them. The very existence of this machinery and the knowledge of the penalties which may be placed upon them has led many employers to comply with the contract. The result is that violations of the wage scale, use of nonunion men, overloading, and other practices contrary to the provisions of the agreement are rapidly being eliminated. The locals in this area have probably secured better compliance with their contracts than any other locals in New England.

"As indicated, the creation of the board and the observance of the no-strike provision

of the contract has eliminated the many stoppages of work which formerly occurred during efforts to enforce contracts. This has benefited the locals by creating more friendly relations between employers and employees and has led to steadier work for the membership." (Samuel E. Hill, Teamsters and Transportation, Employee-Employer Relationships in New England (1942), pp. 220–221.)

New Bedford Cotton Manufacturers' Association: "Since about the beginning of the century members of the association and of its forerunner, the meetings of treasurers, have acted in unison in matters pertaining to wages, hours, and conditions of employment. Signed written collective-bargaining agreements with the (Textile Workers) Council have been continuously in force since 1938. For many years prior to 1938, verbal agreements evidenced by unsigned written memoranda had been made. All agreements were negotiated through the association and made upon an association-wide basis. When requests were made by a labor organization for collective bargaining they were referred to the association for consideration and action. Association bargaining was conducted not only with the (Textile Workers) Council but also with the teamsters, which, as far as the record discloses, was the only craft union outside the council which attempted to organize employees of the association members.

"This system of dealing has become traditional in the New Bedford cotton-textile industry, has proved conducive to the orderly functioning of collective bargaining, and has contributed to uniformity and stability of labor conditions not only among association mills but among other New Bedford mills of like class, which as a general rule have followed the lead of the association. With the exception of a 6-month strike in 1938, precipitated by an association decision to effect a 10-percent wage reduction and ultimately adjusted in negotiations conducted by the council with the association, and a strike of shorter duration in 1934, which was part of a national textile strike, the fine-goods textile industry in New Bedford has been singularly free from major industrial strife." (From the opinion of the National Labor Relations Board in a case to determine the appropriate bargaining unit. In the matter of New Bedford Cotton Manufacturers Association and Textile Workers Union of America (CIO), etc. (47 N. L. R. B. 1345 at p. 1351. Decided Mar. 5, 1943.)

Examples of opinions or statements of fact concerning:

The brewery proprietors of Milwaukee: "The union and the proprietors agree that this multiemployer method of bargaining has resulted in amicable labor relations throughout the city. There has been no labor dispute or work stoppage since the 1934 negotiations. Grievances, it was testified, were handled by the committee which negotiated the contract." (From the NLRB opinion in a case to determine the appropriate unit for collective bargaining. In the matter of Brewery Proprietors of Milwaukee, Wisconsin, and International Union of United Brewery, Flour, Cereal, and Soft Drink Workers of America and Its Local Brewery Workers Union No. 9 (June 7, 1945), 62 N. L. R. B. 163 at pp. 166–167.)

The Packers Association of Chicago: "The facts here presented demonstrate from the standpoint of effective collective bargaining and peaceful labor relations the desirability of an association-wide unit. Moreover, it clearly appears that all member companies have delegated to the association authority to engage in collective bargaining on their behalf and to enter into binding agreements with labor organizations." (From the NLRB opinion in a case to determine the appropriate bargaining unit. In the matter of Illinois Packing Co. and United Packinghouse Workers of America (56 N. L. R. B. 221 at pp. 223 and 226). Decided May 3, 1944.)

Pacific Coast Association of Pulp and Paper Manufacturers (comprising most of the pulp-and-paper industry in the Pacific Northwest): "This particular industry was selected for study because it has not experienced a single strike or lock-out since the workers were organized and collective bargaining was instituted. * * * It demonstrates that labor peace rests upon the ability of the industry to provide economic security and an acceptable standard of living, and adequate machinery to allow worker expression and participation in the establishment of working conditions. It shows what can be accomplished when good faith characterizes the relations of both employers and unions in their mutual dealings." (From John B. Appleton's preface to the study entitled "Labor Relations in the Pulp and Paper Industry in the Pacific Northwest," by Roger Randall (1942).)

Los Angeles County Painters and Decorators Joint Committee (representing three employers associations in the area): "Prior to the adoption of this and similar agreements, in their original form, there was chaos in the painting industry and there was no machinery requiring parties thereto to live up to the agreements made with respect to hours, wages, and working conditions. Persons would agree to observe collective bargaining and then ignore such agreements, compelling their competitors likewise to reduce wages and to ignore fair hours and working conditions." (From the preamble to the contract between the Los Angeles County Painters and Decorators Joint Committee and the District Council of Painters, No. 26, which is identical to article 22 of the contract between the Arizona chapter of the Painting and Decorating Contractors Association of America and Local No. 86 of the Brotherhood of Painters, Decorators, and Paperhangers of America.)

Southern soil pipe manufacturers: "The soil pipe manufacturing industry in the South is confined almost entirely to Alabama and Tennessee. Prior to 1934, labor conditions were unstable and wages, hours, and working conditions were not only unequal between the various foundries engaged in soil pipe manufacture but were often unequal for similar work performed in the same foundry. In 1934, following arrangements previously made between the representatives of 11 or 12 foundries in Alabama and Tennessee and the duly elected delegates and representatives of the molders, a conference was held between a committee representing the manufacturers and a committee representing the molders. At this meeting piece-rate wages were discussed and rates agreed upon for approximately 5,000 patterns of pipe and soil pipe fittings. These rates were reduced to writing. Thus, for the first time in the industry in the South, there was achieved a degree of uniformity in wage rates which served to stabilize and equalize working conditions. Subsequently similar conferences between the committees were held annually and semiannually resulting in each instance in increased wage rates and in reduced working hours.

"The bargaining upon this multiple-employer basis has achieved a considerable degree of stability in the industry in the South and has resulted in the adjustment of wages and hours on a uniform basis in marked contrast to the unsettled conditions existing prior to 1934." (From the opinion of the National Labor Relations Board in a case to determine the appropriate bargaining unit. In the matter of Central Foundry Co. and the United Steelworkers of America (CIO) (48 N. L. R. B. 5 at pp. 7 and 9). Decided March 11, 1943.)

Mr. MORSE. Mr. President, I now offer a table showing the area of bargaining, with associations and groups of employers bargaining on a national or industry-wide scale. I am sure that many of the Members of the Senate will be surprised to learn that the best figures available show that bargaining on a national or industry-wide scale covers only 486,500 employees. I offer that exhibit, which I have labeled "Exhibit 3."

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 3.)

Mr. MORSE. Mr. President, I also wish to offer for printing at this point in my remarks four brief memoranda which show the long history of industry-wide bargaining in the industries of pottery, pressed and blown glassware, women's clothing, and men's clothing. The reading of these memoranda, Mr. President, will show that this type of bargaining is not of recent development in the American labor movement. I offer it as exhibit 4.

There being no objection, the memoranda were ordered to be printed in the RECORD.

(See exhibit 4.)

Mr. MORSE. This type of bargaining has existed in some industries for a great many years; in some instances, such as the general ware and china branches of the pottery industry, since 1900.

I simply cannot believe that the Congress is going to upset years and years of experience with industry-wide bargaining, merely because some abuses here and there have crept into it. Abuses will not be found existing in the long-established industry-wide collective-bargaining contracts to the extent that they are creeping into many of the more recent industry-wide bargaining negotiations. I believe we can remedy the situation without destroying the right.

I speak advisedly, when I say, Mr. President, that in my judgment, if we pass S. 133, we will cause a great deal of damage to economic stability in this country, and we will injure not only good-faith collective bargaining on a multi-employer basis which is now working very successfully in many industries, but we will discourage what I think is one of the most desirable trends in employer-labor relations policies in this country, namely, the formation of employers' associations. I have been a strong advocate of such associations for many years. I advocated them when many segments of labor were particularly opposed to employer associations. However, I recognized that basic collective bargaining problems are not in many industries individual to the employers separately but that they have common interests in labor policies that affect the entire industry.

I notice that with the formation of employers' associations, resulting in joint arbitrations, for example, there was a decided increase in stability and responsibility within the industry. Hence, I think that S. 133 represents another attempt to turn back the hands of the clock and fails to take into account the realities of modern-day industry operating on a mass-production basis.

Now, Mr. President, I ask unanimous consent to have published at the end of my speech section an exhibit dealing with employer organizations and the ex-

tent of their participation in multi-company collective bargaining, a very fine memorandum which has been prepared for me by Secretary of Labor Schwellenbach through the services of Mr. Boris Stern and his staff. I hope that members of the Senate will read this memorandum when they come to consider S. 133.

There being no objection, the memorandum was ordered to be printed in the RECORD.

(See exhibit 5.)

Mr. MORSE. I may say, Mr. President, that in offering objective data and memoranda for the RECORD, I have done so on the assumption, which I know to be well-founded, that, after all, the Members of this body do want to have and will appreciate having a ready source of reference and vital material which is available to us through Government agencies on the very important labor questions raised by proposed legislation. So I have sought in this manner to give to the Members of the Senate, with such interpretations and evaluations as I see fit to place upon them, what I think is very valuable source material which can be used in the debates which are to ensue.

Before closing my comments on S. 133, I want to mention the fact, Mr. President, that the passage of the bill would create some very serious problems insofar as administering the Wagner Act is concerned. A very clear statement of the effects of S. 133 on the Wagner Act was made before the committee the other day by the chairman of the National Labor Relations Board, Mr. Paul M. Herzog.

I shall not take the time of the Senate to read the statement, which is to be found on pages 75 through 78 of the prepared statement which Mr. Herzog submitted to the committee the other morning. However, I do ask, Mr. President, permission to have his statement printed at this point of my remarks, as exhibit 6.

I wish to associate myself with Mr. Herzog's analysis of the situation because I think the problems which he points out insofar as the effects of S. 133 upon the National Labor Relations Act are so serious in nature that we cannot justify ignoring them.

There being no objection, Mr. Herzog's prepared statement, exhibit 6, was ordered to be printed in the RECORD, as follows:

S. 133, THE INDUSTRY-WIDE BARGAINING BILL

S. 133, introduced by Senator BALL, deals with the problem of industry-wide bargaining. The bill would make it an unfair labor practice for an employer to bargain with a union representing employees of any other employer engaged in the same industry or activity "unless the principal places of employment of the employees of such employers are located in the same labor market area" (sec. 2 (a)). Section 3 of the bill makes unions ineligible under the National Labor Relations Act to act as bargaining representatives for employees of competing employers under the same circumstances, and section 2 (a) makes such representation by a union an unfair labor practice. A labor market area is defined in section 4 of the bill as a metropolitan or other geographical area within which a majority of the employees regularly employed by the employer in that area reside within a maximum diameter of 100 miles.

In addition to the foregoing, the bill would make unlawful certain types of control over or joint action between labor organizations in collective bargaining. The bill also forbids employers to bargain collectively through any group, committee, or association of employees in the same industry unless all are located within the same labor-market area. These latter prohibitions are enforced by injunctions, with the provisions of the Clayton Act and the Norris-LaGuardia Act declared inapplicable.

The amendments to the National Labor Relations Act proposed in S. 133 would affect the work of the Board in at least two important respects. In the first place, the bill would limit the Board's authority to include the employees of more than one employer in the same bargaining unit. Although this is rarely done in practice, discretion to do so is essential if the Board is to administer the act in accord with prevailing custom, rather than carve up units which made for efficient collective bargaining. Under the act, as presently written, the Board has included within a single unit the employees of more than one employer in two types of situations:

First. Where two or more companies are operated as a single business enterprise, with the direct control of labor relations vested in a single source, and where the other facts in the case make the broader unit advisable, the Board has included the employees of all the companies in a single bargaining unit. See *National Labor Relations Board* v. *Lund* (103 F. 2d 815 (C. C. A. 8)), where the Court approved such a unit determination by the Board.

Second. Where a group of employers engaged in the same industry has already delegated to a trade association or other employers' organization the right to bargain collectively with a labor organization representing the employees, and where the history of collective bargaining has been on a multiple-employer basis the Board has established a single employer unit consisting of all the employees of the members of the trade association or employers' organization. It has done so, however, only when the history of collective bargaining in the industry shows the necessity and desirability of such unit from the standpoint of effective collective bargaining and peaceful labor relations.[1] Illustrative of the type of case in which the Board has recognized the appropriateness of a multiple-employer unit is the case of *Matter of Rayonier, Inc., Grays Harbor Division* (52 N. L. R. B. 1269), in which the Board considered as determinative the facts that the members of an association covering employers in the States of California, Oregon, and Washington "had established a practice of joint action in regard to labor relations by negotiation with an effective employee organization, and [had] by their customary adherence to the uniform labor agreements resulting therefrom demonstrated their desire to be bound by group rather than by individual action."[2]

S. 133 would prevent the Board from finding such units appropriate except where the plants involved were located within the same "labor market area" as required by the bill. We think that a restriction of this kind is undesirable, for it would require the Board in many cases to issue certifications and orders in conflict with existing practices of collective bargaining that are apparently satisfactory to the employers and to the majority of employees involved, and would disrupt and break up existing forms of collective bargaining that have functioned effectively for many years.[3]

We shall not review the arguments for or against industry-wide and region-wide bargaining. These have been fully presented to the committee. We are concerned only with impact of the bill upon the Wagner Act. Suffice it to say that in many cases that come before the Board the broader unit undoubtedly better effectuates collective bargaining. Thus, in the case of affiliated companies, the employees of all companies frequently have identical interests and identical problems. In such cases, the technicalities of corporate structure have no relation to collective bargaining realities. Likewise, in the case of different employers, the employees may, as in the case of longshoremen, work for one employer one day and another the next. In these cases the employees are in reality employed by the employers as a group. Under such circumstances, and particularly where collective bargaining has in fact been historically on a multiple-employer basis, the broader unit is desirable. We do not believe the Board should be restricted by the proposed amendments by prohibiting the designation of such a unit.[4] The problem is one that can be properly solved only by an administrative agency equipped to make individual determination upon the basis of facts as they arise in each case.

The second important respect in which the bill would affect the work of the Board is to increase substantially the number of cases coming before the Board, while at the same time making the expeditious processing of such cases difficult if not impossible. Employers, in order to be certain that they are not violating the new law, would be likely to request a Board certification before bargaining or continuing to bargain with an union; only by a Board certificate of recent origin could an employer be sure that the union had not expanded beyond the labor-market area. The Board would thus be faced with hundreds, and perhaps thousands, of representation cases whenever contracts expired. In each such case, as well as in cases arising under section 2 of the bill and under the refusal to bargain section 8 (5) of the National Labor Relations Act, the Board would have to determine whether the union represented employees of employers in the same industry or activity; and, if so, whether the employers were located in the same labor-market area. The Board would also have to determine through the addresses of all employees (not only those of the employer involved but also of many others with whom the union was bargaining) whether a majority of the employees resided in the labor-market area. Obviously, the necessity for

[1] Cursory examination of the Board's records reveals that multiple-employer units were found appropriate in only 10 cases during fiscal 1946.

[2] For a detailed analysis of Board decisions on multiple-employer units see Fourth Annual Report, N. L. R. B. (1939), pp. 92–93; Fifth Annual Report (1940), p. 69; Sixth Annual Report (1941), pp. 67–69; Ninth Annual Report (1944), pp. 34–35; Tenth Annual Report (1945), pp. 29–30. The most recent Board decisions on this issue are *Matter of Waterfront Employers' Association et al.* (71 N. L. R. B. 80); *Matter of Waterfront Employers' Association et al.* (71 N. L. R. B. 121); *Matter of California Metal Trades Association et al.* (72 N. L. R. B. No. 120); and *Matter of California State Brewers' Institute et al.* (72 N. L. R. B. No. 127).

[3] It is estimated that in this country more than 4,000,000 workers are covered by agreements negotiated with associations and groups of employers. Most of the agreements are products of peaceful employer-union relations of several years duration. It is estimated, too, that there are more than 5,000 employer associations and groups of employers engaged in collective bargaining. Many of these would be outlawed by S. 133.

[4] Indeed, several years ago the New York State Legislature, acting upon the recommendation of the Ives committee, extended the authority of the State board to make certain that it could find multiple-employer and association-wide units appropriate.

making such determinations would seriously encumber the processing of Board cases. Indeed, the ascertainment of the residence of each employee is in itself a formidable problem. We think that these difficulties are sufficiently serious to make the workability of S. 133 highly questionable. For this reason and because we believe that the bill might seriously impair existing labor-management relations, we urge that the bill not be enacted into law.

Mr. MORSE. Mr. President, with regard to Senate bill 55, introduced by the Senator from Ohio [Mr. TAFT], the Senator from Minnesota [Mr. BALL], and the Senator from New Jersey [Mr. SMITH], many of the observations I have made in connection with my discussion of Senate bill 360 are equally applicable. This is especially true with regard to the provisions whereby strikers lose their status as employees. As pointed out by Chairman Herzog, in his testimony before the committee last week, under sections 204 (a) and 205 (a) of S. 55 it would be illegal for employees to strike if the labor organization has failed to comply with the registration of provisions. Moreover, if employees strike during the cooling-off period provided by section 3 (b) of title I of S. 55, they automatically lose their status as employees and under section 3 (e) of the same title subject to ex parte injunctions and treble damage actions.

Mr. President, I now turn to some of the proposals which I think should be made by way of amendment to the Wagner Act.

The bill which I am now introducing falls into four general topics:

First. It defines several new unfair labor practices with regard to labor organizations and their agents and also corrects certain deficiencies in the present unfair labor practice sections of the Wagner Act; and

Second. It provides for the expansion of the Board from three to seven members in view of the increased amount of work placed upon the Board and also permits the Board to operate in departments; and

Third. The bill guarantees employers and all other persons affected by the Wagner Act their constitutional right to freedom of speech; and

Fourth. It permits the Board as the expert agency of the Federal Government dealing with labor relations to seek injunctive relief in the Federal circuit courts of appeals to restrain the unfair labor practices of both employers and employees in instances where the Board is persuaded that the situation demands speedy relief.

I shall first describe the new provisions defining unfair labor practices by labor organizations or their agents. Just as the Wagner Act now makes it unfair for an employer to interfere with or restrain his employees in the exercise of their right to select their collective-bargaining representative, so I propose that it be an unfair labor practice for labor organizations, or their agents, to interfere with, restrain, or coerce an employer in the selection of his bargaining representative.

Secondly, I have attempted to define as unfair labor practices certain types of strikes, jurisdictional disputes, and secondary boycotts. These provisions are in section 4 (d) of the bill. It is thereby made an unfair labor practice for a union, or its agents, "to engage, or to induce or encourage the employees of any employer to engage, in a strike or in a concerted refusal" to use, transport, or handle goods or to perform any services in the course of their employment, if the stoppage or action is directed at certain objectives. For example, it would be an unfair labor practice to strike or boycott in furtherance of a jurisdictional dispute regarding the performance of a particular work task by members of one union or another. As I have said before, these jurisdictional disputes are generally unjustifiable and need to be corrected. Another objective for which it will be illegal to strike or engage in a boycott is one designed to compel any employer to disregard a certification issued by the Board. Under the present law an employer who is under a duty to recognize and bargain with one union by reason of a Board election and certification can obtain no relief from the Board or the courts if the union which lost the election chooses to strike or boycott in an effort to have the employer disregard the obligation placed upon him by reason of the Board certification. Another objective which it seems to me is not defensible is that involved in a secondary boycott designed to force an employer to recognize a union. By this device, labor unions attempt to organize employer A by bringing economic pressure to bear upon employer B. It seems to me that with the democratic election machinery of the Wagner Act available, and with the provisions according Federal protection to employees in their efforts to organize, it is no longer legitimate for labor to engage in this type of conduct. A related type of secondary boycott which I think should be made an unfair labor practice, is one designed to compel another employer to bargain with a particular labor organization or to force any of his employees to become or cease being members of a particular labor organization. Here, again, I believe that resort should be had to the machinery of the act and to peaceful collective bargaining.

The third type of unfair labor practice covered by this bill is that arising out of expulsion of employees from membership in a union which has a closed shop contract with an employer, when the reason for the expulsion is that the employee has exercised his democratic right to change bargaining representatives. The Board can now remedy such conduct only by the indirect method of issuing an order against the employer who in response to a union demand discharges that employee after he has been expelled from the union. The Board can correct such conduct in this indirect fashion only when the facts show that the employer had knowledge that the contracting union expelled the employee for exercising his rights under the act. To the extent that the union is solely responsible for the discharge, I think it should be answerable. If both the employer and the union are responsible, both should be answerable. In the interest of maintaining contractual and industrial stability however, it is desirable that employees be free to engage in activity designed to change representatives only at appropriate times. I have, therefore, protected such activity only when it occurs "at a time when a question concerning representation may appropriately be raised." The purpose here is to write into law the principle now followed by the Board of allowing election petitions to be filed near the end of the contract period.

Much has been said in the hearings that have just been completed concerning the obligation of unions to bargain collectively. While it seems to me that unions would seldom refuse to engage in collective bargaining since that is one of the primary, if not the primary, reasons for their existence, I can see no valid objection to imposing that duty upon them by law. I therefore propose that it be made an unfair labor practice for a union to refuse to bargain collectively after it has been certified by the Board as the exclusive representative. It should be observed, however, that the duty imposed upon the union is the same as that imposed upon the employer—no greater, no less.

Finally, I propose that it be made an unfair labor practice for a union to violate the terms of a collective-bargaining agreement or the terms of an agreement to submit a labor dispute to arbitration. In this connection I am also proposing that similar conduct by an employer be made an unfair-labor practice. While it is my view that unions and employers should settle their contractual disputes by collective bargaining and voluntary arbitration, I recognize the force of the argument that existing law affords only nebulous remedies to employers as well as unions in case the other party has violated the contract. Should such a provision be adopted by the Congress it will be my hope that the Board would devise regulations and pursue a policy which would minimize the number of contract violation cases accepted under these proposals.

I digress a moment to stress this point: I do not know how one could be more explicit than I have been over the years, both in statements and by decisions, that when a union signs its John Henry to a labor contract that signature should be lived up to in all respects, as should the signature of the employer. I have never held a brief for labor unions or for employers who violate labor contracts. I am seeking here to provide machinery and procedures whereby the National Labor Relations Board will have jurisdiction to take cognizance of charges filed by employers alleging the unfair labor practice of violating a contract. I think that will involve primarily a question of fact in both instances. Under my proposal, as I see it, it would become the duty of the Board to determine whether or not the parties have exhausted their remedies under their own contract, and, if they have not, they should be ordered to do so. Having such a law on the statute books would in and of itself have a very salutary effect, in my judgment, because I noticed, as a member of the War Labor Board during the war, that there was tremendous opposition to our exercising jurisdiction

over certain types of work stoppages, such as the jurisdictional dispute, which we knew could not be justified on any basis by those participating in the dispute. I remember very clearly a night when we had a very serious stoppage of work in one of the vital war plants of the country because of a jurisdictional dispute. I then proposed that unless the workers went back to work at the next shift the Board should appoint an arbitrator whose decision should be final and binding. Labor vigorously opposed my position.

In that particular case the Board took a recess, and in 10 minutes one of the labor representatives came back and stated that the men had been ordered back to work by the union. That is the way they preferred it. That is the way I prefer it, too. But we could not take a chance. Therefore, I offered a resolution, which became the policy of the Board, with labor dissenting at the time it was adopted, which provided that for the duration of the life of the War Labor Board we would give the union leaders involved in a jurisdictional dispute 24 hours to proceed to settle the dispute without a work stoppage, and upon their failure to do so we would appoint an arbitrator whose decision would be final and binding.

What I wish to stress is the remarkable compliance we obtained so far as the quick settlement of jurisdictional disputes was concerned, once the resolution became the policy and procedure of the Board.

I think it ought to be frankly stated here this afternoon that probably one of the greatest benefits that will come from the adoption of such amendments to the Wagner Act as I am proposing this afternoon will be action on the part of the unions themselves to see to it that it does not become necessary, unless in exceptional cases, to resort to the machinery which I have proposed in these amendments. I am not being fooled in regard to this question. The point I wish to emphasize is that I believe that declaring certain actions to be unfair labor practices will be preventive of some of the abuses which we seek to cure, because the unions themselves will proceed to establish within their own organizations machinery capable of settling such disputes short of economic action. If that will be the effect of this amendment, it certainly will be more than justified. There will be available to employers a procedural remedy, when unions violate their contracts and are not willing to exhaust the procedures provided for in the terms of the contracts prior to resorting to economic action.

It would be a great mistake for the Federal Government to undertake to adjudicate as unfair labor practices all alleged violations of collective bargaining contracts. Certainly this procedure should not be used until the parties have exhausted the remedies available under their contract or through voluntary arbitration.

As I have previously stated, greater fairness in the administration of the Wagner Act will be obtained if an employer is permitted to file a petition with the Board and obtain an election. Although the act as presently written in section 9 does not preclude the Board from accepting an employer petition, nevertheless, by its rules and regulations the Board allows an employer to file a petition for an election only when conflicting demands for recognition have been presented to him by two or more labor organizations.

I propose, therefore, to amend section 9 of the act so as to permit any party in interest, including an employer, to request an election. However, I recognize that such a right may be subject to abuse, in that employers may seek an election at the earliest possible moment in an organizational campaign and thereby obtain a vote rejecting the union before it has had a reasonable opportunity to organize.

Therefore I would limit the employer's right to file a petition to those situations in which the union has made a claim to be recognized as the exclusive bargaining representative or where, near the end of a contract, bona fide doubt exists that the union which has the contract continues to be the exclusive representative. In the latter type of situation my proposal would require the employer to file his petition at least 30 days before the expiration of the contract. The purpose of this is to prevent abuse of the right to petition and to avoid an hiatus in the collective-bargaining relationship.

In order to assist the Board in the additional duties that would be placed upon it by the proposals I have outlined above, my bill would increase the membership from three to seven, and also empower the Board to act in sections of not less than three members. With an adequate budget and staff, as well as an augmented membership, the Board would be in a position to handle its work more speedily. Also, four additional members on the Board would have the effect of obtaining a better and more representative collective judgment from the Board. I think it only fair to point out that should the Congress create such an enlarged Board, which I think will be absolutely essential if we broaden the jurisdiction of the Board to cover unfair labor practices on the part of unions as well as employers, it must have more money with which to function. I do not desire to discuss this point at length today, but I want to state a conclusion. I have gone into the question, and I want to say that one of the reasons—and I think a primary reason—for the Board being from 18 to 20 months behind with its docket in many cases, is that the Congress has not given to the Board adequate appropriations to do the job that needs to be done if it is to be done. I do not know of any field in which time is more important than in the field of handling a labor case in the quickest possible time. It is delay which gives rise to doubts, suspicions, and discontent within the ranks of labor. Frequently we find that strikes are actually called against the Board. Hotheads lose their judgment in the union meeting and walk out in protest because they have been waiting for months for the Board's determination of a representation case, for example. Human beings are that way; and so time is of the essence in settling these highly volatile disputes. If we are to have quicker action, we must be willing, through appropriations, to give to the Board the money necessary to maintain the staff necessary to do the job quickly. I say that is a wise expenditure of money, because when a labor dispute is settled quickly the country is saved many times the cost of settling it by way of its proportionate share of the budget appropriated by the Congress for the Board.

So in fairness to the Board, I want to emphasize the importance of our acting very carefully when we approach our appropriation problems this year in the matter of making available to the National Labor Relations Board, particularly if we broaden its jurisdiction and give it greater duties and obligations to perform, sufficient money with which to do the job.

Mr. President, the question of employers' freedom of speech has generated a great deal of heat in the hearings before the Senate committee. It is, of course, self-evident that neither the Board nor the courts can impair the right of free speech guaranteed in the Constitution. It is my impression that those who propose legislation designed to enlarge the employer's right to express his views to his employees are not so much interested in vindicating their constitutional rights as they are in obtaining statutory immunity for acts and conduct which in fact interfere with and coerce employees. If for no other purpose than to correct a widespread misconception and at the same time to impress upon the Board its obligation under the Constitution, I propose that a new subsection be added to the unfair labor practice section of the Wagner Act specifically guaranteeing that all persons—employers as well as unions—are to be protected in their right of free speech.

Specifically, my amendment would provide that nothing in the act "shall be construed to interfere with the right to freedom of speech as guaranteed by the first amendment to the Constitution"; in addition, the provision would prohibit the Board from finding "that the making of any statement of views or arguments, either written or oral, constitutes an unfair labor practice, if such statement by itself or in its context contains no threat of force or economic reprisals."

I have been considerably troubled by various proposals which have been made to obtain speedy relief from unfair labor practices, particularly proposals dealing with injunctive relief against conduct by unions and employees. As I stated earlier in this speech, some of these proposals would revive the days of the midnight injunction, treble-damage actions against unions and employees, and severe criminal penalties. On the other hand, I must admit that there is considerable merit in the argument that in many instances of serious and widespread labor disputes the Government is in large part impotent to correct the conditions which have led to the serious interruption of commerce.

To my mind it is necessary to initiate legislation that will permit the Government, through the NLRB, to obtain

speedy judicial relief when labor disputes which involve unfair labor practices threaten seriously to impair vital sections of the national economy. I have several proposals designed to strengthen the Government in these situations.

First, in the case of jurisdictional disputes involving who shall perform particular tasks, I propose that the Board be empowered to appoint an arbitrator to settle the matter unless within 10 days the parties satisfy the Board that the dispute has been adjusted or that agreement has been reached for the voluntary adjustment of the dispute. After the arbitrator has rendered his award, which is to be filed with the Board, if the parties comply the unfair labor practice charge will be dismissed. One of the reasons I suggest that an arbitrator be available to handle such jurisdictional disputes is that time is of the essence, and the regular procedure of the Board for hearing and judicial enforcement would not remedy the evil sought to be corrected.

Another change in the remedies available to the Board, which I propose, would permit the Board to obtain a temporary injunction or restraining order from the courts of appeal after the Board has issued a complaint but before it has held a hearing and issued an order. Since it is the duty of the Board to prevent unfair labor practices, the Board should have adequate authority to discharge that duty expeditiously.

My proposal would in no way impair the legitimate rights of labor under the Norris-LaGuardia Act and the Clayton Act, since I do not propose that employers be allowed to obtain injunctions against labor or that unions and their members be subjected to the drastic civil and criminal penalties that could be applied in days gone by. Should my proposal become law, it will, of course, be necessary for the Board to exercise an informed discretion in administering the law to the end that labor and industry will be encouraged to adjust their differences by the peaceful methods of collective bargaining.

Therefore, Mr. President, I ask unanimous consent at this time to introduce a labor bill which consists of proposed amendments to the Wagner Act, and ask to have it printed in the RECORD at this point as a part of my remarks.

There being no objection, the bill (S. 858) to amend the National Labor Relations Act, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 1 of the National Labor Relations Act is amended by inserting before the last paragraph in such section a new paragraph as follows:

"Experience has further demonstrated that certain practices by labor organizations, their officers and members, have the intent or the necessary effect of burdening or obstructing commerce by preventing the free flow of goods in such commerce through strikes and other forms of industrial unrest or through concerted activities which impair the interest of the public in the free flow of such commerce. The elimination of such practices is a necessary condition to the assurance of the rights herein guaranteed."

SEC. 2. (a) Paragraph (1) of section 2 of such act is amended by inserting after the word "includes" the words "labor organizations, their officers, and employees or members, and."

(b) Paragraph (2) of such section is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That for the purposes of section 9 (b) hereof, the term 'employer' shall not include a group of employers except where such employers have voluntarily associated themselves together for the purposes of collective bargaining."

(c) Paragraph (3) of such section is amended by inserting before the period at the end thereof the following: "or any individual employed in agriculture (as defined in section 3 (f) of the Fair Labor Standards Act of 1938)."

SEC. 3. (a) The first sentence of subsection (a) of section 3 of such act is amended by striking out the word "three" and inserting in lieu thereof the word "seven".

(b) The second sentence in such subsection is amended to read as follows: "The terms of office of members of the Board shall be 5 years except that any individual chosen to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired portion of such term."

(c) Subsection (b) of such section is amended to read as follows:

"(b) The Board is authorized to delegate to any group of three or more members any or all of the powers which it may itself exercise. A vacancy in the Board shall not impair the right of the remaining members to exercise all of the powers of the Board, and four members of the Board shall, at all times, constitute a quorum of the Board, except that two members shall constitute a quorum of any group designated pursuant to the first sentence hereof. The Board shall have an official seal which shall be judicially noticed."

(d) The first sentence of subsection (a) of section 4 of such act is amended by striking out "$10,000" and inserting in lieu thereof "$12,000."

SEC. 4. (a) Paragraph (2) of section 8 of such act is amended by inserting before the period at the end thereof a comma and the following: "or from adopting nondiscriminatory rules forbidding union activity by employees on company time and property which interferes with the business of the employer."

(b) Paragraph (4) of such subsection is amended by inserting before the word "testimony" the words "statements or."

(c) Such section is amended by adding after paragraph (5) thereof a new paragraph as follows:

"(6) To violate the terms of a collective-bargaining agreement or the terms of an agreement to submit a labor dispute to arbitration: *Provided*, That the Board may dismiss any charge made pursuant to this paragraph if the labor organization has violated the terms of such agreement or has failed to comply with an order of the Board."

(d) Such section is further amended by inserting after the section number the letter (a), and by adding at the end thereof the following new subsection:

"(b) It shall be an unfair labor practice for a labor organization or its agents—

"(1) To interfere with, restrain, or coerce an employer in the selection of his representatives for the purposes of collective bargaining.

"(2) To engage, or to induce or encourage the employees of any employer to engage, in a strike or in a concerted refusal to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services, in the course of their employment (A) because particular work tasks of such employer or any other employer are performed by employees who are or are not members of a particular labor organization, (B) because such employer or any other employer has refused to recognize or bargain with a particular labor organization as the representative of his employees, if another labor organization has been certified as the representative of such employees within the meaning of section 9 (a), (C) because some or all of the employees of any other employer are or are not members of a particular labor organization, or (D) because any other employer does not have an agreement with, or will not bargain with, a particular labor organization as the representative of some or all of his employees.

"(3) To expel any employee from membership in any labor organization holding a contract with his employer which requires membership in such labor organization as a condition of employment, because such employee has engaged in activity on behalf of another labor organization at a time when a question concerning representation may appropriately be raised; or to persuade or attempt to persuade his employer to discriminate against such employee.

"(4) To refuse, after certification as exclusive representative by the Board, to bargain collectively with the representatives of an employer.

"(5) To violate the terms of a collective bargaining agreement or the terms of an agreement to submit a labor dispute to arbitration; *Provided*, That the Board may dismiss any charge made pursuant to this paragraph if the employer has violated the terms of such agreement or has failed to comply with an order of the Board.

"(c) Nothing herein shall be construed to interfere with the right to freedom of speech as guaranteed by the first amendment to the Constitution of the United States; nor shall the Board find that the making of any statement of views or arguments, either written or oral, constitutes an unfair labor practice if such statement by itself or in its context contains no threat of force or economic reprisal."

(e) The caption preceding sections 7 and 8 of such act is amended to read as follows: "Rights of employees and employers."

SEC. 5. (a) Subsection (a) of section 9 of such act is amended by inserting before the period at the end thereof a comma and the following: "and to adjust such grievances without the intervention of the bargaining representative, if after notification such representative does not indicate a desire to participate in such adjustment."

(b) Subsection (c) of such section is amended by adding at the end thereof the following: "Any party in interest, including an employer, may request such an investigation. The Board shall not proceed on the request of an employer unless it appears (1) that one or more persons or labor organizations have made a claim to be recognized as the representative within the meaning of subsection (a) or (2) that there is a bona fide doubt that the labor organization last recognized in a collective-bargaining contract is the representative within the meaning of subsection (a) and the request is filed with the Board at least 30 days prior to the expiration of such contract."

SEC. 6. (a) Subsection (a) of section 10 of such act is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That the Board is empowered, by agreement with any agency of any State or Territory, to concede to such agency jurisdiction over any cases arising in industries not basic to the national economy even though such cases may involve labor disputes affecting commerce."

(b) Such section is further amended by adding at the end thereof the following new subsections:

"(j) The Board shall have power, upon issuance of a complaint as provided in subsection (b) charging that any person has

engaged in or is engaging in an unfair labor practice, to petition any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia), of if all the circuit courts of appeals to which application may be made are in vacation, any district court of the United States (including the District Court of the United States for the District of Columbia), within any circuit or district, respectively, wherein the unfair labor practice in question is alleged to have occurred or wherein such person resides or transacts business, for appropriate temporary relief or restraining order. Upon the filing of any such petition the court shall cause notice thereof to be served upon such person, and thereupon shall have exclusive jurisdiction to grant to the Board such temporary relief or restraining order as it deems just and proper.

"(k) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of paragraph (2) (A) of section 8 (b), the Board is empowered to hear and determine the dispute out of which such unfair labor practice shall have arisen or to appoint an arbitrator to hear and determine such dispute, unless, within 10 days after notice that such charge has been filed, the parties to such dispute submit to the Board satisfactory evidence that they have adjusted or agreed upon methods for the voluntary adjustment of the dispute. Upon compliance by the parties to the dispute with the decision of the Board or the arbitrator appointed by the Board or upon such voluntary adjustment of the dispute, such charge shall be dismissed."

Mr. MORSE. Mr. President, I also ask unanimous consent to introduce another bill, which does not relate to amendments to the Wagner Act but seeks to provide the Senate with the data, the facts, and the information needed as to what is going on in the country in regard to entering into labor contracts. I am introducing a bill to provide for keeping the Congress fully informed of current developments in the field of collective bargaining and labor-management relations, in order to provide basic information needed by management and labor organizations when engaged in collective bargaining.

There being no objection, the bill (S. 859) to provide for keeping the Congress fully informed on current developments in the field of collective bargaining and labor-management relations; to provide basic information needed by management and labor organizations when engaged in collective bargaining; and to aid conciliation, mediation, arbitration, and other Government agencies in the process of settling or preventing labor-management disputes and work stoppages, introduced by Mr. MORSE, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. MORSE. Mr. President, I have only a few brief remarks to make by way of explanation of the bill.

Although collective bargaining has by now become an accepted institution in the United States, labor-management relations have continued to be one of our major national problems, and at times so serious a problem as to threaten the very stability of our social and economic life. At the present time the Congress of the United States is called upon to deal with this grave situation, and the Senate Committee on Labor and Public Welfare is holding hearings on a number of bills intended to provide a solution for our labor-management difficulties.

Unfortunately, however, the testimony heard so far has proved to be largely of the kind which may be classified as either "entirely black" or "entirely white." Judging by the statements of some of those who are opposed to organized labor in general, there is nothing good in the trade union movement, and the sooner unions are abolished altogether the happier the country will be. On the other hand, some of the labor leaders who testified before the committee took the exact opposite position; namely, that there is nothing wrong with the labor movement, and there is absolutely no need for any legislation or other Government action to deal with the problem of labor-management relations.

As is usually the case in such situations, the truth lies somewhere between those two extremes. We do need some labor legislation, but we also need considerably more factual information than we have at the present time, in order to determine how far we can go by means of legislation in handling the delicate problem of human relations in industry.

Not enough of such information is available at the present time. For a number of years the Bureau of Labor Statistics, the fact-finding agency of the United States Department of Labor, has attempted to develop some information pertaining to labor-management problems, but the Bureau's authority to collect information is so extremely limited that it has been compelled to rely on antiquated methods of collecting the necessary data, with very inadequate results. The material on labor relations prepared by the Bureau of Labor Statistics is, therefore, generally of the type of "too little and too late."

Take, for instance, the Bureau of Labor Statistics' reports on work stoppages, which frequently are cited and quoted on the floor of the Senate. Many Senators probably will be shocked to learn that this information is based, not on a direct reporting system to the Department of Labor, but on newspaper clippings from which the Bureau obtains its clues as to where and when a work stoppage occurs. Take away the clipping service from the Bureau of Labor Statistics and you automatically deprive it of its major source of strike information and make it impossible for the Bureau to issue any reports on work stoppages. Such a situation actually occurred in 1943, when the Bureau of Labor Statistics was compelled to cease publication of strike data for a period of from 3 to 4 months.

In this connection I want to emphasize that, by and large, strikes are still regarded as important news and, therefore, are reported, often in great detail, in the daily press. As a result the information on work stoppages published by the Bureau of Labor Statistics may be regarded as actually reflecting conditions that exist in the country. This, however, is not true of the collective-bargaining agreements and of the settlements of labor-management disputes before they reach the stage of a work stoppage. Such information is generally not reported in the daily press; and because we have no adequate information on the peaceful phases of collective bargaining, the Bureau of Labor Statistics' reports on work stoppages have been justly criticized as "lopsided," as placing undue emphasis on labor-management disputes, and as paying no attention whatever to the far larger area of cooperative and peaceful relations that characterize the day-to-day life of our industrial community.

In the United States, labor and management are not required by tradition or by law to file with the United States Department of Labor copies of their collective-bargaining agreements; and the Bureau of Labor Statistics is, therefore, compelled to use the costly and antiquated method of writing to each employer and to the union concerned each time it learns of the existence of an agreement between them. In this way the Bureau of Labor Statistics has managed, in the course of the last few years, to build up a file of approximately 15,000 collective-bargaining agreements currently in effect. But neither the Bureau, nor anyone else for that matter, has any knowledge as to how many agreements are actually in existence in this country at any one time, or how many new agreements are concluded each month and how many are revised or renewed each month.

I am reliably informed that the United States is the only English-speaking country that has not given its Department of Labor the necessary authority and facilities to provide this type of information, which is needed by us for legislative purposes and is needed by labor and management groups who are engaged in collective bargaining. In England such agreements are filed with the Department of Labor as a matter of course. In Canada some Provinces require, by law, that all agreements be registered with the Government agency, and such agreements do not become valid until so registered.

There is still a third field of labor information which we must have if we are to deal intelligently with the problem of labor-management relations. I refer to the data on the growth and development of the trade-union movement in the United States, on union membership, on the amount of initiation fees, dues, fines, and other assessments collected by the union from its members, and on the various types of services and benefits rendered to the members.

Again we are the only English-speaking nation where the Department of Labor does not collect and officially publish such information. For years Great Britain has been publishing annual reports on the trade-union movement, and Canada has been issuing an annual report ever since 1910. In fact, some of our own States, notably California and Massachusetts, have been, for a number of years, publishing annual reports on the trade-union development within their own borders. It is indeed high time that the Federal Department of Labor be instructed to provide this type of information, which we could use most effectively at the present time when we are

confronted with the serious problem of what we should or should not do to put labor-management relations in this country on an even keel.

The bill I am introducing today is intended to correct the situation. I am, of course, fully aware that to accomplish this aim we may have to provide additional facilities, and also may have to increase the appropriation allotted to the Bureau of Labor Statistics for its work on industrial relations. We may perhaps be required to double the $250,000 spent last year by the Bureau of Labor Statistics to provide information on industrial relations. The furnishing of such information would be a major feat to accomplish in a year when all of us are concerned with reducing and balancing the budget. Nevertheless, I feel that such an investment in providing authentic information on collective bargaining and on labor-management relations will more than pay for itself in dividends in terms of enlarging the area of industrial peace and reducing the area of industrial strife.

My reasons for this statement are direct and simple. If we are to retain our democratic way of life based on free enterprise, we must, of necessity, also retain the institution of free and strong unions and free collective bargaining. This means that, whether we like it or not, we are always going to have some strikes. In fact, the existence of such strikes may be regarded as a sign that our free democratic institutions are actually functioning. The only countries that I know of which have successfully eliminated strikes are Fascist Italy, Nazi Germany, and Communist Russia. There were no strikes under fascism in Italy and Germany and there are none under communism in Russia, but neither are there free unions, private enterprise, or any of our traditional liberties which constitute the very essence of our American way of life.

I am firmly of the opinion that we cannot legislate strikes out of existence. However, we can greatly reduce industrial strife, reduce the number of work stoppages, and minimize the disturbances to our economy caused by such work stoppages, partly by means of wise legislation and partly by the use of common sense and mutual trust on the part of labor and management. The information called for in the proposed bill should make a very substantial contribution in that direction, in my judgment.

Mr. President, I close my address both with thanks to my colleagues and with an apology on my lips. I wish to thank my colleagues who have patiently heard me through on the vital subject I have been discussing. I wish to apologize for taking so long. Nevertheless, as one who has spent many years in the field of labor relations, I felt it my duty, at least to the people of my State, to disclose, as clearly as I have tried to do today, exactly what my position is on the legislative proposals pending before the Congress, and what my attitude will be in my endeavor to have legislation enacted by the Congress which will meet the three criteria which I laid down earlier in my speech.

I want whatever law is passed to be fair; I want it to be moderate and reasonable. I believe we should rise to our obligations and pass only that type of legislation which meets those three tests for we in the Eightieth Congress can do serious harm to the stability of our economy by passing a strait-jacket type of legislation.

Finally, if I may strike a facetious note, let me say that I hope my friends in the Senate will understand, as a result of my 4-hour address today, that my objection to filibustering in the Senate does not at all spring from any lack of ability on my part to talk at length.

EXHIBIT 3

Area of bargaining with associations and groups of employers bargaining on a national or industry-wide scale

APPROXIMATE NUMBER OF WORKERS COVERED

Coal mining	400,000
Elevator installation and repair	3,000
Glass and glassware	60,000
Installation of automatic sprinklers	2,500
Pottery	14,000
Stoves	4,000
Wall paper	3,000
Total	486,500

EXHIBIT 4

POTTERY INDUSTRY—GENERAL WARE AND CHINA

Union: National Brotherhood of Operative Potters, AFL, founded in 1890. At present has approximately 22,000 members including 90 percent of workers in general ware and 65 percent of those in china. About 14,000 of these covered by one agreement with United States Potters Association representing between 60 and 80 percent of the workers in the industry.

Employers: United States Potters Association, established in 1875 primarily as a trade body. Began negotiations with union in 1894. At present has 31 member companies, 19 in general ware, and 12 in china, covering about 85 percent of each branch.

History of collective bargaining

1897: Joint support by union and association for restoration of 1890 tariff duties on pottery laid groundwork for national bargaining. However, reluctance of eastern operatives to establish a uniform wage list (based on an average of western and eastern prices) precluded a national agreement at this time.

1900: National wage scale drafted but union was unable to hold its eastern members in line under this scale. Bargaining reverted to sectional basis.

1901: Western agreement signed between brotherhood and association.

1904: Eastern agreement signed between brotherhood and association.

1905: First national agreement signed covered skilled workers in about 90 percent of general ware and 75 percent of china ware branches.

1922: Eleven-week strike over proposed reduction in wages; compromise settlement. This was the only break in union-management relations except for an abortive strike in 1917 and a number of local outlaw strikes which were repressed quickly by joint action of the brotherhood and the association.

1946: Current national agreement covers 80 percent of wage earners in general ware and 50 percent in china. Brotherhood agreements with nonassociation firms include additional 10 percent of wage earners in each branch; and in practice remaining firms tend to follow wage standards set by national agreement.

Present status

Joint collective bargaining conferences are held biennially. In event of a deadlock, a union referendum is held and union decides whether to strike or continue on employers' terms for two more years. Three joint standing committees handle the settlement of disputes involving interpretations and application of agreements, and the determination of piece rates for new types of wares or for new processes of manufacturing.

No-strike clause prohibits strikes unless or until the two national bodies have surrendered the matter to the local and company directly involved. (This has never been done.)

Stability and industrial peace

Both the association and brotherhood have a good record in the observance of the agreement:

"No system, of course, is perfect and we have had our troubles from time to time in disputes, but these are taken care of by our standing committees which are boards of arbitration with full authority to act, and their decisions are binding on both sides and neither can successfully combat such decisions.

"We believe that our long record of 38 years of friendly relations proves that this form of employer-employee relationship is satisfactory if one realized that at times they will find members on both sides who are prone to misunderstand." (Quoted in NLRB Bulletin No. 4, November 1939, p. 85; from statement of Charles P. Goodwin, secretary of the employers' association, given in Labor Relations Reporter, March 14, 1938, p. 8.)

"National collective bargaining in the general ware and china branches of the pottery industry since 1900 has helped to stabilize the industry through maintenance of wage standards.

"During the past four or five decades, the wage level in the pottery industry under national bargaining apparently has risen no more rapidly than for manufacturing in general, and the level of common-labor entrance rates in pottery is not above the average for all manufacturing.

"Wage stabilization under national bargaining in pottery seems to have operated with relatively little friction. Attempts by association firms or union locals to establish wage rates at variance with the provisions of the national agreement have been rare and unimportant. Perhaps partly because of the continuity of key personnel, the association and the brotherhood have been able to work out practical compromises and to maintain discipline." (Wages Under National and Regional Collective Bargaining, Industrial Relations Section, Princeton University, Princeton, N. J., 1946; pp. 30 and 31.)

"The oldest labor union in the United States employing collective bargaining, the brotherhood has called only two strikes in its nearly 50 years of existence—the first to establish recognition of collective bargaining when it was organized about 1893, and the second in 1922 over a wage decrease." (Courier-Express; Buffalo, N. Y., May 26, 1946.)

PRESSED AND BLOWN GLASSWARE INDUSTRY

Union: American Flint Glass Workers' Union (AFL), founded 1878, approximately 100 locals and 23,000 members.

Employers: National Association of Manufacturers of Pressed and Blown Glassware, established 1893.

History of collective bargaining

1890: Union and associated manufacturers of pressed glassware negotiated national agreements. Employer association dissolved by labor dispute in 1893.

1893: Establishment of NAMPBG; began negotiation of annual agreements for skilled departments.

1903: Star Island agreement, provides grievance and dispute procedures.

1909: Dispute in "chimney department" only break in union-management relations.

1913: U. S. Glass Co. joined association.

1937: Miscellaneous division (i. e., in addition to skilled departments), included in collective bargaining.

1943: Corning Glass Co. (largest concern in industry) organized by union (not member of association).

Present status

Joint conference decisions are binding on all members of association. Local agreements must be submitted to national organizations of both parties for approval. In practice, agreements with nonassociation members conform to industry pattern with but few exceptions.

Stability and industrial peace

Quotations from Prof. Richard Lester:

"Through uniform piece rates and minimum hourly rates for competing firms, national collective bargaining has had a stabilizing influence on the flint-glass industry during the past half century. The joint industry conferences each year have been educational, forcing both sides to think in terms of the economics of the industry. The result has been the development of responsible leadership and practical compromises. The association-union bargaining unit has also furthered stable relations by forestalling disputes arising from rival unionism.

"Excessive centralization of functions and decisions apparently has not resulted from national bargaining in flint glass.

"Through years of experience a balance has been worked out between the goal of uniform labor standards throughout the whole area of competitive production and adjustment to the variety of circumstances prevalent in different parts of the industry." (Wages Under National and Regional Collective Bargaining, Princeton University, 1946.)

MEN'S CLOTHING INDUSTRY

Union: Amalgamated Clothing Workers of America (CIO); founded in 1914 as result of secession from United Garment Workers; approximately 500 locals and 350,000 members.

Employers: Organized on metropolitan-market basis in most of the major industry markets; have varied history dating from 50 years ago; principal market-wide associations are: New York Clothing Manufacturers' Exchange and Rochester Clothiers' Exchange; over-all coordinating association: United States Clothing Manufacturers' Association.

History of collective bargaining

1910: Market-wide strike in Chicago; bitter and violent.

1911: Arbitration board decision for Hart, Schaffner & Marx (union: UGW); grievance machinery and permanent board of appeals established.

1912–13: Grievance machinery improved; worked smoothly.

1913: Strikes in New York City, Rochester, and Boston; resulted in agreements with UGW.

1915: Amalgamated strike against other Chicago firms; lost.

1916: Agreements signed with important firms in Baltimore and Boston.

1919: Entire Chicago and Rochester markets brought under agreement; progress in other centers; New York City still unstable; Philadelphia open shop.

1920: 26-week lock-out in New York City, Boston, and Baltimore; failed.

1924: New York City market under contract.

1929: Philadelphia brought under agreement.

1939: ACW's stabilization plan launched; designed to equalize labor costs among competing employers involved certain degree of standardization of production.

Present status

Major agreements signed with market-wide employer associations in leading markets. Similar agreements signed with scattered concerns outside associations and in outlying areas. (United States Clothing Manufacturers' Association and union apparently meet to set standards to guide negotiation of various association agreements. Source: reports of testimony before Senate Labor Committee.)

Stability and industrial peace

Quotations from R. J. Myers and J. W. Bloch, in How Collective Bargaining Works:

"Employer gains: Freedom from strikes, for the union has been remarkably successful in holding the members to their agreements."

"Public gains: Great cities have been rid of the industrial warfare which once raged periodically in their streets."

WOMEN'S CLOTHING INDUSTRY

Union: ILGWU. (AFL.) Organized and charted by AFL in 1900. (However, union activity in various branches of industry as far back as 1879 or 1880, under aegis of Knights of Labor.)

ILGWUA covers 16 branches of industry. As of July 1945, total employment in industry, 188,700; under agreement, 168,000, about 90 percent. Of the 168,000 under agreement, 151,200, or 90 percent, under association agreement. Outside of certain metropolitan areas, ILGWUA deals with individual companies.

Employers: In the United States, more than 90 associations of employers in metropolitan areas (chiefly New York, Chicago, St. Louis, Cleveland, San Francisco, Los Angeles, and Kansas City). First association formed in 1883, Cloak Manufacturers Association.

The major associations affecting the majority of workers in the industry are in the New York metropolitan area, and cover the cloak and suit branch, the waist and dress branch, and the corset and brassiere branch.

Cloak and suit associations in New York metropolitan area: American Cloak and Suit Manufacturers Association, Inc.; Industrial Council of Cloak, Suit, and Skirt Manufacturers, Inc.

Waist and dress associations in New York metropolitan area: Affiliated Dress Manufacturers, Inc.; Popular Priced Manufacturers Groups; United Better Dress Manufacturers Association; United Popular Dress Manufacturers Association.

Corset, brassiere, and lingerie associations in New York metropolitan area: Associated Corset and Brassiere Manufacturers; United Knitwear League.

History of collective bargaining

1879–80: First distinct labor organization in the women's clothing industry formed in New York City in 1879 or 1880 under the Knights of Labor. Name unknown; short-lived.

1882: Another organization of workers in cloak and suit shops in New York in existence; union a local assembly of the Knights of Labor. Early unions probably shop organizations in "inside" shops.

1883: Dress and Cloak Makers' Union, an organization composed of workers in several New York shops formed. Organization grew out of a strike in a number of "inside" shops. Known as the Emigrants' Strike and won by workers.

First Cloak Manufacturers Association was formed in New York to combat the above-mentioned strike.

Gotham Knife Cutters' Association was organized by the Knights of Labor. This was the first distinct craft union in the industry.

1883–84: Formation of unions outside of New York began.

1885: General strike of cloakmakers in New York resulted in what seems to be the first record of an agreement and an arbitration committee composed of union and association representatives in the industry; agreement between the Dress and Cloak Makers' Union and members of the Cloak Manufacturers Association. Forerunner of arbitral machinery characteristic of industry.

1890: Early in year, major organizational strikes by cloak makers in New York, Chicago, Boston and Philadelphia. In May another strike in New York with subsequent lock-out by Cloak Manufacturers Association. First contact with AFL, with Gompers speaking at mass meeting. Strike settled with union shop, minimum wage and settlement of grievance through peaceful negotiations.

1900: ILGWU formed and chartered by the AFL.

1900 on: Affiliated Dress Manufacturers Association formed, followed by similar employers' associations in other branches and other parts of country.

1909: Strike of the shirt makers (The Uprising of the Twenty Thousand).

1910: Involved about 15,000 workers in over 500 shops. Waist and Dress Manufacturers Association refused recognition of union as much, but 339 of 352 individual member companies negotiated with ILGWU.

1910: Strike of the cloak and suit makers in New York (The Great Revolt). Signed agreement with the Cloak Manufacturers Association known as the Protocol of Peace. Agreement conceived and formulated by a mediation committee headed by Louis D. Brandeis.

1911: Agreement similar to the protocol was signed by the Merchants' Society of Ladies Tailors of New York.

1913: Activities of the ILGWU carried on on a national basis. Strikes in Boston in the cloak and suit industry and dress industry resulted in signing of agreements with the Boston Ladies Garment Manufacturers Association and the Boston Dress and Waist Manufacturers Association.

Major strikes in New York were those of the waist and dress makers, wrapper, kimono and house dress workers, and workers in the children's dress trade, resulting in the signing of agreements similar to the protocol, with the employer associations.

1914: Agreements signed with Women's Garment Manufacturers Association and Women's Wear Manufacturers Association in Philadelphia, avoiding a general strike. Agreements of peace similar to protocol.

1915: The protocol superseded by an agreement embodying the findings and recommendations of a council of conciliation, appointed by Mayor Mitchel and headed by Dr. Felix Adler. Vital principles of the protocol remained.

Chicago strike was averted when union and cloak and suit manufacturers (Chicago Cloak and Suit Manufacturers Assocation and Northwest Cloak and Suit Manufacturers Association which were formed at that time) agreed to submit case to arbitration. Decision handed down established collective bargaining in the cloak and suit trade in Chicago.

1916: General strike in waist and dress trade in Philadelphia resulted in an agreement with the Philadelphia Waist and Dress Manufacturers Association.

1917: Agreements renewed and amended in New York without unions having to resort to strike. Organization took place in other parts of the United States.

1919: General strike throughout country of the cloak makers.

Also strikes of other workers in the apparel industry. All successful.

The ILGWU during the year signed agreements with 25 employer associations in nine cities (including Toronto), as well as with thousands of individual companies.

1921–22: Strikes in New York, Philadelphia, Baltimore, Chicago, and Los Angeles in the cloak industry.

Strike in New York caused by the New York cloak and suit manufacturers.

Protective association's decision to return to the piecework system, cut wages, and return to a 48-hour week.

Temporary injunction granted international by the Supreme Court; made permanent in 1922. On January 10, 1922, Secretary of Commerce and of Labor suggested thorough investigation of the cloak industry, findings to be the basis of an agreement; January 16, attorney for employers notified the international that shops would be reopened under the old conditions; strike ended January 17.

1922: Strike of waist and dress makers in Philadelphia was lost and seriously disorganized the union. Chicago dress and waist agreement was renewed without a strike.

Also agreements of the cloakmakers was renewed in July 1922 for 2 years.

1924: Post of impartial chairman in cloak and suit industry formally established.

1926: Cloakmakers strike—caused by Communist element in ILGWU; 40,000 cloakmakers were involved in New York City. After 3-month strike Communist-led locals withdrew and formed Needle Trades Workers Industrial Union. (Returned to ILGWU in 1933.) Industry beset for next 7 years by dual unionism. ILGWU membership sank in 1932 to lowest level since 1910; racketeering thrived, wages were cut, etc.

1930: Strike of New York dressmakers; settled through intervention of Governor Roosevelt; significant feature was introduction of arbitration system with full-time impartial chairman in the dress industry.

1933 on: The first Nation-wide attempt to regulate the women's apparel industry came under the NIRA which was passed in 1933. Chaotic conditions in industry ended.

Cloakmakers returned to ILGWU—signed agreement with the Cloak, Suit and Skirt Manufacturers' Protective Association. Strike of dress workers in New York and its environs resulted in signing contracts with the major dress associations.

Since 1933: No major disturbances in the women's apparel industry. Some strikes, localized and of short duration.

Present status

Inasmuch as ILGWU is an industrial union, in order to represent the combined interests. ILGWU constitution provides for formation of joint boards wherever there are two or more craft unions in a city or region. For example, in New York market joint board of cloakmakers (includes locals of cutters, operators, finishers, and pressers); joint board of dressmakers (four locals). In most other markets cloakmakers and dressmakers are combined in same joint board. The joint boards negotiate agreements for entire membership with employers' associations and with individual employers.

In New York City the administrative board of the dress industry represents five employers' associations and is a counterpart of the joint board of dress and waist makers. The scores of needle trade's employer's associations follow narrow craft line like the unions, and coincide with the markets.

Impartial chairman for an industry in a given market is chosen and paid by the union and the employers' association. He is the final arbiter in disputes, although the procedure varies slightly from market to market. The impartial chairman is chosen not so much for his knowledge of the industry as for his ability as an arbitrator, e. g., Charles Poletti, Hon. James J. Walker, Harry Hopkins, etc.

The post of impartial chairman was informally set up in 1910 with the committee of negotiators that issued the Protocols of Peace for the cloak industry, and formally set up in 1924; for the New York dress industry the post was set up in 1930.

Stability and industrial peace

The industry which in its early history was characterized by numerous long and violent strikes is at present known for its continued amicable relations between union and employers. In some instances agreements run for 5-year periods.

At the twenty-fifth convention of the ILGWU in 1944 the harmonious relations between labor and management were attested by the following statements:

"Your organization has been a great stabilizing and constructive force in the ladies' garment industry. It has pointed the way to effective cooperation between labor and management and has successfully improved the conditions of labor in this trade. It has been a pioneer in its enlightened policy of making public each year an itemized account of its income and disbursements. You have every reason to be proud of the accomplishments under your leadership." (President F. D. Roosevelt, quoted in MLR Reprint No. 1694, p. 1.)

"Coat and suit workers and employers have reached the stage of industrial maturity where it is taken for granted that joint effort is required to assure the growth of the industry. This effort, in turn, requires organization—organization of workers, organization of employers, and joint organization. * * *

"It is not merely important for workers alone that their organization continue to be effective. The country at large benefits from the liberalizing influence which characterizes labor unions.

"The record of the ILGWU encourages us to believe that it will continue to be sensitive to the larger responsibilities it has acquired by virtue of becoming one of the great labor organizations of the country." (Alexander Printz, Chairman of National Coat and Suit Recovery Board, and head of Printz-Biederman Co., in Cleveland, quoted in MLR, op. cit., p. 2.)

"This record of industrial peace has not been all a one-way affair; the leaders of our industry, with but few exceptions, have cooperated with the union in keeping labor-employer relations on a balanced keel." (ILGWU General Executive Board Report, quoted in MLR, op. cit., p. 2.)

EXHIBIT 5 [a]

EMPLOYER ORGANIZATIONS AND THE EXTENT OF THEIR PARTICIPATION IN MULTICOMPANY COLLECTIVE BARGAINING

The simplest form of employer-group bargaining sometimes raises the most perplexing problems of identification. In a given city a number of bakers, aware of their ineffectiveness in bargaining separately with unions of their employees, meet informally to discuss the terms of a proposed labor contract. They agree upon a common policy to be followed during the stages of contract negotiation, whether they collectively bargain with the union or not, and even though each employer signs a separate contract. Once the contract becomes effective, collaboration among employers may cease until the time for a renewal of the contract.

The evidences of these collective efforts among employers are not easy to detect. The contracts signed with employees may contain no reference whatever to employer group action. An actual example occurred in Baltimore where five tugboat owners and operators met informally to negotiate contracts with unions represented among their employees. The owners adopted no common name and created no formal organization. After discussing proposed wages and working conditions among themselves they negotiated an agreement with a committee representing the union. The resulting contracts were identical for each of the five companies. The union ratified them all at a single meeting and each company signed its own contract. Yet no contract contained any evidence of employer-group participation in its formation.[1]

Another example of employer collaboration not readily disclosed from an examination of existing agreements is to be found in the flat glass industry where a single agreement covers an association of "Little Glass" companies, and separate agreements exist with each of the two "Big Glass" companies—Pittsburgh Plate and Libby-Owens-Ford. Yet the two large companies negotiated their contracts jointly, both with the Window Glass Cutters League and with the Federation of Glass, Ceramic and Silica Sand Workers. Although each contract is signed by only one firm, the union agreements are identical for both companies. The two companies even collaborate during the administration of the contract to insure uniform patterns of interpretation; yet there is no evidence in the agreements of any common organization or machinery through which joint action is taken.[2]

Other employers' associations, unlike the informal groups whose members mutually assist one another during the negotiations of contracts, offer more tangible evidence of their existence. They possess a common name, perhaps a constitution and by-laws, sometimes a staff of elected officials and permanent employees. They may hold regular meetings of their membership; they may levy assessments and collect dues; they may be affiliated with a number of other employer groups, and they may be incorporated under State law. Thus the Confectioners Industrial Relations Board, composed of 18 companies in the New York metropolitan area is incorporated under the laws of New York State and its officials include a board of directors, an executive-secretary, a treasurer, and a general counsel. On the other hand, the Puget Sound Shipowners Association is not incorporated, has no fixed dues, holds no regular meetings, but levies special assessments when needed and calls meetings when necessary to consider problems of general concern.

Employers' associations of this type are characterized by their primary concern with problems of labor relations. They are either created expressly for the purpose of collective bargaining or they have come to accept the management of labor problems, including the bargaining function, as their predominant interest. Thus the Affiliated Dress Manufacturers, Inc., which since 1900 has negotiated union contracts in the women's ready-to-wear industry of New York City, was organized, as declared in its certificate of incorporation, for the purposes of promoting conciliation and settling disputes between its employers and employees, and of making, on behalf of its members, agreements with other organizations, including trade agreements with labor unions. Likewise, the Association of Doll Manufacturers in New York City was organized in 1933 to handle the labor relations of its members; and its executive secretary has declared that 90 percent of the association's time is devoted to labor problems. On the west coast, the San Francisco Scrap Iron Dealers Association was organized in 1937, as stated in its agreement of association, for the purpose of "the regulation of labor conditions in the scrap and metal industry" through the joint efforts of its

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[a] Prepared by Mr. Jesse T. Carpenter, under the direction of Nelson M. Bortz, chief, Union Management Research Division, Industrial Relations Branch, Bureau of Labor Statistics.

[1] The Maritime Labor Board which obtained some of this information in the field also found evidences of a similar arrangement among the vessel operators and the contracting stevedores in the Great Lake ports. Report of the Maritime Labor Board (March 1, 1940), p. 97.

[2] Richard A. Lester and Edward A. Robie, Wages Under National and Regional Collective Bargaining (1946), pp. 70-72.

members and "by means of collective bargaining."[3]

Formed to bargain collectively with labor unions, a typical employers' association may fluctuate in its membership from year to year. Generally, refusal to accept a contract negotiated by the employer group is tantamount to withdrawal from the association. Or, having accepted a master contract, a member may resign from the association because of disagreement over the administration of the contract or for other reasons. Notice of resignation is usually adequate to effect a separation, provided the company's financial obligations to the association have been fulfilled. Some associations provide for the expulsion of members as a penalty for violating the contract terms. A number of association contracts specify that the separation of a member from the group does not terminate the obligations of the company to the union under the agreement.[4]

Despite the singularity of their purpose, these employers' associations differ widely in their structure and powers. The constitution of the Doll Manufacturers Association, cited above, places highest authority in a board of directors with an executive secretary acting as general manager. In the Scrap Iron Dealers Association, just referred to, authority is so highly centralized that the association negotiates labor contracts and sends copies to its members with instructions "to conduct all relations with your employees in accordance therewith." Most employers' associations follow trade lines and are to be found in the cities. The Associated Laundry Owners of Greater Kansas City, the Employing Bakers of Cleveland, the Chicago Retail Furniture Dealers Association, the Associated Fur Coat and Trimming Manufacturers, Inc., of New York City, the Cincinnati Printers League, the Associated General Contractors of Omaha—all are examples of local employers' associations with union contracts.

Many city associations of this character have no more than the simplest headquarters—if any; no more than the barest outlines of a permanent organization—if any; no more than one or two full-time employees—if any. In many cases their work as an association ceases momentarily with the signing of the contract, even though the association be an indisputable party to it. Like the informal employer groups, many associations remain dormant between negotiating periods. An example is that of the molders and foundrymen of Pittsburgh and vicinity which is an association of foundry and machine shop employers created in 1903 to bargain with the International Molders and Foundry Workers Union. Yet this body has never had a constitution, bylaws, articles of association, nor permanent records. It has never collected dues nor maintained a treasury. It holds no meetings save for those of its negotiating committee and exercises no compulsory powers over its members.[5]

The amount of organization generally varies directly with the strength of the association; and association strength depends in part upon the ratio of actual to eligible membership in the area covered by the agreements. The strongest local associations are generally those with the largest percentage of eligible members over a city-wide or metropolitan area. A newspaper publishers' association with only a few members is likely to be powerful because these associations generally represent most if not all of the newspaper publishing business in their respective metropolitan areas; whereas, a laundry owners' association may be relatively weaker despite the number of its members if, as frequently happens, it represents only one of several such associations in the same city.

An employers' association of the less formal type may be created overnight from a single meeting of employers who select a negotiating committee to bargain with the union. Associations whose only identifying titles are those of their negotiating committees doubtless began operations without the formalities that often accompany the establishment of a new organization. The Fir Employers' Negotiating Committee of Portland, Oregon; the Lumbermen's Industrial Relations Committee of Seattle, Wash.; the Petroleum Labor Group of Minneapolis, Minn.; and the Motor Carriers Negotiating Committee of Nashville, Tenn., were probably created to meet an immediate need in collective bargaining. In December 1945, 13 commercial aviation companies formed the Air Line Negotiating Committee expressly to bargain with the Air Line Pilots Association on the subject of a contract for the pilots of four-engined planes.

The evolution of association bargaining may be illustrated from the experience of the Associated Metal Fabricators and Engineers of Detroit. From 1937 to 1940 several companies engaged in industrial sheet metal work in the Detroit area operated under individual collective bargaining contracts negotiated separately with the United Steelworkers of America. Then for the next 2 years, 1940 to 1942, the United Steelworkers negotiated contracts with a group of from 6 to 9 firms designated in the resulting blanket contracts as sheet metal companies. In December 1942, these companies who were parties to the blanket agreement formed the Associated Metal Fabricators and Engineers; and thereafter the secretary of the association represented the members in the negotiation of labor contracts.[6]

At the formative stage of an employers' association the question of representation is most likely to become a stumbling block. For in many instances the members of the association will most certainly be of unequal size and importance; and they are likely to be too numerous for all to be represented directly at the conference table. In the flat glass industry, for example, the two large companies with 15,000 employees have refrained from joining an association of five smaller companies whose combined workers number only 2,500. The Radio Corporation of America with 8,000 employees negotiates its own contracts with the United Electrical workers (CIO) while in the same industry 20 members of the Electronics Manufacturers' Association have a contract with the same union covering 6,000 employees. The Big Four meat packers in Chicago negotiate individual contracts while the Packers Association of Chicago representing 11 other companies negotiates an association contract covering less than one-tenth as many workers.[7]

The membership of an employers' association is not always drawn from a major industry or trade group. Some associations cut across trade lines; others are confined to narrow crafts within a single major industry or service. Often the character of membership is determined by the particular union with which the association must deal. An association formed to bargain with the Upholsterers' International Union would normally be confined to members of the upholstered furniture industry; and such is the case with the members of the Minneapolis Retail Upholstering Employers Association or with the Upholstered Furniture and Frame Manufacturers Association of Philadelphia. But an association formed to bargain, for example, with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers may be composed of employing upholsterers, milk distributors, ice manufacturers, and meat dealers, all of whom are faced

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[3] *National Dress Manufacturers Assn., Inc., et al.* (1940) (28 N. L. R. B. 386); *Admiar Rubber Co.* (doll manufacturers) (1938) (9 N. L. R. B. 407); *Hyman Michaels Co., United Commercial Division et al.* (scrap iron) (1939) (11 N. L. R. B. 796).

[4] The War Labor Board has held that all obligations contracted by the association on behalf of a company redound on the company itself when it resigns from the association. *In re United Motors Service, Inc., etc.* (Seattle Automotive Supply and Equipment Association) (September 1, 1944), 19 War Labor Reports 479. But notice of resignation from the agreement amounts to resignation from the association, according to the contract between the Los Angeles County Painters and Decorators Joint Committee and the District Council of Painters No. 26. An example of the instability of some employer groups occurred in the fall of 1946 during the general trucking strike in New York City. Two organizations of employers—the Motor Carriers Association and the State Motor Truck Association—had created a joint wage scale committee to negotiate with the teamsters' union. On October 21, 1946, after several large chain stores had broken away from the group, representatives of 80 trucking companies which remained loyal to their associations met and signed cards expressly authorizing the joint wage scale committee to negotiate for them. It was reported that financial penalties were to be imposed upon those who violated their pledges. Subsequently, the joint wage scale committee was dissolved and the members relieved of their pledges. Individual contracts were then signed with the teamsters' union.—New York Times, October 22, 1946, p. 28; October 29, 1946, p. 21.

[5] Sterling Steel Foundry Co. (1943) (53 NLRB 896 at p. 898). See also F. L. Hartung Co. (Spokane Detail and Millwork Association) (1943) (50 NLRB 1).

[6] *J. D. Schmieg, etc.* (1945) (62 N. L. R. B. 1474 at p. 1476). A similar evolution occurred in the case of the Plywood and Door Manufacturers Industrial Committee. See *Springfield Plywood Corporation* (1945) (61 N. L. R. B. 1295 at p. 1297). The New Orleans Steamship Association, Inc., under the laws of the State of Louisiana, August 12, 1912, was preceded by an informal organization known as the New Orleans Steamship Conference. (Report of the Maritime Labor Board, March 1, 1940, p. 95.) In the commercial aviation industry 18 companies formed the Air Lines Negotiating Conference in August 1946 after several months' experience with the Air Lines Negotiating Committee which represented 13 companies. (See transcript of the hearings held in the matter of the investigation of the air lines negotiating conference. Civil Aeronautics Board Case No. 738-739. Docket No. 2603, December 16-18, 1946.)

[7] On the Electronics Manufacturers' Association, see Bureau of National Affairs, "Transition from Individual Company to Association Bargaining: A Case Study," in Collective Bargaining Negotiations and Contracts (Apr. 22, 1946) 16: 201-204. The Pacific Pulp and Paper Manufacturers Association, however, found an expedient through which the Crown-Zellerbach Corp. and its affiliates with about half the business of the association could be represented on a plant basis, so that with 17 of the 34 mills in the association it received recognition roughly according to its strength. Roger Randall, Labor Relations in the Pulp and Paper Industry of the Pacific Northwest (1942), p. 60.

with the problem of delivery service.[8] It is therefore possible for a single company or firm to be a member of several employer groups each of which bargains with one or more unions.

In the needle, printing, and construction trades, employers' associations, like unions, tend to follow narrow craft lines. The apparel industry is noted for the number and diversity of its associations. In New York City alone there are scores of employers' associations in the needle trades, covering such specialties as the manufacturers of bathrobes, corsets, and brassieres, popular priced dresses, women's hats, infants and children's coats, covered buttons, artificial flowers, buttonholes, ladies' handbags, gloves and sportswear. Associations in the printing trades are divided into newspaper publishers, book publishers, edition bookbinders, employing printers, electrotypers, photoengravers, stereotypers, lithographers, and others.

The construction trades have a host of employers' associations in almost ever large city where workers are organized along craft lines. In some cities the divisions are more finely drawn than in others. Examples are the Painting and Decorating Contractors of Cleveland, the Master Plasterers of Boston, the Contracting Plumbers of St. Louis, the Heating, Piping, and Air Conditioning Contractors of Greater New York, the Associated Metal Fabricators and Engineers of Detroit, and the Mason Contractors of St. Louis. However, the Builders Guild of St. Louis represents principally but not exclusively the general contractors; and in Seattle, Wash., the Seattle Construction Council is a general employers association covering many branches of the construction trades, just as the local A. F. of L. Building and Construction Trades Council with which the association bargains, embraces a number of unions of employees in the construction trades.

There is substantial evidence that employers' associations tend to follow the pattern of the union organization with which they deal. In California where more than a dozen local unions of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers are organized into a highway drivers council, the employers have a corresponding organization for collective bargaining in the Truck Owners Association of California. In San Francisco, where local unions of bartenders, waitresses, cooks, waiters, dairy lunchmen, and miscellaneous employees are associated in a joint executive board of culinary workers and bartenders, some 50 employers representing hotels, lunchrooms, restaurants, bars, and grills have organized the San Francisco Culinary Employers Conference. A single contract is negotiated between the two bodies. Again the Plumbing, Heating, and Piping Employers Council of Southern California holds a contract with the Southern District Council of the California Pipe Trades Council which represents the employees.

In the Midwest, the Central States Drivers Council, an organ of 330 locals in the International Brotherhood of Teamsters, negotiates contracts with the Central States Employers' Negotiating Committee representing some 800 common and contract carriers in 12 States.[9] In Indiana where several unions are affiliated in a Federal Council of Limestone Trades, their employers negotiate with them through the Stone Industry Industrial Relations Committee of the Indiana Limestone Institute.

The problem of transporting supplies in the construction industry of Pennsylvania has produced a State-wide contract negotiated between the Pennsylvania State Council of Building Contractors and the Pennsylvania Commercial Drivers Conference. In the vicinity of Boston, Mass., the Building Trades Employers Association of Boston and vicinity and the Associated General Contractors of Massachusetts jointly negotiate contracts with the General Laborers Local Unions of the Eastern Massachusetts Laborers District Council.

The retail and wholesale trades sometimes provide the basis for general employers' associations whose contracts are distinguished by the number of trade groups embraced and by the number of unions involved. Thus the Merchant Employers' Association of Anaconda, Mont., which bargains with the Retail Clerks' Protective Association, has a membership representing grocery, drug, shoe, clothing, furniture, and variety stores as well as general merchandising. In Toledo, Ohio, Retail Associates, another merchants association, has a single contract with 13 different union signatories. Since 1939, the Pittsburgh Labor Standards Association composed of five of the six major department stores in the city has negotiated contracts for its members with 21 different unions. One contract alone covers 12,000 sales employees.[10]

In many cities, employers' associations, like the unions with which they deal, have formed local federations to provide a medium of cooperation among different branches of the same trade or among various trade groups. These federations are more common among associations organized along narrow craft lines within the same industry or trade group. But there may still be an additional need for common counsel on labor problems among all employers within the city, inasmuch as labor disputes in one firm or business invariably affect conditions in other trades or industries. General federations of employer groups also facilitate the adoption of basic labor policies to be promoted by management throughout the locality.

Such federations, like their component members, may be nameless or titled, simple or complex, temporary or permanent. In some cases the only evidence is the existence of a contract covering a number of associations in the same city. Thus four brewery associations in Chicago—the Illinois Association of Breweries, the Wholesale Beer Distributors Association, the Associated Chicago Beer Distributors, and the Out-of-State Shipping Brewers—have jointly accepted common contracts with the Beer and Liquor Chauffeurs and Helpers, Local No. 714, of the teamsters' union. One contract applicable to all four associations covers the bottle-beer drivers; another covers the keg-beer drivers. In the same city three contractors' associations in the construction industry have a joint agreement with local No. 73 of the sheet-metal workers; four laundry associations have practically identical contracts with local No. 712 of the teamsters; three dress manufacturers' associations have common contracts with the Chicago Joint Board of the International Ladies' Garment Workers' Union; and three trucking associations have an agreement with several locals of the International Brotherhood of Teamsters.[11]

In Detroit, the Greater Detroit Movers Association, the Detroit Van Owners Association, and the Detroit Furniture Warehousemen's Association have set up a common labor relations committee which negotiates contracts applicable to all three associations with local No. 243 of the teamsters' union. In the San Francisco Bay area, six painting and decorating contractors' associations have created the Bay Area Painters and Decorators Joint Committee, Inc., which negotiates contracts with several locals and district councils of the Brotherhood of Painters, Decorators, and Paperhangers. Still another example of a negotiating committee representing more than one association was the joint agency representing the Motor Carriers Association of New York and the State Motor Truck Association which bargained with the teamsters before and during the trucking strike in New York City (September to October 1946).[12]

Local federations of employers' associations are common in the clothing industry, where the term "board" or "council" in the title of an employer group usually identifies the organization as a federation of associations, just as these words in labor union terminology usually signify a combination of union locals. The administrative board of the dress industry, for example, represents five employers' associations in New York City and is a counterpart to the local joint board of the International Ladies Garment Workers Union with which most association contracts in the apparel industry are negotiated. Another typical federation of employers' associations is found in the silk and rayon dyeing and finishing industry of New York City and vicinity. In 1943 seven employers' associations in this area formed a central bargain-

[8] One contract between the St. Paul Employers of Truck Drivers, St. Paul, Minn., and local No. 120 of the teamsters' union covers 12 different industries.

[9] *In re Central States Employers' Negotiating Committee, etc.*, (Oct. 14, 1942), 4 War Labor Reports, 132 at 133–134. For analogous organizations of employers and employees on a county-wide basis see *In re National Association of Glove Manufacturers for Fulton County, etc.* (Nov. 3, 1942), 4 War Labor Reports, 307 at 309–310. In 1925 when workers of Greek descent in the fur industry of New York City established separate locals in their union, the fur manufacturers of Greek descent organized the United Fur Manufacturers Association to bargain with them. *United Fur Manufacturers Association, Inc.* (1944), 49 N. L. R. B. 1405.

[10] From an article on the "Pittsburgh Labor Standards Association" in Women's Wear Daily, June 28, 1946. The association was a party to a case before the War Labor Board, region III. In re Labor Standards Association, etc. (Oct. 18, 1945) 28 War Labor Reports 561.

[11] The construction employers are the Ventilating and Air Conditioning Contractors Association of Chicago, the Sheet Metal Contractors Association of Cook County, and the Air Conditioning Contractors Alliance. The laundry groups are the Chicago Linen Supply Association, the Chicago Laundry Owners Association, the Commercial Laundry Institute, and the Industrial Launderers and Cleaners. The dress-manufacturing associations are the Chicago Association of Dress Manufacturers, the United Dress Manufacturers Association, and the Chicago Dress Contractors Association. The trucking associations are the Cartage Exchange of Chicago, Inc., the Illinois Motor Truck Operators, and the Central Motor Freight Association. See *In re Cartage Exchange of Chicago, Inc.*, etc. (1943–45), War Labor Reports 7:576; 24:309, 648; 27:510.

[12] In Seattle, Wash., Local Union No. 105 of the Retail Clerks' International Protective Association has identical contracts, except for a few clauses covering job classifications and salaries, with five local employers' associations: Retail druggists, retail drug distributors, retail food industries, retail grocers and meat dealers, and the bakers. In addition, other copies of the agreement are prepared as form contracts for department stores, shoe stores, and variety stores. In the same city, Local No. 44 of the International Brotherhood of Teamsters has identical contracts, except for job classifications and salaries, with the Automobile Supply and Equipment Association, the Automobile Dealers Association, the Kings County Tire Dealers Association, and the service stations.

ing council which negotiates contracts with the unions for its member associations.[13]

Although many associations which otherwise maintain their independence have since VJ-day joined informally to work out common policies on wage increases, federations of employers' associations are not a recent development; nor were they a strikingly unusual institution prior to the war production drives of the 1940's and the NRA codes. More than 40 years ago the Building Trades Employers' Association of New York City represented 30 employers' associations in handling labor problems for the construction industry. This it did through the medium of a board of governors consisting of three members from each association.[14]

In 1946 this association negotiated with the Building and Construction Trades Council a contract which applied to 19 employers' associations and 26 union groups. These member associations covered 19 different branches of the construction industry. They included such associations of employers as the Asbestos Contractors; the Master Carpenters; the Window and Plate Glass Dealers; the Contracting Plumbers; the Composition Roofers, Waterproofers and Dampproofers; the Heating, Piping, and Air Conditioning Contractors; and the Master League of Cement Workers. These trades associations each have contracts with their corresponding unions; but the master contract of the Building Trades Employers' Association set basic standards which superseded conflicting provisions in the existing contracts of the member associations. Each association is encouraged, however, to continue its contracts supplementing the master agreement.[15]

Employer-group federations embracing all types of business within a city are largely a development of the last 10 years and are primarily concentrated in the far Western States. Leader in this field is the San Francisco Employers Council, which in April of 1945 had 1,995 members, 919 of whom were affiliated through their various industry groups. The other members were individuals or independent companies. The objectives of the council, as stated in its articles of incorporation, are (1) to encourage the organization of autonomous employer groups and cooperation among these groups in matters relating to labor relations; (2) "to promote the recognition and exercise of the right of employers to bargain collectively;" and (3) upon request, "to assist its members and others in matters relating to the negotiation, execution, and performance of fair labor contracts." During its first year of service the council negotiated 106 contracts, adjusted 67 labor complaints, handled 8 arbitration cases, filled 295 separate requests for advice, and provided 48 special services. In its 1944 annual report the council noted that its members had made increasing use of its facilities and services.[16]

Of a similar character is the Industrial Conference Board of Tacoma, Wash., an over-all agency for a number of independent companies and 15 or 20 employers' associations each of which has one or more union agreements. Both the Reno Employers Council of Reno, Nev., and the Silver Bow Employers Association of Butte, Mont., participate in the formation of labor contracts for their various employer groups. In Sacramento, Calif., the Sacramento Valley Associated Industries is the unifying agency for a dozen or more associations covering such varied fields as bowling alleys, beverages, furniture warehouses, taxicabs, machine shops, liquor and tobacco dealers, retail foods, wholesale bakeries, draymen, druggists, tire dealers, and building owners. Each association has a union contract signed in its behalf by the individual who serves both as executive secretary to the association and as general managers of the Associated Industries.[17]

Many forms of employers' associations found in cities and metropolitan areas are duplicated in associations with a larger area of coverage. There are intrastate district associations, like the Southeastern Massachusetts Shoe Manufacturers Association, the Food Industry of Western New York, and the Plumbing, Heating and Piping Employers Council of Southern California. There are State-wide associations like the Timber Producers Association of Minnesota, the Montana Contractors Association, or the Indiana Coal Operators Association. There are interstate regional associations like the Pacific Coast Association of Pulp and Paper Manufacturers, the Great Lakes Sand Boat Operators, or the Southeastern States group of motor-carrier operators. Finally, there are a limited number of national associations with industry-wide contracts like the Wall Paper Institute, the United States Potters Association, and the National Elevator Manufacturing industry, Inc.[18]

There is a tendency for the geographic scope of association bargaining to gravitate toward areas of keenest competition among employers. Most commonly this area is a metropolitan district. Owners of hotels, laundries, groceries, and other service establishments seldom compete with other members in their respective trade groups beyond the limits of the metropolitan area in which their business is located. An increasing number of association contracts cover a greater city or a city and vicinity. Such are the contracts of the Union Foundrymen of Pittsburgh and Vicinity, the Retail Furniture Dealers Association of Greater Cincinnati, or the Sacramento Automotive Associations in the Sacramento Metropolitan Trading Area.[19]

The tendency for collective bargaining to coincide with "markets" accounts for the prevalence of regional associations which follow areas of economic rather than political interest. Western Pennsylvania has its regional associations of contractors, motor carriers, and beer distributors. Northern California has its foundrymen's institute, its retail druggists, and its chapter of the Electrical Contractors Association. In the coal industry associations follow the valleys. In the apparel industry they follow the leading apparel-producing cities and their supporting hinterlands. The Merchants Ladies Garments Association defines the "Metropolitan district" embraced by its contract with the International Ladies Garment Workers as "the city of New York and all such cities and towns in the State of New York, New Jersey, Connecticut, and Pennsylvania in which garments are being manufactured by or for members of the association or other manufacturers, jobbers, or wholesalers doing business in New York City."[20]

For the same reasons martime and longshore associations on the Atlantic and Gulf coast are separate from those on the Great Lakes or the Pacific coast. The Pacific American Shipowners Association, for example, is composed of 30 or 40 shipping companies whose home ports are on the Pacific coast, and it has a series of deep-sea agreements with the National Organization of Masters, Mates, and Pilots (AFL); the National Marine Engineers Beneficial Association, Pacific Coast Division (CIO); the National Union of Marine Cooks and Stewards (CIO); the American Communications Association, Marine Division (CIO); the Sailors Union of the Pacific (AFL); and the Pacific Coast Marine Firemen, Oilers, Watertenders, and Wipers Association (Independent). It also has separate coastwise agreements with each of these six unions for vessels in the steamer-schooner trade. These agreements are in no way tied up with similar contracts negotiated through the Committee for Companies and Agents, Atlantic and Gulf coasts.

Often it is as difficult to identify association bargaining on a regional basis as on a local one. Here, too, there are many "form" contracts applicable to all employers in certain States or regions who will accept them either by signing individually (a separate contract for each employer) or in groups (several signatories to a single document). Here, too, it is not always clear whether the

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[13] Richard A. Lester and Edward A. Robie, Wages Under National and Regional Collective Bargaining (1946), p. 62.

[14] W. F. Willoughby, Employers' Associations for Dealing with Labor in the United States, Quarterly Journal of Economics, November 1905, vol. 20, p. 139.

[15] On January 8, 1947, the chairman of the board of governors of the Building Trades Employers' Association of New York City and the president of the Building and Construction Trades Council, AFL, on behalf of 21 employers' associations and 30 participating unions jointly announced a wage stabilization agreement applicable to 200,000 building trades workers in New York City. New York Times, January 8, 1947, p. 1.

[16] See the annual reports of the San Francisco Employers Council, and the article by its first president, Almon E. Roth, Objectives and Operations of the San Francisco Employers Council" in American Management Association, Personnel Series (1939) No. 37, pp. 4–15.

[17] Employers' councils are an outgrowth from the older city-wide associated industries which were often hostile to organized labor. See the 250-page report on the Associated Industries of Cleveland, 76th Cong., 1st sess., S. Rept. No. 6, pt. 5. This is a part of the La Follette committee report on Violations of Free Speech and the Rights of Labor, which deals extensively with the labor policies of the older type of employers' associations. The Employers Association of Detroit, whose members embrace all manufacturing groups, most of which are in the automobile industry, has since its formation in 1902 collected and disseminated information on labor relations for its members, but does not negotiate contracts. William H. McPherson, Labor Relations in the Automobile Industry (1940), pp. 13–14.

[18] Some association agreements are national in their geographic scope but not industry-wide in their coverage. Thus the 35 hosiery companies covered by the 1946–47 agreement between the Full Fashioned Hosiery Manufacturers of America and the American Federation of Hosiery Workers are scattered from Massachusetts to California, but they represent only about 35 percent of the full-fashioned hosiery industry. The Manufacturers' Protective and Development Association has a contract with the International Molders and Foundry Workers Union which covers less than 25 percent of the industry, although the member companies are scattered throughout the country.

[19] The Sacramento groups of employers consist of 16 automobile dealers, 10 body, fender, and welder shops, 11 parts houses, 2 brake shops, and 40 automotive-maintenance concerns. They have a contract with the Sacramento Automotive Trades Council, which includes the International Association of Machinists and the International Brotherhood of Teamsters.

[20] Everywhere collective bargaining tends to follow expanding areas of competition in business. In the textile industry of New England the employer basis for bargaining has grown from the company to the association to combinations of associations. In 1945 the New Bedford Cotton Manufacturers Association and the Fall River Manufacturers Association negotiated a joint agreement with the United Textile Workers of America. Another group composing the Textile Directive Steering Committee represents 29 New England cotton and rayon companies operating 40 mills and employing 31,000 people. In re The Textile Directive Steering Committee, etc. (November 19, 1945) (28 War Labor Reports 738 at 739).

employers accepting these blanket agreements are acting as members of an association or as independent companies. Many regional groups are loosely organized with little more than a negotiating committee to represent them. Such is the Committee for Companies and Agents, Atlantic and Gulf Coasts, which, in October 1946, negotiated coastwise maritime agreements with the National Organization of Masters, Mates, and Pilots (AFL), and the National Maritime Marine Engineers Beneficial Association (CIO).[21] Such also is the Southeastern Area Employers Negotiating Committee, representing common, contract, and private carriers by motortruck, which negotiates contracts with the southeastern area union negotiating committee of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers.

Employers in some branches of the construction trades sign identical form contracts of State-wide or national application. An Indiana blanket agreement was drafted to govern the employment relations of the International Union of Operating Engineers with the "signatory" contractors in the State. One copy of this agreement has been signed by representatives of 20 different companies, who, by the terms of the contract, are directed to name one of the three members to a joint grievance board. Some means for collective action among employers is therefore required to fulfill the obligations of the contract, whatever may have been its origin or the intention of those who framed it. In Montana, there exists a form contract defined as an agreement "between the employers of granite cutters in the State of Montana and the Montana branches of the Granite Cutters International Association of America."

A Nation-wide blanket agreement exists between the sheet metal contracting division of the construction industry and the Sheet Metal Workers International Association. One space is provided for inserting the name of the contractor or contractors' association, party to the agreement; another, for defining the territory covered by the agreement. A similar 1946 blanket contract between the Master Insulators Association and the International Association of Heat and Frost Insulators and Asbestos Workers is prepared for use throughout the country by having the appropriate parties insert their titles in the following clause of the contract: "This agreement, made and entered into this —— day of ——— 19—, by and between the Master Insulator Association of ———— and vicinity as party of the first part and International Association of Heat and Frost Insulators and Asbestos Workers' Local No. ——— of ——— as party of the second part."[22]

[21] This employers' negotiating group was first organized during the war as a committee for the general agents of the War Shipping Administration, Atlantic and Gulf coasts. It was the negotiated coastwise agreements with the National Maritime Union (CIO) and the American Communications Association (CIO) as well as the National Organization of Masters, Mates, and Pilots (AFL) and the National Marine Beneficial Association (CIO). While most of the companies represented by this committee are also members of the American Merchant Marine Institute, and although the president of the institute is at the same time chairman of the negotiating group, the committee is not a creature of the institute. Letter dated February 3, 1947, from William G. Mullins, director of labor relations, American Merchant Marine Institute, to Ewan Clague, United States Commissioner of Labor Statistics.)

[22] Apprenticeship training has also been a subject of Nation-wide bargaining between national associations of employers and international craft unions in the construction trades. Thus, in June 1946 the National Terrazzo and Mosaic Association, Inc., and the Bricklayers, Masons and Plasterers International Union of America signed a national apprentice agreement, the terms of which have already been accepted by the Chicago Terrazzo and Mosaic Contractors Association in a contract with local No. 41 of the Marble Mosaic and Terrazzo Workers Union. Again, the National Joint Carpentry Apprenticeship Committee, in cooperation with the Federal Committee on Apprenticeship, prepared the National Standards for Carpentry Apprenticeship, which were approved by the Associated General Contractors of America, the National Association of Building Trades Employers, and the United Brotherhood of Carpenters and Joiners (AFL) in 1941. These national standards were made a part of the current agreement between the Building Construction Employers Association of Chicago and the Chicago and Cook County Building and Construction Trades Council.

The larger the area of coverage the more likely is an association to operate through local or district agencies each of which may exercise some particular function in the conduct of labor relations. The Waterfront Employers Association of the Pacific Coast embraces employers of longshoremen handling general cargo along the entire west coast; but the work of the association is carried on through affiliated local waterfront employers associations in Seattle, Portland, San Francisco, and San Pedro (Los Angeles). Each of these associations has its own port agreements covering certain workers who are members of the International Longshoremen's and Warehousemen's Union. The coastwise longshore agreement is negotiated by the Waterfront Employers Association of the Pacific Coast "on behalf of" these four local associations.[23] In the bituminous-coal industry, employers' associations are pyramided from a broad base of local associations covering a county or a valley up through district associations, some of which are State-wide, to regional associations, like the Appalachian Coal Operators, representing 21 district associations, or the Southern Coal Producers Association, composed of 14 district associations and 4 individual members.[24] At the apex of this pyramid of coal associations in the last few years has been the temporary negotiating committees, representing the entire industry in bargaining for contract revisions with the United Mine Workers of America.

National employers' associations are usually at the head of complex association "systems," with units of their organizations extending down through States and districts into localities. These systems differ widely in their distribution of responsibility for conducting labor relations at the various levels of authority. The National Association of Retail Meat Dealers, with headquarters in Chicago, is, by the terms of its current contract with the Amalgamated Meat Cutters and Butcher Workmen of America, recognized to be "a national association of retail meat dealers consisting of affiliated State and local associations in various cities and States of the United States." This national agreement, first negotiated in 1937, does not establish a high degree of centralization in the association system, however; for in article I of the agreement, "both parties recognize that local conditions require local treatment and that it is not practical or feasible to include in this agreement the matters of wages, hours, and conditions of employment." The national agreement is therefore confined to a statement of principles and policies of mutual interest to both parties, who agree to "give their aid and good offices to the execution of fair and reasonable contracts between local unions and affiliated associations in the various localities where the said unions and affiliated associations exist."

In the building industry the Associated General Contractors of America is a national organization with State and local chapters, each of which may be a party to a labor contract. In 1942, for example, the Arizona General Contractors negotiated with the building and construction trade-unions a State-wide agreement which was signed for the employers by the secretary of the Arizona chapter of the Associated General Contractors of America and for the unions by a representative of the Building and Construction Trades Department of the A. F. of L. Twenty-four contractors and 17 different union groups also signed the contract. Intrastate chapters of the national association hold similar contracts—some, like that of the Southern California General Contractors, are district-wide; others, like that of the Portland, Oreg., chapter are local.[25]

The National Master Plumbers Association and the Heating, Piping, and Air Conditioning Contractors National Association have a common agreement with the United Association of Journeymen Plumbers and Steamfitters of America which states that it "may be used as a national guide for the local associations, and/or unions of both parties in negotiating their particular local agreement." This national agreement sets minimum wages and working conditions for all construction and repair work of the association in the United States and Canada, "it being understood that local groups of both parties will negotiate any higher hourly wage rate and overtime rate other than the minimum rate herein provided for."

Other industries and services have similar federated employer-group systems whose various echelons contribute directly or indirectly to collective bargaining and the maintenance of industrial peace. The American Trucking Association with headquarters in Washington, D. C., claims 40,000 members organized into 55 State and local associations. Numerous contracts of regional, State, and local coverage are now in effect with the International Brotherhood of Teamsters. The Industrial Council of Cloak, Suit, and Skirt Manufacturers, Inc., which bargains with the local joint board of the International Ladies' Garment Workers Union, covers a number of associations in New Jersey, New York, Connecticut, and Pennsylvania; yet the council is only one of four major coat and suit industry associations which are members of the National Coat and Suit Industry Recovery Board. A recent development in the apparel industry on a still more comprehensive scale has been the creation of a National Federation of Apparel Associations, the purpose of which, as stated by its general manager, is "to effect a greater affiliation between trade associations in the apparel industry so that they will be able to act together and speak with one voice regarding matters of common interest."[26]

[23] See the United States Department of Labor, Report and Recommendations of the Pacific Coast Longshore Fact Finding Board (May 13, 1946), mimeographed, pp. 2–3. More information about these associations can be found in Shipowners Association of the Pacific Coast, et al. (1938), 7 NLRB 1002, at pp. 1014–1021; (1941) 32 NLRB 668; and In re Waterfront Employers' Association of the Pacific Coast, etc. (Aug. 18, 1945), 26 War Labor Reports 514.

[24] On the southern operators, see Lillybrook Coal Co. (1945), 60 NLRB 31.

[25] Other national associations with chapters negotiating group contracts include the Master Barbers Association of America, Chapter 855, of Paterson, N. J.; the National Electrical Contractors Association, Northern Florida chapter; the Institute of Scrap Iron and Steel, Chicago, Ill., chapter; the Painting and Decorating Contractors of America, Cleveland, Ohio, chapter.

[26] New York Times, May 28, 1946, p. 4.

TRIBUTE TO THE LATE JOHN B. POWELL

Mr. DONNELL. Mr. President, the remarks which I am about to make are submitted on behalf of my colleague the junior Senator from Missouri [Mr. KEM] and for myself.

On February 28, 1947, at a luncheon meeting of Missouri University Alumni held in Washington, D. C., the guest of honor voiced the view that there is no need for us to fight Russia in the near future, if at all, if we take advantage of our common friendship and common grounds. He presented also the proposition that the Pacific islands that form a protective screen for America should never be relinquished. He set forth the fact that there are three ideologies at work in Asia, namely, communism, imperialism, and the American democratic idea, and expressed the view that what happens to China, India, to a billion people, will depend on the attitude and action of the United States. He expressed the hope that our national leadership has the intelligence to maintain our position in the Orient, and will exercise that intelligence in the years to come. He further declared that events in Asia will be of supreme importance in the future. The words of the speaker were based upon a wealth of knowledge which he possessed from a quarter of a century spent in the Far East.

Startlingly soon after the conclusion of his address, and while yet seated at the head table of the luncheon meeting, he whose words had just been uttered collapsed. Within a few moments he had passed to "the undiscover'd country from whose bourn no traveller returns."

The speaker was John B. Powell, Missouri born, graduate of the University of Missouri School of Journalism, newspaper man in Hannibal, Mo., for 3 years, instructor for 4 years at the university of which he was a son, and subsequently editor, foreign correspondent, and author. In 1917, Mr. Powell became connected with Millard's Far Eastern Review in Shanghai, China. Subsequently he bought the publication and changed its name to China Weekly Review. He was editor and publisher of it at the time of his death, having served in those capacities for many years, though his son, J. W. Powell, had been its managing editor since the resumption of publication in 1945 following the war. The publication had been suspended since Pearl Harbor. Among the products of the authorship of John B. Powell is the work entitled "My Twenty-five Years in China."

In his career in the Far East Mr. Powell was notably distinguished by his clear perception of the designs of Japan upon China and by his courageous and persistent warning to the world that the Japanese possessed such intentions. In an editorial entitled "He Being Dead Yet Speaketh," the Kansas City Times said:

As managing editor of the China Weekly Review at Shanghai, John Powell early showed a real understanding of Chinese character and a comprehension of Japanese plans to establish an overlordship in China. For many years he was a voice crying in the wilderness, warning his countrymen against the danger of the conflict he so clearly saw impending.

The St. Louis Globe-Democrat said of him:

He was one of the first who saw the menace of Japanese aggression and was outspoken in his condemnation.

The New York Times declared:

Soon convinced that Japan intended to swallow China, he made it his mission to warn the world. Threats, bribe offers, and bombing never swerved him.

The Louisville, Ky., Courier-Journal said:

John Powell's voice in the China press was just one man's, but it kept crying in the wilderness of the Orient, crying out against Japanese aggression.

His outspoken, daring, and repeated announcement to the world of the plans of Japan caused it to be likely that he would be a victim of the hatred and cruelty of that empire. The likelihood was to become a certainty. Less than 2 weeks after Pearl Harbor he was incarcerated by the Japanese in Bridgehouse Prison which at once aroused in him the thought of the Black Hole of Calcutta. In this prison he spent 7 months. He experienced the loss of two-fifths of his weight and the freezing and gangrene of his feet. Ultimately, as a result of his prison experience he suffered the loss of one foot and much of the other. As he spoke to his fellow alumni on the day of his death he stood on crutches and artificial feet.

The Washington Post said that he "wrote with clarity and pungency, but his prime virtue was courage." Continuing, the Post said:

A man of some means, he could have left the Far East when the overrunning of China by the Japanese was foreseen by most China hands, let alone an acute observer like Powell. But he stuck to his post.

The Washington Evening Star pointed out that after the Japanese moved into Manchuria in September 1931, "every agency of the Jap Government joined in a concerted effort to remove Mr. Powell from the Orient." Continuing the Star article reads:

His publications were denied postal privileges. His cable messages were mercilessly slashed by Jap censors and he was showered with threatening letters.

Nevertheless, the fighting editor wrote a series of stories for the Chicago Tribune dealing with Japan's preparations for war in 1934 and 1935.

Mr. Powell died among University of Missouri alumni. It was appropriate that it was among them that his final message was delivered, for he possessed an abiding affection for his alma mater. His courageous and steadfast adherence to duty vividly brings to our minds the words from a song of that great university:

Old Missouri, fair Missouri, dear old varsity,
Ours are hearts that fondly love thee,
Here's a health to thee.
Proud art thou in classic beauty
Of thy noble past.
With thy watchwords, honor, duty,
Thy high fame shall last.

Mr. President, although a copy of the remarks made by Mr. Powell as the concluding public message of his life does not exist, there has been reconstructed from notes and recollections a statement which is thought to be a close approximation of what he said on that notable occasion. I ask unanimous consent that, at the conclusion of my remarks, that statement be set forth in full.

There being no objection, the statement was ordered to be printed in the RECORD at the conclusion of Mr. DONNELL'S remarks.

(See exhibit 1.)

Mr. DONNELL. I also ask unanimous consent that following the statement just mentioned there may be set forth the following editorials from the Washington Post; the Louisville Courier-Journal; the Kansas City Times; the St. Louis Globe-Democrat; the New York Times; the China Daily News (Shanghai), March 3, 1947; the China Press (Shanghai), March 2, 1947.

There being no objection the editorials were ordered to be printed in the RECORD.

(See exhibit 2.)

Mr. DONNELL. Mr. President, to his surviving widow, his son, his daughter—Mrs. Martha Hensley, his brother, sisters, and friends, may there come consolation from the beautiful words of the paragraph with which is concluded the editorial, just mentioned, from the China Press of Shanghai:

May the earth lie softly above your head J. B. This is the beginning of a long sleep. But your work will be carried on. For you make truth nobler—a more fearless thing. And as long as truth will survive so too will your memory.

EXHIBIT 1

TALK BY JOHN B. POWELL, DISTINGUISHED EDITOR AND AUTHOR, ON FAR EASTERN AFFAIRS TO UNIVERSITY OF MISSOURI ALUMNI, AT SHERATON HOTEL, WASHINGTON, D. C., FEBRUARY 28, 1947

Mr. Chairman (Clark Nichols, Missouri, '06), fellow alumni, and guests, I have come here today, at the invitation of your chairman and of my classmate, Roy Miller (Missouri, '10), who has introduced me so extravagantly, to talk to you of something of the significance of events in the Far East. To do that I will comment from my long-time experiences there, dating back to 1917.

(NOTE.—John B. Powell had been presented to the University of Missouri alumni as the "most apt to be known from the Yukon's frosty peaks to Rio's Corcovado and in the bazars of far Cathay as well as here in the old U. S. A."

(A notice by Clark Nichols, president of the Washington, D. C., branch of the University of Missouri Alumni Association, in announcing the speaking date said, "This modest little man, whom everyone stood to honor at the luncheon in honor of Senator JAMES P. KEM on January 30, has become, because of his long years of service in China as managing editor of the China Weekly Review and correspondent for the Chicago Tribune, his dodging of Japanese assassins, his services as war correspondent, and as author of My Twenty-five Years in China and other books on the Far East, the University of Missouri's most famed graduate of this era.")

Reference has been made to My Twenty-five Years in China, and it has been said that I am most familiar with affairs in China. What I am really most familiar with at the present time is plastic surgery. At present, I am becoming accustomed to my new feet, one of them courtesy the Press Club, and the other courtesy the Army.

I am especially glad today to see here two longtime friends, James R. Young of the International News Service and Morris J. Harris (Missouri '25) of the Associated Press. We

share a like distinction in that all three of us have served in Japanese jails. In my own case, I was thrown into Bridgehouse Prison by the Japanese on December 20, 1941.

In historic retrospect, I want to emphasize the importance of China and the Far East to the United States economically, in the past as well as for the future. Although the United States fought largely in the Pacific, as a Nation we know less about the Far East than in the days of the clipper ships. After the American Revolution, our trade and commerce with China and the Far East brought this country out of an economic depression.

For an illustration, it was not uncommon of New England sea captains to cut a shipload of ice in the winter season, and sell it in the Far East and in China. As a historical landmark to such trading, there is an Icehouse Street in Hong Kong today.

China is in much the same position as we were a century ago. She will eventually regain her outlying possessions, as we won the West. Primarily it is a case of transportation. It was not until we extended our railroads to the Coast that we could be sure of our land. We built the railroads, at terrible cost, but if we had not, the Pacific Coast would not have been ours, but would have been British and Spanish, and perhaps Russian.

For the next decades China, with only 10,000 miles of railroads, against our 260,000 in a smaller country, will have to extend her communications. Then Manchuria, Mongolia, and Sinkiang, a territory in itself as large as the United States, will be restored to her.

There are three ideologies at work in Asia—communism, imperialism, and the American democratic idea. What happens to China, India, to a billion people * * * will depend on the attitude and action of the United States.

Shall we be left in a world with more than a billion hostile people against our quarter million in the Western Hemisphere?

Once when there was a Presidential election we got a cable, through the same channel, "Harding leading in early returns."

"There will be later reports," I told the English owner of the paper. He wanted to know why there should be. I told him that the States are far-flung, and that reports trickle in gradually till the election was no longer in doubt.

"Do you mean they wait for reports from the interior?" he asked.

"Yes, from the various States, Missouri, for instance."

"Missouri?" replied the boss. "Missouri? Is that one of the Indian reservations?"

As for Missourians, you see them everywhere, at home and abroad. I well remember one visit to Dallas, where there are more Missourians than Texans.

At a gathering of Missouri alumni, such as this one, someone had prepared a long list of illustrious Missourians. After the list was read, someone else pointed out a noted omission, of a man who had influenced business, railroads, and economics, perhaps more than almost any other.

When no one could supply the name of this man, he who had called attention to the omission finally said Jesse James.

In a discussion of far-eastern affairs today, my mind turns back to 1921. At that time, after 3 years as Chicago Tribune correspondent in China, I was back in this country. I called on my boss, Col. Robert R. McCormick, then as now the editor and publisher of the Tribune.

He asked me if there was anything I especially wanted to do, and I replied that I wanted to interview Warren Gamaliel Harding, then newly elected President, but still at his home, at Marion, Ohio. He arranged for me to call on President-elect Harding at Marion for the interview. At his Marion home, President Harding invited him there on a number of occasions.

It was one of my assignments to cover the Disarmament Conference, with Charles Evans Hughes presiding, when discussion of the Pacific problem was high on the agenda. Today, we are still making peace in the Pacific after World War II.

I was forcibly reminded of this when in Tokyo recently for the war crimes trials. A young attorney on the staff, from Kansas City—I believe his name was Brooks—was discussing far eastern problems. He said that the more he studied the situation today and compared it with his historical knowledge of the developments after World War I, that he was impressed that "the situation has not changed much—only the actors have changed." I have reflected many times since on the fundamental soundness of that judgment.

In the Far East three major political areas are concerned. These include Siberia, a second Canada; Manchuria, Outer and Inner Mongolia, comparable to our Minnesota or Iowa; and China proper. Additionally, there is India.

Our best prospect for future trade is in India, but in order to take full advantage of that market we must maintain the position we hold today in China.

Russia has been in Siberia for three centuries without scratching the surface there. Only in the past 10 or 12 years is Russia building some factories there, for purposes unknown to us.

It was always interesting to ride the trains in Siberia, where the forests grew up so close they scratched the sides of the cars, and it was a common saying it was a battle between man and the trees, and the trees winning. Newsprint is a problem with us today, but there is enough newsprint in Siberia to supply all the papers in the world for a long, long time to come.

It has been stated that Russia has never been successfully invaded, but I remember that we had one division of troops in Siberia at the end of World War I that went everywhere they needed to go. And I can recall Charles Evans Hughes pounding the desk at the 1921 Disarmament Conference to require the Japanese troops there to withdraw.

It had been agreed among the Allied Powers that each would send a division of troops into Siberia as an occupation force, and we had sent our usual division of about 10,000 men, while the Japanese division was 70,000 strong. If we had not run them out, when Charles Evans Hughes cracked down at the Disarmament Conference, they undoubtedly would have stayed on and be there today.

Lesser areas of importance are Korea, the Philippines, Malaya, and the Netherland East Indies.

The Far East is so big you can have a war in one part of it, and the people in another part will not know anything about it.

I once heard Fiorello H. LaGuardia, when mayor of New York, make an address to a group where he was in his element and whose language he spoke—the garment makers. He told them "you had better quit playing pinochle or those fellas in Los Angeles and San Francisco will take your business away from you." In the Far East that holds true for us today.

In the past, we have looked to Europe for significant events. This is largely because of our own background, and roots. We have ignored Asia. We ignore it today in the schools. I remember well, before going to China, how difficult it was to find anything comprehensive and authentic in the schools and libraries, and the situation has not improved much today.

In our country, the Republicans are in control of Congress, as they were in 1921. At that time, after World War I, we wrecked our fighting forces. We thought we could avoid war by throwing away the means of fighting.

The Republicans are in control in our Houses of Congress again today. They have the same responsibility for basic foreign policy decisions that will determine our course and future, and I sincerely hope they, and the Nation have learned something by our experience of the past 25 years.

The Pacific islands that form a protective screen for America should never be relinquished. We could have purchased them for $5,000,000 from Spain after the close of our war with Spain, but we did not want them.

They were subsequently sold to Germany, which owned them until 1914, when the Japs took them. Now, I cannot think of any circumstances, or combination of circumstances, that could cause us to give them up to any nation.

I read in the papers that Russia will not question our control of the Pacific isles. I wonder that Russia, or any other nation, would even think of questioning our control.

The papers have been saying, too, that Lt. Gen. John R. Hodge, our military Governor in Korea, is surprised to find the Russians training a half million Koreans today, but that is no surprise to me, for the Russians were training Koreans at Vladivostok when I was there in 1931.

I hope today that our Nation has increased its vision, and accepts its responsibilities more intelligently than we did 25 years ago. There is no need for a war with Russia unless we scrap our fighting services, and withdraw within ourselves, as we did in the 20's.

Any war fought against Russia would be fought in Siberia, and the atom bomb would be of no use to us in Siberia, in striking at its remote areas and sections, but the atom bomb, used by Russia against us, could do enormous damage by hitting at our population centers and industrial areas. There is no need for us to fight Russia, however, in the near future or at all, if we take advantage of our common friendship and common grounds.

The Orient has been placed on our doorstep, and our national leadership should have the intelligence to maintain our position there. I hope that it has, and exercises that intelligence in the years to come.

After World War I the Far East looked to Europe for trade, commerce, and dominance. Today it looks to the United States for the trade and commerce it got before from Europe.

For in the years to come, and particularly in the next half century, we must cease to regard developments in Europe as of first importance. Developments in Asia will be of more importance. Events in Asia will be of supreme importance in the future.

EXHIBIT 2

[From the Washington Post]

JOHN B. POWELL

The dramatic death of John Benjamin Powell after a speech he had just delivered to a Washington gathering of his friends will be mourned by newspapermen in America and Asia. Powell was an ornament to the calling of journalism. It was, indeed, a calling to him, not a business or even a profession. Trained at the School of Journalism in his native State of Missouri, he soon after went to China, and bought the China Weekly Review, in which for 20 years he exposed the machinations of militaristic Japan in China. He wrote with clarity and pungency, but his prime virtue was courage. A man of some means, he could have left the Far East when the overrunning of China by the Japanese was foreseen by most China hands, let alone an acute observer like Powell. But he stuck to his post. Inevitably he was thrown into a concentration camp as soon as the Japanese captured Shanghai, and his sufferings

were so harrowing that, on his repatriation, his feet were so gangrenous that they had to be amputated. A slight man even in health, he was a mere shadow when he came home, but he had won a moral stature that his colleagues, including the members of the National Press Club, delighted to acknowledge. For months he had been bedridden at Walter Reed Hospital, but his spirit never flagged, nor his interest in world, particularly Far Eastern, affairs. A letter from his pen appearing in our columns as recently as Monday warned Congress against sinking into the same apathy which found us unprepared in the Pacific in 1941. A shining knight of the pen was John B. Powell, and his life and work will be an inspiration to the neophytes of his craft.

[From the Louisville (Ky.) Courier-Journal]

A NEWSPAPERMAN WHO TRIED TO WARN US

John Powell's voice in the China Press was just one man's but it kept crying in the wilderness of the Orient, crying out against Japanese aggression. But from the time of the Manchurian invasion in 1931 until the day of Pearl Harbor a decade later, nobody in the United States listened.

An agent of the pro-Japanese Nanking regime threw a grenade at John Powell one day in October 1941, as he walked the streets of Shanghai. And when the war came, the Japanese quickly captured and imprisoned him. He lived through tortures. But he lost part of each foot from gangrenous infection and starvation. He was an ill man in August 1942, when he was repatriated.

Since then Americans have been more willing to listen to his voice. He was in Washington Friday night telling some of them why United States must keep strong in the Far East, how the occupation of Japan must be long continued. And it was the last warning he ever gave us, because when he sat down at the speakers' table he died of a heart attack. What he had said, of course, was just one man's opinion. But it was the opinion of a man who realized what was happening long before the rest of us did, and who knew what he was talking about. His last warning ought to be heard and understood.

[From the Kansas City Times]

HE BEING DEAD YET SPEAKETH

John B. Powell was a pioneer in that series of fine young newspapermen sent out to the Orient from the University of Missouri School of Journalism under the leadership of the revered Walter Williams. These men made a deep impression on journalism in Japan and China and helped make the university at Columbia a center of interest in current Oriental affairs.

As managing editor of the China Weekly Review at Shanghai, John Powell early showed a real understanding of Chinese character and a comprehension of Japanese plans to establish an overlordship in China. For many years he was a voice crying in the wilderness, warning his countrymen against the danger of the conflict he so clearly saw impending.

The fiery American editor was a thorn in the side of the Japanese. They did everything possible to suppress him. He lived under constant threat of assassination. But attempts at intimidation and glittering offers to buy his newspaper were alike futile. It took courage to maintain his position in Shanghai in the face of the coming storm and Powell paid the penalty in his brutal imprisonment after Pearl Harbor.

When he finally was exchanged and returned to the United States on the *Gripsholm* he was in for a long period of invalidism and his address was listed in Who's Who as Harkness Pavilion, Presbyterian Hospital, New York. While he was able at last to leave the hospital he remained partly crippled and his exhausted heart eventually gave way.

John Powell left a great legacy to his alma mater and to his profession. He is one of that noble company of whose members it may be said, "He being dead yet speaketh."

[From the St. Louis Globe-Democrat]

A FIGHTING EDITOR

Death came unexpectedly last week for a heroic Missourian. Addressing a meeting in Washington of University of Missouri alumni, John B. Powell, fighting editor of the China Weekly Review, collapsed and died just as he finished his speech. It was, we believe, as he would have preferred it, for the university, of which he was an alumnus and a former faculty member, always held a strong place in his affection.

"J. B.," as he was known throughout the Orient, was an editor who never pulled his punches. He was one of the first who saw the menace of Japanese aggression and was outspoken in his condemnation. He was one of the first Americans marked for arrest after Pearl Harbor and the hardships he suffered in a Japanese prison camp necessitated the amputation of both feet. Last summer he had recovered sufficiently to return to the Far East and testify in the Japanese atrocity trials, but undoubtedly his prison treatment hastened his death.

Newspapermen around the world salute his memory as that of a fighting editor who literally gave his life to print the truth as he saw it.

[From the New York Times]

J. B. POWELL

John B. Powell, hobbling painfully about on his crutches, never thought of himself as a hero. But Japanese hatred and stubborn American courage raised him inevitably to heroic stature. He died as he lived, fighting to the end for his convictions.

Powell, a small-town Missouri editor, went to China in 1917 to run a newspaper there. For a score of years he did run it against hell and high water. Soon convinced that Japan intended to swallow China, he made it his mission to warn the world. Threats, bribe offers, and bombing never swerved him. From 1931 on he was high on the Japanese black list. After Pearl Harbor they had their revenge. Flung into Shanghai's notorious Bridgehouse Prison, his captors froze him, starved and kept him sitting cross-legged in Japanese fashion until beri-beri gangrene began eating away his feet. When he was freed and brought home his feet were gone, but his heart was high.

Three years of operations to restore the use of his legs did not daunt him. From an invalid's cot he threw himself into the fight for a free China, free of the Communist threat as it was finally freed of the Japanese menace. It was with a plea for our strong and unrelaxing vigilance in the Far East still on his lips that his tired heart failed him at last. No civilian in our history ever fought more stanchly for his country or against greater odds. This Nation can best honor his memory by holding as steadfastly to its high principles as he did.

[From the China Daily News, Shanghai, March 3, 1947]

J. B. POWELL

So J. B. Powell is dead. There is not the slightest doubt that his demise at the early age of 59 was largely brought about by suffering he was subjected to by the notorious Japanese gendarmerie in the Bridgehouse immediately at the outbreak of the Pacific War. He has been an outspoken critic of Japan's aggressions in China—but J. B. managed to hit home against the Japanese with such frequence and telling effect that he was regarded by the Japanese as their number one enemy amongst the foreign journalists. It's a matter of little concern now whether it's always possible to agree with everything which the able journalist wrote, but opportunity must be availed to emphasize how true a friend he was of China and how fearlessly he espoused her cause. It may be truly said Powell has given his life for his friends—the Chinese. They and all his colleagues no matter their nationality will regret his passing, though there is consolation in the fact that Powell by residence and work in this country made it richer through sympathy and understanding which he displayed. There can be devout certainty, as the Greatest of All Editors passers upon his work, it will be with well deserved commendation.

[From the China Press, Shanghai, March 2, 1947]

FRIEND OF CHINA PASSES

United States and China—and journalistic circles around the world—are emptier places today for J. B. Powell has written 30. And he wrote it the way all of his many friends and colleagues wherever they may be will be proud of. He wrote it while "still in the saddle" despite the loss of both legs in the course he helped to make for the cause for more than half of mankind.

We humbly bow in the presence of the Great Maker. Little there is to say of J. B. that his great deeds have not already said for him, little truth there is to utter that he has not already made known, to his very last breath. J. B. paid the price for his outspoken, fearless attacks against Japanese aggression. And in paying the price, he was paying it not only for China, not only for the United States, but for all freedom-loving peoples.

In these days of difficulties between the United States and China both peoples should recall the memory of J. B. His was only a journalist's pen. But that pen gave him credentials of an ambassador. China will not forget.

May the earth lie softly above your head, J. B. This is the beginning of a long sleep. But your work will be carried on. For you make truth nobler—a more fearless thing. And as long as truth will survive, so too will your memory.

NAVY REQUISITION FOR TABLEWARE AND SILVERWARE

Mr. AIKEN. Mr. President, I desire to make a brief report on a matter which has been mentioned several times on the floor of the Senate recently. I refer to the Navy requisition for tableware and silverware.

Some 3 weeks ago, upon hearing the reports that the Navy had issued a requisition for silver-plated finger bowls and unnecessarily elaborate tableware, I wrote to the Secretary of the Navy and asked if he would withhold placing the order which, according to reports, was contemplated and also to send to the Committee on Expenditures in the Executive Departments a copy of the requisition for such tableware and silverware. Mr. Forrestal has been good enough to do this, and the requisition has been received by the committee.

It has been examined by the staff of the committee, and it was found that it not only contained an order for 38,744 silver-plated finger bowls, but also for the same number of silver-plated plates to put under the bowls. The plates, strangely enough, cost a little more than the bowls and come to $48,222.50. The

total cost of the bowls and the plates amounts to $97,252.50.

One thing which stands out in the requisition is that each rank, from captain on up, is entitled to its own distinguishing mark on its silverware. Thus, an admiral has one mark on his silverware, a vice admiral has another mark on his silverware, a rear admiral, another; and so on. Silverware for the ward rooms, where the general run of the officers eat, has a separate mark, as does the ware for warrant officers.

This means that each order for forks, for example, must be broken into as many as seven orders for forks, bearing seven different kinds of marks. No one knows how much these little perquisites of rank are costing the taxpayer.

The Secretary of the Navy, Mr. Forrestal, has taken a very fine and commendable stand in this matter, and I should like to read the letter which I have received from him, under date of March 6:

THE SECRETARY OF THE NAVY,
Washington, March 6, 1947.

Hon. GEORGE D. AIKEN,
United States Senate, Washington, D. C.

DEAR SENATOR AIKEN: In further reply to your letters of February 20 and March 4, 1947, I am transmitting herewith a copy of the request for tenders of bids for tableware which you requested.

I am very glad that you brought this matter up because it involves a problem which the Navy Department has had under consideration for some time; to wit: the declaration as surplus of articles for which the Department may have a need in the future. After VJ-day the Office of War Mobilization and Reconversion requested the Services to declare surplus all material for which there was a civilian use and which was excess to their reasonable short term future needs. Reasonable short term future needs varied depending upon the type of article involved. In the case of tableware it was defined as a 12-month period beyond the procurement lead period. At the time this action was taken it was known that similar articles to those declared surplus would have to be purchased in the future. However it was felt that the assistance being given to civilian reconversion justified the action. This policy was continued for several months until it was felt that the most urgent civilian needs had been satisfied. It is not the policy of the Navy at the present time.

Because of this policy a large quantity of tableware has been declared surplus and disposed of by the War Assets Administration. There is, therefore, not now available in stock a supply of tableware to fill present needs. During the war, to expedite procurement and conserve critical materials, the Navy procured an inferior grade of tableware which was uneconomical to maintain. With the passage of time, a large portion of this wartime tableware has suffered from corrosion to the extent that its use would be dangerous to health.

The replenishment of tableware is necessary at the present time and to take care of these needs the Bureau of Ships forwarded a letter to the Bureau of Supplies and Accounts requesting that bids be obtained for certain types of prewar tableware on the ships' allowance lists. This was the basis for the request for tender of bids, but due to the prices submitted none of the items have been purchased.

I understand none of them will be purchased.

Furthermore, the Bureau of Ships has been directed to modify its specifications for tableware so that a different and simpler type can be obtained.

I am completely in accord with the thoughts expressed in your letter as to the distinction between necessities and niceties of living and, while the allowance lists have been in existence for more than 20 years, I feel that this is an appropriate time for a review of these lists and a deletion therefrom of the niceties. The Bureau of Ships has been directed to do this.

I want to thank you for calling this matter to my attention, and if there is any further information you desire, please let me know.

Sincerely,

JAMES FORRESTAL.

The Committee on Expenditures in the Executive Departments is hopeful that by calling attention to these letters before the Senate and directly to the departments, substantial savings may be made, and, more important, that a genuine spirit of economy and conservative buying may be engendered in Federal personnel.

Mr. President, I believe by cooperation between the legislative and the executive branches of Government and by saving a million dollars here and a million dollars there, that after a time it will be found that a very large amount indeed can be saved.

EFFECT OF REMOVAL OF PRICE CONTROLS

Mr. McMAHON. Mr. President, what capitalism and democracy can least afford now is the collapse—even a partial collapse—of this single remaining stronghold of free enterprise. If a crisis develops in the next few months on the domestic scene, the reason will be failure to keep prices within reach of mass buying through a failure to restrain the impulse to pile up profits in an inflating economy with prices uncontrolled. So far in 1947, I think we can all agree that labor has exercised restraint in trying to force higher wages—this despite prices steadily mounting from already inflated levels and profits at unprecedented heights.

I should like to call attention to some promises which were made to the Seventy-ninth Congress and to the people of the United States in full-page newspaper advertisements in July of last year when we were considering the continuation of price controls.

This is what the National Association of Manufacturers told the people of the country on July 3, in an advertisement entitled "The Future with Confidence," published in the Washington Post:

THE FUTURE WITH CONFIDENCE

The members of the National Association of Manufacturers have no intention of rocking the inflation boat—now or at any other time.

If OPA is permanently discontinued, the production of goods will mount rapidly and, through free competition, prices will quickly adjust themselves to levels that consumers are wiling to pay.

The great majority of American manufacturers are determined to produce as much as they can, as fast as they can, to sell at the lowest possible prices.

American manufacturers are also determined that such price increases as may be necessary will be only those fully justified by increases in wage and other production costs.

Then, Mr. President, the advertisement further states:

Then as production gets rolling again, supply will catch up with demand, prices will be fair and reasonable to all, quality will be improved, black markets will disappear, and America will enter the period of prosperity that everyone has been hoping for.

That advertisement is signed "National Association of Manufacturers." Under the signature appears the following: "For a Better Tomorrow for Everybody."

I now refer, Mr. President, to what the American Meat Institute told the people of the United States on July 5, in a rather prophetic article, at least so far as the title is concerned, because it is entitled "What Price Meat?" This is what the Meat Institute had to say on July 5, when we were considering the question of continuing price control:

WHAT PRICE MEAT?

Painful experience has proved that under OPA regulations:

A. Livestock does not come to market in sufficient quantities.

B. A large proportion of the meat animals which do reach the market are gobbled up by buyers who divert meats from the average consumer to dishonest channels with which the meat industry cannot and will not compete.

It's the consumer who gets hurt.

In making that statement they certainly knew what they were talking about.

I read further:

During the past week of open competition—the first since 1942—there was improvement in marketings of livestock. Such increases in the prices of livestock as have occurred have gone back to the livestock grower as an incentive to production.

Many meat packing plants on which consumers have relied have been completely or partly shut down. It takes a little time for them to start up operations and get their distribution systems working again.

Your meat dealer soon will be able to serve you at honest prices.

American Meat Institute, headquarters, Chicago; members throughout the United States.

Now I should like to call to the attention of the Senate the schedule of prices issued by the Bureau of Labor Statistics on March 6, 1947. It is entitled "Agricultural Prices Rise Sharply"; and I ask unanimous consent that the release be printed at this point in the RECORD as a part of my remarks.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

WHOLESALE PRICES FOR WEEK ENDED MARCH 1, 1947 [1]

AGRICULTURAL PRICES RISE SHARPLY

Substantial increases for agricultural commodities and continued advances for industrial goods raised average primary market prices 1.5 percent during the week ended March 1, 1947, according to the Bureau of Labor Statistics, United States Department of Labor. The Bureau's index of commodity prices in primary markets reached 146.4 per-

[1] Based on the BLS weekly index of prices of about 900 commodities which measures changes in the general level of primary market prices. This index should be distinguished from the daily index of 28 commodities. For the most part, prices are those charged by manufacturers or producers or are those prevailing on commodity exchanges. The weekly index is calculated from 1-day-a-week prices. It is designed as an indicator of week-to-week changes and should not be compared directly with the monthly index.

cent of the 1926 average, the highest level since late 1920 but still 12 percent below the May 1920 all-time peak. The index was 4.3 percent above a month earlier and 36.1 percent above a year ago.

Farm products and foods: Market prices of farm products rose 2.6 percent during the week, reaching a level more than 2 percent higher than their previous peak in late November. Markets generally were influenced by bad weather which restricted shipments and by continued heavy demand. Demand for grains was stimulated by the Government's flour-purchase program and expectations of increased export needs. Most quotations advanced as wheat reached the highest levels since the last war and rye, an all-time high. Livestock quotations advanced generaly with hogs at a new peak. Fruits and vegetables averaged slightly higher and prices of eggs were up. There was a fractional advance for raw cotton and prices increased for hay, flaxseed, and peanuts. As a group, farm products were 34.7 percent above the corresponding week of 1946.

Food prices also rose, influenced by the general market conditions, with the group index up 3.1 percent during the week to a level of 55.2 percent above a year earlier. Meat prices rose sharply with pork prices up more than 10 percent, largely reflecting decreased hog shipments. Increases for other meats were due to active demand. Butter prices advanced and there was a fractional increase for cereal products. Scarcity caused higher prices for a number of other foods, including vegetable oils, lard, oleo oil, edible tallow, black pepper, and cocoa beans.

Other commodities: Average prices of all commodities other than farm products and foods advanced 0.3 percent during the week to a level 26.8 percent above a year earlier. Higher costs caused increases for wool fabrics, and cotton goods rose under strong demand. Prices of jute increased following reduction in India's export quota and burlap prices were up. Quotations for calfskins rose sharply as a result of a shortage due to light slaughterings. Prices for other hides and skins continued to decline. Lead prices increased 1 cent a pound, reflecting higher prices in world markets, and bar-silver prices were higher with increased demand. Higher raw-material costs caused increases for silver nitrate, bismuth subnitrate, logwood extract, and iron oxide. Prices of fats and oils and cattle feed advanced. Resistance to previous high prices together with availability of a synthetic substitute, resulted in lower prices for shellac. Turpentine prices dropped sharply. There were price increases for prepared roofing and millwork, still in short supply.

Wholesale prices for week ended Mar. 1, 1947 (1926=100)

Commodity groups	Mar. 1, 1947	Feb. 22, 1947	Feb. 15, 1947	Feb. 1, 1947	Mar. 2, 1946	Percent changes to Mar. 1, 1947, from—		
						Feb. 22, 1947	Feb. 1, 1947	Mar. 2, 1946
All commodities	146.4	144.3	143.1	140.3	107.6	+1.5	+4.3	+36.1
Farm products	176.1	171.7	168.9	164.8	130.7	+2.6	+6.9	+34.7
Foods	167.5	162.5	160.9	154.1	107.9	+3.1	+8.7	+55.2
Hides and leather products	174.1	175.8	173.6	171.0	120.1	−1.0	+1.8	+45.0
Textile products	137.0	135.4	135.5	135.8	101.4	+1.2	+0.9	+35.1
Fuel and lighting materials	98.6	98.6	98.6	98.5	85.4	0	+0.1	+15.5
Metal and metal products	138.6	138.4	138.4	138.3	107.8	+0.1	+0.2	+28.6
Building materials	173.0	172.6	172.8	168.6	121.0	+0.2	+2.6	+43.0
Chemicals and allied products	129.3	129.2	128.3	127.8	96.0	+0.1	+1.2	+34.7
Housefurnishings goods	125.5	125.3	123.0	122.8	108.0	+.2	+2.2	+16.2
Miscellaneous commodities	111.2	110.7	110.0	109.9	95.4	+.5	+1.2	+16.6
Special groups:								
Raw materials	158.9	156.2	154.3	152.6	119.5	+1.7	+4.1	+33.0
Semimanufactured articles	142.7	141.3	141.7	139.5	99.6	+1.0	+2.3	+43.3
Manufactured products	142.0	140.0	139.1	135.6	103.7	+1.4	+4.7	+36.9
All commodities other than farm products	139.9	138.3	137.6	135.0	102.5	+1.2	+3.6	+36.5
All commodities other than farm products and foods	128.7	128.3	128.1	127.5	101.5	+.3	+.9	+26.8

Percentage changes in subgroup indexes from Feb. 22, 1947, to Mar. 1, 1947

INCREASES

Meats	6.8
Cattle feed	5.6
Livestock and poultry	4.3
Grains	2.7
Woolen and worsted goods	2.6
Cotton goods	2.2
Other foods	1.9
Other farm products	1.1
Dairy products	1.0
Nonferrous metals	1.0
Other textile products	0.8
Paint and paint materials	0.8
Cereal products	0.6
Fruits and vegetables	0.6
Oils and fats	0.5
Leather	0.4
Other building materials	0.4
Cement	0.2
Furnishings	0.2
Anthracite	0.1
Drugs and pharmaceuticals	0.1
Furniture	0.1
Other miscellaneous	0.1

DECREASES

Hides and skins	5.4
Fertilizer materials	0.3

Mr. McMAHON. I should also like to call the attention of the Senate to the fact that in last week's issue of United States News magazine there appears an article entitled New Rise In Commodity Prices. Higher Costs For Food and Materials Despite Buyer Resistance. Wholesale price rises since the end of controls are listed in a box, and I shall cite a few of them:

Wheat, on October 14, was $2.12. It is now $2.35.

Steers, $19.63 a hundred pounds; now $25.25.

Copper, 14.2; now 19.9.

Tin, 52 cents; now 70 cents.

I am informed that those prices are not yet reflected in full measure in retail costs. For the period between 1939 and 1946, I believe the figures show a rise in commodity prices, during those 7 years, of approximately 33 percent. In the last 7 months—not 7 years—that price rise has been duplicated. I think the Ford Motor Co. and the International Harvester Co. are entitled to great credit for the steps they recently have taken voluntarily to cut the prices of their products.

A few days ago the senior Senator from Georgia [Mr. GEORGE], the distinguished former chairman of the Finance Committee of this body, stated that in his opinion corporate earnings were rising to a dangerous point. I think those who want to be fair-minded, who believe truly in the profit system and the system of free enterprise, cannot but take alarm when they look at the earning reports which are now coming forth from the great corporations. I beg and plead with some of the managers of vast corporate enterprises not to pull down the pillars of the temple in which we reside. I ask them to exercise restraint. I ask them to stop before it is too late and before they start another inevitable demand for further wage increases that can do nothing except plunge into decay and ruin the free-enterprise system as we know it, which, with the exception of that of Canada, is the last on the face of the earth.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. McMAHON. I yield.

Mr. PEPPER. The Senator has told us that corporate profits have risen to a dangerous level; he has told us about prices rising to unprecedented heights. No doubt the Senator has intimated that we now have in our economy the greatest concentration of monopolistic power we have ever had in our history. Yet is it not a fact that while all those things are true, we are confronted today with the most determined drive we have ever faced to weaken the power of labor in America?

Mr. McMAHON. I thank the Senator.

AID FOR THE PHYSICALLY AND MENTALLY HANDICAPPED

Mr. SPARKMAN. Mr. President, having long been deeply concerned with the welfare of our physically and mentally handicapped citizens, including disabled veterans, I am much interested in the latest effort to promote full employment of the handicapped which has just been launched by Secretary of Labor Lewis B. Schwellenbach.

Secretary Schwellenbach has written to all governors of States, calling attention to the employment needs of our millions of disabled, and suggesting a practical method of States' participation in developing an employment program for them.

To meet modern-day requirements, Secretary Schwellenbach suggests that each State establish, as an integral part of its employment system, an agency to be known as Services for Handicapped, and has supplied an outline detailing ways and means that such an agency should be operated.

This is a very fine conception and I congratulate the Secretary upon his appropriate suggestion to the governors, and hope that they will meet the challenge by establishing Services for Handicapped in every State.

My own interest in this field developed largely through my sponsorship, while a Member of the House, of a bill to establish a Federal Commission for the Physically Handicapped, in collaboration with

the American Federation of the Physically Handicapped, whose president, Mr. Paul A. Strachan, has been indefatigable in efforts to improve the condition of all handicapped people, and who was the author of National Employ-the-Handicapped Week, enacted by the Seventy-ninth Congress, and which was sponsored in the House by former Representative Jerry Voorhis, and in the Senate by our colleague the senior Senator from West Virginia [Mr. KILGORE].

I may say that this past year, spearheaded by a national campaign in which all Federal and State agencies at interest participated, and including national organizations of industry, business, labor, veterans, farm, women, religious, civic, educational, scientific and professional, and other groups, National Employ-the-Handicapped Week was the means of placing in gainful employment, through the 1,800 local offices of the United States Employment Service, 29,422 handicapped people, of whom 19,200 were disabled veterans. That is a splendid result, and the Congress is to be congratulated upon its support for this most worthy program which, by law, will be continued every year hereafter.

I am sure the progressive step advocated by the Secretary of Labor in suggesting that services for handicapped be a regular part of the machinery of the State employment system will produce good results, and I ask unanimous consent that the Secretary's letter to governors, as well as the Outline of a Model Plan for Employment of Physically and Mentally Handicapped, be included in the RECORD, at the conclusion of my remarks.

There being no objection, the letter and outline were ordered to be printed in the RECORD, as follows:

UNITED STATES DEPARTMENT OF LABOR,
Washington, February 26, 1947.

DEAR GOVERNOR: During the past 2 years, it has been my pleasure to cooperate with your State in promoting the observance of National Employ the Physically Handicapped Week. I have been gratified, as I am sure you have been, with the results obtained from that effort. Largely through the State and Federal cooperative program, startling results have been obtained in increasing the number of job placements for handicapped people. Last October, the month in which this effort was made, 29,400 placements of handicapped were made through the public employment offices, of whom 19,200 were disabled veterans. This represented an increase of 38 percent over the previous month.

The statistics for the months following October show a decided drop in the total number of handicapped people placed and, to me, indicate a problem which we must attack jointly if anything like adequate service to the handicapped is to be achieved. Clearly we need a program which will give us results on a year-round basis to supplement the special 1-week effort carried on by the States and the Federal Government during the past 2 years. We must see that constant improvement is made in the service provided by the agencies which have been given the responsibility for assisting the handicapped in becoming gainfully employed.

The return of the Employment Service to the States furnishes an opportunity to continue the development of improved services for workers and employers of the Nation. These improvements can be worked out most effectively, in my judgment, in a spirit of mutual cooperation and good will between the Federal and State Governments.

I am presenting for your consideration in this letter and the attached document the serious employment problem of our handicapped citizens, a brief description of the recommended program for placement of the handicapped by local employment offices, and a suggested State and community program for coordinating the efforts of individuals and organizations interested in the employment problems of the handicapped. A copy of the statement also is being forwarded by the Director of the United States Employment Service to the head of the State agency of which the Employment Service is a part.

It is estimated conservatively that of the approximate 28,000,000 of our citizens who are physically handicapped, from five to seven million of these are employable. Public concern with the problems of the handicapped has been intensified by the return of disabled veterans to civilian life. In addition, most communities face the problem of providing assistance to individuals who have become disabled through industrial accidents or other causes. Productive and useful work is not only a means of securing a livelihood, it is also a means of inculcating self-reliance and maintaining self-respect, the very pillars of our Nation's independence and development.

The trend of our effort, then, is to provide ways and means so that our handicapped citizens may become economic assets instead of liabilities. You, as chief executive of a great State, certainly understand the relation between the tax dollar and the handicapped. If we can find ways and means to rehabilitate and put them to work we shall not only be performing a great humanitarian task but we shall be saving—even gaining—money, because restoration of many of these individuals to productive, taxable status will, naturally, not only aid them but their communities, States, and the Nation itself.

The United States Department of Labor and the United States Employment Service have emphasized the importance of placing the handicapped in suitable and productive employment. More than 1,000,000 handicapped persons have been placed by the local employment offices in the past 6 years through selective placement procedures. We have tried many different procedures and have retained those we have found worth while. The program includes the promotion of employment opportunities for the handicapped and assistance to employers in establishing plans for the utilization of handicapped workers. The program described in the attached document has been based upon this experience.

In order to encourage the provision of the kind of service needed by the handicapped, I urge that you give to each of the State agencies which have a part in providing the services your strongest support for their programs, to achieve on a year-round basis the high degree of public interest, cooperation, and coordination exhibited during National Employ the Physically Handicapped Week. I urge, also, that you take whatever steps are appropriate to establish the permanent services for handicapped described in attached plan.

I would appreciate it if you would review the suggested plan and discuss it with the appropriate State officials. I would also appreciate it if you would let me have the benefit of any comments you may wish to make. I am confident that through such cooperative efforts important strides can be made in meeting this challenging problem.

Yours very truly,

LEWIS B. SCHWELLENBACH,
Secretary of Labor.

OUTLINE OF SUGGESTED PLAN OF EMPLOYMENT FOR PHYSICALLY AND MENTALLY HANDICAPPED PUBLIC EMPLOYMENT SERVICES

I. PROBLEMS OF THE HANDICAPPED

Millions of citizens with some physical or mental impairment or deficiency are capable of doing good work and earning their way, if they are provided with suitable employment. Handicapped individuals, generally, may be designated as falling into one or the other of the following classifications:

1. Hospitalized, or institutionalized, or home-bound.

2. Those needing sheltered work conditions; being capable only of substandard performance, short-time jobs, and similar limited employment.

3. Those competitively employable.

It is sound public policy to provide ways and means by which handicapped persons can be matched with suitable and productive jobs, in which they can utilize their skills effectively.

There is a great and understandable humanitarian interest in the individual problems of the handicapped worker, whether the handicap arises from military or civilian life, as evidenced by the widespread public interest in the October 1946 observance of National Employ the Physically Handicapped Week in some 4,000 cities across the country. Productive and useful work is not only a means of securing a livelihood—it is also the means of assuring the self-respect and self-reliance which are at the root of American character. We must do everything within our power to encourage such attributes of independence.

In addition, there is a direct economic advantage to be gained by the Nation through the provision of assistance which will enable our handicapped citizens to assume their proper places as productive workers in our economy and thus turn themselves into assets rather than liabilities. Effective training and placement of the handicapped results in reduction of the tax burden which would otherwise be imposed for direct relief, and in the increase of our productive facilities. The handicapped portion of our labor force is a material resource which should not be left idle or ignored.

II. SERVICES FOR HANDICAPPED (STATE AGENCY)

The primary means for accomplishing the objectives of this program are the facilities of the Federal-State system of public employment services.

Each State should establish a service for handicapped in the State employment service agency, to be headed by a chief, who would be provided with sufficient staff and facilities to enable him to discharge his responsibilities in an adequate and efficient manner.

Local offices selective placement program

Selective placement is the term which the employment Service applies to its over-all program of service to the handicapped. All local office interviewers are trained to recognize those handicapped individuals who need special assistance in selecting an occupation or in obtaining a suitable job. Individuals requiring these specialized services are served by staff, designated as selective placement counselors.

Recommendations of the United States Employment Service on staffing services to handicapped in the local offices are as follows:

"Employment counseling and selective placement of the handicapped involve the use of special techniques in assisting applicants who present problems in occupational adjustment. To assure effective performance, personnel designated and especially trained to perform the functions are required in all offices, although in small offices it will constitute only a part-time activity. When the size of staff and volume of activity

requires more than one full-time counselor, personnel should be designated to specialize in service to the handicapped.

"Counseling staff shall be assigned to specialize in service to handicapped applicants in accordance with the pattern described below.

"Variations in load will require more staff time in some offices than that indicated in the table.

"In all cases, performance of the selective placement functions shall have priority over all other duties assigned to the individual."

The experience of the United States Employment Service has shown that in offices of 9 or less staff members, 1 individual must be given responsibility for this function and must be given sufficient time to handle the work load; in offices from 10 to 29, 1 staff member assigned and trained with expectancy that at least half his time would be required; in offices from 30 to 49, 1 staff member on full time, and in some cases that staff member should be assisted by a second individual on part time; in offices from 50 to 75, 1 person, full time, and a second staff member designated to provide part-time assistance; in offices from 79 to 99, 2 full-time staff members to be designated, and in some cases additional, part-time assistance from other staff members; in offices with staff of 130 to 149, 4 full-time selective-placement counselors should be assigned.

Recommended functions to be performed by the selective-placement counselor for the handicapped are as follows:

a. Assisting handicapped applicants to develop suitable occupational plan.

b. Assisting them to put the plan into effect, which may involve:

A. Directing them to other agencies for services, to supplement those provided by USES; for example, vocational training or rehabilitation, under the provisions of Public Laws 16 and 113.

B. Participating in placement activities when necessary to supplement the placement activities of regular interviewers.

C. Developing job opportunities for specific applicants.

D. Performing activities designed to promote opportunities for the handicapped. These include:

1. Working with the local office employer-relations representatives in order that they will be equipped to place proper emphasis on employment of the handicapped during their visits to employers and will recognize opportunities for using the technical assistance of the Selective Placement Counselor.

2. Obtaining employer acceptance of the selective placement approach and the local office selective placement program, through visits to employers or employer institutes.

3. Providing assistance to employers in establishing in-plant programs for employment of the handicapped, including instructing their personnel departments and foremen in the selective placement approach and techniques.

4. Working with labor organizations, veterans' organizations, civic organizations, and other agencies, to promote their understanding of the selective-placement program.

5. Training other local office staff, as required in all phases of service to the handicapped, and providing technical assistance to them.

6. Evaluating local office service to the handicapped and recommending to the next level of supervision necessary changes in procedures and methods. (In offices in which there is more than one selective-placement counselor, this function shall be performed by the supervisor).

III. QUALIFICATIONS OF PROFESSIONAL PERSONNEL

Effective service to the handicapped rests upon the professional competence of the selective-placement counselors. It is clear that they must possess better than average ability and experience, because they are charged with the duty of placing persons who present special problems. Personnel assigned to serve the handicapped should, therefore, be selected from the most able and experienced placement officers. In addition to the ability and knowledge required for the analysis of jobs and job applicants, such persons should be mature, well adjusted, and have a real interest in the problems of the handicapped. It is well to note that in many instances qualified placement officers, who are themselves handicapped, have made the best showing as selective-placement counselors.

Salary scales for handicapped placement specialists should be commensurate with the importance and value of their position. Today, because of the too-low salary levels in this vital service, Federal and State employment services are being rapidly denuded of many of their best men and women, and there should be an immediate upward revision of their compensation so as to provide proper pay and career opportunities for them.

Training

The United States Employment Service, in addition to developing procedures, tools, and facilities, has devised comprehensive training programs. All States inducting new personnel for this function should utilize material and services and call upon the United States Employment Service for any technical assistance they may need. Adequate training of personnel is basic to the conduct of an effective program.

For interviewers experienced in regular placement, experience has shown that at least a formal training period, approximating 1 week, is necessary. Additional time should be added, as supervisory responsibilities are increased.

Frequent refresher courses and conferences should be carried on. It is suggested that such courses and conferences be spaced at intervals of not less than 4 months apart, so that the latest developments in this field may be available to all, and thus insure continual improvement in techniques.

IV. BUDGET

Intelligent recognition and understanding of the relationship of the handicapped problem to sound public policy dictates that agencies serving their interest have separate additional budgetary allowances. Handicap placement, for example, is more expensive than placement of nonhandicapped, primarily because it takes more time to interview the applicant, and more time to find suitable jobs. Further, there should not be undue stress, on the part of local managers, to the end that the number of placements be arbitrarily maintained at high number, without regard to suitability of job for the applicant, or vice versa. Placements made under forced pressure and without proper consideration of all factors can only result in deterioration of the handicapped program, and lessened effectiveness of service to both employers and the handicapped.

Special budgetary allowances should cover the following:

1. Books, periodicals, and other material on the handicapped.
2. Conferences of agencies interested in the handicapped.
3. Conferences for development of program.
4. Cost of training courses for personnel.
5. Promotional literature.
6. Exhibits for public places, required for promotion.
7. Motion pictures for promotion purposes.
8. Testing programs for specific job.
9. Research in the special problems of the several types of disabilities and possible solutions.
10. Studies of occupations and occupational research leading to determination of physical demands of each occupation.
11. Continual surveys of handicapped, as to their working capacities, including volume and quality of work performed.
12. Absenteeism, attitude toward the job, etc.
13. Special studies of problems in sparsely settled rural areas.

V. COMMUNITY PROGRAMS

There should be close cooperation between services for handicapped, and local organizations, including chambers of commerce, manufacturers' associations, labor unions, veterans' organizations, civic groups such as Rotary, Kiwanis, Civitan, Lions, etc., women's clubs, fraternal orders, professional groups such as medical societies, engineering and research organizations, etc., together with the various organizations especially serving the handicapped.

In rural areas there should be close cooperation with the Extension Service of the Department of Agriculture; local organizations of the American Farm Bureau Federation, National Grange, and National Farmers Union. In rural areas, handicapped have been neglected to a considerable degree, and strong efforts should be made to remedy this situation.

In the larger cities where such services are available, there should be close cooperation with organizations conducting sheltered workshops, or, other industries established primarily for handicapped workers.

VI. NATIONAL EMPLOY THE PHYSICALLY HANDICAPPED WEEK

Enactment of Public Resolution 176 by the Seventy-ninth Congress establishes the first week in October in each year as National Employ the Physically Handicapped Week. Presidential and gubernatorial proclamations have, for the past 2 years, in connection with this observance, called to public attention the need for employment of the physically handicapped. The results have been excellent and plans are being made for continuance of this laudable activity, which has been responsible for greatly increasing the number of placements of handicapped individuals.

All States should continue to participate wholeheartedly in this program.

VII. EMPLOYERS' INSTITUTES

Services for handicapped could, and should, promote employers' institutes, where there may be full and free discussion of all phases of employment of handicapped. Such institutes might be made annual or semiannual affairs so that the yearly program would contemplate operating such conferences in several cities in each State, without conflict as to dates.

VIII. EXPOSITIONS

An effective way to promote public and employer interest in the handicapped would be, to stage expositions, in which the products of their work would be shown, as well as actual demonstrations showing the handicapped at work.

Such expositions could be promoted by inviting all local businesses and interested public and private agencies to participate. One such exposition was held in Detroit, Mich., in October 1946. While it was a modest beginning, the idea was sound, and the American Federation of the Physically Handicapped, which initiated the effort, enlisted support of business, labor, professional, welfare, and other organizations, and with the cooperation of the United States Employment Service, Veterans' Administration, State rehabilitation service, and other public and private agencies, succeeded in a large measure in making the community conscious of the abilities of handicapped, as workers. The AFPH, with these other organizations, is planning to make this an annual exposition. The plan is commended to all States.

SUMMARY

The suggestions submitted herein, it is believed, are necessary and practicable. This memorandum contains sufficient reference to administrative methods and procedures to demonstrate the feasibility of the suggested plan, but it is not intended to be an exhaustive study.

Upon application, the details of this outline will be made available.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 1030) to continue in effect certain war excise tax rates, and for other purposes, and it was signed by the President pro tempore.

THE PRESIDENTIAL TERM

The Senate resumed the consideration of the joint resolution (H. J. Res. 27) proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

The PRESIDING OFFICER (Mr. KNOWLAND in the chair). The question is on agreeing to the first committee amendment, on page 1, in lines 6, 7, and 8.

Mr. WILEY. Mr. President, today has been somewhat of a field day, and perhaps we have neglected the pending measure. If possible, I should like to have a quorum present and a vote taken on the first committee amendment to House Joint Resolution 27.

The PRESIDING OFFICER. Does the Senator from Wisconsin suggest the absence of a quorum?

Mr. WILEY. I do.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hayden	Myers
Baldwin	Hickenlooper	O'Conor
Ball	Hill	O'Daniel
Brewster	Hoey	O'Mahoney
Bricker	Holland	Overton
Brooks	Ives	Pepper
Buck	Jenner	Revercomb
Bushfield	Johnson, Colo.	Robertson, Va.
Byrd	Johnston, S. C.	Russell
Cain	Kem	Saltonstall
Capehart	Kilgore	Smith
Capper	Knowland	Sparkman
Chavez	Langer	Stewart
Connally	Lodge	Taft
Cooper	Lucas	Taylor
Cordon	McCarran	Thomas, Okla.
Donnell	McCarthy	Thye
Dworshak	McClellan	Tobey
Ecton	McFarland	Tydings
Ellender	McGrath	Umstead
Ferguson	McKellar	Vandenberg
Flanders	McMahon	Watkins
Fulbright	Magnuson	Wherry
George	Maybank	White
Green	Millikin	Wiley
Gurney	Moore	Williams
Hatch	Morse	Young
Hawkes	Murray	

Mr. WHERRY. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Nebraska [Mr. BUTLER], and the Senator from Iowa [Mr. WILSON] are necessarily absent. The Senator from Nevada [Mr. MALONE] is necessarily absent on State business. The Senator from Pennsylvania [Mr. MARTIN] is absent by leave of the Senate. The Senator from Kansas [Mr. REED] and the Senator from Wyoming [Mr. ROBERTSON] are absent because of illness.

The PRESIDING OFFICER. Eighty-three Senators having answered to their names, a quorum is present.

The question is on agreeing to the first committee amendment, which will be stated.

The CHIEF CLERK. On page 1, line 6, after the words "ratified by", it is proposed to strike out "the legislatures of three-fourths of the several States" and insert "conventions in the several States, as provided in the Constitution", so as to read:

That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in the several States, as provided in the Constitution.

Mr. WILEY. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. TAFT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TAFT. Is my understanding correct that a vote "yea" is a vote in favor of the convention method of ratification, and a vote "nay" is a vote in favor of ratification by the legislatures of the several States?

The PRESIDING OFFICER. The Senator from Ohio is correct. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. WHERRY. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Nebraska [Mr. BUTLER] are necessarily absent. The Senator from Nevada [Mr. MALONE] is necessarily absent on State business. The Senator from Pennsylvania [Mr. MARTIN] is absent by leave of the Senate, and the Senator from Wyoming [Mr. ROBERTSON] is absent because of illness.

The Senator from Iowa [Mr. WILSON] is necessarily absent. If present and voting he would vote "nay."

The Senator from Kansas [Mr. REED] is absent because of illness. He is paired with the Senator from New York [Mr. WAGNER].

Mr. LUCAS. Mr. President, the senior Senator from Kentucky [Mr. BARKLEY] is absent because of the death of his wife. If he were present he would vote "nay."

The Senator from California [Mr. DOWNEY], the Senator from Mississippi [Mr. EASTLAND], the Senator from Utah [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from New York [Mr. WAGNER] has a general pair with the Senator from Kansas [Mr. REED].

I announce further that if present and voting the Senator from Utah [Mr. THOMAS] would vote "nay."

The result was announced—yeas 20, nays 63, as follows:

YEAS—20

Cooper	Langer	O'Conor
Donnell	Lodge	O'Mahoney
Fulbright	McGrath	Pepper
Green	McMahon	Taylor
Hatch	Magnuson	Umstead
Hill	Murray	Wiley
Kilgore	Myers	

NAYS—63

Aiken	Gurney	Morse
Baldwin	Hawkes	O'Daniel
Ball	Hayden	Overton
Brewster	Hickenlooper	Revercomb
Bricker	Hoey	Robertson, Va.
Brooks	Holland	Russell
Buck	Ives	Saltonstall
Bushfield	Jenner	Smith
Byrd	Johnson, Colo.	Sparkman
Cain	Johnston, S. C.	Stewart
Capehart	Kem	Taft
Capper	Knowland	Thomas, Okla.
Chavez	Lucas	Thye
Connally	McCarran	Tobey
Cordon	McCarthy	Tydings
Dworshak	McClellan	Vandenberg
Ecton	McFarland	Watkins
Ellender	McKellar	Wherry
Ferguson	Maybank	White
Flanders	Millikin	Williams
George	Moore	Young

NOT VOTING—12

Barkley	Eastland	Robertson, Wyo.
Bridges	Malone	Thomas, Utah
Butler	Martin	Wagner
Downey	Reed	Wilson

So the amendment was rejected.

Mr. TOBEY. Mr. President, I ask unanimous consent for leave of absence on Wednesday, on official business.

The PRESIDING OFFICER. Without objection, the leave is granted.

Mr. WILEY obtained the floor.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MAGNUSON. Does the Senator from Wisconsin intend to ask for the adoption of the second committee amendment at this time?

Mr. WILEY. Yes.

Mr. MAGNUSON. I have an amendment at the desk which I wish to offer as a substitute.

The PRESIDING OFFICER. The clerk will state the second amendment of the committee.

The CHIEF CLERK. On page 1, after line 9, it is proposed to strike out "Any person who has served as President of the United States during all, or portions, of any two terms, shall thereafter be ineligible to hold the office of President; but this article shall not prevent any person who may hold the office of President during the term within which this article is ratified from holding such office for the remainder of such term" and to insert "A person who has held the office of President, or acted as President, on 365 calendar days or more in each of two terms shall not be eligible to hold the office of President, or to act as President, for any part of another term; but this article shall not prevent any person who may be holding the office of President or acting as President during the term within which this article becomes operative from holding the office of President or acting as President during the remainder of such term."

The PRESIDING OFFICER. Does the Senator from Washington offer his amendment as a substitute for the committee amendment?

Mr. MAGNUSON. I offer my amendment as a substitute, and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Washington.

Mr. GEORGE. Mr. President, before the amendment is offered formally, and read at the desk, I assume there will be

no objection to taking the same action with reference to the amendment in section 2 as the Senate has just taken as to section 1, that is, to restore the provision calling for ratification by the legislatures rather than by the convention method. I make that suggestion to the Senator from Wisconsin, in charge of the joint resolution.

Mr. WILEY. If there is no objection, Mr. President, I ask that, in accordance with the vote just had in relation to the amendment in section 1, similar action be taken with regard to the amendment in section 2.

The PRESIDING OFFICER. Without objection, it is so ordered, and the committee amendment on page 2, lines 15 and 16 is rejected.

Mr. MAGNUSON. I now offer my amendment as a substitute.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. In lieu of the language proposed to be inserted on page 2, beginning in line 4, and extending down to and including line 12, it is proposed to insert the following:

No person shall be elected to the office of the President more than twice.

Mr. MAGNUSON. Mr. President, to my mind, the suggested amendment is in the nature of a perfecting amendment. There was much discussion in committee, legal and otherwise, regarding not only the House bill but the committee amendment which is now before the Senate. Many questions were raised; for example, as to whether a man who was acting as President was actually a President; and as to the period during which a man could hold office as acting President, and if he was elevated to the office of President through circumstances beyond his control, to what period he should be limited.

The committee amendment is in very complicated legal language. I doubt if many State legislators could really understand its wording, but in effect it was an honest attempt to provide a restriction, so that if, through an unfortunate circumstance, such as the death of the President, or otherwise, the Vice President should assume the office of President, or act as President for any one year, meaning one calendar year of 365 days, thereafter he would be eligible to run for the Presidency only once.

We might as well get down to brass tacks: This joint resolution was submitted by those who are anxious to have it passed, as I understand their position, solely because of their objection to a man who had deliberately sought and obtained the office of President, using the office during the course of two terms in an effort to perpetuate himself in the office.

A Vice President, or a Secretary of State, and so on, all down the line of succession, through circumstances beyond his control, and with no deliberation on his part, might, because of some unfortunate circumstances, be required to assume the Presidential office. If he assumed the office and occupied it for 1 year, not as the result of a deliberate act upon his part, and then held the office for another term, he would be barred from running for the office again. What is really intended to be reached by those who desire the passage of the measure would be accomplished by the language of my amendment, which merely says in simple language, "No person shall be elected to the office of President more than twice." It seems to me it is a perfect amendment which could be easily understood by everyone, and which would not involve complicated legal questions such as, "When is a man Acting President? When does he assume the office?"

Mr. LUCAS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Illinois?

Mr. MAGNUSON. I yield.

Mr. LUCAS. Am I to understand from the Senator's remarks that he construes this amendment simply to mean, for example, that if a Vice President went into the Presidency and served, let us say, 30 days, and the term of the incumbent expired, then he would only be eligible for another 4 years?

Mr. MAGNUSON. If he served longer than a year—that is, more than a calendar year of 365 days.

Mr. LUCAS. If he served more than a year, then he would only be eligible for 4 more years; in other words, 5 years would be the limitation placed upon him.

Mr. MAGNUSON. In effect, under the committee amendment, it is possible that a man could be President for only 5 years. The 1 year he served prior to his first 4-year term would bar him from running for another 4 years, although his first service might have been brought about by no deliberation on his part, but because of an emergency or an unfortunate circumstance beyond his control.

What is really being sought by those who oppose more than two terms, as I garner it, as the result of conversations, is to prevent a man's deliberately using the office of President in order to perpetuate himself in office; that is, for more than two terms. I think the language of the committee amendment is bad; it is difficult to understand. It seems to me that my amendment makes it simple and strikes at the heart of what is desired to be corrected.

Mr. McCLELLAN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Arkansas?

Mr. MAGNUSON. I yield.

Mr. McCLELLAN. I very much favor the Senator's amendment, and I think it says what we want to say, if we are going to say anything about it.

I want to call attention to another thing. A man might serve as Vice President and be required to fill the vacancy. That is understood. He would feel inclined, he might even feel in duty bound, to carry out the policies of the man he succeeded, under those circumstances. Every man is entitled to have an endorsement term of his own policy. Having been elected, and having served for a term, he is entitled to an endorsement term. That is democracy.

The committee amendment would preclude such a man having the opportunity to submit his candidacy for an endorsement term, if he served out an unexpired term.

Mr. MAGNUSON. Because he did his duty, he would be penalized. He would be barred from running for the office of President more than once.

Mr. McCLELLAN. If the joint resolution were adopted in the form proposed by the amendment of the Senator from Washington, it would, in my opinion, be far more persuasive with the American people and would be more persuasive with the State legislators than the joint resolution in its present form.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. TYDINGS. I like the amendment of the Senator from Washington much better than the committee amendment. I am not a member of the committee. There may be some reason why the amendment of the Senator from Washington is not preferable to the committee amendment. But until some Senator gives us a better reason than has heretofore been given I shall continue in the belief that the amendment of the Senator from Washington is preferable and does what we want to do.

Mr. LODGE. Mr. President, I should be glad if the Senators on the other side of the Chamber would raise their voices so that we on this side could hear the discussion that is going on.

Mr. TYDINGS. Mr. President, I stated that I am not a member of the committee; that there may be good reasons why the committee amendment is preferable to the amendment offered by the Senator from Washington, but that, so far as I have been able to think my way through, I am convinced that the amendment of the Senator from Washington is preferable to the committee amendment. What we are trying to do is to stop any man from being elected President more than twice. I am for that. I think it is a fine thing to put in the Constitution. But under the committee amendment a man could be prohibited from being elected President more than once, provided that he had served more than 1 year prior to the time he was elected President. Therefore it is conceivable that a man would be limited, under the committee amendment, to serving in the Presidency only 5 years. I think that provision is a little stringent. I think if we limit the Presidency to two elected terms in that office we will do what I believe a great many Americans want done. If we were to strain it still further I am afraid we would bring about opposition in some of the legislatures to the adoption of the proposed constitutional amendment. Whereas if the constitutional amendment provided for two elected terms, and that is all that was put before the legislature, in my judgment it would secure more votes and have a better chance of adoption. I should like to see the Presidency limited to two terms.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. WILEY. I think possibly the Senator from Maryland has in mind the language as it came from the House when he speaks of the limitation that would

be made. The House language is as follows:

> Any person who has served as President of the United States during all, or portions, of any two terms, shall thereafter be ineligible to hold the office of President.

Under the committee amendment he could hold the office for two terms and almost 1 year, but if he had been in office more than 1 year before the next term of office, he would be limited to election to the additional term only.

Mr. MAGNUSON. That is correct. But under the committee amendment, it is possible that if a man was elevated to the Presidency from the Vice Presidency, and served as President 1 year, through a calendar year, then he would be forever barred from running for the Presidency more than once thereafter. He would be limited to only one term thereafter.

Mr. WILEY. That is correct.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. TYDINGS. Let me say to the Senator from Wisconsin that I think he and I agree on what the language means. To illustrate, let us assume that the Vice President becomes President through death of the President or in any other way, and serves only 300 days. Then he is elected President. He could then be elected for a second term, serving two terms and a little less than a year of the term of his predecessor. But if he served 366 days as President by reason of the death or otherwise of his predecessor, and then was elected President, he would be forbidden from running for President again after he had served the one term to which he was elected. Considering that wars and depressions and all kinds of unforeseen things quite often come to pass during a Presidential term, it seems to me that the people ought to have the right to elect a man to two full terms in the Presidency if they want to do so, and that we ought not to deny them the right to elect a President for two full terms, but we ought to provide that a man cannot be elected President for more than two terms.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. CONNALLY. The Senator's amendment provides that "No person shall be elected to the office of President more than twice." But he could have served a portion of a term by reason of death or resignation or disability of the previous incumbent.

Mr. TYDINGS. That is correct.

Mr. CONNALLY. It seems to me that opposition to such a provision is not tenable.

Mr. TYDINGS. I think the amendment is a good one.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. HICKENLOOPER. It seems to me the amendment offered by the Senator from Washington, if adopted, would create a most peculiar situation under the American system of elections. Under the Senator's amendment, an individual who becomes President by accident, an act of divine providence, or otherwise, and who was not originally elected to the position, is the only person who can hold protracted office in the Presidency. One who was elected to the Presidency by the will of the people, under the Senator's amendment, can serve only two terms, and accident, chance, or act of divine providence will be the only reason whereby an individual can hold office for a substantial period beyond the two terms.

Mr. MAGNUSON. That is correct, but of course we cannot foresee such contingencies or legislate against them. But by the same token, and in reverse, an individual could serve in the Presidency 366 days and then he would be forever barred, under the committee amendment from running for the Presidency more than once thereafter.

The committee discussed the matter at great length. There can be Acting Presidents of the United States. That is legal. In other words, what is sought to be done by this limitation of the Presidential tenure is to abolish what some say might become the evil of a man deliberately seeking the office and then using the power of office to perpetuate himself.

Mr. HICKENLOOPER. Mr. President, will the Senator yield again?

Mr. MAGNUSON. I yield.

Mr. HICKENLOOPER. That may be the purpose of the sponsor of the amendment, the Senator from Washington, but in the amendment he is creating a most unusual situation. The only person who can possibly serve for more than two terms, under the Senator's amendment, is someone who, let us say, as I stated a moment ago, by divine providence or some other intervention accidentally comes into the Presidency, who has never been voted upon by the people for that office.

Mr. MAGNUSON. That is correct.

Mr. HICKENLOOPER. Instead of giving the preference and the privilege to a man or a woman who has been affirmatively voted into the Presidential office by the people, the advantage is given to someone who has never been voted into the particular office by the people.

Mr. MAGNUSON. The disadvantage is given to the same man under the committee amendment. I do not think we should deal with contingencies whereby a man because of circumstances beyond his control is elevated to a high office.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. KILGORE. Does not the committee amendment make a discrimination? Does it not discriminate against the man who, as the Senator from Iowa says, accidentally gets into office and while he is accidentally holding the office does such a good job that he is elected to the office? Would not the theory of the committee proposal bar such a man from being reelected? It seems to me that we should reward rather than punish merit.

Mr. MAGNUSON. That would not be true under the theory of my amendment.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. TYDINGS. The argument of the Senator from Iowa, if I may have his attention, will not, I think, hold water, because he is perfectly willing for a man to be elected twice and to serve, in addition to his two terms, 300 days.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. HICKENLOOPER. I do not quite agree that the Senator is right in assuming what I believe. In fact, I would just as soon limit the term of service of a President to not more than two terms, in any event, leaving out of consideration the 365 days.

Mr. TYDINGS. The trouble with the argument of the Senator from Iowa, as I understand it, is that he has no objection, under the committee amendment, to a man serving two terms plus less than a year. Am I wrong?

Mr. HICKENLOOPER. That might be said to be stretching a belief a little.

Mr. TYDINGS. Am I wrong?

Mr. HICKENLOOPER. The Senator is wrong——

Mr. TYDINGS. Therefore what the Senator says about a man getting into office by accident does not apply, because he says that if he gets into office by accident and serves 364 days, he may run for President again. But if he gets into office by accident and serves 366 days, he may not run for office again. So it seems to me the Senator meets himself coming back. He takes a week-end trip of 3 or 4 days and changes the whole Constitution.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield to the Senator from Ohio.

Mr. TAFT. If I correctly understand the difference between the two amendments, under the committee amendment a man might be held to a service of 5 years. The longest he could serve would be 8 years. Under the amendment proposed by the Senator from Washington, he might serve 8 years, or he might serve as long as 11½ years. My objection to the Senator's argument is that 11½ years is too long. I think the general precedent has been the other way.

Mr. MAGNUSON. Does not the Senator feel that 5 years is too short?

Mr. TAFT. Strange to say, Presidents have died in the first year of their terms. Garfield died in the first year of his term. Arthur served 3 years. William Henry Harrison died in the first year. Tyler served 3 years. McKinley died in the first year of his second term, and Theodore Roosevelt served for 3 years and was elected for a full term, serving a total of 7 years. At that time that was considered to be in conformity with the two-term rule, as then applied. He did not run for reelection.

In the case of Coolidge, Harding died almost within his first year. Coolidge served for 3 years, and for an elective term of 4 years in addition, and then did not run again, apparently feeling that the total of 7 years was in conformity with the two-term rule.

It is not only a question of power. It seems to me that it is a question of whether a man should serve that long as

President of the United States. By reason of the Vice Presidential situation, we cannot say "8 years or nothing." I should be perfectly willing to vote for one term of 6 years and say that no one should be President more than 6 years. The provision of the committee amendment that no man shall be President for more than 5 years is perfectly reasonable to me. If the Senator wishes to make it 6 years, I am willing to compromise with him. But I think it is a great mistake to say that a man may serve for 11 years. I think that is too long. I think it would break down his health. I do not believe that any man ought to serve that long, from the standpoint of his welfare or that of the Nation.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. TYDINGS. I will say to the Senator from Ohio that I think there is a great deal in what he says, that 11½ years in the Presidency is too long. My point is that 5 years in the Presidency may be too short. If this amendment were changed so that a man could serve 7 years in the Presidency, then I think we might prevent him for running for a second elective term. But this amendment takes the other extreme, so to speak. The two extremes are 11 years and 5 years, instead of 8. If we are to allow some Presidents to serve 8 years, then in good faith we ought to permit Vice Presidents who are elected President after they serve a part of the term of their predecessor, due to his death, a longer time than 5 years in which to be President. If it is right to have a limitation of 8 years for a twice-elected President, then why in heaven's name is it not right to give a Vice President the 3 years which he may serve in the term of his predecessor plus one full term, rather than limit him to 5 years?

Mr. TAFT. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. TAFT. Under the amendment of the Senator from Washington he could serve for 11 years, and be elected twice.

Mr. MAGNUSON. We are talking about extremes.

Mr. TAFT. The people can end his service at 4 years, if they so desire. It is the extreme in which we are interested, and not the short term.

Mr. MAGNUSON. In any event, the people of the United States should have the right once to vote for a man and say, "We want him for our President." They should also have the right to say, "He has been a good President, and we want to elect him again." Under the committee amendment that would not be possible.

Mr. TAFT. I am willing to vote for one term of 6 years, instead of two terms totaling 8 years.

I should like to read a resolution adopted by the Senate——

Mr. MAGNUSON. Am I to understand that the Senator from Ohio favors one term of 6 years?

Mr. TAFT. I do not care whether it is one term of 6 years or two terms of 4 years.

I should like to read the resolution adopted by the Senate near the end of Coolidge's term, after he had served 3 years of the term of his predecessor and 4 years of an elective term. Apparently the question worrying the Senate was whether Coolidge intended to run for another term, and thereby serve 11 years. The Senate adopted the following resolution:

Resolved, That it is the sense of the Senate that the precedent established by Washington and other Presidents of the United States in retiring from the Presidential office after their second term has become, by universal concurrence, a part of our republican system of government, and that any departure from this time-honored custom would be unwise, unpatriotic, and fraught with peril to our free institutions.

Mr. MAGNUSON. Was that after Coolidge declined to run?

Mr. TAFT. No. That was near the end of Coolidge's term, before he had declined to run. It was in the nature of a warning. The Senate did not think he ought to run. I may say that the distinguished Senator from Kentucky [Mr. BARKLEY] voted for that resolution, as did the distinguished Senator from Maryland [Mr. TYDINGS].

Mr. TYDINGS. I am still for it.

Mr. TAFT. The Senator from Tennessee [Mr. MCKELLAR] and several other Senators now Members of this body voted for it.

I think the generally accepted belief has been that if a man has served 3 years of the term of his predecessor and 4 years of an elected term, that conforms to the two-term rule, and he should not be reelected. Whether the 1 year of service mentioned in the committee amendment is perhaps too short, I am not prepared to say. But I think it would be a great mistake to say that after a man had been President for 3 years, he should then be eligible for two more terms, serving a total of 11 years. If that is all that is to be accomplished by the joint resolution I do not believe it is worth while to pass it. Personally I would prefer one 6-year term. But certainly the length of service should not be more than 9 years, in accordance with the committee amendment. I think that is as long as anyone should be permitted to serve.

Mr. MAGNUSON. Mr. President, we are talking about two extremes. There is probably a happy medium. What impresses me most is that when a man assumes the office of President by reason of the death or disability of his predecessor, the people ought to have the right to endorse him for a second term if he has done a good job. They can do so only by election.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. LUCAS. It is not quite material to this issue; but in view of what the Senator from Ohio said about the resolution which was adopted during the Coolidge administration, I wish to reemphasize the point that it was merely a resolution adopted by the United States Senate.

For some reason at that time it was not felt advisable to introduce a joint resolution providing for a constitutional amendment and submit it to the American people. I do not know what went on in those days, but I imagine it was much the same as what is going on today. Partisan politics played its part in that particular resolution when there was talk about running Coolidge for a third term; and partisan politics is playing its part today on the floor of the United States Senate. Partisan inspiration is responsible for this proposed constitutional amendment. The Senator from Ohio has seen fit to call attention to the fact that the Senate went on record in a resolution which followed the language of the Springer resolution back in the days of Grant. Representative Springer, of Illinois, used the same language which was later used in the Senate during the Coolidge regime. At that time Members of the House did not sponsor a constitutional amendment. They chose to adopt a pious political resolution. I will not say that some Members of Congress do not have convictions upon this question; but I do say that at the bottom of this resolution is partisan politics. The basis of the resolution which was adopted in the Coolidge days, and the one adopted in the days of Grant, was partisan politics.

Mr. HILL. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. HILL. On last Friday I spoke at some length on the pending joint resolution, but nothing that I said at that time points up the fallacy of the joint resolution or demonstrates so clearly and unmistakably how unwise the pending measure is, as does the debate which has just taken place on the committee amendment and the amendment offered by the Senator from Washington. The debate shows beyond all peradventure of doubt that this iron-handed and rigid provision should not be put into the Constitution to deny the people their right to determine this question themselves. The question of who should be elected President and how long he should serve should remain where it has been for the past 150 years, that is, in the sound judgment and the wisdom of the people of the United States.

Mr. HATCH. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I will yield in a moment. I want to make my position clear. I said at the outset that this was, in my opinion, a perfecting amendment. In the committee the Senator from Rhode Island [Mr. MCGRATH] and I and several other Senators joined in having the joint resolution amended so as to provide for the convention system, so that the people would have the right to pass on the question. Now that the committee amendment has been rejected, I reserve the right, if the question goes to my State, to decide how I shall vote on it. I am almost constrained, particularly if this language stays in, to vote against the pending joint resolution. My only purpose is to make it simple so that the people of the United States will know what they are voting on when it is presented to the States.

Mr. HATCH. Mr. President, will the Senator from Washington yield to me for a moment? If he has concluded, I will take the floor in my own right.

The PRESIDING OFFICER. Has the Senator from Washington completed his remarks?

Mr. MAGNUSON. Yes. I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. HATCH. Mr. President, on this question I have had many ideas. First, let me say that on Wednesday, because of long-standing engagements, I shall have to be absent from the Senate. I ask unanimous consent that I may absent myself from the Senate on Wednesday.

The PRESIDING OFFICER. Without objection, permission is granted.

Mr. HATCH. I have previously told the people of my State that they had the right, aside from partisan politics, to decide for themselves by constitutional amendment whether they wanted to tie their hands on the election of a President. If I were present on Wednesday, and if this resolution should come to a vote, I would vote to submit such an amendment. I had made up my mind to do that because I had made previous promises which I wanted to keep. But as I have listened to the debate this afternoon I have almost changed my mind, because, like the Senator from Washington [Mr. MAGNUSON], I see nothing in this resolution but party politics. Yes; I see something more than that. I see the complete failure of the majority party to carry the responsibility which they said they were willing to carry when they went into the campaign last November.

Mr. President, I agree wholeheartedly with everything the Senator from South Dakota [Mr. BUSHFIELD] said when he stated that the majority party had failed in the promises which they had made.

Nothing could be more evident from the debate this afternoon than that the Republican Party, the majority party, is still looking backward. It is still the party of fear. What do they fear? They are afraid, Mr. President, of the voice of a ghost, of the only man who was ever reelected President 3 times. They are afraid of him, and they are now endeavoring to legislate against Franklin D. Roosevelt.

Mr. President, I still intend to vote to submit the proposed constitutional amendment to the people of my State and to the people of the Nation so that they may determine whether they wish to adopt an amendment by which they would limit themselves to choosing a President for two terms, for 8 or 11 years.

What a mighty debate this has been! What a wonderful thought was conveyed to the country when the Senate of the United States argued over the difference between 8, 9, and 11½ years!

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. HATCH. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. Does the Senator not feel that the debate with which we have been regaled during the past hour and a half is a pretty conclusive demonstration that the constitutional fathers knew what they were doing and could write an understandable provision into the Constitution?

Mr. HATCH. So persuasive is the Senator from Wyoming that while I still adhere to the promise which I made, I shall go back to New Mexico, before the legislature, or before a convention, and say, "Turn down this amendment; vote it down quickly, because you, the people, have a better idea as to whom you want to elect President than any party politician can have."

So, Mr. President, I shall vote to submit the amendment.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. LUCAS. Does the Senator agree with me, as a result of what he knows has happened in the last 150 years on the question of tenure, that the founding fathers were the only ones who were fair and impartial with reference to this very question?

Mr. HATCH. They knew so much more than we that I am frankly ashamed of our poor, pitiful effort as demonstrated here today, when we argue over the difference between 8 and 11 years.

Mr. LUCAS. The Senator knows that the Nation has lived and prospered and been happy for 150 years under the tenure provision in the Constitution of the United States, and now the Senate is about to say that it has more wisdom than had the founders of the Republic, and that it is better prepared to say what the citizen of tomorrow should do than would the citizen himself if a great emergency should confront him 50 years hence.

Mr. HATCH. No; I cannot agree to that.

Mr. LUCAS. That is what we are saying if we pass this joint resolution.

Mr. MAGNUSON. Of course the Senator has no objection to trying to make the people understand what they are doing.

Mr. HATCH. I certainly could vote for the amendment of the Senator from Washington, because, after all, the only basis on which it is submitted is that no man should be elected to the office of President more than twice. There is a great deal of confusion. It is not only a question whether he may be elected twice, but how long he may serve if he succeeds to the office as Vice President—for 365 days or 366 days. There are 366 days in some years.

I am wondering if it is possible that some Senators could be looking at the present situation. The Senator from Washington [Mr. MAGNUSON] is nodding his head. He is a member of the committee. Are Senators afraid that the present President of the United States will be reelected in 1948 and possibly again 4 years later? Ah, Mr. President, with the great problems of reconstruction, the great problems of world affairs confronting us, with the peace of all the world and the lives and safety of our sons involved, yet we argue over the difference between 5 years and 11 years.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. TYDINGS. I point out to the Senator from New Mexico that, under the committee amendment, if the President were to die and the Vice President, for example, were to take the office during leap year, he could be elected President at two succeeding elections, provided the President had died at such a time as to make the unexpired part of the deceased President's term run for 366 days. But if the President happened to die on a year that was not leap year, the Vice President could serve for only one succeeding term.

Mr. HATCH. I thank the Senator from Maryland.

Mr. President, I have very little more to say. I hope I have not been offensive to anyone in my remarks. I have been deadly in earnest. These things are so wrong. They could be handled so simply. I have the highest regard in the world for the chairman of the Judiciary Committee. I know his intentions are good. I know his patriotism cannot be questioned.

Then, Mr. President, why bring up these questions? If an amendment to the Constitution is desired, why not adopt a simple amendment providing, "No President shall be elected twice"? Why not do that? That would cover everything that it is desired to cover.

But, no, Mr. President; it is the opinion of some Senators that we must deal in days and hours, trying to gain a petty, insignificant political advantage. What is to be gained by that? Mr. President, I do not think it is important at all that either the Democratic or the Republican Party win in the election in 1948. I am quite sure in my own mind that whoever is nominated on the Republican ticket in 1948 for President of the United States will be a loyal and patriotic American, with whom I could work without any regrets and without too much opposition. I feel the same way about whoever is nominated on the Democratic ticket at that time.

Mr. MYERS. Mr. President, will the Senator yield to me?

Mr. HATCH. I yield.

Mr. MYERS. It occurred to me that the limitation might better be placed upon political parties, rather than upon individuals, because I have seen it happen that there have been three different Presidents during 12 years' time, and yet the result has been merely to change the person in the Executive office, rather than to change the policy or the philosophy, since the same fundamental political philosophy has continued.

So, Mr. President, if the proponents of this resolution desire to cure what they believe to be an evil, the limitation might better be placed upon parties, rather than upon individual candidates for the Presidency.

Mr. HATCH. Mr. President, I wish now to conclude my remarks. I think it is quite true that during the past years the candidates on the Republican ticket have endorsed the fundamental philosophies for which we have argued. I do not think there is too much difference among us. I regret very much to see going out to the country the impression that we in the Congress argue and debate

about inconsequential matters, because I accord to every Member of this body on the other side of the aisle the same full devotion to the United States which I claim for myself.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. HATCH. I am through; I yield the floor.

Mr. HICKENLOOPER. I simply wish to comment on some of the remarks the Senator from New Mexico has made. I am fully in sympathy with his solicitude about quibbling and disputing over minor matters, but I call his attention to the fact that the quibbling and disputing were started over the amendment proposed by the Senator from Washington [Mr. MAGNUSON] and practically all the quibbling and disputing which have occurred during recent days have come from those on the other side of the aisle.

Mr. WILEY. Mr. President, I am about to propound a unanimous-consent request. However, before doing so, I wish to say a few words.

The debate which has taken place during the last hour—for this subject has been discussed today for only 1 hour—is similar to the debate which occurred at the time of the formation of the Republic, with one exception; namely, that in those days there was no insinuation that the debate was for political purposes. In those days the founding fathers saw the challenge which certainly those of us today who have eyes to see with, see now. The House saw it, and so indicated by voting by such a vast majority in favor of the joint resolution. Five or six or seven Senators saw it, and so indicated by submitting resolutions. In the subcommittee Democratic and Republican Senators saw it, and indicated as much by reporting this resolution. What they saw was simply that power vested too long in the hands of anyone is dangerous to the community and to the Nation.

Even President Roosevelt saw that, and even that great Democrat, Thomas Jefferson, saw it when he endorsed the two-term tradition, which has become the unwritten law of the land. He said:

> No pretext should ever be permitted to dispense with it—

He was referring to the principle of rotation in the Executive Office—

> Because there will never be a time when real difficulties will not exist to furnish a plausible pretext for dispensation.

When I quoted that language at the time when I opened the debate on this subject some days ago, I showed what the pretext was in the case of President Roosevelt.

No, Mr. President; we are not afraid of shadows. We are not even fearful of realities. But we feel it is our obligation to face them.

Under the joint resolution as passed by the House, and as it has been discussed here, provision is made that anyone who has occupied the Office of President of the United States during all, or portions, of any two terms, shall thereafter be ineligible to serve in that office in a succeeding term.

Under the Senate committee's version of the resolution, the Chief Executive might in one case serve for as long as 9 years.

Those who have read the debates which occurred in the early days of this Republic know that up to the very last the founding fathers debated the question whether the President should be eligible for only one term and whether such a term should be for 7 years. Mr. President, I have been glad to hear Senators on the other side of the aisle express their admiration for the founding fathers. Finally, in order to compromise and get things accomplished, the founding fathers left the question undecided. But the first President of the United States, George Washington, recognized the validity of the arguments and of the ideas which had been presented at that great period in our history, when our Nation was being formed; and he established the principle of not more than two terms for any President. The other founding fathers indicated their concurrence in that view.

Now we have arrived at a period in the history of the world in which we have seen demonstrated on a world scale how dangerous it is for power to gravitate into the hands of one man or one group. I do not think there should be any insinuation that partisanship or mere politics is responsible for the bringing of this resolution before the Senate. In the debate in the Committee on the Judiciary, I do not think partisan politics was ever mentioned. There was unanimity on this subject, with the exception of one member of the committee; and now, as I understand, even that Senator has indicated a desire to have the Congress legislate explicitly that those who serve in the office of Chief Executive of the Nation shall not serve for more than two terms.

So, Mr. President, I ask unanimous consent that the Senate vote on the amendments and on the joint resolution on Wednesday at not later than 3 o'clock, and, if that is agreed to, I shall ask a recess be taken.

Mr. GREEN. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GREEN. I have it in mind, when the proper time comes and I have an opportunity, to move to postpone action in this matter. May I make that motion now?

The PRESIDING OFFICER. The motion will be in order at the time the Senator is recognized.

Mr. GREEN. I have been recognized.

The PRESIDING OFFICER. No; the Senator from Wisconsin has the floor. The Chair understood the Senator to rise to propound a parliamentary inquiry.

Mr. GREEN. Then, if I am forced to do so, I regretfully object.

Mr. TAFT. Mr. President, it may be impossible to agree on a time to vote, but I wish to say that in my opinion the matter before us is obviously not a partisan question. We cannot adopt the amendment unless the Democrats, or a large number of them, join in voting for it.

For years I have been in favor of limiting the presidential term either to 8 years or 6 years. We cannot get away from the complicated problem produced by the fact that a Vice President may serve a portion of a term after succeeding the President. So far as I am concerned, if this is taken in some way as an attack on President Truman, I am willing to except the present incumbent of the office. I am more interested in the general principle and not in that particular feature, if that is the basis of the charge of partisanship, because that certainly was not in mind.

I suggest that the Senate now adjourn, and it may be possible to work out, with those who favor the general principle, some compromise on this question, which may be taken up on Wednesday.

Mr. LUCAS. Mr. President, I should like to remind Senators on the other side of the aisle that the Democrats have not taken too much time in the debate on the floor of the Senate this afternoon. So far as we are concerned, we would as soon go along and work this matter out tonight. We want the country to know that we are not in accord with what the Senator from Ohio [Mr. TAFT] said a few days ago, after he came out of a conference, when he attempted to shift the responsibility for the failure to enact legislation onto the Democrats on this side of the Senate. Of course, that is not the case.

I know that there are some speeches to be made on this side, and I myself wish to say some things in connection with the pending measure. If Senators wish to have a night session, so far as I am concerned, we can have one, taking an hour for dinner, and returning and remaining here until 1 o'clock tomorrow morning, if necessary.

Mr. President, I should like to have something done in this Congress, so far as I am concerned, and I resent the fact that the Senator from Ohio saw fit to say, simply because we carried on for some 10 days—that is, every other day for 10 days—discussing the budget question, that the Democrats were attempting to delay action. We are not at all attempting to delay action.

Mr. WHITE. Mr. President, I think it is perfectly obvious that we will not be able to conclude the debate tonight. It is equally clear to me that we should dispose of the pending measure as soon as we can. The Senator from Ohio spoke of an adjournment. I suggest that the motion should be for a recess.

Mr. TAFT. I spoke carelessly. My only point is that it seems to me that if there is complete disagreement on the particular issue now before us, it will prevent the passage of the joint resolution, which I should like to see passed. It seemed to me that a recess might give an opportunity to reach some compromise with those who think the pending committee amendment cuts the tenure too short, and I thought we might do better by taking a recess than by going ahead to a vote tonight. However, I have no objection to a vote on the pending amendment, if the Senate wishes to take it. We can work the compromise out afterward.

Mr. WHITE. Mr. President, I repeat, I see no object in continuing the session further. It is perfectly certain that we are not going to conclude the debate today. In addition to that, I am repeating

and emphasizing that those of us upon this side of the aisle have an important meeting as we think, at 8 o'clock.

Mr. LUCAS. I do not think it will be nearly so important as passing the pending joint resolution. I do not know what the meeting is, of course.

Mr. WHITE. Mr. President, I have never seen such a case of jitters as are now so prevalent on the other side of the aisle. In all my experience, which goes back a number of years, I have never seen a party so much disturbed, so far ahead of a general election, over the possible consequences of it. I am now going to move that the Senate recess——

Mr. MAGNUSON. Mr. President, will the Senator from Maine yield?

Mr. WHITE. I yield.

Mr. MAGNUSON. Because of the fact that the pending amendment is my amendment, I was hoping we could get a vote on it tonight, unless there is to be more discussion. I do not know of any other Senator who desires to speak, and I should like to have a vote on the amendment.

Mr. WHITE. I have understood quite differently as to those desiring to speak.

Mr. MAGNUSON. I did not know of any.

RECESS TO WEDNESDAY

Mr. WHITE. I now insist upon my motion that the Senate recess until 12 o'clock noon on Wednesday next.

The motion was agreed to; and (at 6 o'clock and 8 minutes p. m.) the Senate took a recess until Wednesday, March 12, 1947, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 10 (legislative day of February 19), 1947:

DEPARTMENT OF STATE

John E. Peurifoy, of South Carolina, to be an Assistant Secretary of State.

DIPLOMATIC AND FOREIGN SERVICE

James E. McKenna, of Massachusetts, now a Foreign Service officer of class 3 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

UNITED STATES ATTORNEY

Hon. Drake Watson, of Missouri, to be United States attorney for the eastern district of Missouri, vice Hon. Harry C. Blanton, term expired.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named candidates for promotions in the Regular Corps of the Public Health Service:

SENIOR ASSISTANT SURGEON TO BE TEMPORARY SURGEON

Paul V. Joliet

ASSISTANT SURGEONS TO BE TEMPORARY SENIOR ASSISTANT SURGEONS

Leo J. Gehrig
Warren W. Kreft
Eric P. Lofgren
Arthur E. Rikli
Robert Leslie Smith

SENIOR ASSISTANT DENTAL SURGEONS TO BE TEMPORARY DENTAL SURGEONS

Eugene H. Hess
Maurice S. Rodgers

SENIOR ASSISTANT SANITARY ENGINEER TO BE TEMPORARY SANITARY ENGINEER

Chris A. Hansen

ASSISTANT NURSE OFFICER TO BE TEMPORARY SENIOR ASSISTANT NURSE OFFICER

Hazel E. Owen

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 10, 1947

The House met at 12 o'clock noon.

Rev. Lawrence P. Gatti, assistant pastor, St. Stephen's Roman Catholic Church, Washington, D. C., offered the following prayer:

O Heavenly Father, Almighty God, in whom the founding fathers of our country have directed that we should put all our trust, deign in Thy loving goodness to give guidance and protection to the Members of our Congress. Impart to each of them the wisdom of Thy ways.

May they, by Thy inspiration, have an ever-constant sense of their responsibility as servants of the people by whom they have been elected to office, and from whom they receive sustenance to work for the public welfare. Grant that the awareness of their civic trust may be deepened in their souls to the end that their statesmanship may redound to the credit of this Nation and benefit all our fellow citizens.

We pray, in particular, that Thy guiding light may shine forth upon today's deliberations that they may be useful toward the advancement of all interests that will produce internal peace and prosperity and make our country great among the peoples of the earth.

These blessings we ask of Thee, O Eternal Father, through Thy well-beloved Son, the blessed Christ. Amen.

The Journal of the proceedings of Thursday, March 6, 1947, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on March 7, 1947, the President approved and signed a joint resolution of the House of the following title:

H. J. Res. 122. Joint resolution to authorize the United States Maritime Commission to make provision for certain ocean transportation service to and from Alaska until July 1, 1948, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 28. Concurrent resolution providing for a joint session of the Congress on March 12, 1947.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1030) entitled "An act to continue in effect certain war-excise tax rates, and for other purposes."

URGENT DEFICIENCY APPROPRIATION BILL, 1947

Mr. TABER submitted a conference report and statement on the bill (H. R. 1968) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

JOINT SESSION OF THE TWO HOUSES OF CONGRESS

Mr. HALLECK. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 28) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, March 12, 1947, at 1 p. m., for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. MASON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

[Mr. MASON addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a very fine and timely editorial from the Detroit Free Press of yesterday.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. REED of New York asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

FREDERICK OSBORN

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to adress the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DONDERO. Mr. Speaker, the Washington Daily News of March 7, 1947, page 20, carries the report that Frederick Osborn, wartime chief of the Army's morale program, has been named as deputy United States representative on the United Nations Atomic and Disarmament Commission. This is the same man who headed the Army orientation courses under which tracts were issued to our armed forces justifying Soviet aggression against Finland, Poland, and China, validating the Stalin-Hitler Pact, praising the Soviet Union as a democracy, and denouncing our own system of private enterprise. Literature distributed to troops under Army orientation auspices included works by Maxwell S. Stewart, Owen Lattimore, and other well-known followers of the Communist Party line.

Orientation Fact Sheet No. 53 described the Soviet Union as having ultimate political ideals "directed opposite

to the stated ideals of Fascist dictatorship, and their hope is to drop the appurtenances of dictatorship in the process of democratic evolution." We have only to witness what is happening in Poland, Hungary, and Yugoslavia under Soviet domination to see how misleading this is.

Owen Lattimore's book, The Making of Modern China, a part of the Army course library, calls the open-door policy "a further development of the permanent policy of hitch-hiking imperialism in a preference to active imperialism."

From this appointment and the proposed appointment of David Lilienthal, Herbert Marks, and others, it is clear that the administration is working hand-in-glove with those who make it a profession to be hoodwinked by the Communists, with those who are willing to go to any length to appease the Soviet dictator. I, for one, cannot let this appointment pass by without raising my voice in strenuous protest against it.

NEWSPRINT INVESTIGATION

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 59) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the expenses of the investigation and study to be conducted by the select committee created by House Resolution 58, not to exceed $25,000, including expenditures for the employment of investigators, attorneys, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof, and approved by the Committee on House Administration.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON EDUCATION AND LABOR

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 126) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the expenses of conducting the studies and investigations authorized by House Resolution 111, Eightieth Congress, incurred by the Committee on Education and Labor, acting as a whole or by subcommittee, not to exceed $40,000, including expenditures for printing and binding, employment of such experts, and such clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by said committee and signed by the chairman of the committee and approved by the Committee on House Administration.

SEC. 2. The official committee reporters may be used at all hearings held in the District of Columbia, if not otherwise officially engaged.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SELECT COMMITTEE INVESTIGATING THE NATIONAL DEFENSE PROGRAM IN ITS RELATION TO SMALL BUSINESS

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution (H. Res. 129) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there is authorized to be paid out of the contingent fund of the House a sum not to exceed $2,706.07 on vouchers signed by the former chairman of the committee under authority of House Resolution 294 of the Seventy-seventh Congress, continued by House Resolution 17 of the Seventy-eighth Congress and House Resolution 64 of the Seventy-ninth Congress, and approved by the Committee on House Administration in order to pay outstanding debts incurred by the Select Committee Investigating the National Defense Program in its relation to small business in the United States.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. ARNOLD (at the request of Mr. SMITH of Wisconsin) was given permission to extend his remarks in the RECORD and include an editorial.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD.

SPECIAL ORDER GRANTED

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that on Thursday next, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore granted, I may address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address over the National Broadcasting Co. by Senator SALTONSTALL and myself on March 1.

The SPEAKER. Without objection, the extension may be made.

There was no objection.

THE LATE CARRIE CHAPMAN CATT

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to extend my remarks for 1 minute, revise and extend my remarks, and include two newspaper articles.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, today's news brings us word that yesterday a woman passed away who has done perhaps as much as any person to bring about recognition not only of women's rights but of her very grave responsibilities. For 38 years Carrie Chapman Catt fought against intolerance, inertia, and tradition, and the one-track mind. She was very much interested in bringing about a broader aspect of the idea that "a woman's place is in the home." I think she would agree with me that woman's place is in the home—yes, by all means—but now when a new era is being born that home has responsibilities of influence that reach around the world.

We deeply regret that she could not have lived longer with us, but we are grateful for the contribution she has made.

EXTENSION OF REMARKS

Mr. MERROW asked and was given permission to extend his remarks in the RECORD and include an editorial.

AID TO GREECE AND TURKEY

Mr. MERROW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. MERROW. Mr. Speaker, from observations made and information received by visiting the countries in Europe, the Balkans, and the Middle East, I have been forced to the inescapable conclusion that there are two basic principles in the foreign policy of the Soviet Union. The first principle is expansion—during the war Russia added approximately 265,000 square miles of territory and 22,690,000 people to her already extensive domain. The second principle is the spreading of communism whenever and wherever possible. Even in the morning press, former Under Secretary of State Sumner Welles declares that the Communists are "attempting to destroy the inter-American system as it has been established."

Turkey and Greece, in the Mediterranean area, are the outposts against the march of communism to the west. These countries are in need. The issue is clearly drawn. The United States should extend aid to both Greece and Turkey or they, as many other countries have been, will be dominated by the Soviet Union. We must do this not for the purpose of underwriting the British Empire but for the purpose of preventing the spread of communism. By giving aid to Greece and Turkey we will help guarantee the security of the United States.

Greek Communists, trained in Yugoslavia and other Balkan states, take their orders from Moscow. If we do not assist Greece they will seize control of the nation. If this is allowed to happen, Soviet influence will rise rapidly in Turkey and in the Middle East.

There must be no diplomatic appeasement. This is an opportunity for us to exercise leadership. We have the ability, the prestige, and the power to halt the march of communism toward the west. We must act with determination. Let us keep constantly in mind that it will be far less expensive to act now than sometime in the future.

EXTENSION OF REMARKS

Mr. HOLMES asked and was given permission to extend his remarks in the RECORD and include a speech by Goodrich W. Lineweaver, of the Bureau of Reclamation.

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD and include a newspaper article pointing out that the propaganda sheet In Fact, published by one George Seldes, is a camouflaged Communist sheet.

Mrs. SMITH of Maine asked and was given permission to extend her remarks in the RECORD and include an editorial.

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. BUFFETT asked and was given permission to extend his remarks in the RECORD in two instances, in one to include a letter and in the other an editorial.

Mr. JAVITS asked and was given permission to extend his remarks in the RECORD and include an article from the Sunday Times, entitled "Children Who Have Known No Childhood."

Mr. MILLER of Connecticut asked and was given permission to extend his remarks in the RECORD on two subjects, and in one to include a letter from a constituent.

Mr. MURRAY of Wisconsin asked and was given permission to extend his remarks in the RECORD in three instances, and include letters and tables.

Mr. HOFFMAN asked and was given permission to extend his remarks in the RECORD.

Mr. HOBBS asked and was given permission to extend his remarks in the RECORD and to include a newspaper article.

SPECIAL ORDER GRANTED

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Thursday next, after the conclusion of the legislative business of the day and any other special orders that may have been entered, I may address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. POULSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. POULSON addressed the House. His remarks appear in the Appendix.]

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an article by Joseph Alsop in the Washington Post of March 9.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

[Mrs. ROGERS of Massachusetts addressed the House. Her remarks appear in the Appendix.]

JOHN L. LEWIS

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS. Mr. Speaker, the decision of the Supreme Court in the Lewis contempt case serves notice to the country and to the world that no man is bigger than the United States Government, and that no man is bigger than the President of the United States. President Truman's dealings with John L. Lewis show that he has the general public welfare at heart, and that he will not submit to being shoved around, kicked around, bullied, or browbeaten by any man who ignores the well-being of the general public and holds the President and the United States Government in contempt in order to further his own selfish ambitions. The people of this country are fast awakening to the realization that in Harry Truman we have a great man and a great President, who has the courage of his convictions and who will fight to his last breath for what he believes to be right and to the best interests of his people. As MacArthur returned to the Philippines in forty-four, so will Harry Truman return to the White House in forty-eight.

EXTENSION OF REMARKS

Mr. FORAND asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. JOHNSON of Oklahoma asked and was given permission to extend his remarks in the RECORD and include a memorial from the Oklahoma Senate.

Mr. SADOWSKI asked and was given permission to extend his remarks in two separate instances and to include therein excerpts.

Mr. DAVIS of Tennessee asked and was given permission to extend his remarks in the Appendix of the RECORD and include a speech delivered by the president of the National Congress of Parents and Teachers.

Mr. HÉBERT asked and was given permission to extend his remarks in the RECORD in two separate instances, in one to include an article from the Times-Herald by Mr. James Walter and in the other to include some radio remarks by Mr. Lou Brodt.

Mr. KEFAUVER asked and was given permission to extend his remarks in two separate instances and to include an editorial and some excerpts.

PERMISSION TO ADDRESS THE HOUSE

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

[Mr. KEFAUVER addressed the House. His remarks appear in the Appendix.]

THE COPPER SITUATION

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Speaker, the latter part of this week the House will have before it for consideration a measure introduced by the gentleman from Connecticut [Mr. PATTERSON]. It is H. R. 1626. This measure proposes amendment of the United States Code in order to facilitate the importation of copper at the present time.

This measure is emergency legislation and because the Members of the House have been tied up pretty much in their committee work it may be that all will not be thoroughly familar with the urgent need for immediate passage of this measure. I sincerely hope my colleagues will take a few minutes during the next day or two to familiarize themselves with this measure—and what it proposes to do—so that there will be unanimous approval of H. R. 1626 when the House is asked to act.

Many factories and shops are faced with suspension of operations because of the very serious shortage of copper. Many branches of the copper industry will have to curtail operations drastically because there is not sufficient copper available to meet present demands. The lack of domestic copper has been made up for, to some extent, during the last year by releases of Government-owned stock-pile copper. This stock pile is down to the vanishing point. Imported copper has shrunk to a negligible quantity because of the 4-cent tariff.

Most manufacturers have already been informed by the suppliers of copper and copper-alloy materials that their shipments are to be drastically reduced, starting immediately, due to the fact that there is an insufficient amount of domestic copper available for processing.

This means the closing of some shops and a drastic reduction in personnel and working hours in others.

The measure introduced by the gentleman from Connecticut [Mr. PATTERSON] will alleviate the harsh results of such a serious situation. If this measure is approved, the tariff on imported copper will be suspended until such time as the domestic sources are able to produce sufficient copper for the needs of the copper industry in this country.

In view of the seriousness of the situation, I appeal for the favorable consideration of all the Members of the House.

HARRY S. TRUMAN

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, Secretary Chase was a member of Lincoln's Cabinet during the War Between the States, and it is said of him that he was a far more brilliant man than the President, had more dignity, and a more prepossessing appearance but Chase is hardly remembered today while Abraham Lincoln is remembered as one of the greatest men of all time. We are told that the sole reason for this is that Abraham Lincoln had intellectual humility and a sense of humor. Such qualities as these are sometimes the difference that makes one man great and the others just ordinary men.

We have a man in the White House today as President of the United States who is modest, who is humble, who springs from the American people, and

one who has the same type of intellectual humility. I wish to take this opportunity to commend President Harry S. Truman for his great battle last fall in behalf of all the American people rather than certain pressure groups. I am glad that the Supreme Court of this Nation in its decision last week saw fit to back up this noble stand by a typical American.

Also, this is my first opportunity to publicly commend Harry S. Truman for his great work in the closing days of World War II. Many of us who were en route from the European theater to the Pacific will always believe that the patience of President Truman in dealing with the Japanese envoys in the Pacific, who somehow never arrived in time, resulted in an early unconditional surrender of the Japs and saved thousands of American lives.

Harry S. Truman is growing, developing every hour, with the job, the burden and the duty that is his, and in his efforts to save our country in this hour of crises, he needs the support of loyal Americans of all parties and all faiths on a nonpartisan level.

EXTENSION OF REMARKS

Mr. PHILBIN asked and was given permission to extend his remarks in the RECORD and include a recent article from the Boston Post.

Mr. DURHAM asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. MADDEN asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. MILLER of California asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. BOGGS of Louisiana asked and was given permission to extend his remarks in the RECORD and include a recent radio address.

PERMISSION TO ADDRESS THE HOUSE

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

[Mr. DAVIS of Georgia addressed the House. His remarks appear in the Appendix.]

SPECIAL ORDER GRANTED

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that on Thursday next, after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered, the gentlewoman from California [Mrs. DOUGLAS] be permitted to address the House for 1 hour on the subject of the rising cost of living.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SMATHERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

[Mr. SMATHERS addressed the House. His remarks appear in the Appendix.]

TERMINAL-LEAVE PAY

Mr. REDDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. REDDEN. Mr. Speaker, on January 3 the gentleman from Florida, Congressman ROGERS, introduced a bill permitting ex-GI's to cash their bonds issued for terminal-leave pay. More than 9 weeks have elapsed and no action has been taken on this bill by the committee to which it was referred.

Recently the gentleman from Florida, Congressman ROGERS, filed a discharge petition in this House, asking that the minimum required number of 218 Members sign the petition, to the end that the committee might be discharged and the bill brought before the House for immediate consideration and passage. I have signed this petition and I hope every Member will do likewise. It is nothing but fair and just that we take prompt action now.

When the officers of the Army were given terminal leave pay they were not required to accept bonds; neither were they required to wait nearly 2 years as some of the enlisted men have done to receive their cash. A great percentage of these boys need this money now. They can use it in construction of a home or the purchase of a business which will make them more secure in the future.

The money for these bonds is already in the budget. It will not change the plan of Government financing one iota. I sincerely hope there will be no further delay in bringing this bill before the House.

COMMITTEE ON BANKING AND CURRENCY

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may meet this afternoon while the House is in session for consideration of House Joint Resolution 146 and other bills having to do with sugar.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Mr. BUSBEY. Mr. Speaker, I ask unanimous consent that the Committee on Expenditures in the Executive Departments be permitted to sit this afternoon while the House is in session.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

SPECIAL ORDERS GRANTED

Mr. BUSBEY. Mr. Speaker, I ask unanimous consent that tomorrow at the conclusion of the legislative program of the day and following any special orders heretofore entered, I be permitted to address the House for 25 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'KONSKI. Mr. Speaker, I ask unanimous consent that on Thursday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. RICH asked and was given permission to extend his remarks in the RECORD and include an article by Alfred P. Sloan entitled "Which Way America?"

Mr. NORBLAD asked and was given permission to extend his remarks in the RECORD in two instances and to include in one an editorial.

Mr. RAMEY asked and was given permission to extend his remarks in the RECORD in two instances; to include in one an article appearing in the Christian Science Monitor entitled "Division Among Justices," and in the other an editorial entitled "No Experts on Everything."

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

IMPORT TAX ON COPPER

Mr. KNUTSON, from the Committee on Ways and Means, reported the bill (H. R. 2404) to suspend certain import taxes on copper (Rept. No. 108), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

TARIFF ON WOOL

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I listened to the gentleman from Texas a few moments ago talking about the tariff. I wonder how much the gentleman from Texas would like to reduce the tariff on wool. They now have 34 cents a pound duty. Texas is one of the largest wool-growing States in the country, and I wonder what he and the people of Texas are going to do when they reduce the tariff. Does the Texas delegation want the tariff on wool reduced? The wool growers now want the Commodity Credit Corporation to buy all the wool in this country. They want the Government to lose 10, 15, and 20 cents a pound on it if necessary to maintain the price with the tariff, and I wonder just what the gentleman from Texas and these other fellows from the South who are depending on

the Government to dig them out of the hole are going to do? They want subsidies on most everything. They want our industries to run; they want high labor standards. I ask you this, How will you maintain our standard of wages, how will you keep industries running. You buy all your goods from abroad. Who can buy it here? Where will your wages come from when industry is shut down? I say we must have a protective tariff or bang. They get the business and we get left in the lurch. I am for protective tariff for American labor and industry.

I further want to state here today that we must think hard, work fast, and make up our minds that we cannot finance any longer all the countries of the world. We are breaking down our own stability, weakening our Treasury, securing the enmity of the countries of the world. Snooping into other countries' business, men and women, I am for America first, last, and all the time, and I will not destroy America to save any country, large or small.

Mr. HILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HILL. Mr. Speaker, I take this time to inform the gentleman from Pennsylvania [Mr. RICH] that before our Committee on Agriculture came the finest type of gentlemen from Texas that I have ever seen, all supporting a plan to keep the tariff on wool. Maybe they would like to know what is going on here this morning?

THE LATE MRS. CARRIE CHAPMAN CATT

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CHURCH. Mr. Speaker, the last of the veteran woman suffragists, Mrs. Carrie Chapman Catt, went to her reward March 9, 1947, at her home in New Rochelle, N. Y. During her entire lifetime, she was a pioneer and crusader for women's rights.

In my second term in the Illinois Legislature, it was my privilege to vote June 10, 1919, for the ratification of the nineteenth amendment to the Constitution granting women of the United States the right to vote, a cause which Mrs. Catt championed and crusaded for, and on the day the action of the Illinois Legislature was completed, at the request of some of the leaders of the woman's suffrage movement in Illinois, including Mrs. Catherine Waugh McCulloch, Mrs. Wirt E. Humphrey, and others, I sent Mrs. Catt telegraphic word of the action of our State. The nineteenth amendment was proposed by Congress June 4, 1919, and Illinois has the distinction of being one of the first three States which on June 10, 1919, ratified the amendment.

In a day when very few women were going to college, Mrs. Catt attended and graduated from the Iowa State College. She served as president of the National American Woman Suffrage Association and in 1911 made a world tour in behalf of woman suffrage. Shortly after the nineteenth amendment to the Constitution was ratified, Mrs. Catt was active in the organization of the National League of Women Voters and was its honorary president. She never ceased to work for women's rights and she will be long remembered by women everywhere for her contribution to their cause.

SPECIAL ORDER GRANTED

Mr. AUGUST H. ANDRESEN. Mr. Speaker, on January 3, I introduced House Resolution 21, to continue the Special Committee on Wildlife Conservation. I ask unanimous consent that on Thursday of next week, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I be permitted to address the House for 20 minutes on that resolution.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

EXTENSION OF REMARKS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a very interesting communication which I wish to call to the attention of the Members of the House.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BELL asked and was given permission to extend his remarks in the RECORD and include a clipping from the Washington Post and also a clipping from the New York Times.

TARIFF ON COPPER

Mr. GRANGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. GRANGER. Mr. Speaker, I was very much intrigued by the statement just made by my distinguished colleague from Colorado [Mr. HILL] and the colloquy between him and the gentleman from Pennsylvania [Mr. RICH].

I had lost heart in the majority party. I thought they were going to depart from their traditional policy of a protective tariff. Since I have heard these two gentlemen, I feel very confident and sure now that this House will not reduce the tariff on copper.

INTERNATIONAL EDUCATIONAL EXCHANGES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 167)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Expenditures in the Executive Departments and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report by the Acting Secretary of State on the operations of the Department of State under Section 32 (b) (2) of Public Law 584, 79th Congress, as required by that law.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 10, 1947.*

[Enclosure: Report from the Acting Secretary of State concerning Public Law 584.]

ECONOMY AND TAX REDUCTION

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the Sunday papers carried the announcement that the leadership of the minority party had organized and were going to put into action not a goon squad, but General Gore's gorgeous flying squad of courageous and glorious guerrillas just to needle the Republicans and rejoice over an anticipated failure on the part of the Republicans to carry on a program of economy and tax reduction.

One of the orators of the squadron spoke this morning about taking care of the veterans. I think we are all in favor of that. I heartily agree with all that the gentleman from South Carolina [Mr. DORN] said about Mr. Truman, and I endorse the gentleman's statement as to the President's ability, but my suggestion is that we take care of our present World War veterans before we start another war and get another crop of veterans by sending an army to Turkey and Greece, and again to every corner of the world to impose our ideas on all others. If we want to fight communism, we might start right here in Washington.

THE COPPER BILL

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that it be in order to call up the bill, H. R. 2404, on Thursday.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

Mr. FORAND. Mr. Speaker, reserving the right to object, I will not object if the printed hearings are available at the time the bill is considered.

Mr. KNUTSON. I amend my request accordingly, Mr. Speaker. We were told the printed hearings would be ready tomorrow and with that understanding I ask unanimous consent that it be in order to call up H. R. 2404 on Thursday.

Mr. FORAND. The truth of the matter is that we have had closed hearings on this bill. Several of the Members, I know, are opposed to it and are entitled to at least know what is in the hearings.

Mr. RAYBURN. Mr. Speaker, I shall have to object unless the gentleman from Minnesota wishes to withdraw his request at this time.

Mr. KNUTSON. Mr. Speaker, I withdraw my request.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL, 1948

Mr. CANFIELD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2436) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1948, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate run throughout the day, the time to be equally divided and controlled by the gentleman from Maryland [Mr. D'ALESANDRO] and myself.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. RAYBURN. Mr. Speaker, reserving the right to object, and I shall not object, of course, but do I understand correctly that means the bill will not be read for amendment today?

Mr. CANFIELD. The first paragraph of the bill may perhaps be ready today.

Mr. RAYBURN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from New Jersey.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 2436, with Mr. MICHENER in the chair.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CANFIELD. Mr. Chairman, I yield myself 40 minutes.

It is a privilege to be chairman of the Subcommittee on Treasury and Post Office Appropriations, and I am proud of its membership—all earnest, serious-minded, patriotic men, determined to do the very best in the assignment that has been given us. Day and night for many weeks we have labored as a team. Always the work was priority No. 1. Some of us missed a roll call or two during the examination of witnesses. Members made personal sacrifices to attend many of the sessions, and this is especially true of the able and distinguished ranking minority Member, the gentleman from Maryland [Mr. D'ALESANDRO]. In point of service on the subcommittee he is the senior member, and he has brought to the subcommittee a practical knowledge of the operations of government, an insistance on sound principles of economy and efficiency, and a spirit of cooperation. We have been fortunate to have serving with us the gentleman from Illinois [Mr. DIRKSEN], who, in addition to his many other capabilities, brought to the subcommittee the most exhaustive knowledge of the budget possessed by any one man in the Federal Government. The gentleman from Virginia [Mr. GARY], with many years of experience as a tax attorney, as State tax commissioner, and as a member of the old Post Office Committee of the House, contributed invaluable expert knowledge. Although new members of the Appropriations Committee, the gentleman from Ohio [Mr. GRIFFITHS], the gentleman from North Dakota [Mr. ROBERTSON], and the gentleman from Kentucky [Mr. BATES], are experienced Members of Congress, have fine backgrounds for this work, have studied the problems involved, been faithful in attendance, and contributed a great deal to our work.

Midway in our labors we lost our courteous and able clerk, Mr. Jack McFall, who has left the Capital to take up duties in the Foreign Service. A real veteran in appropriations work, a wise and patient counselor, his departure is a real loss to Congress, and particularly to the Appropriations Committee. We have been fortunate in having the chairman assign to our subcommittee Mr. Claude Hobbs, who took off his coat to do a real job. Mr. George Harvey, clerk to the full committee, gave us the benefit of his years of experience.

The subcommittee's approach has never been partisan and the subcommittee was unanimous in its findings. The recommendations were unaltered by the full Appropriations Committee and the bill was reported to the House by unanimous vote.

The cry grows daily that the budget of the country be put in balance and a program of orderly debt reduction be instituted. Taxpayers are demanding relief. Mr. American Citizen is studying his government, appraising its functions, and watching his board of directors as never before. It is recognized that our way of life can be destroyed from within, that a solvent nation is the first and foremost bulwark against any enemies from without. Reports of wasteful expenditures and of employee indolence are morale-breaking. Action is demanded now. I feel that this bill is a step toward answering these demands. This is the first 1948 appropriation bill. It provides economy and serves efficiency. People are watching Congress today to see what action we take on this first bill. I believe the taxpayers will hail adoption of the bill as it was reported, and I am sure that we will have no justifiable complaint from the agencies involved that they are being hampered in their essential work.

It should be noted that the permanent appropriations of the Treasury Department include $587,560,000 for retirement on the public debt. This is the result of a statute passed after World War I, and I regret to have to report to the House that the Treasury Department has not, in past years, been making this mandatory debt reduction. Over $6,000,000,000 of this appropriation remains unused, as is brought out in the questioning of the Secretary of the Treasury by the distinguished chairman of the Appropriations Committee, the gentleman from New York [Mr. TABER]. The era of deficit financing has come to an end. It is time that the Treasury Department respected the spirit and the letter of Congress' dictates. The Bureau of the Budget expects to use only about $200,000,000 of the money Congress makes available for this sinking fund transaction this year. I sincerely hope that this estimate will be revised upwards at an early date and that in the future this law will be carried out.

Shortly before we began our hearings we learned of the so-called Morgenthau Diary incident. It was reported that public moneys may have been spent in the compilation. Papers needed by the Treasury were included therein. We requested the Secretary of the Treasury and members of his staff to tell us the story. Between the two appearances of the Secretary before the subcommittee the former Secretary, Mr. Morgenthau, volunteered to make all such papers available for inspection by the Treasury Department to determine whether any should be returned. We have reason to believe the committee may have been helpful in this decision. Meanwhile, we are urging the appropriate legislative committee to review the incident as developed in our committee's examination, which appears on pages 875–886, and 467–469 of the Treasury hearings, and page 4 of the post-office hearings. New law may be needed.

The subcommittee has called on the investigative staff of the full committee to look into the typewriter situation because of conflicting reports bearing on price, and rumors, all unconfirmed, that there is a large supply, new and used, in Government surplus stocks. Because of the ceiling price on typewriters written into this appropriation bill for many years, some of the companies are refusing to make offers.

Adoption of this bill will permit expenditures by the Treasury and Post Office Departments of $12,388,229,971. Of this, $10,857,496,721 is for the Treasury, and this includes $9,186,179,221, representing permanent appropriations for general and special funds, and trust funds such as old-age, survivors' and unemployment insurance, as well as $5,000,000,000 for interest on the public debt, all of which is beyond the control of the committee. Of the $1,671,317,500 carried in this bill for the Treasury, only $425,000,000 is for the actual operating expenses of the Department, and this amount represents a cut of 16 percent in the budget estimates. The bill carries $1,530,733,250 for the Post Office Department, and this amount will permit the continuation of present service in every respect. The Subcommittee on the Treasury and Post Office, in actions confirmed by the Appropriations Committee, has cut the estimates for operating expenses contained in the budget by $94,072,750, the refund of taxes and duties by $803,000,000, and is recommending an appropriation $159,538,982 less than 1947's.

Other than perfecting language recommended by the Bureau of the Budget, which has been inserted largely for clarification, or in a few instances to carry out provisions of laws passed by the Seventy-ninth Congress, the committee has not altered the general language of the bill, and the intents of the 1947 appropriation act have not been changed.

In the 1947 appropriations for the Treasury there were five indefinite appropriations, through which the Treasury was authorized to pay out "such sums as may be necessary." The Treasury estimated that it would pay out under these indefinite appropriations $2,050,700,000 in fiscal 1948. With a firm conviction that Congress should provide specific sums for stated functions and processes of government, reserving the right to modify any action as circumstances might dictate, the committee eliminated all indefinite appropriations and placed a specific amount for each item in the bill.

The largest of these appropriations was for refunding of internal-revenue collections. The Treasury estimated that $2,031,000,000 would be required for this purpose in 1948. Looking into the matter, the committee concluded that the estimate was excessive. On page 495 of the hearings you will find testimony of officials of the Bureau of Internal Revenue of this subject, and it will be noted that the Bureau could not entirely justify its estimates; that it was using assumptions not proved entirely correct. It was admitted their figure was only a guess. You will note that an allowance was made for refunding capital-stock taxes but the capital-stock tax was repealed in 1945, and certainly should be a dead issue by the time fiscal 1948 comes around. You will note that they expected the tax on distilled spirits to be decreased on July 1 next; but Congress has voted to continue present excise taxes. These distilled-spirits refunds alone were estimated to be $162,000,000, although less than $40,000,000 has been the normal expenditure in past years.

The Bureau expects that personal withholding-tax refunds will amount to $800,000,000, but it does not appear that the Bureau has taken into full consideration that the people are better educated regarding the tax returns, employers have had greater experience in this work, and the clerical and administrative personnel in the Bureau's field offices have had additional training and are better able to perform their duties. Secretary Snyder himself testified that they expected more efficient work from their employees in the Bureau as the result of added experience and training. You will also find in the hearings the statement by responsible Bureau of Internal Revenue officials that this $2,000,000,000 estimate was just a guess, and admission that the committee's guess might be just as good.

Taking into consideration the evidence given us, and after careful study, the committee believes that refunds of internal-revenue collections in 1948 will not exceed $1,231,000,000, and has therefore written an appropriation of that amount into the bill in place of the indefinite appropriation. We do not intend to leave the impression that this $800,000,000 reduction will save a single dollar for the taxpayers. The Government will still have to pay out whatever taxes are paid unnecessarily. We do feel, however, that it is sound business and in the interest of responsible Government financing, that the estimate should be as nearly correct as possible. We believe our figure is the more nearly correct, and should be used in budgetary computations.

The other major indefinite appropriation made specific was for refunds of customs collections, testimony regarding which appears on page 819 of the hearings. This is another item in which the expenditure is uncontrollable, but once more the committee feels that it has inserted a figure more nearly correct than that subcommittee for consideration in the President's budget. This has only been an indefinite appropriation for the past 3 years. The Customs Bureau requested $18,000,000 for this purpose in 1948, admitting that this figure was an estimate based on a belief that there would be an increase in foreign trade. This estimate did not seem to be borne out by testimony presented. The actual expenditures for the fiscal year 1946, the last year for which figures are available, was only $10,836,154. For the first 5 months of fiscal 1947 draw-backs and miscellaneous refunds ran well below estimates, although there was some increase over estimates in refunds on duties. The committee feels that the amount of the Bureau's estimated expenditures in 1947 will also be sufficient for 1948, and therefore has made a specific appropriation in that same amount, $15,000,000.

Other appropriations made definite were for refund of moneys erroneously collected, payment of certified claims, both in the amount of $700,000; and payment of unclaimed moneys, for which $100,000 is allowed.

For the actual operating funds of the Treasury, approximately $503,500,000 was requested. The committee has allowed about $425,000,000. Since this Department is largely a service agency, the reduction may be considered substantial. The 16-percent reduction involved here is in large part applied against personal services, and will cause a reduction in Federal employees. No exact figures on the number that will be released can be determined at this time, but the committee's report directs that those employees who cannot be retained in 1948 shall be dismissed now, so that their terminal-leave payments will be taken from 1947 appropriations. No allowance is made for terminal-leave payments to such employees in the 1948 appropriations, and the Appropriations Committee has voted that no deficiency request for this purpose will be considered. Personnel reductions in the Post Office Department will not be as extensive as in Treasury, and will be limited almost entirely to administrative personnel. These reductions will also have to be made immediately.

Last year this bill carried 57 separate items of Treasury appropriation. Despite the fact that 5 items were added to this bill through making definite the indefinite appropriations, there are only 48 items in this bill. Some appropriations were no longer necessary, and the Department recommended their elimination. A few things were added in accordance with laws passed by the Seventy-ninth Congress; the items added were those relating to the operation of the Federal Tort Claims Act and the requirement for separate appropriations for health services. There was one consolidation, whereby four appropriations were merged into one for greater efficiency and economy.

Of the 48 items appearing here for the Treasury, two exceed the estimates submitted, because of consolidations of accounts. Ten were given the same amount as requested, 17 were allowed more than they had in 1947, and 19 were cut below the 1947 level.

One of those which received an increase over the estimates was the general counsel of the Treasury, and this extra money was made necessary because the Office of Tax Legislative Council, the Division of Tax Research, and the Division of Research and Statistics, each of which had a separate appropriation in recent years, were placed under the Office of General Counsel.

The Division of Tax Research and the Tax Legislative Council have been making studies in wide fields, many of them overlapping, and no evidence was introduced proving the value of such studies. A review of the testimony given by the heads of these two offices will show duplication of effort. For example, on page 100 of the hearings, Mr. Shere, acting director of the Office of Tax Research, said in relation to personnel income taxes for the Federal Government in community-property States:

> We are working on the whole problem.

Mr. Surrey, the Tax Legislative Counsel, spoke on the same subject on page 128, and said:

> In the last year we have been reconsidering the matter.

On page 99 you will find this statement on tax research by Mr. Shere:

> In addition to servicing Treasury officials, studies prepared for that purpose also serve in connection with the Treasury's presentation of testimony to Congressional tax committees, the House Ways and Means Committee and the Senate Finance Committee.

Compare this with Mr. Surrey's statement on page 117:

> We represent the Treasury Department before the Committees of Congress that deal with tax matters. These are primarily the House Ways and Means Committee and the Senate Finance Committee.

I could cite other examples, but I think the case against these offices can be stated thus: On page 99 Mr. Shere made this statement:

> We assist the Bureau of Internal Revenue.

When Internal Revenue Commissioner Nunan was asked about these two offices, Tax Research and Tax Legislative Counsel, he said:

> As far as I am concerned, Mr. Congressman, I have never had occasion to use them.

The committee felt, since the funds for the Office of General Counsel were increased to provide for these three additional offices, that there will be ample money to conduct any legal and economic research necessary for immediate requirements. The consolidation will save $245,000.

The only other place where the estimates were increased was in a printing item for one of the divisions of the Bureau of Accounts. This was also due to consolidation, since all printing funds were concentrated in one account for the Bureau of Accounts, and this transfer involved no change in the total carried in the bill.

The total amount carried herein for the departmental offices under the Office of the Secretary of the Treasury is $9,017,000. This is a reduction of $719,500 from the estimates, and will force some cuts in personnel. The consolidations under the General Counsel comes under this heading.

Another cut under this heading was for the Division of Personnel, which has been increasing in size despite that fact that personnel work was being decentralized throughout the various parts of the Department. The reduction will force a further decentralization, but will leave this office sufficient funds to operate as a policy group on the departmental level. It might also be noted that this office was supposed to handle all complaints received about Treasury personnel alleged to be engaged in un-American activities. Since this program was put into effect 3 years ago, the Division received 352 complaints. Only one hearing was held, and that in November 1943. Certainly the Treasury has been most lax in this respect, and I would recommend a reading of pages 261 through 269 of the hearings by members of the Committee on Un-American Activities. It might also be said at this time that there is no un-American problem reported by the Post Office Department and the Postmaster General testified that there were no complaints in that agency.

A new item appearing in this bill for the first time, as the result of legislation passed by the Seventy-ninth Congress, was for health programs. In the past, health programs have been in effect, but for the Treasury they were taken care of by the Public Health Service, and no special funds were earmarked in previous Treasury appropriation bills. This had to be included this year, and the Department asked for $138,700. Since this is only for dispensary cases, it was believed that this figure was excessive, and $75,000 was finally allowed. In addition to showing that last year these dispensaries handled only 28 cases per day per unit, or 9 cases per day per health service employee, the testimony on this subject, appearing on pages 285 to 290 of the hearings, is highly interesting.

The largest single item under the Office of the Secretary is for penalty mail, and this will require $6,700,000 in 1948. The reason for this large sum, which is a little more than $2,000,000 over the 1947 figure, is due to the fact that the Treasury Department's Division of Disbursement mails out the checks for the Veterans' Administration and the Federal Security Agency, both of which will be sending out great numbers of checks in 1948. The additional pieces to be mailed in all in 1948 exceed the 1947 total by about 70,000,000. In 1948, the Veterans' Administration alone expects to mail out about 100,000,000 checks. The Bureau of Internal Revenue will send out 18,000,000 more checks than it did in 1947. The other part of this increased appropriation is due to the fact that the Post Office has ordered an increase in payments for handling penalty mail, this increase amounting to about 20 percent per thousand letters.

My colleagues on the subcommittee are going to tell you presently of the appropriations for the fiscal and enforcement branches of the Treasury Department, but I want to discuss for a few minutes the two largest reductions carried in this bill. Coast Guard estimates were cut $36,000,000, and Bureau of Internal Revenue, exclusive of refunds, $30,000,000.

The Coast Guard has sought to expand greatly in recent years, and the estimates submitted by this agency make it appear that while the President is seeking to unify the Army and the Navy, the Coast Guard is attempting to build itself up into a full and complete replacement for the independent Navy. The committee feels that the Coast Guard should be what the name implies; a Coast Guard, and not a small edition of a navy. Consequently, the committee has placed in this bill the sum of $97,000,000 for Coast Guard activities. This reduction is not as drastic as might appear, for the Treasury Department cut the Coast Guard's original estimates $61,000,000, and then the Bureau of the Budget cut them $38,000,000 more. In making its reduction, the committee has sought to eliminate funds which would permit the Coast Guard to operate far beyond the coasts of continental United States. We hope to cause a reduction in the great and disproportionate numbers of high-ranking officers, whose rank was created admittedly to keep pace with Navy protocol. We aim to prevent the construction of buildings not urgently needed, and which would draw construction materials from vitally needed housing programs. And above all we hope to force better administration of this agency. Some of my colleagues will, a little later, give you specific examples of the waste, the extravagance, and the grandiose schemes of the Coast Guard.

The committee has placed this ceiling of $97,000,000 for Coast Guard expenditures in the bill. It is pointed out that this amount is $72,000,000 more than its total appropriation just 10 years ago, for 1938. In setting this ceiling, we have permitted some elasticity so that the Coast Guard may administer reductions in the way it feels best. In past years, there have been nine separate appropriation items for Coast Guard. This year we have retained the language of each of the individual appropriation items, and have inserted a limitation on the expenditure for each. These limitations, if added up, amount to about $111,000,000, but since the ceiling on expenditures for over-all activities is $97,000,000, the Coast Guard itself will have to determine the points in which it will not spend up to the limitation. It may be that some items can be reduced rapidly and drastically, but that others will take longer, and cannot be cut too deeply. Thus this permissive authority, amounting to about $14,000,000, should permit orderly curtailments with the considerable latitude left to the agency.

It is not intended to reduce enlisted personnel below the 19,500 ceiling now in effect. There is a limitation of $70,000,000 for pay and allowances, and this is only $4,000,000 less than 1947. If the Coast Guard will carry out the intent of the bill, the reductions will be made in officer ranks. The committee feels that ample funds have been provided to permit continuation on the present scale, of Coast Guard search and rescue operations, including life-saving activities along the coast. There is enough money in this bill to permit maintenance of aids to navigation along the coast. The work of the Bureau of Merchant Marine Inspection should be unimpaired, although it will have to be better administered.

Where the cut will apply chiefly is to the blue water operations of the Coast Guard. One request which has been disallowed, for example, is the amount of nearly half a million dollars to build a storehouse for buoys in the Mariannas Islands. The Coast Guard will have to stop providing aids to navigation for the new Republic of the Philippines. We have not included funds, amounting to millions, for erection of loran stations in Alaska, where they would be of use only to the Navy for maneuvers. The Coast Guard will have to stop duplicating the research work being carried on by other Government agencies and private companies.

The Coast Guard will have to cease its overseas operations, but I can assure the Members of the House who represent coastal areas that, with efficient administration, the present work of the Coast Guard in the coastal waters of the United States can and will continue on its present basis.

A word about the reduction in administrative expenses of the Bureau of Internal Revenue, where $208,000,000 was requested, and $178,000,000 allowed. In 1947 internal-revenue collections dropped from $40,000,000,000 to $37,000,000,000. It is estimated by the Bureau that there will be a further drop in 1948 of $1,000,000,000, without including an even greater drop if Congress passed a tax reduction act. Yet the Bureau asks $34,000,000 more, and will have 3,000 more employees, for 1948 than it had in 1946. The percentage of taxes to be collected through enforcement activities in the 1948 estimates is less than 7 percent, compared with more than 8 percent in 1939 and 1940, when the appropriation was one-third of its present size. This makes it appear that we have reached the point of diminishing returns in appropriating for enforcement activities. If $174,000,000 and 50,000 employees were sufficient to collect $40,500,000,000 in taxes in 1946, certainly $178,000,000 and 53,000 employees should be sufficient to collect $36,000,000,000 in 1948.

I shall only speak briefly of the Post Office part of this bill. The Post Office

is also a service agency. It is also one of the biggest businesses in the world. It is operating at a deficit which must be eliminated, but it can be eliminated only through both an increase in revenues and a reduction in expenditures, not one part of the equation alone. The Appropriations Committee has therefore recommended to the appropriate legislative committee that prompt consideration be given to the matter of increasing the revenues.

The estimated deficit in 1948 will be about $338,000,000, on the basis of appropriations carried in this bill and the revenues as estimated at present. Over $300,000,000 of this deficit will be caused by the pay increases for postal workers passed by the Seventy-ninth Congress. It can also be pointed out that revenues from handling penalty mail for Government agencies—for which the Post Office bills the various departments and agencies of the Government at the rate of $18.50 per thousand letters—are paid directly into the Treasury and are not credited as postal revenues. In 1946 it cost the Post Office Department $30,000,000 to handle this mail. It should also be noted that the Post Office Department is responsible for and charged with the expense of maintaining Federal buildings throughout the United States, and that in many instances these buildings are also occupied in part by other Government agencies which do not pay rent or bear any share in the cost of maintenance.

The amount carried in this bill for the Post Office Department is $14,000,000 below the estimates, but all reductions have been made without curtailing any service. The sum provided will make it necessary for the Post Office Department to provide strict administration, eliminating waste, and making full use of all its supplies and equipment. Certain surveys have been directed, so that the Department itself can suggest some retrenchment, and it is felt that in 1949 a lower amount will be necessary for the Post Office. Most of the savings made from the estimates have been made by denying requests for additional personnel, and by eliminating some activities that might have been desirable but were not necessary. No Member need worry, however, that the service now being supplied in his district, whether it be city delivery or rural delivery, will be impaired in the slightest. In fact, for the benefit of those living in areas served by rural delivery, provision has been made in the full amount requested by the Post Office Department for extensions of service.

No major cuts were made against the office of the Postmaster General nor in the departmental offices in Washington. It is expected, however, that some reduction in force will be required, particularly among personnel and public relations workers.

It is in the office of the Fourth Assistant Postmaster General that economy can best be practiced, for this officer has charge of all post-office buildings, vehicles, and equipment. In reducing the estimates $3,493,000 this division will have less than it did in 1947. Equipment must be made to last longer, and supplies must be purchased with greater caution, while their use is more carefully supervised. Some work that is not necessary will have to be eliminated. A good part of the reduction was made because the request for over $5,000,000 for new equipment was considered excessive.

I believe that adoption of this bill in its present form will be an encouraging omen for taxpayers of the country, and will not be condemned as a ruthless slashing of the departments. It serves economy and preserves efficiency.

Mr. D'ALESANDRO. Mr. Chairman, I yield myself 15 minutes.

The CHAIRMAN. The gentleman from Maryland is recognized for 15 minutes.

Mr. D'ALESANDRO. Mr. Chairman, I would like to emphasize the fact that this bill is presented with a unanimous subcommittee report. We have worked together without divisions, without partisan bickerings, and with the sole intention of reporting an appropriation bill permitting the greatest possible service to the American people at the lowest possible cost. I believe we have succeeded. The gentleman from New Jersey [Mr. CANFIELD], serving for the first time as chairman of this subcommittee, has displayed a sense of fairness and justice on all occasions, worked hard, and has made an able leader, and it was a pleasure to work with him on this bill.

This is an economy bill. It is not wild, uncontrolled economy where estimates have been slashed without regard for service functions or public responsibilities. It does not contain the drastic cuts which have been rumored in the press. It is sane economy, necessary for the cause of good government, whereby unnecessarary expenditures have been eliminated and in some cases activities that are desirable but not essential have been curtailed. If this bill is adopted, the American taxpayer will find that his twin demands for continued service and reduced expenditures have been met.

This bill does not interfere with the permanent appropriations for the Treasury. The Department estimated that $9,186,179,221 will be required for general and special trust funds, including the old-age trust funds and the unemployment insurance funds, and the committee has not tampered with these figures. We did not change the Treasury's estimate that $5,000,000,000 will be needed to pay the interest on the public debt, although there were rumors that this amount was excessive.

The Bureau of the Public Debt, which handles this matter, has been allowed slightly less that $66,000,000, for fiscal 1948 for administrative purposes, and this does represent a reduction of about $3,500,000 from the estimates although it is almost the same figure as allowed in 1947. Pages 29 to 34 of the hearings on the Treasury bill contain figures on the public debt, giving a picture of the $257,600,000,000 debt as it was at the close of 1946. The administration of this debt is a mammoth undertaking, including as it does the sales of war bonds. In reducing the appropriation for this Bureau, the committee has specified that not more than $125,000 of the cut shall be applied against the Savings Bond Division, which is the Division promoting the sale of war bonds. This selling program requires constant encouragement and stimulation. The patriotic motives that caused people to buy bonds during the war is no longer so apparent. The desirability of buying these bonds as an investment must be emphasized. It should be pointed out that the administrative costs of selling these war bonds has been reduced to one twenty-third of one percent.

I should like to mention two other bureaus of the Treasury particularly at this time, for they are working branches of the Government which perform tremendously important functions, but which are all too often taken for granted. They are the Bureaus of Engraving and Printing, and of the Mint, and testimony regarding them makes interesting as well as informative reading. Such testimony appears on pages 384 through 439 of the hearings.

The Bureau of Engraving and Printing designs, engraves, and prints securities, and other documents, currency and stamps for the United States Government, and for some foreign governments on a reimbursement basis. Our Government prints currency for the Cuban Government, and only recently completed an order for Siam. While several countries do have their own bureaus of engraving and printing, a great many buy their currency from private businesses, there being two or three companies in London and two in this country engaged in such work.

The Bureau submitted its estimates to the committee showing that there was expected to be some decline in the amount of nonreimbursable work during 1948, but that this would be offset by rising costs. One of the largest items making up this appropriation is for overtime, for which $1,300,000 was requested. Much of this overtime arises from the fact that other Government agencies send urgent and rush orders to the Bureau. Careful planning, perhaps through supervision by the Bureau of the Budget, should eliminate some of this overtime, and permit a sizable reduction in the amount paid. Demands of other agencies are one of the chief causes of overtime in the Treasury Department, and such demands should be reduced to an absolute minimum.

Turning to the Bureau of the Mint, you will find that we have allowed an appropriation of $6,467,500 for this service, which is an increase of slightly more than $200,000 from the 1947 figures. The estimates have been reduced by $719,000, but the amount carried in this bill is nearly three times the cost of this service in 1940. This increase is justified because costs of materials and costs of production have gone up. Wage increases have been granted to more than 2,000 people employed in the mints and assay offices, almost all of these people being union members. But the biggest cause of the increase has been the growing demand for coins. When the price of a nickel bar of candy goes from 5 cents to 6 cents that creates a demand for pennies. An increase of 1 cent in the price of a package of cigarettes adds to the demand. There have been many of

these instances in the past year or two. The demand for coins has dropped somewhat from the peak year of 1945, but there still were 2,106,859,000 coins delivered by the mints in 1946. Over 71 percent of this total appropriation goes directly for coinage.

The amount carried in this bill for the mints will not cover the total expenditures of the mints in 1948, for there are large reimbursement items. Our mints make coins for some foreign countries. They make the medals used by our military services. For this work they are, of course, reimbursed. In 1946, the mints got, roughly, $5,000,000 from Congress, and collected $6,000,000 from other sources for outside work.

Too often we think of the Treasury as being nothing but a great big bank. These examples of the Bureaus of Engraving and the Mint show that there is a manufacturing side to this Department. It operates a tremendous detective agency in the Secret Service. It has a police force in the Bureau of Narcotics and the Bureau of Customs. Its work is complex throughout, and is not all bookkeeping and accounting. The committee has had to cover many fields to determine fair and just appropriations for all this work. The job has been done thoroughly, and with careful thought and study to each item. The amounts carried in this bill will permit the Treasury to carry on its high standards of service in all fields in fiscal 1948.

The Post Office Department has likewise received fair and most considerate treatment. The Postmaster General appeared before us, and gave us a frank and informed picture of the problems his Department faces. All members of the committee were impressed with the seriousness with which he has undertaken his duties, and the responsibility which he feels as the active head of one of the largest businesses in the world.

There is probably no other Government agency which operates in such direct contact with every citizen of the United States, and in every single part of the country. Our servicemen abroad look to the United States mail to bring them word of home. All our military leaders have told us of the great morale building done by mail during the war, and in a sense that morale is a mighty contributor to victory, the Post Office Department shouldered a tremendous burden.

The committee held exhaustive hearings on the Post Office Department, as it did on Treasury and has come to the conclusion that in 1948 the Department will be able to operate with a high degree of efficiency on $7,642,000 less than it has for the current year. Some of this reduction was suggested by the Department itself. In other places the committee disagreed with the departmental estimates and cut them. We made the best compromises we could. No mail carriers will be discharged, nor will any clerks. Pay increases and statutory promotions will be honored. No essential rural-delivery service, no vital star route, will be eliminated. But waste will have to be checked. New personnel will not be added. Administrative procedures will have to be streamlined.

Most people will be particularly interested in the field services of the First and Second Assistant Postmasters General, for these are the offices that deliver the mail. If the committee has erred in assigning funds for these two services, it has erred on the generous side, for no one would deliberately delay the mail or in any way imperil its rapid and safe dispatch. We have granted $87,470,000 for compensation to postmasters, an increase of $750,000 over the current year. We have increased the appropriation for assistant postmasters by $100,000, although we have not allowed any new positions, and have suggested to the appropriate legislative committee that study be given to the question of limiting appointments of assistant postmasters in the smaller second-class offices. We believe that it will be unnecessary to create any new clerkships in first- and second-class post offices, and that expenditures for overtime and substitute hire can be reduced by careful supervision, and we have lowered the estimates accordingly, although we granted $9,784,000 for salaries of clerks in these offices so that statutory promotions and pay increases can be made.

Only recently were clerks in third-class post offices placed in the classified service, and all these positions have not yet been covered into the civil service. The conversion to the classification system has proceeded more slowly than the Department expected, and will not meet the goal set for 1948, thus making unnecessary some of the money requested. However, $24,000,000 has been granted for this clerk hire, and this represents an increase of about half a million dollars.

The estimated obligations in salaries for city delivery carriers were about $288,000,000 in 1947. The committee has not seen fit to authorize any new positions, but we have added $7,300,000 to meet all salary increases and promotions according to law.

A full continuance of all present rural-delivery service, plus some extensions as required by law, will be permitted with the funds allowed this item—$129,167,000. The estimates submitted by the Department were lowered somewhat, since it was not believed that the requested 150 additional carriers were absolutely necessary.

I would like to call your special attention to the section of the report dealing with special-delivery service, and also to the testimony on this matter, which appears on pages 46, 49, and 118. This is a particular problem to the post office, because Congress has passed a law which has increased the costs a great deal, while at the same time leaving the efficiency of special-delivery service open to some criticism. We have asked that the legislative committee study the matter, and I have noted that the Post Office Department has submitted certain recommendations to Congress. Special-delivery messengers are no longer paid on a fee basis, but are now on salary. In addition, they are paid 75 cents an hour for the use of their cars. The appropriation carried in this bill is approximately the same as for 1947, but this represents a tremendous increase over a few years ago, due entirely to the new law.

In the field service of the Second Assistant Postmaster General we have had to increase the appropriation for star-route service because people are now charging the Government more to carry mail on these routes. We were able to effect some reductions in payments to railroads, because the volume of mail to be carried will probably decline in 1948. It should be noted at this point that the railroads just a week or so ago filed applications with the Interstate Commerce Commission, which fixes the rate the Government pays these carriers, for substantial increases. The Post Office has indicated to the committee its intention to fight any such increases.

The volume of air mail carried during this fiscal year has not been up to expectations, and the Department asked for about $11,000,000 less than it had this year. The amount appropriated in this bill is still somewhat above the expenditures for 1947.

I hope this bill will be passed by the House in its present form. It is fair to the departments involved and it is fair to the American taxpayers. No one should expect more.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. D'ALESANDRO. I yield to the gentleman from North Carolina.

Mr. BONNER. Yesterday in a radio discussion of this bill I heard the remark that the reduction to be effected in this bill with respect to the field workers of the Internal Revenue Bureau, that is, the inspectors and investigators of private tax returns, would be reflected in a loss to the Treasury greater than the saving effected. Is there any foundation for that statement?

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. D'ALESANDRO. I yield to the gentleman from Illinois.

Mr. BONNER. Did the gentleman hear that discussion?

Mr. DIRKSEN. I did not hear the discussion, but I had an idea the question would be raised. May I remind my friend that there are over 33,000 in the administrative service of the Bureau of Internal Revenue, as against only 26,000 on the enforcement end. There is a specific item in the report that the committee will not countenance a reduction in the enforcement personnel. We want them to get out of Washington some of these people in the administrative offices who are falling all over themselves. It is the particular design of the committee to see that the enforcement activity is preserved.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. D'ALESANDRO. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. BONNER].

Mr. BONNER. The gentleman from Maryland did not answer the question that I asked. Would the gentleman answer the question, and then would the

gentleman from Illinois [Mr. DIRKSEN] comment on it?

Mr. DIRKSEN. I think that was the answer.

Mr. BONNER. Will the reduction you have made in this particular division of the Treasury reflect a loss or gain to the Treasury Department?

Mr. DIRKSEN. If the gentleman will permit me to answer, the answer is simply that while revenue is going down, personnel is going up, and the amount that is achieved by enforcement activities percentage-wise is infinitely smaller than it was in that period from 1929 to 1936 when they had only a fraction of the employees they have in the Bureau of Internal Revenue at the present time.

Mr. BONNER. Do you direct the Internal Revenue to maintain their field staff and curtail their office staffs?

Mr. DIRKSEN. Yes; we could not give them legislative direction in the bill, but we did write the appropriate provision in the report.

Mr. BONNER. Then there will be as much field inspection in the future as there has been in the past?

Mr. DIRKSEN. Yes; and the committee feels that field investigations and enforcement activities ought to be a little more efficient than they are at the present time.

Mr. BONNER. I thank the gentleman and hope as I have been assured that the field force will be maintained and enlarged, for it is here that much revenue is gained for the Treasury.

Mr. CANFIELD. Mr. Chairman, I yield 25 minutes to the gentleman from North Dakota [Mr. ROBERTSON], a member of the committee.

Mr. ROBERTSON. Mr. Chairman, as a new member of the Appropriations Committee, I am tremendously impressed with the remarkable leadership displayed by the chairman of the subcommittee, the Honorable GORDON CANFIELD. For a man comparatively new in the Congress, I am amazed at his grasp of the situation we have at hand today. He has done a most excellent job in piloting the committee through the hearings.

Those of us who are familiar with the work of the Appropriations Committee know it is one that calls for great capabilities in dealing with figures and detail. It calls for long hours of study before each day's hearings, and one must be adequately prepared in checking item by item, especially at a time when the Congress is committed to a reduction in the Federal expenditures.

He has been handsomely supported by our able colleague, the Honorable EVERETT DIRKSEN, who has had many years' experience on the Committee on Appropriations. His contribution, as is always the case, has been exceptional. The other members, some of whom are new—both Democrats and Republicans—have shown every disposition to be present and carry through the long, tedious days, day after day, and I am happy indeed, as we report this bill to the floor of Congress, to also be able to say that it is not a political bill, that it comes to the floor not with a divided report but rather with a unanimous report of both the Democrats and the Republicans. We have dealt with the conditions in this appropriation measure on a nonpolitical basis. This, the first of the appropriation bills on the floor, is the beginning of a new trend of events in our Nation.

It is a vastly easier program to hold hearings on appropriation bills and yield to the demands of the departments for an ever-increasing amount. It calls for greater study of all the items. When the question before us is one of reducing expenditures, it calls for diligence and a quality quite remarkable for the reason that as we cut expenditures we must be careful not to impair the necessary functions of the National Government. I shall touch briefly on a few points, in the time given me today, contained in the Treasury and Post Office Departments' appropriations.

In the Treasury and Post Office Departments there are five agencies engaging in whole or in part in law-enforcement activities. They are, naming them, the Secret Service, the Post Office Inspection Service, the Bureau of Narcotics, the Bureau of Customs, and also the Coast Guard, which was originally founded for this purpose, and it is placed under the Treasury Department because of its enforcement activities.

The Secret Service and the Postal Inspection Service rank with the finest enforcement groups in the world. In our effort in composing this bill the committee has been careful not to impair their work, nor the enforcement work of the other agencies. The Secret Service submitted requests for $3,465,100 but after a careful study, the committee found, in its wisdom, that this was higher than was necessary, and the amount therefore carried in this bill is $2,707,500, or $757,600 less than was requested. It is also $404,500 less than the Service has for the present fiscal year.

The principal function of the Secret Service, as you all understand, is the suppression of counterfeiting, and the excellent work it has done in this field can be found in the figures and statements appearing on pages 196 and 197 and on pages 222 to 226 of the hearings. It reveals that counterfeiting is much less today than it was 10 years ago due to the scarcity, perchance, of materials that are necessary to make fake coins and bills. There is today $20,000,000,000 more currency in circulation than there was in 1940 and 600,000,000 pieces of Government securities outstanding compared to less than 15,000,000 in 1940. While the number of securities outstanding would indicate the possibility of an increased number of forgery cases, the efficiency of the Service has been such that the number of cases in 1946 was slightly under the 1940 figures. The criminals are evidently learning that it does not pay to engage in counterfeiting or forgery of Government securities.

Included under the funds for suppression of counterfeiting is the protection of the President and members of his family. It may be that with the return of peacetime routine certain protective measures can be abandoned, but you will note that in the report the committee has specified, in reducing this expenditure, that none of the cut was to be applied against the funds used for the protection of the President and his family, unless the Secret Service itself determined that adequate protection could be given with less money. It is felt that the sum allowed for the suppression of counterfeiting and other crimes will be ample and will not, generally speaking, impair the efficiency of the Secret Service if carefully administered.

The White House Police force protects the White House and the grounds. The committee has made a reasonable reduction in this appropriation for this force, and it may be that the cut made will impair the work of the Service. However, this committee appropriated the full amount necessary to provide for a force of the size prescribed by law. There is a statute, the act of April 22, 1940, Third United States Code, page 62, that fixes the size of the White House Police force at 80 men, including officers. In past years the committee has written a provision into the appropriation bill stating that notwithstanding the provisions of this law, the force shall consist of 114 men. The committee is of the opinion that this was legislation in an appropriation bill, and would be subject to a point of order. We believe the proper recourse is for the Secret Service to ask the proper legislative committee to provide for a greater number of men, if it is deemed necessary to have them. The committee has eliminated this legislative phrase, and appropriated funds to pay the salaries of 80 men in accordance with the law.

The uniformed Secret Service also protects Treasury buildings. In the year 1939, $300,000 was sufficient for this purpose. In the year 1948 the Service asked for $849,700. It is true that some additional functions have been added in the past 9 years, but at the present time these additional functions are being eliminated. The committee considered the request this year to be excessive, and after great care and study, reduced it $130,000. All in all we have given the Secret Service for the fiscal year 1948 a sum that is equivalent to its appropriations in the war years. The war has been over almost 2 years and it seems to us of the committee that the Secret Service should be getting back to its peacetime size.

The Post Office's counterpart of Secret Service is the inspection service, and the committee, I feel, has been most generous here. We have granted the inspection service $125,900 more than it has for the present year, and we have only reduced the estimates $251,400.

There are four items which make up the appropriations for the inspection service. Two of them, travel expenses for inspectors and payment of rewards, are carried in the same amount as for 1947. This will actually cause some reduction in travel because the committee has eliminated from the bill provision that inspectors shall be paid 3 cents a mile for official travel in their privately owned cars. This will permit payment of 4 cents a mile under Public Law 600 of the Seventy-ninth Congress, and puts the inspectors on a par with other Government workers who have received the higher figure.

The item for salaries for inspectors is $198,300 higher in this bill than it is in 1947 and this will permit statutory promotions. The committee does not consider it necessary to create any new inspectors' positions and consequently it has not allowed any funds for that purpose.

Some reductions have been made in the appropriation for salaries of clerks at division headquarters. During the war these clerical staffs were built up at an unusually heavy rate. The committee feels that with the emergency now over, postal inspectors should be able to utilize clerks at local post offices on a part-time basis, reducing thereby the clerical work at division headquarters and eliminating some of the war-service personnel.

Enforcement activities of the Bureau of Narcotics received a good deal of notice in the press recently, when the Bureau forced the expulsion of an American ex-convict and deportee. Over a long period of years this Bureau, under Commissioner Harry J. Anslinger, has been doing a quiet but very efficient job. The funds allowed this agency in 1947 were approximately the same as 10 years ago, although this amount for this year has been increased $130,000 to allow in part for the pay increases voted by the Seventy-ninth Congress.

The testimony of Commissioner Anslinger appears on page 181 of the hearings, and is not only informative, it is very interesting. Narcotics agents comprise only 2 percent of the entire police forces of the country, yet they have provided 10 percent of the population of our Federal prisons. There is an increase in the number of violations of narcotics laws, and this Bureau is maintaining a record of getting convictions in 85 percent of its cases.

Narcotic control is not entirely a Federal problem. There must be a degree of control and enforcement by the States, and as the testimony shows, this is especially true of marihuana and the so-called sleeping powders. You will note on page 191 that Commissioner Anslinger declared:

> The control of sleeping powders should not be handled by the Federal Government.

We of the committee are of the opinion that it should remain a State function. Forty-four States do have uniform narcotic control acts, but only New York, Connecticut, Pennsylvania, California, and Florida have enforcement agencies. The Commissioner complimented the States that are doing this job, and indicated that there was full cooperation with the Federal Bureau, which does control importation, manufacture, and distribution.

In support of some reports of extravagances in our military expenditures, the Commissioner told the subcommittee a story. By virtue of his office he is custodian of all drugs and narcotics in possession of the Government, and has narcotics stock-piled in several places in the United States. There are great quantities of drugs in his storehouses. Yet not too long ago the War Department decided that it needed $15,000,000 worth of opium. Army officials did not consult the Commissioner, but prepared to make these purchases in the open market. Fortunately word of this intended action came to the Commissioner. He was able to tell the Army that he had this much opium in his surplus stocks, and as a result an unnecessary expenditure of $15,000,000 was eliminated.

We feel it will be of interest to have Dr. Anslinger's answer to this question:

> Has there been any increase toward addiction among the veterans?

His answer was:

> I am happy to say that right now, from what we know, we can count them on our fingers.

At the time the Bureau of Customs was up for consideration by the committee, the Attorney General made an observation in which he suggested that some of our law-enforcement agencies could be consolidated, and one of his ideas was to combine the border patrol of the Immigration and Naturalization Service with the border patrol of the Bureau of Customs. The committee feels that such a plan has genuine merit. As the report points out, one man can be given the dual responsibility to patrol against violations of either customs or immigration laws, and there is little justification for having two sets of officers patroling the same sections of the Canadian and Mexican borders.

This is just one place, and a symbol, if you please, in which entrenchment might be made by Customs. Another is in the Foreign Service, and there was little evidence to show that all of the Customs work abroad could not be handled by the regular diplomatic and Foreign Service agencies of our Government.

We have been mindful of the fact that peace has resulted in the restoration of foreign trade. The wartime development of air transport has increased the Customs problems. The work load of this agency is increasing. But the Customs Bureau came before us and asked for $10,000,000 more than they have in 1947, and offered no plans for consolidating their work or perfecting their administration, or otherwise directing their efforts toward any safe economies. The committee can see, we believe, where there might be savings. I have here alluded to two of them a few moments ago. We, the committee, therefore consider the estimates of the Bureau excessive, but we did permit $3,000,000 more than in 1947 to take up the added work load. The tables appearing on pages 793 through 796 bear testimony of this work-load increase.

Every Member should read carefully the testimony of the Coast Guard officials, starting on page 570 of the hearings. First, you might refer to a statement by Secretary of the Treasury Snyder, which appears on page 17. This reads, and I quote:

> The functions the Coast Guard performs are of a nonmilitary nature.

Parenthetically, that would set at rest any feeling that this reduction in the appropriations for the Coast Guard is a cut in national defense.

> The functions the Coast Guard performs are of a nonmilitary nature. Their policing is in connection with the customs operation and not as a military operation particularly.

It does not appear that the Coast Guard has advised the Secretary of its intentions. The estimates submitted to the committee calling for $133,000,000 would have permitted establishment of a miniature navy. One can only imagine what plans the Coast Guard had in mind when it originally asked the Treasury budget officer for $232,000,000.

Even if the estimates submitted to the committee were approved, we would have had a small navy with a vast preponderance of high brass. On page 579 it is brought out that there would be one officer for every six enlisted men. I refer to the table on page 587, which shows the percentage of commissioned and warrant officers to enlisted personnel. For 1947 this was 14.3 percent. You will note that the Coast Guard has this tendency after every war, for in the early 1920's the percentage was about the same, but that during the war it dropped to less than 6 percent.

On the same page Captain Richmond, Chief of the Planning and Control Staff, admits that when they have to reduce personnel in the Coast Guard they let the enlisted men go and keep the admirals. It is not the admirals who man the lifeboats to go to the assistance of ships and lives along our coasts. Captains and commodores do not tend the buoys and other aids to navigation. Flag officers do not man the lighthouses. The past procedure of this service in making personnel reductions must be reversed. Yet this very year the Coast Guard came before the committee and asked permission to make six new admirals next year. Look at the statements on page 627. In the Commandant's headquarters in Washington there are eight officers for every enlisted man.

One more point on this topic: We asked Admiral Farley, the Commandant, why he needed 23 more flag officers in 1948 than there were in 1940. His answer was that the Coast Guard had to keep up with Navy protocol.

I urge you not to miss the tables on pages 593 and 600 of the hearings. Here the Coast Guard has listed the distance from its bases to the nearest Army and Navy bases. One of the arguments advanced for merging the Army and Navy has been to eliminate duplication of facilities in the immediate area. The table of page 600 shows that in many instances the Coast Guard has duplicated Navy base facilities. Twenty Coast Guard bases are listed. Eleven of them are within 10 miles of a Navy base. In Norfolk, Va., a Coast Guard base is adjacent to a Navy base. In Boston, such bases are three-tenths of a mile apart. In Little Creek, Va., they are only one-tenth of a mile apart.

Out in San Diego, Calif., the Coast Guard has built an air base only 2½ miles from a large Navy air base. In San Francisco, Navy and Coast Guard air bases are within 12 miles of each other. Up in Boston, they are 20 miles apart. And you must bear in mind that the Coast Guard has only 110 operational planes.

The chairman of the subcommittee has touched on the deep-sea operations of the Coast Guard. Added altogether we have a sordid story of bureaucratic expansion at its worst. The cut the

committee has made is in my personal judgment completely justified beyond question.

In conclusion, I should like to say to the Members of this Congress that the Appropriations Committee is confronted with a difficult task. We must find the common ground in our endeavors where the taxpayers who support the Government and the spenders recognize the responsibilities of each other. In my personal judgment the taxpayers have 51 percent of the stock in this American corporation.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. ROBERTSON. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. In the matter of the Coast Guard, have you made so much cut in that that our own coast will lose some of the already restricted service of that agency?

Mr. ROBERTSON. I am of the opinion that we have not. I am of the opinion that the Coast Guard has been amply provided for in our appropriation.

Mrs. BOLTON. On Lake Erie, near which I live, we are very definitely short of personnel. We have had some very disastrous happenings because the Coast Guard could not be reached, and there were not two boats to go.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. ROBERTSON. I yield to the gentleman from New Jersey.

Mr. CANFIELD. Is it not true that we are bringing the Coast Guard back home to do the things for which the Coast Guard was created, and, therefore, it can do the thing that the gentlewoman has in mind and do it properly and efficiently. Sufficient money for this purpose is incorporated in the bill.

Mr. ROBERTSON. I thank the chairman. I was going to answer the gentlewoman and say that her difficulty had probably arisen because the Coast Guard was part of the Navy and probably away from her section of the country when it was needed.

Mrs. BOLTON. Mr. Chairman, if the gentleman will yield further, does the Coast Guard have anything to do with the Narcotics Division?

Mr. ROBERTSON. No.

Mrs. BOLTON. Do they make any contribution to the apprehension of these violators?

Mr. DIRKSEN. Mr. Chairman, if the gentleman will yield, it would only be in case the Narcotics Division would call on them that they would have that function, but as such they do not pursue it.

Mr. D'ALESANDRO. Mr. Chairman, I yield 20 minutes to the gentleman from Virginia [Mr. GARY].

Mr. GARY. Mr. Chairman, may I at the beginning pay my tribute to the chairman of our subcommittee, the gentleman from New Jersey, Mr. GORDON CANFIELD. Serving for the first time as the chairman of the committee, in my judgment he has done a magnificent job. He showed a thorough acquaintance with the various items of appropriation, which evidenced a deep study of the bill before us. I know that he worked for many hours in order that he might be prepared to examine the various witnesses as they appeared before the committee. He exhibited a quick understanding of the problems which were presented, and throughout the entire hearings he was eminently fair to the minority as well as the majority members.

May I also pay my tribute to the executive secretary of the committee, Mr. Jack McFall, who served with the committee when we were considering the appropriations for the Treasury Department. He is a clerk of long standing in this House. His knowledge and experience were invaluable to the committee. It was a matter of deepest regret to each one of us that he was forced to relinquish his labors after the Treasury hearings had been concluded to accept a position with the State Department, where he will serve in the Foreign Service. Our committee's loss, however, was the State Department's gain. Notwithstanding the fact that he had relinquished his duties with the committee, he collaborated in drafting that portion of its report relating to the Treasury Department.

Mr. McFall was succeeded as executive secretary of the committee by Mr. Claude Hobbs, a newcomer, who shows every evidence of possessing the necessary ability to qualify him as a valuable addition to the staff of the Committee on Appropriations.

While it may be somewhat unusual, I like to give recognition where recognition is due. Mr. Palmer Murphy, who is Mr. CANFIELD's personal secretary, also rendered invaluable service to the committee. I do not believe we would have passed the transition period from one executive secretary to another so smoothly if Mr. Murphy had not been following the proceedings of the committee so closely that he was able to assist the new secretary in his work.

The members of the committee have all labored diligently and well. The ranking minority member the gentleman from Maryland [Mr. D'ALESANDRO], displayed a high caliber of leadership.

May I say Mr. Chairman, with all candor that I do not think the committee as a whole has done such a bad job on this bill. Personally, I am committed to a program of reduction in public expenditures. Last fall when I ran for reelection, one of my campaign pledges was that I would do everything I could to reduce public expenditures to an absolute minimum compatible with efficient governmental service. I hope we have done that in this bill.

This is a difficult bill. In the first place, we are dealing with the Treasury Department. The estimates submitted in the President's budget for the Treasury Department were $11,740,000,000. Of that amount, however, $9,186,000,000 was for permanent appropriations which are beyond the control of the committee. These permanent appropriations are made up of such items as interest on the public debt of $5,000,000,000. The committee could not change that item regardless of the wishes of its members. We have borrowed the money from various sources, and we must not only pay back the principal in time but we must keep up the current interest payment annually. Another item of permanent appropriations is the $3,500,000,000 expenditure from trust funds, such as the social-security fund, which the committee could not touch.

In addition, there are certain indefinite appropriations, which total over $2,000,000,000. They cover such items as tax and custom refunds. In a measure, these items also are beyond the reach of the committee. However, the committee decided on the basis of the evidence before it that these appropriations had been overestimated and it reduced the estimates of the indefinite appropriations by $802,000,000. I want to be perfectly frank to the Members of this House. I do not think this reduction saved the American taxpayers one single penny. Because these refunds represent overpayments in taxes and customs which must be returned to the taxpayer regardless of the appropriation contained in the bill. If the estimates of the committee are correct there will be $803,000,000 less paid out than was contemplated by the President's budget, but there will be no saving, because if we appropriated $2,049,000,000 as requested, and the refunds amount to only $1,246,000,000, the balance would remain unexpended. What the committee has done is to make a reestimate of the items based upon the evidence before the committee.

When you deduct the permanent appropriations and the indefinite appropriations you have left the operating expenses of the Treasury Department which constitute a relatively small portion of the total. Here again you are faced with a grave dilemma, because we know that people of this country want Federal expenditures reduced as much as is possible. Yet, the Treasury Department is the revenue-raising department, and if you reduce expenditures too drastically you will curtail the activities and efficiency of the Department to the point that revenues will be reduced also. In other words, there is always the danger that you will kill the goose that lays the golden eggs. What we tried to do in this bill, therefore, was to strike an even balance between expenditures and needs of the Department.

We made a very substantial cut in the Bureau of Internal Revenue. The reduction, however, is not quite as large as it was at one time during our deliberations. I became somewhat apprehensive that perhaps we had gone too far and might impair the efficiency of the Bureau. At my suggestion the committee went back and reconsidered the appropriation, and added some additional funds to it. I hope and believe that our final figure is fair and reasonable.

I was somewhat apprehensive about the Coast Guard, in whose appropriation we made a substantial cut. However, there is but one way to reduce expenditures and that is to reduce them. The facts are that the Coast Guard has expanded tremendously during the war. The committee felt that the time has come when we should begin to retract and to eliminate some of the war activities.

With reference to the Post Office Department, this is one of the oldest departments of the Government. It is con-

ducting one of the largest businesses in the United States. This business consists of rendering to the people of this Nation a service which must be maintained at a very high degree of efficiency. I believe I can say that every member of this subcommittee was impressed with the efficiency of the Department. We did not find a single bureau in which there appeared to be any extravagance or waste, and yet we felt that certainly there could be a token cut in the Department, which is all that has been made.

We have reduced the estimated expenditures of the Post Office Department less than 1 percent. The budget estimates for the Department were $1,545,000,000. We reduced them only $14,356,000.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield.

Mr. DINGELL. That is the total amount of savings in the Post Office Department?

Mr. GARY. To be exact, the budget estimate for 1948—and these figures may be found on page 41 of the report—were $1,545,089,250. The committee recommends $1,530,733,250, a reduction of $14,356,000.

Mr. DINGELL. That is very far from what we expected in the matter of savings. I had understood they were going to take 500,000 employees away from the Post Office Department out of the 541,000 total they had. Did not we hear that at one time?

Mr. GARY. May I say to the gentleman from Michigan that so far as I personally am concerned I am not half so much interested in the legislative budget or in the remarks that are made with reference to it as I am in the appropriation bills that come before this House. I prefer to base appropriations upon committee investigations rather than legislative guessing. What our committee has done is to examine this bill with the idea of reducing it as much as we possibly could without impairing the Government service and without reference to the legislative budget or any remarks that have been made with reference to it.

Mr. DINGELL. The gentleman misunderstands my remarks in this instance.

Mr. GARY. I understand the gentleman.

Mr. DINGELL. I say the sum total of the savings will be about $14,000,000.

Mr. GARY. In the Post Office Department, it will be $14,356,000.

Mr. DINGELL. From what I had heard heretofore we were going to dismiss about 500,000 of the 540,000 employees of the Post Office.

Mr. GARY. We did not do that; we did not think it could be done. Moreover our savings insofar as the Treasury Department is concerned, the actual savings are approximately $80,000,000. So in the combined Treasury-Post Office bills we have saved approximately $95,000,000.

Mr. DINGELL. In other words, this saving is not going to amount to much as far as the individual taxpayer is concerned, any more than the cut in the budget estimate covering tax refunds. Is not that so? In other words, it is not going to mean very much.

Mr. GARY. The cut in the budget estimates concerning refunds is $800,000,000. We have only saved $95,000,000.

Mr. DINGELL. That is just a paper saving?

Mr. GARY. I did not say it was a saving. I said the cut in the estimate was $800,000,000. I have insisted from the beginning there is no saving.

Mr. DINGELL. That is right. Then the gentleman's mind and mine agree.

Mr. GARY. That is right.

Mr. DINGELL. We are striking at a figure in the budget estimate covering refunds, but it does not mean any savings.

Mr. GARY. There was no figure in the budget, but there were estimates as to what the refunds would be. We wrote a figure into the bill. We did make it a definite rather than an indefinite appropriation.

Mr. DINGELL. It will have to be whatever the amount is, will it not?

Mr. GARY. If our estimates are below the actual refunds that are required, it will have to be taken care of through deficiency appropriations.

Mr. DINGELL. That is right.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Illinois.

Mr. DIRKSEN. I do not want the RECORD to show that the committee agrees there will be no money saved here because I think I can show and propose to show after awhile in my own time as to where this saving actually is.

Mr. DINGELL. In the figures covering refunds?

Mr. DIRKSEN. Very definitely in the refunds.

Mr. DINGELL. Then it means that Uncle Sam is collecting something he is not entitled to?

Mr. DIRKSEN. No, indeed. Uncle Sam has not collected anything he is not entitled to. Somebody has overstated the case in the budget and let it be reflected in the fiscal year 1948, perhaps for the purpose of not having to show an equivalent amount or anything like it in the budget for 1949. However, I will discuss that in my own time.

Mr. DINGELL. Very well.

Mr. GARY. I made the statement previously that there was evidence before the committee that the entire amount requested would not be necessary. However, I do not regard any change in that figure as an actual saving of expenditures.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. GARY. Mr. Chairman, I yield myself 10 additional minutes.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Tennessee.

Mr. GORE. I would like to bring the gentleman back, with his permission, to the reduction in the Post Office Department. As I understand the report and the gentleman's statement, the bill contains appropriations which are $14,356,000 less than the budget estimate.

Mr. GARY. That is correct.

Mr. GORE. The gentleman knows that the same subcommittee on which he now serves last year reported a bill $19,000,000 under the budget estimate.

Mr. GARY. I was not a member of the committee last year, and am not familiar with the amounts reported then.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Illinois.

Mr. DIRKSEN. There came to the Appropriations Committee just a day or two ago a deficiency estimate for $32,000,000 for the current fiscal year 1947. So when you contemplate that, then match it against the cut in 1947 and the proposed cut in 1948 I think it is pretty apparent this subcommittee has done a very good job.

Mr. GORE. Mr. Chairman, will the gentleman yield further?

Mr. GARY. I yield to the gentleman from Tennessee.

Mr. GORE. The gentleman from Illinois speaks of proposed cuts and proposals. I am speaking of what this subcommittee did last year and this year. This year you bring in a bill which is $14,000,000 under the budget estimate. Last year the same committee brought in the same bill or a bill on the same subject $19,000,000 under the budget estimate.

Mr. GARY. May I say that this committee worked on the bill before it. It did not consider last year's bill. I think it has done a very good job with the $14,000,000 reduction.

Mr. GORE. I was not undertaking to criticize the gentleman's committee. I think he did a conscientious job on the Post Office Department bill, but when you go into it you find that all of the proposals that had been made heretofore could not be lived up to and still give to the people rural mail service, city delivery, air mail service and rail transportation of the mail.

Mr. DIRKSEN. Mr. Chairman, if the gentleman will yield further, the subcommittee could have whacked out $100,000,000, but this subcommittee does not propose to do what has been done in previous Congresses, and that is to legislate by deficiencies. We mean to make it stick and to make it a real worth while estimate.

Mr. DINGELL. Nineteen hundred and forty-eight has not come around yet, so there is no deficiency.

Mr. DIRKSEN. Exactly. But we are anticipating 1948, and in the hearing it was very conclusively shown——

Mr. DINGELL. The gentleman from Illinois knows that you do not act on deficiencies as a justification for this.

Mr. DIRKSEN. Please let me continue. The Post Office officials said this is the best hearing that they have had on Capitol Hill in 20 years, as an indication of the care with which this committee approached its responsibilities, and it wants to make sure that it does not come back here for millions and millions of dollars at some time in the future.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Mississippi.

Mr. RANKIN. The question that disturbs me is—and I am getting a good

many protests—that they are attempting to balance the budget, we might say, on the farmers who are being denied rural electrification. Now, we could go to those farmhouses when the draft was on to get the boys to fight this war, and I am opposed to cutting one dollar off what is necessary to extend rural electrification to the farmhouses of this Nation.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Missouri.

Mr. ZIMMERMAN. I have received quite a number of letters recently about growing towns down in my section of the State that want rural delivery such as cities have been enjoying for many years. They come back and say, "We do not have the money to give the people this service." In my district the Post Office Department wants to make some of our temporary carriers permanent. But they say, "We do not have the money." Now, I want to know what you have done in this appropriation with reference to giving enough money to give the people back home the service that those people are entitled to; that is what I want to know.

Mr. GARY. We have given the Post Office Department nearly everything they have asked for. We have cut their appropriation less than 1 percent.

Mr. ZIMMERMAN. Does the gentleman have a break-down to give some of the figures?

Mr. GARY. Yes.

Mr. ZIMMERMAN. What are you doing for rural delivery? I would like to know that because I am going to write these people where the trouble is and why they are not getting the service.

Mr. GARY. As to the rural delivery service, the budget estimate for 1948 was $129,367,000. We recommend in this bill $129,167,000, which is a cut of only $200,000.

Mr. ZIMMERMAN. Now, just a moment. You had evidence before your committee, if you tried to get the facts, that they did not have enough money to give the type of service that was needed throughout the country, because they have not had the money, and that is why we are not getting it. Now, I have concrete cases; I know what I am talking about.

Mr. GARY. All I can do is to speak from the record.

Mr. ZIMMERMAN. Why did you cut them?

Mr. GARY. Let me answer the gentleman's question, please, sir. The budget estimate for rural-delivery service was $2,759,000 less than appropriations for 1947. The 1947 appropriation and estimated deficiencies were $132,126,000. The Post Office Department only asked for $129,367,000 for 1948, and we gave them all of it except $200,000, and I dare say that is the smallest percentage cut that will be made in any item probably during this entire session.

Mr. ZIMMERMAN. What did you do for city delivery? My towns have grown down there 100 percent in some instances. They are entitled to it.

Mr. GARY. They asked for $295,638,000, and we gave them $295,300,000, thereby cutting the budget estimate $338,000.

Mr. ZIMMERMAN. Here is the point I want to get over: Rural delivery is growing, because when you build roads you make it possible for people to use them and they are entitled to that service under the established policy of this Government, and that same thing is true with your cities, where they grow; they are entitled to this service. They are entitled to it because other cities have been having it for many years.

The point is, if there is not enough money to expand that service I want to see that the people know where that cut comes from. A cut along that line is not justified unless there is strong evidence to support it. You have plenty of money to carry out that program. The people are entitled to that service.

Mr. GARY. May I say to the gentleman that there has been practically no cut at all. I stated in my opening remarks that this committee is fully cognizant of the fact that the Post Office Department is rendering a service which must be maintained at the very highest peak of efficiency, and we governed ourselves accordingly. That is the reason the cut in the Post Office appropriations has been only $14,356,000.

Mr. ZIMMERMAN. What did the budget call for on these items?

Mr. GARY. In one case the budget estimate called for $129,367,000, and we cut that item only $200,000.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. D'ALESANDRO. Mr. Chairman, I yield five additional minutes to the gentleman from Virginia.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from New Jersey.

Mr. CANFIELD. For the benefit of the gentleman from Missouri, let me read the last three lines of this paragraph, on page 38:

> Necessary expenses of the rural delivery service, $129,167,000, of which not less than $200,000 shall be available for extensions and new service.

That is written in the bill.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Mississippi.

Mr. RANKIN. The trouble is that the Bureau of the Budget undertakes to cut down on the funds necessary for the extension of rural free delivery. I am not in favor of the budget legislating for me, as far as I am concerned. I have always taken that attitude. I am getting letters from the Post Office Department saying that these extensions of rural routes have been provided and allowed; they have been approved, but we cannot get money to make the extensions. While we are taking care of everybody else under the shining sun, it seems to me that regardless of the attitude of the Bureau of the Budget we could provide funds to extend rural letter service to those homes that we visited with the draft to get men to fight this war. I do not care what the Bureau of the Budget says about it; I am in favor of providing the funds to extend rural electrification and rural free delivery both to every farmhouse in America.

Mr. GARY. I think this committee has done just that. If we have erred it has been an error of the head and not of the heart, because I personally do not yield to the gentleman from Mississippi or to any other Member of the House in my desire to furnish the people of this country the proper rural mail delivery.

Mr. RANKIN. I will say to the gentleman I was not criticizing the gentleman from Virginia.

Mr. GARY. I understood that.

I think it is fair to say, Mr. Chairman, that under the recommendations in this bill it is estimated there will be during the next fiscal year a deficit of $335,000,000 in the Post Office Department. We hear a lot of talk of subsidies. That deficit of $335,000.000 means that the Government is subsidizing certain users of the mail approximately $235,000,000, as it is estimated that it costs about $100,000,000 to carry the Government's free mail.

The House attempted to remedy that situation last year. Before I was appointed to the Committee on Appropriations I had the privilege of serving as a member of the Post Office Committee. I sat on that committee when we reviewed a study that had been made by experts brought into the Post Office Department to determine what changes should be made in the rates of the mail service to put the department on a self-sustaining basis. After lengthy hearings, the committee reported out a bill to increase the rates on catalogs. It passed the House by a very large majority. We then reported out a bill to increase parcel-post rates. That bill also passed the House by a very large majority. We then held hearings on the rates on books, but since the two bills we had passed were resting quietly in the committee of the other body and no action was being taken, further hearings were suspended and no other bills were reported out.

Another study has been made and the Post Office Department has submitted certain recommendations to the Congress with reference to rates. If we are really serious in wanting to put the Post Office Department on a self-sustaining basis, we will have an opportunity to do so later in the session when bills providing for increased rates will be presented to the House. I think we should give those matters very serious consideration because there is at the present time only one classification of mail that is paying its way, and that is the first-class mail, which is more than paying its way. What we should do is to raise the rates on the classifications which are being subsidized at the present time, and thus put the Post Office Department on a self-sustaining basis.

Mr. CANFIELD. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. RIZLEY].

Mr. RIZLEY. Mr. Chairman, for weeks and months last year the Federal Power Commission held hearings throughout the country in respect to

natural gas and the natural-gas industry. Their report to the Congress as a result of these hearings is long overdue.

Friday of last week, however, several days after I had introduced H. R. 2185, which would spell out their authority under the Natural Gas Act, and after similar bills were introduced by Representatives CARSON, of Ohio, and DAVIS, of Tennessee, and by Senators MOORE, of Oklahoma, and FERGUSON, of Michigan, they issued what purports to be a staff report accompanied by press releases, which in part agrees with one of the main purposes and objectives of my bill.

The report and the press releases disclaim authority of the FPC over the production and gathering of natural gas. Such disclaimer would not now be necessary had the Commission followed the clear intent of Congress as expressed in the Natural Gas Act. Production and gathering of gas in the field of its origin have always been recognized by the Congress as matters to be regulated by the several States. Production and gathering are inseparable from conservation of oil and gas, and conservation has always been held to be a prerogative of the State.

If the logic and reasoning in the so-called staff report is sound, then certainly the need for one of the main provisions contained in the legislation which the other Members of Congress and I have offered is obvious; namely, the provision specifically excluding from FPC jurisdiction the production and gathering activities and sales of natural gas.

The staff report admits that Congress never intended that the FPC have jurisdiction over these activities, but the same report likewise reveals that the Commission has in the past reached out and taken jurisdiction in questionable cases. The report goes on to say that the situation could be clarified better by administrative action of the FPC than by legislative action by the Congress.

If the FPC is to be given this power and authority without congressional direction, just how far would it go in excluding production and gathering from its jurisdiction, since it says that definite standards cannot be specified in advance of a study of the facts in each individual case? Would any responsible individual, be he producer or gatherer, be satisfied with any such proposal? Those who sell their gas to the interstate pipe lines would have no way of knowing whether or when FPC would attempt to take jurisdiction over them.

A reading of this FPC document certainly confirms the fact that Congress must specifically define the area in which the FPC may operate. My bill clearly states those limits and would by congressional mandate let the FPC and likewise the affected producers know exactly where they stand.

Assuming that the present members of the FPC understand this matter thoroughly and will seek to carry out and construe the act as Congress originally intended that they should, who can say with any certainty how long the present members of the Commission will continue to serve? Another set of Commissioners might reverse the administrative policy to which the present members subscribe and have agreed. That very thing has happened before; it might happen again.

If the present members of the Commission are agreed, as the report would seem to indicate, that the FPC under the clear intent of the Natural Gas Act is not authorized to take jurisdiction over production and gathering, then they should have no objection whatever to having the act amended so that it will be plain and unequivocal.

It occurs to me, however, that the FPC like numerous other agencies and bureaus which have been for many years interpreting the laws enacted by the Congress in such a way as to give them the broadest possible power without restraint, merely wants to head off legislative action that would curb its power.

When the Interstate case was in the fifth circuit court, the FPC had ample opportunity to acknowledge its limitations with respect to production and gathering. It turned a cold shoulder to this opportunity.

There is only one conclusion that can be reached, and that is that the FPC wanted this broad authority so that it could be in a position to take under its jurisdiction any oil or gas operator whom it wanted to. Thus far the FPC has been quite successful in having its position upheld by the courts. Hence, I raise this question: Since the law under the Interstate ruling authorizes FPC jurisdiction over the operator of every well from which gas is destined for interstate commerce, why does it not enforce the law?

The Commission is now in this position: It must either enfore the law, bring all of the operators in under its jurisdiction, or it would certainly be guilty of ignoring the law. Should it try to enforce the law as now determined by the Interstate case, certainly the Commission will be in trouble with Congress. If it ignores the law, and just selects certain particular operators it wants to bring under its jurisdiction and lets the others go, then it is guilty of discrimination.

There is only one proper answer to all of this confusion, and that is to let the Congress write into law the standards and make sure the FPC carries out the congressional mandate. That is the sole purpose that those of us who have introduced the amendments to the Natural Gas Act have in mind. The offered amendments will do just that. Confusion and uncertainty among oil and gas producers, land owners with producing gas wells on their lands, owners of royalty interests, State officials, consumers, and the gas companies, have been created by the FPC. It now asks to be trusted to cure its own mistakes and deviations from the law. Theirs is the old familiar plea of administrative agencies for all-out authority. This leads to Government by men, instead of Government by law. That is why Congress should act quickly and spell out in no uncertain terms just what authority it intends that the Commission shall have in relation to the natural-gas industry.

Mr. CANFIELD. Mr. Chairman, I yield 19 minutes to the gentleman from Ohio [Mr. GRIFFITHS] a member of the committee.

Mr. CASE of South Dakota. Mr. Chairman, before the gentleman proceeds with his address, will he yield to me for the purpose of directing an inquiry either to him or to some other member of the subcommittee?

Mr. GRIFFITHS. I yield.

Mr. CASE of South Dakota. Is there any restriction provided in the bill upon the use of funds from the Treasury for the procurement of silver? The gentleman from Illinois in years gone by has given a good deal of attention to the matter of silver purchases. I wonder if there is a silver-purchase fight in the offing on this bill.

Mr. DIRKSEN. No.

Mr. CASE of South Dakota. There is nothing in this bill?

Mr. CANFIELD. There is nothing in this bill with reference to that at all.

Mr. CASE of South Dakota. I thank the gentleman.

Mr. GRIFFITHS. As a new member of this committee who has been sitting here for the last 4 years, I have noticed that every time one of these committees came with a bill they started handing out orchids to the chairman and other members of the committee; and it made me a little shaky. It rather got under my skin. But I have had an education. I really want to add my word to this hardworking committee and our chairman, to the Members on the minority side, the gentleman from Maryland [Mr. D'ALESANDRO] the gentleman from Virginia [Mr. GARY] and the gentleman from Kentucky [Mr. BATES]. If you worked mornings and afternoons and nights trying to keep up with them, then you will see that you have a job. There is not much on this bill that I am going to speak about.

Previous speakers have alluded to the wealth of material appearing in the printed hearings on this bill, and I would like to emphasize that they are well worth reading. They contain some great lessons in the functions and operations of our Government. Certain testimony will certainly impress the reader with the efficiency of parts of the Government. Unfortunately, a few places show waste, extravagance, and maladministration. One of these is the Coast Guard, and some of their sorry examples have been recounted by the previous speakers.

I would like to add a little to that picture. As we all know, the Coast Guard becomes a part of the Navy in time of war, and it was only a little more than a year ago that this agency returned to the Treasury Department after its naval service in World War II—a service, let it be said, that was highly creditable and a contributing factor to victory. On page 661 of the hearings you will find a high ranking officer of the Coast Guard, Captain Richmond, referring to it as "an auxiliary of the Navy." On the same page, shortly before, he had said in answer to a question by the chairman, "not being too familiar with what the Navy is doing now, I cannot answer that directly." Captain Richmond is Chief of the Planning and Control Staff of the Coast Guard, which he calls an auxiliary of the Navy, yet he is not familiar with what the Navy is doing.

The Coast Guard is maintaining three training stations, including the Coast Guard Academy at New London, Conn. At the Academy there are 345 cadets and a staff of 51. The training schools are located at Mayport, Fla., and Groton, Conn. At the present time there are 800 men at these schools, but Captain Richmond testified that the normal enrollment would be about 400. On page 659 you will find a discussion of these schools, but you will find no cogent reason why one of these schools could not be closed down. It may be true that one school is for boot training, and one is for petty officers. Is there any reason why both groups could not be trained in the same location, under one administrative set up? No such reason could be given by the Coast Guard. Certainly 800 men could be stationed at one base without overcrowding, and without lessening the amount and value of the training received.

I asked Captain Richmond what happens to these men when they finish this boot training. He stated that they come out as apprentice seamen or seamen second class, or firemen second class, and then are sent to sea or to some shore facility. There they would be advanced, and the better ones might become petty officers, through taking correspondence courses. He does not have to attend the school for petty officers at Groton. While talking of petty officers, it might be said that the Coast Guard today has 19,500 enlisted men. Twelve thousand of these are petty officers—more than one half of the total enlisted strength. Fifteen percent of the people in the Coast Guard are officers. Sixty percent of the enlisted personnel are petty officers. Surely there should be no lack of supervision for the 25 percent that are the seamen.

Getting further into the training program, I could not help but wonder why we should have two sets of schools turning out seamen: the Navy and the Coast Guard. These men man ships that are not too dissimilar. Coast Guard cutters are very much like Navy destroyers. In the war they did the same work. Coast Guard men and Navy men both manned our amphibious craft. Coast Guard men sailed many of our transports. Unification of our armed services is a much-talked-of subject these days. Duplication of effort between the Army and Navy is to be eliminated. Why not eliminate the duplicate training programs of the Navy and the Coast Guard? Why cannot all our seamen be trained in the same boot camps? Summed up into one word, Captain Richmond's answer was "jealousy" The Coast Guard is afraid the Navy would take the best men, and the Navy is afraid the Coast Guard would take the best men. The Coast Guard today does not send many men to Navy trade schools because when they do, the Navy wants them to furnish some of the instructors. This the Coast Guard will not do. So they set up their own school. It could even be in the same building as the Navy school, although it would be more in keeping with the Coast Guard administrative practices for them to buy the building next door to set up an identical school.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. GRIFFITHS. I yield.

Mr. BONNER. The gentleman will recall that at the beginning of the war the Coast Guard had the job of training merchant seamen for the Maritime Commission.

Mr. GRIFFITHS. Yes.

Mr. BONNER. Now there is a distinct and separate training branch for merchant seamen. They could very well be taken care of by the Coast Guard under this training program in my estimation.

Mr. GRIFFITHS. That is correct.

Mr. BONNER. I wonder what the gentleman from Ohio and the Appropriations Committee will do when this additional fund is asked for an identical training program.

Mr. GRIFFITHS. Does the training of the merchant marine come under the Coast Guard?

Mr. BONNER. The request will be for a separate and distinct training program similar to the Coast Guard training program.

Mr. GRIFFITHS. I cannot see any reason why this whole thing should not be consolidated.

Mr. BONNER. I agree with the gentleman.

Mr. GRIFFITHS. I come now to the Post Office Department. The committee received another example of maladministration, and that in the Post Office Department's office of the Solicitor, which the chairman mentioned. In this instance, however, it is good to know that the error has been corrected, and that Mr. F. J. Delany, the new Solicitor intends to see that the duties of his office are carried out fully and carefully. One of the most important of these duties is representing the Post Office Department in mail-rate cases. The Post Office does not bargain directly with the carriers—the railroads and the air lines—as to rates for carrying mail. Such rates are fixed by the Interstate Commerce Commission for railroads, and the Civil Aeronautics Board for the air lines. There has been no change in railway mail rates since 1928, but just 2 weeks ago the railroads filed their first application for a change since that time, and they are now asking an increase of 45 percent. This would require about $55,000,000 a year more. The Post Office Department will be represented, and will take an active part, in the hearings which the Commission will hold on these applications. The rate that is fixed by the Commission after such hearings will be retroactive to the date the application was filed, which was last February 14. Mr. J. D. Hardy, Deputy Assistant Second Postmaster General, made the following statement to the committee, appearing on page 143 of the hearings:

> We are really at the mercy of the Interstate Commerce Commission, because whatever rate they fix, we must pay. I think we can properly anticipate a rather substantial increase.

This bill carries $145,000,000 for railway-mail and mail-messenger service. A little more than $112,000,000 of this will go to the railroads. This money will go to 250 railroad companies, and covers payments on 512 railroad routes. These railroad-mail payments are discussed on pages 194 through 200.

The Post Office Department might also be said to be at the mercy of the Civil Aeronautics Board on air-mail rates. At present, air-mail routes cover approximately 77,000 miles, covering 82 routes, serviced by 20 carriers. Charts appearing on page 234 of the hearings will show air-mail postage revenues, payments to carriers, and total air-mail expenditures. In the past 10 years, revenues have exceeded payments to carriers in 7 years, including the period 1941–46. Air-mail revenues have exceeded total air-mail expenditures for the last 3 years for which figures are available. Last year, the appropriation for domestic air mail—this entire discussion is on domestic air mail, for foreign air mail is carried in another appropriation—was $49,000,000, but the volume of mail fell far below expectations, and the expenditures amounted to only about $33,700,000. This bill carries an appropriation for the item of $37,000,000, which will permit an increase in volume, and such can be expected because the reduction in air-mail rates from 8 to 5 cents is increasing the volume.

The payments to air-mail carriers do constitute a subsidy. The Civil Aeronautics Act of 1938 provides that the Board shall consider the need of the carrier for mail compensation sufficient to enable the carrier to perform the postal service, and sufficient, together with the other revenue of the carrier, to enable the carrier to carry out or effect the transportation objectives in the way they are supposed to be carried out. That is, to maintain and continue the development of air transportation in the interest of commerce, the national defense, and the postal service. It is therefore indicated that the act comtemplates that if the carrier is certificated, which would mean that the CAB has found it in the public interest for any of those three objectives, post-office funds will be paid out for mail service which will more than support just the mail part of it.

In other words, the post office, through this appropriation, is subsidizing the air lines. It is not within the province of the Appropriations Committee to change this, and while we are appropriating funds to carry the mail, we must also meet the rates charged by the CAB to subsidize the air lines. Testimony on this subject was obtained by an officer of the Civil Aeronautics Board, called before our subcommittee so that we might have the complete picture, and is found on page 209 of the hearings. Illuminating testimony on what we may expect in this field in the near future appears on page 147 of the hearings, and there you will note that when air lines run into financial difficulties, they look to the postal service to extricate them. Air lines are running into such difficulties today, and the post office may have to foot the bills.

We hope that the Solicitor, by actively representing the post office in rate

and certification cases, can effect some savings. It is much to be regretted that such representation was not carried out in past years.

I have cited two examples of poor administration, and before I conclude, I feel that I should point out one case where a department itself was able to recommend a reduction of more than $1,500,000. The Third Assistant Postmaster General, Mr. J. J. Lawler, believes that he can operate his office on that much less money in 1948. It is rare that a Government official comes before a congressional committee and says, "I spent almost $13,000,000 last year, but next year I think I can get along on a little more than $11,000,000." If more Government officials followed the example of Mr. Lawler, the work of the Appropriations Committee would be much more pleasant, and good government would be better served.

The Third Assistant Postmaster General is the fiscal officer of the Post Office. Under his jurisdiction comes the vast Postal Savings System, which has over $3,000,000,000 on deposit, most of it invested in Treasury bonds. There is no appropriation in this bill for this system, except indirectly in that some clerical work is required in the administrative offices. The Postal Savings System is a bank and pays its own way. Its profits in 1945 were about $14,000,000.

The Third Assistant is also charged with the manufacture and distribution of stamps and stamped paper, and $7,400,000 of the $10,300,000 appropriated in this bill for his office goes for this purpose. About 18,000,000,000 stamps, 2,500,000,000 stamped post cards, and 2,100,000,000 stamped envelopes will be issued in 1948. For those who are interested in stamp collecting, I would suggest reading pages 255–259 of the hearings. The expense to the Post Office Department of running the Philatelic Agency in the Post Office in 1948 will be about $217,000, and the receipts are expected to exceed $3,000,000.

This Bureau of the Post Office Department also must pay out money on money orders more than one year old, for which $600,000 is carried in this bill. This is another item where Mr. Lawler suggested a savings, even going so far as to tell the committee that the decline in redemptions had been so great since the original estimates were prepared that a sizeable reduction could be made in the estimates. Money orders were used as currency and savings during the war, particularly by troops abroad, and the decline in this activity permits the contemplated savings.

The other item completing the Third Assistant's appropriations is indemnities for loss of registered mails, and this will call for $2,300,000 in fiscal 1948.

I may say that with the possible exception of two witnesses we had before us, every single, solitary man wanted to do the very best job he could whether in the Treasury Department or in the Post Office Department. I believe Mr. Hannegan would rather go down in memory as the greatest Postmaster General than as the greatest chairman of a political party.

But, you know, somehow or other you cannot get quite to the root of it, and if this Congress could work out some scheme to lay before those bureaus and say that within 6 months from now they must come up here with specific recommendations, and then make them follow that policy, then I think we will have a better chance of balancing the budget.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. GRIFFITHS. I yield to the gentleman from California.

Mr. HINSHAW. The gentleman quoted the record on page 147, to show that the postal revenues for airmail were $81,237,389, and that the expenses were $49,937,041, showing excess revenues over expenses of $31,300,000. Does the gentleman call that $31,300,000 excess of revenues over expenses a subsidy?

Mr. GRIFFITHS. I call it that in this way: According to the law, if you get a certificate to run an airline, we will say, between points A and B, and you lose money, you can go to the Post Office Department, and they will pay your deficit.

Mr. HINSHAW. I was asking about this $31,300,000. Some people seem to have the idea that that is a subsidy to the airlines. Actually it is a profit to the Government, is it not, over what they pay the airlines, for the carrying of the mail?

Mr. GRIFFITHS. What they receive over what they pay may be a profit, but in certain cases they have had to go beyond and pay for more than they carried.

Mr. HINSHAW. The Committee on Interstate and Foreign Commerce, of which I am a member, voted out a bill from the committee a couple or three years ago, that did not reach the floor, which indicated quite clearly that in the interest of national defense it was advisable to operate certain routes not at a profit, and I am speaking now of mail profit. Those routes were operated with a very small mail load for the purpose, I suppose, of giving a reason to install certain navigational aids, landing fields, and so forth, used and useful in the national defense and, likewise, have served national defense in days past. Now that, we recognize, is not a profitable business for the Government. On the other hand, no one yet has made any comparison of the actual value of the service performed in carrying the mail by the air lines to the cost of doing that service that the air lines undertake. Now, the value of the carriage of the mail should have some reference ordinarily to the cost of doing business, should it not?

Mr. GRIFFITHS. I will say to the gentleman from California, yes, insofar as I really believe in it. Possibly there may be some other way, because we must have the air routes and our air transportation, but I am quite sure that we should hold the Post Office Department responsible for the deficit that that might result in.

Mr. HINSHAW. Of course, the Post Office Department was the department of Government that really instituted the air-mail system and called upon the public to provide that service, and they continued to call upon the public to provide air-mail service.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. CANFIELD. Mr. Chairman, I yield the gentleman from Indiana [Mr. SPRINGER] such time as he may desire.

Mr. SPRINGER. Mr. Chairman, during the general debate upon this pending measure, H. R. 2436, it is my desire to commend the Appropriations Committee, and the subcommittee which has handled this measure, for the sound and constructive reductions that have been made in this bill. The very fact that a decrease of $897,072,750 is made below the 1948 estimates will be heartening to the people of this country. These appropriations have been mounting higher and higher for a long time, and I feel confident that this reduction, made in this measure, will be reassuring to the people, that we have started in the right direction—in the direction of economy in our Government.

The fact is, Mr. Chairman, that the appropriations heretofore made have been in such staggering amounts and they made possible the addition of many, many more Government employees, thereby increasing the pay roll in the departments here involved, has caused the people—the taxpayers of the country—to abandon all hope that their own Government would, at any time, make a firm resolve, and keep it, to reduce the Federal spending. Therefore this measure which is now presented will be hailed with acclaim by the people of the Nation as the first step taken in the right direction—and that direction is toward the reduction of the Federal spending of the taxpayers' money. I mention this fact because the people have watched the mounting appropriations, in the many and various departments of Government, until they were appalled by that apparently reckless abandon on the part of the majority which were in power before January 3, 1947. Now the change has occurred—and we find that this particular appropriation is reduced, and the House of Representatives has taken this step to assure that there will be a reduction in the fund allowed for spending and also that the needless and useless employees in those departments will have to go. This has a wholesome effect throughout our Nation, because the people are bowed down under the burden of taxes, and this reduction—together with many other reductions that will surely follow—will reassure the people that the tax burden will be readjusted and that their burden of taxation will be relieved insofar as possible.

Mr. Chairman, may I subscribe wholeheartedly to this necessary change in the policy of our Government, at this time. We are faced, on every hand, with demands for aid. Europe waits for our money with open hands, for almost every claimed emergency. In many instances we have been gullible, and very generous—responding to almost every demand. The end of that road has been reached, and now we must look, to some extent, to our own country and to our own needs, and the greatest factor that we can possess is the fact that we have

made our own Nation both sound and strong. That can be accomplished in but one way, and that one way is by the building and development of a strong nation financially—one which can cope with any and every emergency. A weak nation—or any nation which is overburdened with debt—or a nation which has no reserve in the hands of its people—faces a crisis if and when she meets an emergency. While we do not contemplate any emergency, yet we must prepare to meet the future, and that can be best accomplished when we are sound and strong as a nation. It is my hope that those in charge of all future appropriations will guard the Treasury of the United States, and by so doing they will guard the people—the taxpayers—of this Nation. That the reserve left in the hands of the people will aid in the development of the progress in our Nation, and such a policy will revive the ambition to go forward in the arts and trades in civil life during the postwar period, all of which will aid civilization generally in the march of progress as we desire to witness it.

Therefore, Mr. Chairman, I merely rise to commend all those who have participated in this very deep cut in this appropriation bill. Our Government must get along without spending all of the resources in our Nation in time of peace, and the needless and unnecessary employees now upon the pay roll must go. That is the wish and the will of the people, and that is the wish and will of a majority of the Representatives of the people serving them in the National Congress.

The CHAIRMAN. The time of the gentleman has expired.

Mr. D'ALESANDRO. Mr. Chairman, I yield 15 minutes to the ranking minority member of the Committee on Appropriations, the distinguished gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Chairman, the efficiency of an artisan is determined largely by the excellence of his tools and the success of an executive depends to a great extent upon the competence of his staff. The Committee on Appropriations is no exception to the rule. We have had a staff of exceptional qualification and ability which has cooperated to produce the greatest volume and quality of work. So it is a matter of deep regret to us today that we lose, with the final disposition of this bill, one of the highest-ranking members of that staff, Jack McFall, who appears here on the floor with the committee for the last time.

Mr. McFall has been in the service on the Hill for almost a quarter of a century. He has been with the Committee on Appropriations for something like 19 or 20 years. His work with the committee was interrupted during the war, of course, by his naval service abroad. He went across as a naval lieutenant and came back as a naval commander with a record for creditable and distinguished service. He resumed his place with us and has been with us since that time but leaves us this month to enter the diplomatic service, for which he is particularly qualified.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from New Jersey.

Mr. CANFIELD. I think the distinguished former chairman of the committee will agree with me when I say that Jack McFall not only looks the part of a diplomat but acts the part.

Mr. CANNON. That is self-evident. I am glad to find myself in complete agreement with our chairman on this as well as on many other matters under discussion this afternoon. And may I take advantage of the opportunity to felicitate the chairman on the admirable way in which he has handled the hearings on the bill and his very effective presentation of the bill both in the committee and in the House. I have no doubt that he, like the rest of us, has considered himself fortunate in having the benefit of Jack McFall's counsel and advice on many of the intricate problems carried in the bill. We regret to see him go. We have offered every inducement to keep him. We have offered him the highest salary ever paid any man on the staff, up to the beginning of this Congress. But his heart is in the diplomatic service, and the tact, diplomacy, and capacity which have characterized his work for the committee will stand him in good stead in his new field. So, reluctantly and regretfully, we have consented to let him go, although this is a most inopportune time for us to dispense with his services. I am certain not only the committee but the House join with me in wishing him Godspeed and good luck and the continued success I am certain he will have.

Mr. Chairman, this bill is notable in another respect. Never before has an annual supply bill been reported to the Congress so late in the session. Here we are approaching the ides of March, and this is the first of the annual bills called up in the House for consideration. In the history of the Republic, since the administration of President Washington, never before has the first major appropriation bill been reported so late in the session. By this time last year we had considered and passed four of the annual appropriation bills, the independent offices bill, the agricultural bill, the civil functions of the War Department bill, and the Treasury and Post Office bill. Of course, for many years we brought in and passed all appropriation bills before the constitutional date of March 4. I appreciate the fact that there has been delay incident to the organization of the committees. But we have had notice since November 5 of the situation and, in any event, the delay is without precedent.

Mr. Chairman, this bill is extraordinary in another respect. It is the first and the most significant indication as to the intention of the leadership of the House and the Congress to carry out the great and laudable program of efficiency, retrenchment, and economy which was so strongly emphasized in the campaign last November.

It is immaterial, my friends, whether the sum named in the resolution reported out by the Joint Legislative Committee on the Budget is $6,000,000,000 or $4,500,000,000. The cut eventually proposed in the resolution, and agreed to by the two Houses, means nothing unless corresponding and proportional amounts are cut from the supply bills as they are presented to the House. For some months now the attention of the country has been centered on the overall cut to be made in congressional appropriations and in recent weeks the report of this bill has been eagerly anticipated. Every statement emanating from the leadership of the House indicated vast reductions in amounts and wholesale dismissals of personnel. We waited with bated breath. And here, at last, is the long publicized bill. Here we have the first opportunity to judge the sincerity of these protestations of economy and retrenchment. Here is the first installment of the $6,000,000,000 reduction and the million and a half separations from the Federal pay roll.

What does it propose? Why, Mr. Chairman, it is unbelievable. Instead of the huge cuts we have been led to expect, this bill actually cuts the budget less than we cut it in the last session—when we were still on the way back to a peacetime status.

Here is the largest appropriation bill of the session. It comprises in round figures, practically a third of the budget. If we ever propose to make a reduction in the expenses and pay rolls of the Government here is the place to make it. If they cannot cut any part of $6,000,000,000 out of a third of the budget, how can they cut $6,000,000,000 out of the remaining two-thirds of the budget?

As has been said, this bill cuts the estimates for the Post Office Department only $14,000,000. Why, we cut the Post Office budget last year $19,000,000. And that was not the most significant feature of it. They are cutting the $14,000,000 this year from a budget which exceeds $1,500,000,000. Last year we cut $19,000,000 from a budget of only $1,200,000,000.

My good friend, the distinguished gentleman from Illinois, says: "Well, last year we had some deficiencies."

In view of that statement, the question naturally arises as to whether further appropriations are contemplated if this bill fails to provide for the Department to the end of the fiscal year? Is a choice to be made between a deficiency appropriation and discontinuation of service? That is the alternative. Will more money be provided or will delivery of the mail be stopped?

But let us not lose sight of the primary issue. Our objective here is to deliver the first installment of the promised six billion cut in the budget, and the first contingent of the million—some promised a million and a half—dismissals from the swollen Federal pay rolls. Where are they? Where are the billions of cuts and the million of dismissals—or any part of them.

You cannot point out a single dismissal in the entire Post Office Department.

If the first and largest appropriation bill to be reported to the House is to be taken as a fair sample of the redemption of these campaign pledges of retrenchment, the country is headed for a sad disillusionment by the time the last bill of the session is reached.

My friends, I am distressed and disappointed. I had hoped to cooperate with the House leadership in real economies—in the liquidation of all wartime expenditures and the reduction of the budget to a peacetime basis. I deplore and deprecate the reckless and profligate extravagance of these spenders who now refuse to cut the budget on a $1,500,000,000 estimate as much as we cut it last year on a $1,200,000,000 estimate.

Mr. GORE. Will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Tennessee.

Mr. GORE. Do I understand that in this bill which provides for 490,000 bureaucrats in the Post Office Department not one bureaucrat is cut off?

Mr. CANNON. Not one single bureaucrat. Not a single Communist. Not a single boondoggler. Of all the teeming hordes of parasites and chiselers and loafers and fan dancers and subversives we were told last November were infesting the Departments of the Government, not a single one is being separated from his soft job in the entire Post Office Department. Every one of them is being retained by this bill—at the largest salaries ever paid in the history of the Government.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CANNON. In just a moment. If the gentleman will permit me to conclude my statement. Even such purported economies as are reported in the bill are not economies at all. For example the $800,000,000 in tax refunds they propose to "save" here cannot be construed as a saving by any stretch of the imagination. Let anyone show us where it will save a penny.

Mr. BATES of Massachusetts. Will the gentleman yield there?

Mr. CANNON. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. The gentleman is a member of the Appropriations Committee and I believe the senior member of the minority. I presume the gentleman sat in the hearings at the time the subcommittee made its report. Did the gentleman make any effort in the committee to reduce any of the bureaucrats he is speaking of? Where can these cuts be made?

Mr. CANNON. My friend is certainly aware that I was completely overshadowed by the overwhelming majority which completely controlled the committee. I regret to say that under the circumstances I was merely a bystander standing by, an onlooker looking on. I was for the economy program. I was for retrenchment. I was for reduction. I have repeatedly said on this floor that I favor reducing the budget more than $6,000,000,000. That is not an idle statement. It is borne out by our record in the last Congress, in which we not only excised $64,000,000,000, but cut the estimate on this identical appropriation $19,000,000 whereas this year you propose to cut it only $14,000,000.

You say you are saving $800,000,000 on tax refunds. You are not saving a thin dime. Every penny of it must be paid. Nobody denies that. It is the law. If a man overpays us on taxes, we must return the surplus. We have no alternative. So, your proposal here is merely to defer the inevitable day of settlement.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Michigan.

Mr. DINGELL. I think the only reason that was put in the report is because it is a big figure, even if it does not mean anything.

Mr. CANNON. Exactly. Let us examine it a little more closely. They say the amount required for the purpose was overestimated.

If in the past this item had, from year to year, been overestimated, such a charge might be plausible. But what is the history of the estimate? Last year the Department, in estimating the money required for this item, underestimated it. The year before, in estimating money for the item, they also underestimated it. For every year from the beginning they have consistently underestimated it. I was told by representatives of the Treasury Department, when they came up here the other day to testify before the committee, that, in their opinion, they had again underestimated it.

Who is entitled to credence in such matters, departmental officials who have had many years of experience in the administration of the law—and who have consistently underestimated it—or Members of the House who have taken a cursory glance at it and claim it has been overestimated? Permit me to refer to the opinion of an impartial commentator on that point. I read from an editorial in this morning's Washington Post——

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Just as soon as I read this brief paragraph.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. GARY. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. CANNON. I read from an editorial in this morning's issue of the Washington Post:

> The amount of overpayments next year is at best only an informed guess. But we are disposed to place more reliance on the guesses of Government experts than on the opinions of the House Appropriations Committee. In any event, a mere cutting of the estimates of prospective refunds will not save money. It will simply necessitate passing a deficiency bill if the lower estimates prove inadequate and probably delay restitution to taxpayers. Hence, we conclude that Democratic charges of "budget legerdemain" are well warranted.

This is a fair sample of the opinion of the public and the press. Up to this time no editorial comment has been received taking issue with this point of view.

The postponement of the day of accounting is not an economy. It will not effect a saving of money or result in any other advantage to the Treasury or the taxpayer.

On the contrary it will result in serious disadvantages. The delay in making the appropriation will not only disorganize the very satisfactory system in use for many years but it may delay the payment of money due taxpayers who are entitled to a refund. Conceivably the amount provided in the bill may not be sufficient to take care of payments until a deficiency bill can be passed. It might not only discommode the taxpayer but it would involve a heavy expense to the Government in interest charges. Amounts overdue draw interest at the rate of 6 percent. If, as the Washington Post suggests, the Treasury's estimate should prove correct and there should be a consequent delay of but three months in providing for the deficit, the provision in the bill would add to—not take away from—the budget, $12,000,000, and $4,000,000 more per month for each additional month of delay.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I yield to my colleague from Missouri.

Mr. ZIMMERMAN. Does the gentleman mean to tell this Committee today that if we do not pay the refunds that are found to be due that we are going to have to pay these men back interest on it?

Mr. CANNON. Certainly; interest at the very substantial rate of 6 percent.

Mr. ZIMMERMAN. Six percent? Is that economy?

Mr. CANNON. That is the brand of economy carried in this paragraph of the bill.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from New York.

Mr. COUDERT. The distinguished former chairman of the Committee on Appropriations has heavily belabored the point of the estimate on refunds. Does the gentleman contend that the Appropriations Committee is not within its legitimate and proper right in making such estimate for itself and substituting its own estimate for the Bureau of the Budget's estimate? Or would the distinguished gentleman from Missouri have the Appropriations Committee as a matter of principle and without further consideration merely accept the estimate of the Budget Bureau even if in its own best judgment they disagreed with it?

Mr. CANNON. They should accept the estimate unless they have evidence on which to base a contrary opinion. No such evidence appears in the hearings.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I am glad to yield to the distinguished chairman of the subcommittee.

Mr. CANFIELD. Does the former chairman of this committee contend here and now that the Treasury made this estimate on tax refunds?

Mr. CANNON. Yes; this estimate was made by the Treasury Department. It has been made by the Department for many years.

Mr. CANFIELD. I beg to disagree with the gentleman. The estimate was made by the Bureau of the Budget, not by the Treasury Department.

Mr. CANNON. The system under which the estimate was made has been in effect——

Mr. CANFIELD. The estimate was made by the Bureau of the Budget, not the Treasury Department.

Mr. CANNON. The Treasury Department made the estimate and transmitted it to the Bureau of the Budget. All departmental estimates are submitted through the Budget Bureau. But that is beside the point. The question is not what governmental agency made the estimate but whether the estimate is accurate.

And the prime consideration is not who made the estimate but whether eliminating the appropriation in this bill will save money. The report does not claim that this postponement of funds for tax refunds will result in the slightest saving. No one in the entire debate here on the floor today has contended that it will save a penny.

And in the meantime while the committee is shadow-boxing this $800,000,000 item out of the ring to await the next bout—in which it is certain to register a knockout against the committee's claims of economy—the committee is failing to make even a modicum of the cut which would have to be made in this bill in order to contribute its part to the proposed cut of $6,000,000,000 in the budget and a million and a half reduction in departmental personnel.

Mr. Chairman, I shall vote for whatever legislative budget is finally reported out of conference, not with any idea of committing myself to the ceilings ultimately determined upon, but because an affirmative vote is an evidence of intent and purpose to retrench to the minimum, and because retrenchment is in keeping with the consistent and collective policy we have followed on this side of the aisle through the last several sessions of Congress; not arbitrary cuts unsupported by evidence; not cuts in the nature of deferments, made to establish an economy record for political advantage, but cuts in the public interest which will result in lasting lessened demands on the public purse.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. CANFIELD. Mr. Chairman, I yield 10 minutes to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER of Connecticut. Mr. Chairman, I want to call the attention of the committee to an item in this bill, found on page 23 commencing with line 18 and running through to line 12 on page 24, having to do with ceilings on the price of typewriters bought by the Federal Government. I have the highest regard for the membership of this committee and for my colleagues in the House and I feel very sure that if they had had the time to devote to looking into this particular detail that they perhaps would like to have had, this language would not be found in the bill. If I fail in the 10 minutes available to me this afternoon to convince them that they should join with me in a move to strike this language from the bill, I can only conclude that I have not properly presented the matter to them and to other members of this committee.

I appeal this afternoon to the fairness of my colleagues. This matter of setting a price ceiling on typewriters bought by the Federal Government is an old custom established by the Appropriations Committee first in 1913. I am advised that it would be possible to make a point of order and have this language stricken from the bill due to the fact that it extends the limitation not only to this bill but to any other act; however, I would rather present the matter on its merits and hope the committee will decide not to continue this unfair practice which in the next year or two may prove detrimental to some departments of the Government. Testimony will be found in the hearings on pages 866 to 876 indicating quite clearly that the manufacturers of typewriters want to be fair in their dealings with the Government. Different proposals were made. In substance they all were agreed that they wanted to sell typewriters to the Federal Government at as low a price as they would sell to any other large users of typewriters. In fact, some said they would sell typewriters at a lower price to the Government than to other purchasers of typewriters.

This ceiling of $77 was set last year. In 1922 the ceiling was set at $70. I believe in the last Congress they were given a 10 percent increase. A standard typewriter—Royal, Underwood, or L. C. Smith—sold in 1941 for $115.50. That same typewriter today is selling for $142.50. Still there is no increase provided for in this bill. Every time I have brought this to the attention of the subcommittee, and I have brought it to the attention of the subcommittee on several occasions since 1939, I have been told it is a complex problem, they do not know exactly what the cost of typewriters are, but they say we are going to look into the matter and next year we will deal with it on the basis of our information. Someone may contend today or tomorrow that the thing to do is to leave this in the bill, then look into the price question later. In all sincerity I submit that the fairest thing to do is to take the limitation out of the bill. Let the Government purchase typewriters as they purchase everything else. Then in the year to come, if they can give some justification for this limitation, put it back in next year. If they bring in a justification, I certainly will join in restoring the ceilings.

Is there any more reason why the Government should purchase typewriters by putting a ceiling in an appropriation bill than it should say: "Well, a Ford automobile is selling for $1,200. It ought to be sold to the Government for $700. We will put that limitation in the bill." There would be just as much reason for that. No Member of this House can stand up here on the floor today and tell us what it costs to manufacture these various brands of typewriters.

There is not a monopoly on typewriters. There are 8 or 10 companies manufacturing them. No one company is big enough to fill the needs of the Federal Government. According to the hearings, the Government will purchase from 40,000 to 50,000 typewriters in the next year.

What has happened because of this limitation? One company, the Royal Typewriter Co., the home office of which is in my district, reluctantly advised the Government that they can no longer supply typewriters at this ceiling price. The L. C. Smith-Corona Co. said, "We can only stand selling 500 typewriters to the Government at that price." The Underwood Corp. says, "We can let you have 5,000 at that price." They are selling these typewriters to the Government under the limitations of this act definitely at a loss. That loss is being made up and must be made up if they are going to finish the year in black ink, by putting that loss on the business community or others who buy typewriters.

I want to call the committee's attention particularly and urge that between now and tomorrow afternoon you read a few of the short statements that appear in the RECORD, the first one being on page 870.

On page 868 you will find a letter addressed to the Honorable LOUIS LUDLOW, signed by the vice president of the Royal Typewriter Co., which gives you the historical background of this matter.

On page 870 there is testimony of the vice president of the Remington-Rand Co. dealing with this subject. He suggests that instead of this limitation, if there must be some limitation put in, that this language be proposed:

> No part of any money appropriated by this or any other Act shall be used during the fiscal year 1948 for the purchase within the continental limits of the United States of any typewriting machines at a price in excess of that currently charged by the manufacturer for such machines when sold to users of such machines in large quantities.

Bear in mind that there is no limitation written into the law for the purchase of adding machines, calculators, or even electric typewriters. There is a ceiling on noiseless typewriters, and one of the reasons that every office on the Hill cannot have a noiseless typewriter is that the companies simply cannot sell them at the ceiling. An Underwood noiseless sells in the market at $204. In this bill there is a ceiling of $88, which is less than the cost of production of an Underwood noiseless typewriter.

I think that must be apparent to every Member of the House, bearing in mind simply the increases in wages and materials in the typewriter industry that have gone into effect since 1939 alone. The Department surely does not make out a case to justify this limitation or this ceiling, although the Treasury Department does ask that it be continued.

On page 875 Mr. LEFEVRE inserts a statement in the RECORD in which he suggests:

> In determining what discount should apply to Government sales it would be desirable to require each company to submit data that would aid in reaching an equitable figure. Such data might include their present rates of discount to commercial users and schools, what advertising and sales expense they allocate to Government sales, what savings in distribution costs are involved in Government sales and whether such costs of sales to the Government are susceptible of reduction.

If that is going to be the policy of the Government, why not do it on everything? Why not say we will cut the cost of toll calls; they are too high, so we will put a limit in our appropriation bill and say we won't pay more than 50 percent of the advertised toll price? We do not do it on any other commodity,

and it is an important item to those companies. In 1932 the Federal Government spent $400,000 to purchase typewriters that year. In 1941 the Royal Typewriter Co. alone sold $8,500,000 worth of typewriters to the Federal Government. That is important to those who work in the Royal Typewriter plant and to the company itself.

I am sure that this ceiling can be taken off without causing any inconvenience or any unnecessary increase in the price. As was said on one occasion when this matter was before the Congress, "We are simply legalizing a trust in the typewriter industry; we are making them do something that is unlawful for them to do." They could not act together themselves and agree at a price at which they will sell typewriters and we, by law, make them sell them at a predetermined price.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I yield to the gentleman from New Jersey.

Mr. CANFIELD. I believe there is a law establishing ceiling prices on automobiles purchased by the Federal Government. Notwithstanding that fact, the committee indulged in many of the facts presented by the gentleman from Connecticut this afternoon. We know how deeply concerned he has been over this problem for many years. At the same time he must appreciate this fact: This language came to us from the Bureau of the Budget. The language has been in the appropriation bill for some 20 years. We, of the committee, did not feel that we were equipped, and did not have the information, to pass properly on the request of the companies at this time, so we have ordered our investigating staff to go into all phases of this situation so that when the 1949 bill comes before us we will be able to do something and take proper action.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. CANFIELD. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. MILLER of Connecticut. In reply may I say this, that I can show you in the RECORD of previous debates on this bill the very same promise, that it will be looked into the next year.

Mr. CANFIELD. I must disagree with my friend and colleague from Connecticut. This is the first time we have had investigators associated with the Appropriations Committee that could be called on to do a job, and they are on the job now.

Mr. MILLER of Connecticut. Is there any reason why the Congress should determine the price at which the Government shall buy typewriters any more than any other commodity the Government buys? Why pick this particular item?

Mr. CANFIELD. My only answer to the question propounded by the gentleman from Connecticut is that the Treasury insists that there are reasons. Personally I am inclined to be sympathetic to the proposition advanced by the gentleman from Connecticut this afternoon, and I am going to try to help him and others pursuing this problem and do something about it.

Mr. MILLER of Connecticut. I appreciate that. I know the gentleman will find out. Certainly they have not made a case in this hearing to justify ceilings.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I yield to the gentleman from North Carolina.

Mr. DURHAM. May I say to the gentleman that neither the Committee on Appropriations nor anyone else wants to set up an OPA. I am glad the gentleman brought this up here. I think it is time we should consider the matter. Are we going to continue an OPA by an appropriations act? I think it is very unwise.

Mr. MILLER of Connecticut. The Appropriations Committee is not as generous as the OPA. OPA gave them a 14-percent increase in their ceiling price a few months before it went out of existence. We are holding them to 10 percent above the 1922 price.

Mr. DURHAM. I meant to agree with the gentleman.

Mr. MILLER of Connecticut. I know the gentleman does.

With all due respect to the committee, and it will be no reflection on the committee, I do feel compelled to offer tomorrow an amendment to strike this language from the bill and submit it to the judgment of the House. I say this with all due respect to my colleagues and with deep appreciation of the assurances of the chairman of the subcommittee that this subject will be further investigated.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. CANFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, the matter of bringing about economy in any department of the Government finally gets down to the very difficult details involved in the carrying on of that department. It seems to me that this subcommittee have applied themselves very diligently to that task. The facts I am about to present to them probably should have been presented to this subcommittee at an earlier date, but it was impossible for me to do that because shortly after this information came to me it was necessary for me to be gone from the city of Washington. I mention it because it may have some value for the committee that appropriates for the Government Printing Office, as well as the legislative committee, in reference to these matters.

I have a letter here from the publisher of a newspaper in my district in reference to some printing being done by the Government. This printing is ordered through the local post office. This publisher writes me as follows:

> A customer of ours desired the stamped window envelopes for use in his bookkeeping department to send out statements. Since he was one of our regular customers and desired us to do all his printing, he asked us to secure the envelopes and print them up for him, with his name in the accustomed style, in a corner card.

Then this publisher goes on and tells of the prices quoted by the post office:

> We found that the charge would be $33 per thousand, for these printed prestamped window envelopes. Now the value of the stamps would be $30, which means that they would charge $3 for the window envelopes and for printing them. It so happens that we are large buyers of window envelopes, buying in quantities of not less than 50,000, and the cost to us is $2.60 a thousand for window envelopes; which means that Uncle Sam is in competition with us for printing envelopes for 40 cents a thousand. Now if the Government can make money printing envelopes at 40 cents a thousand, they run some plant, some place, more efficiently than most Government businesses are operating. Maybe that kind of business is contributing somewhat to this deficit which we are reading about, besides beating some people out of a certain amount of business.

Mr. Chairman, why should the Government of the United States do printing at a loss? It but adds to the burdens of the taxpayers. Why should the Government compete with our hometown newspapers? The newspapers are essential to our American system, they are unselfish public servants and such Government competition is unwarranted.

Mr. GARY. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, I had intended to speak on this particular matter tomorrow, but inasmuch as there is the opportunity to address the Committee at the present time I have made a note of some figures which I would like to call to the attention of the Committee.

The chairman of the subcommittee in his opening remarks referred to the combining of the functions of three different subdivisions into one subdivision of the General Counsel's Office. Those divisions were Tax Research, Tax Legislative Counsel, and Division of Research and Statistics, all of which would go into the General Counsel's Office. From the report, Mr. Chairman, I notice that the appropriation for Tax Research in 1947 was $175,000. That is cut out entirely. The appropriation for the Tax Legislation Counsel is $89,000, and that is cut out entirely. The Division of Research and Statistics appropriation for 1947 was $165,000, making a total of $429,000 which is entirely eliminated from this year's appropriation recommended in this bill. I would like to know from the subcommittee as to whether or not it was the intention of the subcommittee to eliminate the services of those three divisions from which every cent has been taken away in this bill.

Mr. CANFIELD. Mr. Chairman, if the gentleman will yield, I think I can allay his fears immediately. We allowed the General Counsel $250,000 in addition to his regular allowance to take care of these units under his jurisdiction. That is a quarter of a million dollars in addition.

Mr. EBERHARTER. Is that set out any place in the bill?

Mr. CANFIELD. Oh, yes; in the report on page 6.

Mr. EBERHARTER. It does not say specifically that it is not intended that these agencies are to be abolished. It

does not say, "So much of the funds shall be used by these three divisions." I call attention to the fact that the Tax Legislative Counsel has been in operation since at least 1922. That Division is composed not completely of lawyers, but it is composed of economists, actuaries, and statisticians. Their functions have nothing whatsoever to do with the General Counsel's functions. I am just afraid the committee did not go into this subject sufficiently to justify eliminating these figures.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. CANFIELD. If the gentleman will read the hearings between tonight and tomorrow noon, I venture to say he will agree with us that the job can be done. All I ask is that the gentleman read the hearings on these separate units and then review our incorporation of them in the Office of General Counsel. I know something of the gentleman's fairness, and I believe the gentleman will agree with us that the job can be done. Here, of all places in this bill, is where a saving can be made and should be made. I am sure of that.

Mr. EBERHARTER. I am glad to have the gentleman's assurance. I just wanted to know that it was not the purpose of the subcommittee or the general committee or the Congress that the money heretofore appropriated for these three divisions will be wiped out; that it is intended that they should function. I understand the Commissioner of Internal Revenue said he had never used the Tax Legislative Counsel. That is a position that is composed almost entirely of economists, statisticians, and actuaries. The General Counsel's Office was never called upon to furnish the information that that Tax Legislative Counsel furnished the Congress. It is only because they were in a position to furnish the Congress with the particular information they needed with respect to the formulation of proper tax bills that we have been able to get the kind of revenue we have been getting.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. EBERHARTER] has expired.

Mr. GARY. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. CANFIELD. The Commissioner of Internal Revenue said he got more and better information from his own legal service than he got from any other department; he never consulted those divisions.

Mr. EBERHARTER. That is the point I make, exactly. The very word "legislative" means that it was set up for the purpose of furnishing Congress with information. So why combine it with the General Counsel's Office, that knows nothing of its responsibilities or duties.

Mr. CANFIELD. That is a part of the General Counsel's duties, to do just that same thing. If you will read the testimony of the General Counsel and the testimony of Mr. Surrey and Mr. Shere I cannot help but feel that the gentleman will agree with the committee.

Mr. EBERHARTER. I wish we could get together so that there is a clear understanding that these divisions are not to be abolished. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. CANFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Chairman, I take this time to inquire for my own information, and I think the information of many people who are interested in the subject, as to just exactly what the set-up is going to be under this appropriation bill of the Coast Guard and its activity, which they presently call their lifeboat stations, but which at one time was called their lifesaving service.

May I say at the outset that it is not my intention to comment one way or the other on whether or not the committee has granted to the Coast Guard a sufficient amount of money. I intend to support this committee as I intend to support all of the appropriation subcommittees in their most difficult task of cutting down our Federal expenditures.

I trust they will cut all appropriations to the absolute minimum. I will be with them a hundred percent in that endeavor. The only thing I take this time for is to find out just what the situation of this particular activity is going to be in order that the people concerned may know what is going to take place. I will tell you one reason why this is of particular concern to me. The district I represent has at least 200 miles of bay and lake coast line. We have there at the present time four lifesaving stations or lifeboat stations that have been maintained, and maintained historically, by the Coast Guard to give protection to pleasure and commercial shipping that may be in distress in those waters. Last June we had a very severe accident in which four people were drowned. It developed that the Coast Guard facilities were practically nonexistent. They had the facilities there but they were undermanned and they could not respond. In other words, by the very fact that these stations were there the people were lulled into a false sense of security. If it is going to be the case this year that these stations are not going to be properly maintained we want to know about it so that, if necessary, these people can take adequate steps for protection to insure safety to pleasure and other craft using these waters. As is generally true of most agencies when something like that happens and they are unable to give the service that is expected of them, they blame it on Congress and say: "Well, we did not have enough funds."

Let me call your attention to a letter I received when I investigated the matter. This is a letter from Admiral Farley, of the Coast Guard. He says he is deeply concerned about the personnel situation of the service, but he says that due to rapid demobilization and resultant deployment, plus the increased demands of other Coast Guard activities and insufficient funds to provide the necessary number of personnel to fulfill the requirements of the Coast Guard, a serious personnel shortage developed. That is the reason.

Now, have we given them enough money?

You will recall that last year after the Appropriations Committee made an appropriation to the Treasury Department, including Coast Guard facilities, the Coast Guard came back and said they had to have a supplemental appropriation for the lifeboat stations. I am inclined to think that what the Coast Guard has been doing is to reallocate their funds to probably more romantic and newer fields of activity rather than to the historical obligations they should maintain. They should maintain these lifesaving stations under the highest priority.

I want to know if the committee can tell me whether the bill this year will carry sufficient funds in order that these lifesaving stations can be maintained?

Mr. CANFIELD. I salute the gentleman from Wisconsin on the stand he has taken. He talks as though he were a member of the subcommittee handling this bill, because what we are doing here, as I said earlier in the afternoon, is to get the Coast Guard back home to take care of all those facilities the gentleman has mentioned this afternoon. We have provided in this bill sufficient moneys for them to do all of that work. We have also given them a great deal of elasticity in the handling of these moneys. If the Coast Guard keeps faith with the Congress appropriating funds in this bill there will be no difficulty about manning the stations the gentleman has in mind.

Mr. BYRNES of Wisconsin. I thank the chairman of the subcommittee and thank him for his assurances. I appreciate the position that he and his committee has taken on this matter. I also applaud the action taken by the committee in its report in saying that they have assigned to the Coast Guard itself the task of assigning priorities to its various projects. But I was wondering whether the committee had pointed any finger at the lifesaving service? I believe this may be necessary, because I am inclined to think, from their past activities, that that is not one of the activities they would like to give priority to. They seem to be more intrigued by some of their newer activities. I think some positive direction should be given them that these lifesaving activities should be given priority recognition. I am very pleased to have the assurance of the chairman of the subcommittee that he is confident that the Coast Guard, if it keeps faith with the Congress, can and will give proper recognition to its duty to properly maintain the lifeboat stations.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. CANFIELD. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, I would like to take this time of the Subcommittee of the Committee on Appropriations for the Post Office Department and the Treasury Department to have a discussion, if I may, on certain important matters in relation to aviation,

which is under the legislative jurisdiction of my committee. In the first place, it is noted from the hearings that the heavy mail carriers by air receive a mail pay of about 45 cents per ton-mile and that the light carriers receive about 60 cents per ton-mile. If you recognize that a ton is the equivalent of 10 passengers, allowing 160 pounds per person of body weight and 40 pounds of baggage, you can see that by dividing the 45 cents per ton-mile by 10 you come to 4½ cents per passenger-mile, which is equivalent to the 45 cents per ton-mile rail rate. That means that the passenger and the mail both are paying approximately the same rate for their transportation.

Mail, as you know, has a priority over the passenger. You will remember that during the war when travel was exceedingly heavy if the mail exceeded the capacity of the mail compartment in an aircraft, the passengers had to give up their seats and the mail was placed in the seats of the passengers and strapped down. In other words, the mail goes through first regardless of the convenience of the traveling public. I say that to you because it must be realized that while mail has a priority the rate paid for its transportation is on a par with the rate paid by the passenger. There are other factors to be considered, of course. But the controlling factor in nearly every case is the value of the transportation. There is very little, if any, subsidy in the air-line mail pay.

My committee has recognized the need for the extension in certain areas of certain air routes. We recognize that those routes are not economical, either from the standpoint of the carriage of passengers or of mail; however, it is highly desirable that those routes be covered by aircraft for the establishment of the route; first, so that it may be available to the purposes of national defense, and, incidentally, for the service of whatever people may be at the other end of the route or on the route. It is not anticipated that those routes necessarily will be commercially profitable, although it would be hoped that in due course they would become profitable. So we are not particularly concerned when you speak of the subsidization of certain air-mail routes.

Unfortunately, the subject of air commerce comes under the purview of at least four committees of the House. There is this Subcommittee on Appropriations for the Post Office Department and Treasury; there is the Subcommittee on State, Commerce, and Justice, which has to do with the Civil Aeronautics Administration and the Civil Aeronautics Board; and I believe also that the Independent Offices Subcommittee has something to do with it some place, I cannot just remember where. On the legislative side we have the Committee on Interstate and Foreign Commerce, of which I am a member, having jurisdiction over legislative matters relating to aviation. Then there is the Civil Service Committee that I believe now has incorporated within it the old Committee on Post Offices and Post Roads, which committee establishes postal rates for the dispatch of the mail, the rates to the public.

I suggest to the committee and to the House that we might very well go into a very careful look-see of this whole proposition from all angles, considering cost of the carriage of mail in various conveyances, and so forth. The gentlemen on this committee will recognize, I believe that, in the transportation of first-class mail by rail, there may be cars that are sent out on railroads to distant points, sometimes at the ends of spur lines, with very little mail in them; yet the cost of the car is charged to the Post Office Department. That, of course, is in the nature of a subsidy, if that is what you want to call it, but actually it is the cost of a service to the people. The same thing can be said to be true of mail shipments by marine vessels. We have marine vessels leaving the ports of the United States for distant parts of the world carrying a relatively small amount of mail for which very high per-ton-mile payment is made. That likewise is a subsidy. It is a subsidy on a much larger order than is given to any air line that I know of. There are other forms of transportation in which the cost per mile of the vehicle itself is considered to be the amount to be paid, and no reference to the amount of mail carried is involved.

I notice in your hearings that you considered all American aviation. They are paid for the number of miles flown and not by the poundage of the mail carried. If you want to find out the actual rate per pound-mile or per ton-mile you will first have to find out how many pounds of mail are carried, and how far. So, when you say casually that there is a subsidy involved, you labor under a misapprehension of the over-all fact if you do not consider likewise other forms of subsidy given to other forms of transportation, such as the ocean shipping, the rail system, and by bus or truck. So, I think, before we get too far in this subject of trying to make such charges of subsidy to air lines for carrying the mail, that we ought to consider all of those other facts in the total picture.

In reference to the inland waterways, for example, the Government of the United States has spent $4,000,000,000 on improving and maintaining the inland waterways, and yet those inland waterways are free to the users thereof. No charge whatever is made for it. That is also true of our rivers and harbors generally. No general charge that I know of is made for the use of river and harbor improvements or for the lighthouse service or the rescue service of the Coast Guard. There are a great many services that are performed by the public by governmental agencies that are free—free of any use charge whatsoever.

Some attention has been drawn to certain things that are being done to aid air navigation, and I would like to call the committee's attention to the fact that if we had not had these aids to air navigation before the war, we might have been in a very sad way for the conducting of our military and naval aviation. My committee considers aids to air navigation not only as aids to civil aviation, but likewise considers the importance of the establishment and building of these great highways of the air for the national defense. The Civil Aeronautics Act provides that in the event of war the entire aviation picture is available to the national defense set-up. In the last war, immediately on the declaration of war, the War and Navy Departments took over one-half of the civil air transport aircraft that were in service. They just took them over; they took over practically the complete operation of certain principal airports of the United States and all military planes, of course, had priority in any event, every place. They took on many of the civil pilots and the operating crews and ground crews and others and put them directly into the service of the armed services. Actually the civil air business is an auxiliary to the United States defense forces. It is not a separate institution that can go its own way as it pleases at all times.

A while ago, Mr. Chairman, you spoke about the so-called loran stations that are located on our coast. Loran is a gadget that was devised during the war as an aid to navigation on both land and sea. This has come to be a very important navigational aid for both aircraft and ships at sea.

We hope that a sufficient network, not a complete network, perhaps, but a sufficient network of these loran stations, which means long-range navigational aid, may be established so that our naval and land air and sea forces may have these aids available to them on instant notice in the event it is necessary for the United States to engage in any military operation or undertaking. It would be a very sad day indeed if all these aids were done away with, because they are aids to the national defense. I want to see a practical peacetime network of loran stations operated and maintained—mostly for the purpose of maintaining in regular operation a system that would be badly needed if we were attacked or even threatened. Loran has saved many an otherwise lost pilot and his ship and crew.

Mr. GARY. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. GORE].

Mr. GORE. Mr. Chairman, I should like first to address my remarks to the bogus economy claimed for this bill. I find a very interesting statement in the report of the committee. I call it interesting because when you review the facts you must wonder, and it arouses great interest, why such a statement would be in the report, as one of the reasons if not the main reason why the committee undertook to place a low guess on the amount of tax refunds that would be made next year and call that economy. I would have no objection to the committee's guessing if it had not written into the bill a limitation on the amount of tax refunds that could be made. As one, I say, if not the principal reason for this, the committee says on page 16 of the report:

> Coupled with the expectation of several million less taxpayers filing as a result of prospective changes in the tax laws, it is felt that the reduced figure would more nearly approximate the amount required for these rebates than the Bureau's estimate therefor.

I take it the committee means by this that it expects quite a sizable reduction in taxes later. Indeed, it says, "coupled with the expectation of several million less taxpayers." Now, how would that operate?

Out of my pay check, from the check of the automobile workers, the factory employee, the chain-store grocery clerk, out of the pay rolls of the workers of the United States of America, there are being withheld now taxes—witholding taxes. Those taxes are not being withheld at the rate which this committee expects to be written some time later; not at all, Mr. Chairman. The withholding taxes are being applied to the pay rolls at the present legal rate of taxation. So what will be the result if later on this year we reduce taxes? Is not the result obvious? It will result in larger claims for refunds, result in larger refunds rather than less. Indeed, I called the Bureau of Internal Revenue and asked what effect reduced taxes, a 20-percent reduction in taxes, would have on tax refunds. After some calculation they gave me the estimate that it would result in an additional $1,000,000,000 of tax refunds during the next fiscal year. Therefore, I wondered and, as I say, that is why I find this statement interesting; why it is that because of reduced taxes there will be less refunds. They say there will be several million less taxpayers. That means several million people who are now paying taxes will not be subject to taxes. Do you think those people are not going to claim refunds? Are you going to say in your tax bill that they are not entitled to refunds?

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. GORE. I yield.

Mr. HINSHAW. I am curious to know why such an item as tax refunds should be considered as an expense to the Government. Certainly, the Government does not spend it in any way. It seems to me it is just giving back to the taxpayer what he paid in. It is not, in my view, properly a budget item and I wonder why it is in the bill at all.

Mr. GORE. I thank the gentleman for his contribution. He has stated better than I and illustrates better than I have the sham quality of this so-called economy. The gentleman is correct. This does not save one penny. Legal tax refunds will be made, no more, no less. It is not an expenditure of Government. If you and I overpay our taxes, the overpayment belongs to us under the law of the land.

Mr. HINSHAW. I think so, too.

Mr. GORE. Then to say that we are saving the taxpayers' money by placing a limit upon the amount of refunds which the Treasury can make is, I say, spurious.

Mr. HINSHAW. That may be, but at the same time it is in the President's budget. I do not see why it should be in anybody's budget. It is not a budgetary item, as I see it. It is not something that the Government is spending money for.

Mr. GORE. It is a disbursement from the Treasury.

Mr. HINSHAW. I suppose that is so.

Mr. GORE. A tax refund represents a disbursement from the Treasury. Of course, the Treasury can make no disbursement without the authorization of the Congress. May I point out to the gentleman the history of this amendment and procedure? For quite a number of years the appropriation bills did carry specific appropriations for tax refunds, but it became obvious to the Congress and to the fiscal authorities of the Government that it was impractical after the enactment of the withholding tax law. Then it was that many million taxpayers had a claim for refund. It then resulted, in 1 year, I believe, in Congress passing four deficiency appropriation bills to make it possible for the Treasury to make refunds. Therefore they adopted the practice of authorizing the Treasury and directing it to make refunds of taxes promptly in whatever amount the taxpayers were entitled to refunds.

I intend to offer an amendment tomorrow which will direct the Treasury to make prompt tax refunds. I am going to do that for two reasons. There are many small taxpayers who will have a claim for tax refund. These taxpayers need their money. I see no reason why Congress should prolong the time for paying these refunds to which the taxpayers are entitled. I think they should be made promptly. The second reason is I want to shorten the period the Government is required to pay 6 percent interest on refunds.

Mr. HINSHAW. I suggest at the same time that it is very difficult to anticipate in advance what the tax refunds may be, and very difficult to anticipate in advance how many of these black-market operators who did business in a cigar box will be caught and caused to pay up the proportionate taxes that they should have paid and which they did not pay. It is one of those things that you have to draw out of the air, it seems to me. I do not see how you can do any figuring on it.

Mr. GORE. By experience and careful analysis the Treasury Department can make calculations and estimates. As the gentleman from Missouri [Mr. CANNON] said earlier today, their estimate of the amount of refunds was somewhat smaller in 1946 than actually resulted. The same was true the year before. I went down to see them today, and I asked the Commissioner, in the light of the facts today, what he thought the tax refunds for the next fiscal year would be. He said he thought the estimate they gave to the Budget was fairly close, but, if anything, it was too conservative. Why is that true?

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. GORE] has again expired.

Mr. GARY. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. GORE. Every time we have a prolonged strike in the country it results in more tax refunds. When there is a recession in some major field of employment it results in more tax refunds, because the withholding tax provision and rate applies to the wages which have already been earned. The total tax liability is calculated, as you know, of course, upon total annual income.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. GORE. I yield to the gentleman from California.

Mr. HINSHAW. Does not the gentleman think it is up to us to get everybody busy and keep them that way so that we will get more taxes instead of less?

Mr. GORE. I was a supporter of the full-employment bill last year, and I am a supporter of programs now to keep this country on a going economy. As a matter of fact, I do not see how we can afford to allow it otherwise, because if this country ever goes into a depression like we had before and the national income falls to such a low level that our going expense of Government, what with our war-debt charges, veterans' programs, national defense, takes everything everybody makes, then our whole economy is gone.

Mr. HINSHAW. I agree with the gentleman completely.

Mr. GORE. I am delighted to have the fine and able and influential support of the gentleman from California and I will look forward to his assistance tomorrow.

Mr. HINSHAW. I did not promise the gentleman any assistance tomorrow but I agreed with the gentleman's last statement which he made, that if the country goes to the dogs it has gone to the dogs.

Mr. GORE. I am delighted to know that one gentleman on that side is being a little careful with his commitments.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. GORE. I yield.

Mr. EBERHARTER. In the matter of estimates, I had the figures last week. However, I do not remember them exactly, but I think the President estimated the tax refunds for 1946 would be somewhere in the neighborhood of a little over $3,000,000,000. The payments were actually about $3,000,000,000. In other words, the Treasury Department estimated within about $50,000,000 on a figure as large as $3,000,000,000. So that they can really do it. I also want to call attention to the fact that many of these refunds are necessary by reason of the excess profits income refund provision of the law. All of those claims have not been settled yet, and that is the reason that there will necessarily be a large amount of them to be paid.

Mr. GORE. Is the gentleman referring to the carry-back provisions?

Mr. EBERHARTER. The carry-back and carry-forward provisions. Then, there is another item which this committee has not taken into consideration. There are many billions of dollars of claims in the Treasury Department right now under section 722 of the Internal Revenue Code, which the Treasury Department has not passed upon; has not even commenced to consider. They set up a special counsel in order to develop procedure in order to settle those claims. Very few of them have been settled. Those claims have been considered which are for less than $100,000. All claims of more than $100,000 have not been considered by the Treasury Department or

the special counsel set up. So we have got those to look forward to when it comes to making calculations insofar as saving the taxpayer's money and setting up a strait-jacket budget is concerned.

Mr. GORE. I will point out to the gentleman one other provision of law which the Congress enacted in the war years, and that is this amortization of plant provision. Some of those claims have not been settled. And I want to point out further to the gentleman that whenever those claims are adjudicated, at whatever amount is determined we are required to refund, the amount will bear 6 percent interest. If somebody else does not, I expect to offer an amendment tomorrow limiting this appropriation to the payment of a lower interest, and I expect to limit it far below the 6-percent rate.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. GORE. I yield.

Mr. ALBERT. Does not the gentleman believe it would be wise before criticizing this $800,000,000 item to find out whether the majority party intends to include it in their promised $6,000,000,000 Budget cut? Is this a part of the Budget cut or not, this $800,000,000?

Mr. GORE. I yield to the distinguished chairman of the subcommittee to answer the able young gentleman's question, a pertinent one.

Mr. DIRKSEN. I will answer that after a while.

Mr. ALBERT. I should like to have the answer now.

Mr. CANFIELD. The President included that item in his estimate of expenditures. It is included here.

Mr. GORE. Then it is a part of the proposed $6,000,000,000 saving. It is a bogus part, my friend.

I understood from the previous remarks of the gentleman from Illinois that he was going to undertake to show that there was some legerdemain within the Treasury Department to make a larger amount of the refunds come due within the next fiscal year. I do not know upon what the gentleman intends to base that argument. I can assure him, however, that there is no basis for it. In 1945 there was a tax refund of $904,000,000. In the fiscal year 1946 there was a tax refund of $3,310,000,000. In the fiscal year 1947 it is anticipated that there will be a refund of $2,108,000,000. As of March 7, as the daily Treasury statement will show, already $1,200,000,000 has been disbursed for tax refunds.

It is estimated in the budget that for the fiscal year 1948 there will be $2,031,000,000 tax refund.

If the gentleman intends to cite the fact that 1946 was higher than either of the other 4 years I should like to point out that then we had a pyramiding of the carry-back and the amortization provisions of the tax law.

I wish now to come to the question of appropriations for the investigative staff of the Bureau of Internal Revenue. I know of course the statement is frequently made that the war is over and we ought to collect taxes more cheaply. The war is over so far as the shooting is concerned, but as pointed out by the distinguished gentleman from Pennsylvania, a great many provisions of the tax law resulting from the war and growing out of the war have brought about thousands of claims, many large claims now remaining undetermined in the Bureau of Internal Revenue. To cut down on the staff determining the validity of these claims would prolong the period during which they will draw 6 percent interest. We passed a deficiency bill in the House the other day and left out a provision necessary to make rapid determinations before April 15 of refunds. You will find a letter from the Secretary of the Treasury setting this out on page 1704 of the RECORD. It was placed in the RECORD by the chairman of the Appropriations Committee of another body.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GARY. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. GORE. Mr. Chairman, the law on refunds provides that the Government shall have a grace period of 30 days. The taxes being due on March 15, if the refund check is mailed out before April 15 there is no interest on the amount during that 30-day period of grace for the Government; therefore it makes necessary that very rapid determinations be made in order to save that 6 percent interest and, mind you, that is no small figure. It is estimated that the item of interest will this year amount to $80,000,000, a very sizable sum, more than five times the amount you reduce the Post Office Department. Indeed, it represents a sum equal to the total savings you made in the entire Treasury Department appropriation bill.

The gentleman from Illinois said that in cutting down on the Bureau of Internal Revenue in the tax-collecting appropriation he did not intend that the field staff be reduced. I notice here in the report, page 14: "It is not contemplated, however, that there should be any drastic curtailment in the servicing functions of the Bureau."

Just in which bucket on which shoulder do you have the water, or are you carrying water on both shoulders?

Mr. DIRKSEN. The gentleman better read that again.

Mr. GORE. Does the gentleman want it read again?

Mr. DIRKSEN. No. Read the entire context.

Mr. GORE. The whole page or the sentence?

Mr. DIRKSEN. No; that portion which relates to enforcement activities.

Mr. GORE. That is on one page and this sentence is on the other page, but they both apply to the same cut. That is the reason I am pointing out the inconsistency of the gentleman's statement. As a matter of fact the reduction in personnel which will inevitably result from this cut, if it stands, is a reduction in the investigatory staff. I would like to point out with what result investigations have been made in recent months. But before doing that, I would like to say to the Chairman and members of this Committee that, in my studied opinion, there are many millions of dollars owed the Government in taxes now which the Bureau of Internal Revenue is not collecting. There are many people who have never filed a return, who are obligated by the laws of the land to pay taxes on the income they have received. With the funds which the Bureau of Internal Revenue has now, it is only able to investigate 3 percent of the returns filed, to say nothing of these people who have not filed any returns but who should have. You know, we have a program of balancing the budget, and I am wholeheartedly for it and have so said publicly many times, but you cannot balance the budget by shooting the tax collectors.

During the fiscal year 1945, with an average of 19,000 enforcement officers, the Government collected over $1,000,000,000 which they would not have collected had these investigations not been made. In 1944, to go back a year further, with only 16,000 enforcement officers, the Government collected $814,000,000 which it would not have collected otherwise. In 1946, the collecting, enforcement officer, and investigating staff was increased to 24,000. With what result? The Government collected $1,478,000,000 which it would not have collected had it not been for the investigations. Let us not be penny-foolish.

Mr. GARY. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, I asked the Housing Expediter, Mr. Creedon, to give me an up-to-date report on the administration of the Veterans' Emergency Housing Act of 1946, which was sponsored by me in the Seventy-ninth Congress, and became a law May 22, 1946.

Mr. Creedon's letter, containing the report, is as follows:

OFFICE OF THE HOUSING EXPEDITER,
Washington, D. C., March 10, 1947.

Hon. WRIGHT PATMAN,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN PATMAN: For several weeks prior to March 1, there were increasing indications of opposition to the Veterans' Emergency Housing Act of 1946. That opposition reached a climax when the directorate of the National Association of Home Builders approved resolutions recommending that all controls on construction be eliminated. Backing up these resolutions were statements made by representatives of industry as well as statements made by individual members of several veterans' organizations and by Congressman WOLCOTT. For these reasons I felt that it was time for us to take stock of the housing program, to determine what the veterans themselves want, and to reach a definite conclusion as to whether controls should be continued as they now exist, should be relaxed, or should be entirely eliminated as suggested by the home builders and some other representatives of industry.

Therefore, on March 3, I addressed a letter similar to the attached to the national commanders of five veterans' organizations, namely, the American Legion, Veterans of Foreign Wars of the United States, American Veterans of World War II, Disabled American Veterans, and the American Veterans Committee, Inc.

Subsequently on March 5, 6, and 7, I held meetings with each of these national commanders and their chosen representatives to get their official views on each of the nine controls set out in the attached letter. The official position of each organization is shown on the attached summary.

You will note that the veterans' organizations are unanimous in supporting all of

the controls listed with one exception. AMVETS recommended that rental ceilings on new construction be eliminated, and VFW recommended that consideration be given to the elimination of rent ceilings on new construction.

I am sure that you are familiar with each of the controls listed in the attached letter and that you are also familiar with the purpose of those controls. However, you might like to know my own position with regard to those controls and particularly the reasons why I think those controls should be continued for some time to come—certainly until the supply of building materials and the availability of construction labor justify their elimination.

The first of the controls mentioned is the construction limitation order (VHP-1), which restricts construction of nonessential and deferrable nonresidential construction and of luxury-type residential construction. This is the basic order which has the most direct relationship to the success of the veterans' emergency housing program. Without this order a huge volume of nonresidential and deferrable nonresidential construction and a considerable volume of luxury-type housing would go forward. That construction, as you well know, could result only in increasing demands for scarce building materials and for scarce construction labor. Without the control, there would be a mad scramble for materials and labor, and home builders would be outbid for both. Without the control, fewer homes would be started, fewer would be completed; construction would be delayed, and cost would increase.

The second control is the allocation of a few basic raw materials, such as pig iron, to producers of building materials in critically short supply. This office is trying to reach voluntary agreements with industry which will permit the elimination of allocations. We have already been successful in making an agreement with the steel industry which will result in as much steel going to producers of housing items during each quarter of 1947 as was allocated to housing items during the first quarter of 1947. We have made an entirely satisfactory agreement with the producers of phenolic resins. We have made a partially satisfactory agreement with the producers of pig iron covering items other than cast-iron soil pipe. However, we have been unable thus far to negotiate with the producers of shop grade lumber, which is badly needed for millwork, and with the producers of paper liner, which is needed for gypsum board and lath. We have been unable to reach a satisfactory agreement with the producers of pig iron with regard to supplying pig iron for cast-iron soil pipe. In the latter material alone we know that failure to continue allocations will resut in as much as a 50 percent reduction in the production of cast-iron soil pipe which is one of the most critical items for housing. Therefore, unless and until we are able to make an agreement with regard to the three last named items, it is necessary that allocations be continued or housing construction will suffer for lack of materials.

The third control is one designed to provide special assistance to building materials producers in securing necessary equipment and machinery. We have numerous cases presented to us where, for lack of a motor or some other item of machinery or equipment, a plant producing building materials cannot maintain its production or cannot increase its production. It is obvious, therefore, that we must provide this type of assistance to help producers keep their plants in operation or bring them into operation. I am frank to say that such assistance to producers of building materials has not, to the best of my knowledge, had any adverse effect on the balance of the economy.

The limitation to one completed bathroom and to a total floor area of 1,500 square feet and the requirement that housing be suitable for year-round occupancy, are very obviously designed to prevent the building of luxury-type homes. The first mentioned spreads the available supply of bathroom fixtures over a greater number of dwelling units. We will be glad to eliminate the control whenever the supply of those fixtures comes to near balance with demand. The second of these controls is also designed to conserve building materials. There can be no question that luxury type houses require a disproportionate amount of material and labor. Therefore, to eliminate the restriction at this time would of necessity result in a fewer number of families being housed in new construction. The third of these controls prevents the building of resort cottages and similar types of homes which at best serve only a seasonal demand.

The last three controls, rent ceilings on new construction, veterans' preferences, and sales price and rental ceilings on HH priority constructed houses, are for the benefit of the veterans. Rent controls on new construction are now being considered by the Congress, consequently they will be retained pending congressional determination. However, the builders themselves have stated upon numerous occasions that the rent formulas employed by FHA enable investors to receive a fair return on their investment. The veterans' preference is required under the Patman Act, and unless there is congressional action I have no authority to make any change in that control. There have been instances where the requirement that houses be held for sale to a veteran during construction and for 60 days thereafter, has worked a hardship on builders. We recognized that hardship by authorizing the FHA to make exceptions where a builder showed that he was unable to dispose of homes which he had built for sale within a period of 30 days after completion. To the best of my knowledge the exception which we have authorized eliminates any question of builder hardship resulting from the veterans' preference. The sales price and rent ceilings established under the HH priority system were directed toward one end—preventing veterans from being overcharged. The builders are protected from loss by reason of increased cost during construction in that they may apply to the FHA for an increase in sales price or rental ceiling to the extent justified by the increase in costs over which they had no control. The builders have advanced several reasons why the controls should be eliminated. They say that they are placed in an unfair competitive position with regard to housing started under the permit system. We have met this objection by permitting the installation of additional facilities, such as a garage, hardwood flooring, a different type furnace, etc., with the increased cost added to the originally established sales price. The builders strenuously object to compliance and enforcement requirements in connection with HH sales price ceilings. However, the veterans themselves insist on strict compliance and enforcement. The builders state that they could in many instances sell the homes which they have constructed at a price greater than that which will be allowed them by the FHA, even after adding the increased cost over which the builders had no control. I believe the answer to this is that the builders secured authorization to build and definite benefits from the HH priority in return for which they accepted obligations beneficial to veterans. To eliminate the sales price ceiling at this time would give the builders tne benefits without holding them accountable for the obligations running with those benefits.

The attitude of the veterans' organizations is plain and beyond controversy as a result of the recent meetings. Therefore, I am continuing to maintain the controls which I enumerated in my letter unless the Congress directs a different policy. I believe that the veterans' emergency housing program was conceived because of the veterans' need. It is evident from the actions of the veterans' organizations that I have not misjudged the need. We have a continued responsibility to do everything that we can to meet that need.

I am sending this information because I know of your intense interest in the housing program being carried out under the Veterans' Emergency Housing Act of 1946, which you introduced in Congress.

In order that you may be fully apprised of the attitude of the veterans' organizations, I am enclosing copies of press releases issued by the American Legion, the Veterans of Foreign Wars, AMVETS, and the American Veterans Committee. I am also enclosing a copy of a press release issued after my meetings with the commanders of the several organizations and a copy of the speech I made before the annual convention of the National Association of Home Builders in Chicago on February 25.

Sincerely yours,

FRANK R. CREEDON,
Housing Expediter.

I am also inserting herewith press releases disclosing the attitude of veterans' organizations, a summary of their conclusions, an address delivered by Mr. Creedon, and other information relating to this subject:

Summary of veterans' organization recommendations as to retention or elimination of basic housing controls still in force

[Recommendation: R—retain; E—eliminate]

Housing controls	Disabled American Veterans	American Veterans Committee	AMVETS	Veterans Foreign Wars	American Legion
(1) The construction limitation order which restricts nonresidential construction	R	R	R	R	R
(2) The allocation of a few basic raw materials, such as pig iron, to producers of building materials in critically short supply	R	R	R	R	R
(3) Special assistance to building materials producers in securing necessary equipment and machinery	R	R	R	R	R
(4) Limitation to 1 completed bathroom	R	R	R	R	R
(5) Limitation to a total floor area of 1,500 feet	R	R	R	R	R
(6) Requirement that housing be suitable for year-round occupancy	R	R	R	R	R
(7) Rent ceilings on new construction	R	R	E	E	R
(8) Veterans' preferences	R	R	R	R	R
(9) Sales price and rent ceilings on HH priority-constructed houses	R	R	R	R	R

OFFICE OF THE HOUSING EXPEDITER,
Washington D. C., March 3, 1947.

Mr. PAUL H. GRIFFITH,
National Commander, American Legion, Washington, D. C.

DEAR MR. GRIFFITH: At a recent convention of the National Association of Home Builders in Chicago, representatives of several veterans' organizations indicated that they favored the removal of sales price ceilings on HH priority-constructed houses. Members of the building industry attending the convention also adopted various resolutions calling for the removal of other housing controls still in force.

As you know, housing controls have been relaxed whenever I deemed that the changing situation warranted such action. The proposals made at the Chicago convention, however, are directed at the elimination of

all controls. The basic controls and restrictions still in force are:

1. The construction limitation order which restricts nonresidential construction.

2. The allocation of a few raw materials, such as pig iron, to producers of building materials in critically short supply.

3. Special assistance to building materials producers in securing necessary equipment and machinery.

4. Limitation to one completed bathroom.

5. Limitation to a total floor area of 1,500 square feet.

6. Requirement that housing be suitable for year-round occupancy.

7. Rent ceilings on new construction.

8. Veterans' preferences.

9. Sales price and rent ceilings on HH priority-constructed houses.

In considering the proposals made at the convention in Chicago I would like very much to have the comments and recommendations of the American Legion on each of these controls. If it is convenient for you, I should like to discuss these matters with you, the chairman of your national housing committee, and any other of your representatives in my office at 10 a. m. on March 7, 1947. If the time suggested for the meeting is not satisfactory, I will be glad to adjust it to your convenience. The meeting will not be a joint one with other veterans' organizations.

My own views on each of these controls are expressed in a talk which I made at the NAHB convention earlier in the week. I am enclosing a copy of this for your information.

Sincerely yours,

FRANK R. CREEDON,
Housing Expediter.

A similar letter was sent to commanders of other veterans' organizations at the same time.

National Commander Paul H. Griffith, of the American Legion, Thursday, March 6, urged the National Housing Expediter to maintain rigid controls on all nonresidential construction.

The recommendation was made in response to a request by Housing Expediter Frank Creedon for comments by the Legion on nine basic housing controls and restrictions still in force.

In asking for recommendations by the American Legion, Mr. Creedon pointed out that he favors relaxing controls whenever a changing situation warranted such action.

Commander Griffith and Mr. Creedon discussed housing Thursday afternoon at Legion national branch headquarters, 1608 K Street NW.

A listing of the controls, and the Legion's recommendations thereon, follow:

1. Control: The construction limitation order which restricts nonresidential construction.

Legion position: Rigid controls on all nonresidential construction should be maintained. Despite the fact that Congress yesterday trimmed the deficiency appropriation of the agency which is administering VHP–1, we say Congress should provide funds to some governmental agency for the purpose of controlling this type of construction.

2. Control: The allocation of a few basic raw materials, such as pig iron, to producers of building materials in critically short supply.

Legion position: We recommend the allocation of raw materials to manufacturers be continued. Congress should provide funds for the purpose of administering these allocations, whether by CPA or some other governmental agency.

3. Control: Special assistance to building-materials producers in securing necessary equipment and machinery.

Legion position: We recommend assistance to building materials producers in securing equipment and machinery.

4. Control: Limitation to one completed bathroom.

Legion position: We recommend continuance of the policy of one completed bathroom in each house until the supply of bathroom fixtures comes somewhere near the demand.

5. Control: Limitation to a total floor area of 1,500 square feet.

Legion position: We believe the square-foot limitation of 1,500 square feet on the size of houses should be continued. To eliminate this restriction could not but result in a lesser number of families housed by new construction.

6. Control: Requirement that housing be suitable for year-round occupancy.

Legion position: We believe the regulation requiring housing to be suitable for year-round occupancy is sound; for it to be otherwise could result in an unnecessary drain on our already limited materials and labor for the erection of purely seasonal houses.

7. Control: Rent ceilings on new construction.

Legion position: We recommend that rent controls on new construction be continued. Under the realistic rent formulas employed by FHA, the operators are in the position of receiving a fair return on their investment.

8. Control: Veterans' preferences.

Legion position: Veterans' preference should be continued.

9. Control: Sales price and rent ceilings on HH priority-constructed houses.

Legion position: Sales price and rent ceilings on HH priority-constructed houses should be maintained.

VETERANS OF FOREIGN WARS OF THE UNITED STATES

WASHINGTON, D. C., March 4, 1947.—Rent control, guaranteed markets for producers of new building materials and mass privately produced housing, and long-range, low-interest loans to builders of rental housing for veterans, were "musts" submitted to Housing Expediter Frank Creedon by Commander-in-Chief Louis E. Starr, Veterans of Foreign Wars, during a conference today.

Starr also called for continued limitation of nonhousing construction. He urged the allocation of basic raw materials to producers of materials for housing if any semblance of a veterans' housing program is to bring relief to veterans.

VFW's views are expressed in 12 points. They follow:

1. Continued rent control.

2. Guaranteed markets for new materials and producers of prefabricated and industrial houses.

3. Long-range, low-interest loans to builders of rental units.

4. Limitation on nonresidential construction.

5. Allocation of basic raw materials now in short supply into housing materials.

6. Special assistance to building-material producers in securing equipment and machinery.

7. Limitation to one completed bathroom for new homes.

8. Limitation to 1,500 square feet floor areas in new construction.

9. Requirement that housing construction must be limited to year-round occupancy; eliminating beach homes, pleasure resorts, etc.

10. Consider lifting ceilings on new rental construction to stimulate large-scale development.

11. Veterans' preference on new homes for sale or rent should remain in effect if we are to have a veterans' emergency program.

12. Sales prices on HH priority-constructed homes should continue as protection to veterans who have made deposits and agreed upon sales and terms.

AMVETS OF WORLD WAR NO. II

WASHINGTON, D. C., March 7.—The AMVETS today announced general support of Frank R. Creedon, Housing Expediter, in his efforts to continue channeling scarce material into veterans housing; to prohibit the construction of large-size luxury mansions during the acute housing shortage; to limit nonhousing construction; to retain veterans' preferences; to retain sales prices and rent ceilings on HH priority-constructed houses.

However, in the belief that rent ceilings on new houses are already too high to be of assistance to the great mass of veterans and in an effort to expedite new construction, AMVETS National Commander, Ray Sawyer announced that the AMVETS national executive committee had voted in favor of removing rent ceilings on newly constructed houses and apartments.

The announcement followed a conference between Mr. Creedon and his staff and the AMVETS, national commander, accompanied by Allen P. Solada, executive director, Robert L. McLaughlin, legislative director; and Roscoe L. Barrow, chairman of the AMVETS national housing committee.

AMERICAN VETERANS COMMITTEE (AVC)

WASHINGTON.—Franklin D. Roosevelt, Jr., national housing chairman of the American Veterans Committee (AVC), today attacked the proposal of the National Association of Home Builders that all housing controls be removed "as an indication that this group is not interested in constructing the type of low-cost housing veterans need."

In reply to a request from Housing Expediter Frank Creedon for AVC's recommendations on retention of existing controls, Roosevelt said: "The AVC believes that in the face of the continuing housing emergency all controls which aid in the construction of housing at minimum price levels must be retained. We feel that the following controls fall into this category:

"1. The construction order which limits nonresidential construction. This is one of the most important of existing controls. It is reported that over-all building costs are up 86 percent over 1939 and have reached an all-time peak. If the present limitation on nonresidential construction is lifted, nearly all builders would turn to the more profitable commercial construction.

"2. The allocation of such basic raw materials as pig iron to producers of building materials in critically short supply.

"3. Special assistance to building-materials producers in securing necessary equipment and machinery.

"4. Limitation to one completed bathroom.

"5. Limitation to a total floor area of 1,500 square feet.

"6. Requirement that housing be suitable for year-round occupancy.

"7. Rent ceilings on new construction. As housing officials have pointed out, removal of these ceilings would not result in additional construction but would mean exorbitant rentals.

"8. Veterans' preferences.

"9. Sales prices and rent ceilings on HH priority constructed houses.

"10. Guaranteed market provisions."

Roosevelt said that AVC concurred in the statement of Mr. Creedon that the controls remaining in effect should be maintained to prevent a mad scramble by the entire building industry for scarce materials and labor.

"If we are to obtain the goal of 1,000,000 houses for 1947, every aid must be given to the housing builder," Roosevelt said. "Not only must existing controls be retained but a determined effort must be made to find ways and means of bringing down construction costs. A recent survey by the Wall Street Journal indicates that builders are curtailing their programs up to 90 and 95 percent because of current record high costs. Any action which would further increase

housing costs is a direct blow at the homeless veteran."

Roosevelt said that a minimum housing program for veterans included retention of existing controls, continuation of rent controls for another year, and speedy passage of the Wagner-Ellender-Taft housing bill.

Roosevelt's recommendations were presented to the Housing Expediter today by Chat Paterson, AVC's national legislative representative. The recommendations of the VFW, Legion, AMVETS, and DAV were also presented to Mr. Creedon this week in response to his request for the attitudes of the five major veterans' organizations on the proposal of the National Association of Home Builders that all controls be removed.

OFFICE OF THE HOUSING EXPEDITER

MARCH 9, 1947.—Housing Expediter Frank R. Creedon said today that any doubt or uncertainty as to whether the veterans' organizations want the present housing program continued in full force and effect has been removed as the result of conferences he has just held with the heads of the five major veterans' organizations or their representatives.

Mr. Creedon met individually this week with National Commander Paul M. Griffith, of the American Legion; Commander in Chief Louis E. Starr, of the Veterans of Foreign Wars; National Commander Ray Sawyer, of the American Veterans of World War II; Chat Paterson, representing National Chairman Charles G. Bolte, of the American Veterans Committee; and Earl G. Hendrick, representing National Commander Lloyd F. Oleson, of the Disabled American Veterans.

"I asked them to meet with me to clear up uncertainties that arose recently over conflicting reports as to the attitude of the veterans' organization toward the housing program," Mr. Creedon said. "The conferences were set up as a result of a letter I sent to the heads of the veterans' organizations, in which I stated that recent industry recommendations and the statements of members of some of the veterans' organizations indicated they favored the removal of sales price ceilings on National Housing priority-constructed houses. I further pointed out that some industry members favored removing all housing controls still in effect.

"In the letter I called attention to the fact that housing controls have been relaxed whenever I deemed that the changing situation warranted such action, but that some proposals were directed at the elimination of all controls.

"I then listed nine basic controls and restrictions still in force, and wrote the heads of the veterans' organizations that I would like very much to have their comments and recommendations on each of these controls; and I stated, further, that I would like to discuss these matters with each of them individually.

"My purpose, of course, was to determine beyond any question whether each of the veterans' organizations wanted the program continued in its present form, or whether it thought certain of the existing controls should be continued and others dropped, or whether it recommended abandoning the entire program.

"Their answers were unequivocal. All five of the organizations made it clear that they wanted the present program continued as is.

"Mr. Griffith of the Legion urged the retention of all nine points. He urged me to maintain rigid controls on all nonhousing construction, and stated that Congress should provide funds to some governmental agency to control this type of construction as well as to administer the allocation of raw materials to manufacturers of scarce building materials. He said the one completed bathroom control should be continued until the supply of bathroom fixtures comes somewhere near demand; that the 1,500-square-foot limitation should be continued, because, he said, its elimination would result in the construction of fewer homes; and that the year-round occupancy control should be retained to prevent an unnecessary drain on materials and labor for purely seasonal houses. Mr. Griffith said rent ceilings on new construction should be continued, because, he said, FHA's rent formulas provide a fair return on their investment.

"Mr. Starr of VFW favored retention of eight of the nine points and added three of his own—continued rent control on existing homes, guaranteed markets for new materials and producers of prefabricated and industrial homes, and long-range, low-interest-rate loans to builders of rental units. He questioned only one of the points—ceilings on new rental construction—and suggested I consider lifting it if such action would stimulate the construction of rental housing.

"Mr. Sawyer of AMVETS announced support of his organization on eight of the nine points. In the case of rent ceilings on new housing, he said that AMVETS' national executive committee had already taken action in favor of removing rent ceilings on newly constructed houses and apartments.

"Mr. Patterson of AVC and Mr. Hendrick of the DAV urged continuation of the entire program, strongly endorsing all nine points.

"These conferences with the veterans' organizations have been most helpful in clarifying the atmosphere. There is no longer any doubt that the veterans' organizations want a housing program nor is there doubt as to what kind of program they want. On the basis of their recommendations, I as Housing Expediter intend to continue as long as necessary the existing programs on which there was unanimity of opinion on the part of the veterans' organizations. The whole subject of rent control is before Congress. Consequently, rent ceilings on new construction will be retained pending consideration of this matter by the Congress."

The 9-point control program on which the veterans organizations were asked to comment and make recommendations point-by-point follows:

1. The construction limitation order which restricts nonresidential construction.
2. The allocation of a few basic raw materials, such as pig iron, to producers of building materials in critically short supply.
3. Special assistance to building materials producers in securing necessary equipment and machinery.
4. Limitation to one completed bathroom.
5. Limitation to a total floor area of 1,500 square feet.
6. Requirement that housing be suitable for year-round occupancy.
7. Rent ceilings on new construction.
8. Veterans' preference.
9. Sales prices and rent ceilings on HH priority-constructed houses.

SPEECH OF HOUSING EXPEDITER FRANK R. CREEDON AT THE FOURTH ANNUAL CONVENTION OF THE NATIONAL ASSOCIATION OF HOME BUILDERS, HOTEL STEVENS, CHICAGO, ILL., FEBRUARY 25, 1947

I have heard it stated that the 12,000 members of this association build more than three-fourths of the homes and apartments erected each year in America. Next to the veteran searching for a place to live, you are the group most vitally concerned with the housing outlook. I have been Housing Expediter now for about 2 months. I think it most opportune that I am permitted to talk to you at this time and I wish to thank you for inviting me here.

I shall try to explain the actions I have taken since I assumed office and to tell you what I see the outlook to be for the balance of this year. All of the policies of the Office of the Housing Expediter are being formulated in an atmosphere of an orderly retreat from war. The Nation is fast approaching a return to a free, unfettered economy. The administration is directing its energies toward this goal.

Within this general spirit of decontrol, and within 48 hours after I assumed office, I eliminated the sales price ceiling on new houses, except those constructed with the aid of HH priorities. I eliminated the complex priority system, and the even more complicated schedule B to Priorities Regulation 33. I substituted a simple permit system authorizing construction. I rescinded the regulation which prohibited nonveterans from building for their own occupancy. I believed this prohibition to be undemocratic—and I know that it prevented many homes being started. I changed the former $80 per month rental ceiling on apartment housing to a ceiling of an average of $80 per month. Statistics indicate that this average ceiling is sufficient for almost every section of the country. However, just a few days ago, as Housing Expediter, I authorized the Federal Housing Administration to raise the $80 average shelter rent to a maximum of approximately $30 to $32 per month, per room, including service charges, in the very large metropolitan areas where hardship would result from inability to build under the $80 average rent ceiling.

I recently issued instructions to relax the provision that a builder must hold each and every house in a project for purchase by a veteran for a period of 60 days after its completion. This revision is covered by FHA Bulletin H. P. S. 13, dated February 13, 1947.

Also, I have just issued instructions to permit the sales prices of dwellings, built with HH priorities, to be increased beyond the previously imposed ceiling of $10,000 (and $17,000 for two-family dwellings) to cover the increased cost of highly desired conveniences previously omitted in order to keep costs within these ceilings. This revision is covered by FHA Bulletin H. P. S. 15, dated February 18, 1947.

I believe it appropriate at this time to mention the premium-payment program which played its part in increasing the production of certain building materials in short supply. This program lost much of its effectiveness with the removal of price controls. We have carefully reviewed the program and have already reduced the total number of plans in effect from 11 to 4. Of these four, two are scheduled to terminate March 31—housing nails and timber cruising teams. This leaves only the premium-payment plans on merchant pig iron and cast iron soil pipe, both of which expire on June 30. These two plans can and will be extended if it is determined that without them housing will suffer. The premium-payment plans have been important tools in getting record or near-record increases in the shortest possible time on several of the most critical building materials.

Another important factor in obtaining the large increase in many critical building materials thus far achieved has been Government allocation of basic raw materials to manufacturers of certain building products. It is highly important that the supply of these basic raw materials be continued. I intend to see that they are continued either by Government directive or by voluntary agreements reached between the Government and the manufacturers of these basic raw materials. As an example of a voluntary agreement just entered into, I am pleased to announce that the steel industry has agreed, on a voluntary basis, to supply approximately the same tonnage of steel to the same end product building items for each of the remaining quarters of 1947, as the industry did in the first quarter of 1947.

To stimulate the construction of rental housing projects, both large and small, the

FHA is offering liberalized provisions and incentives to builders of rental housing. FHA now insures mortgages on rental housing projects up to 90 percent of current costs, including land. FHA estimates that with an insured mortgage loan an efficient operator may recover through the mortgage substantially all of his cash expenditure. As a further incentive to operators in establishing initial rentals, FHA authorizes an anticipated net return of 6½ percent, with a 7 percent vacancy allowance. With the 100-percent occupany which can reasonably be expected for several years, the operator will actually be getting a substantially higher net return. As I stated earlier, where the $80 average rent ceiling prohibits rental construction in the very large metropolitan areas, I have authorized FHA to make special administrative exceptions on the basis of hardship.

The Bureau of Internal Revenue has entered the picture to permit accelerated depreciation of rental-housing projects for income tax purposes. As an additional aid, the FHA has simplified requirements as to application forms, preliminary drawings, specifications, and exhibits. In fact, FHA is maintaining a continuous study of ways and means to cut red tape for builders. In this connection, I would like to point out that FHA has recently instructed its field offices that FHA minimum property requirements for multifamily dwelling units are to be used as guides only.

I have recited these actions as proof positive that I do not retain any controls just for controls' sake, and also as assurance that I intend to lift the remaining controls at the earliest possible moment consistent with the aims of the housing program and with proper consideration for the economy of the country as a whole.

Despite the anxiety and wholesome desire of everyone to be free of Government controls, we should not lose sight of the fact that Government controls were imposed for a worthy purpose. That purpose was to win the war. I do not believe any single one of you would deny the effectiveness of controls in achieving that purpose. The controls remaining in effect are being maintained because I believe that without these controls there would result a mad scramble by the entire building industry for scarce materials and labor. The net result would be not only a great number of uncompleted construction projects, but a great number of uncompleted dwellings, with the result that homes which are already costing too much to build would cost a great deal more. In our desire to remove controls, we should not lose sight of the purpose of controls and we should not remove any control if, by removing, we sacrifice the purpose for which the control was established.

Now, let's take a look at these controls which we have kept and see what they are and the reasons why we are keeping them.

Veterans' preference, except for the modification previously mentioned, will be maintained for houses and apartments built during 1947. You are familiar with this preference. It requires that houses be held for veterans' purchase during construction and for 60 days after completion and that rental units be offered to veterans exclusively for 30 days in the same manner. I do not believe anyone here will quarrel with that control, as modified. Moreover, it is required under the Patman Act.

We are maintaining the limitation on nonresidential construction, otherwise known as VHP–1. We have recently raised the limit, as you know, from $35,000,000 per week to $50,000,000. The chief reason for this raise in the limit was the increase in material and labor costs. We do not intend to increase this $50,000,000 limit until the material and labor situation justify a change. During the period from March 24, 1946 when VHP–1 was put into effect, to February 1, 1947, a total of $2,000,000,000 in nonresidential construction was denied. I do not think that there is a man in this room who believes that the 1947 housing program would have the chance that it needs and deserves if this tidal wave of nonresidential construction was allowed to sweep over the country. Not only would the materials situation become utterly chaotic, but the bidding for labor and building materials would end in costs spiralling upward.

We will continue the square-foot limitation on the size of houses. The only purpose of this restriction is to prevent the construction of luxury-type houses which use a disproportionate amount of material and labor. To eliminate this restriction could not but result in a lesser number of families housed by new construction. The further limitation of one completed bathroom to a house is for the purpose of spreading the available supply of bathroom fixtures over a greater number of dwelling units. In the recent survey conducted by your association, plumbing fixtures were listed as the fourth most serious bottleneck in the building-material field. I will be very happy to eliminate this control just as soon as I can be assured that the supply of bathroom fixtures comes somewhere near the demand.

I do not believe that these remaining controls, onerous as they may seem in specific instances, when viewed in the light of the purpose for which they are imposed, can be said to be anything but helpful to the housing program, and you, even more than I, who live with the problem from day to day, can well recognize that fact.

Your performance last year was truly remarkable, all things considered. You started over 630,000 new, conventional homes and completed nearly 450,000. Building material supplies have made phenomenal gains. Present indications are that there will be building material enough for starting and completing about 1,000,000 homes in 1947, providing the program outlined above is adhered to. I have every confidence that you, you home builders, will achieve the recognized needed objective of 1,000,000 homes and apartments under construction this year.

The main emphasis will be and should be on the construction of a huge volume of rental housing. Surveys by the Census Bureau, Veterans' Administration, other Government agencies, and by private groups, have all shown that the great majority of veterans are unable financially to undertake the purchase of a home in today's market. Most veterans are young, many are still in school. Others are in job training and many have not yet selected the community in which they will settle permanently.

While I am optimistic about the housing outlook, I do not want any of you to think that we are without further problems or that the housing situation is practically solved. Far from it—the building material and labor situations are still serious problems, but I do believe that the cost of building materials, and more particularly the cost of construction, during the coming months will level off if they do not actually decline. It is my firm belief that the 1947 housing program is more your program than it is the Government's. It is up to you to get homes and apartments built for veterans. The home building industry has its big chance in 1947. I repeat that I have relaxed or eliminated practically all controls that have hindered you in the past. I am retaining only those controls without which you would not have even the share of scarce materials and labor that is available to you today.

You and I, you as the home builders of the Nation—I, as Housing Expediter within the framework of the Patman act, have as yet an unfulfilled obligation to the men and women who served their country in time of war. You have proven your ability to overcome obstacles in the past. Working together, I know you can and will build more houses and apartments in 1947 than were ever before built in a similar period.

The CHAIRMAN. General debate having been concluded the Clerk will read the bill for amendment.

The Clerk read down to and including line 7, page 1.

Mr. CANFIELD. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MICHENER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 2436) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1948, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. JOHNSON of California (at the request of Mr. CANFIELD) was given permission to extend his remarks in the RECORD and include an editorial.

Mr. ANDERSON of California (at the request of Mr. CANFIELD) was granted permission to extend his remarks in the RECORD and include an address by the Secretary of the Navy.

Mr. PLUMLEY (at the request of Mr. CANFIELD) was granted permission to extend his remarks in the Appendix of the RECORD.

Mr. STEFAN (at the request of Mr. CANFIELD) was granted permission to extend his own remarks in the RECORD.

PERMISSION TO FILE MINORITY VIEWS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. SMITH] may have until midnight tonight to file minority views on the bill H. R. 2413.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that in connection with the remarks I made in Committee of the Whole this afternoon I may include a letter from Mr. Creedon, Housing Expediter, a summary of conclusions reached by veterans' organizations, press releases by the major veteran organizations on the housing question, and an address delivered by Mr. Creedon on the Housing Act.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

Mr. SARBACHER asked and was given permission to extend his remarks in the RECORD and include a copy of the resolution adopted by the Philadelphia Sports Writers Association.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—OFFICE OF SELECTIVE SERVICE RECORDS (H. DOC. NO. 168)

The SPEAKER laid before the House the following message from the President of the United States which was read by the Clerk and, together with accompanying papers, was referred to the

Committee on Armed Services and ordered printed:

To the Congress of the United States:

In my message of March 3, 1947, to the Congress, I recommended that there be no extension of the Selective Training and Service Act at this time. Because I am confident that the Congress and the Nation stand ready both now and in the future to take such action as may be necessary to assure the security of the Nation, and because there are now reasonably good prospects of maintaining at adequate strength the Army and Navy without resort to selective service, I believe we can liquidate the Selective Service System, except for its records. Since the act expires on March 31, 1947, we are faced with the immediate need of providing for the consolidation and preservation of records and providing for liquidation of the Selective Service System.

In order to provide for the orderly and expeditious liquidation of the Selective Service System, and to take care of storage and servicing of the records of the System, I recommend the establishment of an Office of Selective Service Records. It will be the duty of this office to begin immediately the liquidation of all local board offices, and to centralize at suitable locations in each State the valuable accumulation of records for safekeeping, in the event such records are needed in the future. It would not be the part of wisdom to destroy such records until their value has disappeared.

In the immediate future there are certain values to the veterans themselves and to the Nation in retaining and servicing the records apart from reasons of national security. During the last 6 months of 1946, the Selective Service System complied with more than 1,000,000 requests from State and Federal agencies for information about veterans. A large number of these requests were in the interest of veterans as individuals. It is desirable to continue to make use of the records in this manner, while at the same time assuring that the confidential nature of these records should not be violated.

I recommend, therefore, the enactment of a law providing for:

(1) The establishment of an Office of Selective Service Records which will (a) liquidate the Selective Service System, and (b) establish and maintain Federal record depots in the several States, the District of Columbia, and the Territories and possessions of the United States.

(2) Transfer to the Office of Selective Service Records all property, records, personnel, and unexpended balances of appropriations of the Selective Service System; and

(3) The continuance of the confidential nature of selective service records transferred to the Office of Selective Service Records with a provision for penalties for violations thereof.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 10, 1947.*

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 30 minutes.

LILIENTHAL—COMMUNISM SMEAR TECHNIQUE AND BASIC TRUTHS ON ATOMIC ENERGY

Mr. HOLIFIELD. Mr. Speaker, I asked for this 30 minutes to present some remarks on the confirmation of Mr. Lilienthal, to comment on the misuse of the word "communism" as a smear technique, and to present certain basic truths on atomic energy. However, due to the lateness of the hour, I am going to ask to be allowed to extend my remarks at this point and to include at certain points in my address certain corollary information:

First. A list of witnesses testifying in confirmation of and in opposition to Mr. Lilienthal.

Second. An excerpt from Mr. Lilienthal's testimony; and

Third. Some basic facts on atomic energy as compiled by the National Committee on Atomic Energy.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, the use of the two atomic bombs on August 6 and 9, 1945, over the two industrial cities of Japan, Hiroshima and Nagasaki, brought to the realization of the people of the world the fact that a new and terrible type of warfare was possible. A destructive element had been brought into play which was a thousandfold greater than any previous element used in warfare between nations. During the year which followed, thoughtful men became greatly concerned with the question of how this great force could be controlled. It was obvious that two phases of control would be necessary; first, control on the domestic plane in each nation; and second international control which to be effective, would, of necessity, require the cooperation and participation of every nation in the world which possessed industrial facilities and scientific knowledge. When the Seventy-ninth Congress convened on September 5, just 1 day after the formal surrender of the Japanese, a bill was presented in the House and in the Senate to establish methods of atomic control and procedure on the domestic level. This bill, H. R. 4566, commonly called the May-Johnson bill, was referred to the House Committee on Military Affairs, of which I was a member. Only perfunctory hearings were held, lasting a total of 3 or 4 days. With the exception of two scientists, Dr. Leo Szilard and Dr. Harold Anderson, both physicists who had important duties to perform in the development of the bomb, the balance of the witnesses were proponents of the bill. The bill was reported favorably out of committee despite the protests of the gentleman from Illinois, Congressman MELVIN PRICE, and myself. The gentleman from Illinois, Congressman PRICE, and I prepared the dissenting report which was filed against the bill. The May-Johnson bill languished in the Rules Committee until the following June 1946. At that time S. 1717 was passed. It set up a special committee for the proper consideration of this important subject. Extensive hearings were held extending over a period of 8 months. The most important scientists, industrialists, educational and civic leaders in the United States were given ample opportunity to discuss all phases of the complicated legislation. As a result of this very proper handling of this important legislative matter, a bill was reported unanimously.

It is interesting to note that among the provisions which were not contained in the May-Johnson bill, but were included in S. 1717, were principles which Congressman PRICE and I had recommended in our dissenting report some 8 months previous. These principles were: First, the Commission should be composed of full time, well-paid members; second, the Administrator should be a civilian; and, third, the Government should be the exclusive producer and owner of plutonium and other fissionable materials. Senate bill 1717 was finally passed by both Houses and signed by the President and is now the law which establishes our policy in regard to domestic use of atomic energy. Pursuant to the conditions contained in this bill, the President appointed a five-man civilian Commission. These men are outstanding Americans. They have outstanding qualifications. I submit here a list of their names:

Summer T. Pike, businessman and broker, formerly of Stone and Webster in Boston and with Wall Street's Pomeroy & Co., having more lately served as Republican member of the Securities and Exchange Commission until he resigned a year ago.

William W. Waymack, editor of the Republican Des Moines Register and Tribune, and member of the board of directors of the Chicago Federal Reserve Bank.

Lewis L. Strauss, who rose to rear admiral in the Naval Reserve and who was a partner in Kuhn, Loeb & Co., bankers.

Robert F. Bacher, physicist, formerly head of Nuclear Research at Cornell University and one of the natural scientists who assembled the first atomic bomb, and David E. Lilienthal, former Administrative Director of TVA.

Mr. Lilienthal was appointed Chairman of the Atomic Energy Commission. The Commission was appointed on November 1, 1946. During the past 4 months, it has been busily engaged in acquainting itself with its duties and in formulating plans to comply with the legislation which Congress passed, Senate bill 1717.

It was assumed that the President's appointments would be approved without great delay in view of the fact that such outstanding personnel had been selected by the President and in view of the great urgency presented to the people of the United States by the discovery of atomic energy, and the necessity of further research and development of this great discovery. On June 1, the Army, which had been in charge of all atomic energy control, relinquished its jurisdiction of the great Manhattan project to this Commission. Since January 1, 1947, therefore, the Atomic Energy Commission, although not formally approved, has been in actual charge of this $2,500,000,000 nationally owned project. They have had access to all the secret facilities and information regarding this project.

They have had the responsibility of management of this great project and of maintaining security of information regarding the atomic bomb. The delay in approval has been a serious detriment to the American people. It has been impossible for the Commission to proceed with long-range plans for development, for contracts, for research, for location of uranium deposits, and experiments in peacetime adaptation of atomic energy. An effort has been made on the part of the Commission to keep the machine running. This effort has been partially successful, but it has been far from achieving the results which would have been achieved had the Commission been established promptly by approval as required by law.

The chairman of the Joint Committee on Atomic Energy Legislation invited the House Members to attend the hearings in order that they might be acquainted with the testimony and the procedure adopted. At this point I want to pay a very sincere compliment to the chairman and the members of the committee. The hearings have been conducted with fairness and impartiality by the chairman. The chairman has exercised unusual patience in permitting one of his colleagues to participate at great length in the cross-examining of witnesses. The long-standing feud against the former Chairman of the TVA, Mr. Lilienthal, is too well known to the Members of Congress to be the occasion of elaboration. Suffice it to say that the cross-examination of Mr. Lilienthal has been lengthy and tiresome to many of the listeners. The witnesses called to testify in opposition to Mr. Lilienthal have been lacking in ability to impress the members of the committee, the press correspondents, and the general public. They have been, in most instances, mediocre and lacking in background of national importance. Their testimony has not been convincing. On the other hand, some of the most important industrialists, scientists, religious, and business leaders of the United States have appeared in favor of Mr. Lilienthal.

I submit here a list of witnesses testifying in support of Mr. Lilienthal's confirmation, and also witnesses testifying against his confirmation, which was printed in the March 3 issue of the Washington Post:

WITNESSES TESTIFYING IN SUPPORT OF CONFIRMATION

(In the order in which they appeared before the committee)

John M. Hancock, New York, N. Y. Partner, Lehman Bros.; director, various large corporations; associated with B. M. Baruch on atomic energy plans.

Bernard M. Baruch, New York, N. Y. Industrialist and financier; United States representative to United Nations on atomic energy control.

Dr. James Bryan Conant, Cambridge, Mass. President, Harvard University; special consultant on Manhattan District project.

Dr. Vannevar Bush, Washington, D. C. President, Carnegie Institute of Washington; director, Office of Scientific Research and Development; chairman, Joint Research and Development Board of the Army and Navy.

Congressman Joe Starnes, Guntersville, Ala. Former Member of Congress, Fifth Congressional District, Alabama; member throughout its existence, Special House Committee on Un-American Activities.

Dr. Karl Taylor Compton, Cambridge, Mass. President, Massachusetts Institute of Technology; chairman, Joint Chiefs of Staff Evaluation Board, atomic bomb tests.

Henry H. Fowler, Washington, D. C. Practicing attorney, former attorney, TVA staff.

Hon. Robert P. Patterson, Washington, D. C. Secretary of War.

Chester I. Barnard, Newark, N. J. President, New Jersey Bell Telephone Co.; member, State Department Board of Consultants on Atomic Energy.

Rev. Thomas E. O'Connell, Richmond, Va. Past president, Catholic Committee of the South.

Bishop E. H. Hughes, Chevy Chase, Md. Senior bishop, Methodist Church; formerly president, De Pauw University.

Harry A. Winne, Schenectady, N. Y. Vice president in charge of engineering policy, General Electric Co.; member, Board of Consultants, State Department Committee on Atomic Energy.

Charles A. Thomas, St. Louis, Mo. Vice president in charge of research and development, Monsanto Chemical Co.; member, State Department Board of Consultants on Atomic Energy.

Barrett C. Shelton, Decatur, Ala. Publisher, Decatur Daily News.

R. W. Bishop, Guntersville, Ala.

Louis A. Eckl, Florence, Ala. Editor, Florence (Ala.) Times and Tri-Cities Daily.

H. E. Monroe, Huntsville, Ala. President, Chamber of Commerce.

Thomas McCroskey, Knoxville, Tenn. Retired farmer.

Joseph H. Lane, Chattanooga, Tenn. President, Cavalier Corp.

Fred C. Schlemmer, Chattanooga, Tenn. Peerless Woolen Mills.

L. J. Wilhoit, Chattanooga, Tenn. Southern Dairies, Inc.

George H. Wright, Sweetwater, Tenn. Vice president, Tennessee Retail Hardware Dealers Association.

A. E. Walthall, Athens, Tenn. Athens Rolling Mill and Taylor Implement Manufacturing Co.

S. R. Finley, Chattanooga, Tenn. General superintendent, Electric Power Board of Chattanooga.

William L. Batt, Philadelphia, Pa. President, SKF Industries, former vice chairman, WPB.

WITNESSES TESTIFYING IN OPPOSITION TO CONFIRMATION

(In the order in which they appeared before the committee)

L. T. Bolt, Jr., Knoxville, Tenn. Practicing attorney, formerly attorney, TVA staff.

Jack Comer, Knoxville, Tenn. Practicing attorney, former TVA mimeograph operator.

Dr. Arthur E. Morgan, Yellow Springs, Ohio. Former chairman, TVA, retired.

Agnes Waters, Washington, D. C. Housewife.

James L. Smith, Knoxville, Tenn. Former chief, TVA Central Files Section.

Frank M. Farris, Nashville, Tenn. President, Third National Bank.

Mrs. Margaret Hopkins Worrell, Washington, D. C. Women's Patriotic Conference on National Defense.

Probably one of the most regrettable parts of the Atomic Energy Commission hearings has been the attempt to prove that Mr. Lilienthal is a Communist. The custom of smearing people of good character with charges of "communism," "Red fascism," and "radical," and the attempt to include within the opprobrium of these epithets, "progressive," "liberal," "New Dealer," is in my opinion, one of the most dangerous practices in contemporary American politics. It is a tactic which was used in the 1946 campaign with some success by Republican candidates for national office. But temporary political success obtained by "red baiting" and "red smearing" people of progressive, social, economic, and political beliefs, with rabble-rousing epithets, will pale into insignificance alongside the danger to democracy inherent in these practices. "Red baiting" and "red smearing" charges against progressive-thinking people who believe in solving the social and economic problems of our democracy by constitutional means and by constitutional evolution, are dangerous. The reason they are dangerous is because they seek to discredit the proponents of progress by an epithet which prejudices the minds of unthinking or easily swayed persons. It seeks to accomplish an end by appealing to hysteria rather than by the exercise of reason and logic. This was the method used by Hitler to defeat his opposition during the days when the Nazi Party was rising to power in Germany. The people who opposed Hitler were labeled "Communist" regardless of whether the charge was true or not. By labeling his opponents with the group charge of "communism," he discredited and destroyed the democratic elements in the German Nation. His theory, as explained in Mein Kampf, was to tell a colossal lie and repeat it often enough until the people believed the lie to be the truth. This is the technique of Himmler and Goebbels. It is the propaganda base upon which nazism and fascism were built. It is a peculiarly dangerous type of character assassination, when used by a Member of the United States Congress under the conditions of immunity from libel which a Representative or a Senator possesses. The charge of "communism" when hurled from a congressional committee seat or a legislative rostrum, should be made only when actual proof of such affiliation is concurrently presented. The custom of some Members of the Congress in grouping sincere and honest people who differ with them in regard to the method of how to solve social and economic problems with Communists, is a dangerous procedure. Not only is it dangerous but it is a cowardly method of character assassination against which the private individual has little or no recourse. Such charges, once printed in the CONGRESSIONAL RECORD, even though unfounded and unproven, can be referred to, quoted, and reprinted for the remainder of the individual's life by his personal or political enemies.

The charges of communism against Mr. Lilienthal were unfounded and were not proven by the testimony presented to the Atomic Energy Committee. After days of harassment and persecution, which Mr. Lilienthal submitted to in a patient manner, he finally, after an unusually vicious attack upon his patriotism, burst forth with an impromptu, but most impressive, exposition of his belief in democracy and its meaning to him. Mr. Speaker, under unanimous consent, I include at this point a portion of Mr. Lilienthal's remarks on this subject. In my opinion, this credo of democracy which was voiced by Mr. Lilienthal is destined to go down in history as one of

the great patriotic expressions of our time. When questioned as to his political philosophy, Mr. Lilienthal said:

I will do my best to make it clear. My convictions are not so much concerned with what I am against as what I am for; and that excludes a lot of things automatically.

Traditionally, democracy has been an affirmative doctrine rather than merely a negative one.

I believe—and I conceive the Constitution of the United States to rest upon, as does religion—the fundamental proposition of the integrity of the individual; and that all Government and all private institutions must be designed to promote and protect and defend the integrity and the dignity of the individual; that that is the essential meaning of the Constitution and the Bill of Rights, as it is essentially the meaning of religion.

Any form of government, therefore, and any other institutions which make men means rather than ends, which exalt the state or any other institutions above the importance of men, which place arbitrary power over men as a fundamental tenet of government are contrary to that conception, and, therefore, I am deeply opposed to them.

The communistic philosophy as well as the communistic form of government fall within this category, for their fundamental tenet is quite to the contrary. The fundamental tenet of communism is that the state is an end in itself, and that therefore the powers which the state exercises over the individual are without any ethical standards to limit them.

That I deeply disbelieve.

It is very easy simply to say that one is not a Communist. And, of course, if my record requires me to state that very affirmatively, then it is a great disappointment to me.

It is very easy to talk about being against communism. It is equally important to believe those things which provide a satisfying and effective alternative. Democracy is that satisfying, affirmative alternative.

Its hope in the world is that it is an affirmative belief, rather than being simply a belief against something else and nothing more.

One of the tenets of democracy that grows out of this central core of a belief that the individual comes first, that all men are the children of God, and that their personalities are therefore sacred, carries with it a great belief in civil liberties and their protection, and a repugnance to anyone who would steal from a human being that which is most precious to him—his good name—either by imputing things to him by innuendo or by insinuation. And it is especially an unhappy circumstance that occasionally that is done in the name of democracy. This, I think, can tear our country apart and destroy it if we carry it further.

I deeply believe in the capacity of democracy to surmount any trials that may lie ahead, provided only that we practice it in our daily lives.

And among the things we must practice is that while we seek fervently to ferret out the subversive and antidemocratic forces in the country, we do not at the same time, by hysteria, by resort to innuendo, and smears, and other unfortunate tactics, besmirch the very cause that we believe in, and cause a separation among our people—cause one group and one individual to hate another, based on mere attacks, mere unsubstantiated attacks upon their loyalty.

I want also to add that part of my conviction is based on my training as an Anglo-American common-law lawyer. It is the very basis and the great heritage of the English people to this country, which we have maintained, that we insist on the strictest rules of credibility of witnesses and on the avoidance of hearsay, and that gossip shall be excluded, in the courts of justice. And that, too, is an essential of our democracy.

Whether by administrative agencies acting arbitrarily against business organizations, or whether by investigating activities of legislative branches, whenever these principles fail—these principles of the protection of an individual and his good name against besmirchment by gossip, hearsay, and the statements of witnesses who are not subject to cross-examination—then, too, we have failed in carrying forward our ideals in respect to democracy.

That I deeply believe.

The pin-drop silence which had obtained throughout Lilienthal's remarks lasted several moments more.

Then a quiet voice said, "That was the statement of a very real American."

The Atomic Energy Committee approved today, by a vote of 8 to 1, the appointment of Mr. Lilienthal and the other members of the Atomic Energy Commission. Senate bill 1717 provides that "members of the Commission shall be appointed by the President, by and with the advice and consent of the Senate." That consent is now pending. It is sincerely hoped that such consent will not be further delayed and that the opposition to Mr. Lilienthal will withdraw so that our great atomic-energy project can function freely.

Mr. Speaker, under unanimous consent, I ask that at this time certain basic facts regarding atomic energy, as compiled by the National Committee on Atomic Energy, be included in my remarks:

ATOMIC ENERGY HAS OPENED A NEW ERA FOR MANKIND

The prehistoric man who first lit a fire opened a new era. But he never imagined a blast furnace.

When James Watt discovered the power of steam he started something which transformed the ways of men. But he never imagined the *Queen Elizabeth*.

Even wise old Benjamin Franklin, who experimented with electricity, had no idea this force would light cities and bring one voice to a million homes.

We likewise cannot imagine how atomic energy can change our ways and our world. What it may mean to you is sketched below.

New power, harnessed by man, means greater freedom. Your car brings you greater freedom. Splitting the atom gives us power so enormous it is hard to comprehend. For instance, the atomic energy in 1 pound of uranium is as great as the energy we obtain when we burn 1,300 tons of coal.

Such power can be used for either good or evil. It can either create or destroy.

The best minds agree that atomic warfare can destroy our kind of civilization. It might not destroy all civilization. As Dr. Einstein has suggested, enough intelligent people might be left to rebuild painfully and slowly. But, after such a catastrophe, it would not be the civilization we know now. And most of us would not live to see it.

One central fact about atomic energy is this: as soon as you start making it upon a significant scale you have the materials used for atomic bombs. As Mr. Baruch has pointed out, when you produce these materials you have gone 75 percent of the way to producing a bomb.

THE ATOMIC BOMB IS THE MOST DEVASTATING WEAPON EVER POSSESSED BY MAN

What happened at Hiroshima showed that one atomic bomb can kill 100,000 people. If a bomb were set off to inflict casualties instead of damage, its radiations could kill more than its blast. The more crowded the target area, the more would be killed The United States delegation to the Atomic Energy Commission estimates the destruction of the bomb as equal to that of 167 10-ton block busters. Its power is equal to 20,000 tons of TNT.

These figures mean that atomic bombs, despite their cost, are very cheap weapons in relation to the destruction they can do. As far as the vital heart of any city is concerned, one bomb can liquidate one city.

Future atomic bombs will become even more destructive as their efficiency is developed.

A few years from now it will be possible to send atomic bombs across oceans in rockets. Looking ahead, Dr. J. R. Oppenheimer has estimated that 40,000,000 Americans might be killed in one atomic attack.

THERE IS NO MILITARY DEFENSE AGAINST THE BOMB

Up to now, a means of defense has been created to meet every new offensive weapon. This has happened in the case of the rifle, the machine gun, the modern naval gun, the torpedo, the tank, and the bomber. But the defense was never complete. Each of these weapons killed many thousands in the war. Ask anyone who has been in an air raid.

Defensive measures finally stopped 90 percent of the V-1 flying bombs shot at London. But even then 10 percent got through. If they had carried atomic bombs, London would have disappeared. Even this very high degree of success in defense could not save a city from atomic destruction.

But the V-1's were unusually easy to stop. Defensive measures were not, on the average, nearly as successful against bombers. They had no success against the V-2 rocket.

They are not likely to be very successful against transoceanic rockets armed with atomic warheads. Like the V-2 these rockets might drop from the stratosphere at any place at any time at thousands of miles an hour. We cannot expect to perfect a defense which would stop even 90 percent. As the war showed again and again, actual experience with new weapons is required before effective defense measures can be improvised.

In this case the defense problem of stopping even one rocket appears exceedingly difficult, because the rocket would fall twice as fast as an antiaircraft shell goes up, and with only seconds or minutes warning of its approach. Defensive crews could not remain fully alerted year after year.

Defense would also be necessary against other forms of atomic attack, including sabotage. For example, atomic bombs could be brought into the country in small parts and secretely assembled in our cities. Or bombs could be secreted in merchant ships and blown up in our ports. It is hard to imagine a 100-percent defense against these methods of attack.

Foremost military authorities believe the principal military defenses against atomic attack would be (1) dispersion of our cities and industries and (2) all-out preparedness to counterattack. The cost of the first has been estimated at $300,000,000,000. It would decrease the casualties and destruction from an attack. But it must be remembered that an enemy could, at a fraction of this cost, increase greatly the power of the attack.

The second would tend to make an enemy fear to attack us. It might force him to use many of his bombs against military installations. But it would not help the people in cities which were attacked.

THE UNITED STATES IS HIGHLY VULNERABLE TO ATOMIC WARFARE

Most Americans live in cities. One-third of our people live in 199 cities of over 50,000 population.

We have the largest industrial plant in the world, highly concentrated in one section of the country.

For these reasons, experts say, we are more vulnerable to atomic attack than any other major country except England. We are likely to remain highly vulnerable. Quite apart from the staggering costs and economic

losses involved, dispersing our cities and industries or moving our more vital industries underground would require many years and would have only limited value.

This vulnerability is increased by our institutions and our form of government. Due to our freedoms and our habit of freedom, effective protection against atomic sabotage would be particularly difficult. Our Constitution provides that Congress must declare war. Our traditions and ethical standards would go far to preclude delegating power to the President to launch an attack upon a probable enemy before he actually struck at us.

THERE IS NO SECRET—ONLY A TEMPORARY MONOPOLY

The talk about keeping the secret has been phony from the start. All nations have the knowledge of the basic scientific facts of atomic energy which we had in 1941.

They also know vitally important things that we did not know then—that atomic fission is possible; that plutonium can be produced from U238; and that U235 can be separated successfully by four different processes.

What the secret really comprises now is primarily the engineering know-how. Some of this comes from actually doing the job. The rest comes from the high technical standards of our industry. Many other countries are now able to learn what is left of the secret by doing the job themselves.

We still have a monopoly of actual atomic production and bomb manufacturing. But that monopoly can be only temporary.

OTHER COUNTRIES CAN PRODUCE ATOMIC BOMBS

The necessary raw material, uranium, is scattered widely over the world. If the demand is sufficient, rich deposits are not necessary. Thorium, which can be used with uranium, is even more widely distributed.

In terms of destruction atomic bombs are cheap weapons. Their manufacture, although highly technical, does not require a huge plant or outlay. Production of atomic materials need not cost other countries anything like the $2,000,000,000 it cost us. Instead, they can concentrate on one process, for instance the plutonium process, which cost us only three hundred and fifty millions. We did that job regardless of cost under war conditions. They might do it much cheaper.

Authorities believe that any highly industrialized country, whether large or small, can make atomic bombs in a number of years if it is prepared to make the financial and economic effort. How long it would take would depend upon that effort plus industrial capacity and skills. Most estimates run between 3 and 10 years from last winter. It would be unwise to count on our present monopoly of atomic bombs lasting as much as 5 years from now.

Other nations may have bomb stock piles in perhaps 5 years. Actually the time involved might be less, only 4 or 3, if we fail to establish effective international control of atomic energy. Once stock piles of bombs had been started in other countries, they would grow steadily.

Such pyramiding stock piles of atomic bombs would breed the greatest fear mankind has ever known. This would be most extreme among the populations of cities, perhaps causing periodic panics. Every time international friction developed, the barometer of fear would rise.

One result would be large-scale movement out of cities. This would dislocate economic life and real-estate values. Indeed, such widespread fear might paralyze the normal workings of Government and undermine our democratic way of life. We all remember the restrictions imposed by Government controls during the war. Far more extensive Government controls would seem necessary in that kind of a peace.

Past experience shows that armament races lead toward war. An atomic armament race plus such a spread of fear and mass hysteria would lead toward, and could set off, an atomic war.

WORLD CONTROL OF ATOMIC ENERGY CAN END THE MENACE OF ATOMIC WAR

Although there is no effective military defense against the atomic bomb now and there is none in sight, there can be another kind of defense. That is a political defense. It can be achieved by setting up world control of atomic energy.

If no nation has atomic weapons, surprise atomic attack will be impossible.

The fear and danger of atomic war would then be reduced to a minimum. For effective world control of atomic energy would minimize the possibility of atomic war. Atomic attack would then become possible only if the control system broke down, allowing some nation to make atomic weapons.

WORLD CONTROL IS PRACTICABLE

The Acheson-Lilienthal Report set forth six essentials which, if fulfilled, would make a world-control system work. They were, in summary:

1. The plan must reduce the control problem to manageable proportions.

2. It must provide clear and reliable danger signals of any violations which might lead toward atomic war.

3. It must provide security if it works, yet must leave any nation such as the United States relatively secure if it breaks down.

4. It must not be wholly negative and police-like, but must be constructive, promoting the beneficial uses of atomic energy.

5. It must provide for meeting new dangers if they arise.

6. It must involve international action, and minimize international rivalry, in atomic development.

THE UNITED NATIONS IS SEEKING WORLD CONTROL

The United Nations Atomic Energy Commission, comprising the 11 nations on the Security Council and Canada, is now trying to establish world control of atomic energy.

This Commission was set up by the United Nations General Assembly, following earlier agreements between the United States, Britain, Canada, and Russia that world control was necessary. It met on June 14, 1946. Upon its success depends the future of mankind.

At the first meeting the American representative, Mr. Bernard M. Baruch, submitted comprehensive proposals for world control. These were based upon the Acheson-Lilienthal Report.

The central feature of these proposals was the creation by treaty of an international Atomic Development Authority. To this body would be entrusted all phases of the development and use of atomic energy.

The Authority would have either managerial control or ownership of all atomic activities which are potentially dangerous to security. It would also have power to control, license, and inspect all other atomic activities.

At a stage to be determined in the atomic treaty, the United States would stop manufacturing atomic bombs and dispose of all its existing bombs. Our temporary monopoly of atomic energy would then be transformed into a permanent monopoly of the Authority.

On September 26 the scientific advisers of the Commission adopted unanimously a report on the scientific and technical aspects of the problem of control. It concluded that world control was technologically feasible. While it did not recommend any particular system of control, it underlined the complexity of control. To this extent, it gave support to the American plans.

The Commission made its first report to the Security Council on December 30, adopted by 10 votes with Russia and Poland abstaining. Completing the first phase of the Commission's work, this report outlined its progress to date and submitted findings and recommendations.

The recommendations followed closely an American draft with some additions and changes. They included the following points:

There should be a strong and comprehensive international system of control and inspection set up by a treaty.

The treaty should establish an international Authority with power to carry out its duties and able to operate without any great power veto.

The Authority should be responsible for preventing the use of atomic energy for destructive purposes and for its control to the extent necessary to insure its use only for peaceful purposes.

It should have positive research and development responsibilities in order to remain in the forefront of atomic knowledge and should have power to make decisions governing national atomic energy agencies.

The treaty should also provide for free access for the Authority's representatives; for disposal of all existing stocks of bombs; and should prohibit manufacture, possession and use of atomic weapons.

There should be no legal right, by veto or otherwise, whereby a willful violator of the treaty would be protected from punishment.

The treaty should embrace the entire program of putting the international control system into effect, including a schedule of stages for transition to international control.

It must be remembered, however, that general acceptance of the basic principles of the atomic treaty will be only a first step in the creation of effective control.

ATOMIC ENERGY MUST BE MAN'S SERVANT, NOT HIS MASTER

Once atomic energy has been brought under effective world control, it will become a means of prosperity and progress instead of a source of fear. It will bring peoples together, instead of forcing them apart and underground.

Already we have a glimpse of how atomic energy can serve us, once we are free to use it.

Atomic power can open up rich regions of the earth which lack either coal or waterpower. A few pounds of plutonium can be carried thousands of miles at negligible cost. For example, large areas in the interior of Brazil are rich in mineral resources but have no railroads. Plutonium could be transported to those regions by air.

Too much shielding is required to permit use of atomic power in automobiles. But it may be used to drive ships, or perhaps even giant rockets able to travel through space.

Atomic energy can improve health and prolong life. Already radio-active substances have been used to treat diseases. Large quantities will become available for health and research. Radioactive tracers can be followed inside the human body and bring us new knowledge of how it works.

Such tracers can also expand our knowleige of biology and industrial processes. They can mean to biology what the microscope has meant to science. We may even learn how plants obtain energy from sunlight, the basic process of life on our planet, and become able to employ this process mechanically.

Among other expected benefits of atomic energy are improvement and increase of many kinds of food, until a day arrives when no man need starve.

But many experts believe that the greatest boon of all will be the increase in knowledge through research. Scientific knowledge generates progress in all directions, leading to developments never imagined at first. Here is a new key to progress, comparable in significance to fire. It can open wide a door for the advancement of mankind.

We stand now at the threshold of a new world of tomorrow, a world of which this generation can see only the outlines.

Whether we shall have such a world depends upon what happens now, in the next 2 or 3 years. It depends upon whether or not we bring atomic energy under effective control.

EACH OF US HAS A PERSONAL STAKE IN WORLD CONTROL OF ATOMIC ENERGY

The success or failure of the effort to establish such control will affect decisively the life of every human being.

For instance, if you are a businessman, it will affect you vitally.

World control of atomic energy will open new fields for business. It will bring new confidence in the future. It will promote new industrial techniques and products and new technological progress, favorable, in greater or less degree, to every industry.

But if, instead, we have an atomic armaments race, fear of the future might paralyze business operations. Armament costs and Government restrictions would impose a crushing burden on private enterprise. Real-estate values and many other property values would fall, as thousands deserted cities in the hope of greater safety. You might even give up your business to look for some job in the country.

If you are a worker you will be equally affected.

World control of atomic energy can mean more jobs and rising standards of living. It can bring shorter hours and better conditions of labor.

But if we have an atomic armament race, more and more of the available jobs would be concerned with national defense, many of them on installations which would be first targets for atomic attacks. Others would require working underground. The hard-won rights of labor would be likely to suffer under the overpowering urge of our people for a maximum of protection at any cost.

Whatever your profession and wherever you live, the success or failure of the effort to achieve world control of atomic energy will shape your life. For all men it will decide whether or not they must live in fear, as their cavemen ancestors did 10,000 years ago. For hundreds of millions it will probably decide between annihilation or survival.

We cannot turn back the clock to the pre-atomic era. Only one thing could end the Atomic Age now that it has begun. That is an obliteration of world civilization so extensive that men could no longer split the atom.

The principal nations of mankind are faced with a choice between progress and destruction. The time is now.

YOU CAN DO YOUR PART

If you understand the facts about the atomic problem yourself, you can help your friends to understand them. Whenever the subject comes up in conversation, you can spread accurate information.

If you are a member of an organization, club, church, school, labor union, or office staff, you can promote discussion and study of the atomic problem. Study groups, discussion groups or meetings with speakers, slides or films can disseminate knowledge of the atomic facts. By getting together, organizations can put on more effective programs.

If you know the facts, you can also help to check the spread of inaccurate statements. You can write a letter to the editor of a newspaper, or call a radio station when inaccuracies occur, and you can challenge errors in discussion.

Since our country is a democracy, sound action by Congress must rest upon informed public opinion. Our Government will have to act upon many crucial issues in the atomic field, including any treaty establishing world control. If you know the facts, you can do your part to ensure that our Government acts wisely.

THE SCHOOL-LUNCH PROGRAM

Mr. PACE. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PACE. Mr. Speaker, I hope the President will promptly submit to the Congress, and that the Committee on Appropriations will immediately approve, a request for funds to carry on the school-lunch program for the remainder of the fiscal year. I am advised that $10,000,000 will be adequate and that early action by the President and the Congress is required in order to avoid the closing down of this program in at least 16 States.

I can understand the hesitation on the part of the President to request and by the Appropriations Committee to approve deficiency appropriations, but I believe the situation justifies and demands such action in this instance. At the time the regular appropriation of $75,000,000 was made last June it was thought by all of us that such sum would be ample to support the program until July 1 of this year. Our calculations were based upon the amount of participation in the program at that time. But there was a 12-percent increase in the number of schools and children qualifying for the program, and this has brought about the same percent in the shortage of funds.

I shall not attempt here to enumerate the many advantages of the school-lunch program or the great benefits the children of the Nation derive from the program. These are demonstrated by the expansion and growing popularity of the program. But I do remind the Members that we decided to place the program on a permanent basis at the last session of the Congress because we had become convinced that it had proven to be a valuable contribution in building sound bodies and minds for our children and offered a sound outlet for surplus agricultural commodities when these surpluses begin to appear in the future.

It was my privilege to aid in the drafting of the legislation at the last session to put this program on a permanent basis. This was handled by the Committee on Agriculture, of which I am a member. I later served on the conference committee of the House and Senate, and our final recommendation is now Public Law 396, Seventy-ninth Congress, second session, entitled "An act to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs."

I call your special attention to the word "expansion" as clearly indicating that the Congress expected the program to expand and intended that more schools and more children should qualify under the program. Such natural and anticipated expansion has brought about the present shortage of funds and justifies the President and the Congress in making additional funds available immediately.

I should also like to call your attention to the formal declaration of the policy of the Congress with respect to this program. It is section 2 of the act, as follows:

DECLARATION OF POLICY

SEC. 2. It is hereby declared to be the policy of Congress, as a measure of national security, to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the States, through grants in aid and other means, in providing an adequate supply of foods and other facilities for the establishment, maintenance, operation, and expansion of nonprofit school-lunch programs.

Then section 3 authorizes the appropriation of such funds "as may be necessary" to carry out the provisions of the act. The appropriation of an additional $10,000,000 at this time is most necessary to carry on the program until June 30, and, of course, the regular appropriation of an adequate sum to continue the program during the next fiscal year beginning July 1 is of equal importance and necessity.

As an indication of the deep interest of the people of my own State in this program, I call your attention to the following resolution unanimously adopted February 26 by the Georgia State Senate:

Senate Resolution 24

Whereas in initiating, supporting, and maintaining the national school-lunch program, the Government of the United States has rendered invaluable aid to the cause of public education, from which the common-school system of Georgia has enjoyed its full participation since this wise legislation was originally fostered and the benefits thereof first became available to the pupils in our public schools; and

Whereas it is essential to the realization of Georgia's ambitious plans for the full development of its educational program and the adequate instruction of the children of our State that these Federal grants which were so auspiciously launched and so successfully maintained during recent years, whereby nourishing food at lunch time may be available to the growing generation of America's future citizens, shall continue without interruption; and

Whereas in the movement for retrenchment in national expenditures now so widely advocated, there is grave danger that this essential service shall be placed in jeopardy or sacrificed to the serious detriment of our educational interests: Therefore be it

Resolved by the Senate of the State of Georgia (the house of representatives concurring), That we hereby memorialize and urgently bespeak the favorable consideration of the Congress of the United States of suitable appropriations that will insure the continuance and maintenance of the national school-lunch program upon substantially the same basis which has heretofore represented such an important contribution to the institution of public education as it has come to be recognized among the paramount obligations assumed by the Public Treasury; be it further

Resolved, That copies hereof be transmitted at once to the Members of Georgia's delegation in the Senate and House of Representatives of the Congress of the United States.

Read and unanimously adopted February 26, 1947.

WM. T. DEAN,
President pro tempore and Presiding Officer.
MRS. HENRY W. NEVIN,
Secretary of the Senate.

And in the same connection I read you an article appearing in a recent issue of the Dawson News, published in my old home town and edited by Hon. Carl Rountree, one of the outstanding newspapermen of my State:

SCHOOL-LUNCH PROGRAM IS ENDANGERED AS CONGRESS CONSIDERS ECONOMY MOVES

Federal aid for Georgia's school-lunch program is in danger of being scuttled by what is termed an economy move in Congress. This kind of economy will affect 274,387 who are now receiving lunches in 1,437 schools. If Federal aid is cut off April 1 most schools will find it extremely difficult, if not impossible, to continue operating this program that has meant so much to boys and girls all over the State.

A bill has been introduced calling for additional funds to carry out provisions of the National School Lunch Act for 1947. The bill has been referred to the Committee on Education and Labor and supporters of school lunches hope to get it passed. But some Members of Congress are unsympathetic toward the program and indicate they do not want Federal aid continued after its expiration date April 1. Federal money for equipment is not affected, however.

For the fiscal year 1946–47 Georgia was allotted $1,855,159.95 for the program and a supplement of $290,360.01 was approved, making a total Federal allocation of $2,145,-519.26. The Federal Government supplies 43 percent of the total cost of operating the State-wide program. The other 57 percent comes from lunch money collected from the children by the schools.

School lunches have been a great factor in improving the health of Georgia school children. Education officials say that students repeating grades have been greatly reduced and they think the right kind of diet for growing youngsters has much to do with this condition. At present there is at least one school lunchroom in every county in the State.

Dr. M. D. Collins, State superintendent of schools, says he is optimistic that the necessary Federal money will be provided because almost every State is similarly affected. He has written Georgia's Senators and Congressmen urging them to support legislation for continuing the Federal grants.

What will happen if the Federal money is cut off? Miss Eleanor Pryor, State director of the lunchroom program, says some schools might be able to continue serving lunches by increasing the price paid by the child for his meal. However, approximately 12 percent of the lunches served are free because children are not able to purchase them. There is also the possibility that local clubs and civic organizations might come to the rescue of some schools.

But the fact remains that most schools would be seriously handicapped and the program that has become so popular would suffer a definite recession.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a newspaper article and a resolution by the State senate.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. LARCADE, for 1 week, on account of official business.

ENROLLED BILL SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 1030. An act to continue in effect certain war excise tax rates, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on Enrolled Bills, reported that that committee did on March 7, 1947, present to the President, for his approval, bills of the House of the following titles:

H. R. 1040. An act to authorize the payment of $425.88 by the United States to the Government of Switzerland;

H. R. 1778. An act to amend the Federal Firearms Act; and

H. R. 2045. An act to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of streptomycin, or any derivative thereof, and for other purposes.

ADJOURNMENT

Mr. CANFIELD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 22 minutes p. m.) the House adjourned until tomorrow, Tuesday, March 11, 1947, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

The Subcommittee on Public Buildings and Grounds of the Committee on Public Works will meet at 10 a. m., Tuesday, March 11, 1947, to hold hearings on H. R. 668, to authorize the transfer without charge to the States, and political subdivisions thereof, of any interest of the United States in public works acquired under the act of October 14, 1940, as amended.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m., Tuesday, March 11, 1947.

Business to be considered: Executive session. Conference with officials of the Federal Security Agency, with respect to Public Health Service and Food and Drug Administration, pursuant to the Legislative Reorganization Act of 1946.

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 2 o'clock p. m., Wednesday, March 12, 1947.

Business to be considered: Executive session. Conference with officials of the Interior Department, with respect to petroleum conservation, pipe lines, and oil compacts, pursuant to the Legislative Reorganization Act of 1946.

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m., Wednesday, March 12, 1947.

Business to be considered: Executive session. Conference with officials of the Securities and Exchange Commission pursuant to the Legislative Reorganization Act of 1946.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Subcommittee meeting 10 a. m., Wednesday, March 12, 1947, 213 House Office Building, to consider H. R. 1636, pertaining to rural carriers' leave.

COMMITTEE ON FOREIGN AFFAIRS

An executive meeting of the Committee on Foreign Affairs will be held in the Foreign Affairs Committee room, gallery floor, the Capitol, on Thursday, March 13, 1947, at 10:30 a. m., on House Joint Resolution 134, providing for relief assistance to countries devastated by war.

COMMITTEE ON THE JUDICIARY

On Friday, March 14, 1947, at 10 a. m., Subcommittee No. 4 of the Committee on the Judiciary will begin hearings on the following measures, with respect to war and emergency powers:

H. R. 1983, to amend the Second War Powers Act, 1942, as amended.

House Concurrent Resolution 5, to declare the date of termination of the wars in which the United States has been engaged since December 7, 1941.

House Concurrent Resolution 9, to declare December 7, 1946, as the date of the cessation of hostilities in, and as the date of the termination of, the present war.

House Concurrent Resolution 25, to declare the date of termination of the wars in which the United States has been engaged since December 7, 1941.

House Joint Resolution 56, to terminate the emergency war powers of the President.

House Joint Resolution 128, to declare July 4, 1947, as the date of the cessation of hostilities in the present war.

House Concurrent Resolution 21, providing that various titles of the Second War Powers Act of 1942 shall remain in force until the day following the adoption of this resolution.

The hearings will be conducted in the Judiciary Committee room, 346 House Office Building.

There will be a hearing before Subcommittee No. 3 of the Committee on the Judiciary on Monday, March 17, 1947, on the following bills:

H. R. 1468: To provide for the review of certain orders of the Interstate Commerce Commission and the United States Maritime Commission and giving the United States courts of appeals jurisdiction on review to enjoin, set aside, or suspend such orders.

H. R. 1470: To provide for the review of orders of the Federal Communications Commission under the Communications Act of 1934, as amended, and of certain orders of the Secretary of Agriculture made under the Packers and Stockyards Act, 1921, as amended, and the Perishable Agricultural Commodities Act, 1930, as amended.

The hearing will begin at 10:30 a. m., and will be held in room 346, House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Tuesday and Wednesday, March 18 and 19, 1947.

Business to be considered: Public hearings on H. R. 2185, H. R. 2235; and H. R. 2292, a bill to amend the Natural Gas Act approved June 21, 1938, as amended.

COMMITTEE HEARING POSTPONED

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. CHARLES A. WOLVERTON, chairman of the House Interstate and Foreign Commerce Committee, today stated that in order to accommodate the witnesses who wish to appear in connection with H. R. 2185, introduced by Representative RIZLEY; H. R. 2235, introduced by Representative CARSON; and H. R. 2292, introduced by Representative DAVIS of Tennessee, proposing to amend the Natural Gas Act, it has been found necessary to tentatively postpone to April 14 the hearings which were set to begin March 18 and 19.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

434. A letter from the Acting Chairman, Federal Trade Commission, transmitting a special report entitled "The Present Trend of Corporate Mergers and Acquisitions"; to the Committee on the Judiciary.

435. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to provide for the orderly transaction of the public business in the event of the death, resignation, or separation from office of regional disbursing officers of the Treasury Department; to the Committee on Expenditures in the Executive Departmnts.

436. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend the District of Columbia Traffic Act, 1925, approved March 3, 1925, as amended, to provide for tests of blood, urine, and breath of persons arrested in the District of Columbia for certain offenses; to the Committee on the District of Columbia.

437. A letter from the Secretary of War, transmitting a draft of a proposed bill to authorize the crediting of moneys received from the disposition of serviceable Army Air Forces supplies, materials, and equipment, other than surplus property, to the applicable current Army Air Forces appropriation; to the Committee on Armed Services.

438. A letter from the Attorney General, transmitting a draft of a proposed bill to provide for the care and custody of insane persons charged with or convicted of offenses against the United States, and for other purposes; to the Committee on the Judiciary.

439. A letter from the Postmaster General, transmitting a draft of a proposed bill for the relief of James H. Underwood, former postmaster at Guam, Guam; to the Committee on the Judiciary.

440. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill to fix the fees payable to the Patent Office and to amend section 4934 of the Revised Statutes, and for other purposes; to the Committee on the Judiciary.

441. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill for the relief of G. F. Allen, former Chief Disbursing Officer, Treasury Department, and for other purposes; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CANFIELD: Committee on Appropriations. H. R. 2436. A bill making Treasury and Post Office appropriations for 1948; without amendment (Rept. No. 103). Referred to the Committee of the Whole House on the State of the Union.

Mr. LECOMPTE: Committee on House Administration. House Resolution 59. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 58; without amendment (Rept. No. 105). Referred to the House Calendar.

Mr. LECOMPTE: Committee on House Administration. House Resolution 126. Resolution to provide funds for the Committee on Education and Labor; without amendment (Rept. No. 106). Referred to the House Calendar.

Mr. LECOMPTE: Committee on House Administration. House Resolution 129. Resolution to authorize payment of $2,706.07 to settle debt of the select committee investigating the national defense program in its relation to small business in the United States; without amendment (Rept. No. 107). Referred to the House Calendar.

Mr. KNUTSON: Committee on Ways and Means. H. R. 2404. A bill to suspend certain import taxes on copper; without amendment (Rept. No. 108). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDERSON of California: Committee on Armed Services. H. R. 1366. A bill to facilitate procurement of supplies and services by the War and Navy Departments, and for other purposes; with amendment (Rept. No. 109). Referred to the Committee of the Whole House on the State of the Union.

Mr. FELLOWS: Committee on the Judiciary. H. R. 236. A bill to amend the Nationality Act of 1940 so as to permit naturalization proceedings to be had at places other than in the office of the clerk or in open court in the case of sick or physically disabled individuals; without amendment (Rept. No. 110). Referred to the House Calendar.

Mr. FELLOWS: Committee on the Judiciary. H. R. 2032. A bill to preserve the continuity of residence in the United States for naturalization purposes in the cases of alien residents who departed for service in Allied armed forces during the Second World War; with amendments (Rept. No. 111). Referred to the House Calendar.

Mr. WOLCOTT: Committee on Banking and Currency. H. R. 2413. A bill to amend the Federal Reserve Act, and for other purposes; without amendment (Rept. No. 116). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FELLOWS: Committee on the Judiciary. H. R. 422. A bill for the relief of Francesco and Natalia Picchi; with amendment (Rept. No. 112). Referred to the Committee of the Whole House.

Mr. FELLOWS: Committee on the Judiciary. H. R. 555. A bill for the relief of Edna Rita Saffron Fidone; without amendment (Rept. No. 113). Referred to the Committee of the Whole House.

Mr. FELLOWS: Committee on the Judiciary. H. R. 621. A bill for the relief of Vera Frances Elicker; with amendment (Rept. No. 114). Referred to the Committee of the Whole House.

Mr. FELLOWS: Committee on the Judiciary. H. R. 1004. A bill amending the act of October 14, 1940, entitled "An act to record the lawful admission to the United States for permanent residence of Nicholas G. Karas"; without amendment (Rept. No. 115). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CANFIELD:

H. R. 2436. A bill making Treasury and Post Office appropriations for 1948; to the Committee on Appropriations.

By Mr. BARRETT:

H. R. 2437. A bill to transfer the Conservation Branch of the United States Geological Survey of the Department of the Interior to Casper, Wyo.; to the Committee on Public Lands.

H. R. 2438. A bill to repeal section 2 of the act entitled "An act for the preservation of American antiquities," approved June 8, 1906; to the Committee on Public Lands.

H. R. 2439. A bill granting the consent of Congress to the States of Utah and Wyoming to negotiate and enter into a compact for the division of the waters of the Henrys Fork River and its tributaries; to the Committee on Public Lands.

By Mr. BOGGS or Louisiana:

H. R. 2440. A bill to extend the reclamation laws to the State of Louisiana; to the Committee on Public Lands.

H. R. 2441. A bill to amend the Mustering-Out Payment Act of 1944 to provide mustering-out payments for certain members of the armed forces discharged to accept employment and to extend the time for filing applications for the benefits of such act; to the Committee on Armed Services.

By Mr. BROOKS:

H. R. 2442. A bill to amend the Armed Forces Leave Act of 1946 to permit settlement and compensation for terminal leave under such act to be made in cash, to provide that bonds issued under such act shall be redeemable at any time, and for other purposes; to the Committee on Armed Services.

By Mr. DAVIS of Georgia:

H. R. 2443. A bill to cancel regulation W and to prevent regulation of consumer credit by the Federal Government; to the Committee on Banking and Currency.

By Mr. GOSSETT:

H. R. 2444. A bill to amend the Nationality Act of 1940 so as to require an applicant for naturalization to agree to bear arms if necessary in support and defense of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. HEDRICK:

H. R. 2445. A bill to provide for recognition of the State of West Virginia as a community-property State for Federal income-tax purposes; to the Committee on Ways and Means.

By Mr. JAVITS:

H. R. 2446. A bill to permit certain displaced persons under 14 years of age orphaned as a result of World War II to enter the United States as nonquota immigrants; to the Committee on the Judiciary.

By Mr. JONES of Washington:

H. R. 2447. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

By Mr. LYNCH:

H. R. 2448. A bill to establish and provide for a system of old-age and survivors' insurance for employees of religious, charitable, educational, and certain other organizations, and for other purposes; to the Committee on Ways and Means.

By Mr. PETERSON:

H. R. 2449. A bill to provide for the establishment of the Russell, Majors, Waddell National Monument; to the Committee on Public Lands.

By Mr. PHILBIN (by request):

H. R. 2450. A bill to encourage expansion of business by allowing a deduction, for income-tax purposes, of certain capital expenditures; to the Committee on Ways and Means.

By Mr. REED of Illinois:

H. R. 2451. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. RIVERS:

H. R. 2452. A bill to provide additional inducements to citizens of the United States to make the United States naval service a career, and for other purposes; to the Committee on Armed Services.

By Mr. ROBERTSON:

H. R. 2453. A bill to provide for the establishment and operation of a research laboratory in the North Dakota lignite-consuming region for investigation of the mining, preparation, and utilization of lignite; for the development of new uses and markets; for improvement of health and safety in mining; and for a comprehensive study of the region to aid in the solution of its economic problems and to make its natural and human resources of maximum usefulness in the reconversion period and time of peace; to the Committee on Public Lands.

By Mr. ROGERS of Florida:

H. R. 2454. A bill to exempt homesteads from execution or other process of the Federal courts and from distraint and sale for the nonpayment of Federal taxes, and for other purposes; to the Committee on the Judiciary.

By Mr. RUSSELL:

H. R. 2455. A bill to establish within the Department of the Interior a National Minerals Resource Division, and for other purposes; to the Committee on Public Lands.

By Mr. SIKES:

H. R. 2456. A bill for the appropriation of funds for the improvement of St. Josephs Bay and Harbor, Fla.; to the Committee on Appropriations.

H. R. 2457. A bill for the appropriation of funds for the improvement of St. Andrews Bay, Fla.; to the Committee on Appropriations.

H. R. 2458. A bill for the appropriation of funds for the improvement of Pensacola Bay, Fla.; to the Committee on Appropriations.

H. R. 2459. A bill for the appropriation of funds for the improvement of the Apalachicola, Chattahoochee, and Flint Rivers, Ga., Fla., and Ala.; to the Committee on Appropriations.

H. R. 2460. A bill for the appropriation of funds for the improvement of St. Marks River, Fla.; to the Committee on Appropriations.

By Mr. SNYDER:

H. R. 2461. A bill to provide for recognition of the State of West Virginia as a community-property State for Federal income-tax purposes; to the Committee on Ways and Means.

By Mr. STEVENSON:

H. R. 2462. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

By Mr. VAN ZANDT:

H. R. 2463. A bill to amend section 210 (c) of title 11 of the Social Security Act, as amended, so as to extend the time for making application for old-age and survivors insurance benefits payable to survivors of certain veterans; to the Committee on Ways and Means.

By Mr. WEICHEL:

H. R. 2464. A bill to raise the limit on individual postal savings accounts to $5,000; to the Committee on Post Office and Civil Service.

By Mr. JENKINS of Ohio:

H. R. 2465. A bill to provide for the demonstration of public-library service in areas without such service or with inadequate library facilities; to the Committee on Education and Labor.

By Mr. SASSCER:

H. R. 2466. A bill to provide funds for engineering, planning, and dredging of a channel to Mill Creek, Md.; to the Committee on Appropriations.

H. R. 2467. A bill to provide funds for engineering, planning, and dredging of a channel to Island Creek, St. Georges Island, Md.; to the Committee on Appropriations.

By Mr. WILSON of Texas:

H. R. 2468. A bill to facilitate the current payment of the individual income tax by members of certain partnerships; to the Committee on Ways and Means.

By Mr. ANDERSON of California:

H. R. 2469. A bill to amend the act approved August 7, 1946, authorizing relief from the terms of certain war contracts to furnish the Government with work, supplies, or services; to the Committee on the Judiciary.

By Mr. BEALL:

H. R. 2470. A bill to authorize the establishment of a band in the Metropolitan Police force; to the Committee on the District of Columbia.

H. R. 2471. A bill to provide for periodical reimbursement of the general fund of the District of Columbia for certain expenditures made for the compensation, uniforms, equipment, and other expenses of the United States Park Police force; to the Committee on the District of Columbia.

By Mr. BURKE:

H. R. 2472. A bill to provide expert assistance and to cooperate with Federal, State, and other suitable agencies in promoting the conservation of wildlife by promoting sound land-use practices, and for other purposes; to the Committee on Agriculture.

By Mr. JOHNSON of California:

H. R. 2473. A bill to authorize the transfer without charge to the States and their political subdivisions of all interest of the United States in educational and recreational facilities acquired under the act of October 14, 1940, as amended; to the Committee on Banking and Currency.

By Mr. McMILLAN of South Carolina:

H. R. 2474. A bill relating to certain unperformed contracts under the Federal rural electrification program; to the Committee on Agriculture.

By Mr. ROBERTSON:

H. R. 2475. A bill to amend the Clayton Act by adding a proviso to section 2 (c) of said act (U. S. C., title 15, sec. 13 (c)); to the Committee on the Judiciary.

By Mr. PETERSON:

H. R. 2476. A bill to provide every adult citizen in the United States with equal basic Federal insurance, permitting retirement with benefits at age 60, and also covering total disability, from whatever cause, for certain citizens under 60; to give protection to widows with children; to provide an ever-expanding market for goods and services through the payment and distribution of such benefits in ratio to the Nation's steadily increasing ability to produce, with the cost of such benefits to be carried by every citizen in proportion to the income privileges he enjoys; to the Committee on Ways and Means.

By Mr. TOLLEFSON:

H. R. 2477. A bill to extend the statute of limitations with respect to suits by certain immigrant inspectors and employees for extra pay for Sunday and holiday services; to the Committee on the Judiciary.

By Mr. FORAND:

H. J. Res. 147. Joint resolution to provide for the preservation of the frigate *Constellation;* to the Committee on Armed Services.

By Mr. KLEIN:

H. J. Res. 148. Joint resolution proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

By Mr. HOFFMAN:

H. Res. 135. Resolution providing for the expenses of conducting the studies and investigations authorized by House Resolution 118; to the Committee on House Administration.

By Mrs. ROGERS of Massachusetts:

H. Res. 136. Resolution providing expenses for conducting the study and inspection authorized by House Resolution 120 of the Eightieth Congress; to the Committee on House Administration.

By Mr. POULSON:

H. Res. 137. Resolution relating to the preparation for the immediate negotiation of a peace treaty with Japan; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to grant immediate statehood to Hawaii; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States in opposition to the policy of the Secretary of the Department of the Interior, J. A. Krug, as announced on February 2, 1947, accompanying his first annual report, of keeping all federally owned mineral lands in permanent Federal ownership, permitting development only under leasing laws, and that the present mining laws which permit the patenting of mineral lands should be repealed; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to amend the Social Security Act in certain particulars; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Wyoming, memorializing the President and the Congress of the United States to enact legislation relating to employers' sinking funds and reserves and taxability thereof; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Wyoming, memorializing the President and the Congress of the United States to strengthen present sanitary requirements governing the importation of livestock from the Republic of Mexico; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States in opposition to the policy of the State Department to reduce tariffs on mineral products under the Trade Agreement Act; to the Committee on Ways and Means.

Also, memorial of the Legislature of the Territory of Alaska, memorializing the President and the Congress of the United States urging enactment of the Alaska statehood bill, H. R. 206; to the Committee on Public Lands.

Also, memorial of the Legislature of the Territory of Alaska, memorializing the President and the Congress of the United States with regard to obtaining a congressional appropriation enabling the construction of a combined courthouse, jail, and general Federal building at Valdez, Alaska, capable of housing the offices and records of all Federal agencies located there; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to remove all controls upon the production and sale of sugar; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States relating to Federal contribution for old-age assistance; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALBERT:

H. R. 2478. A bill for the relief of Mrs. Mildred H. Gibbons, Chief Clerk, Hugo, Okla., Farm Security Administration, Department of Agriculture; to the Committee on the Judiciary.

By Mr. COMBS:

H. R. 2479. A bill for the relief of Hardy H. Bryant; to the Committee on the Judiciary.

By Mr. DURHAM:

H. R. 2480. A bill for the relief of Ulma B. Riggs; to the Committee on the Judiciary.

By Mr. GRANGER:

H. R. 2481. A bill for the relief of Rokuichi Tahara; to the Committee on the Judiciary.

By Mr. HOWELL:

H. R. 2482. A bill for the relief of John Ritter Dunham; to the Committee on the Judiciary.

By Mr. MATHEWS:

H. R. 2483. A bill for the relief of Emma Armstrong for loss sustained in post-office burglary; to the Committee on the Judiciary.

By Mr. MURRAY of Wisconsin:

H. R. 2484. A bill to authorize the payment of certain sums to jobbers in connection with their logging of timber for the Menominee Indians on the Menominee Reservation during the logging season 1934–35, and for other purposes; to the Committee on Public Lands.

By Mr. O'KONSKI:

H. R. 2485. A bill for the relief of Pawel Prokopieni; to the Committee on the Judiciary.

H. R. 2486. A bill for the relief of Zdzislaw Moskala; to the Committee on the Judiciary.

H. R. 2487. A bill for the relief of Stanislaw H. Mayak; to the Committee on the Judiciary.

By Mr. PATTERSON:

H. R. 2488. A bill for the relief of Polivio S. Aresta; to the Committee on the Judiciary.

By Mr. RIVERS:

H. R. 2489. A bill for the relief of James W. Adkins and Mary Clark Adkins; to the Committee on the Judiciary.

By Mr. TRIMBLE:

H. R. 2490. A bill for the relief of J. V. Crain; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

171. By Mr. FORAND: Resolution of the General Assembly of the State of Rhode Island and Providence Plantations, requesting the Senators and Representatives from Rhode Island in the Congress of the United States to use their good offices to secure prompt passage of the George bill, so-called, or a similar measure, to restore to the veterans of World War II the benefit rights to which they are justly entitled; to the Committee on Veterans' Affairs.

172. Also, resolution of the General Assembly of the State of Rhode Island and Providence Plantations, memorializing the Senators and Representatives from Rhode Island in the Congress of the United States with relation to the establishment of a national cemetery in the State of Rhode Island and Providence Plantations; to the Committee on Armed Services.

173. By Mrs. SMITH of Maine: Resolution of Winslow Grange, No. 320, Winslow, Maine, favoring an allocation of sugar for home canning in 1947 to the end that home canning will not be unduly curtailed; to the Committee on Agriculture.

174. By Mr. THOMASON: Petition of Reserve officers, members of Odessa (Tex.) Chapter, ROA, urging passage of legislation providing for plan of universal military training whereby each young man of this country shall have 4 months of basic training, and for other purposes; to the Committee on Armed Services.

175. Also, petition of Reserve officers, of Odessa, Tex., urging legislation providing amendment to law for uniform allowance for newly commissioned officers, for equalization of military leave for civil-service employees, and for other purposes; to the Committee on Armed Services.

176. Also, petition of Reserve officers, of Odessa, Tex., urging legislation providing inactive-duty pay for Reserve officers of the armed forces, disability retirement pay for Reserve and other civilian component personnel ordered to active duty for periods of less than 30 days, and for other purposes; to the Committee on Armed Services.

177. Also, petition of Reserve officers, of Odessa, Tex., urging legislation providing for a single Department of the Armed Forces; to the Committee on Armed Services.

178. By the SPEAKER: Petition of Legislative Committee on Educational Survey, Baton Rouge, La., petitioning consideration of their resolution with reference to endorsement of the bill S. 472; to the Committee on Education and Labor.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 11, 1947

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou Father of all mercies, whose spirit mingles with ours as sunshine with the air, we wait at the altar of supplication, deeply conscious that we are the children of time and sense. In the shadow of Thy wings, love and truth go before Thy face. We rejoice that Thou art our help and strength, and pray Thee to make us restless and weary of the things we see, striving for that which transcends human attainment.

As we meditate on the world's desperate condition, attend unto our spirits, O Lord, lest our thralldom be tragically complete. O clarify our vision, gird us for labor, and grant that in all honor we may measure up to the demands of an expectant public. Forbid that we should lose their respect by vacillation or by compromising our traditions. Hear our humble prayer, O Lord, for Thy name's sake, and grant us Thy peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD in two instances and to include a newspaper article and an editorial.

Mr. KILBURN asked and was given permission to extend his remarks in the RECORD and include a resolution on the St. Lawrence seaway.

STRIKES AND VIOLENCE

Mr. HARTLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HARTLEY. Mr. Speaker, during the past 5 weeks the Committee on Education and Labor has been holding hearings in an effort to find as adequate a solution as possible to labor unrest. We have heard unbelievable testimony concerning violence in the conduct of strikes throughout the Nation. Workers have been beaten up, their families and homes molested, in practically every large city in the Nation. It is the same pattern, whether in Detroit, Chicago, or New York. In Pittsburgh we heard evidence that explosive bombs have been hurled at business establishments and fires started. Witnesses from Philadelphia came before the committee and testified that they were afraid of their lives because they testified before the Committee on Labor. This situation is not confined to large cities. As an example, and there are many similar cases, there is the case of violence involved at the Norman Dairies in New Canaan, Conn., a community of 6,500 population. The drivers of two trucks owned by this small dairy were beaten up and left unconscious by the roadside. One of them, incidentally, was a returned veteran of the Navy Air Corps. These victims had the courage to swear out warrants against their assailants, and, although that was 14 months ago, the case still has to come to trial.

Only last Saturday a representative of the AFL carpenters' union who is involved in the 2-year-old jurisdictional strike in the movie industry in Hollywood testified that he felt his life was in danger from the very moment he left our committee room.

About 2 weeks ago, George P. McNear, Jr., appeared before our committee to testify relative to the strike on the Toledo, Peoria & Western Railroad. After he testified, he indicated to me personally that he felt he might be threatened and that attempts might be made to intimidate him. Later, representatives of the unions involved in that strike also testified before this committee.

They charged Mr. McNear, among other things, with lack of any knowledge of railroading and, at least by intimation and inference, impugned his patriotism. To these charges Mr. McNear did not see fit to reply.

He could have stated that he learned railroading under Mr. Loree, famed American railroader. He could have stated that he worked on track gangs on the New York Central in 1916 and early 1917 in order to fit himself for an important post in organizing French railroads in World War I.

And as to his patriotism, he could have told the story of his only son in World War II. That son, in the Navy, wrote to

his father in the fall of 1944 that he had his orders to return to the States.

But—

Said young McNear—

I have been given special training to fit me for a big job that is coming up. I feel I should stay here and see it through. What do you think, dad?

And his father wrote back:

Son, you don't desert the boat in the middle of the stream; you see it through to the far shore.

Young McNear voluntarily "saw it through." Today he lies buried in New Guinea.

Today his father lies dead in Peoria, victim of an assassin's bullet fired from a speeding automobile as the elder McNear took his nightly walk near his home.

He did not desert the boat in the middle of the stream, but chose to try and see it through to the far shore.

It would seem that this instance, plus the bombings in Pittsburgh, plus the shootings in Hollywood, plus innumerable like incidents growing out of labor wars in this country puts the question squarely to the Eightieth Congress of the Republic of the United States.

Will this Congress desert the boat in the middle of the stream or, regardless of how strong the personal dangers involved, see the boat through to the far shore of industrial peace in this country.

I believe we have a duty to do more than legislate. As chairman of the House Committee on Education and Labor, I am asking the Attorney General of the United States to authorize the Federal Bureau of Investigation to go into the McNear slaying immediately and with all the facilities that great agency has at its disposal. In my opinion, there is a direct connection between the slaying of Mr. McNear and his testimony before our committee. It is significant that only yesterday I received a letter from Mr. McNear in which he stated:

I would be glad to return to Washington for further questioning regarding my additional statement, if the committee should so desire.

Mr. Speaker, we want and we will do everything in our power to correct situations such as this. However, this tragedy, which culminates a series of reports of violence throughout the Nation, is the primary responsibility of the local law-enforcement agents throughout the Nation. I rise to ask the question: What has happened to law and order in this Nation? When are our governors, our county sheriffs, our local officials, our local police departments going to display the intestinal fortitude to adequately deal with these situations?

It is high time that all of those entrusted with the enforcement of law and order wake up to their responsibility and make it clear that no individual or no group, however powerful, is immune from the laws of the land.

FIVE-YEAR LEVEL PREMIUM TERM POLICIES

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 138, Rept. No. 117), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 1327) to amend existing law to provide privilege of renewing expiring 5-year level-premium-term policies for another 5-year period. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Veterans' Affairs the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PERMANENT NURSE CORPS OF THE ARMY AND THE NAVY

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 139, Rept. No. 118), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of H. R. 1943, a bill to establish a permanent Nurse Corps of the Army and the Navy and to establish a Women's Medical Specialist Corps in the Army, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 3 hours, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

SUSPENDING CERTAIN IMPORT TAXES ON COPPER

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 140, Rept. No. 119), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution, it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2404) to suspend certain import taxes on copper. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committe on Ways and Means, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

DECLARATION OF RECESS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that tomorrow it may be in order for the Speaker to declare a recess at any time during the session of the House.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

EXTENSION OF REMARKS

Mr. MERROW asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the New Hampshire Morning Union entitled "Arms for Greece."

Mr. JAVITS asked and was given permission to extend his remarks in the RECORD and include a letter and a resolution adopted by the Protestant Council of the city of New York.

Mr. HOWELL asked and was given permission to extend his remarks in the RECORD and include excerpts from a letter of a constituent.

Mr. ENGEL of Michigan asked and was given permission to extend his remarks in the RECORD in two instances.

Mr. FENTON asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. POTTS asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in this morning's Times-Herald.

Mr. SPRINGER asked and was given permission to extend his remarks in the RECORD and include a poem by L. V. Hegwood, of Tacoma, Wash., formerly of his home county.

Mr. DONDERO asked and was given permission to extend his remarks in the RECORD and include an article entitled "Pink Snow Over Russia."

Mr. BUCHANAN asked and was given permission to extend his remarks in the RECORD and include an article appearing in the New York Times by Mr. Joseph Abbott, president of the American Sugar Refining Co.

Mr. CELLER asked and was given permission to extend his remarks in the RECORD.

GREAT BRITAIN SHOULD NOT BE A MEMBER OF THE COMMITTEE ON PALESTINE, AS SUGGESTED BY SECRETARY GENERAL TRYGVE LIE

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, Trygve Lie, Secretary General of the United Nations, has suggested the appointment of an advisory committee to study the Palestine situation and to submit recommendations to a regular or special meeting of the General Assembly. Mr. Lie has been sounding out the Big Five.

The United States has properly refused consent on the ground that Great

Britain has not submitted a clear-cut proposal on Palestine.

The United States must also object to the inclusion of Great Britain as a member of such committee. Mr. Lie has stated categorically that this committee will be composed of the United States, Great Britain, the Soviet Union, France, and China, which are the permanent members of the Security Council, together with Brazil, Czechoslovakia, and Sweden.

The inclusion of Great Britain would be a grave mistake. She is a party in interest and if included she would be acting as a judge in her own cause. Great Britain must be excluded. Common decency and justice require it.

EXTENSION OF REMARKS

Mr. JACKSON of Washington asked and was given permission to extend his remarks in the RECORD and include a letter and a resolution adopted by the Washington Congress of Parents and Teachers.

Mr. LANE asked and was given permission to extend his remarks in the RECORD in two instances and include in one a newspaper article appearing in the Boston Post and in the other an editorial that appeared in the Irish World.

Mr. LODGE asked and was given permission to extend his remarks in the RECORD and include an article by Anne O'Hare McCormick.

Mr. KEATING asked and was given permission to extend his remarks in the RECORD in relation to a tax reduction bill he introduced today.

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD and include an editorial from the Sioux Falls (S. Dak.) Daily Argus-Leader.

Mr. HOBBS. Mr. Speaker, yesterday I was given permission to extend my remarks in the RECORD and include a sermon. I am informed by the Public Printer that this will exceed two pages of the RECORD and will cost $159.75. I ask that it be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

SOCIAL SECURITY FOR ALL

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the present Social Security Act is a worthy step toward providing some measure of financial independence and peace of mind for the men and women who made this country, as they reach that well-earned period of rest from their labors that we call "the sunset of life."

Perhaps we delayed too long in passing such legislation, and that is the reason why the present law is unbalanced, extending coverage to some, while denying it to others.

No one of us, with the tragic memories of boom-and-bust still in his mind, can rest content until he makes every effort to protect all of our people from any possibility that they may have to endure such a ravaging experience again.

We must have full employment, but more than that, we must establish a bedrock of security for those who, because of their age, are cast aside by our economic system.

To be truly democratic, we must have no bewildering and heart-breaking poverty for the aged in this rich land of ours.

Social security for all on a self-sustaining basis can be won by support of the bill which I have introduced. It will provide benefits on a minimum-maximum range of $60 to $75 per month for every retired citizen 60 years of age and over. The revenue to support this law will come from a tax of 2 percent upon the gross dollar value of all business transactions conducted for profit within the United States. For the purposes of this act, wages, salaries, and commissions shall be considered as transactions.

We have recently emerged from a war which was a struggle, in part, between the "have" and the "have-not" nations. Apart from humanitarian considerations, let us soberly ask ourselves, "Can we afford to let this situation develop within our Nation?"

Industry itself has come to realize that its production and its profits are dependent upon the widest possible distribution of purchasing power.

The aged, too, are consumers. They, also, must have the wherewith to buy, when they are no longer wanted in the labor force.

Social security for all will strengthen our national security.

LEGISLATION TO CORRECT INEQUITIES IN PUBLIC LAW 134

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STEVENSON. Mr. Speaker, by inadvertence when Public Law 134 was passed by the Congress, the three lower salary employees of the postal service were deprived of the benefits of the meritorious grades provided in that act.

I am certain it was not the intent of Congress to discriminate against these low-salaried employees. For that reason, I conclude it was an oversight that they were omitted from the provisions and benefits of Public Law 134, as amended.

The classes of postal employees to which I refer are: Elevator mechanics helpers, telephone operators, firemen and firemen's helpers, gardeners, guards, elevator operators, window cleaners, charworkers, messengers, and manual laborers; a total of some 13,000 employees throughout the entire postal service.

To rectify this apparent discrimination against these lower salaried employees in our postal service, I am introducing a bill to amend Public Law 134, approved July 6, 1945, so as to give these employees the benefits of the meritorious grades, thus giving them equal consideration with other postal employees.

I am informed this bill has the approval of the Post Office Department and the Bureau of the Budget. The bill will not affect the 1947–48 budget, inasmuch as its effective date will be July 1, 1949.

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that notwithstanding the fact that the House may be in session on subsequent days during the week a subcommittee of the Committee on Expenditures in the Executive Departments which is investigating racketeering may be permitted to hold hearings.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. RAYBURN. Reserving the right to object, Mr. Speaker, is that for today?

Mr. HOFFMAN. For Thursday and Friday.

Mr. RAYBURN. I do not know what will be under consideration in the House on Thursday and Friday, Mr. Speaker. I announced the other day that when bills were being considered under the 5-minute rule I thought committees should not sit. Until we determine what will be the program on Thursday and Friday, I must object.

Mr. HOFFMAN. How about Friday?

Mr. RAYBURN. I said Thursday and Friday. We can wait and see, I think.

COMMUNISM IN THE GOVERNMENT DEPARTMENTS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, at least some of us Members of the Congress are getting tired of seeing and hearing the gentleman from New York [Mr. CELLER] rise on this floor and attack Great Britain, a friendly country, for resisting what we consider a Communist-front movement in Palestine known as the Zionist movement.

Now we are being asked to challenge Communism in Greece. I for one have been in favor of challenging communism in this country all the time; but I want to begin at home and drive communism out of every department of this Government first.

The gentleman from New Jersey [Mr. HARTLEY] complained a while ago of Communists threatening the witnesses that come before his committee, and told of one of those witnesses being murdered last night. I say, bring out your bill and let us pass some legislation to put a stop to these outrages.

Another thing, I should like to wake up the Department of Justice. I am for cleaning house and fumigating every department of this Government. The Committee on Un-American Activities wrote letters to the Department of Justice 2 weeks ago for information that we needed and to this date we have not even received a reply.

Mr. Speaker, we are coming to a great show-down with atheistic communism

throughout the world; but while we are cleaning the other fellow's house let us clean our own and drive these subversive elements from every branch of our Government, from our educational institutions, from labor unions, and from every other phase of American life. Let us save America for Americans. This is the last stand of civilization as we know it.

The SPEAKER. The time of the gentleman from Mississippi has expired.

LABOR LEGISLATION

Mr. OWENS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. OWENS. Mr. Speaker, I have been receiving a number of letters and telegrams—and I know some of the other Members of the House have also—with respect to the fact that Congress is slow in passing legislation. They mention particularly the matter of labor.

We of the Committee on Education and Labor have been working hard for 5 weeks from morning until night, sometimes from 9 in the morning to 7 o'clock at night, to give everyone a fair hearing, including both labor and management. During that time, while the Communist end has crept into our hearings, we find that the difficulties seem to rise mainly in the question of jurisdictional strikes. They appear to be paralyzing our Nation. We ask the people of the United States and the Congress, both the House and Senate, to give us a little time, because we are going to bring out a bill very shortly. When we do, I think that you will find that it will be fair to both management and labor.

THE FOREIGN SITUATION

Mr. BUFFETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BUFFETT. Mr. Speaker, on March 22, 1941, a New York Times editorial carried this sentence:

> If China is to be saved, with our help, from Japanese and Axis control its embattled leaders will have to forget their divergent doctrinal objectives and settle their present dispute peaceably.

That was six long years ago. Since then billions of dollars of American money and the blood of American youths have been poured into Asia in an effort to "save China."

Now the same people who maneuvered America into ghastly failure in China are at it again. They want us to go into Greece in the same fashion. What are these schemes for? The Communists could not figure out a surer way to destroy America than the road the internationalists have taken us on for 6 years—with Greece now proposed as the next milepost. Our bewildered leaders, whose policies have resulted in such complete failure, now play into Stalin's hands when they are sucked into overextending our declining strength around the world.

TAKING CARE OF THE OLD FOLKS

Mr. MORRIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MORRIS. Mr. Speaker, I know, and all of us know, that many important matters are going to confront us during this session of the Congress. But I hope we do not forget our old folks.

I have recently introduced a bill, H. R. 2410. I hope I shall have the opportunity to call its provisions to your attention a little later. It is simple. I believe it is workable. But whether my bill is passed or whether some other bill is passed, definitely, gentlemen, definitely we must take a step forward to protect and provide for our own old folks. It is a tragedy the way it has been going. It is all mixed up and a jumbled-up affair. It is not just. It is not simple. It is not American. I hope we will give our attention to it.

EXTENSION OF REMARKS

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the RECORD and include a radio address.

THE FOREIGN SITUATION

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, I am asking for this opportunity to correct several serious misstatements which are being spread throughout the country. The Republican Party is being charged with all the difficulties through which our country is passing.

Let us call a spade a spade. The major European problems which afflict us today are the direct products of the secret agreements secretly arrived at during the war. For reasons unknown to the American people and even to those in the State Department who should have known, European spheres of influence were carved out at the major conferences of Russia, Great Britain, and our country. Russia was given control over the whole of central and western Europe. Poland, Czechoslovakia, Rumania, Hungary, and the Balkans were read out of western Europe. Our own country was to be content with its usual idealistic goose egg.

The chickens are now coming home to roost. We shall pay and pay heavily for the next generation for this foreign policy. But let the country know and let it know in unmistakable terms that this legacy is our heritage from the Democratic Party.

We Republicans are simply resuming our historic role. Here at home and overseas, we are pulling the Democratic chestnuts out of the international and national fires.

STRONG ARMY AND NAVY

Mr. O'TOOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'TOOLE. Mr. Speaker, the same elements in this House who were responsible for the unpreparedness of the country, who failed to give full support to the United States foreign policy, and who would today emasculate the Army and the Navy are the ones who are crying, "Get rough with Russia," and complaining about the actions of the State Department.

The American people know it is impossible to get tough with Russia or any other foreign nation and have a strong, vigorous diplomatic policy unless we have a large Army and a large Navy. Those eastern European nations fear nothing but force, and there can be no diplomatic success unless the gentlemen on the other side of the aisle insist that we have a strong Army and Navy to back up our State Department.

The SPEAKER. The time of the gentleman from New York [Mr. O'TOOLE] has expired.

EXTENSION OF REMARKS

Mr. McCORMACK asked and was given permission to extend his remarks in the RECORD and include an editorial in which is contained a poem written by James Patrick McGovern.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article from the American Legion Bulletin about this so-called AVC and this man Carlson, this slimy little Communist, who is writing books about America.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

URGENT DEFICIENCY APPROPRIATION BILL, 1947—CONFERENCE REPORT

Mr. TABER. Mr. Speaker, I call up the conference report on the bill (H. R. 1968) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, and I ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. TABER]?

Mr. CANNON. Mr. Speaker, reserving the right to object, will opportunity be afforded for discussion of the conference report before the previous question is put?

Mr. TABER. Certainly.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1968) making appropriations to supply

urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 17, 19, 21, 22, 23, 24, 25, and 26, and agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$136,500"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"OFFICE OF TEMPORARY CONTROLS

"Salaries and expenses: For an additional amount, fiscal year 1947, for the Office of Price Administration transferred by Executive Order 9809 of December 12, 1946, to the Office of Temporary Controls, $7,051,752, to be available for the payment of terminal leave only: *Provided*, That it is the intent of the Congress that the funds heretofore and herein appropriated shall include all expenses incident to the closing and liquidation of the Office of Price Administration and the Office of Temporary Controls by June 30, 1947."

And the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$3,000,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$3,100,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"Salaries and expenses, Office of Price Administration functions, Office of Temporary Controls, 1947, $2,000,000: *Provided*, That the Office of Price Administration shall be discontinued and its affairs shall be entirely liquidated not later than June 30, 1947."

And the Senate agree to the same.

JOHN TABER,
R. B. WIGGLESWORTH,
ALBERT J. ENGEL,
KARL STEFAN,
FRANCIS CASE,
FRANK B. KEEFE,
CLARENCE CANNON,
JOHN D. KERR,
GEORGE MAHON,
Managers on the Part of the House.

STYLES BRIDGES,
C. WAYLAND BROOKS,
CHAN GURNEY,
JOSEPH H. BALL,
KENNETH MCKELLAR,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1968) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, submit the following report in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—GENERAL APPROPRIATIONS

Amendment No. 1: Adds the word "Senate" as a subtitle to the bill.

Amendments No. 2 and No. 3: Appropriates gratuities to the widows of two deceased Senators, as proposed by the Senate.

Amendment No. 4: Appropriates $1,000 for additional clerical assistance in the Senate Disbursing Office, as proposed by the Senate.

Amendment No. 5: Allows the Senate Committee on Appropriations to employ a consultant at not to exceed $35 per day, as proposed by the Senate.

Amendment No. 6: Appropriates $275 to pay compensation to a former Senate employee for services rendered, as proposed by the Senate.

Amendment No. 7: Appropriates $267 for increasing the salary of one clerk under the Office of the Sergeant at Arms of the Senate, as proposed by the Senate.

Amendment No. 8: Appropriates $3,600 to provide for the employment of six additional telephone operators on the Capitol switchboard, as proposed by the Senate.

Amendment No. 9: Appropriates $2,174.40 for the rent of additional warehouse space, as proposed by the Senate.

Amendment No. 10: Appropriates $10,600 for reimbursement to the District of Columbia to provide for the education of congressional pages and Supreme Court pages, as proposed by the Senate.

Amendment No. 11: Appropriates $50,000 for salaries and expenses of the Joint Committee on Atomic Energy, as proposed by the Senate.

Amendment No. 12: Appropriates $7,500 to the Joint Committee on Reduction of Nonessential Federal Expenditures, as proposed by the Senate.

Amendment No. 13: Appropriates $32,000 for alterations and improvements in the Senate Office Building, as proposed by the Senate.

Amendment No. 14: Appropriates $136,500 for salaries and expenses, Office of Defense Transportation, instead of $130,000 as proposed by the House and $143,000 as proposed by the Senate.

Amendment No. 15: Appropriates $7,051,752 to the Office of Price Administration to be available for the payment of terminal leave only, with a proviso directing the payment out of current funds of all expenses incident to the closing and liquidation of the Office of Price Administration and the Office of Temporary Controls by June 30, 1947, instead of an appropriation of $7,491,815 for general administration and liquidation of the Office of Price Administration, as proposed by the Senate.

Amendment No. 16: Appropriates $3,000,000 for the employees' compensation fund, Federal Security Agency, instead of $3,474,000 as proposed by the Senate.

Amendment No. 17: Appropriates $165,000,000 as proposed by the Senate to the Veterans' Administration for "administration, medical, hospital, and domiciliary services," instead of $135,000,000 as proposed by the House.

Amendment No. 18: Appropriates $3,100,000 to the Treasury Department for Division of Disbursement, salaries and expenses, instead of $3,000,000 as proposed by the House and $3,520,000 as proposed by the Senate.

TITLE II—RESCISSIONS

Amendment No. 19: Provides that the Civilian Production Administration "shall be entirely liquidated" by June 30, 1947, as proposed by the Senate, instead of being "placed in liquidation" by that date, as proposed by the House.

Amendment No. 20: Rescinds $2,000,000 of Office of Price Administration funds instead of $9,000,000 as proposed by the House and none as proposed by the Senate, with the proviso that the Office of Price Administration shall be entirely liquidated not later than June 30, 1947.

Amendment No. 21: Rescinds $44,000 from salaries and expenses, Economic Stabilization, Office of War Mobilization and Reconversion functions, Office of Temporary Controls, and $16,000 from salaries and expenses, guaranteed annual wage plans, Office of War Mobilization and Reconversion functions, Office of Temporary Controls, as proposed by the Senate, instead of $60,000 from salaries and expenses, Office of War Mobilization and Reconversion, as proposed by the House.

Amendment No. 22: Eliminates a proposed rescission of $16,693.29 for military and naval compensation, Veterans' Administration, as proposed by the Senate, inasmuch as such sum has previously been recovered by the Treasury.

Amendment No. 23: Rescinds $2,101,972 on account of access roads, Public Roads Administration, as proposed by the Senate instead of $1,897,030 as proposed by the House.

Amendment No. 24: Rescinds $282,481 on account of strategic highway network, Public Roads Administration, as proposed by the Senate instead of $278,158 as proposed by the House.

Amendment No. 25: Rescinds $1,280,000 from Treasury Department, Bureau of Accounts, emergency relief, liquidation fund, as proposed by the Senate instead of $1,000,000 as proposed by the House.

Amendment No. 26: Rescinds $1,323,480.02 from Treasury Department, Bureau of Federal Supply, working capital fund, duplicating services, Procurement Division, as proposed by the Senate instead of $1,483,480.02 as proposed by the House.

JOHN TABER,
RICHARD B. WIGGLESWORTH,
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JOHN H. KERR,
GEORGE H. MAHON,
Managers on the Part of the House.

Mr. TABER. Mr. Speaker, this conference report carries some emergency items, that is, items that are necessary to meet the pay rolls of the different units of the Government and some of the obligations of the Veterans' Administration. The Veterans' Administration still has not been finished up and we will need further hearings to cover what is necessary on other items a little later.

With the exception of certain items relating to the Senate, items to which attention will be called later, the items in the bill relate to the OPA. Here we have agreed with the Senate upon an item of $7,051,752, which is the exact amount they claim is required for the terminal leave to which the OPA employees will be entitled.

We have reduced the cut in the rescission end of the bill from $9,000,000 to $2,000,000, and in that we have made available to the OPA a very considerable sum of money, a sum of money which will unquestionably, if they have honest administration—which they have not had so far—give them plenty of money with which to operate needed activities. They have a pay roll in Washington of 914 people drawing upward of $4,000, and to perform their functions they need no more than a hundred. They have 850 drawing under $4,000, and they need no more than a hundred. Out in the field they have an enormous number still left

on law enforcement with nothing left except cases which should have been disposed of long, long ago or should have been turned over to the Department of Justice. You understand that these people do not try the cases. The cases, if any, are tried by the Department of Justice. These people would be able to maintain at least 5,000 people on the pay roll with what money we left, in my opinion, which is far more than they need to do a good job.

There is no question in my opinion but what this outfit should be wound up, but there is very serious question that the language goes far enough to actually accomplish that end. I hope it does. There is a provision on page 6 of the bill that it is the intent of Congress that the funds heretofore and herein appropriated shall include all expenses incident to the closing and liquidation of the Office of Price Administration and the Office of Temporary Controls by June 30, 1947.

Mr. Speaker, it seems to me that we have been extraordinarily liberal in providing funds for this agency. When they finished up their work, with the exception of sugar rationing, rent control, and one or two other small items, about the 7th of November, they had upward of 30,000 employees. They did not keep faith with the Congress and get rid of them promptly, as they should have, but kept most of them on until the 1st of December before giving them terminal notice. Then they spent a very large sum of money in December, and they have spent enormous sums since that time. For instance, they had on their rolls a week or two ago 122 economists in their Washington office, 147 accountants, 187 analysts, 168 attorneys, and an enormous number of other officers drawing large salaries. They had 64 people with an average salary of about $8,000 a year acting as a committee to obtain employment for the employees, with nothing else to do. They had a very large sum of money set up for a historical project with an enormous number of people working and doing a lot of other things on a much more elaborate scale than they could possibly be entitled to. These people I have listed had no substantial job on their hands that they needed to do. There is no question but what if they had managed the thing honestly they could have performed every single function that is up to them to perform.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. MARCANTONIO. Amendment No. 20, to which both the House and Senate agreed, specifically provides for the entire liquidation of the Office of Price Control on or before June 30; is that correct?

Mr. TABER. I wish it did, but I am afraid it does not.

Mr. MARCANTONIO. It says so specifically in the report the gentleman filed.

Mr. TABER. It does not. I read it to the gentleman, and if he had been listening he would have known that that is not correct.

Mr. MARCANTONIO. I have before me the printed language and may I call it to the gentleman's attention? It is printed in the RECORD, at page 1910. Amendment No. 20 "rescinds $2,000,000 of Office of Price Administration funds instead of $9,000,000 as proposed by the House and none as proposed by the Senate, with the proviso that the Office of Price Administration shall be entirely liquidated not later than June 30, 1947."

Mr. TABER. That is right. The gentleman is correct.

Mr. MARCANTONIO. That means the end of rent control unless other legislation is enacted by this Congress; is that not correct?

Mr. TABER. Well, the Office of Price Administration and its controls would expire at that time unless there was other legislation.

Mr. MARCANTONIO. I know, but the report provides for the liquidation of that office in its entirety.

Mr. TABER. Yes, that is right.

Mr. MARCANTONIO. That means, incidentally, also, that the remaining funds not rescinded here are for liquidating purposes, and primarily for liquidating purposes.

Mr. TABER. Certainly, they are partly for liquidating purposes.

Mr. MARCANTONIO. And that means liquidating the enforcement of rent control.

Mr. TABER. They have been getting it. The people can enforce their own rent control by the triple damage provision, in part, and they can do it much more effectively than it has been done, and they do not need these people who have done nothing but mess up the situation further.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield further?

Mr. TABER. Yes.

Mr. MARCANTONIO. I am not arguing with the gentleman as to the merits of continuing rent control. That is something on which we disagree. I am a firm believer in rent control. What I am trying to get agreement on from the gentleman is the effect of that amendment No. 20, which has been agreed to by both the House and the Senate conferees.

Mr. TABER. The effect of it is this——

Mr. MARCANTONIO. May I complete my statement, please? In view of the language calling for liquidation in its entirety, the gentleman must necessarily agree that that also calls for the liquidation of rent control.

Mr. TABER. Only if the Congress does not pass an act extending it, because rent control is not dependent on the continuance of the OPA. It is dependent upon the statute. There is no statute that runs beyond that time. The effect of this language is this, that it would require these people to take care of their terminal leave and their cleaning-up activities by the 30th of June. If the Congress desires to change the law and extend rent control after that date, that would be a matter for consideration at that time as to whether any further appropriations or funds should be made available for any governmental agency to continue to operate their functions.

Mr. Speaker, I now yield 10 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, the conferees on this side of the aisle have signed this report with considerable doubt and some reluctance. But there is so much that is carried in the bill that is necessary and essential that it overshadows the questionable provisions to the extent that we are going along. We go, however, with reservations contingent upon assurances of the prompt enactment of legislation to provide for continuation of essential services discontinued in the pending bill.

Perhaps the principal item of interest in the bill is the precipitous liquidation of OPA. Before discussing the merits of the proposition, it may be noted in passing, Mr. Speaker, that this liquidation is effected through a legislative rider. I think there was no evil in our legislative machinery which was so decried and so castigated in the months of debate on the reorganization bill as the practice of legislating through riders on appropriation bills. By common consent it was branded as reprehensible, as the last resort of parliamentary depravity, and one of the outstanding provisions of the bill, one of the salient arguments in favor of the passage of the streamlined Reorganization Act in the House, was that its enactment would eliminate, once and for all, this unholy practice of legislating on appropriation bills.

The Reorganization Act was duly passed and is now in force, and yet we have here in the pending conference report provision for a drastic change in our economic machinery, to be effected through a rider on an appropriation bill. Thus the far-famed and highly publicized reorganization bill is, as usual, being honored in the breach through total disregard of one of its most cherished provisions.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Mississippi.

Mr. RANKIN. On yesterday we were discussing the bill providing funds for rural free delivery. I pointed out that the Post Office Department was complaining that although these extensions in the various communities throughout the country are being approved they do not have the funds to provide the service. Last night I took this proposition up with the Post Office Department and was informed that this proposition did not apply to the next fiscal year, but it is a deficiency appropriation that is needed now. May I ask the gentleman if there is anything provided in this bill to take care of those extensions of rural free delivery routes throughout the country, and if not, I should like to know what the prospects are for an additional deficiency bill. Can the gentleman give me that information or can the gentleman from New York answer the question?

Mr. TABER. There is nothing with reference to the Post Office Department that I remember of in this bill.

Mr. RANKIN. May I ask the gentleman from New York when he contemplates bringing out another deficiency bill?

Mr. TABER. There are items under hearing at the present time. The bill probably will be marked up either late this week or the first of next week. I cannot tell yet about that.

Mr. RANKIN. What I mentioned then, I will say to the gentleman from New York, is the fact that large numbers of rural free delivery routes have been extended, probably in almost every State of the Union, but they need a deficiency appropriation in order to put those extensions into effect. It seems to me that while we are taking care of everybody from Tokyo to Timbuktu we might look out for our farmers and see that those boys who were drafted into the service to fight the battle of the world at least are provided with mail service, along with other American citizens.

Mr. TABER. May I say to the gentleman that my attention was not called to that prior tc this time, nor has the Post Office Department told me that that condition existed. But just as quickly as the committee is able, I will be glad to have hearings and I will notify the gentleman and give him an opportunity to be heard.

Mr. RANKIN. I thank the gentleman from New York [Mr. TABER], as well as the gentleman from Missouri [Mr. CANNON.]

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. There has been a great deal of interest in the school-lunch program. Of course, the budget recommendation is not before the committee as yet, but, as I understand, unless there is a deficiency appropriation, the program for the present fiscal year will expire on March 31. Would the gentleman from New York [Mr. TABER] advise me whether or not he favors a deficiency appropriation to continue this program until June 30?

Mr. TABER. The understanding was when the bill was passed and the appropriation provided that that would be all of the Federal contribution for the fiscal year. Personally, I do not think the Federal Government is in as good a position to pay for these lunches as the State governments and the municipalities. Therefore, I feel the State governments and municipalities should carry the burden. That is my personal position. I do not mean by that that if the bill should be passed increasing the authorization and the budget estimate come up that I would not afford the people interested a hearing.

Mr. McCORMACK. In other words the gentleman himself is opposed to the program?

Mr. TABER. I feel that it is a responsibility that can be met much more cheaply by the localities and that they are much better able to bear the burden than the Federal Government is at this time.

Mr. McCORMACK. In other words, the gentleman himself is opposed to the program?

Mr. TABER. I am, personally.

Mr. McCORMACK. I understand that of the $75,000,000 appropriated, which I think was the amount, $10,000,000 was for the purchase of equipment which, of course, we provided for in the authorization bill which passed the House last year. I understand that $10,000,000 will probably carry the program until the end of June. I honestly disagree with my friend. I think the program serves a very useful purpose. The States are cooperating. Every State had to make their contribution, and certainly the contribution of some States is much more than that of the Federal Government.

Of course, the school-lunch program has been a means or source of invaluable assistance to our farmers, particularly with reference to moving their surplus crops.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. TABER. Mr. Speaker, I yield 10 additional minutes to the gentleman from Missouri.

Mr. CANNON. Mr. Speaker, supplementing what has been said with reference to the school-lunch program, it is to be regretted that provision is not being made for a deficiency appropriation to continue the program for the remainder of the fiscal year. At the time of the establishment of this program, the assurance was given, or at least implied that the Federal Government, having initiated the service, would continue its support. Of course, all of us realize that if left to the States, or local units, neither is in position to provide all the funds needed for the complete administration of the program. The only hope of its maintenance is the continuance of Federal cooperation as heretofore. For us to abandon it at this critical time is not only to leave the impression that we are withdrawing assurance by the Federal Government and accepted by the States. But the abandoned program also leaves a large amount of equipment and specially designed and adapted facilities which has been provided in schools distributed throughout the country which cannot be utilized and which—unless it can be used in the school-lunch program—must necessarily be wasted.

Mr. Speaker, we are making large appropriations at this time for livestock. International cooperation for control of foot-and-mouth disease and hog cholera are being amply financed. Surely we can do something for the greatest crop in America, the children—in seeing that they are protected from a recurrence of conditions which, during the war, resulted in the rejection of a large percentage of our young men, due to anemia and undernourishment in their childhood years.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Louisiana.

Mr. BROOKS. I subscribe to the fine sentiments which the gentleman has just indicated with reference to the school-lunch program. I think the Congress has, at least to some extent, encouraged the States to overspend. In the past when they have overspent we have made up the deficiency as we did last year. I understand we appropriated $15,000,000 additional last year to make up the deficit. So I say we have encouraged the States to overspend in some respects, and I think we should continue this program.

Mr. CANNON. There has been a tacit understanding that, having initiated this program, the Federal Government would continue it.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Arizona.

Mr. MURDOCK. I agree with the gentleman heartily in the statement he has made. When I supported the move for eradication of the foot-and-mouth disease, as I did, I did not do that with the idea that I would block a better effort which we have heretofore put forth for the children of America.

Mr. CANNON. There is no reason why we should not take care of the health of both the livestock and the children.

Mr. FOLGER. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from North Carolina.

Mr. FOLGER. I wish to bring to the attention of the gentleman the fact that the cost of living to the school children has increased as it has to other people.

This has overtaken this school-lunch program, making it true that they will have to abandon it in this month unless the Federal Government supplements its former appropriations. It is a condition that has been brought about. The facilities may be used to carry it on, but it will be only for those who are able to pay for their lunches, and the others will get none. That is the situation.

Mr. CANNON. Experience has demonstrated that even the children from the wealthiest homes have shown immediate improvement in physique and in scholarship as a result of this program. I trust the Committee on Appropriations will relent and agree to continue the program as heretofore.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Illinois.

Mr. SABATH. Is it not a fact, as has been stated, that due to the increased cost of living, especially the cost of milk that goes into these school lunches, has brought about a situation where there is not sufficient funds for the program to be continued? Can the gentleman tell me who is responsible for the increased cost and for the shortage that now exists?

Mr. KEEFE. Mr. Speaker, a point of order. I do not know whether this is a private conversation or whether the rest of the House is involved in what is being said or not. I cannot hear what is being said. It seems to me we should know.

Mr. SABATH. I am pleased that the gentleman is interested in what I started to say and I hope he will take an interest in what I shall say.

Is it not true that destruction of OPA by the Republican party has brought about a 50-percent increase in the cost of living in only 6 months, and has increased the burden of the cost of school lunches to a point where the States and municipalities cannot carry it alone?

We must make some provision for these children.

The gentleman from Wisconsin [Mr. KEEFE], has offered criticism because I have continuously drawn attention to the sharp increase in living costs, and especially of food items, especially the rapid spiral since the November elections.

Nevertheless, he must admit that the school-lunch program was originally created to help the farmers. There were vast surpluses in danger of rotting in the granaries, and the people did not have the money to buy them. The school-lunch program was designed by a Democratic administration to bring the cash from the cities and the crops of the farmers together, and help agriculture. Now farm prices are at the highest point in all history, and farmers for the first time are getting 120 percent of parity for their produce, and the plight of poor children who need the noontime lunches at reduced prices—not charity—is no concern of the gentlemen from the rich and prospering farm areas.

To deny this appropriation so desperately needed to continue the school-lunch program is indeed false economy, as is the elimination of appropriations for rent and sugar controls. We shall pay for this in the future.

Mr. CANNON. The sharp increase in cost of living immediately following curtailment of the activities of OPA demonstrates the truth of what the gentleman says.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from New York.

Mr. MARCANTONIO. If the gentleman will permit me, I would like to discuss amendment No. 20 and its implications. This amendment, in my opinion, definitely destroys rent control. It eliminates it. It calls for the liquidation of OPA in its entirety on or before June 30, 1947. There is no argument about that. The Division of Rent Control exists in OPA, which will be liquidated in its entirety under this amendment. It means the end of rent control. Now, you cannot come here and say that Congress may enact rent-control legislation later on and for that reason we must therefore provide for the liquidation of the Rent Control Division now. That is not the language of the friends of rent control; that is the language of the enemies of rent control. I think it is lamentable—and I do not mean this in personal criticism of my good friend from Missouri—I think it is lamentable that the Members of the minority party signed this report which knifes to pieces the program for rent control as we have had it heretofore.

Mr. CANNON. Our agreement to this conference report, of course, was on the premise that immediate legislation would be drafted and enacted to preserve the essential benefits both of the rationing of sugar and the maintenance of the rent-control program.

I yield to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. I should like to ask this question of the gentleman from Missouri and I would ask it also of the Members of the other side of the House: I inserted in the RECORD of March 6 a telegram and a letter from the Governor of the State of Oklahoma pointing out that unless we have a deficiency appropriation for the school-lunch program affecting 180,000 school children in Oklahoma alone that it is going to die on March 31. I wish to ask this question of the Republican side of the House: Under the mandate that you talk about of last November 5, did you get a mandate to stop the school-lunch program in this Nation? Of course you did not.

Now, let us find out one other thing. I have never been too strong for deficiency appropriations in the main, but in a program like this where you are buying food and other commodities which have risen in cost since October of 1946, though no fault of the people who have to purchase this food, I am going to ask you this one question—I will address it to the gentleman from New York: Is the gentleman's party willing to accept the responsibility for killing a program such as this?

Mr. TABER. Seventy-five million dollars was all that the Democratic party dared pass last June and go to the country on.

Mr. JOHNSON of Oklahoma. I will ask the gentleman whether he will support a deficiency appropriation now to carry on the school-lunch program for the rest of the fiscal year?

Mr. TABER. Have not the gentleman's people back home sufficient confidence in the school-lunch program to carry it on themselves and meet their own responsibility?

Mr. JOHNSON of Oklahoma. The State of Oklahoma, and the other States as well, are meeting their proportionate share. That I take is a complete answer. The gentleman's position is that he is not willing to carry it on. I want the people of this Nation and the people back in Oklahoma to know that this is the way the gentleman's party is carrying out the mandate that was given them last fall. I do not believe the gentleman's party got any mandate to kill such a program as this.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I might say to the gentleman from Oklahoma that the gentleman from New York [Mr. TABER] has frankly admitted his opposition to this program. Knowing the gentleman as I do I make this observation, that we Democrats can be proud of the fact that we put it into the law. The Republicans are going to destroy it.

Mr. ALBERT. Mr. Speaker, I want to endorse the remarks of my friend and colleague from Oklahoma [Mr. JOHNSON], with reference to the school-lunch program. I know that I came here under a mandate from the people of my part of Oklahoma to continue this very important project.

Furthermore, while on this subject of deficiency appropriations, I want to urge that the next deficiency bill provide sufficient funds to carry on our Indian schools, hospitals, and other services at their present levels.

Mr. BECKWORTH. Mr. Speaker, I wish to state that I have always supported the school-lunch program. I feel from personal observation it has been very helpful to many of the school children of Texas. I would regret very much to see this program handicapped. For 3 years I taught in rural schools and at times I have observed children who did not have proper food at noontime. I think this is unfortunate with reference to any child anytime and should not be tolerated. The school-lunch program takes care of such a situation. The program should not be discontinued or handicapped in any way.

Mr. CANNON. Mr. Speaker, the protection of the public against inflation in the price of the necessities of life, in time of war, is fundamental. And that is particularly true of rents—and to only slightly lesser degree in the distribution of such staples as sugar. We are advised by those in a position to know that but for the control and rationing of sugar during the war years the price would have risen to something like 70 cents per pound, and the channels of supplies so monopolized by confectioners, distillers, soft-drink processors, and other large industrial users that the average housewife would have been entirely deprived of sugar most of the time. Due to devastation of sugar-producing areas in the Philippines, the East Indies, and other sugar-manufacturing centers the recovery of the industry has been delayed so that the world supply is still tragically short. In order to insure each family having its proportional supply it has been necessary to continue rationing, and will be necessary to continue rationing in the future, until normal supplies are available.

Likewise, war conditions require the control of rents in order to avoid intolerable conditions which would otherwise skyrocket housing costs to a figure which would so seriously hamper the mobilization of labor in industrial centers as to threaten the success of the war program. Due to lack of construction of the normal increase in housing during the war, rent control also is necessary in the reconversion period pending resumption of construction and the provision of necessary housing throughout the Nation.

The bill now before the House liquidates all OPA control of both rents and foods, including sugar, by June 30, 1947. This means discontinuation of enforcement as of April 30. It is true that proponents of this summary conclusion of OPA activities insist that sufficient funds have been provided to continue enforcement to June 30. But the facts are otherwise. Here is a comment in this morning's Washington Daily News:

> Your Government reporter learns—
>
> That OPA, after several weeks of indecision while Congress debated its appropriation bill, now is making definite plans to fold up by April 30.

This is an authoritative report on actual conditions. It leaves us in the analogous position of having a rent-control law on the statute books until June 30 but no administrative agency and no means of enforcement after April 30. Unless prompt steps are taken to provide for the hiatus, we will be without rationing and control through May and June.

It was only on the assurance that legislation is already being drafted to continue the rationing of sugar through the Department of Agriculture and the control of rents through the Department of Commerce, or other competent agency, that we have signed the conference report and are supporting this bill.

It is to be hoped that there will be no unnecessary delay in the enactment of this emergency legislation.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. CANNON. Mr. Speaker, will the gentleman from New York give me 5 minutes to complete my presentation?

Mr. TABER. I have not very much time left and I have other commitments. I am sorry. I yield 5 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Speaker, the field day which has been indulged in over the question of the school-lunch program is indicative of what we may expect during the rest of the legislative year. I was here when the school-lunch program was inaugurated. The plea of the gentleman from Massachusetts, the gentleman from Illinois, and the gentleman from Missouri—the latter being the great economy-minded gentleman of the Congress—then was, that we were confronted with agricultural surpluses and one of the splendid ways to get rid of those agricultural surpluses was to have the school children of America eat them up. That was the justification for the program when it started. Now, with that beginning it has grown into a permanent program of some stature. There were $75,000,000 appropriated last year to carry on this program that the gentleman from Oklahoma went into such ecstasies about. As a matter of fact, I may say to the gentleman from Oklahoma that in my State we had a school-lunch program long before the New Deal was ever thought of. I do not suppose you ever had that sort of an idea down in Oklahoma and some of these other States. However, the States of this Union and the municipalities that comprise those States are fully able to maintain and to finance a school-lunch program. They have the equipment now that can be used, and it will be used.

What you are in effect saying is that the States of this Union, which as a whole make up these United States, will not carry on this great magnanimous, magnificent program which you gentlemen say is going to keep the children of this Nation alive. They are going to let it die. The only way you can keep it alive, according to them, is for the Federal Government to step in and finance it and send the charge back to the same States with a clip-off at the Federal end of it for handling the transaction.

My friend from Missouri should not play both sides of the street. We either ought to stand for a program of economy or we ought to stand for the program that has so long represented the New Deal—a spending program. Either we are going to get on to this economy program or we are not. It will not do for the gentleman from Missouri or some one else to stand up here and talk economy one day out of one side of his mouth and the next day stand up here and preach for this program or that program which means another very large sum of money which the States and the municipalities are perfectly able to take care of themselves. May I say to the gentleman from Oklahoma that the question facing the people of this country is simply this: Are we going to put back into the hands of the States and the people of the States the responsibility that is theirs?

Mr. Speaker, I sometimes wonder how I ever grew up. I wonder how I ever got this stature. I lived in a period when we did not have the school-lunch program. I wonder how I ever got through it. I wonder how you people who are out there ever got to grow up at all without somebody spoon-feeding you out of the Federal Treasury. It seems to me it is time we begin to get back to certain fundamentals and have the Government do the things that the Government ought to do here in Washington and let the local people do the things they ought to do and that they are equipped and are able to do and in most good communities want to do, may I say.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. May I make the observation that the gentleman did a pretty good job in growing up. He must have got plenty of lunches.

Mr. KEEFE. I got plenty of lunches and, may I add, we went out and did some work for some of those lunches. We knew how to work. The trouble is today nobody wants to work; everybody wants to have everything handed to him. It is a great thing to stand up here and raise your voice and picture the poor little children who are starving. The gentleman from Illinois stands up here and tells us that the prices are going up due to OPA being taken off, when he knows as well as I know, and so does the gentleman from Missouri and the gentleman from Massachusetts know as well as I know, that you have the Commodity Credit Corporation representing the United States Government in every market in this Nation bidding the price of wheat up, competing against the miller, bidding the price of wheat up to $2.75 a bushel in order that we might carry out our commitments to feed the entire world.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. TABER. Mr. Speaker, I yield the gentleman four additional minutes.

Mr. KEEFE. And, as long as that situation continues, and as long as a nation that for 25 years has never been able to completely feed itself and has been on a food-importing basis, as long as that nation attempts to feed the people of the world, you may expect that with Uncle Sam in the market places competing with the millers and private producers, that prices are going to rise. They are going to get higher; make no mistake about it.

This is a pretty critical situation that is facing this country, and you will be sobered up tomorrow when our President makes his speech from this rostrum. You will not be treating this so facetiously and laughing about it, as some of you are doing now. It is pretty serious business, and no one knows it better than the gentleman from Massachusetts and the gentleman from Missouri, who attended the President's conference up at the White House. This is not anything to laugh about, and I want to tell the gentleman from Illinois that it does him no credit to try to throw every one of these discussions into a pure political discussion.

The salvation of our country is not a political question, and you gentlemen are going to have a hard time to join hands with us to save this country, and you know it, and yet on every one of these bills that come out here you make a field day of political discussion, injecting a lot of silly politics in it in order to accuse the Republicans of doing something bad.

Now, I will tell you what you are going to have to do. You are going to have to assume your responsibility in this world picture or not assume it, and if you do, prices are going to continue to rise, and the gentleman from Illinois or anybody else like him ought to tell the people of America the truth. These rising prices are not to be related to OPA. They are rising because America is attempting to feed the world out of a stock that never was designed for such purposes, and your Commodity Credit Corporation is in the market places bidding against local millers and local producers for that diminishing supply of goods.

The SPEAKER. The time of the gentleman from Wisconsin has again expired.

Mr. TABER. I yield the gentleman one additional minute.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Missouri.

Mr. CANNON. I should like to call the attention of my distinguished——

Mr. KEEFE. "The admiral from Wisconsin," as the gentleman called him one day.

Mr. CANNON. My distinguished and able and trusted friend from Wisconsin. He speaks of the President as "my" President. I trust he means "our" President.

Mr. KEEFE. I mean he is my President, and I so stated. He is going to come here tomorrow and tell you the truth, and you had better get ready for it, instead of standing up here and carrying on these piddling politics while the country is collapsing around our ears and while the whole world threatens to collapse. I am sick of it as far as I am concerned. We had better get along with our business instead of having these little piddling arguments while the whole world burns and is looking for action.

Mr. CANNON. There are 10 minutes remaining of the hour. I ask the gentleman from New York to yield me 5 minutes of the 10.

Mr. TABER. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Speaker, I rise to draw the attention of my colleagues to

the critical necessity for continuing adequate rent-control administration and Federal rent control until June 30, 1948. This job must be carried on effectively, now, until there is new legislation turning it over to an agency other than OPA. A break-down at this time will incur consequences of the utmost gravity to my constituents and to millions of other Americans. After World War I rents shot up 50 to 75 percent and evictions multiplied, because there were no controls. With the cost of living now over 60 percent higher than in 1939, the people of moderate income cannot stand the strain. It would be felt in a galloping inflation and in labor strife.

Mr. Speaker, as far as housing is concerned, the war is still on. We may be reducing here several million dollars for OPA over what the Senate provided, but I do not believe that my constituents can afford that kind of economy. This is a regrettable conclusion for me as there are other provisions of this report which I favor very much.

Mr. TABER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and two Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 342, nays 49, not voting 41, as follows:

[Roll No. 19]

YEAS—342

Abernethy	Brooks	Crawford
Albert	Brophy	Crow
Allen, Calif.	Brown, Ga.	Cunningham
Allen, Ill.	Brown, Ohio	Curtis
Allen, La.	Bryson	Dague
Almond	Buck	D'Alesandro
Andersen, H. Carl	Buffett	Davis, Ga.
Anderson, Calif.	Burke	Davis, Tenn.
Andresen, August H.	Burleson	Dawson, Utah
Andrews, Ala.	Busbey	Deane
Andrews, N. Y.	Butler	Devitt
Angell	Byrnes, Wis.	D'Ewart
Arends	Camp	Dirksen
Arnold	Canfield	Dolliver
Auchincloss	Cannon	Domengeaux
Bakewell	Carson	Dondero
Banta	Case, N. J.	Dorn
Barrett	Case, S. Dak.	Doughton
Bates, Ky.	Chadwick	Drewry
Battle	Chelf	Durham
Beall	Chenoweth	Eaton
Beckworth	Chiperfield	Elliott
Bender	Church	Ellis
Bennett, Mich.	Clason	Ellsworth
Bennett, Mo.	Clevenger	Elsaesser
Bishop	Clippinger	Elston
Blackney	Coffin	Engel, Mich.
Bland	Cole, Kans.	Engle, Calif.
Boggs, Del.	Cole, Mo.	Evins
Boggs, La.	Colmer	Fallon
Bolton	Combs	Fenton
Bonner	Cooley	Fernandez
Boykin	Cooper	Fisher
Bradley, Calif.	Corbett	Flannagan
Bradley, Mich.	Cotton	Fletcher
Bramblett	Coudert	Folger
Brehm	Courtney	Foote
	Cox	Forand
		Fulton
Gamble	Lea	Richards
Gary	LeCompte	Riehlman
Gathings	Lemke	Riley
Gavin	Lewis	Rivers
Gearhart	Lodge	Rizley
Gifford	Love	Robertson
Gillette	Lucas	Robsion
Gillie	Lusk	Rockwell
Goff	Lyle	Rogers, Fla.
Goodwin	McConnell	Rogers, Mass.
Gore	McCowen	Rohrbough
Gossett	McDonough	Ross
Graham	McDowell	Russell
Grant, Ala.	McGarvey	Sadlak
Grant, Ind.	McGregor	St. George
Gregory	McMahon	Sanborn
Griffiths	McMillan, S. C.	Sarbacher
Gross	McMillen, Ill.	Sasscer
Gwinn, N. Y.	MacKinnon	Schwabe, Mo.
Gwynne, Iowa	Macy	Schwabe, Okla.
Hagen	Mahon	Scoblick
Hale	Maloney	Scott, Hardie
Hall, Edwin Arthur	Manasco	Scott, Hugh D., Jr.
Hall, Leonard W.	Mansfield, Tex.	Scrivner
Halleck	Martin, Iowa	Seely-Brown
Hand	Mason	Shafer
Hardy	Mathews	Sheppard
Harris	Meade, Md.	Sikes
Harrison	Merrow	Simpson, Ill.
Hays	Meyer	Simpson, Pa.
Hébert	Michener	Smith, Kans.
Hedrick	Miller, Calif.	Smith, Maine
Hendricks	Miller, Conn.	Smith, Ohio
Herter	Miller, Md.	Smith, Wis.
Heselton	Miller, Nebr.	Snyder
Hill	Mills	Springer
Hinshaw	Mitchell	Stanley
Hobbs	Monroney	Stefan
Hoeven	Morris	Stevenson
Hoffman	Morrison	Stigler
Holmes	Morton	Stockman
Hope	Muhlenberg	Stratton
Horan	Mundt	Sundstrom
Howell	Murray, Tenn.	Taber
Hull	Murray, Wis.	Talle
Jackson, Calif.	Nixon	Taylor
Jarman	Nodar	Teague
Jenison	Norblad	Thomas, N. J.
Jenkins, Ohio	Norman	Thomas, Tex.
Jennings	O'Hara	Thomason
Jensen	O'Konski	Tibbott
Johnson, Calif.	Owens	Tollefson
Johnson, Ill.	Pace	Towe
Johnson, Ind.	Passman	Trimble
Johnson, Okla.	Patman	Twyman
Johnson, Tex.	Patterson	Vail
Jones, Ala.	Peden	Van Zandt
Jones, N. C.	Peterson	Vinson
Jones, Ohio	Phillips, Calif.	Vorys
Jones, Wash.	Phillips, Tenn.	Vursell
Jonkman	Pickett	Wadsworth
Judd	Ploeser	Weichel
Kean	Plumley	West
Kearney	Poage	Wheeler
Kearns	Potts	Whitten
Keating	Poulson	Whittington
Kee	Preston	Williams
Keefe	Price, Fla.	Wilson, Ind.
Kerr	Priest	Wilson, Tex.
Kersten, Wis.	Rains	Winstead
Kilburn	Ramey	Wolcott
Kilday	Rankin	Wolverton
Kunkel	Rayburn	Worley
Landis	Redden	Youngblood
Latham	Reed, N. Y.	Zimmerman
	Reeves	
	Rich	

NAYS—49

Blatnik	Havenner	Marcantonio
Bloom	Holifield	Morgan
Buchanan	Huber	Murdock
Carroll	Jackson, Wash.	O'Brien
Celler	Javits	O'Toole
Crosser	Karsten, Mo.	Philbin
Delaney	Kefauver	Powell
Dingell	Kennedy	Price, Ill.
Donohue	Kirwan	Rabin
Douglas	Klein	Rayfiel
Eberharter	Lane	Rooney
Fogarty	Lanham	Sabath
Gordon	Lynch	Sadowski
Gorski	McCormack	Smathers
Granger	Madden	Spence
Harless, Ariz.	Mansfield, Mont.	Walter
Hart		

NOT VOTING—41

Barden	Cole, N. Y.	Harness, Ind.
Bates, Mass.	Cravens	Hartley
Bell	Dawson, Ill.	Heffernan
Buckley	Feighan	Hess
Bulwinkle	Fellows	Jenkins, Pa.
Byrne, N. Y.	Fuller	Kelley
Chapman	Gallagher	Keogh
Clark	Gerlach	King
Knutson	Norton	Somers
Larcade	Pfeifer	Welch
LeFevre	Reed, Ill.	Wigglesworth
Lesinski	Rees	Wood
Meade, Ky.	Short	Woodruff
Norrell	Smith, Va.	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. LeFevre for, with Mr. Dawson of Illinois against.

Mr. Fuller for, with Mr. Keogh against.

Mr. Hess for, with Mr. Kelley against.

Mr. Wood for, with Mr Pfeifer against.

Mr. Hartley for, with Mr. Byrne of New York against.

Mr. Wigglesworth for, with Mr. Heffernan against.

Mr. Woodruff for, with Mr. King against.

General pairs until further notice:

Mr. Bates of Massachusetts with Mr. Feighan.

Mr. Knutson with Mrs. Norton.

Mr. Harness of Indiana with Mr. Larcade.

Mr. Fellows with Mr. Lesinski.

Mr. Gallagher with Mr Somers.

Mr. Short with Mr. Barden.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PERSONAL ANNOUNCEMENT

Mr. FLANNAGAN. Mr. Speaker, I desire to announce the absence of the gentleman from Virginia [Mr. SMITH] due to a death in his family, and state that he will be absent during the remainder of the week.

EXTENSION OF REMARKS

Mr. COLMER asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. BRYSON asked and was given permission to extend his remarks in the RECORD and include a speech by Colonel Smith and a speech delivered by himself.

Mr. BRADLEY of Michigan asked and was given permission to extend his remarks in the RECORD and include some correspondence.

EDUCATIONAL AND RECREATIONAL FACILITIES

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency be discharged from further consideration of the bill (H. R. 2473) to authorize the transfer without charge to the States and their political subdivisions of all interest of the United States in educational and recreational facilities acquired under the Act of October 14, 1940, as amended, and that the bill be referred to the Committee on Public Works.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection?

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL, 1948

Mr. CANFIELD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 2436) making appropriations for the Treasury and Post Office Departments for the fiscal year

ending June 30, 1948, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 2436, with Mr. MICHENER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the first paragraph of the bill had been read.

The Clerk will read.

The Clerk read as follows:

Salaries: For personal services in the District of Columbia, including the operating force of the Treasury Building, the Treasury Annex, the Liberty Loan Building, the Auditors' Building, and the west and south annexes thereof, $650,000.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on yesterday while the gentleman from Virginia [Mr. GARY] was speaking, I interrupted him to ask about the funds for the extension of rural mail routes. I told him it was my understanding that a large number of these extensions had been provided and that no funds were available to put those extensions into operation.

After the Congress adjourned I got in touch with the Post Office Department and was informed that those shortages could not be covered by this bill, because this is the appropriation measure for the fiscal year 1948, and funds must be provided in a deficiency bill if these short extensions in the various sections of the country are to be made.

I make this statement because of the fact that the debate on yesterday would leave the impression that these deficiencies could be taken care of by amendment to the present bill. But that is not the case. These funds must be provided, if they are to be provided at all, in a deficiency bill.

I call this proposition to the attention of the Members to clear the record on that point.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Does the gentleman mean the funds for the period from now until June 30 of this year?

Mr. RANKIN. That is right

Mr. EBERHARTER. How about the regular funds for the fiscal year 1948? Are they provided for in this bill?

Mr. RANKIN. They told me they thought the funds provided in the present bill would be sufficient for the next fiscal year. If not, a deficiency bill could be brought in in the next session.

But all over this country, in every agricultural section, extensions of rural mail routes have been provided. They have been surveyed and approved, but the Department does not have the money to put them into operation.

So I just want to serve notice now that when the next deficiency bill comes before the House the distinguished gentleman from New York [Mr. TABER], chairman of the Committee on Appropriations, has promised me an opportunity to appear before the committee in favor of an item to take care of those extensions. My position has been, as you all know, that if we provide mail for one man, we should provide it for all. It is my contention that we should extend a mail route and a rural power line to every farmhouse in America. I will make only this limitation: I will say to every house that can be found by the tax gatherer in times of peace or that can be reached by the draft in time of war.

There is no reason for us to pinch pennies on rural mail routes and on rural electrification and then spend the billions of dollars that America is called upon to contribute to other sections of the world.

Nothing that I can think of will do more to strengthen this country than to provide mail service and electric power service to every farm home in this country.

I shall continue my efforts toward the attainment of that end.

The Clerk read as follows:

Refunding internal-revenue collections: For refuding internal-revenue collections, as provided by law, including the payment of claims for the prior fiscal years and payment of accounts arising under "Allowance or drawback (Internal Revenue)," "Redemption of stamps (Internal Revenue)," "Refunding legacy taxes, act of March 30, 1928," "Repayment of taxes on distilled spirits destroyed by casualty," and "Refunds and payments of processing and related taxes," $1,231,000,000: *Provided*, That a report shall be made to Congress by internal-revenue districts and alphabetically arranged of all disbursements hereunder in excess of $500 as required by section 3 of the act of May 29, 1928 (sec. 3776, I. R. C.), including the names of all persons and corporations to whom such payments are made, together with the amount paid to each.

Mr. GORE. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. GORE: On page 12, in line 20, strike out "$1,231,000,000" and insert "There is hereby appropriated such amount as may be necessary for prompt payment of tax refunds."

Mr. CASE of South Dakota. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Tennessee [Mr. GORE] is recognized for 5 minutes.

Mr. GORE. Mr. Chairman, withholding taxes are now being withheld from the pay rolls of 55,000,000 American citizens. Those taxes are being withheld not at the rates which some future tax bill may fix. Those taxes are being withheld at the rate of the present tax law.

The principal reason which the committee assigns for its guess that there will be less claim for tax refunds can be found on page 16 of the committee report. Please understand I am not endeavoring to criticize the members of the committee. They have undoubtedly done a conscientious job, and they worked hard. Nevertheless, it behooves the Members of the House to examine any innovation, to examine any guess, to determine for themselves the rightness of the course. I would like to read to you at least one of the reasons they give. They say: "Coupled with the expectation of several million less taxpayers filing as a result of prospective changes in the tax laws, it is felt that the reduced figure would more nearly approximate the amount required."

Let us see how that operates. There are 55,000,000 taxpayers from whom withholding taxes are now being withheld. If we cut 20 percent of them off what is the result? We do not decrease the number of claimants for tax refunds, we increase it. As a matter of fact, 30,500,000 taxpayers in the last fiscal year filed claims for refund; so we cannot escape the conclusion that the reasoning and the logic behind this statement is inaccurate. The very opposite will be the effect.

Through my amendment I am offering to put into the bill the language which has been in the bill since the enactment of the withholding tax law. Originally the Appropriations Committee and the House wrote into appropriation bills specific amounts for tax refunds, but with the enactment of the withholding tax the claims became so large that it became an impractical procedure.

If we place this specific appropriation in the bill it not only serves as an appropriation but it operates as a limitation: The Treasury of the United States cannot make tax refunds in an amount larger than this figure which is $800,000,000 below that which the Bureau of Internal Revenue estimates the tax refunds will be for the next fiscal year. Unless, therefore, the Congress passes another appropriation bill, a deficiency appropriation bill, sometime before the end of the fiscal year, we will tie the hands of the Bureau of Internal Revenue and prevent them from making prompt tax refunds to people who are entitled to them. With what result? The millions of small income taxpayers who have overpaid will not get prompt refunds of the money which they need, and the second result will be that we will just prolong the period during which 6-percent interest will have to be paid on these refunds.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. CASE of South Dakota. Mr. Chairman, I withdraw my reservation of a point of order.

Mr. DIRKSEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, instead of being content to examine the language of the report my good friend from Tennessee should have busied himself a little with the actual testimony that was taken on this item. I believe that would make it quite clear.

There was estimated for tax refunds in the President's budget $2,031,000,000 for the fiscal year 1948. The committee, after taking testimony from the Commissioner of Internal Revenue, from the Chairman of the Excess Profits Tax Council, from Dr. Atkeson, who is one of the fiscal experts in the Treasury Department, and from the Alcohol Tax Unit, finally concluded that this amount could be very safely diminished on the basis of their own testimony. When I queried Dr. Atkeson I asked, "How did you arrive at this amount of $2,031,000,000?" Then he began to give me figures and set forth the arithmetic for the estimate. I said, "Doctor, I do not want to know about arithmetic, I want to know what the theory is behind it." And when we got all through—you will

find his answer on page 496 of the hearings—he said, "It is the best guess that we can make."

Now that is the Treasury Department speaking. When Mr. Hamel, chairman of the Excess Profits Tax Council, who has been a practicing tax attorney for 25 years and once served as a member of the Board of Tax Appeals, came before the committee it was the same thing. He said, "It is the best guess we can make." But there was another answer to it that was highly intriguing. We finally discovered, and you will find it in the hearings, when all is said and done the Treasury did not even make the guess. The guess was made by the Bureau of the Budget which is not only a fiscal arm, but in a sense one of the political arms of the Presidency. I said, "Perhaps our guess is as good as yours." He said, "Perhaps so."

Now then, it was not a guess after all. First, you will find that in this total item as disclosed on page 568 of the hearings you take off $123,000,000. Treasury officers testified that if the excise-tax bill went through there were $123,000,000 in this estimate that ought to be deducted. That is not the gentleman from Illinois, EVERETT DIRKSEN talking to you, that is the Treasury Department testifying before the committee. With respect to excess-profits refunds, I said to Mr. Hamel: "I suppose you get frivolous cases where people simply file and later on you discover there is no foundation to the case." He said, "Many of them." He said, "I did some missionary work in the country." You will find it recorded on pages 548 and 549 of the hearings. He said, "A great many cases have been withdrawn and one-half of all the cases have been disposed of." Since June of last year they allowed $42,000,000 in refunds on excess profits and they have asked for $420,000,000 in this bill for fiscal 1948.

There is a little something wrong with this kind of arithmetic. It becomes the responsibility of the subcommittee, having some knowledge of arithmetic, to come to certain conclusions. Budget officials have reached up and made a fine guess. Our friend from Tennessee proposes to make this an indefinite appropriation like it was and to leave it an open-ended amount. If you will examine the language of the bill you will discover that we made it a definite appropriation. We want them to come back and tell us at the end of this year or the beginning of the next fiscal year what they have done with the money.

I believe that the Congress, which has the power of the purse under the Constitution, is entitled to know what happens to money that goes out of the Treasury of the United States. Yet only one copy on refunds is filed with the Ways and Means Committee and I am frank to say to you we have not had a look at a single refund case to find out whether it was justified or not. So we made it a definite appropriation. We take their own figures, we take their own statement that there is going to be a diminution in the case load here, and I think we have treated them with great generosity in taking out only $800,000,000.

It has been said that this is a phoney item. That word "phoney" was bandied about on this floor in committee yesterday. There was also talk about legislative duplicity. Let me say to you that the President of the United States carries all this in the expenditure budget for the fiscal year 1948. When we deal with a ceiling we are dealing with a ceiling on expenditures. So we are only taking the bookkeeping of the Government of the United States and adapting our processes and techniques accordingly.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CANFIELD. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. I am wondering in connection with this estimate that the committee made. Suppose the money runs out, say in 8 months of the fiscal year 1948. May I ask whether the subcommittee would consider a deficiency appropriation bill so that these taxpayers who are entitled to refund of this money can get it?

Mr. DIRKSEN. A subcommittee of the Appropriations Committee has no choice in the matter because deficiency estimates are prepared by the budget Bureau. They are approved by the President. They can send us a roomful of deficiencies and we cannot stop them. The only question is whether or not we propose to enact the deficiency after we have taken further testimony. It would be a grand idea, after some experiences under this item as set up by the subcommittee, if they would come back and tell us the whole story. Now, we are proposing that that be done because we said in the report that through the power of legislative oversight of the subcommittee we propose to follow through on this matter.

Mr. EBERHARTER. I got the impression from the gentleman's remarks yesterday afternoon that it was the intention of the Committee on Appropriations to have less deficiency appropriations.

Mr. DIRKSEN. It certainly is.

Mr. EBERHARTER. Well, now, further, the gentleman is giving the impression that he has no confidence in the Joint Committee on Internal Revenue Taxation, which passes upon these refunds if they amount to over a certain small figure. Now the gentleman is giving the House the impression that nobody checks on these refunds. I will say that there is a set-up by law whereby the Joint Committee on Internal Revenue Taxation passes on these refunds and the legality of them, so that I hope the gentleman will not leave the wrong impression here.

Mr. DIRKSEN. Well, the gentleman from Illinois has not even mentioned the Joint Committee on Internal Revenue Taxation, insofar as he knows. The gentleman from Illinois is dealing with money that goes out of the Treasury of the United States, not money that comes in. That is the function of the Committee on Appropriations, and that is the reason this item appears in an appropriation bill.

Mr. EBERHARTER. I just want to say that there is a special council that passes upon these refunds, and it is up to the Treasury Department, with the approval of the special committee set up by law, to pass upon it.

Mr. DIRKSEN. This subcommittee undertakes to clearly stay within its prerogatives and within its powers, so that when an item of $2,031,000,000 is submitted to us we take testimony from everybody in the Treasury Department who can throw some light on this subject.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Tennessee.

Mr. GORE. In asking the gentleman to yield, I first want to say that I entertain for him not only the highest regard but the most genuine fondness.

Mr. DIRKSEN. I appreciate that.

Mr. GORE. And any difference in point of view between him and me, both members of the Committee on Appropriations, is purely on a matter of principle, and no antagonistic personalities whatsoever are involved.

Mr. DIRKSEN. I understand that, and I reciprocate with equal fervor the grace that is so beautifully expressed by my friend, the gentleman from Tennessee.

Mr. GORE. I would not ask the distinguished and able gentleman to yield except that I only had 5 minutes and I was unable in that time to develop adequately my point of view, and if the gentleman will let me ask him a couple of matter-of-fact questions, I will be glad to ask unanimous consent that his time be again extended.

Mr. DIRKSEN. With the greatest of pleasure.

Mr. GORE. Since the distinguished chairman of the subcommittee stated on the floor yesterday that this provision did not save one dime to the taxpayers of the country or to the Treasury, I wonder what virtue this provision has. Now, the gentleman undertakes to assign to it the virtue that he is going to have the Bureau of Internal Revenue come back to Congress and tell what they did with the money. The appropriation bill for last year contained the identical provision which you will find on page 11, which requires that an accurate report be made, and as the gentleman from Pennsylvania has pointed out, the Joint Committee on Internal Revenue searches and passes upon these refunds. Now the gentleman would not state, I am sure, that it is his intention to forestall and prevent prompt refunds of taxes, and then if that is his purpose, if that is the purpose of the committee and of his party, why do we place this limitation in the bill? The Treasury is certainly not going to make refunds to which taxpayers are not legally entitled. If you are going to bring in a deficiency bill, that will serve

the purpose, but it makes useless work for the Congress.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. GORE. Mr. Chairman, I ask unanimous consent that the time of the distinguished gentleman be extended three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DIRKSEN. Now, let us answer the first question: What is this item doing here anyway? Here is a tremendous document that was prepared especially by the Bureau of the Budget at the instance of the chairman of the Committee on Appropriations when we were working on the legislative budget.

Here is an analysis of the expenditure, not by the Appropriations Committee but by the Budget Bureau. When you get down to the Treasury Department, here is an item of $2,031,000,000 inserted by the Budget Bureau in the 1948 appropriation, and it is inserted in the 1948 budget of expenditure. So as we deal with appropriations and expenditures we of necessity have to deal with this item.

In response to the second question raised by the gentleman from Tennessee, this has been carried as an indefinite, open-end appropriation heretofore. I have set myself against indefinite appropriations ever since I learned to know the difference between what constitutes annual, ascertained, and definite appropriations and those that are permanent and indefinite. Our Budget is filled with billions of dollars of permanent and indefinite appropriations that we can examine in only a casual and cursory way from year to year. That is the reason not a single specific refund case was presented to the subcommittee.

What we say now is, this is going to be definite and this is going to be annual, and it is going to be for an ascertained amount. When in June of 1947 the Treasury officials come before the subcommittee we can then ask, "What did you do with the money? Let us see the whole record, now, so we can carefully examine and see whether the moneys of the taxpayers of the United States have been carefully and properly husbanded." So it is on the basis of making it definite that we conclude on the basis of their own testimony that this can be safely reduced by that amount, and that is implemented by the fact that additional testimony was offered, perhaps off the record, in the Committee on Ways and Means, and I am hopeful that the gentleman from New York will address himself to that matter very briefly.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. GORE. I wonder how the distinguished gentleman arrived at the conclusion that because "several million" taxpayers are expected to be cut off the tax roll there would be fewer and not more claims for tax refunds.

Mr. DIRKSEN. The fact of the matter is that it appears in the expenditure budget over the hand of the President and the Budget itself. Why should more money be reflected in the expenditure budget than the money they actually need? Of course, they have not yet got over the technique of blank checks, of long ago. You just write out $500,000,000 for the President of the United States and then hope that at the end of the fiscal year he will probably give you a report. No; there is a change now. We are getting on a very definite basis. It is so easy to show a smaller budget and then revise it later in the year to show progress toward economy. We propose to make it reflect the true condition if we can.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. GORE. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GORE. The estimates in the budget of the President were based upon present tax laws. It was very necessary that an estimate for tax refunds be contained in the budget, because tax refunds can be made only through disbursement from the Treasury. Disbursement from the Treasury can be made only upon authorization from the Congress. Therefore it was entirely proper, there was no legerdemain about it, that this item be included in the budget. It is entirely proper that in the budget of the Congress this item be included. But the gentleman and the distinguished committee of which he is a member have arbitrarily made a guess that the amount of refunds will be $800,000,000 less than was estimated by the Bureau of Internal Revenue and the Budget and the President, and he assigns as one of his reasons that the taxes are going to be cut and several millions will be cut off the tax rolls. The President estimated and the Bureau of the Budget estimated that there would be claims for refund of $2,031,000,000 for the next fiscal year under present taxes. If the gentleman is going to reduce taxes 20 percent or by whatever amount, he is going to increase rather than decrease the amount of tax refunds.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes to make proper answer to the gentleman.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. As a matter of fact, the gentleman from Illinois thus far has said exactly nothing about the changes in taxes or changes in the internal-revenue laws that might diminish the number of tax payments. The gentleman from Illinois puts it strictly on the ground that the Treasury arithmetic is faulty and that it is a guess. Let us take a look. There is $420,000,000 in this estimated item for excess-profits-tax refunds. You will find in the statement made by the chairman of the Excess Profits Tax Council that it is stated that $8,000,000,000 in claims will be filed, but $8,000,000,000 had not actually been filed.

As a matter of fact, I asked the Treasury to send me the most recent and current statement. It came a day or two ago. Only $4,562,000,000, about one-half of the estimate, has been filed. It only increased about $450,000,000 since June of 1946. By their own testimony and by their own statement, they have disposed of nearly 19,000 of those cases, and that is about one-half the number of the cases involving $680,000,000. How much money was allowed? Here is their figure—$42,500,000. Yet, they come along and insert an estimate of $420,419,148 for fiscal 1948. If you take the most advantageous percentage figure, it probably would not run over $160,000,000. Can you wonder why the Treasury did not belabor the point?

Number two is the $123,000,000 which they said should be deducted just as soon as action was completed on the excise tax bill. Finally comes this estimate of more accurate returns as familiarity with existing tax law develops everywhere in the country. That is what the Treasury said to us. So, I believe we can safely diminish this amount by $300,000,000.

I am confident there will be sufficient money to take care of every taxpayer for whom my friend, the gentleman from Tennessee, is so concerned. That is the whole story.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. CRAWFORD. With respect to the liability of the Federal Government to taxpayers, we have to meet that liability when payday comes anyway?

Mr. DIRKSEN. That is right. Nobody quarrels about that.

Mr. CRAWFORD. Of course, nobody claims that the subcommittee or the full Committee on Appropriations would ever deny a taxpayer a refund if he is entitled to it. Secondly, why does not the gentleman tell us of the advantages to a person who desires to stuff his budget looking forward to a future date?

Mr. DIRKSEN. The gentleman from Illinois wanted to be reasonably circumspect about it, although I mentioned it yesterday afternoon.

Mr. CRAWFORD. The gentleman can be reasonable and can still tell us.

Mr. DIRKSEN. Suppose all this money was not going to be used, and we have reason to believe from very creditable sources that it will not be used in fiscal 1948. If it were stuffed so that next year there can be a diminution in amount, somebody may decide that the Congress can take credit for a budget of expenditure which is a good deal smaller than if bookkeeping had been carried on in a very candid way. That is the whole story and I suppose it ought to be told. I hope the amendment will be voted down.

Mr. EBERHARTER. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I appreciate it is quite difficult for the members of the committee today to get into their heads clearly these huge figures. The last remarks of the gentleman from Illinois give the im-

pression that somebody is trying to stuff the figures in the budget, insofar as these tax refunds are concerned.

Let me call your attention, Mr. Chairman, to the fact that for the fiscal year 1946 the Treasury estimated to the Congress in the President's budget message that the refunds for the fiscal year 1946 would be $3,116,800,710. The actual refunds, Mr. Chairman, amounted to $3,110,000,000, so that on that three thousand-million-dollars estimate the Budget Bureau was only off $6,000,000, that is a $6,000,000 overestimate. That shows that there was no stuffing at that time.

For the fiscal year 1947 the Treasury estimated that the tax refunds would amount to $2,138,807,000.

I call your attention to the fact that up to the end of the first 3 months of 1947 the tax refunds already amount to $1,200,000,000. So under the budget estimates, for the balance of this fiscal year, there is only allowed $800,000,000. This proves conclusively that they did not stuff their estimates for the fiscal year 1947.

The estimate for 1948, of course, is only $2,031,000,000. That shows it is coming down. There is no stuffing there at all. What is the use of putting figures in an appropriation bill that do not mean anything? The law says particularly that this money must be paid. The law says it must be paid. So, as the gentleman from Michigan [Mr. CRAWFORD] brought out, what is the use of putting a limitation on the amount of money that the Treasury can pay out when we have passed substantive law saying that as soon as this money is due to the taxpayers the Treasury Department must pay it right away? What is the use of saying in this appropriation bill, You cannot pay to the taxpayer what is legally due him if the total amounts to more than $2,231,000,000. It all goes to prove the point that you are trying to show the public you are now saving $800,000,000. It will just call for another deficiency item later in this session.

I think I could show you without question that for many years past the estimates that have been furnished under recent tax bills, and proposed tax bills, by the Treasury Department and the Budget Bureau, were unbelievably right. There is no stuffing in the President's budget and I hope the country does not feel that way.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield, gladly.

Mr. McCORMACK. I think the RECORD should clearly show that this is really no saving. It is attempted to create the impression that this is a saving of $800,000,000 but it is not in fact any real economy; because if the refunds are greater than are carried in this bill, we will have to appropriate money later on, because it is the law and amounts to a contract. If this amount of money is appropriated and the refunds are less, the excess money would stay in the Treasury anyway, being appropriated for a specific purpose. So the $800,000,000 is in no sense an actual real saving of a single dollar.

Mr. EBERHARTER. I thank the gentleman for his contribution. He is absolutely correct.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield with pleasure to the chairman of the subcommittee.

Mr. CANFIELD. The chairman of the subcommittee is not trying to fool the House or the country on this item.

Mr. EBERHARTER. I will say for the gentleman that the gentleman from New Jersey said plainly and frankly that the subcommittee was not trying to give the impression that the Congress was going to save $800,000,000 by putting this estimate in it.

Mr. CANFIELD. One other word. The gentleman has been talking about Treasury estimates. I am reading from the hearings, page 569. Dr. Atkeson, who spoke for the Treasury, said:

> We are not, under the law nor in practice, responsible for preparing the estimates that enter into the President's budget.

They were not made by the Treasury.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. EBERHARTER] has expired.

Mr. EBERHARTER. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CANFIELD. May I add further, the House should know this, that the action we took in this respect was unanimous on the part of the subcommittee, between the minority as well as the majority. Furthermore, when we presented our story to the full committee the other day there was no dissent in the full committee.

Mr. EBERHARTER. Well, you know there are times when the minority members of a subcommittee can be wrong also.

The only effect of this short-changing the Treasury $800,000,000 is that when the money appropriated in this bill is exhausted, then the taxpayers who are entitled to these refunds will be told, "We have no money in the Treasury with which to pay you, but never mind, Uncle Sam will pay you 6 percent interest until we get around to getting the Congress to give us additional money to pay you what is owed to you."

So you are not saving any money. In fact, you are charging the Federal Government 6 percent interest for failing to pay these claims immediately when the amount due is ascertained.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from Tennessee with pleasure.

Mr. GORE. The gentleman from Pennsylvania is entirely correct. If this limitation on tax refunds has any effect upon expenditures of the United States Government it will increase the expenditures; in no way can it reduce them. But what I rose to answer was this inference that the Budget Bureau and the President made a political estimate. I thoroughly agree with the statement of the Bureau of Internal Revenue that they have no responsibility for the figures placed in the budget, that is the responsibility of the Bureau of the Budget and the President. They are responsible, however, for submitting estimates to the Bureau of the Budget and to the President. I have not talked to the Bureau of the Budget, but I have been down to inquire at the Bureau of Internal Revenue and they support entirely the accuracy of the estimates contained in the budget. They say that, in their opinion, if there is any error it is underestimated instead of overestimated.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. REED of New York. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I just wanted to see if I could make a slight contribution, at least toward keeping the record straight. I think there is a great deal of guesswork, and probably of necessity, in regard to this question of how much money should be placed in the appropriation bill relating to refunds. It is very easy to be misled, and I doubt if in years I have been quite so stunned as I was when we were having a meeting of a Joint Committee on Taxation to listen to the report of Judge Hamel. He has charge of refunds under the excess-profits tax provisions of section 722 of the revenue act. I made very careful notes, because, as I say, I was very much stunned when he made a statement of the total amount of refund claims filed to the Joint Committee on Internal Revenue Taxation.

Judge Hamel, the chairman of the council, stated that as of January 1, 1947, some 8,500 taxpayers had filed claims under section 722 for the refund—gross—of about $6,000,000,000 of excess-profits taxes. Since claims for 1944 and 1945 had, in general, not yet been submitted, it was estimated that the total gross amount would be about $8,000,000,000. About that point I wanted to take some smelling salts, but he proceeded.

Judge Hamel pointed out, however, that since a reduction of excess-profits tax involves an increase in ordinary income tax, the net amount involved would be somewhat over half this amount. Moreover, since 1942 taxpayers have been permitted to defer payment of 33 percent of the excess-profits taxes involved in claims under section 722, and in many cases the reduction in tax by reason of these claims will be less than the payment already deferred.

Judge Hamel stated that to March 1, 1947, the council had settled claims amounting to $8,000,000 by allowing $1,800,000 of which payment of about $950,000 had been deferred. Moreover, claims aggregating about $19,000,000 had been withdrawn and on these payments of $3,200,000 had been deferred.

So the net result of that work was not a payment out of the Treasury but a net additional collection of taxes of about $2,300,000.

When asked to make a rough guess as to the ultimate payment out of the Treasury that might be expected as the result

of settlement of all the section 722 claims, Judge Hamel stated that there might well be no net payment by the Treasury since on the basis of experience to date, amounts ultimately allowed might be greater than the taxes already deferred.

That is the way it usually runs. In the case of these tax refunds nobody can tell, and the possibility is that when we get to them they will be reduced almost to a minimum. I just wanted to make the record clear from the statement I took down from Judge Hamel.

Mr. CANFIELD. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DINGELL. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, I express disappointment in the fact that this Treasury-Post Office appropriation bill of approximately $12,000,000,000 makes such a meager saving. After all of the charges of squandering and countercharges I heard here for the last several years, I had hoped that the Herculean efforts of the committee might indicate a larger amount in reduced spending. The net savings, I believe, is less than $100,000,000 in the aggregate.

I presume that the committee found it necessary to sort of doctor up the report in order to make it look good, so necessarily this estimate of refunds was tampered with. Now I think that the committee really finds itself in hot water because it rooted around in terrain it was not familiar with.

The gentleman from Illinois [Mr. DIRKSEN] said yesterday that he was going to give the committee some information which would indicate that this large item of estimated tax refunds really is a saving. Well, his explanation was not very convincing. No one in this House can tell me that a cut or a reduction—call it what you want—in the estimate covering tax refunds due the taxpayers constitutes a saving, because it does not. If the total amount of the estimate were eliminated entirely, it would not save one thin dime to the Treasury and to the American taxpayer. Therefore, this figure of $800,000,000 is just spurious nonsense. It should not be considered here at all. If you take it out and the amount exceeds what the committee provides—that is, if the amount of refunds exceeds the amount that the committee provides herein—we will have to make a deficiency appropriation later. We in the Committee on Ways and Means handled this matter before, and it was through our study that the authority to refund was established. I know how interested the minority was at that time in the expeditious refunding of every excess dime that belonged to the taxpayer. There was no partisan facet to this move at the time. We were all interested in trying to speed legitimate refunds due under the law. I sat with the gentleman from New York [Mr. REED] as a member of the joint committee at the time when we listened to witnesses testifying about these refunds under section 722, and we did everything we could to speed up proper handling. I do not know whether this will slow it down or not, but I dare say that on the surface it appears it might, because if we limit the amount of the estimate, and the refunds exceed that amount, we are going to have to wait until the Committee on Appropriations gets together and provides authority to pay it out. In the meantime, the Treasury will have to pay 6 percent on the outstanding debt to the taxpayers. That is no way to save taxpayers' money, and I do not think that is what you want to do. In the meantime, the report indicates to Mr. John Q. Citizen that we are making a huge saving here, or at least he anticipates a saving of $890,000,000, when, as a matter of fact, the sum total will be less than $100,000,000.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Tennessee.

Mr. COOPER. There is one other phase of this matter that should be emphasized a little more than has been up to this point. The whole purpose in carrying a provision of this type is in the interest of the taxpayers of this country.

Mr. DINGELL. That is correct.

Mr. COOPER. Where more money has been collected from them by their Government than they owe under the law. That is the only purpose of having this provision here.

Now then, if you are going to impose the limitation contained in this bill, and if that amount is exceeded and the taxpayers are entitled to receive that money back, it means they may have to wait until Congress passes a deficiency appropriation bill to receive money they are already entitled to.

Mr. DINGELL. That is correct. I agree with the gentleman.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. CRAWFORD], who was standing before the time was fixed, for 5 minutes.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from California.

Mr. HINSHAW. The gentleman from Michigan is a certified public accountant of very great ability, and I would like to ask him whether or not these amounts for tax refunds should not be chargeable against tax income instead of placed in the budget, which provides for expenditures for the Government.

Mr. CRAWFORD. As to the exact manner the Treasury and the Bureau of the Budget would handle these items in their bookkeeping, I would not want to say at this particular time, but I do not know of anyone in this Congress who would support a proposition which delays the paying of refunds to taxpayers who are entitled to those refunds. I do not know how any Congress or any committee would decline to make appropriations at the request of the responsible Government officials; and if the responsible Government officials have the abilities we are paying them for, they will have the estimates up here in time for the Congress to make the appropriations so that payment can be made on the due date, and I assume that the Congress will be in session in the months to come and in the years to come, and, personally, I am very emphatically and categorically in favor of this reduction and against the amendment offered by the gentleman from Tennessee. At the same time, I want to say that I do not know how anyone can support a group of taxpayers any better than through strict budgetary control, and I make that remark in response to the gentleman from Tennessee [Mr. COOPER]. Of course, these refunds are in the interest of the taxpayer who paid in excess of his liability, but it is in the interest of the taxpayer for this Congress and future Congresses to hold budgets within reasonable figures.

Here is a philosophy with which I entirely disagree, and I read from page 1224 of the RECORD of the current session:

> I would far rather, as we start this new and useful budget mechanism, to set a spending ceiling figure high enough so that when the session is over we will not only have lived up to our pledge to stay within it, but we will have a margin of safety left. The Congress would then stand in a better light with the people we represent as being responsible. What extra margin we might be able to cut under our own spending ceiling—set in advance of the minute examination of appropriation requests—would be hailed as an extra windfall for economy.

If you can think of anything more destructive to the taxpayer, than that type of philosophy, tell me some day what it is. It is like a factory superintendent coming before the board of directors. He sets up a budget, we will say, for $100,000, for repair and maintenance of a mill, when he knows good and well he can get through with $60,000. But he stuffs his budget so that at the end of the period he can come in and throw up his hands and say, "Boss, isn't it swell? I saved you $40,000; I give you back a windfall of $40,000."

Now, this is skulduggery on the part of anyone who has anything to do with the budget; and our budgeteers have been so loose in past years with the funds of the taxpayers of this country that I think we have degenerated into moral sin as far as economic morality is concerned, and I am in favor of tightening down the lid, and when any budget comes in here, question the thing in every way we can, and then screw it down a little, and then let them come in and justify every penny they get.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Illinois.

Mr. DIRKSEN. Was not the argument used in revising the January budget of 1946, in the month of August 1946, to show a fine saving, perhaps, when as a matter of fact it was just loose fiscal policy when the budget came before the Congress in the first instance?

Mr. CRAWFORD. That is exactly what it was, and it is what has been carried on for 2 years. It is time for us to stop it. We have been entirely too loose. If we want to do the right thing for the people we will reduce the budget to the irreducible minimum based on the facts we could get at that time and the conditions which prevailed in this

country and throughout the world. Then as the necessity arises, if it does, let those facts be brought to the Congress and let the budget be increased at that time through deficiency appropriations or otherwise.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from New York.

Mr. REED of New York. Is there not a very substantial reason why every item in the budget should be scrutinized by the committee in charge, that the spenders are the ones after all that appear with a vested interest to get more money? Is not that true?

Mr. CRAWFORD. Certainly that is true. Our spending has been so great that we have created vested interests all over this country. It is time to cut off some of the gravy.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

Mr. GORE. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. GORE: On page 12, line 20, strike out the sum "$1,231,000,000" and insert "there is hereby appropriated such amount as may be necessary for prompt payment of tax refunds."

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. GORE) there were—ayes 57, noes 102.

So the amendment was rejected.

The Clerk read as follows:

Printing and binding: For printing and binding for the Bureau, $4,000.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as an indication of what fake economy can do, I call attention to a situation existing in the customs service at the port of Boston.

It has become necessary at the port of Boston to dispense with the services of approximately 200 temporary day laborers because of the lack of funds with which to hire these men.

These temporary day laborers, hired only when the volume of importations warrant, are used to truck bales of wool to and from scales, boring the bales to obtain samples, and similar manual labor, all under the supervision of customs inspectors. These laborers are also used in connection with the handling of general cargo but in the main are used in connection with wool importations.

During the current fiscal year, from July 1, 1946, to February 15, 1947, 247,018,908 pounds of foreign wool were entered for consumption at warehouse at the port of Boston. The Wool Trade Association anticipate a heavy import movement of wool during the remainder of the current fiscal year—and in fact for the next 2 years. Thus, using the quantity of wool received since July 1, 1946, we can expect approximately 148,211,340 pounds of wool between now and June 30, 1947.

Seventy-five percent of the wool expected will be Australian and Cape wools, which, from experience over many years, gains from 4 to 12 pounds per bale over the invoice entered weights. Taking 6 pounds per bale as the average increase in weight the following computation is submitted to show the amount of revenue that would be collected if funds are made available for the weighing and boring of wool:

Quantity expected to be imported at Boston, Mass., 148,211,340 pounds.

Seventy-five percent of above wool will gain weight on voyage of importation, 111,158,507 pounds or approximately 370,528 bales.

Three hundred seventy thousand five hundred and twenty-eight bales at 6 pounds per bale increase in weight equals 2,223,168 pounds net.

Using average yield of 60 percent, 1,333,901 pounds clean content.

Duty of 34 cents per pound, $453,526.34 loss in revenue if wool is not weighed.

If imported wools are not weighed the laboratory percentage of clean content cannot be used, and it is necessary to have determination of percentage of clean content made by the visual method. Determination of percentage of clean content by visual method has resulted over the years in an average increase of 2 percent over the entered yield, whereas determination of percentage of clean content under laboratory method has resulted in an average increase of 4 percent over the entered yield. Thus, in addition to the loss in revenue of approximately $453,526.34 outlined above, there would be a further loss in revenue of approximately $15,117.42, due to the 2-percent loss in percentage of clean content between visual and laboratory method of determination, a total estimated loss in revenue of $468,643.76 for the remainder of the current fiscal year at the port of Boston.

The majority of the 200 or more temporary laborers employed at the port of Boston are veterans, and they are deserving of every consideration, particularly when their continued employment will prevent a loss in revenue of approximately $468,643.76 through an expenditure of $100,000 for salaries.

The Customs Service is without funds for the employment of these temporary day laborers who are urgently needed to aid in weighing and boring wool importations. The granting of a deficiency appropriation will permit of the employment of these laborers and at the same time result in a net increase in revenue of $368,643.76.

I call your attention to an article appearing in the American Import and Export Bulletin, volume XXVI, No. 2, February 17, 1947, which clearly evidences that more customs personnel is urgently needed throughout the United States. The article is based on the preliminary report on the field service of United States Customs made by the National Council of American Importers, Inc. Survey was made of the customs personnel situation at the headquarters ports of the 20 leading customs districts in the United States. Assisting the National Council of American Importers in this survey were the Baltimore Association of Commerce, Commerce and Industry Association of New York, Detroit Board of Commerce, Los Angeles Chamber of Commerce, New York Board of Trade, Norfolk Association of Commerce, Portland (Maine) Chamber of Commerce, St. Albans (Vt.) Chamber of Commerce, San Francisco Chamber of Commerce, Seattle Chamber of Commerce, and many others. This article is the preliminary report of the National Council of American Importers, Inc. The survey made by other than a governmental agency should prove of value. The economic report submitted to the Congress by President Truman on January 8, 1947, stresses the importance of international trade to the domestic aspects of employment, production, and purchasing power. The budget message submitted to the Congress on January 10, 1947, showed actual receipts from customs for the fiscal year ended June 30, 1946, as $435,000,000, with estimates for the fiscal year 1946–47 as $496,000,000, and for the year 1947–48 as $517,000,000. These figures show a carefully estimated trend of steadily increasing imports of dutiable foreign products and the Customs Service should have an adequate force to expeditiously handle these imports.

TREASURY DEPARTMENT,
Washington.

Hon. JOHN W. McCORMACK,
House Office Building, Washington, D. C.

MY DEAR MR. McCORMACK: Reference is made to your telephone request today for immediate and detailed information concerning the effect the action of the Appropriations Committee of the House of Representatives in cutting by $3,500,000 the estimates for the appropriation, "Collecting the revenue from customs, 1948," will have on the Customs Service if it stands.

The current situation in the Customs Service is very difficult and highly unsatisfactory to the public. Shortage of personnel has resulted in delays in the clearance of merchandise and travelers and in the settlement of duty liabilities. Some relief from this situation was included in the $36,000,000 estimate submitted for the 1948 customs appropriation.

If the cut of $3,500,000 stands, we must operate in the fiscal year 1948 on approximately $2,365,000 less than the rate of expenditure at which we were operating during the month of February 1947, the last period for which figures are available.

As 93½ percent of the customs appropriation is disbursed for salaries, and there is practically no possibility of curtailment in the remaining 6½ percent, covering rental of space, telephone service, cartage of examination packages, etc., this reduction will require the separation of such a substantial number of employees that some activities must be discontinued.

Careful examination of the possibilities for meeting this situation satisfies me that the only activity that can be discontinued without a substantial revision of statutory law is that directed toward the prevention of smuggling. While this is a clear statutory duty of the Customs Service, there is no statutory prescription as to how it shall be conducted and the effectiveness of our smuggling control has always depended upon the action of the Congress in furnishing funds.

Other functions of the Customs Service create bottlenecks through which all carriers, goods, and travelers entering the country must pass. The treatment to be given these carriers, goods, and travelers is prescribed by law and the Customs Service must operate to permit their passage through the customs control and to keep the records and accounts required by law in connection with their movement and the collection of the revenue incident thereto.

It is therefore clear that if the $3,500,000 cut stands, the larger part of it must be met by the separation from our service of about 800 employees, practically all from the customs border patrol that operates against smuggling on the Mexican and Canadian boundaries and from the port patrols that operate against smuggling of narcotics, jewelry, watches, and other articles at the seaports and against the theft of merchandise from customs custody.

The total number of customs border patrolmen at the present time is 351 and the total number of port patrol officers on the pay roll is 1,605, including supervisory officers. It therefore appears that if we must meet this cut it can only be by separating about 200 customs border patrolmen and 600 port patrol officers. The border patrolmen are located in groups of twos and threes, mostly in isolated areas and small towns along the boundaries. The port patrol officers are principally at Seattle, Portland, Oreg., San Francisco, Los Angeles, Honolulu, New Orleans, Galveston, Mobile, Tampa, Miami, Norfolk, Baltimore, Philadelphia, New York, and Boston. At each of these ports the patrol force will have to be reduced about 40 percent for lack of funds.

In addition to the foregoing, the part of the $3,500,000 cut which reflects a disallowance of additional employees to cope with the recognized increase in customs activities means that essential manpower must be supplied by abolishing positions for one activity in order to supply the additional employees absolutely required to collect the revenue from customs and maintain an orderly movement of carriers, goods, and passengers. This will mean a further depletion of the port patrol forces and the separation of those present incumbents of port-patrol officer positions who cannot meet the eligibility requirements for the positions which must be filled to avoid a break-down of the other activities of the customs service. This will require abolishing another 40 percent of the port-patrol-officer positions now filled, or a total of 80 percent.

The net result will be a discontinuance of customs patrol activities on the Canadian border except insofar as the overburdened Immigration Service can cover this work, and a reduction of smuggling prevention at the seaports to the activities of searching squads. The resulting increase in smuggling which will inevitably follow will not only cost more in revenue than any saving, but will be even more detrimental to the businessmen who will face the competition of smuggled and stolen goods.

Very truly yours,

W. R. JOHNSON,
Commissioner of Customs.

Mr. Chairman, in the bill as reported, the committee fixes the appropriation for rent for post-office quarters at $13,000,000, a reduction of $457,000 below the amount recommended by the Bureau of the Budget and $35,000 below the estimated expenditures for this item for 1947.

If the Post Office Department is to operate efficiently, it should have sufficient money in its rent appropriation to obtain suitable and adequate quarters. We all know that rents are increasing all over the country, and especially in metropolitan areas and I do not see how the Post Office Department can continue to rent satisfactory quarters, in the face of this continuing rise in rentals, with the reduction that the committee has made in this item.

Undoubtedly there are places throughout the country where more space should be provided to properly carry on the post-office business and there is certainly no provision for this in this bill, which does not provide even as much as the estimated expenditures for 1947.

Considering the entire situation, it seems to me that the amount recommended by the committee for this item is entirely inadequate to meet reasonable needs.

The Clerk read as follows:

Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces: For reimbursement to the District of Columbia on a monthly basis for benefit payments made from the revenues of the District of Columbia to members of the White House Police force and such members of the United States Secret Service Division as are entitled thereto under the act of October 14, 1940 (54 Stat. 1118), to the extent that such benefit payments are in excess of the salary deductions of such members credited to said revenues of the District of Columbia during the fiscal year 1948, pursuant to section 12 of the act of September 1, 1916 (39 Stat. 718), as amended, $68,500.

Mr. VURSELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the members of the Appropriations Committee who brought in this bill are to be commended today. We are making a start back over the road toward economy in Government. In debating and examining the budget and through the actions of the Appropriations Committee we have stopped the Government pay train which, during the past 14 years, has been speeded up by the philosophy of "spend and spend and tax and tax," till it might be illustrated as reaching a speed of 100 miles an hour.

We have stopped the train. We have turned it around. We have headed it back toward sanity in government, toward relief for the taxpayers and in the hope of putting the Government on a sound financial basis which is so important to the future of our Nation.

Mr. Chairman, I have been a little disappointed to find the members of the Administration criticizing the efforts of the Republican majority and constantly throwing in our way every possible obstruction. This is a great day for the American people and we must repeat our actions and efforts on every Appropriation bill as it comes to the floor of the House. Savings have been written into this bill which in the ultimate will doubtless amount to a little less than a billion dollars. Certainly we should have the support and cooperation of our Democratic friends because their constituents are being benefited by our actions and because their constituents want to reduce the cost of Government just as do the constituents of us Republicans. These reductions will shake about 25,000 people off the Government pay rolls. I know the people will be glad to hear this, and will applaud our efforts.

With the tremendous Federal debt hanging over the people, which amounts to $2,000 for every man, woman and child in America, we cannot keep this Government solvent unless we cut every unnecessary governmental expense out of all appropriation bills. That is the program of the Republicans who now hold the majority in this House.

We will continue to do our best to reduce Government expense and we hope in the future that we shall have the full cooperation of the minority party in the House in the interest of all of the taxpayers of the Nation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

No part of any money appropriated by this or any other act shall be used during the fiscal year 1948 for the purchase, within the continental limits of the United States, of any standard typewriting machines (except bookkeeping, billing, and electric machines) at a price in excess of the following for models with carriages which will accommodate paper of the following widths, to wit: Ten inches (correspondence models), $77; 12 inches, $82.50; 14 inches, $85.25; 16 inches, $90.75; 18 inches, $96.25; 20 inches, $103.40; 22 inches, $104.50; 24 inches, $107.25; 26 inches, $113.85; 28 inches, $114.40; 30 inches, $115.50; 32 inches, $118.25; or, for standard typewriting machines distinctively quiet in operation, the maximum prices shall be as follows for models with carriages which will accommodate paper of the following widths, to wit: Ten inches, $88; 12 inches, $93.50; 14 inches, $99; 18 inches, $104.50: *Provided*, That there may be added to such prices the amount of Federal excise taxes paid or payable with respect to any such machines.

Mr. MILLER of Connecticut. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER of Connecticut: On page 23, line 18, strike out line 18 to line 12 on page 24, inclusive.

Mr. MILLER of Connecticut. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MILLER of Connecticut. Mr. Chairman, as I said yesterday during general debate on this appropriation bill, if I can have the attention of my colleagues for a few minutes I think you will agree with me that this language placing a ceiling on the price the Government can pay for typewriters is unfair, unreasonable, and not in the public interest. This amendment involves a matter of principle, right or wrong.

This proposition has an interesting history. In 1913 the Secretary of the Treasury through the General Supply Committee invited every manufacturer of typewriters to submit prices for which they would sell typewriters to the Government. Several manufacturers submitted bids each thinking that the low bidder would receive a contract to supply the full needs of the Government.

No such contract was awarded but the next year the Appropriations Subcommittee handling the Treasury and Post Office supply bill wrote language into their bill requiring the Supply Committee to pay no more than the low exclusive bid of the previous year.

That procedure was followed until 1922 when Congress through this same

appropriation bill wrote into the law a price ceiling of $70 on standard typewriters. Last year the ceiling was raised to $77 which incidentally was a smaller increase than OPA had just approved for the typewriter industry. Just think for a minute about how much the cost of manufacturing a typewriter has increased since 1922 and how much better the machine of today is than those old machines.

In 1941, for example, the 10-inch standard typewriter sold for $115.50. As of a few months ago, the same model sold for $148.50. The question that plagues me is why this method of purchasing is limited to typewriters. There are no ceilings on the price the Government will pay for adding machines, calculators, or even for electric typewriters.

It is indicated in the hearings on this bill that we will need from 40,000 to 50,000 typewriters this year. No manufacturer likes to refuse to sell to his Government but some are being forced to do just that. The Royal Typewriter Co., for example, has refused to sell at this proposed ceiling. The L. C. Smith-Corona Typewriter Co. will supply but 500; Remington-Rand only 3,000. Underwood's limit is 5,000. The Royal Typewriter Co. makes nothing but typewriters. They cannot make up their loss on sales to the Government on some other product.

If I were to offer an amendment placing a price ceiling of $50 on adding machines or some other piece of office equipment, it would not have the support of half a dozen Members of this House. If I tried by amendment to limit the amount we would pay for telephone toll calls to say 50 percent of the listed charge, no one of you would support such an amendment. This proposed ceiling of $77 on a standard typewriter cannot be justified. Oh, yes, the Treasury Department likes this ceiling. So does the Budget Bureau, but they do not justify it in the hearings.

Mr. LODGE. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I yield to my friend and colleague from Connecticut.

Mr. LODGE. Is it not true that this constitutes a kind of OPA price ceiling on typewriters?

Mr. MILLER of Connecticut. It is a bad form of price control. The gentleman is correct. I am sorry to see it in the bill.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I yield to the gentleman from North Carolina.

Mr. COOLEY. What justification for this limitation has been advanced by members of the committee?

Mr. MILLER of Connecticut. I assume the committee will attempt to justify it on the floor, but I call your attention to the hearings, pages 861 to 876. There is no justification whatsoever.

Mr. COOLEY. Do they undertake to place price ceilings on any other article?

Mr. MILLER of Connecticut. No. Electric typewriters, adding machines, paper clips, and everything else bought by the Government are not under any price ceiling. This not only applies to the Treasury Department but this limitation or ceiling applies to every agency of the Government.

Mr. COOLEY. It has been suggested that this provision has been in the bill for 20 years. Of course, that still does not make it right.

Mr. MILLER of Connecticut. I will be glad to insert the history of it in the RECORD. I inserted it in the RECORD yesterday.

I notice on page 874 of these hearings that there was an off-the-record discussion on this subject. Why the secrecy? It cannot be a military secret today. Previously the typewriter industry has been told that this matter of price ceilings would be looked into before another bill was brought into the House. I submit that in all fairness, we should strike out this language today and then investigate. If any reasonable justification for this ceiling can be produced, it will have the support of the House, I am sure. The industry has held the bag all these years. They rate favorable consideration today.

I deeply appreciate the assurance given the House yesterday by the gentleman from New Jersey [Mr. CANFIELD], chairman of the subcommittee in charge of this bill, that his committee would investigate the cost of manufacturing typewriters and that they would try to work out a satisfactory solution. But again, why limit this procedure to typewriters? If we are going to adopt the policy of finding out the manufacturing cost of every item purchased by the Federal Government from paper clips to battleships, I will have nothing more to say about typewriter prices.

In closing, may I again urge my colleagues to change this amendment on the record disclosed in the hearings found on pages 861 to 875. I understand that the language I wish to strike from this bill is subject to a point of order. Rather than make the point of order, I submit this proposition to the judgment of the House, confident that you will act in the public interest by adopting this amendment.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.

Mr. CANFIELD. Is it not true that most of the companies are now operating under a consent decree issued by the courts?

Mr. MILLER of Connecticut. Yes; but the consent decree has nothing whatsoever to do with the proposition. The gentleman mentioned that last evening and I inquired about it. The consent decree was issued by a court in New York State. It simply prohibits them from getting together and agreeing on a price at which they will sell typewriters. It forbids them to do the very thing this law makes mandatory that they do in furnishing the Government, and a distinguished Member of this Congress said on the record that we were compelling them to commit what would otherwise be a violation of the antitrust laws.

Mr. COOLEY. Mr. Chairman, will the gentleman yield further?

Mr. MILLER of Connecticut. I yield.

Mr. COOLEY. Is there any reason that the Government made clear that they should not buy typewriters in the same manner and follow the same procedure as is followed in the acquisition of any other property?

Mr. MILLER of Connecticut. No reason whatsoever that I can find out; and I repeat here that there can be no good reason.

Mr. COOLEY. The report indicates that the committee said they would make an investigation.

Mr. MILLER of Connecticut. They have promised that every year since I first came to Congress, in 1939—and that is not a reflection on any member of the present committee.

Mr. COOLEY. Has an investigation been made?

Mr. MILLER of Connecticut. If it has, no report has been made. I again call attention to the hearings.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.

Mr. CANFIELD. In all fairness, will not the gentleman admit that this is the second year that there has been an investigation?

Mr. MILLER of Connecticut. No; I can show the gentleman on the record that I have taken this up with the Appropriations Committee ever since I first came here in 1939. For many years they have had this arbitrary figure of $70, but in 1946 it was stricken out in a body I cannot mention. I wish to read one paragraph from a letter I have.

Mr. MORRIS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.

Mr. MORRIS. In this particular instance it is a matter of long custom that we are up against.

Mr. MILLER of Connecticut. I certainly think so. But my time is running out, and I should like to read one paragraph from a letter written by the vice president of one of the typewriter companies to a distinguished member of a legislative body:

> The low legislated Government price is well known to the buyers of typewriters, and in their minds it represents a well-considered governmental declaration of what the price of typewriters should be. This has presented a serious problem in dealing with foreign governments, who use every effort to secure the price which the United States Government implies is the value of American-made typewriters. This demand has become more insistent since the introduction of lend-lease.

Incidentally, this letter was written a year ago.

> The same demands, based on the same reasons, have been made by various States. One State has been considering the adoption of a regulation similar to that of the United States Government. Several years ago five States combined in an attempt to force the typewriter companies to accord them the price the United States Government fixes as the highest which should be paid.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. CANFIELD. Mr. Chairman, I rise in opposition to the amendment and ask unanimous consent that I may proceed for an additional 5 minutes and that at the end of that time debate on the pending amendment and all amendments thereto do close.

Mr. MILLER of Connecticut. Mr. Chairman, reserving the right to object, are there other Members who wish to be heard on the amendment?

Mr. CANFIELD. I have seen no indication of it.

Mr. COOLEY. Mr. Chairman, reserving the right to object, I wish to propound an inquiry to the gentleman from Connecticut as to whether or not he has or will offer an amendment.

Mr. MILLER of Connecticut. I have offered an amendment.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent that he may proceed for an additional 5 minutes and that at the end of that time all debate on this amendment and all amendments thereto do close.

Is there objection?

There was no objection.

Mr. CANFIELD. Mr. Chairman, this is a speech I do not like to make.

As far as this appropriation bill is concerned, the subcommittee has been subject to more pressure from the typewriter lobby than from any other group—or any of the agencies which received a reduced appropriation. They have approached us with high-priced lawyers, and threatened boycotts, so that they could raise the price of typewriters sold to the Government more than $40 per machine. These lobbyists have phoned my office frequently and persistently. They have appeared in person to try to influence me to have this provision stricken from the bill.

All this they have done despite the fact that the subcommittee, for the first time in many years, if not in history, gave them an opportunity to appear before the committee, and to present their statements for the record.

Except for one company, which mentioned the $40 per machine increase, the other companies refused to tell us how much the prices would rise. Nevertheless, on the basis of requests from the agencies it can be safely estimated that removing this restriction would result in a minimum increase of $160,000 per year, and this is a most conservative figure.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Connecticut.

Mr. MILLER of Connecticut. Will the gentleman say that those who appeared before his committee and testified are not officials of the company but local salesmen and sales managers. May I say that I have not had a single call from any official of the two large typewriter companies in my district. I had to go to the salesmen in the district for information.

Mr. CANFIELD. I am glad to hear that the gentleman from Connecticut has not been importuned the way the chairman of the subcommittee has been.

Mr. MILLER of Connecticut. Not once.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Pennsylvania.

Mr. GROSS. Does the gentleman know whether these typewriter lobbyists are registered or not?

Mr. CANFIELD. I do not know.

The committee could not get the evidence it desired to prove that any new typewriters at all were necessary. We have received reports that thousands of typewriters are right now stockpiled throughout the Government agencies, and that used but usable machines are available in Government warehouses for any agency that desires them. The typewriter people could not present figures to show how many machines the Government had bought in recent years. They would not tell us their costs. The Federal agencies could not tell us how many typewriters had been purchased. The committee was asked by the typewriter companies, pressure was exerted by the typewriter lobby, to force the committee to act without sufficient knowledge, to remove this section without full and complete investigation.

Why are the companies so anxious to have this price ceiling removed? What are their motives and their objectives? Why are they not willing to have the investigative staff of the Appropriations Committee make a study and report back? Why is action demanded now, after more than 20 years of silence and acquiescence?

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from North Carolina.

Mr. COOLEY. The fact that this provision has been contained in the bill for the past 20 years does not appeal to me as a justification. Will the gentleman as chairman in charge of the bill give the House some sound reason why this amendment of the gentleman from Connecticut should not be adopted and why this apparent discrimination should be allowed to continue?

Mr. CANFIELD. I shall discuss this.

Mr. MANSFIELD of Montana. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Montana.

Mr. MANSFIELD of Montana. Does the gentleman from New Jersey, the distinguished chairman of the subcommittee, have any idea of what the cost of production of these typewriters is and what the percentage of profit is?

Mr. CANFIELD. I have no idea. Our committee is going to try to get those figures.

Mr. MANSFIELD of Montana. Did the gentleman get any idea from interviewing these people representing the typewriter industry how much in their opinion it would cost the Government to buy individual typewriters?

Mr. CANFIELD. For the most part they were not helpful in that respect.

The committee has attempted to reach the facts. We interviewed representatives of all the companies who wished to appear. We had before us representatives of the Federal Bureau of Supply. And we came to the conclusion that here was an instance which must be subjected to the floodlights of official scrutiny, on which true and complete facts should be in the hands of the committee. We do have evidence that the Government can secure sufficient typewriters at the present price to supply its needs for fiscal 1948. We can assure the House that we will have the desired report from the investigating staff before the next bill for this purpose is presented to Congress.

You will note on page 865 of the hearings that if this section is stricken, the typewriter lobby has already prepared a sales talk to convince government purchasing agents that all typewriters now used by the Federal Government should be replaced. It is easy to determine that this law, in restricting the number of typewriters the manufacturers sell to the Government, forces the Government to make the greatest possible use out of the machines it has at present.

In conclusion, let me quote the statement appearing on page 872 of the hearings, made to the committee by Mr. William Freeman, deputy director in charge of Purchase Branch of the Federal Bureau of Supply:

> We feel that a limitation, such as has existed on typewriters—not necessarily at the existing price but a limitation—should continue to exist, and if an increase in that limitation should be considered, that the companies should be forced to show their costs, to prove that the price increase, whatever it might be, would be justified to allow for a reasonable profit, but not an excessive one, in relation to the probable cost to do government business. We believe that from prewar records and studies we can ascertain the number of typewriters involved of all kinds would be between 40,000 and 50,000 a year.

That, gentlemen, is the chief purchasing officer of our Government. His figures can be relied on. Even his minimum figure would mean that removal of this section would result in an additional cost of $168,000 per year.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from New York.

Mr. WADSWORTH. Can the gentleman inform us as to whether or not, in the testimony taken before the subcommittee, the representatives of manufacturers indicated that they intended or would be willing to sell or would demand a price of the Government as high as they are demanding of private purchasers?

Mr. CANFIELD. Some of them indicated that they would allow a discount price similar to that allowed schools throughout the country.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from North Carolina.

Mr. COOLEY. If the Government were to request bids, could not the seven companies submit bids and could not typewriters be purchased on the basis of the lowest bid?

Mr. CANFIELD. The Purchasing Officer of the Federal Government is opposed to that practice at this time.

I quote further from Mr. Freeman's testimony:

> From the purchase standpoint we feel that it would be beneficial to have a limitation. I do not believe that any one typewriter company, from what they have told me, would be interested in having all the Government business. I do not know that it would be a good idea to change the type of limitation. The limitation has worked out well from a practical standpoint.

Mr. LeFevre, Assistant to the Deputy Director in Charge of Purchases, made this statement:

It is the view of this Bureau that a retention of a price limitation on typewriting machines is desirable. The ordinary system of competitive bidding would not by itself assure the Government a fair price. The preference for the make of typewriter on which the user is trained, an attitude fostered by the manufacturers, makes it unsound for the Federal Government to attempt to have its needs met by any one or two of the producers. * * *

It is the opinion of the Bureau of Federal Supply that the present method of fixing the maximum price of typewriters by statutes annually reviewed should be continued. * * *

It is contended by the manufacturers that the cost of sales to Government is no less than commercial sales. It should be borne in mind, however, that sales to the Government are without credit risk, advertising expense, collection cost, etc.

Mr. MANSFIELD of Montana. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Montana.

Mr. MANSFIELD of Montana. To come back to the question raised by the gentleman from North Carolina, what would stop these typewriter companies from getting together to fix a price at which they would sell their product to the Government? Furthermore, is it not reasonable to assume that as long as there is no pressure behind these typewriter companies to sell their products that they are selling them at a profit to the Government at this time?

Mr. CANFIELD. They want the Government's business, do not have any doubt about that, and we have now, may I say to the gentleman from North Carolina and the gentleman from Montana, a qualified staff. We have some expert men to go into this situation fully and completely. A request has been made for that investigation by the subcommittee, and it is in progress now.

Mr. COOLEY. Mr. Chairman, if the gentleman will yield further, the gentleman did not answer the question asked by the gentleman from Montana. The answer should be, of course, that the typewriter manufacturers could not get together in violation of the antitrust laws any more than the manufacturers of any other article. Now, it seems to me that the principle involved in this case is entirely wrong. If you are going to apply this principle to typewriters, why not apply it to automobiles and to every other article purchased by the Government?

Mr. CANFIELD. We do apply it to automobiles. The gentleman happens to mention an item that we do apply it to. It is applied to automobiles by statute now.

The CHAIRMAN. The time of the gentleman from New Jersey has expired. All time has expired.

The question is on the amendment offered by the gentleman from Connecticut [Mr. MILLER].

The question was taken; and on a division (demanded by Mr. MILLER of Connecticut) there were—ayes 11, noes 92.

So the amendment was rejected.

The Clerk read as follows:

Pay and allowances: For pay and allowances prescribed by law for commissioned officers, cadets, warrant officers, petty officers, and other enlisted personnel, active and retired, temporary cooks, surfmen, substitute surfmen, and six civilian instructors; retired pay for certain members of the former Life Saving Service authorized by the act approved April 14, 1930 (14 U. S. C. 178a); not exceeding $10,000 for cash prizes for men for excellence in boatmanship, gunnery, target practice, and engineering competitions; transportation of dependents of Coast Guard personnel on active duty and retired and Reserve officers and of retired and Reserve enlisted personnel, of grades entitled to transportation of dependents in the Regular Coast Guard, when ordered to active duty (other than training) and upon relief therefrom; carrying out the provisions of the act of June 4, 1920 (34 U. S. C. 943); not to exceed $20,000 for cost of special instruction, including books, laboratory equipment and fees, school supplies, and maintenance of students; motion-picture and other equipment for instructional purposes; rations or commutation thereof for cadets, petty officers, other enlisted personnel, and members of the Coast Guard Auxiliary when assigned specific duties under the provisions of section 8, act of February 19, 1941, as amended (14 U. S. C. 267), mileage and expenses allowed by law for officers, including per diem rates of allowance, and the Secretary is hereby authorized to prescribe per diem rates of allowance for Public Health Service officers detailed to the Coast Guard as authorized for Coast Guard officers; actual and necessary expenses or per diem in lieu thereof as the Secretary may determine and approve for Coast Guard personnel on special duty in foreign countries; traveling expenses of other persons traveling on duty under orders from the Treasury Department, including transportation of cadets, enlisted personnel, and applicants for enlistment, with subsistence and transfers en route, or cash in lieu thereof; transportation in kind and subsistence to discharged cadets; uniform clothing for enlisted men as provided by law (14 U. S. C. 13); clothing for enlisted personnel authorized by law; civilian clothing, including an overcoat when necessary, the cost of all not to exceed $30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude; reimbursement in kind or in cash as authorized by law to persons in the Coast Guard for personal property lost, destroyed, or damaged; actual expenses of officers and cadets and quarters and subsistence of enlisted personnel on shore patrol, emergency shore detail, and other detached duty, or cash in lieu thereof; hire of quarters for officers serving with troops where sufficient quarters are not possessed by the United States to accommodate them; hire of quarters for Coast Gaurd personnel comparable to quarters assignable on a capital ship of the Navy, as authorized by the Secretary to meet emergency conditions, including officers and men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable: *Provided*, That under this authorization no funds may be expended for the hire of quarters for occupancy by the dependents of officers or enlisted personnel; expenses of recruiting for the Coast Guard; advertising for and obtaining enlisted personnel and applicants for appointment as cadets; training of enlisted personnel, including textbooks, school supplies, and correspondence courses; transfer of household goods and effects of Coast Guard and Coast Guard Reserve personnel on active duty and when ordered to active duty and upon relief therefrom, and the transfer of household goods and effects of deceased Coast Guard and Coast Guard Reserve personnel who die while on active duty, as prescribed by law and regulations; transportation on Government-owned vessels of privately owned automobiles of Coast Guard personnel upon change of station; purchase of provisions for sale to Coast Guard personnel at isolated stations, and the appropriation reimbursed; and including not to exceed $50,000 for recreation, amusement, comfort, contentment, and health of the enlisted personnel of the Coast Guard, to be expended pursuant to regulations prescribed by the Secretary; apprehension and delivery of deserters and stragglers; in all, not to exceed $70,000,000: *Provided*, That money accruing from commutation of rations of enlisted personnel commuted for the benefit of any mess may be paid on proper voucher to the officer in charge of such mess: *Provided further*, That whenever commissioned officers of the Coast Guard, who were civilian employees of the former Bureau of Marine Inspection and Navigation, resume their status as civilian employees of the Coast Guard, or whenever civilian employees of the Coast Guard, who were employed in the former Bureau of Marine Inspection and Navigation, are commissioned as officers of the Coast Guard, the limitation provided for "civilian employees, Coast Guard" may be exceeded, with the approval of the Bureau of the Budget, by the amount of their pay as civilian employees and the limitation for "pay and allowances" reduced in a like amount or vice versa, as the case may be.

Mr. SMITH of Wisconsin. Mr. Chairman, within the next few days we will listen to a great deal of talk on the subject of stopping communism in Greece and the Mediterranean area. While we shout about the advance of communism abroad the New Deal executive departments are apparently immune to what is going on within those agencies.

Mr. Chairman, I was much surprised when I read part of the hearings on the Treasury Department appropriation bill for 1948. I refer to page 261 of the hearings, where a discussion was held between the distinguished gentleman from New Jersey [Mr. CANFIELD], chairman of the subcommittee which has this bill for consideration, and a Mr. Jordan who is a member of the Treasury committee which has the responsibility for investigating un-American allegiances in the Treasury Department. I refer now to page 261 and will quote the testimony of Mr. CANFIELD and Mr. Jordan:

Mr. CANFIELD. What steps are being taken to check against persons with un-American allegiances obtaining and retaining employment in the Treasury?

Mr. JORDAN. The Treasury Department has a committee headed——

Mr. CANFIELD. You are chairman of that committee, are you?

Mr. JORDAN. Mr. T. F. Wilson.

Mr. CANFIELD. You are a member of the Treasury committee?

Mr. JORDAN. The Treasury committee that has been functioning for the last 4 years, consisted of the Director of Personnel, the general counsel, and a representative from the bureau in which the employee was located.

Mr. CANFIELD. Are you the chairman of that committee in the Treasury?

Mr. JORDAN. The Director of Personnel is.

Mr. CANFIELD. How thorough is your work? For instance, how many persons have you discharged from the Treasury for un-American activities? We want you to elaborate on that a little bit. The Secretary the other day stressed it, and I want you to tell us what the Treasury is doing about that.

Mr. JORDAN. I would have to check to see how many we have discharged over a period of time. Our whole procedure is undergoing change.

Mr. Chairman, subsequently the gentleman from Illinois [Mr. DIRKSEN] projected himself into the examination of Mr. Jordan and on this same page, 261, he said:

Mr. DIRKSEN. Mr. Jordan, going back a little to this Loyalty Committee that has been established by Executive order of the President, I understand you have designated on the committee by the Secretary of the Treasury. Isn't that the way it works?

Mr. JORDAN. Yes, I am a member of the Treasury Department Committee; Assistant Secretary Foley is a member of the President's Temporary Commission on Employee Loyalty.

Mr. DIRKSEN. But what are the functions of that Loyalty Committee, and what are the admonitions and injunctions they operate under? What is your duty as you see it under such Executive order.

Mr. JORDAN. Under Executive Order No. 9300 of February 5, 1943, there was an interdepartmental committee set up that was to act in an advisory capacity to the Department. That committee established certain rules that the Department must follow.

Mr. DIRKSEN. Is there a copy of the rules available?

Mr. JORDAN. I could get them.

Mr. DIRKSEN. Insert them in the hearings, if you please, in connection with your remarks.

Mr. JORDAN. Yes, sir.

Continuing, Mr. Chairman, on page 267, and again the gentleman from Illinois [Mr. DIRKSEN] is questioning:

Mr. DIRKSEN. Let us get back to the Executive order.

What did the loyalty committee do by way of setting up rules and regulations? You must have adopted certain standards, didn't you?

Mr. JORDAN. The standards were adopted for us by the interdepartmental committee.

Mr. DIRKSEN. Could you tell me in a general way just what those standards are?

Mr. JORDAN. The main requirement was that a person must be given an oral hearing. In our experience with that requirement, we have found that we could not convict anybody on an oral hearing.

Mr. DIRKSEN. Tell us a little about that. Were you a member of this hearing?

Mr. JORDAN. We had this character investigation report, and in that report some people who testified against the individual were named, and others were not.

Mr. DIRKSEN. How did the individuals' names get to you in the first place? Did you get them by letter, information, was it in a subrosa fashion, or how did you get the information?

Mr. JORDAN. Character investigations, principally, or if the person was in a position where a character investigation was not required, he might be picked up by the Federal Bureau of Investigation.

Mr. DIRKSEN. How many names were certified to you by the Treasury?

Mr. JORDAN. I would have to guess at that.

Mr. DIRKSEN. Would you guess at it, please, and correct it later for the record?

Mr. JORDAN. My guess would be about 352.

(EDITOR'S NOTE.—The number of cases given in the original testimony was 125, which was found to be incorrect.)

Mr. DIRKSEN. There were 352 names submitted to you, who were charged with possible disloyalty, or there was an allegation that they may have been guilty of disloyalty? Is that correct?

Mr. JORDAN. Yes, sir.

Mr. DIRKSEN. Will you proceed from there, please?

Mr. JORDAN. Early in this new procedure, the committee found it was necessary to hold a hearing in a case. However, this was our experience. The man was given ample opportunity to state his case. He could bring in all the witnesses that he wished, but we could not get any witnesses against him.

Oftentimes the witnesses indicated to the investigator that they would not want their names mentioned, or, if we did have their names, by the time we got the case they may have been transferred out of the Washington area. So the procedure didn't work. We could not convict a man unless we could get testimony against him.

Mr. DIRKSEN. How many of those hearings did you actually hold?

Mr. JORDAN. We actually held one.

Mr. DIRKSEN. Just one?

Mr. JORDAN. Yes, sir.

Mr. DIRKSEN. Out of 352 cases?

Mr. JORDAN. Yes; and we attempted to hold another one, but were unable to get the case to the point of actual hearing.

Mr. DIRKSEN. When was the last hearing?

Mr. JORDAN. This one case was during 1943. The hearing was held on November 1, 1943, after the Executive order was issued.

Mr. CANFIELD. Has anyone ever been discharged from the Treasury Department for disloyalty as a result of the investigation?

Mr. JORDAN. Yes; a few have.

Mr. CANFIELD. How many?

Mr. JORDAN. One person admitted that she was a Communist and we discharged her. A few people have been discharged because of information received during the trial period when we didn't have to submit it to this committee.

Mr. DIRKSEN. What happened to those cases that were given to you on which you had no hearings?

Mr. JORDAN. The committee felt that on many of them the information was no good, and there was nothing against them. Therefore the employee was given a clean bill of health.

On others there may have been some doubt, but in view of the fact that we could not get any specific information with which we could charge the individual, nothing was done.

Mr. DIRKSEN. So the matter is thoroughly dormant now? In other words, no action was taken; is that correct?

Mr. JORDAN. No; it is not dormant now. The Secretary has reopened this matter in the last 2 or 3 months, and has appointed Assistant Secretary Foley to go fully into this whole picture, to work with the temporary commission that the President appointed not very long ago, to review this whole procedural situation.

I may say that our great difficulty has been a procedural one. If we follow court rules in the Department we could not get convictions.

In our attempts to handle this situation, in ferreting out these people, we must try to protect the Government and to do justice to people who merely are liberal-minded, but who have no communistic sympathies.

Mr. DIRKSEN. I want to point out here that nobody has been harmed by the injustices which may have been done, but I am equally determined that the situation must be met in Government.

If it is a question of hearsay, we must determine what procedure shall be followed—one which is fair, equitable, and unemotional.

Mr. Chairman, I was utterly amazed, and I am sure that Members of the House have been amazed, as I read the colloquy between Mr. Jordan and the gentleman from Illinois [Mr. DIRKSEN] regarding the effort or lack of it that was made against the 352 people who were charged with subversive activities within the Treasury Department; the confession on the part of Mr. Jordan that only 1 case out of the 352 was actually pressed to the dismissal standpoint from 1943 until the present time. What a weak position on the part of the Treasury Department, when Mr. Jordan admits that the Secretary of the Treasury only within the last 2 or 3 months has again renewed an effort to meet the charges of communism within his Department. The responsibility, Mr. Chairman, rests with the Secretary of the Treasury, and nobody else. He cannot pass the buck.

Mr. Chairman, here we have the perfect example by New Deal executive agencies of temporizing and appeasing those who are charged with subversive activities in the governmental service. It is a situation that must be condemned by every Member of this House who has any interest in the perpetuation of his own Government.

Mr. Chairman, I sincerely trust that this subcommittee of the Appropriations Committee will follow through and ascertain what effort, if any, is being taken to eliminate subversive activities within the Treasury Department. It has a responsibility to the public also and should be the first to speak out and condemn the practice presently indulged in by that Department.

The Clerk read as follows:

This title may be cited as the "Treasury Department Appropriation Act, 1948."

Mr. SEELY-BROWN. Mr. Chairman, I move to strike out the last word.

I rise in support of this bill, H. R. 2436. Voting to cut a recommended appropriation is neither easy nor politcally pleasant.

The Coast Guard means more to me personally perhaps than it does to other Members of this House. The Coast Guard Academy is located in my district. I know many of its staff well. I have great respect for the fine job being done there by Admiral Pine, Captain Olson, and the other officers of the Academy. I know of their work from personal observation.

I have a close family tie with the Coast Guard. I saw and know of the fine work done by this organization during the war.

Now that the war is over—and pray God it is over—we must go forward to a peacetime economy. Economy is more than just preaching—it is something we must practice.

A tax-conscious Nation demands more than talk. It demands that every department of the Government practice the same economy required of you and myself as individuals.

By our action today we may be suggesting to certain other departments of the Government that they can no longer "pass the buck" or load up to the Coast Guard.

In the future all of us may well be expected to do more with less. I am confident that the Coast Guard joins in the acceptance of that challenge.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. SEELY-BROWN. I yield to the gentleman from Michigan.

Mr. BRADLEY of Michigan. I was very much surprised to read in the REC-

ORD of yesterday criticism of the operation of loran and other aids to navigation by the Coast Guard and the weather stations on the Atlantic. I understand those things are matters of international agreement and the Coast Guard is committed to continue to operate these aids to navigation. The appropriation for those should not be cut.

Mr. SEELY-BROWN. I am of the opinion that the Coast Guard is not committed to the operation of all of them. It is being willed on them. There is some question as to what agency is going to be responsible in the future for the continuation of the operation of loran. I am not a member of the Committee on Appropriations, but I believe I am correctly informed on that particular point.

Mr. BONNER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I join with the preceding gentleman in defending that great body which has rendered such outstanding service not only in time of peace but in time of war to the people of America, the Coast Guard.

I was surprised yesterday at something the gentleman from New Jersey said, although I admire the gentleman very much—he is a personal friend—and I am sure he did not mean what he said. His words are in the RECORD. I read the words:

> Some of my colleagues will, a little later, give you specific examples of the waste, extravagance, and grandiose schemes of the Coast Guard.

Gentlemen, here is one of the oldest services in America, one that has written history up and down the coast line of America on the Atlantic and the Pacific, a service which, when war approached us, sprang to the defense of our country. They were prepared and had trained men, as well as training others. They landed the greater part of our troops on the islands of the Pacific. They manned the boats that carried the soldiers and sailors and marines from the transports. They contributed greatly to our glorious victories in the Pacific.

I noticed with interest, also, in the Star of yesterday afternoon the remarks of my dear friend, "that the party was now on the beam as far as economy goes." The gentleman from Illinois, I am sure, read that himself. It is a strange thing when the ax of economy falls, we find whose neck is caught under the ax. Here is a great agency of the Government which does not have the arm to reach out and defend itself in the halls of Congress as other Government agencies have. Neither do they try to walk up and down the halls in the lobby of the House Office Building and defend themselves as some other agencies do. Yet, in this bill they caught the ax harder on a percentage basis than any other agency that has been cut or probably will be cut.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. BONNER. I certainly yield to my distinguished friend.

Mr. CANFIELD. I want my friend the distinguished gentleman from North Carolina, to know that the words he just quoted which were the words I uttered yesterday were well thought out and well measured. Yes, I used the adjective "grandiose," and the Bureau of the Budget could have used the same word when they cut the Coast Guard estimates $49,000,000 after a $50,000,000 cut by the Treasury before they went to the Bureau of the Budget.

Mr. BONNER. But, certainly, I think it was an injustice to use the word "scheming." There was no scheming because this agency is just as interested in performing its duties as any other agency. If they overstep in their endeavor to greatly expand their duty of life saving, aid to navigation, both in the air and on sea and try to reach out and get too much, that is another thing, but certainly the word "scheming" is unjust. Nevertheless, I will pass over that, for I am certain it is not true.

On page 1884 of the RECORD of yesterday there was a discussion between the gentleman from Ohio [Mr. GRIFFITHS] and myself based on a criticism heaped on the Coast Guard with respect to this training program. All of us who were here at the beginning of the war know that during the early stages of the war the Coast Guard trained men for the merchant marine. They trained them successfully and made them ready to perform their duties in the interest of the national defense. Yet, there appeared in the picture a program to separate the training that had been established by the Coast Guard and which was being carried out with credit and perfection. This effort was successful and now we have a dual training program for men of practically the same type, Coast Guard and merchant marine, with a Merchant Marine Academy. This should have been carried on by the Coast Guard, who were prepared to do the training and who were doing the training well at that time. I think the present chairman of the Committee on Merchant Marine and Fisheries will bear out what I say.

As for economy performed in this bill, remember that we may yet live to rue the day that we performed such economy. Whatever may be done here nothing can take from the record the glorious performance and unselfish sacrifices of this service, both in time of peace, war, and disaster, both on sea and land. North Carolina, Mr. Chairman, has furnished some of the most outstanding men in this service.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. BONNER] has expired.

Mr. DIRKSEN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I can assure the Committee of the Whole that we are not wanting in devotion to a very fine service, known as the Coast Guard, but when the chairman of the subcommittee selected the word "grandiose," I think it was very properly applied. One need only look at the testimony and look at the figures to understand tht the word bears very close application. It was intended to convey the idea of a much-expanded service.

For instance, in 1940 the Coast Guard had 3 rear admirals. In 1948 they are asking for 18 rear admirals—six times as many as we had in the last prewar, peacetime year.

In 1940 the Coast Guard had 33 captains. When they came before our committee for the fiscal year 1948 they asked for 114, which is nearly three times as many captains.

In 1940 they had 69 commanders. They come now and ask us for 205 commanders. Would you not say that the adjective "grandiose" is rather properly applied when an agency reaches out for that kind of an expansion program?

Now, that is not all. I said to the admiral and to his budget officer, "How much did you ask your own budget committee for in the Treasury Department for the next fiscal year?" He said, "$231,749,000." Mind you, in 1940 they had $26,000,000, in the last peacetime year. Now they were requesting $231,000,000 from their own budget officer. So what happened? Before they even emerged from their own department of government they had been cut $60,000,000. Then they had to come before the President's Budget Bureau. What happened there? They cut them another $39,000,000. Ninety-nine million dollars was cut out of the Coast Guard before the bill ever landed in the bosom of the subcommittee. You talk about fat in the Government budget today. Why, they recognize it in the budget bureaus of every department. Otherwise they could not cut out 70 percent of that appropriation before it even landed in the subcommittee.

I said to Admiral Farley and Captain Richmond, "If we Members of Congress should delete another $50,000,000, we would be criticized and vilified and calumniated." If I had my way, we would have cut out $50,000,000, but I had to compromise on that item. What we have got to determine is this: Is it going to be one of these expansive agencies to work all over the world, or is it going to be a coast guard? They appeared before us in civilian attire. It is considered a civilian agency, but its program makes it appear as an auxiliary navy. I want to know whether it is a coast guard or whether it is a miniature navy. If it is going to be navy, then let the Navy take care of them. If it is a coast guard, it has no business running loran stations out in Guam and away up in Alaska and all over the blue water of the seven seas.

They had $26,000,000 in 1940 and they ask for $231,000,000 in 1948. We cut them down substantially.

One other item. Make no mistake about this. The things they asked for next fiscal year is going to be the base for the future. Let me prove it to you. I said to Captain Richmond, "For budget purposes 1948 will be sort of a base year, and you will go forward from that year, not backward." He said, "That is correct."

"In other words, it will be your base year," and he said, "Yes, sir."

You see, 1948 if they could have contrived $231,000,000, that would have been the springboard for the future. Then I said: "Captain Richmond, if every agency of government will do that there will not be enough money in the United States of America if we hock everything

of value in order to meet the demands of the Government agencies."

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. DINGELL. I take it that the amount they were asking was greater than what we spent on the entire Navy in 1932, was it not?

Mr. DIRKSEN. I would not go quite that far.

Mr. DINGELL. Pretty nearly that much.

Mr. DIRKSEN. But it was a very substantial amount and I can remember the time when the appropriations for the Navy Department did not amount to much more than $230,000,000.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CANFIELD. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois may proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. CANFIELD. I wonder if the gentleman from Illinois who did want to cut the Coast Guard $50,000,000 will be willing to admit that he had to scrap a lot with the subcommittee chairman, the gentleman from New Jersey?

Mr. DIRKSEN. That is right. I think my colleagues on the subcommittee were filled with generosity when they marked up this bill.

I say that after everything has been said and done we have contrived a splendid bill with sufficient funds for every agency to properly express its proper functions and serve the people of the United States.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

The Clerk read as follows:

Rural delivery service: For pay of rural carriers, auxiliary carriers, substitutes for rural carriers on annual and sick leave, clerks in charge of rural stations, tolls and ferriage, and necessary expenses of the rural delivery service, $129,167,000, of which not less than $200,000 shall be available for extensions and new service.

Mr. ALBERT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I join other members representing rural districts in regretting that a reduction of $200,000 has been made in the budget estimates for rural free delivery. There is a demand and there is a need for additional rural routes in practically every agricultural section of our country. This reduction in appropriations means the elimination of 150 additional carriers on 150 new rural routes. This means that many farmers at the end of the road will not have free mail delivery service.

Mr. Chairman, the farmer is as much entitled to this service as any resident of any city in the United States. When our country was at war and our very survival was at stake, we did not pass up the man who lives at the fork of the creek. We sent his sons into every battlefield in the world. Are we now going to decline to deliver his mail because he happens to live a little too far from the post office? This is not only false economy; it is, in my opinion, a breach of our duty to our farmer citizens. I grew up on a rural route and I know what this service means to the farmer. While we are worrying about every foreign nation on earth, I for one am going to insist on the development and extension of our rural free delivery service and our farm-to-market road program until every farmer in America has his mail delivered to his front gate.

The Clerk concluded the reading of the bill.

Mr. CANFIELD. Mr. Speaker, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MICHENER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 2436) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1948, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. CANFIELD. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. DIRKSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 389, nays 0, not voting 43, as follows:

[Roll No. 20]

YEAS—389

Abernethy	Bolton	Clements
Albert	Bonner	Clevenger
Allen, Calif.	Boykin	Clippinger
Allen, Ill.	Bradley, Calif.	Coffin
Allen, La.	Bradley, Mich	Cole, Kans.
Almond	Bramblett	Cole, Mo.
Andersen, H. Carl	Brehm	Colmer
Anderson, Calif.	Brooks	Combs
Andresen, August H.	Brophy	Cooley
Andrews, Ala.	Brown, Ga.	Cooper
Andrews, N. Y.	Brown, Ohio	Corbett
Angell	Bryson	Cotton
Arends	Buchanan	Coudert
Arnold	Buck	Cox
Auchincloss	Buffett	Crawford
Bakewell	Burke	Crosser
Banta	Burleson	Crow
Barrett	Busbey	Cunningham
Bates, Ky.	Butler	Curtis
Bates, Mass.	Byrne, N. Y.	Dague
Battle	Byrnes, Wis.	D'Alesandro
Beckworth	Camp	Davis, Ga.
Bell	Canfield	Davis, Tenn.
Bender	Cannon	Dawson, Utah
Bennett, Mich.	Carroll	Deane
Bennett, Mo.	Carson	Delaney
Bishop	Case, N. J.	Devitt
Blackney	Case, S. Dak.	D'Ewart
Bland	Chadwick	Dingell
Blatnik	Chelf	Dirksen
Boggs, Del.	Chenoweth	Dolliver
Boggs, La.	Chiperfield	Domengeaux
	Church	Dondero
	Clason	Donohue
Dorn	Judd	Price, Fla.
Doughton	Karsten, Mo.	Price, Ill.
Douglas	Kean	Priest
Drewry	Kearney	Rabin
Durham	Kearns	Rains
Eaton	Keating	Ramey
Eberharter	Kee	Rankin
Elliott	Keefe	Rayburn
Ellis	Kefauver	Rayfiel
Ellsworth	Kennedy	Redden
Elsaesser	Kerr	Reed, Ill.
Elston	Kersten, Wis.	Reed, N. Y.
Engel, Mich.	Kilburn	Reeves
Engle, Calif.	Kilday	Rich
Fallon	King	Richards
Fenton	Kirwan	Riehlman
Fernandez	Klein	Riley
Fisher	Kunkel	Rivers
Flannagan	Landis	Rizley
Fletcher	Lane	Robertson
Fogarty	Lanham	Robsion
Folger	Latham	Rockwell
Foote	Lea	Rogers, Fla.
Forand	LeCompte	Rogers, Mass.
Fulton	Lemke	Rohrbough
Gamble	Lewis	Rooney
Gary	Lodge	Ross
Gathings	Love	Russell
Gavin	Lucas	Sabath
Gearhart	Lyle	Sadlak
Gifford	Lynch	Sadowski
Gillette	McConnell	St. George
Gillie	McCormack	Sanborn
Goff	McCowen	Sarbacher
Goodwin	McDonough	Sasscer
Gordon	McDowell	Schwabe, Mo.
Gore	McGarvey	Schwabe, Okla.
Gorski	McGregor	Scoblick
Gossett	McMahon	Scott, Hardie
Graham	McMillan, S. C.	Scott, Hugh D., Jr.
Granger	McMillen, Ill.	Scrivner
Grant, Ala.	MacKinnon	Seely-Brown
Grant, Ind.	Macy	Shafer
Gregory	Madden	Sheppard
Griffiths	Mahon	Sikes
Gross	Maloney	Simpson, Ill.
Gwinn, N. Y.	Manasco	Simpson, Pa.
Gwynne, Iowa	Mansfield, Mont.	Smathers
Hagen	Mansfield, Tex.	Smith, Kans.
Hale	Marcantonio	Smith, Maine
Hall, Edwin Arthur	Martin, Iowa	Smith, Ohio
Hall, Leonard W.	Mason	Smith, Wis.
Halleck	Mathews	Snyder
Hand	Meade, Md.	Somers
Hardy	Merrow	Spence
Harless, Ariz.	Meyer	Springer
Harris	Michener	Stanley
Harrison	Miller, Calif.	Stefan
Hart	Miller, Conn.	Stevenson
Havenner	Miller, Md.	Stigler
Hays	Miller, Nebr.	Stockman
Hébert	Mills	Stratton
Hedrick	Mitchell	Sundstrom
Hendricks	Monroney	Taber
Herter	Morgan	Talle
Heselton	Morris	Taylor
Hill	Morton	Teague
Hinshaw	Muhlenberg	Thomas, N. J.
Hobbs	Mundt	Thomas, Tex.
Hoeven	Murdock	Thomason
Hoffman	Murray, Tenn.	Tibbott
Holifield	Murray, Wis.	Tollefson
Holmes	Nodar	Towe
Hope	Norblad	Trimble
Horan	Norman	Twyman
Howell	O'Brien	Vail
Huber	O'Hara	Van Zandt
Hull	O'Konski	Vinson
Jackson, Calif.	O'Toole	Vorys
Jackson, Wash.	Owens	Vursell
Jarman	Pace	Wadsworth
Javits	Passman	Walter
Jenison	Patman	Weichel
Jenkins, Ohio	Patterson	West
Jennings	Peden	Wheeler
Jensen	Peterson	Whitten
Johnson, Calif.	Philbin	Whittington
Johnson, Ill.	Phillips, Calif.	Williams
Johnson, Ind.	Phillips, Tenn.	Wilson, Ind.
Johnson, Okla.	Pickett	Wilson, Tex.
Johnson, Tex.	Ploeser	Winstead
Jones, Ala.	Plumley	Wolcott
Jones, N. C.	Poage	Wolverton
Jones, Ohio	Potts	Worley
Jones, Wash.	Poulson	Youngblood
Jonkman	Powell	Zimmerman
	Preston	

NAYS—0

NOT VOTING—43

Barden	Celler	Cravens
Beall	Chapman	Dawson, Ill.
Bloom	Clark	Evins
Buckley	Cole, N. Y.	Feighan
Bulwinkle	Courtney	Fellows

Fuller	Knutson	Pfeifer
Gallagher	Larcade	Rees
Gerlach	LeFevre	Short
Harness, Ind.	Lesinski	Smith, Va.
Hartley	Lusk	Welch
Heffernan	Meade, Ky.	Wigglesworth
Hess	Morrison	Wood
Jenkins, Pa.	Nixon	Woodruff
Kelley	Norrell	
Keogh	Norton	

So the bill was passed.

The Clerk announced the following pairs:

Additional general pairs:

Mr. Wigglesworth with Mr. Cravens.
Mr. Hartley with Mr. Kelley.
Mr. Jenkins of Pennsylvania with Mr. Pfeifer.
Mr. Woodruff with Mr. Keogh.
Mr. LeFevre with Mr. Feighan.
Mr. Cole of New York with Mr. Larcade.
Mr. Harness of Indiana with Mrs. Norton.
Mr. Short with Mr. Hefferman.
Mr. Hess with Mr. Wood.
Mr. Beall with Mr. Barden.
Mr. Fellows with Mr. Lesinski.
Mr. Nixon with Mr. Morrison.
Mr. Fuller with Mrs. Lusk.
Mr. Gallagher with Mr. Dawson of Illinois.
Mr. Rees with Mr. Clark.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. POAGE asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. McCORMACK asked and was given permission to revise and extend the remarks he made in the Committee of the Whole this afternoon and to include therein a letter from Commissioner Johnson of the customs service.

Mr. TEAGUE asked and was given permission to extend his remarks in two instances and in each to include a newspaper article.

Mr. SMITH of Ohio asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article on Bretton Woods by John Kelley.

GENERAL LEAVE TO EXTEND ON TREASURY-POST OFFICE BILL

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days within which to extend their remarks on the Treasury-Post Office appropriation bill passed this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

BILL PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on Enrolled Bills, reported that that committee did on March 10, 1947, present to the President, for his approval, a bill of the House of the following title:

H. R. 1030. An act to continue in effect certain war excise tax rates, and for other purposes.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 1 minute p. m.) the House adjourned until tomorrow, Wednesday, March 12, 1947, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON BANKING AND CURRENCY

The Committee on Banking and Currency will meet at 10 a. m., Wednesday, March 12, 1947, in the committee room, 1301 New House Office Building, to continue its hearings on sugar legislation.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m., Wednesday, March 12, 1947.

Business to be considered: Executive session. Conference with officials of the Securities and Exchange Commission pursuant to the Legislative Reorganization Act of 1946.

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 2 o'clock p. m., Wednesday, March 12, 1947.

Business to be considered: Executive session. Conference with officials of the Interior Department, with respect to petroleum conservation, pipe lines, and oil compacts, pursuant to the Legislative Reorganization Act of 1946.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Thursday, March 13, 1947.

Business to be considered. Executive session. Conference with officials of the Railroad Retirement Board, the Treasury Department, with respect to the Bureau of Internal Revenue on railroad retirement funds, and the Federal Security Agency with respect to the Social Security Board on railroad retirement funds, pursuant to the Legislative Reorganization Act of 1946.

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m., Friday, March 14, 1947.

Business to be considered: Executive session. Conference with officials of the Department of Commerce, with respect to the Bureau of Standards, the Weather Bureau, and the Inland Waterways Corporation, pursuant to the Legislative Reorganization Act of 1946.

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m., Tuesday, March 18, 1947.

Business to be considered: Public hearing on H. R. 2109, a bill to amend the Civil Aeronautics Act of 1938; also public hearing on H. R. 2324, a bill to amend the Interstate Commerce Act.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Tuesday and Wednesday, March 18 and 19, 1947.

Business to be considered: Public hearings on H. R. 2185, H. R. 2235, and H. R. 2292, to amend the Natural Gas Act approved June 21, 1938, as amended.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Subcommittee meeting 10 a. m., Wednesday, March 12, 1947, 213 House Office Building, to consider H. R. 1636, pertaining to rural carriers' leave.

COMMITTEE ON FOREIGN AFFAIRS

An executive meeting of the Committee on Foreign Affairs will be held in the Foreign Affairs Committee room, gallery floor, the Capitol, on Thursday, March 13, 1947, at 10:30 a. m., on House Joint Resolution 134, providing for relief assistance to countries devastated by war.

COMMITTEE ON THE JUDICIARY

On Friday, March 14, 1947, at 10 a. m., Subcommittee No. 4 of the Committee on the Judiciary will begin hearings on the following measures, with respect to war and emergency powers:

H. R. 1983, to amend the Second War Powers Act, 1942, as amended.

House Concurrent Resolution 5, to declare the date of termination of the wars in which the United States has been engaged since December 7, 1941.

House Concurrent Resolution 9, to declare December 7, 1946, as the date of the cessation of hostilities in, and as the date of the termination of, the present war.

House Concurrent Resolution 25, to declare the date of termination of the wars in which the United States has been engaged since December 7, 1941.

House Joint Resolution 56, to terminate the emergency war powers of the President.

House Joint Resolution 128, to declare July 4, 1947, as the date of the cessation of hostilities in the present war.

House Concurrent Resolution 21, providing that various titles of the Second War Powers Act of 1942 shall remain in force until the day following the adoption of this resolution.

The hearings will be conducted in the Judiciary Committee room, 346 House Office Building.

There will be a hearing before Subcommittee No. 3 of the Committee on the Judiciary on Monday, March 17, 1947, on the following bills:

H. R. 1468, to provide for the review of certain orders of the Interstate Commerce Commission and the United States Maritime Commission and giving the United States courts of appeals jurisdiction on review to enjoin, set aside, or suspend such orders.

H. R. 1470, to provide for the review of orders of the Federal Communications Commission under the Communications Act of 1934, as amended, and of certain orders of the Secretary of Agriculture made under the Packers and Stockyards Act, 1921, as amended, and the Perishable Agricultural Commodities Act, 1930, as amended.

The hearing will begin at 10:30 a. m., and will be held in room 346, House Office Building.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Full committee meeting 10 a. m., Thursday, March 13, 1947, 213 House Office Building, to consider H. R. 2408, postal rates. Open hearings.

COMMITTEE ON THE JUDICIARY

On Friday, March 14, 1947, at 10 a. m., Subcommittee No. 2 of the Committee on the Judiciary will hold hearings on H. R. 120, H. R. 695, and H. R. 1888, to incorporate the AMVETS, American Veterans of World War II. The hearings will be conducted in room 345, House Office Building.

On Wednesday, March 19, 1947, at 10:30 a. m., in room 346, Old House Office Building, Subcommittee No. 1 of the Committee on the Judiciary will begin

hearings on the following measures with respect to holidays and celebrations:

H. R. 147 and H. R. 316, making the 14th day of August in each year a legal holiday, and for other purposes.

House Joint Resolution 1, House Joint Resolution 11, House Joint Resolution 23, House Joint Resolution 41, House Joint Resolution 63, House Joint Resolution 65, and Senate Joint Resolution 41, authorizing the President of the United States of America to proclaim October 11, 1947, General Pulaski's Memorial Day for observance and commemoration of the death of Brig. Gen. Casimir Pulaski.

House Joint Resolution 31, providing for the observance of October 11, 1947, as General Pulaski Memorial Day.

House Joint Resolution 12, requesting the President to declare November 10, 1947, a day for the observance of the creation of the United States Marine Corps.

House Joint Resolution 15, designating the week of February 14 in each year as National Heart Week.

House Joint Resolution 20, designating period from Thanksgiving Day to Christmas of each year for Nation-wide Bible reading.

House Joint Resolution 35, designating the second Sunday of October of each year as Grandmother's Day.

House Joint Resolution 46, authorizing the President of the United States to proclaim April 19 of each year Patriots' Day for the commemoration of the events that took place on April 19, 1775.

House Joint Resolution 60, designating September 17 of each year as Constitution Day.

House Joint Resolution 64, designating February 11 of each year as Thomas Alva Edison Day.

House Joint Resolution 82, designating November 19, the anniversary of Lincoln's Gettysburg Address, as Dedication Day.

House Joint Resolution 88, authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski.

House Joint Resolution 94, requesting the President to proclaim February 1 as National Freedom Day.

House Joint Resolution 100, designating the first Sunday in June of each year as Shut-In's Day.

H. R. 1051, designating the first Monday of October in each year as National Farm Day and declaring such day a legal public holiday.

H. R. 1193, declaring August 14 of each year a legal holiday.

H. R. 1981, declaring Good Friday in each year a legal holiday.

H. R. 2085, designating the fourth Saturday in September of each year as American Indian Day.

H. R. 2333, declaring the birthday of Abraham Lincoln to be a legal holiday.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

442. A letter from the Chairman, Federal Power Commission, transmitting a copy of the Directory of Electric and Gas Utilities, 1946; to the Committee on Interstate and Foreign Commerce.

443. A communication from the President of the United States, transmitting a revised estimate of appropriation for the fiscal year 1947 involving a decrease of $35,000 for the Department of Justice, in the form of an amendment to House Document No. 108, Eightieth Congress (H. Doc. No. 169); to the Committee on Appropriations and ordered to be printed.

444. A communication from the President of the United States, transmitting a revised estimate of appropriation for the fiscal year 1947, involving a decrease of $155,000 for the Federal Works Agency, in the form of an amendment to House Document No. 106, Eightieth Congress (H. Doc. No. 170); to the Committee on Appropriations and ordered to be printed.

445. A letter from the Chairman, Federal Trade Commission, transmitting one copy each of a report of the Federal Trade Commission on the copper industry: Part I—The Copper Industry of the United States and International Copper Cartels; and Part II—Concentration and Control by the Three Dominant Companies; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 138. Resolution providing for the consideration of H. R. 1327, a bill to amend existing law to provide privilege of renewing expiring 5-year level-premium term policies for another 5-year period; without amendment (Rept. No. 117). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 139. Resolution providing for the consideration of H. R. 1943, a bill to establish a permanent Nurse Corps of the Army and Navy and to establish a Women's Medical Specialist Corps in the Army; without amendment (Rept. No. 118). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 140. Resolution providing for the consideration of H. R. 2404, a bill to suspend certain import taxes on copper; without amendment (Rept. No. 119). Referred to the House Calendar.

Mr. GRAHAM: Committee on the Judiciary. H. R. 1998. A bill to amend section 48 of the Criminal Code relating to the receiving of stolen property; without amendment (Rept. No. 120). Referred to the House Calendar.

Mr. GILLETTE: Committee on Interstate and Foreign Commerce. H. R. 2123. A bill to amend the Locomotive Inspection Act of February 17, 1911, as amended; without amendment (Rept. No. 121). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SPRINGER: Committee on the Judiciary. H. R. 326. A bill for the relief of Wilma E. Baker; with amendments (Rept. No. 122). Referred to the Committee of the Whole House.

Mr. SPRINGER: Committee on the Judiciary. H. R. 360. A bill for the relief of Early O. Hardin; with amendments (Rept. No. 123). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 384. A bill for the relief of Mrs. Elizabeth Rainger, Diane Rosser and Roberta Rosser, W. H. Baker, and Mrs. Katherine D. Wert; with amendments (Rept. No. 124). Referred to the Committee of the Whole House.

Mr. SPRINGER. Committee on the Judiciary. H. R. 428. A bill for the relief of Charles N. Bemis; without amendment (Rept. No. 125). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 444. A bill for the relief of the estate of Archie S. Woods, deceased; with amendments (Rept. No. 126). Referred to the Committee of the Whole House.

Mr. SPRINGER: Committee on the Judiciary. H. R. 620. A bill for the relief of Blanche E. Broad; without amendment (Rept. No. 127). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 654. A bill for the relief of Lawrence Portland Cement Co.; without amendment (Rept. No. 128). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 722. A bill for the relief of Charles A. Clark; with amendment (Rept. No. 129). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 723. A bill for the relief of the legal guardian of Hunter a Hoagland, a minor; with amendment (Rept. No. 130). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on the Judiciary. H. R. 811. A bill for the relief of J. F. Powers; without amendment (Rept. No. 131). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on the Judiciary. H. R. 828. A bill for the relief of the State Compensation Insurance Fund of California; with amendments (Rept. No. 132). Referred to the Committee of the Whole House.

Mr. REEVES: Committee on the Judiciary. H. R. 914. A bill for the relief of George Corenevsky; with amendments (Rept. No. 133). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 1064. A bill for the relief of Fred E. Weber; with amendment (Rept. No. 134). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on the Judiciary. H. R. 1068. A bill for the relief of Pearson Remedy Co.; without amendment (Rept. No. 135). Referred to the Committee of the Whole House.

Mr. REEVES: Committee on the Jndiciary. H. R. 1091. A bill for the relief of Mrs. Georgia Lanser; with amendments (Rept. No. 136). Referred to the Committee of the Whole House.

Mr. REEVES: Committee on the Judiciary. H. R. 1092. A bill for the relief of Eugene Spitzer; with amendments (Rept. No. 137). Referred to the Committee of the Whole House.

Mr. SPRINGER: Committee on the Judiciary. H. R. 1494. A bill for the relief of Nellie P. Dunn; with amendments (Rept. No. 138). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on the Judiciary. H. R. 2094. A bill for the relief of Isaac B. Jones; with amendments (Rept. No. 139). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Banking and Currency was discharged from the consideration of the bill (H. R. 2473) to authorize the trans-

fer without charge to the States and their political subdivisions of all interest of the United States in educational and recreational facilities acquired under the act of October 14, 1940, as amended, and the same was referred to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PETERSON:

H. R. 2491. A bill extending certain recognition and rights to temporary members of the United States Coast Guard Reserve, including the voluntary port security force and members of the Coast Guard Auxiliary; to the Committee on Merchant Marine and Fisheries.

By Mr. KEATING:

H. R. 2492. A bill to reduce the surtax, and for other purposes; to the Committee on Ways and Means.

By Mr. STEVENSON:

H. R. 2493. A bill to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, so as to provide additional grades in the case of certain custodial employees at post offices of the first class; to the Committee on Post Office and Civil Service.

By Mr. FLANNAGAN:

H. R. 2494. A bill to provide for the establishment of a national soil fertility policy and program; to authorize the construction of certain fertilizer plants as a part of said program; to provide for the testing and demonstrating of fertilizer produced in such Government and cooperative plants on a Nation-wide scale; to provide for the exploration of fertilizer resources on the public lands; and for other purposes; to the Committee on Agriculture.

By Mr. HAVENNER:

H. R. 2495. A bill to amend the Social Security Act; to the Committee on Ways and Means.

By Mr. O'HARA (by request):

H. R. 2496. A bill to amend the District of Columbia Traffic Act, 1925, approved March 3, 1925, as amended, to provide for tests of blood, urine, and breath of persons arrested in the District of Columbia for certain offenses; to the Committee on the District of Columbia.

By Mr. SCHWABE of Oklahoma:

H. R. 2497. A bill to extend the time within which educational institutions may retain possession of temporary housing for veterans, and for other purposes; to the Committee on Banking and Currency.

H. R. 2498. A bill to terminate existing consumer credit regulations prescribed by the Board of Governors of the Federal Reserve System, and for other purposes; to the Committee on Banking and Currency.

By Mr. CLEVENGER:

H. R. 2499. A bill to provide an award for arrested tuberculosis cases of World War II; to the Committee on Veterans' Affairs.

By Mr. KLEIN:

H. R. 2500. A bill to amend section 3 of the Immigration Act of February 5, 1917, as amended (39 Stat. 875–878, 8 U. S. C. 136); to the Committee on the Judiciary.

By Mr. STOCKMAN:

H. R. 2501. A bill to protect Klamath Indian livestock; to the Committee on Public Lands.

H. R. 2502. A bill to provide for the general welfare and advancement of the Klamath Indians in Oregon; to the Committee on Public Lands.

By Mr. ALLEN of Illinois:

H. Con. Res. 29. Concurrent resolution expressing the sense of Congress that the Olympic games of 1952 be held in the United States; to the Committee on Foreign Affairs.

By Mr. ANDREWS of New York:

H. Res. 141. Resolution authorizing and directing the Committee on Armed Services to conduct thorough studies and investigations relating to matters coming within the jurisdiction of such committee under rule XI (1) (c) of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. HAVENNER:

H. Res. 142. Resolution to provide for a survey to determine a site for a Federal penal or correctional institution to supplant the Federal penitentiary on Alcatraz Island; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to Federal loans for scheduled air lines; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Kansas, memorializing the President and the Congress of the United States to terminate the powers granted to the executive branch of the Government to control the export of foods and agricultural products during the emergency arising from World War II; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HAVENNER:

H. R. 2503. A bill for the relief of Charlie Sylvester Correll; to the Committee on the Judiciary.

H. R. 2504. A bill for the relief of Eroeda Sinitskaya; to the Committee on the Judiciary.

By Mr. KENNEDY:

H. R. 2505. A bill for the relief of Emmanuel Coutoulakis; to the Committee on the Judiciary.

By Mr. MATHEWS:

H. R. 2506. A bill for the relief of Louis T. Klauder; to the Committee on the Judiciary.

By Mr. MILLER of California:

H. R. 2507. A bill for the relief of the firm of Barrett & Hilp; to the Committee on the Judiciary.

By Mr. POTTS:

H. R. 2508. A bill for the relief of James I. Mathews; to the Committee on the Judiciary.

By Mr. POULSON:

H. R. 2509. A bill for the relief of Buntaro Kumagai; to the Committee on the Judiciary.

By Mr. ROONEY (by request):

H. R. 2510. A bill for the relief of Morris Giannace; to the Committee on the Judiciary.

By Mr. SASSCER:

H. R. 2511. A bill to authorize the Secretary of Agriculture to quitclaim 2 acres of land near Muirkirk, Md., to the Queens Chapel Methodist Church; to the Committee on Agriculture.

By Mr. WALTER:

H. R. 2512. A bill for the relief of Warren J. Heiney; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of the rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

179. By Mr. HORAN: Petition of Frank R. Anderson and 30 other residents of Spokane, Wash., expressing their support of House Resolution 81, a resolution calling for the Interstate and Foreign Commerce Committee to investigate radio crime programs which because of their nature and large number might be contributing to delinquency; to the Committee on Rules.

180. By Mr. MANSFIELD of Montana: Senate Joint Memorial No. 1, requesting that necessary, sufficient, and proper appropriations be made for the construction, reconstruction, improvement, betterment, and maintenance of the Yellowstone National Park Monument Approach Road, leading from the city of Red Lodge, Mont., to the northeast entrance of the Yellowstone National Park; to the Committee on Appropriations.

181. Also, House Joint Memorial No. 5 of the Montana State Legislature, requesting sufficient and proper appropriation to provide for certain sums of money to be used for snow removal for winter travel over that portion of the highway in Yellowstone National Park connecting United States Highways Nos. 89 and 191, a distance of 49 miles, from Mammoth Hot Springs to West Yellowstone, Mont.; to the Committee on Appropriations.

182. By Mr. PATMAN: Petition of 347 World War II veterans, who are attending the Paris (Tex.) Junior College, urging the passage of legislation increasing the subsistence allowance to veterans of World War II, with or without dependents, attending schools and colleges under the so-called GI bill of rights; to the Committee on Veterans' Affairs.

183. By the SPEAKER: Petition of Vergil D. McMillan, of Washington, D. C., petitioning consideration of his resolution with reference to the case of Vergil D. McMillan, plaintiff, against State of Indiana, first defendant, and Mrs. O. J. McMillan, second defendant; to the Committee on the Judiciary.

SENATE

WEDNESDAY, MARCH 12, 1947

(Legislative day of Wednesday, February 19, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Almighty Father of the universe, we come to Thee, conscious of our own shortcomings, but with confidence and composure, knowing that having put our trust in Thee, our faith is well founded. May we tolerate nothing in our personal living which, if multiplied, would weaken our Nation. Teach us that our country is no better than its citizens, and no stronger than those in whom it puts its trust. So may we see ourselves as Thou dost see us, that being ashamed we may seek forgiveness, and knowing our weaknesses may accept Thy strength. With Thy blessing upon us, we need not fear decisions, nor hesitate to act. So use us, guide us, and act through us, we ask in Jesus' name and for His sake. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Monday, March 10, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1968) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

The message also announced that the House had passed a bill (H. R. 2436) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1948, and for other purposes, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Murray
Baldwin	Hayden	Myers
Ball	Hickenlooper	O'Conor
Brewster	Hill	O'Daniel
Bricker	Hoey	O'Mahoney
Bridges	Holland	Overton
Brooks	Ives	Pepper
Buck	Jenner	Revercomb
Bushfield	Johnson, Colo.	Robertson, Va.
Byrd	Johnston, S. C.	Russell
Cain	Kem	Saltonstall
Capehart	Kilgore	Smith
Capper	Knowland	Sparkman
Chavez	Langer	Stewart
Connally	Lodge	Taft
Cooper	Lucas	Taylor
Cordon	McCarran	Thomas, Okla.
Donnell	McCarthy	Thomas, Utah
Downey	McClellan	Thye
Dworshak	McFarland	Tydings
Eastland	McGrath	Umstead
Ecton	McKellar	Vandenberg
Ellender	McMahon	Watkins
Ferguson	Magnuson	Wherry
Flanders	Martin	White
Fulbright	Maybank	Wiley
George	Millikin	Williams
Green	Moore	Wilson
Gurney	Morse	Young

Mr. WHERRY. I announce that the Senator from Nebraska [Mr. BUTLER], the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Kansas [Mr. REED] are absent because of illness.

The Senator from Nevada [Mr. MALONE] is necessarily absent on state business.

The Senator from New Hampshire [Mr. TOBEY], by leave of the Senate, is absent on official business.

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. BARKLEY] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from New Mexico [Mr. HATCH] is detained on public business.

The PRESIDENT pro tempore. Eighty-seven Senators having answered to their names, a quorum is present.

The Chair wishes to announce that at 20 minutes to 1 o'clock the Senate will proceed to the Hall of the House of Representatives. Immediately upon the conclusion of the joint session, the Senate will reassemble in its Chamber for the transaction of the regular work of the session.

NOMINATIONS TO ATOMIC ENERGY COMMISSION AND THE TVA—ORDER OF BUSINESS

Mr. HICKENLOOPER. Mr. President, I wish to announce that at the evening session today I shall attempt to have the Senate begin the consideration of the nominations of the Presidential appointees to the Atomic Energy Commission and the Tennessee Valley Authority.

I also call attention to the fact that this morning, quite unexpectedly, we were able to obtain the completed printed copies of the hearings before the Senate section of the Joint Committee on Atomic Energy, and they have been placed on the desk of every Member of the Senate.

Mr. WILEY. Mr. President, with respect to the order of business, I understood that if the Senate should conclude action on the proposed constitutional amendment today the portal-to-portal pay bill would be the next business to be considered by the Senate, and I expect that at the appropriate time that bill will be made the next order of business.

LEAVE OF ABSENCE

Mr. BROOKS. Mr. President, I ask unanimous consent to be absent from the session of the Senate tonight.

The PRESIDENT pro tempore. Without objection, the order is made.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

JAMES H. UNDERWOOD

A letter from the Postmaster General, transmitting a draft of proposed legislation for the relief of James H. Underwood, former postmaster at Guam, Guam (with an accompanying paper); to the Committee on the Judiciary.

SALE OF COPIES OF AERIAL OR OTHER PHOTOGRAPHS, ETC.

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Director of the United States Geological Survey to produce and sell copies of aerial or other photographs and mosaics, and photographic or photostatic reproductions of records, on a reimbursement-of-appropriations basis (with an accompanying paper); to the Committee on Public Lands.

THE COPPER INDUSTRY

A letter from the Chairman of the Federal Trade Commission, transmitting one copy each of a report of the Federal Trade Commission on the copper industry—Part I, The Copper Industry of the United States and International Copper Cartels; and, Part II, Concentration and Control of the Three Dominant Companies (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL DEFENSE PROGRAM

The PRESIDENT pro tempore. The Chair announces the receipt of the resignation of the Senator from Minnesota [Mr. BALL] as a member of the Special Committee To Investigate the National Defense Program, and appoints the Senator from Nevada [Mr. MALONE] to the vacancy.

TRANSFER OF CERTAIN LAND TO MUNICIPALITY OF ST. THOMAS AND ST. JOHN, V. I.

The PRESIDENT pro tempore laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a communication from the Acting Governor of the Virgin Islands, submitting a resolution adopted by the Sixth Municipal Council of St. Thomas and St. John, V. I., favoring the enactment of legislation to authorize the transfer to the Municipality of St. Thomas and St. John, V. I., of that portion of land at hospital grounds belonging to the Federal Government and not now being utilized by the low-cost housing; to the Committee on Public Lands.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Kansas; to the Committee on Agriculture and Forestry:

"House Concurrent Resolution 11

"Concurrent resolution memorializing the Congress of the United States to terminate the powers granted to the executive branch of the Government to control the export of foods and agricultural products during the emergency arising from World War II

"Whereas the Congress of the United States granted to the executive branch of the Government unprecedented powers to control the export of foods and agricultural products during the emergency arising from the late war, which powers, being an unprecedented invasion of the liberties of a free people, were intended to be exercised during an extraordinary emergency; and

"Whereas such powers are still being exercised, notwithstanding the cessation of hostilities, to such an extent that nations who were our allies in the great conflict lately terminated, are forbidden to purchase the products of American agriculture, except through the agency and by the grace of the Executive power: Now, therefore, be it

"Resolved by the House of Representatives of the State of Kansas (the senate concurring therein):

"SECTION 1. That the Congress of the United States be, and is hereby, requested to promptly terminate such extraordinary powers by the appropriate legislative action, to the end that the liberties of the people be no longer infringed and our allies permitted to obtain through the ordinary channels of commerce the agricultural products essential to their recovery from the devastating effects of such war.

"SEC. 2. The chief clerk of the house is instructed to furnish engrossed copies of this resolution to the appropriate officers of the Senate and House of Representatives of the United States and to forward printed copies to United States Senators and Members of Congress elected from Kansas."

A resolution of the Assembly of the State of California; to the Committee on Banking and Currency:

"House Resolution 21

"Resolution relative to Federal loans for scheduled air lines

"Whereas there presently exists a grave financial crisis in the air-lines industry; and

"Whereas the people of California have a vital interest in economic development of this mode of transportation; and

"Whereas the State of California is most strategically located with regard to future

enemy action and the continuance of a strong air transport system is vital to defense; and

"Whereas reconstitution of trade with the Orient may be materially hastened by adequate air transportation between the Pacific coast and the Far East; and

"Whereas the community of interest of large metropolitan as well as suburban communities in California can best be accomplished through air transportation and its sound economic growth, which is well illustrated by the relationship and transportation between the Capital City and the largest metropolitan areas in California; and

"Whereas the current financial problems of the scheduled air lines are the result of economic conditions created by the world conflict just completed and other causes beyond management control: Now, therefore, be it

"*Resolved by the Assembly of the State of California*, That the Congress of the United States is respectfully memorialized to act favorably upon the recommendation of the President of the United States that Federal money be made available through the Reconstruction Finance Corporation to the scheduled air lines; and be it further

"*Resolved*, That the Reconstruction Finance Corporation is respectfully petitioned to act favorably upon the applications of those air carriers entitled thereto for loans; and be it further

"*Resolved*, That the chief clerk of the assembly transmit a copy of this resolution to the President of the United States, the President pro tempore of the Senate, the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States and to Charles B. Henderson, Chairman of the Reconstruction Finance Corporation."

A joint resolution of the Legislature of the Territory of Hawaii; to the Committee on Public Lands:

"House Concurrent Resolution 1

"Concurrent resolution memorializing the Congress of the United States of America to grant immediate statehood to Hawaii

"Whereas the people of the Territory of Hawaii desire complete local self-government and parity in national government as a sovereign State in the Union; and

"Whereas the people of the Territory have demonstrated their capacity for self-government by their history as an incorporated territory of the United States of America; and

"Whereas the subcommittee of the Committee on the Territories of the House of Representatives, Seventy-ninth Congress, second session, after conducting a thorough study and investigation of the various questions and problems relating to the Territory, found the Territory and its people fully qualified for and entitled to statehood and recommended immediate consideration of legislation to admit Hawaii to statehood; and

"Whereas the President of the United States of America has endorsed statehood for Hawaii; and

"Whereas the Honorable Julius A. Krug, Secretary of the Interior, in a speech before a joint session of the two Houses of the Twenty-fourth Legislature of the Territory of Hawaii, reaffirmed the policy of the Department of the Interior to press the cause of statehood for Hawaii; and

"Whereas the people of the 48 States have indicated in national-opinion polls that they are in favor of statehood for Hawaii; and

"Whereas the Congress has before it a number of measures to provide statehood for Hawaii and its duly authorized committees will shortly hold hearings thereon: Now, therefore, be it

"*Resolved by the House of Representatives of the Twenty-fourth Legislature of the Territory of Hawaii (the senate concurring)*, That the Congress of the United States of America be and it is hereby requested and urged to grant immediate statehood to Hawaii and to enact appropriate legislation to grant statehood to Hawaii during the present session of the Congress; and be it further

"*Resolved*, That certified copies of this resolution be forwarded to the President of the United States, the Secretary of the Interior, the President of the Senate, the Speaker of the House of Representatives of the Congress of the United States, and to the Delegate to Congress from Hawaii."

A joint memorial of the Legislature of the Territory of Alaska; to the Committee on Public Lands:

"House Joint Memorial 1

"*To the Honorable Harry S. Truman, President of the United States, the Congress of the United States, the Honorable Julius A. Krug, Secretary of the Interior, and the Honorable E. L. Bartlett, Delegate from Alaska:*

"Your memorialist, the Legislature of the Territory of Alaska, in eighteenth regular session assembled, respectfully represents that:

"Whereas at a Territorial-wide referendum held on October 8, 1946, the people of Alaska voted approximately three to two in favor of statehood for Alaska; and

"Whereas the Treaty of Cession entered into with Russia on March 30, 1867, guarantees that all persons in the Territory shall be admitted to the enjoyment of all the rights, advantages, and immunities of the citizens of the United States; and

"Whereas notwithstanding United States citizenship of the present-day population of Alaska, the rights of Alaskans are sorely circumscribed by existing Territorial status in that:

"They are subject to Federal taxes without voting representation in Congress, having paid income taxes to the United States in the neighborhood of $15,000,000 per year over the period of the last 4 years, and lesser sums during preceding years;

"They are denied the right to vote for President and to elect Members to the United States Senate and House of Representatives, notwithstanding the strategic location of Alaska from the standpoint of global affairs, and valiant service by Alaskans in two world wars;

"They cannot elect their own Governor and Lieutenant Governor, or establish their own system of courts;

"They cannot control their own natural resources, and in many other respects exercise the prerogatives of a State; and

"Whereas Alaskans in the exercise of local powers have established and maintained good schools, social-security programs and orderly conduct of Government affairs, and are qualified from the standpoints of both training and experience, to enter upon the responsibilities of statehood.

"Now, therefore, your memorialist, the Legislature of the Territory of Alaska, respectfully urges that the Congress of the United States enact the Alaska statehood bill, H. R. 206, now before it or such other appropriate bill as may be advisable for the admission of Alaska as a State in the Union.

"And your memorialist will ever pray."

A joint memorial of the Legislature of the Territory of Alaska; to the Committee on Appropriations:

"House Joint Memorial 3

"*To the President of the United States, to the Senate and House of Representatives of the United States, to the Attorney General, to the Postmaster General, to the Secretary of the Interior, and to the Delegate to Congress from Alaska:*

"Your memorialist, the Legislature of the Territory of Alaska, in eighteenth regular session assembled, respectfully represents that—

"Whereas on a night in December of the year 1940, the combined courthouse, jail, and Federal building at Valdez, Alaska, was totally destroyed by fire; and

"Whereas ever since the above occurrence, the town of Valdez and embracing area has been without adequate facilities for housing or maintaining prisoners and holding terms of the district court; and

"Whereas all pertinent records and valuable documents pertaining to the Department of Justice, Post Office Department, and other Federal agencies located at Valdez, are scattered throughout the town in various frame buildings, with a constant threat of fire endangering their safekeeping; and

"Whereas in replies to memorials sent them by the Fifteenth and Sixteenth Sessions of the Alaska Territorial Legislature, the Secretary of the Interior, the Postmaster General, and the Attorney General of the United States individually recognized the immediate necessity for a Federal building at Valdez, Alaska; and

"Whereas the reason given at those previous times for not being able to secure funds enabling the construction of said Federal building at Valdez, Alaska, was that all building appropriations had to be allocated for national defense purposes; and

"Whereas for all intents and purposes the great war is now ended and a more serious need than ever, owing to Alaska's rapid expansion, exists for such building.

"Now, therefore, your memorialist, the Legislature of the Territory of Alaska, respectfully prays that the United States officers and Delegate from Alaska, to whom this memorial is submitted, lend their united effort toward obtaining a congressional appropriation enabling the construction of a combined courthouse, jail, and general Federal building at Valdez, Alaska, capable of housing the offices and records of all Federal agencies located there.

"And your memorialist will ever pray."

A joint memorial of the Legislature of the State of Idaho, protesting against the policy of the State Department to reduce tariffs on mineral products under the Trade Agreements Act; to the Committee on Finance.

(See joint memorial printed in full when presented by Mr. DWORSHAK on March 10, 1947, p. 1811, CONGRESSIONAL RECORD.)

A joint memorial of the Legislature of the State of Idaho, protesting against the policy of the Department of the Interior relative to mineral lands; to the Committee on Public Lands.

(See joint memorial printed in full when presented by Mr. DWORSHAK on March 10, 1947, p. 1811, CONGRESSIONAL RECORD.)

A resolution adopted by the Architects' League of Northern New Jersey, Hackensack, N. J., favoring the enactment of legislation to abolish Federal controls affecting building, building materials and supplies, including the Civilian Production Administration; to the Committee on Banking and Currency.

A resolution adopted by the members and delegates at the annual convention of the Minnesota Electric Cooperative, St. Paul, Minn., favoring appropriation of sufficient funds to continue the expansion and completion of the rural electrification program; to the Committee on Appropriations.

A resolution adopted by members and delegates at the annual convention of the Minnesota Electric Cooperative, St. Paul, Minn., favoring the enactment of legislation to limit the time within which claims for back pay and overtime under the so-called Fair Labor Standards Act may be presented to not more than 2 years; ordered to lie on the table.

By Mr. BRICKER (for Mr. MCCARTHY):

A joint resolution of the Legislature of the State of Wisconsin, memorializing Congress to remove all controls upon the production and sale of sugar; to the Committee on Banking and Currency.

(See joint resolution printed in full when laid before the Senate by the President pro tempore on March 10, 1947, p. 1811, CONGRESSIONAL RECORD.)

RESTORATION OF LITHUANIAN, LATVIAN, AND ESTONIAN INDEPENDENCE—LETTER FROM THE LITHUANIAN-AMERICAN COUNCIL, INC.

Mr. BROOKS. Mr. President, I ask unanimous consent to have inserted in the RECORD copy of a letter sent by the Lithuanian-American Council, Inc., of Chicago, Ill., to the Honorable Dean Acheson, Acting Secretary of State, requesting the Department of State to take proper steps for the restoration of the freedom and independence of Lithuania, Latvia, and Estonia, whose neutrality has been violated by the Nazi-Soviet conspiracy in aggression.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *March 11, 1947.*

The Honorable DEAN ACHESON,
Acting Secretary of State,
Washington, D. C.

SIR: The Government of the United States, in a statement of July 23, 1940, denounced the crime of aggression against Lithuania, Latvia, and Estonia which had been planned and perpetrated in consequence of the Ribbentrop-Molotov deal. That statement left no doubt regarding the identity of the state guilty of predatory activities by devious processes directed against the political independence and territorial integrity of the Baltic states. President Truman, as well as his illustrious predecessor in office, faithfully adhered to the aforesaid policy declaration, regardless of the temptations in the exigencies of war to abandon its stand.

Since July 23, 1940, nothing has happened which would justify the deliberately planned and executed aggression by the powerful Soviet Union against its friendly neighbors. Russia cannot adduce any plausible excuse for continuing its occupation of the Baltic states. She has no security, ethnographic, historic, economic, cultural, or any other grounds of justification. The continuing armed resistance to the Russian terror refutes any pretensions at the alleged self-expression of the indigenous populations in July 1940.

Unfortunately, the United States, the country which more than any other member of the United Nations made the military victory over the Axis Powers possible, has failed to extend a positive or effective help to victims of Soviet aggression. Russian occupation authorities are, in effect, emboldened by the passivity of this country and of the Western Powers in the face of the Soviet attempt to enjoy the fruits of the Nazi-Soviet conspiracy against peace and humanity—even though Russia's former partners have been justly punished by the International Military Tribunal at Nuremberg. The Soviets apply the even harsher methods of oppression and annihilation of the indigenous Baltic populations and rob Russia's good Baltic neighbors of their material resources and manpower. Arrests, executions, and mass deportations for slave labor in Russia threaten to destroy the Baltic nations completely.

Under these circumstances, the mere denial of a juridical recognition of annexation of Lithuania, Latvia, and Estonia, when not accompanied by positive action by the United States to back its stand, cannot avert the catastrophe. The longer such a situation is tolerated, the harder will it be to correct the consequences of an international crime.

Wherefore, the Lithuanian-American Council most urgently requests the Government of the United States to demand in an international forum, when occasion arises or presents itself, that all consequences of the Ribbentrop-Molotov division of spoils be nullified and that legal international order be restored in the Baltic countries.

We respectfully submit that one such occasion arises in connection with the Moscow Conference of Foreign Ministers of the great powers.

Although the problem of restoration of the legal order in the neutral Baltic states is said to be not on the agenda of that conference, the problem will unavoidably arise during the discussion of Germany's frontiers. In delineating the eastern frontier of Germany and in disposing of the claims of several nations to territories which have been Germany's prior to 1939, it is impossible to avoid mentioning the Reich's immediate neighbor, Lithuania.

It is respectfully submitted that the Moscow conference offers an opportunity for the United States delegation to insist that Lithuania be treated as an independent nation whose sovereign rights must be restored, in accordance with the Atlantic Charter which has been subscribed to by all the members of the original United Nations.

At the same time, we express our concern over the plans formulated at the Potsdam conference regarding the disposition of the territories of East Prussia. The Soviet proposal, tentatively approved at Potsdam, to annex Koenigsberg and the adjacent territory to Russia, if effected, would gravely imperil the security and freedom of the nations lying to the north of that area, and of Lithuania in the first place.

That proposal disregards completely the principles of the Atlantic Charter, President Truman's 12 points, and all historical, ethnographic, security, and economic considerations. No indigenous Russian population had ever been existent in East Prussia. In fact, the northern section of East Prussia, claimed by Russia, has been known for centuries past under the name of Lithuania Minor or Prussian Lithuania, and its official administrative designation during the long period of German domination had been, until recently, Lithuanian district of Lithuanian County. This section of East Prussia still preserves many Lithuanian characteristics in its place names, in the names of the inhabitants, and, to some extent, in their language. In the last quarter of the nineteenth century and the beginning of the twentieth century, the Lithuanian-speaking population of that area was numerous enough to elect its representatives to the Prussian Landtag and one deputy to the Reichstag. Koenigsberg, which lies just below the Lithuanian district, used to be the center of Lithuanian culture. In fact, the four hundredth anniversary of the first printed book in the Lithuanian language is observed this year; the Lithuanian Lutheran Catechism was published at Koenigsberg on January 8, 1547, for the use of the native population of East Prussia.

Consequently, Lithuania could have a more valid claim to the northern part of East Prussia which Russia claimed at Potsdam.

In the settlement of this problem, serious regard should be paid to historic, ethnographic, economic, and cultural considerations, the wishes of the indigenous inhabitants concerned, and the fundamental human rights. Some territorial adjustments in favor of the immediate neighbors might be justifiable, and some form of international status might be accorded to the port of Koenigsberg. But in no event should the East Prussian territory be allocated or annexed to Russia, which has assumed a treaty obligation to seek no self-aggrandizement, territorial or otherwise.

Most important of all, the rights and integrity of small and peaceful countries must be defended and restored. The long-suffering peoples of the neutral Baltic states still await their liberation, and it is our country's moral right and duty to insist on their liberation.

There is no reason why Lithuania and the other two Baltic Republics should be subjected, nearly 2 years after the cessation of hostilities in Europe, to an unspeakably brutal alien regime maintained by the armed might of one of our former allies.

Furthermore, there is no reason why the legitimate spokesmen for Lithuania—the duly accredited Minister at Washington and the Supreme Lithuanian Committee of Liberation—and the respective legitimate spokesmen for Latvia and Estonia, are or should be excluded from presenting in full their views and aspirations before the peace conference on Germany.

We entreat you, Mr. Secretary of State, to give your undivided attention and sympathetic consideration of the views presented herein. We ask you to speak up on behalf of the Government of the United States and to take proper steps for hastening the restoration of freedom and independence of Lithuania, Latvia, and Estonia, whose neutrality has been brutally violated by the Nazi-Soviet conspiracy in aggression.

Respectfully submitted.

LITHUANIAN-AMERICAN COUNCIL, INC.,
LEONARD SIMUTIS, *President.*
DR. PIUS GRIGAITIS, *Secretary.*
MICHAEL VAIDYLA, *Treasurer.*

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FLANDERS, from the Committee on Banking and Currency:

S. J. Res. 58. Joint resolution to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes; with amendments (Rept. No. 50).

By Mr. VANDENBERG, from the Committee on Foreign Relations:

S. J. Res. 77. Joint resolution providing for membership and participation by the United States in the International Refugee Organization and authorizing an appropriation therefor; with amendments (Rept. No. 51).

By Mr. CAPPER, from the Committee on Agriculture and Forestry:

H. R. 2102. A bill to provide for a 6-month extension and final liquidation of the farm labor-supply program, and for other purposes; with an amendment (Rept. No. 52).

DAYLIGHT-SAVING TIME FOR THE DISTRICT OF COLUMBIA—REPORT OF A COMMITTEE

Mr. McGRATH. Mr. President, from the Committee on the District of Columbia, I ask unanimous consent to report favorably without amendment the bill (S. 736) authorizing the Commissioners of the District of Columbia to establish daylight-saving time in the District of Columbia during 1947.

This bill was ordered reported to the Senate by the unanimous vote of the members of the committee present at the meeting where it was considered.

The PRESIDENT pro tempore. Without objection, the report will be received, and the bill will be placed on the calendar.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing a nomination which nominations were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. VANDENBERG, from the Committee on Foreign Relations:

John E. Peurifoy, of South Carolina, to be an Assistant Secretary of State;

James E. McKenna, of Massachusetts, now a Foreign Service officer of class 3 and a secretary in the diplomatic service, to be also a consul general; and

Patten D. Allen and sundry other persons for appointment as Foreign Service officers in the diplomatic service.

By Mr. TAFT, from the Committee on Labor and Public Welfare:

Sundry candidates for promotion in the Regular Corps of the Public Health Service.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRICKER (for himself and Mr. McCARTHY):

S. 869. A bill to extend the powers and authorities under certain statutes with respect to the pricing of sugar, to eliminate rationing of sugar and to provide for certain inventory controls over sugar and for other purposes; to the Committee on Banking and Currency.

By Mr. BUSHFIELD:

S. 870. A bill authorizing the issuance of a patent in fee to John Lone Dog; to the Committee on Public Lands.

By Mr. IVES:

S. 871. A bill to amend the National Labor Relations Act, and for other purposes; and

S. 872. A bill to provide facilities for the mediation of labor disputes and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. BROOKS:

S. 873. A bill for the relief of Warren H. McKenney; to the Committee on the Judiciary.

By Mr. VANDENBERG:

S. 874. A bill to authorize the President to appoint Lt. Comdr. Paul A. Smith as alternate representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, and as representative of the United States to the Air Navigation Committee of the Provisional International Civil Aviation Organization, without affecting his status and perquisites as an officer of the Coast and Geodetic Survey; and

S. 875. A bill to authorize the President to appoint Maj. Gen. Laurence S. Kuter as representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, without affecting his military status and perquisites; to the Committee on Foreign Relations.

By Mr. TAYLOR:

S. 876. A bill authorizing the issuance of a patent in fee to Spencer Burgess Doyle; to the Committee on Public Lands.

By Mr. BREWSTER:

S. 877. A bill authorizing a preliminary examination and survey of the Aroostook River and its tributaries for flood control and other purposes; to the Committee on Public Works.

S. 878. A bill to amend the District of Columbia Alcohol Beverage Control Act; to the Committee on the District of Columbia.

By Mr. McKELLAR:

S. 879. A bill for the relief of Panagiotes Xiriches; to the Committee on the Judiciary.

By Mr. REVERCOMB:

S. 880. A bill for the relief of Rev. John C. Young; to the Committee on the Judiciary.

By Mr. ECTON:

S. 881. A bill to provide for the leasing of restricted Indian lands under the supervision of the Crow Indian Agency in Montana, and for the limitation of the establishment and size of grazing of range units thereon; to the Committee on Public Lands.

S. 882. A bill for the relief of A. A. Pelletier and P. C. Silk; and

S. 883. A bill for the relief of H. C. Biering; to the Committee on the Judiciary.

By Mr. DOWNEY:

S. 884. A bill for the relief of Eroeda Sinitskaya; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 885. A bill to provide that the Canadian-built dredge *Ajax* and certain other dredging equipment owned by a United States corporation be documented under the laws of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. IVES:

S. J. Res. 85. Joint resolution establishing a joint congressional committee to inquire into the entire field of labor-management relations; to the Committee on Labor and Public Welfare.

By Mr. VANDENBERG:

S. J. Res. 86. Joint resolution to authorize Herschel V. Johnson, deputy representative of the United States to the Security Council of the United Nations to be reappointed to the Foreign Service; to the Committee on Foreign Relations.

INDUSTRIAL AND LABOR RELATIONS—STATEMENT BY SENATOR IVES

Mr. IVES. Mr. President, I have today introduced two bills and a joint resolution dealing with the problem of industrial and labor relations. Subsequently I issued a statement describing their contents in general. I do not wish to take the time of the Senate by reading a statement of that kind. I realize we have much business to do, and I do not wish to occupy the time of the Senate unnecessarily. Therefore at this time I ask unanimous consent that there may be printed in the body of the RECORD the statement which I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR IRVING M. IVES, OF NEW YORK

Today I have introduced in the Senate of the United States two bills and a joint resolution dealing with the problem of industrial and labor relations. These bills are based not alone on the testimony presented at the recent hearings held by the Senate Committee on Labor and Public Welfare, but are also the result of 10 years of personal experience in dealing with the problems inherent in the relationship between management and labor.

The first bill would amend the National (Wagner) Labor Relations Act by providing for employers certain rights which should be basic in their relationship toward their employees.

It would definitely permit an employer to discuss with his employees any matter of mutual interest.

It would protect from the charge of an unfair labor practice any employer who refuses to bargain with his employees on the issue of the closed shop. No employer, however, would be prohibited from thus bargaining with his employees if he should choose to do so.

Under appropriate circumstances, an employer would be permitted to petition the Board for an election.

This bill defines certain unfair labor practices on the part of employees as follows:

Employees who might coerce their employer in the selection of his representatives for the purpose of collective bargaining or who might refuse to bargain collectively with their employer's duly designated representatives or who might conduct a strike or boycott for the purpose of preventing any employer from bargaining with the duly certified representatives of his employees or in order to force an employer to act in violation of his duty to bargain collectively, would be guilty of an unfair labor practice.

In order to be permitted to bargain collectively under the law, any labor organization would be required to file with its petition or charge a statement of the names and addresses of its officers and duly authenticated copies of its constitution and bylaws, and to establish to the satisfaction of the Board that financial reports for the preceding year had been made available for inspection by its members.

Under the second bill which I have introduced, a Federal mediation agency independent of the Department of Labor and under the direction of an Administrator would be created. In addition to performing all of the mediation and conciliation functions now being performed by the United States Conciliation Service, the agency would seek to avert or minimize possible labor disputes by preventive measures. Under the terms of this bill as much effort would be devoted to preventing the disease of industrial strife as to curing it.

By its terms a national labor-management panel, consisting of outstanding leaders of labor and management, would be established for the purpose of advising the Administrator in the prevention and solution of industry-wide disputes and other industrial controversies affecting the general welfare of the country.

Failure of mediation or voluntary arbitration to settle any serious labor dispute endangering the public health, safety, or welfare, would call for the establishment of a board of inquiry to make findings of fact—without recommendation—concerning the dispute and to report such findings to the President who might make them public. This type of fact-finding body, wherever it has been employed, has proved most successful in resolving differences between management and labor.

The third bill, which I have introduced, provides by joint resolution for the creation of a joint congressional committee on labor-management relations to be composed of six Members of the Senate and six Members of the House, with representation to be divided equally between the two major political parties. The relationship between management and labor has no place in partisan politics or as a partisan political issue and the bipartisan nature of the committee thus proposed would eliminate from the area of partisan politics the whole question of industrial and labor relations.

The function of this committee would be not only to conduct a thorough study and investigation of the entire field of industrial and labor relations, including the very complex problem of Nation-wide bargaining, but to consider specifically the effect on the labor-management relationship of existing laws and especially of the statutory changes which are likely to be enacted by the present session of the Congress. This committee would be required to report to the Congress not later than February 15, 1948, making such recommendations as its studies, surveys, and investigations would indicate to be advisable.

Although these proposed bills in no sense cover every aspect of industrial and labor relations where legislation might be employed, their enactment should go far toward removing the most serious obstacles which now prevent a desirable relationship between workers and employers and toward the attainment of that condition of mutual understanding and responsibility which are vital to happy industrial and labor relations.

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON LABOR RELATIONS PROGRAM

Mr. TAFT submitted the following resolution (S. Res. 93), which was referred to the Committee on Rules and Administration:

Resolved, That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Senate Committee on Labor and Public Welfare be, and is hereby, authorized and empowered to have printed for its use 1,000 additional copies of the hearings held before said committee during the Eightieth Congress on bills and joint resolutions relative to the labor relations program.

CREATION OR CHARTERING OF CERTAIN CORPORATIONS—RECOMMITTAL OF A BILL

Mr. WILEY. Mr. President, I ask unanimous consent that Senate bill 503, to establish and effectuate a policy with respect to the creation or chartering of certain corporations by act of Congress, and for other purposes, be taken from the calendar and recommitted to the Judiciary Committee. A year ago a similar bill was reported from the Judiciary Committee of the Senate. Apparently now the Red Cross and other organizations are concerned about features of this bill. Therefore, I ask that it be returned to the committee.

The PRESIDENT pro tempore. Without objection, the bill is recommitted to the Committee on the Judiciary.

EDUCATIONAL BENEFITS FOR VETERANS—CHANGE OF REFERENCE

Mr. MILLIKIN. Mr. President, Senate bill 855 to permit veterans receiving educational benefits under the Servicemen's Readjustment Act of 1944, as amended, to receive subsistence allowance for dependents on account of brothers or sisters dependent because of minority or physical or mental incapacity, has been referred to the Senate Committee on Finance.

I suggest that the bill has been erroneously referred to the Committee on Finance, and that the Committee on Finance be discharged from the further consideration of the bill and that it be appropriately referred.

The PRESIDENT pro tempore. Without objection, the Committee on Finance will be discharged from the further consideration of the bill and it will be referred to the Committee on Labor and Public Welfare.

PRINTING OF REPORT OF BOARD OF TRUSTEES OF FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND (S. DOC. NO. 18)

Mr. MILLIKIN. Mr. President, on January 3, 1947, pursuant to the provisions of section 201 (b) of the Social Security Act, the Federal Security Agency sent to the Senate the Seventh Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund. The report involves a matter of very great importance and I think it should be available to all Members of the Senate. I, therefore, request that the report be printed as a Senate document with illustrations, as has been done heretofore.

The PRESIDENT pro tempore. Without objection, it is so ordered.

HOUSE BILL REFERRED

The bill (H. R. 2436) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1948, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

VALLEY OF A NEW CIVILIZATION—EDITORIAL FROM MEMPHIS COMMERCIAL APPEAL

[Mr. OVERTON asked and obtained leave to have printed in the RECORD an editorial entitled "Valley of a New Civilization," from the Commercial Appeal, of Memphis, Tenn., for March 9, 1947, which appears in the Appendix.]

ROLE OF AMERICA AS INTERNATIONAL ALMONER—LETTER FROM J. K. WELLS

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the RECORD a letter dated March 8, 1947, addressed to him by J. K. Wells, of Oklahoma City, discussing certain phases of American foreign policy, which appears in the Appendix.]

DEMOCRATIC WORLD LOOKS TO UNITED STATES—ARTICLE BY SUMNER WELLES

[Mr. FULBRIGHT asked and obtained leave to have printed in the RECORD an article entitled "Democratic World Looks to United States," written by Sumner Welles, and published in the Washington Post of March 12, 1947, which appears in the Appendix.]

CONGRESSIONAL ASTROLOGY—ARTICLE BY MARQUIS CHILDS

[Mr. FULBRIGHT asked and obtained leave to have printed in the RECORD an article entitled "Congressional Astrology," written by Marquis Childs, and published in the Washington Post of March 12, 1947, which appears in the Appendix.]

REPUBLICAN LEADERSHIP IN CONGRESS—ARTICLE BY GOULD LINCOLN

[Mr. FERGUSON asked and obtained leave to have printed in the RECORD an article dealing with the Republican leadership in Congress, written by Gould Lincoln and published in the Washington Star of March 11, 1947, which appears in the Appendix.]

GOVERNMENT BROADCASTING—LETTER FROM E. F. McDONALD, JR.

[Mr. BROOKS asked and obtained leave to have printed in the RECORD a letter concerning Government broadcasting, addressed to him by E. F. McDonald, Jr., president, Zenith Radio Corp., Chicago, Ill., which appears in the Appendix.]

EXTENSION OF PENNSYLVANIA TURNPIKE

[Mr. MYERS asked and obtained leave to have printed in the RECORD an editorial entitled "Bring the Turnpike Here," published in the Philadelphia Inquirer of March 11, 1947, which appears in the Appendix.]

OLD LAMPS FOR NEW—ADDRESS BY JAMES A. EMERY

[Mr. HAWKES asked and obtained leave to have printed in the RECORD an address entitled "Old Lamps for New," delivered by James A. Emery before the annual dinner group of the Los Angeles Realty Board at the Hotel Ambassador, Los Angeles, on February 21, 1947, which appears in the Appendix.]

INVENTORY OF NATURAL RESOURCES

Mr. McCARRAN. Mr. President, for a number of years I have been an advocate of taking a national inventory of our natural resources, particularly our mineral resources, as a matter of good business practice and good housekeeping, so that we may know where we stand. For about 3 years I have had a bill pending before the Congress which would provide for such an inventory. In the present Congress the number of this bill is S. 35.

In a recent issue of the magazine Pathfinder there appears an article entitled "Krug's Quest," which bears on this subject, and I ask unanimous consent that the article may be inserted in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KRUG'S QUEST

As Secretary of the Interior, charged with protecting and conserving the Nation's natural wealth, Julius A. (Cap) Krug wants to know what that wealth is.

Krug estimates the job would take 20 years, or longer than he expects to be Secretary, though it could be speeded up. He thinks it would be worth the $1,000,000,000 it would cost.

No such over-all inventory has ever been made. What information the Government has was gathered piecemeal, leaving large, unfilled gaps.

Krug points out that the war ate heavily into the known resources of strategic and critical materials, leaving the country with little or no idea of what shortages it might face in the event of another war. Present figures on metal reserves, he said, are meaningless.

URANIUM HUNT

Obviously, an important part of the job would be a search for additional and now unknown deposits of atomic materials.

Not only should the buried treasure be counted, but evaluated in dollars and cents, Krug says, so the country will know not only what it has but what it's worth. Only then will it know how much it must depend on foreign sources for what it needs.

Krug's recommendation, which finds support in earlier statements by President Truman, is only the latest in a series of such proposals.

Bills have frequently been offered in Congress for the purpose, but never got anywhere. This time it may be different.

Mr. McCARRAN. About the same time, there appeared in the magazine the United States News an article entitled "War's Cost in United States Materials: Dwindling Ores, Oil, Timber." This article also bears on the question of an inventory of our natural resources, and I therefore ask unanimous consent that it be inserted in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WAR'S COST IN UNITED STATES MATERIALS: DWINDLING ORES, OIL, TIMBER—FUTURE NEED TO GO FARTHER, DIG DEEPER, PAY MORE FOR BASIC GOODS—STIMULUS TO PRODUCTION OF SYNTHETICS—SUGGESTIONS FOR TIGHTER CONSERVATION

War's great cost to the United States is turning out to be its cost in natural resources, in the basic materials that support the Nation's strength.

Other nations spent more lives, lost more houses, factories and machines, and suffered more privations during wartime. None, however, spent more than a fraction of the metals, fuel, fibers, and soil resources that the United States spent to win the war.

A series of official reports is bringing to light the real extent of the war's cost in resources. These reports point to the conclusion that this country could not again fight a major war without drawing heavily upon resources from other, less exhausted parts of the world. Julius A. Krug, Secretary of Interior, is suggesting a $1,000,000,000 survey to determine exactly how much mineral wealth is left. The United States Forest Service is recommending tighter rules on use of the remaining timber resources. A committee of Congress investigating the oil outlook is worried about oil reserves.

These studies show that:

Metal resources are depleted to a great extent. The best-grade ores are gone, or nearly gone. More than 5,000,000,000 tons of United States minerals went into the war.

Oil resources as they are known today would be insufficient in another war. United States wells were tapped for about 8,000,000,000 barrels of oil in wartime, while all the rest of the world provided less than half as much. Even in this last war, in its closing months, United States wells could not keep up with the war's demands.

Timber stocks, after three centuries of abundance, are almost gone in some of the essential categories.

Soil resources suffered in wartime no greater loss, over all, than already is accepted as usual in peacetime. But certain areas were overcropped, now are nearing the status of wasteland.

Substitute resources actually were improved by pressure of war demand. A synthetic-rubber industry was built capable of turning out 1,000,000 tons of rubber a year. Using sea water and landlocked brines, magnesium output was lifted from 5,000,000 pounds to 375,000,000 pounds a year. Output of synthetic fibers and chemicals was multiplied, new sources discovered.

Unlimited use of natural wealth in this country was not matched anywhere else. Britain drew on her Empire overseas, but the take was limited. Germany exploited the rest of Europe. Russia got an important part of her raw materials from the United States. Japan drew on the Far East. Canada, with a relatively small industry, barely scratched the surface of her metals and oil deposits. Latin America supplied small, though essential, quantities of strategic materials.

A weaker position for the United States than before is a result of using its wealth without stint. Higher costs for raw materials are ahead. More goods are needed to feed, clothe, and equip a larger population. But the greater supplies must come from sources farther away, in many cases from overseas. United States resources can be expanded now only by digging deeper into the earth, by drawing metals from lower-grade ores, and by expanding synthetics. All these methods are being used and all are more expensive.

Iron ore is the most important case in point. The United States has more than enough iron ore for future needs. Proved reserves will last up to 111 years, as shown in the chart on page 25, and beyond that is a supply of usable ore that could last another 400 years. But the high-grade, low-cost ore of the Minnesota range may last less than 17 years. Vast Canadian deposits of good ore are near by, but they are buried far below the surface. Arguments are being made that the United States should start using its lower grade ore now, despite the higher costs, and save the readily available ore for emergencies.

Copper reserves are much nearer to exhaustion. The United States today gets about half its copper from abroad, mainly because its own deposits are progressively harder to mine. The shortage of copper explains the shortages of many electrical things that people want. The outlook is that copper production here can be maintained at its present rate of nearly 1,000,000 tons a year for about 10 years. A gradual decline to complete exhaustion will follow unless discoveries are made, and large new discoveries are not expected.

Lead and zinc deposits have only a few more years to last at current rates. Despite strenuous efforts to find more, the United States mines that once led the world turn out only about half as much metal as they did 20 years ago. The result is a factor in the scarcity of good paint, in lower-quality gasoline for motorcars, higher prices for many household goods.

Other metal deposits have been skimmed of their cream. For years the United States has had to go to the rest of the world for its needs in chromite, graphite, industrial diamonds, nickel, quartz crystals, and tin. Now the United States also must depend on foreign shipments for more than half its needs for antimony, asbestos, manganese, mica, platinum metals, and tungsten. United States mines furnish only slightly more than half of the Nation's supplies of bauxite for aluminum, of cadmium, mercury, and potash. There is less than a 20-year reserve of 20 essential minerals. That is why military stock piling of strategic materials is beginning in earnest after many years' neglect of that program.

Oil tops the list of natural resources that can be replaced eventually by substitutes. Yet depletion of United States natural oil resources is serious enough now to touch off a fight for control of the oil lands under the United States seacoast and to bring increasing Government support behind United States companies in their search for oil abroad. Outlook for natural oil is this:

The United States is believed to be good for about 100,000,000,000 barrels of oil before the last well is drilled. About one-third has been used already. Proved reserves reached a peak of 24,500,000,000 barrels in 1938. Since then discoveries have fallen off. The war drained off about 2 percent of the reserves, leaving a known supply that might last through 1964 with no new discoveries. On the basis of the most optimistic expectations as to discoveries, the United States is expected to be more than half dependent on foreign sources for oil by 1970 and on synthetics from tar sand, oil shale, and coal.

These sources are almost unlimited. They already are being squeezed for oil content in experimental and pilot-plant operations. In 2 years' time the cost of making gasoline from the substitute materials has been reduced from 18 cents a gallon to between 7 and 10 cents a gallon. Gasoline from natural oils costs about 5 cents a gallon.

Timber scarcities are growing, according to the United States Forest Service, at a time when the United States needs more lumber than ever before for housing and other buildings, more pulpwood for paper and synthetic materials.

The Nation has only a little more than half as much saw timber as 37 years ago. The annual drain of saw timber is 53,900,000,000 board-feet, while annual growth is only 35,300,000,000 board-feet. The loss is greatest in certain of the most-needed types of timber.

The Forest Service estimates that national safety requires an annual new growth of timber equal to 20,000,000,000 cubic feet of wood. That is 70 percent more than is being grown now. Cutting practices on 65 percent of the privately owned forest land are classed as poor to destructive, and improvement is expected to be slow.

Land conservation was extended during the war, but the United States has not yet turned the corner toward a net gain rather than loss in soil resources. About 500,000 acres of tillable land is lost yearly to erosion.

A total of 360,000,000 acres of land is under cultivation. Not more than 100,000,000 additional acres could be made productive by draining and reclamation. About 90 percent of the cultivated land needs erosion protection, but less than a third has had any conservation treatment.

Yet more progress has been made toward saving soil than in many other programs aimed at conserving resources. The United States still wastes each year enough natural gas, for instance, to provide as much power as Britain uses in a year. All signs point to increasing efforts to conserve the oil, steel, wood and other natural riches that have been found necessary for industrial and military security.

NOMINATION OF DAVID E. LILIENTHAL

Mr McMAHON. Mr. President, at page 1078 of the RECORD of February 17, 1947, there appears an article entitled "What's the Rush?" by Frank C. Waldrop. I quote from that article:

> Mr. Baruch's mistake lay in his failure to say in public what he had been saying in private about the President's choice for head of the United States Atomic Energy Commission, David E. Lilienthal.

Knowing, of course, that the statement quoted was not true, and in order that the record might be kept straight in respect to this matter, I wrote to Mr. Baruch. I ask unanimous consent that my letter and Mr. Baruch's reply thereto be printed in the RECORD at this point as a part of my remarks.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

FEBRUARY 21, 1947.

Mr. BERNARD BARUCH,
New York, N. Y.

DEAR MR. BARUCH: I realize that it would be impossible for either you or myself to keep up with everything the newspaper columnists say about us.

If it were not for the fact that Senator McKELLAR has seen fit to introduce the enclosed articles by Frank Waldrop in the CONGRESSIONAL RECORD, I would not bother to write you about it.

However, you will note that Mr. Waldrop purports to state that you spoke quite differently about Mr. Lilienthal in our executive session than you did in the open session.

Since this does not coincide with my recollection, I thought you might wish to advise me so that I might straighten out the record—this in justice to both Mr. Lilienthal and yourself.

With kindest regards,

Sincerely yours,

BRIEN McMAHON,
United States Senator.

NEW YORK, N. Y., *March 9, 1947.*

Hon. BRIEN McMAHON,
United States Senate,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR McMAHON: Answering your letter of February 21, of course, I didn't say anything different in the executive session from what I said publicly.

With kindest regards,

Sincerely yours,

BERNARD M. BARUCH.

FOREIGN MINISTERS' CONFERENCE AT MOSCOW

Mr. MYERS. Mr. President, I desire to call the attention of the Senate to an article written by Andrew Bernhard, managing editor of the Pittsburgh Post-Gazette, reporting from Moscow, under date of March 10. I should like to read

two short paragraphs from his news story:

It will be well for American readers to remember as the conference proceeds that meetings of the foreign ministers are secret and that reports coming to you from them are sifted through authorized spokesmen for each delegation who make round-up statements after each session.

It is possible that correspondents may yield to a human weakness for inside information and speculation, and occasionally may allow themselves considerable latitude for interpretation, often just a two-dollar word for guessing. If that is remembered, possibly American readers won't be too alarmed or too exuberant over developments here and will remain calm though the conference is likely to be difficult in view of the enormous problems to be settled.

I recommend those two paragraphs, written by Mr. Bernhard from Moscow, to the consideration of the Senate.

THE PRESIDENTIAL TERM

The Senate resumed the consideration of the joint resolution (H. J. Res. 27) proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

The PRESIDENT pro tempore. The pending question is on agreeing to the following amendment proposed by the Senator from Washington [Mr. MAGNUSON] to the committee amendment beginning on page 1, line 10, namely:

In lieu of the language proposed to be inserted by the committee in lines 4 to 12 on page 2, insert the words:

No person shall be elected to the office of the President more than twice.

Mr. TAFT. Mr. President, I send to the desk a proposed substitute for the second committee amendment, which is the pending question, and ask that it be received and lie on the table.

The PRESIDENT pro tempore. The amendment in the nature of a substitute will be received and printed, and will lie on the table.

Mr. WILEY. Mr. President, I wish to announce to my associates in the Senate that, following the suggestions made the other day, conferences have been proceeding and I understand that more or less of an agreed basis has been arrived at among Senators who the other day did not agree. The Senator from Ohio [Mr. TAFT], the Senator from Maryland [Mr. TYDINGS], and other Senators have been doing yeoman work in this respect. I understand the more or less agreed basis is set forth in the amendment just submitted by the Senator from Ohio, which reads as follows:

No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than 2 years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this article shall not apply to any person now holding the office of President, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this article becomes operative from holding the office of President or acting as President during the remainder of such term.

Mr. President, what this language does is to adopt substantially the suggestion made by the Senator from Maryland [Mr. TYDINGS] on the floor the other day. The committee amendment provided in substance that one who had held the Presidential office less than a year could be elected to two terms, and if he had held the office more than 1 year he could be elected to only one term. The suggested amendment, as I understand it, proposes that if the person occupying the office had not held it for more than 2 years of the term of his predecessor he would be eligible to two elective terms, and thus in effect could remain in the office for practically 10 years. If, however, the individual succeeding to the Presidency should hold the office for more than 2 years of the Presidential term he would be limited to the portion of the term thus served and one elective term.

The suggested amendment, as I understand, is not to apply to President Truman, who now holds the office as former Vice President.

I should like, if possible, to facilitate action on this measure. I think the country is entitled to have an opportunity to vote on this question, which for a century and a half in greater or less degree has been agitating the electorate. I make this explanation at this time because the pending amendment is the Magnuson amendment, and I think it should be voted down so that we may have an opportunity to vote on the suggested amendment.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. ELLENDER. As I understand, the only difference between the suggested amendment and the committee amendment is that the minimum length of time a President might serve would be 6 years instead of 5 years. In other words, the proposed amendment simply adds 1 year.

Mr. WILEY. No. If he went into office shortly after the death of the President he could serve 7.9 years.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. TAFT. Under the proposed amendment a man could always serve as much as 6 years, and he might serve for as much as 10 years. That is the proposal.

Mr. ELLENDER. But under the terms of the committee amendment he could serve a minimum of 5 years and a maximum of 8 years and a fraction of a year.

Mr. TAFT. That is correct.

Mr. ELLENDER. Therefore, what is proposed is to increase the time by 1 year over the provision contained in the committee amendment.

Mr. TAFT. There is a difference of 1 year.

On the other hand, the proposed amendment of the Senator from Washington might permit a man to serve 12 years if the President should die between the date of the election and the date of his inauguration. I thought that was too much.

The other provision in the suggested amendment is as follows:

But this article shall not apply to any person holding the office of President when this article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the time within which this article becomes operative, from holding the office of President or acting as President during the remainder of such term.

Thus it would except President Truman, in order that there may be no in personam legislation under the circumstances.

I believe that the language of the suggested amendment is somewhat clearer than the language of the committee amendment. The suggested amendment reads in part as follows:

No person shall be elected to the office of the President more than twice, and no person who has held the office of President or acted as President for more than 2 years of a term to which some other person was elected President, shall be elected to the office of the President more than once.

It seems to me that that is a somewhat clearer statement than the language of the committee amendment. So I hope the Senate may be willing to vote down the amendment of the Senator from Washington, if he wishes to press it. If it is voted down, I shall offer this proposed substitute for the second committee amendment. I understand that it is agreeable to the chairman of the committee.

Mr. MAGNUSON obtained the floor.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. HOLLAND. I know that some Senators on both sides of the Chamber are rather inclined to believe that we should attemept to enact into constitutional law the Washington tradition, and that to that end the amendment should apply to prevent a man being elected President for more than two successive terms. I wonder if the Senator from Washington would agree to modify his amendment, or to reframe it, so as to have it provide, in effect, that—

No person shall be eligible to be elected to the office of President for more than two successive terms.

Mr. MAGNUSON. Mr. President, I may say that I have discussed this question with the Senator from Florida and other Senators on this side of the aisle. I am perfectly willing to accept that language. I think it perfects the amendment and makes the issue much clearer.

The PRESIDENT pro tempore. Is the Chair to understand that the Senator perfects his amendment as indicated?

Mr. MAGNUSON. Yes.

The PRESIDENT pro tempore. The amendment is so perfected.

Mr. MAGNUSON. Mr. President, at the close of the last session the Senator from Ohio [Mr. TAFT] suggested that we might be able to arrive at some compromise on this question. This morning the Senator from Ohio submitted to me a proposed amendment which he wishes to offer as a substitute for my amendment. I have read it very carefully and discussed it with other members on this side of the aisle. I should like very much to accept it. However, in my opinion, it does not reach the evil which the proponents of the amendment say they wish to eliminate. When we deal in that manner with a Vice President or other

person who succeeeds to the Presidency we penalize a man for holding an office which he assumes because of conditions beyond his control. If there is an evil in connection with Presidential succession, it is the evil of a man deliberately using his office to be reelected by the people for many successive terms. Personally, I think the people should have the right to pass upon that question. But if there is an existing evil, the Taft substitute would penalize a man who happened to be Vice President, Secretary of State, or the holder of any other office in the line of succession, and prevent him from running twice for the Presidency if something should happen which would cause him to assume the duties of President during the course of a Presidential term. I feel that the least we can do is to permit the people to vote for him once and say, "This man is to be our President," and if he does a good job, permit the people to endorse him again. That is the only alleged evil against which the proponents of the measure are striking. I should like to accept the substitute of the Senator from Ohio; but in view of the perfecting language suggested by the Senator from Florida [Mr. HOLLAND], I should like to have a vote on my amendment as modified.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Washington, as modified.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. REVERCOMB. In effect, the amendment originally offered by the Senator from Washington provided that a person might serve at least 8 years in the Presidency, but under the amendment, before it was perfected, it was possible for him to serve as much as 12 years less 1 day. The Senator has modified his amendment so that, in effect, not only could a person serve in the Presidency for 12 years minus 1 day, but after the interim of another term he could come back and serve for another 12 years.

Mr. MAGNUSON. That is correct.

Mr. REVERCOMB. It seems to me that the amendment offered by the able Senator does not serve the purpose of any amendment whatever on this subject. The purpose is not to bar a person from holding office. It seems to me that the principal purpose is to preserve government and protect it against extended tenure of office.

Mr. MAGNUSON. The modification suggested by the Senator from Florida merely breaks the line of succession. It has been suggested on this side of the aisle that there are many young men in politics. I do not know whether the wish is father to the thought; but a very young man might be elected to the Presidency. He might be elected twice; and later, after an interim of 8 or 12 years, or even a greater period of time, the people might want him again. The reason I accepted the amendment was that so many Senators had expressed the same idea.

Mr. REVERCOMB. It seems to me that the Senator's argument is based upon the very evil which the amendment originally proposed was intended to cure. A man might serve for 12 years, and after an interruption of 4 years might serve for another 12 years.

Mr. MAGNUSON. I would call it an alleged evil.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. MAGNUSON], as modified.

Mr. HOLLAND. Mr. President, it seems to me that the amendment offered by the Senator from Washington is greatly preferable to that suggested by the distinguished Senator from Ohio, in two particulars.

First, under the amendment to which I refer as the Taft amendment, it seems to me that persons who have acquired experience in serving as President, but who came into office through misfortune or misadventure, having served as Vice President and having succeeded in the case of the death of the President, would be unduly penalized.

I invite attention to the fact that under the so-called Taft amendment, if it had been in effect in 1912 when former President Theodore Roosevelt ran for another term, he would have been ineligible to offer himself as a candidate for the Presidency. He had served, including the time he had served in the McKinley term and the time he had served in the term for which he himself was elected, more than 6 years. He would have been ineligible to have been considered a candidate for election again to the Presidency.

JOINT MEETING OF THE TWO HOUSES

The PRESIDENT pro tempore. The Chair will have to ask the Senator from Florida to suspend in order that we may keep our date with destiny.

The Senate will now proceed to the Hall of the House of Representatives, and will reassemble in its chamber immediately at the conclusion of the joint meeting of the two Houses.

Thereupon, at 12 o'clock and 40 minutes p. m., the Senate, preceded by its Secretary (Carl A. Loeffler), its Sergeant at Arms (Edward F. McGinnis), and the President pro tempore, proceeded to the Hall of the House of Representatives to hear a message from the President of the United States.

(The message of the President of the United States this day delivered by him to the joint meeting of the two Houses of Congress appears at p. 1980 of the proceedings of the House of Representatives in today's CONGRESSIONAL RECORD.)

The joint meeting of the two Houses having been dissolved, the Senate reassembled in its chamber at 1 o'clock and 29 minutes p. m., and was called to order by the President pro tempore.

THE PRESIDENTIAL TERM

The Senate resumed the consideration of the joint resolution (H. J. Res. 27) proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

The PRESIDENT pro tempore. The Senator from Florida [Mr. HOLLAND] has the floor.

Mr. HOLLAND. Mr. President, I shall not take many minutes of the time of the Senate on the matter which I am discussing. I do not discuss it from a partisan standpoint, from a political standpoint, or for any purpose other than to simplify and clarify the issue presented by the proposed constitutional amendment so that when it is submitted, if it be submitted, to the people of the United States, they will be afforded an opportunity acting by States, to decide whether they want to continue the Washington tradition, as it is known and referred to as a tradition, or to enact it into law, by writing it into the Constitution of the United States.

Mr. President, at the time the Senate recessed to go to the Hall of the House of Representatives I had mentioned one of the reasons why I felt that the amendment as reported by the committee, as well as the form of amendment suggested by the distinguished Senator from Ohio, would depart very greatly from the Washington tradition, in that it would affect so differently Vice Presidents who succeeded to the Presidency from the way in which Presidents themselves would be affected.

I called attention to the fact that if this amendment had been a part of the Constitution at the time when the late President Theodore Roosevelt, one of our greatest Americans, was endeavoring to be elected again to the Presidency in 1912 because he thought, as millions of others thought, that there was work for him to do, he would not have been eligible to become a candidate in that particular election. I do not think that would have been good or sound.

I call attention to the fact that if at the end of his first full elective term President Coolidge, himself another great American whom I honor, had felt, and if a sufficient number of the American people had felt, that the emergencies of the situation and the critical nature of the conditions at that time demanded that he should again stand for the Presidency and be reelected to the Presidency, he would have been ineligible.

I call attention to the fact that but for specific provisions exempting the present occupant of the White House, the same situation would exist with reference to him. While I appreciate the courtesy which lies behind the proposed exception, and I consider it to be a generous gesture, yet I do not think the amendment will commend itself to the public to any greater extent because of the fact that it makes an exception with reference to the present occupant of the White House. If, however, the proposed amendment were adopted, in the last year and three-quarters of the 7-year period in which its ratification may be considered, it would apply in a different way to the then occupant of the White House, whoever he might be, unless he continued to be the present occupant of the White House. I do not think it sound to suggest the submission of a constitutional amendment which might apply in different ways to two individuals serving in the period of time within which the amendment will be considered by the people of the various States of the Union.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. JOHNSON of Colorado. Does the Senator wish to make the legislation retroactive, and change the conditions which now exist? Is that his argument?

Mr. HOLLAND. No. My position is that the unwisdom of the adoption of the amendment at this time may be clearly demonstrated by indicating how it would have worked if applied to actual conditions through which this Nation has lived in the past.

My first point is that if it had been applied to the late former President Theodore Roosevelt it would have prevented his becoming a candidate in 1912. It would have prevented President Coolidge from becoming a candidate at the time he chose not to run, which, of course, was his privilege. My next point was that, as presented, the proposed substitute amendment of the distinguished Senator from Ohio might apply differently to two different occupants of the White House during the period of 7 years.

Mr. JOHNSON of Colorado. If the Senator will again yield, his last point is the one to which I am addressing my inquiry.

Mr. HOLLAND. Let me read the provision of the proposed substitute amendment of the distinguished Senator from Ohio:

> But this article shall not apply to any person holding the office of President when this article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the time within which this article becomes operative, from holding the office of President or acting as President during the remainder of such term.

I think it is quite clear that under the last clause which I have just read, a completely different rule would be applicable to an occupant of the White House serving in the years 1949 to 1952, inclusive, if that individual were a person other than the present occupant of the White House.

Mr. JOHNSON of Colorado. I am trying to find out whether the Senator wishes to change the law so as to make it retroactive and make it affect someone who may occupy the office before the legislation is finally ratified and adopted by the Nation. Does the Senator wish to change the existing situation?

Mr. HOLLAND. No. My suggestion is that the amendment offered by the distinguished Senator from Washington [Mr. MAGNUSON] will simplify and clarify the joint resolution and make it, in effect, a statement of the Washington tradition by eliminating any question whatsoever except the eligibility of a person to be elected President for more than two successive terms. It would eliminate all the hair-splitting questions as to whether or not a Vice President succeeding to the office of President has served a few days less or a few days more, or whether a former Vice President who is now serving as President is affected in a different way from another who might be serving even within the period of time within which this amendment will be considered by the people of the several States of the Nation.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. TAFT. I merely wish to invite the attention of the Senator to the difference between President Truman and any man who may occupy his position in the future. In the case of President Truman, when he ran for Vice President there was no limitation, and it seems to me that that differentiates him from a man who knows when he runs for Vice President that if the President dies in the first 2 years of his term he can serve for only 6 years. In other words, as to President Truman, the law would be retroactive except for this amendment. That was one of the reasons why I was glad to propose that change. On the other hand, as to men who choose in the future to run for Vice President, they will know exactly what is before them. They will know that if the President lives for 2 years and then dies, they may possibly be President for 10 years if they are reelected twice. If he dies within the first 2 years of his term, they know that they can serve for only 6 years.

Mr. HOLLAND. I appreciate the fairness of the Senator, and I think he should be commended for it. However, I invite his attention to the fact that the proposed wording goes a great deal further than his suggestion, because it would not merely permit the present occupant to serve two full terms plus the remainder of the term in which he is now serving, but it would operate so as to place no limitation whatsoever upon his right to run, whereas it would operate entirely differently as to someone else who might succeed him during the period of 7 years, and would operate still differently in the case of someone who might fill the post after the actual adoption of this amendment, if it should be adopted.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MAGNUSON. The able Senator has well pointed out the many ramifications and possibilities which might occur when we attempt to limit the succession and Presidential terms beyond the Presidency itself, and attempt to deal with the Vice Presidency, or some other office in the line of succession. As the Senator has suggested, what those who proposed this measure are trying to do is to keep a man from deliberately using his office to be reelected for too many terms. This provision might apply to three different men in three different ways in 7 years.

Mr. HOLLAND. The Senator is correct.

I am sensible of the fact that there is sentiment in this Nation as to the wisdom or unwisdom of engrafting the Washington tradition upon the Constitution. What I should like to do would be to give to the American people a clear opportunity to decide for themselves whether they prefer to continue the tradition as such, electing to decide in their own wisdom from time to time whether any person should have more than two terms, or whether, instead, they prefer to place such a provision in the Constitution.

When it came to the floor of this body, I was disturbed because of what seemed to me, although my judgment may be wrong about the matter, to be three trouble-making provisions. The first was the one requiring submission to conventions, which it seemed to me would not be economical, and which might result in the amendment not being ratified simply because of a failure to call the conventions, if in as many as 13 State legislatures there were politically minded people who could prevent calling of them. But, above all, it seemed to me that it would call for a period of political harangue, political discussion, and political convulsion which I think would be inappropriate in the particular times through which we are now passing. So I am glad the Senate has omitted that provision. Two other provisions of the measure now before the Senate I believe to be objectionable—and I make this point without any question as to their being based on partisan politics or anything of the kind. One of them, which I have already mentioned, is with reference to its effect upon Vice Presidents. The other, which I shall now mention briefly, is that both the original joint resolution and the amendment in the nature of a substitute offered by the distinguished Senator from Ohio would so operate, I think, under the conditions stated in the amendment, as to make a person entirely ineligible for reelection, even though he might not have served in the immediate past as President of the United States.

Mr. President, if I correctly understand the demand which has persisted for so many years that the Washington tradition be engrafted upon the Constitution, it has been upon the basis that a President might adopt a course which would be calculated to keep him in office, and might build up political machinery which would enable him to be reelected. If that be the objection and if that be a sound argument for the submission to the people of a constitutional amendment based on the Washington tradition, and if they are in favor of writing it into the Constitution, I submit that the objective is met entirely by the amendment offered by the distinguished Senator from Washington; for, if that amendment were agreed to, it would operate only to prevent succession in office after a President had served two full terms.

I call the attention of the Senate to the fact that these are troublous times. We have just heard an address delivered by the President, who, I am sure, had the sympathy of every one of us, regardless of how we may decide upon the momentous issues with which he was dealing. Everything he said and everything in connection with that historic occasion at the other end of the Capitol, from which we have just returned, served to accentuate the fact that we are living in difficult times and will continue so to live for many years in the future.

I call the attention of the Senate, without applying it particularly to either one party or the other, to the fact that young men, brilliant men, able statesmen, are now offering themselves or are being suggested by others as candidates for the Presidency. Indeed, they are so young that if they served for eight full years, as would be provided if the Washington tradition were written into the

Constitution, they would still be in their late forties or their early fifties and would still be available to the call of the Nation after having returned to civil life for 4 years.

Mr. President, with our knowledge of the fact that this is becoming a young man's world and the actual fact that young men of proved ability and high qualities of leadership are offering and are available for the Presidency, I do not think we should adopt a course which would preclude recalling, after a vacation, such a young man who has been ripened and matured by the experience of 8 years in the White House, if there were great need for him.

Personally, I hope to vote for this amendment, and I shall do so if the amendment of the Senator from Washington is adopted; but I want to say to the distinguished Senators who favor this amendment that they are simply adding additional objections which will make for further difficulty in connection with the consideration of the amendment by the people of the States, if they insist upon the Taft substitute. I hope, Mr. President, that the issue may be clarified, may be simplified, and may be submitted as merely one proposition so that we may ascertain whether the people of the Nation wish to have the Washington tradition remain such, or want it included in the Constitution of the United States.

Reference has been made several times in the course of this debate to provisions of State constitutions which prevent succession to the governorship after either one term or two terms or three terms. There may be others, but I am familiar with these three different requirements in various States.

I call attention to the fact that in no case, if we make that comparison, have the people of a sovereign State ruled that a man who has served them as governor shall become by reason of that fact ineligible to ever succeed to that responsibility or to ever be called to lead them again in the governor's chair, whereas the result of this amendment as offered by the committee and of the substitute amendment offered by the distinguished Senator from Ohio would be to render persons of experience, of high, proved qualities, ability, and courage, wholly ineligible, regardless of conditions and regardless of their age and strength.

I call attention to the fact that we have right here in the Senate men who have served as governors of their States and who have taken the enforced vacations which were provided for under the constitutions of their respective States, and then have been called back to serve again as governors. Out of the abundance of material which is going to be produced by this Nation in the future, and which is already being produced—and I can look at both sides of this Chamber and see able Senators who would come within that classification—I think we shall have young men offering for the Presidency and, at times, elected to the Presidency. So, I should hate to see a limitation imposed which would prevent the Nation from having the same advantage which the States have insisted upon having for themselves in reference to the governorship; that is, the advantage of calling back if need be, if occasion required, if there were a critical, crucial time which demanded the service of a person of proved worth and experience, who had manifested his ability to do a particular job, I should hate to have the Nation put in the position that such a person could not be called back to the Presidency.

I realize that the same argument applies in lesser degree to continuation in office after 8 years; but I think that the lay citizens who really urge this amendment want the American people to have an opportunity to determine whether the Washington tradition shall be fixed in the Constitution or whether it shall remain merely a tradition. There will be plenty of controversy, plenty of differences of opinion upon that point, and it will not be on partisan lines or on a wholly political basis. It will be founded in the soundest, most patriotic thinking our people can apply to it. I hope that is the kind of measure which will emerge from this debate.

It is my strong hope that the amendment offered by the Senator from Washington [Mr. MAGNUSON] may prevail, so that this proposed constitutional amendment may then be submitted to the people of the United States and so that they may have an opportunity to say, after understanding what it is that they are called upon to decide, whether the Washington tradition shall remain simply that, or whether it is best, in their judgment, to engraft it upon the Constitution itself.

The inclusion of all these other factors is trouble making and will disturb the impartial consideration of the amendment, and in my judgment will tend to defeat it.

Let us give it a fair chance, and let the people say whether they want the Washington tradition to remain as such or whether they wish it to become a part of our fundamental law.

URGENT DEFICIENCY APPROPRIATIONS, 1947—CONFERENCE REPORT

Mr. BRIDGES. Mr. President, I submit a conference report and ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The report will be read.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1968) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 17, 19, 21, 22, 23, 24, 25, and 26, and agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$136,500"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"OFFICE OF TEMPORARY CONTROLS

"Salaries and expenses: For an additional amount, fiscal year 1947, for the Office of Price Administration transferred by Executive Order 9809 of December 12, 1946, to the Office of Temporary Controls, $7,051,752, to be available for the payment of terminal leave only: *Provided*, That it is the intent of the Congress that the funds heretofore and herein appropriated shall include all expenses incident to the closing and liquidation of the Office of Price Administration and the Office of Temporary Controls by June 30, 1947."

And the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$3,000,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$3,100,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"Salaries and expenses, Office of Price Administration functions, Office of Temporary Controls, 1947, $2,000,000: *Provided*, That the Office of Price Administration shall be discontinued and its affairs shall be entirely liquidated not later than June 30, 1947."

And the Senate agree to the same.

STYLES BRIDGES,
C. WAYLAND BROOKS,
CHAN GURNEY,
JOSEPH H. BALL,
KENNETH MCKELLAR,
Managers on the Part of the Senate.

JOHN TABER,
R. B. WIGGLESWORTH,
ALBERT J. ENGEL,
KARL STEFAN,
FRANCIS CASE,
FRANK B. KEEFE,
CLARENCE CANNON,
JOHN D. KERR,
GEORGE MAHON,
Managers on the Part of the House.

The PRESIDENT pro tempore. Is there objection to the request for immediate consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDENT pro tempore. The question is on agreeing to the report.

Mr. HAYDEN. Mr. President, I should like to make inquiry with respect to amendment No. 19, which provides for the liquidation of the Civilian Production Administration. When the chairman of the Appropriations Committee spoke before the Senate the other day, I understood him to say that this provision could be carried out by the transfer to the Housing Expediter of the functions now performed by the Civilian Production Administration with respect to the allocation of materials for veterans' housing.

Mr. BRIDGES. That is correct.

Mr. HAYDEN. The question then arises: How will the Housing Expediter have the funds with which to carry on that work? Does the Senator from New Hampshire know whether he has available appropriations?

Mr. BRIDGES. If the Housing Expediter does not have the necessary funds with which to carry on when he virtually takes back these duties, which originally were his, of course he will have to ask for specific funds for that purpose. My understanding is that he has some general funds available.

Mr. HAYDEN. Then if he can find in his general funds sufficient money with which to perform this service, it will be entirely proper for him to do so, and I understand it is the intent of Congress that he use the money for that purpose.

Mr. BRIDGES. That is my understanding, and I think that is the intent of the committee and of the Congress in so acting.

Mr. HAYDEN. I simply wish to clear up that point, because I do not want to have develop a situation whereby after the function is taken away from the Civilian Production Administration and transferred to the Housing Expediter, the Housing Expediter will be without funds to carry it on. If he can find the money, he is supposed to do that. If he cannot, he is supposed to ask Congress for it. Is that correct?

Mr. BRIDGES. That is correct.

Mr. HAYDEN. With respect to amendment No. 15, which relates to the Office of Price Administration, I should like to make a few remarks.

The House provided for a rescission of $9,000,000—in other words, that the funds already available, and which would have remained available to the Office of Price Administration, be reduced by $9,000,000. The Senate restored the $9,000,000. The conference report, as I understand it, makes a rescission of $2,000,000. The budget estimate under which this matter was considered requested not only that the funds of the Office of Price Administration be not disturbed, but asked for $5,500,000 in order that it might carry on its activities, particularly those with respect to rent control and sugar rationing, until the 30th of June.

Thus the conference report provides, instead of any additional money with which to carry on this function, $7,051,752 to pay terminal leave. In other words, it contemplates that between now and the 30th of June, practically all the employees of the Office of Price Administration shall be discharged and shall be paid terminal leave out of this money. Am I correct about that?

Mr. BRIDGES. The Senator's statement is correct.

Mr. HAYDEN. It is perfectly obvious to me that it is impossible to operate and to liquidate an agency at the same time. The best information I can get from it is that instead of attempting to do anything of that kind, the Office of Temporary Controls, under which the functions of the old Office of Price Administration are to be carried on, will attempt to administer rent control and sugar rationing until the 30th day of next month—that is to say, for another 6 weeks—and then for the remaining 60 days it will devote its time exclusively to liquidation, because it is impossible to liquidate and to operate at the same time. That is perfectly obvious to me.

That being the case, the Senate and the House of Representatives are faced with the absolute necessity within the next 6 weeks of enacting legislation to continue rent control, if it is to be continued, and to continue sugar rationing, if it is to be continued. If there are two "must" bills, one is a bill which must be reported to the Senate, pass the Senate, pass the House of Representatives, and be signed by the President within the next 6 weeks, to take care of rent control; and another one dealing with sugar rationing must be reported to the Senate and go through the same procedure and become a law between now and the 30th day of next month, or else there will be no sugar rationing and no rent control.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. TAFT. It is perfectly obvious that there will be no sugar rationing, anyway, unless the Congress enacts a bill by the 31st of this month. We propose to pass such a bill by the 31st of this month. As I understand the proposal, sugar rationing and all sugar control will be transferred to the Department of Agriculture.

Mr. HAYDEN. Yes.

Mr. TAFT. So all that part of the OPA can be dismissed after the 1st of April, except for closing up the offices.

So far as rent control is concerned, I certainly hope a rent-control bill may be passed by the 1st of April. Measures are being taken to see that such a bill is pressed to prompt and immediate enactment.

Mr. HAYDEN. I am glad to hear that, because it is perfectly obvious, when considering the amount of money which is now available, that neither of those functions can be carried on for more than approximately 6 weeks.

Mr. BRIDGES. Let me say to the Senator that I differ with him in regard to that assumption. I do not see why the OPA cannot start scaling down now, and why it cannot gradually level off to zero by June 30, and still perform all the duties it is called upon to perform, certainly until June 30. That is a difference of opinion, but I think the OPA can do it.

When the OPA says that there will not be rent control or sugar control after March 31 or, rather, April 30, I think the OPA is adopting a very arbitrary attitude. By cutting down their surplus help and operating on a rock-bottom basis, I think there is no reason why they cannot continue this particular work. Of course, they would not have the lush manner of performing their duties which they had for the last few years, but they could do it on a sound basis. Their duties are very simple in respect to rent control and sugar rationing and rice, which are the only other matters involved; and it seems to me they could do it without suffering themselves or without having the country suffer.

Mr. HAYDEN. I am merely expressing my judgment in regard to what I think a businessman who was given certain things to do—for instance, such things as rent control—would say. It is impossible to liquidate the offices all over the United States and at the same time administer rent control. I am simply saying how important it is that this legislation covering the items mentioned be enacted promptly, for otherwise, on the basis of the amount of money now to be appropriated, we shall know that in 6 weeks those functions must cease.

Mr. TAYLOR. Mr. President, I dislike this procedure of killing off agencies by refusing them money before legislative committees of the Senate have had a chance to pass upon the matter. I wish to be recorded as voting "no" on this measure.

Mr. PEPPER. Mr. President, I wish to have the RECORD clearly express the same sentiment on my part. It is an anomalous situation that now, through the indirect means of appropriation legislation, we are about to cut down a certain agency, and yet, if I correctly understand, a standing committee of the Senate has recommended that that agency be extended for another year. So it is proposed that, by indirection, through the appropriation function, on the recommendation of one committee, this action shall be taken, and then from another committee is to come, as I understand, a recommendation that, through permanent legislation, rent control be extended for a year. That is correct, is it not?

Mr. BRIDGES. The idea and purpose of the appropriation is to end appropriations for the OPA on June 30 and to completely rid the Nation of OPA. We are not trying to cut out rent control. If the Congress deems it wise to continue rent control, it will be continued. Personally, I think it is necessary to continue rent control, but I think we should continue it in some other agency of Government, rather than to continue the OPA which has been an outstanding sore thumb of the Nation for the last 3 or 4 years.

Mr. PEPPER. Mr. President, if the Senator will yield, let me make a further inquiry: Is not the effect of what the Senator's committee has done and what the Senate is now asked to do, that for all practical purposes rent control shall stop on April 30 and the money remaining shall be expended in the liquidation of the agency from April 30 to June 30, whereas the regular legislation on the subject provides that rent control—meaning presumably effective rent control—shall last until June 30? So we are, by indirection, by the limitation of an appropriation, actually going contrary, it seems to me, to the permanent legislation respecting rent control which is now on the statute books, and contrary to the recommendation of the Committee on Banking and Currency, which has already recommended, according to the press, that by permanent legislation rent control be extended for another year.

I am wondering what position we will be in when the bill the Banking and Currency Committee acted on comes to the

floor. I take it we will have to order our appropriation machinery in such a way as to adjust ourselves to that concept, which contemplates the continuation of rent control for another year from June 30, as against the concept of the committee to limit rent control effectively until April 30 of this year.

Mr. BRIDGES. Let me say that I do not by any means believe other than that with the funds allowed it OPA can carry on rent control up to June 30. It will have to be done on a scaling-down basis, as should be the case, and what is suggested seems to be the only way to bring that about. As various Senators have said, if OPA wanted to do so—though I do not think they should—they could continue on in full force until April 30, and then they could spend the next 60 days in liquidation. I do not think that is the intent of the committee. I think the intent of the committee and of the Congress is that they should now so scale down their activities that the work of OPA may be in the process of liquidation, that their duties will continue up to June 30, and that it is the problem of Congress to take care of rent control after that. Personally, I think rent control should be continued, but I do not think it should be continued in OPA.

Mr. HAYDEN. The intent of the committee is that they shall do an impossible thing.

Mr. MAGNUSON. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. The Senator from Florida has the floor.

Mr. PEPPER. The conference report also provides, does it not, for the termination of the authority of the Civilian Production Administration to allocate building materials, for example, to the veterans' housing program, for all effective purposes, up to March 31, as General Fleming said it would when we were considering the matter here on the floor?

Mr. BRIDGES. In effect, that agency will be liquidated as of June 30, and there again it is a question of handling funds. It is not the idea of the committee to end the allocation of these materials if it is wise to continue it, because this duty was given the CPA, or the Office of Temporary Controls, by a directive of the Housing Expediter, and all that will happen will be that the Expediter who gave the directives to CPA to continue the work will automatically assume the task, if it is to be continued further.

Mr. PEPPER. Are any funds to be made available to the Housing Expediter with which to discharge those functions?

Mr. BRIDGES. No; but I understand the Housing Expediter has some funds available to take this matter over, and if it is necessary to give him more funds through a deficiency bill, certainly the committee will consider that. The desire is to end OPA, and to end CPA, and if it shall seem necessary to continue the functions of rent control and allocation of materials, we want them continued under an agency in which we have more confidence than we have in the existing agencies.

Mr. PEPPER. It seems to me very obvious that those who occupy the homes are being caught in a squeeze. Rent control, for all practical purposes, is going to end April 30, and rationally so, for this is a kind of enforcement which, if not done well, had better not be done at all. As a matter of fact, the agency has not had sufficient personnel to do the job as it should have been done. In nearly every city in my State where rent control is in progress, we have been bombarded by landlords trying to get adjustments of rentals, and not able to get service through the OPA agency because it did not have the personnel with which to do the job.

Mr. President, if we cut the personnel further, it will simply mean that we had better not have any rent control, because there will be black marketing, there will be violations without enforcement of penalties, and it will be a case like prohibition again, when it would have been better not to have tried the little enforcement that was attempted.

On the one hand we are for all practical purposes removing the protection of rent control from the people who occupy rental property as homes, when, on the other hand, we could channel building materials through the housing program, at least the veterans' housing program, into the building of a greater number of veterans' homes, and offer an alternative home to a veteran who has to move out of a residence for which he cannot pay the required rent, when the landlord raises the rent. Instead of our putting the building materials more into that program, now it is proposed to take away that control, that help, which could result in putting building materials into the veterans' home-building program. We are, therefore, curtailing the available homes, on the one hand, and putting a real squeeze upon those who occupy homes, on the other.

Mr. President, I do not think that is good public policy, and, like the Senator from Idaho, I want to be recorded as expressing my opposition to the penuriousness we are exhibiting in these appropriation reductions.

Mr. BRIDGES. Mr. President, all I wish to say in answer to the Senator from Florida is that sometimes he could touch me, or could move me, by some of his very eloquent pleas, but certainly when he pleads, as spokesman for the administration, that there is not adequate personnel in Government bureaus, I cannot say his argument impresses me greatly, because that is one place where there is plenty of personnel.

Mr. PEPPER. Mr. President, I am not saying that in every agency there is inadequate personnel, but I am saying that it is my conviction—and I believe the facts will bear out the statement—that in the last year or two OPA has not had sufficient personnel with which to keep the black market under reasonable curb. I believe that if we are going to give effect to the law, and take care of the number of cases which have to be processed, and if we are to have enforcement, any fair-minded man will say the agency cannot do an effective policing job in respect to their duties. That is what leads me to make the statement.

Mr. SALTONSTALL. Mr. President, will the Senator from Florida yield?

Mr. PEPPER. I yield.

Mr. SALTONSTALL. I should like to say to the Senator from Florida that I voted with the chairman of the Committee on Appropriations for this cut because I believe Congress must and will pass some kind of uniform rent-control measure prior to April 30. I believe rent control should be continued. I did not believe the present rent control was operating effectively, as I viewed it, but, in my opinion, we must take some action, and therefore this appropriation, as it was worked out, was entirely proper.

Mr. PEPPER. I thank the able Senator from Massachusetts. It makes no difference to me what machinery is employed, just so we preserve the effective principle of rent control; but it seems to me, since today we have all this organization in the field, all over the United States, that it will be uneconomical to call them in and appoint others, no matter what character of control may be. My own opinion was that for the time being rent control should continue from now until June 30, and perhaps one more year. I do not say it should continue indefinitely. I think we had better take the ills we have than fly to others we know not of in the handling of this question.

Mr. MAGNUSON. Mr. President, I wish to ask the Senator from New Hampshire just one question. I understand the matter better now since the discussion, but I gather the position of the majority of the Committee on Appropriations in the matter to be that they want rent control continued, but that they are against OPA administering rent control, that therefore they want to liquidate OPA as soon as possible, in the hope that the Congress will pass another bill before April 30 which would again institute rent control, and that the majority is hopeful it will be under some other department. Let me ask if that is a correct statement?

Mr. BRIDGES. No; not exactly. Under the statute, which the Senator, I believe, supported, the OPA automatically expires on June 30. The only thing that this does is to make the expiration certain, to establish conditions which will make that mandatory expiration effective in toto at that time. But we believe sufficient funds are provided so that rent control can be administered up to June 30. Everybody admits that it can be continued in full until April 30. I am of the group who believe that while cutting the appropriation down materially, rent control can be continued on to June 30; but in the meantime, certainly, whether this bill be passed or not, it would be necessary to pick up the thread on June 30, either continuing rent control in this agency or some other agency. It is a matter of judgment.

Mr. MAGNUSON. I appreciate the position taken by the committee, but there is one thing I cannot understand. Everybody is agreed that rent control shall be continued. An agency is now functioning. The Senator from Florida is entirely correct in saying that never at any time during the life of the OPA has that agency had sufficient personnel for the enforcement of rent control. But there is an agency that is now doing it. We hope that Congress will step in. Why not make it sure, and let this agency continue until June 30? By whatever bill

may be passed by the majority, continuing rent control, whether it is changed from OPA to another agency, or not, control can be made effective on June 30. If that were done, the people would be assured of rent control. As it is, the matter is being left in the air. If Congress does not act by April 30, what becomes of rent control?

Mr. BRIDGES. The people will be protected in the matter of rent control under the bill.

Mr. MAGNUSON. Will this measly appropriation, between April 30 and June 30?

Mr. BRIDGES. They certainly are going to be protected. This cry of withholding sufficient personnel falls on deaf ears, so far as I am concerned.

Mr. MAGNUSON. I cannot see why sufficient funds were not given to continue rent control to June 30. Then, if Congress, as the Senator from Massachusetts pointed out, should consider a new rent-control bill, it may be that a decision would be made to place it under some other agency. If so, that could take effect on June 30.

It seems to me that, despite the intense feeling against OPA on the part of some of the Members on the opposite side of the aisle, they should not undertake now to completely cut off OPA. I think it is a very important matter. Everybody agrees rent control should be continued. Of course, there is nothing we can do about it, now that the conference report is in. I can only keep my fingers crossed and hope that something will happen by April 30. The man who is renting a home is not concerned with whether the Senator from New Hampshire wants rent control to be under OPA or under some other agency; all he is concerned about is keeping rent control. I hope we shall not lose it.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. SALTONSTALL. I ask the Senator from Washington if he does not agree with me that we can, if the urgency becomes sufficiently great, pass another deficiency bill on this subject, before June 30?

Mr. MAGNUSON. Oh, I agree that we can; we can do anything within reason. I suppose that if the situation were to become bad, that is what we would do. In the meantime, what becomes of all the field agencies? If they begin to drop out, it will take time to reorganize them and to put them back to work. Even now, there will be an interim period in which rent control, to all intents and purposes, will be unenforced. The enforcement of rent control is going to be suspended.

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. TAYLOR. Is not that exactly what happened last summer? We allowed price controls to lapse; then, when we tried to reconstitute them, we found they had gotten out of hand, and it was absolutely impossible to control prices.

Mr. MAGNUSON. That is exactly what happened; and in this case there can be no enforcement in the field. I do not see how it is possible to liquidate this Office on April 30, and then reorganize the work and bring back all the necessary personnel, without creating a hiatus, during which the people will be without rent control, to all intents and purposes. Therefore, Mr. President, whether this be a record vote or not, I want to be recorded as being against the conference report, for the reasons stated.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

PRESIDENT TRUMAN'S ADDRESS TO THE JOINT SESSION OF CONGRESS

Mr. MORSE. Mr. President, I wish to take not more than 2 or 3 minutes to record some of my impressions of the President's speech. I was greatly impressed not only by the speech but by the President, and the attitude which he displayed in his speech before the joint session of Congress. I think that in this critical hour it is proper that some voices be raised in the Congress to make clear to the world that in time of crisis the President of the United States is our President and the President of 140,000,000 united American people.

Mr. President, I think the speech was so filled with significant implications that it is very important in this solemn hour that the people of the United States maintain very clear heads and endeavor to understand what it was in essence that the President was really talking about. As I understand the speech, I think he was talking about the objectives of the San Francisco Charter, and raising for us the question as to whether or not those objectives are to become realities in the history of the world. Unless they become realities the chance of permanent peace, in my judgment, is nil. I say that, Mr. President, as one who was deeply moved by the speech and by the clear demonstration of a sincerity on the part of our President which, it seems to me, entitles him to words of commendation at this time. I think we should make perfectly clear to the world that we shall approach the great problems that he raised in his speech with clear-headed objectivity, seeking to do that which is essential in the interest of the public welfare of our country and of the future peace of the world.

I say it, too, because in times past I have been critical of the President. I have disagreed with him on some issues. I probably will again in the future. On one occasion, Mr. President, I disagreed with the position which he took on an issue, and I think disagreement with him was deserved on the merits of the issue, but I want to say quite frankly that I think I was a bit unkind in the language which I used at the time in expressing my disagreement. Although I think I was quite right in taking exception to the position which he took on the merits of that issue, nevertheless I regret the unkindness of the language I used.

But I want to say on this occasion, Mr. President, that I believe my nonpartisanship is such that when the President of the United States has talked to us on a matter which I think is of great critical importance in the history of this Nation, and while I believe he is not deserving of blind acceptance of what he says, nevertheless I do think that in this hour we should make clear to the country that the President will receive our cooperation in solving the problem he has presented to us. The presumption is with him, because certainly no man, I care not who he may be, who sits at the head of this Government would come before the Congress of our people and make a speech of as great significance to our future as the one just delivered by President Truman without knowing his facts. As one citizen, as well as a Member of Congress, I want the President to know that as far as I am concerned I, too, think the time has come for us to stand as a united people in clear support of the objectives of the San Francisco Charter.

Mr. KILGORE. Mr. President, will the Senator yield to me for a question?

Mr. MORSE. I shall be glad to yield and to answer if I can.

Mr. KILGORE. Is it not true that the removal of the idea of spheres of influence, and of the idea of commercial exploitation, and of the idea of dominating weaker nations for the commercial advantage of others, is the outstanding factor about which the Senator is speaking?

Mr. MORSE. That is true, and I think that very principle is inherent throughout the address which the President just delivered. I think it runs through it in a very clear thread of meaning.

THE PRESIDENTIAL TERM

The Senate resumed the consideration of the joint resolution (H. J. Res. 27) proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

The PRESIDENT pro tempore. The question is on agreeing to the amendment, as modified, proposed by the Senator from Washington, to insert in lieu of the italicized matter in lines 4 to 12, on page 2, the following: "No person shall be eligible to be elected to the office of President for more than two successive terms."

Mr. MAGNUSON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Murray
Baldwin	Hayden	Myers
Ball	Hickenlooper	O'Conor
Brewster	Hill	O'Daniel
Bricker	Hoey	O'Mahoney
Bridges	Holland	Overton
Brooks	Ives	Pepper
Buck	Jenner	Revercomb
Bushfield	Johnson, Colo.	Robertson, Va.
Byrd	Johnston, S. C.	Russell
Cain	Kem	Saltonstall
Capehart	Kilgore	Smith
Capper	Knowland	Sparkman
Chavez	Langer	Stewart
Connally	Lodge	Taft
Cooper	Lucas	Taylor
Cordon	McCarran	Thomas, Okla.
Donnell	McCarthy	Thomas, Utah
Downey	McClellan	Thye
Dworshak	McFarland	Tydings
Eastland	McGrath	Umstead
Ecton	McKellar	Vandenberg
Ellender	McMahon	Watkins
Ferguson	Magnuson	Wherry
Flanders	Martin	White
Fulbright	Maybank	Wiley
George	Millikin	Williams
Green	Moore	Wilson
Gurney	Morse	Young

The PRESIDENT pro tempore. Eighty-seven Senators having answered to their names, a quorum is present.

Mr. REVERCOMB obtained the floor.

Mr. MAGNUSON. Mr. President, will the Senator from West Virginia yield to me so that I may ask for the yeas and nays on my amendment, as modified?

Mr. REVERCOMB. I yield to the Senator for that purpose.

Mr. MAGNUSON. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. REVERCOMB. Mr. President, there is now pending before the Senate as the unfinished business House Joint Resolution 27 which proposes an amendment to the Constitution of the United States relating to the terms of office of the President. The purpose of the joint resolution is to submit to the several States a proposed amendment to the Constitution which would limit the tenure of the office of the President. We have debated this subject for several days. Amendments have been made to the measure reported from the Committee on the Judiciary, and the next vote will be upon an amendment offered by the able Senator from Washington.

I think it well at this time to summarize the effect of the several amendments, beginning with the amendment which was reported to the Senate, and including the pending amendment of the Senator from Washington and the amendment which will be offered if the amendment of the Senator from Washington is not agreed to.

The amendment reported by the Judiciary Committee would have limited the President's tenure of office between a minimum of possibly 5 years and a maximum of 9 years less 1 day. The amendment of the able Senator from Washington would limit the tenure of office to a minimum of 8 years and a possible maximum of 12 years less 1 day. That amendment has been changed to read "successive terms of office." Therefore, if the amendment now before the Senate is adopted, it will mean that any person may possibly serve for 12 years in succession, less 1 day, then skip a term of office, and continue for another 12 years. We have been given notice that an amendment with respect to the limitation of time will be offered by the Senator from Ohio [Mr. TAFT]. Under that proposed amendment, if it reaches the floor, the minimum limitation upon tenure in the office of President would be 6 years and the maximum 10 years.

As a member of the Judiciary Committee and of the Subcommittee on Constitutional Amendments, I frankly say to this body that I personally have favored the limitations placed in the amendment proposed by the committee. However, I know that a number of Members of the Senate believe that a possibility of 5 years as a minimum would be too short a time within which to limit any man in that office under the circumstances of succession from the Vice Presidency.

Certain Senators have indicated that they prefer the amendment which may be offered if the amendment of the Senator from Washington does not prevail, providing a minimum limitation of 6 years and a maximum of 10. I shall support that amendment. But I cannot support the amendment of the Senator from Washington.

The appeal has been made upon the ground that we would unduly limit individuals from holding office. That is not the real purpose of the amendment. The real heart of the amendment is to prevent any individual from holding too long the office of Chief Executive. As is well known, it became a custom firmly implanted in the tradition of this country for many years that one individual should not serve more than two terms as President of the United States. This custom began with the end of the second term of office of the first President, George Washington, when he declined to accept nomination after he had completed two terms. That custom lasted for more than 150 years, and was the subject of positive statement, sustained by a number of eminent men who had held the office of President.

Among them I cite the name of Thomas Jefferson, who time and again endorsed the rule that no man should serve for more than two terms. He gave his reasons. He feared that a despotism might grow in this country if any individual were permitted to occupy for too long the office of Chief Executive. Jefferson was a great believer in preserving the democracy of this country and setting up every possible barrier against autocratic rule.

Likewise, during his term of office, Andrew Jackson expressly subscribed to the limitation of the tenure of office in the Presidency, and he went so far in those early days as to say that there should be a constitutional amendment limiting the term of occupancy of the Presidency to 6 years.

Grover Cleveland, who held the office for two terms which were not consecutive, ably expressed his opposition to any one man continuing in office for too long. He took a more extreme position than any taken on the floor of the Senate. His position was that no man should hold the office of President beyond one term.

The reason for the rule is apparent and sound. Our fundamental concept is that government shall be in the will of the people. That at once makes us guarded against vesting power for too long a time in any man in any office. To grant extended power to any one man would be a definite step in the direction of autocracy, regardless of the name given the office, whether it be president, king, dictator, emperor, or whatever title the office may carry. It would be a definite step toward the destruction of real freedom of the people.

During the discussion of this subject, I have heard the argument made that we should not interfere with the will of the people in electing a President as many times as they may desire. We are not interfering with the will of the people. We are submitting, in the form of an amendment to the Constitution, which is the basic law of the land, the question as to whether or not the people wish to erect a safeguard against any man occupying the Presidency of the United States for an unlimited term.

There is no partisanship in this question. The proposed law is not aimed at any one man. It would apply to all in the future. It would be a safeguard and bulwark against a possible seizure of Executive direction in this great country of ours. So I submit that the joint resolution going to all the States of the Union and to the people for adoption is an effort to prevent possible autocracy arising in the future, and to preserve in truth representative government.

It may be argued that the Congress, the membership of which is elected from term to term, might well be sufficient assurance of safety against individual power in the Executive. I submit that the Congress cannot stop the growth of Executive powers which may be gained by an individual through long tenure in so powerful an office as that of President of the United States. There are immense innate powers in that office. They can be mushroomed fast or gradually grown until the strength of thorough despotism may be in the hands of one man, or a group of individuals, for that matter, to rule the people by his will and not by laws. If such a situation should be brought about it would be, in summary, the very destruction of government by free and independent people and a move toward the creation of dictatorship in fact.

The purpose of the proposed amendment is to prevent with exactness the creation of such a possible situation. It is to guard the people against the destruction of the very basis of freedom under our Government. It is so fundamental to the very existence of the Government in the hands of the people that there should be no hesitancy in the adoption of the amendment by the people, and certainly no hesitancy on the part of the Senate in giving the people an opportunity to express their will.

The House of Representatives, by a large majority, has already sent to this body for our action a limitation upon the tenure of office. Are we to say to the people of the country, after the action of the House, that we will stop the people from voicing their views upon the question of the limitation of the term of President?

That is the question which we confront today.

It has been a tradition in the past, and even with that tradition without law on the subject, we have found since the early days and throughout the history of the country even men who have occupied the Presidency advocating, for the safety of the Union and for its life under freedom, a limitation upon the holding of the Presidential office. So when we discuss at this time the length of time that one may occupy the Presidency, whether it be a minimum of 5 years and a maximum of 10 years, a minimum of 8 years and a maximum of 12 years, or a minimum of 6 years and a maximum of 10 years, I cannot find any appeal in the argument that a wrong may be done a man who is nominated for the office of President or who may desire to hold that office. The appeal which is made to me is only that a limitation be placed on every man, whoever he may be, who may possibly take the office of the Presidency,

to prevent him from ruling over the affairs of the people of this country through the power of that office for an undue length of time.

The custom has been broken, and in the future such an act may have the strength of precedent. That is all the more reason why we should join today with those who have advocated such a rule in the past, to see that a definite limitation is placed upon tenure of office.

As I have said, I feel that the substitute amendment offered by the Senator from Washington, which is the immediate question to be voted upon, which would permit not only tenure for 12 years minus 1 day, but would permit, after an interruption of 4 years, another 12 years minus a day, is very little limitation upon tenure of office. I believe there should be a definite and fixed time beyond which no man, whoever he may be, now or in the future, through the life of the Nation, may hold the office of President.

For that reason I must oppose the amendment of the Senator from Washington, and until it is agreeable to the Senate to consider some other amendment to the committee's proposal I must support the committee's proposal limiting the tenure of office of the President.

Mr. KILGORE. Mr. President, I do not wish to delay action on the amendment, but I think that certain facts should be brought to the attention of Members of the Senate, which is engaged in a debate on a subject which goes back to the very foundation roots of the Nation.

In the first place, when the joint resolution was introduced and when the debate started, I felt, as has been so well expressed by my colleague from West Virginia, that the objection was that the President of the United States, due to the appointing power of the Executive, might grasp lifelong occupancy of the Presidency.

On Monday, when the distinguished Senator from Ohio [Mr. TAFT] spoke, I discovered that certain Senators thought that the amendment should be adopted for the protection of the health of the President of the United States. When that question first arose I thought of the protection of the health of a soldier in the United States Army during a critical emergency. We do not ask any questions about his health, unless he goes to a hospital. We do not discharge him when he is battle-weary, as a President might become while serving his country.

Thus I am caught between two theories in deciding how to vote on this very important question. On a question of this import, in which we go back and undertake to correct the ideas of the founding fathers of the Government, who wrote the Constitution, which we, no matter how egotistical we may become, must admit was a magnificent document, I think it is my duty to call the attention of the Senate of the United States to certain facts. I shall be frank when I say that had the proponents of the pending joint resolution agreed to the idea of submitting it to the people in convention, as was suggested by the junior Senator from Rhode Island [Mr. MCGRATH], so that attention could be called to the effect of their action, I would have been very much inclined to go along, because, to my mind, the Government of the United States consists of the people of the United States. We of the Senate merely represent them in the seat of government.

For that reason I should like at this time to call attention to statements made by a number of very distinguished Members of this body and by various others on the question at issue.

I invite attention to a statement made by the late Senator Henry Cabot Lodge, grandfather of the present distinguished junior Senator from Massachusetts [Mr. LODGE], who thoroughly covered the whole field of argument in a speech which he made on this floor on February 1, 1913.

Senator Lodge opposed any change in the existing system. It had been suggested by other Members of this distinguished body that the Presidential tenure be limited to one term and that under such a limitation the President would not use the patronage of his great office to promote his own renomination and reelection. That goes to the first theory to which I refer.

Senator Lodge replied:

> I do not myself believe that patronage is very helpful in electing or reelecting anyone to office. On the contrary, I believe that as a rule it is positively harmful. Instances of the defeat either for nomination or for election are very frequent in our history of a President having all the patronage in his possession.

That was what the late Senator Henry Cabot Lodge said about the President building up a huge patronage machine and perpetuating himself in office.

The point was raised on the floor then, as it has been during this debate, that the Presidential tenure should be limited to prevent what some refer to as a permanent President.

Apparently those proposing such a limitation are afraid of the people of the United States, who have the final deciding vote as to whether a President shall continue to hold the office to which he has previously been elected.

The late Woodrow Wilson, one of the truly great statesmen in the history of this country, said:

> Put the present limitation of two terms into the Constitution if you do not trust the people to take care of themselves.

The late Senator Lodge also maintained that the people had the right to determine how long a man should stay in office as President.

He told the gentlemen who were afraid of the Nation having a "permanent President" that—

> The protection of the country against caesarism or a dictatorship or a perpetual President rests in the character of the American people.

He also said:

> No paper provision can protect us against that. If we should reach the point where the people were ready to have a perpetual President or dictator, no constitutional provision would stand in the way.

At this point, Mr. President, I ask unanimous consent to have printed in the RECORD, as a part of my remarks, the full text of Senator Lodge's speech on that occasion, for I think the Senate, as well as the people, should have an opportunity to study it.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

I am not in favor of this change in the Constitution. The chief argument which is offered for the passage of this joint resolution, limiting the President to one term, is that if he has no hope of reelection he will then devote himself exclusively to policies for the benefit of the country and to the work of the country, and that he will not use the patronage of his great office to promote his own renomination and reelection.

I do not myself believe that patronage is very helpful in electing or reelecting anyone to office. On the contrary, I believe that as a rule it is positively harmful. Instances of the defeat either for nomination or for election are very frequent in our history of a President having all the patronage in his possession. The use of patronage, of which complaint is made, is in reality chiefly with reference to its influence upon Congress. That the power of appointment has an influence upon Congress is, I think, undoubted, human nature being constructed as it is, but I cannot see that limiting the President to one term will alter the effect of the patronage on Congress. A President limited to one term, so far as he is personally concerned, is at least anxious that the policies to which he is committed and which he desires should be carried into execution. The patronage, if used at all, would be just as much used for that purpose as to promote his own reelection, and even more constantly.

If a President is debarred from using the power of his great office to secure his own renomination or his own reelection, surely he will be desirous to have a successor who shall be in sympathy with his views, who will be willing to carry out the policies which he has been unable to complete; he will desire that his own party shall remain in power, for a President without a party and without party principles would not be a desirable President. Therefore, it does not seem to me that we really gain anything in that direction, and, although superficially the argument resting on the case of the Presidential power appears to have much weight, it seems to me in its essence to have very little.

There is another reason which we hear spoken of, but which I need not dwell upon, namely, that a provision of this kind in the Constitution of the United States will be a defense against caesarism, against a permanent President or dictator. The protection of the country against caesarism or a dictatorship or a perpetual President rests in the character of the American people. No paper provision can protect us against that. If we should reach the point where the people were ready to have a perpetual President or dictator, no constitutional provision would stand in the way of a revolution of that character in our system of government, if the people had sunk to that point.

Now, we are asked to take from the people by this proposed constitutional amendment the decision of a question which they are preeminently capable of settling. There is no question whatever that the voters of this country are able to say whether they think a certain man who has served as President ought again to be President, and it seems to me we are simply taking from the people by this proposed constitutional amendment a right which ought not to be denied them. I have sufficient confidence in the American people to believe that they can be trusted absolutely to say who shall be President of the United States and to determine whether a man who has once been President is fit to be President again.

It would have been a melancholy day for this country if we had been unable to elect to a second term George Washington or

Abraham Lincoln. No man can tell when a situation will arise when it might be a vital necessity to retain for a second term a President then in office. We might be engaged in a war where it would be the veriest misfortune conceivable to say that the man at the head of the Government should be changed.

Mr. KILGORE. Mr. President, I have just submitted, without reading in toto, the speech made by Senator Lodge. He also pointed out that President Washington had planned to retire at the end of his first term, but because of developments in Europe at the end of his first term and because of complications in respect to foreign affairs, he decided that once more he would accept the nomination and the election.

History also records that George Washington wrote to the Marquis de La Fayette, on April 28, 1788, as follows:

I can see no propriety in precluding ourselves from the service of any man who on some great emergency shall be deemed universally most capable as serving the public.

The Presidential tenure debate came up during President Grant's occupancy of the White House, just as it has come up every few years since our Constitution was written.

President Grant wrote a letter to Gen. Harry White, president of the Pennsylvania Republican State Convention, on May 29, 1875, in which he set forth his views on the tenure debate. He said:

It may happen in the future history of the country that to change an Executive because he has been 8 years in office will prove unfortunate if not disastrous. The idea that any man could elect himself President, or even renominate himself, is preposterous. It is a reflection upon the intelligence and patriotism of the people to suppose such a thing possible. Any man can destroy his chances for the office, but no one can force an election or even a nomination.

Mr. President, how long should a President serve? Should he serve 4 years, 6 years, 8 years, 11 years, or 16 years?

The answer, of course, as the late Woodrow Wilson so eloquently stated, is that—

Four years is too long a term for a President who is not the true spokesman of the people. It is too short a term for a President who is doing or attempting a great work or reform and who has not had time to finish it.

The people themselves have the right to determine how many terms a President may serve.

Mr. President, only recently in this Chamber, the able junior Senator from Rhode Island [Mr. MCGRATH] suggested that the issue be called to the special attention of the people by having the amendment acted upon in constitutional conventions in the several States. This proposal of calling it to the attention of the people was rejected by the Senate. Now, the whole subject is proposed to be submitted to the legislatures of the various States, who are elected on general platforms, who are subject to all the lobbying which occurs in the various State legislatures, and who have no particular mission from the people to decide what shall be done.

Mr. President, it seems to me that in this long debate none of the proponents of this proposed constitutional amendment have suggested a limitation on the number of terms a Member of Congress may serve. Presidents are elected in the same way that Members of Congress are elected. The people have the right to reject a man seeking reelection to the Presidency, just as they have the right to reject a man seeking reelection to the Congress. The difference seems to be that two different departments of government are involved, one the executive and the other the legislative. If we are to place a limitation on one, why not place a limitation on the other?

The answer is that under our Constitution the people have the sovereign right to keep in office or to reject at an election any public official.

The Washington Evening Star of Monday, February 24, stated that—

The drive for a constitutional amendment limiting future Presidents to two terms has about it an atmosphere of political immaturity—a suggestion that the inheritors of the best political system in the world lack confidence in the essential foundation of their political structure.

In the same editorial it was also stated:

The question which should be posed to the sponsors of the amendment is this: Why should we of this generation undertake to tie the hands of our children in any and all circumstances, none of which can be foreseen now? Surely, on the record of our own performance, we have no valid claim to the requisite wisdom. Why not permit them to make their own free decision in the light of conditions which they will have to face and which we cannot possibly anticipate? That is the essence of the democratic process, and we would pay ourselves a highly dubious compliment in undertaking to short-circuit it. This amendment is one which should not pass, and the Star hopes that it will never be written into the Constitution.

Mr. President, this question and all the issues involved have been discussed innumerable times since the days of George Washington, and each and every time the proposal has come up it has been rejected. It has always been left to the people to decide in elections in which they participate. No temporary hysteria has been permitted to govern the right of the people to continue a man in an office if they felt he was needed or was doing a good job.

Why has this question been raised again, Mr. President? The people are not crying out for a two-term limitation. Then why has the issue been raised again? Of course, the reason is that some Members of the Congress are anxious to do everything possible to discredit one of the most progressive Presidents this Nation has ever known. Those gentlemen may have the votes to pass this resolution; but, Mr. President, they do not have the votes and they do not have the record to discredit Franklin D. Roosevelt. President Roosevelt will be remembered as a true champion of the people long after his political snipers have been forgotten.

In closing, I should like to list a few of the many arguments against changing the Constitution. Let me say that these arguments have been culled from the statements of many Presidents and many distinguished Members of this body:

First, 170 years have passed without the adoption of a constitutional amendment limiting the term of the President, and without the rise of any dictators in this country. Let me add that on each occasion, unless there was a special requirement, the man who held the office has voluntarily asked to be permitted to step out of the way.

Second, if the American people really feared a dictatorship they would have insisted long before now on such a constitutional amendment.

Third, there is no danger of dictatorship through unlimited tenure, inasmuch as the people have the opportunity to turn out any incumbent every 4 years. Let me add that on a Nation-wide scale the amount of patronage involved is so infinitesimal that no man could hope to hold the office through patronage alone.

Mr. LUCAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Illinois?

Mr. KILGORE. I yield.

Mr. LUCAS. Does the Senator agree with me that the limitation on the sovereign rights of the people under the proposed amendment really looks down the road toward dictatorship?

Mr. KILGORE. Let me say to the Senator from Illinois that I think the method pursued looks down the road toward oligarchy, rather than dictatorship. In other words, the Congress is trying to take a step that looks down the road toward dictatorship, but I would rather use the word "oligarchy," because it is being used by a group of people rather than one person.

Mr. LUCAS. Suppose a President of the United States has served two terms——

Mr. KILGORE. Or one and a fraction terms.

Mr. LUCAS. Or one and a fraction terms—and suppose he has served his country faithfully and well, that he is a tried and popular executive, let us assume that the Nation faces an atomic emergency, if you please, when the issue may be whether we will live or die; what does the Senator think the people may do at that particular time, if they are strong enough in their demand that that man continue to represent them in the office of President, the Constitution to the contrary notwithstanding?

Mr. KILGORE. If they proceeded legally, of course, they would have to wait 7 or 8 years in order to change their Constitution, but if they were in dire distress, they might set up a dictator to avert disaster. In other words, in dire distress, we would be inviting a dictatorship by refusing to the people of the country the right to elect the man they wanted to act under the circumstances as they arose.

Mr. LUCAS. That is the very point I made a moment ago. In other words, the proposed constitutional amendment could well invite the people at some future time, in a great emergency, to look toward dictatorship, if it would mean continuing in power the man who was in the Presidency, even though under the Constitution he could not be reelected. That is the point I make.

Mr. KILGORE. In my opinion, the Senator from Illinois is absolutely correct, and I thank him for his remarks.

Who constitutes our Government, but the people? We hear about government, but the people themselves are the Government. We are their elected Representatives. The President is their Executive, the Supreme Court is an employee of the people. If the people cannot be trusted to vote intelligently, even a constitutional amendment limiting the Presidential term will not prevent the rise of a dictatorship, as has so well been stated by the distinguished Senator from Illinois.

The fifth point is that the number of Presidential terms should not be limited, because we might deprive the American people of the services of the best man in any emergency, the man who knew the most about it, who had the inside facts, who was conversant with the situation. He might be prevented from being chosen, unless we had a dictatorship brought about by revolution, or unless we waited 7 years, and perhaps lost out.

Mr. LUCAS. Mr. President, will the Senator yield again?

Mr. KILGORE. I yield.

Mr. LUCAS. We have just listened to the speech made by the President of the United States before the joint session of the Congress. The world is looking to the United States for leadership. We are the only free power that is left in the world which has any inherent leadership right, a Nation which has existed for 150 years under the limitations placed in the Constitution by common consent. Ours is the most powerful nation on the globe, the finest nation, with the finest people, with the highest standards of living, and the highest type of civilization and now, at a time when the world is looking to us for leadership, it is proposed that we go in the opposite direction, by placing limitations on the rights of our own people to choose their own Executive.

The people of this country like a change, and they usually get it when they want it. It seems to me to the irony of fate that as we stand at the crossroads, so to speak, we are asked to place this kind of a limitation upon the rights of the people of the United States at a time when we are looked upon with awe and admiration by all the powers of the earth. Yet at this moment we asked to change the Constitution drawn by the fathers, who knew plenty about free government. It is said that we are now better prepared, here on the floor of the United States Senate today, than the people of tomorrow will be. It is said we know more about what is good for the citizen and the youth of tomorrow than what they will know themselves.

I shall not undertake that responsibility, Mr. President, because I do not think there is any omnipotent power in the membership of the United States Senate that can tell the citizen of tomorrow that we know more than he does as to what will be good for him and his country. That is exactly what we are asked to do when we are asked to vote for the proposed amendment to the Constitution.

The Senator from West Virginia well said a moment ago that such a change in the Constitution has never been made. It has been attempted all through the years, but it has never "jelled" at any time. I do not say that some do not have earnest convictions upon this subject, as men have in the past, but, as the Senator well said, we know whence the idea comes. It cannot be camouflaged. I say we would be taking a serious step, an erroneous step, we would be moving in the wrong direction rather than in a progressive direction, if we approved this proposed amendment.

Mr. KILGORE. I thank the Senator from Illinois for his able discussion of that point. I go a little further and say that in the history of the United States up until a crisis arose there has never been a President, no matter how powerful, who desired to be a dictator. Andrew Jackson unquestionably could have been elected for a third term had he desired it. Presidents have never sought to be dictators. They have been Americans. The present President of the United States, President Truman, has faced, and will continue to face, gigantic problems and upon their proper solution will depend our safety, the safety of our children, the safety of our grandchildren.

Mr. President, it is not safe to trifle with futures, it is not safe to bind my children, my grandchildren, your children, your grandchildren, by the decision of a group of Senators here whom we offered the compromise of putting to the people of the States in conventions, the consideration of but one question, not the question of taxes, not the question of appropriations, not the question of power interests, or railroad interests, or coal interests, or manufacturing interests, as the primary subject, but the question only of how many terms a President should have. That was denied by a vote day before yesterday.

Mr. KNOWLAND. Mr. President, will the Senator from West Virginia yield?

Mr. KILGORE. I yield to the Senator from California.

Mr. KNOWLAND. I should like to ask my distinguished colleague from West Virginia if it is not a fact that of the first 21 amendments to the Constitution of the United States, 20 were ratified by State legislatures, and only one by State conventions.

Mr. KILGORE. The Senator from California is absolutely correct. To be perfectly frank, 10 of them, at least, were left out of the Constitution by inadvertence, and there was no question of the destiny of the United States involved in any of the 21, save one. Two others of those amendments, Mr. President, have been grossly abused.

Mr. McGRATH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Rhode Island?

Mr. KILGORE. I yield.

Mr. McGRATH. Mr. President, in view of the question by the Senator from California, pointing out that heretofore all amendments to the Constitution had been ratified by the State legislatures rather than by conventions, I should like to point out further that never but once in the history of our country has there been proposed to the Constitution of the United States an amendment which would restrict the power of the people. In every single instance, from the time of the adoption of the bill of rights down through the twenty-first amendment, every one of them was an extension of the power of the people and not a retraction thereof.

As the Senator who, in the Judiciary Committee, sponsored the proposal that this amendment be offered to conventions rather than to legislatures, I did it, not out of any belief in the principle that we should limit the term of the presidency, but that if we were to submit such a proposal, then there should be obtained the greatest democratic expression on that issue it was possible to get, because, practically for the first time in the history of our country, we were taking something away from the people. So if it is to be true that all amendments to the Constitution heretofore adopted have been approved by the political legislatures of our several States, it is likewise true that never before in our history had an amendment been proposed, excepting the prohibition amendment, that attempted to take anything away from the rights of the people. If a review is made from the beginning of the 10 amendments that make up the bill of rights, and if a further review is made of every one of the other amendments to the Constitution, it will be found that inevitably they represented a seeking on the part of the people of further rights in their own hands.

I thank the Senator.

Mr. TAFT. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. IVES in the chair.) Does the Senator from West Virginia yield to the Senator from Ohio?

Mr. KILGORE. Before I yield, I should like to say a few words, having yielded to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. KILGORE. May I also say, Mr. President, that the Senator from Rhode Island discussed with me the very question raised, and on that occasion I agreed that if this proposal could be submitted to the people, I was perfectly willing to let the people decide it. But, when that privilege was denied, I then decided that I would not support a proposal to remove from the people of the United States the right to elect to the office of President whomever they wanted to elect.

I now yield to the Senator from Ohio.

Mr. TAFT. I merely want to point out that every one of the first 10 amendments was a limitation on the right of the people. They protect the rights of individuals, but they deprived the people of rights. They deprived the people of the right to an establishment of religion in the United States. They deprived the people of the right to abridge freedom of speech or of the press——

Mr. KILGORE. Since the distinguished Senator from Ohio seems to be making a speech rather than making an inquiry, may I interrupt to say that while the amendment to which he refers interferes with the right of the people to establish a religion, it establishes the basic right of the United States of

America, which is that everybody in the United States has a right, so long as it does not conflict wth the rights of others.

Sixth. The free choice of the people would be limited by a constitutional amendment prohibiting a third term.

Mr. HILL. If the Senator will yield, I want to call attention to the fact that this inhibition of the Constitution is not on the people, not on their right to establish a religion; it is on Congress. It says:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

These limitations are on the Congress.

Mr. KILGORE. I thank the Senator from Alabama. He has ably stated the case.

Mr. TAFT. Mr. President, will the Senator permit me to answer?

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Ohio?

Mr. KILGORE. No; I am not going to yield until I finish. Then I shall yield to the distinguished Senator from Ohio for the remainder of the afternoon. I may say that on numerous occasions I have asked the Senator from Ohio to yield, and he has refused. I want to complete my statement, because I think in an humble way it may have some historical value. Then I shall answer any question the Senator from Ohio may have.

Seventh. To limit the terms for President is to imply that the people cannot be trusted to exercise good judgment and to cast doubt on the theory of popular government—the theory upon which this Nation was founded.

Eighth. Limiting the term will mean limiting the sovereignty of the people, for the views of the majority should always be supreme.

Ninth. The Executive's effectiveness will be seriously impaired, as no one will obey and respect him if he knows that the Executive cannot run again because of a constitutional limitation. I may say, Mr. President, that I have had the opportunity in the past 8 years to study the record of governors in States in which there are limitations as to terms, and I have discovered that invariably the last half of the term was a record of failure. Almost invariably, incumbents have had trouble, because everybody realized they could not run again. There was no method by which they could complete their programs; but, so long as there is a possibility that they may run again, they can go ahead successfully.

Tenth. The President is expected to be a leader and to carry the responsibility for all actions done under his administration. In this connection I ask the Senators who proposed this amendment, When, in public forums, on the air, in newspaper interviews, in speeches, have they failed to cast upon the President the blame for anything that falls short of accomplishment during his administration, or that does not work out successfully? He is expected to be the leader, and he is charged with the responsibility of carrying out his program. If he cannot run again, he loses all opportunity of getting his program through, of making it successful.

Mr. President, at this point I ask unanimous consent to have included in the RECORD, as a part of my remarks, a speech by the late Senator Simeon D. Fess, of Ohio, delivered on February 9, 1928, against the La Follette anti-third-term resolution. I would like to have it added at the end of my speech, in full, as it goes into the question of the third term.

There being no objection, the speech was ordered to be printed in the RECORD. (See exhibit 1.)

Mr. KILGORE. I would also like to have printed in the RECORD following the speech of the late Senator Fess, an address delivered by the late United States Senator Timothy O. Howe, of Wisconsin, in March 1880, which speech was printed in the North American Review, at that time. I should like to have it made a part of my remarks.

There being no objection, the address was ordered to be printed in the RECORD. (See exhibit 2.)

Mr. KILGORE. I also ask unanimous consent to have printed in the CONGRESSIONAL RECORD the full text of the editorial from the Washington Evening Star on the question of this amendment.

There being no objection, the editorial was ordered to be printed in the RECORD. (See exhibit 3.)

Mr. KILGORE. In order to make this question clear from a historical viewpoint, I ask unanimous consent to have printed in the RECORD two excerpts from the Congressional Digest of 1938, entitled "The United States Constitution and the Presidency."

There being no objection, the excerpts were ordered to be printed in the RECORD. (See exhibit 4.)

EXHIBIT 1

SENATOR SIMEON D. FESS

When the question arose in reference to the Chief Executive, the convention originally proposed a term of 7 years, with ineligibility for reelection. When a vote was called upon that proposal Washington was included in the list of those who voted against it. Although he did not make any comment at the time, later on, as is well understood, Washington had a conversation with Jefferson on the matter, and they did not agree. Also, Washington wrote a reply to General Lafayette, who specifically addressed a letter to Washington on the support of ineligibility to reelection. In the reply of General Washington he took a decided position against the Jeffersonian view. So it was decided not to limit tenure. The Constitutional Convention did fix a short term, but kept open the question of tenure, so that if experience might count for anything it would be utilized in the administration of the Government.

I think that the most concrete illustration of the difference between a limited term and a limited tenure will be found in the case of members of both legislative bodies. The term of Members of the House and Members of the Senate is fixed, but their tenure is not limited. Neither is there a prohibition of eligibility to reelection in either case, nor is there in the case of the Chief Executive. In other words, the Constitutional Convention decided in both cases that a limitation on tenure was not wise, and that the question of eligibility to reelection should be kept open as a privilege on the part of the people.

In the case of the executive branch of the Government we have in practice both the limit of term and the limit of tenure. Custom thus far has limited the tenure of the Executive to two terms. That may have the force of law, but there is no constitutional inhibition against extending the term of the Executive beyond the second term.

Neither is there any inhibition in regard to the Members of this body—the Senate—or the Members of the House of Representatives. The rule in the House is limited term, but unlimited tenure, upon the basis that experience is of value in legislation.

The same thing is true in this body—the Senate. It may be of interest to know that in the Constitutional Convention, George Mason, of Virginia, the father of the famous Bill of Rights of Virginia, raised the question of limiting the tenure of Members of the Senate and argued that Senators should not be elected for more than one term and employed in his argument a force that is second only in effect to that which he applied to the Executive. When the vote was taken, and the tenure of Members of the Senate was not limited to one term, George Mason gave it as his mature judgment that a great mistake had been made by the Constitutional Convention.

As we believe that unlimited tenure in this body employs experience and capitalizes ability, so it seems to me it is equally true in the case of the President.

I am aware that the President of the United States is under a burden that it is quite difficult for him to sustain from the pressure that comes to him from outside sources that is made possible by his reelection. In other words, Presidents break under the burdens of the office very largely through attempting to respond to requests that cannot be met.

I do not believe I speak amiss when I say I cannot avoid the thought that the life of the late President Harding—who seemed to permit his personality to go out to everyone who appeared in his presence—was very much shortened by the burdens of the office.

Not every President would be so affected. I have thought that it might be wise for us to pass a constitutional amendment to extend the term of the President and limit to one term; but it has never been looked upon with favor. After all, I suppose it would be still better for us to continue the practice of limiting term but not limiting tenure except by the vote of the people, as is done in the House, and as is done in the Senate. It is not a mooted question that the third term that was denied originally to the Presidents who might have been elected to a third term was not denied them by the people. It was simply never requested by those who might have achieved a third term.

There has been much confusion about Washington's attitude. Over and over again we hear it stated in this and other bodies that Washington set the example by turning away the honor of a third election as if it were a matter of principle with him, instead of a matter of purely personal convenience. I admit that the precedent was set by Washington. I admit that he was not elected to a third term; but I will not admit that he believed that a third term was vicious, or that he ever thought it was unpatriotic, or that he thought it would not be a wise course. The truth about the matter is that when he asked Madison to draw up in convenient shape what would suit him for a farewell address it was at the end of his first term. There was not any doubt of his intention to retire at the end of the first term. In that address I find these words, which are constantly quoted by the proponents of this resolution as being the words of Washington:

"May I be allowed further to add as a consideration far more important that an early example for rotation in an office of so high and delicate a nature may equally accord with the republican spirit of our Constitution and the ideas of liberty and safety entertained by the people."

"Rotation in office!" That is stated as being in accord with our views of democratic government.

That statement was written by Madison. That statement was not in the President's Farewell Address when he finally delivered it to the American people. This particular item of Madison's draft was never accepted by President Washington.

On the other hand Washington, because of developments in Europe and our complications on foreign affairs, decided that he would again accept the nomination and election. Then at the approach of the end of the second term, if he had any idea whatever of objecting to a third term on the ground that it would be unpatriotic or that it would not be a wise course, rather than upon the ground of his personal tastes and personal conveniences, it would have been in that address that the statement would have been made, but the farewell address of the President of 1796 can be scanned from the first word to the last and there will be found no hint of his objection to a third term in principle.

As to Jefferson and Madison and Monroe, they represented an entirely different school of politics. There were two well-defined schools of politics in the Constitutional Convention, and while Jefferson was not in that convention he did have his representatives there, especially in Madison and in George Mason, of Virginia.

Jefferson emphasized the idea of liberty. Jefferson feared autocracy. Jefferson was afraid of too much power, too much government. However, we may explain the source of his fear, that was fundamental with him, and I regard it as tremendously important not only in any study of our political theory but in the development of our American political theory

While Jefferson, therefore, was not in the Constitutional Convention to work out his ideas, he was in contact and communication with the men who were there who represented his views. He was quite normally committed to the idea of one term and no reelection, but I have found no indication anywhere that he was in favor of making the term 4 years, and the Executive ineligible for reelection with that short a term.

Jefferson's opposition to a third term was better fortified and more warranted than any opposition to a third term in this day would be. Jefferson lived at a time when the Republic was young, when we had no friends. Jefferson sat in the Legislature of Virginia, which was not then a sovereign State, but a colony which ought to have had the right of local government, and he saw the legislature of his own State, of which he was a part, dissolved by a royal governor appointed by the King of England.

Jefferson had reason for fearing the dangers of Executive usurpation. He also had reason for fearing the man on horseback, because Napoleon was in the saddle at that time. There is not the slightest fear of that today, is there?

Whatever legitimate grounds there may have been against a third term in the early history of our country, those grounds do not now obtain.

With the growth of industry in America, with great masses of our people employed in factories located in great centers of population and wholly dependent upon the continuance of their occupations for a livelihood, I confess I sometimes tremble when I think of the possibility of any derangement in industrial conditions such as might be caused by a great depression which would cause populations to suffer for want of work.

In case that industry should fail to give employment, operatives be thrown out of employment, and a great strike ensue, I can imagine that, under certain leadership, a despotism might ensue.

However, I do not think that a vote in the Senate on the question of a third Presidential term would have as much effect as a fly on a dog's ear in a case such as that.

For a hundred years before the Federal Constitution the Thirteen Colonies were training themselves for government in which all the people should participate, and then, after 100 years of such training, there was convened the Constitutional Convention, which framed an instrument, containing only seven articles, that has been the bulwark of our liberty and our organic law for 139 years, during which time the country has never experienced a revolution. I do not think there is in America any danger at all of what has taken place in Italy. I do not for a moment think it possible.

There are eight nations in Europe now that might be regarded as being under dictators, all the result of the World War. There is not any possibility of that sort of thing taking place here in America. We view the problems of government on an entirely different plane, and I think it is the result of 250 years of training.

If Washington would have permitted himself to run in 1796 he would have been elected without doubt. I think there is no doubt that if Andrew Jackson would have given any intimation that he wanted to succeed himself in 1837, instead of really appointing his own successor in Martin Van Buren, he could have elected himself more easily or as easily as to have selected his successor.

I have not the slightest doubt that if President Lincoln had been spared to complete his second term, because of the popularity he had enjoyed and the confidence and love he had inspired, he could have been reelected. I also have not any doubt if Colonel Roosevelt had been nominated in 1912 without opposition, although having served, as he claimed, two terms, that he would have been easily elected, and if death had not taken him when it did there would not have been a single opposing candidate against him in 1920, and he would have been overwhelmingly elected in that year, notwithstanding the fact that he had been twice President. I think there is no doubt about what would have taken place in elections in spite of the third-term tradition if these persons had announced themselves candidates.

I have looked upon the term of 1 year and 7 months of the present President as a fraction of a term, I did not count that as a full term. I looked upon the close of the present term as not the completion of two terms. That is the reason why I constantly attempted to refute the idea that if President Coolidge were renominated there would be any violation of the third-term tradition. It would be a tenure longer than 8 years; it would be an innovation to that extent—that is, no President in our history has ever served more than 8 years—but, while it would be a year and 7 months more than 8 years, it would not be a violation of the third-term tradition. If that would be a violation of it, then 1 year more would be, or 1 day more would be; and I have thought that an untenable position.

I would say frankly today that if the way opens for the nomination of President Coolidge I do not hesitate to say that he will be elected by one of the largest majorities ever given in an election, in spite of the tradition that friends of mine say would be broken on the third-term matter.

I have noted with the greatest interest the Democratic planning and strategy that has surrounded the name of President Coolidge ever since the suggestion was made that he might be renominated. I admire the brilliant strategy. It is not only seen among Democratic Senators but it is read in every great Democratic newspaper. They are taking this view: The men who say that President Coolidge could not accept a nomination tendered to him when it is not sought because it would be bad faith, because it would be insincerity, because it would show a lack of character, are expressing a wish rather than a judgment. There is not any doubt about that.

EXHIBIT 2

SENATOR TIMOTHY O. HOWE

The Springer resolution is the first echo of George Mason's speech. Among all the men who debated the Constitution, either in the Federal or the several State conventions, there are but two who are open to the suspicion of having favored a legal restriction upon the right to reelect Presidents. Those two are Melancthon Smith, of New York, and George Mason, of Virginia. But it should be remembered in exculpation of Smith and Mason that they were openly trying to defeat the Constitution. They were opposed to it. They had not sworn to support it. It was not unnatural that they should raise unreal objections to it.

The men who made the Constitution struggled to secure the reeligibility of Presidents. They surrendered preferences, abandoned cherished ideas, and devised new plans, in order to preserve the right to repeat the elections and prolong the services of able and upright Presidents. They could hardly have expected that within a century a generation would appear whose representatives would dare to proclaim that the exercise of that simple right for which they sacrified so much was "unwise, unpatriotic, and fraught with peril to our free institutions."

The resolution refers to the precedent established by Washington and other Presidents, in retiring after the second term, and declares that precedent to have become part of our republican system. But a majority of our Presidents have retired after a first term. Why should the two-term precedent become a part of our governmental system more than the one-term precedent? It may be said that General Washington chose to retire at the end of his second term. The fact was so; but it is difficult to see how General Washington's refusal, in the latter part of the last century, to serve a third term should debar the people, in the latter part of this century or the next, from choosing a man a third time who will serve. But if General Washington's personal tastes are equivalent to a constitutional limitation, then the one-term rule should prevail and not the two-term. He ardently desired to retire at the end of his first term. He avowed that desire often and earnestly. He assigned his reasons frankly and repeatedly. His reasons were personal, not patriotic. He never pretended that he sought retirement to promote the public welfare, but only to gratify his own feelings. He said to Mr. Jefferson that "he had through the whole course of the war, and most particularly at the close of it, uniformly declared his resolution to retire from public affairs, and never to act in any public office; that he had retired under that firm resolution; that the government, however, which had been formed, being found evidently too inefficacious, and it being supposed that his aid was of some consequence toward bringing the people to consent to one of sufficient efficacy for their own good, he consented to come into the convention, and on the same motive, after much pressing, to take a part in the new Government, and get it under way. That were he to continue longer, it might give room to say that, having tasted the sweets of office, he could not do without them; that he really felt himself growing old, his bodily health less firm; his memory, always bad, becoming worse, and perhaps the other faculties of his mind showing a decay to others of which he was insensible himself; that this apprehension particularly oppressed him. That he found, moreover, his activity lessened, business therefore more irksome, and tranquillity and retirement become an irresistible passion."

His personal wishes were overruled. He consented to a reelection and was unani-

mously reelected. Envious of his overshadowing fame, jealous of his commanding influence with the people, fearful that they might again refuse to permit his retirement at the end of his second term, the hungry pack, who longed to succeed him, commenced systematically to tear him down. The air was filled with calumny, with caricature, with lampoons, and lies. Partisan malice pursued him with that same houndlike ferocity with which it pursued President Grant during his second term. He did not bear it as Grant bore it. No man saw President Grant quail before the gibes of his enemies or before the guns of his country's enemies. Washington was stung to the quick by the injustice of his countrymen.

Before the first year of his second term was ended, Jefferson reports that at a Cabinet meeting "the President was much inflamed; got into one of those passions when he cannot command himself; ran on much on the personal abuse which had been bestowed on him; defied any man on earth to produce one single act of his, since he had been in the Government, which was not done on the purest motives; that he had never repented but once having slipped the moment of resigning his office, and that was every moment since; that by God he had rather be on his farm than to be made emperor of the world; and yet that they were charging him with wanting to be a king."

Washington, like Grant—the father of his country like the savior of it—was accused of Caesarism. It is not so very strange that 3,000,000 people just emerged from monarchy should be jealous of imperial designs. But it is passing strange that 40,000,000 just swaggering into the second century of freedom should be scared by so soft a spook.

No one expected to dissuade President Washington from the retirement he so passionately coveted beyond the expiration of his second term. He was 61 years old when that term commenced. He was 65 when it ended. He died before the next term ended. The number of his enemies had multiplied. Their hate was intensified. Jefferson had left his Cabinet. Madison was alienated from him. He had been compelled to recall Monroe from France. He yearned for rest, and he inflexibly sought it. Such was the example of our first President.

No one asked Mr. Adams to accept a third term. But few asked him to accept a second. His example, therefore, furnishes no more sanction to the Springer resolution than does the example of Mr. Washington.

Mr. Jefferson furnishes a precedent more to the purpose. The legislatures of several States formally invited him to become a candidate for a third term. He as formally declined the invitation. He stated his reasons for declining as follows: "That I should lay down my charge at a proper period is as much a duty as to have borne it faithfully. If some termination to the services of the Chief Magistrate be not fixed by the Constitution, or supplied by practice, his office, nominally for years, will, in fact, become for life; and history shows how easily that degenerates into an inheritance. Believing that a representative government, responsible at short periods of election, is that which produces the greatest sum of happiness to mankind, I feel it a duty to do no act which shall essentially impair that principle, and I should unwillingly be the person who, disregarding the sound precedent set by an illustrious predecessor, should furnish the first example of prolongation beyond the second term of office. * * * Truth, also, requires me to add that I am sensible to that decline which advancing years brings on; and, feeling their physical, I ought not to doubt their mental, effect. Happy if I am the first to perceive and obey this admonition of nature, and to solicit a retreat from cares too great for the wearied faculties of age."

Those reasons are satisfactory. Undoubtedly, every public functionary should lay down his "charge at a proper period." But the proper period is just as clearly that which suits the public convenience, and not that which suits the convenience of the individual. History has already exploded the assumption of Mr. Jefferson that, if the term of service for the Chief Magistrate be not fixed, he will continue to hold it for life. The term of service is not fixed by any law or any practice, and yet not one-half our Chief Magistrates have, in fact, been elected even the second time. "A representative government responsible at short periods of election" is undoubtedly wise, and "That which produces the greatest sum of happiness to mankind." But the right to elect Government agents at short periods does not involve the necessity of electing a new agent at each recurring period. Elections should be not only periodical but free. If the people really wished Mr. Jefferson to serve a third term and he refused to do so, then the election of 1808 was not free but restricted. The people had not free choice but restricted choice, and their freedom was impaired by the act of Mr. Jefferson. But Mr. Jefferson is not exposed to that imputation. He could have assigned a better reason for declining to serve a third term than any of those he did assign. That better reason was, that he could not be elected to a third term. That fact had been made quite manifest at the time he declined to be a candidate. Nothing is clearer in history than that he waited for just that manifestation of public opinion before he did decline. The legislature of Vermont first threw his flag to the breeze on the 5th of November, 1806. More than 2 years before his second term expired, the legislature of Vermont addressed to Mr. Jefferson a formal invitation to become a candidate for a third term. In December following the legislature of Georgia joined in that invitation. Maryland did the same in January 1807. Rhode Island in February, and New York and Pennsylvania in March, followed their example.

Mr. Jefferson is known to have been a most diligent correspondent. During all those months he was constantly receiving letters from individuals, from municipalities, from religious societies, and political organizations. He replied to such promptly, becomingly. But to the legislatures of these great States he deigned no reply for more than a year after the first one addressed him. On December 4, 1807, the Legislature of New Jersey having joined in the invitation of Vermont, Mr. Jefferson determined to wait no longer. He addressed letters to Vermont, New Jersey, and Pennsylvania, declining to be a candidate for reelection. In stating his reasons for declining, he employed the same terms in each letter. Those letters bear date of the 10th of December, 1807. They were given to the public in the columns of the Aurora, at Philadelphia, on the 19th of the same month. Up to that time no one had heard an objection to a third term. Seven States had asked Mr. Jefferson to accept a third term. Nobody had objected to his having another term because he had enjoyed two. What he himself thought of a third term he had diligently concealed from the public during the whole agitation. Two days before his letter appeared in the Aurora, that journal copied from the Trenton True American an article commencing in these words: "Will Mr. Jefferson consent to serve another term as President? is a question which almost every Republican anxiously asks, but which no one can certainly answer." (The political party organized by Jefferson was first known as the Republican Party, but later became the Democratic Party, as it is known today.) The States which at that time had declared for a third term cast 62 electoral votes. North Carolina subsequently joined the number. North Carolina then gave 11 votes. That would make the number of electoral votes which had declared for Mr. Jefferson 73.

But the States of Ohio, Tennessee, Kentucky, Georgia, South Carolina, and, worst of all, Virginia, where both Jefferson and Madison had their homes, obstinately refused to join in the Jefferson boom. They were Republican States, they voted for Madison, and they were accorded 55 electoral votes.

Then the States of New Hampshire, Massachusetts, Connecticut, and Delaware cast 39 electoral votes. They were Federal States, not Republican. They voted for Pinckney, and would not vote for Jefferson or Madison either.

Of course, when it was ascertained that there were 39 votes which no Republican could secure, and 55 Republican votes which Jefferson could not receive, but Madison could, the former had excellent reasons for declining a third term for all his successors. When satisfied, after an active canvass of more than 13 months, that the people did not wish to prolong his services beyond a second term, he did well to recognize the fact. He would have done better if he had not attempted to frame his disappointment into a law which should prevent any of his successors from serving longer than he did.

There is ground for believing that if Mr. Van Buren had not secured the succession to General Jackson, the latter would have been retained another term. That expedient was discussed at the time. The Herald, a Democratic newspaper of Philadelphia, then said:

"The present attitude of Judge White, of Tennessee, appears rather calculated to produce an impression of division in the Democratic ranks of a serious character. But this danger will vanish when we reflect that if it should appear formidable, when the national convention meets, that body will dissipate it in a few minutes by the nomination of Andrew Jackson for a third term, a measure every way calculated to avert the defeat of the Democratic Party by the Whigs, and more than justifiable by every principle involved in the contest of the party who are fighting for popular rights and democratic government."

But constitutions, history, precedents, and statesmen have been misconstrued before the era of the Springer resolution. Rarely, however, has the human understanding been so rudely insulted as by that strange fulmination.

To tell rational creatures that "free institutions" are imperiled by the reelection of one who for 8 years has proved a faithful magistrate, but are insured by the election of one who has never been proved at all, seems to be the extreme of audacity. That is to say, that our institutions would have been endangered by the election of George Washington to a third term, but were preserved by the election of John Adams; that is to say, that our republican system would have been threatened by a third election of James Madison or Andrew Jackson, but was preserved by the fortunate election of James Monroe and Martin Van Buren.

"I have no other lamp by which to guide my feet," said Patrick Henry, "than the light of experience."

When science fails and revelation is silent, one has no better light than that. And, if experience teaches anything, it teaches that, the longer a public servant has been faithful, the surer he is to be faithful. That is as true of the head of the Nation as of the head of a bureau. The railway manager who should dismiss a conductor, or the banking company which should dismiss a cashier who had been faithful for 8 or for 18 years, upon the presumption that because he had been faithful so long it was unsafe to trust him longer, would be deemed insane.

It is even more irrational to conclude that one who has for 8 years scrupulously guarded

the solemn trusts reposed in an American President is for that reason to be more distrusted than a new man.

"Thou hast been faithful over a few things, I will make thee ruler over many," is the practical wisdom approved by the Saviour. The Honorable Mr. Springer teaches us that he who has been faithful over all things for 8 years should be trusted with nothing thereafter. The world will make a mistake if it shall turn from Jesus of Nazareth to follow Mr. Springer, of Illinois.

When the Constitutional Convention had finally agreed to the plan of a President chosen for 4 years, and reeligible at the pleasure of the people, Mr. Alexander Hamilton said he liked the new modification on the whole better than that in the printed report. In this the President was a monster, elected for 7 years and ineligible afterward; having great powers in appointments to office, and continually tempted by this constitutional disqualification, to abuse them in order to subvert the Government. Mr. Springer's resolution resurrects the monster which Hamilton denounced, and which the Convention with such diligence buried.

The Constitution, as finally agreed to, was not satisfactory to every member of the Convention. Many refused to sign it. Each one of those distinguished gentlemen has left on record his reasons for refusing to sign the Constitution. But not one of them enumerates the reeligibility of the President as an objection to the instrument. Did the House of Representatives affirm a peril to our free institutions which does not exist, or did those clear-sighted cavilers, eager as they were to find fault, fail to see a peril which did not exist?

EXHIBIT 3

[From the Washington Evening Star of February 24, 1947]

THIRD TERM BAN

The drive for a constitutional amendment limiting future Presidents to two terms has about it an atmosphere of political immaturity—a suggestion that the inheritors of the best political system in the world lack confidence in the essential foundation of their political structure.

It is probably true that, in the absence of unusual circumstances, the best interests of the country are served when a President does not serve more than two terms. There is nothing magical, of course, about two terms, and it is worth noting that the Senators and Representatives who are supporting the proposed amendment apparently see no inconsistency in having themselves reelected to as many successive terms as possible. Still, in the absence of exceptional conditions, an excellent argument can be made for the proposition that a President should serve two terms at most, and then turn the job over to someone else.

Implicit in this, however, is recognition of the fact that in some future grave emergency the national interests might be served best by continuing a President in office for more than two terms, and the trouble with the proposed amendment is that it would make this virtually impossible. There are those who say that the amendment, if adopted, could always be repealed, but this is an argument which overlooks two things—first, the time element, and, second, the very important fact that a constitutional amendment, once adopted, cannot be repealed except by vote of two-thirds of the States. Thus, a decision which might be vital to all of the people could be controlled by the whims or the procrastination of 17 States.

The question which should be posed to the sponsors of the amendment is this: Why should we of this generation undertake to tie the hands of our children in any and all circumstances, none of which can be foreseen now? Surely, on the record of our own performance, we have no valid claim to the requisite wisdom. Why not permit them to make their own free decision in the light of conditions which they will have to face and which we cannot possibly anticipate? That is the essence of the democratic process, and we would pay ourselves a highly dubious compliment in undertaking to short circuit it. This amendment is one which should not pass, and the Star hopes that it will never be written into the Constitution.

EXHIBIT 4

[From the Congressional Digest]

THE UNITED STATES CONSTITUTION AND THE PRESIDENCY

I. WHAT THE CONSTITUTION PROVIDES

As finally adopted by the Convention and ratified by the States the Constitution contains the following provisions regarding the Presidency:

Article II, section 1, paragraph 1: The Executive power shall be vested in a President of the United States of America. He shall hold his office during the term of 4 years and, together with the Vice President, chosen for the same term, be elected as follows.

Article II, section 1, paragraph 2: Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

Article II, section 1, paragraph 3: The Congress may determine the time of choosing the electors, and the day on which they shall give their voters; which day shall be the same throughout the United States.

Article II, section 1, paragraph 4: No person except a natural-born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of 35 years, and been 14 years a resident within the United States.

Article II, section 1, paragraph 5: In the case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

Article II, section 4, paragraph 1: The President, Vice President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

II. THE CONVENTION AND THE PRESIDENTIAL TERM

1787: On May 29 Edmund Randolph, Governor of Virginia, presented to the Constitutional Convention a plan of government consisting of 15 resolutions, No. 7 of which provided for a single executive "to be chosen by the national legislature for a term of —— years * * * to be ineligible a second time." The Randolph resolutions were known as the Virginia plan. On the same day a plan was presented by Charles Pinckney of South Carolina whereby the Executive was to be elected for a term of years (left blank in the resolution), and was to be reeligible. Both plans were referred to the Committee of the Whole.

On June 1 the question of instituting an executive was taken up by the convention. On a motion for a 7-year term, New York, New Jersey, Delaware, Pennsylvania, and Virginia voted "aye"; Connecticut, North Carolina, South Carolina, and Georgia voted "no." The vote of the Massachusetts delegates was divided and the motion was declared carried.

On June 2 a motion to make the Executive ineligible after 7 years was carried, 7 to 2. Ayes: Massachusetts, New York, Delaware, Maryland, North Carolina, South Carolina, Virginia; noes: Connecticut and Georgia. Divided: Pennsylvania.

On June 15 Mr. Patterson of New Jersey offered a substitute for the Randolph plan. Article 4 of the Patterson plan recommended the election of an executive to continue in office for a term of years and to be ineligible for a second time.

Alexander Hamilton of New York then proposed a plan, article 4 of which recommended that the supreme executive authority be vested in a "Governour" to be elected to serve during good behavior.

On June 19 the Randolph plan was reported by the Committee of the Whole. It provided that the Executive should be elected for a 7-year term and should be ineligible a second time. On July 17 an amendment striking out the provision for "ineligibility for a second time" was adopted by the convention by a 6 to 4 vote.

An amendment to strike out "7 years" with reeligibility and substitute "during good behavior" as the term of the Executive was defeated, but it was subsequently agreed to reconsider the vote the next day.

The subject was defeated thoroughly and several amendments were passed and later rejected.

One suggestion was that the Executive be elected for 20 years. A suggestion that the Executive be appointed by the National Legislature was opposed on the ground that the Executive would be too dependent on the Legislature and, in order to get rid of that dependence, the expedient of making him ineligible a second time had been proposed.

On July 25 the final action not having been taken in the meantime, the question of the selection of the Executive was again taken up. A motion that the Executive be chosen by the Legislature with the proviso that no person be eligible for more than 6 years in any 12 years was defeated by a 6 to 5 vote.

On July 26 it was moved that the report of the Committee of the Whole on the selection of the Executive be reinstated, viz. "That the Executive be appointed for 7 years and be ineligible a second time."

This motion was carried by a 7 to 3 vote.

The above motion related to the term of office only. The entire resolution, providing that a National Executive be instituted, to be chosen by the National Legislature for a term of 7 years and to be ineligible for a second time was then passed by a 7 to 3 vote. For it were New Hampshire, Connecticut, New Jersey, Pennsylvania, North Carolina, South Carolina, and Georgia. Against it were Pennsylvania, Delaware, and Maryland. Virginia was divided. Massachusetts was not on the floor.

On July 26 the convention referred its proceedings (from July 23) to the Committee on Detail, and adjourned to meet again on Monday, August 6.

On August 6 the Committee on Detail reported the resolution, unchanged in its provisions regarding the 7-year term without reelection.

On August 24 article X, which contained the above resolution, was taken up.

On September 4 the Committee of Eleven, to which various resolutions had been referred, recommended that certain alterations be made to the report of the Committee of the Whole. Among the alterations suggested was the provision relating to the term of the Executive which, as reported from the Committee of Eleven, read: "He shall hold his office during the term of 4 years."

On September 5 the question of the selection of the Executive was debated, Messrs. Pinckney and Rutledge of South Carolina

speaking against reeligibility to a second term.

On September 6 Mr. Hamilton said he had refrained from joining in the discussion because of his dislike of the proposed scheme of government in general, but as he intended to support the plan he wished to offer a few remarks. He favored reeligibility but felt that if the executive head were appointed by the Legislature he would be tempted to make use of corrupt influence to be continued in office. Therefore, it seemed to him peculiarly desirable that some other mode of election be devised.

A motion to make the term 7 and one to make it 6 years instead of 4, as suggested by the Committee of Eleven, were defeated.

On September 15 it was finally agreed that the President be chosen by an electoral college for 4 years, no limit as to reeligibility being fixed.

On September 17, 1787, the Constitution as engrossed and agreed upon was signed by all the members of the convention present except Messrs. Gerry of Massachusetts, and Mason and Randolph of Virginia.

EFFORTS IN CONGRESS TO CHANGE THE PRESIDENTIAL TERM, 1800–1928

1788: On April 23, Washington wrote a letter to Lafayette in which he stated that he differed widely from Jefferson as to the necessity or expediency of rotation in the executive department and that he could see no propriety "in precluding ourselves from the services of any man who, in some great emergency, shall be decreed universally most capable of serving the public."

1788: On May 2, 1788, Thomas Jefferson wrote to Washington that he felt great concern on account of the possible reeligibility of the President under the Constitution. "This, I fear, will make an office for life." Jefferson advocated a constitutional amendment which would fix the Presidential term at 7 years and declare the President ineligible for reelection.

1796: Washington published his Farewell Address on September 17, 1796, in which he expressed his desire to retire and not be a candidate for another term.

1800: The election of 1800 was thrown into Congress since Jefferson and Burr received an equal number of electoral votes. Jefferson was chosen President by the House and Aaron Burr became Vice President.

1803: Following the contested election of 1800, resolutions were introduced in Congress recommending constitutional amendments against a third term. Among these was a resolution debated in the Senate in 1803, "that no person who has been twice successively elected President shall be eligible as President until 4 years elapse, when he may be eligible to office for 4 years and no longer." The resolution was rejected in the Senate by a vote of 4 to 25.

1804: On September 25, 1804, the twelfth amendment was ratified and adopted, which provided for the separate election of the President and Vice President. There was no attempt made in this amendment to provide for a limitation of reeligibility of the President.

1807: On December 10, 1807, Jefferson wrote a letter to the Vermont Legislature in which he repeated the fear that if the Constitution or some precedent did not fix the Presidential term it might become an inherited office.

1809: Madison followed Jefferson, and also held office for two terms, after which he voluntarily retired.

1824: Monroe, who followed Madison for two terms, also retired voluntarily.

1824: In this year the Senate passed a joint resolution by a vote of 36 to 3 providing that no man should be chosen President for more than two terms. No action was taken on this resolution in the House.

1824: The Presidential election of 1824 was again thrown into Congress, and John Quincy Adams was chosen President by the House. He served only one term.

1826: The contested election of 1824 produced a great many joint resolutions recommending amendments to the Constitution on the method of election of the President and the Presidential term. Thirty-eight had to do with the choice of Presidential electors. Ten were intended to limit the President to one term, some of 4, some of 6 years.

1826: One of these Senate resolutions, recommending a limit of two terms for the President, was passed by the Senate by a vote of 32 to 7. Nothing was done on the resolution, however, in the House.

1828: Andrew Jackson was elected in 1828 and reelected in 1832. In his first annual message to Congress, in 1829, he recommended that the electoral college be abolished, that the President be elected by direct vote, and that the President be limited to a single term of either 4 or 6 years. This recommendation was repeated by him in subsequent annual messages to Congress.

During his administration and following his recommendations 21 joint resolutions were introduced in Congress, dealing with a limitation of the Presidential term. Some of these recommended a single term of 4 or 6 years, others provided against a third term and still others against more than two consecutive terms. None of these was acted upon by Congress.

1836: In Van Buren's administration 10 one-term joint resolutions were presented in Congress upon which no action was taken.

1840: Harrison was elected in 1840. In his first inaugural speech in 1841 he affirmed his recommendation for a single Presidential term, and said in conclusion: "Under no circumstances will I consent to serve a second term."

President Harrison died a month later, in April 1841, and Vice President Tyler became President. He was the first Vice President to become President.

1841: In 1841 the legislatures of 8 States, Vermont, Indiana, Delaware, Maine, Massachusetts, Connecticut, and Rhode Island sent one-term amendments to Congress.

1842: In 1842 the Legislature of Kentucky sent a one-term amendment to Congress.

1844: In 1844 the Whig Party inserted a one-term plank in its Baltimore platform.

1860: Lincoln was elected.

1864: Lincoln was reelected.

1865: President Lincoln was assassinated and was succeeded by Vice President Johnson.

Johnson suggested in a special message to Congress a single term for the President. During his administration 12 joint resolutions recommending single Presidential terms were introduced in Congress, but no action was taken upon them.

1868: The question of the Presidential term was not an issue in the campaign of 1868, since the vote to impeach President Johnson was taken immediately before the meeting of the Republican Convention in that year. Ulysses S. Grant was nominated by the Republican Convention on the first ballot and elected.

1872: Grant was renominated in 1872. In this year the liberal Republican and the Democratic Parties, both of which nominated Greeley, demanded that the offices of the Government cease to be a matter of arbitrary favoritism and patronage and that to this end it is imperatively required that no President shall be a candidate for reelection.

1875: In 1875, when it became known that Grant would be a candidate for a third nomination, the State Republican conventions of Ohio, Iowa, Minnesota, Massachusetts, and New York, and Pennsylvania passed anti-third-term resolutions.

The action of the Pennsylvania convention elicited a reply from President Grant in which he stated that he never sought the office and did not wish a third term. He also stated, however, that the Constitution did not restrict the Presidential term to two terms, and that under certain circumstances it might be unfortunate to make a change at the end of 8 years.

1875: On December 15, 1875, the House passed a resolution, introduced by William M. Springer, of Illinois, Democrat. The resolution was adopted by the House without debate by a vote of 234 to 18, with 38 not voting. The resolution read:

"Resolved, That in the opinion of this House the precedent established by Washington and other Presidents of the United States in retiring from the Presidential office after their second term has become, by universal concurrence, a part of our republican system of government, and that any departure from this time-honored custom would be unwise, unpatriotic, and fraught with peril to our free institutions."

1875: On December 17, Horace Francis Page, of California, Republican, offered the following resolution in the House:

"Whereas the Constitution of the United States, as framed by the fathers of the Republic, imposes no limit upon the eligibility of any citizen to the office of President further than that he shall be native-born and of a certain age and time of residence: Therefore be it

"Resolved, That in the judgment of this House the right of selecting candidates for the office of President can only be lawfully exercised by the people under existing constitutional restrictions, and has never been delegated by the people to the House of Representatives or to any Members of the same, and that any attempt by the House of Representatives to limit or forestall the public will on a question of such importance is an invasion of powers reserved to the people at large, to be freely exercised by them without any interference from any legislative body whatever."

Mr. Page's motion to bring this resolution to a vote was defeated by a vote of 30 against 89.

1876: President Hayes was elected in 1876 and in his first inaugural address in 1877 recommended an amendment to the Constitution limiting the President to a single term of 6 years.

1876: Again the Presidential election was thrown into the House, from which came the famous Hayes-Tilden election contest. After Hayes was chosen President, he recommended a single 6-year term for the President in his first inaugural address.

1877: In this year, Representative Springer offered another resolution embodying President Hayes' recommendation as to a single term and other reforms. No action was taken on the resolution because there could be no nomination of a candidate in 1880 who would have had two consecutive terms.

1880: In the Republican Convention of 1880 Grant was seriously considered for a third term, many people being of the opinion that the lapse of 4 years made Grant eligible without breaking the anti-third-term tradition. Grant led all other candidates on 33 ballots, but Garfield was finally nominated and elected.

President Garfield was assassinated in 1881 and Vice President Arthur became President.

1884: In 1884 the Democratic nominee, Grover Cleveland, was elected. In his address accepting the nomination he pointed out the dangers in the eligibility of a President for reelection.

1888: In this year Cleveland was renominated and defeated by the Republican candidate, Harrison, but was reelected in 1892.

1892: In this year the Populist Party platform contained a plank limiting the President to one term.

1892: During the period following Cleveland's reelection, 13 amendments were introduced in Congress to limit the Presidential term in various ways.

1894: In this year William Jennings Bryan, then a Member of the House, proposed three single-term amendments and one making a President ineligible to succeed himself.

1896: The Democratic platform of 1896, upon which Bryan ran for the Presidency, contained the following plank: "We declare it to be the unwritten law of this Republic, established by custom and usage of a hundred years, and sanctioned by the example of the greatest and wisest of those who founded and maintained our Government, that no man should be eligible for a third term of the Presidential office."

1896: McKinley was elected in 1896 and reelected in 1900. Soon after his second inauguration it was suggested that McKinley be considered for another reelection in 1904; that the only objection which might be urged against him was the anti-third-term feeling, but that this would amount to nothing, with a candidate who possessed the confidence of the country to the extent that Mr. McKinley did.

1901: On June 10, 1901, however, President McKinley issued the following public statement:

"I regret that the suggestion of a third term has been made. I doubt whether I am called upon to give to it notice, but there are new questions of the gravest importance before the administration and the country, and their just consideration should not be prejudiced in the public mind by even the suspicion of the thought of a third term. In view * * * of a long-settled conviction * * * I will not be a candidate for a third term."

President McKinley was assassinated in 1901 and was succeeded by Vice President Roosevelt.

1904: President Roosevelt was elected in 1904. On November 8, election day, after his election had been conceded, he made the following statement to the press:

"On the 4th of March next I shall have served 3½ years, and these 3½ years constitute my first term. The wise custom which limits the President to two terms regards the substance, and not the form, and under no circumstances will I be a candidate for or accept another nomination."

1908: President Roosevelt was followed by President Taft in 1908.

1912: On February 25, 1912, when the progressive wing of the Republican Party began opposing the renomination of Taft and urged Roosevelt to become a candidate, Roosevelt wrote:

"I will accept the nomination if it is tendered to me, and I will adhere to this decision until the convention has expressed its preference."

1912: The Democratic platform of 1912, on which Woodrow Wilson ran for the Presidency, contained a single-term plank as follows:

"We favor a single Presidential term, and to that end urge the adoption of an amendment to the Constitution making the President of the United States ineligible for reelection, and we pledge the candidate of this convention to this principle."

Mr. Wilson, however, who accepted the nomination, had written years before that "short terms which cut off the efficient as surely and as inexorably as the inefficient are quite as repugnant to republican as to monarchial rules of wisdom."

1912: On June 13, 1912, Mr. Clayton, Democrat, from the House Committee on the Judiciary, submitted a favorable report (No. 885) on House Joint Resolution 325, proposing a constitutional amendment limiting the President to a single 6-year term. No further action was taken on the resolution.

1912: During this period 21 amendments were introduced in Congress proposing a limitation on the Presidential term.

1913: On February 1, 1913, prior to the first inauguration of President Wilson, the Senate passed the joint resolution (S. J. Res. 78) by a vote of 47 to 23, known as the Works' resolution, providing for a constitutional amendment limiting the President to a single 6-year term. No action was taken on the resolution in the House.

In a letter to A. Mitchell Palmer, Democrat, a Member of the House from Pennsylvania, written while the Works' resolution was pending in the House, President Wilson stated that he did not approve of it "and that he would abide by the judgment of his party and the people as to whether he would be a candidate for reelection in 1916."

1916: In the election of 1916 the Prohibition Party adopted a plank recommending a single 6-year term.

1927: On February 21, Representative Fairchild, New York, Republican, offered the following constitutional amendment:

"No person shall be eligible to the office of President who has previously served two terms, whether by election or by succession due to the removal, death, resignation, or inability of the President where the term by succession shall have continued for a period of 2 years or more."

1927: On February 10, 1927, Representative Beck, Wisconsin, Republican, introduced a resolution practically the same as the Springer resolution of 1875, suggesting a constitutional amendment against a third term.

1927: On February 22, Senator La Follette introduced the corresponding resolution in the Senate.

No action was taken on any of these resolutions in the Sixty-ninth Congress.

1927: Several resolutions had been introduced in the Seventieth Congress, offering constitutional amendments to limit the Presidential term.

1928: The La Follette resolution was reintroduced on January 27, 1928, amended and passed by the Senate on February 10, 1928, by a vote of 56 to 26, as follows:

"*Resolved*, That it is the sense of the Senate that the precedent established by Washington and other Presidents of the United States in retiring from the Presidential office after their second term has become, by universal concurrence, a part of our republican system of government, and that any departure from this time-honored custom would be unwise, unpatriotic, and fraught with peril to our free institutions."

Mr. WILEY. Mr. President, I have listened with interest to a great deal of repetitious argument on the floor of the Senate in times past. I wish to congratulate my assiduous brother from West Virginia for accumulating so many Republican phrases which were used in days past when the shoe was on the other foot.

Mr. KILGORE. Mr. President, will the Senator yield for just one question?

Mr. WILEY. I yield.

Mr. KILGORE. Does the Senator infer from that that at such times the Republicans were misled?

Mr. WILEY. I shall come to that point in a moment.

Mr. President, some time ago I had occasion to ask someone in my office to look up the history of the debate in the past with respect to this question. I found that invariably the clamor for limitation of the term of President arose when a Republican President was in office, at which time the leading Democrats of the Nation were in favor of a constitutional amendment such as the one now before the Senate. I was asked whether I wanted my office force to gather that material for me, and I said no.

I want to call to the attention of Senators who are gracing their chairs on this occasion to the fact that the House passed the pending measure providing for the constitutional amendment by a vote of 285 to 121. I wish to say again, in order that much of what has been said here this afternoon will not be misunderstood by the occupants of the galleries, that no Senator, no matter how he votes today, thereby commits himself as to his position before his constituency. He is today only voting whether he is willing to submit the constitutional amendment to the representatives of the people in the legislatures of the Nation, or whether he does not trust them to decide the question. As I have stated on another occasion, the members of the legislatures, officers of government like ourselves, are closer to the people than we are. They represent small districts.

Mr. President, I say that our friends have forgotten a little bit of our constitutional history when they say that the founding fathers were altogether willing to proceed with the Constitution, without doing something more. I say that unless there had been a definite understanding that the Bill of Rights, as amendments to the Constitution, would be adopted, the Constitution would not have become the basic law of the country. The delegates from New York State and from other States would not have voted to adopt the Constitution unless assured that the Bill of Rights would be adopted.

Mr. President, what are we proposing to do now? We are trying to settle a question which has been agitating the people since the days of the framing of the Constitution. By presenting the so-called Tydings-Taft amendment we are taking the question out of politics, because under it the terms of the constitutional amendment shall not apply to the present President. If that amendment is adopted no one can successfully argue that the proposal has a political cast.

The basic reason for the overwhelming vote in the House is that the Members of the House have had their eyes opened to recent happenings on the stage of this world. The Reichstag in Germany was not able to control Hitler. The argument has been made that if Congress takes the action now proposed the result will be the creation of a Hitler. Some individuals see the matter black and some see it white.

Mr. President, are we willing to permit the legislatures of the States to decide this matter? Are we willing to let government officials who are closer to the people than we are vote on the constitutional amendment?

The impression I have gained from much that has been said on the floor of the Senate is that we, the Congress of the United States, were deciding whether there was to be an amendment to the Constitution. Congress could decide

nothing of the kind. If we submit the question to the people, or to their representatives in the legislatures of the States, they will make the decision.

I listened with a great deal of pleasure to the able remarks of my friend the Senator from Florida [Mr. HOLLAND], former Governor of that State. I remember on several occasions, when with others I visited the State, with what friendship we were entertained, and I remember the part the Senator from Florida took in entertaining us. In speaking of the limitation of the terms of the President he called it the Washington tradition. I want to say to my Democratic friends that such limitation is more than the Washington tradition. I further wish to say that we cannot shift responsibility respecting this matter by saying there is some politics back of it. Washington knew what he was about when he refused a third term. His great heir, Jefferson, knew what he was about when he did the same thing.

I have quoted what Jefferson said on the subject. He sensed what we in this day and generation sense. If we place for any great period of time authority in the hands of any one man, or, as President Roosevelt said, in the hands of a party, we will soon regret having done so. I wish to quote President Roosevelt's identical language:

> For one reason or another even a wisely led political party, given a long enough tenure of office, finally fails to express any longer the will of the people.

To paraphrase that language, if we give any one man or any group a clutch hold on the economy of the Nation—we talk about restraining trusts, and trusts are made up of men—or on the political life of the country, what happens? The will of the people is no longer expressed. Let us put it this way: Those placed in such a position of power no longer seek to preserve the liberties of the people. Every Member of the Senate remembers instances of that sort. A reading of history will bear it out. Continuance of power in the hands of an individual or a party over a considerable period of time made possible a Hitler, a Mussolini, and all the little Fascists. That, Mr. President, is the reason for the proposed constitutional amendment. The attempt to kick it out the window by insinuating that on former occasions men have argued, as we are arguing here today, for and against the proposal and have rejected it, seems to me to be quite unjustified, because those who argued the matter then had not lived through the First World War nor through the Second World War. Whether we should give the people, through their legislatures, the right to express themselves for or against the constitutional amendment is the issue.

Mr. President, I sincerely hope that the Senate may vote on the pending substitute amendment, and then vote on any other proposals which may be presented. I suggest the absence of a quorum unless some Senator desires to speak at this time.

The PRESIDING OFFICER. The absence of a quorum has been suggested, and the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Morse
Baldwin	Hayden	Murray
Ball	Hickenlooper	Myers
Brewster	Hill	O'Conor
Bricker	Hoey	O'Daniel
Brooks	Holland	Overton
Buck	Ives	Pepper
Bushfield	Jenner	Revercomb
Byrd	Johnson, Colo.	Robertson, Va.
Cain	Johnston, S.C.	Russell
Capehart	Kem	Saltonstall
Capper	Kilgore	Smith
Chavez	Knowland	Sparkman
Connally	Langer	Stewart
Cooper	Lodge	Taft
Cordon	Lucas	Taylor
Donnell	McCarran	Thomas, Okla.
Downey	McCarthy	Thye
Dworshak	McClellan	Tydings
Eastland	McFarland	Umstead
Ecton	McGrath	Vandenberg
Ellender	McKellar	Watkins
Ferguson	McMahon	Wherry
Flanders	Magnuson	White
Fulbright	Martin	Wiley
George	Maybank	Williams
Green	Millikin	Wilson
Gurney	Moore	Young

The PRESIDENT pro tempore. Eighty-four Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Washington [Mr. MAGNUSON], as modified, to the committee amendment on page 2, beginning in line 4.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. WHERRY. I announce that the Senator from Kansas [Mr. REED], who is absent because of illness, is paired with the Senator from New York [Mr. WAGNER].

The Senator from New Hampshire [Mr. BRIDGES], who is detained on committee business, is paired with the Senator from Kentucky [Mr. BARKLEY]. If the Senator from New Hampshire were present and voting he would vote "nay."

The Senator from Nebraska [Mr. BUTLER] is absent because of illness. If present and voting he would vote "nay."

The Senator from Nevada [Mr. MALONE] is necessarily absent on state business; the Senator from Wyoming [Mr. ROBERTSON] is absent because of illness; and the Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate on official business.

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. BARKLEY] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from New Mexico [Mr. HATCH] is detained on public business.

The Senator from Wyoming [Mr. O'MAHONEY] and the Senator from Utah [Mr. THOMAS] are unavoidably detained.

On this vote the Senator from Kentucky [Mr. BARKLEY] is paired with the Senator from New Hampshire [Mr. BRIDGES]. If present and voting, the Senator from Kentucky would vote "yea" and the Senator from New Hampshire would vote "nay."

If present and voting, the Senator from New Mexico [Mr. HATCH], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Utah [Mr. THOMAS] would vote "yea."

The Senator from New York [Mr. WAGNER] has a general pair with the Senator from Kansas [Mr. REED].

The result was announced—yeas 34, nays 50, as follows:

YEAS—34

Byrd	Kilgore	Overton
Chavez	Lucas	Pepper
Connally	McCarran	Robertson, Va.
Downey	McClellan	Russell
Fulbright	McFarland	Sparkman
George	McGrath	Stewart
Green	McMahon	Taylor
Hayden	Magnuson	Thomas, Okla.
Hill	Maybank	Tydings
Hoey	Murray	Umstead
Holland	Myers	
Johnston, S. C.	O'Conor	

NAYS—50

Aiken	Ellender	Moore
Baldwin	Ferguson	Morse
Ball	Flanders	O'Daniel
Brewster	Gurney	Revercomb
Bricker	Hawkes	Saltonstall
Brooks	Hickenlooper	Smith
Buck	Ives	Taft
Bushfield	Jenner	Thye
Cain	Johnson, Colo.	Vandenberg
Capehart	Kem	Watkins
Capper	Knowland	Wherry
Cooper	Langer	White
Cordon	Lodge	Wiley
Donnell	McCarthy	Williams
Dworshak	McKellar	Wilson
Eastland	Martin	Young
Ecton	Millikin	

NOT VOTING—11

Barkley	Malone	Thomas, Utah
Bridges	O'Mahoney	Tobey
Butler	Reed	Wagner
Hatch	Robertson, Wyo.	

So Mr. MAGNUSON's amendment to the committee amendment was rejected.

The PRESIDENT pro tempore. The question now recurs on agreeing to the committee amendment on page 1, begining in line 10.

Mr. TAFT. Mr. President, I offer the amendment which I send to the desk as a substitute for the second committee amendment, and ask that it be stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Ohio will be stated.

The CHIEF CLERK. In lieu of the language proposed to be inserted by the committee amendment on page 2, beginning in line 4 and extending down to and including line 12, it is proposed to insert the following:

> No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than 2 years of a term to which some other person was elected President, shall be elected to the office of President more than once. But this article shall not apply to any person holding the office of President when this article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this article becomes operative from holding the office of President or acting as President during the remainder of such term.

Mr. TAFT. Mr. President, yesterday when we had a discussion on this general subject there were various objections to the committee amendment, and it seemed to me that we could reach an agreement on an amendment. I drafted this amendment yesterday and talked with the distinguished Senator from New Mexico [Mr. HATCH], who approved the general theory of it. I have talked with

other Senators on the other side of the aisle. It seems to me that my amendment represents a perfectly fair compromise of the differences of opinion which have developed during the debate. It provides, generally speaking, that a man who succeeds to the office of President from the Vice Presidency—and that is the intricate problem which faces us—shall have only one more term if he serves more than 2 years. In other words, if he has a complete Congress in his first term, he will then be eligible for one election to a 4-year term, and will be permitted to serve for at least 6 years. No man can be held to less than 6 years. On the other hand, if he has not a complete Congress, if he has held office less than 2 years, he may be reelected twice and may serve a total of 10 years minus 1 day.

The committee amendment, in effect, provides that a man might be limited to 5 years or might serve as long as 9 years. The amendment offered by the distinguished Senator from Washington [Mr. MAGNUSON] provides, in effect, that he should have at least 8 years and might have as much as 12 years, if the President died before he took office and he succeeded to the Presidency.

I think this is a reasonable and sensible compromise. Many persons believe there should be one 6-year Presidential term. Therefore, if by any chance the term is more than 6 years under any conceivable circumstances, we are not taking a radical step. On the other hand, I think a term of 12 years is too long. I think it is too much for a man's health, too much for the country, and involves the acquiring of too much power.

I should like to say, further, in order to make clear that this amendment is not in any way proposed as a partisan measure, that I have expressly excepted President Truman.

But this article shall not apply to any person holding the office of President when this Article was proposed by the Congress.

Any man who runs for the office of Vice President after this time will know that if the President dies within the first two years the Vice President can be elected President only once.

When President Truman was elected Vice President there was no limitation; and I think it is rather harsh to impose retroactively a limitation.

I hope very much that the Article as thus amended may meet with the approval of the committee and of those on the other side of the aisle who are interested in this particular question.

The PRESIDENT pro tempore. The question is on the substitute amendment submitted by the Senator from Ohio.

Mr. LUCAS. Mr. President, I shall not speak on this amendment, but I shall speak on the joint resolution itself. I assume that whatever I say will not change any votes, but I desire to make my position clear and definite on what seems to me to be a very fundamental issue now confronting the Senate.

No matter how any Member of the Senate may vote upon the issue now pending before it, truthful men know that the breaking of the two-term precedent by Franklin D. Roosevelt in 1940 and the further shattering of the precedent by his reelection in 1944 are the basic reasons for seeking this constitutional amendment. Partisan inspiration has decreed that that shall not happen again.

It is most unfortunate that such a great issue has to be meshed into the wheels of partisan politics. The swift and speedy manner in which this measure passed the House of Representatives, with every Republican voting for it, is a tragic lesson in governmental decay, rather than progress, in the only true representative democracy in all the world.

What Senator supporting this resolution will say that in his deliberations he has approached the issue as a practical problem of government? How many Senators have their judgment warped by partisan prejudice, as we seek to place definite limitations upon the sovereign rights of the people? Mr. President, hear me! Will Senators in this revolutionary step permit their dislikes of the moment to be woven into eternal principles that may be fateful to the Nation in some great future emergency?

Mr. President, many constitutional amendments have been proposed since our inception as a Nation. Whether introduced by a Democrat or a Republican, the fine hand of partisan politics was there. The only group which, when considering this question, was not prejudiced by personalities, was the founding fathers. It is with emphasis that I assert that the founding fathers had an advantage no Senator has today in determining the proper course of presidential tenure. They had no knowledge of prospective candidates, their views upon domestic or international issues, their character, or their political philosophy. The length of Presidential tenure, as found in the Constitution, was not decided upon the basis of the record of any man or political party. There was no hate, rancor, bitterness, or prejudice dealing with Presidential personalities in their long and mature deliberations.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. LUCAS. I do not wish to yield until I conclude, but I shall yield at this time.

Mr. BALDWIN. I wish to ask one question. I understand that the Senator from Illinois charges partisan politics in connection with this proposed constitutional amendment. Why was it that George Washington himself stated to all the American people that he felt he should retire at the end of his second term? Was there partisan politics in that?

Mr. LUCAS. I shall answer the Senator as I proceed with my speech. In it I quote George Washington. The Senator admitted the other day, in the course of the debate, that partisan politics was involved in this matter; and he praised the very fact that there was partisan politics in it, as I recall.

Mr. BALDWIN. Mr. President, I submit that the Senator has not answered my question.

Mr. LUCAS. Mr. President, I do not yield further. After I finish my speech I shall be glad to debate this point with the Senator all afternoon.

The PRESIDENT pro tempore. The Senator from Illinois declines to yield.

Mr. LUCAS. Mr. President, I boldly assert that of all the men who have considered Presidential tenure, only the founding fathers were fair and impartial. Yet here in a moment of emotionalism, a moment of power, a moment of prejudice, resulting from the 1946 Republican victory, we are called upon to enact for the first time a dangerous and far-reaching piece of legislation which strikes at the very heart of representative democracy. We are asked to repudiate the findings of the founding fathers. We are about to say they were wrong. We are about to say they committed a grievous error in not limiting the rights of the sovereign people. We propose to whittle away a sacred right guaranteed by the very document we now seek to amend, a document that was described by the Englishman Gladstone as the greatest of its kind that was ever struck off at a given time by the pen and brain of man.

Mr. President, it must be remembered that George Washington, the father and savior of this country, was Chairman of the Constitutional Convention. He heard all the arguments, pro and con. Not once did he protest against the reeligibility question. He was in complete agreement with the "no limitation" clause on tenure. In all our history no one has expressed himself so clearly upon this question as did George Washington, when he said:

> Under the extended view of this part of the subject, I can see no propriety in precluding ourselves from the services of any man, who, on some great emergency, shall be deemed universally most capable of serving the public.

There lies the meat of the coconut in respect to all of these arguments. Washington, the man of vision, courage, and capacity, thinking only in the terms of his country, foresaw the hour when a great emergency might arise, when the people would want to continue their Chief Executive in office for a third term. That hour did arrive in November 1940, and the people followed the advice of George Washington.

Mr. President, Washington did not fear dictatorship. The Colonies a few years before had been ruled by a king. Stupid despots and brutal kings were scattered around the earth. He and his contemporaries were familiar with the disadvantages and dangers of living under a powerful long-time executive. The Constitution was written in the midst of these vivid realities. These far-seeing men were anxious to guard against a monarchical form of tenure. A century and a half of progress and happiness under no constitutional strictures of tenure should be the complete and final answer to those seeking this constitutional limitation.

There has never been a dictatorship in this country. There never will be, as long as we have free elections. I respectfully submit that to deny the peo-

ple of the Nation a free choice in the election of a President of the United States for a third or fourth term is a limitation on the people's sovereignty which in a great emergency might lead to a dictatorship. I seriously submit that in an hour of pressing danger a true, experienced, and tried Executive could well prevail over respect for the Constitution. Obviously, if such should happen, the Republic would be gone. Yet by this very constitutional amendment, we place temptation in the governmental highway of the future.

Mr. President, this Government belongs to the people. If they want to continue a Chief Executive in his office, who has a better right to do so? Who are we to say that the wisdom of the men of tomorrow will be inferior to the wisdom we possess? What right have we to say that the citizens of 50 years from now would not be capable of giving weight to the value of tested leadership in time of war or other international or domestic emergency? What omnipotent power do we possess which gives us the right to deny the citizens of tomorrow freedom of choice and freedom of action? I have always understood that a true and a progressive democracy overlooked no opportunity to expand the rights of the people. Certainly this amendment violates that fundamental concept. Every constitutional amendment except one—the prohibition amendment—was for the benefit of the people, and that amendment was ultimately repealed.

Mr. President, we know that for 150 years we have survived successfully under the process of democratic government. We know through that experience that the longer a man continues in elective office in this country the less chance he has of being elected. Franklin D. Roosevelt's majorities progressively declined, rather than increased, following his second election, even though the third came at a time of great international emergency, and the fourth in the midst of a war. The desire among the American people for change is strong. On the question of Presidential tenure the people can and ought to be trusted to decide when to make an exception. The fact that no man in a democracy is indispensable does not validate a restriction of the people's right to express their preference. The guarding of that right is the surest guarantee of the preservation of democracy.

Mr. President, I ask the attention of the present occupant of the chair to what I am about to say. In doing some research work upon Presidential tenure I came across an article written by the present distinguished occupant of the chair, the President pro tempore, prepared for Liberty magazine for October 1939. The ideas expressed in the article so coincide with mine that I cannot help quoting it for the benefit of the RECORD and the Senate.

I wish to say to the distinguished Senator from Michigan that I sometimes wonder how frequently I find myself agreeing with him on many important questions which have arisen in the Senate from time to time.

The PRESIDENT pro tempore. The Chair may say to the Senator that the Chair is always enlightened by the Senator from Illinois, even when he is speaking on his own, and not quoting the Senator from Michigan.

Mr. LUCAS. I thank the Senator. I shall now quote briefly from what the Senator from Michigan said in the article to which I have referred. At the time this article was written many of his friends were certain he would be the candidate for the Republican nomination for President, which later proved to be an accurate bit of speculation.

Notwithstanding the Senator's high position in the Republican Party in 1939, he approached the third-term issue as a practical problem of government, with a complete understanding of our history and traditions. Had his article been written for political reasons at that particular time, he could have cried "dictatorship" and "the fall of the Republic," that old, familiar Republican theme song I have heard so often. But he was too big a man to deal with phony issues, and that is why he stands where he is today; and I say that in all seriousness.

At this late hour I congratulate the Senator upon carrying this discussion upon such a high plane. There is truth, logic, eloquence, and statesmanship in the article, and I wish to read a few excerpts from it. The Senator from Michigan said:

I want to say for myself that I doubt the wisdom of attempting to change the tenure or to limit it by constitutional amendment. I think these decisions should be left to the patriotic and vigilant American conscience. This in no sense can undermine the good faith of my own one-term proposal, because, as I have previously said, no new constitutional restraints could possibly reach the Constitution by 1940 anyway.

Who shall say that a tradition and a habit against a prolonged Presidency on the one hand, or freedom of action in behalf of a shorter prepledged Presidency on the other hand, is not better and safer than a constitutional stricture which could not be changed to fit one emergency or the other? The one is elastic under pressure of necessity; the other is a self-made barrier—erected by the people against themselves—which is as insurmountable as, in some crises, it might be fatal.

In the presence of 1940, the people are free to elect Mr. Roosevelt for a third term if they wish. They are equally free to choose a prepledged one-term successor to him—or an unpledged two-term successor—if they wish. And since this is their Government—

I am still quoting from the distinguished Senator from Michigan, who now presides over the Senate—

And since this is their Government, it is illogical to tie their freedom of action.

That is what I have been preaching all during this debate, that it is illogical to tie the freedom of choice and the freedom of action of the American people who have been trusted with our Government for 150 years, and have done a pretty good job of it.

The very fact that proposed constitutional strictures of one sort and another have always excited violent differences of opinion, and have always failed to jell, is the best possible proof that there never could be permanent assurance that any one particular constitutional stricture would fit the changing vicissitudes of time and popular opinion.

The Senator from Michigan further said:

Well, there you are. We have had great varieties of Presidential tenure, thanks to constitutional freedom in respect to it. I think it is probably wisest that both the freedom and the variety should continue. No one can conclusively say precisely how long any one citizen should claim the White House for his home.

That is correct. I quote further from the Senator from Michigan:

When Lincoln was asked how long a man's legs ought to be, he replied, "Long enough to reach the ground." That's the safest sort of answer to the question, how long the Presidential tenure ought to be. It ought to be long enough—or short enough—to fit the necessities of the contemporary moment.

Mr. President, I say with the utmost sincerity that this is the greatest thesis upon this question I have been able to find or read in my study, in the Congressional Library or anywhere else.

Further, the able Senator from Michigan said:

We may safely leave the decision to the wisdom of the American people. That has been spectacularly true for 150 years. It still will be true in 1940.

In order that I may not do the Senator from Michigan any injustice whatever, I ask unanimous consent that at this point in my remarks the entire article be printed in the RECORD, and I hope that regardless of how the vote goes, every Member of the Senate will find time, in the busy days ahead, to read the article which the able Senator from Michigan wrote for Liberty magazine in 1939.

The PRESIDING OFFICER. Without objection, the order is made.

The article is as follows:

MR. ROOSEVELT AND THE THIRD-TERM DICTATORSHIP

(By Senator ARTHUR H. VANDENBERG)

One term? Two terms? Three terms? How long should a President sit in the White House?

That is a burning question these days—and the chief reason it burns so hotly at the moment is the cryptic silence of one Franklin Delano Roosevelt regarding his intentions. One hundred and fifty years ago the world was full of kings—and we didn't like 'em. Today the world is full of dictators—and we don't like 'em. So we simply run true to form when we are critical of self-perpetuating Chief Executives. They just don't fit our pattern of democracy—and democracy is particularly sensitive to its hazards in this era of personal government all round the globe, not excluding Washington, D. C.

So the folks are talking it over and disagreeing on the subject—just as they talked and disagreed in the Constitutional Convention, just as they have talked and disagreed periodically in the story of the Nation whenever an extended lease on 1600 Pennsylvania Avenue has been proposed. But thus far they have never concluded that any one man is more indispensable to the Republic than was George Washington when he was fathering his country.

Once renewed, however, the debate never stops with a clinic which is content to take apart the particular ego of the moment. It promptly leaps from the specific to the general theme—from the contemporary man on horseback to all men and all horses—and it always periodically proposes to save future generations from recurrent menace with a law which shall stop all future Caesars from

even flirting with an American crown, or its equivalent.

With nazism and fascism to the right of us, and communism to the left, and with government by Executive decree in possession of our own Capitol, it is small wonder that the present generation plunges into the debate with poignant avidity. Yes; and it ought to plunge, because the White House tenure is inseverably linked with the maintenance of our republican institutions.

If a President, with all his normal power, ever gets the extraordinary power which will attach to him when he has once successfully crossed the traditional barrier against a third term, a fourth term, and a fifth, and more, will be progressively and relatively simple achievements. The imperial state of mind which leads him to attribute indispensability to himself at the third hurdle will fatten to a conviction as to his own divinity at the fourth and fifth. Meanwhile his royal retinue—each knowing exactly what he wants—will beat the drums. But they will be the drums of doom for American democracy; because a perpetuated President, no matter how nobly mediated his imperial self-sacrifice, will be a despot in the making.

And you can't blame the despot. Any time 130,000,000 people tell one mortal man that they can no longer find another among the remaining 129,999,999 to carry on the American system in the American tradition, it is their fault and not his if his delusions of grandeur transport him to Olympus. If a President can so mistake his pontifical authority at the end of 6 years as to run a purge of all his own partisans who dare to disagree with his dicta, what would he run at the end of 12?

Millions of Americans who immensely like the dynamic, magnetic F. D. R. would not vote him a third term in the White House—not because they love him less, but because they love traditional American institutions and the spirit of democracy more. He is the last man who should be the one to break the third-term tradition—if it is ever broken—because he is already the nearest personification of personal government in the United States that we have ever had in peace or war. He is a superlatively powerful personal character. He is a ruthless disciplinarian in matters of loyalty to his personal programs. I venture the assertion that his state papers contain more personal pronouns than any six of his predecessors' combined, not even excepting his illustrious predecessor of the same name. He believes in Executive domination—as frankly confessed by his campaigns to tie courts and legislatures to his chariot wheel. He is intolerant of opposition. He believes in his own star of destiny. His judgments are pronounced with autocratic finality. Were he the greatest President we have ever had—which his satellites will freely concede—still he would supremely personify as no other could what the Senate had in mind when it adopted the La Follette resolution in 1928 by a vote of 56 to 26, and said:

"It is the sense of the Senate that the precedent established by Washington and other Presidents in retiring from the Presidential office after their second term has become, by universal concurrence, a part of our republican system of government, and that any departure from this time-honored custom would be unwise, unpatriotic, and fraught with peril to our free institutions."

Well, if that stricture could apply to a gentle, peaceful, unambitious Coolidge, what language could be mustered to fit the suggestion of a third term for his complete antithesis in the midst of "bread and circuses," who has himself bluntly asserted that he has "created instrumentalities of power" which, in what he conceives to be wrong hands, would "shackle the liberties of the people"? If it was "unwise, unpatriotic, and fraught with peril to our free institutions" for the safe and silent and conservative Coolidge to extend his presidential term in a time which knew little of the psychology of dictatorship, what anathema could freedom conjure to describe the challenge to the present tumultuous hour?

Mind you, we are not now discussing the quality of Mr. Roosevelt's two administrations—we are discussing a system of government: the republican institutions of democracy of which a limited presidency—limited by the voluntary fidelities of a century and a half of American tradition—is the supreme symbol, if not the supreme necessity.

Mind you, too, I am not arguing with the President. I expect his patriotism to agree with these contentions. I am arguing, if at all, with those of his noisy camp followers who persistently call him to a third term—sometimes even embracing the amazing sophistry of pretending that it would only be his first term if he were reelected in 1940, because he was robbed of his 1933–36 authority by a recalcitrant Supreme Court—which he has subsequently peopled with sympathetic souls; and robbed of his 1936–40 authority by a party rebellion—which increases its record for larceny the nearer we get to the next great showdown. On that basis, he wouldn't get his second term until 1944, his third until 1948, and—well, page the spirit of Porfirio Diaz. He might quit in 1952 or he might not.

Silly? Yes. But could anything more clearly demonstrate the danger of such infatuation? Is it any wonder that most analytical Americans gratefully cherish the precedent set by George Washington and underwritten by Thomas Jefferson—whom today's New Dealers love to embrace as their progenitor—when he said in a letter to a friend:

"If some termination to the services of the Chief Magistrate be not fixed by the Constitution, or supplied by practice, his office, nominally for years, will in fact become for life; and history shows how easily that degenerates into an inheritance. Believing that a representative government responsible at short periods of election is that which produces the greatest sum of happiness to mankind, I feel it a duty to do no act which shall essentially impair that principle; and I should unwillingly be the first person who * * * should furnish the first example of prolongation beyond the second term of office."

It would be more in keeping with Jeffersonian doctrine than are most of the other innovations which have been clamped upon the country during the last few years in his great name if next winter's annual Jeffersonian dinners (which replenish contemporary political coffers at $100 a plate) should paint a slogan on their walls recalling the words of Jefferson's party, in response to their first President's self-renunciation, acclaiming "the manly and sublime effort which dictated your determination," and significantly deriving "consolation from the consideration that your example may operate on all future Presidents to pursue a course which has added luster to your character, already dear to liberty and your country."

I respectfully suggest to the distinguished President of the United States that nothing would be more fitting or more thrilling than that he should take advantage of next winter's Jefferson dinners to announce his own allegiance to this doctrine. Or the Jackson day dinners (also used for contemporary fiscal rehabilitation) would be equally appropriate, because Old Hickory (another claimed New Deal ancestor) asked in each of his eight annual messages that Presidents be constitutionally limited to one term.

Lest my suggestion be misconstrued by Charley Michaelson, the President's inimitably agile publicity director—who recently said that "It would clarify the present political situation if anybody could tell whether the GOP, its allies and affiliates, were more scared that the President would run for a third term than that he would not run," I must add parenthetically, for myself, that I think he would be the most vulnerable nominee, as a third-term nominee, whom "the GOP, its allies and affiliates" could confront.

This problem is something infinitely more vital than whether somebody is scared or not. It goes to the roots of American institutions. From a purely political standpoint, many of us would confidently welcome the President's renomination for a third term as most clearly personifying the issues which the country must settle at the November polls in 1940. But from the standpoint of American institutional values, it would be happier to have the issue voluntarily settled in advance by the eloquent action of a great and powerful President himself. At any rate, I have the complete conviction that it will be settled—by whichever process—in favor of the Washington-Jefferson precedent which has been impregnable for 150 years. The spirit of democracy is not yet ready for a rendezvous with disintegration.

But we were saying that each time this third-term issue arises the debate always resurrects the age-old contentions about limiting the Presidential tenure by constitutional amendment. Some earnest souls propose a limitation at one term of 7 years. Others propose a general limitation to two terms; others, one term of 6 years, as recently suggested in a split report of the Senate Judiciary Committee.

Then there is a further suggestion, applicable to the immediate 1940 prospectus, which I submitted to my fellow countrymen in a statement last May, and which would prepledge the next Republican nominee to one 4-year term. It has nothing to do with any constitutional change. No constitutional change could possibly become effective, even in the doubtful event that one could be agreed upon, in time to control the President who will be inaugurated in January 1941. Whatever happens in respect to the next President's tenure will still have to happen voluntarily (as is the theory of the existing Constitution). Obviously, this suggestion has nothing to do with Mr. Roosevelt's tenure except as it is predicated upon his retirement or defeat.

I want to discuss this suggestion for a moment. I do not presume to infer that it deserves to be bracketed with other illustrious comments which I have been quoting. But perhaps it merits attention, because I have received 3,912 separate newspaper editorials, pro and con (80 percent pro), upon it.

On May 26, in a discussion of the next Republican Presidential nomination, I said this:

"The next Republican national convention must first set down clean-cut, constructive, courageous principles which dependably promise to save the American system of free enterprise under the renewed spirit of constitutional democracy and to recapture prosperity for our whole people under a government restored to solvency. Then it should fit its nominations to its principles. It must strive to create common ground upon which all like thinkers may unite to produce an administration for all Americans in which a prepledged one-term President is manifestly free of all incentive but the one job of saving America."

It's the tenure which is important to this thesis. One prepledged term.

Why? Because if a Republican President should be elected in 1940, he will not have been elected merely by Republican votes. There is a sector of voters in this country—sufficient to dominate the 1940 outcome—which does not care a fig what party wins, so long as America wins. It was a solidified opposition to the Roosevelt party, regardless of previous partisan affiliations, which gave republicanism its great stimulus last November. It will be a solidified opposition

which will carry it to victory, if at all, in November 1940. Like Lincoln's triumph in 1864, it will be a coalition victory utilizing the machinery of the Republican Party. It will demand a subsequent administration in kindred spirit—which is to say, an all-American administration "manifestly free of all incentive but the one job of saving America." The surest warrant for this outcome will be a prepledged one-term President (who means what he says) who can face the hard decisions which are the price of our emancipation not only without the hampering hobbles of political self-preservation to hold him back, but also without the sinister and destructive suspicious of his needed allies that they are helping to perpetuate a partisan dynasty.

Now let's get back to the abstract question of the Presidential tenure. Here are the two antithetical extremes: On the one hand, three terms for Roosevelt; on the other hand, one term of 4 years for his successor. In between lie the other possibilities—perhaps two 4-year terms, as is the orthodox routine for acceptable Presidents; perhaps a constitutional amendment determining once and for all upon one 6-year term.

But, in spite of my deep conviction that no circumstance yet confronted in American experience could justify a third 4-year term for any President, I want to say for myself that I doubt the wisdom of attempting to change the tenure or to limit it by constitutional amendment. I think these decisions should be left to the patriotic and vigilant American conscience. This in no sense can undermine the good faith of my own one-term proposal, because, as I have previously said, no new constitutional restraints could possibly reach the Constitution by 1940 anyway.

Who shall say that a tradition and a habit against a prolonged Presidency on the one hand, or freedom of action in behalf of a shorter prepledged Presidency on the other hand, is not better and safer than a constitutional stricture which could not be changed to fit one emergency or the other? The one is elastic under pressure of necessity; the other is a self-made barrier—erected by the people against themselves—which is as insurmountable as, in some crises, it might be fatal.

In the presence of 1940, the people are free to elect Mr. Roosevelt for a third term if they wish. They are equally free to choose a prepledged one-term successor to him—or an unpledged two-term successor—if they wish. And since this is their Government, it is illogical to tie their freedom of action. The very fact that proposed constitutional strictures of one sort and another have always excited violent differences of opinion, and have always failed to jell, is the best possible proof that there never could be permanent assurance that any one particular constitutional stricture would fit the changing vicissitudes of time and popular opinion.

Thus far it has always been perfectly safe to leave the decision to the people. So far as the third-term menace is concerned, it probably loomed largest in the person of President Grant. This produced the famous Springer resolution of 1875 in the House of Representatives, when the House, by the overwhelming vote of 234 to 18, resolved that no third term was a fundamental rule of the unwritten law of the Republic. Incidentally, it is significant to note that Grant was succeeded by a prepledged one-termer, President Hayes.

Eight Presidents have held office for two full terms. Two (Lincoln and McKinley) were elected to two terms but were cut down by assassination. Two (Theodore Roosevelt and Coolidge) passed from second to first place and served out full terms subsequently. Of the 14 Presidents who completed a single term, only three (Polk, Buchanan, and Hayes) really made no effort to succeed themselves.

Theodore Roosevelt, when first assuming the Presidency, felt the antithird-term tradition so keenly that he counted the 3½ years of his succession to the martyred McKinley as a full term and said: "The wise custom which limits the President to two terms regards the substance, and not the form, and under no circumstances will I be a candidate for, or accept, another nomination." In 1912, after 4 years' absence from the White House, he altered his doctrine to the extent of saying that the anti-third-term tradition runs against three consecutive terms. He ran again as a nonconsecutive third-termer, and was defeated. If he had lived until 1920, he would probably have been renominated and he would probably have been elected as a nonconsecutive third-termer. Thus the tradition would have been slightly bent if not actually broken. But the fact remains that it wasn't. The disturbing fact also remains that the second Roosevelt likes nothing better than to try to out-Roosevelt the first Roosevelt.

Well, there you are. We have had great varieties of Presidential tenure—thanks to constitutional freedom in respect to it. I think it is probably wisest that both the freedom and the variety should continue. No one can conclusively say precisely how long any one citizen should claim the White House for his home. When Lincoln was asked how long a man's legs ought to be, he replied: "Long enough to reach the ground." That's the safest sort of answer to the question how long the Presidential tenure ought to be. It ought to be long enough—or short enough—to fit the necessities of the contemporary moment.

We may safely leave the decision to the wisdom of the American people. That has been spectacularly true for 150 years. It will still be true in 1940. I have my own ideas what they will say. They may choose a new President, Republican or Democrat, who is a first-termer without restrictive commitment for the future. They may choose a prepledged one-termer because of the immediate exigency. But they will not choose a third-termer at this particular moment, when an upset world finds personal dictators at the throat of democracy and individual liberty all round the globe. They will not hazard an American paraphrase of this tragedy. And one reason they won't is that they probably will not have the chance. Any other eventuality would be unwise, unpatriotic, and fraught with peril to our free institutions.

The PRESIDENT pro tempore. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Ohio [Mr. TAFT] to the amendment of the committee. [Putting the question.]

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question recurs on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

Mr. LANGER. Mr. President, at this time I call up the amendment I have offered for myself and the Senator from Idaho [Mr. TAYLOR] in the nature of a substitute.

First of all, I ask unanimous consent that I may substitute in my amendment, commencing in line 3, page 2, and running to the end of the paragraph, the amendment offered by the Senator from Ohio [Mr. TAFT] which was just agreed to.

The PRESIDENT pro tempore. The Senator has a right to perfect his amendment.

Mr. LANGER. I now ask that the amendment as modified be read.

Mr. TAYLOR. I suggest the absence of a quorum.

The PRESIDENT pro tempore. Does the Senator from North Dakota yield for that purpose?

Mr. LANGER. I yield for that purpose.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Murray
Baldwin	Hayden	Myers
Ball	Hickenlooper	O'Conor
Brewster	Hill	O'Daniel
Bricker	Hoey	Overton
Bridges	Holland	Pepper
Brooks	Ives	Revercomb
Buck	Jenner	Robertson, Va.
Bushfield	Johnson, Colo.	Russell
Byrd	Johnston, S. C.	Saltonstall
Cain	Kem	Smith
Capehart	Kilgore	Sparkman
Capper	Knowland	Stewart
Chavez	Langer	Taft
Connally	Lodge	Taylor
Cooper	Lucas	Thomas, Okla.
Cordon	McCarran	Thomas, Utah
Donnell	McCarthy	Thye
Downey	McClellan	Tydings
Dworshak	McFarland	Umstead
Eastland	McGrath	Vandenberg
Ecton	McKellar	Watkins
Ellender	McMahon	Wherry
Ferguson	Magnuson	White
Flanders	Martin	Wiley
Fulbright	Maybank	Williams
George	Millikin	Wilson
Green	Moore	Young
Gurney	Morse	

The PRESIDENT pro tempore. Eighty-six Senators having answered to their names, a quorum is present.

Mr. LANGER. Mr. President, I ask that my amendment be read by the clerk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out all after the resolving clause and insert in lieu thereof the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in three-fourths of the several States as provided in the Constitution:

"ARTICLE —

"SECTION 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of 4 years, and together with the Vice President chosen for the same term, be nominated and elected as hereinafter provided. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than 2 years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this article shall not apply to any person holding the office of President when this article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this article becomes operative from holding the office of President or acting as President during the remainder of such term.

"SEC. 2. The official candidates of political parties for President and Vice President shall be nominated at a primary election by direct vote of the qualified voters who are members of the respective political parties in the several States. The time of such primary election shall be the same throughout the United States, and unless the Congress shall by law

appoint a different day, such primary election shall be held on the first Wednesday after the first Monday in June in the year preceding the expiration of the regular term of President and Vice President. Persons voting in primaries for candidates for President and Vice President in each State shall have the qualifications requisite for electors of the most numerous branch of the legislature of such State, and shall have been members of their respective political parties for not less than 6 months prior to the holding of such primaries.

"The names which shall appear in each of the States on the primary ballots for candidates of the respective political parties shall be only of those persons who shall have filed petitions at the seat of the Government of the United States with the Secretary of State. Such petitions shall be valid only if filed at least 60 days prior to the day of primary election and if signed by qualified voters in any or all of the several States, equal in number to at least one-tenth of 1 percent of the total number of popular votes cast throughout the United States for all candidates for President (or, in the case of the primary election first held after the ratification of this article, for electors of President and Vice President) in the most recent previous Presidential election.

"SEC. 3. Within 30 days after such primary election, the chief executive of each State shall make distinct lists of all persons of each political party, for whom votes were cast, and the number of votes for each such person, which lists shall be signed, certified, and transmitted under the seal of such State to the seat of government of the United States, directed to the Secretary of State who shall open all certificates and count the votes. The person receiving the greatest aggregate number of popular votes of any party for candidate for President shall be the official candidate of such party, throughout the United States, for President; and the person receiving the greatest aggregate number of popular votes of any party for candidate for Vice President shall be the official candidate of such party, throughout the United States, for Vice President.

"SEC. 4. In the event of the death or resignation of the official candidate of any political party for President, the person nominated by such political party for Vice President shall be the official candidate of such party for President. In the event of the death or resignation of the official candidate of any political party for Vice President, a national committee of such party shall designate a candidate for Vice President who shall then be deemed the official candidate for Vice President of such party, but in choosing such candidate the vote shall be taken by States, the delegation from each State having one vote. A quorum for such purpose shall consist of a delegate or delegates from two-thirds of the States, and a majority of all States shall be necessary to a choice.

"SEC. 5. The electoral college system of electing the President and Vice President of the United States is hereby abolished. The President and Vice President shall be elected by the people of the several States as shall be determined by direct vote of the qualified voters at a general election. The time of such election in each State shall be the same throughout the United States, and unless the Congress shall by law appoint a different day, such election shall be held on the first Wednesday after the first Monday in November in the year preceding the expiration of the regular term of the President and Vice President. The voters in each State shall vote directly for President and Vice President and shall have the qualifications requisite for electors of the most numerous branch of the State legislature. The names of candidates officially nominated in primaries as herein provided, and in addition the names of any independent candidates, shall appear in every State upon the official ballot for the offices of President and Vice President, but names of any such independent candidates shall so appear only following the filing with the Secretary of State of the United States, at least 60 days prior to the day of the election, of petitions signed by qualified voters in any or all of the several States, equal in number to at least one-half of 1 percent of the total number of popular votes cast throughout the United States for all candidates for President.

"SEC. 6. Within 30 days after such election, the chief executive of each State shall make distinct lists of all persons receiving votes for President and all persons receiving votes for Vice President, and the number of votes cast in such State for each, which lists shall be signed, certified, and transmitted under the seal of such State to the seat of government of the United States directed to the President of the Senate. The Congress shall be in session on the 6th day of January, or if such day shall fall on Sunday on the 7th day of January, and on that day the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted. The person having the greatest aggregate number of popular votes for President shall be President, and the person having the greatest aggregate number of popular votes for Vice President shall be Vice President. No person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

"SEC. 7. In the event that it is shown by such certificates that the two persons receiving the greatest number of votes for President have received an equal number of such votes, the House of Representatives shall choose immediately, by ballot, the President. In choosing the President the votes shall be taken by States, the representation from each State having one vote. A quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. If the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the 20th day of January next following, then the Vice President shall act as President, as in the case of death or other constitutional disability of the President. In the event that it is shown by such certificates that the two persons receiving the greatest number of votes for Vice President have received an equal number of such votes, the Senate shall choose the Vice President. A quorum for this purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

"SEC. 8. The Congress shall have power to provide by appropriate legislation for methods of determining any dispute or controversy that may arise in the counting and canvassing of votes for President and Vice President in any such primary or general election. The places and manner of holding such primary or general election shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations. The Congress and the several States shall have concurrent power to prevent fraud and corrupt practices in connection with such primary or general elections.

"SEC. 9. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States as provided in the Constitution within 7 years from the date of its submission to the States by the Congress."

Mr. LANGER. Mr. President, this amendment is substantially the amendment to the Constitution proposed by the late Senator George Norris. As Senators who were here at that time will remember, the question was debated for several weeks.

For many days we have been hearing a great deal on the floor of the Senate about true democracy. We have been hearing a great deal about having the people of the country rule. Every Senator is familiar with the fact that only a comparatively short time ago even Governors were not elected by the people, but were appointed. I remember when United States Senators were not elected by the people, but were elected by the legislatures of the various States. It was stated that if the time ever came when the people elected Senators directly, instead of having them chosen by the legislatures, we would get a very poor quality of United States Senators. Yet it seems to me that we have got along pretty well since that amendment was adopted.

Who today selects candidates for President of the United States? Several years ago I was in North Dakota and picked up a copy of the Minneapolis Tribune. The Republican National Convention was then in progress. In large type it was stated in that newspaper that the Republican Convention was unable to proceed because Andrew Mellon was not able to be present that day. The statement was made that it could not be told who was to be chosen as the candidate of the Republican Party until Andrew Mellon gave the word. That information was on the front page of the Minneapolis Tribune.

I remember when Hiram Johnson was a candidate for the Presidency. At that time I was a member of the committee in my State which was advocating his candidacy. Hiram Johnson went to Chicago. I remember the interview which he gave at that time. The balloting commenced, and he said that the outcome depended entirely upon what Boies Penrose and Philander C. Knox would do.

There is hardly a Member of this body who does not remember the famous Lowden-Wood fight, in which it was charged that delegates were openly purchased, and that sums up to $100,000 were paid for delegates. At that time there was a scandal which finally resulted in the elimination of both Frank O. Lowden and General Wood. I remember that in all the newspapers of any size, at the time Mr. Johnson was a candidate, it was finally announced that a small group of men had met in a smoke-filled room in Chicago and there, in the dead of night, secretly had selected Warren G. Harding to be the candidate for President. It was announced in the morning, even before the convention met, that Mr. Harding would be the candidate.

In connection with the forthcoming convention, the announcement has already been made in the newspapers that seven delegates to the Republican Convention have already been lined up. I do not know whether that is true or not. However, I have talked with a number of persons from Southern States, and it is my judgment that there is some truth to what has been said in that respect.

It seems to me that if the people of the country are fit to elect the mayors of their towns, if they are fit to select the

governors of their States, if they are considered competent to select Members of Congress and United States Senators to represent them in Washington, certainly the people of the country can be trusted to select the candidates of the Republican Party as well as of the Democratic Party, or any other party, for the office of President.

What would it mean if we were to abolish the electoral college? We all remember the bitter and heated campaign of 1940, the campaign in which Franklin Roosevelt set out to break the no-third-term precedent. When the ballots were counted in November Mr. Roosevelt had polled 27,000,000 of the popular vote, and his Republican opponent, Wendell Willkie, rolled up a total of 22,000,000 votes, a difference of 5,000,000 in a total vote of 50,000,000. But note what happened when the electoral college got through with the fantastic formality of electing the President on the basis of electoral votes. If the electoral votes had been based proportionately on the popular vote, Willkie would have had 245 electoral votes, and Mr. Roosevelt would have had 286. Instead, Willkie actually received only 82 electoral votes, and Mr. Roosevelt received 449. Thus we see that the electoral college is not bound by any precept of the Constitution to reflect with any degree of accuracy the will of the people as expressed by the popular vote.

Substantially the same thing happened in 1944. Mr. Roosevelt had a popular majority of less than 3,000,000 votes over Dewey, but when the popular vote had been translated by the electoral college Mr. Roosevelt received 432 electoral votes as against Mr. Dewey's 99.

So it seems to me that the Senate would be doing only what I conceive to be its duty, and what I believe from the bottom of my heart to be absolutely right in a true democracy, by allowing the people to vote for whom they wish to be President of their country. Suppose that in the last election both candidates had been out-and-out isolationists. Then suppose, as has been alleged on this floor time and again, that the country had been in favor of intervention. There would have been no candidate for intervention. Under the proposed amendment that kind of a situation could not take place, because even if both candidates were out-and-out isolationists, there would still be a provision whereby those believing in intervention, by getting a sufficient number of names on a petition, would be able to have a candidate to represent their views.

So I hope from the bottom of my heart that this amendment may be adopted. I ask for the yeas and nays.

Mr. WILEY. Mr. President, I question very much whether the Senate, with the little consideration it has given to this momentous subject, should vote for the pending amendment. The distinguished Senator from North Dakota is, next to the chairman, the ranking Republican on the committee. This question has never had the consideration of the committee. I have attended every meeting, and not once was the amendment proposed. Certainly it is a most revolutionary idea. That does not mean that, after due consideration, if the time were ripe for it, and if the proper mechanism could be devised, the committee would not give favorable consideration to the proposal. I cannot say as to that. However, the committee should at least consider the question. There was plenty of opportunity for consideration of the amendment. The measure which was reported was the result of a joint consultation of the senior Senator from West Virginia [Mr. KILGORE], the Senator from Nevada [Mr. MCCARRAN], and the office force. The subcommittee had no opportunity to go into the question; the committee itself had no opportunity.

My friend from North Dakota referred to true democracy. This Government is not a democracy. It was never conceived of as a democracy. The democracies of the world were equivalent to town meetings on a nation-wide basis, as was Greece at one time. This Government is a government of checks and balances. That is why, in one sense, it is the oldest government on earth aside from Iceland. All other nations have changed their forms of government more or less.

So, Mr. President, it seems to me that Senators, sensing the importance of the innovation suggested, without any question about what they would do under circumstances in which there might be true consultation and true investigation and then a report on the subject, should reject this suggestion.

Mr. HOLLAND. Mr. President, will the Senator from Wisconsin yield for a question?

Mr. WILEY. I am very happy to yield.

Mr. HOLLAND. In the present state of the law, when the age qualification for voting is so different in various States, does it not occur to the Senator that that fact alone would operate as an insuperable obstacle to the successful operation of the proposal of the Senator from North Dakota in that it would not be fair to the people of the several States?

Mr. WILEY. I did not hear the full reading of the proposed substitute. However, I think I have in mind what the Senator has asked. That is a matter of mechanism which might be ironed out in the consideration of the subject by the committee.

Mr. HOLLAND. My question was this: In view of the fact that the age qualification for voting in some States is as low as 18 years and in most States it is 21 years, does it not occur to the Senator that that fact alone would serve as a very real objection to this proposal and would prevent it from being fair as between the people of the several States?

Mr. WILEY. The point the Senator is making is that it would give one State an undue advantage in relation to the number of voters?

Mr. HOLLAND. Yes; exactly.

Mr. WILEY. I think that is something which should be considered in committee. There are many other questions. I should like to make one further point. It is true that through the years political machines have not always operated on the highest moral basis; but we also know that even under present conditions when primaries are held there are evil influences, not because of the primary, not because of the machine, but because of the inherent nature of mankind. I do not wish to get into an argument on that subject, because I doubt whether anyone, even the Senator from North Dakota, has given consideration to the various implications which might follow putting this system into operation.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. LANGER. I have given the question a great deal of study since submitting the proposal 2 years ago. I have had professors study it. I have gone over all the debates from the time when the distinguished Senator from Maryland [Mr. TYDINGS] discussed the question, particularly with the late Senator George Norris.

Mr. WILEY. When was the proposal first offered by Senator Norris?

Mr. LANGER. Nine or ten years ago, when he was chairman of the Committee on the Judiciary, the position now occupied by the distinguished Senator from Wisconsin.

Mr. WILEY. Senator Norris was chairman of the Committee on the Judiciary longer ago than that. He was not chairman at any time the Democrats were in power. It must have been 14 or 15 years ago. I have been here more than 8 years, and I know that the matter was never discussed by this body.

Mr. President, I have said all that I desire to say on the subject.

Mr. TAYLOR. Mr. President, I am the cosponsor of this amendment with the distinguished senior Senator from North Dakota. I am not an old hand at politics, but as far back as I can remember I have heard people talk about politics. I have heard the average citizen question the wisdom of the electoral college method of electing Presidents, and ask why we do not vote for Presidents directly as we vote for other officials. I know that nominating conventions cannot represent the will of the people so well as the people themselves can in a direct primary or by voting directly for the candidates of their choice. As it is today, in any political convention the man seeking office does not have to seek the favor of the people in the first instance. He has to court the favor of politicians in many ways, and very often of special-interest groups. Economic special-interest groups can bring particular pressure to bear upon conventions, and one has to promise to behave in order to get their support. I feel that it would be much more democratic procedure for the people to nominate their candidates for President and Vice President directly. We would then have men who would not be bound by promises wrung from them in return for the support of various factions, groups, or special interests.

Under the present system there are so many electoral votes allotted to each State, and it does not matter whether the voters vote or not, the electoral votes are there. I certainly believe that a greater injustice in the matter of actual representation of the people who vote is done by that system than would result because of any difference in the age requirements of the various States, as was

pointed out by the Senator from Florida [Mr. HOLLAND].

So, Mr. President, I favor this amendment, and I hope it will prevail, because it is the most democratic procedure. I believe in democracy and in rule by the people insofar as that is humanly possible.

Mr. LUCAS. Mr. President, may I inquire of the majority leader what the program is from now on?

Mr. WILEY. If I may answer for the majority leader, my understanding is that we are to proceed through the evening to try to get a vote, and then proceed to the consideration of the portal-to-portal pay measure.

Mr. LUCAS. Are we to have a brief recess for dinner?

Mr. WILEY. As I understood the program announced the other day by the Senator from Ohio [Mr. TAFT], there is to be a recess. That was the plan at that time.

Mr. LUCAS. The only reason I make the inquiry is that one Senator who talked to me did not know that there was to be a night session.

Mr. WHITE. Mr. President, of course we had hoped that the joint resolution might be finally disposed of this evening, probably by 5:30. If it is not so disposed of, my intention is to move to recess until 7 o'clock this evening and then resume the consideration of this matter; and if it is concluded within a reasonable time after reassembling at 7 o'clock, a motion will be made to make the portal-to-portal pay legislation the unfinished business of the Senate.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. WHITE. I yield.

Mr. TYDINGS. I think most of us understand all the amendments that have been proposed, including the pending amendment. I was wondering whether the majority leader would consider making a unanimous-consent request that at the hour of quarter of 6 the Senate proceed, without further debate, to vote on the pending amendment and all other amendments, until the joint resolution is finally disposed of.

Mr. GREEN. Mr. President, I should feel obliged to object if such a request were made.

Mr. TYDINGS. I withdraw the suggestion.

Mr. WHITE. Mr. President, I was about to say that I have had sufficient experience in the Senate to realize that it is not easy to secure agreement on a time for voting, and I would not wish to make such a request.

Mr. WILEY. May we have a vote, Mr. President?

The PRESIDING OFFICER (Mr. COOPER in the chair). The question is on the amendment in the nature of a substitute proposed by the Senator from North Dakota [Mr. LANGER] and the Senator from Idaho [Mr. TAYLOR]. The Senator from North Dakota has requested the yeas and nays. Is the demand seconded?

The yeas and nays were ordered.

Mr. WHITE. Mr. President, inasmuch as the yeas and nays have been ordered on the amendment, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hayden	Myers
Baldwin	Hickenlooper	O'Conor
Ball	Hill	O'Daniel
Brewster	Hoey	O'Mahoney
Bricker	Holland	Pepper
Bridges	Ives	Revercomb
Brooks	Jenner	Robertson, Va.
Buck	Johnson, Colo.	Russell
Byrd	Johnston, S. C.	Saltonstall
Capehart	Kem	Smith
Capper	Kilgore	Sparkman
Chavez	Knowland	Stewart
Connally	Langer	Taft
Cooper	Lodge	Taylor
Cordon	Lucas	Thomas, Okla.
Donnell	McCarran	Thomas, Utah
Downey	McCarthy	Thye
Dworshak	McClellan	Tydings
Eastland	McFarland	Umstead
Ecton	McKellar	Vandenberg
Ellender	McMahon	Watkins
Ferguson	Magnuson	White
Flanders	Maybank	Wiley
George	Millikin	Williams
Green	Moore	Wilson
Gurney	Morse	Young
Hawkes	Murray	

The PRESIDING OFFICER. Eighty Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. LANGER] and the Senator from Idaho [Mr. TAYLOR], in the nature of a substitute for the joint resolution as amended. On this question the yeas and nays have been demanded and ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ELLENDER (when Mr. OVERTON's name was called). My distinguished colleague the senior Senator from Louisiana [Mr. OVERTON] was compelled to leave the Chamber because of illness. He authorized me to announce that if present and voting, he would vote "nay."

The roll call was concluded.

Mr. WHITE. I announce that the Senator from Kansas [Mr. REED], who is absent because of illness, is paired with the Senator from New York [Mr. WAGNER].

The Senator from Pennsylvania [Mr. MARTIN] is necessarily absent on committee business. If present and voting, he would vote "nay."

The Senator from Nebraska [Mr. WHERRY] is absent on official business.

The Senator from South Dakota [Mr. BUSHFIELD] is necessarily absent. If present and voting he would vote "nay."

The Senator from Nebraska [Mr. BUTLER] and the Senator from Wyoming [Mr. ROBERTSON] are absent because of illness.

The Senator from Washington [Mr. CAIN] is absent by leave of the Senate; the Senator from Nevada [Mr. MALONE] is necessarily absent on state business; and the Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate on official business.

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. BARKLEY] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Rhode Island [Mr. MCGRATH] are unavoidably detained.

The Senator from New Mexico [Mr. HATCH] is detained on public business.

If present and voting, the Senator from Arkansas [Mr. FULBRIGHT] would vote "nay."

The result was announced—yeas 14, nays 66, as follows:

YEAS—14

Aiken	Langer	Pepper
Chavez	McCarthy	Taylor
Downey	Morse	Williams
Green	Murray	Young
Kilgore	O'Conor	

NAYS—66

Baldwin	Hawkes	Moore
Ball	Hayden	Myers
Brewster	Hickenlooper	O'Daniel
Bricker	Hill	O'Mahoney
Bridges	Hoey	Revercomb
Brooks	Holland	Robertson, Va.
Buck	Ives	Russell
Byrd	Jenner	Saltonstall
Capehart	Johnson, Colo.	Smith
Capper	Johnston, S. C.	Sparkman
Connally	Kem	Stewart
Cooper	Knowland	Taft
Cordon	Lodge	Thomas, Okla.
Donnell	Lucas	Thomas, Utah
Dworshak	McCarran	Thye
Eastland	McClellan	Tydings
Ecton	McFarland	Umstead
Ellender	McKellar	Vandenberg
Ferguson	McMahon	Watkins
Flanders	Magnuson	White
George	Maybank	Wiley
Gurney	Millikin	Wilson

NOT VOTING—15

Barkley	Hatch	Reed
Bushfield	McGrath	Robertson, Wyo.
Butler	Malone	Tobey
Cain	Martin	Wagner
Fulbright	Overton	Wherry

So the amendment of Mr. LANGER and Mr. TAYLOR was rejected.

Mr. O'DANIEL. Mr. President, I send to the desk an amendment in the nature of a substitute for the joint resolution. I have changed the printed copy by leaving out section 4. I ask that the proposed amendment be read.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. It is proposed to strike out all after the resolving clause and to insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States.

"ARTICLE—

"SECTION 1. The term of office of each President of the United States and of each Vice President of the United States elected after the date of this article takes effect shall be 6 years; and no person who shall have served as President or Vice President shall be eligible for election to the office of President or the office of Vice President.

"SEC. 2. No person shall be eligible for election or appointment to the office of Senator or Representative in Congress for any term which, if served by such person, would cause the aggregate service of such person as a Member of either or both the Senate and the House of Representatives to exceed 6 years.

"SEC. 3. Nothing contained in section 1 or section 2 of this article shall be construed to prevent any person who may hold the office of President, Vice President, Senator, or Representative in Congress during the term within which this article is ratified from holding such office for the remainder of such term.

"SEC. 4. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legis-

latures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress."

Mr. O'DANIEL. Mr. President, my amendment, offered as a substitute, merely differs from the pending joint resolution by including all the elected Federal officials in the limitation of tenure of office, and limiting the tenure to 6 years.

It is my considered opinion that the subject before the Senate at the present time is one of the most important problems ever presented to this body. It is a fundamental problem. It is not just a passing controversy. It is of such a fundamental nature that our forefathers who wrote our Constitution, with all their keen insight into the future, saw it clearly as a fundamental problem, but with all their wisdom deemed it wise to postpone decision until years of experience as a democratic republic would shed more light on the subject.

We cannot, Mr. President, without abandoning our duty as Senators, brush by this fundamental problem with a lick and a promise. The time has arrived for us to act. The hour has struck for us to make the decision which the framers of our Constitution bequeathed to future generations, because they thought lack of time and experience disqualified them from making that all-important decision. To say that we do not possess the experience they lacked is to disavow the truth. We have the benefit of over 170 years' experience which they did not have.

I also believe we should confine our discussion to the subject of office tenure. Since the beginning of our Republic there has been no constitutional limitation on the length of time Federal elected officials could serve. We are now considering placing a limitation on the Presidency. Why should we apply a limitation on only one Federal office, Mr. President? Is it to be claimed or assumed or insinuated that the evil of long tenure in public office can exist only in one of the many Federal elective offices? If long tenure in public office is an evil which should be abolished, it certainly must be an evil that applies to all public offices in our Federal Government. My substitute resolution applies limited tenure to all elective Federal offices.

Mr. President, the principal difference between a monarchical form of government and a representative democracy is the length of tenure of the officials. Our forefathers recognized this difference, and to guard against long tenure they established terms of only 2 years for Congressmen, 4 years for the President and Vice President, and 6 years for Senators. Then they placed the authority to extend the tenure of all these offices in the hands of the voters of the Nation. They also placed in the hands of the voters of the Nation the power to limit the tenure by amending the Constitution. We are now considering this latter course.

In seeking to include all Federal elective offices instead of one office, that of the Presidency, surely I cannot be charged with inconsistency or selfishness. There are some people who believe that much harm has been done to our Nation by the two-term precedent of Presidency being broken. Others say they believe much benefit was gained by that incident. But, Mr. President, who can say that all the harm done or all the benefit gained was directly attributable to the President? In other words, could not some of this damage or some of the benefits have been charged to or credited to the long tenure of other duly elected Federal officials? Surely we have not reached the point were we to admit that the President alone is running this Nation. If we are going to change our elective system from unlimited tenure of office to a restricted tenure, under what system of reasoning can we apply the change to only one of the many elective offices, that is, the Presidency?

I also find that there is among our people a deep-rooted suspicion that some public officials have more interest in doing the things that will get themselves reelected, instead of doing the things that are best for the rank and file of our people. That opinion may be harsh and may be ill-founded, or it may be true in some cases. But, Mr. President, that suspicion could not exist regarding the President or Vice President, or any of the Senators, if we abolish reelections, as the adoption of my amendment would do.

So, Mr. President, while I do not entertain much hope of having my proposal adopted at this time, I do propose it in all sincerity, because I believe such an amendment to our Constitution would be highly beneficial to the people of the United States, and I am confident that they would gladly welcome the opportunity to ratify it if it were submitted to them. I hope it will be submitted.

Mr. President, I ask for the yeas and nays on this question.

The yeas and nays were ordered.

Mr. WILEY. Mr. President, in relation to this amendment, the committee, as I understand, did not have this proposal before it. It was introduced on March 7, while the House joint resolution was reported by the committee on February 21.

Mr. O'DANIEL. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. O'DANIEL. If the distinguished chairman of the committe will look up the record, he will find that my amendment was introduced early in the Eightieth Congress and was considered by the committee. Hearings were held. I was present, and presented my amendment to the committee, and it was considered.

Mr. WILEY. I stand corrected, then, Mr. President.

SEVERAL SENATORS. Vote! Vote!

Mr. WILEY. Very well; let us have a vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. O'DANIEL], on which the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ELLENDER (when Mr. OVERTON'S name was called). I again announce that my distinguished colleague the senior Senator from Louisiana [Mr. OVERTON] was compelled to leave the Chamber because of illness. He authorized me to say that, if present and voting, he would vote "nay."

The roll call was concluded.

Mr. WHERRY. I announce that the Senator from South Dakota [Mr. BUSHFIELD] is necessarily absent. If present and voting, he would vote "nay."

The Senator from Kansas [Mr. REED] who is absent because of illness, is paired with the Senator from New York [Mr. WAGNER].

The Senator from Nebraska [Mr. BUTLER] and the Senator from Wyoming [Mr. ROBERTSON] are absent because of illness.

The Senator from Washington [Mr. CAIN] is absent by leave of the Senate; the Senator from Nevada [Mr. MALONE] is necessarily absent on state business; and the Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate on official business.

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. BARKLEY] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from New Mexico [Mr. HATCH] is detained on public business.

The Senator from Rhode Island [Mr. McGRATH] is unavoidably detained.

Each of the Senators whose absences I have announced would vote "nay" on this question if present.

The result was announced—yeas 1, nays 82, as follows:

YEAS—1

O'Daniel

NAYS—82

Aiken	Hayden	Myers
Baldwin	Hickenlooper	O'Conor
Ball	Hill	O'Mahoney
Brewster	Hoey	Pepper
Bricker	Holland	Revercomb
Bridges	Ives	Robertson, Va.
Brooks	Jenner	Russell
Buck	Johnson, Colo.	Saltonstall
Byrd	Johnston, S. C.	Smith
Capehart	Kem	Sparkman
Capper	Kilgore	Stewart
Chavez	Knowland	Taft
Connally	Langer	Taylor
Cooper	Lodge	Thomas, Okla.
Cordon	Lucas	Thomas, Utah
Donnell	McCarran	Thye
Downey	McCarthy	Tydings
Dworshak	McClellan	Umstead
Eastland	McFarland	Vandenberg
Ecton	McKellar	Watkins
Ellender	McMahon	Wherry
Ferguson	Magnuson	White
Flanders	Martin	Wiley
Fulbright	Maybank	Williams
George	Millikin	Wilson
Green	Moore	Young
Gurney	Morse	
Hawkes	Murray	

NOT VOTING—12

Barkley	Hatch	Reed
Bushfield	McGrath	Robertson, Wyo.
Butler	Malone	Tobey
Cain	Overton	Wagner

So Mr. O'DANIEL'S amendment was rejected.

Mr. O'DANIEL. Mr. President, I hope the Senate will give me credit for one thing, and that is getting the Democrats and Republicans together on one subject. [Laughter.]

The PRESIDENT pro tempore. Are there any further amendments to be offered to the joint resolution? If not, the question is on the engrossment of the amendment and the third reading of the joint resolution.

Mr. GREEN. Mr. President, I desire to speak to the joint resolution, but not in favor of it, and not against it. In this proceeding I have listened with a great deal of interest to the debate on different phases of the subject. I was particularly interested in the address delivered by the Senator from North Dakota [Mr. LANGER] because he covered a number of different phases, which, it seemed to me, should be covered, and should be considered. For that reason, in the last session of the Congress, the Senator from New Jersey [Mr. SMITH] and I submitted a concurrent resolution providing for the appointment of a joint committee to study and report on all phases of the question. The concurrent resolution was reported favorably by the committee to which it was referred. It was acted on favorably by the Senate itself, and went to the House of Representatives, where it was referred to a committee, but was not reported from the committee.

The first day of the present session of Congress the Senator from New Jersey and I submitted a concurrent resolution, not exactly in the same form as the one submitted in the previous session, but in the main in the same form in which it passed the Senate at the last session. I wish to draw the attention of the Senate to its importance since it suggests many questions which are not generally considered in this connection, but which we believe should be so studied.

The resolution provides that the joint congressional committee shall make a report as to these matters with the purpose of making the law certain as to the Presidential election and succession. These matters shall include, but shall not be confined, to the following—and I suggest, Mr. President, that Senators think over the desirability of making certain the solution of these questions which may occur, and which sometimes have occurred:

1. Whether or not the President and Vice President should be elected by the Electoral College, as at present, and if so whether or not the members should be legally bound to vote in accordance with their instructions.

There is no provision in the law as to that.

2. Whether or not provision should be made for the case where before the election of Presidential electors, or after such time but before the election of President and Vice President, a candidate for the Presidency or for the Vice Presidency dies, declines to run, or is found ineligible to take office if elected.

3. Whether or not provision should be made for the case of the death of any of the individuals from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

4. Whether or not provision should be made for the case where, after election, the President-elect, or Vice President-elect, or both, die, decline to serve, or fail to qualify.

5. How it shall be determined whether the President, or individual acting as President, is unable to execute the powers and duties of the office, and how the duration of such inability shall be determined.

That in our time has happened twice, and there is no solution of the question available in the law.

6. Whether or not provision should be made for an individual to execute the office of President in case of removal, death, resignation, or inability, both of the President and Vice President, including provision for selecting an individual to execute such office in cases where by reason of removal, death, resignation, or inability there is no individual upon whom the powers and duties of such office would otherwise automatically devolve.

7. Whether there are, or should be, any differences between the status, powers, duties, and privileges of an elected President and any other individual executing the office of President.

8. Whether or not there should be any limitation on the number of terms a person may serve as President.

At this session there have been approximately 21 bills and resolutions introduced relating to some of these subjects, most of them relating to one of them. It seems to me inadvisable that they should be considered separately. They are all interwoven. Under the wonderful reorganization which we are experiencing, some of the bills and resolutions have been referred to some committees, and others of them to other committees. The measure we have before us came from the Committee on the Judiciary.

Since the middle of last week, the Committee on Rules and Administration has been holding hearings on other measures which have been introduced on some of these subjects, including the one to which I now refer, Senate concurrent resolution 1. Within a short time that committee will probably reach conclusions as to all the matters which have been referred to it. It seems to me that the Senate ought to have the benefit of the report which that committee may make on the measures which have been referred to it, especially on the bill providing for the appointment of a joint committee of the Senate and House to consider all these subjects and make a report.

We do not wish to have a succession of constitutional amendments proposed for the same session of the Congress. The various States do not wish to have a succession of votes on various constitutional questions submitted to them. These questions have been under consideration since 1792, and the arguments for and against various schools of thought have gone back and forth. Solutions to some of these questions have been found in part. Solutions to all of them ought to be found. We ought to be certain, at least, what the law is, in case these emergencies arise—and they will be emergencies when they do arise. It is more important to have the law certain in these respects than it is to have the best law we could devise. I hope that in each instance the best law can be found, but it is more important that we have some solution, and make the law certain.

For that reason I am moving that this subject be postponed for 2 weeks, that is, until Wednesday, March 26. By that time I trust that the Committee on Rules and Administration, to which some of these questions have been referred, and which has been holding hearings on some of them, may be able to report. Then the Senate can decide whether it wishes to deal with each question separately, as is now proposed, or whether it wishes to deal with them by referring them all to a joint committee of the Senate and House for study and report. I think such study and report should be within a limited time, so that this session of the Congress may act upon the report when it is made.

I move that further consideration of the pending joint resolution be postponed until Wednesday, March 26.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Rhode Island.

Mr. TAFT. Mr. President, is the motion debatable?

The PRESIDENT pro tempore. The motion is debatable.

Mr. TAFT. I only wish to point out that we have considered this measure for 3 or 4 days. Senators have made up their minds, and I see no reason why we should not vote on the joint resolution tonight.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Rhode Island [Mr. GREEN] that further consideration of the pending joint resolution be postponed until Wednesday, March 26. [Putting the question.]

The motion was not agreed to.

The PRESIDENT pro tempore. The question is on the engrossment of the amendment and the third reading of the joint resolution.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time.

The PRESIDENT pro tempore. The joint resolution having been read the third time, the question is, Shall it pass?

Mr. PEPPER. Mr. President, as I have notified the majority leader, I wish to address myself for a few moments to the joint resolution. I suggested to the majority leader that inasmuch as we are to return for a night session anyway, I would naturally much prefer to make my remarks when we reconvene at 7 o'clock. I wish that might be possible.

Mr. WHITE. Mr. President, the understanding has been that we would take a recess at approximately half past five and reassemble at 7 o'clock. If the Senator's remarks are to be brief, and would consume only 10 or 15 minutes, that would be one thing. But if the Senator warms to his subject, as he sometimes does, I am apprehensive that he may run beyond the suggested limitation of time. Is the Senator in a position to indicate how long he wishes to speak?

Mr. PEPPER. A Senator can never tell when he begins a speech in the Senate just how long it will last or how many interruptions there will be. I would not wish to violate my obligation to my friend, so I had better not make an estimate.

RECESS

Mr. WHITE. Mr. President, in view of the uncertainty of the situation, I move that the Senate stand in recess until 7 o'clock this evening.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate took a recess until 7 o'clock p. m.

EVENING SESSION

The Senate reassembled on the expiration of the recess.

Mr. PEPPER obtained the floor.

Mr. McFARLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. Does the Senator from Florida yield for that purpose?

Mr. PEPPER. I yield.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hayden	Myers
Baldwin	Hickenlooper	O'Conor
Ball	Hill	O'Daniel
Brewster	Hoey	Pepper
Bricker	Holland	Reed
Bridges	Ives	Revercomb
Brooks	Jenner	Robertson, Va.
Buck	Johnson, Colo.	Saltonstall
Bushfield	Johnston, S. C.	Smith
Byrd	Kem	Sparkman
Capehart	Kilgore	Stewart
Capper	Knowland	Taft
Connally	Langer	Taylor
Cooper	Lodge	Thomas, Okla.
Cordon	Lucas	Thomas, Utah
Donnell	McCarthy	Thye
Downey	McClellan	Tydings
Dworshak	McFarland	Umstead
Eastland	McGrath	Vandenberg
Ecton	McKellar	Watkins
Ellender	McMahon	Wherry
Ferguson	Magnuson	White
Flanders	Martin	Wiley
Fulbright	Maybank	Williams
George	Millikin	Wilson
Green	Moore	Young
Gurney	Morse	
Hawkes	Murray	

The PRESIDENT pro tempore. Eighty-two Senators having answered to their names, a quorum is present.

ORDER OF BUSINESS

Mr. WILEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Wisconsin?

Mr. PEPPER. I yield.

Mr. WILEY. I wish to submit a unanimous-consent request, that following the disposition of the pending joint resolution the portal-to-portal pay bill be made the unfinished business.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin?

Mr. LUCAS. Reserving the right to object, it has been rumored that if the portal-to-portal pay bill should be made the unfinished business, the Senate would then take up the nomination of David E. Lilienthal. Is there anything to that, or will we go through with the portal-to-portal bill once we start on it?

Mr. WILEY. I have no knowledge whatever of what the Senator from Illinois refers to. It seems to me that would be a matter for further disposition of the Senate in connection with the Executive Calendar. But I have had no consultation about it, nor has anyone spoken to me on that subject.

Mr. WHITE. Mr. President, will the Senator from Wisconsin yield?

Mr. WILEY. I yield.

Mr. WHITE. Was it the Senator's request that now, at this time, the unfinished business be laid aside and that the portal-to-portal pay bill be taken up?

Mr. WILEY. That following the disposition of the present pending business, the portal-to-portal pay bill be made the unfinished business.

Mr. HILL. Mr. President, why should the Senator from Wisconsin follow the rather unusual procedure of asking unanimous consent that when the pending business shall be disposed of the so-called portal-to-portal pay bill shall be made the unfinished business? The usual practice is to proceed with a matter until it is disposed of. When the pending matter shall be disposed of, I take it the Senator from Wisconsin will have no difficulty in being recognized by the occupant of the chair to make a motion to proceed to the consideration of the bill to which he has referred. I think it is much better to proceed in the usual way, to make a motion after the pending joint resolution shall have been disposed of.

Mr. LUCAS. I object.

The PRESIDENT pro tempore. Objection is made. The Senator from Florida has the floor.

THE PRESIDENTIAL TERM

The Senate resumed the consideration of the joint resolution (H. J. Res. 27) proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

Mr. PEPPER. Mr. President, the pending question is whether or not the Senate by a two-thirds vote shall agree to submit to the people of the United States for ratification, through their legislatures, the following proposed amendment to the Constitution of the United States:

> No person shall be elected to the office of the President more than twice, and no person who has held the office of the President, or acted as President, for more than 2 years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this article shall not apply to any person holding the office of President when this article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this article becomes operative from holding the office of President or acting as President during the remainder of such term.

Mr. President, that is the language proposed by the distinguished senior Senator from Ohio [Mr. TAFT] and adopted by the Senate this afternoon. In express language it excepts from the operation of the proposal the present occupant of the White House, and it would also except the President of the United States at the time the amendment should become operative, should it be properly ratified by the legislatures of three-fourths of the States.

Mr. President, I shall not, directly or indirectly, question or attack the motives of those who are either the sponsors or the supporters of the proposed amendment. But I cannot refrain from saying that in my opinion the effect of it, the way it will be construed by the people of our country and of the world, is that it is aimed directly at the Presidency and the record of Franklin D. Roosevelt.

Why do I say that, Mr. President? The intended amendment to the Federal Constitution is of course a constitutional limitation upon the right and present power of the people of this country, in free elections, to elect one to be the highest magistrate in the land. I say that not only because the proposal emanates from a party other than the party of President Franklin D. Roosevelt. I dare say its principal supporters are in that party, as has been manifest on the floor. I say that, Mr. President, because in the 158 years of the duration of this Government under the Constitution of the United States with the present unlimited power of the people to elect a qualified man to the office of President as many times as they may see fit to elect him, no Congress has ever proposed to the country an amendment to the Constitution to deprive the people of that power, and no man has ever thrice, much less four times, been elected to the highest office within the gift of a sovereign people, save Franklin Delano Roosevelt. And, as Patrick Henry said, Mr. President:

> We have no light to guide our footsteps in the future except the lamp of the past.

Therefore those who are the sponsors and the supporters of the proposed amendment to the Constitution must find in the record of Franklin D. Roosevelt something which in their opinion justifies this radical deprivation of free franchise from the people of the United States to elect their own President.

Therefore I say, Mr. President, it seems to me it was intended to and it does submit to the Congress and to the country a referendum on the question of whether the people of the United States, under the circumstances then prevailing, were right in the election of Franklin D. Roosevelt to a third and to a fourth term as President of the United States.

Mr. President, what is proposed to be done by this resolution is in a time of relative calm and quietude to deprive the people of the power to choose their President in a moment of crisis. Let it be remembered that this Senate, this country, this world, are not the same Senate, the same country, the same world as they were in November 1940, nor the same as in November 1944. All we have to do, Mr. President, is to imagine the rivers of blood that have flowed since November 1940 and 1944 to give this country its present calm and quietude, to give democracy on earth the stability and the assurance which it enjoys today.

Mr. President, it is not easy for us as we sit here now in the calm which has been won by the blood and maimed bodies of so many who have given themselves for their country, to remember the crisis which faced the world in 1940, in November, when the people of the United States elected Franklin D. Roosevelt for the first time in their history to a third term. It is not always remembered how decisive was the judgment of the people in November 1940, and November 1944.

The able Senator from Alabama [Mr. HILL] placed figures in the RECORD in his distinguished remarks only a few days ago, and pointed out that in 1940 27,243,466 Americans voted for Franklin D. Roosevelt to continue in office for a third term. This constitutional amendment, if it had become a part of the Constitution prior to that date, would have

thwarted the will of an overwhelming majority of the people of the United States. Twenty-two million three hundred and four thousand seven hundred and fifty-five Americans voted for Wendell Willkie. So a majority of approximately 5,000,000 votes were cast for Franklin D. Roosevelt for a third term over as worthy an opponent as ever sought the suffrage of the people of this country for their highest office.

Mr. Roosevelt received 449 electoral votes, while Mr. Willkie received only 82 electoral votes. Does that indicate, Mr. President, whether the judgment of the people of this country at that time, in the face of the crisis then confronting them, was decisive?

Mr. Roosevelt carried 38 out of the 48 States.

In 1944, the Senator from Alabama continued, the question was not a third term, but a fourth term for Mr. Roosevelt. He received 25,603,152 votes and Mr. Dewey received 22,006,616 votes. In other words, Mr. Roosevelt received approximately 3,600,000 more votes than Mr. Dewey did when the question was whether Mr. Roosevelt should be elected for a fourth term. Mr. Roosevelt then received 432 electoral votes. Mr. Dewey received only 99 electoral votes. Mr. Roosevelt carried 36 States, or three-fourths of all the States of the Union when he was running for election for a fourth term. And incidentally, Mr. President, in both those elections President Franklin D. Roosevelt carried a sufficient number of States in the country to justify the ratification of a constitutional amendment—three-fourths of all the States. There was a referendum submitted to the people, not to the legislatures, as the present amendment contemplates. I suppose I am correct, that the previous action of the Senate that the ratification shall be by legislatures is contained in the amendment now before the Senate.

That was a referendum, Mr. President, by the people whose sons would have to make the sacrifice necessary to secure and to protect America. In my opinion, that was a democratic referendum, and the decision was authoritative beyond any possible cavil or question.

Now, Mr. President, let it be remembered that when the people of the United States cast the vote for Franklin D. Roosevelt in November of 1940 to be for the first time the breaker of the anti-third-term precedent, the clouds of war that would engulf America as well as Europe were already dangerously looming on the American horizon. Let it be remembered that as early as Dunkerque, in June of 1940, the President of the United States, while persistently working and earnestly praying for peace, realized that if America was to remain secure against totalitarian aggression America had to give assistance to the victims of Hitler's cruel assaults on the other side of the Atlantic.

If Senators will pardon a personal reference, I shall never forget the day when I went to see President Roosevelt about some matter, and as I sat down in the chair beside him he pulled open his desk drawer and took out several sheets of paper, which he handed to me. He said, "I thought you would be interested in that." I glanced at it, and it seemed to be a catalog of a great quantity of machine guns, a considerable amount of shells, of light arms, equipment, and weapons of war. As I looked upon it the President said, "I have just sent those to England. I pray they get there before it is too late." That was right after Dunkerque in 1940. He had, without authority of law, without even the technical right to make a disposition of American property, in order to save America and possibly to save American blood, sent a million, I believe, of light arms and a large quantity of ammunition to Great Britain at a time when Britain did not have 10,000 armed men on the British Isles to defend them against aggression if Hitler's assault had struck that tight little island. Yes, the American people knew that, Mr. President.

It was along about that time, and about 3 weeks before the Democratic convention in 1940, that I recall the President saying, "I want to go home. I want to go home." In that man's face there was not only physical and mental fatigue, but there was the anguish of a tremendous decision to be made in his own great head and heart. He was wrestling with the traditional decision of Washington, Jefferson, and other Americans. He wondered whether the emergency justified his asking the American people to permit him to be the instrument to break that almost sacred political tradition. I heard him say over the telephone to the Democratic convention in 1940, when the platform subcommittee had written into a resolution language which would prevent him from effectually defending America, or make him break his word if he did it, "I will not accept the nomination on those conditions. It would make me violate my obligation to the American people or forfeit my duty to defend and protect America."

The understanding hearts of the people of the country and the glowing pages of history will attest that no man struggled so much with that decision as did Franklin D. Roosevelt. He concluded, as did his party, which had never nominated anyone for a third term, and which had a record of fidelity to the principles of democracy which I dare say is not excelled by the record of any other political party in the country, that the emergency of the then circumstances demanded, for the sake of the safety and security of America, the continuation in the Presidency of the experience which no other living man besides Franklin D. Roosevelt possessed. The obligation of America to defend democracy on earth was greater than the peculiar tradition against a third term which may have been justified upon distinguishable facts, and which may have been fathered even by the Father of our Country.

Franklin D. Roosevelt dared to risk the denunciation of his fellow countrymen and history by failing in what his enemies would call a grasp for power, in order that he might give the best he had—and it was later his life—in the defense of America.

We do not always recall that it was on September 3, 1940, after President Roosevelt had been nominated by the Democratic convention in Chicago, that the destroyer deal, the transfer of 50 American destroyers to hard-pressed Britain, was consummated in exchange for a 99-year lease on strategic bases in the Western Atlantic. It is easily forgotten that the transfer of those 50 destroyers, courageously undertaken, as was the shipment of the 1,000,000 rifles and machine guns after Dunkerque, may have been the salvation of Britain, sorely pressed as she then was. It is easy to forget the battle of Britain as we sit here in the calm of the Senate, in the security of a country which has its security because so many have died that we might possess it. As we sit here this evening we do not remember what the British people were saying to us. We do not remember that one of the greatest war leaders of all times, Winston Churchill, was telling Franklin D. Roosevelt how long the British could stand up and preserve the bastion of our own later defense if such help as that were not given them by the Government of the United States.

We do not always remember that had we not had a courageous President at that time, who dared to risk impeachment, Britain might not have survived. President Roosevelt had no congressional authority either to transfer light arms to Britain after Dunkerque or the 50 destroyers; nor had he any congressional authority to start the wheels of our factories moving in America in order that a trickle, at least, of supplies might start toward Britain in the moment of her severest trial. The destroyers were transferred on September 3, 1940.

I wonder how many of us remember when the Selective Service Act was passed. That was September 16, 1940, on the eve of the November election. That was when political advisers, thinking less about America than about the election, were telling Franklin D. Roosevelt that it was political suicide to put a selective-service law into effect in the very shadow of the November election, when he was seeking an unprecedented third term. But again Franklin D. Roosevelt put America ahead of politics and ran the risk that Americans would not patriotically respond to the appeal of his courageous leadership. They responded, without any question of doubt.

Mr. President, that was all before the November election in 1940. Perhaps we have forgotten that the First War Powers Act was passed on December 18, 1940, before Roosevelt began to serve his third term, but after his election.

What happened after the election of President Roosevelt in November 1940? If I mention nothing else, Franklin D. Roosevelt was responsible in his third term for an event of transcendent importance. He was responsible for the passage of the lend-lease law. It was his genius which conceived the possibility of American all-out economic aid to the hard-pressed Allies. That event alone would entitle him to one of the greatest tributes in all history.

Why do I say that? The Lend-Lease Act passed by the Congress became effec-

tive on March 11, 1941. I think I can call two witnesses whose testimony is worthy of consideration. One of them is Winston Churchill, who said that lend-lease saved Britain. How much is Britain worth? How much was it worth to the Allied cause and to democracy and decency on earth that the British people be spared the noose of the conqueror around their necks and the cruel heel of the tyrant upon their bodies?

The other witness is Joseph Stalin, who said that lend-lease saved Russia. How many Americans did it save? How many sons of Senators came back alive from the war who would not otherwise have come back at all, or might have come back maimed had they returned, were it not for the millions of Russian men and women in uniform who laid down their lives to crush the common enemy, Adolf Hitler? The Soviet Ambassador in Washington told me that there were 7,000,000.

Does anyone think that a new man coming into the White House as a result of the November election of 1940 could have achieved the enactment by Congress, with the support of the country, of lend-lease legislation in March 1941?

Perhaps there are some who forget the bitterness of debate in the forum of public opinion in America and in the Congress before we were ever able to give our assent to that legislation. It is not so easy for some of us to forget it. If I may be permitted to say so, I had the honor to be hanged in effigy on an oak tree in front of the United States Capitol by a group of ladies who called themselves patriots, and purported to act with sincerity. I shall not question either their patriotism or their sincerity. The reason was that I, from a conscientious conviction that it was essential to the salvation of America and democracy on earth, had dared to offer the first lend-lease resolution that was offered in the Congress, in May 1940, and an amended resolution a few days later, and had done what I could in the Congress and in the country to persuade public opinion and the Congress to adopt that measure, which the President had courageously conceived and recommended.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield to the Senator from Illinois.

Mr. LUCAS. Would the Senator care to express his opinion as to what an inexperienced man might have done in connection with the spending of more than $2,000,000,000 on the atomic bomb? I wonder what a new man might have done in that situation.

Mr. PEPPER. I thank the Senator for his question. In the dangerous and difficult path which President Roosevelt, for America, had to tread, what would any inexperienced man have done? Just as the President had the courage to conceive and to recommend lend-lease, regarded, I think, by nearly everyone as one of the most magnificent creations of statesmanship in all history, in the boldness of its concept and in the efficacy of its accomplishment; just as he had the courage and the genius to initiate and to press through to enactment the Lend-Lease Act, as the able Senator from Illinois has pointed out, he exhibited the same genius and the same courage in the initiation of research concerning the atomic bomb. From President Roosevelt came the original impulse for this inquiry, supported with the almost unlimited financial aid of the Government of the United States.

Then again, Mr. President, he made himself liable to the severest denunciation by his critics, had that enterprise failed, for daring to spend over $2,000,000,000 upon what his political opponents might later have called a quaint Roosevelt fantasy or dream.

Yes, Mr. President; lend-lease will stand as a testimonial for all time to Franklin D. Roosevelt. I venture to say, without fear of successful contradiction, that no other man elected in November 1940 to the Presidency, had he conceived or initiated such a proposal, would have been able to have it adopted, at least as speedily as did President Franklin D. Roosevelt.

As I have said, in my opinion, lend-lease made the difference between defeat and victory for the Allied cause. It made the difference as to whether the British people should be masters of their own destiny or whether Hitler and his cruel minions would lash their scorpions upon the backs of a once proud and free people. It made the difference as to whether or not the nations of Europe today would have at least their peculiar measure of freedom and sovereignty, or would be under the yoke of Hitler and his barbaric crew.

So I say, Mr. President, that if President Roosevelt had done nothing more than to initiate, recommend, and press to enactment lend-lease, he would deserve the eulogy and gratitude of the people of the United States and the world as long as we love liberty and hate tyranny on earth.

Let it also be remembered that the selective-service law which was enacted in September 1940, had to be extended if the American Army were not to melt away. Franklin D. Roosevelt did not know that Pearl Harbor lay just over the horizon. In 1941 he recommended the extension of selective service for another 18 months, I believe. What was the margin, Mr. President, by which that extension was passed in the Congress? There was a margin of one vote in the House of Representatives. Had the American Army melted away, as I recall the figures, its dissolution would have meant that three-fourths of the officers and two-thirds of the enlisted men in our then armed forces would have been disbanded and sent home, in the very shadow of Pearl Harbor.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. HICKENLOOPER. At the time when this program was voted on and there was a margin of one vote in favor of it in the House of Representatives, what party was in substantial control in the House?

Mr. PEPPER. The Democratic Party. Since the Senator has suggested that comparison, would he like to know the votes on all those critical measures cast by Members of the Republican Party, his party, and the Democratic Party? Would he like to have the country remember how the majority of his party voted on lend-lease? Would he like to have the country remember how a majority of his party voted on selective service? Would he like the country to remember how a majority of his party voted on the amendment of the Neutrality Act; on the fortification of Guam; on the building of more airplanes; on the addition of ships to the American Navy? I dare say that if the Senator would refresh his memory upon that record he would not make it a campaign document for the Republican Party in the next election.

Mr. HICKENLOOPER. Mr. President, will the Senator further yield?

Mr. PEPPER. I yield.

Mr. HICKENLOOPER. I am always interested in reviewing the promises of the leader of the Senator's party that American boys would never be sent to fight in a foreign war, and the reliance which the American people placed upon those assurances and promises in the hectic days which meant so much to the destiny of America.

Mr. PEPPER. The Senator is also apparently forgetting the Democratic platform which was the basis of the supposed promise of President Roosevelt to his party and to the American people. It stated that the Army and the Navy would not be sent out of the United States, except in case of attack. In the acceptance of the Democratic Party's nomination, in a radio message to the country at large as well as to the convention, President Roosevelt made that eminently clear to his party and to the American people. Does the Senator deny that we were attacked?

Mr. HICKENLOOPER. Exhaustive examination of verbatim reports of the Boston speech of President Roosevelt fails to reveal that the words "in case of attack" were included in the original draft of the speech at the time it was made.

Mr. PEPPER. I happened to be a member of the resolutions committee of the Democratic convention which wrote that platform. Other Senators who participated in the convention will recall the language contained in the platform. We recall that at noon of the day the platform was adopted by the resolutions committee the President told representatives of the platform committee that he would not accept the nomination unless those qualifying words "except in case of attack," or something similar to them, were included. I happened to be on the other end of the telephone, along with some others, and heard him say that. That was when he said, "I would have to break my promise or forfeit my duty to the American people." Even then he was putting America ahead of politics.

No, Mr. President; I should not suppose that our friends on the other side would want to rehash the issue of how they voted in those trying days, as to whether they helped Franklin D. Roosevelt or not. I am speaking of the majority and not all the members of the

Republican Party; nor did all the members of the Democratic Party go along. But in every case, on every critical issue, such as selective service, lend-lease, the amendment of the Neutrality Act, and every other crucial vote leading up to Pearl Harbor, Mr. President, when Franklin Roosevelt was pleading and praying for the American Congress and the country to help him save America, a majority of the Republican Party held down the hand of President Roosevelt instead of holding it up—and that is history, Mr. President.

We often talk about the Soviet Union here, in this country or in Congress. I also remember that when the vote was had in the Senate on whether Russia should be permitted to be the beneficiary of lend-lease, nearly every Republican Senator on this floor voted "nay."

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. BROOKS. Did I correctly understand the Senator from Florida to say that a majority of the Republicans voted against lend-lease?

Mr. PEPPER. Yes.

Mr. BROOKS. And did I correctly understand the Senator from Florida to say that a majority of the Republicans——

Mr. PEPPER. I referred to a majority of the Republicans in the Senate.

Mr. BROOKS. I was here then, sir.

Mr. PEPPER. Yes.

Mr. BROOKS. The Senator from Florida said that a majority of the Republicans objected to having Russia receive lend-lease; did he not?

Mr. PEPPER. Yes; I said that practically all the Republicans voted for the amendment which was offered, I believe, by the Senator from North Carolina—at least a majority of the Republicans, and I think there were only a very few of them who did not vote for that amendment to deny lend-lease to Russia. The record will speak for itself.

Mr. BROOKS. Mr. President, that is where I came in. I came to the Senate about the time when the lend-lease arguments started. I objected to lend-lease. I objected to having Russia receive lend-lease aid. And now that we have spent $341,000,000,000 and now that we have glorified Russia—and I am one who objected to having Russia receive it——

Mr. PEPPER. I thought so.

Mr. BROOKS. Now we have got to fight Russia. There is nothing else before us at this hour than the appropriation of $400,000,000 to stop Russia in Greece or in Turkey. If the Republicans had prevailed then and had let the Germans eat up Russia, we would not be in the predicament we are in now. What the Senator from Florida has claimed to be true, I admit to be true so far as I am concerned, for I told the country then that they were lying to the American people. It was not lend-lease. It was giving away, and nothing has come back.

Now we start all over again, not in a big way, but in a little way. When the President of the United States spoke today about giving one-tenth of 1 percent of $340,000,000,000, I wonder whether he was talking about the $340,000,000,000 we spent before now or whether it is the $340,000,000,000 we are going to spend from now on to stop only one philosophy—the Russian communism about which the Senator who has the floor has spoken so eloquently.

Mr. PEPPER. Mr. President, does the Senator from Illinois say that the Senator from Florida has spoken eloquently about communism?

Mr. BROOKS. The Senator from Florida has decried every protest against Russia that has been offered on the floor of the Senate.

Mr. PEPPER. I am glad the Senator has seen fit in the interest of accuracy to change his remarks.

Mr. BROOKS. Whether in the interest of accuracy I have changed my remarks or not, I have answered the Senator's question.

Mr. PEPPER. If the Senator from Illinois means to suggest or to infer that the Senator from Florida has ever said anything in commendation of communism, the Senator from Illinois is either grossly misinformed or intentionally in error.

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. PEPPER. Gladly.

Mr. BROOKS. Will the Senator from Florida, for the benefit of the Senate and the country, distinguish between Russia and communism?

Mr. PEPPER. Yes; I shall gladly do so. It was Russia that saved more than a million American lives by killing Germans. That is the Russia I am talking about. It is the Russia that I do not want to go to war with America, that I am talking about when I discuss American foreign policy.

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. PEPPER. Gladly.

Mr. BROOKS. It was Americans who saved more than 10,000,000 Russian lives by going to their defense. It was not Russia that saved American lives, but it was Americans who saved Russian lives when people glorified Russia and told us the Russians were ready to accept freedom of religion, and called Russia a democracy.

Now I am wondering whether we are defending a democracy in Greece or whether we are reestablishing in Greece a king, another form of autocracy. I should like to have the Senator address himself to that point.

Mr. PEPPER. Yes; in due course I shall be very glad to advert to that.

But let me go back to the point with respect to which the Senator from Illinois said, "That is where I came in." Where he came in was to help me affirm a statement I had made as to where the majority of his party had been in regard to lend-lease and extending lend-lease aid to Russia, when Russia was attacked by Hitler. More eloquently than anything I could have said, the Senator from Illinois has revealed what then was the attitude of his party and what still is the attitude of many members of his party.

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. BROOKS. I have never undertaken to speak for my party. I speak only for myself, as I do tonight. The main speech I then made in the Senate was against lend-lease, and I said then we were lying to the American people and it was leading us into war. And it did.

I am saying now that what the President requested today is not one-tenth of 1 percent of what we spent yesterday, but it is one-tenth of 1 percent of what we will spend tomorrow. God grant that some day we shall have someone in America, in the Presidency, who will stand up and tell the American people the truth, and will say to them, "This is the program I am leading you into, and this is the thing you are going to face," and then let the American people decide whether they want to take it or not.

Mr. PEPPER. Mr. President, the views of the Senator from Illinois are not being expressed for the first time, of course; for on the subject of lend-lease and the subject of aid to the Allies and the subject of helping Russia and possibly—although I do not recall—the attitude of the Senator in regard to the transfer of the 50 destroyers, and other matters of that sort, the Senator's attitude is no doubt well known to the public, as is the attitude of the Chicago Tribune, with which the Senator from Illinois has on occasion been found in accord. [Laughter.]

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. BROOKS. I objected to the transfer of the destroyers because I said it was an act of war. I objected to every step we took which led in the direction of war. Now that it is over and now that we have spent, according to the President of the United States, $341,000,000,000 of America's wealth, and now that we have sent 350,000 of America's youth to their deaths, and now that we have a million wounded men, and now that we have a $269,000,000,000 debt, that is where I came in.

Now we are starting it all over again, except we are not sending 50 destroyers, but we are sending what we term today to be military personnel. That means army; it means tanks; it means war. Why not say it and let us decide whether we want to take it or not?

Mr. PEPPER. Mr. President, I have no doubt that the Senator from Illinois would be ready to go to war with Russia. He did not seem, however, so anxious that we should fight against Hitler, back there in the days when Hitler was threatening our country and our kind of a world. So, in order that the record may be correct, let me inquire whether the Senator from Illinois voted on the question of selective service, in 1940?

Mr. BROOKS. I was not here at that moment.

Mr. PEPPER. Was the Senator from Illinois a Member of the Senate at that time?

Mr. BROOKS. I came in November.

Mr. PEPPER. In November of 1940?

Mr. BROOKS. Yes.

Mr. PEPPER. Did the Senator from Illinois vote for the extension of selective service in 1941?

Mr. BROOKS. I think I did, sir, at that time.

Mr. PEPPER. Is the Senator confident?

Mr. BROOKS. I am not sure.

Mr. PEPPER. I see. But the Senator from Illinois does remember that he voted against lend lease, and he still believes it was a mistake; is that correct?

Mr. BROOKS. I say to the Senator from Florida that——

Mr. PEPPER. I just want to get the record straight.

Mr. BROOKS. The Senator from Florida will get the record straight from me, Mr. President.

Mr. PEPPER. I ask the Senator whether what I have said is correct.

Mr. BROOKS. Mr. President, it is always a mistake to lie to the American people or to camouflage what one is trying to do to the American people.

Mr. PEPPER. That is why I am trying to get the record straight now.

Mr. BROOKS. All right; get it straight.

Mr. PEPPER. I ask whether the able Senator from Illinois voted against lend-lease.

Mr. BROOKS. I did; I spoke against it, and I voted against it.

Mr. PEPPER. Did the Senator vote for the amendment to deny lend-lease to Russia? I take it he did.

Mr. BROOKS. I do not think that the question of denying lend-lease to Russia was ever before the Senate.

Mr. PEPPER. Oh, yes.

Mr. BROOKS. Is the Senator sure?

Mr. PEPPER. Yes, and I would wager the Senator voted "aye" on the Reynolds amendment to deny Russia lend-lease.

Mr. BROOKS. Will the Senator send some of his clerks, of whom he has so many, to find the page of the RECORD where that is recorded?

Mr. PEPPER. I would not dare to compete with the chairman of the Committee on Rules in the number of clerks I have at my command.

Mr. BROOKS. But the Senator still has many clerks as he had in the past, and I should like to know the page of the RECORD.

Mr. PEPPER. I shall be very glad to get it, if I can, this evening, but I dare say——

Mr. BROOKS. Will the Senator yield?

Mr. PEPPER. If the Senator will allow me to finish—I dare say that if the Senator did vote the other way, it was only an oversight, in view of what he said here this evening. So that makes that clear.

Mr. BROOKS. Will the Senator yield?

Mr. PEPPER. I yield.

Mr. BROOKS. Notwithstanding how I voted on lend-lease, I say today now that we have stopped Hitler from taking over Europe, and Japan from taking over China and Asia, that there are as many concentration camps in the world tonight as there were when the Senator voted for all these things he is glad he voted for, and there is as much hate and there is as much oppression and there are as many persons in prison in the world as there were before we started. There must have been some way, when all of these things were accomplished, when we had the greatest air power in the world, the greatest naval power in the world, when all our people were tuned to production, to say to Russia, "These are the terms on which we will become and remain your ally," instead of bringing home to us the message that they subscribed to the Atlantic Charter, that they subscribed to the United Nations, that they subscribed to freedom of religion—all of which they did not subscribe to, and everything they do gives the lie to their subscription.

Mr. PEPPER. Mr. President, one has but to hear the persuasive argument of the Senator from Illinois, one has but to remember the editorials and twisted news stories of the Chicago Tribune, with which, I say, the Senator from Illinois on occasion found himself in agreement, to appreciate how great was the victory of Franklin D. Roosevelt in securing the legislation with which he could help to defend America and democracy in the world from Hitler and his gang in those trying days, when the opinion of this country was so bitterly aroused.

Mr. BROOKS. Mr. President, will the Senator yield once more?

Mr. PEPPER. I should be very glad to have the Senator ask a question. I would rather not allow him to make a speech, although it is always interesting and perhaps informing.

Mr. BROOKS. Now, that we are talking about Hitler and Germany, and our willingness to meet them, I have just one suggestion to make to the Senator. There was another war called World War I, in which I met those Germans in the front line. I met them face to face. I shot them, and they shot me; and that is much different from merely talking about bravery on the floor of the Senate.

Mr. PEPPER. Mr. President, I do not know what the able Senator from Illinois is trying to prove. I do not suppose anyone has questioned his bravery, or the fact that he had a creditable war record in World War I, and I do not suppose it is necessary to make to his colleagues a suggestion of his bravery for them to be informed about it. I think it is pretty generally known that the Senator had a good war record in World War I. It is surprising to me, having fought the Germans one time, he seemed so little disposed to keep them off the heads and necks of his fellow Americans a second time.

Mr. President, I am not aware of having made any eulogy to bravery here in the Senate. I have been talking about the part Franklin D. Roosevelt contributed in a time of national and world crisis toward saving America and democracy in the world. The question has been raised as to who helped Roosevelt, and who tried to thwart him in every herculean task he attempted to accomplish. However brave and however creditable the war record of the Senator from Illinois in World War I was, it is in sharp contrast, in my opinion, to his statesmanship in defense of America as World War II approached, through those crucial days, because I will say that the judgment of history——

Mr. HICKENLOOPER. Mr. President, will the Senator from Florida yield?

Mr. PEPPER. Just a moment. The judgment of history, I dare say, will be far more decisive in the memory of men than anything the Senator from Illinois or the Senator from Florida might say here this evening. But I am willing to put in the RECORD, for history, the war record in World War II, and the days preceding it, of Franklin D. Roosevelt alongside the record of the able Senator from Illinois, and let mankind judge of the wisdom of the two.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. HICKENLOOPER. May I say that written in blood, fire, and heroism is the sacrificial record of the Senator from Illinois, who displayed his defense of this country and his belief in Americanism on the field of battle, and in the face of the enemy who would have destroyed him, and not in forensics or speculation or talk.

Mr. PEPPER. Mr. President, if the Senator thinks he has contributed anything, I am glad to have yielded part of my time for him to have done so.

Mr. HICKENLOOPER. Mr. President——

Mr. PEPPER. If he thinks he can contribute anything else so unessential and so irrelevant to it, I shall give him further time.

Mr. HICKENLOOPER. Mr. President——

Mr. PEPPER. I take it the question at issue is the valor of the Senator from Illinois. Is that what we are going to debate? I am glad to have the testimony of the Senator from Iowa.

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Iowa?

Mr. PEPPER. I gladly yield.

Mr. HICKENLOOPER. The question at issue is not necessarily the valor of the Senator from Illinois, it is the question of the symbolism of American sacrifice in the test, when American ideals and American philosophy are being tried. I honor the Senator from Illinois, as I do other Members of this body on both sides of the aisle whom I can see around me, who have contributed equally, not of forensic ability, but of their own blood and courage in times past to defend the ideals in which they believed.

Mr. PEPPER. I thank the able Senator from Iowa.

Mr. President, it is not necessary for me to repeat that what we were discussing was the wisdom of a proposed amendment to the Constitution, the initiative of which comes largely from the other side of the aisle. I was saying that Franklin D. Roosevelt gave America and the world leadership which, in my opinion, made the difference between victory and defeat for the allied cause.

I am saying, Mr. President, that the wisdom of the American people in the reelection of Franklin D. Roosevelt was vindicated in his accomplishments in his third and his fourth terms as President

of the United States, and Commander in Chief of the Army and Navy of the United States.

I am talking about public policy, Mr. President, and I have not intentionally brought up the question of any Senator's valor. But I dare say the Senator from Illinois does not have a monopoly on that virtue in this body. If I were to call the roll I think he would find himself in good and gallant company with colleagues of his who have not seen fit to rise and parade their own valorous accomplishments in World War I or World War II.

Mr. President, I am not talking about personalities, I am talking about public policy and principles, and it was the other side of the aisle that injected the question about what was the attitude of the Republican Party upon some of the decisive votes at the time.

It has been said here this evening that we may have to fight Russia. I do not know whether we will have to fight Russia or not. I know we have had to fight Germany twice in our own time. The Senator from Illinois has pointed out his own conspicuous contribution to our victory the first time. I am saying, Mr. President, that as between Germany and Russia, I know that Germany has tried to conquer the world twice, and made war upon us. I do not know what the Soviet Union will do; that is a different subject, about which a great deal can be said, concerning our relations with the Soviet Union, whether the fault perhaps may be distributed, and centered not altogether in one place; but I am saying, Mr. President, that had Hitler conquered the Soviet Union, and England and all Europe, America probably would not have had the atomic bomb to fight a war against Russia, if we ever have to fight one. I am saying that America would not be the strongest power on earth today, including Russia. I am saying that if Hitler had triumphed, he would have been master probably of the Eastern Hemisphere, and that in the whole of the Western Hemisphere there is not much over 250,000,000 people out of a world population of 2,000,000,000.

I am saying that if Hitler had won the war, Mr. President, we would not today have a Navy equal to all the other navies of the world, the real beginnings of which were begun by Franklin D. Roosevelt, some of which the party of the Senator from Illinois opposed here upon the Senate floor. I am saying that if Hitler had won the war we would not have the most powerful air force on earth today, including the Soviet Union, a part of the increase of which the Republican Party opposed in the Congress.

I am saying if we have to fight Russia we are incalculably stronger, Mr. President, today, by virtue of Hitler being crushed, with lend-lease, and with the strength we have acquired since those hectic days, than we would have been otherwise.

I am saying, Mr. President, that if Hitler had won the war and become the master of the Eastern Hemisphere, the battle would be raging this very night, and I do not know how many Senators on this floor might personally be involved in the battle. I know there are some who would be in uniform, who are now here, who are tonight sitting with us as colleagues, who might be engaged in battle in some far corner of the earth at this very minute; and I know that there are son after son, and perhaps daughter after daughter of Members of the Senate, who would be facing Hitler's cruel weapons probably in the Western Hemisphere, if the counsel of men like the Senator from Illinois and the Chicago Tribune had prevailed instead of the leadership of Franklin D. Roosevelt.

Mr. LUCAS. Mr. President——

Mr. PEPPER. I yield to the Senator from Illinois.

Mr. LUCAS. Mr. President, I want to make one observation. I listened to the President's speech today. I think it is fair to say that the Congress of the United States probably ought to hear the evidence from the specialists in the different departments as to what will be done with the money which is requested, and so forth; but does not the Senator think it is a little premature to be talking about war with Russia until we know more about what the money is to be used for and more about the details of this program? I do not see why the Senator from Illinois should be talking about war with Russia at this particular time.

Mr. PEPPER. Mr. President, I do not have the newspapers here before me, but I believe one could read in the columns of the Chicago Tribune a vituperation against Great Britain, back in those days, almost as severe as their present denunciation of the Soviet Union.

I know, Mr. President, that Britain at that time was held up as one of the monsters of the world, and because some of us advocated that we should help Britain, in order that we might assist in the defense of America, we were not only called pro-British but un-American. We were accused of saying we would lay down American lives, spill American blood, to save the British Empire. Those were the arguments used at that time against the defense of America and democracy on the earth. The same old game of trying to becloud and confuse the issue.

Mr. President, I have spoken about lend-lease. Does the record of Franklin D. Roosevelt as the Commander in Chief of our armed forces stand out before history so that it should be repudiated by this Senate in proposing to the American people a constitutional amendment to make it forever impossible for the people to elect another Franklin D. Roosevelt to such a position of leadership and power? I do not think that would be the judgment of history, Mr. President. I do not think it is the judgment of America's generals, admirals, and air men who served under President Roosevelt without regard to party. I doubt that you could find a higher testimonial to President Roosevelt's leadership as Commander in Chief than you would get from General Marshall, General Eisenhower, Admiral Nimitz, Admiral Leahy, and Admiral Halsey, and all the rest of that galaxy of brilliant leaders who led America to the most glorious victory in arms the world has ever seen.

Mr. President, I am saying only this, that what is proposed here is to limit the right and the power of the American people in a moment of great crisis, when their country and their world tremble in the balance, to elect a man eligible and available whom they deem best fitted to lead them through the crucial time.

Is there anything more democratic than that?

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. PEPPER. As the Constitution is now written, as George Washington said, so well quoted here by other Senators on the floor, the American people have the power to elect a President as many times as they choose to do.

George Washington, writing to Lafayette, as we all know, said:

> Under an extended view of this part of the subject, I can see no propriety in precluding ourselves from the service of any man who, in some great emergency, shall be deemed universally most capable of serving the public need.

That is what George Washington said.

I now yield to the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, the Senator a moment ago referred to some historical programs of procedure for the American Government. He said that if certain philosophies had been followed, certain things would have happened. He said at that time, as I recall, that Hitler was about either to extend or take over his dominion of the Eastern Hemisphere in Europe, or the eastern part of Europe. This is the question I should like to ask the Senator: The Senator was undoubtedly at the joint session today when the President of the United States addressed the Congress in a most solemn and thoughtful message. I am wondering if the Senator will not concede that the sum total of that message was that, whether as a result of or in consequence of the policies we have been following, communism is today taking over the entire eastern part of Europe and threatening to control all of that hemisphere. I am wondering, Mr. President, whether the Senator prefers the dominion of Europe by communism or whether he prefers the dominion of Hitler, or just what his position is.

Mr. PEPPER. Mr. President, we have been talking about the question of whether or not the people of the United States should have the free and untrammeled power to elect a man who is their President, and whom they prefer, to either a second, a third, or a fourth term as President of the United States; and I have been citing the fact that the American people in a moment of emergency and crisis, as George Washington himself said, should have that power, and should not, by a United States Congress, either sitting in the calm of such a moment as this, or who may desire to strike a blow at the record of Franklin D. Roosevelt, to deprive them of the power to exercise their free prerogative in a moment of commanding crisis. That is the issue. I shall not be deviated from that issue by anything my Republican friends may say; but I will say that Franklin D. Roosevelt's record in bringing about good will between this country and Russia, in establishing harmony be-

tween this country and England and the other nations of the world, has not been excelled by any President in the Nation's history.

Now that the Senator from Iowa has asked a question, let me read a little testimonial to what Franklin D. Roosevelt accomplished in our foreign policy. These are not my words. They are the words of Mr. Sumner Welles, for many years Under Secretary of State of our country, whose distinguished service I think is not questioned by any appreciable number of Americans. I have the book in which the following words appeared originally entitled "Where Are We Heading?" written by Mr. Welles, but I shall read a selected summary beginning on page 75 of the February 1947 issue of Omnibook Magazine. These are Mr. Welles' words:

Let's look at the world as it appeared by midsummer of 1944.

I need not say that that was then in the fourth term of Franklin D. Roosevelt.

The United States was then approaching the peak of its strength.

I commend those words to Senators who speak of our necessities of the future.

It had become more powerful than any other nation of the earth. The fate of Germany was already sealed. While we then believed that Japan would continue the struggle for a longer period than transpired, her approaching defeat was clearly foreshadowed.

It was evident that Great Britain would be utterly exhausted upon the conclusion of the war. The signs were already plain to all who cared to see them that the world order which must then be created would bring freedom to the colonial peoples, and that the liquidation of the British Empire was at hand. The British Commonwealth of Nations itself must undergo a profound transformation in the postwar period as a result of which the mother country's position would become far less dominant.

It was plain that only the Soviet Union could emerge from the war in a position of supremacy comparable to that of the United States. But while her potential strength was greater than ours, she clearly would require many years before her full strength could be exerted.

The United States had neither suffered the losses nor experienced the devastation undergone by the Soviet Union. We were already fully industrialized and our living standards were the highest in the world.

Mr. President, I interpolate to say that was at a time when we were not only maintaining our own armies and navies and air forces, but sustaining those of other countries of the world, and making an incalculable contribution to the world economy. We had then, under Franklin D. Roosevelt's leadership, not only the strongest fighting forces but the strongest domestic economy that America had ever seen.

We possessed by far the greatest navy and the largest and most modern air force. Some 8,000,000 of our men were under arms, and this total could be rapidly expanded if necessary. We possessed the greatest developed natural resources of any nation, and our achievements in industrial production had become a source of amazement to our allies and foes alike. Finally, although the world at large did not yet know it, the Government of the United States had within its possession the secrets of the source of atomic power, and the first weapons utilizing the force of atomic fission were already under manufacture.

The United States enjoyed an influence abroad and possessed an opportunity for leadership that no other major power had. The masses of the people, whether in Latin America, in the Far East, or in the occupied countries of Europe, regarded President Roosevelt as their champion. More than that, the United States, because of her past history, because of the beliefs of her people, and because of her democracy, was nowhere feared. She was known to possess no imperialistic ambitions; she was not suspected of desiring to extend her political or economic influence for purposes of domination, or for any other selfish ends.

As a result of the policies which President Roosevelt had carried out throughout the course of his administration, there existed in the New World a well integrated inter-American system which gave the United States, in its international relations, the potential support of an entire hemisphere.

The relations between the Chinese National Government and the United States were of the closest. So were relations between the United States and all the governments of western Europe.

The ties established by the President with the elected heads of the British government and of the governments of the British dominions were closer than they had ever previously been between the chief executives of the English-speaking countries. And the personal understanding between President Roosevelt and Marshal Stalin, blunt as the messages which they exchanged may occasionally have been, had dissipated to some extent the cold suspicions of this country which had so long controlled the thinking of the leaders of the Soviet Union. A cooperative relationship had been achieved that would have seemed altogether impossible even 2 years before.

When Franklin Roosevelt died an epoch ended.

Yes, Mr. President; those are the words of Mr. Sumner Welles. Could any man elected in November 1940 or November 1944 have made a greater record than that? That is the Franklin D. Roosevelt who not only was elected to a third term and a fourth term by the people of the United States, but would have been elected to a third or fourth term had he then been in such an office, by the people of the world. Had there been an election in Franklin D. Roosevelt's time, especially from November 1940 until his death, a free election, save in the enemy countries, of a President of the world, does any Senator doubt that Franklin D. Roosevelt would have been elected over any other man living on this earth? That was why, Mr. President, when the shocking news circled the globe that he had been smitten down under the labor and toil of his office, and his great spirit had at last passed across the last perilous river to the safety of the great beyond, there were not millions but hundreds of millions of moist eyes in mourning in every country on earth, perhaps even some in the enemy countries who better understood the essential future that they should have.

That was the President Roosevelt whose death caused Winston Churchill, as he walked down the aisle of a British church, to let tears unembarrassedly stream down his brave cheeks as he thought of the friend he had lost and the leader that mankind had no more.

That was the Roosevelt that made tens of thousands of Russians, according to the testimony of our diplomatic officials in Moscow, gather in front of the American legation and there with tears in their eyes and with husky voices to the person of our Ambassador paid their tribute to Franklin D. Roosevelt.

That was the man whose name Stalin whispered when he poured his lamentations into the ear of the American Ambassador to Russia.

That was the Franklin D. Roosevelt to whom in every country, little and large in the world, people poured out their homage.

There are some of us now in the Senate who were on the funeral train of the President which went to Hyde Park. All night long we saw the people lining the tracks along which that train wound in its mournful course to the final resting place of Franklin D. Roosevelt, and how the people poured out their hearts, not only at the loss of a President, but at the departure of a personal friend, Franklin D. Roosevelt. There never will be in our time a man who grips the hearts of mankind the way Franklin D. Roosevelt did. They not only honored him, Mr. President, they loved him.

In conclusion, I think our people are to be safely trusted with their own destiny. That is the spirit of democracy and its intent. We do not need to protect the American people with a prohibition against a President whom they do not wish to elect; and if they wanted to elect him, have we the right to deny them the power?

Someone may say, "This is a democratic proposal. We are merely giving the people the power to pass on whether they war a constitutional prohibition or not." Are we, Mr. President? What did the Senate do yesterday, except to deny to the people an opportunity to vote personally or through a representative directly on that question? We defeated by an overwhelming vote an amendment offered by the able Senator from Washington [Mr. MAGNUSON] which would have made the ratification of the proposed amendment subject to the action of conventions in three-fourths of the States, particularly elected for the purpose of passing on this constitutional amendment.

What is the present situation? In connection with the proposed amendment the people are not to vote. The legislatures of three-fourths of the States alone, by ratifying it, would place it in the Constitution.

We know that the election of members of legislatures, even when beyond question, is not upon a single issue, but upon many issues. A county or district may vote for a representative or State senator because he is an advocate of good roads, because he is in favor of keeping cattle off the highways, because he will lower taxes, because he will protect monopoly or dissipate it, because he is friendly to the poor or the companion of the rich. We are too experienced in public life not to know that constituencies vote for senators and representatives in State legislatures upon innumerable issues. We are not submitting this question of the amendment of the

Constitution to the people; we have denied them the right to make it the sole issue in the election of delegates to a convention. We say that the legislatures of the States are to be the bodies which will have the right to prohibit the people from the election of a President whom they may wish to elect for a second, third, or fourth term. Is that more democracy than we now enjoy?

The able Senator from Rhode Island [Mr. MCGRATH] a former Solicitor General of the United States, pointed out here this afternoon in debate that every previous amendment to the Federal Constitution has enlarged the democracy of the people and not diminished it. Yet would we enlarge the right of the people by this proposal? No; we would reverse the tradition of more than 20 constitutional amendments which have steadily opened the doors of democracy to the people in ever-widening reach. We would say, "We the Congress, and we the Legislature, at best only your indirect representatives upon this issue, will deny to you the power—even of all of you—to elect a President of the United States whom you may happen to choose, because he happens already to have served in that exalted office."

This afternoon the able Senator from Texas [Mr. O'DANIEL] with more logic than he was given credit for—because his proposal received only his own vote—offered an amendment which would apply the same principle to all elective Federal officials. As I say, his proposal received only one vote.

Do Senators who have been Members of this body for more than one term wish to say that more than one term is too many? Are any Senators resigning because they think they are doing the public an injury by serving too long? Does any Senator serving his first term repudiate the right of the people to reelect him if they choose to do so? How inconsistent we are. But, of course, when we talk about electing Senators and Representatives, we are talking about ourselves.

I am reminded of the Irishman who was advocating socialism. He was persuaded that socialism was a good policy. It looked fair and idealistic. In his warm Irish heart he said, "That is a good policy. I am for it." One day he was making a speech, and was making a great impression on his audience. He said, "My friends, you do not realize what a good principle this is. If I had a thousand acres of land, do you think I would be so selfish as not to be willing to give half of it to my fellowmen? If I had a thousand dollars in the bank, do you think I would be so selfish as not to be willing to give half of it to my fellowmen? If I had two shoats, do you think I would be so selfish—no; I have two shoats." [Laughter.]

It is all right we say to limit the term of President, although, I dare say Senators are not without aspirations. I dare say that there are those in this body who would be willing to allow themselves to become victims of the ordeal of public service in the White House. I think Senators recall the story which "Czar" Reed is supposed to have told. It has been mentioned here previously. He was speaker of the House, and he liked to prod the Senate. He said one night he dreamed that the Congress had amended the Constitution and provided a new method of electing a President. The new method was that the President should be elected by a secret ballot of Senators. The momentous day arrived when the proposal was to be tried out for the first time. The galleries were naturally filled. The representatives of the press stood by intently to see what would be the result of the first trial of the new method of electing a President. Finally the golden urns were passed down the aisles and Senators deposited their secret ballots in the receptacles, which were passed up to the Presiding Officer to be canvassed. While everyone listened with bated breath, the result was announced, and it was discovered that every Senator had received one vote. [Laughter.]

There are Senators who may aspire to one term in the White House. If they are on the other side of the aisle, they are too good students of history not to recall that since Ulysses S. Grant no Republican President has been elected to serve two terms and has served them. So the Republicans have nothing to lose by this amendment. What they are trying to do is to keep the people from continuing to elect Democrats to more than one term. History is replete with examples of the people electing Democrats to two terms, and of Democrats serving two terms in the White House. One of our men was elected to a fourth term, by one of the greatest majorities ever given a President by the American people.

So, Mr. President, this proposal is not in the interest of democracy. No Senator can soothe his conscience by saying, "I feel that we should give the people an opportunity to vote on a constitutional amendment." What is proposed is to permit the publishers of newspapers who hated Roosevelt, propagandists, and people with money who would like to keep America from ever having another Roosevelt to influence enough legislatures to keep the people from having the power, even though the people wish to do so, to elect the man of their choice to the Presidency of the United States, in the face of the record of our founding fathers.

I shall not repeat what has been said here so many times. The other day the able Senator from Alabama [Mr. HILL], in a very impressive speech, quoted George Washington and Thomas Jefferson and many distinguished leaders of our country. He quoted Jefferson as saying that in case the country were threatened with a monarchy he would allow himself to become a candidate for a third time. He quoted Alexander Hamilton, a gentleman who I understand is quoted with considerable approbation by the party on the other side of the aisle.

The Senator from Alabama also quoted many other distinguished statesmen, including the late Senator Henry Cabot Lodge, who was also a distinguished historian, and the great Senator Borah, who not so long ago thrilled the Senate with his magnificent voice and his great head and heart. The Senator from Alabama quoted innumerable others, many of them belonging to the party of our friends on the other side of the aisle—all opposing such amendment as this and favoring the right of the people to elect a President as many times as they choose to elect him.

So, Mr. President, let no Senator think that he is compelled in the interest of democracy to give a legislature the power to deny the people the right to elect the President they want to elect. That is not democracy, Mr. President. Every American, Democratic and Republican alike, every voter, might desire in a moment of crisis to continue another President in office in some future period of ordeal as we continued President Roosevelt. Yet, if this amendment were a part of the Constitution, every voting American could not do so. Is that democracy?

I think we can trust the people, Mr. President. How many times in 158 years has there been an exception to what is called the Washington tradition. Just once. Have we ever been faced with a greater crisis than that which faced us in 1940? Does anyone think or contend that President Roosevelt would have offered himself, or that the American people would have elected him for either a third or a fourth term had it not been for the great international crisis that was confronting this country?

Mr. President, it has been said that the best way to defeat every dangerous ideology is to have a vital democracy. What could be more vital in a democracy than the power of the people to elect their own President?

I shall conclude by reading something which I deem not inappropriate. These words were uttered in hushed sorrow at the grave of Franklin D. Roosevelt by the minister of his church at the time of his funeral at Hyde Park:

Now the laborer's task is o'er;
Now the battle day is past;
Now upon the farther shore
Lands the voyager at last.
Father, in Thy gracious keeping
Leave we now Thy servant sleeping.

There the tears of earth are dried;
There its hidden things are clear;
There the work of life is tried
By a juster Judge than here.
Father, in Thy Gracious keeping
Leave we now Thy servant sleeping.

There the penitents, that turn
To the cross their dying eyes,
All the love of Jesus learn
At His feet in Paradise.
Father, in Thy gracious keeping
Leave we now Thy servant sleeping.

There no more the powers of hell
Can prevail to mar their peace;
Christ the Lord shall guard them well,
He who died for their release.
Father, in Thy gracious keeping
Leave we now Thy servant sleeping.

Earth to earth, and dust to dust,
Calmly now the words we say,
Left behind, we wait in trust
For the resurrection day.
Father, in Thy gracious keeping
Leave we now Thy servant sleeping.

Mr. President, let us leave the memory and the record, of Franklin D. Roosevelt sleeping in security in the hearts of the people of the world. Let us leave the protection the people now have in their

Constitution sleeping and secure in that immortal document.

EXECUTIVE SESSION

Mr. WHITE. Mr. President, when the Senate recessed for supper—at least we call it supper in my section of the country—I had supposed that it would be able to dispose of this matter in a few moments of debate. The discussion has, however, continued for an hour and three-quarters, and it is manifest that we cannot dispose of the joint resolution this evening. I therefore move, Mr. President, that the Senate proceed to the consideration of executive business.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Maine.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. If there be no reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Herman B. Baruch, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Netherlands, which nomination had been previously passed over.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed. Without objection, the President will be immediately notified.

TENNESSEE VALLEY AUTHORITY—NOMINATION REPORTED ADVERSELY

The legislative clerk read the nomination of Gordon R. Clapp to be a member of the Board of Directors of the Tennessee Valley Authority, which had been adversely reported from the Senate section of the Joint Committee on Atomic Energy.

The PRESIDENT pro tempore. Is there objection to the present consideration of the nomination?

Mr. HICKENLOOPER. I ask that the nomination be passed over.

The PRESIDENT pro tempore. Without objection, the nomination will be passed over.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The legislative clerk read the nomination of Eugene R. Black to be United States Executive Director of the International Bank for Reconstruction and Development.

Mr. LANGER. I ask that the nomination be passed over.

The PRESIDENT pro tempore. Without objection, the nomination will be passed over.

UNITED STATES MARITIME COMMISSION

The legislative clerk read the nomination of Joseph K. Carson, Jr., to be a member of the United States Maritime Commission.

Mr. LANGER. I ask that the nomination be passed over.

The PRESIDENT pro tempore. Without objection, the nomination will be passed over.

ATOMIC ENERGY COMMISSION

The legislative clerk read the nomination of Carroll L. Wilson to be General Manager within the Atomic Energy Commission.

Mr. HICKENLOOPER. Mr. President, I suggest that the question of the confirmation of the nomination of the General Manager, the Chairman, and members of the Atomic Energy Commission be considered, at least for the purpose of discussion, as a whole, rather than to take up the appointment of the General Manager prior to taking up the appointment of members of the Commission. I have no objection to individual consideration of these nominations, but I request the Senate not to take up the nomination of the General Manager and leave until a later period consideration of the nominations of members of the Commission.

I ask unanimous consent that instead of the presentation of the nomination of the General Manager at this time as an isolated matter permission be granted to call up the nominations of the entire Commission and of the General Manager, and later divide the question, if the Senate wishes, for individual consideration.

Mr. McKELLAR. Mr. President, does the Senator intend to proceed with the consideration of the matter tonight, at this late hour?

Mr. HICKENLOOPER. My intention at this time is to present my views on the subject, and then it will be the province of the Senate to decide whether to continue the discussion——

Mr. McKELLAR. At this late hour I think it ought to go over. I ask that it go over.

The PRESIDENT pro tempore. Nominations do not go over as a matter of right. It is for the Senate to decide whether it desires to proceed with the nominations.

Is there objection to the present consideration of the nomination of Mr. Wilson?

Mr. McKELLAR. I object.

Mr. McMAHON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. McMAHON. I should like to know whether it is the intention of the leadership on the majority side of the aisle to proceed to a conclusion on these nominations tomorrow?

The PRESIDENT pro tempore. That is scarcely a parliamentary inquiry with which the Chair would wish to cope.

Mr. McMAHON. I will reframe it as an inquiry addressed to the majority leader.

Mr. WHITE. Mr. President, it is the intention that there shall be no session of the Senate on Thursday. If these matters are not disposed of at this time they will go over to a later day, presumably Friday. I do not wish to interfere at all with the desires of the Senator from Iowa with respect to these nominations. The appointment of Mr. Wilson and the appointment of the three members of the Atomic Energy Commission are more or less related. It seems certain that there will be discussion, perhaps long discussion, certainly on the Lilienthal nomination, and possibly on the others. Under the circumstances it would seem to me wise that they should all go over for the time being. I make that request if it be agreeable to the Senator from Iowa.

Mr. KNOWLAND. Mr. President——

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HICKENLOOPER. Who has the floor?

The PRESIDENT pro tempore. The Senator from Iowa has the floor. He has yielded to the Senator from Maine.

Mr. HICKENLOOPER. I now yield to the Senator from California.

Mr. KNOWLAND. Mr. President, I should like to address a question to the able majority leader, as to whether it is the intention, when these nominations for the Atomic Energy Commission are called up, to start the Senate operating on a 5-day schedule, so that the nominations may be taken up and proceeded with in that way, rather than on the present 3-day schedule. If that is not done, it seems to me that the debate which the Senate obviously will be faced with then may carry on for a period of 2 or 3 weeks. The Atomic Energy Commission is so vital to the country that it seems to me that when we start to consider the nominations to it we should carry the matter through to completion.

Mr. WHITE. Mr. President, will the Senator from Iowa yield to me, to permit me to make a reply to the statement of the Senator from California?

Mr. HICKENLOOPER. I yield.

Mr. WHITE. So far as I am concerned, I wish to act in accord with the desires of the Senator from Iowa [Mr. HICKENLOOPER], who had so large a part in the conduct of the long hearings held in the committee on the nominations of members of the Atomic Energy Commission. So I am agreeable to anything the Senator from Iowa wishes to suggest in respect to the matter.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HICKENLOOPER. Objection was made, I believe, by the Senator from Tennessee to consideration of the nomination at this time. It is my understanding that the Senate has now gone into executive session and that the matter presently reached on the calendar is the nomination of Carroll L. Wilson, of Massachusetts, to be General Manager within the Atomic Energy Commission, and I understand the question now before the Senate is whether that nomination shall be confirmed. My question is whether an objection by one Member of the Senate can cause that nomination to go over, or whether that can be done only by a majority vote of the Senate.

The PRESIDING OFFICER. In the normal procedure of the Senate, one objection has, in the ordinary course of events, been accepted as a reason for postponement. If there is objection to

that procedure, under the rules the adoption of a motion is required to postpone consideration, because when a nomination is reached on the executive calendar, the question is, Shall the Senate advise and consent to the nomination? That is the pending question in respect to the nomination of Carroll L. Wilson.

Mr. HICKENLOOPER. Then, Mr. President, I take the position, and shall insist on it, that the Chair should not concede or abide by any perfunctory objection and request for the continuation of this matter. If the Senate cares by majority vote to put the matter over, I shall insist that such action be taken under the rule, after a motion is made and the question decided by majority vote of the Senate.

So far as I am concerned, I believe that the matter of the confirmation or refusal of confirmation of the nominations to the Atomic Energy Commission, in the case of both the members and the General Manager of the Commission, is of the utmost importance to the United States and to the world, and I think in our own interest we do not dare delay taking action on it. I shall try not to be offensive about the insistence, if there is good reason for it, to have the matter go over, but certainly I should like to proceed with it.

Mr. ELLENDER. Mr. President, will the Senator yield to me, to permit me to ask a question?

Mr. HICKENLOOPER. I yield for a question.

Mr. ELLENDER. Will the Senator from Iowa permit me to ask a question of the Senator from Maine [Mr. WHITE], the majority leader?

Mr. HICKENLOOPER. Yes.

Mr. ELLENDER. I ask whether it is the view of the majority that we should consider the nominations now pending, instead of continuing with consideration of House Joint Resolution 27? In other words, why has House Joint Resolution 27 been sidetracked? Why cannot we complete our work on the joint resolution, which has been debated on the floor of the Senate for the past 3 or 4 days?

Mr. WHITE. Mr. President, we do not seem to be getting very far with it; we have had sort of a two-ring circus on the floor of the Senate for the last hour and a half or 2 hours, so I felt we might proceed with something else, and have somewhat of a cooling-off period with respect to the joint resolution.

Mr. ELLENDER. I had understood that the speech of the Senator from Florida was the only speech to be made tonight, and that thereafter we would immediately vote on House Joint Resolution 27. Why not vote on that issue at this time?

Mr. WHITE. Mr. President, I suggest if the Senator wishes to have a suggestion from me, that we now confine ourselves to these nominations.

Mr. ELLENDER. I was trying to get an answer from the distinguished majority leader.

Mr. WHITE. I take it that the Senate is in executive session, and it is the appropriate time and place for the consideration of these nominations.

Mr. LUCAS. Mr. President, will the Senator yield to me?

Mr. HICKENLOOPER. I yield for a question.

Mr. LUCAS. I regret very much that, all of a sudden, House Joint Resolution 27 was laid aside because it seemed that we were about to vote on it. Practically every Senator on our side had that impression, and I thought we should get the joint resolution out of the way.

If we now take up the matter of confirmation of the nominations of members of the Atomic Energy Commission, I agree with the Senator from Iowa that we should begin with it and stay with it until we get through with it because there can be no doubt about the importance of having the nominations of members of that Commission confirmed or not confirmed at the earliest possible moment. The safety of the country and of the world is involved in that matter. Since I am acting temporarily in the place of the Senator from Kentucky [Mr. BARKLEY], I shall do everything I can to hasten action on it.

Mr. TAFT. Mr. President, will the Senator yield to me?

Mr. HICKENLOOPER. I yield for a question.

Mr. TAFT. I understand we are now considering the nomination of Carroll L. Wilson. Would it not be better to pass over that nomination and take up the nomination of David E. Lilienthal, without endeavoring to obtain unanimous consent to have all the nominations considered at the same time?

Mr. HICKENLOOPER. In the interest of having sufficient attention given to the subject, I suggest that we do not stand on ceremony and do not take up one nomination at a time, as the name of one particular nominee may happen to be called or may happen to appear on the calendar but that we lump all of them together and discuss the entire question, which inevitably will involve a discussion of the entire Commission, with the possible exception that some special and, in some way, detailed attention may be paid to Mr. Lilienthal as we go along But I think all the nominations are so integrated and tied together that in the interest of efficiency we should discuss all of them together.

Mr. TAFT. Mr. President, will the Senator further yield to me?

Mr. HICKENLOOPER. I yield.

Mr. TAFT. I think a unanimous-consent agreement of some sort would be required, if the Senator wishes to have that done, because under the normal rules only one nomination can be considered at a time.

The PRESIDENT pro tempore. The Chair suggests to the Senator from Iowa that there is no Senate rule which confines discussion to any one name during the call of the calendar.

Mr. HICKENLOOPER. Mr. President, I realize that. But the orderly procedure is the consideration of one nomination and the voting on that nomination and the disposal of it. I made what I thought was a practical suggestion; namely, that the entire list of nominations be considered together—unless the Senate orders individual consideration and discussion for each nomination, which course will be perfectly satisfactory to me, if that is the will of the Senate. However, I thought it would be better to begin with the Commission as a whole, rather than solely the nomination of the General Manager of the Commission. After all, he is a subordinate of the Commission.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. HICKENLOOPER. I yield.

Mr. McKELLAR. I have no objection to having all the nominations considered together. That will be satisfactory. That is practically what we did before the committee.

Mr. HICKENLOOPER. Let me say that I do not propose to have the Senate vote on all of them together.

Mr. McKELLAR. I understand that.

Mr. HICKENLOOPER. That will depend on what the Senate wishes to do regarding the matter of division of the nominations when it comes to voting on them.

Mr. McKELLAR. The Senator's suggestion is entirely satisfactory to me. However, it seems to me that 9 o'clock at night is not the proper hour at which to begin consideration of this matter. If the Senator will let it go over until tomorrow or the next day, depending on which day we adjourn or recess to, I think that will be preferable. I certainly have no desire to delay the matter in any way, but it should be fully argued and debated on the floor of the Senate, and thereafter decided.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from Louisiana for a question.

Mr. ELLENDER. I should like to know whether the Senator from Iowa will insist that the Senate proceed to the consideration of the nominations, and continue to consider them until it finally votes on them, or whether he will consent to consideration of other matters which may come before the Senate, particularly the joint resolution which has been the subject of debate for the last 3 or 4 days.

Mr. HICKENLOOPER. I may say to the Senator from Louisiana that this morning, in full anticipation on my part that before the session of this evening we would reach a vote on the then unfinished business, and having canvassed the situation somewhat with Senators on both sides of the aisle, I had reached the conclusion, as I suggested to the Senate, that this evening I would attempt to have the Senate begin consideration of the nominations for members of the Atomic Energy Commission, including the nomination of the General Manager of the Commission. I feel that not only must I do that, but I should do it.

I may say further to the Senator from Louisiana that, regardless of the attitude as to the individual members of the Commission, I think every member of the committee is tremendously impressed with the vital necessity of going forward with a consistent and reliable policy on atomic energy. Even to the point perhaps of being offensive to the convenience of some of the Members of the Sen-

ate, the committee, and, certainly, I, so far as my own personal opinion is concerned, feel justified in insisting that we use every possible means of speed consistent with a full discussion of this matter, which I have no desire to curtail, in order to go forward with the business and establish the policy we desire.

I may say specifically, in answer to the Senator's question as to whether or not I would defer, that I desire to have this matter established as the pending business before the Senate so that we can go forward with it. If I could have any reasonable assurance that, tomorrow, say, consideration of the present unfinished business would be of short duration, I should have no objection to temporarily leaving the matter of the executive business and disposing of the pending joint resolution, but I should have to insist, as strongly as I could, on returning immediately to the question of the nominations to the Atomic Energy Commission, so that it can be settled. I say now that it cannot be settled too soon for the good of our country, and that is the object I have in mind.

Mr. ELLENDER. Mr. President, will the Senator further yield?

Mr. HICKENLOOPER. I yield.

Mr. ELLENDER. My question was prompted merely by my understanding that the Senate would proceed this evening to rid itself of House Joint Resolution 27, and then proceed with the portal-to-portal pay bill, which I understand from what the distinguished Senator from Wisconsin has said will be the next measure considered.

Mr. HICKENLOOPER. I believe I would change the Senator's phraseology, and instead of saying "rid itself," I would say "credit itself" with the passage of the measure.

Mr. ELLENDER. It is an issue which has been pending before the Senate for 3 or 4 weeks, and I am wondering if it would not be more important to conclude consideration of the pending measure, which can be voted upon within the next 10 minutes, and then proceed with the portal-to-portal pay bill, which we may be able to take a vote on by tomorrow or Friday, and thereafter proceed with the Atomic Energy Commission nominations.

Mr. HICKENLOOPER. Mr. President, much as I am in favor of establishing the constitutional determination of the question of Presidential terms, if it is a question of delaying that question, which has now been undecided for some 160 years, without any final decision, or delaying for 3 or 4 weeks a reliable determination as to atomic energy, and its control and progress, I should certainly be in favor of delaying a decision on the election measure. I think the issue before us is that important.

Mr. ELLENDER. I understood the Senator to say a moment ago that if the occasion presented itself, he would not seriously object to having a vote on House Joint Resolution 27. Why not do it now? Let us get through with it.

Mr. HICKENLOOPER. I do not think we can get through with it now.

Mr. ELLENDER. We can in less than 5 minutes.

Mr. HICKENLOOPER. The point is, I have no assurance that if we delay and postpone the consideration of the nominations tonight we will be able to get them up with convenience and speed next Friday. I understand that the plan is not to hold a session on Thursday. May I ask the majority leader whether that is correct? I yield for an answer to the question.

Mr. WHITE. What was the question?

Mr. HICKENLOOPER. I said that it was my understanding that it is not the plan to hold a session tomorrow, Thursday.

Mr. WHITE. The Senator is definitely correct about that. We have had an understanding for several weeks that there would not be sessions of the Senate on Tuesday, on Thursday, or on Saturday, and I expect that most of the committees have already made commitments with respect to their work tomorrow. I know the committees with which I am connected have definite programs scheduled for tomorrow, having entered into arrangements in reliance on the general understanding we had that sessions of the Senate were to be held on Mondays, Wednesdays, and Fridays, and that Tuesdays and Thursdays were to be devoted to committee work. I think that general understanding should be respected at this time, and that we should not set aside a general understanding until there is some opportunity to notify committees, the chairmen of committees, and the staffs, that the committees will not function as they have heretofore done on Tuesdays and Thursdays. I think it would be unfair to the committee membership, unfair to the chairmen of the committees, unfair to the whole secretariat of each of the committees of the Senate. I should not wish to consent to abandoning the reservation of Thursdays for committee meetings.

Mr. WILEY and Mr. ELLENDER addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Iowa yield; and if so, to whom?

Mr. HICKENLOOPER. I yield first to the Senator from Wisconsin for a question.

Mr. WILEY. Mr. President, on one occasion in the British Parliament one of the young members said to Disraeli, "I wonder if I could talk." Disraeli replied, "No"; and the young man asked, "Why?" Disraeli replied, "Because it is better for your constituents to wonder why you did not speak than to wonder why you did." [Laughter.]

With that brief word, I am wondering what has become of the portal-to-portal pay measure, and why we Republicans have become uncertain about what I thought was the procedure to be followed, which I believed had been well arranged and understood. I frankly commented to my Democratic brethren that I knew nothing about an understanding concerning the Lilienthal nomination. As I understand, on the Lilienthal matter hearings have been held for 3 or 4 weeks, and it is expected that the rest of us who are not members of the committee shall be able immediately to digest the testimony that has been taken, and to understand the facts.

Mr. President, it seems to me that we should carry on as I understood the Policy Committee had arranged; to wit, dispose of the pending business, House Joint Resolution 27; after that proceed with portal-to-portal pay bill, and after that consider the Lilienthal nomination. That is what I understood.

Mr. WHITE. Will the Senator from Iowa yield?

Mr. WILEY. Am I correct in my understanding?

Mr. HICKENLOOPER. I yield to the Senator from Maine for the purpose of asking a question of the Senator from Wisconsin.

Mr. WHITE. I do not want to ask a question. [Laughter.]

Mr. HICKENLOOPER. I hope I shall not lose the floor, in view of that statement.

Mr. WHITE. The Senator from Wisconsin has stated the understanding precisely as I understood it.

Mr. WILEY. I thank the Senator.

Mr. WHITE. That we would conclude the pending legislation as speedily as we could, consistent with giving it proper consideration; that we would then make the portal-to-portal pay bill the unfinished business of the Senate, and then at some early date proceed with the consideration of the Lilienthal nomination. That is the sum of my understanding about the agreement, and I think it conforms with the Senator's understanding.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

Mr. ELLENDER. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield for a question.

The PRESIDENT pro tempore. The Senator from Washington is recognized to propound his parliamentary inquiry.

Mr. MAGNUSON. May I inquire of the Chair whether or not, being in executive session, other nominations on the Executive Calendar, not members of the Atomic Energy Commission, could be considered at any time while the Lilienthal and the other nominations to the Atomic Energy Commission were under consideration?

The PRESIDENT pro tempore. By unanimous consent.

Mr. MAGNUSON. May I ask the Senator from Iowa a question, then?

Mr. HICKENLOOPER. I yield.

Mr. MAGNUSON. There are other nominations on the Executive Calendar which I think should not be held up for the length of time which it would take to debate the question of confirming the members of the Atomic Energy Commission.

If they should be held up, I think it would be a very serious matter, certainly in two instances that I know of. The reports are unanimous, one from the Judiciary Committee and the other from the Committee on Interstate and Foreign Commerce. When the nomination of Joseph K. Carson was called a Senator on the other side said, "Over"; but I am sure that in about 2 minutes there would be a change of mind. The other is the nomination of A. Devitt Vanech, of Connecticut, to be an Assistant Attorney General. He is in charge

of very important cases in the department. His nomination must be confirmed before he can act, and it is important that it be done immediately. In fact, the committee hurried consideration of the nomination especially, because in his case I think delay would be a serious blow at the work of the Department of Justice.

Joseph Carson has been nominated to be a member of the United States Maritime Commission to fill a vacancy which has existed for a long time. There are serious maritime problems which are now at the front door of the Commission. So I hope we can obtain unanimous consent to consider these two nominations without jeopardizing the position of the Senator from Iowa or the confirmation of the members of the Atomic Energy Commission. If the Senator would yield for that, I should appreciate it.

Mr. HICKENLOOPER. Mr. President, I cannot yield for that purpose. If the Senator from Washington thinks there are difficulties in the United States Maritime Commission and the Attorney General's office, I may say to him that they are as nothing compared to the difficulties of the Atomic Energy Commission.

Mr. MAGNUSON. It would not prejudice the Senator's position.

Mr. ELLENDER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Louisiana?

Mr. HICKENLOOPER. I yield to the Senator from Louisiana for a question.

Mr. ELLENDER. Mr. President, I was trying to elicit from the distinguished Senator from Iowa information as to the time when the Senate will have a chance to vote on House Joint Resolution 27.

As in legislative session, I should like to ask unanimous consent that the Senate now proceed to a vote on House Joint Resolution 27.

Mr. HICKENLOOPER. I decline to yield for that purpose. I yielded to the Senator for the purpose of his asking a question, not for the purpose of asking unanimous consent.

Mr. STEWART. Mr. President, I desire to ask the Senator a question. With reference to the nominations for members of the Atomic Energy Commission, whose names appear on the Executive Calendar, is it important that their confirmation be hurried along for the purpose of enabling them to function as members of the Commission, or are they actually now functioning?

Mr. HICKENLOOPER. The members of the Commission and the General Manager are now actually functioning, and under all the authority of the Commission, by Executive order of the President. That is not exactly the question at issue. There is a certain degree of uncertainty and doubt in the program.

Mr. TYDINGS. Mr. President——

Mr. HICKENLOOPER. I yield to the Senator from Maryland for a question.

Mr. TYDINGS. I should like to say to the Senator from Iowa, in all seriousness, that I have listened to this discussion now for 25 minutes, and I respectfully ask him if he does not think we would get a decision more quickly if we were to take a recess for 10 minutes, to find out if the Senators on the other side of the aisle cannot agree on a program, rather than have this open discussion on the floor?

Mr. HILL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Alabama?

Mr. HICKENLOOPER. I yield to the Senator from Alabama for a question.

Mr. HILL. In the form of a question, I make the suggestion, why does not the Senator from Iowa ask that, as in legislative session, we proceed, without further debate, to vote on the pending joint resolution proposing a constitutional amendment and get it out of the way? Why does not the Senator do that?

Mr. LODGE. Mr. President——

Mr. HICKENLOOPER. I yield now to the Senator from Massachusetts for a question.

Mr. LODGE. Mr. President, it may be out of keeping for me to interrupt the levity which is being indulged by my friends on the other side of the aisle, but I should like to ask a question relative to the subject matter which is now before the Senate. Am I to understand that we are to vote on all these names en bloc, including the members of the Commission and the General Manager?

Mr. HICKENLOOPER. Mr. President, that is not my understanding, and it was not my request. I suggested that, rather than having the issue drawn on the consideration of one, the General Manager, who is in fact a subordinate of the Commission, the Senate agree to consider the members of the Commission more or less en bloc, without prejudice to the method of voting, but if the Senate desires to take them one by one and vote, I have no objection to that, or if the Senate desires to vote on them eventually en bloc, after debate, I have no objection.

Mr. LODGE. Were they voted on en bloc, or individually, in the committee?

Mr. HICKENLOOPER. They were voted on individually in the committee.

Mr. LODGE. And is it proper to ask whether the vote was the same for all, or was it different in different cases?

Mr. HICKENLOOPER. It was not the same in every case. I do not have the exact record before me on paper, but I think I can give it to the Senator accurately, if he desires it.

Mr. LODGE. If it be proper and does not reveal a confidence, I think it would be of interest.

Mr. HICKENLOOPER. It was a matter of public announcement. The committee decided it was not a matter of executive business to be kept within the committee. I can furnish the information if the Senator desires.

Mr. LODGE. Yes; I should like to have the information.

Mr. HICKENLOOPER. The vote on Mr. Lilienthal was eight affirmative and one negative, the membership of the committee being nine. The vote on Mr. Bacher was eight affirmative, one not voting. The vote on Mr. Pike was six affirmative, two negative, one not voting. The vote on Mr. Strauss was eight affirmative, one not voting. The vote on Mr. Waymack was eight affirmative, one not voting. The vote on Mr. Wilson was six affirmative, two negative, one not voting.

Mr. President, I am drawing on my memory for those details. I believe they are accurate. I cannot at the moment guarantee the accuracy until the records of the committee are introduced, but I believe the figures I have given are accurate.

Mr. LODGE. I should like to ask one more question.

Mr. HICKENLOOPER. I yield to the Senator from Massachusetts for a question.

Mr. LODGE. As I understand, the Senator hopes that the whole question will be discussed as a unit, but of course, when the Senate starts to vote it must vote on each nomination individually. Is not that correct?

Mr. HICKENLOOPER. Mr. President, I think the activities of the members of the Commission, their abilities and responsibilities, are so interlocked that we can do a better job if we discuss them if they are all before us, not necessarily as a unit. I think perhaps there is great merit in voting on them individually. I see no objection to bringing them up one at a time and letting Members of the Senate express their various opinions on their merits by the votes cast.

Mr. LODGE. Does the Senator know why the name of Mr. Wilson is at the head of the list?

Mr. HICKENLOOPER. I have no information about that. I handed in the committee recommendations on Mr. Wilson as General Manager and on the members of the Commission at the same time. It might be the nomination of General Manager was on one recommendation form, the nomination of the five commissioners, including the Chairman, was on another form. It is entirely possible that the printer, or someone at the desk, may have set them up in this order, arbitrarily; I do not know.

Mr. LODGE. Has the Senator from Iowa requested that Mr. Wilson's name follow the names of the members of the Commission?

Mr. HICKENLOOPER. No, Mr. President; I have not suggested that. My suggestion is that they all be tossed into a box, be considered together, and voted on separately, if the Senators desire. They are all so tied up and so involved with the responsibilities of each other in the management of the Commission that I think they all ought to be tossed into a box and considered at the same time.

Mr. LODGE. I am very much obliged to the Senator for the information.

Mr. TAFT. Mr. President——

Mr. HICKENLOOPER. I yield to the Senator from Ohio for a question.

Mr. TAFT. Mr. President, we hoped to take up the Lilienthal matter this evening and get the debate started, but the session has run so long that it seems to me the best procedure, if there are no more 2-hour speeches, would be to vote on the constitutional amendment joint resolution tonight, and then put the Lilienthal matter over until Friday.

SEVERAL SENATORS. Vote! Vote!

Mr. TAFT. If that is agreeable to the Senate, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Ohio suggests the absence of a quorum. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hayden	Myers
Baldwin	Hickenlooper	O'Conor
Ball	Hill	O'Daniel
Brewster	Hoey	Pepper
Bricker	Holland	Reed
Bridges	Ives	Revercomb
Brooks	Jenner	Robertson, Va.
Buck	Johnson, Colo.	Saltonstall
Bushfield	Johnston, S. C.	Smith
Byrd	Kem	Sparkman
Capehart	Kilgore	Stewart
Capper	Knowland	Taft
Connally	Langer	Taylor
Cooper	Lodge	Thomas, Okla.
Cordon	Lucas	Thomas, Utah
Donnell	McCarthy	Thye
Downey	McClellan	Tydings
Dworshak	McFarland	Umstead
Eastland	McGrath	Vandenberg
Ecton	McKellar	Watkins
Ellender	McMahon	Wherry
Ferguson	Magnuson	White
Flanders	Martin	Wiley
Fulbright	Maybank	Williams
George	Millikin	Wilson
Green	Moore	Young
Gurney	Morse	
Hawkes	Murray	

The PRESIDENT pro tempore. Eighty-two Senators having answered to their names, a quorum is present.

LEGISLATIVE SESSION

Mr. TAFT. Mr. President, I move that the Senate resume the consideration of legislative business.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HICKENLOOPER. Who has the floor?

The PRESIDENT pro tempore. The Senator from Ohio [Mr. TAFT] has the floor.

The question is on the motion of the Senator from Ohio.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

THE PRESIDENTIAL TERM

The Senate resumed the consideration of the joint resolution (H. J. Res. 27), proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

The PRESIDENT pro tempore. The question is on the passage of House Joint Resolution 27.

Mr. HICKENLOOPER. Mr. President, I move that the Senate proceed to the consideration of executive business.

The PRESIDENT pro tempore. The Senator from Iowa has the right to make the motion. The question is on the motion of the Senator from Iowa that the Senate proceed to the consideration of executive business. [Putting the question.]

The motion was not agreed to.

Mr. TAFT. Mr. President, on the pending question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LUCAS. Mr. President, before we cast our votes on this important question I desire to make one or two comments upon what has happened here during the last hour. On two different occasions during the day I made request of the leadership on the other side of the aisle respecting what the program would be in order that I might inform Senators on this side. On both occasions I was given to understand from the floor that the Senate would complete action on House Joint Resolution 27, and thereafter would proceed to consider the portal-to-portal pay bill, following which the nominations of those appointed to the Atomic Energy Commission would be considered.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. WHITE. I want to say, and I think the Senator from Illinois will respect my statement in this regard, that what I have stated was precisely what I believed the situation to be respecting the agreement which had been entered into.

Mr. LUCAS. I do not doubt that at all. What the Senator said from his place this afternoon and what the able Senator from Wisconsin [Mr. WILEY] said when I asked him that question I am satisfied was the arrangement. Under that theory we on this side were to notify Senators who were not on the floor to be present in order that they might cast their votes sometime this evening on House Joint Resolution 27. I want to say that I am very grateful to the leadership on the other side for finally getting around to the point where they followed the original program that had been agreed upon in the Senate. Otherwise, I would have felt that it would have been necessary for me to apologize to all the Democratic Members for keeping them here this late at night in order to vote on House Joint Resolution 27, because it was definitely understood that once House Joint Resolution 27 was passed, the Senator from Missouri [Mr. DONNELL] would take the floor and probably speak for a couple of hours, and some Senators, a little older perhaps than myself, might have been able to go home and get a little more rest than they would have gotten otherwise.

Mr. President, I bring up this matter in order to advise Members on the other side of the aisle that we hope that from now on, when they make an agreement and tell the Senate what the program is, and keep Senators here as late as they have done in order to vote on House Joint Resolution 27, they will not then leave us in the lurch on the spur of the moment for some other matter. I am grateful for the change in program, and I think all other Senators on this side are grateful.

Mr. TAFT. Mr. President, the program contemplated a vote early in the day on House Joint Resolution 27. It was not expected that it would be debated at length all afternoon and all evening. Everything that was to be said on it had been said. Nevertheless the debate continued. It disrupted all the plans, which involved taking up the portal-to-portal pay measure this afternoon and seeing how far we could get with it before turning to the Lilienthal nomination. It was repeatedly stated that the Lilienthal nomination was to be taken up this evening.

Unfortunately the plans were disrupted. I regret very much that that was the fact. But I do not see how Senators can foresee the length of debate. Perhaps we were mistaken in assuming that the debate would be shorter than it proved to be.

Now the question is on the passage of the joint resolution, which I think is in such form that anyone who is in favor of the principle of limiting the number of terms a President may serve can properly support it.

The PRESIDENT pro tempore. The joint resolution having been read three times, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ELLENDER (when Mr. OVERTON'S name was called). As I announced earlier today, my distinguished colleague the senior Senator from Louisiana [Mr. OVERTON] was compelled to leave the Chamber because of illness. His pair and his position on this question will be announced by the Senator from Illinois [Mr. LUCAS].

The roll call was concluded.

Mr. WHERRY. I announce that the Senator from Washington [Mr. CAIN] and the Senator from New Mexico [Mr. HATCH] are paired with the Senator from Kentucky [Mr. BARKLEY]. The Senator from Washington is absent by leave of the Senate. If present and voting, he would vote "yea."

The Senator from Wyoming [Mr. ROBERTSON] and the Senator from Nevada [Mr. MALONE] are paired with the Senator from New York [Mr. WAGNER]. The Senator from Wyoming is absent because of illness. If present and voting, he would vote "yea." The Senator from Nevada is necessarily absent on State business. If present and voting, he would vote "yea."

The Senator from Nebraska [Mr. BUTLER] and the Senator from Louisiana [Mr. OVERTON] are paired with the Senator from Wyoming [Mr. O'MAHONEY]. The Senator from Nebraska is absent because of illness. If present and voting, he would vote "yea."

The Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate on official business.

Mr. LUCAS. The Senator from Kentucky [Mr. BARKLEY] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from New Mexico [Mr. HATCH] and the Senator from Wyoming [Mr. O'MAHONEY] are detained on public business.

The Senator from Nevada [Mr. MCCARRAN] and the Senator from Georgia [Mr. RUSSELL], who are necessarily absent, would vote "yea" if present.

The Senator from New Mexico [Mr. CHAVEZ], who is necessarily absent, would vote "nay" if present.

The Senator from New Mexico [Mr. HATCH] and the Senator from Washington [Mr. CAIN], who would vote "yea" if present, are paired with the Senator from Kentucky [Mr. BARKLEY], who would vote "nay" if present.

The Senator from Louisiana [Mr. OVERTON] and the Senator from Nebraska [Mr. BUTLER], who would vote

"yea" if present, are paired with the Senator from Wyoming [Mr. O'MAHONEY], who would vote "nay" if present.

The Senator from Wyoming [Mr. ROBERTSON] and the Senator from Nevada [Mr. MALONE], who would vote "yea" if present, are paired with the Senator from New York [Mr. WAGNER], who would vote "nay" if present.

The result was announced—yeas 59, nays 23, as follows:

YEAS—59

Aiken	George	O'Conor
Baldwin	Gurney	O'Daniel
Ball	Hawkes	Reed
Brewster	Hickenlooper	Revercomb
Bricker	Hoey	Robertson, Va.
Bridges	Ives	Saltonstall
Brooks	Jenner	Smith
Buck	Johnson, Colo.	Taft
Bushfield	Kem	Thomas, Okla.
Byrd	Knowland	Thye
Capehart	Langer	Tydings
Capper	Lodge	Vandenberg
Cooper	McCarthy	Watkins
Cordon	McClellan	Wherry
Donnell	McKellar	White
Dworshak	Martin	Wiley
Eastland	Maybank	Williams
Ecton	Millikin	Wilson
Ferguson	Moore	Young
Flanders	Morse	

NAYS—23

Connally	Johnston, S. C.	Myers
Downey	Kilgore	Pepper
Ellender	Lucas	Sparkman
Fulbright	McFarland	Stewart
Green	McGrath	Taylor
Hayden	McMahon	Thomas, Utah
Hill	Magnuson	Umstead
Holland	Murray	

NOT VOTING—13

Barkley	McCarran	Russell
Butler	Malone	Tobey
Cain	O'Mahoney	Wagner
Chavez	Overton	
Hatch	Robertson, Wyo.	

So the joint resolution (H. J. Res. 27), as amended, was passed, two-thirds of the Senators present having voted in the affirmative.

Mr. TAFT. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. WILEY, Mr. FERGUSON, Mr. REVERCOMB, Mr. MCCARRAN, and Mr. EASTLAND conferees on the part of the Senate.

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES

Mr. WILEY. Mr. President, previously I had asked that after House Joint Resolution 27 was disposed of the order of business be the portal-to-portal pay bill. Objection came from the Democratic side of the Senate. I now move that the Senate proceed to the consideration of House bill 2157, Calendar No. 44.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Wisconsin.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 2157) to define and limit the jurisdiction of the courts to regulate actions arising under certain laws of the United States, and for other purposes, which had been reported from the Committee on the Judiciary with amendments.

ADDITIONAL BILL INTRODUCED

Mr. MYERS introduced a bill (S. 886) authorizing the Secretary of War, the Secretary of the Treasury, the Secretary of the Navy, and the United States Maritime Commission to dispose of certain materials to the United States Coast Guard Auxiliary, which was read twice by its title and referred to the Committee on Interstate and Foreign Commerce.

RECESS TO FRIDAY

Mr. WHITE. Mr. President, I assume that the Senator from Missouri [Mr. DONNELL] would not wish at this time to begin a discussion of the bill. I therefore move that the Senate stand in recess until 12 o'clock noon on Friday next.

The motion was agreed to; and (at 9 o'clock and 41 minutes p. m.) the Senate took a recess until Friday, March 14, 1947, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 12 (legislative day of February 19), 1947:

DEPARTMENT OF STATE

Garrison Norton, of New York, to be an Assistant Secretary of State.

INDIAN CLAIMS COMMISSION

Louis J. O'Marr, of Wyoming, to be Associate Commissioner of the Indian Claims Commission.

UNITED STATES MARSHAL

Richard C. O'Connell, of Maryland, to be United States marshal for the district of Maryland, vice August Klecka, deceased.

IN THE NAVY

Admiral Jonas H. Ingram, United States Navy, to be placed on the retired list with the rank of admiral.

CONFIRMATION

Executive nomination confirmed by the Senate March 12 (legislative day of February 19), 1947:

DIPLOMATIC AND FOREIGN SERVICE

Herman B. Baruch to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Netherlands.

WITHDRAWAL

INDIAN CLAIMS COMMISSION

Charles F. Brannan, of Colorado, to be Associate Commissioner of the Indian Claims Commission.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 12, 1947

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

God be merciful unto us and bless us, and cause His face to shine upon us; that Thy way may be known upon earth, Thy saving health among all nations. Let the people praise Thee, O God, let all the people praise Thee. O let the nations be glad and sing for joy: for Thou shalt judge the people righteously, and govern the nations upon earth. Let the people praise Thee, O God; let all the people praise Thee. Then shall the earth yield her increase, and God, even our own God, shall bless us. God shall bless us, and all the ends of the earth shall fear Him.

Let us pray together our Lord's Prayer:

Our Father, who art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done, on earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory, for ever and ever.

Amen.

The Journal of the proceedings of yesterday was read and approved.

THE LATE MARSHALL W. PICKERING

The SPEAKER. The Chair recognizes the gentleman from New York [Mr. REED].

Mr. REED of New York. I announce to the House the death of Mr. Marshall W. Pickering, clerk of the majority room. The passing of this faithful public servant and true friend of mine comes as a great personal loss. I have known Marshall W. Pickering for more than half a century. He has served the Members of the House of Representatives well, faithfully, and efficiently for 38 years. To us older Members he has always been known affectionately as "Pick." Mr. Pickering was at all times charitable in his thoughts and in his actions. He always thought charitably of his friends and his neighbors. I never knew him to fail to help in a material way, as well as by kindly encouragement, unfortunate persons, whether in the time of their financial straits or in time of illness or in sorrow.

A quiet, modest, unassuming man, always making great sacrifice for others, Christmas was a holy day for Marshall Pickering. Long before Christmas he knew of many deserving and desperately poor persons who were likely to be overlooked by organized charity, and to these persons he delivered presents and good cheer.

I have known of his taking many a jobless young man and, after outfitting him with new clothes, he would then assist his friend to get a position.

Marshall Pickering has been responsible for giving many a discouraged person a new start in life. Charity, kindness, helpfulness were a part of the warp and woof of his sterling character. To know Marshall Pickering was to love and respect him. I mourn his passing as a personal loss. My sympathy and that of my family I extend to his bereaved wife and relatives.

The SPEAKER. The Chair recognizes the gentleman from Michigan [Mr. COFFIN].

Mr. COFFIN. Mr. Speaker, as a baby Congressman, I desire to join with my colleague from New York in paying a tribute to the memory of my friend, Marshall Pickering. When I first came down here, he went very much out of his way to be helpful to me, as he did to all the other new Members, in assisting us to get our offices organized and getting ready to participate in the work of the

Eightieth Congress. In many ways he proved to be a real friend to all of us and to myself in particular.

As I think of him a quotation from Kipling's Recessional comes to my mind:

The tumult and the shouting dies;
The captains and the kings depart:
Still stands Thine ancient sacrifice,
An humble and a contrite heart.

The last two lines of this quotation, in my judgment, aptly apply to Marshall Pickering. He was neither captain nor king and his name did not appear on the front pages of our newspapers in connection with the work of organizing the Eightieth Congress. Nevertheless, he was always there behind the scenes to render faithful and devoted service to all who asked his help. No one was more helpful to me and to the other new Members of this House, and there are many who bear witness to the fact that this has been an outstanding characteristic of his useful life for 38 years on Capitol Hill.

We shall miss Marshall Pickering in the days to come. I join my esteemed colleague from New York in paying a heartfelt tribute of sorrow, respect, and love to the memory of a true friend.

The SPEAKER. The Chair recognizes the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Speaker, it was with great shock that I heard the announcement of the death of our majority clerk, Mr. Pickering. I, as one Member from New York, want to say that he was one of the finest friends I have ever known. Coming here in 1939, I had an opportunity to utilize the friendship and help and assistance which Mr. Pickering extended to all new Members. I feel this loss deeply, because I know we are all bereft of a great friend. I know the entire Republican majority, as well as the rest, feel likewise, especially those Members who have been here several years. I really got to know Mr. Pickering intimately.

His passing reminds me of the sentence Mark Antony said in Julius Caesar:

His life was gentle, and the elements
So mix'd in him that Nature might stand up
And say to all the world, "This was a man!"

EXTENSION OF REMARKS

Mr. MERROW asked and was given permission to extend his remarks in the RECORD and to include a letter from the New England Milk Producers Association on sugar and a bill he recently introduced on sugar.

Mr. SCRIVNER asked and was given permission to extend his remarks in the RECORD and include a newspaper article by Lowell Mellett.

Mr. TOLLEFSON asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. CANFIELD asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. KEATING asked and was given permission to extend his remarks in the RECORD with regard to a bill he introduced today.

ALASKA, HAWAII, AND PUERTO RICO

Mr. COUDERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter from Dr. Nicholas Murray Butler, president emeritus of Columbia University.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. COUDERT. Mr. Speaker, my attention has been called to a matter which I think is of sufficient importance to call to the attention of my colleagues in the House, even though at the moment it may be premature. It has to do with the proposal to admit the Hawaiian Islands as a State in our Union.

I received this morning a letter from Dr. Nicholas Murray Butler, president emeritus of Columbia University, one of our very great distinguished citizens, expressing the most emphatic objection and dissent. He expresses his views with his usual force and clarity. I think the subject is of great significance worthy of the most careful attention in Congress and out.

I hope my colleagues will take advantage of the opportunity to read his views as expressed in his letter, which will appear in the RECORD.

The letter is as follows:

MARCH 7, 1947.

HON. JULIUS A. KRUG,
Secretary of the Interior,
Washington, D. C.

MY DEAR MR. SECRETARY: May I call to your attention a matter which I regard of extreme importance to the Government and people of the United States. Under no circumstances should Alaska, Hawaii, or Puerto Rico, or any other outlying island or territory be admitted as a State in our Federal Union. To do so, in my judgment, would mark the beginning of the end of the United States as we have known it and as it has become so familiar and so useful to the world. Our country now consists of a sound and compact area, bounded by Canada, by Mexico, and by the two oceans. To add outlying territory hundreds or thousands of miles away, with what certainly must be different interests from ours and very different background, might easily mark, as I said, the beginning of the end.

Think of what would happen were the vote of one Senator from Alaska or Hawaii or Puerto Rico to defeat the ratification of an important treaty affecting the policy and good order of the world. It is unthinkable that we should allow any such possibility.

On the other hand, I suggest that each one of these Territories—Alaska, Hawaii, and Puerto Rico—be set up, by treaty, as an independent and self-governing nation, subject to but two limitations. These are, first, that their relations with foreign powers should be subject to the approval of the President of the United States and the United States Senate. This would prevent any foreign power from using them to our disadvantage. The second is that litigants in any one of these countries should have the right of appeal to the Supreme Court of the United States. The effect of this would be to establish a uniform system of public and civil law in this part of the world. This privilege now exists in the case of Puerto Rico and I am told works extremely well.

I earnestly ask your most serious consideration of this proposal and the avoidance of the damage that would be done to our Government and our people by extending the United States beyond its present very compact and naturally defined boundaries.

I regret that on account of my total blindness, I cannot sign this letter myself.

Sincerely yours,

NICHOLAS MURRAY BUTLER.

EXTENSION OF REMARKS

Mr. BELL asked and was given permission to extend his remarks in the RECORD and include a letter from a Gold Star Mother.

Mr. BENNETT of Missouri asked and was given permission to extend his remarks in the RECORD and include an article from this morning's Washington Post.

Mr. FORAND asked and was given permission to extend his remarks in the RECORD and include an editorial and a letter.

SPECIAL ORDER GRANTED

Mr. LANE. Mr. Speaker, I ask unanimous consent that upon the completion of business on the Speaker's desk and on the conclusion of special orders heretofore entered, I may address the House for 10 minutes today.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. FOLGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks and include the minority report on S. 110.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

[Mr. FOLGER addressed the House. His remarks appear in the Appendix.]

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks and include an article by Mason J. Dixon on the subject of the FEPC.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix.]

THE QUESTION OF STATEHOOD FOR HAWAII, ALASKA, AND PUERTO RICO

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection

Mr. RAYBURN. Mr. Speaker, in view of the remarks of the gentleman from New York [Mr. COUDERT] concerning the matter of statehood for Hawaii, Alaska, and Puerto Rico, I wish to point out that in 1944 one of the national platforms, if not both of them, included a recommendation that Hawaii, at least, be made a State of the Union. Without taking any position on the matter at all at this moment, I do want to say I think it goes to the fundamentals, and the question we have to answer is whether we are going to begin making States out of possessions that are not contiguous to the United

States of America. I think it is a deep fundamental question that we will have to meet one day, and we had better put our best thinking on it.

The SPEAKER. The time of the gentleman from Texas [Mr. RAYBURN] has expired.

RECESS

The SPEAKER. The Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 16 minutes p. m.) the House stood in recess subject to the call of the Speaker.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 o'clock and 45 minutes p. m.

JOINT SESSION OF THE HOUSE AND SENATE

At 12 o'clock and 46 minutes p. m., the Doorkeeper announced the President pro tempore of the Senate and the Members of the United States Senate.

The Senate, preceded by the President pro tempore of the Senate and by their Secretary and Sergeant at Arms, entered the Hall of the House of Representatives.

The PRESIDENT pro tempore of the Senate took the chair at the right of the Speaker, and the Members of the Senate took the seats reserved for them.

The SPEAKER. On the part of the House, the Chair appoints the following members of the committee to conduct the President of the United States into the Chamber: The gentleman from Indiana [Mr. HALLECK], the gentleman from New Jersey [Mr. EATON], and the gentleman from Texas [Mr. RAYBURN].

The PRESIDENT pro tempore of the Senate. On the part of the Senate, the Chair appoints as members of the Committee to escort the President of the United States into the Chamber the senior Senator from Maine [Mr. WHITE], the senior Senator from Ohio [Mr. TAFT], and the senior Senator from Texas [Mr. CONNALLY].

At 12 o'clock and 57 minutes p. m., the Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 1 o'clock p. m., the Doorkeeper announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk. [Applause, the Members rising.]

The SPEAKER. Members of the Congress, I have the distinguished honor of presenting to you the President of the United States.

ADDRESS OF THE PRESIDENT OF THE UNITED STATES—GREECE, TURKEY, AND THE MIDDLE EAST (H. DOC. NO. 171)

The PRESIDENT. Mr. President, Mr. Speaker, Members of the Congress of the United States, the gravity of the situation which confronts the world today necessitates my appearance before a joint session of the Congress.

The foreign policy and the national security of this country are involved.

One aspect of the present situation, which I wish to present to you at this time for your consideration and decision, concerns Greece and Turkey.

The United States has received from the Greek Government an urgent appeal for financial and economic assistance. Preliminary reports from the American economic mission now in Greece and reports from the American Ambassador in Greece corroborate the statement of the Greek Government that assistance is imperative if Greece is to survive as a free nation.

I do not believe that the American people and the Congress wish to turn a deaf ear to the appeal of the Greek Government.

Greece is not a rich country. Lack of sufficient natural resources has always forced the Greek people to work hard to make both ends meet. Since 1940, this industrious and peace-loving country has suffered invasion, 4 years of cruel enemy occupation, and bitter internal strife.

When forces of liberation entered Greece they found that the retreating Germans had destroyed virtually all the railways, roads, port facilities, communications, and merchant marine. More than a thousand villages had been burned. Eighty-five percent of the children were tubercular. Livestock, poultry, and draft animals had almost disappeared. Inflation had wiped out practically all savings.

As a result of these tragic conditions, a militant minority, exploiting human want and misery, was able to create political chaos which, until now, has made economic recovery impossible.

Greece is today without funds to finance the importation of those goods which are essential to bare subsistence. Under these circumstances the people of Greece cannot make progress in solving their problems of reconstruction. Greece is in desperate need of financial and economic assistance to enable it to resume purchases of food, clothing, fuel, and seeds. These are indispensable for the subsistence of its people and are obtainable only from abroad. Greece must have help to import the goods necessary to restore internal order and security so essential for economic and political recovery.

The Greek Government has also asked for the assistance of experienced American administrators, economists, and technicians to insure that the financial and other aid given to Greece shall be used effectively in creating a stable and self-sustaining economy and in improving its public administration.

The very existence of the Greek state is today threatened by the terrorist activities of several thousand armed men, led by Communists, who defy the Government's authority at a number of points, particularly along the northern boundaries. A commission appointed by the United Nations Security Council is at present investigating disturbed conditions in northern Greece and alleged border violations along the frontier between Greece on the one hand and Albania, Bulgaria, and Yugoslavia on the other.

Meanwhile, the Greek Government is unable to cope with the situation. The Greek Army is small and poorly equipped. It needs supplies and equipment if it is to restore the authority of the Government throughout Greek territory.

Greece must have assistance if it is to become a self-supporting and self-respecting democracy.

The United States must supply this assistance. We have already extended to Greece certain types of relief and economic aid but these are inadequate.

There is no other country to which democratic Greece can turn.

No other nation is willing and able to provide the necessary support for a democratic Greek Government.

The British Government, which has been helping Greece, can give no further financial or economic aid after March 31. Great Britain finds itself under the necessity of reducing or liquidating its commitments in several parts of the world, including Greece.

We have considered how the United Nations might assist in this crisis. But the situation is an urgent one requiring immediate action, and the United Nations and its related organizations are not in a position to extend help of the kind that is required.

It is important to note that the Greek Government has asked for our aid in utilizing effectively the financial and other assistance we may give to Greece, and in improving its public administration. It is of the utmost importance that we supervise the use of any funds made available to Greece [applause], in such a manner that each dollar spent will count toward making Greece self-supporting, and will help to build an economy in which a healthy democracy can flourish.

No government is perfect. One of the chief virtues of a democracy, however, is that its defects are always visible and under democratic processes can be pointed out and corrected. The Government of Greece is not perfect. Nevertheless it represents 85 percent of the members of the Greek Parliament who were chosen in an election last year. Foreign observers, including 692 Americans, considered this election to be a fair expression of the views of the Greek people.

The Greek Government has been operating in an atmosphere of chaos and extremism. It has made mistakes. The extension of aid by this country does not mean that the United States condones everything that the Greek Government has done or will do. We have condemned in the past, and we condemn now, extremist measures of the right or the left. We have in the past advised tolerance, and we advise tolerance now.

Greece's neighbor, Turkey, also deserves our attention.

The future of Turkey as an independent and economically sound state is clearly no less important to the freedom-loving peoples of the world than the future of Greece. The circumstances in which Turkey finds itself today are considerably different from those of Greece. Turkey has been spared the disasters that have beset Greece. And during the

war, the United States and Great Britain furnished Turkey with material aid.

Nevertheless, Turkey now needs our support.

Since the war, Turkey has sought financial assistance from Great Britain and the United States for the purpose of effecting that modernization necessary for the maintenance of its national integrity.

That integrity is essential to the preservation of order in the Middle East.

The British Government has informed us that, owing to its own difficulties, it can no longer extend financial or economic aid to Turkey.

As in the case of Greece, if Turkey is to have the assistance it needs, the United States must supply it. We are the only country able to provide that help.

I am fully aware of the broad implications involved if the United States extends assistance to Greece and Turkey, and I shall discuss these implications with you at this time.

One of the primary objectives of the foreign policy of the United States is the creation of conditions in which we and other nations will be able to work out a way of life free from coercion. This was a fundamental issue in the war with Germany and Japan. Our victory was won over countries which sought to impose their will, and their way of life, upon other nations.

To insure the peaceful development of nations, free from coercion, the United States has taken a leading part in establishing the United Nations. The United Nations is designed to make possible lasting freedom and independence for all its members. We shall not realize our objectives, however, unless we are willing to help free peoples to maintain their free institutions and their national integrity against aggressive movements that seek to impose upon them totalitarian regimes. [Applause.] This is no more than a frank recognition that totalitarian regimes imposed on free peoples, by direct or indirect aggression, undermine the foundations of international peace and hence the security of the United States.

The peoples of a number of countries of the world have recently had totalitarian regimes forced upon them against their will. The Government of the United States has made frequent protests against coercion and intimidation, in violation of the Yalta agreement, in Poland, Rumania, and Bulgaria. I must also state that in a number of other countries there have been similar developments.

At the present moment in world history nearly every nation must choose between alternative ways of life. The choice is too often not a free one.

One way of life is based upon the will of the majority, and is distinguished by free institutions, representative government, free elections, guaranties of individual liberty, freedom of speech and religion, and freedom from political oppression.

The second way of life is based upon the will of a minority forcibly imposed upon the majority. It relies upon terror and oppression, a controlled press and radio, fixed elections, and the suppression of personal freedoms.

I believe that it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures.

I believe that we must assist free peoples to work out their own destinies in their own way.

I believe that our help should be primarily through economic and financial aid, which is essential to economic stability and orderly political processes.

The world is not static and the status quo is not sacred. But we cannot allow changes in the status quo in violation of the Charter of the United Nations by such methods as coercion, or by such subterfuges as political infiltration. In helping free and independent nations to maintain their freedom, the United States will be giving effect to the principles of the Charter of the United Nations.

It is necessary only to glance at a map to realize that the survival and integrity of the Greek nation are of grave importance in a much wider situation. If Greece should fall under the control of an armed minority, the effect upon its neighbor, Turkey, would be immediate and serious. Confusion and disorder might well spread throughout the entire Middle East.

Moreover, the disappearance of Greece as an independent state would have a profound effect upon those countries in Europe whose peoples are struggling against great difficulties to maintain their freedoms and their independence while they repair the damages of war.

It would be an unspeakable tragedy if these countries, which have struggled so long against overwhelming odds, should lose that victory for which they sacrificed so much. Collapse of free institutions and loss of independence would be disastrous not only for them but for the world. Discouragement and possibly failure would quickly be the lot of neighboring peoples striving to maintain their freedom and independence.

Should we fail to aid Greece and Turkey in this fateful hour, the effect will be far reaching to the West as well as to the East.

We must take immediate and resolute action.

I therefore ask the Congress to provide authority for assistance to Greece and Turkey in the amount of $400,000,000 for the period ending June 30, 1948. In requesting these funds, I have taken into consideration the maximum amount of relief assistance which would be furnished to Greece out of the $350,000,000 which I recently requested that the Congress authorize for the prevention of starvation and suffering in countries devastated by the war.

In addition to funds, I ask the Congress to authorize the detail of American civilian and military personnel to Greece and Turkey, at the request of those countries, to assist in the tasks of reconstruction, and for the purpose of supervising the use of such financial and material assistance as may be furnished. I recommend that authority also be provided for the instruction and training of selected Greek and Turkish personnel.

Finally, I ask that the Congress provide authority which will permit the speediest and most effective use, in terms of needed commodities, supplies, and equipment, of such funds as may be authorized.

If further funds, or further authority, should be needed for purposes indicated in this message, I shall not hesitate to bring the situation before the Congress. On this subject the executive and legislative branches of the Government must work together.

This is a serious course upon which we embark.

I would not recommend it except that the alternative is much more serious. [Applause.]

The United States contributed $341,000,000,000 toward winning World War II. This is an investment in world freedom and world peace.

The assistance that I am recommending for Greece and Turkey amounts to little more than one-tenth of 1 percent of this investment. It is only common sense that we should safeguard this investment and make sure that it was not in vain.

The seeds of totalitarian regimes are nurtured by misery and want. They spread and grow in the evil soil of poverty and strife. They reach their full growth when the hope of a people for a better life has died.

We must keep that hope alive.

The free peoples of the world look to us for support in maintaining their freedoms.

If we falter in our leadership, we may endanger the peace of the world—and we shall surely endanger the welfare of our own Nation.

Great responsibilities have been placed upon us by the swift movement of events.

I am confident that the Congress will face these responsibilities squarely. [Applause, the Members rising.]

At 1 o'clock and 21 minutes p. m., the President retired from the Hall of the House of Representatives.

The members of the President's Cabinet retired from the Hall of the House of Representatives.

At 1 o'clock and 23 minutes p. m., the Speaker announced that the object of the joint session having been completed, the joint session was dissolved.

Thereupon, the President pro tempore and the Members of the Senate returned to their Chamber.

RECESS

The SPEAKER. The House will stand in recess until 1:35.

Thereupon (at 1 o'clock and 25 minutes p. m.) the House stood in recess until 1:35 p. m.

AFTER RECESS

The recess having expired, the House was called to order at 1 o'clock and 35 minutes p. m. by the Speaker.

The SPEAKER. The message of the President is referred to the Committee on Foreign Affairs and ordered printed.

RE-REFERENCE OF BILLS

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency be discharged from further consideration of the bill (H. R. 2184) to amend section 304 of the

act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, and the bill (H. R. 2190) to provide that schools constructed under the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, may be donated to local school agencies; and that the same be re-referred to the Committee on Public Works.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

There was no objection.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks in the RECORD and include an address delivered by Capt. Robert Montgomery at a dinner last night.

Mr. MASON asked and was given permission to extend his remarks in the RECORD on world relief and to include an article on the same subject.

Mr. BUCHANAN asked and was given permission to extend his remarks in the RECORD and include an article by James Reston appearing in the New York Times today.

Mr. MILLER of California asked and was given permission to extend his remarks in the RECORD and include an editorial.

COMMITTEE ON PUBLIC LANDS

Mr. WELCH. Mr. Speaker, I ask unanimous consent that the Committee on Public Lands may be permitted to sit this afternoon during the session of the House.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. WELCH]?

There was no objection.

IMPORT TAX ON COPPER

Mr. HERTER. Mr. Speaker, I call up House Resolution 140, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2404) to suspend certain import taxes on copper. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. HERTER. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, this resolution would make in order the immediate consideration of H. R. 2404, a bill to suspend certain import taxes on copper. The enactment of this bill would make it possible for American copper users to buy their supplies in foreign markets without paying a price far above that paid by other countries. At present there is no economic reason for this tariff. Domestic producers of copper realize that they cannot produce enough to meet even domestic demand, and they do not oppose this bill. For many years, this country produced enough copper to meet domestic demand, and was a large exporter of the commodity. At that time a tariff was feasible to protect domestic producers, and Congress levied a tax on foreign imports of copper amounting to $80 a ton. But now the situation has changed altogether. Domestic producers can supply only 75,000 short tons of copper a month, while domestic consumption is about 140,000 short tons. To fill this gap, the Metals Reserve Company has supplied 50,000 to 60,000 tons a month. But Government stock piles of copper will probably be exhausted within a month. Unless some remedy for this situation is forthcoming, industrial users of copper will be forced to curtail their operations, and the result will be widespread unemployment in the copper-fabricating industry and other industries depending for supplies upon copper manufacturers. It is the purpose of this bill to remove for 3 years the tariff barrier to the importation of copper.

H. R. 2404 was reported unanimously by the Committee on Ways and Means, and this resolution was reported unanimously by the Rules Committee. It is a completely nonpartisan measure, and little controversy is likely to develop in debate on the bill. Therefore, the Committee on Rules has provided but 1 hour of general debate. Amendments under the 5-minute rule and one motion to recommit have been provided should an objection arise to any portion of the bill.

This resolution embodies a general rule, simply providing for the consideration of this important bill.

Mr. PHILLIPS of California. Mr. Speaker, will the gentleman yield?

Mr. HERTER. I yield.

Mr. PHILLIPS of California. I have no comment on the bill itself; I think it is a good idea, but I do ask the Rules Committee if the length of time was discussed. It seems to me important, in view of the uncertain world conditions, that the period should be shorter than that mentioned in the bill.

Mr. HERTER. I may say to the gentleman from California that the Rules Committee is not empowered to amend legislation that comes before it.

Mr. PHILLIPS of California. Then I shall reserve my question until the bill is taken up for consideration.

Mr. HERTER. It is my understanding that an amendment along that very line will be offered from the floor.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. HERTER. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH].

RULE AND BILL SHOULD PASS

Mr. SABATH. Mr. Speaker, the gentleman from Massachusetts has thoroughly explained the rule and also the bill.

The Ways and Means Committee, after having heard many witnesses, reported this bill and requested a rule which was unanimously granted. This relief is needed immediately because manufacturers who use copper and metals alloyed with copper need it to get additional copper to permit them to continue in the production of many necessities that are in great demand.

We are, of course, a rich nation. We grow and produce more than any other nation in the world; nevertheless we cannot produce everything and our needs require that from time to time we obtain raw materials from other countries; consequently, the Democratic Party for many years has believed we should bear that in mind and not close our doors or preclude the importation of needed raw materials to permit us to continue to be the greatest manufacturing and producing nation. Our friends on the left have charged us with being free traders, which, of course, was not correct or justified. We have always been for tariffs, but for revenue only.

SMOOT-HAWLEY TARIFF PRECIPITATED WORLD DEPRESSION

The Republicans honestly believed, I suppose, that when they passed the Smoot-Hawley Tariff Act, they were acting to safeguard American industry and American workers from foreign competition. We know now that the Smoot-Hawley tariff, with its unscalable economic walls and its interference with private enterprise, helped to precipitate world-wide depression and stagnation and to create the conditions in which Nazi-fascism and other totalitarian systems were able to impose their tyrannies and to threaten the whole world with slavery or destruction.

Even Republicans, or most of them, know now that trade is a two-way street. We cannot always sell and never buy. Not only did we restrict world trade with that act, and sow the seeds of world war, but we injured our own foreign commerce and exhausted or deeply depleted our own precious reserves of minerals and natural resources.

RECIPROCAL TRADE TREATIES ARE REMEDY

By this time, I take it, my Republican friends, except for a few die-hards who would like to build a Chinese wall around our borders and cut off all intercourse with the rest of humanity, will agree now that the reciprocal trade treaties, so wisely devised by the late President Roosevelt and his great Secretary of State, Cordell Hull, are the proper instruments for our foreign trade, so that we can exchange our surplus crops or our manufactured goods for raw materials that we need and do not have.

As I have said, we are the greatest manufacturing country in the world and for years we have been the greatest agricultural country in the world.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I am sorry; I cannot yield now.

Mr. HOFFMAN. I just wanted to say something else we were great in.

Mr. SABATH. I know the gentleman wants to say something else, but I do not think he can enlighten me on this.

Mr. HOFFMAN. I want to agree with the gentleman. Can he not let me make a contributing observation?

Mr. SABATH. I am indeed gratified and immensely pleased that the gentleman from Michigan will agree with me and does agree with me at this time.

Mr. HOFFMAN. The gentleman does not want to accept it before I say it, does he?

Mr. SABATH. I hope the gentleman will agree with me many times from now on because I always try to be right and bring light and information not only to the gentleman but to the membership of the House and to the Nation.

Mr. Speaker, I am not going to detain the House longer because this bill deserves immediate consideration and should be passed without delay. I am indeed gratified that the majority has seen fit to realize and understand that the position of the Democrats has been always right, and in the best interests of the Nation, and we owe our pre-eminence in world industry, and our capacity to become the arsenal of democracy, and the granary of democracy, during the war, to the wise and prudent policies of the Democratic administrations.

Mr. Speaker, I reserve the balance of my time.

Mr. HERTER. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, the gentleman from Illinois [Mr. SABATH] seemed so enraptured with his own words and his own thoughts so intent that he would not yield. He spoke about this being a great nation and the many things in which it has been first for so many years. I want to agree with him on that. It is the most powerful nation. But it is also the nation that can get into more wars, fight more wars for other people than any other nation in all the world. The thing that the President today did not tell us was how much of an effort we are going to make, how many dollars are involved, how many tons of munitions and supplies for war will be needed, how many men we are going to send into World War III. If he will tell us more about those matters I am sure those who will be the veterans and veterans' dependents of World War III will be much interested.

Mr. SABATH. I am not speaking for the President.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. HERTER. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Speaker, there is no reason in the world why this rule should not be adopted and, as far as that is concerned, adopted with a minimum of discussion. However, it is always proper to explain just what the rule does and what the bill provides when it comes up for consideration.

This bill provides for the elimination of the import tax on copper up to March 31, 1950. The tax now being 4 cents per pound. The idea being to relieve the shortage of copper in this country.

The Ways and Means Committee has reported this bill unanimously. There is no opposition apparently from either side of the House.

The rule provides for immediate consideration of this copper bill. The bill recognizes the fact that today in this country there is a great shortage of raw copper and it provides, as I have said, for the importation of copper into the country free of any duty. The duty is to be taken off for a certain period of time. That time limitation is March 31, 1950.

Those of you who are protectionists may rest assured that we have followed this through very carefully, with the idea of not doing violence to the traditional protection policies of the Republican Party. The testimony was overwhelming that this commodity is sadly needed in the country. The testimony comes from practically all producers of copper and copper goods, from the biggest and most important industries down to the smallest industry engaged in the manufacture of copper and copper products. For this reason I expect to support the rule and the bill. As soon as domestic production approaches the domestic demand we can then restore the duty.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. I yield with pleasure to the gentleman from Mississippi.

Mr. RANKIN. Does this bill take all tariffs off of copper?

Mr. JENKINS of Ohio. It takes off of raw copper all of this import tax but not off of commodities made of copper.

Mr. RANKIN. I understand it takes the import tax off.

Mr. JENKINS of Ohio. Yes.

Mr. RANKIN. I was wondering if it takes all of the tariffs off of raw copper?

Mr. JENKINS of Ohio. Yes; every tax and duty comes off the raw copper. I mean by that, that we will not change the duty on articles made of copper. Those foreign-made commodities already manufactured will bear the regular duty.

Mr. RANKIN. I notice the time is limited to 1950.

Mr. JENKINS of Ohio. Yes.

Mr. RANKIN. I am wondering whether it would not be best just to strike out in line 7, all after the word "act" for this reason. Now, you are going to start your manufacturing in this country, and it is going to take them some time to get geared up to manufacture things made of copper, and leaving this deadline of 1950 in there may have a deterrent effect on them. We need many things now, especially transformers, in which copper is used in the manufacture. What I am afraid of is that if you leave that deadline in there, you are deterring the manufacturers in this country from going into the business.

Mr. JENKINS of Ohio. We could not agree to that change. That proposition was discussed very considerably in the committee, and there was no sentiment of any consequence to that effect. The purpose of this legislation is to meet a serious scarcity of a very necessary commodity. As soon as that serious scarcity has been relieved Congress can, and no doubt will, restore that duty. The gentleman will, as this debate continues, find that the Congressmen from New Mexico and Arizona and Montana, all of whom are Democrats and free traders, generally will be ardent in their demand for the maintenance of a protective tariff on copper.

Mr. DOUGHTON. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the distinguished gentleman from North Carolina.

Mr. DOUGHTON. The testimony before the committee was to the effect that a different date was submitted, but this was the farthest-off date that was suggested. Some wanted 1 and 2 years, but 3 was the limit which was proposed by any witness before the committee.

Mr. JENKINS of Ohio. This was the date finally agreed upon unanimously.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Indiana.

Mr. HALLECK. That rather answers the question in my mind. As I understand it, there was no inclination in the minds of the committee to effect a permanent repeal, but it was to be rather in the nature of a temporary suspension, the only question being the length of time that the suspension would be effective. After the termination of the time of the suspension, of course, the committee and the Congress can take a look at the existing situation and determine what properly ought to be done.

Mr. JENKINS of Ohio. No doubt they will, because the small producers of copper in the country will be able to function, and by that time we hope the industry will have stabilized itself, and if they need protection, we will have to give it to them. There is no intention to place any additional burden on the small producers. I am as jealous for the best welfare of the small producers as any Member. In fact, I would not support this measure if I thought it would be to the disadvantage of the small producers.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. HERTER. Mr. Speaker, I yield the gentleman three additional minutes.

Mr. JENKINS of Ohio. A date beyond 1950 might be too far, and we would be confronted then with complaints from many of the small producers of the country, and they would complain justly, and the purpose of the committee was to extend the date as far as practicable in accordance with the testimony of the experts that we had before us.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Pennsylvania.

Mr. SIMPSON of Pennsylvania. The gentleman mentioned a bit ago our hope that in due course, perhaps 2, 3, or 4 years, the domestic producers of copper may again need protection from foreign competition. It is interesting to note that the State Department is presently including, in connection with new reciprocal trade agreements—copper. The rate thus can be reduced on these agreements on a long-term basis, to the permanent injury o our domestic industry. We believe this protection should be continued as it is today, subject only to a

temporary suspension which this bill now provides.

Mr. JENKINS of Ohio. I wish to reiterate my statement that there was no tendency anywhere to put any undue burden on the small producers of copper. On the contrary this date was fixed as the maximum date so that we felt sure that it would do the job intended and at the same time would not encroach upon the rights and privileges of the small producers of copper in the country.

Mr. SABATH. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, the message we heard today delivered by President Truman was not only a courageous message but a historic message. It was a message that will reverberate throughout the world.

I have repeatedly said on the floor of the House, and publicly, that all the countries of the world are either looking to the Kremlin or to the White House, to Moscow or Washington. I have stated that the peoples of most countries look toward Washington. If we fail them, of necessity, they are compelled to bend, through fear, to the influence of the Soviet Union.

Last July on the floor of the House I made a speech exposing the conditions that existed in Yugoslavia under the heartless and cruel dictator, Tito. At that time I had reliable information upon which I based the main premises of my speech. On January 23 the gentleman from Illinois [Mr. DIRKSEN] made a dramatic speech on the floor of this House and, being so impressed, and having some strong views of my own, I followed him. His was a powerful and able speech, and his main premise was that freedom is the great issue. On that occasion, supplementing what he said, I said, and I quote from the RECORD of January 23:

> The gentleman said "freedom" is the great issue. He is absolutely correct. He said that "Red fascisim" or "atheistic communism" is on the march. I have said that before. We might just as well face the facts. On July 27, 1946, in a speech on this floor, I exposed conditions existing in Yugoslavia under Tito. The gentleman from Illinois [Mr. DIRKSEN] in my opinion, is absolutely correct in the issue involved in its broad aspect. We are confronted in the world of today with a clash of two concepts of life, one the Marxist concept, the state, all powerful, the state supreme, with its viciousness; and on the other hand, the western concept, the concept of those who believe in one God; Catholic, Protestant, or Jew, the Christian concept of life. There is a clash today, and we must face the situation and face the real conditions in a realistic manner. In doing this, there is no middle aisle dividing us. There are no Republicans and no Democrats on that issue. We are all concerned with the national interest of our country. We find the boring in; we find coalition governments; we find the taking over; we find the suppression of labor; we find the constant encroachment; we find the inability to have agreements made on fundamentals; the representatives of our country and other countries willing to do so, but always uncertainty, confusion, and chaos existing due to the practices and actions of the Soviet Union. We find the Balkan nations behind the iron curtain, except little Greece, and that country is besieged. We see conditions existing in China. All of these things should bring to our conscious mind, those of us who believe in the concept of life that we do, that our way of life is being challenged.

I said it then, and I believe it now. I base my position upon the national interest of the United States of America. I say that it is not for the national interest of our country to see Greece denied assistance by the United States; to see Greece through our failure, through our default, subjected to those pressures which we know exist on the part of a minority, and which under certain conditions could take control of the country and the people. When such a minority takes control of a government, and with the power of government imposes its will upon the people of a country, despite the fact that the great majority of the people of that country are not in agreement with the dictatorial, totalitarian oligarchy that has wrested the powers of their government unlawfully from the people, I say it is not for the national interest of the United States.

My sentiment for Greece is great, but I am concerned with the national interest of my country. I say it is not for the national interest of my country to see Turkey, as well as Greece, become subject to the influence of that same orbit, the Soviet orbit. I say it is not in the interest of my country, the United States of America, to see Italy, or France, or Spain, go under the control of the Communists. I say it is not in the national interest of my country to see China subject to the influence of the Soviet orbit.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. VORYS. At the outset of the gentleman's remarks he said the world now looks to the Kremlin or the White House.

Mr. McCORMACK. I used the expression in a descriptive sense.

Mr. VORYS. May I suggest, and I know the gentleman will agree with me, that that was merely a passing reference. If we want to face our responsibility fully on the floor of this House, we would say, and the gentleman would say, that the world looks to the Kremlin or the Capitol of the United States where the President has just given a message to the Congress and where the gentlemen and others are speaking of responsibilities that are not merely the responsibility of the White House but the responsibility of the peoples' representatives here.

Mr. McCORMACK. Exactly.

Mr. VORYS. It would seem to me well to call attention to the fact that the world is looking at the Capitol of the United States and is listening to this debate.

Mr. McCORMACK. The gentleman has interpreted my remarks correctly, and I am glad that he has made the observation because later in my talk I said "Moscow or Washington." I accept the suggestion to say that the world is looking to the Kremlin or to the Capitol of the United States.

Mr. Speaker, I now yield to the gentleman from New York [Mr. REED].

Mr. REED of New York. I have listened with a great deal of interest to the gentleman. Many times we have been together on this question on the infiltration of communism into this country. But this unfortunately is one of the questions on which we differ. During this last year we were arming Tito, and now we are beginning apparently to pay for it with blood of our boys. That is where the biggest part of the war material went that we sent over.

Mr. McCORMACK. The gentleman is raising another question which I shall not go into at present, but I would condemn that as much as anyone else if that were a fact.

Mr. REED of New York. It is a fact.

Mr. McCORMACK. I am not challenging the statement of my friend because I am satisfied that Tito was using our assistance to further his own purposes. So, you see, I am not challenging the statement of the gentleman, but to what extent it was used is another question.

I yield to the gentleman from New Hampshire.

Mr. MERROW. I wish to compliment the gentleman from Massachusetts on the splendid statement that he is making. If we fail to assist Greece and Turkey, as the President has suggested this morning, will not the Mediterranean become a Soviet lake, and will not the security of the United States then be imperiled, and will not the leadership of the United States of America be placed in jeopardy?

Mr. McCORMACK. The answer to that, in my opinion, is simply yes, and I will give my reasons. It is my opinion, for whatever it may be worth, the nation that controls the Mediterranean controls Europe, and the nation that controls Europe controls Asia and Africa. I believe I have given the gentleman the reason for my answer.

I yield to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. I rise to join my voice with others in paying tribute to the distinguished former majority leader for the statement that he is making today, and especially because of the fact that he has been willing to make forthright statements on this issue in days when it was not popular in many quarters to make it.

Does not the gentleman feel also that as we stand today at this crossroad we should add to our sense of grave responsibility a sense of regret that in some degree we have been assisting a Communist minority in China in its efforts to overthrow the Chinese Government, which with all its weaknesses has steadfastly refused to yield to such internal and external pressures as today threaten Greece and Turkey? Whatever our intentions were, has not our policy resulted in weakening our ally, the Government of China, and strengthening the Communist minority? Will the gentleman agree with that statement?

Mr. McCORMACK. In answer to the distinguished gentleman from Minnesota, I would observe that prior to last Monday I probably felt the same way as the gentleman did, but as a result of information, I can assure the gentleman there is no assistance being given to the Communists in China. I believe that when there is a more representative gov-

ernment established there, that affirmative action along the lines that the gentleman and I would agree should be extended over there.

Mr. JUDD. I want to make quite clear I was not suggesting that the United States has been giving direct assistance to the Communists of China; but the inevitable, inescapable result of our policy of trying to bring the minority Communists into the Chinese Government and failing to support effectively that government while helping to correct its weaknesses has been to strengthen the Communists' position.

Mr. McCORMACK. Without doing anything—failure to do things helped them. I agree with the gentleman.

Mr. JUDD. The gentleman and I are in complete agreement.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. COX. In view of the gentleman's statement, I have no desire to ask for recognition, but I purposed, however, to ask that the gentleman permit me to rephrase the question of the gentleman from Minnesota [Mr. JUDD] to say that might we not, with some sense of regret, look upon the fact that we probably have not rendered assistance to Chiang Kai-shek that was due him.

Mr. McCORMACK. I cannot challenge that. I am not going to challenge it, but as a result of this message today, if the Congress supports the message, the issue is joined. I have always taken the position that our form of government is a dynamic, forward-looking form of government. There is nothing negative about democratic institutions of government. We have to act and think affirmatively. We have to be forward-looking in order to have a democracy serve a people. The totalitarian form is a destructive form of government. It is negative government. The issue is joined today by this message. No matter where it may lead us, the issue is joined. And I am glad the issue is joined, not because it happened to be President Truman. Entertaining the views that I do, if any other President had read that message I would have had a feeling of satisfaction as an American that the issue is joined throughout the world, and that the nations and peoples of the world know that the great United States is going to use its power for good, if the Congress will support the President, and its power to preserve the 2,000-year way of life that we are the inheritors of, and which we want to pass on to future generations of Americans and future generations elsewhere who believe in the concept of life that we do.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. JENKINS of Ohio. Just what does the gentleman mean when he says the issues are joined? It would seem to me the implications in the gentleman's statement would amount to a declaration of war.

Mr. McCORMACK. No. The gentleman knows that is not so. There is always a certain calculated risk in everything we do. The question is, "Which is the greater calculated risk, whether we are going to do nothing or whether we are going, through the measures recommended by the President, to take steps in accordance with his recommendations?" I will concede there is a certain calculated risk, but I say if we do nothing, and if we let Greece go and if we let Turkey go, that will be two. Then, in my opinion, it will be Italy and it will be France and it will be Spain and it will be all of Europe. I say that this calculated risk is far greater and more dangerous to the national interest of our country than the calculated risk recommended to us by the President of the United States.

Mr. JUDD. Is not this an accurate statement: we in the United States are not now joining the issues, we are merely belatedly recognizing that they have long been joined, not by our choice but by the choice of others. We are not rising to attack the way of life of others; we are rising to defend the general way of life in which we believe against attacks from others. We have not raised the issues; but we cannot longer blind ourselves to the fact that they have been raised and we cannot escape them.

The SPEAKER. The time of the gentleman from Massachusetts [Mr. McCORMACK] has again expired.

Mr. HERTER. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado [Mr. ROCKWELL].

Mr. ROCKWELL. Mr. Speaker, may I say just a word about this bill that is before us at this time. The miners of my State of Colorado are rather worried about this reduction in the tariff on copper. We have many mines in my State which are small mines, marginal mines, and which produce copper, lead, zinc, and other raw material. Therefore, in order to protect those men and in order that we may be sure that we may have an adequate supply, I am going to offer an amendment at the proper time, which will read as follows:

Page 1, line 8, strike out the figures "1950" and insert in lieu thereof the figures "1949."

In other words, in 2 years we will know whether there actually is a short supply and, thereby, give the marginal copper producers an opportunity to have this tariff put back on if it becomes necessary.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Speaker, I do not hope to do much toward blocking the passage of this rule. I regret that the rule is brought before us today or that the bill which it makes in order is brought before us today, for I think this bill might have been so written as to pass under unanimous consent.

As I said to the Committee on Ways and Means when this bill was being considered in the committee, the mining people recognize that there is a shortage of copper in this country, a serious shortage; in fact, there is a world shortage. These mining people, the producers of copper, want to meet the manufacturers, the fabricators, and other consumers of copper part way in some trial period of suspending the duty. I believe if the committee had brought this in with a mere suspension of the 4-cent excise duty for 1 year, it could have been passed by unanimous consent. The bill however does not reach us in that form. The rule therefore is before us.

Mr. GRANT of Indiana. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK. I yield.

Mr. GRANT of Indiana. There was not a single witness who appeared before the Ways and Means Committee who testified in his opinion that our domestic supply of copper would equal our domestic requirements in a year; and I am asking the gentleman from Arizona now if he believes there is any chance that domestic production within a year can meet domestic consumption?

Mr. MURDOCK. The same question was asked by the gentleman in the committee. I believe that within 12 months we will go far towards reaching the increased domestic production needed and will also be then better able to know what further needs to be done.

We do not dare assume too great a risk. I heard solemn tones here today as I listened to the Chief Executive from that desk and from our leaders on both sides of the aisle. This is no time, Mr. Speaker, to throw down the safeguards of domestic production of that most vitally necessary red metal which we need in national defense as this 3-year suspension would throw them down.

Mr. GRANT of Indiana. Mr. Speaker, will the gentleman yield further?

Mr. MURDOCK. Pardon me, I cannot yield now.

We are not in a position today to guard ourselves with this necessary military requirement. At this very moment our production of basic copper is less than it was in 1939 and 1941, although we have passed stock piling legislation; we have made arrangements for accumulations for national defense of strategic and critical minerals and metals but we have not accumulated the copper.

Oh, you say, let us suspend or even repeal the 4-cent duty now existing and get this copper in. But this legislation is not necessary for that. We can import all the foreign copper we please or need duty-free as a matter of national defense. We did it during the war, we can do it now if national defense demands it.

I tell you, Mr. Speaker, I am informed by experts in the copper production field that the industry can stand a short suspension, say 1 year, and they are willing to do it in order that consumers may have this much needed product to meet the postwar demand. There is a great accumulation of demand for copper that creates this temporary shortage. I am not able to say when that shortage will be met by domestic production but I do say that if we suspend for only 1 year and at the end of the year's time we find there still remains a shortage, we can then continue the suspension.

Mr. MANSFIELD of Montana. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK. I yield to the gentleman from Montana.

Mr. MANSFIELD of Montana. With reference to the question raised by the gentleman from Indiana [Mr. GRANT],

may I say that Mr. Hayes, Director of Metals and Minerals, Civilian Production Administration, appeared before the committee on the same day that we were there. He stated:

> I do not believe that it is wise to suspend that duty for too long a time. In my opinion, a suspension of the 4-cent duty until June 30, 1948, would be sufficient at the present time; then in the spring of 1948 you take another look at the picture.

I do not agree with him exactly, but at least that statement was made in the record that day.

Mr. MURDOCK. Yes; and he was one of the finest and most expert witnesses who appeared before the committee at that time. That was his statement. I hope the committee will heed his advice.

The SPEAKER. The time of the gentleman from Arizona has expired.

Mr. HERTER. Mr. Speaker, I yield 5 minutes to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, we have listened today to what is perhaps one of the most historic messages ever given to this Congress. It makes very clear, as I interpret it, that we have two possible paths to follow. One might well mean guns, and the other might well mean a far more subtle method, one that requires a background of knowledge coupled with great wisdom. Without question this last would have the greater appeal for the people of this country.

We were told unequivocally that totalitarian expansion must be stopped. The method was very definitely laid upon us to work out. This novel procedure gives a clear indication that a new era is at hand.

Mr. Speaker, I am a woman, and, as a woman, I cannot agree that war measures—troops, equipment, and all that that means—are necessarily the only answer. I believe that the people of this country expect the Congress to do everything it is humanly possible to do to find a peaceful way. Do not misunderstand me; the peaceful way is not one of appeasement, rather is it one of clear, definite, positive action. This is no moment for weakness and negativeness, which are tools of the timid and the fearful. Nor is it Greece and Turkey alone that are involved in possible destruction. This is a moment when everything that man has built is in danger of tumbling around his ears. Wisdom and strength must be our tools as never before in the whole history of mankind.

So I contend that guns are not the only possible way to resolve the world problem of starvation, bound up as it is in the President's newly stated policy that totalitarian aggression must be stopped. You cannot eat guns, Mr. Speaker, and the people of Greece and other lands are starving. It would seem unthinkable not to feed the starving, but our people have the right to expect us to make every penny we put into food and other supplies do an honest job. They have the right to expect us to find ways to make every dollar count for ultimate freedom.

Just as we must be careful in our use of words so must we guard against carelessness in our actions. Let us also bear in mind that totalitarian aggression, while it is expressed in many ways, achieves its maximum results through poverty and hunger. To combat it we must put at least some food into empty stomachs and make it possible for these countries to reach out towards economic stability. Charity alone will not do the job. Loans will of necessity follow so that trade may once again flow. Such loans must be supervised by American experts in finance, industry, agriculture, and other fields so that they may be made to yield maximum results. Any other course will not only not benefit our friends but will wreck our own economy.

As a woman I dare risk a moment of prophecy, feeling as I do that our whole civilization is at stake. Is it not conceivable that we shall have to review our own method of economy particularly where it touches the other countries of the world?

To this end, Mr. Speaker, it is my earnest hope that this Congress will deal with these tremendous responsibilities with a sense of consecration on a basis of thorough knowledge of the over-all picture, not in piecemeal bits.

So I urge upon you, as I demand of myself, the need for knowledge for understanding and for strength that we, as a nation, may justify the faith of those who look to us.

Mr. SABATH. Mr. Speaker, I yield 4 minutes to the gentleman from Arizona [Mr. HARLESS].

Mr. HARLESS of Arizona. Mr. Speaker, we have heard a very interesting address by the gentlewoman from Ohio [Mrs. BOLTON]. We have heard a great deal today about the national emergency and the international situation, and yet here with a mere brush of the shoulder, we are about to vote on legislation which is possibly going to destroy or seriously cripple one of our most important industries, the copper-mining industry. I want to remind you that this piece of legislation is being considered without giving due consideration to the industry concerned to be heard. This piece of legislation was jerked out of thin air and was voted out of committee without the copper-mining industry of this country being given notice. If you take the tariff off the copper-mining industry in this country for a period of 3 years, your development work in the copper mines will stop. I worked in a copper mine for 5 years, and I know what I am talking about. A company will not spend $50,000,000 or even $100,000 without getting a fair return. Incidentally, $50,000,000 was the amount spent in one mine, the Morenci mine, before the producer took out one cent of profit. No company nor individual will extend himself unless he is guaranteed a fair return on his investment. Now, we are facing a grave world situation. The copper-mining industry suffered throughout this last war because the OPA froze the price of copper at 12 cents a pound. Now that the ceiling has been taken off, the industry is beginning to strive again. We cannot depend upon a source of copper from the South American countries or Africa to support our national defense and to protect us in time of an emergency.

I was very much surprised to see that this bill was reported out in its present form to extend the moratorium until 1950. I have no doubt but what this rule will pass, but there will be some amendments offered, and I say that 2 years or until 1949, is too long under present conditions, because if you want a healthy mining industry you cannot count on a shortage to last for more than 1 year. That was testified to by Mr. Hayes, the only real authority that testified before the committee. As a matter of fact, the Congressman from the different copper-mining States concerned in this matter were not really notified. We heard about it indirectly and went to the committee and appeared. We were given the courtesy of making a statement.

We contend that the moratorium should not extend beyond June 30, 1948. If the shortage continues when that time arrives, then we can reconsider the matter and provide for an additional extension.

The SPEAKER. The time of the gentleman from Arizona has expired.

Mr. HERTER. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. HALLECK. Reserving the right to object, Mr. Speaker, I understand there are 9 minutes remaining on our side to be allotted. I shall not object to this request, but there are two or three other matters we hope to dispose of this afternoon and I shall, except for this subsequent allotment of time, feel constrained to object to requests to proceed out of order until the business scheduled for consideration in the House has been disposed of.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, on yesterday I stated in the well of the House:

> The major European problems which afflict us today are the direct products of the secret agreements secretly arrived at during the war. For reasons unknown to the American people and even to those in the State Department who should have known, European spheres of influence were carved out at the major conferences of Russia, Great Britain, and our country. Russia was given control over the whole of central and western Europe. Poland, Czechoslovakia, Rumania, Hungary, and the Balkans were read out of western Europe. Our own country was to be content with its usual idealistic goose egg.
>
> The chickens are now coming home to roost. We shall pay and pay heavily for the next generation for this foreign policy.

I was greatly concerned when I listened to the President's address this morning and I observed the Members of both Houses as they sat here. The President was received very graciously and with some enthusiasm, but his remarks were treated with grave misgivings. There were very few interruptions by applause. Every Member of this House must feel, as I do, most apprehensive as to what the future has in store for us. The program that is recommended here is a departure from our traditional foreign policy.

While considering what the President has asked us to do, I was thinking of what a member of the Appropriations Committee, an old member, told me in conversation the other night. He said a constituent of his informed him that a group of dealers from Canada purchased surplus property which had been given to Greece by the United States, and made a profit of $12,000,000 by reselling this property to the Russian Government. The gentleman from Massachusetts, our good friend, the minority whip, says that the people are looking to the Capital of the United States or to the Kremlin. I do not know about that. If we in the United States realize and recognize the truth of that statement and if we are selling or giving our surplus property to nations or to dealers who in turn are selling it to the Kremlin, then I say we should call a halt. It is amazing that there is such a conflict of thought and action.

Russia is buying up this property in wholesale lots, on the one hand and on the other hand it is quite obvious that we are asked to help Greece to keep Russia in her place. I am more concerned not by what the President said but what he did not say. We find that all of the truth is not being given to us. Perhaps our leaders know more about this than we do. I am willing to follow them. I am anxious to follow them.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. HERTER. Mr. Speaker, I yield the balance of the time to the gentleman from Wisconsin [Mr. O'KONSKI].

AN ANSWER TO THE PLEA FOR THE SALVATION OF GREECE

Mr. O'KONSKI. Mr. Speaker, the speech by President Truman concerning the necessity for our taking over the affairs of Greece should make every red-blooded American citizen demand that it is time for a rendezvous with destiny.

The speech by President Truman clearly indicates that our national leadership is following the same path of stupidity that our Nation has followed for the past 15 years in international affairs.

The tragedy of Greece is an American tragedy more than it is the tragedy of Greece. The tragedy of Greece is a plain indication that our national leadership has no more idea of which direction it is going now than it had for the past 15 years. The tragedy of Greece is a tragedy of our own making and our own thinking.

From 1933 to 1941, the leadership of our country was crying for the poor Chinese who were being slaughtered by the Japanese. But at the same time our country was feeding scrap iron, gasoline, and money to the Japanese war machine. From 1933 to 1941, our national leadership gave the Japanese war machine more than a billion dollars in cash. In that period our national leadership gave the Japanese more than 8,000,000 tons of steel. In that period, our national leadership gave the Japanese tanks and high octane gasoline to a degree where Japan had enough war materials and money from the United States of America to fight a war against us for 1 year. We paid in blood, sweat, and tears and hundreds and thousands of our boys bled and died in order to protect us from the Japanese war machine which our national leaders encouraged and financed.

From 1933 to 1938 our national leadership gave Germany more than $1,000,000,000 to rebuild its economy. While in America we had bread lines and soup lines, our national leadership was dishing out hundreds of millions of dollars to help the poor and starving German people. While our people were in bread lines and soup lines, with our money Germany built seven large stadiums and the German people accumulated savings of $10,000,000,000. In that period the German people also spent more than $40,000,000,000 on their war machine. The German war machine was built up and encouraged by the national leadership of the United States of America from 1933 to 1938. Hundreds and thousands of our boys bled and died to stop this German war machine from taking over America. This is the war machine that American leadership encouraged and financed. This was done under the guise of stopping communism in Europe.

Then we turn around and we pour $10,000,000,000 into Communist Russia and build them a war machine wherein they are able to take over not only all of the countries surrounding Russia, but all of Balkan, Baltic, and central Europe. With our $10,000,000,000 we made them so strong that they are now threatening the peace of the world. I repeat, it is American money and American capital and American leadership that built the Russian war machine to the point that now they threaten the peace of the world. Again, the leadership of the United States of America has created its own destiny.

Honest and sincere people would think that we should have learned a lesson. However, even after this last war, World War II, we knew no other course except to follow the old course. Since the war ended, our national leadership has poured 650,000,000 of our taxpayers' money into Communist Yugoslavia. With the money that we gave them in the last 2 years, Yugoslavia has built a standing army of 600,000 men. With our money Yugoslavia has the best-dressed and the best-fed army in the world. With our money, Yugoslavia has not only built its own army but it has called in the revolutionists of Greece and trained them in typical Communist tactics. The Yugoslavian Communist Government now is infiltrating those revolutionists into Greece to start a revolution and civil war in Greece. Now we are asked to stop that revolution and civil war in Greece. I repeat, it is American capital and American leadership that built up Communist Yugoslavia and its Communist agents in Greece.

Now comes the sad and tragic end. Now comes the President of the United States of America before the Congress of the United States of America, pleading that we have got to pour hundreds of millions of dollars into Greece in order to save Greece from communism. First, we give $650,000,000 to Communist Yugoslavia to strengthen communism in the Balkans, and now our President asks us to pour in hundreds of millions of dollars in order to stop that which we ourselves created with American capital and with American leadership.

There are those who call this policy American and humanitarian. There are those who say that this is accepting our place of leadership in the world. There are those who call it expediency and appeasement. There are others who call this different sorts of things. But I for one, call our foreign policy the utmost of stupidity. As far as I can see, in the past 14 years we have had only one principle involved in our foreign policy. That principle has been to try to buy a potential enemy with money. With that money we have enabled our potential enemies to build up strength to the point where they threaten the peace of the world. Then along comes the same national leaders who say that we have to dish out additional billions of dollars to stop the threat which we ourselves financed and which we ourselves created. If this kind of policy is not plain stupidness, pray tell me what is it? It is time for a "rendezvous with destiny." The President has told us nothing new. He merely confirmed the conviction that I had a long time ago that the foreign policy of the United States of America is the same stupid and blind foreign policy that this country has carried out in the past 14 years. It seems that the only destiny that our President has indicated for our country is more blood, sweat, and tears. More billions to build up potential enemies. So that there will be more billions poured out to stop the potential enemies. There may be those who call this good business. But to me it is plain stupidness.

If this administration is sincere in its attempt to stop communism—they should start at home. Why fight communism in Greece and at the same time tolerate communism at home? If the President had stated that he is beginning an offensive against communism by discharging Federal employees and by clearing the Communists out of America first I could then go along with him. But why send out millions to Greece to be followed by our boys' blood—only to find that while we are trying to save Greece from communism—they took over our own Nation? I say keep our money and our boys to keep communism out of America. To continue to pour out millions abroad is merely playing the Communist game to bankrupt us and destroy us. We can stop communism in Europe most effectively by refusing to finance it. Thus far our own Nation has been the biggest financier of communism in Europe. It is time we stopped being stupid and played smart for a change.

The Greek tragedy is merely the result of our chickens coming home to roost. To stop communism in Greece we must first stop breeding and producing Communist chickens. This is the common-sense thing to do. But there has been no common sense in our foreign policy for 15 years. Do not expect any for a long time to come. Just dishing out.

If we want to stop communism, how about stopping it at home first? How about stopping communism in South America? How about helping Spain keep communism out of Spain? We have a chance of stopping communism in those places. We have no chance of

keeping it out of Greece. We dished out $650,000,000 to finance communism in the Balkans. Two hundred and fifty millions to stop it will not help a bit.

Mr. HERTER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that after the regular business of the day and any other special orders on Monday, the 17th of March, I may address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. CRAWFORD asked and was granted permission to extend his remarks in the RECORD and include certain excerpts from an address made by Mr. J. Edgar Hoover and an editorial from the New York Journal of Commerce.

Mr. SPRINGER asked and was granted permission to revise and extend his remarks in the RECORD.

Mr. LATHAM (at the request of Mr. HALLECK) was given permission to extend his remarks in the RECORD.

SPECIAL ORDER GRANTED

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, the gentleman from Connecticut [Mr. LODGE] may be permitted to address the House for 15 minutes, and that immediately thereafter the gentlewoman from New York [Mrs. ST. GEORGE] may be permitted to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

EXTENSION OF REMARKS

Mr. McDONOUGH asked and was given permission to extend his remarks in the RECORD.

IMPORT TAXES ON COPPER

Mr. REED of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2404) to suspend certain import taxes on copper.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2404), with Mr. DIRKSEN in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. REED] is recognized for 30 minutes and the gentleman from North Carolina [Mr. DOUGHTON] will be recognized for 30 minutes.

Mr. REED of New York. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Minnesota [Mr. KNUTSON], chairman of the Ways and Means Committee.

Mr. KNUTSON. Mr. Chairman, I had not intended to take the floor on the measure before us, but in view of the fact that the President appeared before a joint session of the Congress today to inform us of the seriousness of the world situation, I feel that I should say just a word in behalf of the pending bill.

As you all know, there is a very serious copper shortage in the country. It is becoming worse daily. At the time this measure was reported we did not look upon it as a war measure, but I am afraid perhaps this is the first measure to be considered in preparation for "World War No. 3." I hope not, but anyway let me urge upon all of you to support this measure because it really is an emergency measure.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. MURDOCK. Does the gentleman feel that the passage of this bill, H. R. 2404, would be in the interest of national defense?

Mr. KNUTSON. Yes; I think so; I think so.

Mr. MURDOCK. I take direct issue with my friend in that respect. In the long run this bill would be adverse to our national security.

Mr. KNUTSON. That, of course, is a matter of opinion but the trade said that if this legislation is passed it will greatly facilitate the importation of copper into this country.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. CRAWFORD. The evidence submitted to the committee indicated that there was a shortage of copper of all types in this country.

Mr. KNUTSON. The gentleman is correct.

Mr. CRAWFORD. In my opinion anything which puts copper into the hands of our people, the durable and nondurable consumer goods which we need, which we expect and which we demand to guarantee this domestic program so that we can finance the international programs will be in the interest of national defense.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. DOUGHTON. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, I shall certainly support this measure. As far as I am concerned, I should like to see the date "1950" stricken from the bill in order that our manufacturers who make articles that require copper may understand that they are not going to run into this condition again in 1950.

Here is the predicament we are in today: A large portion of our machinery is coming to a standstill for the want of copper, a strategic material. I know because I have recently written to all the manufacturers of transformers in the United States urging them to speed up the manufacture of transformers in order that we may extend electricity to the farm homes of the country. They tell me they cannot do so because of the lack of strategic materials, and every single one of them, if I remember correctly, mentioned copper.

I should like to see this tax entirely removed and no limitation put on the importation of copper, because, as I said, industries have closed down. When they can start getting copper then we will begin to get the materials and machinery we need. But if they are to understand that they are going to have this tax placed back on them in 1950 it may deter them from going into business at all.

The gentleman from Minnesota [Mr. KNUTSON] said a moment ago that copper was a strategic material or defense material; that is true. You cannot run any kind of machinery without copper.

I appreciate the attitude of the gentlemen from those States where copper is produced, but the truth is they are not producing enough copper to supply the demands, and the rest of the country cannot stop, close down, and wait for a supply to be built up. Unless something of this kind is done we are not going to have enough copper to do business with. I am not so sure that this is going to bring the relief needed, for the simple reason that unfortunately goods are bringing more in American money in foreign countries than they are in the United States in a great many instances. I know a good deal of that was due to OPA, to the price-fixing policy. We fixed the price of sugar and everybody wondered why they could not get sugar. On looking around we found that they got higher prices in American dollars for sugar in foreign countries than they did in the United States, and the sugar refiners were making it and shipping it to other nations.

So I suggest, and I hope it will be carried out, that the date "1950" will be stricken from the bill.

I want to again appeal to the Committee on Banking and Currency to look into the operation of the Federal Reserve System and protect us from any further financial inflation while at the same time prices are being held down at home to the detriment of the American people.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I do not think we should blame the Federal Reserve System so much. The policy of the Treasury, the policy of this Government, too, is for the commercial banks of this country to purchase Treasury issues in order to finance these various things, and I think therein lies inflation.

Mr. RANKIN. I understand that, but it comes through the Federal Reserve Board, and the gentleman knows it.

Mr. CRAWFORD. I do not know anything of the kind, because I know that the banks have absorbed $150,000,000,000 in bonds.

Mr. RANKIN. I will show the gentleman if I have the time.

Mr. CRAWFORD. I am just as familiar with the situation as the gentleman is.

Mr. RANKIN. You will see that we have $25,000,000,000 of Federal Reserve notes out, and they are increasing every month.

Mr. CRAWFORD. And so are the bonds held by the commercial banks.

Mr. RANKIN. When the Federal Reserve System holds and issues money to anybody who is willing to buy bonds it increases inflation. Let me tell the gentleman something else. In 1920 there were $6,000,000,000 in circulation. Today we have $28,950,000,000 in circulation. I say the Committee on Banking and Currency better look into it and check this inflation of the currency before it is too late.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. REED of New York. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, there is no question but what the United States of America and its entire industrial system is in a critical condition for want of copper. Of course, there is a reason for that. In the first place, prior to the war and beginning about 1935, we started shipping copper to Japan until we finally shipped that country 350,000 tons, which would have carried us for some time. Then we found ourselves in desperation to get the necessary copper in order to prepare for war. It finally comes down to the time where, after this message today, there is not a man on the floor of this House who feels too certain as to what the future is going to bring forth. In view of that message, and in view of the situation that has developed in the industries of this country for want of copper, we need all the copper we can get for months to come from every mine in the world. The difficulty will be to procure it.

There was a stock of 500,000 tons under control of the Metals Reserve, but gradually that has been whittled down now until there is supposed to be just about 55,000 tons, which is being allocated now at such a rate that it will not keep our industries going but a few months hence; so the necessity for this bill.

I think it should be limited to the period provided in the bill, but others may think it should be limited for a less time. At any rate, one thing is absolutely certain, and that is that the domestic mines of the country cannot produce the copper necessary for the industries of our Nation to function during several years to come. In the first place, they cannot develop the new lodes of ore in their mines that were reduced to a low level of production because much of the mining labor was drafted into the Army. Now we have got to wait until such time as they can develop these new lodes and start in producing in larger quantities. That perhaps they can do within the time limit in this bill.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. There is another sad fact, too. No agency of the Government is making any effort to establish any stock pile because they have not anything to establish it with.

Mr. REED of New York. No person can possibly know how much copper we are going to get as a result of eliminating this 4 cents a pound or $80 a ton from the price, but at the world price and the present domestic price, naturally the copper from South America and the other foreign mines is going to go to the markets where they can receive the highest pay. So it is necessary to reduce this tariff in order that whatever foreign copper is available we can get as a result of the reduction of this tariff on copper.

Never, until the message today, was it more important to have our industries ready to function and to have a stock pile for future eventualities, than right now. So, I urge upon this Congress at this critical time to support this bill, and that we begin to lay in a stock pile so that our industries can begin to build it up. Copper is not only needed for consumption goods in this country, but even in the cities you will find them operating their electric plants without an adequate supply. There is a company in one of my cities that uses more copper than any other municipal plant in the State of New York, and they only have a short supply ahead; they cannot get new transformers, which require copper. So, the word comes in from all parts of the country that copper is needed. Now, after the President's message, I say again that this situation is critical, and that we should start the flow of copper, if it can be obtained, into this country, so that we can function as a Nation both in peace as well as in war. Talk about inflation. One of the ways to solve inflation, of course, is to stop pushing the currency in circulation, which we are doing now, to the tune of about $162,000,000,000, when we figure in credit currency. The most important thing today is to create consumer goods in such quantities that the people will not be bidding against each other for them. So I consider this bill a major bill of importance, and I hope that there will not be one vote against it when the time to vote comes.

Mr. COOPER. Mr. Chairman, I yield 5 minutes to the gentleman from Montana [Mr. MANSFIELD].

Mr. MANSFIELD of Montana. Mr. Chairman, I agree with the gentleman from New York that this is a very important bill. I agree with the gentlemen of the Committee on Ways and Means and with the authors of the two bills heard by that committee that there is an extreme shortage in the copper industry, and that that shortage must be supplied at the first opportunity.

However, I do not agree with the idea that a 3-year suspension of the 4-cent excise tax should be put into effect, because, unlike any other Representative in this House, I am in the position where the biggest producer in my area not only produces copper domestically but imports from South America as well. I come from Butte, the biggest mining camp on the face of the globe, and in that camp is the richest hill on earth. We have produced almost $3,000,000,000 worth of copper ore during our history. If you are willing to remove this copper excise tax for 3 years, and maybe longer, you are willing to help sound the death knell to towns like Butte and Anaconda, which depend on the mines and the mines only. What you are doing in effect is putting a prohibition upon American high-cost producers like Butte and giving an added advantage to low-cost producers like those in Chile, Peru, Rhodesia, Katanga, Canada, and elsewhere. If this Congress takes away the protection that we need, I can tell you right now that Butte and Anaconda will become ghost towns.

The cost of copper since the first of November has risen from 12 to 21½ cents. What encouragement do you think is needed for these copper importers on the basis of that kind of a price rise within a 6 months' period? Surely the lifting of this 4-cent excise tax is not going, in my opinion, to bring in much more in the way of copper poundage, but I am willing to be reasonable, in view of the situation as it exists at this time, to give this matter a trial. I am opposed to a 3-year suspension. I intend to support as much as I can the amendment to be offered by the gentleman from Colorado, putting the termination date for this suspension at March 31, 1949, instead of March 31, 1950. It was my intention to offer an amendment limiting the time of suspension to 1 year, but in view of what has occurred in this Chamber today I will support my colleague's amendment as the best that we can get.

This country generally produces about 900,000 tons of copper a year. We are short at the present time around 400,000 tons of our yearly needs. It is true that we do not have more than 55,000 tons on hand in this country and therefore an emergency does exist. But I am wondering if some of these copper importers are not holding back to see if this bill will not pass, and then bring in their copper and get away from paying the excise tax. I recall the testimony of the former Senator from Connecticut, a very able gentleman, Mr. Danaher. He appeared before the committee and made the statement, I believe, that an American company had 28,000 tons of copper in bond. If I understand that correctly, that copper is already mined and ready to be brought into this country, but it is not being brought in despite the great emergency which does exist because of the possibility that this 4 cents excise tax will be done away with. I do not think that is the right thing to do. These industries which depend on copper and the farmers who are looking forward to the rural-electrification program and the copper-using industries are entitled to that copper at the earliest opportunity. Certainly the increase in price from 12 to 21½ cents in less than a 6-month period is enough inducement for any producer to bring his copper in and bring it in at a very good profit.

Mr. GRANT of Indiana. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Montana. I yield to the gentleman from Indiana.

Mr. GRANT of Indiana. The world price of copper today is slightly in excess of 22½ cents. The copper price in this country is 21½ cents. In the light of that, is it difficult for the gentleman to understand why that copper stock pile

in Chile to which the gentleman refers does not flow to the American market?

Mr. MANSFIELD of Montana. Not at all, because if you allow that copper to come in after this bill is passed it will mean that instead of getting 21½ cents on the American market they will be getting 25½ cents, because they can add this excise tax which has been taken off to the price they get for their copper.

Mr. REED of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. BENNETT].

Mr. BENNETT of Michigan. Mr. Chairman, this bill to suspend the import tax on copper until March 31, 1950, has many inherent dangers with respect to the copper industry of this country and for that matter to many other industries as well. Looking ahead for a period of 3 years and trying to legislate on specific matters on the assumption that conditions throughout this country and the world will remain fixed and rigid for that period may easily create more problems than it solves. The President's speech this afternoon on the subject of Greece and Turkey is pretty convincing proof of the unsettled condition of world affairs. The production of copper contributes to our natural wealth in time of peace and is of still more vital importance to the defense of our country in time of war.

To take any action which might have the over-all effect of hampering the production of copper on a sound economic basis would be the sheerest folly. Furthermore past experience has shown that foreign copper has invaded an unprotected copper market to a point where it was threatening destruction of an important segment of this great industry. In my district in the Northern Peninsula of Michigan—one of the great copper-producing areas of this country—we know from bitter experience during the last depression, the devastating effect that the importation of low-tariff copper can have on our economy. It virtually wiped out the copper industry in our area and was the direct cause of a prolonged period of unemployment. No one wants that to happen again either in northern Michigan or elsewhere in the country.

Everyone admits that presently there is a serious shortage of copper; but those who assume that this is anything but a temporary condition are ignoring the underlying causes of the shortage. It is equally fallacious to assume that the present shortage will continue for a period of 3 years. Moreover, this assumption is downright dangerous and would actually jeopardize the principles of real conservation and the development of future copper resources.

We must recognize the basic proposition that to be successful and economic the copper-mining business must be a continuing one. It is not the type of enterprise that can be opened and closed at will. In order to survive, it must be maintained as a "going industry" if it is to be an effective instrument of national defense. This is particularly true of an underground mine which can suspend operations without danger of damage only on a very temporary basis because the minute the pumps are stopped and the mine fills with water, reopening becomes an almost impossible task. Furthermore, in order for the copper industry to survive, it must be able to explore and make new developments as the old sources of supply are depleted. The low price of copper since 1931 has discouraged this type of exploration and development. This is another important reason why we should not legislate too far into the future. The copper industry must know where it is going if it is to do its full share in respect to national defense. It must have protection against the importation of cheap copper except on a very temporary basis and until such time as the present emergency has been corrected.

Therefore, Mr. Chairman, we should not suspend the copper import tax for a longer period than June 30, 1948. If this temporary shortage still exists, we can make a further suspension of the import tax on the basis of facts as they exist a year from today. There is not a Member of this House who can accurately say what our needs will be a year hence—let alone 3 years hence.

I am going to support the amendment to limit the suspension to 2 years because I think it will be some improvement to the bill as reported. Actually, we ought not go beyond June 30, 1948.

Mr. REED of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. PATTERSON].

Mr. PATTERSON. Mr. Chairman, listening to the speech of the President of the United States here today brought home further the fact to me that we need more copper. I hate to think of war. It is deplorable, in my estimation, having been a member of the armed forces in this last conflict. But I just want to quote Secretary of War Patterson, who said that "An army without copper would be an army without speed, maneuverability, fire power, or communication. It would not last one day in battle."

Mr. Chairman, at the present time we do not have copper. In the event of an emergency, which God forbid, we certainly would be in a very weakened condition.

I have heard the remarks of the gentlemen from the West and I appreciate their position. They talk about unemployment. In Connecticut, particularly in my own district, we have great brass mills. One of these employs around 15,000 people. I have been told by the men who are running these factories that if we do not have copper by the end of March, that is, this month, we will have unemployment. Therefore, Mr. Chairman, to insure continued employment of the workingman, not only in my district and the State of Connecticut, but all over the United States I urge the gentlemen of this Congress to give me their support in order that this bill will be passed here in the House.

I do not suppose it is possible for anyone to tell exactly how much copper will be required over the next 3 years. I do not suppose it is possible for anyone to tell exactly how much domestic copper will be produced in the same period. It has reasonably been estimated, however, that our requirements will run around 1,400,000 tons per year, while our production is estimated at about 900,000 tons per year. Obviously, we will be short 500,000 tons per year and that deficit can only be made up by imports. I know that the gentlemen from the West claim that my bill will affect the mining production in this country. In my opinion, it will not. I personally would withdraw my bill immediately if I thought for one moment that the American mines could meet the demands of the present day.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PATTERSON. I yield to the majority leader, the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. I believe it should appear in the RECORD in connection with the gentleman's remarks that the gentleman from Connecticut, who is one of the new Members in the House of Representatives, is making a great record of accomplishment here, as evidenced by the fact that he is the author of the pending bill. I commend him for the eminent fairness with which he approached this very difficult situation and especially commend him for his farsighted good judgment in recognizing quite some time ago the very critical situation confronting the whole country by reason of the copper shortage, and moving to do something about it on his own initiative.

My information is that the very considerable stock pile of copper which had been accumulated by the Government, and which was in existence something like a year ago, has been almost used up in an effort to supply our domestic needs until it now seems that very shortly, unless something is done, we shall be without any such stock pile.

Mr. PATTERSON. That is correct, and I want to thank the majority leader, the gentleman from Indiana [Mr. HALLECK].

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. PATTERSON. I yield.

Mr. CRAWFORD. Can the gentleman tell us at the present time what the domestic market price of copper is?

Mr. PATTERSON. At the present time, it is 21½ cents.

Mr. CRAWFORD. What is the open foreign market price, roughly?

Mr. PATTERSON. I believe it is 22.85 cents.

Mr. CRAWFORD. What causes that difference? Who sets the market price here? Is the Government buying our copper at the present time? Why is this market lower than the other market?

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. DOUGHTON. Mr. Chairman, I yield 6 minutes to the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER. Mr. Chairman, it is my purpose to only ask the indulgence of the House briefly in support of the pending bill, hoping that as a member of the Committee on Ways and Means I may be able to give some information that will be helpful in the consideration of this measure, H. R. 2404. As has been stated by other members of the Committee on Ways and Means who have preceded me, this measure was unani-

mously reported by the committee. It is here for the purpose of relieving a very acute shortage of copper in this country.

Prior to the recent war, this country was about self-sufficient in copper. We produced approximately the amount of copper that we needed or consumed. During the war, a stock pile of copper was built up by the Government, and at the close of the war, as I now remember the figure, we had about 655,000 tons in the possession of the Metal Reserves Corporation of the RFC; that is, Government copper. During the year 1946 we produced in this country about 604,000 tons, which was about one-half of the amount we consumed.

In the year 1947 it is estimated we will produce about 950,000 tons and that we will need about 1,400,000 tons, the result being that we will have a shortage of about 450,000 tons of copper during this year. Of the 655,000 tons that we had in the stock pile at the end of the war, about 600,000 tons have already been used and as of the 1st of March we had only about 55,000 tons left in the stock pile. The estimate was that we would use about 40,000 tons of that during the month of March. So that early in April we will be out of any copper in the stock pile, because about April 1 we will have only about 15,000 tons.

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. COOPER] has expired.

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. COOPER. Yes; I yield.

Mr. GRANGER. I think the gentleman ought to be fair.

Mr. COOPER. I am trying to be fair.

Mr. GRANGER. The gentleman well knows that every copper mine in the West was closed for 4 months during the last year. Of course they were not producing copper.

Mr. COOPER. I have not said anything about whether they were closed or open. I am talking about what copper we have in the country and the need for this legislation, as it was presented to our committee. That is all I am trying to do. I am trying to convey to the House the information that was presented to the committee during the hearings held on this bill. It certainly is well recognized by everybody that copper is one of the most essential of the materials we have to use in this country. It is thought, by all of those who are in a position to know about the situation, that this legislation is badly needed.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield.

Mr. SIMPSON of Pennsylvania. The most optimistic claim on the part of those speaking for the copper producers was that we would produce locally 950,000 tons next year.

Mr. COOPER. The gentleman is correct. I think the most optimistic estimate was 950,000 tons. Some of those in a position to know as much about it as anybody, said that was probably 100,000 tons more than would be produced. But that is giving the benefit of the highest estimate given to the committee. Even if we do get production of 950,000 tons, according to the estimated consumption we will be about 450,000 tons short. So this bill is here only for the purpose of trying to meet the critical need of a material that is vital.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. REED of New York. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut [Mr. FOOTE].

Mr. FOOTE. Mr. Chairman, it gives me great pleasure to speak here for a few minutes today in support of the bill introduced by my neighbor and good friend, JIM PATTERSON. The problems that the gentleman from Connecticut [Mr. PATTERSON] has in his district are a great deal like mine. We have manufacturing concerns in our districts which use copper. It is their principal raw material. Within the last month I have received letters and telegrams from various concerns in my district calling attention to the very serious situation with which they are confronted and which has a vital effect upon the production of the country at large, in my opinion. Why do I say that? I have before me a letter received from the Rockbestos Products Corp., of New Haven. That company is engaged in the manufacture of insulated electric wires and cables. Its principal raw material is copper, and its entire operation is dependent upon copper supply. The president of the company states that a slow-down in the wire and cable industry would cause layoffs in the electrical manufacturing industry from toasters to Diesel locomotives, as well as in the automotive and other industries that must have wire and cable to keep their people employed.

A similar plea for action has been received by me from the G. & O. Manufacturing Co., of New Haven, who manufacture radiators, and likewise from the Cuneo Engineering Corp., of Meriden, manufacturers of filters and electrical automotive equipment.

I trust that this bill will be given approval by the Congress.

Mr. REED of New York. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut [Mr. SADLAK].

Mr. SADLAK. Mr. Chairman, the primary question before us today concerns the shortage of raw copper. The secondary question is our recourse under the circumstances.

My distinguished colleague from the land of steady habits, the gentleman from Connecticut [Mr. PATTERSON] has proposed a measure and means of coping with the pressing situation of this critical shortage. He has taken cognizance of the importance of this shortage to the manufacturers of his district in the State of Connecticut, and to the major manufacturers throughout the Nation. He has also talked about the effect on the great many people who are employed in these industries.

In view of the vital message we heard delivered by the President earlier today, it seems to me we ought to take measures immediately for the replenishment of the depleted stock of this raw copper. Transformers have been mentioned as one important item greatly in need for which copper is lacking. There are many necessities requiring copper—mentioning a few such as housing for veterans, refrigerators, appliances and so forth.

I wish at this time to join the commendation that our majority leader made and say that, in view of the message we heard this afternoon, the proposal by the gentleman from Connecticut [Mr. PATTERSON] indicates unassailable good sense.

The bill H. R. 2404 was unanimously reported by the committee. I urge that each Member vote in accordance with the committee's recommendations.

Mr. DOUGHTON. Mr. Chairman, I yield such time as she may desire to the gentlewoman from New Mexico [Mrs. LUSK].

Mrs. LUSK. Mr. Chairman, at the time we are thinking of a copper shortage in this country, I want to call attention to the plight of the copper-mining industry in New Mexico. Copper mining is one of our largest industries. It is carried on not only by large companies but by many small companies.

It is my opinion at this time that due to high production costs these small companies will not be able to continue their work and their business if this bill is passed today and I think that some consideration is due to the workers in those mines, and the small operators as well as to the large operators.

The CHAIRMAN. The gentlewoman from New Mexico has consumed 1 minute.

Mr. REED of New York. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia [Mr. LOVE].

Mr. LOVE. Mr. Chairman, there is a serious copper shortage in our country today. The domestic supply is inadequate. I shall support this bill to suspend the import tax on copper, and I urge my colleagues to support it likewise.

Copper is essential to the manufacture of many industrial products. Finished steel products depend entirely on electrical equipment in which copper is most important. Because of the copper shortage the production of steel is being greatly curtailed, and production in general is being retarded. Unemployment is resulting from the scarcity of this essential metal. Many industries are planning great expansion programs to promote a greater prosperity and provide the regular employment of many more people.

These expansion programs cannot proceed until we are able to secure an adequate supply of copper necessary for the manufacture of electrical equipment and steel products necessary for the great expansion programs of our industries.

Mr. REED of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER of Connecticut. Mr. Chairman, the passage of H. R. 2404 is of vital importance to hundreds of American manufacturers. We need every ton of copper that can be produced anywhere in the world. We need copper for our depleted stock pile. We need it for the building of badly needed homes.

My colleague the gentleman from Connecticut [Mr. PATTERSON] should be complimented for the energy he has shown in bringing this bill to the attention of the Congress and the country. As a freshman in the House he has demonstrated ability to act for the benefit of his district and his country. I hope that H. R. 2404 is but the first of many bills my colleague will guide through the Congress. I, too, actively support this bill.

Mr. DOUGHTON. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, let us face a clear situation in regard to this bill. The major part of the opposition before the committee I find came from the Democrats, although today a few of my colleagues from the West on the Republican side are pointing out the dangers in it. Yet this bill by virtually repealing a tariff duty does violence to all the traditional Republican policies with regard to tariffs and protection.

Mr. GRANT of Indiana. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. Briefly.

Mr. GRANT of Indiana. I think the RECORD ought to be clear on this point. Under the tariff act of 1930, copper was on the free list. Many items containing copper were dutiable. Those items are not affected by this legislation one bit insofar as that tariff levy of 1930 is concerned, subject, however, to such reciprocal trade agreements as affect it.

Mr. MURDOCK. I think that makes it clear. Yes; this is an excise duty; it is not a tariff duty. However, it is the equivalent of a tariff duty with the principle of protection back of it.

I want to call the attention of the Republican Members of this House to the general effect of this bill as contrary to their policy. I notice that the gentleman from Mississippi [Mr. RANKIN] took the floor here in support of the bill, saying that he, as the great advocate of rural electrification, wants to get copper into the country so that we may have transformers and all that sort of thing. I want to assure the country that the gentleman from Mississippi [Mr. RANKIN] alone outranks me in this body in interest in rural electrification. I, too, represent consumers. My people want automobiles, refrigerators, and everything that requires copper in their composition. My own son at this very minute is trying to build a home out in Arizona. He needs electrical equipment for that house. Although a veteran, he is having trouble getting it. His partner, also with veteran's preference, is having the same difficulty. Of course, I want more goods made of copper. But we better not run the risk of wrecking a defense industry such as the domestic production of copper in order that we may get a little cheaper copper for domestic consumption.

The gentleman from Minnesota [Mr. KNUTSON] took the floor here and said he favored this bill as a matter of national defense. I cannot see how he figures that way. To me that looks like a short-sighted policy. Are we going to take the long-run or short-run view? If we repeal or if we suspend this duty for 3 years, and that is equivalent to repeal, this 4-cent-per-pound duty on foreign copper, it may have the effect of making it easier to bring in foreign copper. But there is a shortage in foreign production also. I tell you that even if we repeal this 4-cent duty, you will not bring out of the ground 1 pound of copper because of this act. But you will endanger the production of copper in this country.

Mr. HARLESS of Arizona. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. Briefly.

Mr. HARLESS of Arizona. Is it not a fact that right now the Metal Reserves Corporation can go out and buy copper anywhere in the world and bring it in here and that all this will do is to make it possible for the manufacturer to get the copper for 4 cents less a pound than he would otherwise be able to?

Mr. MURDOCK. That is correct. Now, we better pay a little more for what we get in the way of the finished product rather than run this risk to a vital defense industry. This bill is not a matter of national defense. If we want a stock pile we can get the copper now as we got it during wartime, bring it in without any duty. That is what I recommend. We should do that concurrently with full encouragement of domestic production.

Here is the proposition: We pay 4 cents more a pound under the present law and that adds to the cost of the finished product. It is a short-range view, gentlemen, that we are taking here in order to cheapen our much-needed postwar production. Do let us be careful.

In 1937 and 1938 I pleaded with certain Members on the majority side, for God's sake let us get a reserve, for national defense, of strategic and critical materials, getting what we must abroad and at the same time developing our home supply, and yet I found Members on my own side of the aisle who said that we must get all of it abroad, and we were caught short at the beginning of a global war. What a short-range policy, instead of increasing our domestic production. Such was national defense in reverse order and this proposal is similar to it.

Mr. REED of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from Nevada [Mr. RUSSELL].

Mr. RUSSELL. Mr. Chairman, the mining industry of Nevada has always favored an import tax on copper as a protection of that vital mining industry in the State. I am opposed to the suspension of the import tax on copper of 4 cents for 3 years at this time or any other time.

While it is true that domestic production of copper does not now equal consumption, and that this condition will probably continue this year, we do not definitely know that this condition will extend over a period of 3 years. If such a suspension of the import tax on copper is to be made, I would rather have it extended for 1 year, and no more.

War conditions brought about the greater use of copper for materials of war, and copper production in the United States dropped last year 240,000 short tons below the 1945 production figure, all this contributing to cause the present shortage of copper. Yet but a relatively few years ago under normal conditions our domestic production of copper was adequate for our consumption, and under normal conditions again this probably will be the case.

What mining needs in this Nation now is stimulation for the development of new ore bodies and the development of marginal ores of not only copper but of other metals and minerals which the Nation critically needs. We need stimulation for the building up of our own natural resources, rather than to jeopardize mining through the importation in the future of copper or any other metal or mineral which can be produced more cheaply in foreign countries at the expense of our own mining industry.

Any suspension of the import tax on copper for 3 years might lead toward the end of the suspension period to the importation of copper at a much lower price than it could then be produced domestically.

The copper-mining industry employs many thousands of men at high wages, as compared to the cheap wages paid in other nations, and the import tax on copper is for their protection, as well as for the protection of the copper industry.

Mr. REED of New York. Mr. Chairman, I yield 3 minutes to the gentleman from Iowa [Mr. MARTIN].

Mr. MARTIN of Iowa. Mr. Chairman, 8 years ago I had quite an interesting experience in assisting with the passage of Public Act 117 of the Seventy-sixth Congress. That was the first legislation authorizing the stock piling of strategic and critical materials for national defense. I did considerable work at that time with the gentleman from Arizona [Mr. MURDOCK] and some other Members who represent copper districts, in considering the critical item of copper. We went into the last war without any adequate stock pile of copper, and we know that we sweated blood throughout the war and did everything humanly possible toward getting a sufficient stock pile of copper and other critical materials in preparation for that emergency. In 1946, the evidence in the hearing shows 657,000 tons of the reserve of copper in this country was turned into domestic and civilian consumption, and so far as I can make out there has been no effective move in the direction of establishing a stock pile for national defense. Now, until we get that stock pile for national defense I am going to be very critical of any move that will thwart or stifle our efforts toward attaining that goal. Just last summer I worked with the gentlemen from Arizona [Mr. MURDOCK and Mr. HARLESS] and the gentleman from Montana [Mr. MANSFIELD], and the gentleman from Utah [Mr. GRANGER], in the matter of the bill, S. 752, and you will recall we had some real difficulty in keeping the buy-American clause in there, and also striking out the free import provision that was put in by the Senate. I give that information as evidence that I have real regard for American industry. However, our national defense needs are so desperate and so immediately at hand today that the copper producers should bear with us and support the bill now before the House. We have got to get this stock pile for na-

tional defense. That is a must, and today's appearance of the President on the floor of this House has not lessened my concern one iota in that regard. For 8 years I worked on the Committee on Military Affairs in this field. Eight years ago I had the privilege of serving on the committee of conference between the House and the Senate in building the first authorization for stock piling our strategic and critical materials, Public Law 117 of the Seventy-sixth Congress. From that day to this I have made it a point to follow our progress as a Nation in building those stock piles for national defense. I am not satisfied with the stock-pile program to date and the bill, H. R. 2404, is badly needed to help build up our reserves of copper as quickly as possible.

In the hearings before the Ways and Means Committee on this bill, I asked the question of some of the witnesses, including the gentleman from Arizona [Mr. HARLESS], whether he thought we could get the necessary national defense stock pile in 15 months, if the time limit of this bill were so fixed as he advocated; and he told me he could not guarantee it. I agree with the gentleman that we cannot expect the acquisition of an adequate stock pile in 15 months. For that reason I favor the passage of the bill, H. R. 2404, now before us.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. REED of New York. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, I rise to support this bill. I come from a community which all my colleagues probably would be willing to concede is the finest industrial city in the country, Rochester, N. Y. No dissent is audible. It is a community of many diversified industries, and with reference to this bill I have had more urgent telegrams and telephone calls and letters than on any other bill which has been before the House to date.

These messages come from large industries and small, from two or three of our very largest industries and from many small and medium sized concerns. Of course, we do not know exactly what effect the passage of this legislation will have in increasing the supplies of copper but we are hopeful that it will have a very good effect along those lines. These urgent messages from business executives who do not go off half-cocked, men who keep their heads on their shoulders and are not panicked into extreme positions, men upon whom the greatest reliance can be placed, inform me that unless something is done immediately, meaning by that in this month or not later than next month, to increase the supplies of copper substantially, there will be closed factories or seriously curtailed operations with thousands of people walking the streets for want of a job. They must have this copper at once.

That is only the industrial side of the picture. We have sat here today and listened to the President detail some of the unsettled conditions in the world. We cannot close our eyes to the additional need for augmenting in every way possible our supplies of this strategic material which is now being channeled elsewhere by reason of our existing prohibitive import duty. National security, as well as domestic prosperity and full employment, cry out for passage of this measure.

I am confident this bill will not seriously affect domestic copper companies. We can use in this country during the next 2 to 3 years, all the copper from all the sources which are available, both domestic and foreign. I urge very strongly the passage of this legislation.

Mr. DOUGHTON. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas [Mr. MILLS].

Mr. MILLS. Mr. Chairman, the issue before us today seems to be quite clear. It is not one of concern on the part of any as to whether there is too much copper available or too little, all appearing to agree that there is an urgent need in the United States for additional copper. The issue before you is the one that was before the committee a few days ago when we were considering this matter, namely, for how long a period of time will it be safe or will it be advisable for the Congress to suspend the import tax on copper.

Our friends from the States producing copper made their appearance before the committee and urged that we limit that period of suspension to June 30, 1948. It is also true that one of the individuals representing the Government suggested that we might well end the suspension period on June 30, 1948, but it was clear in his mind, as it was clear in the minds of the members of the committee, that if we suspended the import tax for a period of 1 year the committee would be back before the Congress, sometime prior to June 30, 1948, asking you again to suspend the import tax on copper and ore concentrates for another period of time, possibly 1 or 2 years.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Indiana.

Mr. HALLECK. If I understand correctly what the gentleman is saying, there is no assurance that the suspension for 1 year would bring about a meeting of the shortage.

Mr. MILLS. The gentleman anticipates me. I was coming to that point.

The committee was informed that probably the copper produced in Chile for the next few months would not be available to the United States, that copper having been contracted for some time ago, so that if the Congress merely suspends the import tax on copper for a period of 1 year we would have no assurance whatsoever that we would obtain any material quantity of copper from Chile.

The reason the committee, in my opinion, decided on the longer period of suspension is that if we suspend the import tax for a period of 2 or 3 years the people who process copper into copper goods will have some degree of assurance as to what the situation will be—enough assurance that they can go into Chile and deal with the producers of copper ore on the basis of their needs 1, 2, and 3 years ahead; whereas if we only suspend this import tax for 1 year they will not be in that position.

I have great sympathy for the plight of my friends from the Western States. None of us desires to do anything in Congress to destroy the great copper industry. Those Government witnesses, however, who came before the committee from the CPA, the Tariff Commission, and the Bureau of Mines all advised us that there would be a demand in the United States, all things being equal, of at least 1,400,000 tons of copper next year, the year after, and the year after that possibly, and that the production in the United States could not be in excess of 950,000 tons for any one of those 3 years. That being true, then all of the copper produced in Chile per year, which I understand is something like 600,000 tons, still would not equal the demands that we would have from our civilians for copper goods and also permit the Government to buy some copper during the period of the next 3 years to stockpile against any future emergency, as the gentleman from Iowa and many others of us desire.

It seems that the legislation before us does afford us the first opportunity we have had to permit the Federal Government, through the Army and Navy Munitions Board to obtain copper for stock-piling purposes. Certainly, your mines in Arizona and New Mexico under the legislation passed with your assistance last year, if they do not find an outlet in the civilian market, will find that market by coming to the Federal Government and the Army and Navy Munitions Board.

Mr. HARLESS of Arizona. At a price which will be the world market price. Is that not true?

Mr. MILLS. The world market price now is higher than our market price. It is 22½ cents or 22.85 cents as against 21½ cents.

Mr. HARLESS of Arizona. Is it not true that every witness who came before the committee said that it was impossible to predict what world conditions would be for more than one year?

Mr. MILLS. Except that in view of the fact that there is such a tremendous shortage of copper in the world, none of them felt that the supply of copper in the world markets would equal world demands within a reasonable period—certainly not within a year or 2 years.

Mr. HARLESS of Arizona. Provided, however, the world manufacturing conditions remain the same a year from now as they are today.

Mr. MILLS. Certainly; if we have a depression, we probably could not use over 600,000 tons of copper.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield.

Mr. REED of New York. The fact remains that the entire committee heard all of the evidence and came to the conclusion unanimously that this bill as written should be reported out.

Mr. MILLS. The gentleman is correct. I was one of those who in the beginning considered the matter from the viewpoint of a suspension of 1 year.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield.

Mr. MURDOCK. Concerning the evidence furnished, is it not true that these were closed hearings and that not more than three or four Members appeared in opposition and that the copper mining industry itself did not appear, or rather had no chance to appear, in opposition to the bill?

Mr. MILLS. The members of the committee felt that the gentleman from Arizona now interrogating me was fully able to take care of the industry. It is because of your concern, along with others from copper producing districts, that acceptance of an amendment for a 2-year suspension is being considered.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. REED of New York. Mr. Chairman, I yield 4 minutes to the gentleman from Indiana [Mr. GRANT].

Mr. GRANT of Indiana. Mr. Chairman, the statement has been made on more than one occasion during this debate that inadequate hearings were held on this question of the urgency of the copper shortage in this country. The Ways and Means Committee has in its files some 200 communications from the industry, from producers to the small fabricators from all over this country, attesting to the urgent need for some relief in the copper situation.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. GRANT of Indiana. I yield.

Mr. MURDOCK. Just to make myself clear on this, not that I am contending there was not sufficient evidence of a shortage of copper; all admit that; but my suggestion is that the hearings were not broad enough to include the copper producers so that they could show the effect of any suspension upon the industry.

Mr. GRANT of Indiana. I can only say to the gentleman in reply that a very large copper-producing company, one of the three largest in the world, from the State which the gentleman so well represents, filed a brief before the committee on reciprocity information of the Tariff Commission, acknowledging the serious shortage in the copper situation and saying that some action must be taken, and now, to meet the situation that exists in this country.

Mr. HARLESS of Arizona. Mr. Chairman, will the gentleman yield?

Mr. GRANT of Indiana. I yield.

Mr. HARLESS of Arizona. Did you give an opportunity to those people to show how long it would take them to meet the demand? That is the question. We admit there is a shortage of copper, but the question is how long you should suspend this and what it will do to the industry.

Mr. GRANT of Indiana. As has been stated, I think the industry was very well represented by the two gentlemen who have just interrogated me.

There are a couple of facts about this picture that have not been brought out that I should like to bring out at this time. The first is that about three-quarters of the copper production of this country comes from three large companies—Anaconda, Kennecott, and Phelps-Dodge. Of the other one-quarter of our domestic production, most of it is subsidized by the American taxpayer today to encourage the construction of homes in America and to meet the requirements of the rest of our domestic industry. We just heard the gracious lady from New Mexico speak about these high-cost producers, and the fact that we should be giving some concern to the men who work in those high-cost producing mines. Well, bless your heart, the future of those high-cost mines does not depend on this bill before us today, whether it is voted up or down. The future of those high-cost producing mines is more dependent upon the continuance of the premium-payment plan, the authority for which stems from the Price Control Act which expires on the 30th of next June. The future of those companies depends on what we do on the continuation of those subsidy payments. It has nothing whatsoever to do with the question we have before us today.

Another thing: One of the gentlemen from Arizona, Mr. MURDOCK, I believe, said why could not our taxpayers pay the additional $80 a ton and bring it in over that excise tax wall, and thereby build up the stock pile that is so sorely needed and supplement the supply available to domestic industry. I will tell you why.

If we import 500,000 tons of copper on which the $80 per ton tax is added, that higher figure then becomes the price for all copper in the United States.

Therefore we cannot figure merely the tax on our imported copper, but we must consider the added cost to all the copper industry of the United States, and, in the final analysis, the cost to the American consumer.

May I refer you to the letter from C. E. Wilson, president of General Electric, which appears at page 78 of the printed hearings. Mr. Wilson stated that payment of the 4-cent excise tax would place an additional burden of $120,000,000 annually on the American consumer, based on present consumption.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. DOUGHTON. Mr. Chairman, I yield myself the remainder of the time, 2 minutes.

Mr. Chairman, the purpose of this bill is to alleviate the acute shortage of copper in the United States. Our committee went into this matter very thoroughly. We had witnesses from the Treasury Department, from the Reconstruction Finance Corporation, from the Bureau of Mines, from the Tariff Commission, and from the Civilian Production Administration. They were all of one mind and in accord, and testified that there was an acute shortage of copper in this country, which is essential to our national building program.

This bill was reported unanimously by our committee, after most thorough hearings and consideration. It has been stated that those who opposed the bill in the shape in which it was brought out, especially the copper mining industry of this country, were not given any hearing.

I am glad to say that Members of Congress from that section, the gentleman from Arizona [Mr. MURDOCK], and other House Members appeared before our committee and discussed the subject fully and presented the side of the copper producing section of this country fully and ably.

Our committee went into this proposal thoroughly and with an open mind and as a result of our deliberations, I repeat, we reported this bill unanimously.

Nothing can demonstrate more clearly and convincingly that there is an acute shortage of this vital material than the fact that the national building program during this reconstruction period is being crippled on account of the shortage of this very vital and necessary material.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. REED of New York. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. MITCHELL].

Mr. MITCHELL. Mr. Chairman, I rise in support of the bill introduced by my colleague, the gentleman from Connecticut [Mr. PATTERSON]. I, too, am a veteran. I think it is quite obvious that a shortage of copper does exist. I know there is a serious shortage of copper that is not being met because the district I have the honor of representing has one town in it, Evansville, Ind., where two of the largest manufacturers of refrigerators in the world have their factories. They will be closed and 11,300 people, my constituents, will be out of work in 30 days if we do not get this copper.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. REED of New York. Mr. Chairman, I yield 1 minute to the gentleman from Connecticut [Mr. LODGE].

Mr. LODGE. Mr. Chairman, I rise in support of this bill.

I believe in this program for a number of very definite reasons. In the first place, I come from a district which made an enormous contribution industrially to the war but which now is threatened with a very serious copper shortage, particularly in the city of Bridgeport, in the city of Stamford, and also in Shelton and Norwalk, and in other cities in my district there will be widespread unemployment if this copper is not forthcoming.

I believe the people of this country have a right to buy copper-made goods. I believe that we must think first and foremost of the American customer. I also feel that in this perilous time we cannot handicap ourselves with respect to our foreign policy by a shortage of copper.

The CHAIRMAN. The time of the gentleman from Connecticut has expired; all time has expired.

The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the import tax imposed under section 3425 of the Internal Revenue Code shall not apply with respect to articles entered for consumption or withdrawn from warehouse for consumption during the period beginning with the day following the date of the enactment of this act and ending with the close of March 31, 1950.

Mr. ROCKWELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROCKWELL: On page 1, line 8, strike out "1950" and insert "1949."

Mr. ROCKWELL. Mr. Chairman, for the past hour I have listened to the discussion of this bill. It does not seem to me that we are very far apart. The gentleman on my right and the gentleman on my left who represent areas where copper is produced are worried only about the future of our industry as far as it affects raw materials.

There seems to be no question but that there is a great shortage of copper in this country. The present question is, Can we in 1 or 2 years speed up our domestic production so that we may by that time produce the amount of copper desired? As has been stated here by one of the Members, during the past year the production of copper has upped in the United States from 600,000 tons to 900,000 tons. Day before yesterday I spoke with one of the large producers from the mines of Colorado, and he told me that they had not been able to do the exploration work that was necessary during the past few years. He said it was his opinion there was no question but what we could produce any amount of copper needed if we had the exploration work done.

Mr. MANSFIELD of Montana. Mr. Chairman, will the gentleman yield?

Mr. ROCKWELL. I yield to the gentleman from Montana.

Mr. MANSFIELD of Montana. I want the gentleman to know that I am in wholehearted accord with his amendment. But I think it also should be brought out that as far as we are concerned, those of us who come from the copper-producing areas, we realize that a delicate situation exists and we want to cooperate to the fullest extent. In my opinion, about 2 years is the limit.

The gentleman has mentioned something about cost. I have some figures here showing that in the United States it cost between 12½ and 16 cents to produce 1 pound of copper. In Chile it cost 6.3; in Canada it cost absolutely nothing. Copper is all clear profit because it is a byproduct of silver and gold. In the Belgian Congo it cost 6½ cents. Now, that is what we have to consider in this proposition. Our costs are so high, averaging from 12½ to 16 cents.

Mr. ROCKWELL. I think that is the point at issue. It is the question of production at home and abroad. I do not believe that anybody on the Republican side of the aisle wishes to harm the domestic copper industry.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ROCKWELL. I yield to the gentleman from Indiana.

Mr. HALLECK. Some of us might express the hope that certain gentlemen on the other side of the aisle who have become such keen advocates of tariff protection to industry will be a little more consistent. They apparently raise their voices only when the products in their own districts are involved.

Mr. ROCKWELL. Mr. Chairman, the amendment I have offered is an amendment to give the men of the West the opportunity to find out in 2 years if they can produce the amount of copper needed. At the end of that time we can review the situation. That is all my amendment does.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. ROCKWELL. I yield to the gentleman from Arizona.

Mr. MURDOCK. I am in support of the gentleman's amendment. Is it not true that the mining industry is of such a nature that you cannot turn on and off production as you would water at the spigot or faucet, and is it not true also that it is a false philosophy that this country has become a have-not Nation with regard to copper? Certainly we have the copper in the ground if we will only keep it in production.

Mr. ROCKWELL. The gentleman is right. When the mines are shut down and are filled with water it costs many millions of dollars to open them again.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. ROCKWELL. I yield to the gentleman from New York.

Mr. REED of New York. That is true not only with reference to producing copper but in giving it away to all the nations of the earth. May I say to the gentleman in a spirit of harmony and to facilitate matters that I am perfectly willing, and I think I speak the sentiment on this side of the House, to accept the gentleman's amendment.

Mr. ROCKWELL. I thank the gentleman.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the Members of this House from the copper-producing areas of the country should be pleased with the passage of this bill as it is indicative of a protection to their industries in the years ahead. During the war the imposition of the import tax was lifted. Congress is now given the opportunity of lifting that tax permanently, letting you go into the future without any tariff protection, or giving you a suspension and a certainty that when this year or 2-year period is up you will again have the protection which your industry needs. The House is today passing this bill, and if the other body agrees to the legislation, it will mean that we are saying there must be protection afforded the domestic copper industry. You can say at home that Congress has reaffirmed its intention and determination that there shall be a tariff protection given to the copper-producing States. But there is one condition. Right now, today, a branch of our Government under the State Department is offering a country to give up in the forthcoming reciprocal trade agreements some of that protection you now have.

I respectfully suggest to you gentlemen who are interested in protecting the copper-producing areas of our country that you register your objections strenuously with the State Department. Let them know that you do not want that tariff cut. Let them know that Congress today, in passing this legislation, is reaffirming its position that the reciprocal trade agreements must not cut the protection that your industry needs.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Arizona.

Mr. MURDOCK. I have already registered my protest along just that line.

Mr. SIMPSON of Pennsylvania. I earnestly hope that when other parts of this great country of ours are threatened through a policy such as that followed by the reciprocal trade agreements group, that those Members will see fit to come to our rescue and help us retain our tariff protection.

Mr. GRANGER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I did not think it would ever be necessary for me to engage in debate with the gentleman from Ohio [Mr. JENKINS], or the gentleman from New York [Mr. REED], on the question of a tariff or that which means the same thing. It seems to me that everyone is pretty well set in their views that this bill should pass, and I believe it is possible for you to beat us with the second team. Even though you have accepted this amendment, it does not satisfy me, and if I have an opportunity to vote on this question, I will still vote against it. I think if the miners and the small operators in the mining areas knew what was being done to them today, there would be a different attitude on the part of the Members of the House. I am confident if you put this exemption into effect for 1 year or 2 years, you will put little copper mines in the country out of business. I am satisfied that is what will happen. You know, gentlemen, you cannot go into the mining business—in and out like you change your socks.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. GRANGER. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. If in a year from now the gentleman can show that that is the condition in this country, that the little producers are going out of business, and the gentleman will join me in organizing the battle, we will repeal this act so that that will not happen.

Mr. GRANGER. I will say to the gentleman I have joined with him before on this issue, and I am not running away from it now, because I believe it is just as true now as it was when we were fighting the battle before. While I am glad that the amendment offered by the gentleman from Colorado is accepted, it certainly is not satisfactory to the people who represent these small mines in the various States. I hope when this bill goes to another body for consideration that a reduction to 1 year only will be agreed upon.

The CHAIRMAN. The time of the gentleman from Utah has expired.

Mr. CRAWFORD. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I take this time to ask two or three questions about this bill. In the first place I should like to ask

someone on the committee—I do not care who it is that answers the question—what causes the difference between the domestic price of copper and the so-called open-market world price of copper today? Who cares to answer that question?

Mr. REED of New York. I would be under great obligation to the gentleman from Tennessee, who is one of the greatest authorities in the House, to give that information.

Mr. CRAWFORD. I wonder if the gentleman from Tennessee has any information on that? What causes the difference between the domestic price of copper, which is stated to be somewhere around 21.5 cents and the open-market world price of 22.85, I believe it was? The lack of information leads me to fear there is more or less market manipulation in the copper market at this particular time.

Nobody seems to want to answer it. There must be a fundamental reason for the difference in price if it does exist.

May I ask this question: It has been stated here that our Government has a stock pile of copper which it has been unloading in the market. Has that copper which the Government was selling been unloaded on this market at a price below the world market? Can anybody answer that? The gentleman from Arkansas [Mr. MILLS] says, "Yes."

Mr. HARLESS of Arizona. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Arizona.

Mr. HARLESS of Arizona. I understand there have been no sales below the world market. As a matter of fact, they cannot sell it right now because they paid 17 cents. They paid a cent above the world market.

Mr. CRAWFORD. That is not what I am getting at. You have a fundamental marketing question here. I think if we could smoke it out we would learn something.

Mr. HARLESS of Arizona. They have not unloaded any copper purchased on the world market below the world market. They could not unload that now because they bought it at 17. They would have to sell it at a loss.

Mr. CRAWFORD. I do not want to get into details, but it has been stated here that our market is 21½ cents against a world market of 22.85. That has been stated by members of the committee. Is that true or not?

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Utah.

Mr. GRANGER. I do not think the committee went into that matter at all.

Mr. CRAWFORD. I am talking about the testimony here this afternoon.

Mr. REED of New York. If the gentleman will yield, as a matter of fact the British have fixed the price on that, and our wartime agencies have fixed the price here.

Mr. CRAWFORD. If our Government owns copper which it is selling to the trade, and the Government is offering that copper at a price below the world market on copper, why on earth should any foreign shipper ship copper to this market when he can ship his copper to some other market and get a higher price? Perhaps our Government operations here are contributing greatly to the absence of copper in the United States. I should think the gentleman from the West would be inquiring as to who is manipulating this market and how it is being manipulated, if that is being done.

Mr. GRANT of Indiana. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Indiana.

Mr. GRANT of Indiana. It is with some hesitation that I enter on a discussion of this subject with the gentleman, but I think this might well be pointed out. During the war the entire supply of copper coming into and distributed in this country was under the control of the Government.

Mr. CRAWFORD. I understand that.

Mr. GRANT of Indiana. The Government under its wartime powers was bringing the copper in free of duty. The Government discontinued its purchases of copper, and discontinued that program last October or November.

Mr. CRAWFORD. And began to unload it.

Mr. GRANT of Indiana. They began to unload it a year before that, month by month, bringing in a few thousand tons a month, and allocating a great number of thousands of tons per month, until today we have none. The OPA ceiling on copper was about 12 cents a pound. Since the controls have been released, the price of copper has continually gone up. The most recent price of copper of 21½ cents was fixed by an announcement of the Reconstruction Finance Corporation about a week ago last Friday, when they announced that they were offering on the market their last 55,000 tons of stock pile at the price of 21½ cents. On the next Monday, Phelps-Dodge announced that the price of copper in this country was 21½ cents.

Mr. CRAWFORD. What has been the world price since last Monday?

Mr. GRANT of Indiana. I believe it is 22.85.

Mr. CRAWFORD. That is the thing I have been trying to bring out. We have no reason to assume that foreign shippers in other countries shipping goods to this market, whether it is rubber or copper, oil products or otherwise, should send their product here when they can sell them in other world markets at a higher price, and when our Government owns inventories which it is unloading at prices below world market levels from time to time. We have to learn something about this marketing proposition.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CRAWFORD. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Illinois.

Mr. MASON. The 4 cents a pound which our buyers had to pay as this import tariff they can now use to compete in the world market and to pay that extra cent and a fraction.

Mr. CRAWFORD. The big point is this: Our Government is now about to get out of copper. It cannot perform in the market any more, so the foreign shippers moving copper this way have an open market in which to sell. We thus begin to clear the channels of trade so goods can flow through them. That is a move in the right direction generally.

One other point: You are going to have to face within a few days a situation on crude rubber very similar to this. We may as well educate ourselves for 2 or 3 minutes here today on this matter, because copper and rubber have been almost exactly in the same position. We have to do something with rubber next week, and I am quite positive we will do it.

Mr. MANSFIELD of Montana. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. MANSFIELD of Montana. In this matter of the price of copper when there is such a short supply as we have now, it is not reasonable to assume that Phelps Dodge and other big companies are going to be able to set any kind of price they desire in the open market.

Mr. CRAWFORD. No; they could not do that unless they controlled the copper stocks of the world.

Mr. MANSFIELD of Montana. There are no stocks to speak of.

Mr. CRAWFORD. But they are going to produce copper throughout the world.

Mr. MANSFIELD of Montana. They are going to produce copper, but they do not have it right now.

Mr. CRAWFORD. If they are not going to produce copper throughout the world, then why is the gentleman so fearful of goods coming into this country to compete with his own mines? If you are going to have a market of 25 or 35 cents for copper, certainly they are going to produce copper in this country.

Mr. MANSFIELD of Montana. If the gentleman recalls what I said, I was very doubtful that much copper would be imreported into this country under a suspension of the 4-cent copper excise tax.

Mr. CRAWFORD. If the gentleman is doubtful that copper is going to come in, why does he fear foreign competition? It may be that the large copper producers of the United States control a substantial proportion of all the copper produced in foreign fields. If this be true, it may be there is some manipulation of the market on the part of our large domestic copper producers. For instance, suppose our domestic producers of crude or raw copper wanted to also enter the field of producing industrial products with a substantial copper base—thus more completely integrating their operations—and bill their foreign and domestic produced copper to themselves here in the United States at a price substantially below the world copper price. That would give them a great advantage in the United States market for fabricated copper goods. They could still sell their excess foreign production in the world market at a price substantially higher than the price at which they billed themselves

copper to be used in fabricating goods for the United States market and get along pretty well.

Mr. REED of New York. Mr. Chairman, I ask unanimous consent that debate on the bill and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. D'EWART].

Mr. D'EWART. Mr. Chairman, I rise in support of the amendment to limit the suspension of the copper import tax to a period of 2 years.

I represent a State in which copper mining is an important industry and the sole support of a very large segment of the population. We are familiar with the history of copper production over the years, and we feel very strongly that suspension of the import tax for any period longer than 2 years would be extremely dangerous.

The mining industry is one in which continued operations and development work are essential to success. A mine once closed cannot be reopened on a moment's notice to satisfy the needs of an emergency. Closing a mine inevitably results in the loss of mineral resources as well as the advantages of all the work that has gone before. Our known reserves of copper ore are now about 21,000,000 tons, not a great amount and surely not enough to permit waste or loss. Our experiences in the recent war demonstrate clearly that we cannot afford to be caught short of strategic materials should another emergency arise from the present extremely unsettled conditions of world affairs. An active mining industry is our only assurance of preparedness and the only way we can continue to have a maximum development and use of our mineral resources. I believe that the suspension of copper import taxes for longer than the 2 years suggested in this amendment would seriously impair or even destroy a large part of our presently active copper-mining industry.

The present large demand for copper is an excess demand built up during the war years when our industrial users of copper received less than half of their normal annual consumption and when large quantities of copper in use were salvaged for war materials. This demand can be satisfied in a relatively short time. The most optimistic estimate of our peacetime requirements of copper after the present excess demand is satisfied is that we will need 850,000 tons per year. Our domestic producers can produce enough to satisfy that demand.

From our experiences in the 4 years from 1929 until the present import tax was imposed we know that foreign producers can undersell our domestic producers and displace a large segment of the industry. If the present tax is suspended for a period longer than is needed to take care of the excess demand these foreign producers will be able once again to flood the market. They will be encouraged to expand their development for that very purpose, at the same time that our producers, uncertain of the future, will be forced to curtail operations. We cannot afford to let this occur. The country needs an active and developing copper industry. The industry cannot be active or develop unless it has assurance that it will be protected in future years when the present excess demand is satisfied. For that reason I believe that we must limit this suspension as nearly as possible to the time that is necessary to satisfy this demand, and I think that any suspension for longer than 2 years will do irreparable harm to an important strategic mineral industry.

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. HARLESS].

Mr. HARLESS of Arizona. Mr. Chairman, it is with reluctance that I take additional time, but there have been some things said here which I think should be clarified. We admit there is a shortage of copper. We in the Western States are willing to go along on a compromise as suggested until June 30, 1948. The reason we do not want a longer moratorium on the tariff is to prevent a possible destruction of the copper-mining industry. No one can predict what the world conditions will be or even what the national conditions will be for more than a year.

We are interested in seeing a healthy copper-mining industry in this country. I am sure the gentlemen on the other side of the aisle would not want to see it destroyed. Our national defense depends upon this industry. Throughout the war, the copper industry suffered. The men who worked in the industry were not exempted from the draft. The OPA froze the price of copper at 12 cents, and as a result in 1945 the mines were operating at 35 percent or 40 percent capacity. Last year we suffered a 4-month strike, not because the mines were not willing to raise the wages at the request of the miners, but because certain people in the OPA wanted the wage increase paid out of premiums instead of increased prices. Everything has been done to cripple this industry. I maintain if you extend this moratorium more than 15 months you will continue to cripple it.

I am going along with the 2-year compromise because I know 3 years would be worse. I am not conceding that we should have more than 1 year. None other an authority than John Church, who was head of the Metals Division of the War Production Board during the war, made the statement that if we lift this tariff now we would get between twenty and thirty thousand tons of copper a month from foreign sources during the next year. That would mean between two hundred and fifty and three hundred and fifty thousand tons during the next year. Copper would begin to flow into this country. If we have any kind of recession or depression, that means that the copper mines in this country in less than a year will begin to close. Once you close a copper mine and let it be flooded with water, it is closed permanently.

So, we plead with you not to destroy this industry. This industry means too much to the American people to destroy it. Once you lower the domestic production of copper, you have weakened the defense of our Nation.

Mr. DURHAM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think the gentleman from Michigan [Mr. CRAWFORD] raised a very pertinent question a few minutes ago. The gentleman happens to be the author of a resolution which the committee passed this week which does practically the same thing which he tried to do in regard to cotton.

I have been primarily concerned and I am as concerned about stock piling as is the gentleman from Iowa [Mr. MARTIN], We handled a stock pile in 1935 and in 1940 and again in Public Law 520. I am wondering how far we are going and how many more of these metals are going to be placed in the same category as the one we are talking about today, because several more of them are in about the same position as copper. I refer to zinc, tungsten, and some others. I am not concerned about where we get this copper, especially. I want a stock pile of copper. In fact, we were faced with a message from the President today which commits us to a very definite program and I am sure every man on this floor is concerned about it.

In Public Law 520 we were very careful to protect our American manufacturers and miners. I do not know where all of this interest comes from today. The gentleman from Michigan [Mr. CRAWFORD] has raised a question on this world market and our domestic market price. Probably it would be wise to go along with this resolution for the length of time provided in the amendment offered by the gentleman from Colorado [Mr. ROCKWELL]. I am hopeful that this Congress will recognize not only the scarcity of this material but that we will take immediate action on some of these other off-shore, scarce strategic metals. I think probably zinc is in a worse position than copper. We have not heard from the zinc people yet, but I expect this committee will be hearing from them very soon. I think tungsten is in about the same shape and we will be hearing from them, also.

We have adopted a very definite policy in Public Law 520, and I am hoping this Congress is not going to come out with piecemeal legislation to destroy what we have set up to protect our domestic market, because we all realize the condition we were in in 1939 and 1940. Certainly we do not want to get into that shape again.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. DURHAM] has expired.

All time has expired.

The question recurs on the amendment offered by the gentleman from Colorado [Mr. ROCKWELL].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DIRKSEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill

(H. R. 2404) to suspend certain import taxes on copper, pursuant to House Resolution 140, he reported the same back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment offered by the gentleman from Colorado [Mr. ROCKWELL].

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CRAVENS, for the week of March 17, 1947.

To Mr. HARDY, for March 13 and 14, on account of official business.

To Mr. DORN, for Thursday and Friday of this week, on account of official business.

To Mr. SNYDER, for Thursday and Friday of this week, on account of official business.

PERMANENT NURSE CORPS OF THE ARMY AND NAVY AND WOMEN'S SPECIALIST CORPS IN THE ARMY

The SPEAKER. The Chair recognizes the gentlewoman from Maine [Mrs. SMITH].

Mrs. SMITH of Maine. Mr. Speaker, a rule has been granted on the bill (H. R. 1943) to establish a permanent Nurse Corps of the Army and the Navy and to establish a Women's Medical Specialist Corps in the Army, but to expedite action I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole, and that general debate be limited to 1 hour, to be equally divided between the majority and minority sides.

Mr. POWELL. Mr. Speaker, reserving the right to object, may I inquire if this procedure will permit amendments?

The SPEAKER. Amendments may be offered, but the 5-minute rule will apply to the discussion of amendments.

The gentlewoman from Maine asks unanimous consent that the bill may be considered in the House as in the Committee of the Whole, and that general debate be limited to 1 hour to be equally divided between the majority and minority sides.

Is there objection?

There was no objection.

Mr. ANDREWS of New York. Mr. Speaker, as chairman of the Committee on Armed Services, I ask unanimous consent that the time of the majority side may be controlled by the gentlewoman from Maine [Mrs. SMITH], chairman of the subcommittee in charge of the bill, and the other half by the gentleman from South Carolina [Mr. RIVERS].

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. SMITH of Maine. Mr. Speaker, I yield myself 10 minutes.

The SPEAKER. The gentlewoman from Maine is recognized for 10 minutes.

Mrs. SMITH of Maine. Mr. Speaker, the bill before us (H. R. 1943) to establish a permanent Nurse Corps of the Army and the Navy and to establish a Women's Medical Specialist Corps in the Army, is the result of committee work on two bills.

H. R. 1673, introduced by the chairman, the gentleman from New York [Mr. ANDREWS], was a departmental bill to reorganize the Nurse Corps of the Navy and of the Naval Reserve.

H. R. 1373, introduced by the gentlewoman from Ohio [Mrs. BOLTON], was also a departmental bill to reorganize the Nurse Corps of the Army and the Women's Specialist Corps of the Army and of the Army Reserve. The distinguished gentlewoman from Ohio [Mrs. BOLTON] has through the years contributed much to the medical program of the armed services.

One of the basic motivations of the merging of the Military Affairs and Naval Affairs Committee into the single Armed Services Committee was the obvious need for greater uniformity in the administration and policies of the Army and Navy.

Under the able direction of the chairman, the gentleman from New York [Mr. ANDREWS], the merged committee is working toward that goal.

While there has been much controversial discussion about the merging of certain functions of the Army and Navy in the Executive Department, one area of greatest agreement as to more adaptable integration has been that of hospitalization and medical organization of the armed services.

The Subcommittee of the Armed Services, of which I am chairman, has jurisdiction over all medical matters, including hospitalization, evacuation, sanitation, health, venereal-disease control, mental hygiene, neuropsychiatry, dentistry, veterinary, medicine, nursing, dietetics, physiotherapy, and the medical organization of the armed services.

The subcommittee in striving for the goal of greater uniformity considered the two separate bills, one with respect to the Army, the other with respect to the Navy, but both with respect to the Nurse Corps of each service. In other words an Army bill and a Navy bill on the same subject were discussed at the same hearing by the same subcommittee instead of at separate hearings by separate committees as in the past. This was done because the committee was conscious of the desirability and necessity of legislating for the armed services as a whole rather than specially for each service.

After complete hearings the subcommittee reported out one bill with similar provisions for both the Army and the Navy. The full Committee on Armed Services has reported this bill, H. R. 1943, favorably to the House and it is now before us for consideration.

There is not anything new about this proposal. It is simply making permanent the wartime program for nurses, dietitians, physiotherapists, and occupational therapists.

You know the history of the Nurse Corps and the admirable service rendered by the nurses, dietitians, physiotherapists, and occupational therapists during the past war, so I will confine my remarks to the major features of the bill and to the need for its enactment.

Under present legislation both Army and Navy nurses are occupying temporary commissioned rank. With the ending of the war emergency and without new legislation the members of the Army Nurse Corps, the Women's Medical Specialist Corps of the Regular Army, and the Navy Nurse Corps will revert to relative rank and to the prewar scale of pay allowances which, under the Pay Readjustment Act of 1942, began with the sum of $1,080 per annum to the top pay of $1,800 per annum for a person having served 12 years, after which there were no increases.

Maj. Gen. Norman Kirk, Surgeon General of the United States Army, and Admiral Clifford E. Swanson, Chief of the Bureau of Medicine and Surgery of the United States Navy, both testified, during the course of the hearing on this bill, that a reversion to the prewar pay scales would result in a complete dissolution of the Army and Navy Nurse Corps.

This bill is in two sections. Title I pertains to the Army and title II to the Navy. Although the wording differs somewhat, the provisions are practically the same, so much so that under this proposed legislation a nurse could transfer from one branch of the service to the other without detriment to herself or to the service.

H. R. 1943 provides that—

First. Army and Navy nurses and personnel of the Women's Medical Specialist Corps of the Army would be commissioned on a permanent status, the same as all male officers.

Second. Pay, leave, money allowances for subsistence and rental of quarters, mileage and other travel allowances, benefits, and emoluments would be the same as for male officers.

Third. Provisions for promotion would be the same as for male officers except that Army nurses and specialists above the rank of captain and Navy nurses above the rank of lieutenant would be chosen by selection boards.

Fourth. Retirement provisions would be the same as for male officers except that the retirement age is reduced to 55 years in the ranks above captain in the Army and above lieutenant in the Navy, and at 50 years in all ranks below captain in the Army and lieutenant in the Navy, and retirement pay would be based on 2½ percent per annum, the same as all officers of the Army and the Navy.

Fifth. The proposed legislation would establish similar provisions for nurses of both the Army and the Navy with exactly the same pay and allowances.

Failure to enact appropriate legislation would place the medical branches of the armed services in the impossible position

of attempting to compete with civilian nursing agencies which offer a more attractive salary and less personal deprivation.

This gives you briefly the purpose and provisions of this measure. Actually all the bill does is to make permanent the present program for nurses in the Medical Corps of the Army and the Navy. In other words, giving permanent commissioned status instead of the temporary wartime status.

This legislation would not result in any increased per capita expenditures over those maintained during the wartime period.

The War Department and the Navy Department favor this proposed legislation. General Kirk, Surgeon General of the Army, and Admiral Swanson, Surgeon General of the Navy, were most helpful in preparing one bill with similar provision.

The members of the subcommittee of the Armed Services Committee worked diligently on this measure. The chairman, the gentleman from New York [Mr. ANDREWS], and the gentleman from Georgia [Mr. VINSON] were most helpful to the subcommittee in their earnest participation at the hearing. The full committee discussed the bill and voted unanimously to report it out. The Rules Committee was prompt in reporting favorably upon it.

H. R. 1943 is not controversial. It is essential to the armed services and I hope this bill, H. R. 1943, will be passed by the House in its present form.

I ask unanimous consent to revise and extend my remarks.

Mr. JOHNSON of California. Mr. Speaker, will the gentlewoman yield?

Mrs. SMITH of Maine. I yield to the gentleman from California.

Mr. JOHNSON of California. Is it not a fact that this bill wipes out the discrimination between female officers and male officers that has heretofore prevailed?

Mrs. SMITH of Maine. That is correct.

Mr. JOHNSON of California. This is the culmination of 3 or 4 years' effort by the gentlewoman from Maine [Mrs. SMITH], now addressing the House, and also by the gentlewoman from Ohio [Mrs. BOLTON], trying to eliminate this discrimination. The gentlewoman from Ohio [Mrs. BOLTON] appeared before the Military Affairs Committee during the Seventy-ninth Congress supporting a similar bill.

Mrs. SMITH of Maine. Yes, the gentlewoman from Ohio [Mrs. BOLTON] has contributed a great deal to the medical services.

Mr. JOHNSON of California. And so has the gentlewoman from Maine.

Mr. DINGELL. Mr. Speaker, will the gentlewoman yield?

Mrs. SMITH of Maine. I yield to the gentleman from Michigan.

Mr. DINGELL. This, however, does not wipe out the inequality and the discrimination as between male medical corpsmen, who serve 4, 8, 12, 16 years, or more, becoming very expert to the extent that they can actually operate in submarines and far out at sea. They are never any more than a pharmacist mate. But a young nurse comes into the service and she is immediately commissioned. It does not eliminate that discrimination, it does not give a break to the corpsman who has served faithfully the Army or Navy for from 4 to 16 or 20 years. It does not give him the same status as a nurse who comes into the service, does it?

Mrs. SMITH of Maine. The corpsmen are not included in this bill.

Mr. DINGELL. Yes. They still remain corpsmen.

Mrs. SMITH of Maine. As far as this bill is concerned, yes.

Mr. DINGELL. Therefore, the discrimination still exists so far as the faithful corpsmen are concerned who have served in the service for many years.

Mrs. SMITH of Maine. They are in a different status and are being considered by the committee in another bill.

Mr. DINGELL. Of course. They are in the status of suspended animation. That ought to be corrected, I may say to the gentlewoman from Maine.

Mr. BATES of Massachusetts. Mr. Speaker, will the gentlewoman yield?

Mrs. SMITH of Maine. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. Under the provisions of a bill we have now under consideration in committee, we are opening the way for those young men to aspire to a commission. In fact, there has been a great deal of discussion in the committee. I am thoroughly in accord with the gentleman's point of view that these boys should be able to go into the service and go on up through the ranks as a result of their own effort, initiative, and ability. They will have the opportunity to get commissions and we are going to make an effort in the other bill to take care of a matter of that kind.

Mr. DINGELL. I am glad to hear my friend say that because it is something that has needed correction for many years.

Mr. RIVERS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill represents the culmination of a number of weeks of effort on the part of the subcommittee, of which the distinguished gentlewoman of Maine is chairman, as well as many, many months of work of the old Committee on Military Affairs, as well as many, many months of work of the old Committee on Naval Affairs. We had to sit down at the table in the preparation of this bill before presentation to you; the Army and the Navy working hand and hand to try to do something for the nurse who was one of the unsung heroes of this war. There is today a shortage in the Army of 1,500 nurses. There is today a shortage in the Navy of at least 1,000 nurses. If hostilities were declared terminated today, if the war were declared over today, 6 months thereafter you would not have one nurse, I venture to say, in the Army or the Navy, because they could not live on the pay scale, and the only way they can exist today is by reason of emergency legislation which raises the pay to a living standard.

We recognized that terrible deficiency and that terrible probability. That is the reason we have brought in a bill which will take care of any unforeseen situations such as that. To the gentlewoman from Ohio [Mrs. BOLTON] we owe a great debt of gratitude for her contribution, and as for the gentlewoman from Maine [Mrs. SMITH] I need not tell you what she has done. The Army will have a minimum of probably 2,558 nurses, and the Navy around 2,200. The ratio, as my distinguished chairman has told you, in this bill is 6 to every 100. It will have to be measured on a percentage of the ultimate strength of the Army and the Navy, and it will be a sliding scale, and as it naturally goes up or the minimum goes down, the number will be measured accordingly.

I should like to read an excerpt on this subject from the Army and Navy Journal, which has long followed this probability, in the event that hostilities were declared over. This was was prepared February 8.

Prompt congressional action on the bills giving the nurses of the Army and Navy permanent commissioned status is urgently demanded in order that the armed forces may retain in their postwar establishments the services of those professional women whose skill and efficiency was so strikingly demonstrated in the active theaters and in the zone of the interior throughout the war. It was a significant as well as a gracious gesture on the part of Chairman W. G. ANDREWS (Republican, New York), of the House Committee on Armed Services, when he yielded to Representative FRANCES P. BOLTON (Republican, Ohio) the prerogative (usually reserved for the chairman) of introducing the War Department's proposed draft of a bill to revise the Medical Department, which bill carries the provisions for the nurses. Mrs. BOLTON is not a member of the committee, but she is an ardent advocate of giving proper recognition and status to the service nurses and in the last session severely criticized the War Department for its failure to submit recommendations in time for action before the expiration of the Seventy-ninth Congress. Another Congresswoman, Representative MARGARET CHASE SMITH (Republican, Maine), is chairman of the subcommittee, which this week began hearings on the reorganization of the Nurse Corps of both the Army and Navy. Thus, with the collaboration of Mrs. SMITH and Mrs. BOLTON a sympathetic consideration is assured. The record of the services' nurses has been such a sparkling page in the history of the war, one marked by all the admirable traits of bravery, efficiency, sympathy, patience, and humaneness, that it seems the measures for their betterment must merit universal support. But it is speed that is now needed, for day by day war-experienced, capable nurses are accepting discharge from the Army and Navy and seeking to establish themselves in civilian positions while there is still such universal demand for their professional abilities. Many of these would rather stay in the armed forces if they were assured that their future career is safeguarded, that they will be eligible for retention, and that their present commissioned status, now held only by virtue of emergency legislation, will be retained. To help keep these fine women, the committee should assure, in the bill that it approved, that those nurses who served capably and efficiently in Reserve status through the war will be eligible for permanent commissions in the Regular Establishment and that there will be no arbitrarily low age limit set to bar now those who were of the proper age when they first entered on active duty.

Mr. Speaker, when we passed legislation last year giving the Veterans' Administration authority to hire nurses the wage scale was way up, so much so that we unwittingly caused a raid on nurses so that the Army and the Navy were by virtue of that law not able to retain these nurses. We have to do something to retain these experienced, patriotic women who contributed so terribly much in that time of dire need in our country's emergency.

I know this bill will not need very much debate, and I am sure it will merit your consideration and will pass. It is unanimously reported, and has the backing of the entire committee.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from North Carolina.

Mr. COOLEY. What was the gentleman reading from a moment ago that contained the reference to the gentlewoman from Maine [Mrs. SMITH] and the gentlewoman from Ohio [Mrs. BOLTON]? Was it the committee report?

Mr. RIVERS. It was the Army and Navy Journal.

Mrs. SMITH of Maine. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES of Massachusetts. Mr. Speaker, this is what we might well call emergency legislation, because if it is not enacted into law, since the war emergency is over all the nurses in both the Army and the Navy will revert back to their prewar status, where the minimum pay was $1,080 a year and the maximum $1,800 a year. In order to retain the nurses in the service during the war period we had to give them temporary commissioned rank. With that rank, of course, came the commissioned rates of pay, subsistence allowances, and all the benefits the commissioned officers in the Army and the Navy received. The purpose of this bill in establishing the Army Nurse Corps and the Women's Medical Specialist Corps as well as the Navy Nurse Corps is to give them permanent rank so that some inducement may be offered to the women of this country who are willing to offer their services to the military branches of this Government so that they will at least be given some recognition along the same lines as we give commissioned officers in both the Army and the Navy. We must keep in mind that unless this bill becomes law, as the term of enlistment of these women expires they are going to go back into the more lucrative practice in private life, where the opportunities are so much greater than they will be in the military branches of the Government.

If we say to the nurses in both the Army and Navy today, "After your term of enlistment has expired, you go from the commission pay down to what we call the prewar pay of $1,080 a year to $1,800 a year, we are simply not going to have any nurses stay in the military service of our Government." In order to recognize their ability, we must give them not only the same relative rank that they enjoyed as commissioned officers of both branches of the service, but we must also give them the same rate of pay, emoluments, subsistence, retirement benefits, and all the other benefits that we now give the commissioned men in both the Army and Navy.

At the present time we are informed by the Navy Department that they are approximately 1,000 Navy nurses short of their requirements, and that the Army is 1,500 nurses short of their requirements. As the terms of service of these nurses expire, it will simply increase the shortage to a point where a real danger arises which will affect the welfare of the men and women who are still in the military services. This matter has been very thoroughly discussed in subcommittee over a period of a number of weeks. We have gone into every phase of this whole subject matter and have had the benefit of experience to guide us in recommending this legislation to the Congress in order to take care of this emergency which is facing the military forces. As a result of that study and thorough consideration, the legislation was sponsored by both the Army and Navy and recommended by the Bureau of the Budget.

We have brought in a unanimous report not only from the subcommittee considering this legislation but also the Armed Services Committee of the House. I hope and trust, Mr. Speaker, that the Members of the House will unanimously approve this bill in the interest of safeguarding the health of our men and giving an inducement to the young women of the country who have the necessary qualifications to offer their services so that we may meet the requirements of our military branches.

Mr. RANKIN. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Seventy Members are present; not a quorum.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 43 minutes p. m.) the House adjourned until tomorrow, Thursday, March 13, 1947, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Thursday, March 13, 1947.

Business to be considered: Executive session. Conference with officials of the Railroad Retirement Board, the Treasury Department, with respect to the Bureau of Internal Revenue on railroad retirement funds and the Federal Security Agency with respect to the Social Security Board on railroad retirement funds, pursuant to the Legislative Reorganization Act of 1946.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Friday, March 14, 1947.

Business to be considered: Executive session. Conference with officials of the Department of Commerce with respect to the Bureau of Standards, the Weather Bureau, and the Inland Waterways Corporation pursuant to the Legislative Reorganization Act of 1946.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Tuesday, March 18 1947.

Business to be considered: Public hearing on H. R. 2109, a bill to amend the Civil Aeronautics Act of 1938; also public hearing on H. R. 2324, a bill to amend the Interstate Commerce Act.

COMMITTEE ON THE JUDICIARY

On Friday, March 14, 1947, at 10 a. m., Subcommittee No. 4 of the Committee on the Judiciary will begin hearings on the following measures, with respect to war and emergency powers:

H. R. 1933, to amend the Second War Powers Act, 1942, as amended.

House Concurrent Resolution 5, to declare the date of termination of the wars in which the United States has been engaged since December 7, 1941.

House Concurrent Resolution 9, to declare December 7, 1946, as the date of the cessation of hostilities in, and as the date of the termination of, the present war.

House Concurrent Resolution 25, to declare the date of termination of the wars in which the United States has been engaged since December 7, 1941.

House Joint Resolution 56, to terminate the emergency war powers of the President.

House Joint Resolution 128, to declare July 4, 1947, as the date of the cessation of hostilities in the present war.

House Concurrent Resolution 21, providing that various titles of the Second War Powers Act of 1942 shall remain in force until the day following the adoption of this resolution.

The hearings will be conducted in the Judiciary Committee room, 346 House Office Building.

There will be a hearing before Subcommittee No. 3 of the Committee on the Judiciary on Monday, March 17, 1947, on the following bills:

H. R. 1468, to provide for the review of certain orders of the Interstate Commerce Commission and the United States Maritime Commission and giving the United States courts of appeals jurisdiction on review to enjoin, set aside, or suspend such orders.

H. R. 1470, to provide for the review of orders of the Federal Communications Commission under the Communications Act of 1934, as amended, and of certain orders of the Secretary of Agriculture made under the Packers and Stockyards Act, 1921, as amended, and the Perishable Agricultural Commodities Act, 1930, as amended.

The hearing will begin at 10:30 a. m., and will be held in room 346, House Office Building.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Full committee meeting 10 a. m., Thursday, March 13, 1947, 213 House Office Building, to consider H. R. 2408, postal rates. Open hearings.

COMMITTEE ON THE JUDICIARY

On Friday, March 14, 1947, at 10 a. m., Subcommittee No. 2 of the Committee on the Judiciary will hold hearings on H. R. 120, H. R. 695, and H. R. 1883,

to incorporate the AMVETS, American Veterans of World War II. The hearings will be conducted in room 345, House Office Building.

On Wednesday, March 19, 1947, at 10:30 a. m., in room 346, old House Office Building, Subcommittee No. 1 of the Committee on the Judiciary will begin hearings on the following measures with respect to holidays and celebrations:

H. R. 147 and H. R. 316, making the 14th day of August in each year a legal holiday, and for other purposes.

House Joint Resolution 1, House Joint Resolution 11, House Joint Resolution 23, House Joint Resolution 41, House Joint Resolution 63, House Joint Resolution 65, and Senate Joint Resolution 41, authorizing the President of the United States of America to proclaim October 11, 1947, General Pulaski's Memorial Day for observance and commemoration of the death of Brig. Gen. Casimir Pulaski.

House Joint Resolution 31, providing for the observance of October 11, 1947, as General Pulaski Memorial Day.

House Joint Resolution 12, requesting the President to declare November 10, 1947, a day for the observance of the creation of the United States Marine Corps.

House Joint Resolution 15, designating the week of February 14 in each year as National Heart Week.

House Joint Resolution 20, designating period from Thanksgiving Day to Christmas of each year for Nation-wide Bible reading.

House Joint Resolution 35, designating the second Sunday of October of each year as Grandmother's Day.

House Joint Resolution 46, authorizing the President of the United States to proclaim April 19 of each year Patriots' Day for the commemoration of the events that took place on April 19, 1775.

House Joint Resolution 60, designating September 17 of each year as Constitution Day.

House Joint Resolution 64, designating February 11 of each year as Thomas Alva Edison Day.

House Joint Resolution 82, designating November 19, the anniversary of Lincoln's Gettysburg Address, as Dedication Day.

House Joint Resolution 88, authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski.

House Joint Resolution 94, requesting the President to proclaim February 1 as National Freedom Day.

House Joint Resolution 100, designating the first Sunday in June of each year as Shut-Ins' Day.

H. R. 1051, designating the first Monday of October in each year as National Farm Day and declaring such day a legal public holiday.

H. R. 1193, declaring August 14 of each year a legal holiday.

H. R. 1981, declaring Good Friday in each year a legal holiday.

H. R. 2085, designating the fourth Saturday in September of each year as American Indian Day.

H. R. 2333, declaring the birthday of Abraham Lincoln to be a legal holiday.

COMMITTEE ON PUBLIC LANDS

There will be a meeting of the Committee on Public Lands on Thursday, March 13, 1947, at 10 o'clock, in room 1324, New House Office Building, to consider H. R. 49, Hawaii statehood.

COMMITTEE ON BANKING AND CURRENCY

The Committee on Banking and Currency will meet at 10 a. m. Thursday, March 13, 1947, in the committee room 1301, New House Office Building, to conclude its hearings on the rationing and extension of price control of sugar.

COMMITTEE ON VETERANS' AFFAIRS

There will be a meeting of the Subcommittee on Hospitals of the Committee on Veterans' Affairs, at 10:30 a. m., on Friday, March 14, 1947, in the committee rooms, suite 356, old House Office Building.

SUBCOMMITTEE ON INDIAN AFFAIRS OF THE COMMITTEE ON PUBLIC LANDS

There will be a meeting of the Subcommittee on Indian Affairs of the Committee on Public Lands on Saturday, March 15, 1947, at 10 o'clock, in room 1324, New House Office Building, to consider H. R. 1098, H. R. 1099, H. R. 1146, H. R. 1148, H. R. 1150, H. R. 1217, H. R. 1337, H. R. 1483, H. R. 1484, H. R. 1487, H. R. 1539, H. R. 1727, H. R. 1784, H. R. 2353.

SUBCOMMITTEE ON IRRIGATION AND RECLAMATION OF THE COMMITTEE ON PUBLIC LANDS

There will be a meeting of the Subcommittee on Irrigation and Reclamation of the Committee on Public Lands on Monday, March 17, 1947, at 10 o'clock in room 1324, New House Office Building, to consider H. R. 1772, H. R. 1886, and H. R. 1997. This meeting is scheduled each day through Friday, March 21, 1947.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m. Thursday and Friday, March 20 and 21, 1947.

Business to be considered: Public hearings on H. R. 873 and H. R. 1823, to create an Enemy Property Commission.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXII, executive communications were taken from the Speaker's table and referred as follows:

446. A letter from the Secretary of the Navy, transmitting a list of institutions and organizations, all nonprofit and eligible, which have requested donations from the Navy Department under provisions of section 2 of Public Law 649 (79th Cong., 2d sess.), approved August 7, 1946; to the Committee on Armed Services.

447. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill to authorize the Director of the United States Geological Survey to produce and sell copies of aerial or other photographs and mosaics, and photographic or photostatic reproductions of records, on a reimbursement of appropriations basis; to the Committee on Public Lands.

448. A letter from the Acting Secretary of the Interior, transmitting a resolution of the Municipal Council of St. Thomas and St. John, V. I., petitioning the Congress to authorize the transfer to the municipality of certain lands owned by the Federal Government; to the Committee on Public Lands.

449. A letter from the Acting Secretary of the Interior, transmitting a statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1946; to the Committee on Public Lands.

450. A letter from the Chairman, Reconstruction Finance Corporation, transmitting report of its activities and expenditures for the month of August 1946; to the Committee on Banking and Currency.

451. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report of its activities and expenditures for the month of September 1946; to the Committee on Banking and Currency.

452. A letter from the Secretary of War, transmitting a draft of a proposed bill to amend the Articles of War to improve the administration of military justice, to provide for more effective appellate review, to insure the equalization of sentences, and for other purposes; to the Committee on Armed Services.

453. A letter from the Administrator, Federal Security Agency, transmitting a draft of a proposed bill to authorize the use of Freedmen's Hospital appropriations for certain expenditures, and for other purposes; to the Committee on Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHAFER: Committee on Armed Services. H. R. 1369. A bill to amend the act entitled "An act providing for the reorganization of the Navy Department, and for other purposes," approved June 20, 1940, for the purpose of making section 3 thereof permanently effective; with amendment (Rept. No. 140). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHAFER: Committee on Armed Services. House Joint Resolution 118. Joint resolution to strengthen the common defense by maintaining an adequate domestic rubber-producing industry; with amendment (Rept. No. 141). Referred to the Committee of the Whole House on the State of the Union.

Mr. BATES of Massachusetts: Committee on Armed Services. H. R. 1358. A bill to amend the act entitled "An act to provide for the management and operation of naval plantations outside the continental United States," approved June 28, 1944; without amendment (Rept. No. 142). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOWE: Committee on Armed Services. House Joint Resolution 90. Joint resolution to correct an error in the act approved August 10, 1946 (Public Law 720, 79th Cong., 2d sess.), relating to the composition of the Naval Reserve; with amendment (Rept. No. 143). Referred to the Committee of the Whole House on the State of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred, as follows:

A bill (H. R. 2184) to amend section 304 of the act entitled "An act to expedite the provision of housing in connection with national defense and for other purposes," approved October 14, 1940, as amended; Committee on Banking and Currency discharged, and referred to the Committee on Public Works.

A bill (H. R. 2190) to provide that schools constructed under the act entitled "An act to expedite the provision of housing in connection with national defense, and for other

purposes," approved October 14, 1940, as amended, may be donated to local school agencies; Committee on Banking and Currency discharged, and referred to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H. R. 2513. A bill to increase the compensation of the Governors of Alaska and Hawaii; to the Committee on Public Lands.

By Mr. HAVENNER:

H. R. 2514. A bill to amend the act of July 2, 1945, by changing the basis of award of merit for uncompensated personnel of the Selective Service System from 2 years of service to 1 year of service; to the Committee on Armed Services.

H. R. 2515. A bill to promote on the retired list officers and enlisted personnel of the Army commended for gallantry in the performance of duty in actual combat in World War I or II; to the Committee on Armed Services.

H. R. 2516. A bill to authorize the erection of additional facilities at the existing Veterans' Administration facility, Fort Miley, Calif.; to the Committee on Veterans' Affairs.

By Mr. JENKINS of Ohio:

H. R. 2517. A bill to amend section 24 of the Immigration Act of February 5, 1917; to the Committee on the Judiciary.

By Mr. KEATING:

H. R. 2518. A bill to extend the time within which application for the benefits of the Mustering-Out Payment Act of 1944 may be made by veterans discharged from the armed forces before the effective date of such act; to the Committee on Armed Services.

By Mr. MICHENER:

H. R. 2519. A bill to provide for the care and custody of insane persons charged with or convicted of offenses against the United States, and for other purposes; to the Committee on the Judiciary.

H. R. 2520. A bill to fix the fees payable to the Patent Office and to amend section 4934 of the Revised Statutes, and for other purposes; to the Committee on the Judiciary.

By Mr. MILLER of California:

H. R. 2521. A bill to amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having any physical handicap to positions in the classified civil service; to the Committee on Post Office and Civil Service.

By Mr. PETERSON:

H. R. 2522. A bill to provide certain limitations on penalties or liabilities arising out of Emergency Price Control Act of 1942 and certain other acts, when the violations on which such penalties or liabilities were incurred were not willful; to the Committee on Banking and Currency.

By Mr. JAVITS:

H. R. 2523. A bill to establish a national housing objective and the policy to be followed in the attainment thereof, to facilitate sustained progress in the attainment of such objective, and to provide for the coordinated execution of such policy through a National Housing Commission, and for other purposes; to the Committee on Banking and Currency.

By Mr. KEFAUVER:

H. R. 2524. A bill to provide for the succession to the Presidency, and to provide for a person to act as President in case of the failure to qualify of both President-elect and Vice-President-elect; to the Committee on the Judiciary.

By Mr. MORRISON:

H. R. 2525. A bill to authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools, and in reducing the inequalities of educational opportunities through public elementary and secondary schools, for the general welfare, and for other purposes; to the Committee on Education and Labor.

H. R. 2526. A bill to increase the amount of deduction allowed with respect to medical and dental expenses; to the Committee on Ways and Means.

H. R. 2527. A bill to remove the monthly maximum placed on the income of veterans receiving both compensation for productive labor and subsistence allowances for education; to the Committee on Veterans' Affairs.

By Mr. KARSTEN of Missouri:

H. J. Res. 149. Joint resolution to provide for designation of the Veterans' Administration hospital to be constructed in St. Louis, Mo., as the John J. Cochran Memorial Veterans Hospital; to the Committee on Veterans' Affairs.

By Mr. POWELL:

H. Res. 143. Resolution directing the Committee on Education and Labor to conduct an investigation with respect to (1) the exclusion of Negroes as patrons of the public portions of the restaurants and cafeterias in the United States Government buildings in the District of Columbia, and (2) the exclusion of Negro employees as patrons of the restaurants and cafeterias in the United States Government buildings in the District of Columbia; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 2528. A bill for the relief of Anastasio A. Ylagan; to the Committee on the Judiciary.

By Mr. BUCK:

H. R. 2529. A bill to suspend deportation of Domenico Marrazzo and record his admission for permanent residence; to the Committee on the Judiciary.

By Mr. COUDERT:

H. R. 2530. A bill for the relief of Jeannette C. Jones and minor children; to the Committee on the Judiciary.

H. R. 2531. A bill for the relief of Nicholas G. Niedermiller, Peter A. Beklemishev, and Nicholas M. Tikmenev; to the Committee on the Judiciary.

By Mr. DIRKSEN:

H. R. 2532. A bill for the relief of Elizabeth Wexler; to the Committee on the Judiciary.

H. R. 2533. A bill to provide for an appeal to the Supreme Court of the United States from the decision of the Court of Claims in a suit instituted by George A. Carden and Anderson T. Herd; to the Committee on the Judiciary.

By Mr. MICHENER:

H. R. 2534. A bill for the relief of James H. Underwood; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

184. By Mr. MILLER of California: Petition of Board of Supervisors of Contra Costa County, State of California, urging defeat of any measures interfering with the basic democratic rights of the people of this Nation; to the Committee on the Judiciary.

185. Also, petition of the City Council of the City of Pittsburg, Calif., urging defeat of any measures which might interfere with the basic democratic rights of the people of this Nation; to the Committee on the Judiciary.

186. By Mr. THOMASON: Petition of residents of Odessa, Tex., asking abolition of OPA; to the Committee on Banking and Currency.

187. By the SPEAKER: Petition of Pastor del Rio, chairman of the democratic committee of the house of representatives, Habana, Cuba, petitioning consideration of his resolution with reference to an organization of a conference of representatives of the American legislative bodies; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 13, 1947

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Great is the Lord and greatly to be praised; with rapture we meditate upon Thy measureless mercy. So long as there is a sun to drive away the darkness; so long as there is a bird to sing away the sadness of the human heart; so long as there is a wanderer wearing the scarred image of the Father, so long is there a redeeming love in the heart of our world's Saviour.

O Light Divine, our way is dim, uncertain, and perilous. We beseech Thee, these fateful days, to light up the plains of peace; to hover over this sin-wrought earth, struggling to be free because of distrust, ignorance, and low ambitions. Whatever is done in this Chamber, grant that those God-given rights—the right to live and work, the right of self-assertion, the right to worship—may be upheld. O safeguard us that we may never forfeit these blessings, which were wrought by sacrifice, toil, and death.

With Thy presence, Lord, do Thou bless our President; keep him in the circle of divine love and care, and restore him in rest to his urgent duties. In the name of Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 27. Joint resolution proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

The message also announced that the Senate insists upon its amendment to the foregoing joint resolution, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WILEY, Mr. FERGUSON, Mr. REVERCOMB, Mr. MCCARRAN, and Mr. EASTLAND to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1968) entitled "An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes."

EXTENSION OF REMARKS

Mrs. BOLTON asked and was given permission to extend her remarks in the Appendix of the RECORD and include an editorial.

Mr. BRADLEY of Michigan asked and was given permission to extend the remarks he expected to make later in the day on House Resolution 76 and to include therein certain tables.

Mr. COFFIN asked and was given permission to extend his remarks in the Appendix and include an editorial by John S. Knight that appeared in the Detroit Free Press of Sunday, March 9.

Mr. LEA (at the request of Mr. PRIEST) was given permission to extend his own remarks in the RECORD.

SPECIAL ORDER WITHDRAWN

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that the special order I had for today may be vacated.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

DEMOCRACY MUST TAKE A STAND

Mr. JACKSON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JACKSON of California. Mr. Speaker, it has been truly said that politics make strange bedfellows, but never has the same political quilt covered such a diversified lot of statesmen as those who are today appearing out of the clearing mists of the speech delivered on the floor of this House yesterday. Those who subscribe in humble fealty to the Kremlin line and those who retch and gag at the very suggestion of Communist doctrine have linked arms in some of the most ludicrous pairings ever suggested by the mind of living mortal.

The President yesterday tiptoed through the tulips of diplomacy without crushing a tender blossom of Soviet sensibility. We can well imagine that Mr. Chamberlain's vulnerable umbrella is somewhere being dusted off for another jaunt to Armageddon, to a belated Munich, where this Nation, speaking gently in a tornado of human passion, will continue to follow the practice of crucifying the hopes and aspirations of free men and women upon the cross of our timidity in the face of decision.

Somewhere we must take a stand and assert our belief in democratic processes as opposed to the strangulation of freedom. I, for one, prefer to take that stand in Istanbul or Athens, rather than in Charleston, Newark, or San Francisco. The noose is drawing tighter, Mr. Speaker. Soon there may not be room to insert restraining fingers between the hemp and our throats.

But let us place the issue before the American people on the basis of the one issue: Democracy or communism—our form or another. There is no other question.

THE ATOMIC ENERGY CONTROL ACT

Mr. LANDIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LANDIS. Mr. Speaker, I believe the Seventy-ninth Congress made a mistake in passing the Atomic Energy Control Act. I am today introducing a bill to repeal that act and place atomic energy back in the War Department, where it belongs. In view of the new world emergency, it is my belief that the secrets and the control of the atom bomb and energy can best be guarded by the Miltary Establishments.

WAR ASSETS ADMINISTRATION BUNGLING

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, there is a good deal of criticism about the way the War Assets Administration runs its business. Today I have an example of their business methods that tells the story in a nutshell and explains why this Administration is the object of so much criticism.

An industrial firm in my district was asked to bid on a certain lot of goods in Ohio on the 10th of October 1946.

On the 7th of November they sent three men to Columbus, Ohio, to inspect and appraise the goods.

On the 20th of November they sent in a bid.

On the 13th of December they were notified their bid had been accepted; and they made preparation to handle the material.

Now, on the 3d of March, 3 months later, they are notified that the material has been withdrawn from sale.

God help the country as long as our business is operated by such fellows as run the War Assets Administration. I understand War Assets has taken on thousands of employees from the OPA. Maybe this accounts for this kind of business.

The withdrawal of this goods may be in conformity with War Assets policy, but it is still poor business. And why 3 months to make up their minds? Maybe by good business methods War Assets could sell surplus property to better advantage.

PERMISSION TO ADDRESS THE HOUSE

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include a speech made by the gentleman from Alabama [Mr. BOYKIN].

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

[Mr. ANDREWS of Alabama addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. McMILLAN of South Carolina asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. LANE asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. PLUMLEY (at the request of Mr. ARENDS) was given permission to extend his remarks in the RECORD in three instances and to include short editorials.

SPECIAL ORDER GRANTED

Mr. LANE. Mr. Speaker, I ask unanimous consent that at the conclusion of business on the Speaker's table today and after any special orders heretofore entered I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THE LATE WALTER S. GOODLAND

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STEVENSON. Mr. Speaker, the people of Wisconsin are sad today because of the death of the grand old man of Wisconsin, Gov. Walter S. Goodland.

Walter Goodland was born on a farm in Sharon, Wis., in December 1862. Had he lived until next December he would have been 85 years of age.

Governor Goodland has been Governor of Wisconsin for the past 4 years. He was a man who stood at all times on the principles of the Golden Rule. He was a man of the people. His every thought was in the interest of the people. He was not impressed by pressure groups of any kind. If legislation were for the good of the people of the State of Wisconsin Governor Goodland was for it. If in his opinion the legislation was good only for certain special interests and not for the good of the people as a whole Governor Goodland could be counted on being against it.

He preached the principles of the Sermon on the Mount and practiced them as Governor of the State of Wisconsin. The principles as practiced by Governor Goodland in public office might well be emulated by every man in public office today.

In the death of Walter Goodland the people of Wisconsin have lost a true friend.

COMMUNIST IMPERTINENCE

Mr. POTTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POTTS. Mr. Speaker, apparently the American Communists consider

that they are the sole repositories of all wisdom and that through some form of cultural osmosis that wisdom emanates from each small cell in their set-up.

Hardly had President Truman finished speaking yesterday—and I know that many Members here in Congress are still pondering what will be the answer—when a Communist group from my congressional district, I am sorry to state, sent me a telegram and in dogmatic terms said that the Greek people have an undemocratic government; also, they make the accusation in the telegram that President Truman has betrayed the American people. I do not agree with everything that my President says and comes forward with, but, believe me, I would think 10 times—yes; a hundred times—before I would accuse him of betraying the American people, as these Communists do.

SURPLUS PROPERTY FOR SMALL BUSINESS

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio [Mrs. BOLTON]?

There was no objection.

Mrs. BOLTON. Mr. Speaker, I wonder if the membership knows that the Comptroller General has just issued a ruling to the effect that the RFC can no longer use any of its funds for exercising its statutory priority to obtain surplus property on behalf of small business.

This is not in accordance with the intent and purpose of the Congress, and I sincerely trust that prompt action will be had to see to it that the will of this Congress is carried out. Without such prompt action on our part, small business will have little further chance to purchase War Assets materials at terms possible to them.

EXTENSION OF REMARKS

Mr. HOLIFIELD asked and was given permission to extend his remarks in the RECORD and include a statement.

LEAVE OF ABSENCE

Mr. HOFFMAN. Mr. Speaker, because of official business, I ask unanimous consent that my colleague the gentleman from Illinois [Mr. BUSBEY] may be granted leave of absence for today and tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMANENT NURSE CORPS OF THE ARMY AND NAVY AND WOMEN'S MEDICAL SPECIALIST CORPS IN THE ARMY

The SPEAKER. The unfinished business before the House is the bill (H. R. 1943) to establish a permanent Nurse Corps of the Army and the Navy and to establish a Women's Medical Specialist Corps in the Army.

The Chair recognizes the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Speaker, I yield 5 minutes to the member from New York [Mr. POWELL].

Mr. POWELL. Mr. Speaker, I rise in support of this most excellent bill. It is a bill which comes, I understand, from the committee, with unanimous support of all members of that committee, and is, therefore, a bipartisan bill, a bill which provides something which we have always needed and that is a permanent Nursing Corps.

I have just one objection which I will present later in the form of an amendment. I would like to say that in presenting this amendment I feel that it is not due to the fact that the committee intentionally left it out. I merely believe that it was due to the fact that the proper organizations did not come before the committee and present it. My proposed amendment is identical with the amendment which was offered on this floor exactly 2 years ago by my distinguished colleague the gentleman from Ohio, Mr. CLARENCE BROWN. Exactly 2 years ago, on March 6, 1945, the Honorable CLARENCE BROWN offered an amendment to the bill which was then called the draft nurses bill. Those of us who were here then will remember that our late President and Commander in Chief, Mr. Roosevelt, urged us to pass a bill so that we could draft nurses. We needed them in the conduct of the war, and the Honorable CLARENCE BROWN introduced an amendment at that time which is identical with the one which I will introduce, saying that in the drafting of nurses, in bringing nurses into the Army and the Navy, there should be no discrimination on account of creed, race, color, or national origin.

We all agree with the amendment to be offered here, because an identical amendment passed the House on March 6, 1945, unanimously, without division, without tellers; and then when the bill came before us the next day for final passage that amendment was still in it, and that bill was passed. The vote on that day, I think, was about three-hundred-and-something to forty-odd—I forget the exact number; I have it before me here. This is something we already agreed on 2 years ago, and I am sure you Republicans, especially, have not changed.

I would like to say that this proposed amendment, providing that nurses shall be included in our permanent Nurse Corps, without regard to race, creed, or color, is not set up on a quota basis; it does not force the appointment of a certain number. It merely gives the President, with the advice and consent of the Senate, an opportunity to see that people of our Nation, loyal, qualified female citizens, regardless of race, creed, or color, shall be included in the permanent Nursing Corps.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Does the gentleman include a provision in there that they shall not be discriminated against because of membership in or lack of membership in a union?

Mr. POWELL. No; I do not do that.

Mr. HOFFMAN. Why not?

Mr. POWELL. Well, if the gentleman wants to do that, let him introduce it.

Mr. HOFFMAN. Well, why do you not?

Mr. POWELL. I will talk to the gentleman after my speech, and maybe we can get together on it.

Now, I would like to say that an identical amendment went through unanimously once before and there was no objection raised, and my distinguished colleague the gentleman from Georgia [Mr. PACE] was in the chair as Chairman of the Committee of the Whole, and all of us voted in favor of it. I am sure we want a permanent nursing corps which will include all American citizens, and this is a guaranty that all will be included.

May I remind you that the President has the right to appoint them with the advice and consent of the Senate. May I also say that until this amendment was passed 2 years ago the Navy had not appointed a single Negro nurse, despite the fact that we needed 6,000 then and 9,000 were ready. But after it was passed by us unanimously, the Navy did appoint Negro women to the nursing corps of the Navy and they served in combat. In the language of the American Red Cross, and I read from the History of the American Red Cross:

> Negro nurses were assigned to general wards, and they were serious-minded, quiet, and businesslike young women.

Mrs. SMITH of Maine. Mr. Chairman, I yield 10 minutes to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, the Committee on Armed Services brings before the House today H. R. 1943, a bill to establish a permanent Nurse Corps of the Army and Navy and to establish a Women's Medical Specialist Corps in the Army. This act is to be known as the Army-Navy Nurses Act of 1947. It is presented to you by MARGARET CHASE SMITH, Congresswoman from the Second District of Maine, and chairman of Subcommittee No. 9 on Hospitalization, Health—Medical Corps. The committee has made a most exhaustive study of the whole situation of nursing as it applies to our services.

This is a combination of two bills—H. R. 1673, which, through the courtesy of the chairman of the Armed Services Committee, was introduced by myself, H. R. 1673, proposing to revise the Medical Department of the Army, and for other purposes—and a similar bill for the Navy introduced by the gentleman from New York [Mr. ANDREWS], chairman of the Committee on Armed Services.

A very careful study has been made by the subcommittee of the history and the functions of these services. Under the able leadership of the gentlewoman from Maine [Mrs. SMITH] practically all differences between the services have been harmonized. Do not let yourselves be confused by the language contained in the two titles. You will find that

there is a difference, but the facts and the conclusions are the same.

H. R. 1943 brings to a final conclusion the efforts made over a long period of years to give commissioned status to the nurses of the Army and the Navy, and latterly to the newer groups to be known as the Women's Medical Specialist Corps—dietitians, physical therapists, and occupational therapists—all of whom are now a recognized and necessary part of the Army medical set-up. Starting as civilian employees, these women were given a military status for World War II.

Thanks to Col. Florence Blanchfield, Superintendent of the Army Nurse Corps, and the outstanding ability and devotion she demonstrated to duty by her precept and example in inspiring the Army Nurse Corps during this last war, the nurses have had an opportunity to do extraordinary work. Established in 1901 with 400 Spanish-American War veterans, the Army Nurse Corps grew until in World War II the Army had about 60,000 nurses in uniform.

When one remembers that the first nurses who went in on D–4 going over the sides of the ships, working shoulder-to-shoulder with the doctors, there are no words with which to express one's gratitude and appreciation.

The Navy Nursing Corps was founded by act of Congress in May 1908 with 20 nurses. In the First World War the corps reached a capacity of 1,490. In the Second World War the capacity was increased to 11,086. There are now 2,300 members enrolled.

I would like to make special mention at this moment, of certain nurses new to the service: the Negro nurse group. My memory is that there were some 600 in all. I, myself, reviewed the first group in England after they finished their orientation. I followed them with a great deal of interest. They have done splendid work.

It seems to me that if there is one bill where we are justified in omitting reference to discrimination because of race, and so forth, it is this bill. I believe the gentleman who is introducing such an amendment can have no doubt as to my stand, so clearly shown in my record. I trust that he will not misunderstand when I say that it seems to me most unfortunate that this matter is brought up to us at this point. The need is not there, for both the Army and Navy use Negro nurses as part of their corps. We have reached the point where Negro nurses have proven themselves, from here out their acceptance or rejection will depend upon ability and qualification.

Mr. POWELL. Mr. Speaker, will the gentlewoman yield?

Mrs. BOLTON. I yield. But I cannot refrain from saying that I hope the gentleman will reconsider——

Mr. POWELL. May I say to the gentlewoman that I know her attitude and have known it for a long time before I came to Congress.

But until the gentleman from Ohio [Mr. BROWN], introduced that amendment 2 years ago, the United States Navy did not have one single Negro nurse.

Mrs. BOLTON. I believe that was because they had no Negroes at all.

Mr. POWELL. No; that is not the reason.

Mrs. BOLTON. I meant, in the officer positions. All the Navy nurses are officers. Was it not true that the moment any Negroes were allowed, of course, they took them. The Corps had been ready to use Negro nurses for a long while.

Mr. POWELL. I am sorry to disagree with the gentlewoman, because at that time there were 28 commissioned officers who were commissioned at the Great Lakes Naval Training Station, and I happened to be present at the time they were commissioned.

Mrs. BOLTON. Perhaps the gentleman's information is broader than mine, but I do know there is no question in the Army or Navy as to the need, usefulness, and happy acceptance of nurses who qualify. They must qualify as nurses just as any white nurse must qualify.

Mr. POWELL. If the gentlewoman will yield another moment, I am sure what she says is true, but nevertheless when we passed the Selective Service Act which applied to men, we put that clause, section 4, in the act.

Mrs. BOLTON. Does it not seem to the gentleman that when a matter such as this has been clarified, it would be unfortunate to dig up some of the past and insist upon bringing it into the present and extending it into the future?

Mr. POWELL. If that would guarantee the future, I do not think it is unfortunate.

Mrs. BOLTON. It is not a question of a guaranty because this is now a matter of tradition and a matter of the rules and regulations of the organizations involved. Of course, that may not be true in other places. But I should so like to see us here in the Congress with reference to the profession of nursing recognize that we have no discriminatory methods in nursing.

Mr. THOMASON. Mr. Speaker, will the gentlewoman yield?

Mrs. BOLTON. I yield.

Mr. THOMASON. Is it not true that there is no discrimination now?

Mrs. BOLTON. That is absolutely the case.

Mr. THOMASON. The present system is working well so there is no necessity for any such amendment.

Mrs. BOLTON. That is correct.

Mr. THOMASON. It would just help to stir the problem up. Nobody is being discriminated against under existing law and this just takes care of a voluntary situation.

Mrs. BOLTON. My point is, and I do not know that I make it clear: I think the whole problem of discrimination against minorities will be helped by not having this amendment in the bill which has to do with corps who are using Negro nurses who qualify, regardless of any possible difficulties that may have arisen in the past.

During the First World War in order to insure proper administration of the hospital wards, we saw relative rank granted. Then, in this war we had temporary commissioned status.

The SPEAKER. The time of the gentlewoman from Ohio [Mrs. BOLTON] has expired.

Mrs. SMITH of Maine. Mr. Speaker, I yield the gentlewoman 2 additional minutes.

Mrs. BOLTON. Thank you, Madam Chairman. Relative rank as a present possibility was such a serious menace that we are fortunate to have a man with the understanding of the gentleman from New York [Mr. ANDREWS] as chairman of the Armed Services Committee.

I have no doubt of the action of this House on the bill. We have long known that if we are to have a proper nurse corps in any of our armed services we shall have to grant them the commissioned status of officers in the Army and the Navy.

The SPEAKER. The time of the gentlewoman from Ohio has again expired.

Mr. RIVERS. Mr. Speaker, I yield 10 minutes to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Speaker, of course, the committee appreciates very much the interesting work and helpfulness which the gentlewoman from Ohio [Mrs. BOLTON] has given to the subcommittee in working out this piece of legislation.

CALL OF THE HOUSE

Mr. FOGARTY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and thirty-three Members are present, not a quorum.

Mr. HALLECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 21]

Bell	Gallagher	McMahon
Bloom	Gerlach	Macy
Buckley	Granger	Morrison
Bulwinkle	Hardy	Murray, Tenn.
Busbey	Harness, Ind.	Nodar
Celler	Hartley	Norrell
Chapman	Hess	O'Toole
Clark	Hope	Patman
Cole, N. Y.	Jenison	Price, Fla.
Cox	Jenkins, Pa.	Short
Dawson, Ill.	Jennings	Simpson, Pa.
Domengeaux	Jensen	Snyder
Dorn	Kefauver	Vail
Douglas	Keogh	Whitten
Feighan	King	Wigglesworth
Fletcher	Larcade	Wolverton
Fuller	Lesinski	

The SPEAKER. On this roll call 379 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD and include information regarding the war veterans in the Eightieth Congress.

SPECIAL ORDER GRANTED

Mr. GEARHART. Mr. Speaker, I ask unanimous consent that on next Monday, after the disposition of business on the Speaker's desk and the conclusion of

special orders heretofore entered, I may address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMANENT NURSE CORPS OF THE ARMY AND NAVY AND WOMEN'S SPECIALIST CORPS IN THE ARMY

The SPEAKER. The gentleman from North Carolina [Mr. DURHAM] is recognized.

Mr. DURHAM. Mr. Speaker, I want the House to know that I did not make this point of no quorum.

As I said in the beginning, we appreciate very much the remarks made by the gentlewoman from Ohio [Mrs. BOLTON] on this bill. She has been very helpful. Also the chairman of the committee, the gentlewoman from Maine [Mrs. SMITH].

We worked out what we feel is one of the best bills following the line of unification that has been brought out of the Committee on Armed Services. We are following a procedure which may be of some interest to the House in other committees. We are taking the Army and the Navy and putting them side by side and trying to parallel the legislation we are bringing before you at the present time. Of course, we will find places along the line where it will be very difficult to put them in line as we have in this Nurse Corps bill.

As you probably know and have been told, this bill makes the Nurse Corps a permanent law. For that reason I think it is a fine piece of legislation both for the Army and the Navy. We all realize the difficulties we faced during war days when nurses were so scarce. Those of us who visited the hospitals throughout the country saw in many places the inadequate nursing facilities. The establishment of this corps is certainly a beginning in trying to render a better service to the armed forces of the Nation.

The bill has three titles. Under title I it sets up first the Nurse Corps in the Army. Then it includes the Specialist Corps. It may be of some interest to know that we have already included in this corps dietitians, physical therapists, and occupational therapists—the three groups.

There is practically no disagreement in the committee on this legislation. About the only thing we disagreed on was this: At the present time, under the retirement system in the Army, we are paying nurses 3 percent of their base salary on retirement. The Navy has the policy of 2½ percent, with which you are all familiar. Of course, I feel that the 3 percent is a fair retirement percentage. I think we have to take into consideration the age of the entry of these nurses in the Army. It was not the same when we took up this legislation. A girl can go into this corps until she is 28 years of age. Necessarily she has to retire at the age of 50 because of the fact that most of the ladies who do strenuous nursing at that age get to the point where their usefulness is not as efficient as when they were younger. So this act forces them to retire at the age of 50, except the head of the corps, who can serve up to the age of 55. In forcing them to retire at that age, their retirement pay at 2½ percent will be very small security, and she has spent the better part of her life in the service of her country. For that reason I felt we should have written into the bill 3 percent retirement instead of 2½ percent, which the bill carries before us. However, after discussing the matter for several days we agreed to bring the bill out with 2½ percent, and I do not expect to offer an amendment to change the retirement percentage. All male officers serve to an older age and higher rank. Most of the nurses will have to retire in low rank. For this reason I felt the retirement should have been 3 percent. I do, however, want to call it to the attention of the committee. There is still a great shortage of nurses at the present time, as we all know. We are all too familiar with the fact that in the hospitals in our own home towns we are having difficulty in securing nurses.

This bill goes far enough, I believe, to offer an inducement to nurses to enter the service. It provides permanent rank and it raises the base pay, as was pointed out heretofore. We are in the position today of having to compete with the Veterans' Bureau which, of course, has a higher salary schedule. As all of us are aware, we felt that the Veterans' Administration last year should be allowed to give this inducement to secure the nurses they needed and we therefore provided a high enough salary base that we thought would be attractive.

The nurse in this corps will have some advantages. She will have security, she will have retirement. For that reason, Mr. Speaker, I hope the House will not amend the bill materially. I think it is a well written piece of legislation and I hope the House will pass the bill unanimously.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. DURHAM. I yield.

Mr. MILLER of Nebraska. I wish to ask about the ratio of nurses to enlisted men, 6 to 1,000. Does the gentlemen feel that in peacetime that is too large or too small a number?

Mr. DURHAM. The gentleman from Nebraska is a doctor, and my profession is more or less along that line. I feel it would depend upon the type of nursing. As the gentleman knows in some types that number would be sufficient in all probability, but in others it would not be.

Mr. MILLER of Nebraska In the combat zone that might not be enough, but surely during peacetime 6 to 1,000 as compared with what we have in the civilian population is way out of line.

Mr. DURHAM. I will certainly agree with the gentleman that during time of combat when there are many wounded needing treatment that would be a very small number.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mrs. SMITH of Maine. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. HERTER] to submit a consent request.

Mr. HERTER. Mr. Speaker, I ask unanimous consent that I may be permitted to extend my remarks in the RECORD and include therein statements before the Committee on Agriculture.

I also ask unanimous consent that my colleague the gentleman from New Jersey [Mr. AUCHINCLOSS] may be permitted to extend his remarks in the RECORD and include a statement made by him before a committee.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mrs. SMITH of Maine. Mr. Speaker, I yield the balance of my time to the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Speaker, it seems remarkable to me that we in this country have not had a permanent Nurse Corps of the Army and Navy ere this.

Such permanent establishments exist in other countries, notably in England, Canada, and Australia.

The nursing profession is a hard and exacting one, and its standards in this country are extremely high. In order to attract the best women in the nursing profession to go into the Army and Navy their status must be permanent and they must be given permanent Army and Navy rank, as this bill proposes to do.

My distinguished colleague the gentlewoman from Ohio [Mrs. BOLTON] expressed my thought admirably in her statement before the committee when she said—and I quote:

> The bill will give commissioned status to certain groups that heretofore have had such status only on a temporary basis after some 20 years of service in a pseudo rank when they assumed all the responsibilities with great credit.

It is also a good thing that this bill increases the number of nurses in the Navy from 4 to 6 per 1,000 bringing them to a parity with the Army. It is to be hoped that both the Army and Navy will in time raise this parity as it still means that too much nursing has to be done by men.

Nursing is a woman's work and I am sure that most men will agree with that statement.

It proved to be so all through the war, the morale of the men was better in hospitals where they were cared for by women. This was notably so at the naval hospital at Mare Island and in Hawaii.

The able Representative from Maine [Mrs. SMITH] has drawn up a bill which should and will have the support of all, regardless of party.

This is not a political question, it is simply giving to the Army and Navy nurses the rank that they have won and improving their pay a little.

It is giving their profession the dignity it must have in order to attract our best young women to enter their ranks.

This profession, the finest any woman can attain and one that a woman can do better than anything else, must be a career that women will glory in. And that Mr. Speaker, they will do more than ever when they are given permanent place in our armed forces.

The armed forces are entitled to the best nursing staff in the world. I believe that the passage of this bill will give them exactly that. For that reason I am happy to give the bill my wholehearted support and hope it passes unanimously.

Mr. RIVERS. Mr. Speaker, I have no more requests for time on this side.

The SPEAKER. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Army-Navy Nurses Act of 1947."

TITLE I

ARMY NURSES AND WOMEN'S MEDICAL SPECIALIST CORPS

SEC. 101. (a) Effective the date of enactment of this Act, there is established in the Medical Department of the Regular Army an Army Nurse Corps, which shall perform such services as may be prescribed by the Secretary of War. The authorized strength of the Army Nurse Corps, Regular Army, shall be in the ratio of 6 members thereof to every 1,000 persons of the total authorized strength of the Regular Army, but not less than a minimum authorized strength of 2,558 members. The Army Nurse Corps, Regular Army, shall consist of officers in the grades of second lieutenant to lieutenant colonel, inclusive: *Provided*, That the number of lieutenant colonels on active duty shall at no time exceed seven-tenths percent, and the number of majors on active duty shall at time exceed 1⁹⁄₁₀ percent, of the authorized Regular Army officer strength of such corps.

(b) From the officers permanently commissioned in such Army Nurse Corps, in permanent grade of major or above, and upon the recommendation of the Surgeon General of the Army, the Secretary of War shall appoint the Chief of the Army Nurse Corps, who shall serve as such Chief during his pleasure for a term not to exceed 4 years and shall not be reappointed, and who, without vacation of her permanent grade, shall have the temporary rank, pay, and allowances of a colonel while so serving.

(c) Commissioned officers of the Army Nurse Corps, Regular Army, shall be appointed by the President, by and with the advice and consent of the Senate, from female citizens of the United States who have attained the age of 21 years. Original appointments other than appointments made under sections 203, 204, and 205 shall be made only in the grade of second lieutenant from female persons not over 28 years of age on the date of nomination by the President, who are graduates of hospital or university training schools, who are registered nurses, and who possess such physical and other qualifications as may be prescribed by the Secretary of War.

SEC. 102. (a) Effective the date of enactment of this act, there is established in the Medical Department of the Regular Army a Women's Medical Specialist Corps, which shall consist of a Dietitian Section, a Physical Therapist Section, and an Occupational Therapist Section, and which shall perform such services as may be prescribed by the Secretary of War. The authorized strength of the Women's Medical Specialist Corps, Regular Army, shall be in the ratio of nine-tenths of a member thereof to every 1,000 persons in the total authorized strength of the Regular Army, but not less than a minimum authorized strength as follows: Twenty-four officers in permanent commissioned grade of major and 385 other officers in permanent commissioned grades of captain to second lieutenant, inclusive. Any increase over and above the aforesaid minimum authorized strength shall be in permanent commissioned grades of captain to second lieutenant, inclusive.

(b) From the officers permanently commissioned in such Women's Medical Specialist Corps the Secretary of War shall appoint (1) the Chief of the Women's Medical Specialist Corps, who shall serve as such Chief during his pleasure, and who, without vacation of her permanent grade, shall have the temporary rank, pay, and allowances of a colonel while so serving, and (2) three Assistant Chiefs of the Women's Medical Specialist Corps, who shall be the chiefs of the sections of the Women's Medical Specialist Corps, to serve as such Assistant Chiefs during his pleasure, and who, without vacation of their permanent grades, shall have the temporary rank, pay, and allowances of a lieutenant colonel while so serving.

(c) Commissioned officers of the Women's Medical Specialist Corps, Regular Army, shall be appointed by the President, by and with the advice and consent of the Senate, from female citizens of the United States who have attained the age of 21 years. Original appointments other than appointments under sections 203, 204, and 205 hereof shall be made only in the grade of second lieutenant from female persons not over 28 years of age on the date of nomination by the President and who possess such physical and other qualifications as may be prescribed by the Secretary of War.

SEC. 103. (a) Prior to a date 1 year following the date of enactment of this act, each of the persons specified below shall be tendered an appointment as a commissioned officer in the Army Nurse Corps, Regular Army, established by this act, in a grade as prescribed in section 104 hereof.

This provision applies to each person who, on the date of enactment of this act, is serving honorably on active duty as a member, other than as Reserve nurse, of the Army Nurse Corps created by chapter V of the act of July 9, 1918 (40 Stat. 879), as amended, regardless of whether such person is also serving under an appointment made pursuant to the act of June 22, 1944 (58 Stat. 324), and regardless of the age of such person.

(b) Until a date 1 year following the date of enactment of this act any person who is a female citizen of the United States, who is over 21 years of age, and who meets the physical and other qualifications prescribed by the Secretary of War, may be appointed a commissioned officer in the Army Nurse Corps, or the Women's Medical Specialist Corps, Regular Army, established by this act, in a grade as prescribed in section 104 hereof: *Provided*, That no person shall be appointed a commissioned officer in the Army Nurse Corps under this provision except a person, otherwise qualified, who has not attained the age of 35 on the date of nomination by the President, and who, during any of the wars in which the United States is presently engaged, served honorably on active duty as a commissioned officer of the Army of the United States, pursuant to the act of June 22, 1944 (58 Stat. 324), or as a member, including the status of Reserve nurse, of the Army Nurse Corps created by chapter V of the act of July 9, 1918 (40 Stat. 879): *Provided further*, That no person shall be appointed a commissioned officer in the Women's Medical Specialist Corps under this section, except a person otherwise qualified, who during any of the wars in which the United States is presently engaged served honorably on active duty as a dietitian or physical therapist with the Medical Department of the Army of the United States appointed pursuant to the act of June 22, 1944 (58 Stat. 324), or who served honorably as an occupational therapist with the Medical Department of the Army in the status of a civilian employee.

SEC. 104. A person appointed under the provisions of this title who is credited, as provided, in section 105 hereof, with less than the minimum length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of first lieutenant, shall be appointed in the grade of second lieutenant; a person credited with service equal to or greater than the minimum length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of first lieutenant, but less than the minimum length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of captain, shall be appointed in the grade of first lieutenant; a person credited with service equal to or greater than the minimum length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of captain, shall be appointed in the grade of captain; majors and lieutenant colonels shall be appointed by selection, to fill vacancies in those grades from among persons who are appointed or are qualified for appointment in the grade of captain: *Provided*, That no person shall be appointed in the Army Nurse Corps or the Women's Medical Specialist Corps in a grade higher than the rank (either actual or relative) which such person held during any of the wars in which the United States is now engaged.

SEC. 105. (a) For the purposes specified in subsection (b) hereof, each person appointed pursuant to provisions of this title shall, at the time of her appointment, be credited with whichever is the greater of the following two periods of service: (1) A period of service equal to the number of years, months, and days which such person served on active Federal military service either as a member (including the status of Reserve nurse) of the Army Nurse Corps created by chapter V of the act of July 9, 1918 (40 Stat. 879), as amended, or as a dietitian or physical therapist with the Medical Department of the Army under the provisions of the act of December 22, 1942 (56 Stat. 1072), or in the status of a commissioned officer in the Army of the United States under appointment pursuant to the act of June 22, 1944 (58 Stat. 324); or (2) a period of service determined constructively in accordance with regulations prescribed by the Secretary of War: *Provided*, That in computing the total period of active Federal military service each such person honorably discharged or separated from active Federal military service subsequent to May 12, 1945, shall also be credited with the period from the date of her discharge or separation from active Federal military service to the date of her appointment.

(b) The period of service credited to a person as provided in subsection (a) hereof shall be counted and construed as continuous active commissioned service on the active list of the Regular Army for the following two purposes: (1) For the purpose of determining the grade and rank of a person appointed under the provisions of this title, and (2) for the purpose of determining a person's right to promotion subsequent to appointment under the provisions of this title. Except for the foregoing specified purposes, provisions of existing law regarding length of service and benefits accruing therefrom shall not be affected.

SEC. 106. Relative rank among commissioned officers of the Army Nurse Corps and the Women's Medical Specialist Corps, within each corps, and between such officers and other commissioned officers of the Regular Army, shall be determined in the manner now or hereafter prescribed by law for the determination of relative rank among other commissioned officers of the Regular Army. Commissioned officers of each such corps shall not be entitled, by virtue of their rank, to command, except within their respective corps, and over such persons as may be placed under their charge by competent authority, but may be assigned by the Secretary of War to perform such duties as the interests of the service may require.

SEC. 107. (a) Commissioned officers of the Army Nurse Corps and the Women's Medical Specialist Corps, Regular Army, shall, upon completion of the length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of first lieutenant, be promoted to the permanent grade of first lieutenant; commissioned officers of such corps shall, after completing the length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of captain, be promoted to the permanent grade of captain upon satisfactorily

passing such examinations as the Secretary of War shall prescribe. Promotion to the permanent grade of major shall be by selection, under regulations prescribed by the Secretary of War, from among officers in the grade of captain who have completed the length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of major. Promotion to the permanent grade of lieutenant colonel shall be by selection, under regulations prescribed by the Secretary of War, from officers in the permanent grade of major with at least 1 year's service in the grade of major.

(b) The examination for promotion referred to in subsection (a) above shall be prescribed by the Secretary of War and shall be held before a board of three officers designated by the Secretary of War. Should any officer fail to pass such examination, she shall be continued on active duty for a period of 1 year after the date upon which her promotion would normally have occurred, but without being so promoted, and upon the expiration of such year, or such time anterior to the expiration thereof as may be determined by the Secretary of War to be for the best interests of the service, such officer shall undergo such reexamination as may be prescribed by the Secretary of War and which shall be held before a board of officers designated by the Secretary of War, none of whom participated in the original examination of the officer concerned. If the officer concerned fails to pass the reexamination, she shall be honorably discharged from the service in the permanent grade then held with severance pay the same as now or hereafter prescribed for officers of the Regular Army separated by reason of not being selected for promotion.

SEC. 108. (a) An officer on the active list of either the Army Nurse Corps or the Women's Medical Specialist Corps, Regular Army, after 20 years' active Federal service in the armed forces of the United States, may upon her request, at the discretion of the Secretary of War, be retired and shall receive retired pay equal to 2½ percent of the base and longevity pay she would receive if serving on active duty in the grade in which retired, multiplied by a number equal to the number of years of such active Federal service: *Provided*, That in computing the number of years of such service for the purpose of determining the percentage of active-duty pay, and for no other purpose, any fractional part of a year amounting to 6 months or more shall be counted as a complete year: *Provided further*, That in no event shall such retired pay exceed 75 percent of such base and longevity pay: *And provided further*, That regardless of the years of service completed, at any time after such an officer shall have attained the age of 50, if her permanent grade is below that of major, or at any time after such an officer shall have attained the age of 55, if her permanent grade is major or higher, she may, at the discretion of the Secretary of War without her consent, be retired and upon such retirement she shall receive retired pay equal to 3 percent of the base and longevity pay she would receive if serving on active duty in the grade in which retired, multiplied by a number equal to the number of years of her active Federal service, but in no event shall such retired pay exceed 75 percent of such base and longevity pay.

(b) Unless entitled to higher retired rank or pay under any provision of law, each commissioned officer who shall have served for 4 years as Chief of the Army Nurse Corps, Regular Army, or as Chief of the Women's Medical Specialist Corps, Regular Army, or as an Assistant Chief of the Women's Medical Specialist Corps, Regular Army, shall upon retirement be retired with the rank held by her while so serving, and shall receive retired pay at the rate prescribed by law, computed on the basis of the base and longevity pay which she would receive if serving on active duty with such rank, and if thereafter recalled to active service, shall be recalled in such rank and shall constitute an additional number therein: *Provided*, That the commissioned officer first appointed as Chief of the Army Nurse Corps and the commissioned officer first appointed as Chief of the Women's Medical Specialist Corps, pursuant to this act, shall, without limitation as to the time they shall serve in such capacities, upon retirement be retired with the rank held while so serving, and shall receive retired pay at the rate prescribed by law, computed on the basis of the base and longevity pay they would receive if serving on active duty with such rank.

(c) In determining eligibility for retirement and the percentage of active-service pay to be employed in computing the amount of retired pay under any provision of law, each commissioned officer on the active list of the Regular Army who is commissioned in any of the corps established by this act, shall be deemed to have at least the same length of continuous active commissioned service in the Regular Army as any officer junior to her rank in the Medical Department of the Regular Army.

SEC. 109. Except as otherwise specifically provided, all laws now or hereafter applicable to male commissioned officers of the Regular Army, to former male commissioned officers of the Regular Army, and to their dependents and beneficiaries, shall in like cases be applicable respectively to commissioned officers of any of the corps established by this act, Regular Army, to former commissioned officers of any of the corps established by this act, Regular Army, and to their dependents and beneficiaries.

SEC. 110. Except for the purpose of determining a person's grade, rank, and right to promotion in the Regular Army (see section 105 (b) hereof) in computing years of active Federal military service for all purposes of any person, there shall be credited active military service in the Army Nurse Corps and in the Navy Nurse Corps, active military service rendered pursuant to an appointment under the provisions of the act of December 22, 1942 (56 Stat. 1072), and active military service rendered pursuant to an appointment under the act of June 23, 1944 (58 Stat. 324).

SEC. 111. The Secretary of War, under the circumstances and in accordance with regulations prescribed by the President, may terminate the commission of any officer commissioned in any of the corps established by this title.

SEC. 112. Personnel appointed in the Regular Army under the provisions of this act shall be in addition to the numbers of other commissioned officers of the Regular Army now or hereafter prescribed by law.

SEC. 113. (a) Effective on the date of enactment of this act, no further appointment shall be made in the Army Nurse Corps created by chapter V of the act of July 9, 1918 (40 Stat. 879), as amended, and no further appointment shall be made pursuant to the act of December 22, 1942 (56 Stat. 1073), or pursuant to the act of June 22, 1944 (58 Stat. 324). The acceptance of any Regular Army appointment under this act shall operate to vacate any other military or civilian status in or with the Military Establishment theretofore occupied by the appointee except an appointment pursuant to the act of June 22, 1944.

(b) Effective 6 months following the date of enactment of this act, the Army Nurse Corps created by chapter V of the act of July 9, 1918 (40 Stat. 879), as amended, and all offices and appointments therein shall cease to exist: *Provided*, That this provision shall not affect the rights, benefits, privileges, pay, allowances, gratuities, or leave accrued to a person, her dependents, or beneficiaries by virtue of any laws or regulations in effect prior to the enactment of this act, and where necessary to the full enjoyment of terminal leave, terminal-leave pay, retirement and retired pay, pensions, travel allowance, transportation of dependents and effects, and rights, benefits, privileges, and gratuities to which such person or her dependents have become entitled, such corps, offices, and appointments shall continue to exist but only for such purposes.

SEC. 114. Effective the date of enactment of this act, there shall be established in the Officers' Reserve Corps of the Army of the United States an Army Nurse Corps Section and a Women's Medical Specialist Corps Section.

SEC. 115. Except as otherwise specifically provided, all laws and regulations now or hereafter applicable to commissioned officers and former commissioned officers of the Officers' Reserve Corps, and to their dependents and beneficiaries, shall, in like cases, be applicable, respectively, to commissioned officers and former commissioned officers of the Army Nurse Corps Section and the Women's Medical Specialist Corps Section of the Officers' Reserve Corps, and to their dependents and beneficiaries.

SEC. 116. Appointments in the Army Nurse Corps Section and the Women's Medical Specialist Corps Section of the Officers' Reserve Corps may be made in such grades and under such regulations as may be prescribed by the Secretary of War, from female citizens of the United States, who have attained the age of 21 years, and who possess such physical and other qualifications as may be prescribed by the Secretary of War: *Provided*, That female officers appointed pursuant to the act of June 22, 1944, and honorably separated from the service thereafter may, if otherwise qualified, be appointed in the appropriate section of the Officers' Reserve Corps established hereby in the highest grade satisfactorily held by her in active service.

SEC. 117. In addition to the obligation to render active service now or hereafter provided with respect to other members of the Officers' Reserve Corps a member of those sections established in the Officers' Reserve Corps by this title may, with her consent, be called to active duty by the Secretary of War for any period or periods of time according to the needs of the Military Establishment, as determined by the Secretary of War.

TITLE II

NAVY NURSE CORPS

SEC. 201. The Nurse Corps of the United States Navy shall consist of officers commissioned in the grade of nurse by the President, by and with the advice and consent of the Senate, and such officers shall have the rank of commander, lieutenant commander, lieutenant, lieutenant (junior grade), or ensign. The total authorized number of officers of the Nurse Corps shall be six for each thousand of the authorized number of officers, midshipmen, and enlisted personnel of the active list of the Regular Navy and Regular Marine Corps.

SEC. 202. There shall be a Director of the Nurse Corps appointed by the Secretary of the Navy, upon the recommendation of the Surgeon General of the Navy, from among the officers of the active list of the Nurse Corps for a term of not more than 4 years, to serve at the pleasure of the Secretary of the Navy. While so serving the Director shall have the rank of captain, shall be entitled to the pay and allowances as are now or may be hereafter prescribed by law for a captain of the Navy, and her regular status as a commissioned officer of the Nurse Corps shall not be disturbed by reason of such appointment.

SEC. 203. All members of the active list of the existing Nurse Corps of the Regular Navy, who, on the effective date of this act, are serving in a temporary rank authorized by present law, may, during a period of not more than 6 months after enactment of this act, be transferred to the Nurse Corps created by this act, and, upon transfer, shall be appointed

for temporary service pursuant to, and subject to the limitations of, the act of July 24, 1941 (55 Stat. 603), as now or hereafter amended, to the same rank and with the same precedence held by them on the date of such transfer, and for the purposes of such appointments under the said act, such members of the Nurse Corps shall be considered to be commissioned officers in the Regular Navy. Nurses so transferred, who at the time of such transfer had to their credit leave accrued but not taken, shall not, by reason of such transfer, lose such accrued leave. Prior to the termination of their temporary appointments, the Secretary of the Navy shall appoint a board of not less than three naval officers, who, in accordance with such regulations as he may prescribe, shall assign running mates to the Nurse Corps officers transferred and appointed for temporary service pursuant to this section, and such officers shall be assigned permanent ranks corresponding to the permanent ranks held by their running mates: *Provided*, That no officer of the Nurse Corps shall be assigned a permanent rank above that of commander.

SEC. 204. Except as provided in sections 203 and 211 of this title, appointments to the grade of nurse in the Regular Navy shall be with the rank of ensign, and each such appointment shall be subject to revocation by the Secretary of the Navy until such time as the appointee is advanced to the rank of lieutenant (junior grade). Officers whose appointments are so revoked shall be discharged from the service without advanced pay. Such appointees shall be female citizens of the United States who shall have reached the age of 21 years on July 1 of the calendar year in which appointed, and who shall not have reached the age of 28 years on July 1 of the calendar year in which appointed. No person shall be appointed pursuant to this section until she shall have established her mental, moral, educational, professional, and physical qualifications to the satisfaction of the Secretary of the Navy.

SEC. 205. Officers of the Navy Nurse Corps shall have authority in medical and sanitary matters and all other work within the line of their professional duties in and about naval hospitals and other activities of the Medical Department of the Navy next after officers of the Medical Corps and the Dental Corps of the Navy. They shall exercise such military authority as may be prescribed from time to time by the Secretary of the Navy: *Provided*, That they shall not be eligible for the exercise of command.

SEC. 206. (a) All provisions of law now existing or hereafter enacted relating to the advancement in rank of officers of the staff corps of the Navy, except those provisions relating to the same subject matter provided for in the following subsections of this section, shall be construed to include officers of the Nurse Corps.

(b) Paragraph 2, section 16, of the act of June 10, 1926 (44 Stat. 723); section 17 of the act of June 10, 1926 (44 Stat. 724); and section 4 of the act of August 5, 1935 (49 Stat. 530), shall not apply to officers of the Nurse Corps established by this title.

(c) Section 3 of the act of June 10, 1926, is hereby amended by inserting the following proviso after the colon which appears after the word "mate" in line 17, paragraph 4, thereof, on page 718, volume 44, Statutes at Large: *"Provided further*, That an officer of the Nurse Corps recommended for advancement to the rank of commander in the approved report of a selection board shall be eligible for advancement to such rank when a vacancy occurs therein, and when so advanced such officer shall be entitled to the pay and allowances of the rank of commander only from the date of the vacancy:".

(d) Section 16 of the act of June 10, 1926, is hereby amended by striking out the period as it appears after the word "him" in line 7, paragraph 1, thereof, on page 723, volume 44, Statutes at Large, substituting a colon therefor, and adding the following proviso: *"Provided*, That a selection board to recommend officers of the Nurse Corps for advancement to the rank of commander shall be convened only if there exists a vacancy in such rank or if the Secretary of the Navy estimates or determines that a vacancy will occur in the ensuing 12-month period."

(e) Boards for selection of Nurse Corps officers for recommendation for advancement to the ranks of commander, lieutenant commander, and lieutenant shall be composed of not less than six nor more than nine officers not below the rank of captain on the active or retired list of the Medical Corps: *Provided*, That in case there is not a sufficient number of officers of the Medical Corps legally or physically qualified to serve on the selection board as herein provided, officers of the line of the active list of the rank of captain may be detailed to duty on such board to constitute the required membership.

SEC. 207. (a) All provisions of law now existing or hereafter enacted relating to retired officers of the staff corps of the Navy and to the retirement or separation from the active list of such officers, except those provisions relating to the same subject matter provided for in the following subsections of this section, shall be construed to include officers of the Nurse Corps.

(b) Each officer of the Navy Nurse Corps who attains the age of 55 years while serving in the rank of commander or lieutenant commander and each officer of such corps who attains the age of 50 years while serving in the rank of lieutenant or below, shall be retired by the President on the first day of the month following that in which she attains such age, and, except as otherwise provided in this section, shall be placed on the retired list in the permanent rank held by her at the time of retirement. Nothing contained in this subsection shall be construed to prohibit the transfer, under section 203 hereof, to the Nurse Corps created by this act of such member of the Nurse Corps, which exceeded prior to the enactment of this act, as may have reached the retirement ages specified herein prior to such transfer.

(c) An officer of the Navy Nurse Corps, who may be retired for any reason while serving as Director of such corps or subsequent to service as Director while serving in a lower rank, may, in the discretion of the President if she shall have served 2½ years or more as Director, be placed on the retired list in the rank held by her as Director.

(d) An officer of the Navy Nurse Corps who shall have served prior to July 1, 1946, in a rank higher than her permanent rank, other than by virtue of appointment as Director of the said corps, shall, when retired for any reason if not otherwise entitled to the same or higher rank, be advanced to the highest rank in which, as determined by the Secretary of the Navy, she served satisfactorily. In any case where, as determined by the Secretary of the Navy, any such officer has not performed satisfactory duty in the highest rank held by her while on active duty, she shall be placed on the retired list with the next lower rank in which she has served but not lower than her permanent rank.

(e) An officer of the Nurse Corps placed on the retired list in her permanent rank pursuant to subsection (b) of this section shall receive retired pay at the rate of 2½ percent of the active-duty pay to which entitled at the time of retirement, multiplied by the number of years for which entitled to credit in the computation of her active-duty pay, not to exceed a total of 75 percent of said active-duty pay.

(f) An officer of the Nurse Corps retired by reason of physical disability incurred in the line of duty shall, if placed on the retired list in a rank higher than her permanent rank, receive retired pay equal to 75 percent of active-duty pay to which she would be entitled if serving, at the time of retirement, on active duty in the rank in which placed upon the retired list.

(g) An officer of the Nurse Corps retired other than by reason of physical disability incurred in the line of duty shall, if placed on the retired list in a rank higher than her permanent rank, receive retired pay equal to 2½ percent of the active-duty pay to which she would be entitled if serving, at the time of retirement, on active duty in the rank in which placed upon the retired list, multiplied by the number of years for which entitled to credit in the computation of her active-duty pay, not to exceed a total of 75 percent of said active-duty pay.

(h) In any instance in which retired pay is computed as prescribed in subsections (e) and (g) of this section, a fractional year of 6 months or more shall be considered a full year in computing the number of years by which the rate of 2½ percent is multiplied.

(i) The number of years service to be credited to officers of the Navy Nurse Corps in determining their eligibility for voluntary retirement shall be based on the total of all active service, either under an appointment or contract or as a commissioned officer in the Nurse Corps of the Army or Navy, or the reserve components thereof and all active service in the Nurse Corps or the Nurse Corps Reserve abolished by this act shall, for this purpose only, be regarded as commissioned service in the Navy or the reserve components thereof, as the case may be.

(j) Retired officers of the Navy Nurse Corps shall be authorized to bear the title, and, under such regulations as may be prescribed by the Secretary of the Navy, to wear the uniform of the rank with which retired.

SEC. 208. (a) All provisions of law relating to pay, leave, money allowances for subsistence, and rental of quarters, mileage and other travel allowances, or other allowances, benefits, or emoluments, of male officers of the Navy, except those provisions relating to the same subject matter provided for in subsection (b) of this section, are hereby made applicable to officers of the Nurse Corps: *Provided*, That the husbands of officers of the Navy Nurse Corps shall not be considered dependents of such officers unless they are in fact dependent on their wives for their chief support, and the children of such officers shall not be considered dependents unless their father is dead or they are in fact dependent on their mother for their chief support: *Provided further*, That officers of the Nurse Corps may be subsisted in hospital messes in accordance with section 17 (a) of the act of August 2, 1946 (Public Law 604, 79th Cong., 2d sess.), and such officers may be assigned quarters in naval hospitals under such regulations as the Secretary of the Navy may prescribe.

(b) Longevity pay for officers of the Navy Nurse Corps shall be based upon the total of all periods of active service during which they have held or shall hold appointments as nurses or as commissioned officers in the Nurse Corps of the Army, Navy, or Public Health Service, or the reserve components thereof.

SEC. 209. The Secretary of Navy, under the circumstances and in accordance with the regulations prescribed by the President, may terminate the commission of any officer commissioned in any of the corps established by this title.

SEC. 210. The Naval Reserve Act of 1938 (52 Stat. 1175), as amended, is hereby further amended by adding after section 508 thereof an additional title as follows:

"TITLE VI—NURSE CORPS RESERVE

"SEC. 601. A Nurse Corps Reserve is hereby established which shall be a branch of the Naval Reserve and shall be administered under the same provisions in all respects (except as may be necessary to adapt said provisions to the Nurse Corps Reserve, or as specifically provided herein) as those contained

in this act or which may hereafter be enacted with respect to the Volunteer Reserve.

"SEC. 602. Members of the Nurse Corps Reserve may be commissioned in appropriate ranks corresponding to those of the Nurse Corps of the Regular Navy in accordance with such regulations as the Secretary of the Navy may prescribe. Such members of the Nurse Corps Reserve, when on active duty, shall have the same authority in and about naval hospitals and other activities of the Medical Department of the Navy as officers of the Nurse Corps of the Regular Navy.

"SEC. 603. The Reserve established by this title shall be composed of members who are female citizens of the United States and who shall have such professional or other qualifications as shall be prescribed by the Secretary of the Navy.

"SEC. 604. All nurses of the Volunteer Reserve appointed under the authority of title 1, section 4, of this act are hereby transferred to the Nurse Corps Reserve established by section 601 of this title in such permanent ranks as the Secretary of the Navy may determine and the temporary ranks held by those on active duty on the effective date of this title shall not be vacated by reason of such transfer. Each nurse so transferred, who at the time of such transfer had to her credit leave accrued but not taken, may subsequent to such transfer, be granted such leave without loss of pay and allowances."

SEC. 211. Sections 5, 6, and 7 of the act of April 18, 1946 (60 Stat. 92), as now or hereafter amended, shall be construed to include members of the Nurse Corps Reserve and former members of the Nurse Corps or the Nurse Corps Reserve abolished by this act: *Provided*, That no member of the Nurse Corps Reserve or former member of the Nurse Corps or the Nurse Corps Reserve shall be commissioned in the Nurse Corps of the United States Navy created and established by this act who has reached the age of 35 years.

SEC. 212. Nurses appointed to commissioned rank pursuant to section 203 of this title who, under a prior appointment in the Nurse Corps, shall have subscribed to the oath of office as required by section 1757, Revised Statutes, shall not be required to renew such oath or take a new oath under her appointment as a commissioned officer in the Nurse Corps of the United States Navy if her service in the Nurse Corps after taking such oath shall have been continuous.

SEC. 213. Effective 6 months after enactment of this title, all laws or parts of laws inconsistent with the provisions of this title are hereby repealed, and the provisions of this title shall be in effect in lieu thereof and such repeal shall include but shall not be limited to the following acts and parts of acts: *Provided*, That the total number of officers in the permanent rank of commander and lieutenant commander shall not exceed seven-tenths percent and one and six-tenths percent, respectively, of the total number of officers permanently commissioned in the Navy Nurse Corps and serving on active duty.

(a) The third paragraph, subheading "Repairs, Bureau of Medicine and Surgery," heading "Bureau of Medicine and Surgery," of the act of May 13, 1908, as it appears on page 146, volume 35, Statutes at Large.

(b) So much of the act of May 13, 1926 (44 Stat. 531), as relates to the Navy Nurse Corps.

(c) So much of the act of June 20, 1930 (46 Stat. 790), as amended by the acts of March 3, 1931 (46 Stat. 1502), and October 17, 1940 (54 Stat. 1192), as relates to the Navy Nurse Corps.

(d) That part of section 4 of the act of June 25, 1938 (52 Stat. 1176), which relates to the appointment of female registered nurses in the Volunteer Reserve.

(e) That part of section 2 of the act of June 16, 1942 (56 Stat. 360), which authorizes an increase of 20 percent in base pay of Navy nurses while on sea duty.

(f) So much of section 13 of the act of June 16, 1942 (56 Stat. 366), as relates to the Navy Nurse Corps.

(g) The act of July 3, 1942 (56 Stat. 646).

(h) Section 7 of the act of December 22, 1942 (56 Stat. 1074).

(i) The act of February 26, 1944 (58 Stat. 105).

(j) The act of December 3, 1945 (59 Stat. 594).

SEC. 214. All provisions of existing law repealed by section 213 of this title, which relate to the retirement and the retired pay of members or officers of the Navy Nurse Corps, shall remain in effect with respect to such members or officers who have been retired prior to the effective date of section 213 of this title, and no retired member or officer of the Navy Nurse Corps shall suffer by reason of this title any reduction or loss of retirement benefits to which she was entitled upon the effective date of this act.

SEC. 215. Except as provided in section 213 hereof, this act shall take effect 30 days after the date of its enactment.

Mr. VINSON (interrupting the reading of the bill). Mr. Speaker, I ask unanimous consent that further reading of the bill be dispensed with and that it be printed in full in the RECORD.

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, I would like to speak on the bill.

Mr. VINSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. VINSON. Mr. Speaker, if my request is granted, it does not preclude anyone from offering an amendment anywhere in the bill.

The SPEAKER. Not if the gentleman includes that in his request.

Mr. VINSON. Mr. Speaker, my request is in the interest of saving time and the reading of a bill containing some 18 or 20 pages over which there is no controversy.

The SPEAKER. The Members would not be precluded from offering amendments if the gentleman will include that in the request.

Mr. VINSON. Mr. Speaker, I include that as a part of the request and also that the bill may be open for amendment at any point.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk concluded the reading of the bill.

The SPEAKER. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendments: Page 3, line 3, strike out "203", "204", and "205" and insert "103", "104", and "105."

Mr. VINSON. Mr. Speaker, I ask unanimous consent that all committee amendments, which are clarifying amendments, may be presented and voted on en bloc.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read as follows:

On page 3, line 5, substitute the words "twenty-eight" for the words "twenty-six."

On page 4, line 22, substitute the figures "103, 104, and 105" for the figures "203, 204, and 205," respectively.

On page 5, line 24, substitute the word "a" for the word "no."

On page 5, line 25, delete the words "shall be."

On page 6, delete all of lines 1, 2, 3, 4, 5, and 6, and substitute therefor, the following words and phrases: "Corps under this provision shall not have attained the age of 35 on the date of nomination by the President, shall be otherwise qualified, and, during any of the wars in which the United States is presently engaged, shall have served honorably on active duty as a commissioned officer of the Army of the United States, pursuant to the act of June 22."

On page 12, line 4, substitute the figure "2½" for the figure "3."

On page 17, line 6, delete section 201 and substitute therefor, the following new section 201:

"A Nurse Corps, which shall be a component part of the Medical Department of the Navy, is hereby created and established as a Staff Corps of the United States Navy. The Navy Nurse Corps shall consist of officers commissioned in the grade of nurse by the President, by and with the advice and consent of the Senate, and such officers shall have the rank of commander, lieutenant commander, lieutenant, lieutenant (junior grade), or ensign: *Provided*, That the total number of officers in the permanent rank of commander and lieutenant commander shall not exceed seven-tenths percent and 1$^{9}/_{10}$ percent respectively, of the total number of officers permanently commissioned in the Navy Nurse Corps and serving on active duty. The total authorized number of officers of the Nurse Corps shall be 6 for each 1,000 of the authorized number of officers, midshipmen, and enlisted personnel of the active list of the Regular Navy and Regular Marine Corps."

On page 17, line 19, following the word "corps" insert the following words: "of the permanent grade or rank of lieutenant commander or above."

On page 19, line 16, substitute the words "twenty-nine" for the words "twenty-eight."

On page 20, line 5, delete all of section 206 (a) and substitute therefor the following new section:

"SEC. 206. (a) Subject to the limitations of section 201 of this title, all provisions of law now existing or hereafter enacted relating to the advancement in rank of officers of the Staff Corps of the Navy, except those provisions relating to the same subject matter provided for in the following subsections of this section, shall be construed to include officers of the Nurse Corps."

On page 22, line 18, add the letter "s" to the word "member."

On page 22, line 19, substitute the word "existed" for the word "exceeded."

On page 23, line 2, following the word "Director" substitute a colon for the period and add the following proviso: *"Provided*, That the commissioned officer first appointed as Director of the Navy Nurse Corps, pursuant to this act, shall without limitation as to the time she shall serve in such capacity, upon retirement be retired with the rank held while so serving, and shall receive retired pay at the rate prescribed by law computed on the basis of the base and longevity pay she would have received if serving on active duty with such rank."

On page 23, line 17, substitute the figure "2½" for the figure "3."

On page 26, line 13, delete the words "any of the corps" and substitute therefor the words "the Nurse Corps."

On page 28, line 6, following the word "Reserve" insert the following words: "who has reached the age of 35 years."

On page 28, line 23, insert a period after the word "acts" and delete the entire proviso on lines 23, 24, 25, and lines 1, 2, and 3 on page 29.

On page 30, line 12, substitute the word "title" for the word "act" and delete the words "30 days after," substituting therefor the word "upon."

The SPEAKER. The question is on the committee amendments.

Mr. MILLER of Nebraska. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, there is no question but what the women of the country have demonstrated their ability to perform nursing services and other activities in connection with the Army and the Navy. I do want to point out to my colleagues, however, something that I have called to your attention before on several occasions, and that is the ratio, not only of nurses but doctors, to military personnel.

This bill calls for 6 nurses for each 1,000 enlisted personnel in the Army and the Navy. The medical men have about the same ratio. Well, now, in areas of combat zones that may not be enough. The war is now over. The military personnel in our Army and Navy consists of healthy young men. The idea of having 6 nurses to every 1,000 men in the military is out of joint. It is not necessary to have 6 physicians or nurses for every 1,000 enlisted men. The ratio of physicians to civilian population in this country is about 1 physician to every 1,500 people. On that ratio the Army and the Navy would have about 9 physicians for every 1,500; in other words, we have in our civilian population men, women, and children, and old folks, who need the services of the nurses and the doctors just as much as our military needs them. I realize that this bill calls for a minimum strength of not less than 2,558. We should have a permanent Nurse Corps. I think it is a good thing, and we need it in the Army and the Navy, but I am fearful that the military authorities will then proceed to set up 6 nurses to every 1,000 enlisted men. This ratio for nurses and doctors is far too high in peacetime.

I hear from many medical men in the army of occupation. They tell me that they have about seven physicians to every 100 enlisted men.

These medical men sit around doing very little. The enlisted men are healthy and there is no need for so many doctors for so few men. In your community and mine there are old people, women and children, who need the attention of physicians. The need for nurses and doctors is acute in the country; why should the military have so many? I think the Nurses' Corps is essential, but I say to you as I have told the military committees before, that having 6 doctors and 6 nurses to every 1,000 enlisted personnel in the Army and the Navy is out of joint and you ought to do something about the problem. There ought to be a revision of those things, because if they go ahead now and take 6 nurses for every 1,000 enlisted men they are going to strip your community and my community of needed nursing personnel that are so sorely needed at this time. I hope the military authorities will see fit to get along, perhaps, with two to the thousand.

Mr. ANDREWS of New York. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from New York.

Mr. ANDREWS of New York. Is the gentleman aware of the fact that we have a very heavy load in both Army and Navy hospitals today, approximately 70,000 sick soldiers and sailors?

Mr. MILLER of Nebraska. Yes; I understand that. I understand they are not all being taken care of by Army nurses either. They are taken care of by civilian nursing personnel. The gentleman knows that.

Mr. BATES of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. The bill provides for only 6 per thousand of enlisted personnel and officer strength of both the Army and the Navy, but the testimony before the Committee on Armed Services was that we have nearly 1,000,000 dependents of Navy enlisted and officer personnel to take care of in hospitals of the country, a million outside the enlisted personnel.

Mr. MILLER of Nebraska. Of course, if the Army and Navy are going to start in on a program of taking care of all the civilian personnel of the country, then we are going to need more nurses. I do not understand that the function of this bill is that they are going to take care of civilian personnel. It says in the bill that they shall have 6 members thereof to every 1,000 persons of the authorized strength of the Regular Army. That is military personnel.

Mr. BATES of Massachusetts. Under the present law the Navy and Army must take care of certain dependents of our military and naval personnel.

Mr. MILLER of Nebraska. Is it in the bill?

Mr. BATES of Massachusetts. It is part of the general law, and this bill provides only the ratio of nurses to enlisted strength.

Mr. MILLER of Nebraska. I still say 6 to 1,000 is too many for the enlisted personnel. Even with 1,000,000 dependents it means a ratio of 3 to every 1,000, and that is 200 percent more than we have for civilians.

The SPEAKER. The time of the gentleman from Nebraska has expired.

The question is on the committee amendments.

The committee amendments were agreed to.

Mr. POWELL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POWELL: On page 2, line 25, after "United States", insert the following: "irrespective of race, color, creed, national origin, or ancestry."

Mr. POWELL. Mr. Speaker, let me read page 2, subsection (c), as it is sought to be amended:

Commissioned officers of the Army Nurse Corps, Regular Army, shall be appointed by the President, by and with the advice and consent of the Senate, from female citizens of the United States irrespective of race, color, creed, national origin, or ancestry, who have achieved the age of 21 years.

I think that is a reasonable amendment. As I said a few moments ago, it is one we all agreed on 2 years ago. On March 6 it was proposed by our distinguished colleague the gentleman from Ohio [Mr. BROWN]. I note in the RECORD that my colleague and friend the gentleman from Ohio [Mr. BENDER] said, "I commend the gentleman for his excellent statement." As I look through the RECORD before me I note that the motion went through unanimously 2 years ago. That means all of us voted for it. There was not a yea and nay vote on it. It was a voice vote. When the bill came to final passage, everyone except 42 voted in favor of the bill with that clause in it. I see that our minority leader of this committee [Mr. RIVERS] was not present that day, so we can excuse him, but others were here and I am looking at you face to face, and you voted for it.

Now, what is the objection? I am sure there is no objection by the Republicans, because this motion is identical to the one presented by your distinguished Member [Mr. BROWN of Ohio], and you all voted for it 2 years ago. The Republicans were a minority then; you are a majority now. If this amendment is defeated, it will be because of the Republican Party; you control the majority of the votes.

Mr. SHAFER. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I am glad to yield to the gentleman.

Mr. SHAFER. What is the purpose of the amendment? Is there discrimination now in the service?

Mr. POWELL. Yes; there is.

Mr. SHAFER. In what instance?

Mr. POWELL. If the gentleman will permit me to finish my preliminary statement, I will have covered that matter, and then I shall be glad to yield to the gentleman again for a question.

Mr. Speaker, at that time, 2 years ago, we had about 100,000 Negro men serving in the United States Navy without a single Negro nurse in charge—not a Negro nurse was in the Navy. The gentleman from Ohio [Mr. BROWN] brought that out. I have the facts with me. In other words, we had Negro men being waited on and taken care of when they were wounded or ill by white nurses. We needed Negro nurses then. We need them now. We do not know if we may need them next month or next year. We do not know when another world war will be upon us. This is a perfectly logical and perfectly reasonable proposition and it is something that has already been passed on.

When Mr. BROWN's amendment was passed, the very next week the United States Navy brought in a token—a handful, and when I say a handful, I really mean a handful—less than 10 Negro nurses. Of course, they are in the service now, it is true. But what guarantee have we that this policy will obtain in years to come unless we write it into the law?

I know there is a group of my colleagues here who have certain peculiar responsibilities. I recognize these responsibilities. I am talking to you gentlemen now, as I have talked to you off the floor and have talked to you face to face. We have come to know each other rather well.

This is the same thing you passed in the Selective Service Act. It is the same thing that obtains in your home towns right now. There is not a hospital in your home town, wherever you may come from, where you do not have Negro nurses in the Negro wards. But I know your towns. I have been there. I have talked to you today and in days gone by about this. It is a perfectly logical, American, sane approach. It is guaranteeing a policy for the future to make sure that when the next crisis comes we will be able to use, in the language of the gentleman from Ohio [Mr. BROWN] "9,000 accredited graduate Negro nurses." That is his own language as he spoke on March 6, 1945.

We do not know when another war will be upon us. It may be sooner than we think and not as far away as we hope. We want to be ready. We want to have every American citizen who is qualified to do his best.

Again I repeat, if this amendment is defeated it will be the fault of the Republicans.

Mr. HOFFMAN. Mr. Speaker, I offer an amendment to the amendment offered by the gentleman from New York [Mr. POWELL].

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN to the amendment offered by Mr. POWELL: At the end of the amendment offered by the gentleman from New York [Mr. POWELL] strike out the period and add "membership or nonmembership in any labor organization."

Mr. MARCANTONIO. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state the point of order.

Mr. MARCANTONIO. Mr. Speaker, I make the point of order that the amendment to the amendment is not germane. The amendment offered by the gentleman from New York merely deals with the question of race, creed, or color, and national origin. The amendment to the amendment offered by the gentleman from Michigan deals with an entirely different subject and therefore is not germane to the subject dealt with in the amendment offered by the gentleman from New York. The amendment offered by the gentleman from Michigan deals with the question of membership in labor unions.

The SPEAKER. Does the gentleman from Michigan desire to be heard on the point of order?

Mr. HOFFMAN. I do not, Mr. Speaker.

The SPEAKER. The amendment offered by the gentleman from New York [Mr. POWELL] provides generally that appointment in the Nurse Corps shall be made irrespective of race, creed, color, or national origin.

The amendment offered by the gentleman from Michigan [Mr. HOFFMAN] simply adds an additional category.

In the opinion of the Chair, the amendment is germane, and the Chair, therefore, overrules the point of order.

Mr. HALLECK. Mr. Speaker, will the gentleman yield for the purpose of propounding a unanimous-consent request?

Mr. HOFFMAN. I yield.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes, with the right to the gentlewoman from Maine [Mrs. SMITH] to close the debate.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. HALLECK]?

There was no objection.

The SPEAKER. The gentleman from Michigan [Mr. HOFFMAN] is recognized for 5 minutes.

Mr. HOFFMAN. Mr. Speaker, no one is responsible because he has a certain color or lack of color, because he comes from a certain race of people. Folks are responsible for adhering to a certain creed. So it seems as though, if the purpose of the amendment is to prevent discrimination, it should include in its terms membership or nonmembership in a labor organization, and provide that no nurse should be deprived of a job because she belonged or did not belong to a labor organization.

If it be said that an amendment of this kind has no place in the bill which has to do with the personnel of the Army and the Navy, it need only be remembered that all through the last war the Navy discriminated against men and women who did not belong to a labor organization. I can show you the records where the Navy ordered the discharge of men who were engaged in making munitions of war because they had not paid their union dues. They might have had sons or daughters in the armed services; they might have wanted to work in the factory to supply those sons and daughters with the weapons with which to fight, but the Navy of the United States discriminated against them because they did not belong to a union and said they must be discharged; and when they were discharged the Navy said they could not work until they paid up. Now, what kind of a situation is that? Do you approve of it?

In the third area, the Army Commander of the district told his truck drivers who were carrying supplies to soldiers not to go through the picket line until they had obtained the consent of the union boss. Our soldiers, our sailors, our men and our women were fighting and winning over the enemy abroad, on the battlefields all over the country, but here at home the Army and Navy backed up and took orders from the union boss.

In Detroit, away back in 1939, for 42 days the Navy let a picket line hold possession of finished materials, and of the Navy's own patterns which they needed in the Philadelphia Navy Yard rather than cross a picket-line. Is there any reason why, if we are to prevent discrimination, we should not go the whole way; we should not also prevent discrimination because some American man or woman does not choose to cross the hand of some collector of tribute working in behalf of an organization outside of the Government which demands that they must pay in order to work in defense of the country? Let us outlaw the closed shop.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. RANKIN. This amendment as originally offered is in the exact language of the first plank in the Communist platform, as published the other day in a local paper. Now, suppose we are approaching war, which may be a possibility, shall we say you cannot question the national origin of an applicant?

Mr. HOFFMAN. In the President's message of yesterday it was suggested that we stop communism at the frontiers of Turkey and Greece. I say stop it here in America. I recall the day—it is popular now to talk against communism—I recall the day when Martin Dies stood in the well of this House fighting communism, yet these papers in the cities abused and misused him. I recall the day when Mrs. Roosevelt—bless your dear hearts—walked over to the big caucus room with her Communist friends in an effort to aid them as they were about to testify before a committee charged with exposing Communists.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mrs. SMITH of Maine. Mr. Speaker, I rise in opposition to the amendments.

The SPEAKER. The gentlewoman from Maine is recognized for 5 minutes.

Mr. RANKIN. Mr. Speaker, I think the Members ought to be here to listen to what the gentlewoman from Maine has to say. I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and forty-seven Members are present, a quorum.

The gentlewoman from Maine is recognized.

Mrs. SMITH of Maine. Mr. Speaker, long hearings were held on this bill, H. R. 1943, and much testimony was given, none, however, on this subject of Negro nurses. No amendment was offered in committee on this subject.

There is not any objection, as I see it, to the intent of the amendment, but in my opinion it would serve no purpose. It is not necessary.

Approximately 600 Negro nurses served with distinction during the war. Only this week military officials told me of the excellent service given by these Negro nurses and that they are taking all who apply and can qualify. Inquiries from Hampton Institute, Virginia as to opportunities for graduate nurses have been made and the Navy has replied that all Negro nurses who can qualify physically and professionally will be given the same consideration as all other applicants. From this it is reported there will be a group of recent graduates from this Institute indoctrinated soon at Bethesda. Of course, there are many nurses who do not meet the physical requirements regardless of color. I do not want discrimination. My record is clear on this. I feel that these two amendments that have been offered are not needed. In reference to the last one offered, the Labor Committee has jurisdiction of that matter and is considering amendments to labor laws. So far as the first one is concerned, Negro nurses are already in the service and will continue to be so long as they are qualified, therefore such an amendment as has been offered is un-

necessary. Those nurses are being promoted as are all nurses.

Mr. Speaker, there must be nurses and there must be nursing whether there is an emergency or not. The Army and Navy testified that without this legislation they cannot care for the boys who are in the service and who are ill now. This legislation does not cost any more than we are paying or have been paying since 1944.

There is nothing new in this bill, H. R. 1943. It simply continues what we already have. It places the nurses on a permanent status rather than on a temporary basis. Nurses are serving under temporary legislation. There is no assurance as to length of service or retirement privileges, so the nurses are looking around for something better. Without this legislation we are facing complete dissolution of the temporary Nurse Corps.

Mr. Speaker, I urge the passage of this bill without additional amendments.

Mr. POWELL. Mr. Speaker, will the gentlewoman yield?

Mrs. SMITH of Maine. I yield to the gentleman from New York.

Mr. POWELL. I would like to ask the gentlewoman what guaranties she has that what is beginning now without law will take place 10, 15, or 20 years from now? This did not begin in the service until 2 years ago when we passed an amendment offered by the gentleman from Ohio [Mr. BROWN]. Twenty-six years ago our Navy had Negro commissioned officers, then changed its policy. When World War II came on we were caught and did not have them. During the war period we had to train them all over again, change the policy back again. My amendment would merely guarantee this policy.

Mrs. SMITH of Maine. As the gentleman knows, I have worked with the Navy and Army a long time. I have confidence that the military officials will continue the excellent service that has been rendered by the nurses.

Mr. Speaker, I ask unanimous consent to include in my remarks data from the Army and the Navy.

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, D. C., March 13, 1947.

Memorandum for Hon. MARGARET CHASE SMITH.

Subject: Utilization of Negro nurses in the Army during World War II.

According to the records of this office the first Negro nurses were appointed in April 1941, when 12 were assigned as second lieutenants, and from that time forward, with the exception of a few months, Negro nurses were given appointments throughout the procurement period until approximately 600 Negro nurses had been appointed in the corps, the peak strength at one time being 537 nurses.

In addition to being assigned as individuals to stations in the United States, three all-Negro units were organized and sent overseas for duty, one to Liberia, one to England, and one to the South Pacific.

In the early part of the war a policy was adopted to utilize the Negro nurses in the care of Negro patients, and they were more or less segregated as far as quarters and messing was concerned. Later, however, they were assigned indiscriminately and worked along with white nurses in the care of both white and Negro patients and have participated in the same messes and occupied quarters along with white nurses. They have been promoted according to War Department policy along with all other members of the corps.

The Negro units assigned to oversea service received for treatment white patients as well as Negro. For a time these Negro units were commanded by white officers and the nursing service was directed by white nurses. After a period of training in Army Administration the units were placed under the command of a Negro medical officer with a Negro chief nurse as director of nursing service.

There are at present 90 Negro nurses in the Army on active duty. They are in grades from second lieutenant to captain.

It is believed that the majority of nurses who were separated have been separated at their own request except during a period when demobilization directives from the War Department made it imperative to release nurses.

In other words, it is believed that every effort has been made to afford Negro nurses an opportunity to advance in the corps along with white nurses. We are pleased to report that on the whole they have rendered a very excellent service and have adapted very satisfactorily to the military situation.

NORMAN T. KIRK,
Major General,
The Surgeon General.

The Navy Department reports that all together only 16 Negro nurses applied for service during the war. Six of these qualified and were offered appointments. Four of the six accepted the appointments, one changed her mind and declined, and the other failed on final physical examination. Two of the four married while in the service. According to regulations, except during the war, married nurses are not retained. One separated by reason of points in August 1946, and the remaining one was given extension to June 1948, and it is expected she will be given permanent status if she desires it when this bill becomes law.

The SPEAKER. The time of the gentlewoman from Maine has expired. All time has expired.

The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN] to the amendment offered by the gentleman from New York [Mr. POWELL].

The amendment to the amendment was rejected.

The SPEAKER. The question is on the amendment offered by the gentleman from New York [Mr. POWELL].

The question was taken; and on a division (demanded by Mr. POWELL) there were—ayes 47, noes 187.

Mr. POWELL. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

So the amendment was rejected.

Mrs. SMITH of Maine. Mr. Speaker, I offer two perfecting amendments.

The Clerk read as follows:

Amendments offered by Mrs. SMITH of Maine:

On page 6, line 15, strike out "is presently" and insert "was."

Page 7, line 19, strike out "is now" and insert "was."

The amendments were agreed to.

Mr. MILLER of Connecticut. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I will not take the full 5 minutes, but I did want this time just to ask the gentlewoman from Maine a question. I have not had time to read all the hearings. For the RECORD I would like to inquire of the gentlewoman from Maine whether any consideration was given to recognizing medical and psychiatric social workers in this proposed medical specialist staff, which, according to the bill, includes physical therapist and occupational therapist sections.

Mrs. SMITH of Maine. Nothing was heard on that subject. Physical therapists and occupational therapists were the only ones included at the moment.

Mr. MILLER of Connecticut. It is my understanding—and if I am wrong, I hope the gentlewoman will correct me—that the requirements for medical and psychiatric social workers, both of which are employed by the Army and the Navy and the Veterans' Administration, are fully as high as the groups recognized in this bill, in that they require a postgraduate course in order to be recognized as medical and psychiatric social workers, and I was wondering whether there was any reason other than that the associations have not asked for them that they were left out.

Mrs. SMITH of Maine. The subject was not discussed in any of the hearings, so there was no evidence presented.

Mr. MILLER of Connecticut. Then the responsibility lies with their own organizations, is that correct?

Mr. DURHAM. Mr. Speaker, if the gentleman will yield, that subject at the present time is being taken care of by civilian personnel. There are a very small number involved, and there is very little need of them in the corps because of such a small number.

Mrs. ROGERS of Massachusetts. Mr. Speaker, if the gentleman will yield, I understand that this is being given consideration by the various groups that the gentleman speaks of. I know it is true, insofar as those groups are concerned, in relation to their being taken into the Veterans' Administration medical service. I think you will probably find that that is true with the Army and Navy also.

Mr. Speaker, if the gentleman will yield further, I am very sure the bill will pass. There is a tremendous interest in it. The work of the nurses is beyond praise, and this affords permanent appreciation of it. As the Army and the Navy have both asked for this, I think there can be no doubt about its unanimous passage.

Mr. MILLER of Connecticut. I agree with the gentlewoman from Massachusetts [Mrs. ROGERS] that this is a very meritorious bill and will undoubtedly have the support of an overwhelming majority of the House. In my opinion, however, it would have been a much better bill if the amendment of the gentleman from New York [Mr. POWELL] had been adopted. It may be true that at the present time the Navy is not discriminating against colored nurses, but the day may come when, due to an oversupply of nurses or some admiral with certain prejudices, discrimination may again be indulged in. I imagine all of us are influenced at times by certain of our own experiences. For the past 20

years I have employed a colored laundress. I have seen her two baby girls grow up. Today one of them is attending college here in the District of Columbia, while the older sister is taking postgraduate work at Yale University, having completed her nurse's training course. These two girls have worked their way through college with what little assistance their mother could provide by working as a laundress day by day. The Navy could certainly use to good advantage the services of this very capable and intelligent colored nurse. If we ever find that the Navy is discriminating on the basis of race, creed, or color, I hope the Congress will speedily amend this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

House Resolution 139 was laid on the table.

DOMESTIC RUBBER PRODUCTION

Mr. ALLEN of Illinois, from the Committee on Rules, submitted the following privileged resolution (H. Res. 144, Rept. No. 144), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H. J. Res. 118) to strengthen the common defense by maintaining an adequate domestic rubber-producing industry. That after general debate, which shall be confined to the joint resolution and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

SPECIAL ORDER GRANTED

Mr. HORAN. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

RENEWAL OF EXPIRING FIVE-YEAR LEVEL-PREMIUM TERM POLICIES

Mr. ALLEN of Illinois. Mr. Speaker, I call up House Resolution 138 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 1327) to amend existing law to provide privilege of renewing expiring 5-year level-premium term policies for another 5-year period. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Veterans' Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ALLEN of Illinois. Mr. Speaker, this resolution would make in order the immediate consideration of H. R. 1327, a bill to amend existing law to allow veterans to renew their 5-year level-premium term insurance policies for another 5-year period. Five-year level-term insurance for veterans was first authorized by Congress in 1926. Since then there have been three laws renewing the privilege for periods of 5 years each. A veteran can carry term insurance for a total of 20 years under existing law. Passage of this bill would permit veterans to carry their term insurance for a total of 25 years. Twelve thousand eight hundred and twenty-one veterans have renewed their term insurance policies each time the law was extended. Six thousand one hundred and sixty-one have renewed it 3 times; 7,213, twice; and 10,998 obtained their term insurance under the law passed about 5 years ago. In all, there are 37,195 veterans holding this type of Government insurance policy. This bill extends for another 5 years the privilege of renewing their policy.

H. R. 1327 was reported unanimously by the Committee on Veterans Affairs, and the resolution making its immediate consideration in order was unanimously reported by the Rules Committee. One hour of general debate was considered sufficient on the bill, as it is a nonpartisan measure, and since little or no opposition is likely to arise. The bill may be amended on the floor under the 5-minute rule. One motion to recommit is also provided by House Resolution 138 should any opposition to the bill arise.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter I received from a constituent and which letter, I believe, evidences an outstanding example of the practice of the Golden Rule and the Christian ethic.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

FIVE-YEAR LEVEL-PREMIUM TERM POLICIES

Mrs. ROGERS of Massachusetts. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1327) to amend existing law to provide privilege of renewing expiring 5-year level-premium term policies for another 5-year period.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 1327, with Mr. RIZLEY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The Chair recognizes the gentlewoman from Massachusetts [Mrs. ROGERS].

Mr. RANKIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RANKIN. Mr. Chairman, I was out of the Chamber when the rule was taken up. How much time is provided for general debate and how is it divided?

The CHAIRMAN. General debate is not to exceed 1 hour, the time to be equally divided and controlled by the chairman and the ranking minority member of the committee.

Mrs. ROGERS of Massachusetts. Mr. Chairman, H. R. 1327 pertains to United States Government life insurance issued on the 5-year level-premium term plan. It was introduced at the request of the American Legion, and has the indorsement of all the veterans' organizations. Since the first policies issued, the Congress has granted three renewals for periods of 5 years each, the last act being that of May 14, 1942, Public Law 556, Seventy-seventh Congress. Because the fourth 5-year period is expiring in many cases in 1947, this bill is necessary in order to provide an additional 5-year period of renewal. The Committee on Veterans' Affairs reported this bill unanimously.

Besides the precedent set up by Congress in permitting the continuance of this type of insurance, it must be remembered that the premiums charged on such insurance increase to that for the attained age upon the renewal for an additional 5-year period. Further, this type of policy applies to World War I veterans and a smaller number of peacetime veterans prior to October 8, 1940, when the National Service Life Insurance Act was approved.

It is the opinion of the Committee on Veterans' Affairs that the privilege of renewing this type of policy at present should not be denied any veterans desiring to so renew. The committee takes the position that veterans who desire the protection of level-premium term insurance for themselves and their families during the years of the immediate future at a cost lower than that required to convert their policies to a permanent plan should not be denied the right to continue their term insurance. Those whose fourth 5-year period expires, for example, in 1947, and who have attained the age of 55 at time of renewal for a fifth period under the bill, will be required to pay a monthly premium of $17.60 on a $10,000 policy during such fifth 5-year period. If required to convert to an ordinary life policy at the attained age of 55, the monthly premium on a $10,000 policy would be $38.20 during the life of the policy.

As of December 31, 1946, there were in force 37,195 policies on the 5-year level-premium term plan; 12,821 were in their fourth 5-year period. As their policies expire, the bill authorizes renewal for a fifth 5-year period. As of the same date, there were 10,998 such policies in their first 5-year period, 7,215 in their second, and 6,161 in their third. Renewal for a fifth 5-year period in the latter cases would not take place until expiration of the fourth 5-year period.

The bill affords protection to those who have not converted and whose policies expire between January 24, 1947, and 5 months after the date of enactment of this bill. This is similar to the protection afforded by previous similar acts.

The Veterans' Administration has stated that it would be impossible to estimate the cost of this proposed legislation. The only additional cost to the Government, however, would be in those cases where the insured has a service-connected disability and it is later determined that death or permanent and total disability was due to the service-connected disability or the extra hazards of war. It should be pointed out, however, that the Government pays for the extra hazards, due to service, no matter what plan of insurance is involved.

The fact that out of the 37,195 policies on this plan, 26,197 are in the second, third, or fourth periods, and 12,821 are in the fourth period, makes it readily apparent that they must be good risks. Taking the group which would be immediately relieved by this bill, it should be remembered that they have been continuing their insurance in force by payment of premiums for 20 years, and therefore certainly must be considered to have been excellent risks.

Mr. RANKIN. Mr. Chairman, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks on this legislation.

The CHAIRMAN. The Chair suggests that that request be made in the House.

Mr. RANKIN. Mr. Chairman, so far as I am concerned, and so far as the Members on our side are concerned, we are not opposed to this legislation. It is the same legislation which came out of the Committee on World War Veterans' Legislation several times during the years that I was chairman.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the last proviso of the first paragraph of section 301, World War Veterans' Act, 1924, as amended (47 Stat. 334; U. S. C., title 38, sec. 512), is hereby amended to read as follows: "*Provided further*, That at the expiration of any 5-year period a 5-year level-premium term policy may be renewed for a second, third, fourth, or fifth 5-year period at the premium rate for the attained age without medical examination; and in case the 5-year period of any such policy shall have expired between January 24, 1947, and the expiration of 5 months after the date of the enactment of this amendment to this amendatory proviso and the policy has not been continued in another form of Government insurance such policy may be renewed as of the date of its expiration on the same conditions upon payment of the back premiums within 5 months after such date of enactment; and the Administrator of Veterans' Affairs shall cause notice to be mailed to the holder of any such policy of the provisions of this amendment to this amendatory proviso."

With the following committee amendments:

On page 1, line 3, strike out the word "last" and insert the word "second."

Page 1, line 4, strike out "47 Stat. 334" and insert "by the act of May 14, 1942."

Page 1, line 8, strike out "level premium term" and insert "level-premium term."

Page 1, line 9, strike out "third, fourth," and insert "or third or fourth."

On page 2, line 2, insert the word "fourth" before the word "5-year."

The committee amendments were agreed to.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RIZLEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 1327 to amend existing law to provide privilege of renewing expiring 5-year level-premium term policies for another 5-year period, pursuant to House Resolution 138, he reported the same back to the House with sundry amendments adopted in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

Mr. RAYBURN. Mr. Speaker, I ask for this time to inquire of the gentleman from Indiana what we may expect in the way of a program for next week.

Mr. HALLECK. Mr. Speaker, it is our plan to call the Consent Calendar on next Monday. There are several bills on that calendar which should be disposed of.

Then we propose to call up House Joint Resolution 118, which is a bill from the Committee on Armed Services dealing with the matter of continuation of rubber control. If that bill is not concluded on Monday, and it seems now it may not be concluded on Monday, it will be continued on Tuesday.

Also on Tuesday we will call the Private Calendar.

It is our plan to adjourn from Tuesday until Thursday.

Thursday it is proposed to call up a bill from the Committee on Banking and Currency, House Resolution 2413, to amend the Federal Reserve Act. Also if a rule is granted on the bill we shall try to call up House Resolution 1366, to facilitate the procurement of supplies and services by the War and Navy Departments.

Friday we propose to call up a bill which is to be reported, as I understand, from the Banking and Currency Committee, dealing with the matter of the extension of sugar control.

Mr. RAYBURN. I thank the gentleman.

ADJOURNMENT OVER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 12 o'clock noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

SUSPENSION OF NAVIGATION AND VESSEL INSPECTION LAWS AS APPLIED TO VESSELS OPERATED BY THE WAR DEPARTMENT

Mr. CHENOWETH. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 131, which makes in order the consideration of the bill H. R. 1240.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1240) to provide for the suspension of navigation and vessel inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. CHENOWETH. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, this resolution makes in order the consideration of H. R. 1240, a bill to provide for the suspension of navigation- and vessel-inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended.

This is an open rule allowing 1 hour of general debate, at the conclusion of

which the bill will be read for amendment under the 5-minute rule. The rule also provides for one motion to recommit. There should be no opposition to this rule. This legislation has been requested by the President, and, I understand, was reported by the Committee on Merchant Marine and Fisheries with only one dissenting vote. This bill is necessary due to the fact the Second War Powers Act expires on March 31, and it is desired to continue certain powers contained therein beyond that date.

Mr. Speaker, I shall not attempt to explain the bill in detail. This is one of two bills reported by the Merchant Marine and Fisheries Committee which extend powers contained in the Second War Powers Act. Both waive compliance with navigation laws for certain ships flying the American flag. This bill covers only those vessels operated by the War Department. These vessels cannot comply with present high safety standards, and it is proposed to suspend these inspection laws until December 31, 1947. Under the authority of the War Powers Act the President has waived these navigation and inspection laws. The War Department needs these vessels to carry displaced persons, to repatriate others, and to carry troops. Many months in dry dock would be required to refit these ships to meet the requirements set for passenger ships. Many of these ships were built as cargo vessels. They have no sprinkler systems in case of fire. They are equipped with only a minimum of lifeboats. However, no other passenger ships are available and these vessels must be used for the purposes indicated. The committee has pointed out that they are extremely reluctant to pass any legislation authorizing even a temporary lowering of the standards of safety at sea, but the present urgent need of these substandard vessels by the War Department makes this legislation necessary.

Mr. Speaker, I reserve the balance of my time.

Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. BRADLEY].

Mr. BRADLEY of California. Mr. Speaker, under the Second War Powers Act the Congress provided that—

> The head of each department or agency responsible for the administration of the navigation and vessel-inspection laws is directed to waive compliance with such laws upon the request of the Secretary of the Navy or the Secretary of War to the extent deemed necessary in the conduct of the war by the officer making the request.

Please note that this is a mandatory provision. Compliance with the laws must be waived when requested by the Secretary of War or the Secretary of the Navy. It compels the Commandant of the Coast Guard, who is responsible for the enforcement of navigation and vessel-inspection laws in other than public vessels, to grant such waivers as may be requested, even though he thinks such action inadvisable.

Undoubtedly this was wise legislation for the period of the war—but the war is over and we should be getting back to a peacetime status once again.

The Secretary of the Navy has not made any request for a continuation of vessel inspection law waivers after March 31, 1947, and it is therefore assumed that the Navy will not require such waivers. However, in the event the Navy should find a waiver needed in some isolated case it will be possible for such waiver to be granted in the discretion of the Commandant of the Coast Guard, provided House Joint Resolution 76, which will be considered after this bill has been acted upon, is enacted into law.

The Secretary of War has requested that he be granted authority to waive compliance with navigation and inspection laws, insofar as they pertain to vessels operated by the Army, until January 1, 1947, and it is the purpose of this bill to vest that authority in the Secretary of War in a somewhat more restricted sense than requested by him. This is brought about by the amendments suggested which, as you will note, authorize the granting of specific waivers only to vessels for which such waivers have been requested.

It is well to note here that the Army operates two distinct classes of ships; that is, public vessels and nonpublic vessels. Public vessels are covered by specific legislation and need not comply with vessel inspection and safety laws set forth for the operation of the merchant marine. However, as the safety standards required by our laws have been deemed advisable by Congress and have been enacted to provide the greatest safety for those traveling at sea, the Army should comply with these laws insofar as possible in its public vessels. I am glad to say that I am informed by the representatives of the War Department that it is the intention of that Department to bring all ships under its jurisdiction and operated as personnel carriers into full conformity with the vessel inspection and safety rules of the United States just as soon as money becomes available and time permits. A reasonable amount of money will be required to accomplish this end, and I urge that it be granted when requested as we in Congress owe the safety which will be achieved thereby to American citizens who must travel upon public vessels of the Army—we owe to them the same safety that they might expect if traveling on passenger ships operated by private interests under the American flag.

Nonpublic vessels operated under the jurisdiction of the Army are subject to all of the vessel inspection and safety requirements which are applicable to ships under the American flag engaged in passenger traffic and it is to these ships that the present proposed legislation will apply.

Mr. Speaker, I urge the adoption of this rule so we may thoroughly discuss the merits of the issues presented in H. R. 1240.

Mr. CHENOWETH. Mr. Speaker, I yield such time as he may desire to the gentleman from Missouri [Mr. REEVES].

Mr. REEVES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter and a resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CHENOWETH. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. BRADLEY].

Mr. BRADLEY of Michigan. Mr. Speaker, in calling up H. R. 1240 and House Joint Resolution 76, which will follow, I am frank to say that I do so with a great deal of trepidation and with my fingers crossed. I am very grateful to my colleagues who, seemingly, because of the prompt action taken heretofore on other legislation we have brought before you, have such a high regard for the integrity and the seriousness with which the Committee on Merchant Marine and Fisheries attack the various problems that are brought before us.

Very frankly, I personally do not like either of these two bills. I have grave misgivings about both of them. I regret that both of them carry my name, but they were introduced as a matter of emergency. H. R. 1240 was introduced at the request of the Secretary of War, and House Joint Resolution 76 was introduced at the request of the President in his message to the Congress on February 3, asking that we extend title V of the Second War Powers Act for 1 year.

Now, when I say I am fearful of these two bills, I say so because any time you tamper with safety standards—and the safety standards of the merchant marine under our laws are the most severe in the world—you are tampering with human life and the safety of human life. So, I do not like it. But, on the other hand, we have in effect a shotgun at our heads in the request for enactment of both of these bills. We have a great many people overseas that have to be transported back here. We have troops overseas that have to be transported to these shores. We have others who have to go abroad, and we simply do not have a passenger-carrying merchant marine afloat today that meets our safety standards that can take care of those people.

I am going to elaborate on the numbers of them when we get into the discussion of the bills themselves. But I say to you Members of the House that when the Army is operating ships designed for cargo carrying, and which meet all of our safety requirements for that purpose, and when you find it necessary to convert them into temporary troop transports, on which, in addition to troops, they are carrying women and children, the wives and families of our troops, overseas, and when they have lifeboat capacity for approximately 900 people and are carrying a total of 2,300, I think that that is not justified in peacetime, now or at any other time. Yet that is the testimony of the War Department.

I have a letter from a general which I shall include in the RECORD at this point:

MARCH 12, 1947.

Hon. FRED BRADLEY,
House of Representatives.

DEAR MR. BRADLEY: Confirming my telephone conversation with you this date, I would like to advise you on current Army practices regarding safety-at-sea observance on dependent-carrying vessels.

The current policy of the Transportation Corps is to sail no vessel in which the lifeboat capacity is not adequate to accommodate all members of the crew and all women

and children. Further, by "lifeboat capacity" is meant that actually certified by a United States Coast Guard representative.

I hope that this information will be of value to you and your committee.

Sincerely,

PAUL F. YOUNT,
Brigadier General,
Assistant Chief of Transportation.

I talked to the general last night, and he said he knew that I was going to introduce an amendment today to put an end to that practice, and he assured me last night that they were not carrying people beyond their lifeboat capacity. Captain BRADLEY inspected some of these ships just a week ago, or nearly a week ago, and he called our attention to the fact that 2,300 people were carried, with a lifeboat capacity for 900, and yet, as I understood the general last night, he said that they had stopped that practice now. He sent me a letter today in which he said that they are not carrying an excessive number of women and children beyond their lifeboat capacity.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. CHENOWETH. Mr. Speaker, I yield the gentleman three additional minutes.

Mr. BRADLEY of Michigan. But I say to you that maybe 1,000 additional soliders or 1,500 of them cast afloat on the North Atlantic today on life rafts can drown just as easily as any women or children. But the Army shrugs its shoulders at them—they are ordered to so travel.

Mr. HALE. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield to the gentleman from Maine.

Mr. HALE. When wives and children join their families in Germany, are they traveling on boats that do not have adequate lifeboat capacity or other safety requirements?

Mr. BRADLEY of Michigan. According to the general's letter, there is adequate lifeboat capacity for the women and children and crew members, but there may be 1,500 troops on board for which there is no lifeboat capacity.

Mr. WELCH. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield to my beloved friend from California, the former ranking member of the committee.

Mr. WELCH. Mr. Speaker, I would like to ask the chairman of the Merchant Marine and Fisheries Committee a question which has been asked me many times. Is it the intention of the Committee on Merchant Marine and Fisheries to summon before the committee the members of the Civil Aeronautics Board and demand from them the reason why they discriminate against the American merchant marine in favor of foreign competitors by denying the right to American shippers to operate overseas air lines parallel to their present surface shipping routes?

I should like to know also if the chairman of the Committee on Merchant Marine and Fisheries intends to ascertain from the members of the Civil Aeronautics Board why they arrange landing places on American soil for our foreign competitors while at the same time they deny this right to American shipping companies.

Mr. BRADLEY of Michigan. I am very glad my friend from California brought up that matter. We have pending before the Committee on Rules right now a bill which I introduced requesting that the rules of the House be so amended as to give our committee jurisdiction over the operation of aircraft by steamship companies parallel to their own routes. At the present time, as the gentleman knows, all jurisdiction with respect to air travel rests with the Committee on Interstate and Foreign Commerce. That is all air travel whether it be trans-oceanic or domestic. We would like to bring them in, but I am sure the gentleman knows that the attitude of the Civil Aeronautics Board always has been and probably always will be that steamship lines, just the same as railroad lines, have no business getting into the air travel business at all.

Mr. WELCH. I will say to my friend that I was under the impression that authority had been granted to your committee by special resolution to summons witnesses and place them under oath.

Mr. BRADLEY of Michigan. It has not yet.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. CHENOWETH. Mr. Speaker, I yield five additional minutes to the gentleman from Michigan.

Mr. BRADLEY of Michigan. We had that matter up before the Committee on Rules a week ago, but in view of the fact that the Committee on Interstate and Foreign Commerce was not represented at that time no action was taken. We intend to discuss the bill further just as soon as we can. I thank the gentleman very much.

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield to the former chairman of the committee.

Mr. BLAND. The gentleman will recall that when the Civil Aeronautics Board was originally authorized by Congress they were very agreeable and made the statement that the merchant marine would take care of these matters.

Mr. BRADLEY of Michigan. There must have been a little double talk at the time, because they have certainly shown no inclination to give any of the steamship operators an opportunity to get into the air field.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield to the gentleman from Ohio.

Mr. VORYS. Can the gentleman tell us what the safety record has been during the war period when, as I understand, these safety regulations have been waived?

Mr. BRADLEY of Michigan. Captain BRADLEY, as chairman of the subcommittee that handled these two bills, perhaps has more information than I, but as far as I know we have not had any loss of life attributable to these waivers of safety regulations. Commodore Shepheard, who is in charge of the old Bureau of Marine Inspection and Navigation, now known as the Bureau of Marine Safety, when he testified before the committee told us it was because we have been mighty lucky. I know I can say that he casts no reflection whatsoever on the excellent seamanship of our officer personnel or our unlicensed personnel in the American merchant marine.

They have done an excellent heads-up job, but nevertheless when you are operating a ship carrying two or three thousand people with a lifeboat capacity for only 900 people across the North Atlantic in the middle of the winter, you cannot tell me we are not taking a chance.

Mr. VORYS. Mr. Speaker, will the gentleman yield further?

Mr. BRADLEY of Michigan. I am glad to yield to the gentleman.

Mr. VORYS. My question is outside the scope of this particular legislation, but I will be happy to have the gentleman's views on it.

Former President Hoover has recommended to the President that shipping costs for relief supplies to Germany could be substantially reduced if we would permit Liberty ships which are now idle, as I understand, to be manned by German crews and used for that purpose.

Has the gentleman's committee taken any action along that line or does the gentleman's committee contemplate any such action?

Mr. BRADLEY of Michigan. We have taken no action along that line to date. It has not been a matter of discussion before the committee. We have had no request from the White House or Mr. Hoover or anybody else to consider it. I think in due course we will want to consider it because it is a broad question of policy as to whether or not we want to carry this relief load at a higher cost under the American scale of wages and safety standards or whether we want to permit the Germans to haul it themselves for whatever wages they pay their own people. Of course, the basic operating costs will be the same so far as coal and oil are concerned.

Mr. VORYS. The charges for the crew could be paid in German marks and that would relieve to a certain extent the burden on the American taxpayers for getting the relief supplies over to the other side.

Mr. BRADLEY of Michigan. It is the old story that we had before the war. We could just simply put the food products on the docks here and then furnish the boats to haul it over and let them pay all the labor and operating costs of moving it.

Of course, as I understand it, Mr. Hoover's proposal is that we loan them these Liberty ships at a very nominal charge and unquestionably when we got them back—if we did get them back—they would be pretty well worn out because it is doubtful that they would receive any real maintenance. But if that is the way the foreign policy of the United States is to operate, so be it. I believe, however, that both your Committee on Foreign Affairs and my Committee on Merchant Marine and Fisheries are going to have to give this matter very careful study.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield.

Mr. VAN ZANDT. Could not the same condition apply to Japan?

Mr. BRADLEY of Michigan. It could very easily.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. CHENOWETH. Mr. Speaker, I yield such time as he may require to the gentleman from California [Mr. WELCH].

Mr. WELCH. Mr. Speaker, recently the San Francisco Examiner commemorated its sixtieth anniversary under its present owner, William Randolph Hearst. Throughout its 60 years the San Francisco Examiner has served the best interests of the development of San Francisco as a great international seaport city until today it is one of the world's greatest seaports.

The Examiner continues to follow that same policy by supporting the American merchant marine. Recently another editorial appeared in that newspaper dealing with the urgent need of American-flag shipping companies to have the right to operate overseas air lines parallel to their surface shipping lines.

The importance of the American merchant marine to the peacetime economy of this Nation has been demonstrated from the days of the American clipper ships down to the present. I believe every Member of this House is acquainted more or less with its history in the development of the foreign economy of our Nation.

More important than that, however, is the importance of the American merchant marine to our national defense, as was demonstrated in both World War I and World War II. It became one of the four major links in the chain of our national defense, along with the Army, the Navy, and the Air Corps. It was the life line for supplies to our military and naval forces in every foreign theater of war.

I have repeatedly called attention of the House in years past to the crippling policy which has been followed by the Civil Aeronautics Board in denying the right, in accordance with the Merchant Marine Act of 1936, for the American merchant marine to operate air lines parallel to and as a component part of our surface shipping. Every foreign maritime nation has recognized the tremendous value accruing by coordinating their air lines and surface shipping by encouraging their ship operators to operate air lines as a basic part of their merchant marine in foreign surface. The Civil Aeronautics Board has aided these foreign countries by making arrangements for landing places for them in this country.

Mr. Speaker, it has come to my attention that because of the prohibition placed by the Civil Aeronautics Board on American shipping companies from operating American air lines as a unit of their business, at least one American shipping company has gone into a foreign country to purchase control in a foreign flag aviation company in order that it can meet the competition of foreign ship operators.

In its strong editorial entitled "United States Shipping Lines Need Air Rights" the San Francisco Examiner called attention to the utterly preposterous situation being forced upon our American shipping companies by the actions of the Civil Aeronautics Board. That editorial is as follows:

UNITED STATES SHIPPING LINES NEED AIR RIGHTS

American shipping lines, custodians of the maritime enterprises of the United States which are inseparable from prosperous world commerce in peace and indispensable to successful national defense in war, are still waiting for a favorable decision by the American Government on their petition for equal air-sea rights with foreign competitors.

There is encouragement for the American maritime operators in the fact that the new Congress has shown an alert and sympathetic interest in this vital problem, and the several bills already introduced to equalize the world competitive conditions under which American ocean transport must operate seem assured of an early hearing.

But in the meantime it is still the policy of the American Government, as it has so long been, to deny American shipping lines the right to operate scheduled air service supplementary to and in coordination with established surface transport.

At the same time, it is still the parallel and incongruous policy of the American Government to freely grant this right to foreign commercial competitors, which are almost entirely organized on the basis of air-sea coordination either as private enterprise or Government monopoly.

This is an incomprehensible situation, flagrantly discriminatory against American shipping interests and potentially destructive of the American merchant marine on which so much depends in both peace and war, and yet the Civil Aeronautics Board persists in maintaining it.

Since the Civil Aeronautics Board continues to be adamant in this untenable position, there is no other recourse for the American shipping lines than that of appeal to Congress, with the whole future of prosperous American participation in world commerce hanging upon the outcome of their appeal.

It is utterly preposterous that an American steamship company, long established in the vital fields of ocean transport, should not be permitted to augment its services with supplementary air transport, when its foreign competitors are unreservedly and unhesitatingly allowed to do so.

This would be an understandable situation if the foreign governments having their own vital interests in the competing and coordinated foreign air-sea services were the authors of this crippling policy of discrimination and prohibition against the American companies. But it is our own American Government which thus strangely and adamantly imposes an impossible competitive condition upon the maritime interests of the United States.

If the American Government persists in this stupid policy, it will not only foreclose the American merchant marine against an effective and beneficial role in world commerce, but it will ultimately destroy the maritime mercantile establishments of the country and thus impair and impoverish our most essential instrument of national defense.

The new Congress should brook no delay in achieving a total reversal of American air-sea transportation policy, not only in the interest of assuring competitive equity to American maritime enterprise, but in the larger and more urgent interest of safeguarding American peace and security.

The time has come, Mr. Speaker, in this period of transition from a wartime to a peacetime economy when the Congress must take cognizance of the deliberate failure of the Civil Aeronautics Board to recognize the importance of the American merchant marine by enacting legislation that will directly impose upon the Civil Aeronautics Board the obligation to enable our American merchant marine to meet this foreign competition if it is to survive, or Congress must remove all jurisdiction from the Civil Aeronautics Board over the operation of overseas airlines by American shipping companies and vest it in the Maritime Commission.

(Mr. WELCH asked and was given permission to revise and extend his remarks and include an editorial from the San Francisco Examiner.)

SPECIAL ORDER GRANTED

Mr. PHILLIPS of California. Mr. Speaker, I ask unanimous consent that on Tuesday next, after disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SUSPENSION OF NAVIGATION LAWS BY SECRETARY OF WAR

Mr. CHENOWETH. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. WEICHEL].

Mr. WEICHEL. Mr. Speaker, our chairman and Captain BRADLEY have told you what the bill purports to do. It deals with human life, principally the lives of those in the armed forces. The time allowed for general debate does not seem quite enough to discuss this proposition.

The War Department is asking the Congress to give it discretion to waive or suspend the operation of every law enacted by the Congress for the safety of those at sea. That means it would have the right to suspend everything in this book which contains the laws providing for safety at sea.

A civilian before going on a ship, if he knows that the ship does not comply with the regulations with reference to safety at sea, has a choice to ride or not to ride. Our soldiers in the armed forces who are in the service by reason of the selective service law, young men whom we are asking to enlist by the hundreds of thousands, will be herded on board these ships regardless of the laws of safety at sea that this Congress has enacted over a period of years. These boys will not have a choice of riding or not riding on unsafe ships. I think this is worthy of much discussion and much debate on both sides when you ask for authority to herd our own soldiers onto ships that do not have safety devices which are provided by the laws of the United States, resulting from experience over a number of decades.

The SPEAKER. The time of the gentleman from Ohio [Mr. WEICHEL] has expired.

Mr. CHENOWETH. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. BRADLEY of Michigan. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1240) to provide for the suspension of navigation and vessel inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 1240, with Mr. HERTER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Michigan is recognized for 30 minutes.

Mr. BRADLEY of Michigan. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I repeat what I said a few minutes ago, that I ask for the consideration of this bill and for its passage with a certain amount of fear and trepidation.

The bill carries my name. It comes from the committee, of which I happen to be chairman, with almost a unanimous report. There was only one dissenting voice. If we should be so unfortunate at any time in the future as to have a serious accident—and it could happen—the Army will be pretty well protected. You do not need fear about that. You will never be able to put your finger on anybody in the Army and say they were responsible for the accident. You will not be able to put the blame on any of the bureaucrats. The finger will be on me—the Bradley bill from the Bradley committee, passed by the House of Representatives.

We have a great reputation in the Committee on Merchant Marine and Fisheries, and I want to maintain that reputation; but as I said previously, we have to move troops across the water. The Congress has authorized the moving of their families to join them, and bringing them back to this country. We certainly do not have adequate passenger merchant marine to take care of those people in a wholly safe manner. So the issue today is not whether it is a question of safety so much as do you want to leave those people over there indefinitely, carry food to them, let them live under unsanitary and unsatisfactory conditions as they are forced to do today? Do you want to leave a bunch of Nazis down here in South America which the State Department asked the Army to move out of those Latin-American countries back to Germany? There are about 5,800 of them. Do you want to take some of the displaced persons from Europe and transplant them to South America or elsewhere in order to take them off our hands over there in the occupied zones? Do you want to bring back the wives and children of our soldiers who are overseas? If you do, you have to bring them in the only bottoms that are available. That is the reason we have to pinch hit with these ships, many of which are cargo ships converted, with living quarters in the cargo hold that do not meet our safety standards with respect to fire hazards and so on, if we are going to move these people. That is all there is to it. That is why the War Department asked for these waivers on such ships as they are borrowing, if you please, from the merchant marine, which would otherwise be private ships. The safety-at-sea rules, of course, do not apply to War Department transports operated by the War Department.

Mr. JACKSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield.

Mr. JACKSON of Washington. Is it not true that if we are to carry these people in our own ships we have no alternative other than to pass this legislation?

Mr. BRADLEY of Michigan. That is absolutely true.

Mr. JACKSON of Washington. And, as a matter of fact, is it not also true that even though we are going to have new passenger ships of standards in compliance with the safety-at-sea laws, it will be quite some time before they are available?

Mr. BRADLEY of Michigan. The reason we do not have passenger ships today, I may say to the gentleman from Washington, and as he knows, is because they are in drydock and repair yards being refitted for peacetime purposes following their wartime uses.

Mr. JACKSON of Washington. Yes; and in addition we have appropriated money for new passenger vessels which ships will not be available for some time.

Mr. BRADLEY of Michigan. That is true.

I also wish to point out to the gentleman from Washington that when we talk about hauling these people in safe ships the argument is advanced that we might bring them over in foreign ships. Mr. Chairman, there is not a single foreign ship, there is not a ship outside of the American merchant marine, that can meet the safety requirements of this country. You talk about the *Queen Elizabeth*, and similar ships, there is not one of them that could sail under the American flag without a waiver from the Coast Guard.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HART. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I have no disposition to impose upon the time of the Committee. The gentleman from California, the chairman of the subcommittee, in his address to the House during consideration of the rule, made a very clear, accurate, and, I think, complete statement of the purposes of this bill; and my distinguished friend the gentleman from Washington, in his query just now, emphasized what the chairman of the committee brought out very clearly—the fact that if we are to continue the very important and very necessary work upon which the War Department is now engaged, then we must pass this bill and pass it in short order. Unless this bill becomes law by the 31st of March, title 5 of the Second War Powers Act will have expired; and unless this bill is passed, there will be no legislative authority to warrant or authorize American vessels to continue under the jurisdiction of the War Department transporting our troops, their wives and children, and do all of the other necessary things they now have to perform—services important to the destiny of the world.

Mr. Chairman, as the gentleman from Washington pointed out in his question, it is this bill or a complete cessation of the work of the War Department; the House has no other choice. It must adopt this bill, or it must handicap and, indeed, completely thwart and cripple the War Department in its work of carrying our troops all over the face of the world. I know the Congress has no disposition to take such action as will result in that situation.

Mr. Chairman, I yield back the balance of any time I myself have not used, and, with the permission of the gentleman in charge of the debate, I should like to yield such time as he may require to the distinguished former chairman of the committee and its present ranking minority member, the gentleman from Virginia [Mr. BLAND].

Mr. BLAND. Mr. Chairman, I can safely say that no man in this House today has more particular interest in safety legislation than I. I passed through the throes of the *Vestris* disaster, the *Mohawk* disaster, and the *Morro Castle* disaster, of which safety legislation was the logical result, and from the time of those disasters up to now I have been trying to secure the best safety legislation that could apply to the merchant marine.

Frankly, I am with the chairman of the subcommittee, the gentleman from California [Mr. BRADLEY], in his support of this bill. I think he has stated the position well. I have no hesitancy, however, in saying that if there is any criticism at any time of his support of this bill or to the introduction of this bill, that criticism belongs to the two sides of the House. There has been no politics in this. Therefore, I fear no criticism. The gentleman from Washington, the gentleman from New Jersey, and the gentleman from Michigan have made it clear that this is necessary legislation in order that we may move our troops. We cannot recondition the old ships sufficiently fast to carry it out. The limitation that now applies under the War Powers Act expires on the 31st day of March, and you just simply cannot make your ships any better in that time. When you come to foreign ships we have the best and safest ships in the world, and there would be danger in foreign ships, certainly as much danger as could possibly exist with the legislation that we seek to put upon the books. This is necessary in order to accomplish the purposes which we have undertaken and to carry out not only the work of our merchant marine but the more important work which the War Department has undertaken and the important work that confronts us in the reconditioning of affairs in the world.

Mr. Chairman, I sincerely trust that the bill may be enacted into law as speedily as possible.

Mr. BRADLEY of Michigan. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. WEICHEL].

SAFETY AT SEA FOR SOLDIERS

Mr. WEICHEL. Mr. Chairman, the pending legislation covered by H. R. 1240 is one dealing with the lives of American citizens and particularly those in the armed forces who are performing military duties throughout the world, not only for the protection of America but that of other nations. The war has been over 2 years and now the War Department asks for a suspension of the laws with reference to safety at sea in the transportation of our 18- and 19-year-old boys to the four corners of the earth. With the billions that have been spent, it seems little thought has been expended to transport our armed forces on ships that meet the safety laws passed by the Congress of the United States. The War Department well knew that it would be transporting soldiers overseas and in these 2 years no safe ships are provided. And now with an excuse that the War Powers Act might not be extended, the War Department asks that it be given the authority to suspend every law with reference to safety at sea in its use of the ships to transport those in the armed forces. The shipyards of this country did not close on the day of the ending of the war, but the War Department has not used the shipyards to provide safe ships for the transportation of those in the armed forces. Since the ending of the war the shipyards of this country surely could have provided in 2 years safe ships for the transportation of our armed forces. It seems to me that the providing of safe ships for our soldiers in time of peace should have been the very first order of business during the past 2 years since the ending of the war. Hundreds of ships are laid up and out of commission, yet in the name of this neglect and inefficiency of the War Department, in not taking every shipyard facility in the United States to make safe ships, the Congress is asked to set aside and suspend the law for safety at sea, especially in the transportation of our young soldiers overseas. I believe the Congress should give every safety protection to the soldiers of our country, and should not make it possible for bureaus and departments to jeopardize their safety because of past failures.

When it comes time for amendments I would like to offer for your consideration an amendment that might save many lives.

Mr. BRADLEY of California. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. POTTS].

Mr. POTTS. Mr. Chairman, the United States has the greatest safety standards of any nation in the world today on maritime affairs. It is not without regret that we are forced at this time to pass this legislation. We have no choice in the matter. Even the great *Queen Elizabeth* and the *Queen Mary* today, in peacetime, would not be allowed to sail under the American flag, except on waivers because those two great ships do not comply with American safety standards. So, you see, we have set our sights very, very high, and laudably so. But we must not hamstring the Army, because there are no ships afloat today that can meet our requirements. The Army must be permitted to carry on its great duties and tasks.

We had one ship, I believe, that met all necessary requirements, and that was the *America*, and I read only about a week ago that on her last trip she had to sail under waivers. Our War Department and our Army and Navy are not going to permit our boys and girls to sail in tubs. The ships may not meet all safety requirements, but all those requirements which are practicable under the circumstances, I am sure, will be met. This legislation permits the War Department to waive present requirements until December 31, 1947.

Under the circumstances we have only what is called Hobson's choice.

Mr. BRADLEY of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. HULL].

Mr. HULL. Mr. Chairman, I cannot bring myself to vote for a bill that would force some of the soldiers who are overseas, to the number of half a million or more, to ride home in Government vessels which are without even ordinary safety requirements, with danger to their lives, and, when accompanied by their wives and children, with danger to the wives and children, all because Congress and the War Department have not met this situation in time. It is true that the war has been over 2 years. There has been ample opportunity for everybody in authority to know that this war act expires on the 31st day of March. Because of the fact that we have done nothing about the matter now we are about to urge, or to command, or to demand, that these soldier boys of ours overseas ride home in unsafe vessels.

If the safety regulations adopted by Congress were not wise at the time they were enacted, then they are not wise today, but if they were wise when enacted and were intended to save human life, then there is no reason why Congress now should reverse its action and sanction risking the lives of our soldiers, those now overseas and those who will continue to be sent abroad by even authorizing the War Department, the Coast Guard, or any other Government agency to waive even ordinary safety requirements in the ships on which they sail. Even permitting civilian people to run such risks voluntarily should be made a crime. Packing and overloading ships carrying soldiers may become a crime of vast significance. I shall not vote for such a measure. I do not want to be a party to sending word to the parents, wives, other relatives of the soldiers that our great Government will approve such dangerous methods and measures.

Mr. BRADLEY of Michigan. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. BRADLEY], chairman of the subcommittee.

Mr. BRADLEY of California. Mr. Chairman, at the present time, as an aftermath of the war, the Army is operating a number of C–4's—about 13 just now—designed as cargo vessels, but used as troop-carriers during the war. These ships transported hundreds of thousands of American military personnel during and after the war with an admirable safety record. Under normal conditions they should all be retired from service, but there are large troop movements which must be made, and there are great numbers of other personnel attached to various Army activities, such as dependents, military government officials and families, and so forth, which must be moved, and, since the capacity of public vessels and of vessels now operated by private interests is totally inadequate to care for this necessary transportation, it is imperative that these C–4's be continued in operation until other ships may become available. In fact, there is no other solution to the problem, unless we are to discontinue many of our activities entirely as there are neither other American ships nor foreign-flag ships available to take the places of these C–4's.

These particular ships do not comply with our laws and cannot be made to do so without very extensive conversions involving long delays and huge costs. Their design, as cargo ships, makes conversion to accepted passenger standards practically out of the question. I cite here a few of the known deficiencies: The lifeboats and lifesaving equipment in general were designed for the purpose of handling troops while the ships were carrying out their wartime duties, chiefly as attack transports. In the peformance of such duties quick lowering of boats at sea was of secondary importance, as the purpose of the ships was to transport numbers of men into harbors, in relatively smooth water, where the boats could be handled by power apparatus and put in the water as required to disembark troops in landing operations. Naturally, lifeboats which normally require power for launching are not deemed at all satisfactory for saving of life at sea where it may be necessary to launch boats without power, due to failure of the vessel's power plant on account of flooding or other damage. It is not likely that this will occur, and it is to be assumed, therefore, that the boats could be launched at sea in the event of disaster. However, in all of our rules for the saving of life at sea we choose to rule out everything which might be questionable, and so we would not ordinarily choose this type of launching apparatus for the boats of passenger vessels. These ships carry ample life-raft equipment. In some cases they are rigged for quick launching and in others they are rather unavailable in emergencies. All such vessels carry adequate life preservers, but life preservers, in themselves, must not be considered as adequate replacements for boat capacity in the North Atlantic in wintertime.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of California. I yield.

Mr. BRADLEY of Michigan. I think the gentleman would agree with me that neither a life preserver nor a life raft would be much protection on the North Atlantic at this time of year.

Mr. BRADLEY of California. They would be no protection whatsoever, may I say to the gentleman from Michigan.

These vessels do not comply with the requirements insofar as fire protection is concerned. They are of steel construction and have very little combustible material on board. They do not, however, have the sprinkler systems, the fire-detecting system, or the fire-resisting bulkheads required by our laws.

In a ship with large amounts of wood used in her interior construction, I should consider these faults grave, indeed, but in these C–4's they are greatly minimized by the fact that there is so little wood anywhere on board.

There are some doors through vertical transverse bulkheads below the water line. These are very substantial and, I am informed, are closed and secured prior to the ship's departure from port. If the doors are kept closed, they are not any detriment to safety. These doors are not fitted with remote control from the bridge, but many of them are fitted with mechanical control from a nearby station.

The living quarters on these ships are extremely poor. They are, in fact, merely troop quarters converted for other purposes.

There are other minor deficiencies such as lask of required communication systems, but none of these are such as to greatly imperil the ship.

I do not consider these ships as dangerous; in fact, they are as safe as most ships now operating under foreign flags, but neither do I consider them as safe or suitable for operation under the American flag in the service of the Army under ordinary conditions.

I spent the last two week-ends inspecting various vessels under the American flag—including some of those operated under the jurisdiction of the Army. In one case I found that a C–4, Army operated, made a westbound trans-Atlantic passage in December 1946 with a total of 2,063 passengers, which meant that the ship had a total of over 2,300 people on board. As her lifeboat capacity is only 1,048 and as her other buoyant equipment would have been rather useless in the North Atlantic in winter weather, I consider this to have been an unjustifiable risk of life and I call upon the War Department to reduce materially the number of passengers carried on board such a vessel at any one time even though transportation is delayed and personnel inconvenienced. May I repeat, that the war is over, and that the American public will not look with equanimity upon a preventable maritime disaster even though the War Department may be clear of legal responsibility under waiver of vessel-inspection laws by act of Congress. Being sorry will not bring back human life. The time for the War Department to act is now.

Mr. WEICHEL. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of California. I yield to the gentleman.

Mr. WEICHEL. The bill presently under consideration gives the War Department absolute authority to do the very thing we asked them not to do. There is no limitation in this bill whatsoever, is there?

Mr. BRADLEY of California. I appreciate that, but I may say I feel no doubt whatever but that the War Department will comply with our wishes in the question. I feel we must allow some discretion to the responsible officers of the War Department. I have been assured already that they will comply with our wishes in every way.

Mr. WEICHEL. After they have been given full authority you think they will better comply than when they do not have authority to waive the rules and regulations?

Mr. BRADLEY of California. May I say to the gentleman from Ohio I am sure they will comply with them. I intend to continue looking at their ships and spreading the information on the record if they do not comply. I feel no doubt but what they will comply.

Certain testimony before the Committee on Merchant Marine and Fisheries indicates that efforts will be made to obtain the use of some of these C–4's under the jurisdiction of the Army for the transportation of displaced persons from Europe to South America and for other purposes alien to usual War Department uses. While it is no part of my prerogative to determine upon the necessity of moving these displaced persons, I do feel that the War Department should not utilize these vessels upon which waivers have been requested—ostensibly for the proper accomplishment of legitimate duties of that Department—for the transportation of great numbers of people of all ages and sexes on long voyages to different parts of the world. If the need for such transportation is imperative, and the War Department feels that it is the proper agency to provide it, I believe that the Secretary of War should make request to the Congress for specific authority in the premises rather than going into the world passenger-carrying business with ships which do not comply with our minimum safety standards of which the use is permitted, only because of the emergency conditions existing in our own maritime establishment.

The War Department has stated that it expects the need for these vessels on which waivers are being requested to be ended by January 1, 1948.

Mr. Chairman, under the conditions existing, I believe that this bill, as amended, should receive the favorable consideration of the House.

Mr. BRADLEY of Michigan. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. BATES], and I ask unanimous consent that he be permitted to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan [Mr. BRADLEY]?

There was no objection.

Mr. BATES of Massachusetts. Mr. Chairman, I am glad to have an opportunity this afternoon, while the Committee on Merchant Marine and Fisheries is reporting out a bill from that very excellent committee, with whose work I have been quite familiar over a period of years, to call to their attention a matter of special interest, particularly to the gentleman from Virginia [Mr. BLAND], former chairman of that committee, and his colleagues, many of whom are serving today as they have for several years past. I call attention to the desperate plight in which the fisheries industry of this country finds itself.

Only within the past few minutes I have been handed an article that appeared in the Wall Street Journal relative to the tremendous imports of fish from foreign countries. When we speak of fish coming to this country we speak of another manufactured product. We speak in the same sense that we spoke yesterday when we spoke of copper coming from foreign countries in competition with the copper mined in this country.

Today we are facing a condition in this country as the result of development of industries abroad, where low wages and poor working conditions exist, that unless some protection is set up in the form of a tariff wall or a quota, our industries in this country will be deluged with competition from foreign sources.

The article in the Wall Street Journal which I wish to call to the attention of the Committee on Merchant Marine and Fisheries and also to the attention of the Ways and Means Committee which considers tariff legislation, states:

> Visions of being swamped in a tidal wave of foreign fish have United States commercial fishermen blue around the gills.
>
> Already the wave is wildly splashing over the tariff wall. And State Department talk of knocking a few stones from the top of that wall puts the fishermen through a St. Vitus dance.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. BRADLEY of Michigan. Does the gentleman recall that during the war, under the terms of lend-lease, we took some Russian ships belonging to our friends over there and reconditioned them and made floating cannons out of them in our own shipyards, under lend-lease?

Mr. BATES of Massachusetts. That is true. Of course, some of those ships, under lend-lease, have been converted to great refrigerator ships, probably to which the gentleman refers. But I wish to call to the attention of the Committee on Merchant Marine and Fisheries that the imports of fish today constitute over 40 percent of the entire production of what we call fish filets in the New England area. That is fish from which the bone is taken and made available to the markets in this country. It is over 40 percent of what we produce in the New England area.

This article refers to the situation that exists in Seattle. Out of a fleet of 350 "otter" trawlers, the type used in catching fish for filets, only a lonely 25 are now in operation. The rest are idle. They cannot operate at high cost against the competition of outside fish prices that they enumerate in this article. We see the spirit of the totalitarian states spreading over Europe, and we see the nationalization of industries taking place in those countries. The industries themselves are subsidized and the industries

pay atrociously low wages to their employees, who must work under the most deplorable conditions. We simply cannot compete against such conditions and maintain our industrial working class in the United States.

I am making these few statements to this Committee and to the Ways and Means Committee only to indicate that a full study must be made of the over-all and most pressing problem confronting our industries, particularly the fishing, shoe, and textile industries. As soon as Europe and Asia rehabilitate their industry and commerce we shall feel the brunt of their competition. While we, of course, are happy to help them, there is a limit beyond which we cannot go.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. BRADLEY of Michigan. Mr. Chairman, I have no further requests for time.

Mr. HART. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. MEADE].

Mr. MEADE of Maryland. Mr. Chairman, I represent one of the largest shipbuilding districts in the United States. I rise in support of the bill, but I support it with the greatest reluctance. I support it simply because it seems to me to be the only thing to do under the circumstances.

It is, indeed, a sad commentary on our short-sightedness and lack of planning for our future self-protection to have safety laws but no ships capable of complying with them. I, therefore, call upon this Congress to give the most careful consideration to seeing that proper appropriations are made so that we can have sufficient passenger cargo ships of modern design and meeting proper safety standards, so that American ships can take their proper place on the seven seas of the world and so the American merchant marine will be second to none.

The Congress of the United States, through the Merchant Marine Act, 1936, established a United States Maritime Commission and directed that organization "to further the development and maintenance of an adequate and well-balanced American merchant marine, promote the commerce of the United States, and to aid in the national defense." Today we find the Maritime Commission and the merchant marine in the very peculiar position of having carried out its directives too well.

The Maritime Commission which we established had hardly wet its feet in a sound program for our merchant marine industry when war broke out in Europe and when this Nation was drawn into the turmoil through the bombing of Pearl Harbor. We, as a nation, and many of the young men in our armed forces who returned home safely, can thank our lucky stars that the program of the Martime Commission was established and working when we went to war. In World War I the shipyards of this country, tremendous though they were, failed to deliver a single newly constructed dry-cargo vessel before the armistice was signed. Our men and equipment were transported on foreign-flag ships.

During the first year of the recent hostilities the merchant shipyards of the Nation, under the direction of the United States Maritime Commission, delivered more than 8,000,000 deadweight tons of cargo shipping into the service of the Allies. The shipbuilding know-how, developed under the 1936 act and vital to the Nation, was paying big dividends. The next year 16,000,000 tons were delivered, and by the middle of the third year the shipping needs of our United Nations had been largely met and our supplies flowed overseas on a bridge of ships. That bridge of ships saved thousands of lives and made a vital contribution to an early end of hostilities. These same ships continued to serve the world in its rehabilitation and relief.

Today that Commission, with its war task successfully accomplished, stands in the unique position of having the world's largest merchant fleet, yet vitally lacking in the elements of a well-balanced fleet, as directed by the Merchant Marine Act.

War did not require the building of passenger-type vessels, except as troop ships, nor did it require the building of the latest modern technically improved cargo ships. War demanded only that we get the ships quickly and move great weights of cargoes overseas. Cargo ships became as much an implement of war as tanks, bombers, and battleships.

In the early days of the war our entire passenger fleet was extensively converted in that other phase of the Merchant Marine Act of 1936—the national defense. The one-hundred-and-thirty-odd passenger vessels in the active American flag service in June of 1939 became the troop ships and special-service ships of the armed services that carried our men safely overseas.

Of that prewar merchant fleet more than one-third were over 20 years of age, the legal lifetime set by the Merchant Marine Act of 1936. It was part of the Maritime Commission's program to replace these passenger ships as they reached the end of their longevity. War prevented the orderly procedure outlined by the Maritime Commission. That passenger-ship operation is vital to the merchant-marine industry, can best be pointed out by a situation which existed prior to the war. In 1 day foreign-flag ships, in competition with American-flag ships, carried out of New York Harbor 5,000 passengers, most of them American, skimming the cream from some $1,500,000 worth of business. The United States needs passenger ships to carry our businessmen and the products of America to the whole world.

Today the United States merchant marine faces world competition again. Practically every maritime nation in the world is rushing the completion of the most modern merchant fleet, including adequate passenger transportation facilities, yet the shipyards of America have not laid a single keel to replace the vessels lost in war service or those which have became over-age, or those whose extensive military conversion makes it too expensive to reconvert them.

Great Britain alone is building 454 vessels; Holland, 91; Italy, 87; Sweden, 66; Norway, 62; and France, 58. Among these vessels are passenger vessels designed to once again skim the cream of American travelers. Compared to these fleets, American shipyards have under construction some 64 vessels, of which the major portion are cargo types carrying relatively few passengers and designed for specific trades.

The Merchant Marine and Fisheries Committee of the House of Representatives has recently held hearings and approved the extension of waiver privileges to the Coast Guard in order that the vital need for passenger ships might be met through the use of troopships and other vessels which do not meet American standards.

We do not want, and we must not, continue to use these ships beyond the existing emergency. We should replace them with adequate passenger tonnage designed to keep the American flag in the world's passenger business. The Merchant Marine Act directs the Maritime Commission to build a fleet composed of the best equipped, safest, and most suitable types of vessels, yet today, in the North Atlantic, there is only one passenger ship carrying the Stars and Stripes which meets all the Coast Guard requirements and American standards. That is the flagship of our merchant fleet—the *America*—the largest vessel ever built in this country and admittedly the safest ship afloat. We need more ships with those same characteristics. Some of our prewar passenger vessels are still operating in emergency service under waivers from the Coast Guard. A few are in various stages of reconversion to resume their passenger runs. At the moment that is all that is being done to meet this critical situation, and it falls far short of meeting the directives of the Congress.

A year ago the United States Maritime Commission approved 31 ocean-trade routes essential to the economy and defense of this Nation. How essential these routes were was felt by the people of this Nation when our coffee cups and sugar bowls ran dry. Foreign shipping, upon which we had come to depend, was withdrawn from our shores by the war in Europe. The mother countries had called home their fleets for their defense.

In view of these essential trade routes, the Maritime Commission has set up minimum requirements for each route, establishing the number of vessels and the type of service believed to be essential to meet the directives of the Merchant Marine Act of 1936.

The Maritime Commission had laid plans for the design of vessels it anticipated would be required to meet such services. The Commission had received bids on three vessels to be placed in the North Atlantic-Mediterranean run, but deferred construction of these vessels at the request of the administration until such time as materials might be more available. Other ships were on the drawing boards which would place the United States merchant fleet in a truly competitive position with foreign-flag vessels and meet the directives of the Merchant Marine Act of 1936. However, unless the Congress provides the funds necessary to carry out the directives of the Merchant Marine Act of 1936 the hands of the

United States Maritime Commission are tied and each day our merchant fleet loses its equitable share of world trade and foreign commerce.

It is my belief that all agencies of Government should cooperate in supporting this Nation's position in all phases of our endeavor to create a world united in lasting peace. As the Maritime Commission bent its efforts to aid the armed services in winning the war and, following the end of the war, carried out the requests of the United Nations and the United States Government in the rehabilitation of the world, so should our peacetime government in all its elements support our peacetime merchant marine. I therefore urge that this Congress give full consideration to the carrying out of the directives so clearly stated in the Merchant Marine Act of 1936, "It is hereby declared to be the policy of the United States to foster the development and encourage the maintenance of such a merchant marine," adequate to carry a substantial share of our world trade and to serve in our Nation's defense, a truly well-balanced merchant marine.

Mr. HART. Mr. Chairman, I have no further request for time on this side.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That upon the termination of title V of the Second War Powers Act, 1942, as last amended by the act of June 29, 1946 (Public, No. 475, 79th Cong.), and upon request of the Secretary of War to the head of each department or agency responsible for the administration of navigation and vessel-inspection laws, the operation of all such laws shall be suspended in relation to all vessels operated by the War Department: *Provided*, That such suspension shall be effective only until December 31, 1947.

With the following committee amendment:

Page 1, at the end of line 8, insert "of which suspension is so requested."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 1, after the word "department", insert "as to which such suspension has been requested."

The committee amendment was agreed to.

Mr. WEICHEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WEICHEL: Page 2, line 4, after the date "1947", insert a paragraph as follows:

"*Provided further*, That the operation of the navigation and vessel-inspection laws requiring specified lifesaving equipment shall not be so suspended."

Mr. WEICHEL. Mr. Chairman, it can be readily seen that there should be offered to the soldier in the armed forces some little protection. Even though there might be a so-called necessity to waive every law protecting those at sea during the war, I hardly see that need in peacetime. But if you want to give this authority to the War Department to waive every law with reference to safety at sea and permit the herding of our soldiers on ships, I ask you at least to consider this amendment whereby the War Department cannot suspend the specific laws with reference to lifesaving equipment on a ship.

That is all I have to say with reference to the amendment I have offered. I ask that you give the soldier at least this little bit of protection.

Mr. BRADLEY of California. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio.

Mr. Chairman, the adoption of the pending amendment would practically make the entire bill useless. The fundamental difficulties of the ships which are covered are deficiencies in lifesaving arrangements. Those deficiencies are primarily due to war conditions. As I explained to you, most of these ships for which we are requesting waiver are those which were built for the purpose of landing troops in various harbors where invasions were contemplated and where you had ample time to pick your boats up with power, put your troops in, and launch them. The double-bank boats were entirely satisfactory also. However, that type of davit is not acceptable to the Coast Guard and is not acceptable under the safety laws of the United States. Our safety laws require davits for ships carrying passengers to be such that the lifeboats may be launched without power. That is, you may drop certain chocks, push your boats and davit out, and lower away. You cannot do that in many ships fitted for combat service.

Mr. POTTS. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of California. I yield to the gentleman from New York.

Mr. POTTS. Does the gentleman understand that the ships which are operated have adequate lifesaving boats and equipment of that type?

Mr. BRADLEY of California. Some of them have that type of davit and some are a slightly different type, which is more acceptable.

Mr. POTTS. They all have sufficient lifeboats to take care of the people who are carried in the ships?

Mr. BRADLEY of California. They all have sufficient boats to take care of the people whom I contemplate the War Department will be carrying in the ships. As I said in my previous talk, they are carrying sometimes twice as many people now as they have boat capacity for, but we contemplate that will stop and the War Department has assured me it will stop.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of California. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Are the men to be allowed their choice in taking these boats?

Mr. BRADLEY of California. There is no choice, as far as I know. There are no other ships. If the Army must go it must go in the type of ships that are available. If the public or dependents wish to go on that type of ship they have the privilege of going. If they do not want to travel on that type of ship they must stay at home because there are no other ships.

Mrs. ROGERS of Massachusetts. Do they know what kind of ships they are sailing in?

Mr. BRADLEY of California. I would assume the Army people know what they are getting into. I may also assure the gentlewoman from Massachusetts that the Army has an almost perfect record during the war and since the war in the operation of these ships. Personally, I do not like it, but there is no other choice that I can see.

Mrs. ROGERS of Massachusetts. They can find no other ships?

Mr. BRADLEY of California. There are no ships available in the world today except these. It is the general impression that we stand in a very fine position insofar as the merchant marine is concerned, but we have never been in such a sad condition in the history of the United States so far as I know concerning passenger ships.

Mrs. ROGERS of Massachusetts. No effort has been made to find out the feelings of the people who want to go on those ships?

The CHAIRMAN. The time of the gentleman from California has expired.

The question is on the amendment offered by the gentleman from Ohio [Mr. WEICHEL].

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HERTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 1240) to provide for the suspension of navigation and vessel inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended, pursuant to House Resolution 131, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. ROBERTSON asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Wall Street Journal.

Mr. HESELTON asked and was given permission to extend his remarks in the RECORD and include a statement he made last Monday before the House Committee on Education and Labor.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD in two instances and to include articles in each.

SPECIAL ORDER GRANTED

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

WAIVING COMPLIANCE WITH CERTAIN NAVIGATION AND VESSEL-INSPECTION LAWS

Mr. CHENOWETH. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 130 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H. J. Res. 76) authorizing and directing the Commandant of the United States Coast Guard to waive compliance navigation and vessel-inspection laws administered by the Coast Guard. That after general debate, which shall be confined to the joint resolution and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Merchant Marine and Fisheries, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution for amendment, the committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. CHENOWETH. Mr. Speaker, this resolution makes in order the consideration of House Joint Resolution 76, authorizing and directing the Commandant of the United States Coast Guard to waive compliance navigation and vessel-inspection laws administered by the Coast Guard.

Mr. Speaker, this House joint resolution is almost identical to the bill which the House has just passed, H. R. 1240. This measure covers all vessels operated by our merchant marine, while the previous legislation referred only to vessels belonging to and operated by the War Department. These ships are urgently needed, but cannot meet the high safety standards now required. For this reason, the authority to waive inspection laws must be continued after the expiration of the Second War Powers Act.

Mr. Speaker, I have no requests for time. I yield to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, this bill has been reported, as I understand, by unanimous vote of your committee. A rule was also granted by unanimous vote. Because it is my aim to expedite the business of the House, and having no requests for time, the gentleman may move the previous question.

Mr. CHENOWETH. I thank the gentleman from Illinois.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON BANKING AND CURRENCY

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the House Committee on Banking and Currency may have until midnight Saturday night to file reports on House bill 2535 and House Joint Resolution 146.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

WAIVING COMPLIANCE WITH CERTAIN NAVIGATION AND VESSEL-INSPECTION LAWS

Mr. BRADLEY of Michigan. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H. J. Res. 76) authorizing and directing the Commandant of the United States Coast Guard to waive compliance navigation and vessel-inspection laws administered by the Coast Guard.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 76, with Mr. GAMBLE in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

Mr. BRADLEY of Michigan. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I have previously explained, in the debate on the bill H. R. 1240, the fears I have with respect to that legislation as well as the pending legislation which, as the gentleman from Colorado [Mr. CHENOWETH], of the Rules Committee, has said, are identical in their purposes. This bill applies, of course, to civilian vessels, the inspection laws covering which are administered by the commandant of the Coast Guard through the Bureau of Marine Safety.

There are two basic questions to be considered in the waiving of these laws in this particular case as applied to civilian vessels. The first one has to do with the waiving of the safety requirements; and the same arguments advanced as to the bill H. R. 1240 apply generally to this particular bill, except for the fact that in most instances, I think practically in all instances, we have had no evidence that these ships have been overloaded to the extent of the Army ships in the movement of their people.

The second phase has to do with the waiving of the safety requirements with respect to the crews; that is, the waiving of the employment of a certain percentage of aliens in a crew.

Now, to touch on the first question: Again we come up against the problem that we have a lot of people to be moved all over the world; and the only way we can move them is in the bottoms that are presently available, because there are not sufficient passenger ships available today.

As I previously said, most of them are in the shipyards being reconverted from their wartime service. There are only five passenger ships operating on the oceans of the world today that would come up to our safety requirements and can be operated without waiver. There is the liner *America*, which is the safest ship afloat. There are three ships being operated in the South American trade. There is also one ship operating on the Pacific. That is the whole list of the American passenger merchant marine as of today that can operate without these waivers.

Now, Mr. Chairman, at this point, under authority granted me previously today in the House, I want to incorporate a tabulation of the passenger ships operating in the United States North Atlantic ports, European Atlantic, and Mediterranean ports, as furnished to our Committee by Commander Parkhurst of the Maritime Commission. Remember, if you will, what I previously said today, that our safety standards are the highest in the world and we have testimony before our committee that there is not a single flagship today that can measure up to our standards and Americans are traveling on them. So when people try to tell you, or scare headlines cry out, we are carrying people in an unsafe manner in the American merchant marine, just remember that these foreign flagships, in my opinion, are by and large not as safe as the ships for which these waivers are presently being asked. Also, I suggest, Mr. Chairman, that the Membership of this House look over the total carrying capacity of the present passenger-carrying merchant marine as contrasted with those of foreign flags and then ask yourselves whether the American merchant marine is today paramount on the high seas. It certainly is not and it is to our disgrace that it is not. It is about time we wake up, if we would maintain the American merchant marine paramount.

We have to have appropriations to build ships, if we are to compete in the world trade. We must have comparable operating costs, and that includes labor costs. Above all, we must have courteous crews. We must have a cuisine equal to that on foreign ships. In short we must realize that as of today we cannot maintain the American flag paramount on the high seas as far as passenger carrying is concerned, unless we wake up; and, as the gentleman from California [Mr. WELCH] pointed out earlier today, we must permit the American merchant marine to operate aircraft in the world trade paralleling their own steamship routes, on many of which we pay a handsome subsidy from the American taxpayers' pockets.

Passenger service, present and anticipated, 1947–48, United States North Atlantic ports to European Atlantic and Mediterranean ports

UNITED STATES FLAG

Operator and name of vessel	Passenger capacity by classes	Service	Remarks
UNITED STATES			
United States Lines:			
America	First, 519; cabin, 541; tourist, 189; total, 1,049	New York to Cobb, Southampton, Le Havre.	Now operating.
Washington	Cabin, 578; third, 141; tourist, 368; total, 1,087	do	Now operating under waiver.
John Ericsson	Cabin, 227; third, 888; tourist, 398; total, 1,513	do	Do.
Marine Marlin	Cabin, 228; dormitory, 208; troop, 490; total, 926	Ireland, England, France, Germany	Do.
Marine Flasher	Cabin, 230; dormitory, 192; troop, 492; total, 914	do	Do.
Ernie Pyle	Cabin, 228; dormitory, 192; troop, 444; total, 869	do	Do.
Marine Falcon	Cabin, dormitory, troop, 900, approximate	do	Do.
American Export Line:			
Saturnia (Italian flag), American Export Line, agents.	First, 349; third, 555; tourist, 409; total 1,313	New York to Mediterranean	Vessel under Italian registry; now operating.
Vulcania (Italian flag), American Export Line, agents.	First, 330; third, 625; tourist, 376; total 1,331	do	Do.
Marine Shark	Cabin, 230; dormitory, 240; troop, 460; total 930	Italy	Now operating under waiver.
Marine Carp	Cabin, 244; dormitory, 192; troop, 429; total 865	Levant	Do.
Marine Perch	Cabin, 244; dormitory, 192; troop, 465; total 901	Azores, Portugal, Italy	Do.

FOREIGN FLAG

BRITISH			
Cunard White Star Line, Ltd.:			
Queen Elizabeth	First, 850; cabin, 720; tourist, 774; total, 2,344	New York to Southampton	Now operating.
Aquitania	Cabin, 523; third, 1,150; tourist, 355; total, 2,028	do	Do.
Franconia	Cabin, 260; third, 270; tourist, 350; total, 880	New York to Liverpool, Belfast	Do.
Queen Mary	Cabin, 735; tourist, 760; third, 580; total, 2,075	New York to United Kingdom and France.	Expected to return to service late spring or early summer of 1947.
Mauretania (new)	Cabin, 486; tourist, 393; third, 412; total, 1,291	do	Ready March 1947.
Britannic	Cabin, 504; tourist, 551; third, 466; total, 1,521	do	Ready June 1947.
Caronia	Cabin, 486; tourist, 393; third, 412; total, 1,291	New York to United Kingdom	Under construction.
Media	Total, 250	do	Do.
Parthia	do	do	Do.
Johnston & Warren Line:			
Newfoundland	First, 75; tourist, 80; total 155	Boston to Liverpool	Do.
Nova Scotia	do	do	Do.
CANADIAN			
Canadian Pacific:			
Empress of Canada (ex-*Duchess of Richmond*).	Cabin, 571; tourist, 480; third, 508; total 1,559	Montreal to Liverpool	Ready April 1947.
Empress of India (ex-*Duchess of Bedford*).	do	do	Ready late 1947.
NETHERLANDS			
Holland-American Line:			
Edam	Cabin, 28	New York to Rotterdam	Now operating.
Noordam	Tourist, 125	do	Do.
Westerdam	First, 90	do	Do.
Veendam	Cabin, 260; tourist, 275; third, 240; total 775	New York to Holland and United Kingdom.	Ready March 1947.
Nieuw Amsterdam	Cabin, 531; tourist, 494; third, 200; total 1,225	New York to Holland	Ready summer 1947.
FRENCH			
French Line:			
Ile de France	Cabin, 561; third, 440; tourist, 475; total, 1,476	New York to Cherbourg	Now operating.
Oregon	Cabin, 37	New York to Havre	Do.
Wisconsin	Cabin, 40	New York to France	Do.
De Grasse	Cabin, 325; tourist, 215; third, 250; total, 790	do	Ready 1948.
Liberte (ex-*Europa*)	Cabin, 545; tourist, 577; third, 859; total, 1,981	do	Do.
SWEDISH			
Swedish American Line:			
Gripsholm	Cabin, 182; third, 902; tourist, 494; total, 1,578	New York to Goteborg	Now operating.
Drottningholm	Cabin, 182; third, 502; tourist, 277; total, 961	do	Do.
Stockholm	Cabin, 50	New York to Sweden	Under construction.
NORWEGIAN			
Norwegian-America Line: *Starangafjord*	Cabin, 100; third, 660; tourist, 200; total, 960	New York to Norway	Now operating.
DANISH			
East Asiatic Line:			
Falstria	First, 50	New York to Copenhagen, Gdynia	Do.
Jutlandia	First, 55	do	Do.
POLISH			
Gdynia America Line: *Batory*	Tourist, 360; third, 402; total, 762	New York to Gdynia	Ready April 1947.
SPANISH			
Compania Trasallantica (Spanish line):			
Marques de Comillas	First, 149; second, 53; third, 899; total, 1,101	New York to Bilbao, Cadiz	Now operating.
Magallanes	First, 139; second, 842; third, 52; total, 1,033	do	Do.
Olympia	650	New York to Mediterranean	Do.
PORTUGUESE			
Companhia Nacional De Navegacao: *Lourenco Marques.*	First, 128; second, 93; third, 80; total, 301	New York to Lisbon	Do.
PANAMANIAN			
Greek Line (Greek): *Katoomba*	Total, 593	New York to Italy, Greece	Do.
ITALIAN			
Italia Line: *Ferruccio Buonapace*	Total, 150	New York to Mediterranean	Under construction.

Source: U. S. Maritime Commission, Research Division.

We have about 40,000 American citizens overseas who were trapped there during the war and are anxious to get back to this country. They are anxious to move in anything that will float, with a reasonable degree of safety. These ships, while they are still operating under waiver, are reasonably safe. As the gentleman from California [Mr. BRADLEY] pointed out as to the last bill, the biggest hazard on these ships is the question of fire protection. They do have sufficient lifeboat capacity on these ships as they are now being operated. Many of them are converted cargo carriers, C–4's, as we call them. Some of them are known as what they call dormitory ships, which are just exactly what the term signifies. They have large dormitories for men, women, and children, and central lavatory facilities, sanitation facilities, and so forth.

We have about 75,000 displaced persons in Europe today being fed by the army of occupation forces. We have to feed them or move them. We are trying to repatriate some of these people just where they are, and some we are trying to move down to South America, so that they can settle there where there is territory for them in which to live. They have to be moved by somebody. Our State Department wants us to do it and we are trying our best to do it.

As I previously said, something like 5,800 dangerous Nazis, in the opinion of our State Department and Army officials, ought to be moved out of South America back to Germany. We have a certain number of people who have to go abroad either for their own private business or on the business of the Government. Those people have to be moved. We simply have to take advantage of the bottoms that exist.

With reference to this manning situation, there we have a situation we do not like. I do not know how many of you have had an opportunity to read the RECORD of yesterday. I placed in the Appendix of the RECORD yesterday, page A969, some correspondence that I had with Mr. Phil Murray calling attention to a telegram which he sent me on February 25 last, in which he complained that we were selling our ships, both privately owned and Government owned, out of the surplus fleet, for operation under the Panamanian and Honduran flags.

In a conference this morning with Mr. Joseph Curran, president of the CIO National Maritime Union, and Mr. Harry Lundeberg, president of the Seafarers' International Union, representing two of the largest maritime unions, they complained that we were selling ships to Greece and other countries for operation under foreign flags. The figures which I shall put in the RECORD do not bear out their statements to quite the degree that they had previously been informed, and they admitted that they had no definite figures.

I shall insert in the RECORD figures from the Maritime Commission:

American-owned vessels transferred to Honduran or Panamanian registry, July 1, 1946, to Jan. 31, 1947

	Domestic-owned		Foreign-owned		Total	
	Number	Gross tons	Number	Gross tons	Number	Gross tons
Privately owned:						
Dry cargo	15	54,669	36	192,862	51	247,531
Tankers	5	38,864	2	15,597	7	54,461
Total	20	93,533	38	208,459	58	301,992
Government-owned:						
Dry cargo	18	116,843	41	272,588	59	389,431
Tankers	5	43,305	----	----	5	43,305
Total	23	160,148	41	272,588	64	432,736
Grand total	43	253,681	79	481,047	122	734,728

Source: U. S. Maritime Commission, Mar. 12, 1947.

Approvals granted, pursuant to secs. 9 and 37 of the Shipping Act, 1916, as amended, of the transfer to foreign ownership and/or registry and flag of American-owned vessels for the period commencing July 1, 1946, to and including Jan. 31, 1947

	Total number	Total gross tons
PRIVATELY OWNED VESSELS		
I. Sailing vessels	----	----
II. Tugs, barges, etc.	14	3,693
III. Yachts, pleasure craft	20	4,677
IV. Tankers	16	108,430
V. Commercial vessels under 1,000 gross tons	38	6,218
VI. Commercial vessels over 1,000 gross tons:		
(a) By subsidized lines	12	74,720
(b) By nonsubsidized lines	69	297,299
Total, July 1, 1946, to Jan. 31, 1947	169	495,037
U. S. GOVERNMENT OWNED		
Total number of all types	438	[1] 2,656,296
Grand total, July 1, 1946, to Jan. 31, 1947	607	3,151,333

[1] Of this total 18 were under 1,000 gross tons, 15 of which were sold to UNRRA.

On the same date, February 25, I had a letter from Mr. Philip Murray, president of the CIO, in which he complained that we were not permitting a sufficient number of aliens to work on our ships. On the one hand, they complain about selling the ships for foreign-flag operation by American operators, which he says is being done to avoid the high standard of American wages and safety at sea, and then in the next letter they turn around and complain because we are not permitting sufficient aliens to work on our ships.

The figures show that we have about 17½ percent alien crews on our ships operating today. I shall put in the RECORD the exact figures under permission obtained in the House earlier today. I will also insert in the RECORD a breakdown of the number of these alien seamen who are now in the merchant marine. A little while ago they had a delegation down here who went around to the State Department and the Maritime Commission and the Coast Guard and some of the Members of Congress, although they did not come in to see me, with a proposal that we will have before our committee very shortly, in which they asked that we blanket into American citizenship some 14,000 alien seamen who served in the American merchant marine during the war. They propose that they shall be automatically blanketed in. They made the representation that the vast majority of these aliens were Norwegians, Danes, and other Scandinavians. As a matter of fact, a break-down of the figures shows an entirely different story. There are perhaps within this 14,000 not to exceed 1,000 Scandinavians. By far the greater majority of them are men from the Latin-American countries who are National Maritime Union members and are very glad indeed to work under our high scale of wages and are very glad indeed to pay the union dues, which seems to be the principal concern of the unions and seems to be the main reason why they are interested in having these men blanketed into citizenship. They are easier to control.

Now, Mr. Chairman, in order that the record may be straight, and in order that the facts may be known to the public and to the unions and to everyone else, I insert in the RECORD at this point several statistical documents—the first of which is a tabulation presented by the Coast Guard giving the complete data of the number of aliens in the unlicensed crews of American registered vessels at sea on March 7, 1947.

TABLE I—*Data on aliens in unlicensed areas of American-registered vessels at sea on Mar. 7, 1947*

	Number of American-registered vessels at sea	Number of unlicensed personnel aboard such vessels	Number of unlicensed aliens aboard such vessels	Percentage of aliens in unlicensed personnel
Atlantic coast	893	32,602	6,695	20.5
Gulf coast	291	11,410	1,244	10.9
Pacific coast	277	8,887	1,324	14.9
Total	1,461	52,899	9,263	17.5

Now, that gives the over-all picture. Next, I submit table 2, likewise prepared from the actual shipping records of the ships at sea on March 7, 1947, furnished by the Coast Guard. At my request they endeavored to give us a spot check on ships then at sea on the Atlantic, the Gulf and the Pacific. In the time available, we could not cover each of these 1,461 ships, but we made a spot check on these three sea lanes taking the exact figures on one passenger ship, one combination passenger and cargo ship, three freighters and three tankers. While the figures speak for themselves as

to nationalities, I call your attention to the fact that the spot check shows an over-all average of 17.4 percent of aliens in the unlicensed personnel—which jibes very closely with the 17.5 percent previously referred to:

TABLE II.—*Data on aliens according to nationalities in unlicensed crews of 8 American registered vessels (1 passenger, 1 combination passenger and cargo, 3 freighters, and 3 tankers) from each of the three coasts (Atlantic, Pacific, and Gulf) at sea on Mar. 7, 1947*

Coast	Number of vessels	Number of unlicensed personnel aboard such vessels	Number of aliens in unlicensed personnel of such vessels	Nationalities of unlicensed aliens aboard such vessels													Percentage of aliens in unlicensed personnel
				Mexican, South American, Central American	Philippine Islands	Spanish	British	French	Slavic	Belgian, Dutch	Oriental	Scandinavian	Portuguese	Greek	Polish	Russian	
Atlantic	1. Passenger	345	110	36	13	3	26	4	2	4	11	2	3	1	3	2	31.8
	2. Combination cargo and passenger.	37	16	6	2	0	4	1	0	0	1	0	2	0	0	0	43.2
	3. Freighter	37	8	0	0	0	1	0	1	0	0	4	0	1	0	1	21.6
	4. Freighter	34	8	0	0	0	0	0	0	1	0	5	0	0	1	1	23.5
	5. Freighter	36	5	1	0	1	1	0	0	0	2	0	0	0	0	0	14.0
	6. Tanker	33	11	3	0	1	1	0	1	1	0	2	1	0	0	1	33.3
	7. Tanker	31	6	1	2	0	1	0	0	0	0	2	0	0	0	0	19.4
	8. Tanker	34	4	1	0	1	2	0	0	0	0	0	0	0	0	0	11.8
Total		588	168	48	17	6	36	5	4	6	14	15	6	2	4	5	
Percentage of aliens based on entire unlicensed crews.				8.2	2.9	1.0	6.1	0.9	0.7	1.0	2.4	2.6	1.0	0.3	0.7	0.9	28.8
Percentage of aliens based on total number of aliens in unlicensed crews.				28.6	10.1	3.6	21.4	3.0	2.4	3.6	8.3	8.9	3.6	1.2	2.4	3.0	
Gulf	1. Passenger	123	4	0	0	1	0	0	1	0	0	2	0	0	0	0	3.3
	2. Combination cargo and passenger	48	9	5	1	0	2	0	0	0	0	1	0	0	0	0	18.8
	3. Freighter	29	7	3	0	1	0	0	0	0	0	1	1	0	0	1	24.1
	4. Freighter	30	7	4	0	0	2	0	0	1	0	0	0	0	0	0	20.3
	5. Freighter	35	7	3	1	1	1	0	0	0	1	0	0	0	0	0	20.0
	6. Tanker	36	3	1	0	0	1	0	0	1	0	0	0	0	0	0	8.3
	7. Tanker	27	1	1	0	0	0	0	0	0	0	0	0	0	0	0	3.7
	8. Tanker	22	2	0	0	1	1	0	0	0	0	0	0	0	0	0	11.8
Total		350	40	17	2	4	7	0	1	2	1	4	1	0	0	1	
Percentage of aliens based on entire unlicensed crews.				4.9	0.6	1.1	2.0	0	0.3	0.6	0.3	1.1	0.3	0	0	0.3	11.4
Percentage of aliens based on total number of aliens in unlicensed crews.				42.5	5.0	10.0	17.5	0	2.5	5.0	2.5	10.0	2.5	0	0	2.5	
Pacific	1. Passenger	324	47	2	24	0	6	0	0	3	6	1	2	2	0	1	14.5
	2. Combination cargo and passenger.	74	2	0	0	0	0	0	0	0	0	0	0	1	1	0	2.7
	3. Freighter	29	4	0	1	0	1	0	0	1	0	0	0	0	0	1	13.8
	4. Freighter	38	2	0	2	0	0	0	0	0	0	0	0	0	0	0	5.3
	5. Freighter	38	1	0	0	0	0	0	0	0	0	1	0	0	0	0	2.6
	6. Tanker	35	2	0	2	0	0	0	0	0	0	0	0	0	0	0	5.7
	7. Tanker	39	1	1	0	0	0	0	0	0	0	0	0	0	0	0	2.6
	8. Tanker	31	2	0	2	0	0	0	0	0	0	0	0	0	0	0	6.5
Total		608	61	3	31	0	7	0	0	4	6	2	2	3	1	2	
Percentage of aliens based on entire unlicensed crews.				0.5	5.1	0	1.2	0	0	0.7	1.0	0.3	0.3	0.5	0.2	0.3	10.0
Percentage of aliens based on total number of aliens in unlicensed crews				4.9	50.8	0	11.5	0	0	6.6	9.8	3.3	3.3	4.9	1.6	3.3	
Grand total		1,546	269	68	50	10	50	5	5	12	21	21	9	5	5	8	
Percentage of aliens based on entire unlicensed crews.				4.4	3.2	0.6	3.2	0.3	0.3	0.8	1.4	1.4	0.6	0.3	0.3	0.5	17.4
Percentage of aliens based on total number of aliens in unlicensed crews.				25.3	18.6	3.3	18.6	1.9	1.9	4.5	7.8	7.8	3.3	1.9	1.9	3.0	

Now, Mr. Chairman, right at this point, I want to call attention to some figures which were very interesting to me. They refer to the crew lists of the steamship *America*, the safest ship afloat and the flagship of our passenger-carrying merchant marine, and the steamship *Washington*. In submitting these figures I should give the membership a little of the background. These are, perhaps, our two best passenger-carrying ships with which we are attempting to capture the postwar travel of the citizens of this Nation and the entire world.

When we put the steamship *America* back into service, we went to considerable pains to hand-pick her crew. Mr. Curran of the National Maritime Union and Admiral Smith of the Maritime Commission cooperated in hand-picking this crew and in bringing them to the war-famous Sheepshead Bay Training Center, just outside of New York, where they were especially trained and indoctrinated into how to serve the world-wide traveling public so that that same international public could be made to realize we were really making a bid for supremacy on the high seas as far as passenger vessels were concerned. The steamship *Washington* is, perhaps, our second best bid for this world supremacy.

It is interesting to note the fact that while we spent many many thousands of dollars training these special crews, under the rotary hiring system followed by the unions today many of the original members of these crews have since gotten off those ships and as the figures show have been supplanted by an ever-increasing number of aliens. It is an ominous trend I do not like and, frankly, I don't believe the union leadership likes it either. I know the operators of the steamships themselves do not like it.

Mr. Chairman, as I told Mr. Murray, as chairman of this Merchant Marine and Fisheries Committee, I stand four-square for an American merchant marine second to none in this world, manned by American citizens, and I believe my splendid committee stands back of me foursquare; and if there is anyone who doubts that or questions the stand our committee has taken, we will be very glad to give them a thoroughly aired hearing at any time.

I have expressed my thorough disapproval of this entire program in no uncertain terms, which you will find in the RECORD and which I shall not repeat.

TABLE III.—*Data on aliens according to nationalities for voyages No. 1 and No. 6 of the S. S. "America" and voyages No. 11 and No. 13 of the S. S. "Washington"*

Vessels	Number of unlicensed personnel on board	Number of aliens in unlicensed personnel on board	Nationalities of unlicensed aliens on board															Percentage of aliens in unlicensed personnel.
			Mexican, Central American, South American	Philippine Islands	Spanish	British	French	Slavic	Belgian, Dutch	Oriental	Scandinavian	Portuguese	Greek	Polish	Russian	Austrian	Italian	
S. S. *America:*																		
Voyage No. 1, commencing on Nov. 27, 1946	698	98	14	9	0	27	4	10	10	9	7	2	0	1	0	1	4	--------
Percentage of aliens based on entire unlicensed crew	----------	----------	2.0	1.3	0	3.9	0.6	1.4	1.4	1.3	1.0	0.3	0	0.1	0	0.1	0.6	14.0
Percentage of aliens based on total number of aliens in unlicensed crew	----------	----------	14.3	9.2	0	27.6	4.1	10.2	10.2	9.2	7.1	2.0	0	1.0	0	1.0	4.1	--------
Voyage No. 6, commencing on Feb. 21, 1947	663	129	18	8	7	40	5	15	7	12	3	2	1	3	2	1	5	--------
Percentage of aliens based on entire unlicensed crew	----------	----------	2.7	1.2	1.1	6.0	0.8	2.3	1.1	1.8	0.5	0.3	0.2	0.5	0.3	0.2	0.8	19.5
Percentage of aliens based on total number of aliens in unlicensed crew	----------	----------	14.0	6.2	5.4	31.0	3.9	11.6	5.4	9.3	2.3	1.6	0.8	2.3	1.6	0.8	3.9	--------
S. S. *Washington:*																		
Voyage No. 11, commencing on Nov. 27, 1946	442	109	15	14	3	29	4	11	4	11	4	3	2	3	1	3	0	--------
Percentage of aliens based on entire unlicensed crew	----------	----------	3.4	3.2	0.7	6.6	0.9	2.5	0.9	2.5	0.9	0.7	0.5	0.7	0.2	0.7	0	24.7
Percentage of aliens based on total number of aliens in unlicensed crew	----------	----------	13.8	12.8	2.8	26.6	3.7	10.0	3.7	10.0	3.7	2.8	1.8	2.8	0.9	2.8	0	--------
Voyage No. 13, commencing on Feb. 10, 1947	346	110	36	13	3	26	4	2	4	11	2	3	1	3	2	0	0	--------
Percentage of aliens based on entire unlicensed crew	----------	----------	10.4	3.8	0.9	7.5	1.2	0.6	1.2	3.2	0.6	0.9	0.6	0.9	0.6	0	0	31.8
Percentage of aliens based on total number of aliens in unlicensed crew	----------	----------	32.7	11.8	2.7	23.6	3.6	1.8	3.6	10.0	1.8	2.7	0.9	2.7	1.8	0	0	--------

Now, Mr. Chairman, this matter of aliens was called to my attention after the subcommittee had reported the bill. I did not know what trick the union had up its sleeve. But when the bill is read for amendment I intend to offer an amendment which will instruct the Commandant of the Coast Guard that he shall not issue waiver on any aliens except for employment in the steward's department. I have talked it over with Commodore Shepheard of the Coast Guard and Admiral Smith of the Maritime Commission and the operators and they are all in accord. Personally, I would like to insist that no waivers be granted on account of aliens anywhere on our ships, but they tell me there is a distinct shortage of qualified seamen in the steward's department and they feel for the time being they will have to ask that some waiver be granted in the steward's department. I will put some more interesting information in the RECORD, but this is another case of where we do not like the bill; we are sorry for the necessity of it, but if we are going to move these people we simply have to pass this bill and I hope it will be passed.

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The gentleman from New Jersey [Mr. HART] is recognized.

Mr. HART. Mr. Chairman, the arguments for the passage of this bill are exactly similar to and of equal force with the arguments advanced in behalf of H. R. 1240. The persons who will be carried on board the ships involved in this joint resolution are mainly of a different character and engaged in different pursuits, but the situation with respect to the ships themselves and with respect to the necessity for performing the work that the ships are engaged in, is exactly on a par with the necessities discussed in connection with the bill just passed by the House.

Therefore, Mr. Chairman, I do not desire to elaborate any further on this measure or take up any more of the time of the committee.

I yield back the remainder of my time.

Mr. BRADLEY of Michigan. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. WEICHEL].

Mr. WEICHEL. Mr. Chairman, the pending resolution covers the protection of American citizens transported on ships flying the flag of the United States. While there have been international conventions with reference to safety at sea and the United States has been a signatory, yet the so-called international standards of safety at sea have not been thought sufficient to protect the lives of American citizens. After the happening of each catastrophe at sea the Congress of the United States enacted laws for greater protection of American life at sea, and these protective measures have been enacted from time to time by Congress and are now enforced by the Coast Guard and set forth in the volume known as Laws Governing Marine Inspection. The purpose of this resolution is to place in the hands of the Coast Guard and give it absolute discretion to suspend the operation of every law built up by experience for the protection of American citizens riding on American-flag ships. The resolution does not provide for the suspension of a few, but it authorizes suspension of every last one, and misleads every person boarding an American-flag ship into the belief that he is riding on a ship complying with the laws of safety as enacted by the Congress of the United States, because the Coast Guard gives it sanction to sail. I do not believe that American citizens should be misled into believing they are riding on safe ships when it is absolutely the opposite. I do not believe that the Congress should so deal lightly with human life at sea, especially when these laws have been built up after years of experience and after each catastrophe at sea costing the lives of hundreds of American citizens. The excuse given in the request for the suspension of laws of safety at sea is that the War Powers Act might not be extended; that ships of other nations have lower standards and they had them when these safety laws were enacted; that Americans will ride on foreign ships; and that this country is going to take on a program of moving approximately 1,000,000 misplaced persons around the world on American-flag ships. I do not feel that these reasons are sufficient to ask the Congress to suspend laws enacted for the protection of human life at sea. Is the mere fact that foreign flags operate passenger ships with lower standards of safety than ours, that American citizens will ride on foreign ships—should that be a sufficient excuse to suspend the law of safety at sea and secretly expose without their knowledge the lives of American citizens riding on American-flag ships stamped with the approval of the Coast Guard? If civilians with full knowledge of the risks involved desire to ride on ships that do not come up to the laws of safety of the United States, it might be their privilege. However, I believe that the least that can be done with reference to civilians who have the free choice of riding is that they be informed that the ship does not comply with the laws of safety at sea. At the time of the reading of the bill I should like to offer an amendment for your consideration which might be of material assistance in saving lives of American people.

Mr. HART. Mr. Chairman, will the gentleman yield?

Mr. WEICHEL. I yield.

Mr. HART. The gentleman knows this bill is limited in its effect to April 1, 1948.

Mr. WEICHEL. Yes; it is limited to a definite period of time.

Mr. HART. In the course of his remarks the gentleman stated that there were 1,000,000 displaced persons to be transported in American ships. The gentleman does not mean to imply does he, that those million displaced persons are to be transported on ships during

the life of this bill if it is enacted into law?

Mr. WEICHEL. Most probably not. That was the suggestion at the hearings, that there might be that many displaced persons. They could not be moved in that period of time, obviously.

Mr. HART. As a matter of fact I believe that the gentleman will find that the number of displaced persons disclosed by the hearings was 800,000.

Mr. WEICHEL. I was looking at the record.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HART. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. LANE] and ask unanimous consent that he may speak out of order.

Then I yield the remainder of what time has been allotted to me to the distinguished gentleman from California, chairman of the subcommittee.

The CHAIRMAN. Is there objection to the request that the gentleman from Massachusetts may speak out of order?

There was no objection.

Mr. LANE. Mr. Chairman, we have blithely granted a loan of $3,750,000,000 to Great Britain. But even the extreme optimists do not expect that it will ever be paid back in full. We are becoming trained to astronomical appropriations and a skyrocketing debt.

In the process, we find some strange and baffling contradictions, which seem to put our financial policy in the same class as those mysteries above human understanding.

I have just mentioned the loan to Britain, which our friends across the water may justly regard as being "pound foolish." By way of contrast, I want to mention a smaller item, which has come to my attention.

Under the immigration quota system, it appears that 17,000 Irish men and women are entitled to leave their homeland and settle in the United States—17,000 each year. Now this is a small quota, compared with that allotted to some other countries. However, having established the quota, the understanding is that our Government shall do everything in its power to cut red tape and quickly process applications, so that those who qualify, may come to this country as soon as possible.

This is the theory but not the practice.

In fact, we are defaulting on our obligations to these future citizens.

Eight thousand Irish men and women—less than half the quota—have applied for immigration visas to the United States. But these visas, to which they are entitled, are not being granted because the American consulate general in Dublin claims that his staff is too small to handle the job.

Our consulate in Ireland, now processes only 100 visas monthly, or 25 a week. By right, if 17,000 Irishmen applied for entry to the United States in 1946, they should be permitted to enter the country in 1946. At the present rate of processing, it will take 7 years for half the 1946 quota to be cleared.

This is what I mean by calling our appropriations for the consular service "penny wise" and niggardly, cheapening us in the eyes of prospective citizens who rely upon our good faith. They have complied with their obligations in the matter, but we are failing in ours.

There is much resentment in the United States as well as Ireland over this inexcusable delay in granting visas to Irish emigrants. Many Senators and Congressmen have had the exasperating experience of trying to get action on these legitimate applications, only to be told that it is impossible so long as the consulate is inadequately staffed.

The consular service is not a war-time or emergency function of Government. It is a fundamental. But it seems that we have neglected fundamentals in our preoccupation with experiments.

Perhaps it is time to pay some attention to the prosaic obligations of Government.

With this in mind, I suggest that we make a modest financial appropriation that will enable our consular service to do the job for which it was intended. If we can lend—and I use the word advisedly—if we can lend billions to other nations, surely we can appropriate a few thousands to bring our own foreign service up to that degree of respectability where it will not have to make excuses for its shortcomings.

This "penny-wise" policy for our consulates and legations, is doing us a great disservice.

It should be remedied without delay.

Mr. BRADLEY of California. Mr. Chairman, we have just acted upon a bill to authorize the Secretary of War to waive certain requirements of vessel inspection laws insofar as ships operated by the War Department are concerned.

House Joint Resolution 76 now under consideration covers the same general waivers for vessels operated by private interests, whether owned either by such interests or by the United States Maritime Commission.

Title 5 of the Second War Powers Act provided that—

> The head of each Department or agency responsible for the administration of the navigation and vessel inspection laws * * * is authorized to wave compliance with such laws to such extent and in such manner and upon such terms as he may prescribe either upon his own initiative or upon the written recommendation of the head of any other Government agency, whenever he deems that such action is necessary for the conduct of the war.

As this title of the Second War Powers Act expires on March 31, 1947, all such vessels on which waivers are now being granted must be withdrawn from service on that date unless an extension of waivers is authorized and it is the purpose of this House joint resolution to bring about such authorization.

Prior to the war passenger ships under the United States flag were operating under safety regulations set up by the Congress, which regulations are more stringent than the rules of the International Convention for Safety at Sea, to which this Nation subscribes. Ships then under the American flag were taken over by the Government and largely modified to make them suitable for wartime service. In such service refinements for safety must be discarded in the pursuit of the greater aim of the transportation of troops and matériel required for the successful conduct of the war. As a result, ships which in prewar days complied with the requirements of our vessel inspection laws no longer meet these requirements and will not conform until considerable reconversions have been accomplished. It may be noted at this point that many of these ships were lost during the war, so that at the present time, even though the reconversions mentioned above were completed, the shipping facilities of the Nation would still be inadequate for the transportation of passengers in prewar passenger-carrying vessels.

A large number of vessels were built during the war, and many of these were fitted as personnel carriers. No efforts were made to bring these ships into compliance with normal vessel inspection laws, as such compliance would unfit them for their primary purpose of assisting in the exertion of our maximum efforts to achieve quick and complete victory. These ships carried great numbers of personnel during war years and since the cessation of hostilities and have had an enviable safety record.

Mr. BRADLEY of Michigan. Mr. Chairman, I yield 4 minutes to the gentleman from Maryland [Mr. MILLER].

Mr. MILLER of Maryland. Mr. Chairman, like other members of the Committee on Merchant Marine and Fisheries, I voted to report this bill and am supporting it because there is nothing else we can do. The hearings disclosed that if waivers were not continued at this time, the flag of the United States Merchant Marine would have to be hauled down or at least flown at half mast. Nevertheless, some of us on the committee act in this matter with great reluctance. To me this necessity of waiving safety requirements, more than a year and a half after VJ-day, is a sharp warning of the difficulties we face in maintaining our merchant marine in a healthy, leading position on the high seas.

Frankly, I am not so concerned with the gravity of present dangers to travelers. The persons carried by our ships will be infinitely safer than those who were transported during the shooting period of the war. And our record during those years was remarkable in the small loss of life, except for that resulting from enemy action.

What I think is ominous is that there appears to be no end in sight for the need of such waivers and of the taking of such calculated risks in the months to come.

The recent fire in New York Harbor on the one-time luxury cruise ship *Kungsholm*, now the *John Ericsson*, is a timely reminder of the ever-present fire hazard. About the same time 150 lives were lost from an 800-ton overcrowded steamer on the Yangtze River. Danger is ever present on shipboard. The radio this morning reported that one of our freighters struck a mine in the Mediterranean.

If we are to maintain the prestige of the American merchant marine, we must raise rather than lower our standards.

We cannot have a "big league" fleet that is only first class when it comes to carrying freight. We must have passenger ships of high quality as well—ships that may become great troop carriers, if the need arises. But at present this passenger fleet is not in sight in adequate strength and it will not grow as long as we use makeshifts without some dead line toward which we can look with confidence as the time when we will have ample modern and safe passenger service under our flag, with which to meet our commitments.

Mr. Chairman, this is an economy-minded Congress. I am deeply glad that it is. I have little fear that we will carry economy to the point of directly hampering our armed services. We have learned our lesson in that field by now, I trust. But we must remember that the Army and Navy must be supplemented by a powerful merchant marine if we are to have real preparedness. That means that our shipbuilding industry must be kept active, that new and modern vessels must be laid down and large sums allocated for such a program. We must not look forward to seeing our merchant marine pass through a period of being forced to use obsolescent or improvised material as did our Army in the late thirties and in 1940, when broomsticks were labeled machine guns and ice trucks used to simulate tanks. In those days there was little consolation for those of us behind the wooden guns in the fact that modern equipment was on order. Today we are using freighters for passenger ships. It begins to parallel our old sad story of unpreparedness.

I urge upon this body that we must make our savings in other fields whereever we can, but we cannot afford to do with makeshifts in our merchant marine.

Mr. BRADLEY of Michigan. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. HUGH D. SCOTT, JR.].

Mr. HUGH D. SCOTT, JR. Mr. Chairman, after repeated statements by the President of the United States that this country desires the admission to Palestine of the Hebrew refugees now in the displaced persons camps in the western zones in Europe, and after resolutions by innumerable American organizations, both major political parties, and editorials in most newspapers to the same effect, a group of American citizens have been arrested by the British for trying to do their part in implementing that American policy.

Eighteen American seamen, members of the crew of the refugee ship *Ben Hecht*, are now in a Palestinian jail after having been seized last week end. The ship, American property, owned by the Tyre Shipping Co., of New York, has also been seized. It had been under charter from the Tyre Shipping Co. to the Hebrew Committee of National Liberation which conducts repatriation activities via the underground railway from Europe to Palestine.

The crew, consisting of both Jewish and non-Jewish American volunteers, is charged under local legislation with "abetting persons illegally" to immigrate to Palestine. The American League for a Free Palestine, which raised the funds with which the ship was purchased, has contended that there has been no violation of either American or international law—except by the British in their blockade of the Palestine coast. Prof. Fowler Harper, on the faculty of Yale University Law School, said 2 days ago that—

> This will be a test case in the sense that a British court will decide whether Mr. Bevin's foreign policy or international law is paramount.

The fact that the British have delayed releasing or trying the crew members for another 2 weeks pending investigation strongly indicates that they, too, are aware of the critical test nature of the case.

I understand, Mr. Chairman, that the Tyre Shipping Co. has engaged a Haifa attorney, Mr. Joseph Kaiserman, to protect its interest in the ship and to defend the crew, which includes two Norwegian volunteer seamen. I understand, further, that both the American Department of State and the proper Norwegian authorities have been approached by representatives of the Tyre Shipping Co. regarding the safeguarding of the rights of the crew members and the protection of their interest.

Inasmuch as the rights and freedom of American citizens are now at stake and threatened by regulations which, at best, are of doubtful validity in a confused and contested situation, inasmuch as stated and confirmed American policy regarding an area which belongs to the international community, not to the British, is in direct opposition to the incumbent administration in Palestine on the issue of Hebrew entry, and inasmuch as American men manned the *Ben Hecht* under the impression—hardly to be disputed—that it was in furtherance of American interest and policy as stated by President Truman, as well as a daring and humane venture, I strongly urge that the Government of the United States spare no effort to protect the young seamen and to secure their immediate release. I hope that the Department of State has already thrown its resources behind them and that it will succeed in freeing the men, in securing the return of the ship to its owners, and in supporting a precedent of American action on this issue which, if followed, may well bring about a quick solution to the entire problem.

Mr. BRADLEY of Michigan. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. POTTS].

Mr. POTTS. Mr. Chairman, the Committee on Merchant Marine and Fisheries has been hearing testimony on this and the previous bill for a long period of time, and the volumes which have been built up are truly considerable. We were worried about this whole problem just as we knew that the Members of Congress would be worried about it here on the floor, and I think that the problem is very easy of statement. It is: Are we going to drive the American merchant marine from the high seas at a time when the people who ride in American ships can get no better accommodations and no better ships from any nation in the world today? We can prevent our ships from plying the high seas, yes, we can do that, but the *Queen Mary*, which could not meet our standards, could still come in here, and the *Queen Elizabeth* could still come in here, and the ships of all the other nations of the world could come in here and bring these people, and the merchant marine would suffer an irreparable loss. That is the situation.

I think we all appreciate the great service which the Coast Guard has done for American shipping. They do not grant waivers lightly. While these ships cannot meet full American requirements, they are equally as good as the ships of these other nations that will be plying the high seas, and we know that when the Commandant of the Coast Guard gives a waiver he has assured himself that the ship is a pretty good one and reasonably well constructed to make the crossing.

In every situation, of course, there is an element of risk, but that is a calculated risk. I think the fact that American shipping has progressed to the extent it has, with the small loss of ships and lives, is due to the fact that we have a grand merchant marine. The men who man our ships are thoroughly capable. While these ships may not be up to the standard fixed by statute they are good ships, and with the men who man our ships they are reasonably safe. I think that is the problem we have before us. While we would like the American merchant marine to be superior to any other in the world, we must remember they are not the least bit worse than the ships of the other countries which now can enter our harbors.

Mr. BRADLEY of Michigan. Mr. Chairman, I yield 7 minutes to the gentleman from California [Mr. BRADLEY].

Mr. BRADLEY of California. Mr. Chairman, the waivers which this act are intended to cover will apply to the two classifications mentioned above, that is, former passenger ships converted to war purposes and which have not yet been reconstructed for peacetime service, and to war-built vessels, most of which were never intended for passenger service in normal times, and none of which can now comply with vessel inspection laws.

In general, former passenger-carrying vessels are being restored to compliance with vessel inspection laws and they will, by the end of this year, be in conformance thereto. With minor exceptions only, we have little to worry about concerning these ships, but only a very few of them are now in service, the rest being in shipyards undergoing reconversion. The ships which we must keep in operation, if we are to continue necessary passenger movements, are these war-built vessels which lack practically every vestige of comfort, or sign of suitable accommodation which we have been accustomed to expect in maritime service. Practically all of these ships are reasonably fire resistant. As they are war-built ships their interior arrangements are almost uniformly of steel, and as such, offer little fire hazard. It is true that they do not have the fire-resistant bulkheads which our laws require, neither do they have sprinkler systems, fire-detecting systems, or remote control for water-tight doors. However, the need for all of these things can be greatly

mitigated by proper watches and careful supervision, and I do not consider the lack of them to be such that we should bar these vessels from carrying passengers on the sea under the present circumstances.

A reasonable number of vertical transverse bulkheads are provided and where these bulkheads are pierced by doors, such doors are normally closed before leaving port and are kept closed at sea.

In general, life-saving arrangements are inadequate because of the fact that such boats and davits as are provided were designed and installed primarily for the landing of troops either in harbors, or in reasonably sheltered locations during attacks on the beaches of our recent enemies. On this account some of these ships have lifeboats which normally require power for lifting them before they are launched and this makes them undesirable and unsatisfactory for marine disaster at sea on account of the possibility of the loss of the power supply on board ship. However, hand gear is provided for such contingencies, but it is slow and might be rather ineffective. Ample life rafts and life preservers are provided in all cases, but I am of the opinion, that the number of passengers on board should, at all times, be kept down to lifeboat capacity and that life rafts and other buoyant gear should not be included in the count of adequate life-saving facilities for these vessels while in passenger service, and I have so informed operators on every occasion.

Right here let me mention that we now have one first-class liner, the *America*, operating in the North Atlantic without waiver and that we have one or two other American vessels also operating in southern waters. These are admirable ships with superstandards of safety and none of the comments in these remarks apply in any way to them. I wish to make it clear also that the remarks following apply only to a number of war-built vessels which are carrying passengers on an emergency basis and possibly to some of the older ships which have not yet been reconverted.

I have inspected various ships just recently and I consider that the normal passenger accommodations now being furnished on these war-built vessels are a disgrace to the American flag and to this great Nation which owns these vessels. Except in this emergency, when transportation seems to be essential even under the most unfortunate conditions, I cannot conceive of the carrying of women and children in such accommodations, and under such atrociously uncomfortable conditions, as we are now doing. It seems to me, while recognizing the necessities of the present condition, that this Government should make every possible effort to provide, as soon as possible, a number of respectable ships for passenger-carrying service in the North Atlantic so as to put an end to the conditions which now exist.

From an examination of these ships, I believe that they are carrying far more passengers than are justified, both in view of their life-saving facilities and of their living accommodations, and I think that the number should be reduced sharply even though it may be necessary to put more ships into service, or to reduce the number of passengers carried. Let us remember that, in general, these ships are owned by the Government and that they are operated by private interests under general agency agreements. I realize that reducing the number of passengers allowed on each of such ships will materially reduce the profits accruing from each voyage, but I do not believe this Government should continue to make money from the misery, inconvenience, and lack of safety which ocean travelers must now encounter and which could be somewhat mitigated by reducing the number of people on board each ship.

In adopting this resolution your subcommittee, which has considered it, believes that it has taken the logical and correct course in placing the responsibility for the granting of waivers directly upon the authority responsible for the enforcement of vessel-inspection laws of the United States, that is, the Commandant of the United States Coast Guard. It is to be noted also that the wording of the resolution no longer directs that the Commandant of the Coast Guard shall grant waivers, but that it authorizes him to do so. As the United States Coast Guard maintains an office of Merchant Marine Safety under the direction of a chief of many years' experience, there is not the slightest reason to assume that any waivers will be granted unless they are deemed justifiable under current conditions and well within the limits of the calculated risk involved.

Right here I should like to inject the remark that quite to the contrary of public opinion, the position of the United States in the passenger-carrying traffic in the North Atlantic is pitiful indeed, and that if we are not to see ourselves almost entirely displaced from that great maritime service in which we have been an outstanding participant so many years, we must take some action without delay to strengthen our position. It would appear now that unless some such action is taken it will be only a reasonably few months before the American flag will be carried upon only one passenger ship across the lanes of the North Atlantic, and even this ship, the *America*, can no longer claim to be the latest and the best in naval architecture. It is my intent, within a few days, to introduce legislation to authorize and direct the Maritime Commission to construct, or cause to be constructed, two ships for service in this North Atlantic trade—two ships which will be the equal of anything now afloat or under construction.

It is my sincere hope that the Congress may become sufficiently aware of the disastrous situation which must soon confront us in the North Atlantic so that legislation may be adopted to put American superliners into the North Atlantic trade.

Mr. Chairman, this legislation must be enacted by Congress if the passenger-carrying segment of the American merchant marine is to survive the crisis which now confronts it.

The CHAIRMAN. The time of the gentleman from California has expired.

The Clerk will read the bill for amendment.

The Clerk read as follows:

Resolved, etc., That effective April 1, 1947, the Commandant, United States Coast Guard, is authorized and directed to waive compliance with the navigation and vessel-inspection laws administered by the Coast Guard to the extent and in such manner and upon such terms as may be deemed necessary by him in the conduct of the war or the orderly reconversion of the merchant marine from wartime to peacetime operations.

With the following committee amendments:

Page 1, line 4, strike out "and directed."

Page 1, line 8, after the word "in" strike out "the conduct of the war."

The committee amendments were agreed to.

The Clerk read as follows:

SEC. 2. The authority granted by this resolution shall remain in force only until January 1, 1948.

With the following committee amendment:

Page 2, line 2, strike out "January 1, 1948" and insert "April 1, 1948."

The amendment was agreed to.

Mr. BRADLEY of Michigan. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. BRADLEY of Michigan: On page 2, line 2, after the words "April 1, 1948," strike out the period and insert "*Provided*, That after June 1, 1947, the Commandant shall not waive compliance with those sections of the navigation and vessel inspection laws requiring employment of American citizens as officers and crew members, and limiting the employment of aliens except insofar as such employment shall be in the steward's department of vessels authorized to carry in excess of 12 passengers."

Mr. BRADLEY of Michigan. Mr. Chairman, I shall not use all the time. This is the amendment to which I referred earlier in my remarks on this bill. I may say for the information of the House that the words "12 passengers" are put in the amendment because a ship is not a passenger ship, in the eyes of the regulations, until it carries more than 12 passengers. We have a certain number of cargo vessels that are designed to carry 12 passengers or less and they are not regarded as passenger ships.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield.

Mr. BLAND. Will that be enough seamen to serve on the American ships?

Mr. BRADLEY of Michigan. I understand there are plenty of seamen. There are many of them on the beach today—good loyal American citizens—who are being forced out of our merchant marine by the continued employment of all these aliens. They make life so miserable for them on board ship that they cannot serve with them.

Mr. BLAND. I would be in sympathy with the amendment offered by the gentleman if assured that the facts justified the amendment.

Mr. BRADLEY of Michigan. I believe the principal difficulty is in the steward's department only.

Mr. HART. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield.

Mr. HART. I feel somewhat the same as the distinguished former chairman of the committee [Mr. BLAND]. I feel that I do not have enough information with respect to the gentleman's amendment to vote intelligently upon it. The gentleman himself has stated he has had the benefit of conversations with labor leaders and officials of the Government, but I have had none and as far as I know, most of the members of the committee have had none. I would much prefer to act upon an amendment of this nature, if it were desirable at all, after the information and facts had been submitted to the committee for further consideration.

I shall not oppose the amendment but I do think that the offering of it at this time and under these circumstances is at least a bit ill-advised.

Mr. BRADLEY of Michigan. I have had the matter up with the unions, with the operators, with the Coast Guard officials, and with the Maritime officials. They are all in favor of it. The big hazard that the Coast Guard fears in the continued employment of a large quantity of aliens, especially on the deck, is due to the fact that a lot of those men, despite the law, do not speak the English language, and in the event of a calamity, where it is necessary to launch and use lifeboats, the officers or crew who do not speak their language, cannot control those men. That is the greatest hazard, and the Coast Guard is very much concerned about it.

I am sorry I did not have this alien matter called to my attention when the bill was before the committee, but it was called to my attention afterward.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan [Mr. BRADLEY].

The amendment was agreed to.

Mr. WEICHEL. Mr. Chairman, I offer an amendment which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. WEICHEL: On page 2, after the words "January 1, 1948", insert:

"SEC. 3. All passengers shall be notified in writing prior to embarkation of all waivers of the navigation and vessel-inspection laws which have been granted for the vessel on which they are about to sail."

Mr. WEICHEL. Mr. Chairman, we have discussed here this afternoon the great need for waivers. Everyone seems to have been taken into consideration, except the American citizen who is about to ride overseas. There is no provision in this resolution whereby the American citizen before he boards the ship shall be informed what risk he is taking. I do not understand why it should be a secret, why the Coast Guard should not inform the prospective passenger that he is about to ride on a ship that is not safe according to the laws enacted by the Congress. There seems to be some idea that the prospective passenger should not know that there is a waiver on the ship. There seems to be some idea that he should not be informed and some idea that if the Coast Guard permits a ship to sail and waives the safety laws, the prospective passenger should not know that fact.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. WEICHEL. If the gentleman will permit me to continue for a minute, then I shall be glad to yield.

I see no reason why, if the Congress wants to authorize the Coast Guard to waive safety laws, there should be objection to informing prospective passengers so that they may make their own choice as to whether or not they want to ride on such a ship. This amendment gives the passenger the knowledge on which he can make a choice as to whether he wants to risk his life or not.

I now yield to the gentleman from Virginia.

Mr. BLAND. Will the gentleman include in his amendment that the passenger shall also be furnished with a statement that he cannot get on any ship anywhere in the world, under any flag, that will be as safe as a ship that flies the American flag?

Mr. WEICHEL. They could give them that as additional information and if they still want to take the risk then it is all right; but I think they should be informed.

Mr. BRADLEY of California. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this case is very much the same as going to the doctor. It is a highly technical affair. There is not 1 person in 10,000 who would have the slightest idea about what most of these waivers were.

We have a perfectly competent Coast Guard to take care of it. We have set up in the Coast Guard a division of maritime safety. Their work is to look out for the safety of the American people. We have officers in that service who have devoted their lifetime to that kind of work. They are looking out for the safety of the American people and will not issue waivers beyond what they feel must be taken as a calculated risk.

When you go to a doctor and he prescribes for you it is on what he knows about your condition. When you buy a ticket on a ship on which a waiver has been granted, there is exactly the same condition.

Mr. BRADLEY of Michigan. Mr. chairman, will the gentleman yield?

Mr. BRADLEY of California. I yield.

Mr. BRADLEY of Michigan. You have exactly the same thing in everyday life in connection with building safety codes where waivers have to be issued. There are any number of apartment houses, hotels, and office buildings right here in Washington today that do not meet our safety standards and fire-inspection requirements, yet they are given waivers.

Mr. BRADLEY of California. I agree entirely with the gentleman from Michigan.

Mr. HART. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of California. I yield.

Mr. HART. As a matter of fact, there was testimony before the committee that in practically all cases the Coast Guard does now so advise prospective passengers that the ship does not measure up to all the safety standards.

Mr. BRADLEY of California. May I advise the gentleman from New Jersey that the Coast Guard does not. The passengers buy their tickets in all parts of the United States at ticket offices of these various steamship agencies, and the passengers have no knowledge other than that the ship has been passed or allowed to sail by our Inspection Service.

Mr. HART. There was some testimony from some official before our committee—I cannot recall just now who it was, to the effect that prior to the departure of these ships the passengers were advised that they did not come up to the standards.

Mr. BRADLEY of California. My recollection is that the thought was it could be done. I agree it could be done.

Mr. POTTS. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of California. I yield to the gentleman from New York.

Mr. POTTS. My recollection from the hearings is that waivers were asked only on ships carrying displaced persons who were being moved by the Government; that in those cases the displaced persons were required to sign a waiver which absolved the Government of all responsibility if they chose to accept the accommodations offered and be brought to another country.

Mr. BRADLEY of California. I do not recall that that is in effect.

Mr. MILLER of Maryland. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of California. I yield to the gentleman from Maryland.

Mr. MILLER of Maryland. May I ask the gentleman, who is an old sea captain: Would it not defeat the very idea of safety if passengers were put aboard a ship loaded down with the doctrine that something was wrong with it? Might it not make it harder for the ship's officers to handle them if there were an emergency at sea?

Mr. BRADLEY of California. Personally, I think it would be very poor policy and very poor judgment to get these passengers up before you and tell them that one of the watertight doors in the ship did not have the proper remote control or, possibly, that the smoke indicator in hold C–4 or C–5 was not in order. Most of the waivers are relatively small. The larger ones, I think, are essential. As I said, I do not believe the passenger would know what they are anyway, I do not think it would do them any good, and the amendment, if adopted, would cause nothing but confusion and bring not one iota of safety to anybody.

Mr. WEICHEL. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of California. I yield to the gentleman from Ohio.

Mr. WEICHEL. Does not the gentleman think the passenger should make the choice as to whether he rides or wants to ride?

Mr. BRADLEY of California. I do not. I do not think he is competent to make it.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of California. I yield to the gentleman from Michigan.

Mr. BRADLEY of Michigan. The passenger would have to ride on the vessel if he rode at all, would he not?

Mr. BRADLEY of California. Only military passengers have to ride and that is covered by the previous bill, may I say to the gentleman from Michigan.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. HORAN. Mr. Chairman, I move to strike out the last word and I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Chairman, we who serve on the Appropriations Committee are continuously running into conditions that, on the face of them, appear to call for legislation. Appropriations, of course, is not a policy or legislative committee. It is for that reason that I desire to bring to your attention and to the attention of the Members of this body a matter which I believe necessitates our taking corrective action. A saving in money, morale, and materials would appear to be a possibility. Those three "m's" are important in peace as well as in war.

Last week the Subcommittee on Appropriations for the District of Columbia held hearings for the justification of a supplemental appropriation involving a request by the Board of Public Welfare for the District of Columbia government.

Now, there can be no doubt that the matter of providing funds for the assistance and rehabilitation of certain bodies of our citizens, who, because of many circumstances often beyond their individual control, must look to some form of public or private assistance as rightly the concern of government. Several years ago this proper function of government was recognized, and this House, in cooperation with our colleagues in the Senate, and with the able counsel of several Federal agencies and many private relief and welfare organizations throughout the Nation, devised legislation that would meet an insistent need to provide for the security and well-being of our needy and worthy citizens.

Largely this legislation was effected through the Social Security Act of 1935. I believe I reflect the wisdom of this present Congress when I say that the efficiency and soundness of the intent and principle behind this legislation has proved itself during these subsequent years.

I want to call to your attention, Mr. Chairman, facts developed in the hearings to which I have already referred, which, while dealing with a purely local and District matter, are basically reflective of a situation national in its scope.

Prior to 1932 there was no such thing in the District of Columbia as appropriations for public welfare. Up to that time, those who were in need of total subsistence, or those needing subsistence allowances to augment limited personal earnings, were dependent upon private charitable and welfare organizations.

In June of the depression year of 1932, when there was widespread local unemployment, Congress appropriated $350,000 for "emergency relief of residents of the District of Columbia" and subsequently two additional appropriations totaling $1,150,000 in the fiscal year 1933 were granted.

Since that time, public relief in varying amounts, has become a fixed item in the District bill. For the coming fiscal year the request is based on an estimated need of $646,000 carried under the title in the appropriation bill as "General public assistance."

In the District of Columbia welfare program, general public assistance receives no Federal matching fund. However, two other forms of public assistance resulted from national legislation for grants-in-aid, dependent for their administration upon augmenting Federal funds. One is for old-age assistance, amounting to $513,000 a year; the other for aid to the blind at $53,000—these sums from District of Columbia revenues, I repeat, being matched by Federal allotments.

In addition, the District's share of grants for dependent children increased from $225,000 in 1933 to $607,000 estimated for next year. These sums of money, Mr. Chairman, you will recognize as sizable items in the District of Columbia total budget of approximately $90,000,000. All of these items, Mr. Chairman, are being granted today without specific legislation, either authorizing them or setting up proper administrative methods, and this situation obtains throughout the Nation.

I believe you will agree with me that the operation has been tested for enough years to warrant proper corrective legislation at this time. And as we deal with the aspect of what shall be the proper legislation, we come to the matter that is of national, as well as local, concern.

Mr. Chairman, we took the first great step forward in the early 30's when we saw to it that the Federal Government accepted a responsibility for maintaining those who were down-and-out by granting financial assistance. So far, however, we have failed to consider the second great step—the rehabilitation of those individuals involved in relief and welfare programs so that in the quickest possible time they could be taken off the relief rolls and returned to productive useful life.

It appears to me to be the appropriate time for Congress to consider carefully whether a system of monthly payments, given to unemployable indigents in our many communities through the Nation, and designed originally to alleviate distress in an emergency, is to become a regular function of Government in good times as well as in bad.

Operating as it has in these last years of large-employment opportunity, and unusual earning capacity as well, the system has created a way of life for that class of people who readily and easily go on relief and depend entirely for subsistence on monthly checks from some public fund. Flagrant and sensational cases of abuse have come to our attention.

Now, we have no particular quarrel with this system insofar as it represents the effort of Government to provide relief as an emergency measure for those who must have relief in several forms. We do, however, have serious question whether the system provides more at present than simply a permanent way of life. Here in the District and throughout the Nation there is a demand for civic improvements, progress programs, and so forth. The cost of these comes necessarily from the same budget as relief. Obviously ways to end as well as serve relief are needed.

The time has come for us to accept this second responsibility and devise the means of meeting it. A public clamor has been raised across the Nation concerning certain abuses in our welfare systems. There is a demand that this Congress review the provisions of the social security law so that relief cannot for any person become simply a way of life.

May I point out, Mr. Chairman, that the most essential fact in this regard, made evident by the situation existing in the District of Columbia, is that the problem of rehabilitation is one that must be met locally in each community, and that we must give to our welfare administrators on that local level the means and the authority to undertake their task with a much wider degree of flexibility than now granted them under the provisions of the Social Security Act.

We cannot simply make a grant of funds from the Federal Treasury or from any other public treasury and then take no heed of what becomes of those moneys. Neither can we any longer allow set rules to be made by local officials, administering Federal funds, when these rules are not flexible enough to meet the judgment of workers handling individual cases.

This is not alone the job for the subcommittee on District of Columbia appropriations. Yet it often seems that, in addition to the seven very able members on that committee, all too few in the District are actively concerned.

Mr. Chairman, the Members of Congress cannot bring individuals back to self-respect by merely passing laws; but trained workers operating on the local levels can undertake this task. Federal welfare, I believe, may profitably be compared to fire engines: Fire engines by their very nature must not be used on frivolous occasions but they must be ready to meet any sort of emergency upon a minute's notice. But we must, as citizens, beware of false alarms in the extension of relief aid. Immediate dismissal should be the fate of any welfare worker who falsely or unnecessarily extended aid.

Moreover, it is paramount that we concentrate on fire-prevention programs to make the use of fire engines almost negligible. Simple and perfunctory cooperation with the assessor's office, with the penal institutions, and with employment agencies of all types should prove vastly corrective of abuses. By the same token that welfare programs are essential in our community, they, too, must be ready for every emergency but must never be abused.

Mr. Chairman, I urgently ask that the Members of this Congress acquaint themselves with the facts as they exist in their own communities and on the basis of that information consider ways of plugging the loopholes in our present national social security laws—of broadening local control in the administration of these laws—and, most important, effecting programs that will make the rehabilitation of persons the criterion of all our efforts.

To further show the interest in this matter I ask permission to include at this point an editorial from the March 11 Washington Evening Star and from the March 12 Washington Post.

I should comment, however, that both the work and the information before the subcommittee was by no means superficial as indicated by the Post editorial.

[From the Washington Evening Star of March 11, 1947]

TIME TO REVIEW THE SYSTEM

Chairman HORAN, of the House Subcommittee on District Appropriations, has pointed out some incidents of waste in public relief which he attributes to the system rather than to inefficiency of individuals. He wants the leaks plugged. He is constructive in his criticism, the relief authorities agree with much of what he says, and something may be done about it.

But the broader question relates to where we are going with a public-assistance program, relatively new as a function of Government, which has never received legislative authorization beyond the allotment of funds in appropriation bills. The sums spent each year on public relief are substantial items in the District budget. It is time that the whole system be subjected to careful study by the District legislative committees and that we cease depending on annual improvization through appropriation bills.

Prior to 1932 there was no such thing in the District as appropriations for "public relief." Up to that time families in distress were the wards of private charitable and welfare organizations. In June of the depression year of 1932, when there was widespread local unemployment, Congress appropriated $350,000 for "emergency relief of residents," following it up with two deficiency appropriations which made a total of $1,150,000 in the fiscal year 1933. The money, known as general public assistance, goes to those considered unemployable. It has become an annual charge, a fixture in the District bill. For the next fiscal year the estimate is $646,000.

In the meantime, two other forms of public assistance resulted from national legislation for grants-in-aid. One is for old-age assistance, amounting to about $513,000 a year, the other for aid to the blind, $53,000, these sums from local revenue matching Federal allotments. In addition, the District's share of grants for dependent children has increased from $225,000, in 1933, to $607,000 estimated for next year.

The first category—general public assistance—is paid entirely from local revenues, with no help from Federal funds. It is the largest expenditure and there has never been specific legislation authorizing it or setting up administrative methods. Everything has been done through appropriation bills. Legislation is advisable for two reasons.

First, there should be careful consideration whether a system of monthly payments to unemployable indigents, designed originally to alleviate distress in an emergency, is to become a regular function of Government in good times as well as bad. The system has already created a new way of life for the class of people who go on relief and depend for subsistence on monthly checks from public funds. The worst feature is the lack of any real program of rehabilitation designed to rid the rolls of those who may get on.

In the second place, if unemployable indigents are to become permanent public charges, we should set up foolproof machinery for relief administration. Last year a bill establishing administrative methods for general public assistance was introduced, but failed of enactment. It is up again this year. Mr. HORAN's criticism of the system as rotten should bring it up for consideration.

[From the Washington Post of March 12, 1947]

BUNGLING RELIEF SYSTEM

There is no question as to the necessity for extensive overhauling of the District's welfare system. But we suspect that there will be little concurrence in the local community with Representative Horan's proposals. His chief aim seems to be to change Congress' own policy under which old-age assistance funds and aid to dependent children and to the blind are granted as a matter of right. He thinks there should be a checking up on the spending of such funds after they have been granted. But that would be contrary to the spirit of the Social Security Act and, in our opinion, to sound administration of funds of this character.

In the administration of general public assistance funds, care must be taken, of course, not to continue supporting employable persons if jobs are available to them. But experts who have surveyed the District's relief system say that abuses of this sort are negligible. Rather, the chief difficulty is of a different nature. No emergency relief, it seems, can be given, for it takes a month to check on an application for aid and possibly several weeks more for a pre-audit of each individual case by the District auditor before funds can actually be spent. A system thus tangled in red tape could not possibly function efficiently. Its defeat is obviously lack of flexibility rather than too much of it.

We hope that the House will attempt to bring some order out of this maladroit system. But let the District Committee first get all the facts and clearly visualize the handicaps under which the local welfare officials have been working. We are confident that the only basic solution is the creation of a new department of welfare in a District government responsible to the people. But meanwhile some intermediate improvements will doubtless have to be devised. And certainly the House Appropriation Subcommittee, which is looking into this matter from a superficial viewpoint, will have to grant the requested deficiency appropriation in order to save hundreds of local families from acute hunger between now and next July 1.

Mr. BLAND. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, I wish to endorse thoroughly the statement made by the gentleman from California [Mr. BRADLEY]. The adoption of the pending amendment to the bill will impose impossible tasks upon the Coast Guard. When we had an appropriation bill up for consideration the other day there was talk about what the Coast Guard was doing and what grandiose work it was undertaking. The Coast Guard was simply performing tasks that we had imposed upon it.

Now, they want to send around an agent of the Coast Guard to every man who buys a ticket and tell him what waiver has been allowed on a particular ship. The passenger does not know what it is or what it is all about. When we give him the judgment of selection, that is sufficient, whether he rides or not. He has no choice. If he rides on any other ship he has to ride on a foreign ship if we do not grant this waiver, and if he rides on a foreign ship, the testimony is that he is riding on a ship that is less safe than the American ships.

Mr. Chairman, I oppose the pending amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. WEICHEL].

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GAMBLE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (H. J. Res. 76) authorizing and directing the Commandant of the United States Coast Guard to waive compliance navigation and vessel-inspection laws administered by the Coast Guard, pursuant to House Resolution 130, he reported the joint resolution back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The joint resolution was passed.

The title was amended so as to read: "Joint resolution authorizing the Commandant of the United States Coast Guard to waive compliance with the navigation and vessel-inspection laws administered by the Coast Guard."

A motion to reconsider was laid on the table.

THE GREEK SITUATION

Mr. HUGH D. SCOTT, JR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HUGH D. SCOTT, JR. Mr. Speaker, I have just received a telegram, signed by Joseph Myerson, chairman of the Eastern Pennsylvania Progressive Citizens of America, which takes violent issue with the message of the President on the Greek matter. I have not yet fully made up my mind as to the merits of the President's proposal on the Greek matter, but this effort on behalf of Henry Wallace's PCA crowd in criticism of the President will go far toward inclining me to the belief that what the President has said is true.

In principle, we certainly must support the right of free people to maintain free governments everywhere by moral and economic aid. The degree of that

support is what concerns me. I do not know whether the amount which the President requests is excessive; it may be that he has asked for too much and it may be that to implement his program would merely provide a haven for a number of displaced jobholders who hop like fleas from one Government agency to another. So I want to examine further into the degree to which we should commit ourselves in these matters and the extent to which we must be prepared to go. The fact that the friends of communism, led by Henry Wallace's red-flag boys in the PCA, have rushed in to berate the President and to impugn his motives shows that the Communists fear a firm stand on the part of our Government and their stooges in the left wing are ready to do battle for the Red cause. These are the same people who flourished under the New Deal and in New Deal jobs for many years. Those who are now out of the Government may be expected to cooperate with those left-wingers still inside the Government to divide and sabotage any firm stand against communism.

EXTENSION OF REMARKS

Mr. ROONEY asked and was given permission to extend his remarks in the RECORD and include a statement by H. G. Richey.

Mr. HORAN asked and was given permission to include in the remarks he made today two editorials.

AN EASILY WORKABLE TAX CUT WITH GENERAL RELIEF—H. R. 2539

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point and include a small table on a tax bill which I have introduced today.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I am no tax expert. To me, the Internal Revenue Code is an awesome and wonderful thing. I never expect to get beyond the stage where I study tax schedules with fear and trembling. But we all pay taxes. We all struggle with tax returns. You have to think about them whether you want to do so or not.

One of my constituents is an accountant who works on tax returns. He is a very clear-thinking individual and works with taxes at the grass roots. Two days ago I received a suggestion from him which appeared to be so practical and helpful that I thought it should be placed before the Congress.

Accordingly, I reduced the suggestion to the form of a bill and have introduced it today under this title: "A bill to reduce all individual income-tax payments one-twentieth by reducing the rate 5 percent on taxable income; and, to further reduce taxes for those with dependents by increasing the exemptions for a spouse and dependents from $500 to $700."

I am advised that its number will be H. R. 2539.

As the title suggests, the bill proposes a primarily simple credit against the current tax of an amount equal to one-twentieth of one's taxable net income.

The effect is to give a somewhat larger percentage tax relief for the taxpayers in the smaller brackets and still give substantial relief to those in the middle and upper brackets on an equitable basis—the same rule to be applied to everybody, but a rule which gives relief in proportion to income ability.

The trouble with some tax-relief proposals, as I understand it, is that in an attempt to treat everyone alike they give the relief in proportion to taxes paid rather than in proportion to ability to pay. This proposal avoids that difficulty. It is very easy to figure because it reduces the present tax by $5 for every $100 of taxable income.

The other part of the bill adds a little more tax relief to those who have dependents, either a spouse or children. Anyone who pays family household bills these days is aware that income earners who provide for more than one person out of a single income have a harder job to make ends meet than those who have a full income for one person alone. This situation is recognized in H. R. 2539 by increasing the exemption for the spouse or any dependent from the present $500 to $700, an increase of $200 which is deductible from total income to determine the net income for tax purposes.

Most proposals to effect tax reduction that have approached the problem by raising exemptions have done so by raising the personal exemption for the first taxpayer as well as the wife or the dependents. One objection made to that is that it is desirable to keep the tax base fairly broad and let everyone share in the burden; that increasing the personal exemption lifts too many taxpayers out of the tax-paying class altogether.

H. R. 2539 does not do that. It leaves the personal exemption for the taxpaying income at $500 where it now is, but increases the exemption for additional persons living on that income by $200. The effect is to give a very substantial relief for the taxpayers in the lowest brackets without serious effect on the Nation's revenue.

The simplest way to see what the net effect of these proposals is, is to look at a table which, with the consent of the House, I will place in the RECORD at this point—figures show taxes payable for net surtax income given at left:

Taxable income	Present tax	Straight 20 per-cent cut	Relief proposed by H. R. 2539		
			1/20 on net	1 dependent	2 dependents
$100	$20	$16	$15	0	0
$200	40	32	30	0	0
$300	60	48	45	$15	0
$400	80	64	60	30	0
$500	100	80	75	45	$15
$600	120	96	90	60	30
$700	140	112	105	75	45
$800	160	128	120	90	60
$900	180	144	135	105	75
$1,000	200	160	150	120	90
$2,000	400	320	300	270	240
$4,000	840	672	640	596	544
$6,000	1,360	1,088	1,060	1,008	956
$10,000	2,640	2,112	2,140	2,072	2,014
$50,000	26,820	21,456	24,320	24,176	24,032
$100,000	67,320	53,840	62,320	62,146	61,972
$200,000	156,820	125,456	136,820	136,640	136,460

As will be seen, the plan proposed in H. R. 2539 gives substantial tax relief to taxpayers all along the line. Below the $10,000 income, the relief is importantly greater than that afforded by the so-called straight-across-the-board 20-percent plan. Above the $10,000 line, where taxpaying ability is obviously greater, the actual tax cut is not so great as under the other plan, but still a substantial reduction is effected.

And at the same time the taxpayers all along the line will be still contributing a pretty fair chunk of their income into reduction of the national debt brought on by the war.

One feature of this idea that appealed to me is that it offers a relatively easy method of figuring the reduction—$5 for each $100 of taxable income, plus the exemption change for dependents. You do not have to know the different rates for the single taxpayer. It is a flat one-twentieth of each $100 of the income he pays on and that is $5.

And that seems fair—application of a tax cut which is proportioned to the taxpayer's ability to pay, rather than proportioned to his tax rate.

As I said at the outset, Mr. Speaker, I am not a tax expert and there may be some flaws in this proposal, technical and otherwise, but it has several points to commend it, and for that reason I have offered it for the consideration of the Ways and Means Committee and the Congress.

The SPEAKER. Under previous order, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 15 minutes.

WILL OUR FOREIGN POLICY DESTROY US?

Mr. HOFFMAN. Mr. Speaker, we have been giving billions of dollars and millions of tons of munitions of war, of farm machinery badly needed by our own people, to Russia. She has used the things we gave her to increase her military power.

We have been giving billions of dollars to Great Britain to bolster up a Socialist government which, in England, has destroyed free enterprise by taking over private industry.

We have a national debt and Federal expenditures which require of every American 2 days of work out of every 6.

For the past 10 years, the New Deal administration has harbored, encouraged, and placed in positions of power the Communists who have openly advocated the overthrow of this Government by force.

Well do I recall the day when Mrs. Roosevelt, to belittle the efforts of the Dies committee to expose and root out communism, came to the House Office Building as the sponsor of a group of Communists.

The State Department, there is every reason to believe, has been shot through and through with Communists who exert their influence to adversely affect our interests in foreign lands.

The National Labor Relations Board, over the years, wittingly or unwittingly, through design or ignorance, has given aid and comfort to CIO labor unions whose policies were dominated by Communists.

Yesterday the President, coming before Congress without even making an estimate as to the cost or our ability to successfully carry on a third world war,

asked support for a policy which he indirectly admitted would involve us in a third world war.

We fought the First World War to end all war. By bitter experience, we learned that objective was unobtainable.

We fought the Second World War, so we were told, to carry the "four freedoms" to the uttermost parts of the world. Instead, we aided in enslaving the people of Poland, of Finland, of other nations. We delivered hundreds of thousands of prisoners taken by the American Armies into the hands of the British, the French, and the Russians, who have made slaves of them—prisoners who today are slaves.

First we aid England to establish socialism; then, when it fails, we are asked to rush to her aid to maintain a lifeline of the British Empire, which holds millions of people in bondage.

We aid Russia and destroy Germany. We condone and we sanction communism here in our own land and in our own Government. Then we propose, by our money, our munitions of war, and our armed forces, to stop it at the Greek and the Turkish borders.

If, to satisfy the desire of a group of statesmen who proclaim that they are bipartisan in foreign policy; if, to further the interests of the international munition makers; if, to haul down the Stars and Stripes and run up the flag of United Nations or an international rag of any hue or size, our young men and our young women are to fight another war, let us not be deceived by any false notion that that war is to be fought for humanity. Let us recognize it for what it is—the age-old desire of an Alexander or a Napoleon to conquer the world. Only this time the so-called world statesmen, all puffed up by their own fancied importance, cannot decide as to which of them is to be the leader, is to wear the crown and the purple robe.

Because I believe in America, that her interests in my heart should ever be first, I have been called a Fascist, a seditionist, unpatriotic, disloyal. Those things matter not at all if I can in some small way contribute to the effort to keep us out of a third world war; to the effort to avoid surrendering our sovereignty to an international organization.

How silly and how stupid it is to talk about fighting communism at the Turkish or the Greek frontier, fighting it all over the Eastern Hemisphere, then putting at the head of the organization which here in America controls what is said to be the most effective weapon of war, the atomic bomb, a man who was either so inattentive or so deliberately careless of what transpired within his own organization as to permit there to develop a Communist cell—a group who adhered to a party which advocates the overthrow of this Government by force.

Lilienthal may possess all of the intelligence, all of the executive ability attributed to him. Yes; he may have twice all that, but with a Communist cell within his organization, whether they were there because of his lack of attention to his duties or for some other reason, the fact that they were there should be sufficient, in my humble judgment, to bar him from the position to which he was nominated.

How inconsistent for the President to call upon us, not only for money and for supplies, but to follow a course which means the drafting of millions of Americans to fight communism 3,500 miles from home and then to insist upon the appointment as the head of the organization which will control the world's most powerful destructive weapon a man who did not prevent the growth of communism here in one of the Government's largest industrial plants.

What sort of muddled thinking clogs the judgment of Republicans who, November last, were given a mandate to clean out the New Deal, which now finds them supporting an enthusiastic New Dealer? The greater the ability of Lilienthal, the more reason why he, a New Dealer, should be subject to the mandate of the people as expressed November 5 last.

Republican officeholders were not elected by New Deal votes, by the votes of the Communists, nor should they perpetuate the New Deal. That is just what is being done in altogether too many instances. Calling it bipartisan support of a foreign policy does not excuse it.

In the opinion of many, it is unfortunate that the question of Lilienthal's confirmation does not rest with the people's representatives in the House. There Republicans have a real, not a paper, majority.

THE REMEDY?

It is time for the people's representatives to get down to earth. It is time for them to admit and act upon the fact that 60,000,000 workers cannot feed, clothe, build shelter for, 200,000,000 people.

It is time that we realize and act upon the realization that, if we are to engage in continuous warfare to establish our form of government all over the world, we will destroy ourselves.

It is time for us to set our house here at home in order. It is time for us to provide the remedy for labor disputes or at least to prescribe just and equitable rules under which those most interested—employee and employer—can settle their arguments.

It is time for us to embark upon a program of economy and efficiency. It is time for us to begin to make payments on our national debt; to inaugurate a program which will lessen the tax burden of our people.

It is time that we reestablish here in America our constitutional form of government; get rid of the little dictators in the Federal Government who, by order and directive, seek from day to day to deprive the citizen of his liberty, of his opportunity to contribute to the national welfare.

THE HIGH COST OF LIVING

My attention was distracted as I came in by this picture in this afternoon's edition of the Times-Herald. There is a picture of a lovely, lovely lady of great intellectual attainment. I understand she will speak this afternoon, and just how foolhardy I am you gentlemen will all realize when you understand that I speak first, and that as always the woman has the last word. But in the picture there she is bending over a counter on which are piled groceries she has just purchased. "Congresswoman gets the goods on the high cost of living," reads the headline.

There is no question but that living costs are going up. There is no question but that the closed shop and the labor monopoly have increased the cost of everything that man buys. There is everywhere a demand for a higher wage. The workingmen in my district get a weekly take-home check of $32 or $35.

I will say to the lady who sits here on the right that some of these men with wives and some with wives and several children, complained to me, and justly so, that they cannot buy the goods that the lady has on the counter there, on the wage they get. Under the New Deal there are two or three items there, such as butter and Crisco, yes, and several more, which we could not get at all while we had the OPA, the continuance of which she evidently intends to advocate. Those articles were not on the market at any price. There was a scarcity of many others.

Talk about high wages and the high cost of living, yes; I saw a statement before the Committee on Labor a little while ago when I was there about the starvation wages of $20 a week back in 1920. On Sunday night I happened to be in the Library Annex looking over some old files of Detroit newspapers. I saw that you could take a round trip up the island of Mackinac and back for less than $7. I saw that you could buy a bedstead of brass and mattress and springs for less than $8. I saw that you could buy four oak chairs for less than $6. Believe it or not. I didn't believe it when I saw it, but then I looked again. There it was in cold print in the Detroit News, the Detroit Free Press, the Detroit Times. I saw all of those things advertised there at what seemed impossibly low prices.

Starvation wages? Yes. Some of us worked, and I mean we worked, for $12 a week. It was not a starvation wage at that time. We paid 6 cents a dozen for eggs and 6 cents a pound for meat, and I bought round steak instead of sirloin or porterhouse at the same price because there was less bone in the round.

Now, think of it. The question today is not how much is in the pay check. The question is: What will it buy and why are the prices high? Prices are high because, comparatively speaking, there is more money than there are things to buy. Everyone knows that. Talk about pork being high? Sure, it is high. How long ago was the administration advocating the killing of, and actually killing little pigs and old sows? How long ago was it that Henry Wallace and his school of thought said, "Plow under the cotton." He told me that I should use only so many acres of my land to grow wheat. Yet, the lady will complain about the high cost of bread. Some folks do not realize that you have to plow; you have to sow, and plant;

you have to cultivate; you have to harvest; you have to take the produce to the mill.

Oh, this New Deal—sugar? Back in 1935 over in room 1705 in the New House Office Building a group of Republicans from Michigan gathered there in the office of our beloved friend and leader, Carl Mapes, to plead with Henry Wallace who had not yet thought of a pint of milk for everyone in the wide, wide world, and who was then engaged in carrying out his theories. We were gathered there to plead with him for an opportunity to increase the supply of sugar. In my district we wanted instead of 5,000 acres to plant sugar beets to increase it to 6,200 acres because the factory could operate more efficiently and because additional farmers wanted to grow sugar beets. Henry sent up two little men. They came up and said to us, "You cannot have any more acreage in Allegan and Ottawa Counties to grow sugar beets."

We said, "Why?"

"Because, Mr. HOFFMAN, we can grow sugar beets in Colorado with a higher sugar content than you can in Michigan. We are going to grow sugar beets in Colorado and not in Michigan."

I said, "What about my farmers?"

He said, "Oh, they can grow celery or cabbage or caulifiower or something else."

Isn't that fine under our theory of government?

Then I said, "They can make cane sugar down in Louisiana cheaper than they can produce beet sugar in Colorado."

He said, "You are right; how did you know it?"

Well, I did not answer that question. I said, "They can produce sugar cheaper in Florida than they can in Louisiana."

He said, "That is right. Ultmately we are going to grow cane and produce sugar in the offshore areas because it can be done cheaper there than anywhere else."

I said, "Is that your theory—wherever a thing can be grown, produced cheaper, you are going to have it done there all over the world?"

He said, "Yes, sir."

These smart men from Henry Wallace down said, "Yes." Then, perhaps foolishly, I said to him, "If that is your theory of life, why don't you have the Chinamen produce and educate all the children? They can do it cheaper than we can."

He said, "You are crazy."

I said, "So are you." Because that is the logical end of their doctrine. This New Deal has brought us just exactly what the lady from California will say—and what she will not say—scarcity. It has brought you higher prices. It has brought you hungry workingmen and the hungry wives and children of hungry workingmen. Yet they go on in their blind way, and on top of it would, with the aid of bipartisan statesmen, add another war, until the American citizens, who prior to the coming of the New Deal had lived in freedom, prosperity, and happiness, will find themselves in dire want. Yes. That is what the New Deal has brought us to and that is what they will give us if you follow the theory of my colleague from California [Mrs. DOUGLAS].

The Member from California [Mrs. DOUGLAS] will shortly take the floor to talk for half an hour about the high cost of various items, about the high cost of living in general.

She has not made any great discovery. School children, if they stop to think, know that the laws of supply and demand control prices; that an excessive spending of money always sends prices skyrocketing; that the lack of a desire to work creates a scarcity; that relief from the Government creates dependency, contributes to a lack of production.

For more than 12 years, her party, the party of the New Deal, was in complete control of every branch of the Government. It loaded down the Federal pay roll with hundreds of thousands of employees for whom it had no work. By its orders and its directives it hampered and it hindered and it restricted production. It told the people what to do, when to do it, and how to do it.

Financially, economically, productively, the New Deal ruined us and now that their chickens are coming home to roost, now that she and all of us are reaping the harvest which she helped sow, she comes to the well of the House and cries about the high cost of living.

She does not like the chickens that hatched out of the eggs the New Deal laid. The vicious circle which they started whirling, in which they have been caught—high wages and still higher prices, leaving the wage earners always as the chief sufferer.

The New Dealers can weep and shout over the wreckage they have caused, but they lack the courage to make the sacrifices, do the work necessary to bring better days.

A LETTER TO OUR LAWMAKERS

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an address to the Congress of the United States.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey [Mrs. NORTON]?

There was no objection.

Mrs. NORTON. Mr. Speaker, yesterday the President of the United States delivered a very serious and extremely important message to the Congress. Most of us, I am sure, realize the very great responsibility we have, not only to our districts, to our country, and to the world, and I am sure we hope and pray that God will give us the wisdom to meet that great responsibility. However, there are times when, perhaps, we should be reminded of that responsibility as it affects our times and the world in which we live. Apropos of this, I insert in the RECORD at this point an article I read recently which is addressed to the Congress of the United States and which, I believe, should be given consideration by every Member who believes, as I do, that the world is looking to the Congress of the United States for world leadership:

[From Cosmopolitan magazine of March 1947]

A LETTER TO OUR LAWMAKERS FROM PAUL GALLICO

To the Congress of the United States of America, the Honorable Senators and Representatives, the Capitol, Washington, D. C.

SIRS AND MESDAMES: This day of approaching spring in the Capital of our Nation I am writing to you as an American citizen.

The bursting of the cherry buds into blossom signals the rebirth of the land, the reawakening of love in the hearts of men. Love your country, you who sit in the high places, for if you do not we are lost.

Love it with passion, sincerity, and deep feeling for the land and its people. Give us, this approaching Eastertide, the secure feeling that in your midst are men and women who cherish the concept of the Nation.

Republicans or Democrats, Senators or Representatives, demagogs or statesmen, wise men or fools, you are our shields against the adversities and dangers that beset the land in which we make our homes. If in your hearts there is room only for self, for ambition, local pride, jealousy and spite, there is no hope for any of us who are not merely citizens of a village or town, farm patch or city ward, district or metropolis, county or State, but citizens of a Union of people, and neighbors in a land called America.

When will you who represent us also become Americans? When will you learn to love this country, North, East, South, West, the high, the middle, and the low, as you love the streets and villages where you were born? When will you end the quarrels for petty party advantage that leave us heartsick and sore and disillusioned as you squabble and bicker for the gain of the little corner from which you come? When will you reward those who send you to high office in the councils of the Nation with simple patriotism and love of country?

Are you smiling? Is this naive, oversimple, and innocent?

I once knew an innocent man who helped to win a war. Never mind his name. He was charged with the accomplishment of an impossibility, the stepping up—in a matter of months—of the productive capacity of the aircraft industry from 35,000 to 50,000, to 75,000 warplanes a year. All the graphs proved conclusively that the factories had not the space, the equipment, or the men to do this.

It was done. It was done largely because this man was not ashamed to call a manufacturer on long-distance telephone and ask if he was flying an American flag over his factory. If he was, he was told that the flag was in trouble. He was urged to go to work for it. Invariably the manufacturer would perform the impossible for love of country.

Are you ashamed and self-conscious when the flag is mentioned or waved? Does it embarrass you when it is used as something more than background, decoration, and scenic design for political clap-trap? There are many of us who are not embarrassed, many of us who cannot encounter it suddenly flying on foreign soil without a tightening in our throats, many millions of us who, in one or the other World War, took an oath committing us to die for it if necessary. One doesn't go around talking about it; one doesn't even think about it much, but it is there. It always has been, this love of our flag, our land, our Nation and its principles, else we would not have survived as we are today.

We know that you have it, too, that you are like us—people with warmth and emotion. But sometimes when we listen to you in your fury and pride of office, in the narrowness of the viewpoint from which you debate that which will affect not only the lives and welfare of the few from your constituency, but

the lives of all of us, in the sordid struggle of living your political life, we feel as though you had forgotten us, Americans and America.

It is spring again. The cherry buds are opening. Open your hearts to the love of your countrymen and your country.

The SPEAKER. Under previous order of the House, the gentlewoman from California [Mrs. DOUGLAS] is recognized for 1 hour.

INCREASED COST OF LIVING

Mrs. DOUGLAS. Mr. Speaker, I would like to call to the attention of the Members of the House what $15 will buy today in the American grocery and meat store. You see here a basket of food. Yesterday, March 12, in Washington, D. C., I paid $15 for these articles and the articles in this box, I could have bought last June for $10, just before the Congress removed price controls—the same amounts and the same quality. The store where these foods were bought is located three blocks from the Capitol; it is not a de luxe store or even a medium-priced store, such as we find in a neighborhood where we $15,000-a-year Congressmen live. It is the lowest-price chain store in the city. I have here the goods themselves and the sales slips showing the prices item by item.

Mr. Speaker, the food-buying power of a $10 bill is very important. In my opinion, it is as important and disturbing and as full of economic and political implications and consequences as any weighty, complicated matter that will come to the floor of this House. What does the terrifying shrinkage in the purchasing power of the consumer's food dollar mean to Congress? It has meant to the American people the cashing of millions of dollars of War Savings bonds, and it has caused the fastest increase in installment buying in our history. If rent control is done to death April 30, as this Congress now proposes, rents will jump as food prices have jumped, and the landlords alone know how much. As a result, Nation-wide, there will be more and more wage demands. There will be strikes. Production will be interrupted. Shortages will be transferred into so-called surpluses, as millions find their pockets picked by the lifting of rent controls. There will be trouble beyond anything which we have had in this country since 1931. The lifting of rent controls on top of the high and rising cost of food is just too much.

This heavy burden is too much for the American housewife to bear, and the American wage earner simply is not going to let her bear it.

I want the Members of this House to stop, look, and listen before it is too late. I say that the direct injury to 50,000,000 American renters by the proposed lifting of rent controls must be immediately repaired, for an effective OPA rent-control program regardless of loud utterances to the contrary will end on April 30 unless we take some legislative action. This House decreed that, when it passed the deficiency appropriation bill on March 5 and the conference report which did exactly the same thing on March 11.

You cannot have rent control unless you can enforce rent control. Without the 649 area rent-control offices there will be no rent control in this country. Nobody cares what you call it, nobody cares who administers it, if you have a program. If you do not like the letters "OPA," call it "GOP"; nobody cares. But, of course, nobody is talking about ending rent control. That is the ironic part of it. Instead, what are they talking about? Raising rents 10 percent in the country when everybody knows you will not have any real rent control after April 30. And right in that fact many an American housewife whose burden is already too heavy to carry thinks she sees the fanciest shell game that has ever been put over on the American people. You certainly have no rent control program when you talk in terms of court enforcement, and that is exactly what is being talked about in Congress—court enforcement. Remember, 50,000,000 American people are involved. If they wake up May 1 with no real rent control but only the promise of court enforcement to be passed by Congress at some indefinite future date what will happen? Well, every Member of Congress knows what will happen. Landlords will raise their rents as of May 1, not the 10 percent that is being talked about around here, but 25, 50, 75, and in some cases, even 100 percent.

Mr. KEEFE. Mr. Speaker, will the gentlewoman yield at that point?

Mrs. DOUGLAS. If the gentleman does not mind, I should like to finish my statement. I will do it as quickly as possible. I understand the gentleman's concern as I understood the deep concern of the gentleman from Michigan; but I believe that as I proceed with my presentation the gentlemen will see why there is such deep concern on the opposite side of the aisle.

Mr. KEEFE. It would be perfectly impossible to ask a question pertinent to this point at the end of the lady's speech, which is listed for an hour.

I should like to ask the gentlewoman a simple question in view of the information that the gentlewoman appears to have on this subject, as to the operation of the rent-control law in the event that the appropriation for OPA is denied.

Mrs. DOUGLAS. I have listened patiently for days to the opposite side, listened to them discuss rent control, and the propositions which they have made. I should like now to present my case, if the gentleman does not mind.

Mr. KEEFE. Then, the gentlewoman refuses to yield. Is that what I am to understand?

Mrs. DOUGLAS. I refuse to yield.

The SPEAKER. The gentlewoman from California declines to yield.

Mrs. DOUGLAS. We have no rent control when you talk in terms of court enforcement. Landlords will raise their rents from one end of the country to the other on May 1 if the rent-control program ends on April 30 as now proposed by Congress. Evictions will follow. Then the American people perhaps will be invited to take their cases to court. What will happen? You know what will happen. Those cases will be heard when? Six months later? A year later? I do not know. Six weeks later? Three months later? Fifty million people are involved. Whenever the cases are heard they will not be heard in time to get those families housed again at a price which they can afford to pay.

What is going to be the result if this Congress determines to let rents rise to what is politely called "their natural level in the open market" when in the urban districts alone the country is at least 12,500,000 units short of needed housing.

What is going to be the result of higher rents and evictions of thousands who just cannot pay higher rents on top of higher food costs?

The result will be economic chaos, plus the realization that the Members and the party who told the voters that the abolition of price control would bring lower price have fallen down on their promises. They have fallen down on their promises because the National Association of Manufacturers is falling down on its promises. Those promises were made in full-page ads last May and June, and again in October, when price control was done to death. Incidentally, those ads were mostly paid for by the taxpayers' money. The money was tax deductible by the corporations that put the funds up for the NAM operation and since money spent for these ads was not taxable the American people paid or will pay for the anti-price-control propaganda. In other words, they paid for their own poison and they are paying for it again in higher prices. I say "poison" because this market basket shows that the enemies of price control either could not or would not deliver on their pledge of lower prices.

Mr. Speaker, I ask unanimous consent to include both of these ads in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. DOUGLAS. Mr. Speaker, let us look at these ads. Here is one in the New York Times, Monday, February 18, 1946:

Let's tackle inflation while we can. You don't want your dollars to buy less and less and less. You don't want your savings to melt away; or the value of your life insurance to dwindle! Yet that is what inflation can do to all of us. Therefore, thoughtful people everywhere are concerned with ways to smother it before it gets out of hand. One major cause of inflation is a shortage of goods when people have money to spend for things they want. That cause can be eliminated by the production of goods, fast, and in quantity.

Then they give their answer:

Isn't this the answer? Remove price control on manufactured goods and production will step up fast. This is the way you can get the goods you want at prices you can afford to pay. Please think this over. Then tell your Representatives in Congress what you believe should be done. You owe it to yourself and to your country's welfare.

Signed "The National Association of Manufacturers, for a Better Tomorrow for Everybody."

Then there is this ad that appeared in the New York Times of July 3, 1946:

The future with confidence. The members of the National Association of Manufacturers

have no intention of rocking the inflation boat now or any other time. If OPA is permanently discontinued the production of goods will mount rapidly, and through free competition, prices will quickly adjust themselves to levels the consumers are willing to pay. Then as production gets rolling again supply will catch up with demand—prices will be fair and reasonable to all—quality will be improved—black markets will disappear and America will enter the period of prosperity that everyone has been hoping for.

The National Association of Manufacturers. For a better tomorrow for everybody.

Now, I will show you at the end of my talk that the merchants, the National Association of Manufacturers and the businesmen themselves in the country are disturbed and worried about these rising prices. Every present indication is that prices are going higher for the next several months; every indication is that this new wave of price increases, plus run-away rentals, will make it impossible for the American families to live on present wages.

Those members of the Republican Party who in good faith promised lower prices are now left holding the bag. Their predicament will become even more painful when higher rents begin to bite big pieces out of millions of low incomes.

Mr. Speaker, it seems to me those Members should reconsider their position, both as citizens and as Members. I say to them, "Do not look now, but a very lively ghost is at your shoulders. It is the high cost of living. A step behind him is his homicidal brother the gaunt figure of deflation, alias recession, alias depression, alias unemployment, alias national economic stagnation, anemia, and disunity."

The polite names for these two ghosts are Boom and Bust.

To the housewives of this country both Boom and Bust mean tragedy. That tragedy is both personal and national, Mr. Speaker.

The enemies of price control and rent control have sowed the wind. Unless they act to continue effective rent controls, priorities and allocations of scarce materials; unless they quickly supply housing for millions of veterans and others now doubled up in flats, huts, trailers, and basements, and for others lacking housing altogether, they are going to reap the whirlwind in 1948.

Mr. Speaker, our economy is bigger than it was in the twenties. Its velocity and momentum are greater. It works faster. The political penalties for failure will come faster.

If I were a blindly partisan person, Mr. Speaker, I would be silent. But I must speak out.

The health, the security, the opportunity, the very life of millions, our security and strength as a Nation, are at stake. Our hope of doing our full share in holding the civilized world together is at stake.

I appeal to every Member to pay heed to the facts about the high and rising cost of living and the shrinking of wages, salaries, and fixed incomes for the people of this country as disclosed by the figures and reports I am about to present.

Let us see what is happening in the shadow of the Capitol dome. Our economic policy is made here in the Halls of Congress, Mr. Speaker, and it comes out there, in the sales slips I hold in my hand.

This chart tells part of the story of the high and rising cost of living. I am going to give you item by item the cost of food I bought yesterday for $15, and I am going to give you the prices that this food was purchased for last June here in Washington, D. C. In most cases these June prices are for the same article, the same brand, in the same store. In a few cases where this information was not available I have used Bureau of Labor Statistics' figures for last June.

In June, 10 pounds of flour, 78 cents; yesterday, 10 pounds of flour, 87 cents.

One pound of butter, same brand, 65 cents in June; yesterday, 82 cents.

Two quarts of milk. Twenty-nine cents was the average price in Washington in June; 25 cents was the price at this store in June, and yesterday I paid 34 cents for the same milk, same brand, 2 quarts.

One dozen eggs in June, 53 cents; yesterday, 69 cents; same brand, same store.

Two pounds of dried prunes, same brand, same store, in June, 32 cents; yesterday, 54 cents.

Three pounds of ground round steak, same store, same quality, in June, $1.35; and yesterday, $2.07, a rise of 72 cents.

Two pounds of pork chops in June, 76 cents—and that is the poor man's meat which the gentleman from Michigan told us about—yesterday cost, $1.46.

One pound of Swift's Premium bacon, not a poor man's meat, but he likes to get a piece once in a while, 42 cents in June, and 79 cents yesterday.

Three pounds of Crisco, which every family has to have or its equivalent, 68 cents in June, and yesterday, $1.27.

One quart of Wesson oil, 58 cents in June; 90 cents yesterday.

Two pounds of Maxwell House coffee, 66 cents in June, and 98 cents yesterday. And, remember, you cannot separate an American from his coffee.

One pound of sausage, 45 cents in June, and 49 cents yesterday.

Two pounds of stew beef, scarcely a luxury item, 70 cents in June, and $1.18 yesterday.

Three cans of string beans, 39 cents in June; and 60 cents yesterday.

Three cans of peas, 45 cents in June, same quality, same store; and 55 cents yesterday.

Two loaves of bread. Twenty-two cents was the average in Washington in June. Yesterday it was 20 cents.

One pound of margarine. This is called the poor man's butter. Margarine, 18 cents, same brand, same store, in June; 43 cents yesterday.

Two pounds of soda crackers, 42 cents in June, 50 cents yesterday.

A pound and a half of soap chips. Soap is not a food item, but you cannot wash without it. You have to wash dishes, you have to wash pots and pans. Soap is one of the things that goes into the kitchen with every food basket. It was 25 cents in June. That was the average price in the city. Yesterday in this store, the cheapest chain store in Washington, it was 34 cents.

So what you could buy in June for $10.08, yesterday you paid $15.02 for.

We have here meat, eggs, dairy products, fats and oils, canned goods, packaged goods, and beverages. Economists generally agree that such foods constitute over 65 percent of the average household food demands.

In June of 1946, $10 would have paid for these sample items which are basic in any household food budget.

By March of 1947, 8 months later, we find that the NAM promise has not worked out. What was that promise? Remember?

"If we would just get rid of price control we could get the goods we wanted at prices we could afford to pay."

Well, gentlemen, it takes $15 to buy exactly the same articles that could have been bought last June for $10—that is the way it has worked out.

In other words, the cost of these basic food items has risen 50 percent since last June when we ended effective price control.

This fantastic price rise illustrated by the foods in this basket is symptomatic of a national trend.

I quote a statement from the BLS in its release to the press of March 6, 1947, regarding wholesale prices for week ending March 1. It states:

Food prices also rose, influenced by the general market conditions with the group index up 3.1 percent during the week to a level 55.2 percent above a year earlier.

This wholesale food rise of 55 percent is reflected in 65 percent of what a housewife buys in her market.

The remaining food she must buy, fresh fruits, vegetables, cereals, and sweets, although slightly more expensive than in June, have not yet been caught in this rapidly increasing spiral.

By very careful management, a housewife can average out her food budget between 30 and 35 percent above what she paid last June, depending of course, on where she buys and in what part of the country she lives.

The American housewife today must have 30 to 35 percent more money in her pocket in order to buy the same products which she bought last June, in order to feed her family. Has she got it? That, gentleman, is the $64 question.

How are people living? The answer is that some of them are not getting the kind of food they should get with these rising costs.

Do you recall, gentlemen, what the over-all food price rise was for the 4 years that preceded last June? It was 15 percent. Fifteen percent in 4 years' time under price control, and 30 to 35 percent rise in 8 months after price controls were removed.

Now I would like to place this basket where it belongs—squarely in the lap of the Republican Party.

These price increases should make it plain why wage increases since VJ-day have been wiped out. On top of that,

as shown in the wage table printed in the magazine Business Week, which I inserted in the RECORD, February 27, wages in the fall of 1946 are lower than in mid-1945. The buying power of wages has shrunk since then. It will shrink again if we persist in blowing the lid off rents.

Mr. Speaker, for the convenience of the Members, I ask unanimous consent to include at this point in the RECORD, the wage table printed in the magazine Business Week for February 15, 1947.

The SPEAKER. Is there objection to the request of the gentlewoman from California?

There was no objection.

[From Business Week of February 15, 1947]

	Average weekly income available for spending in terms of 1939 dollars			Percent change in real income available for spending		
	1939	Mid-1945	Autumn, 1946	1939 to mid-1945	Mid-1945 to autumn 1946	1939 to autumn 1946
Manufacturing industries:						
Iron and steel	27.20	36.50	31.50	+34	−14	+16
Electrical machinery	26.80	35.00	30.80	+21	−12	+15
Machinery, except electrical	29.00	38.40	32.90	+32	−14	+13
Automobiles	32.60	38.20	33.10	+17	−13	+2
Transportation equipment except autos	30.20	41.90	33.90	+39	−19	+12
Nonferrous metals	26.50	35.50	31.00	+34	−13	+17
Lumber	18.90	25.00	25.40	+32	+2	+34
Furniture and finished lumber products	19.80	27.50	27.10	+39	−2	+37
Stone, clay, and glass	23.70	30.10	28.60	+27	−5	+21
Textile products	16.70	23.50	24.70	+41	+5	+48
Apparel	18.00	22.70	23.80	+26	+5	+32
Leather and products	19.00	26.40	24.00	+39	−9	+26
Food manufacturing	24.20	29.80	28.30	+23	−5	+17
Tobacco products	16.70	23.00	23.90	+38	+4	+43
Paper and products	23.50	30.40	29.20	+29	−4	+24
Printing and publishing	32.10	34.20	33.90	+7	−1	+6
Chemicals	25.30	33.20	29.20	+31	−12	+15
Petroleum and coal refining	32.30	41.00	34.00	+27	−17	+5
Rubber products	27.60	37.30	32.30	+35	−14	+17
Miscellaneous	24.20	32.20	28.90	+33	−10	+19
Mining industries:						
Anthracite coal	25.40	34.70	37.90	+37	+9	+49
Bituminous coal	23.60	36.60	38.30	+55	+5	+62
Metal	27.80	33.60	31.40	+21	−1	+13
Nonmetals and quarrying	21.40	32.00	30.80	+50	−4	+44
Crude petroleum	33.80	38.90	34.50	+15	−11	+2
Transportation	31.40	37.20	35.50	+18	−5	+13
Public utilities	32.10	33.60	31.50	+5	−6	−2
Finance	31.20	32.60	30.00	+4	−8	−4
Service	16.20	21.30	20.50	+31	−4	+27
Construction	24.10	36.70	33.50	+52	−9	+39
Retail trade	21.00	22.00	21.50	+5	−2	+2
Wholesale trade	29.60	33.20	31.50	+12	−5	+6
Federal Government (civilian)	38.80	42.60	35.50	+10	−17	−9
State and local governments	25.60	23.80	23.50	−7	−1	−8
Public education	26.10	22.50	21.00	−14	−7	−20
Agriculture and related industries	7.60	14.90	14.50	+96	−3	+91

Data are estimates by Business Week, based on information published by the Department of Labor and the Department of Commerce. Because statistical adjustments of the character applied to the basic data leave results that are only approximations of the true averages, the statistics for weekly income available for spending have been rounded out to the nearest 10 cents and in some cases to the nearest 50 cents. Thus, the figures for mid-1945 and autumn 1946 are of use chiefly as an indication of the general magnitude of the change in real income.

Mrs. DOUGLAS. Mr. Speaker, our $200,000,000,000 economy cannot be kept healthy on a diet of profits alone. We must have consumption to keep up production, and they must be in balance.

What does the Republican Party, what do the leaders of that party now in control of the Congress, what do the tycoons of American business and industry propose to do about this dangerous lack of balance now in our economy, about the fact that 1947 corporation profits are expected to surpass 1946 profits, that reached the all-time high of $11,800,000,000 after taxes? Do they see anything dangerous in a situation in which prices rise, profits rise, and real wages fall?

Their remedy is to double the dose, the course of treatment that has aggravated the disease to date.

They propose a tax cut for the future relief and greater profit of the greedy, not the needy. Some of them, and particularly in this House, propose to put across-the-board tax cuts ahead of everything else, ahead of national defense, of necessary social services, of adequate antitrust enforcement, of wealth-producing investment, particularly in the West. And—shades of McKinley and Andrew Mellon—it has been proposed that tax cuts be put even ahead of debt reduction.

What most independent businessmen want, I am convinced, are stable prices for materials and products, stable markets so that they can make plans and carry them out without going broke.

If we are going to get our postwar domestic affairs in order so that businessmen can make such plans, this Congress must do something about the hard facts of what it costs people to live.

This Congress must recover and keep a healthy balance between prices, wages, and profits during the next few years when our own demand for goods and the world's need for goods are certain to exceed our capacity to produce. To do so will be for Congress to take such action to protect independent business and genuine free enterprise.

I would remind the Members that we undertook to do just this a little more than a year ago when the Congress passed the employment act.

Today, that act is being honored more in the breach than in the observance.

Acting on recommendations, of the Board of Economic Advisers, created by that act, the President has made certain immediate and long-run recommendations for maintaining a healthy equilibrium in our economy.

The joint congressional committee, also created by that act, has treated the President's report as a hot potato. It has juggled it and set it aside to cool, and perhaps to be forgotten. The committee solemnly told the country that it could not express an opinion on the immediate problems mentioned in the President's report because various congressional committees were now dealing with them. It stated that the long-run problems were long run, and, therefore, need not be dealt with quickly. They could wait until the committee would assemble a staff.

Mr. Speaker, allowing for differences in numbers, if General Marshall and General Hershey had assembled the Army with the same speed now being displayed by this joint congressional committee, the war would still be on—assuming we had not been beaten, invaded, and overrun.

Unless that committee does get to work on both the immediate and long-run recommendations of the President, unless it comes up with some practical measures for maintaining economic health, we are going to be beaten, invaded, and overrun by depression, as in 1920 and 1929, and for the same reasons.

Congressional leaders have not had time for this. But they had time to frame bills and cut appropriations kicking the lid off rent controls, reneging on our promises made to veterans in the Veterans' Emergency Housing Act and wrecking what is left of priorities and allocations in CPA. By their standards, the standards of the Harding-Coolidge-Hoover era, the Republican leaders have put first things first; namely, profits.

Unfortunately, if this course is continued, the damage will not be confined to the hopes of the Republican Party, already beginning to wither and turn yellow around the edges. The American people will suffer.

Mr. Speaker, you think of such matters when you see housewives shopping for food these days, when you see them matching their $10 bills and their $5 bills and their $1 bills and their silver and pennies against the labels and the price tags in the grocery stores and the butcher shops of this country. That is where the fine campaign promises of last year and next year pay off or fail to pay off.

The reckless decontrol program—for business—and the ferocious control program now being formulated for labor—are wrong and impossible, and businessmen begin to feel this in their bones. They realize it out of their own experience.

I have here a letter dated February 28, 1947, from a small businessman of Los Angeles, Calif. He is a wholesaler, dealing in lighting fixtures and other electrical supplies. I omit his name lest by chance he be embarrassed in some of his business relationships.

He says:

It is imperative to continue steel priorities. If controls are lifted, prices will skyrocket

above today's high levels and will harm not only the building industry, but also the country's entire financial stability.

We urge you to vote for continued controls over the steel.

There is a businessman who has had enough of the NAM–GOP pie-in-the-sky propaganda. He would rather hold on to what has brought him through the past 6 years than to go down in the anarchy that would result from washing out priorities and allocations at a time when our supply of steel is still inadequate to meet the competing demands of transpo tation, construction, automobiles, and other industries.

Now, Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include at the end of my remarks seven items which, in my opinion, establish the fact that honest conservatives, believers in genuine free enterprise, are disturbed and alarmed about the high cost of living and the dangerous effects of further price increases upon our economy and industrial peace.

First. The text of an article by Mr. Russell Porter, published in the Business News Section of the New York Times, March 2, 1947, from which I shall read certain passages.

Second. Excerpts from an article in the same paper of the same date by Mr. C. F. Hughes, business news editor of the New York Times.

Third. Excerpts from the February 28 issue of the United States News, of which the noted commentator, David Lawrence, is editor.

Fourth. An article from the New York Times of March 6, 1947, reporting purchasing agents' fear that rising commodity prices may wreck retail efforts at stabilization.

Fifth. An article by the distinguished reporter and commentator, Mr. Thomas L. Stokes, giving a Mississippi country merchant's price list on food for a share cropper's family and showing a 74-percent increase over last year. This article was published in the Washington Daily News, March 8, 1947.

Sixth. A news dispatch from Chicago, dated March 8, 1947, reporting the statesmanlike decision of International Harvester Co. to reduce its prices $20,000,000 a year before April 1 because of a feeling that prices are generally too high.

Seventh. A news story from the New York Post of March 10 on New York food prices.

Before calling particular attention to Mr. Porter's article, Mr. Speaker, it should be explained that he appears to have been assigned for the past year to be a kind of psychiatrist to American industry and business. Week after week he has presented the views, the hopes, and the arguments of American business and industry and its plans for meeting postwar problems and opportunities.

On March 2 Mr. Porter seemed to have had enough. He said—I want to read this, word for word:

In the grand ballroom of the big hotel in Chicago last week various speakers warned a meeting of the American Management Association that the future of the free-enterprise system depended upon business and industry improving their human relations with the public; that is, with their workers and their consumers as human beings. Top management was held to be fumbling the ball in this most important and difficult field.

In the lobbies of the same hotel and in the nearby business offices and streets of Chicago's famous Loop, the nerve center of the great Midwest industrial and agricultural regions which come together there, this reporter found strong support for such a view of the current public relations of the American economic system.

Chicago's newspapers were headlining $30 hogs, highest on record; predicting $1 a pound pork chops in a few days, so that what has been traditionally the poor man's meat has become a luxury product, and reporting March wheat at the highest price since 1920. Prices of clothing were also on the climb.

Businessmen and economists in the middle-income brackets were complaining about being priced out of the market themselves for new homes, automobiles, and other manufactured articles which the economists call durable consumer goods.

And everybody, rich, poor, or in-between, was talking about the huge profits being reported and the fat dividend melons being cut by many of the country's large corporations.

Obviously, here is a problem in public relations which reaches right down to the grass roots of what people as individual human beings, not as statistics in an official report or lines on a chart, have to pay for what they eat, wear, live in, or otherwise use in their daily lives, what they can afford to buy, how long they can remain customers or potential customers, except for the barest necessities, of the products of American industry, and how all this will affect their confidence in the American system as a whole

Mr. Porter then poses his warning, and it is a warning I think that every Member of the House should ponder. I quote:

The time is getting close when industry must find an answer to this problem that will satisfy the public in the next 60 or 90 days. Management will have to deal with postponed wage demands in coal, steel, automobile, telephone, electrical, railroad, and other strategic industries.

Mr. Speaker, by striking at rent control and by proposals to wipe out our housing priorities and allocations, Congress itself has hastened the day of the show-down, Mr. Porter predicts. He warns that the new upsurge of prices and higher rents will affect future wage negotiations. He says—and I quote:

If the new upsurge of commodity prices is not checked, if rent ceilings are raised suddenly and indiscriminately, the effect on coming wage negotiations may be very bad.

Mr. Porter says further, and I quote:

Another big inflationary spurt, pricing more and more buyers out of the market, it is held may eventually result in huge unsaleable surpluses which might have to be dumped on the market at a terrific loss, causing business failures, mass lay-offs and depression. Many businessmen concede privately that prices are too high and should be reduced voluntarily and gradually now in order to stop the inflationary spiral and forestall the deflationary one that might follow a forced and sharp break in prices later. But, with a few exceptions, everybody seems to be waiting for the other fellow's prices to be cut first.

So what should be done?

Members will do well to give thought to Mr. Porter's answer.

So will the officers and the dues-paying members of the NAM.

Here is Mr. Porter's prescription:

National leadership appears to be required, but so far has been lacking either to reduce prices or explain convincingly why this cannot be done. Of course, neither the Government nor a private organization like the National Association of Manufacturers has the power to compel any businessman to reduce prices, but each has a great deal of moral authority, and an appeal from either, coming on the eve of major wage negotiations, would be hard to ignore.

To the NAM, Mr. Porter suggests "action in the public interest." International Harvester's price cuts are a sample of what could be done along this line.

To this House, I suggest "action in the public interest"—and fast. Mr. Porter says we have great moral authority. He suggests we exercise it before it is too late. I say Amen.

Let us get down to our business, which is outlined in the Employment Act of 1946 and spelled out in the President's recommendations thereunder. Mr. Porter suggests we have 60 to 90 days to avert disaster.

If we persist in wrecking rent control April 30, it is later than we think.

Mr. Speaker, the times call for national unity and singleness of purpose in domestic as well as in international affairs. In a very real sense, the world crisis with which our President and committees of the Congress are dealing on a day-to-day emergency basis has its counterpart in the rapidly developing crisis here at home that comes into sharp focus when you see what $15 will buy in the way of food.

If we are to do our part in holding the world together in an effort to achieve freedom for all peoples and, therefore, for ourselves, it is imperative that we face up to attack and lick this problem of the high cost of living before it tears loose in a spiral of run-away inflation and a new outbreak of industrial strife.

Abroad and at home, pits of conflict and chaos appear to open before our feet. If we hesitate, temporize, or attempt to evade the courses of action that economic, political, and social justice dictate, we can lose.

If we act with courage, decision, and speed, in a spirit of national unity which the emergency demands, the pits will close and we can go forward to prosperity at home and peace in the world.

As on March 4, 1933, and at Pearl Harbor, it is equally true today that "we have nothing to fear but fear itself."

Let us draw together and again rise to meet the challenges and the opportunities that confront us. Then in deed as in words, Mr. Speaker, "America the Beautiful" wil be more truly beautiful in the eyes of all our people and in the eyes of all the freedom loving peoples of the world.

This is America's moment. May we prove our democratic faith by our works at home and abroad.

Now, Mr. Speaker, if I have any time left I shall be very happy to answer any questions.

Mr. KEEFE. Mr. Speaker, will the gentlewoman yield?

Mrs. DOUGLAS. I will be delighted to yield to the gentleman and apologize because I felt I had to make my few remarks first.

Mr. KEEFE. May I say that I have listened with great interest to the very fine statement the gentlewoman has made. I would like to ask her, however, just what she specifically recommends out of this general statement that she has made appealing to the Congress and to the public? What does she recommend that this Congress do to alleviate the situation of which she complains?

Mrs. DOUGLAS. As the gentleman can see if he followed my remarks——

Mr. KEEFE. I did follow the gentlewoman's remarks very carefully.

Mrs. DOUGLAS. I am trying to sound an alarm before it is too late on the question of rent control. I feel it would be disastrous if rents were allowed to skyrocket as food prices have skyrocketed since we did away with an effective price-control program in June.

Now, the gentleman asks me how would I do it. I do not say it to be facetious; but if you do not like the words OPA, call it anything else you like, but keep a real rent-control program. But, as long as there is a great housing shortage in the country, as long as we have not yet housed our veterans, we ought to keep rent control. That was promised by this Congress last year when you killed OPA. Almost no one came out and said they wanted to kill the rent-control program.

Mr. KEEFE. May I say to the gentlewoman that I am in complete accord with that, but I think that so far as I personally am concerned, and with the thesis of attempting to hold down rents in view of the situation facing the Nation, I think that this Congress has expressed itself and did express itself. What I would like to have the gentlewoman answer is the question that concerns me as an individual Member of Congress what I am going to be able to do and what others are going to be able to do in view of the alarm which the gentlewoman has sounded and generated, and which some of us have also generated and sounded? What are we going to do about it, and how? That is what I would like to know.

Mrs. DOUGLAS. The gentleman is talking about the over-all program? I thought I made myself clear in my speech. I wish you would follow the recommendation of the President of the United States under the Employment Act.

Mr. KEEFE. We are talking about rent control now.

Mrs. DOUGLAS. All right, talk about rent control. You have to keep the 649 area rental offices, and you cannot have rent control through a court enforcement system, and that is what is being proposed.

Mr. KEEFE. That bill is before the President now.

Mrs. DOUGLAS. That is right, and I hope he vetoes it.

Mr. KEEFE. Do I understand the gentlewoman's position is that he should veto that bill, the deficiency bill, which is now up there?

Mrs. DOUGLAS. If vetoing the bill could save the rent-control program, yes, but in the last analysis it has to come back to this Congress, and the gentleman who is talking represents the majority party.

Mr. KEEFE. Do not dignify me with that compliment. I am not.

Mrs. DOUGLAS. All I am saying is that you cannot have a rent-control program unless you can control rents, unless you can enforce them at the grass roots. Everybody knows that. To talk of anything else is to talk sheer nonsense and pretend you are giving something to the American people which you are not giving, and it is up to the majority party in Congress, who are supposed to have the leadership, to lead.

I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I think the gentlewoman is handling the gentleman so well that I will desist.

Mr. KEEFE. It is very obvious that the distinguished whip, who used to be the majority leader, has been sitting on the hot spot, so to speak, attempting to help the gentlewoman. I think the gentlewoman is perfectly able to take care of herself; I believe that. I am simply asking the gentlewoman a simple question that I am just as much interested in as she is, or the people of Los Angeles. We are interested in this question of rent control.

Mrs. DOUGLAS. Then do something about it.

Mr. KEEFE. I am asking the gentlewoman——

Mrs. DOUGLAS. Why did you kill the only instrument that is capable of holding down rent control?

Mr. KEEFE. My dear lady——

Mrs. DOUGLAS. I mean, the gentleman's interest is not going to keep the rent down for 50,000,000 American people.

Mr. KEEFE. That, of course, is a very impassioned statement.

Mrs. DOUGLAS. It is an impassioned statement, and if the gentleman will go with me out to the grocery stores here and talk to anybody, any of the people on the street, and know the concern which they are feeling, he will be impassioned, too. I am impassioned. I am not making this speech for political capital. I am making this speech in the vain hope, perhaps, that the majority party will do something before it is too late, because if these rental offices go out April 30, you cannot reinstate them. You can say, "I am sorry." It is too late. But that will not help.

Mr. KEEFE. May I ask the gentlewoman this question? The gentlewoman has said that the whole program will go out and there is no use fooling the American people.

Mrs. DOUGLAS. The gentleman knows it will go out.

Mr. KEEFE. I am not talking about rent control.

Mrs. DOUGLAS. I say, the gentleman knows it will go out. The gentleman voted for it to go out.

Mr. KEEFE. Rent control still remains; does it not?

Mrs. DOUGLAS. What good does that do? What good does it do to have rent control if you cannot have the area rent control offices?

Mr. KEEFE. I am a renter. I live in an apartment.

Mrs. DOUGLAS. The gentleman will find out.

Mr. KEEFE. I will find out. You bet I will find out and that is what the gentlewoman ought to tell the people of America because——

Mrs. DOUGLAS. What good does that do? They do not care whether you find out.

The average wage in America is $47.58. That family already has its budget bursting at the seams to buy meat, potatoes, coffee, eggs, and milk. According to my sampling, the housewife is not able to buy oranges and grapefruit any more.

Mr. KEEFE. I know that.

Mrs. DOUGLAS. Because that family does not have enough money left in its budget. They have to get meat, potatoes, eggs, and milk. There is no money for oranges. If there is anybody here from Florida, he knows that is one of the things that is making the Florida people so sick right at the moment. People do not care whether you are uncomfortable or not; they care whether they are uncomfortable; they are worried that the landlord to whom they are paying at this moment $30 or $40 a month is going to come in May 1 and say, "You will pay, Mr. Brown, $80 a month or you will get out." And who is going to prevent it? And then the Republican Party invites him, when they get around to passing the law, to go to the court.

Mr. KEEFE. That is exactly the point.

Mrs. DOUGLAS. The court will have millions of cases before it eventually. Here is this case. What will Mr. Brown and his children do? They do not care whether you are uncomfortable or not. They care whether they are uncomfortable.

Mr. KEEFE. Of course, I have never had a conversation with the gentlewoman before. I see the impossibility of even getting a word in, because she has the floor.

Mrs. DOUGLAS. I do not want to be facetious. I do not think this is a facetious matter. It affects 50,000,000 American families. I am trying to talk for the American people.

Mr. KEEFE. Well, let me ask this.

Mrs. DOUGLAS. It is going to be too late when they talk in 1948. They will have been thrown out of their houses by then.

Mr. KEEFE. Again I struggle to get one word in in order to ask my question, and I hope the record will show that.

Mrs. DOUGLAS. They do not care what the record shows here. They will not care about the record when they are thrown out of their houses.

Mr. KEEFE. Mr. Speaker, I surrender back the balance of my time. No one can go against that.

[From the New York Times of March 2, 1947]

PUBLIC-RELATIONS PROBLEM PRESSED UPON MANAGEMENT — NEW RELATIONS WITH WORKERS AND CUSTOMERS SEEN NECESSITATED BY PRICE OUTLOOK

(By Russell Porter)

In the grand ballroom of a big hotel in Chicago last week various speakers warned a meeting of the American Management As-

sociation that the future of the free-enterprise system depended upon business and industry improving their human relations with the public—that is, with their workers and their consumers as human beings. Top management was held to be fumbling the ball in this most important and difficult field.

In the lobbies of the same hotel and in the nearby business offices and streets of Chicago's famous Loop, the nerve center of the great Midwest industrial and agricultural regions which come together there, this reporter found strong support for such a view of the current public relations of the American economic system.

Chicago's newspapers were headlining $30 hogs, highest on record; predicting $1-a-pound pork chops in a few days, so that what has been traditionally the poor man's meat has become a luxury product, and reporting March wheat at the highest price since 1920. Prices of clothing were also on the climb. Businessmen and economists in the middle-income brackets were complaining about being priced out of the market themselves for new homes, automobiles, and other manufactured articles which the economists call durable consumer goods.

And everybody, rich, poor, or in-between, was talking about the huge profits being reported and the fat dividend melons being cut by many of the country's large corporations.

Obviously, here is a problem in public relations which reaches right down to the grass roots of what people as individual human beings, not as statistics in an official report or lines on a chart, have to pay for what they eat, wear, live in, or otherwise use in their daily lives, what they can afford to buy, how long they can remain customers or potential customers, except for the barest necessities, of the products of American industry, and how all this will affect their confidence in the American system as a whole.

The time is getting close when industry must find an answer to this problem that will satisfy the public. In the next 60 or 90 days management will have to deal with the postponed wage demands in the coal, steel, automobile, telephone, electrical, railroad, and other strategic industries.

It had been hoped that the cost-of-living decline that began in December would continue and spread sufficiently to limit the extent of second-round wage increases necessary to satisfy the workers and prevent another wave of major strikes in 1947.

Then, it had been expected, uninterrupted mass production and increased productivity due to a more cooperative attitude on the part of rank-and-file labor since election day, an improved flow of materials since the end of price controls, and postwar technological improvements would gradually provide a tremendous flow of goods at reduced production costs.

This, it was believed, might ease the country down to a lower price level without a depression and mass unemployment, and set the stage for a sustained period of prosperity supported by high-level production and employment and a better balanced wage-price-profit relationship from the standpoint of both consumer purchasing power and savings for investment in new production and employment.

But the new upsurge of commodity prices has disturbed these expectations. If it is not checked, and if rent ceilings are raised suddenly and indiscriminately, the effect on the coming cost-of-living wage negotiations may be very bad.

As the February bulletin of the Federal Reserve Bank of Chicago pointed out before the upsurge, that district's average weekly "real" earnings in manufacturing industries (in terms of buying power) have declined since VJ-day because of the rise in the cost of living, despite last year's first-round wage rate increases. It held that second-round increases of 10 percent, a point at which many businessmen have been hoping they could be held, would restore real wages to VJ-day levels only if prices remained constant, whereas a further advance of 5 percent in the cost of living would require a 15 percent rise in wage rates to reestablish end-of-war real earnings, and so on. By the same token, it was shown, a 5 percent decline in the cost of living would reduce the required wage increase to 5 percent.

ALTERNATIVES AND RESULTS

If the unions by strike or threat of strike force excessive wage increases, or if management grants such increases as a matter of appeasement in the hope of protecting the present rate of profits, so that further price increases nullify the benefits to those workers who receive wage increases, and put a severe squeeze on those nonunion white-collar groups that get no raises, economists warn that the results to the national economy may be disastrous.

Another big inflationary spurt, pricing more and more buyers out of the market, it is held, may eventually result in huge unsalable surpluses, which might have to be dumped on the market at a terrific loss, causing business failures, mass lay-offs and depression.

Many businessmen concede privately that prices are too high and should be reduced voluntarily and gradually now in order to stop the inflationary spiral and forestall the deflationary one that might follow a forced and sharp break in prices later. But, with a few exceptions, everybody seems to be waiting for the other fellow's prices to be cut first.

National leadership appears to be required, but so far has been lacking, either to reduce prices or explain convincingly why this cannot be done. Of course, neither the Government nor a private organization like the National Association of Manufacturers has the power to compel any businessman to reduce prices, but each has a great deal of moral authority, and an appeal from either, coming on the eve of major wage negotiations, would be hard to ignore.

At its annual meeting last December the NAM acknowledged its responsibility for putting forward positive and constructive proposals in the public interest for the solution of national problems affecting the economic and social welfare of the people. Subsequently it sponsored a meeting of public relations executives for business and industry, at which the keynote was expressed that good public relations for American free enterprise rest upon two foundations: 1. Action in the public interest; 2. Full public information.

This is a new policy for the NAM, which has admitted its error in failure to offer anything more than mere opposition to New Deal proposals for changes in the public interest between 1932 and 1946. Many observers are watching the present situation with interest as a test of the new policy.

[Excerpt from the Merchant's Point of View, by C. F. Hughes, business news editor, the New York Times, March 2, 1947]

To all intents and purposes OPA disappeared 6 months ago, so that it would appear that there has been almost enough time to test out the theory that prices would not get out of hand when left to the devices of a free market. Production meantime has been running at record levels and far above prewar rates.

The over-all evidence, however, is that there has been little slowing down in the general advance. Thus the wholesale price-commodity index of the Bureau of Labor Statistics for the week ended February 22 rose again to another postwar peak. The increase for the month was 2.9 percent and for the year 34.4 percent. Farm product prices were 1.7 percent higher for the week and within 0.2 percent of their late November peak. Food prices were 50 percent higher than 12 months ago and manufactured products 35 percent.

What the resurgence of price inflation means, in the opinion of informed observers, is that business is riding for a harder fall than the moderate readjustment and recession period which has been predicted so generally for later in the year. The Civilian Production Administration emphasized this point in a statement issued toward the close of the week.

The over-all evidence is therefore discouraging from the standpoint of believing that business would exercise the price and profit restraint necessary to keep demand in a healthy state.

[From the United States News of February 28, 1947]

NEWSGRAM

Chances are that price rises under way will be the last of this inflation. Any more sharp rises from this level almost surely would choke off much demand.

Living costs are going to rise somewhat further due to new price rises. Meats, for example, are to cost more. Mark-ups still are being made on clothing.

Rents are due to take a sharp rise in the second half of 1947.

A new car won't cost less before late 1947, if then. It is the same with electrical equipment for the house. Housefurnishings aren't declining in price.

Cost of building is getting up to rather fantastic heights. The rise in price of building materials since prewar has been greater than the rise after World War I that stopped the first postwar building boom in its tracks.

Of course, it always is possible that the cycle can take another turn in an upward direction, with a new wave of wage increases followed by a new wave of price increases. That is a rather slim prospect, though, now that production is rolling in a big way. Wage rates will go up some, but if prices rise much more there can be a sudden and severe check to many kinds of demands.

Just to give you an idea of how high prices already have risen:

Farm products, at wholesale, are up 159 percent since 1939.

Foods, among farm products, are up 129 percent in the same period.

All other commodities, as a whole, have risen 58 percent at wholesale.

Building materials cost 91 percent more than before the war. Cost of these materials has risen 23 percent in 13 weeks and still is skyrocketing.

Textile products, at wholesale, are 94 percent higher than in prewar.

A very large price inflation obviously has occurred. Inflation still is under way in many prices. The bigger the inflation, the harder the fall when the break comes, as it always does when things have moved up this much.

A house built at these levels would be built at or near the cycle top.

Old-house values will remain high so long as building costs are high and so long as demand for dwellings is greater than the supply.

Apartment house and other rental-housing construction will continue to be discouraged so long as building costs are high and rents are held low.

Any real slow-down in construction can have important effects upon business in general. With construction prices up where they are, and rising, there is growing doubt whether volume of construction can be maintained through 1947.

Building materials, farm products, textiles are price-danger spots.

[From the New York Times of March 6, 1947]

CALL RISING PRICES HOLD-LINE THREAT—PURCHASING AGENTS SAY TREND IN MATERIALS MAY WRECK RETAIL EFFORTS FOR STABILIZATION—COMMODITY GAINS CITED—COVER NEW PEAKS IN METALS, HOGS, BEEF, WHEAT—DISCOUNT COPPER DUTY CUT FOR RELIEF

Efforts to "hold the line" and prevent a "second round" of increases of retail prices may be wrecked by current upward spirals in materials prices, industrial purchasing agents disclosed here yesterday. New peaks in prices in copper, silver, pig iron, scrap, lead, hogs, beef, wheat, and other materials and supplies may bring serious repercussions through forcing repricing of manufactured products on a new high level in both the wholesale and retail trade, they said.

The price curve for many products is now beginning to look more like a repetition of the 1920 and 1929 patterns, leading purchasing executives revealed.

Large buyers of copper said that the latest rise of this commodity to 21.5 cents had particularly increased their apprehension about the danger of a further inflationary spiral. They said that the actual monthly deficiency of copper for domestic users is not less than 30,000 tons a month, and probably is closer to 50,000.

FOREIGN RELIEF DISCOUNTED

Prospects for relief through lowering the 4-cent tariff were said to be scanty, since foreign demand for copper has shown no signs of slackening despite reports of unsettled business conditions in England and Europe. Unless sellers of foreign copper have tonnage in reserve, available for sale to American buyers, domestic purchasing agents will have a hard time getting increased copper from foreign sources, they said. So far as is known, there are no large foreign reserve stocks available for purchase, they disclosed.

At 21½ cents, or at 23 or 25 cents, copper is getting into a price area in which an industrial buyer has got to be cautious, purchasing executives warned. The latest increase means that this metal has passed out of one general price area and into another in which, unless buyers stay "close to shore" and buy only for delivery in the next couple of months, they may get into trouble, it was said.

End products of copper, including wire and cable, have gone up in price, buyers disclosed. Several end product manufacturers are not only reflecting the advance in the price of the metal, but are also taking advantage of their position to increase certain products more than the percentage of increase in copper prices would warrant, they said. Weatherproof, magnet wire, and some bare and tin sizes of copper wire have advanced, they said. Because of scarce supplies, some manufacturers have apparently decided to make some money on their available materials, purchasing agents said.

URGE CHECK ON RISES

Raw materials, which have advanced during the past two weeks in fairly large jumps, represent a very substantial segment of the national economy, purchasing agents said. If they were in a position to do so, they said they would insist that somebody has got to stop excessive price rises some way very soon.

One way to meet this problem would be for some of the leading manufacturers to say that they simply cannot make their products at reasonable prices with raw materials spiraling upward from present levels, purchasing executives said. Acting on such a policy, they would cut off buying at present levels and merely sell from current inventories until prices dropped to lower levels, they said.

Some manufacturers in the metropolitan area already have adopted that policy. Lamp manufacturers, it was disclosed yesterday, have stopped buying cast-iron lamp bases in quantities of 1,000 or 2,000 per order, and are now buying hand-to-mouth in quantities of 100 or 200 at a time. These orders have been cut back because of fear of a sudden price decline causing inventory losses, they said.

This is the time to keep calm, cool, and collected, the Bulletin of the National Association of Purchasing Agents released today advises industry. "Some commodity markets have gone completely haywire during the past few weeks * * * these price advances are bad medicine," it said.

[From the Washington Daily News of March 8, 1947]

DEMOCRACY BEGINS AT HOME

(By Thomas L. Stokes)

Sometimes a case history is a good thing to show us some of the hard facts of life.

Here's one contained in a letter from Mississippi:

"I am a country merchant. My trade is made up wholly of Negro share croppers and other Negro farm workers. I am white and native of Mississippi. Both my grandfathers were slave owners. My father served 4 years in the Confederate Army. So if I am 'red' I am a native southern red.

"I am enclosing a fairly typical grocery list of a share-cropper family and comparative prices as between controlled prices last March 1 and uncontrolled prices this March 1. You will note the percentage increase to these farm families in their food cost is 74.

"It is not expected that anything will be done by the Government or otherwise to correct this gross injustice to the people involved by the removal of price control, because they are in the same position as the peasants of Russia, coolies of China, and peons of Mexico. They have no voice in government and fear to make protest."

He enclosed the following table:

	Controlled Mar. 1, 1946	Uncontrolled Mar. 1, 1947	Increase
50 pounds flour	$2.85	$4.35	$1.50
16 pounds lard	1.61	3.75	2.14
25 pounds meal	1.20	1.50	.30
1 gallon molasses	.90	1.25	.35
8 pounds meat (salt)	1.76	3.20	1.44
1 pound coffee	.35	.50	.15
1 pound baking powder	.25	.25	.00
5 pounds beans	.50	.88	.38
5 pounds peas	.50	1.38	.88
6 cans salmon	1.20	2.34	1.14
5 pounds sugar	.35	.75	.40
5 pounds rice	.50	.75	.25
1 package washing powder	.26	.45	.19
5 bars soap	.50	.75	.25
Total	12.73	22.10	9.37

Typical monthly grocery list of share-cropper family of four to eight members.

Monthly cash furnish—$20 to $30.

* * * * *

The "furnish" is the allowance to the sharecropper which is deducted from his share of the crop in a settlement after the crop is harvested.

That's the story. At these prices, as can be seen, little or nothing is left over after the grocery bill is paid.

Back of all this is a human story, or many human stories, of how a segment of our population lives in these days of inflation, with prices for food at their peak. Prices have not gone down as was forecast during the feverish campaign which finally ended in abolition of price control. The few remnants of OPA, rent control, and rationing of sugar and rice, seem soon slated for extinction. The pinch, although worse for the sharecropper, is felt all along the line in other income groups, too. Demand has been raised in Congress for an investigation.

Price control was abolished as a "mandate" of the election as established national policy.

But this Mississippi story goes beyond inflation, bad as that is, and reveals, once again the denial of economic advantages and political rights to a part of our population. It dramatizes recent set-backs along the southern front, including reinstatement of the "white primary" in Georgia, Talmadgeism there and Bilboism in Mississippi, and an antilabor legislative drive in southern States.

We still have a job ahead of us in improving the democracy that we would like to spread elsewhere.

[From the New York Times of March 9, 1947]

HARVESTER WILL CUT PRICES BY $20,000,000 A YEAR

CHICAGO, March 8.—The International Harvester Co. announced today it would put into effect before April 1 a series of price cuts that will save customers $20,000,000 a year. The action is being taken, said Fowler McCormick, chairman of the board, because the company feels that all industry has been caught in a vicious circle of progressively rising prices, profits, and wages. He emphasized that neither consumer resistance to present prices nor competitive necessity entered into the price decision, and added:

"We believe strongly that the best way to distribute the gains of rising productivity is through lowering prices. We are cutting now, although there is every promise that we can sell everything we can make this year and next at present prices."

The price cut is the first made in the industry since before the war. Farm implement prices rose 25 percent in the war period.

Two increases of about 20 percent each were made last year and a 5-percent increase was made in 1941. The over-all increase is considerably less than the 62½ percent rise reported by the Government in the prices of all manufactured goods in the war period.

The $20,000,000 price reductions will be spread over the four major product divisions, which are farm machines, tractors, motor trucks, and industrial power equipment.

Exempted from the cut are twine and fiber, on which prices were recently advanced, refrigeration equipment, a field recently entered by the company, and pig iron and steel, of which the company is not a major producer and of which it absorbs most of its own output.

New price schedules are now being drawn up and are expected to be made public in a few days.

The Harvester company action is the first important cut by a major manufacturer since the reductions announced by the Ford Motor Co. last January under which nine models were slashed $15 to $50 each.

Mr. McCormick said the considerations that led to Harvester's reductions were similar to those given by Henry Ford III. He emphasized, however, that there was one important difference in that the level of prices in Harvester's field had not risen nearly as much during the war as in the automobile industry.

Mr. McCormick said that the company is taking certain risks in cutting prices at this time. The decision, he said, is predicated on three probabilities: (1) That present wage negotiations with union labor will be settled on reasonable terms; (2) that production will not be interrupted by strikes; and (3) that Harvester will be able to continue to buy its material at present or lower prices.

After announcing the company's action and explaining the purposes behind it, Mr. McCormick told reporters that he believed that industry generally is confronted with a very difficult situation.

"The industry has been reluctant to cut prices despite the generally high level of profits because of the constant uncertainty over future wage rates and impossibility of predicting the course of profits if and when production falls off," he said and added:

"I think that we are compelled to seek a more flexible system of distributing the benefits of productivity. We are operating with enormous economic units—corporations on the one hand and unions on the other. Local and regional unions will not make a wage settlement until they know what national wage pattern will be determined by bargaining on a national basis in Washington or Pittsburgh.

"Each employer must wait until the national formula is fixed. He feels that he cannot risk cutting his own prices beforehand because he knows from experience that it is very difficult to raise prices once they have been cut. As a result we have lost the flexibility that we once enjoyed."

Mr. McCormick said that if industry is intelligent it will seek to work out a formula in which it again can distribute the benefits of high production and overcome the present rigidity in the economic system.

[From the New York Post of March 10, 1947]

FOOD PRICES UP 50 PERCENT WITHOUT OPA—NAM'S PROMISE TO PUBLIC BROKEN

(By Henry Moscow)

"If OPA is permanently discontinued the production of goods will mount rapidly and through free competition prices will quickly adjust themselves to levels that consumers are willing to pay. * * * As production gets rolling again, supply will catch up with demand, prices will be fair and reasonable to all, quality will be improved * * * and America will enter the period of prosperity that everyone has been hoping for." National Association of Manufacturers, in a full page advertisement, July 3, 1946.

How has this prediction been substantiated?

The price of food has risen more than 50 percent since full OPA controls were removed June 30, 1946.

In dollars and cents—as translated by the Dun & Bradstreet wholesale price index—food that cost $4.20, the day that OPA began to die piecemeal, cost $4.52 2 days later, cost an all-time high of $6.50 last February 20 and cost an even higher all-time high of $6.77 on March 4.

There is no indication of an immediate decline or even of a leveling off.

Pork prices, for instance, already setting records, are expected to rise even further, increasing the demand—and the price—for beef.

"It's a consumer-producer victory over bureaucratic control. It must be expected that there will be erratic and fluctuating markets with higher prices but this will pass—probably by midwinter—as supplies increase."— the National Livestock Producers Association on October 14, 1946, after President Truman eliminated OPA meat price controls.

The extent of the consumer-producer victory is clarified by the following table comparing final OPA prices with levels current March 6, the last date for which the Department of Markets has released figures:

	Last OPA price	Mar. 6
Rib roast	$0.48	$0.59
Sirloin	.55	.73
Porterhouse	.64	.75
Pork loin roast	.43	.69
Pork loin chops	.48	.75
Veal loin chops	.48	.75
Veal cutlets	.50	.90

Pork chops have since risen in some markets to 85 cents, with dollar-a-pound pork chops in sight. Veal chops have hit 98 cents, veal cutlets $1, porterhouse and sirloin steaks 85 cents in some shops, the department of markets reports.

The reason for the increase? Large consumer demand colliding with shrinking supplies—a situation foreseen by OPA's defenders and offered by them as evidence of the need to continue controls.

Last fall's pig crop was off 11 percent because producers, uncertain of market trends, sold their breeding stock; now, lured by high prices, producers are selling lighter-than-usual animals and keeping larger-than-usual numbers for breeding.

Sheep and lamb production has been falling for 5 years, with last year's rate 34 percent below 1942's, partly because of decreasing demand for high-priced domestic wool.

"As conditions stand," says H. M. Conway, market analyst for the same National Livestock Producers Association that was so jubilant over the consumer-producer victory, "the supply of beef for the year will be very inadequate for the existing demand. This will tend to be greatly emphasized by the cyclical shortage of pork and lamb."

The National Livestock Producers Association, perhaps, is ready to eat its words of last October. It's a cinch the consumer can't afford to eat the association's meat.

"For many months representatives of the livestock and meat industry have insistently demanded the lifting of controls from their products. They have made the definite promise that the lifting of controls would bring to market the meat which our people want at reasonable prices. The American people will know where the responsibility rests if profiteering on meat raises prices so high that the average American cannot buy it."—President Truman, after decontrolling meat on October 14, 1946.

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. O'KONSKI] is recognized for 30 minutes.

HOW A NOTORIOUS INTERNATIONAL COMMUNIST DUPED OUR STATE DEPARTMENT

Mr. O'KONSKI. Mr. Speaker, in passing, and in alluding to the demonstration we have just had, and in reference to the full basket, please get the significance of the word "full," which was dumped on the laps of the Republican Party. I wish to state that you could not even get it half filled last June 30, the days, evidently, to which the lady from California wants to go back to. I notice also in that basket a loaf of bread. Good old bread, the staff of life. My, my, I doubt whether the lady from California wants to go back to June 30 when every housewife had to stand in line 6 hours a day for a loaf of bread and then most of the time not able to get it.

I noticed also in that basket some porterhouse steak. My, how the mouths of America watered at the very mention of the words "porterhouse steak" on June 30 of last year, the days to which the lady from California wants to go back. I do not think there are very many members of her own party who would go back to that.

I remember, June 30 of last year, how popular any man was who had a pair of nylon hosiery in his pocket and how the mobs of very gallant and brave ladies would follow him all over town and stage a riot. Remember those good old OPA days of June 1946? I remember the hosiery lines and the soap lines and the bread lines that we had on June 30 of last year. Has the lady from California so short a memory that she has forgotten so soon?

I do not think that the gentlewoman from California or the minority party wants to go back to those days. If they do, I would challenge any member of her party, and I here now challenge the gentlewoman from California to introduce a bill to bring back the good old OPA days of June 30 of last year and see how far she would get with the people of America. She would not get to first base. The people last November told what they thought of OPA. That basket you notice is full. But on June 30 of last year you could not even get the basket to put the stuff in. So the demonstration that we have just had was very amusing. It was a good stage show, but it was not practical or a common-sense show, because there is not a single person in America outside of the gentlewoman from California, and perhaps a few more, who would go back to June 30, 1946, under Porter's OPA. He and his OPA practically ruined our economy in this country. We had bread lines and meat lines and butter lines and soap lines and lines of every nature. After he practically ruined the economy of our country he was sent to Greece to work on their economy. Now we are told we must send $250,000,000 to bail the Greek people out and save their economy.

Here is the thing to remember about the show we just had. At least, the basket was full. On June 30 of last year you could not even get the basket and if you could get a basket you could not even get it half full and had to stand in line for hours to get it half full. No one wants to go back to that except the gentlewoman from California and Mr. Porter.

I issue a challenge here and now; I defy; I challenge; I implore the gentlewoman from California to introduce a bill to bring back the OPA of June 30, 1946, and see how far she would get with the members of her own party. That is the challenge and that is an answer to the demonstration and show we just witnessed. Last November the members of the gentlewoman from California's own party wished they never heard about June 30 of last year. They do not want to be reminded again.

Let us get back to more serious business, Mr. Speaker. I talked yesterday for a moment, but my time was limited, on the very serious tragedy facing the people of the world, in reference to the very timely statement of the President of the United States yesterday. I admire the President of the United States for making the statement he did regarding the necessity for our interference in the affairs of Greece and Turkey to save them from the onslaught of imperialistic communism. I was ready to go along with the President of the United States of America. I felt that he had given a very timely message. I felt that he said something that our President should have had the courage to say and do 2, 3, and 4 years ago. I was ready to go along with him. I am still ready to go along with him, but I am befuddled. I am just a little farm boy from Wisconsin and I am a little confused, because the message that was delivered to us yesterday by the President of the United States had serious impact the world over. There has not, I do not believe, been in the last 10 years a more important message to the people of the world

than that message delivered by the President of the United States of America on yesterday.

I was ready to go along with him because I came to the conclusion that the President had seen the danger ahead and had set the course for our Nation to follow—a unified course in which all the people of America could join to the fullest extent. That was my hope and fervent prayer. That speech was delivered, and the speech was a challenge that threw down the gauntlet, that from now on we are all through appeasing. In reality that is what he said. From now on we are going to stop the onslaught of communism on all freedom-loving people everywhere. We are going to stop it in Greece, we are going to stop it in Turkey, and we are all fed up with communistic tactics. That was the message from the Chief Executive of the United States, and for that purpose he said the Congress should appropriate $400,000,000 to stop the onslaught of communism. I am willing and prepared to appropriate $400,000,000,000 to stop the onslaughts of communism, but I do not want to appropriate $400,000,000 to stop communism in Greece and Turkey only to have some other agencies of our Government and some other representatives of our Government feeding those same Communists that we are supposed to stop in Greece and Turkey.

Yesterday we were asked to appropriate $400,000,000 to stop communism in Greece and Turkey. Yet the Assistant Secretary of State asks the Appropriations Committee of the House to authorize payment of the shipment of $25,000,000 worth of power equipment, communications equipment, railroad supplies, farm equipment, tractors, and so forth, to Russia. Think of it. In that serious note that we had here yesterday our President asked us to appropriate $400,000,000 to stop communism in Greece and in Turkey, and the Assistant Secretary of State going before the House Appropriations Committee asking for an authorization to give $25,000,000 of power equipment, farm equipment, and railroad equipment to Russia. My God. Is there any sense to that kind of a policy? Spending $400,000,000 to stop communism and then our State Department recommending that we ship $25,000,000 more to help communism. You think that is serious? Listen to this one. We are asked to appropriate $400,000,000 to stop communism in Greece and in Turkey and yet while that message was being made the American representative to UNRRA tells General Chiang Kai-shek that he has to divide goods which were sent under UNRRA with the Communists in China, which will give the Communists of China approximately $75,000,000. So, while our President is asking for $400,000,000 to stop communism in Greece and Turkey, our Acting Secretary of State asks that we ship $25,000,000 more to Russia, and the American head of UNRRA said we should give $75,000,000 worth of clothing, food, and supplies to the Communists of China. My God, where are we going to come out? Feeding the Communists with one hand through our representative in UNRRA, and through our State Department, and our Chief Executive coming here and telling us how important it is to stop communism.

Mr. BUFFETT. Mr. Speaker, will the gentleman yield?

Mr. O'KONSKI. I yield briefly.

Mr. BUFFETT. I do not think the gentleman should be so surprised. Ever since 1933 when this administration recognized communism, when they pardoned Earl Browder in 1940, and in sending Lend-lease after the war was over, and every other move they have made to encourage communism, it would be surprising if they did stop now.

Mr. O'KONSKI. What I want to know is this: Who are we Members of Congress to follow? Are we to follow the President of the United States and appropriate $400,000,000 to stop communism, or are we to follow Acheson, the Assistant Secretary of State, and give Russia $25,000,000 more in goods, or are we to follow Mr. Rooks, of UNNRA, and give the Chinese Communists $75,000,000 more in relief goods? Which one of the three are we supposed to follow? Which one of the three are the American people supposed to follow?

I think—and I say this with no reflection on the courage of our President—I admire him for the statement he made yesterday. As I said before, it is too bad we did not demonstrate such courage in our leadership 2 or 3 or 4 years ago so that perhaps this thing would never have happened.

So I say this with no reflection on our President; but I think that before he came to Congress with his message he should have called in the members of the State Department, the American representatives on UNRRA, and told them that from now on we were walking a one-way street, one way ahead, that we were not going to walk both sides of the street or divide ourselves three different ways. That is the first thing he should have done before he came with his message to Congress. Then we would have known what to do; but as it is now, Mr. Speaker, I do not know what to do. Should I vote to send $400,000,000 to stop communism in Greece and Turkey when at the same time UNRRA is aiding the Chinese Communists, when at the same time our State Department recommends that we send $25,000,000 in farm equipment, power equipment, and railroad equipment to Russia? I cannot follow that policy. I, for one, am not going to vote a damned penny of the taxpayers' money to feed communism with one hand while trying to stop it with the other, because it just does not work. We have been walking both sides of the street too long, and walking both sides of the street is going to lead to very disastrous results, and the disaster may be that a year from now when the basket comes around there will not be anything in it at any price if we continue the course we are now pursuing.

But I want to talk to you about something else; I want to talk to you about how a notorious international Communist duped our State Department. It is the life story of Gustavo Duran. You talk about communism. My God, Mr. Speaker! We had as an assistant to the Assistant Secretary of State in the United States of America during the most trying period in our Nation's history one of the most notorious international Communists the world ever knew; a man by the name of Gustavo Duran, who was a leader in the Communist ranks in Spain, who was picked up by Mr. Braden of our State Department. It was secretly arranged so that he could become an American citizen in 6 weeks, and he was given a job as assistant to the Assistant Secretary of State, Mr. Braden, in charge of Latin-American relations. The thing I wanted to talk about, Mr. Speaker, was how this man, drawing $8,000 a year salary from the taxpayers of the United States of America as assistant to the Assistant Secretary of State in Latin-American relations, how that man duped our State Department to where he gave the Communists a foothold in South America right under our very nose.

We do not have to go to Greece and Turkey to fight the danger of communism, we can go right to South America, where, due to the machinations of an employee of our State Department, drawing $8,000 a year, a notorious, imported, international, alien Communist made at the convenience of the State Department a citizen of this country in 6 weeks, dictated the policies of Latin-American relations to the point where we were knifed out and the Communists came in.

I wish I had time to tell you the full import of the story in detail—his record, step by step; his Communist connections; his connections with the international Communist organization of the world, with its headquarters at Havana, Cuba, working through our State Department as his headquarters; how he worked with notorious CIO Communists in this country; how they started out on a campaign of smear against one of our southern neighbors, Argentina, and how that campaign of smear worked out; and how the CIO Communists in this country got together what they called a Blue Book, or a case against Argentina, in which they wanted to smear a friendly neighbor, Argentina. They were ready to distribute that Blue Book to the world, but through the machinations of Gustavo Duran he got the State Department to issue the infamous Blue Book that the CIO Communists of this country picked up and contrived; and as a result of that Blue Book issued in Argentina we have been knifed out and the Communists came in. They knifed us out because Gustavo Duran, as an agent of the Soviet Union and as an employee of our State Department, drawing eight grand a year of the taxpayers' money as an assistant to the Secretary of State, Spruille Braden, steered the policy of Latin-American relations. Mind you, a Communist placed in our State Department, right under our very noses, to steer the course of communism in South America.

As a result, our State Department issued this infamous Blue Book, which the CIO Communists in this country originally got up and were in the process of distributing, when they got our State Department to do it instead. They distributed it in the name of the State Department, without having it honestly

edited or even submitting it to the ministers or the proper authorities in this country. They issued the CIO infamous Blue Book in Argentina and immediately after it was issued the Communists changed their story. After they succeeded in their plot they said, "Look at those imperialistic Americans meddling in the affairs of Argentina. Is it not awful?" So today, in South America, the infamous Blue Book issued by our State Department is used as the basis for all Communist propaganda in South America. Every argument, every bit of poison that the communistic press in South America uses against the United States of America is taken from the pages of the infamous Blue Book engineered by an employee of the Department of State, an employee of the Secretary of State.

I hope the President sticks true to his course and I am behind him. I hope that he will get the other members of the Government behind him so that we will follow one road, a clear road, not Mr. Truman going down one road, Mr. Acheson going down another road, Mr. Rooks going down still another road. Let us get one road. Let the American people unite and not only drive communism out of Greece and out of Turkey, but let us drive communism out of Washington. Let us drive communism out of America. Let us drive communism out of South America. Let us make our own borders secure. You cannot fight communism by going to Greece and Turkey and doing it there alone. You have to fight communism throughout the world. You have to fight it most where it has been entrenched, and it has been entrenched in South America through the machinations of an employee of our State Department which I think is a sad reflection and a sad commentary on our Department of State when in the most trying times in our Nation's history they could not find a homegrown American to carry out our affairs and be an adviser on Latin-American relations. They had to go and pick up a notorious Communist in Spain, one of the most notorious Communists that the world has ever known, and make him within a period of 6 weeks' time a citizen of America so that he could become an assistant to the Assistant Secretary of State.

You would think that after the way Gustavo Duran had duped our State Department they would get wised up. Is Gustavo Duran an employee of the State Department now? No. Did they fire him? They kicked him upstairs to where, as a certain employee of the State Department said, he would not be abused. Do you know where Gustavo Duran is today? Gustavo Duran is the American representative on the United Nations Organization Refugee Committee. That is where he is today. That is the committee in which they want to place the fate of all these 800,000 refugees in Europe. What chance have those 800,000 refugees in Europe who went through the most bitter suffering and inhumanity that any people went through, what chance have they got with their fate in the hands of a man like Gustavo Duran and his ilk who represent the United States on the refugee committee of the United Nations Organization? That is the story of Gustavo Duran, the man who duped our State Department.

The SPEAKER. Under previous order, the gentleman from Connecticut [Mr. LODGE] is recognized for 15 minutes.

FOREIGN RELIEF AND ECONOMIC AID

Mr. LODGE. Mr. Speaker, I would like to compliment the distinguished gentleman from Wisconsin [Mr. O'KONSKI] on a most illuminating, eloquent, and excellent address.

Mr. Speaker, in his message to the Congress yesterday the President of the United States said:

> I believe that it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures. I believe that we must assist free peoples to work out their own destinies in their own way. I believe that our help should be primarily through economic stability and orderly political processes.

Our Chief Executive also stated that—

> The executive and legislative branches of the Government must work together.

In order to advance the President's policy by the cooperative action of the Congress, I have introduced a concurrent resolution which is designed to reduce the relief and economic needs of countries to which we are likely to bring relief and economic aid.

The sudden and alarming deterioration of affairs in the world at large and in Europe in particular requires, in the interests of the national safety, and in the cause of World Peace, that we review the entire international situation in order to clarify our position and determine the best use we can make of our great but not unlimited power.

If we are to assume the vastly increased responsibilities which this deterioration appears to require of us, we must not only define these responsibilities but decide for what purpose they are being undertaken.

That we, the richest country in the world, have a moral obligation toward suffering peoples is beyond question. Nevertheless, it is also true that while the American people are known to be charitable we also have a huge stake in averting world chaos. The two world wars in which we participated within the last 30 years furnish ample testimony on this point.

Accordingly, the financial burdens assumed and to be assumed by the American people must be regarded also as evidence of our effort to preserve peace by safeguarding the principles of the Atlantic Charter and the Charter of the United Nations.

The relief and economic aid which we bring to these countries is, therefore, indicative not only of our belief in the essential brotherhood of man, but also of our desire to protect and enhance those principles for which we recently fought. In these circumstances it is appropriate that we consider relief aid, economic assistance, and foreign loans as inevitably involved, directly or indirectly, in the international settlements now contemplated by our Government. We should not on the one hand add to the already heavy tax burden of the American people, and on the other hand increase that burden by making concessions to the very forces with which we appear to be in continual disagreement. If we are to shoulder these sudden fresh responsibilities, if we are to recognize by positive peacetime action that the frontiers of peace are as world-wide as the frontiers of war, if we are to assume the role of world leadership in the cause of peace to which our military and industrial predominance entitle us, then we must stand firm on the principles to which we and our allies in the war are pledged. We shall betray these principles if we participate in settlements which result in their surrender. We shall betray the American people if with one hand we call upon them for great sacrifices for these principles while with the other we sacrifice the principles themselves. We shall be doing exactly that if we participate in settlements which increase the relief and economic needs of countries to which we bring relief and economic aid.

The resolution which I have introduced today provides that these projected settlements should not be entered into to the extent that they increase the relief and economic needs of any countries to which we are likely to furnish relief and economic aid.

Mr. Speaker, the crisis of these strenuous times recalls to my mind a statement made by Winston Churchill to the British people shortly after the end of the recent war. He said:

> You must be prepared for further effort of mind and body and further sacrifices to great causes if you are not to fall back into the rut of inertia, the confusion of aim, and the craven fear of being great.

We can well recall these words of exhortation today. This is indeed the time for greatness.

We are living in a period of continuing conflict in which the question of survival is as urgent as it was during the war recently concluded.

More than half a century ago Henry Adams, commenting on the failure of the Embargo Act to keep America from the contamination of war, said:

> America began slowly to struggle, under the consciousness of pain, toward a conviction that she must bear the common burdens of humanity and fight with the weapons of other races in the same bloody arena; that she could not much longer delude herself with hopes of evading laws of nature and instincts of life; and that her new statesmanship which made peace a passion could lead to no better result than had been reached by the barbarous system which made war a duty.

The Embargo Act was passed 140 years ago. I need hardly point out the timeliness of this statement.

It is a truism to say that we are living in a moral crisis. It is a fact that we do not seem to realize it. We have a tendency to depend more on procedural machinery than on positive action to arrive at vital solutions.

If we can decide to view our present dilemma in this light, the true nature of the challenge will be clear. We shall then become aware of the relentless fact

that in spite of spectacular developments in lethal weapons, these weapons will still be set in motion by man-made impulses; we shall be impressed with the necessity for self-control rather than the control of armaments; we shall cease to be stampeded into trivial judgments and hysterical outbursts by the more recent discoveries of modern science; we shall come to the realization that even the atom bomb will move to the measure of men's thoughts.

The challenge, then, is the age-old challenge with which man has been confronted throughout all recorded history. The challenge of freedom and slavery. It is underlined, accentuated, and given a terrible urgency by the tremendous engines of destruction which we have fashioned. It is augmented and given international scope by virtue of modern scientific achievements. It is wonderfully true that a world contracted by science must be united by freedom if peace is to be preserved.

In the larger sense the realization of our dilemma should make us take heart. If we ask ourselves the right questions we can eventually hope for some steady answers. When man can identify the challenge, he can take measures to meet it.

Now, of course, the challenge is not merely external. It is right here with us in our own country. Just as Hitler was thought by some to be a sort of antichrist, a symbol of our own sins, so it is quite possible that the Soviet brand of communism is in some part evidence of our own shortcomings. However that may be there is no question that a vigorous and united demonstration in this country that we believe in the private-property system as a basis for human rights, and that we appreciate our individual responsibilities more than these rights, will do much to reduce the danger of war. Such a demonstration could spread its beneficent contagion to the remote corners of the earth where the forces of despotism, darkness, and reaction are still rampant. To achieve this, however, we must supplement the negative opposition to communism with a positive extension of freedom. We must provide a constructive alternative to communism. But in the meantime—while mortal man attempts by sudden deeds of excellence to match the spectacular mechanical improvements of our age—we are faced with an immediate challenge beyond our borders which requires vision, courage, and the wisdom of Solomon.

We have seen in the course of the last 30 years that the world's wars are a matter for our deep concern. Our generation has lived in an almost continuous state of emergency in which the alarms outside our frontiers have had a tremendous impact upon the lives of our people. We have tried to learn our lesson. In the brief months which have elapsed since the termination of World War II, we have talked of one world as glibly, as enthusiastically, as we once spoke of the Monroe Doctrine. We have talked of it—yes—but I fear that we express our newly found internationalism rather in terms of financial and economic aid than by way of real involvement in the affairs of other nations. We are now face to face with destiny.

Unless our interest in the affairs of other nations is of a purely charitable nature, it is time that we realized a few basic facts and thereby bring our understanding of our predicament in line with the preternatural power of the atom bomb.

First. Let us recognize once and for all that there is no sharp dividing line between war and peace. Wars are but extensions of peacetime conflict—the final confession of man's inability to solve his differences by peaceful means. Accordingly, if we were justified in participating in the world's wars, we are at least as justified in participating in the world's peacetime conflicts.

Second. We must abandon the idea that we can oppose the disruptive forces now at large in the world without interfering in the internal affairs of other countries. We must interfere. We must interfere in order to bring relief and economic aid to those who need it rather than to those who do not and who use it to destroy the very principles which are still widely cherished. We must interfere in order that these nations shall not be a constant drain on our resources. We must interfere in order that we may rehabilitate rather than pauperize these destitute human beings. We must interfere in order to protect the American people from the use of their money in the cause of communism. More than $2,000,000,000 in relief and economic aid have been extended since the war's end and largely through UNRRA. This money did much to strengthen the anti-freedom forces. It helped the very forces to which we are opposed. It assisted Communist and terrorist minorities to impose their will on freedom-loving majorities.

I am relieved that the administration has at last seen the error of its ways. I am happy that it has abandoned a policy of appeasement.

There is no question that the betrayal of Poland at Yalta, the help we have furnished to Tito, the hands-off policy in China, the uncontrolled expenditures of millions of the American taxpayers' dollars as well as many other incidents in the administration's confused approach to postwar problems have contributed to our present predicament. Had the administration been more decisive and clear-headed we might not now be confronted with this grave crisis. Let us hope that the discords and confusions of the past can provide the harmonies of the future. Let us face the actualities as they are presented to us by our President. We must do more than use the power of money.

The SPEAKER. The time of the gentleman from Connecticut has expired.

Mr. LODGE. Mr. Speaker, I ask unanimous consent to proceed for an additional 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. LODGE. Mr. Speaker, we have been asked to "authorize the detail of American civilian and military personnel to Greece and Turkey, at the request of those countries and for the purpose of supervising the use of such financial and material assistance as may be furnished." This means involvement. In order to bring this about, in order to shoulder these responsibilities, we must do more than simply export American dollars to relieve human distress. True charity means more than the writing of a check. True participation means more than financial and economic aid. Yet even the suggestion of money has inspired the remark that this would be followed by "demands that millions of our men be sent again to fight on foreign soil." May I suggest that if we are to do any fighting, it is infinitely preferable that we do it on foreign soil? Let us be clear-eyed about this and not delude ourselves as to the issue. You may be sure that the peoples outside our borders are not deluded. They are hard up against the issue in their daily lives. We cannot afford to be Victorian in our attitude toward war. We shall indulge such bogus refinements at our peril. We shall also betray the men and women who gave their lives in order that we might have more time to meet these portentous issues. Now that does not mean that we should be warmongers. In a nation of our demonstrated power, in a people of our mighty achievements, a show of truculence would be as unfitting as it is unnecessary. It does mean, however, that we should stop apologizing for our share in the recent war. It does mean that we must renounce the hope that we can prevent World War III by methods which failed to prevent World War II. It does mean that we should place our faith in the force of principle rather than in the power of appeasement. It does mean that we must bolster these principles not only by our industrial and military might but by a dynamic concept of our own convictions.

It is my profound belief that a peaceful accommodation can more easily be predicated on American strength than on American weakness. We can perhaps indulge the hope that self-assurance and firmness now will reveal the essential debility of communism. To quote from Abraham Lincoln:

> In our intercourse with other nations it behooves us to be at once compromising and stern. If international understanding can be perpetuated by giving a little more and taking a little less, why then let us give a little more and take a little less. But never must we do all the giving. Rather in the case of a long and threatening misunderstanding let us prepare for the worst and work for the best.

We can work for the best through the good offices of the United Nations and we can best prepare for the worst by an abiding sense that until the United Nations has gathered vital momentum the choice for the world lies between a Pax Sovietica and a Pax Americana. This is the issue. This is the salient fact. This is the essential challenge of the hour.

We came near national suicide in 1940. Are we now ready to consign the rest of the world and ourselves along with it to the ash heap of a totalitarian subjugation which differs but little from that which recently engulfed millions of men? "There is a tide in the affairs of men

which taken at the flood leads on to fortune." Make no mistake about it. This is it. This is the tide. It is at the flood. The rest is up to us.

The SPEAKER. Under the previous order of the House, the gentlewoman from New York [Mrs. ST. GEORGE] is recognized for 5 minutes.

LEADERSHIP IN THE MIDDLE EAST

Mrs. ST. GEORGE. Mr. Speaker, we have all been disturbed by the Greek situation, and especially disturbed by the way these crises are suddenly brought before our people with the announcement that in about 24 hours we must put up $400,000,000 as a starter to save the Mediterranean from becoming a Communist lake and save the British lines of communication to Asia.

Mr. Speaker, I agree with my very distinguished colleague from Connecticut that we must be realistic, and I am very realistic about this whole thing. The President's speech here yesterday did not reassure me, because it did not say enough. We talk about democracy being saved in Greece and Turkey. What has happened and what have we done to save democracy in Poland, in Latvia, in Estonia, in Yugoslavia, in Czechoslovakia, in Bulgaria, and in Rumania? We are coming in a little bit late to save democracy.

What I think the President should have told us, and what I believe he meant is that it is high time now to assume Britain's role in the world, to take on the imperial purple, to keep order, and to go out and do it ourselves. Let us tell our people just that, and if they want to do it let us go and do it. We can go to Greece and establish the same sort of military government that General MacArthur has so ably established in Japan. We can keep order, feed the population, stand watchdog in the Mediterranean. Then we shall probably have to proceed and do the same thing in Palestine, India, and every other place where Britain can no longer maintain order.

Mr. Speaker, if England wants us to do her job and our people want it, let us go the whole hog. Do not spend our money for Britain to police the world; spend it for the United States of America to police the world.

I do not notice that England is calling on the dominions to finance this noble effort. Canada is planning to cut her defenses 52 percent for the fiscal year ending March 31, 1948. That will be interesting to those people who think that the United States Navy needs 80,000 finger bowls to repel attack. Australia, New Zealand, and the Union of South Africa are not asked to save the world from communism. But we are; and our answer should be that we are going to put up or shut up, and that if we are to keep the world, and especially Europe, from going Communist, we are going to do it our way; we are going to spend our own money and send our own men under our own leaders. Otherwise, if communism is what Europe wants and she will not accept us on our own terms, we will get on the best we can with a Communist Europe, making it very clear that while we respect the opinions of others we are going to insist that they, in turn, shall respect ours. We will not tolerate outside interference in our affairs or in the affairs of this hemisphere; and let us remember always that nothing is more barren and profitless than to bolster up weak puppet governments. In the end the strong will always prevail.

Let us be strong.

EXTENSION OF REMARKS

Mr. GWINN of New York. Mr. Speaker, I ask unanimous consent to extend in the Appendix of the RECORD two speeches, one entitled "The Closed Shop" and the second entitled "Industry-wide Bargaining."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ENROLLED BILL SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 1968. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

ADJOURNMENT

Mr. CHENOWETH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 11 minutes p. m.), under its previous order, the House adjourned until Monday, March 17, 1947, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON WAYS AND MEANS

A meeting of the committee will be held Friday, March 14, at 10 o'clock a. m., to continue hearings on H. R. 1, etc.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Friday, March 14, 1947.

Business to be considered: Executive session. Conference with officials of the Department of Commerce with respect to the Bureau of Standards, the Weather Bureau, and the Inland Waterways Corporation pursuant to the Legislative Reorganization Act of 1946.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Tuesday, March 18, 1947.

Business to be considered: Public hearing on H. R. 2109, a bill to amend the Civil Aeronautics Act of 1938; also public hearing on H. R. 2324, a bill to amend the Interstate Commerce Act.

COMMITTEE ON THE JUDICIARY

On Friday, March 14, 1947, at 10 a. m., Subcommittee No. 4 of the Committee on the Judiciary will begin hearings on the following measures, with respect to war and emergency powers:

H. R. 1983, to amend the Second War Powers Act, 1942, as amended.

House Concurrent Resolution 5, to declare the date of termination of the wars in which the United States has been engaged since December 7, 1941.

House Concurrent Resolution 9, to declare December 7, 1946, as the date of the cessation of hostilities in, and as the date of the termination of, the present war.

House Concurrent Resolution 25, to declare the date of termination of the wars in which the United States has been engaged since December 7, 1941.

House Joint Resolution 56, to terminate the emergency war powers of the President.

House Joint Resolution 128, to declare July 4, 1947, as the date of the cessation of hostilities in the present war.

House Concurrent Resolution 21, providing that various titles of the Second War Powers Act of 1942 shall remain in force until the day following the adoption of this resolution.

The hearings will be conducted in the Judiciary Committee room, 346 House Office Building.

There will be a hearing before Subcommittee No. 3 of the Committee on the Judiciary on Monday, March 17, 1947, on the following bills:

H. R. 1468, to provide for the review of certain orders of the Interstate Commerce Commission and the United States Maritime Commission and giving the United States courts of appeals jurisdiction on review to enjoin, set aside, or suspend such orders.

H. R. 1470, to provide for the review of orders of the Federal Communications Commission under the Communications Act of 1934, as amended, and of certain orders of the Secretary of Agriculture made under the Packers and Stockyards Act, 1921, as amended, and the Perishable Agricultural Commodities Act, 1930, as amended.

The hearing will begin at 10:30 a. m., and will be held in room 346, House Office Building.

COMMITTEE OF INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10:30 o'clock a. m., Monday, March 17, 1947.

Business to be considered: Public hearing of Members who have introduced bills which are pending before the committee.

COMMITTEE OF THE JUDICIARY

On Friday, March 14, 1947, at 10 a. m., Subcommittee No. 2 of the Committee on the Judiciary will hold hearings on H. R. 120, H. R. 695, and H. R. 1888, to incorporate the AMVETS, American Veterans of World War II. The hearings will be conducted in room 345, House Office Building.

On Wednesday, March 19, 1947, at 10:30 a. m., in room 346, Old House Office Building, Subcommittee No. 1 of the Committee on the Judiciary will begin hearings on the following measures with respect to holidays and celebrations:

H. R. 147 and H. R. 316, making the 14th day of August in each year a legal holiday, and for other purposes.

House Joint Resolution 1, House Joint Resolution 11, House Joint Resolution 23, House Joint Resolution 41, House Joint Resolution 63, House Joint Resolution 65, and Senate Joint Resolution 41, authorizing the President of the United States

of America to proclaim October 11, 1947, General Pulaski's Memorial Day for observance and commemoration of the death of Brig. Gen. Casimir Pulaski.

House Joint Resolution 31, providing for the observance of October 11, 1947, as General Pulaski Memorial Day.

House Joint Resolution 12, requesting the President to declare November 10, 1947, a day for the observance of the creation of the United States Marine Corps.

House Joint Resolution 15, designating the week of February 14 in each year as National Heart Week.

House Joint Resolution 20, designating period from Thanksgiving Day to Christmas of each year for Nation-wide Bible reading.

House Joint Resolution 35, designating the second Sunday of October of each year as Grandmother's Day.

House Joint Resolution 46, authorizing the President of the United States to proclaim April 19 of each year Patriots' Day, for the commemoration of the events that took place on April 19, 1775.

House Joint Resolution 60, designating September 17 of each year as Constitution Day.

House Joint Resolution 64, designating February 11 of each year as Thomas Alva Edison Day.

House Joint Resolution 82, designating November 19, the aniversary of Lincoln's Gettysburg Address, as Dedication Day.

House Joint Resolution 88, authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski.

House Joint Resolution 94, requesting the President to proclaim February 1 as National Freedom Day.

House Joint Resoluton 100, designating the first Sunday in June of each year as Shut-In's Day.

H. R. 1051, designating the first Monday of October in each year as National Farm Day and declaring such day a legal public holiday.

H. R. 1193, declaring August 14 of each year a legal holiday.

H. R. 1981, declaring Good Friday in each year a legal holiday.

H. R. 2085, designating the fourth Saturday in September of each year as American Indian Day.

H. R. 2333, declaring the birthday of Abraham Lincoln to be a legal holiday.

COMMITTEE ON VETERANS' AFFAIRS

There will be a meeting of the Subcommittee on Hospitals of the Committee on Veterans' Affairs, at 10:30 a. m., on Friday, March 14, 1947, in the committee rooms, suite 356, Old House Office Building.

COMMITTEE ON PUBLIC LANDS

There will be a meeting of the Subcommittee on Indian Affairs of the Committee on Public Lands on Saturday, March 15, 1947, at 10 o'clock, in room 1324, New House Office Building, to consider H. R. 1098, H. R. 1099, H. R. 1146, H. R. 1148, H. R. 1150, H. R. 1217, H. R. 1337, H. R. 1483, H. R. 1484, H. R. 1487, H. R. 1539, H. R. 1727, H. R. 1784, H. R. 2353.

There will be a meeting of the Subcommittee on Irrigation and Reclamation of the Committee on Public Lands on Monday, March 17, 1947, at 10 o'clock in room 1324, New House Office Building, to consider H. R. 1772, H. R. 1886, and H. R. 1997. This meeting is scheduled each day through Friday, March 21, 1947.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m., Thursday and Friday, March 20 and 21, 1947.

Business to be considered: Public hearings on H. R. 873 and H. R. 1823, to create an Enemy Property Commission.

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m., Monday and Tuesday, March 24 and 25, 1947.

Business to be considered: Public hearing on H. R. 2220, a bill to establish a National Aviation Council. Each witness is requested to furnish the clerk of the committee 5 copies of his direct statement in advance of the hearing and 45 additional copies at the time of his appearance, pursuant to the Legislative Reorganization Act of 1946.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Subcommittee on Ship Construction and Operation and Maritime Labor of the Committee on Merchant Marine and Fisheries will meet in open hearings on Tuesday, March 18, 1947, at 10 o'clock a. m. to consider H. R. 672, to authorize the transfer of the *Joseph Conrad* to the city of St. Petersburg, Fla., for museum purposes.

COMMITTEE ON PUBLIC LANDS

There will be a meeting of the Committee on Public Lands on Friday, March 14, 1947, at 10 o'clock a. m., in room 1324, New House Office Building, to consider H R. 49, Hawaii statehood.

COMMITTEE ON THE JUDICIARY

On Wednesday, March 19, 1947, the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary will hold hearings on H. R. 245, H. R. 674, and H. R. 1115 to amend subsection (c) of section 19 of the Immigration Act of February 5, 1917, as amended. The hearings will be held in room 345, House Office Building, and will begin at 10 a. m.

On Wednesday, March 19, 1947, Subcommittee No. 2 of the Committee on the Judiciary will hold hearings on the bill, H. R. 515, to amend an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (38 Stat. 730), as amended (sections 7 and 11).

The hearings will be conducted in room 327, House Office Building, and will begin at 10 a. m.

EXECUTIVE COMMUNICATIONS, ETC.

454. Under clause 2 of rule XXIV, a letter from the Secretary of War, transmitting a draft of a proposed bill to provide for the procurement, promotion, and elimination of Regular Army officers, and for other purposes, was taken from the Speaker's table and referred to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 144. Resolution providing for the consideration of House Joint Resolution 118, a joint resolution to strengthen the common defense by maintaining an adequate domestic rubber-producing industry; without amendment (Rept. No. 144). Referred to the House Calendar.

Mr. SPRINGER: Committee on the Judiciary. H. R. 1564. A bill to amend section 3 of the act of July 24, 1946 (Public Law 534, 79th Cong.); without amendment (Rept. No. 145). Referred to the House Calendar.

Mr. ELSTON: Committee on Armed Services. H. R. 2183. A bill providing for the conveyance to the city of Detroit, Mich., of that portion of the Fort Wayne Military Reservation determined to be surplus to the needs of the War Department; with amendment (Rept. No. 146). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELSTON: Committee on Armed Services. House Joint Resolution 116. Joint resolution to correct technical errors in the act approved August 13, 1946 (Public Law 729, 79th Cong., 2d sess.); without amendment (Rept. No. 147). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELSTON: Committee on Armed Services. S. 231. An act to authorize the Secretary of the Navy to grant to the city of San Diego a right-of-way over land owned by the United States within the limits of Camp Gillespie, San Diego County, Calif.; without amendment (Rept. No. 148). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PLOESER:

H. R. 2535. A bill to amend the Reconstruction Finance Corporation Act; to the Committee on Banking and Currency.

By Mr. ANDREWS of New York:

H. R. 2536. A bill to provide for the procurement, promotion, and elimination of Regular Army officers, and for other purposes; to the Committee on Armed Services.

H. R. 2537. A bill to regulate the distribution, promotion, and retirement of officers of the Navy and Marine Corps, to provide for the advancement of enlisted personnel to commissioned grades, and for other purposes; to the Committee on Armed Services.

H. R. 2538. A bill to authorize the crediting of moneys received from the disposition of serviceable Army Air Forces supplies, materials, and equipment other than surplus property, to the applicable current Army Air Forces appropriation; to the Committee on Armed Services.

By Mr. CASE of South Dakota:

H. R. 2539. A bill to reduce all individual income-tax payments one-twentieth by reducing the rate 5 percent on taxable incomes and to further reduce taxes for those with dependents by increasing the exemptions for a spouse and dependents from $500 to $700; to the Committee on Ways and Means.

By Mr. DIRKSEN:

H. R. 2540. A bill to require identification of Communist-front organizations to appear on matter sent or caused to be sent by or for them through the mails; to the Committee on Post Office and Civil Service.

By Mr. FEIGHAN:

H. R. 2541. A bill to provide a deduction for income-tax purposes, of $500 for funeral expenses; to the Committee on Ways and Means.

By Mr. HAGEN:

H. R. 2542. A bill to make existing consumer credit regulations prescribed by the Board of Governors of the Federal Reserve System inapplicable to future consumer credit transactions, and for other purposes; to the Committee on Banking and Currency.

By Mr. LANDIS:

H. R. 2543. A bill to repeal the Atomic Energy Act of 1946; to the Committee on Armed Services.

By Mr. LEMKE:

H. R. 2544. A bill to extend the statute of limitations with respect to suits by certain immigrant inspectors and employees for extra pay for Sunday and holiday services; to the Committee on the Judiciary.

By Mr. NORMAN:

H. R. 2545. A bill to provide funds for cooperation with the school board of the Moclips-Aloha district for the construction and equipment of a new school building in the town of Moclips, Grays Harbor County, Wash., to be available to both Indian and non-Indian children; to the Committee on Public Lands.

By Mr. PETERSON:

H. R. 2546. A bill to amend section 96 of title 2 of the Canal Zone Code, approved June 19, 1934; to the Committee on Merchant Marine and Fisheries.

H. R. 2547. A bill to amend the third paragraph of section 92 of title 2 of the Canal Zone Code, approved June 19, 1934; to the Committee on Merchant Marine and Fisheries.

By Mr. BOGGS of Louisiana:

H. R. 2548. A bill to provide additional retirement benefits for certain persons serving in the Coast Guard who served in the former Lighthouse Service; to the Committee on Merchant Marine and Fisheries.

By Mr. WOLCOTT:

H. R. 2549. A bill relative to maximum rents on housing accommodations, to repeal certain provisions of Public Law 388, Seventy-ninth Congress, and for other purposes; to the Committee on Banking and Currency.

By Mr. BEALL:

H. J. Res. 150. Joint resolution to provide for the restoration and preservation of the Francis Scott Key mansion, to establish the Francis Scott Key National Monument, and for other purposes; to the Committee on Public Lands.

By Mr. LODGE:

H. Con. Res. 30. Concurrent resolution that the United States Government should withhold its participation in international settlements to the extent that such settlements directly or indirectly are likely substantially to increase the responsibilities of the United States by increasing the relief and economic needs of any country; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROOKS:

H. R. 2550. A bill for the relief of Mack Gene Odom, a minor; to the Committee on the Judiciary.

By Mr. FARRINGTON:

H. R. 2551. A bill for the relief of William R. Ramsey; to the Committee on the Judiciary.

H. R. 2552. A bill for the relief of Thomas A. Hanley; to the Committee on the Judiciary.

H. R. 2553. A bill for the relief of the estate of Matilda Faufata; to the Committee on the Judiciary.

H. R. 2554. A bill for the relief of David K. Kaaihili; to the Committee on the Judiciary.

H. R. 2555. A bill for the relief of the estate of Kisa Kagihara Hatate; to the Committee on the Judiciary.

By Mr. LANE:

H. R. 2556. A bill for the relief of Mrs. Harry E. Hewitt to the Committee on the Judiciary.

By Mr. NORMAN:

H. R. 2557. A bill for the relief of Mable Gladys Viducich; to the Committee on the Judiciary.

By Mr. O'KONSKI:

H. R. 2558. A bill for the relief of Stanislaw Tomaszewski; to the Committee on the Judiciary.

H. R. 2559. A bill for the relief of Nicholasde Lorence Pigulewski; to the Committee on the Judiciary.

H. R. 2560. A bill for the relief of Jerzy Hoffman and Jamina Maria Hoffman; to the Committee on the Judiciary.

H. R. 2561. A bill for the relief of Zbigniew Jan Dunikowski; to the Committee on the Judiciary.

H. R. 2562. A bill for the relief of Julian Marymont; to the Committee on the Judiciary.

H. R. 2563. A bill for the relief of Maria and Zygmunt Kadzidlowska; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

188. By Mr. KEATING: Petition of students at the Rochester Institute of Technology, Rochester, N. Y., urging passage of H. R. 870; to the Committee on Veterans' Affairs.

189. By Mr. ROCKWELL: Memorial of the State of Colorado, with reference to request for extension of the present Commodity Credit Corporation purchase program to cover the entire 1947 domestic wool clip, and to enact such legislation as will provide a long-range price-stabilization plan for domestic wool; to the Committee on Banking and Currency.

190. By Mr. TALLE: Petition of the Reverend M. C. Melcher and 57 other residents of Epworth, Iowa, requesting that the Congress prohibit the production, transportation, sale, and showing of motion-picture films which contribute to juvenile delinquency; to the Committee on Interstate and Foreign Commerce.

SENATE

FRIDAY, MARCH 14, 1947

(Legislative day of Wednesday, February 19, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

God of our fathers and our God, in the gloom of this troubled hour, disclose the brightness of Thy presence and revive within us the hope of our faith.

Deliver us from discouragement, and when we feel most helpless, make us turn to Thee for the answers Thou hast for every question. Enable us to see issues clearly, before crisis clouds them, and help us to choose the good course, lest relying upon our own wisdom we have to choose between evils.

Give us the boldness of a faith that has conviction as well as sentiment, and take from us all fear save that of failing to do Thy will.

We ask in the name of Him who died for all men, even Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, March 12, 1947, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 1240. An act to provide for the suspension of navigation and vessel-inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended;

H. R. 1327. An act to amend existing law to provide privilege of renewing expiring 5-year level-premium term policies for another 5-year period;

H. R. 1943. An act to establish a permanent Nurse Corps of the Army and the Navy and to establish a Women's Medical Specialist Corps in the Army;

H. R. 2404. An act to suspend certain import taxes on copper; and

H. J. Res. 76. Joint resolution authorizing the Commandant of the United States Coast Guard to waive compliance with the navigation and vessel-inspection laws administered by the Coast Guard.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 1968) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, and it was signed by the President pro tempore.

THE LATE GOVERNOR OF WISCONSIN

Mr. WILEY. Mr. President, the Wisconsin congressional delegation and all the inhabitants of Wisconsin have been saddened by the loss of our great Governor, the Honorable Walter S. Goodland. Seldom has any man so firmly established himself in the hearts and minds of the people of the great Commonwealth of Wisconsin as did Walter S. Goodland, a leader completely and selflessly dedicated to the highest ideals of government.

His life and his career have become a part of the immortal legend of Wisconsin's history. His administration will serve as a landmark for many generations to come. All who knew him will continue to draw on the strength which was so vital a part of his own philosophy.

In thinking of Governor Goodland, I am reminded of the unforgettable tributes to men of his high caliber.

Edmund Burke once said:

Great men are the guideposts and landmarks of the state.

Carlisle said:

No great man lives in vain. The history of the world is but the biography of great men.

And the verses we learned in school by Longfellow perhaps fit this great figure most closely of all:

Lives of great men all remind us
We can make our lives sublime,
And departing, leave behind us
Footprints on the sands of time.

Governor Goodland was born at Sharon, Wis., in 1862. He attended high school at Appleton and then Lawrence College for 1 year. He was admitted to the bar in 1885, and thereafter practiced law for several years, after which he entered the profession of journalism.

From 1911 to 1915 he was mayor of Racine, and from 1900 to 1933 he was publisher and editor of the Racine Times-Call. He served two terms in the State senate and was elected Wisconsin's Lieutenant Governor in 1938, reelected again in 1940 and 1942. He succeeded to the office of Governor in December 1942 upon the death of the Governor-elect, and was reelected in 1944 and 1946. Although of advanced age, he proved the tremendous vigor and vitality and maturity that able men of long experience and stout heart can bring to bear upon problems of state.

Walter S. Goodland has left to the State of Wisconsin a heritage of achievement and outstanding integrity. His was a full life and he lived it gallantly and courageously—winning the respect, the admiration, and the everlasting affection of the people of the Commonwealth whom he had served so well.

He has gone on ahead in the great journey we all must take, but his inspiring example and noble endeavors will be with us always; and we know that Walter Goodland is carrying on in the next link of existence gallantly and courageously as he carried on here.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

DONATIONS BY NAVY DEPARTMENT TO NONPROFIT INSTITUTIONS AND ORGANIZATIONS

A letter from the Secretary of the Navy, reporting, pursuant to law, a list of institutions and organizations, all nonprofit and eligible, which have requested donations from the Navy Department; to the Committee on Armed Services.

AUGUST AND SEPTEMBER 1946 REPORTS OF RECONSTRUCTION FINANCE CORPORATION

Two letters from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, reports of the activities and expenditures of that Corporation for the months of August and September 1946 (with accompanying reports); to the Committee on Banking and Currency.

DIRECTORY OF ELECTRIC AND GAS UTILITIES, 1946

A letter from the Chairman of the Federal Power Commission, transmitting a copy of its newly issued Directory of Electric and Gas Utilities, 1946 (with an accompanying document); to the Committee on Interstate and Foreign Commerce.

USE OF FREEDMEN'S HOSPITAL APPROPRIATIONS FOR CERTAIN EXPENDITURES

A letter from the Administrator of the Federal Security Agency, transmitting a draft of proposed legislation to authorize the use of Freedmen's Hospital appropriations for certain expenditures, and for other purposes (with an accompanying paper); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Colorado; to the Committee on Labor and Public Welfare.

"House Joint Memorial 8

"Whereas the Colorado State Soldiers' and Sailors' Home, in providing hospitalization and domiciliary care for disabled Colorado veterans, is relieving the United States Veterans' Administration's hospital load in the State; and

"Whereas the cost of such care has increased greatly in the past few years, now averaging $735 per capita per annum, and this upward trend in cost of operation appears certain to continue for several years; and

"Whereas similar homes are maintained by 27 other States; and

"Whereas under present law, the Federal Government allows only $300 per annum per capita for maintenance of veterans in State or Territorial homes, and grants this aid only from the date eligibility of the veteran is established, rather than from the date of admission: Now, therefore, be it

"Resolved by the House of Representatives of the Thirty-sixth General Assembly of the State of Colorado (the Senate concurring herein), That the Congress and President of the United States are hereby respectfully memorialized and urged to enact such legislation as may be necessary to increase Federal payments for care of disabled veterans in homes maintained by the States and Territories from $300 to $500 per annum per capita, and to provide that such aid shall be payable from the date of a veteran's admission if he is determined to be eligible for care in a Veterans' Administration facility; and be it further

"Resolved, That copies of this memorial be forwarded to the President of the United States, to the president of the Senate and the speaker of the House of Representatives of the Congress of the United States, to the Administrator of Veterans' Affairs of the United States, and to each Senator and Representative from Colorado in the Congress of the United States."

A resolution adopted by the members and delegates of the Minnesota Electric Cooperative, St. Paul, Minn., favoring an amendment to the so-called Wagner act so as to permit free speech on the part of both the employer and employee with respect to wages and working conditions and to all employer and employee relationships; to the Committee on Labor and Public Welfare.

By Mr. GREEN (for himself and Mr. MCGRATH):

A joint resolution of the General Assembly of the State of Rhode Island; to the Committee on Banking and Currency:

"Senate Joint Resolution 84

"Joint resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to give serious consideration to the adoption of a program providing a temporary extension of the present rubber controls, followed by a long-term American rubber policy advantageous to both our national and economic welfare

"Whereas subsequent to Pearl Harbor Day, December 7, 1941, came December 11, which brought to the United States a rubber famine, necessitating a strict rationing of rubber products, with the available handful of tires covered by priorities for essential needs. Then, on February 15, 1942, Singapore fell. The Japanese were in control of the Malayan rubber-growing areas, and by the end of March 1942 they also held the Netherlands East Indies. The rubber famine was really settling down upon us. Ninety percent of the areas on the other side of the world upon which this country depended for its rubber were in the hands of the enemy. The other 10 percent of the then-existing rubber sources—most of them also very far away—could not begin to supply our needs, even if we were not at war. It takes 7 years to grow a producing rubber tree; and

"Whereas in World War I this country used less than 12,000 tons of rubber for military needs, while in World War II we used rubber for war needs at the rate of nearly 400,000 tons a year, as a result gasoline rationing (35-miles-per-hour speed limit), car pooling, and the rubber round-up, all designed to stretch the Nation's rolling stock pile of rubber to its utmost; and

"Whereas most of the recollections of those desperate days soon started to grow dimmer by the week, for about the middle of 1943 a substance known as GR–S, an American-made rubber, produced chemically, was rolling in substantial quantities from the first of America's large synthetic plants. Before the war ended those plants had reached an annual production rate of more than a milion tons; and

"Whereas great progress has been made in reducing the cost of this American-made rubber, and in improving its quality and the performance of products made from it, aside from our military needs, we have Mr. Motorist, who is concerned with both performance and cost of the finished products. The manufacturer likewise for progress must produce the highest possible quality at the lowest possible cost. That is the basic fact of the American way of industrial life; and

"Whereas since the important point for Americans to realize is that Congress should quickly enact legislation to protect what has been termed our national rubber-insurance policy so that in future years we shall not once more be a have-not nation with respect to rubber: Now, therefore, be it

"Resolved, That we, the members of the Rhode Island Legislature, respectfully request our Senators and Representatives in the Congress of the United States to give serious consideration to the adoption of a program providing a temporary extension of the present rubber controls, followed by a long-term American rubber policy advantageous to both our national and economic welfare; and be it further

"Resolved, That duly certified copies of this resolution be transmitted by the secretary of state to the Senators and Representatives from Rhode Island in the Congress of the United States."

SENATOR FROM MISSISSIPPI

Mr. EASTLAND. Mr. President, I ask unanimous consent to present for printing in the RECORD and appropriate disposition Concurrent Resolution No. 3, adopted by the Legislature of the State of Mississippi, insisting on its right as a sovereign State to have THEODORE G. BILBO, duly elected a Senator by the people of Mississippi, take his seat in the Senate of the United States.

There being no objection, the concurrent resolution was received, ordered to lie on the table, and, under the rule, ordered to be printed in the RECORD, as follows:

Senate Concurrent Resolution 3

Concurrent resolution memorializing the Senate of the United States to seat Senator THEODORE G. BILBO, the duly and legally elected Senator from the State of Mississippi, and thereby recognize the right of the State of Mississippi to be represented by Senators of its own choice

Whereas at the general election held in November 1946 the sovereign State of Missis-

sippi, by its qualified electors, duly, legally, and constitutionally elected Senator THEODORE G. BILBO to represent it in the United States Senate; and

Whereas the United States Senate has wholly failed, neglected, and refused to recognize the right of the people of the State of Mississippi to elect their own representatives in the Congress of the United States by failing to seat Senator THEODORE G. BILBO: Now, therefore, be it

Resolved by the senate (the house of representatives concurring therein), That the Senate of the United States be, and it is hereby, requested to recognize the right of the State of Mississippi to choose its own representatives in Congress by immediately seating Senator THEODORE G. BILBO; be it further

Resolved, That a certified copy of this resolution be sent by the secretary of state to the Senate of the United States, and that a copy be furnished to Senator Theodore G. Bilbo, Senator James O. Eastland, and Gov. F. L. Wright.

Adopted by the senate, March 5, 1947.

Adopted by the house of representatives, March 6, 1947.

The PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of the State of Mississippi, identical with the foregoing, which was ordered to lie on the table.

PROTEST AGAINST RATIFICATION OF TREATY OF PEACE WITH ITALY

Mr. GREEN. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a resolution adopted by the Grand Council of Rhode Island, Order Sons of Italy in America, signed by Luigi Scala, grand venerable in Rhode Island, protesting against the ratification of the present treaty of peace with Italy.

There being no objection, the resolution was received, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

The Grand Council of Rhode Island, Order Sons of Italy in America, voicing the sentiment of its membership in this State, has adopted the following resolution:

"Whereas the treaties of peace recently signed in Paris and which are about to be submitted to our Senate in Washington for ratification, will profoundly affect the interest of the United States in Europe and in the world for years to come;

"Whereas these treaties cannot be separated from the indivisible postwar pattern, of which they are a fragment, and which shall be completed when the treaties for Germany and Japan will have been agreed upon;

"Whereas the treaty with Italy is the most important of the Paris treaties, because of Italy's position, and we of Italian descent are naturally deeply concerned with its repercussion on the United States, on Italy, and on world's affairs;

"Whereas this treaty has not taken in sufficient consideration the contribution of the Italian people, the first to fight for liberation; and then to loyally and fully cooperate with our armed forces against the common enemy;

"Whereas during the war the late President Roosevelt and other officials of our Government charged the responsibility of the war to the then Government of Italy and not to its people whose assistance we invoked and we begot even by its heroic underground; and the new republic in Italy cannot be made entirely liable for the guilt of the Fascist regime, the same as the revolution in Russia of 1917 was not burdened with the responsibility of Czarist Russia;

"Whereas this is a punitive treaty which disregards Italy's active cobelligerency and imposes upon Italy territorial mutilations, demilitarization of her borders which will result into an unbearable military servitude of that country to its neighbors, and other military and economic clauses, all violating the Atlantic Charter, which should have remained as the steady and undeviating anchor of our foreign policy, as the only one consonant with our world leadership;

"Whereas over and above today's contingency and short-living expediency, peace and security will be enduring only if they accord with principles of justice, of which we, as a Nation, have made ourselves, and justly so, the herald in a humanity struggling against totalitarianism; in a world in which we should safely look to a reborn Italy as our most invulnerable bastion of western civilization; Be it

"*Resolved*, That we strongly urge the United States Senators from Rhode Island, the Honorables THEODORE FRANCIS GREEN and J. HOWARD MCGRATH to vote against the ratification of the present treaty with Italy in order that a new treaty may be negotiated which shall do justice to cobelligerent Italy, and to its newborn democracy."

LUIGI SCALA,
Grand Venerable in Rhode Island, Order Sons of Italy in America.

WORLD PEACE—TELEGRAM FROM CLARENCE POE

Mr. CAPPER. Mr. President I ask permission to have printed in the RECORD an important telegram I have received from Clarence Poe, one of the most influential farm editors of the South, who is greatly concerned as to the probability of the United States becoming involved in world affairs in such a way as to threaten the peace of the world.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

RALEIGH, N. C., *March 11, 1947.*

Senator ARTHUR CAPPER,
Senate Office Building:

Deeply disturbed by the fear that America may be about to take a leap in the dark the end of which may be the ghastliest and most devastating war in all history. I earnestly beg you to ponder our two supremely important questions. First, can there be any justification for our intervention in the internal affairs of any other nation unless a minority seizes power in such a way as to menace world peace, and second, should rectification of such a development come through some one nation arrogating authority to correct it by itself? Should we not rather utilize the combined wisdom and authority of all nations as represented by the one agency properly established for preserving world peace, namely, the United Nations.

CLARENCE POE,
President and Editor, the Progressive Farmer.

ARMY COURT-MARTIAL SYSTEM

Mr. TAYLOR. Mr. President, Boise Post, No. 63, of the Veterans of Foreign Wars of the United States, have been seriously concerned by the inadequacy of justice in Army courts martial. I share their concern in this matter. Recently I have had the opportunity to look into the details of a few Army court-martial cases, and I have found that the Army court-martial system is completely deficient in safeguarding the right to a fair and impartial trial which we have always believed to be the birthright of every American.

I have received information from reliable sources, including officers who sat as members of courts martial, to the effect that Army punishments are unfairly meted out, that long periods of nonenforcement of regulations are followed by sudden drives against violence, with excessive punishments.

I have also been reliably informed, and I have satisfied myself by consulting the records, that defendants are not adequately represented by counsel. While there are hundreds of thousands of lawyers in the Army, defense attorneys very often seem to be men with no legal training whatever. Judges at trials also seem to be men whose background is utterly devoid of training in American legal traditions.

I know that in time of war, under stress of military necessity, it is often impossible to take the time and the personnel necessary to safeguard the rights of the accused. Certainly now, however, in time of peace, the Army has ample opportunity to organize itself on a basis which will provide full protection for the accused in all courts martial. There is also an opportunity at the present time to review the cases of men who are still serving prison terms which were imposed during the hasty wartime trials.

In effect, this is what is requested by my friends in Boise Post, No. 63, of the Veterans of Foreign Wars of the United States. I ask unanimous consent to insert in the RECORD at this point the resolution which was passed by the members of that post.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

We the members of Boise Post, No. 63, of the Veterans of Foreign Wars of the United States have adopted and hereby submit the following resolution with a sincere hope that you will use your influence on this subject; and

"Whereas we urge the bringing back to the States immediately and reopening the cases of a large number of GI's who were unjustly convicted and sentenced under the present court-martial system. In many theaters of command, a dual system prevails, with soft rules for officers and unreasonable rules and harsh sentences for the GI; and

"Whereas too often the court-martial boards complied with the wishes of the commanding officers where discipline came first, failing to try the cases on their merits; and

"Whereas a large number of officers and men have testified to these unfair procedures. Irwin J. Askow, a Chicago attorney, formerly a Third Army judge advocate, testified before the bar association the injustice prevailing under the present Army court martial set-up. Secretary of War Patterson's investigating committee recommended a complete overhaul of the Army court-martial system.

"Therefore we ask a clemency board, not dominated by the military, to review at once all GI's that have a good military and civil record. As Secretary of War Patterson stated, he found 9 out of 10 men made good records when given a chance.

"These men should be given a chance to become a part of our Republic, religion, and our civilization."

WARREN A. CLIFFORD,
Commander.
NORMAN E. FULLER,
Adjutant.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GEORGE (for himself and Mr. RUSSELL):

S. 887. A bill for the relief of Mrs. Leslie Price, Philip C. Price, Mrs. Louise Keyton, Annie Curry, and James Curry; to the Committee on the Judiciary.

(Mr. THOMAS of Utah (for himself and Mr. HILL) introduced Senate bill 888, to promote the common defense by unifying the departments and agencies of the Government relating to the common defense, which was referred to the Committee on Armed Services, and appears under a separate heading.)

By Mr. MCMAHON:

S. 889. A bill to authorize the Secretaries of Commerce and Labor to render assistance in the formulation of guaranteed annual wage plans; to the Committee on Labor and Public Welfare.

By Mr. MCKELLAR (for himself and Mr. STEWART):

S. 890. A bill for the relief of Mr. and Mrs. Lem Motlow; to the Committee on the Judiciary.

By Mr. WHITE:

S. 891. A bill to provide for the protection of the Dall sheep, caribou, and other wildlife native to the Mount McKinley National Park area, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TYDINGS:

S. 892. A bill for the payment of claims of the Fidelity Trust Co., of Baltimore, Md., and others, covered by findings of fact made by the United States Court of Claims, dated June 5, 1944, and contained in Senate Document No. 229, Seventy-eighth Congress, second session; and

S. 893. A bill conferring jurisdiction on the Court of Claims to hear, determine, and render judgment on the claims of W. C. Jackson; to the Committee on the Judiciary.

By Mr. ECTON:

S. 894. A bill authorizing the Secretary of the Interior to issue a patent in fee to Henry Big Day and other heirs of Catherine Shield Chief, deceased, to certain lands on the Crow Indian Reservation;

S. 895. A bill to declare the ownership of the timber on the allotments on the Northern Cheyenne Indian Reservation, and to authorize the sale thereof;

S. 896. A bill authorizing the issuance of a patent in fee to Clarence White Shields;

S. 897. A bill authorizing the issuance of a patent in fee to Abraham Gray Bear;

S. 898. A bill authorizing the use of certain appropriations for the education of Indian children of less than one-quarter Indian blood whose parents reside on nontaxable Indian lands;

S. 899. A bill authorizing the issuance of a patent in fee to Mrs. Elsie Miller Bruguier; and

S. 900. A bill authorizing and directing the Secretary of the Interior to issue a patent in fee to Mrs. Nina R. Weisit.

By Mr. ECTON (by request):

S. 901. A bill to provide for sale to the Crow Tribe of interests in the estates of deceased Crow Indian allottees; to the Committee on Public Lands.

(Mr. GURNEY introduced Senate bills 902, 903, 904, 905, and 906, which were referred to the Committee on Armed Services, and appear under a separate heading.)

(Mr. FLANDERS introduced Senate Joint Resolution 87, to prohibit shipment of goods to Russia until that country has fulfilled its obligations under the Yalta and Potsdam Agreements, which was referred to the Committee on Foreign Relations, and appears under a separate heading.)

By Mr. TYDINGS:

S. J. Res. 88. Joint resolution providing for the comprehensive observance of the bicentennial of John Paul Jones; to the Committee on the Judiciary.

PROMOTIONS AND COURT-MARTIAL CASES IN THE ARMED SERVICES

Mr. GURNEY. I ask unanimous consent to introduce several bills. I may say that they are very long. One, when printed, will look like a large catalog. It is probably the longest bill ever introduced in the Senate. It contains 242 pages of typewriting. This bill and another which I am introducing have been prepared by the Army and the Navy, and are the new promotion system bills. Another long bill prepared by the Army has to do with new procedure to be used in court-martial cases.

The PRESIDENT pro tempore. Without objection, the bills will be received and appropriately referred.

There being no objection, the bills were received, read twice by their titles, and referred to the Committee on Armed Services, as follows:

S. 902. A bill to regulate the distribution, promotion, and retirement of officers of the Navy and Marine Corps, to provide for the advancement of enlisted personnel to commissioned grades, and for other purposes;

S. 903. A bill to amend the Articles of War to improve the administration of military justice, to provide for more effective appellate review, to insure the equalization of sentences, and for other purposes;

S. 904. A bill to provide for the procurement, promotion, and elimination of Regular Army officers, and for other purposes;

S. 905. A bill to authorize the crediting of moneys received from the disposition of serviceable Army Air Forces supplies, materials, and equipment, other than surplus property, to the applicable current Army Air Forces appropriation; and

S. 906 (by request). A bill to authorize the transfer of office equipment, including desks, chairs, filing cabinets, typewriters, et cetera, from selective service to the National Guard.

RESTRICTIONS ON SHIPMENTS TO RUSSIA

Mr. FLANDERS. Mr. President, I ask unanimous consent to introduce for appropriate reference a joint resolution. It consists of but one sentence, and I should like to read it:

Resolved, etc., That no further shipments of goods to the Union of Soviet Socialist Republics whether by private sale or pursuant to agreements made with that country by the United States, be permitted until that country has fulfilled the commitments made by it under the Yalta and Potsdam agreements.

The PRESIDENT pro tempore. Without objection, the joint resolution will be received and appropriately referred.

There being no objection, the joint resolution (S. J. Res. 87) to prohibit shipment of goods to Russia until that country has fulfilled its obligations under the Yalta and Potsdam agreements, introduced by Mr. FLANDERS, was received, read twice by its title, and referred to the Committee on Foreign Relations.

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES

Mr. MCCARRAN (for himself and Mr. MCGRATH) submitted an amendment intended to be proposed by them, jointly, to the bill (H. R. 2157) to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes, which was ordered to lie on the table and to be printed.

PRINTING OF ANALYSIS OF HEARINGS ON GENERAL HOUSING BILL OF 1945

Mr. TOBEY. Mr. President, I ask unanimous consent to have printed as a Senate document, with illustrations, an analysis of the hearings on the so-called Wagner-Ellender-Taft general housing bill, S. 1592, Seventy-ninth Congress, prepared by the Legislative Reference Service, Library of Congress, and on the new bill recently introduced in the present Congress.

The PRESIDENT pro tempore. Without objection, it is so ordered.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred, as follows:

H. R. 1240. An act to provide for the suspension of navigation and vessel-inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended; and

H. J. Res. 76. Joint resolution authorizing the Commandant of the United States Coast Guard to waive compliance with the navigation and vessel-inspection laws administered by the Coast Guard; to the Committee on Interstate and Foreign Commerce.

H. R. 1327. An act to amend existing law to provide privilege of renewing expiring 5-year level-premium-term policies for another 5-year period; and

H. R. 2404. An act to suspend certain import taxes on copper; to the Committee on Finance.

H. R. 1943. An act to establish a permanent Nurse Corps of the Army and the Navy and to establish a Women's Medical Specialist Corps in the Army; to the Committee on Armed Services.

ADDRESS BY SENATOR REVERCOMB TO THE VETERANS OF FOREIGN WARS

[Mr. REVERCOMB asked and obtained leave to have printed in the RECORD an address delivered by him to the Veterans of Foreign Wars, in the auditorium of the Department of Commerce Building, Washington, D. C., March 12, 1947, which appears in the Appendix.]

THE CHANGE IN FOREIGN POLICY—EDITORIAL FROM RICHMOND (VA.) NEWS-LEADER

[Mr. BYRD asked and obtained leave to have printed in the RECORD an editorial discussing American foreign policy, written by Dr. Douglas S. Freeman, editor of the Richmond (Va.) News-Leader, and published in that journal on March 13, 1947, which appears in the Appendix.]

REVIEW OF THE BOOK ENTITLED "THROUGH RUSSIA'S BACK DOOR"

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD a review appearing in the St. Louis Post-Dispatch of March 9, 1947, of the book entitled "Through Russia's Back Door," by Richard E. Lauterbach, which appears in the Appendix.]

INCOME-TAX REDUCTIONS—ARTICLE BY PETER EDSON

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD an article

relating to income-tax reductions, written by Peter Edson, and published in the Washington Daily News of March 12, 1947, which appears in the Appendix.]

CONSTITUTION OF AMERICAN VETERANS OF WORLD WAR II

[Mr. KNOWLAND asked and obtained leave to have printed in the RECORD the constitution of the American Veterans of World War II, which appears in the Appendix.]

REORGANIZATION AND STREAMLINING OF GOVERNMENT

[Mr. LODGE asked and obtained leave to have printed in the RECORD an editorial entitled "A Complete Overhauling," from the Lowell (Mass.) Sun, for March 10, 1947, and an article entitled "Streamlined Government Aim of Senator LODGE," from the Boston (Mass.) Globe, for March 11, 1947, which appear in the Appendix.]

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 2157) to define and limit the jurisdiction of the courts to regulate actions arising under certain laws of the United States, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment to H. R. 2157, the pending portal-to-portal pay bill. The amendment, which is a substitute for the entire bill as it passed the House, is open to amendment, under the precedents of the Senate, to the same extent and in the same degree as if it were original text. Perfecting amendments may therefore be offered prior to a vote on the committee amendment itself.

LEGISLATIVE PROGRAM

Mr. TAFT. Mr. President, I wish to make a very brief announcement. We have received many inquiries regarding the legislative program of the Senate. After conferring with the minority leader and after discussing the matter in the Republican conference, the program which we are now proposing to the Senate is that the Senate continue in session today, but not tonight, and hold no session tomorrow, Saturday. Next week there will be a session every day, and probably also on Wednesday night, and sessions will be held every day the following week.

The Senate now has before it as the unfinished business the portal-to-portal pay bill. The plan is to take up for consideration the nomination of Mr. Lilienthal when the portal-to-portal pay bill is disposed of, and not until that measure is disposed of.

Before the 1st of April, however, we are obliged to pass a bill dealing with the continuation of sugar and any other controls which may be affected by the Second War Powers Act. We also must deal with the International Refugee Organization, and I understand the administration is asking for action on the Greek and Turkish loan proposals. So we will have great difficulty in completing that program before the 1st of April. I hope we may have the cooperation of all Senators so that the measures which will come before the Senate may be handled and disposed of as quickly as possible.

I wanted to make it clear that we are not proposing to hold a session tomorrow, Saturday, as had been suggested, because we found that many Senators directly interested in the portal-to-portal pay bill could not be present Saturday. We are not to have a meeting Monday night. We will, however, meet every day next week, and on Wednesday night besides.

Mr. McCARRAN. Mr. President, there are a number of Senators who have previous commitments to be away from Washington on Monday. I am one of them. The Senator from Rhode Island [Mr. McGRATH] is another. I know of other Senators who must be away from Washington on Monday. I wonder what is contemplated by the Senator's program with respect to Monday? In view of the fact that the Senator from Rhode Island and I are the authors of an amendment which will be offered to the pending bill, we naturally want to be present to submit our amendment and speak upon it. It may be that the Senator from Ohio has considered what will be the program on Monday.

Mr. TAFT. Could the Senator from Nevada and the Senator from Rhode Island be present tomorrow?

Mr. McCARRAN. I shall be here tomorrow. I am not so certain about the Senator from Rhode Island. From my observation, however, I anticipate, if I may say so to the Senator from Ohio, and I ask the attention of the Senator from Missouri [Mr. DONNELL], that during the greater part of today the Senator from Missouri will want to proceed with his explanation of the bill insofar as possible, or in large measure without interruption. I may be in error.

Mr. DONNELL. Mr. President, I will say that the Senator from Nevada is correct in his anticipation.

Mr. McGRATH. Mr. President, I should like to answer the question asked by the Senator from Ohio. Relying on the reports which had previously been made in the Senate to the effect that the next order of business would be the Lilienthal nomination, I had made reservations to leave Washington today, this morning as a matter of fact, but I have canceled those reservations and made other reservations for tonight. I may say to the Senator from Ohio that it would be extremely inconvenient to me, and disappointing to the audiences before which I am scheduled to appear, if I had to cancel my reservations for tonight. Therefore, in answer to the question of the Senator from Ohio, I will say that without considerable inconvenience to myself and to others I could not be present in the Senate tomorrow.

Mr. TAFT. Mr. President, I think then we will adhere to the original program. I do not think the Senate could fail to meet on Monday simply because of the fact that some Senators have engagements for that day. I think we will meet on Monday, but not on Monday night; and we will continue to meet on every day next week, and I think Senators may have to consider that the Senate will also meet on Saturday of next week, depending on the progress we make during the week, as well as on Wednesday night.

I do not know how long consideration of the portal-to-portal pay bill will take, but it was made the unfinished business day before yesterday, and it is now the unfinished business of the Senate, and we have no course except to consider it and act upon it as quickly as possible, whenever that may be.

Mr. McGRATH. Mr. President, I, of course, understood that the Senate was going to meet on Monday next. The Senator from Nevada and I cannot be here then, but I thought we might this afternoon arrive at an agreement that the debate could proceed on Monday without any votes being taken. I think such an agreement would be satisfactory both to myself and the Senator from Nevada.

Mr. THOMAS of Utah. Mr. President, I am sure the Senate will not be able to vote by Monday night on the portal-to-portal pay bill, if that statement means anything to Senators who may inquire whether it will be safe for them to be absent Tuesday.

Mr. HATCH. Mr. President, I wish to propound an inquiry of the Senator from Ohio. The Senator spoke of acts which are about to expire. I am reminded of an act which is of great importance to agriculture generally, which I am advised will expire on the 15th of April; I refer to the act conferring authority on the Commodity Credit Corporation to function. It is necessary that legislation be enacted before that expiration date in order that certain commodities, such as wool in the West, may not suffer a decided loss.

Mr. TAFT. I understand the dead line respecting the Commodity Credit Corporation is 2 weeks later than that of other acts of which I spoke. It is certainly intended that action shall be taken on the measure referred to by the Senator from New Mexico before the 15th of April.

Mr. LUCAS. Mr. President, I wish to make a brief statement. I am very happy that the majority are now following the program which has been laid down by the Senator from Ohio. I think it would have been very unfair to force the Senate into a session tomorrow on such short notice, since not only the Senator from Rhode Island, but, I understand, other Senators have made engagements which will take them out of town over the week end. The program, as it has been laid down by the majority, is perfectly agreeable to us. I merely wanted to make that statement. I hope, however, that the Senate will stick to that program so that we may not find ourselves in an area of confusion, as we did on last Wednesday night, and be sidetracked to some other issue when we undertake to follow what the Senator says is going to be the program for next week.

SENATOR VANDENBERG'S STATEMENT ON THE PRESIDENT'S MESSAGE

Mr. BALDWIN. Mr. President, yesterday afternoon, after the meeting of the Foreign Relations Committee with representatives of the State Department, the senior Senator from Michigan [Mr. VANDENBERG], who is chairman of the Foreign Relations Committee, was interviewed by the press. A portion of his statement appeared in last night's newspapers and a portion of it in this morning's newspapers. I asked the Senator

whether or not that interview was based upon a prepared statement which he himself had in his hand at the time, and he said it was. It seems to me, Mr. President, that the chairman of the Foreign Relations Committee has spoken so courageously and so forthrightly in this very important matter and has indicated so very plainly that he believes in upholding the President's policy with reference to helping Greece and Turkey, as proposed by the President in his message to the joint session of the Congress last Wednesday, that the statement should be inserted in the CONGRESSIONAL RECORD.

I may add in my own behalf, and I say it very humbly, that I think the chairman of the Senate Foreign Relations Committee has taken the correct stand. I, myself, believe that we must support the President in this policy. It seems to me the question proposed is divided into two parts. First is the matter of general policy, and second is the matter of implementation of that policy.

I believe we should support the President's policy respecting Greece and Turkey as outlined by the President in his message. In my opinion, the matter of working out the details is one that Congress can handle very effectively and in a manner which is best calculated to protect American interests and to help us take our full, fair share of the burden of maintaining peace in the world and at the same time safeguarding our own security. I may add that I believe our own security is very vitally dependent upon peace in the world.

Mr. President, I ask that the statement made by the senior Senator from Michigan may be printed in the body of the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR VANDENBERG

The President's message faces facts and so must Congress. The independence of Greece and Turkey must be preserved, not only for their own sakes but also in defense of peace and security for all of us. In such a critical moment the President's hands must be upheld. Any other course could be dangerously misunderstood. But Congress must carefully determine the methods and explore the details in so momentous a departure from our previous policies.

The immediate problem may be treated by itself. But it is vitally important also to frankly weigh it for the future. We are at odds with communism on many fronts. We should evolve a total policy. It must clearly avoid imperialism. It must primarily consult American welfare. It must keep faith with the pledges to the Charter of the United Nations which we all have taken.

We should proceed as far as possible within the United Nations. But that is not practical at the immediate moment because UN has no relief funds; and it has not yet concluded agreements with member nations for military support. We should immediately insist in the Security Council that these latter plans be consummated. We should also seek immediate report from the United Nations Commission investigating alleged external invasions of Greek sovereignty.

The plain truth is that Soviet-American relationships are at the core of this whole problem. Every effort should be made to terminate these controversies. This effort must occur in plain understanding of basic principles which we shall not surrender. I repeat my own belief that it ought to be possible for Moscow and Washington to "live and let live," since neither wants anything like war. Yet we find ourselves in constant disagreement respecting our mutually pledged objectives. There should be frank consultations between us—with all the cards face up on the table—in final search for mutual understanding. Now, if ever, we must say what we mean and mean what we say. Our persistent offer of an anti-Nazi alliance clearly proves our own good faith.

We cannot fail to back up the President at such an hour—even though many critical details remain to be settled in consultation with the Congress.

Meanwhile, we must review our own foreign policy in other directions and make it consistently effective. We must proceed with calm but determined patience to deal with practical realities as they unfold. We must either take or surrender leadership.

Mr. MORSE. Mr. President, I simply wish to say that I am very glad the Senator from Connecticut [Mr. BALDWIN] has inserted in the RECORD the very able and forthright statement to the press which the distinguished senior Senator from Michigan [Mr. VANDENBERG] issued the other day following the President's speech on the Grecian crisis. As I said on the floor of the Senate shortly after President Truman delivered his speech to the joint session of Congress, and as I said at a Republican conference earlier today, I now repeat: I think this matter is of such vital importance to the destiny of America that I hope the American people will contemplate in its full implications the statesmanlike statement which the chairman of the Foreign Relations Committee has issued.

I believe today, after further reflection, just as I believed immediately after the President's notable speech the other day, that we have reached another great crisis in America's history which calls for a united public opinion on the part of 140,000,000 American people.

I want to associate myself with the remarks made by the Senator from Connecticut, and to assure the chairman of the Foreign Relations Committee that here is another Member of the Senate who intends to stand with him on the sound position he has taken on this issue. We, as a nation, must take a firm stand in support of the objectives of the San Francisco Charter. We cannot afford to permit weakened and starving peoples to be overrun by totalitarianism. We must protect the principle of self-determination of peoples as to the kind of government they shall have. We must make clear to all the world that we shall not be a party to another Munich. There is much loose talk about our proposed policy meaning war. To the contrary, I am convinced it is the surest insurance against war. It makes clear our determination to do our share in preserving the peace and practicing the objectives of the San Francisco Charter.

UNIFICATION OF THE ARMED SERVICES

Mr. THOMAS of Utah. Mr. President, it is not my intention to speak at this hour concerning the pending motion. I propose to speak on the unification of the armed services. I do that because next Tuesday the Committee on Armed Services will commence hearings upon what is termed the "President's bill," which has the name in the Senate of the Gurney bill. I do it also because, out of fairness to the Committee on Military Affairs and the work which it did to carry forward the purposes of the message of the President of the United States, I deem it unwise to leave the record just as it is because the question is still before the Senate of the United States and before the Congress.

At the last session of Congress, the Senate Committee on Military Affairs reported and placed on the calendar a bill which would effectuate the purposes of the President's message, by consolidating the armed services. Minority views were submitted but both the minority views and the majority report accepted the theory of consolidation; so there was no greater difference of opinion in the Military Affairs Committee on the general objectives and the purposes which the President had in mind, than there is between the bill which I reported for the Committee on Military Affairs during the last session and the bill which is now before the Committee on Armed Services.

In order to understand the work which was done it is necessary for me to review briefly the work performed on this great subject, and I shall be glad to do it.

Bills were introduced by the Senator from Colorado [Mr. JOHNSON] and the Senator from Alabama [Mr. HILL], which were before our committee at the time of the receipt of the President's message. Hearings started on these bills in the fall of 1945. At that time the chairman of the committee was on a mission to Paris for the President of the United States. The hearings were conducted by the Senator from Colorado [Mr. JOHNSON], the senior member of the committee, and they continued for several months. After the Christmas holidays, the chairman of the committee appointed a subcommittee of three to attempt to prepare some sort of report and submit it to the general committee. That subcommittee was made up of the Senator from Alabama [Mr. HILL], the Senator from Vermont, Mr. Austin, and myself, as chairman.

I immediately asked the Secretary of War and the Secretary of the Navy to detail ranking officers to work with us from day to day on this important proposal. The Secretary of the Navy detailed Vice Admiral Radford, and the Secretary of War detailed Major General Norsted. Day after day and week after week we five men worked upon the bill, and, in the spring, we reported the Common Defense Act of 1946.

After being reported to the Senate the bill, by an arrangement with the Senate Committee on Naval Affairs, was referred to that committee for consideration, and extensive hearings were held. Those hearings, along with the hearings of the Committee on Military Affairs are now available to the Senate. They should be used and consulted.

Mr. President, in order that the Committee on Armed Services may have something before it in the form of a bill, I propose today to introduce on behalf of myself and the Senator from Alabama [Mr. HILL] a bill entitled "The

Common Defense Act of 1947," embodying the last version of the committee bill as reported to the Senate during the last session. The words "common defense" appear in this bill as they appear in the bill of the Senator from New Hampshire, who submitted a minority views report and recommended a different bill. We chose the term "common defense" advisedly.

The new bill of the President carries the name "National Security Act of 1947." I myself cannot understand why anyone should want to turn away from the words of the Constitution of the United States. Our whole committee were united upon the use of these words; primarily out of respect for the Constitution and the constitutional scheme; secondarily, because in the duties which are imposed upon the Army and the Navy today as the result of the great ramifications in international relations, the term "common defense," taken from the Constitution, seems the plainest way to describe what we are doing. Furthermore, the thesis of the President's message in regard to the Greek affair was based upon the theory that that which he was doing was in reality in keeping with the spirit of the Constitution of the United States in granting the power to Congress to provide for the common defense.

Mr. President, this bill is so much like the one which was sent to us, and which is before the committee, and which the Congress will ultimately pass upon, that I think I am safe in saying that in the new bill the old bill and its scheme was followed, almost entirely, in wording even, and in the dividing up of authority.

Mr. President, there has been some discussion in the press about the great rivalry between the armed services in regard to unification bills. Of course we know from what we have heard that there was such rivalry, but, for the most part, real statesmanship was exhibited by both sides. On only one or two occasions did anyone on either side question the sincerity and the desire of the committee to carry on for the benefit of the country and for the benefit of the armed services themselves. One witness happened to say that the bill would do away with the Marine Corps. This, of course, was untrue, and it was shown to be untrue. In pointing out that it was untrue, I could not help but call the attention of the person who made the charge to the fact that the only movement I knew of in our history to do away with the Marine Corps was not led by the Army or those interested in the Army, but by naval officers themselves, who felt that the Marine Corps was a bit out of place on large battleships. That day, of course, has gone.

On one occasion it was suggested by one of the great men of the last war that probably the bill was untimely because of the uncertainty with respect to international relations and international conditions. I pointed out to him that those who were the most interested in the bill were fast retiring from the service. Admiral King had already left the service; General Marshall had left the service; and others were retiring. In the course of a short time we would have different personnel and would lose the benefit of experience in the great war, on which we depended so much to bring the bill to fruition.

For many weeks the Senate has been discussing the question of money, balancing the budget, and reducing taxes, as well as payments on the national debt. I know of no other proposal before Congress which would make those objectives possible to a greater extent or would save more money for the Government, than unification of the armed services. It is not a matter of saving a few hundred dollars, a few thousand dollars, or a few million dollars. It is a matter of saving billions of dollars. This is not my own testimony. I say it on the basis of the testimony of others. If we had had unification in wartime and had been able to do away with duplication, we would have saved literally billions of dollars. This is what the Secretary of War said in reporting to our committee. He was asked the following question:

> Could you give us an educated guess as to the figure we might have saved in this war had we had a unified military establishment?
>
> Secretary PATTERSON. No; except that it ran into billions of dollars.
>
> Senator JOHNSON. And the cost could not be measured in dollars only, but measured in time also.
>
> Secretary PATTERSON. Time, men, and materials.

Both, materials and men, are important.

Then the Senator from Colorado suggested that probably we could have saved confusion.

> Yes; there is no question of that—

Said the Secretary.

> Senator GURNEY. You say it would have been billions, Mr. Secretary?
>
> Secretary PATTERSON. I do.

Mr. President, if such savings could be effected, if efficiency could be increased, if better personnel could be obtained, if all the ordinary objectives which each service would lay out for itself could be accomplished, how could the armed services be harmed in any way by unification?

In drafting the bill our subcommittee, consisting of the Senator from Alabama [Mr. HILL], former Senator Austin, and myself, after deciding upon the name and the use of the words in the Constitution, settled on certain primary fundamental considerations. First of all, we wanted a complete and absolute separation between the professional and the nonprofessional, with, of course, civilian control at every level. It is important that civilian control be at every level. By "every level" I mean running through the general objectives of the department. I do not mean at the level of the soldier, the level of the united armies, or at the level of any of the professional part of our Army or Navy establishments. It would be wrong to hamper in any way professionalism in the Army and Navy, because it is the result of long training and devotion to duty. There cannot be found in our minds or in the bill itself any single element which would in any way destroy the greatness of the services or impair their ability to carry on their tasks for the Government.

Mr. President, I stated that there should be civilian control at all levels. We were surprised to find that even the professionals in both the Army and Navy were so reconciled to our scheme for civilian control that they asked that it be retained. Officers coming from Annapolis and West Point have been taught such control ever since the beginning of their freshman year, and they carry that concept through life.

There was not a little mind among all the men we consulted. It was heartening indeed to see the attitude of those men, who have served their country well and have been honored by it. They manifested not only a genius so far as military and naval affairs were concerned and wonderful ability in execution of the Government's purposes; but above all they were basically broad, fine statesmen. That is my compliment to the men with whom I was associated during the war as a member of the Committee on Military Affairs. The leading admirals and generals have been honored, as General Pershing was honored after the previous war. That honor came to them as the result of a bill introduced by myself.

Mr. President, I feel compelled to say these things because of small criticism which seemed to lend itself to a desire to promote confusion in the services and make it impossible for us to improve them and to carry on.

In honoring these men we honor ourselves; and they in honoring the will of the President of the United States in attempting to bring about unification, are honoring themselves and their country.

Mr. President, I shall not go further into the bill. It was before the Senate last year, but I shall introduce it on behalf of the Senator from Alabama [Mr. HILL], and myself, and shall ask that it be referred to the Committee on Armed Services because it is that committee which is considering the other bill.

There being no objection, the bill (S. 888) to promote the common defense by unifying the departments and agencies of the Government relating to the common defense, introduced by Mr. THOMAS of Utah (for himself and Mr. HILL), was received, read twice by its title, and referred to the Committee on Armed Services.

Mr. THOMAS of Utah. I should like to spend a little time in discussing what unification will accomplish. First of all, it will bring about a standardization of matériel; not a standardization to the extent that we would want to place field guns on battleships, as some seem to think would be done, but a standardization by which money, matériel, men, and time can be conserved and confusion can be avoided. We found incident after incident which stood in the way of better progress in the war, because one branch of the service insisted upon a gun of so many millimeters and another insisted upon one of a different number of millimeters, thus requiring two different kinds of ammunition.

Standardization, standard objectives, unity in procurement, unity in control, unity in understanding, will bring about

enormous savings and make it possible for our Government to carry on, if it must go to war again, with a saving of men and matériel.

With reference to unification of research, again I wish to compliment the armed services. Both the Secretary of War and the Secretary of the Navy realize that the Congress of the United States is considering a scientific foundation bill, and both of them accept the theory regarding the furnishing of scientists to carry on preliminary work. In the bill the professional aspects of research are reserved to the research department. We would not think of taking them away.

Provision is made for uniform procurement, especially at the lower levels. It was almost beyond understanding to learn, for example, that at one time the Navy had all the lumber required, and the Army did not have any. Hoarding of materials went on. Hoarding of men continued. All these things could be overcome by unification of procurement services and proper distribution of the agencies which handle the procurement services.

These things, Mr. President, worry us now that those days are past. They worried us at that time.

Regarding competition for materials, Donald Nelson points out that there was not only competition between services for materials but competition, so far as the armed services were concerned, against the general Government.

Under the new bill, if enacted, that sort of thing will not happen again, because there will be unification of civilian efforts with military efforts in more ways than one. Competition was carried on to such an extent that the War Department actually had to introduce a bill, which passed the House of Representatives, providing for the drafting of nurses from civilian hospitals because the War Department felt that the Army was without sufficient nurses. Hearings on that bill were held on the Senate side, and it was discovered that while the Army needed nurses and was moving into the field of drafting nurses from civilian pursuits and civilian hospitals, the Navy had nurses to spare and was actually not using all of them.

This sort of competition went on from the beginning to the end of the war, and it will go on in peacetime unless something is done about it.

I trust that in the new bill there will be inserted what has evidently been omitted, because it does not appear in the draft of the new bill. I refer to a provision for unification of the procurement services.

The Senator from Idaho [Mr. TAYLOR] called attention to the fact that in court-martial cases sometimes neither the Army nor the Navy was able to furnish the proper kind of defense attorneys. Interesting and enlightening reports will be coming to the Congress in connection with court martials, as the result of the bill which was passed after the last war, and which provided for a proper kind of review. When the reports come in we shall learn that great progress has been made in regard to courts martial. But if there had not been a contest for officers in the respective services to carry on pursuit which sometimes were not overly important, there would have been a greater number of qualified persons for each of the services.

I should like to call attention to one subject which seems small but which makes a great deal of difference to the people at home in conducting their affairs. I refer to the matter of reservations on pullman cars when troops are transported from one side of the country to the other. One service allowed two men to a section. The other service insisted upon putting three men in a section. Mr. President, I leave it to you to choose which service you would like to enter if it were necessary to travel across the country several times, as so many of our men did, if in one service a man had a bed to himself and in the other he had to double up with someone.

These are very small matters but they multiply themselves into extremely great things. Imagine the loss of money; imagine the confusion; imagine the bidding of the respective services against each other because of that single ruling made by each of the services against the other. Imagine the feelings of the parents, the people at home. One boy went into the Navy, another into the Army, and each reported back as to how he was cared for when he traveled across the country.

Mr. President, I have been asked to make a short comparison of the two bills as shown in graphs. They will be seen to be very similar. In the graph the President stands at the head as Commander-in-Chief. Under our bill, only in the President is there a mingling of the professional and the civilian. While the President at all times has acted as a civilian and is treated as such in the history of the United States and in this bill, nevertheless, under the Constitution he is the Commander-in-Chief of the Army and the Navy. As such, direction to civilians passes from the President and command to the armed forces passes from the President. These two lines in the Senate bill are kept separate all the way down, so that at no time will a civilian interfere with the professional and at no time will a professional reach over and usurp the power of a civilian.

Both bills make provision for a Council of Common Defense, and make it possible to coordinate civilian activity with military activity. The Council provided for in each bill is made up of practically the same persons. In both bills the Secretary of State is brought into the scheme, so that there will not be a recurrence of the situation which existed prior to Pearl Harbor when one department or one branch knew what was going on in one way, and another department or branch knew what was going on in another way, but neither branch or department knew exactly what was going on in both ways. The Council of Common Defense will be made up of the Secretary of State, the Secretary for Common Defense, the Secretary for the Army, the Secretary for the Navy, the Secretary for the Air Force, and the Chairman of the National Resources Board, with, of course, their secretaries and their staffs, although not as members of the Council, but as working members of the organization.

The new bill which has been sent from the White House provides for a National Security Board, headed by a Chairman and with members designated by the President, which would be responsible for the balancing of the civilian groups under the proposed plan. The new bill also would create a War Council. The Senate bill provides that the duties of the War Council be carried on under the auspices of the Council of Common Defense.

In the Department of Common Defense, under the Secretary, the Senate bill provides for an Under Secretary of Common Defense who would act for the Secretary when the Secretary was absent or was not functioning, and provision also is made for a research agency which would be coordinated with the National Science Foundation. Provision is also made for an intelligence agency. Those provisions follow the scheme which the President has already inaugurated by Executive order. Moreover, under the Secretary of Common Defense there is to be a Division of Procurement and Supply. There would also be—and it would be the most important division of all, I think—a Division for Education and Training, an education and training agency.

Mr. President, the success of any sort of scheme by which new habits, new coordinations, and new outlooks and ways of working are to be established must have its origin in the education and training of the men who are to carry it through. So the bill provides for the creation of an agency on education and training, to be presided over by an assistant secretary, who at all times shall keep in mind the training necessary for the armed forces, to keep the services coordinated, and striving toward the general objective of bringing about unification in ideas, work, and aspirations. There would also be a Secretary for the Army, the Navy, and the Air Force. That provision is the same in each bill.

Mr. President, I think I have said sufficient to indicate that the scheme of the new bill follows almost identically the theory and scheme of the old bill. So the work which was done by the committee was not done in vain by any means; and now the Senate has before it the results of that work.

In every one of the activities carried on by the Army and the Navy during the last war there was some sort of conflict. On the other hand, in the Quartermaster's Department, for example, I should like to point out certain instances of coordination between the services, the Army and the Navy. One of the outstanding examples of close coordination between the services was in the field of subsistence research. Comparatively speaking, here again that would seem to be a simple thing; but mere coordination brought about a tremendous saving. In order to meet the vast problems inherent in feeding an army of 8,000,000 men the Quartermaster had at Chicago, Ill., a subsistence research laboratory which employed approximately 275 persons. There is cer-

tainly a field for research into matters pertaining to the food necessary for the maintenance of an army.

The majority of the employees of the Chicago laboratory were technically trained officers and civilians of long experience in industry; indeed, the civilians were brought into the national defense effort because of their experience. That organization conducted research on its own account and, more important, it was able to draw upon the rich store of knowledge already available in private laboratories and universities, by placing research contracts with outside institutions. The annual cost of operating the Chicago quartermaster's subsistence research laboratory, including the cost of outside research contracts, was approximately $1,800,000 a year. Had the services elected to conduct independent research work in that field, it is reasonable to assume that most, if not all, of this expenditure would have had to be duplicated. But worse than that, Mr. President, we would not have had uniformity in the subsistence of our armed services, and from the beginning to the end of the war we would have had complaints, comparisons, and all the intrigue which the presence of the competitive system invites. When I say "to the end of the war," I should also point out that we must keep in mind that when the men were released from the armed services, when demobilization time came, the Army had one rule and the Navy had another rule. We tried to coordinate them and bring them together, but each in theory had a certain task and a certain habit of thought. The strange thing was that men could be brought into the services by only one method, although of course the Navy relied almost wholly upon the volunteer system, not upon selective service. But in getting the men out of the armed forces, the Army and the Navy had different arrangements. Let me say that writer after writer and person after person has felt that the demobilization of the Army was not done in a very good way. There was a loss of morale which our national defense suffered. Of course, Mr. President, anyone trained in military science is trained for retreat quite as well as for advance. If an officer cannot bring about an orderly retreat, an orderly demobilization, and an orderly undoing as well as an orderly doing, he is not well-trained. I venture to say that the Army and the Navy both did quite as magnificent a job in releasing men from the service as was done by the Selective Service and the Army and the Navy in getting them into the armed forces. That is a compliment to the services, one which was overlooked because we were continuously besieged by letters from parents and from the men themselves who were attempting to point out that things were not being done in the way they should be done. As time goes on we will find that they were splendidly done, and that the men profited by the way in which the details were handled.

Confusion, competition, and duplication in transportation prevail. I have already mentioned sufficient to show the conditions. I shall not take the time of the Senate to mention other instances.

However, Mr. President, I wish to point out a few matters about signalling and communications, and when the Members of the Senate realize what took place, they will be startled, because it is impossible to understand why it was necessary to do what was done.

We get along in the United States with one Postmaster General and one postal system. The postman serves the rich and the poor, the high and the low, the Army and the Navy, and we do not think we have to have a special agent to carry our letters. In fact, there is democracy in the postal service, if I may use that expression. But not so in the Army and the Navy. There must be a postal system for the Army and a postal system for the Navy. Why that is, no one can understand. The addresses were probably the same, and the letters were sent care of the same postmaster, but they went by different planes or went by different boats, and they were delivered in different places. That sort of duplication cannot be justified by any one.

In the matter of long haul telephone lines leased to the Army and Navy in the United States, it is interesting to know that each had a line from Washington to Boston, each had a line to New York, each had a line reaching into Chicago, each had a line to San Francisco. But both of them were able to use the same line extending to St. Louis and to Los Angeles. Of course, the answer may be that probably the demands were so great that all the lines were needed. They had two lines to Dayton, where airplanes were being built, and only one line to Columbus. That sort of duplication could all be overcome, with a saving in men, materials, upkeep, maintenance and at the same time there would be a more orderly administration and less bookkeeping.

There was the Army command administrative network domestic tape relay system, and the United States Navy teletypewriter exchange system. Some of the time both services used the same system, at other times each had its own system running to the same place. Both had two lines running to the Northwest, both had two lines running to San Francisco, both had two lines going by different routes to Los Angeles. But both used the same lines between Washington and many other cities, although there were two lines into Chicago.

Mr. President, that is costly; it is unnecessary, and it makes for inefficiency rather than for efficiency.

Very good and far-reaching radio circuits were paralleled by the Army and the Navy. From Washington to Europe each had its own set-up. Across our country each had its own set-up. Into the Aleutian Islands each had its own, into Hawaii, Saipan, Guam, each had its own. Down around Australia and up to the Philippines later each used its own services.

Mr. President, in addition to these services there was one other which I learned about because I happened to be mentioned on it. Much of the information which soldiers and other interested could not get over our own radio connections, or through our OWI operations, information wanted by particular people, sometimes came over the Japanese radio service.

I was reelected at the same time Mr. Roosevelt was reelected, in 1944, and at the time my daughter was in the Far East. She could not get any information about what had happened to her dad in the election. It was practically impossible, because the services were interested in the election of the President, but not interested in the election of an unknown Senator. But it was not so with such spokesmen as Tokyo Rose. It was learned from the Tokyo radio that I was reelected. My daughter found out from Tokyo that her dad was successful in the election.

Mr. President, I ask that a formal statement in regard to the medicine and hospital plan be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

METICINE AND HOSPITALIZATION

On behalf of the Medical Department of the Army I should like to present certain experiences emerging from this war which bear in my opinion very directly on the problem of integrating the medical services of the Army and the Navy.

To begin with, I would like to remind you that the Medical Department of the Army, and that of the Navy, have two primary missions: to maintain the strength of the armed forces at the highest possible peak of efficiency by reducing health hazards; to provide the best care possible for those who are sick or injured.

The accomplishment of this twofold mission involves, among other things, an effective program of preventive medicine; a well-ordered system of evacuation and hospitalization patients; and an administrative structure which assists rather than impedes the performance of the primary missions.

The keynote to preventive medicine is research—to discover new and better ways of destroying the enemies of man before they can attack him. We have just witnessed, in the research on the atomic bomb, the outstanding example in the history of the world of the value of cooperative investigation. Had these scientists been limited by the confines of their own laboratories and the means of their own research institutions, it would have been decades, perhaps centuries, before the secret of atomic energy was unlocked. Through imaginative leadership and centralized control, the group working as a team found the secret within a few years.

There were a series of medical problems common to the armed forces which should have been tackled the same way, but were not. Although considerable coordination was achieved through the National Research Council, the Army and the Navy never really pooled their resources as regards the attack on malaria, the use of penicillin, experimentation on the influenza vaccine. The outstanding success of this war in preventive medicine was the discovery of DDT, that famous powder which turned disease-ridden islands and slum-infested cities into safe and habitable centers. The Deputy Surgeon General of the Army, who has recently complete a tour of 30,000 miles through the Pacific, reported to me that some islands now resemble health resorts, and the sickness rate is at an all-time low. He went on to add that on many islands where the Army and the Navy both have personnel, there is a division in administration; to the left of the road is Navy domain; to the right, Army. Of course, the bugs which DDT is out to kill

have a habit of ignoring these organizational compromises and wander at their will, not our will. Fortunately, by local arrangements, the entire island is sprayed with DDT, not solely the Navy side or the Army side.

To illustrate from nearer home: I am reminded of the problems which we faced in an effort to control venereal disease. In the Seattle area the Navy had its control officers and the Army theirs. Of course, they consulted, but there was no single head, no one plan. Substantially the same was true in the Hampton Roads area in Norfolk, Va. According to reports which I received, there was no discrimination against men in either service acquiring the disease.

The remarkable advances in preventive medicine were reflected in the lowest disease rates in the history of any army in the world. In World War I, every year, 16 out of every thousand soldiers died from disease. In this war the comparable figure is only 1 soldier out of every 2,000.

Despite this record, millions of sick and injured required hospitalization. In total, almost 15,000,000 patients were treated in Army hospitals alone. The fact that so few died attests to the excellent hospital and evacuation system. I, for one, believe that the record could have been still better had the Army and Navy operated a single integrated, rather than two, uncoordinated hospital systems. Early in the war the Navy experimented successfully with the use of Quonset huts for Pacific hospitalization, but because of independent design, procurement, and construction, it was not until the war's end that the Army was able to secure the full benefits of this pioneering.

Although the items procured by the Army and Navy in the medical and surgical fields were largely standard commercial products such as drugs, chemicals, surgical instruments, laboratory supplies, and hospital equipment, each department had its own procurement office. It is worthy of note that both purchasing offices were located in New York City. On the basis of a representative list of 71 major common items more than 25 percent were placed with the same contractors. Recognizing the waste inherent in such independent procurement, an agreement was finally worked out between the Secretaries of the Army and Navy for joint procurement, effective December 15, 1945. It has been estimated that had such joint procurement existed throughout the war there could have been a saving of $62,000,000.

One more word on the supply side. The Army operated 18 medical depots, several adjacent to Navy installations. For instance, the Army had a medical depot in San Francisco; the Navy had one in Oakland. The Army had one at Ogden, Utah; the Navy had one in Clearfield, Utah. Had there been one combined depot at these and other locations, the reserve stocks could have been reduced; personnel could have been saved; and other advantages could have been achieved based upon larger-scale combined operations.

An integrated supply organization would not only have saved funds but would have assisted the hospitals in operating more smoothly and thereby have improved the quality of service which they were able to render.

But the real advantages of medical integration must be sought in a review of the evacuation and hospitalization systems. Of course, the key to these systems is personnel—medical personnel which represents the scarcest human resource in the United States. This country had about 160,000 practicing physicians during the war and of this number, in excess of 60,000 or just under 40 percent were in the armed services. In addition, the services had in excess of 21,000 dentists and 65,000 nurses, not to mention many thousands of adjunct personnel—sanitary engineers, veterinary officers, and large numbers of medical administrative officers.

Despite these large numbers, the Army, for one, was hard-pressed for Medical Corps personnel when the war was fully extended on both fronts. It was particularly hard-pressed as regards those key specialists, the brain surgeon, the orthopedic surgeon, the expert in plastic reconstruction, the mature psychiatrist, who had to assume the leadership in our large hospitals throughout our far-flung bases.

That the best men are always few in number, even in civilian life, can be illustrated by the fact that people came from the far parts of the earth to Dr. Cushing when he was alive if they wanted the best in brain surgery. Today, those who can afford it travel long distances to university centers for highly specialized treatment.

Because of the independence of the medical services of the Army and the Navy, each service erected and operated hospitals in close juxtaposition. To illustrate: On Oahu the Army had six hospitals and the Navy three. On New Caledonia the Army had the predominant hospitalization, but the Navy operated a 2,000-bed hospital. On Espiritu Santo the hospital mission was more or less evenly divided, the Army having three hospitals and the Navy two. These illustrations could be multiplied many times over.

Had there been a single hospital plan, the total number of beds might not have been substantially reduced, but that is not the crux of the problem. I have seen patients receive excellent care where there was no bed available. The key to medical service is getting the right patient to the right doctor at the right time. With only a limited number of "right" doctors, the fact that the Army distributed its small group independent of the Navy, and the Navy in turn took its limited resources and distributed them without regard to the Army was definitely wasteful. Under stress of work, the senior surgeon frequently does not perform an entire operation: Younger men prepare the patient; the specialist does the intricate work, and the assistants sew the patient up. These key specialists could have utilized their scarce skills much more effectively had they been assigned out of one pool in terms of the combined Army and Navy requirements. And what is the true of the surgeon is likewise applicable to the dermatologist, the psychiatrist, in fact, to every other key specialist.

The difficulties flowing from the absence of unified control over medical means was particularly acute during some of the most difficult operations in the Pacific. It was never clear until the last moment and sometimes not even then, the extent to which the Army would have to depend on its own hospital ships or would receive assistance from the Navy. More important, the assignment of personnel to the hospital ships of the Army and the Navy was not centrally controlled with the result that available talent was not always used to the best advantage. This sounds relatively abstract and unimportant, but I can assure you that if you were the patient with a gunshot wound through his stomach, you would want to be operated on by the best possible surgeon, not by the one who happened to be wearing the same uniform.

Talking of hospital ships, one can carry the evacuation story a few steps further back. Through the early campaigns of the central Pacific, much valuable time and effort was lost in trying to deliver Navy patients to Navy hospitals and Army patients to Army hospitals. The following single case which occurred in the Pacific area demonstrates what may happen to an individual patient when different administrative procedures are practiced by the two services in combined operations. An Army officer was seriously wounded on Leyte Island, Philippines. He was evacuated by hospital ship to Naval Base Hospital No. 15 on the Admiralty Islands and 3 days later, on a food ship, to the Army hospital at New Caledonia for subsequent evacuation to the United States. The naval hospital at Admiralty Islands provided care for Navy patients pending their transfers to the United States. However, this officer was transported an additional 2,000 miles to place him in the Army chain of evacuation. With a unified medical service, common channels of evacuation could have prevented this. In this instance the officer's life was jeopardized by the trip to New Caledonia. Results of such conditions cannot be measured in dollars.

As the war progressed, increasing coordination took place, but even at the end, there was more independence than unity between the services. In the United States the contacts were minimal. Although patients were brought back through the same ports—Seattle, San Francisco, New Orleans, Charleston, and New York—they were processed through separate debarkation hospitals. Although one service had a highly efficient centralized medical regulating office in Washington which distributed as many as 57,000 patients in a single month to 65 general hospitals, the other service made no use of this system.

Throughout the war we were constantly besieged by requests of soldiers to be hospitalized as close to their homes as possible. These were reasonable requests for men who had been on their backs for many months and who depended so greatly upon their families and friends for emotional support. We did our best, but we could send a man only to one of the Army's general hospitals which were designated for this type of treatment. If the hospitals of the two services had been part of the same system, many more men would have been treated closer to their homes.

On the monetary side alone it is estimated that integration would have saved in the pay of military and civilian personnel, construction of facilities, and rental of machinery, approximately $201,000,000. If the detailed data of the Navy medical operations had been available for study, the estimated savings would probably have been much greater. But the problem of medical integration should not be appraised solely or even largely in terms of dollars.

I want to reimpress upon you that in my opinion and in the opinion of most competent observers, the American soldier and sailor received the very highest type of medical care possible without a unified operation.

The problems which I have raised with you warrant study if we are to continue the remarkable progress which we have already made. However, in an integrated medical system the high level of medical care already achieved can be provided more efficiently, and improved at less cost, through the utilization of combined resources.

Mr. THOMAS of Utah. Mr. President, I think it is important to note that there was duplication; there was preference. There were reports that one hospital had to house its patients in tents, while across the way, for example, was another hospital, modern, well built, with floors and all modern conveniences. That simply should not be, and we should see to it that something is done in regard to the unification of the medical branches of the armed services.

Under the Senate bill provision was made for a special study of this aspect of the subject before attempting by law to unite the services. It was also provided that promotions, vacations, and retirement should be made uniform and be worked out by the services themselves before being embodied in the law.

I also ask to have inserted in the RECORD a series of general comments which I collated, some of which have been furnished me and some of which I myself helped to put into form, showing the reasons for unification, and justifying the bill.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

GENERAL COMMENTS

Procurement deliveries to the armed forces of equipment and supplies during World War II amounted to more than $160,000,000,000. This is an astronomical figure. Perhaps the significance is easier to appreciate if it is stated to amount to more than $4,000 for every family in the United States. For equipment and supplies, the War and Navy Departments have spent approximately twice as much as for any other activity.

Total deliveries during World War II on Army contracts represented an average monthly expenditure [1] of $1,700,000,000. In accomplishing the huge military procurement of the Army Service Forces it was necessary to develop a complete procurement organization, controlled and directed by a headquarters staff in Washington, and spread through all the principal manufacturing areas in the United States. The Navy Department in like manner required a large procurement organization to administer its contracts, representing deliveries at an average rate of $1,200,000,000 [1] per month.

Each of these extensive organizations dealt with industry, the public, and other Government agencies at every level. The necessity for resolving Army-Navy differences arising from the separate systems started with such civilian agencies as the Office of War Mobilization, the War Production Board, the Office of Petroleum Administrator for War, the War Shipping Administration—and extended clear down to the plant of the manufacturer who actually found it necessary to maintain separate staffs to deal with the Army and the Navy.

It is known, for example, that in recruiting civilian personnel for the Army and Navy the situation in some places was at times so acute that serious friction and actual pirating resulted. In a time of national crisis when both skilled and unskilled labor are in short supply, this competition reacts to the detriment of the Nation, not only in the increased cost, but in the delay to both programs caused by the jockeying and friction.

Perhaps there are popular misconceptions about the healthfulness of competition. Competition is advantageous to the buyer in a buyer's market, whereas it is not healthy for a buyer in a seller's market. A wartime market is a seller's market, Uncle Sam is the buyer, and the United States Treasury foots the bills.

The basic matériel, personnel, and facilities needs of the Army and Navy are the same. This is perhaps not immediately apparent when thinking of the three combat arms, yet even the end items that are different require the same type of materials, similar technical skill, and the same type of manufacturing facilities. Both battleships and M26 heavy tanks, for example, require common components and materials—steel products, ball bearings, gears, and motors.

The utilization of existing manufacturing facilities could not be handled by allocation as simply as were raw materials. It was a matter of individual survey, negotiation, and contract, with two independent services pursuing separate programs in an industrial market not adequate to handle both.

Industry often found itself between the Army and the Navy in the competition for production time in an industry, with results detrimental to both. For example, difficulties occurred on accelerated programs in the textile field, such as cotton duck and similar fabrics, where the Army or the Navy in their attempts to cover future contracts optioned the production of the mills. In some instances mills declined to take the contracts of one service pending their investigation to determine the needs of the other service, and procurement was delayed until this information could be secured and the conflict resolved.

In many instances the original service placing an order with a manufacturing plant gradually assumed control of that facility throughout the war, especially in the production of items common to both services. One department assumed complete control of the Taylor Forge and Pipe Works at Chicago throughout the war. The contractor manufactured pipe, welding fittings, and forged steel flanges which were common to both services. The other service at various times attempted to secure a portion of the manufacturing facilities for these items, but because of the influence exercised by the other service was restricted from placing orders with the company.

Considerable competition also existed to obtain the entire manufacturing facilities of the Naylor Pipe Co. This contractor manufactured spiral welded pipe, which was urgently required for the transportation of gasoline and fuel oil at docks and in theaters of operations. Both Departments had great need for this type of equipment, and consequently a great amount of pressure was exerted upon the contractor by both services to satisfy the demands of each.

Both the Army and Navy placed orders and were in competition for the entire manufacturing facilities of most of the large contractors in the Chicago district.

The difficulties of preventing a production overload in an area, either in the expansion of facilities, the overconcentration of effort in existing facilities, or the overloading of transportation, housing, or other utilities were doubled by divided effort. All the agencies involved were faced with the necessity of reconciling the requirements of conflicting programs.

The expansion of industrial plants provides another field in which the cost of separate military programs was evident. Both Departments expanded facilities in the same plants at different times with little, if any, coordination.

One department cut back production in some plants, while the other expanded facilities to increase production of the same type of product at other plants. For example, one department cut back 40-millimeter ammunition production lines at Hayes Manufacturing Co. in Erie, Pa., at the same time the other department expanded Erie Basin Metal Products at Elgin, Ill., in order to institute the production of 40-millimeter ammunition.

One department would expand a plant to produce a product for which the other department already had more than ample facilities. An example of this is ammonium picrate, where one department had two plants in production, with ample capacity not only to meet its own needs, but to have handled the requirements that caused the other department to expand facilities amounting to half a million dollars in another plant.

The elimination of expansions that could have been avoided through the coordinated effort of a single procurement program would have permitted the saving of money, materials, and manpower at a time when critical shortages existed. Needless expansions hampered the production effort in other ways, one of them being the spreading of management so thin that production suffered.

At one time the Army and the Navy requirements for ammunition brass strip were far in excess of the productive capacity of the industry. A solution was reached only after the matter had been arbitrated at great length, and was finally settled by agreement between the Under Secretaries of War and Navy.

The record of the war is replete with examples of cases where resources could have been better utilized and the production of munitions expedited if there had been coordination instead of competition between the services. Instances occurred where plants were dividing production between Army and Navy shells, which required the setting up of different production lines. It is reasonable to believe that had procurement been coordinated and concentrated with one type to a plant, increased production would often have resulted.

In addition, combined procurement would have eliminated such situations as existed when one service purchased towels at a time when the other service had an excess supply.

A single headquarters staff could have developed and published the necessary purchasing policies for both. Significant savings in staff work at lower echelons would have resulted. Only one set of procurement regulations would have been required in lieu of the War Department regulations, comprising a 5,000-page work of 2 volumes in 15,000 copies, and the Navy Department directives, which served a similar purpose.

Another economy which could have been achieved by consolidation is the elimination of duplication in surveys. For example, the Trundle Engineering Co., of Cleveland, Ohio, received $43,705 for an inspection survey and the preliminary work in connection with the preparation of the Army Service Forces Inspection Manual M-608. This survey covered substantially the same field for the Army as the survey of the Material Inspection Service of the Navy Department made by Booz, Fry, Allen & Hamilton, published August 3, 1942.

In dealing with two potential contractors the differences in contract provisions led to discrimination against one or the other service. For example, one service authorized contracts to be placed for longer periods than the other. One service permitted contractors implementing Smaller War Plants directives to pay up to 15 percent more for war goods purchased from a small plant; the other department accepted the principle, but did not specifically prescribe the action contracting offiers could take. One department purhased component parts of end items and furnished them to contractors to perform final assembly, the other service required that the assembler of the end item subcontract similar items. One department permitted contractors to include reserves for contingencies in contract prices but did not permit subsequent upward revision of prices; the other department did not permit inclusion of reserves for contingencies, but, instead, permitted contractors to negotiate price increases resulting from unexpected events beyond their control. One department was willing to exempt certain contracts from renegotiation if it could be determined in advance that a close price had been set; the other department did not generally allow such exemptions. One department required the contractor to send notice of shipment, the other did not. One department provided for upward adjustments of prices if State or local taxes increased, the other had no similar provision.

The Army employed hundreds of lawyers in the drafting, modification, review, approval, and interpretation of procurement contract forms and provisions. The Navy Department also had a staff of lawyers to perform like functions. In addition to the cost to the armed forces through this duplication of effort, contractors offering the same or substantially similar items to both Departments were confronted with endless differences and confusion in the analysis and evaluation of contracts.

[1] Excludes Air.

All of these differences in the practices of the War and Navy Departments were not only costly to the Government and to industry but detrimental to the war effort.

Throughout the war, procurement programs for the two services contained many substantially identical articles evolved through parallel development programs. Manufacture was delayed because of the different requirements for tooling and the differences in matériel specifications. Increased over-all stocks had to be maintained in the field. The supply of spare and replacement parts was complicated. The independent development by the Army and Navy of rockets, bombs, radar sets, heavy- and medium-caliber guns, amphibious vehicles, and submarine mine devices, designed by each service for substantially similar purposes, are but examples of thousands of similar cases.

The need for independent research along similar lines is fully recognized, but there are hundreds of items on which specifications can be standardized for both services after the research and development phase has been completed, and the most desirable type of item decided upon. All too little has been accomplished in this field by reason of the unwillingness of each service to adopt the specifications designed by the other. Both services are open to censure in this respect. For example, 55-gallon drums for the Army were procured separately from Navy drums, from specifications having no essential differences except that the Army required that the inside of the drum be sprayed with preservative oil to prevent rusting, and that a different type of drum closure be used. Despite the necessity for utilizing all production capacity of the country in the production of the drums, contractors were required to set up different dies for installation of the differing closures. These minor differences in specifications still remain unresolved, although in emergency the production of one service has been diverted upon occasion to meet requirements of the other service.

The interchangeability of parts is a matter of great importance in wartime production and supply. If interchangeability is not provided in the original design to the maximum extent practicable, there results a needlessly large demand on production facilities to manufacture spare parts, and there is a slowing up of procurement due to the diversion of facilities to spare part production.

The work of preparing specifications to guide manufacturers in the production of thousands of varied items required by the armed services understandably requires the expenditure of prodigious effort by large numbers of highly skilled individuals. In the main, these efforts were expended by both departments independently. Efforts to standardize through cooperation brought meager results. The vast number of common items gives an idea of the extent of this duplication. However, the original duplication of effort is not all. Each service developed its own drafting room standards. As a result contractors were confronted with several techniques for the presentation of similar basic data. The cost of the duplication continues through the life of every differing specification for a common item, in that on the production lines of plants having both Army and Navy contracts for these almost identical common items, constant changes in tooling and dies, in machine settings, in finishing processes, in marking and packaging, must be made in order to serve purposes that would be unnecessary if there were agreement and single original specifications.

The conflicts and duplications in contractors' plants as a result of the differences in specifications caused the establishment in December 1942 of the Joint Army-Navy Committee on Specifications, to consolidate existing specifications of similar items into joint specifications. However, it was found that this committe was not strong enough, and it was superseded in August 1945 by an Army-Navy Joint Specifications Board, from which disagreements may be appealed to the Army-Navy Joint Specifications Council, charged with over-all supervision of this joint program.

To date, of the thousands of common items procured, only 242 joint Army-Navy specifications have been issued. It should be noted that even this activity covers only specifications already in existence, and does not attempt to correlate efforts on specifications prior to original issue by each Department.

It was tremendously burdensome and costly for a facility manufacturing a like item for each service to be required to fabricate, assemble, and process under different specifications. As an example of how current specification practices work out in industry, two contractors in Kansas City were awarded separate contracts for bolted-steel gasoline-storage tanks by the Army and the Navy. During a 3-year period Army Service Forces contracts totaled $13,323,000. Standard drawings and specifications were not issued to the manufacturer of these tanks by either Department, but the individual contractor's drawings and specifications were modified independently by each service to meet its interpretation of the requirements of the end item. In an effort to maintain the delivery schedules demanded by each Department, it was necessary for the contractors to make frequent changes from one contract to the other. Changing dies, making adjustments in production-line machine tools, and changing color on the paint lines caused confusion and delay, all due to minor differences in drawings and specifications. A single procurement of this item would have avoided all such divided effort. The contractors would be working from one set of drawings and specifications, and the tanks produced would have been interchangeable here and in the theaters of operation.

In some cases differences in specifications were so minor as to be ridiculous. Both Departments procured 10-ton bridge trestles from the Michaels Art Bronze Co., Covington, Ky. Separate drawings were furnished the contractor by the Army and by the Navy. The equipment differed only in the tolerance of drilled holes and their spacing, yet only a limited number of the bridge parts were interchangeable. Not until 1943, after more than a year and a half of production, were standard specifications adopted.

Since many of the items purchased by both services were identical and purchased from the same manufacturers, production expediting personnel from both were constantly crossing paths in visits to the contractor's plants, expediting the same units, and the same components for these units. Instances occurred when expediters from both agencies called on the contractor at the same time personally or by local and long distance phone, in an effort to expedite identical items. This duplication of activities resulted in loss of time on the part of contractor's personnel, and of course did nothing to lighten burdens on the Nation's communications facilities.

The presence of expediting personnel from both services in the same plant resulted in confusion in the minds of the management as to just what should be expedited. For example, a major shipyard had a contract from one service for welded steel towboats, and from the other for seagoing tugs. During the contract period the two services had duplicate expediting and inspection staffs at the shipyard. Both the Army and the Navy constantly strove to expedite their ends in the program and to influence management to shift labor to meet their own priorities. This conflict only served to slow down both programs.

In other cases the presence of expediters from only one service in a plant which was producing for both Departments sometimes resulted in unjustifiable emphasis being placed on the product for the service which had its men physically present in the plant.

The priorities system, intended to contribute to orderly production, in many cases acted to produce complications, especially in the early stages before quantity limitations were established. In 1943, for example, 80 percent of the capacity of one plant was being used by the Army for the production of forgings and castings for the heavy truck program. The Navy, by means of an overriding directive assigned to it for the landing craft program, entered this plant and reduced the Army production to approximately 20 percent of the plant's output. If persisted in, this action would have had the effect of shutting down eight or ten truck contractors for lack of forgings and castings. This particular problem was ironed out, but its solution was the result of emergency cooperation rather than coordination, and with a single procurement program would never have occurred.

Another source of production difficulty arising from the separate systems is that a delay in delivery of allocated raw material to a plant sometimes tied up an Army or a Navy contract, whereas there was already on hand a stock of the same material belonging to the other Department and not immediately needed. Yet the effort and paper work required to get a release of this stock to fill an emergency need was usually prohibitive.

In June 1944 a survey of inspection practices was made by the Corps of Engineers. This survey revealed 345 specific instances where similar or identical items of equipment were inspected by the Navy and the Corps of Engineers. In each instance separate and duplicate inspection and clerical personnel were maintained, either at the manufacturing plant or a district or a regional office, for the purpose of inspecting and accepting material, preparing inspection reports, shipment reports, bills of lading, and inspection records.

Duplication was particularly prevalent in the inspection of construction equipment, and such items as air-cooled, internal-combustion engines, and prefabricated buildings. Specifications and standards were either essentially the same or could have been easily standardized. In practically all the instances of duplication one staff could have performed inspection for both services with savings in manpower, and with reductions in production costs, due to greater standardization of the products manufactured.

The estimated cost of inspection for the Corps of Engineers, including salaries of inspectors and clerical personnel, in the 345 specific instances of duplication referred to, was $1,500,000 per year. It is reasonable to assume that the Navy spent a similar amount. One organization performing inspection for both services should result in a material saving over the combined inspection costs of the two services.

This example covers only a limited portion of the procurement field, but points to the substantial inspection savings possible if extended to all common procurement.

The integration of packing and marking of supplies and equipment also presents tremendous possibilities for improved operations and savings of time and money. Standardized packing procedures, and the development of standard packing materials designed to meet specific conditions, would greatly facilitate transportation problems and the protection of supplies shipped overseas.

Because of differing nomenclature and marking systems, similar items procured by the Army and Navy which were entirely suitable for use by either service bore different identification markings on the packages. As

a result, personnel in the field were often unaware that an item in the storehouse of one service could, in an emergency, be used by the other. In the Army it is "Cap, Field, Cotton, OD," while the Navy calls its identical counterpart, "Cap, Utility, With Visor." In the Army it is "Power Unit TE-167" and in the Navy, "Emergency Power Equipment-E Series, Model EAL." The Army's "Radio Set SCR-695-A" is called by the Navy, "Airborne IFF Equipment-AB Series, Model ABF."

Another of the fields which would be productive of extensive economy in a unification of our armed forces is in the distribution, storage, and maintenance of supplies and equipment in common use.

As we have stated, basic logistic requirements for operation of the two services are the same. Also, much of the highly technical equipment is identical. Food, shelter, clothing, fuel, weapons, ammunition, communications, and transportation, together with the accompanying services, storage, distribution, and maintenance, should be provided the units of the armed forces through uniform procedures and consolidated channels by a single specialized organization.

The necessity for specialized control over storage has been demonstrated during the present war. There has been much overlapping in the equipment and operation of storage facilities by the armed forces through lack of coordination. A Storage Control Board was ultimately established in an effort to avoid competition for storage space among the various war agencies. Repeatedly depots have been established in a single strategic location by both of the armed forces. Among other things, this has resulted in strong competition in the local labor market. In numerous instances the labor supply which would have been ample for a consolidated facility has been inadequate for several. A combined supply system would do away with the duplication in the organization of administrative overhead, with the waste of critical and expensive storage space through the maintenance of separate reserves where one coordinated reserve would suffice.

As an example of circumstances under which it seems reasonable to believe that substantial savings would have followed consolidation of storage, on the east coast one department had two storage installations to supply fire-fighting equipment to fire stations, the other department had five. One service merged its own depots as the war progressed, the other did not. Had there been a consolidation between the services, as well as within the one, this would have eliminated six of the seven installations, saving probably 8,736,000 man-hours and approximately $14,700,000 in overhead operating costs during war years.

Army and Navy depots have been set up at many adjacent points throughout the United States and abroad. Even if one disregarded the savings in actual buildings and space, centralized establishment and operation would have done away with the construction of separate sets of access roads, railroad spurs, utilities, etc., amounting to approximately $2,000,000 per depot.

Refrigerated storage space was especially at a premium in the tropics. One service operated 5,885,936 square feet, and the other service established and maintained independently 2,430,658 square feet. Under a unified storage system the loss of tons of perishable supplies would have been prevented. In one instance one quarter of a million rations were lost on Guam because covered storage space was not available for use by one service, while at the same time large tonnages of nonperishable supplies were being stored under cover by the other service.

Large acreages throughout the Central Pacific were converted into separate open storage areas for use by the Army, Navy, and Marine Corps. Many common items, such as trucks, jeeps, power units, and lumber, carried either as reserves or as current stock, were stored separately. More effective use could be made of this vast space by a common storage plan. For example, a single reserve of motor vehicles of all types would have contributed savings in space occupied of about 25 to 30 percent. Substantial savings in personnel would also have accrued.

Unified operation would have permitted saving of an estimated 20,000,000 square feet of open hard standing space, or $10,000,000 in construction costs, based on reports of reserves of vacant space.

The Army engineers and the Sea Bees operate in the same sphere with respect to mechanical equipment maintenance. Both services have found it essential to consolidate all of their own depot stocks of spare parts for these activities. At Columbus, Ohio, over 200,000 separate items valued at $180,000,000 are currently in stock for one of the services. The other service plans a similar type of stockage in a central depot located in California. These undoubtedly could be merged into one facility to serve the needs of both services with resultant economies in stock control, stock management, overhead, and through reduced inventories.

With uncertainty as to what future operations might be assigned to either service the tendency was to stockpile or maintain liberal quantities of reserves to meet any eventuality. With separate supply systems there was no easy way for one department to draw on the other for items available in reserves or as overages at specific installations.

For example, additional spare parts for tractors were required by the Navy for preparation of operations based on Okinawa. Army engineers finally provided approximately $3,000,000 worth of these parts from their depot stocks, but this was possible only after several time-consuming meetings had been held between representatives of Navy and Army to determine the relative urgency of the operation, and to receive authority to make the necessary stock transfers.

Unified supply planning would have prevented dissipation of supplies through the establishment of numerous separate and uncoordinated stocks of identical items. Some graphic examples of the unbalanced situation in supply and demand, unavoidable without coordinated supply service, come from overseas.

At Woendi Island, New Guinea, in November 1944, one service had stocks of creosoted timber piling in reserve for contingencies while a dock construction job for the other service on Biak Island a few miles away was being delayed on account of a shortage of such piling. Local unified supply control would have obviated the delay in the critically needed project.

Aso on Biak Island, one service was salvaging lighterage pontoons to meet a critical shortage, while the other service was issuing considerable quantities from excess stocks at Finchafen, New Guinea, for use as water tanks.

As a further example of the headaches supply people get in combined operations with separate supply systems: The Commanding General of Pacific Ocean Area submitted a request for steel piling required at Okinawa for construction of port facilities assigned by Commander in Chief, Pacific Ocean Area, as an Army responsibility. The total requirement was for approximately 8,000 pieces weighing 12,300 tons and presented a major procurement problem, since steel was being closely allocated. Rolling facilities were operated at capacity. It was learned by Army that the phasing could not be met without assigning a high priority to obtain the necessary steel, which would necessitate cutting back production of shells, landing mats and other critical items. Informal inquiries of the Navy disclosed that the steel piling being produced was sufficient to meet all construction requirements in the Pacific Ocean Area, including that assigned the Army. It was not possible, however, to specify locations or purposes for which piling was being produced. A message was dispatched advising the Army supply chief in Pacific Ocean Area of the above, and requesting him to obtain the approval of the Commander in Chief, Pacific Ocean Area, for the diversion of the steel piling from Navy stocks to meet Army requirements at Okinawa. The diversion was approved, and accomplished by requisition on the Navy March 27, 1945, with provision for replacement in kind. On May 10, 1945, the Navy canceled its request for such replacement, the Army in turn canceling not only its procurement, but that portion of its allotment for steel, which required the mill to reschedule its rolling program. This sort of duplication of requirements could hardly occur with a unified supply service.

Army and Navy separately requisitioned railway equipment for operations in Hawaii, and consequently each procured this equipment under its own procurement methods. To further complicate the situation the Navy requirements were submitted in two sections, one to the Bureau of Yards and Docks, which purchased one type of equipment, and one to the Bureau of Ordnance, which placed another order, with the third type ordered by the Army from still another freight-car company. The result of these diversified purchases was that spare parts for the equipment were not interchangeable, and it was necessary to stock three different types of parts in Hawaii. Had a coordinated field requisition been submitted to a central procurement agency, a standard car would have been purchased.

Mr. THOMAS of Utah. Mr. President, I believed in unification before I started working on it. I did not have to become converted to it. I was in favor of it after the last war. I had watched the attempts at unification made at different times, so that I entered upon the task with zeal, and I think with understanding.

Sometimes there is a failure to realize the experience which Senators have had. Ordinarily a Chief of Staff serves for 4 years. He becomes acquainted with a group of Senators during that time but he knows them only as Senators. But the Senator from Alabama [Mr. HILL], for example, one of the authors of the bill, who was a member of the old Senate Committee on Military Affairs, had served also as chairman of the Committee on Military Affairs in the House of Representatives before he came to the Senate, and is now a member of the Armed Services Committee. Such a man has had wide experience and has accumulated a mass of information during his years of service in the House and Senate on military matters. Probably he was chairman of the House Committee on Military Affairs during the service of three or four Chiefs of Staff, and it was my privilege to know many of them.

On the committee were governors of many of the States, men who had had experience with the commanders of the National Guard and demobilization in cooperation with the Federal Government. On the committee were men who served in the last war, or who had personal knowledge of the services. On the committee were men who had had to do with military administration more years than one or two, probably throughout a whole generation. Aiding the committee was a man who has here, not as a Senator,

but who was called in 1920 when the National Defense Act was passed. He had a part in the preparation of the National Defense Act. Talk about experience. It is there, Mr. President. On the committee was a man who served when the very first encampment of the National Guard and the Regular Army was held for training and experience. On the committee were men who conducted the Military Establishment not only in the last war but in peacetimes, men who served in the organization of the ROTC, men who had inspired the boys who later became the leaders of our men in the war.

Mr. President, I do not discount one whit the experience of the men who worked on the preparation of the Senate bill. I do, however, say that it is a shame that experience was not used in bringing the bill to fruition. The primary purpose of this bill is to enable the Senate of the United States to have the benefit of the experiences and the results of the studies, deliberations, and long dealings relating to this measure.

It is my hope that the preesnt Congress will be able to bring to completion the task of providing a sound legislative basis for the postwar organization of the armed forces. No action taken by the Congress could be more significant, whether viewed from the standpoint of fiscal economy or of national security, or on the broader horizon of our new and grave world responsibilities.

There is one rule in the operational activities of the American command, and the theories of command, which is not observed by other nations; and it is a good rule. In the American Army, in the case of a general order, or of a particular order, the men who are called upon to carry out the order are ordinarily briefed in the whole objective; just as a football player is not only told his place, but is also given an understanding of the places of the other 10 men in the team. So there is no confusion. In some armies of the world the servicemen are not trusted with that much knowledge. I served close to one, where it was deemed improper ever to teach the men who were to assist in the execution of a command, the purposes of the general or the purposes of the commanding officers. It was assumed that he would be a bad soldier, that he would try to be a general himself, that he would try to run the whole show, knowing nothing about teamwork. But the American boys know teamwork. They have played baseball; they have played football. From those experiences, they know what teamwork means; and I may add that the Senators of the United States have learned teamwork.

The most significant statement made by great generals who appeared before the committee was that morale is everything. Why is it everything? Because it is only through morale that teamwork is possible; second, there must be a team. Think of it. Our great generals are stressing that point, and I stress it here in regard to the unification of the services. It is not a matter of two teams attempting to carry out the same objective, but one team, working together, cooperating, dovetailing with each other's work and supporting each other's work.

It has not been my purpose, and it is not my purpose now, to analyze or to comment upon the plan of organization recently worked out jointly by the War and Navy Departments and recommended to the Congress by the President. My purpose is rather to summarize the experience acquired by the Committee on Military Affairs on this subject during the last session of Congress, and to review the considerations which necessitate some early step in the direction of the unification or of better coordination of the military departments.

Unfortunately, differences of opinion concerning the precise method of organization to be adopted prevented final action being taken last year. The point to be emphasized, however, is that no dispute existed, either within the armed forces or within the Congress, concerning the need of this sort of legislation.

A great admiral who appeared before the committee, in opposition to the original bill—he was not commenting on the final bill—pointed out that the original bill contained many things which were unwise, but, when asked point-blank, "Should we stop trying to do anything?" he said, "No, Mr. Chairman; there are too many things that must be done in order to improve the services." I assumed from that that there was no objection to our proceeding; and we went ahead.

It can also be said that little if any difference of opinion existed as to the general objectives to be sought by legislative action. The long and sometimes bitter controversy over reorganization of the armed forces must not be permitted to obscure these significant facts. One admiral, testifying against the bill, made point after point; leading me to say to him. "Because of what you have said, Admiral, I am in favor of the bill." While they were in theory against the bill, the argument they made against it actually proved the need of it.

The problem with which we grappled in the last Congress, and which now concerns the present Congress, is anything but a new one. Even before World War I, the Commission on Efficiency and Economy appointed by President Taft in 1912 was planning a study of the merger of the Army and Navy when its work was terminated by the Congress. Following World War I there was wide interest in reorganization, arising partly out of military considerations, and partly out of a desire to achieve economies. In 1922 President Harding recommended that the two services be placed under a single Cabinet officer. Both services offered strong resistance to this proposal in hearings before a joint committee of the Congress in 1924, and the joint committee rejected the recommendation. In 1925, under the chairmanship of Representative Lambert, Republican, of Wisconsin, a congressional committee of inquiry into the operations of the United States Air Service made a favorable report on the proposal for a single Department of National Defense with three coordinate branches. Again the War and Navy Departments voiced strong objection.

In September 1925, following the *Shenandoah* disaster, President Coolidge appointed the President's Aircraft Board under the chairmanship of Dwight Morrow, a former Senator from New Jersey. Perhaps the strongest advocate of unification before this Board was Colonel Mitchell. The Board came to the conclusion that the disadvantages of a single department outweighed the advantages. Studies made by the services themselves came to a like conclusion.

The only time the issue has come to a vote in either House of Congress was in 1932, when the House Appropriations Committee included a provision for consolidation of the War and Navy Departments in an appropriation bill. The House rejected it by a small margin. In the same year the House Committee on Expenditures held hearings on two unification measures, but in view of strong opposition from both Departments did not report them out. In view of later experience, it is interesting to cite the testimony of the Secretary of War before this committee, to the effect that the "necessity for tactical cooperation in war between the land and naval forces will not exist except in very special or abnormal cases." No statement could better illustrate the failure of our military and civilian leaders during this period to visualize the impact of technology on warfare.

Further proposals and studies were made in 1933 and 1934. In the latter year a military-civilian board, headed by Newton D. Baker, came out against both a separate air force and a single department, stating that "the committee believes that the machinery set up for the coordination of the Army and Navy is adequate for the purpose." Here again is a striking illustration of inability to visualize the intimacy of the interservice coordination required in modern warfare.

Before the last war, about in 1935, a bill was introduced by my former colleague Senator King, of Utah, to unite the services.

Before the present President of the United States became the Vice President, while he was still a Senator, he wrote an article in Collier's magazine in favor of the unification of the services. For historical reasons and because of its value to the committee, I ask that the article written by President Truman when he was a Senator, appearing on page 192 of the hearings before the Committee on Military Affairs of the United States Senate, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

OUR ARMED FORCES MUST BE UNIFIED

(By Harry S. Truman, United States Senator from Missouri)

THE DEMOCRATIC VICE PRESIDENTIAL NOMINEE PLEADS FOR THE MERGER OF OUR ARMED FORCES AND CITES THE PRICE WE HAVE PAID FOR LACK OF COORDINATION IN THE PAST

Proof that a divine Providence watches over the United States is furnished by the fact that we have managed to escape disaster even though our scrambled professional mili-

tary set-up has been an open invitation to catastrophe. The bitter lessons of the last few years, however, make it plain that we can rely no longer upon chance and luck. The Nation's safety must have a more solid foundation.

An obvious first step is a consolidation of the Army and the Navy that will put all of our defensive and offensive strength under one tent and one authoritative, responsible command—a complete integration that will consider the national security as a whole. Absolute cohesion instead of independent departments and agencies, each with its own pride of identity, its prejudices and jealous rivalries that masquerade as esprit de corps.

These are not new conclusions with me. For years the American Legion, out of the membership's first-hand knowledge of the need, has urged the unification of the country's fighting forces. I helped to frame this legion policy and endorsed it without reservation. As a Senator, faced daily with the confusions and conflicts inherent in separated commands, what was a belief has grown into a sincere conviction. But if this background had been lacking, what happened on December 7, 1941, would have made me the ardent champion of a single authority over everything that pertains to America's safety. As nothing else, Pearl Harbor revealed the danger that lies in a division of responsibilities.

For weeks it was known that Japan planned war, building ships and planes for operations across the Pacific, and yet throughout that perilous time, national security rested on conferences and correspondence as the one authorized means of assuring the necessary coordination between Army and Navy. In Washington, Secretary Stimson and Secretary Knox could meet or exchange letters. In Hawaii, General Short and Admiral Kimmel could meet, if they happened to be on speaking terms, or exchange cables and radiograms.

This is not meant as criticism. Under existing conditions no other course was possible. Each Secretary could give orders only within the confines of his own Department, and there was the same division of power and function in the field. Not one team and one huddle, but two teams and two huddles. And with what result?

According to the report of the Presidential commission, headed by Justice Roberts: "While General Short and Admiral Kimmel conferred frequently with respect to joint Army-Navy plans and procedures, they did not, on or subsequent to November 27, 1941, hold any conference specifically directed to the meaning of the messages received from the War and Navy Departments, or concerning action required to be taken pursuant to those messages."

I quote again from the report: "On and after November 27, 1941, the commanding general, Hawaiian Department, and the commander in chief of the Pacific Fleet, took such action as each deemed appropriate to the existing situation. Neither informed the other specifically of the action he was taking, and neither inquired of the other whether any action had been taken, nor did they consult as to the appropriateness of the actions taken by them respectively."

Without entering into the question of personal remissness, I hold that a principal fault was the division of authority that necessitated conferences over two sets of orders instead of obedience to one set of orders.

The report also brought out the habit of independent action bred by years of separation. A direct responsibility of the Army was the operation of an aircraft-warning system. By November 27 only certain mobile equipment had been installed, and because of it, the (a. m. okay) system operated only from 4 a. m. to 7 a. m.

At no time, however, did Admiral Kimmel ask or receive information as to the manner in which the Army was discharging its highly important duty. The Navy, for its part, was entrusted with the task of conducting distant air reconnaissances, radiating from Oahu to a distance of seven or eight hundred miles. No such reconnaissances were conducted except during drills and maneuvers, but never once did General Short endeavor to ascertain how the Navy was handling the job.

Granting neglects and derelictions, what stands clearer than that the root cause of the Pearl Harbor tragedy was the lack of a single national security set-up, and the fact that two Secretaries in Washington issued their separate commands to two field commanders, each reared in a tradition that cooperation carries the risk of endangering independence?

This entire article could be devoted to the violent and incessant quarreling that marked Army and Navy relations during the Spanish-American War. Admirals and generals indulged in petty jealousies and animosities to a point that might well have proved fatal but for the weakness of the enemy. But why go back to Cuba and Pearl Harbor? Today, as I write, there are at hand equally striking illustrations of the peril that lies in treating the national security as something that can be cut up into bureaucratic divisions and subdivisions, all at the mercy of pull and haul.

As chairman of a special Senate committee, created in March 1941, to check up on the national defense program, my fellow members and I are still recording a dreary succession of wastes, duplications, and ugly conflict. That the war effort has succeeded so magnificently, in spite of major obstacles, is a tribute to the courage and resourcefulness of our people.

General Marshall and Admiral King, a good team working in complete accord, have promoted a happier relationship between their two branches, but not even these remarkable men have eased all of the frictions. A stiff-necked contentiousness still marks Army and Navy contacts in the lower echelons and will continue to mark them as long as each arm enjoys an independent status. The failure of General Short and Admiral Kimmel to act as one was the inevitable expression of a traditional cleavage between the two branches.

I do not intend this as an attack or even an arraignment. What else can be expected of an organizational arrangement that departmentalizes the national security, authorizing and encouraging rivalry? I can recall instance after instance where unity, the sense of belonging to the same team, was buried under a weight of partisanship. An unconscious reaction to lifelong training.

Not long since, a DC-3 Navy plane was grounded for 10 days at an airfield in Kansas through the loss of an aileron hinge. A Douglas factory, within easy flying distance, had plenty of these hinges, but could not release them as the parts were being turned out under an Army contract. As a consequence, it was necessary for the grounded plane to establish communication with the aviation supply office in Philadelphia, which in turn channeled through to the Naval Air Transport Service in Oakland. It was from California that the aileron hinge went to Kansas.

There is no available estimate of the millions wasted by unnecessary duplications. Each service maintains its own set of stock aircraft parts and its own organizational set-up for their handling and distribution. There is the same reproduction of facilities in aviation training, although the general pattern is the same except in advanced stages. In many areas, both at home and abroad, separate Army and Navy flying fields have been built at great expense, in some cases actually side by side.

NO SURRENDER OF IDENTITY

It is true, of course, that specialized facilities are required such as water for seaplanes, yet in the majority of cases common use is entirely feasible. But no. There must not be any surrender of identity. As a further example, each service has its separate and distinct set of calibers for artillery with just the minute fractional differences which prevent the ammunition from being interchangeable.

The records of the special committee are piled high with instances of waste due to the operational gulf that yawns between the services. During the camp-construction program, millions were spent for bulldozers, tractors, trucks, cranes, lumber, and so forth, the Army and Navy competing for this equipment. Not only was there no joint purchasing board, but an equal lack of cooperation, when it came to disposal, resulted in additional loss. The Army's recapture clauses were badly drawn and loosely applied, and the Navy contracts contained no recapture provisions at all. Forms were not even provided in connection with disposition.

The case of lumber offers a good illustration. Prior to the start of the camp program, prices averaged $30 per thousand board feet. By September 1940, due to the spirited competition of war contractors, the average climbed to $41.10. Then, and only then, lumber purchases were centralized, and within a year, prices dropped to $29.35 per thousand board feet. The actual loss, due to competitive bidding, was figured out by the committee as $13,017,576. Not much, compared with total expenditures, but worth saving.

Other millions were squandered by duplications in the construction of bases and camps. The Great Lakes Training Station, with additional housing, might well have accommodated both the Army and the Navy. If necessary, powerhouses, laundries, general facilities could have been expanded.

Instead of working out a plan for joint use, the Army rushed into Chicago and bought up hotels in a manner that can only be characterized as headlong. The huge Stevens Hotel was purchased, its furnishings sold, and then vacated after 13 months of occupancy. The Congress Hotel was acquired after putting the management to much trouble and expense, only to have the Army decide that it was not needed after all.

The famous Detroit Tool case, in particular, emphasizes the wastefulness of independent, uncoordinated action in the war effort. In December 1940 the Army awarded contracts for a certain type of airplane engine, but switched to another company after a large amount of cutting tools had been made.

The value of these surplus tools, at a fair estimate, was $1,721,136, and yet they were sold as scrap in 1943 for $36,924—about 2 percent of their value. Misleading inventories induced the War Production Board to authorize the auction. Our special committee, in the course of its investigations, uncovered this strange transaction, and, as a result, the Army claims to have repossessed 95 percent of the tools.

Speaking of the War Production Board, think how its work would be simplified if the war agencies were all under one tent. Then there would be just one claimant for strategic materials, making its own allocations with an eye single to the actual requirements of each service, and preserving a fair balance. As it is, the Army and the Navy are now competing claimants before the WPB, each pressing its demands in rivalry with the other. A screening board has corrected the situation in some degree, but before its creation the Navy and the Maritime Commission virtually cornered all of the Nation's valve-making facilities, putting other claimants in the position of Mother Hubbard.

A FLAGRANT EXAMPLE OF WASTE

These instances could be multiplied indefinitely from committee files, but the Canol project best serves to drive home my point that only unification of the fighting arms of Government can stop appalling wastes. This

undertaking was for the supply of oil to the Alaskan area from a field in the vicinity of Norman Wells, in Canada, only 75 miles south of the Arctic Circle. Lt. Gen. Brehon B. Somervell authorized the project on April 30, 1942, estimating the cost at $34,000,000 and directing that it be completed by October 1, 1942.

All hopes with no base in reality. Canol did not come even into partial operation until May 1944, and then only with limited quantities of truck gasoline produced at excessive cost. And instead of $34,000,000, the bill on that date had mounted to $134,000,000, not counting the pay of officers and enlisted men for several months and the cost of air transport.

General Somervell, called to the witness stand, admitted that no other department of Government was ever consulted. The Navy had as great an interest in oil for Alaska as the Army, but the Navy was ignored. So were the Petroleum Administrator, the War Production Board, the War Shipping Administration, and Lend-Lease. General Somervell, in fact, stated quite bluntly that the project was out of their fields and not part of their job. Here was not merely a refusal to cooperate, but the positive assertion by one agency that others did not have to be considered, even though equally interested.

Had other war agencies been consulted, there is small doubt that Canol would have died a-borning. On learning about the project, after it was under way, the Secretary of the Navy, the Petroleum Administrator, and the War Production Board united in urging its abandonment. Secretary Ickes went so far as to brand the undertaking as "well-nigh fantastic," and the WPB damned it as a "huge and useless program * * * which will never serve a useful purpose." Testimony was offered that four tankers, at any time after April 30, 1942, could have carried in one trip more 100-octane gasoline, motor gasoline, and fuel oil than would be produced by the entire Canol project by January 1, 1945.

Worse than the squandering of millions was the waste of manpower and vital supplies. Some 200,000 tons of scarce materials and transportation equipment, urgently needed elsewhere, was diverted to Canol's use. Taken from the war effort were a host of Army officers, 4,000 enlisted men, and 12,000 civilians—all because of an unintegrated military set-up under which coordination cannot be compelled.

Turning away from waste and wrangles, there is still another argument for unification, to which I attach considerable weight. It is the tendency of Government bureaus to get set in their ways, developing autocracies of thought and habit that make them hostile to change, even when change is commanded by progress. The Army and the Navy are no exceptions to the rule. The Army, it may be remembered, resisted mechanization with a good deal of stubbornness, the Navy frowned on the submarine, forcing the inventor to take it to England, and both branches joined in fairly effective opposition to the expansion of the aircraft program, hampering it for quite a while. What runs counter to their prejudices and preconceptions has a hard time of it.

The case of the helicopter is a good illustration of the manner in which the closed minds of department heads can sabotage ideas that appeal to them as newfangled. Several years before the outbreak of war, attention was called to the need of some type of rotary-wing craft that could hover motionless and arise and descend vertically. Such a performance, naturally, would make it of enormous value in reconnaissance, rescue work, and antisubmarine operations. It was obviously a naval job, but the Navy refused to consider the suggestion, stating it was without belief in that type of craft.

Certain Army officers, however, became interested in a Sikorsky development called the helicopter, and when Congress appropriated $2,000,000 for research in 1938, the funds were placed under the direction and control of the War Department. Nevertheless, the helicopter's importance as a part of naval armament was recognized, and the Navy was specifically instructed to cooperate by the preparation and submission of plans and requirements. These instructions were not followed, and Navy heads even evidenced irritation at what they considered external pressure.

The Army, unaided, carried tests to a successful conclusion, whereupon the Navy sought to create a public impression that naval men had developed the helicopter and that it even had a number of them in use as an antisubmarine weapon. The committee found that the Navy was not entitled to any credit for the helicopter, but, on the contrary, deserved censure for having discouraged its development. There was no question in our minds that the value of the helicopter could have been demonstrated a full year earlier but for the Navy's indifference.

A companion piece is provided by our experience with amphibious landing craft. With war in the Pacific a virtual certainty, a first requirement was shallow-draft, self-propelling vessels capable of carrying troops, mechanized equipment, and supplies through shoals and over reefs in beach landings. Without them a successful invasion is admittedly impossible. Andrew Jackson Higgins, the New Orleans dynamo, had specialized in this type of craft, but the Navy's Bureau of Ships would have none of him. Out of departmental pride and as a proof of self-sufficiency the Bureau refused to accept Higgins' proved performance and proceeded to develop a design of its own.

Repeatedly and vigorously, the armed forces reported that the Bureau design was of questionable seaworthiness and far inferior to the Higgins type, but this caused no change in the Navy's attitude. Instead of confessing failure, the Bureau patched up its own design and awarded contracts for 1,100 of Bureau design to contractors who had no experience in building tank lighters. Higgins, the only successful builder of tank lighters, was excluded from the list. Finally, in conclusive tests made off Norfolk, the Bureau's design failed miserably, while the Higgins boat came through with flying colors. The Navy, no longer able to ignore facts, then ordered its contractors to switch to the Higgins design.

Not weeks or months were wasted by this stubbornness but five full years; likewise a large amount of money. To cite only one item, 225 Bureau lighters, costing $7,000,000, had to be junked. The special committee, as a result of investigation, could only conclude that the conduct of the Navy indicated a reluctance on the part of its personnel to accept any design but its own, even though this involved a flagrant disregard of the facts, if not also of the safety of American troops.

It is not only the prides of departments that constitute a source of danger. Interdepartmental jealousies also rip the fabric of unity. The marines, for example, feel strongly that when landings are made by Leathernecks, marine flyers should be assigned to the duty of supporting them. Instead, Navy fighters take over, and the air force of the marines is handed the less spectacular job of patrol.

But why pile up proof when official admission of the need for unification has already been made? Under pressure by Congress, the Joint Chiefs of Staff have set up a committee of two Navy and two Army officers to study and recommend "as to the most efficient practicable organization of those parts of the executive branch of our Government which are primarily concerned with the national defense."

Where do we go from there? The road, as I see it, stretches straight and with no turns. West Point and Annapolis, by way of a good beginning, should not be continued as competitive institutions, fostering rivalries that never die down. What better way to compel a sense of national security's oneness than a system of exchange between the two academies? At some point in the final period of instruction, switch the cadets to Annapolis and the middies to West Point. Break up the tradition that the Army and the Navy are separate and distinct, with the success of one endangering the success of the other.

The end, of course, must be the integration of every element of America's defense in one department under one authoritative, responsible head. Call it the War Department or the Department of National Security or what you will, just so it is one department. The Secretary at the top would have at his side the necessary number of aides, such as one Under Secretary each for the ground forces, the naval forces, and the air forces. Sea, land, and air would thus be joined as a unit, its strength and effectiveness unimpaired by competitive prides and service jealousies.

Assistant Secretaries, under the eye and orders of the Secretary, would work on the same unitary base. Operations would have charge of all training programs, and Personnel would consolidate the civil and military requirements of all combatant arms. After induction through the machinery of the selective service, allocation would be the business of this centralized authority. As it has been, the Army and Navy compete for trainees. The Navy, for example, kept on with the voluntary system after the enactment of the selective-service law, and maintained an unfair advantage over the Army by taking boys of 18 and even younger.

One central control of procurement and supplies would end the present mob action that puts Government agencies in the market as competitive bidders. In the last war it was a great joke that the Navy "got the jump" on the Army, filling warehouses beyond all possible need and hoarding in spite of the Army's pressing necessities. Conditions today are better than they were, but I say again that lack of a single purchasing agency has caused the waste of millions.

AN UNDIVIDED COMMAND

There, then, you have one team with all the reins in one hand and, as a further aid to intelligent driving, a General Staff at the Secretary's right hand. Not a Joint Chiefs of Staff, with the conciliation of independent commands as a principal duty, but a General Staff in full charge of tactics and strategy, viewing the Nation's offense and defense as an indivisible whole, and totally unconcerned with service rivalries.

A sketchy outline, but full enough to make its advantages stand clear. Under such a set-up another Pearl Harbor will not have to be feared, for instead of two sets of orders from Washington to two field commanders, one order will go out from a single secretary to one supreme head in each theater of operations.

An end to the dangerous dependence on coordination and cooperation between independent departments and independent commands and the constant fear that this general and that admiral may not be on speaking terms. Strategy and tactics planned without regard for the identity and traditions of separate services, and based solely on ships, guns, tanks, planes, artillery, etc., as a common pool. A concentration of America's defensive and offensive strength under one command, ending the present jangles and jumbles.

There is still one point that I think it well to make: In no sense is unification a radical proposal. The fathers of the Republic, in their wisdom, considered the national defense as an indivisibility, and a single War Department was created by act of Congress on August 7, 1789. Not until April 30, 1798, did the advocates of an independent navy

succeed in their effort. If Washington, Jefferson, Hamilton, and Franklin, in their distant time, believed in the full integration of America's offensive and defensive strength, how much more important it is today when modern war has leveled mountains, dried up oceans, and annihilated space.

PREWAR METHODS OF COORDINATION

Mr. THOMAS of Utah. Mr. President, the result of this reluctance to interfere with the traditional independence of the two military Departments was that coordination remained almost wholly dependent on voluntary agreement, except at the level of Presidential action. In matters of operational planning the primary coordinating agency was the Joint Board established in 1903 by voluntary agreement of the two Secretaries and wholly without legislative basis. It had advisory functions only and its recommendations could take effect only through approval and promulgation of the Secretaries.

In the course of the years, joint boards and committees were set up by voluntary action in many other areas to deal with problems common to the services. Through the efforts of these joint boards and committees some progress in coordination was achieved. An example was the application in some cases of the principle of single procurement, whereby one service purchased the requirements of both. Generally speaking, however, only a small part of the logistics and procurement field was effectively coordinated. Nor did there exist any effective coordination of research and scientific development, military training, personnel policies, and intelligence activities.

CHANGES IN ORGANIZATION AFTER PEARL HARBOR

It required very little experience of actual warfare to demonstrate the inadequacy of the existing organization. Following Pearl Harbor, important changes were made both in the internal organization of the Departments, and with respect to interdepartmental and interservice coordination. By unformalized Executive action the Joint Chiefs of Staff was established to integrate military policy and strategy. In effect, it replaced the Joint Board, which was advisory only. The Joint Chiefs of Staff, subject to Presidential approval on major decisions, exercised direct authority over field commanders. The principle of unified command in theaters of operation was early found necessary and was applied by the Joint Chiefs of Staff in most instances. The internal organization of the War Department was drastically revised by Executive action, and Army Air Forces made an autonomous unit. The number of joint boards and committees increased until there were nearly two hundred, including subcommittees. Every one of those actions is an argument for and testimony as to the need of what is attempted to be accomplished by the unification bill.

LEGISLATION NEEDED EVEN TO CONTINUE WARTIME CHANGES

Studies made of wartime operations, including the study made by the Senate Military Affairs Committee in the Seventy-ninth Congress, demonstrate beyond any reasonable doubt the desirability of improving in some manner the organization set up during the war. It should be pointed out, however, that legislation is necessary even to give permanent status to the wartime organization. For example, the autonomous position of the Army Air Forces, the present organization of the War Department's supply and procurement system, and the Joint Chiefs of Staff agency are all based on executive action having temporary effect. It is unthinkable that the type of organization in existence before Pearl Harbor should ever be restored. The Congress cannot, therefore, escape the responsibility of deciding, and deciding soon, what type of postwar organization we are to have.

EVIDENCE OF NEED FOR BETTER COORDINATION

The Senate Committee on Military Affairs conducted lengthy hearings on the reorganization of the armed forces during the last 3 months of 1945. Prior to that the Select Committee of the House on Postwar Military Policy—the Woodrum committee—had held hearings in 1944. A special committee of the Joint Chiefs of Staff made a thorough investigation and presented a detailed report in April 1945. Later in that year the Eberstadt report was made public, and in December the President sent a special message to the Congress recommending a general plan of reorganization.

The Eberstadt report was drawn up on behalf of the Secretary of the Navy. Mr. Eberstadt appeared before our subcommittee, took part in several of the proceedings, and helped with the planning of what became one of the prints of the bill. There is much of the Eberstadt report in the bill.

A subcommittee of the Senate Military Affairs Committee, consisting of the Senator from Alabama [Mr. HILL], former Senator Austin, and myself, devoted several months of careful consideration to the problem in the light of these and other studies and recommendations. The testimony was rich in details with respect to wartime coordination in every area of planning and operations. While the witnesses did not agree perfectly in all cases as to the effectiveness of the coordinating mechanism, this was not the real point of conflict. No one seriously maintained that coordination was as effective as it should have been. Argument came on the question whether more effective coordination should be attempted by perfecting the organization that evolved during the war, or by adopting a more drastic change. What I wish to stress here are the broad underlying considerations pointing to the need for better coordination. Once these considerations are thoroughly understood, arguments over methods assume their proper perspective.

MILITARY POLICY AND STRATEGY

The war demonstrated the intimate interdependence of the land, sea, and air forces. It demonstrated also the increasing tempo of war. In the future the factors of interdependence and speed will be more important than ever before. This means that it will not be safe to wait until a war breaks out to devise a method of coordinating programs and strategic planning. Our lack of preparation in this respect was costly in the last war. With the war weapons of the future any such unpreparedness would be fatal.

Once established the Joint Chiefs of Staff was a vast improvement over previous methods of coordination in the field of strategic planning. Either by extension of the Joint Chiefs of Staff functions or by some new device, however, more effective provision must be made for deciding broad questions of military policy. If the Joint Chiefs of Staff is to exercise this function, it should be given a statutory basis for it. If there is a question whether an agency operating by unanimous consent can in peacetime reach decisions in such matters as the allocation of available manpower and resources, then some other device will have to be provided. The inescapable fact is that the peacetime military program must be planned as a whole. If this is to be done properly, we cannot allow the separate services to formulate their broad programs without regard to each other's needs, and then coordinate them by executive and legislative action. Military policies must first be integrated within the armed forces themselves.

THE MILITARY BUDGET

The military budget is directly related to military policy. Integration of one requires integration of the other. Even during the war the services continued to formulate and send to the Congress their separate requests for appropriations, coordinated only by Presidential action. The Congress cannot possibly provide the necessary integration at that late stage. What is needed is a military budget, not military budgets. Once again, the specific method by which such a budget is to be formulated is a matter of less importance than the provision of some method. At present the Congress cannot hope to relate the programs of the separate services, and it will never be in a position to evaluate the military program until it establishes the organizational basis for the integration of military programs and budget requests.

In short, budgetary integration would serve to economize on expenditures and to facilitate coordination of military policies and programs.

In the Reorganization Act itself the Congress has already taken action in regard to unification. We have combined the military and naval committees. That means that of necessity there will be coordination in the making of laws dealing with the military policy of the United States and dealing with the Navy on a broad basis. It is inevitable that unification will follow the organization which Congress has already established. It was understood by those who were working on the reorganization of Congress that in time this was inevitable; and the first thing that we decided upon in that committee was that there should be unification of the armed services.

That will have a lasting effect, an effect for the good of both services as time goes on. I can see now, experienced as the members of the Military Affairs Committee were in military affairs of the United States, that if we had had the benefit of the experience gained by the

members of the Committee on Naval Affairs the Government could have acted more wisely and with more certainty than it did.

UNIFIED COMMAND IN THEATERS OF OPERATION

The necessity of a unified command in each field of operation is now accepted. To be fully effective, however, unified command in the field requires more than mere possession of command. Most helpful in securing evidence on this point was the investigation conducted during the war by the special committee of the Joint Chiefs of Staff. The great majority of field officers interviewed, including ranking officials of both the Army and the Navy, testified as to the need for greater coordination of departmental policies generally. Unified command in theaters of operation is adversely affected by indecision or delays resulting from separatism in the top command; by differences in supply systems and requirements; by differences in training methods and personnel policies; and by lack of coordination in other areas.

Any idea that the problem of reorganization of the armed forces can be solved by establishing unified command in theaters of operation runs counter to the whole experience of the war. The real question is how much and what kind of coordination at the top is essential to support unified command in the field.

PARITY FOR THE AIR FORCE

Shortly after we entered the war, Army Air Forces was given substantial autonomy within the framework of the Army. It can no longer be questioned that the air arm has a special contribution to strategy and tactics equal to those of the ground and sea forces. In one way or another, therefore, the air force must be given an organizational status identical to that of the other services.

Mr. President, as late as the civil war in Spain great generals pointed out to me that the war in Spain "proves that the air service is merely auxiliary." Practically nothing has been so long a-borning as the attempt to bring the air service into a primary position. Not to leave them in the position which they gained by necessity during the war would be a backward step indeed. No one contemplates taking such a step. The ideal position then for the Air Forces, and the only one which will make them really and truly effective in receiving their training and carrying on their mission, is one in which there will be brought home to them the interdependency of the forces, and, therefore, the necessity for the unification of planning, scheming, ordering, and executing.

Parity for the Air Force, however, must be achieved in such a manner as not to augment separatism either in organization or in spirit. The granting of parity to the Air Force should be an integral part of a complete reorganization, a major objective of which must be the provision for teamwork among the Ground, Sea, and Air Forces at all stages of planning and operations. Simply to establish a new Department of the Air Forces would complicate greatly the already difficult problem of coordinating two military departments. The need for parity of the Air Forces must thus be recognized as an additional and powerful argument for the establishment of a more effective organization of the combined services.

ECONOMY AND EFFICIENCY IN SUPPLIES AND SERVICES

It is generally acknowledged that wartime coordination of supply and service functions was greatly inferior to coordination in military strategy and operations. In spite of various efforts to establish joint systems, each department for the most part set its own requirements for supplies, production plants, depots, hospitals, training fields, construction, personnel, and so forth, without regard to the requirements of the other. This naturally resulted in widespread duplications. Further waste resulted from separate specifications where the same specifications could have been used by both departments. Frequently the two departments bid against each other. Parallel transportation systems for supplies and personnel required extra overhead expense.

Large-scale economies can unquestionably be realized through the proper coordination of military procurement and supply. This is not to say that the problem is an easy one and that great savings can be achieved immediately by the imposition of a new type of organization. It must be recognized that the services, and for that matter the many different units within the respective services, have widely varying needs. Uniform requirements, specifications, facilities, procurement methods, supplies, and so forth, cannot be arbitrarily directed. The difficulty with the handling of the problem during the war was that by and large no effective machinery existed to examine the possibilities of savings. The two supply lines, hospital systems, procurement agencies, and transport systems mostly went their separate ways. Given adequate organizational provision for study and planning, it should be possible over a period of years to produce really substantial savings.

Proper coordination in this area would also contribute heavily to the greater efficiency of military operations. There was admittedly a substantial gap in the war between strategic planning and the logistic implementation of strategic plans. Here again a more effective organization for the integration of requirements planning, procurement methods, supply and service functions, and so forth, would have meant more effective coordination of ground, air, and sea forces in the field of operation. It was only toward the end of the war that substantial progress was being made in this direction, and it is admittedly an area in which the wartime coordinating methods can be greatly improved upon.

MILITARY TRAINING AND EDUCATION

Another lesson of the war was that combined operations of land, sea, and air are greatly handicapped by lack of understanding by the members of one service of the tasks and procedures of members of the other services. The traditional service methods of training were demonstrated to be inadequate for the combined operations that were so common in this war. Service training was strongest on special techniques and procedures and on indoctrination. It reflected the view earlier referred to, to the effect that combined land and sea operations would be required only in unusual circumstances.

The problem of remedying the defects in training methods cannot be left to the services acting separately. If the officers and members of each service are to have an adequate understanding of the relationship among the services and of the functions and procedures of the other services an appreciable amount of coordinated action will be required.

PERSONNEL POLICIES

Wartime coordination in matters of personnel policy was notably absent. As one report stated, coordinating agencies "were extremely difficult to find. Those which were uncovered were few in number, limited in scope, and lacking in authority." There was no effective coordination on any matter of fundamental importance. Yet almost nowhere was the need greater. Why should recruiting methods, promotion and pay policies, welfare policies, methods of selecting officers, policies with respect to awards, and point systems for discharge have been so markedly different?

The results of absence of coordination in this field were serious. With respect to recruitment, for example, there was duplication of recruiting personnel and facilities, unnecessary and harmful competition between the services, hoarding of special classes of personnel, and inequitable distribution of personnel within the services. Differences in welfare policies and in promotion and other matters created jealousy and friction. One of the primary objectives of a reorganization of the services must be the institution of consistent and equitable personnel policies.

SCIENTIFIC RESEARCH AND DEVELOPMENT

The war experience emphasized the need for two types of coordination with respect to scientific research and development, neither of which was adequately provided during the war. Within the services there was much duplication. Up to a certain point, competition in research is justifiable. Where talent and resources are limited, however, someone must be in a position to eliminate needless duplication. Military research and development are becoming more and more costly and more and more vital. Elimination of waste, either in the form of duplication or of misdirected effort, becomes increasingly important.

There is also great need of coordination of military research with civilian research. This aspect of the research problem has entered less into the discussion of reorganization than have other military-civilian problems, because of the separate consideration of a national research agency. It is, however, a highly significant illustration of the interdependence of military and civilian functions.

COORDINATION OF MILITARY AND FOREIGN POLICY

Apart from the problem of the organization of the armed forces, but closely related to it, is the problem of the relation of the military organization to the State Department. The necessity for

closer coordination was apparent during the war. The need is even greater now. The problem is not simply one of the national defense; we have international responsibilities both within the frame of the United Nations and outside it. Our military policy cannot be permitted to nullify or impede our foreign policy; and, conversely, we must have such a measure of coordination that our international objectives and commitments are reflected in our military policy.

A coordinating agency in this area would naturally be advisory only. Its influence, however, could be very great. Kept properly informed of the plans and policies of the member agencies and with resort to Presidential decision in case of inability to effect agreement, a body of this sort could prevent the development of a situation in which our military and international policies were at cross-purposes.

The desirability of establishing a mechanism for coordinating military policy and foreign policy accentuates the need for first effecting a satisfactory organization of the Military Establishment. All efforts at coordination of military and foreign policies will come to nothing if we do not have a unified military policy.

A CENTRAL INTELLIGENCE AGENCY

Neither the War Department nor the Navy Department had an intelligence service adequate to our needs when the war broke out. The intelligence agencies in each Department operated separately for the most part, except for the exchange of routine military and naval attaché reports. There was no real integration of intelligence at the operating level, and no established liaison with the State Department. Though funds were inadequate, there was much duplication of effort by the services.

The war brought substantial appropriations and drastic reorganization. The Office of Strategic Services was finally set up under the jurisdiction of the Joint Chiefs of Staff, and acted as the central coordinating agency in intelligence matters. Later, the Joint Intelligence Committee and its subcommittees made further provision for the coordination of intelligence activities. In spite of these and other changes, however, much unnecessary duplication existed in the intelligence services of the State, War, and Navy Departments. The significance of the collection, analysis, and evaluation of information concerning foreign countries is no less great now than it was during the war. The effective conduct of both foreign policy and military policy is dependent on the possession of full, accurate, and skillfully analyzed information concerning foreign countries. With our present world-wide sphere of international responsibility and our position among the world powers, we need the most efficient intelligence system that can be devised. Organization, of course, is not the whole story. We do know, however, that there is no returning to the prewar system, where the War, Navy, and State Departments went their respective ways. We have now a central intelligence agency established by executive action. Provision for such an agency should be made in permanent legislation. It seems entirely logical that such an agency should be placed in the framework of any agency that might be set up to coordinate military and foreign policies.

MOBILIZATION OF RESOURCES

Mention has already been made of the inadequacy of the wartime system of establishing military requirements, and of the method of coordinating military procurement and supply. Even more serious were the difficulties encountered in coordinating military requirements and civilian requirements.

Time does not permit even a summarization of the evolution of the handling of this problem. It became a commonplace that this was a total war as well as a global war. The entire economy had to be organized for war, and strictly military needs had to be balanced with the needs of the civilian war economy, as well as with the needs of our allies. Eventually, the system that evolved worked moderately well, but far more satisfactory results would have been achieved throughout the war had the administrative organization been more carefully planned in advance.

In order to prevent the confusion and chaos that often existed in this war, it would be advisable to provide now an agency whose function it would be to make continuous studies and plans of industrial and civilian mobilization, in the light of military plans. It would be a joint body, composed of representatives of the agencies in the fields of military and foreign policies and of those agencies that in time of war would be most concerned with civilian mobilization problems. Only through the maintenance of regular liaison between the armed forces and these civilian agencies can we be kept in a state of preparedness.

WHY EARLY ACTION SHOULD BE TAKEN

As I said earlier, the issue of the reorganization of the armed forces is not a new one. It has been under discussion from time to time since World War I, and has been almost constantly debated during the past 2 or 3 years. The time for discussion, study, and debate is drawing to a close. If we do not take action soon, many of the lessons of the war still fresh in our minds will be lost, and we shall find ourselves muddling along with an organization grossly inadequate to our needs.

The very fact that we were successful in the war constitutes an insidious source of danger for the future. We are inclined to be boastful of our capacity to improvise a war organization after war has begun, and we cite it as proof of the superiority of the democratic system of government. On the contrary, I believe that careful and extended examination of the experience of the war demonstrates the fact that our successes were achieved in spite of the serious shortcomings of our common defense organization. Moreover, our once seemingly inexhaustible resources were seriously depleted, and we shall not be able again to fight as wastefully as we did in this war; and we should not, Mr. President. Finally, any future war would come so quickly and will be fought at such a tempo that no time would be permitted for fumbling efforts at improvising an adequate organization. To quote from the report of the Senate Military Affairs Committee of last May 13:

> Disaster at Pearl Harbor; slow, costly, and erratic industrial mobilization; limited intelligence of the capacities of enemies and allies; incomplete integration of political purpose and military objective, with consequent confusion in command; waste of limited material and irreplaceable human resources, and finally the savage potentialities implicit in scientific developments, all demonstrate inexorably, not only that the United States would imperil its national existence if it lapsed into its customary postwar apathy toward its Military Establishment, but that only the most carefully considered security organization can at once guard our safety and support our efforts to promote and maintain the peace of the world.

These are the considerations that make an early decision of this matter imperative. The facts are already available. The objectives are not in dispute. It remains for the Congress to establish the form of organization which it believes best adapted to attain these objectives. Viewed in the perspective of the infinitely complex postwar problems of security and international responsibility, differences of opinion concerning forms of organization lose their magnitude. What is of critical importance is that we decide to take the first major step in the direction of a coordinated common-defense organization. Perfection of the organization can safely be left to the future. Establishment of the basic organization cannot.

Mr. President, as I said before, long study and earnest consideration, with the hope of ultimate success, have made me more of a believer in the need of reorganization of the Army and Navy than ever.

If a bill like the one which is now before the Senate committee, or like the one we reported last year, could become law, it would do so much good for all the services and for the Nation that I am sure it would be honored in future generations as being monumental in its significance. It would also be a lasting monument to one who for some time has been connected with the military affairs of the country and who worked during the war in the Committee on Military Affairs, as well as to all who were associated in the work of that committee.

I wish to assure the Senator from South Dakota [Mr. GURNEY] and the new Committee on Armed Services that I shall support their endeavors to the limit. For a long time I have entertained the belief that what has been proposed by the President of the United States should be brought about. In my opinion, he has started us on the proper course, and I am more confirmed in my belief than ever. Whatever humble service I can offer, I assure the chairman of the Armed Services Committee he will get from me.

NATIONAL HOUSING POLICY AND PROGRAM

Mr. ELLENDER. Mr. President, on Monday of this week it was my privilege, along with the senior Senator from New York [Mr. WAGNER], to join with the distinguished senior Senator from

Ohio [Mr. TAFT] in the introduction of a comprehensive bill, S. 866, directed toward the solution of what I regard as our most important single social and economic problem, namely, housing.

In my judgment, no other problem before the Congress is more important to the future welfare of this country. The necessity for the establishment by Congress of a sound, comprehensive, national housing policy and program, based upon the realities of the needs of the country as a whole, cannot be exaggerated. More than any other single factor, the character of family life, the conditions under which our children grow up and assume the obligations of citizenship, and the general attitudes of our people toward the system of Government, are determined by the character of the home and the neighborhood in which they live.

Mr. President, the strength of our democratic system of Government centers in its ability to serve more effectively than any other system the basic needs of the great majority of the people who are governed. When it fails to serve these needs, there are created the very conditions under which socialistic, communistic, and other systems of government may falsely appear to be acceptable. We are still faced with a critical shortage of housing. There is every indication that, if we fail this year to take the constructive, long-term action which the situation calls for, it will be more critical next year, and that it will become increasingly critical with each succeeding year until we face the facts and take such constructive, long-term action.

In addition to the shortage of housing, our Government has never sought to adopt and adhere to a policy of replacing housing that becomes inadequate. Our rate of house construction has been so small in relation to the needs of our people for housing that we have had to keep in use practically all our housing supply. Slums and blighted areas have spread in our cities and towns. This Nation cannot safely face the difficult years of the future with the burden of hardship and discontent which unsatisfactory housing imposes upon its people. We cannot longer accept these conditions as unavoidable.

If we are to avoid them, we must decide now that we will face the issue and assume the task of remedying the serious cumulative housing shortage, of eliminating slums and blighted areas, and of achieving, as soon as feasible, the objective of a decent home and a suitable living environment for every American family. It is an objective which cannot be attained in 1 or 2 years. It cannot be accomplished by temporizing or by treating housing as a perennial emergency. It is an objective which, as a nation, we must accept and accomplish through the full use of our resources in a sound, long-term housing program.

We are late with such a program. We cannot turn back the clock, but we can avoid the price of further delay. We can accept now, as the only satisfactory objective for a truly democratic system of government, the goal of a decent home and suitable living environment for all its citizens. I believe that by the enactment of the comprehensive housing bill, introduced this week, this Congress can provide the means for assuring orderly and sustained progress in the attainment of that objective. I believe that, by such action, this Congress can provide the strongest and most effective bulwark against the inroads of socialism, communism, and all the other "isms."

This bill has its origin in a resolution introduced on March 1, 1943, by the senior Senator from Ohio [Mr. TAFT] for himself, the Senator from New York [Mr. WAGNER], and the Senator from Utah [Mr. THOMAS]. The latter two Senators were, at that time, the chairman of the Banking and Currency Committee and the chairman of the Education and Labor Committee, respectively. These were the two standing committees of the Senate which traditionally had jurisdiction of housing matters.

That resolution called for the establishment of a special committee of three members from each of these two standing commitees of the Senate. It directed this special committee to investigate and study every phase of the housing problem and the housing activities of the Federal Government. It directed the special committee to prepare a comprehensive postwar housing program—with special reference to the encouragement of home ownership, of eliminating slums and blighted areas, and the extent of the necessity of the Federal Government subsidizing housing for lower-income groups. The resolution went to the Education and Labor Committee, on which the senior Senator from Ohio was then serving, and was favorably reported to the Senate.

At that time the senior Senator from Kentucky [Mr. BARKLEY], the then majority leader, indicated that he did not desire to set up special committees for every postwar subject and that, since we were then creating the Committee on Postwar Economic Policy and Planning, the so-called George committee, he preferred that committee to handle the matter. When the Senator from Georgia [Mr. GEORGE] was advised of these circumstances, he appointed the Senator from Ohio [Mr. TAFT], who was a member of the Postwar Economic Policy and Planning Committee, as chairman of the Subcommittee on Housing and Urban Redevelopment. The Senator from Ohio asked the chairman of the Banking and Currency and Education and Labor Committees each to appoint three members to the subcommittee. Senators Wagner, Radcliffe, and Ball were appointed from the Banking and Currency Committee, and when Senator BALL retired from the Banking and Currency Committee in 1945, he was succeeded by Senator BUCK. The chairman of the Education and Labor Committee appointed Senators CHAVEZ, La Follette and myself.

Beginning in the middle of 1944, this subcommittee commenced an examination of every aspect of the housing problem. We communicated with every type of major organization concerned with housing from the financing, construction, management, or consumer standpoint. Beginning in the early part of 1945, we held extensive hearings. Testimony was presented by every source of informed opinion, including private enterprise, public-interest organizations, and representatives of Federal, State, and local governments. In August of 1945, the subcommittee presented a unanimous report setting forth its recommendations for the kind of a comprehensive postwar housing program which, in its judgment, was clearly required to meet the housing needs of the country.

On the basis of this study and investigation and the recommendations of the subcommittee, and after many meetings to reconcile specific methods and details in a search for the means best suited to accomplish the desired objective, a comprehensive housing bill to carry out the recommendations of the subcommittee was introduced in November 1945. Following its introduction the Committee on Banking and Currency conducted hearings for a period of several months. Thereafter a subcommittee considered the bill further, after which it was taken up by the full committee and unanimously reported to the Senate. It was passed by the Senate without a dissenting vote, but before the House completed hearings the Seventy-ninth Congress adjourned.

Mr. President, I have dealt at this length with the considerations, studies, and investigations of the housing problem which have preceded the introduction of the bill this week, so that the Members of the Senate may fully realize how much work has already been done. The Congress now has available all of the basic facts and information needed for intelligent action.

The hearings before the Senate subcommittee and before the Senate Committee on Banking and Currency indicated that the housing needs from 1945 to 1955 would call for the construction of approximately twelve and a half million nonfarm dwelling accommodations. About half of this volume was based upon the needs of the net addition of families, while the other half was represented by construction needed in order to replace, during this 10-year period, about half of the number of substandard units in our existing supply of housing. More recent estimates are even higher. Mr. J. Frederic Dewhurst, of the Twentieth Century Fund, in the hearings before the Senate Special Committee to Study and Survey the Problems of Small Business Enterprises, has estimated that 19,500,000 nonfarm dwelling units should be built during the 15-year period 1945 to 1960. In the Housing Symposium recently published by Duke University, an article by two officials of the United States Bureau of the Census estimates that the needs for housing call for the construction of from 18,000,000 to 22,000,000 units during the same 15-year period.

These estimates indicate that we must find within our resources the means for assuring a sustained annual rate of house production in excess of a million units a year. This bill seeks to make this possible.

Most of its provisions are directed toward expanding the area of the housing market which can be served by private enterprise. It would do this by author-

izing a program of technical housing research to aid industry in progressively reducing the costs of housing; by perfecting the existing aids to private home financing administered by the Federal Home Loan Bank Administration and the Federal Housing Administration; by providing special supplemental systems of FHA insurance for families of lower income; by extending the principle of FHA insurance to direct investments in rental housing; and by extending aid to cities for the assembly and preparation of land in slums and blighted areas for redevelopment. At the same time, it recognizes that there will continue to be for some time families of low income for whom adequate shelter in new or existing housing cannot be provided by private enterprise. Therefore the bill also provides for a resumption of the program of aid to localities for low-rent public housing for such families.

The bill also contains provisions for a program of farm housing through assistance by the Secretary of Agriculture and an adaptation of the urban low-rent public housing program to provide similar housing for low income families in farm areas.

Finally, the bill provides for the unification of all Federal housing functions and activities under a coordinating type of agency.

Necessarily the bill is long, because it deals comprehensively with a complicated problem. Mr. President, so that the Members of the Senate may have complete information concerning the specific provisions of the bill, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a section by section analysis of the bill.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

DETAILED SECTION-BY-SECTION ANALYSIS OF S. 866, EIGHTIETH CONGRESS (NATIONAL HOUSING COMMISSION BILL)

Section 1

This section provides a short and convenient form of citation to the bill: "National Housing Commission Act."

TITLE I. DECLARATION OF NATIONAL HOUSING POLICY

Section 101

The purpose of this section is to set forth succinctly our national housing objectives as established by the Congress and the basic underlying principles to be followed in attaining these objectives. In so doing it stresses the Nation's interest in housing production and related community development because of the basic contribution they can make both (1) toward improving the health and living standards of the people and (2) toward an economy of maximum employment, production, and purchasing power. Thus, the section calls attention specifically to the need for housing production and related community development sufficient to remedy the serious cumulative housing shortage, to eliminate slum and blighted areas, to realize as soon as feasible the goal of a decent living environment for every American family, to redevelop communities so as to advance the growth and wealth of the Nation, and to enable the housing industry to make its full contribution toward an economy of maximum employment, production, and purchasing power.

The keystone of the national housing policy established by the Congress in this title to facilitate the attainment of these objectives is that private enterprise shall be encouraged to serve as large a part of the total need as it can and that governmental assistance shall be utilized where feasible to enable private enterprise to serve still more of the total need. As a complementary policy, the section states that governmental aid to clear slums and provide adequate housing for those whose incomes are so low that they could not otherwise be decently housed in new or existing housing shall be extended only to those localities which estimate their own needs and demonstrate that these needs cannot fully be met by reliance solely upon private enterprise and upon local and State revenues, and without such aid.

In order to facilitate orderly and sustained progress in the attainment of the national housing objective, and to promote efficiency and economy, the section establishes as an additional underlying policy that the main functions of the Federal Government in housing shall be coordinated.

TITLE II. NATIONAL HOUSING COMMISSION

This title coordinates the basic housing functions of the Federal Government. In so doing, the title does not disturb the basic pattern established hitherto by the Congress with respect to the agencies who are to have the operating responsibilities for the functions and activities of the Government relating to housing, but provides for a unifying and coordinating of the housing policies and programs of these various agencies.

Section 201

This section establishes a National Housing Commission composed of a National Housing Administrator (and his administrative staff) and an advisory coordinating council composed of the Administrator, the heads of FHLBA, FHA, FPHA, and representatives of the Department of the Treasury, the Department of Agriculture, the Veterans' Administration, RFC, and any other Federal agencies that the President might designate. All of the powers of the Commission are vested in the Administrator, who is to be appointed by the President with Senate approval and to receive compensation at the rate of $15,000 per annum. The coordinating council would provide the means of working out harmonious relationships with respect to the housing functions of the participating agencies.

The section also authorizes such liaison and interagency committees as the Administrator deems necessary to confer and work with other departments and agencies of the Government and with industry, finance, labor, and State and local governments.

Section 202

This section provides that the Administrator, with the active advice and assistance of the coordinating council, is to develop coordinated housing policies and programs for the Federal Government, to interpret general policies and seek to resolve differences or disagreements that may arise with respect to the housing functions and activities administered in the agencies represented on the coordinating council, and to report to the President and to the Congress on the progress of the program and recommend legislation necessary or desirable in the furtherance of the national housing objective and policy established by title I.

Each agency represented on the coordinating council is specifically charged with the duty to cooperate actively in the work of the National Housing Commission, and to coordinate and administer its housing programs consistently with the general housing policies and programs developed by the Administrator and with their other responsibilities and policies established by law. The bill recognizes that there are to be no directive controls or detailed administrative supervision by the Administrator over the agencies represented on the coordinating council (or other Federal agencies), but that such agencies are to have full operating responsibility for the functions and activities relating to housing vested in them by the Congress.

The section further contemplates inventories, as necessary, of housing needs and progress, vesting in the Administrator the duty of preparing (with the assistance of the coordinating council) and submitting to the President and Congress estimates of national housing needs, and reports with respect to the progress being made, and legislation or Executive action, if any, needed, toward meeting such needs.

Thus, title II seeks to carry out the basic principle of the recommendation of the Taft subcommittee report, i. e., that the function of the unifying agency is not one of operations but of resolving questions within the scope of policies established by the Congress; of insuring the consistent execution of these policies; of maintaining harmonious working relationships among the several agencies and resolving conflicts that may arise in their operations; of reporting to the President and the Congress on the progress of the program; and of recommending modifications which experience indicates are desirable. It also takes cognizance of the important housing functions lodged in other agencies—notably Treasury, Veterans' Administration, Agriculture, and RFC—which should be brought within this unifying function if it is to be fully effective.

Section 203

This section provides for the transfer to the National Housing Commission of property and personnel and unexpended portions of appropriations and authorizations of the National Housing Administrator under Executive Order 9070.

Section 204

This section is a technical provision authorizing the appropriation of the moneys necessary for the functions and administrative expenses of the Commission.

TITLE III. FEDERAL HOME LOAN BANK ADMINISTRATION, FEDERAL HOUSING ADMINISTRATION, AND FEDERAL PUBLIC HOUSING AUTHORITY

The effect of this title is to provide that with the termination of Executive Order 9070 and the present National Housing Agency established thereby, the FHLBA, FHA, and FPHA are not to revert to the Federal Loan and Federal Works Agencies, nor are the organizational patterns of FHLBA or FPHA to revert to those in existence prior to Executive Order 9070. The FHLBA, the FHA, and the FPHA therefore would become independent agencies, subject, however, to the coordinating and policy functions of the National Housing Administrator, as provided in title II of the bill.

Section 301

This section provides for a permanent Federal Home Loan Bank Administration to be headed by a single Administrator appointed by the President with Senate approval for a 4-year term at a salary of $12,000 per annum. (The first such Administrator, however, is to be the individual serving as Chairman of the Federal Home Loan Bank Board on the effective date of the act for a term coincident with the remainder of his existing term as Chairman of the Home Loan Bank Board.) The section provides that the Federal Home Loan Bank Administrator is to exercise all the functions heretofore invested in the Federal Home Loan Bank Board, the Board of Directors of HOLC, and the Board of Trustees of FSLIC. (As a practical matter, this vests in the Administrator only the functions of a single board since by law the members of the Home Loan Bank Board are automatically also the Board of Trustees of FSLIC and the Board of Directors of HOLC.)

Section 302

This section provides for a permanent Federal Public Housing Authority to be headed

by a single Administrator appointed by the President with Senate approval for a 4-year term at a salary of $12,000 per annum. (Here, also, the first such Administrator is to be the individual serving as Administrator of the United State Housing Authority on the effective date of the act for a term coincident with the remainder of his existing term as USHA Administrator.) The section vests in the Federal Public Housing Administrator the functions, powers, and duties relating to the public-housing activities of the Federal Government. These include the prewar public housing functions consisting of (1) the low-rent housing and slum-clearance program authorized by the United States Housing Act of 1937, and (2) non-farm-housing projects of the Farm Security Administration already transferred to FPHA under the temporary wartime consolidation of housing agencies. They include also all of the public war and emergency housing functions (exclusive of those relating to War and Navy Department housing located on military or naval reservations).

Section 303

This section terminates Executive Order No. 9070 of February 24, 1942, which created the existing National Housing Agency and also provides that the constituent units of that Agency, FHLBA, FHA, and FPHA, are not to revert to the Federal Loan and Federal Works Agencies but are to become independent agencies, subject to the coordinating and policy functions of the National Housing Administrator, as provided in title II.

Section 304

This section provides for the preservation of all rights under existing obligations and contracts made in connection with any of the functions being transferred under the bill, and for the continuance of all rules and regulations issued in respect of any such functions until modified or repealed by appropriate administrative action.

TITLE IV. HOUSING RESEARCH

The purpose of this title is to authorize a program of housing research and of encouragement of local community study of local housing needs and markets and of improvement in local planning, in order to assist in increasing the production of better housing and progressively reducing housing costs, and in making available data on national housing needs, demand, and supply.

Section 401

This section authorizes the National Housing Administrator to undertake a program of technical research and related studies which wil stimulate the increased production of housing and make possible progressive reductions in housing costs.

The section further authorizes the National Housing Administrator to encourage localities to make studies, surveys, and plans with respect to their own housing needs, markets, and development, and to provide them (where requested and needed) with technical advice and guidance for these purposes.

Section 402

This section provides that such research and studies shall, where feasible, draw upon or be undertaken cooperatively with other Federal and local governmental agencies, and that the results of such research and studies may be disseminated in such form as may be most useful to industry and to the general public.

Section 403

The title provides no specific money authorizations but authorizes the appropriation of such sums as may be necessary to carry out its purposes.

TITLE V. EXISTING HOME OWNERSHIP AND RENTAL HOUSING AIDS

The basic purpose of this title is to strengthen the already existing housing tools of the Federal Home Loan Bank Administration and the Federal Housing Administration so as to enable them to service the moderate-income groups and veterans more effectively than they are able to under present statutory provisions. Toward this end, the title provides for improvements in the operations of federally chartered savings and loan associations, the Federal home-loan banks, the Federal Savings and Loan Insurance Corporation, and the Federal Housing Administration.

Section 501

Federal Savings and Loan Association Operations

This section expands the lending powers of federally chartered savings-and-loan associations so as to permit such associations to participate more effectively in the servicing of the over-all and varied housing needs of this country. This section would:

1. Authorize Federals to participate in the FHA insurance program without restriction. (At present Federals are not authorized to make home repair or modernization loans insured by FHA unless they are also secured by first mortgage; or home-mortgage loans insured by FHA unless the dwelling is within a 50-mile radius of the home office; or, except to a limited extent, rental-housing-project loans insured by FHA under its section 207 program. The section, in removing these restrictions, would remove them also with respect to mortgages which FHA has made a commitment to insure.)

2. Permit Federals to participate without restriction also in the Federal home-loan guaranty and insurance program for veterans provided by the GI bill of rights, and in any other home-loan insurance or guaranty program of a Federal agency. (The GI bill of rights itself has already provided for such participation with respect to any loan, at least 20 percent of which is guaranteed by the Veterans' Administrator. It failed, however, to make any such provision with respect to loans insured under that act. Section 501 would make this provision and would eliminate similar problems in the future with respect to any other program of Federal insurance or guaranty of home loans.)

3. Authorize federals to purchase obligations fully guaranteed by the United States, obligations issued jointly by the Federal Home Loan banks, and obligations issued by the Federal Savings and Loan Insurance Corporation. (At present, Federals may, with respect to Government obligations, purchase only direct obligations of the United States, and, with respect to Federal Home Loan banks, purchase only those issued by individual banks. There is no present authorization with respect to purchase of FSLIC obligations.)

Section 502

This section authorizes Federal Savings and Loan Associations, with FHLBA and FSLIC approval, to convert into State chartered associations upon an equitable basis.

Section 503

Federal Home Loan Bank Operations

The purpose of subsection (a) is to remove present restrictions relating to participation by the bank system and its members in the FHA insurance and Veterans' Administrator home loan guaranty and insurance programs and any other home loan insurance or guaranty program of a Federal agency. Specifically, it permits such banks to accept as collateral for advances to member home-financing institutions any home loan insured or guaranteed, or as to which a commitment to insure or guarantee has been made, by the FHA, Veterans' Administrator, or other Federal agency. As in the case of those FHA insured mortgages which are already eligible as collateral under present statutory provisions, such advances would be authorized in amounts not exceeding 90 percent of the unpaid principal of the loan being used as collateral. (Under present law, home loan banks may not accept as collateral for their advances loans insured by FHA under its title I home repair and modernization program; rental housing mortgages insured by FHA under its section 207 program; or home loans with more than 20 years maturity insured by FHA under its section 203 program. Nor may they presently accept as collateral home-repair loans to veterans guaranteed by the Veterans' Administrator, or second-mortgage loans guaranteed by such Administrator.)

Subsection (b) would encourage and facilitate the making of home loans with longer than 20-year maturities by Federal home loan bank members by authorizing the banks to make advances to such members on home-mortgage loans (whether or not FHA insured) with maturities of up to 25 years, as contrasted with a present limitation of 20 years.

Section 504

This section would amend the present statutory provision requiring semiannual examination of the Federal home loan banks by FHLBA so as to require only annual examination. Under this amendment, FHLBA would still have the power, as at present, to examine the banks at any time, but would not be required to do so more than once a year. This change, therefore, while preserving all essential authority, would make possible substantial savings both in money and personnel.

Section 505

This section would make Federal offenses of burglary and similar crimes committed against any savings and loan association, savings bank, or life insurance company which is a member of the Home Loan Bank System or insured by FSLIC.

Section 506

Federal Savings and Loan Insurance Corporation Operations

This section provides for certain basic changes in the financial operations of the Federal Savings and Loan Insurance Corporation. When FSLIC was established in 1934, its entire capital stock in the amount of $100,000,000 was provided by HOLC, and the statute providing for such capital subscription required that FSLIC pay to HOLC an annual dividend at a rate equal to the interest rate on the bonds issued by HOLC to provide the funds for the subscription. The bonds so issued bore an interest rate of 3 percent, so that this has determined the amount of the annual dividend to HOLC to date. However, these 3-percent bonds have been refunded, with the result that the cost to HOLC on its capital subscription to FSLIC is now less than the amount the statute requires FSLIC to pay in dividends to HOLC. Subsection (a) of this section would correct this situation by providing that henceforth such dividends shall be in line with the current cost to HOLC on its borrowings.

The purpose of subsection (b) is to strengthen the insurance protection afforded by FSLIC by authorizing (but not requiring) the Treasury to purchase FSLIC's debentures. In this way, there is better assurance that FSLIC will at all times be able to meet its insurance obligations without undue difficulty. The subsection limits the aggregate amount of debentures that the Treasury might thus purchase to three times FSLIC's capital stock, reserves, and surplus.

Section 507

Federal Housing Administration Operations

This section, together with the remaining sections in title V, is designed to effect improvements in FHA operations with respect to all three of its present insurance programs, including home modernization and improvement loans, home mortgage loans, and rental housing mortgage loans.

Section 507 itself extends and expands FHA's title I modernization and improvement-insurance program by authorizing it

(1) to insure loans under this program with maturities of up to 5 years, as compared with a present limitation of 3 years, and (2), in the case of multifamily houses and institutional properties, to insure loans of up to $10,000 in amount (as compared with a generally applicable $2,500 maximum) and 7 years in maturity. At the same time, there would be eliminated from the title: (1) The present time limitation as to insuring activities under the title (July 1, 1947), and (2) the title's special war-housing provisions (insurance of loans of up to $5,000 in amount and 7 years in maturity for home modernization and improvement which would assist the war effort).

Section 508

The purpose of subsection (a) is to encourage home ownership by authorizing a maximum maturity of 25 years with respect to home mortgages on new construction generally, instead of limiting such maturity to newly constructed, single family, owner-occupied, homes costing $6,000 or under.

Because of the problems created by higher construction costs in various areas, subsection (b) authorizes FHA, with respect to any of its home mortgage-insurance programs, and subject always to the test of economic soundness, to increase the maximum amounts otherwise prescribed for such mortgages by the amounts (which may in no event exceed $1,000) necessary to compensate for such higher costs.

Section 509

Subsections (a) and (b) of this section permit a pro rata refund of insurance premium where the mortgage is paid off within a premium year. Under the present statute, such refund may be made only if a new mortgage on the same property is accepted for insurance at the time of the payment of the one previously insured.

The purpose of subsection (c) is to make possible necessary protection to those undertaking home ownership and other mortgagors by authorizing FHA to permit or require provisions in any mortgage insured by it, with respect to the deferment of monthly mortgage payments in cases where the mortgagor, because of unemployment, economic conditions, or misfortune beyond his control is unable to meet such payments. Under this authorization, the maturity of the mortgage could be extended, as a result of such deferments, for a period not exceeding 3 years in the aggregate.

Section 510

This section is designed to protect those veterans and their dependents who have been unable to keep up their mortgage payments during the period of military service. It authorizes the FHA to consent to the modification and extension of the maturity of any such mortgage, so long as the extended maturity within which the mortgage is to be amortized does not exceed the unexpired term of the mortgage plus a period equal to the period of military service.

Section 511

This section reinstates an expired authorization to FHA to include certain foreclosure costs among the insurance benefits in the case of mortgages covering homes of $6,000 or under. The purpose of this reinstatement is to insure continued participation by lending institutions in the financing of low-cost homes on the most favorable terms possible to the moderate-income home owner.

Section 512

Subsection (a) would perfect the provision in the National Housing Act which makes participation in FHA's rental housing program possible in the case of Federal or local public instrumentalities, or limited dividend corporations restricted by State law as to rents, rate of return, and methods of operation. It would do so by also including State regulated redevelopment and other housing corporations in this list of eligible mortgagors, and by providing as an alternative to the present requirement calling for controls by State law itself, regulation by the State banking or insurance departments.

Subsection (b) would in effect reinstate FHA's section 210 program which was stopped in 1939 and under which FHA was authorized to insure mortgages of up to $200,000 in amount on housing projects or developments constructed for either rental or sale purposes. The basic differences between the plan of operations under section 210 and under FHA's section 207 program were (1) the concentration of section 210 on the small-sized project or development; and (2) the statutory requirements present in the case of section 207 projects, but absent in the case of section 210 housing, calling for the formation of special, limited dividend, corporations and for FHA controls over management and operations.

Subsection (b) would reinstate the section 210 program by appropriate amendment to section 207 rather than by a reenactment of the old section 210 itself. It does so by making inapplicable to section 207 mortgages not exceeding $250,000 in amount (as compared with the previous $200,000 limitation in section 210), the statutory requirements calling for the formation of special corporations and for FHA controls over management and operations.

Section 513

This section provides for three basic improvements in section 207 rental housing operations:

1. It perfects the present provisions with respect to the amount of project cost that may be covered by the mortgage loan. Two basic limitations provided in the present statute are: (i) That the loan may not exceed 80 percent of project value and (ii) that it may in no event exceed the cost of the completed physical improvements. However, in defining "costs" for the purpose of determining the portion thereof that may be covered by the mortgage loan, certain items such as taxes, financing charges, utilities, and other expenses are excluded. In order to facilitate the evident intent of the act to permit the insurance of a true 80-percent loan, and on the basis of experience under FHA's title VI war housing program, this section would amend the statutory definition of project value and costs so as to include certain of the presently excluded cost items.

2. It authorizes insurance of mortgages up to $50,000,000 in amount (as compared with the general limitation of $5,000,000) if the housing project is undertaken by a Federal, State, or municipal instrumentality, or a limited dividend, redevelopment, or housing corporation restricted by Federal or State law or regulations of State banking or insurance departments as to rents, charges, capital structure, rate of return, or methods of operation. It would also make inapplicable to these projects the statutory limitation that the mortgage loan may not exceed the cost of the completed physical improvements; that is, land costs may be included so long as the total amount of mortgage loan does not exceed 80 percent of project cost. These amendments would make possible assistance under the FHA insurance program to large rental housing projects contemplated under State urban redevelopment laws.

3. It would substitute, with respect to the size of the mortgage, a maximum limitation of $1,500 per room (or $1,800 where cost levels so require) for the present limitation of $1,350, and in this way permit greater flexibility.

Section 514

This section would permit FHA to charge a maximum fee of 1 percent (of the mortgage loan) to cover appraisal and inspection costs on rental housing projects, as compared with the present maximum of one-half of 1 percent. This would enable the FHA to recover its actual cost of processing in certain cases where the application for insurance is withdrawn before the loan is insured.

Section 515

This section, together with section 606, eliminates the present statutory requirement that where FHA takes over a rental housing project as a result of default of the mortgagor and, through its efforts, ultimately realizes a profit on the transaction, such profit must be turned over to the mortgagor. It is not believed that the defaulting mortgagor corporation is entitled to such a gratuity but that such profit, if any, should accrue to the insurance fund to offset losses incurred in other cases.

TITLE VI. HOME OWNERSHIP AND RENTAL HOUSING FOR FAMILIES OF LOWER INCOME

This title recognizes that there are income groups which can and should be served by private enterprise rather than by public housing endeavor, but whom private enterprise would not be able to serve under existing programs even when strengthened by the provisions of title V. It, therefore, provides, in the case of both home ownership and rental housing, for a supplementing of the existing systems of FHA mortgage insurance with special aids for families of lower income who require more favorable terms than such existing systems offer. Thus, it would effectively complement title V in appreciably broadening the area which private enterprise can serve.

Section 601

This section points out specifically that title VI is not designed to supplant or alter any of the existing systems of mortgage insurance under FHA, but only to supplement them with special systems for families of lower income who require more favorable terms than can be offered under FHA's existing programs. It further states that, as basic policy underlying the title, it is contemplated that the liberalized forms of consumer credit provided shall be combined with all proper incentives to cost reduction through adoption of appropriate new materials, techniques, and methods, and through increased efficiency in production and elimination of unnecessary restrictive practices.

Section 602

This section, together with section 603, provides the supplemental system of mortgage insurance for individual family homes. It authorizes, where necessary in order to assist lower income families who could not be served under the existing FHA program, a combination of a 95-percent loan, 30-year maturity, and a maximum 4 percent interest rate. (Present maxima are a 90-percent loan, 25-year maturity, and 5 percent interest rate.) This supplemental program would be limited to mortgages not exceeding $5,000 in amount, or a lesser amount when the FHA finds that for any section of the country or at any time a lower cost dwelling for families of lower income is feasible without sacrifice of sound standards of construction, design, and livability. In order to stimulate building activity in this low cost home field, the section authorizes firm mortgage insurance commitments to builders of such housing in amounts up to 85 percent of appraised value as compared with the generally applicable limitation of 80 percent. This would enable them to build more houses at once with the same amount of personal capital, reduce their marketing risks, and effect other economies reducing housing costs.

Section 603

The purpose of this section is to provide increased insurance benefits to mortgagees in case of default in order to encourage participation by home financing institutions in this supplemental program. Under the provisions of the section, the mortgagee would receive reimbursement not only for unpaid principal

as under the present law, but also for two-thirds (or $75, if that proves to be a greater amount) of the foreclosure costs incurred by it, thus substantially reducing the possibility of loss that the mortgagee assumes under the existing FHA home mortgage insurance program. This section also makes these benefits available for the supplemental program on rental and mutual ownership housing provided in sections 604 and 605.

Section 604

This section, together with section 605, sets forth the special supplemental program needed for large-scale housing projects for families of lower income. The program involves, subject always to the condition of economic soundness, a combination of a 90-percent loan, 40-year maturity, and maximum interest rate of 4 percent. Also, in order to encourage and make possible home ownership for those families of lower income who could undertake such ownership only under some plan such as mutual ownership housing, the section makes this liberalized combination of mortgage terms available for projects undertaken by nonprofit mutual ownership housing corporations.

Section 605

The purpose of this section is to provide increased insurance benefits to mortgagee lending institutions in order to encourage their participation in the rental housing and mutual ownership program provided in section 604, and also in the existing FHA rental housing program under present provisions of the National Housing Act. It therefore supplements the insurance benefits provided in section 603. It provides that if the mortgagee on any rental housing (or mutual ownership) project elects to assign the mortgage itself to FHA, instead of foreclosing and transferring the project, there shall be deducted from the insurance benefits only 1 percent of unpaid principal as compared with the 2 percent required under existing statutory provisions.

Section 606

This is simply a technical amendment necessary to accomplish the purposes of section 515.

TITLE VII. YIELD INSURANCE FOR RENTAL HOUSING

This title recognizes that, while the encouragement of home ownership is a fundamental objective in our national housing policy, nevertheless there is a large segment of our population which, because of income, mobility, custom, or local conditions, requires or prefers rental housing. The section also recognizes that up until now the provision of such housing, particularly for families of moderate income, has been inadequate and that such inadequacy has in very large part resulted from a reluctance or inability under present aids on the part of institutional investors to make direct investments in such housing.

The title, therefore, provides for a special program of yield insurance, to be administered by FHA, designed to encourage direct investment in rental housing for families of moderate income by guaranteeing to those making such an investment to the extent of 100 percent of project cost, a minimum return (exclusive of amortization) of 2¾ percent per annum on outstanding investment until such time as only 15 percent of the original capital investment remains unamortized. As in the case of FHA's existing insurance programs, a self-sustaining program made possible by appropriate premium charges, is contemplated.

Section 701

This section places the proposed yield insurance program under the jurisdiction of FHA, and as a title VII to the National Housing Act, which title would consist of 13 sections, Nos. 701 through 713, and provide as follows:

The proposed section 701 provides the general authority to FHA to insure (and to make commitments to insure) a minimum annual return to the investor, consisting of (1) 2 percent of the original capital investment (as amortization on such investment), plus (2) a 2¾-percent yield on the portion of the investment still unamortized as of the particular year involved.[1] Such insurance may be provided only for the period during which more than 15 percent of the original capital investment in the project remains unamortized (or, in effect, for not more than 42½ years).

The proposed section 702 sets forth as the basic requirements for eligibility for yield insurance (1) that there be a need for the project in the locality to serve families of moderate income at the rentals proposed, which need is not adequately being met by private enterprise without yield insurance; (2) that the project be economically sound and afford reasonable assurance of stability and economy, both in construction and operation; and (3) that the dwellings be properly designed and available for families of moderate income at rentals within their capacity to pay.

Subsection (b) of this section provides the usual clause as to incontestability with respect to any insurance contract undertaken by FHA under this title.

The proposed section 703 fixes the premiums and fees that may be charged in connection with the yield insurance program. It authorizes first an annual premium charge of not more than one-half of 1 percent of the investment outstanding for the particular year for which the premium charge is payable. It authorizes also reasonable fees (but not in excess of one-half of 1 percent of the estimated capital investment) for FHA examination and inspection of the project during construction.

The proposed section 704, which relates to the rents that may be charged for the dwellings in the project, requires approval of the rent schedule by FHA. The yield insurance plan provided under this title does not make the 2¾ percent minimum yield guaranteed by FHA, also the maximum the investor is permitted to derive on his investment. This is specifically recognized by the provisions of this section which provide for FHA approval of rent schedules so set up as to allow the investor a yield of 3¼ percent on outstanding investment. At the same time, however, FHA must also find that the rentals provided in the schedule are no higher than necessary to meet the needs of the families of the incomes proposed to be served.

The proposed section 705 provides that in those years, if any, in which the project yields revenues more than sufficient to provide a 3¼-percent yield on outstanding investment for that year, one-half of such additional earnings may be retained by the investor as a further return on his investment, but only to the extent that this does not result in a return for that year of more than 4 percent on outstanding investment. For the purposes of the insurance contract, the balance would be regarded as being applied to accelerating the amortization of the capital investment, one effect of which would be to reduce the life of the insurance contract. The section provides, however, that in the event the project has had operating deficits in preceding years (which deficits are not covered by the insurance under this title), the excess earnings are to be applied, first, to the reimbursement of such deficits, and, second, to the payment of any premium charges previously waived because of such deficits.

The proposed section 706 provides for the submission of annual financial and operating statements to FHA for its approval. The FHA is authorized to make such submission and approval a condition precedent to the payment of claims for insurance benefits.

The proposed section 707 provides for cash payment of properly proved claims for insurance benefits.

The proposed section 708 is designed for the situation where a project continues to operate at a loss for a substantial period, thus requiring special action. It provides that if the aggregate of the amounts paid as insurance benefits to the investor should ever equal or exceed 15 percent of the original capital investment, FHA is to have the right to take over the project against issuance to the investor of debentures having a value equal to 90 percent of the portion of the capital investment still unamortized. Conveyance to FHA at the option of the investor is authorized if the aggregate of the operating deficits (to the extent they are not made good) should ever equal 5 percent of the original capital investment. In either case the debentures issued would bear interest at not to exceed 2¾ percent per annum, have a maximum maturity of 40 years, be fully guaranteed by the United States, and have the same tax exemption privileges as debentures issued by FHA under its mortgage insurance programs.

The section also sets forth the necessary provisions for the temporary management and disposition of any projects taken over by FHA under this section.

The proposed section 709 vests in the investor the right to terminate the written contract at any time upon written notice of FHA, and it vests in FHA the authority to prescribe the conditions under which it has the option to terminate the insurance contract. The section further authorizes an adjusted premium charge in the event of termination.

The proposed section 710 creates a special insurance fund (Housing Investment Insurance Fund) as a revolving fund for meeting the payment of insurance benefits, and also of administrative expenses incurred in connection with the program, and allocates $10,000,000 to set up such fund. All income derived in connection with the program is to be deposited in the fund and all expenses, whether in payment of insurance claims or of administrative expenses, are to be paid from the fund. The faith of the United States is pledged to the payment of all approved claims for insurance benefits in the event the fund fails to make any such payment when due.

The proposed section 711 provides that no real property acquired by FHA under the yield insurance program shall be exempt from local taxation simply because of such acquisition.

The proposed section 712 provides for the issuance of such rules and regulations as may be necessary or desirable for carrying out the yield insurance program, including such rules and regulations as may be necessary with respect to maintenance and inspection

[1] It is to be noted that the insurance is only of a yield on the capital investment itself. The insurance does not cover against the improbable situation of deficits in expenses of operation (i. e., the amount, if any, by which operating expenses in any year exceed the revenues of that year). Should the gross revenues in any year actually be less than the aggregate operating expenses, then the actual return to the investor (exclusive of the 2-percent amortization return) in effect would be an amount equal to the difference between (1) 2¾ percent of the outstanding investment, and (2) the deficit in operating expenses for the year. However, section 703 provides that in any such year the insurance premium shall be waived to the extent of such operating deficit, and section 705 provides that in any subsequent year in which there are excess earnings such excess may be applied to make up such operating deficit (to the extent it has not been previously made up).

of project records, or as may be necessary for effecting appropriate changes in the insurance base in the event of capital improvements or additions to the project on the one hand, or sale of or damage to part of the project on the other.

The proposed section 713 sets forth the definitions of the basic terms used in the title. Through these definitions, the section provides that the yield insurance program is open to any individual, group, or association, or other legal entity qualified to undertake the construction and operation of the type of project that may be assisted under the title. Through these definitions, also, the section makes appropriate provision for cases where the investor has a leasehold rather than a fee interest in the land on which the project is constructed. The definitions also indicate that a project may include such community and commercial facilities as are necessary or desirable.

Section 702

This section amends three provisions of the National Housing Act which were intended at the time of their enactment to be applicable to FHA's insurance programs generally, so that such provisions will by explicit reference be applicable to the yield insurance program. The provisions affected are section 1 of that act, which sets forth the general administrative powers of FHA, section 4, which provides for cooperation by the Reconstruction Finance Corporation in providing the funds necessary for the proper administration of FHA's various insurance programs, and section 5, which requires annual reports to the Congress on FHA activities under each of its insurance programs.

TITLE VIII. LAND ASSEMBLY AND PREPARATION FOR REDEVELOPMENT

This title authorizes a program of limited Federal aid to local communities to enable them to undertake positive and comprehensive steps for the clearance of their slums and blighted areas, so as to make such areas available for redevelopment, with the active participation of private enterprise, in accordance with sound planning principles. Two basic forms of assistance are authorized:

1. Loans, both temporary and long term (but not in excess of 45 years in any event), to finance necessary project costs to the extent funds for this purpose cannot otherwise be obtained, and at an interest rate designed to return to the Government the cost to it of the funds it obtains to make the loans; and

2. An annual subsidy where necessary to enable the land in the slum or blighted area to be made available for redevelopment at prices consistent with proper and sound land use and planning.

The title places the administration of this program of assistance for land assembly and preparation for redevelopment under the jurisdiction of the National Housing Administrator and requires adherence by him to the following cardinal principles in his administration of the program:

1. That any project assisted be related to the improvement of housing conditions in the locality;

2. That Federal assistance be confined to purposes of land assembly and preparation for redevelopment, as distinguished from actual redevelopment of the area;

3. That every project assisted be a local undertaking, locally planned, locally approved, and designed to serve local needs in every sense of the term;

4. That plans for redevelopment shall afford maximum opportunity to, and require maximum reliance upon, private enterprise;

5. That there shall be local financial cooperation and participation to the fullest extent consistent with the ability and resources of the locality, and, in any event, in an amount equal to at least one-third of the difference between the project cost and the new capital or reuse value of the land comprising the project area and also to one-half of the Federal subsidy base;

6. That adequate provision be present for the rehousing of the families displaced by the clearance of the area.

Section 801

This section sets forth the general purpose of the title, and declares it to be to assist the several States and their political subdivisions in eliminating slums and blighted areas and providing maximum opportunity for the redevelopment by private enterprise of land in such areas.

Section 802

The purpose of this section is to assure that aid to projects under this title will be based upon local determination of need and maximum reliance upon private enterprise. Accordingly, it provides that any contracts for financial aid under the title may be made (1) only with a duly authorized local public agency, and (2) only if the redevelopment plan is approved by the governing body of the locality. Moreover, such approval must include findings that the project area would not be made available for redevelopment without the Federal aid; that the redevelopment plans will afford maximum opportunity for development or redevelopment by private enterprise; and that the redevelopment plan conforms to a general plan for the development of the locality as a whole.

The purpose of this section is also to assure that all projects assisted will (1) actually conform to the locally approved redevelopment plan, and (2) be consistent with the interests of the locality as a whole. The section, therefore, provides that as a condition to Federal assistance the local public agency must agree to obligate those to whom it sells or leases the land in the project area, to devote the land to the uses specified in the redevelopment plan and actually to begin the building of their improvements within a reasonable time. The section requires that there be a feasible method for both the temporary and permanent relocation of the families who have been living in the redevelopment area and who are displaced as a result of the clearance of the area.

Section 803

This section, together with section 804, sets forth the forms and degree of Federal financial assistance for land assembly and clearance projects. Section 803 itself provides for assistance in the form of loans by the National Housing Administrator. The loan provisions are premised on the expectation that the definitive financing of the cost of the project will basically be accomplished by reliance upon private capital. The section, therefore, authorizes the National Housing Administrator to make such temporary loans as may be necessary prior to definitive financing (so that they may not be made for periods exceeding 5 years following the date of the first such loan for the acquisition of land), and it authorizes permanent loans for only such part of the project area as the local public agency leases for redevelopment. Any loans made under this section (whether temporary or definitive) must bear interest at not less than the rate specified in the most recently issued bonds of the Federal Government having a maturity of 20 years or more at the date the contract for the loan is made (the "going Federal rate," which rate, however, is, for the purposes of this title, to be deemed to be not less than 2½ percent), and the permanent loans must mature within a period not exceeding 45 years from the date of the definitive bonds.

To provide the funds necessary to make these loans, subsection (b) of the section authorizes the National Housing Administrator to issue and have outstanding at any one time obligations in the aggregate amount of $500,000,000 from which amount, however, only $50,000,000 in outstanding definitive loans may be made by the Administrator on and after the date of enactment of the title, which limit is to be increased by further amounts of $50,000,000 at the beginning of each of the second, third, fourth, and fifth years from the date of such enactment.

Subsection (c) provides that, where a local public agency undertakes studies, surveys, and plans for a program of land assembly projects for which Federal assistance is authorized by this title, loan assistance may be made to such agency to aid in financing the cost of such surveys, studies, and plans and other necessary work in such preparation. Such loans would be made on the condition that they would be repaid with interest out of any funds which become available to the local agency for undertaking of the projects involved.

Section 804

This section provides for the subsidy assistance that may be provided by the National Housing Administrator in those cases where such assistance is necessary if the land in the project area is to be available for proper use and soundly planned redevelopment at prices consistent with such use and redevelopment.

In recognizing the need and providing for this subsidy—"annual contributions"—the section also recognizes the need for, and immediately provides strict limitations as to the amounts and periods necessary to carry out the purposes of the title. In no event may:

1. The base used to determine the maximum amount of annual contribution exceed the difference between the net project cost and the local grants-in-aid, or the aggregate annual contribution bases with respect to all the projects of a local public agency assisted under the title exceed two-thirds of the aggregate net project costs (thus, local grants-in-aid would have to be made in an amount at least equal to one-half the aggregate annual contribution bases);

2. The contributions payable annually to any local public agency exceed an amount equal to 1 percent above the going Federal rate applied against the annual contribution base or bases;

3. The annual contributions be made over a period exceeding 45 years.

Also, at any time after 10 years following definitive financing of project cost, the Administrator has the right to substitute for th payment of subsequent annual contributions a single lump-sum payment in an amount sufficient to retire the outstanding obligations to which the annual contributions may have been pledged.

In addition to these various provisions designed to limit strictly the amount and period of Federal subsidy, the section further contemplates that the plan of Federal annual contributions be utilized to reduce the Federal loan assistance needed. Toward this end, it provides that payments under the annual contributions contracts may be pledged as security for borrowings by the local public agency, a provision which will facilitate the financing of project costs by private capital at the lowest possible interest rate.

The section authorizes the National Housing Administrator, upon enactment of the title, to enter into contracts providing for annual contributions aggregating not more than $4,000,000 per annum, which limit is to be increased by further amounts of $4,000,000 at the beginning of each of the second, third, fourth, and fifth years after the date of such enactment. The funds necessary to make these annual contributions are to be made available by appropriations of the Congress, and the faith of the United States is pledged to the payment of the annual contributions contracted for pursuant to the provisions of the title.

Section 805

This section is intended to assure that the locality will bear its fair share of the cost of any project assisted under this title and that

it will call upon the Federal Government for aid only to the extent necessary. Toward this end, the section provides that the local community must itself participate financially to the extent of at least one-third the net project cost. Such local participation may take the form of: Direct reduction of project costs or expenditures, by contributions made in cash or its equivalent; and public improvements and facilities in the project area which are primarily of direct benefit to the project and which are necessary to serve or support the new uses of land in the project area.

Where a locality undertakes more than one project with Federal assistance, this requirement relates to such projects considered in the aggregate.

Section 806

The purpose of this section is to provide the enabling provisions for financing operations under this title that experience under the United States Housing Act has indicated to be necessary for effective administration. The section, accordingly, provides (1) that the obligations issued by the National Housing Administrator to obtain funds for loans under this title are to be guaranteed by the United States (just as are the obligations issued by the FPHA to obtain funds for loans for low-rent housing and slum clearances); (2) that certain provisions contained later in the bill (at section 904 (2)) designed to facilitate the local enlistment of private capital to finance substantially the entire cost of low-rent housing projects at very low interest rates shall also apply to land-assembly projects undertaken under this title; and (3) that the obligations issued by local public agencies to finance the cost of land-assembly projects shall, likewise have tax exemption.

Section 807

This section assures that the financial assistance under this title shall not result in a double subsidy to low-rent housing which would give it an advantage over private housing development, by providing that any land in the project area made available for low-rent housing must be paid for by the agency undertaking the housing project.

Section 808

The purpose of this section is to give to the National Housing Administrator the technical powers necessary for the proper performance of his duties under this title.

Section 809

This section authorizes the sale of any Federal real property surplus to the needs of the Government and within the area of a land-assembly project, to the local public agency undertaking the project at a price equal to its fair value for the use specified in the redevelopment plan.

Section 810

This section, designed for the protection of labor standards, requires prevailing wages to be paid to those employed in the development of any land assembly and clearance project assisted, makes the kick-back statute applicable to all such projects and requires quarterly reports by all contractors used on the project to the Secretary of Labor as to the number of persons employed by them, the aggregate amount of their pay rolls, the total man-hours worked, and expenditures for materials.

Section 811

This section sets forth the definitions of the basic terms used in the title. Through these definitions, the section provides that no area selected for redevelopment would qualify for Federal aid unless it involves either the clearance of a slum area or the development or redevelopment for predominantly residential uses of a deteriorated or deteriorating area or a defunct subdivision or other open land whose development is necessary for sound community growth. Through these definitions also, the section limits Federal assistance to the furtherance of such purposes as: (1) The acquisition of the land in the area requiring redevelopment; (2) the removal of existing structures; (3) the provision of the utilities essential for the new land uses contemplated; and (4) the making of the land available for redevelopment at prices consistent with its proposed new uses. Aid under this title to assist the construction of any of the buildings contemplated by the redevelopment plan is expressly barred. Still another effect of the definitions is to require a redevelopment plan for the area in which the project area is situated sufficiently complete to indicate its relationship to definite local objectives, and to indicate also the proposed new land uses and building requirements.

Section 812

This section prohibits delegation by the National Housing Administrator of any of his functions with respect to the program to any now existing Federal agency.

TITLE IX. URBAN LOW-RENT HOUSING

This title provides for the resumption of the public low-rent housing and slum-clearance program needed to serve those families whose incomes are so low that private enterprise, even with the improved aids provided in this bill, cannot hope to service them. In so doing, the title sets forth various provisions calculated to assure complete consistency with the basic objectives of primary reliance upon private enterprise to do as much of the total housing job as possible; increasing emphasis on community responsibility and local initiative; concentration upon the needs of veterans and their families; enlistment of local capital to do the whole job of financing the capital cost of low-rent housing projects; rehabilitation, where in order, of existing dwellings; and a general tightening up with respect to the amount and period of Federal annual subsidy to achieve low rents. The title also contains a miscellany of technical and perfecting amendments to the United States Housing Act of 1937 that the 9 years of operations under it have indicated to be desirable.

Section 901

Local Determination of Need; Tenancy Only by Low-Income Families

This section requires that, as a condition of Federal financial assistance, the local public agency must submit an analysis of the local housing market showing not only that there is a need for low-rent housing which cannot be met by private enterprise, but also that a gap of at least 20 percent has been left between the upper rental limits for admission to the proposed project and the lowest rents at which private enterprise is providing (through new construction and existing structures) a substantial supply of decent housing toward meeting the need of an adequate volume thereof. Thus, the section establishes as basic national policy that, even with respect to a sizeable segment of the area which private enterprise cannot now serve, every opportunity is to be given to it to sharpen its tools and extend its servicing capacity downward in the income scale.

As further assurances of attainment of basic aims, the section provides that the governing body of the locality must approve the provision of any low-rent housing to be assisted by the Federal Government; that, as indicated by actual investigation, every family admitted to the project must have been ill-housed or displaced by a slum-clearance or land assembly and clearance project (this requirement, however, does not apply to servicemen or veterans); and that every family admitted is actually one of low-income. Also, after admission, periodic examination must be made of the incomes of the families living in the project so that, if such income increases to the point where the family can obtain decent private-housing accommodations at rentals within its means, it will be required to move from the project.

Section 902

Veterans' Preference

This section guarantees preference to servicemen and veterans where appropriate in the administration of the low-rent housing program. Specifically, as between eligible applicants, it requires that preference be given to the families of servicemen and veterans. The section, in harmony with most State laws, also provides that low-rent housing projects may serve veterans and servicemen without families and other individuals requiring low-rent housing.

Section 903

Cost Limits

This section is designed to end certain discriminations, inequities, and uncertainties resulting from present cost limits on low-rent housing assisted by the Federal Government, and to compensate for the drastic increase in building costs.

Experience has indicated that existing provisions, which place a ceiling on dwelling unit, as well as on room cost and which provide for higher cost ceilings for cities of more than 500,000 population, are inadequate or faulty in that: (1) a limitation on cost of the entire dwelling unit hampers the provision of housing for the larger-sized family of low income and so discriminates against such families; and (2) the reason for higher ceilings for our large cities—the higher construction costs in such communities—is equally applicable to our large metropolitan districts even though the central city in the district may by itself have a population of less than 500,000. The section, therefore, eliminates the limitation on dwelling unit cost (but not the limitation on room cost, so that the essential limitation on construction costs is still retained in the act), and makes the higher ceiling for large communities applicable to cities in metropolitan districts of over 500,000 population as well as to any city which itself has that population.

In order that the drastic increase in building costs, and the now apparent long-term nature of the housing emergency, may not prevent the provision of housing needed for veterans of low-income, the section (following the pattern established in title V with respect to FHA's programs): (1) provides for higher room cost limitations ($1,250 in cities or metropolitan areas of less than 500,000 population and $1,500 in cities or metropolitan areas over that population, as compared with existing limitations of $1,000 and $1,250 respectively); and (2) authorizes an increase in the cost limitations otherwise applicable by not more than $250 per room in areas where it would not be feasible without such an increase to construct the project consistent with the objective of providing housing for veterans of low income, and where there is an acute need for such housing for veterans of low income. This latter authorization is limited to contracts for financial assistance made before December 31, 1949.

In addition, to make possible greater certainty in determining compliance with the cost limitations, particularly at the time of the award of the construction contract, this section would provide that the cost limitations are applicable to the cost of construction and equipment, avoiding the uncertainties involved in making allowances for the not readily ascertainable anticipated overhead.

Because of special cost problems in Alaska, the section also has special provisions permitting higher costs in that Territory if found necessary.

Section 904

Local Financing

The basic purpose of this section is to amend the financing provisions of the United States Housing Act of 1937 so as to make possible 100 percent definitive financing of low-

rent housing projects by local capital and thus in effect limit Federal lending assistance for low-rent housing to the temporary interim financing necessary prior to the issuance of definitive bonds. Essentially, this section provides that, in the event of a substantial default by the local public agency in its covenants to FPHA of a nature which would entitle the FPHA to suspend or terminate the payment of its annual subsidies to the local agency, such project is to be conveyed to the FPHA (subject to the right of the local public agency to reconveyance upon a satisfactory curing of the default), and FPHA would continue to make annual contributions to the project. This would assure both (1) that the project will continue to operate as a low-rent housing project, and (2) that those who have furnished the capital funds for its construction in reliance upon the continuance of its low-rent character, and the making of annual contributions therefor during the entire life of the loan, will have their investment adequately protected. With this assurance there is every reason to anticipate that local capital will be willing to undertake the job of furnishing 100 percent of capital cost in long-term loans and to do so at very low interest rates.

In addition to substantially reducing the need for Federal loan assistance, the section also adds new limitations with respect to Federal subsidy assistance. It does so by providing: (1) that in any year when the receipts derived in connection with the project assisted exceeds expenditures and charges, the excess must be used for purposes which will reduce subsequent annual contributions; and (2) that contracts for loan and annual contributions based on one going Federal rate may, in the case of a change in such rate, be amended so as to base the loan interest rate, and maximum contribution payable, on the new rate whenever this would promote economy and be in the financial interest of the Federal Government.

Other financing provisions contained in the section:

1. Reduce the maximum loan period from 60 years to 45 years in the case of projects where the annual contributions are limited by statute to a 45-year period.

2. Reduce the minimum interest rate on Federal loans made for projects where the maximum loan and annual contribution period is 45, rather than 60, years, from the applicable going Federal rate plus one-half of 1 percent to simply the going Federal rate.

3. Relate the going Federal rate (which determines the minimum loan interest rate and the maximum annual-contribution rate) to the interest rate on Federal obligations with a maturity of 20 years or more, rather than 10 years or more. (Experience has indicated that by considering as the going Federal rate interest on obligations with the relatively short maturity of 10 years, changes in such rate result in many instances, not from a change in the cost of money to the Federal Government, but simply from the irrelevant factor of the particular maturity of the most recently issued Federal bonds.) Such rate, however, is in no event to be deemed to be less than 2½ percent. Also, under this section, the governing rate is the one as of the date of Presidential approval of the contract for loan or annual contributions rather than the date the contract happens to be signed by FPHA and the local public agency.

4. Adapt the statutory language with respect to FPHA's borrowing authorization to the changes in FPHA's lending program that would result from the provisions of this title, by relating the gross amount authorized ($800,000,000, which amount is not increased by this bill) to the amount of obligations that may be outstanding rather than to the aggregate amount that the FPHA may issue exclusive of refunding obligations.

5. Authorize adjustments in capital costs of a project after initial completion to reflect either capital items which cease to be a part of the project or which add to the cost through additions or capital improvements.

6. Provide a clarifying definition of the term "administration." As so clarified, the term specifically includes undertakings necessary for payment of carrying charges other than those included in the development cost.

Section 905

Rehabilitation

In order to conserve the existing housing supply and to assist in the use, when financially feasible, of existing buildings instead of new construction for low-rent housing, this section authorizes a program of Federal aid for the rehabilitation of existing dwellings located in neighborhoods where the spread of blight can be prevented or arrested. The maximum amount of loan and rate of annual contributions for a particular project under this program would necessarily be somewhat larger in amount than for new construction—that is, the maximum amount of Federal loan could be in an amount equal to the cost of the project and the maximum annual contribution rate could exceed the maximum rate authorized on new construction by 1 percent of development cost. On the other hand, such assistance would be limited to 30-year periods as compared with the 45-year periods authorized with respect to new construction. Also, where appropriate, the section authorizes assistance for the leasing and rehabilitation of existing dwellings as distinguished from their purchase and rehabilitation. No special loan or annual contributions authorization is provided for this program.

Section 906

In order to make adequate provision for the special problems present in the case of projects undertaken in the Territories, dependencies, or possessions of the United States, this section authorizes a higher rate of annual contribution in the case of land and utility projects; that is, projects consisting of the provision of adequate land space and sanitary facilities for existing dwellings. As in the case of the rehabilitation program, a rate higher by 1 percent of development cost is authorized.

Section 907

Annual Contributions Authorization for Additional Program

This section increases FPHA's annual contributions authorization. It authorizes additional contracts, which may be entered into upon enactment of this title, providing for annual contributions aggregating not more than $26,400,000 a year, which limit would be increased by further amounts of $26,400,000 at the beginning of each of the second, third, and fourth years following such enactment.

In providing this additional authorization, however, the section limits the period over which these annual contributions may be paid to 45 years as contrasted with the present authorization of 60 years. Also the section limits the use of this additional authorization to the provision of not more than 500,000 dwelling units involving new construction without further authorization from the Congress.

Section 908

This section provides technical amendments to the United States Housing Act of 1937, most of which are required as a result of the substantive amendments to that act provided in this bill. One provides a needed refinement of the existing provisions of that act relating to the equivalent elimination of substandard dwellings.

Section 909

This section provides that, where a local public agency undertakes studies, surveys, and plans in preparation for a program of low-rent housing projects, loan assistance may be made to such agency to aid in financing the cost of such surveys, studies, and plans and other necessary work in such preparation. Such loans would be made on the condition that they would be repaid with interest out of any funds which become available to the local agency for the undertaking of the project involved.

TITLE X. FARM HOUSING

While assistance to families of low income in rural areas is authorized under the present provisions of the United States Housing Act of 1937, the special and different problems attaching to housing in such areas require special provisions for such housing. This title, in making these provisions with respect to farm housing (title XI does so with respect to rural nonfarm housing) recognizes the intimate relationship between farm housing and the entire farm economy and so places the responsibility for aids to provide adequate housing on farms upon the Department of Agriculture rather than the Federal Public Housing Authority. FPHA's responsibility is related therefore to rural nonfarm housing (as provided in title XI).

Section 1001

Assistance by the Secretary of Agriculture

This section authorizes the Secretary of Agriculture to provide financial assistance to farm owners in the United States, and in Alaska, Hawaii, and Puerto Rico, when necessary to enable them to provide decent farm dwellings and related facilities for themselves, their tenants, lessees, share croppers, or laborers. (For the purposes of the title, a farm is considered to mean a parcel or parcels of land operated as a single unit which is used for the production of one or more agricultural commodities and which customarily produces such commodities for sale and for home use of a gross annual value of not less than $400.) Financial assistance under the title is explicitly limited to farm owners who are without sufficient resources to provide the necessary housing on their own account and who are unable to secure the credit necessary for such housing from other sources upon terms and conditions which they could reasonably be expected to fulfill.

Section 1002

This section provides for the assistance needed for those farmers lacking acceptable housing who cannot afford to improve their housing facilities if they are required to secure the needed credit assistance on the usual cooperative or private-credit terms prevailing in the area but who could do so on the basis of liberal credit terms. For farm owners in this group, the section authorizes loans for periods not in excess of 33 years, bearing interest at a rate not exceeding 4 percent per annum, and secured by the applicant's equity in the farm. In order further to assure the use of cooperative and other private credit sources to the fullest practicable extent, the section requires that the borrower shall refinance his loan through such credit sources whenever he should reasonably prove able to do so.

Section 1003

This section provides for the assistance needed for those farmers whose percent income is such that some assistance over and above the long-term, low-interest credit provided in section 1002 is necessary in order to put them into a position to acquire and maintain acceptable housing and related facilities, but whose farm enterprise is capable of being redeveloped by improvement or enlargement of the farm, or by adjustment of farm practices or methods, so as to bring them within a reasonable period of time within the group of farmers in need only of liberal credit aids. With respect to such farmers, the section provides that, if the applicant undertakes an adequate farm-enlargement or improvement or adjusted-practices plan (either with or without special assistance from the Department of Agriculture) the loan assistance provided in section 1002 may be supplemented by annual contributions during the temporary period of time (which may not exceed 10 years) that the redevelopment of the farm

enterprise is being effected. These contributions would take the form of credits against the installment of principal and interest due for any annual installment period and would be limited to a sum not greater than the annual installment of interest plus one-half of the annual installment of principal.

Section 1004

This section provides for the assistance that may be given to those farmers who do not possess adequate family-type farms and for whom there are no apparent means of providing an adequate income by a process of farm enlargement or redevelopment within a 10-year period. In order to avoid the possible danger that by establishing permanent dwellings for farmers under these circumstances, the perpetuation of the present unsatisfactory situation (which would seem to require different approaches) would be encouraged, the section authorizes only special loans and grants for improvements such as roof repairs, toilet facilities, a sanitary water supply, and other facilities designed to protect the health of the farmers and to so improve their living conditions that their situation is not a threat to the public health. Such assistance is limited to $1,000 per family unit (not over $500 of which may take the form of a grant or contribution), and to $2,000 in the aggregate to any one individual.

Section 1005

In order to facilitate the provision of decent farm dwellings generally, this section authorizes the Secretary of Agriculture to furnish, without charge (or at appropriate charge), to all persons technical services such as building plans, specifications, construction supervision and inspection, and advice and information. The section authorizes the Secretary and the National Housing Administrator to cooperate in research and technical studies in the rural housing field and also authorizes the Secretary to utilize (through the Agricultural Extension Service) the facilities of State agencies and educational institutions in furnishing the services and information authorized by this section.

Section 1006

This section requires that the Secretary of Agriculture give preference to veterans in administering the provisions of the title.

Section 1007

This section authorizes the use by the Secretary of Agriculture of local county or parish committees of farmers to examine applications of farmers desiring to obtain the benefits provided by the title and to submit recommendations in appropriate form to the Secretary with respect to each application.

The section further enables the Secretary to make the assistance authorized under sections 1002 to 1005, inclusive, available through the use of local public agencies authorized to assist in providing housing for families in rural areas.

Section 1008

This section vests in the Secretary the power to establish standards of adequate housing necessary for the purpose of operations of the title. It also authorizes him to require that any recipient of financial assistance agree that the housing provided with such assistance shall not be a justification for changing the terms of the lease or occupancy agreement with the occupants of such housing to the latter's disadvantage without the approval of the Secretary.

Section 1009

This section provides the various administrative and related powers necessary in order that the Secretary of Agriculture may administer the program authorized in the preceding sections.

Section 1010

This section provides that the Secretary of Agriculture is to obtain the funds to make loans under the title from the Reconstruction Finance Corporation at an interest rate not in excess of 1¾ percent per annum. Such borrowings are limited to the amounts necessary to make loans not in excess of $25,000,000 during the first year, $50,000,000 during the second, $75,000,000 during the third, and $100,000,000 during the fourth year after the date of enactment of this bill.

Section 1011

This section authorizes the Secretary to make contributions or grants pursuant to sections 1003 or 1004 of not to exceed $2,500,000 during the first year after enactment of the bill, $5,000,000 during the second, $7,500,000 during the third, and $10,000,000 during each of the next 10 succeeding years.

Section 1012

This section authorizes the appropriation of the amounts necessary to make the contributions provided for in the title and for such other amounts as may be necessary for the carrying out of the provisions of the preceding sections of the title.

TITLE XI. RURAL NONFARM HOUSING

Section 1101

The purpose of this section is to authorize assistance for rural (nonfarm) families of low income comparable to that furnished to urban low-income families under the United States Housing Act of 1937. The section calls for the enactment of an additional title, specifically relating to rural non-farm-housing, to the United States Housing Act of 1937, consisting of six sections, numbered 201 through 206:

The proposed section 201 authorizes and directs the FPHA to develop and undertake a program to assist local public agencies in providing decent housing in rural areas for nonfarm families of low income. The section provides also that in this program, as in the urban low-rent housing program, preference be provided to families of servicemen and veterans.

The proposed section 202 authorizes the giving of an option to purchase to any lessee of a rural house assisted under the title. In connection with the exercise of any such option, the lessee may be given credit for lease payments which were applied toward amortizing the cost of the house.

The proposed section 203 authorizes FPHA loan assistance to local public agencies to finance the provision of rural nonfarm housing for families of low income. Such loans may not exceed the cost of the housing, must bear interest at a rate not less than the "going Federal rate" (the rate on the most recently issued Federal bonds at the date of Presidential approval of the loan contract with a maturity of 20 years or more but in no event less than 2½ percent), and be repaid within a period not exceeding 45 years. The section provides no additional loan funds for this program but simply makes available to FPHA for this purpose its existing general borrowing authorization under the United States Housing Act of 1937.

The proposed section 204 is the section that provides for the annual subsidy ("annual contributions") necessary so that the local public agency assisted may be able to make the housing available within the means of low-income rural families. Such annual contributions must be strictly limited to the amounts and period necessary. In no event may they be made for a period exceeding 45 years; nor may the contribution to be paid for any year exceed the difference between (1) the estimated annual costs to the local public agency with respect to the housing, and (2) the estimated receipts to the local public agency from the lease payments from the families housed, which payments (exclusive of any charges for utilities) are required by the section to at least be equal to the average of the annual principal payments which would be required to repay the cost of the project over its useful life. Such contributions must be reduced or terminated when no longer needed, and in the event the local public agency has in any year an excess of receipts over expenditures, the amount of such excess must be used for purposes which will reduce subsequent annual contributions. The section further provides that appropriate increases shall be required in the lease payments in the event of increases in ability to pay.

A special annual contributions authorization for rural housing is proposed by this section, under which FPHA is authorized, upon enactment of the title, to enter into contracts for such contributions aggregating $5,000,000 per annum, which limit is to be increased by further amounts of $5,000,000 at the beginning of the second, third, fourth, and fifth years after the date of such enactment.

The proposed section 205 defines rural areas for the purposes of the operations of the title and, in so doing, relates such definitions to Bureau of the Census designations. This section also adapts to the rural housing title the provision with respect to land and utility projects contained in the urban low-rent housing title (section 906).

The proposed section 206 ties in this proposed new Title II of the United States Housing Act of 1937 with the present provisions of that act, which are to become Title I.

Section 1102

This section includes the technical amendments to the United States Housing Act of 1937 made necessary by the addition of this new rural housing title.

TITLE XII. DISPOSITION OF PERMANENT FEDERALLY OWNED HOUSING

This title is designed to bring up to date the legislation already enacted by the Congress with respect to the disposition of permanent war housing and other Federally owned housing.

Section 1201

This section provides that, when the President finds that any permanent type war housing provided with appropriated funds is no longer needed for war purposes, and the local governing body finds that it would be in the best interest of the community or of the families of local servicemen and veterans to make such housing available to families of low income, the FPHA may dispose of any such project to a local public agency for low-rent housing purposes. The proceeds from any such sale would be handled in the manner provided in the Lanham Act with respect to war housing, which sets forth the provisions relating to the time for covering balances into the Treasury as miscellaneous receipts. The section further authorizes either administrative loans or use of disposition reserves as may be appropriate, to correct war-caused deficiencies in construction. Families of veterans and servicemen would have the same preference in admission to war-housing projects sold under the provisions of this title as is provided in section 902 with respect to low-rent housing projects assisted by FPHA.

So that war and other Federal projects sold under this title may serve the purposes intended, the price of the project may consist of the payment of all the net income from the project during its useful life.

This section makes clear, however, that none of its provisions are to be construed to prevent the sale of permanent war housing at its fair value on a home-ownership basis (with preference to servicemen and veterans) wherever feasible.

TITLE XIII. MISCELLANEOUS PROVISIONS

Section 1301

This section vests in the National Housing Administrator, and the Administrators of FHLBA, FHA, and FPHA, the usual administrative powers necessary for efficient operations, such as powers relating to personnel, travel, purchase of supplies, etc.

Section 1302

This section contains the standard provision providing that the provisions of this act shall control in the case of inconsistency with other legislation.

Section 1303

This is the usual separability clause.

EXPLANATION OF EFFECT OF AMENDMENTS PROPOSED BY SENATOR MORSE TO NATIONAL LABOR RELATIONS ACT

Mr. MORSE. Mr. President, last Monday in a 4-hour speech I presented on the floor of the Senate my views and proposals on labor legislation. Several of my colleagues suggested afterward that I prepare a brief synopsis or digest setting forth an explanation of the effects on existing law of my proposed bill, S. 858.

Therefore, Mr. President, I offer at this time for printing in the body of the RECORD as part of my remarks such a digest, or memorandum, as I have prepared, for the convenience of the Members of the Senate, for use at such time as they may wish to go over the address I gave last Monday. The memorandum is entitled "Explanation of Effect of Amendments to National Labor Relations Act as Proposed by S. 858."

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

EXPLANATION OF EFFECT OF AMENDMENTS TO NATIONAL LABOR RELATIONS ACT AS PROPOSED BY S. 858, INTRODUCED BY SENATOR MORSE ON MARCH 10, 1947

(In this memorandum each proposed amendment to the National Labor Relations Act is first set out in full, after which follows an explanation of its purpose and effect.)

1. Section 1 of the National Labor Relations Act is amended by inserting before the last paragraph in such section a new paragraph, as follows:

"Experience has further demonstrated that certain practices by labor organizations, their officers and members, have the intent or the necessary effect of burdening or obstructing commerce by preventing the free flow of goods in such commerce through strikes and other forms of industrial unrest or through concerted activities which impair the interest of the public in the free flow of such commerce. The elimination of such practices is a necessary condition to the assurance of the rights herein guaranteed."

Explanation: The purpose here is to make clear that the practices by labor organizations, made unfair labor practices in later provisions of the bill, burden and affect commerce, and thereby lay the basis for the exercise of Federal authority.

2. (a) Paragraph (1) of section 2 of such act is amended by inserting after the word "includes" the words "labor organizations, their officers, and employees or members, and".

Explanation: While it is probably true that the definition of the term "person" in the act includes labor organizations, their officers, and employees or members, it is felt that the act should specifically so state, especially since later amendments prescribe as unfair labor practices certain conduct of labor organizations and their agents.

(b) Paragraph (2) of such section (sec. 2 of the act) is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That for the purposes of section 9 (b) hereof, the term 'employer' shall not include a group of employers except where such employers have voluntarily associated themselves together for the purposes of collective bargaining."

Explanation: The purpose of this amendment to the definition of the term "employer" is to make it clear that the Board, in defining appropriate bargaining units under section 9 (b), cannot include in the same unit the employees of two or more separate employers unless the employers have voluntarily banded together for collective-bargaining purposes. Thus, multiemployer bargaining units cannot be established except with the consent of every employer in the group. The amendment enacts into law present Board practice. However, it precludes the Board from including in a multiemployer unit any employer who does not desire to participate therein, or who withdraws from an employer association.

(c) Paragraph (3) of such section (sec. 2 of the act) is amended by inserting before the period at the end thereof the following: "or any individual employed in agriculture (as defined in sec. 3 (f) of the Fair Labor Standards Act of 1938)."

Explanation: The effect of this amendment is to exclude from the term "employee" any person employed in agriculture, as defined in the Fair Labor Standards Act. In the current appropriation act relating to the Board, a rider to the same effect was attached. The purpose is to enact into the permanent statute what Congress has already done by way of a limitation on the use of funds, and thereby eliminate the necessity for attaching such riders to future appropriation bills.

3. (a) The first sentence of subsection (a) of section 3 of such act is amended by striking out the word "three" and inserting in lieu thereof the word "seven."

(b) The second sentence in such subsection is amended to read as follows: "The terms of office of members of the Board shall be 5 years except that any individual chosen to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired portion of such term."

(c) Subsection (b) of such section is amended to read as follows:

"(b) The Board is authorized to delegate to any group of three or more members any or all of the powers which it may itself exercise. A vacancy in the Board shall not impair the right of the remaining members to exercise all of the powers of the Board, and four members of the Board shall, at all times, constitute a quorum of the Board, except that two members shall constitute a quorum of any group designated pursuant to the first sentence hereof. The Board shall have an official seal which shall be judicially noticed."

(d) The first sentence of subsection (a) of section 4 of such act is amended by striking out "$10,000" and inserting in lieu thereof "$12,000."

Explanation: The effect of these amendments is self-evident: they (1) enlarge the Board from 3 to 7 members, (2) correct language regarding the terms of office so as to eliminate language that has already been executed (the provision for staggered terms with respect to the original Board members), (3) authorize the Board to function in sections of three, and (4) increase the salaries of Board members from $10,000 to $12,000 a year.

4. (a) Paragraph (2) of section 8 of such act is amended by inserting before the period at the end thereof a comma and the following: "or from adopting nondiscriminatory rules forbidding union activity by employees on company time and property which interferes with the business of the employer."

Explanation: The effect of this amendment to section 8 (2) of the act is to authorize employers to adopt nondiscriminatory rules relating to union activity on company time and property, by employees, which interferes with the employer's business. By a series of Board and court decisions, the present law is in substance the same as proposed in this amendment. It is felt, however, that Congress should declare the policy on this important aspect of industrial relations, and thereby make clear to both employers and unions that working time is for work and is not to be used for union activity that interferes with production or otherwise handicaps business operations.

(b) Paragraph (4) of such subsection is amended by inserting before the word "testimony" the words "statements or."

Explanation: In section 8 (4) of the act, an employee is protected from discharge or other discrimination because he "has filed charges or given testimony" under the act. In some instances question has been raised whether the word "testimony" includes statements given to Board agents. The proposed language is inserted to make clear that employees cannot be discriminated against for having given statements.

(c) Such section (sec. 8 of the act) is amended by adding after paragraph (5) thereof a new paragraph as follows:

"(6) To violate the terms of a collective-bargaining agreement or the terms of an agreement to submit a labor dispute to arbitration: *Provided*, That the Board may dismiss any charge made pursuant to this paragraph if the labor organization has violated the terms of such agreement or has failed to comply with an order of the Board."

Explanation: The effect of this amendment is to make it an unfair labor practice for an employer to violate a bargaining contract or an agreement to arbitrate a labor dispute. However, the proviso authorizes the Board to dismiss any such charge if the labor union has also violated the contract or has not complied with an order of the Board.

5. Such section (sec. 8 of the act) is further amended by inserting after the section number the letter (a), and by adding at the end thereof the following new subsection:

"(b) It shall be an unfair labor practice for a labor organization or its agents—

"(1) To interfere with, restrain, or coerce an employer in the selection of his representatives for the purposes of collective bargaining.

"(2) To engage, or to induce or encourage the employees of any employer to engage, in a strike or in a concerted refusal to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services, in the course of their employment (A) because particular work tasks of such employer or any other employer are performed by employees who are or are not members of a particular labor organization, (B) because such employer or any other employer had refused to recognize or bargain with a particular labor organization as the representative of his employees, if another labor organization has been certified as the representative of such employees within the meaning of section 9 (a), (C) because some or all of the employees or any other employer are or are not members of a particular labor organization, or (D) because any other employer does not have an agreement with, or will not bargain with, a particular labor organization as the representative of some or all of his employees.

"(3) To expel any employee from membership in any labor organization holding a contract with his employer which requires membership in such labor organization as a condition of employment, because such employee has engaged in activity on behalf of another labor organization at a time when a question concerning representation may appropriately be raised; or to persuade or attempt to persuade his employer to discriminate against such employee.

"(4) To refuse, after certification as exclusive representative by the Board, to bargain collectively with the representatives of an employer.

"(5) To violate the terms of a collective bargaining agreement or the terms of an

agreement to submit a labor dispute to arbitration: *Provided*, That the Board may dismiss any charge made pursuant to this paragraph if the employer has violated the terms of such agreement or has failed to comply with an order of the Board."

Explanation: This new subsection (b) of section 8 of the act defines unfair labor practices of labor organizations or their agents.

(a) The first unfair labor practice prohibits interference in the selection of an employer's bargaining representative. For example, under this proposal it would be an unfair labor practice for a union to coerce an employer to join or adhere to any employer association.

(b) The second union unfair labor practice section proscribes certain types of strikes and secondary boycotts. Thus subsection (2) (A) deals with jurisdictional disputes over work assignments. A union or its agents would be committing an unfair labor practice if it called a strike or boycotted; or induced or encouraged employees of any employer to strike or boycott, because any employer's work tasks are performed by employees who are or are not members of a particular union. Subsection (2) (B) similarly bans strikes and boycotts against certifications issued by the Board. Subsection (2) (C) proscribes primarily the secondary boycott called for organizational purposes. It would, however, as would subsection (2) (D), reach the practice sometimes engaged in by the American Federation of Musicians. Specifically, the AFM has threatened to strike national radio networks because an affiliated station will not hire union musicians or settle a dispute. A strike against the primary or specific employer is not proscribed.

The third union unfair labor practice covers situations arising out of expulsions of employees from membership in a union holding a closed-shop contract when the reason for the expulsion is that the employee has exercised his right to advocate a change in representatives. It is designed to reach the situation involved in the so-called "dual unionism" or Rutland Court cases. The proposal coincides with that made by Chairman Herzog in his testimony before the Committee on Labor and Public Welfare.

The fourth union unfair labor practice covers refusals to bargain by a union after certification by the Board as exclusive representative.

Finally, the fifth union unfair labor practice covers contract violations and violations of agreements to arbitrate a dispute. It is parallel to the new employer unfair labor practice proposed above.

6. Section 8 of the act is further amended by adding a new subsection, as follows:

"(c) Nothing herein shall be construed to interfere with the right to freedom of speech as guaranteed by the first amendment to the Constitution of the United States; nor shall the Board find that the making of any statement of views or arguments, either written or oral, constitutes an unfair labor practice if such statement by itself or in its context contains no threat of force or economic reprisal."

Explanation: This amendment guarantees freedom of speech by employers and all other persons affected by the act. Moreover the amendment makes clear that the Board shall not find that the making of statements of views or arguments per se constitutes an unfair labor practice unless the statement on its face contains, or in the context in which it is made can reasonably be said to contain, a threat of force or economic reprisal. The effect of the amendment is to write into the statute the present decisional rules applied by the courts.

7. The caption preceding sections 7 and 8 of such act is amended to read as follows: "Rights of employees and employers."

Explanation: This is a minor change, and adds the words "and employers" to the present caption preceding sections 7 and 8 in order to make the caption consistent with the additions to section 8, especially the union unfair labor practice provisions.

8. (a) Subsection (a) of section 9 of such act is amended by inserting before the period at the end thereof a comma and the following: "and to adjust such grievances without the intervention of the bargaining representative if after notification such representative does not indicate a desire to participate in such adjustment."

Explanation: At present, the act specifies, in the proviso to section 9 (a), that "any individual employee or a group of employees shall have the right at any time to present grievances to their employer." The meaning of the term "to present" has been the subject of some litigation and doubt exists as to the role to be played by the exclusive representative (if there is one) in connection with individual presentation of grievances. The effect of the addition proposed is to enact into law the Board's rule as outlined in the *Hughes Tool* case (56 NLRB 981), enforced in 147 F. (2d) 69. By this addition, the law will be clear that individuals or groups within a unit represented by an exclusive representative cannot obtain adjustments of matters involving wages, hours and conditions of employment at variance with the terms of a collective agreement unless the exclusive representative first has an opportunity to participate in the adjustment. It will encourage stability and responsibility, and will strengthen the hand of the employer who wants to live up to his collective agreement, by permitting him to refer individual employees and minority groups to the regular procedure established by the collective contract rather than acceding to the demands of the minority and perhaps agreeing to something that will conflict with the contract or occasion a dispute with the bargaining agent. On the other hand, it makes clear the fact that if the exclusive representative exhibits no interest in participating in the adjustment, the employer and the individual employee or minority group may lawfully adjust the grievance.

9. Subsection (c) of such section (Section 9 of the Act) is amended by adding at the end thereof the following: "Any party in interest, including an employer, may request such an investigation. The Board shall not proceed on the request of an employer unless it appears (1) that one or more persons or labor organizations have made a claim to be recognized as the representative within the meaning of subsection (a) or (2) that there is a bona fide doubt that the labor organization last recognized in a collective bargaining contract is the representative within the meaning of subsection (a) and the request is filed with the Board at least 30 days prior to the expiration of such contract."

Explanation: This amendment permits the employer to petition for representation elections, whether or not there are one or more unions making bargaining demands. The two qualifications that must be met before an employer's petition may be entertained are designed to preclude employers from taking unfair advantage by instituting election proceedings as a means of frustrating legitimate organizational activity. Thus, an employer has no obligation to bargain, and hence no occasion to petition, unless a union has made a claim to be recognized as exclusive representative.

Consequently, under this proposal, an employer could not petition until he had been presented with such a claim. This provision will adequately cover situations in which a union demands an exclusive contract although it admits that it has no members, or only a minority, among the employees in the appropriate unit. It should be observed that the language requires a "claim to be recognized" as exclusive agent—not a claim that the union has enlisted the adherence of a majority.

Secondly, in situations in which a union has been recognized by contract as the exclusive representative and near the end of the term of the contract seeks renewal, the proposed amendment would allow the employer to obtain an election if he has bona fide doubt as to the continued majority status of the union and if he files his petition at least 30 days before the end of the contract. The latter requirement is thought advisable in order to discourage frivolous petitions that are not in fact based on bona fide doubt but are filed solely as a delaying tactic.

10. Subsection (a) of section 10 of such act is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That the Board is empowered, by agreement with any agency of any State or Territory, to concede to such agency jurisdiction over any cases arising in industries not basic to the national economy even though such cases may involve labor disputes affecting commerce."

Explanation: Section 10 (a) of the act vests in the Board exclusive authority to prevent unfair labor practices affecting commerce. The effect of this amendment is to empower the Board to agree with a State labor board that the latter may exercise jurisdiction over cases that arise in industries which, while technically within the jurisdiction of the National Board, involve matters of essentially local application. For example, disputes in department stores, lumber and coal distributors, and the like, could frequently be handled more effectively by State agencies. Under this provision the National Board would have specific authority to cede jurisdiction over such concerns to State tribunals adequately equipped to handle them.

11. Section 10 is further amended by adding the following new subsection:

"(j) The Board shall have power, upon issuance of a complaint as provided in subsection (b) charging that any person has engaged in or is engaging in an unfair labor practice, to petition any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia), or if all the circuit courts of appeals to which application may be made are in vacation, any district court of the United State (including the District Court of the United States for the District of Columbia), within any circuit or district, respectively, wherein the unfair labor practice in question is alleged to have occurred or wherein such person resides or transacts business, for appropriate temporary relief or restraining order. Upon the filing of any such petition the court shall cause notice thereof to be served upon such person, and thereupon shall have exclusive jurisdiction to grant to the Board such temporary relief or restraining order as it deems just and proper."

Explanation: The effect of this subsection is to empower the Board to obtain a temporary injunction or restraining order from the appropriate circuit court of appeals, after the Board has determined to issue a complaint but before a hearing has been held and an order entered. The purpose is to allow the Government to seek and obtain interim relief upon a preliminary determination (sufficient to warrant issuing a complaint) that unfair labor practices are being committed and that the offending party should be restrained from continuing the practice or taking certain action pending further adjudication. Under the act as now written, the Board may seek temporary relief only after it has filed in the circuit court of appeals its order and the record on which it is based. With the Board's jurisdiction expanded to prevent unfair practices by labor, such as strikes and boycotts, it undoubtedly will on occasion be necessary that the Government have available a speedy remedy to preserve or restore the status quo.

12. Section 10 of the act is further amended by adding the following new subsection:

"(k) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of paragraph (2) (A) of section 8 (b), the Board is empowered to hear and determine the dispute out of which such unfair labor practice shall have arisen or to appoint an arbitrator to hear and determine such dispute, unless, within 10 days after notice that such charge has been filed, the parties to such dispute submit to the Board satisfactory evidence that they have adjusted, or agreed upon methods for the voluntary adjustment of, the dispute. Upon compliance by the parties to the dispute with the decision of the Board or the arbitrator appointed by the Board upon such voluntary adjustment of the dispute, such charge shall be dismissed."

Explanation: The effect of this provision is to allow the Board to appoint an arbitrator in cases involving jurisdictional disputes as to who shall perform particular work tasks. Since time is of the essence in such cases, the Board is authorized to appoint the arbitrator unless within 10 days after notice of the filing of the charge the parties satisfy the Board that they have settled the dispute or agreed upon a procedure for settling it. If an arbitrator is appointed, and the parties comply with his award, the charge will be dismissed by the Board. If there is no compliance, the Board may proceed with its customary unfair labor practice hearing and subsequent enforcement, and in addition, under the preceding new subsection (section 13 (j)) the Board may seek injunctive relief.

LEAVE OF ABSENCE

Mr. MARTIN. Mr. President, I ask unanimous consent to be excused from the Senate for the balance of this afternoon.

The PRESIDING OFFICER (Mr. BRICKER in the chair). Without objection, the leave is granted.

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 2157) to define and limit the jurisdiction of the courts to regulate actions arising under certain laws of the United States, and for other purposes.

Mr. WILEY. Mr. President, I speak to the bill, H. R. 2157, known as the portal-to-portal bill. I desire at the outset to make a few general remarks that will show the preceding labor history which, in a way, set the stage for this very bill and evidenced the need for it.

The unfortunate aspect of the present situation in the field of labor relations stems from the fact that perversions of legislative enactments of the Congress by the courts and by administrative agencies have, in the past, prevented and still prevent harmonious relations between labor and management to their detriment and the detriment of the public. The past conflicts between these bodies often have high-lighted and focused attention on these perversions.

The pages of labor-management history need not be turned back far to find a period when the efforts of union officials in unionization and activities of unions generally were often subject to vigorous judicial restraint as well as militant hostility of management. The growth and power of labor were restrained on one hand by the courts; on the other hand by hostile activities of management. Growth was slow, the fruits not always sweet.

The Sherman Act, passed in 1890, has been called the only restrictive control of labor unions ever undertaken by the Congress. This is a perversion, for the act was passed in response to public demand for the curtailment of gigantic industrial and commercial enterprises. Nevertheless, the question immediately arose after its enactment as to whether or not the Congress intended this act to apply to labor unions. The Supreme Court judicially settled this question in Lawlor against Loewe, a case in which the employers sued a union of hatters because of a boycott by A. F. of L. members for treble damages and secured a judgment of nearly a quarter million dollars. The Court thus used the Antitrust Act to seize judicial controls over unions, especially with respect to their effort to expand unionization.

Recent application of the act to the field of labor relations presents a contrast which is strange indeed. The case of United States against Hutcheson all but removes the activity of labor unions completely from the purview of the Sherman Act. Now it is possible for unions to control the movement and marketing of goods in whole areas even to the exclusion of competing goods notwithstanding the Sherman Act, as long as this control is not taken in conjunction with the employer, and the public seems to have no recourse.

In the Clayton Act, which was passed in 1914, an attempt was made to clarify and rectify the earlier perversion of the Sherman Act by declaring that the labor of a human being was not a commodity or article of commerce, and by limiting the use of the injunction. In some respects this represented the first major achievement of organized labor in its effort to exert political power. But court interpretations of this law in the Coronado Coal case and the Bedford Cut Stone case still left much to be desired from the union viewpoint. Notwithstanding the change in the antitrust law, a judgment of more than half a million dollars was obtained against district 21 of the United Mine Workers of America after a strike involving great violence. Further interpretations of this act largely restricted its application to employees or former employees, leaving outside the purview of the act persons seeking to obtain unionization or persons seeking to organize a plant. Against the latter group, injunctions were freely used. In effect, the courts refused to effectuate the intent of Congress to make lawful labor's self-help techniques.

The next great legislative attempt at correction was the Norris-LaGuardia Act of 1932, which guaranteed and protected unions' self-help against judicial control by means of the injunction. It was reportedly drawn by professor, now Mr. Justice Frankfurter.

One writer has stated that it simply canceled out a small host of what might accurately be called judicial perversions. Involved were strikes for the closed shop, picketing by persons other than employees or former employees, the so-called yellow-dog contracts or the anti-union promise and the secondary boycott. In effect, the act unfettered the labor movement from any serious restraint by the courts. There still remained the hostile restraints of management.

The latter restraints were canceled out by the National Labor Relations Act of 1935, which pledged the aid of the Federal Government to unions in securing independent organization free from employer interference. In effect, Congress ordered employers to cease their resistance to unionization, and at the same time, took away from these employers the right to sign up with unions of their own choosing. Thus were unions freed from the last major restraint; that of hostile management. Labor was now free to develop and exert vast political power.

It is indeed a strange and ironic commentary on these statutory assurances that at this late date the question of the right of management to state freely its position in regard to labor relations has not been finally decided by the courts. It will be seen particularly in all these controversies that the rights of the great mass of the people were never given consideration. It was management or it was labor that was given consideration.

The legislative picture is completed by the Fair Labor Standards Act of 1938, sometimes called the Black-Connery Wages and Hours Act, which committed the country to the maintenance of standard hour and wage practices in interstate commerce. Congress in enacting this law, was exercising its constitutional authority to unburden commerce. It did not intend that the act should be the means whereby impossible burdens would be imposed upon commerce for the benefit of labor. Again there has been a perversion.

It is a fundamental principle of law that the function of the courts is to interpret, not to enact legislation. It is equally fundamental that legislation must be construed to work reasonable, not absurd results, it being a constructive presumption that Congress intends to attempt sensible aims.

Recent decisions passed on the Wages and Hours Act have not been in accordance with these fundamental principles of statutory construction—they have perverted the original intent of the legislation.

Looking generally at this picture, Congress may well ask: "What next?" After all, we do not represent labor, we do not represent management. We represent one-hundred-and-forty-odd million Americans of every class.

From the era of unsettled labor conditions, we have moved to an era of uncertainty for management. From an era of fettered labor, we have moved to an era of free collective bargaining by labor, but with a management which, until very recently, was scarcely permitted to indicate a preference. What is the solution? The solution is careful legislative modification of the law. There should be no intention to punish—no intention to suppress—no tendency toward reprisals. The intention should be, and is, to correct the perversions in the law. A

few of the corrections which must be made should be made administratively but corrective legislation is also necessary. Just as the Norris-LaGuardia Act sought to cancel out judicial preversions, H. R. 2157 seeks to cancel out interpretative perversions which have been applied to the Wage and Hour Act. All this is necessary in this complex life of the Nation to protect the interest of the public.

In evaluating any proposed legislation, we of this period are obliged to lift our sights and see its impact in the light of conditions domestic and foreign. This afternoon two Senators, the Senator from Oregon [Mr. MORSE] and the Senator from Connecticut [Mr. BALDWIN] commented on the position taken by the distinguished Senator from Michigan [Mr. VANDENBERG] on the foreign situation. So I say, in evaluating any proposed legislation it is necessary to see its impact in the light of conditions, domestic and foreign.

We should approach every problem with hope for a just solution and with no sense of frustration or discouragement.

While, in a sense, the President's recent message again places us in the valley of decision, let us feel adequate to the task. Let us, like Solomon, ask for that wisdom which will guide our steps aright. Let us remember wisdom is not found in the big noise—in the wind and the hurricane—but in the still small voice of reason and judgment.

So, in this matter we are considering, we know how important it is that we do not sit back and do nothing. What we do here will have its important impact upon the great issue of what our foreign policy shall be in relation to Greece and Turkey and the rest of the world.

A harmonious, productive home economy makes for peace at home and abroad.

Mr. President, I wish to say a few words about certain Members of the Senate.

INTRODUCTION

In the first place, I point out that a subcommittee of the Senate Judiciary Committee has done what I regard as an outstanding piece of work in connection with this legislation. I refer particularly to the work of its chairman, the senior Senator from Missouri [Mr. DONNELL], in addition to that of his colleagues, the junior Senator from Mississippi [Mr. EASTLAND], and the junior Senator from Kentucky [Mr. COOPER].

The subcommittee not only labored long, but it labored hard. It heard testimony at great length from all interested parties, from labor, from management, and from Government, on the broadest ramifications of this problem. It questioned witnesses down to the most precise point, with the most conscientious care for ascertaining the truth and the facts. As is the case in connection with all great issues, they found a great conflict of human minds. Of course, they found selfishness and other qualities; but those Senators sifted the evidence with the greatest care.

On the completion of the hearings the subcommittee went at great length into reviewing and evaluating the testimony which it had prepared. Following that, it prepared what I regarded as a splendid bill and report on this situation. No member of the subcommittee had a closed mind or had attempted merely to write a bill or a report which would be in accord with his preconceived notions. I know, Mr. President, for I sat with the subcommittee for hours at a time. I also sat with the full committee during its sessions. Each man had sought the truth and the facts in the situation from whatever authoritative source he could secure them. The subcommittee then went to great pains in discussing this technical subject with the full committee, which in turn reviewed it at length.

Following a committee vote on the bill, what was then known as Senate bill 70 was reported to the Senate and placed on the calendar. Later, it was recalled at the request of the chairman of the subcommittee. Again the committee, particularly the men who had worked most closely on it in subcommittee, went over the bill to a very fine degree, screening, analyzing, evaluating each single clause of it. The full committee revised the provisions of the bill time and time again, and then reported it to the Senate, and it is now before us for consideration.

I do not mean to imply that there are not many other bills which also undergo similarly careful evaluation, but certainly in this new Congress there has been no measure, I believe, which has had the benefit of more careful judgment on the part of any committee than the measure now before us.

NEED FOR CONCENTRATING ON LARGER ISSUES

I, for one, intend to concentrate in this discussion on what I consider the larger issues, although I know Senators will be keenly interested in many specific and detailed phases of this legislation.

The distinguished chairman of the subcommittee [Mr. DONNELL] and his associates will present a very lucid and comprehensive analysis of the measure based upon his experience with it, closer experience, I believe, than has been available to any other Member of either House. Members of the committee worked into the early morning hours, meeting all comers and getting their viewpoints, listening, evaluating, and getting the benefit of wisdom wherever it was to be found.

At this time I shall concentrate on some of the broader questions involved in this legislation.

PROTECTION OF PUBLIC WELFARE

A. SIGNIFICANCE OF PART I OF H. R. 2157, "FINDINGS AND POLICY"

I call the attention of my colleagues, in the first place, to the significance of part I of the measure pending before us, entitled "Findings and Policy," and extending from pages 7 through 10 of the bill draft, beginning with the words:

> The Congress hereby finds that the Fair Labor Standards Act of 1938, as amended, has been interpreted judicially so as to require employers to pay compensation thereunder for activities which were not commonly understood by employees and employers in accordance with practice, custom, understanding, or agreement to be work, thereby creating wholly unexpected liabilities, immense in amount and retroactive in operation, upon employers throughout the country.

This section goes on to list the results of these portal-to-portal suits, in terms of their dangerous effects upon private industry, upon management, labor, the Federal Government, and State and local governments.

These findings are sustained by evidence presented in the portal-to-portal hearings, and they demonstrate conclusively that the real purpose back of the bill, and the real need of the bill, is the protection of the public interest and the public welfare, not the interest of this or that segment of our population but the interest of all of us.

B. VASTNESS OF PORTAL-TO-PORTAL CLAIMS

I call the attention of my colleagues to the fact that, as the committee report states, there arrived in the courts between the dates of July 1, 1946, and January 31, 1947, some 1,913 portal-to-portal cases. In 1,515 of these cases a definite amount was claimed, and the total of such claims aggregated some $5,750,000,000, including liquidated damages. This, then, indicates the immensity of the problem before us.

I recall some supplementary evidence, which did not occur in these hearings, but which occurred in another hearing which I attended. It involved the question of suits against the Government. As I recall, those suits amount to approximately $1,750,000,000. The total number of suits is approximately 1,200, of which 213 have been settled. We have not yet ascertained the amount of money which the Government has paid in those 213 cases. However, we have the promise of the Attorney General that the information will be forthcoming.

C. WHY EXTENDED STATEMENT OF FINDINGS AND POLICY

Ordinarily, it would be my feeling that there is no place in legislation for such an extended statement of "Findings and policy" as we have prepared in House bill 2157.

However, there are a considerable number of reasons why these extended "Findings and policy" have been included, and I should like to cite the reasons for them now.

First. Attention is directed to the fact that the original Fair Labor Standards Act of 1938, which we are now seeking to amend, contained at the time of enactment, in section 2 thereof, a finding and a declaration of policy.

Second. In connection with such provision, reference is made to Sutherland on Statutes and Statutory Construction, third edition, 1943, page 363, wherein it is stated that—

> It has become common, particularly in Federal legislation, to include a policy section which states the general objectives of the act in order that administrators and courts may know its purposes. * * * The policy section like the preamble is available for the clarification of ambiguous provisions of the statute.

Third. The importance which has been attributed to such a provision in the Transportation Act of 1920 (41 Stat. 456, 488, 489), is at once evident from an examination of the Supreme Court case, *Dayton-Goose Creek Ry.* v. *U. S.* (263, U. S., 456 (1924)). In this case, there was involved a policy section with reference to the so-called recapture clause of

the Interstate Commerce Act, section 15 (a), which was added by the Transportation Act of 1920. The Court relied extensively upon the policy section and incorporated some of its language in its decision, in sustaining the validity of the act.

Fourth. I cite also the majority opinion of the United States Supreme Court in the very recent case of United States against United Mine Workers of America and John L. Lewis, decided March 6, 1947. In this case the Court directed reference to the declaration of public policy contained in the Norris-LaGuardia act (47 Stat. 70).

Fifth. We are including an extended "Findings and policy" section in the Portal-to-Portal Act of 1947 in order to make unmistakably clear to the Supreme Court the intention of Congress in this matter. The Court has previously interpreted Congress' findings and declaration of policy in a manner that was not intended by Congress. It is hoped that this situation will now be corrected.

D. WHY THE PUBLIC WELFARE IS MENACED

I have stated that the "Findings and policy" section indicates that the specific reason behind this bill is the need for protection of the public welfare. We may ask what will happen unless Congress takes constructive action on the legislation before us.

Unless it takes such action, the Nation will be confronted by extensive, expensive, and prolonged litigation in the courts to determine the amounts of portal-to-portal liability. As a result of this litigation, there will be unparalleled confusion and chaos in American industry.

Plans for extension and expansion of private enterprises will be halted. Only a few days ago information came to me that the Reconstruction Finance Corporation, which had already committed itself to the extent of hundreds of millions of dollars, has said, "No; we cannot go ahead until we know the action in relation to portal-to-portal pay." Banks and trust companies have refused to lend money—and advisedly so—to industry which wishes to enlarge. Why? If successfully maintained, pending suits running into millions of dollars against a given company, would bankrupt the company. Banks, Mr. President, cannot lend your money and mine under such conditions. Those are but a very few illustrations.

Plans for extension and expansion of private enterprise will be halted. Employment will be retarded. Nation-wide industrial conflict will be promoted. There will be severe effects upon the revenues of the Federal, State, and local governments. In tax rebates alone there will be incredible losses to the Federal Treasury. Moreover, certain employers who were war contractors, will be entitled to reimbursement from the Government in the full amount of the claims they are required to pay. The liability of the Federal Government under cost-plus-fixed-fee contracts for these claims has been estimated by the Under Secretary of War at from $1,250,000,000 to $1,500,000,000.

Not only would State and local governments also suffer from the tax-rebates provision, but they would find their other taxes declining because of the decline in industrial activity resulting from these suits and from the confusion caused thereby.

These facts, then, underline the importance of our acting in the public interest to prevent these harmful consequences from occurring.

E. AMENDMENT OF WALSH-HEALEY AND BACON-DAVIS ACTS

The confusion as to retroactive liability in connection with the Fair Labor Standards Act also exists in connection with the Walsh-Healey and Bacon-Davis Acts, which also lack a statute of limitations. Since the State statutory periods of limitation vary, it seems essential to me that the above two acts be amended in the public interest, just as the Fair Labor Standards Act of 1938 should be revised.

CONSTITUTIONALITY OF PROVISIONS OUTLAWING EXISTENT AND FUTURE CLAIMS

A. ONLY STATUTORY RIGHTS INVOLVED

The claim has been advanced that rights of action for accrued portal-to-portal pay are such as may not be legally divested. In answer to that, may I state that in the first place I do not concede that there were involved in these actions anything more than purely statutory rights. Therefore, the individual is not here entitled to compensation for which he had no entitlement anyway except under the Fair Labor Standards Act of 1938.

There is nothing unique about these statutory rights. In fact there are countless instances where the Government has found it to be in the public interests to deprive people of rights which were far more fundamental and more basic.

B. PREVIOUS ABRIDGMENT OF FUNDAMENTAL RIGHTS

The rights of an individual are not absolute under our Constitution, but are subject to limitations in the public interest.

Thus, the freedom of the individual is subject:

First. To the liability of rendering military service in time of war, by virtue of an individual's being called to active duty he may be required to sacrifice the fruits of his labor accumulated in the business or property. This is because the individual may have no one to whom to entrust his business or property while in the service of his country.

Second. To licensing and other forms of regulation, such as exclusion of all but those qualified, as doctors, lawyers, and so forth.

Furthermore, the freedom of the individual with respect to religion, assembly, and free speech is subject to various limitations and safeguards for the protection of society.

Rights in property are subject to:

First. As to realty, eminent domain.

Second. As to personalty, requisition for Government use.

Third. Levy of taxes.

Fourth Limitation on use, for example, nuisances are subject to ban, namely, antismoke ordinances.

Fifth. Sacrifice sale and the like, by citizen conscripted for military service, as previously mentioned.

Sixth. Regulation of value in terms of monetary exchange; compare gold-clause cases, price control, and so forth.

In the famous gold clause case of Norman against Baltimore and Ohio Railroad Co. decided in 1934 by the Supreme Court of the United States, it was held that as to the holder of a bond which required payment of that bond in gold of a fixed weight and fineness, no constitutional inhibitions were to be found in an act of Congress which altered the terms of such a contract. On the contrary, the Court stated that such a contract had a congenital infirmity in view of the constitutional power of Congress to legislate in those spheres which relate to regulating the value of money and commerce.

Attention is also directed to the Norris-LaGuardia Act, on the basis of which the jurisdiction of the courts to grant injunctions in labor disputes was removed. It should be observed in this connection that the issuance or nonissuance of an injunction under the Norris-LaGuardia Act had prospective application only. Thus the analogy, at least as to the retroactive provisions of the portal-to-portal bill, is limited.

Finally, witness what was done to the brewing industry, for example, with the passage of prohibition legislation. As a result of such legislation, a generation ago, an entire industry was wiped out with no compensation whatever given to it. Of course, in this instance, the action came about through constitutional amendment.

I cite these instances, however, as proof of the constitutionality of the legislation under consideration in the public interest.

I refer my colleagues to the discussion of this subject in the committee report, on pages 43 and 44, and ask that it be inserted in the RECORD at this point in my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

PREVIOUS ACTION BY THE SUPREME COURT JUSTIFIES THE CONCLUSION THAT LEGISLATION CAN BE CONSTITUTIONALLY ENACTED TO PREVENT MAINTENANCE OR INSTITUTION OF THESE SUITS

Prevention of the accrual in the future of liability of the employer for pay under the act, based upon the portal-to-portal principle, is clearly within congressional power. Congress can at any time alter, amend, or repeal any provision that it may have enacted in the past.

As to the power of Congress over rights hitherto accrued, various considerations are of importance. In the first place, Congress clearly has power to alter, at will, procedural provisions of law even if by so doing it shall terminate rights previously accrued by virtue of such provisions. The judicial precedents for such authority include the cases of *Norris* v. *Crocker et al.* (13 Howard 429 (1851)) and *Ex parte McArdle* (7 Wallace 506 (18683)).

In the first-named case an action of debt had been brought under the penalty provisions of a statute "respecting fugitives from justice and persons escaping from the service of their masters." While this action was pending, the Congress repealed the penalty provisions. Thereafter, when the case came before the Supreme Court for its determination, the Supreme Court held such repeal of the penalty provisions to be a bar to the action.

In the McArdle case, while an appeal was pending before the Supreme Court on a petition for habeas corpus, Congress passed an act repealing the provisions of a statute which had conferred appellate jurisdiction upon the Supreme Court in habeas corpus cases. The Supreme Court, thereafter, dismissed the appeal for want of jurisdiction.

Furthermore, previous action of the Supreme Court of the United States justifies the conclusion that Congress has power to forbid (a) the maintenance of all portal-to-portal suits that are now pending in the courts and (b) the enforcement of any portal-to-portal claims which shall have accrued prior to the enactment of said legislation, in addition to those embraced in said suits. The existence of such power is, under the previously mentioned action of the Supreme Court, not inconsistent with the fifth amendment to the Constitution of the United States, which requires that no person shall be deprived of property without due process of law. We do not, in this report, discuss the question as to whether rights which have already accrued to persons under the portal-to-portal principle constitute vested rights. Whether such accrued rights are vested or not, the Court's decision in *Norman* v. *Baltimore and Ohio Railway Company* (294 U. S. 240 (1935)) amply justifies the conclusion that the accrual of said rights is subject to and may be extinguished by action taken at this time by Congress under its commerce power and its power to legislate with respect to national defense. In the Norman case Chief Justice Hughes wrote:

"Contracts, however expressed, cannot fetter the constitutional authority of the Congress. Contracts may create rights of property, but when contracts deal with a subject matter which lies within the control of the Congress, they have a congenital infirmity. Parties cannot remove their transactions from the reach of dominant constitutional power by making contracts about them.

"There is no constitutional ground for denying to the Congress the power expressly to prohibit and invalidate contracts although previously made, and valid when made, when they interfere with the carrying out of the policy it is free to adopt.

"The power of the Congress in regulating interstate commerce was not fettered by the necessity of maintaining existing arrangements and stipulations which would conflict with the execution of its policy."

In this connection attention is also called to the case of *National Carloading Corp.* v. *Phoenix-El Paso Express, Inc.* (142 Texas 141, 176 S. W. (2d) 564 (1943), certiorari denied, 322 U. S. 747 (1944)).

PREVIOUS ACTION BY THE SUPREME COURT JUSTIFIES THE CONCLUSION THAT LEGISLATION CAN BE CONSTITUTIONALLY ENACTED TO PREVENT MAINTENANCE OR INSTITUTION OF THESE SUITS

Mr. WILEY. Prevention of the accrual in the future of liability of the employer for pay under the act, based upon the portal-to-portal principle, is clearly within congressional power. Congress can at any time alter, amend, or repeal any provision that it may have enacted in the past.

As to the power of Congress over rights hitherto accrued, various considerations are of importance. In the first place, Congress clearly has power to alter, at will, procedural provisions of law even if by so doing it shall terminate rights previously accrued by virtue of such provisions. The judicial precedents for such authority include the cases of *Norris* v. *Crocker et al.* (13 Howard 429 (1851)) and *Ex parte McArdle* (7 Wallace 506 (1868)).

In the first-named case an action of debt had been brought under the penalty provisions of a statute "respecting fugitives from justice and persons escaping from the service of their masters." While this action was pending, the Congress repealed the penalty provisions. Thereafter, when the case came before the Supreme Court for its determination, the Supreme Court held such repeal of the penalty provisions to be a bar to the action.

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Furthermore, previous action of the Supreme Court of the United States justifies the conclusion that Congress has power to forbid (a) the maintenance of all portal-to-portal suits that are now pending in the courts and (b) the enforcement of any portal-to-portal claims which shall have accrued prior to the enactment of said legislation, in addition to those embraced in said suits. The existence of such power is, under the previously mentioned action of the Supreme Court, not inconsistent with the fifth amendment to the Constitution of the United States, which requires that no person shall be deprived of property without due process of law. We do not, in this report, discuss the question as to whether rights which have already accrued to persons under the portal-to-portal principle constitute vested rights. Whether such accrued rights are vested or not, the Court's decision in *Norman* v. *Baltimore and Ohio Railway Company* (294 U. S. 240 (1935)) amply justifies the conclusion that the accrual of said rights is subject to and may be extinguished by action taken at this time by Congress under its commerce power and its power to legislate with respect to national defense. In the Norman case Chief Justice Hughes wrote:

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>
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GENERAL COMPARISON OF PROVISIONS OF SENATE AND HOUSE VERSIONS

I have prepared a detailed analysis setting out the precise differences between the Senate and the House bills. The following are some of the major differences:

First. The House bill bans all portal-to-portal claims, past and future, regardless of whether such claims are based on activities which occurred during the "workday"—"whistle-to-whistle." The Senate uses this approach only to past claims. As to future claims, however, activities occurring within the "whistle-to-whistle" period are not affected by the Senate bill. Such activities are permitted to be treated as they have been, under the Fair Labor Standards Act. All activities, preliminary to or postliminary to the "whistle-to-whistle" period are made noncompensable, unless by custom or contract.

Second. The Senate bill has a "saving" clause, which would come into play, in the event the Senate attempt to invalidate portal-to-portal claims is ineffective. There is no similar provision in the House bill.

Third. The Senate bill provides a 2-year statute of limitations, with a 120-day period of grace. The House bill provides a 1-year statute of limitations. Sight should not be lost of the fact that

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H. R. 2157, PORTAL-TO-PORTAL ACT OF 1947—

SENATE

PART I

Section 1:

Contains findings and declaration of policy on which bill is based.

PART II

(Part II deals with existing claims, as distinguished from future claims, which are treated separately in part III of this bill.)

Section 2 (a) provides that no employer shall be subject to any liability or punishment under FSA, Walsh-Healey, or Bacon-Davis Acts, for failure to pay (1) minimum wages or (2) overtime compensation, for activities of an employee engaged in prior to date of enactment of this bill, unless compensable by (1) contract, written or nonwritten, at the time in effect or (2) custom or practice, at the time in effect at the establishment or other place of employment, not inconsistent with a contract, written or nonwritten.

Under this section, no judicial or administrative interpretation under FLSA, Walsh-Healey or Bacon-Davis Act, shall have the effect of changing any contract so as to make compensable any portal-to-portal activities (as defined in section 5 of this bill); nor shall any provision of such contract, incorporating by reference as a part thereof such judicial or administrative interpretations, make compensable any portal-to-portal activities.

Section 2 (b) declares null and void and unenforceable all portal-to-portal claims.

Section 2 (c) removes from the courts jurisdiction over any action for (1) minimum wages or (2) overtime compensation or (3) liquidated damages, to the extent that such action seeks to enforce liability based on portal-to-portal activities.

Section 3 is a saving provision to the effect that the provisions of section 2 shall not be deemed to release or extinguish claims for other than portal-to-portal activities.

Section 4, special separability provisions, are here provided, to come into operation if any portal-to-portal claim "for any reason remains valid and enforceable," notwithstanding the provisions of section 2 of the bill.

Section 4 (a) frees the employer of liability under FLSA, and Walsh-Healey Act for liquidated damages.

in the Gwynne bill which was before the Congress last session, the House version contained a 2-year statute of limitations. This was left unchanged in the Senate committee which later reported the bill. As for points of similarity, both the Senate and House bills have a section containing findings and declaration of policy; both bills, as to past claims, take the approach of banning all claims for minimum wages or overtime or liquidated damages not based on custom or contract; both bills affect claims brought under three acts, the Fair Labor Standards Act, the Walsh-Healey Act, and the Bacon-Davis Act; both bills have a provision permitting reliance upon administrative rulings so as to permit the defense of good faith to be set up in avoiding liability for liquidated damages.

At this point in my remarks, Mr. President, I ask unanimous consent that the detailed comparison of the Senate and House bills be printed in the RECORD.

There being no objection, the comparison was ordered to be printed in the RECORD, as follows:

DETAILED COMPARISON, SENATE-HOUSE VERSIONS

HOUSE	SENATE
Section 1: Findings and declaration of policy on which H. R. 2157 is based.	
(The House version makes no distinction between existing and future claims.)	
Section 5: This makes all provisions of H. R. 2157 applicable not only to FLSA but also to Walsh-Healey and Davis-Bacon Acts.	
Section 3: Provides that no action shall be maintained where based upon failure of an employer to pay an employee for activities heretofore or hereafter engaged in other than those activities which at the time of such failure were required to be paid for either by custom or practice at the plant or by express agreement at the time in effect.	
Section 4: No court shall have jurisdiction with respect to such claims whether or not action thereon was commenced prior to the effective date of this act.	
Section 4 (b) frees the employer of liability for employee's attorney's fees.	
Section 4 (c) requires employee to bear burden of proof, including proof of extent of his claim, without benefit of inference. Burden of going forward with evidence of the amount of activities claimed by employee to have been engaged in shall under no circumstance be shifted to employer.	Section 2 (g) provides that as to any of the acts subject to this bill, the Court may, award liquidated damages, if it finds the violation by the employer was (1) in bad faith and (2) without reasonable ground. (This changes the provisions of section 16 (b) of FLSA, wherein liquidated damage provision is mandatory.)
	Section 4 (d) permits to be pleaded as a defense to such claim, settlement, compromise, release, or satisfaction thereof, prior to date of enactment of this bill.
Section 2 (f) provides that any claim may be settled or released, if free from fraud or duress. Assignment of such claims is prohibited.	Section 4 (e) permits hereafter the settlement compromise, release, or satisfaction of such claim, but only if such settlement, etc., contains a provision that the amount of money, if any, resulting therefrom be distributed equitably among the real parties in interest to such claim.
	Section 5 defines "portal-to-portal activities" as those activities which section 2 provides shall not be a basis of liability or punishment under FLSA, Walsh-Healey or Bacon-Davis Act.
	PART III
	(This part provides relief from future portal-to-portal claims as distinguished from existing portal-to-portal claims.)
	Section 6 provides relief from future portal-to-portal claims under the FLSA by amending that act, by adding thereto a new section, section 7a, providing that there shall be no liability or punishment of an employer for failure to pay minimum wages or overtime compensation for so-called portal-to-portal activities of an employee which takes place prior or subsequent to the hours of his work day unless such activities were compensable by (1) contract, written or unwritten or (2) custom or practice, not inconsistent with a written or nonwritten contract, at the time in effect, at the establishment or other place of employment. Such noncompensable activities are stated specifically to include walking, riding, or traveling to and from the actual place of performance of the principle activity or activities which such employee is employed to perform.
	Under this section, no judicial or administrative interpretation under FLSA shall have the effect of changing any contract so as to make compensable any portal-to-portal activities; or shall any provision of such contract, incorporating by reference as a part thereof such judicial or administrative interpretations, make compensable any portal-to-portal activities.
	Section 7 provides relief from portal-to-portal claims under the Walsh-Healey and Bacon-Davis Acts to the same extent that section 6 provides similar relief from liability under the FLSA.
	PART IV
	Miscellaneous
Section 2 (a) provides a 1 year Statute of Limitations for all accrued claims, etc., for wages, overtime, penalties, or damages under FLSA, Walsh-Healey and Bacon-Davis Acts.	Section 8 (a) amends section 16 (b) of the FLSA so as to prohibit representative actions, but does not repeal an existing provision in the provision in the FLSA so as to prohibit collective actions by an employee who is a real party in interest. An action under section 16 (b) "shall be deemed to have been commenced as to any individual claimant as of the date when such claimant is named in such action as a party thereto." No employee shall be made a party plaintiff unless his consent is given in writing, which consent is filed in court.
Section 2 (c) As to the individual claimant, this action is deemed to be commenced when he is named as a party to the action.	
	Section 8 (b) makes applicable the amendment in 8 (a) to any claim under FLSA on or after the date of enactment of the act.
Section 2 (b) provides a 6 months' grace period to bring actions on accrued portal-to-portal claims not yet in the courts at time H. R. 2157 becomes law.	Section 9 (a) amends the FLSA by adding at the end of section 16 a new subsection: (c) (1) a 2-year Statute of Limitations on actions for minimum wages, overtime compensation, or liquidated damages, accruing
Section 2 (d): This provides for tolling	

SENATE	HOUSE
prior to or on or after the date of the enactment of the bill; (c) (2) provides a 120-day period of grace within which to bring actions on accrued or any claim accruing prior to the date of enactment of the bill, if such claim is not barred by any other Statute of Limitations. Subsection 3, any such claim, if based on portal-to-portal activities as defined in section 5 above, and any suit thereon, shall be subject to the provisions of section 4, above.	the Statute of Limitations in event of absence of defendant from United States
Section 9 (b) provides, similarly, a 2-year Statute of Limitations as to such wage claims when they are brought under the Walsh-Healey Act or the Bacon-Davis Act. A similar 120-day period of grace is provided. Also, a similar requirement is provided that section 4 of the pending bill be applicable to claims where based on portal-to-portal activities as defined in section 5.	
Section 10 (1) amends the Fair Labor Standards Act by adding at the end of section 16 a subsection (d) (1) to the effect that neither punishment nor liability for liquidated damages under sections 15 or 16 shall be predicated upon any acts done or omitted in good faith in reliance on any regulations, etc., of the Administrator, notwithstanding such regulations, etc., are thereafter determined judicially to be invalid, or is administratively rescinded or changed.	Section 2 (e) provides that employer may plead reliance upon a court decision or administrative ruling which, if proved, shall be a bar to action, even if such decision or ruling was later overruled or rescinded.
Section 10 (2) provides similar relief from liability where the employer has acted in good faith in reliance on an administrative regulation, etc., under the Walsh-Healey Act.	Section 2 (g) provides that as to any of the act subject to this bill, the court may award liquidated damages if it finds the violation by that employer was (1) in bad faith and (2) without reasonable ground. (This changes the provisions of sec. 16 (b) of the Fair Labor Standards Act wherein liquidated-damage provision is mandatory.)
Section 11: Definitions.	
Section 11 (a) provides that the terms "person," "commerce," "employer," "employee," and "wage" shall have the same meaning as when used in the Fair Labor Standards Act.	
Section 11 (b) provides that the term "employer," as used in this act, shall mean contractor or subcontractor as used in the Walsh-Healey or Bacon-Davis Act.	
Section 11 (c) provides that the term "employee," as used in this act, shall mean any person employed by the contractor or subcontractor covered by the Walsh-Healey or Bacon-Davis Act.	
Section 11 (d) for purposes of the bill the term "Walsh-Healey Act" and the term "Bacon-Davis Act" are adopted as short titles for statutes more specifically described in this subsection.	
Section 12: Separability provision.	Section 6: Separability provisions.
Section 13 provides a short title: "Portal-to-Portal Act of 1947."	
Amends the title of the House bill to conform to the Senate title.	

Mr. WILEY. In conclusion, Mr. President, let me say that in the matter of a global crisis which we are facing, which was precipitated by Britain's withdrawal from Greece and the Near East, I sincerely trust that there will be no extended delay in arriving at a decision, and likewise I trust that there will be no unnecessary delay in reaching a decision on the bill which is now pending. The exigencies of the present call for no Fabian tactics on this floor in this debate.

Mr. President, I now ask that I may yield to the distinguished senior Senator from Missouri [Mr. DONNELL], who will have charge of this measure on the floor during the debate.

Mr. DONNELL obtained the floor.

Mr. WHITE. Mr. President, will the Senator from Missouri yield to me to permit me to suggest the absence of a quorum?

Mr. DONNELL. I yield.

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BRICKER in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Chavez	George
Baldwin	Connally	Green
Ball	Cooper	Gurney
Brewster	Cordon	Hatch
Bricker	Donnell	Hawkes
Bridges	Downey	Hayden
Brooks	Dworshak	Hickenlooper
Buck	Eastland	Hill
Bushfield	Ecton	Hoey
Byrd	Ellender	Holland
Cain	Ferguson	Ives
Capehart	Flanders	Jenner
Capper	Fulbright	Johnson, Colo.
Johnston, S. C.	Millikin	Taft
Kem	Moore	Taylor
Kilgore	Morse	Thomas, Okla.
Knowland	Murray	Thomas, Utah
Langer	O'Conor	Thye
Lodge	O'Daniel	Tobey
Lucas	O'Mahoney	Tydings
McCarran	Pepper	Umstead
McCarthy	Reed	Vandenberg
McClellan	Revercomb	Watkins
McFarland	Robertson, Va.	Wherry
McGrath	Russell	White
McKellar	Saltonstall	Wiley
McMahon	Smith	Williams
Magnuson	Sparkman	Wilson
Martin	Stewart	Young

Mr. WHERRY. I announce that the Senator from Nebraska [Mr. BUTLER] and the Senator from Wyoming [Mr. ROBERTSON] are absent because of illness.

The Senator from Nevada [Mr. MALONE] is necessarily absent on state business.

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. BARKLEY] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from South Carolina [Mr. MAYBANK] and the Senator from Pennsylvania [Mr. MYERS] are absent on public business.

The Senator from Louisiana [Mr. OVERTON] is absent because of illness.

The PRESIDING OFFICER. Eighty-seven Senators having answered to their names, a quorum is present.

Mr. DONNELL. Mr. President, at the outset I take the opportunity to express my appreciation to the distinguished senior Senator from Wisconsin [Mr. WILEY] not only for the very kindly remarks which he has made this afternoon in respect to the subcommittee of which I have the honor to be chairman but also for the very fine spirit of cooperation and the very great help which he, as an ex-officio member of the subcommittee, and as chairman of the Committee on the Judiciary, has constantly extended to the subcommittee. His kindliness, his courtesy, his constant interest in the subject, and his fine judgment have materially assisted both our subcommittee, and the committee of which it is a subordinate body, in their respective deliberations.

Mr. President, I should be remiss in my duty likewise if I did not at the outset of the discussion of this exceedingly interesting question express my personal appreciation of the fine cooperation rendered by the other members of the subcommittee, including the distinguished Senator from Mississippi [Mr. EASTLAND], and also the junior Senator from Kentucky [Mr. COOPER], who has but recently become a Member of this body.

I may say also that the other members of the Committee on the Judiciary, and numerous other individuals, both officials and others, have shown their great spirit of helpfulness, their desire for cooperation, and their intelligent approach to the problem by assisting us in an extremely material degree. For all this assistance and kind cooperation I express appreciation.

Mr. President, at this time I ask that, so far as practicable, I be permitted to proceed without interruption in the presentation of the initial statement with respect to the proposed legislation. I shall not undertake to lay down an iron-clad rule that under no circumstances will I yield, but I am sure that the other Mem-

bers of the Senate will be very cooperative in the endeavor to permit me, as was suggested earlier today by the distinguished Senator from Nevada [Mr. McCARRAN], to make a continuous presentation, thus preserving not only the continuity of my statement but I trust as well giving somewhat better the argument upon this question, as well as the facts, than would be possible if frequent interruptions were to occur.

Mr. President, among the measures which have been referred to the Committee on the Judiciary are S. 70, an amendment thereto, proposed by the senior Senator from Indiana [Mr. CAPEHART] in the nature of a substitute; an amendment proposed by the junior Senator from Texas [Mr. O'DANIEL] to S. 70; S. 307, introduced by the senior Senator from Iowa [Mr. WILSON]; and H. R. 2157. Included in the subjects to which one or more of these measures refer are (a) claims commonly termed portal-to-portal claims, and (b) certain other matters relating to the Fair Labor Standards Act of 1938, to the so-called Walsh-Healey Act and to the so-called Bacon-Davis Act. S. 70, as amended, was, on February 24, 1947, reported to the Senate, and was on March 3, 1947, recommitted to the committee. On March 10, 1947, the committee reported to the Senate said H. R. 2157, with an amendment in the nature of a substitute for the text thereof, and an amendment to the title, and recommended that the bill, as so amended, do pass. In advocacy of said H. R. 2157, as so amended, I now address the Senate.

Mr. President, on January 10, 1947, the chairman of the Committee on the Judiciary appointed the subcommittee previously mentioned by me. The scope of the duties of the subcommittee was subsequently defined to be to consider and make recommendations with respect to said S. 70 and said amendment so offered as a substitute. As indicated previously, the senior Senator from Wisconsin, who is the chairman of the Committee on the Judiciary, is ex-officio a member of the subcommittee.

The Senator from Wisconsin [Mr. WILEY] referred to the hearings held by the subcommittee. It may be of interest to note, and I think it may be of value in the record of this proceeding to have here incorporated the fact that, beginning on January 15, 1947, the subcommittee held hearings on parts of 11 days. Statements from 48 persons on various phases of the subject matter, various exhibits, and an appendix constitute a printed volume of 828 pages which was on the afternoon of February 28, 1947, distributed, together with a report by the committee, in the Senate Chamber. On Wednesday, March 12, 1947, Report No. 48 was distributed in the Senate Chamber.

The subject matter of the pending bill may be introduced to the attention of the Senate by a brief summary of certain of the provisions of the Fair Labor Standards Act of 1938. That act contains, among other things:

(a) A requirement, which is found in section 6, that every employer shall pay to each of his employees, who is engaged in commerce or in the production of goods for commerce, wages at not less than a rate specified in the act;

(b) A requirement, which is found in section 7, that no employer shall, with certain exceptions, employ any of said employees for a workweek longer than 40 hours unless such employee receives compensation for his employment in excess of 40 hours at a rate not less than one and one-half times the regular rate at which he is employed;

(c) A provision, which is found in section 15, making it unlawful for any person to transport, sell in commerce, and so forth, any goods in the production of which any employee was employed in violation of section 6 or section 7 of the act;

(d) A provision, which is found in section 16 (a), for the imposition of penalties in criminal proceedings for wilfull violation of any of the provisions of section 15; and

(e) A subsection, known as subsection (b), of section 16 which subsection reads as follows:

(b) Any employer who violates the provisions of section 6 or section 7 of this act shall be liable to the employee or employees affected in the amount of their unpaid minimum wages, or their unpaid overtime compensation, as the case may be, and in an additional equal amount as liquidated damages. Action to recover such liability may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves and other employees similarly situated, or such employee or employees may designate an agent or representative to maintain such action for and in behalf of all employees similarly situated. The count in such action shall, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

The effect of said subsection (b) of section 16 is illustrated by the following example:

If an employer employs a worker for 60 cents per hour and, in the course of a 5-day workweek, employs him 150 minutes in excess of the 40-hour workweek—that is, an average of 30 of such minutes per day—and fails to pay the employee for that overtime, the employer becomes liable to the employee for one and a half times 60 cents per hour for the 2½ hours constituted by said 150 minutes, namely, 90 cents for each of said 2½ hours—that is $2.25; and for liquidated damages in the sum of $2.25, making a total of $4.50 by reason of the employment in, and failure to pay for, said 2½ hours of overtime in that week, which total of $4.50 is three times the amount the employee would have received for working 2½ hours in his normal regular workday.

In addition, if suit be brought to enforce collection of the sum unpaid, the court shall allow not only costs of the action but also a reasonable attorney's fee, to be paid by the defendant.

The Fair Labor Standards Act was approved June 25, 1938, and sections 6 and 7 thereof took effect upon the expiration of 120 days from June 25, 1938.

Mention has been previously made of the so-called Walsh-Healey Act and the Bacon-Davis Acts. The Bacon-Davis Act became effective 30 days after August 30, 1935, and, as amended, is found in United States Code, title 40, sections 276a to 276c, inclusive. It requires that the advertised specifications for every contract in excess of $2,000 to which the United States or the District of Columbia is a party, for construction, alteration, and/or repair, including painting and decorating, of public buildings or public works of the United States or the District of Columbia within the geographical limits of the States of the Union, the Territory of Alaska, the Territory of Hawaii, or the District of Columbia, and which requires or involves the employment of mechanics and/or laborers shall contain a provision stating the minimum wages to be paid various classes of laborers and mechanics which shall be based upon the wages that will be determined by the Secretary of Labor to be prevailing for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the city, town, village, or other civil subdivision of the State, or the Territory of Alaska, or the Territory of Hawaii in which the work is to be performed, or in the District of Columbia if the work is to be performed there; and that every contract based upon these specifications shall contain a stipulation that the contractor or his subcontractor shall pay all mechanics or laborers employed directly upon the site of the work, the full amounts accrued at time of payment, computed at wage rates not less than those stated in the advertised specifications.

The Walsh-Healey Act was enacted June 30, 1936 and is found in United States Code, title 41, sections 35 to 45, inclusive. Among other things it provides that in any contract made and entered into by any executive department, independent establishment, or other agency or instrumentality of the United States, or by the District of Columbia, or by any corporation all the stock of which is beneficially owned by the United States, for the manufacture or furnishing of materials, supplies, articles, and equipment in any amount exceeding $10,000, there shall be included certain representations and stipulations among which is that all persons employed by the contractor in the manufacture or furnishing of the materials, supplies, articles, or equipment used in the performance of the contract will be paid not less than the minimum wages as determined by the Secretary of Labor to be the prevailing minimum wages for persons employed on similar work or in the particular or similar industries or groups of industries currently operating in the locality in which the materials, supplies, articles, or equipment are to be manufactured or furnished under said contract.

With the legislative background, of which mention has been made, in mind the attention of the Senate is called to a dramatic influx of litigation, involving vast alleged liability, which has suddenly entered the Federal courts of the Nation. The cases constituting this mass of litigation are commonly termed portal-to-portal. The head of the Administrative Office of the United States Courts, under date of February 14, 1947,

wrote that the number of portal-to-portal cases filed in the United States courts from July 1, 1946 to January 31, 1947, was, as indicated by the Senator from Wisconsin [Mr. WILEY], 1,913; that in 1,515 of these cases a definite amount was claimed; that the total of such claims in all districts aggregated five billions—not millions, but billions—$5,785,204,600, including liquidated damages; and that in most of the cases there is a prayer for liquidated damages in an amount equal to the wages claimed.

The head of the Administrative Office further wrote that in 398 cases a definite amount was not named in the complaint. Mr. President, these 398 cases are in addition to the 1,515 cases. The aggregate of the two numbers, 398 and 1,515 makes up the 1,913 cases of which the Senator from Wisconsin spoke.

Mr. McGRATH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. DONNELL. I yield.

Mr. McGRATH. I think it might be appropriate at this time in the debate to point out, and to ask the Senator if he agrees, that of the one-thousand-nine-hundred-odd cases he has mentioned not one of them is based upon either the Bacon-Davis Act or the Walsh-Healey Act?

Mr. DONNELL. That is correct so far as I know. I will put it this way, that I do not know of any of those cases which are based on either of the two acts.

Mr. McGRATH. In other words, all these cases are based on the Fair Labor Standards Act of 1938.

Mr. DONNELL. So far as I know, that is true. I may say, however, that I cannot assure the Senator with certainty that there may not be some liability asserted under one or the other of the two acts, but I do not know of any one of the 1,913 cases in which liability is predicated on the two acts referred to, namely, the Walsh-Healey Act and the Bacon-Davis Act.

Mr. McGRATH. Mr. President, will the Senator yield further?

Mr. DONNELL. I yield.

Mr. McGRATH. I am advised, and I believe reliably so, that the fact is that no suit has been brought under either of those acts. I point it out at this time because one of the contentions which will be made by some of the Members of the Senate on this side of the aisle is that the present emergency brought about by portal-to-portal suits in no way requires the Senate at this time to attempt to amend the Bacon-Davis Act and the Walsh-Healey Act, which have been on the Federal statute books and working successfully for so many years.

Mr. DONNELL. I thank the Senator. I desire to say in connection with the observations of the distinguished Senator from Rhode Island, who, by the way, has rendered extraordinarily helpful service, although he takes somewhat diverse views on some matters from the majority of our committee, that the letter from Mr. Chandler, of the Administrative Office of the United States Courts, contains this sentence:

> We have asked the clerks to include cases brought under sections 7 and 16 of the Fair Labor Standards Act seeking compensation for unpaid minimum wages or unpaid overtime compensation in which the question is raised as to whether the employee's compensation has included pay for all time during which he was necessarily required to be on the employer's premises or at his prescribed work place.

Immediately thereafter Mr. Chandler states:

> The number of portal-to-portal cases filed in these courts from July 1, 1946, to January 31, 1947, was 1,913.

My inability, Mr. President, to state with certainty whether there is any liability asserted under the Bacon-Davis or the Walsh-Healey Act arises from the fact that Mr. Chandler does not in so many words say that the portal-to-portal cases to which he refers have arisen solely under the Fair Labor Standards Act, but I think it only reasonable to assume that had there been any material number arising either under the Walsh-Healey or the Bacon-Davis Act he would have so stated.

I may state further that from independent information, not of an official nature, but from a Member of the House of Representatives in whose judgment and knowledge I have great confidence, it appears that so far as he knows no suit has been filed under either of the two last-mentioned acts.

Mr. McGRATH. Mr. President, will the Senator further yield?

Mr. DONNELL. I yield.

Mr. McGRATH. I should like to point out at this time the apparent reason why no suits would be brought under either of these acts for this type of compensation. It lies in the simple fact that in neither the Walsh-Healey Act nor the Bacon-Davis Act is any provision made for liquidated damages. So no employee would be well advised by counsel to bring a suit of this kind save under the Fair Labor Standards Act, and so none have been brought.

Mr. DONNELL. I desire to point out, Mr. President, in response to the distinguished Senator from Rhode Island, that there is unquestionably a right on the part of employees who would claim remuneration for so-called portal-to-portal activities to assert their rights under the Bacon-Davis or the Walsh-Healey Act. The mere fact that, so far as I know, no such claims have been made is not at all conclusive as to whether or not such claims have been made or hereafter will be made. I shall address myself a little later, if I may have permission to do so, to the suggestion made by the distinguished Senator as to the alleged absence of any reference to liquidated damages in each of these two acts.

I requested at the outset, Mr. President—I do not know whether the Senator from Rhode Island was in the Chamber at the moment or not—that, so far as possible, I be permitted to proceed with continuity, and I am sure that the Senator will permit me to do so insofar as possible, though, as I said, I shall not adhere to an iron-clad rule or refuse under all circumstances to yield. I hope, however, it will be possible for me to present the facts with a reasonable degree of continuity.

Mr. President, at the time of the colloquy between the Senator from Rhode Island and myself I was mentioning the fact that in 398 of the 1,918 cases a definite amount claimed by the plaintiffs was not named in the complaints, but the court was requested in each of those 398 cases, so Mr. Chandler advises, to give judgment for the amount found due.

Moreover, Mr. President, it is an exceedingly interesting and significant fact that of the 1,913 portal-to-portal cases filed in the 7 months from July 1, 1946, to January 31, 1947, 1,186, or nearly 62 percent of all of them, were commenced during the month of January 1947, and that of those 1,186 cases, 932 claimed definite amounts aggregating $3,087,095,003.

I call attention also, Mr. President, to the fact that obviously the remaining 254 cases filed in the month of January 1947, although not specifying definite amounts, were brought for such amounts as the courts might deem to be properly allowable to the plaintiffs.

Mr. President, the query could naturally occur to any one of us as to whether these suits were all centralized in one section of the country, perhaps one or two of the great industrial States of the country. I call attention to the fact that from the list of portal-to-portal cases, that is to say the list of the numbers of such cases which appear at pages 3 to 5 of the report of the committee, Report No. 48, it will be found that the States in which one or more of such suits had been filed in the 7 months' period were 44 out of 48. The only States in which none had been filed were Florida, Louisiana, North Dakota, and South Carolina. Although no such suits had been filed in the District of Columbia, two had been filed in what years ago would have been considered far-away, but today not-so-far-away, Hawaii. In New York State 336 such suits had been filed; in New Jersey, 134; in Pennsylvania, 174; in Texas, 54. In the State from which the distinguished President pro tempore hails, the State of Michigan, 212 such suits have been filed; in Ohio, 206; in Illinois, 188; in Missouri, 55; in California, 75; and in 36 other States between 1 and 62 such suits have been filed.

The estimated number of establishments covered by the Fair Labor Standards Act, as shown in an official report submitted to Congress on January 24, 1947, is 557,030. I wish to make that figure stand out, if I may. That is the estimated number of establishments covered by the Fair Labor Standards Act. In each and every one of those establishments a suit of the type of the portal-to-portal pay suits might, if the facts justified it, be filed. The number 1,913, which is the number of portal-to-portal cases filed from July 1, 1946, to January 31, 1947, is less than seven-twentieths of 1 percent of 557,030. It is, of course, impossible to estimate the tremendous extent, in numbers of suits and difficulties of litigation, and the congestion of the courts which would result if, instead of the seven-twentieths of 1 percent of the establishments covered by the Fair Labor Standards Act being subjected to such suits, we will say 50 percent, 75 percent,

or 95 percent of them should be so subjected.

If the portal-to-portal cases shall be allowed to be successful and the recoveries therein shall be material, it is not unreasonable to suppose that the extent of litigation in this country as against the 557,030 establishments will stagger the imagination of lawyers, litigants, and the public.

According to a report of a subcommittee of the Business Advisory Council of the Department of Commerce dated January 20, 1947, and referred to in the report of the committee, the pending suits involve only 10 percent of the total number of employees subject to the Fair Labor Standards Act. The Business Advisory council is a distinguished body representative of the business interests of our country. As I understand, it is sponsored by the Department of Commerce. At least it works with the Department of Commerce.

Mr. President, it is appalling to consider the prospective litigation if these pending portal-to-portal cases be allowed to be maintained and if they shall be successfully maintained in large part, and if any great number of the remaining 90 percent of the total number of employees subject to the Fair Labor Standards Act shall avail themselves of similar privileges of instituting suits in the courts of our country. Some idea of the vastness of the litigation, the tremendous number of persons and interests, diversity of locations, and impact upon the national economy from such tremendous litigation may be gained from the fact that the total number of employees subject to sections 6 and 7 of the Fair Labor Standards Act is approximately 20,510,000.

I revert for a moment to the mention made by the Business Advisory Council of the fact that the pending suits involve only 10 percent of the total number of employees. It is obvious that only 10 percent of 20,510,000 employees is more than 2,000,000 employees who, according to the Business Advisory Council's figures, are involved as plaintiffs in pending litigation in portal-to-portal pay cases.

Mr. President, what is the cause of this widespread litigation? The immediate incident which apparently brought this vast flood of litigation upon our Nation was the decision of the Supreme Court of the United States in the case of Anderson against Mount Clemens Pottery Co., decided on June 10, 1946, and in which a rehearing was denied on October 14, 1946.

In that case the facts were, briefly, that the company was engaged in the manufacture of pottery; that approximately 95 percent of its employees, of whom there were 1,200, were compensated upon a piecework basis; that approximately 14 minutes prior to the scheduled starting time for each shift the opportunity is afforded employees, or some of them, to punch time clocks. This 14-minute period permits them to punch time clocks, walk to their respective places of work, and prepare for the start of productive work. There was no requirement that an employee check in or be on the premises at any particular time during the 14-minute interval.

The facts further were that the walking done by the employee in going from the entrance of the plant to his or her place of employment was along, clean, painted floors of a brightly illuminated and well-ventilated building.

The further facts were that on arriving at their places of work—and by places of work I mean what we in normal parlance would understand by that term, such as a lathe, or, in the case of pottery, whatever might be the machine or the device with which the individual was principally occupied, and in which his principal activity was centered—the employees performed various preliminary duties, such as putting on aprons and overalls, removing shirts, taping or greasing their arms, putting on finger cots, preparing equipment for productive work, turning on switches for light and machinery, opening windows, and assembling and sharpening tools.

Under the facts before the Court, an employee who punches in at 6:46 in the morning and punches out at 12:14 in the afternoon, punching in again at 12:46 p. m., and finally punching out at 4:14 p. m., is credited with having worked the 8 hours between 7 o'clock in the morning and 12 noon and between 1 p m. and 4 p. m., a total, it will be observed, of 56 minutes less than the time recorded by the time clocks. In this case, suit was brought by seven employees and their unions, so the court indicates, under section 16 (b) of the Fair Labor Standards Act, which I have read, claiming that all employees worked approximately 56 minutes more per day than credited by the respondent in the case, and that, in any event, all the time between the hours punched on the time cards constituted compensable working time.

I shall not undertake to read all the Court's holding, but I think, in view of the fact that the decision in this case was the immediate cause, as I see it, of the filing of the great majority of these cases, it is appropriate to include something in this record of what the court held.

The Court held:

> Since the statutory workweek includes all time during which an employee is necessarily required to be on the employer's premises, on duty or at a prescribed workplace, the time spent in these activities must be accorded appropriate compensation.

The Court further said:

> It follows that the time spent in walking to work on the employer's premises, after the time clocks were punched, involved physical or mental exertion (whether burdensome or not) controlled or required by the employer and pursued necessarily and primarily for the benefit of the employer and his business.

The Court cited two very well known and important decisions, the first being *Tennessee Coal, Iron & Railroad Co.* v. *Muscoda Local No. 123* (321 U. S. 590, 598; 88 L. Ed. 949 956; 64 S. Ct. 698; 152 ALR 1014); and the second being *Jewell Ridge Coal Corp.* v. *Local No. 6167, United Mine Workers* (325 U. S. 161, 164–166; 89 L. Ed. 1534, 1537–1539; 65 S. Ct. 1063).

Then the Court, after citing those cases, said:

> Works of that character—

That is to say, Mr. President, work such as the exertion spent in walking to work on the employer's premises—

> must be included in the statutory workweek and compensated accordingly, regardless of contrary custom or contract.

The Court called attention to the fact that the application of a de minimis rule was not precluded where the minimum walking time was such as to be negligible.

So up to this point we find that under those circumstances in this manufacturing establishment where the walking done by the employees, as I have indicated, was along clean, painted floors of a brilliantly illuminated and well-ventilated building, the Court holds that the walking is an activity which is compensable under the Fair Labor Standards Act, regardless of contrary custom, or contract.

I have pointed out that the Court said that the walking was along clean, painted floors of a brightly illuminated and well-ventilated building, because of the great contrast between those conditions and the conditions cited in the Tennessee Coal & Iron Co. case and the Jewell Ridge case, where miners were operating down below the surface of the earth, dropping to their work in shafts, crowded together in cars, and moving through poorly ventilated, hot, smelly, and insanitary surroundings in the mines, I should judge from the description.

I call the attention of the Senate to the fact that in the Mount Clemens case the doctrines set forth in the Jewell Ridge and Tennessee Coal & Iron cases were extended out of the subterranean recesses of the earth up into bright, illuminated, and well-ventilated surroundings.

So much for the walking done by the employees, and for which the Court held that compensation must be made regardless of contrary custom or contract.

Then the Court proceeded to consider further facts. I have mentioned activities such as putting on aprons and overalls. Let me read a few sentences of the Court's holding with respect to those activities. After having discussed the matter of walking from the entrance to the place of their productive work, the Court said:

> The employees proved, in addition, that they pursued certain preliminary activities after arriving at their places of work, such as putting on aprons and overalls, removing shirts, taping or greasing arms, putting on finger cots, preparing the equipment for productive work, turning on switches for lights and machinery, opening windows, and assembling and sharpening tools.

I continue reading from the Court's decision, as follows:

> These activities are clearly work falling within the definition enunciated and applied in the Tennessee Coal and Jewell Ridge cases. They involve exertion of a physical nature, controlled or required by the employer and pursued necessarily and primarily for the employer's benefit. They are performed solely on the employer's premises and are a necessary prerequisite to productive

work. There is nothing in such activities that partakes only of the personal convenience or needs of the employees. Hence they constitute work that must be accorded appropriate compensation under the statute.

Citing two cases, each in the Federal Supplement.

Then the Court concluded the paragraph by saying:

Here, again, however, it is appropriate to apply the de minimis doctrine so that insubstantial and insignificant periods of time spent in preliminary activities need not be included in the statutory workweek.

Mr. President, in addition to those holdings of the Court in the Mount Clemens case, by which, on the one hand, the walking from the entrance to the place of productive work was determined to be compensable under the Fair Labor Standards Act, and in addition to the holding of the Court that the preliminary activities of the kind which I have recited and which the Court recited are likewise compensable, the Court then addressed itself to a third proposition which is of extreme importance, because of the tremendously great urge and encouragement which the language of the Court holds out to any prospective litigant who desires to offer himself to the Court as a willing recipient of some of these items of compensation. I refer, Mr. President, to the holding of the Court as to the burden of proof. I undertake to say that, generally speaking, unless there be some extraordinary situation which justifies a contrary holding, the burden of proof rests, throughout our jurisprudence, upon the plaintiff in the case. He who asserts a right must prove that right. I read what the Court held in the Mount Clemens case with respect to those claims:

An employee who brings suit under section 16 (b) of the act for unpaid minimum wages or unpaid overtime compensation, together with liquidated damages, has the burden of proving that he performed work for which he was not properly compensated. The remedial nature of this statute and the great public policy which it embodies, however, militate against making that burden an impossible hurdle for the employee. Due regard must be given to the fact that it is the employer who has the duty under section 11 (c) of the act—

Giving the citation of the code—

to keep proper records of wages, hours, and other conditions and practices of employment and who is in position to know and to produce the most probative facts concerning the nature and amount of work performed.

Continuing, the Court said:

Employees seldom keep such records themselves; even if they do, the records may be, and frequently are, untrustworthy. It is in this setting that a proper and fair standard must be erected for the employee to meet in carrying out his burden of proof.

When the employer has kept proper and accurate records, the employee may easily discharge his burden by securing the production of those records. But where the employer's records are inaccurate or inadequate, and the employee cannot offer convincing substitutes, a more difficult problem arises. The solution, however, is not to penalize the employee by denying him any recovery on the ground that he is unable to prove the precise extent of uncompensated work. Such a result would place a premium on an employer's failure to keep proper records in conformity with his statutory duty; it would allow the employer to keep the benefits of an employee's labors without paying due compensation as contemplated by the Fair Labor Standards Act.

The Court further said:

In such a situation we hold that an employee has carried out his burden if he proves that he has, in fact, performed work for which he was improperly compensated and if he produces sufficient evidence to show the amount and extent of that work as a matter of just and reasonable inference. The burden then shifts to the employer to come forward with evidence of the precise amount of work performed or with evidence to negative the reasonableness of the inference to be drawn from the employee's evidence. If the employer fails to produce such evidence, the court may then award damages to the employee, even though the result be only approximate.

Citing a note in Forty-third Columbia Law Review, page 355.

Mr. President, it will be observed, in connection with the quotations which I have read with respect to the burden of proof, that they are in the very same decision in which is rendered the holding that there is liability for walking, as I have indicated, regardless of contrary custom or contract; and the court does not mention the fact that under a situation in which neither custom nor contract existed to compensate for the walking done by individuals, it is hardly likely that employers would be keeping records of the intricate mathematics involved in marking down the exact walking time and walking periods of each of the employees as to whom neither custom nor contract had entitled the employee to specific compensation.

I say specific compensation for the reason, as will appear later on, that it is the view of well-informed individuals that there is compensation granted to every employee in the performance of his duties, if in computing the hourly figure or the price per piece of his product, the fact that he did the walking or did the preliminary activities had been taken into account, and that in order that he should be so compensated it is not necessary that, in addition to his hourly pay or his price per piece of work performed, he should receive separate amounts computed on the basis of the number of minutes involved in walking from the door to his machine or in taping his arms or in any of the other activities to which I have referred.

Mr. President, the case of Mount Clemens Pottery Co. was, as I have indicated, decided on June 10, 1946. In connection with it, a rehearing was denied on October 14, 1946. I omitted to mention something of particular importance and interest, and perhaps I should say of particular interest to the Members of this body. That arose from the fact that there was not a unanimous decision in the case of Anderson against Mount Clemens Pottery Co. The decision was handed down by His Honor, Mr. Justice Murphy. Mr. Justice Jackson took no part in the reconsideration or decision of the case. The majority of the Court concurred in the view taken by Mr. Justice Murphy, but two of the members of the Court dissented. One of them was Mr. Justice Frankfurter; the other was Mr. Justice Burton, with whom many of us in this body have had the privilege and pleasure of serving as Members of the United States Senate.

So, Mr. President, I have recited in some detail the situation in regard to the Mount Clemens case.

In view of the announcement by the Court that regardless of custom or contract, compensation should be paid for the activities to which I have referred, it is not strange that the Nation should greet that decision, when its full import was realized, with the utmost of surprise. I undertake to say, Mr. President, that it is reasonable to conclude from the evidence before our subcommittee that the surprise was not limited to employers, but that it was shared by the employees. I think the very fact that suits were filed in such great numbers, not before, but subsequent to the decision of the Mount Clemens case, indicates very clearly the fact that the activities for which the Court was awarding compensation were such as had not been deemed by either management or employees to be compensable as such.

Mr. President, I do not rely solely upon my own opinion or that of the other members of our committee. We had before us numerous witnesses. Among them was a gentleman serving with the United States Government, Brig. Gen. Maurice Hirsch, of the War Contracts Price Adjustment Board, the duties of which are at least in a general way familiar, I have no doubt, to the Members of this body. Obviously General Hirsch had had a most interesting and important official position with the United States Government. The vastness of his experience is indicated when we realize that he came in frequent contact with contractors and subcontractors generally, as indicated by the following excerpt from his testimony, appearing at page 434 of the printed hearings:

General HIRSCH. I think it would be of interest to the committee to know that we have reviewed, out of a total of 117,937 assignments covering the fiscal years from 1942 through 1946, inclusive, we have completed 113,284 assignments, or 96.1 percent.

He further pointed out that—

The gross renegotiation recoveries of all the departments conducting renegotiation have amounted to up to and inclusive of 31 December 1946, $10,086,058,000. And, incidentally, all of my figures are as of that date.

Mr. President, he estimated that—

Taxes would have recovered, even apart from renegotiation, approximately 70 percent of the amount, leaving an estimated net recovery in renegotiation of $3,025,817,000.

I cite these figures, not with the expectation that they will be remembered, but with the design of indicating the vastness of the opportunity of General Hirsch to observe whether the action of the Court in the Mount Clemens case as to the right of the employees to receive compensation for previously-uncompensated activities, so far as specific compensation is concerned, was or was not surprising.

In that connection, I now read to the Senate an excerpt from the testimony of General Hirsch, appearing at page 751

of the hearings. Speaking of something that had gone before, he said:

I do not offer that as a basis of suggestion that there should be relief granted to him. I offer it only as a basis of most careful consideration which I know the Congress and this committee particularly have given as to whether or not these are proper claims when labor thought it was being adequately and completely compensated for what it was doing during the period of the war.

If it was completely compensated during the war then our thinking would be that then perhaps extra dollars that it was not expecting to get may be excessive payments.

Then the question was asked him:

Do you, or do you not, think that these dollars sought in these portal-to-portal suits were dollars which they did not expect to get?

General Hirsch responded:

Of course, I cannot answer for labor, but from everything I can gather—

I digress again to point out that the general had been a party to the renegotiation of vast numbers of contracts. He said:

From everything I can gather, it seems to me they are looking at it as something of a windfall.

Then the question was asked him:

The industry did not expect anything of that sort?

General Hirsch responded:

No, sir. Certainly, if they had expected it, they would have given it to us in renegotiation.

It has never been presented to us as far as I know.

Mr. LUCAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Illinois?

Mr. DONNELL. I yield.

Mr. LUCAS. If I understand the Senator correctly, the pont is made by General Hirsch, in all these claims for some $10,000,000,000 which were renegotiated and recovered for the Government, that neither labor nor management ever raised the question that is presented in the Mount Clemens case.

Mr. DONNELL. My understanding is that General Hirsch means that the contention that labor was entitled to compensation as such for activities such as set forth in the Mount Clemens case was not made before the renegotiation authorities in Washington in any of this vast number of cases.

Mr. LUCAS. No one who was interested in litigation of this kind, whether management or labor, ever raised the question at any time during the renegotiation of war contracts?

Mr. DONNELL. That is my understanding.

Mr. LUCAS. I think that is very important.

Mr. DONNELL. I wish to call attention to the fact, however, that General Hirsch said, as I have indicated:

Of course, I cannot answer for labor, but from everything I can gather it seems to me they are looking at it as something of a windfall.

Then the question was asked:

The industry did not expect anything of that sort?

General Hirsch answered:

No, sir. Certainly, if they had expected it, they would have given it to us in renegotiation.

It has never been presented to us as far as I know.

In answer further to the Senator from Illinois, I may state that I think if, in the course of these renegotiation proceedings involving vast amounts and numbers, none of the employers made claim with the Government that they contemplated being made liable for portal-to-portal pay, it is a clear inference, justified from that fact, that no demands had ever been made upon the employers by labor for those amounts, or the employers would certainly have called the attention of the Government authorities in renegotiation matters to the fact.

I want to make it perfectly clear that in renegotiation matters the employers were in this situation: The Government was undertaking to determine, not only as to particular, isolated contracts, but in the aggregate of the activities of a particular contractor, whether he was making more than a fair amount of money on his war dealings with the Government. The Government was taking the position, and enforcing it, that if the contractor was making more than a fair profit, the contractor would have to pay back to the Government in cash the amount that had been paid to him in excess of a reasonable profit.

Obviously, if any labor union, any appreciable number of employees, yes, I would undertake to say, any individual employee whose judgment was regarded as of any consequence, had made demand upon any employers for compensation for portal-to-portal activities, certainly as a matter of protection, as a matter of preventing having to pay the Government hard cash in the renegotiation proceedings, the employers would have called those facts to the attention of the Government. I thank the Senator for his inquiry.

Mr. WILEY. Mr. President, will the Senator from Missouri yield?

Mr. DONNELL. I yield.

Mr. WILEY. Is it not true that the distinguished Senator, in investigating this situation, had occasion to consult with a number of the representatives of labor, distinguished labor counsel, and others?

Mr. DONNELL. That is correct.

Mr. WILEY. My question is, did any of those gentlemen ever suggest that during the period prior to the Mount Clemens case, labor at any time made a claim that they had the right which is now claimed?

Mr. DONNELL. Mr. President, there is a very interesting answer to be made to the Senator. It is found particularly in the testimony of Mr. Lee Pressman, counsel for the United States Steelworkers, CIO, and while not having appeared in that capacity, he is also counsel for the Congress of Industrial Organizations. I think I am fairly summarizing his testimony when I say he takes the position that over a period of years labor had been working in the effort to place itself in the position where it could claim the right to specific compensation for activities not previously claimed to be compensable. He took the position that there had been a series of developments in the interpretative rulings of the Wage and Hour Administrator. He took the position that in the Tennessee Coal & Iron case, and in the Jewell Ridge case, a sort of a red flag had been waved in the face of industry, not to anger it or antagonize it, but to warn it of the fact that there might be further activities on the part of employees.

So the argument that is made on behalf of labor, at least in part, is to the general effect, as one man put it—I do not think this is in the evidence, but I observed it in the press—that capital, management, had been gambling with the situation, that it was seeking its progressive development in the decisions of the departments and of the courts, which should have placed management on its guard.

Mr. President, in further answer to the distinguished Senator from Wisconsin, let me say that I do not think there is one line in the testimony to show that any employee, of all the 20,000,000 who are covered under the Fair Labor Standards Act, had filed any suit other than the Mount Clemens case, prior to the rendition of the decision in that case, to assert his right to pay for these so-called portal-to-portal activities. I should add, however, that in the Tennessee Coal & Iron case and the Jewell Ridge case, the proceedings were instituted, not, as I recall it, by labor, but by management itself, in order to secure declaratory judgments setting forth the respective obligations of management. So, Mr. President, I think it fair to say that labor itself has not, by its activities, or its suits, or its utterances, so far as they are shown in the evidence, prior to the Mount Clemens case, indicated to management even remotely that they were expecting to come forward and lay claim to these vast amounts, aggregating $5,750,000,000.

I want to quote, however, in fairness to labor in this matter, this excerpt from the United Automobile Worker, CIO, January 194[illegible]. It says:

UNION SUES BIG THREE FOR BACK PAY

The UAW-CIO filed portal-to-portal pay suits in the Federal district court in Detroit January 2 against the General Motors Corp., Ford Motor Co., and Chrysler Corp.—

I pause in the reading to interpolate that, of course, this was several months after the ruling on the motion for rehearing in the Mount Clemens case. I proceed with the quotation—

on behalf of workers in the Michigan plants of those companies. Suits were filed at the same time on behalf of employees in Michigan plants of a number of other companies.

On the same afternoon other suits were filed throughout the country by UAW-CIO attorneys in cases involving plants outside of Michigan.

As the suits were filed, the union issued the following statement:

"The suits filed by the UAW-CIO today cover many more factors than just the one of so-called portal-to-portal pay, or walking time, which was ruled upon by the Supreme Court in the Mount Clemens Pottery case.

"Actually in some cases, the factor of walking time does not even appear. In other cases, other factors are far greater, and the walking-time issue is subordinate to them.

"NUMEROUS DECISIONS

"In the last 6 years there have been numerous decisions and rulings covering these other factors, long before the decision in the Mount Clemens Pottery case."

I continue the quotation:

Employers who now complain that the interpretation of the law on which the suits are based has been sprung upon them belatedly are simply not telling the truth. Over a period of years they have simply failed to pay their workers for time which they should have been paid in the hope that the workers would not discover their rights and demand payment.

The sums which these workers are now suing to recover should have been included in their pay envelopes during these last 6 years, but they have been cheated out of them.

The quotation which I have read is taken from the United Automobile Workers, official publication of the international union of United Automobile, Aircraft, and Agricultural Implement Workers of America, affiliated with the CIO.

Mr. WILEY. What is the date?

Mr. DONNELL. The date of it is January 1947, volume 10, No. 11.

Mr. President, I think it is perfectly obvious from the testimony before us that notwithstanding statements of the type which I have given—I have tried to give them as fairly as I could; if there is any omission, if any Member of the Senate will call it to my attention, I shall be glad to give it as fully as time will permit. I say that it is my judgment that there had been no suit filed, nothing on behalf of industrial workers to indicate the intention or the thought that they had a right to sue for vast amounts such as are involved in this flood of litigation, until after the decision in the Mount Clemens case.

In this connection I think it of some importance to call attention to the testimony of a very distinguished witness who appeared before us, Mr. William C. Foster, who is the Under Secretary of the Department of Commerce. I am not quoting, for the moment, Mr. Foster's own expression of opinion. I am quoting from the statement which was incorporated in the record, which he brought with him; a statement made by the Business Advisory Council for the Department of Commerce. He calls attention to the fact that the active members of the Business Advisory Council total 60; and, says Mr. Foster:

That group represents both small and large industry, and comes from geographically the entire Nation.

He says further:

There are graduated members, consisting of some of the active past members of that council. It represents a very broad segment of the American industry.

I should like to quote a very few words from this statement of the subcommittee, of the Business Advisory Council of the Department of Commerce of the United States, composed of gentlemen who are listed in extenso in this report, several pages of the report being required to do it. Here is the way the statement, dated January 20, 1947, starts:

Industrial managers for the most part have been taken by surprise and are bewildered by the stupendous suits which have been instituted against large and small companies. Following the decision in the Jewell Ridge case, business insofar as it gave thought to the matter felt that pay for travel time applied only to mining.

I pause for a moment at that point, Mr. President, to suggest that a reading of those two cases, in very dramatic and powerful and eloquent exposition by the court of the conditions in the mining quarters underneath the ground, of the type to which I have referred, I think would lead one inevitably to the conclusion that the court was moved in extremely large part by the conditions which were prevailing in that particular industry; and so I take it that it is not strange, nor unwise, nor improper that industry should have—to quote again from this statement of the subcommittee of the Business Advisory Council—

Following the decision in the Jewell Ridge case, business insofar as it gave thought to the matter felt that pay for travel time applied only to mining.

Then, Mr. President, the statement continues:

The Mount Clemens Pottery case aroused only moderate interest, and since a request for reconsideration was pending, it was only in October 1946 that denial of reconsideration focused the industrial mind on the potential liabilities involved.

I might read other statements from the testimony, but I take it that it is unnecessary to emphasize in this body the fact that every Member of the Senate must know that the filing of this great number of suits came as a surprise both to labor and to management, and to the public itself.

Mr. President, how did this influx of litigation occur?

Mr. HAWKES. Mr. President, will the Senator yield at this point?

Mr. DONNELL. I yield to the Senator.

Mr. HAWKES. I do not know what the Senator had before his committee, but I am wondering if he knows that there are many labor organizations in the United States, some affiliated with the two national unions, whose members have had put up to them the proposition of filing a suit for recovery of portal-to-portal charges or fees, and the men have absolutely refused to do it. In one case I happen to know of, not more than 12 percent of the men would agree to the filing of suit, because the men themselves told the labor leaders who wanted them to file suit that it would be unfair, that they never understood they had such pay coming to them and they would not be involved in such plan. I wonder if the Senator knows that.

Mr. DONNELL. Mr. President, I am willing to take the assurance of the distinguished Senator from New Jersey, because of his adequate knowledge. When he tells the Senate that is a fact, it is a fact.

I cannot say, Mr. President, that I know of the specific illustration to which the Senator referred, but, in my opinion, when neither labor nor management had expected these activities to be compensated, other than in the hourly rate or the piecework rate for which the employees worked, it is not at all surprising that numbers of employees should have taken the very conscientious attitude to which the Senator from New Jersey refers.

Mr. HAWKES. Mr. President, will the Senator yield for a moment more?

Mr. DONNELL. I yield.

Mr. HAWKES. My reason for adverting to the matter at this point in the Senator's presentation of this very important subject is that I think it is a great tribute to the American workers. I do not believe the patriotic working men and women of the United States want to indulge in a process of extracting something merely because they think they have the power to do it. I think they are fair; I think they are honorable; and, in my opinion, the fact I have just cited is a great tribute to the working people who have taken that position.

Mr. DONNELL. I thank the Senator for his interpolation into the RECORD at this time.

Mr. President, I was about to go into the question briefly as to how this influx of litigation occurred. What was the mechanics of it? How did it develop? I undertake to say, as the report shows at pages 12 and following, that the evidence demonstrates conclusively the existence of a very close connection between many of the suits and certain CIO affiliates. Some of the CIO affiliates, between which, in some of the suits, evidence demonstrates a very close connection, are the United Steelworkers of America, the Textile Union of America, the United Automobile Workers of America, and United Electrical, Radio, and Machine Workers of America.

Evidence also demonstrates conclusively the existence, as our report points out, of a very close connection between certain of the suits and Mr. Lee Pressman, general counsel of the United Steelworkers of America, Mr. Philip Murray, and Mr. David J. McDonald, president and secretary-treasurer of the United Steelworkers of America, Mr. Russ Nixon, Washington representative of the United Electrical, Radio, and Machine Workers of America (UE-CIO), and Mr. Irving Richter, legislative representative of the United Automobile Workers of America, and some local officers of CIO affiliates.

Mr. President, I shall not take the time to go into the details before the Senate as to the facts set forth at pages 12 and following of our report as to the connection which the CIO affiliates to which I have referred had with the institution of these suits. I call attention only to a very few outstanding and salient facts.

It will be observed on page 13 of our report that there is therein set forth a booklet entitled "Instructions on Procedure in Travel-Time Cases," dated November 1, 1946, issued by International Union, United Steelworkers of America, signed by United Steelworkers of America, Philip Murray, president, David J. McDonald, secretary-treasurer. This booklet proceeds to advise the gentlemen to whom it is sent that it contains the following:

DETAILED INSTRUCTIONS ON PROCEDURE FOR YOUR USE IN CONNECTION WITH TRAVEL-TIME CASES; THAT IS, PORTAL-TO-PORTAL OR GATE-TO-GATE PAY LEGAL PROBLEMS

It contains:

1. A general memorandum prepared by General Counsel Lee Pressman dealing with

the problems which are raised in connection with preparing lawsuits.

2. An analysis of the Supreme Court case dealing with this issue and indicating how the case is applicable to the steel, aluminum, and fabricating industries.

3. Suggestions to district directors for guidance in making arrangements with local attorneys.

4. Bill of complaint.

Then the following:

We have printed the following documents, which are being sent to you in quantity. Additional copies may be obtained through my office from time to time as they are needed by you:

1. Authorization to prosecute wage-and-hour claims—Form No. TC–1.

2. Questionnaire on overtime pay—Form No. TC–2.

We are sending you a small supply of the following:

3. Power of attorney—Form No. TC–3.

Sincerely yours,

UNITED STEELWORKERS OF AMERICA,
PHILIP MURRAY, *President.*
DAVID J. MCDONALD,
Secretary-Treasurer.

Mr. President, it would be tedious, and unnecessary because the Senate can read it, to read all the portions of the general memorandum prepared by Mr. Pressman, which are set forth in this report. I call attention to the opening sentence and possibly to one or two others. He says this:

TRAVEL-TIME PAY RIGHTS UNDER WAGE-HOUR LAW

At the last executive board meeting, the recent decision of the Supreme Court—

I pause at this point to point out the fact that no mention is there made of the progressive development in the interpretative rulings of the departments; no mention is therein made of the Tennessee Coal & Iron case or of the Jewell Ridge case. The only mention made is, as I have read, to—

the recent decision of the Supreme Court applying the travel-time principle under the wage-hour law to—

To what?

to manufacturing and industrial plants was discussed.

I digress again, Mr. President, to suggest the fact that there the writer of that memorandum recognized that in the Mount Clemens case there is a vast extension of the doctrine which was set forth in the Jewell Ridge and the Tennessee Coal & Iron cases, an extension taking the doctrine out of the bowels of the earth and applying it to manufacturing and industrial plants of the fine, up-to-date type of which the Mount Clemens Pottery Co. is an example.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. HICKENLOOPER. I wonder if the Senator interprets that booklet giving instructions on litigation as being a stimulus or an urge or an attempt on the part of Mr. Pressman to have lawsuits commenced in various jurisdictions throughout the United States.

Mr. DONNELL. Mr. President, I want to set forth, if I can, as fairly as possible to Mr. Pressman, the impressions which I obtained. Mr. Pressman's testimony was lengthy. If the Senator from Iowa will permit let me give him somewhat in extenso something of the background he will understand my answer much more clearly than by my saying "Yes" or "No." Mr. Pressman came before our committee. One full day was set aside for the testimony of the CIO witnesses. Mr. Pressman, himself, as many of the Members of the Senate know, is an extremely capable lawyer, a gentleman of fine ability. Mr. Pressman testified extensively, and filed with the committee a very interesting and important summary of the position taken by his group of workers. Mr. Pressman, generally speaking, took the position, I think I am correct in saying, that he was not undertaking to encourage the litigation. He charged that the American Federation of Labor in the Dow Chemical case had brought about a settlement under which the employees had secured, as I recall, a settlement in excess of $4,000,000, and that the CIO were confronted by the competitive situation arising by one labor union, the American Federation of Labor, benefiting its members by securing a large settlement, and that therefore the CIO were confronted with the problem of what they should do, and they finally determined that they should make known to their members the situation, and give to them the requisite backgrounds upon which they might act in order to file these cases as they might deem proper.

So, Mr. President, I think Mr. Pressman, were he here this afternoon, would say very vigorously that he did not encourage the filing of these suits. But, human nature being what it is, with the language in this memorandum as it is, with the suggestions contained therein as they are—and I am going to read the memorandum a little more fully in view of the question asked by the Senator from Iowa—in view of those things, and in view of some other things I intend to read, I undertake to say that the necessary impact upon the mind of employees desiring to secure something, even though they had not expected to secure it, must have been to inspire the thought that here was the opportunity before them to enrich themselves by an unexpected windfall, and that the better part of wisdom would require them to take advantage of the opportunity.

Mr. HICKENLOOPER. Mr. President, will the Senator yield to me for just one more observation?

Mr. DONNELL. I yield.

Mr. HICKENLOOPER. Of course, I was merely inquiring as to whether the age-old concept that a lawyer should not attempt to stir up lawsuits because that is not considered to be ethical was involved. I am wondering whether the Senator thinks that this might be somewhat comparable to the agitating saboteur who says to persons in an industrial plant, "I advise you not to put ground glass in the gears because that is against the law, and you must not do it, as it would stop the machinery and stop this plant."

Mr. DONNELL. Mr. President, I may best answer the Senator by stating that in the pending bill there is an express reference to the fact that the results of such suits as these, if they be permitted to be maintained—and, I may interpolate, the results of their maintenance in such great numbers arising from such wholesale circularizations as were made by Mr. Pressman, Mr. Philip Murray, and others, and such actions as were taken by Mr. Al Whitehouse, regional director of the United Steelworkers of America for district No. 25, to which actions I shall refer in a moment—I say that in the pending bill there is an express statement that among the results is "the stirring up of champertous practices and congestion of courts."

Mr. McGRATH. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. McGRATH. When the National Association of Manufacturers advises its members that the Supreme Court has made certain rulings which entitle them to certain rights, is the Senator prepared to say that the United States Chamber of Commerce or the National Association of Manufacturers is engaging in champertous practices because it advises its members of rights which the Supreme Court of the United States has declared to exist?

It seems to me that we are complaining that a labor organization saw fit to advise its affiliated members over the United States of a certain opinion of the Supreme Court which might be of interest to them and which might hold for their members certain rights. I ask the Senator whether or not he thinks there is anything very wrong or vicious about that kind of practice?

Mr. DONNELL. The answer is that I do not think there is anything wrong or vicious in advising members as to what the holdings of the Supreme Court of the United States are. I think the greater publicity that can be given to such holdings, through organizations or otherwise, the better conditions will be. But there is a very material difference between sending out a notification to members as to what is the decision in a particular case, and the action which was taken in the cases which I have cited, in which, in addition to the information, a booklet was sent, with the statement:

This booklet contains detailed instructions on procedure for your use in connection with travel-time cases.

There is also an analysis, and suggestions for guidance in making arrangements with local attorneys; a bill of complaint and authorization to prosecute the claims, as well as a questionnaire with respect to overtime pay and power of attorney.

The answer is that I think there is a point at which the dissemination of knowledge, if followed by such actions as these, tends not to the mere justifiable dissemination of knowledge, but to the stirring up of champerty and improper practice in the courts of the United States.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. THOMAS of Utah. I do not wish to go into the ethics of lawyers, and I do not desire to defend anything that anyone has done, but I am wondering, if we condemn what was done by the attorney

for the CIO, if we can condemn what was done by certain organizations which, instead of urging that a test case be carried to the Supreme Court of the United States to determine the constitutionality of a certain law, urged members of the organization to bring suits in every district court of the United States and thereby force the agency to answer each one of those cases. The Senator cannot defend such a practice, can he?

Mr. DONNELL. Mr. President, I do not know enough of the circumstances surrounding the cases to which the Senator refers to answer the question. I will say that regardless of whether it involves an employee or an employer, any action which would leave an implication of the solicitation of business in the courts, and which leads to encouragement of vast numbers of suits on a series of facts such as those named, whether it is done by labor or by management, in my judgment it is improper and cannot be properly defended.

Mr. THOMAS of Utah. I am glad to hear the Senator make that statement.

Mr. DONNELL. It is very easy for a person to stand here, as a certain Senator said the other day outside this Chamber, and undertake to pick the mote out of someone else's eye when there may be a beam in his own. Mr. Pressman is entitled to have his testimony fairly considered. I have tried to do so. There may be something that I have overlooked. It is very extensive testimony. Mr. Pressman was very cooperative in trying to give to the committee supplementary information. There was one instance in which he refused at the moment to give certain information to the committee, but on reconsideration he did give it.

I am not here as a prosecutor of Mr. Pressman or the CIO. I am simply presenting the facts as to how this litigation began. Each of us can draw his own conclusion.

I was reading from the general memorandum. It is addressed to the district officers, staff representatives, and local unions of the United Steelworkers of America. Mr. Pressman says:

I have been requested by the executive board to advise you as to the rights of the employees in the steel industry to travel-time pay and to make all arrangements necessary for the commencement of the lawsuits which are authorized by the employees in the industry. This memorandum is intended to give you the information which you need to start acting immediately on the program decided on by the executive board.

That is the language of the memorandum. I continue:

THE PROGRAM OF ACTION ADOPTED BY THE EXECUTIVE BOARD

The executive board decided that there were certain cases which would be handled through the national office and others which would be handled by each district director for the plants in his own district. The division is as follows:

(a) Cases to be handled by the national office:

The wage-hour claims in connection with all plants of the five major subsidiaries of the United States Steel Corp. (American Steel & Wire, National Tube, Carnegie-Illinois, Tennessee Coal & Iron, Columbia Steel), Republic Steel Corp., Bethlehem Steel Co., and the Aluminum Co. of America will be handled through the national office.

(b) Cases to be handled by the district directors:

For all other plants where legal action is to be taken, the district director will make his own arrangements.

I omit some of the wording, although it is equally illuminating. It deals with the steps to be taken in the cases which are to be handled through the national office.

Where the cases are to be handled through the national office it will be necessary to secure from each worker appropriate authorization to bring the suit on his behalf—

To secure it—not to give him the opportunity to give it, but to secure it from him. Continuing the quotation—

and also appropriate information to help in preparing the legal papers. For this purpose, arrangements should be made for each worker in the plants of the United States Steel subsidiaries named above, Republic Steel and Bethlehem Steel, to do the following immediately:

(a) Sign an authorization in the form of TC–1. You will notice that it will be necessary in these forms to fill in your own name as district director and the names of the president and recording secretary (or such other local union official as you think would be appropriate) of the local to which the worker belongs.

(b) Fill out at the same time a questionnaire showing the facts on which his claim will be based. Form TC–2 is the questionnaire. If the answers to these questions are the same for an entire department, it may be possible for a grievance committeeman or a staff man to fill out the "Information on Working Time," from page 2 to the end, of a single questionnaire for a whole department, and attach to it a number of copies of page 1 of the questionnaire, one for each worker to whom the answers apply. If this procedure is followed, the man filling out the master questionnaire should be careful to give individual names of workers who have instances to give under such questions as 11, 12, 15, 25, 26, and 27.

Arrangements should be made to have these authorizations and questionnaires in these national cases forwarded to the district director and kept by him until further instructions are received from the national office. These files should be arranged by plants.

My office will make the necessary arrangements with the local attorneys whom we will use in these national cases. It is anticipated that there will be one lawsuit for each of the companies to be handled as national cases.

We can all draw our own conclusions from this language. The memorandum proceeds with respect to steps to be taken in cases which are to be handled locally.

In the case of all plants other than those named above, any legal action will be handled directly by the district director and the local attorney whom he selects.

The national legal department will be available at all times for advice and guidance on cases being handled locally.

All local attorneys should be requested to send to us copies of complaints and briefs when filed and, as far as possible, to keep us informed of developments in their cases. Whenever you retain a local attorney, please let my office know his name, the cases he is to handle, and the arrangement for fees which you have made with him. It is important for the local attorney to get in touch with my office in order to obtain our analysis of the legal issues.

Mr. President, how was this interpreted by the district directors? I hold in my hand a document to which I have referred, signed by Al Whitehouse, director, district 25, United Steel Workers of America, dated December 21, 1946, from which I should like to read.

In black type at the top of the page there are printed the words:

ACTION NOW WILL SAVE YOUR PORTAL-TO-PORTAL BACK PAY — PROTECT YOUR POCKETBOOK AGAINST PLOT TO SCUTTLE WAGES AND HOURS ACT

Private advices from Washington, received in Middletown Wednesday—

That is Middletown, Ohio—

disclose the startling information that a move is afoot to scuttle the Wages and Hours Act immediately after Congress convenes on January 3, and if possible, to destroy the right of wage earners to collect back pay for portal-to-portal time, recently awarded for the fourth time by the Supreme Court of the United States.

Of course, it is possible that the plotters cannot muster enough votes to enact such diabolical legislation. And such legislation may be unconstitutional. It is also possible that Congress may not go the entire distance. But what Armco employee would risk that? It is now certain that a strong group of bipartisan reactionaries is determined to go the limit in undermining the Wages and Hours Act.

Under the circumstances, every steel worker employed at Armco should act before Congress acts. Otherwise he may lose all of his back pay for portal-to-portal time, except the pitiful part a hostile Congressman and a predatory corporation would give him willingly.

Then there is a heading in smaller black type, "USA-CIO leads portal-to-portal fight."

The memorandum continues:

The steel workers' union carried the first cases on portal-to-portal pay to the Supreme Court and won. The Court awarded back pay for portal-to-portal time. The decisions of the Court on that point are now well established.

The law provides that an employee must be paid time and a half for all hours in excess of the workweek fixed in the wage-and-hour law. The act established the workweek for the year, October 1938 to October 1939, at 44 hours. For the next year—that is, from October 1939 to October 1940, the workweek established was 42 hours. For all years subsequent to October 1940, the workweek is set at 40 hours.

The Supreme Court held that all time spent on company property going to and from work, changing clothes, preparing for the job, getting tools ready, and other make-ready activities prior to the actual commencement of productive work, and after work, is "time worked" under the Wages and Hours Act.

However, during the years covered by the act, virtually every employee in the steel industry worked the full workweek at productive work. Consequently, the make-ready work and the travel time must now be accounted for as hours worked in excess of the lawful workweek, and therefore must be paid for at the rate of time and one-half.

Moreover, under the Wage and Hour Act, the employees are entitled to not only their unpaid wages at the rate of time and one-half, but also to an equal amount as liquidated damages.

Further headlines are "How to figure portal-to-portal pay" and "USA-CIO says Armco must pay."

Under the latter heading is the following:

The steel workers' union is determined to protect the right of every Armco steel worker to recover every cent due him under the Wages and Hours Act. And since it isn't feasible for each steel worker to sue Armco individually, District Director Al Whitehouse has arranged to sue in behalf of all steelworker claimants employed by Armco.

And so forth.

Mr. President, I ask leave to have incorporated in the RECORD as a part of my remarks the entire circular from which I have read.

There being no objection, the circular was ordered to be printed in the RECORD, as follows:

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Under the circumstances, every steel worker employed at Armco should act before Congress acts. Otherwise he may lose all of his back pay for portal-to-portal time, except the pitiful part a hostile Congressman and a predatory corporation would give him willingly.

USA-CIO LEADS PORTAL-TO-PORTAL FIGHT

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However, during the years covered by the act, virtually every employee in the steel industry worked the full workweek at productive work. Consequently the make-ready work and the travel time must now be accounted for as hours worked in excess of the lawful workweek and therefore must be paid for at the rate of time and one-half.

Moreover, under the Wages and Hours Act, the employees are entitled to not only their unpaid wages at the rate of time and one-half, but also to an equal amount as liquidated damages.

HOW TO FIGURE PORTAL-TO-PORTAL PAY

To illustrate: If an Armco employee, who is paid at the rate of $1 an hour, required 30 minutes each morning for travel time on the company's property, and other make-ready activities preparing for productive work, and the same amount each evening after the end of his 8 hours of productive work, that Armco employee would be entitled to back pay for portal-to-portal time for an hour a day at time and one-half, or $1.50. But, since he would be entitled to an equal amount as liquidated damages, the American Rolling Mill Co. would owe him $3 back pay for portal-to-portal time for that day.

Thus, if the employee averaged an hour of portal-to-portal time each day for 30 days, at $1 an hour, the company would owe him $90. If he had an hour a day in portal-to-portal time due him for 1,000 days, he would have a claim against Armco for $3,000.

USA-CIO SAYS ARMCO MUST PAY

The steel workers' union is determined to protect the right of every Armco steelworker to recover every cent due him under the Wage and Hour Act. And since it isn't feasible for each steel worker to sue Armco individually. District Director Al Whitehouse has arranged to sue in behalf of all steelworker claimants employed by Armco.

The action must be filed in court before Congress enacts destructive legislation on the subject. And attorneys must have time to prepare the case. So the safety deadline is December 31, or as much earlier as each Armco steel worker can execute his authorization. No Armco steel worker incurs a financial obligation when he signs the authorization. The authorization itself discloses how legal expenses are to be paid.

Until Wednesday of this week, it was assumed that ample time was available for obtaining the authorizations. However, with the discovery of a plot in Washington to destroy the Wages and Hours Act, it became apparent at once that there is no time to lose.

Therefore all steel workers employed by Armco are urged to get their authorizations filled out and in the steel workers' office at 1836 Central Avenue, Middletown, Ohio, as quickly as possible. If any questions arise, or if any point is not understood, please get in touch with a staff representative, or with the Middletown office.

AL WHITEHOUSE,
Director, District 25, United Steelworkers of America.
DECEMBER 21, 1946.

BULLETIN

If you have already signed an authorization for suit to be filed for recovery of back pay for the portal-to-portal time you have earned since 1938, and if that authorization is in the steelworkers' office, your rights will be fully protected.

If you have not signed such an authorization you should do so at once, and make sure it is delivered to the steel workers' office. If you delay beyond December 31 you may be too late. Congress may shut off your right to back pay for portal-to-portal time when it convenes. Congress has no power to deprive you of your back pay if you act before Congress meets and acts.

If you have already executed your authorization and filed it in the steelworkers' office you should help your fellow members to complete theirs as quickly as possible. The more steel workers who authorize suits the stronger the case. All authorizations should be in the steelworkers' office as soon as possible; none later than December 31. Steel workers who delay too long may find their claims are outlawed.

Mr. DONNELL. Mr. President, it is not strange, in view of the facts to which I have referred, that the exhibit furnished to the committee by the senior Senator from Indiana [Mr. CAPEHART], appearing at pages 22, and following, of the report, shows that the great majority of cases, in the column headed "Union," bear the designation "CIO," with the name of the particular affiliate, such as United Steelworkers of America.

The first CIO affiliate on the list is the International Union of Mine, Mill, and Smelter Workers, which has brought a suit for $25,000,000 against the American Smelting & Refining Co. An inspection of those two and one-half pages will disclose the fact that almost all the cases were brought in close association with a CIO affiliate, regardless of the technical arrangement.

Mr. President, I referred a little while ago to the American Federation of Labor. I am not here as an advocate of either of these labor organizations. I called attention to the fact that Mr. Pressman charged that the reason the CIO became so active was, at least in part, due to the activity of the American Federation of Labor. I call attention to the fact that on page 19 of the report there is a statement by Mr. William Green, president of the American Federation of Labor, which refers to the wide publicity which "has been given to court actions filed by certain labor unions in an attempt to recover back pay for their members for travel time and other time spent on employer's property, such as changing clothes and preparing for work, claiming this to be time worked within the meaning of the Fair Labor Standards Act of 1938."

Mr. Green further says:

Very few of these suits have been brought by unions affiliated with the American Federation of Labor. It is the long-established policy of the American Federation of Labor to rely upon collective bargaining through direct negotiations between unions and employers to settle differences between them regarding wages, hours, and working conditions of the workers concerned. * * * Appeal to authority before all the voluntary means of resolving differences have been exhausted, invites invasion of the right of labor and management to contract about their affairs. Such untimely and unwarranted resort to administrative or judicial intervention is inconsistent with the mutual rights and responsibilities established by employers and unions through private contract in a free society.

All national and international unions affiliated with the metal trades department of the A. F. of L. and a number of other A. F. of L. affiliates have officially declared it to be their policy to make the definition of time worked, within the meaning of the Fair Labor Standards Act or otherwise, subject to collective bargaining negotiation in preference to litigation.

There is also set forth in the report a statement made by Mr. John P. Frey, president of the metal trades department, an AFL affiliate, in which he says:

To now inject the question of back pay, for portal-to-portal time, would be an admission that when wage agreements were signed by trade-union representatives, they had been insincere during the negotiations, and had held mental reservations which they were unwilling to discuss with employers while seated at the conference table.

Our trade-union movement has no assets more valuable than its agreements with employers, and the integrity which is involved.

There is nothing to prevent the discussion of portal-to-portal pay when existing agreements with employers are negotiated, and the inclusion of this form of payment in the new agreements. But as to existing agreements with employers, many of them entered into with the same corporation for a generation or more, the executive council

definitely recommends that existing collective-bargaining agreements must not be dishonored by now entering into legal suits to secure a form of wages which were not provided for when the existing agreements were negotiated.

Mr. President, thus it is that this influx of litigation began. The query arises at once, What is the effect of this portal-to-portal litigation? Is there any reason, from the standpoint of public policy, why the cases should be annulled and canceled, or should they be permitted to take their regular course in the courts?

Our report undertakes to point out in greater detail than I shall attempt to go the effect of portal-to-portal pay actions. I shall somewhat briefly summarize the main points of the report upon that subject.

First, the effect upon the companies which are sued. Obviously, the very fact of the institution of the suits, insofar as the suits are large in proportion to the capital assets of the corporation, company, or individual, as the case may be, has a very strong tendency to result in impairment of the financial position of the defendants. During the course of our hearings it was brought out that some of the pending suits brought by employees for portal-to-portal pay ask for amounts so large that in some instances they exceed the working capital itself of the firms which are being sued, and in other instances they exceed the net worth of the firms being sued.

A while ago mention was made of the Armco company, the American Rolling Mill Co. Mr. Hook, its president, testified that in the steel industry, pending portal-to-portal suits at the time of his testimony totaled an estimated $1,000,000,000; and he said that:

This is a considerably larger amount than the amount of cash which the entire industry has on hand and in banks. At the end of 1945 the cash position of the combined industry was less than $700,000,000. One billion dollars is a larger amount than the entire net earnings of all companies in the steel industry for the 5 years 1942 to 1946, inclusive.

Among the very interesting witnesses before the committee was Mr. Howard I. Young, president of the American Zinc, Lead & Smelting Co., a gentleman whom I happen to know reasonably well personally. From his testimony our committee understood that, first, portal-to-portal suits previously filed against his company total over $7,200,000; and second, that sum is considerably in excess of the company's net working capital as of the end of November 1946, which was approximately $6,600,000.

Mr. President, we made inquiry not only of men in industry but also of representatives of the War and Navy Departments, as to the effect in their judgment upon the financial position of companies which follows from the institution of suits of the magnitude of those to which I have referred this afternoon. I call attention to the testimony of Mr. Foster, Under Secretary of the Department of Commerce, appearing at page 618 of the hearings. He was questioned as follows:

Senator DONNELL. May I ask at that point whether you could give us your best judgment as to the effect, generally, upon companies which are parties defendant to such suits during the tedious and uncertain processes of recovery to which you refer?

Mr. FOSTER. I think that bears on the main thesis of our concern here, Mr. Chairman, which is the uncertainty which would be generated by this liability hanging over the head of any business manager. It would inhibit any bold planning or action, in any direction; such as to maintain production, to maintain high levels of employment, and even to affect directly his ability to carry out his normal business.

Senator DONNELL. How about the effect, if any, upon his ability to borrow money from financial institutions?

Mr. FOSTER. I think if I were a banker, and I am not, that certainly I would be tempted to be much more cautious in making advances with the thought of a liability of this character in the background.

The same witness, Mr. Foster, who, I repeat, is Under Secretary of Commerce, and is not interested in the matter other than from the standpoint of a public official, testified at page 608 as follows:

Mr. FOSTER. The Department of Commerce, pursuant to its responsibility to promote commerce and industry, has been deeply concerned over the large amount of litigation which has followed the decision of the Supreme Court in the Mount Clemens Pottery Co. case.

Leaders in the business community have come to the Department to express their alarm over the impact of this litigation on the industry of the country.

Senator DONNELL. Mr. Foster, if you do not mind an interruption, I would like to interrupt here.

Mr. FOSTER. Not at all, sir.

Senator DONNELL. Would you be kind enough to state at this time, something as to whether or not it is a considerable number of leaders or just one or two who have appeared.

Mr. FOSTER. That represents, Mr. Chairman, representatives of a number, I should say, although we have had numerous individuals.

It is reflected in a group by the Business Advisory Council of the Department, consisting of many leaders of industry who advise with the Secretary of Commerce.

It is not, however, confined to that, since we have had other individual leaders and their representatives come and express concern over the situation.

I call especial attention to this portion of the testimony:

Senator DONNELL. Do the leaders who have thus appeared, expressed their alarm over the impact of this litigation on the industry all over the country, do they come from various parts of the United States or are they concentrated in one part?

Mr. FOSTER. They represent practically the entire country geographically.

Mr. President, I also call attention to a statement from which I quoted a little while ago. It is the statement of the subcommittee of the Business Advisory Council, and the following portion appears at page 615 of the hearings:

The amounts presently involved in lawsuits already filed are astronomical and yet they cover only some 10 percent of the total number of employees subject to the Fair Labor Standards Act. Whatever the final amounts which might be awarded by the courts if the present judicial interpretation stands, it is clear that the extent of litigation, the cost of defense, and the potential liabilities constitute such a burden on industry as to force many companies into bankruptcy and to disrupt seriously the whole economy.

That is the opinion of the subcommittee of the Business Advisory Council, and as I recall it was confirmed by the Business Advisory Council itself.

A little while ago I was commenting upon Mr. Young's testimony. I should also have mentioned in that connection an excerpt from the testimony of Mr. Eugene E. Wilson, chairman of the board of governors of the Aircraft Industries Association. In that connection I call attention to the importance of the development of the aircraft industries, and I refer to its importance from every standpoint, including the standpoint of commerce and the standpoint of national defense, to which our minds gravitate year after year. Mr. Wilson made the following statement:

I am really here today to present to this committee the industry's conviction that unless there is really some prompt action in Congress to relieve the threat of disaster that is posed by portal-to-portal pay suits that our industry just really faces destruction.

At this point, Mr. President, I pause in the reading to emphasize that not merely from the standpoint of dollars and cents, but from the standpoint of national defense, these portal-to-portal cases present a vast obstacle to the proper development of our national considerations which manifest themselves in appropriate development of the aircraft industry. There sits ordinarily but a few seats from me—he is out of the Chamber at the moment—the distinguished Senator from Connecticut [Mr. BALDWIN] who spoke earlier this afternoon. He called to our attention two instances of what occurred in his State by the mere institution of a suit. I should say in passing that doubtless his State is, I assume, in the minority as to giving to a plaintiff the right to attach the property of a defendant without bond or in the absence of extraordinary circumstances. The junior Senator from Connecticut stated to us that—

In Connecticut, when a suit is instituted in the State courts, a writ of attachment is issued by virtue of which the sheriff can make attachment on the property or funds of the defendant.

I digress to apply that to the situation under consideration. Let us consider a suit filed against one of these companies, and let us assume that a large amount is involved in the suit. In the Connecticut case the plaintiff is entitled to a writ of attachment by which the sheriff can attach the property or funds of the defendant.

The Senator from Connecticut, continuing, said:

In two instances in Connecticut—that is, suits against the Allison Co. of Bridgeport, and the Seymour Manufacturing Co. of Seymour—attachments were made which very seriously affected the company's business. One company had to close its doors and the other had to borrow money to meet its pay roll because its funds in the bank were under attachment. This illustrates the serious effect upon employment generally that such suits may have unless some remedial action is immediately forthcoming.

Mr. President, the employment records of our country show the tremendous burden that is cast upon management in the very preservation and exam-

ination of the records of the respective companies in order to defend against these suits. I shall mention in a moment an illustrative case which I think is of interest. Before doing that, however, I desire to revert once more to the testimony of Mr. Hook, the president of the American Rolling Mill Co., with respect to the retardation of future programs, including expansion plans, which retardation inevitably results from the existence of suits of the type and amount involved in the portal-to-portal situation. Said Mr. Hook:

> We have under construction and under way, under authority of our board of directors, improvements and things of that kind—which amount to $58,432,810, and against that program we have still to spend $36,236,121. Well, now, with the possibility of liability overhanging our heads for an indeterminate amount which may reach $60,000,000 or what not, we have got to seriously stop, look, and listen and think of what we are going to do about that, Senator, at our next board meeting.

Obviously, Mr. President, with companies sued for vast amounts, notwithstanding the fact that Mr. Pressman, in his testimony before our committee, undertook to make the observation—and perhaps he was right about it—that the figures that are filed in the cases are obviously in excess of the amount for which recovery may be had; nevertheless, let us put ourselves in the place of a company's board of directors faced by a suit involving more than the company's net worth, regardless of what we think may be the ultimate recovery, when we are faced with a decision as to whether we will go ahead with an expansion plan.

Let us put ourselves in the place of a bank to whom application is made for a loan—not only the board of directors, and the bank itself, but the State banking commissioner, who will insist on a strict scrutiny of every loan. Let us put ourselves in the position of such a bank, where a loan is sought by a company which has such a suit threatened against it. It requires no further argument on my part to demonstrate that there is a retardation of industry which must be taken into account, and goes down to the very grass roots of our country, as I shall indicate later, in the rural districts, as well as in the city districts. But I was about to mention the burden on management in preserving and examining the employment records which would perhaps have to be examined under the burden-of-proof theory set forth and adjudicated by the court in the Mount Clemens case.

I should like to place in the RECORD a paragraph or two from a letter of January 24, 1947, from Bryan, Cave, McPheeters & Roberts, attorneys at law, St. Louis, Mo., as follows:

> As you undoubtedly know, the form of petition used in most of the suits brought by the CIO has attached to it an interrogatory which calls upon the company to prepare from its record and furnish to the plaintiffs certain information needed by the plaintiffs to support the allegations of their petition and to prove, in part, their cases. The comptroller of one of our clients has made an estimate of the work which would be involved in, and the cost to the company of, answering this interrogatory with respect to the approximately 1,500 names of employees listed in the petition.

I pause in the reading, Mr. President, to say that obviously the number of names does not indicate that this is one of the great outstanding, enormous corporations. It seems to have only about 300 more persons named as plaintiffs than were named in the Mount Clemens case. I continue:

> He estimates—

That is, the comptroller estimates—

> He estimates that the company would have to examine 4,333,500 separate time tickets, clock cards, and other pay-roll records, that this task would require 235,521 hours of accounting and clerical work, that it would require a staff of 100 people in excess of 1 year to accumulate and report the detailed information requested, and that it would cost approximately $295,000 in wages alone. While the petition in question covers only approximately 1,500 employees, this particular company, during a substantial part of the period covered by the suit—

I think I was in error in assuming this was a small company, because the letter proceeds to state a fact which I had overlooked, as follows:

> This particular company, during a substantial part of the period covered by the suit had more than 10,000 employees, so that the potential cost of answering this one interrogatory, if all eligible employees should join in the suit, would be far in excess of the estimate of $295,000.
>
> This is cited as an illustration of the prohibitive expense to which the defendants in these suits will be put merely for the purpose of supplying the plaintiffs with information needed to prosecute their claims. The additional cost to the defendants of preparing these cases for trial, regardless of the ultimate outcome, will be staggering.

I shall not dwell further upon illustrations of the enormous expense involved in merely defending the cases, regardless of the outcome. I revert to the fact that Mr. Pressman's contention is that although the suits are in large amount, after all we need not be so much worried about it, because they might simmer down into comparatively small amounts. Yet if his position be correct, the amount involved in making the preparation of the case and trying it will be tremendous and vast, as I have indicated.

Mr. HATCH. Mr. President, will the Senator from Missouri yield?

Mr. DONNELL. I yield to the Senator from New Mexico.

Mr. HATCH. I observe that it is now after 5 o'clock, and I inquire of the majority leader what his intentions are as to the session this evening.

Mr. WHITE. Mr. President, if the Senator from Missouri will yield further, it is not the intention to hold an evening session. As to whether we should conclude now or half an hour from now I should feel was wholly within the discretion of the Senator from Missouri. He has held the floor for a little more than 2 hours. Whether he could conclude within a reasonable time this evening or not I have no knowledge. I am perfectly willing to do anything that is agreeable to the Senator from Missouri.

Mr. DONNELL. Mr. President, I greatly appreciate the consideration of the distinguished majority leader. In my opinion the factual presentation will require probably another hour. Furthermore, we will then come to the presentation of the bill itself, and I should like to have the privilege, if Senators will be kind enough to bear with me, to explain the bill in detail, because it is a measure on which we have put a great deal of labor and which will require a detailed explanation. I think the Senate is entitled to have the bill explained section by section, and in part, sentence by sentence.

Moreover, I hope, with all due modesty, that we may have present as many of the Members of the Senate as possible to hear the discussion of the Senator from Mississippi [Mr. EASTLAND], the Senator from Kentucky [Mr. COOPER], and myself regarding the constitutional phase of the bill. I should require in all two or two and a half hours more in order to complete the presentation of the factual and the legal situation.

Mr. HATCH. Mr. President, will the Senator yield to me for a moment?

Mr. DONNELL. Yes; I yield.

Mr. HATCH. I did not want anything I may have indicated to be construed as a desire to restrict the Senator in his presentation, in any way, because I realize that it is important. I want the Senator to have all the time that is needed. I was merely concerned about whether we should continue this afternoon, or allow the matter to go over until tomorrow.

Mr. DONNELL. Mr. President, I did not draw an inference of the slightest criticism from the remarks of the distinguished Senator from New Mexico. I can readily understand how he might have well criticized me because of the length of my presentation. I think, though, Mr. President, that this subject is one of such vital importance, and the facts are so varied and widespread, it is almost impossible, at least for me, to present them in less than the time I have indicated; but I want to assure the Senator that I find him today, as always, characterized by courtesy and kindness toward me.

Mr. WHITE. Mr. President, will the Senator yield for a question?

Mr. DONNELL. I yield.

Mr. WHITE. Does the Senator desire to proceed this afternoon, or would he be willing to relinquish the floor with the understanding that he may be recognized and continue on Monday? I want the decision to be that of the Senator from Missouri.

Mr. DONNELL. Mr. President, I may say that I have no objection to continuing, but the Senate has endured the ordeal of having had to listen to me for more than 2 hours this afternoon, and I have no doubt that many of the Senators would like to leave. My own judgment is it would be better to recess or adjourn, as the case may be, until Monday.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. DONNELL. I yield.

Mr. AIKEN. In the course of his discussion of the bill itself, is the Senator going to show to the Members of the Senate that it is possible to outlaw

nuisance suits without outlawing legitimate suits for back pay? That seems to be the big question in the minds of a good many persons, including myself. I realize that there are two classes of suits which have been brought; one being those which are purely nuisance suits, brought for the purpose of embarrassing the employer, and with the mistaken idea that the union was going to make bargaining capital out of it. But there must be a good many times when legitimate suits are brought for back pay. Is the bill going to outlaw the nuisance suits and still make it permissible to bring legitimate suits?

Mr. DONNELL. Mr. President, I think that the bill sets forth to the best of the ability of the Committee on the Judiciary the rule which should be followed uniformly, in the first instance, taking up existing suits; and, in the second instance, taking up new suits. They are treated quite differently. By "new suits," I mean suits which arise after the passage of the act.

I do not want to guarantee to the Senator or to anyone else that there may not be some resulting instances of injustice. I think it has been demonstrated time and time again that almost any type of legislation may work some injustice. For instance, in the first report of the House Committee on Labor, accompanying the Fair Labor Standards Act, occurs the statement:

> A few may suffer some inconvenience, possibly financial loss, for a short time; but the fact that a tremendous number of injustices will be cured by the bill fully justifies the inconveniece and even the loss—

And so forth. Mr. President, we certainly shall endeavor to demonstrate to the Senate the fact that our bill takes an appalling national problem and solves the problem to the very best of the ability of our committee, and in a way which we think is accompanied by a minimum of deprivations, or a minimum of injustices.

It is very difficult to answer the Senator's question "Yes" or "No," without developing the facts.

Mr. AIKEN. Suppose it develops that the employees of a certain industry have failed to collect regular overtime pay due them over the past; will this bill permit them to collect it, if the employer is unwilling to pay it? Can they go to court to collect it?

Mr. DONNELL. Mr. President, if any employee is able to show either that he has a contract or that there is a customary practice, under which he is entitled to collect his money, he will be able to collect. That is the answer to the Senator's question.

Mr. AIKEN. How about the man who does not belong to a union at all, and is not financially able to go to the expense of making such a showing?

Mr. DONNELL. The answer to that is that any plaintiff in any case must make out his case, no matter how rich or how poor he may be. I undertake to say that under the law as laid down, if our bill should be passed, any plaintiff who could show either that he had a contract or that there was a customary practice in the plant or other place of work in which he was employed, entitling him to compensation, would obtain the compensation to which he laid claim.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. DONNELL. I yield to the Senator from Michigan.

Mr. FERGUSON. Is it fair, in answering the question of the Senator from Vermont, to say that this proposed legislation is aimed to defeat those causes of action that are solely under the Fair Labor Standards Act?

Mr. DONNELL. Of course, the bill also applies to the Walsh-Healey and the Bacon-Davis Acts.

Mr. FERGUSON. Yes; it applies to the three acts, but there may be a cause of action under the common law or under a practice or a custom or a contract in pursuance of which recovery could be had. It may be desired to include a definition of a nuisance suit, which is a suit that does not come within the law; as I understand, a nuisance suit which would have no foundation at all, but was brought merely for the purpose of coercion. We are not dealing with that kind of suit, nor do I admit that these suits in question are such suits. I think they are brought by virtue of the three acts which have been mentioned and the decision of the Supreme Court, which says that the three acts, in and of themselves, give certain causes of action, without any contract, without any custom, or without any common law right. Is that a correct statement?

Mr. DONNELL. That is correct; and I may add to what the Senator said, though it is merely repeating a part of what he said, that the pending bill does not deprive any person of any right which he may have had under the common law.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. DONNELL. I yield to the Senator from New Mexico.

Mr. HATCH. I merely rose to say to the Senator that, from the statement he just made, I surmise the details of the bill will be fully explained by him on Monday.

Mr. DONNELL. That is correct.

Mr. HATCH. At that time all these questions will be answered?

Mr. DONNELL. I shall endeavor to answer every question that I can.

Mr. HATCH. My suggestion was that we might follow the suggestion of the Senator from Missouri to recess at this time, until Monday, and let the Senator explain the bill fully and in detail, in answer to all questions, at that time.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. FERGUSON. I should like to add for the record of today that this bill would not strike at the heart of or defeat any cause of action that arose out of a State statute.

Mr. DONNELL. That is correct. The Federal Government has absolutely no power, as I see it, to cancel a right existing under State statute. At any rate, we do not undertake to assert any such power.

The PRESIDENT pro tempore. The Chair understands the Senator from Missouri yields the floor with the understanding he will be recognized when the Senate resumes its sessions on Monday.

Mr. DONNELL. That is correct.

LEAVE OF ABSENCE

Mr. FLANDERS. Mr. President, I desire to ask unanimous consent of such Senators as are present to be absent on Monday.

The PRESIDENT pro tempore. Without objection, leave is granted.

CONVEYANCE OF EASEMENTS IN CERTAIN LANDS TO AMERICAN TELEPHONE & TELEGRAPH CO.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 220) to authorize the Secretary of the Navy to convey to American Telephone & Telegraph Co. an easement for communication purposes in certain lands situated in Virginia and Maryland, which was, on page 3, strike out lines 16 and 17.

Mr. GURNEY. I move that the Senate concur in the House amendments, for the proposed action is of advantage to the Government.

The motion was agreed to.

CONVEYANCE OF EASEMENTS IN CERTAIN LANDS TO VIRGINIA ELECTRIC & POWER CO.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 221) to authorize the Secretary of the Navy to grant and convey to the Virginia Electric & Power Co., a perpetual easement in two strips of land comprising portions of the Norfolk Navy Yard, Portsmouth, Va., and for other purposes, which were, on page 1, line 8, to strike out the words "without cost to said corporation"; on page 2, line 15, after the word "Company", to insert the word "of"; on the same page, line 19, to strike out the words "without cost to said corporation"; and on page 3, line 4, to strike out the words "without cost to said corporation."

Mr. GURNEY. Mr. President, I move that the Senate concur in the House amendments. This matter deals with a right-of-way across land in Virginia, and the Senate should concur in the House amendments.

The motion was agreed to.

EXECUTIVE SESSION

Mr. GURNEY. Mr. President, some routine nominations in the junior grades, ensigns, lieutenants, and one or two captains, and some others, on which I shall ask unanimous consent for action at this time. What causes my request at this moment is the fact that there are two colonels to be made professors at the Military Academy. Therefore it is my purpose to ask that, as in executive session, the routine nominations be acted on at this time.

Mr. WHITE. Mr. President, I ask the Senator from South Dakota to withhold his request, because I was about to move that the Senate proceed to the consideration of executive business. I now move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WHITE, from the Committee on Interstate and Foreign Commerce:

Carroll Miller, of Pennsylvania, to be an Interstate Commerce Commissioner for a term expiring December 31, 1953. (Reappointment.)

By Mr. MILLIKIN, from the Committee on Finance:

James R. Wade to be collector of customs for customs collection district No. 45, with headquarters at St. Louis, Mo. (Reappointment.)

By Mr. TOBEY, from the Committee on Banking and Currency:

Harry A. McDonald, of Michigan, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1951; and

Henry Earl Cook, of Ohio, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation for the unexpired term of 6 years from September 6, 1945.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

TENNESSEE VALLEY AUTHORITY—NOMINATION REPORTED ADVERSELY

The legislative clerk read the nomination of Gordon R. Clapp, of Tennessee, to be a member of the board of directors of the Tennessee Valley Authority for the remainder of the term expiring 9 years after May 18, 1945, to which office he was appointed during the last recess of the Senate.

Mr. WHITE. I ask that the nomination be passed over.

The PRESIDENT pro tempore. The nomination will be passed over.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The legislative clerk read the nomination of Eugene R. Black, of New Jersey, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of 2 years and until his successor has been appointed.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES MARITIME COMMISSION

The legislative clerk read the nomination of Joseph K. Carson, Jr., of Oregon, to be a member for the term expiring September 25, 1952.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

ATOMIC ENERGY COMMISSION

The legislative clerk proceeded to read sundry nominations in the Atomic Energy Commission.

Mr. WHITE. Mr. President, I ask that the nominations to the Atomic Energy Commission be passed over en bloc.

The PRESIDENT pro tempore. The nominations to the Atomic Energy Commission will be passed over en bloc.

DEPARTMENT OF JUSTICE

The legislative clerk read the nomination of A. Devitt Vanech, of Connecticut, to be an Assistant Attorney General.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES DISTRICT JUDGE

The legislative clerk read the nomination of John D. Clifford, Jr., of Maine, to be United States district judge for the district of Maine.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF STATE

The legislative clerk read the nomination of John E. Peurifoy, of South Carolina, to be an Assistant Secretary of State.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service.

Mr. WHITE. I ask that the nominations in the Diplomatic and Foreign Service be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the Public Health Service.

Mr. WHITE. Mr. President, I ask that the nominations in the Public Health Service be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

Mr. WHITE. Mr. President, I ask that the President be notified of all nominations this day confirmed.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

ROUTINE PROMOTIONS IN THE ARMY, NAVY, AND MARINE CORPS

Mr. GURNEY. Mr. President, from the Committee on Armed Services I report favorably routine nominations in the Army, the Navy, and the Marine Corps and ask for their immediate consideration.

The PRESIDENT pro tempore. The Senator from South Dakota reports certain nominations in the Army, the Navy, and the Marine Corps and asks for their present consideration without their going to the calendar. Is there objection?

Mr. HATCH. Mr. President, I should like to inquire if these are nominations which have just been reported from the Committee on Armed Services.

Mr. GURNEY. They have been ready to report since March 5, and I have had them in my desk ready to report them, but have not done so heretofore because I could not obtain the floor prior to this time. They are routine nominations in the armed services in the junior grades. They are all routine and in accordance with regular custom.

Mr. HATCH. Mr. President, I am quite sure the Senator from South Dakota would not present nominations of this kind if he knew that any objections whatever could be made to them.

Mr. GURNEY. The nominations were unanimously approved by the committee.

Mr. HATCH. Mr. President, I have no objection.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from South Dakota? The Chair hears none. Without objection, the nominations in the Army, the Navy, and the Marine Corps reported from the Committee on Armed Services by the Senator from North Dakota are confirmed, and the President will be immediately notified.

RECESS TO MONDAY

Mr. WHITE. Mr. President, if there be no further executive business, as in legislative session, I move that the Senate stand in recess until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 24 minutes p. m.) the Senate took a recess until Monday, March 17, 1947, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 14 (legislative day of February 19), 1947:

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Eugene R. Black to be United States Executive Director of the International Bank for Reconstruction and Development for a term of 2 years and until his successor has been appointed.

UNITED STATES MARITIME COMMISSION

Joseph K. Carson, Jr., to be a member of the United States Maritime Commission for the term expiring September 25, 1952.

DEPARTMENT OF JUSTICE

A. Devitt Vanech to be an Assistant Attorney General.

UNITED STATES DISTRICT JUDGE

John D. Clifford, Jr., to be United States district judge for the district of Maine.

DEPARTMENT OF STATE

John E. Peurifoy to be an Assistant Secretary of State.

DIPLOMATIC AND FOREIGN SERVICE

TO BE FOREIGN SERVICE OFFICERS OF CLASS 3, CONSULS, AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA

Patten D. Allen
Carlos C. Hall
John A. Hopkins
Robert P. Joyce
C. Montagu Pigott
Arthur T. Thompson
Harry R. Turkel

TO BE FOREIGN SERVICE OFFICERS OF CLASS 4, CONSULS, AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA

Raymond F. Courtney
Dennis A. Flinn
William M. Gibson
John Gordon Mein
Randall S. Williams, Jr.

TO BE FOREIGN SERVICE OFFICER OF CLASS 5, A CONSUL AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA

Henry A. Hoyt

TO BE FOREIGN SERVICE OFFICER OF CLASS 5, A VICE CONSUL OF CAREER, AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA

Roy T. Davis, Jr.

TO BE FOREIGN SERVICE OFFICERS OF CLASS 6, VICE CONSULS OF CAREER, AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA

Robert G. Bailey
Charles G. Stefan

TO BE CONSUL GENERAL OF THE UNITED STATES OF AMERICA

James E. McKenna

PUBLIC HEALTH SERVICE

PROMOTIONS IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE

To be senior surgeon

Langdon R. White

To be senior assistant surgeons

Harold S. Barrett
Wade H. Etheridge

To be temporary surgeons

Bernard D. Davis
James A. Hunter, Jr.

To be temporary senior assistant surgeons

Charles E. Carter
Irwin M. Boozer
Leland C. Burrill
Edward N. Maxwell
Warfield Garson
Walter D. Richards
Willie G. Simpson
Keith F. Farr
Norman C. Morgan
John W. Smillie
Sidney Krohn
William P. Ramey
Elliott L. Harlow

To be temporary scientist

Pope A. Lawrence

To be temporary senior assistant nurse officers

Mary A. Brimberry
Rose V. Fortuna
Mary A. Rice
Edwyna D. Draper
Florence T. Thieman
Anne J. Lello
Ruth N. Crawford
Magdalene Roller
Elizabeth C. Laczko

To be temporary senior assistant dietitian

E. Grace Gibson

To be dental director

Eugene C. Stamm

To be surgeon

John E. Dunn

To be temporary surgeon

Paul V. Joliet

To be temporary senior assistant surgeons

Leo J. Gehrig
Warren W. Kreft
Eric P. Lofgren
Robert Leslie Smith
Arthur E. Rikli

To be temporary dental surgeons

Eugene H. Hess
Maurice S. Rodgers

To be temporary sanitary engineer

Chris A. Hansen

To be temporary senior assistant nurse officer

Hazel E. Owen

IN THE ARMY

APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES

To be professor of English at the United States Military Academy, with rank from July 1, 1947 (date of appointment)

Russell K. Alspach

To be professor of law at the United States Military Academy, with rank from date of appointment

Col. Charles Whitney West

IN THE NAVY

APPOINTMENTS IN THE NAVY

The following-named officers for appointment in the United States Navy in the corps, grades, and ranks hereinafter stated:

The following-named officers to the ranks indicated in the line of the Navy:

(* Indicates officers to be designated for EDO and SDO subsequent to acceptance of appointment.)

Lieutenant commander

*Yager, Ray F.

Lieutenants

*Riggins, Leslie E.
Sliney, James G.

Lieutenants (junior grade)

Aho, Kauko A.
*Bjork, Wilbert M.
*Dabbieri, Peter V.
Hughes, Jack J.
*Powers, Robert D., Jr.
Skinner, James L.
*Spencer, Frank A.

Ensigns

Alberta, Edward T.
Allaben, Gerald R., Jr.
Ambrose, Robert B.
Ammidown, Robert L.
Amos, James W.
Andrews, Samuel G.
Aponowich, Frank
Archer, Derrek S.
Arnett, "A" "B", Jr.
Arnold, Eugene F.
Arthur, Frederick E.
Athow, James K.
Aubrey, Joseph H., 3d
August, Gerald J.
Baar, Don R.
Bailey, George G.
Baker, James J.
Baker, Paul B.
Banks, Daniel L., Jr.
Barrett, James L.
Bayes, Howard S.
Bedford, Thomas A.
Belew, Harold E.
Bemis, Lawrence R.
*Birgel, Henry T.
Bishop, Billy P.
Bishop, Charles R.
Bixler, Jene M.
*Black, Lawrence W.
Blackwelder, Buren L.
Blocker, Leo B.
Bobsin, Ralph A.
Bodamer, Robert E.
Boehner, George C.
*Borden, Paul F.
Bose, Bertram L.
Brabant, Robert J.
Braly, Henry L.
Brennalt, Earl H.
Brown, Edward E.
Brown, Russell D.
Buegler, Robert J.
Cardillo, Robert J.
Carlson, Robert L.
Carlstead, Edward M.
Carter, Jack L.
Christopher, Frank J.
Clemmons, Robert H.
Cochran, Billy E.
Cochrane, John A.
Conkling, Raymond F.
*Cook, Herbert B.
*Corcoran, Daniel J.
Counihan, Henry R.
Crawford, John R.
Crites, Robert J.
Culbreth, Howard C.
Darr, James, Jr.
Davies, Henry E., Jr.
Denissen, Richard J.
*Denny, John H.
Deviney, Stephen J.
*Dickey, Donald H.
Dimoff, Allen S.
Dougherty, Edmund D.
Dunlap, George R.
Dunnells, Robert E.
Durey, Orin J.
Edge, Norman C.
Egeler, Paul L.
Endacott, Jack A.
Evans, Robert A., Jr.
Faull, Joe D.
Fay, Robert J.
Ferguson, Robert E.
Fisher, William B., Jr.
Fleck, Richard W.
Flood, Robert B.
Forsyth, Donald D.
Frey, Gordon J.
Frye, Gurney E.
Gafford, Gerald A.
Garbee, Edwin T.
*Glenn, Hardy
Goodwin, Merle W.
Gott, Charles L.
Gould, Maxwell
*Grady, Joseph W.
Graham, John H.
Grantham, Robert D.
Granum, Robert N.
Graves, Jack C.
Gray, Harland A., Jr.
Green, Robert P.
Greene, Wallace A.
*Grimshaw, George E., Jr.
Hall, Richard L.
Hallin, Harold H.
Hardy, Paul
Hardy, Willis A.
Harp, Orland C.
Harrison, Thomas B.
Harsh, Forrest G. D.
Hauber, Erwin J.
Hediger, Fritz H.
Hein, Joseph J., Jr.
Herda, William K.
Hoffman, Harold H.
Holmberg, Frank E.
Huber, Ernest, Jr.
Humphrey, Glen E.
Huse, George W.
Hussey, Patrick F.
Ihrig, Lewis C.
Imming, Cyril L.
Irish, Edelbert E.
Jenkins, Merlin F.
Jenson, Svend I.
Jones, Allen, Jr.
Jones, Marvin D.
Judd, George S.
Judson, Sheldon B.
Kane, Howard F.
Kelly, William F.
Kelly, William J.
Kenedy, Richard L.
Kilgore, Frank J.
Kitchen, Charles C.
Kleczewski, Marion J.
Knapp, Richard G.
Koehler, Philip W.
Koller, Raymond W.
Kopps, Richard L.
Kranz, Arthur C.
Kreinberg, Alfred G.
Kroes, Henry W., Jr.
Kubiszewski, Robert J.
Lagergren, Johan G.
Laizer, Edwin J., Jr.
Lambertson, Tomme J.
Leisk, William H.
Leist, Frederick
Leonard, Elmer F.
Leutz, Leon H.
Lillesand, Alan M.
Linder, Ivan L.
Linton, George H.
Litsey, John F.
Logan, James L., Jr.
Longo, Charles R.
*Lowe, Frank W., Jr.
Lucero, William H.
Manber, Solomon
Mann, Frederick "H", Jr.
Mann, John B., Jr.
*Manser, Burton R.
Martin, William
Mattson, Kenneth B.
Maxwell, Raymond C., Jr.
Mayo, James O.
McAdams, Joseph B., Jr.
McAfee, Clellan B.
McCann, James A.
McCoy, James A.
McCrory, Thomas S.
*McDonald, Edward L.
McEvoy, James A., Jr.
McHugh, Paul J., Jr.
McLellan, James M., Jr.
McMillen, Frank V., II
McNaughton, Clark "H," Jr.
McNeil, Richard S.
Mehr, Charles E.
Menge, Robert F.
Merryman, Charles A., Jr.
Mills, Lee G., Jr.
Mische, Lester L.
Mitchell, William, Jr.
Mizell, Archie L.
Morgan, Newton H.
*Morgan, William B.
Morgiewicz, Daniel J.
Mularz, Frank A.
Murphy, Robert L.
Nelson, Lionell H.
Newell, Harold P.
Newhouse, George B., Jr.
Nicholson, Thomas A.
Nickols, Frank A., Jr.
Oberg, Owen H.
O'Grady, John P.
Oprea, George W., Jr.
Paulsen, Rex E.
Perry, John L.
Pettee, Warren E
Petterson, Wendell K.
Pfundstein, Thomas D.
Phelan, John J., Jr.
Phinney, Glenn W.
Pick, Albert L.
Polson, Arthur D.
Pool, George R., Jr.
Posch, Frank M.
Potter, Eugene "W"
Pyle, James H., Jr.
Reeb, Robert H.
Reilly, William T.
Richards, Floyd C., Jr.
Richards, Kurt "D"
Ricker, Marshall A.
Rickman, Wilford M.
Romaine, Robert R.
*Ross, Julian A.
Ross, Melville T.
Ross, Robert P.
Rove, Robert G.
Sabin, Nelson
Saubers, Maurice D.
Saul, James O.
Sauter, George G.
Sayler, Richardson W.
Schammel, Leo A.
Schexnayder, Robert L.
Schoenherr, Charles G.
Schoonover, Donald L.
Schricker, Frederic W.
Schulenberg, Duane E.
Seay, Howard R.
Shanks, Lawrence B.
Shea, Stephen J.
Sheen, Raymond H.
Simmons, John A., Jr.
Smith, Aubrey H.
*Smith, Frederick W.
Smithey, Talmadge A.
Snyder, Charles D. B.
Sommer, Charles A.
Stanchina, Joseph C.
Stansfield, Richard J.
Stepanian, George
Stewart, William C.
Stobie, Edwin F.
Stone, John F.
Stroupe, Joseph R.
*Sturkey, Charles M., Jr.
Sweeney, James R.
Tait, Albert J.
Talago, Joseph, Jr.
Taylor, William W.
Thummel, Gerald F.
Thurman, Russell, Jr.
Tilghman, Walter W., Jr.
Timpson, Nephi H., Jr.
Uretsky, Jack L.
Vallely, James R.
Van Alstine, Daniel P.
Vaughan, Jack A.
Vollrath, Richard L.
Wagner, John E.
*Walker, Archie C.
Walker, Marvin J.
Waller, William
Watt, Reid B.
Webster, Daniel A.
Webster, Warren M.
*Weeks, Harold L.
Werle, Joseph P., Jr.
Whaley, Lucien O. G.
Whelchel, Hoyt H., Jr.
White, David T.
Whitmire, Vivien C.
Williams, Dwight L.
Willis, Beuford N.
Wilson, George C.
Wilson, Robert M.
Wolcott, John R.
Wolfe, Jack B.
Worden, Donald D.
Wright, William R.
Zowarka, James G.
Elwood, Albert A.
Hartdegen, Carl, 3d
Regan, Joseph A.
Sproul, William C.
Bagley, John F.
Julian, Scott M., Jr.
Rezny, Ivan F.
Ruff, Ernest D., Jr.
Salyard, Robert R.
Adams, Hershel L.
Ambrose, David W.
Bean, George D.
Bornhop, Rodney E.
Clement, Robert F.
Daley, Edwin M.
Decker, Harvey L.
Dobson, William T.
Fowler, Walter B.
Fleming, Joseph C., Jr.
Gourlay, Everett C.
Hartwell, Hamilton
Hoffman, David G.
Hopkins, William H.
Kojm, Leonard R.
Lang, Richard C.
Lyon, Eugene
McMaster, William R.
McNutt, John W.
Miller, Paul S.
Moriarty, John T.
Peterson, Joseph F.
Sanders, James E.
Sapp, Earle W., Jr.
Scheid, Donald
Shumway, Keith C.
Signer, Roy M., Jr.
Simonson, Nelson C.
Taylor, Robert C.
Waterman, John T.
Cochrane, Edward L., Jr.

The following-named officers to the grades and ranks indicated in the Medical Corps of the Navy:

Surgeon with the rank of lieutenant commander

Spangler, Paul E.

Assistant surgeons with the rank of lieutenant (junior grade)

Clark, Irving T.
Force, Berwyn R.
Mead, Charles A., Jr.
Rice, Moses E.
Turney, William B.
Tomlinson, Walter B.
Dimmette, Robert M.

The following-named officers to the grades and ranks indicated in the Supply Corps of the Navy:

Passed assistant paymasters with the rank of lieutenant

Wetzel, Daniel W.
Sword, David R.

Assistant paymasters with the rank of lieutenant (junior grade)

Lofink, George S.
Peckham, Charles W.
Campbell, Robert R.

Assistant paymasters with the rank of ensign

Armstrong, William H.
Auten, Howard L.
Barnett, Damon J.
Chazal, John P.
Cooper, William M.
Dye, Kenneth R.
Eddy, George, Jr.
Ethridge, William C.
Gascoigne, Richard F.
Giverson William H., Jr.
Gueliff, Pierre H.
Koenig, Victor J.
Laws, Robert H.
Lockwood, Lyle M.
Longmire, Billy R.
Martinson, Harold B.
Merrick, Robert W.
Murphy, Robert F.
O'Keefe, Paul "D"
Penny, LaRue D.
Prather, Earl L.
Sigman, William E.
Staihr, Donald R.
Walker, John H.
Walker, Woodrow T.
Walther, Frederick W.
Watson, Lawrence A.
Whitney, George O.
Whittles, Carl, Jr.
Wright, John E. C.
Wright, Sylvester C.
Weiss, Howard R.
Duke, Edwin L.
Foil, John L.
Ireland, Charles W.
Lawson, Walter E., Jr.
Miller, James
Paolantonio, John F.
Rieve, Roland
Small, Joseph T.
Thorpe, William L., Jr.
Van Pelt, James C.
White, Ernest C.
Whiteside, Charles E.
Wolfe, George M., Jr.
Wright, Robert A.
Wuest, Robert J.
Fletcher, Max E.
Knight, Reed H.
Leiman, Alfred A.
Mathay, Philip W.
McGinnis, Thomas C.
Powell, Reed M.
Shaw, Robert H., Jr.
Walsh, John F.
Whitlock, Jack H.
Williams, Shelly S., Jr.
Anderson, Scott K.
Baumann, Wesley O.
Beilock, Philip
Belensky, Michael J., Jr.
Connolly, Paul J.
Del Vecchio, Anthony J.
Fellows, Clyde H., Jr.
Furtwangler, Leo E.
Groover, Gordon L.
Harvey, Clinton "D"
Howard, Richard P., Jr.
Jones, William F.
Kennedy, John W., Jr.
Lewis, William L.
Mason, Charles M.
Seelig, James J.
Snowden, Robert B.
Strott, George G.
Thum, Robert E.
Weart, Elliott M.
Weedlum, Merle E.
Bowers, Hugh H., Jr.
Freidman, Arnold J.

The following-named officers to the grades and rank indicated in the Chaplain Corps of the Navy:

Chaplain with the rank of lieutenant commander

Zimmerman, John D.

Acting chaplains with the rank of lieutenant (junior grade)

Brewerton, Peter H.
Buchholtz, Paul H.
Danielsen, John M.
Doyle, William F.
Gesell, Cranston R.
Gluck, Joseph C.
Grygiel, Andrew J.
Hayes, Joseph A.
Klesh, Francis J.
Raynor, Paul J.
Topmiller, Malo A.

The following-named officers to the grades and rank indicated in the Civil Engineer Corps of the Navy:

Assistant civil engineers with the rank of lieutenant commander

Greey, Elmer B.
Ventres, Daniel B.

Assistant civil engineers with the rank of lieutenant (junior grade)

Coffin, Robert C., Jr.
Dawson, Archibald
Lieberman, Morris S.
Mathews, Norris

Assistant civil engineers in the Navy with the rank of ensign

Arn, John A. M.
Healy, John J.
Housell, Harold R.
Jacques, Stanley J.
Tarran, David G.
Graves, Lenson W.
Hayen, Charles L.
Johnson, Henry J.
Nicholson, Oscar F.
Turner, Charles W.

The following-named officers to the grades and ranks indicated in the Dental Corps of the Navy:

Assistant dental surgeons with the rank of lieutenant (junior grade)

McClure, Birt W.
Robinson, Henry H.
Swanson, Adrian L.
Walker, Ira G.
Wilson, John O., Jr.
Blackwell, Richard T.

The following-named officers to the rank of commissioned warrant officer in the Navy in the grades indicated:

Chief boatswains

Cronk, Henry V.
Guthrie, Harry A.
Hosmer, Herbert B.
Mullis, Fred W.

Chief gunners

Budzaj, Zygmond
Mahlandt, Melvin H.
Nikkonen, Rudolph

Chief torpedoman

Smiley, Andrew M.

Chief electricians

Anders, John A.
Carlson, Richard S.
Culbreth, Dossie O.
Flowerree, Carl R.
Harnden, Robert D., Jr.
Marples, Ellis, Jr.
Nelson, Nels J.

Chief radio electrician

True, John R.

Chief machinists

Bingham, Cordell
Erishman, Charles A.
Leslie, Raymond C.
Miller, Stuart R.
Myers, Freeman H.
Penola, James L.
Seago, James T.
Secl, Joseph
Sinyei, Louis
Stemmer, Frank H.
Vance, Dale W.

Chief carpenters

Burchfield, Kenley N.
Dixon, Harry F.
Dobis, Edward S.
Easley, Ira D.
Harrington, Miles W.
Johnson, William R.
Maconaghie, Dysart O.
Peterson, John E.
Shelton, Frank C.
Stright, Stephen A., Jr.
Weddle, William H.

Chief ship's clerks

Escott, William H.
Rodstrom, Francis J.
Sluyter, Raymond P.
Socha, Edward J.

Chief aerographer

Martin, Millard E.

Chief pharmacists

Brannon, Thomas F., Jr.
Dias, Paul E.
Keck, Truman W.
Law, Paul C.
McAllister, Damon O.
Miller, Warren L.
O'Brien, Charles W.
Slack, Robert H.
Smith, Whitner W.
Vickroy, Robert K.
Whalen, William F. C
Willis, Gerald J.

Chief pay clerks

Barlie, Emmett O.
Breeden, Robert L.
Dille, George A.
Dunn, John M.
Gaddy, Howard L.
Harris, Robert E.
Juracka, John E.
Lambert, Marcus H.
Miller, James H.
Otis, Richard E.
Rankin, Leonard G.
Tatum, Browder F.
Thatcher, George
Uskievich, Byron

The following-named officers to the rank and grades indicated to correct spelling of name as previously nominated and confirmed:

Lieutenant (junior grade)

Curtis, Walter L., Jr.

Ensigns

Berkstresser, Charles G.
Gordon, Donald
MacDonald, James K.
Miller, Floyd E.
Myers, Robert W.
Stephens, Walter
Treadwell, Thurman K.
Thurmon, Norman E.
Weidlein, Leopold

Assistant civil engineer with the rank of lieutenant (junior grade)

Payson, Stephen H.

Chief boatswain

Kasworm, Martin A.

IN THE MARINE CORPS

The following-named officers for appointment in the United States Marine Corps in the ranks hereinafter stated:

To be a captain

Fenwick N. Reeve

To be a first lieutenant

Richard E. Figley

To be second lieutenants

Henry G. Ammer
John H. Anderson
Joseph R. Arnaud
Edward J. Artnak
James S. Ashman
Arthur J. Bachhuber
Laurence A. Ballinger
Walter A. Baran
Billy H. Barber
Jerome J. C. Beau
William H. Beckett
Earle W. Belknap, Jr.
George S. Belli
Paul F. Bent
Henry A. Berck
Charles F. Bethell
David M. Bidwell
John C. Boulware
Myrl E. Boys
Ralph E. Brandel
William Bradford
John C. Brewer
William B. Buckner, Jr.
Carrol B. Burch
Samuel B. Burnett
Elzia M. Cable
Charles M. Cable
Donald S. Callaham
Howard D. Campbell, Jr.
Bobby Carter
Kenneth E. Caulkins
Arthur R. Causer
Thomas F. Cave, Jr.
Alexander D. Cereghino
Charles B. Chambers
Cecil L. Champion, Jr.
Thomas J. Ciszek
Joseph O. Compton, Jr.
John J. Conrad
Edward L. Constantine
Donald Conroy
Lester W. Corey
Ruel H. Corley, Jr.
William M. Crapo, Jr.
William B. Creel
Russell A. Davidson
Joseph E. Davies
Philip A. Davis
Marion H. Deckard
Wesley F. Demmons
Warren J. Dillberg
Robert L. Dominick
Donald F. Draeger
Remmel H. Dudley
James C. Dunphy
Earl W. Dunsmoor
James R. Dyer
Edward V. Easter
John W. Eberhart
Samuel L. Eddy, Jr.
Charles W. Egan
Robert H. Emswiler
Dexter E. Evans
Robert J. Fairfield
Richard A. Flanagan
Norman W. Flinn, Jr.
Daren J. Flitcroft
Benjamin A. Fornonzini, Jr.
Arthur C. Frazier
Louis S. Frazier, Jr.
Joseph L. Freitas, Jr.
Burnette R. Gallagher
Richard M. Giddens
John R. Gill
David D. Girard
Frederic J. Goff, Jr.
Herbert Gomes
Frank W. Harris 3d
Joseph B. Harrison
Albert Hartman
Eric W. Harslem
Andrew Hedesh
Paul B. Henley
Harry G. C. Henneberger
Teddy W. Hill
Bruce F. Hillam
Walter L. Hill
Don M. Hinshaw
Henry W. Hise
Robert R. Holmes
William R. Holt
Thomas J. Horgan, Jr.
Charles A. House
Hardy V. Huffstutter, Jr.
Walter G. Hunter
Glenn R. Hunter
Oscar A. Imer
Clayton R. Ingraham, Jr.
Charles J. Irwin, Jr.
James H. James
Clyde R. Jarrett
Curtis D. Jernigan
Victor E. Johnson, Jr.
Mark Jones
Donald R. Judge
George W. Kaseman
Joseph Keller
John P. Kelley
Jack G. Kelly
Charles D. Kenneday
Melvyn H. Kerr
Robert R. Kiernan
Daniel R. Kingsley
Julius King
Walter C. Kirk
Robert R. Klingman
Oliver J. Koester
Claude R. LaPlant
Richard H. Lewis
Ralph H. Lewis
Eldon L. Little, Jr.
Orlan R. Lodge
Edwin B. Long
Gustave F. Lueddeke, Jr.
John K. Lynch
Dermott H. MacDonnell
Henry G. Maeger
Nathaniel F. Mann, Jr.
George S. Mansfield
Thomas E. McCarthy
Grant W. McCombs
Thomas F. McGraw, Jr.
Vance F. McKean
Fenton J. Mee
Marion F. Mehlinger
Byron J. Melancon
Kenneth G. Meyer
Lynn E. Midkiff
Lee R. Miller

Willie J. Mixson
Malcoln G. Moncrief, Jr.
Arthur M. Moran
Frank P. Moran
Robert E. Munkirs
Frederick A. Murchall
John J. Murphy
Anthony R. Nollet
Kirt W. Norton
William H. Nuckols, Jr.
Robert E. O'Hare
Frank J. O'Hara, Jr.
Roy E. Oliver
James R. O'Moore
William T. O'Neal
Mackubin T. Owens
Will S. Patee, Jr.
Harvey M. Patton
James Payette
Edward K. Pedersen
Robert R. Peebles
John S. Perrin
Robert Peskuski
George L. Peters
Paul R. Piana
Clarence E. Plocke
William D. Porter
James A. Pounds 3d
Lawrence H. Pratt
William R. Quinn
James H. Reeder
James H. Reid, Jr.
James H. Rinehart
Eugene S. Roane, Jr.
Eddie L. Robinson
Murray O. Roe
William H. Roley
Robert L. Rose
Robert J. Rossi
Arthur L. Rourke
Roger M. Sanders
Richard J. Schening
Robert F. Scott
Jeremiah D. Shanahan
James F. Shea
Frank J. Sheppard
John C. Shoden
Edward W. Shugert
Jack C. Smith
Joseph Smith
Mercer R. Smith
Nathan R. Smith
Ralph A. Soderberg
Daniel A. Somerville
Melvin D. Sonneborn
Parks J. Stallings
Theodore A. Stawicki
Bernard J. Stender
John Stepanovich
Frank P. Stivers, Jr.
Russel H. Stoneman
Victor Stoyanow
Lesley V. Strandtman
Sedley N. Stuart
Richard H. Tabor
Jack W. Temple
Franklin C. Thomas, Jr.
Richard S. Togerson
Lyle V. Tope
Bernard L. Turner
John A. Wachter
Guy L. Wade
Robert Wade
Robert C. Walker
Emerson A. Walker
Charles M. Wallace, Jr.
William A. Weir
Sheppard Werner
Howard A. Westphall
Leo T. White
James L. Whitaker
Frank E. Wilson
Robert L. Willis
Donald G. Wood, Jr.
Warren R. Young
Elmer J. Zorn

To be a first lieutenant

Everette H. Vaughan

To be second lieutenants

Frederick S. Aldridge
Philip R. Anderson
James Antink
John G. Babasanian
Gene M. Badgley
John E. Barnett
Lyman A. Bates
Louis D. Baughman
John W. Beebe
William C. Benton
Carl L. Billnitzer
Wallace D. Blatt
Thomas E. Bourke, Jr.
James W. Brayshay
George A. Brigham
Edwin B. Bucholz
Clifford W. Buckingham
James M. Burris
William K. Byrd
Earl W. Cassidy
Armon Christopherson
Matthew A. Clary, Jr.
Louis Conti
Clement T. Corcoran
Oliver W. Curtis
Thomas J. Cushman, Jr.
Armand G. Daddazio
Alexander P. Davidson, Jr.
Eldon E. Davidson
Charles F. Dekeyser
Armond H. Delalio
John S. Dewey
Ernest R. Doyle, Jr.
Charles J. Dyer
Kenneth T. Dykes
George M. Faser
Fred J. Fees, Jr.
Daniel G. Felding
Francis E. Finch
Billie L. Fletcher
Harold R. Foltz
David Foos, Jr.
Martin I. Frederick, Jr.
Owen V. Gallentine
James E. Gibbons
Hobson J. Gifford
Jack Glenn
Jerome L. Goebel
William F. Goggin
John L. Greene
Edmund K. Griswold
Raymond F. Hargrove
Carl O. H. Haroldson
Robert G. Harris
William S. Harris
Robert M. Healy
John L. Herndon
Gene M. Hoover
Gerald G. Hoover
Louis T. Iglehart, Jr.
Wayne R. Johnson
Thomas J. Johnston, Jr.
William G. Joslyn
George T. Keys
John M. Kusiak
Charles A. Labbo
John Ladutko
William H. Lanagan, Jr.
Harold V. Larson
John H. Lavoy
James Leffers
Julius O. Lemcke
William E. Lesage
Harry M. Lindberg
Harry L. Lottes
George T. P. Lovelace
Kenneth A. Lund
Jan Mason
Lyle B. Matthews, Jr.
Raymond McArthur
James C. McFerran III
John R. McGuigan
Harold G. McRay
Maxmillian W. Miesse
Harry A. Moore
Edwin G. Nelson
Arthur W. Newendorp
Richard B. Newport
"J" "P" Nixon
Keith D. Nolan
Virgin D. Olson
William R. Ourand, Jr.
Thurman Owens
John Padach, Jr.
Douglas D. Petty, Jr.
Eugene V. Pointer
Ernest E. Poor
William T. Porter
John G. Prestridge
James R. Priddy
Dwain L. Redalen
Alvin R. Rieder
David Riley
John P. Roden
Elmer W. Rothenburger
Robert R. Roy
John W. Ruhsam
Charles C. Samis
James Sanzo
Valdemar Schmidt, Jr.
Charles C. Schwartz
Frank A. Shook, Jr.
Jack R. Sloan
Jerry B. Smith
Richard E. Smith
James B. Soper
Alfred V. Soupios
Alan M. Stewart
John D. Stith
William D. Stone
David G. Swinford
John G. Theros
Frank C. Thomas
Roger B. Thompson
McDonald D. Tweed
Hiel L. Van Campen
Harry Van Hunnik
Carl M. Viner
Stanley B. Voth
Done C. Ware
Stephen G. Warren
James R. Weaver
Paul T. Wiedenkeller
Robert G. Williams
George L. Wineriter
Robert E. Woerner
Ralph C. Wood
Vance L. Yount, Jr.
Clarence F. Zingheim
John W. Zuber

To be commissioned warrant officers

George K. Acker
Jack A. Bingham
Jack R. Bishop
Arthur H. Bourne
Frederick Bove
Arthur E. Buckner
Vincent J. Buettner
Edward E. Burt
James W. Campbell
Jack V. Canzonieri
John A. Clayton
Sidney W. Cooley
Alfred T. Coon
James D. Connolly
Lawrence R. Darner
William A. Davis
Sloan M. Diaz
James P. Drummond
James R. Einum
George F. Elliott
Chester H. Fritts
George M. Garner
Wilbur P. Gorsuch
John E. Halliwill
Rayburn B. Harper
George E. Hynes
Eric E. Isaacson
George D. Johnson
Carl W. King
James L. Knott
Alfred G. Kohler
Frank R. Leech, Jr.
Henry J. Lendo
Burt A. Lewis, Jr.
Albert L. Litka
William H. Meadors
Herbert L. Merwin
Adam A. Metz
Alfred N. Milbert
Robert A. Morehead
Philip A. Murphy
Charles E. Neus
Benjamin F. Osborne
Edd F. Peel
Haakon B. Rasmussen
Robert B. Reynolds
Merle G. Richard
Roy H. Roark
John F. Russell
John L. Seifert
Levi B. Silvernail, Sr.
Richard W. Sinclair
Benjamin S. Singleton
Dorsie R. Smith
Elmer H. Sorley
Elwyn M. Stimson
James G. G. Taylor
Paul N. Taylor
Harry G. Torbett
James W. Tuma
Fred Turner
Charles W. Walker
Hugh L. Wehrly
John F. Wheeler
Peter J. Wilgus
William L. Woodruff

The below-named officer to be a second lieutenant in the United States Marine Corps to correct spelling of his surname, Nenefee, Melville M., as previously nominated and confirmed:

Melville M. Menefee

TO BE SECOND LIEUTENANTS IN THE MARINE CORPS FROM JUNE 5, 1946

Bertram H. Curwen, Jr.
Paul Mazzuca, Jr.
Stewart B. McCarty, Jr.
Grady P. Mitchell, Jr.

HOUSE COMMITTEE ON POST OFFICE AND CIVIL SERVICE

The full committee will meet Monday, March 17, at 10 a. m., in room 213, House Office Building, to continue hearings on H. R. 2408.

SENATE

MONDAY, MARCH 17, 1947

(Legislative day of Wednesday, February 19, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Lord Jesus, we turn in confidence unto Thee, since Thou wast tempted in all points like as we are, and yet without sin. Help us, that we may obtain victory over our temptations. We feel ashamed that we have so little power in our lives, and so often fall at the same old hurdles. Sometimes we grow discouraged and filled with doubts when we see so little evidence of growth in grace, in faith, and in spiritual perception.

We know that we are not what we ought to be; and we know that we are not yet what we will be; but we thank Thee that we are not what we once were. For whatever progress Thou hast made with us we give Thee thanks, and by Thy grace we are kept from despair. Help us to remember that they that wait upon the Lord shall renew their strength. May we wait and be made strong. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Friday, March 14, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 220. An act to authorize the Secretary of the Navy to convey to American Telephone & Telegraph Co. an easement for communication purposes in certain lands situated in Virginia and Maryland; and

S. 221. An act to authorize the Secretary of the Navy to grant and convey to the Virginia Electric & Power Co. a perpetual easement in two strips of land comprising portions of the Norfolk Navy Yard, Portsmouth, Va., and for other purposes.

INVITATION FOR REPRESENTATIVES OF SENATE TO VISIT CZECHOSLOVAKIA

The PRESIDENT pro tempore. The Chair desires to make an announcement. On February 11, 1947, the State Department submitted to the Senate a communication from the distinguished Ambassador from Czechoslovakia transmitting a generous invitation to the Senate from the National Constitutional Assembly of the Czechoslovak Republic to send a delegation to visit Czechoslovakia.

The invitation was referred to the Senate Foreign Relations Committee.

The committee has instructed me to express the deep appreciation of the Senate for this gracious expression of good will and to assure the Government of Czechoslovakia of its deep anxiety to embrace every opportunity further to cement our good relations.

I have been further instructed to say that the burden of responsibilities on the Senate is the sole reason why the Senate is unable to accept the invitation at the present time.

The letter addressed to the Ambassador from Czechoslovakia under date of March 17, 1947, will be printed at this point in the RECORD, without objection.

The letter is as follows:

MARCH 17, 1947.

Dr. JURAJ SLAVIK,
Ambassador Extraordinary and Plenipotentiary,
Embassy of Czechoslovakia,
Washington, D. C.

MY DEAR MR. AMBASSADOR: Your gracious letter and invitation of January 30, 1947, addressed to the President pro tempore of the Senate, was presented by me to the full Senate and referred to the Senate Committee on Foreign Relations.

The committee is deeply appreciative of the invitation from the Czechoslovak National Constitutional Assembly suggesting that a delegation from the United States Senate should visit your great country and it instructs me to inform you and your Government of our desires to take advantage of every possible opportunity to strengthen the ties of mutual friendship and understanding between the United States and Czechoslovakia. Your invitation typifies a spirit of good will which we heartily reciprocate. Unfortunately the pressures upon the Senate are such that we cannot anticipate at the present time when it might be possible for a committee of the Senate to accept your invitation. I am sure you will be fully aware of the great responsibilities confronting the Senate for some months to come. Therefore, I have no present alternative except to suggest that we shall hope to be able to give more responsive attention to your invitation at a later date.

We cherish the warmest sentiments of friendly interest in the Czechoslovak National Constitutional Assembly and in the welfare of the Czechoslovak Republic. Whenever and wherever it is possible to cement these ties between us we shall welcome the opportunity and the privilege. I shall be indebted to you if you will inform your government of this response to its deeply appreciated invitation.

With sentiments of great respect and warm personal regards.

Cordially and faithfully,

A. H. VANDENBERG,
President pro tempore and Chairman of the Committee on Foreign Relations.

AUDIT REPORT OF TENNESSEE VALLEY AUTHORITY

The PRESIDENT pro tempore laid before the Senate a letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report of the Tennessee Valley Authority for the fiscal year ended June 30, 1945, which, with the accompanying report, was referred to the Committee on Expenditures in the Executive Departments.

MEETING OF COMMITTEE TO INVESTIGATE NATIONAL DEFENSE PROGRAM

Mr. BREWSTER. Mr. President, I ask unanimous consent that the Senate Committee To Investigate the National Defense Program may have a brief executive session this afternoon during the session of the Senate.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and permission is granted.

MEETING OF COMMITTEE ON RULES AND ADMINISTRATION

Mr. BROOKS. Mr. President, I ask unanimous consent that the Committee on Rules and Administration may be privileged to meet tomorrow afternoon.

The PRESIDENT pro tempore. Without objection, permission is granted.

MEETING OF COMMITTEE ON BANKING AND CURRENCY

Mr. TOBEY. Mr. President, I ask consent of the Senate that the Committee on Banking and Currency may meet tomorrow while the Senate is in session.

The PRESIDENT pro tempore. Without objection, permission is granted.

CALL OF THE ROLL

Mr. DONNELL obtained the floor.

Mr. WHITE. Mr. President, will the Senator from Missouri yield to me to suggest the absence of a quorum?

Mr. DONNELL. I yield to the Senator from Maine.

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Moore
Baldwin	Hatch	Morse
Ball	Hawkes	Murray
Brewster	Hayden	O'Conor
Bricker	Hickenlooper	O'Daniel
Bridges	Hill	Pepper
Brooks	Hoey	Reed
Buck	Holland	Robertson, Va.
Bushfield	Ives	Russell
Byrd	Jenner	Saltonstall
Cain	Johnson, Colo.	Smith
Capehart	Johnston, S. C.	Sparkman
Capper	Kem	Stewart
Chavez	Kilgore	Taft
Connally	Knowland	Thomas, Utah
Cooper	Langer	Thye
Cordon	Lodge	Tobey
Donnell	Lucas	Tydings
Downey	McCarthy	Umstead
Dworshak	McClellan	Vandenberg
Eastland	McFarland	Watkins
Ecton	McKellar	Wherry
Ellender	McMahon	White
Ferguson	Magnuson	Wiley
Flanders	Malone	Williams
Fulbright	Martin	Wilson
George	Millikin	Young

Mr. WHERRY. I announce that the Senator from Nebraska [Mr. BUTLER] and the Senator from Wyoming [Mr. ROBERTSON] are absent because of illness.

The Senator from West Virginia [Mr. REVERCOMB] is necessarily absent.

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. BARKLEY] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senators from Rhode Island [Mr. GREEN and Mr. MCGRATH], the Senator from South Carolina [Mr. MAYBANK], the Senator from Nevada [Mr. MCCARRAN], the Senator from Pennsylvania [Mr. MYERS], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Idaho [Mr. TAYLOR] are detained on public business.

The Senator from Oklahoma [Mr. THOMAS] is absent because of a death in his family.

The Senator from Louisiana [Mr. OVERTON] is absent because of illness.

The PRESIDING OFFICER (Mr. KEM in the chair). Eighty-one Senators having answered to their names, a quorum is present.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By Mr. WHITE:

Petitions of sundry citizens of Bangor and Springdale, Maine, praying for the enactment of Senate bill 265, to prohibit the transportation of alcoholic beverage advertising in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSTON of South Carolina:

A concurrent resolution of the Legislature of the State of South Carolina; to the Committee on Labor and Public Welfare:

"Concurrent resolution relating to the school-lunch program

"Whereas the Federal Government has been offering the States assistance to develop and expand school-lunch programs, and after extended hearing the Seventy-ninth Congress passed the National School Lunch Act, which was signed by the President June 4, 1946, and became Public Law 396; and

"Whereas section 2 of this act reads as follows: 'It is hereby declared to be the policy of Congress, as a measure of national security, to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the States, through grants-in-aid and other means, in providing an adequate supply of foods and other facilities for the establishment, maintenance, operation, and expansion of nonprofit school-lunch program'; and

"Whereas South Carolina is meeting its share of the costs as required by law, and is complying with other phases of the act; and

"Whereas school officials and the public in general consider the school-lunch program one of the most important Federal aided activities in the State and Nation; and

"Whereas the basis for strengthening our Nation is through better nutrition for our school children and a wider market for the products of our farms; and

"Whereas nothing is more important in our national life than the welfare of our children and proper nourishment comes first in attaining this welfare; and

"Whereas if Congress should fail to make necessary financial provisions, the school-lunch program in South Carolina would come to a close in most of our small and poorer schools: Now, therefore, be it

"*Resolved by the Senate (the House of Representatives concurring)*, That the South Carolina delegation in the National Congress are hereby urged to support deficiency appropriation for carrying the school-lunch program for the current year, and an appropriation for continuing the program for the next year (1947–1948); and be it further

"*Resolved*, That a copy of this resolution be forwarded by the clerk of the senate to Senators and Representatives in Congress from South Carolina, in Washington."

By Mr. YOUNG:

A concurrent resolution of the Legislature of the State of North Dakota; to the Committee on the Judiciary:

"Senate Concurrent Resolution 13

"Concurrent resolution memorializing the Congress of the United States to propose an amendment to the Constitution of the United States of America endorsing equal rights for women

"Be it resolved by the Senate of the State of North Dakota (the House of Representatives concurring therein):

"Whereas the women of America have shared equally with men in the hardships and sacrifices incident to the building of this Nation; and

"Whereas they have shared equally in the pain and distress which have been involved in the maintenance of the American Republic and the ideals of free government against the aggression of tyrants and have participated, and are today participating, in the battles precipitated by the enemies of freedom; and

"Whereas this Nation was conceived in liberty and dedicated to the proposition that all men are created equal and such declaration has no actual or implied limitations on equality before the law by reason of sex; and

"Whereas the rights of women before the law are much abridged in many States, and this legal discrimination on the basis of sex constitutes an intolerable burden upon thousands of women who are solely dependent upon their own efforts for their livelihood, and is a source of irritation to many thousands of others who recognize in this discrimination a flat contradiction of the American principle of equality, wholly out of accord with the status of American women, which they have reached by their achievements in other fields of human endeavor; and

"Whereas there are today 985,000 more women than men in this country and women have served this country in time of war as well as in peace, equally well with men in every field of work: Therefore be it

"Resolved, That the senate and house of representatives pass the following resolution and the amendment as follows:

"'EQUAL RIGHTS AMENDMENT

"'Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex. Congress and the several States shall have the power within the respective jurisdictions to enforce this article by appropriate legislation.

"'This amendment shall take effect 3 years after the date of ratification'; be it further

"Resolved, That copies of this resolution be transmitted to the President of the United States, the Secretary of the United States Senate, the Clerk of the House of Representatives, and to each Member of Congress elected from the State of North Dakota."

A concurrent resolution of the Legislature of the State of North Dakota; to the Committee on Labor and Public Welfare:

"Senate Concurrent Resolution 23

"Concurrent resolution memorializing Congress to construct a psychopathic hospital for veterans in the State of North Dakota and until such time as such hospital is constructed to pay for the transportation charges for the commitment of psychopathic veterans to governmental institutions in adjoining States

"Be it resolved by the Senate of the State of North Dakota (the House of Representatives concurring therein):

"Whereas the State of North Dakota is one of the many States that does not have a veterans' hospital for psychopathic patients; and

"Whereas due to this factor mental patients have had to be transported to veterans' hospitals in adjoining States for commitment; and

"Whereas the Veterans' Administration, due to existing law, is unable and has therefore refused to pay for the travel expense involved in the commitment of such veteran to a mental institution in an adjoining State; and

"Whereas the counties have been required to assume the transportation costs of such veterans to other States, even though the sheriff has had no authority to collect expenses for out-of-State travel: Now, therefore, be it

"Resolved, That we, the members of the Thirtieth Legislative Assembly of the State of North Dakota, respectfully memorialize and petition Congress and the Veterans' Administration that in the future hospital-building program of the Veterans' Administration that a site for a psychopathic hospital be selected in North Dakota and that such a hospital be constructed and maintained in this State for the benefit of the veterans of this State and their families; be it further

"Resolved, That until such time as such hospital is constructed and in operation in this State, that we petition Congress to amend the laws pertaining to the Veterans' Administration to provide that the Veterans' Administration will assume and be held responsible for the transportation of psychopathic veterans to governmental institutions in adjoining States; be it further

"Resolved, That the secretary of state is hereby directed to send copies of this resolution to North Dakota's Representatives and Senators in Congress, United States Veterans' Bureau, Veterans' Service Commissioner, and to the Greater North Dakota Association."

Two concurrent resolutions of the Legislature of the State of North Dakota; to the Committee on Public Works:

"HOUSE CONCURRENT RESOLUTION P

"Concurrent resolution expressing the support of the people of North Dakota for the development of the Missouri River and its tributaries, and petitioning Congress to continue its support

"Whereas the several departments of the United States Government have prepared and adopted a plan for the development of the physical resources of the Missouri River Basin; and

"Whereas that plan was approved and authorized for construction by the Congress of the United States in the Flood Control Act of 1944; and

"Whereas appropriations for such development have already been made by the Congress of the United States and such works are now under way; and

"Whereas successful completion of said plan will bring untold benefits to the people of the Missouri Basin and to the people of the United States as a whole by increasing industrial, agricultural, and economic opportunity, and by stabilizing the business, industry, and agriculture now existent in the Missouri Basin: Now, therefore, be it

"Resolved by the House of Represeniatives of the State of North Dakota (the Senate concurring), That we hereby express the support of the people of North Dakota for this development of the Missouri River and its tributaries and that we respectfully petition the Congress of the United States to continue its support of this development and to make the necessary appropriation to carry on this work without delay, and that the secretary of state be authorized and directed to transmit a certified copy of this resolution to Senators YOUNG and LANGER and to Congressmen ROBERTSON and LEMKE at Washington, D. C."

"House Concurrent Resolution V

"Concurrent resolution memorializing the Congress of the United States to extend the time for availability of funds under the Federal Aid Act of 1944

"Be it resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein):

"Whereas, the Federal Aid Highway Act of 1944 authorized the apportionment of certain funds for each of the first three successive postwar fiscal years for Federal aid highways, the Federal aid secondary roads, and for projects on the Federal aid highway system in urban areas; and

"Whereas section 4 (d) of said act provides that any sums so apportioned to any State shall be available for expenditure in such State for only 1 year after the close of the fiscal year for which it is apportioned and that any sum so apportioned that remains unexpended at the end of such period shall lapse and revert to the Treasury of the United States; and

"Whereas the aforesaid provisions of section 4 (d) of said act will operate to cause each State to lose any portion of such funds apportioned to it for the first postwar fiscal year that may not be expended by June 30, 1947; and for the second postwar fiscal year not be expended by June 30, 1948; and for the third postwar fiscal year not expended by June 30, 1949; and

"Whereas the highway departments of many of the States are certain that the elements of inflation and the acute shortages of labor and engineering personnel, materials, and equipment that are known to exist will make it impossible to have these funds expended within the time now prescribed by said act, and said highway departments and the public generally realize that the need for the expenditure of such funds on highway work is, and will be, more intensified by reason of obsolescence, deterioration, increased unit costs, and ever-mounting traffic volumes: Now, therefore, be it

"Resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein), That the Congress of the United States be and hereby is memorialized and petitioned to enact suitable legislation to extend the periods of availability of such funds for 12 months after June 30 of each of the years 1947, 1948, and 1949; and be it further

"Resolved, That copies of this resolution be sent to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States, to the Federal Works Administrator, and the Commissioner of Public Roads of the United States, and to North Dakota's delegation in Congress."

Three concurrent resolutions of the Legislature of the State of North Dakota; to the Committee on Interstate and Foreign Commerce:

"House Concurrent Resolution K

"Concurrent resolution memorializing the Congress of the United States to enact legislation barring all forms of liquor advertising from interstate mails, from radio and motion picture programs

"Be it resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein), That the Legislative Assembly of the State of North Dakota does hereby memorialize and petition the Congress of the United States to enact legislation now introduced in the Senate of the United States to bar all forms of liquor advertising from interstate mails and from radio and motion picture programs. It is the sense of the house of representatives and the senate that such liquor advertisements coming through the interstate mails and over the radio and in motion picture programs are detrimental to the morals, health, and safety of the people, and particularly to the youth of our country, and, therefore, should be banned and barred from all interstate mails, radio, and motion picture programs; be it further

"Resolved, That the secretary of state be instructed to send copies of this resolution properly authenticated to the presiding officer of each House of the National Congress and to each of the United States Senators and Representatives from the State of North Dakota."

"House Concurrent Resolution M

"Concurrent resolution memorializing the Civil Aeronautics Board for early consideration in providing a northern area of the United States as the crow flies from Duluth, Minn., to Seattle, Wash., with regular air transportation serving Chicago via the Twin Cities and Duluth and the intermediate points of Grand Forks, Devils Lake, Minot, Williston, Glasgow, Havre, Great Falls, Kalispell, and Spokane

"Whereas there is no transcontinental air service between Lake Superior and Seattle along the Northern part of the United States; and

"Whereas said territory can well support such service and is in fact operating one of the most successful railroad operations in the Nation; and

"Whereas applications are pending on the part of air transport companies for such authority, and

"Whereas all of the cities and trade areas affected are desirous of having such service; and

"Whereas said service appears to be both economical and feasible and necessary in the best interests of the country; and

"Whereas no through service is available from the intermediate territory to important commercial and industrial centers of the country East or West: Now, therefore, be it

"Resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein), That the Members of Congress from this State be requested to lend every effort towards the establishment of such service by presenting this resolution to the Civil Aeronautics Board and in person reporting to said Board the lack of transportation by air above set forth. Let copies of this resolution be sent by the secretary of state to the Honorable WILLIAM LANGER and the Honorable MILTON R. YOUNG, Members of the United States Senate, and to the Honorable WILLIAM LEMKE and the Honorable CHARLES R. ROBERTSON, Members of Congress from North Dakota."

"Senate Concurrent Resolution 20

"Concurrent resolution demanding the removal of all controls over boxcar supply and distribution and allowing railroads to govern and allocate such equipment according to the needs of its patrons

"Be it resolved by the Senate of the State of North Dakota (the House of Representatives concurring therein):

"Whereas the supply of grain boxcars has been short of actual needs for this territory and as a result thereof there has been a great financial loss to producers and country elevators; and

"Whereas our railroads serving this territory have been forced to operate on approximately 50 percent of their own equipment while many eastern roads have been given 150 percent and more of car supply for l. c. l. freight; and

"Whereas impractical direction of transportation by the Office of Defense Transportation has resulted in discrimination against producers of this section in favor of eastern manufacturers and processors; and

"Whereas the evidence clearly indicates that arbitrary Office of Defense Transportation orders have been the cause of maldistribution of available boxcar supply and consequent backing up of food supplies in the country: Now, therefore, be it

"Resolved by the Senate of the State of North Dakota (the House of Representatives concurring therein), That all controls over the supply and distribution of boxcars be removed and that the authority be given the various railroad units to govern and allocate their equipment according to the needs of their own patrons in keeping with a normal connecting line arrangement necessary to the operation of all American railroads; be it further

"Resolved, That copies of this resolution be sent by the secretary of state to the President of the United States, the Association of American Railroads, the Interstate Commerce Commission, and to North Dakota's delegation in Congress."

Three concurrent resolutions of the Legislature of the State of North Dakota; to the Committee on Public Lands:

"House Concurrent Resolution N

"Concurrent resolution memorializing the Congress of the United States to open for homestead entry the submarginal lands in the State of North Dakota for the benefit and rehabilitation of veterans of World War II

"Be it resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein), That the Legislative Assembly of the State of North Dakota does hereby memorialize and petition the Congress of the United States to enact legislation opening for homestead entry for the purpose of rehabilitation of veterans of World War II, all submarginal lands in the State of North Dakota. That certified copies of this resolution properly authenticated be sent by the secretary of state to the Presiding Officer of each House of the National Congress and to each of the United States Senators and Representatives from North Dakota."

"House Concurrent Resolution Y

"Concurrent resolution urging the enactment of H. R. 1113 of the Eightieth Congress authorizing the removal of restrictions by the United States Government on land and land interests of Indian veterans

"Be it resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein):

"Whereas the House of Representatives of the Eightieth Congress of the United States has before it H. R. 11133 providing that the Secretary of the Interior, upon an application by any Indian who shall have served honorably in the armed forces of the United States in time of war, may remove all restrictions upon the lands, interests in lands, funds, or other property of such Indian, and if such lands or interests are held by the United States in trust for such Indian, to issue an unrestricted patent in fee therefor: Now, therefore, be it

"Resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein), That we recommend the passage of H. R. 1113 of the Eightieth Congress of the United States as soon as possible and substantially in the form introduced; be it further

"Resolved, That the secretary of state is directed to transmit copies of this resolution to the President of the Senate and Speaker of the House of Representatives of the United States Congress, to the chairman of the Indian Affairs Committee of the House of Representatives of the United States Congress, and to North Dakota's delegation in the House of Representatives and Senate of the United States."

"Senate Concurrent Resolution 26

"Concurrent resolution memorializing the Congress of the United States to create a Roosevelt Memorial Park in the Bad Lands area of the State of North Dakota

"Be it resolved by the Senate of the State of North Dakota (the House of Representatives concurring therein):

"Whereas the Honorable WILLIAM LEMKE of the Eightieth Congress of the United States has introduced in the Congress of the United States H. R. 731, for the purpose of creating and establishing a Theodore Roosevelt National Park and to reconstruct the log cabin and other buildings used by Theodore Roosevelt during his residence in the State of North Dakota on the original ranch owned and operated by him and to erect a suitable memorial to the said Theodore Roosevelt in the village of Medora, Billings County, State of North Dakota; and

"Whereas the said land under the bill which is to be used as a park is now owned by the Federal Government or its subdivisions and will not take additional land out of production; and

"Whereas the natural beauty of the North Dakota Bad Lands is recognized throughout all of the United States as well as in the State of North Dakota: Now, therefore, be it

"Resolved by the Senate of the State of North Dakota (the House of Representatives concurring therein), That the Legislative Assembly of the State of North Dakota does hereby memorialize and petition the Congress of the United States to enact legislation favorable to H. R. 731, establishing and creating the said Roosevelt Memorial Park in the Bad Lands of North Dakota; be it further

"Resolved, That certified copies of this resolution, properly authenticated, be sent forthwith by the secretary of state to the presiding officer of each House of Congress and to each of the United States Representatives and Senators from the State of North Dakota and to the chairman of the House Committee on Public Lands and to the President of these United States of America."

Four concurrent resolutions of the Legislature of the State of North Dakota; to the Committee on Agriculture and Forestry:

"House Concurrent Resolution C

"Concurrent resolution memorializing Congress of the United States to continue and expand the development of rural electrification throughout the United States

"Whereas electricity has become an absolute necessity, not only for urban centers, but for the farm population of the United States; and

"Whereas the use of electricity on a farm, for its effective and efficient management, is now and has been for some time a necessary source of power as well as convenience; and

"Whereas the rural population is entitled to the same conveniences and necessities as the urban population of the United States; and

"Whereas rural electrification has been made possible largely through the Rural Electrification Administration, which has proven itself and which has electrified thousands of farms throughout the United States that otherwise would not have been able to procure electrical power; and

"Whereas there seems to be widespread publicity indicating some misunderstanding and perhaps hostility toward the Rural Electrification Administration; and

"Whereas the farmers of the United States deem rural electrification and its continued expansion one of the essential requirements of the modern age: Now, therefore, be it

"Resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein), That the Congress of the United States continue the expansion and development of rural electrification in the United States, and that all necessary funds for use of rural electrification, and the building of rural electric lines and the organization of rural electrification cooperatives be amply provided, to the end that eventually all farm families be enabled to procure the service of electric power for the efficient management of their farms as well as their convenience; and be it further

"Resolved, That the House of Representatives of the State of North Dakota, the Senate concurring therein, respectfully urge and request the Congress of the United States to continue to give its wholehearted support to rural electrification through helpful legislation and continued adequate appropriations; and that the Congress of the United States carefully study the needs of rural electrification, and that no attempt be made

to stifle, stymie, or prevent the extension and expansion of rural electrification in the United States."

"House Concurrent Resolution W

"Concurrent resolution to the Congress of the United States petitioning Congress to strengthen present sanitary requirements governing the importation of livestock and livestock products and to appropriate additional funds to the Bureau of Animal Industry, United States Department of Agriculture, in order that border inspection may be improved and a system of patrol established along the northern boundary of Mexico to guard against the importation of people, animals, and materials carrying the infection of foot and mouth disease, and also petitioning Congress to offer to the Government of the Republic of Mexico such facilities as may be available from the Bureau of Animal Industry, United States Department of Agriculture, and appropriating money to provide for such facilities and to extend aid to the Government of the Republic of Mexico in order that foot-and-mouth disease may be eradicated

"To the President of the United States and to the Honorable Senate and House of Representatives of the United States in Congress Assembled:

"Whereas foot-and-mouth disease now exists in livestock in the Republic of Mexico; and

"Whereas the disease has spread rapidly into a number of States in the vicinity of Mexico City and has now reached as far west and north as the state of Zacatecas; and

"Whereas it is extremely doubtful if the Government of the Republic of Mexico can eradicate this disease from their livestock without additional assistance; and

"Whereas the presence of foot-and-mouth disease in the Republic of Mexico presents a very definite threat to the prosperity of the livestock industry and the entire economic welfare of the United States: Now, therefore, be it

"Resolved by the Thirtieth Legislative Assembly of the State of North Dakota (the Senate and House of Representatives concurring), That we earnestly petition the Congress of the United States to strengthen the present sanitary requirements governing the importation of livestock and livestock products from Mexico and from other countries in which foot-and-mouth disease exists; be it further

"Resolved, That we earnestly petition Congress to appropriate additional funds to the Bureau of Animal Industry, United States Department of Agriculture, in order that border inspection may be improved and a system of patrol be established along the northern boundary of Mexico to guard against the importation of people, animals, and materials carrying the infection of foot-and-mouth disease; be it further

"Resolved, That we petition and urge the Congress of the United States to offer to the Government of the Republic of Mexico such facilities and assistance as may be available from the Bureau of Animal Industry, United States Department of Agriculture, and to appropriate funds to provide for this assistance and to provide direct financial aid to the Government of the Republic of Mexico in order that foot-and-mouth disease be eradicated from their livestock; be it further

"Resolved, That a copy of this concurrent resolution be forwarded by the secretary of state to the President of the United States and to the President pro tempore of the United States Senate, the Speaker of the House of Representatives, the Honorable Secretary of State, the Honorable Secretary of the United States Department of Agriculture, and to the Senators and Representatives in Congress from the State of North Dakota with the request that they bring this matter forcibly to the attention of the Members of the Congress of the United States."

VERNON M. JOHNSON,
Speaker of the House.
KENNETH L. MORGAN,
Chief Clerk of the House.
C. P. DAHL,
President of the Senate.
W. J. TROUT,
Secretary of the Senate.

Attest:

THOMAS HALL,
Secretary of State.

"House Concurrent Resolution Z

"Concurrent resolution petitioning Congress to enact permanent legislation to maintain a floor of not less than 90 percent of parity on all basic farm crops

"Be it resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein):

"Whereas the gross debt of the Government of the United States has increased from about forty billion to about $260,000,000,000 during the period of World War II from 1939 to 1946; and

"Whereas interest must be paid annually and the debt gradually liquidated if the Government is to be saved from insolvency or bankruptcy; and

"Whereas it must be self-evident that if we are to avoid lower living standards and if this debt is to be serviced and paid, it must be through the production of new wealth from the natural resources of the United States; and

"Whereas the national income of the United States and the gross income of agriculture of this country have each only slightly more than doubled during the same time and these must bear the chief burden of taxes in maintaining the national solvency; and

"Whereas our gross farm income represents about 65 percent in dollar value of our annual production of new wealth, and in turn our national income regularly averages approximately seven times the dollar amount of gross farm income; and

"Whereas a return to the 1939 price and income levels for farm products would reduce our national income about 50 percent or from about one hundred sixty billion to less than $8,000,000,000: Now, therefore, be it

"Resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein), That we hereby petition Congress to pass permanent legislation to maintain a floor of not less than 90 percent of parity on all basic farm crops, to protect such floor prices with commodity loans of like amount and to prescribe such import duties, excise taxes, or quotas on competitive imports as may be needed to maintain these price levels and our national income and to equalize the differential between the dollar value of our production and that of foreign counties; be it further

"Resolved, That copies of this resolution properly authenticated be forwarded by the secretary of state to the presiding officer of each House of the National Congress and to each of the United States Senators and Representatives from North Dakota."

"Senate Concurrent Resolution 21

"Concurrent resolution memorializing the Congress of the United States to provide funds for the payment of the difference between the ceiling price on flax and the price obtainable after the ceiling had been lifted

"Be it resolved by the Senate of the State of North Dakota (the House of Representatives concurring therein):

"Whereas the Federal Government during the summer of 1946 imposed a ceiling on flax of $4 per bushel; and

"Whereas such ceiling was given wide publicity in Government news releases and reports and stated that the farmer would receive no benefit by holding his flax for sale at a later date; and

"Whereas the public was warned that the stocks of oils would be the smallest in 30 years and the farmers were repeatedly urged by the Federal Government, its agencies, and representatives to market their flax; and

"Whereas many farmers of this State relying on such news releases and information cooperated with the Federal Government by marketing such flax to alleviate economic conditions and keep oil crushers in operation; and

"Whereas after the farmers had sold their flax, the Federal Government lifted the ceiling on flax on October 17, 1946, so that by October 25, 1946, the price of flax had zoomed 80 percent or to $7.25 per bushel; and

"Whereas the Federal Government at the time of imposing the ceiling on flax knew and had knowledge that the ceiling would be lifted as it had agreed to purchase from Argentina flax or its derivative, oil, the agreed price of which was the equivalent of $6 per bushel for Argentine flax; and

"Whereas the farmers have suffered a gross injustice due to their reliance upon the representations made by the Federal Government, its agencies and representatives: Now, therefore, be it

"Resolved, That we, the members of the Thirtieth Legislative Assembly of the State of North Dakota, respectfully memorialize Congress to provide to farmers who marketed their 1946 flax, sufficient Federal funds for the payment of the difference between the ceiling price on flax of $4 per bushel and the sum of $7.25 per bushel, which the farmers would have secured had they held their flax until the ceiling had been lifted; be it further

"Resolved, That a copy of this resolution be forwarded to the Secretary of Agriculture of the United States, to the United States Senate, the United States House of Representatives and each of the Senators and Representatives of the State of North Dakota in the Congress of the United States."

PATRIOTS DAY

Mr. LODGE. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a resolution adopted by the Board of Aldermen of the City of Medford, Mass., relating to the national recognition of April 19 as Patriots Day.

There being no objection, the resolution was received, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

CITY OF MEDFORD,
March 4, 1947.

Be it resolved, That this board of aldermen does hereby recommend the favorable passage of a resolution entered in Congress by Representative E. N. ROGERS calling for the national recognition of April 19 as Patriots Day.

The resolution as introduced in Congress reads as follows: "Authorizing the President of the United States to proclaim April 19 of each year Patriots Day for the commemoration of the events that took place on April 19, 1775."

In board of aldermen, March 4, 1947, passed.

A true copy.

Attest:

GEORGE P. HASSETT,
City Clerk.

RECLAMATION PROJECTS AFFECTING NORTH DAKOTA

Mr. LANGER. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD several resolutions adopted by the directors of the North Dakota Reclamation

Association, Bismarck; the Board of County Commissioners of the County of Morton; the Board of County Commissioners of the County of Richland; the County Commissioners of Burke County; and the Carl Oftedahl Post, No. 127, of the American Legion, Bowbells, all in the State of North Dakota, dealing with the development of reclamation projects of interest to the State of North Dakota.

There being no objection, the resolutions were received, ordered to be printed in the RECORD, and referred, as follows:

To the Committee on Public Lands:

"The following resolution was adopted by the directors of the North Dakota Reclamation Association at a meeting held on this 4th day of March 1947 at Bismarck, N. Dak.:

" 'Whereas we believe the cause of reclamation would be enhanced throughout the West by having the power of authorization of projects rest solely in the hands of the Congress of the United States; and

" 'Whereas the views of the Solicitor of the Interior Department are at variance with what we believe was the intent of Congress in the writing of the 1939 Reclamation Act in respect to the application of power revenues from multiple-purpose Federal reclamation projects; and

" 'Whereas due especially to present-day costs of reclamation projects, added to the fact that the less expensive reclamation development in the West has already been made, some revised formula should be adopted, based on principles fair to all sections of the Nation, and setting up tests of feasibility more workable than those in the 1939 act; and

" 'Whereas the National Reclamation Association, with which this association is affiliated, has at its last two annual conventions approved resolutions favoring the clarification of these matters; and

" 'Whereas remedial legislation has been submitted to the Eightieth Congress, through S. 539 and H. R. 1886, which we believe will accomplish these ends: Therefore be it

" '*Resolved*, That the North Dakota Reclamation Association go on record as giving its unqualified endorsement to the provisions of these two measures; and that through its board of directors every effort be extended to bring about favorable consideration and final approval of one or both of these proposals; be it further

" '*Resolved*, That copies of this resolution be forwarded to members of the North Dakota congressional delegation at Washington, to the chairman of the Public Lands Committee and Appropriations Committee of both the United States Senate and House of Representatives, to the Governor of North Dakota, and to the secretary of the National Reclamation Association.'

"Attest:

"J. I. ROVIG,
"Secretary."

To the Committee on Appropriations:

"The following resolution was adopted by the directors of the North Dakota Reclamation Association at a meeting held on this 4th day of March 1947 at Bismarck, N. Dak.:

" 'Whereas surveys and investigations have been carried on for a number of years on the projects in the Red River watershed by the Corps of Army Engineers; and

" 'Whereas immediate development of such projects is desperately needed to provide municipal and domestic water supply to the cities of Fargo, Grand Forks, Valley City, Lisbon, Grafton, Park River, and other cities of the Red River Valley: Therefore be it

" '*Resolved*, That the directors of the North Dakota Reclamation Association urge Congress to provide funds to augment funds already made available for construction of Bald Hill Dam and that further appropriations be requested on projects recommended by the Corps of Army Engineers to alleviate the critical domestic water supply of cities adversely affected; be it further

" '*Resolved*, That a copy of this resolution be sent to the Governor of North Dakota, to the North Dakota congressional delegation at Washington, the Chief of Army Engineers, Washington, D. C.'

"Attest:

"J. I. ROVIG,
"Secretary."

"The following resolution was adopted by the directors of the North Dakota Reclamation Association at a meeting held on this 4th day of March 1947 in Bismarck, N. Dak.:

" 'Whereas surveys and investigations have advanced to a stage on the Heart River project, the Sheyenne Dam of the Missouri Souris project where construction could be started in 1947; and

" 'Whereas construction of these units are vital to the economic welfare and domestic water needs of North Dakota and the furtherance of the Missouri Basin water-development program; and

" 'Whereas the Bureau of Reclamation is charged with the responsibility of the construction of these projects: Therefore be it

" '*Resolved by the directors of the North Dakota Reclamation Association*, That we urge Congress to provide the necessary funds to start actual construction of these units during the fiscal year 1948 so that these various units may proceed in an orderly manner to bring about the over-all development as authorized by Congress; be it further

" '*Resolved*, That a copy of this resolution be sent to the Governor of North Dakota, the North Dakota congressional delegation at Washington.'

"Attest:

"J. I. ROVIG,
"Secretary."

"The following resolution was adopted by the Board of County Commissioners of the County of Morton at a meeting held on this 5th day of March, 1947:

" 'Whereas surveys and investigations have advanced to a stage on the Heart River project, the Sheyenne Dam of the Missouri-Souris project, where construction could be started in 1947; and

" 'Whereas construction of these units are vital to the economic welfare and domestic water needs of North Dakota and the furtherance of the Missouri Basin Water Development program; and

" 'Whereas the Bureau of Reclamation is charged with the responsibility of the construction of these projects: Therefore be it

" '*Resolved by the Board of County Commissioners of the County of Morton*, That we urge Congress to provide the necessary funds to start actual construction of these units during the fiscal year 1948, so that these various units may proceed in an orderly manner to bring about the over-all development, as authorized by Congress; be it further

" '*Resolved*, That a copy of this resolution be sent to the Governor of the State of North Dakota, the Honorable Fred G. Aandahl, and to the North Dakota delegation in Washington, Hon. William Langer, Hon. Milton R. Young, Hon. William Lemke, Hon. Charles R. Robertson.' "

" 'Whereas surveys and investigations have advanced to a stage on the Heart River project, the Sheyenne Dam of the Missouri-Souris project where construction could be started in 1947; and

" 'Whereas construction of these units are vital to the economic welfare and domestic water needs of North Dakota and the furtherance of the Missouri Basin water development program; and

" 'Whereas the Bureau of Reclamation is charged with the responsibility of the construction of these projects: Therefore be it

" '*Resolved by the Carl Oftedahl Post, No. 127, of the American Legion, of the city of Bowbells, N. Dak.*, That we urge Congress to provide the necessary funds to start actual construction of these units during the fiscal year 1948, so that these various units may proceed in an orderly manner to bring about the over-all-development, as authorized; be it further

" '*Resolved*, That a copy of this resolution be sent to the North Dakota delegation in Washington, Hon. William Langer, Hon. Milton R. Young, Hon. William Lemke, Hon. Charles R. Robertson, and to the Governor of the State of North Dakota, the Honorable Fred G. Aandahl.'

"The foregoing resolution was adopted by the Carl Oftedahl Post, No. 127, of the American Legion, of Bowbells, N. Dak., at a meeting held on the 3d of March, 1947.

"CARL OFTEDAHL POST, No. 127,
"R. CURFU, *Post Commander*,

"Attest:

"C. H. RASMUSSEN, *Adjutant*."

"The following resolution was adopted by the Board of County Commissioners of Richland County at a meeting held on this 6th day of March 1947:

" 'Whereas surveys and investigations have advanced to a stage on the Heart River project, the Sheyenne Dam of the Missouri Souris project where construction could be started in 1947; and

" 'Whereas construction of these units are vital to the economic welfare and domestic water needs of North Dakota and the furtherance of the Missouri Basin water development program; and

" 'Whereas the Bureau of Reclamation is charged with the responsibility of the construction of these projects: Therefore be it

" '*Resolved by the Board of County Commissioners of Richland County*, That we urge Congress to provide the necessary funds to start actual construction of these units during the fiscal year 1948, so that these various units may proceed in an orderly manner to bring about the over-all development, as authorized by Congress; be it further

" '*Resolved*, That a copy of this resolution be sent to the Governor of the State of North Dakota, the Honorable Fred G. Aandahl, and to the North Dakota delegation in Washington, Hon. William Langer, Hon. Milton R. Young, Hon. William Lemke, Hon. Charles R. Robertson.'

"On roll call all members present voted in favor of said resolution, and same was declared duly carried and adopted."

"The following resolution was adopted by the County Commissioners of the County of Burke at a meeting held on this 4th day of March 1947:

" 'Whereas surveys and investigations have advanced to a stage on the Heart River project, the Sheyenne Dam of the Missouri Souris project where construction could be started in 1947; and

" 'Whereas construction of these units are vital to the economic welfare and domestic water needs of North Dakota and the furtherance of the Missouri Basin water development program; and

" 'Whereas the Bureau of Reclamation is charged with the responsibility of the construction of these projects: Therefore be it

" '*Resolved by the Commissioners of Burke County*, That we urge Congress to provide the necessary funds to start actual construction of these units during the fiscal year 1948, so that these various units may proceed in an orderly manner to bring about the over-all

development, as authorized by Congress; be it further

"'*Resolved, that a copy of this resolution* be sent to the Governor of the State of North Dakota, the Honorable Fred G. Aandahl, and to the North Dakota delegation in Washington, Hon. William Langer, Hon. Milton R. Young, Hon. William Lemke, Hon. Charles R. Robertson.'

"OSCAR A. KALLBERG,
"Chairman, Burke County Commissioners.
"Attest:
"WM. JOHNSON,
"County Auditor."

"The following resolution was adopted by the directors of the North Dakota Reclamation Association at a meeting held this 4th day of March 1947, at Bismarck, N. Dak.:

"'Whereas preliminary construction of highways, railroad connections and other facilities for the construction of the Garrison Dam and Reservoir have been well advanced; and

"'Whereas it is imperative that construction be commenced on the damsite, said reservoir being one of the key projects of the Missouri Basin development provided for in the Flood Control Act of 1944; and

"'Whereas the Corps of Army Engineers have already begun construction at the damsite with partial completion of the construction city of Riverdale and preparatory river testing to the starting of construction of the dam proper: Therefore be it

"'*Resolved by the Directors of the North Dakota Reclamation Association,* That we urge Congress to provide funds to permit actual construction on the dam to be advanced during the fiscal year 1948, with existing noncontingent limitations placed upon appropriations for such construction by the Congress, so that the various projects making up the whole may proceed uninterruptedly in realization of the coordinated Pick-Sloan Missouri Basin development plan; be it further

"'*Resolved,* That a copy of this resolution be forwarded to members of the North Dakota congressional delegation at Washington, D. C., to the Governor of North Dakota, the Chief of Army Engineers, Washington.'

"Attest:
"J. I. ROVIG,
"Secretary."

REPORTS OF COMMITTEE ON PUBLIC LANDS

The following reports of a committee were submitted:

By Mr. CORDON, from the Committee on Public Lands:

H. R. 731. A bill to establish the Theodore Roosevelt National Park; to erect a monument in memory of Theodore Roosevelt in the village of Medora, N. Dak.; and for other purposes; with amendments (Rept. No. 54); and

S. J. Res. 45. Joint resolution to change the name of Boulder Dam to Hoover Dam; with amendments (Rept. No. 55).

By Mr. HATCH, from the Committee on Public Lands:

S. 214. A bill to change the name of the Lugert-Altus irrigation project in the State of Oklahoma to the W. C. Austin project; without amendment (Rept. No. 56).

OFFICE OF SELECTIVE SERVICE RECORDS—REPORT OF COMMITTEE ON ARMED SERVICES

Mr. SALTONSTALL. Mr. President, from the Committee on Armed Services, I ask unanimous consent to report an original bill to establish an office of selective service records to liquidate the Selective Service System following the termination of its functions on March 31, 1947, and to preserve and service the selective service records, and for other purposes, and I submit a report (No. 53) thereon.

The PRESIDING OFFICER. Without objection, the report will be received, and the bill will be placed on the calendar.

The bill (S. 918) to establish an office of selective service records to liquidate the Selective Service System following the termination of its functions on March 31, 1947, and to preserve and service the selective service records, and for other purposes, was read twice by its title, and ordered to be placed on the calendar.

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES—MINORITY VIEWS (PT. I OF S. REPT. 48)

Mr. KILGORE. Mr. President, I ask unanimous consent to submit the minority views of the Committee on the Judiciary on the bill (H. R. 2157) to define and limit the jurisdiction of the courts to regulate actions arising under certain laws of the United States, and for other purposes.

The PRESIDING OFFICER. Without objection, the minority views will be received and printed.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, March 17, 1947, he presented to the President of the United States the following enrolled bills:

S. 220. An act to authorize the Secretary of the Navy to convey to American Telephone & Telegraph Co. an easement for communication purposes in certain lands situated in Virginia and Maryland; and

S. 221. An act to authorize the Secretary of the Navy to grant and convey to the Virginia Electric & Power Co. a perpetual easement in two strips of land comprising portions of the Norfolk Navy Yard, Portsmouth, Va., and for other purposes.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. AIKEN:

S. 907. A bill to provide for the orderly transaction of the public business in the event of the death, resignation, or separation from office of regional disbursing officers of the Treasury Department; to the Committee on Expenditures in the Executive Departments.

By Mr. CAIN:

S. 908. A bill relating to maximum rents on housing accommodations; to the Committee on Banking and Currency.

By Mr. DOWNEY:

S. 909. A bill to authorize the Postmaster General to provide clerical assistance at post offices of the fourth class during the periods of annual or sick leave of the postmasters at such offices;

S. 910. A bill to amend the act entitled "An act granting allowances for rent, fuel, light, and equipment to postmasters of the fourth class, and for other purposes," enacted May 24, 1928, for the purpose of increasing the amount of such allowances from 15 percent of the compensation earned by the postmasters in each quarter to 25 percent; and

S. 911. A bill to provide for the payment by the United States of premiums on bonds given to the United States by persons employed in the field or departmental service of the Post Office Department; to the Committee on Civil Service.

By Mr. DOWNEY (for himself, Mr. KNOWLAND, Mr. JOHNSON of Colorado, Mr. MILLIKIN, Mr. CONNALLY, and Mr. O'DANIEL):

S. 912. A bill exempting certain projects from the land-limitation provisions of the Federal reclamation laws and repealing all inconsistent provisions of prior acts; to the Committee on Public Lands.

By Mr. TOBEY (for himself and Mr. MCGRATH):

S. 913. A bill to amend Section 5 of the Home Owners' Loan Act of 1933, and for other purposes; to the Committee on Banking and Currency.

By Mr. STEWART:

S. 914. A bill to increase the subsistence allowances payable to veterans pursuing courses of education or training under the Servicemen's Readjustment Act of 1944, as amended, from $90 to $150 in the case of veterans with dependents and from $65 to $80 in the case of veterans having no dependents; and to provide for corresponding increases in the ceilings on combinations of subsistence allowances and income from productive labor; to the Committee on Labor and Public Welfare.

By Mr. MCCARTHY (for himself and Mr. TAFT):

S. 915. A bill providing for the temporary continuation of rent control, establishing a rent adjustment and decontrol board, and for other purposes; to the Committee on Banking and Currency.

By Mr. SMITH:

S. 916. A bill for the relief of Mrs. Frederick Faber Wesche; to the Committee on the Judiciary.

By Mr. SALTONSTALL (for himself and Mr. LODGE):

S. 917. A bill to encourage the production of sheep, to protect the domestic price for wool, to provide for the national defense, and for other purposes; to the Committee on Agriculture and Forestry.

(Mr. SALTONSTALL, from the Committee on Armed Services reported an original bill (S. 918) to establish an Office of Selective Service Records to liquidate the Selective Service System following the termination of its functions on March 31, 1947, and to preserve and service the Selective Service records, and for other purposes, which was ordered to be placed on the calendar and appears under a separate heading.)

By Mr. YOUNG:

S. 919. A bill to authorize the reconstruction of a highway bridge across the Bois de Sioux River in North Dakota; to the Committee on Public Works.

By Mr. TAFT:

S. 920. A bill for the relief of Stefan Christoff Malinoff; to the Committee on the Judiciary.

By Mr. HATCH:

S. 921. A bill to authorize a project for the rehabilitation of certain works of the Fort Sumner irrigation district in New Mexico, and for other purposes; to the Committee on Public Lands.

By Mr. PEPPER:

S. 922. A bill for the relief of Ruth Grossman; to the Committee on the Judiciary.

By Mr. PEPPER (for himself and Mr. HOLLAND):

S. 923. A bill for the relief of the United Daughters of the Confederacy; to the Committee on the Judiciary.

By Mr. JENNER:

S. J. Res. 89. Joint resolution to provide for the printing and distribution of certain matter relating to congressional activities authorized by section 221 of the Legislative Reorganization Act of 1946 to be included in the CONGRESSIONAL RECORD; to the Committee on Rules and Administration.

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES—AMENDMENTS

Mr. WHERRY submitted an amendment and Mr. HOLLAND submitted two amendments intended to be proposed by them, respectively, to the bill (H. R. 2157) to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes, which were ordered to lie on the table and to be printed.

REDUCTION OF INDIVIDUAL INCOME-TAX PAYMENTS—AMENDMENT

Mr. PEPPER submitted an amendment intended to be proposed by him to the bill (H. R. 1) to reduce individual income-tax payments, which was referred to the Committee on Finance, and ordered to be printed.

RESCISSION OF ORDER FOR PRINTING OF ANALYSIS OF HEARINGS ON GENERAL HOUSING BILL OF 1945

Mr. TOBEY. Mr. President, I ask unanimous consent that the order of the Senate of March 14, 1947, providing for the printing as a Senate document, with illustrations, an analysis of the hearings on the so-called Wagner-Ellender-Taft general housing bill, S. 1592, Seventy-ninth Congress, prepared by the Legislative Reference Service, Library of Congress, and on the new bill recently introduced in the present Congress, be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRINTING OF SENATE REPORT 610, SEVENTY-SIXTH CONGRESS, ENTITLED "SURVEY OF EXPERIENCES IN PROFIT SHARING AND POSSIBILITIES OF INCENTIVE TAXATION"

Mr. VANDENBERG. Mr. President, in the Seventy-sixth Congress a subcommittee of the Committee on Finance consisting of the late Senator from Iowa, Mr. Herring, and myself, conducted a Nation-wide survey of profit sharing. As a result a report was printed in the Seventy-sixth Congress entitled "Survey of Experiences in Profit Sharing and Possibilities of Incentive Taxation," which is probably the best available encyclopedia on the subject. There have been very many demands for the report, and the copies made available have been exhausted. The Government Printing Office has sold 6,000 copies of the document, which would indicate its popularity.

At the urgent request of many who are interested in the availability of this report, on a subject which is coming to be of renewed, current interest, I am asking for an order to reprint the document. The order necessarily has to be in the form of a concurrent resolution. Therefore I ask unanimous consent to submit a concurrent resolution which I should like to have considered and acted upon at this time.

The PRESIDING OFFICER. The clerk will read the concurrent resolution.

The concurrent resolution (S. Con. Res. 9) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 1,000 additional copies of Senate Report No. 610, Seventy-sixth Congress, first session, being the report entitled "Survey of Experience in Profit Sharing and Possibilities of Incentive Taxation" which was printed as a report from a subcommittee of the Senate Committee on Finance acting pursuant to Senate Resolution 215, Seventy-fifth Congress, agreed to May 18, 1938. Such addditional copies shall be for the use of the Senate Committee on Finance.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan?

There being no objection, the concurrent resolution was considered and agreed to.

THE FOREIGN POLICY OF THE UNITED STATES—ADDRESS BY SENATOR LODGE

Mr. LODGE. Mr. President, I ask unanimous consent to have inserted in the RECORD at this point an address on the subject of foreign policy delivered by me before the Clover Club, Boston, on March 15.

Ther being no objection, the address was ordered to be printed in the RECORD, as follows:

It is no exaggeration to say that we are standing at a turning point in history, a turning point of the kind which happens only once in several centuries. We see all around us chaos, hatred and turmoil; we see old empires going down and new power combinations arising; we see the saturation of populations, coupled with the exhaustion of natural resources; we hear the talk of new wars and we see that the contest between democracy and totalitarianism which some thought had been settled on VE-day and VJ-day has not yet been laid to rest. More and more, people will realize in the next few months, if they do not realize it now, that the erstwhile great nations of western Europe can no longer be world powers and may not be able to stand up to Communist doctrines without outside help.

That there will, therefore, be demands on our generosity is almost a foregone conclusion. And that in the name of religion and humanitarianism we will respond to those demands is equally certain, because we, the descendants of immigrants, who sought to escape the curse of Europe, are a generous people.

We are now, however, asked by the President of the United States on his solemn responsibility to go further than that. He has courageously faced the challenge of Communist aggression and we must support him in principle, while we, your servants in Congress, decide what methods should be used. If the people and their Congress were to repudiate the President, the last hope of ever organizing peace would vanish. We can be sure of one thing; weakness will not avoid trouble. There is a much better chance that strength, guided by virtuous motives, will do so. Nor can I escape the thought that if this challenge had been faced much earlier we would not be needing to take these steps today. You can bargain better before the other fellow gets the stuff than you can afterward.

We now have the right and the duty to make conditions as to what we give or what we lend abroad without having our motives impugned. For example, these stricken nations should be stimulated to produce all that they can produce, and not to remain prostrate in the belief that we will go on forever feeding them a minimum ration. We must insist that American agents supervise the distribution of our American goods so that our money and goods go where they are intended and not to fatten any private pocket, foreign or domestic. We must demand that no American goods be used—as they have been in the recent past—to promote political ideologies that are hateful to us; that no government waste its substance on competitive armaments while receiving aid from us; and that our friends and former enemies return whatever is given them when they are able to do, either to us or to some international fund for future famine relief.

None can deny our right to make such conditions. Our people are heavily taxed. Even in our land, millions are close to the poverty line. Our resources are not inexhaustible; in fact, in many respects we are a have-not Nation. We cannot simply buy our way out.

What we may do in the immediate future must be made to square with the long range future and with our policy in other parts of the world. We must not resist communism in one place and appear to support it in others. We must by all means use our own American methods and not follow the outworn and unsuccessful methods of older nations. We must modernize and make effective our diplomacy. The old striped pants approach is as out of date as horse cavalry and is still all too often used because so many of our people don't know any better.

Gentlemen, we are in an unhappy and rather sickening moment. We don't like any part of it. At best we face a choice of the lesser of evils. But the one thing we cannot do is to avoid a decision, for refusing to make a decision in an affair of this kind is itself a decision. We are—and I am profoundly sorry to say it—deeply involved from a material, a spiritual, and an ideological standpoint. To give a clear warning that we refuse to be shut out of the Near East is not imperialism; it is not war mongering; it is not pulling chestnuts out of fires; it is not bailing out the oil companies. It is simple self-preservation.

I close with the suggestion that any policy we may follow in the future be an American policy; that, of course, we support the United Nations; that by our attitude and by our example we show the world what a success we can make of democracy; and that the one form of government which believes in the dignity of man and in his worthwhileness and importance has the vitality to survive and prosper, even while we are passing through the valley of the shadow.

ASSISTANCE TO GREECE

Mr. MCMAHON. Mr. President, during the past few days I have deliberated and reflected, as seriously as I ever have done in my life about anything, upon the message concerning the Greek situation which was read by the President of the United States on Wednesday last at a joint session of the Congress. A choice between two pleasant courses of action was not afforded. I have decided to support the President's request. It occurs to me that it might be well if the titular leader of the Republican Party were to make his views known on this all-important question, since it goes without saying that he is a candidate for the nomination of his party for the Presidency of the United States; and since the step we are about to take is as important as any affecting our foreign policy we have ever taken in the Nation's history, I think it would be well if we could hear what the gentleman in Albany thinks about this matter. I know it would be of considerable interest to the Members of the Senate, to the Members of the House of Representatives, and to the people of the country.

PRIVATE BUSINESS PROFITS

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a table showing

the incomes of corporations in the United States for various years, and a statement explaining the table. I merely wish to point out that about a year ago some misinformation was issued by the Department of Commerce, which indicated that a 30-percent increase in wages was possible without the need for a price increase. Of course, this was not possible. I think the Senate will find these factual figures on corporate profits very interesting.

There being no objection, the table and statement were ordered to be printed in the RECORD, as follows:

TABLE I.—*Percent of profit earned by private business corporations in the United States on sales, total assets, and risk capital, 1931–46*

[Money figures in millions of dollars]

Year	Number of corporations	Sales (compiled receipts)	Total assets	Shareholders capital (net worth)	Profit (net income after taxes)	Dividends paid	Percent of profit on—			Percent dividends paid on shareholders' capital
							Sales	Total assets	Shareholders' capital	
5-year average, 1939–43	396,786	184,318	343,454	140,627	9,163	5,871	4.97	2.67	6.52	4.17
10-year average, 1934–43	405,426	151,556	322,829	139,619	6,935	6,059	4.58	2.15	4.97	4.35
13-year average, 1931–43	401,226	137,123	313,313	138,515	4,894	5,566	3.57	1.56	3.53	4.02
1946				[1] 154,000	[1] 12,800				[1] 8.31	
1943	366,870	245,886	389,524	145,665	12,181	5,626	4.95	3.13	8.36	3.86
1942	383,524	213,777	360,018	139,629	11,141	5,512	5.21	3.09	7.98	3.95
1941	407,053	186,137	340,452	142,590	9,528	6,556	5.12	2.80	6.68	4.60
1940	413,716	145,427	320,478	138,387	6,947	6,019	4.78	2.17	5.02	4.35
1939	412,759	130,365	306,801	136,865	6,019	5,639	4.62	1.96	4.40	4.12
1938	411,941	117,596	300,022	137,437	3,300	4,834	2.81	1.10	2.40	3.52
1937	416,562	138,107	303,357	141,633	6,531	7,281	4.70	2.15	4.61	5.14
1936	415,654	126,269	303,180	133,468	6,473	7,163	5.13	2.14	4.85	5.37
1935	415,205	112,098	303,150	138,931	4,778	5,896	4.26	1.58	3.44	4.24
1934	410,626	99,095	301,307	141,585	2,456	4,788	2.48	.82	1.73	3.38
1933	388,564	82,148	288,206	127,578	−1,056	3,091	−1.19	−.39	−.83	2.42
1932	392,021	79,701	280,083	133,569	−3,753	3,854	−4.76	−1.35	−2.84	2.89
1931	381,088	105,238	296,497	143,363	−880	6,092	−.84	−.30	−.61	4.25

[1] Estimate.

NOTE.—Figures were taken, without change or adjustment, from the annual volumes of Statistics of Income published by the Bureau of Internal Revenue, U. S. Government.

"Sales (compiled receipts)" comprise (1) taxable income consisting of gross sales (less returns and allowances), gross receipts from operations (where inventories are not an income-determining factor), taxable interest received, rents and royalties received, net capital gain, net gain from sale of property other than capital assets, dividends received from stock of domestic corporations, and other receipts required to be included in gross income, and (2) partially and wholly tax-exempt interest received on Government obligations. They exclude nontaxable income other than wholly tax-exempt interest received on certain Government obligations. The net effect of the broadening of the concept of "sales" to include the above-listed items, some of which are "net" items, is to show the percent of profit on sales in the attached tables to be slightly higher than was actually realized.

Net profit or loss comprises the amount remaining after all expenses of operation and all taxes have been deducted from "Sales (compiled receipts)."

"Shareholders capital" (synonymous with net worth and risk capital) consists of capital stock, common and preferred, surplus reserves, surplus and undivided profits less deficits.

"Dividends paid" comprise cash and all other types of dividends except corporation's own stock.

The corporations covered in these tables include all active private business corporations in the United States filing balance sheets in connection with their Federal income-tax returns. Of a total net profit of $12,200,869,000 reported for 1943 by all corporations filing Federal income-tax returns for that year, those submitting balance sheets with their income tax returns accounted for $12,181,000,000, or 99.84 percent.

The statistics in these tables, in going back to the year 1931, cover all the years for which complete data for each of the categories are available. Less complete records are available for a number of years prior to 1931.

ADDRESS BY SENATOR WILEY ON LABOR IN THE ATOMIC AGE

[Mr. WILEY asked and obtained leave to have printed in the RECORD a radio address recently delivered by him on the subject Labor in the Atomic Age, which appears in the Appendix.]

CONGRESS PUTS AN END TO "SPEED" OF RUBBER-STAMP ERA — ADDRESS BY SENATOR CAPPER

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address entitled "Congress Puts an End to 'Speed' of Rubber-Stamp Era," delivered by him on March 9, 1947, which appears in the Appendix.]

FEDERAL AID TO EDUCATION—ADDRESS BY SENATOR TAFT

[Mr. TAFT asked and obtained leave to have printed in the RECORD an address entitled "The Sound Basis for Federal Aid to Education," delivered by him to the American Association of School Administrators at Atlantic City, March 6, 1947, which appears in the Appendix.]

AID TO GREECE AND TURKEY—INTERVIEW WITH SENATOR FLANDERS

[Mr. BALDWIN asked and obtained leave to have printed in the RECORD a radio interview with Senator FLANDERS over the Yankee Network, by Francis W. Tully, Jr., which appears in the Appendix.]

COMMUNISM

[Mr. McKELLAR asked and obtained leave to have printed in the RECORD three editorials relating to communism, one from the Washington Times-Herald of March 16, 1947, entitled "Start at Home," by Frank C. Waldrop; one entitled "Fails To Meet Test," from the Standard-Times of New Bedford, Mass., of March 14, 1947; and one entitled "America's New World Role," from the St. Louis Post-Dispatch of March 14, 1947, which appear in the Appendix.]

INTERNATIONAL VOICE BROADCASTING—STATEMENT ON BEHALF OF BROADCASTING MAGAZINE

[Mr. BROOKS asked and obtained leave to have printed in the RECORD a statement by William Benton for the Broadcasting magazine in relation to a letter by Commander McDonald regarding international voice broadcasting, which appears in the Appendix.]

AID TO GREECE—EDITORIALS FROM THE CHICAGO DAILY NEWS

[Mr. BROOKS asked and obtained leave to have printed in the RECORD two editorials from the Chicago Daily News, the first entitled "United States Must Ration Charity Lest We Join the Bread Line," from the issue of March 8, 1947, and the second entitled "Truman Policy for Greece Risks Bankruptcy and War," from the issue of March 15, which appear in the Appendix.]

AID TO GREECE AND TURKEY—EDITORIAL BY DON C. MATCHAN

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an article on the proposed extension of aid to Greece and Turkey, written by Don C. Matchan, and published in the Valley City (N. Dak.) Times-Record of March 13, 1947, which appears in the Appendix.]

"FOR GREEK FREEDOM FIRST"—EDITORIAL FROM THE CHICAGO SUN

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an editorial entitled "For Greek Freedom First," published in the Chicago Sun of March 13, 1947, which appears in the Appendix.]

APPRECIATION OF WORK OF PERSONNEL OF ESSEX COUNTY AND NEWARK, N. J., ADVISORY BOARDS FOR REGISTRANTS

[Mr. HAWKES asked and obtained leave to have printed in the RECORD the letter of appreciation accompanying the certificate of commemoration issued to the personnel of the Essex County, N. J., and Newark Advisory Boards for Registrants, under the Selective Service System, which appears in the Appendix.]

"ECONOMIC PEACE"—ARTICLE BY JAMES RESTON

[Mr. KILGORE asked and obtained leave to have printed in the RECORD an article entitled "The Real Test Is the Economic Peace," by James Reston, published in the New York Times magazine of February 9, 1947, which appears in the Appendix.]

THE SUGAR SUPPLY—EDITORIAL FROM THE WHEELING NEWS-REGISTER

[Mr. KILGORE asked and obtained leave to have printed in the RECORD an editorial entitled "Our Sugar Supply," published in the Wheeling News-Register of February 7, 1947, which appears in the Appendix.]

ITALIAN PEACE TREATY—EDITORIAL FROM PROGRESSO ITALO-AMERICANO

[Mr. IVES asked and obtained leave to have printed in the RECORD an editorial entitled "No Ratification Without Revision," published in the Progresso Italo-Americano of March 5, which appears in the Appendix.]

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 2157) to define and limit the jurisdiction of the courts to regulate

actions arising under certain laws of the United States, and for other purposes.

Mr. DONNELL. Mr. President, the Members of the Senate were extremely courteous to me on Friday last in refraining from asking me to yield except when the circumstances were appropriate that they should so ask. I shall greatly appreciate, in the interest of continuity, their very kind cooperation again today. I shall not lay down any ironclad rule, as indicated on Friday, and shall yield in reasonable degree, but I think I can present the case much more clearly and better if I may be permitted to proceed with reasonable continuity.

At the time of the recess of the Senate on Friday last, following the synopsis of certain relevant portions of the Fair Labor Standards Act, of the Walsh-Healey Act, and of the Bacon-Davis Act, there had been presented, among other matters—

First. Information showing the great number of suits commonly called portal-to-portal cases which had within the 7 months ending January 31, 1947, been filed in the Federal courts; the fact that in 1,515 of the 1,913 such suits filed in those months, definite amounts aggregating $5,785,204,000 were claimed; that in the remaining 398 of the 1,913 suits a definite amount was not named, but the court was requested to give judgment for the amount found due; the fact that nearly 62 percent of the 1,913 suits were commenced during the month of January 1947; the fact that 1 or more of said 1,913 suits had been filed in 44 of the 48 States; the fact that the number, 1,913, is less than seven-twentieths of 1 percent of 557,030, which last-mentioned number is the estimated number of establishments covered by the Fair Labor Standards Act; that, according to a report of the subcommittee of the Business Advisory Council, Department of Commerce, dated January 20, 1947, the pending suits involved only 10 percent of the total number of employees subject to the Fair Labor Standards Act, and that the total number of employees subject to sections 6 and 7 of that act is roughly approximated at 20,150,000.

Second. The fact that the immediate cause of this vast and widespread litigation was the decision of the Supreme Court of the United States in the case of Anderson against Mount Clemens Pottery Co.

Third. The facts claimed demonstrate, in my opinion, that the activities which the Court held compensable in the Mount Clemens case were such as neither management nor labor had previously treated as or considered to be separately compensable.

Fourth. Facts, particularly those embraced in certain activities of CIO affiliates, showing how the influx of litigation occurred.

Fifth. Facts demonstrating certain of the effects of the mere institution and maintenance of these suits upon the companies sued, in some cases the working capital or net worth of the companies being less than the amounts for which they are sued, and the effects including impairment of financial position of defendants, retardation of industry, and burden of expense in preparation of defense of suits.

It had been pointed out that according to the subcommittee of the Business Advisory Council for the Department of Commerce:

> Whatever the final amounts which might be awarded by the courts if the present judicial interpretation stands, it is clear that the extent of litigation, the cost of defense, and the potential liabilities constitute such a burden on industry as to force many companies into bankruptcy and to disrupt seriously the whole economy.

Mr. President, today at the outset the attention of the Senate is directed not to the effect of the mere institution and maintenance of the suits, but to the further effect upon the companies sued in the event the suits shall be successful.

I refer first to the very important testimony of Mr. Wilson, who was mentioned on Friday last, the chairman of the board of governors of Aircraft Industries Association. Mr. Wilson testified, in substance, that pending suits against the 12 largest aircraft companies now total $461,000,000; that these amounts exceed the net current assets of these companies, which net current assets are $366,365,000, and that the amounts of the pending suits exceed the net worth of these companies, which net worth is $423,000,000. Thus it is, Mr. President, that in this great industry, the aircraft industry, the 12 largest companies are faced by suits in which the plaintiffs ask judgment for $38,000,000 more than the total net worth of the 12 largest aircraft companies.

I need not emphasize, save only to state the proposition, that the aircraft industry in our Nation bears a most important relationship to our national security and to our national defense.

Mr. Wilson also brought out a very interesting fact, almost an ironic fact, when he pointed to the unfairness of the pending suits in that the greater the production by the companies, which production was necessitated and occasioned by the war, the greater is their potential liability under the suits to which reference has been made.

Attention is also called not only to the tremendously precarious situation in which the aircraft industry now finds itself as a result of the maintenance of these portal-to-portal suits, but also to a similarly precarious situation in which the great lumber industry of the Pacific Northwest finds itself confronted at this time. In the testimony before the subcommittee it was asserted by Mr. James P. Rogers, executive secretary of the Western Woods Employers, that with a potential liability of $175,000,000 involving more than 1,000 companies it would be, as Mr. Rogers indicated, and substantially quoting him, "a bankrupting proceeding." His organization represents substantially all the Douglas-fir and western-pine industry of the Pacific Northwest, and that production comprises about one-third of the national lumber production. I quote a sentence from the testimony of Mr. Rogers:

> In addition, if we had to go on an 8-hour day—

I interpolate to say that with the double liability for overtime it is obvious that the whole tendency in this and other industries would be to restrict the time of the employment of laborers so as to bring their combined operations within the 40-hour week, thus escaping the time and a half.

> Mr. ROGERS. In addition, if we had to go on an 8-hour day, and assuming that we could survive these suits, the loss to the lumber production in the Pacific Northwest would be approximately 2,000,000,000 feet less logs each year if he had to go on an 8-hour day camp to camp, as we call it, and that would be a loss of about 95,000 houses that would not be built in the United States that will be built under the present system.

That is the tremendous impact of the litigation which materially threatens the production of lumber, and thereby materially interferes with the construction of houses for our population. I say to the general population and to the veterans of World War II that we had better stop, look, and listen before we pass by this extremely serious threat which now impends over us.

Not alone in the aircraft industry, not alone in the lumber industry, can striking illustrations be found, and were presented to our committee with respect to the terrific impact of this portal-to-poral litigation upon the industry of our country.

I refer next to the mining industries of our country. Mr. Julian D. Conover, secretary of the American Mining Congress, testified before the committee. I quote two sentences from his testimony:

> Pending and prospective claims for back pay for nonproductive activities, based on the Mt. Clemens decision, would not only wreck large segments of our industry, but in doing so would have grave consequences to the future economy and even the military security of our country. We believe it the duty of Congress, in the national interest, to take prompt and decisive action to end this threat.

A few moments ago I referred to the almost ironic situation which confronts the aircraft industries, in that the greater their production in response to the requirements of the Nation during the war, the greater their potential liability under this mass of litigation now pending against them. I call attention to another fact of equal interest, if not as of great financial importance. That is the fact that the Government itself, in carrying out a wise policy of internal security requirements, placed into effect regulations binding—if it was legally possible to bind them, and I have no doubt it was under the exigencies of war—the plants which were producing war materials, the effect of which regulations, in part, was to increase the amount of the so-called portal-to-portal liability. I call attention to one such regulation. It is found in pamphlet No. 32–2, dated September 1, 1943, entitled "Internal Security Inspection." It deals with the prevention of unauthorized entry to facilities. I quote this language from the regulation:

> Facilities engaged in war work of highest importance should be completely enclosed by a man-proof fence. The number of gates should be kept at a minimum.

Obviously, the requirement that the number of gates should be kept at a minimum would, if it had any effect whatever, result in increasing the

amount of necessary walking time of some employees, for, of course, the smaller the number of gates the greater the probability of an increased distance between the gate and the actual place at which the employee was engaged in productive work. One gentleman who testified before the committee, Forrest J. Sanborn, was engaged in plant protection for the War Department during a portion of the war. He testified with respect to approximately 100 examinations which he made of plants in Wisconsin, Illinois, and Michigan, between April 1942 and January 1943, as follows:

Senator DONNELL. Of these 100 plants, what proportion, if you are able to recall, during April 1942 to 1943, were reduced by reason of this fencing, the number of entrances to the plant from what it had been prior to the installation of the fences to which you refer?

Mr. SANBORN. That is a hard one.

Senator DONNELL. Of course, you could not remember exactly, but could you tell us whether it was reduced to half, two-thirds, or one-fourth, or what?

Mr. SANBORN. I would say that one out of three plants probably reduced at least one to two exits, depending on the size of the plant, of course.

Subsequently in his testimony there occurred the following:

Senator DONNELL. Here is a plant which, prior to the putting in of the fencing around it, had, we will say, half a dozen entrances to which employees could come in and go to start their work at their machinery. After the installation of the fencing, what proportion of the plants, as nearly as you can recall, reduced the number of entrances from the half dozen, we will say, which they had into the plant originally to a smaller number of entrances into the fence?

Mr. SANBORN. I change my ratio to say at least half of them.

Senator DONNELL. In other words, you think that in at least half of the plants the number of entrances through the fence that was thrown around the plant was less than the number of entrances which the employees had been previously permitted to enter into the plant itself?

Mr. SANBORN. Yes, sir.

So, Mr. President, we find that these very security requirements, which were cheerfully complied with by the manufacturing interests of our country, in themselves have an obvious tendency toward very largely increasing the amount of the portal-to-portal liabilities for which effort is now being made to charge them.

Mention was made the other day of the fact that the effects of this litigation are not confined by any means to the large cities of our Nation. Among the witnesses to whom reference was made on Friday was Brig. Gen. Maurice Hirsch, of the War Contracts Price Adjustment Board. He pointed out with utmost clarity the fact that manufacturing for the war effort was not confined to the large cities. I have no doubt that my distinguished colleague from Missouri [Mr. KEM], who now presides over these deliberations, knows of the fact that in his and my State, in some of the smaller towns, such as Versailles, Jefferson City, and California, there were manufacturers of tents, leggings, and other materials. I had the pleasure of going through a part of one plant in a little town and seeing overcoat material being manufactured to be sent to far-off Russia. So throughout the Nation, Mr. President, in small towns and large towns, there was a distribution of the war effort. Manufacturers were not confined to the large cities. General Hirsch in his testimony points out that he knows of one instance in which a contractor had more than 25,000 subcontractors widely scattered. He mentioned also that one small contractor had 2,200 subcontractors, and to quote the general:

The prime contract did not amount to more than $3,000,000, I think.

Indeed, he very graphically uses this language in the course of his testimony, at page 749 of the hearings:

Our thumbtacks of concerns engaged in the war effort literally covered the country. It just absolutely flecked the entire map.

Senator DONNELL. Do you have any idea how many cities and towns there were in which there were Government contracts or subcontracts carried on?

General HIRSCH. I would say every city and town of any consequence and a tremendous number of villages.

Senator DONNELL. It would run into many thousands in which these contractors and subcontractors were located?

General HIRSCH. I know very few that were not engaged in war work.

Senator DONNELL. Your observation is that it would go back into the little town, the little city, where there is a grave uncertainty on the part of a subcontractor as to whether he is going to have to pay this portal to portal that would affect his plans for expansion and the labor he would employ, which would in turn affect the merchants, which would in turn affect the farmers and producers of all types and kinds?

General HIRSCH. That is true. We have already had occasions where they have closed up.

Senator DONNELL. It would affect the railroad carriers and so on?

General HIRSCH. Yes, sir.

Senator DONNELL. Including the carriers of interstate commerce?

General HIRSCH. That is the way I feel about it.

Obviously, Mr. President, with these suits being maintained, if any material portion of the 1,913 suits shall be successful, it is not at all unreasonable to expect that from one end of the country to the other, all over the Nation, in Federal courts and State courts, yes, even down to the smallest courts where the amounts involved are small, there will be a vast influx of litigation. We may expect also that employers and manufacturers who have now returned to a peacetime basis will find themselves confronted with claims involving vast sums which it will be impossible for them to pay. They will thereby, of course, be discouraged from, and in many instances prevented from, engaging in the expansion of their business which would normally occur. This would obviously affect workers in the respective communities who would not receive the employment which they would otherwise receive. It would affect the merchants who would otherwise have sold more merchandise because of the additional number of persons employed by the expanded industries. It would affect the farmers who would be producing commodities with which to feed a greater number of employees, including employees who would have had their wages advanced because of economic conditions incident to the expansion in the industries.

So, Mr. President, it is not at all an exaggeration to say that this ominous threat to our national economy goes clear down to the grass roots in the towns, villages, little cities, and even into the rural districts, in all branches of industry, and, to a greater or less degree it involves the prosperity of every individual in the United States.

I have in my hand a photostat copy of the New York Times of December 29, 1946, and I quote one paragraph from an article contained therein, which is headed "Billions involved."

In Michigan alone it is estimated that between 600,000 and 700,000 employees would be entitled to an average of $1,000 each, or about $600,000,000 to $700,000,000 of the estimated six to seven billions that may be eventually involved in the suits.

I have also in my hand a photostatic copy of an editorial from the New York Times of December 24, 1946, a portion of which I should like to read. It appears to be the first editorial of that date in the New York Times, and it reads as follows:

THE PORTAL-TO-PORTAL ISSUE

In 1941 the United Pottery Workers Industrial Union (CIO) instituted a suit for back pay on behalf of 1,100 employees against the Mount Clemens (Mich.) Pottery Co. The original basis of the suit was the claim that the company had failed to include certain bonus payments in the computation of the hourly rate for overtime; that it had failed to pay for a 15-minute lunch period; and that it had failed to pay for that part of the first quarter hour worked by employees arriving 2 or 3 minutes late. Federal Judge Frank A. Picard found in favor of the union, the following year only to be reversed by the circuit court of appeals. However, the union's claims were upheld by the Supreme Court in a decision handed down last June 10, since, declared the Court, "the statutory workweek includes all the time during which an employee is necessarily required to be on the employer's premises on duty or in a prescribed work place, the time spent in these activities must be properly compensated."

Says the editorial:

This decision has been seized upon by labor leaders as full recognition of the principle of portal-to-portal pay invoked by John L. Lewis during the war as a means of circumventing the Little Steel wage ceiling. It is now apparently to be used as a lever for one of the largest mass wage demands in the Nation's history. A fortnight ago representatives of the 800,000 members of the United Steelworkers of America—

I interpolate, Mr. President, that that is the CIO affiliate referred to on Friday last—

filed suit against two subsidiaries of the United States Steel Corp. for $120,000,000 in back portal-to-portal pay (or, more accurately, in the case of a nonmining industry, gate-to-gate pay). But that was only the beginning of the movement, which is rapidly attaining the proportions of an avalanche. Predictions as to the ultimate amount of such claims are futile beyond the obvious conclusion that they seem destined to run into several billions.

Not millions, Mr. President, but billions.

The editorial continues:

These actions constitute a peculiarly disturbing and harassing type of wage demand, for a number of reasons. In the first place,

wage contracts are ordinarily entered into with prevailing practices and working conditions in mind. To reopen such contracts, as this would in effect do, and to insert in them drastically retroactive provisions—

I pause at that point in the reading, Mr. President, to comment upon the corroboration by this editorial of my statement of last Friday as to the tremendous surprise which the rendition of this decision in the Mount Clemens case brought to the public at large.

Reverting again to the editorial:

which they were never intended to include, would be to impose severe and, in some cases, crippling penalties for acts which were, in many cases at least, entirely innocent. In the second place, the incidence of such penalties would be extremely capricious, being related not to the intent of the company concerned, but to the nature of the industry, on the one hand, and its geographical location on the other. In some instances "walking time" is a small item; in others a very considerable one. Moreover, the basis of claims depends upon the statute of limitations for such claims in the State of domicile of the corporation, and these range all the way from 6 months or a year to as long as 8 years.

All that remained to make this incredible picture complete was a touch of comedy relief, and the necessary bit of grim humor was supplied over the week end by Judge Picard, who rendered the original decision in the case. The issue of portal-to-portal pay, Judge Picard now declares, never entered into his findings. "That," says he, "was injected into the case by the Supreme Court." He had simply ruled that the union had just claims for back pay for overtime.

Mr. President, I now read the final short paragraph of this editorial:

This issue presents an urgent problem for the new Congress, and one that may not prove to be as simple as would appear on its face. The Wage and Hour Division apparently favors a uniform Federal statute which would at least determine the liabilities of industry and put them on more or less the same basis. But that might run into constitutional objections on the ground that it would apply retroactively to claims recognized by existing law. On one aspect of the problem, however, there can be no excuse for unnecessary delay. That is the clarification beyond any question of what constitutes working time.

Mr. LODGE. Mr. President, will the Senator yield at this point?

Mr. DONNELL. I yield.

Mr. LODGE. In my reading of the bill I have come to section 9, paragraph (c) (1), on page 19; and I wish to ask the Senator whether that paragraph runs to things in addition to portal-to-portal matters.

Mr. DONNELL. Does the Senator from Massachusetts refer to the provision in regard to limitations?

Mr. LODGE. Yes.

Mr. DONNELL. It does.

Mr. LODGE. It also seems to me that in section 8, paragraph (a) runs to things other than portal-to-portal matters.

Mr. DONNELL. That is correct.

Mr. LODGE. Then I should like to ask the Senator why the bill departs from the portal-to-portal field and goes into other subjects.

Mr. DONNELL. If the Senator from Massachusetts will be so kind, I should very much prefer to answer those questions when I reach the bill. They will be answered, and I hope they will be fully and satisfactorily answered; but I think it would disturb quite materially the presentation of this factual statement for me to discuss those matters at this time. So I am sure the Senator from Massachusetts will cooperate by not pressing his question at this moment.

Mr. LODGE. Certainly.

Mr. DONNELL. I thank the Senator.

Mr. President, this country fortunately is not composed solely of large businesses. We have a vast number of small enterprises. Some of us now sitting in this body have been clerks in stores of small size, in small communities. It is somewhat refreshing and reassuring to observe from his testimony in behalf of the National Small Businessmen's Association that Mr. Arthur W. Kimball placed in the record a statement made by Mr. H. B. McCoy, of the Department of Commerce, before the Senate Small Business Committee, in 1942, 5 years or so ago. Mr. McCoy stated that in 1939, enterprises accounting for 97 percent of the total number of manufacturing establishments employing not more than 250 workers each, furnished jobs to 48 percent of all workers in the United States and accounted for 47 percent of the value of all production in manufacturing.

Mr. President, the reason for calling attention to the importance of small business in connection with this presentation is to make especial mention again of the fact that the impact of this portal-to-portal litigation is not confined to large companies, but goes down to the many small businesses, particularly the manufacturers, in the first instance, and thereafter the merchants and others to whom I have referred.

In addition to the testimony of General Hirsch that "thumbtacks of concerns engaged in the war effort literally covered the country," Mr. Wilson, of the Aircraft Industries, stated that the Army Air Forces estimated that more than 12,000 subcontractors worked on AAF contracts alone. Mr. President, the effect of this litigation upon small business, as well as upon large business, is clear and conclusive from the evidence of various witnesses before our committee.

Let me mention not only that great numbers of small enterprises participated in war production, but also that in so doing they expanded their operations far in excess of those in which they engaged in peacetime. Mr. President, you know, undoubtedly, as do I, of instances of small companies which in the course of the war became large companies producing vastly more than their wildest dreams or imagination would have caused them to expect in prior years. Likewise, with the conclusion of the war there came a resumption of the former peacetime activities, and in some cases doubtless less than ordinary previous peacetime volume. Inasmuch as the portal-to-portal liability asserted against such small companies would be based in part upon abnormally large operations engaged in during the war, the resultant claims against such companies would be out of all proportion to their probable peacetime capacity to pay. What then will be the effect? Suppose that judgments in such suits are rendered in the small towns of various sections of the country, perhaps in Connecticut. I observe that on my right sits a former Governor of the great State of Connecticut, and now a Member of this Body, the Senator from Connecticut [Mr. BALDWIN]. Suppose in his State a large number of such judgments were rendered not only against the larger companies, but also against the smaller companies, based upon their wartime activities when they were producing more, and therefore increasing their portal-to-portal liabilities far in excess of what they would have been in peacetime. What then would be the effect on the economy of the towns and cities in which such companies were operating of the rendition of such judgments against those companies. The Senator from Connecticut was kind enough to tell of two companies which already had been forced to close their doors because of a provision in a Connecticut statute under which the institution of a suit gives the right to take attachment.

I venture to say that he would agree that with the rendition of judgment after judgment against subcontractors all over the United States, in the towns and cities and villages to which General Hirsch referred, the conditions of economic insecurity might mount to such a point and such proportions as to bring about in the United States vast financial panic as a result of this portal-to-portal litigation.

Mr. President, I have referred to a reported dated January 20, 1947, of a subcommittee of the Business Advisory Council for the Department of Commerce. Let me read a few observations from that report:

The problems faced by industrial concerns, of course, vary widely. Some small companies extended their employment vastly to engage in war work. Shrunk to prewar size, pay rolls, and resources, it is utterly impossible for these small concerns to meet the retroactive wage claims made against them. It is even impossible for them to hire enough clerical workers to examine the old-time cards and determine their potential liability. It is said on good authority that in the Northwest lumber industry only three concerns would remain solvent if presently filed claims became payable.

Mr. President, I pointed out that in the testimony given to us from the Northwest by Mr. James P. Rogers, of the Western Woods Employers, it was set forth that the potential liability asserted in these suits involves in excess of a thousand companies. Something of the magnitude of this tremendous and dangerous problem is indicated by the report of the Business Advisory Council, which states that it is said on good authority that in the Northwest lumber industry only three concerns out of at least a thousand, to quote again from Mr. Rogers, would remain solvent if presently filed claims become payable.

It may be asked, "Why cannot all the parties get together and settle these claims, and get them off the books?" Mr. President, there is a very good and very wholesome reason which has caused the Supreme Court of the United States to rule that it is impossible to compromise and settle these claims. I say that

normally it is a good reason, and Senators will see later as the argument progresses our views with respect to that.

But what is the effect of the observation of the Supreme Court on the cases now at hand? It means that with $5,875,000,000 of liabilities asserted it is impossible for the employers and the employees to compromise and adjust the claims and get them off the books, with one possible exception. I say it is a possible exception because I am unable to determine from the case of *Brooklyn Savings Bank* v. *O'Neal* (324 U. S. 697), cited at page 182 of the record, whether there may be some cases where it is impossible for the persons to agree upon the facts, as to whether they might be able to enter into an agreement as to what are the facts. Nevertheless, it remains true that in the case of Brooklyn Savings Bank against O'Neal the Supreme Court held, in effect, that when the facts are once agreed upon, when it is found that so many hours have been put in by an employee, it is beyond the legal power of the employer and the employee to compromise or settle or adjust such a claim other than by the payment of 100 cents on the dollar. What is the reason for that? The reason is that the Supreme Court recognized that in passing the Fair Labor Standards Act the Congress had a very wholesome and salutary purpose, namely, the protection of interstate commerce from the burdens which would result to it were employees not to have the protections extended to them by the act. This is what the Court says:

> Neither petitioner nor respondent suggests that the right to the basic statutory minimum wage could be waived by any employee subject to the act. No one can doubt but that to allow waiver of statutory wages by agreement would nullify the purposes of the act. We are of the opinion that the same policy considerations which forbid waiver of basic minimum and overtime wages under the act also prohibit waiver of the employee's right to liquidate damages.

So, Mr. President, when an employee comes into court and says that he has worked 1 hour of overtime, for which he is normally paid 90 cents, a rate which is one and a half times his pay of 60 cents an hour, and files his claim for the 90 cents, and 90 cents more, an aggregate of $1.80, for that hour's work, under the Fair Labor Standards Act, when the facts are admitted as to how many hours he worked, under the decision of the Supreme Court he and the employer cannot validly compromise, settle, or adjust his claim.

The situation is such that unless Congress steps in and takes appropriate action, we will have this litigation pending until it shall have gone the gamut of the courts, the United States district courts, circuit courts of appeals, United States Supreme Court, and I have no doubt that as time shall progress, many suits will likewise be filed, from the standpoint of public convenience, in the State courts as well.

Mr. President, I have endeavored to suggest some of the facts—by no means all of them—which have been brought out in the testimony before and in the observations by the Committee on the Judiciary of the Senate, as to the effect of this litigation on the defendants who are sued, and as to the effect on the total economy of the people of the United States. There is another effect which is perhaps of even greater consequence than many of the effects to which I have already referred. I allude now to the effect of the pending suits on the Federal Government itself.

Someone may ask, How is the Federal Government affected by this mass of litigation? It is affected in many ways. I shall mention the economic respects, at least the predominant economic respects, in which the Government is affected. I dare say, Mr. President, that just as when a pebble is thrown into a lake there follow waves and motions of the water extending over a wide area, so there may well be further effects upon the Government which will develop in addition to the economic effects to which I shall refer.

In the first place, suppose these suits are successfully maintained against any particular employers? If they are compelled to pay the judgments rendered against them in such suits, of course the very first thing they will think about, and properly so, is about coming back to the Federal Government and saying, "We have paid our income tax," and in some instances as excess-profits tax, "on the theory that our expenses were only so many dollars, but now we find that our liability is vastly greater than what we expected." Therefore they come to the Government with petitions for refunds of taxes which they have already paid. That is one obvious immediate effect which would occur from the rendition and payment of judgments against employers.

There is another result, Mr. President. Many of these employers, during the period from the time of the beginning of our participation in World War II, and doubtless even before that, in many instances, were war contractors. Suppose one of these war contractors is compelled to pay out in wages now, and in liquidated damages, and in expenses for the preparation of the suits, and in attorneys' fees to the plaintiffs, large sums of money which were not previously anticipated. Suppose the contractor held a cost-plus-a-fixed-fee contract from the Government, in other words, he was entitled to receive, first, his costs, plus a fixed fee for the rendition of the services performed. If a judgment should be rendered against such an employer and he were compelled to pay the judgment, what would he do? Obviously, the first thing he would do, in addition to thinking of his tax situation, would be to go to the Government and say, "My costs, under the contract which I carried out for the Government, were greater than I had anticipated, and under this contract I was entitled to my cost plus a fixed fee." Therefore he would file his claim against the Government for the increased cost over and above what he had anticipated previously.

A third effect may reasonably be expected. I shall mention all these somewhat more in detail in a few moments, but the third is that, even though in many cases there may be no legal liability on the part of the Government, in the case of contracts of a type different from the cost-plus-a-fixed-fee variety, or even a somewhat analogous type, a contract with an escalation clause, high Government officials appearing before our committee recognized in unmistakable terms the existence in their minds of at least moral claims, or at least they recognized that some might think they had moral claims for the settlement of which they would ask Congress to make provision.

So, on the one hand, we have the matter of the tax refunds, and, second, the case of employers who were war contractors, who had contracts with provision for cost plus fixed fees, or escalation clauses, who would be entitled as a matter of law to reimbursement to the full amount of the claims they might legally pay. In the third place, there are those situations—many of them, as we shall see in a few moments—in which liability may be asserted against the Government.

Then there is a fourth class of cases, those in which a man has performed contracts for the Government, but has not yet completed his renegotiation with the Government. There are only about 518 such cases still unrenegotiated, but the amounts involved in those cases aggregate, as I recall, approximately $6,000,000,000 in gross amounts of the contracts.

Suppose that these men, when they come before the renegotiation authorities, say "You are now trying to find out whether we made too much money in performing our contracts. We call to your attention the fact that our costs were vastly more than we thought they were going to be, because portal-to-portal judgments have been secured against us. We therefore request the Government not to require us to pay back to the Government amounts of renegotiated recoveries, which would have been properly chargeable against us, had not these additional costs developed." I shall have something to say with respect to that situation in a moment.

We had before our committee Under Secretary of War Royall. He gave most interesting and valuable testimony. In the first place, he pointed out that the cost-plus-a-fixed-fee contracts entered into with the War Department totaled between forty and forty-five billion dollars. He estimated that about $11,000,000,000, or 25 percent of the total amount, represented the cost of direct labor in those contracts. He agreed in his testimony that the maximum liability on the part of the Government, based on such contracts, would be between approximately $1,210,000,000 and $1,430,000,000. I mean, Mr. President, the maximum liability on the part of the Government for reimbursement on account of portal-to-portal activities could run between approximately $1,210,000,000 and $1,430,000,000, according to the testimony of Under Secretary Royall.

The Under Secretary, however, testified in substance that while it is entirely possible that the amounts might aggregate these figures, in the first place, he did not think the amounts would be in excess of between four hundred and five hundred million dollars on the cost-plus-a-fixed-fee contracts. But the seriousness of the situation is strikingly evidenced by the fact that within a few days after the Under Secretary of War had appeared before our committee, he revised his estimate as to a possible liability of between four hundred to five hundred million dollars and increased it to a sum in excess of $600,000,000. In other words, within a very few days, conditions had changed to such an extent that the Under Secretary of War became convinced that there was a potential liability of the War Department, on cost-plus-a-fixed-fee contracts, of over $600,000,000. I shall read a very few words of the Under Secretary. He wrote me to this effect:

When I testified before your subcommittee, I stated that claims had been asserted against War Department cost-plus-a-fixed-fee contractors in this class of case in the approximate amount of $200,000,000. When I subsequently testified before a subcommittee of the House Committee on the Judiciary I stated that that figure of reported claims had increased to approximately $280,000,000, further indicating the practical impossibility of attempting to give actual figures. Evaluating the situation as best we can, however, I stated that it seems reasonable to conclude that the amount of these claims asserted against cost type contractors might reach four hundred to five hundred million dollars.

The concluding sentence of this quotation from the Under Secretary reads:

In the past few days, and as of February 12, 30 newly reported cases of the type considered herein have increased the amounts claimed in this type of case to an amount now in excess of $600,000,000.

I might digress for a moment to call attention to the fact that on February 8, 1947, Judge Picard had dismissed the Mount Clemens case. And yet "In the past few days," says General Royall, "and as of February 12"—which was 4 days after the dismissal—"30 newly reported cases of the type considered herein have increased the amounts claimed in this type of case to an amount now in excess of $600,000,000."

Mr. President, I do not know whether those 30 new claims were some that had come in after Judge Picard's decision; I am not informed as to that fact. I shall demonstrate in a few moments, I think, the fact that Judge Picard's decision by no means makes unnecessary or inadvisable the enactment of legislation on this grave problem at this time.

The very fact that, writing under date of February 14, 6 days after Judge Picard's decision, Mr. Royall did not indicate that, in his judgment, the amounts involved in the claims would decline; but on the other hand, pointed out that they had risen to a point where they might reach in excess of six hundred million dollars, as compared to an estimate of between four hundred and five hundred millions, on the cost-plus-a-fixed-fee contracts, as mentioned in his earlier testimony, certainly indicates that the Under Secretary does not regard the decision of Judge Picard as by any means decisive of the liability of the War Department in this class of cases.

We thus find the figure of $600,000,000 estimated by Under Secretary Royall, with a possible maximum liability of from $1,210,000,000 to $1,430,000,000 against the War Department, on the cost-plus-a-fixed-fee contracts.

We had before us, also, Mr. W. John Kenney, Assistant Secretary of the Navy. Without going into the details of his testimony, he pointed out that the potential liability of the Navy Department on the cost-plus-a-fixed-fee contracts would be approximately $720,000,000; on the escalation contracts, approximately $180,000,000; and there is an indeterminate amount on the 518 nonrenegotiated cases, to which I referred a few moments ago, the aggregate amount to which the 518 cases extend the entire gross contract figur s being $6,821,843,000.

Mr. President, we thus have in the Navy Department two figures of $720,000,000 and $180,000,000, making $900,000,000 of potential liability, in addition to an indeterminate amount on nonrenegotiated cases, which are not small cases, obviously, because of the fact that they involve in excess of $6,800,000,000 of gross contract figures.

The Maritime Commission is also confronted with a similar situation. Mr. W. W. Smith, chairman of the United States Maritime Commission, under date of February 5, 1947, wrote the committee a letter from which I read a few words:

Liability would doubtless arise to the greatest extent under the Commission's ship construction contracts. To a lesser degree liability would be involved under ship repair contracts, stevedoring contracts, terminal contracts, and miscellaneous other contracts of a cost-plus-a-fixed-fee nature. As a rough estimate, potential liability under these contracts might fall somewhere between 50 million and 150 million dollars. These high and low figures represent, however, merely an informative guess and are exclusive of any administrative expense that would undoubtedly be imposed on the Commission in connection with determining liability to employees and making reimbursements in the event of liability.

These figures are also exclusive of attorney's fees both for the plaintiffs, as provided by the Fair Labor Standards Act, and for defense of the suits.

He concludes this paragraph with this significant sentence:

These expenses would be tremendous.

Then he says, in the next paragraph, just one sentence:

Generally speaking, the same problems will confront the Commission as a result of the portal-to-portal pay claims as those concerning which the subcommittee has already received testimony from other Government departments.

Mr. President, there was one very significant thing which our committee overlooked. That was the situation in which the Reconstruction Finance Corporation finds itself in view of portal-to-portal litigation. I have in my hand a letter, together with a tabulation. I am going to read the letter and to ask leave to incorporate it and the tabulation in the RECORD in a moment. The letter is on the letterhead of the Reconstruction Finance Corporation, Washington 25, D. C. Up in the corner is the name James L. Dougherty, general counsel. The letter is signed by him. It is dated March 11, 1947, and addressed to myself. It says:

In response to the telephone inquiry made in your behalf by Mr. Kammerman, I am enclosing a summary statement of the estimated contingent liability of the Reconstruction Finance Corporation to contractors and agents for portal-to-portal payments pursuant to the Fair Labor Standards Act, as interpreted by the Supreme Court. The statement includes the assumptions and computations which form the basis for our estimates. I am sure you will appreciate that these estimates can be little more than an informed guess because of the vast number of uncertainties and unknowns surrounding the possibilities and extent of portal-to-portal recovery.

No claims have been asserted against the Reconstruction Finance Corporation for portal-to-portal payments under the Walsh-Healey Act or the Davis-Bacon Act, and we do not anticipate any liability under either of those acts.

If you wish any additional information, please do not hesitate to let us know.

Sincerely,

JAMES L. DOUGHERTY,
General Counsel.

Mr. President, the summary statement to which Mr. Dougherty refers is rather extensive, and I shall not read it all here, but I should like to read a little of it. It starts in this way:

RECONSTRUCTION FINANCE CORPORATION

Estimated contingent liability for additional wages to employees of contractors and agents for portal-to-portal time under recent Supreme Court interpretation of the Fair Labor Standards Act of 1938. All amounts are stated in millions of dollars.

The first item is under the heading of Office of Defense Supplies. The tabulation shows that purchases under cost-plus-fixed-fee contracts aggregate $9,900,000; plant operations, $1,900,000; subsidies, $300,000; total $12,100,000.

Office of Metals Reserve, the total carried out in the far column is $16,000,000.

Office of Rubber Reserve, $62,100,000.

Office of Defense Plants, $141,700,000.

Making a total, Mr. President, as I understand, of the estimated contingent liability for additional wages to employees of contractors and agents for portal-to-portal time under recent Supreme Court interpretation of the Fair Labor Standards Act of 1938, as found by the Reconstruction Finance Corporation in its own words, of $231,900,000.

Then, Mr. President, I call attention to this further language in a note marked "Important."

The figures shown in this statement represent only the compensation payable at the rate of time and a half for the uncompensated overtime. The Fair Labor Standards Act requires that an amount equal to the amount of unpaid compensation shall be added to the recovery as liquidated damages and, if it is determined that under its contracts this Corporation is required to reimburse its contractors not only for the unpaid compensation but also for the liquidated damages, each figure should be doubled.

In other words, instead of the liability of $231,900,000 there would be a liability of $463,800,000 by the RFC.

Mr. President, we have already seen that the recapitulation of potential legal liability—and I am talking now of legal liability as distinguished from moral liability—is in the case of the Army $600,000,000; the Navy $900,000,000; the Maritime Commission, we will say, $100,000,000, as an average between $50,000,000 and $150,000,000, and the Reconstruction Finance Corporation $463,800,000, making a total of $2,063,800,000, plus in the case of the Army sufficient to bring its liability up to $1,420,000,000 as an outside figure, making an aggregate possible potential legal liability, according to the best judgment of the men who testified before us, and including the Reconstruction Finance Corporation letter, an estimated total liability of the Government of $2,893,800,000.

Mr. President, I do not want to be unfair in this matter. I want to recall the fact that Secretary Royall does not expect the liability of the War Department to go to either $1,210,000,000 or $1,430,000,000. He expects it to be only in the neighborhood, as I understand, of an amount in excess of $600,000,000, but if the larger amount be not taken, there is still a potential liability from the portal-to-portal suits upon these four departments of the Government, the Army, the Navy, the Maritime Commission, and the Reconstruction Finance Corporation, in the sum of $2,063,800,000.

Mr. President, I now request that there be incorporated in the RECORD as a part of my remarks on this point the letter of March 11, 1947, from Mr. James L. Dougherty, General Counsel of the Reconstruction Finance Corporation, and the summary statement to which he refers, and from which I have read.

The PRESIDING OFFICER (Mr. BALL in the chair). Without objection, it is so ordered.

The letter and summary statement are as follows:

RECONSTRUCTION FINANCE CORPORATION,
Washington, D. C., March 11, 1947.

Hon. FORREST C. DONNELL,
Senate Office Building,
Washington, D. C.

DEAR SENATOR DONNELL: In response to the telephone inquiry made in your behalf by Mr. Camerman, I am enclosing a summary statement of the estimated contingent liability of the Reconstruction Finance Corporation to contractors and agents for "portal-to-portal" payments pursuant to the Fair Labor Standards Act, as interpreted by the Supreme Court. The statement includes the assumptions and computations which form the basis for our estimates. I am sure you will appreciate that these estimates can be little more than an informal guess because of the vast number of uncertainties and unknowns surrounding the possibilities and extent of portal-to-portal recovery.

No claims have been asserted against the RFC for portal-to-portal payments under the Walsh-Healy Act or the Davis-Bacon Act, and we do not anticipate any liability under either of those acts.

If you wish any additional information please do not hesitate to let us know.

Sincerely,

JAMES L. DOUGHERTY,
General Counsel.

Reconstruction Finance Corporation.—Estimated contingent liability for additional wages to employees of contractors and agents for portal-to-portal time under recent Supreme Court interpretation of the Fair Labor Standards Act of 1938. All amounts are stated in millions of dollars

Office of—	Construction, cost plus fixed-fee contracts	Purchases, cost plus fixed-fee contracts	Plant operations	Service contracts containing wage escalator clauses	Subsidies	Total
Defense Supplies	-------	[1] $9.9	[2] $1.9	------	[3] $0.3	*$12.1
Metals Reserve	-------	-------	[4] 1.9	[5] $2.7	[6] 11.4	*16.0
Rubber Reserve	[7] $41.7	-------	[8] 20.0	[9] .4	------	*62.1
Defense Plants	[10] 128.2	-------	[11] 13.5	------	------	*141.7
Total	169.9	9.9	37.3	3.1	11.7	*231.9

NOTES—(1) The figures shown in this estimate cover the entire period of operation, construction, purchases, etc., and, consequently, where such period is in excess of the time prescribed by the applicable State statute of limitations, the amount shown in this estimate will be to that extent reduced.

*Important: (2) The figures shown in this estimate represent only the compensation payable at the rate of time and a half for the uncompensated overtime. The Fair Labor Standards Act requires that an amount equal to the amount of unpaid compensation shall be added to the recovery as liquidated damages and, if it is determined that under its contracts this Corporation is required to reimburse its contractors not only for the unpaid compensation but also for the liquidated damages, each figure should be doubled.

(3) A 10-percent factor was applied to estimated labor costs in computing the foregoing amounts. The 10-percent factor was arrived at on the assumption that 30 additional minutes per day would be claimed (15 minutes in the morning and 15 minutes at night) plus 15 minutes per day to compensate for time and one-half and double time. (45 minutes portal-to-portal pay equals about 10-percent of an 8-hour day.)

[1] Labor costs estimated to be: 4 percent of $10,700,000 expended for carbon black; 10 percent of $919,000,000 expended for alcohol (including high wines, dehydrated potatoes and molasses); $11,900,000 for hydrogenation of raw feed stocks, and $3,519,000 for rubber thread and elastic web and braid; 70 percent of $5,800,000 on the jewel-bearings program; 75 percent of $3,500,000 expended on petroleum coke.

[2] Labor costs estimated to be: 35 percent of $12,700,000 pipe-line operating costs; 5/10 percent of $98,900,000 expended in connection with the operation of aviation gasoline plants.

[3] Labor costs estimated to be 1/3 of $8,300,000 expended on the aluminum program.

[4] Where actual labor costs were not available, estimates were based on 40 to 60 percent of total contract costs, varying with circumstances of each particular case.

[5] Labor costs with respect to metals treatment contracts estimated to be 40 percent of $62,177,000 expended whereas labor costs were estimated to be 80 percent of about $2,400,000 expended for stevedoring and warehousing.

[6] It is believed we have no contingent liability under the premium price plan on copper, lead, and zinc although it has been the policy to compensate operators, through increased quotas, for retroactive wage increases.

[7] Based on 60 percent of $695,000,000 expended for construction of synthetic rubber plants.

[8] Labor costs estimated to be: 100 percent of direct labor costs, $64,100,000; 80 percent of plant overhead ($122,700,000), $98,200,000; 60 percent of repairs ($62,800,000), $37,700,000.

[9] Direct labor costs on contracts with: (*a*) Latex agents determined to be $700,000; (*b*) scrap-rubber agents determined to be $2,500,000.

[10] The labor involved in this question is divided into 2 categories: (*a*) The labor authorized by the plancor leases, such as cost-plus-fixed-fee lump sum, labor supply contracts, etc., and designated as plancor labor; and (*b*) labor authorized by plant clearance contracts, close down and other related work and known as reconversion labor.

Category (a): From Factual Appendices A where they were complete and from the monthly status report DP-4 where the factuals were incomplete; data were assembled by schedules I, Land improvements; schedule II, Construction; and schedule III, Machinery and equipment, portable tools and automotive equipment. By applying the total of the schedules to the total costs, definite percentages were arrived at which indicate that schedule I represents 2 percent of the total cost of all plancors; schedule II, 37 percent; and schedule III, 61 percent. Total disbursements as of Oct. 31, 1946, amount to $7,200,000,000. To this figure was added $41,000,000 representing commitments to complete the work to Dec. 31, 1946. From the sum of these 2 figures the cost of the plancors transferred to the Office of Rubber Reserve was deducted leaving a net cost of the plancors as of Dec. 31, 1946, of $6,583,700,000. By using the percentages above referred to, we arrive at a cost of all the plancors by schedule as of Dec. 31, 1946. These costs are schedule I, $131,700,000; schedule II, $2,436,000,000; schedule III, $4,016,000,000.

Under schedule I we made the assumption that 25 percent of the total costs would represent average labor costs. Likewise under schedule II, Construction, 50 percent is assumed to represent average labor costs in that schedule and 10 percent is again assumed to represent the average labor costs in schedule III.

The labor as represented by applying the percentagr to the total of schedule II includes cost-plus-fixed-fee, lump sum, labor supply, and lessee's labor supply undee service costs and at this time we are unable to separate the several types of labor; however, in our opinion, if portal-to-portal pay is a liability for cost-plus-fixed-fee contracts, it would apply equally well to lump-sum contracts in that the majority of lump-sum contracts contain the conditions on which the price was based, e. g., the 40-hour week, etc. However, a deduction has been made for lump-sum contracts which is considered further on. It is well to bring out the fact that the labor represented by schedule II is predominantly A. F. of L., estimated at 95 percent or even higher. Inasmuch as the construction contracts were based on the rules and regulations of the unions representing the A. F. of L. which included many concessions, such as, expenses to and from the work, etc., it is debatable whether portal-to-portal pay could be granted under such union contracts.

Conversely the labor represented by schedule III as 10 percent of the total cost of such schedule is predominantly CIO and represents installations by the lessee's employees of the machinery and equipment and it is presumed that this labor would have the best chance of securing the portal-to-portal pay.

Combining the amounts of labor which have been discussed above, we arrive at the following:

	Schedule costs	Estimated average percent of labor	Total labor costs by schedule
Schedule I	$131,700,000	25	$32,900,000
Schedule II	2,436,000,000	50	1,216,100,000
Schedule III	4,016,000,000	10	401,600,000
Total	6,583,700,000	-------	1,650,600,000

From our knowledge of construction contracts made in different sections of the country, we have determined that 75 percent of all construction work was performed under cost-plus-fixed-fee contracts. Accordingly, we have reduced the figure above representing total labor costs by 25 percent resulting in an amount of $1,238,000,000 for plancor labor mentioned in category (*a*) in the second paragraph.

Category (b): The labor costs on plant clearance amounts to about $46,700,000 and for close down $11,900,000. From this total we again deduct an amount of 25 percent representing lump-sum contracts, resulting in a total labor cost for category (*b*) in the amount of $43,950,000.

Consideration was given to the standard escalator clause which was incorporated in purchase orders to provide for increases permissible under OPA regulations. Such escalator clause provides that an approval of a 15 percent increase could be given by our field representatives prior to delivery of the equipment, and, where the increase is over 15 percent, such approval requires consideration by the Board. Presumably all such increases have been made. Therefore, it is our opinion that the proposed portal-to-portal increases in pay would have no effect on the escalator clause and therefore no attempt was made to separate such purchase orders. It is believed that at least 98 percent of our purchase orders contained a firm price and would not be affected by the portal-to-portal claim.

The sum of categories (*a*) and (*b*) amounting to $1,281,950,000 represents the sum on which any portal-to-portal pay case may be based.

SUMMARY

Total cost all plancors less rubber projects	Estimated percent labor	Total labor cost
Schedule I. $131,700,000	25	$33,000,000
Schedule II. $2,436,000,000	50	1,216,000,000
Schedule III. $4,016,000,000	10	401,000,000
Total	-------	1,650,000,000
Deduct 25% for lump-sum contracts	-------	412,000,000
Total, less lump.sum contracts (*a*)	-------	1,238,000,000
Plant clearance, $55,100,000	85	46,700,000
Close-down, $14,000,000	85	11,900,000
Total	-------	58,600,000
Deduct 25% for lump-sum contracts	-------	14,650,000
Total, less lump sum contracts (*b*)	-------	43,950,000
Grand total labor costs, less lump sum	-------	1,281,950,000

[11] Labor costs, after a study of what appeared to be a representative group of cases, were estimated to be 31 percent of $405,000,000 made available to operators.

Mr. DONNELL. Mr. President, I referred a little while ago to the fact that there is something more than even this legal liability. I have been talking thus far about legal liability on the part of the Government. I want to read in this connection statements which I think are far more persuasive than any argument I might make about it. I refer to statements made by Under Secretary Royall, certain statements made by Mr. Kenney, of the Navy Department, and by General Hirsch. I quote from page 413 of the hearings from the testimony of Secretary Royall. He said:

There would be very many situations where there was no legal right to reimbursement by the Government but where in fairness there ought to be an adjustment.

Mr. President, obviously the Under Secretary had in mind the case in which a man has carried out his Government contract in good faith, patriotically and loyally, and did not, however, have a cost-plus-a-fixed-fee contract. Therefore, legally speaking, he would have no claim upon the Government for reimbursement of the excess amount which he had been required to pay under the portal-to-portal case against him. Yet he would have been required to pay it. He might go into bankruptcy if he did have to pay it.

Secretary Royall obviously recognized the fact that a very strong point, a very convincing contention could be made by this class of contractors of a moral liability on the part of the Government to pay this additional expense which was in good faith, honestly incurred by the contractor. So, Mr. Royall testified to the extent that I read a moment ago. Then he further said:

But I feel very strongly that there is a great equity—

This is from page 427 of the committee hearings—

in favor of a contractor who made a settlement or adjusted his price or entered into a renegotiation without taking into account the portal-to-portal pay, because he did not know about it. I think there is great equity in his favor.

I digress to comment not merely upon the language of the Under Secretary, but also upon the significent corroboration which his language gives to the argument I made on Friday, to the effect that our Nation—both employees and employers—was confronted by surprise in the Mt. Clemens decision and the doctrine therein enunciated. Here the Under Secretary has pointed out the case of a contractor who had made settlements with the Government "without taking into account the portal-to-portal pay, because he did not know about it." He says, as I have indicated, "I think there is great equity in his favor."

Under Secretary Royall made further comments along these lines at page 421 of the record:

Senator DONNELL. It is at least entirely possible, is it not, Mr. Secretary, that advocates of the respective contractors asserting moral liability might, in the first place, assert that they are entitled to a legal liability, and in the second place fall back upon the moral liability and assert such liability in a much larger sum, indeed, than would be characterized by a legal liability?

Mr. ROYALL. Oh, yes, sir; I think that is true.

Senator DONNELL. Yes, sir. And you are not able, and I do not want to ask you to express an opinion if you are not, to state even approximately how many dollars of alleged moral liability would be asserted by contractors?

Mr. ROYALL. It would depend entirely on the standard of moral liability we fixed. If we took the renegotiation cases, the escalator-clause cases, the periodic price adjustment cases, it would be considerably less than that on portal-to-portal payments of $140,000,000,000 worth of contracts, but how much less I do not know because we have not made that analysis.

It would be foolish to make it until we knew what sort of a moral liability was to be permitted.

Senator DONNELL. And, Mr. Secretary, can you tell us approximately the entire amount of the first amount of contracts? Not the possible liability, but the first amount of the contracts comparable with the $40,000,000,000 to $45,000,000,000 figure of the total amount of contracts upon which the contracts might be asserted, in your judgment, to have either moral or legal liability which would exist on the part of the Government?

Mr. ROYALL. The total amount of supply contracts of the Government from 1941 to 1946, inclusive.

I digress to state that obviously what Mr. Royall was saying was that these claims or moral liability would apply not only to the $40,000,000,000 to $45,000,000,000 of cost-plus-fixed-fee contracts to which I referred a little while ago, with respect to which the figure of $600,000,000, or possibly even as much as $1,400,000,000 of potential liability might apply. He is pointing out that when we get into the question of moral liability, there can be asserted a liability upon contracts involving approximately three times the amount of contractual liability involved in these vast figures, on which potential legal liability is predicated.

Continuing with the quotation, Mr. Royall had just said:

The total amount of supply contracts of the Government from 1941 to 1946, inclusive.

That is to say, he meant the total amount of supply contracts with respect to which the claim of moral liability could be asserted.

Senator DONNELL. This is just the War Department?

Mr. ROYALL. I mean the War Department. I am sorry.

Senator DONNELL. Yes, sir.

Mr. ROYALL. That is $132,000,000,000.

Senator DONNELL. $132,000,000,000?

Mr. ROYALL. And the total amount of the construction contracts of the War Department during that same period is something in excess of $11,000,000,000, making a total of between $143,000,000,000 and $144,000,000,000.

Senator DONNELL. Yes, sir.

Now, are there any contractors in any other category than those you have mentioned; namely, the cases aggregating $143,000,000,000 to $144,000,000,000 as to which, in your judgment, either a legal or moral liability might be reasonably asserted?

Mr. ROYALL. I think that would include them all, and, of course, as to some of those, there might be no portal-to-portal pay at all.

Senator CAPEHART. That is, plus the $40,000,000,000 to $45,000,000,000?

Mr. ROYALL. No. The $40,000,000,000 to $45,000,000,000 is included in the $144,000,000,000.

Senator DONNELL. Yes, sir.

It may be somewhat difficult, hearing this excerpt from the testimony without the benefit of the continuity of the testimony, to understand it adequately. However, as I interpret it—and I think my interpretation is correct—the gist of it is that Secretary Royall was giving figures with respect to legal liability in connection with portal-to-portal cases, based upon contracts aggregating between $40,000,000,000 and $45,000,000,000 gross amounts, but he points out that the moral liability would exist with respect to approximately $145,000,000,000 more of contracts, namely, the $40,000,000,000 to $45,000,000,000 to which I have referred, plus an additional $100,000,000,000. Obviously, when we come to figures of that kind and confront the moral liability question, we arrive at sums which are beyond comprehension and beyond adequate estimation. Yet they must be reckoned with, because if contractors all over the country are required to pay thousands upon thousands of small subcontractors in the little town in which this man lives or that man lives, we shall find them coming before Congress with equities in their favor, requesting not merely the total of the legally claimable sums, but the morally claimable sums.

Under Secretary Royall was not the only individual testifying before us who indicated that a moral liability might exist. He recognized the validity of the moral liability argument. It may have no validity, but obviously the Under Secretary thought it ought to be taken into consideration. We shall find in a moment that the Under Secretary of the Navy and the former chairman of the Renegotiation Board, General Hirsch, likewise thought these alleged moral liabilities should be taken into consideration in determining the impact of this vast amount of portal-to-portal legislation upon our Nation.

This is an excerpt from the testimony of the Under Secretary of the Navy, Mr. Kenney:

Senator DONNELL. Yes, sir. Taking a case, however, of a contractor who has settled his contract and thus is legally without further remedy, but that it now develops that in fact his labor costs were 10 percent greater because of the portal-to-portal item, greater than he had anticipated, or the Government had anticipated, you and I would readily concede, at least from the standpoint of the contractor, that he has made a poor bargain in settling his contract and might have some moral claim?

Mr. KENNEY. I do not think there is any doubt of that, Mr. Chairman.

Senator DONNELL. That is to say, Congress would be easily justified in considering that even though the man be barred as a matter of law, that he might have some right to an equitable cause on the part of Congress in making an endeavor to give relief to him. You would agree with that, would you not?

Mr. KENNEY. I would agree with that view, Mr. Chairman, because there is no doubt that the contracts were settled on that basis, without regard to possible portal-to-portal pay liability.

There sits this afternoon in the chair of the majority leader the distinguished senior Senator from Indiana [Mr. CAPEHART] who was present at a number of the hearings before the subcommittee. He made a very great contribution in the questions which he asked of General Hirsch which I shall read in a moment.

It will be remembered that General Hirsch was the man who presided as chairman over the board which renegotiated vast numbers of contracts.

He stated that—

Now, the gross renegotiation recoveries of all Departments conducting renegotiation have amounted to up to and inclusive of 31 December 1946, $10,086,058,000. And, incidentally, all of my figures are as of that date.

Then follows this colloquy between him and the Senator from Indiana [Mr. CAPEHART]:

General HIRSCH. * * * Now, we have no means of knowing to what extent that will apply across the board, but until we determine that, there is certainly a possibility that the portal-to-portal claims will completely eliminate, if you allow it to eliminate, the total amount of excessive profits that our activity has achieved during the whole course of the war.

Senator CAPEHART. In other words, this $3,000,000,000 that you have already saved for the taxpayers may be wiped out?

General HIRSCH. There is a possibility that that may be eliminated completely.

Senator CAPEHART. It may be completely eliminated?

General HIRSCH. Right.

So, Mr. President, we can see something of the vastness of the possible liability of the Government under these portal-to-portal claims, both with respect to legal liability and to the possible moral liability which may be asserted.

On Friday I read from a statement of a law firm in St. Louis with respect to the burden of making the accountings necessary to be made in order to ascertain, in the case of a given company, the amount owing by it under the portal-to-portal theory to its employees. It might be thought that inasmuch as this firm of lawyers is counsel for the firm to which it referred, there may be some partiality on its part, and that there should be, therefore, some discount as to the correctness of the statement. Let me quote, however, from the observations of Mr. Kenney, Assistant Secretary of the Navy, in a letter dated February 11, 1947, in referring to what he terms the tremendous expense and administrative burden which would be entailed in reassembling and reviewing pay-roll records and supporting data in order to compute the amount of recovery to be paid under the portal-to-portal doctrine. Said Mr. Kenney, at page 633 of the testimony:

This expense, which would generally be reimbursable—

That is to say, Mr. President, reimbursable by the Government to the contractor—

to the same extent as the actual recoveries made by employees, could well equal in many cases the aggregate of the portal-to-portal claims themselves.

I referred, Mr. President, earlier this afternoon, not alone to the recoveries that may be made from the Government under the cost-plus-fixed-fee contracts, escalator contracts, and so forth, but also to the subject of potential tax losses which the Treasury of the United States may suffer from the payment of portal-to-portal claims asserted by employees.

I do not wish to leave the impression that any given employer could recover both the extra amount of wages which he has to pay under the portal-to-portal doctrine and also recover on account of the same additional expenditure a refund on taxes. But, Mr. President, there are many cases, undoubtedly, in which corporations would not be able to make any recoveries at all from the Government as reimbursement on cost-plus-fixed-fee contracts, for the reason that in many cases the portal-to-portal activities would have occurred other than under war contracts—in other words, in situations in which the employer had no contract for reimbursement by the Government.

Mr. KILGORE. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. JENNER in the chair). Does the Senator from Missouri yield to the Senator from West Virginia?

Mr. DONNELL. I yield.

Mr. KILGORE. I am trying to straighten out in my own mind one matter as to which I probably agree with the Senator. In connection with portal-to-portal pay, the Senator discussed the question of how much work was done for the benefit of the contract, or how much time was consumed in performing it. The portal-to-portal question involves both of those elements. Sometimes an employer requires an employee to do certain work preliminary to starting his day's work. In defining the portal-to-portal question, is the Senator including the portal-to-portal preliminary work required by an employer to be done before the day's work starts, such as sharpening tools or cleaning up around the work bench, or things of that kind?

Mr. DONNELL. I presume that the Senator was not in the Chamber at the moment when I began my discussion. With his permission, I should like to defer the discussion of that matter until I come to the actual discussion of the bill. At that time I shall certainly take his question into account. If I do not do so adequately, I trust that the Senator will renew his question.

Mr. President, on the subject of potential tax losses which the Treasury of the United States may suffer from the payment of portal-to-portal claims asserted by employees, the committee had the benefit of the testimony of Mr. John P. Wenchel, chief counsel of the Bureau of Internal Revenue, and of others in his office. At the commencement of his testimony Mr. Wenchel stated:

Mr. Chairman and members of the committee, my appearance before you is on behalf of the Bureau of Internal Revenue. My statement and remarks in relation to the matter of portal-to-portal wages you have under consideration will have to do briefly with the allowances, which must be made by way of deduction from the taxable incomes of taxpayers in respect of the amounts that are paid by them on account of retroactive wages and liquidated damages under the decision in the case of the Mount Clemens Pottery Co. in computing their Federal income- and excess-profits-tax liabilities, and with a rough estimate of the impact this may have on the Federal revenues collected by the Bureau of Internal Revenue.

The employers of the country have made many inquiries of us as to the taxable year or years for which the payments they make will be allowable by the Bureau as deductions in determining their tax liabilities.

With respect to the year or years to which deductions for portal-to-portal claims paid by employers may be attributed in determining the tax liabilities of such employers, Mr. Wenchel stated that in January 1947 the Bureau had made the following ruling:

Taxpayers may be permitted to allocate the amounts of overtime pay and liquidated damages for prior taxable years necessitated by the decision in *Anderson* v. *Mt. Clemens Pottery Co.*, supra, to the year or years in which the services to which such payments relate were rendered.

In selecting the manufacturing industries as those primarily concerned with the taxes under discussion, Mr. Wenchel gave estimates of taxes on portal-to-portal payments in respect to three groups in industry. First, he selected employers having no tax liability; second, employers with income-tax liability only; third, employers having both income-tax liability and excess-profits-tax liability. He stated that in the first case, namely, the class of employers having no tax liability, the employers—

will not benefit tax wise from the added pay roll, nor will the Government suffer any tax loss, except insofar as any adjustments which may possibly be effective as carry-overs against possible profit in future years.

Then, testifying further—in this case, as to the tax adjustments necessitated by portal-to-portal payments—Mr. Wenchel said:

By giving effect to the various tax rates and the distribution of employers among the three classes distinguished above, it is estimated that for each dollar of wage adjustment spread evenly over the open statute period, 1943–47, the over-all tax consequence is 60 cents. Under the same circumstances, the estimated tax consequence of each dollar of wage adjustment spread over the entire period to which the adjustments are applicable, 1938–47, is 48 cents. If the entire wage adjustment is concentrated in 1947, the effect would be approximately 37 cents on each dollar.

This estimate does not take into account prior effects of the present relief provisions relating to tax adjustments which have already been made or which will be made prior to the wage adjustments in respect to carry-backs, respread of amortization, and relief claims under section 722. Downward adjustments in tax resulting from these provisions will necessarily lower the effective rates of 60, 48, and 37 cents, respectively. It is not possible at this time to make an estimate in respect to this feature of the problem.

The tax consequences relating to the employees due to the additional income received by them are, in general, 17 cents for each $1 of wage adjustment.

Mr. President, the committee's conclusion in respect to the preceding is as follows:

From the estimates of Mr. Wenchel we think it reasonable to conclude that (a) the aggregate of employers who are permitted to spread over the years 1943–47 portal-to-portal claims paid by them will recover from the Treasury, by way of adjustment on their tax liability, an over-all sum of 60 cents on each $1 of portal-to-portal claims paid by them, and (b) the aggregate of employees receiving such payments, if the entire payments should be made in the year 1947, will be required to pay, as income tax to the Treasury, 17 cents of each $1 received by them in portal-to-portal payments. In such a case, the net loss in tax adjustments to the Treasury would be 43 cents on each $1 of portal-to-portal payments.

I have frequently referred to the Business Advisory Council for the Department of Commerce. I wish to close this discussion of the tax situation and of expenditures by the Federal Government which would be necessitated by the portal-to-portal claims, if permitted to be maintained, with this succinct statement by the Business Advisory Council of the Department of Commerce, dated January 20, 1947, as follows:

While the plight of the armed services and the Treasury is not a direct responsibility of industry, it is a matter of high concern to any citizen. The economic stability of the Nation is closely woven into fiscal policy, Government expenditures, and taxation. Even if a moderate percentage of potential portal-to-portal claims become payable, the tax revenues of the Federal Government would decline very sharply and appropriations would rise. This would occasion another substantial Federal deficit with its inflationary consequences. At a time when goods are still scarce and spending power is high, this could have disastrous results.

Mr. President, I have undertaken to state in some detail the effects of the portal-to-portal litigation upon the Federal Government itself. I refer to the effects which necessarily will result from the successful maintenance of these portal-to-portal suits. As I look over this Chamber and notice the comparatively small number of Members of the Senate who are present at the moment, I observe among them several Senators who have served as governors of their States. Those Senators will immediately realize, as does the Presiding Officer, and as I do, the necessary impact upon State and local governments which comes from portal-to-portal claims asserting vast liabilities which will reduce the income of industries and, in some cases, doubtless will be followed by requests for refunds of State taxes, and will prevent the expansion and even the normal development of industry, with its consequent ordinary increase in tax revenues to the States. The committee's report states:

That the injurious impact of portal-to-portal claims on Government will not be confined to the Federal Government, but will also be felt by State and local governments throughout the Nation is clear.

Mr. President, I have just been reading a statement contained in the report of the Committee on the Judiciary. I should perhaps ask the pardon of the Senate for having in a number of other instances done so without mentioning the fact that in many instances, my remarks were being based on statements set forth in the committee report, and that in other instances my remarks have either been based upon the report or have included the exact language of the report, to which careful attention has been given by the subcommittee; and, as I have indicated, the report has been approved by the Committee on the Judiciary.

On page 39 of the report it is further stated that—

Successful prosecution of these suits by employees against employers can reasonably be expected to result in efforts by employers to secure, from some of the State and local governments, rebates of taxes previously paid on the basis of business expenses smaller than those actually incurred, in view of the additional liability adjudicated by these suits against the employers.

Mr. President, at this time I digress to say a word also with respect to some of the staff of the Judiciary Committee who have rendered notable service to our subcommittee. For instance, there sits at my left Mr. David Kammerman, who was in the audience during much of the argument on Friday; and I also desire to refer to Mr. Rice, of the Office of the Legislative Counsel, and Mr. Boots of that office and also Mr. Arens. They have rendered invaluable service to the committee, not only in the performance of assigned duties, but also in making suggestions and research and in rendering help along all lines. Although, as I have said, the report has received the careful attention of the subcommittee and has been worked over with care by the subcommittee, it contains much of the very fine work of those gentlemen, particularly Mr. Kammerman; and in the bill itself appears much of the fine work of Mr. Boots and Mr. Rice, of the Office of the Legislative Counsel, and also certain of the work, very valuable indeed, of Mr. Arens, of the office of the Committee on the Judiciary. No doubt I have overlooked some of those who have assisted; and, indeed, the entire clerical force have given us the utmost of cooperation in respect to their respective tasks.

I proceed with the reading with respect to the pending suits, and their effect upon local and State governments. The report says:

Moreover, with the injury to various industries which would result from successful prosecution of portal-to-portal suits, might come the closing of business establishments with resulting decreases in taxes for the benefit of State and local governmental units. These governmental results are, of course, in addition to the general harmful economic results to the respective communities consequent upon financial stringency or the closing down of local industries.

So, Mr. President, we find that the impact of this litigation, surprising as it was to the Nation, is not only upon the employers, large and small, in our Nation, not only upon the merchants, not only upon the employees in the retardation of expansion and the lessened opportunity for employment, not only upon the farmers, not only upon the Federal Government, but upon the cities and the towns and the villages and the States, from the standpoint of the revenues of the respective governmental subdivisions. But this is not the only effect this vast mass of litigation is having and will have. I come now to the effect upon the relations between labor and management.

In the first place, delay in the conclusion of collective bargaining agreements will be likely to occur if the portal-to-portal principle is allowed to become established, because if the portal-to-portal problem is not settled in the reasonably near future—and it can be settled only by Congress—it is probable that large segments of industry will be operating on the basis of temporary extensions of labor contracts, because the employer will be in poor position to negotiate specific matters with respect to wages and working conditions over the coming year so long as there impends the threat of heavy portal-to-portal liabilities.

Mr. President, put yourself in the position of an employer who has to meet with his employees to make a labor contract for the next year, and you have no knowledge as to whether the existing suits against your company will wipe out your company or not. They are pending, they are interfering with your bank credit, they are interfering not only with your expansion, but the maintenance of your normal operations. They are piling up heavy costs, and the cost of the mere preparation for trial of the law suits amounts to thousands and thousands of dollars in your particular establishment. In what position are you, with possible bankruptcy confronting you, to make contracts by collective bargaining agreements with your employees in the period of uncertainty created by this portal-to-portal litigation?

Mr. President, what is the effect which is apt to result from delay in collective bargaining? It has been my privilege to serve in the Seventy-ninth Congress on the Committee on Education and Labor, and in this Congress upon the Committee on Labor and Public Welfare. We had before us in the Seventy-ninth Congress—I am not certain whether they have been before the present committee—repeated criticisms made by responsible leaders of labor, doubtless sincere criticisms, of certain great employers, on the ground of their delay in concluding collective bargaining agreements. It built up a vast ill will between the employees, it was asserted to our committee, and I think demonstrated.

Now, Mr. President, along comes the delay occasioned by the uncertainty on the part of industry as to how it stands, and what it can afford to pay; and what is this delay likely to create? Certainly, in the language of our report, delay thus occasioned may reasonably be expected to create dissatisfaction among employees, culminating possibly in strikes and labor disturbances, in addition to ill will engendered on the part of employees against employers, because of the fact that collective-bargaining agreements will not have been effected.

Mr. President, not only is there a strong tendency toward the creation of ill will on the part of employees against employers, but the correlative, namely, the creation of ill will on the part of employers against employees is likely to develop because of the insistence of employees upon the recognition of claims which the employers deem to be ill-founded. The ill will on both sides may well impede negotiations for friendly and harmonious settlement by collective bargaining of matters which normally could be agreed upon without difficulty.

Mr. President, there is a third party in interest. There is management and there is labor, but after all there is the public, 140,000,000 people of our country, to whom the distinguished Senator from Wisconsin [Mr. WILEY] referred clearly and convincingly on Friday last. The consequent effect upon this great public arising from increased lack of harmony between employer and employee is obvious.

Mr. President, the portal-to-portal litigation, while it is brought on behalf of employees for their alleged benefit—yes, for their actual benefit, in dollars and cents, if they shall prevail—opens up vast possibilities for dissatisfaction between those very employees themselves. It must be remembered that these suits do not cover specific benefits for labor groups as a whole, such as a general wage increase, but rather they go to the amounts claimed by each individual worker for his own walking time, make-ready time, cleanup time, and so forth. Hence the disposition of these suits could involve countless individual judgments for amounts which would vary as between worker and worker. Obviously the possibilities for dissastisfaction between employees in such a situation are very great. Those who receive amounts smaller than are received by their fellow workers in the same plant—because the amount of time consumed by one group in walking to the work bench is less than that consumed by their fellow workers—are likely to be disgruntled in many instances, and the net effect could very well be unsettling to labor peace and productivity.

In such cases, if any portal-to-portal claims as may be legally susceptible of settlement through collective bargaining—and I have this afternoon indicated the effect of the Brooklyn Savings Bank case, so far as the impossibility of settling, in the very large majority of cases, I take it, is concerned—it is difficult to conceive of the labor union itself being able to compute, with reasonable satisfaction to all employees, the respective participation of the several employees in the recoveries which shall be effected by such collective bargaining.

In such cases, therefore, Mr. President, dissatisfation among some employees whose claims shall have been adjusted by such bargaining is not at all unlikely, and may reasonably be expected to foment unrest within the labor union itself.

A further very practical and distressing result is very apt to follow from the maintenance of these suits, particularly in view of the fact that in large portions of them the employer sees the possibility, as do the employees, of the employer's recovering promptly from the Government all that he has paid out, thereby being able to give to the employees substantial amounts at no cost to the employer. In other words, there is a temptation both to the employees and to their employer, to negotiate, without litigation if practicable, or if necessary, through litigation, settlement with respect to such claims, on the theory that the employer may, in view of his ability to recover either a tax refund or complete reimbursement from the Federal Government, on account of any sums he may pay in settlement of such claims, be able to effect the settlement with his employees at little or no expense to himself.

If the United States Treasury is required to reimburse the employer, the bill will be paid either in great part or in whole by the Government, that is to say, by the taxpayers. If the employer has it within his power to ingratiate himself with his employees by making a substantial settlement with them, and if he knows that the next day or the next week he will get his money back from the Government, obviously, in some instances, at any rate it is not at all unlikely or unreasonable to assume that an employer will be very liberal in making the settlements, because he knows he can get the money back, Mr. President, from you and from me and from all the other taxpayers of the United States.

In response to questions the other day by the distinguished junior Senator from Iowa [Mr. HICKENLOOPER], I discussed very briefly the tendency of this type of liability to create champertous activity; that is to say, activity encouraging and stirring up litigation. The claim of employees to ownership rights of the portal-to-portal variety is a likely and fruitful source of champertous activity among those who, for expectation of financial profit to themselves, may desire to stir up litigation between employer and employee.

Not only is there a strong likelihood of the creation of renewed and more and more vigorous efforts toward the bringing of such lawsuits, if the present 1913, or any material portion thereof, shall be sucessful; but, in addition, the labor unions are going to be confronted with the very practical problem as to what to do with respect to assisting their own members in bringing further suits. The testimony was that the American Federation of Labor up to this time has taken very little affirmative action in the assertion of portal-to-portal claims. True it is that Mr. Pressman referred to the Dow Chemical Co. decision as being one in which the American Federation of Labor had acted, and, as indicated in his testimony, the fact that the American Federation of Labor did act placed a responsibility on the CIO of determining whether it should acquaint its members with the opportunity to make settlements through the medium of such suits.

But, Mr. President, suppose that the suits which have been filed should be successfully maintained, what will there be left for the American Federation of Labor to do? The CIO membership will have collected in a great multitude of these suits, and the A. F. of L. membership will have sat idly by without filing its suits. Obviously the American Federation of Labor, in self-defense and as a means of holding its own membership, may be forced to enter into activities in connection with future portal-to-portal suits and may be compelled to send to their own members substantially the same type of literature as that which the CIO affiliates sent to theirs. In other words, the A. F. of L., in order to preserve itself and keep from losing its own membership, may find it necessary at least to become active in or perhaps assist in the bringing of suits by its membership; and when it gets down to the point of labor unions, in self-preservation, finding it necessary to run a race, one with another, as to which can benefit its own members the most, we shall have arrived at a point where, I undertake to say, the stirring up of litigation will have become a vast ethical and economic evil, as well as leading to congestion in the courts of the United States and of its various subdivisions.

I referred to the possibility of settlements being made by corporations. There was one made that I know of, to which I have referred, the settlement made by the Dow Chemical Co. I have in my hand a photostatic copy of the issue of Business Week, of November 23, 1946, in the course of which occurs this paragraph:

> Bargaining issue?—Some factors in the steel industry are inclined to regard union threats of suits covering 800,000 members in basic steel and fabricating plants as a bargaining issue for contract negotiations which will open in mid-January. At that time, lump-sum retroactive portal-to-portal payments might be asked by the union in return for foregoing a substantial wage boost, as in the recent Dow Chemical settlement.

Is it not interesting, to say the least, that in the Dow Chemical settlement the payment was made by that company, and the employees waived, as I understand, a substantial wage boost? In other words, the Dow Chemical Co., which according to my information, has either received or will receive back from the Government a very large proportion of the $4,665,000 which it paid, secured a consideration, obviously, from the employees for making the settlement, in that the employees forewent their claim for additional wage boosts for the coming year, in substantial amounts.

Is it not clear, Mr. President, that in the face of such a situation as this, there is a strong tendency on the part of corporations to enter into negotiations with labor unions, to accept judgments against themselves in large amounts, in consideration of the union itself waiving some of its rights to additional compensation, and then the corporation, after having thus given to the union what the union would otherwise have acquired, perhaps from the company by collective bargaining agreements, the company itself goes down to the Treasury of the United States and gets its money back.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. COOPER. I should like to ask the Senator, if in the Dow Chemical case which he has just cited, it is not a possibility that the corporation already has or may have the power to shift the burden of that settlement to the taxpayers of the country?

Mr. DONNELL. Precisely; the Senator is exactly correct. He has made it so clear that the record on that point cannot be escaped.

Mr. President, the New York Times, in its issue of December 22, 1946, has this to say with respect to the Dow Chemical Co.'s settlement:

> An out-of-court settlement amounting to $4,665,000 for back travel pay was reached recently by the Dow Chemical Co. and District 50 of the United Mine Workers, A. F. of L. This indicated a possible course which the lawsuits may take in connection with wage bargainng.
>
> It is questionable whether an outright waiver of the lawsuits in return for wage increases would wipe out an employer's liability, if it exists, but the suits could be settled through a peaceful, legal procedure whereby the unions simultaneously could agree to modify their wage demands.

In the Dow Chemical case, the union withdrew its demand for a flat increase of 20 cents an hour and advised its members they would receive the equivalent of an 11-cent increase through travel-time pay.

Claims for travel-time pay in the past were settled on the basis of about 21 minutes a day, but the new wage agreement significantly provides for compensation on the basis of about 27 minutes a day.

In other words, Mr. President, the Dow Chemical Co. found it advisable to make this settlement and, as I have indicated and as the distinguished Senator from Kentucky [Mr. COOPER] has observed, it is entirely possible that corporations can well afford to be very liberal in these settlements, or if they cannot make settlements, can afford to be very lax in their defense of litigation, knowing, as they well know, that they may secure reimbursement from the Government, and at the same time may make settlements with the unions ingratiating themselves with the unions without increasing wages to the point to which they would have been compelled to increase them had they not been able to turn over to the employees these vast amounts of portal-to-portal wages.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. HOLLAND. At the appropriate time I should like to ask the distinguished Senator a question or two with reference to the statute of limitations. I do not want to disturb his speech. Is this the appropriate time, or will the Senator reach the stage later when such question would be more appropriate?

Mr. DONNELL. I should prefer that the Senator from Florida defer the question until later. I shall take up the statute of limitations and shall certainly welcome questions from the Senator on that subject.

Mr. HOLLAND. I thank the Senator.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. COOPER. The Senator pointed out that contractors having war contracts with the Government may settle their claims for portal-to-portal activities with employees, and then ask the Government for reimbursement in the amount of the settlement. Does the Senator know whether the Government is prepared to audit and supervise such settlements to determine whether in fact valid claims are asserted against the war contractor for which reimbursement may be asked of the Government?

Mr. DONNELL. Perhaps before I complete my answer I may be able to put my hand on the exact language, but if I cannot I am sure that I am giving substantially the testimony which was presented to us, namely, that, in the first place, the Department of Justice does not have sufficient members in its legal staff to handle the legal work. In the second place, that the district attorneys over the United States do not have sufficient forces in their offices to handle the legal work. Thus making it true that in the case of the defenses which are being handled throughout the country, the attorneys for the companies themselves are being called in to assist in the defense, and are being permitted to assist, with certain limitations to which I shall refer. In the third place, according to the very graphic language of one of the witnesses—and if I do not find it at the moment I shall put it in the RECORD a little later—there are not enough accountants—and I think he said lawyers, but certainly accountants—in the United States to handle the work involved in making the computations and clerical work which would be necessitated in handling these claims.

Does that answer the Senator's question?

Mr. COOPER. Yes.

Mr. DONNELL. May I ask the Senator, who is a distinguished member of our subcommittee, whether or not his recollection substantially agrees with mine in regard to that testimony?

Mr. COOPER. It does.

Mr. DONNELL. I thank the Senator.

Mr. President, as a result of these various facts, the impacts of these suits upon the individuals, upon the companies, upon the Government itself, upon the local divisions of government, upon labor and management themselves, I take it to be manifest that in the public interest action—prompt action—should be taken by the Congress.

To summarize certain of the probable future consequences which would arise from inaction by Congress as to future accruing liabilities, I should like to make mention of a few facts. I do so, Mr. President, because someone may say "Perhaps it is all well enough to dispose of the pending portal-to-portal claims, get them out of the way, extinguish them in some manner by law, but why should we legislate as to the future?"

I undertake to say that, so far as is legislatively possible, Congress should see to it that the opportunity for the recurrence of such a condition of surprise and disaster to American industry should not be permitted to arise. Thus, it is that it becomes of great importance to legislate not only as to existing claims, but as to future claims, defining as best it is possible in legislation the measures of liability, the type of activities which are not compensable except by custom or by contract.

Mr. President, if Congress should not act as to future accruing liabilities numerous results would occur. In the first place, both employers and employees would be unable to determine without extensive, expensive, and prolonged litigation to final judgment in a court of last resort the amounts owing to employees for activities of the portal-to-portal type which shall hereafter be engaged in by employees. I may point out in that connection that there is a tendency undoubtedly existent to extend the doctrine of portal-to-portal liability to a point which has never been dreamed of. I give merely one illustration of that tendency.

There appeared before the committee as witnesses a Mr. Conover, of the American Mining Congress, and a gentleman from the State of our distinguished colleague, the Senator from New Mexico [Mr. HATCH] who accompanied his constituent to the committee hearing. Both men testified to the fact that in the case of the potash miners near Carlsbad, N. Mex., some 12 miles from Carlsbad, the employees have already filed suits aggregating millions of dollars, not solely for liability upon the premises of the employers, but for the time consumed in traveling from Carlsbad to the place of employment 12 miles away. The testimony of the gentleman from the Carlsbad plant was to the effect that the employees do what most of us do in traveling on long bus rides, either read or sleep. Obviously they were not performing activities for the employer. Yet the theory of the employee is that in order for the employee to get to his work he had to ride; in order to ride he had to put in the time to ride; and therefore the employer must pay him for the time involved in going from his home or from the place where he got on the bus, perhaps in the city of Carlsbad, all the way to the mine. That is a vast extension of the doctrine set forth in the Mount Clemens case, for the Mount Clemens case defines itself solely to activities upon the premises of the employer. But in the case of the Carlsbad illustration, even the busses in which the employees travel are not owned directly or indirectly by the company, but are the property of some third party.

We may well expect further extensions. I can well see how an employee may say, "In order to be fit to work on my days of employment, not only must I travel by bus, but I must get up and wash myself and dress. That is all time that is put in for the benefit of the employer, and I shall hold the employer liable."

So, Mr. President, unless we draw a line and say, "Before this line items shall not be compensable unless by contract or custom," we are in constant danger of an ever-expanding application of the doctrine of portal-to-portal pay so as to run not merely from the portal of the employer's premises to the place of work, but from the portal of the employee's home, or perhaps from his dining table. Who knows what extension will be made, in the light of the case now pending in New Mexico for millions of dollars based upon riding in busses not owned by the employer, while the employee sleeps or reads in transit?

Unless we have action by Congress as to future accruing liabilities, employers and employees will in many instances be unable in the future to make voluntary settlement, compromise, release, or adjustment of claims arising out of such activities. At this point let me say that we have recognized in our bill, by not making the provision for compromise and settlement applicable to the future, that there is a grave danger of placing a provision of that kind in the bill as to future activities, because such a provision might well result, as in the case of the Brooklyn National Savings Bank, in the utter demolition of the Fair Labor Practices Act.

Mr. President, if Congress shall not act as to the future, I have indicated that among the results of such inaction is likely to be the prospect of increasing demands for payments to employees for engaging in other activities, no compensation for which was contemplated by either the employer or the employee at

the time when the employee was engaged. If Congress shall not act now as to future accruing liabilities, there will still exist as to such future liabilities the likelihood of stirring up champertous practices and congestion of the courts. If Congress shall not act now as to future claims, there will be the probability of extended and continuous uncertainty to be experienced by industry—both employer and employee—as to the financial condition of productive establishments, with consequent halting of expansion or development, and retardation of employment.

If Congress shall not act now as to future activities, there may well be expected the infliction of hampering restraints and restrictions on commerce and on the development thereof, nationwide industrial conflict, unrest, and disputes between employers and employees, as well as between employee and employee. If Congress shall not act now as to the future, there is grave likelihood of continued inequality of competitive conditions as between employers, and between industries, due to the fact, as between employers, that one employer may have a plant physically so located that his portal-to-portal time is greater than that of an employer across the street who, because of his physical location, does not find the same necessity for long walking spaces for employees.

If Congress does not act now as to future accruing liabilities, serious and diverse effects upon the revenues of Federal, State, and local governments may well be expected in the future, just as they are manifesting themselves under present conditions, with respect to past activities.

A little while ago the Senator from Florida [Mr. HOLLAND] asked about the statute of limitations. With his indulgence, I still ask that his questions be deferred until I take up the bill, in a very few minutes.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. LUCAS. Can the able Senator give the Senate any notion as to when he will get down to the point where he is to discuss the bill, and will have finished discussing the facts leading up to it?

Mr. DONNELL. I should say in the course of three-quarters of an hour.

Mr. LUCAS. At that time we will get to the meat of the situation.

Mr. DONNELL. I should say that we have been at the meat of the situation throughout this entire discussion. I shall take up the details of the bill; but I think it is of highest importance that the Senate have before it, and that the public know, the facts which make it imperative that Congress act. I regard that as just as much the meat of the situation as the physical formation of the bill which is upon the desks of Senators.

Mr. LUCAS. I do not disagree with the Senator. The only thing I was attempting to ascertain was when the Senator would finally, after discussing the facts, reach the legal points which are involved in the bill. I appreciate that before discussing the legal points it is necessary to build a foundation of facts so that the RECORD may be clear. However, Senators have asked me to interrogate the able Senator in an effort to determine when he will reach that point, because Senators are interested.

Mr. DONNELL. I thank the Senator. I should say that in my judgment certainly within three-quarters of an hour I shall take up the details of the bill. Before that time I shall address myself to the question of the constitutionality of setting aside and overcoming the existing litigation; and in that connection I shall discuss certain decisions of the Supreme Court bearing upon that question.

Referring to the statute of limitations, I invite attention to the fact that the Fair Labor Standards Act of 1938 does not contain any limitation provision, and that the State statutory periods of limitation, as of 1938, vary from 1 year to 12 years. As of 1945, which is the last year with respect to which I have information, they vary from 6 months to 8 years.

The committee believes that these varying and extended periods of time for which, under the laws of the several States, potential retroactive liability may be imposed upon employers, have given and will give rise to grave difficulties in the sound and orderly conduct of business and industry. I might illustrate the effect of the varying statutes of limitations in this way: For example, Iowa has a 2-year statute of limitations; Illinois, 5 years; Minnesota, 2 years; Wisconsin, 6 years. Other illustrations are: Massachusetts, 6 years; North Carolina, 3 years; and South Carolina, 1 year.

Take, for example, a concern in Iowa, which cannot be sued for portal-to-portal pay, under the State statute, for more than 2 years back. Certainly an employer in that State is in a more advantageous position competitively than is an employer in the State of the distinguished Senator from Illinois [Mr. LUCAS], where the limit of the period for which an employee may go back is 5 years. In Minnesota the limit is 2 years. In Minnesota an employer is certainly in a much more advantageous position than his competitor in Wisconsin, where the employee may go back for 6 years. In Massachusetts, in which State there are many textile mills, an employee may go back for 6 years. An employer in Massachusetts is in a much less advantageous position than an employer in North Carolina, where the employee can go back only 3 years. In South Carolina the limit is 1 year.

So, Mr. President, the importance of having an applicable uniform statute of limitations, I think, is obvious. I will say in this connection that Mr. Walling who, at the time of his testimony, was the Wage and Hour Administrator, had this to say on page 558 of the testimony:

> It is not necessary any longer to justify a uniform Federal Statute of Limitations. Events have proven ample justification. The only question at issue is the period which should be provided.

I call attention also to the fact that Mr. John Abt, who is counsel for the Amalgamated Clothing Workers of America, New York, N. Y., said this in his testimony, at page 162:

> We favor writing into the acts a reasonable time limitation on the filing of suits. We believe that such a limitation is necessary in order to secure uniformity throughout the 48 States and to place this Federal question beyond the control of diverse State laws.

So, Mr. President, considering the nature of these circumstances, it is obvious that the Congress should take action in the public interest.

It may be said that all this trouble was occasioned by the Mount Clemens case. On February 8, 1947, Judge Picard, the United States district judge to whom the Mount Clemens case had been sent for retrial, dismissed the case. It will be recalled, Mr. President, that the judge found to be de minimis all the walking time and preliminary-activities time consumed by employees for which overtime compensation was sought under the act. Judge Picard was, however, careful to point out that his dismissal of the Mount Clemens case "should not be understood as holding that all portal-to-portal suits should be dismissed."

He further said:

> There may be and perhaps are many instances where walking time and preliminary-activities time consumed is of such an amount as to call for compensation that he normally is not now receiving, but this is not one.

Judge Picard's decision is, first, limited to the facts of the case only, and, second, is not a final decision and doubtless will not be accepted as such, but, in our judgment, will be taken to the Supreme Court. Moreover, the decision of Judge Picard dismissing the Mount Clemens case was handed down on February 8, 1947, which was after the case had been recommitted to the district court by the Supreme Court for the matter of computation. However, that decision is not at all indicative of the conclusion that the portal-to-portal issue is settled, as is clearly indicated from an Associated Press report in the Washington Sunday Star for February 9, 1947, the day after Judge Picard's decision, stating that the United Automobile Workers' attorney, Maurice Sugar, said the auto union would not withdraw any of its suits. Suits by this union alone reportedly total nearly $1,000,000,000. Mr. Sugar also was reported by the Associated Press as having stated that Judge Picard's decision "would not necessarily apply to other cases."

Furthermore, Mr. President, attention is directed to a news item from the New York Times of Tuesday, February 11, 1947, 3 days after Judge Picard's dismissal of the Mount Clemens case, which news item reads as follows:

> UAW SUES AGAIN DESPITE PORTAL BAN
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> DETROIT, February 10.—Despite the dismissal on Saturday by Judge Frank A. Picard in the Federal District Court of the portal-to-portal and make-ready pay claims of employees of the Mount Clemens Pottery Workers Union, the United Automobile Workers, CIO, charged back into the legal fray today with a suit demanding more than $200,000 on behalf of 148 members of local 155 against the Vincent Steel Process Co., an automotive parts manufacturer.
>
> In connection with the filing of the suit, Ernest Goodman, counsel for the UAW, said that the union took the position that the organization disagreed with the opinion of the judge who held that the time claims in the Mount Clemens were too trivial to recognize.

Union leaders still were silent, although Mr. Goodman said that the last of the suits had not yet been filed and that there would be a fresh wave as a result of the judge's decision.

Mr. Goodman said that "we disagree with some of the important aspects of the decision, particularly with reference to retroactivity."

"Judge Picard's decision," he added, "is inconsistent with the decision of the Supreme Court."

So, Mr. President, in view of these facts, and in view of the decision of Judge Picard, I take it that it is clear that Congress is not released from the very solemn obligation under which it finds itself to enact adequate legislation to cover the portal-to-portal situation.

It has been contended by some that any attempt to wipe out existing portal-to-portal claims would violate the Constitution of the United States, and particularly would violate the fifth amendment, which reads as follows:

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor—

This is the portion of the fifth amendment to which the argument opposed to the constitutionality of the proposed legislation is directed—

be deprived of life, liberty, or property, without due process of law—

Continuing, the amendment provides—

nor shall private property be taken for public use, without just compensation.

Some have taken the view that, inasmuch as employees have worked for employers and have accumulated under the decision of Mr. Justice Murphy moneys owing to them for portal-to-portal activities, if Congress now steps in and undertakes to wipe out these claims, there will be a violation of the prohibition in the fifth amendment against the deprivation of one's property without due process of law.

The Supreme Court of the United States has in several decisions indicated views which appear to me amply to justify the conclusion that the proposed legislation can be constitutionally effected to prevent the maintenance or institution of these suits, and can do so even as to existing claims.

The first of the cases to which attention is respectfully directed is that of *Norman* v. *The Baltimore & Ohio Railroad Company* (294 U. S. 240), decided on February 18, 1935, the decision having been handed down by Mr. Chief Justice Hughes, beginning at page 291. This was known as the gold-clause case. It presents the question of the validity of the joint resolution of Congress of June 5, 1933, with respect to the gold clauses in private contracts for the payment of money. The resolution declared that—

Every provision contained in or made with respect to any obligation which purports to give the obligee a right to require payment in gold or a particular amount of coin or currency or in an amount of money of the United States measured thereby, is against public policy. Such provisions or obligations thereafter incurred are prohibited.

The resolution further provides that—

Every obligation heretofore or hereafter incurred, whether or not any such provision is contained therein or made with respect thereto, shall be discharged upon payment, dollar for dollar, in any coin or currency which at the time of payment is legal tender for public and private debts.

Mr. LUCAS. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Illinois?

Mr. DONNELL. I yield.

Mr. LUCAS. Is the Senator from Missouri now discussing the constitutionality of the bill as it has been reported by the committee?

Mr. DONNELL. Yes; I am discussing the general proposition as to the right of Congress to wipe out these suits; and of course this bill is framed upon the theory that the Congress has a right to wipe them out.

Mr. LUCAS. I agree with the Senator from Missouri that Congress has a right to pass legislation which would destroy the validity of the portal-to-portal pay suits.

Mr. DONNELL. Yes.

Mr. LUCAS. I wish to ask the Senator a question, and I think it is important in view of the fact that now he is discussing the constitutionality of the measure which has been reported by the Judiciary Committee. Under section 2 (a), part II of the bill, is it the Senator's contention that every conceivable claim based on any activity not compensable by contract or custom or practice, is wiped out?

Mr. DONNELL. Will the Senator please repeat the question?

Mr. LUCAS. I wish to ask the Senator about the bill as it has been reported by the committee, and I have specific reference to section 2 (a) of part II. I ask him whether he believes that every conceivable claim based on any activity not compensable by contract or custom or practice, is wiped out by the bill. I am now talking about all claims over and beyond those which are set forth in the portal-to-portal suits, and I wish to know whether the bill includes such claims.

Mr. DONNELL. The answer, Mr. President, is that the section to which the Senator from Illinois has referred destroys every claim under either the Fair Labor Standards Act of 1938—or perhaps I should say it provides that no employer is subject to any liability or punishment under the Fair Labor Standards Act of 1938 as amended, the Walsh-Healey Act, or the Bacon-Davis Act on account of the failure of the employer to pay to an employee minimum wages or to pay an employee overtime compensation for or on account of any activities that an employee engaged in prior to the date of the enactment of the act, except those that were compensable by either contract, custom, or practice, as described in that section.

Mr. LUCAS. Then the Senator from Missouri and I are in agreement as to what this section means. In other words, any and all claims, over and above and beyond anything that has happened in these portal-to-portal suits, are also wiped out or outlawed, so to speak.

If my position is correct in that respect, I wish to make this further statement for the record; namely, that the section we are discussing contains no definition of portal-to-portal claims, and makes no distinction between suits based upon out-and-out violations of the Fair Labor Standards Act, the Walsh-Healey Act, or the Davis-Bacon Act, and the portal-to-portal suits. I think we can agree upon that.

Mr. DONNELL. Mr. President, I think the Senator from Illinois has overlooked the fact that in section 5 of part II there is a definition of portal-to-portal activities. It reads as follows:

SEC. 5. Definition: As used in this part, the term "portal-to-portal activities" means those activities which section 2 hereof provides shall not be a basis of liability or punishment under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act.

I also call attention to the fact that in subdivision (b) of section 2 appears the following language:

(b) Each claim based on any portal-to-portal activities is hereby declared to be and is null and void and unenforceable.

Mr. LUCAS. I understand that. The point I make is that, as suggested by the able Senator, the definition of portal-to-portal claims is not confined to the portal-to-portal suits which brought on this legislation, but it goes beyond them and takes in the Walsh-Healey Act, the Bacon-Davis Act, and all other bases of actions of any kind or character which might be maintained by any person at the time. As to that point, the Senator from Missouri and I may differ with respect to the power which Congress has to go that far. I am afraid we are going off the deep end so far as that phase of the measure is concerned, when we consider the due process section of the Constitution.

Mr. DONNELL. Mr. President, I thank the Senator from Illinois for his observation, and I shall discuss his point as I proceed. I may say at this time, however, that the same constitutional point to which I shall refer in a moment in the Norman case, as I see it, applies in the case of every activity, and gives the Congress the power, in its judgment, if it deems the public interest to require it, to legislate out of existence any claim within the field of interstate commerce, over which Congress has power.

Let me also say, so that the RECORD may be perfectly clear, that the definition of portal-to-portal activities which is set forth in section 5 is—

Those activities which section 2 hereof provides shall not be a basis of liability or punishment—

And those acts are only the ones which are not compensable either by contract or custom or practice.

Mr. LUCAS. Mr. President, will the Senator further yield?

Mr. DONNELL. I yield.

Mr. LUCAS. Am I correct in my understanding that before the committee there is no evidence or any kind or character which involves the Walsh-Healey Act or the Bacon-Davis Act; and also

that the amendments which are proposed to be made by the bill, insofar as actions brought under either of those acts are concerned, are purely gratuitous upon the part of the committee, and are not based upon any facts?

Mr. DONNELL. Mr. President, I do not think the interpretation of the Walsh-Healey Act or the Bacon-Davis Act is gratuitous upon the part of the committee. I am very happy to answer the Senator from Illinois, and I think he is entitled to know what the sentiment is.

In the first place, when the subcommittee started its hearings, I am frank to say that I had never heard of the Bacon-Davis Act, at least by name. I may have heard of the Walsh-Healey Act; it is possible that I had. But certainly neither of those acts was submitted to either our subcommittee or the full Committee on the Judiciary for consideration. However, as our hearings progressed, and somewhat, as I recall, near the conclusion of the hearings, a letter was received by the chairman of the Judiciary Committee from the distinguished Senator from Oklahoma [Mr. MOORE], calling his attention to the Walsh-Healey Act and raising the question whether some provision should be made with respect to it. Moreover, as I remember, at least one letter, and possibly more, came to my office from some one or more gentlemen, calling my attention to the Walsh-Healey Act, although I do not recall that the Bacon-Davis Act was so called to my attention.

Mr. President, as the so-called Gwynne bill, House bill 2157, was passed by the House of Representatives, it will be observed that the House of Representatives considered that the proposed legislation should apply not only to the Fair Labor Standards Act but also to the Walsh-Healey Act and the Bacon-Davis Act. Bearing that in mind, our subcommittee, after consultation with the main committee—and in referring to the subcommittee, I refer to both the Senator from Kentucky [Mr. COOPER], and myself; I do not recall whether the Senator from Mississippi [Mr. EASTLAND], was there or not—and in conjunction with the chairman of the Judiciary Committee, the Senator from Wisconsin [Mr. WILEY], and the Senator from Michigan [Mr. FERGUSON], had a conference, one day, with Mr. WALTER, a member of the House of Representatives Committee on the Judiciary, who if I am not mistaken, was the author of one of those acts, although his name does not appear on it. Certainly, however, he is well informed with respect to it. He gave us his views concerning the acts. He informed us, as I recall, that there had never been any suit filed under either of those acts. He indicated to us, however, the facts, and as a result of interrogation of him we were able to get what we thought was a pretty complete analysis of the facts which would give an employee under each of the two acts rights similar to those under the Fair Labor Standards Act.

I recall that in the case of the Bacon-Davis Act, which has to do with the construction of Federal buildings, I mentioned a certain situation. I am always thinking of my home State, and I said to him, "For instance, suppose a post office was to be built in Unionville, Mo." I may digress to say that it was my privilege to be present at the dedication of a post office in that city some years ago, and that was the reason why I happened to think of that one. I said, "Suppose a post office was to be built in Unionville, Mo., and the Westlake Co. was to build the post office, would the employees of that Westlake Construction Co. come under the Bacon-Davis Act?" Or words to that effect. He developed, of course, that they would. I think on reconsideration, I did not ask him if they would come under the act. I see obviously that they would.

I then put to him this series of facts: "Suppose that subsequently, in the case of the Westlake Construction Co., the employees of that company should hear of the doctrine of the Mount Clemens case, and should decide they also had walking time, while going from the entrance of the enclosure up to the place on the post office where they worked, and should assert a claim against the Westlake Construction Co., and should call upon the government representative by whom suits were brought under the Bacon-Davis Act, to bring suits in their behalf." I put that situation before Mr. Walters, and as the result of our conversation it was clear that in that case, should there be a recovery by the employees under the Bacon-Davis Act, it could be based on the same theory on which the suit would be based under the Fair Labor Standards Act. A similar illustration was put to him with relation to the Walsh-Healey Act, relating to the manufacture of caps for seamen in the Navy, and of course obviously the same answer applies.

So, Mr. President, after this conference with Mr. Walters, and after very careful consideration on the part of those of us who were on the committee, we determined to rewrite the bill, and we asked Mr. Rice, of the office of the legislative counsel, to perform what we thought was almost a superhuman task, rewriting the bill in one afternoon to get it ready for our committee the next morning, and have it printed so that we could have it before us with the new provisions in it.

In my judgment the Senator from Illinois is not correct in his assumption that the interpretation of the Walsh-Healey and Bacon-Davis Acts were gratuitous. It is true there was no evidence before the committee, in the printed hearings, but the committee made thorough and careful study of the matter, as I see it, and while not so extensive as our study of the Fair Labor Standards Act, I think our action in including those acts was based upon our study, and therefore was not gratuitous.

Mr. LUCAS. Mr. President, will the Senator from Missouri yield?

Mr. DONNELL. I yield to the Senator from Illinois.

Mr. LUCAS. I desire to make my position perfectly clear with respect to the proposed legislation. The Senator from Illinois, as I think most other Senators are, is definitely in favor of legislation which will outlaw portal-to-portal suits, which are now giving the Senate and the country so much trouble. All I am attempting to ascertain from the able Senator is his view with respect to the constitutionality of the proposed act. I sincerely hope that when Congress finally passes a bill it will stand the test of the courts, and will not be a law which will invite all kinds of litigation in the future.

I know that as the result of the cumulation of hundreds of these suits throughout the country here and there in the different States, as the Senator has so ably explained, Congress undoubtedly has the power to arrest and deny any action in connection with such suits in the future, and probably outlaw the suits which have been started in the past.

What I am fearful of in connection with the pending bill is that we are delving into new fields, where there are no suits, where there is no evidence, where there are no charges of any violation, and if we are not careful we are going to take away from the individual citizen the inherent right of property he has under the due process clause of the Constitution. Rather than go too far in the legislation, I will say to the able Senator, I should prefer to confine the bill strictly to the portal-to-portal suits, where we know definitely we are on safe ground when we pass the measure.

I merely throw this into the argument for whatever it may be worth. I may be wrong. There are some able lawyers who will argue that we have no power and no authority, as legislators, to take away retroactively even the right to institute the pending suits. I do not agree with that contention in any way whatsoever, but I do say that when we step out and go further than what we have definitely and directly in front of us with respect to portal-to-portal suits, and attempt in a measure banning portal-to-portal suits to include suits under other legislative enactments about which no question whatsoever has ever been raised, either in the lower courts or the upper courts, under which no suits are now pending, and which acts are not before the Congress—when we outlaw all claims of any kind, and deny individuals an inherent right which they are entitled to exercise if they want to bring a suit of some kind, in my humble judgment, we are taking a chance. That, briefly, is my position.

Mr. BALDWIN. Mr. President, will the Senator from Missouri yield?

Mr. DONNELL. I yield to the Senator from Connecticut.

Mr. BALDWIN. I do not know that my question is along the line of what the Senator from Illinois has just discussed, but there is oftentimes much contention over the interpretation of administrative orders which are issued pursuant to the acts referred to. For example, taking any provision of the Fair Labor Standards Act or the Wages and Hours Act, an employer may inquire whether a certain course of action constitutes a compliance with the act or some regulation issued pursuant to it, and he is advised, honestly and fairly, that it does. Later a new administrative order may be issued, or a court may render a decision which entirely reverses the ruling under which the employer has been operating. Is there anything in the bill which would protect an employer, and also an em-

ployee, since the employee is also entitled to know what his rights and privileges are, in a situation of that kind? It seems to me that has some bearing upon the very point the learned Senator from Illinois raised.

Mr. DONNELL. Mr. President, I am very glad to have the two Senators ask the questions that have propounded, and I am very grateful for the very clear exposition of his position by the Senator from Illinois, and for the very clear inquiry which has been made by the Senator from Connecticut.

In the first place, addressing myself to the proposition of the Senator from Illinois, I agree with him that it is of great importance that we attempt to make the bill unassailable, in other words, to make it clearly constitutional, if we can. Our committee has devoted a very great deal of thought, I will say to the able Senator, along those lines.

We have been confronted by the fact that there is a difference of opinion among lawyers, and I think it is only fair to say that we have tried to include the arguments on both sides, pro and con. We have had great numbers of briefs which we could not very well print because of considerations of expense, but I wish to say to the Senator from Illinois that included in the briefs we had printed is one on page 814 of the testimony and following by Mr. George Eric Rosden, of the District of Columbia Bar, which expresses the view, in substance, that legislation of the type which undertakes to wipe out existing claims is invalid.

Mr. LUCAS. Mr. President, does that include all existing claims, or is he discussing the portal-to-portal claims?

Mr. DONNELL. He is talking about any existing claims, as I recall his brief. He says this:

> Several bills have been introduced in Congress designed to deal with portal-to-portal pay suits. Other legislative efforts are in preparation.
>
> * * * * *
>
> Under these circumstances, we fail to see how Congress could constitutionally legislate away the rights which have already accrued under the statute, for it is a well-established doctrine that retroactive statutes are against due process, and therefore unconstitutional if they affect vested rights.

I think I should say, and I do say at this time, that included in our report we have set out not only Mr. Rosden's brief, but we thought it fair to set out the fact that he sent this brief to me as the result of a telegram from the president of the American Bar Association, Mr. Carl B. Rix, which reads as follows:

> Please take your excellent brief to Senator DONNELL with this telegram. He may desire to secure publication in CONGRESSIONAL RECORD as matter of general interest.

That is from page 814 of the general transcript.

I should add, however, that I do not think there is anything in the record, and certainly nothing within my knowledge, that would indicate that the American Bar Association has passed upon this matter. But Mr. Rix of course is a very eminent lawyer. I am not acquainted with Mr. Rosden, so far as I recall, but the fact that Mr. Rix had requested him to take the brief to me indicates to me that Mr. Rosden is a gentleman of standing and his word should receive consideration.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. DONNELL. If the Senator from Maryland will indulge me for a moment, let me say that we also have set out in full in the record, the particular portions to which I am referring being pages 185 and following, a very interesting brief by Mr. Lee Pressman, in which, in substance, he takes the position likewise that legislation wiping out existing claims is unconstitutional. I now yield to the Senator from Maryland.

Mr. TYDINGS. I do not want to interrupt the argument of the distinguished Senator from Missouri, but he may be able to give me a brief answer to the question I am about to ask. Does the bill as reported by the committee attempt to make the law as originally passed conform to what many people conceived to be its limitations or does the pending bill purport to take away certain legal rights which were perhaps expressly set forth in the original wage-and-hour bill? Do I make clear to the Senator from Missouri what I am trying to elicit from him? I am afraid I do not.

Mr. DONNELL. I am not quite sure I get the Senator's question.

Mr. TYDINGS. Let me put it this way: Does the bill now pending before the Senate take away from either employer or employee any rights which were given to him originally, but which we did not mean to give him, to the extent of the portal-to-portal suits as we have come to know them?

Mr. DONNELL. Mr. President, I do not think I can answer that question yes or no. I think the answer would require somewhat of an expansion. I shall certainly try to answer it to the best of my ability.

Mr. TYDINGS. I do not want to divert the Senator from his argument. He has probably covered it before in his remarks, while I was out of the Chamber.

Mr. DONNELL. No; it has not been covered, I should say to the Senator. It should be covered, and it will be.

Let me say that in this bill we have not undertaken to say what was the intent of Congress in 1938. I should say that some persons thought we should expressly take the position that the Supreme Court of the United States had legislated by its action in the Mount Clemens case. I was one of those, a year or so ago, who took the position on this floor that Congress has no right to go back years ago and say what was the intent of Congress at that time. I think perhaps that statement should be modified to this extent, that if the reports or other legislative history enable us to judge of it, we might be able to do so.

The distinguished Senator will perhaps recall some years ago the resolution bearing upon the oil industry and the internal-revenue practices, under which Congress was besought to enact legislation saying that Congress meant something different than the law provided. The Senate, however, took the view that it could pass such a resolution, although I was in the minority. I remember the distinguished Senator from Michigan [Mr. FERGUSON] was likewise in the minority. I do not recall the position of the Senator from Maryland on that particular matter, but I want to say, in the pending legislation we have not undertaken to say what was the intent of Congress in 1938.

We take the act as it exists. We take the decision of the Supreme Court as it has been made. Realizing the pendency of the tremendous economic problem presented by the portal-to-portal situation, we attempt to strike at those claims and wipe them out. In order to do so we find it necessary to cover the entire 24 hours of the day, and perhaps to wipe out some claims, as to which there is strong argument that they should not be wiped out. I am coming to that, and I shall argue it fully before we finish.

But the real purpose of this proposed legislation is to dispose of the existing portal-to-portal cases, and we do not see any way to do except to take the entire activities of the entire 24-hour day, and provide by law that none of them shall be compensable unless by contract or custom.

Mr. TYDINGS. Mr. President will the Senator yield?

Mr. DONNELL. I am speaking, as the Senator from Kentucky [Mr. COOPER] appropriately suggests, solely as to existing claims, past claims. We approach the question as to future claims in quite a different manner. I yield to the Senator from Maryland.

Mr. TYDINGS. I thank the Senator for his explanation. As I understand the general philosophy of the committee's approach to this problem, if payment has been made by practice for portal-to-portal, work or activities, the committee measure does not interfere with that?

Mr. DONNELL. The committee does not make noncompensable such activities. In other words, it leaves them compensable.

Mr. TYDINGS. And if by custom?

Mr. DONNELL. I dislike to interrupt the Senator, but, in the interest of accuracy, we say that if there is a custom or practice, not inconsistent with the contract of the individual, under which custom or practice payment was made for certain activities, the employees shall be entitled to compensation for them, whereas we provide conversely that in the absence of such custom or practice, they shall not be so entitled.

Mr. TYDINGS. Particularly, I think the committee makes this broad approach—and I ask the Senator to correct me if I am wrong—that if payment has been made in the past as a matter of custom, or if payment for portal-to-portal activities is provided for in the contract, the committee bill makes no change, and does not prescribe payment for work in either of those two categories.

Mr. DONNELL. That is correct.

Mr. TYDINGS. It is in the "twilight zone," so to speak where payment has not been made in prior practice, and where payment is not provided for in the contract, and therefore the question arises as to whether or not in good faith the employer and the employee assume that payment could be made under the Wages and Hours Act, in that twilight zone? That is primarily I believe the

place from which most of these suits have sprung, from the twilight zone, rather than practice or contractual obligation; and it is particularly in that twilight zone that the committee is attempting now to legislate to clear up that matter. Is that a broad statement of the sitution?

Mr. DONNELL. I appreciate that one man may use an expression differently from the way another man uses it. I do not regard it as a "twilight zone." I should say that recognizing the grave economic problem, what we do is to undertake to wipe out all pending portal-to-portal cases, so far as it is humanly possible to do so. In order to do that, we find it necessary to provide that any activity which is not compensable, either by contract, or by custom or practice not inconsistent with the contract, shall not be compensable. Does that answer the Senator's question?

Mr. TYDINGS. That pretty well answers it, because, although I take it the committee might like to have considered each case all over the country on its merits, in the nature of things it had to take action, and the fairest way it could act in the interest of employer and employee was to take the cases that came in the real category of right, and put them to one side, and in all the questionable cases, as to who was right and wrong, which were not covered by contract or were not covered by prior practice, the committee said, "We will knock all these out, because it is impossible to run a line through all of them with exact justice."

MR. DONNELL. I think the Senator has very clearly stated the situation. Mr. President, I do not want to make myself unduly apologetic to the Senate, but I can well appreciate that the Senate may feel somewhat wearied by detailed presentation of some of these matters, yet I think it is well to let the Senate know something of what the mental processes of the subcommittee and of the committee were.

The Senator from Connecticut [Mr. BALDWIN] has asked whether or not there is any provision in the bill bearing upon the acts done or omitted in good faith in accordance with or in reliance upon any regulation, order, interpretation, ruling or practice of the Administrator. I call to his attention pages 20 and 21 of the bill wherein it is provided, in paragraph (1) of section 10:

> The Fair Labor Standards Act of 1938, as amended, is further amended by adding at the end of section 16 the following new subsection:
>
> "(d) Neither liability nor punishment under section 15 or 16 (a) of this act, nor liability for an additional amount as liquidated damages under section 16 (b) of this act, shall be predicated on any act done or omitted in good faith, on or after the date of enactment of the Portal-to-Portal Act of 1947, in accordance with or in reliance on any regulation, order, interpretation, ruling, or practice of the Administrator, notwithstanding the fact that such regulation, order, interpretation, ruling, or practice, after such act or omission, is amended or rescinded or is determined by judicial authority to be invalid or without legal effect."

There is a similar provision in the next subsection of section 10 with reference to the Walsh-Healey Act. The reason why there is no corresponding subsection dealing with the Bacon-Davis Act is that there is no provision in the Bacon-Davis Act with respect to liquidated damages.

In the absence of the Senator from Rhode Island [Mr. MCGRATH] I had not intended today to make mention of his comment to the effect that there is no liquidated damage provision in either the Walsh-Healey Act or the Bacon-Davis Act. I think the Senator is in error in regard to the Walsh-Healey Act, and I shall call it to his attention at the next session of the Senate when he is present. I think there is a provision for liquidated damages therein.

Mr. President, I shall discuss the section which I have read in response to the question of the Senator from Connecticut when I reach it in the bill. I may say to the Senator from Nebraska [Mr. WHERRY] that I was stating briefly—and I shall go into it a little more fully later—the provision in regard to acts done or omitted in good faith in accordance with or in reliance on any regulation, order, interpretation, ruling, or practice of the administrator. The reason I call this to the attention of the Senator from Nebraska is that he has been very courteous in consultation with our subcommittee with regard to some thoughts he has on the matter. I do not know whether he has come to a final conclusion, and I suggest that at the moment we defer any action on it, but I wanted the Senator from Nebraska to know at the moment that we were discussing that matter.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. WHERRY. Those of us who are members of the Small Business Committee are interested in seeing that in the Senate committee's substitute bill provision is made to protect the employer in connection with what we call good faith and reliance upon orders issued, and so forth.

The question was raised by the distinguished Senator from Illinois [Mr. LUCAS] as to whether or not facts had been presented to the committee upon which the constitutionality of the act might rest. I should like to say that we have called that matter to the attention of the committee many times. Committee members have talked to many business organizations. There are thousands of portal-to-portal suits on file. There have been decisions in the circuit courts relative to who is a retailer and who is not, who is a laundryman, for example, and who is this, that, and the other. A great deal of litigation has arisen dealing with such questions. I think the Congress has the right and the power to clarify the statute and give the relief our committee expects to ask.

I wish to thank the distinguished Senator from Missouri for having been so generous to us in permitting us to present our arguments. I expect to offer an amendment which will take care of the situation suggested by the distinguished Senator from Connecticut relative to the various orders which have been made, and supplemental orders which have been issued changing the original orders on which the businessmen relied in good faith, yet in the final analysis the businessmen become liable because some change in an original order has later been made. I think that particular subject is a very important part of the proposed legislation. It is taken care of in the House bill, and I think it should be taken care of in the Senate bill.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. BALDWIN. The reason I raised the question Mr. President, was because I was in some doubt in my own mind as to whether this particular language contained in the bill is sufficiently broad to cover the whole general situation, because if it is then, of course, we get into the constitutional question which was raised by the able Senator from Illinois. Since the able Senator from Missouri, who has so eloquently and fully discussed the bill, says he is going to discuss that point later, I shall be happy to sit here and listen to the discussion, as I have done until now.

Mr. DONNELL. I appreciate the Senator's comment.

Mr. President, I was discussing the case of *Norman* v. *Baltimore & Ohio R. R. Co.* (294 U. S. 240). I had set forth a portion of the contents of the joint resolution of Congress of June 5, 1933, with respect to the gold clause of private contracts as to the payment of money. In this case suit was brought upon a coupon of a bond issued by the Baltimore & Ohio Railroad Co., in the sum of $22.50. The bond provided that the payment of principal and interest would be made in gold coin of the United States of or equivalent to the standard of weight and fineness existing on February 1, 1930.

I shall leave out much of the detail of the argument. The contention was made by the plaintiff in the suit that the resolution of Congress which declared that every provision which purports to give the obligee the right to require payment in gold or a particular kind of coin or currency is against public policy. The plaintiff claimed that that provision of the Federal act was unconstitutional. He did so upon the theory that Congress has no right to invalidate the provision of existing contract inasmuch as such violation would in the contention of the plaintiff be opposed to constitutional provisions to which reference has been made.

The Court discussed on pages 306 and following the power of the Congress to invalidate the provisions of existing contracts which interfere with the exercise of its constitutional authority.

We had here, as will be seen, the case of a plaintiff who owned a bond which provided for payment in gold coin. He had advanced his money for the bond. He owned the bond. It was his property. The contract was his property. He chose to ask that the condition of the bond be complied with by either payment in gold or the equivalent in currency. Then he was confronted by the joint resolution of Congress which held that that provision was in effect against public policy and void.

The Court, after heading its third proposition on the matter in this language:

The power of the Congress to invalidate the provisions of existing contracts which interfere with the exercise of its constitutional authority—

Said this, among other things:

The contestants urge that the Congress is seeking not to regulate the currency, but to regulate contracts, and thus has stepped beyond the power conferred.

Then the Court says this:

This argument is in the teeth of another established principle. Contracts, however express, cannot fetter the constitutional authority of the Congress. Contracts may create rights of property, but when contracts deal with a subject matter which lies within the control of the Congress, they have a congenital infirmity. Parties cannot remove their transactions from the reach of dominant constitutional power by making contracts about them.

This principle has familiar illustration in the exercise of the power to regulate commerce. If shippers and carriers stipulate for specified rates, although the rates may be lawful when the contracts are made, if Congress, through the Interstate Commerce Commission, exercises its authority and prescribes different rates, the latter control and override inconsistent stipulations in contracts previously made. This is so even if the contract be a charter granted by a State and limiting rates, or a contract between municipalities and carriers.

The Court discusses the case of *Louisville & Nashville Railroad Co.* v. *Mottley* (219 U. S. 467) in which case the Court had held that a contract, valid when made for the giving of a free pass by an interstate carrier in consideration of a release of a claim for damages, could not be enforced after the Congress had passed a certain subsequent act. The Court in the Norman case said:

Quoting the statement of the general principle in the legal tender cases, the Court decided that the agreement must necessarily be regarded as having been made subject to the possibility that at some future time the Congress "might so exert its whole constitutional power in regulating interstate commerce as to render that agreement unenforceable or to impair its value." The court considered it inconceivable that the exercise of such power "may be hampered or restricted to any extent by contracts previously made between individuals or corporations." "The framers of the Constitution never intended any such state of things to exist." * * * Accordingly, it has been authoritatively settled by decisions of this Court that no previous contracts or combinations can prevent the application of the antitrust acts to compel the discontinuance of combinations declared to be illegal. * * * The principle is not limited to the incidental effect of the exercise of the Congress by its constitutional authority. There is no constitutional ground for denying to the Congress the power expressly to prohibit and invalidate contracts although previously made, and valid when made, when they interfere with the carrying out of the policy it is free to adopt.

Then the Court gives various illustrations, among them the case of *Philadelphia Railroad Co.* v. *Schubert* (224 M. S. 603). The Court continued:

In that case, the employee, suing under the act, was a member of the relief fund of the railroad company under a contract of membership made in 1905, for the purpose of securing certain benefits. The contract provided that an acceptance of those benefits should operate as a release of claims, and the company pleaded that acceptance as a bar to the action. The Court held that the Employers' Liability Act applied the governing rule and that the defense could not be sustained. The power of the Congress in regulating interstate commerce was not fettered by the necessity of maintaining existing arrangements and stipulations which would conflict with the execution of its policy. The reason is manifest. To subordinate the exercise of the Federal authority to the continuing operation of previous contracts would be to place to this extent the regulation of interstate commerce in the hands of private individuals and to withdraw from the control of the Congress so much of the field as they might choose by prophetic discernment to bring within the range of their agreements. The Constitution recognizes no such limitation.

After citing authorities—

The same reasoning applies to the constitutional authority of the Congress to regulate the currency and to establish the monetary system of the country. If the gold clauses now before us interfere with the policy of the Congress in the exercise of that authority they cannot stand.

That was the decision of the Supreme Court of the United States in the case decided, as I have indicated, in 1935. As I see it, as I have indicated, the key sentence in Chief Justice Hughes' decision is that "contracts may create rights of property; but when contracts deal with a subject matter which lies within the control of the Congress, they have a congenital infirmity."

In other words, the Chief Justice recognized the facts as indicated in something else which I read from his opinion, that when people contract within the range of a field over which Congress has jurisdiction they do so subject to the right of Congress to wipe out their rights under the contract. And I undertake to say that the right to wipe out such rights under a contract exists whether the rights under the contract are so-called vested rights, or are not vested rights.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. TYDINGS. I think the argument of the Senator from Missouri is very sound, and I do not believe it can be assailed as a sound proposition of law. Congress has the right to abrogate contracts which are against public policy. In the case of the portal-to-portal suits, however, most of those are not founded on contracts at all. They are founded upon the laws of Congress. So unless the right of the claimant in a particular suit is well defined in the law, it seems to me that Congress would be taking nothing away from him by outlawing portal-to-portal suits. If we can outlaw a contract, we certainly ought to be able to outlaw a practice which has not even been reduced to the formality of a contract, unless the act of the Congress itself prohibiting certain unfair labor practices gave the employee the right to bring the suit against his employer.

Mr. DONNELL. I thank the Senator for his observations. Let me say in that connection that the very fact that these rights of the employee to which reference is made have been created by statute is another ground upon which some lawyers argue that this type of legislation wiping out the claims would be constitutional, namely, that a right created by statute can always be wiped out by the enacting power prior to the translation of such right into the judgment of a court. So I think the Senator has done a real service in calling attention to the fact that the rights of these employees arise under the Fair Labor Standards Act.

Mr. FERGUSON. Mr. President will the Senator yield?

Mr. DONNELL. I yield.

Mr. FERGUSON. The proposed legislation would not abolish any contract right; would it?

Mr. DONNELL. It would abolish no contract right. It provides that no employee may have his activities compensated for unless they are compensable under a contract or under a custom or practice not inconsistent with the contract. In other words, if he has a contract, his right continues to exist.

Mr. FERGUSON. This is a pure statutory right under the Fair Labor Standards Act.

Mr. DONNELL. That is correct.

Mr. President, this is an exceedingly interesting legal point, and it is of great importance in connection with the proposed legislation. A number of cases have been cited, and doubtless other cases will be cited on the floor of the Senate. I shall not anticipate any of them at this moment, with one exception. I refer to the case of *Lynch* v. *United States* (292 U. S., page 571), decided in 1934. That was a year before the gold-clause case. It will be recalled that in the Lynch case the Court had before it certain policies of yearly renewable term insurance. The Court held, in substance, that those contracts are property, and that rights of private individuals arising under them are protected by the fifth amendment. The Court points out that the Congress has a right to withdraw the consent of the United States to be sued on a contract and leave people to their rights before the administrative branches of the Government, but that Congress has no right—in the case before it—to withdraw the rights of the holder under the renewable term insurance policy. I think that case will undoubtedly be cited by some Senator who has raised a question as to the constitutionality of the proposed legislation. I shall not discuss the case to any great extent. The Court said:

As Congress had the power to authorize the Bureau of War Risk Insurance to issue them—

That is to say, the contracts of war-risk insurance—

the due-process clause prohibits the United States from annulling them, unless, indeed—

And it is the word "unless" to which I invite the attention of the Senate—

unless, indeed, the action taken falls within the Federal police power or some other paramount power.

The Court further said:

The Solicitor General does not suggest, either in brief or argument, that there were supervening conditions which authorized

Congress to abrogate these contracts in the exercise of the police or any other power. The title of the act of March 20, 1933, repels any such suggestion. Although popularly known as the Economy Act, it is entitled "An act to maintain the credit of the United States." Punctilious fulfillment of contractual obligations is essential to the maintenance of the credit of public as well as private debtors. No doubt there was in March 1933 great need of economy. In the administration of all Government business economy had becom urgent because of lessened revenues and the heavy obligations to be issued in the hope of relieving widespread distress. But Congress was without power to reduce expenditures by abrogating contractual obligations of the United States. To abrogate contracts, in the attempt to lessen Government expenditure, would be not the practice of economy, but an act of repudiation.

Mr. President, the reason I call attention to this excerpt is that in the Lynch case there was involved solely the question of the rights of holders of war-risk insurance contracts, and, as stated, the due-process clause prohibits the United States from annulling them, "unless, indeed, the action taken falls within the Federal police power or some other paramount power."

The Court further said:

The Solicitor General does not suggest either in brief or argument, that there were supervening conditions which authorized Congress to abrogate these contracts in the exercise of the police or any other power.

Mr. President, the case which is before us today, the portal-to-portal pay case, obviously presents an entirely different situation from that which was presented in the Lynch case from which I have read, for if there ever was a case in which supervening conditions make it desirable that Congress should wipe out any suits, it certainly has been demonstrated in this instance by the mass of testimony which is before the Senate in the volume from which I have quoted from time to time.

The doctrine of congenital infirmity, that is, the doctrine that when an individual enters into a contract in a field over which Congress has control, he enters into the contract subject to the right of Congress to repeal his rights, is expressed not only in the Norman case, the gold-clause case, but the court has by its action in another recent case similarly expressed itself. I refer to the case of the *National Carloading Corporation* v. *Phoenix-El Paso Express* (176 Southwestern (2d ed.) 564). It is a Texas case. I do not expect to show that the Supreme Court of the United States is sitting in Texas, but the Supreme Court of the United States had presented to it, by a document which I hold in my hand, namely, a petition for a writ of certiorari to the Supreme Court of Texas, the question to which I shall refer, and the Court acted upon this petition for a writ of certiorari, and by virtue of that action I take it the Supreme Court has indicated its views.

In the Texas case, which was decided on December 15, 1943, rehearing denied on January 19, 1944, a situation existed under which a motor carrier had a right to recover undercharges from a freight fowarder, and the motor carrier filed a suit against the freight forwarder, and then the claim was reduced to judgment. A Federal statute which was adopted after the institution of the suit granted immunity to the freight forwarder from liability for past acts and omissions, and thus precluded recovery by the carrier.

So there was a situation in which, when the plaintiff started on its suit, it was entitled to recover undercharges, but before the suit was reduced to judgment a Federal statute under which the rights existed was repealed, and the question arose as to whether or not this violated the fifth amendment to the Constitution. The plaintiff's contention was that the fifth amendment had direct application, inasmuch as the plaintiff had an accrued right, the same as money in the bank, except that it had not been collected, and that therefore when the Government, by congressional act, wiped out his right to the money, it was exactly the same as if property of a physical nature had been taken away from him.

What did the Court have to say about that? The Court said:

The plaintiff asserts that it has a vested right in the recovery herein and urges that to give a retroactive effect to the provision in question is violative of the fifth amendment of the Constitution of the United States, which prohibits deprivation of property without due process of law. With this contention we cannot agree. We are here dealing with the exercise by Congress of a power conferred by the Federal Constitution to regulate interstate commerce. The provisions of the fifth amendment may not be invoked to obstruct a national policy which Congress has the power to adopt. As illustrative of this principle is the case of *Norman* v. *Baltimore & Ohio Ry. Co.* (294 U. S. 240) * * * where Norman brought suit on an interest coupon of a bond providing for payment in gold coin equal to the standard weight and fineness existing on February 1, 1930.

The Court then proceeds to quote quite extensively from the decision of the Court in the Norman case, including the observation of Chief Justice Hughes, that contracts may create rights in property, but that when contracts deal with a subject matter which lies within the control of Congress they have a congenital infirmity, and that the parties cannot remove their transactions from the realm of constitutional power by making contracts about them.

The Supreme Court of Texas, after quoting further from the Norman case, says:

We think it therefore becomes evident that the plaintiff does not possess such a vested right as to come within the inhibition of the fifth amendment. Such a right must be something more than a mere expectation based upon an anticipated continuance of the existing law. It must have become a title, legal or equitable, to the present or future enjoyment of property, or to present or future enforcement of a demand, or a legal exemption from the demand of another. If, before rights become vested in particular individuals the convenience of the State induces amendment for repeal of the laws upon which they are based, these individuals are left without any remedy at law to enforce their claims; and if final relief has not been granted before the repeal goes into effect it cannot be granted thereafter, even if a judgment has been entered and the cause is pending upon appeal. The general rule is that when such law is repealed without a saving clause, it is considered, except as to transactions past and closed, as though it had never existed.

That was the decision of the Supreme Court of Texas.

There was filed in the Supreme Court of the United States on April 19, 1944, a petition for writ of certiorari in this case, and a brief in support thereof. In the course of the petition for the writ of certiorari is this language, at pages 10 and 11:

The ultimate question presented for review is whether or not said section 419 of part IV of the Interstate Commerce Act bars petitioner any recovery against respondent and has the effect of granting respondent immunity from liability for all freight charges incurred prior to the passage of said statute. The answer to this ultimate question depends upon the answers to the following three component questions: 1. Did Congress intend that section 419 of part IV of the Interstate Commerce Act apply to civil actions as well as to criminal liability? 2. Did Congress intend said statute to have a retroactive effect as to accrued civil causes of action? 3. If said statute should be applied to petitioner's cause of action, is said statute constitutional and not repugnant to the "due process clause" of the fifth amendment to the Constitution of the United States?

Having received the petition, which as I have indicated bears the filing mark "April 19, 1944," the Supreme Court denied certiorari, the denial being reported at 322 U. S. 747.

I shall not go into much further detail as to the affirmative authorities supporting the right of Congress in this case. I think it has been demonstrated so clearly that it cannot be the subject of contradiction, that in the portal-to-portal cases Congress is dealing with a subject of interstate commerce, and, even more, it is dealing with a subject of national defense, notably in the case of the airplane industry and in the case of the mines, as to both of which the witnesses before our committee commented upon the importance of those particular industries from the standpoint of national defense, and in one case mention was made of the national security involved.

So, Mr. President, it seems to me that the field within which Congress is here proposing to legislate obviously lies within the function and field in which Congress has jurisdiction, namely, interstate commerce and the protection of the Nation by means of military defense and other security.

Therefore, we come to the proposition that when a man comes forward with one of these portal-to-portal claims, which, whether created by contract or by statute, he may say has been virtually resolved into a vested right because he has worked for so many years and because Mr. Justice Murphy said certain activities, for instance, walking from the portal to the lathe, or taping the arms, and so forth, are compensable, and when in court he says, "These are property rights, and if the Congress takes them away from me, the Congress is violating the due process clause of the Constitution," the language of the Supreme Court clearly indicates, I undertake to say, in the cases I have read and in the action taken in the National Carloading case,

that his contention is without adequate foundation.

Congress has adequate power, certainly, to protect the Nation against grave economic, financial, and other national disaster and injury to the public defense. Certainly Congress has power within those fields of action, and individuals who never have expected to collect a dime of the $5,785,000,000 cannot be heard in court to contend that their rights to such money, as windfalls which they never expected to get, are superior to the right of the Congress of the United States within the fields of interstate commerce and the protection of the security of our Nation.

There is one other observation along that line which I wish to make. It happens to be an observation which was made by the same Justice of the Supreme Court who handed down the decision in the Mount Clemens Pottery case. He said this, in the case of *American Power and Light Company* v. *Securities and Exchange Commission*, reported at 67 Supreme Court Reports 133, on November 25, 1946—last year, after the decision of the Supreme Court in the Mount Clemens case—I now read from page 139:

> Congress, of course, has undoubted power under the commerce clause to impose relative conditions and requirements on those who use the channels of Interstate Commerce so that those channels will not be conduits for promoting or perpetuating economic evils. * * * Thus to the extent that corporate business is transacted through such channels, affecting commerce in more States than one, Congress may act directly with respect to that business to protect what it—

In other words, what the Congress—

> conceives to be the national welfare. It may prescribe appropriate regulations and determine the conditions under which that business may be pursued. It may compel changes in the voting rights and other privileges of stockholders. It may order the divestment or rearrangement of properties. It may order the reorganization or dissolution of corporations.

I pause there, Mr. President, because while the action in this portal-to-portal matter is affecting the rights of labor, I call attention to the fact that in that case the Supreme Court, speaking through Mr. Justice Murphy, said that Congress "may order the reorganization or dissolution of corporations."

Thus indicating clearly that the power of Congress is not confined solely to labor, but extends equally to management, under that decision of the Court.

I proceed further to quote the language of Mr. Justice Murphy in that case:

> In short, Congress is completely uninhibited by the commerce clause in selecting the means considered necessary for bringing about the desired conditions in the channels of Interstate Commerce. Any limitations are to be found in other sections of the Constitution—

Citing Gibbons against Ogden.

Then at page 141 we find the following:

> To deny that Congress has power to eliminate evils connected with pyramided holding-company systems, evils which have been found to be promoted and transmitted by means of interstate commerce, is to deny that Congress can effectively deal with problems concerning the welfare of the national economy. We cannot deny that power. Rather we reaffirm once more the constitutional authority resident in Congress by virtue of the commerce clause to undertake to solve national problems directly and realistically, giving due recognition to the scope of State power. That follows from the fact that the Federal commerce power is as broad as the economic needs of the Nation.

Mr. President, the Senator from Kentucky [Mr. COOPER] will, I anticipate, subsequently discuss the fact that the States themselves are not precluded by any provision of the Federal Constitution from asserting their own police power. He has certain authorities which are clear and conclusive.

Is it not true, as indicated in the Lynch case, where there is a showing of some supervening reason for action by Congress, that Congress, either under the Federal police power or under some other paramount power, has authority to act

Someone may say, "The Federal Government has no police power." I agree with the abstract statement that it has no independent police power; but certainly the Court has recognized without question the fact that in carrying out its other powers—as, for illustration, the commerce power—the Federal Government does possess a police power. That, I take it, is what is referred to in the Lynch case by the expression "Federal police power."

Mr. COOPER. Mr. President, will the Senator yield to me

Mr. DONNELL. I yield.

Mr. COOPER. I ask the Senator whether it is a fact that Congress in the very enactment of the Fair Labor Standards Act set aside and made invalid certain contracts of employers, to the temporary financial detriment of employers at that time.

Mr. DONNELL. Mr. President, there can be no question whatever about that. The Senator from Kentucky is precisely correct.

Mr. COOPER. Then, is it not also true, following that precedent, that Congress has just as much power, in the public interest, to set aside certain contracts or certain statutory rights, even though to do so may be of temporary monetary disadvantage to the workers at this time?

Mr. DONNELL. I think the Senator's statement is unanswerable, and is correct.

Mr. LUCAS. Mr. President, will the Senator yield to me?

Mr. DONNELL. I yield.

Mr. LUCAS. I wish to ask the distinguished Senator a question. I agree with him that under the commerce clause of the Constitution, Congress has a right to do what is proposed to be done by the pending bill with respect to portal-to-portal suits. However, the question which I should like to have answered is this: Had these claims not arisen, had all this confusion not existed, had nothing been done, through these portal-to-portal suits, to interfere with commerce, would the Senator still contend that under the commerce clause of the Constitution, the Congress would have a right, without any evidence of any kind or character before it, to enact the kind of legislation now proposed?

Mr. DONNELL. I would say, Mr. President, that I think the court would go a long way toward sustaining the presumption that Congress had some reason for any action it might take toward setting aside these rights. I should say that if it affirmatively should appear to the contrary, that there was no just basis for Congress doing it, if it should appear that it was purely arbitrary, capricious, or malicious, the court would have no hesitancy in setting aside the action of the Congress. But I undertake to say that in the case we have at hand the facts are so heavily upon the scale, without any contradiction whatever, as I see it, to the effect that the supervening conditions, to which the court refers in the Lynch case, do exist, and the recitals in the bill to which I shall have reference so clearly show those facts, that whatever the action of Congress whether it abolishes the rights solely of the portal-to-portal claimants, or whether in doing that we find it necessary to abolish other rights incidentally involved in connection with them, the record is so clear that the court, if it follows the rule in the cases I have cited, must sustain the legislation enacted by Congress.

Mr. LUCAS. Mr. President——

The PRESIDING OFFICER (Mr. BALDWIN in the chair). Does the Senator from Missouri yield to the Senator from Illinois?

Mr. DONNELL. I yield.

Mr. LUCAS. I have no quarrel with the able Senator on the proposition he last submitted. I think what we are attempting to do, and the reason for it is clearly evident, and certainly unambiguous. The question I raised a moment ago was whether the Senator believed the Congress of the United States would have a right to pass legislation of this kind affecting the Fair Labor Standards Act if no portal-to-portal suits existed, if there were no evidence of any kind or character before the committee which would support such legislation, if there were no evidence which in anywise, so far as the facts were concerned, showed any huge economic upheaval or anything affecting the commerce clause. That is the point.

Mr. DONNELL. I welcome the opportunity to answer the question, because it gives me a chance to go even further than I did in my previous answer. In my previous answer I indicated that if Congress were shown to have a malicious reason, no just reason whatsoever, if it were merely arbitrary or capricious, the court might well hold that the action was invalid. But I wish to say two things: In the first place, the strongest presumption would exist in favor of the absence of such malice, the absence of such caprice. In the second place, I think perhaps I even conceded, by inference, more than I should have in my previous answer, for inasmuch as Congress had the right to give under the Fair Labor Standards Act, I know of no reason why it would not have the right to take away.

Mr. LUCAS. But the Senator has made the argument all afternoon, and correctly so, that the only basis for the proposed legislation was that the portal-to-portal suits were interfering with interstate commerce and that Congress could

act under the commerce clause of the Constitution, and under that clause, the Congress has the right to nullify an existing contract.

Certainly if the Senate passed legislation of this character, without any evidence of any kind before it, its action in my humble opinion would be arbitrary and capricious, and by legislative fiat. The very reason why I raise the point is that, as I indicated to the Senator in the colloquy I had with him in the early part of the afternoon, when we step out beyond these portal-to-portal suits, which do definitely affect the commerce clause of the Constitution, then we are legislating arbitrarily and capriciously with respect to the Bacon-Davis Act and the Walsh-Healey Act, and all the other claims which are included which are not within the portal-to-portal claims.

I again in the utmost good faith, raise the question, because I am in serious doubt about the constitutionality of that phase of the Senator's bill as it has been reported, and I am attempting to make an argument that is plain and as it seems to me somewhat unanswerable, in view of the Senator's own statement that if the Congress arbitrarily and capriciously, and through whim, so to speak, passed a law of that kind, it would be unconstitutional. If there were nothing before the Congress upon which to act, the Supreme Court would have to say that its action was arbitrary, it seems to me. I pass on the suggestion for whatever it may be worth.

Mr. DONNELL. I appreciate the very interesting and very ably presented argument of the Senator from Illinois. I am not surprised at his ability to present it, because I have heard him on numerous occasions. I am glad he has contributed this view because we ought to consider it.

In the first place, when he states that I have been arguing that the only basis on which Congress could proceed was interference with interstate commerce, as presented by the portal-to-portal activities, the Senator is in error. I have argued as best I could, and I think the facts fully justify my argument, that the facts are so heavily upon the scale as to show beyond any shadow of doubt that conditions of the supervening act to which the Lynch case refers do exist in this case. So, whether, in the hypothetical case to which the Senator refers, assuming there was no evidence before this body at all, the act would be valid or invalid, I have not argued that this is the only basis. I never made that statement. I have said that the facts in the case are so predominant and overwhelming as to indicate beyond the shadow of a doubt that Congress has the right to legislate in this field.

To answer further the proposition the Senator makes with respect to caprice, I am inclined to think that in my answer to him earlier this afternoon I probably conceded more than I should have conceded, and in my subsequent answer I was quick to attempt to make clear that I thought that I had possibly done so.

As I see the matter, in the first place, the Congress has unfettered power within the domain of interstate commerce. It may well be that my statement about maliciousness or caprice might not at all meet the approval of the Supreme Court. The Supreme Court might very readily take the view that the wisdom of Congress is final, and that what Congress has given by the Fair Labor Standards Act it could very well take away by the repeal of that act. So I say at this moment I am not conceding what I think I went too far in stating a few moments ago.

As I see it, affirmative evidence of the existence of malice or caprice on the part of Congress would have to be shown before the Supreme Court would even consider the proposition that the statute was void on such a ground. Whether the Court would so hold even then, I am not at all certain, but in the absence of any affirmative showing I do not consider that the lack of evidence before a committee would be determining, for a legislative body can take legislative notice, as the court can take judicial notice, of facts of which all are well informed.

So I say, first, there is no affirmative evidence in this case of any malice on the part of Congress. In the second place, the evidence is so overwhelming as to justify the Congress in acting in interstate commerce and national defense that there is no doubt of our right to do so.

The Senator from Illinois suggested there was doubt in his mind whether or not we are entitled, in remedying the portal-to-portal situation, to wipe out any rights other than those of portal-to-portal claimants. In my judgment the Supreme Court of the United States would hold that Congress has a right, in considering the entire problem, and the grave economic situation, to use, as Justice Murphy indicates in this opinion from which I read a few moments ago, its own means toward remedying the injustices and economic conditions. Remember, the Court said, on November 25, 1926, as I read:

> Congress is completely uninhibited by the commerce clause in selecting the means considered necessary for bringing about the desired conditions in the channels of interstate commerce.

True, the next line reads:

> Any limitations are to be found in other sections of the Constitution.

But obviously, from the Norman case and from the other cases to which I have referred, the Court holds that the due-process clause does not interfere with the right of Congress to legislate respecting interstate commerce.

In a little while I shall relate something of the history of this matter in our committee, for I think it may be of some importance when this case goes to the Supreme Court, as, of course, it will eventually do; but in the course of our deliberations we found it to be advisable, in our judgment, if not absolutely necessary, to make this legislation apply, as I have indicated, not merely to the periods at the beginning of the workday and at the end of the workday, but around the clock, for 24 hours. The mere fact that we shall doubtless wipe out some rights here and there—we hope they will not be many, but some of them, here and there—in the course of remedying this problem, does not mean that Congress would have violated its constitutional power in using this means to bring about the result of remedying the great evil which has arisen.

Mr. President, we have been very greatly concerned with how we could accomplish the result of wiping out the vast number of portal-to-portal suits, and I shall tell something of what went through our minds, in a moment, as to how to do it, and the difficulties of it, and why we adopted the particular plan that we did.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. DONNELL. I yield to the Senator from Kentucky.

Mr. COOPER. I should like to point out, in answer to the question asked by the Senator from Illinois with respect to the Walsh-Healey Act and the Bacon-Davis Act, that both acts provide for the payment of minimum wages for work. Certainly, if the contracts under those acts affected interstate commerce, the same question of liability for portal-to-portal activities would apply to those contracts as to any other contracts; and certainly, even though as yet no suits have been filed under those acts, the contingent liability exists, and it would seem there is the same power to legislate as to those acts, even though no suits have been filed, as there is with respect to many other contracts, upon which no suits have been filed. The record shows that there have only been 1,902 suits filed. There is a possibility that many more suits will be filed, and it seems to me that contracts entered into under these two acts present a contingent liability. There is the opportunity for employees to sue, and, if legislation is possible in the field of interstate commerce, it is also possible under those two acts to legislate concerning contracts, affecting interstate commerce.

Mr. DONNELL. I thank the Senator.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. LUCAS. I have great respect for the opinion of the able Senator from Kentucky, and he may be correct in his conclusions as to the constitutionality of this measure. It includes claims under those two acts, the same as all other claims. It not only takes in the Bacon-Davis Act and the Walsh-Healey Act, but it takes in every conceivable kind of claim or right that an individual may have, anywhere in the United States. That is how broad the bill is. It occurred to me as I read and studied it, in view of the fact that there is absolutely no evidence of any kind that the Walsh-Healey Act or the Bacon-Davis Act has been affected in any way, that we were going outside and beyond the scope of what we started to do.

I distinctly recall that when this bill was introduced in the Senate we argued here as to whether it should go to the Committee on the Judiciary or to the Committee on Labor and Public Welfare, and the President pro tempore, the distinguished Senator from Michigan, ruled that it should go to the Committee on the

Judiciary, because a constitutional question was involved.

The bill goes far beyond portal-to-portal suits, as I see it. It may be perfectly all right; I am not particularly objecting to it, but it has not been confined to that one point. As I understand, the first bill that was considered by the committee was confined to portal-to-portal suits, just as the bill was originally intended. It is now made to cover a large field, going far beyond where I think it ought to go at this particular time.

Mr. COOPER. I do not want to repeat the argument of the Senator from Missouri. I can only say, however, that following the argument, citation, and quotation given from a decision rendered by Mr. Justice Murphy, I believe that it was pointed out, in the reading of that decision, that if the Congress had the dominant constitutional power to act, then the method which it chose in the exercise of that power was a matter within the discretion of Congress, and it would be sustained.

Mr. WHERRY. Mr. President, will the Senator from Missouri yield so that I may ask the Senator from Kentucky a question?

Mr. DONNELL. I yield.

Mr. WHERRY. Is not the title of the act sufficiently broad to deal with any other act, outside the strictly portal-to-portal suits?

Mr. COOPER. I think the chief purpose of the committee in the formulation of this bill was to reach and to nullify for portal-to-portal activities.

Mr. WHERRY. That is correct; but the question is raised to how broad the legislation is. I am asking if the title of the act is not sufficiently broad to include phases of the Walsh-Healey Act or the Bacon-Davis Act. Is not the title broad enough to comprehend the Bacon-Davis Act?

Mr. COOPER. The committee certainly takes that position.

Mr. WHERRY. Let me ask another question. In the event I desired to offer an amendment which I felt was proper and within constitutional provisions, the absence of facts should not deter me from offering that amendment, and should not be determinative of whether or not it was constitutional? I might offer an amendment in good faith; there would be no malice in it; it would not be a matter of caprice, and if the amendment I wanted to offer, according to my view, would afford relief, certainly the Supreme Court would not hold it to be an act of malice or caprice, if I did not have all the facts to substantiate the amendment; is that not true?

Mr. COOPER. I think it could be offered, I think it could be adopted, I think it could be held constitutional.

Mr. DONNELL. I thank the Senator from Nebraska for his interrogation of the Senator from Kentucky. I also thank the latter for his responses.

The bills which were referred to the Committee on the Judiciary were mentioned in my presentation Friday. Before reading the pending bill or going into it in detail, I want to do what I said I was going to do, namely, tell the Senate how we went about the preparation of this bill.

In the first place, I have told about our hearings. I think anyone who reads those hearings or any material part of them, or who even looks over the list of witnesses, will realize that we had before us testimony of the highest order.

In the second place, after we had completed the hearings, the subcommittee then went into executive session, that is, the Senator from Mississippi [Mr. EASTLAND], the Senator from Kentucky [Mr. COOPER], and I, and we started in to consider what should be the approach. We saw three points before us. One was whether or not the best interests of our country required that the portal-to-portal cases should be wiped out. That was question No. 1.

In the second place, if we came to the conclusion that those claims should be wiped out, would the action Congress might take to reach that objective be violative of the Constitution or within the limits of the Constitution?

In the third place, if we should find that the action to be taken by Congress in nullifying those claims would be within the Constitution, what practical steps should be taken in the drafting of a bill to effectuate that purpose?

We had no special difficulty, Mr. President, with the first of the propositions, namely, whether or not the best interests of our country required that portal-to-portal suits be nullified. We quickly came to the conclusion, after hearing the evidence, which was so strong and convincing that, in our judgment, anyone must have arrived at that conclusion—we came to the conclusion, I say, that the best interests of our country required that these suits be nullified.

In the second place, we took up the question of constitutionality. There, Mr. President, we realized the fact that different minds will differ upon that question. We realized that on the one hand the position could be taken by some that a vested right has become created in each employee affected; that even though the right has been created under statute, it is a vested right, and that the employee has a chose in action, just as much property as dollars and cents in his pocket are property. That is the position that could be taken. Therefore, the fifth amendment, prohibiting the deprivation of property without due process of law, would make unconstitutional any action taken to deprive him of the right to collect. We realized that that proposition would be maintained in the Supreme Court of the United States by anyone seeking to overturn this act of Congress. No criticism is to be indulged against anybody who raises that point in the Court. The Court exists for that purpose, and I think it is a wholesome thing that the validity of this proposed legislation will not be accepted without question, because, after all, we want to know whether or not the legislation is good or bad, and the Court is the body to decide that question.

On the other hand, we realized the strength of the Norman case and the National Carloading case. We heard the evidence of eminent lawyers in whose judgment I, speaking for myself, at any rate, came to have great confidence as I heard them testify. We came to the conclusion, as indicated in our report, that the language of the Supreme Court of the United States, particularly the language of Chief Justice Hughes in the Norman case, gives us the clear right to draw the conclusion that the Court will hold this legislation to be constitutional. It does not give us the clear right to hold that the legislation will not be attacked. It does not give us the undisputed power to prophesy with that keen discernment and prophetic discernment of which the Chief Justice himself speaks in the Norman case, what the holding of the Court will be.

Therefore, Mr. President, Senators will find certain alternative provisions in the bill which are inserted for the reason that, in the event the Court should for any reason hold our effort to wipe out these suits to have been invalid, certain other alternatives shall come into effect which so far as possible will minimize the amounts of recoveries in the portal-to-portal suits.

So, Mr. President, having satisfied ourselves on propositions 1 and 2, the two first questions, we started then to consider how to draw the bill.

As I remember—I made no record at the time and may be in error in the chronology, but I think substantially I am correct—as I remember, the first draft of the bill was prepared by the legislative counsel, Mr. Rice, whom I see on the floor at this moment.

At about that time a gentleman from New York, Mr. Arthur Pettit, a member of the law firm with which Henry L. Stimson is connected, Winthrop, Stimson, Putnam & Roberts, had testified before our committee and had so clearly outlined his views that he impressed me, at any rate, as being a man of great and profound judgment and ability.

At about the same time it appears that the Senator from Indiana [Mr. CAPEHART], as I understand, having heard Mr. Pettit testify suggested to him that he write down what he thought should be in the bill and give it to the Senator from Indiana, who had prepared an amendment which was then pending before our committee. Mr. Pettit came to Washington. I do not think he came at my request then, as I recall. He did later, however. He came, and I saw him in my office, as I remember, on the occasion when he came here to present to the Senator from Indiana what he had drawn up. This was after our subcommittee heard all the testimony. I requested Mr. Pettit to sit in with us. He asked me whether or not it would be agreeable to have his associate, Mr. Chanler, of the same law firm, sit in also. Mr. Chanler had testified before the committee. We had received from him an excellent brief. I have not read all of it, but I have read a portion of it. The portion I have read makes me realize that it has been prepared with great ability. Those two gentlemen came down from New York and they sat in my office with the members of the subcommittee. I am not certain whether the Senator from Wisconsin [Mr. WILEY] was present at

that time, but at any rate, although he was only an ex officio member of the subcommittee, he, as I previously indicated, gave us great assistance in the preparation of the bill and sat with us and discussed it and worked on it with us. At any rate, Mr. Pettit and Mr. Chanler came. A subsequent draft of the bill was prepared.

At the time of these preliminary drafts of the bill the general thought, as I remember it, of our subcommittee was that we should in effect provide that as to activities occurring at any time during the day, a 24-hour period, there should be no compensability unless under the terms of a contract or in accordance with a custom or practice.

At or about that time we decided to ask to come before us, if they would come, a representative of the American Federation of Labor, Mr. Walter Mason, who is not a lawyer, but who came very gladly, and also on a different occasion, Mr. Cotton, assistant counsel of the CIO. Mr. Pressman, with whom we had had previous contacts, was out of the city, I think in Pittsburgh, Pa., on important matters for his clients. We therefore secured the presence of Mr. Cotton, who I think is the next man in rank in the CIO legal department.

Mr. Cotton came and brought with him a lady, a Mrs. Peterson, who is associated with the Amalgamated Clothing Organization, to which reference has been made. They conferred with us in my office. I think the Senator from Kentucky and I were present substantially throughout the conference. I am not certain whether the Senator from Mississippi [Mr. EASTLAND] was present at that particular conference. At any rate, the conference occurred with Mr. Cotton and with Mrs. Peterson, and our subcommittee, either all or some of us certainly, including myself.

Mr. Cotton was not in agreement with us on our bill at all, but I want to say that both he and Mrs. Peterson were extremely courteous, and very cooperative in giving us their views and such assistance as they found to be possible. I did not want to bind the CIO or attempt to do so by any bill we might undertake to produce. But, as the Senator from Kentucky has said, they stated they were against the bill. Nevertheless, though they were against it, they showed a fine spirit in giving us their judgment as to different points that arose in the preparation of the bill.

Among other things, one or both of them referred to various illustrations of practices which they thought our bill would make valid by law, which practices they considered improper. I remember that one of them was something along this line: A woman, we will say, is working in a production line where garments are being manufactured. As she sits at her place waiting for the merchandise to come to her to be worked upon—to put on a button or sew on a sleeve, or whatever it may be—there is a break-down for 2 hours in the line ahead of her. The practice for years in that particular plant may have been that the manufacturer would not pay for that time, and that neither by custom nor contract did she have any right to compensation. Mr. Cotton or Mrs. Peterson—or possibly both of them—pointed out that in cases of that type, if we should enact a law such as was proposed, it having been drawn for us, as I have indicated, we would in effect make legal and valid the action of employers who had refused to give compensation to such an employee while waiting for merchandise to come to him.

The conference with these various individuals lasted for 3 or 4 hours. Finally we came to the conclusion—we did not do it at that moment, but very shortly thereafter, although we may have made up our minds during the conference—that instead of making our bill apply to the 24-hour period, around the clock, we would make it apply only to the period preceding the beginning of the normal workday and subsequent to the end of the normal workday—what might be termed the whistle-to-whistle period. So we started to make all activities prior to the beginning of the work day compensable only if so under a contract or custom, and to make all activities after the conclusion of the work day compensable only if so under contract or custom, leaving the broad field of the workday itself, the great bulk of the time, with no new legislation applicable to it. We had the bill drawn in that form. We found great difficulty as we progressed in the definition of the line designating the beginning of the workday. We found equally great difficulty in defining the line at the end of the workday.

If anyone could sit down and draft a bill of this kind, defining those two lines without great difficulty, our committee would have been very glad to have his assistance. At any rate, we finally did so. We drew the bill as to existing claims and as to future claims, applicable only to the period preceding the beginning of the workday and after the conclusion of the workday.

Then we were confronted by these considerations: A gentleman by the name of Finlay, who is associated with the Standard Oil Co. of New Jersey, I believe, came to Washington and left a memorandum with us, followed by a letter, taking the position pretty generally that if we should not legislate with reference to the shift period, that is to say, between whistle and whistle, we would still leave unattained our objective to wipe out the portal-to-portal suits. For illustration, in connection with lunch time, as I remember, it was alleged in the Mount Clemens case by the employees that they were entitled to compensation from the time they left their work places to the time they reached the cafeteria, and for the time spent in returning. This gentleman pointed out to us that in his judgment there would be such cases, which would still be undisposed of, and that if we adopted the plan of merely legislating as to existing claims with respect to activities before the beginning of the workday and after the end of the workday, in all probability, there would still be left pending in the courts a great mass of suits, and thus we would fail to attain our objective.

So Mr. President, we approached the question again. I do not recall whether or not the last change on our part, back to a form in which we decided to legislate with respect to the whole 24 hours in connection with existing claims, occurred before or after we had reported the bill to the Senate. I am inclined to think that we made our decision afterward, and that the bill was later recommitted. I know that it was recommitted at the request of the subcommittee. I think the occasion for the recommittal was the fact that this point had occurred to us subsequently.

The Senator from Kentucky [Mr. COOPER] has a somewhat different recollection. His recollection is that the reason the bill was recommitted was that at a subsequent conference between Mr. Cotton, of the CIO, Mrs. Peterson, and Mr. Abt, counsel for the Amalgamated Clothing Workers, they contended that the language in our bill would permit the period of the work-day to be fixed by the employer. I think the recollection of the Senator from Kentucky is correct. One other gentleman, also a lawyer, suggested that point to us.

So regardless of the chronology of this particular phase, we had the bill recommitted, and we decided that the best way and the only practicable way in our judgment to legislate out of existence these portal-to-portal claims was to make the part of our bill which applies to existing claims applicable to the entire 24 hours of the day.

I have gone into this subject at great length because I think it is exceedingly important as showing that Congress, when it legislates to affect the rights of persons other than those who have engaged in portal-to-portal activities, and to affect rights other than those accruing from the performance of portal-to-portal activities, is not acting capriciously or arbitrarily, but within its sound discretion in using what the Congress deems to be the best practical approach to demolishing the portal-to-portal cases. So, Mr. President, we have reported the bill in the form which I have described.

Some time ago the Senator from Illinois [Mr. LUCAS] made an inquiry as to when the discussion on the bill would occur. I do not now see him in the Chamber.

I inadvertently omitted to mention one other gentleman who was of great assistance to our committee, and I think that his connection with the matter should be known to the Congress. In the course of the testimony before the subcommittee he was a witness. He was Mr. Rufus G. Poole, a lawyer of the city of Washington, who was connected with the preparation of the Fair Labor Standards Act of 1938. My recollection is that he informed us that he had written more of it than had any other one individual. Obviously he was exceedingly well informed with respect to it. During his connection with the Department of Labor, he was an assistant in the enforcement of the Fair Labor Standards Act, and there went out over his signature 103,000 interpretations or rulings of one type or another. He was not only well informed but was exceedingly willing to help us in any way he could.

I should have mentioned also the point which was made against the bill in the form in which it was when it undertook to provide only with respect to the time after the conclusion of the workday and before the beginning of the workday. It is my recollection that it was with respect to this point that Mr. Poole told us that the language in the bill, in his opinion, would permit an employer to move up the beginning of the workday or move it back in the afternoon so as to make greater and greater areas subject to the act, and that there was no "peg," as he put it, provided in the bill to prevent an employer from taking such action.

I have mentioned Mr. Poole. If I think of anyone else who has rendered material assistance and who should be mentioned, I shall try to do so. I believe I mentioned the fact that Mr. Cotton and Mrs. Peterson came back for a subsequent interview. At that time Mr. Abt, of the Amalgamated Clothing Workers, was with them. They were with us about 2 hours. Mr. Mason, of the American Federation of Labor, also came back. He called me later, while we were under great stress in the final preparation of the bill, and when we thought time was of the essence. He asked me if he might come to see me again. I thought the previous conferences indicated that we would not realize any great amount of assistance from a further conference, and therefore I thought it was better if we immediately began to proceed with our work.

I mentioned a moment ago that the Senator from Illinois [Mr. LUCAS] desired to know when we would proceed to discuss the bill. If someone on the minority side will let him know, I shall appreciate it.

The PRESIDING OFFICER. The Chair understands that the senior Senator from Illinois has been sent for.

Mr. DONNELL. I shall proceed with the portion of the bill in which I assume the Senator is not particularly interested. If he is, I can go over it briefly for him when he arrives.

The bill is divided into four parts. The first of these parts, beginning on page 7, is entitled "Findings and Policy." Some one may wonder what has happened to the first six pages. They were contained in the Gwynne bill, H. R. 2157, as enacted by the House of Representatives, and have been stricken out by our committee. The portion beginning in line 5 of page 7 has been substituted in lieu thereof.

Part I, entitled "Findings and Policy," occupies pages 7, 8, 9, and approximately three-fourths of page 10.

Personally I approached the preparation of this part of the bill with somewhat of an antipathy to any such legislative means. Until I arrived in Washington about 2 years ago, as perhaps the Senator from Oregon [Mr. MORSE] will remember, I had had some hostility to the idea of recitals at the beginning of bills.

I am still what I euphemistically term "old-fashioned" enough not to be too enthusiastic about it yet. It seems to me that it is better to lay down the law than to have an essay preceding or succeeding a bill. Nevertheless, we were advised and believe that the Supreme Court—perhaps with great propriety—has given great weight to findings and policies set forth in bills. I am not intimating any criticism of the Court in what I have said. It is merely my own personal view. We thought in this case it was particularly important, in view of the fact that we realized that attacks will be made upon the constitutionality of the bill, that we should not fail to use every safeguard to be sure, if we could, to lay the basis for this legislation.

In this connection, we observed that the Fair Labor Standards Act itself contained a finding and declaration of policy. It is in section 2. It covers about 17 lines of printing in Public Law No. 718. Generally speaking, it constitutes a finding, in the first place, that the existence of certain conditions tends to obstruct and burden commerce and the free flow of goods in commerce. In the second place, it declares the policy of the act, through the exercise by Congress of its power to regulate commerce among the several States, to correct, and as rapidly as practicable, to eliminate, the conditions previously referred to in such industries without substantially curtailing employment or earning power.

We made further investigation to see if we were right in regard to the importance of findings and policy, and we found some decisions which I shall not mention unless it is desired that I do so. I shall have to get them and put them into the RECORD a little later.

On Friday last the Senator from Wisconsin [Mr. WILEY] mentioned the fact that a very recent opinion, in the case of United States of America against United Mine Workers and John L. Lewis, decided on March 6, 1947, in itself indicates the influence which statements of findings and policy have upon the Supreme Court. It will be observed by reference to pages 12 and 13 of that decision that the Court says:

> But we need not place entire reliance in this exclusionary rule. Section 2, which declared the public policy of the United States as a guide to the act's interpretation, carries indications as to the scope of the act.

And so forth. Then the Court sets forth that section 2 provides:

> In the interpretation of this act and in determining the jurisdiction and authority of the courts of the United States, as such jurisdiction and authority are herein defined and limited, the public policy of the United States is hereby declared as follows:

Then it recites that under prevailing economic conditions the individual unorganized worker is commonly helpless to exercise actual liberty of contract and to protect his freedom of labor. Quoting further—

> Therefore, the following definitions of, and limitations upon, the jurisdiction and authority of the courts of the United States are hereby enacted.

Mr. President, I ask that the entire section be placed in the RECORD at this point as a part of my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

> SEC. 2. In the interpretation of this act and in determining the jurisdiction and authority of the courts of the United States, as such jurisdiction and authority are herein defined and limited, the public policy of the United States is hereby declared as follows:
>
> Whereas under prevailing economic conditions, developed with the aid of governmental authority for owners of property to organize in the corporate and other forms of ownership association, the individual unorganized worker is commonly helpless to exercise actual liberty of contract and to protect his freedom of labor, and thereby to obtain acceptable terms and conditions of employment, wherefore, though he should be free to decline to associate with his fellows, it is necessary that he have full freedom of association, self-organization, and designation of representatives of his own choosing, to negotiate the terms and conditions of his employment, and that he shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection; therefore, the following definitions of, and limitations upon, the jurisdiction and authority of the courts of the United States are hereby enacted.

So, Mr. President, I submit that notwithstanding the normal reluctance of at least one lawyer to such findings, under the holdings of the Court declarations of findings and policy do have weight, and perhaps properly so.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. MORSE. May we have an understanding that at a later time the Senator will also include in his remarks the Supreme Court decisions to which he referred, because I think it is rather vital when we come to write a definition of congressional intent for subsequent interpretation of a statute by the Supreme Court.

Mr. DONNELL. I appreciate the suggestion of the Senator from Oregon, and I shall comply with it.

The findings and policy as set forth in the bill begin with the statement that—

> The Congress hereby finds that the Fair Labor Standards Act of 1938 (52 Stat. 1060; 29 U. S. C., ch. 8), as amended, has been interpreted judicially—

Mr. President, I may say that in the earlier draft and drafts of the bill we had the words "and administratively," but we have determined to strike out the words "and administratively," and now are referring solely to judicial interpretations of the act—

> so as to require employers to pay compensation thereunder for activities which were not commonly understood by employees and employers in accordance with practice, custom, understanding, or agreement to be work, thereby creating wholly unexpected liabilities, immense in amount and retroactive in operation, upon employers throughout the country for compensation for such activities and for an additional equal amount as liquidated damages and attorney's fees—

I may say to the Senator from Oregon that, upon reflection, it may be that there was only one additional decision. I am not quite certain whether there was one or whether there were two. However that may be, we shall put in the RECORD all such material.

I may also say at this point, in interpolation, that I think the Senate will find that in these recitals of fact there

is either evidence or, to my mind, sound judgment by way of inference from the evidence in the case and from the common knowledge of the Members of the Senate, to justify every word in these findings and policy.

I continue to read from them:

with the results that, if the act as so interpreted or claims arising under such interpretations were permitted to stand—

(1) the credit of many employers would be seriously impaired.

Mr. President, certainly a reflection upon the evidence will convince anyone of that fact.

I read further:

(2) Payment of such liabilities would bring about the financial ruin of many employers and seriously impair the capital resources of many other employers and would thereby result in drastically reducing industrial operations, curtailing employment and the earning power of employees, and substantially burdening commerce and substantially obstructing the free flow of goods in commerce contrary to the purposes of said act.

I may say we put in the word "substantially," not as a mere accident, but because we think it important to point out that there would not be any mere trivial interference or obstruction, but that there would be a substantial obstruction to commerce and to the free flow of goods in commerce and a substantial burden upon commerce.

I read further:

(3) Employees, having engaged in such activities with the understanding and belief that they were already fully compensated therefor by their agreed rates of pay, would receive windfall payments for activities performed by them without any expectation of reward, and for liquidated damages and attorney's fees; (4) the Public Treasury would be deprived of large sums of revenues and public finances would be seriously deranged by claims against the Public Treasury on war contracts and for enormous amounts of refunds of taxes paid in prior years; (5) the cost to the Government of goods and services heretofore and hereafter purchased by its various departments and agencies would be unreasonably increased; and (6) employers and employees would be unable to determine, without extensive, expensive, and prolonged litigation to final judgment in a court of last resort, the amounts owing to employees for such activities previously, now, or hereafter engaged in by employees, and would in many cases be unable to make voluntary settlement, compromise, release, or adjustment of claims of employees arising out of such activities, and there would result the promotion of increasing demands for payment to employees for engaging in activities no compensation for which had been contemplated, by either the employer or employee at the time they were engaged in, to be paid.

I call the attention of the distinguished Senator from New Mexico [Mr. HATCH] to the fact that the point in our minds there in regard to the promotion of increasing demands for payment to employees for engaging in activities no compensation for which was contemplated was the particular illustration which came from the witness whom the Senator from New Mexico was so kind as to bring to us from Carlsbad, N. Mex. That witness testified in regard to the pendency of suits for millions of dollars, part of the liability being for riding, in busses not owned by the company, 12 miles from Carlsbad to the location of the mine, during which trip the employees, as I have indicated, in some instances, at least, either read or slept.

I read further from the statement of findings and policy contained in the bill:

Among the results of such conditions being (a) the stirring up of champertous practices and congestion of courts, (b) extended and continuous uncertainty on the part of industry, both employer and employee, as to the financial condition of productive establishments with consequent halting of expansion and development, retardation of employment, the infliction of hampering restraints and restrictions on commerce and on the development thereof, (c) Nation-wide industrial conflict, unrest and disputes between employees and employers and between employees and employees, and (d) gross inequality of competitive conditions between employers and between industries, thereby interfering substantially with the free flow of goods in commerce, seriously and adversely affecting the revenues of the Federal, State, and local Governments and injuriously affecting the national prosperity and general welfare of the United States of America.

Mr. McFARLAND. Mr. President, will the Senator yield to me?

Mr. DONNELL. I yield.

Mr. McFARLAND. As I understand the distinguished Senator, these recitals of policy were made to help show that the proposed legislation is constitutional. Is that correct?

Mr. DONNELL. They were designed to show the constitutional basis for legislation of this type; namely, the fact that interference with the flow of commerce and grave burdens upon commerce exist and will continue to exist unless the portal-to-portal suits are eliminated.

Mr. McFARLAND. Does the Senator from Missouri contend as to the first recital, for instance, that because the credit of many employers would be seriously impaired, that is a basis for wiping out a debt, if one exists?

Mr. DONNELL. I should say that the impairment of the credit of many employers all over the United States is certainly a strong incident in the burden on commerce which the pendency of these suits now presents. Yes, sir; I say that.

Mr. McFARLAND. In that case, would the simple fact that a hardship is presented be regarded as a basis for wiping out such an obligation? Could not that be used as the basis for wiping out all obligations which a man might have?

Mr. DONNELL. No, Mr. President; the Senator overlooks the fact that he has picked out merely one of the recitals.

In the first place, even that one recital would be sufficient, because if the credit of many employers throughout the United States were to be seriously impaired, as undoubtedly the evidence in this matter shows will result and is resulting, it might well be that that one impairment, if widespread, such as is the case in this instance, would amount to a serious burden on commerce which would prevent its expansion, bring about retardation of employment, bring about a decrease in employment, and bring about great injury to the national welfare, and consequently would be a burden upon commerce.

But, Mr. President, the Senator has not commented upon the fact that, in addition to that one recital, there are set forth in the other recitals numerous facts as to other cumulative results and matters; and the result is that the clear and unmistakable conclusion must be that flowing from these suits is a burden of a substantially important nature upon commerce.

Mr. McFARLAND. Mr. President——

The PRESIDING OFFICER (Mr. THYE in the chair). Does the Senator from Missouri yield to the Senator from Arizona?

Mr. DONNELL. I yield.

Mr. McFARLAND. I merely mentioned those matters because of the constitutional question involved, the question of the right of Congress to legislate away any existing right an individual may have.

Mr. DONNELL. I do not know whether the Senator was present during the discussion of the Norman case this afternoon. Was he present at that time?

Mr. McFARLAND. I do not believe I heard that discussion.

Mr. DONNELL. That is the gold clause case, and then there was the national carloading case, and the Louisville and Nashville case. In all those cases, as I read them, the court takes the view that when Congress is legislating in a field over which it has jurisdiction, any contract made by any person with relation to that field has within it, as Chief Justice Hughes said, a congenital infirmity, and, as he subsequently explained in the Norman case, a person so contracting does so subject to the right of Congress later to wipe out the existence of the obligation.

Mr. McFARLAND. That would not be because the liability would be a hardship, would it?

Mr. DONNELL. The Senator does not seem to get the point, or I have not made it clear to him.

The point is that all these various facts I have set forth, and which have been set forth by our committee of findings and policy, show beyond peradventure of doubt that the existence and maintenance of these suits creates a substantial burden upon commerce. The Fair Labor Standards Act was passed in order to prevent burden and obstruction of commerce and the free flow of goods in commerce. It seems to me very clear that we have a right to show that the maintenance of these suits imposes a burden upon commerce, thereby showing that within the field of commerce the facts are such as to lead any prudent Congress to enact legislation along the line suggested in the bill before us.

Mr. McFARLAND. I understand the contention of the Senator, but the point I am trying to make is that perhaps what he presents, instead of helping to bolster up the legislation, might be tearing it down.

Mr. DONNELL. I cannot think that the Senator has understood the language. The language is that if the act is permitted to be interpreted in the manner in which it has been interpreted, if the claims arising under it are permitted to stand, one of the results would be the serious impairment of the credit of many employers, of course resulting in the re-

tardation of development, in many instances, and interference in the carrying on of normal activities may readily result in decreasing the number of employees, and obviously putting a burden upon commerce.

Mr. HATCH. Mr. President, will the Senator yield to me to ask a question of the majority leader?

Mr. DONNELL. I yield.

Mr. HATCH. I merely desired to ask how long it was intended that the Senate continued in session this evening.

Mr. WHITE. Mr. President, it was my hope that we might continue in session up to 5:30 o'clock, but the Senator from Missouri has spoken at substantial length, and if he desires to stop at this time, it is perfectly agreeable to me.

Mr. DONNELL. I am perfectly willing to continue until 5:30.

Mr. WHITE subsequently said: Mr. President, since the Senator from New Mexico inquired of me a few moments ago about the purpose as to recess, I have talked with the Senator from Missouri. He advises me that he will not be able to conclude his remarks between now and half-past five, and that he is willing to yield the floor if it may be understood that he will be recognized tomorrow on the resumption of the session, so that he may complete his remarks.

Mr. President, I make that unanimous-consent request.

Mr. LUCAS. Reserving the right to object, may I inquire of the Senator from Missouri how much longer he thinks it will take tomorrow for him to analyze the bill, now that he is into the main part of it?

Mr. DONNELL. Mr. President, of course it is very difficult to anticipate how many questions there will be. I think if I were uninterrupted—which I do not think is the way to proceed with such a bill, however, I think from now on I ought to yield to interruptions—I think if I were uninterrupted I could go through the bill and analyze it in the course of three-quarters of an hour, or about that. With interruptions, explanations, and so forth, it may take considerably more than that. I want to try to explain everything I can.

Mr. LUCAS. I anticipate there will be interruptions, because as I see it, the Senator is now down to the bill itself, and I think many Senators on both sides of the aisle will desire to interrogate him upon the legalistic phases of it.

Mr. DONNELL. I think that is perfectly proper. I think that is quite right. It should be done.

Mr. LUCAS. I rather imagine it may take the Senator most of the afternoon, if he does not proceed any faster than he has proceeded in the last 2 days.

Mr. WHITE. I ask unanimous consent that when the Senate assembles tomorrow, Tuesday, the Senator from Missouri may be recognized to conclude his remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DONNELL. I thank the Senator.

Mr. WHITE. Mr. President, unless the Senator from Missouri desires to proceed further, I shall move an executive session.

Mr. DONNELL. Very well.

QUESTIONNAIRE ON GRECIAN RELIEF PROPOSAL

Mr. VANDENBERG. Mr. President, I should like to make an announcement regarding the work of the Committee on Foreign Relations in connection with the pending Greek relief proposal.

At the recent Republican conference I suggested to all Senators present that I was keenly anxious that in this instance there should be developed, in public, all possible information bearing upon the issue, because I recognize that there is great lack of understanding and lack of adequate information regarding the subject. I suggested to my colleagues on this side of the aisle that I proposed to prepare a questionnaire, to which I invited them all to contribute, which questionnaire I intended to submit to the State Department for categorical answers.

I immediately sent a letter to the able senior Senator from Kentucky [Mr. BARKLEY], the distinguished minority leader, giving him the same information, and inviting Senators on the other side of the aisle to participate in the questionnaire. Unfortunately, for reasons which we all understand, the Senator from Kentucky has been absent, and I find today that my letter has been upon his desk without attention. I should like to say to my colleagues on the other side of the aisle that I am very anxious to pursue this questionnaire idea in the present instance to a total disclosure in response to any questions which may be in any Senator's mind in regard to this gravely important issue which we shortly will confront.

I hope to conclude the questionnaire by Wednesday evening, and I would say to Senators on the other side, as I have said to my colleagues on this side of the aisle, that I shall welcome from any of them any questions which they care to suggest, to be included in the questionnaire which will be submitted to the State Department for public reply.

Mr. LUCAS. Mr. President, will the Senator from Michigan yield?

Mr. VANDENBERG. I yield.

Mr. LUCAS. Did the Senator say that the questionnaire should be in by Wednesday night of this week?

Mr. VANDENBERG. Yes.

Mr. LUCAS. Is it the intention of the Senator, as chairman of the Committee on Foreign Relations, to hold public hearings on this issue after the replies are in?

Mr. VANDENBERG. Most certainly, but it seemed to me that in this instance we should go to somewhat extraordinary lengths to be sure that all the information is developed which is required by any Member of the Senate in connection with his determination of his judgment.

Mr. LUCAS. I presume that some officer of the State Department, or some other agency of the Government will be requested to answer the questions which may be propounded by Senators.

Mr. VANDENBERG. I intend to mobilize the entire questionnaire by the middle of the week, and submit it to the State Department, with request for a written answer to every question. It occurs to me that the publication of these questions and answers will go far toward illuminating the subject for the benefit of both Congress and the country.

Mr. LUCAS. Does the Senator expect to hold hearings before this week shall expire?

Mr. VANDENBERG. No.

Mr. HATCH. Is it the desire to have the questions submitted by Wednesday night?

Mr. VANDENBERG. Yes.

Mr. HATCH. We will have the full day Wednesday?

Mr. VANDENBERG. Yes.

Mr. HATCH. I notice on our desks also the hearings of the committee on the international refugee question. Will the Senator advise me whether he has hope of taking that up?

Mr. VANDENBERG. I had hoped we might perhaps slip that in when there was some happy interlude in the debate on the pending bill. Inasmuch as the committee is unanimous in the report, I had hoped that there would be little controversy about it, and that we could proceed with it rather promptly. There still seems to be some argument over the appropriate language in the amendment dealing with immigration. Until that is straightened out, which I hope will be tomorrow, nothing can be done about the matter, but as soon as possible I shall ask the Senate to give attention to the bill, because this is one of the measures upon which prompt action is very acutely necessary.

Mr. HATCH. I merely wish to express my complete accord with what the Senator has said, and I hope opportunity will later arise when the matter can be taken up. Like the Senator from Michigan, I see no reason for long debate on it.

Mr. VANDENBERG. I thank the Senator.

EXECUTIVE SESSION

Mr. WHITE. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. THYE in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing a nomination, which nominations were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. WHITE, from the Committee on Interstate and Foreign Commerce:

Edward Mount Webster, of the District of Columbia, to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1, 1942.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

TENNESSEE VALLEY AUTHORITY

The legislative clerk read the nomination of Gordon R. Clapp, of Tennessee, to be a member of the Board of Directors of the Tennessee Valley Authority.

Mr. WHITE. Over.

The PRESIDING OFFICER. The nomination will be passed over.

ATOMIC ENERGY COMMISSION

The legislative clerk proceeded to read sundry nominations to the Atomic Energy Commission.

Mr. WHITE. Mr. President, I ask unanimous consent that all the nominations to the Atomic Energy Commission be passed over.

The PRESIDING OFFICER. Without objection, they will be passed over.

INTERSTATE COMMERCE COMMISSION

The legislative clerk read the nomination of Carroll Miller, of Pennsylvania, to be an Interstate Commerce Commissioner for a term expiring December 31, 1953.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

SECURITIES AND EXCHANGE COMMISSION

The legislative clerk read the nomination of Harry A. McDonald, of Michigan, to be a member for the remainder of the term expiring June 5, 1951.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

FEDERAL DEPOSIT INSURANCE CORPORATION

The legislative clerk read the nomination of Henry Earl Cook, of Ohio, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation for the unexpired term of 6 years from September 6, 1945.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of James R. Wade to be collector of customs for customs collection district No. 45, with headquarters at St. Louis, Mo.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

That completes the executive calendar.

Mr. WHITE. Mr. President, I ask that the President be immediately notified of all nominations this day confirmed.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

RECESS

Mr. WHITE. Mr. President, if there is no further business for the afternoon, I move, as in legislative session, that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 18 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, March 18, 1947, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 17 (legislative day of February 19), 1947:

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons for appointment as Foreign Service officers of class 2 and secretaries in the diplomatic service of the United States of America:

David M. Maynard, of California.

Franklin W. Wolf, of New York.

Claude Courand, of Texas, for appointment as a Foreign Service officer of class 3, a consul and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

Henry C. Ramsey, of California.

Anthony Clinton Swezey, of New York.

Horace G. Torbert, Jr., of Massachusetts.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Taylor G. Belcher, of New York.

John G. Gossett, of Oklahoma.

Roye L. Lowry, of Washington.

Benjamin J. Ruyle, of Texas.

Miss Mary E. Volz, of Maryland.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named candidates for appointments in the Regular Corps of the Public Health Service:

TO BE SENIOR SANITARY ENGINEER (LIEUTENANT COLONEL), EFFECTIVE DATE OF OATH OF OFFICE

Carl E. Schwob

TO BE SURGEONS (MAJOR), EFFECTIVE DATE OF OATH OF OFFICE

John B. Alsever
Harry Heimann

TO BE NURSE OFFICER (MAJOR), EFFECTIVE DATE OF OATH OF OFFICE

Minnie E. Pohe

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE GENERAL

Lt. Gen. Lucius DuBignon Clay (brigadier general, United States Army), Army of the United States.

TO BE LIEUTENANT GENERAL

Maj. Gen. Clarence Ralph Huebner (brigadier general, United States Army), Army of the United States.

IN THE NAVY

The following-named officers for appointment in the United States Navy in the corps, grades, and ranks hereinafter stated:

The following-named officers to the ranks indicated in the line of the Navy:

(*Indicates officers to be designated for EDO and SDO subsequent to acceptance of appointment.)

LIEUTENANTS (JUNIOR GRADE)

*Goodwin, Harold B.
*Mindte, Richard W.

ENSIGNS

Ayres, James E.
Bade, Robert B.
Baker, Harold J.
Barrington, Bruce O.
Barry, William
Becker, Henry C.
*Berry, Benjamin H.
Berude, John B.
Beyer, Henry J.
Boger, Clarence E.
Bohlken, John R.
Bowen, Robert W.
Bowman, Donald A.
Brandt, John H.
Britt, Ray H.
Brumbaugh, Jack R.
Bublitz, Robert E.
Bultzo, Charles
Bush, Philip R.
Campbell, Kenneth C.
Carini, Walter P.
Carroll, Charles H.
Cermak, Frank A., Jr.
Chamberlain, Lloyd W.
Chiles, James O.
Clare, James H.
Clark, Robert T.
*Clarke, Thomas H.
Classen, Robert E.
Clement, Robert R.
Coleman, George J.
*Collier, William A.
*Collins, Joseph O.
Cressman, Robert A.
*Crom, James R.
Cunneen, Wallace V., Jr.
Cusumano, Robert D.
Darby, Keith C.
Davis, Richard M.
*Desel, Robert F. P.
Dixon, Alva L.
Drake, John F.
Draz, David I.
Ebersole, Robert "H"
Ellis, Joseph M.
Emig, Alvin F.
Farris, Frederick A.
Filson, Paul L.
Fisher, Robert M.
Fitzgibbons, Edward L.
Fleischli, Robert E.
Flere, Albert J.
Fosdick, Theron D.
Freeman, John T.
Gaiennie, George W.
Garrison, Walter V.
Geer, Jon R.
Geiberger, Charles R.
Gettings, Harold W.
Gieszl, Carl R.
Gilliland, Frank
Gillis, John W.
*Ginn, Wilbur N. Jr.
*Gleeson, John P.
Gorsuch, Reynolds G.
Gower, Harry T., Jr.
Graham, Thomas A.
Grant, Charles D.
Gremer, Charles E.
Hadsell, William V., Jr.
Hafner, Joseph J.
Hahnfeld, Arnold A.
Hale, James R.
Hall, Harold "D"
Halverstadt, Robert K.
Hamilton, Joe
Hansen, Albert E.
Harlow, Harry B.
Harrington, Donald J.
Hasler, Arthur R., Jr.
*Heidt, Webster B., Jr.
Heise, Frederick J.
Hemeyer, Wilbert L.
Hess, John A.
High, Joseph R.
Holden, William P.
Hord, Eldridge, Jr.
Hoskins, Thomas H.
Howard, John N.
Huddle, Norman P.
Hufstedler, Edward F.
Humphrey, Herbert, 3d
Ivans, Joseph D.
Jackson, Maurice B.
Johnson, John T.
Jones, Stanley W.
Junkin, George, Jr.
Karr, Kenneth, R.
Kelso, Quinten A.
Kemp, Glenn E.
*Kenney, Edward T.
Kenny, Joseph M.
*Kiracofe, Warren C.
Kirkwood, Maylon M.
Koenig, William H.
Kowalski, Raymond J.
Lake, Walter T.
Lukens, Reeves A.
Luoma, Walter R.
Lynch, Robert E.
Macaluso, Anthony A.
Macon, Benjamin H.
Mahon, John Q.
Mansfield, James R.
*Manson, Frank A.
*Martin, Guilbert W.
Maruschak, Peter
Mathews, John M.
McCall, Charles R.
McCall, Sherrod G.
McDonald, Robley A., Jr.
McKenzie, William W., Jr.
Miller, Charles P.
*Miller, Hugh B.
Mitchell, Eugene B.
Molony, James
Monahan, John J.
Moon, Donald P.
Moore, William G., Jr.
Moseley, Raymond H.
Nelson, Eugene L.
Nockold, Louis W.
Norment, Roy F.
O'Bryan, George R.
Ohme, Henry F.
Orr, Raymond J.
Outten, Harold R., Jr.
Paquette, Martin W.
Penfold, Norman E.
Peterson, John P.
Phalan, James E.
Poitras, Robert R.
Premo, Kenneth W.
Purcell, James C.
Rahiman, Harry E.
Reider, Richard K.
Richardson, Jewett E., Jr.
Riehl, Julian W., Jr.
Riley, Edward E.
*Robinson, Martin W.
Saldin, Carl N.
Sandidge, Falvey M., Jr.
Scappini, Mimo L.
Shanahan, John J., Jr.
Shaughnessy, John J.
Shaw, Fletcher H.
Shults, Roy G.
Shunny, John R.
Smith, Donald L.
Snyder, Jack L.
Sorenson, Carl E.
*Spainhour, Wayne E.
*Speight, William W.
Stanfill, Joseph F., Jr.
Stecker, John P.
Stewart, Donald R.
Striso, Julius A.
Sullivan, Robert M.
Suppers, Donald L.
Teed, John
Thomas, Cyrus H.
Thomas, Walter J.
Totten, Warren L.
Tuel, Merritt D.
Ulbright, Frederick W.
Urban, Henry, Jr.
Vanstrum, Erwin M.
Wallace, Billy C.
Watkins, Robert W.
Wells, Frank M.
White, Clifford N.
*Whitney, William W.
Williams, Richard C.
Wise, Richard E.
Wismann, Harold F.
Wood, William D., Jr.
Young, Claude E.
Young, George E., Jr.
Herne, Charles G.
Layne, Harold B.
Newcomb, Paul R.

The following-named officers to the grades and ranks indicated in the Medical Corps of the Navy.

SURGEONS WITH THE RANK OF LIEUTENANT COMMANDER

Bunnell, Chester W.
Burkwall, Herman F.
Ferguson, Russell S.
Huth, Peter E.
Johnson, Spencer
Simunich, William A.

PASSED ASSISTANT SURGEONS WITH THE RANK OF LIEUTENANT

Friend, Leroy F.
Lee, Willard J.
McLean, Marvin M.
Schiff, George N.
Toothaker, Bernard L.

ASSISTANT SURGEONS WITH THE RANK OF LIEUTENANT (JUNIOR GRADE)

Bonar, Robert R.
Heinz, Vernet H.
Lipcon, Harry H.
Reed, Karl A.
Saeli, Amadeo B.

The following-named officers to the grades and ranks indicated in the Supply Corps of the Navy.

ASSISTANT PAYMASTERS WITH THE RANK OF ENSIGN

Anderson, John J., Jr.	McComb, Arthur D.
Barensfield, Paul L., Jr.	McCormick, Thomas F.
Bollman, Robert G.	Moss, Robert A.
Borchers, Alyn L.	Owen, LeRoy, Jr.
Brennan, Jack M.	Pavelko, Anthony J.
Charette, Author E.	Podrouzek, William J.
Crawford, Francis E., Jr.	Poulson, William M.
Crouch, Perry B.	Salter, Richard G.
Cummins, Robert C.	Scott, Edward W.
Daniel, James C.	Snoddy, Charles E.
Daniels, Hoyle H., 2d	Verdow, Richard L.
Drzewiecki, Casimir A.	Vollmer, Thomas D.
Flock, Jens B., Jr.	Xefteris, Zafter C.
Gaetz, Edward F., Jr.	Corrick, James A., Jr.
Geisler, Richard A.	Allen, Paul
Growden, Ellwood W.	Barrett, Henry T.
Hay, Patrick M.	Kirchner, Henry C.
Hickok, Richard S.	Leonard, Robert E.
Hicks, William T., Jr.	Lewis, Raymond O.
Hillard, Herbert S., Jr.	Randolph, Karl W.
Johnson, Richard D.	Roberts, Giles H.
Jones, Charles W.	Treece, George H., Jr.
Kukral, Allan C.	Williams, James C.
Leighton, James O.	Burgess, Frederick C.
Long, Samuel M., Jr.	Powell, Albert L., Jr.
Luck, William E.	

The following-named officers to the grades and ranks indicated in the Civil Engineer Corps of the Navy:

ASSISTANT CIVIL ENGINEER WITH THE RANK OF LIEUTENANT (JUNIOR GRADE)

Julian, James B.
Lewis, William C.

ASSISTANT CIVIL ENGINEERS WITH THE RANK OF ENSIGN

Black, Dock F., Jr.	McAllister, Eugene
Flippen, Homer W.	Muss, Edward S.
Heinen, Roger J.	

The following-named officers to the grade and rank indicated in the Dental Corps of the Navy:

ASSISTANT DENTAL SURGEONS WITH THE RANK OF LIEUTENANT (JUNIOR GRADE)

Allen, William M.	Parker, John A.
Blaich, George F.	Phipps, Wilbur N.
Crouch, James H.	Rhen, Louis J.
Faulconer, William T.	Smith, James W.
Graves, Raymond J.	Stewart, Craig A.
Hanley, Walter F.	

The following-named officers to the rank of commissioned warrant officers in the Navy in the grades indicated:

CHIEF GUNNERS

McBrier, James W.
Russell, Otha K.

CHIEF SHIP'S CLERK

Ballard, Edward A.

CHIEF PHARMACIST

Carpenter, Seth J.

CHIEF PAY CLERKS

Allen, Albert F.	Lewis, James H.
Allison, Sidney C.	Nash, Finley A., Jr.
Digonno, Theodore	Stearns, William
Groman, John M.	Tremblay, Philip A.
Jones, Robert L.	Wiggins, George A.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 17 (legislative day of February 19), 1947:

INTERSTATE COMMERCE COMMISSION

Carroll Miller to be an Interstate Commerce Commissioner for a term expiring December 31, 1953.

SECURITIES AND EXCHANGE COMMISSION

Harry A. McDonald to be a member for the remainder of the term expiring June 5, 1951.

FEDERAL DEPOSIT INSURANCE CORPORATION

Henry Earl Cook to be a member of the Board of Directors of the Federal Deposit Insurance Corporation for the unexpired term of 6 years from September 6, 1945.

COLLECTOR OF CUSTOMS

James R. Wade to be collector of customs for customs collection district No. 45, with headquarters at St. Louis, Mo.

WITHDRAWAL

Executive nomination withdrawn from the Senate March 17 (legislative day of February 19), 1947:

POSTMASTER

George S. Leopard to be postmaster at Goodyear, in the State of Arizona.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 17, 1947

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father's God, we wait on Thee, of whom we are fragments and from whom all virtues flow. Grant unto us the spirit of worship and true godliness. O keep us together in the bonds of sympathetic understanding, that we may see our duty and respond with signal devotion to perform it. As the Golden Rule is in our memories, constrain us to follow it in our deeds. Inspire us to heed its mandate in the Christian conscience of our people, ever loyal to the highest principles of that manhood and womanhood as revealed by Thy witnesses, who, sorrowing yet rejoicing, poor yet making many rich, having nothing yet possessing all things, have lived and died for the love of Christ and for the salvation of man. Their shadow was love and their steps were a benediction. O Saviour of the ages, hear our prayer. Amen.

The Journal of the proceedings of Thursday, March 13, 1947, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 220. An act to authorize the Secretary of the Navy to convey to American Telephone & Telegraph Co. an easement for communication purposes in certain lands situated in Virginia and Maryland; and

S. 221. An act to authorize the Secretary of the Navy to grant and convey to the Virginia Electric & Power Co., a perpetual easement in two strips of land comprising portions of the Norfolk Navy Yard, Portsmouth, Va., and for other purposes.

SPECIAL COMMITTEE ON WILDLIFE CONSERVATION

Mr. ALLEN of Illinois, from the Committee on Rules, submitted the following privileged resolution (H. Res. 21, Rept. No. 151), which was referred to the House Calendar and ordered to be printed:

Resolved, That effective from January 3, 1947, the Special Committee To Investigate All Matters Pertaining to the Replacement and Conservation of Wildlife is authorized to continue the investigation begun under authority of House Resolution 237 of the Seventy-third Congress, continued under authority of House Resolution 44 of the Seventy-fourth Congress, House Resolution 11 of the Seventy-fifth Congress, House Resolution 65 of the Seventy-sixth Congress, House Resolution 49 of the Seventy-seventh Congress, House Resolution 20 of the Seventy-eighth Congress, and House Resolution 75 of the Seventy-ninth Congress, and for such purposes said committee shall have the same power and authority as that conferred upon it by said House Resolution 237 of the Seventy-third Congress, and shall report to the House as soon as practicable, but not later than January 3, 1949, the results of its investigation, together with its recommendations for necessary legislation.

AMENDING THE RECONSTRUCTION FINANCE CORPORATION ACT

Mr. ALLEN of Illinois, from the Committee on Rules, submitted the following privileged resolution (H. Res. 145, Rept. No. 152), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 2535) to amend the Reconstruction Finance Corporation Act, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

PROCUREMENT OF SUPPLIES AND SERVICES BY THE WAR AND NAVY DEPARTMENTS

Mr. ALLEN of Illinois, from the Committee on Rules, submitted the following privileged resolution (H. Res. 146, Rept. No. 153), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1366) to facilitate procurement of supplies and services by the War and Navy Departments, and for other purposes. That after general debate, which shall be confined to the bill and shall not exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill

and amendments thereto to final passage without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. ARNOLD asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. SIMPSON of Illinois asked and was given permission to extend his remarks in the RECORD in two instances and include in each an editorial.

Mr. TWYMAN asked and was given permission to extend his remarks in the RECORD and include three editorials from Chicago newspapers.

PERMISSION TO ADDRESS THE HOUSE

Mr. TWYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

[Mr. TWYMAN addressed the House. His remarks appear in the Appendix.]

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a radio address by George E. Reedy.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

[Mr. KEEFE addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD and include a memorial from the Oregon State Legislature.

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the RECORD in four instances and to include certain material.

SPECIAL ORDER GRANTED

Mr. VURSELL. Mr. Speaker, I ask unanimous consent that on Thursday, after the disposition of business on the Speaker's desk and the conclusion of special orders theretofore entered, I may address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

EXTENSION OF REMARKS

Mrs. ST. GEORGE asked and was given permission to extend her remarks in the RECORD and include a letter from the Wall Street Journal under date line of March 12, 1947.

SPECIAL ORDER GRANTED

Mr. PHILLIPS of California. Mr. Speaker, I ask unanimous consent that, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 30 minutes on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PHILLIPS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PHILLIPS of California. Mr. Speaker, at 8 o'clock tonight, our time, over the National Broadcasting System there will be broadcast a very interesting story of the life of Luther Burbank, this being his birth month. Lionel Barrymore will be the one to narrate the story of his life. I ask unanimous consent that this announcement may appear in the RECORD at this point and that I may then revise and extend my remarks in the Appendix of the RECORD and include a radio broadcast on the same subject.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD and include an editorial.

ST. LAWRENCE SEAWAY AND POWER PROJECT

Mr. KILBURN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KILBURN. Mr. Speaker, on the opening day of the Eightieth Congress I introduced H. R. 13, providing for the completion of the construction of the St. Lawrence seaway and power project under the terms of the 1941 agreement between the United States and Canada and the Federal-New York State power accord of 1933. My bill is substantially the same as Senate Joint Resolution 104 of the Seventy-ninth Congress, which was favorably reported by the Senate Committee on Foreign Relations on June 13, 1946.

As an American interested in the development of the resources and wealth of our country and a Member of the House from the Thirty-fourth District of New York, I strongly urge the passage of H. R. 13 so that this important project can be completed. I remind you that President Truman and Gov. Thomas E. Dewey strongly advocate the completion of the St. Lawrence project, as have the Presidents and New York State Governors of this generation. Last month Secretary of State Marshall recommended to the Senate Committee on Foreign Relations approval of it by this session of Congress.

In my opinion, there are at least four important and compelling reasons why Congress should now give its approval to the completion of the St. Lawrence project. In the first place, the St. Lawrence seaway will result in greatly reduced transportation costs for both producers and consumers in an area inhabited by over 40,000,000 people. It will open up to ocean traffic the great agricultural and industrial area of the Great Lakes area.

In the second place, the project will result in the generation of a tremendous amount of electricity—equal to the 1944 output of all the hydroelectric development of the entire TVA—without any direct cost to the people of the United States as a whole.

In the third place, the testimony of our military and naval leaders is clear that the St. Lawrence project will be a great contribution to our national defense and security.

Finally, the St. Lawrence project will provide jobs for thousands of workers and promote our domestic and foreign trade. It is one of the greatest public improvements now available for development in the United States.

My bill is now pending before the Rivers and Harbors Subcommittee of the Committee on Public Works. I urge that consideration be given to the St. Lawrence project at an early date. If the authorization can now be voted we can apportion the spending over a period of the next few years consistent with the demands of the budget and the national economy.

EXTENSION OF REMARKS

Mr. LECOMPTE asked and was given permission to extend his remarks in the RECORD and include an editorial.

CONGRESSIONAL RECORD DIGEST

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LECOMPTE. Mr. Speaker, under Public Law 601, the Congressional Reorganization Act, the Joint Committee on Printing is directed to make arrangements for the printing of a Congressional Digest under the Supervision of the Secretary of the Senate and the Clerk of the House. Members of the House will be glad to know that this Congressional Digest covering the proceedings of both the Senate and House in condensed form will appear in the CONGRESSIONAL RECORD as a supplement beginning with the RECORD of today, which, of course, will come out tomorrow morning. The supplement will be four pages long and will be somewhat different in appearance from the balance of the RECORD in that it will be printed on a two-column page instead of three columns. The type will be much larger and more easily read. The staff has already been assembled to compile the Digest. There will be references to page numbers where those who desire to read the complete proceedings may find the subject matter.

We hope Members will withhold judgment for a few days until the Digest is in its final approved form.

EXTENSION OF REMARKS

Mr. BUFFETT asked and was given permission to extend his remarks in the RECORD and include a letter.

SPECIAL ORDER GRANTED

Mr. BUFFETT. Mr. Speaker, I ask unanimous consent that tomorrow, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 30 minutes on the subject of how American intervention in Greece plays into Stalin's hands.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

[Mrs. BOLTON addressed the House. Her remarks appear in the Appendix of the RECORD.]

WORLD FEDERATION OF TRADE UNIONS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DONDERO. Mr. Speaker, according to an article by Fred W. Perkins in the Washington Daily News of March 14, 1947, page 26, Louis Saillant, general secretary of the Communist-dominated World Federation of Trade Unions, is to leave for Japan on the United States Army plane. He is going there as a part of a delegation, including N. P. Tarason, secretary of the Russian Central Council of Trade Unions.

It is to the credit of General MacArthur that he refused permission to this delegation to make its so-called inspection.

Let me cite the record of this Mr. Saillant, in whose behalf Secretary of War Patterson has rejected the decision of General MacArthur.

Louis Saillant has a record of close cooperation with the French Communist Party. He attended the seventy-fifth birthday celebration in honor of the French Communist leader, Marcel Cachin—Humanité, September 21, 1944; he attended a meeting of the Communist Party in the Paris region, according to Humanite of October 28, 1944; and spoke before the tenth congress of the Communist Party of France, acording to Humanité of June 20, 1945. He defended Maurice Thorez, convicted deserter and Communist leader. The New York Times of October 6, 1945, page 9, characterizes him as one who "has supported Communist views more often than Socialist views in French politics."

I serve notice upon Secretary of War Patterson that he will be held directly responsible for any difficulties created for General MacArthur in his splendid work in Japan by this delegation which he has permitted to enter that theater.

ST. PATRICK'S DAY

Mr. O'HARA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. O'HARA]?

There was no objection.

Mr. O'HARA. Mr. Speaker, on this St Patrick's Day I take this opportunity to wish my colleagues the very best "Top o' the Mornin' " and to assure you that the sun shines bright in Glocca Morra.

It is a high privilege and pleasure on my part, as a true descendent of Erin, to extend to you greetings. St. Patrick's Day is and always will be a day of national importance and I have it on the authority of our good friend Joe O'Brien that the O'Haras and the O'Briens on the Republican side of the aisle are true descendents of the Kings of Ireland and the Kearneys, Keefe, the Welches, the Devitts, the Brophys, Gavins, Gallaghers, Murrays, and the Maloneys are their captains. We welcome such recruits as the O'Konskis. We acclaim the affection we have for the O'Briens and the O'Tooles of the other side of the aisle, and we treat with tender consideration the Nortons, the Philbins, the Rileys, the Rooneys, the Kelleys, the Kennedys, Keoghs and Kildays, the Delaneys, the Monroneys, the Lynches—yes, the Republican Irish with affection greet the McCormacks of Boston and all of the "Macks," Scotch and Irish; the McConnells, the McCowens, the McDonoughs, the McDowells, the McGarveys, the McGregors, the McMahons; not to say also the Maddens, the Mahons, the Martins, the Fallons, the Feighans, the Flannagans, the Fogartys, and the Folgers, the Bradleys, the Corbetts, the Byrne and the Byrnes.

On this day on no less authority than the Kirwans and the Horans I am assured that the Sabaths, the Blooms, the Lesinskis, the Knutsons, the Muhlenbergs, and the Marcantonios, and from the Abernathys to the Zimmermans, will be a wearin' o' the green.

JUVENILE DELINQUENCY

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, we have just listened to the gentleman from Wisconsin talking about juvenile delinquency. There is just one answer to juvenile delinquency and that lies in the home. What we have done through the years is relinquish our control over the children. We have passed laws that school teachers could not discipline them. As a matter of fact, the children today are just free lances in the world. This is not an old maid talking or somebody who never had any children. I raised eight of my own and I took four others out of homes. Some of them I had for years. I had 10 or more at the table for 12 years. They are all married and have established homes of their own except one. None of them has ever been in any trouble. They are all respected and I am proud of them. If the parents will manage their children and give them a licking when they need it; and when the school teacher gives them a licking, give them another one when they get home, you will not have so much juvenile delinquency.

If children are taught to respect authority in the home by parents who command and demand authority, they will respect law, order, and society outside.

They need to be taken to Sunday school and church, not to be sent. My, how things have changed. When I was a boy and a neighbor came to our farm and asked for a couple of boys to help thresh, father said yes or no. Now when I go out for help, father generally says, "Well, I don't know where the boys are; if you can find them they might work for you." Let us be honest about this thing. Children are not born bad.

EXTENSION OF REMARKS

Mr. WADSWORTH asked and was granted permission to extend his remarks in the RECORD and include a letter by Herbert J. Strong as printed in the New York Times of March 13.

Mr. SHAFER asked and was given permission to extend his remarks in two instances.

Mr. WILLIAMS asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article entitled "Communist Fronts."

Mr. FORAND asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. ALBERT asked and was given permission to extend his remarks in the Appendix and include a resolution from the southeastern district of the Oklahoma Educational Association.

Mr. BOGGS of Louisiana asked and was given permission to extend his remarks in the Appendix and include an editorial.

Mr. McMILLAN of South Carolina asked and was given permission to extend his remarks in the Appendix and include a letter from a constituent.

Mr. KEFAUVER asked and was given permission to extend his remarks in the Appendix in two instances, in one to include excerpts from an address by Senator TOBEY, and in the other to include a speech Mr. KEFAUVER made recently.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial from the New York Times.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

[Mrs. ROGERS of Massachusetts addressed the House. Her remarks appear in the Appendix.]

SPECIAL ORDER GRANTED

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to address the House

for 20 minutes today at the conclusion of other special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

[Mr. PHILBIN addressed the House. His remarks appear in the Appendix.]

Mr. FORAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include as a part thereof a copy of a bill I introduced, a statement that I made, and also comparative tables to show the variances between the so-called Knutson plan, the present law, and the Forand plan of taxation.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

[Mr. FORAND addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. CAMP asked and was given permission to extend his remarks in the RECORD and include an editorial from the Jackson (Ga.) Progress-Argus.

Mr. ROONEY asked and was given permission to extend his remarks in the RECORD and include a newspaper article by Vincent Sheen.

TAX EXEMPTION

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. FEIGHAN] may be permitted to extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, on last Thursday, I introduced H. R. 2541, which provides for a $500 tax exemption for the benefit of one who pays the burial expenses of a dependent.

This is a bill where so little relief will mean so much. For example, when death strikes a member of a poor man's family, and the parent has to borrow a sum of probably $500 or more to pay the funeral expenses, the parent is faced with a financial burden which may take many, many months to repay. It is then that our Government should allow a $500 tax exemption to relieve, in a small measure, the expenses incurred at such a time.

The average man with a salary of $2,000 or $2,500 per year will always be grateful to the Government for such consideration in his days of sorrow.

It is my hope that the Ways and Means Committee will report this bill favorably so that all members may have an opportunity to approve this measure, which would bring succor to so many people when they are in need.

EXTENSION OF REMARKS

Mr. MADDEN asked and was given permission to extend his remarks in the RECORD and include a radio address.

Mr. BARTLETT asked and was given permission to extend his remarks in the RECORD and include an editorial from the San Francisco Chronicle.

Mr. BRYSON asked and was given permission to extend his remarks in the Appendix of the RECORD on the subject of the school-lunch program and include a resolution from the General Assembly of South Carolina.

Mr. MURDOCK asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous matter.

Mr. SMATHERS asked and was given permission to extend his remarks in the RECORD and include an editorial from the New York Times.

Mr. HOFFMAN asked and was given permission to extend his remarks in the RECORD and include excerpts.

Mr. BRADLEY of California asked and was given permission to extend his remarks in the RECORD and include a short editorial from the Long Beach Argus.

SUGAR CONTROLS

Mr. HUBER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HUBER. Mr. Speaker, I understand the House Banking and Currency Committee has favorably reported House Joint Resolution 146, which calls for the removal of all sugar controls on October 31 of this year This is an invitation to speculators and connivers to hoard the short supply available against the termination date, 6 months away, after which they may skyrocket prices and clean up a fortune at the expense of the American people. President Joseph F. Abbott, of the American Sugar Refining Co., sounded the warning in the New York Times on March 11, 1947:

> Reporting on operations last year of the American Sugar Refining Co., Joseph F. Abbott, president, informed stockholders yesterday that while the company opposed Government price and rationing controls as a peacetime measure, the sudden elimination of the present wartime sugar-control program undoubtedly would cause substantial price increases and a scramble for available supplies.
>
> Prompt action is necessary, Mr. Abbott contended, to prevent another "boom and bust" situation such as that after the First World War, when prices skyrocketed and then collapsed because of the absence of an orderly decontrol program.

The elephant always remembers, but the Republicans always forget. And I predict that 2 years from now millions of Americans will say "Amen" to the late lamented Republican slogan, "Had enough?"

AID TO THE MINING OF STRATEGIC AND CRITICAL MINERALS

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MURDOCK. Mr. Speaker, in these critical times we must look to national defense, and one of the best means of doing so is to encourage the mining industry so far as strategic and critical minerals and metals are concerned.

There is legislation now pending, which will come to our attention, having the effect of continuing the premium price payment on certain strategic metals. I call this to the attention of the Congress now and will expand on it somewhat later. In view of the fact that a few days ago we passed the so-called Patterson bill which suspends the collection of the 4 cents per pound excise duty on copper for a period of 2 years, as the bill passed the House, we must now take counterbalancing steps to encourage the mining industry in this country.

In expressing my determined opposition on March 12 to the Patterson bill which provided for suspension of the 4-cent-per-pound excise duty on foreign copper I did so because I thought such a move to be adverse to our national security. Of course, I was pleased that day that the original Patterson bill providing for outright repeal of those duties, was not reported to the House. Also I was pleased that the bill which was reported to the House, providing for suspension of duties for a 3-year period was amended to suspend duties only for a 2-year period. Nevertheless, I think the bill passed by the House on March 12 is in the long run dangerous to national security. It would have been far better had the Congress given more consideration to encouraging domestic production of copper instead of being chiefly concerned with getting cheaper raw copper for domestic manufactures. Of course, I want postwar demand supplied adequately but I am more anxious to see an industry encouraged on which our national security rests so completely.

SPECIAL ORDER GRANTED

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Friday next after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute at this time and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

[Mr. HOFFMAN addressed the House. His remarks appear in the Appendix.]

LEAVE OF ABSENCE

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent that our colleague the gentleman from Wis-

consin [Mr. HULL] be given an indefinite leave of absence on account of death in his family.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent that our colleague the gentleman from Wisconsin [Mr. HULL] be given permission to extend his remarks in the RECORD and include an editorial appearing in the Capital Times paying tribute to our late Governor of Wisconsin, Mr. Goodland.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

THE LATE JOSHUA L. JOHNS

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, it is with sadness that I announce to the House the untimely death of Joshua L. Johns, a former distinguished Member of this body. Joshua Johns ably represented the Eighth Wisconsin Congressional District, which I am now honored to serve, from 1939 to 1943. His passing will bring sorrow to the hearts of his former colleagues and to those of us who were privileged to know him well.

Joshua Johns was born in the small Wisconsin town of Eagle, Richland County, on February 27, 1881. After attending public schools in Richland Center, he entered the University of Chattanooga in Tennessee. Upon his graduation, he entered Yale University, receiving his law degree from that school in 1907.

His schooling complete, he began a career which was as diversified as it was distinguished.

Farmer, lawyer, and businesman, he, nevertheless, found time to serve his State and Nation well when duty called. He served ably on the staff of the Governor of Wisconsin in 1928 and he received a signal national honor when he was named president of Kiwanis International in 1933. His public-service career was climaxed when he was elected to the House of Representatives in 1938 and returned again in 1940. Those Members who knew him here were deeply impressed with his knowledge, his industry, and his devotion to duty.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Mississippi.

Mr. RANKIN. I am sure that the Members on our side who served with Mr. Johns join the gentleman from Wisconsin in the sentiment he has expressed. Personally, I was extremely fond of him. He was a man of integrity, courage, and ability, and his death is a keen personal loss to me.

Mr. BYRNES of Wisconsin. I thank the gentleman.

My district, the State of Wisconsin, and the Nation will mourn the death of this devoted public servant. I know that I can speak for the membership of this body in extending heartfelt sympathies to his widow and family in this time of their great bereavement.

Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks at this point in the RECORD on the death of Mr. Johns.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, I join with my other colleagues in expressing regret over the sudden death of our former colleague and friend, Joshua L. Johns, of Green Bay, Wis.

I shall never forget Mr. Johns and the many kind acts he performed in my behalf. When I was sworn in as a Member of this body, on September 15, 1941 Mr. Johns, then a Member of this House, escorted me to the well where the oath of office was administered by Speaker RAYBURN. From that time until the day he left the Congress we were intimate friends. I often went to his office for counsel and advice. He was always kindly and courteous, even though he was extremely busy.

This past week Wisconsin has lost two of its outstanding citizens in the passing of Gov. Walter S. Goodland and now in the death of our beloved friend, Joshua L. Johns. This is a distinct loss to our great State.

I join with my other colleagues in extending deepest sympathy to the members of his family who survive. They can take just pride in the fact that Mr. Johns served his State and his Nation unselfishly at all times.

The SPEAKER. The Chair recognizes the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY of Wisconsin. Mr. Speaker, there is little that I can add to the tribute paid by our colleague the gentleman from Wisconsin [Mr. BYRNES] of the Eighth District. Everyone that knew Joshua Johns knows that he attained his position in life through his own efforts. He was not born with any more privileges than any other American child is born with. Joshua Johns had the ambition and the integrity to go forward, and he ended up as a Member of this great body. Personally I shall always recall him as one of my very close friends. Though I never knew him until I came to Washington, I can assure you that there was seldom a morning that 7:15 did not find Joshua Johns in his office. I never have observed a more sincere public servant than was Joshua Johns.

Mr. MUNDT. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from South Dakota.

Mr. MUNDT. I should like to add my tribute to that which has so fittingly been paid to Josh Johns. It happened that I knew Josh before either of us came to Congress. At that time he was international president of Kiwanis International and I was serving as district governor of the Minnesota-North and South Dakota district. I had an opportunity to study his high-minded principles when he held that high office. I watched his work with great interest in Congress, where he rapidly developed into one of the outstanding Members of what was then the Republican minority.

As just one illustration of the leadership capacity of Josh Johns, I think it is interesting to recall that when he came to Congress he created what was called the Capitol Hill Kiwanis Club. Twice a month about 35 or 40 of us met regularly down in the Speaker's dining room in a little Kiwanis session. That interesting little movement lasted all the time Josh Johns was here, under his leadership and under his guidance. It has since gone the way of all flesh, but it does illustrate in just a small way that great aptitude for leadership which Josh Johns manifested all through his life. I join his colleagues in the Congress in mourning his passing and extending sympathy to his family on their bereavement.

Mr. MURRAY of Wisconsin. I thank the gentleman from South Dakota.

Wisconsin has, within a few days, lost two great statesmen, Joshua Johns, our former colleague, and Gov. Walter S. Goodland. Joshua Johns demonstrated that one of humble beginnings can end up at the top of the ladder if he has the initiative and the desire to work to that end.

To Mrs. Johns, and to his two sons, we extend our sincere sympathy in their hour of need.

EXTENSION OF REMARKS

Mr. H. CARL ANDERSEN asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD and include an article, the Tanning Industry Is Vitally Affected by Reciprocal Trade Agreements.

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD and include extracts from an article he has written on the subject What Is Republican Policy?

Mr. KEATING asked and was given permission to extend his remarks in the RECORD and include an editorial.

JUVENILE DELINQUENCY

Mr. MORRIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MORRIS. Mr. Speaker, I agree fully with the gentleman who spoke earlier that home and parental control play a tremendous part in the lives of children and affect very greatly the question of juvenile delinquency. Religion also affects the lives of our children tremendously, and so does the school. Having served 9½ years as a district judge and having dealt with these problems rather intimately, I recall that statistics show that in 1775 in this great Nation of ours 100 percent emphasis was given to

moral teaching, to honesty, integrity, courage, and things of that kind, in our school books. Now that has vanished to the point where there is almost no teaching along that line in our school text books. During that time the average age of criminals, if I recall the statistics correctly, has been reduced from 35 to 21 years.

I remember when I was a kid we had memory gems in our spellers and other school books, and I recall one that went like this:

Howe'er it be, it seems to me,
'Tis only noble to be good.
Kind hearts are more than coronets,
And simple faith than Norman blood.

I believe, Mr. Speaker, that we as citizens should give a little more attention to what is taught in our school readers, our spellers, and other textbooks.

EXTENSION OF REMARKS

Mr. SADOWSKI asked and was given permission to extend his remarks in the RECORD in four instances and to include in each certain articles.

Mr. DONOHUE asked and was given permission to extend his remarks in the RECORD and include a radio talk given by Mr. George E. Reedy over Station WOL.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the RECORD and include a radio address.

A CHALLENGE TO COMMUNISM

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, if we are going to challenge the spread of communism in Greece and Turkey, we had better make it a full dress affair and challenge it all along the line beginning here on Capitol Hill.

We should begin in the House Office Building, the Senate Office Building, the Supreme Court Building, and the Library of Congress, and go on down to the War Department and the Navy Department, and all other branches of this Government—and especially the Justice Department, where a certain bunch of Reds or "pinks" have spent years persecuting the white gentiles of this country—and especially the white people of the Southern States.

In addition, Mr. Speaker, if we are going to challenge communism in Europe, let us go to western Europe and start in Poland and Germany, and put a stop to certain elements persecuting those people who are now unable to defend themselves. Let us make peace with the German people and line them up on our side, if we are going into this battle royal throughout the world.

Then we will have a force that can help us if the worst comes to the worst and we have to sustain our contention at the point of the bayonet.

The SPEAKER. The time of the gentleman from Mississippi has expired.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

NATIONAL ARCHIVES OF THE UNITED STATES GOVERNMENT

The Clerk called the bill (H. R. 1350) to amend the act entitled "An act to establish a National Archives of the United States Government, and for other purposes."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, reserving the right to object, when this bill was called up on the last Consent Calendar day, it was pointed out that the report was defective in that it did not comply with the rules of the House. Apparently, that defect has not yet been corrected. So far as I know, there is no opposition to the bill itself but to make certain that the committees reporting these bills do observe the rules to the extent of pointing out the changes in existing law, I must again ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

RAISING ALLOWANCES AND WAGES ON VETERANS' TRAINING PROGRAM

The Clerk called the bill (H. R. 246) to raise the ceilings on wages and allowances payable to veterans undergoing training on the job, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TRIMBLE. Mr. Speaker, reserving the right to object, this legislation falls in the same category as referred to by the gentleman from New York. From what little information we have before us, I understand that it will involve a cost of some $200,000,000. May I ask the author of the bill to explain the purposes of it?

H. R. 246 does not increase subsistence allowance being paid to veterans in institutional or on-the-job training. The subsistence rate of $65 for a veteran without dependent and $90 for a veteran with one or more dependents remains the same. The only thing H. R. 246 does is to increase the amount a veteran may receive when combining subsistence allowance and earnings for productive labor. The present ceiling is $175 per month for a veteran without dependents and $200 for a veteran with dependents.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. TRIMBLE. I yield.

Mrs. ROGERS of Massachusetts. This is to raise the ceiling somewhat over the amount which was allowed last year, $175 for a single man and $200 for a married man. This bill raises the ceiling to $250 for a single man and $325 to $350 for a married man. It was considered by the committee that the men could not carry on with the job training unless this was done. The American Legion had a bill which removed the ceilings entirely, which bill I introduced. This is a modified bill which was introduced by the gentleman from New York, General KEARNEY. The bill I introduced was defeated 14 to 11. This bill finally passed the committee unanimously. I have asked the Rules Committee to grant a rule. A very erroneous impression has gone out that the bill would cost a billion dollars. That is very untrue. General Bradley sent a letter to me and in that letter he stated that the bil' would cost $149,688,000. I think that estimate is high.

If the gentleman is going to object, I suggest that it be passed over without prejudice.

Mr. TRIMBLE. I am not sure that I will object. I am asking for information. There is no report from the Bureau of the Budget. I find no report from General Bradley. It is a confusing situation.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that the letter which General Bradley sent to me be inserted as a part of the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

The report is as follows:

VETERANS' ADMINISTRATION,
Washington D. C., February 27, 1947.

Hon. EDITH NOURSE ROGERS,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D. C.

DEAR MRS. ROGERS: Further reference is made to your request of February 26, 1947, for a report on the estimated cost of H. R. 246, Eightieth Congress, a bill to raise the ceilings on wages and allowances payable to veterans undergoing training on the job, and for other purposes, reported by the Committee on Veterans' Affairs with amendments.

Under this bill the ceiling provisions of paragraph 6 of part VIII of Veterans Regulation No. 1 (a), as amended by Public Law 679, Seventy-ninth Congress, governing the payment of subsistence allowances, would be amended by providing a ceiling of $250 per month instead of $175 for a veteran without a dependent, of $325 per month instead of $200 for a veteran with one dependent, and of $350 per month instead of $200 for a veteran with two or more dependents. It further provides that only so much of the compensation as is derived from productive labor based on the standard workweek for the particular trade or industry, exclusive of overtime, shall be used in computing the rate of allowances payable under paragraph 6.

It is estimated that the increased cost of the ceiling provisions, as proposed to be amended by H. R. 246, as reported, assuming no acceleration in enrollment, would be $149,688,000 for fiscal year 1948. If the bill should be enacted into law prior to the beginning of the fourth quarter of fiscal 1947 (April 1, 1947), an additional sum of $40,603,000 would be required for the fiscal year 1947. These estimates are based on the assumption that this legislation would not affect the projected rate of entrances into training which has been used as the basis of Veterans' Administration budget estimates. It is anticipated, however, by the Veterans' Administration, that the rate of entrance into training would be greatly accelerated upon enactment of this bill because of the material relaxation of the ceiling provisions now in effect.

Your request is for estimated cost alone. However, reference is made to my comments on the merits of this type of legislation, and

the effects thereof, which were furnished in my report to your committee dated February 18, 1947, and in my statement before your committee in hearings conducted February 18 and 19, 1947.

Sincerely yours,

OMAR N. BRADLEY,
General, United States Army,
Administrator.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RAYBURN. Mr. Speaker, reserving the right to object, I am not going to object, and I do not think anyone on this side will object, but I do want to call the attention of the majority to the danger of beginning to pass legislation that will cost millions and perhaps hundreds of millions of dollars, with this sort of consideration. If you want to do it, you may, of course.

Mr. HALLECK. Mr. Speaker, reserving the right to object, I may say to the gentleman from Texas [Mr. RAYBURN] that I have expressed it as my opinion that this measure is of such importance it should not be considered on the Consent Calendar. I had hoped that the matter would not be on the Consent Calendar. However, it is here. I have taken this time only to explain my attitude in respect to it.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. COLE]?

There was no objection.

PAYMENT AND SETTLEMENT OF MILEAGE AND OTHER ALLOWANCE ACCOUNTS OF MILITARY PERSONNEL

The Clerk called the bill (S. 276) to provide for payment and settlement of mileage and other travel allowance accounts of military personnel.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That payment and settlement of mileage and other travel allowance accounts of all military personnel, when such accounts are authorized to be based on distances between given points, shall be made in accordance with distances established for payment and settlement of mileage accounts of officers pursuant to the provisions of the act of June 12, 1906, as amended (34 Stat. 246; 10 U. S. C. 870).

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING CERTAIN SUBSECTIONS OF THE IMMIGRATION ACT OF 1917 AND THE NATIONALITY ACT OF 1940

The Clerk called the bill (H. R. 1975) to amend subsection (c) of section 19 of the Immigration Act of 1917 and subsection (a) of section 338 of the Nationality Act of 1940.

The Clerk read the title of the bill.

THE SPEAKER. Is there objection to the present consideration of the bill?

Mr. DEANE. Mr. Speaker, reserving the right to object, I would like the gentleman from Texas, [Mr. GOSSETT] to explain the provisions of this legislation.

Mr. GOSSETT. Mr. Speaker, this bill was recommended by the Justice Department and unanimously reported by the Committee on the Judiciary.

It simply does this: Under existing law, a person whose deportation has been ordered can make an affidavit that it would work an economic hardship on an American citizen, and his deportation is suspended. That action is reported to Congress. When Congress adjourns it becomes final, the individual can become a naturalized citizen, and his status in this country is permanent.

This bill gives the Department 5 years' extension of time in which they can suspend the suspension of deportation if they discover that the individual has procured his citizenship or has procured his suspension of deportation through fraud or failure to disclose all pertinent facts. In other words, in effect, it puts such a person on 5 years' probation if he is naturalized or his deportation is suspended, as the case may be. Under existing law the Department of Justice has no such right and a person may through fraud secure permission to remain in this country and become naturalized; and there is no remedy unless you catch it at the time he has his status adjusted.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. GOSSETT. I yield.

Mr. RANKIN. I call the gentleman's attention to the fact that it is rather generally known that there has been an immigration racket going on for some time. The American people are tired of it. It seems to me that we ought to put a stop to immigration for at least 5 years, or at least until we get out of the present crisis. This is merely a halfway measure, to my mind.

Mr. GOSSETT. No, no; this seeks to chink only one of the holes through which certain individuals have become naturalized and have been permitted to remain in this country. This strengthens the law, this does not weaken it.

Mr. RANKIN. Of course, I am for chinking one of the holes as the gentleman says, but I rather think that instead of throwing the gates wide open we ought to do the reverse, close the gates until we get back to Americanism.

Mr. McCORMACK. Mr. Speaker, reserving the right to object, I wish to ask the gentleman a question. He has explained that this suspends deportation and reinstates deportable status, but what about the cancellation of citizenship after the person has been naturalized?

Mr. GOSSETT. The last section of the bill provides for cancellation of citizenship if it has been obtained through fraud, or failure to disclose material evidence.

Mr. McCORMACK. But it means the Attorney General or the Department of Justice must proceed in court.

Mr. GOSSETT. That is right.

Mr. McCORMACK. In other words, the matter of naturalization is a matter of court action in the final stage authorizing the naturalization of a person, and under this bill whatever action is taken to cancel citizenship where fraud is involved or claimed would have to be taken in the courts.

Mr. GOSSETT. I assume that is true. They would have to go into the court where the person secured his naturalization, because that court would have jurisdiction of the case.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. GOSSETT. I yield.

Mr. RANKIN. Why not write that into the law?

Mr. GOSSETT. The law is plain enough on that.

Mr. RANKIN. When you leave it to the Department of Justice you will find that you will wait a long time before getting any enforcement of the law, judging from what has happened in the last few years, what has happened in the last few months, and what is happening today. So it seems to me that if Congress is going to legislate we ought to pass laws here providing that any man who secures his citizenship by fraud will have his citizenship canceled and he be deported, and not have to wait for a long drawn-out litigation with the Anti-Defamation League sticking its nose in and muddying the waters.

Mr. DEANE. Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (c) of section 19 of the Immigration Act of 1917, as amended (54 Stat. 671, 56 Stat. 1044; 8 U. S. C. 155 (c)), is further amended by adding at the end of that subsection the following:

"If at any time within 5 years following termination of the session of the Congress during which cancellation of deportation proceedings was authorized as provided in this subsection it appears to the satisfaction of the Attorney General, upon the basis of newly discovered evidence, that the alien was not in fact eligible under this subsection for suspension of deportation, the Attorney General shall cancel the order suspending deportation (and the record of the alien's admission for permanent residence, if such record was made) and may thereafter proceed against the alien as if suspension of deportation had not previously been ordered. The Secretary of State shall remove the charge, if any, previously made against the quota for the country of the alien's nationality, but no refund of the fee of $18 prescribed herein may be made."

SEC. 2. That subsection (a) of section 338 of the Nationality Act of 1940 (54 Stat. 1158; 8 U. S. C. 738 (a)), is hereby amended by inserting the following language before the period at the end thereof: "or on the ground that the order of the Attorney General suspending deportation pursuant to the provisions of section 19 (c) of the Immigration Act of 1917, as amended (56 Stat. 1044; 8 U. S. C. 155 (c)), has been canceled."

With the following committee amendment:

Page 2, line 1, strike out the word "newly" and insert the word "after."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CORPS OF CIVIL ENGINEERS OF THE NAVY

The Clerk called the bill (H. R. 1359) to amend the act of August 29, 1916 (39

Stat. 556), as amended, so as to increase the total authorized number of commissioned officers of the active list of the Corps of Civil Engineers of the Navy.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TRIMBLE. Mr. Speaker, reserving the right to object, I wish to ask the author of the bill just what extra cost, if any, is involved. I think I am for the bill if I understand it.

Mr. SHORT. Mr. Speaker, since I am chairman of Subcommittee No. 1 on Personnel of the Armed Services Committee and held the hearings on this particular measure, may I say to the gentleman that this increases the number of civil engineers in the Navy from 2 to 3 percent of the active officers in line of duty. In 1939 our Naval Establishment value was less than $1,000,000,000. During the war it expanded greatly and today we have more than $6,000,000,000 invested in these shore facilities that are very complex and the number of civil engineers is wholly inadequate to man and to maintain these complex establishments.

The Navy made a very strong case for this particular bill. It was reported unanimously by our subcommittee and also by the full committee. It perhaps will involve an increase of about 660 officers. Of course, the civil engineers did a marvelous job during the war. Three hundred officers are required to take care of the Seabees alone. At Corpus Christi, Tex., we have only two or three officers to take care of an establishment which is worth more than $62,000,000. At another place we have over $88,000,000 invested in a plant and we have only three civil-engineer officers there. At Crane, Ind., which is very quiet, no construction being involved, we have a big maintenance problem, yet we have only two civil-engineer officers there.

It is necessary that this legislation be passed in order that the Navy might have a sufficient number of men to look after these huge establishments in which we have more than $6,000,000,000 invested.

Mr. TRIMBLE. Mr. Speaker, in connection with the items listed we are handicapped on account of lack of report. I would like to insist that all of the committees file reports. May I ask the gentleman from Missouri if he knows what the estimated cost will be?

Mr. SHORT. I asked that question myself during the hearings. It will depend altogether on the authorized strength of the Navy. At the present time it is 500,000 enlisted men and about 52,000 officers. The pending bill will increase the number of civil-engineer officers by about 660, according to Admiral Jelley who testified before our committee. I may say to the gentleman that there is a report on the bill and also copy of the hearings, both of which I hold in my hand.

Mr. TRIMBLE. I see here a report from the Navy Department and one from the War Department but I do not see one from the Budget Bureau or any estimate as to the extra cost involved by this bill.

Mr. SHORT. It is impossible for them to give a definite amount. I asked the admiral how many men would be added and his answer was that it would depend upon the authorized strength of the line. I, myself, am concerned about the additional cost, but we were assured that it would be very little, if any. These officers are shifted from one category to another. We must have more civil engineers to supervise and protect these increased and complex shore facilities.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That that part of the act of August 29, 1916 (39 Stat. 576), which relates to the commissioned officer strength of the active list of the Corps of Civil Engineers and which is amended by the act of July 22, 1935 (49 Stat. 488), as so amended, is hereby further amended by striking out the figure "2" as it appears after the words "Civil Engineers" in line 2, paragraph 5, page 489, of volume 49, Statutes at Large, and inserting in lieu thereof the figure "3."

With the following committee amendment:

Page 1, line 4, strike out all of line 4 after the comma, all of lines 5 and 6 and the words "as so amended" in line 7 and insert: "such act having been amended by the act of July 22, 1935 (49 Stat. 488), which relates to the commissioned officer strength of the active list of the Corps of Civil Engineers."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMITTEE ON FOREIGN AFFAIRS

Mr. EATON. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be permitted to sit tomorrow and perhaps another day during the session of the House.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

CONSENT CALENDAR

PERMANENT CHIEF OF CHAPLAINS IN THE NAVY

The Clerk called the bill (H. R. 1365) to establish a Chief of Chaplains in the United States Navy, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there shall be in the Bureau of Naval Personnel a Chief of Chaplains, designated by the Chief of Naval Personnel from among officers of the Chaplain Corps of the Regular Navy not below the rank of commander; and that such officer shall, while so serving, have the rank of rear admiral and shall receive the pay and allowances provided by law for rear admirals of the upper half.

SEC. 2. The act of December 22, 1944 (ch. 661, 58 Stat. 886), is hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MINERAL LEASING ACT

The Clerk called the bill (H. R. 193) to amend section 35 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 191), as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, reserving the right to object, I inquire of the Delegate from Alaska if this bill in any way affects the naval petroleum reserves in Alaska?

Mr. BARTLETT. Mr. Speaker, I assure the gentleman from New York that the enactment of this bill will not affect in any manner the present administration of income from the naval petroleum reserves. That matter is governed by a separate law first enacted in 1920 and amended in 1938. All this would do would be to clear the record and allow the present system to be continued.

Mr. COLE of New York. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 35 of the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 191), as amended, is amended and reenacted to read as follows:

"SEC. 35. All money received from sales, bonuses, royalties, and rentals of public lands under the provisions of this act shall be paid into the Treasury of the United States; 37½ percent thereof shall be paid by the Secretary of the Treasury after the expiration of each fiscal year to the State or the Territory of Alaska within the boundaries of which the leased lands or deposits are or were located; said moneys to be used by such State, Territory, or subdivisions thereof for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, as the legislature of the State or Territory may direct; and, excepting those from Alaska, 52½ percent thereof shall be paid into, reserved, and appropriated, as a part of the reclamation fund created by the act of Congress known as the Reclamation Act, approved June 17, 1902. All moneys received under the provisions of this act not otherwise disposed of by this section shall be credited to miscellaneous receipts. Nothing herein contained shall be construed to affect the disposition of proceeds or income derived by the United States from mineral school sections in the Territory of Alaska as provided for in the act of March 4, 1915 (38 Stat. 1214, 1215; 48 U. S. C., sec. 353), as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PETERSBURG (ALASKA) TOWN SITE

The Clerk called the bill (H. R. 197) to transfer part of block 90 and the school building thereon of Petersburg town site, Alaska, used for school purposes, to the town of Petersburg, Alaska.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TRIMBLE. Mr. Speaker, reserving the right to object, and I shall not object because there is a very small amount involved here, but I would like to make a statement to the committee reporting the bill in connection with reports to be attached to bills. I shall object from here, because this bill is not properly reported, and we cannot study them unless reports are included here.

Mr. COLE of New York. Mr. Speaker, if the gentleman will yield, in order that there may be no misunderstanding or confusion caused by the suggestion made by the gentleman, I wonder wherein he

might indicate that the report which accompanies the bill was defective. I think it is fine for the gentleman to point out defects as they occur and to urge the committee staffs and clerks to make certain that the reports are complete, but as I view this particular report it appears to be complete, unless I have overlooked some particular point.

Mr. TRIMBLE. I am talking about all of the reports; from the Budget and everybody else.

Mr. WELCH. Mr. Speaker, further reserving the right to object, on behalf of the committee, may I state to the gentleman that the bill was carefully considered by a subcommittee of the Committee on Public Lands, and again by the full Committee on Public Lands, and unanimously approved by both, also by the Department of the Interior. It is accompanied by a report, Report No. 98.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc. That there is hereby conveyed to the town of Petersburg, Alaska, that part of block 90 within Petersburg town site, Alaska, as shown on United States Survey No. 1252, as may be designated by the Secretary of the Interior, together with the school building located thereon for use by the town for school purposes. The grant herein shall become effective upon notice by the Secretary of the Interior to the town of Petersburg of the detailed description of the land and the written acceptance of the grant by the proper officials of the town of Petersburg.

With the following committee amendments:

In the first line in the title of the bill amend by striking out the figure "90" and inserting in lieu thereof the figure "14."

Line 4 after the first comma, strike the words "that part" and insert in lieu thereof "lots 9 and 10", and that the figure "90" after the word "block" be stricken and the figure "14" be inserted therefor.

Line 5 after the first comma strike out "as shown on United States Survey No. 1252."

Line 6 strike out the entire line, including the comma at the end of the line.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to transfer part of block 14 and the school building thereon of Petersburg town site, Alaska, used for school purposes, to the town of Petersburg, Alaska."

A motion to reconsider was laid on the table.

UNITED STATES COMMISSIONER FOR THE BIG BEND NATIONAL PARK, TEX.

The Clerk called the bill (H. R. 490) providing for the appointment of a United States Commissioner for the Big Bend National Park in the States of Texas, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That upon the establishment of the Big Bend National Park in the State of Texas pursuant to the provisions of the act of June 20, 1935 (49 Stat. 393), entitled "An act to provide for the establishment of the Big Bend National Park in the State of Texas, and for other purposes," the United States District Court for the Western District of Texas shall, upon the recommendation and approval by the Secretary of the Interior of a qualified candidate, appoint a commissioner for the said national park. The district court shall prescribe the rules of procedure and practice for the commissioner in the trial of cases and for appeal to the district court. The commissioner shall be paid an annual salary, as appropriated for by the Congress.

SEC. 2. The commissioner shall have jurisdiction to issue process in the name of the United States for the arrest of any person charged with a violation of any of the rules and regulations made by the Secretary of the Interior in pursuance of law for the government and protection of the park, or with the commission within the park of a petty offense against the law, and to try the person so charged, who, if found guilty, shall be subject to the punishment prescribed by section 3 of the act of August 25, 1916 (39 Stat. 535; U. S. C., title 16, sec. 3), as amended. For the purposes of this act, the term "petty offense" shall be defined as in section 335 of the Criminal Code (U. S. C., title 18, sec. 541). In all cases of conviction an appeal shall lie from the judgment of said commissioner to the district court.

SEC. 3. The commissioner shall have power to issue process in the name of the United States for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 2 of this act, and to hear the evidence introduced. If he is of the opinion that probable cause is shown for holding the person so charged for trial, he shall commit such person for further appropriate action, and shall certify a transcript of the record of his proceedings and the testimony in such case to the district court, which court shall have jurisdiction of the case.

SEC. 4. All fees, costs, and expenses arising in cases under this act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States. All fines, fees, costs, and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Texas.

With the following committee amendment:

Committee amendment:

Page 1, line 9, after the comma, strike out the balance of line down to and including the comma on line 10.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES COMMISSIONER FOR THE SHENANDOAH NATIONAL PARK

The Clerk called the bill (H. R. 729) to provide that the United States District Court for the Western District of Virginia shall alone appoint the United States commissioner for the Shenandoah National Park.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DEANE. Mr. Speaker, reserving the right to object, I inquire of the gentleman from Virginia [Mr. HARRISON] if there is any criticism directed to the Department of the Interior or the method in which the present commissioner has been named.

Mr. BARRETT. Mr. Speaker, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from Wyoming.

Mr. BARRETT. May I say to my colleague that the Department of the Interior did raise some little objection to this bill. However, at the time the law was passed providing that the Secretary of the Interior should approve and recommend to various district courts the names of persons for appointment as United States Commissioners in National Parks the Interior Department was paying the salaries of these Commissioners, but presently and for several years past these Commissioners are being paid entirely out of funds appropriated to the Department of Justice. Of course, the reason for the consent and approval by the Secretary of the Interior of the appointment of National Park Commissioners has long since expired.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the first sentence of section 5 of the act entitled "An Act to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes," approved August 19, 1937 (U. S. C., 1940 ed., title 16, sec. 403c-5), is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FARMERS' IRRIGATION DISTRICT, NORTH PLATTE PROJECT

The Clerk called the bill (H. R. 804) authorizing the reduction of certain accrued interest charges payable by the farmers' irrigation district, North Platte project.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized in administering the North Platte project, Nebraska-Wyoming, to enter into a contract of July 15, 1947, heretofore entered into pursuant to the act of February 21, 1911 (36 Stat. 925), between the United States and the Farmers' Irrigation District, a corporation organized and existing under the laws of the State of Nebraska, whereby the said district shall be relieved and excused of the obligation to pay $59,853, representing part of the accrued interest due the United States from the district pursuant to the terms of article 2 (c) of said contract of July 15, 1927: *Provided*, That the district agrees, on terms satisfactory to the Secretary, to operate and maintain the several drain diversion works now or hereafter to be constructed emptying waste, seepage, and return flow waters into the district's canal.

With the following committee amendments:

Page 1, line 5, after "contract", insert "modifying the contract."

Page 1, line 6, strike out "1947" and insert "1927."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATURALIZATION PROCEEDINGS

The Clerk called the bill (H. R. 236) to amend the Nationality Act of 1940 so as to permit naturalization proceedings to be had at places other than in the office of the clerk or in open court in the case of sick or physically disabled individuals.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That so much of section 331 of the Nationality Act of 1940, as amended (54 Stat. 1153; U. S. C., 1940 ed., title 8, sec. 731), as precedes paragraph (1) thereof, (excluding the heading) is amended to read as follows:

"SEC. 331. An applicant for naturalization shall make, under oath before, and unless prevented by sickness or other physical disability only in the office of, the clerk of court or such clerk's authorized deputy, regardless of the place of residence in the United States of the applicant, not less than 2 nor more than 7 years at least prior to the applicant's petition for naturalization, and after the applicant has reached the age of 18 years, a signed declaration of intention to become a citizen of the United States, which declaration shall be set forth in writing, in triplicate, and shall contain substantially the following averments by such applicant:"

SEC. 2. Section 332 of the Nationality Act of 1940, as amended (54 Stat. 1154; U. S. C., 1940 ed., title 8, sec. 732), is amended by adding at the end thereof the following new subsection:

"(e) If the applicant for naturalization is prevented by sickness or other disability from presenting himself in the office of the clerk to make the petition required by subsection (a), such applicant may make such petition at such other place as may be designated by the clerk of court or by such clerk's authorized deputy."

SEC. 3. (a) Section 334 (a) of the Nationality Act of 1940, as amended (54 Stat. 1156; U. S. C., 1940 ed., title 8, sec. 734 (a), is amended to read as follows:

"SEC. 334. (a) Except as provided in subsection (b) of this section, every final hearing upon a petition for naturalization shall be had in open court before a judge thereof, and every final order which may be made upon such petition shall be under the hand of the court and entered in full upon a record kept for that purpose, and upon such final hearing of such petition the applicant and the witnesses shall be examined under oath before the court and in the presence of the court."

(b) Section 334 (b) of such act, as amended (54 Stat. 1156; U. S. C., 1940 ed., title 8, sec. 734 (b)), is amended by adding at the end thereof the following: "If the petitioner is prevented by sickness or other disability from being in open court for the final hearing upon a petition for naturalization, such final hearing may be had before a judge or judges of the court at such place as may be designated by the court."

SEC. 4. Section 335 of such act, as amended (54 Stat. 1157; U. S. C., title 8, sec. 735), is hereby amended by adding the following new subsection:

"(d) If the petitioner is prevented by sickness or other disability from being in open court the oath prescribed in subsection (a) of this section may be taken before a judge of the court at such place as may be designated by the court."

SEC. 5. Before a declaration of intention or petition for naturalization may be made outside of the office of the clerk of court, or before a final hearing on a petition may be held or the oath of allegiance administered outside of open court, the court must satisfy itself that the illness or other disability is sufficiently serious to prevent appearance in the office of the clerk of court or the court and is of a permanent nature, or of a nature which so incapacitates the person as to prevent him from personally appearing in the office of the clerk of court or in court as otherwise required by law.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTINUITY OF RESIDENCE OF CERTAIN ALIEN RESIDENTS

The Clerk called the bill (H. R. 2032) to preserve the continuity of residence in the United States for naturalization purposes in the cases of alien residents who departed for service in Allied armed forces during the Second World War.

Mr. DEANE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

RECEIVING OF STOLEN PUBLIC PROPERTY

The Clerk called the bill (H. R. 1998) to amend section 48 of the Criminal Code relating to the receiving of stolen public property.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 48 of the Criminal Code (35 Stat. 1098; 18 U. S. C. 101) be, and it hereby is, amended to read as follows:

"SEC. 48. Whoever shall receive, conceal, or aid in concealing, or shall have or retain in his possession, with intent to convert to his own use or gain, any money, property, record, voucher, or valuable thing whatever, of the moneys, goods, chattels, records, or property of the United States, which has theretofore been embezzled, stolen, or purloined by any other person, knowing the same to have been embezzled, stolen, or purloined, shall be fined not more than $5,000, or imprisoned not more than 5 years, or both; and such person may be tried either before or after the conviction of the principal offender."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF LOCOMOTIVE INSPECTION ACT

The Clerk called the bill (H. R. 2123) to amend the Locomotive Inspection Act of February 17, 1911, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the third and fourth sentences of section 3 of the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended (U. S. C., 1940 ed., title 45, secs. 24 and 25), are amended to read as follows: "The Interstate Commerce Commission shall have authority, in accordance with the Classification Act of 1923, as amended, to fix the compensation of the director of locomotive inspection, the assistant directors, and the district inspectors; and each of such persons shall be paid his traveling expenses incurred in performance of his duties. The office of the director of locomotive inspection shall be in Washington, District of Columbia, and the Interstate Commerce Commission shall provide such legal, technical, stenographic, and clerical help as the business of the offices of the director of locomotive inspection, his said assistants, and the district inspectors may require."

SEC. 2. Section 4 of such act approved February 17, 1911, as amended (U. S. C., 1940 ed., title 45, sec. 26), is further amended by striking out the fifth and sixth sentences thereof.

SEC. 3. Nothing in this act shall have the effect of abolishing the position or reducing the present salary of an incumbent of any existing position established under such act approved February 17, 1911, as amended.

SEC. 4. This act shall take effect on the first day of the calendar month following the calendar month in which it is enacted.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This completes the call of the Consent Calendar, the other bills on the Calendar not having been there long enough to be eligible for consideration today.

MAINTAINING SYNTHETIC RUBBER INDUSTRY

Mr. BROWN of Ohio. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 144 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H. J. Res. 118) to strengthen the common defense by maintaining an adequate domestic rubber-producing industry. That after general debate, which shall be confined to the joint resolution and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committtee on Armed Services, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 minutes of the time to the gentleman from Illinois [Mr. SABATH], and yield myself now such time as I may use.

Mr. Speaker, House Resolution 144 would make in order the immediate consideration of House Joint Resolution 118, to strengthen the common defense by maintaining an adequate domestic rubber-producing industry. As I see it, this joint resolution has three general purposes:

First. To allow the Government to continue to acquire rubber in its own account for stock piling in the event of an emergency. This power, provided in the Second War Powers Act of 1942, as amended, expires the last day of this

month. This joint resolution would extend that power temporarily until permanent legislation is enacted, but, in any event, this measure would cease to be operative after March 31, 1948.

Second. This resolution would prevent the disintegration of our synthetic-rubber-producing industry. Synthetic rubber cannot compete with natural crude rubber in an absolutely free market. Therefore, when natural crude rubber becomes plentiful within the next year it would entirely replace synthetic rubber, and our synthetic-rubber industry would collapse. The United States spent more than three-quarters of a billion dollars to develop the necessary factories, and they should be maintained in the event of a national emergency. House Joint Resolution 118 would permit the continuation of allocation, specification, and inventory controls on crude rubber. This will guarantee the use of some synthetic rubber and insure the preservation of that industry.

Third. This joint resolution would permit domestic users of crude rubber to buy in the foreign markets, and thereby protect the interests of our small businessmen. At present all purchases of crude rubber are made by the Government. Under the present system of Government allocation, the small manufacturers of rubber goods have not received their fair share of certain grades of rubber. By permitting users to buy directly in foreign markets, this measure would insure the small businessmen an equitable share of the total available supply of crude rubber.

This joint resolution has the endorsement of the Secretaries of War and the Navy, and was reported with but two dissenting votes by the Committee on Armed Services.

This resolution, which makes in order consideration of House Joint Resolution 118, was reported unanimously by the Committee on Rules. Although the joint resolution cannot be thought of as controversial or partisan in nature, it is rather technical and deserves detailed explanation. Therefore, the rule provides for 2 hours of general debate. This is a general rule, permitting amendments under the 5-minute rule and one motion to recommit.

Mr. Speaker, there seems to be a little difference of opinion within the Committee on Armed Services. However, that committee is in favor of doing something about the synthetic-rubber problem and the importation of crude rubber.

There were some differences of opinion as to how long the Government should continue to purchase natural rubber and when purchases might be made in a free market. There was no difference of opinion in the committee as to the continuation, for the present at least, of the allocations by the Government of the crude rubber which comes into this country. I am sure that we all realize that the question of when Government buying should end must be considered carefully. I hope there will be no opposition to the rule and that we may pass upon this grave problem promptly, with the best interests of the Nation first in mind.

Mr. Speaker, I reserve the balance of my time.

RULE ON SYNTHETIC RUBBER AND STOCK-PILING BILL EXPLAINED

Mr. SABATH. Mr. Speaker, the gentleman from Ohio [Mr. BROWN] has explained the rule, and to some extent he has also explained the bill. However, I know that later on the chairman of the committee and the ranking members will even more fully explain the need for this legislation.

Of course, I cannot quite understand why it is necessary to give control to the Government so often called bureaucratic when the Government does not ask or desire such control. I have heard a great deal of criticism from you against the Government for insisting on retaining controls which you objected to strenuously. Today, notwithstanding the fact that neither the Administration nor any of the departments is seeking the power of control or distribution of this rubber, it is insisted that such power be given to the Government, willy nilly.

WHERE IS RUBBER FROM GUAYULE PLANTS?

There are some of you who will recall that in the Seventy-eight and Seventy-ninth Congresses we expended large sums of money in the hope that we could grow in th United States, plants that would produce the needed rubber. We even purchased—and I opposed it then—a certain corporation which had been experimenting in Mexico and some other places in growing guayule plants. I have not see any report yet as to the extent we succeeded, and how wisely we acted and expended those hundreds of thousands of dollars.

I agree with the gentleman from Ohio that we have spent three-quarters of a billion in building plants to manufacture synthetic rubber. Some of the plants are owned by the Government. I do not think we should do anything that would in any way endanger the terrific expenditure made on those plants or that they should be discarded or abandoned, as I fear they might be. I am told that some of those plants can with further experience produce synthetic rubber for not much more than we can buy the natural rubber. Synthetic rubber is indeed more suitable for many of the things for which rubber is required.

MANY SUFFER FROM HYSTERIA

Nevertheless, in deference to the view that we must safeguard ourselves against future contingencies, I have no objection either to the rule or to the bill.

However, I feel that many of the gentlemen, in and out of Congress, who so ardently advocate this bill, are suffering from hysteria.

They believe that we must be involved again in war. They are frightened.

I hope to God no such thing ever happens.

We have not yet brought home from foreign battlefields those who fell for their country and their fellowmen in this last terrible war.

Should we not hesitate before we take any action that may in the slightest degree tend to plunge us into a third world war?

Some people, of course, thrive on war talk. I am not one of them.

I hope, therefore, that notwithstanding the passage of this resolution and bill it does not mean we are preparing for war.

I am satisfied that the American people are against war and all wise, prudent, honest, fair men are opposed to any action that we might take which will involve us in war. Therefore, let us work toward bringing about harmony and understanding so that we can be spared again the unnecessary misery that the recent war has brought us.

PRESIDENT'S MESSAGE INTENDED TO INSURE PEACE

Mr. Speaker, I have studied carefully President Truman's message to Congress on the subject of aid to Greece.

You know that I am a progressive Democrat, and I have confidence in President Truman. I know that he is a sincere, patriotic, forward-looking American, and I cannot believe that his message was intended to involve us in war but was to facilitate the adjusting of any and all differences existing, or which might exist, between our country and Soviet Russia.

I cannot and will not believe otherwise. I know it is the President's aim and intent not to weaken but to strengthen the United Nations, and his recommendations for direct American intervention in Greece were made only because the United Nations is not yet mature enough and strong enough to function as the whole world feels it should.

SHOULD AID STARVING PEOPLE EVERYWHERE

Personally, I feel that we should extend all possible aid, without any strings attached except that our relief shall not be used to starve the opposition into submission as the British used UNNRA supplies in Greece, to all the tragic and starving people of the world, who are suffering now in the war's aftermath as much as they did during the war itself.

BUT FEED THEM BREAD, NOT BULLETS

But I know it is the intention of the President to feed these people bread, not bullets.

I shall resist with all my strength, and I know the American people will resist, any effort to make the President's words mean anything else.

On the other hand, I believe that he has intended to expedite and facilitate other negotiations in the Near East—there are many small feudal kingdoms there who need, or believe they need, our help; or is it possible the oil interests have somehow imposed upon us?

ADVISERS MAY HAVE IMPOSED ON PRESIDENT

Mr. Speaker, withal this, I fear that President Truman, whom I know to be a great and honorable American, a wonderful humanitarian who hates war and seeks only relief of starving people, not only in Greece but the world over, may have been imposed upon by that Wall Street lawyer, John Foster Dulles, and perhaps by the Under Secretary of State, the Honorable Dean Acheson, too thoroughly indoctrinated by shrewd British diplomats determined that we shall shoulder their burdens of empire and take over their defaulted commitments.

They undoubtedly hastened the President's action by pressing for such a declaration without waiting for the report of our own American Economic Mission to Greece, or the report of the United Nations Commission of Investigation, both of which are still in that country carrying out their inquiries, and without reference to the rehabilitation program devised by the Food and Agriculture Organization many months ago.

HOPE OF AMERICAN PEOPLE AND OF WORLD LIES IN UN

I am satisfied, Mr. Speaker, that the people of the United States and of the whole world are of the firm opinion that the United Nations was established for the purpose of adjusting any and all discords of disagreements among the nations in order to bring peace to this troubled earth, and that the hopes of the common people lie in UN.

Only this morning I read that General MacArthur proposed and urged that American troops be withdrawn from Japan as soon as possible, and that United Nations then take over the profoundly important job of supervising and encouraging the growth of democracy there.

LaGuardia, too, is a strong advocate of the United Nations' taking over these tasks, and through his experience as Director General of United Nations Relief and Rehabilitation Administration he is thoroughly conversant with the problems and the possibilities.

PRESIDENT AIMED TO STRENGTHEN HANDS OF MARSHALL

It is my firm belief, and any other belief is unthinkable, that the President did not intend to by-pass the United Nations but only to insure the earliest possible peace for Greece and to strengthen the hands of our great Secretary of State, General Marshall, because it would have a wholesome effect in bringing all countries to realize and understand that we stand strongly for those things for which we fought—to bring about real freedom, real democracy, and real independence to all the peoples of the world.

I am sure that the President will not and cannot be swayed by those who have no faith in the people, who are unfriendly to the democratic way of life, and that his individual conviction and great heart will dictate a determined policy of feeding the hungry, clothing the naked, and aiding suffering people, and that he will courageously resist any effort to use American strength and power to aid any tyrannical or corrupt regimes to hold the masses in subjugation against their will.

It would be equally incredible to believe that any aid we might extend to Turkey, which has never shown undue friendship for democracy as we know it, would be knowingly used to help keep the present absolute government in power there against the desire of the Turkish people.

I hope that within a short space of time we will receive a favorable report; that we will be proud and pleased that conditions are improved; and that any danger of war is eliminated.

I trust that the Almighty will give us light and wisdom enough to prevent the bloodshed incident to any war and to ward off further misery to our country.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield such time as he may desire to the gentleman from Minnesota [Mr. MACKINNON].

Mr. MACKINNON. I ask unanimous consent to extend my remarks in the RECORD in two instances and to include an article and a statement by the President.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, I am very much interested in this legislation dealing with the Nation's rubber supply. During the past several years I have given considerable attention to this matter and I hope that the bill we have before us today will lead to a sound, permanent rubber policy.

The necessity for this country having an adequate supply of rubber is not a debatable matter. We could not have won the last war had it not been for our synthetic rubber program. Those of you who served in previous Congresses will recall that the Congress passed a rubber bill centralizing the program and directing the manufacture of synthetic rubber in this country. That bill was vetoed by President Roosevelt, but by Executive order the principle was adopted and a rubber czar was appointed. Mr. Jeffers made that program a successful one.

Now, we have those synthetic rubber plants. They are already in existence. Unless this Congress takes action soon, those plants will go into the discard or be converted into something else. Certainly it is in the interest of the peace of the world to have this country self-sufficient in rubber. The action that we are taking today fits in, I believe, with a bill that I will file within the next day or two. The purpose of that legislation will be to give a tax advantage to the manufacturer of synthetic rubber when it is made of alcohol from agricultural products.

At the present time all of these plants are owned by the Government. Unless a long-range program can be worked out that will assure a market for American made synthetic rubber those plants will go into the discard. We should make it desirable for American businessmen to buy those plants and operate them.

It is in the interest of the defense of the country and in the interest of perpetuating our synthetic rubber industry that this legislation will be offered.

Now, the reason that I will single out alcohol made from farm products as the recipient of this tax advantage is that it will fit in with a general agricultural program. In this country we are plagued with surpluses; some of them may be seasonal, but sometimes, in the nonperishable commodities, we are confronted with millions of bushels of grain and other products that depress the market. The Treasury of the United States is called upon to spend millions of dollars to relieve that situation and to support prices. Why should we not turn those surplus farm products into rubber that we need so badly? The purpose of the legislation which will be offered soon will aim to do that very thing. We are startled sometimes about the reports that we see in the papers. For instance, thousands of bushels of potatoes are dumped because there is no market for them. That should not be, because those potatoes can be turned into alcohol and, in turn, made into rubber, and serve this country. The alcohol can be stored indefinitely. It can be made to work into a long-range program, fitting both the needs of national defense and our domestic economy, and be made to conform with the farm program of the Nation.

The SPEAKER. The time of the gentleman from Nebraska has expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield the gentleman one additional minute.

Mr. CURTIS. I would like to ask the author of the resolution now before us if this legislation before us today, which extends allocation control over rubber, would interfere with a rubber program along the lines that I have suggested.

Mr. CRAWFORD. In reply to the gentleman, this bill today calls for the establishment of and the setting up of machinery looking forward to permanent legislation to deal with the whole synthetic industry, and in view of the fact that agricultural products come within the family of fermenting products, the fermentation industry, anything that ferments can be converted into alcohol, and alcohol can be converted into synthetic rubber, so the whole scheme moves together in one general direction, and perhaps there is a tremendous answer to agriculture if we can bring ourselves to where agricultural products can be used in the fermentation process, and to a point where subsidies would be no longer required.

Mr. CURTIS. May I ask the gentleman one other question? Does the gentleman think there is any chance of getting the American businessmen to buy these plants now owned by the Government and embark upon a program of operating them and making rubber unless a Government policy is adopted that assures them of their position in our market for a reasonable length of time, at least?

Mr. CRAWFORD. It is in the permanent legislation to which this bill refers that the answer will be found to that question.

Mr. CURTIS. I thank the gentleman.

Mr. SABATH. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, men and women the world over today continue to perpetuate the sanctity and miraculous deeds of St. Patrick, patron saint of Ireland.

St. Patrick is one of the great figures of church and of history.

No man since the death of the Redeemer so fired the spiritual imagination

of a people, so vitally influenced the heart and mind of a nation. The people of Ireland have ever practiced the lessons learned in the early days of history when the light of Christianity, through the religious revelations of St. Patrick first broke through the darkness of paganism. The inspirational teachings and miraculous life of this great apostle have left an indelible imprint on the national life of Eire, and on countless millions of people elsewhere.

Ireland, its people, their descendants, as well as millions of other peoples have never wavered in their adherence to and practice of all the spiritual values bequeathed by St. Patrick.

The date of his birth has variously been placed at from A. D. 373 to 389. At the age of 16 he was captured by Irish marauders and sold as a slave to a chieftain in a territory of the present county of Antrim in Ireland, where for 6 years he tended flocks. During the years of his captivity, he prepared himself for his future apostolate, acquiring a perfect knowledge of the Celtic tongue and, as his master was a druidical high priest, becoming familiar with all the details of druidism, from whose bondage he liberated the Irish race. He escaped from Antrim and went back to his own country. Impelled by visions, similar to those which inspired Joan of Arc, he decided to return to Ireland and preach the gospel. He went to France, was educated, ordained a priest, and later consecrated bishop.

Subsequently, accompanied by several ecclesiastics, he was sent to Ireland.

St. Patrick wrote two short works, both of which have survived: his Confessio and his Epistle to Coroticus. In his Confessio the character of St. Patrick is completely revealed, exemplifying, as it does, his piety, zeal, sacrifice, and courage in the face of every danger and every trial.

It was probably in the summer months of the year 433 that Patrick and his companions landed on the banks of the Vantry River, close to Wicklow Head. The Druids were at once in arms against him. St. Patrick, not discouraged, resolved to search a more friendly territory. He proceeded toward Dalaradia, where he had been a slave, to pay the price of his ransom to his former master. He then rested for some days at the islands off the Skerries coast. Tradition points out the impression of St. Patrick's foot upon the hard rock off the main shore at the entrance to Skerries Harbor. He continued his course northward and preached to the natives in their native tongue the tidings of the Redemption. There he performed his first miracle on Irish soil to confirm the honor due the Blessed Virgin and the divine birth of Christ. Proceeding onward he was met by a chieftain who sought to prevent his further advance. The chieftain drew his sword, but his arm became rigid as a statue and continued so, according to tradition, until he declared himself obedient to Patrick. Overcome by the Saint's meekness and miracles, the chieftain asked instructions and made a gift of a large barn in which the Sacred Mysteries were offered. This was the first sanctuary consecrated by St. Patrick in Erin. In later years it became the chosen retreat of the Saint.

In the year 440 St. Patrick entered on a special work of the conversion of Ulster, and the following year the Lives relate the wonderful spread of Christianity through the province. In 444 the site for a church was granted at Armagh by the chieftain of the district.

He continued ever onward throughout Ireland. The fame of his miracles and sanctity preceded him wherever he traveled.

St. Patrick continued to preach the Gospel until his death, visiting and watching over all the churches he had founded. He comforted the people in their difficulties, strengthened them in the practice of virtue and appointed pastors to continue his work among them. It is recorded that he consecrated not less than 350 bishops. The manifold virtues of all the early saints were exemplified in the life of St. Patrick. When not engaged in the work of his ministry, he spent his time in prayer. He never relaxed penitential exercises. Clothed in rough hair shirt he made the hard rock his bed. Countless persons of high rank presented him with rare gifts, but all were restored to them. He had not come to Erin in search of material wealth. His mission was to enrich Ireland with spiritual treasures.

The apostolate of St. Patrick in Ireland was not an unbroken series of triumphs. He was subjected to frequent trials at the hands of the Druids and other enemies of Christianity. He tells in his Confessio that no fewer than 12 times he and his companions were seized and carried off as captives, and on one occasion in particular he was placed in chains and his death decreed. From all these trials and sufferings he was liberated.

St. Patrick, when he had completed his triumph over paganism in Ireland, prepared for his eternal reward. It is recorded that in his last prayer a special vision was shown him. He saw the whole of Ireland lit up with the brightest rays of divine faith. St. Patrick prayed that this light would never be extinguished, and as he prayed an angel came to him and said: "Fear not, your apostolate shall never cease." The light grew in brightness and did not cease until all the hills and valleys of Ireland were lit up in splendor. The angel again spoke: "Such shall be the abiding splendor of divine truth in Ireland."

St. Patrick died at Saul on March 17, 493. Some of the ancient Lives record that for several days the light of heaven shone around his bier.

Today every friend of Ireland in America recalls the glory of St. Patrick. Fifteen centuries have failed to dim, despite vicissitude, war, and famine, the loyalty and devotion of Ireland to the heritage of the great apostle.

Devotion to liberty, steadfastness in the cause of justice, zeal for learning, love of music, charm of wit, fidelity to God, lessons taught by St. Patrick and never forgotten by the followers of this great apostle, have and ever will endear the Irish to the nations of the world.

Unselfish to a fault in a selfish world, the motto "not for ourselves, but others" is ever a guide post for those of Irish ancestry as they follow in the footsteps of St. Patrick—the epitome of unselfishness.

Mr. SABATH. Mr. Speaker, it would indeed be grand if the leaders of all churches should emulate the teachings of the great patron saint of Ireland, St. Patrick, who actually followed the teachings of Christ in his daily life, and by his works proved his faith in humility, brotherhood, justice, freedom, and liberty. I congratulate the gentleman from Massachusetts for the wonderful address on the life and works of St. Patrick, whose whole existence was dedicated to and proof of justice and brotherly love.

Mr. BROWN of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, I received a letter this morning from our genial friend, Joe O'Brien. This is what he writes:

> DEAR BOB: Greetings, salutations, and every good wish from your sincere Irish friend who could not let this glorious day pass without sincerely saying "God bless you, may your life be filled with happiness, health, and prosperity, from a descendant of St. Patrick whose ancestors were the noble kings of Ireland.
>
> JOSEPH J. O'BRIEN.

Mr. BROWN of Ohio. Mr. Speaker, I yield 7 minutes to the gentleman from Massachusetts [Mr. CLASON].

Mr. CLASON. Mr. Speaker, I wish to bring to the attention of Members of the House some changes which I think should be made in House Joint Resolution 118, in order to make it for the best interests of the American consumers. I believe that as it is now written, this resolution forgets the American consumer. I say that for this reason: At the present time the United States Government is buying all of the crude rubber which comes into the United States. It is allocating it, on the basis of plant capacity, to the different companies. There are about 800, as I understand, in the United States, making about 40,000 different items. During the war companies changed their plant capacities. Therefore, it was decided that in order to be fair to every one of the companies using crude rubber, the allocation should be on the basis of their present-day plant capacity. It is my understanding that this is entirely satisfactory to the industry. It is fair to the large and to the small consumers alike. They all get treated on exactly the same basis.

I think if you will read the testimony of Mr. Schrank of the Seiberling Co. in the hearings, you will see that his company, which is a comparatively small one, buys no rubber in the Far East, and it has to rely on what is brought into this country. Because of the fact that the United States Government is buying all the rubber, this company, as well as all other small companies, is securing its fair allocation of the rubber.

There is a Rubber Advisory Committee to the Government. I believe there are about 17 representatives of the industry on this committee. According to the information which I have received only about two or three of this entire group favored House Joint Resolution 118 as it

is now written. Others believe, and believe strongly, that the Government should continue as the sole purchaser of crude natural rubber. It is interesting to note that according to W. J. Sears, who is Director of the Rubber Division of the Civilian Production Administration, and whose testimony is in the hearings, that in his opinion it is better to go ahead with the Government remaining as the sole purchaser of rubber and then allocating the rubber to the different companies which may need it.

Now, what happens under this proposition? The Government finds out from the different consumers about how much rubber they expect to use in the following quarter, or 3 months. Then, having found out that amount, they allocate this rubber. They tell the different companies how much they must pay for it, and the United States Government, before it buys this rubber for these private companies, receives a certified check from each company for the amount it is to have. The Government cannot lose a cent, because the amount that it receives is increased from the price that the Government is paying to the producer, by the amount that the Government expects to pay for the warehousing, interest, and other charges. In fact, as far as the testimony is concerned, the Government has never lost a cent and possibly is ahead.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. CLASON. I yield.

Mr. RICH. Is it not a fact that if we pass this legislation we will not be dependent hereafter on rubber coming in from foreign countries?

Mr. CLASON. That is not wholly true, because synthetic rubber, according to all the testimony—and, as I understand, all manufacturers agree—is not of as good quality as 100-percent crude rubber. Therefore, for certain products we must have some crude rubber. For practical purposes, that is true.

Mr. RICH. In case of dire emergency our stock pile would be very limited that we would have to carry in order to continue on, in case of a real emergency such as we have just passed through?

Mr. CLASON. We went into the last war with between 500,000 and 600,000 tons of crude rubber in this country. With that total amount, toward the end we got down to the point where we were only able to use 11-percent natural rubber, together with the synthetic rubber. It got to the point where the product was not too good.

Mr. RICH. Is it not a fact today that by using part synthetic rubber and part natural rubber a better product is made than where all natural rubber is used?

Mr. CLASON. No; every manufacturer says that is not so. In other words, our tires today are made of 42 percent natural rubber and 58 percent synthetic. Abroad tires are made of 100 percent natural rubber. They are in position to do that and their tires are better than ours, will give longer wear—and better golf balls, too.

Mr. RICH. That is a point I am interested in.

Mr. CLASON. I thought that would appeal to the gentleman. That is the information I get.

As I was pointing out, the Government cannot lose. The Government stock pile today is 160,000 tons. This stock pile is built up not with Army and Navy funds as a war emergency stock pile, but under RFC funds. The rubber could be distributed to the trade, but is not, and the trade is not asking that it be distributed unless the Government wants to give up holding this stock pile. In fact, the trade would be very glad to get it and pay more than the Government paid for it; so the Government cannot lose.

Mr. Sears, who is the man who runs it, has stated in his testimony that in his opinion the Government cannot lose any money. He has also stated that in his opinion the best way for the Government to handle this program is for the Government to remain the sole purchaser of crude rubber. That is his point.

He also indicates in his testimony that the Government cannot properly control rubber, which individuals may privately buy.

Under the resolution as brought in here—and I hope it will be amended—the Government will no longer be able to allocate rubber as successfully as at present. It is very doubtful if any amendment can be offered to H. R. 118 as now written that will give the Government the right to allocate the rubber successfully other than one containing the present program. The result will be a world market that will cause the price of rubber to jump as it did after the last war. At that time it went to $1.23 a pound. Remember that for every cent rubber goes up the cost of the rubber in your tire goes up ten times. So if the price of rubber goes up 10 cents it means the price of your automobile tire will be increased by a dollar.

I include with these remarks the following table to show the probable course of rubber stocks in the United States:

United States 1947 natural-rubber situation

[Long tons]

	First quarter	Second quarter	Third quarter	Fourth quarter	Year 1947
World arrivals in consuming countries	250,000	260,000	300,000	390,000	1,200,000
Arrivals in United States	[1] 200,000	80,000	165,000	255,000	700,000
Estimated natural-rubber consumption, United States:					
42-percent basis	125,000	115,000	98,000	90,000	428,000
60-percent basis		162,000	139,000	127,000	553,000
UNITED STATES NATURAL-RUBBER STOCKS, END OF PERIOD [2] (237,000 JAN. 1, 1947)					
End of period: [2]					
42-percent basis	312,000	277,000	344,000	509,000	509,000
60-percent basis		230,000	256,000	384,000	384,000
Less emergency stocks		160,000	160,000	160,000	160,000
Stocks for industry use	312,000	70,000	96,000	224,000	224,000

[1] 75,000 tons of which comes from British accumulated stock rather than direct from production areas.
[2] Including the stock which may be frozen by military for possible emergency of 160,000 tons.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. BROWN of Ohio. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

The SPEAKER. The gentleman from New York [Mr. ANDREWS] is recognized.

Mr. ANDREWS of New York. Mr. Speaker, the gentleman from Michigan [Mr. SHAFER], chairman of the subcommittee handling the bill under consideration, will be in charge of the time on this side.

The SPEAKER. The gentleman from Michigan [Mr. SHAFER] is recognized.

Mr. SHAFER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 118, to strengthen the common defense by maintaining an adequate domestic rubber-producing industry.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 118, with Mr. PLOESER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. VINSON. Mr. Chairman, I ask that the distinguished gentleman from Louisiana [Mr. BROOKS] may control the time for the minority.

The CHAIRMAN. The gentleman from Louisiana [Mr. BROOKS] will be recognized to control the time on his side.

Mr. SHAFER. Mr. Chairman, I yield myself 12 minutes.

Mr. Chairman, crude or natural rubber is in short supply in the United States today, and undoubtedly will continue to be so until 1948. During the war, the Government found it necessary to control the use of crude rubber drastically, in order to preserve a fast-dwindling rubber reserve. In order to supplement crude rubber, the Government expended millions of dollars on the development of synthetic (or domestic) rubber. It can be safely stated that the development of this industry was a most important factor in the winning of the war.

Now we are faced with the necessity of protecting that domestic industry so vital to the Nation's defense. We are faced with the problem of continuing controls in order to first, assure the maintenance of the synthetic rubber industry; and, second, assure the equal distribution of crude rubber that is still in short supply.

Thus, House Joint Resolution 118 has, basically, a twofold purpose.

We have $786,000,000 invested in synthetic rubber plants. Unless we require, by law, the consumption of some synthetic rubber, that industry will disappear and be lost to the Nation if we are again faced with a national emergency. There can be no question that, at present, natural rubber is more desirable as general-purpose rubber than synthetic. Given an opportunity, through technological development, it is reasonable to anticipate that we may in the near future produce a synthetic rubber that is equal to or better than crude rubber. However, we have not yet reached that point, insofar as general-purpose rubber is concerned.

In order to protect the insufficient natural rubber on hand, the Government required, through specification control, the use of a substantial percentage of synthetic. In addition, through allocation control, the Government, as the sole purchaser of rubber, allocated rubber to rubber manufacturers. Finally, the Government used inventory control to prevent any manufacturer from having on hand more than his share of rubber. These controls coupled with Government purchase of rubber, worked out admirably throughout the war and are still functioning successfully. House Joint Resolution 118 recognizes the necessity for continued controls over rubber.

Two resolutions were considered by the Committee on Armed Services, House Joint Resolution 77 and House Joint Resolution 118. The basic difference between the two resolutions was that House Joint Resolution 77 continued all controls as they are presently operated, and House Joint Resolution 118 eliminates the public purchase feature. After considerable testimony had been taken, the Committee on Armed Services adopted House Joint Resolution 118.

The importance of this legislation to the American people cannot be overestimated. All controls over rubber will expire on the 31st of March of this year. These controls have been operated successfully and have provided the American people with essential rubber products for several years. Should we permit these controls to expire, it requires no imagination to see what the next few months would have in store for the rubber industry. Because of a very understandable human reaction, the first manufacturer to come on the market with an all natural rubber tire, for example, would undoubtedly capture the entire market. Other rubber manufacturers in order to compete, would of necessity, have to scramble on the world market for natural rubber. The net result would be the end of the synthetic rubber industry because without controls no purchases of synthetic rubber of any size would be on the market for that product. In addition, we are faced with the other edge of a double-edge sword, in that we still are in short supply of crude rubber. Elimination of controls would undoubtedly cause unequal distribution of the available crude rubber.

The Committee on Armed Services having considered both resolutions long and carefully, determined that we could eliminate the public purchase of rubber so long as we continued the other necessary controls. We adopted House Joint Resolution 118 because it was felt that there was going to be a sharp increase in the supply of natural rubber in the near future, and that requiring the Government to maintain the necessarily large rubber inventory for the nation, could cause a definite loss to the Government when prices dropped and controls ceased. In addition, it was felt that the restoration of private purchasing was definitely in line with the theory of getting the Government out of business. The Committee recognized that there were features of continued public purchasing that were desirable. On the other hand, it was considered that the reasons for eliminating public purchasing were even more desirable. Therefore, the Committee on Armed Services adopted the resolution that provides for continued controls of rubber, both crude and synthetic but restores private purchasing. We were assured that controls could operate successfully without the Government being the purchaser.

The Committee on Armed Services further felt because of the confusion surrounding the meaning of the word "allocation" that it was desirable to spell out the controls that the Government could continue, and we, therefore, amended the resolution so as to provide specifically for allocation, inventory, and specification control. Also, in order to eliminate any possibility of misunderstanding as to the main purpose of protecting the synthetic-rubber industry, we amended the resolution by adding the words "and synthetic" where reference was made to crude rubber. Finally, your committee recognized that certain types of rubber, such as latex and pale crepes, were in critical short supply, and we are aware of the fact that in order to distribute this rubber properly the Government must, of necessity, allocate these supplies. This can be done, however, through allocation without import control.

In conclusion, I must repeat the urgency of the proposed resolution. Unless some action is taken by Congress before the 31st of March of this year, the synthetic-rubber industry and the rubber industry as a whole may receive a blow that will destroy the synthetic industry and create a confusion in the rubber industry that will ultimately have its effect on increased costs to the consumer.

Mr. CHAIRMAN. Representatives of every department of Government came before our committee and testified that public purchasing of rubber should be stopped; every one of them. Only one person in Government—and he was mentioned in the discussion on the rule—came before us and recommended continued purchasing of rubber by the Government. That was one man who has had charge of the Government purchasing. The reason for his wanting to continue the controls is obvious to anyone. Certainly he would like to see his department continue. And it will continue under this resolution. Under this resolution he will still be the man to allocate rubber to these various industries.

If you look through the record of the hearings on this measure, you will find there are hundreds, literally hundreds, of small manufacturers who want the public purchasing discontinued. All are in favor of House Joint Resolution 118. There were three major companies that were for the continued public purchasing, but the overwhelming number of witnesses were for the Crawford bill, which is House Joint Resolution 118.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. SHAFER. I yield to the gentleman from Michigan.

Mr. CRAWFORD. In support of what the distinguished chairman of the committee just said, Members can read pages 899–908 of the hearings and see some 11 pages of telegrams and letters which have been sent in to the chairman of the committee and others in support of this measure. Those are small firms, small manufacturers, who desire that the Government discontinue buying rubber for their account.

Mr. SHAFER. That is true.

Mr. CRAWFORD. I wish to congratulate the gentleman and his committee on bringing this resolution to the floor.

Mr. ANDREWS of New York. Mr. Chairman, will the gentleman yield?

Mr. SHAFER. I yield to the gentleman from New York.

Mr. ANDREWS of New York. I think it might be interesting to point out in connection with the gentleman's statement as to governmental agencies that those governmental agencies included both the War and Navy Departments and most importantly the War-Navy Munitions Board. There are those who are fearful of military stock piles. The officials of both the War and Navy Departments and the Munitions Board, who are most vitally concerned with this subject, were those who were strongest in the recommendation of the Government's getting out of the purchasing game. It was also the testimony of the State Department and of the former head of the governmental controls, Mr. William L. Batt.

Mr. LEWIS. Mr. Chairman, will the gentleman yield?

Mr. SHAFER. I yield to the gentleman from Ohio.

Mr. LEWIS. Will the gentleman explain to the House why some of these companies favor governmental controls and some do not?

Mr. SHAFER. The answer to your question is all in the record. And there

are other reasons which, I am sure, will be brought out later in the debate.

Mr. BROOKS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this bill is of primary importance. It is of extreme urgency to the rubber industry of the United States. As the previous speaker has informed you, the temporary controls go off completely at the end of this month. We have in this Nation a brand new American rubber industry which will be entirely out on its own if no action is taken before the first of the month. Therefore, I say the bill is of tremendous importance to the country from the domestic viewpoint and of vital importance from the national defense viewpoint.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield for a question.

Mr. SPRINGER. I just want to ask one question: Subcommittee 4 of the Committee on the Judiciary, of which I am chairman, is now hearing evidence on the question of controls, and in that is also included this rubber matter. If these controls are entirely eliminated on the 31st of March, what effect will that have on the small dealers throughout the country and the small businessmen throughout the country.

Mr. BROOKS. I am going to touch upon that in just a moment in the course of the remarks I am going to make. I will be glad to answer the question, and if I have not, when I have finished, I would welcome the gentleman's asking me again.

Mr. SPRINGER. I will be very happy to hear the gentleman's explanation of that subject.

Mr. BROOKS. I want to offer a tribute to the subcommittee on the Armed Services Committee that handled the hearings in this matter. From the chairman on down they have done a splendid job. They were painstaking in their efforts to develop all of the facts and were very patient in listening to all the witnesses. After the hearings had been concluded, the subcommittee sent out for four or five experts on rubber and asked them to come down and again present to the committee some of the facts which the committee was doubtful about before the committee finally proceeded to write the bill and to vote on it. So, I think the subcommittee and the chairman are entitled to praise for their interest and patience in developing the hearings on this bill.

Mr. Chairman, I was one of the group in the committee who voted to give some additional time during which the Government might continue its public purchasing program. I voted to extend that time 3 or 4 months and did so solely for the purpose of giving these rubber companies an opportunity to get their business in shape to make the necessary changes.

Mr. Chairman, the hour has come when they must prepare themselves to handle their own businesses. I do not think the situation is such as to justify a long delay in stopping public purchase. In other words, we ought to act and send this bill without amendment to the other body in order that we may take proper action before the first of the month.

Mr. Chairman, this country was in a tragic situation, so far as rubber is concerned, at the time of Pearl Harbor. It is true that the Committee on Military Affairs before that time had made extended investigations of the situations which might develop in the event that we became plunged into war and the importation of rubber from foreign sources was completely cut off. It is true that we have made an effort to build up the stock pile of rubber in the United States so that we would not be placed in the position of being unable to carry on our domestic economy and fight a war for a lack of rubber. We had appropriated money to buy natural rubber. We had built up a stock pile in this country to protect ourselves against any such eventuality. When we were attacked at Pearl Harbor, this Nation had a stock pile of some 500,000 tons of natural rubber and there was at that hour when the future of this country hung in the balance afloat on the high seas 100,000 tons of natural rubber, making a total possible stock pile of 600,000 tons of natural rubber at Pearl Harbor. At that time this amount seemed to us, thinking of prewar days, a sizable stock pile on which a great nation might properly rely in the event of war and in the event our imports of this vital commodity were cut off. Yet, Mr. Chairman, we find as a matter of fact that our consumption of rubber prior to the war in the 5 years immediately preceding Pearl Harbor ran approximately 500,000 to 550,000 tons. So that relying upon our prewar needs at the most this country had only a year's supply on hand. Then when we plunged into war, the demand for rubber increased beyond all expectations. We found in a short while that this Nation needed approximately 1,000,000 tons of rubber per year in order to maintain our domestic economy and carry on a war at the same time. That brought us to a crisis. Those of us who sit here can remember it has been only a few years back when because of scarcity of rubber tires we were limited in the operation of our automobiles to 300 miles per month. It has been only a short time since we were unable to buy rubber commodities generally throughout the country. Those who like to play golf were denied that opportunity because there were no golf balls available. There was very little general rubber available for our needs domestically or for war use. So, in order to meet that situation, immediately our people got busy. As has been well said, we have spent $700,000,000 to $750,000,000 in building up a synthetic rubber industry. That industry is operating and going at the present time.

Mr. Chairman, we can produce a million tons of synthetic rubber in the industry which we built up under the whip of World War II. That industry now is not stable. That is the reason we bring before you House Joint Resolution 118 and ask for its passage. That is the reason why, if controls go off completely on the first of the month, our synthetic-rubber industry will be lost. We cannot afford that. It is very vital to this Nation that we are to have a domestic supply of rubber and we must not permit the synthetic-rubber industry to go out of business. We believe that if House Joint Resolution 118 is passed the synthetic-rubber industry will be protected. We believe it because it will give the Government sufficient controls to protect that industry.

I will illustrate it in this way, Mr. Chairman: At the present time the production of natural rubber in the producing areas of the world is approximately 50 percent of normal production of natural rubber. By the end of 1948 the production of natural rubber in the producing areas of the world ought to reach a normal condition. At that time those areas ought to produce 1,700,000 tons of rubber each year. That amount of rubber is more than the world needs under the present rate of consumption. That amount of rubber will exceed the needs of the country.

The CHAIRMAN. The time of the gentleman from Louisiana [Mr. BROOKS] has expired.

Mr. BROOKS. Mr. Chairman, I yield myself five additional minutes.

So, within a short time we will find in this country that natural rubber is in surplus. In other words, that there is more natural rubber than the country can consume. That puts it directly in competition with our own domestically produced American synthetic rubber.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield for a question?

Mr. BROOKS. I yield.

Mr. SPRINGER. Taking into consideration the fact that we will receive a proportionate share of the natural rubber, will that be an amount sufficient for us to produce the rubber that is needed in this country, with the mixture between synthetic and natural rubber as is now contemplated?

Mr. BROOKS. In reply to the gentleman's question, witnesses testified in the hearing that by the end of this year this country should have imported 720,000 tons of natural rubber, as I recall the figure. If that amount of natural rubber is imported into the country, it will give us ample natural rubber to carry on adequately our domestic industries. For instance, we hope to require a minimum of not less than 250,000 tons of synthetic rubber. We hope, by requiring a certain percentage of synthetic rubber to be used in all commodities which require rubber, that we can keep the synthetic industry operating on a minimum basis at home. We can take the economically profitable synthetic-rubber plants, which should produce some 600,000 tons of synthetic rubber each year, and we can keep at least a part of those in operation. For the others we can place them in a stand-by condition against a future emergency when our overseas rubber supply might again be cut off; and by requiring a minimum—not less, let us say, than 15 to 40 percent—of synthetic rubber to be used in the manufacture of rubber commodities, we can guarantee the American rubber industry will continue on an operating basis sufficient to protect the vital needs and interests of the United States of America. This is the reason this bill is so fundamentally important

to our people and to the safety of our country.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield.

Mr. ELSTON. I am wondering if Government purchasing is eliminated and we retain our allocation powers, how the Government is going to enforce allocation?

Mr. BROOKS. The Government will enforce them, I may say to the gentleman, through its specification requirements. The Government purchase-of-rubber program is needed only as long as natural rubber is in short supply. In reading the testimony of witnesses before the subcommittee, I am convinced that rubber is just about to come into normal supply in the United States and that within the next few months, if we meet anything like the goals set for us by those in charge of this program, we shall have an ample supply of natural rubber, excepting two particular kinds, that is, pale crepe and liquid latex, to meet our needs and to keep our industry operating as it should operate.

Mr. MACKINNON. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield.

Mr. MACKINNON. Does this bill require that a minimum percentage of synthetic rubber be used in all rubber products.

Mr. BROOKS. No; may I say to the gentleman, the bill itself provides no percentage but it does give the Government authority to set a percentage in the manufacture of commodities so that a certain percentage of our domestically produced American rubber will be consumed. This percentage requirement may vary with the type of commodity.

The general public seems to have the idea that natural rubber has superior qualities to synthetic rubber. In many respects that is correct; but given ample time, it is more than likely that our chemists will produce a synthetic rubber which in many ways will be far superior to natural rubber. At the present time, it is certain that our synthetic rubber industry must compete with natural rubber, and the trade feels that although natural rubber does have some superior qualifications, the synthetic program must be given protection if we are to continue the production of American synthetic rubber.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. SHAFER. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. CLASON].

Mr. CLASON. Mr. Chairman, earlier in the afternoon I attempted to explain to some extent the reason why I believed there should be an amendment to House Joint Resolution 118. The amendment I will offer reads as follows:

On page 3, line 18, after the word "to", insert the words "act as the sole purchaser and seller of crude rubber and to."

Page 2, line 19, strike out the word "temporary."

On page 4, in lines 8 and 9, strike out the words in parenthesis.

On page 5, add a new paragraph as follows:

"(c) The powers, duties, and functions and authority of the United States to act as the sole purchaser and seller of crude rubber to be used in the United States shall continue in force until the effective date of permanent legislation enacted to accomplish the policy set forth in section 1 (b) hereof, but in no event beyond September 30, 1947; and as so continued it is hereby directed that it shall be exercised and performed by the Reconstruction Finance Corporation while that Corporation has succession, and thereafter by such officer, agency, or instrumentality of the United States as the President may designate."

The reason why I am offering that amendment is this: All of the testimony indicates that the Government has been successful in its buying of crude rubber abroad. It has carried on the work to the satisfaction of the manufacturers in the United States, it has allocated the rubber that came into the United States, it has not lost a cent of money on the deal and it cannot lose a cent because, as I pointed out before, the manufacturers send in certified checks before the rubber is bought for the entire amount allocated to every purchaser.

England did not permit a free market up until December 31, 1946. During that period of time England saw to it that enough crude rubber went into the pipe lines of the English manufacturers and the English Government so that they are in position to carry on their business for a full year using 100-percent crude rubber. In other words, they have laid in a pile for at least one full year. In fact, they so cut into the amount of available rubber during that period that in order to give to the United States Government the amount that should have been given to it under allocation they furnished out of their own stock piles or whatever rubber was in their control, a certain amount, 70,000 or 75,000 tons, perhaps more, in order to given the United States people the amount that they are entitled to.

The French, on the other hand, have done even better than the British. They have put in enough rubber into their pipe lines and into their supply for France for more than a year and a half, probably close to 2 years.

In the United States we are in such close supply that today we are using 42 percent natural rubber and 58 percent synthetic. Our tires are an inferior product, there is no question about that, so far as rubber is concerned when sold in competition with British tires in any foreign market.

All of us feel that we want to keep this synthetic business of the Government going on such basis that we will never be in actual need of rubber; therefore, the manufacturers say, Let us let the Government continue to buy crude rubber as it has in the past up until September 30.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield to the gentleman from Indiana.

Mr. SPRINGER. May I say that Subcommittee No. 4 is now hearing testimony on the question of extending the Second War Powers Act, in which is included this rubber situation. If this measure is passed by the House today, will not that legislation take care of the rubber situation without any extension of the Second War Powers Act on the same subject?

Mr. CLASON. I think it would. The only thing that ought to be done by the Congress and ought to be done at once is what the gentleman from Louisiana pointed out. We should pass legislation for the operation of the synthetic rubber plants owned by the United States Government, in other words, either by sale or lease. A certain amount of tonnage should be required to be manufactured and the persons in the United States who use rubber, such as the tire manufacturers, should be required to use that total tonnage which is needed in the interest of the United States.

Mr. SHAFER. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield to the gentleman from Michigan.

Mr. SHAFER. Does not Resolution 118 do that?

Mr. CLASON. Not satisfactorily for this reason, and I want to point that out. We have in this country a need for a great deal of rubber. Synthetic rubber, of course, is being manufactured in sufficient quantities. But the grade of the products of our manufacturers is not as good as the consumers are entitled to and we should have more of the natural rubber. During the next 6 months—that is, from March 31 to September 30—in order for our manufacturers to get sufficient supply and so that they may build up in order to go ahead without danger of a market which will be critically short, they ought to have the Government continue its present program and only to that date. After September 30 there will be so much free crude rubber in the world to be purchased that I am told, and the evidence and hearings show, that the manufacturers can obtain it at a fair price.

But today the supply is so short that by the end of the second quarter, on June 30, there will be only 70,000 tons of rubber for industry use. That would be the margin. At the end of the third quarter, on September 30, that will have increased to 96,000, and thereafter it goes up rapidly to 224,000, and the manufacturers are in the clear.

Now, what does House Joint Resolution 118 offer? All it offers is freedom of purchase. Every manufacturer can go out and buy in a free market, according to what we are told, but that market has got to be a competitive market; in fact, every witness, so far as I recall, said that the price of rubber will go up in that market. Who is going to pay that increase in price? It is the consuming public of the United States. There is no reason for its going to unheard of or any higher prices than are absolutely necessary if we will only continue the present system until September 30, and that is the statement that the man who is now running the business for the United States Government, Mr. Sears, made. He says that the present purchase system is the best system.

Now, suppose we have 40 or 50 different companies going into the market and buying rubber, and there are 800 manufacturers that need crude rubber. How are the other 760 going to get their fair share of the crude rubber that is brought

into this country? As a matter of fact, no program has been set up. There was some talk of its being an import license program, but the import license program is stricken out by the very words in this bill. How are they going to do it? They do not know. The people do know, however, what the program is today, and if we will continue it until September 30, we will not need to worry at all about any change in program.

The rest of the bill remains intact. The Government, of course, ought to, as we say, pass legislation for the development and use of the synthetic rubber industry which is now being operated by the United States Government. When the plants are sold or leased and operated properly, and a certain number of tons are being turned out, the trade, under some sort of specifications for the kind of tires sold, will use it all. We will have a $700,000,000 industry running along on a supply basis and a spare basis which will protect this Government against any emergency that is likely to arise in the next few years. Without doing that we will be in trouble, and Congress is not doing anything, apparently, about it. Now, if Congress had passed that kind of legislation we would not have to have this bill. Further than that, there would not be any further purchase by the Government of crude rubber. There will not be any need for House Joint Resolution 118 the moment the Government program for the synthetic rubber plants has been announced and carried into effect. Congress should act on this matter at an early date.

Mr. BROOKS. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. DEVITT].

Mr. DEVITT. Mr. Chairman, I ask unanimous consent to proceed out of order.

Mr. SHAFER. Mr. Chairman, I object.

Mr. BROOKS. I have no further requests for time, Mr. Chairman.

Mr. SHAFER. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, we find ourselves in the happy position of having all of the agencies of government coming to Congress and asking that we relieve them of the business of purchasing rubber in the open market for the use of the general trade in this country and letting our businessmen go back to their own ways of doing business as we followed in this country for some 160 years.

I think this is one of the finest opportunities in the world for Congress, and particularly for the party now in charge of the House and the Senate, insofar as the majority vote is concerned, to carry out some of our campaign pledges and get rid of some of these controls and let people run their own affairs.

For instance, here I have the direct testimony of John C. Houston, Commissioner of Civilian Production in the Office of Temporary Controls. May I say to my friend from Massachusetts, who has been quoting Mr. Sears so much, that this is the boss of Mr. Sears speaking. If you will read the testimony of Mr. Sears you will find that he was speaking as an individual and not as head of his division, and also as a former employee, for 9 years, from 1932 until 1941, of the United States Rubber Co. in Detroit, Mich. You will find that on page 862 of the hearings. I think you will also find that his old company was opposed to this resolution as here presented; in other words, his old company prefers to have the Government stay in the business of buying rubber, carry the inventory risks of the company, and saddle the cost, if there be any, on the taxpayers of the country, instead of letting private enterprise run its own business and carry its own risks and use its own judgment. Frankly, I do not give value to Mr. Sears' testimony. But this is what his boss said, Mr. John C. Houston:

> It is the opinion of the administration, and I speak specifically in this connection for Mr. Steelman, the Department of State, the Reconstruction Finance Corporation, the War and Navy Departments, the Department of Commerce, and the Office of Temporary Controls, that exclusive Government importation of natural rubber should be discontinued not later than March 31, 1947.

That is the end of this month.

> This matter has been given the most careful consideration by the agencies concerned with the public purchase program and they are in unanimous agreement that the ban on private imports is no longer justified and should end.

Let me say that talks right down my alley, because I do not like to have the Government doing my buying. I would prefer to use my own judgment any time I get ready to buy anything, whether it is rubber or something else.

Our friend from Massachusetts has further referred to the testimony of Mr. Sears, and I want to dwell on that just for a moment. On page 872 Mr. Sears says:

> I think that public purchase is perhaps the surest way.

He is not certain about the matter at all. Of course, this resolution prevents the further purchase of natural rubber on the part of the Government for the benefit of the regular rubber trade.

Mr. Sears says:

> Now, if we do not get our flow of rubber under public purchase—and experts far better qualified than I can give you information on that—then, we do not have the advantage that I have indicated. It is clear that our processes would be far easier, if we look to one source of supply.

Let us talk commodities for a few moments. Suppose you gentlemen over here on my left are suppliers of rubber. Here on my right are prospective purchasers of rubber. Would you prefer to sell to one single purchaser of rubber or would you prefer to have a market where you could distribute your products to many customers over a wide area, especially if you are facing into a rubber storm, as indicated by this testimony, which gives us satisfactory evidence that the supply of natural rubber will soon be back on the world market seeking a home in which to locate itself, instead of being a scarce article as it has been here in recent years. We know as well as we know anything from a commodity standpoint, that there will be plenty of raw rubber within another 6 to 12 to 18 months. The testimony of rubber experts before this committee shows that.

As you move into a declining market on a commodity, it is good business for you to unload your stocks and get out from under the market? Of course it is. Naturally it is good business for the United States Government to discontinue buying rubber at this time and let the rubber operators of this country assume their own market risks. Then they will be more careful in buying rubber. They would not load up so with heavy stocks of rubber. That would bear the market, and give still lower prices. But if we in Congress are so unintelligent on commodity markets as to keep the Government in the market and let the Government load up with 150,000 tons or 200,000 tons of rubber for the trade which the trade has not yet contracted to take off the hands of the Government, if the market then should break, for each 1 cent per pound drop in the price of rubber the Government, that is the taxpayers would lose on today's market about $2,200,000 on the 100,000 tons held by the Government.

Look at the enormous insurance and warehouse costs being imposed upon the taxpayers by reason of the Government purchases. No wonder the administration says, "Please take this responsibility off our shoulders and let the market go back to the men who run the market because supplies are going to be adequate."

Mr. Sears further pointed out here:

> I want to emphasize that the opinion I gave is a personal opinion only and not the official position of the agency I represent.

Mr. Sears, in cold-blooded, blunt language, is speaking for a rubber company. We might just as well be wise as to what goes on sometime. He did not commit his agency, he did not commit the Government, but committed his own personal opinion only. There a division head, if you please, is pleading for a continuation of a program which places the liability of a great market on the taxpayers of this country. He then expects this Congress to support a proposition of that kind when every agency of the Government, as has been pointed out by our distinguished chairman and the gentleman from New York [Mr. ANDREWS], every agency of the Government, including the Army and Navy, says we do not need this program any longer. Of course, we should now get rid of it. There is not one single argument that you can make in favor of the continuation of the Government buying rubber that will hold water. I defy any man to stand up here and categorically set forth a single reason and support it by the records of what is going on.

If you will look at page 873 of the hearings, where the gentleman from Texas [Mr. JOHNSON] is interrogating Mr. Sears, you will note that Mr. Sears does not testify that the customers of the Government place a certified check in the hands of the Government before the rubber is purchased. Would the United

States Rubber Co., for instance make contracts with the Government of the United States to take from the Government all rubber which the Government might buy for their account at whatever price the Government might pay when they and you know very well that you are moving into an adequate or heavy supply of rubber and that the market might break? Well, let me tell you the ingenuity and financial and economic ability of the United States Rubber Co. and the Goodrich Rubber Co. are too great to make loose contracts of that kind. When the Government goes out and buys merchandise, it does not generally get a certified check before the purchase is made. After the Government acquires a big stock pile and you come in and want to participate in that stock pile and want the Government to allocate you, let us say, 10,000 tons of rubber, in that case, of course, you will put up a certified check to carry out your contractual liability with the Government to the effect that you are going to purchase 10,000 tons of rubber and will take it off the hands of the Government.

If you did not do so then the Government would lose on the transaction by having committed itself to you. When you did not carry through with your contract the Government might lose under a specific contract of that kind. So altogether, the rubber companies do not have to carry the market risk if the Government carries that market risk for them.

Now, going further with respect to this whole proposition, this resolution sets in motion the machinery for permanent legislation which is to follow. To deal with what? To deal with this question of what we are going to do with the synthetic rubber industry. You have got reasonable rubber prices today because you have an insurance policy in the form of a three-quarters-of-a-billion dollar synthetic rubber industry which can turn out so much synthetic rubber that you are somewhat independent of the other fellow's raw rubber producing forces. As long as you have that insurance policy in the form of that industry that can produce three-quarters of the amount of rubber we use per annum, you will have a good insurance policy. But when you destroy the synthetic rubber industry you immediately become dependent upon the economic interests of the Dutch, the French, and the British in the Far East. You become dependent upon constant shipping services across wide oceans. Those shipping services fail. In addition, you become dependent upon land operated in off-shore areas, and shipment therefrom. So we found out as an incident to this past war that we could not get rubber, so we built a synthetic rubber industry.

Now you have many synthetic-rubber plants. What are you going to do with them? Are you going to sell them for junk? Are you going to keep them operating? Are you going to let the Government hold them in a standby position? Are you going to discontinue the manufacture of synthetic rubber in this country and again become totally dependent upon the raw-rubber supply from the Far East? Are you going to give protection to our friend from Michigan if he says, "I will buy one of your rubber plants and I will continue to produce synthetic rubber for this country provided you protect me against a drop in crude rubber that would put me out of business"? What are you going to do about the question of protection of the man who buys a synthetic-rubber plant and keeps rubber in production? Are we going to authorize Government agencies to say to our people, "You shall use annually a minimum of 250,000 or 350,000 or 450,000 tons of synthetic rubber in order to keep the plants operating"; in order to induce people to buy plants and operate them privately? Are we going to have those plants as Government property and lease them to operating companies, where Messrs. A, B, and C come along and organize and operate a company and lease those plants from the Government on certain terms, and go out and produce synthetic rubber for the use of our people? What are we going to do about such questions? This resolution provides a temporary program which is to be continued until permanent legislation can be worked out by the Congress after full hearings and full study of this entire proposition. That is what this resolution is about. It carries on the temporary program and sets up the machinery so that we may do this permanent thing at a later date.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. CRAWFORD] has expired.

Mr. SHAFER. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. CRAWFORD. That is exactly what we should do. For the time being, let the Government allocate the rubber which it is getting in, so that Mr. A will use a certain amount of synthetic rubber with the raw rubber which he gets. That keeps the synthetic-rubber business going. In other words, it is an end-use control such as we followed all during the war, where we would specify to people, "You may have so much of a certain kind of material providing you produce a certain amount of goods according to Government specifications."

We allocated material all across this country throughout the war, material which the Government never owned, which the Government at no time purchased, and we did it through inventory controls and through the end-use control. This resolution provides that the allocation of rubber, synthetic and natural, shall be made by the Federal Government until we get this permanent legislation set up and in operation so that we can go ahead and run the synthetic industry and also continue the use of natural rubber.

As has been stated during the course of this debate, you have got to do some of those things to provide that the different segments of the rubber industry, that means the various manufacturers may have their full share of whatever rubber is available in the meantime.

I call your attention now to page 899 of the hearings. On that and subsequent pages you will find a great number of telegrams sent to me from members of the rubber-manufacturing industry in support of this bill. You will also find many telegrams and messages and letters sent to the chairman of the committee, the gentleman from Michigan [Mr. SHAFER]. You will find copies of letters and telegrams sent to other members of the committee, the gentleman from New York [Mr. ANDREWS], for instance. Some 65 or 70 small rubber manufacturers wanted the Government to get out of the purchase of rubber so that they would have a better chance to survive.

Going back to the illustration I used with respect to selling rubber to a single purchaser, if you have other purchasers of rubber competing with the Federal Government in the far eastern rubber market the individual purchasers representing other countries can act with more speed than the Federal Government acts, and they can siphon off the high quality rubber in greater quantities than our people here in the United States would be able to get under a Government purchase plan. We are not now getting the rubber to which we are entitled in quantity, we are not now getting the quality of rubber to which we are entitled. Unless we watch our step, rubber buyers from other countries can get the best quality rubber, process it into rubber goods, ship it to this country and take our markets away from us right under our own noses here in our own front yard, because the single operator can operate more expeditiously than the Federal Government.

Mr. SHAFER. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. SHAFER. The gentleman was a member of the Inter-Agency Policy Committee, was he not?

Mr. CRAWFORD. I was.

Mr. SHAFER. What were the short-term recommendations of that committee?

Mr. CRAWFORD. As a matter of fact, that committee recommended that these controls on buying be taken off as far back as December 31. Then we recommended that they be taken off on January 31; but the gentleman from the White House, Mr. Steelman, carried those controls on. Now, however, under the statement of Mr. Houston that I read just a few moments ago, Mr. Steelman and those people have come to the conclusion that these controls should now be taken off.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. ANDREWS of New York. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. CRAWFORD. It seems to me, therefore, that by every rule of reason the Congress should enact House Joint Resolution 118, send it on the way to the other body in order that this whole matter can be taken care of before March 31, and so we can decontrol the Government's participation in the purchase of rubber and go ahead with other matters.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. VAN ZANDT. Is it not true that the rubber purchasing program should have been discontinued as of the 31st of

December 1946, as was recommended by various agencies of the Government?

Mr. CRAWFORD. Yes.

Mr. VAN ZANDT. Is it not a fact that the Army and the Navy, the State Department, and the Munitions Board all recommend the discontinuance of this program by the 31st of March?

Mr. CRAWFORD. That is correct—all agencies of the Government.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. BROOKS. Is it not a fact that every other nation in the whole world has abandoned government purchase of rubber, outside of the United States?

Mr. CRAWFORD. I think we are the only one that continues it, and we are losing every day by continuing it.

Mr. BROOKS. And those nations abandoned it as of January 1?

Mr. CRAWFORD. Now, if we want to continue this program in the interest of the four big rubber companies, Goodyear, Seiberling, Goodrich, and one other, the United States Rubber Co.

Mr. SHORT. Firestone? Harvey Firestone, Jr., is emphatically against our continuing the Government in the purchase of rubber. He stands out alone I believe you will find of the Big Five. Firestone came before the committee and pled with us to discontinue it.

Mr. VAN ZANDT. If this resolution is enacted by the Congress, it will be in accordance with the policies of the Republican Party that the Government get out of business immediately?

Mr. CRAWFORD. It certainly is and here is one of the greatest opportunities we will have, where the administration is joining with us in that effort.

Mr. SHAFER. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. ELSTON].

Mr. ELSTON. Mr. Chairman, I have asked for this time to propound a query of the chairman of the subcommittee, the gentleman from Michigan [Mr. SHAFER]. I note that section 2A of this bill provides the authority for allocation, specification, and inventory control. It further provides:

> It is hereby directed that the powers, functions, duties, and authority under the provisions so continued shall be exercised and performed until that date.

May I ask if this means that the Congress is directing that all three of the methods of exercising this authority—allocation, specification, and inventory control—must be exercised over all natural and synthetic rubber and rubber products until the expiration date?

Mr. SHAFER. No; Mr. Chairman. This is intended to mean that the control shall be exercised to the extent necessary to accomplish the purpose of the act. Whenever the agency responsible for administering these controls determines that a particular control is no longer necessa y to carry out the purposes of the act the control may and should be rescinded.

Mr. ELSTON. Mr. Chairman, I would like to ask the gentleman from Michigan a further question. I notice this bill uses the word "crude" in referring to tree, vine, and shrub rubber, whereas the existing regulations employ the term "natural rubber." Is it intended that these terms are synonymous?

Mr. SHAFER. Yes. The term "crude rubber" is intended to mean the same as natural rubber.

The CHAIRMAN. If there are no other requests for time the Clerk will read the bill for amendment.

The Clerk read as follows:

Resolved, etc.—

FINDINGS OF FACT AND DECLARATION OF POLICY

SECTION 1. (a) Crude rubber, which includes all forms and types of tree, vine, and shrub rubber, is a highly strategic and critical material, deficient and incapable, as a result of climatic conditions in the United States, of sufficient development as a natural resource of the United States in quantities adequate to supply the industrial, military, and naval needs of the country for the common defense. Crude rubber is at present in short supply and is expected to continue in short supply for some months to come, and thus the supplies of crude rubber must be augmented by the use of large quantities of synthetic rubber, a product of chemical synthesis.

Congress, in the enactment of the Strategic and Critical Materials Stock Piling Act (Public Law 520, 79th Cong.), has heretofore declared it the policy of the United States and the purpose of that act to provide for the acquisition and retention of stocks of strategic and critical materials, including crude rubber, so as to prevent so far as possible a dangerous and costly dependence of the United States upon foreign nations for supplies of these materials in times of national emergency. Further, crude rubber, when stock-piled and held in storage, must be rotated and replaced from time to time by equivalent quantities of fresh material. By reason of the foregoing, a program with respect to rubber must be devised which will supplement that heretofore adopted in the Strategic and Critical Materials Stock Piling Act.

(b) It is the policy of the United States that there shall be maintained at all times in the interest of the national security and common defense, in addition to stock piles of crude rubber which are to be acquired, rotated, and retained pursuant to the Strategic and Critical Materials Stock Piling Act (Public Law 520, 79th Cong., approved July 23, 1946), a technologically advanced and rapid expandible domestic rubber-producing industry of sufficient productive capacity to assure the availability in times of national emergency of adequate supplies of domestically produced rubber to meet the industrial, military, and naval needs of the country.

(c) It is necessary in the public interest and to promote the national defense (1) that Congress make a thorough study and investigation of means of accomplishing such policy through the enactment of permanent legislation, the study and investigation to be completed within such time as will permit the legislation to be enacted, if possible, during the first session of the Eightieth Congress; and (2) that, pending the enactment of such permanent legislation, the United States continue to allocate crude rubber and crude-rubber products and the authority of the United States to manufacture and sell synthetic rubber be temporarily continued.

Mr. SHAFER (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with, that it be printed in the RECORD at this point, and that amendments may be in order to any portion thereof.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The remainder of the bill is as follows:

TEMPORARY RETENTION OF CERTAIN EMERGENCY POWERS WITH RESPECT TO RUBBER

SEC. 2. To effectuate the purposes set forth in section 1 (c) hereof—

(a) Notwithstanding any other provision of law, the provisions of section 2 (a) of the act of June 28, 1940, entitled "An act to expedite national defense and for other purposes" (54 Stat. 676), as amended, shall continue in force until the effective date of permanent legislation enacted to accomplish the policy set forth in section 1 (b) hereof, but in no event beyond March 31, 1948, insofar as such provisions authorize allocations of crude rubber and crude-rubber products (except import control of crude rubber), and it is hereby directed that the powers, functions, duties, and authority under the provisions so continued shall be exercised and performed until that date: *Provided*, That the President may allocate crude rubber and crude-rubber products in the public interest and to carry out the purposes of this act, notwithstanding any changes in the supply or estimated supply of crude rubber.

(b) The powers, functions, duties, and authority of the United States to manufacture and sell synthetic rubber shall continue in force until the effective date of permanent legislation enacted to accomplish the policy set forth in section 1 (b) hereof, but in no event beyond March 31, 1948, and as so continued it is hereby directed that they shall be exercised and performed by the Reconstruction Finance Corporation while that Corporation has succession, and thereafter by such officer, agency, or instrumentality of the United States as the President may designate.

With the following committee amendments:

On page 3, line 12, strike out the words "if possible."

On page 3, line 15, after the word "continue", strike out the words "to allocate" and substitute in lieu thereof the words "allocation, specification, and inventory controls of."

On page 3, line 15, after the word "crude", add the words "and synthetic."

On page 3, line 15, after the second appearance of the word "crude", add the words "and synthetic."

On page 3, line 17, strike out the word "temporarily."

On page 4, line 5, after the word "authorize", strike out the word "allocations" and substitute in lieu thereof the words "allocation, specification, and inventory controls."

On page 4, line 5, after the word "crude", add the words "and synthetic."

On page 4, line 5, after the second appearance of the word "crude", add the words "and synthetic."

On page 4, line 10, after the word "may", strike out the word "allocate" and substitute in lieu thereof the words "continue allocation, specification, and inventory control of."

On page 4, line 10, after the word "crude", add the words "and synthetic."

On page 4, line 10, after the word "and", strike out the words "crude-rubber" and substitute in lieu thereof the words "crude and synthetic rubber."

The committee amendments were agreed to.

Mr. CLASON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CLASON:

On page 3, line 18, after the word "to", insert the words "act as the sole purchaser and seller of crude rubber and to."

Page 2, line 19, strike out the word "temporary."

On page 4, in lines 8 and 9, strike out the words in parentheses.

On page 5, add a new paragraph as follows:

"(c) The powers, duties, and functions and authority of the United States to act as the sole purchaser and seller of crude rubber to be used in the United States shall continue in force until the effective date of permanent legislation enacted to accomplish the policy set forth in section 1 (b) hereof, but in no event beyond September 30, 1947; and as so continued it is hereby directed that it shall be exercised and performed by the Reconstruction Finance Corporation while that Corporation has succession, and thereafter by such officer, agency, or instrumentality of the United States as the President may designate."

Mr. CLASON. Mr. Chairman, the purpose of this amendment, as I stated before, is to carry on the purchase of crude rubber with the United States Government as the sole purchaser, with absolutely equitable distribution to all manufacturing plants in the United States that need crude rubber, for the further period up to September 30, 1947. Every witness has stated that the present program of the United States Government is being carried out satisfactorily and successfully. I do not think there is any question about it. We won the war with this particular program being carried on. Now that the war is over, we find that for the next 6 months, according to the records of the United States Government, there will be a considerable shortage of crude rubber coming into the United States. Nevertheless, overseas the crude rubber will be coming onto the market at the rate of 100,000 tons a month. The people in the United States need about 50,000 tons of that, together with the products of our synthetic plants. These 50,000 tons a month, according to the great majority of the men familiar with the rubber industry—and they are the ones who testified and whose words are in these hearings—will be sufficient. The manufacturers are satisfied they will be able to get all of the crude rubber they need if the United States continues its buying program. If this buying program is lifted, they believe, and their testimony so shows, the price will go up. The man who will lose is the American consumer, the man who has to buy the tires, the pair of rubbers, or the rubber coat. Higher prices lead to less employment. We can and should avoid this result.

In view of the fact that this program is working successfully, is in operation, and everybody knows just how it is being carried out, in view of the fact the United States Government cannot lose a cent, because it gets a certified check from each purchaser before it buys the crude rubber, and because of the fact that the small manufacturers get absolutely their fair proportion in accordance with the plant capacity now existing of each manufacturer, I believe this amendment should be adopted. I believe that on September 30 there will be a sufficient supply of crude rubber in the United States to relieve any anxiety about such a stringent shortage as to create a runaway price of rubber.

After the last war rubber did go to $1.23 a pound, or a dollar above the price at which the Government is now selling it to the manufacturers after adding the Government cost to the price paid to the seller. The seller is getting a good price today because crude rubber can be laid down in New York City at a profit at 12 cents a pound, and our Government is offering 20¼ cents. We are getting the quality of rubber to which we are entitled because it is an open market. In rubber markets the rubber is sold on the basis of you take the poor along with the good. For the extraordinarily good-quality rubbers, the more expensive rubbers like latex, you have to pay more, and the Government is paying a premium at the present time to the seller.

As I see the whole proposition, we have today a working program. We are waiting for the United States, acting through this Congress, to tell what kind of operation our synthetic plants shall have, whether they are to be sold or operated by the Government or by private industry. We are waiting for the Congress to tell us what is going to be done. The manufacturers are ready, willing, and anxious to go along with the Government. They ask for fair play. The majority of them want this amendment, as was shown by the testimony in the hearings.

I was interested in what the gentleman who introduced this resolution said. He indicated that Mr. Sears' former employer was in favor of his resolution and not in favor of this amendment. As a matter of fact, anyone can look at the testimony of Mr. Tisdale, the vice president of the United States Rubber Co. his former employer, and see that the United States Rubber Co., Goodrich, Goodyear, and Seiberling, which is a smaller company and does not buy in the east through its own agents—all of this group wish to have this amendment in the bill. The reason is that it will protect the United States consumers, the people of the United States. No one can be injured but the man who pays the last price, and the man who pays the last price is the man who gets the products. There are 800 manufacturing plants. They cannot go overseas and buy. The big people have their buyers over there, and they are going to be taken care of. There is going to be a lot of trouble in attempting to change to a new policy of allocation. We do not have to make that change. I believe we ought to adopt this amendment.

Mr. SHAFER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the question of extending the present controls over rubber, both in buying and allocation, was thoroughly considered by the subcommittee. Voluminous testimony was heard and also was considered by the full Committee on Armed Services. The testimony shows that we are not getting quality rubber under Government purchasing. The United States had a quota of 150,000 tons for January and February. If you read the hearings you will see where we were only able to obtain 26,000 tons in January and 13,000 during most of February. Those figures are up to the time that we began holding the hearings the latter part of February. In other words, we were able to obtain only 52,000 tons and we were supposed to get 100,000 tons. That was because our Government had placed a ceiling of 20.25 cents per pound on rubber. All of the other nations were outbidding us one-eighth of a cent per pound. What rubber we did get was of a poor quality. That was the testimony throughout the hearings.

The gentleman from Massachusetts says that prices rose after the First World War. Prices of rubber went up to the amount that he quoted in 1925. They dropped following the First World War. There was not a rubber man before our committee who predicted high prices for rubber if we stopped Government buying. Those who did testify along that line stated that there might be a slight rise in prices but the fact that we would get more crude rubber would control the prices.

Just remember that every agency of the Government, and I would say the majority of manufacturers in this country, want House Joint Resolution 118 without amendment. The gentleman who preceded me should read the hearings before making the statement that the majority are opposed to this resolution. There are plenty of manufacturers in his own district listed in the hearings who want House Joint Resolution 118. I have many letters from Massachusetts, incidentally, who favor House Joint Resolution 118.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. SHAFER. I yield.

Mr. SHORT. Practically every witness testified that if we removed these Government controls or took the Government out of the purchase of rubber, we would be able to get more rubber, and that of a much better quality than we have been able to get in recent years.

Mr. SHAFER. That is correct.

Mr. SHORT. And competition in an open and free market will automatically take care of the price.

Mr. SHAFER. That is correct.

May I read you what the War Department has to say on this:

> That the exclusive Government purchase and import control of crude rubber are no longer necessary in order to provide security to our synthetic rubber industry.

Here is what the State Department said:

> The Department of State prefers House Joint Resolution 118, introduced by Mr. CRAWFORD, in the belief it more closely reflects the desire both of the Congress and of the executive branch of Government that wartime controls be eliminated as rapidly as possible.

Mr. Chairman, I hope the Committee will vote down this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. CLASON].

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PLOESER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration House Joint Resolution 118, pursuant to House Resolution 144, he reported the same back to the House with sundry amendments adopted in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MCDONOUGH asked and was granted permission to extend his remarks in the RECORD and include a statement by Mr. Vicente Villamin.

The SPEAKER. Under previous order of the House, the gentleman from Minnesota [Mr. DEVITT] is recognized for 15 minutes.

WE MUST HAVE AN AFFIRMATIVE FOREIGN POLICY

Mr. DEVITT. Mr. Speaker, I had planned to talk with my colleagues of the House today about St. Patrick, famous patron saint of the Irish people. On this anniversary of his birth I wanted to tell again the interesting story of St. Patrick's life and activities in converting the once barbaric Irish to the Christian religion. March 17 is always a fitting day to relate St. Patrick's experiences in driving the snakes from Ireland and instilling a righteous "fear of the Lord" in the Celtic people.

The contributions which the Irish people have made to the history and growth of this country are legion, and we of Irish blood are prone on this day to shout to the high heavens how glorious are the feats and accomplishments of Irish-Americans. Today, however, I put aside all pride of racial origin and speak with you as an American—an American deeply concerned about the course of world affairs and the part which the people of the United States must take in those affairs.

Last week the President of the United States came into this Chamber and requested the backing of the Congress in rendering assistance to Greece and Turkey. Let me say at the outset that I shall vote for that assistance. The President has stated facts which, on their face, justify our rendering aid in support of the Greek and Turkish Governments. In my judgment we have no choice.

I am fully aware of the possible awful consequences of such action. It is true that giving aid may well lead, eventually, to war. But what is the alternative? It is to do nothing! And if we do nothing, what will happen? Then without question the Greek Government will fall and the last remaining vistage of democratic hope in the Balkans will fall with it. Red elements will assume the reins of government, and one more country in the world will be listed on the side of the Communists.

And as Greece goes, so goes Turkey. That courageous little country would perforce, soon succumb to a communistically controlled government. This would undoubtedly be followed by Communist control of the Straits of the Dardanelles.

With the fall of Greece and Turkey, the entire eastern Mediterranean would come under the control of the communistic governments. It would simply be a matter of time before, in succession, North Africa, Italy, and France would take on outright left-wing governments. Eventually perhaps even the Low Countries and the Scandinavian nations would, because of pressure of their environment, follow suit. Then the world would truly be divided into two distinct camps with Communist Russia heading the one and democratic United States heading the other.

So, when I say that the requested action to help Greece and Turkey may well lead to war, I am well aware of the fact that our failure to help them may well lead to a quicker and more devastating war with more disadvantages to us and more advantage to the potential aggressor.

This is a question of balancing the evils and choosing the lesser. There is here no clear choice between good and bad.

We need plain speaking and resolute action in our foreign affairs. For too long a time, now, have our foreign affairs been a mere "balancing of expediences" between possible courses of action. We have lacked thoughtful direction. In the past our foreign policy has been based on "negation." We have been against many things, but very seldom have we been for other things. We must be positive. We must be affirmative in our future foreign policy. The President's forthright action in appearing before this Congress with a definite request for aid for these governments is an example of the open-faced, affirmative kind of foreign relations which this country must follow in the future.

We are now a grown-up country with grown-up power and influence. We are the country of the world. No longer should we tag after the foreign policy line laid down by the British, or the French, or any other country. No longer should we refrain from formulating and enunciating our own foreign policy until the effectiveness of our eventual course has been lost because of indecision and tardiness.

The United States should enunciate an affirmative world policy now into which our conduct in future crises can be consistently fitted. We must have our international course clearly charted so that we ourselves, and those who deal with us, will know what our probable future action will be. The time to do this is now, because now is the time when the need is greatest. It is not only in Greece and Turkey, but in Korea and China, in India and Hungary, in Rumania, in Austria, and in Germany, and elsewhere that we have the potentials for difficult international problems which must be solved and in their solution, the intelligent leadership of the United States must be felt.

The United States is an idealistic country. It is a Christian country. It possesses the highest principles of morals and justice, and its peoples are blessed with the milk of goodness and human kindness. When a new, affirmative foreign policy is shaped by our Government, it is of the utmost importance that it be based on the idealism so characteristic of the American people. We need intellectual and moral vigor in our world leadership for future peace and happiness, and the United States is the nation which can and must furnish that kind of leadership.

I hope, therefore, that the President's action last week in clearly enunciating this country's vital interest in the Greek and Turkish matters will be only the first in a series of subsequent statements and actions which will form a pattern of United States policy based on the best of our American morality and idealism. The people of the United States, and the people of the world, are looking to this Government to lead in the establishment of our high, idealistic principles in the councils of the world. We cannot fail them.

I do not visualize that we will go to war with Russia tomorrow, or the next day, or at any time for that matter. But I think it is absolutely essential in preventing war that the potential combatants clearly understand and appreciate the motives and the ideals of each other. To this end we must exercise our utmost in understanding the Russian people. We likewise must make sure that the Russians understand the motives, ideals, and principles which we cherish. Experience indicates that these can best be conveyed to the Soviets by our wholehearted subscription to the policy of firmness enunciated by our former able Secretary of State, James F. Byrnes, and restated with commendable frankness last week by President Truman before this body. I urge that our future foreign policy be characterized by this same frank firmness in the interest of perpetual world peace.

The SPEAKER pro tempore. Under previous special order, the gentleman from California [Mr. GEARHART] is recognized for 30 minutes.

RUSSIA

Mr. GEARHART. Mr. Speaker, it is a matter of common knowledge that the Russian Government, though requested on at least four occasions, has refused to render an account to us, as required under the terms of the lend-lease agreement between Russia and the United States.

Rumors are flying thick and fast that this reticence is inspired by far more than just a mere delay in replying might imply. Does it mean that Russia is preparing a counterclaim arising out of the old controversies of yesteryears?

Is she coming forward with the old claim to reimbursement of what she contends was that old bill for hundreds of millions of dollars arising out of our invasion of her territories following World War I?

Or is she planning to assert a claim for the return of Alaska, raising a question of the legality of the sale of Alaska to the United States? Or even, perhaps, demanding its return?

In the light of the President's special message of last Wednesday in which he stresses the importance of standing guard over the Dardanelles, of bolstering the defenses against communism of both the Turks and the Greeks, is it not of equal importance that we give thought to our defenses in the far North, of Alaska, of, perhaps, Greenland, as well? Military strategists tell us that the next attack will come over the top of the world.

It is admitted by the well informed that the present status of Alaska constitutes one of the gravest problems confronting United States diplomacy.

From a variety of sources comes information which clearly indicates that Soviet Russia is looking at Alaska with covetous eyes. Does she plan to claim a much greater price for that territory than was originally paid? Or does she plan to repossess herself of that treasure house of the far North?

Startling as this may be, it is no more startling than the arguments used by Russians in claiming sovereignty over this territory. And bear in mind that Alaska is conceded to be the key to the defense of the United States in this atomic age.

The Russians claim the Czar had no right to sell Alaska to the United States in 1867.

The Communists claim the price we paid for Alaska, $7,200,000, was in reality but reimbursement of expenses incurred by the then Czar in sending his fleets to New York and San Francisco in 1863, when the Union cause was hanging perilously in the balance.

They claim that this Russian naval demonstration overawed France and England, both of whom were at that time trying to force Lincoln to agree to an armistice, as they planned the recognition of the Confederate States as a free and independent nation. The Bolsheviks, however, insisted that this Russian action thereby averted what might have become a fatal blow to the Union cause. And there is sound basis for this.

The time has arrived to bring this problem into the open. Alaska is on a direct line between potential aggressors and our industrial centers. It goes without saying Alaska should be fortified so that it shall become an impregnable barrier to any predatory power or group of powers that might have plans to challenge our sovereignty there.

The American people have a right to know what, if any, secret conversations have been held between our diplomats and the Russians on this important problem. Our State Department, for the record, denied to me that representations have been made, either by the Soviet Government or the Soviet press, indicating they have claims to make against Alaska or any other of our territories.

However, if memory serves, we were told there were no secret agreements made during the Yalta and Tehran Conferences. Later we learned to our amazement that our leaders had in fact made secret agreements of colossal importance at those conferences. And those secret agreements in many instances had to do with the liberties of peoples who have demonstrated their ability and deep-seated desire to govern themselves.

Back in 1939, the New York Times carried a statement that:

> Pravda stated Alaska was sold to the United States by the Czar without the consent of the Russian people.

As recently as last August, a correspondent for one of the great American news services wrote while on a tour of Alaska:

> The Soviets never have conceded the Czar's right to sell Alaska. Russian airmen and seamen stationed in Alaska during World War II openly referred to it as Russian territory.

In another article dated Point Barrow, where the Navy has found oil in its petroleum reserve, this same correspondent wrote:

> Russia's attitude if Point Barrow becomes a second Iran is an unknown factor. Native Alaskans have been told for many years that Russia does not admit legality of the Czar's sale of Alaska in 1867. An authority who spent 3 years at Cold Bay supervising the transfer of lend-lease ships to the Russians said he failed to contact one Russian officer who did not refer to Alaska as Soviet territory. Throughout the war Russians stationed in Alaska contended that the United States had occupied St. Lawrence Island—midway between Alaska and Siberia in the Bering Sea—illegally since it is not mentioned specifically in the purchase agreement. Heads of Russian missions in Alaska argued the purchase price of $7,200,000 is proof the sale was not made in good faith.

There is much other material of a similar nature of record to indicate Russia's state of mind. And it is disquieting.

A distinguished figure in the field of diplomacy, former Under Secretary of State Sumner Welles has strongly criticized the State Department policy of keeping Americans in the dark on its key activities. And well might he, for, indeed, frankness is not an attribute of those who manage our foreign relations.

May I quote an example of the type of equivocation our State Department feels free to practice when it wishes to obscure the facts of its dealings with foreign powers?

The questions I am about to read you date back 80 years but the parallel with the kind of double talk the State Department gives the American people today is remarkable. But it has a very important bearing upon the issues I am now presenting.

Secretary of State William H. Seward wrote to the chairman of the Senate Foreign Relations Committee in 1868 requesting ratification of the Alaska purchase treaty. He said:

> Probably this treaty stands alone in the history of diplomacy as an important treaty conceived, initiated, prosecuted and completed without being preceded or attended by protocols or dispatches.

Seward was explaining the negotiations were entirely on the basis of oral conversations with the Russian minister in Washington and hence his department had no records of notes exchanged between Washington and St. Petersburg.

Now as an example of diplomatic double talk we have a letter written by Seward to a man in Washington Territory. Seward wrote:

> In your letter of the 26th ultimo you say that you have seen it stated in a Sitka paper that the "$7,000,000 we were supposed to have paid for Alaska was really given to Russia to pay the expenses of her friendly naval demonstration * * * to counteract the supposed hostile intentions of England and France; that Russia * * * ceded to us Alaska, which she no longer wanted and it was made to appear that Alaska was bought and sold." You desire to be informed of the correctness of these statements. In reply I have to say that no confirmation of these statements is found on record in this department.

That is an excellent example of diplomatic double talk. Of course, there was no record in his department. Seward took pride in his letter to the Senate in stating there were no records; that the negotiations were entirely oral. Note how Seward conveyed the impression that the cost of the Russian naval demonstration was not a part of the purchase of Alaska. But he didn't deny it though he tried to make it appear he was denying it. He just said there were no records to that effect.

Seward deserves all credit for negotiating the purchase of Alaska. Whether, as the Russians claim, it was thrown in as earnest in a deal involving repayment of the expense of maintaining the Russian fleet in American waters is beside the point. The duly constituted government of Russia did, in fact, cede Alaska to us in a legal transaction. And both parties were satisfied at the time.

The record shows, in fact, that Alaska was regarded by Russia as a liability at that time. Our congressional leaders were moved to ratify the treaty largely out of good will for Russia, gratitude to her for her support of our cause in the Civil War.

Representative Loughridge of Iowa, then an influential Member of the House, explained it this way, writing the following:

> Had it not been for the peculiar circumstances of this case, not the least of which is the friendship shown us by Russia in the dark days of the rebellion, I should have felt like * * * defeating the treaty.

Our consul general in Paris, John Bigelow, wrote:

> Of course neither Mr. Seward nor Mr. Bodisco—
>
> Russian diplomat in Washington—
>
> said distinctly to me that the purchase—
>
> Of Alaska—
>
> was made purely and simply as a gracious recognition on the part of the Washington Government of the attitude of the Czar toward the United States in 1862. But I doubt that there was any Member of either House * * * who supposed the Government

then had any other motive * * * than to recognize the obligation to the Czar, or that, as territory, it had any other value except of ridding us of an alien neighbor.

Seward himself, in a memorandum transmitting the treaty to the Senate for ratification, wrote:

The late Civil War * * * was marked at its very beginning by demonstrations of sympathy and solicitude for the stability of the Union on the part of Russia. * * * It was verbally understood between the two Governments that the United States would be at liberty * * * to carry prizes into Russian ports. No Confederate agent was ever received or encouraged or entertained at St. Petersburg. The visit of the Russian fleet to the United States in the winter of 1863 was intended by the Emperor and was accepted by the United States as a demonstration of respect and good will and resulted in an increase of mutual regard and sympathy.

Russia's Atlantic fleet, commanded by Rear Adm. Lisoviskii, reached New York September 24, 1863. The Pacific fleet, under Rear Adm. Popov, anchored in San Francisco Bay October 12 of the same year.

Victor J. Farrar, in his Annexation of Russian America to the United States, writes:

The United States believed they—

The Russian fleets—

came to aid the United States in the event of hostilities with England and France. The fleets arrived at the high tide of the Confederacy, and England and France hesitated to recognize the Confederacy until it was too late; hence, the United States regarded the fleets as a factor in the concatenation of events which saved the Union.

Gideon Welles, then Secretary of the Navy, wrote:

The Russian fleet * * * are now in New York * * * there is something significant. What will be its effect on French policy we shall learn in due time. * * * God bless the Russians.

Farrar also wrote:

Admiral Popov gave orders that if Confederate men-of-war should put into San Francisco, the fleet should clear for action. * * * If the Confederate vessel should open fire, it should be ordered to leave San Francisco, and if it should refuse, then it should be attacked.

It is really impossible to estimate the importance which the amity-toward-Russia sentiment played in the purchase of Alaska; first, in securing ratification by the Senate; second, in securing an appropriation of $7,200,000 by the House.

The New York Times printed an interesting letter from one Ernest T. Lewis in 1939. He wrote:

After the Civil War, my grandfather used to tell us, the United States received a bill from the Imperial Russian Government for $6,000,000. My grandfather was Eleazar Lewis, spiritual adviser to Secretary Seward. A way had to be found to pay the bill. There was Alaska, which nobody wanted. Russia valued Alaska at $1,200,000. So we bought it for $7,200,000 at a time when the country was practically bankrupt.

Franklin K. Lane, member of Woodrow Wilson's Cabinet, wrote:

Secretary Seward secured from Russia a demonstration in American ports of Russian friendship. Her ships of war sailed to both our coasts with the understanding that the expense of this demonstration would be met by the United States out of the contingent fund. It was to be a secret matter.

The war came to a close and immediately thereafter Lincoln was assassinated and the administration changed. It was no longer possible to pay for this demonstration secretly under the excuse of war. But a way was found for paying Russia through the purchase of Alaska.

I have presented this documentary material primarily to outline the basis on which Russians claim our purchase of Alaska was illegal. Actually there is not one scintilla of evidence that our purchase of this territory was illegal. It was entirely legal. But does Russia plan to reopen this old question? Is she seeking a casus belli?

Seward did drive a shrewd bargain with the czar's representative, Edouard de Stoecke—and we honor his memory for it. If the purchase price also represented the cost of the czar's naval demonstration, well and good, but, let it not be forgotten that we paid cash for what we got.

We are confronted today by a situation which calls for taking the American people into our confidence. They deserve all of the facts on a matter of vital concern to them. If there is anything brewing behind the silken curtains of our State Department, the American people are entitled to know it. Did the President tell us everything when he appeared before us last week?

All of the arguments in behalf of secret diplomacy do not alter the fact that corruption flourishes in darkness. There would be fewer wars if the people were kept fully informed of the state of our international relations.

Today, after a second disastrous war in less than 30 years, we have abundant evidence of the need for open covenants openly arrived at as Woodrow Wilson demanded. Our diplomats have proven their inability to preserve the peace through the pursuit of their methods of secrecy and evasion. Our heroic dead, now resting in cemeteries throughout the world, are mute evidence of this. Is it not time to chart a franker course.

It is high time, it strikes me, that the sage and considered advice of Sumner Welles is taken unto the hearts of those who hold in the palms of their hands the destiny of the Republic, the happiness and well-being of the people who compose it.

Let us be done with secrecy.

Mr. PLUMLEY. Mr. Speaker, will the gentleman yield?

Mr. GEARHART. I yield to the distinguished gentleman from Vermont.

Mr. PLUMLEY. What was the price actually paid, did the gentleman say?

Mr. GEARHART. The price actually paid by appropriation by Congress was $7,200,000.

Mr. PLUMLEY. Where did that $200,000 come into the picture?

Mr. GEARHART. There is ample evidence in the historical record of that transaction that that $200,000 was paid to agents in the employ of the Russian Government, who negotiated the sale.

The SPEAKER pro tempore (Mr. BISHOP). The time of the gentleman from California has expired.

PROGRAM FOR TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute to make an announcement.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, of course tomorrow the Private Calendar will be called. That was announced as part of the program for the week. In addition, we propose to call up tomorrow, after the call of the Private Calendar, H. R. 2535, a bill introduced by the gentleman from Missouri [Mr. PLOESER], reported from the Committee on Banking and Currency. It is a matter of considerable urgency.

I make this announcement in order that the RECORD will show that that will be taken up tomorrow.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

EXTENSION OF REMARKS

Mr. SMITH of Ohio asked and was granted permission to extend his remarks in the RECORD and include a speech which he broadcast over the Columbia Broadcasting System last Friday.

Mr. GAVIN asked and was granted permission to extend his remarks in the RECORD and include an editorial from the Oil City Derrick.

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. PRICE] is recognized for 15 minutes.

RISING COST OF LIVING

Mr. PRICE of Illinois. Mr. Speaker, the death of price controls left the American housewife a tragic heritage. The Republican Party, as surgeon, advised the removal of controls in order that alleged economic ills of this Nation might be cured. The patient died. The time has come for a word of explanation from Republican doctors.

The American people were assured that the action removing governmental commodity-price restraints, was in the interest of the general welfare of our citizens. Unrestrained promises, lightly dropped from unthinking lips, pictured increased production at reduced consumer prices. The utopia of plenty at low cost was to be the legacy of each American once price controls were dead. Americans again would be able to live according to American standards within family income, was the promise made.

The American family is suffering from the destruction of price control executed by the Republican Party. This suffering is acute, real, not imaginary. During the few months which have passed since controls were forced to be lifted, commodity prices in America have risen to the highest levels in history.

The statistics are appalling. Steak 73 cents a pound, butter 80 cents a pound, pork about to reach $1 a pound. Eggs 80 cents a dozen. The price of clothing, when available, is almost prohibitive. Men's shirts—low at $3.95—shorts and undershirts $1.50—suits $50–$75. The price of bread? A survey of United

States cities under date of March 9 showed that increased cost of ingredients combined with overseas demand for wheat and flour have resulted in price advances for a loaf of bread. The price increases noted during the recent advance in wheat varied from one-half cent to 3 cents, depending upon the size of the loaf. New England bakeries advanced prices both wholesale and retail on a 1-pound, 9-ounce, loaf from 13 to 14 cents, and predictions are that there will be an additional increase of 1 cent a loaf within a short time. One of the sharpest advances, of 3 cents, was reported at Atlanta, Ga., on a chain store 24-ounce loaf, raising the price to 17 cents. The 16-ounce loaf now sells at 13 cents, a 2-cent increase. Pittsburgh, Detroit, Grand Rapids, Cleveland, Indianapolis, Columbus, Ohio, Los Angeles—have seen these price increases in bread.

A comparison with the living costs in Canada is highly instructive. The Canadian dollar has a valuation in New York of approximately 36 cents. Its purchasing value in Canada, however, is considerably greater than that of the United States dollar in the United States, according to comparative figures prepared by the Wartime Prices Paid Board. This is particularly true with respect to food prices, under control in Canada. Milk is retailed at 12 to 16 cents a quart in Canadian cities, compared with 22 to 26 cents a quart in northern United States. Butter, selling at 41 to 46 cents a pound, costs 75 to 91 cents in cities like Seattle, Minneapolis, and Syracuse. Egg costs in Canada of 44 to 53 cents compare to American costs of 53 to 67 cents. First grade white flour 69 and 93 cents for a 24-pound sack, against $1.65 to $2.13 for 25 pounds. These figures were compiled during January 1947, by actual visits to representative stores in cities of comparable population, proving that across-the-board food costs were lower in Canada than in the United States.

The health of this Nation is threatened. The time has come for Republicans to justify the prescription which premeditatedly killed the patient. The American people are entitled to know the basic reasoning which warranted the murder of the only means which would prevent inflation, prohibitive costs, and protect the home life of our citizens. Could it be that lobbyism was responsible? Could it be that subservience to big business was responsible? Is the answer that the Republicans believed that invested capital, in the name of patriotism and loyalty to country, would resist the opportunity to exploit the repressed consumer public as soon as the morning sun of full production without price control rose over the horizon of the market place?

There was nothing new in the situation facing this country at the termination of hostilities of World War II. We had the experience of World War I. Legislators knew the problem. The arguments that price control stifled production and elimination of control would release consumer goods were not even plausible. The Republican promise that buyer resistance would keep price rises within modest limits was intentionally fallacious. Big business cares little for the suffering caused by the inability of the man in the street to pay increased prices for his daily bread. To be sure stockholders must be served—invested capital must be protected. But the American family must be protected and preserved.

The free competitive system is the soundest economy for a free people to possess, but I oppose and condemn the evils of this system, such as monopolistic control of the arteries of industry and the sinews of labor. Capital and labor in this Nation can and must live side by side in harmonious relationship if America is to remain a great international power. Capital and labor are mutually dependent, one upon the other. But vested interest cannot, by virtue of its own power, impose upon the less fortunate prices for necessities of life which can only be met by the man in the street by borrowing and more borrowing with its inevitable tragic results.

The removal of price controls for the sake of removal of price controls—a theoretical objective without consideration of the realities of the problem which faced America at the close of World War II—has resulted in a spiraling of prices beyond the financial capacity of the American consumer. The responsibility for this action rests upon the Republican Party. Empty promises of Republican leaders provide neither food nor clothes at the fair prices they promised.

The American people realize that no explanation worthy of consideration can emanate from a Republican Party suffering internal revolt, divided against itself, confused as to American needs and demands, actuated by personal desires for national prominence and prestige, irrespective of the price to be paid by our citizenry.

The picture is not pretty. Examine the plight of the American housewife since price controls were killed by the Republican Party.

Prices spurted the very first day after price control was ended, and the second day, and the third day. They climbed the first week, the second week, and the third week. During the fourth week the new law went into effect and prices leveled off, while the campaign for meat decontrol gained momentum. Prices leveled, but did not fall back to June levels. New rules prevented; mandatory decontrol and mandatory increases supported higher prices.

Where was the American housewife at the end of the year? Retail meat prices 50 percent higher than in June, the price of butter, lard, other fats and oils, up, not by half, but by two-thirds on the average. These were the "modest" increases bequeathed the American consumer 6 months after the death of price control. Milk cost 4 to 5 cents more a quart—increases of one-third to one-half. The mothers of America cannot understand this rise and its harmful effect upon the life of this Nation.

In a word, Mr. Speaker, the American public has been treated to a rise of consumer prices averaging out at 15 percent. That rise, taking place between June and December, just 6 months, is equal to the rise over the 49 months between May 1942, when the General Maximum Price Regulation went into effect, and June 1946, when effective control was destroyed. In the wholesale and spot markets a really spectacular price increase has taken place. Rises of 100, 200, 300 percent, and more. Even at retail, where the housewife has to pay the bill or do without, the rise has been eight times as rapid as was permitted under price control prior to June 1946. These prices continue to soar.

How about production—meat production—about which we heard so much only a few weeks ago? Total production for the second half of 1946 fell below the total for the second half of 1945. The same is true for the final 3 months of 1946. Higher prices failed to provide more meat. Higher costs to consumers meant a bigger take for sellers. Prognostication for 1947 indicates that meat production might run 4 percent above 1946. In a word, a 50-percent rise in price and maybe 4 percent more meat.

How about other production? Everyone knows that we turned the reconversion corner at the end of 1945. The Private Business Committee for Economic Development joined with Government agencies in hailing that achievement. Production, which under price control had broken all records during the war, was strengthening under price control. The setbacks in February and May marred, but did not really change the picture. Production has continued its climb, the climb that began 7 months before price control was wrecked.

Despite industrial production at levels nearly 90 percent above prewar, the consumers of this country are still waiting for the price declines that they were promised would come in a reasonable time. Instead, they see commodity prices rising day after day, with sharp spurts in wheat and hogs, and many metals at new record levels. As those prices are translated into wholesale and retail prices, they still mean higher costs of living, smaller purchasing power for the consumer dollar.

The killers of price control have not made good their promises to the American people. They know it and the people know it. The National Association of Manufacturers, which assured the country that decontrol would bring the goods you want at prices you can afford to pay, now admits that prices are higher than people can afford to pay. The NAM, fearful of new wage demands but conscious of how fully justified those demands are, has called instead for a lowering of prices.

But the trend is still upward. The NAM made my Republican colleagues in Congress listen last June, but it cannot make business listen now. Let us remember that as we hear the real-estate lobby today.

These are statements of fact, not theory. The American people must realize that the unnecessary raid on the pocketbook of the consumer was instigated by those who believe that big business, not small business and the rank and file of American labor, will save the world. The present-day inability of

homemakers of fixed income, whether clerk or professional man, laborer or annuitant, to maintain a decent standard of living in accord with the American way of life is attributable solely to those who sought increased influence through increased grants of special privilege.

There is a mounting pressure for removal of the last remaining price controls—rent, sugar, rice.

There is an answer to the financial hardships which threaten the American consumer.

The Republican leadership has failed in this trust.

The SPEAKER. Under previous order of the House, the gentleman from Massachusettts [Mr. PHILBIN], is recognized for 20 minutes.

ST. PATRICK'S DAY

Mr. PHILBIN. Mr. Speaker, throughout the whole world, wherever men and women of Irish blood may be on this great day, they pause in their day's occupation and turn their minds back to the beloved Emerald Isle to render their heartfelt tribute of affection and reverence to the great Saint, scholar, and patriot, St. Patrick, and to thoughts of the virtues of Old Erin, the matchless courage of her sons and daughters who have served every noble cause, to its beautiful poetry and music, to its glorious history, its proud heritage, and its magnificent and unexcelled contributions to civilization.

As a great Irish poet sung:

O Erin! O my mother! I will love thee
Whether upon thy green Atlantic throne
Thou sitt'st august, majestic, and sublime
Or on thy empire's last remaining fragment
Bendest forlorn, dejected and forsaken
Thy smiles, thy tears, thy blessings and thy woes
Thy glory, and thy infamy, be mine.

That no race has ever excelled the courage of the Irish, few men would care to deny. No people have ever exceeded their love of God, their loyalty to Christianity, their fierce and burning love of liberty. No race has paid a higher price for freedom than the Irish. "Whether in chains or in laurels," their sacrifices, their sufferings, their indomitable fighting spirit have "known nothing but victory."

I could not possibly measure the contributions of the Irish race and people of Irish blood to our beloved America. The blood of their sons has saturated the battleground of every American war. Irish-American war heroes are legion. Their devotion and loyalty to our Nation have known no bounds. They have been in the vanguard by the hundreds of thousands, yes; by the millions, whenever our country and its institutions were in danger. It is not possible for me to measure the great gifts of life, treasure, energy, and ability which people of Irish blood have unselfishly bestowed in order to promote the building of America and to enhance our national welfare.

In every field of endeavor, in every calling, profession, and business, from the holy sanctuaries of the church where her sons have so nobly ministered to the pleas and urgent spiritual needs of suffering humanity, before the bar, in the arts and sciences, in the marts of trade and commerce, in solemn judicial tribunals, to the Halls of Congress and legislative chambers throughout the land, the Irish-American has known no peer. Always in the thickest of the fight, always ready to serve and to act in the face of gravest danger without thought of self, the Irish have demonstrated a superb and vitalizing quality of patriotism that certainly no other group of our people can excell. Even in 1788 the Irish-American Chronicler, Matthew Carey, was able to say:

From northern Quebec where Montgomery fell
To Georgia's most southerly scene
Each State has beheld, each commander can tell
How brave have our countrymen been.

And that has been true throughout our entire history.

Broad, tolerant and just, devoted to democratic ideals, the Irish have ever defended the faith of Christ and the political truths of our American forefathers. They have striven and fought for toleration and justice and equal opportunity for all and have been willing always to lay down their lives and spill their precious blood to realize these great aims. They will continue to do so as the years go on and we build a greater and more glorious America.

Even now as the forces of godless communism and destruction stalk through the world and infiltrate into our own country, the Irish-American and the faith he embraces constitute an impassable barrier against the penetration of the evil ideology which would corrupt and poison the lifestream of the American Republic. The Irish-American will never surrender to atheism or communism or any other un-American concept. Like his ancestors of old, he will fight and die, if necessary, in defense of the precious principles of freedom to which he is so passionately attached, and which he has lived by throughout the centuries. His Americanism is of the very highest order.

It is appropriate, therefore, that on this day hallowed in the minds and hearts of every true Irishman, that I should pause to pay my brief tribute to the great patron saint who has inspired Irish devotion and heroism throughout the ages and who will, in the time to come, God willing, continue to strengthen the determination of those who revere him, to labor and fight for God and country and the sacred principles of American freedom.

It is also fitting on this occasion that I should read to this house a splendid editorial entitled "St. Patrick's Day" written by Harry H. Schlacht, which appeared today in the Boston Record.

ST. PATRICK'S DAY

(By Harry H. Schlacht)

"May the road rise to meet you, may the wind be always at your back and may God hold you in the hollow of his hand."

—*An Irish Prayer.*

This is a great day for the Irish.
This is a great day for the shamrock.
This is Saint Patrick's Day.
Let our eyes dance with joy.
Let our hearts beat with pride.
Let our happiness reign supreme, as we weave the shamrock into a garland of glory for the Emerald Isle.

"O Ireland, isn't it grand you look,
Like a bride in her rich adorning,
And with all the pent-up love in my heart,
I bid you the top of the morning."

It is the land of scholars. It is the abode of poetry, it is the cradle of heroes. It is the nursery of liberty. It is the home of martyrs. It is the isle of the immortal saint.

It is a country with the heart of a child and the smile of a god.

Nowhere is the sky more radiant, nowhere is the air more blithe. Nowhere is the sun more mellow than the sky that smiles. Than the air that blows. Than the sun that shines upon the ancient isle.

You can see the earthly flowers of springtime, revealing their beauty above the green sod of the verdant sea-locked isle. You can see the enameled meads light up the radiance of the moontide's golden showers.

You can see the bewitching beauty of her mountain tops.

You can see the enticing loveliness of her landscapes.

The heathers bloom upon the hillside. The roses blush in the valleys. The birds caroling in every glen. God has truly blessed Ireland.

Today there is a tear mingled with the smile of an Irishman.

Today there flashes upon the canvas of his memory the joys and sorrows of Ireland.

He dwells upon the folklore and fairy tales. He tells of the charm of Killarney's lakes and fells. He speaks of the refreshing waters of the Shannon. He hears the melody of the harp that rings through Tara's Hall. He recalls the joyous music of the pipers in the hush of the twilight. He feels the warmth of a crackling fire on a winter night.

Who has not been thrilled by the Irish Lullaby, or the inspiring tunes of Tara's Hall, the Minstrel Boy, the Wearing of the Green, When Irish Eyes Are Smiling, My Wild Irish Rose, and Mother Machree?

St. Patrick symbolizes the highest conception of faith, hope, and charity.

He unfolded the story of his life on the tablets of the human heart.

He made the highways and byways his pulpit.

He illustrated the principles of Trinity by plucking a shamrock from the roadside and using the three leaves on the one stem to convey his religious concepts.

For the shamrock is the symbol of unity and marks the union of one God and three divine persons.

For more than 1,400 years the Irish have held aloft for all the world to see the torch of liberty.

They are ardent believers in tolerance. They are stalwart champions of democracy. They bring everywhere love of and belief in God. They spurn every form of human enslavement. They give strength and vitality to our Nation.

The sun never ceases to shine on the grave of an Irishman.

If we were a painter we would make the portrait eloquent with the deeds of as brave a people as has ever lived. The historical records of our country abound with the stirring saga of their achievement on all the blood-bought battlefields and on the seven seas.

The heroic Irish have written their names with imperishable grandeur upon the pages of our history.

Let us recite here the story of the glory of Irish contribution to the majesty of our Nation.

They fought courageously under George Washington in the war for independence.

They fought for the preservation of the Union, under General Meagher at the Battle of Fredericksburg.

They fought at the Alamo in Texas and at Custer's last stand at Little Big Horn in Montana.

Washington's password was "Saint Patrick."

John Hancock was the first to affix his signature to the Declaration of Independence. John Rutledge was the first to address the Continental Congress. Charles Thomson was the first secretary of that historic body. John Nixon was the first to read our sacred Dec-

laration. Patrick Henry and Matthews Lyons were the eloquent orators of the Colonies.

Robert Morris helped finance the American Revolution. John Barry was the first commodore of the United States Navy. Twelve signers of the Declaration of Independence and 11 of Washington's generals were of Irish lineage.

Irish blood flowed in six Presidents of the United States. They were Andrew Jackson, James K. Polk, James Buchanan, Chester A. Arthur, William McKinley, and Woodrow Wilson.

Let us remember Robert Fulton and his *Clermont*; Cyrus McCormick and his reaper; John Holland and his submarine; Victor Herbert and his immortal compositions; John T. McCormack and his golden voice; and the other great Irish men and women who have enriched and ennobled the life of our country.

In the War of 1812, Oliver Hazard Perry and Thomas Donough were the two naval heroes, as was the other peerless leader, Andrew Jackson.

In the Civil War there were General Meade, victor at Gettysburg; Gen. Philip Kearney, Gen. Philip Sheridan, Gen. Patrick Meagher, and other Irish heroes.

Memory adds lustre to the heroism in World War I. Let us mention but a few: "Wild Bill" Donovan, Father Duffy, Joyce Kilmer, and Gen. Alec Anderson.

Pride whispers in lullaby tones the great Irish heroes of World War II: Colin Kelly, "Commando" Kelly, "Point Blank" Callaghan, Conroy, McGuire, Devereux, Finn, Flaherty, O'Donnell, and McAuliffe, and others too numerous to mention.

The first American to receive a Presidential citation was James Powers. The first American pilot to bomb Berlin was William P. O'Brien.

The first American glider to land on D-day was piloted by Lt. Col. Michael Murphy. The first American to liberate Bataan was Lt. John F. Murphy. The first American mother to lose five sons was Mrs. Thomas P. Sullivan.

The fighting Irish have been the bulwark and strength of America.

So long as the world's records revere the narrative of Saint Patrick's mission; so long as the waters of the lovely Shannon shall gently flow to the sea; so long as the beautiful Lakes of Killarney shall reflect upon their bosoms the blue vaults of the heavens—so long will men and women of the Irish race love their ancient isle, revere their saint, cherish the shamrock, and uphold the principles of national freedom and individual liberty.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. VINSON, for 2 weeks, on account of important business.

To Mr. O'TOOLE (at the request of Mr. JOHN J. DELANEY), indefinitely, on account of illness.

BILL PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on March 14 present to the President, for his approval, a bill of the House of the following title:

H. R. 1968. Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 220. An act to authorize the Secretary of the Navy to convey to American Telephone & Telegraph Co. an easement for communication purposes in certain lands situated in Virginia and Maryland; and

S. 221. An act to authorize the Secretary of the Navy to grant and convey to the Virginia Electric & Power Co. a perpetual easement in two strips of land comprising portions of the Norfolk Navy Yard, Portsmouth, Va., and for other purposes.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 53 minutes p. m.) the House adjourned until tomorrow, March 18, 1947, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Subcommittee on Ship Construction and Operation and Maritime Labor of the Committee on Merchant Marine and Fisheries will meet in open hearings on Tuesday, March 18, 1947, at 10 o'clock a. m. to consider H. R. 672, "to authorize the transfer of the *Joseph Conrad* to the city of St. Petersburg, Fla., for museum purposes."

POST OFFICE AND CIVIL SERVICE COMMITTEE

Subcommittee To Investigate the Civil Service will meet at 10 a. m., Tuesday, March 18, room 213, House Office Building. Federal personnel directors will be heard relative to new civil-service rules and regulations.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Tuesday, March 18, 1947.

Business to be considered: Public hearing on H. R. 2109, a bill to amend the Civil Aeronautics Act of 1938; also public hearing on H. R. 2324, a bill to amend the Interstate Commerce Act.

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m. Thursday and Friday, March 20 and 21, 1947.

Business to be considered: Public hearings on H. R. 873 and H. R. 1823, to create an Enemy Property Commission.

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m., Monday and Tuesday, March 24 and 25, 1947.

Business to be considered: Public hearing on H. R. 2220, a bill to establish a National Aviation Council. Each witness is requested to furnish the clerk of the committee 5 copies of his direct statement in advance of the hearing and 45 additional copies at the time of his appearance, pursuant to the Legislative Reorganization Act of 1946.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Wednesday, March 26, 1947.

Business to be considered: Executive session in conference with officials of the Interior Department with respect to petroleum conservation, pipe lines, and oil compacts, pursuant to Legislative Reorganization Act of 1946.

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m., Thursday, March 27, 1947.

Business to be considered: Executive session in conference with officials of the Food and Drug Administration pursuant to the Legislative Reorganization Act of 1946.

COMMITTEE ON FOREIGN AFFAIRS

The Committee on Foreign Affairs will meet in executive session at 10:30 a. m., Tuesday, March 18, 1947, for further consideration of House Joint Resolution 134, providing relief assistance to countries devastated by war.

COMMITTEE ON THE JUDICIARY

On Wednesday, March 19, 1947, the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary will hold hearings on H. R. 245, H. R. 674, and H. R. 1115 to amend subsection (c) of section 19 of the Immigration Act of February 5, 1917, as amended. The hearings will be held in room 345, House Office Building, and will begin at 10 a. m.

On Wednesday, March 19, 1947, Subcommittee No. 2 of the Committee on the Judiciary will hold hearings on the bill, H. R. 515, to amend an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (38 Stat. 730), as amended (secs. 7 and 11). The hearings will be conducted in room 327, House Office Building, and will begin at 10 a. m.

On Wednesday, March 19, 1947, at 10:30 a. m., in room 346, Old House Office Building, Subcommittee No. 1 of the Committee on the Judiciary will begin hearings on the following measures with respect to holidays and celebrations:

H. R. 147 and H. R. 316, making the 14th day of August in each year a legal holiday, and for other purposes.

House Joint Resolution 1, House Joint Resolution 11, House Joint Resolution 23, House Joint Resolution 41, House Joint Resolution 63, House Joint Resolution 65, and Senate Joint Resolution 41, authorizing the President of the United States of America to proclaim October 11, 1947, General Pulaski's Memorial Day, for observance and commemoration of the death of Brig. Gen. Casimir Pulaski.

House Joint Resolution 31, providing for the observance of October 11, 1947, as General Pulaski Memorial Day.

House Joint Resolution 12, requesting the President to declare November 10, 1947, a day for the observance of the creation of the United States Marine Corps.

House Joint Resolution 15, designating the week of February 14 in each year as National Heart Week.

House Joint Resolution 20, designating period from Thanksgiving Day to Christmas of each year for Nation-wide Bible reading.

House Joint Resolution 35, designating the second Sunday of October of each year as Grandmother's Day.

House Joint Resolution 46, authorizing the President of the United States to proclaim April 19 of each year Patriots' Day, for the commemoration of the events that took place on April 19, 1775.

House Joint Resolution 60, designating September 17 of each year as Constitution Day.

House Joint Resolution 64, designating February 11 of each year as Thomas Alva Edison Day.

House Joint Resolution 82, designating November 19, the anniversary of Lincoln's Gettysburg Address as Dedication Day.

House Joint Resolution 88, authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski.

House Joint Resolution 94, requesting the President to proclaim February 1 as National Freedom Day.

House Joint Resolution 100, designating the first Sunday in June of each year as Shut-In's Day.

H. R. 1051, designating the first Monday of October in each year as National Farm Day and declaring such day a legal public holiday.

H. R. 1193, declaring August 14 of each year a legal holiday.

H. R. 1981, declaring Good Friday in each year a legal holiday.

H. R. 2085, designating the fourth Saturday in September of each year as American Indian Day.

H. R. 2333, declaring the birthday of Abraham Lincoln to be a legal holiday.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

455. A letter from the Secretary of the Interior, transmitting a copy of an order canceling $766.87 of unpaid irrigation operation and maintenance assessments against Indian-owned land under the Fort Hall irrigation project, Fort Hall Indian Reservation, Idaho; to the Committee on Public Lands.

456. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend section 1 of the act entitled "An act to prohibit the killing of wild birds and wild animals in the District of Columbia," approved June 30, 1906, to provide for the killing of starlings; to the Committee on the District of Columbia.

457. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to authorize the establishment of the District Educational Agency for Surplus Property in the Municipal Government of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

458. A letter from the Acting Secretary of the Navy, transmitting a report of the proposed transfer of three naval motor launches for use by the recreation department of the city of Oakland, Calif.; to the Committee on Armed Services.

459. A letter from the Acting Postmaster General, transmitting a draft of a proposed bill to authorize certain administrative expenses in the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

460. A letter from the Secretary of the Interior, Chairman of the Migratory Bird Conservation Commission, transmitting the report of the Migratory Bird Conservation Commission for the fiscal year ended June 30, 1946; to the Committee on Agriculture.

461. A letter from the Comptroller General of the United States, transmitting a report on the audit of Tennessee Valley Authority for the fiscal year ended June 30, 1945 (H. Rept. No. 172); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOLCOTT: Committee on Banking and Currency. H. R. 2535. A bill to amend the Reconstruction Finance Corporation Act; without amendment (Rept. No. 149). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLCOTT: Committee on Banking and Currency. House Joint Resolution 146. Joint resolution to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes; with amendment (Rept. No. 150). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 21. Resolution to continue the Special Committee To Investigate All Matters Pertaining to the Replacement and Conservation of Wildlife; without amendment (Rept. No. 151). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 145. Resolution providing for the consideration of the bill, H. R. 2535, to amend the Reconstruction Finance Corporation Act; without amendment (Rept. No. 152). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 146. Resolution providing for the consideration of H. R. 1366, to facilitate procurement of supplies and services by the War and Navy Departments, and for other purposes; without amendment (Rept. No. 153). Referred to the House Calendar.

Mr. BISHOP: Joint Committee on the Disposition of Executive Papers. House Report No. 154. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. BISHOP: Joint Committee on the Disposition of Executive papers. House Report No. 155. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. WELCH: Committee on Public Lands. H. R. 797. A bill to change the name of the Lugert-Altus irrigation project in the State of Oklahoma to the W. C. Austin project; without amendment (Rept. No. 156). Referred to the House Calendar.

Mr. LATHAM: Committee on Merchant Marine and Fisheries. H. R. 1344. A bill to admit the American-owned ferry *Crosline* to American registry and to permit its use in coastwise trade; without amendment (Rept. No. 157). Referred to the House Calendar.

Mr. WEICHEL: Committee on Merchant Marine and Fisheries. H. R 2293. A bill to amend the act entitled "An act to regulate navigation on the Great Lakes and their connecting and tributary waters," approved February 8, 1895; without amendment (Rept. No. 158). Referred to the House Calendar.

Mr. WELCH: Committee on Public Lands. H. R. 1556. A bill to provide basic authority for the performance of certain functions and activities of the Bureau of Reclamation; with amendment (Rept. No. 159). Referred to the Committee of the Whole House on the State of the Union.

Mr. DONDERO: Committee on Public Works. H. R. 2086. A bill to authorize the furnishing of steam from the central heating plant to the property of the Daughters of the American Revolution, and for other purposes; without amendment (Rept. No. 160). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 2369. A bill providing for the suspension of annual assessment work on mining claims held by location in the Territory of Alaska; without amendment (Rept. No. 161). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LANDIS:

H. R. 2564. A bill to eliminate the income-tax discrimination against married persons living in non-community-property States by permitting them to compute their income taxes in a manner similar to that in which married persons living in community-property States compute their income taxes; to the Committee on Ways and Means.

By Mr. BENNETT of Michigan:

H. R. 2565. A bill to extend the gratuitous insurance benefits granted by subsection 602(d) of the National Service Life Insurance Act of 1940, as amended, to parents of certain deceased members of the armed forces without any requirement as to the dependency of such parents, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BLATNIK:

H. R. 2566. A bill to amend the income limitation governing the granting of pensions to World War veterans and death pension benefits to widows and children of World War veterans; to the Committee on Veterans' Affairs.

By Mr. BUTLER:

H. R. 2567. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

By Mr. DIRKSEN:

H. R. 2568. A bill authorizing the Commissioners of the District of Columbia to establish daylight saving time in the District of Columbia during 1947; to the Committee on the District of Columbia.

By Mr. DOLLIVER:

H. R. 2569. A bill to amend the Natural Gas Act, as amended, by establishing a policy for the administration of such act; to the Committee on Interstate and Foreign Commerce.

By Mr. FELLOWS:

H. R. 2570. A bill to amend the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909, as amended; to the Committee on the Judiciary.

By Mr. GRANT of Indiana:

H. R. 2571. A bill to amend subsections (c) and (e) of section 2883 of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. WELCH (by request):

H. R. 2572. A bill to permit the sale of liquor to Indians outside Indian country; to the Committee on Public Lands.

By Mr. WELCH:

H. R. 2573. A bill to authorize the Director of the United States Geological Survey to produce and sell copies of aerial or other photographs and mosaics, and photographic or photostatic reproductions of records, on a reimbursement of appropriations basis; to the Committee on Public Lands.

By Mr. BATTLE:

H. R. 2574. A bill to exempt admissions to certain charitable entertainments from the Federal admissions tax; to the Committee on Ways and Means.

By Mr. ELSTON:

H. R. 2575. A bill to amend the Articles of War to improve the administration of military justice, to provide for more effective appellate review, to insure the equalization of sentences, and for other purposes; to the Committee on Armed Services.

By Mr. FERNÓS-ISERN:

H. R. 2576. A bill to amend sections 4 and 5 of Public Law 396 (79th Cong.) approved June 4, 1946, entitled "An act to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes; to the Committee on Education and Labor.

By Mr. FORAND:

H. R. 2577. A bill to amend the Internal Revenue Code so as to increase the amount of personal exemption for income-tax purposes with respect to the taxpayer and dependents; to the Committee on Ways and Means.

By Mr. LANDIS:

H. R. 2578. A bill to increase the minimum wage rate under the Fair Labor Standards Act of 1938 to 55 cents an hour; to the Committee on Education and Labor.

By Mr. MANSFIELD of Texas:

H. R. 2579. A bill authorizing preliminary examination and survey of Double Bayou, East Bay Bayou, Oyster Creek, Spindletop Gulley, and Turtle Bayou, Tex.; to the Committee on Public Works.

By Mrs. BOLTON:

H. R. 2580. A bill to authorize the coinage of 50-cent pieces to commemorate the life and accomplishment of Dr. George Washington Carver; to the Committee on Banking and Currency.

By Mr. ELLIOTT:

H. R. 2581. A bill to provide that Members of Congress shall, for their convenience, be furnished with identification cards; to the Committee on House Administration.

By Mr. HENDRICKS:

H. R. 2582. A bill to provide for the erection of memorial stones in national cemeteries for certain servicemen determined to be missing or missing in action or buried at sea; to the Committee on Veterans' Affairs.

By Mr. JONES of Ohio:

H. R. 2583. A bill to amend the Interior Department Appropriation Act, 1939, with respect to the use of money received in connection with irrigation projects; to the Committee on Public Lands.

By Mr. MILLER of Connecticut:

H. R. 2584. A bill to incorporate the Jewish War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. POAGE:

H. R. 2585. A bill to amend the Rural Electrification Act to provide for rural telephones, and for other purposes; to the Committee on Agriculture.

By Mr. ROBSION:

H. R. 2586. A bill to provide for review of military and naval records in World War I, and issue of decorations, medals, and awards in deserving cases; to the Committee on Armed Services.

By Mr. SHORT:

H. R. 2587. A bill to regulate burial space in national cemeteries; to the Committee on Public Lands.

By Mr. YOUNGBLOOD:

H. R. 2588. A bill requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of 35 miles of a city in which there has been established a Government-owned vehicle service to be delivered by Government-owned motor vehicles; to the Committee on Post Office and Civil Service.

By Mr. ROSS:

H. R. 2589. A bill to establish a Civilian Mobilization Commission, and for other purposes; to the Committee on Armed Services.

By Mr STIGLER.

H. J. Res. 151. Joint resolution directing the Comptroller General to restate the account of the Eastern and Western Cherokees under the treaty of 1846 rendered by him November 19, 1942, and give them the benefit of the law governing partial payments; to the Committee on the Judiciary.

By MEADE of Maryland:

H. Res. 147. Resolution expressing the sentiment of the House of Representatives to the Postmaster General that a stamp be issued commemorating the author of the Star-Spangled Banner, Francis Scott Key; to the Committee on Post Office and Civil Service.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to give due consideration to the need and necessity of a strong national defense and adequate Naval and Military Establishments; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of Colorado, memorializing the President and the Congress of the United States to enact such legislation as may be necessary to increase Federal payments for care of disabled veterans in homes maintained by the States and Territories from $300 to $500 per annum per capita, and to provide that such aid shall be payable from the date of a veteran's admission; to the Committee on Veterans' Affairs.

Also, memorial of the Legislature of the State of Oregon, memorializing the President and the Congress of the United States to repeal title 16, United States Code Annotated, section 485, and so much of title 16, United States Code Annotated, section 516, as may be necessary to restrict the acquisition of national forest lands solely to such lands as may be acquired by appropriations of money from the Federal Treasury; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of California:

H. R. 2590. A bill for the relief of the Pearl Assurance Co., Ltd., and the Bankers & Shippers Insurance Co.; to the Committee on the Judiciary.

By Mr. ALLEN of Louisiana:

H. R. 2591. A bill for the relief of George Demetrios Kariotis (James Pappas); to the Committee on the Judiciary.

By Mr. BARTLETT:

H. R. 2592. A bill for the relief of Miss Mildred K. Maynard; to the Committee on the Judiciary.

By Mr. BLATNIK:

H. R. 2593. A bill for the relief of Peter Konotopko; to the Committee on the Judiciary.

By Mr. D'EWART:

H. R. 2594. A bill authorizing the Secretary of the Interior to issue a patent in fee to Abraham Gray Bear; to the Committee on Public Lands.

H. R. 2595. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Leslie Warrior; to the Committee on Public Lands.

By Mr. EBERHARTER:

H. R. 2596. A bill for the relief of Gabriel Alemany Moragues (also known as Gabriel Alemany); to the Committee on the Judiciary.

By Mr. FERNÓS-ISERN:

H. R. 2597. A bill for the relief of the estate of the late Domingo Acosta Arizmendi; to the Committee on the Judiciary.

H. R. 2598. A bill for the relief of Jose Cotto Santiago; to the Committee on the Judiciary.

H. R. 2599. A bill for the relief of Antonio Rojas Velez; to the Committee on the Judiciary.

H. R. 2600. A bill for the relief of the estate of the late Ismael Miranda; to the Committee on the Judiciary.

H. R. 2601. A bill for the relief of Nemesio Vegas; to the Committee on the Judiciary.

H. R. 2602. A bill for the relief of the estate of the late Manuel Graulau Velez; to the Commmittee on the Judiciary.

H. R. 2603. A bill for the relief of the estate of the late Francisco J. Cordova; to the Committee on the Judiciary.

H. R. 2604. A bill for the relief of Juana Pagan; to the Committee on the Judiciary.

H. R. 2605. A bill for the relief of Alejo Padilla; to the Committee on the Judiciary.

H. R. 2606. A bill for the relief of Cristobal Rivera Santiago; to the Committee on the Judiciary.

By Mr. HOBBS:

H. R. 2607. A bill for the relief of the legal guardian of George Wesley Hobbs, a minor; to the Committee on the Judiciary.

By Mr. McCORMACK:

H. R. 2608. A bill for the relief of Eugene Doherty; to the Committee on the Judiciary.

By Mr. PFEIFER:

H. R. 2609. A bill for the relief of Nunzio Signorelli; to the Committee on the Judiciary.

By Mr. PHILBIN:

H. R. 2610. A bill for the relief of Antanos Butkus; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts:

H. R. 2611. A bill for the relief of John W. Mahoney; Charles Sorenson, Charles A. Stewart, and Stanley Thiffault; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

191. By Mr. BUCK: Petition of Edith E. Wilson, Helen D. Gavitte, Blanche Johnson, May E. Meachen, Nellie M. Warren, Mabel V. Johnson, Alice J. Digon, Edith Grafmuller, Laura M. Colenso, Elsie Olsen, Jennie Jones, Anita Fischer, Mabel S. Holland, Shirley S. Beasley, Nena M. Jones, Elizabeth K. Dole, Anne Salvesen, Edith E. Johnson, Mabel Grill, Vash L. Lucker, all from Staten Island, N. Y., asking support of House bill 142, the Pace bill. The boys tell some pretty "terrible" stories of conditions, and we, as citizens, can do nothing. We have to depend on our representatives in State and country to vote for the care of our men and boys; to the Committee on the Armed Forces.

192. By Mr. McGARVEY: Petition of Kendall H. Shoyer, chairman of the Registration Commission of the City of Philadelphia, opposing any increase in post-card rates. The registration commission has noted a news item in the daily press to the effect that the Post Office Department may seek to increase the post-card rate from 1 cent to 2 cents.

As we do a considerable part of our work by the use of penny post cards, we should dislike very much to see this expense item doubled. For instance, when we conduct a city-wide mail check, which we do every year, we have at the outset an expense of $10,000 for post cards. Our annual vote purge means another item of $1,000 each year, so you can readily see what an increase in the penny-post-card rate will do to our budget.

If you have an opportunity to express our opposition to any increase we would appreciate it; to the Committee on Post Offices and Civil Service.

193. By Mr. FORAND: Resolution of the General Assembly of the State of Rhode Island and Providence Plantations requesting the Senators and Representatives from Rhode Island in the Congress of the United States to use every effort to prevent the United States Navy from dispossessing veteran families from Tonomy Hill housing project to

provide housing for the personnel of the Atlantic Fleet and their families, soon to be based in Newport, R. I., passed by the general assembly on the 6th day of March A. D. 1947; to the Committee on Armed Services.

194. By Mr. MANSFIELD of Montana: Memorial No. 8 of the Montana Legislature for an act of Congress or such other authority as may be necessary to allow veterans of World War II just concluded, to acquire submarginal lands from the Department of Agriculture or the Department of the Interior which have been acquired under act of Congress dated July 22, 1937, known as chapter 517, title III, section 32 (50 Stat. 525–526); to the Committee on Veterans' Affairs.

195. By Mr. MARTIN of Massachusetts: Petition of Leslie H. Morgan and 1,489 citizens of Massachusetts, advocating repeal of Public Law 572, Seventy-ninth Congress; to the Committee on Interstate and Foreign Commerce.

196. By Mr. NORBLAD: Memorial No. 2 adopted by the Forty-fourth Legislative Assembly of the State of Oregon, memorializing the Congress to repeal title 16, United States Code Annotated, section 485, and so much of of title 16, United States Code Annotated, section 516, as may be necessary to restrict the acquisition of national forest lands solely to such lands as may be acquired by appropriation of money from the Federal Treasury; to the Committee on Public Lands.

197. By Mrs. NORTON: Petition of assembly No. 274, Slovak Catholic Sokol, fraternal, gymnastic, and athletic organization, Bayonne, N. J., requesting and urging a full congressional investigation of the whole Czechoslovak question; to the Committee on Foreign Affairs.

198. By Mr. RICH: Petition of a group of retired teachers of Lycoming County, Pa., urging early and favorable action on House bill 1613; to the Committee on Ways and Means.

199. By Mr. ROBERTSON: Memorial of the thirtieth legislative assembly, State of North Dakota, memorializing the Congress of the United States to propose an amendment to the Constitution of the United States of America, endorsing equal rights for women; to the Committee on the Judiciary.

200. Also, memorial of the thirtieth legislative assembly, State of North Dakota, demanding the removal of all controls over boxcar supply and distribution and allowing railroads to govern and allocate such equipment according to the needs of its patrons; to the Committee on Interstate and Foreign Commerce.

201. Also, memorial of the thirtieth legislative assembly, State of North Dakota, memorializing the Congress of the United States to provide funds for the payment of the difference between the ceiling price on flax and the price obtainable after the ceiling had been lifted; to the Committee on Agriculture.

202. Also, memorial of the thirtieth legislative assembly, State of North Dakota, memorializing Congress to construct a psychopathic hospital for veterans in the State of North Dakota, and until such time as such hospital is constructed to pay for the transportation charges for the commitment of psychopathic veterans to governmental institutions in adjoining States; to the Committee on Veterans' Affairs.

203. Also, memorial of the thirtieth legislative assembly, State of North Dakota, memorializing the Congress of the United States to create a Roosevelt Memorial Park in the Bad Lands area of the State of North Dakota; to the Committee on Public Lands.

204. Also, memorial of the thirtieth legislative assembly, State of North Dakota, memorializing the Congress of the United States to continue and expand the development of rural electrification throughout the United States; to the Committee on Agriculture.

205. Also, memorial of the thirtieth legislative assembly, State of North Dakota, memorializing the Congress of the United States to enact legislation barring all forms of liquor advertising from interstate mails, from radio and motion-picture programs; to the Committee on Interstate and Foreign Commerce.

206. Also, memorial of the thirtieth legislative assembly, State of North Dakota, memorializing the Civil Aeronautics Board for early consideration in providing a northern area of the United States as the crow flies from Duluth, Minn., to Seattle, Wash., with regular air transportation serving Chicago via the Twin Cities and Duluth and the intermediate points of Grand Forks, Devils Lake, Minot, Williston, Glasgow, Havre, Great Falls, Kalispell, and Spokane; to the Committee on Interstate and Foreign Commerce.

207. Also, memorial of the thirtieth legislative assembly, State of North Dakota, memorializing the Congress of the United States to open for homestead entry the submarginal lands in the State of North Dakota for the benefit and rehabilitation of veterans of World War II; to the Committee on Public Lands.

208. Also, memorial of the thirtieth legislative assembly, State of North Dakota, expressing the support of the people of North Dakota for the development of the Missouri River and its tributaries, and petitioning Congress to continue its support; to the Committee on Public Works.

209. Also, memorial of the thirtieth legislative assembly, State of North Dakota, memorializing the Congress of the United States to extend the time for availability of funds under the Federal Aid Act of 1944; to the Committee on Public Works.

210. Also, memorial of the thirtieth legislative assembly, State of North Dakota, petitioning Congress to strengthen present sanitary requirements governing the importation of livestock and livestock products and to appropriate additional funds to the Bureau of Animal Industry, United States Department of Agriculture, in order that border inspection may be improved and a system of patrol established along the northern boundary of Mexico to guard against the importation of people, animals, and materials carrying the infection of foot-and-mouth disease, and also petitioning Congress to offer to the Government of the Republic of Mexico such facilities as may be available from the Bureau of Animal Industry, United States Department of Agriculture, and appropriating money to provide for such facilities and to extend aid to the Government of the Republic of Mexico in order that foot-and-mouth disease may be eradicated; to the Committee on Agriculture.

211. Also, memorial of the thirtieth legislative assembly, State of North Dakota, urging the enactment of House bill 1113 of the Eightieth Congress, authorizing the removal of restrictions by the United States Government on land and land interests of Indian veterans; to the Committee on Public Lands.

212. Also, memorial of the thirtieth legislative assembly, State of North Dakota, petitioning Congress to enact permanent legislation to maintain a floor of not less than 90 percent of parity on all basic farm crops; to the Committee on Agriculture.

213. By Mr. SMITH of Wisconsin: Petition of Ladies' Wreath 104 of the Slovak Catholic Sokol, Kenosha, Wis.; to the Committee on Foreign Affairs.

214. By the SPEAKER: Petition of city council of Baltimore, petitioning consideration of their resolution with reference to a resolution requesting the United States Congress to build and maintain a modern American fleet; to the Committee on Merchant Marine and Fisheries.

215. Also, petition of the First Catholic Slovak Union of the United States of America, petitioning consideration of their resolution with reference to a full congressional investigation of the whole Czechoslovak question; to the Committee on Foreign Affairs.

216. Also, petition of John Jacob Janzen, petitioning consideration of his resolution with reference to his claim against Russia and the Russian people; to the Committee on Foreign Affairs.

217. Also, petition of Olga Morenoff and others, petitioning consideration of their resolution with reference to opposition to the 1-cent increase in the local gasoline tax; to the Committee on the District of Columbia.

218. Also, petition of Robert W. Estris and others of Washington, D. C., petitioning consideration of their resolution with reference to opposing the 1-cent increase in the local gasoline tax; to the Committee on the District of Columbia.

219. Also, petition of William Goldwyn and others of Washington, D. C., petitioning consideration of their resolution with reference to opposing the 1-cent increase in the local gasoline tax; to the Committee on the District of Columbia.

220. Also, petition of secretary, the Architects League of Northern New Jersey, petitioning consideration of their resolution with reference to all Federal controls affecting building, building materials, and supplies, including the Civilian Production Administration, be wiped out; to the Committee on Banking and Currency.

SENATE

TUESDAY, MARCH 18, 1947

(Legislative day of Wednesday, February 19, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Our Father in heaven, who dost know every secret of our hearts—all that we fear, all that we hope, and all of which we are ashamed—in this moment of confession, as each man looks into his own heart and mind, have mercy upon us all, and make us clean inside, that in all we do today we may behave with true courtesy and honor.

Compel us to be just and honest in all our dealings.

Let our motives be above suspicion.

Let our word be our bond.

Let us be kind in our criticism of others, and slow to judge, knowing that we ourselves must one day be judged.

We pray for a new spirit to come upon us that we may be able to do more and better work. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Monday, March 17, 1947, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed without amendment the bill (S. 276) to provide for payment and settlement of mileage and other travel-allowance accounts of military personnel.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 193. An act to amend section 35 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 191), as amended;

H. R. 197. An act to transfer part of block 14 and the school building thereon of Petersburg town site, Alaska, used for school purposes, to the town of Petersburg, Alaska;

H. R. 236. An act to amend the Nationality Act of 1940 so as to permit naturalization proceedings to be had at places other than in the office of the clerk or in open court in the case of sick or physically disabled individuals;

H. R. 490. An act providing for the appointment of a United States commissioner for the Big Bend National Park in the State of Texas, and for other purposes;

H. R. 729. An act to provide that the United States District Court for the Western District of Virginia shall alone appoint the United States commissioner for the Shenandoah National Park;

H. R. 804. An act authorizing the reduction of certain accrued interest charges payable by the farmers' irrigation district, North Platte project;

H. R. 1359. An act to amend the act of August 29, 1916 (39 Stat. 556), as amended, so as to increase the total authorized number of commissioned officers of the active list of the Corps of Civil Engineers of the Navy;

H. R. 1365. An act to establish a Chief of Chaplains in the United States Navy, and for other purposes;

H. R. 1975. An act to amend subsection (c) of section 19 of the Immigration Act of 1917 and subsection (a) of section 338 of the Nationality Act of 1940;

H. R. 1998. An act to amend section 48 of the Criminal Code relating to the receiving of stolen public property;

H. R. 2123. An act to amend the Locomotive Inspection Act of February 17, 1911, as amended; and

H. J. Res. 118. Joint resolution to strengthen the common defense by maintaining an adequate domestic rubber-producing industry.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

POST OFFICE DEPARTMENT ADMINISTRATIVE EXPENSES

A letter from the Acting Postmaster General, transmitting a draft of proposed legislation to authorize certain administrative expenses in the Post Office Department, and for other purposes (with an accompanying paper); to the Committee on Civil Service.

CANCELLATION OF UNPAID IRRIGATION OPERATION AND MAINTENANCE ASSESSMENTS AGAINST CERTAIN INDIAN LAND

A letter from the Secretary of the Interior, transmitting, pursuant to law, a copy of an order canceling $766.87 of unpaid irrigation operation and maintenance assessments against Indian-owned land under the Fort Hall irrigation project, Fort Hall Indian Reservation, Idaho (with an accompanying paper); to the Committee on Public Lands.

INTRUSION OF POLITICS INTO BIPARTISAN FOREIGN POLICY

Mr. DONNELL obtained the floor.

Mr. VANDENBERG. Mr. President, will the Senator yield to me to make a brief statement?

The PRESIDING OFFICER (Mr. LODGE in the chair). Does the Senator from Missouri yield to the Senator from Michigan?

Mr. DONNELL. I yield to the Senator from Michigan.

Mr. VANDENBERG. Mr. President, I regret the necessity of making this statement at this critical moment when partisan politics should be totally removed from foreign-policy consideration. But I am unable to ignore the unfortunate implications in the letter and statement released last night by the executive director of the Democratic National Committee calling upon the chairman of the Republican National Committee to join in a party statement endorsing the so-called Truman policy in Greece and Turkey. The Democratic chairman repeatedly used my name in his letter and statement. Of course, this was without my knowledge. It is unavoidable that I should speak plainly as a result.

Mr. President, when bipartisan foreign policy gets into the rival hands of partisan national committees it is in grave danger of losing its precious character. No matter how worthy the announced intentions, it can put foreign policy squarely into politics which, under such circumstances, are no longer calculated to stop at the water's edge. However unwittingly, this is precisely what Mr. Sullivan invites. I hope Mr. Reece will not accept the invitation. He has faithfully kept his party out of foreign-policy politics. I am sure he will continue to do so.

Bipartisan foreign policy is not the result of political coercion but of nonpolitical conviction. I never have even pretended to speak for my party in my foreign-policy activities. I have relied upon the validity of my actions to command whatever support they may deserve. I have never made any semblance of a partisan demand for support and I never shall. What I decline to do myself I cannot permit the executive director of the Democratic National Committee to attempt in my name.

It also is necessary, now, to get the record straight. This bipartisan foreign policy has been confined within relatively narrow limits. It has applied to the United Nations. It has applied to peace treaties in Europe. It has applied to nothing else. I have had nothing to do, for example, with China policies or pan-American policies except within the United Nations, and at times I have been satisfied with neither. The first I ever heard of the Greco-Turkish policy was when the President disclosed his thoughts 10 days ago at the White House. I do not complain. But I do not propose to be misunderstood.

I have said that we have no safe alternative but to uphold the President's hands at this dangerous hour. But I have also said that total information must be made available to Congress and the country, and that Congress must completely explore and approve the means by which the President's policy is to be implemented.

I expect every Republican, like every Democrat, to respond to his own conscience. I expect all of them to act not as partisans but as Americans. I expect none of them to yield their judgments, at such an hour, to the political dictates of any party managers. On the latter basis, bipartisan foreign policy would die in revolt. I hope we may avoid that tragedy. The quicker last night's appeal, no matter how nobly meditated, is forgotten the better it will be for the United States.

Mr. CONNALLY. Mr. President, will the Senator from Missouri yield to me?

Mr. DONNELL. I yield to the Senator from Texas.

Mr. CONNALLY. I have listened to the remarks of the Senator from Michigan, and I heartily corroborate his statement about the nonpartisan or bipartisan approach to the questions he has mentioned, namely, the United Nations charter and its operations, and the European peace treaties.

Mr. President, I hope that policy may continue uninfluenced by partisan or political circumstances. Until I read the newspapers this morning, I never heard of the letter addressed by Mr. Sullivan to Mr. Reece; but I wish to say that, so far as I am personally concerned, neither Mr. Sullivan nor Mr. Reece can influence my action in regard to matters within the jurisdiction of the Senate and within the sphere of my own views and convictions. I assume other Senators will take a similar attitude. I think it would be most unfortunate for any Senator, especially for the Senator from Michigan, to allow an incident of this kind in any wise to affect his attitude or his conduct with regard to the main question now before the Congress.

I have had very fervent hope that the Greco-Turkish matter would be handled on a nonpartisan basis. I know that shortly after the President addressed the Congress, the Senator from Michigan, as he stated here today, expressed his intention and desire to stand by the President; and I know of other prominent Republicans—I merely refer to them as "Republicans" for purposes of identification, not in any partisan sense—who also heartily expressed their purpose to stand by the President of the United States.

Mr. President, the issue is before us; we must determine it; we must act upon it, and I think it is of the highest importance that we act upon it as soon as possible, with due consideration, of course, to all the aspects and questions involved.

I have no criticism of the statement of the Senator from Michigan that there should be full and complete information on the subject. Without speaking for Mr. Sullivan or anyone else, my own personal view is that the Senate Committee on Foreign Relations should proceed at the earliest possible date to open hearings on this question, and not delay and wait until the House of Representatives acts upon it. I think I can speak without fear of serious contradiction when I say that, as a rule, the people of the United States look to the United States Senate for leadership in international matters and for the enunciation of policies relating to foreign relations, because the Senate ratifies treaties, confirms the

appointments of ambassadors and ministers, and, generally, acts on matters having to do with international relations.

I do not think we should wait on the House of Representatives; I do not think the Senate should wait until the House completes its own deliberations, perhaps after extended hearings and the propounding of multitudinous questions, and then take up the matter, probably to go over the same ground. I see no reason why the Senate should not proceed with hearings simultaneously, if necessary, with the House of Representatives. There is no reason why a witness who appears before the House committee should not, when he has concluded his testimony there, come before the Senate committee, or vice versa.

I have no objection to the fullest exploration of all phases of the proposal, but I think the questions should be propounded and the necessary information elicited in the hearings. I understand a questionnaire is being circulated, and to that I make no serious objection, except that it invites replies to many questions the answers to which will be known to all of us without the questionnaire.

Mr. President, I have no sponsorship for the letter written by Mr. Sullivan. He did not consult me about it, and I do not know that he consulted anybody else. I see no occasion or reason for the Senate to become excited or worried in any way about what Mr. Sullivan did, or about what Mr. Reece did. Both of them are paid propagandists for their parties. In their zeal they will no doubt from time to time do many things which are unwise and foolish, and we should not be influenced, in deciding the highly important international questions now before us, by what men like Mr. Sullivan and Mr. Reece may do.

Mr. President, I solemnly insist we ought to proceed in the Senate Committee on Foreign Relations with hearings upon this matter at the earliest possible date. What will a delay mean in the foreign chancelories, particularly at Moscow, where General Marshall is struggling with the treaties with Austria and with Germany? Delay here will mean, in the view of the foreign officials, at least, that there is substantial division among the people of the United States as to whether or not they will support the President. The Russian press is already proclaiming, by reason of a statement or two by Mr. Wallace and others, that there is substantial opposition. That means, of course, according to their view, that our people are not wholeheartedly behind the President.

Reference is made to the new policy. It is new in part only. We made loans to Great Britain. She was our ally, and one might say, one of the liberated countries. No questions were raised as to that loan such as those now suggested. We made a loan of a billion dollars to France, to prevent confusion and chaos which we thought might result from the spread of communism in France. That was largely the purpose of the loan. We made to Italy, who was first our enemy and then later our collaborator, a loan of many hundred millions of dollars. For what purpose was that loan made? It was made to prevent hunger and confusion and misery, which offer a fertile seedbed for communism. We were trying to protect the Italian Government against a spread of communism, and perhaps, the destruction of the Italian Government and Italian institutions.

So, Mr. President, coming to the case of Greece, all of us know that of all the European countries Greece is perhaps the most deserving of our assistance and of a loan. Greece was devastated, Greece was conquered, Greece was occupied; but early in the war the gallant Greeks fought with great heroism against the Italians, and successfully held them for a considerable period of time.

From what has been disclosed by travelers and official personnel who have been in Greece, it is common knowledge that Greece is in a deplorable state. She has been irritated and annoyed along her northern boundaries touching upon Bulgaria, Yugoslavia, and Albania. A commission of the United Nations is on the ground at this time, investigating these border incidents, in an effort to determine where the fault lies.

Greece is deserving of our every consideration, of our assistance, and of whatever we may do to bolster up the spirit of her people, to bolster up her means of self-defense. That, Mr. President, is what is involved. All that is involved is to help Greece maintain her position and to maintain her army for domestic purposes only.

In conclusion, I reiterate the statement that I feel it to be the duty of the Senate to proceed promptly with the consideration of this matter. Let the questions come; nobody objects to that. Let all the questionnaires which are being circulated be answered in the hearings. I trust that Senators will insist upon our meeting this question, and meeting it fairly, without waiting upon the leadership of the House of Representatives, in this field that is so peculiarly within the function of the Senate.

Mr. VANDENBERG. Mr. President, will the Senator from Missouri yield to me for a moment?

Mr. DONNELL. I yield to the Senator from Michigan.

Mr. VANDENBERG. Mr. President, I do not care to discuss the merits of the pending program this morning. I have no quarrel with the statement made by the Senator from Texas except—and this is no quarrel—that I think the pending problem involves far wider implications than he has indicated. I deal this morning solely with the problem which we confront, which was raised in my original statement. I entirely agree with the Senator from Texas that the actions of Mr. Sullivan or of Mr. Reece should have no influence, and they will have no influence upon the attitudes of the Congress. Certainly I indicated in my statement no purpose to be influenced one way or the other.

But, Mr. President, so far as proceeding immediately with the consideration of the problem is concerned, I reject the suggestion that the process which the chairman of the Senate Committee on Foreign Relations has initiated is in any sense "a failure to meet the issue," quoting the Senator from Texas. The proposal which is now in process of development for the first time in the procedural consideration of such questions gives every individual Member of the Senate a right to put down on paper the questions which are bothering his heart and soul and mind, and to expect definite and specific answers to them. So far as I am concerned, the mobilization of this information, which was undertaken within 20 minutes after the President of the United States had delivered his message, is a very definite and specific action moving in the direction of meeting our responsibilities.

The able Senator from Texas says that I have invited questions the answers to which we know in advance. I do not believe that is the situation. Questions have been submitted to me which I could not answer, and I have questions the answers to which I do not know. It seems to me that in a situation of this nature the fullest possible complete information is what the country and the Congress require, and I am sure my able friend from Texas thoroughly underwrites that statement. It is purely a question of procedure.

So far as the chairman of the Foreign Relations Committee is concerned, he is perfectly willing to start public hearings the moment the answers to these questionnaires are available; but he considers that it is an orderly process of a new magnitude in the business of getting information to complete the responses of the State Department to the questions which the members of this body desire to submit. I am hopeful that the questions will be completed by tomorrow, and that the answers will be available within 48 hours. There can be public hearings immediately. There is no suggestion in anything which I have said or indicated which invites any notion that there is any purpose to delay the forward march to an intelligent decision upon this utterly vital question.

Mr. ELLENDER. Mr. President, will the Senator from Missouri yield to me so I may propound a question to the distinguished Senator from Michigan?

Mr. DONNELL. I yield for that purpose.

Mr. ELLENDER. I was not present in the Chamber and did not hear all the Senator from Michigan said. I ask the Senator from Michigan whether all the questions and answers the Senator spoke of will be made public?

Mr. VANDENBERG. Yes, they will be.

Mr. LUCAS. Mr. President, will the Senator from Missiouri yield to me so I may propound a question to the Senator from Michigan with respect to the questionnaires?

Mr. DONNELL. I yield.

Mr. LUCAS. Are the questionnaires in the hands of the clerk of the Committee on Foreign Relations submitted to all Members of the United States Senate?

Mr. VANDENBERG. No, indeed. The invitation is extended to all Members of the United States Senate to prepare their own questions.

Mr. LUCAS. I see. I did not understand what they were. I thought perhaps some form of questionnaire had been submitted.

Mr. VANDENBERG. Not at all. I am not making a poll. I am merely desirous of giving to the Members of this

body a chance to search their own minds and hearts and souls and put down in black and white the things which are bothering them that might be answered by a categorical reply from the State Department.

Mr. LUCAS. What the Senator is saying is that if any Senators desire to submit questions concerning this problem they are at liberty to do so?

Mr. VANDENBERG. They are not only at liberty but are urged to do so.

Mr. HATCH subsequently said: Mr. President, late as the hour is, I feel that I want to make a brief observation concerning some comments which were made earlier in the day relative to an article which appeared in the morning press, a letter written by the executive director of the Democratic National Committee to the chairman of the Republican National Committee, Mr. Reece, in which, according to press dispatches, Mr. Sullivan is said to have urged the Republican National Committee to join in support of the present foreign policy.

Mr. President, when I, myself, read the article at first, it occurred to me that perhaps it was an unwise and an improper approach, that perhaps it did smack of bringing partisan influences to bear upon what should always be a bipartisan matter, and it was with sincere regret that I heard the Senator from Michigan [Mr. VANDENBERG] today express his strong feeling about the letter saying at least he thought it was unwise and improper, and perhaps had placed him in a most embarrassing position. I regret that, because the Senator from Michigan has rendered most valuable aid and service to his country and to the world in his strictly nonpartisan and also his bipartisan approach to all matters relating to foreign policies and foreign relations.

But, Mr. President, after reading the letter, it occurred to me, and probably it is true, that it was with the best of intentions that Mr. Sullivan wrote as he did, and that he hoped to unite the two great political parties behind the present program in the field of foreign relations.

Therefore, Mr. President, lest what some may think an ineptitude of approach may cause an exchange of correspondence, statements, or views, which might tend to be destructive of that unity of thought and purpose which must prevail in our relations with other nations of the world, I take this opportunity to utter a word of caution.

I take this position, Mr. President, and I hold the view, that the course which has recently been proposed by the President is one which cannot be avoided. In a sense it was thrust upon us by circumstances over which we had no control; but, having embarked upon the course—and we have embarked upon it already—we can only maintain our position of influence, our position of leadership in world affairs, by complete and total unity at home. Anything which serves to divide us into groups, factions, or political parties, will destroy the ends we hope to achieve before we have commenced the journey toward those aims. Once let the ugly head of partisan politics be raised on this issue and there can be but one outcome, and that will be an inglorious and ignoble retreat by the statesmen of America from the battlefields won and conquered by the fighting men of America.

Upon the subject of what our course should be in the present and in the future, and how we shall pursue it, I shall expect to say more when the appropriate measures are before the Senate for consideration; but now I only raise my voice in protest against division, against discord, against partisan political influences no matter from which side they come. No matter where fault or blame may rest—with that I am not now concerned—the point I stress is that no matter what Members of Congress may think as individuals, and although we may honestly differ as individual Senators, we dare not divide along political or party lines. Let that occur and not only have we actually lost the war in which our sons gave their lives but we have lost the peace as well, and are promoting another war to be won by the men who fight and give their lives, as they did in World War I and World War II and perhaps to be lost by statesmen as was the First World War.

Whatever may be the outcome of the great debate upon which we shall presently enter, no matter what decision may ultimately be reached, let it be the decision of Americans and not of Republicans or of Democrats.

MEETING OF COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. WHITE. Mr. President, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to be in session this afternoon during the session of the Senate.

The PRESIDING OFFICER. Without objection, the request is granted.

LEAVE OF ABSENCE

Mr. WHITE. Mr. President, I ask unanimous consent that the Senator from New Hampshire [Mr. TOBEY] may be excused from attendance upon sessions of the Senate today and tomorrow. This request is made because of illness in the Senator's family.

The PRESIDING OFFICER. Without objection, the request is granted.

MEETING OF SUBCOMMITTEE OF COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. CAIN. Mr. President, before notice of the Tuesday session, that is, today's session of the Senate, was received I had arranged for a hearing to be held by a subcommittee of the Committee on the District of Columbia. Witnesses had been invited, and they were in attendance at a hearing this morning. They expect to remain and testify this afternoon. I should very much appreciate it if I could receive unanimous consent which would permit the hearings to continue, making it necessary for only three Senators to be absent from the Senate this afternoon.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington? The Chair hears none, and it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A memorial of sundry students and trainees, ex-service and ex-trainees, and veterans of World War II, remonstrating against certain amendments relating to vocational rehabilitation and education of veterans made by the Seventy-ninth Congress to the Servicemen's Readjustment Act of 1944; to the Committee on Labor and Public Welfare.

By Mr. MURRAY:

A joint memorial of the Legislature of the State of Montana; to the Committee on Appropriations:

"Senate Joint Memorial 1

"Senate joint memorial entitled 'A joint memorial of the Senate and House of Representatives of the State of Montana, to the Honorable J. A. Krug, Secretary of the Department of the Interior of the United States; the Honorable Director of the National Park Service; the Honorable Director of the Public Roads Administration; the Honorable James E. Murray, and the Honorable Zales N. Ecton, United States Senators from Montana; and to the Honorable Wesley A. D'Ewart, and the Honorable Mike Mansfield, Congressmen from Montana, respectfully urging that necessary, sufficient, and proper appropriations be made and provided from the appropriation authorized by Public Law 521, Seventy-eighth Congress, chapter 626, second session, for the construction, reconstruction, improvement, betterment, and maintenance of the Yellowstone National Park Monument approach road, leading from the city or Red Lodge, Mont., to the northeast entrance of the Yellowstone National Park, which road is known as the Red Lodge-Cooke City Highway, and in order that said road may be kept in such condition that more extended use may be made thereof by the traveling public'

"*To the Honorable J. A. Krug, Secretary of the Department of the Interior of the United States; the Honorable Director of the National Park Service; the Honorable Director of the Public Roads Administration, the Honorable James E. Murray, and the Honorable Zales N. Ecton, United States Senators from Montana; and to the Honorable Wesley A. D'Ewart and the Honorable Mike Mansfield, Congressmen from Montana:*

"Whereas the National Park Monument Approach Road, leading from the city of Red Lodge, Mont., to the northeast entrance of Yellowstone National Park, which road is known as the Red Lodge-Cooke City Highway, was constructed by the Department of the Interior through the National Park Service under the act of Congress of January 31, 1931 (46 Stat. 1053), as amended; and

"Whereas said highway is a part of United States Highway No. 12, leading from the northeast entrance of the Yellowstone National Park northeasterly through the city of Red Lodge, Mont., and connecting with United States Highway No. 310 at Rockvale, Mont., and United States Highway No. 10 at Laurel, Mont., extending east and west in Montana, and which in turn connects with United States Highway No. 87 at Billings, Mont., extending north and south in Montana; and

"Whereas travel over the above-mentioned connecting highways brings much tourist travel into and out of the Yellowstone National Park over said approach road, such tourist travel will be greatly increased into and out of the Yellowstone National Park over said approach road from the north and south, as well as from the east and west, if said approach road is reconstructed and improved, and properly maintained, including snow removal therefrom; and

"Whereas said approach road greatly shortens the distances to be traveled by those desiring to travel northward or southward through the Yellowstone National Park; and

"Whereas Highway No. 12 from Red Lodge, Mont., over the Beartooth range of mountains, through historic Cooke City and on into the Yellowstone National Park is one of the most scenic routes in America; and

"Whereas because of the beauty of the scenery along said highway and recreational advantages along said highway and in said Beartooth mountains there will be a gradual increase in the use of said approach road to the Yellowstone National Park by tourists and others; and

"Whereas said highway attains an elevation of 10,924 feet over said Beartooth range of mountains; and

"Whereas it is the desire of many people that said highway be kept open for traffic and travel in winter months in order that winter sports activities may be engaged in and carried on in said Beartooth mountains; and

"Whereas the traveling public generally desires, and it is necessary to the public interests that said approach road over said Beartooth Mountains be so reconstructed, improved, and maintained, and snow removed therefrom, in order that said approach road may be an all-weather highway safe for automobile travel the year round; and

"Whereas increased use will also be made of said approach road for the transportation of petroleum and other products; and

"Whereas the Seventy-eighth Congress has enacted Public Law 521, chapter 626, second session, authorizing appropriation for the construction, reconstruction, improvement, betterment, and maintenance of said Yellowstone National Park Monument approach road: Therefore be it

"Resolved by the Senate of Montana (the House of Representatives concurring), That the Legislative Assembly of the State of Montana, in regular session, hereby requests and respectfully urges the Honorable J. A. Krug, Secretary of the Department of the Interior of the United States; the Honorable Director of the National Park Service; the Honorable Director of the Public Roads Administration; the Honorable James E. Murray and the Honorable Zales N. Ecton, United States Senators from Montana; and the Honorable Wesley A. D'Ewart and the Honorable Mike Mansfield, Congressmen from Montana, to take the necessary steps in securing the necessary and proper appropriations for the construction, reconstruction, improvement, betterment, and maintenance (including snow removal) of the Yellowstone National Park Monument approach road, leading from the city of Red Lodge, Mont., to the northeast entrance of the Yellowstone National Park, which road is known as the Red Lodge-Cooke City Highway, in order that said road may be kept open and in condition for use by the traveling public at all times, such appropriations to be from the funds authorized by Public Law 521, chapter 626, of the Seventy-eighth Congress, second session; be it further

"Resolved, That a copy of this joint memorial be sent to each of the following: The Honorable J. A. Krug, Secretary of the Department of the Interior of the United States; the Honorable Director of the National Park Service; the Honorable Director of the Public Roads Administration, the Honorable James E. Murray and the Honorable Zales N. Ecton, United States Senators from Montana; and to the Honorable Wesley A. D'Ewart and the Honorable Mike Mansfield, Congressmen from Montana; Edmund B. Rogers, Superintendent of Yellowstone National Park; W. W. Lynch, district engineer of United States Public Roads Administration, Portland, Oreg.; L. Martin, district No. 1, Missoula, Mont.; and A. F. Winkler, chairman of the Montana State Highway Commission."

Two joint memorials of the Legislature of the State of Montana; to the Committee on Agriculture and Forestry:

"House Joint Memorial 8

"Joint memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States, the Honorable Clinton P. Anderson, Secretary of Agriculture, Hon. J. A. Krug, Secretary of the Interior, Hon. James E. Murray and the Honorable Zales N. Ecton, United States Senators from Montana, and the Honorable Mike Mansfield and the Honorable Wesley A. D'Ewart, Representatives from Montana, for an act of Congress or such other authority as may be necessary to allow veterans of World War II, just concluded, to acquire submarginal lands from the Department of Agriculture or the Department of the Interior which have been acquired under an act of Congress dated July 22, 1937, known as chapter 517, title III, section 32 (50 Stat. 525–526)

"Whereas, under an act of Congress dated July 22, 1937, known as chapter 517, title III, section 32 (50 Stat. 525–526), the Secretary of Agriculture acquired enormous acreages of land in Montana designated as submarginal lands to develop a program of land conservation and land utilization; and

"Whereas a great amount of these tremendous acreages of land have been acquired on Indian reservations in Montana from the Secretary of the Interior of the United States; and

"Whereas it is the considered judgment of your memorializers that a great portion of the lands so acquired by the Secretary of Agriculture are not necessarily submarginal lands, but are good agricultural lands, which may be utilized for agricultural purposes in Montana to good advantage; and

"Whereas veterans of World War II, just concluded, are now returning to Montana and are unable to acquire agricultural lands in Montana, particularly those owned by the United States, under an act of Congress referred to above; and

"Whereas it would be of great advantage to the people of Montana as well as to the veterans of World War II that such veterans be afforded an opportunity of acquiring such lands in economic units: Now, therefore, be it

"Resolved by the house of representatives (the senate concurring), That the Montana Legislative Assembly urges the Congress of the United States to enact such legislation as shall enable veterans of World War II to acquire in economic units agricultural lands owned by the United States Government, under the submarginal program referred to above, at valuations not to exceed what the United States Government has paid for such lands; be it further

"Resolved, That copies of this memorial be transmitted to the Honorable Clinton P. Anderson, Secretary of Agriculture, Hon. J. A. Krug, Secretary of the Interior, Hon. James E. Murray and the Honorable Zales N. Ecton, United States Senators from Montana, and the Honorable Mike Mansfield and the Honorable Wesley A. D'Ewart, Representatives from Montana."

"House Joint Memorial 9

"Joint memorial to the Congress of the United States urging the immediate enactment of legislation to extend the terms of the Steagall amendment to the Commodity Credit Act beyond December 31, 1948

"To the Honorable Senate and House of Representatives of the United States in Congress Assembled:

"Whereas by action of the President of the United States cessation of hostilities has been proclaimed; and

"Whereas under the Steagall amendment to the Commodity Credit Act such proclamation has the effect of terminating the present parity support price program with the 1948 crop year; and

"Whereas there is still need for record-breaking production of food to aid the starving of the world and farmers of America are still being urged to produce to the limit of their capacity to aid the starving peoples of the world; and

"Whereas unless steps are taken to prevent a disastrous drop in agricultural prices such as that which occurred after World War I the farmers of America cannot with safety meet the production goals now needed; and

"Whereas the farmers of America may face disaster through a sudden and drastic farm price reduction; and

"Whereas such a drastic drop in agricultural prices which will occur unless steps are taken now to prevent it will severely penalize the farmers of America for their high production which contributed so greatly to the winning of the war: Now, therefore, be it

"Resolved, That the Senate and the House of Representatives of the State of Montana do hereby urge upon the Congress of the United States that the provisions of the Steagall amendment to the Commodity Credit Act be extended beyond December 31, 1948; be it further

"Resolved, That copies of this memorial be sent to the chairman and members of the Committee on Agriculture in both the Senate and in the House of Representatives of the United States and to the members of the Montana delegation in the House of Representatives and in the Senate of the United States and to the Honorable Clinton P. Anderson, Secretary of Agriculture."

By Mr. MILLIKIN:

A joint memorial of the Legislature of the State of Colorado; to the Committee on Appropriations:

"House Joint Memorial 4

"Whereas investigations by the Committee on Un-American Activities of the House of Representatives of the Congress of the United States and investigations by the Federal Bureau of Investigation have disclosed that there are, throughout the United States and within the borders of the State of Colorado, certain individuals and organizations that have as their goal and for their purpose the violent and forceful overthrow of the Governments of the United States and the State of Colorado and the destruction of the system of free enterprise which is a basic part of our National and State Governments and an element in such governments which is essential to the happiness and welfare of the citizens and residents of the United States and the State of Colorado; and

"Whereas such individuals or organizations are in many instances subservient or faithful to or connected with certain foreign governments; and

"Whereas, It is important to ascertain and insure that all employees of the United States Government are loyal to our constitutional form of Government, and, because there are apparently many Federal employees who are members of subversive groups and/or adherents to their subversive doctrines, their continued employment in the Federal Government is inimical to the best interests of the United States and the State of Colorado and the people thereof: Now, therefore, be it

"Resolved by the House of Representatives of the Thirty-Sixth General Assembly of the State of Colorado (the Senate concurring herein), That the General Assembly of the State of Colorado respectfully memorializes the Congress of the United States to:

"1. Appropriate sufficient funds for the Federal Bureau of Investigation to continue its effective investigations and coverage of subversive organizations and individuals seeking to undermine the constitutional form of Government of the United States.

"2. Appropriate sufficient funds to the Committee on Un-American Activities of the House of Representatives of the Congress of the United States to enable such Committee to continue its investigations and exposure of organizations and individuals engaged in

all forms of subversive activities, whether they be in the nature of communism, fascism, or nazism, and to publish periodical reports that will be of value in the educational campaign to overcome the complacency of the citizens of the United States concerning the danger of the subversive activities being carried on in our midst.

"3. Direct and authorize the investigation and removal of Federal employees who after careful investigation and careful weighing of evidence have been found to be of doubtful loyalty to our present form of constitutional Government in order that all Communists, Fascists, and their sympathizers may be removed from positions in the Federal Government where they are of potential danger and aid to the subversive forces at work seeking to undermine and overthrow the legal constitutional form of Government presently enjoyed by these United States of America; and be it further

"*Resolved,* That a copy of this memorial be forwarded to each of the United States Senators and Representatives in Congress from the State of Colorado, so as to urge their vigorous support in accomplishing the purposes of this memorial."

A joint memorial of the Legislature of the State of Colorado; to the Committee on Agriculture and Forestry:

"Senate Joint Memorial 5

"Joint memorial memorializing the President and the Congress of the United States to extend the present Commodity Credit Corporation purchase program to cover the entire 1947 domestic wool clip, and to enact such legislation as will provide a long-range price-stabilization plan for domestic wool

"Whereas the present supply of wool within the United States greatly exceeds the stocks normally required to supply the commercial demands of the trade; and

"Whereas this surplus has been created through the cumulation of a large war stock pile and through the heavy importations of foreign wool; and

"Whereas this importation of foreign wools continues to aggravate this situation, and tends to reduce the consumption of present stock piles of wool and the current domestic clip, and causes an unstable economy within the industry; and

"Whereas a continuing policy on the part of the Department of State, extending the program of the reciprocal trade agreements, will further reduce the tariff protection given the industry by the Congress of the United States, will cause further economic hardship and hazard within the wool industry, and will facilitate the importation of foreign wools: Now, therefore, be it

"*Resolved by the senate of the thirty-sixth general assembly (the house of representatives concurring herein),* That the Congress of the United States enact, and the President approve, such legislation as is necessary to extend the present Commodity Credit Corporation purchase plan to cover the entire 1947 domestic wool clip; and that the Congress enact, and the President approve, a long-range wool-price-stabilization program to preserve the interests of the domestic sheep-growing industry on a plane commensurate with the American standard of living; and, to effectuate such program, that there be established a wool branch within the Department of Agriculture to administer such program; and be it further

"*Resolved,* That the President of the United States instruct the Secretary of State to cease the present reciprocal trade-agreements program relative to the importation of wool; and be it further

"*Resolved,* That copies of this memorial be sent to the President of the United States and to each of the Senators and Representatives from the State of Colorado in the Congress of the United States."

A joint memorial of the Legislature of the State of Colorado; to the Committee on Labor and Public Welfare:

"Senate Joint Memorial 6

"Whereas there are now pending in the Congress of the United States various proposals designed to remedy the unfair practices resulting from the operation of the National Labor Relations Act, which deprive persons who are willing and desire to work from securing employment unless and until they have become members of labor unions; and

"Whereas the recent national coal strike afforded a vivid and striking illustration of the hardships, inconveniences, and sufferings that are caused by the closed shop and by monopolistic practices of labor unions; and

"Whereas numerous specific examples have been called to the attention of the Thirty-sixth General Assembly of the State of Colorado, where returning veterans have been denied employment even though employment was available, due to the closed shop and the arbitrary refusal of certain labor unions to permit said veterans to join said unions, which is in contravention of the rights and principles for which they fought; and

"Whereas court decisions and rulings have been handed down from time to time declaring most businesses as interstate commerce, the effect of which has brought a major percentage of labor unions under the laws enacted by the Congress of the United States and subject to the rules and regulations of the various departments of the Federal Government: Now, therefore, be it

"*Resolved by the Senate of the Thirty-sixth General Assembly of the State of Colorado (the House of Representatives concurring herein),* That the Senators and Representatives of the Congress of the United States from the State of Colorado are hereby urged to vote for the passage of legislation designed to remedy and correct the unfair practices resulting from the closed shop, so that no person shall be denied employment because of membership in or affiliation with, or resignation or expulsion from a labor organization or because of refusal to join or affiliate with a labor organization; and be it further

"*Resolved,* That a copy of this memorial be transmitted to the Senators and Representatives from the State of Colorado in the Congress of the United States."

THE PUBLIC DOMAIN—IDAHO LEGISLATURE JOINT MEMORIAL

Mr. DWORSHAK. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a joint memorial recently adopted by the Idaho Legislature on the subject of the public domain.

There being no objection, the joint memorial was received, referred to the Committee on Public Lands, and, under the rule, ordered to be printed in the RECORD, as follows:

Senate Joint Memorial 6

Joint memorial to the President and the Congress of the United States to preserve public lands in Idaho in their present ownership status

We, your memorialists, the Senate and House of Representatives of the Twenty-ninth Legislature of the State of Idaho, do hereby respectfully represent that:

Whereas the Federal Government is the principal land owner in the 11 Western States and owns up to 25 percent of the land in 14 other States, and is best able to promote the conservation, development, and use of these lands in the general public interest; and

Whereas there is a persistent effort on the part of certain western Congressmen who appear to favor special interests wherein the public lands would be sold into private ownership; and

Whereas the livestock producers, farmers, sportsmen, and businessmen of eastern Idaho (users of the public lands) demand that the public lands remain in their present ownership status for the following reasons:

1. Watersheds vital to our agricultural economy would be jeopardized and reclamation development imperiled under private ownership.

2. Recreational values and privileges would be restricted, under private land ownership.

3. Hunting and fishing would be denied to the general public over large areas.

4. Livestock producers' overhead would be increased beyond the limits of economic stability. Numerous instances can be cited in which an overburden of real estate has resulted in bankruptcy.

5. Farming and livestock production are interdependent in the stability of the whole local economy. Hay and feed grains are marketed through the medium of livestock. This practice maintains soil fertility and production. Availability of feed on farms makes possible economic livestock operations on public lands.

6. Revenues collected and returned to the States by the Federal Government are now commensurate with or exceed potential tax revenues from the public lands.

7. Private ownership of the remaining public lands would result in a feudal ownership and restriction of human liberties similar to that now existent in European countries.

8. Private ownership cannot maintain adequate fire-fighting facilities and the forests are, therefore, better protected under Federal ownership.

9. It has been a common practice for private owners of land acquired at nominal cost, after removing the lumber, to permit the land to go for delinquent taxes thereby forestalling reforestation, development, and protection of the property: Now, therefore, be it

Resolved by the Senate of the Twenty-ninth Legislature of the State of Idaho (the House of Representatives concurring therein), That we respectfully urge the President and the Congress of the United States to preserve public lands in Idaho in their present ownership statute; be it further

Resolved, That a copy of this joint memorial be forwarded by the secretary of state to the President of the United States and to the President pro tempore of the United States Senate, the Speaker of the House of Representatives, the chairman of the Public Lands Committee of the House of Representatives and of the United States Senate, and to the Senators and Representatives in Congress from the State of Idaho and the State of Washington with the request that they bring this matter forcibly to the attention of the Members of the Congress of the United States.

This senate joint memorial passed the senate on the 27th day of February 1947.

This senate joint memorial passed the house of representatives on the 5th day of March 1947.

REPORT OF A COMMITTEE

Mr. CONNALLY, from the Committee on Foreign Relations, to which was referred the joint resolution (S. J. Res. 27) amending the settlement of Mexican Claims Act of 1942 to provide for the consideration of any claim decided by the General Claims Commission in which the United States filed a petition for rehearing, reported it without amendment, and submitted a report (No. 57) thereon.

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. LANGER, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for

examination and recommendation two lists of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

ADDITIONAL REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES — FEDERAL CIVILIAN PERSONNEL

Mr. BYRD. Mr. President, according to monthly personnel reports submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures, Federal personnel, both inside and outside the United States, decreased 22,521 from the December total of 2,283,980 to the January total of 2,261,459. Excluding War and Navy Departments, there was a total decrease of exactly 999. Meanwhile, in other words, except for gradual reductions in War and Navy, the much-vaunted reduction in Federal employment is not taking place.

For that part of Federal employment within the United States, personnel decreased 10,608 from the December total of 1,987,808 to the January total of 1,977,200. The War and Navy Departments accounted for 8,122 of this decrease. Outside the United States, employment decreased 11,913 from the December total of 296,172 to the January total of 284,259. Excluding War and Navy Departments decreases, there was an increase outside the United States of 1,487.

In all, 21 agencies increased personnel during the month. Largest increases occurred in the United States Atomic Energy Commission, which added 4,098 employees; the Veterans' Administration, which added 2,978, to bring its total employment to 229,874; and the Office of Housing Expediter, a new agency, which has 1,974 employees. Other establishments which increased employment included the Interior Department, Labor Department, Civil Aeronautics Board, Federal Security Agency, Federal Trade Commission, Federal Works Agency, National Labor Relations Board, Panama Canal, Railroad Retirement Board, and Tennessee Valley Authority.

I ask unanimous consent to submit an additional report of the Joint Committee on Reduction of Nonessential Federal Expenditures relating to Federal civilian personnel and request that it may be printed in the RECORD.

There being no objection, the report was received and ordered to be printed in the RECORD, as follows:

ADDITIONAL REPORT OF THE JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES, CONGRESS OF THE UNITED STATES, PURSUANT TO SECTION 601 OF THE REVENUE ACT OF 1941 ON FEDERAL PERSONNEL, DECEMBER 1946–JANUARY 1947

FEDERAL PERSONNEL IN THE EXECUTIVE BRANCH, JANUARY 1947, AND A COMPARISON WITH DECEMBER 1946

(All figures compiled from reports submitted by the heads of Federal establishments or their authorized representatives)

According to monthly personnel reports submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures, Federal personnel within the United States during January decreased 10,608 from a total of 1,987,808 in December to 1,977,200 in January. Excluding the War and Navy Departments, personnel decreased 2,486 from the December total of 1,222,630 to the January total of 1,220,144. The War Department within the continental United States decreased 7,213 from the December total of 439,223 to the January total of 432,010. The Navy Department inside the United States decreased 909 from the December figure of 325,955 to the January figure of 325,046. (See table I.)

Outside the continental United States, Federal personnel decreased 11,913 from the December total of 296,172 to the January total of 284,259. The majority of these employees are industrial workers. (See tables II and IV.) Exclusive of the War and Navy Departments, there was an increase of 1,487 from the December figure of 54,773 to the January figure of 56,260.

The consolidated table, presenting data with respect to personnel inside and outside the continental United States, shows a total decrease of 22,521 from the December total of 2,283,980 to the January total of 2,261,459. Excluding War and Navy Departments' reductions of 21,522, there was a decrease of 999 employees in the executive branch of the Federal Government from the December figure of 1,277,403 to the January figure of 1,276,404. (See table III.)

Industrial employment during the month of January decreased 14,939 from the December total of 643,087 to the January total of 628,148. The War Department decreased 13,643 outside the United States and decreased 1,187 inside the United States in the industrial group, making a total reduction of 14,830 employees. The term "industrial employees" as used by the committee refers to unskilled, semiskilled, skilled, and supervisory employees paid by the Federal Government, who are working on construction projects, such as airfields and roads and in shipyards and arsenals. It does not include regular maintenance and custodial employees. (See table IV.)

TABLE I.—*Federal personnel inside continental United States employed by executive agencies during January 1947, and comparison with December 1946*

Departments or agencies	December	January	Increase (+) or decrease (−)
EXECUTIVE DEPARTMENTS (EXCEPT WAR AND NAVY DEPARTMENTS)			
Agriculture Department	79,441	78,477	−964
Commerce Department	35,293	34,726	−567
Interior Department	44,791	44,840	+49
Justice Department	23,850	23,882	+32
Labor Department	7,314	7,419	+105
Post Office Department	457,595	456,509	−1,086
State Department	8,678	8,627	−51
Treasury Department	101,059	101,045	−14
EMERGENCY WAR AGENCIES			
Office of Defense Transportation	102	96	−6
Office of Scientific Research and Development	155	145	−10
Selective Service System	9,377	8,956	−421
POSTWAR AGENCIES			
Council of Economic Advisers	27	27	
National Wage Stabilization Board	611	456	−155
Philippine Alien Property Administration	3	2	−1
Price Decontrol Board	11	6	−5
U. S. Atomic Energy Commission	21	4,119	+4,098
War Assets Administration	56,579	53,722	−2,857
Office of Temporary Controls: [1]			
Office of War Mobilization and Reconversion	161	158	−3
Office of Price Administration	15,483	13,916	−1,567
Civilian Production Administration	4,241	4,032	−209
Office of Government Reports		146	+146
Office of Housing Expediter		1,971	+1,971
INDEPENDENT AGENCIES			
American Battle Monuments Commission	4	3	−1
Bureau of the Budget	750	610	−140
Civil Aeronautics Board	478	499	+21
Civil Service Commission	3,505	3,503	−2
Export-Import Bank of Washington	116	115	−1
Federal Communications Commission	1,357	1,357	
Federal Deposit Insurance Corporation	1,178	1,167	−11
Federal Power Commission	790	794	+4
Federal Security Agency	30,853	30,894	+41
Federal Trade Commission	545	592	+47
Federal Works Agency	24,163	24,343	+180
General Accounting Office	11,693	11,442	−251
Government Printing Office	8,006	8,013	+7
Interstate Commerce Commission	2,286	2,281	−5
Maritime Commission	12,280	11,851	−429
National Advisory Committee for Aeronautics	5,675	5,624	−51
National Archives	396	399	+3
National Capital Housing Authority	280	284	+4
National Capital Park and Planning Commission	17	17	
National Gallery of Art	313	313	
National Housing Agency	19,069	16,468	−2,601
National Labor Relations Board	876	888	+12
National Mediation Board	98	99	+1
Panama Canal	420	484	+64
Railroad Retirement Board	2,559	2,636	+77
Reconstruction Finance Corporation	9,522	8,543	−979
Securities and Exchange Commission	1,209	1,204	−5
Smithsonian Institution	501	502	+1
Tariff Commission	227	224	−3
Tax Court of the United States	122	122	
Tennessee Valley Authority	13,431	13,535	+104
Veterans' Administration	225,119	228,061	+2,942
Total, excluding War and Navy Departments	1,222,630	1,220,144	−12,395 / +9,909
Net decrease, excluding War and Navy Departments			−2,486
Navy Department	325,955	325,046	−909
War Department	439,223	432,010	−7,213
Total, including War and Navy Departments	1,987,808	1,977,200	−20,517 / +9,909
Net decrease, including War and Navy Departments			−10,608

[1] Executive Order 9809, Dec. 12, 1946, established Office of Temporary Controls and transferred under its control the Office of War Mobilization and Reconversion, the Office of Price Administration, and the Civilian Production Administration. Office of War Mobilization and Reconversion and the Office of Price Administration previously were shown under "Emergency war agencies."

TABLE II.—*Federal personnel outside continental United States employed by executive agencies during January 1947, and comparison with December 1946*

Departments or agencies	December	January	Increase (+) or decrease (−)
EXECUTIVE DEPARTMENTS (EXCEPT WAR AND NAVY DEPARTMENTS)			
Agriculture Department	1,378	1,388	+10
Commerce Department	2,307	2,505	+198
Interior Department	4,069	4,678	+609
Justice Department	601	545	−56
Labor Department	85	93	+8
Post Office Department	1,393	1,415	+22
State Department	14,086	13,752	−334
Treasury Department	683	697	+14
EMERGENCY WAR AGENCIES			
Selective Service System	92	85	−7
POSTWAR AGENCIES			
Philippine Alien Property Administration	----------	[1] 55	+55
War Assets Administration	23	22	−1
Office of Temporary Controls: [2]			
Office of Price Administration	91	90	−1
Civilian Production Administration	20	21	+1
INDEPENDENT AGENCIES			
American Battle Monuments Commission	85	75	−10
Civil Aeronautics Board	12	12	----------
Civil Service Commission	5	5	----------
Export-Import Bank of Washington	2	2	----------
Federal Communications Commission	36	36	----------
Federal Deposit Insurance Corporation	2	3	+1
Federal Security Agency	663	692	+29
Federal Works Agency	294	297	+3
Maritime Commission	208	346	+138
National Housing Agency	58	52	−6
National Labor Relations Board	2	2	----------
Office of Housing Expediter	----------	3	+3
Panama Canal	26,675	27,458	+783
Reconstruction Finance Corporation	118	110	−8
Smithsonian Institution	8	8	----------
Veterans' Administration	1,777	1,813	+36
Total, excluding War and Navy Departments	54,773	56,260	+1,910 −423
Net increase, excluding War and Navy Departments	----------	----------	+1,487 −20
Navy Department	[3] 51,428	[4] 51,408	
War Department	189,971	[1] 176,591	−13,380
Total, including War and Navy Departments	296,172	284,259	−13,823 +1,910
Net decrease, including War and Navy Departments	----------	----------	−11,913

[1] Estimated.
[2] Executive Order 9809, Dec. 12, 1946, established Office of Temporary Controls and transferred under its control the Office of Price Administration and Civilian Production Administration. Office of Price Administration previously was shown as an emergency war agency.
[3] Figures as of Nov. 30, 1946.
[4] Figures as of Dec. 31, 1946.

TABLE III.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during January 1947, and comparison with December 1946*

Departments or agencies	December	January	Increase (+) or decrease (−)
EXECUTIVE DEPARTMENTS (EXCEPT WAR AND NAVY DEPARTMENTS)			
Agriculture Department	80,819	79,865	−954
Commerce Department	37,600	37,231	−369

TABLE III.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during January 1947, and comparison with December 1946*—Continued

Departments or agencies	December	January	Increase (+) or decrease (−)
EXECUTIVE DEPARTMENT (EXCEPT WAR AND NAVY DEPARSMENTS—CON.			
Interior Department	48,860	49,518	+658
Justice Department	24,451	24,427	−24
Labor Department	7,399	7,512	+113
Post Office Department	458,988	457,924	−1,064
State Department	22,764	22,379	−385
Treasury Department	101,742	101,742	----------
EMERGENCY WAR AGENCIES			
Office of Defense Transportation	102	96	−6
Office of Scientific Research and Development	155	145	−10
Selective Service System	9,469	9,041	−428
POSTWAR AGENCIES			
Council of Economic Advisors	27	27	----------
National Wage Stabilization Board	611	456	−155
Philippine Alien Property Administration	3	[1] 57	+54
Price Decontrol Board	11	6	−5
U. S. Atomic Energy Commission	21	4,119	+4,098
War Assets Administration	56,602	53,744	−2,858
Office of Temporary Controls: [2]			
Office of War Mobilization and Reconversion	161	158	−3
Office of Price Administration	15,574	14,006	−1,568
Civilian Production Administration	4,261	4,053	−208
Office of Government Reports	----------	146	+146
Office of Housing Expediter	----------	1,974	+1,974
INDEPENDENT AGENCIES			
American Battle Monuments Commission	89	78	−11
Bureau of the Budget	750	610	−140
Civil Aeronautics Board	490	511	+21
Civil Service Commission	3,510	3,508	−2
Export-Import Bank of Washington	118	117	−1
Federal Communications Commission	1,393	1,393	----------
Federal Deposit Insurance Corporation	1,180	1,170	−10
Federal Power Commission	790	794	+4
Federal Security Agency	31,516	31,586	+70
Federal Trade Commission	545	592	+47
Federal Works Agency	24,457	24,640	+183
General Accounting Office	11,693	11,442	−251
Government Printing Office	8,006	8,013	+7
Interstate Commerce Commission	2,286	2,281	−5
Maritime Commission	12,488	12,197	−291
National Advisory Committee for Aeronautics	5,675	5,624	−51
National Archives	396	399	+3
National Capital Housing Authority	280	284	+4
National Capital Park and Planning Commission	17	17	----------
National Gallery of Art	313	313	----------
National Housing Agency	19,127	16,520	−2,607
National Labor Relations Board	878	890	+12
National Mediation Board	98	99	+1
Panama Canal	27,095	27,942	+847
Railroad Retirement Board	2,559	2,636	+77
Reconstruction Finance Corporation	9,640	8,653	−987
Securities and Exchange Commission	1,209	1,204	−5
Smithsonian Institution	509	510	+1
Tariff Commission	227	224	−3
Tax Court of the United States	122	122	----------

[1] Estimated.
[2] Executive Order 9809, Dec. 12, 1946, established Office of Temporary Controls and transferred under its control of the Office of War Mobilization and Reconversion, the Office of Price Administration, and the Civilian Production Administration. Office of War Mobilization and Reconversion and the Office of Price Administration previously were shown under "Emergency war agencies."

TABLE III.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during January 1947, and comparison with December 1946*—Continued

Departments or agencies	December	January	Increase (+) or decrease (−)
INDEPENDENT AGENCIES—continued			
Tennessee Valley Authority	13,431	13,535	+104
Veterans' Administration	226,896	229,874	+2,978
Total, excluding War and Navy Departments	1,277,403	1,276,404	−12,401 +11,402
Net decrease, excluding War and Navy Departments	----------	----------	−999
Navy Department	377,383	376,454	−929
War Department:			
Inside continental United States	439,223	432,010	−7,213
Outside continental United States	189,971	[1] 176,591	−13,380
Total, including War and Navy Departments	2,283,980	2,261,459	−33,923 +11,402
Net decrease, including War and Navy Departments	----------	----------	−22,521

TABLE IV.—*Industrial employees [1] of the Federal Government, inside and outside the continental United States, employed by executive agencies during January 1947, and comparison with December 1946*

Departments or agencies	December	January	Increase (+) or decrease (−)
EXECUTIVE DEPARTMENTS (EXCEPT WAR AND NAVY DEPARTMENTS)			
Commerce Department	1,055	1,083	+28
Interior Department	4,684	4,827	+143
State Department	274	302	+28
Treasury Department	5,512	5,468	−44
INDEPENDENT AGENCIES			
National Housing Agency	16	19	+3
Panama Canal	2,675	2,703	+28
Tennessee Valley Authority	6,294	6,520	+226
Total, excluding War and Navy Departments	20,510	20,922	+456 −44
Net increase, excluding War and Navy Departments	----------	----------	+412
Navy Department (inside and outside continental United States)	261,067	260,546	−521
War Department:			
Inside continental United States	203,776	202,589	−1,187
Outside continental United States	157,734	[2] 144,091	−13,643
Total, including War and Navy Departments	643,087	628,148	−15,395 +456
Net decrease, including War and Navy Departments	----------	----------	−14,939

[1] Industrial employees include unskilled, semiskilled and skilled, and supervisory employees on construction projects. Maintenance and custodial workers not included.
[2] Estimated.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KEM:

S. 924. A bill to credit active service in the military or naval forces of the United States

in determining eligibility for and the amount of benefits from the policemen and firemen's relief fund, District of Columbia; to the Committee on the District of Columbia.

By Mr. CAPPER:

S. 925. A bill to amend the Federal Farm Loan Act, as amended, and the Federal Farm Mortgage Corporation Act, as amended, to make available to farmers through the Federal land-bank system loans similar to those made by the Land Bank Commissioner on behalf of the Federal Farm Mortgage Corporation; to transfer the existing Land Bank Commissioner loan and related assets of the Federal Farm Mortgage Corporation to the Federal land banks; to provide for the Federal Farm Mortgage Corporation to repay its Government capital with interest; to authorize the Federal land banks to establish a Federal land-bank system reserve fund; and for other purposes; to the Committee on Agriculture and Forestry.

(Mr. MURRAY (for himself, Mr. WHERRY, and Mr. TOBEY) introduced Senate bill 926, to amend the Reconstruction Finance Corporation Act, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

By Mr. YOUNG:

S. 927. A bill to amend the Federal Farm Loan Act approved July 16, 1916, and acts amendatory thereto and supplementary thereto; to the Committee on Agriculture and Forestry.

By Mr. BYRD:

S. 928. A bill to place Edwin H. Brainard on the retired list of the Marine Corps; to the Committee on Armed Services.

By Mr. GURNEY:

S. 929. A bill to amend section 2 of the act prescribing regulations for the Soldiers' Home located at Washington, in the District of Columbia, and for other purposes, approved March 3, 1883 (22 Stat. 564); to the Committee on Armed Services.

By Mr. BALDWIN (by request):

S. 930. A bill to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945; to the Committee on Civil Service.

By Mr. TAFT:

S. 931. A bill to extend certain powers of the President under title III of the Second War Powers Act; to the Committee on the Judiciary.

(Mr. KILGORE introduced Senate bill 932, to provide for the retirement of any holder of the Medal of Honor with the rank, pay, and allowances of a captain in the Army or Marine Corps, or of a lieutenant, senior grade in the Navy or Coast Guard, and to provide for the award of adequate pensions to the widow and minor children of any such holder, which was referred to the Committee on Armed Services, and appears under a separate heading.)

By Mr. O'CONOR:

S. J. Res. 90. Joint resolution to establish a commission to study intergovernmental fiscal relationships; to the Committee on Expenditures in the Executive Departments.

AMENDMENT OF RECONSTRUCTION FINANCE CORPORATION ACT

Mr. MURRAY. Mr. President, on behalf of the Senator from Nebraska [Mr. WHERRY], the Senator from New Hampshire [Mr. TOBEY], and myself, I ask unanimous consent to introduce for appropriate reference a bill intended to make explicit the powers of the Reconstruction Finance Corporation respecting American small and independent business.

Some confusion has arisen because of a decision of the Comptroller General concerning the power of the Reconstruction Finance Corporation to use its funds in behalf of small business.

Section 18 (e) and (f) of Public Law 457, Seventy-eighth Congress, second session, which is the Surplus Property Act of 1944, expressly provided that the then existing Smaller War Plants Corporation "shall have the power to purchase any surplus property for resale to small business when in its judgment such disposition is required to preserve and strengthen the competitive position of small business." The Smaller War Plants Corporation "is hereby authorized, for the purpose of carrying out the objectives of this section, to make or guarantee loans to small business enterprises in connection with the acquisition, conversion, and operation of plants and facilities which have been determined to be surplus property, and, in cooperation with the disposal agencies, to arrange for sales of surplus property to small business concerns on credit or time bases."

When the Smaller War Plants Corporation was discontinued by Executive order of the President, we were given absolute assurance that its functions in behalf of small business would be carried on fully and vigorously by the Department of Commerce and the Reconstruction Finance Corporation. The loan functions of the Smaller War Plants Corporation were transferred by Executive order to the Reconstruction Finance Corporation. Since that time RFC has made valiant efforts to meet the loan needs of small businesses seeking to acquire war surplus plants and equipment. When powers of the RFC to do this work have been called into question the whole program in behalf of independent small business is placed in jeopardy. This is an emergency situation. It was so recognized by the House of Representatives Committee, which acted favorably upon a companion bill, H. R. 2535, reporting it to the floor on last Friday.

Mr. President, I am sure that the Members of this Senate are aware of the vigorous and sustained efforts of the Senate Small Business Committee in behalf of independent and small business over the past 6 years. It was largely due to our efforts that the Smaller War Plants Corporation was set up during the war, which made possible a great contribution to the war effort by small business throughout the Nation. Not only were thousands of small businesses kept alive and functioning during the war years, but largely through such efforts as ours were they able to carry on when the war was over. But even despite all of this, over half a million independent businesses closed their doors during the war. Many of these, and many more new businesses, are now struggling to make their way in the postwar world. The billions of dollars of plant and equipment built and purchased at the taxpayers' expense should be used to the fullest extent possible to enable these small new businesses to gain a foothold, for it is through the survival and growing strength of these businesses that our American system of free enterprise expresses itself so well.

This is what we of Congress had in mind, I am sure, when we passed the Surplus Property Act. This is why we have put specific provisions in the act providing for loans to small business and for the intercession of a Government agency in behalf of small business so that these businesses could in their reconversion efforts acquire Government property. I am sure that the merits of the bill I have just introduced will appeal to all Members of the Senate and that speedy action will be taken so as to make sure that American small business is given its full opportunity to survive and expand.

There being no objection, the bill (S. 926) to amend the Reconstruction Finance Corporation Act, introduced by Mr. MURRAY (for himself, Mr. WHERRY, and Mr. TOBEY), was received, read twice by its title, and referred to the Committee on Banking and Currency.

BENEFITS FOR HOLDERS OF MEDAL OF HONOR

Mr. KILGORE. Mr. President, in many, if not in most, of the nations members of their armed forces who, in war, achieved the highest decorations for gallantry have been recognized by being retired, or by receiving pensions or grants of some kind. We in this country have conferred the Congressional Medal of Honor, our highest honor, on a very few people, but on too many occasions some of these people have found themselves eventually in need. Most of them have been wounded before acquiring a medal.

For that reason, Mr. President, I ask unanimous consent at this time to introduce for appropriate reference a bill which would automatically, in the case of enlisted men and officers in the Army below the grade of captain, and below the grade, in the Navy, of lieutenant senior grade, give to them that commission and retire them as retired officers of the Army or the Navy, as the case may be.

These benefits also would be awarded to widows and minor children of veterans who have been awarded the Congressional Medal of Honor. I deeply believe that this action should have been taken a long time ago. The cost, Mr. President, would be negligible, and in many cases it would prevent gallant heroes or their widows and children from being forced to accept assistance from their families or public institutions in times of need.

Mr. President, this is the least we can do for the gallant men who did so much for our country.

There being no objection, the bill (S. 932) to provide for the retirement of any holder of the Medal of Honor with the rank, pay, and allowances of a captain in the Army or Marine Corps, or of a lieutenant, senior grade, in the Navy or Coast Guard, and to provide for the award of adequate pensions to the widow and minor children of any such holder, introduced by Mr. KILGORE, was received, read twice by its title, and referred to the Committee on Armed Services.

THAD E. RAGSDALE

Mr. MURRAY submitted the following resolution (S. Res. 94), which was referred to the Committee on Rules and Administration:

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the contingent fund of the Senate, to Thad E. Ragsdale, the sum of $1,046.67, for reporting and transcribing certain hearings held by the Senate Committee on Education and Labor during the second session of the Seventy-ninth Congress.

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES—AMENDMENT

Mr. HOLLAND. Mr. President, I send to the desk and ask to have printed and lie on the table an amendment intended to be proposed by me to the amendment in the nature of a substitute offered by the Senator from Nevada [Mr. McCARRAN] and the Senator from Rhode Island [Mr. McGRATH], to the bill (H. R. 2157) to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes. I believe there is on the desk a substitute offered by those Senators, as well as the substitute offered by the committee. The amendment I desire to propose is to the substitute offered by the Senator from Nevada and the Senator from Rhode Island.

There being no objection, the amendment was received, ordered to lie on the table, and to be printed.

CREATION OR CHARTERING OF CERTAIN CORPORATIONS—AMENDMENTS

Mr. McGRATH submitted amendments intended to be proposed by him to the bill (S. 503) to establish and effectuate a policy with respect to the creation or chartering of certain corporations by act of Congress, and for other purposes, which were referred to the Committee on the Judiciary, and ordered to be printed.

HOUSE BILLS REFERRED

The following bills and joint resolution were severally read twice by their titles, and referred, as indicated:

H. R. 193. An act to amend section 35 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 191), as amended;

H. R. 197. An act to transfer part of block 14 and the school building thereon of Petersburg town site, Alaska, used for school purposes, to the town of Petersburg, Alaska;

H. R. 490. An act providing for the appointment of a United States commissioner for the Big Bend National Park in the State of Texas, and for other purposes;

H. R. 729. An act to provide that the United States District Court for the Western District of Virginia shall alone appoint the United States commissioner for the Shenandoah National Park; and

H. R. 804. An act authorizing the reduction of certain accrued interest charges payable by the farmers' irrigation district, North Platte project; to the Committee on Public Lands.

H. R. 236. An act to amend the Nationality Act of 1940 so as to permit naturalization proceedings to be had at places other than in the office of the clerk or in open court in the case of sick or physically disabled individuals;

H. R. 1975. An act to amend subsection (c) of section 19 of the Immigration Act of 1917 and subsection (a) of section 338 of the Nationality Act of 1940; and

H. R. 1998. An act to amend section 48 of the Criminal Code relating to the receiving of stolen public property; to the Committee on the Judiciary.

H. R. 1359. An act to amend the act of August 29, 1916 (39 Stat. 556), as amended so as to increase the total authorized number of commissioned officers of the active list of the Corps of Civil Engineers of the Navy; and

H. R. 1365. An act to establish a Chief of Chaplains in the United States Navy, and for other purposes; to the Committee on Armed Services.

H. R. 2123. An act to amend the Locomotive Inspection Act of February 17, 1911, as amended; to the Committee on Interstate and Foreign Commerce.

H. J. Res. 118. Joint resolution to strengthen the common defense by maintaining an adequate domestic rubber-producing industry; to the Committee on Banking and Currency.

THE PROSPECT FOR A DECENT WORLD—ADDRESS BY SENATOR MYERS

[Mr. MYERS asked and obtained leave to have printed in the RECORD an address entitled "The Prospect for a Decent World," delivered by him at a St. Patrick's Day banquet, Pittsburgh, Pa., on March 17, 1947, together with several editorials, which appear in the Appendix.]

A PARLIAMENT FOR EUROPE—ADDRESS BY RICHARD COUDENHOVE-KALERGI

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an address entitled "A Parliament for Europe," delivered on the New York Herald Tribune Forum by Richard Coudenhove-Kalergi, professor at the New York University, which appears in the Appendix.]

DEMONSTRATING DEMOCRACY—EDITORIAL FROM THE NEW YORK HERALD TRIBUNE

[Mr. SMITH asked and obtained leave to have printed in the RECORD an editorial entitled "Demonstrating Democracy," published in the New York Herald Tribune of March 17, 1947, which appears in the Appendix.]

ROLE OF UNITED NATIONS IN THE GREEK SITUATION—ARTICLE BY WALTER LIPPMANN

[Mr. SMITH asked and obtained leave to have printed in the RECORD an article entitled "A Golden Opportunity," written by Walter Lippmann and published in the New York Herald Tribune of March 18, 1947, which appears in the Appendix.]

MEDICINE'S CHANGING ORDER—EDITORIAL FROM THE NEW YORK HERALD TRIBUNE

[Mr. SMITH asked and obtained leave to have printed in the RECORD an editorial entitled "Medicine's Changing Order," published in the New York Herald Tribune of March 18, 1947, which appears in the Appendix.]

RED MOUTHPIECE—ARTICLE BY EUGENE LYONS

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article entitled "Red Mouthpiece," written by Eugene Lyons, and published in the magazine Plain Talk, which appears in the Appendix.]

REPORT ON THE JEWISH COLONY IN SOSUA, DOMINICAN REPUBLIC — BY DAVID SILBERMAN

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD a "Report on the Jewish Colony in Sosua, Dominican Republic," by David Silberman, which appears in the Appendix.]

MONOPOLY AND THE SOUTH—ADDRESS BY WENDELL BERGE

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address entitled "Monopoly and the South," delivered by Wendell Berge, Assistant Attorney General of the United States, before the Southern Economic Association, Birmingham, Ala., November 22, 1945, which appears in the Appendix.]

THE THREAT OF COMMUNISM

Mr. McKELLAR. Mr. President, inasmuch as the Senator from Missouri has been interrupted, I wonder whether he will yield to me for 3 or 4 minutes, to permit me to read a poem into the RECORD.

Mr. DONNELL. I yield with pleasure.

Mr. McKELLAR. I thank the Senator.

Mr. President, the poem I am about to read is in the nature of an editorial written by Mr. James G. Stahlman, in the Nashville Banner, of Nashville, Tenn. I think it is very timely, and I think Senators will approve of it:

FROM THE SHOULDER

(By James G. Stahlman)

Uncle Sam is squinting
Down his gun sights
At World War III.
Now don't jump
Out of your seat
Or down my throat.
It's as plain as day.
That's what Harry Truman
Told Congress and the world
In his message
On the proposed loans
To Greece and Turkey.

He didn't say it
As openly and bluntly
As I have here,
But any sap knows
What Harry Truman meant
When he went all out
In a last desperate gamble
To hold onto America's chips
In the fastest poker game
Since God created man.

America now finds herself
In a death struggle
With communism.
It's been on the way
For a long, long time,
But a lot of pinks
And punks and pukes
Tried to fool you
Into believing
That Freedom's Eagle
And Communism's Bear
Could become bunk-mates.

I've hammered this typewriter
Until my fingers became sore—
I've talked before civic clubs,
Fraternal organizations,
Church groups
And others
Until my tonsil wounds bled
And my larynx failed—
All in an effort
To arouse you
And you
And you
To a realization
That communism
Was on a world rampage
That would not stop
Short of its goal
Unless free peoples everywhere
Were ready to stand up and call it to halt.

I saw communism
Sweeping lands
From the English Channel
To the China Sea.
I was hopeful that England
Would remain free
To assist us
In the struggle ahead.
I still have hopes,
But England's strength
Is already sapped
By insidious forces
Bent upon destruction
Of free government
Under the guise of socialism.
It is possible
That England may not be able
To survive internally.
If that happens,
It's us on our own.
There's no other choice.

We are now the victims
Of international deviltry
That smirked behind
The false whiskers
Of cooperation
With an alleged ally.
Appeasement payday
Has arrived.
Payment of the bill
Isn't going to be easy.
It will be definitely costly.

It will take millions of dollars,
Perhaps millions of lives
To atone for
The betrayal of Mihailovich
To Communist Tito;
The sell-out of exiled Poles
To the Lublin gang;
The surrender of the veto
To crafty Uncle Joe;
The despicable game
Of political chess
Where hopeless,
Helpless Jewish pawns
Are played gleefully
Against Arab aspirations;
The gift of strategic isles,
Our western front door,
To Communist Russia,
In an outrageous trade
For her less-than-a-week
Participation in the war
Against Japan.

Yes, payday is here!
And with a vengeance.
Cairo,
Teheran
And Yalta
Must be paid for.
The recklessness
Of the Roosevelts,
The fanaticism
Of the Wallaces,
Browders,
Lilienthals,
Peppers,
The gutless,
Spineless policies
Foisted on America
In the name of idealism,
Democracy,
Cooperation with an ally
And kindred claptrap
Now come home to roost.

The shibboleths
And battle slogans,
Of two world wars,
Fought "to make democracy safe"
Turn out to be
Just a lot of tripe.
The billions of dollars
And millions of lives
Expended in those two efforts
Must now be backed up
By more billions of dollars,
Perhaps more millions of lives,
In order to preserve
Our way of life.
Communism
Must be stopped
Within her own boundaries.
It must be rooted out here.

If the future
Of free peoples in Europe
Is so precious to us,
Why be so unconcerned
About what happens here?
If it's good to stop
Communism at its back door,
It is still better
To get it out
Of our own cellar.

And while we're dumping
Four hundred millions
Into the hopper
To stave off disaster
In Greece and Turkey,
We had better cut off
All loans, gifts,
Advances, or whatever you call them,
To any and all nations
That do not subscribe
To our kind of democracy.
It's time for all nations
To stand up
And be counted!
Either they're with us
Or against us.
Now is the best time
To find that out.

I'm not in favor
Of helping anybody
Harboring national ideals
Inimical to our own.
We sent scrap iron to the Japs
Until they threw it back at us.
Let's not finance
Any government
Or bolster with our dollars
Or our commitments
Any outfit espousing
Communism
Or any other ism
Except Americanism.
We're fools, if we do.

Let's put democratic dollars
To work for democratic ideals.
(Small "d", please)
And let's back those dollars
We are sending abroad
To stop communism's inroads
On western Europe
By spending other dollars here
In weeding out
All Communists
In the United States.

Their allegiance
Is to Russia, not us.
Their goal is overthrow
Of our government.
They have been,
Still are,
And always will be,
A menace to freedom,
To democratic ideals,
To the worship of God,
To America's way of life.
The chips are down.
This is not penny ante.
The sky is the limit
And the game is for keeps.
Let's play 'em close,
And be ready
To crock the first guy
Who reaches for a gun.
We'd better win this hand.
It's the last we'll ever hold.

Mr. President, I very earnestly bring this wonderful editorial, in the form of a poem, to the attention of the Members of the United States Senate and of the people of the United States. It is time we were being serious about the menace of communism in the United States.

EXEMPTION OF EMPLOYEES FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 2157) to defined and limit the jurisdiction of the courts to regulate actions arising under certain laws of the United States, and for other purposes.

The PRESIDING OFFICER. The pending question is on the committee amendment. The Senator from Missouri [Mr. DONNELL] has the floor.

Mr. DONNELL. Mr. President, at the outset today I call attention to the following clipping from the St. Louis Globe-Democrat of March 15, 1947:

MOUNT CLEMENS PORTAL SUIT AGAIN APPEALED

DETROIT, MICH., March 14.—The Mount Clemens Pottery Co. case, pattern for nearly $6,000,000,000 in portal-to-portal pay claims, was appealed to a higher court again today.

Counsel for the pottery workers asked a hearing in the United States Circuit Court of Appeals at Cincinnati, Ohio, first step in any appeal to the Supreme Court.

Frank A. Picard, United States district judge here, dismissed the Mount Clemens suit last month, ruling that the employees were not entitled to portal pay.

Mr. President, at the conclusion of the session yesterday we were considering part I of House bill 2157, as amended, and now before the Senate.

It had been suggested by the junior Senator from Oregon [Mr. MORSE] that it would be advisable to insert in the RECORD the citations of certain additional authorities bearing upon the weight which is given by the Supreme Court of the United States to findings of fact and policy in congressional action. At this point in my remarks I call attention, therefore, to the case of American Power & Light Co. against Securities and Exchange Commission; also Electric Power & Light Corp., petitioner, against Securities and Exchange Commission, the opinion in which combined cases, on writs of certiorari, was handed down November 25, 1946. The decision is also reported in Sixty-seventh Supreme Court Reporter, page 133. The citation to which I specifically refer is set forth at page 142. The language to which attention is particularly directed is this:

They—

Referring to certain standards—

derive much meaningful content from the purpose of the act, its factual background and the statutory context in which they appear. See Inter-Mountain Rate cases (234 U. S. 476, 34 S. Ct. 986, 58 L. ed. 1408). From these sources—from the manifold evils revealed by the legislative investigations, the express recital of evils in paragraph 1 (b) of the act, the general policy declarations of Congress in paragraph 1 (c), the standards for new security issues set forth in paragraph 7 * * * a veritable code of rules reveals itself for the Commission to follow in giving effect to the standards of paragraph 11 (b) (2).

I call attention also to the case of North American Co. against Securities and Exchange Commission, reported in Sixty-six Supreme Court Reporter, page 793, at which point the Court refers to certain portions of the provisions in the policy which is set forth in subdivision 1 (c) of the act known as the Public Utility Holding Company Act of 1935.

I call attention particularly to the fact that at page 794 the Court likewise referred to the contents of certain findings in subdivision 1 of the same act, and that at page 795 of the same division attention is directed to the contents of paragraph 1 (c) of the same act.

I call attention to the fact that in the course of the language at page 794 the Court says:

Congress has found that all of these various abuses and evils occur and are spread and perpetuated through the mails and the channels of interstate commerce. And Congress has further found that such interstate activities, which grow out of the ownership of securities of operating companies, have caused public utility holding companies to be "affected with a national public interest."

Citing paragraph 1, subdivision (a) of the act.

I call attention to certain footnotes of the Court, in which specific reference is made to the congressional findings as to abuses listed in paragraph 1 (b) of the act. I call attention also to the citation of the Public Utility Holding Company Act of 1935, Forty-ninth Statute 803, Fifteenth United States Code annotated, paragraphs 79 and following.

These are to be added to the authority of the John L. Lewis case, to which reference was made yesterday.

I am quite aware of the fact that, as indicated in the case of *United States* v. *Carolene Products Co.* (304 U. S. 152), it is not possible for the Congress, merely by recitals, to remove from unconstitutionality an act which is unconstitutional; but I undertake to say, Mr. President, that clearly when Congress makes recitals of facts from which the Congress itself draws the conclusion that a substantial interference with interstate commerce results from those facts, the authorities clearly indicate that the Supreme Court will give great weight to the findings so made by the legislative body in the course of the legislation.

Yesterday, I had reached the latter part of page 9 of the bill. Beginning in line 17, we find the following language:

The Congress further finds that the varying and extended periods of time for which, under the laws of the several States, potential retroactive liability may be imposed upon employers, has given and will give rise to great difficulties in the sound and orderly conduct of business and industry.

At this point in my remarks, I ask unanimous consent that there be incorporated therein table H, together with the notes appended thereto, appearing at page 50 of the report of the Committee on the Judiciary submitted on March 10, 1947, namely, Report No. 48.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE H.—*Summary of State statutes of limitation believed applicable to suits under section 16 (b) of Fair Labor Standards Act*

State	Period of limitation (years)	
	As of 1938	As of 1945
Alabama [1]	6	1
Arizona	1	1
Arkansas	5	5
California	3	3
Colorado [1]	6	1
Connecticut	3	3
Delaware	3	3
District of Columbia	3	3
Florida [1]	3	1
Georgia [1]	6	2
Idaho	3	3
Illinois	5	5
Indiana	6	6
Iowa [1]	5	2
Kansas	3	3
Kentucky	5	5
Louisiana	1	1
Maine	6	6
Maryland [1]	12	3
Massachusetts	6	6
Michigan	6	6
Minnesota [1]	6	2
Mississippi	3	[5] 3
Missouri	5	5
Montana	2	2
Nebraska	4	4
Nevada [1]	6	2
New Hampshire	6	6
New Jersey	6	6
New Mexico	4	4
New York	6	6
North Carolina	3	3
North Dakota [1]	6	1
Ohio [1]	6	3
Oklahoma	3	3
Oregon [1]	6	[2] 3½
Pennsylvania	6	6
Rhode Island	6	6
South Carolina [1]	6	[3] 1
South Dakota	6	6
Tennessee [1]	6	3
Texas	2	2
Utah	4	4
Vermont	6	6
Virginia	3	3
Washington	3	[4] 3
West Virginia	5	5
Wisconsin	6	6
Wyoming	8	8

[1] Period reduced since 1938.

[2] 6 months' statute of limitations held unconstitutional as applied to bar a suit for overtime pay and damages under the Fair Labor Standards Act by Oregon Supreme Court (*Fullerton* v. *Lamm et al.*, Nov. 20, 1945, 8 WHR 1175). Decision upheld by Ninth Circuit Court of Appeals (*Clarke Lumber Co.* v. *Kurth*, Dec. 6, 1945, 8 WHR 1214).

[3] State statute for 1-year period of limitation on filing of actions for wages claimed under Federal statute or regulation declared unconstitutional by Federal District Court of the Western District of South Carolina (*Davis et al.* v. *Rockton & Rion Railroad*, Mar. 29, 1946, 9 WHR 343).

[4] Washington Supreme Court states that action under act is not governed by 3-year Washington statute of limitations applying to actions upon contract or actions upon statute for penalty or forfeiture, since such action is not based on liability created by contract and overtime compensation and liquidated damages are not a penalty. Action under act to recover overtime compensation, liquidated damages, and attorney's fees is based on liability created by statute since, in the absence of statute, there would be no obligation upon employer to pay such amounts. Therefore, suit is governed by 2-year "catch-all" statute governing actions not otherwise provided (*Cannon* v. *Miller et al.*, Jan. 26, 1945, 8 WHR 216).

[5] Mississippi 1-year statute of limitations for "all actions and suits for any penalty or forfeiture on any penal statute" held applicable to claim under act for liquidated damages for failure to pay overtime and other wages by the Mississippi Supreme Court, such damages being in the nature of a punishment without reference to the damage sustained by the employees by reason of delay in payment (*Southern Package Corp.* v. *Wilson*, June 6, 1944, 7 WHR 658).

Mr. DONNELL. The table is a summary of State statutes of limitation believed applicable to suits under section 16 (b) of the Fair Labor Standards Act.

Continuing under the heading "Findings and policy," the bill further recites:

The Congress further finds that all of the foregoing constitutes a substantial burden on commerce and a substantial obstruction to the free flow of goods in commerce, contrary to the purposes of said act.

The Congress, therefore, further finds and declares that it is in the national public interest and for the general welfare, essential to national defense, and necessary to aid, protect, and foster commerce, that said act be amended as hereinafter set forth.

It will be recalled that the act to which reference is made is the Fair Labor Standards Act. It will also be recalled that in that act itself, section 2 contains as its first paragraph the finding by Congress that the existence in industries engaged in commerce or in the production of goods for commerce of labor conditions detrimental to the maintenance of the minimum standard of living necessary for the health, efficiency, and general well-being of workers constitutes, among other things, an unfair method of competition in commerce, leads to labor disputes burdening and obstructing commerce and the free flow of goods in commerce, and interferes with the orderly and fair marketing of goods in commerce.

Attention is further called to the fact that subdivision (b) of section 2 of the Fair Labor Standards Act declares it to be the policy of that act, through the exercise by Congress of its power to regulate commerce among the several States, to correct and, as rapidly as practicable, to eliminate the conditions set forth in section 2 in such industries, without substantially curtailing employment or earning power.

The findings and policies set forth in part I of the pending bill further continue as follows:

The Congress further finds and declares that all of the results which have arisen or may arise under the Fair Labor Standards Act of 1938, as amended, as aforesaid, may (except as to liability for attorney's fees and, in the case of the Bacon-Davis Act, for liquidated damages) arise with respect to the Walsh-Healey and Bacon-Davis Acts and that it is, therefore, in the national public interest and for the general welfare, essential to national defense, and necessary to aid, protect, and foster commerce, that said Walsh-Healey Act and said Bacon-Davis Act be amended, as hereinafter set forth.

With this language part I of the bill concludes.

Part II of the bill relates to existing claims, and is so entitled.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. LODGE. Is this an appropriate time to ask the Senator questions with reference to the bill, or would the Senator prefer that I wait?

Mr. DONNELL. I think this is a good time to ask questions about the part of the bill which has been discussed. If the Senator's questions relate to later portions of the bill, I ask, with the consent of the Senator, that he defer his questions until we arrive at those portions of the bill.

Mr. LODGE. The difficulty is that a committee of which I am a member meets this afternoon, so I shall not be able to be present and hear all the Senator's speech.

Mr. DONNELL. Under those circumstances, I shall certainly yield to the Senator for his inquiry.

Mr. LODGE. I should like to ask a question relating to section 2 (a), page 11, starting with line 25, which reads:

> Nor shall any provision of any such contract, incorporating by reference as a part thereof such judicial or administrative interpretations, make compensable any such portal-to-portal activities.

It seems to me that the purpose is to prevent payment of portal-to-portal pay whether or not it has been freely agreed by both parties that such compensation should be paid. If my understanding is not correct I should like to know what is the purpose of that provision.

Mr. DONNELL. I do not think the Senator's understanding is correct. I shall state the purpose of the provision to which he has referred. It will be recalled that the Fair Labor Standards Act does not define "work" or "work time." It will be recalled that the decision of the Supreme Court in the Mount Clemens case takes up certain specific activities, notably the walking from the entrance to the place of work, and various preliminary activities which are enumerated by the Court, and declares such walking and preliminary activities to be compensable. The purpose of the language to which the Senator refers is illustrated by the following: Had we omitted this language, together with the earlier portion of the language in the same paragraph, which earlier portion reads as follows:

> For the purpose of this section no judicial or administrative interpretation of the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act shall have the effect of changing any written or nonwritten contract between the employer and employee so as to make compensable any portal-to-portal activities (as defined in sec. 5)—

I say, had we omitted the language of that entire paragraph beginning at line 19 on page 11 and continuing through line 3 on page 12, it would be easily possible for a claimant, when confronted by the requirement that in order to make compensable his activities he must show, either an express provision of a written or nonwritten contract, or a custom or practice, to make the contention that the very use of the word "work" in the contract, or a synonym of the word "work", would incorporate by reference the decision in the Mount Clemens case, and even though there were no express provision in the contract entitling him in so many words to compensation for walking time or other preliminary activities, he would be entitled thereto.

Let me illustrate. Suppose a plaintiff should come into court, the law having been enacted exactly as it is in the pending bill, eliminating the language from line 19 on page 11 to line 3 on page 12; suppose he had a contract of employment which said nothing whatsoever as to whether he should or should not be entitled to walking time and preliminary activity time. He introduces that contract into evidence and rests his case. The court looks at the contract and says, "There is nothing in this contract which expressly provides that you shall be entitled to compensation for walking time and for other preliminary activities." "But," says the plaintiff immediately, "Your Honor has overlooked the fact that there is in this contract either the word 'work' or a synonym of 'work'; and that under the decision of the Supreme Court of the United States in the Mount Clemens case such activities as I am claiming for come under the definition of work, or the time involved therein under the definition of working time."

The court might very well conclude, unless there were such a provision as I have indicated, beginning in line 19 on page 11, that the contract was an express provision for compensation for such activities. Therefore we have inserted, after considerable thought and effort devoted to phrasing the bill, a distinct provision that no judicial or administrative interpretation shall have the effect of changing any written or nonwritten contract between the employer and the employee so as to make compensable any portal-to-portal activities which are declared to be noncompensable.

We now come to the language to which the distinguished Senator refers, which is as follows:

> Nor shall any provision of any such contract, incorporating by reference as a part thereof such judicial or administrative interpretations, make compensable any such portal-to-portal activities.

Mr. President, if the latter clause were not in the bill it would mean that a man could come into court with a contract which simply said, "There is hereby incorporated the Mount Clemens case," or "the decisions and interpretations of the Fair Labor Standards Department."

Such language of course would be so vague and indeterminate as to lead to all kinds of litigation and doubt as to its meaning. He could then assert that by reason of the incorporation of those words into his contract such activities as walking and other preliminary activities had been made compensable.

I regard the language from line 19 on page 11 to line 3 on page 12 as exceedingly important. In order that a person may be entitled to recover he must have an express provision saying affirmatively that he is entitled to compensation for such activities. He may not rely upon some vague generality which, in order to determine its legal meaning, might require the services of counsel searching not only the Mount Clemens decision, but every other decision of the Supreme Court, searching not only the current utterances of the bureau having in charge the administration of the Fair Labor Standards Act, but also thousands upon thousands of previous rulings of that bureau. I regard this as being of great importance to the bill.

Mr. LODGE. I have no desire, either, to make a lot of work for lawyers.

Mr. DONNELL. Mr. President, let me say that this bill is very seriously drawn, and there is no purpose to work either for or against lawyers. The bill is drawn with the design to wipe out portal-to-portal cases and to make the law as clear as it is humanly possible to make it, so that if a man is to be entitled to compensation, he cannot rely on a vague generalization, but must rely on an express provision stating in so many words that he is entitled to the compensation for which he seeks to recover.

Mr. LODGE. Mr. President, will the Senator yield once more to me?

The PRESIDING OFFICER (Mr. FLANDERS in the chair). Does the Senator from Missouri yield to the Senator from Massachusetts?

Mr. DONNELL. I yield.

Mr. LODGE. The point I am trying to make is that if both sides freely agree to a vague generality, what business does anyone else have to stop them?

Mr. DONNELL. I think the very fact of the existence of this great mass of litigation is a conclusive answer to that question. More persons than the employer and the employee are interested in a labor contract; public interest is also involved. I undertake to say in this instance that it is of the greatest importance that an express provision of a contract shall actually be an express provision, not vague, general, incorporating by reference that which lawyers or courts might debate interminably. I say, further, that if any employee or a labor union representing an employee has entered into an agreement with an employer to the effect that walking time and preliminary activities shall be compensable, certainly there is no great difficulty in saying it in so many words in the English language, rather than by using some controversial, vague method of general expression which seeks to multiply litigation, rather than to minimize it.

Mr. LODGE. Then, I understand it to be the Senator's contention that if both parties desire to provide for portal-to-portal pay, they can provide for it directly, in specific terms.

Mr. DONNELL. Exactly.

Mr. LODGE. That is the particular part of my question which I had in mind.

Mr. DONNELL. If there is any other part of the Senator's question which he thinks I have not yet answered, I should like to answer it now.

Mr. LODGE. I should like to have the privilege of propounding one more question.

Mr. DONNELL. Certainly.

Mr. LODGE. In section 5, under "Definition," on page 14, the definition therein stated seems to a layman like myself to require some clarification. It seems to me that the definition is not at all explicit. Why not include at least a general definition of the phrase in section 5, which is a portion of part II which pertains to existing claims. The bill does not undertake to give a definition until much later, and in this section portal-to-portal activities are simply defined as meaning portal-to-portal activities.

Mr. DONNELL. No, Mr. President; the Senator from Massachusetts has incorrectly read the section. It reads as follows:

> SEC. 5. Definition: As used in this part, the term "portal-to-portal activities" means those activities which section 2 hereof provides shall not be a basis of liability or punishment under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act.

If the Senator from Massachusetts will revert to section 2, he will find from that section that the activities which are therein provided as ones which shall not be a basis of liability or punishment are all activities of an employee except those which were compensable by either an express provision of a written or unwritten contract or by a custom or practice in effect at the time of such activity, as amplified in lines 12 to 18 of section 2.

Mr. LODGE. That is a definition of what portal-to-portal is not. It is not a definition of what portal-to-portal is. When we read section 5 we find that it refers the reader to section 2; and in line 25 of section 2 the reader is referred once more to section 5. The result is that a layman never gets an idea of what a portal-to-portal activity is, but simply gets an idea of what it is not.

Mr. DONNELL. Mr. President, I think it is perfectly clear. If the Senator will read the language with care, he cannot mistake the meaning.

Mr. LODGE. I have done that.

Mr. DONNELL. It is perfectly clear; there can be no question as to its meaning. Portal-to-portal activities are defined as those which section 2 provides shall not be a basis of liability or punishment. Those activities are specifically defined under section 2 of the act, as I have indicated.

Mr. LODGE. I am obliged to the Senator for his answer, and I thank him.

Mr. HAWKES. Mr. President, will the Senator yield to me?

Mr. DONNELL. I yield.

Mr. HAWKES. Is it not true that the bill states that portal-to-portal activities do not come under the term "work" unless the parties specifically understand and agree that they are to come under that term?

Mr. DONNELL. Either by contract or custom or practice.

Mr. HAWKES. Yes; either by contract or custom or the habits of the community that are familiar to the people.

Mr. DONNELL. No, Mr. President; I would not say "the habits of the community"; but the custom in the particular place of business or particular establishment or other place where the employee is employed.

Mr. HAWKES. That is exactly what I meant. Probably I misspoke myself.

To give an illustration, am I not correct in understanding that the Senator is saying that the parties can agree to anything which they wish to agree to as being "work"?

Mr. DONNELL. Certainly.

Mr. HAWKES. In other words, they can agree either verbally or in writing that everything an employee does from the time he gets out of bed in the morning and performs his ablutions until he gets home at night will be regarded as work, so long as they expressly provide so in the contract and know it must be paid for as work.

Mr. DONNELL. The Senator is precisely correct.

Mr. HAWKES. And in that way, by knowing what is to be paid for, it will be possible for a business to be conducted satisfactorily because it knows in advance what must be paid for. On the other hand, if the manager of a business does not know what is understood in that connection by either party, it will be impossible for him or anyone else to continue to operate the business under such conditions.

Mr. DONNELL. The Senator from New Jersey has stated the matter so clearly that there can be no misunderstanding.

Mr. President, we were discussing part II of the bill. I may say, as previously indicated, that part II relates to existing claims. The purpose of part II is to deal solely with claims which exist at the time of the enactment of the pending measure.

The Senate will observe in due time that the approach which we make in the bill is quite different in the case of existing claims as contradistinguished from claims arising in the future. I want it distinctly understood that until I arrive at part III, unless there shall be some interruption which causes me to project myself into that part of the bill, I am dealing solely with existing claims.

The Senator from New Jersey [Mr. HAWKES] has so clearly analyzed, in a very few words, the ultimate effect of part II. that it is scarcely necessary for me to do more than to say that part II proceeds upon the theory, and legislates into effect the theory, that no employer shall be subject to any liability or punishment under any one of the three acts which we have been discussing, namely, the Fair Labor Standards Act, the Walsh-Healey Act, or the Bacon-Davis Act, on account of the failure of the employer to pay an employee minimum wages, or to pay an employee overtime compensation, for or on account of any activities at any time during the 24 hours of a day which were engaged in prior to the date of the enactment of the pending measure, except such activities as were compensable, first, by an express provision of a written or nonwritten contract in effect, at the time of such activities, between such employee, his agent, or collective-bargaining representative, and his employer; or second, a custom or practice in effect, at the time of such activity, at the establishment or other place where such employee was employed, covering such activity, not inconsistent with a written or nonwritten contract, in effect at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer.

If any labor union desires to make compensable any activities, as the Senator from New Jersey says, from the moment a man gets out of his bed, or any other time, and if the employer and a labor union, or the employer and employee, shall agree that all such activities outside the regular workday shall be paid for, they are required to be paid for, and are not exempted from the obligation to be paid for by this section.

Mr. HAWKES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from New Jersey?

Mr. DONNELL. I yield.

Mr. HAWKES. If I may, I should like to inject into the Senator's statement, which seems to me to be very clear, the assertion that, unless he knows what his obligations are, no one can operate a business. In the absence of such knowledge I defy anyone on earth to tell me that he can conduct a business, maintain it, and keep it functioning for the benefit of the employees, the owners, and the general public. The very heart of the successful conduct of a business is knowledge of what one's obligations are, and success cannot follow if a multitude of imaginary items may be brought forward at a late hour, when the owner or manager of a business thinks he is solvent, only to find, if he is legally bound under the newly suggested obligations, that he is insolvent and out of business. That is not the United States of America.

Mr. DONNELL. Mr. President, the Senator has again very clearly stated the situation. I come back now to the Mount Clemens case, and in this decision, which surprised the Government of the United States, employers, employees, and the public, the Court said, referring to walking work:

> Work of that character must be included in the statutory workweek and compensated accordingly, regardless of contrary custom or contract.

In other words, Mr. President, the ultimate effect which we are seeking to accomplish by the proposed act is to provide that instead of employees being entitled to be compensated for something in the past that was contrary to custom or contract, as they are permitted under this decision of the Supreme Court, to the surprise and consternation of the Nation, we are going back to the principle which the Senator from New Jersey expresses, namely, that an employer and employee may enter into a contract about anything they desire, make it definite and certain, and both be bound by it. That is simply hard common sense, and that is what part II of this bill will accomplish.

Mr. President, I mentioned yesterday that there will undoubtedly be litigation over this bill if it shall be enacted; we have no question of that, of course. We realize it will be contended in the Supreme Court of the United States that, inasmuch as the bill will operate to wipe out the great bulk, as we believe, of portal-to-portal suits based upon activities which were not compensable either by custom or by contract, Congress has violated the fifth amendment by depriving the employees of their property without due process of law. I explained very fully yesterday the theory of our committee. I read excerpts from the decisions of the Supreme Court, the language of which seems to me clearly to answer that contention; but we have realized, as must any person, that discretion is the better part of valor, and that it is advisable in this legislation to provide against the eventuality that the courts may take a position contrary to that which Congress takes as to the validity of the first portion of part II. I want again to make it perfectly clear, Mr. President, that in the opinion of the committee which has presented this bill to the Senate the language of the Supreme Court in the Norman case, in the L. & N. case, and its action in the National Carloading case, the expression by

Mr. Justice Murphy himself, in the case from which I read, decided on November 25, 1946, all establish clearly the fact that the Court, if it follows the decisions to which reference has been made, should, and will, sustain the validity of the first portion; that is to say, section 2 of part II of this bill.

But, Mr. President, in order that we may cover the situation which would arise in event the Court should hold section 2 to be invalid, or if the Court should hold it to be void, for uncertainty or for any other reason, thus leaving valid and enforceable claims, the "surprise claims," of men and women under the Fair Labor Standards Act, we have provided against that eventuality by the provisions of section 4 of the bill. Section 4 is entitled "special separability provisions," and it reads as follows:

If, notwithstanding the provisions of section 2 hereof—

I digress to remind the Senate that section 2 is the one to which I have addressed myself, and which provides that no employer shall be subject to any liability or punishment under the acts referred to, because of any activities on the part of an employee, unless such activities were compensable either by contract or custom. Section 4 provides:

If, notwithstanding the provisions of section 2 hereof, any claim for pay for minimum wages, or for overtime compensation, based on portal-to-portal activities, for any reason remains valid and enforceable after the date of enactment of this act then with respect to each such claim and with respect to any action pending on or commenced after such date on such claim, the following contents of this section shall apply:

(a) There shall be no recovery of any amount as liquidated damages.

I pause at that point in the reading, Mr. President. It will be recalled that under section 16 (b) of the Fair Labor Standards Act, not only is an employer who employs a man who works overtime liable for time-and-a-half, but, if he shall fail to pay overtime, he is liable in an additional equal amount as liquidated damages. Under the language of the pending bill there will be no recovery of any amount as liquidated damages for any of the activities to which reference is made in section 4. Congress, in our judgment, has the right to strike down this statutory privilege of liquidated damages. This portion of section 4 accomplishes that purpose.

In the second place, Mr. President, section 4 proceeds as follows:

(b) No court shall require the defendant to pay the whole or any part of the attorney's fee of the plaintiff.

It is provided, as will be recalled, in section 16 (b) that the court in any action mentioned in that section shall, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action. This portion of section 4 of our bill takes away that statutory gift, which is presented to the plaintiffs in suits under the provision of section 16 (b).

In the third place, Mr. President, it will be recalled, and I say this at the expense even of possible prolixity, because I want no misunderstanding, section 4 applies only in the event that the claims under section 2 shall be held to be valid and enforceable, notwithstanding that they are made invalid and unenforceable by section 2.

Section 4 proceeds, in subdivision (c), as follows:

The claimant shall be required with respect to any such claim to bear the burden of proof, which shall include proving the extent of his claim, without the benefit of inference, and under no circumstances shall there be shifted to the employer the burden to come forward with evidence of the amount of activities claimed by the employee to have been engaged in. If the employee fails to carry such burden of proof, then the court shall award judgment to the employer.

The occasion for that subdivision of section 4 is this: The Mount Clemens decision, as was pointed out last Friday, contains among other things the following statement:

The burden then shifts to the employer to come forward with evidence of the precise amount of work performed, or with evidence to negative the reasonableness of the inference to be drawn from the employee's evidence. If the employer fails to produce such evidence, the court may then award damages to the employee, even though the result be only approximate.

Mr. President, this portion of the decision, as I indicated Friday, arises because of the fact that the court presented the view that it is obligatory upon the employer to maintain records showing all the facts in regard to his employees—character of their work, when they worked, and the time they worked. But, with all due deference to the court, I submit most respectfully that when an employer has neither a contract nor a custom under which his employee was to be entitled to compensation for walking time, it is not fair or just to require the employer to keep records upon such a maze of details as would be necessary in order to keep track of how far each employee walked, or how long it took each employee to tape his arms, or raise the window, or grease his arms, or don his overalls, or whatever the case might be.

In the event the early portion of part II, section 2, should not be declared valid, we believe that it is proper to shift the burden of proof back to the plaintiff as is the case almost without exception in the jurisprudence of our country, except in some unusual circumstances, notably, in fiduciary cases.

We, therefore, have inserted in the bill the provision which I have read from section 4, which places back on the employee the burden of proof, which rested upon him all the time prior to the rendition of the opinion in the Mount Clemens case.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. COOPER. I should like to point out that there is nothing in the provision just discussed which would prevent an employee from securing from the employer by proper methods any records which were in the possession of the employer.

Mr. DONNELL. That is correct. I am glad the Senator made that interpolation. If the employer has records, of course, the employee has the full benefit of every statutory provision entitling him to their production.

Mr. President, it will be recalled that on yesterday, mention was made of the fact that in the case of the Brooklyn Savings Bank against O'Neil the Supreme Court of the United States indicated and decided that settlement and compromises cannot be made, that is to say clearly that is true where there are disputed facts in existence. We feel, however, that in the case of these surprise liabilities, liabilities which industry did not expect, which neither management nor employees expected, it is entirely proper and is conducive to disposing of such cases with expedition and dispatch that there should be the power to make settlements, compromises, and releases or satisfaction of claims. Thus it is that the bill in section 4, applicable as I have indicated only in the event section 2 shall not have been held valid and enforceable, provides as follows:

(d) Settlement, compromise, release, or satisfaction of such claim before the date of enactment of this act shall be a defense thereto and any other appropriate legal or equitable defense may be pleaded in defense of such claim.

Mr. President, I want to call attention in that subsection to the words "equitable defense." It may well be that an employer would have a right to plead estoppel against an employee who has for years worked and accepted his pay week after week, and never raised his voice to utter the statement that he was entitled to compensation for surprise activities of the portal-to-portal type. So we have put in the specific language that "any other appropriate legal or equitable defense may be pleaded in defense of such claim."

It will be observed that this subsection of section 4 relates to settlements, compromises, releases, or satisfactions which shall have been made before the date of enactment of this legislation.

Then subsection (e) provides:

Such claim may be hereafter settled, compromised, release, or satisfied—

That is to say in the future—

But only if such settlement, compromise, release, or satisfaction contains a provision that the amount of money, if any, resulting therefrom be distributed equitably among the real parties in interest to such claim.

I think it is a very wholesome provision which constitutes the latter part of that subsection as well, of course, as the entire subdivision.

The reason why it is provided that the satisfaction or release, and so forth, must contain "a provision that the amount of money, if any, resulting therefrom" shall "be distributed equitably among the real parties in interest to such claim," or rather that there shall be a provision in the release to that effect, arose from the fact that we desired to be certain that the money paid in satisfaction of a claim shall go to the individuals who are entitled to it rather than to a nominal plaintiff who sues on behalf of himself and perhaps thousands of others, and then, when the settlement may have been effected, may be able to say, "Now we need money for some other purpose in our labor union," for illustration, "and

instead of turning this money over to you employees there is a certain assessment made against it." Consequently, we inserted this provision with respect to future settlements and compromises, which is only to be made use of in the event the instrument of settlement, compromise, release, or satisfaction contains a provision that the amount of money, if any, resulting therefrom shall be distributed equitably among the real parties in interest to such claim.

Mr. President, I have already, in answer to the question of the Senator from Massachusetts [Mr. LODGE], read, I think, section 5, containing the definition of portal-to-portal activities. I have omitted section 3, which appears in part II, which section 3, in my judgment, is really unnecessary, but it is a wise precaution, I think, to put it in, because we say in that section 3 that:

The provisions of section 2 of this act shall not be deemed to release or extinguish or to apply to any penalty or liability incurred under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act prior to the date of enactment of this act which is based upon activities other than portal-to-portal activities.

In other words, Mr. President, the provisions of section 2 do not release or extinguish the penalties or liabilities based upon compensable activities.

Mr. President, I have analyzed part II of the act, which relates, as I have indicated, to existing claims. I now come to part III, which relates to future claims. Here, as I have indicated, we have approached the subject matter from quite a different angle. We have taken the position under part II that in the first place we should extinguish, cancel, annul, and make unenforcible the collection of moneys in portal-to-portal suits. I should have mentioned, by the way, two other subsections in section 2, which I overlooked. They are subsections (b) and (c), which read as follows:

(b) Each claim based on any portal-to-portal activities is hereby declared to be and is null and void and unenforceable.

(c) No court shall have jurisdiction of any action for minimum wages, overtime compensation, or liquidated damages under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, whether instituted prior to, on, or after the date of enactment of this act, to the extent that such action seeks to enforce any liability with respect to any claim based on portal-to-portal activities.

Those two subsections are, I think, self-explanatory.

I was about to proceed to part III, which relates to future claims, that is to say, which governs employees in their relations with the employers after the enactment of this legislation. It determines what activities are compensable and what are not.

Mr. President, here we have come to the conclusion that we do not legislate as to the entire 24-hour period, for if we do it may well be, and in fact will be, that we shall have legislated out of existence some claims which may bring about an injustice to the plaintiffs therein.

In part II we have legislated for the entire 24-hour period, for the reason indicated by me in my argument of yesterday or possibly on Friday. We have done it because of the fact that if we did not legislate with respect to the entire 24 hours it was our judgment that we would leave still pending, still undetermined, still a threat to American business and to the economy of our Nation and to the Government itself a great multitude of suits which it was our desire to extinguish. So I pointed out the other day that in part II of our bill we made the legislation applicable to the 24-hour period, and made every activity therein performed uncompensable—that is to say, under the three acts which have been mentioned—unless they were compensable by either contract or custom.

Now when we come to the future there is quite a different picture. Here we realize that it is important that the employees and the employers may, so far as possible, be free from the possibility of injustice throughout the regular workingday period, the time from the whistle in the morning to the time of the whistle in the afternoon. Therefore we are not undertaking to legislate in part III as to the workday proper; but we are legislating solely with respect to the preliminary activities, before the beginning of the workday, and the postliminary activities, after the conclusion of the workday, the two classes of claims with respect to which this vast uncertainty has arisen in our economy. We provide, first, an amendment to the Fair Labor Standards Act of 1938, the amendment to consist of a new section reading as follows:

PORTAL-TO-PORTAL CLAIMS BANNED

SEC. 7A. No employer shall be subject to any liability or punishment under this act on account of the failure of such employer to pay an employee minimum wages, or to pay an employee overtime compensation, for or on account of any of the following activities, hereinafter termed portal-to-portal activities, of such employee engaged in, on or after the date of enactment of the Portal-to-Portal Act of 1947:

(a) walking, riding, or traveling to and from the actual place of performance of the principal activity or activities which such employee is employed to perform, and

(b) activities which were preliminary to or postliminary to said principal activity or activities, which occur either prior to the time on any particular workday at which such employee commences, or subsequent to the time on any particular workday at which he ceases, such principal activity or activities.

Up to that point, if we were to stop there, we would be legislating that the walking, riding, and traveling therein described are the preliminary or postliminary activities which are noncompensable, that is to say, those which occur either prior to the time on the workday at which the employee commences or subsequent to the time on the workday when he ceases his principal activity or activities. But we have added a proviso, reading as follows:

Provided, however, That the provisions of this section shall not apply to any of the foregoing portal to-portal activities of such employee which is compensable by either—

(1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer; or

(2) a custom or practice in effect, at the time of such activity, at the establishment or other place where such employee is employed, covering such activity, not inconsistent with a written or nonwritten contract, in effect at the time of such activity, between such employee, his agent or collective bargaining representative and his employer.

Further, we say:

For the purposes of this section, no judicial or administrative interpretation of the Fair Labor Standards Act of 1938, as amended, shall have the effect of changing any written or nonwritten contract between the employer and employee so as to make compensable any portal-to-portal activities; nor shall any provision of any such contract, incorporating by reference as a part thereof such judicial or administrative interpretations, make compensable any such portal-to-portal activities.

So as we look forward into the future an employee finds, first, that his activities in walking, riding, or traveling to and from the actual place of the performance of his principal activity—for instance, walking to the lathe which he operates, the walking taking place from the door of the plant up to the lathe—are not compensable. The employee is not entitled to compensation for any of those processes of walking, riding, or traveling, unless he has an express provision of a written or unwritten contract to that effect, or can show a custom or a practice in effect at the time of such activity at the place where he is employed, not inconsistent with the written or unwritten contract by which he is entitled to compensation.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. HAWKES. That seems very clear; and to me it means that in the future pay for work will be from the time the employee reaches his place of employment and starts his work until he finishes it, unless there is a custom or an agreement between employer and employee providing for different treatment. I can give an illustration of such a custom. Some plants have their time clocks at the front gate, which may be half a mile from the place of work, and the employees check in at the gate. If that custom has been in effect, this provision does not say that it may not continue.

Mr. DONNELL. That is correct. In other words, if it is the custom to pay for walking time from the time clock to the place of work, that time will be compensated for.

Mr. HAWKES. What the Senator is saying is that the employer knows that that part of the expense is in the picture.

Mr. DONNELL. That is correct.

Mr. HAWKES. There is nothing new about it.

Mr. DONNELL. That is correct.

Mr. HAWKES. There is nothing that the employer fails to understand about that being a part of his expense in operating the business if it is the established custom or covered by agreement between the parties.

Mr. DONNELL. That is correct.

Mr. HAWKES. What the Senator is saying is that the employee will be paid from the time he gets to work until he finishes work. There is nothing in the bill which provides that the employee may not say to his employer, "I am not

satisfied with the present arrangement. I want to be paid from the time I enter the plant gate, or from the time I park my automobile down the street, half a mile from the plant." If they agree that he shall be paid from the time he parks his automobile on the way to work, while at work, and while going back to his automobile, that is perfectly legal and legitimate, because it is a known expense of business.

Mr. DONNELL. That is correct.

Mr. HAWKES. I wanted to be sure I understood the Senator, because I think the proposal is very clear.

Mr. DONNELL. That is exactly correct. It is also true that part III, which relates to future claims, does not legislate at all with respect to the period of the workday proper, as generally understood in common parlance. Let the quadrilateral formed by the Speaker's stand before me represent the workday. The proposed legislation does not apply to that. It does apply to the time spent in walking or traveling up to that point, or after leaving that point. It applies to both those activities, and provides that no person shall be entitled to compensation for any activity before he reaches the place where he performs his principal activity or after he leaves his principal activity, unless he can show either a contract or a custom or practice entitling him to compensation for such activities.

Mr. HAWKES. I wish to reemphasize a point I have emphasized before, for to me it is the most important element in the whole picture. What the bill undertakes to do is provide a clear definition of what expense and liability rest on the employer, so that he may know in advance how to conduct his business and what his expense of operation is likely to be.

Mr. DONNELL. That is exactly correct.

I proceed now to section 7. I need not read it in detail. It bears the same relation to the Walsh-Healey and Bacon-Davis Acts as section 6 bears to the Fair Labor Standards Act. The same observations apply, and substantially the same provisions are set forth.

Up to this point the bill has three parts. The first part deals with findings of policy. The second part is the proposed law applicable to existing claims at the time the bill goes into effect, the purpose being to extinguish such claims. If it shall prove that our action in attempting to extinguish them in toto be invalid, we undertake to extinguish them to the utmost of our legal power to do so. Part III, as I have indicated, relates to the future. I have described it to the best of my ability, and it has been well commented upon by the Senator from New Jersey.

We now proceed to the final portion of the bill, part IV. Section 8 contains a provision entitled "Representative Actions Banned." Let me say just a word about what is meant by representative actions. It will be recalled that in section 16 (b) of the Fair Labor Standards Act there is a provision reading as follows:

> Action to recover such liability—

That is, the liability for unpaid minimum wages, unpaid overtime compensation, and liquidated damages—

> Action to recover such liability may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves and other employees similarly situated.

It will be observed, Mr. President, that two types of action are permitted under this sentence in section 16 (b) of the Fair Labor Standards Act of 1938: First, a suit by one or more employees, for himself and all other employees similarly situated. That I shall call for the purpose of identification a collective action, a suit brought by one collectively for himself and others. The second class of actions authorized by that sentence embrace those in which an agent or a representative who may not be an employee of the company at all can be designated by the employee or employees to maintain an action on behalf of all employees similarly situated.

In illustration of this latter category—which category for purposes of identification I call a representative action, as distinguished from a collective action—suppose that every one here present this afternoon were employed by the X steel company, and we all belonged to a labor union, and gave a power of attorney to the district director of the labor union who might live 500 miles away and not be employed at all in the plant in which we were employed. He could file a suit there as a representative of all of us. We would not be in that case at all except as he was our representative. It will be noted, therefore, Mr. President, that in those two classes of cases there is this difference: In the first case, an employee, a man who is working for the X steel company, can sue for himself and other employees. We see no objection to that. But the second class of cases, namely, cases in which an outsider, perhaps someone who is desirous of stirring up litigation without being an employee at all, is permitted to be the plaintiff in the case, may result in very decidedly unwholesome champertous situations which we think should not be permitted under the law.

So section 8 amends the Fair Labor Standards Act by eliminating that portion of section 16 (b) which permits employees to designate an agent or representative to maintain an action for and in behalf of all employees similarly situated.

Then, Mr. President, subdivision (a) does something else, which I can illustrate in this way: Suppose that today, in the absence of subdivision (a) of section 8, John Smith files a suit on behalf of himself and all other employees of the United States Steel Corporation. Then 3 years from now, after the statute of limitations in that particular State shall have run against any employees, let us say, we find, however, that some of the employees come forward—3 years later—and say, "Now, we will ratify what this man did in filing suit for us 3 years ago, and although we would be barred by limitation if we filed our suit ourselves at the time we now come into court, nevertheless, since he instituted the suit for us 3 years ago, we now join in that suit."

In the first place, Mr. President, the employees, in the case which I have cited, have had no obligation during the entire period. They have not been bound to enter into the litigation. They have made the election, in the case I have indicated, after the time when they would be barred from maintaining the suit.

We have provided in the pending bill that—

> such action shall be deemed to have been commenced as to any individual claimant as of the date when such claimant is named in such action as a party thereto.

So it will not be possible for 10,000 men to wait 3 years, with the employers not knowing how many thousands of dollars or millions of dollars, perhaps, of claims will be asserted against them, and then come forward—3 years later—after they would normally have been barred by limitation, and insist upon recovery. If the statute of limitations shall have run against any given individual, under the bill as we have drawn it, and if he fails to file suit before the statute shall have operated against him, he will be barred.

The final sentence in section 8 (a) reads as follows:

> No employee shall be made a party plaintiff to any such action unless he gives his consent in writing to become such a party and such consent is filed in the court in which such action is brought.

Obviously, Mr. President, this is a wholesome provision, for it is certainly unwholesome to allow an individual to come into court alleging that he is suing on behalf of 10,000 persons and actually not have a solitary person behind him, and then later on have 10,000 men join in the suit, which was not brought in good faith, was not brought by a party in interest, and was not brought with the actual consent or agency of the individuals for whom an ostensible plaintiff filed the suit.

So we have provided, as I say, that no employee shall be made a party plaintiff to any such action unless he gives his consent in writing and unless such consent is filed in the court in which the action is brought.

Certainly there is no injustice in that, for if a man wants to join in the suit, why should he not give his consent in writing, and why should not that consent be filed in court?

Mr. President, subdivision (b) likewise provides:

> The amendment made by subsection (a) of this section shall be applicable with respect to any claim accruing under the Fair Labor Standards Act of 1938, as amended, on or after the date of enactment of this act.

We now proceed to section 9, which relates to limitations. I introduced into the RECORD earlier today a tabulation showing the situation with respect to

limitations in our country. In the first place, there is no Federal statute of limitations applicable to the Fair Labor Standards Act. There are individual statutes of limitations in the various States of the Union. As indicated in the table which was filed today, the periods of limitation in the various States differ as to the number of years, varying from 1 year to as many as 6 years, I believe, which latter figure is provided for in several States. I indicated yesterday, in my presentation, that not only does the Fair Labor Standards Administrator—or the gentleman who was until a few days ago the Administrator, Mr. Walling—favor a Federal statute of limitations, but a very clear exposition of the desirability of such a uniform statute was placed in our record by Mr. Abt, counsel for the Amalgamated Clothing Workers organization.

Mr. President, we believe that the reasons for a uniform statute of limitations are clear. In the administration of a Federal law which applies all over the United States, no difference should exist with respect to the time within which a plaintiff may file suit under that law. There is no reason why in Vermont, the State from which comes the present Presiding Officer [Mr. FLANDERS in the chair], an employee should have 6 years, whereas in North Dakota, from which comes my friend on my right [Mr. GURNEY] an employee should have only 1 year. I gave other illustrations yesterday. I mentioned Iowa, with 2 years; Illinois, with 5 years; Minnesota, with 2 years; Wisconsin, with 6 years; Massachusetts, with 6 years; and North Carolina and South Carolina, competitors in textile industries, with 3 years and 1 year respectively. Obviously a textile manufacturer, for illustration, who is engaged in business in Massachusetts, where an employee can lie back for 5 years and 364 days before he files his suit, is in a less advantageous position than is an employer in South Carolina, where only 1 year may elapse from the time of the accrual of a claim before an employee must file his suit in order that the suit may be valid.

So, Mr. President, a uniform statute of limitations is of importance. There may be room for discussion as to the number of years of the limitation. Mr. Walling, then Administrator of the Fair Labor Standards Act, who testified before us, as I recall favored 3 years. There was testimony by Mr. Pressman, of the CIO, favoring, as I recall, a period from 3 years to 6 years, and there was testimony of other persons as to various periods of time. The Gwynne bill, which was passed by the House of Representatives by an overwhelming majority, provides for a period of 1 year. We have attempted to work out, to the best of our ability, what we think is a fair period of time; namely, 2 years. Of course, it is an arbitrary period. One man may think it should have been 1 year, and another man think it should have been 3 years or 5 years or 6 years.

At this point, Mr. President, I offer for the RECORD and ask consent to have incorporated as a part of my remarks, a memorandum prepared under date of February 28, 1947, by Margaret Fennell, of the Federal Law Section of the Library of Congress. The memorandum is entitled "Limitations of Actions in Civil Cases as Fixed by Provisions of Federal Laws."

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

LIMITATIONS OF ACTIONS IN CIVIL CASES AS FIXED BY PROVISIONS OF FEDERAL LAWS

Sixty days: Petitions to set aside Federal Trade Commission's orders to cease and desist (52 Stat. 112 (c), 117, sec. 5).

Sixty days: Petitions to set aside orders of Secretary of Agriculture as to interstate commerce in new drugs (52 Stat. 1053 (h)).

Ninety days: Actions in war-contract excess-profits cases (58 Stat. 86–87 (e)).

Six months: Suits by aggrieved party in war contract repricing (58 Stat. 92, sec. 801 (c)).

Six months: Admiralty suits against fund for compensation for requisitioned, etc., vessels (57 Stat. 48, sec. 3 (a), 49 (d)).

One year: On bonds of public contractors, for labor or material furnished (49 Stat. 794, sec. 2 (b)).

One year: Against carriers of goods by sea (49 Stat. 1209, sec. 3 (6)).

One year: Against carriers by water in certain cases (54 Stat. 941, sec. 308 (f) (3)).

One year: Against Federal Crop insurance Corporation (53 Stat. 919, sec. 3).

Two years: On usurious transactions by credit unions (60 Stat. 744, sec. 1; Public Law 574, 79th Cong.).

Two years: Suits for refunds, etc., on potato sales (49 Stat. 788, sec. 215).

Two years: Admiralty suits, under act of March 9, 1920 (47 Stat. 420, ch. 315).

Three years: On judgments liquidating debts due United States (36 Stat. 1142, sec. 180).

Three years: Under Employees' Liability Act of April 22, 1908 (53 Stat. 1404, sec. 2).

Five years: Against sureties on official bonds (25 Stat. 387, sec. 2).

Five years: For penalties and forfeitures under customs laws (49 Stat. 527, sec. 306).

Six years: for recovery of premiums paid to purchasers of public lands (R. S. 2376).

Six years: Suits for infringement of patents (60 Stat. 778; Public Law 587, 79th Cong.).

Six years: on marshals' bonds (R. S. 786).

Six years: against false claimants from United States (R. S. 3494).

No limit on claims for overtime, etc., submitted in accordance with Act of July 31, 1946 (60 Stat. 747, sec. 3 (c); Public Law 575, 79th Cong.).

MARGARET FENNELL,
Federal Law Section.

FEBRUARY 28, 1947.

Mr. MORSE. Mr. President, will the Senator yield to me?

Mr. DONNELL. I yield.

Mr. MORSE. The Senator will recall that last year the Committee on Education and Labor by majority vote also reached the conclusion that a 2-year statute of limitation would be fair and reasonable, and so recommended to the Senate.

Mr. DONNELL. I thank the Senator for recalling that fact to my mind.

So, Mr. President, we have phrased subdivision (c) (1) which is to be subdivision (c) (1) of the Fair Labor Standards Act, as follows:

(c) (1) Every claim under this act for unpaid minimum wages, unpaid overtime compensation, or an additional amount as liquidated damages, accruing prior to or on or after the date of enactment of the Portal-to-Portal Act of 1947, shall be forever barred unless, within 2 years after such claim accrued, suit to enforce such claim is commenced in a court of competent jurisdiction.

We are confronted by this situation: Here is a man who asserts a claim, under the decision in the Mount Clemens case, let us say. Suppose the Court should determine section 2 of our bill to be invalid. I refer to the section which kills portal-to-portal suits. Then the man in question comes forward to file his suit, and is confronted by the provision of the bill, which I have read, establishing a 2-year bar; and he finds himself barred because his claim had accrued more than 2 years before he undertook to assert it. It is our judgment that if the provision of our bill with respect to cancellation and nullification of the portal-to-portal suits were held invalid on the ground of unconstitutionality, it would likewise be true that the statute of limitations which undertakes to whittle down the time within which the holder of one of these claims may file his suit would likewise be unconstitutional, unless a reasonable time be provided within which the claimant may yet file his suit after the passage of this proposed act. So, bearing that fact in mind, we have incorporated in the bill subdivision (2) of section (c), which will become a new subdivision of the Fair Labor Standards Act. It reads as follows:

(2) Notwithstanding the provisions of paragraph (1) of this subsection, suit to enforce any such claim accruing prior to the date of enactment of the Portal-to-Portal Act of 1947 may be commenced within 120 days after such date if such claim is not barred at the time of commencing suit by any other statute of limitations; and the period of limitation provided for in paragraph (1) of this subsection shall not be applicable to any suit so commenced.

To illustrate, Mr. President, let us say a man in Virginia, where the period of limitation is 3 years, comes forward with a suit, immediately after the pending bill has been enacted, and undertakes to file his suit, and finds that more than 2 years have elapsed since his claim accrued. Let us say that he reads subsection (1) of section (c) at the top of page 19 of our bill, and determines that, "I am barred." But then he goes further and finds that inasmuch as the State of Virginia has allowed him 3 years, consequently if he comes in within 120 days after the pending bill goes into effect, he can sue on his claim and the suit will go back as far as 3 years; namely, the statutory period under the law of Virginia. We think these provisions of the limitation section are just and proper.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DONNELL. I yield to the Senator from Florida.

Mr. HOLLAND. I should like to address to the distinguished Senator, whose scholarly discussion of this whole subject has, I think, been very fine, one or two questions, if I may do so, with reference to the subject of the statute of limitations.

Mr. DONNELL. I am very happy to have the Senator from Florida do so.

Mr. HOLLAND. As a predicate for my question, I should like to remind the distinguished Senator that my State is one of seven which have a State statute of limitations of 1 year.

I understand from the Senator's discussion that 2 years was regarded as a fitting average time; but I am wondering whether there would be any unwillingness on the part of the Senator to allow the continuance in force, in those States where there is a 1-year statute of limitations, of the effect of their State statute.

Before the Senator answers the question, let me say that I think the record shows that the efforts of the States which have relied upon a 1-year statute of limitations have been satisfactory, in that the only four States in which no portal-to-portal suits have been instituted are four of the seven States in which there is a 1-year statute of limitations. In other words, it seems to have brought about a peaceful situation, rather than the contrary; and I may say that in my State if there was any objection whatever coming from labor leaders to the enactment of that statute, it never came to my attention and has not yet come to my attenion.

So my question is whether there is any unwillingness on the part of the distinguished Senator or on the part of his committee to allow to those States which, through the deliberate expression of their legislatures, have gone to a 1-year statute of limitations, the right to have that statute continue in effect in those particular States?

Mr. DONNELL. Mr. President, in answering the question of the Senator from Florida, who has served with such distinction as Governor of his own State, I will say that in the judgment of our subcommittee—and I may interpolate that I do not recall that the subject was discussed in the Judiciary Committee itself—it would not be desirable to follow the suggestion of the distinguished Senator. The reason why we so believe is that it would still leave a lack of uniformity, it would still leave the condition that in some 41 States of the Union the period of limitation would be 2 years, and in 7 States, I believe it is, the period of limitation would be 1 year. It would mean that in the case of an industry which had companies operating in a State with a 1-year statute, and other companies operating in a State with a 2-year statute, namely, the Federal statute, the companies operating under the 1-year State statute would have a competitive advantage over those operating under the 2-year statute, namely, the Federal statute of liability.

I may say that I have great confidence in and deference for the opinion of the distinguished Senator, and I have no doubt that the Senate will be just and proper in its decision with respect to any suggestion he may make to it on that subject. But, so far as our subcommittee is concerned, and therefore speaking as one who is acting as the floor proponent of the bill, I respectfully decline to consent to incorporate in the bill a provision retaining the 1-year statute in the States which now have it.

Mr. HOLLAND. I thank the Senator. May I ask him another question on the same subject?

Mr. DONNELL. Certainly.

Mr. HOLLAND. I have no desire at all to suggest anything that would work any destructive effect on the bill. I am for a measure which will bring to an end the present confusion. At the same time, I do not desire to bring about that result at the expense of sacrificing a device which has shown its usefulness in my State, and in other States.

I have no doubt of the constitutionality of an amendment which would save the 1-year statute in those States which have enacted it. I have consulted with the legislative counsel, and I find that they are of the same opinion. I wonder if the distinguished Senator has given any thought to the constitutional aspect of the matter, because, as I said in the beginning, I do not want to work any destructive effect upon the bill, but I do desire to incorporate by amendment the provision I have suggested, if to do so would not harm the bill.

Mr. DONNELL. Certainly I personally have not given thought to the constitutional question involved. I do not know whether either of the other two appointed members of the subcommittee or the ex officio member has given it thought. I am sure that we shall be very happy, during the course of the debate and in the interim which will elapse before the bill shall be voted upon, to consider the question, and to advise the Senator as to our conclusion with respect thereto.

I may repeat, however, that our subcommittee is not willing, and, acting as the floor proponent of the bill, I decline, to accept the amendment. That of course does not preclude the able Senator from presenting it to the Senate, and I am sure that he will present it fairly and capably, and if the Senate shall adopt it, I am sure it will have acted in line with what it thinks is the wise course of procedure.

Mr. HOLLAND. I thank the Senator.

Mr. DONNELL. I wish also to say a word in appreciation to the Senator for his very encouraging and kindly reference to our bill. I do not wish to put more into his mouth than he has said. There may be imperfections in our bill. We have tried to make it as good as possible, and I am sure I appreciate, and I know my colleagues do, the confidence of the Senator from Florida, and his very kindly expressions.

Mr. President, our bill proceeds, in subdivision 3 of the amendment to the Fair Labor Standards Act, which amendment is incorporated in section 9 of the bill, with this language:

> Any such claim, if based on portal-to-portal activities as defined in section 5 of the Portal-to-Portal Act of 1947, and any suit thereon, shall be subject to the provisions of section 4 of the Portal-to-Portal Act of 1947.

I can well appreciate the point made by the distinguished Senator from Massachusetts [Mr. LODGE] as to the difficulty of anyone jumping from place to place in the bill—and in many other bills, for that matter—and at first glance grasping the full meaning. But I think the meaning here is clear, namely, that any claim mentioned in the proposed amendment of the Fair Labor Standards Act set forth in section 9 of our bill shall have been based on activities which under section 5 of the bill are not compensable, and any suit thereon shall be subject to the provisions of section 4, which provisions, generally speaking, are those which say that there shall be no recovery of any amount of liquidated damages, no award of attorneys' fees to be paid by defendants to plaintiffs, placing the burden of proof on the plaintiff, making possible future settlements and compromises, and the validation of previous settlements and compromises.

Mr. President, I proceed now with the further provisions of section 9 of the bill which, in substance, referring to the Walsh-Healey Act and the Bacon-Davis Act, provide similar provisions as to a 2-year statute of limitations under each of those acts, providing likewise for a 120-day period similar to what is provided in subdivision (2) of subsection (c), set forth on page 19 of our bill.

Likewise, Mr. President, on page 20 there is a provision that—

> Any such claim—

That is to say, any claim under either the Walsh-Healey or the Bacon-Davis Act—

> Any such claim, if based on portal-to-portal activities as defined in section 5 of the Portal-to-Portal Act of 1947, and any suit thereon, shall be subject to the provisions of section 4 of the Portal-to-Portal Act of 1947.

Just as in the case of claims based on portal-to-portal activities under the Fair Labor Standards Act.

I come next to section 10 of the bill. That section is entitled "Reliance on Administrative Rulings." Let me respectfully call the attention of the Senator from Nebraska to the fact that I am approaching this subject. We provide in the bill that the Fair Labor Standards Act of 1938 is amended by adding at the end of section 16 a new subsection to read as follows:

> (d) Neither liability nor punishment under section 15 or 16 (a) of this act—

I interpolate that the liability and the punishment under those two sections are the criminal liabilities referred to in section 16 (a)—

> (d) Neither liability nor punishment under section 15 or 16 (a) of this act, nor liability for an additional amount as liquidated damages under section 16 (b) of this act, shall be predicated on any act done or omitted in good faith, on or after the date of enactment of the Portal-to-Portal Act of 1947, in accordance with or in reliance on any regulation, order, interpretation, ruling, or practice of the Administrator, notwithstanding the fact that such regulation, order, interpretation, ruling, or practice, after such act or omission, is amended or rescinded or is determined by judicial authority to be invalid or without legal effect.

Immediately following what I have just read as an amendment to the Fair Labor Standards Act is a similar provision as to liability for an additional amount as liquidated or other damages under the Walsh-Healey Act.

It will be observed, Mr. President, that the language of both the provision in this

section 10 relating to the Fair Labor Standards Act, and the portion of section 10 relating to the Walsh-Healey Act, refer solely to the future, that is to say, as to any act done or omitted in good faith on or after the date of the enactment of the pending bill, in accordance with or in reliance on any regulation, order, and so on. No liability as described in the section shall be predicated thereon.

The occasion for these provisions relative to administrative rulings may be illustrated in this way: Let us take the case of an employer in Nebraska, who writes to the Administrator under the Fair Labor Standards Act and says, "I am operating a laundry," and gives the facts with regard to its operation. He inquires, "Am I or am I not subject to the Fair Labor Standards Act?" The Administrator replies, saying, "You are not subject to the provisions of the Fair Labor Standards Act." Whereupon, the employer goes ahead on that theory and employs his workers we will say for 43 hours a week, instead of 40 hours a week; and then, within the period of limitation of Nebraska, which is 4 years, either these employees find out from legal counsel that the Administrator was wrong, or perhaps the Administrator changed his view and advised the public that he was wrong. In the meantime, the employer has spent his money and fixed the prices of his product on the basis of the earlier ruling of the Administrator.

Mr. WHERRY. Mr. President, will the Senator yield at that point?

Mr. DONNELL. I yield.

Mr. WHERRY. Carrying the illustration further, the laundry proprietor did not find that the Administrator had changed the order, until it was determined by the Administrator that the laundryman was doing more than 25 percent of his business with hotels and restaurants. The Administrator then issued the new order that the laundry was engaged in interstate commerce, because it was doing the laundry work of persons engaged in interstate comerce. The Administrator, therefore, changed his order. That is where the difficulty arose. The new order classified the laundry as being engaged in interstate commerce, because 25 percent or more of its business was with hotels and restaurants that served traveling men who were engaged in interstate commerce.

Mr. DONNELL. I thank the Senator for amplifying my remarks. The illustration which he has given very clearly places before the Senate a situation in which obviously an injustice appears to have been done; for if, after the employer has relied upon the ruling of the very man who is in charge of the administration of the act, it be discovered years later that the Administrator was wrong, or he himself changes his opinion, and the employer is then subjected to liability, it would appear that it would be unjust to subject him to that liability.

Of course, I realize there are two sides to this question. The other side of it may be somewhat illustrated in this way: In the first place, the Administrator has no legal power to issue any binding interpretations of the Fair Labor Standards Act. He has authority to issue certain administrative orders and rulings, of one type or another, but when it comes to telling the laundryman whether he is or is not under the act, the Administrator has no power. Of course, from the standpoint of the laundryman, the latter will say, "Well, to whom can I go, if not the Administrator?" Indeed, the laundryman may point out that the Supreme Court of the United States has, on at least one occasion, possibly more, mentioned that interpretations by the Administrator of the Fair Labor Standards Act should be given careful consideration and reliance; yet, of course, on the other hand, as I say, the Administrator has no legal power to issue these regulations and make them binding. The Supreme Court itself, notably in the Holly Hill case, involving area of production, held, at least in that case, and I think it is true of others, that certain interpretations issued by the Administrator were wrong.

Mr. President, in order to bring this down to a small focus, we finally came to the conclusion after very considerable study—and I may say it is not an easy proposition; a very good debate can be made on both sides of this question—we finally determined, I may say, not in our subcommittee, as I remember it, but in the Committee on the Judiciary itself, as a whole, to put these provisions into the act, on the general theory that where a man goes to an authority, such as the Fair Labor Standards Administrator, the only authority to which he can go, and the Administrator issues a ruling, even though it be not binding, the man ought not to be subject either to criminal liability or to liquidated damages, in the event he has relied upon the ruling of the Administrator.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. DONNELL. I yield to the Senator.

Mr. LUCAS. I agree with the Senator that, where an individual in good faith relies upon a ruling of the administrator, he should not be subject to criminal or civil action thereafter.

Mr. DONNELL. Pardon me. The Senator, I think, means criminal liability or civil liability for liquidated damages.

Mr. LUCAS. That is correct; that is what I am talking about. But in reading paragraph 2 of section 18, I am wondering if the committee has not gone far astray from what the Senator has been talking about. In other words, all that is necessary to be done is to rely on "any administrative regulation, order, interpretation, ruling, or practice."

I ask the Senator this question: The committee bill permits an employer to escape criminal liability and civil liability so far as liquidated damages is concerned, if he can show he acted in good faith in accordance with or in reliance upon any "regulation, order, interpretation, ruling, or practice of the administrator." The words "or practice" are very vague, and I would like to ask the Senator, when does a man act in good faith in reliance on a practice?

Mr. DONNELL. Mr. President, I answer the Senator by saying that his mind and the minds of our subcommittee are running along the same line. I may say that yesterday we ourselves prepared an amendment—I do not have a copy of it before me at the moment, but I shall have it—the effect of which is to limit the rulings to regulations, orders, interpretations, or rulings, in writings of the administrator, and I do not want the words "in writing" to refer solely to the last word, "ruling." I mean a regulation in writing, an order in writing, an interpretation in writing, or a ruling in writing.

Mr. LUCAS. I think the Senator's suggestion has much merit. It seems to me that before an individual can act in good faith upon a question of this kind, the ruling or order or regulation should be written. In other words, he ought to have something before him upon which he can base his action. If he undertakes to base it upon what some official in Washington, some subordinate, said at a meeting, or if he seeks to base it upon some loose practice which may prevail, it strikes me that interminable difficulty and trouble would be encountered in the practical application of the act.

I merely raise that question for what it is worth, and I am glad to see that the Senator is thinking along the same line and will probably offer an amendment in due course; not, perhaps, to strike out, but to make it definite, sure, and certain that when an individual is acting, he is acting on a written order or regulation, or something that comes from the Administrator in writing. When he does that, there certainly can be no question about it.

Mr. DONNELL. Mr. President, I want to thank the Senator. With the permission of the Senator from Nebraska [Mr. WHERRY], I should like to recite something of the conferences which have been held over the telephone between him and myself; Senator COOPER being present when they were held.

The Senator from Nebraska called me on the telephone, the latter part of the week, I think it was—Friday—and suggested to me that he would like very much, because of the fact that small business is greatly interested in this matter, to have this clause relative to reliance on administrative rulings be made applicable in the past, instead of solely to the future, by inserting the words "prior to" in line 2 of page 21.

In addition to that he had in mind the desirability, in his judgment, of allowing an individual to be exempt from liability of a criminal nature or for liquidated damages in the event he had relied upon the ruling of some other board or body. I first thought the Senator meant the War Department, but I found out later that he had reference to the War Labor Board, and possibly some other board, but of that I am not sure. At any rate we held conferences over the telephone on this matter, and in the course of our conferences the Senator himself suggested the importance of inserting, as I recall, a provision entitling a person to rely only on written provisions.

I may say, Mr. President, that the Senator from Kentucky [Mr. COOPER] and I

had in the meantime, curiously enough, arrived at the same general proposition. The Senator from Kentucky and I ourselves drew an amendment to paragraph (d) of subsection (1) applying the Fair Labor Standards Act, on page 20 of the bill, and to subsection (2) on page 21 applying to the Walsh-Healey Act, and we furnished a copy of the amendment to the Senator from Nebraska who, although he was desirous of having the amendment refer to rulings of persons other than the administrator, has offered the amendment on the floor for the consideration of the Senate. Now whether or not the Senator desires to stand on it in the exact wording as he offered it, I do not know, but if I may complete this statement, the applicable part of his amendment is "in accordance with or in reliance on any regulation, order, interpretation, or ruling of the administrator, in writing."

And a similar provision in the language applying to the Walsh-Healey Act. I observe that the Senator from Nebraska is on his feet and I should like very much to have him amplify what I have stated, and if I have made any errors, will he kindly correct them.

Mr. WHERRY. Mr. President, I endorse in toto the explanation given by the distinguished Senator from Missouri. I do feel that, instead of simply having the provision apply to the Administrator, it should apply to any administrative agency which issues an order in writing. I had reference to the War Labor Board. In a number of instances the Wage and Hour Administrator has overriden other administrative agencies in applying and imposing his rulings after a person had acted in good faith under other rulings. But we are willing to accept the amendment which has been offered to us, by the distinguished Senator, and to which we finally agreed. Last night, because we had not reached the point of discussion the amendment I asked that the amendment be printed, and I offered it in my own name, but in reality it is the amendment which was prepared by the subcommittee and which the subcommittee referred to me. It represents a compromise with my amendment, and I agreed to accept it, and they agreed to accept the language if I would offer the amendment. So I offered the amendment. If Senators are interested in it they can find the amendment on their desks.

I still think that relief should be extended to individuals who have relied upon rulings of any administrative agency, but I certainly agree that the subcommittee did its best to give the small businessmen the relief they are asking for only in good-faith cases. I think those that are acting in bad faith should be penalized under the liquidated damages section.

The distinguished Senator mentioned the case of a laundryman who was penalized. He explained that situation fully. I believe that the laundry proprietor should obtain relief under the good-faith clause from any damages arising under any circumstances, when he had operated for nearly 3 years under the written order of an administrator, who then changed his mind and assessed damages against the laundryman because his second order was contrary to his first order. In that case the laundryman relied in good faith upon the first order of the administrator made in writing, and I think he has a defense against the suit which is brought against him in view of the fact that he acted in good faith and complied with the first order issued by the administrator.

Mr. DONNELL. Mr. President, I thank the Senator from Nebraska. I want to call to his attention, so that there will not be any possible misunderstanding, to the fact that the only exemption from liability or punishment that is granted even by the amendment which the Senator has submitted is from criminal liability or liability for liquidated damages.

Mr. WHERRY. I understand that.

Mr. DONNELL. In other words, if a man were employed in a laundry and the employer was assured that the laundry was not under the Fair Labor Standards Act, and then thereafter for 3 years the employees were employed for 43 hours a week, namely, 3 hours overtime, the employer would not be relieved from the obligation to pay time and a half for the 3 hours overtime. The only thing the employer would be freed from would be from the liability for another time and a half in the form of liquidated damages. He would be freed also in other cases that I have indicated, from the criminal liability under sections 15 and 16 (a).

Mr. President, as to the suggestion of the Senator from Nebraska that reliance might be had on something other than regulation, order, interpretation, or ruling of the Administrator, our subcommittee was unable to agree with him, for this reason: We feel that the only person upon whose rulings the public could rely under the Fair Labor Standards Act is the man who is administering the act. We did not think if someone in the War Labor Board or other administrative agency should issue a ruling that might refer to the Fair Labor Standards Act that you, Mr. President, or I should be entitled to rely upon such ruling of the person in the other department. Therefore, we were not willing to go any further than our original bill did insofar as the person whose ruling, order, and so forth, should be relied upon, namely, the administrator under the particular act.

Mr. President, we have, however, acceded to the suggestion of the Senator from Nebraska to make these provisions applicable not only to acts done after the date of the enactment of this measure, but also to those done prior to the date of the enactment of the measure.

We are in full agreement with the amendment submitted by the Senator from Nebraska.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. THYE in the chair). The Senator will state it.

Mr. WHERRY. Does the Senator from Missouri, the chairman of the subcommittee, have the right to accept the amendment which he has described as my amendment, and which I have offered, without the amendment being put to a vote? In other words, can the Senator modify the committee amendment at this point to include my amendment?

The PRESIDING OFFICER. The amendment may be offered at any time.

Mr. WHERRY. I mean can the committee amendment be modified by the chairman of the subcommittee without the amendment being put to a vote?

The PRESIDING OFFICER. Unless there be action by the committee, the Senator from Missouri cannot accept the amendment to the committee amendment.

Mr. WHERRY. I should like to inquire of the distinguished Senator, Is the acceptance of the amendment, of which the Senator spoke, action on the part of the full committee, or only action on the part of the subcommittee?

Mr. DONNELL. Mr. President, we have not taken the matter up with the full Committee on the Judiciary. We shall be very happy to do so, however, before the final vote is taken.

Mr. WHERRY. If the Senator will take the matter up with the full committee I shall appreciate it very much. If the full committee accepts my amendment it will eliminate the necessity for action upon the amendment on the floor.

Mr. DONNELL. I assure the Senator that the majority of the subcommittee—we have not had an opportunity to confer with the Senator from Mississippi [Mr. EASTLAND]—will recommend the adoption of the amendment and the approval of it by the full Judiciary Committee.

Mr. President, I now come to section 11 of the bill, which is merely a series of definitions. I think it is probably unnecessary to read that section unless some Senator wants it read. It defines the terms "person," "commerce," "employer," "employee," and "wage" under the Fair Labor Standards Act.

It defines the term "employer," when used in this act in relation to the Walsh-Healey Act or the Bacon-Davis Act.

Then, Mr. President, section 12 is the customary separability clause that—

> If any provision of this act or the application of such provision to any person or circumstance is held invalid, the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby.

Finally, Mr. President, section 13 provides that—

> This act may be cited as the Portal-to-Portal Act of 1947.

An appropriate amendment to the title is also set forth at the end of the bill.

Mr. President, I complete at this point, and I know it is of great relief to the Members of the Senate, this very lengthy presentation of the bill, and I want to assure the Senate that it has been a very great privilege to the members of our subcommittee to have had the bill before us. I think it has likewise been a great privilege to the Committee on the Judiciary itself. It has been a privilege to have had the opportunity to work on the bill and giving it our best efforts.

With these remarks I conclude my statement.

THE ROAD TO PEACE

Mr. TYDINGS obtained the floor.

Mr. McFARLAND. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

Mr. TYDINGS. I yield for that purpose.

Mr. McFARLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. THYE in the chair). The Clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Morse
Baldwin	Hatch	Murray
Ball	Hawkes	Myers
Brewster	Hayden	O'Conor
Bricker	Hickenlooper	O'Daniel
Bridges	Hill	Pepper
Brooks	Hoey	Reed
Buck	Holland	Robertson, Va.
Bushfield	Ives	Russell
Byrd	Jenner	Smith
Cain	Johnson, Colo.	Sparkman
Capehart	Johnston, S. C.	Stewart
Capper	Kem	Taft
Chavez	Kilgore	Taylor
Connally	Knowland	Thomas, Okla.
Cooper	Lodge	Thomas, Utah
Cordon	Lucas	Thye
Donnell	McCarthy	Tydings
Downey	McClellan	Umstead
Dworshak	McFarland	Vandenberg
Eastland	McGrath	Watkins
Ecton	McKellar	Wherry
Ellender	McMahon	White
Ferguson	Magnuson	Wiley
Flanders	Malone	Williams
Fulbright	Martin	Wilson
George	Millikin	Young
Green	Moore	

Mr. WHERRY. I announce that the Senator from Nebraska [Mr. BUTLER], the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Massachusetts [Mr. SALTONSTALL] are absent because of illness.

The Senator from West Virginia [Mr. REVERCOMB] is necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate because of illness in his family.

The Senator from North Dakota [Mr. LANGER] is absent because of the death of a relative.

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. BARKLEY] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from South Carolina [Mr. MAYBANK], the Senator from Nevada [Mr. McCARRAN], and the Senator from Wyoming [Mr. O'MAHONEY] are detained on public business.

The Senator from Louisiana [Mr. OVERTON] is absent because of illness.

The PRESIDING OFFICER. Eighty-three Senators having answered to their names, a quorum is present.

Mr. TYDINGS. Mr. President, on Wednesday last the Members of the Senate and the House assembled in the Hall of the House of Representatives to hear the President of the United States deliver a very earnest and serious message. I do not know what thoughts ran through the minds of others who listened to that address, but I do know that in my mind and in the minds of many others who assembled in the House of Representatives the question arose, "Why is not the United Nations undertaking this work?" There was proposed a unilateral action by the richest and most powerful Nation in the world. It was proposed to go to the aid of two unfortunate nations. I was thinking of the United Nations, which has been set up to establish a body of international law and to maintain peace, order, and justice in the world. It was a matter of regret to me that we had not made more progress so that this agency, the United Nations, might have undertaken the work to which the President addressed himself.

Of course, in fairness, it must be said that the United Nations is very young, little more than 2 years old, and it is too much to expect that it should become a lusty organization in the form of world affairs so quickly. As I thought of the numerous debates which had taken place here, particularly with reference to the atomic bomb and the control of atomic energy, I was greatly disappointed that we had not been able to go forward more rapidly to carry out the aims, ideals, and purposes for which the United Nations had been created. I wondered what could be done which would anticipate a recurrence of what happened on the 11th of January when the President addressed the Congress. I wondered what we could do, as individual Senators or as a body, or what this country could do as a Nation, to hasten the day when international controversies would lessen or diminish and when the United Nations would begin to function in accordance with the high purposes which are incorporated in its charter. It seemed to me that the unrest which exists in the world today, the confusion, and the antipathies were largely the result of fears on the part of one group of nations with respect to another group of nations, and vice versa, and that such fears had their roots largely in the possibility of a resort to arms to try the issue in the last analysis, and that therefore the quickest way, perhaps, in which progress could be made would be to try to start some action which, carried through its due course, might help the United Nations to get in a position where never again would the President of the United States have to ask Congress to take action in world affairs when there exists a body created for the primary purpose of performing such a function.

As a result of that thinking I have prepared some thoughts which I shall be glad to deliver for whatever force and worth they may have at this critical juncture in world affairs.

The address of President Truman to the Congress on March 12 revealed with complete and unmistakable clarity the impotence of the United Nations as presently constituted to deal effectively with international affairs.

I make that statement with extreme reluctance. I wish it were otherwise. I make it not in criticism, but simply to present a hard, cold, realistic circumstance.

The United Nations is as yet in its infancy; its aims and ideals are high and desirable.

But the truth of the matter is, it is at present but a hollow shell. It lacks money, power, and a police force with which to enforce law and order in this war-torn world. Even if it had money and an adequate police force at its disposal for the keeping of the world's peace, its ability to accomplish its objectives is extremely doubtful so long as any one nation, or group of nations, can array a larger and stronger force against it.

Up to this moment the United Nations has proved itself to be nothing more or less than a glorified debating society—nothing more or less than a glorified town meeting of the nations of the earth.

After World War I the nations of the earth for the most part joined the League of Nations. The United States did not. After World War II we corrected this mistake by leading in the formation of a new world organization which we call the United Nations.

We are all familiar with the fact that the League of Nations, after rendering some outstanding services, failed as a medium for keeping the peace and for the settlement of international disputes without bloodshed. In fact, it, too, was but an international debating society. It had no police force to enforce its decrees and was destined to fail as a peace-keeping body just as soon as any great power desired to make war on another power. The unarmed League existed in a world where large armaments were a part of the policy of every leading nation.

Are we to repeat this same failure in the United Nations and condemn mankind to annihilation and the world to the loss of many centuries of acquired civilization?

The League of Nations had no international police force to enforce its decrees. The United Nations has no international police force to enforce its decrees. After the League of Nations was born, all the nations of the world showed a transparent lack of faith in that institution by continuing to maintain large armies and navies just in case the League without a police force could not keep the peace.

At the present time, the United Nations, though now 2 years of age, is doomed to similar failure if the world follows the same course which it followed after the creation of the League. Notwithstanding their pledged word to settle all disputes through the United Nations without recourse to the battlefield, all of the great powers are still maintaining huge military establishments. In the meantime the United Nations has no military force.

On January 28 of last year I submitted the following resolution, which I resubmit today for appropriate reference—I presume to the Committee on Foreign Relations. That resolution reads as follows:

Resolved, That the President is authorized and requested to invite the governments of all nations to send representatives to a conference, which shall be charged with the single duty of entering into an understanding and agreement to achieve world disarmament on land, on sea, and in the air by January 1, 1950, except only for such actual occupying forces, with appropriate weapons, and for such agreed period of time, as will be necessary to police the defeated and occupied nations as a result of the recent war, and except only for such armed forces and for such weapons as are to be placed exclusively under the jurisdiction of the Security Council of the United Nations, and except only for such limited forces and limited small arms as are needed to keep law and order within each country, and directly prohibiting the manufacture, storage, and

possession of all other weapons, ammunition, and munitions of war, and providing further for an international inspection force authorized and instructed to see that the terms of such world disarmament are rigidly adhered to and carried out, and thereafter maintained by all the countries of the earth.

Recently, there have been discussions and proposals in the United Nations for controlling atomic energy and the atomic bomb. Other weapons for the most part have not been mentioned.

Ever since the atomic bomb was first used against Japan, it has provoked world-wide discussion. Its potentialities for death and destruction stagger our imaginations. In their early crude form, two of these bombs in a fraction of second wiped out two of Japan's largest cities. This event struck terror throughout the world. We all know now that if World War III comes, with the atomic bomb, it will transcend a thousandfold the dreadfulness of World War I and II, combined.

We are told that in the next war the battlefield will constitute but a small part of the area through which wanton death and indescribable destruction will rage. In the next war, they say, men, women, and children in the great cities will be recklessly slaughtered by the tens of millions. The work of 20 centuries of building and progress will be undone in a single day. We are told that when that war is over, such security as will then exist will be in the keeping of armed bands, fighting for the most part only for survival. Such a war would wreck the earth itself, and would be the end of everything we value.

The threatening terror of an atomic bomb war has arrested our thinking in other directions. We seem oblivious to the merciless slaughter and wide devastation of the last war, even without the atomic bomb, in Europe and Africa and Asia. We seem to have forgotten the possible use of bacteriological warfare which, if employed—fortunately, in the last two wars it was not employed—but, if employed, can start scourges and plagues which will slay millions from pole to pole.

Likewise we fail to remember the death-dealing possibilities of the new poison gases which silently strike both on the battlefield and on the nonmilitary town and city. We seem to have forgotten the possibilities of the rocket, the V–1 and V–2, and of other flying bombs which can wing their way near the stars on flights of hundreds of miles on their evil missions of destruction. We have overlooked, it seems, the wholesale slaughter of mankind with weapons that have been standard since World War I.

The tens of millions who lie dead, the tens of millions of maimed and broken, the widespread destruction of cities, the barbarism, the infinite cruelty and tortures of the concentration camp, the hundreds of thousands of homeless and displaced persons, the empty treasuries of once financially strong governments, have all been temporarily forgotten before the majestic devastation wrought by the atom bomb.

The reasoning of the moment is, "Only control the atomic bomb, and war without it is still bearable." So it seems that prevention of World War III is not now topmost in the minds of men. The control of the atomic bomb now occupies this place.

Let us explore for a moment what will happen if the United Nations succeeds in controlling or even outlawing the manufacture and use of the atomic bomb, and if we stop at approximately that point. Let us assume that in the near future all the nations of the world will agree not to manufacture, not to store, nor to possess, and never again to use the atomic bomb. Let us assume that an international inspection force is set up to see that these pledges are relentlessly carried out. Let us assume that the pledges in reality are carried out, and that not a single atomic bomb is being made or is in the possession of any country on earth. Then let us assume that because of some future disagreement between nations, World War III really comes to pass, anyhow. Every realist knows that immediately upon the outbreak of World War III, the treaties governing the prohibition of the manufacture, possession, and use of the atomic bomb will be set at naught. Every nation that can do so will at once begin its manufacture. Nations will feel compelled to do so for fear that their enemies will do it first. When these bombs are made, they will be used by one or another of the nations who are parties to the conflict.

Then where do we stand? All the work of the United Nations to outlaw the use of the atomic bomb will then be undone in a fraction of a second, once World War III breaks out. By every rule of logic and necessity, atomic bombs are certain to be used if another war comes. In spite of any treaties or agreements against its manufacture and use, in spite of all honest efforts by nations to prohibit its use, it seems as certain as anything on this earth can be, that at some time during the next war the atomic bomb is sure to be used.

If this is true, nothing is accomplished by outlawing the atomic bomb between wars. It would not be used between wars, anyhow. If another war comes, no treaty prohibiting the bomb will prevent its use. The simple logic of this thinking brings us to a startling conclusion: It is not, as we supposed, the atomic bomb in itself that we fear at all. What haunts our days and crowds our nights with terror in the coming of World War III. We know for certain that if World War III does come, the atomic bomb will come with it, and all will then be gone.

So at long last we have come to know that it is World War III that we fear. If we can prevent the coming of that war, the atomic bomb, bacteriological warfare, poison gases, the rocket, the flying bomb, and all other weapons will take care of themselves. But is the United Nations and are all of us centering our efforts on the prevention of World War III? Frankly, I do not believe so.

Since all nations must look to the United Nations and its successful working for our hope of survival on this planet, it now becomes absolutely indispensable that we reexamine the United Nations, and particularly its Charter, with most thorough particularity.

From a careful reading of it, we learn that the great mission of the United Nations is world security and that is our hope. Indeed, the most potent and decisive branch of the United Nations is actually called the Security Council. The idea of world security dominates and permeates the whole philosophy of the 19 chapters and the 111 articles which together compose the entire United Nations Charter.

Tragically enough, there does not appear in its purposes and principles a single word or phrase devoted to the only sure method of making the work of the United Nations an ultimate success.

Mr. President, there is in the charter no declaration of purpose or principle, no stated objective, for eventual world disarmament, although by inference, in several instances, the words "world disarmament" are used. Yet, it seems clear that if the world's peace is to be unbroken, such accomplishment is impossible without full and proved trust and faith between nations. The United Nations is doomed to failure unless the member nations use its services, rather than the battlefield, for the settlement of their disputes.

If the nations intend to use only the United Nations for such purposes, then all well and good. If they do not intend to use the United Nations, but to rely instead on their own armed forces, then all should know that.

It is important for the United States to know it, and I imagine every other country would want to know it. It is imperative for the security of our own country that we have an answer to the question whether or not we are to rely on the United Nations, or whether or not we are to rely upon ourselves. We cannot put our faith in one institution and use guns in another. We must be consistent if we are to have a policy which will protect the people of this Nation, and under which we will hope to bring peace and order to the world. Only if nations rely on the United Nations can we plan at home and abroad, and take the wise course in the circumstances which from time to time will arise.

It does not appear, with the limited time at the world's disposal, that the UN is endeavoring to secure a united decision from its members as to which of the two courses are hereafter to be followed. And when one reads through the Charter and finds that world disarmament, under proper safeguards, has been omitted from the purposes and principles of that document, our fears for the future are greatly heightened.

Why, I ask, are the purposes and principles in the Charter silent on eventual world disarmament—on the indispensable requisite for the use of the UN rather than the battlefield for the settlement of international disputes?

If all the nations of the world mean what they profess, then why do the United States, Great Britain, Russia, France, China, and so on through the long roll call, continue to mass at home military power, greater than the world has ever heretofore seen? All the while their delegates to the UN talk only of the control of the atomic bomb. Is war without the atomic bomb a bearable in-

stitution? Does it become unbearable only when the atomic bomb is added to the other weapons of destruction? If World War III comes, and this bomb is to be used anyway, why not try to avoid that war by the process of total world disarmament, save for small and appropriately armed forces in each nation sufficient to keep the peace; and save for such forces as are pledged exclusively for the use of the UN, together with an international inspection force capable of maintaining this state, once it is reached?

Is the faith of our own country in the UN and our trust in the pledged word of the other member nations so weak that we must maintain the greatest Navy, the greatest Air Force, and perhaps the most efficient Army the world has ever seen?

To answer my own question, I would say yes, as of the present.

Is the faith and trust of the British in this indispensable enterprise—the UN—so shallow and fleeting that it, too, relies on one of the greatest armadas, one of the most powerful air forces, and one of the greatest armies in the world?

To answer my own question, I would say yes, at this juncture it is not strong enough in its faith to rely on the UN understandably, but rather now relies upon its own ability to defend itself.

Is the faith and trust of mighty Russia in the workings of this last hope of mankind so flimsy and unsubstantial that while nominally adhering to the lofty purposes and principles of this international organization, it still desires to keep millions of men armed with every conceivable weapon, always readily available?

Indeed, Mr. President, is the faith of all countries now staggering under the wasteful expense and harsh deprivation caused by all-out preparedness so feeble that they must continue to maintain, to broaden, and to extend their present great military establishments?

Truly, if the future accomplishments of the UN are to be measured by the yardstick of its present actions and objectives then we are indeed leaning on a very fragile and insufficient reed.

In this state of a world armed to the teeth we cannot further rely on the UN, as now constituted, for our own protection. If this condition continues, it is obvious that we must rely only on ourselves.

What becomes of the principles and purposes of the UN as it attempts to enforce its decrees, when the position of the United States, or Britain, or Russia on any international question is backed up in each country by an invincible military establishment?

What becomes of the pledge made by each nation that it will "discharge in good faith the obligations assumed" if huge, armed establishments are to be maintained by all of them, just in case?

The Charter specifies: "All parties shall refrain from the threat or the use of armed force." If this clause is to be observed, do not the existing world-wide armaments make of it but a mockery? Is not their very maintenance a threat to all other nations, great and small?

Mr. President, sadly enough, the words "world disarmament" are not to be found anywhere stated in the purposes and principles of this world organization.

Mr. President, when we contrast words with action, the United Nations' purposes and principles with its initial objective of "controlling the atomic bomb," we are led into a field of unrivaled contradiction. On the one hand, we have the picture of all nations solemnly pledging their faith and support to the United Nations as the instrument for settling international disputes without bloodshed, and at the same time retaining and even enlarging their wartime armaments.

Thus, it looks to me as if we are repeating once more the same vital error which laid the League of Nations low. Most nations pledged their faith in the League, but at the same time they made a mockery of this pledge by openly demonstrating that their real faith was in their own great armaments, and in nothing else. Had they been relying on the League for the settlement of disputes, such armaments would have been unnecessary.

I make the challenge that, except for such forces as are needed to maintain order in the defeated countries and keep the peace at home, the maintenance of large military forces shows such a lack of trust and faith in the United Nations as to render it a futile agency for preventing World War III.

Unless this program of world disarmament as I have qualified it is immediately undertaken by the United Nations, there is grave danger that the United Nations will be but a snare and a delusion, and that it will be ultimately doomed as the most colossal and sad failure of all the institutions created by mankind throughout history. We are embracing again the same hypocrisy which bedeviled the League of Nations, and in time wrecked it on the rocks of world rearmament.

What a travesty. Here we have the spectacle of 51 of the greatest nations on earth renouncing war forever as an instrument of national policy, and proclaiming their allegiance to the UN in its operations to keep the peace, at the same time parading their armed might on land, on sea, and in the air, on a scale never before witnessed on the face of the earth.

What the man in the street in this and every other country wants is larger and sterner stuff. The hour demands it. He does not want to have created a debating society to discuss mere details for world security while all the world marches burdened by heavy armaments, and when international conditions grow no better. He wants action on a broad scale which will strip this world of the threat of another war. He wants real, not professed, world security. He wants complete and absolute disarmament on land, sea, and in the air by every country on the face of the earth, and he wants to have provided an inspection force sufficiently large and clothed with such authority as to be able to make certain that the state of disarmament, when reached, is thereafter maintained religiously. He wants placed at the exclusive disposal of the UN a well organized police force ready and able to halt all violators of this concept.

There is only one way, Mr. President, that the good faith of the members of the UN can be proved—not two ways, or three; only one. There is only one way that the UN and its member nations can show to the world that this time all the nations really mean business.

And mark carefully the words I am about to utter: What we must control, Mr. President, is not the atomic bomb, not the scientists who make it, but the ability to make war; or all our pious gestures are as empty words. In short, we must as a world control ourselves, and the people of all other nations must control themselves. There is no other method. There is only one road to peace, and unless we take that road our institutions, our species, this planet itself is threatened, and it may not survive.

Mr. President, we no longer have a choice in the matter. Either we outlaw war and make that mandate work, or there is no survival ultimately for anyone on this planet. Yes, Mr. President, I feel our problem is just that simple. This has been apparent since the first small atomic bomb demonstrated its destructive capacity. It is even truer now when we know that in spite of everything we may do to control the atomic bomb in the meantime, if World War III comes, an improved atomic bomb will come with it, as surely as there is a roof on this Senate Chamber.

As an American, I believe that we ought to do one thing or the other. The United States must either keep fully prepared in all categories, including the atomic bomb, or there must be total disarmament, including the atomic bomb, for all nations of the globe, ourselves included. We will not contribute to the peace of the world by further disarmament here in the United States, by way of example for other nations to follow. I want to emphasize that I am not arguing or pleading for or advocating a disarmament of the United States in this world. I want its defenses to be strong, and I want them to be adequate to meet and cope with any possible, conceivable danger to which our Nation might be subjected. I would be opposed to disarmament by this country as an example to the world.

What I am pleading for is a schedule of disarmament agreed to by the great nations, and, when agreed to, carried out step by step under the eyes of international inspectors, until the last vestige of the agreed disarmament has been achieved. I do not want anyone to leave this Chamber with the idea that I am for disarmament as a means of affording an example. I would fight it with every ounce of strength I possess. To the best of my ability and influence and vote I would keep up our Army, our Navy, and our Air Force, so long as other nations keep up theirs and make such action on our part necessary.

What I am advocating is that the nations of the world sit down together at a conference devoted to the simple purpose I have suggested and try to arrive at a plan which, over a period of years, will make the force at the disposal of the United Nations so strong that no one nation will dare to attack it, and that nations retain only such armed forces

within their own countries, equipped perhaps only with small arms, as are necessary to keep the peace. If anyone does not like that plan, I ask him, what is the alternative? Shall we drift from one international crisis to another? But yesterday it was Korea, or Azerbaijan, or Poland, or Hungary, or communism in the Balkans, in Korea, or in China. But a year ago it was Great Britain, when the British loan was up. Four days ago it was Greece and Turkey. What will it be tomorrow?

What is fear behind it all? The fear is that out of each one of these little bonfires, where the sparks of discord have fallen, a flame may be lighted that will start a conflagration which will spread over the entire world. If Russia in good faith were to disarm tomorrow, if that were possible, and we were to disarm tomorrow, and all other nations were to disarm, and the United Nations had an adequate force to keep the peace, in my judgment many international antipathies and difficulties would vanish like the morning mist.

Back of all these movements, which cost terrific sums of money, drain our natural resources, and quite often take an unconscionable toll of human life, is fear that some other nation may be the stronger, and therefore these moves must be made on the international checkerboard as a part of international or national defense.

Mr. President, we no longer have a choice in this matter. What will conduce to the world's peace is for us either to be so strong that all nations will respect the force at our command or for us to join with all other nations in world disarmament; for in such a world we would have no need of armed forces to gain our rightful ends. But what are we doing, and what is every other nation on earth doing now? Pious words, signed and sworn statements of adherence and faith in the UN, and, at the same time, millions of men are kept under arms; which, unless we move faster to encompass and enfold these aims and purposes in the arms of reality, makes of the United Nations Charter, and of this whole movement, one of the greatest frauds ever perpetrated on the honest people of the earth. If the United Nations is not going to be put in condition where it can discharge the great work for which it was created, in my individual capacity and on my responsibility as a Senator in this body, I want to know it.

I do not want to have one foot in the UN and one foot in the War Department. We ought to have an answer, "Yes" or "No." Let us suppose that the President were to issue such an invitation, and that some of the great nations would refuse to attend it. All well and good. At least we would know they were unwilling to sit down and discuss world disarmament and the creation of a police force in the United Nations, and to constitute and give the right-of-way to an inspection force that could go anywhere to see that the United Nations agreement was carried out.

As of today I and other Americans are looking with hope and longing to the UN. I am not saying what I am saying in order to belittle it. I am not saying it particularly to criticize the UN. It is doing the best it can with the tools we have given to it. I want to make of it what we all said it was to be, and end this sham and pretense once and for all, or, and if we cannot do that, then in God's name at least we can defend ourselves as best we can. But let us have an answer "Yes" or "No." Is the world to live by the UN or it is to live behind the might and force of the economic power and armies of the great nations?

What we and all other nations want and are entitled to have is a clear answer as to which of these policies we must all hereafter pursue for our own protection. If we are going to support the UN, and I favor supporting it, then all nations should be willing to disarm. If we are not going to put our faith in the UN—and the other nations of the world—then it is imperative for our own national security that we never again be caught unprepared.

I think we are entitled to an immediate answer to this question.

Mr. President, this matter is so important to all nations—to all mankind—that the United States of America should and must take the lead in promoting and consummating it.

It should be a single and separate undertaking. And mark these words. The issue as to whether we are to rely on the UN, or upon our own defenses, should be settled. This country is at present the most powerful in all the world on land, sea, and in the air. Its wealth is greater than that of any other nation. It is in the prime position of leadership. The world knows it has no hidden plans for conquest. The world knows it has but lately voluntarily given to the Philippines and its 18,000,000 citizens complete and absolute independence. The President of the United States thus at this time occupies the enviable position of primary world leadership. The prestige of his great office and the prestige of our great country should stand behind the purposes for which such an international meeting is called.

I do not believe, and it now seems conclusive, that the UN is equipped to initiate successfully a task of this magnitude.

It is likely that for some time to come the UN will be asked to consider a tremendous multitude of problems. In its Assembly, the voice of India undoubtedly will be frequently raised, concerning independence. So will it be with the people of the East Indies, with French Indochina, and with the peoples of other countries who may consider themselves subjugated peoples.

There will be debate about Lithuania, Latvia, and Estonia, about the Polish territories and the Polish people, about Greece and Turkey and the Dardanelles, Iran, and parts of China. Questions will arise about the annexation of the defeated countries, about the rights of minorities; questions of the distribution of certain of the earth's areas deemed of great economic or military value; questions of trusteeship; questions of international trade, tariffs, and embargoes; questions of immigration, of currency stabilization and depreciation; Palestine and the Jewish question; questions affecting air and sea commerce, bases, and travel; questions of international labor, health, education, and standards of living, and the like. Important as these are, they are all secondary to the business of establishing and keeping the peace of the earth; to preventing the outbreak of world war III.

Undoubtedly the settlement of many of these controversies by the UN is important. Their proper settlement will conduce to the world peace we long for, but such matters require time, time, time.

The body that takes up the question of world disarmament should not be hindered, side-tracked, or delayed by any other problem. World disarmament is in itself such a gigantic undertaking as to require a singleness of thought, action, and purpose on the part of those who seek to bring it about. Hence a conference of all nations should be called to be devoted exclusively to the accomplishment of this work. Such a conference will be faced with many, many difficult decisions—what disarmament is to consist of, what forces shall be made available exclusively to the UN, the number of men to be contributed by each nation, the weapons that such a force may employ; where these forces and weapons are to be stationed; how to effect the destruction of the remaining weapons not placed under the control of the UN or retained in each nation for law and order purposes; the composition of the international inspection force with world-wide authority to see that the program is carried out and the state of disarmament thereafter maintained, and so on, and so on.

Obviously such a gigantic task should not be confused by what is taking place in Iran, or Poland, or China, or Palestine, or with trusteeships or with tariffs and embargoes, with currency stabilization, and the hundred and one other problems which sooner or later will confront the UN.

Moreover this quest for world-wide peace is so transcendental in its importance to all of us that the representatives who meet in such a conference should have the assurance in advance that no other issue or problem is to receive their attention, save world disarmament and questions related thereto. Only in such an atmosphere can such a project be brought to fruition, and the world given a prospect of real and lasting peace.

For all these reasons, plus the fact that the United States occupies a position of primary world leadership, our President, our Senate, and our country should take the lead in this indispensable work. No other nation can do so with equal hope of success. The UN is not constituted to do it as well or as quickly because of the reasons outlined, because of the time factor, and because it is not primarily concerned with this problem alone.

Yet, all the while, even as I am standing here, great armaments remain. All the while the arms race is on. We may be sure that other nations are now working on the creation and manufacture of the atomic bomb and on improvements thereto. We may be sure that the development of the rocket and the buzz

bomb—the V–1 and V–2—is progressing everywhere. We are certain that research into and manufacture of gas and disease germs is continuing. No one doubts that work on inventing and perfecting other new weapons is being carried on by the great powers of this earth.

In the present world situation all nations continue to straddle. They rely half on the UN to settle international disputes, and half on their own mighty armaments to settle these disputes, just in case. If the world continues to straddle, all is lost.

Mr. President, let us face the obvious truth. How can the UN enforce its decrees against a nation which is as strong on its own soil as is the remainder of the world combined?

Can the UN enforce its decision on the United States so long as we keep the most powerful Navy and Air Force, supplemented by a large and efficient Army and perhaps supported by universal military training? Can the UN enforce its decrees on Russia so long as the Russians keep 10,000,000 men under arms and a great air force ever at their disposal? Can the UN enforce its decrees on France if the French create another standing army of a million men, with four or five million more, trained and equipped, in reserve, as has been her custom?

Finally, Mr. President, since Germany and Japan are not to be permitted to rearm, why do the five great allies maintain a combined navy 1,000 times greater than the remainder of the world, a combined air force a thousand times greater than all others added together, and a combined army 10,000 times greater than all such existing forces in the remainder of the world?

It is as plain as the nose on one's face that the great armed forces of our own country are being maintained principally for possible use against Russia, Britain, France, or China, since Germany and Japan are to be kept disarmed.

Is it not plain, too, that Russia is maintaining her armed forces for possible use against Britain or the United States or France or China?

Is it not as certain as anything can be that armaments and personnel are today being maintained by each of the five great friendly powers, not against the defeated countries which have already been occupied, but against each other? We and all our recent allies are now maintaining our armed might against each other. Yet all the Allies, the blood brothers of World War II, have sworn to settle all disputes by peaceful means, and never, never, never again to use war or the threat of war as an instrument of national policy.

Mr. President, if one lives in a peaceful community with only four neighbors, how long will they remain friends if each one knows that the other keeps a machine-gun behind his door? So long as that continues, each of the five neighbors will want to have a better machine gun than the other and more ammunition to use if need should come. Thus, as between nations, suspicion will continue to grow.

So it is with the world. After the great lessons of World Wars I and II, must all nations continue to move in an atmosphere of distrust, suspicion, and fear—largely of each other—while all mankind is burdened down with ever-increasing armaments?

In this very Congress we shall probably appropriate approximately $11,000,000,000, largely because our friends are armed. We could use that $11,000,000,000 in a great many ways if we were not afraid of our friends.

So long as these armaments remain every realist knows that it is to such armaments and not to the operations of the UN that the nations really look for their own protection.

Mr. President, the time has come to confront the naked truth. The time has come to face the facts. The time has come for us to make the great decision which will mean the survival or the end of all civilization. The time has come to make the UN the living, potent, decisive factor in the affairs of men and nations, which 51 nations of the globe have pledged their sacred word that it shall be. The time has come for world disarmament, to make this pledge a reality.

Unless it comes we, too, must always be fully prepared. We must have the biggest army and navy and air force in the world, or at least the most effective. We must have more atomic bombs and the men and weapons which will insure their quick use in our hour of need. We must pay the crushing taxes. We must have universal military training. We must reduce our scale of living in order to do this. We must submit to unbelievable regimentation for our Nation in peacetime. We must be prepared in a world that is armed to the teeth.

Without world disarmament, we must be prepared, UN or no UN, to spring instantly to our country's defense. The next war will leave us no time to get ready. If we are not ready at its outbreak, we will likely be too late. There will be no "next time" in which to amend our tardiness.

Therefore, let us frankly put this question to all nations and to all people. Let us get the answer as to whether this world straddle is to end—whether the world is to be an armed camp henceforth, relying on might for the achievement of its desires, or whether it is to prove its faith and trust in the UN by world-wide disarmament on land, sea, and in the air, save for the forces necessary in Germany and Japan, and for maintaining order internally, and for an international inspecton force to see that that world disarmament, once achieved, is never again overthrown.

It is not necessary to detail the colossal advantages which will flow to our own and all other countries with the accomplishment of world disarmament. We know that the burdens of taxation which heavy armaments entail will be lifted instantly from the toiling masses all over the world; that in one fell swoop the shackles of regimentation which war and the threat of war impose on every man will be struck off.

Instead, the wealth and resources of our own Nation and all others will then be available for food, shelter, clothing, hospitals, roads, schools, libraries, and all manner of other things which make for progress and civilization. Take the tremendous expense of war off the backs of the people who toil, and much of the problem of world relief will solve itself.

I dislike to use this illustration, but I should like to present it simply to prove my point: For the cost of a single new battleship the physical properties of Yale and Harvard Universities could be duplicated. Think of it. For the cost of a single battleship a wide highway could be built from the Atlantic to the Pacific Ocean, or a new Congressional Library could be erected. As these things can come to the United States, so can they come in proportionate measure to all other countries on the globe. Moreover, these benefits to all mankind can be used and enjoyed in a world free from fear and threat of war, with all its horrible modern-day implications.

In conclusion, Mr. President, this matter, in my judgment, is more important than the mere control of the atomic bomb or the control of atomic energy, although that is one of the most important things in the world, for the reasons I have stated. If world disarmament succeeds, the atomic bomb is not merely controlled, it is prohibited, and all other devastating weapons with it. That is as far as man can safeguard his future.

This great work is more important than strike legislation, than balancing the budget, than the effort to provide new houses, full employment, or any other matter now before our own or any other nation on the face of the earth.

We remember that the League of Nations failed not alone because the United States did not aline itself with it, but largely because, while it was set up to settle international disputes without bloodshed, all the member nations continued to maintain, increase, and parade tremendous armies. This made the league a foredoomed failure.

Someone may say, as I have said to myself, "If the President sends this invitation to the nations of the world, perhaps they will not come." That is what I want to know. If they do not come, I shall know where lies the force that does not want the United Nations to function as its charter visualizes. Or if they do come someone may say, "Nations X, Y, and Z will not permit the kind of inspection which we must have." If that be true, that is what I want to know, because then I shall know that I cannot rely on the United Nations to keep the peace. It is somewhat like the War Labor Board, it may prevent a strike, but there is no guarantee that it will. I know that in the last analysis, if the hope of world cooperation to keep the peace has vanished, we must rely on our own ability to defend ourselves.

So it is not that I foresee failure if a conference such as I have suggested is called, but at least if it does fail for the reasons I have mentioned, we shall have information which is vital to the existence of this Nation, and we can legislate with greater clarity and certainty as to the course we should then pursue.

On the other hand, suppose it should succeed: What a boon to mankind that would be!

Through our representatives in the United Nations, we are again about to embrace disarmament by example. At this point I should like to pay as great a tribute as I am capable of to the very able and distinguished Presiding Officer, the President pro tempore of this body [Mr. VANDENBERG] and to his colleague, the distinguished and able Senator from Texas [Mr. CONNALLY] for the great work which they did in setting up this institution. It was a difficult task. There were difficulties to be ironed out, and they deserve the everlasting gratitude of mankind. But we could erect a finer tribute and monument to their great work if we could make the United Nations the great institution which I know each of them wants it to be and for which they labored so long and so well.

Now that we, through our representatives in the United Nations, are about to embrace disarmament by example again, through the control of the atomic bomb only, just as we controlled the building of battleships in 1922; now that we are considering foreign loans again—we made loans of $14,000,000,000 after the last war of which foreign governments spent a large portion to increase their armaments; and loans have been made or proposed to Britain, Greece and Turkey, and there will be other public or private loans tomorrow—now that we are considering foreign loans again, with which nations will, at least in part, add to their own strength while relatively weakening ours, we must know what the policies of the great powers on armaments are to be hereafter. Now that we have once again set up an international organization for the peaceful settlement of international disputes, we must know that this time it is really to have power and scope so that it will not fail. If it is not to have them, we must know that.

I want to reemphasize the fact that disarmament is a very difficult thing to achieve. It might be that if the President were to call this conference it would be a failure; but we would know the reason for the failure, and if the failure went to the fundamentals of the United Nations we would know that so long as that circumstance existed or the nation responsible for the failure kept its present government there would be no hope of the United Nations occupying the position for which it was created. Perhaps it will fail. I am becoming a little weary of hearing people say, "Why don't we turn this, that or the other problem over to the United Nations?" The United Nations has no money; it has no police force. The idea that we should put up the money and the police force and then let somebody else spend the money and operate the organization does not make a great deal of headway with me, at least when I first hear it.

The voices of all mankind, if they could be registered in every country, would, I believe, support the proposition of world disarmament. The people of the world are for it if it can be achieved and carried out and an inspection force can be established so that it can be guaranteed. But if we cannot have that kind of an inspection force we cannot have world disarmament. We will know who stopped it, and we can focus the attention of all the world on the nation or nations preventing mankind from saving themselves.

The millions of brave dead who lie in the scattered graves of World Wars I and II died for this ideal of real peace on earth. The mothers and fathers, the widows and orphans of those who are no more, want this enduring monument as partial compensation for their great and irretrievable loss. Otherwise they have died largely in vain. The tens of millions who still carry the yoke of misery, fear, and want imposed by war want this new day of permanent peace to dawn quickly; if man can make it dawn.

The continuance of civilization itself is in the balance. If we cannot achieve this ideal, as I look down the corridor of time to the declining years of my own life, or shortly beyond, this land we love and indeed the whole earth face a consequence so dire that no mortal can give thought or tongue to express it. That is how important it is. At some point 5, 10, 15, 20, 30, 40, or 50 years down the corridor of time either we must get this world straightened out on a basis of law and order, international inspection and disarmament, or this country and all of Christendom will be faced with the greatest danger in all the history of the human race. I am sure that is a gross understatement. It may be that the United Nations will do this in time. Perhaps its processes, slow and cumbersome as they are, will achieve it; but I believe it is important for the Senate to invite the President to undertake it by calling a conference devoted to this purpose, because the life and the happiness of the people of this country and of the entire world depend upon it.

The war has been over for 2 years. The sands in the hourglass are not so plentiful as they used to be, and they are growing less and less with each passing hour. It is 1947 now. It will be 1948 soon. It will be 1950 soon. No really aggressive action that I have seen on the whole front has been taken to accomplish this objective.

Let the United States, the impregnable fortress of freedom, the lover of peace, the hope of oppressed people the world over, take the lead in summoning all the nations of the earth to a world disarmament conference, and bring into reality the fervent hope, the earnest prayers, and the longing of men through all the centuries for the untroubled security of a just, unbroken, and enduring peace.

There being no objection, the resolution (S. Res. 95), submitted by Mr. TYDINGS, was received, and referred to the Committee on Foreign Relations, as follows:

Resolved, That the President is authorized and requested to invite the governments of all nations to send representatives to a conference, which shall be charged with the single duty of entering into an understanding and agreement to achieve world disarmament on land, on sea, and in the air by January 1, 1950, except only for such actual occupying forces, with appropriate weapons, and for such agreed period of time, as will be necessary to police the defeated and occupied nations as a result of the recent war, and except only for such armed forces and for such weapons as are to be placed exclusively under the jurisdiction of the Security Council of the United Nations Organization, and except only for such limited forces and limited small arms as are needed to keep law and order within each country, and directly prohibiting the manufacture, storage, and possession of all other weapons, ammunition, and munitions of war, and providing further for the international inspection force authorized and instructed to see that the terms of such world disarmament are rigidly adhered to and carried out, and thereafter maintained by all the countries of the earth.

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 2157) to define and limit the jurisdiction of the courts to regulate actions arising under certain laws of the United States, and for other purposes.

Mr. WHERRY. Mr. President, yesterday on the floor of the Senate a question was raised by the able Senator from Illinois [Mr. LUCAS] with respect to the constitutionality of House bill 2157, as reported by the Senate Judiciary Committee. He also raised a question relative to the parliamentary situation. As I recall his words, he stated that if the President pro tempore had considered more than the strict provisions of the portal-to-portal bill, he would not have had it referred to the Judiciary Committee; and the Senator from Illinois took the position that it was referred to that committee primarily because of the constitutional questions involved.

I should like to point out to the distinguished Senator from Illinois that so far as the parliamentary situation is concerned, the Committee on the Judiciary handled the Gwynne bill last year. When House bill 2157 came to the Senate from the House of Representatives, it was referred to the Judiciary Committee, which proceeded to handle it and hold hearings on it. If I am correctly informed, not only did the Judiciary Committee consider House bill 2157, but it also considered a bill introduced by the Senator from Indiana [Mr. CAPEHART] and, as I recall, another bill, which went even further than did the bill of the Senator from Indiana. The last-mentioned bill not only provided for relief in portal-to-portal cases, but extended the broad provisions of the Walsh-Healey Act and the Bacon-Davis Act not only to orders administered by the wages and hours administrative agency, but to orders administered by other agencies, such as the War Labor Board and other agencies which had issued such orders. So, Mr. President, from a parliamentary point of view, I am satisfied that the Senate Judiciary Committee is wholly within its rights, and should have jurisdiction of the bill, and has ample authority to warrant having jurisdiction of it.

The distinguished Senator from Illinois also said that because he thought there was no evidence before the Congress of an emergency which would support the enactment of legislation affecting liability under the Walsh-Healey

Act and the Bacon-Davis Act or with respect to cases under the Fair Labor Standards Act going beyond the strict portal-to-portal problems, it seemed to him that it was impossible to enact legislation which would meet the provisions of the fifth amendment to the Constitution. Let me say that in the Seventy-ninth Congress the Judiciary Committee not only considered but reported to the Senate what is known as the Gwynne bill. In the proceedings of the Seventy-ninth Congress on Juy 29, 1946, beginning at page 10516 of the CONGRESSIONAL RECORD, we find that the so-called Gwynne bill was brought up on the floor of the Senate, was debated, and was passed on that day. At that time its provisions were discussed, and during the course of the debate the distinguished Senator from Washington [Mr. MAGNUSON] stated on the floor of the Senate:

I should like to ask the majority leader a question. As I understand, the period has now changed from 2 years to 3 years?

He was speaking of the statutory period of limitations which was provided for in the bill. The Senator from Kentucky [Mr. BARKLEY] replied, "Yes."

Then the following occurred:

Mr. MAGNUSON. Is the so-called good-faith clause still in the bill?

Mr. BARKLEY. It is still in the amendment.

Mr. MAGNUSON. That appears to be satisfactory to all sides.

Mr. BARKLEY. It is, so far as I can discover.

Mr. TUNNELL. Mr. President, I simply wish to say that the 3-year period is satisfactory to those on whose behalf I was objecting. Thirty-seven jurisdictions have a period of 3 years or more, so this provision meets a great deal of the objection.

The PRESIDENT pro tempore. The question is on agreeing to the amendment in the nature of a substitute.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 2788) was read the third time and passed.

So, Mr. President, there is no doubt that the Senate of the United States has heretofore considered, in the Seventy-ninth Congress, not only all the facts which were presented by the Judiciary Committee on strictly portal-to-portal legislation, as to which the distinguished Senator from Illinois has spoken, but also the broader provisions included in the Walsh-Healey Act and the Bacon-Davis Act and the good-faith clause which has been referred to, as well as the reliance clause which was considered in connection with the provisions of the Wages and Hours Act. So, to my mind, the facts have been presented; there can be no question about them; and now we are legislating on that basis.

Furthermore, in answer to the distinguished Senator's question as to whether we can go beyond the broad provisions of strictly portal-to-portal legislation, let me say, I think the real answer, insofar as the Walsh-Healey Act and the Bacon-Davis Act are concerned, is that the evidence before the Senate and the House committees on the pending portal-to-portal suits is equally applicable to support legislation affecting all three acts, for the simple reason that the Walsh-Healey and Bacon-Davis Acts involve payments for hours worked. The Supreme Court's definition of work in the Mount Clemens case has raised potential liabilities under all three acts. While the pending flood of portal litigation has so far been limited to section 16 (b) of the Fair Labor Standards Act, yet no legislation can deal completely with the emergency unless it removes the similar potential liability, which in many cases is concurrent, under sections 2 and 6 of the Walsh-Healey Act and section 3 (b) of the Bacon-Davis Act. No evidence is necessary to support this conclusion by Congress; it is a matter of law.

But, if evidence is thought to be necessary, let me point to the evidence of some of the witnesses who testified. Last night I ran through the hearings and the committee report. I find that one of the witnesses who testified before the House subcommittee gave specific instances, at pages 427, 429, 451, and 452, showing that the same emergency which exists under the Fair Labor Standards Act is present under the Walsh-Healey Act with respect to changed interpretations or coverage, basic rate, and executive exemption, as well as hours worked.

As to evidence of the need for legislation going beyond the strict limits of portal-to-portal activities—namely, the settlement provisions, the statute of limitations, and the good-faith provisions—the record of the hearings before both the Senate and the House Judiciary Committees contains a large amount of evidence fully supporting broad and comprehensive provisions on those subjects.

Mr. President, I shall not take the time of the Senate to read the specific excerpts from the testimony of the witnesses on the points I have mentioned, but I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a summary or memorandum giving excerpts of the testimony of the various witnesses, including Mr. Smethurst; Mr. Patton; Mr. Howard; Mr. Rice; Mr. Caldwell; Mr. Young; Mr. Waterhouse; Mr. Walling, the then Wage and Hour Administrator; Mr. William C. Foster; a representative of the American Retail Coal Association; a representative of the National Retail Farm Equipment Association; a representative of the National Retail Hardware Association; a representative of the National Lumber Dealers Association; a representative of the National Sand and Gravel Association; a representative of the National Ready Mixed Concrete Association; and others, including Milton Smith, of the United States Chamber of Commerce; W. R. Noble, of the National Retail Farm Equipment Association; Joseph T. King; James L. Newbold; Robert B. Beach; Emil S. Neufeld; a representative of the American Farm Bureau Federation; a representative of the American Institute of Laundering; Stanley T. Posner; Almon E. Roth; Jack G. Scott; William T. Jobe; Roland Rice; H. E. Foreman; and others. They testified not only strictly in connection with the portal-to-portal legislation, but also as to aspects of this bill which relate to the Walsh-Healey Act and the Bacon-Davis Act. So I ask unanimous consent that the memorandum to which I have referred be printed in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

Raymond S. Smethurst, counsel for the National Association of Manufacturers, testified (at p. 101) that there exist today other phases of retroactivity under the Fair Labor Standards Act which can equal, or even exceed, the liability so far presented in portal-to-portal litigation. He presented specific facts as to problems regarding the regular rate involving penalty pay and bonuses (pp. 106–107); area of production (pp. 108–109); the executive exemption (p. 110); and the retail and service establishment exemption (p. 111). His testimony specifically supported a broad 1-year statute of limitations (p. 111); a broad provision protecting employers acting in compliance with administrative regulations, interpretations, or enforcement practices (p. 112); and a broad provision authorizing settlement and compromises of claims (p. 113).

Thomas F. Patton, general counsel for Republic Steel Corp., in his statement, specifically supported the need for and validity of a broad good-faith provision (pp. 60, 61); as well as a general statute of limitations (p. 62).

Thomas W. Howard, of the United States Chamber of Commerce, referred to the vital public interest in amending the Fair Labor Standards Act to clear up uncertainties as to coverage (p. 128). He cited specific cases, showing the huge liabilities being built up as a result of progressive extension of the interstate commerce concept under the act (pp. 130–131). He specifically recommended the adoption of a broad settlement provision as a solution to the doubtful exemption cases (p. 132) and recommended a broad provision protecting employers acting in good-faith reliance upon administrative rulings or interpretations (p. 133).

Roland Rice, general counsel of the American Trucking Associations, testified at length on the tremendous potential liability and the serious effects on the transportation industry arising out of revised administrative and judicial interpretations of the interstate commerce exemption under the Fair Labor Standards Act (pp. 333–335). He referred to specific pending suits.

Robert T. Caldwell, general counsel for Associated Industries of Kentucky, in support of his recommendations on the adoption of a general broad settlement provision, used as an illustration actual cases involving liability under the executive exemption provisions of the Fair Labor Standards Act (pp. 408–409).

Howard I. Young, president, American Zinc, Lead & Smelting Co., speaking on behalf of St. Louis industry generally presented in the course of his testimony a resolution of the East St. Louis Chamber of Commerce specifically recommending broad and general provisions on settlement, elimination of liquidated damages, and good faith (p. 462).

Frederick H. Waterhouse, counsel for the Manufacturers Association of Connecticut, specifically recommended a general provision on liquidated damages (p. 492) and a general provision on settlement, making specific references to hundreds of cases which have been settled on the issue of coverage alone (p. 492). He also recommended specifically a general statute of limitations provisions and a general good faith provision (p. 493).

Wage and Hour Administrator: In the testimony of Mr. Walling, the Wage and Hour Administrator, the following statement occurs on page 557 of the record:

"The same type of retroactive liability involved in the present litigation involving working time can be created in connection with other terms in the act, apart from the portal-to-portal issue."

William C. Foster, Under Secretary in the Department of Commerce, recommended broad and general provisions as to settlement and as to the statute of limitations (p. 620).

In the Appendix printed as an official part of the Senate Judiciary Committee hearings, there are many letters and memoranda showing in great detail the scope of the emergency beyond the portal-to-portal situation and the great need for broad remedial provisions to take care of the existing emergency:

The American Retail Coal Association describes the problem facing that industry with regard to the problem of coverage and the retail exemption under the Fair Labor Standards Act (pp. 789–792).

The National Retail Farm Equipment Association (p. 807) and the National Retail Hardware Association (p. 808) and the National Lumber Dealers Association (p. 809) describe fully the serious problem which they face with regard to uncertainties under the retail and service establishment exemption. Each of them urges the adoption of good-faith provisions and statute-of-limitations provisions.

The National Sand and Gravel Association and the National Ready Mixed Concrete Association described the serious problem faced by them as a result of changed interpretations on coverage relating to the Interstate Commerce Commission exemption (pp. 810–811) and specifically advocated the broad provisions as to settlement, good faith, and statute of limitations contained in the original Capehart bill.

When we come to the House committee hearings, we find that actually there was as much specific testimony on the broader problems of retroactive liability generally as there was on the strict portal-to-portal situation.

References to specific testimony dealing with these broader problems and supporting wide provisions as to settlement and compromises, good faith, and statute of limitations in the House hearing record are as follows: Pages 7–10, Milton Smith, United States Chamber of Commerce; pages 61–63, W. R. Noble, National Retail Farm Equipment Association; pages 63–68, Joseph T. King, National Retail Lumber Dealers Association; pages 288–293, James L. Newbold, American Retail Coal Association; pages 293–303, Robert B. Beach, National Association of Building Owners and Managers; pages 346–351, Emil S. Neufeld, Garment Center Truck Owners Association; pages 352–353, American Farm Bureau Federation; pages 353–355, American Institute of Laundering; pages 359–380, Stanley I. Posner, National Industrial Laundry and Cleaners Association; pages 396–409, Almon E. Roth, National Federation of American Shipping; pages 409–412, Jack Garrett Scott, National Association of Motor Bus Operators; pages 412–418, William T. Jobe, National Association of Ice Industries; pages 423–429, 450–452, Raymond S. Smethurst, National Association of Manufacturers; pages 459–472, Roland Rice, American Trucking Associations; and pages 472–476, H. E. Foreman, Associated General Contractors of America.

Mr. WHERRY. Mr. President, H. R. 2157, the bill presently under consideration, is generally referred to as the portal-to-portal bill, and I want to take this opportunity to express my appreciation to the Senate Judiciary Subcommittee for their efforts in submitting the substitute bill with the provisions contained therein. I regret, however, that those provisions do not go as far as I think they should. In this I disagree with the distinguished Senator from Illinois.

I may add here that I shall support H. R. 2157 as it has come from the committee, because I feel that even though it does not go as far as I should like to have it go, I prefer it to the substitute bill offered by the Senator from Nevada [Mr. MCCARRAN].

As a member of the Small Business Committee, I took an active interest in the passage of the Gwynne bill in the Seventy-ninth Congress. I did so because small business firms throughout the country, suddenly faced with huge alleged liabilities on many aspects of the wage-and-hour law, despite their reliance on various administrative rulings and interpretations, might have had relief in the adoption of the Gwynne bill. To a great extent this is denied them in H. R. 2157, as amended by the Senate Judiciary Committee.

The Members of the Senate should understand that H. R. 2157, as it passed the House, includes all the measures included in the Gwynne bill, which was passed by both Houses of the Seventy-ninth Congress but was not enacted into law because of the adjournment of the Congress.

It is contended by some that we should support the Senate Judiciary substitute amendment, send the Senate bill to conference, and then the conferees will have the Senate version and the Gwynne bill passed by the House before them for consideration. I refer to the Gwynne bill which passed the House in the Eightieth Congress. We will have that bill and the Senate Judiciary Committee bill before us for consideration.

However, unless we offer specific suggestions or amendments the Senate conferees might not be familiar with the position of some Members of the Senate as to what its action should be in conference and especially is that true in the relief that the small businessmen are asking throughout the country.

As I stated in my opening remarks, H. R. 2157 is generally referred to as the portal-to-portal bill. In fact, however, the proposed legislation goes further, in a broader sense, than just portal-to-portal legislation; and I think it should even go further than it does.

The title of the act is broad enough and reads:

An act to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes.

Although the critical situation, which has arisen as a result of the flood of just strictly portal-to-portal suits, has captured the imagination of the country and the Congress, yet these so-called strictly portal-to-portal suits include only one of the major problems which have arisen in the administration of the Fair Labor Standards Act, and is not the only situation to which the pending bill is addressed.

For example, the employers of the country, and particularly the smaller employers, are faced with a tremendous number of actual and prospective suits involving other terms in the Fair Labor Standards Act, which have not yet been finally construed by the Administrator, and the courts.

These include the following: First, the regular rate of pay problem; second, the coverage problem; third, the exemption problem; fourth, the area of production problem; fifth, retail and service establishment problems; sixth, the executive and administrative exemption problem.

These are covered in H. R. 2157, as it passed the House, insofar as it would give protection to employers who have relied upon administrative rulings and interpretations.

Why are not these problems handled in the Senate substitute? I have been told that the portal-to-portal legislation should be kept within the strict sense of the immediate emergency, which has to do with cases involved by the decisions of the Supreme Court of which we are all aware. But let me point out that all these provisions were covered in H. R. 2157 insofar as that bill could provide protection for reliance on administrative rulings and interpretations, and the Senate Judiciary Subcommittee substitute also deals with the same problems, but only in part. It is my contention that the Senate Judiciary Committee should broaden the substitute to include all the problems that were handled in the Gwynne bill. I think they have a perfect right to do it, or that the Senate has a right to do it.

There is no doubt that there is agreement on the part of Congress that adequate legislation should be enacted dealing with the portal-to-portal problem.

In support of strictly portal-to-portal legislation, I should like to make a brief statement.

The terms "work" and "workweek" are used in the Fair Labor Standards Act, but when Congress passed this act in 1938 it did not define either of those terms.

This undoubtedly was for the very obvious reason that Congress did not feel it necessary to define these terms in the statute any more than it did a great many other terms used therein, but assumed that the terms would receive their common-sense, conventional meaning, the meaning which they had before the act was passed and which was understood by employers and employees who might be concerned in the application of the act. I think there is no doubt about that.

It was to be supposed that no Administrator would ever rule and no court would ever hold that because Congress did not define some term in the act it thereby indicated an intention that a term should be given some new meaning which had not theretofore been attached to it.

In the earlier cases arising under the Fair Labor Standards Act, and not involving portal-to-portal claims, the Supreme Court was very careful to protect contracts between employers and employees as to how the act should be applied.

For instance, in the case of *Walling* v. *Belo Corporation* (316 U. S. 624), decided in 1942, the Supreme Court had before it a case in which a small publisher and owner of a radio station had made contracts with his employees providing the basis on which they should be paid. The Administrator undertook to have these contracts set aside. The Supreme Court refused to set them aside,

and in its decision upheld the contract arrangement, saying:

> When employer and employees have agreed upon an arrangement which has proven mutually satisfactory, we should not upset it and approve an inflexible and artificial interpretation of the act which finds no support in its text.

The Belo case was not a portal-to-portal case, but it does show that the Supreme Court took the position up to that time that contracts meant something and were to be observed and protected.

Then came the portal-to-portal cases. There were three of them, and they involved the question of what was meant by Congress when it used the word "work" in the Fair Labor Standards Act.

The first of these decisions was *Tennessee Coal, Iron and Railroad Company* v. *Muscoda Local 123* (321 U. S. 590). This case involved iron-ore miners. It was decided in 1944, more than 6 years after the passage of the Fair Labor Standards Act.

The second case was the *Jewell Ridge Coal Corporation* v. *United Mine Workers of America* (325 U. S. 161), decided in May 1945, and involving coal miners.

The third of these decisions was the so-called *Mount Clemens Pottery case* (*Anderson et al.* v. *Mount Clemens Pottery Co.*), decided June 10, 1946.

In the iron ore case, the Supreme Court held for the first time that underground travel time of iron-ore miners was work under the Fair Labor Standards Act, and that the employers were required by the act to pay for all such travel time specifically, and in addition to any other compensation which the iron-ore miners may have received under their contract of employment.

In the Jewell Ridge Coal case the Court went a step further and held that coal miners were entitled to be paid specifically for all travel time from the entrances or portals of the mines to the face of the coal, at which latter places the productive work of the coal miners was to be performed. The Court reached this conclusion in the case, notwithstanding the fact that a collective bargaining contract between the parties specifically defined what was to be considered compensable work, and excluded the travel time to and from the portal by contract. The Court held that neither collective bargaining contracts nor custom could exclude such travel time from compensable work under the Fair Labor Standards Act. This was a 5-to-4 decision.

Finally, in 1946, the Court decided a third case, the Mount Clemens case, not involving underground travel time, but time spent by employees in a small industrial establishment in walking to work, on the employer's premises and in engaging in certain preliminary activities such as putting on aprons and overalls, removing shirts, taping or greasing arms, and so forth. The Court again by a 5-to-4 vote held that all time so spent was work within the meaning of the Fair Labor Standards Act; and this was true, as Justice Murphy stated in the majority opinion, regardless of contrary custom or contract.

These three decisions have completely distorted the congressional intent as the dissenting judges in those cases, as well as the judges in the lower courts, have forcibly pointed out. Thus, in the Tennessee Coal and Iron case, Mr. Justice Roberts, who was joined in his dissent by Chief Justice Stone, stated:

> The Fair Labor Standards Act was not intended by Congress to turn into work that which was not work, or not so understood to be, at the time of its passage. It was not intended to permit courts to designate as work some activity of an employee, which neither employer nor employee had ever regarded as work.

Justices Roberts and Stone characterized the Court's decision in this case by quoting the words of Judge Sibley, who had dissented in the circuit court of appeals—

> The injustice of * * * is shocking.

These three decisions, and particularly the decision in the Mount Clemens Pottery case, have had disastrous results. The Fair Labor Standards Act was passed by Congress for two specific purposes:

The first was to require employers to pay employees a decent minimum wage for their work.

I certainly am in total agreement with that provision.

The second purpose was to discourage excessive hours of work by requiring employers to pay overtime after 40 hours of work in any one workweek.

The Congress obviously intended that the question of what was work was to remain exactly as it was before the act was passed, and merely to require that such work be compensated in accordance with the minimum wage and overtime provisions of the act.

It was not intended, and there is not one line in the act which indicates that Congress intended to require something to be paid for as work, which was not considered work, by the persons who performed it, or the person for whom it was performed.

It was naturally assumed, and I think rightly so, that where a man worked on a job, the hourly wage, or the piece rate, or the weekly wage, or the monthly salary, or any other basis of compensation agreed upon between the parties, or established by custom or practice, would take into account all of the incidental hardships and burdens which might be involved in that particular job. There is not one line of congressional history that I can find to support a finding of a contrary intention on the part of Congress when it passed the act in 1938.

The net effect of the portal-to-portal decisions of the Supreme Court has been to pervert the act from an instrument of righteous correction into an instrument to destroy those very employers who have attempted conscientiously to obey the mandates of the act.

As one of the witnesses before the Senate Judiciary Subcommittee which held hearings on the pending bill pointed out, there is grim irony in the fact that the higher the wages paid by the particular employer, the more oppressive are the provisions of the act, as they have been interpreted by the Supreme Court in these portal-to-portal cases, because the overtime rate is pyramided on the regular hourly or piece rate.

I come now to the difference between the House bill and the Senate committee substitute in their treatment of portal-to-portal claims.

The House bill simply provides that there shall be no liability for so-called portal-to-portal activities in the past or the future, except where such activities are required to be paid for, either by contract or custom or practice. I think that is a short, positive statement of what the bill provides—and it provides it all the way around the clock.

The Senate bill takes care of the portal-to-portal problem as to the past, but it does not fully take care of the problem for the future. It deals only with portal-to-portal activities before the beginning of the working day and after the end of the workday. It does not settle the problems with reference to activities which occur between whistle and whistle.

Thus, the Senate committee amendment leaves untouched and, thus, subject to further administrative interpretations, court rulings, and labor disputes, all the questions as to liability for employee activities during the workday, such as (1) clothes changing, (2) wash-up time, (3) rest periods, (4) lunch periods, (5) instruction periods, and (6) many other activities common to industrial employment. This bill does not touch those.

I am unable to see why the same rule should not be written into law for the future as for the past. If certain activities, which have already occurred should not be paid for except where contract, custom, or practice requires it, then it seems to me that those same activities should not be under the Fair Labor Standards Act if they occur in the future except where the employer is obligated to pay for them by contract, custom, or practice.

The House bill accomplishes this object, the Senate amendment does not.

Objection will undoubtedly be made to the so-called retroactive features of this legislation as embodied in section 2 of the pending Senate version of the bill. Fair analysis of this criticism shows that it is without foundation. This legislation is not designed to impose a retroactive burden on anyone. It is rather designed to relieve employers of a retroactive burden which was imposed upon them by the three Supreme Court decisions rendered years after the original acts had become effective; and requiring retroactive payments with respect to activities which neither the employers nor their employees considered compensable under the law at the time the activities were engaged in.

It is a simple act of justice necessary for the Congress to perform in order to keep faith with that great majority of employers who relied and were entitled to rely in good faith upon the statute as it was originally written by the Congress.

If we fail to provide this relief we are thus allowing the imposition of a vast retroactive liability which ought not to exist and which in good conscience,

should not be imposed upon the employers of the country.

It is not merely to relieve employers, however, that it is necessary for the Congress to pass this legislation. As so ably stated in the findings and policy of section 1 of the pending bill, this legislation is necessary in order to protect the public revenue, to further the national defense, and to protect, foster, and promote the very commerce which the original Fair Labor Standards Act was designed to promote.

Nor is there any doubt whatever as to the validity of the provisions of the pending legislation relating to existing portal-to-portal claims. The overwhelming weight of authority upholds the constitutionality of such remedial or curative legislation.

It is unnecessary for me to cite the numerous cases which have been called to the attention of the Judiciary Committee during the hearings which it has held on the pending bill, and which support beyond question the validity of this feature of the legislation.

The committee has called attention to several of the leading decisions in the report which it has filed with this bill—Senate committee Report No. 48, pages 43, 44. Briefs from some of the leading lawyers of the country have been filed with the Judiciary Committee in support of the validity of this legislation. It is difficult to see how any serious constitutional questions could be involved in what is now proposed, and particularly is this true in the light of the record which has been so ably put together by the subcommittee; and which is so amply reflected in the findings and policy of section 1 of the Senate bill.

For these reasons, it seems to me that the Judiciary Committee should have provided in the future on all strictly portal-to-portal suits, the same relief that they provided in the past.

But, Mr. President, as I have already stated, the pending bill does not deal merely with strictly portal-to-portal problems. It is true that the portal-to-portal problem is the most spectacular immediate problem, with which the committee substitute deals.

But, it is only one phase of a much more basic problem which grows out of the administration of the Fair Labor Standards Act, and the two other measures, the Walsh-Healey Act and the Bacon-Davis Act which I mentioned at the beginning of my remarks, and which are embraced within the scope of the pending Senate substitute.

The only difference, as I have stated before, is that the House bill recognizes and deals adequately with a few of these other problems while the Senate substitute bill does not go that far.

The House bill recognizes and deals adequately with the following problems:

First. The House bill protects those employers who have acted in good faith in reliance upon decisions of the courts or administrative regulations, orders, rulings, interpretations, approvals, enforcement policies, or practices. There is no doubt about that.

Second. The House bill provides a 1-year statute of limitations upon the bringing of actions for the recovery of wages, overtime compensation, penalties, or damages, pursuant to any of the three statutes with which we are dealing.

Third. The House bill provides that any claim, cause of action, or action under any of these three acts, may be compromised, adjusted, settled, or released, in whole or in part, and that any such compromise, settlement, or release, in the absence of fraud or duress, shall be a complete satisfaction of such claim and a complete bar to any action based on such claim. It also validates any compromise, adjustment, settlement, or release, heretofore so made or given.

Fourth. The House bill provides that there shall be no award of so-called liquidated damages under any of the three acts mentioned, except in those cases where the court finds that the violation of the law giving rise to such action was in bad faith, and without reasonable grounds.

Mr. President, in addition to the suggestion which I have made that the Senate bill should deal with future portal-to-portal activities in the same way it deals with past activities, there are two other matters which I think should be called to the attention of the Senate.

These are:

First. The so-called settlement or compromise provision of the legislation, and

Second. The so-called good faith reliance section.

On both of these provisions, the House bill is adequate. It provides that good-faith compromises and settlements of all claims under the Fair Labor Standards Act, the Walsh-Healey Act, and the Bacon-Davis Act can be made at any time either as to past claims or as to future claims.

The Senate substitute deals with this settlement problem in a very limited way only. The settlement provision in the Senate substitute relates only to portal-to-portal claims, and then only to existing portal-to-portal claims. It does not permit settlement of other types of claims under the Fair Labor Standards Act or claims under the Walsh-Healy Act or Bacon-Davis Act, and it does not permit future settlements even of portal-to-portal claims, if I interpret the substitute correctly.

Some people may think that the House bill goes too far in permitting settlements in future of all types of claims arising under these three laws. I do not think so, but in any event the Senate provision is too narrow.

We should certainly permit the settlement of all past liability where the settlements are made in good faith. I can see no reason why we should not do so. The so-called good faith reliance feature of this legislation is undoubtedly the most important feature insofar as most business is concerned. This is particularly true of small business. The House bill gives protection to employers who have relied in good faith on administrative rulings, interpretations, and enforcement policies.

This protection is provided in the House bill, not only for the past but for the future. The Senate substitute does not take care of those who have acted in good faith in the past. It deals only with the future; and even as to future cases it is limited strictly to reliance on rulings of the Administrator, not of other administrative agencies. It would not protect those who may rely on rulings made by other than the Administrator. This is not so serious when we are dealing with the future because people will then be on notice that they cannot rely on rulings obtained from subordinate employees. Furthermore, they will have the protection in the future of a statute of limitations.

However, it is vitally important that we give protection now to those who have acted in the past in good-faith reliance on administrative rulings and interpretations.

Many thousands of small business enterprises, as well as the large industrial corporations, must comply with the statute. The annual report for the Wage and Hour and Public Contracts Division for the fiscal year 1946 conservatively estimates that there are 550,000 establishments—more than half a million—whose employees are subject to the Fair Labor Standards Act. That is shown on page 25 of the report which I hold in my hand. The report also indicates that during the fiscal year 1946 the Division inspected 42,062 establishments to check compliance with the Fair Labor Standards Act and with the Public Contracts Act; and that out of that number 28,167 employed 20 or less employees and 9,823 employed between 21 and 100 employees.

Of the total number inspected, only 4,072 employed more than 100 employees (p. 88, table F of the report). In other words, about 90 percent of those establishments inspected, employed 100 or less employees.

In that time, the Division found violations of one or both of those laws in 37,046 of those establishments, 85 percent of the total number inspected (p. 18 of the report).

It is inconceivable that the vast majority of employers have been willfully disregarding the Federal wage-and-hour laws. It is my conviction that those figures represent a tremendous number of inadvertent failures to comply with the statutes because of the inability of employers to determine what the law is, or what it was, or what somebody said it was, from the Administrator down.

I have already referred to the fact that there are many problems facing small business throughout the country, arising from the administration of the Fair Labor Standards Act. I want to give the Senate a few illustrations of these problems. I realize that we cannot deal with all of them in the present bill, but the cases I present will illustrate the confusion and administrative chaos which has existed under this law, for the past 8 years, and why it is necessary to protect the employers who have been caught between conflicting and changing administrative rulings and regulations.

The Fair Labor Standards Act covers any employee who is engaged in interstate commerce or in the production of goods for interstate commerce, if, by its terms, he is not exempted. I think that is a fair interpretation of the law.

The statute further provides that an employee shall be deemed to be engaged in the production of goods for interstate commerce if he is employed in "any process or occupation necessary to the production thereof in any State." The term "goods" is defined to include any part or ingredient thereof.

The Wage and Hour Division has utilized those provisions to extend the statute to employees whose relationship to the production of goods for interstate commerce is that of a third or fourth cousin, once removed. For example, it has ruled that the employees of an ink manufacturer who sells ink to a job printer in the same State who, in turn, uses the ink to print letterheads for a customer who mails them interstate are covered by the law, because the ink is an ingredient of the letterheads. Opinion of the Solicitor's Office, United States Department of Labor, release of February 8, 1945.

I should like to ask the distinguished Senator from Missouri if he has heard of this case.

Mr. DONNELL. I have not heard of it. I thank the Senator from Nebraska for the information.

Mr. WHERRY. It also has been held that a fertilizer company which sells fertilizer to farmers in the same State must comply with the statute if the farmers' produce moves in interstate commerce—Solicitor's Office, release of February 8, 1945. That ruling, incidentally, rests upon a decision by the Ninth Circuit Court of Appeals holding an irrigation company furnishing water to farmers in the same State, to be under the statute because the carrots, lettuce, and cantaloupes grown by those farmers and shipped in interstate commerce had absorbed quantities of water, which thus became an ingredient of the goods sold in interstate commerce—*Reynolds* v. *Salt River Valley Water Users Association* (143 F. (2d) 863).

Who knows whether he comes under the law? Here is an irrigation company organized by a group of farmers who grow vegetables. They buy the irrigation water and they produce vegetables in the same State, but under the judicial opinion of the Ninth Circuit Court of Appeals they are classed as doing business interstate because the vegetables which absorb the water are finally shipped interstate for sale. How can anyone rely upon an interpretation? How does anyone know whether he comes under the Fair Labor Standards Act?

I could give other illustrations, including decisions by the United States Supreme Court which have extended the coverage of the Fair Labor Standards Act to thousands of small local business and industrial enterprises which have had no reason to believe that the law was meant to apply to them, and who lack the money, personnel, and time to keep abreast of the rulings.

How can a small businessman employ counsel? It is said that he must be on guard. Certainly he must be on guard; but how does the small businessman know what the orders mean? How many small businessmen can afford to employ legal talent to inform them of their legal rights, regardless of whether the Administrator's order is in writing or not?

This question reaches down into the small homes and businesses that have made this country. Many of them are threatened because businessmen did not understand an interpretation, or were given to understand by the Administrator or some of his agents that they did not come under the Fair Labor Standards Act, when under a subsequent administrative order or the decision of some court, they were brought under the terms of the act.

Section 7 of the Fair Labor Standards Act provides that for all hours of work in excess of 40 in any workweek an employee must be paid not less than one and one-half times his "regular rate of pay." In September 1941, the Wage and Hour Administrator ruled that where the payment and amount of a bonus are solely in the discretion of an employer, that bonus need not be regarded as part of the employee's "regular rate of pay," stating:

> This type of bonus is illustrated by the employer who pays his employees a share of the profits of his business or a lump sum at Christmas without previously having promised, agreed or arranged to pay such a bonus. (Release R–1548, September 2, 1941.)

In his release A–13, dated February 5, 1945, the Wage-Hour Administrator repeated that ruling.

There is nothing in those rulings to indicate that where a discretionary bonus is paid regularly it becomes part of the regular rate of pay under the Fair Labor Standards Act. However, in two recent cases before the Second Circuit Court of Appeals the Wage and Hour Administrator, as plaintiff, successfully made that very contention. Those cases are *Walling* v. *Richmond Screw Anchor Co.* (9 WHR, 237), decided March 8, 1946, and *Walling* v. *Garlock Packing Co.* (6 WHR cases 538), decided January 16, 1937. Thus, by asserting in litigation a position clearly at variance with his public releases, the Administrator has placed numerous employers who voluntarily have been giving bonuses to their employees in jeopardy of substantial retroactive liability, which they had no reason even to contemplate.

They even asked the opinion of the Administrator as to whether they could do it or not, and he said they could. Now they find themselves under this imposed liability, after having acted in good faith in paying their employees a bonus.

Another aspect of the problem with which I feel we must deal may be illustrated by reference to the manner in which the Wage and Hour Division has construed the statutory exemption for service establishments. Section 13 of the statute exempts "any employee engaged in a retail or service establishment the greater part of whose selling or servicing is in intrastate commerce."

Immediately following the enactment of the Fair Labor Standards Act, the Wage and Hour Administrator, in Interpretative Bulletin No. 6, informed intrastate industry that a service establishment was exempt from the law if the major portion of its total servicing was intrastate. A commercial laundry which delivered one-half or more of its laundry to persons intrastate would be considered as an intrastate firm, and as not coming under the provisions of the act. However, on June 6, 1941, when dealing with small local commercial and family laundries, the Administrator revised that ruling and divided laundries into two categories. He ruled that a commercial laundry, meaning one which does 25 percent or more commercial work for hotels, restaurants, and so forth, is not a service establishment within the meaning of the statute, but that a retail laundry, namely, one doing less than 25 percent commercial work, is entitled to the exemption conferred by section 13. In other words, instead of basing his ruling on the greater part of the laundry, he ruled that a laundry must do less than 25-percent commercial work, or business with hotels, restaurants, and other establishments, to be entitled to exemption from the law.

In 1943, subsequent to that ruling, one of the circuit courts of appeal held adversely to the Administrator's construction, and he suspended enforcement activities under his ruling. However, in 1946 the United States Supreme Court handed down two decisions holding that a service establishment is not entitled to the exemption conferred by section 13 unless it is a retail service establishment, namely, one primarily engaged in servicing ultimate consumers as distinguished from commercial customers—*Roland Electric Company* v. *Walling* (90 Lawyers Ed., U. S. Supreme Court Repts., p. 326, decided Jan. 28, 1946); *Martino* v. *Michigan Window Cleaning Co.* (90 Lawyers' Ed., U. S. Supreme Court Repts., p. 386, decided Feb. 4, 1946).

As a result of these decisions, the Wage and Hour Administrator has revived his distinction between retail and commercial service establishments and the laundry and dry-cleaning industries, as well as thousands of other small local service enterprises—retailers, wholesalers, hotels, restaurants, bakeries, ice plants, warehouses, barber shops, beauty parlors, funeral directors, and so forth, are faced with the prospects of retroactive liability to their employees in an amount which might be financially disastrous.

Two other United States Supreme Court decisions are extremely interesting.

One of these is Mabee against White Plains Publishing Co. In this case employees of a local newspaper publisher which had a total circulation of 9,000 to 11,000 copies daily were held to be under the Federal Fair Labor Standards Act because 45 copies of the newspaper were sent interstate. Think of it. A little newspaper which printed 11,000 copies was made subject to the provisions of the law, because 45 copies were mailed interstate.

This case was decided February 11, 1946, and is reported in volume 90, Lawyers' Edition, United States Supreme Court Reports, page 455.

The second of these cases decided by the United States Supreme Court is Martino against Michigan Window Cleaning Company. In this case window washers employed by a local window

cleaning company doing a wholly intrastate business were held to be covered by the Federal law because they cleaned the windows of buildings occupied by companies producing goods for shipment in interstate commerce.

This case was decided on February 4, 1946, and is reported in volume 90, Lawyers' Edition, United States Supreme Court Reports, page 386.

It is unnecessary for me to appraise these decisions of the Supreme Court. The fact I want to emphasize is that the laundry industry, because of the Wage and Hour Administrator's inability to apply the exemption authoritatively, until Supreme Court clarification, now faces harsh and unfair retroactive liability, despite its adherence to the policies and practices of the Wage and Hour Administrator.

I could continue reciting illustrations of the manner in which the various provisions of the Fair Labor Standards Act have been so interpreted and construed as to create uncertainty and confusion.

However, our immediate problem as I see it is to protect the thousands of employers who act in good faith against the disastrous financial liability which may be imposed upon them by the shifting and conflicting administrative and judicial interpretations of the statute. It is imperative that we protect those employers who make a bona fide attempt to comply with the numerous administrative rulings and judicial decisions until such time as we can revise the statute.

We must protect them not only from liquidated damages for criminal liability, but we must protect them so far as minimum wages and overtime wages are concerned, if they acted in good faith.

As a practical matter, the substance of the Wage and Hour Law now may not be determined from the language of the statute. It may be found, if at all, only by the intricate process of sifting through the numerous administrative rulings and court decisions. Employers generally, and particularly small ones, do not have the legal staffs and facilities necessary to analyze the continuously increasing mass of administrative and judicial decisions—which is the only method by which any employer can attempt to estimate what the Fair Labor Standards Act requires of him.

It would be manifestly unfair to leave employers in their present hazardous predicament until such time as we can completely examine the operation of the Fair Labor Standards Act and enact such legislation as may be necessary to prevent a continuation of the confusion which has resulted from administrative and judicial interpretations.

Until that time it is imperative that we enact the legislation necessary to protect employers attempting in good faith to comply with the law against the harsh retroactive penalties which now exist. Uncertainty is a cardinal vice in the law, and the present uncertainty in regard to the Fair Labor Standards Act exists in large measure because of the legislative activities of the Wage-Hour Division and the United States Supreme Court.

The many thousands of employers who must operate in conformity to the Fair Labor Standards Act should not be penalized because the Wage-Hour Administrator and the courts find the statute difficult to understand, or, as has happened in many cases, first take one position and then the opposite, leaving employers to act in unavoidable peril of vast retroactive liability.

As I stated in the beginning of my remarks, I think this bill does not go quite far enough, but I deeply appreciate the fact that with respect to one section which I think is most important to businessmen throughout the country, the Senate Committee on the Judiciary has at least given partial relief by considering the amendment which I propose. As I understand the parliamentary situation, the chairman of the Committee on the Judiciary will accept the amendment when and if the committee approves it. At that time the bill will be so amended. If not, the only other method of procedure is to offer the amendment on the floor of the Senate.

CONTINUATION OF ALLOCATION AND EXPORT CONTROLS

Mr. AIKEN. Mr. President, I wish to bring to the attention of the Senate a matter that is of tremendous importance to our economy here at home and to the conduct of our foreign affairs. I refer to the need for extending, beyond March 31 of this year, certain controls under title 3 of the Second War Powers Act.

This is the authority under which all domestic allocations of scarce commodities, including food, and import controls are handled.

According to the Under Secretary of Agriculture, N. E. Dodd:

> Without such controls, imports of certain important commodities would rise, and the discrepancy between per capita food consumption in the United States and in food-deficit countries would widen.
>
> This could increase the ultimate direct drain upon United States resources in meeting minimum relief needs of other peoples.

Closely allied with this authority is the one pertaining to regulation of exports under the Export Control Act, which expires on June 30, 1947.

To assure equitable distribution of exportable supplies, to protect our domestic consumers against rising prices, and to make orderly and efficient use of our limited transportation and port facilities, the program of export controls through allocations must be continued.

These export and import control programs are based upon our participation in the International Emergency Food Council, which replaced the Combined Food Board on July 1, 1946.

In the operation of the Council, the participating countries agree to allocate commodities, particularly those in short supply, on a basis of need.

While the Council itself has no mandatory powers, once its allocation recommendations are agreed to by member nations the separate nations then implement those recommendations by import and export controls and in certain cases by means of domestic regulations.

The net effect of this system is to provide for fair distribution of commodities and supplies to countries on a basis of absolute need.

To permit these controls, involving export and import operations, to expire would in effect nullify our participation in the International Emergency Food Council.

This would open up a competitive system of operations, with the richer countries getting the best of the deal.

On the surface this might appear to be to our advantage, but on closer examination the facts do not bear out this assumption.

In the agricultural field, the commodities involved include grain and grain products, rice, sugar, edible molasses and syrups, inedible molasses, fats and oils, sugar-containing products, meat and meat products, and dairy products.

I shall not take the time now to discuss all of these products, but I should like to refer to the situation in respect to grain.

The disparity between exportable supplies and import supplies is becoming wider and wider.

Even in the face of the allocations program now being carried out to effect a careful distribution and an orderly movement of supplies in export trade, wheat prices in this country have advanced more than 50 cents a bushel within the past two months, and at present they are the highest in 30 years and may reach an all-time record.

The lifting of allocations control over exports would not only spell disaster to the people of importing countries whose economies have been shattered by the war, but would have most serious consequences with regard to our own economy.

There would be competitive bidding and contracting for available supplies, and prices would rise sharply, imposing added privations upon the countries in most urgent need of help, while setting in motion inflationary price spirals in our own country, where a steady rise in living costs is already causing grave concern.

While such price increases might benefit some speculators, they would not greatly benefit our agricultural producers, because the major portion of our grain crops which are sold off farms has already moved into trade channels, and also because of inflationary production costs.

In that connection, Mr. President, it is interesting to note that the report issued yesterday indicates that during the past year, while the farmer's income increased approximately 25 percent, his net income dropped from that of the previous year because his costs of production were greater, and now about 18 percent of all the wheat produced in this country remains in the hands of the farmers themselves.

Moreover, without an allocation program, our obligation to supply the Army and the occupied areas with food would be most difficult to carry out.

In addition, competitive contracting for shipment of grain from this country would completely disorganize our transportation system, which already is being taxed to the limit.

The allocation authority is necessary to insure that existing transportation facilities are put to the most essential uses, including the movement of grain

and other materials to ports for shipment to suffering countries.

Mr. President, we are facing grave world problems. In the meantime the Congress is spending its time on what promises to be long-drawn-out labor legislation, which is not now so pressing that we cannot take the time to consider the matter of extending title 3 of the War Powers Act and the Export Control Act.

Failure to do this will have the effect of plunging our foreign affairs into a tailspin.

We cannot talk political cooperation and practice economic colonialism at the same time.

Extending these powers will have as great an effect on our foreign affairs and the promotion of friendship among nations as will the sending of millions of dollars to Greece and Turkey, and perhaps a greater effect than if we were to mobilize and dispatch an Army of a million men to those diplomatic outposts.

Mr. President, I hope we may not become so engrossed with other business as to neglect this gravely important matter of extending certain controls provided under title 3 of the Second War Powers Act and the Export Control Act, the first of which expires March 31, 1947, less than 2 weeks from today.

Permitting title 3 of the Second War Powers Act to lapse on March 31 would seriously hamper the effectiveness of the Export Control Act, even though that act would not officially die until June 30.

Failure to act to extend both import and export controls has undoubtedly been a major factor in the recent wave of speculation in the commodity market.

If we now fail to act promptly we may expect further drastic increases in commodity prices both at home and abroad, with the result that not only wil distribution of food to needy countries be disrupted, but there will be further discontent among wage earners at home because of a sharply increased cost of living.

In the interest of a stable economy both here and overseas, we should extend the import and export controls without delay, even if such a move necessitates postponement of our action on the unfinished business.

Mr. TAFT. Mr. President, I wish to state my complete disagreement with the view of the Senator from Vermont with respect to the extension of the Second War Powers Act. Undoubtedly some controls which are provided for under the Second War Powers Act have to be extended. I understand there is now on the calendar a bill to extend the power over sugar, including the rationing of sugar. That bill is of tremendous importance to the American people. There is also a bill to extend rubber control, which is involved very definitely in the preservation of the synthetic-rubber industry. There may be a few other scarce commodities, the purchase of which abroad it may be desirable for the Government to continue in order to protect ourselves against monopoly, as in the case of quinine and one or two other commodities. But it seems to me most unwise to continue allocation controls over grain and fats and oils and a great variety of other commodities which, in general, today have a free market in the United States, and against which no price control whatever is operating. I refer to commodities as to which there is no reason that I can see why the Government should exercise the peculiar power of allocating them to American producers and American users or requiring rationing, in effect, or a continuation of rationing of various commodities which now are available throughout the world, and in respect to most of which there is a free market throughout the world.

The question of export controls is, to my mind, a different one. Export controls may be necessary because shortages of various commodities exist in the United States. There is no particular reason why we should not limit the amount of exports, so as to retain a sufficient quantity of such commodities to maintain the ordinary consumption of them in the United States. However, the Export Control Act is not connected with the Second War Powers Act. It operates by itself. It does not expire until the 30th of June. Before that time I think we may well consider the question whether it should be extended.

But I can see no reason for the extension of the powers with respect to fats and oils, for instance. The fats and oils situation is attempted to be controlled today by a world cartel, in effect—the very kind of control against which our foreign policy has been directed. It is based on exclusive Government buying of certain commodities. It imposes a world-wide control which is contrary, as I see it, to the entire foreign policy our Government is presenting at Geneva in connection with the various reciprocal trade agreements.

The proposal for the continuation of these controls is, to my mind, largely based on the idea of continuing something which can be turned into a permanent cartel for the control of materials, such as is advocated by many persons in the International Food Organization and various other organizations which are developing policies which I think are in complete opposition to the policies of our Government.

Mr. President, there is no reason to continue controls under which the price of wheat has reached nearly $3. If such control can be effective in respect to controlling the price of wheat, certainly it should have been used in a more effective way than it has been used. It is a perfectly futile thing, I think, except to give Government agencies the right to interfere in a certain number of important industries. So I think the sooner we go back to the former situation the better.

The President recommended the continuation of the war powers, but we remember that when we inquired from the President with regard to the possibility of the termination of hostilities, one week he wrote back to us that there were many controls which would have to be continued and that he would have to make studies in regard to them, but another week he suddenly terminated the controls and wiped off the statute books 100 statutes which he previously had said could not safely be removed.

Of course, I may be mistaken as to one or two commodities. We have admitted that we should continue controls on sugar and a few other of the scarce commodities, such as tin, antimony, and quinine; and perhaps there are some others. Perhaps something is to be said for fats and oils; but I think it would be a serious mistake to contemplate any extension of the powers of the President under the Second War Powers Act.

Mr. AIKEN. Mr. President, I am sorry the Senator from Ohio does not agree with me as to the desirability of continuing allocation controls and export controls. But in spite of what he says, I think the continuation of controls over fats and oils and grain is of particular importance, not only to our domestic economy, but to peace and to the stabilization of the economy of the entire world, as well. Today there is a world-wide shortage of fats and oils, and it is an acute shortage. Today there is also a world-wide shortage of grains.

Mr. TAFT. Mr. President, will the Senator yield for a moment, to permit me to make a further statement about fats and oils?

Mr. AIKEN. I yield.

Mr. TAFT. I thank the Senator.

The fact is that fats and oils are largely produced in the English and Belgian territories, and those countries are deliberately holding the price of fats and oils far below the price in the United States. By means of such government control they are choking the production of those oils. Until we wipe out the international agreement which permits them to do that, there will not be any increase in the production of fats and oils in those districts.

There is nothing peculiar in the world today about fats and oils. They can be produced just as freely as they could be before the war, if we once remove the restrictions which now are preventing their production.

Mr. AIKEN. Mr. President, if we remove the restrictions on them today, I think we simply open the gates for the rich corporations to monopolize the production of fats and oils. If we take off the controls today or if we permit them to lapse on the 31st of this month, I think many dealers, speculators, and corporations that trade in fats and oils will become immensely wealthy, while the poor people of the other countries of the world, who today are hungry and famine-stricken and almost ready to embrace communism, will become hungrier and in poorer health and more willing to embrace communism.

I do not believe that $400,000,000 put into Greece and Turkey or 400,000 men put into Greece and Turkey with arms could offset the damage which would be done by letting these allocation and export controls lapse.

Mr. LUCAS. Mr. President, will the Senator yield to me?

Mr. AIKEN. I yield.

Mr. LUCAS. I agree with what the Senator from Vermont has said with respect to the extension of this particular act, as he has suggested. The evidence before the Committee on Agriculture and Forestry, of which the Senator is a member, shows that there is only one reason

for the continuation of these controls; namely, to assure an equitable distribution throughout the world to nations which would not get the proper quantities of fats and oils and grains, if there were no controls of this type.

As the Senator well said, those in this country who buy and sell grains would not be looking after the interests of those who are in dire need in Poland, Belgium, Yugoslavia, Greece, or some other nation which particularly needs grains and fats and oils. They would not have the facilities or the means with which to do it. The only way it can be done is through this international organization, by pooling the resources, and making an equitable distribution, as is so vitally necessary if these people are to continue to get their fair share of the things of life which will keep them from starving, or at least keep them from becoming overwhelmed by misery and despair.

I wish to say that the President of the United States does not want controls continued over these commodities any longer than does anyone else. It is merely a question of good business, as I see it, and not only good business, but a question of giving to the countries of the world which are in dire need a fair and equitable proportion of the necessities of life.

Mr. AIKEN. Mr. President, I agree generally with what the Senator from Illinois has said. I wish to add that with the world in the condition in which it is today this is no time at all for the United States to withdraw from participation in the International Emergency Food Council, if we are to oppose the forces of totalitarianism which are crowding into the small, famine-stricken countries. We have to oppose such forces with food. That is the most potent weapon we can use today.

I wish to repeat, the time is getting short. There are only a few days more in which we may extend these controls. I think it is common knowledge that speculators have been pyramiding the prices of commodities in the United States, with the expectation that they will be able in some way to prevent the continuation of the controls.

The price of wheat had risen 50 cents a bushel, I think, up to yesterday, it rose 10 cents a bushel yesterday, and is still rising. The farmer is not getting that increase, because he has sold his wheat. It is the speculators who are benefiting from the rise. The price will continue to rise. There will be an increase in the cost of living in the United States, there will be an increase in the cost of living in the famine-stricken countries of Europe and Asia. We cannot afford to let that happen; we cannot afford to let the people go hungry. We are not hungry here. We do not have everything we want, but we certainly have more than do the people in any other country of the world.

Mr. KILGORE. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield.

Mr. KILGORE. The Senator also is aware of the fact that there are certain other controls which might be mentioned. In recent hearings in the Judiciary Committee it developed that we are unable to get certain necessary articles for our own production in which we are in very short supply. Frequently we are able to procure them through the International Control System. For instance, hemp for binding twine is in extremely short supply, and it is only through allocations that we can get a sufficient quantity to operate the harvesting machines and get the grain. The drug companies producing quinine came to this hearing insisting that controls be continued in order that we might get quinine and cinchona bark so necessary for the treatment of malarial diseases in this country.

Mr. TAFT. Mr. President, I wish to say only one thing further with relation to the war controls. In the first place, I personally have no objection to continuing the controls in the case of a scarce commodity produced in some other country, when the removal of controls will not raise the price to us so that we have to pay the entire cost and someone else gets the benefit. That is the basis of the rubber buying.

What does the administration say about that? It says, "We will not continue exclusive buying of rubber by the Government," although the industry wishes that it be done. "We shall continue the allocation." How they can continue the allocation of rubber after abandoning exclusive Government buying I do not know. But in any event, I have no particular objection, in principle, to continuing the controls. That applies to tin, antimony, cinchona bark—which is a Dutch-Government monopoly, referred to by the Senator from West Virginia.

On the other hand, when it comes to the question of wheat and fats, I do not see that the controls do anything except permit the Government to interfere in the operation of the distribution of the commodities. They have not held the price down, and the only way I know of to hold down the price is by retaining export controls. By letting the act expire export controls are not removed. We can say that we will not permit more than 300,000,000 bushels of wheat to go out of the United States. We can put whatever limit we want on the export of automobiles and trucks, under the Export Control Act. But I have seen no reasonable explanation of the necessity for our continuing the attempted allocation of commodities which are produced to a large extent in the United States.

RUMORED STRIKE BY TELEPHONE WORKERS

Mr. MORSE. Mr. President, I wish to take only a moment or two to make a comment and a suggestion in regard to the rumored Nation-wide telephone strike which the newspapers tell us is scheduled for April 7.

I desire to say, that even the rumor of such a strike does not make sense, and I think the parties to the dispute should reflect on the fact that the American people will not and should not have very much patience with a Nation-wide telephone strike on April 7.

I think the parties to the negotiations have an obligation to proceed in good faith collective bargaining from now until April 7, in an effort to iron out the differences between them. Certainly no strike is necessary to educate the American people to an understanding that there is difficulty with the telephone industry, and certainly no shut-down of the telephones on April 7 will advance one particle the interests of the workers in that industry.

I think their leaders should know, and the operators of the telephone system should know, what the area of disagreement between the parties is at the present time. I think they also should know that we, the public, fully understand that if the workers strike, when the parties come finally to settling the dispute, it will be settled pretty much on the basis of the same terms on which it could be settled and should be settled prior to April 7.

I am one who believes that it is important to retain the right to strike, because sometimes, as I said last Monday, strikes are necessary to inform the public as to the merits of a given dispute. But that certainly is not true in this instance.

Therefore, Mr. President, as one who is a firm believer in the voluntary processes and the peaceful procedures for the settlement of labor disputes, I sincerely hope that the parties to this labor dispute will have the good sense, and, may I say, the common sense, to adopt voluntarily peaceful procedures for the settlement of the dispute, without visiting upon the American people the tremendous economic disruptions which would result from a telephone strike on April 7.

It is not for me to pass on the merits of the dispute, and I do not propose on this occasion to do so. I think, however, I know a little something about the merits of the dispute and the issues which are at stake. I know that there is not a single issue involved in the dispute between these disputants which cannot be settled by peaceful procedures, and which in fact should not be settled between now and April 7 by good-faith collective bargaining. But if they cannot get together by good-faith collective bargaining between now and April 7, I want to suggest to them here and now—and I think the great majority of the American people will totally agree with my suggestion—that in this great time of stress and strain in America, they owe it to themselves to demonstrate that they are willing to stand by and measure up to the voluntary procedures of collective bargaining, mediation, conciliation, and arbitration, about which leaders of industry and labor talk so much but so frequently, on both sides, do not practice.

Therefore, I not only make the suggestion, but I do more, Mr. President, than make the suggestion, for, as one Member of this body, in good faith and in deep sincerity, I call upon the parties to this dispute to demonstrate their faith in our voluntary system by notifying the American people now that if they cannot get together by way of collective bargaining between now and April 7 there will be no strike; they will agree between themselves to ask for voluntary arbitration for the settlement of all the issues which may be pending be-

tween them on April 7 prior to that date if they have not been able to settle them.

I suggest further that to show their good faith the parties to the dispute also announce their willingness to have a responsible public official, such as the ones whom I shall suggest, empowered to select an arbitrator whose decision they will agree in advance shall be final and binding upon them. I have selected several names somewhat at random. I selected them because I believed that these men would see to it that an impartial arbiter or board of arbitration would be selected for the settlement of this dispute. The parties to the dispute need not select anyone from the list of names I am about to enumerate, but may choose anyone else they want to agree upon.

I suggest, nevertheless, Mr. President, that they agree on a responsible public official, such as the Secretary of Labor, Mr. Schwellenbach, or the Director of Conciliation, Mr. Warren, or Mr. John Steelman, one of the able administrative assistants to the President and one of the best-qualified labor-relations men in the United States, or the Attorney General of the United States, Mr. Clark, or an ex-Justice of the United States Supreme Court, Mr. Justice Roberts, or someone else of high standing in the official life of America.

I make that suggestion, Mr. President, because I think the suggestion itself challenges the leaders of labor in the telephone industry and the leaders on the industry side of the table and puts it squarely up to them as to whether or not they really mean it when they say, as they have said publicly, that they believe in good-faith collective bargaining, and, as I understand, they also believe in peaceful procedures for the settlement of labor disputes.

As we in this Eightieth Congress are faced with the complex and difficult problems of labor legislation, with the myriad of suggestions which are being made to us for extreme legislation, I think certainly someone ought to raise his voice and say quite frankly to American labor and to American industry, both of whom, in my judgment, will be losers if extreme legislation is passed. The time has come, gentlemen, for you to show your good faith. Demonstrate to the American people that you will save them from the tremendous economic loss which would be sure to flow from "pulling the plug," so to speak, on April 7, and disrupting the telephone industry, by a strike. I repeat that, in my judgment, a strike is absolutely unnecessary and totally uncalled for if the leaders of the industry on both sides of the table will measure up to their public responsibility.

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 2157) to define and limit the jurisdiction of the courts to regulate actions arising under certain laws of the United States, and for other purposes.

Mr. FERGUSON. Mr. President——

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. WHITE. It is manifest we cannot conclude action on the pending bill this evening, and unless the Senator from Michigan desires to proceed at this time——

Mr. TAFT. Mr. President, will the Senator yield for a moment?

Mr. FERGUSON. I yield.

Mr. TAFT. In accordance with the plan which was announced last week, it is the intention to hold a session tomorrow and a session tomorrow night in the hope that by that time we may be able to finish action upon the portal-to-portal bill. I may say further that the session tomorrow is planned to continue right through without any recess. Members of the Senate will have to get their suppers when and if they can get them.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. VANDENBERG, from the Committee on Foreign Relations:

Garrison Norton, of New York, to be an Assistant Secretary of State; and

David M. Maynard, of California, and sundry other persons for appointment as Foreign Service officers and secretaries in the diplomatic service.

FEDERAL COMMUNICATIONS COMMISSION

Mr. WHITE. Mr. President, will the Senator from Michigan yield to me?

Mr. FERGUSON. I yield to the Senator from Maine.

Mr. WHITE. I see on the Executive Calendar a number of nominations. I think all of them with a single exception, are controversial, and there is general agreement that they should go over. There is, however, one nomination concerning which, so far as I am informed, there is no ground of complaint and no opposition. I therefore ask unanimous consent that, as in executive session, the Senate proceed to the consideration of the nomination of Edward Mount Webster to be a member of the Federal Communications Commission.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maine? The Chair hears none, and the clerk will state the nomination.

The legislative clerk read the nomination of Edward Mount Webster, of the District of Columbia, to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1, 1942.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. WHITE. Mr. President, I ask that the President may be notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection, the President will be so notified.

ORDER OF BUSINESS

Mr. FERGUSON. Mr. President, because of the desire of the majority leader to recess at this time, I ask unanimous consent that I may be recognized at the convening of the session of the Senate tomorrow.

Mr. LUCAS. Mr. President, before the request is put let me say that I hope the Senator from Michigan will be recognized on tomorrow, but I fear we are falling into a unanimous-consent habit of attempting to control who shall speak on the following day. Obviously such a unanimous-consent agreement cannot be binding under the rule. Who shall gain the floor tomorrow depends entirely on whom the Chair will recognize. I merely mention that because I have noticed that Senators have gradually been falling into the habit of making unanimous-consent requests of this character, and for the benefit of some new Members who may not know the rule I will say that this practice will not hold water if the rule is invoked. I sincerely hope the Senator from Michigan will gain the floor on tomorrow, and I am sure he will.

Mr. FERGUSON. I am familiar with the rule, and I will attempt on tomorrow to obtain the floor at the convening of the Senate.

RECESS

Mr. WHITE. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 26 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, March 19, 1947, at 12 o'clock meridian.

CONFIRMATION

Executive nomination confirmed by the Senate March 18 (legislative day of February 19), 1947:

FEDERAL COMMUNICATIONS COMMISSION

Edward Mount Webster to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1, 1942.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 18, 1947

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou who art at the right hand of our Father, we come to Thee as little children, for we know how imperfect we are. Abide with us each succeeding day; root and ground us in the unchangeable truth that right is on the side of this universe. Thou light of the faithful and master of all good workmen, sanctify to each one of us our kindred aims; lift our hearts above all failure and misunderstanding unto more perfect labor.

As Lord of all and yet servant of all, let Thy kingly truth permeate our souls, that we may be fortified with that wisdom which gives encouragement and which seals the public confidence. Within the range of our duty and the mastery of our powers, help us to find and discern Thee, and to keep before us these immortal injunctions: know thyself, control thyself, and give thyself. O America, be not disquieted within thee; hope thou in God, for we shall yet praise Him, who is the health of our countenance. Through Christ and in His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 9. Concurrent resolution to print for the use of the Committee on Finance additional copies of Senate Report No. 610, Seventy-sixth Congress, entitled "Survey of Experience in Profit Sharing and Possibilities of Incentive Taxation."

LEGISLATIVE BUDGET

Mr. CANNON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, the first issue of the Daily Digest was distributed this morning and I was particularly glad to have it as I have been wondering what has become of the budget resolution—House Concurrent Resolution 20.

As will be recalled, a Joint Committee on the Legislative Budget was appointed immediately after Congress convened. After passing through a long period of somnolence, it finally reported the concurrent resolution on February 15—the last day permissible under the law—now something more than a month ago.

The resolution was passed by both Houses and, following routine procedure, was eventually sent to conference—since which time it has not been heard of. All this is now ancient history but miles of headlines were written about it when it was the chief legislative topic in the press earlier in the session.

From the beginning, the futility of attempting to write a Federal budget without hearings and adequate data was generally recognized and on this side of the aisle we earnestly recommended postponement until definite information was available—and especially until the meeting of the Moscow Conference.

When the resolution came before the House we offered a motion to delay further action until April. It is gratifying to note that our counsel and advice has evidently been accepted and approved and that the resolution has been pigeonholed pending developments permitting intelligent action on a national budget.

Mr. Speaker, we commend this well-considered delay as timely and convincing evidence of real and constructive statesmanship. The only regret is that the delay was not agreed on at the time the resolution of postponement was offered as it would have saved a vast amount of time and greatly expedited the work of the Congress. The session is nearly half gone and only one annual appropriation bill has passed the House. The work of the House is further behind than ever before within the memory of any Member of Congress. The time and attention of the leadership of both Houses has been consumed in the consideration of a resolution which is, at best, merely advisory.

Actual retrenchment and economy can be achieved only through reduction of appropriations in the supply bills and the longer the bills are delayed the longer we must wait for factual data on which to base any proposal for reduction of taxes or curtailment of the national debt.

It is to be hoped the appropriation bills will be reported and passed as expeditiously as possible. On this side of the aisle we are ready and anxious to cooperate in cutting every reducible item to the bone. We hope to have that opportunity in the near future.

THE LATE EDGAR CLARENCE ELLIS

Mr. REEVES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. REEVES. Mr. Speaker, it is with profound regret that I inform the House of the death last Saturday evening of the Honorable Edgar Clarence Ellis, who served during five terms as a Republican Member of this House, representing the old Fifth District of Missouri. Mr. Ellis was 92 years old. He is survived by his widow and three sons.

Mr. Ellis served in this body in the Fifty-ninth and Sixtieth Congresses, 1905–09; the Sixty-seventh Congress, 1921–23; the Sixty-ninth Congress 1925–27; and the Seventy-first Congress, 1929–31. His district included all of Jackson County, Mo., which has since been divided into the fourth and fifth districts. I have the privilege and honor of representing the Fifth District of Missouri, once ably and faithfully represented by this distinguished citizen of Kansas City.

There are few Members now in this House who will recall Mr. Ellis. Only one of the present members of the Missouri delegation, the Honorable CLARENCE CANNON, served with him here. He will be remembered for his towering stature in both physique and ability; for his keen understanding of the legislative problems of his day and his forthright approach to them; for his integrity and splendid qualities of character; and for the superb quality of metaphor and persuasion which characterized his extraordinary eloquence.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. REEVES. I yield to the gentleman from Mississippi.

Mr. RANKIN. Being one of the few present Members who served with Mr. Ellis, and having known him quite well, I endorse what the gentleman has said. I call attention to the fact that Mr. Ellis had one quality most necessary to make a worthy and efficient Congressman: he had the courage of his convictions.

He was a real American in whom the elements were so mixed that "nature might stand up and say to all the world, 'This was a man.'"

Mr. REEVES. I thank the gentleman for that well-deserved tribute to the memory of our late colleague.

In the hard-fought campaign of last year Mr. Ellis appeared at Kansas City and spoke in my behalf. He was then 91 years of age, but his vigor was unimpaired, his mind was alert and clear, and he spoke with a fresh enthusiasm which was deeply stirring.

His life was rich and full, and ended suddenly, quietly, calmly, in the way which every man covets for himself.

So be my passing.
My task accomplished and the long day done,
My wages taken and in my heart
Some late lark's singing,
Let me be gathered to the quiet West
The sundown, splendid and serene.

Mr CANNON. Will the gentleman yield?

Mr. REEVES. I yield to my collegaue from Missouri.

Mr. CANNON. It was my privilege to serve with Edgar Ellis in the Sixty-ninth and Seventy-first Congresses. Due to the fact that he had previously served intermittently in the House, he was looked upon as one of the elder statesmen and all members of the delegation consulted with him on all important matters touching the interests of the State and our section of the Mississippi Valley.

He was particularly interested in the development of our waterways and exercised in many instances a determining influence on legislation before the House relating to interstate commerce and the development of national resources.

He was one of the kindliest men I have ever known and was always ready to step across party lines to do a favor or serve a mutual interest. His service in the Congress adds luster to the fame of his State and only his advancing age precluded his further participation in the activities of the forum which he so enjoyed and in which he attained such success. He passed on in the fullness of time—with the sun low on the horizon—and with the regard and affection of all those fortunate to be associated with him here on this floor.

PRINTING OF ADDITIONAL COPIES OF COMMUNISM IN ACTION

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the concurrent resolution (H. Con. Res. 17) authorizing the printing of additional copies of House Document No. 754, Seventy-ninth Congress, entitled "Communism in Action," with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the concurrent resolution.

The Clerk read the Senate amendments, as follows:

Line 2, strike out "500" and insert "425."
Line 7, strike out "125" and insert "50."

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

OUTLAWING COMMUNISTS

Mr. RANKIN. Reserving the right to object, Mr. Speaker, I am not going to oppose these amendments, but instead of cutting down the number of copies to be printed it seems to me the number should have been increased.

All real Americans have come to recognize at last that communism is the enemy of American institutions.

Time and time again we have shown on this floor that the leaders of the Communist Party have announced that what they propose to do is to destroy this

Government and set up a Soviet government in its place; and the head of the Communist Party in this country, William Z. Foster, has said "that behind that government will stand the Red army to enforce the dictatorship of the proletariat."

Their members and former members—and remember, there are no former members except the ones who have been expelled from the Communist Party—are subjected to a terror that mankind has scarcely known in all history. If you doubt that, read Jan Valtin's Out of the Night. Just read the first few chapters.

In addition, they are out to destroy Christianity throughout the world and everything based on Christian principles.

They tell you they are for destroying the capitalist system. What do they mean by the capitalist system? They mean the right to own your home, your farm, your factory, or your store—the right to own private property. They mean to wipe out all of that and spread over America, and over every other country in the world, the horrible terrors that are now imposed upon the suffering people of Europe.

They prate about democracy. There is no more democracy in a Communist country today than there is in the penitentiary of Mississippi, New York, Texas, Connecticut, Georgia, or Iowa.

Mr. CASE of South Dakota. Does the gentleman think we should vote against concurrence in the Senate amendments?

Mr. RANKIN. No; I am not opposing the amendments.

On yesterday we had what someone has called a revival of righteousness in the Supreme Court. That august body decided that we had a right to knock every Communist off the Federal pay roll. I am in favor of beginning now and getting every one of them off the Federal pay roll without delay.

I saw in this morning's paper where a Red professor in Columbia University was attacking the Committee on Un-American Activities. His name is mentioned 22 times in the last report of the Dies committee.

They now invoke the Constitution and say it is unconstitutional to throw these enemies of America off the Federal pay roll. It reminds me of what Secretary Weeks told us once. He said that when the policemen in Boston went on strike, all the thugs went to breaking in and robbing stores, just taking the goods out by the armload. One of these looters undertook to take an armload of goods away from another one, and the other person instinctively yelled for the police.

So if these Reds, these Communists, these enemies of America who are poisoning the minds of your children through our educational institutions, and who are using the mails to spread their poison and hatred for America and everything based on constitutional government, if these enemies of America who are trying to undermine and destroy our economic system and enslave the American people now invoke the Constitution to protect them from justice at the hands of the American people, it is not going to work.

Mr. Speaker, I ask unanimous consent to include as part of my remarks a bill which I have introduced to outlaw communism in America. It may need some minor amendments, but it is heading in the right direction.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

(The bill is as follows:)

Be it enacted etc.—

LEGISLATIVE FINDING AND DECLARATION

SECTION 1. The Congress hereby finds and declares that—

(1) attempts by Communist sympathizers to secure election to public office in the United States;

(2) the teaching of Communist views in public or private schools, colleges, or universities in the United States; and

(3) the sending of Communist literature through the United States mails,

are un-American activities which constitute a dangerous threat to our Government, to our democratic institutions, and to the freedom and security of the people of the United States; and the enactment of this act is a necessary exercise of legislative power to protect and maintain our form of Government and the American way of life.

DEFINITIONS

SEC. 2. As used in this act—

(1) The term "Communist Party" means the political party now known as the Communist Party of the United States of America, whether or not any change is hereafter made in such name.

(2) The term "publication" means any letter, writing, circular, post card, newspaper, periodical, pamphlet, book, or other publication.

PROHIBITION OF CERTAIN ACTS

SEC. 3. (a) It shall be unlawful for an individual to file as a candidate for, or otherwise to attempt to secure election to, any Federal or State elective office (1) as the candidate of the Communist Party, or (2) if such individual is a member of the Communist Party.

(b) It shall be unlawful, in any course of instruction or teaching in any public or private school, college, or university, to advocate, or to express or convey the impression of sympathy with or approval of, communism or Communist ideology.

(c) It shall be unlawful to send or attempt to send through the United States mails any publication the whole or any part of which advocates, or the whole or any part of which expresses or conveys the impression of sympathy with or approval of, communism or Communist ideology.

PENALTY FOR VIOLATIONS

SEC. 4. Whoever violates any provision of section 3 (a), or willfully violates any provision of section (3) (b) or (c), of this act, shall upon conviction thereof be punished by a fine of not more than $10,000 or by imprisonment for not more than 10 years, or by both such fine and imprisonment.

Mr. LECOMPTE. Mr. Speaker, I wish to point out that all the amendments do is to reduce the number of copies available for the Senate, but do not change the number available for the House of Representatives.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ELECTION TO STANDING COMMITTEE

Mr. DOUGHTON. Mr. Speaker, I offer a resolution (H. Res. 150), which I send to the desk.

The Clerk read the resolution, as follows:

Resolved, That JAMES C. DAVIS, of the State of Georgia, be, and he is hereby, elected a member of the standing committee of the House of Representatives on the District of Columbia.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT OVER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 12 o'clock noon on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

AMENDING FEDERAL RESERVE ACT

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 148, Rept. No. 162) which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2413) to amend the Federal Reserve Act, and for other purposes. That after general debate, which shall be confined to the bill and shall not exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

DISTRIBUTION AND PRICE OF SUGAR

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 149, Rept. No. 163), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 146, to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes, and all points of order against the said joint resolution are hereby waived. That after general debate, which shall be confined to the joint resolution and continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the joint resolution shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on Banking and Currency now in the bill and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and

report the joint resolution to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the joint resolution and the amendments thereto to final passage without intervening motion except one motion to recommit.

SUBCOMMITTEE ON FISCAL AFFAIRS OF COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that the members of the Subcommittee on Fiscal Affairs of the Committee on the District of Columbia be authorized to sit, notwithstanding the House may be in session.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

SPECIAL ORDER GRANTED

Mr. PHILLIPS of California. Mr. Speaker, I ask unanimous consent that the special order I have for this afternoon may be canceled and that I may address the House for 30 minutes on Monday, following the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HORAN. Mr. Speaker, I ask unanimous consent that after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 1 hour today.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

EXTENSION OF REMARKS

Mr. O'HARA asked and was given permission to extend his remarks in the RECORD and include two newspaper articles.

Mr. ROHRBAUGH asked and was given permission to extend his remarks in the RECORD and include an editorial from the Chrisian Science Monitor advocating Federal support for public education.

Mr. SUNDSTROM asked and was given permission to extend his remarks in the RECORD and include an address delivered by George E. Stringfellow on Thomas Alva Edison.

Mr. KEATING asked and was given permission to extend his remarks in the RECORD and include an editorial from the Rochester Democrat and Chronicle.

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the RECORD in three instances and to include excerpts in each.

Mr. McDONOUGH asked and was given permission to extend his remarks in the RECORD and include two editorials.

Mrs. BOLTON asked and was given permission to extend her remarks in the RECORD and include a letter which appeared in the public press.

TRANSSHIPMENT OF OUR WAR DEAD TO AMERICA

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, when this House authorized the transshipment to the United States of such of the bodies of our war dead as might be requested by their next of kin, I expressed on this floor the earnest hope that all possible effort be made to give a true picture to the bereaved families. I had just been in England and in France where I had seen the earnestness with which the graves registration units persisted in their identification efforts, and the tender reverence with which they performed their difficult and tragic task.

No country has gathered together all that was visible of its gallant dead as we have done. Nowhere in all the world is there such peace and beauty as in the American cemeteries, no matter where they are to be found.

Very recently the War Department sent out letters to the families of those whose loved ones lie in the consecrated soil of far-away lands asking what might be their desire in the matter. Soon after there was printed in many newspapers in this country a courageous and forthright letter written by Mrs. George S. Patton, Jr.

In it she says:

Will it comfort you to hear that your soldier is being shipped home in a box or an urn to be reburied? What will come home to you isn't what you love.

Will it ease your grief or make you happier to know that some young soldier, drafted to serve our country overseas, is digging up these poor bones?

Every good soldier I have ever known wanted to be buried where he fell. Mine did. Our dead have earned the right to rest in peace.

Mr. Speaker, that the House may have the full text of Mrs. Patton's letter, I have secured unanimous consent to include it in the extension of my remarks appearing in the Appendix of the RECORD.

REREFERENCE OF A BILL

Mr. ANDREWS of New York. Mr. Speaker, on the advice of the Parliamentarian, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration of the bill (H. R. 2543) to repeal the Atomic Energy Act of 1946, which bill was introduced by the gentleman from Indiana [Mr. LANDIS], and that the same be rereferred to the Joint Committee on Atomic Energy.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. JOHNSON of California asked and was given permission to extend his remarks in the RECORD and include two letters.

Mr. COUDERT asked and was given permission to extend his remarks in the RECORD and include an article appearing in today's New York Times.

Mr. CASE of South Dakota asked and was given permission to extend his remarks in the RECORD.

Mr. RAMEY asked and was given permission to extend his remarks in the RECORD.

Mr. McDOWELL asked and was given permission to extend his remarks in the RECORD and include an article from yesterday's Daily News by Tom Stokes.

Mr. RICH asked and was given permission to extend his remarks in the RECORD and include an editorial from the American Wool and Cotton Reporter with reference to the tariff.

Mr. JOHNSON of Oklahoma asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. FORAND asked and was given permission to extend his remarks in the RECORD and include an editorial.

GREEK RELIEF

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, a man of some distinction in this country once said that all he knew was what he read in the newspapers. I read in the Sunday paper that Willard Thorp, Assistant Secretary of State for Economic Affairs, and Henry S. Villard, Deputy Director of the Department's Division of Near East and African Affairs, said in a broadcast that the United States would dispatch to Greece Federal Government specialists in agriculture, internal revenue, budget control, civil service, and public health, as well as highway transportation and bridge engineers.

I also read in the papers that Mr. Paul Porter is back. He has been over there at the head of the American Economic Mission. I just want to express the hope that Paul's return is not a signal for the calling of the clan, and I want to suggest that the committees dealing with these matters inquire and make sure that this is a relief program for Greece and not a relief program for some displaced OPA personnel.

The SPEAKER. The time of the gentleman from South Dakota has expired.

PAY OF SCHOOL TEACHERS

Mr. RAMEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RAMEY. Mr. Speaker, in the Pathfinder of March 12, it appears that Erskin Richmond, of Beckley, W. Va., is quitting his job as school principal to mine coal. He said:

I can make twice as much there as by teaching school.

The miner has always had a voice to speak for him. Orators and writers throughout the length and breadth of the land have always proclaimed the cause of "the man down in the bowels of

the earth." They should. These men go into darkness that we may have light. Yet a man, underpaid, not recognized for his merits, being under great strain in the teaching profession, says, "I am going to the bowels of the earth and quit my teaching." With five times as much money spent for pleasure as for education, with three times as much spent for cosmetics as for education, and now a teacher leaving the profession and going to the bowels of the earth. Is that not a challenge for today?

The SPEAKER. The time of the gentleman from Ohio has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

[Mr. PHILBIN addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. BELL asked and was given permission to extend his remarks in the RECORD and include an address delivered by President Roxas in Manila, and also a clipping from one of the Manila papers.

Mr. CELLER asked and was given permission to extend his remarks on two subjects.

Mr. LANE asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances and in one to include a speech he made at Haverhill, Mass., on last Sunday.

Mr. HAVENNER asked and was given permission to extend his remarks in the Appendix and include a letter and a resolution.

Mr. GORDON asked and was given permission to extend his remarks in the RECORD and include an article from the Chicago Daily Times.

THE RIGHT TO FIRE COMMUNISTS FROM THE GOVERNMENT SERVICE

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, we often hear condemnation of the Supreme Court. Some of that condemnation, I believe, has been justified. Now we must, however, give praise where praise is due.

The Supreme Court on yesterday rendered a very praiseworthy decision when it gave the green light to a bureau of the Government, the Civil Service Commission, to demand the resignation or severance from service of anyone who is a Communist or a fellow traveler.

I hate communism and loathe all its works. The Civil Service Commission is a splendid vehicle whereby we can rid ourselves of Communists in the Federal service. It seems rather anomalous that a Communist should be allowed to remain in the service of the Government he seeks to overthrow. It is like befouling one's nest or biting the hand that feeds one. I am sure the Civil Service Commission will do its duty.

The SPEAKER. The time of the gentleman from New York has expired.

JUVENILE DELINQUENCY

Mr. SMATHERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SMATHERS. Mr. Speaker, yesterday three Members of the House addressed us on the subject of juvenile delinquency. I wish to take this opportunity to join them in their concern over that problem and to subscribe 100 percent to their statements.

I also desire to take this opportunity to point out that the Attorney General of the United States, the Honorable Tom Clark, recognized the seriousness of this problem a long time ago and therefore instituted a nation-wide program to combat juvenile delinquency. He has offered the local and State agencies which deal with juveniles the facilities of the FBI and the Department of Justice, and he reasons, as did the gentleman who spoke yesterday, that this problem of juvenile delinquency is one which must be met on a local level. In pursuance of that he has instigated the organization of over 100 boys' clubs and youth centers throughout the large cities of the United States. I think he is to be commended on his very fine work on this most serious problem.

PAY TERMINAL-LEAVE PAY IN CASH

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS. Mr. Speaker, on the opening day of Congress, the gentleman from Florida [Mr. ROGERS] introduced a bill in the House which would authorize the payment of terminal-leave pay in cash. When this bill failed to come out of the committee on March 4 of this year the gentleman from Florida put a petition on the Speaker's desk to bring it out of the committee. I do not know how many Republicans have signed it, but quite a number of Democrats have.

In the Washington Times-Herald of today I see that cash terminal-leave pay is now favored by the GOP in the House. I just want to make this observation, that if the GOP is now so anxious to pay this terminal-leave pay in cash, that petition is still on the Speaker's desk. Now if you favor this cash payment and want to do the right thing—you will walk up there and sign it, pay that obligation in cash and let credit fall where credit is due.

The SPEAKER. The time of the gentleman from Mississippi has expired.

WILL WONDERS NEVER CEASE!

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, will wonders never cease! Here we have the gentleman from New York [Mr. CELLER] praising the Supreme Court because it gave one branch of the Federal Government permission to throw the Reds out of office in another department. That really is something—the court has actually reached the conclusion that if an employee is disloyal he can be fired. The farmer and his hired man knew that years ago. Now, some of the Members who were not here during the last 10 years should get the CONGRESSIONAL RECORD covering that period and note how some of these same gentlemen who now speak against the Communists used to skin the Dies committee and vote against every appropriation for which it asked.

I repeat, will wonders never cease? Here is the Secretary of Labor, Judge Schwellenbach, coming before the Committee on Labor and suggesting that the Congress outlaw communism and the Communists. Well, it was not so long ago since he sent a telegram to a Communist front organization—the International Labor Defense organization—congratulating it and sending greetings. Here is former Senator LaFollette writing an article for a magazine with a national circulation condemning the Communists. Well do I remember the old Senate Civil Liberties Committee, which used to attack everyone who opposed the Communist-directed CIO or said a word against them.

Will wonders never cease? Has the time, at last, come when one who speaks for America first is going to be permitted to talk without being sent to jail? Without being smeared? I wonder! Oh, what a difference the results of the November 1946 election made in the talk of certain folks. I wonder if it will have a like effect on their actions?

POLITICS OF EMERGENCIES

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, the politics of the past 15 years have become famous as the politics of emergencies. Roosevelt had dozens of emergencies. Hitler had hundreds of them, and now Harry Truman seems to have begun with his emergencies. However, an American people bent on forgetting about war, and maintaining peace, are just a little bit fed up with emergency politics. I would go so far as to suggest to our good President that it is going to be difficult to manufacture enough emergencies to carry us through the Presidential elections of 1948.

Mr. Speaker, I read in the morning papers where the Democratic national chairman appealed to the Republican national chairman to join as one on foreign policy. Now, what in the world is our foreign policy? We have been supporting communism in Europe for years.

We have been supporting them and building them up, and now we are using this Greek business as a smoke screen, apparently, to tear them down.

What is our foreign policy?

Mr. Speaker, I wish to ask unanimous consent to ask some questions for 10 minutes, later in the day, about where the Greek deal will lead us.

SPECIAL ORDER GRANTED

Mr. BENDER. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. ELLIS asked and was given permission to extend his remarks in the RECORD in two instances and include editorials in each.

Mr. WEICHEL asked and was given permission to extend his remarks in the RECORD in two instances and include newspaper articles in each.

Mr. NORBLAD asked and was given permission to extend his remarks in the RECORD and include an editorial.

LEADERSHIP NEEDED

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, "The people muddied, thick, and unwholesome in their thoughts and whispers," so said the king when he was discussing the conditions of the Government of Denmark in Shakespeare's play Hamlet. If our people are muddied and thick and unwholesome in their thoughts and whispers, I think the source of that can be found in Washington, D. C. I believe there is plenty of muddied leadership among administration personnel; here in the Congress in both bodies, and I hope the good Lord will assist us in straightening out our own thoughts and getting out of the mud and thus furnishing the type of leadership that our good people deserve from the Congress of the United States.

SIT-IN STRIKE—STIRRING RACE TROUBLE IN OHIO

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, one of the methods of the Communists have of stirring strife in the United States is to stir up trouble between the whites and blacks.

The Reds in the CIO have been very effective and very diligent in that particular, especially in certain sections of the South.

They have now moved north. After stirring up all the race trouble they could in South Carolina, Mississippi, Tennessee, Georgia, and Alabama they have now carried the fight into Ohio, and I see that the CIO now is going to sue the Neil House, a leading hotel in Columbus, Ohio, because the white waitresses declined to serve some Negro delegates to a CIO convention there. We are told that a Member of Congress joined in a sit-in strike, a reverse sit-down strike, against those waitresses, and they stayed in that hotel for 6 hours to try to compel those white waitresses to succumb.

Now they propose to sue the Neil Hotel. That is the same strategy that is interwoven in the FEPC program that they have now forced on to New York.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and include an account of this ridiculous incident from the Communist Daily Worker.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. The account above referred to as it appeared in the Communist Daily Worker of March 16 is as follows:

HELEN DOUGLAS JOINS CIO SIT-IN

COLUMBUS, OHIO, March 16.—Delegates and speakers to the national education conference of the CIO, including Congresswoman HELEN GAHAGAN DOUGLAS, staged a 6-hour "sit-in" strike today in a hotel coffee shop because waitresses refused to serve Negro delegates.

Representative DOUGLAS (Democrat, California), couldn't stay to see the strike through because she had to catch a train for Washington but she cheered the strikers filling the restaurant in the big chain-operated Neil House Hotel with the words:

"It breaks my heart to have to leave this hotel. I wish you all the success in the world in breaking down the barriers of discrimination."

The conference started an impromptu session in the coffee shop this morning when waitresses walked off the floor rather than serve four Negro men and women delegates.

Delegates then poured in and took over the room, speeches were made and a resolution demanding that the CIO file legal action against the hotel was passed.

Alan Haywood, CIO vice president, brought this message from CIO president Philip Murray: "I want to say the entire CIO is backing you. Keep up the good fight."

Mr. Speaker, in my opinion, this was not done to help the Negroes of this country, but it appears to have been done to stir race trouble in the State of Ohio.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

DR. ALMA RICHARDS AND MRS. MARY BLOCK

The Clerk called the bill (H. R. 348) for the relief of Dr. Alma Richards and Mrs. Mary Block.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dr. Alma Richards, Memphis, Tenn., the sum of $10,000, and to Mrs. Mary Block, Memphis, Tenn., the sum of $1,000. The payment of such sums shall be in full settlement of all claims against the United States on account of personal injuries sustained on December 6, 1940, by the said Dr. Alma Richards and Mrs. Mary Block when the automobile in which they were riding was in collision in Memphis, Tenn., with a truck in the service of the Work Projects Administration.

With the following committee amendments:

Page 1, line 6, strike out "$10,000" and insert "$7,140."

At the end of the bill add the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VICTORY BIBLE CAMP GROUND

The Clerk called the bill (H. R. 173) to authorize the sale of certain public land in Alaska to Victory Bible Camp Ground, Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Victory Bible Camp Ground, Inc., is hereby authorized for a period of 1 year from and after the effective date of this act to file with the Secretary of the Interior an application to purchase, and the Secretary of the Interior is hereby authorized and directed to issue patent to it, for use as a recreational camp for young people, what will be when surveyed by the extension of the rectangular surveys, the fractional southwest quarter of the southwest quarter section 23, township 20 north, range 8 east, Seward meridian, Alaska, containing approximately 35 acres.

SEC. 2. The patent shall not be issued until after payment has been made by the Victory Bible Camp Ground, Inc., to the Secretary of the Interior for the land at its reasonable appraised price of not less than $1.25 per acre, to be fixed by the secretary, and shall not include any land covered by a valid existing right initiated under the public-land laws or found by the Secretary of the Interior to be needed for public purposes. The patent shall reserve to the United States the coal and other mineral deposits in the land together with the right to prospect for, mine, and remove the same under regulations to be prescribed by the Secretary of the Interior.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROSCOE L. WOOD

The Clerk called the bill (H. R. 1288) to authorize the Secretary of the Interior to grant a private right-of-way to Roscoe L. Wood.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to grant to Roscoe L. Wood, his heirs and assigns, an easement 15 feet wide from Wilson Avenue to lot 52–E across Federal-owned lots 54 and 52–F and adjacent to the northerly boundaries of said Federal-owned lots for use as a private right-of-way

for so long as needed for ingress and egress to and from lot 52–E, block 4, section 4, Cabin John Park, Montgomery County, Md.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANCESCO AND NATALIA PICCHI

The Clerk called the bill (H. R. 422) for the relief of Francesco and Natalia Picchi.

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EDNA RITA SAFFRON FIDONE

The Clerk called the bill (H. R. 555) for the relief of Edna Rita Saffron Fidone.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of the eleventh category of section 3 of the Immigration Act of 1917 (8 U. S. C. 136 (e)), Edna Rita Saffron Fidone, the wife of a citizen of the United States who served honorably in the armed forces of the United States during World War II, may be admitted to the United States for permanent residence under the Act approved December 28, 1945 (Public Law 271, 79th Cong.), if she is found otherwise admissible under the provisions of the immigration laws.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VERA FRANCES ELICKER

The Clerk called the bill (H. R. 621) for the relief of Vera Frances Elicker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration laws, relating to the issuance of immigration visas for admission to the United States for permanent residence and relating to admissions at ports of entry of aliens as immigrants for permanent residence in the United States, the provisions of section 3 of the Immigration Act of 1917 (39 Stat. 875), as amended (U. S. C., title 8, sec. 136 (e)), which exclude from admission into the United States "persons who have been convicted of or admit having committed a felony, or other crime or misdemeanor involving moral turpitude," shall not hereafter be held to apply to Vera Frances Elicker, who is the wife of Robert Lewis Elicker, an American citizen and veteran of World War II, on account of an offense alleged to have been committed abroad while she was about 18 years of age during her legal infancy and prior to her marriage in Australia to Robert Lewis Elicker. If she is found otherwise admissible under the immigration laws an immigration visa may be issued and admission granted to Vera Frances Elicker under this act upon application hereafter filed.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That notwithstanding the provisions of the eleventh category of section 3 of the Immigration Act of 1917 (8 U. S. C. 136 (e)), Vera Frances Elicker, the wife of a citizen of the United States who served honorably in the armed forces of the United States during World War II, may be admitted to the United States for permanent residence under the act approved December 28, 1945 (Public Law 271, 79th Cong.), if she is found otherwise admissible under the provisions of the immigration laws."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NICHOLAS G. KARAS

The Clerk called the bill (H. R. 1004) amending the act of October 14, 1940, entitled "An act to record the lawful admission to the United States for permanent residence of Nicholas G. Karas."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ROBSION and Mr. KEATING objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

WILMA E. BAKER

The Clerk called the bill (H. R. 326) for the relief of Wilma E. Baker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Wilma E. Baker, the sum of $3,879.70, in full settlement of all claims against the United States for personal injuries sustained by her on August 17, 1944, near Tigard, Oreg., when the car in which she was traveling was struck by a trailer being used and operated at this time by the United States War Food Administration.

With the following committee amendment:

Page 1, line 6, strike out "$3,879.70" and insert "$1,379.70."

Mr. DOLLIVER. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. DOLLIVER: Strike out "$1,379.70" and insert in lieu thereof "$1,579.70."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: At the end of the bill insert the following: *"Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EARLY O. HARDIN

The Clerk called the bill (H. R. 360) for the relief of Early O. Hardin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Early O. Hardin, Fresno, Calif., the sum of $5,000. The payment of such sum shall be in full settlement of all claims of the said Early O. Hardin for property damage sustained by him and for personal injuries sustained by his minor son, Francis Eugene Hardin, as the result of an accident on December 4, 1943, when a vehicle of the United States engineers caused said Francis Eugene Hardin to be struck at a time when said Francis Eugene Hardin was lawfully standing on the sidewalk at a corner of the intersection of York Boulevard and Figueroa Street, Los Angeles, Calif.

With the following committee amendment:

Page 1, line 5, after "appropriated", strike out the remainder of the bill and insert the following: "To the legal guardian of Francis Eugene Hardin, a minor, of Fresno, Calif., the sum of $3,664.73, in full settlement of all claims against the United States for property damage and personal injuries sustained by the said Francis Eugene Hardin, when he was struck by a falling signal light knocked from its standard by an army truck while he was standing on the sidewalk at a corner of York Boulevard and Figueroa Street, Los Angeles, Calif., on December 4, 1943, and for medical, hospital, and incidental expenses incurred in the treatment of said minor by reason of the injuries sustained by him in said accident: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the legal guardian of Francis Eugene Hardin, a minor."

A motion to reconsider was laid on the table.

MRS. ELIZABETH RAINGER AND OTHERS

The Clerk called the bill (H. R. 384) for the relief of Mrs. Elizabeth Rainger, Diane Rosser and Roberta Rosser, W. H. Baker, and Mrs. Katherine D. Wert.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to (a) Mrs. Elizabeth Rainger, of Beverly Hills, Calif., the sum of $12,645.23, in full settlement of all claims against the United States for the death of her husband, Ralph Rainger; (b) Diane Rosser and Roberta Rosser, minors, by and through their guardian and mother, Muriel J. Rosser, of Huntington Park, Calif., the sum of $5,113.61, in full settlement of all claims against the United States for the death of their father, Joseph R. Rosser; (c) W. H. Baker, of Williams, Ariz., the sum of $5,000, in full settlement of all claims against the United States for the death of his son, Clinton Baker; and (d) Mrs. Katherine D. Wert, of Glendale, Calif., the sum of $5,318.17, in full settlement of all claims against the

United States for the death of her husband, Charles M. Wert; said claims, and each of them, arising from an accident which occurred to an American Airlines, Inc., passenger airplane numbered NC-16017, in which said decedents were riding as passengers at or near Palm Springs, Calif., on October 23, 1942, when said airplane was destroyed as the result of a collision with an airplane of the United States Army Air Forces, of which Second Lt. William N. Wilson, United States Army Air Forces, was the pilot: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, after "to", strike out the remainder of page 1 and page 2 down to "pilot", in line 17, and insert the following in lieu thereof: "W. H. Baker, of Williams, Ariz., the sum of $1,000, in full settlement of all claims of the said W. H. Baker against the United States for the death of his son, Clinton Baker, and to Walter Baker, of Williams, Ariz., the sum of $81.55, in full settlement of all claims of the said Walter Baker for reimbursement of expenses incurred by him in connection with the burial of said Clinton Baker, whose death occurred on October 23, 1942, as the result of the collision of an Army airplane with a commercial transport plane of American Airlines, Inc., in which he was riding."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of W. H. Baker and Walter Baker."

A motion to reconsider was laid on the table.

CHARLES N. BEMIS

The Clerk called the bill (H. R. 428) for the relief of Charles N. Bemis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Charles N. Bemis, of Albany, N. Y., is hereby relieved of liability to the United States in the sum of $105.06, and the Secretary of the Treasury is authorized and directed to refund, out of any money in the Treasury not otherwise appropriated, to the said Charles N. Bemis any amounts heretofore paid by him on such indebtedness to the United States. Such indebtedness arose out of the shipment of household goods of the said Charles N. Bemis from Northfield, Vt., to Albany, N. Y., in December 1944, after his change of station as a civil-service employee in the United States Weather Bureau. The transportation charges for such shipment were paid by the United States while the said Charles N. Bemis was legally liable therefor because authority for such shipment had not been obtained within the time allowed by law after the change of station. Any disbursing officer of the United States who disbursed money in payment of the said transportation charges for the said shipment of household goods of the said Charles N. Bemis shall not be liable to the United States by reason of any such disbursement.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF ARCHIE S. WOODS, DECEASED

The Clerk called the bill (H. R. 444) for the relief of the estate of Archie S. Woods, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Archie S. Woods, deceased, of Rye, N. Y., the sum of $10,000, in full satisfaction of all claims against the United States for compensation for the death of Archie S. Woods, who died as a result of personal injuries sustained by him when the Navy vehicle in which he was riding as a passenger struck another vehicle while en route from Los Angeles, Calif., to consult with the commandant of the United States naval hospital at San Diego, Calif., on April 19, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$10,000" and insert "$5,664."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BLANCHE E. BROAD

The Clerk called the bill (H. R. 620) for the relief of Blanche E. Broad.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Blanche E. Broad, of Beaver Falls, Pa., the sum of $3,000, in full settlement of all claims against the Government of the United States for personal injuries and losses sustained by her as a result of a fall in the Capitol of the United States of America in Washington, District of Columbia, on May 31, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAWRENCE PORTLAND CEMENT CO.

The Clerk called the bill (H. R. 654) for the relief of Lawrence Portland Cement Co.

Mr. POTTS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CHARLES A. CLARK

The Clerk called the bill (H. R. 722) for the relief of Charles A. Clark.

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

HUNTER A. HOAGLAND

The Clerk called the bill (H. R. 723) for the relief of the legal guardian of Hunter A. Hoagland, a minor.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

J. F. POWERS

The Clerk called the bill (H. R. 811) for the relief of J. F. Powers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. F. Powers, of Newport News, Va., the sum of $500. The payment of such sum shall be in full settlement of all claims against the United States for personal injury, medical and hospital expenses, pain, and suffering as a result of injury sustained by Mary Elizabeth Powers, a minor, because of stepping into a terra cotta cut-off pipe in the rear of vacant Federal Public Housing Authority unit numbered 143, F Street, Copeland Park, Newport News, Virginia, on August 10, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMPENSATION INSURANCE FUND OF CALIFORNIA

The Clerk called the bill (H. R. 828) for the relief of the State Compensation Insurance Fund of California.

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

GEORGE CORENEVSKY

The Clerk called the bill (H. R. 914) for the relief of George Corenevsky.

Mr. DEANE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

FRED E. WEBER

The Clerk called the bill (H. R. 1064) for the relief of Fred E. Weber.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

PEARSON REMEDY CO.

The Clerk called the bill (H. R. 1068) for the relief of Pearson Remedy Co.

Mr. POTTS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

MRS. GEORGIA LANSER

The Clerk called the bill (H. R. 1091) for the relief of Mrs. Georgia Lanser.

Mr. DEANE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

EUGENE SPITZER

The Clerk called the bill (H. R. 1092) for the relief of Eugene Spitzer.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

NELLIE P. DUNN

The Clerk called the bill (H. R. 1494) for the relief of Nellie P. Dunn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nellie P. Dunn, of Richmond, Va., the sum of $1,507.88, the same being a refund of income tax erroneously collected for the taxable year of 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdeameanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, after the word "to", insert the words "the estate of."

Page 1, line 6, strike out the words "the same being a refund" and insert the words "in full settlement of all claims against the United States for the refund."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the estate of Nellie P. Dunn, deceased."

A motion to reconsider was laid on the table.

ISAAC B. JONES

The Clerk called the bill (H. R. 2094) for the relief of Isaac B. Jones.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Isaac B. Jones, of Washington, D. C., out of any money in the Treasury not otherwise appropriated, the sum of $9,000, which sum represents a portion of the loss sustained by the said Isaac B. Jones on the bail bond of Alfred Layton, who was afterward captured as a result of Jones' efforts, convicted, and sentenced on a charge of using the mails to defraud. The said sum of $9,000 being the amount of the forfeited bail bond after deducting the total cost to the United States, and is in accordance with the report and recommendation made by the Attorney General to the chairman, Committee on Claims.

With the following committee amendments:

Page 1, line 7, after "$9,000", insert the words "in full settlement of all claims against the United States."

Page 2, line 5, insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That concludes the call of the Private Calendar.

RECONSTRUCTION FINANCE CORPORATION ACT

Mr. RICH. Mr. Speaker, I call up House Resolution 145 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 2535) to amend the Reconstruction Finance Corporation Act, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. RICH. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH].

I yield myself such time as I may require.

Mr. Speaker, passage of this resolution would make in order the immediate consideration of H. R. 2535, a bill to amend the Reconstruction Finance Corporation Act. The situation this bill would remedy is simply this: The Reconstruction Finance Corporation was given the power to purchase surplus property for resale to small businesses under the Surplus Property Act of 1944. This function was originally vested in the Smaller War Plants Corporation, but was transferred to the Reconstruction Finance Corporation by Executive order effective January 28, 1946. The law under which the Smaller War Plants Corporation operated, expired December 31, 1946. The Comptroller General held that the authority to purchase surplus property for resale to small-business concerns expired with the law under which the Smaller War Plants Corporation operated, and it was his opinion that the power could therefore not be transferred to the Reconstruction Finance Corporation. The Attorney General, however, disagrees with this point of view, and holds that these functions and duties continue to exist as a matter of law beyond December 31, 1946, and may continue to be performed by the Government agencies which now exercise them without further issuance of an Executive order. In accord with the opinion of the Attorney General, the Reconstruction Finance Corporation processed approximately 50,000 applications from small businesses. The RFC has actually purchased and resold to small businesses approximately $54,000,000 worth of surplus property since January 28, 1946, when this power was transferred to it from the Smaller War Plants Corporation.

H. R. 2535 merely resolves by statute the differences of opinion of the Comptroller General and the Attorney General regarding this point of law.

The Committee on Banking and Currency was unanimous in its report on H. R. 2535, and I understand there is no objection to the bill from the Comptroller General or the Attorney General. Therefore, the Committee on Rules has provided but 1 hour of general debate on the measure. House Resolution 145 making in order consideration of H. R. 2535 embodies a general rule to which I think there should be no objection. Amendments to the bill may be offered under the 5-minute rule, and one motion to recommit has been provided should any objection arise to the bill.

Mr. Speaker, I reserve the remainder of my time.

WORLD IS ONCE MORE IN DANGER FROM FORCES OF DARKNESS AND DEATH

The SPEAKER. The gentleman from Illinois [Mr. SABATH] is recognized for 30 minutes.

Mr. SABATH. Mr. Speaker, I ask unanimous consent that I may proceed out of order for a few minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, today 9 years have elapsed since I made a speech on this floor calling attention to dangers approaching our Nation and the world. At that time I called attention to the tacit agreement and understanding then existing between Hitler, Mussolini, and the Japanese war lords. I pointed out that notwithstanding Hitler's claim that he was fighting communism, he actually was trying to dominate and control the world, in unholy alliance with Mussolini and the Japs; that he himself intended to be master of all Europe. I prophesied that not only would he take Austria, the Sudetenland, Czechoslovakia, Danzig, Poland, and other eastern and middle European countries, but would, because of disunity and internal betrayal in France, be able to bring about the conquest of France.

GREAT BRITAIN WAITED TOO LONG

I pointed out that Great Britain, feeling herself secure because she had secretly encouraged and collaborated with Hitler under Chamberlain and his Tory leaders, since his rise to power, and because she herself coveted no Russian possessions but wanted only Russia's growing strength and unity checked, had waited too long for her own good in preparing for Hitler's contemplated war to subjugate the people of Europe.

At that time I urged and advised the nations of the world, especially Poland, Czechoslovakia, Norway, Sweden, and all other small states of Europe to place no trust or confidence in Hitler's lying assurances; not to believe him, when he said that he wanted no more territory, and desired only to combat communism. I warned them all that his declarations of friendly intentions were not to be trusted, and that it was his positive intention, after having penetrated each country with his fifth column of quislings and traitors, to pick them off one by one. And I warned my own country, these United States, that the Hitler fifth column existed here and in every country of the Americas.

HISTORY PROVES TRUTH OF WARNINGS

That everything I said at that time, 9 years ago, was proved bitterly true by history is a matter of profound sorrow to me. That I was right is no comfort to me, and cannot relieve my brief.

If the nations of the world, and the people of the nations, had heeded my advice, and had taken united action, Hitler never could have succeeded in bringing about the penetration and defeat of most of the countries of Europe where his barbarous hordes overran the governments (except in those countries, like Franco Spain and Turkey, which indirectly collaborated with the Nazis) and murdered and destroyed, so that to stop his mad career of rapine and conquest cost the United States alone a million casualties and 4 years of production for war, lost forever to the pursuits of peace; while in the rest of the tortured world an estimated total of 20,000,000 lives were sacrificed to the Axis powers in their ruthless drive for supremacy.

I therefore most respectfully ask that I be permitted to insert in my remarks some excerpts from the speech I made 9 years ago, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. I hope that some of the Members, although I know, of course, how extremely busy all are, will read at least some of the excerpts from that speech. It should be a lesson to our enemies and a reminder to our friends. I warned our Nation, and I warned the people of the world, as I am warning the American people now, that we must be careful in our actions and not permit ourselves to be swayed by a few who constantly try to make us believe another war is inevitable, and who are willing to imitate the Hitler lies that our only danger is communism, which were effective, and enabled him to gain the support of the financiers of the world.

Mr. Speaker, I believe in America, and in the American way of life, and I believe that the American people can and will resist every danger to our way of living.

WHO INVITED GREAT BRITAIN TO GREECE?

As I said on this floor yesterday, and I repeat again today, it is my firm prayer that we will not be swayed or influenced by any nation, any militaristic country, to take arms and responsibility for pledges and promises which they never intended to fulfill when they made them.

The British now want only to unload their commitments and responsibilities onto us, since they have failed.

But now, may I ask, Mr. Speaker, who asked Great Britain to assume these alleged responsibilities? Who asked England to send tanks, troops, armored cars, warplanes, against a friendly nation, an ally, a victim, and one of the first and most pitiful victims of Nazi terror?

What spokesman of the Greek people, the fathers of democracy and freedom, asked Great Britain to reinstate this German princeling, George II, who has not one drop of Greek blood in his veins, by force of arms? What Greek wishes to continue the ruthless business domination of all Greek industry by British finance?

Why, if Great Britain cannot continue her subsidies of the despotic and undemocratic governments of Greece and Turkey, can she afford to maintain a standing army of a hundred thousand in Palestine at an annual cost of $160,000,000?

But I must not deviate.

GREAT BRITAIN INTRIGUED AGAINST RUSSIA

We must not allow ourselves to be made the catspaw for England in her centuries-old intrigue against Russia.

Between England and Russia is, and always has been, fundamentally the clash of empires. Time after time has England frustrated Russia's ambitions for a warm-water outlet for her commerce.

It is not my purpose to debate the merits of that conflict. I merely wish to state the facts. There has never been ease between the two empires. For countless miles across the Continents of Europe and of Asia their spheres of possession and domination run parallel.

When Hitler was preparing to set out on his bloody conquests, Russia was aware that England was prodding Germany, and was mindful of British intrigues against her.

Russia had not forgotten that in 1918 it was England who instigated the allied expeditionary force into Siberia in the effort to overthrow the new Russian Government. Russia knows from experience that England never hesitates to turn against an ally, even before the peace treaties are signed—as now—if she believes it will be to the advantage of the British Empire.

LET US HEED ADMONITIONS OF WASHINGTON AND OF JEFFERSON

I hope that the United States will continue to be the leading power of the world; that we shall be the arbiters between all those who are in discord; and that we can bring about a just and lasting peace which will insure not only prosperity but happiness and contentment to all people.

I hope that we will wholeheartedly support the United Nations, and not desert that ideal of world adjudication as we did the League of Nations; that we shall feed the hungry, minister to the sick and devastated, clothe the naked, and give moral support and even substantial aid to all people who truly desire freedom and liberty and the democratic way of life.

But it is my most fervent hope that we can do all this short of the cost of a single American life; and that we shall heed the admonitions of Washington and Jefferson, to enter into military alliances with none, but to remain friendly with all.

In accordance with the leave given me, Mr. Speaker, I insert at this point extracts from my speech on the House of Representatives on March 18, 1938, and I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

TODAY, PERHAPS MORE THAN AT ANY OTHER TIME IN ITS HISTORY, THE UNITED STATES OF AMERICA STANDS OUT AGAINST THE DARK AND STORMY SEAS OF RACIAL PERSECUTION, INTRIGUE, CONSPIRACY, AND JEALOUSY AS THE ONE AND ONLY ENDURING BEACON LIGHT OF HOPE

(Speech of Hon. ADOLPH J. SABATH, of Illinois, in the House of Representatives, March 18, 1938)

Mr. SABATH. Mr. Chairman, it seems to me that if an archangel were to come down from heaven and make an observation in the interest of peace, the gentleman from New York [Mr. Fish] would criticize it.

The gentleman from New York [Mr. Fish] continues daily attacks upon the President and every member of the Cabinet, with statements which strike me as "sound and fury signifying nothing." His charges are empty ones; his statements ridiculous.

It is not necessary that I defend the speech made yesterday by Secretary Hull nor the speech made at Chicago by the President. They both gave clear summaries of deplorable foreign conditions, and were intended to be deterents to militaristic nations. Both warned against a continued belligerency against small, peaceful, independent nations and the killing of innocent women and children, and carried to the peaceful democracies of the world an assurance of our deep interest.

It is to be regretted that there are other Members here who find it convenient for political purposes continually to criticize the efforts of our great President, and also today to criticize our great Secretary of State, the Honorable Cordell Hull. I had the honor and distinction of serving here with Secretary Hull many years. I have served here during the tenures of many able Secretaries of State, and Presidents, and I can honestly say that I never have met a more honorable, a more sincere, and a more devoted American, or a greater statesman than our present Secretary Hull. [Applause.]

Also unwarranted is the criticism by the gentleman from Texas [Mr. Maverick] that the Secretary of State yesterday appealed to the press for fair play. Instead of being criticized, Mr. Hull should be commended for his effort to obtain from the press fair treatment of the administration and the cause of peace.

Mr. MAVERICK. Mr. Chairman, will the gentleman yield?

Mr. SABATH. Yes.

Mr. MAVERICK. I did not criticize the Secretary of State. I said specifically that was all right, but I hoped the day would come when the Secretary might be able to make his speeches here.

Mr. SABATH. I am pleased with the gentleman's explanation. Unfortunately, as has been stated by the gentleman from New York [Mr. Snell], under present law the Secretary of State or any other member of the Cabinet cannot address the House. It might be well, perhaps, if we were to change the rules and make such a procedure possible.

WHY I AM SUPPORTING PENDING NAVAL BILL

Heretofore, Mr. Chairman, I have been against militarism and especially great battleships; but the conditions confronting the Nation today are such that I cannot help but follow the advice of this great Secretary of State; and for that reason I shall vote for and support the bill that is before us today. As I stated before, I have been for years against the construction of these great expensive battleships. I remember when the late distinguished gentleman from Alabama, Admiral Hobson, a member of the House, pleaded incessantly for battleships, pointing out the dangers that confronted us from Japan; I then ridiculed the idea, as I believed it was unwise to spend millions and millions on what I then designated as cowardly battleships that needed many auxiliaries, such as cruisers, destroyers, and minelayers to protect themselves at sea.

I feel, however, that I am not possessed of either the experience, the ability, or the technical knowledge possessed by the men who have devoted their lives to national defense. I do not feel that I am qualified to say to them that my judgment is better than theirs and should be followed. I have confidence in these men, believing they are just as loyal, just as patriotic, and just as desirous of protecting our Nation and our flag as any of us. [Applause.]

* * * * *

I myself have, as I have said, at all times opposed militarism in all its forms—the ambitions of the professional militaristic gentlemen and the unconscionable war profiteers. I never have lined up with their ambitious schemes; but I am for proper national defense.

* * * * *

Although I did not actively participate in the World War, yet during the trying days of 1917 and 1918 I endeavored, to the best of my poor ability, to alleviate the sufferings and heartaches of the mothers, wives, brothers, and sisters of our soldiers and abundantly to provide for our forces abroad and at home.

Subsequent to the war I was a stanch advocate of the League of Nations, which, I firmly believe, would have prevented international lawlessness or at least minimized all future danger of war.

Not until 1912, when I had the pleasure of obtaining the privilege of the House floor for Count Luetzow, ex-Austrian statesman who visited the United States to warn of the dangers of the approaching European war and advocate measures tending to universal peace, and shortly thereafter, when I heard the late President of the Republic of Czechoslovakia, Professor Masaryk, lucidly explain the aspiration of Germany to acquire by any means necessary not only control of middle western Europe and the countries of the Danube but also another outlet to the sea, did I really begin to give serious thought to the danger of the then approaching war.

EXPRESSED BELIEF IN SECRET CONSPIRACY 3 YEARS AGO

Three years ago I voiced belief that a secret or tacit agreement existed between Hitler, Mussolini, and Japan, but my warning went unheeded. The strategy practiced by those countries conformed exactly to that predicted by Professor Masaryk, who was intimately aware of Germany's ambitions.

In the Orient Japan pursued a course toward domination, apparently with preassurance that Italy and Germany would so engage the attention of the European democracies that interference in China would be impossible.

In Ethiopia Mussolini's war machine grinded to its conquest while Hitler's silence gave approval.

Internal dissent in Spain, nourished by the dictator countries, finally flamed into civil war, and the legions of Italian and German soldiers took stand in battle against the established government.

Hitler, demanding the return of Germany's lost colonies, only cloaked his purpose of European aggression, and it was long ago clear that he would one day climax the years of planned propaganda in Austria by an invasion of that country. His seizure of Austria is but a prelude of more ambitious plans. Peace- and liberty-loving Czechoslovakia, Rumania, Hungary, and the other small independent nations now see his shadow across their lands—Memel, Danzig, and the Polish Corridor, Alsace-Lorraine, and the much-desired Ukraine.

For the time being, engaged in consolidating his gains, he may utter reassuring words to Poland and Yugoslavia. But they have only to recall his utter disregard of treaties, and his oft-repeated statements as to his ultimate aims, to realize how necessary it is that they prepare to resist invasion, for invasion is bound to come.

IL DUCE MAY BE MAKING SAD MISTAKE IN TRUSTING HITLER

Whether Il Duce is as smart as he thinks he is in cooperating with the imperialistic-minded Hitler only the future will tell. But there are many sapient observers who have their doubts. They believe that Hitler will not hesitate to throw his new comrade, Il Duce, overboard when and if he becomes strong enough to be able to get along without him.

* * * * *

AMERICA MUST TAKE NOTE OF WHAT IS GOING ON IN THE WORLD

One may properly ask how does all this affect America? Who knows? In this fateful hour, with all the civilized world well-nigh breathless, I do not feel that we should follow the vacillating policy of Great Britain, who, in the opinion of many well-qualified students of international affairs, may be the next prey of the remorseless triumvirate. Many ripe scholars feel the suppression of Great Britain will mean the consummation of a plan to form three great powers outside of North and South America. I doubt very much that France, which is fighting domestic problems with her back to the wall, and Russia, despised by the capitalistic groups of the world, could, after the disappearance of the other countries I have named, long withstand being dismembered also. There is not the slightest doubt in my mind but that Hitler, Mussolini, and the raving-mad Japanese war lords are in a conspiracy to divide the entire world among themselves, or at least as much of it as they can manage to grab.

POLISH LEADERS SHOULD NOT FORGET TREATMENT ACCORDED POLES IN PRUSSIA

Great Britain, rather late, is commencing to realize its danger. Does Poland realize her danger?

The leaders in Poland might well hark back to other days, and consider the former treatment of Poles in Prussia. I remember in 1908 how Prussia prohibited, by edict, the teaching of the Polish language in their own schools, and how they proposed in their Parliament a compulsory dispossession of the homes of Polanders. For 2,000 years the Poles and their fathers before them had occupied this land, but notwithstanding and in contravention of the Congress of Vienna of 1815, and in violation of Prussia's organic laws prohibiting distinctions between citizens of the Kingdom, that Kingdom's Parliament even then showed its prejudice and discrimination against the Polish.

At the time I speak of, Congressman Arthur L. Bates, of Pennsylvania, was impelled to introduce into this House a resolution extending good wishes and sympathy to the Poles in Prussia in their efforts to maintain their property rights.

Recalling this, and viewing the present prejudice which governs in Germany, Poland should properly estimate the future insofar as her relations with that country are concerned.

AMERICA MAY NOT BE AS SAFE AS SHE FEELS

Up to about 12 years ago we confidently believed ourselves properly protected against possible attack from any and all quarters; but in view of the increased and ever-increasing knowledge of aviation and mammoth airplane carriers, are we really free from military danger?

If this nefarious triumvirate should effect the dismemberment of the great British Empire, what would become of Canada? Could we still feel free and at ease without present-day Canada?

Only a little while ago I read in the public press about concessions that had been or were contemplated to be granted by Mexico to Japan in Lower California. That recalled to my mind the tentative offe by Germany in 1917, in the Zimmerman note, to give Mexico a part of the United States if Mexico would join Germany, and the offer to Japan of the Philippine Islands in return for military aid. When those audacious offers were first brought to light it was thought they were sheer Allied propaganda, but we were convinced of the authenticity of these reports by documentary evidence that came into possession of our Government.

In view of all this, and our enemies within, I feel that it behooves us adequately to protect ourselves against even the remotest eventuality. I have heard it said with plausibility that if England had stated her position unequivocally in the early days of 1914, and if America had been prepared in 1916, these acts would have had a most salutary effect, and it would not have been necessary to send millions of our young men across the sea and expend billions of dollars. Consequently, and repeating, I feel that we owe it to ourselves to prepare for any, even the most imaginable possibility. Therefore I am ready to vote for the construction of a navy and an air force that will be unmistakably adequate for our proper defense.

DO NOT CLAIM TO BE MORE PATRIOTIC THAN THOSE WHO DISAGREE

It is not my aim to try to make anybody believe I am more patriotic than those who do not favor this increased naval plan. We

all recognize among that group a highly patriotic impulse. They, too, think their judgment would be better for the country. The only interest I have in the problem of national defense is the welfare of our whole country, to which I owe much and for which I am ready to give everything I possess. This great country of my adoption has been kind to me, and if I leave behind only one legacy, I want it to be a contribution, weak though it be, to the defense, not offense, and the promotion of the welfare of the land that made me whatever I am and gave me whatever I have.

Let me say that I feel a grave mistake was made by some of the political leaders of 20 years ago, who, for purely political purposes, prevented the United States from joining other peace-loving nations in a hopeful effort to outlaw war and all its frightful consequences by the League of Nations. That failure unquestionably weakened the League at the outset, and it has in no small measure destroyed its usefulness.

I well remember when President Wilson returned from his first trip to Paris and invited the members of the Senate Committee on Foreign Relations and the members of the House Committee on Foreign Affairs to the White House to hear his explanation of the League plan, because I was at the time a member of the Committee on Foreign Affairs. The only sitting members of the Committee on Foreign Relations are Senators PITTMAN and BORAH. I am the only sitting Member of the House who participated in that historic meeting.

Mr. Wilson made a confidential report to the members of these two committees, and in a 3-hour session he endeavored to obtain the advice and consent of those present. All present were asked to question the President on each and every provision, which many, as I recall, did, and all were apparently satisfied by the President's lucid and masterly exposition of the infinite possibilities of that great humanitarian plan. In addition to securing the advice and consent of the members of those two committees, Mr. Wilson consulted such eminent Americans and Republicans as former President Taft, former Secretary of State Elihu Root, and others, all of whom acquiesced in the President's conclusions. I especially remember that the chairman of the Committee on Foreign Relations of that time, Mr. Lodge, of Massachusetts, propounded to President Wilson many questions and appeared satisfied, yet a few months later, unfortunately, the same Senator Lodge who had given unmistakable assurance of accord with the plan, became, in his important official position, the spearhead, largely for political purposes, of the opposition to the League plan. It is a fact that there was opposition to the League of Nations, simply because it was the only issue Republican leaders of that day could evolve in opposing the Democratic Party. In this opposition they were aided by the disgruntled, vitriolic Jim Reed, then a Senator from Missouri.

It was alleged that the League Covenant provided for sending our boys across the sea; while in fact there was nothing in the League Covenant that justified such a conclusion. I maintained then, and I repeat, that the underlying opposition to the League, aside from the political consideration, was the objection of industrial leaders of the Nation to the international labor provisions, which provided, in article 20 of the Covenant of the League, that—

"The high contracting parties will endeavor to secure and maintain fair and humane conditions of labor for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations extend, and to that end will agree to establish as part of the organization of the League a permanent bureau of labor."

BELIEVE AMERICA'S MEMBERSHIP OF THE LEAGUE WOULD HAVE BEEN BENEFICIAL

I am confident today, beyond all doubt, that had the United States joined the League of Nations it would have strengthened and preserved the League in full vigor and effectiveness and we would not have present-day conditions, with all democracies of Europe either destroyed or on the verge of destruction. I still believe that under the terms of the League Covenant we could have precluded the mad rearmament race by close adhesion to and renewal of the provisions of the Washington Arms Conference after the 10-year limit, to the lasting benefit of all civilization. At the conclusion of the Washington Arms Conference the United States felt fairly easy; and it was only our absence from membership in the League that led first Germany, then Italy, and, shortly thereafter, Japan to withdraw from membership in the League. Then trouble began. The plot thickened.

Moreover, I feel that if Great Britain and France had taken a firm stand against the initial rearmament of Hitler, Mussolini, and Japan, and had not been lulled to sleep by undependable peace assurances, they would have been in position 2 years ago to stop Mussolini and Hitler in their mad rush toward a menacing world conquest. Should we, then, follow the vacillating and always unloading policy of Great Britain or should we be ready to properly defend ourselves and our possessions against any and all?

I LIKE TO FEEL THAT I CAN CHANGE MY VIEWPOINTS IN ACCORDANCE WITH CHANGED CONDITIONS

And so, in conclusion, let me say that in view of the alarming world conditions to which I have alluded, I shall vote and work for the passage of the pending bill. This may be surprising to some of the critics who have accused me of being a pacifist, charging that I was against adequate national defense; but let me say to them it is not they who have changed my view. I was just as conscientious when I opposed large Army and Navy appropriations in past years as I am conscientious today in supporting this bill. I have changed my views because and only because world conditions have changed. When I get so old or so benumbed of brain and character that I cannot change my view in accordance with changing conditions and a changing world, it is time for me to be carried out feet first, and I want to be.

I have criticized conditions and things at times, and I shall do so again whenever I see anything that I think merits criticism. But I love this country. I will vote any amount of money necessary to protect it from enemies either within or without. Today, perhaps more than at any other time in its history, the United States of America stands out against the dark and stormy seas of racial persecution, intrigue, conspiracy, and jealousy as the one and only enduring beacon light of hope.

I am grateful to the people of my district for having permitted me for so many years to be a Member of this great American Congress, the greatest democratic legislative body on earth, wherein every man is accorded the unfettered right to say what he pleases. Let us strive to preserve and promote this priceless heritage for ourselves and posterity. I do not expect to be here forever, but I do want the Stars and Stripes and a democratic form of government to endure here forever.

GRATIFIED BY EFFORT TO HELP SMALL BUSINESS CONSTRUCTIVELY

Mr. SABATH. Now, Mr. Speaker, as to the resolution, I am indeed gratified that the committee has recommended this legislation and that I have been able to join the members of the Rules Committee in reporting out this rule which makes in order a bill to aid the Nation's small businesses. Frequently you have heard me plead for small business. We have adopted legislation before intended in the interest of small business; but unfortunately we have not as yet succeeded in bringing about that help, that cooperation, and that assistance to small businessmen of this country which should be the wish of each and every one of us and that I have hoped we would be able to bring about.

Notwithstanding the antitrust and fair-trade laws, the big trusts and combinations which seem unfortunately to control American business are so avaricious that they are ready and willing to remove all independent dealers and manufacturers in our land and thus destroy free enterprise. It should be our duty to continue to aid those who actually need our help. This action on our part does not mean helping big business; it means help to small business. That is what the bill provides, help against the combined large industries which today control, as they have for such a long time, the major portion of our production and of our business, and which, while we were winning World War II, swallowed up 1,800 independent establishments.

Mr. Speaker, I reserve the balance of my time.

Mr. RICH. I have no further requests for time, Mr. Speaker.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. WOLCOTT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2535) to amend the Reconstruction Finance Corporation Act.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 2535, with Mr. CASE of South Dakota in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. WOLCOTT. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this bill is rather an urgent matter. It was introduced by the gentleman from Missouri [Mr. PLOESER] on March 13, and the committee considered it and reported it out the following day, March 14.

It, in effect, continues the authority which the Reconstruction Finance Corporation has been exercising for some time with respect to the purchase sale and financing of smaller war plants. By reference to the report, which is very short and clear, you will find that the function which has been exercised by the Reconstruction Finance Corporation originally was vested in the Smaller War Plants Corporation. Under executive order that power and authority was vested in the Reconstruction Finance Corpora-

tion. The Smaller War Plants Corporation expired by operation of law on December 31, 1946, and the Attorney General gave an opinion at that time that notwithstanding the expiration of the life of the Smaller War Plants Corporation the power continued in the Reconstruction Finance Corporation to perform the functions with respect to smaller war plants which the Smaller War Plants Corporation had been exercising. Later, however, the Comptroller General gave an opinion that the Reconstruction Finance Corporation was without present authority to exercise those powers.

So this bill vests in the Reconstruction Finance Corporation the powers formerly exercised by the Smaller War Plants Corporation in the acquisition and disposal and financing of the smaller war plants. To validate the commitments which have been made previous to the opinion of the Comptroller General and since the termination of the power vested in the Smaller War Plants Corporation, the committee has offered an amendment to make the bill retroactive to January 1, 1947.

I should make it clear that the Reconstruction Finance Corporation expires on June 30, 1947, and the authority we are giving the Reconstruction Finance Corporation under this bill of course expires on that date if the Congress does not continue the life of the Reconstruction Finance Corporation beyond that date. In the meantime, the House Committee on Banking and Currency will have hearings on whether we are to extend the life of the Reconstruction Finance Corporation, and of course we will give consideration to whether this particular activity shall be continued beyond June 30, 1947, even though the Reconstruction Finance Corporation is continued.

Mr. BROWN of Georgia. Mr. Chairman, my colleague the gentleman from Michigan [Mr. WOLCOTT] has fully explained this bill. It was reported by the committee without a dissenting vote. It is an emergency measure. If we expect little business concerns to get any surplus property this bill must be passed. It is important.

The Comptroller General about a week ago ruled that the RFC must discontinue the exercise of its priority in the purchase of surplus property for resale to small business concerns. The purpose of this bill is to allow the RFC to make available to small business concerns the priority of purchase of surplus property as provided in the Surplus Property Act of 1944 and to give the Corporation authority to make or guarantee loans to small business in connection with certain surplus property, which authority the Corporation thought it had until the ruling of the Comptroller General of March 10. The 3,500 applicants, whose applications are now pending, should be accommodated at once, and I am informed similar applications are coming in at the rate of over 2,000 per month.

The RFC has purchased and resold to small business nearly $54,000,000 worth of surplus property, and, as stated by the author of the bill, the competitive position of small business must be maintained as long as the general priority system is in effect with respect to surplus property.

I desire to congratulate the author of the bill for the interest he has taken in this matter since the ruling of the Comptroller General became known. I am sure the business people of this country, especially those who, for lack of funds, were not in position to take advantage of the opportunity to purchase the surplus property offered for sale, appreciate his efforts.

I think everyone, on account of the emergency at this time, hopes the bill will be passed without further delay.

Mr. Chairman, I yield 7 minutes to the gentleman from North Carolina [Mr. FOLGER].

Mr. FOLGER. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOLGER. Mr. Chairman, in reference to the pending measure, I am sure there will not be any objection to it. I congratulate the gentleman from Missouri [Mr. PLOESER] on his industry and interest in bringing the matter before the Congress. It is of the highest importance. I of course am highly gratified that the bill is before the House. I think it is necessary.

Mr. Chairman, I have asked permission to proceed for a few minutes out of order. As far as the bill now under consideration is concerned, my remarks are not further addressed to that subject: But I am asking the question, Whither are we going?

Our country had its beginning in opposition to tyranny and oppression. It is written in our Constitution that that instrument is founded on the ideal of freedom, domestic tranquillity and the general welfare. These to ourselves and our posterity.

We believe in democracy: We would that all nations should accept it. By precept and example, we are under a moral obligation, in our opinion, to offer the ideal to all nations. We believe it will be best for them and make them happier.

But when did it become our privilege to demand its acceptance at the point of the sword? What hope have we, or can we have, that this liberty, this freedom, this democracy may be imposed by force?

We regret that Greece, as is told, in a time of impotency and distress, was offered no choice except a choice between a totalitarian and Fascist regime on the one hand and Communist control on the other. They did not choose either, but, of necessity, acceded to the imposition of a kingship, rather than fall to communism. It is to be admitted that under the King and an unrepresentative, discredited parliament they can have no democracy. That word is derived from the Greek language, meaning the rule and authority of the people.

They no doubt desire this for their government. If it is likely that any presumptuous power threatens denial of this right, the time has come for the United Nations organization to step in. It is charged by some, and denied by others, that Great Britain has somewhat to repent of; that when the elections in Greece were not so long ago held, Great Britain, by military power, actually present in Greece, forced an incompetent king on Greece, with a parliament uninterested in the welfare of the people, and strangers to democracy.

It is charged that the people had only the choice to accept this king, with his Fascist regime, on the one hand, or communism on the other; that they, therefore, bowed to the former rather than to communism.

M. Sophianopoulos, former Greek Minister, told the American Foreign Policy Association, recently:

> That in the interest of the whole country the King should dissolve this unrepresentative and discredited parliament.

The King did not do this. Why not the United Nations handle this matter? While we, if necessary, furnish these people food and clothing and shelter. I agree we cannot let them starve. But I do not want to shoot them—any of them. If the people in Greece are in such a pitiable plight, under their present government, that they will turn to communism, their condition is most deplorable. Have their masters—rulers—been so Fascist-minded as to drive them now to that which they disdained in a former election? Why has a foreign army been needed or required to make them endure the government they have had? What sort of King, with his appendages, is it they have had to bow to?

Why not let the United Nations organization honestly investigate and advise? Have we, in this country, gotten to the point where all you have to say to bring us to any sort of ill-advised, extreme measures is "Communist"?

As among our own people, is it true that in the minds of some, unless a man is a reactionary, a Tory, and an isolationist, all rolled in one, he is a Communist?

Those in China who revolt against the militaristic Kuomintang Fascist regime are not regarded as engaged in a revolution against such totalitarian authority, but are dismissed as Communists; and that's as far as inquiry goes. Except for the honest report made by Gen. George Marshall.

So far as I am concerned, I am not ready to vote for something that may send our boys into another war, to perpetuate intolerable Fascist authority anywhere; and this in spite of my opposition to communism for any people. Let us offer them democracy, with all the word implies. That is a sure cure for totalitarianism and communism, too. But let us offer democracy in a democratic way.

Practically speaking, let us send these people food; and put the United Nations organization to work; and let them tell all nations to stay out while the job is being done.

Through the United Nations our voice and warnings may be heard; and we, as others, can say, "We are proceeding, but

in an orderly way, and the integrity of United Nations is preserved."

How do we become policeman of the world? Are we to drop the United Nations organization and proceed to do all the things at once it was formed to do? I fail to see reason in this. Maybe I just need to be enlightened.

Mr. WOLCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. PLOESER].

Mr. PLOESER. Mr. Chairman, I intend to be brief but I think there are some things which might well be said to clarify the record and the bill.

First, I want to read to the Committee section 18 (e) of the War Surplus Property Act:

(e) The Smaller War Plants Corporation shall have the power to purchase any surplus property for resale, subject to regulations of the Board, to small business (and is empowered to receive other property in exchange as partial or full payment therefor), when in its judgment, such disposition is required to preserve and strengthen the competitive position of small business, or will assist the Corporation in the discharge of the duties and responsibilities imposed upon it. The provisions of subsections (a) and (c) of section 12 shall be applicable to purchases made by the Smaller War Plants Corporation under this subsection.

This power was extended when the President dissolved the Small War Plants Corporation. It was extended to the RFC, and the RFC continued to practice that privilege and power until the General Accounting Office ruled against them last week. The expiration of the SWPC charter December 31, 1946, was the basis for the ruling.

This bill does nothing more than reinstate the power which did exist and which did so much good in permitting smaller businesses to obtain this surplus property. It has no effect on the life of the RFC. I believe, in addition, it ought to be said in the case of emergency, such as this, the Committee on Banking and Currency, as well as the Committee on Rules, should be highly complimented on the way they have worked. This bill was introduced last Thursday. It passed out of the Committee on Banking and Currency Friday morning and out of the Committee on Rules yesterday morning and is before us today. If it had not been for the splendid cooperation of the gentleman from Michigan and the gentleman from Georgia and other members of the Committee on Rules who have cooperated so splendidly, this well could have gone on for several weeks to the great injury of thousands of small business organizations.

Mr. COUDERT. Mr. Chairman, will the gentleman yield for a question?

Mr. PLOESER. I am happy to yield to the gentleman.

Mr. COUDERT. I take it that this bill imposes no time limitation upon the exercise of that power by the RFC except the time limitation of the RFC itself?

Mr. PLOESER. Yes, and that is June 30, 1947.

Mr. COUDERT. The reason I asked that, Mr. Chairman, is because I understand there is pending in both Houses a bill to extend the power of the Federal Reserve banks to extend or guarantee loans to small businesses. I wonder if there is any duplication involved in this or a conflict—if the gentleman knows.

Mr. PLOESER. No, there is none whatever. As I said before, this merely reinstates the authority which the RFC has been exercising since the Executive order transferring the Smaller War Plants Corporation's duties and authorities. This lasts merely for the life of the Reconstruction Finance Corporation. It is not any additional authority. It is a reinstatement of authority which evidently became illegal on March 10 or 11.

Mr. Chairman, I yield back the remainder of my time.

Mr. WOLCOTT. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Chairman, I believe that all Americans would sacrifice in order that the hungry be fed, that those without shelter be housed, and those without clothes receive them. But it seems to me that as we begin to consider what doubtless will become known as the Greek deal—we should deliberately separate the question of food, clothing, and shelter from what the President has asked the Congress to do.

President Truman stated that the Greek situation was only one aspect of a world-wide global situation. In effect, he stated that we must be prepared to support, to finance, to sustain, economically and militarily, any government anywhere in the world whose overthrow or change might point that nation or people in the direction of communism.

Now, Mr. Chairman, President Truman is not asking us to give him $400,000,000 to play around with in Greece and Turkey. On the contrary, he is asking us to support and adopt as a national policy the commitment to underwrite in an unlimited manner the status quo throughout the world.

Mr. Chairman, I want to ask the question: What is encompassed within this policy? If we appropriate for Greece and Turkey this initial $400,000,000, does it mean that upon similar requests from the British and Greek Governments or the Turkish Government that we in good faith have committed ourselves to a continuing policy in regard to similar appropriations in the future?

Let us take it a step further.

If the British ask us to assume their commitments in Italy, Austria, France, Belgium, Holland, and Western Germany, have we in principle committed ourselves to assume those obligations?

I believe that this is a very real question because obviously this entire area of Europe will not be stably reconstituted on the old prewar basis.

I would like to ask a further question. In respect to Asia as a whole, do we, by granting this appropriation and the powers which the President has requested—do we commit ourselves financially and militarily to the maintenance of British rule in Egypt, Palestine, Irak, Iran, India, Burma, and the Malay Peninsula? This is not an idle question, Mr. Chairman, because the British obviously are not able to meet their economic, financial, or military commitments any longer anywhere in Europe or in Asia. The British Empire, built up over several hundred years as a method of securing markets and exploiting subject peoples, is at an end. Have we committed ourselves to assume these responsibilities when we vote the appropriations for which the President asks?

In brief, Mr. Chairman, what are the implications of this global policy for which President Truman has asked $400,000,000? Where does it end and what will it cost? Perhaps someone may feel that I am a penny pincher in regard to the taxpayers' money by asking these questions. If so, let it be said now that I am a penny pincher in protecting the Public Treasury. What will this global policy cost, Mr. Chairman? For example, suppose that we budget Greece and Turkey at one billion per year.

Suppose we then budget western Germany at a minimum one billion per year. Now let us put in another billion, roughly, per year for France, Italy, Belgium, Austria, and Holland.

Let us then add two billion per year for the remainder of the British Empire in Asia and the Middle East. So far, this comes to five billion per year, with no end in sight, or time limit set. Such an estimate, of course, does not include the funds which will be needed in regard to Japan, the Philippines, or China. For if we were to undertake Mr. Truman's Greek policy in respect to Japan and China, it would doubtless cost us an additional two or three billion dollars a year. You will note that I have not mentioned South America, which today is in a constant process of social and political change.

Mr. Chairman, what does this policy cost? Where will it lead? What does it include? What is contemplated by this policy? A taxpayer wants to know the answers to these questions, and I wish to submit them now, publicly, here in the House, to our State Department.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

The CHAIRMAN. There being no further requests for time, the Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That section 5e of the Reconstruction Finance Corporation Act, as amended (U. S. C., 1940 ed., title 15, sec. 606a), is amended by adding at the end thereof the following:

"(d) (1) The Reconstruction Finance Corporation shall have the power to purchase any surplus property for resale, subject to regulations of the War Assets Administrator or his successor, to small business (and is empowered to receive other property in exchange as partial or full payment therefor), when in its judgment, such disposition is required to preserve and strengthen the competitive position of small business, or will assist the Corporation in the discharge of the duties and the responsibilities imposed upon it. The purchase of surplus property under this subsection shall be given priority under the Surplus Property Act of 1944, as amended, immediately following transfers to Government agencies under section 12 of such act, as amended, and disposals to veterans under section 16 of such act, as amended. The provisions of section 12 (c) of the Sur-

plus Property Act of 1944, as amended, shall be applicable to purchases made under this subsection.

"(2) The Reconstruction Finance Corporation is hereby authorized, for the purpose of carrying out the objectives of this subsection, to make or guarantee loans to small business enterprises in connection with the acquisition, conversion, and operation of plants and facilities which have been determined to be surplus property, and, in cooperation with the disposal agencies, to arrange for sales of surplus property to small business concerns on credit or time basis.

"(3) For the purposes of this subsection the terms 'surplus property', 'Government agency', and 'disposal agency' have the same meaning as is assigned to such terms by section 3 of the Surplus Property Act of 1944, as amended."

With the following committee amendment:

Page 1, line 3, after the word "That", insert "effective as of January 1, 1947."

The committee amendment was agreed to.

The CHAIRMAN. Are there further amendments?

There being none, under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CASE of South Dakota, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 2535) to amend the Reconstruction Finance Corporation Act, pursuant to House Resolution 145, he reported the same back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

The SPEAKER. Under the previous order of the House, the gentleman from Nebraska [Mr. BUFFETT] is recognized for 30 minutes.

IS TRUMAN PLAYING INTO STALIN'S HANDS?

Mr. BUFFETT. Mr. Speaker, Mr. Truman demands large-scale American intervention in the political, economic, and military affairs of the Balkans. He tells us other lands must have similar intervention.

This proposal prompts me to repeat a comment by Lord Welby, once Treasury head for England. Shortly before World War I started the British Empire toward liquidation, Lord Welby declared:

> We are in the hands of an organization of crooks. They are politicians, generals, manufacturers of armaments, and journalists. All of them are anxious for unlimited expenditure, and go on inventing scares to terrify the public and to terrify Ministers of the Crown.

Probably Mr. Truman's demand does not reflect the kind of scare Lord Welby reported. And so, it may have another origin. Could that origin be that American intervention in Greece has been craftily connived for by the Kremlin, and that Mr. Truman has swallowed the bait?

At the outset, Mr. Speaker, I want to make one fact clear. I am not happy talking about foreign affairs. I would prefer to leave that field to others.

But as an American, I am ashamed and appalled by the recent record of failure in foreign affairs. So I cannot remain silent while new and more ghastly blunders are concocted.

A TRAGIC RECORD OF FAILURE

Truly no one could possibly have handled our foreign affairs much worse than the present administration. It is tragic to have to confess that American blood and treasure was used to deliver into communistic tyranny the lands of Poland, Estonia, Latvia, Lithuania, Czechoslovakia, Yugoslavia, Rumania, Bulgaria, Albania, Hungary, Manchukuo, and large parts of Germany, Austria, Finland, China, Korea, and Japan. But it is true.

Even yet it is hard to believe that 400,000 American boys died for the Atlantic Charter and that instead their sacrifice was used to expand communism over two continents.

Mr. Speaker, it is impossible to assess the enormity of this failure. A man from Mars reviewing it would come to one or the other of two conclusions—either our Government has been in the control of Communists, or it has been in the hands of terribly stupid people completely fooled by the Communists.

As the first conclusion would indicate unlimited treachery and treason, it must be ruled out. Left with the second alternative—that the administration has been terribly stupid and misled—we must consider the present Truman demands in the light of that record.

Lacking only the former head man and some minor characters, the present administration, including its Republican collaborators, is the same assortment of officials that have steered America to the brink of chaos. Surely then we must examine their schemes now with the utmost skepticism.

DOES THE LEOPARD CHANGE ITS SPOTS?

Mr. Speaker, for 14 years the New Deal party brazenly carried water for communism in America and throughout the world. Now we are asked to believe that overnight it has changed into the world-wide champion of anticommunism.

While welcoming administration professions of anticommunism, Congress and the people should remember that the Good Book says, "By their fruits ye shall know them." A management which has committed 14 years of blunders for communism is hardly qualified, because of an almost overnight reformation, to be given a blank check for a crusade against communism.

Mr. Speaker, suppose this intervention proposal fits right into Stalin's plans? If American intervention in the Balkans is what the Communists want, we had better learn that fact now.

Most all Americans are agreed now on the dangers of communism. Some of us have been concerned about communism for a long time. Our warnings and our efforts, such as my amendment to prevent post-war lend-lease from going to Russia and others, were ignored.

But now is not a time for recriminations. It is a time to carefully appraise our position and chart our course. The decision involves unlimited consequences. Our intentions do not matter. The consequences follow automatically.

To get a clear understanding of our present situation, we must go back a long way. When our leaders precipitated us into World War I, they thereby committed us to the one lasting consequence of that war. What was that consequence? The establishment of communism in full control of a powerful government—Russia.

NEW DEAL SPARKS COMMUNIST EXPANSION

Following this initial victory, we did not hear much about communism between 1921 and 1933. But when the New Deal took over in 1933, it was not long until Roosevelt gave communism a tremendous boost by official recognition.

This recognition enabled communism to begin to expand its activities, both in Europe and America. At that time the Communists were secretly promoting World War II. Finally Stalin's deal with Hitler precipitated the conflict.

When Hitler attacked Russia in 1941, Roosevelt immediately pledged the Communists unlimited materials from America, with no questions asked and no pledges made in return. Billions of our resources went to Russia. But Russia's hostility toward us never lessened. Many of our officials knew of this continuing hostility, but kept that fact from our people.

Many strange things happened. America's then No. 1 Communist, Earl Browder, was in the Federal penitentiary for violating our statutes. The New Deal pardoned him. All through the war the New Deal high command, both civilian and military, catered to Russia's every whim and every demand. War materials reportedly went to Russia ahead of the necessities of our own troops.

But she returned less in reverse lend-lease than we received from the Fiji Islands.

The Communists saw that the longer the war lasted the greater would be their victory. Accordingly, they cunningly insisted on the barbaric demand for unconditional surrender to prolong enemy resistance.

REAL WAR TRIUMPH WAS STALIN'S

When hostilities ceased, we had the momentary elation of a great military victory. But the real triumph was Stalin's—achieved with the aid of 400,000 Americans who died believing they were fighting for the Atlantic Charter.

Even after VJ-day, our foreign policy remained perfectly attuned to the wishes of the Kremlin. Using human distress in Europe as the bait, Communists promoted UNRRA, with Uncle Sam paying the bill.

Whatever the intentions were, UNRRA added to Stalin's conquests. Congress had been specifically warned that UNRRA would enable Stalin to extend his mastery over Europe. But the New Deal Congress, aided by the failure of the Republican leadership to explode this scheme, voted almost $3,000,000,000 of the savings of the American people for this arsenal of communism.

Our postwar policy in Germany also carried out the desires of the Kremlin. The Morgenthau plan and the official hate-the-German doctrine were Moscow approved and enabled the Communists to woo the German people. The New Deal party carried out Moscow's order.

NOVEMBER ELECTION FORCES CHANGE IN STRATEGY

Then last November a titanic ballot-box uprising took place in America. The American people demonstrated overwhelming opposition to a foreign and domestic policy which, knowingly or unwittingly, was following the Communist Party line.

So the conspirators in the Kremlin had to revise their strategy for world conquest. Let us visualize the reaction of the top Communists to our election. Stalin knew that direct handouts from America were over. He also knew that America was entirely too strong to challenge militarily; so what should he do in his unswerving objective of world domination?

Surely, Stalin would determine that he must reverse his tactics here to continue his conquests. Perhaps his mind would recall the famous prediction of Huey Long, who declared that "if fascism ever comes to America, it will come in the name of antifascism."

What better tactic could Stalin now develop than to promote communism in America in the name of anticommunism? This tactic, of course, would require the continual creation of communistic scares outside America.

Likewise, if he were to exhibit traditional Russian cunning, an historical Russian tactic would suggest itself to him. He would recall how Czar Alexander I sucked Napoleon into advancing to Moscow, and how that over-extended position so depleted Napoleon's strength that later he toppled easily at Waterloo.

Then Stalin might smile as he recalled Hitler's 1,500-mile supply line to Stalingrad. He would remember how the devouring logistics of that far-flung position decimated Hitler's military machine. So, Stalin would determine that he must keep America overextended and off balance.

AMERICA "OUT ON LIMB"

That would be the political strategy, just as it always has been a favored Russian tactic. He would needle us and play hit-and-run infiltration wherever America could be sucked in, especially remembering, of course, our continued willingness to aid the outposts of the British Empire.

This strategy would have another especial value to Mr. Stalin. With American attention on an external campaign against communism, his army of stooges in the New Deal could quickly be enrobed in a concealing mantle of anticommunism.

So, besides involving the American people in bankrupting commitments abroad, a communistic drive would divert suspicion and attention from Stalin's agents in the New Deal.

This scheme would make use of the tactics long used by subway pickpockets. Do you remember that trick? It was for one thief to concentrate the victim's attention by frontal shoving and jostling, while the thievery was carried out by the accomplice in the rear. He picked the pocket while the victim's attention was on the disturber in front of him. It is a simple trick, but Mr. Stalin has apparently been dealing with simple minds in Washington.

Mr. Speaker, it appears that the Communists have started this strategy, and that Mr. Truman and his advisers have been taken in. He proposes to send large amounts of military aid to Greece and Turkey. Most certainly we will apparently stabilize the situation there for awhile. Probably the Communists will fold their tents like the Arabs and silently steal away

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. BUFFETT. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Is the gentleman intimating that the Communists are going to quit?

Mr. BUFFETT. Oh, no; just wait until the next paragraph.

UNCLE SAM, INTERNATIONAL FIREMAN

Then after we have spread ourselves in Greece and Turkey, and our leaders are patting themselves on the back for their successful firm stand, a new alarm will come in. Communistic outbreaks will be reported serious in another area. We will rush to that alarm. A billion-dollar call will come from Korea. There will be renewed demands from China.

All over the world we would soon be answering alarms like an international fireman, maintaining garrisons, and pouring out our resources. Our position would become more over-extended than Hitler's was at the height of his conquests—if it is not already.

In the meantime, what will have happened at home? Economy plans will have generally gone up in smoke. The futility of then attempting to stop the reckless spenders, aided by the sly inside agents of the Kremlin, would quickly become apparent to all. In the pattern developed through the war years of deficit spending, this administration combination would dress up every spending scheme as vital in their anti-Communist program.

Attempts at economy would again be smeared as reactionary efforts to save dollars at the cost of the lives of American boys. Patriots who try to bring about economy would be branded as Stalin lovers.

The misery of the people, from continued militarism and inflation, would soon become unbearable. As their anguished protests became vocal, the shackles of regimentation and coercion, so lately thrown off, could be refastened in the name of stopping communism at home.

Of course, all this spending over the world will both make certain and hasten a financial collapse in America—an economic Pearl Harbor. That is the ultimate goal of the current Red needling.

INFLATION—COMMUNISM'S SECRET WEAPON

Stalin knows, as Lenin taught him, that the surest way to overturn an existing social order is to debauch the currency. When the President mentioned inflation in Greece, he unconsciously touched on the very condition which Stalin is counting on to give the communists victory in America.

And so, Mr. Speaker, if America is now sucked into a state of undeclared war in Greece and other places, we would seem to be paving the way for world triumph of communism. In World Wars I and II our noble objectives vanished when military victory was won. So it will be again if we take the road to war.

We will again learn too late the truth of William Graham Sumner's words:

When a war is begun, it will run its course and bring its consequences. What the intention was makes no difference.

PARTIAL LIST OF CONSEQUENCES

But, Mr. Speaker, we should consider now what some of the ultimate consequences would be. Here are a few of the probable results:

First. Truth-telling would generally disappear in radio, press, and movie. The totalitarian tactics of smear, censorship, and lying propaganda would overwhelm those who resist. Those Americans who correctly anticipated the communistic victory in World War II were politically crucified and silenced in most cases. The same terrorism will happen again if we are now maneuvered into thinly veiled armed conflict with Russia.

Second. Military conscription would soon be demanded to fill the ranks of garrisons for Palestine and the Near East oil fields.

Third. Laboring people would be in danger of a labor draft like President Truman wanted last May. As inflation mounted, class struggle, which the Communists have never yet been able to create in America, might rapidly develop. Every hidden force of inflation would be adding to the distress of the people—as far-flung military and economic operations exhausted our economy.

Fourth. OPA regimentation and coercion would be reimposed under the old forms or in some new sugar-coated version.

Fifth. GI benefits of World War II, when added to these new foreign handouts, would soon be an almost impossible financial load for the budget. Postponement by a moratorium, or serious dilution by inflation, could follow.

Sixth. Outstanding war bonds would probably be largely frozen in the hands of their owners.

Seventh. Within a few years our currency would become so diluted by inflation that it would have only a fraction of its 1939 purchasing power.

Eighth. Then the condition having been created here that Mr. Truman described in Greece of "savings wiped out by inflation," the people, beaten and bankrupt, would be ripe for a Communist dictatorship.

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield?

Mr. BUFFETT. I yield.

Mr. SMITH of Ohio. The gentleman is presenting a problem which we ought to consider very carefully. The gentleman spoke of the likelihood of a commu-

nistic dictatorship developing. Does the gentleman agree with me that the dictator might not be an American?

Mr. BUFFETT. Yes; that is entirely possible.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. BUFFETT. I yield.

Mr. HOFFMAN. Along the line of what the gentleman from Ohio [Mr. SMITH] was saying, we have not had an American foreign policy which originated here for 10 or 12 years.

Mr. BUFFETT. My remarks take recognition of that possibility.

Mr. HOFFMAN. As I got it, he, the gentleman from Ohio [Mr. SMITH] was suggesting that this dictator might come from abroad. My understanding is that our foreign policy has been coming from abroad through the British Empire for something like 10 years. If I am wrong, I would like to have the gentleman from Ohio correct me.

Mr. BUFFETT. As these consequences began to unfold, all effective political opposition would end. In fact, passage of this scheme, when added to the humbug Presidential campaigns of 1940 and 1944, might indicate that one-party Government has already been largely accomplished.

The smear terrorism long used by the New Deal would be directed against every patriot who resisted successive moves in this so-called anti-Communist drive.

Mr. Speaker, I appeal to the Members of this House to think long and earnestly before they vote us into a probable Stalin trap—either the immediate one in Greece or later ones which may be skillfully concocted to get us out on a limb everywhere.

PROBABLY POLITICAL EXPEDIENCY HAS TEMPTED ADMINISTRATION

I am afraid the Truman high command has been tempted by the domestic political attractions abounding in this scheme. It seems to enable them at one stroke to apparently cast off their long-ingrained Communist taint and simultaneously shift the blame for 14 years of inflation.

This scheme would lay the inflation headache right in the laps of the Republicans. Truman could then say that the end of OPA, not the foreign hand-outs, brought skyrocketing price levels. The Republicans could not point out that excessive foreign hand-outs caused the inflation, because they would be recorded in favor of that policy. So the Balkan deal seems made to order to revive the New Deal domestically and likewise made to order for Stalin internationally.

Even if it were desirable, America is not strong enough to police the world by military force. If that attempt is made, the blessings of liberty will be replaced by coercion and tyranny at home.

Our Christian ideals cannot be exported to other lands by dollars and guns. Persuasion and example are the methods taught by the Carpenter of Nazareth, and if we believe in Christianity we should try to advance our ideals by His methods.

IMPERIALISM ABROAD AND FREEDOM AT HOME WILL NOT WORK

We cannot practice might and force abroad and retain freedom at home. We cannot talk world cooperation and practice power politics. If we try to face both ways at once, we will repeat the sad lesson of the Crusades. Ernest Barker summed up that tragedy in these words:

The Crusades may be written down as a failure. They ended not in the occupation of the east by the Christian west, but in the conquest of the west by the Mohammedan east.

Mr. Speaker, is the Truman administration truly trying to stop communism? Then its task begins at home. I suggest the same three-point program that I have long advocated, for a starter:

First. Clean out the Communists and the fellow travelers in our own Government.

Second. Stop giving foreign nations free economic support. End the administration policies that have used America as an arsenal for communism. Encourage genuine relief under nonpolitical auspices.

Third. Stop imitating communism. Communism arose out of the ashes of an economy destroyed by currency inflation and was welcomed by a people saddled with tyrannical bureaucracy. To stop communism we must balance the budget, reduce the debt, and cut taxes.

Mr. Speaker, long ago the admonition was offered "Physician, heal thyself." If the Truman administration is now finally interested in stopping the spread of communism, it will take to heart that specific advice from the Founder of the only effective antidote for communism, the Christian religion.

EXTENSION OF REMARKS

Mr. SADLAK asked and was granted permission to extend his remarks in the RECORD and include an editorial.

Mr. KEOGH asked and was granted permission to extend his remarks in the RECORD and include a speech delivered by Senator MCMAHON, of Connecticut, at the annual banquet of the St. Patrick's Society at Brooklyn, St. George Hotel, last evening.

Mr. SHAFER asked and was granted permission to extend his remarks in the RECORD and include an editorial.

Mr. GAMBLE asked and was granted permission to extend his remarks in the RECORD and include an editorial.

Mr. BLATNIK asked and was granted permission to extend his remarks in the RECORD and include an editorial and a letter.

DEALING WITH COMMUNISTS SHOULD BEGIN AT HOME

Mr. REES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES. Mr. Speaker, the Supreme Court yesterday upheld a court of appeals decision sustaining the right of the Civil Service Commission to discharge employees who follow the Communist Party line.

Now that the beliefs of the vast majority of the members of Congress have been fortified by judicial decision, it is the direct responsibility of the executive branch to adhere to the policy of discharging from the Federal pay roll all Communists and fellow travelers.

For several years I have been urging the Civil Service Commission to exercise its responsibility in these matters, but I have been confronted by evasions, excuses, and complete indifference.

Last year I asked the Civil Service Commission to review its cases to determine those on the Federal pay roll about whom there was reasonable doubt concerning their loyalty to the United States. This the Commission failed to do, based upon the confused legal theory that falsification of the loyalty oath was not a fraud.

Again I call upon the Civil Service Commission to review its cases and either discharge or report to the agency concerned all employees who are members of Communist organizations or about whom there is reasonable doubt concerning their loyalty.

This discussion brings me to report a recent example of negligence in connection with the hiring of disloyal Federal employees.

On February 14, 1947, my attention was called to a Federal employee who had been on the Federal pay roll since August 1, 1945, with the War Assets Administration. He was promoted from his entrance salary of $4,100 a year to $4,900 a year with the War Assets Administration and then transferred to the Department of Commerce. The Department of Commerce requested his transfer in order to employ him at $8,100 a year to go on a special mission to inspect chemical plants in Germany.

The information which came to me indicated that this employee was a follower of Communist doctrines and disloyal to the United States.

Accordingly, I addressed a letter to the Secretary of Commerce on February 20, 1947, which is as follows:

MY DEAR SECRETARY: My attention has been directed to the employment by the Commerce Department of Mr. ———, as a P–7 to inspect chemical plants in Germany.

Information in the possession of the committee indicates a serious doubt as to the loyalty of this employee, who began service with the Commerce Department on February 1, 1947. His record indicates clearly that a careful and thorough investigation should have been conducted of his character and loyalty before his employment with the Government.

I request that a thorough and intensive investigation of Mr. ———'s background, with particular reference to his loyalty to the United States, be made and that I be furnished a copy of such investigation before he is permitted to go abroad.

Sincerely,

EDWARD H. REES,
Chairman.

The Department of Commerce advised me that no further investigation of this employee has been contemplated, but upon the basis of my letter he would not

be sent abroad until the Department had fully investigated the matter.

On March 5, 1947, the Department of Commerce advised that the employee had resigned his position.

During the interim I continued the investigation of this employee and disclosed the following information:

He was born on May 24, 1910, at Harbin, Manchuria, as Louis Hyman Levitsky. He registered at the City College of New York on January 27, 1931, and was suspended by the board of higher education on February 9, 1933, for participation in a mock trial where students protested the opposition of college President Robinson and Director Leninhan to the alleged Communist agitation going on at the college among the students. The suspension was for a period of 4 weeks and later on he was dropped from the rolls of the college permanently because of poor scholastic standing. Also included in the group of students suspended by the board of higher education was Joseph S. Starobin who is presently foreign editor of the Daily Worker. While attending the City College of New York, Levitsky was a member of the Liberal Club which was considered by its own faculty adviser as a group of young Communists whose activities and policies adhered rigidly to the Communist Party line and before which Earl Browder and Mike Gold made speeches.

His parents are signers of the 1943 Communist Party petition.

Statements made about him and his family indicate a background of communism dating back to the Russian revolution. During this time the White Russians drove Levitsky's family out of Russia to Manchuria where he was born. Relatives of Levitsky are said to be officials in local Soviets of the present Russian Government.

A photostatic copy of his application for employment with the War Assets Administration which is duplicated in the files of the Commerce Department, shows that he was born in Harbin, China, May 24, 1910. In answer to the question regarding loyalty he stated that he was loyal to the United States. Also, on his application, he stated that he had no relatives living in foreign countries.

Assuming that these answers on his application are insufficient to raise a question as to whether he should be investigated before employment with the Federal Government, it certainly is reasonable to expect that the Department of Commerce would investigate the background, character, and loyalty of every employee it sends abroad, particularly upon such important missions.

The seriousness of this personnel action is emphasized by the fact that this man was not to perform routine duties but was to represent the United States Government in the examination of chemical establishments in Germany. These industrials have a direct effect upon Germany's war potential and they have been the subject of requisition by Communist-dominated countries.

The case raises many questions in my mind because it occurred at the very time when the President's committee to investigate loyalty among Government employees was reporting its findings to the President.

My investigation also revealed that the War Assets Administration conducted a superficial investigation of this man in December 1946 while he was employed with that agency, and none of the facts which I have found bearing upon his loyalty to this country were uncovered during that investigation. In fact, the investigation by the War Assets Administration indicated that there was no reason why he could not be promoted to a higher position for which he was then being considered.

Under the present policy of the Civil Service Commission delegating authority to the various departments and agencies, this man could be appointed to a position with the Federal Government in Florida without any question being raised concerning his loyalty to the United States.

My question is, How many other cases are there like this, and how many other employees are being sent on confidential missions to Europe who have not been investigated thoroughly?

It seems clear that if this could happen once it could happen many times. The files of the Civil Service Commission contain many investigations which have established reasonable doubt as to the loyalty of employees who are now on the Federal pay roll, but the Commission has, in my opinion, neglected its responsibility of advising the departments and agencies of the presence of this type of person in the Federal pay roll.

To allow people with subversive views to remain on the public pay roll is unfair to the thousands of loyal, patriotic career employees in Government. Not only that, but it is manifestly unfair to the Government and to the people of this country to permit people with foreign ideologies to be employed in the public service. The people of this country are entitled to the services of people whose loyalties are not questioned. They are also entitled to be protected from people with subversive views and activities.

In the near future I hope our committee may conduct an extensive investigation into the matter of loyalty of Federal employees. However, legislation is not the entire solution to the problem. There is no question but that the executive branch has ample authority now fortified by a Supreme Court decision to eliminate all disloyal employees who are on the Federal pay roll. It is not just a question of funds or appropriations which prevents these persons from being removed. It is the neglect or indifference on the part of some of our responsible officials.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 9. Concurrent resolution to print for the use of the Committee on Finance additional copies of Senate Report No. 610, Seventy-sixth Congress, entitled "Survey of Experience of Incentive Taxation"; to the Committee on House Administration.

ADJOURNMENT

Mr. KNUTSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 52 minutes p. m.), under its previous order, the House adjourned until Thursday, March 20, 1947, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

462. A letter from the Acting Secretary of State, transmitting a draft of a proposed bill requesting an appropriation in the aggregate amount of $54,036.69 providing for the relief of certain officers and employees of the Foreign Service of the United States who sustained losses by reasons of conditions prevailing in the world during recent years; to the Committee on Foreign Affairs.

463. A letter from the Secretary of War, transmitting a draft of a proposed bill to amend section 2 of the act prescribing regulations for the Soldiers' Home located at Washington, in the District of Columbia, and for other purposes, approved March 3, 1883 (22 Stat. 564; 24 U. S. C. 60); to the Committee on Armed Services.

464. A letter from the Secretary of Interior, transmitting a draft of a proposed bill authorizing the adjudication of claims of persons of Japanese ancestry against the United States for losses arising out of the evacuation or exclusion of such persons by the War Department from the west coast, Alaska, and Hawaii during World War II; to the Committee on the Judiciary.

465. A letter from the Archivist of the United States, transmitting a list or schedules or parts of lists or schedules covering records proposed for disposal by various Government agencies; to the Committee on House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 148. Resolution to provide for the consideration of the bill, H. R. 2413, to amend the Federal Reserve Act, and for other purposes; without amendment (Rept. No. 162). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 149. Resolution to provide for the consideration of House Joint Resolution 146, to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes; without amendment (Rept. No. 163). Referred to the House Calendar.

Mr. GRAHAM: Committee on the Judiciary. H. R. 1999. A bill to authorize additional allowances of good time and the payment of compensation to prison inmates performing exceptionally meritorious or outstanding services; without amendment (Rept. No. 164). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JENNINGS: Committee on the Judiciary. H. R. 354. A bill for the relief of the Dixie Margarine Co., a Tennessee corporation of Memphis, Tenn.; with amendment (Rept. No. 165). Referred to the Committee of the Whole House.

Mr. REEVES: Committee on the Judiciary. H. R. 389. A bill for the relief of the dependents of Carl B. Sanborn; without amend-

ment (Rept. No. 166). Referred to the Committee of the Whole House.

Mr. JENNINGS. Committee on the Judiciary. H. R. 400. A bill for the relief of Benjamin Gordon; with amendment (Rept. No. 167). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 986. A bill for the relief of Leslie A. Ashlock; with amendment (Rept. No. 168). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 1065. A bill for the relief of the estate of Thomas Gambacorto; with amendment (Rept. No. 169). Referred to the Committee of the Whole House.

Mr. SPRINGER: Committee on the Judiciary. H. R. 1393. A bill for the relief of Donna L. J. Carlisle; with amendment (Rept. No. 170). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 1585. A bill for the relief of Adolph Pfannenstiehl; with amendment (Rept. 171). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Armed Services was discharged from the consideration of the bill (H. R. 2543) to repeal the Atomic Energy Act of 1946, and the same was referred to the Joint Committee on Atomic Energy.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII public bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS of Delaware:

H. R. 2612. A bill to amend section 23 (a) (1) of the Internal Revenue Code, relating to deduction of trade or business expenses; to the Committee on Ways and Means.

By Mr. BRYSON:

H. R. 2613. A bill to require the establishment of a classification of freight and a scale of class rates, for application to transportation of property by railroad, so adjusted as not to discriminate among regions or territories in the United States; to the Committee on Interstate and Foreign Commerce.

H. R. 2614. A bill to amend the District of Columbia Alcohol Beverage Control Act; to the Committee on the District of Columbia.

By Mr. ENGLE of California:

H. R. 2615. A bill to provide for the protection of forests against destructive insects and diseases, and for other purposes; to the Committee on Agriculture.

By Mr. EATON:

H. R. 2616. A bill to provide for assistance to Greece and Turkey; to the Committee on Foreign Affairs.

By Mr. KERSTEN of Wisconsin:

H. R. 2617. A bill to amend section 2 of the Migratory Bird Hunting Stamp Act of March 16, 1934 (48 Stat. 451; 16 U. S. C. 718 (b)), as amended; to the Committee on Agriculture.

By Mr. MANASCO:

H. R. 2618. A bill providing for the conveyance to the town of Aliceville, Ala., the Aliceville prisoner-of-war camp determined to be surplus to the needs of the War Department; to the Committee on Expenditures in the Executive Departments.

By Mr. MILLER of Nebraska (by request):

H. R. 2619. A bill to authorize the establishment of the District Educational Agency for Surplus Property in the municipal government of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. MILLER of Nebraska:

H. R. 2620. A bill to establish a program for the rehabilitation of alcoholics, promote temperance, and provide for the medical and scientific treatment of persons found to be alcoholics by the courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. MILLS:

H. R. 2621. A bill relating to compensation for veterans of World War II who have a service-contracted or a service-aggravated tuberculous condition; to the Committee on Veterans' Affairs.

By Mr. MUNDT:

H. R. 2622. A bill to authorize loans for Indians and for other purposes; to the Committee on Public Lands.

By Mr. REDDEN:

H. R. 2623. A bill to provide for recognition of the State of North Carolina as a community-property State for Federal income-tax purposes; to the Committee on Ways and Means.

By Mr. WILSON of Texas (by request):

H. R. 2624. A bill relating to the exclusion from gross income of income attributable to certain stock options; to the Committee on Ways and Means.

By Mr. WILSON of Texas:

H. R. 2625. A bill to amend the Norris-LaGuardia Anti-Injunction Act so as to permit courts of the United States to enjoin violence in certain cases; to the Committee on the Judiciary.

By Mr. MILLER of Nebraska (by request):

H. R. 2626. A bill to amend section 1 of the act entitled "An act to prohibit the killing of wild birds and wild animals in the District of Columbia," approved June 30, 1906, to provide for the killing of starlings; to the Committee on the District of Columbia.

By Mr. BLATNIK:

H. R. 2627. A bill to extend the times for commencing and completing the construction of a bridge across the Pigeon River under authority of the act approved May 29, 1945; to the Committee on Foreign Affairs.

By Mr. FLANNAGAN:

H. J. Res. 152. Joint resolution relating to the marketing of Virginia sun-cured tobacco under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. TABER:

H. Res. 151. Resolution providing an allocation from the contingent fund of the House to the Committee on Appropriations for expenses of studies and examinations; to the Committee on House Administration.

By Mr. THOMAS of New Jersey:

H. Res. 152. Resolution providing further expenses of conducting the studies and investigations authorized by clause 1 (Q) of rule XI incurred by the Committee on Un-American Activities; to the Committee on House Administration.

By Mr. WOLVERTON:

H. Res. 153. Resolution to continue the authority of the Committee on Interstate and Foreign Commerce to investigate the transportation situation; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States to preserve public lands in Idaho in their present ownership status; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to centralized purchasing for Navy ship's service stores; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COUDERT:

H. R. 2628. A bill for the relief of Victor A. Kravchenko; to the Committee on the Judiciary.

H. R. 2629. A bill for the relief of Emanuel Carinos; to the Committee on the Judiciary.

By Mr. D'EWART:

H. R. 2630. A bill for the relief of Mrs. Christine West and Mrs. Jesse West; to the Committee on the Judiciary.

By Mr. KEE:

H. R. 2631. A bill for the relief of Charles F. Barrett; to the Committee on the Judiciary.

By Mr. LESINSKI:

H. R. 2632. A bill for the relief of Vasilios Demiris, alias Vasil Georgieff Demiroff; to the Committee on the Judiciary.

By Mr. MONRONEY:

H. R. 2633. A bill for the relief of Claude T. Thomas, legal guardian of Elizabeth Ann Mervine, a minor, and the estates of Mary L. Poole, deceased, and Hazel S. Thomas, deceased; to the Committee on the Judiciary.

By Mr. PETERSON:

H. R. 2634. A bill for the relief of the Tampa Chapter, No. 113, United Daughters of the Confederacy; to the Committee on the Judiciary.

By Mr. STEVENSON:

H. R. 2635. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Arthur DeWitt Janes; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 7 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

221 By Mr. WELCH: California State Senate Joint Resolution No. 1, relating to memorializing the Congress of the United States, in considering and acting upon the budget, to give due consideration to the need and necessity of a strong national defense and adequate Naval and Military Establishments; to the Committee on Appropriations.

222. By Mr. SMITH of Wisconsin: Resolution adopted by the Holstein-Friesian Association of Wisconsin at Fond du Lac, Wis., February 25, 1947, asking that all controls be removed, that the fixing of tariffs be left entirely to congressional action, that this country stop borrowing money from its citizens to lend to other countries, and that the need for agricultural machinery in this country be adequately supplied before shipping it to other countries; to the Committee on Banking and Currency.

SENATE

WEDNESDAY, MARCH 19, 1947

(Legislative day of Wednesday, February 19, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Lord Jesus, Thou who art the way, the truth, and the life, hear us as we

pray for the truth that shall make men free. Teach us that liberty is not only to be loved, but also to be lived. Liberty is too precious a thing to be buried in books. It cost too much to be hoarded. Make us to see that our liberty is not the right to do as we please, but the opportunity to please to do what is right. So may America, through Thy servants, the Members of this body, do what is right, that Thy blessing can rest upon their labors, and give them good conscience. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, March 18, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the concurrent resolution (H. Con. Res. 17) authorizing the printing of additional copies of House Document No. 754, Seventy-ninth Congress, entitled "Communism in Action."

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 173. An act to authorize the sale of certain public land in Alaska to Victory Bible Camp Ground, Inc.;

H. R. 326. An act for the relief of Wilma E. Baker;

H. R. 348. An act for the relief of Dr. Alma Richards and Mrs. Mary Block;

H. R. 360. An act for the relief of the legal guardian of Francis Eugene Hardin, a minor;

H. R. 364. An act for the relief of W. H. Baker and Walter Baker;

H. R. 428. An act for the relief of Charles N. Bemis;

H. R. 444. An act for the relief of the estate of Archie S. Woods, deceased;

H. R. 555. An act for the relief of Edna Rita Saffron Fidone;

H. R. 620. An act for the relief of Blanche E. Broad;

H. R. 621. An act for the relief of Vera Frances Elicker;

H. R. 811. An act for the relief of J. F. Powers;

H. R. 1288. An act to authorize the Secretary of the Interior to grant a private right-of-way to Roscoe L. Wood;

H. R. 1494. An act for the relief of the estate of Nellie P. Dunn, deceased;

H. R. 2094. An act for the relief of Isaac B. Jones; and

H. R. 2535. An act to amend the Reconstruction Finance Corporation Act.

MEETING OF COMMITTEE ON FINANCE

Mr. MILLIKIN. Mr. President, I ask unanimous consent that during the sessions of the Senate the Committee on Finance may conduct hearings tomorrow, the remainder of the present week, and, if necessary, through the following week.

The PRESIDENT pro tempore. Without objection, the order is made.

MEETING OF COMMITTEE ON BANKING AND CURRENCY

Mr. CAPEHART. Mr. President, I ask unanimous consent that the Banking and Currency Committee may sit tomorrow afternoon while the Senate is in session.

The PRESIDENT pro tempore. Without objection, the order is made.

LEAVE OF ABSENCE

Mr. CAPEHART. Mr. President, I ask unanimous consent to be absent from the Senate on March 20 and 21.

The PRESIDENT pro tempore. Without objection, permission is granted.

EXTENSION OF SPECIFIED PARTS OF SECOND WAR POWERS ACT—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read, as follows:

To the Congress of the United States:

In my message to the Congress on January 31, 1947, concerning the extension of specified parts of the Second War Powers Act, I stated that it was desirable to delay any communication on the subject of the control of this country's exports until it became clear whether or not an extension of such controls would be necessary beyond June 30, 1947.

Further review of domestic and world supplies has now convinced me that this Government must continue its control over the export of products in critically short supply here and abroad, in order to protect the economy of the United States, as well as to discharge our international responsibilities. The situation, although essentially temporary in character, will certainly remain acute for some time to come.

As a result of the war, many nations have been stripped of essential supplies and their productive capacity has been curtailed. Foreign demands for these supplies are therefore extremely large. Prices of many commodities in other countries are far above present levels in the United States. Uncontrolled exports of food products would result in a marked increase in the already substantial burden of living costs borne by the American people. Unlimited export of feeds, seeds, and fertilizers would make extremely difficult the achievement of the food-production goals which we have asked American farmers to meet and would increase the cost of production of farm products.

This country is the great undamaged center of industrial production to which the whole world looks for materials of every kind. Our steel, lumber, building materials, industrial chemicals, and many other basic industrial commodities are sought throughout the world. Shortages of many of these commodities restrict our own domestic production of other essential products. Unrestrained export would inevitably limit the level of our own industrial production and employment. Furthermore, there are instances in which we wish to direct exports to those countries which produce commodities essential to our own economy. Thus, limited amounts of equipment have been directed to certain countries to increase the production of tin, hard fibers, sugar, and fats and oils.

Serious as would be the effect of unlimited and completely undirected exports upon a Nation still troubled by many shortages, our domestic problems are not the only ones which lead me to urge upon the Congress a further extension of export controls. The United States has become a Nation with world-wide responsibilities. During a period of world shortages, the distribution of this country's exports has serious international significance. If we retain the ability to channel commercial exports of critically scarce materials, we can permit export of these products to countries whose need is greatest while still protecting the United States from excessive export drains. Our international responsibilities cannot be fulfilled without this machinery. In its absence, foreign purchasing would tend to be concentrated on those commodities in greatest world shortage. Not only would our domestic supply and price structure be seriously affected, but the commodities would go to destinations where the need is comparatively less pressing.

Furthermore, we have granted loans and other monetary aid to nations whose existence must be preserved. These loans will accomplish their purpose only if the recipient nations are able to obtain critically needed supplies from this country. Export control is an important instrument in carrying out the purpose of these loan programs.

The record clearly shows that this authority over exports has been exercised in the past only with respect to those commodities in critically short supply and that, as rapidly as the supply situation has improved, commodities have been removed from control. The list of items subject to export control has been reduced from a wartime peak of over 3,000 to approximately 725 on October 1, 1946, and approximately 500 at the present time. We will continue to remove export controls as rapidly as the supply situation permits. I look forward to the day when the United States and other countries can remove these interferences to the free flow of commodities in world trade. But the danger of immediate and complete decontrol in the face of continuing domestic and world scarcities is too great for this Nation to undertake at this time.

I therefore, recommend that the authority derived from the Export Control Act be extended for a period of 1 year beyond its present expiration date, June 30, 1947. It is essential that this extension be made well in advance of this date. Delay would prove unsettling to business and would handicap the planning and execution of our food and other export programs. Effective administration of the export control orders requires the assurance of continuity in operations. I urge upon the Congress prompt action in extending this authority.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 19, 1947.*

The PRESIDENT pro tempore. Without objection, the message will be referred to the Committee on the Judiciary and printed.

Mr. LUCAS. Mr. President, in view of the message from the President which has just been read it is perfectly obvious that many products involving agriculture are covered, I ask unanimous consent that a copy of the message be referred to the Committee on Agriculture and Forestry.

The PRESIDENT pro tempore. Without objection, a copy of the President's message will be referred to the Committee on Agriculture and Forestry.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

RELIEF OF CERTAIN OFFICERS AND EMPLOYEES OF THE FOREIGN SERVICE

A letter from the Acting Secretary of State, transmitting a draft of proposed legislation for the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of war conditions (with accompanying papers); to the Committee on the Judiciary.

TRANSFER BY NAVY DEPARTMENT OF NAVAL MOTOR LAUNCHES TO CITY OF OAKLAND, CALIF.

A letter from the Acting Secretary of the Navy, reporting, pursuant to law, that the city of Oakland, Calif., had requested the Navy Department to transfer three naval motor launches for use by the recreation department of that city; to the Committee on Armed Services.

EVACUATION CLAIMS COMMISSION

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to create an Evacuation Claims Commission under the general supervision of the Secretary of the Interior, and to provide for the powers, duties, and functions thereof, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to the Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. LANGER and Mr. CHAVEZ members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Armed Services:

"Assembly Joint Resolution 1

"Joint resolution relative to centralized purchasing for Navy ships service stores

"Whereas under a policy put into effect in 1946 by the Navy Department all Navy ships service stores are now compelled to buy through a centralized Navy purchasing office in New York City; and

"Whereas the effect of this new policy is to deprive the wholesale distributors of the business they formerly engaged in and to create a new bureaucracy in a field formerly competently served by private enterprise; and

"Whereas private enterprise through taxes paid by it will furnish the capital for the operation of this new system and at the same time will be rendered less able to pay taxes by reason of its operation; and

"Whereas there is widespread dissatisfaction among naval personnel over the quality of merchandise available to them as a result of such centralized purchasing; and

"Whereas this has resulted in a reduction of the profits from naval ships service stores formerly available for welfare purposes: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California (jointly), That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to return to wholesale distributors that function which they so competently performed and to eliminate centralized purchasing for ships service stores from the Navy Department; and be it further

"Resolved, That the chief clerk of the assembly is hereby directed to transmit copies of this resolution to the President of the United States, to the President pro tempore of the Senate, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States, and to the Secretary of the Navy."

A joint memorial of the Legislature of the State of Idaho, memorializing Congress to preserve public lands in Idaho in their present ownership status; to the Committee on Public Lands.

(See joint memorial printed in full when presented by Mr. DWORSHAK on March 18, 1947, p. 2171, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of North Dakota, favoring the enactment of legislation to open for homestead entry the submarginal lands in the State of North Dakota for the benefit and rehabilitation of veterans of World War II; to the Committee on Agriculture and Forestry.

(See concurrent resolution printed in full when presented by Mr. YOUNG on March 17, 1947, p. 2105, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of North Dakota, favoring the enactment of legislation to provide funds for the payment of the difference between the ceiling price on flax and the price obtainable after the ceiling had been lifted; to the Committee on Agriculture and Forestry.

(See concurrent resolution printed in full when presented by Mr. YOUNG on March 17, 1947, p. 2106, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of North Dakota, favoring the enactment of legislation to maintain a floor of not less than 90 percent of parity on all basic farm crops; to the Committee on Agriculture and Forestry.

(See concurrent resolution printed in full when presented by Mr. YOUNG on March 17, 1947, p. 2106, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of North Dakota, favoring the enactment of legislation to strengthen present sanitary requirements governing the importation of livestock and livestock products and to appropriate additional funds to the Bureau of Animal Industry, United States Department of Agriculture, in order that border inspection may be improved and a system of patrol established along the northern boundary of Mexico to guard against the importation of people, animals, and materials carrying the infection of foot-and-mouth disease; to the Committee on Agriculture and Forestry.

(See concurrent resolution printed in full when presented by Mr. YOUNG on March 17, 1947, p. 2106, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of North Dakota, favoring the enactment of legislation to propose an amendment to the Constitution providing equal rights for women; to the Committee on the Judiciary.

(See concurrent resolution printed in full when presented by Mr. YOUNG on March 17, 1947, p. 2104, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of North Dakota, favoring the enactment of legislation to extend the time for availability of funds under the Federal Aid Act of 1944; to the Committee on Public Works.

(See concurrent resolution printed in full when presented by Mr. YOUNG on March 17, 1947, p. 2104, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of North Dakota, favoring the enactment of legislation barring all forms of liquor advertising from interstate mails, radio, and motion-picture programs; to the Committee on Interstate and Foreign Commerce.

(See concurrent resolution printed in full when presented by Mr. YOUNG on March 17, 1947, p. 2104, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of North Dakota, favoring the enactment of legislation to create a Roosevelt Memorial Park in the Bad Lands area of the State of North Dakota; to the Committee on Public Lands.

(See concurrent resolution printed in full when presented by Mr. YOUNG on March 17, 1947, p. 2105, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of North Dakota, favoring the enactment of House bill 1113 of the Eightieth Congress, authorizing the removal of restrictions by the Government on land and land interests of Indian veterans; to the Committee on Public Lands.

(See concurrent resolution printed in full when presented by Mr. YOUNG on March 17, 1947, p. 2105, CONGRESSIONAL RECORD.)

By Mr. MORSE:

A joint memorial of the Legislature of the State of Oregon; to the Committee on Agriculture and Forestry:

"Senate Joint Memorial 2

"To the Honorable Senate and the House of Representatives of the United States of America, in Congress Assembled:

"We, your memorialists, the Senate and House of Representatives of the State of Oregon, in legislative session assembled, most respectfully represent and petition as follows:

"Whereas under existing general law all appropriations for the purchase of national forest lands in the several States are provided by the Congress of the United States, and each such acquisition is conditioned upon the consent of the State in which said property to be acquired is situated; and

"Whereas in the year 1922 the Congress further provided that the United States Forest Service, without congressional appropriation or review, has the right to appropriate so much of the annual timber crop from the national forests as it desires to use for the purpose of acquiring additional real property through the method of granting timber-cutting rights in the national forests in exchange for deeds to private property of equal value; and

"Whereas, by means of such method, the United States of America, acting by and through the Forest Service, has acquired in the State of Oregon in excess of 1,000,000 acres of land, without the prior approval of the Congress or of the State, which method of expending the public wealth is not only against the public interest, but is impairing

the tax structures of the units of local government in the rural sections of the State, in that every such acquisition defeats the purpose of title 16, United States Code, Annotated, section 500, which provides that 25 percent of the gross receipts of the several national forests shall be paid to local governmental units in lieu of taxes, and that each such acquisition also reduces the property-tax base of one or more units of local government, and consequently increases the taxes necessarily levied by the taxing agencies thereby affected: Now, therefore, be it

"Resolved by the Senate of the State of Oregon (the House of Representatives jointly concurring therein), That the Congress of the United States be and it hereby is memorialized, and this forty-fourth legislative assembly of the State of Oregon does hereby petition the Congress to repeal title 16, United States Code, Annotated, section 485, and so much of title 16, United States Code, Annotated, section 516, as may be necessary to restrict the acquisition of national forest lands solely to such lands as may be acquired by appropriations of money from the Federal Treasury; be it further

"Resolved, That the secretary of state of the State of Oregon be, and he hereby is, directed to transmit copies of this memorial to the President of the Senate, to the Speaker of the House of Representatives of the United States, and to each Senator and Representative therein, representing the people of the State of Oregon."

RESOLUTIONS OF CLAY COUNTY (S. DAK.) FARMERS' UNION

Mr. BUSHFIELD. Mr. President, I ask unanimous consent to present for printing in the RECORD and appropriate reference two resolutions adopted by the Clay County Farmers Union of South Dakota.

The PRESIDENT pro tempore. Without objection, the resolutions will be received, printed in the RECORD, and appropriately referred.

To the Committee on Interstate and Foreign Commerce:

"Resolution 1

"Whereas the plight of landlocked States became further aggravated by reason of the Panama Canal, which brought water-borne commerce rates into competition with transcontinental rail shipments, as a result of which there followed reduced transcontinental rail rates and increased rail rates from either coast to interior points and between interior points, resulting in population gains along the seaboards and depopulation of landlocked States suffering from high freight rates and inadequate transportation service; and

"Whereas railroads exacting confiscatory rates for bad service are resisting Missouri River navigation; and

"Whereas the Minneapolis private grain trade fearing diversion of grain from Minneapolis to down-stream markets has taken a stand against navigation; and

"Whereas South Dakota is in a high-cost electric-power-producing area due to the local availability of neither oil nor suitable clay for electric-power production; and

"Whereas private electric-power companies have conducted a campaign of contradiction, confusion, and obstruct transmission of electric power to consumers at cost. Contradictory propaganda calculated to throttle production of electricity has followed these two patterns: (1) Only enough electric power can be generated to pump water out of the river for irrigation; (2) electric-power potentialities are so enormous as to make maximum production unnecessary and extravagantly wasteful; and

"Whereas the Pick-Sloan plan, designed to impound floodwaters in the upper reaches of the Missouri River back of a series of mud dams without lock systems for navigation, holds no definite assurance of electric-power production beyond the amount required to pump water out of the river for irrigation to which it grants priority; and

"Whereas the Pick-Sloan combination seeks to return agriculture to prewar economic conditions by solving problems which do not exist and by ignoring problems which do exist—by emphasizing irrigation and by excluding navigation and by producing only an undetermined amount of electric energy with whatever water is left after saturating 5,000,000 acres of land to artificially produce more food to further aggravate an already threatened overproduction before completion of the projects; and

"Whereas approximately 75 percent of the power-generating sites on the main stem of the Missouri River are located in South Dakota from which points electric power could be successfully transmitted to all parts of our State, and long-distance transmission lines could deliver electricity to rural and urban consumers in other valley States which would require maximum production to the last kilowatt; and

"Whereas the pressing need in landlocked raw-material States is navigation plus an abundance of low-cost electric power to diversify our economy, promote industry, create a home market for farm products and to conserve coal and oil; and

"Whereas this Nation, confronted with the possibility of an atomic race involving all major nations necessitates maximum power generation and inland navigation to serve defense plants located in the interior: Therefore be it

"Resolved by the farmers at this county meeting at Vermillion, S. Dak., this 10th day of March 1947, That we reject irrigation priority; denounce Pick-Sloan mud dams without lock systems; and disapprove of electric power limitations; be it further

"Resolved, That we propose to attain our objective by unequivocally supporting impoundment of floodwaters back of a series of indestructible, reinforced, multipurpose, concrete dams in the upper reaches of the Missouri River, with maximum power generating facilities; lock installations for navigation; surplus water for irrigation where feasible; and transmission of current to all consumers in valley States at cost with decentralized administrative authority; be it still further

"Resolved, That copies of this resolution be sent to South Dakota Senators and Congressmen."

To the Committee on Agriculture and Forestry:

"Resolution 2

"Whereas Congress by the Steagall amendment pledged the Government to support the price of farm products at not less than 90 percent of parity until the expiration of the 2-year period beginning with the first of January immediately following official termination of hostilities; and

"Whereas the Honorable Clinton Anderson, Secretary of Agriculture, has nullified this sacred 90 percent of parity pledge relative to the support price on eggs, by reading into the pledge a double rule of national and annual average price which is foreign to the Steagall amendment and has the effect of allowing 10-cent egg prices without support if the national or annual average price equals or exceeds 90 percent of parity; and

"Whereas application of the Anderson interpretation of the Steagall amendment to other supported farm commodities would permit 2-cent hog prices without support if the average national or average annual price were equal to or higher than 90 percent of parity: Therefore be it

"Resolved by the members of Clay County Farmers Union in attendance at this county meeting at Vermillion, S. Dak., this 10th day of March 1947, That we denounce the Anderson interpretation of the Steagall amendment as a gross miscarriage of justice and urge our Senators and Congressmen to exercise their influence to compel the Secretary of Agriculture to abide by the Steagall amendment without reading something into it which is not there; be it further

"Resolved, That copies of this resolution be sent to our Washington delegation consisting of GURNEY, BUSHFIELD, MUNDT, and CASE."

LABOR-MANAGEMENT COOPERATION

Mr. CORDON. Mr. President, in these times of labor and management relationship discussions within and without the Senate, in these times when we face situations such as that called to our attention by my colleague [Mr. MORSE] yesterday afternoon, it is refreshing to find here and there throughout the United States active cooperative efforts between management and labor resulting in peace on the management-labor front.

In my own State of Oregon, which has an enviable reputation for cooperative action between labor and management, there has been established for some time past a labor management committee which has functioned in a most successful manner in the settlement of labor-management disputes in that area. Recently that committee made a declaration of policy for industrial peace, which I desire at this time to read into the RECORD:

DECLARATION OF POLICY FOR INDUSTRIAL PEACE

The officers and board of directors of Portland Labor-Management Committee unanimously endorse a policy of labor and management working together with a true spirit of cooperation to preserve industrial peace and the American way of life and hereby declare—

That the basic principle of free enterprise supported by collective bargaining must be the determining factor to guide labor and management to a full understanding of their responsibility;

That equitable wages and fair profits are essential to a stable economy and are an integral part of establishing confidence and mutual understanding between labor and management;

That maintaining agreements is a sacred trust of labor and management;

That labor and management pledge to their community and State help and assistance to meet the human and economic needs of its people and also their social, educational, moral, and spiritual problems;

That we pledge to labor and industry and the public who wish to locate in our area this program to insure continuous production by maintaining industrial peace.

PORTLAND LABOR-MANAGEMENT COMMITTEE
(By its officers and board of directors).

Dated at Portland, Oreg., this 5th day of March 1947.

I feel, Mr. President, that this declaration may well be adopted as a charter between labor and management throughout the Nation; I am sure such action would conduce in great degree to general industrial peace.

DAYLIGHT SAVING IN THE DISTRICT

Mr. CAPPER. Mr. President, I have received a letter from William H. Press, executive secretary of the Washington Board of Trade, appealing to me to support S. 736, which sets up a daylight-saving program for the District of Columbia. I am in favor of this legislation and I ask unanimous consent to present the let-

ter from the Washington Board of Trade and request that it be printed in the RECORD and appropriately referred.

There being no objection, the letter was received, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

WASHINGTON BOARD OF TRADE,
Washington, D. C., March 15, 1947.

MY DEAR SENATOR: A favorable report on S. 736 will be placed before the Senate sometime next week. I believe you will appreciate the following information about the bill.

In voting for Senator MCGRATH'S bill you will not cast a vote for daylight saving time. It merely empowers the Commissioners of the District of Columbia to establish daylight-saving time in the District during the spring and summer of 1947 if a public hearing demonstrates that local citizens want it. We believe that the Commissioners should have the power that this bill will grant.

The Washington Board of Trade, and we are convinced the overwhelming majority of organizations and citizens, want daylight-saving time in the District of Columbia this year. Eighty-two percent of the principal civic and business organizations polled by the junior board of commerce favor it. Four thousand four hundred and sixty-one out of six thousand six hundred and four citizens favored it in a straw ballot conducted by the Times-Herald. A substantial majority of citizens favored daylight-saving time in a sample survey conducted by the Washington Post. The American Legion, the Veterans of Foreign Wars, the Disabled American Veterans' and the American Veterans' Committee also want daylight-saving time. Notices appearing in the public press have clearly shown an extraordinarily vigorous local desire for summer daylight-saving time.

Business clearly wants daylight-saving time. Baltimore, Annapolis, and other communities in Maryland this year will move their clocks back. This means that practically all the principal communities and some entire States north of Washington along the Atlantic coast and west to Chicago will change their time. This is the area with which we maintain closest business ties. If we stay on standard time that means there will be confusion for travelers and lost time in the length of the business day of banks, financial institutions, and all business houses engaged in interstate commerce. Since the principal radio networks and news services change their clocks, we would have dislocation, lost time, and added expense in making necessary adjustments.

The great mass of people in Washington, including Federal workers, know that daylight-saving time will permit an extra hour of daylight for recreation, gardening, and other healthful, body-building activities.

We hope you will vote for S. 736 and thereby give Washingtonians an opportunity to convince the Commissioners that they want daylight-saving time, with the knowledge that the Commissioners can carry out their wishes.

Sincerely yours,

WILLIAM H. PRESS,
Executive Secretary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CAPPER, from the Committee on Agriculture and Forestry:

S. 350. A bill to continue the Commodity Credit Corporation as an agency of the United States until June 30, 1948; with amendments (Rept. No. 58); and

S. 669. A bill to provide for the payment of a bonus of 30 cents per bushel on wheat and corn produced and sold between January 1, 1945, and April 18, 1946; without amendment (Rept. No. 59).

By Mr. VANDENBERG, from the Committee on Foreign Relations:

S. 874. A bill to authorize the President to appoint Lt. Comdr. Paul A. Smith as alternate representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, and as representative of the United States to the Air Navigation Committee of the Provisional International Civil Aviation Organization, without affecting his status and perquisites as an officer of the Coast and Geodetic Survey; without amendment (Rept. No. 60);

S. 875. A bill to authorize the President to appoint Maj. Gen. Laurence S. Kuter as representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, without affecting his military status and perquisites; without amendment (Rept. No. 61); and

S. J. Res. 86. Joint resolution to authorize Herschel V. Johnson, Deputy Representative of the United States to the Security Council of the United Nations, to be reappointed to the Foreign Service; without amendment (Rept. No. 62).

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of John Wesley Thompson Falkner IV, of Mississippi, to be United States marshal for the northern district of Mississippi, vice Ira Lamar Morgan, term expired, which was referred to the Committee on the Judiciary.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. IVES:

S. 933. A bill for the relief of Emanuel Carinos; to the Committee on the Judiciary.

By Mr. MCKELLAR:

S. 934. A bill for the relief of R. C. Owen; to the Committee on the Judiciary.

By Mr. CORDON:

S. 935. A bill to amend the Interstate Commerce Act, as amended, so as to increase from 2 to 3 years the period of limitation on actions for undercharges and overcharges by or against railroad carriers, and to provide limitations on the time within which actions may be brought for the recovery of undercharges and overcharges by or against common carriers by motor vehicle and freight forwarders; to the Committee on Interstate and Foreign Commerce.

By Mr. FULBRIGHT:

S. 936. A bill for the relief of Burnett A. Pyle; to the Committee on the Judiciary.

(Mr. FERGUSON (for himself and Mr. SMITH) introduced Senate bill 937, to establish United States district labor-relations courts, to define their jurisdiction, and for other purposes, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

(Mr. VANDENBERG (by request) introduced Senate bill 938, to provide for assistance to Greece and Turkey, which was referred to the Committee on Foreign Relations, and appears under a separate heading.)

By Mr. MORSE:

S. 939. A bill for the relief of Charles Howard Richards; and

S. 940. A bill for the relief of Mrs. Chieko S. Kawakami; to the Committee on the Judiciary.

By Mr. HOEY (for himself and Mr. UMSTEAD):

S. 941. A bill for the relief of Ulma B. Riggs; to the Committee on the Judiciary.

By Mr. BALDWIN:

S. 942. A bill to provide for increases in the maximum amounts of monthly compensation payable under the United States Employees' Compensation Act of September 7, 1916; and for recomputation of the amounts payable to persons now receiving compensation under such act; to the Committee on Labor and Public Welfare.

By Mr. HOLLAND:

S. 943. A bill to amend section 506 (f) of the Internal Revenue Code; to the Committee on Finance.

By Mr. WATKINS:

S. 944. A bill for the relief of Oran Curry; to the Committee on the Judiciary.

S. 945. A bill to provide for the establishment of a reservoir on Bear River, Utah, for the maintenance of water levels in the Bear River Migratory Bird Refuge, and for other purposes; to the Committee on Public Lands.

By Mr. BALDWIN:

S. 946. A bill to authorize the Secretary of the Navy to transfer the U. S. S. *Wolverine* to the Foundation for the Original United States Ship Michigan, Inc.; to the Committee on Armed Services.

By Mr. THOMAS of Utah:

S. 947. A bill for the relief of Ben Hong Dunne; to the Committee on the Judiciary.

(Mr. LODGE introduced Senate Joint Resolution 91, proposing an amendment to the Constitution of the United States relating to the election of the President and the Vice President, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

AMENDMENT OF CONSTITUTION RELATING TO ELECTION OF PRESIDENT AND VICE PRESIDENT

Mr. LODGE. Mr. President, I ask unanimous consent to introduce a joint resolution, proposing a constitutional amendment to provide for the popular election of the President and Vice President of the United States. I first introduced this resolution on January 31, 1941, using as my text the resolution which has been consistently introduced in the House. The resolution I introduce now is the same as the one I introduced in 1941.

Only by providing for the popular election of President and Vice President can we avoid the very dangerous possibilities which are inherent in our present system, whereby an obsolete electoral college makes possible the election of a man as President who has not received a majority or plurality of the popular vote. Clearly, this is a matter of sufficient importance to warrant the careful consideration by the Congress and presentation to the people for such action as they desire in bringing up to date the basic framework of their Government.

I request that the joint resolution be appropriately referred, and that a statement, which I made in 1941 and which I have revised and brought up to date, be printed at this point in the RECORD.

The PRESIDENT pro tempore. Without objection, the joint resolution will be received and appropriately referred, and without objection, the statement presented by the Senator from Massachusetts will be printed in the RECORD.

There being no objection, the joint resolution (S. J. Res. 91) proposing an amendment to the Constitution of the

United States relating to the election of the President and the Vice President, introduced by Mr. LODGE, was received, read twice by its title, and referred to the Committee on the Judiciary.

There being no objection, the statement presented by Mr. LODGE was ordered to be printed in the RECORD, as follows:

The men who sat in Philadelphia during the long hot summer of 1787 were perplexed about many things, but there was one intricate problem which puzzled them especially. This was the problem of how to choose a President of the United States. The method of choosing Senators and Representatives was a simpler matter, because the States were in existence; they were truly going concerns. The Central Government, however, was still only on paper. It was a dream. Although the Convention was composed for the most part of men of conservative views, there were many differences of opinion as to how the President should be chosen.

Some thought he should be chosen by the legislative branch. Mr. Gouverneur Morris, however, we read in the record of the Federal Convention, was pointedly against his being so chosen. He will be the mere creature of the Legislature if appointed and impeachable by that body. He ought to be elected by the people at large, by the freeholders of the country. That difficulties attend this mode he admits. But they have been found superable in New York and in Connecticut and would, he believed, be found so in the case of an Executive for the United States. If the people should elect, they will never fail to prefer some man of distinguished character or services; some man, if he might so speak, of continental reputation. If the Legislature elect, it will be the work of intrigue, of cabal, and of faction.

Mr. Madison held that "there are objections against every mode that has been, or perhaps can be, proposed. The election must be made either by some existing authority under the National or State Constitutions, or by some special authority derived from the people, or by the people themselves. The two existing authorities under the National Constitution would be the legislative and judiciary. The latter, he presumed, was out of the question; the former, in his judgment, liable to insuperable objections. Besides the general influence of that mode on the independence of the Executive: 1. The election of the Chief Magistrate would agitate and divide the Legislature so much that the public interest would materially suffer by it. Public bodies are always apt to be thrown into contentions, but into more violent ones by such occasions than by any others. 2. The candidate would intrigue with the Legislature, would derive his appointment from the predominant faction and be apt to render his administration subservient to its views. 3. The ministers of foreign powers would have and make use of the opportunity to mix their intrigues and influence with the election. Limited as the powers of the Executive are, it will be an object of great moment with the great rival powers of Europe who have American possessions, to have at the head of our Government a man attached to their respective politics and interests. No pains, nor perhaps expense, will be spared to gain from the Legislature an appointment favorable to their wishes. Germany and Poland are witnesses of this danger. In the former the election of the head of the Empire, till it became in a manner hereditary, interested all Europe and was much influenced by foreign interference—in the latter, although the elective magistrate has very little real power, his election has at all times produced the most eager interference of foreign princes, and has, in fact, at length slid entirely into foreign hands.

"The option before us then lay between an appointment by electors chosen by the people and an immediate appointment by the people. He thought the former mode free from many of the objections which had been urged against it, and greatly preferable to an appointment by the National Legislature. As the electors would be chosen for the occasion, would meet at once, and proceed immediately to an appointment, there would be very little opportunity for cabal or corruption. As a further precaution, it might be required that they should meet at some place distinct from the seat of Government, and even that no person within a certain distance of the place at the time should be eligible. This mode, however, had been rejected so recently and by so great a majority that it probably would not be proposed anew.

"The remaining mode was an election by the people, or rather by the qualified part of them, at large. With all its imperfections, he liked this best. He would not repeat either the general arguments for or the objections against this mode. He would only take notice of two difficulties which he admitted to have weight. The first arose from the disposition in the people to prefer a citizen of their own State, and the disadvantage this would throw on the smaller States. Great as this objection might be, he did not think it equal to such as lay against every other mode which had been proposed. He thought, too, that some expedient might be hit upon that would obviate it. The second difficulty arose from the disproportion of qualified voters in the Northern and Southern States, and the disadvantages which this mode would throw on the latter.

"The answer to this objection was: 1. That this disproportion would be continually decreasing under the influence of the Republican laws introduced in the Southern States, and the more rapid increase of their population. 2. That local considerations must give way to the general interest. As an individual from the Southern States, he was willing to make the sacrifice."

Rufus King, speaking in the United States Senate on March 20, 1816, recalled that at the time of the adoption of the Constitution "the opinion had been that all undue agency or influence was entirely guarded against; that the men selected by the people from their own body would give their votes in such a manner so that no opportunity would be afforded for a combination, to change the freedom and popular character which naturally belonged to the electoral bodies. Such had been the idea of the Nation at the time of the adoption of the Constitution. "We know," said he "the course which this thing has taken.

"The election of a President of the United States is no longer that process which the Constitution contemplated. In conformity with the original view of the authors of that instrument, I would restore, as thoroughly as possible, the freedom of election to the people. * * * It was with the people the Constitution meant to place the election of the Chief Magistrate, that being the source least liable to be corrupt."

Others at the Convention who favored electing the President by popular vote were Benjamin Franklin and Charles Carroll.

The final result, of course, was the creation of the electoral college. The reason for it was given by Alexander Hamilton in the following language:

"It was equally desirable that the immediate election should be made by men most capable of analyzing the qualities adapted to the station and acting under circumstances favorable to deliberation and to a judicious combination of all the reasons and inducements that were proper to govern their choice. A small number of persons elected by their fellow citizens from the general mass will be most likely to possess the information and discernment requisite to so complicated an investigation."

This brings up a picture of a meeting of impartial people, each using his own judgment, to find the best man for President.

This is what Alexander Hamilton said that the electoral college was supposed to be. Actually it has never worked that way. The electors became automatons, exercising no discretion at all, and a whole set of defects came into existence which had been neither foreseen nor approved by the framers of the Constitution. At least eight defects in the system as it exists today are to be noted.

UNIT RULE

First is the unit rule, which runs roughshod over minorities. This rule makes a campaign in any State a gamble, it is all or nothing. Even though Cleveland eked out a meager 1,149-vote victory in the great State of New York over Blaine in 1884, he received all the 36 electoral votes from that State. In no State where President Roosevelt received a majority in the 1944 election was a single Dewey vote counted in the final reckoning. In no State where Dewey received a majority was a single Roosevelt vote counted in the final reckoning. Not only were they not counted, they were really misappropriated. In the final count the winner receives credit for millions of votes which were actually cast against him. On the basis of popular vote, Mr. Roosevelt should have been credited with 286 electoral votes, and Mr. Dewey with 245. Actually the count stood—Roosevelt, 432; Dewey, 99. The extra 146 votes which the winner received came from the loser.

The unit vote, as Congressman CLARENCE F. LEA has pointed out, "was a method adopted by the dominating political party in each State to prevent the minority parties in the State from having any voice in the selection of the President. This effort of dominant political parties to prevent minorities in the State from having a voice in the selection of a President was intense preceding the election of 1800 and subsequently developed into a universal practice.

"The Tammany victory in New York in the spring of 1800 and the victory of the Jefferson party in Pennsylvania forecast the election of Jefferson unless the system of selecting Presidential electors should be changed.

"The Federal leaders sought to forestall the election of Jefferson by bringing about a deadlock in the Legislature of Pennsylvania, and thus prevent the people of Pennsylvania from having any voice in the election. They sought to change the system of selecting electors in New York from the general to the district system of election in order that Adams might secure part of the electoral votes of New York instead of Jefferson securing them all.

"The Legislature of New Hampshire took away the right of the people to select their Presidential electors and chose Federalist electors. In the election that followed the Jefferson State ticket won by a popular vote of 10 to 6, but the electors chosen by the legislature all voted for Adams.

"In Massachusetts the Federalist Legislature did away with the district system of selecting electors and caused them to be selected by general ticket to prevent Jefferson securing any of the electors.

"In Virginia the general assembly did away with the district system of election and provided for the general ticket system in order to eliminate the possibility of Adams securing any electoral votes in Virginia.

"In 1812, within about 1 week of election, the Legislature of New Jersey took away from

the people the right to vote for Presidential electors, and selected the electors in order to prevent the opposition party from securing any electors from that State.

"Thus the origin of the unit-voting system was a deliberate purpose to deny all minorities a voice in the selection of a President."

One perversion of the original system led to another. Madison, for example, who had always opposed the unit vote, urged Virginia in 1800 to adopt it as a matter of defense against the opponents of Jefferson in other States.

It was also true that the people distrusted a delegate who was in no way bound. They were suspicious that a few delegates might, in a close contest, be in the position of dictating the choice. They turned to a system of pledged electors, and when that was done, as Mr. LEA says, "the reason for Presidential electors disappeared."

The result is that within a State a candidate gets all or nothing, and the voter's vote is counted on the winning side, whether he voted that way or not. He gets less than nothing.

The House report (No. 262, 73d Cong., 1st sess.) gives this compilation:

"For instance, in 1928, Mr. Hoover had less than 50 percent of the vote of the State of New York; Mr. Smith had nearly 47 percent. Yet Mr. Hoover received the whole 45 electoral votes of New York.

"In 1912 Wilson received 42 percent of the popular vote of the United States and 82 percent of the electoral vote. In 1924 Coolidge carried 12 States by minority votes, which gave him 86 electoral votes.

"In 1924 John W. Davis as candidate for President received 6,000,000 votes that brought him no electoral vote. Six million people went to the polls and cast a vote for Davis that did not mean a single vote in the electoral college. He carried a limited number of States in which he received less than 2,000,000 votes, and for those 2,000,000 votes he received 136 electoral votes. In other words, 3,000,000 votes meant no electoral votes; 2,000,000 votes meant 136 electoral votes.

"It is apparent there is no mathematical accuracy in the plan on a basis of inherent justice. In a close contest the result is subjected to chance, a turn of fortune. A large percent of the uncertainty is whether or not the plurality candidate will receive a larger percentage of the disfranchised votes than his opponent.

"In the election of 1928 the proportion of voters who were disfranchised in this way—that is, voters whose ballots were not only not counted as voted, but contrary to the way they voted—amounted to 38 percent of all the votes of the people of the United States. In other words, 38 people out of every hundred who voted had their votes thrown into the waste basket at the State line and they were not considered when the votes were counted at the joint session of Congress, where the result was finally determined.

"In the election of 1932 the votes of 39 out of every 100 people who voted were likewise discarded and not considered when the vote was computed here in the Capitol.

"In 1932 Hoover received 2,150,000 votes in States he carried, and which gave him 59 electoral votes. In the single State of New York Hoover received 1,938,000 votes, and not a single electoral vote. His votes in that one State almost equaled all of his votes in the States he carried, and yet from those States he received 59 votes and from New York nothing.

"Hoover's vote in New York, at the recent election, equaled his total vote in 23 other States in the Union. Hoover received nearly 15,800,000 votes and over 13,600,000 of those votes brought him no electoral vote whatever. All of his electoral votes came from the 2,000,000 and none from the 13,000,000.

"The total majority Hoover received in all States he carried was 230,585. If a majority of those votes in each State, 116,000 in all, could have been transferred to Roosevelt, the election would have been unanimous. Hoover would not have received a single electoral vote. Having received over 39 percent of all the votes, nevertheless, the election would have been unanimous. Hoover's name would not have been mentioned in the poll we heard over in the Capitol. As the votes were counted President Hoover's name was not mentioned in connection with the electoral votes represented by over 13,600,000 persons who voted for him.

"Mr. Hoover received only the electoral votes brought to him by the votes of 5.3 percent of the voters of the Nation who voted in the States he carried. He received no electoral votes from 34.2 percent of the voters of the Nation who voted for him in the States he did not carry. In other words, 34.2 percent of the votes of the Nation gave him no electoral votes and 5.3 percent gave him 59 electoral votes."

In the election of 1936, 35 people out of every 100 who voted had their votes disregarded when the electors gathered in Washington.

In the election of 1944, the votes of 45 out of every 100 people who voted were, in effect, disfranchised. A system of computing election results that discards 45 percent of the voters before the final count begins cannot be said to be either just or accurate.

In 1944, in the State of Ohio, Roosevelt received 1,570,763 votes, which was a bare 11,500 votes less than Dewey received there. Yet he received not a single electoral vote, while Dewey gathered the State's 25 electoral votes.

In the 1940 election in the State of New York, Willkie received only 224,440 less votes than did Mr. Roosevelt out of 6,279,396 votes cast for both these candidates. Nevertheless, Roosevelt received the entire New York electoral vote of 47, while Willkie received not a single electoral vote. As a matter of fact, Willkie's 3,027,478 votes almost equaled the 4,266,676 votes which he received in the States he carried; and yet from those States he received 82 electoral votes and from New York nothing.

WINS MOST VOTES AND LOSES

A second defect in the present system is that it makes possible a situation in which the candidate with the most popular votes receives the least electoral votes. This has actually happened three times in our history.

In 1824 Andrew Jackson secured a popular plurality of 50,000 votes over John Quincy Adams, but failed of the Presidency when the election was decided by the House of Representatives.

In 1876 Hayes became President by the majority of 1 electoral vote even though Tilden actually received 258,000 more votes than he did.

In 1888 Cleveland lost the Presidency even though he had a popular vote of 5,540,050 against Harrison's 5,444,337.

It is certainly quite probable that in future elections one candidate will receive the electoral vote and another the popular vote, and this is a contingency against which we should guard. The passions and hatreds that a bitter elective struggle engenders could well lead to violent and bloody conditions under such circumstances. This almost proved to be the case in 1876. Had Samuel J. Tilden taken a belligerent attitude, the United States might well have been plunged into civil strife. Fortunately, he refused to listen to the pleas of his followers to seize the Presidency by force. In the lands of our Latin-American neighbors violence flares because of far less provocative election disputes.

The following table shows the difference between popular and electoral vote:

Comparison of percentage of popular to electoral votes

[Fractions ignored]

Year	Candidate	Popular vote	Electoral vote	Discrepancy
		Percent	*Percent*	*Percent*
1876	Hayes	47	50	3
1880	Garfield	48	57	9
1884	Cleveland	48	54	6
1888	Harrison	44	58	14
1892	Cleveland	46	62	16
1896	McKinley	50	60	10
1900	do	50	65	15
1904	Roosevelt	56	70	14
1908	Taft	50	60	10
1912	Wilson	42	82	40
1916	do	49	52	3
1920	Harding	60	76	16
1924	Coolidge	54	72	28
1928	Hoover	58	83	25
1932	Roosevelt	57	89	32
1936	do	60	98	38
1940	do	55	85	30

Average discrepancy, 7 elections 18 percent.

DISCRIMINATION

A third defect is the discrimination between different classes of voters. The votes of those living in small States count for more than the votes of those residing in big States. South Carolina, for example, in 1944 had one electoral vote for each 11,893 popular votes cast in that State, while New York had one electoral vote for each 133,869 popular votes. Each South Carolina voter, therefore, was equal to 11 New Yorkers in electing a President.

The following table shows how much more a vote in a small State counts than a vote of an equally worthy citizen in a large State.

The number of votes necessary in each State to equal one South Carolina vote, 1944

Alabama	1.86
Arizona	2.89
Arkansas	1.98
California	11.77
Colorado	7.04
Connecticut	8.67
Delaware	3.50
Florida	5.07
Georgia	2.27
Idaho	4.36
Illinois	12.06
Indiana	10.71
Iowa	8.80
Kansas	7.66
Kentucky	6.61
Louisiana	2.93
Maine	4.97
Maryland	6.39
Massachusetts	10.28
Michigan	9.69
Minnesota	8.54
Mississippi	1.51
Missouri	8.79
Montana	4.23
Nebraska	7.89
Nevada	1.52
New Hampshire	4.82
New Jersey	10.24
New Mexico	3.19
New York	11.25
North Carolina	4.74
North Dakota	4.59
Ohio	10.60
Oklahoma	6.06
Oregon	6.64
Pennsylvania	9.07
Rhode Island	6.28
South Carolina	1.00
South Dakota	4.87
Tennessee	3.56
Texas	3.70

Utah	5.21
Vermont	3.51
Virginia	2.12
Washington	8.91
West Virginia	7.52
Wisconsin	9.28
Wyoming	2.84

DEADLOCKS

A fourth defect is the method provided for breaking deadlocks. The Constitution provides that in such a case the election of the President shall be cast into the House of Representatives where he shall be elected by a majority vote of the Members—not voting as individual Members, however, but voting by States. It is, therefore, possible for 25 small States, with a total membership of only 89 out of a total of 435 Members, to control the election.

USELESS

A fifth defect is the uselessness of the electors. They are not people who use their independent judgment. They are not nearly as well known to the voters as are the candidates for President and Vice President. The people need no go-between of this kind. It is, moreover, possible for a dangerous situation to arise in a close election where one or two electoral votes may have a decisive effect. The danger does not lie in the theoretical possibility that the delegate might forget his pledge. It does lie in the possibility that he might be sick, or insane, or suddenly killed—or might meet with any of the uncontrollable mischances to which human flesh is heir. These risks are unavoidable for individual human beings; it is not necessary, however, to inject them into our system for electing a President.

ENCOURAGES FRAUD

A sixth defect, although an incidental one, in the present system is that it encourages fraud. By concentrating effort in a few doubtful States, the chance for corrupt electoral practices increases. The close New York State margin of 1,247 for Cleveland, to which reference has been made, for example, stood between him and 35 electoral votes. Thirty-five votes can mean the difference between victory or defeat. What a temptation for the boss and the machines. What a strategic place for them to stand.

ABUSE OF POWER

A seventh defect which is of minor importance is the theoretical possibility that the electors would abuse their power and disregard the Constitution. Those who set up dictatorships are often careful to preserve constitutional forms. This form serves no good purpose.

DISFRANCHISES NEGRO

The eighth defect is the tendency of the present system to disfranchise the Negro. Under a system in which no minority votes are counted, there is scant incentive to bring out the Negro vote. Under a system where all minority votes are counted there is reason to call forth a wider public participation in government, because even though a voter is in the minority in his own State, he may not be in a minority nationally.

These, then, are eight defects in our present system. They have been well summed up in the House report previously referred to, in the following paragraph:

"The only legitimate object of an election is to accomplish the will of the people. If we permit a system to prevail that thwarts that will, we trifle with one of the most serious purposes of the Government. Under our present method, now and then, that will of the people will be clearly thwarted. When that may happen, in the face of an intense inflamed public sentiment, we needlessly test the serenity and security of our Government. We plant hate, discord, and distrust where we could have Nation-wide concurrence in the good-will acceptance of the just verdict of the American people."

REFORM OF SYSTEM

Many attempts have been made to reform the system. Andrew Jackson was impressed with its defects. Agitation to change it rose strongly after the disputed election of 1876. In recent years Representative LEA, in collaboration with Senator Norris, has carried on an admirable campaign of public education and has produced a plan of his own which proposes to divide the State vote among the candidates in exact proportion to their popular vote. As he put it: "Abolish the electoral college; retain electoral votes; let the people vote directly; abolish the unit State vote and give each candidate the electoral votes of the State in exact proportion to his popular vote."

This plan is assuredly a big step forward. It eliminates the evil of unit voting and makes a deadlock unlikely, if not impossible. The only plan, however, which remedies all defects is that of electing the President by direct vote of the people.

That this is a far-reaching step which should not be undertaken without grave deliberation cannot be denied. But that it is a step which should be presented to the people for study, discussion, and perfection is equally true.

It has been too often and too lightly dismissed. Some of the things said against it are not well founded. It is said, for instance, that the voters are qualified by State laws and that the decision on the question of who should vote is a decision for the States. It is even asserted that for the Federal Government to interest itself in the question of voting qualifications is contrary to the spirit of the Constitution. Those who are impressed with this argument should read the Constitution, noting especially the way in which that document concerns itself with qualifications for voting, particularly in amendment XV.

It is said that the popular election of the President would give certain sections and certain parties undue influence. It is, of course, not our mission to help or hurt this party or that. It should be our task to render justice. I submit, however, that none can predict with any reasonable degree of accuracy that any party would suffer. The knowledge, for example, that all votes would be counted in the total would encourage voting by members of minority parties in States where they now do not bother to make a civic effort. They would know that their votes would matter. This would change the proportion of persons in those States going to the polls. But it would in the end damage neither party. Political parties have many other and closer opportunities for damaging themselves.

It is said that the popular election of the President would encourage fraud in the big cities. It may well be asked whether fraudulent electoral practices do not exist in many big cities today. It may be further set down that the present system, by unduly stressing the importance of certain States, gives a greater encouragement to the city machine.

Finally, the objection is made that election of a President by popular vote is an infringement of the rights of the States. That it does eliminate certain States' rights—many of which, let it be said, are largely matters of form—cannot be denied. We confront, however, the proposition that the only two elected officials to whom we can look to speak exclusively for the United States as a whole are the President and the Vice President. That the American people as a whole should have a prime concern and a decisive voice in how they are chosen seems both elementary and just.

MARGARET M. COLGAN

Mr. MILLIKIN. Mr. President, I ask unanimous consent to submit for appropriate reference a resolution to pay the usual sum to the widow of Eugene C. Colgan, late an employee of the Republican Policy Committee of the Senate.

There being no objection, the resolution (S. Res. 96) was received, and referred to the Committee on Rules and Administration, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Margaret M. Colgan, widow of Eugene C. Colgan, late an employee of the Senate, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

FARM-LABOR SUPPLY PROGRAM—AMENDMENT

Mr. CAPPER submitted an amendment intended to be proposed by him to the bill (H. R. 2102) to provide for a 6 months' extension and final liquidation of the farm-labor supply program, and for other purposes, which was ordered to lie on the table and to be printed.

SUSPENSION OF CERTAIN IMPORT TAXES ON COPPER—AMENDMENT

Mr. McFARLAND (for himself, Mr. HAYDEN, Mr. HATCH, Mr. CHAVEZ, Mr. JOHNSON of Colorado, Mr. WATKINS, Mr. MURRAY, Mr. ECTON, Mr. MCCARRAN, Mr. MALONE, and Mr. AIKEN) submitted an amendment intended to be proposed by them, jointly, to the bill (H. R. 2404) to suspend certain import taxes on copper, which was referred to the Committee on Finance, and ordered to be printed.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles, and referred, as indicated:

H. R. 173. An act to authorize the sale of certain public land in Alaska to Victory Bible Camp Ground, Inc.; and

H. R. 1288. An act to authorize the Secretary of the Interior to grant a private right-of-way to Roscoe L. Wood; to the Committee on Public Lands.

H. R. 326. An act for the relief of Wilma E. Baker;

H. R. 348. An act for the relief of Dr. Alma Richards and Mrs. Mary Block;

H. R. 360. An act for the relief of the legal guardian of Francis Eugene Hardin, a minor;

H. R. 384. An act for the relief of W. H. Baker and Walter Baker;

H. R. 428. An act for the relief of Charles N. Bemis;

H. R. 444. An act for the relief of the estate of Archie S. Woods, deceased;

H. R. 555. An act for the relief of Edna Rita Saffron Fidone;

H. R. 620. An act for the relief of Blanche E. Broad;

H. R. 621. An act for the relief of Vera Frances Elicker;

H. R. 811. An act for the relief of J. F. Powers;

H. R. 1494. An act for the relief of the estate of Nellie P. Dunn, deceased; and

H. R. 2094. An act for the relief of Isaac B. Jones; to the Committee on the Judiciary.

H. R. 2535. An act to amend the Reconstruction Finance Corporation Act; to the Committee on Banking and Currency.

THE MEANING OF THE MORMON MIGRATION IN AMERICAN HISTORY—STATEMENT BY SENATOR THOMAS OF UTAH

Mr. THOMAS of Utah. Mr. President, I ask unanimous consent to have made part of my remarks a statement I have prepared on the subject The Meaning of

the Mormon Migration in American History.

This is the Utah centennial year, and all friends of Utah are interested in any thoughtful presentation in connection with the original settlement in our State. Therefore, I deem it not out of place to make this request.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

1847—UTAH CENTENNIAL—1947

THE MEANING OF THE MORMON MIGRATION IN AMERICAN HISTORY

In 1847 Utah was Mexican territory. For years the contest for the control of what is now the western part of the United States had been going on. The Spanish-Mexican control reached as far north as what is now the southern boundary of Oregon. The Russians were in Alaska and had settlements down the coast as far as the Russian River in California. French fur traders had penetrated most of the West and traders from all nations were wandering over it. The British claimed the Pacific coast as far down as northern California. The United States, thought of today as an expanding world power, seemed then to be checked as a controller of the Pacific coastline.

We of today, sensing our debt to our pioneer fathers, never cease honoring them for their courage, their faith, their zeal, and their persistence in carrying the American flag into foreign territory. Because these characteristics of courage and faith are so worthy of honor and so satisfying to us, we sometimes fail to recognize the real significance, in an international sense, of what they did.

America in 1845–47, and for many years after and before, was on the alert, on the move, and restless about her boundaries. There was the Texas independence and then the Mexican War. Both were repercussions of restlessly expanding cultural and political groups with economic hopes.

Four outstanding movements, however, were movements above that of mere adventure, conquest, or pursuit of wealth. One, although connected with war and therefore a part of conquest, was the march of Kearny's army with its Mormon battalion. This march cut the Mexican controlled empire in two. When it is remembered that this battalion was recruited from Mormons already on the march, Mormon incentive and influence should be credited as a contributing force. Two were wholly inspired by Mormon thought; the pioneer journey, under the leadership of Brigham Young, into the Salt Lake Valley, and the trip of Sam Brannon and his associates around the Horn to San Francisco. The fourth decisive journey was the movement of the devout settlers carrying the Bible and the plow into the Oregon Territory.

The Oregon journeys were for home-making and home-building. The Mormon expeditions were for the same purposes, but motivated by revelation and in fulfillment of prophecy. These purposes were high, lofty, and splendid. The two Mormon inspired movements had above their vision, their purposefulness, their relying on the plow and the Bible, and their home-building culture something more significant from the standpoint of nation-building. It was their international effect. Millions have made homes in foreign lands without affecting the international politics of those lands. But the two Mormon journeys and the journey of the Oregon pioneers had meaning bigger than is generally recognized. They meant a transferring of political sovereignty, a transporting of a culture and a civilization, and making certain a land dedicated to the free. The pilgrim fathers wanted a home where they could worship God as they saw fit. They expected it under the sanction of a king whose homeland did not let persons worship as they saw fit. This settlement with others in America were settlements that made the independent land of the United States a land of liberty and a land of freedom inevitable, but it did not come for nearly two centuries.

The Mormon journeys and the journey into the Oregon Territory brought almost instantaneous success. I do not say that these journeys are the causes of the ultimate change and the overcoming of international struggle for the western part of the United States. But viewed merely as incidents in the restlessness and national striving which was the spirit of America at that time they stand out so strongly that if they had acted entirely alone the results would have been the same. The dividing of the Spanish-Mexican Empire, the permanent settlement in San Francisco, the permanent settlement in the Salt Lake Valley, the permanent settlement in the Oregon country would have brought by themselves the same result in time, while mere adventure, mere conquest, mere seeking of wealth would not have done it. These four movements did make certain that the intermountain and Pacific coast country would be American.

The great expansion of which this was a part did not stop with the coast. Perry with his ships was in Japan by 1853. Calib Cushing had negotiated his treaty in China even before this in 1844. And a continuing movement of the Mormon part of this restlessness was reflected in the Gibson "conquest" in Hawaii in 1861. Mormon missionaries had circled the globe before the death of their Prophet-founder in 1844 and before the migration to the Rocky Mountains began.

The Mormon pioneer movement, whether viewed as a part of the spread of the white man over the globe, or whether viewed as a movement inspired by western United States restlessness, has left its mark on its people and in the development of American culture and traditions. It is for this reason that the thoughtful people throughout the whole earth recognize the Mormon contribution in the development of America. Every true follower of the Mormon ideal, whether he be American or foreign-born, knows the part America is to play in the ultimate destiny of the world.

PRIVATE BUSINESS OPERATIONS IN OAK RIDGE AREA

Mr. McKELLAR. Mr. President, I have received a telegram from Mr. William Badgett, of Knoxville, Tenn., concerning certain conditions at Oak Ridge, Tenn. I am unable to give information on the subject of the telegram, but I desire to put it in the RECORD, if I may have unanimous consent to do so.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

KNOXVILLE, TENN., *March 17, 1947.*

Hon. KENNETH D. MCKELLAR,

Senate Office Building, Washington, D. C.:

Am representing people who hold private contracts to engage in business on the Government area, Oak Ridge, Tenn. My client has received notice that contract will be terminated and functions taken over by a so-called Oak Ridge Recreation and Welfare Association. Private business is due to terminate March 20 and Col. Bill Britton, who is in charge under title of N. H. E. F. Director of Public Welfare, Atomic Energy Commission, refuses to continue contracts to persons now engaged in private enterprises on Oak Ridge area. Persons holding private contracts on Oak Ridge area have large sums invested under assurance of continued operation. There is no reason why private enterprise should be denied the privilege of continuing operations in Oak Ridge area. Oak Ridge is not a Federal reservation and Government operation of business ordinarily performed by private enterprise is not authorized by Atomic Energy Act.

Oak Ridge Recreation and Welfare Association is either a front for Government operations or for some other interests. No one knows what happens to funds of Oak Ridge Recreation and Welfare Association and there is no authorization for operations of businesses ordinarily performed by private enterprise in Oak Ridge area. In Atomic Energy Act, I believe a thorough investigation is necessary and will be most revealing. Request you seek to hold matters in status quo with respect to private enterprises until a thorough investigation can be made.

With kindest personal regards,

BILL BADGETT.

APPOINTMENTS TO ATOMIC ENERGY COMMISSION

Mr. McKELLAR. Mr. President, I desire to read a letter received by me today from Howard B. Rand, editor of Destiny, the magazine of national life, published at Haverhill, Mass. The letter, which is addressed to me, reads as follows:

DESTINY,

Haverhill, Mass., March 17, 1947.

Hon. KENNETH MCKELLAR,

Senate Office Building,

Washington, D. C.

DEAR MR. MCKELLAR: I am taking the liberty of sending you the last issue of Destiny magazine, and your attention is respectfully called to an article on page 119 setting forth the qualifications necessary for those who are to be elected or appointed to office.

Your attention is also called to the statement in the Los Angeles Examiner of January 9, 1947, in which it was stated: "David E. Lilienthal, head of the Board, is a long-time ardent New Dealer and a member of at least two Communist-dominated organizations, the National Lawyers Guild and the Southern Conference of Human Welfare. The FBI and the House Committee on Un-American Activities hold these groups to be potentially subversive, alined with the world movement to overthrow this Government. Associated with Lilienthal on the Atomic Energy Board is Lewis E. Strauss, also a New Dealer and a member of Kuhn, Loeb & Co." If my memory serves me right, Kuhn, Loeb & Co. is the banking institution that furnished the major portion of the money used by those who overthrew the Czarist Government in 1918 and set up bolshevism in that land.

A third member of the Atomic Energy Board, William W. Waymack, was reported in the Los Angeles Examiner of the same date as apparently being strongly pro-Communist and sympathetic to Soviet Russia.

If there is the slightest doubt whatever as to the communistic tendency of any man he should not be appointed on this most important Board. After all, Soviet Russia is working for world revolution, and the United States of America is on the agenda, with groundwork being laid in our country for the day when this Government can be taken over by these evil forces. It is imperative that the secret of the atomic bomb, the number of bombs, and particularly the place of their storage be kept in the hands of thoroughly loyal Americans, else we may awaken and find to our sorrow that our own stock pile of bombs has passed into the hands of the enemies of our former Government and will be used against us.

I believe this matter of entrusting the secret of atomic power to a Board is the most vital issue before the Senate today. Men with the qualifications set forth in the enclosed article should be the only type appointed to such a Board.

Yours sincerely,

HOWARD B. RAND,

Editor.

I also ask, Mr. President, that the article which appears on page 119 of Destiny be inserted in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ESSENTIAL QUALIFICATIONS

The next 2 years will be the most critical period in the history of the United States, for on the agenda are events which will shake this Nation to its very foundation. Because this period is to be fraught with momentous happenings, the qualifications required of the men who will hold positions of authority over us should be of the highest possible standard.

Our Nation was founded upon the Bible and the principles of the Christian faith have tempered our acts and methods in the affairs of national administration. Upon such a foundation this Nation grew from small beginnings until today it has become a major world power and at the moment is in exclusive control of the most fearful type of destruction known to man—the atom bomb. Having reached national maturity, evil forces are increasing their pressure to control and administer the affairs of this great people and, if successful, would completely divorce that administration from Christian principles. Already we have departed from our original precepts, since the ideals and aspirations of a government reflect the principles of those who are in positions of authority. Men in office should at least conform in spirit and thought with that required of leaders under Moses:

"Moreover thou shalt provide out of all the people able men, such as fear God, men of truth, hating covetousness and place such over them" Exodus 18: 21.

To this instruction should be added the high standard of New Testament requirements exemplified in the instructions given by Jesus Christ in the Beatitudes. He gave the qualifications of those who will have authority in His Kingdom. They will be self-effacing, kind-hearted, desiring only that righteousness shall be established, merciful, and in whose hearts there will be no evil. Is the President appointing for office and is Congress confirming the appointment of men who have such qualifications? Observation leads to the conclusion that political expediency seems to far outweigh any other consideration in these selections.

This is an hour of crisis, and, regardless of race or color, only men who possess the above attributes should be selected. Because of past failures in this respect, our Nation today is afflicted with maladministration and corruption. A committee is now to be entrusted with the most destructive force at our command, and every member of that committee should be made to pass the above qualification test. God help us if we require less, for the very safety of our Nation, and even its future existence, rests in the hands of this committee.

Russia is using every means at her command to secure the secret of the atomic bomb. Because a Communist cannot be trusted, and due to the fact that the question of his sympathy with Communists ideologies has been raised in connection with Mr. David Eli Lilienthal, every doubt should be removed as to his allegiances before confirming his appointment. With this in mind, and the need of recognizing the qualifications as set forth by both Moses and Jesus Christ for holding office, the following telegram was sent to a Member of the Senate who occupies an influential position:

"May I respectfully direct your attention to the following salient facts which have a pertinent bearing on the confirmation of Lilienthal to head the Atomic Energy Commission. The safety of our Nation absolutely depends upon the beliefs of the man holding this important position. History amply verifies that the only men who can be absolutely trusted are those of sterling Christian character. There is universal agreement that use of atomic energy has introduced into our generation the possibility of fearful destruction or untold blessings. The ultimate decision as to which it shall be lies in the hands of men who will have control of atomic power. Since this is an American decision of crisis, in the interest of the preservation of the American Nation, should we not remember what Gen. George Washington meant in a critical stage in the American Revolution when he said, 'Let only Americans be on guard tonight.'

"HOWARD B. RAND,
"Editor of Destiny Magazine."

If Mr. Lilienthal is a man of sterling Christian character, untainted by the doctrines of communism, the Senate confirmation will be in order. If he does not so qualify, then by his appointment we are but moving that much more rapidly along the road to increasing troubles and incalculable disaster.

Mr. McKELLAR. Mr. President, I call the particular attention of my colleagues and of the entire country to this letter and to this fine magazine article on the subject of communism and the confirmation of Lilienthal's nomination. Our administration is firmly opposed to communism in Greece and in Turkey, and that is fine; but this letter and article strikingly show how important it is also not to appoint to high public office, especially to the Atomic Energy Commission, as director or member, men who are in sympathy with Communist doctrines and who have shown their interest in communism.

OUR NEW FOREIGN POLICY—ADDRESS BY ALF M. LANDON

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address entitled "Our New Foreign Policy," delivered by Hon. Alf M. Landon, which appears in the Appendix.]

ATTITUDE OF RUSSIA IN GRECIAN SITUATION—EDITORIAL FROM THE CHICAGO TIMES

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an editorial entitled "Russia's Answer—And Ours," from the Chicago Times of March 16, 1947, which appears in the Appendix.]

AID TO GREECE—EDITORIAL FROM THE CHICAGO TIMES

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an editorial entitled "There Is Only One Choice," from the Chicago Times of March 13, 1947, which appears in the Appendix.]

REDUCTION IN INTERNAL REVENUE BUREAU APPROPRIATIONS—EDITORIAL FROM THE PHILADELPHIA INQUIRER

[Mr. MYERS asked and obtained leave to have printed in the RECORD an editorial entitled "An Inexcusable Budget Cut", published in the Philadelphia Inquirer of March 13, 1947, which appears in the Appendix.]

BALANCED BUDGET VERSUS TAX REDUCTION—EDITORIAL FROM THE PITTSBURGH PRESS

[Mr. MYERS asked and obtained leave to have printed in the RECORD an editorial entitled "Balance the Budget First," published in the Pittsburgh Press of March 17, 1947, which appears in the Appendix.]

ECONOMY OR WASTE IN FLOOD CONTROL PROJECTS—EDITORIAL FROM THE PITTSBURGH PRESS

[Mr. MYERS asked and obtained leave to have printed in the RECORD an editorial entitled "Economy or Waste?" dealing with flood control problems in Pennsylvania, published in the Pittsburgh Press of March 17, 1947, which appears in the Appendix.]

"BETTER MINDS FOR BETTER POLITICS"—ARTICLE BY ARTHUR T. VANDERBILT

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an article entitled "Better Minds for Better Politics," by Dean Arthur T. Vanderbilt, of New York University Law School, published in the New York Times magazine section of March 8, 1947, which appears in the Appendix.]

OUTLOOK ON NEW LABOR LEGISLATION—ADDRESS BY VINCENT P. AHEARN

[Mr. MORSE asked and obtained leave to have printed in the RECORD an address entitled "Outlook on New Labor Legislation," delivered by Vincent P. Ahearn, executive secretary of the National Sand and Gravel Association, before the Personnel Conference of the American Management Association at Chicago, Ill., on February 25, 1947, which appears in the Appendix.]

TAX RELIEF—EDITORIAL FROM ANDERSON (S. C.) INDEPENDENT

[Mr. JOHNSTON of South Carolina asked and obtained leave to have printed in the RECORD an editorial entitled "Taxpaying Time at Hand; Congress Should Act Now To Provide Relief," published in the Anderson (S. C.) Independent of March 14, 1947, which appears in the Appendix.]

ROOTS OF THE TRUMAN DOCTRINE—EDITORIAL FROM THE WASHINGTON POST

[Mr. JOHNSTON of South Carolina asked and obtained leave to have printed in the RECORD an editorial entitled "Roots of the Truman Doctrine," published in the Washington Post of March 16, 1947, which appears in the Appendix.]

PROPOSED GRECIAN AND TURKISH LOANS—DISCUSSION BY SENATOR JOHNSON OF COLORADO

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD a radio discussion by him of the proposed Grecian and Turkish loans with Representative JOHN DAVIS LODGE of Connecticut, over the Columbia network on March 18, 1947, which appears in the Appendix.]

ESTABLISHMENT OF UNITED STATES DISTRICT LABOR RELATIONS COURTS

Mr. FERGUSON. Mr. President, committees in both House of Congress are now working on proposed labor laws. The measures now being considered are amendments to existing laws, because such laws failed to accomplish the results desired by our citizens, or are new laws to prohibit evils existing in our labor industrial relations.

These laws, when enacted, will not be self-executing; machinery will be required to enforce and carry them out. In the past we have not paid sufficient attention to such machinery. We must not forget that law without enforcement is a mockery.

We know how close to disaster our entire economic and political system came during the past few years because labor and management failed voluntarily to settle their disputes, and we in

Congress failed to provide adequate machinery to adjudicate the disputes so as to protect the public interest.

During the steel strike, during the rail strike, and during two different coal strikes, 140,000,000 Americans stood by helplessly as our magnificent industrial system began grinding to a stop.

The last coal strike marks the eighth time in 5 years that a private citizen has threatened to deprive his Nation of its major source of industrial power. During each of those eight times at least 25,000,000 American workers, aside from miners, have faced the prospect of unemployment.

Even more discouraging, we have seen, during these seemingly innumerable industrial crises, the spectacle of the President of our Nation trying to intervene to bring peace, only to be defied or abused for his efforts. So far as industrial disputes are concerned we are in a state of near anarchy. Our Government, in this area, has lost its power to govern.

This situation has become intolerable. We cannot afford a national paralysis every few months, simply because labor and industrial managers cannot agree on a contract, or on the interpretation of one made by them.

When labor disputes which affect the public interest occur and are not settled, our citizens have reason to ask what has become of our system of government under law.

Why are labor-management disputes any different from landlord-tenant disputes except that the issues are bigger, more people are involved, and the economic security of the Nation is endangered?

Basically they are the same. The difference is in the handling of the issues. Industrial disputes are still settled on the basis of economic power. Which side can outstrangle the other in a showdown? And nowadays these strangle holds cover such wide areas that the public's neck is usually included.

The time has come to settle these disputes on the basis of justice instead of on the basis of strangle holds.

I think we should subject industrial disputes, along with all other disputes, to the legal discipline of a civilized society.

Labor-industrial disputes should come within the jurisdiction of a court established to handle them. The machinery to provide the legal discipline of a civilized society must be designed as nearly as humanly possible to carry out two basic principles; first, that we are a government of law and not of men; and second, that there must be equal justice under law.

Throughout our history, in all other fields of endeavor we have discovered that the machinery best suited to settle disputes and arrive at just decisions is the courts. Yet in labor-industrial relations, we still cling to the principle that economic and political pressure should govern. We create boards, commissions, or bureaus, and place on them special pleaders, or instructed partisan jurors, who act as prosecutors, judges, and juries, and the people wonder why the system does not work. This method would not be successful in any other field of endeavor and it will not work in labor-management relations.

To me, the appealing thing about a court system is that it is simple, clear-cut, understandable, fair, and the least political of our institutions. It is neither antilabor nor antimanagement, but rather is proeverybody. Our courts have long been admired as symbols of impartial justice, and I believe that the labor-relations courts would soon likewise become such symbols.

In a republic, citizens must be permitted to work out their problems between themselves. This is fundamental and essential if we are to retain individual liberty. That is why collective bargaining will work if given a chance. That is why we should provide for mediation and voluntary arbitration of disputes to arrive at a collective-bargaining agreement and in the interpretation of such an agreement. But the same principle demands that, when all these voluntary steps fail, and the dispute affects the public interest, each party to the dispute, and the public, shall have the right to say that the dispute must be judicially adjudicated in order to protect the public interest.

The great principle which has shaped America's growth for a century and a half is that of equal justice under law. I believe that if we are to fulfill our destiny as a people it is time to broaden the application of that principle to include labor-management relations.

Let justice, and not power politics, reign in our workshops.

Mr. President, at this time I ask unanimous consent to introduce a bill in behalf of myself and the senior Senator from New Jersey [Mr. SMITH], to establish United States district labor-relations courts, to define their jurisdiction, and for other purposes.

I may say that the bill provides for labor-relations courts, with jurisdiction over the interpretation of collective-bargaining contracts and labor statutes. At the present time it will cover a great majority of labor industrial disputes.

Jurisdiction to compel collective-bargaining contracts in basic industries is not included, as more time and study are required to develop such legislation.

I request that the bill be appropriately referred.

The PRESIDING OFFICER (Mr. IVES in the chair). The bill will be received and appropriately referred.

Mr. SMITH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from New Jersey?

Mr. FERGUSON. I yield.

Mr. SMITH. Mr. President, I have joined with the distinguished Senator from Michigan in introducing the Federal Labor Relations Court Act.

As a member of the Committee on Labor and Public Welfare, I am working with my colleagues on that committee on measures to correct current abuses in the labor situation, to improve the conciliation and mediation machinery, and to insure individual workers protection against exploitation both by unfair employers and by power-obsessed labor unions.

But beyond these corrective measures which are called for at the moment I have all along had the feeling that we have been remiss in getting at the very heart of this matter. We have permitted remedies for labor disputes to drift along while those labor disputes threaten the very peace of our society. We have permitted labor-management disputes to come to a dead end and to be settled by the rule of force. We have tried to equalize the weight of the "brass knuckles" in the contest and have then told the parties to "slug it out." We have not made a statesmanlike effort to find out what is right and just, but we have rather left the matter to the determination between the parties of who is strongest in a knock-down, drag-out struggle.

We have not adequately set our minds to the problem of creating tribunals that will have the confidence of the contending parties and to which they can go to seek justice.

I am well aware of the difficulty of setting up any kind of labor courts that can determine on what terms one man may work for another, but there does remain a large area of differences between management on the one hand, and labor on the other hand, which can well be determined by our normal judicial processes. The purpose of the Ferguson-Smith bill is to set up tribunals which will promptly and effectively, and on a high judicial plane, dispose of those issues in labor disputes which we can designate as justiciable.

In this opening experiment with the labor relations court program, we have limited the jurisdiction of the courts to: one, the interpretation and enforcement of collective bargaining agreements; and two, the interpretation of existing labor legislation. There is something inherently wrong in leaving the interpretation of what a law means to an administrative agency which is charged with the duty of enforcing that law. There is likewise something inherently wrong in leaving the interpretation of what two parties meant by the language of a contract to a similar administrative agency. We are clearly sound in taking the position that there is an area for the application of normal judicial processes to management-labor relations.

The objection has been made that if these matters go to the ordinary courts the decision of the issues will be so long delayed that the parties will suffer unduly before knowing what their rights and obligations are. This is another reason for setting up the special courts which the bill provides for so that immediate action can be taken and the right-of-way given to labor disputes which it has been impossible for the parties to settle either by collective bargaining or by conciliation or mediation machinery provided for in our labor laws.

At this time we are not proposing to give the courts any jurisdiction over the bargaining process itself. We believe that the limited jurisdiction we have

given the courts will take care of at least three-quarters of all the disputes between management and labor, and we hope that by experimenting with this court procedure program we may find ourselves on the road towards the ultimate settlement of all management-labor disputes on the basis of what is right and just, and not on the basis of who is strongest in a show of force.

My colleague and I are now studying the whole question of national paralysis cases, in which the interest of the public must be paramount. The Supreme Court of the United States in the recent Lewis case indicated that in such cases, if the Government took the properties over, a stoppage of work could be prevented. We do not believe in the Government taking over, but we do believe that we may be able to find a special procedure for those cases in which the health and safety of the people are affected and in which it will be necessary for the Government, preferably through the courts, to act in order to maintain the status quo and continued production pending an equitable adjustment of the disputes.

Mr. President, I am convinced that this bill is an important contribution to the correct approach to the ultimate solution of labor-management difficulties. I am in no way minimizing my insistence on the principle that voluntary collective bargaining between the parties must always be the first bulwark of labor peace, and that mediation and conciliation must be completely explored before we even approach the normal legal processes.

I thank the distinguished Senator from Michigan for permitting me to say this word in support of the bill which we have introduced together.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. HATCH. I had not intended to interrupt the Senator, but inasmuch as he has been interrupted, I rise to say that, of course, he knows of my great sympathy with what he is endeavoring to do. From the remarks of the Senator from New Jersey, I am not quite clear as to how far the bill which has just been introduced goes in cases in which the national safety is involved, where perhaps a contract has expired, and negotiations for a new contract are in progress, and the parties cannot agree and a strike ensues, perhaps imperiling the welfare of the entire Nation. Does the bill take care of a situation of that kind?

Mr. FERGUSON. Not at the present time. We are working to include that subject in the jurisdiction of the proposed court. That is one of the real problems, as to whether the court should take over the plant and operate it as a plant would be operated under receivership, a procedure with which lawyers are familiar, or whether, as under the Smith-Connally Act, the Executive should take it over. Naturally there is that great problem as to the jurisdiction of the court. The question is whether or not we can agree that this is solely a judicial question. That is why we feel that the establishment of the court is so important. The great majority of disputes arise over the interpretation of contracts, and the great majority of strikes result from such disputes. Yet we all recognize the existence of cases which paralyze the Nation, and we are working toward the point where jurisdiction can be placed in a system which is the least political of any we have in the Republic, and that is the judicial system.

Mr. HATCH. Mr. President, if the Senator will further yield, let me say that I am in entire sympathy with what he is trying to do. I am only sorry that the bill which he is introducing does not include some feature along that line.

Entirely aside from the merits of the bill itself, another question comes to my mind. From a parliamentary standpoint, to what committee should such a bill be referred?

Mr. FERGUSON. The Senator from Michigan was hoping that it would be referred to the Committee on the Judiciary. I do not know to what committee it will be referred. I merely ask that it be appropriately referred.

Mr. HATCH. Of course, it does involve essential problems of labor legislation.

Mr. FERGUSON. That is true.

Mr. HATCH. I was concerned as to which committee was the appropriate committee.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. SMITH. In reply to the last question asked by the distinguished Senator from New Mexico, the Senator from Michigan will bear me out in the statement that we discussed the question of the appropriate committee to which the bill should be referred. While I am a member of the Committee on Labor and Public Welfare, my own judgment is that a question of this kind properly belongs in the Committee on the Judiciary, because it has to do with the court system. Personally I am making no claim for the Committee on Labor and Public Welfare. However, it is up to the Presiding Officer to determine the appropriate committee for reference.

Mr. HATCH. I am sure that the Presiding Officer will make the appropriate reference. However, it occurs to me that the bill might properly go to either committee.

Mr. FERGUSON. I appreciate the remarks of the able Senator from New Mexico in connection with the bill. He can rest assured that the able Senator from New Jersey and the Senator from Michigan will be happy to confer with him on the question of jurisdiction.

Mr. HATCH. Mr. President, will the Senator yield further?

Mr. FERGUSON. I yield.

Mr. HATCH. Of course, I shall be very happy to confer with the Senator from Michigan and the Senator from New Jersey. However, as the Senator knows, I have been quite puzzled and perplexed as to the best approach. I was hopeful that the two Senators had found the final answer.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. SMITH. Further in answer to the question raised by the Senator from New Mexico, I should like to advise him that personally I think there is a place in this bill for what might be called part 2, dealing exclusively with national paralysis cases, and I think the Senator from Michigan and I will be glad to consider that question further. We thought that it was timely to introduce the bill now. If it meets with the approval of the appropriate committee, and we feel that in the meantime something can properly be added covering the national paralysis cases, it is my hope that the bill will be reported with such additions incorporated in it.

Mr. FERGUSON. I thank the Senator from New Jersey for his remarks. I think they will make the record clear as to what we are endeavoring to do.

The bill (S. 937) to establish United States district labor relations courts, to define their jurisdiction, and for other purposes, introduced by Mr. FERGUSON for himself and Mr. SMITH, was read twice by its title, and referred to the Committee on the Judiciary.

AID TO GREECE AND TURKEY

Mr. VANDENBERG. Mr. President, by request, I ask unanimous consent to introduce for appropriate reference a bill to provide for assistance to Greece and to Turkey, which is identical with House bill 2616. I want to make it plain that I am not familiar with the details of the proposal, and have had no opportunity to pass upon the details. I am simply introducing the bill for the Senate's convenience so the Senate may have a Senate print of the House bill upon which to work.

There being no objection, the bill (S. 938) to provide for assistance to Greece and Turkey, introduced by Mr. VANDENBERG (by request), was received, read twice by its title, and referred to the Committee on Foreign Relations.

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 2157) to define and limit the jurisdiction of the courts to regulate actions arising under certain laws of the United States, and for other purposes.

Mr. FERGUSON. The constitutionality of the bill which is now before the Senate has been challenged by some, and I want to speak upon that question at this time.

The preamble clearly sets forth the economic and, yes, even the political reason for the bill itself. I think it is clear that economically something must be done, and the question then involved is this: Is the remedy now provided by this bill one which is constitutional? Can we constitutionally take away causes of action, or, as we lawyers call them, vested rights, or unvested rights, whichever the case may be?

We hear much upon the street to the effect that the bill is unconstitutional. We hear it said, and it is true, that the Constitution itself provides in the fifth amendment that no property can be taken from any citizen without due process of law. Therefore we have to answer this question: Does the proposed legislation violate the fifth amendment of

the Constitution and, therefore, is it void? I think the answer is "No."

The provisions of the fifth amendment may not be invoked to obstruct a national policy which Congress has power to adopt.

It is clear that if Congress can invalidate a contract made with reference to existing law it can invalidate a cause of action which exists because of statute.

Congress has complete authority to regulate by legislation in the field of interstate commerce and has done so by the Fair Labor Standards Act. The Constitution authorizes Congress to act in this field, and Congress did act and passed certain legislation. Congress now proposes to take away those rights. No one can contract against that right of Congress. It is what Chief Justice Hughes called the congenital infirmities in the Norman against B. & O. case.

It seems clear one cannot secure a vested right under a regulatory statute passed by Congress if such statute is in the exercise of one of its granted powers.

Would the provision in the Constitution forbidding ex post facto laws make this proposed portal-to-portal law unconstitutional? I have heard it said by laymen that the Congress cannot pass an ex post facto law. That is true. But we must decide whether or not this would be an ex post facto law. My answer to that question is "No," because it is clear that this provision in the Constitution applies only to criminal statutes. This is not the enactment of an ex post facto criminal law.

Does the fact that the act is retroactive in its application make it unconstitutional? The answer is "No."

It may be said that legislation cannot be held invalid, even though vested rights are thereby destroyed, merely on the ground that it is retroactive.

Such laws may be held invalid only because they offend some specific constitutional provision.

Is the act unconstitutional because it is declaratory in its nature? I believe the answer is "No."

The proposed legislation is not declaratory. It is not an attempt to say what the Congress intended when they passed the Fair Labor Standards Act.

We are not attempting here to say to the Supreme Court or to the people of the United States, "You have misinterpreted what Congress said in the Fair Labor Standards Act." If we did that we would be attempting to pass a declaratory law. This is not declaratory, and therefore it cannot be said that it would be unconstitutional for that reason.

Another question is this: Is this legislation unconstitutional because it would impair the obligation of a contract? I am of the opinion that it is not. The only constitutional prohibition against the impairing of contractual obligations is directed against the States and not the Congress. However, it is true that a denial of due process may, in effect, be an impairment of the obligation of a contract. I have spoken heretofore on this question and demonstrated, I think, that under the facts and circumstances this proposal does not constitute a denial of due process. This is legislation taking away a newly acquired right, which was born with the courts' interpretation of the statute and which is on a very different basis from rights of long standing and definitely and specifically covered by contract.

The right to be abolished by this legislation rests upon the statute and, therefore, falls within subsequent repeal or inconsistent legislation.

Congress in the exercise of one of its powers to legislate for the general welfare may destroy vested rights.

Mr. President, because I could not vote for a measure which I believe to be unconstitutional and because the questions involved in this proposed legislation seemed to me to be so important, I devoted considerable time to it before arriving at the conclusion which I have reached. During the course of my consideration I have had the benefit of an opinion written by Henry M. Bates, who was the dean of the University of Michigan Law School. At this place in the RECORD I should like to insert the biographical information with reference to Dean Bates which is found in Who's Who in America. It is as follows:

Bates, Henry Moore, emeritus professor of law and dean; born, Chicago, Ill., March 30, 1869; son of George Chapman and Alice E. B.; Ph. B., University of Michigan, 1890, LL. D., 1941; LL. B., Northwestern, 1892; LL. D., Kalamazoo College, 1925, Wayne University, 1940; married Clara A. Belfield, September 4, 1894; one daughter, Helen Belfield Van Tyne. Practiced law Chicago, 1892–1903, member of firm Harlan & Bates; Tappan professor of law, University of Michigan, 1903–39, dean, law school, 1910–39; emeritus since 1939; professor of law, Harvard Law School, 1917–18. President, Association American Law Schools, 1912–13; member executive committee, American Institute of Criminal Law, 1911–14; president, Order of the Coif (legal scholarship society), 1913–16; commissioner on uniform State laws, 1921–33; member, American Bar Association, American Political Science Association, Chicago Law Institute, American Judicature Society (member, board of directors), Social Science Research Council, Phi Beta Kappa, Alpha Delta Phi, Phi Delta Phi; charter member, American Law Institute (member of council, 1924–29); fellow American Academy of Arts and Sciences. Clubs: University, Chicago Literary (Chicago), Detroit, Economic (Detroit). Home: 1921 Cambridge Road. Office: Legal Research Building, Ann Arbor, Mich.

Dean Bates taught constitutional law at Michigan for 29 years and is a nationally recognized authority on the subject.

Since the Senator from Michigan studied constitutional law under Dean Bates, some persons may think that the dean's interpretation of the Constitution is somewhat outmoded, but I am sure that he has kept up with the decisions of the Supreme Court, as I also have tried to do, and I for one am willing to take the Constitution as it is today and discuss the question whether or not this proposed law is constitutional on the basis of the Constitution as it has been interpreted up to the year 1947.

I believe that this opinion or memorandum is of such importance that I should read it, so that if any of the Members of the Senate desire to debate the questions involved, they may be in a position to do so. I understand it is the intention of the Senate to attempt to vote today upon the pending measure, and therefore I deem it proper to read this memorandum at this time. It reads as follows:

MEMORANDUM CONCERNING THE POWER OF CONGRESS TO ENACT LEGISLATION HAVING RETROACTIVE, AS WELL AS PROSPECTIVE, EFFECT UPON RIGHTS CLAIMED UNDER PRIOR CONGRESSIONAL LEGISLATION

Specifically, this memorandum deals with the validity of possible legislation affecting the so-called Fair Labor Standards Act of 1938. The power of Congress to legislate in regard to labor is derived from that clause of the Constitution giving it the power to regulate commerce among the States. Inasmuch as the Supreme Court in *U. S.* v. *Darby* (312 U. S. 100), has already upheld the congressional authority to enact the Fair Labor Standards Act itself, there can be no quetsion but that Congress may now legislate with reference to the same subject matter, provided of course its action does not violate any provision of the Constitution.

The proposed legislation is aimed at what are thought to be unjust consequences not only to employers, but indirectly, though certainly, unjust to the Nation as a whole, including workers themselves, and demoralizing to the general economy of the Nation.

I digress, Mr. President, to say that I think the beginning of the present bill indicates clearly that that is true.

I now read further from the memorandum:

The interpretations referred to above relate to the matter of compensation of workers for time spent in reaching the place of work and preparing for that work and referred to popularly, though inaccurately, as portal-to-portal compensation.

The section of the Fair Labor Standards Act with which the court was chiefly involved was section 7. The act makes no precise definition of what work and time are to be compensated for. No specific provision and, it is believed, no implied provision of the statute were intended to include compensation for time not spent in what is called productive work.

Prior to the enactment of the Fair Labor Standards Act of 1938, it had not been customary to pay workers portal-to-portal pay except as provided for in specific contracts. There were a few such contracts, but in general it was not customary either by express contract or by informal agreement to pay for such work specifically, but it was apparently assumed that time spent in travel and in preparation for work were considered in fixing the hourly rate of pay.

The interpretations of the Fair Labor Standards Act referred to above began in the *Tennessee Coal, Iron & R. Co.* v. *Muscoda Local No. 123* (321 U. S. 590 (March 1944)). In that case, a majority of five of the Court held that the time spent by miners in traveling underground, to and from the working face, constituted work or employment for which the worker was entitled to compensation under the act. This was despite the fact that no proof was submitted that such travel time had ever been understood to be or had been compensated as work in the particular mine and area involved.

In *Jewell River Coal Corp.* v. *Local No. 6167, U. M. W., et al.* (325 U. S. 161 (May 1945)), the same majority of five justices held that time spent in travel underground between the portals and working face of a soft coal mine was compensable within the meaning of the act. It is worthy of note that the union involved had advised the Administrator that travel time had not before been recognized to be work time. The majority of the Court, however, had held that it made no difference that neither by custom nor by collective bargaining agreement such

travel time had been excluded, and that neither contract nor custom could defeat or balk the declared policy of Congress that all actual work must be compensated and that travel time was included in such actual work.

In *Armour & Co.* v. *Wantock* (323 U. S. 126), and *Skidmore* v. *Swift & Co.* (323 U. S. 134), both decided in 1944, the Court decided that time spent by company firemen waiting "on call" in the company firehouse must be compensated.

In *Anderson* v. *Mt. Clemens Pottery Co.* (66 S. Ct. 1187) again the same five Justices of the Supreme Court held that in addition to travel time, as defined in the decisions previously referred to here, the time spent in preparing for work, such as putting on protective devices, must also be paid for. As is well known after these decisions of the Supreme Court, a large number of suits were instituted to recover back "portal-to-portal" compensation; the amounts involved were large; and many more suits were threatened.

THE PROPOSED LEGISLATION

As this memorandum is written—

Of course, this memorandum was written before the bill was finally reported from the committee—

it cannot be stated what the anticipated legislation may contain—

However, Mr. President, I have examined the bill, and I may say that the questions presented in this memorandum cover the questions involved in the bill.

The dean says further:

But it may be, and is here, assumed that the legislation may include limitations on the time within which actions for portal-to-portal pay may be brought, provisions prohibiting the assignment of claims by workers, and giving to employers the defense of good faith and other provisions which would substantially affect the employees' rights of action in this field. Probably the legislation would contain retrospective features, as well as prospective.

Mr. President, I may say that this bill does contain retrospective features, and this memorandum discusses that question. So the questions involved in the bill are the ones discussed in the memorandum and, therefore, I believe they are material.

The memorandum further says:

The act prospectively employed, if reasonable and not violative of constitutional provisions, would certainly be valid, but question may be raised as to whether retroactive application of the proposed act would be valid.

Many laymen and some lawyers approach the question of retroactive legislation with the unwarranted feeling that such legislation is invalid, or, at least, frowned upon, because of the provision in the Constitution forbidding ex post facto laws. The term "ex post facto" is a term of art or a technical term well defined in the history of English and American governmental action, and it has been confined strictly to legislation (or, in England, other governmental action) relating to crimes. In this country it was early made clear, in the case of *Calder* v. *Bull* (3 Dall. 386), that the term "ex post facto" is confined to criminal matters. This interpretation of the expression is, of course, well known to the courts and the lawyers, but the opinion of Mr. Justice Iredell gives convincing reasons, aside from the historical ones, for holding that civil retroactive laws were not intended to be and should not be construed to be within the scope and meaning of the ex post facto prohibition.

Mr. Justice Iredell said (pp. 398, 400):

"The policy, the reason, and humanity, of the prohibition, do not, I repeat, extend to civil cases, to cases that merely affect the private property of citizens. Some of the most necessary and important acts of legislation are, on the contrary, founded upon the principle that private rights must yield to public exigencies."

Judge Cooley, in his work on Constitutional Limitations, has made an elaborate study of this matter of retroactive legislation. On page 772 of the eighth edition of this great work it is said:

"There are numerous cases which hold that retrospective laws are not obnoxious to constitutional objection, while in others they have been held to be void. The different decisions have been based upon diversities in the facts which make different principles applicable. There is no doubt of the right of the legislature to pass statutes which reach back to, and change or modify, the effect of prior transactions, provided retrospective laws are not forbidden by the State constitution, and provided further that no other objection exists to them than their retrospective character."

A large number of cases are cited to support the text. Among them are *Shonk* v. *Brown* (61 Pa. 320), *Lane* v. *Nelson* (79 Pa. St. 407), *Miller* v. *Hixson* (64 Ohio 39), *Cummings* v. *Howard* (63 Cal. 503).

The case of *Goshen* v. *Stonington* (4 Conn. 209) has become the leading case in this general class. The supreme court of the State sustained a statute which validated marriages which had been contracted under an older statute of the State. After the earlier statute, the courts held that the officiating clergyman had not been authorized to perform marriage ceremonies, and, therefore, that the supposed marriages were void. Several children were born of marriages thus nullified; property rights had been developed; and, in a few instances, support of indigents who had participated in these marriages had been put upon a certain Connecticut town. The effect of the statute, held valid in this case, was to make validly married persons who supposed they had been unmarried, so to speak, and had contracted other marriages. Of course, it affected the status of children born in this class, affected the property rights of all persons involved, and placed the support of some of the indigents upon towns other than those which had first been saddled with that support. In his opinion in this case, Chief Justice Hosmer said:

"It is universally admitted and unsusceptible of dispute that there may be retrospective laws impairing vested rights which are unjust * * *. On the other hand, laws of a retroactive nature affecting the rights of individuals not adverse to equitable principle and highly promotive of the general good have often been passed and as often approved. * * * On the other hand, I cannot harmonize with those who deny the power of the legislature to make laws in any case which with entire justice operate on antecedent legal rights."

Similar principles have been maintained by the Massachusetts courts. One of the most informing of the Massachusetts cases is *Danforth* v. *Groton Water Co.* (178 Mass. 472), in which the then Chief Justice Holmes sustained a statute which extended the time for filing suits under a prior short statute of limitations. Holmes frankly admitted that the effect of the statute was to deprive the city of the complete defense to the action, and hence to make valid a claim previously cut off. See also *Robinson* v. *Robins Dry Dock Co.* (230 N. Y. 271); *Campbell* v. *Holt* (115 U. S. 620). In the last-mentioned case, the court held that a repeal of the statute of limitations, even as to debts already barred, was valid and did not violate the due process clause of the fourteenth amendment.

Many such statutes enacted to correct irregularities or ambiguities in previous statutes have been appealed on the ground that they were retroactive. Both in England and in the United States, these statutes have been sustained, even though existing rights and claims were thereby destroyed.

In brief, it may be said with confidence that legislation cannot be held invalid, even though vested rights are thereby destroyed, merely on the ground that they are retroactive. They may be held invalid only because they offend some specific constitutional provision.

The proposed legislation in the portal-to-portal controversy is not declaratory. This conclusion seems incontrovertible, and the above discussion of declaratory legislation has the double aim of showing that if perchance the proposed legislation would be interpreted as declaratory, it would not on that account alone be invalid, and as showing that in any case where retrospective legislation is attached, it is permissible to show that though rights are destroyed, the legislation is constitutional unless definite injustice is thereby produced. For the purpose of further discussion, it is assumed that the proposed statute would not change the interpretation or decision in any cases already adjudicated. It would not in any manner affect adjudication already made, nor direct the courts how to interpret or apply statutes coming before them.

We proceed now to discuss other possible attacks upon the proposed legislation. Some retroactive legislation has been declared invalid because it impairs the obligation of contracts. The only prohibition of laws impairing the obligation of contracts is directed to the States and not to Congress, and, in many cases prior to the adoption of the fourteenth amendment, the courts have distinctly held that the contract clause in the Constitution had no bearing whatever upon congressional legislation.

But in the case of the *Continental-Illinois Bank & Trust Co.* v. *C. R. I. & P. R. Co.* (294 U. S. 648), and in other cases cited in that opinion, the due-process clause has been construed to forbid the impairment of the obligation of contracts. Therefore, it is pertinent to consider here whether the proposed legislation would impair the obligation of contracts, and also whether it is in any other manner violative of due process of law.

The suggestions which have been made for legislation to deal with the portal-to-portal problem certainly include provisions which would in important respects affect some of the provisions in labor contracts, as the Fair Labor Standards Act has been interpreted in the Supreme Court decisions discussed earlier in this memorandum.

But it cannot be doubted that this interpretation by the Court differs widely from what had been the custom for many years in regard to compensable time spent in travel within the works or in preparation for work. It may well be doubted whether either the workers or employers believed prior to the Jewell Ridge case that time spent as indicated was compensable specifically. In fact, it had been assumed and had been found on the trial of the case in the lower court that travel time had not been recognized as a specific item, either in the custom or in special bargains. It was assumed that travel time was taken into account in fixing the regular hourly rate, and on that assumption, of course, travel time is paid for in that rate.

Whether we regard the Court's interpretation as correct or not, it certainly made a great change in the basis for reckoning compensation. This makes it clear that the workers' right to additional specific compensation for travel time was a new right born with the Court's interpretation. Legislation taking away a newly acquired and unexpected right is on a very different basis from rights of long standing, definitely and specifically covered by contract. This is recognized in the case of Campbell against Holt, cited above, and while the recognition of this difference between an old, specifically established right

and a newly acquired right by unexpected court interpretation cannot be said to be a rule of law, yet it is a highly important consideration, oftentimes decisive, as revealed by many reported cases.

THE CLAIM TO COMPENSATION FOR PORTAL-TO-PORTAL TIME RESTS UPON THE STATUTE, AND THEREFORE FALLS WITH SUBSEQUENT REPEAL OR INCONSISTENT LEGISLATION

The principle just stated has been established almost from the beginning of our Government. (*U. S.* v. *Schooner Peggy* (1 Cranch 103); *Norris* v. *Crocker* (13 How. 429); *Louisville & Nashville R. Co.* v. *Maxwell* (237 U. S. 94).)

The case involving facts which most nearly parallel the facts in the present situation is *National Carloading Corp.* v. *Phoenix-El Paso Express, Inc.* (176 S. W. (2d) 564). Certiorari was denied in 322 U. S. 747, thus affirming the principle announced in the Texas case. The Texas court said (pp. 568–570):

"It is generally conceded that a right of action given by a statute may be taken away at any time even after it has accrued and proceedings have been commenced to enforce it. * * * A plaintiff does not possess such a vested right as to come within the inhibition of the fifth amendment. Such a right must be something more than a mere expectation based upon an anticipated continuance of the existing law. * * * If before rights become vested in particular individuals, the convenience of the State induces amendment or repeal of the laws upon which they are based, these individuals are left without any remedy at law to enforce their claims; and if final relief has not been granted before the repeal goes into effect, it cannot be granted thereafter, even if a judgment has been entered and the cause is pending upon appeal."

In *Maryland* v. *B. & O. R. Co.* (3 How. 534) the Supreme Court held that a valuable provision in an earlier statute, which provision was repealed subsequently, was destroyed by that repeal and without violation of the fifth amendment. See also *Atlantic Coast Line R. Co.* v. *Goldsboro* (232 U. S. 548); *Pearsall* v. *Great Northern R. Co.* (161 U. S. 646).

That the right to compensation for travel and other work preparatory to the day's job is based wholly upon the statute is declared in *Brooklyn Savings Bank* v. *O'Neil* (324 U. S. 697), and the Court characterized it as a "statutory right conferred on a private party but affecting the public interest." It follows that this claim or right may be taken away by statute, and the new or curative statute may be given retroactive effect without violating the Constitution.

CONGRESS IN THE EXERCISE OF ONE OF ITS POWERS TO LEGISLATE FOR THE GENERAL WELFARE MAY DESTROY VESTED RIGHTS

It may well be doubted whether rights claimed under the interpretation of the Fair Labor Standards Act, in the Mount Clemens case, are vested except those which have been reduced to judgment, not subject to new trial or to appeal. And no such claims have been established by final judgment not subject to reversal or modification.

But even if it were assumed that in some manner rights to portal-to-portal pay have become vested, they are still subject to cancellation by acts of Congress. It has been held repeatedly that Congress, exercising one of the great powers conferred upon it for the general welfare, may destroy even vested rights which would otherwise stand as obstacles to the attainment of the policy declared by Congress. This has been true all through our history. In the exercise of its bankruptcy power Congress has subjected debts to cancellation or reduction and has been sustained in so doing by the Supreme Court in cases too numerous and too well known to require citation here.

Legal tender cases afford another well-known illustration of this power of Congress. See *Juillard* v. *Green* (110 U. S. 421). The most striking recent case illustrating this power of Congress is found in the so-called gold-contract cases. *Norman* v. *B. & O. R. Co.* (294 U. S. 240). In those cases Congress was exercising its granted power over currency. A joint resolution of Congress prohibiting the discharge of obligations in gold coin or currency was sustained by the Court as a valid exercise of congressional power. Several actions were instituted by the holders of gold-clause obligations, but the Court held that those clauses were subject to the power of Congress under the currency clause to regulate that currency. In his opinion for the Court, Chief Justice Hughes declared that:

"Contracts, however express, cannot fetter the constitutional authority of the Congress. Contracts may create rights of property, but when contracts deal with a subject matter which lies within the control of Congress, they have a congenital infirmity. Parties cannot remove their transactions from the reach of dominant constitutional power by making contracts about them" (pp. 307–308).

Substantially the same expression had been used by the Court in 1907 in the case of *Hudson Water Co.* v. *McCarter* (209 U. S. 349, 357). The same principle was expressed in different form in the Norman case, already referred to. There the Court said:

"There is no constitutional ground for denying to the Congress the power expressly to prohibit and invalidate contracts, although previously made and valid when made, when they interfere with the carrying out of the policy which it is free to make" (p. 309).

See *Nortz* v. *U. S.* (294 U. S. 317); The Gold Clause in United States Bonds, by Henry M. Hart, Jr. (48 Harvard Law Review 1056); Dickinson's The Gold Decisions (83 University of Pennsylvania Law Review 713, 723); Cyclopedia of American Government (vol. I, p. 456); Legal Aspects of Renegotiation, by Maj. Charles W. Steadman (42 Michigan Law Review 545).

The same principle as applied to State legislation was declared in the case of *Home Building and Loan Association* v. *Blaisdell* (290 U. S. 398, 429). Some effort was made in the last-named case to show that the statute complained of affected only remedy, but the remedies affected were substantial and the case was really decided on the ground that the State's police power amply justified dealing with a situation which was treated as an emergency.

In addition to the cases cited above on the congressional power, see *American Power & Light Co.* v. *S. E. C.* (15 Law Week 4013 (Nov. 25, 1946); *Philadelphia, etc. R. Co.* v. *Schubert* (224 U. S. 603); *Louisville & Nashville R. Co.* v. *Mottley* (219 U. S. 467); *NLRB* v. *Jones & Laughlin Steel Corp.* (301 U. S. 1).

In the last-cited case, the Court said:

"The fundamental principle is that the power to regulate commerce is the power to enact all appropriate legislation for its protection and advancement * * * to adopt measures to promote its growth and insure its safety, to foster, protect, control, and restrain * * * that power is plenary and may be exerted to protect interstate commerce, no matter what the source of dangers which threaten it."

In *North American Co.* v. *S. E. C.*, supra, the Court required the defendant to dispose of certain securities held by it. Defendant protested that this would compel it to sell the securities at a loss and thus deprive it of its property without due process of law. The Court disposed of that claim, saying:

"This broad commerce clause does not operate so as to render the Nation powerless to defend itself against economic forces that Congress decrees inimical or destructive of the national economy. Rather, it is an affirmative power commensurate with the national needs. It is unrestricted by contrary State laws or private contracts. And in using this great power, Congress is not bound by technical legal conceptions. * * * The taking of property is said to involve a vast destruction of values. Reference is made in this respect to the valuable right of North American shareholders to pool their investments and thereby obtain the benefit alleged to flow from efficient, common management of diversified interests. But Congress balanced the various considerations and concluded that this right is clearly outweighed by the actual and potential damage to the public, the investors, and the consumers resulting from the use made of pooled investments. * * * Congress has concluded from the extensive studies made prior to the passage of the act that the economic advantages of a holding company at the top of a disintegrated sprawling system are not commensurate with the resulting economic disadvantages. The reasonableness of that conclusion is one for Congress to determine. The fact that valuable interests may be affected does not by itself render invalid under the due process clause the determination made by Congress (pp. 797, 798).

In conclusion, it may be said:

1. That civil retroactive legislation is not invalid merely because it is retroactive;

2. Whether or not such legislation is constitutional or unconstitutional must be determined by considering the nature of the rights involved; the purpose for which the retroactive legislation is enacted; and the nature and purpose of the governmental power exerted;

3. Whether such legislation is absolutely prohibited by the Constitution must be determined;

4. It must be determined whether the proposed portal-to-portal legislation should be enacted to prevent injustice, to prevent injury to interstate commerce, to the economic condition of the country, and to the interest of employers, employees, and the general public;

5. That the proposed legislation does not impair the obligation of contracts when all the circumstances are considered; and

6. That the due process clause in the fifth amendment would not be violated.

Mr. LUCAS. Mr. President——

The PRESIDING OFFICER (Mr. THYE in the chair). Does the Senator from Michigan yield to the Senator from Illinois?

Mr. FERGUSON. Yes; I am glad to yield.

Mr. LUCAS. As I understand the memorandum from which the Senator has read was prepared by the able dean of the Michigan Law School.

Mr. FERGUSON. Yes.

Mr. LUCAS. It is a very illuminating and interesting memorandum, and the dean certainly spent a great amount of midnight oil in preparing it. I wonder whether the scholarly gentleman had before him a full copy of the bill as reported from the committee on March 10?

Mr. FERGUSON. In the beginning of my remarks I stated that he did not; but I considered that the principle discussed by him does apply to the bill.

Mr. LUCAS. I certainly agree with the Senator that it applies to the main part of the bill, certainly to the portal-to-portal suits, as so ably discussed in the brief submitted by the erudite gentleman. There seems to be little question about that. But I am wondering whether or not the dean of the Michigan Law School would give the Senator the same kind of opinion if he were dealing with a basis claim or contract right which had absolutely nothing to do with portal-to-portal activities.

Mr. FERGUSON. I would have to get a little clearer answer on that point from the memorandum itself. Is the Senator speaking of a right created under the Fair Labor Standards Act?

Mr. LUCAS. It might involve a claim under the Fair Labor Standards Act, but if I am rightly informed, under the provisions of the bill it does not make any difference whether such a claim comes under the Fair Labor Standards Act; it could arise under the Walsh-Healey Act, it could arise under the Bacon-Davis Act, or the bill goes so far as to cover any kind of claim. That is the point at which I part company with the pending bill.

Mr. FERGUSON. Will the Senator give me the benefit of the particular clause or provision of the bill to which he has reference when he speaks of any kind of claim under other acts?

Mr. LUCAS. I do not assert that what I said represents the exact language of the bill, but I will find the language for the Senator in a moment. On page 10 of the bill, part II, section 2 (a):

> No employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act on account of the failure of such employer to pay an employee minimum wages, or to pay an employee overtime compensation, for or on account of any activities of an employee engaged in prior to the date of enactment of this act—

And so on. My contention is that under this section every conceivable claim based on any activity not compensable by contract or by custom or practice, as is provided in paragraphs (1) and (2), is wiped out. That is my position. I may be wrong in my position.

Mr. FERGUSON. No; I think th Senator is right.

Mr. LUCAS. If my position is correct I seriously contend that the Congress of the United States cannot arbitrarily wipe out a basic claim which has no relation whatever to portal-to-portal activities, and, in addition to that, which does not in anywise affect the interstate commerce clause upon which this proposed legislation is based.

Mr. FERGUSON. I answer by saying that it is the intent of the section referred to abolish every known claim that could exist under the Fair Labor Standards Act, the Walsh-Healey Act, or the Bacon-Davis Act—specifically under the acts and by virtue of nothing else than the acts, except claims which may arise under any express or implied contract. It wipes out all claims that are specifically provided for in the acts referred to. I think it was the intention of the drafters of the legislation to wipe out everything under those acts that was not based upon contract or custom or practice. That was the intention.

Mr. LUCAS. That is correct, and I say it is debatable and it is legitimate argument, I think, whether or not the Congress of the United States can arbitrarily dispose of a claim which might arise under the Walsh-Healey Act or the Bacon-Davis Act or any other act that does not directly affect the portal-to-portal cases which we know as the only reason for this proposed legislation. In other words, without these portal-to-portal suits having been started all over the country we know that we would not have before us any legislation dealing with the Bacon-Davis Act or the Walsh-Healey Act or with any legitimate claim that might arise under contract or under practice or custom.

So my only point—and I have raised it a couple of times in the course of the debate—is whether or not under the Constitution Congress has the power to wipe out a vested right which in nowise affects the commerce clause of the Constitution. There is no evidence before us today that anything that has happened under the Bacon-Davis Act or the Walsh-Healey Act has in anywise affected the economy of the country or in anywise disturbed the commerce clause of the Constitution upon which this proposed legislation is based.

Mr. FERGUSON. I think that is a fair question and one which should be debated here. The bill certainly embraces those acts, whether or not cases involved under them are portal-to-portal cases. I think personally the designation "portal to portal" is rather a misnomer. But as we begin consideration of the question we agree that the Fair Labor Standards Act has been declared constitutional. I do not have any citations before me to show that the Walsh-Healey Act or the Bacon-Davis Act have been declared constitutional, but I assume, because of the length of time they have been on the statute books, that they have been so declared. Therefore those acts are valid, and they rest upon certain constitutional powers, just as the Fair Labor Standards Act rests on the commerce clause.

This legislation involves a question of policy. Congress having created a right by a law which has been declared to be constitutional, under the decisions of the courts Congress may take away that right. Congress may take away any right which it creates by legislative enactment. That is what the courts have said. If Congress declares certain rights to exist, a new Congress—or even the same Congress, on the same day, but subsequent to the enactment of the act—may take away such rights. That is the judicial interpretation of our Constitution.

The able Senator from Nebraska [Mr. WHERRY] brought up the question of the so-called good-faith section. I believe that this section should be included in the bill. We have so much regulation and regimentation in America that I think that when the Government of the United States undertakes to issue regulations and tell the people what they can do, if the people in good faith comply with such regulations they should be protected. I would not for a moment say that anyone who does anything in bad faith, or whose actions are tainted with bad faith, should have any protection. But when the Congress enacts laws and the executive branch employs administrators who tell the people what they can do, and the people with whom they are dealing understand the regulations and act in good faith, the Government should not come along years later and say, "No matter that you acted in absolute good faith, no matter how innocently you may have proceeded, we are going to hold you liable for breaching the contract, and you will have to pay as a penalty, not only time and a half, but double time and a half." A man may be entitled to time and a half; but the statute provides that the employer who breaches a contract is liable not only for time and a half, but for twice that amount, plus attorneys' fees. I do not see how a nation can say to its citizens, after they have relied upon administrative interpretations, "The public servant who issued the order did not know what he was doing, and therefore we will hold you liable for a penalty."

This proposal was before the Seventy-ninth Congress and there was not a dissenting vote against it. I was instrumental in proposing the amendment to the Fair Labor Standards Act. Representatives of both management and labor came to me and said, "Under the circumstances we all acted in good faith for the war effort. We now understand that there has been a change, because of a Supreme Court decision which would wreck this entire industry." The amendment which was then proposed was unanimously agreed to, so that certain rights would be protected. The amendment consisted of the addition of subsection (b) to section 2 of the act. The amendment was as follows:

> (b) No liability under this section shall be predicated in any case on any act done or omitted in good faith in accord with any regulation, order, or administrative interpretation or practice, notwithstanding that such regulation, order, interpretation, or practice may, after such act or omission, be amended, rescinded, or be determined by judicial authority to be invalid or of no legal effect.

That was on July 29, 1946.

The question is whether or not the Government will permit persons concerned to rely in good faith upon the interpretation of an administrator duly authorized by statute to issue regulations. Such protection is particularly important in wartime, when the people are trying to follow the orders of administrators and produce the maximum amount of goods to aid in defeating a common enemy. When Congress has provided for such regulations, and the people in good faith have relied upon them, it seems to me that the Congress, the representatives of the people themselves, should protect those who in good faith rely upon such orders. It will be of even greater importance if we ever have another crisis such as the last war.

Mr. DONNELL. Mr. President, will the Senator yield for an inquiry?

Mr. FERGUSON. I yield.

Mr. DONNELL. Does the Senator agree with this observation of the Supreme Court of the United States in *Missel* v. *Overnight Motor Transportation Company* (316 U. S. 572):

> Is this provision of the law as to liquidated damages mandatory or discretionary? Since the act has been violated in good faith in this case, we would indeed like to hold that it is discretionary. It seems a keen injustice for employers bewildered by strange legislation and confused by divergent au-

thority of the courts to be subjected to such a measure. Yet, no matter how much we lament its harshness, the section appears to be mandatory and virtually all the courts have so construed it.

Does the Senator agree as to the inate position of justice there suggested by the Court?

Mr. FERGUSON. I certainly do. That is an example of the way the courts are placed in such a position that they are helpless, no matter how earnestly they may desire to do equity, no matter how much they may wish to do justice between the parties. We have provided for so much damages, and by virtue of the law the courts must live up to that provision. What the Congress is trying to do is what the judge would have liked to do if he had had his choice, and that is to do justice. That is what we want in America, but I would like to see it done under law. The judge could not do justice because the law prohibited it. I say that we ought to change the law so that justice can be done under the law.

Mr. DONNELL subsequently said: Mr. President, during the progress of the address of the junior Senator from Michigan [Mr. FERGUSON], in reading at the moment from Report No. 1395, Seventyninth Congress, second session, I credited a certain quotation which I read to the Supreme Court of the United States in the case of *Missel* v. *Overnight Motor Transportation Company* (316 U. S. 572). I have ascertained that while the citation appears that way in the report from which I read, and was a correct quotation, the citation was incorrect. The language which I quoted is from the United States Circuit Court of Appeals for the Fourth Circuit, appearing in One Hundred and Twenty-sixth Federal, second series, at pages 110 and 111. I should like to have the RECORD also show that the citation which I gave from the Supreme Court is a citation of the decision of the Supreme Court in which the ruling of the circuit court of appeals to which I have referred was affirmed.

Mr. MURRAY. Mr. President, as a member of the Senate Labor Committee, back in 1937, when the Black-Connery bill was before the Congress, I became deeply interested in the problems of the unorganized workers of our country. That bill was finally enacted as the Fair Labor Standards Act of 1938. The operation of that law in the meantime has met with the general approval of the people of this country.

I am therefore concerned over the disastrous effects which the so-called portal-to-portal bill now being considered will have on the Fair Labor Standards Act which has made a signal contribution to the welfare of our country and its unorganized workers.

It seems to me that the plain implication of the bill now being considered will be to undermine and destroy the present modest standards of wages and living and working conditions prevailing for the vast body of unorganized workers.

The testimony before the Senate committee on the Black-Connery bill related a tragic story of the degradation and oppression of those unfortunate workers who were without any organization to protect their rights. The depressing effects of those conditions were threatening to undermine our entire American economic system. Nearly one-third of our entire population was affected by these conditions, which forced the Congress to take action which resulted in the fair labor standards measure.

With the impact of the industrial revolution, this country, like other industrialized countries, had developed in its midst a new class of propertyless, exploited, and desperately depressed workers. As we grew in industrial might we saw, growing side by side, industrial slums, disease, and poverty. Poverty and want existed in the midst of plenty. Men, women, and children were forced to live under the most shameful conditions; their earnings, in most cases, were less than sufficient to maintain themselves in any degree of comfort or good health. The plight of these unfortunate children and workers had been the subject of discussion in forums, in books, and in muckracking stories in the press, both in America and other nations where similar conditions existed.

The poetry of Thomas Hood portrayed the sad conditions of the workers in the textile industry in England, which applied as well to America. The school children of England and of this country, half a century ago, used to recite Hood's poem, The Song of the Shirt, depicting the sad plight of the workers—one of the stanzas of which reads, as follows:

Stitch, stitch, stitch, in poverty, hunger, and dirt,
Sewing at once, with a double thread, a shroud as well as a shirt.

Little or nothing, however, was being done to change these conditions in America until the great depression following the Wall Street crash of 1929 came upon us.

A great deal of lip service had been given to the commonplace that: "It is bad for America, economically as well as socially, to have child labor, sweated labor, low standards of living, inhumane and unhealthy working conditions."

But little in the way of remediale legislation was seriously proposed until 1934 when President Roosevelt recommended the enactment of the National Recovery Administration.

The NRA provided for a code of fair competition, including maximum hours and minimum wages for workers. However, this act was declared unconstitutional and in 1937 President Roosevelt, conscious of the great need of action, urged the Congress to enact the fair-labor standards bill providing for minimum wages, maximum hours, and the abolition of unhealthy child labor conditions. It was in his now-famous message on this legislation that President Roosevelt referred to the "one-third of our population being ill-nourished, ill-clad, and ill-housed." He recommended, in a vigorous message to the Congress, that some concrete steps be promptly taken to make the devotion to the verbal ideals I have mentioned statutory instead of merely rhetorical.

I shall not take the time here to discuss the effects of that outstanding example of American humane legislation—the Fair Labor Standards Act—it was successful beyond expectations. It not only brought justice to a terribly exploited section of our people, but made an effective contribution to business and industry by providing a more healthy and productive working force, and by creating improved markets and more balanced and prosperous conditions in the country.

Mr. President, in view of what I have related, I am naturally alarmed over the effect which the legislation now being considered, H. R. 2157, will have on that most beneficent measure.

Although H. R. 2157 purports to merely outlaw so-called portal-to-portal wage claims and carries the innocent title of Portal-to-Portal Act of 1947, it contains provisions which will cause the unorganized employees, of whom there are more than 9,000,000 covered by the Fair Labor Standards Act alone, to lose the protection of decent wages and reasonable working hours obtained for them by the Fair Labor Standards Act. Other laws also protecting and safeguarding the working men and women of the country would likewise be adversely affected by the enactment of H. R. 2157.

In considering the drastic changes this bill would make in these labor statutes, we must recall the remedial and humanitarian purposes which Congress had in mind in enacting them and the economic conditions which surrounded their passage. Statistics compiled by the Bureau of Labor Statistics and presented during 1937 to the joint committee which was considering the then pending Fair Labor Standards Act revealed that 20 percent of the wage-earning families in New York City had a combined income of less than $1,200 a year. Less than a $1,200-a-year income was earned by 29 percent of the wage-earning families in Philadelphia, 26 percent in Pittsburgh, 25 percent in St. Louis, and 20 percent in Los Angeles. In Providence, R. I., 42½ percent of all families earned less than $1,200 a year, 30 percent of all white families in Atlanta earned less than that sum, and for Denver the figure was 35 percent. The percentage of families earning less than a yearly income of $1,200 was uniformly higher in the smaller cities and towns. Figures supplied to the joint committee in 1937 revealed that 36.7 percent of all industrial employees were receiving less than 40 cents an hour, and that about 50 percent of them were working more than 40 hours a week.

Working time of more than 70 hours a week in some instances were reported to the joint committee. Wages of 15 cents and less an hour, it was revealed, were not uncommon in cigarette factories, paper-box factories, sawmills, wood-heel factories, and container factories. In 1936, the median weekly wage for women employed in manufacturing industries in Arkansas was $9.60, with the average for some industries being as low as $5.55 a week. Of the women in Arkansas industries covered by the survey, 24.1 percent worked more than 48 hours a week, and an additional 27.4 percent were employed more than 40 hours

a week. In Delaware, more than 41 percent of the women employed in manufacturing earned less than $10 per week. Similar statistics could be cited regarding women employed in Tennessee, Texas, and several other States.

These appalling conditions, Mr. President, convinced Congress that there was a vast body of workers in this country who were unable to secure by their own means a living wage and reasonable hours of employment. In enacting the Fair Labor Standards Act, in 1938, the Congress found in its findings and declaration of policy the existence "of labor conditions detrimental to the maintenance of the minimum standards of living necessary for health, efficiency, and general well-being of workers," resulting in burdens upon commerce, interference with the orderly and fair marketing of goods in commerce, and unfair methods of competition in commerce. It was declared to be the policy of the act "to correct and as rapidly as practicable to eliminate" such conditions. The Supreme Court, in considering the legislative history of the Fair Labor Standards Act and its findings and declaration of policy, has stated that the statute is remedial in nature, with a humanitarian purpose, and that it was intended by Congress "to protect certain groups of the population from substandard wages and excessive hours which endangered the national health and well-being." The Walsh-Healey Act and the Davis-Bacon Act were enacted for similar purposes.

In the years which have passed since the enactment of these remedial statutes, their value in raising the working standards of the unorganized worker has been clearly demonstrated. Although the union employee has normally been able to protect his interests through collective bargaining, the millions of unorganized and unskilled workers have had to depend upon these statutes to secure and maintain decent wages and reasonable hours of work. The average weekly wage of factory workers, including both organized and unorganized, rose from $23.86 in 1939 to a high of $46.08 in 1944. This average dropped to $41.81 in August 1945, the last period for which I have any figures. These statistics and others compiled on the subject indicate that as the peak period of employment created by war conditions subsides, the unorganized worker will again have to rely upon these labor statutes to maintain a standard of living sufficient to cover essential human needs.

The argument may be advanced by those supporting this bill that decent wages and reasonable working hours, having been established under the Fair Labor Standards Act and these other statutes, will continue to be paid by industry to the unorganized, as well as the organized, employee, even though the remedial provisions of these statutes are seriously impaired by House bill 2157 or other legislation. Fortunately, however, we do not have to speculate or attempt to surmise as to the results which would follow from the repeal or removal of working standards established under Federal legislation. The Bureau of Labor Statistics has made an exhaustive and remarkable study of the effects upon wages and working hours which resulted after the National Recovery Act was declared invalid. It will be recalled that under that act codes of fair competition establishing minimum wages and maximum hours of employment were adopted in various industries. The NRA was declared invalid on May 27, 1935. The Bureau of Labor Statistics found that within 1 year after the codes were nullified average weekly hours increased substantially in all 16 of the industries examined. In the steel industry, for example, only 3 percent of the employees worked more than 40 hours a week during May 1935, the last month under the code; but 1 year later, during May 1936, over 67 percent of the workers, or 20 times that many, were employed for more than 40 hours a week. In the hardwood industry only one-tenth of the workers in May 1935 were employed more than 40 hours a week, but in May 1936 over two-thirds of the employees were working more than 40 hours per week. In the cotton-garments industry the number of employees working over 40 hours a week increased from 4 percent in 1935 to 41 percent in 1936. Similar statistics were found in the other industries studied. It was estimated that if the code hours had been maintained 6 percent more workers would have been employed in those industries.

The second factor revealed by the Bureau of Labor Statistics' study of the National Recovery Act was that the employers paying the lowest wages were the most prone to increase the number of hours in the working week, thus forcing their workers to depend upon a longer workweek, rather than on wage rates, for maintaining their weekly incomes. For example, 1 year after the nullification of the codes, the workers in the cotton-garments industry worked 13.9 percent more hours, but their pay roll fell 1.2 percent. In the silk and rayon industry the number of employees was reduced by 1.3 percent, but there was a 4-percent increase in man-hours worked; further, the weekly earnings of the wage earners in that industry fell 1.4 percent. It was also found that the establishments in that industry paying the lowest wages in 1935 under the code made the largest wage cuts after the nullification of the code.

Another significant factor was revealed in that study of the National Recovery Act: The industries which increased the length of the working week and decreased the hourly rate of pay were placed at such a great competitive advantage over their competitors who attempted to maintain code standards that the latter had a hard time staying in business. In the cotton-garment industry, firms which reduced wages by 37 percent or more increased their volume of business by more than 60 percent, while firms which did not cut wages suffered a substantial loss of business.

If the remedial provisions of the Fair Labor Standards Act and the other labor statutes are seriously impaired—and I intend to demonstrate shortly that House bill 2157 will have that effect—there is every reason to believe the lengthening of the workweek and the reduction of hourly rates of pay which followed the nullification of the National Recovery Act codes will occur again. The conditions which led to the passage of those remedial statutes will return. Although wages may remain higher than they were at the time when those statutes were enacted, the tremendous increase in the cost of living will leave as large a percentage of wage-earning families with a subnormal standard of living as before. Further, the study of the National Recovery Act codes revealed that the firms paying the lowest wages under the codes took advantage of their nullification to cut wages even further, indicating that if the labor standards established by the Fair Labor Standards Act and the other statutes are impaired, the burden will fall primarily upon the poorly paid unskilled and unorganized worker.

Mr. President, the maintaining of a decent wage benefits not only the individual worker and his family, but also the whole community. It is a well-known fact that when the purchasing power of the wage earner is increased, he buys additional food, clothing, household equipment, and better housing facilities, and he can afford better medical and dental care. That is especially true in regard to the poorly paid worker, who will use any increase in his income for necessities. A very extensive study was made during 1941 by Jack Chernick, of the University of Minnesota, concerning the effects of the Hormel annual wage plan upon the city of Austin, Minn., the home of the Hormel meat-packing plant. He found that the increased wages and increased security received by Hormel employees under that plan had a marked effect upon the economy of Austin: The population and school enrollment rapidly increased; newspaper circulation and advertising advanced; bank deposits soared; there was a substantial increase in the number of families using public utilities and in the sales of the public utilities; residential and nonresidential building, as well as retail, wholesale and service trade, greatly increased; and the revenue collected by the city grew. Since most of those advances were not experienced by neighboring Minnesota cities, Chernick concluded that they were caused in Austin, which is a one-plant town, by the improvement in wages and security of the Hormel employees.

Conversely, where employees are paid a substandard wage and are no longer able to support themselves and their families, the community suffers. If the wage earner has insufficient money to buy food and clothing, the storekeepers suffer a loss in business and the manufacturers throughout the country lose their markets. Relief must be provided for the unemployed and poorly paid, constituting a tremendous drain upon the community and the country. Thus, Mr. President, the welfare of the worker, especially of the unskilled, poorly paid worker, adversely affects every person and every company in the country. Insofar as H. R. 2157 impairs the decent wage which Congress intended to grant him under the Fair Labor Standards Act, the Walsh-Healey Act, and the Davis-Bacon Act, every man, woman, and child also suffers.

Mr. President, a careful study of H. R. 2157 can leave little doubt that it seriously jeopardizes the position of the unorganized worker under the Fair Labor Standards Act and these other statutes. Consider, for instance, his position under the 2-year statute of limitations which the bill would place upon future suits brought by employees for recovery of unpaid wages. Although the need for a uniform period of limitations governing suits brought under section 16 (b) of the Fair Labor Standards Act is recognized by all, a 2-year period gives the unorganized worker insufficient time in which to protect his statutory rights. It must be remembered that such an employee has no knowledge of the complicated legal problems involved in determining whether he comes within the coverage of any or all of these acts, and if he is covered, whether he is excluded from their benefits by one or more of their many exemptions. Secondly, he has no way of learning pertinent facts concerning his employer's business, such as the type of contract under which the employer is operating, the sources of his raw materials, and the destination of the finished product. These factors, which often change from week to week, must be known before the employee's status under these acts can be determined. The third reason which might delay the worker in bringing his action for unpaid wages is the fact that he does not keep any record of the hours he works at each particular job, but, rather, must rely upon the records which his employer is required by law to maintain. Further, the unorganized employee may delay bringing his suit for fear of losing his job, and in many instances he will not risk bringing his action until after he has ceased working for that employer. This fact was emphasized by several witnesses appearing before the committee considering this measure.

Lastly, the expense of bringing an individual action for unpaid wages often causes the unorganized employee to wait until others with claims against the same employer unite in engaging counsel and assuming court costs. All these factors combine to make it practically impossible, in most situations, for the unorganized employees who do not have the protection and guidance of a labor organization to bring his action for wages within the period of 2 years. It is needless to add that if he is prevented by practical circumstances from bringing his action for wages within the statutory period of limitations, the remedial benefits granted him under the Fair Labor Standards Act and other statutes are of little value.

Furthermore, a 2-year statute of limitations would make enforcement of these labor statutes an almost impossible task. The Wage and Hour Administrator has indicated that with his limited staff and funds, any given establishment cannot be inspected more than once every 10 years. Accordingly, a chiseling employer would be encouraged by a 2-year statute of limitations to violate these acts, confident that the period of limitations in regard to any particular violation would almost certainly have expired before the violation was detected. The employee suit is a necessary implement for enforcement, so that if its effectiveness is substantially reduced by a short statute of limitation the possibility of adequate enforcement is highly speculative.

If H. R. 2157 were to be enacted into law, the worker would find his rights under the Fair Labor Standards Act and these other statutes affected by such terms as "principal activity," "customs or practice," "good faith," "practice of the Administrator" and equally vague and ambiguous terms. He certainly would have no idea from reading the 16 pages of the bill what changes had been made in his status under these labor statutes. He has the alternative of either accepting the interpretation his employer places on the act or undertaking litigation, which, in view of the ambiguities in H. R. 2157, would very likely end up in the United States Supreme Court. Faced with these alternatives, there is little question that the unorganized worker will take his employer's word for the effect of H. R. 2157 upon his rights—giving the unethical employer a perfect opportunity for evasion of the Fair Labor Standards Act and these other labor statutes.

Under the provisions of H. R. 2157, an employee would not in the future be paid for sharpening tools, carrying them from his reporting place to his work assignment, changing into protective clothing, or any other work which does not constitute his "principal activity," unless such work were compensable under the express provisions of a contract, or in accordance with custom or practice. A moments reflection makes it clear that the burden of this unfair provision will fall squarely upon the unorganized and unskilled worker. Where the employee is represented by a union, the collective-bargaining agreement will normally provide that compensation shall be paid for some or all of these make-ready activities, but the unorganized worker does not have the bargaining power to obtain any such agreement.

Insofar as "custom or practice" is concerned, no attempt is made in H. R. 2157 to explain what these terms are intended to cover, their vagueness extending an open invitation to the employer hiring unorganized employees to evade the humanitarian purposes of the Fair Labor Standards Act and these other labor acts. In a situation where such an employer is presently paying for makeready time or similar work, he can sell or lease his present plant to a brother-in-law or to a dummy corporation, which as a new employer would not be bound by the past, and could establish new customs or practices. Or, since his unorganized employees will probably be unable to resist such a change, he can exert the necessary pressure to obtain an express modification of the employment agreement which, being inconsistent with his previous practice of paying for such work, would effectively eliminate payment for such work thereafter, and thus reduce the minimum compensation which he would be required under the act to pay for the employees' existing workweek.

The sum effect of this provision in H. R. 2157 is that the unorganized worker, for whose protection and benefit the Fair Labor Standards Act and these other statutes were enacted, would be unpaid for certain types of work, while the organized employee would receive compensation for the same kind of activities. This result is completely contrary to the purpose of Congress in enacting these labor statutes, namely, to aid unskilled and unorganized workers in securing the decent wage which they cannot obtain through their own efforts. Furthermore, it gives an unfair competitive advantage to the employer hiring unorganized labor.

H. R. 2157 would make noncompensable all activities, no matter how onerous or burdensome they may be, which are performed preliminary to or postliminary to the employee's principal activity. This unfair provision will not only greatly weaken the labor standards provided by Federal labor statutes but will also have a serious effect upon the scores of State laws and municipal ordinances regulating minimum wages and maximum hours. An example is the effect this provision will produce upon the labor standards in Montana. The Constitution and a statute in my State, to protect the health and welfare of underground miners, provide that 8 hours shall constitute a day's work in underground mines, as well as in several other industries.

In 1941, the Butte Miners' Union No. 1, representing about 5,000 miners sought an injunction to restrain their employer from working them more than 8 hours a day. The facts presented in the case indicated that, in addition to working a full 8 hours in mining copper, the miners spent from three-quarters of an hour to one and a half hours each day in procuring tools and equipment, awaiting transportation and being transported down the shafts into the mines, returning up the shafts at night and bringing back their tools and equipment.

When the case reached the Supreme Court of Montana—*Butte Miners' Union No. 1* v. *Anaconda Copper Mining Co.*, (118 P. (2d) (148)—that court took cognizance of the interpretation adopted under the Fair Labor Standards Act that operations of the type I have enumerated constitute hours worked when performed by underground metal miners. The court indicated that theoretically a contrary interpretation could be given to the Montana constitution and statute, but that for all practical purposes the result of doing so would be inconsistent and chaotic. It pointed out the great confusion into which both employer and employee would be thrown by that result, and the practical difficulties facing the employer if hours worked meant one thing under the Federal statute and something different under the State law. The court stated that its only choice, in order to avoid a chaotic condition under our dual form of government, is to adopt a like interpretation of our own statutory and constitutional provisions, in the mutual interest of labor, industry, and the general public. Accordingly the employer was enjoined by the court from working the

miners more than 8 hours a day, including the time spent securing and returning equipment and traveling into and out of the mines.

If H. R. 2157 were adopted in its present form, the reasoning employed by the Montana Supreme Court in the above case would seem to require that it change its interpretation of the State law to bring that interpretation into conformity with Federal law, thereby causing the underground miners to lose the remedial benefits of the State law as well as of the Federal statutes. Unquestionably, there are many other instances where State laws and municipal ordinances establishing labor standards have been interpreted by the courts and local administrative bodies in conformity with Federal law regarding hours worked. Consequently, the adoption of H. R. 2157 will not only affect the rights of millions of workers under the Fair Labor Standards Act, the Walsh-Healey Act, and the Davis-Bacon Act but also the rights of many additional millions under State and local laws.

In addition to the adverse effect this provision of H. R. 2157 would have upon the miners in Montana, it would make noncompensable many burdensome activities performed for the employer by employees in the lumbering, smeltering, and petroleum-refining industries in my State. In logging operations, the employees travel several miles through almost trackless forests to the work site, usually burden with axes, saws, and other equipment. More than an hour a day is often consumed in making the trip to and from the cutting area. Is the worker to be denied recovery for this work, which requires exertion performed for the benefit of the employer's business and usually on the employer's property?

In sawmilling and logging, the employees perform the following auxiliary duties, among others, which might not be part of their principal activity and may be performed at the beginning or end of a shift: Oiling setworks, gears, and block skids; changing and greasing saws; rolling out rolls and line skids; figuring shortages; oiling and adjusting the resaw; changing edger and slashing saws; completing scale sheets; and preparing operating records. Does H. R. 2157 deny recovery for all of these duties, which might not constitute the employee's principal activity, and each of which requires from 15 minutes to an hour to perform? Are employees in the petroleum-refining industry to receive any compensation for the length of time it takes each day for them to be assigned tools and walk a considerable distance to their work place, and for the time spent at the end of the day on such activities?

Examples of the unfairness of H. R. 2157, in removing such auxiliary activities from the remedial benefits of the Fair Labor Standards Act and these other Federal statutes, could be increased a hundredfold, drawn from the industries functioning in Montana or from the industries in any other State of the Union.

Further, it is important to remember that the effect of this provision will fall most heavily upon the unorganized worker, who does not have the bargaining power to secure from his employer an agreement that compensation will be paid for such work.

Another provision of H. R. 2157 which will work to the serious detriment of the unorganized employees is the so-called "good faith" provision. This section would give the employer a complete defense to actions brought under the Fair Labor Standards Act and these other labor acts where in good faith he acted in accordance with or in reliance on any regulation, order, interpretation, ruling, or practice of the Wage and Hour Administrator, notwithstanding the fact that such regulation, order, interpretation, ruling, or practice is amended, rescinded, or determined by the courts to be invalid. You will notice that the employer can plead this defense even though he has not relied upon an administrative interpretation or practice; it is sufficient if his acts were actually in accord with such interpretation or practice, whether or not he has previously heard of it. The bill does not define what is meant by "practice," but it is conceivable that the term includes an unauthorized statement made by a Government inspector to any employer, not necessarily the one claiming the good-faith defense. I should like to know, too, if this section would grant immunity to an employer merely because his plant was not inspected by the Wage and Hour Division, if it should appear that the Administrator, in order to obtain the most efficient use of inspection personnel, had followed the practice of inspecting only those establishments in the employer's industry against whom complaints were received?

In an action brought under these labor statutes, the unethical employer—who, unfortunately, has not yet been entirely eliminated from industry—could plead that in failing to comply with the provisions of these statutes, he acted in reliance on an interpretation or practice that he heard about and which he considered pertinent to his situation. When the employees are represented by a well-organized and wide-awake union, they may be able, through their legal counsel and the facts at their disposal, to cast some doubt upon such an employer's alleged good faith. I cannot, however, imagine how the unorganized workers, with their limited means, can possibly refute or cast doubt upon the good faith which their employers might claim to have had. The possibility of fradulent evasions is increased by the fact that unorganized workers, much more so than union employees, have to deal with that minority of employers who are unethical and who are willing to use any scheme in order to evade paying a decent wage, and thus gain an unfair advantage over their ethical competitors.

Thus, Mr. President, the remedial benefits granted to employees under the Fair Labor Standards Act, the Walsh-Healey Act and the Davis-Bacon Act would be seriously jeopardized by certain provisions in H. R. 2157—by its short period of limitations, by the great difficulties it places in the way of enforcement of these acts, by the uncertainty and confusion it creates, by its making noncompensable several kinds of actual work performed by employees and by the invitation to fraud contained in its "good faith" provision. These provisions go far beyond the so-called portal-to-portal problem. As I have pointed out, the Fair Labor Standards Act and these other labor statutes were enacted by Congress primarily for the purpose of guaranteeing millions of unskilled and unorganized workers in this country a decent wage and reasonable working hours, benefits which the past has proven they are unable to obtain by their own efforts. These statutes, in operation, have achieved their purpose, but if they are to be emasculated by the passage of H. R. 2157, we know from the experience following nullification of the National Recovery Act codes that the unorganized and unskilled worker will lose all the benefits he has acquired under these statutes, and that his standard of living and working conditions will revert to the deplorable conditions existing before passage of the Fair Labor Standards Act and these other statutes. Not only the worker and his family but the whole community will suffer as a result.

Mr. President, it was the weakened situation of labor, its inability to secure decent living wages and working conditions, and its consequent lowered purchasing power following the First World War which contributed to the economic break-down and prolonged depression in the thirties. This was effectively pointed out by Mr. Harold E. Stassen in his testimony before the Senate Labor and Public Welfare Committee at its hearings on February 7, 1947, where he testified as follows:

> I think it is important that we remember the experience of 1920 to 1929. In 1920 the average wages in the 25 industries in this country that were sampled, were 61 cents an hour. In 1921 and 1922 those wages were driven down to 49 cents an hour, a drop of 12 cents. Then we went through the boom up to 1929, and they still only got up to an average of 59 cents an hour. And that lag behind of wages of workers had with it the knocking down of union membership from 5,000,000 to 3,400,000 membership. So that you had your profits rising rapidly in industry, your total production going up to new highs, but wages held down below the 1920 level, and I think that is the result of too much weakness on the part of labor organizations.
>
> That is one of the factors that caused the 1929 break, as I see it, and as some eminent economists have analyzed it. * * *
>
> The labor proportion of the total national product had gone down from 1920 to 1929. In other words, in 1929, gross national product was 99,000,000,000. And, still, you had labor at only 53,000,000,000—total salary and wages. This holding back of consuming power during that boom rise of the late 1920's was one of the factors. * * *
>
> I would say, specifically, that in my judgment, and from the statistics that are available, wages lagged behind in the 1920's the increase of productivity of labor.
>
> Even if you were to give labor its fair credit for the increase in productivity, wages during that period should have gone up more than they did.

Mr. President, for the reasons I have stated, I am opposed to the pending bill in its present form, and will be constrained to vote against it as dangerous and ill-conceived legislation.

Mr. WHERRY. Mr. President, yesterday I discussed an amendment which I

had sent to the desk and which has been printed and is now on the table. At the conclusion of my remarks the distinguished chairman of the subcommittee, the Senator from Missouri [Mr. DONNELL] said he personally was willing to accept the amendment, but the parliamentary situation prevented him from doing so because it was necessary that the full committee approve the amendment, which would be a modification of the Senate committee amendment.

So at this time Mr. President, I send to the desk a perfecting amendment to my amendment which I have not yet offered, but which I have had printed, and which lies on the table. I ask that the perfecting amendment may be read.

The PRESIDING OFFICER (Mr. BALDWIN in the chair). The clerk will read.

The LEGISLATIVE CLERK. On page 2, line 7, of Mr. WHERRY'S amendment, it is proposed to strike out "on or after" and insert in lieu thereof "prior to, on, or after", and in line 10 to strike out "the Administrator of said act" and insert in lieu thereof "the Secretary of Labor or any Federal official utilized by him to assist in the administration of the Walsh-Healey Act."

Mr. WHERRY. Mr. President, the perfecting amendment would simply insert on page 2, line 7, of my amendment the same language as that contained in the first paragraph of my amendment, paragraph (d), and on page 2, line 10, it would strike out the words "administrator of said act" and insert the words "the Secretary of Labor," and other words, because the Secretary of Labor is the administrator of the act.

I modify my amendment accordingly, Mr. President, and ask that the amendment, as modified, be adopted. I understand there is no objection to the amendment from the chairman of the subcommittee, the Senator from Missouri [Mr. DONNELL], and I talked to the acting minority leader yesterday afternoon and understood there was no objection on his part.

Mr. DONNELL. Mr. President, that statement is correct as to the chairman of the subcommittee.

Mr. LUCAS. Mr. President, I was under a misapprehension with respect to the amendment. I will say to the Senator from Nebraska that I thought he was talking about another amendment, which dealt with a matter we were discussing concerning the elimination of the word "practice," but I did not know that the Senator was going so far as to include the Secretary of Labor and other officials in connection with orders which may have been issued.

Mr. WHERRY. That was not in my original amendment. That is simply to perfect the language of the committee amendment, which uses the word "administrator" in the first paragraph. In the second paragraph the words "administrator of said act" should be eliminated, and the words "Secretary of Labor" inserted. The Senator objected to the words "administrative agencies."

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. DONNELL. I invite attention to the fact that under the Walsh-Healey Act there is no individual designated by the statute under the title of "administrator." However, there is this language in subdivision 4 of 49 Statutes, 2038:

> The Secretary of Labor is hereby authorized and directed to administer the provisions of sections 35 to 45 of this title, and to utilize such Federal officers and employees, and, with the consent of the State, such State and local officers and employees, as he may find necessary to assist in the administration of said section, and to prescribe rules and regulations with respect thereto.

The PRESIDING OFFICER. As the Chair understands, what the Senator from Nebraska proposes to do is to make certain changes in the amendment which he planned to offer, which in turn would amend the committee amendment.

Mr. WHERRY. That is correct.

The PRESIDING OFFICER. Does the Senator from Nebraska offer his amendment as modified?

Mr. WHERRY. I do. I am offering the printed amendment, which I did not offer yesterday, as modified, to comply with the request made by the distinguished chairman of the subcommittee, eliminating the words "Administrator of said act" and inserting in lieu thereof "Secretary of Labor (or any Federal official utilized by him to assist in the administration of the Walsh-Healey Act)." The Secretary of Labor is the individual who administers the act.

The PRESIDING OFFICER. In order to put the question clearly before the Senate, the Chair believes that the clerk should read the amendment offered by the Senator from Nebraska, as proposed to be modified.

The LEGISLATIVE CLERK. On page 20, beginning in line 20, it is proposed to strike out all down to and including line 18 on page 21, and insert in lieu thereof the following:

> (d) Neither liability nor punishment under section 15 or 16 (a) of this act, nor liability for an additional amount as liquidated damages under section 16 (b) of this act, shall be predicated on any act done or omitted in good faith, prior to, on, or after the date of enactment of the Portal-to-Portal Act of 1947, in accordance with or in reliance on any regulation, order, interpretation, or ruling of the Administrator in writing, notwithstanding the fact that such regulation, order, interpretation, or ruling, after such act or omission, is amended or rescinded or is determined by judicial authority to be invalid or without legal effect.
>
> (2) No liability for an additional amount as liquidated or other damages under the Walsh-Healey Act shall be predicated on any act done or omitted in good faith, prior to, on, or after the date of enactment of the Portal-to-Portal Act of 1947, in accordance with or in reliance on any regulation, order, interpretation, or ruling of the Secretary of Labor (or any Federal official utilized by him to assist in the administration of the Walsh-Healey Act) in writing, notwithstanding the fact that such regulation, order, interpretation, or ruling, after such act or omission, is amended or rescinded or is determined by judicial authority to be invalid or without legal effect.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. WHERRY].

Mr. LUCAS. Mr. President, I have no particular objection to the amendment, although it seems to me that when the wording "Secretary of Labor—or any Federal official utilized by him to assist in the administration of the Walsh-Healey Act" is used the objection which I made yesterday becomes valid. This amendment would include a subordinate far down the line who may make a ruling of some kind. The citizen who relies on the good faith of the particular subordinate may later find that he has been overruled by the Secretary of Labor. It seems to me that in order to make the amendment clear and certain, it should apply only to a ruling or a regulation issued by the Secretary of Labor or the Administrator of the Fair Labor Standards Act. If reliance is placed upon a regulation or order issued by him, there can be no question about it.

What I fear is a return to the situation which I discussed yesterday in connection with the term "practice." What is a practice? What kind of a practice could one rely upon in good faith, without running into confusion and litigation?

It seems to me that the provision should apply to some one high in authority, and not to a subordinate, who, while he may have no authority to make a regulation, yet if he makes one and a person affected relies upon it in good faith; that is all there is to it. There will be all kinds of rules and regulations made by subordinates of the Secretary of Labor. If any individual relies upon such rules and regulations, there is nothing the Secretary of Labor can do about it.

Mr. WHERRY. I appreciate very much the remarks of the distinguished Senator from Illinois. I invite the attention of the Senator to the language of the committee amendment, beginning at line 21 on page 22:

> nor liability for an additional amount as liquidated damages under section 16 (b) of this act, shall be predicated on any act done or omitted in good faith, on or after the date of the enactment of the Portal-to-Portal Act of 1947, in accordance with or in reliance on any regulation, order, interpretation, ruling, or practice of the Administrator.

In the amendment which I offer I eliminate the word "Administrator", and the words "or practice", which the distinguished Senator called to the attention of the subcommittee. In the so-called Wherry amendment, which has been accepted by the committee, the words "or practice" and the word "Administrator" are eliminated, which very definitely meets the requirement of the distinguished Senator, in order to comply with the statute, because there is no Administrator of the Walsh-Healey Act. We use the language of the act, which designates the head of the agency to administer the act. I hope the Senator will not object to the amendment.

Mr. LUCAS. If the Senator from Nebraska wishes to have this language in the bill, I shall make no objection to it. However, in my opinion it will lead to confusion and chaos if we say "Secretary

of Labor—or any Federal official utilized by him to assist in the administration of the Walsh-Healey Act."

Mr. WHERRY. The following words are "in writing." Also we eliminate the words "or practice."

Mr. LUCAS. The language is "Secretary of Labor—or any Federal official utilized by him to assist in the administration of the Walsh-Healey Act." If anyone in the field who has been designated by the Secretary of Labor to assist in the administration of the act makes a regulation or rule in writing, and the Senator's friend relies upon it in good faith, that is all there is to it. It occurs to me, as I stated yesterday, that no one but the Secretary of Labor or the Administrator of the Fair Labor Standards Act should make such regulations. Then if an individual were to rely in good faith upon a rule or regulation made by that individual, there could be no question about it.

Mr. WHERRY. I appreciate the Senator's argument.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. WHERRY].

Mr. THYE. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. THYE. I should like to ask the Senator from Nebraska a question, in order that I may have a clear understanding of the situation with which we in Minnesota are confronted. At the present time claims are pending against the Northwest Airlines for services of employees of that company during the war era. The claims which are now pending are for 8 hours' pay per week, for the reason that at the time they were employed they were on a 48-hour-week basis and were not allowed time and a half for the extra 8 hours. I make this inquiry of the Senator for the specific purpose of assuring myself and the employees that they will not be disqualified in connection with the claims which they now have against the Northwest Airlines.

Mr. WHERRY. In answer to the question of the distinguished Senator, he is referring, as I understand, to section 16, subsections (a) and (b). I would say that the employees are not in any way injured in the rights which they already have. If the employer shows good faith the court could not impose any criminal penalty or assess liquidated damages. The employees could still receive their minimum wage and retain whatever rights they may have in connection with time and a half, but if this amendment were adopted they would be denied any relief so far as criminal findings for liquidated damages are concerned.

Mr. THYE. The reason we are definitely interested is that at the bombsight modification plant the workers were told that they had to complete a 48-hour week without time-and-a-half pay.

Mr. WHERRY. They would be paid for the extra time under the provisions of this amendment, but if the employer showed good faith they would be denied a criminal penalty or liquidated damages for an alleged violation.

Of course this does not meet the demand, as I see it, of thousands of small businessmen throughout the country who acted in good faith. I cited the case yesterday of a job printer in my State who was declared to be in interstate commerce because he used ink which he received from a firm in St. Louis to print letterheads. That man, who had been operating for years under the theory that he was engaged in intrastate business, found his business classified as interstate business. He acted in good faith upon an order. Certainly there is no criminal liability, and there should certainly not be liquidated damages. If it is found that the employees are entitled to a minimum wage they should be denied liquidated damages unless they can show that the employer acted in bad faith.

That is all that this amendment covers. It is a good-faith reliance clause. I think every Member of the Senate believes that one who acted in good faith on an order which was interpreted in writing by an administrator should be able to rely upon it; and if a supplemental order changed it, or if a judicial decision changed it, the most that should be done should be to have the employer comply with the minimum-wage law and pay the employees the time and a half to which they are entitled. But an additional penalty under the criminal law should not be imposed, and liquidated damages should not be assessed if he acted in good faith.

That is all there is to this amendment. I think it is a good one. I think the subcommittee should go even further than they have.

There were 78,000 orders issued since 1936. More than 73,000 pages were required to print them. They comprised more than 93,000,000 words. How could any businessman interpret those orders? He could not even analyze them, let alone interpret them. If businessmen relied upon the interpretation given in writing, by the Administrator, it is my opinion that they should be relieved of all liability. But I have agreed to go along with the subcommittee as far as it will go, and to perfect this amendment in this respect, so that employers may be relieved from liability under section 16 (b), which is self-explanatory.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. DONNELL. I should like to ask the Senator from Minnesota a question. Does the Senator from Minnesota know whether or not the Northwest Airlines transactions to which he referred are of the nature described in the Walsh-Healey Act, namely, the manufacture or furnishing of materials, supplies, or equipment in an amount exceeding $10,000?

Mr. THYE. I cannot answer that question, but I would say that it has already been recognized by the courts that the employees have a claim, and my concern is that they be not delayed by this amendment.

Let me read a paragraph from a statement relating to this question:

At several times during the period from 1942 to 1945, the Northwest Airlines admitted that it was in the operation of this center subject to the provisions of the Fair Labor Standards Act and required to pay time and a half for overtime. It notified its employees to that effect. It changed its position, however, after an erroneous ruling by Mr. Leiserson, chairman of the railway labor panel. This was not a ruling by the panel, but by Mr. Leiserson personally, as I understand. Copy of Judge Nordbye's decision, which will be sent to you by others, shows that there was no basis in law for Mr. Leiserson's opinion.

That was the basic manner in which Northwest Airlines found itself in error by having allowed only straight time for a 48-hour week. Of course the workers have a definite claim, because they were supposed to have operated under a 40-hour week with time-and-a-half pay for the additional 8 hours.

I wish to make certain that no amendment will be adopted by the Senate which will deprive workers of legitimate claims.

Mr. DONNELL. This illustrates the difficulty of passing upon some of these cases without full and complete knowledge of all the facts. The distinguished Senator from Minnesota spoke to me about this situation several days ago, and I am sure that he gave me fully what he understood to be the facts. This is not intended in the slightest as criticism of him. However, I had derived the impression that the action taken by the Northwest Airlines was in reliance upon a ruling of the Administrator under the Fair Labor Standards Act. I do not think, however, that the Senator from Minnesota so stated to me; I think drawing that conclusion was my own error.

The reason I asked the question as to whether or not the transactions of this corporation came under the category which I read a few moments ago in the Walsh-Healey Act is that in the amendment suggested by the Senator from Nebraska, the only situation in which an employer who is working under the Walsh-Healey Act may take advantage of this good-faith provision is in the event he has relied upon a ruling of the Secretary of Labor or any Federal official utilized by the Secretary of Labor to assist in the administration of the Walsh-Healey Act. In other words, if the Northwest Airlines relied upon the action of Mr. Leiserson, who, as I understand, was Chairman of the Railway Labor Board, I do not presently see how the amendment offered by the Senator from Nebraska would in any sense affect the Northwest Airlines, although earlier today I was under the impression that the Northwest Airlines had relied upon the action of the administrator under the Fair Labor Standards Act, and I stated both to the Senator from Minnesota and the Senator from Nebraska that in my opinion the adoption of the amendment of the Senator from Nebraska would permit the Northwest Airlines to escape liability for liquidated damages.

Mr. President, I may say that as I now understand the effect of the amendment submitted by the Senator from Nebraska, in which personally and as chairman of the subcommittee I concur, although I cannot act for the Committee on the Judiciary, I believe that under that

amendment, if an employer acted in good faith or in reliance upon any order, regulation, ruling, or interpretation in writing of the administrator under the Fair Labor Standards Act, such employer would not be liable for either criminal liability or liquidated damages; but under the amendment of the Senator from Nebraska he could not escape liability for overtime pay.

Let me illustrate that in this way: Suppose a company employed a man at the rate of $1 an hour, and suppose he worked for 50 hours of overtime; let us also suppose that the employer, relying upon a ruling of the administrator, did not realize that the man came under the act at all; the effect of the amendment would be that if the employer in good faith relied upon the ruling of the administrator, he would continue to be liable for time-and-a-half pay for overtime, but would not be liable for either criminal liability or for another $1.50 an hour, or time and a half, as the case might be, for liquidated damages.

Under the Walsh-Healey Act the amendment of the Senator from Nebraska would have the same effect, save only that the official who is specified there in lieu of the Administrator under the Fair Labor Standards Act is the Secretary of Labor or the Federal official utilized by the latter, as indicated in the amendment.

Let me state my understanding of the effect of the amendment. The most that the employees of the Northwest Airlines would have inflicted upon them by the adoption of the Wherry amendment would be as follows: If the employer relied upon the ruling of the Fair Labor Standards Administrator or, if he was under the Walsh-Healey Act, he relied upon the ruling of the Secretary of Labor or the official delegated by him, the employees would lose the liquidated damages, but would still be entitled to overtime or time and a half. In addition to that, Mr. President, as the Wherry amendment is now drawn, I do not think, presently, that the employees would in any sense be affected adversely at all by any ruling which had been made by the Chairman of the Railway Labor Board—namely, the office which I understand Mr. Leiserson held—because he was neither the Fair Labor Standards Administrator nor Secretary of Labor nor the official delegated by the Secretary of Labor under the Walsh-Healey Act.

Does that answer the question of the Senator from Minnesota?

Mr. THYE. Mr. President, no doubt the Senator has answered it as well as it can be answered. But I repeat that the point with which I am concerned is that no legislation be enacted which would disqualify employees who have a just claim. All I seek is the assurance that that shall not occur.

Mr. DONNELL. Mr. President, I wish the Senator to be perfectly clear in regard to my position in the matter. I am saying that if the Northwest Airlines, the employer, relied upon a ruling of the Fair Labor Standards Administrator in good faith, in that sense the employee does lose the right to liquidated damages. If the employee was employed to do 8 hours of regular work and if, in addition, he did 8 hours of overtime work, he would be entitled to time and a half for the overtime, under the Fair Labor Standards Act, or to overtime pay, for the 8 hours of overtime which he had worked.

Under the terms of the Wherry amendment such an employee could not collect, in addition to the $1.50 an hour for overtime, another $1.50 for liquidated damages, if the employer in good faith acted in accordance with and relying upon the ruling of the Administrator under the Fair Labor Standards Act. In other words, the maximum bad effect as against the employee would be that he would lose the liquidated damages—the extra time and a half—but he would not lose his original right to time-and-a-half pay for overtime.

If the employer were not relying upon the action of the Fair Labor Standards Administrator or the action of the Secretary of Labor or the Federal official by him delegated, I do not see that the employee would lose even his right to liquidated damages, whatever it might be. The right to receive liquidated damages, however, under the Walsh-Healey Act is a very limited liability, and applies in only a few cases.

If I may have the attention of the Senator from Rhode Island [Mr. McGRATH], who a few days ago stated in substance, as I recall, that the Walsh-Healey Act or the Bacon-Davis Act contain no provision for liquidated damages, let me say that I agree with him as to the Bacon-Davis Act, and I also agree with him that there is no tremendous liability for the liquidated damages under the Walsh-Healey Act, but I call attention to the fact that in the Walsh-Healey Act the following language appears:

> Any breach or violation of any of the representations and stipulations in any contract for the purposes set forth in section 35 of this title shall render the party responsible therefor liable to the United States of America for liquidated damages, in addition to damages for any other breach of such contract, the sum of $10 per day for each male person under 16 years of age, or each female person under 18 years of age, or each convict laborer knowingly employed in the performance of such contract, and a sum equal to the amount of any deductions, rebates, refunds, or underpayment of wages due to any employee engaged in the performance of such contract.

Mr. HAWKES. Mr. President——

Mr. McGRATH. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Nebraska yield; and if so, to whom?

Mr. WHERRY. I yield first to the Senator from New Jersey.

Mr. HAWKES. Mr. President, I wish to say, first, in regard to the amendment of the Senator from Nebraska and the question asked by the distinguished Senator from Minnesota, that if I correctly understand the situation, no workman will lose any of his regular rights, as a result of the adoption of the amendment of the Senator from Nebraska. If the workman was entitled to time and a half or any other benefits, he still would be entitled to them. I think that is what the Senator from Minnesota is interested in protecting.

Mr. THYE. Yes; that is exactly what I wish to protect; namely, the right of the employees referred to to obtain what they would otherwise have.

Mr. HAWKES. I understand that the Senator from Minnesota wishes to protect their right to what justly they would have been entitled to at the time.

Mr. THYE. That is correct. If they had recognized that the plant was operating under a 40-hour workweek, then if the men worked 48 hours, they would have been paid time and a half for the additional 8 hours. But as it was, they were recognized as being compelled to work 48 hours, and were compelled, therefore, to work for the full 48 hours at the regular-time rate. That is the basis of the claim these men have against the Northwest Air Lines. I took the floor to ascertain whether they would be disqualified in that respect, under this amendment.

Mr. HAWKES. Yes; I understand the Senator's point. I do not wish to delay the presentation of the Senator from Nebraska, because I know he is anxious to continue; but I desire to have him correct me if I am mistaken when I say that those men would have all the rights to regular pay and proper time and a half they were entitled to otherwise, before the amendment took effect but not to liquidated damages. Is not that correct?

Mr. WHERRY. That is correct. If they are in good faith they have those rights. If they are not in good faith, they are subject to all the penalties, and I think they should be.

Mr. HAWKES. Precisely. The Senator's amendment says that if a man acted in good faith under an administrative order——

Mr. WHERRY. Written order.

Mr. HAWKES. That man shall not be penalized or punished, if acting in good faith.

Mr. WHERRY. That is correct.

Mr. McGRATH. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I yield.

Mr. McGRATH. I should like to keep the record straight at this point. In the discussion I had with the Senator from Missouri a few days ago we were speaking about the fact that no portal-to-portal case, so-called, has yet been brought under either the Walsh-Healey Act or the Bacon-Davis Act. I made the remark that the reason for this was that no amount was allowed under those acts to the employee as liquidated damages. The Senator from Missouri questioned the accuracy of that statement and now reads a provision from the general statute to the effect that there is a liability running to the United States by virtue of a violation of the Walsh-Healey Act. We were not talking about liability to the United States; we were talking about what an employee could recover for himself in a suit brought against his employer. So I think, Mr. President, that I was accurate in my statement the other day, and I am still accurate, that there is no reason whatsoever why any employee would consider bringing or be well advised to bring a suit for portal-to-portal activities under any act save the

Fair Labor Standards Act of 1938. I believe that probably answers the inquiry of the Senator from Missouri in respect to that point.

Mr. DONNELL. I thank the Senator for his answer. I think the Senator will agree that the quotation I read is an accurate quotation from the Walsh-Healey Act.

Mr. McGRATH. I agree it is a correct quotation, but I agree also that it does not concern itself with what we were speaking about the other day, namely, what rights an employee has as against his employer for what we call liquidated damages. We include in the term "liquidated damages" two things, first, overtime pay to which an employee is entitled. We refer to that as "liquidated damages." We also include double time to which the employee is entitled, which I should rather refer to as a penalty. Perhaps what we should have said, for the sake of accuracy, was that, so far as the employee is concerned, there is no right to recover a penalty under either the Bacon-Davis Act or the Walsh-Healey Act.

Mr. DONNELL. Mr. President, will the Senator from Nebraska yield for one inquiry?

Mr. WHERRY. I yield.

Mr. DONNELL. May I inquire of the Senator from Rhode Island if it is not true that the Supreme Court of the United States has held that the liquidated damages provided for in secion 16 (b) of the Fair Labor Standards Act are not a penalty?

Mr. McGRATH. The Senator is correct. The Court has taken them out of the category of a penalty, but they are in the nature of something other than wages, in my opinion, and I think they should be called by some other term than "liquidated damages."

Mr. DONNELL. Will the Senator from Nebraska yield for a further inquiry?

Mr. WHERRY. I yield.

Mr. DONNELL. The fact is, however, is it not, I inquire of the Senator from Rhode Island, that the language of the Fair Labor Standards Act is:

> Any employer who violates the provisions of section 6 or section 7 of this act shall be liable to the employee or employees affected in the amount of their unpaid minimum wages or the unpaid overtime compensation, as the case may be, and in an additional equal amount as liquidated damages.

That is a correct quotation from the act, is it not?

Mr. McGRATH. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nebraska. Without objection, the amendment is agreed to.

Mr. McCARRAN. Just a moment. Reserving the right to object, does the Senator from Nebraska intend to hold the floor further?

Mr. WHERRY. No; as soon as my amendment is acted on I shall be glad to yield the floor.

Mr. McCARRAN. I must apologize to the Senator; I have been absent from the Senate chamber. Am I to understand that he offered an amendment?

Mr. WHERRY. I discussed an amendment yesterday which I had had printed, and I asked that it lie on the table. It has to do with the good-faith clause we have been discussing. Yesterday at the end of the debate on the amendment, which extended nearly 2 hours, the chairman of the subcommittee suggested that the amendment would be accepted.

Mr. AIKEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. AIKEN. Did I understand the Chair to say the amendment was agreed to?

Mr. WHERRY. I yielded to the Senator from Nevada for a question.

Mr. AIKEN. I am propounding a parliamentary inquiry to the chair.

The PRESIDING OFFICER. Will the Senator propound his inquiry?

Mr. AIKEN. Did I understand the Chair to say that the amendment was agreed to?

The PRESIDING OFFICER. The Chair said that in the absence of objection the amendment was agreed to, and the Senator from Nevada objected, so the Senate is at that stage of the proceedings now.

Mr. WHERRY. The Senator has a right to object.

The PRESIDING OFFICER. The question is still on agreeing to the amendment offered by the Senator from Nebraska.

Mr. AIKEN. I thank the Chair.

Mr. McCARRAN. Do I understand now from the Senator from Nebraska that his proffered amendment was agreed to by the Senator from Missouri?

Mr. WHERRY. Yes.

Mr. DONNELL. Mr. President——

Mr. WHERRY. I yield to the Senator from Missouri.

Mr. DONNELL. In answer to the Senator from Nevada, I stated for the RECORD that, as chairman of the subcommittee, I did agree with the amendment, but I also stated that I had no authority to act on behalf of the Committee on the Judiciary. I may add that, in my judgment, I would have no power so to do, and that the only way this amendment can be adopted is by vote of the Senate. So far as I am concerned, both personally and as chairman of the subcommittee, I have no objection to the amendment.

Mr. McCARRAN. Then it may be understood that the amendment is before the Senate, and will be presented for a vote of the Senate later?

Mr. WHERRY. Let me continue, Mr. President. This morning I suggested a modification of the printed amendment, to perfect it so as to accord with the language suggested by the chairman of the subcommittee of the Judiciary Committee. Then I offered the amendment, and moved its adoption. For a couple of hours we have been discussing the amendment.

Mr. McCARRAN. My only reason for raising the question now is not to take up time of the Senate, but rather to clarify the situation. Personally I could not join in a unanimous consent agreement that the amendment be adopted. If I stood silently by and agreed to that status, as I understand, it would be adopted, unless there were objection. For that reason I must at this time object.

Mr. WHERRY. Mr. President, I move the adoption of the amendment, and I will tell why I make the motion.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska. As the Chair understands, in the face of an objection from the Senator from Nevada, the Senate must vote upon the amendment.

Mr. WHERRY. That is correct.

The PRESIDING OFFICER proceeded to put the question.

Mr. McCARRAN and Mr. MORSE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield the floor?

Mr. WHERRY. If the distinguished Senator from Nevada wishes to discuss the amendment, I shall be glad to yield the floor, because I have nothing further to say.

The PRESIDING OFFICER. The Chair recognizes the Senator from Nevada.

Mr. CONNALLY. Mr. President——

Mr. McCARRAN. I yield to the Senator from Texas.

Mr. CONNALLY. I ask unanimous consent——

Mr. WHERRY. Mr. President, I rise to propound a parliamentary inquiry. Can a Senator yield the floor for the purpose of having something else taken up when the Chair has called for a vote on the pending amendment?

The PRESIDING OFFICER. The Chair rules that a Senator cannot yield to another Senator in the face of objection.

Mr. WHERRY. I object until we have a vote on the pending amendment.

Mr. McCARRAN. What is the Senator objecting to? He yielded the floor. He gave up the floor.

Mr. WHERRY. Mr. President, I have a right to object to a unanimous-consent agreement to take up any other measure until my amendment is voted on.

Mr. McCARRAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from Nevada desire to debate the amendment?

Mr. McCARRAN. I desire to debate the whole question. The entire subject is open to debate, and I desire to debate it.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. The Chair rules that if the Senator from Nebraska has yielded the floor, then the Senator from Nevada has the floor, but that he cannot yield, in the face of objection, to the Senator from Texas.

Mr. LUCAS. Mr. President, a parliamentary inquiry. He can certainly yield for a question, can he not?

The PRESIDING OFFICER. Yes; he can yield for a question.

CLAIMS UNDER THE SETTLEMENT OF MEXICAN CLAIMS ACT

Mr. CONNALLY. Mr. President, I ask unanimous consent for the present consideration of Senate Joint Resolution 27.

Mr. DONNELL. Mr. President, I object.

Mr. CONNALLY. I thank the Senator. He seems to be allergic to information. I was going to explain the joint resolution, but of course in the face of his objection, I may not do so. It would take but a moment.

Mr. DONNELL. Mr. President, I withdraw the objection.

Mr. CONNALLY. I thank the Senator.

This is a joint resolution to permit a certain claim to be submitted—not paid, but submitted—to the American-Mexican Claims Commission. The Commission will terminate its activities on April 4, and if this joint resolution is not passed now, the claim referred to may as well be thrown into the wastebasket. It is not a resolution requiring payment; it is simply to allow the claimant to have a hearing before the American-Mexican Claims Commission.

Mr. KNOWLAND. Mr. President, reserving the right to object, how much time has the American-Mexican Claims Commission had within which to adjudicate this claim?

Mr. CONNALLY. It did not have jurisdiction of this claim. This resolution is to confer jurisdiction. It is not the fault of the Commission that the claim has not been heard. The claimant probably slept on his rights by not presenting the claim earlier, but I have consulted the Claims Commission, and while they have no views as to the merits of the claim, they assure me that if the joint resolution is passed promptly they can consider the claim, and, if it is just, they will allow it; if it is unjust, they will reject it.

Mr. KNOWLAND. Further reserving the right to object, I should like to ask the distinguished Senator from Texas, if this one instance is allowed, will it become a case of the camel getting his nose in under the tent, and thus open the door to a whole field of similar requests?

Mr. CONNALLY. No; the case comprehended by the provisions of the joint resolution is the only one in existence. It cannot become a precedent, because there are no other cases like it. I will explain it more at length, if desired, and if the Senator will yield.

Mr. KNOWLAND. Was the joint resolution unanimously reported by the committee?

Mr. CONNALLY. It was. The Committee on Foreign Relations unanimously reported it on yesterday.

There have been three or four Mexican Claims Commissions preceding the present one, none of which ever completed its work. Some years ago, when this claim was submitted to the former General Claims Commission, United States and Mexico, it was rejected on some technicality. The Government appealed, but before the appeal could be heard the Commission terminated its activities, so that the claimant has not had an opportunity heretofore properly to present its claim. I repeat, this is not a resolution requiring payment; it simply allows the claimant to go before the Commission. If the claim is without merit, it will be rejected.

The Commission will cease to function on the 4th of April; therefore in order to accomplish the purpose of the joint resolution, it must be passed promptly. It seems to me the claimant is entitled to its day in court; that is all.

The PRESIDING OFFICER. The Chair understands that the Senator from Texas takes the floor to ask unanimous consent for the present consideration of the joint resolution; is that correct?

Mr. CONNALLY. That is correct.

The PRESIDING OFFICER. The clerk will read the joint resolution for the information of the Senate.

The joint resolution (S. J. Res. 27) amending the Settlement of Mexican Claims Act of 1942 to provide for the consideration of any claim decided by the General Claims Commission in which the United States filed a petition for rehearing, was read as follows:

Resolved, etc., That the Settlement of Mexican Claims Act of 1942, approved December 18, 1942, be amended by adding after section 3 (a), paragraph (6) thereof, the following paragraph:

"(7) Any claim decided by the General Claims Commission in which the United States filed a petition for rehearing."

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. CONNALLY. Mr. President, I thank the Presiding Officer and the Members of the Senate for permitting me to interrupt the very interesting and delightful debate which has been going on.

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 2157) to define and limit the jurisdiction of the courts to regulate actions arising under certain laws of the United States, and for other purposes.

Mr. LUCAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Morse
Baldwin	Hayden	Murray
Ball	Hickenlooper	Myers
Brewster	Hill	O'Conor
Bricker	Hoey	O'Daniel
Brooks	Holland	O'Mahoney
Buck	Ives	Pepper
Bushfield	Jenner	Reed
Byrd	Johnson, Colo.	Robertson, Va.
Cain	Johnston, S. C.	Russell
Capehart	Kem	Smith
Capper	Kilgore	Sparkman
Chavez	Knowland	Stewart
Connally	Langer	Taft
Cooper	Lodge	Taylor
Cordon	Lucas	Thomas, Okla.
Donnell	McCarran	Thomas, Utah
Downey	McCarthy	Thye
Dworshak	McClellan	Tydings
Eastland	McFarland	Umstead
Ecton	McGrath	Vandenberg
Ellender	McKellar	Watkins
Ferguson	McMahon	Wherry
Flanders	Magnuson	White
Fulbright	Malone	Wiley
George	Martin	Williams
Green	Maybank	Wilson
Gurney	Millikin	Young
Hatch	Moore	

Mr. WHERRY. I announce that the Senator from Nebraska [Mr. BUTLER], the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Massachusetts [Mr. SALTONSTALL] are absent because of illness.

The Senator from West Virginia [Mr. REVERCOMB] and the Senator from New Hampshire [Mr. BRIDGES] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate because of illness in his family.

Mr. LUCAS. I announce that the Senator from Louisiana [Mr. OVERTON] is absent because of illness.

The Senator from Kentucky [Mr. BARKLEY] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDING OFFICER (Mr. BRICKER in the chair). Eighty-six Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. WHERRY].

The Chair recognizes the Senator from Nevada [Mr. MCCARRAN].

Mr. MCCARRAN. Mr. President, let me say at the outset that I honestly do not believe that all Members of the majority on the Committee on the Judiciary understand completely what this bill will do. The bill was discussed by the committee at 8 or 10 different sessions, but each time the committee met a new and revised draft of the bill was presented as the subject for discussion. On the day when the bill was ordered reported another new draft was laid down, containing substantial changes, and the vote in the committee was a straight up-or-down vote on reporting that draft of the bill, without any opportunity for perfecting amendments in the committee.

Nevertheless, the bill was before the Judiciary Committee and its subcommittee for some 7 or 8 weeks, and I would naturally anticipate that members of the committee—at least those members who must accept responsibility for the language of the bill—will be inclined to defend that language. I earnestly hope, Mr. President, that they will not attempt to do so, at least with respect to the criticisms which I make here today, until they have studied my remarks and studied the language of the Senate committee bill, and consulted their consciences, and slept on the matter. The criticisms I intend to make are not captious criticisms; they are serious criticisms. I intend to weigh my words, and I hope, for the sake of the Members who may feel impelled to defend the committee bill, that they will not take issue with me until they have studied the matter carefully, lest they put themselves on record in a way they would not desire. I do not mean to imply, Mr. President, that I think I am infallible or that I think what I may say cannot under any circumstances be challenged. But let him who would challenge it study the matter at least over night, and then, if he thinks I am wrong, come before this body and say so. I shall be willing to let the record of what I say today, and the record of what he may say then, stand clear for

the country to see and judge. But for today, Mr. President, I desire simply to state a portion of the case against the majority bill. I do not wish to enter into controversy or colloquy concerning it, and I shall greatly appreciate it if my colleagues on both sides of the aisle will permit me to finish without interruption.

The worst feature of this majority bill, Mr. President, is that it thoroughly emasculates the Fair Labor Standards Act, not only with respect to portal-to-portal claims, and not only with respect to all past claims, but also with respect to future claims. I shall have a good deal more to say, by way of expansion on that statement. But I want to serve notice now on my friends of the majority, that the bill amounts to a virtual repeal of substantial portions of the Fair Labor Standards Act; that, if the bill is enacted, the Fair Labor Standards Act will remain little more than an empty shell; and that if such a result is accomplished through the votes of the majority, the majority will have to answer for that result to the people of this country.

Let me make it clear, Mr. President, that I do not now charge that the majority has an intention to repeal or emasculate the Fair Labor Standards Act, or that the Judiciary Committee of the Senate has any such intention, or that any particular Member of the Senate has any such intention. What I do say is that this committee bill, now before us, will accomplish that result; and if the bill is passed, by the votes of the majority, the majority will have to take the responsibility.

I call the attention of the Senate to the language beginning on line 19 of page 11, as follows:

For the purposes of this section, no judicial or administrative interpretation of the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act shall have the effect of changing any written or nonwritten contract between the employer and employee so as to make compensable any portal-to-portal activities (as defined in section 5); nor shall any provision of any such contract, incorporating by reference as a part thereof such judicial or administrative interpretations, make compensable any such portal-to-portal activities.

Similar language appears in part 3, entitled "future claims", beginning on line 23 of page 15: and again, with respect to the Walsh-Healey and the Bacon-Davis Act, beginning in line 18 on page 17.

Leaving aside for the moment the question of making this Portal-to-portal Act applicable to the Walsh-Healey Act and the Bacon-Davis Act—a theory with which I do not agree—let us consider for a moment the language I have just read. This language is the last of a number of redrafts of the paragraph.

One of the earlier drafts of the bill, while it was in committee the second time, contained the following language:

For the purposes of this section, neither the Fair Labor Standard Act of 1938 nor any judicial or administrative interpretation thereof shall be deemed to have constituted such a provision of any written or nonwritten contract between the employer and employee as made any such portal-to-portal activities compensable.

Some of us in the committee raised serious objections to that language, because the obvious effect of it would have been to invalidate even collective-bargaining contracts to the extent that they provided for compensation of any activities which might fall within the majority bill's very wide definition of portal-to-portal activities. The sponsors of the bill admitted this would be so and even, for a time, argued that it should be so; but the sense of the committee was otherwise, and it was agreed the language would be changed. It was changed, in a subsequent draft of the bill, to read as follows:

For the purposes of this section, no judicial or administrative interpretation shall have the effect of changing any provision of any written or nonwritten contract between the employer and employee so as to make compensable any portal-to-portal activities which were not compensable under the provisions of such contract.

That language was brought back to the committee, and was tacitly approved by the committee.

Then, in the final draft which was submitted for committee action, the language was changed again to the form in which it now appears in the committee amendment.

I submit, Mr. President, that the language as we now find it in the committee bill is little, if any, better than the language originally disapproved by the committee; and there was no opportunity in the committee for any separate vote on the new language.

The effect of this language is to make it impossible for a group of employees to contract with their employer so as to make compensable any activities defined as "portal to portal," even by direct reference in the contract and within the clear contemplation of both parties to the contract.

At this point, Mr. President, let me point out that while the language in the bill is identical with respect to both existing claims and future claims, so far as this particular paragraph goes, the term "portal-to-portal activities" means one thing with respect to existing claims and means an entirely different thing with respect to future claims. With respect to existing claims, the term "portal-to-portal activities" means, under the definition in section 5, beginning at line 3, on page 14:

Those activities which section 2 hereof provides shall not be a basis of liability or punishment under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act.

Mr. President, what are "those activities," under that definition? They are—and I read, beginning on line 5 of page 11:

Any activities of an employee engaged in prior to the date of enactment of this act, except those activities which were compensable by either (1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer; or (2) a custom or practice in effect, at the time of such activity, at the establishment or other place where such employee was employed, covering such activity, not inconsistent with a written or nonwritten contract, in effect at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer.

We find, therefore, that the term "portal-to-portal activities" is actually defined in terms of itself. The paragraph beginning with line 19, on page 11 of the committee amendment, says, in effect, that no judicial or administrative interpretation shall have the effect of changing any written or nonwritten contract between the employer and employee so as to make compensable, and no provision of any such contract, incorporating by reference as a part thereof any such judicial or administrative interpretation, shall make compensable, any activities not made compensable by such contract or by a custom or practice covering such activity and not inconsistent with such contract. That is just legalistic double-talk. There is no way to nail it down; and when we are dealing with proposed legislation which vitally affects the rights of more than 20,000,000 workers in this country, we ought to nail down most carefully everything we do so that its effect cannot be misunderstood or misinterpreted.

I call attention now to the short paragraph beginning in line 4, page 12, which reads as follows:

Each claim based on any portal-to-portal activities is hereby declared to be and is null and void and unenforceable.

I do not know, Mr. President, what the precise intent of that language may be, or what interpretation might be given to it by a court. But I can well vision an interpretation under which this language would be held to bar any claim which had as a component any portal-to-portal activities. As the term "portal-to-portal activities" is used here, it means activities which were not made compensable by an express provision of a written or nonwritten contract or by a custom or practice in effect at the time of such activity covering such activity and not inconsistent with a written or nonwritten contract in effect at the time of such activity. Therefore, it is entirely possible that the language of the paragraph I have just read might be held to invalidate any claim based, in whole or in part, on any activity not specifically covered by contract.

I say this language might be held to have such an effect; and I should not be at all surprised to learn that the real framers of this bill intended that it should have such an effect. If they did not so intend, it would have been easy to provide for the invalidation of claims only to the extent that they were based on portal-to-portal activities. But that was not done; and the way is thereby left open for a court to rule that if a claim involves, in any way, any portal-to-portal activities, the whole claim is bad. When we consider that possible effect, in the light of the definition of portal-to-portal activity, we get a result which virtually wipes out the Fair Labor Standards Act with respect to any claim already accrued. In that connection, Mr. President, I do not believe the so-

called saving clause, beginning in line 15 of page 12 of the committee amendment, cures the situation. This saving clause again repeats the term "portal-to-portal activities." Furthermore, there is serious question whether a claim which is null and void can be deemed to have been incurred. The terms used appear incompatible. Release implies a valid claim; extinguishment involves a valid claim; the incurring of liability involves a valid claim; but a claim which is null and void is not valid and never was valid, in legal contemplation. There is nothing to release, and nothing to extinguish.

I do not wish to address myself at any great length, Mr. President, to the original text of the House bill as it came to the Senate. But I make this contrast between the House language and the language of the Senate amendment: The draftsmanship of the House bill is very, very unlawyerlike—so unlawyerlike that I venture to say the legislative counsel of the House was not consulted in connection with the drafting of the House bill. On the other hand, the language of the Senate committee amendment is extremely legalistic; it evidences, throughout its text, the work of highly trained, extremely capable, and extremely legalistic lawyers. The language of the Senate committee amendment is, in fact, so meticulously drawn that I am confident that many of the things which would be accomplished by it were not comprehended by all members of the Committee on the Judiciary, and were not intended by all of the members of that committee who voted for the majority bill.

Look now at section 4 of the committee bill, beginning in line 22 on page 12. This section constitutes nothing more or less than common-law pleading—pleading in the alternative. A Senator who does not believe that section 2 of the proposed legislation is constitutional could not, in good conscience, vote for the bill. Inclusion of section 4 certainly raises the presumption that there are grave doubts as to the constitutionality of section 2. In my opinion, section 4 is wholly unnecessary, and sets an unwise legislative precedent. The enactment of legislation in the alternative is not good practice.

Section 4 sounds as if it had been written by a lawyer who wanted to put so much language into this measure that he was attempting, in effect, to try his case in Congress, so that he would never have to go to court.

Let me turn to another phase of the subject by reading from the last paragraph of page 45 of the committee report, which states:

> Section 4 of the bill is designed to take away certain remedies and preferential treatment accorded employees or their representatives by the Fair Labor Standards Act, the Walsh-Healey Act, and the Bacon-Davis Act with respect to portal-to-portal claims which accrued prior to the date of enactment of the bill, if any claim barred under section 2 of the bill remains, for any reason, valid and enforceable after such date of enactment.

That statement appears to support what we have been told, Mr. President, at various other times; namely, that the provisions of section 4 of the proposed committee substitute are to come into effect only if the provisions of section 2 are declared unconstitutional or otherwise are rendered invalid; and then they are to apply only to the claims which section 2 provides shall not be a basis of liability or punishment. Mr. President, that simply is not the fact. Under the clear provisions of this committee bill, section 4 is applicable for all time in the future with regard to claims brought under the Fair Labor Standards Act. I call the attention of the Senate to the paragraph beginning in line 17, on page 19 of the committee bill. It reads as follows:

> Any such claim, if based on portal-to-portal activities as defined in section 5 of the Portal-to-Portal Act of 1947, and any suit thereon, shall be subject to the provisions of section 4 of the Portal-to-Portal Act of 1947.

In construing that language, Mr. President, it is necessary first to determine what is meant by "such claim." Bear in mind that section 9 of the committee bill, in which that language appears, proposes to amend the Fair Labor Standards Act of 1938 by adding a new subsection. The proposed new subsection begins with the words "every claim under this act." Those are the words to which the words "such claim," in line 17, refer. It cannot be contended that the words "such claim" apply to all the language of the paragraph numbered (1), beginning at the top of page 19, because the words "such claim" are used again in line 9, on page 19, and are modified by additional requirements different from the requirements in the paragraph numbered (1). The paragraph numbered (1) refers to claims "accruing prior to or on or after the date of enactment of the Portal-to-Portal Act of 1947." The provisions of the paragraph numbered (2) refer to claims accruing "prior to the date of enactment of the Portal-to-Portal Act of 1947." The words "such claim" in the paragraph numbered (3) refer to "every claim," under the Fair Labor Standards Act, for unpaid minimum wages, unpaid overtime compensation, or liquidated damages, "if based on portal-to-portal activities as defined in section 5 of the Portal-to-Portal Act of 1947."

Bear in mind that while the definition of portal-to-portal activities in part 3 of the committee bill, relating to future claims, is contained in that part, and is substantially different from the definition of portal-to-portal activities in part 2 of the committee bill, relating to past claims, part 4 of the bill which we are now considering also has a future effect. Yet, in the language of subparagraph numbered (3), on page 19, we have an adoption of the definition from part 2. Therefore, with respect to future claims under the Fair Labor Standards Act, this bill would provide two different standards of portal-to-portal activities: First, the standard written into part 3; and, second, the standard so broadly set forth in part 2. We must remember that under the definition of "portal-to-portal activities" in part 2, everything is a portal-to-portal activity except activities which were compensable by either an express provision of a contract or by a custom or practice in effect at the time of the activity and not inconsistent with a written or nonwritten contract concurrently in effect.

Speaking by way of parenthesis, Mr. President, I am not at all sure but what the language of the committee bill, in the paragraph beginning in line 12 of page 11, would operate to permit an employee to plead a custom or practice only where he also had a written or nonwritten contract covering the specific activity in question; but I do not wish to press that point at this time.

We have seen, Mr. President, that the language of the paragraph beginning in line 17 of page 19 grafts upon the Fair Labor Standards Act, with respect to future claims, the definition of portal-to-portal activities contained in part 2 of the committee bill, and, with respect to all claims falling within that definition—and remember that we are talking about future claims now—invokes all the provisions of section 4 of the committee bill. I call the attention of the Senate to the fact that identical language appears in a paragraph beginning in line 12 of page 20, with respect to future claims under the Walsh-Healey Act and the Bacon-Davis Act.

The general effect of these provisions, Mr. President, is to say that in the future no employee shall have any protection under the Fair Labor Standards Act except with regard to activities specifically covered by contract or, in some cases, by a custom or practice, in effect at the time of such activity, at the establishment or other place where such employee was employed. I call particular attention, Mr. President, to the language "at the establishment or other place where such employee was employed." That does not mean the general custom or practice in an industry, Mr. President. It does not mean a custom or practice generally accepted and sanctioned by usage. It means nothing more or less than a custom or practice put into effect by the employer at the particular establishment in question. Clearly, a custom or practice cannot be in effect "between such employee, his agent, or collective-bargaining representative and his employer" unless the employer has agreed to it. Even if a custom or practice has been in effect for years, under tacit agreement by the employer, if the employer at any time specifically disagrees to that custom or practice, it is no longer in effect between such employer and his employees or the agent or collective-bargaining representative of those employees. For the future, therefore, the language of the majority bill means simply that no employee has any rights under the Fair Labor Standards Act which his employer is not willing he should have. That, I submit to you, is almost as effective, in repealing the Fair Labor Standards Act, as would be a bill which repealed that act directly: and direct repeal would be a much more forthright approach.

Mr. President, the effect of enactment of this committee bill would be to remove virtually all protection under the Fair Labor Standards Act from all unorganized employees, and, with respect to organized employees, to put them on notice that they have no right under

the Fair Labor Standards Act except such rights as they can protect by contract. With respect, therefore, to organized employees, the effect of the enactment of this committee bill would be to put them on notice that they must immediately secure, from their employers, contracts specifically covering all the rights they now enjoy under the Fair Labor Standards Act, and which are not now specifically protected by express provisions of their collective-bargaining contracts. The net result, I venture to predict, would be a wave of strikes in this country which would make any period of labor unrest we have ever seen look like an afternoon tea party for the members of a mutual admiration society.

Let me call your attention now to the language of section 10 of the committee bill. This section would add another subsection to the Fair Labor Standards Act. The language of that new subsection, starting in line 20 on page 20, begins as follows:

Neither liability nor punishment under section 15 or 16 (a) of this act, nor liability for an additional amount as liquidated damages under section 16 (b) of this act, shall be predicated on any act done or omitted in good faith.

And so forth. In a moment I shall discuss the question of "good faith." Let us find out, first, for what liability and punishment that language proposes relief. Section 16 (b) concerns only the statutory rights of employees, when an employer violates the provisions of sections 6 and 7 of the Fair Labor Standards Act, to recover unpaid minimum wages or unpaid overtime compensation or liquidated damages. But section 16 (a) refers, more broadly, to willful violations of the provisions of section 15. What does section 15 cover? It covers the transportation or sale, in interstate commerce, of goods in the production of which any employee was employed in violation of section 6 or section 7, or in violation of any regulation or order of the Administrator issued under section 14; it covers violation of any of the provisions of section 6 or section 7, or of any of the provisions of any regulation or order of the Administrator issued under section 14; it covers the discharge of, or discrimination against, an employee because such employee has filed any complaint—I stress the words "any complaint"—or instituted or caused to be instituted any proceeding under or related to this act, or has testified or is about to testify in any such proceeding, or has served or is about to serve on an industry committee; it covers the violation of any of the provisions of section 12; it covers the violation of any of the provisions of section 11 (c); and it covers the making of any statement, report, or record filed or kept pursuant to the provisions of section 11 (c), or of any regulation or order thereunder, knowing such statement, report, or record to be false in any material respect.

Thus we see, Mr. President, that the liability and the punishment as to which relief is given in section 10 of the committee bill relate not merely to the provisions of section 16, but also, by reference, to the provisions of sections 11 (c), 12, and 14, and also to the protection of an employee against discharge or discrimination for asserting his rights under the Fair Labor Standards Act. What is section 11 (c)? It is the section requiring every employer to make, keep, and preserve records of the persons employed by him and of the wages, hours, and other conditions and practices of employment maintained by him, and to make reports therefrom to the Administrator. And what is section 12? Section 12 contains the child-labor provisions of the Fair Labor Standards Act. And what is section 14? Section 14 contains the provisions of the act concerning learners, apprentices, and handicapped workers. Do Senators think that all the members of the Committee on the Judiciary who voted to report out this proposed committee substitute intended that this language should apply to the child-labor provisions of the Fair Labor Standards Act, to the provisions protecting handicapped workers, to the provisions requiring an employer to keep records and make reports, and to the provisions protecting an employee against discharge or discrimination for seeking or exercising his rights under the proposed act? I sincerely hope not. Nevertheless, that is what the bill does.

Now let us consider, as a whole, the language of the proposed new subsection, which would be added to the Fair Labor Standards Act of 1938 under the provisions of section 10 of the committee bill. The language in question is as follows:

Neither liability nor punishment under section 15 or 16 (a) of this act, nor liability for an additional amount as liquidated damages under section 16 (b) of this act, shall be predicated on any act done or omitted in good faith, on or after the date of enactment of the Portal-to-Portal Act of 1947, in accordance with or in reliance on any regulation, order, interpretation, ruling, or practice of the Administrator, notwithstanding the fact that such regulation, order, interpretation, ruling, or practice, after such act or omission, is amended or rescinded or is determined by judicial authority to be invalid or without legal effect.

Nowhere in the committee bill is there a definition of good faith. Therefore, the term is subject to be stretched, if the bill shall be enacted, just as far as the cleverest lawyer that can be hired by the richest corporation in the country can stretch it. I venture to say it could be argued successfully that an employer acted in good faith if what he did or omitted to do was according to his own best interpretation of the particular regulation or order or ruling or practice upon which he presumed to rely. The bill does not even say he has to have legal advice with regard to such an interpretation; but even if it should be held that he did have to seek legal advice, every lawyer in this body knows that a man who looks for it it can get whatever kind of legal advice he wants.

Now notice the words "In accordance with or in reliance on" in lines 3 and 4 on page 21, and in line 13 on the same page. It is one thing to act in good faith "in accordance" with a regulation; it is an entirely different thing to act in good faith "in reliance" on the same regulation. The use of both terms in the committee bill makes it clear that the committee intends to set up a defense if the act or omission was in good faith, whether or not it was in accordance with the regulation, order, interpretation, ruling, or practice relied upon.

I find other faults in the language of the proposed new subsection, not the least of which is the fact that it is so excessively legalistic, and so obscurely drawn, that it seems almost to invite controversy as to its meaning. However, I shall not burden the Senate with further discussion of this language except to point out that the inclusion of the word "practice" in line 6 on page 21 certainly gives rise to the need for definition. If a "practice" of the Administrator is not to be deemed to include any regulation, order, interpretation, or ruling—and it must be deemed not to include any of them, since they are all separately set forth—then about all that remains to which the word "practice" can be assumed to apply is the fact that the Administrator has or has not acted with respect to a certain class of cases. It may be, therefore, that under this language an employer could contend that he was acting in good faith if what he did had been done by other employers who had not subsequently been brought to account by the Administrator. In other words, this language seems to say to an employer, "if the other fellows can get away with it, you can get away with it, too."

When it comes to applying the same language to the Walsh-Healey Act, as is done by the paragraph beginning in line 9 on page 21, an even more absurd result is attained. In order to make the language applicable to the Walsh-Healey Act, it was apparently found necessary to leave out the words "of the Administrator", so that the language reads:

No liability for an additional amount as liquidated or other damages under the Walsh-Healey Act shall be predicated on any act done or omitted in good faith, on or after the date of enactment of the Portal-to-Portal Act of 1947, in accordance with or in reliance on any administrative regulation, order, interpretation, ruling, or practice, notwithstanding the fact that such regulation, order, interpretation, ruling, or practice, after such act or omission, is amended or rescinded or is determined by judicial authority to be invalid or without legal effect.

Numerous questions immediately arise. Is the word "administrative" at the end of line 13 on page 21 to be deemed to modify not only the word "regulation," but also the words "order, interpretation, ruling, or practice"? If not, then the word "practice" might mean the practice of any employer, or the practice in any industry, or the practice of a Government department. If the word "administrative" is meant to modify all five of the nouns which immediately follow it, then at least it would seem that an employer is entitled to rely on any administrative regulation or any administrative order or any administrative interpretation or any administrative ruling or any administrative practice whether or not such regulation, order, interpretation, ruling, or practice was sanctioned by the authorities charged with the administration of the Walsh-Healey Act. There is noth-

ing in this language that says anything different. If an employer could find an administrative regulation or an administrative interpretation or an administrative practice that suited his needs, whether or not under the Walsh-Healey Act or any other act, he could use it and rely on it, and thereby escape liability. Can it be that that was intended by the members of the Judiciary Committee who voted to report out this bill? I sincerely hope not.

Remember, the word "interpretation" does not mean simply interpretations of what the Fair Labor Standards Act means, or what the Walsh-Healey Act means; it includes also many other interpretations, such as, for example, the interpretation of what constitutes a retail business. Under the language of the committee bill, if a businessman could find an interpretation of the term "retail business" which suited his purposes, even though that interpretation were entirely different from the interpretation of "retail business" by the Administrator of the Wage and Hour Administration, he could rely upon it until such time as it might be amended or rescinded. Senators, that would be like telling a lawyer he could win his case if he could find one case in point which upheld his theory.

One of the biggest problems faced by employers today, Mr. President, with respect to their liability under the Fair Labor Standards Act, is a question which has nothing to do with portal-to-portal activities. It is a question which has to do with whether or not particular employers or classes of employers are exempted under the act. Section 7 (c) of the Fair Labor Standards Act reads as follows:

> In the case of an employer engaged in the first processing of milk, whey, skimmed milk, or cream into dairy products, or in the ginning and compressing of cotton, or in the processing of cottonseed, or in the processing of sugar beets, sugar-beet molasses, sugarcane, or maple sap, into sugar (but not refined sugar) or into sirup, the provisions of subsection (a) shall not apply to his employees in any place of employment where he is so engaged; and in the case of an employer engaged in the first processing of, or in canning or packing perishable or seasonal fresh fruits or vegetables, or in the first processing, within the area of production (as defined by the Administrator), of any agricultural or horticultural commodity during seasonal operations, or in handling, slaughtering, or dressing poultry or livestock, the provisions of subsection (a), during a period or periods of not more than 14 workweeks in the aggregate in any calendar year, shall not apply to his employees in any place of employment where he is so engaged.

That language placed a duty upon the Administrator to issue a regulation defining "area of production."

Several such regulations were issued. The Wage and Hour Administrator issued a regulation on October 20, 1938, which can be found in the Twenty-ninth Code of Federal Regulations, Supplement 1938, section 536.2 (b). Another and succeeding regulation was issued June 17, 1939, and can be found in the Twenty-ninth Code of Federal Regulations, Supplement 1939, section 536.2 (a) and (d). A third and broader regulation, supervening the two earlier regulations, was issued October 23, 1940, effective as of October 1, 1940, being published in the Sixth Federal Register, page 5165. Thereafter, in the case of *Addison* v. *Holly Hill Fruit Products, Inc.* (322 U. S. 607, decided June 5, 1944, rehearing denied October 9, 1944), the Court invalidated these regulations, the first two by specific reference, the third, by direct implication.

The Court, in its decision in that case, pointed out that the effect of declaring the regulation invalid was to leave the act with no exemptions whatever, based on area of production; and the Court said, in effect, that this would be an inequitable result. Therefore, the Court indicated that the Administrator should prepare and issue a new regulation, in keeping with the Court's decision, and that such new regulation would be deemed to have retroactive effect, presumably to the date when the 1940 order became effective. The Administrator's new regulation was not issued until December 25, 1946. Thus there is a period of about 6 years, during which the status of exemptions, based on the definition of area of production, is extremely uncertain. If the theory of the Supreme Court is to be followed, the 1946 order must be deemed to have retroactive effect, either to the date of the original 1940 order or at least to the date of the Court decision in 1944. To the extent that the December 1946 order is not deemed retroactive to any part of the 6-year period, there were no exemptions under the act based on area of production. Since the 1946 regulation did not operate to exempt all employers who were exempted under the terms of the 1940 regulation, it is clear that whether or not the 1946 order is deemed retroactive, and to whatever extent, substantial numbers of employers will find themselves subject to liability under the Fair Labor Standards Act in spite of the fact that they may have done everything in their power to adhere to the only regulations which were in existence. In other words, with respect to such employers the very result which the Supreme Court indicated would be inequitable will have been attained.

This is certainly a situation which needs correction, Mr. President. The joke is that neither the House Bill, H. R. 2157, nor the proposed Senate substitute, takes care of curing this situation. It seems apparent, from reading the House language, that the House Judiciary Committee had knowledge of this situation and was attempting to cure it; but the House language fails to effect the cure.

In attempting to make the House bill broad enough to cover this situation, the House has written language which is in some respects even broader than the comparable language of the Senate bill, if that is possible, and which is therefore equally objectionable to anyone who wishes to preserve at least some shreds of the rights of labor under the Fair Labor Standards Act of 1938.

But the House language fails to cover the situation with respect to the 6-year period between the 1940 regulation defining area of production and the succeeding 1946 regulation—and the Senate bill language fails in precisely the same respect—by a notwithstanding clause. The House bill says actions against employers shall be barred notwithstanding that after such act or omission, such decision, administrative regulation, order, ruling, interpretation, approval, enforcement policy, or practice is modified, rescinded, or determined by judicial authority to be invalid or of no legal effect. The Senate bill uses the language "notwithstanding the fact that such regulation, order, interpretation, ruling, or practice, after such act or omission, is amended or rescinded or is determined by judicial authority to be invalid or without legal effect."

Under the language quoted in either case, the relief afforded, such as it may be, would not apply to an employer who relied on the October 1940 regulation subsequent to June 5, 1944, the date when it became invalid under the decision of the Court in the Holly Hill case. Thus we find that both the House language and the Senate language, while going much too far in depriving workers of their rights under the Fair Labor Standards Act, nevertheless fail to give specific protection to a large group of employers who are, in all fairness, entitled to such protection.

Mr. President, there are many other questions which might be raised, and which undoubtedly will be raised and discussed on this floor, in connection with the proposed Senate committee amendment. Many of them are questions of policy, such as whether State statutes of limitation should be overridden by the new Federal statute of limitation herein proposed to be established; what the proposed statute of limitation should be, whether it is either necessary or desirable to make this legislation applicable to the Walsh-Healey Act and to the Bacon-Davis Act, whether it is desirable to add a preamble, and whether the preamble proposed is acceptable in language and form, and so on. I have attempted to limit myself today to the discussion of points which I feel go much deeper than such questions of policy or expediency. It has been my main purpose here today only to point out some of the ways in which the proposed legislation would operate to render the Fair Labor Standards Act completely ineffective.

Of course, Mr. President, if the bill becomes law, the Fair Labor Standards Act will still remain on the statute books; but it will be a hollow shell, impossible of effective administration, stripped in large measure of adequate protection for employees, and amounting to little more than an invitation to endless litigation. If there be those who would say that the operation here proposed is not, after all, so serious, let me remind them of the farmer who thought his watchdog's tail was too long. He took the dog out behind the barn to perform a crude amputation on the excess caudal appendage; but his hatchet slipped, and he amputated the dog's tail just back of the ears. The animal was not much good as a watchdog after that.

In all seriousness, Mr. President, I want to repeat the warning which I

voiced at the outset of my remarks. If the Members of the majority, by their votes, enact this bill, whether or not amended, in such form as effectively to repeal or substantially emasculate the Fair Labor Standards Act, the majority will have to answer for that result to the American people.

While the Senator from Nevada realizes the perplexing problems which confront the country I certainly am not ready or willing nor could I in conscience vote for the bill in its present form.

I may say, Mr. President, that at a later hour, either tonight or tomorrow, I shall offer the substitute prepared by the Senator from Rhode Island [Mr. McGRATH] and myself. At that time we will discuss the substitute in detail.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. WHERRY] as a substitute for certain language in the Senate committee bill.

Mr. McGRATH obtained the floor.

Mr. THOMAS of Utah. Mr. President, will the Senator from Rhode Island yield to me to suggest the absence of a quorum?

Mr. McGRATH. I yield for that purpose.

Mr. THOMAS of Utah. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Morse
Baldwin	Hayden	Murray
Ball	Hickenlooper	Myers
Brewster	Hill	O'Conor
Bricker	Hoey	O'Daniel
Brooks	Holland	O'Mahoney
Buck	Ives	Pepper
Bushfield	Jenner	Reed
Byrd	Johnson, Colo.	Robertson, Va.
Cain	Johnston, S. C.	Russell
Capehart	Kem	Smith
Capper	Kilgore	Sparkman
Chavez	Knowland	Stewart
Connally	Langer	Taft
Cooper	Lodge	Taylor
Cordon	Lucas	Thomas, Okla.
Donnell	McCarran	Thomas, Utah
Downey	McCarthy	Thye
Dworshak	McClellan	Tydings
Eastland	McFarland	Umstead
Ecton	McGrath	Vandenberg
Ellender	McKellar	Watkins
Ferguson	McMahon	Wherry
Flanders	Magnuson	White
Fulbright	Malone	Wiley
George	Martin	Williams
Green	Maybank	Wilson
Gurney	Millikin	Young
Hatch	Moore	

The PRESIDING OFFICER. Eighty-six Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. WHERRY].

Mr. McGRATH. Mr. President, at the beginning of the part which I shall take in the discussion of the question now before the Senate, let me say that I have been working for the past month or more in close cooperation with the subcommittee of the Committee on the Judiciary to which the question of portal-to-portal pay had been referred. I have attended most, if not all, the meetings held by the full committee while we have been wrestling with this problem.

I do not wish anyone to obtain the impression that I have any lack of appreciation for what I think has been a wonderful devotion to public duty on the part of the Senator from Missouri [Mr. DONNELL], the Senator from Mississippi [Mr. EASTLAND], and the Senator from Kentucky [Mr. COOPER], who comprised the subcommittee which heard the testimony on this subject and then attempted to draft a bill to meet the situation as they saw it. I pay this meed of tribute to them because I know that many of my colleagues in the Senate have not had the opportunity closely to observe the difficult task which they were endeavoring to perform.

It is no wonder to me, as I am sure it is no wonder to any other Senator who has listened to the debate for several days, that it is extremely difficult, if not impossible, to arrive at an equitable solution of this problem. The committee made nine different attempts to draft a bill to meet the situation, and each of the nine drafts was substantially different from the others.

I endeavored to cooperate in every way, and to be constructive in my suggestions, although very often I found myself at variance with the object which the committee was seeking to achieve. However, that in no way deterred me from offering such advice and assistance as I could, in the sincere hope that we might obtain from the committee a proposal which could be accepted by both parties, and by persons of all economic views, such as are represented here in the Senate.

Out of that experience I have come to the conclusion that our failure to agree lies basically in the fact that we were trying to cope in a legislative way with a problem which is purely administrative. We were trying to write, in a few sentences and a few paragraphs of a congressional act, a rule of conduct which would control the habits of approximately 500,000 employers and many million industrial workers, covering within the scope of their operations millions of varying types and degrees of employment practices. If the debate in this Chamber has shown nothing else, it should have demonstrated the utter fallacy of the Congress trying to do that kind of a job by legislative enactment. The writing of these rules belongs in the administrative bodies of the Government, where they can be handled and given the attention called for by individual situations.

We know that there is great reluctance upon the part of some Members of the Senate to give to the administrative agencies of government the power which they should have in order to make rules by which people may know what are their rights and be protected in them. I invite the attention of the Senate to the fact that if the advice of the Director of the Fair Labor Standards Act and the wage-and-hour law had been heeded by the Congress several years ago we would not have before us today the problem of portal-to-portal claims, for no such problem ever could have arisen. He proposed to the Congress that he be given adequate rule-making powers which would be subject to the provisions of the Administrative Procedure Act guaranteeing and securing to all our citizens the safeguards of our courts and every other safeguard we have been able to erect, and we would have written rules, subject to hearings, of course, and to proper appeals to the courts; and there would have been provided the necessary legislative authority, so that anyone who followed an administrative ruling made in accordance with the American judicial system would have been protected against the element of surprise with which the American businessman is now confronted as he wrestles with these so-called portal-to-portal suits.

That is why I am taking the position in this debate that if we cannot wisely and constitutionally legislate to correct our past mistakes in not giving such ample authority under our democratic system, it hardly seems to me that we are properly approaching the problems of the future by continuing to deny administrative authority, the granting of which, as I see it, is the only way in which we can cope adequately with the situation.

I believe, as I have already said, that the committee bill which is before the Senate will result in greater confusion in the courts within the first 6 months after it becomes law, if it ever does become law, than already exists as a result of the portal-to-portal suits which we seek to outlaw, because the language of the bill is so vague, indefinite, and ambiguous, and the legalistic terms which are used and interused and intertwined are so mixed up that the members of the committee themselves could not understand what they meant. The Members of this body have been trying for more than a week to receive an adequate explanation of the meaning of the bill, but I dare say not half a dozen Senators could stand up at this moment and explain what the committee bill really does.

The enactment of this bill would be an open invitation to the lower courts to declare the act unconstitutional because in its enactment we express our own doubt. If we, the Congress, cannot resolve the constitutionality of what we are doing, why should any judge assume the responsibility of saying that what we have attempted to do is constitutional?

These cases will remain in court until every one of the ambiguities goes to the highest court of the land and is settled. There is not merely one ambiguity; there are dozens of them, as the debate in the Senate has shown. So, instead of being relieved of portal-to-portal suits, instead of freeing the business interests of the United States from the liability which is on their books, we do nothing but restrain for the time being the further prosecution of the cases until the myriad of constitutional questions can be carried through the courts.

Why do I say that? Because the committee itself admits that under the language of the bill many inequities are possible. The committee itself admits that in trying to write an over-all rule for the conduct of American businesss involving the so-called workday and workweek we are probably ruling out the

valid claims of many American workingmen so that they shall no longer have a forum in which they can press their claims regardless of how right they may be or how unjust or cruel may be the employer. By this bill we give excuse for and forgiveness of the sins of the many employers who have abused their workers, and we place a premium on that kind of action at the expense of the vast majority of American employers who have been loyal and fair in dealing with their workers.

Then we say that if we have not succeeded in slaying these cases by bringing them within the confines of the language with respect to a contract written or unwritten—what an unwritten contract means in this respect I find it hard to explain to myself—anything which cannot possibly be brought into this category is declared to be null and void.

I do not believe that under the Constitution of the United States the Congress has a right to declare a vested interest or property right in myself or any other American citizen to be null and void. I take it that that would be depriving me of my property without due process of law; and I cannot conceive that it will ever stand up as constitutional in the courts of the land.

When we are through doing that, in another paragraph or subparagraph we declare, in effect, that if we have failed to kill off these suits by making a rigid standard of contract or custom or practice in a particular establishment, if we have failed the second time to slay them by the use of the language "hereby null and void," then we propose for the first time, I think, in American jurisprudence to write into our laws terms and conditions so harsh that no man, no matter how righteous his contract or his right to recover may be, would dare to bring suit, for it would hardly be possible for him to prove his case in court. I submit, Mr. President, that such procedure to cure any evil is unfair and un-American and not in accordance with the best of American judicial and democratic processes.

A substitute amendment has been offered by the Senator from Nevada [Mr. McCARRAN] and myself. In that amendment we seek to handle the problem of portal-to-portal claims by taking away the statutory right that may exist, or any right that may arise by statute for claims that have heretofore accrued. I do not say to the Members of the Senate that I do not entertain some slight doubt as to the constitutionality even of that approach, but at least I am going to say that if that approach is to be questioned it can be questioned on one simple point alone, which can be quickly resolved, and American employers who are affected by it can within the reasonably foreseeable future know where they stand and can close their books upon these matters, or they can make whatever settlement the Supreme Court of the United States shall indicate they ought to make.

My firm and fundamental belief is that we are making much ado about nothing; that these portal-to-portal suits, if left in the hands of the court now, as the picture stands as of tonight, would be adequately settled. I believe that well over 90 percent of the claims presented come within the decision of Judge Picard in the pottery case. I do not know what the Supreme Court will do with that case. I am aware, however, that the Department of Justice, representing our Government, is interceding in the Supreme Court looking for a quick and early termination of the litigation and for an opinion by that Court. I have hope that the Supreme Court will sustain Judge Picard. If it does, the problem will have been largely solved. How will we look 6 months or a year from now before the American people and the American workers for having enacted a law which is such a misfit, if I may call it that, as that which the committee has offered?

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Mississippi?

Mr. McGRATH. I am glad to yield.

Mr. EASTLAND. The Senator from Rhode Island is making a very able speech, and I hesitate to interrupt him. But I should like to have this information: Does the Senator's substitute apply to portal-to-portal claims which might arise in the future?

Mr. McGRATH. It does not.

Mr. EASTLAND. Then is it not correct to say that 6 months from now suits could lie against employers on the basis of services, arising after the passage of this bill, which would be the same as the services on which the present suits are based?

Mr. McGRATH. I believe that is correct.

Mr. EASTLAND. So 6 months from now we would be faced with a situation identical to the one which faces us at this time, would we not?

Mr. McGRATH. With that statement I do not agree.

Mr. EASTLAND. That is to say, unless they were compromised or otherwise settled?

Mr. McGRATH. They could be compromised or otherwise settled; but I am stating that in my opinion, which is the opinion of only one Senator, the decisions of the courts, if the courts are left alone, will handle this problem much better than the Congress can handle it; and I believe that 6 months from now we shall have the opinion of the Supreme Court in the Mount Clemens Pottery Co. case, and we shall know much better where we stand. If the opinion of the Supreme Court bears out the opinion of the lower court, these cases will have vanished into thin air.

Mr. EASTLAND. Of course we do not know what the Supreme Court will decide. Today the Supreme Court of Georgia made a decision which took many persons by surprise. But if the decision of the United States Supreme Court affirms the decision of the lower court in the Mount Clemens Pottery Co. case, 6 months from now such suits would lie just as they do today; would they not?

Mr. McGRATH. I do not think we should engage in the practice of trying to beat the courts of the United States to decisions in matters so imporant as is this one. I should prefer to see the case through to an end in the courts, and then have any legislation which Congress enacts based on the findings of the courts.

Mr. EASTLAND. Mr. President, I know that the Senator from Rhode Island is sincere in that respect; but I should like to have him answer this question: Six months from now would suits lie for services identical to those for which the present suits have been filed?

Mr. McGRATH. I think some might.

Mr. PEPPER. Mr. President, will the Senator yield to me?

Mr. McGRATH. I yield.

Mr. PEPPER. In respect to the question regarding what might be the situation 6 months from now, is it not true that at that time we would have the benefit of any court decisions which might be rendered between now and then, and also there would be the probability, now that this matter has become ambiguous, that in most cases it would be settled by an express agreement between the employers and employees in the various industries which might be affected?

Mr. McGRATH. Not only that, but if the amendment offered by the Senator from Nevada [Mr. McCARRAN] and myself were adopted, it would be the clearest and the simplest declaration of legislative intent that it is possible to have on this subject; and I do not hesitate to say that with that legislative intent written into the record, no more claims of this type or nature would ever be brought in the United States.

Mr. DONNELL. Mr. President, will the Senator yield to me?

Mr. McGRATH. I yield.

Mr. DONNELL. I understood the Senator from Rhode Island to state that in his opinion 90 percent of the suits would prove to be settled on the de minimis theory. Is my understanding in that respect correct?

Mr. McGRATH. Mr. President, there is little more than the de minimis theory to the litigation in the Mount Clemens Pottery Co. case, for, as I understand that case, the mandate of the Supreme Court was that the lower court should take into account the de minimis theory, but should also apply, in connection with the application of the de minimis theory, its views, if I may call them that, upon the realities of our industrial life. Now, the opinion of the lower court is based, not alone on what we have heretofore understood to be the de minimis theory, but also in accordance with the mandate of the Supreme Court of the United States, upon the realities of our industrial life. Any cases which are brought hereafter to recover damages in actions of this type will certainly have to be cases which meet the test of what are the realities of our present-day industrial life.

Mr. DONNELL. Mr. President, will the Senator from Rhode Island further yield?

Mr. McGRATH. I am glad to yield.

Mr. DONNELL. I understood the Senator to say that in his opinion the situation now confronting us is "much ado about nothing," and that in the course of time some 90 percent of the litigation will be settled by virtue of the doctrine set forth by Judge Picard in his

recent decision. I ask the Senator whether he personally has examined the court files in any one of the 1,913 cases which have been filed in the Federal courts of the United States up to and including January 31 of this year.

Mr. McGRATH. I have followed closely the Picard decision and the newspaper accounts, which rather accurately interpret for us the basis on which many of those suits have been brought. I am also aware of the practical situation involved; namely, that these suits are largely representative suits, representative of thousands or perhaps millions of Americans who do not even know they are represented in those suits. So, although the amount of money involved appears to be large, when we speak in terms of $5,000,000,000 or $6,000,000,000, yet in fact, the number of litigants who personally have authorized the bringing of these cases is not large.

I have not examined minutely the facts in the complaints or declarations of many of the other cases, or, I may say, any of the other cases that have been filed. But if we are correct in assuming to legislate on this subject, then, indeed, the Senator from Missouri must himself agree with me that the justification for the other suits which are represented in this vast amount of litigation must to a very considerable extent be trivial indeed.

Mr. DONNELL. Mr. President, will the Senator further yield?

Mr. McGRATH. I yield.

Mr. DONNELL. The question I asked has not yet been answered. I asked whether the Senator from Rhode Island has examined the court files in a single one of the 1,913 cases which have been filed between July 1, 1946, and January 31, 1947.

Mr. McGRATH. I have had no purpose to examine them, and I have not done so.

Mr. DONNELL. The Senator has not examined them?

Mr. McGRATH. No, sir.

Mr. DONNELL. Would it not be necessary, in order to know the merits of the cases, at least to know from personal knowledge what the plaintiffs in the cases allege in their pleadings?

Mr. McGRATH. I can apply a little bit of reason and common sense to the answer, Mr. President, and I say that all those cases were brought after an opinion of the Supreme Court which let in a case which now turns out to be a trivial one. Therefore, I conclude that the great majority of those cases had not been brought earlier because they contained in themselves no more merit than the case upon which the Supreme Court has passed, and which the lower court now has said has very little or no merit; and I expect that the Supreme Court of the United States likewise will uphold that decision of the lower court.

Mr. DONNELL. Mr. President, will the Senator yield to me once more, to permit me to ask a question?

Mr. McGRATH. I yield.

Mr. DONNELL. Do I correctly understand that the Senator from Rhode Island is basing his statement that the situation now before us is "much ado about nothing" and that 90 percent of the litigation will be disposed of as he has indicated, upon his reasoning, rather than upon an exact or, in fact, any examination of the facts in the specific cases before the courts?

Mr. McGRATH. That is correct. I will change my statement of "much ado about nothing," and will make it "much ado about little."

Mr. President, such part of the debate as I have engaged in up to now has dealt with bringing into the situation certain acts of Congress protecting American labor, which I have felt had no part whatsoever in the matter which was before the Judiciary Committee, and have no place in legislation affecting portal-to-portal issues. It was within only 1 or 2 days of the last day that our committee was considering this matter that it was decided to throw in, somewhat for good measure, it seems to me, the Bacon-Davis Act and the Walsh-Healey Act. We knew not too much at that time about the history of these acts, or how they were affected, but we have since discovered. We have since concluded that not one of the 1,900 cases to which the distinguished Senator from Missouri has alluded in any way involves either of these two acts, which have been working splendidly on our statute books, to the satisfaction of the Government, employer, contractor, and worker alike. There has been no demand that there be legislative interference at this time with these two acts. So one can only conclude that in our haste to damage the labor laws of the country the Bacon-Davis Act and the Walsh-Healey Act have been dragged in.

Mr. HATCH. Mr. President, will the Senator from Rhode Island yield?

Mr. McGRATH. I yield to the Senator from New Mexico.

Mr. HATCH. I did not want to interrupt the Senator, but I have been puzzled about these two acts, and why they were included in the particular measure which is now before the Senate. I have wondered if the committee heard any testimony at all in its public hearings involving the two acts.

Mr. McGRATH. Not one word. They were never considered by the committee in hearings, and, as I stated, the committee as a whole did not know that they were to be included in the final draft until within a matter of a few days of the time the draft was reported to the Senate.

I should like to say, for the purposes of the record, something about the history of this legislation. Until 1931 there was no Federal statute applying the prevailing-rate-of-wage principle to Government construction contracts, although legislation of this character had been in effect in several States for a number of years. It was not until 1930 that the impact of the depression began to make its effect felt upon the building-trades industry. I wish to say at this point that I do not think the building-trades industry and other great labor organizations which have been the recipients of the benefits of the Bacon-Davis Act or the Walsh-Healey Act realize yet what would be done to those acts by their incorporation in the proposed law.

In 1930 the impact of the depression began to make itself felt, and felt very strongly, in the building industry, with the result that the Department of Labor received numerous complaints that contractors were taking advantage of the unemployment situation to cut wages below the scales which had theretofore prevailed, that they were engaging in the practice of transporting cheap labor to jobs, to the detriment of local union standards.

This was particularly true of Government contracts, where competitive bidding had to be in effect. Realizing the pressing need for legislation on this point, Senator Davis and Representative Bacon, in the Hoover administration, introduced a bill, which was enacted into law on March 3, 1931. Under this statute contractors on public buildings were required to agree to pay no less than the prevailing rate of wages for work of a similar nature in the municipality or other civil subdivision of the State. In the event of a dispute which the contracting officer could not adjust, the matter had to be referred to the Secretary of Labor for his determination.

The result of a long felt need for protection of local wage levels from the disturbing effects of the importation of laborers and mechanics by outside contractors, this statute, as I have said, was the first Federal statute embodying the prevailing-rate-of-wage principle. Its effect was substantial, but it failed to anticipate certain types of evasion by unscrupulous employers and establishments who were following standards still condemned by the principle of the statute.

The Senate Committee on Education and Labor, in the Seventy-third Congress, had this to say:

> The enactment of this law stabilized labor conditions on Government building construction almost immediately, by removing one of the most serious causes of labor disputes. * * * There were, however, wage-cutting contractors in different parts of the country who sought to circumvent the new statute. One of the most popular methods of defeating the law was to pay the prevailing rate but to exact refunds (kick-backs). Other contractors evaded the law by posting scales which conformed to the legal standard, and paying lower rates. Others would pay the legal rate but make exorbitant rates for rentals, or supposed advances. Then there were numerous contractors who took advantage of variances in wage rates in the communities where the contract was being performed by paying the lowest of the local rates until the contracting officer was compelled to refer the matter to the Secretary of Labor for determination.

Mr. KILGORE. Mr. President, will the Senator from Rhode Island yield?

Mr. McGRATH. I yield to the Senator from West Virginia.

Mr. KILGORE. Would there not be, under the act, the possibility of, shall we say, cutting or lowering the wage scale by reason of preliminary and postliminary work not a part of the job, such as carrying materials, sharpening tools, and various other activities beginning just before the whistle, and requiring the worker, by so doing, really to lower his scale, although his scale would meet apparently the requirements?

Mr. McGRATH. That is a point I was coming to, and I shall state it now, but perhaps it will be repeated later in my remarks.

There is now an attempt to break down the standards which the Bacon-Davis law and the Walsh-Healey law sought to set up by contract, agreement, custom, or practice entered into agreeable to the workers and the employer, forgetting entirely about the general public interest, which is the background of all these statutes. The philosophy behind them is not the philosophy that you and I, Mr. President, as contractor and worker, have a right to contract, but that we have no right to import into the contract terms that which would hurt the general public interest.

It seems to me the bill proposed by the committee opens up these questions hereafter, to negotiation, collective bargaining, written contract, nonwritten contract, or custom or practice which is not general in the industry or to the locality which is local but which is confined to a particular plant or particular employer, and that, I think, is very objectionable.

Mr. KILGORE. I thank the Senator.

Mr. LUCAS. Mr. President, will the Senator from Rhode Island yield?

Mr. McGRATH. I yield to the Senator from Illinois.

Mr. LUCAS. Some question has arisen in my mind, and in the minds of other Senators, whether or not under the terms of the committee bill an employer would have a right to enter into a contract with an employee who came under either of the acts mentioned, for a wage scale less than that now provided for in the Fair Labor Standards Act. I desire to know whether or not I am correct in my understanding of that particular policy.

Mr. McGRATH. I fear that an interpretation can be placed on the committee bill which would allow, by private contract, the setting up, as between an employer and his individual employees, of standards which probably are less than the standards required by the Walsh-Healey Act or the Davis-Bacon Act. That is my opinion.

Mr. LUCAS. May I ask if that is also the Senator's opinion with respect to the Fair Labor Standards Act?

Mr. McGRATH. I think the opportunity for evasion in the Fair Labor Standards Act comes not so much in the matter of the minimum wage as it does in determining the amount of time that shall be put in, in order to secure the minimum wage. The opportunity for chiseling, there, is an opportunity to chisel upon the hours worked, by counting so many things as preliminary and postliminary, make-ready, riding time, and so forth.

Mr. LUCAS. But the Senator is of the opinion that under the Walsh-Healey Act and the Bacon-Davis Act an employer could enter into a contract with employees for a wage which is less than that required under the statutes which were enacted at that time for the benefit of the employees?

Mr. McGRATH. I do not say so positively, but I think the committee's bill reasonably lends itself to that interpretation.

Mr. LUCAS. I am not sure, from my listening to the arguments and the debates on portal-to-portal pay, that any Senator is certain of anything so far as the constitutionality of the proposed act is concerned, or so far as what it may or may not do. In other words, from my reading of the bill as reported by the committee and from what I have heard in these debates, I have reached the very definite conclusion that if pending portal-to-portal bill passes as it now stands, it will open the door to an interminable amount of litigation and chaos and confusion in the labor-management field.

Mr. McGRATH. I fully agree with that statement by the Senator.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. McGRATH. I yield to the Senator from Indiana.

Mr. CAPEHART. Would the Senator read that portion of the bill which leads him to the conclusion that it would open up the field in the manner the Senator from Illinois has described?

Mr. McGRATH. I shall not read the particular portion; I shall refer the Senator to it, when I say that it is that portion, and all of that portion of the bill which attempts to deal with future claims.

Mr. President, the enforceability of the act of which I have been speaking, that is, the Davis-Bacon Act, was further circumscribed by a series of decisions of the Comptroller General in the first 2 years of its life. As a result the Senate, by special resolution, authorized in 1934 a subcommittee of the Committee on Education and Labor to investigate wage conditions on Government construction. At the same session, Congress passed the Copeland Act, making the exaction of kick-backs a criminal offense. The subcommittee was subsequently authorized to continue its studies, and on May 13 it issued its report containing an exhaustive analysis and a recommendation for the amelioration of the conditions it found.

That the violations of the Davis-Bacon Act were frequent and, within the limits of its terms, unpreventable, was the subcommittee's conclusion. It found several methods of evasion to be habitual, at least half of them being in the nature of rebates or deductions by contractors from the wages to which employees were by law entitled.

The following types of alleged violations were uncovered by the evidence:

1. Many instances of direct kick-backs where the employee returned a stated sum to the employer or a representative thereof upon the receipt of his weekly pay envelope.

2. Instances where underpayment was effected by including in the pay envelope less than the stipulated amount of wages for labor performed.

It is to be recalled that abuses of this precise character moved President Hoover, on February 9, 1932, to issue an Executive order interpreting the Davis-Bacon Act as follows:

It is expressly understood and agreed that the aforesaid wages shall be paid unconditionally in full not less often than once a week and in lawful money of the United States, to the full amount accrued to each individual at time of payment and without subsequent deduction or rebate on any account.

The failure of all of these measures, including the Copeland Act and regulations thereunder requiring affidavits from employers certifying that no rebates or deductions from wages due had been made, compelled the subcommittee to conclude that amendments were required adequately to implement the prevailing wage principle:

The investigation revealed the probability that many reputable contractors, whose desire it was to adhere strictly to the intent of this law, were deprived of Government contracts by unscrupulous contractors, who, recognizing that methods could be employed to evade the provisions of the law made their bids sufficiently low to obtain the business. It was with this type of contractor that the Government departments in many cases had to deal, and through lack of coordination between the various Government departments, and absence of definite and feasible means of enforcement under the law, they continued to deal.

Various methods were used by this type of contractor to deprive laborers and mechanics of the wage to which they were justly entitled. While the so-called kick-back was chief among these methods, other means were also resorted to and made possible by indefiniteness in the law and complications that arose in its administration. Other practices revealed by the testimony taken by the committee included exorbitant deductions for supposed advances for rent and food, forced loans with high interest rates, and refusals to comply with orders to pay the prevailing wage. The contracting agency under the provisions of the said Executive order could, of course, terminate the contract where this last-named abuse existed. However, to a large extent their reluctance in taking this action was prompted by the necessity for having the work accomplished at the earliest possible date and a desire to avoid the manifold complications attendant upon the termination and settlement of partially completed contracts.

Legislation is desirable which would cause the general contractor to be primarily responsible for making restitution to any workman on the project from whom refunds were exacted, regardless of whether the person who received the refund was the contractor himself, a subcontractor, or agent. Such an amendment would make enforcement easier by tending to compel the general contractor, for his own protection, to police the wage practices of the subcontractors."

Accordingly Senate Resolution 3303 was drafted, reported out of committee (79 CONGRESSIONAL RECORD 11815) and after a minimum of debate passed by both Houses and signed by the President on August 30, 1935 (79 CONGRESSIONAL RECORD 14691). The report of the full committee of the Senate Committee on Education and Labor, which summarized the findings of its subcommittee, has this to say of the prohibition of rebates and deductions in the amended statutes:

The burden of seeing to it that the illegal practices of exacting rebates or kick-backs is eliminated is placed upon contractors by the provision that each contract shall contain a stipulation requiring unconditional weekly payments without subsequent deductions or rebates.

Substantially the same explanation is made in the report of the House Committee on Labor (H. Rept. 1756, 74 CONGRESSIONAL RECORD 12862).

From this review it is impossible not to recognize the integral relationship between the words of that portion of section 1 of the amended Davis-Bacon Act and the long history of business practices out of which the prevailing-wage principle was crystallized. The clause was designed to reach a kind of abuse with whose prevalence its draftsmen were intimate, and to prevent its continuance in any form. It was not enough to specify the varieties of the violations of which evidence was available; their number and ingenuity testified to the ineffectiveness of any but a broad and inclusive prohibition. Hence provision is made against rebates or deductions in the following language:

> Every contract based upon these specifications shall contain a stipulation that the contractor or his subcontractor shall pay all mechanics and laborers employed directly upon the site of the work, unconditionally and not less than once a week, and without subsequent deduction or rebate on any account, the full amounts accrued at time of payment, computed at wage rates not less than those stated in the advertised specifications, regardless of any contractual relationship which may be alleged to exist between the contractor and subcontractor and such laborers and mechanics.

I repeat, "regardless of any contractual relationship which may be alleged to exist between the contractor and subcontractor and such laborers and mechanics."

It seems to me that at this point we are pretty close to coming into conflict, if we do not actually do so, with the proposal now made by our committee that we include in the presently considered legislation an amendment to the Davis-Bacon Act.

It can be seen from the foregoing that the Davis-Bacon Act was designed to accomplish a twofold purpose:

First. To insure a fair wage to construction mechanics and laborers employed under Federal contracts, and

Second. To protect the interests of the ethical contractor against underbidding and undercutting by the unethical contractor whose low bid is usually based upon depressed wage rates and working conditions for the building-trades workers.

It may be pointed out again, Mr. President, as it has been pointed out heretofore, that portal-to-portal questions have not been raised and have not become vexing problems in the great construction industry because this act which protects that industry has worked so well; and yet it is now proposed to tamper with it, to say the least. Contracts entered into between the building-trades unions and construction contractors usually specify the activities which are to be considered as included in working time. The working conditions established in union agreements have provided a pattern to be followed throughout the industry even by the nonunion employer. The fact that no suits based upon portal-to-portal claims have been brought by building-trades unions or unorganized construction workmen testifies to the stability in the industry with regard to these portal-to-portal questions. I think that in itself is testimony to the effective working of this law.

Mr. President, I feel that the Congress should cautiously approach any modification of the Davis-Bacon Act which might conceivably result in opening the door to the unethical practices which were prevalent at the time the act was brought into being in 1931, and perfected by subsequent amendments.

In this regard it should be noted that sections 4 (d) and (e) of H. R. 2157 provide that settlement, compromise, release, or satisfaction of claims based on portal-to-portal activities may be pleaded in defense of such claims. These provisions for compromise or release directly weaken the provision in section 1 of the Davis-Bacon Act that the contractor or his subcontractor shall pay all mechanics and laborers employed directly upon the site of the work unconditionally, and not less often than once a week, and without subsequent deduction or rebate on any account, the full amounts accrued at time of payment computed at wage rates not less than those stated in the contract specifications regardless of any contractual relationship which may be alleged to exist between the contractor or subcontractor and such laborers and mechanics. By permitting settlement, compromise, release, or satisfaction of wage claims under the Davis-Bacon Act, the strict requirements of section 1 of the act are greatly weakened and areas of evasion are created which may be used by unethical contractors to circumvent the general purposes for which the Davis-Bacon Act was enacted. A weakening of the strict provisions of the Davis-Bacon Act in this respect may encourage, and I dare say will encourage, unscrupulous contractors to resort to undercutting and chiseling devices based upon the probability that liability can be avoided by compromise, settlement, or release; that they can be freed from their wrongdoing.

This is precisely the evil at which the Bacon-Davis Act was aimed. While the organized union workers will undoubtedly have some measure of protection against such unethical devices, I ask Members of the Senate what will result for the unorganized workers. They will lose much of the protection which this law was designed to give them.

Section 9 of H. R. 2157 places a statute of limitations of 2 years on claims for unpaid minimum wages under the Davis-Bacon Act. This limitation may result in a hardship and inequities to construction workmen who have valid claims which are not related to portal-to-portal questions. It is my understanding that claims resulting from underpayments under the Davis-Bacon Act very frequently are not presented until more than 2 years have passed from the date that the rights of the workmen accrued. This is due to a number of reasons which in all fairness we ought to take into consideration.

First. The workman or workmen may not be aware of their rights under the Davis-Bacon Act or the minimum wage that the contract requires and may not discover that they have been underpaid or misclassified until the period of 2 years or more has elapsed.

Second. Workmen on construction projects may be reluctant—as we all know from human experience, and so we may take judicial notice of the fact—to present claims during the period of their employment and to go the extent of bringing lawsuits during the period of their employment which will jeopardize their continued rights to their employment, and this is particularly so in times of short employment. So such workmen have no recourse but to allow their claims to await until the completion of the particular construction project.

Third. If this proposed legislation is enacted we cannot close our eyes, Mr. President, to the administrative procedure which we have set up in another act, and expect the courts of the land to say that both are consistent and workable. The administrative procedures which are necessary to determine the validity of the workman's claim for back wages under the Davis-Bacon Act frequently take a considerable length of time which may very easily run for a period of more than 2 years. For example, when a workman presents a claim to the contracting agency, the agency must investigate all the conditions of the man's employment to determine the correctness of his claim. If the contracting agency determines in favor of the workman's claim and the contractor disputes the accuracy of such determination, the matter must be referred to the Secretary of Labor for final determination. It then becomes necessary for this Department to investigate all of the conditions of employment and general employment practices in the area and rule on the question. The Secretary's ruling is sent to the agency and the machinery necessary for getting the man paid is begun. This whole process, by its very nature, frequently takes several months, many months, and the statute of limitations may well run before the workman can institute action for recovery of the back wages if such action becomes necessary.

In this bill Congress may weaken an act under which, during the recent war, $50,000,000,000 worth of Federal war construction was carried out, with a minimum of labor strife, and out of which not a single portal-to-portal suit has arisen.

I repeat that statement, Mr. President. Fifty billion dollars' worth of work was satisfactorily handled under this law, and yet today we are considering tampering with it.

The Davis-Bacon Act contains no language upon which portal-to-portal claims may be based. The portal-to-portal question has not been a problem in the construction industry. The industry has worked out to its own complete satisfaction all problems relating to work which is to be computed as compensable time. The industry as a whole, both from the employers' side and the employees' side, enthusiastically supports the Davis-Bacon Act and the ends which it accomplishes. In the face of these facts it would seem most unwise for us to include in any bill we feel it necessary to pass in order to deal with this emergency proposition, language that will

weaken an act which has proven itself so worthy.

Mr. President, although a great deal of testimony was heard by the committee, all of it dealt with the effect of portal-to-portal cases on the Fair Labor Standards Act of 1938. Not a single instance was cited of an employer being faced with a portal-pay claim under either the Walsh-Healey or Davis-Bacon Act. There was and is no testimony indicating that portal-pay claims under these acts may arise in the future. During the whole course of the hearings no administrative rulings under these acts were pointed to by anyone to show unfair operations of these acts. No judicial interpretation under these acts was even mentioned in the hearings. Yet this body is asked to amend these acts because they are working or may work hardships. I ask Senators, What hardships are referred to? They are not mentioned in the testimony before the committee. They are not mentioned in the committee's report on the bill. The report was written before the committee even thought of these two acts. They have not been mentioned on the Senate floor as being the cause of any difficulty. Where can we find out what are the nefarious practices under these acts we are asked to outlaw? Perhaps these practices are to be found in the proposed congressional declarations and findings in the bill. The last paragraph of section 1 of the bill on page 10 says:

> The Congress further finds and declares that all of the results which have arisen or may arise under the Fair Labor Standards Act * * * may arise with respect to the Walsh-Healey and Davis-Bacon Acts.

We make their working nefarious, because in the preamble to a measure we choose to say that they are.

Mr. LUCAS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. KNOWLAND in the chair). Does the Senator from Rhode Island yield to the Senator from Illinois?

Mr. McGRATH. I yield.

Mr. LUCAS. Am I correct in my understanding that the bill which was originally reported by the Judiciary Committee dealt only with portal-to-portal claims under the Fair Labor Standards Act?

Mr. McGRATH. It not only dealt solely with portal-to-portal claims under the Fair Labor Standards Act, but, as I recall, it dealt only with past claims.

Mr. LUCAS. What caused all this excitement overnight about the Davis-Bacon Act and the Walsh-Healey Act, which the Senator is now so ably discussing?

Mr. McGRATH. Putting together the information which I have, I believe it grew out of the action by the House. For some reason yet unexplained, the House thought it was necessary to include those two acts in its bill, and the Senate committee simply accepted the suggestion and concluded that we should include them in our bill. There is no similarity between the bill reported by our committee and the bill which was passed by the House. This may have been an effort to resolve one point in advance, to prevent it from going to conference.

Mr. LUCAS. Is not that the real reason those acts are mentioned? Was it not to placate certain Members of the House of Representatives who were greatly disturbed over the fact that the Judiciary Committee of the Senate had not even considered their bill when it was before them? Is not that the real basis for including those acts?

Mr. McGRATH. I shall answer the Senator by saying that I believe that was the real reason, but also I believe that it was done without reason.

Mr. LUCAS. I think the answer is correct on both horns of the dilemma.

Mr. McGRATH. Let us look for a moment at the dire results which the committee, without hearing a single word of testimony, suggests that this Congress solemnly declare will occur under these acts.

The findings commence with the phrase "under judicial interpretations which require the payment of compensation for activities not previously regarded as work." What judicial interpretation of the Walsh-Healey Act is meant? What interpretation of the Davis-Bacon Act meets this description? The findings continue that such interpretations have created "wholly unexpected liabilities, immense in amount and retroactive in operation." What Senator knows of a single case of such a liability or a case of potential liability under these acts? The committee, with a greater clairvoyance than is generally expected of other Members who are mere mortals, then proposes that, if these unknown and nonexistent judicial interpretations are permitted to stand, the Congress make the prediction that—

First. The credit of many employers will be impaired. Since we do not know whether the judicial interpretations referred to impose "enormous liabilities" apparently nonexistent, this prediction must refer to the credit of mythical employers.

Second. The second prediction is that the payment of such liabilities would bring about the financial ruin of many employers. I assume that the committee means many mythical employers will be financially ruined by paying nonexistent liabilities owed to unknown persons.

Third. The third prediction is that employees will receive windfall payments for work for which they believed they were fully compensated.

This prediction points out the vacuum in which the committee operated when considering the Walsh-Healey and Davis-Bacon Acts. We are not told whether there were any claims, or will be any claims of any particular kind, yet we are asked to predict that unspecified types of claims—if there were any, are any now, or will be in the future—were, are, or will be windfalls to the employees. Of course, this overlooks the very real fact that any claim on which an employee collects back wages is a windfall to him in the sense that when the employer first refused to pay it, the employee probably never expected to get it. Is the committee referring here to all claims under these acts or specific claims, and if the latter, what claims are meant?

The findings further allege that the Treasury is being deprived of revenue, that champertous practice and congestion of the courts result, and that Nation-wide industrial conflicts and disputes are caused. The last one is really the prize, namely, that under these acts gross inequality of competitive conditions occur. Just what inequality may occur is not mentioned by the committee anywhere. Then the findings conclude that it is in the public interest, essential to the national defense and necessary to aid, protect, and foster commerce to amend the Walsh-Healey and Davis-Bacon Acts in order to prevent these unknown and mythical conditions from arising and continuing to plague us.

At a time when all Members of the Congress should be cooperating to aid in the restoration of the prestige of the legislative branch of the Government, we are asked by the committee to make findings regarding the Walsh-Healey and Davis-Bacon Acts that are not based on fact or founded upon fact. Because of that, I say with all deference that they seem out of place here and ridiculous on their face. If we make such findings, what weight can we expect for congressional action?

EFFECT OF BILL—RETROACTIVITY

I wish to speak briefly upon the retroactive effect of the bill.

The actual effect of the bill on the Walsh-Healey and Davis-Bacon Acts is difficult to determine in view of the fact that we are compelled to act with a blindfold placed over our eyes.

As to past activities, we are asked to excuse violations of the minimum wage and overtime provisions of the Walsh-Healey Act and the minimum-wage provisions of the Davis-Bacon Act, except where the employer had expressly or impliedly agreed with the employee to pay for the work.

The purpose of Congress in passing these acts was to prevent Government contracts being used to force labor standards down. Before these laws were enacted Government contract practice had that effect. The lowest bidder was most likely the bidder who maintained the poorest labor standards, and the Government was required by law to contract with the lowest bidder. This bill now would reward those contractors who maintained the lowest labor standards. It makes no difference that the employer solemnly and in writing promised the Government as a condition of obtaining a Government contract that he would pay his employees as required by one of these acts, and that he and his competitors took into consideration the cost of keeping that promise in bidding for the contract.

He can now avoid that liability if he has the foresight not to pay for such activities. If this bill, as I assume it is, is an attempt to do legislative equity, this provision is not germane to it. It does not do equity; it gives a reward of Government money to employers who were enterprising enough to violate the terms

of contracts under which they were working.

EFFECT AS TO THE FUTURE OF EXISTING CONTRACTS

The effects of this bill insofar as it relates to the Walsh-Healey and Davis-Bacon Acts are twofold.

As to contracts let in the past but not yet completed, it allows employers to escape from obligations which they voluntarily assumed when they sought Government business. They are not asked to reduce the price charged the Government for the favor which this bill grants them. As to existing contracts, this bill would also grant a subsidy to those who wish to disregard their contract obligations.

EFFECT ON FUTURE CONTRACTS

As I said before, the purpose of the Walsh-Healey and Davis-Bacon Acts was to eliminate the downward pull Government contracts previously had on labor standards. This bill, by allowing each employer to establish his own standard for counting hours of work, will have the effect of returning the Government-contract field to the employers, who can establish the custom of paying their employees for the least portion of their worktime. In other words, Government business will again be monopolized by those employers having the poorest labor standards.

RELIANCE ON ADMINISTRATIVE RULINGS

Speaking now of the provision for reliance on administrative rulings, this provision is unclear. It speaks of "liability for an additional amount as liquidated or other damages under the Walsh-Healey Act. This section—correct me if I am wrong—means that if an employee sues and recovers for the wages he should have been paid the Government cannot subsequently sue and recover liquidated damages for the same violation of the Walsh-Healey Act if the action is based on an act done in accord with or in reliance on some administrative ruling. It is at this point that this subsection is objectionable. Like the rest of the bill, it is loosely drawn. It does not explain what administrative officials it refers to.

I think that the amendment offered by the Senator from Nebraska [Mr. WHERRY] is a good amendment, and I hope it will be adopted, if the bill which the committee has reported is finally to be passed by the Senate. Perhaps the defect I now have in mind has been corrected by the amendment offered by the Senator from Nebraska. Nonetheless, as the bill stands at the present time it does not explain what administrative ruling is referred to.

The Secretary of Labor alone is charged with the administraion of the act. This language probably was intended to refer to the Secretary of Labor and the Administrator of the Public Contract Division. It is broad enough, however, to include every employee of the Government in every department. If it were confined to action taken in accord with and in reliance on such official's statement there might be some justification for the language. As this stands now, it may be that all the employer has to do to make his defense is to hunt up some opinion of some Government employee with which his action is in accord, regardless of whether it was right or wrong and regardless of whether the employer relied on it. Similarly, if he relies on some such opinion, the employer is protected, even though he did not interpret and apply it correctly.

Mr. President, just a word with reference to ambiguity.

We are considering legislation whose avowed purpose is primarily to clarify the wage-and-hour laws as to the types of activities for which workers may claim minimum wages or overtime, to the end that the problems raised by the so-called portal-to-portal claims may be equitably met.

It takes no great lawyer to discern at a glance, however, that this bill goes far beyond what is required to meet the portal-to-portal problem; and it takes even less of a lawyer to see that, far from providing clarification, this bill would write into the wage-and-hour laws ambiguities so gross, and so numerous that only years of litigation will begin to provide the answers to the doubts created.

Now, I do not for the moment contend that Congress can ever legislate on the problems to which our complex economic structure gives rise without leaving many unanswered questions. Indeed, one of the chief reasons for the creation of independent administrative tribunals is the fact that Congress cannot hope to foresee the complex maze of issues that will arise in the enforcement of legislation regulating our economic affairs. But it is one thing to pass a law which defines the scope of regulation in definite though general terms, and another to proscribe and restrict the application of remedial legislation in terms so vague, and so indefinite that the problem of statutory interpretation becomes a matter of choosing on a wholly arbitrary basis among a number of possible meanings. That is what we face in this bill; and this is particularly unconscionable when so many of the ambiguities militate against the maintenance of a decent standard of living for the American worker.

Let us look at this bill and see if my charge can be sustained. Two examples should suffice.

Section III is designed to prevent, except under certain conditions, a claim by employees to be compensated for so-called portal-to-portal activities. How are these noncompensable activities defined? They are defined so as to include, first, "walking, riding, or traveling to and from the actual place of performance of the principal activity or activities which such employee is employed to perform," and, secondly, "activities which are preliminary to or postliminary to said principal activity or activities," where either of these two groups of activities occur either "prior to the time on any particular workday at which such employee commences, or subsequent to the time on any particular workday at which he ceases such principal activity or activities," and where these otherwise excluded activities are not compensable under contracts, or custom and practice.

Let us look at this provision, bearing in mind that we are not dealing with a provision that has anything to do with the existing portal-to-portal claims, but with a provision affecting the future operation of the wage-and-hour laws. And let us put aside for the moment the consideration of what is left to the efficacy of the act, and to the uniformity of its application when we permit elusive customs and practices to be the test of what activities are compensable. Let us consider only the issue to which I am presently directing your attention—namely, the fact that the language of this bill is so vague and confusing that it cannot be applied except under conditions that will make the wage-and-hour law a haven for unemployed attorneys.

Here are but a few of the questions that arise. What is the principal activity of a worker in a typical small plant who performs a number of unrelated functions? What is the actual place of performance of the principal activities of a worker whose functions carry him to several different places? How can we term activities noncompensable if they occur prior to or subsequent to the workday when the very issue in the problem is whether or not the workday begins with the preliminary activities and ends with the postliminary activities? What are to be the criteria of custom or practice? How can you decide whether custom or practice is or is not consistent with a nonwritten contract where employer and employee advance conflicting interpretations as to what they intended the contract to mean?

Let us take our second example of dangerous ambiguity from part IV, section 10, which exempts from liability to injunctions, criminal prosecution, or recovery of liquidated damages in employee suits under the Fair Labor Standards Act an employer who acts in good faith "in accordance with or in reliance on any regulation, order, interpretation, ruling, or practice of the Administrator." Again let us set aside the issue as to whether we should invite the violator, who always will claim he acted in good faith in his interpretation of an interpretation or practice of the Administrator, to evade the act. Let us look only at the litigation-producing ambiguity of this provision. What tests can possibly be applied to determine good faith? Is an employer permitted to rely on the Administrator's rulings so long as they are confined to his individual case, or does this immunity extend to cases in which he relies on rulings of the Administrator which he believes touch on his problem but which in reality dealt with an issue entirely unrelated to that of the employer in question?

Mr. President, the Washington Post for March 12, 1947, carries a Grin and Bear It cartoon in which a legislative committee is being addressed by one of its members in these terms: "I admit this new bill is too complicated to understand. We will just have to pass it to find out how it works." I cannot believe that this Congress, in its first piece of labor legislation, will deliberately follow this example.

With reference to limitations of action section 9 (b) (1) limits suits by employees against their employer to a peri-

od of 2 years. It assumes, however, that an employee suing his employer under this act can recover double damages in such an action, as is the case in suits under the Fair Labor Standards Act, where the employee can recover an additional amount as liquidated damages. The Walsh-Healey Act does not permit an employee to recover such an additional amount in a suit against his employer. Double recovery can be had by an employee only, if at all, when, after the employee has recovered his unpaid wages, the Government sues the employer and recovers under section 2 of the act for liquidated damages for breach of contract, and subsequently pays the money recovered over to the employee who was underpaid. If the phrase "an additional amount as liquidated damages" has any meaning, it applies to that situation. It seems hardly just to penalize the employee because the Government is dilatory in bringing action against the employer. This is particularly true since it applies only to those employees who brought their actions early. Moreover, it makes the Government's right to recover dependent on the inactivity of employees.

GOOD FAITH

Mr. President, certainty and predictability have always been regarded as the fundamental attributes of sound legislation. But a remedial statute which purports to impose specific duties and obligations on designated classes, and which enables those on whom those duties and obligations are imposed to evade them with ease, completely fails of its purpose and is a mockery of the popular will which the statute in question was enacted to express and to effectuate.

House bill 2157 has been introduced to rectify alleged inequities which have arisen in the application of the Fair Labor Standards Act of 1938. Its most zealous proponents have insisted that the minimum labor standards which the Government has so laboriously erected for the protection of the economically defenseless will remain unaltered and unaffected by House bill 2157. But section 10 of the proposed measure goes far beyond the rectification of any alleged portal-to-portal pay abuses, for, as I read it, it holds within itself the possibility of permitting, to say the least, employers to free themselves from all penalty or liability, except liability for unpaid wages in an employee suit, when they fail to comply with the Fair Labor Standards Act, if they claim to have acted in good faith in reliance on any regulation, order, interpretation, or practice of the Administrator. Thereby, I believe, House bill 2157 would help the unethical employer to evade the act and to engage in unfair competition at the expense of the minimum living standards of his employees and also to the detriment of the stability of his business competitors and community.

The phrase "good faith" has been judicially defined in numerous instances. These definitions have varied from case to case. They are almost as varied as the causes which give rise to portal-to-portal pay suits. In some decisions it has been held to denote honesty of purpose, the actual existing state of the mind, without regard to what it should be from given standards of law and reason. In others, however, it has been defined as honesty of intention, and freedom from knowledge of circumstances which ought to put the defendant upon inquiry. This bill gives not the slightest clue to which of these, or the infinite number of other definitions, it refers. Evidence of lack of good faith is always difficult to secure, and is of doubtful probative weight, save in the most obvious situations.

Moreover, neither the act nor this bill establishes, except in a few special instances, formal provision for the issuance of interpretations, rulings, or opinions by the Administrator. All of the latter's acts in this respect are merely informal viewpoints expressed to the employer informally. There are no provisions for hearing, or for notice to the employees affected, or for opportunity to present facts or argument in favor of or in opposition to the Administrator's expression of opinion. Yet, an employer can point to such an opinion and can claim that he relied on it when he failed to comply with the act. As a matter of fact, the bill does not even require that the employer rely on an opinion issued to him. He can point to some opinion issued to another person which he may have heard or read about, and he can claim he relied on that when he committed the violation.

But that is not all. A violator can escape liability by claiming reliance on a "practice" of the Administrator. I hope we shall amend the act so as to eliminate that possibility, at least. Just what constitutes a practice of the Administrator? There may be cases which the Administrator may consider technically in violation of the statute, but which, because of a lack of funds or because other cases are more urgent or significant, may not be acted upon. Does an employer thus have a right to disobey the act because he has learned of such an administrative practice or act, and then says, "I followed the practice of the Administrator"?

Let us consider some of the concrete problems that probably would arise to plague us if this bill becomes law. If Johnny Jones, a clerk in the public contracts office, attempts to answer an employer's question, is reliance upon such a reply a complete defense to punishment for violation of the act? If a Wage and Hour Division's inspector visits company X, and if company Y then fails to comply with the Fair Labor Standards Act in the belief, in alleged good faith, of course, that its action is similar to an act by company X which the inspector did not overtly disapprove or condemn, is company Y justified in relying on this so-called administrative interpretation or practice? Or if the inspector has failed to visit company Y for a long period, while visiting company Y's competitors, does that constitute an administrative practice signifying approval of Y's activities? Does good faith excuse ignorance of the law, or of the facts, or both? No one can answer, because the only source of illumination—the statute itself—has been cloaked in the dark and unrevealing cloak of ambiguity.

Section 10, Mr. President, solving no problems, and resolving no doubts, opens wide the Pandora's box of unanticipated evils. We shall be plagued for years to come by the hornets of doubt and uncertainty. Social gains may evaporate as litigation multiplies. Those millions of American wage earners whose needs for decent housing, food, and clothing for themselves and their families inspired the humanitarian legislation which now is being subjected to such destructive amendment, may again find their minimum living standards controlled by the blind play of supply and demand, instead of by the conscience and sense of decency of a great and fair-minded people. Surely, the proponents of this bill have no mandate from the people to take such a backward leap.

I am by no means opposed to a provision which would authorize the Administrator of the Wage and Hour Division to issue legally effective regulations and definitions in accordance with law, binding on both employers and employees and which would protect those who rely on such official rulings. But that is a far cry from the provisions of section 10 of this bill, which cut only one way—in favor of the employer who may be inclined to cut corners to gain a competitive advantage. I am not averse to incorporation into law of those principles of good faith which must govern the conduct of men of good will if the fabric of our society is to endure. But I would also like to see this Congress keep good faith with the American people. That requires a strengthening, not a weakening, of laws, like the Fair Labor Standards Act which were designed to protect the health, well-being, and dignity of the individual wage earner. I sincerely hope the majority party will recognize this and will place the national welfare above selfish and narrow partisan advantage, and I hope that before we conclude our action on this subject we shall see the wisdom of pursuing such a course.

STATUTE OF LIMITATIONS

Mr. President, I have gone carefully over the record of the hearings before the Subcommittee of the Judiciary Committee and the majority report which accompanies the bill we are considering. I have been impressed by the care with which members of the committee pursued certain portal-to-portal questions. However, I have not risen to discuss those points. I should like to address myself to another aspect of the bill before us, one which I believe to be of vital importance. It was the subject of one of the early amendments I offered, and it is the subject of a provision of the McCarran-McGrath amendment, already proposed. It deals with the problem of the statute of limitations. This subject hardly concerns the portal-to-portal issue at all, since that issue would be taken care of, in the bill reported by the committee, by various methods which the committee has seen fit to propose to prevent the successful maintenance of such suits.

In the committee's concern over that issue, other wage-and-hour law problems in this bill have been touched on only in passing in both the hearings and

the majority report. I wish there had been opportunity for the committee which held the hearings to have pursued some of these other problems as fully as they have the portal-to-portal issue itself. For example, the committee has proposed a 2-year statute of limitations for all actions arising under the Fair Labor Standards Act. I repeat that this question does not concern the portal-to-portal issue, since the committee proposes that that issue be taken care of in other ways. Nowhere in the committee bill or report is there any suggestion that an unreasonably short statute of limitations would interfere with the rights of workers or foster the unfair competition which the act sought to avoid. In the proposed findings and policy, it is suggested that the "varying and extended periods of time for which, under the laws of the several States, potential retroactive liability may be imposed upon employers, has given rise to great difficulties to the sound and orderly conduct of business and industry." There is no suggestion as to the effect on compliance with the act, or administration, or on the workers—largely unorganized and often underpaid—for whom the act was developed, or on the majority of well-meaning and scrupulous employers who might be crippled by unfair competitors if the act became substantially less enforceable.

Mr. President, when we consider the appropriate period of limitation, I do not believe that we should limit our attention to the needs of those who have been or will be willful or unwitting violators of the law. Other law was written for their benefit. We should keep in mind that this law was written, not for the benefit of employers, but for the benefit of employees; and when we write a statute of limitations in that connection, we should write it in the light that we are doing something to protect the employee, for he is the one who is given the rights under the statute. The employer is the one on whom the obligations are imposed, and we should do nothing to cut down the employees' rights any more than is absolutely essential.

I think we should pay attention to the unfair competition of these willful or unwitting violators of the law with those who have made every effort to comply with all the standards which Congress has intended. I think we should give heed to the broad purposes of general welfare which the Congress had in mind when these laws were passed, and ask ourselves whether these purposes can adequately be safeguarded with a short statute of limitation. I believe that we should inquire into the effects on the administration of the act; and, above all, it seems to me to be imperative that we should have regard to whether an unreasonably short statute of limitation will substantially deprive the underpaid workers of the minimum standards which Congress intended they should have when the Fair Labor Standards Act was passed. These are the basic questions, it seems to me, that the members of the Committee on the Judiciary should have concerned themselves with when they considered the limit which a uniform Federal statute should have. But I find no evidence, Mr. President, either in the hearings, in the report of the committee, or in the wording of the bill itself, that the committee in fact asked or gave weight to any of these basic questions. Instead, in all of these sources there is ample evidence that the consideration of the majority of the committee was limited to their regard for the willful or unwitting violators of the law; they were concerned with the liabilities which these willful or unwitting violators might have now or in the future; they expressed no concern that these same liabilities were unpaid wages, and that hundreds of thousands of American workers may have experienced severe economic distress because wages lawfully due them had unlawfully been withheld.

Mr. President, I propose to consider these very factors on which the Judiciary Committee might have based their judgment, but did not, and to show why a longer statute of limitation is needed for the law-abiding employer to prevent unfair competition, for the general welfare, for sound and efficient administration, as well as for the workers of this great country, particularly the unorganized workers, who need to have a reasonable statute of limitation to safeguard the rights we intended they should have.

Mr. President, I wish to remind all Senators that the members of organized labor hardly need the protection of the Fair Labor Standards Act. It is the man who is not a member of the labor union who needs the protection of this law, and if it is destroyed, we will drive more and more Americans to the necessity of joining labor unions; not that perhaps any of us have any objection to that, but I thought it might be apropos to make the observation.

Let me state that I agree with the majority report and bill on one point, that a uniform Federal statute of limitation is desirable. I believe it is needed for quite different reasons than the limitation of liability of law violators to which the majority apparently gave sole heed. It seems to me that a uniform period is needed to make sure that the minimum standards which Congress intended to prevail should not be jeopardized.

The present situation means that the rights of employees vary from State to State. It means, in effect, that the minimum standards which Congress intended to have uniform application throughout the length and breadth of this country are in fact more effective in some areas than in others depending on the accident of geography, and the geographic crazy quilt of applicable statutes. As a matter of fact, there have been instances where within the same State different courts, when they faced the task of determining which period applied, arrived at quite different conclusions.

It is clear that employees residing in the 13 most populous States which provide for a period of 6 years or more for filing claims under the Fair Labor Standards Act, inevitably derive a greater share of the benefits Congress intended to confer upon them than will those workers who reside in the 6 States which provide a period of only 1 year. Similarly, conscientious employers—and I believe that the bulk of employers are conscientious—who desire to comply with and receive the competitive protection which the Fair Labor Standards Act affords, will be penalized in direct ratio to the number of years of limitation provided by local law. The unscrupulous employer in a State with a 1-year statute, for example, would be far more inclined to gamble, first, on the probability that the violation would not be detected, second, on the chance that although detected, the employee would be naturally reluctant to sue, and third, even if detected and successfully prosecuted, the claim would be limited to the unreasonably short period of 1 year, and he might, as this bill would almost certainly provide, have his liability limited to those back wages which the law provided that in any case he should have paid, and, regardless of the gravity of his fault, he would probably not be subjected to paying liquidated damages.

When we turn to the question of the period of limitation which is reasonable I believe we should turn in the first instance to the judgment of the several States. When the Fair Labor Standards Act was enacted, 28 States had statutes of limitation of 5 or 6 years. These States had three-fourths of the employees affected by the Fair Labor Standards Act. Ninety-five percent of the covered employees were in States which had periods of 3 years or more. I believe these facts are most significant, and they amply support, to my mind, a period substantially longer than the 2-year period recommended by the majority of the committee.

Many of these State statutes of limitations concern a general class of actions, such as action on verbal or written contracts. It has been urged by some proponents of an excessively short period of limitation that when we consider the experience of the various States, we pay attention only to those States which have specifically passed statutes of limitations with respect to recovery under minimum wage rates. Such a limitation, it seems to me, would be most unwise.

In the first place, there are only 11 such States, and nothing has been said which would indicate that those 11 States constitute a representative cross section of the problems of the entire country. In fact, the major industrial States, such as California, Illinois, Indiana, Michigan, New Jersey, New York, Pennsylvania, and others, including the great bulk of the workers covered by the Fair Labor Standards Act, are conspicuous either by their absence from this list of States which have felt that the general statute of limitations should be shortened with respect to recovery under wage-and-hour laws, or else, as in Maryland, Ohio, and Tennessee, they have decided on a 3-year statute.

In the second place, most of the States which have reduced the statutes of limitations applicable to wage collections under minimum wage laws are States which have had no experience of their own with minimum wage laws, and consequently do not have the same historical perspective as to the problem of the

wage earner under minimum wage laws which 26 States and the District of Columbia have. If we take into consideration the number of workers affected, States with minimum wage laws of their own have an average statute of 4.8 years, 2 years longer than those States without such experience.

In the third place, it seems to me that to consider only the States which have changed their laws is a good deal like considering only the views of a single economic or political group in the Gallup polls. In 22 States bills have been introduced in the legislatures, since the Fair Labor Standards Act became effective through the end of 1946, to reduce the statutes of limitations applicable to actions arising under that act. Half of these States have refused to take any action whatsoever to deprive the low-paid worker of the benefits of the statute of limitations in effect when the Fair Labor Standards Act was enacted. In the 26 other States, there appeared to be so little justification for discrimination against the underpaid worker that no bill had even been introduced by the end of 1946, over 8 years since the Fair Labor Standards Act became effective.

Personally, I should prefer that we pay no attention to these shortened statutes, since in some cases they may represent a competitive undercutting of the standards which Congress intended. I think we should place chief reliance either on the average statute of limitation at the time the Fair Labor Standards Act was enacted, or alternatively to the average period permitted in those States which have had experience with minimum-wage laws of their own. On both these bases, the average is almost exactly 5 years. Even today, a period shorter than 5 years would mean that 59.2 percent of the covered workers would be denied rights which they now have under their own State statutes of limitation.

The greatest concession I would make to the consideration of those States which have reduced their periods would be to take their present periods into consideration, together with the present periods of the 37 other States and the District of Columbia, which have not seen any need to reduce the applicable period. On this basis, Mr. President, I present for the record a table showing the number of States and covered employees with the length of period applicable:

Present statutes of limitation, all States and District of Columbia

Period of limitation	Number		Simple percentage	
	States and District of Columbia	Covered employees (estimated 1945)	States	Covered employees
Total	49.0	20,280,000	100.0	100.0
1 year	6.0	960,000	12.2	4.7
2 years	5.0	1,570,000	10.2	7.7
3 years	14.0	5,560,000	28.6	27.4
4 years	3.0	210,000	6.1	1.0
5 years	5.0	2,730,000	10.2	13.5
6 years or more	16.0	9,250,000	32.7	45.7
Average period	3.8	4.4		

This table shows that the average statute of limitation at the present time in the 48 States plus the District of Columbia is 3.8 years. It further shows that when the number of affected employees is taken into consideration, the average period is 4.4 years, since the larger, industrial States have generally preferred a longer period. It shows further that less than 5 percent of the covered employees would have their rights increased by a 2-year statute of limitation, while no less than 88 percent would have their rights reduced, in some cases very sharply, while the remaining employees would not be affected.

On a 1-year basis more than 95 percent of the workers would have their present rights reduced. When we count also the amount to which their potential rights would be reduced under a 1-year statute of limitation, we come to the astonishing conclusion that such an unreasonably short period would take away 99 percent of the rights which workers now have under the present State statutes of limitation. I am gratified that the Judiciary Committee at least refused to accept the 1-year proposal that came to it in some of the bills which were considered; but even on a 2-year basis the present rights would be very gravely reduced. Seven out of eight employees would have a shorter period in which to exert their rights than they now have, and when we take into account also the amount of reduction of their rights, we come out with the result that 96 percent of the potential rights of workers would be eliminated by a 2-year statute. I repeat, Mr. President, the first labor bill reported out by a committee of the Eightieth Congress would wipe out not only all sorts of claims for the past, but would wipe out 96 percent of the potential opportunity in the future to press what claims were left.

There may be some present who will object that the workers often do not and should not take advantage of the full period of limitation now allowed them. I grant that and recognize that if there were no other restrictions involved in future suits, a 99-percent figure would be too high. However, since this bill in a number of highly important other directions also makes recovery unlikely, I think we should seriously ponder the fact that the very great bulk of future rights would be eliminated.

Since the majority report has not given attention to the likelihood of obtaining general compliance under a 2-year statute, let me present a picture of the general enforcement situation.

These facts I have secured from the Government agencies involved. The Wage and Hour Division in its annual report for 1946 states that there are currently about 550,000 establishments with employees subject to the Fair Labor Standards Act. During 1946 the Division inspected 42,000 of these great establishments. At that rate of inspection it is certain that the great bulk of employers could illegally withhold money from an employee for more than 2 years before the Division would even have the personnel to find it out.

Under a 2-year statute the enforcement procedure outlined above would not be effective unless most violating establishments were inspected within a short time after the violations started. If only the present inspection staff were available, the Division would fall far short of this objective. During the 8 years that the Fair Labor Standards Act has been in effect, some 900,000 different establishments have been subject to its provisions at one time or another. A total of about 230,000 of these establishments had been inspected at least once by June 30, 1946, at which time, it is estimated, 60,000 of all inspected establishments no longer were in business. The number of establishments which have not been inspected and have gone out of business or have been transferred to new owners during those years, 290,000, is larger than the total number of establishments inspected, and includes primarily small, unstable establishments of the type in which serious violations are most likely to occur. Nearly 380,000 establishments, or two-thirds of the total number of currently operating covered establishments, have not been inspected. If past trends in business turnover continue, about 50,000 new establishments subject to the acts will go out of business each year, and approximately an equal number of new ones will take their place.

It is apparent that it would not be possible to make inspections in time to secure restitution on violations which occurred before the passage of the bill, regardless of the size of the inspection staff. To get to establishments which continued or began violations after the bill was passed would mean inspecting them within a short time of its effective date in order to be on time for effective action since 4 months are required to complete inspections and to arrange for final settlement. This, then, would require inspecting establishments which are now in violation, inspecting new establishments, especially those in industries and areas in which violations are widespread, within a short time of their opening, and reinspecting every 2 years establishments which the first inspection indicated might resume violation.

It would thus not only be impossible to inspect on a wide enough basis to protect rights already accrued, but the gap between the 2-year period of violating claims and the one-twelfth inspections which can now be made would continue to be disproportionate in future years.

This is not to imply that the majority of employers in the country are violating the Wages and Hours Act. The Wage and Hour Division states that it inspects where a need for enforcement is indicated, and perhaps a measure of its success in this endeavor is the high ratio of violations found. It is clear, however, that it is not the employer who complies with the act that is the chief concern; it is the chiseler, the corner cutter, and the down-right unscrupulous employer to whom we need to give attention. It is this small percentage of employers who drag down business standards and make it harder for the overwhelming majority of American businessmen to compete on

a decent basis. These are the men for whom a Fair Labor Standards Act is needed—call it a Fair Labor Competition Act—and these are the men who should be kept in mind as we consider this bill.

A few more figures will show that this small percentage of employers is the crux of the problem. In 1946 the Wage and Hour Division reinspected over 8,300 establishments that had previously been inspected. Fifty-six percent of these establishments were found to be in violation of the minimum wage, overtime, or child-labor provisions, with 34 percent in substantial violation of the law. Almost one-fifth of the establishments were found with the same type of violation as had been found in the previous visit to the plant. With this kind of employer what good is a 2-year statute of limitations? It becomes a mockery, an invitation to lawlessness; it is utterly and totally inadequate unless we are prepared to greatly enlarge the Division's enforcement staff.

Mr. President, I have looked in vain in the hearings, and in the report or the bill itself, for such a recommendation by the majority of the committee, which failed to give proper attention to the effect which the sweeping amendments of the Fair Labor Standards Act would have on the problems of attaining general compliance with the fair labor standards in the three laws that we here seek to effect.

It is often said that the wage and hour law is self-enforcing, that the provision—section 16 (b)—which gives employees the right to sue in their own names takes care of enforcement. The 1946 annual report of the Division states, however, that employees' suits have been instituted in only a small percentage of cases in which substantial violations were found. In fact, not only do few workers sue their employers, but only 14 percent of the inspections were made as a result of complaints.

It is evident that employees are slow to sue for their back wages, even slow to file complaints. Either they are afraid to sue or file a complaint, or they simply do not know what their rights are under the law. This is particularly true of the workers who do not belong to a union. Nearly half of the workers covered by the wage and hour law are not members of organized unions.

The small figures representing employee suits and complaints do not mean that the rest of the employers were complying with the act. But because of the apparent attitude of the majority of the committee, I think we should give careful attention to these facts. One-half of the 42,000 establishments inspected in 1946 were in violation of major provisions of the act, 38 percent of those inspected in substantial violation. In that 1 year alone, the Division found over $21,000,000 due as back wages, and this money was owed to 365,000 employees. This was a year of generally high wages and high profits, yet 11 percent of the establishments inspected were in violation of the minimum wage provisions of the act. They would not pay 40 cents an hour.

The framers of the Fair Labor Standards Act believed that the possibility of employee suits would greatly help in obtaining general compliance. The risk of liquidated damages may help accomplish this, but the figures I have just given indicate clearly that we cannot depend for enforcement upon the worker by his actually bringing suit to enforce the act, that in thousands of establishments there are violations going on which the employees—through meekness or lack of knowledge of the law, through weakness or fear—do not bring to light. And every violation means that the law-abiding employer is put at a competitive disadvantage. Regardless of whether the violation is intentional or not, the competitor of the violator operates at a disadvantage.

Let us consider what a workingman is up against in trying to collect illegally withheld wages and how he would stand at the end of 2 years after his employer first began to violate the law.

The average worker is not inclined to be a lawyer. He does not know the details of the laws that are designed to protect him. He is kept pretty well occupied in doing his work and then going home to be with his family. He cannot sit down and study these statutes and he does not have the money to hire counsel to keep him advised of his rights. For information he has to rely either on his employer or on the governmental agencies charged with enforcing these laws. Now the workingman is understandably pretty cautious about asking his employer what his rights are, and in the case of an employer who has illegally withheld wages, any employee is not going to his employer for any such information. So he depends on the Wage and Hour Division as far as the wage and hour law is concerned. He relies upon the Wage and Hour Division, the agency which his Government has set up to protect him. We encourage him to rely upon it. He depends upon it, and he waits for it to tell him whether his employer is in violation of the law that the Congress has written.

The average worker, Mr. President, is not inclined to complain against his employer while working for him. We know that to be so. He is afraid of being discriminated against or of losing his job altogether, particularly if he is not a member of a strong union. I remind the Senate again that 9,000,000 employees covered by the act are not union members at all. If an employee thinks he has back wages coming to him and he is willing to register a complaint with the Wage and Hour Division, the complaint may well be filed weeks or months after he has left his job. And when a complaint is made, an employee ordinarily waits until the Wage and Hour Division has checked up on the complaint before going to court, if he goes to court at all. If this were not so our courts would be more crowded with portal-to-portal suits than they now are. If every worker were to feel that in cases where his employer was in violation of the law he could not depend upon the Wage and Hour Division, but must himself file suit in court to protect himself it would result in making of all courts of the United States, Federal and State, small claims courts.

If the Wage and Hour Division finds back wages due to an employee but it is unable to persuade the employer to make voluntary restitution—since the Division does not have the right to sue for illegally withheld wages—only then does the employee start to consider bringing suit in court for his unpaid wages. But by then, several months will have passed since the violations occurred so that there probably would be back wages still due to the employee for only a few months of the 2-year period allowed to him—not enough to make it worth while to pay a lawyer and spend time and trouble in suit. The employee would probably drop the whole matter and charge it up to experience, even though he may well resent having the cards stacked against his getting a fair deal. This is just one example of how a chiseling employer would be encouraged by too short a statute of limitations to continue his chiseling.

And if an employee finally does sue him, since half or more of the 2-year period would probably have elapsed before suit was begun, even with double damages the employer would normally have to pay only what the back wages for the 2-year period would have been. In other words, if the employer is successfully sued he can normally depend on having to pay no more than the total amount of back wages, and he can bank on the fact that usually only a small proportion of the employees would dare to sue. The unscrupulous and unfair employer would simply regard any additional costs he would have to pay as a kind of license fee for being permitted to engage in lawbreaking.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. McGRATH. I yield.

Mr. PEPPER. I think I have data from one of the agencies of the Government which indicates that the greatest number of these suits, namely, 766, was filed in the month of December of last year, and that the greatest number filed in any previous month was 303, filed in the month of November. The greatest number filed in any previous month prior thereto was in October, when the suits filed numbered only 189. I wondered if the Senator had any opinion, out of his deep study of this subject, as to whether or not the filing of a larger number of these suits was accelerated by the newspaper publicity and the campaign that was being launched in the Congress at the beginning of the present session of the Congress to outlaw claims of this nature, and whether a great many individuals rushed into the courts to try to get their claims filed before the threatened elimination by the Congress of the possibility of filing claims.

Mr. McGRATH. An affirmative answer to the Senator's question would seem to me to be reasonable and logical. Though I have made no study of the particular matter, I think that very properly might be the answer.

Mr. President, I have discussed the situation as it exists under the present law with the presently applicable statutes of limitation. It seems to me from these

facts that a reasonable man honestly interested in the standards of these three acts which would be amended by this bill, must come to the conclusion that the present level of enforcement is inadequate, and that should the country undergo a new period of depression, such as we had the misfortune to experience in the years beginning with 1929, there would be grave doubt that there could be general compliance with the act, because the well-meaning employers would be forced by the chiseling minority which made a successful gamble on evasion to cut corners themselves. The 2-year statute of limitation would cut almost in two the present average statute, if we do not consider the relative number of workers in each of the States; and if we consider the relative number of workers, it would cut the present average to somewhat less than 50 percent of the present time available. In consequence, the difficulties of securing effective compliance would be more than than doubled by the 2-year statute of limitation alone.

However, the reduced statute of limitation is not the only way in which the pending bill would seriously endanger enforcement of the basic standards of the Fair Labor Standards Act. The act at present has a provision that employees may obtain not only the amount of unpaid wages but also an additional equal amount as liquidated damages. These liquidated damages were made part of the act originally because the Congress realized that an employee who is forced to wait for an unconscionably long time for the money Congress intended him to receive had been injured. Frequently such employees would fall into the clutches of loan sharks, and would have to pay back to such unscrupulous money lenders a great deal more than they had borrowed. By being so victimized, the health of their families might easily have been endangered. Congress, however, recognized that it would be difficult to establish exactly how much the damage had been and provided accordingly for a uniform amount equal to the actual underpayment of wages.

Congress also recognized that the possibility of having to pay not only the illegally withheld wages, but also an additional equal amount would prove to be an important deterrent to evasion of the law. Although there have been relatively few employee suits, as I have already mentioned, prior to the recent series of portal-to-portal suits, nevertheless, the possibility of increased liability has unquestionably caused many of the less scrupulous employers to hesitate before taking a gamble.

That deterrent effect would be greatly reduced by the 2-year statute of limitation alone, since, as I have already stated, the average unorganized employee who is uncertain of the application of the law and fearful of his employment rights, necessarily relies on the Wage and Hour Division, and frequently half of the 2-year period which would be permitted, would have been used up in waiting for a wage-and-hour inspection, waiting for restitution by the employer as a result of that inspection, and in the further delays in debating whether to file suit, in choosing a lawyer, and in preparing evidence. In consequence, since half of the available 2 years would often have elapsed before suit is brought, the unscrupulous employer even if he is forced to pay liquidated damages for half of the period, would have a total liability no greater than the amount of illegally withheld wages.

The mutilated remains of effective employee action to enforce the Fair Labor Standards Act would virtually disappear under the further impact of the proposed new section 16 (d), shown at the bottom of page 20 and the top of page 21 of the bill. This provision would mean that there would be no possibility of liquidated damages at all if the employer had relied in good faith "on any regulation, order, interpretation, ruling, or practice of the Administrator." This language is very sweeping. Not only does it require the plaintiff to read the mind of his employer to determine whether he really relied on the Administrator, and to determine whether he really relied in good faith, but it also requires the plaintiff or his lawyer to be extraordinarily learned in labor law. This proposed new subsection does not refer to the applicable regulations, and so forth. It is not limited to the regulations specifically authorized by the Congress when the Fair Labor Standards Act was enacted in 1938. It applies also to "order, interpretation, ruling, or practice," although nowhere in the hearings, the report of the committee, or the bill itself is there any indication as to the meaning of these terms. There is no restriction that the orders, interpretations, rulings, or practices be the result of open hearings. There is no restriction that these be issued as the result of the opportunity of giving all interested parties the chance to be heard. There is no restriction that the orders, interpretations, rulings, or practices be published. Information about the orders, interpretations, rulings, or practices may be contained in letters to individual employers under quite different circumstances, or they may be confined to confidential instructions within the agency.

Under this bramble-bush of obstacles to the successful maintenance of a suit for liquidated damages I repeat, Mr. President, the bill of the committee would wipe out the deterrent effect which the liquidated damage provision of the Fair Labor Standards Act has had in the past. The elimination in effect of this deterrent, I reiterate, Mr. President, has apparently been done without consideration as to the outcome in weakening compliance with the Fair Labor Standards Act. It has apparently been done without consideration as to the resultant effects on the fair-labor standards of the bulk of the employers who would be hurt competitively by their less scrupulous competitors. It has apparently been done without consideration of the rights of underpaid employees and without consideration to the public welfare which the Fair Labor Standards Act was designed to foster.

The possibility of employee suits was envisaged by the Congress when the Fair Labor Standards Act was enacted as an important support to the maintenance of its standards. This support has generally proved to be of less importance than originally contemplated, but nevertheless the Appropriations Committees of Congress after Congress have pointed to the section of the act which provides for these suits as an important complement to the Administrator's enforcement activities. Now the Judiciary Committee proposes in effect to eliminate the possibility of employee suits, and there is no indication from the Appropriations Committees that a reconsideration of the level of enforcement activities of the Wage and Hour Division may be in order.

Those activities likewise would be gravely affected, as I have shown, by a 2-year statute of limitations. They would also be seriously impeded by the sweeping, but vague, language I have referred to in the proposed new section 16 (d), by the need to read the mind of the employer to see whether he really relied in good faith, and by the fact that the employer may rely on just any interpretation, ruling, or practice, whether or not pertinent, whether or not information on the practice was in fact restricted to the Wage and Hour Division, and so forth.

But there are still other difficulties to effective enforcement within a 2-year period to which I should like to call attention. The bill would limit compensable worktime to the time the employee worked at his principal activities, regardless of the amount of time the workers may have been required by the employer to work in preliminary or postliminary activities.

I think, Mr. President, there are extremely grave questions of national policy in permitting an employer to require large amounts of preliminary time or postliminary time without any requirement for compensation. The possibilities of abuse of this exemption are very great. Activities may be reorganized to throw all of the nonprincipal activities at the beginning or end of the day. Janitorial, custodial, auxiliary services normally performed by other workers could be required of production workers. I know that the majority of the Judiciary Committee may be inclined to discount such possibilities, just as they have apparently discounted all possibilities of law evasion and concentrated their attention on the potential liabilities of the unwitting and willful violators. We should, however, give due regard to the considered judgment of the Congress which enacted the Fair Labor Standards Act, after deliberations of more than a year. Congress was properly concerned with the dragging down of labor standards by the chiseling employer. We should also consider the judgment of the Wage and Hour Division that such employers are constantly attempting dodges to avoid their social responsibilities. We should be guided by the figures which I have cited as to the number of violations detected in the examinations made each year.

But those are not the problems in connection with "principal activity" which

I want to discuss here. The question of law enforcement is uppermost in my mind. It seems to me to be clear that the majority of the committee means that the content of the "principal activity" may vary from industry to industry, from employer to employer, or even from employee to employee in the same establishment. The administrative burden of determining just what are the "principal" activities and what are the "preliminary" and "postliminary" activities would be enormous, even if the staff of the Wage and Hour Division were to be increased accordingly. Before the Congress can pass upon these questions they must be administratively ruled on in most instances. With the present staff, which I assume the Appropriations Committee would not wish to cut, with all the increased burdens which H. R. 2157 would place on the Division—the Division would unquestionably have an even more difficult time than at present in inspecting a sufficiently large proportion of establishments to attain fair compliance.

In addition to the difficulties involved in the unreasonably short period of a 2-year statute of limitation, the uncertainties of the "reliance in good faith" provision, and the problems of ascertaining just what are the "principal" activities of an employee, the bill imposes a further complication, that of determining just what are the express provisions of a written or nonwritten contract or a custom or practice. At the very least, these additional requirements are very time-consuming.

All of these difficulties will mean, Mr. President, that the Administrator of the Wage and Hour Division can hope to inspect substantially less than 1 out of 12 establishment, which he otherwise would be able to do. There is nothing whatsoever in the hearings, the report, or the bill itself to suggest that a 1 in 12 ratio is adequate, and I am firmly convinced, Mr. President, that a ratio this small inevitably invites the gamble that the violator would not be caught, and that that gamble, if generally successful, inevitably rots away the basic structure of the fair labor standards in these acts.

The erosion of fair-labor standards among the unorganized workers which will result from a failure to secure general compliance with these acts because of the excessively short statute of limitations and the other difficulties I have just outlined will have its inevitable effects throughout our economy. The fair-minded, scrupulous employer will be burdened with the unfair practices of the less scrupulous, the unorganized worker will be deprived of the protection which he should have, and the general welfare intended when these acts were originally passed will have been forgotten.

Mr. President, many of these evils can be avoided by a reasonable statute of limitation, a statute which would not deprive workers of the rights they now enjoy. For that reason, Mr. President, I hope that at the proper time, when the vote is taken, Members of the Senate will pay heed at least to that provision of the amendment offered by the Senator from Nevada [Mr. McCARRAN] and myself, and change the period of the statute of limitations provided in the committee bill to that which we suggest, namely, 3 years.

These are the facts which I have tried to dwell upon in the committee. These are the forebodings which I see in the future if the Congress should enact this proposed legislation. Having expressed them, I hope they may find root in the hearts of some of the Members of this body, and that, all working together and continuing to consider this problem, we may be able to meet what I said in the beginning I regarded as a temporary emergency, without at the same time doing irreparable damage to three of the greatest laws ever placed upon the statute books of this country, namely, the wage-hour law, the Walsh-Healey Act, and the Bacon-Davis Act.

DEMORALIZATION OF COMMODITY MARKETS

Mr. WILLIAMS. Mr. President, the commodity markets of our Nation have been fluctuating wildly during recent weeks. Yesterday wheat sold above $3 per bushel on the Chicago market. I understand that this is the result of a "technical corner" that exists in our grain markets. I am informed that this situation is much different from any we have experienced in the past in that this time it is charged that the Government of the United States itself is a principal violator. Our Government agencies are reported to have been buying heavily on the advancing markets. Until today more wheat has been purchased for March than it will mathematically be possible to deliver. This situation has been aggravated even more by the severe shortages of boxcars during the recent weeks which greatly reduced the delivery of grain to the terminal markets.

Mr. President, this is not the first time that Government purchases have demoralized our commodity markets. I mention another commodity which has been receiving a great deal of attention lately, namely, meat. During recent weeks we have seen meat, especially pork, sell at fantastic prices and we have heard Government officials bewailing the fate of the consumers and shouting charges that all this was a result of the Republican Party wrecking the OPA.

I have here some figures of Government purchases during the past few months which prove that the Government itself either intentionally or through poor management is responsible for the erratic markets of recent weeks. Based on the report of the officers in charge of procurement for our armed forces, we find that during the past 3 months alone, for instance, they purchased over 36,000,000 pounds of pork, while their estimated requirements for the same period were approximately 14,000,000 pounds. Thus, they have purchased more than double their requirements at the highest prices on record, and at the same time made it practically impossible for the housewife to get a pork chop except at prohibitive prices.

Let us examine Government purchases of bacon. We find that during the past 3 months they have purchased over 11,000,000 pounds of bacon, while for the previous 3 months their purchases totaled less than 2,500,000 pounds, or an increase of nearly 500 percent.

Sausage purchases totaled nearly 25,000,000 pounds for the past 3 months, while their requirements for the same period were approximately 7,000,000 pounds. In this particular case we find that they have purchased enough sausage during the past 3 months to last the entire year at a time when the market prices were at an all-time high.

Government purchases of beef for the past 3 months have totaled more than 114,000,000 pounds against their estimated requirements of less than 70,000,000. Of beef alone during the past 3 months we find that they have purchased 44,000,000 pounds more than they even claimed to need. During the past 3 months we have had a situation where the Government monopolized the markets, taking all offers and forcing prices to an all-time high and leaving the housewife with very little meat, and that obtainable only at prohibitive prices.

On the other side of the picture we have witnessed during the past 2 months extremely low prices on poultry, both chickens and turkeys. The producers of both these commodities have been forced to sell their products below the cost of production. What has been the practice of the Government buyers in this department? During the months of October, November, and December of last year, a period when poultry was selling at the highest prices on record and at a time when Government officials were again loudly proclaiming their sympathy for the consumers and shouting charges against the Republican Party for wrecking price controls on poultry, we find that the Government purchases were listed as: October, 30,300,000 pounds; November, 11,900,000 pounds; December, 8,719,000 pounds. This is a grand total of more than 50,000,000 pounds purchased during this period when poultry was selling at the highest prices on record. During January the market prices of poultry, both chickens and turkeys, dropped below the cost of production. Actually they dropped to less than one-half the previous top levels, and we find that during this period the Government purchases were as follows: January, 29,000 pounds; February, 600,000 pounds, or a total or 629,000 pounds purchased during the 2-month period when poultry was selling considerably below the cost of production and compares with a total of more than 50,000,000 pounds purchased during the preceding 3-month period when poultry prices were at the highest on record. This actually represents less than 2 percent of the purchases for the preceding 3 months.

Mr. President, the result of this haphazard method of buying has been not only the wasting of enormous sums of the taxpayer's money, but the complete demoralization of the commodity markets of our Nation. Our great poultry and dairy industries in the East are threatened with ruin unless we call a halt to this procedure.

In view of the confusion in public thinking upon this question, in view of

the charges by even some members of our representative bodies that this situation results from abandonment of OPA, and in view of the facts which I have presented today, placing the responsibility where it should rest, namely, upon the Government procurement officials, I urge that the appropriate committee of the Senate, take note of these facts and order an investigation.

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 2157) to define and limit the jurisdiction of the courts to regulate actions arising under certain laws of the United States, and for other purposes.

Mr. THOMAS of Utah obtained the floor.

Mr. HILL. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield to the Senator from Alabama.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ball	Jenner	Pepper
Bricker	Johnston, S.C.	Robertson, Va.
Cain	Kilgore	Russell
Cooper	Knowland	Smith
Cordon	Lodge	Sparkman
Donnell	Lucas	Taft
Dworshak	McCarran	Taylor
Ellender	McCarthy	Thomas, Utah
Ferguson	McClellan	Thye
Flanders	McFarland	Umstead
Fulbright	McMahon	Vandenberg
Green	Maybank	Watkins
Hatch	Moore	Wherry
Hawkes	Morse	White
Hill	Murray	Wiley
Holland	Myers	Williams
Ives	O'Conor	Young

The PRESIDING OFFICER. Fifty-one Senators having answered to their names, a quorum is present.

Mr. THOMAS of Utah. Mr. President, I shall vote against the amendment of the Senator from Nebraska [Mr. WHERRY], I shall vote in favor of the amendment which will be offered by the Senator from Nevada [Mr. MCCARRAN] and the Senator from Rhode Island [Mr. MCGRATH]. In making this announcement, I wish it to be understood, first of all, that my argument will not be against a given amendment or in favor of a given amendment, but will be along the line that in view of the course which has been pursued in this matter, we probably should continue upon it.

Mr. President, I do not like the spirit of the amendment of the Senator from Nebraska, insofar as its wording is concerned. I am against what it attempts to accomplish, for the same reason that during the Seventy-ninth Congress and the Seventy-eighth Congress, I opposed all bills in which attempt was made to relieve employers or other persons of responsibility for their acts simply because they were following the judgment or ruling of an administrator. I think it is always bad law, although I am not going to talk about law as such, it is surely contrary to the scheme of our governmental processes, to relieve anyone of responsibility for acts which he has taken an oath to perform honestly and in accordance with the Constitution of the United States.

I think the amendment itself belittles the administrator and belittles the way in which our country carries on. I believe we should, as the Constitution suggests, give full faith and credit to the various branches of our Government. I have said that I am not going to talk about law or about constitutional aspects of the pending bill or the pending amendment. They have been so ably covered by the Senator from Nevada [Mr. MCCARRAN] and the Senator from Rhode Island [Mr. MCGRATH] that I feel myself weak indeed in following in their footsteps even to talk upon another subject.

However, Mr. President, I do wish to discuss our Constitution and our constitutional scheme of government.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. HATCH. My only purpose in rising is to say that the Senator from Utah is making a very important address, one which should be considered by Senators. I do not know why it is necessary for the Senate to continue in session at night if only a few Senators remain here.

Mr. President, I suggest the absence of a quorum.

Mr. TAFT. A point of order, Mr. President. No business has been conducted since the last roll call.

The PRESIDING OFFICER. No; no business has been conducted.

Mr. HATCH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HATCH. When a point of order is made and ruled on, business has been conducted, has it not?

The PRESIDING OFFICER. The Senator is correct.

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

During the calling of the roll,

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LUCAS. Mr. President, I make the point of order that no Senator can answer his name until his name is called. I am trying to keep a record of who is answering the quorum call, and I do not want Senators to march up to the desk and answer to their names until their names are called, a second time, if necessary.

The PRESIDING OFFICER. The Senate will be in order, and Senators will take their seats. Senators desiring to converse will retire to the cloakroom. The clerk will continue the roll call.

The Chief Clerk resumed and concluded the calling of the roll, and the following Senators answered to their names:

Aiken	Hawkes	O'Conor
Baldwin	Hill	Pepper
Bricker	Holland	Robertson, Va.
Brooks	Ives	Russell
Byrd	Jennner	Smith
Cain	Johnston, S.C.	Sparkman
Chavez	Kilgore	Taft
Cooper	Knowland	Taylor
Cordon	Lodge	Thomas, Utah
Donnell	Lucas	Thye
Downey	McCarran	Umstead
Dworshak	McCarthy	Vandenberg
Ferguson	McFarland	Wherry
Flanders	Maybank	White
Fulbright	Moore	Wiley
Green	Morse	Williams
Hatch	Murray	Young

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum is present. The Senator from Utah has the floor.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. LUCAS. I kept a careful record of both quorum calls. On the first quorum call, when 51 Senators were present, 27 Democrats and 24 Republicans responded. I kept a pencil check of every Senator who answered to his name during the second roll call, and 18 Democrats and 13 Republicans answered when their names were called by the clerk. I do not know where the other 20 names on the second quorum call came from. I listened to every name called and noted who responded, and I respectfully submit that 51 Senators did not answer.

Mr. President, here we have a night session, and apparently the Republicans expect the Democrats to furnish a majority to keep a quorum present. Even on the first roll call of 51 there were more Democrats present tonight than there were Republicans, and yet the Republicans have the majority. Is this another one of those evenings when somebody in the majority is having a reception downtown, such as occurred a few days ago when we had an hour and a half of confusion in an evening session before a certain group of 8 or 10 Republican Senators could return to the Chamber in order to vote upon a very important measure? If we are going to have night sessions, it seems to me that the majority party ought to have the requisite number here for a quorum. The Democrats, as is shown by the roll calls, are more than willing to cooperate.

The PRESIDING OFFICER. Is the Senator from Illinois raising a point of order? The rule of the Senate is very clear. Rule V, paragraph 2, states:

> If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.

The clerk of the Senate, under the direction of the Presiding Officer, called the roll. The roll was presented to the Presiding Officer. The roll shows that a majority of the Senators are present in the Chamber and have answered to their names. The Presiding Officer announced

the result, namely, that, 51 Senators having answered to their names, a quorum was present. That is not subject to debate. The Chair then recognized the Senator from Utah.

Mr. LUCAS. The Senator from Utah yielded to me to make an observation. I do not care what the second roll shows, Mr. President, with respect to 51 Senators being present. The Senator from Illinois sat here and listened to every name when it was called and the responses as they were made, and he did not make any mistake about it. Only 31 Senators answered to their names on the last call. Whether the Senators walked to the desk and had their names put on the roll, I do not know; it is against the rule if they did; and I called attention to it.

The Senator from Ohio made it plain a week ago that we were to have a night session tonight, and he was justified in so doing. We have important legislation to pass, and Senators ought to be here. There ought to be a sufficient number of Senators present at least to constitute a quorum. I point out again that on both roll calls the Democrats have furnished the majority, and I still say that on the last roll call there were not 51 Senators who answered to their names.

Mr. RUSSELL. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Chair will observe that there can only be one clerk of the Senate at a time.

Mr. LUCAS. That is all right, but a Senator has the right to keep the record straight.

The PRESIDING OFFICER. The clerk of the Senate called the roll. The Chair is satisfied that he recorded the roll call accurately, and the Chair also was observing the roll call at the time. A quorum of the Senate is present for business.

Mr. LUCAS. The Chair can state that there can only be one clerk of the Senate, and I agree with that; but the Senator from Illinois was not incorrect in making his estimate. The Senator from Illinois was not in error by 20 Members, and so asserts, notwithstanding what the Chair says, notwithstanding the accuracy of the Chair's count, notwithstanding what the clerk said.

Mr. RUSSELL. Mr. President——

The PRESIDING OFFICER. The Senator from Utah has the floor. Does he yield to the Senator from Georgia?

Mr. THOMAS. I yield to the Senator from Georgia.

Mr. RUSSELL. Mr. President, I merely wish to make a very brief observation. I do not challenge the accuracy of the count which was made by the clerk, because I did not keep count as the roll was called, and my experience in the past has been that the clerk is generally correct. I do think, however, that it is most unusual, considering the great drive which is being made to expedite the pending legislation, to have members of the minority furnish the greater part of the attendance at the evening sessions. It was very noticeable the other evening when we had a night session that there were more Democrats present and in their seats during most of the evening than there were Republicans. The same condition obtains tonight. I wonder if this is evidence of the statement made by the distinguished Senator from Ohio that the Democrats consumed all the time in delaying the business of the Senate. The minority furnishes more Senators here for the evening session than are furnished by the majority party.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I shall be glad to yield, Mr. President, with this observation, that I am really and truly not delaying the deliberations of the Senate. [Laughter.]

Mr. TAFT. Mr. President, I have only this to say: This evening session was announced more than a week in advance. It is really absolutely essential that the Senate be in session every possible moment in order to complete the business which should be completed before the first of April. I regret as much as any other Senator that all Senators have not been in attendance today. I think the RECORD will show that there are more Republicans than Democrats present, but I am just as critical of the Republicans who are not present as I am of the Democrats. The transaction of the business of the Senate is as much the responsibility of the Democrats as it is of the Republicans, and I see no particular reason to raise the question as to how many of each party are absent. Before the first of April it is necessary to complete several bills, including those extending controls over sugar, rubber, and various other articles to meet the expiration of the Second War Powers Act. We have to meet the President's request for loans to Greece and Turkey, which legislation is supposed to be enacted by the first of April. We have on the Executive Calendar of the Senate the Lilienthal nomination which is pressed upon us as something to be immediately disposed of. I feel that it is the duty of all Senators, Republicans as well as Democrats, to remain in the Senate tonight and enable us to proceed. There are a number of Senators who wish to be heard on the pending bill. It is probable that we may not reach a vote tonight except on one amendment to the bill; yet the bill should be discussed.

I quite agree with my colleague, the Senator from Georgia, that with respect to this particular bill the Republicans have taken more time than have the Democrats. The Democrats now have the time freely to discuss the bill, and certainly I am not disposed to hurry them. I would not even have pressed a night session upon the Senate except that we have to have such sessions at some time, and it was understood that we would have such a session tonight. I assume that Senators on both sides have made their arrangements for tonight. So I appeal for the cooperation of all Senators to proceed and discuss the subject before the Senate. I hope we may make such substantial progress that at least we may perhaps be able to vote tomorrow.

Mr. HATCH, Mr. LUCAS, and other Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield, and if so to whom?

Mr. THOMAS of Utah. I yield first to the Senator from New Mexico.

Mr. HATCH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HATCH. What is the pending amendment, and may it be stated?

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska [Mr. WHERRY] as a substitute for certain language commencing on page 20, line 20.

The Senator from Utah has the floor.

Mr. LUCAS. Mr. President, will the Senator yield to me?

Mr. THOMAS of Utah. I yield.

Mr. LUCAS. I desire to make one further observation. Mr. President, I want the Senate to know that I agree 100 percent with the Senator from Ohio in the statement he last made. There is tremendously important business which the Senate of the United States must dispose of within the next 30 days. I am in favor of this night session. I am in favor of further night sessions in order to further expedite action on imperative legistion soon to be on the calendar.

Mr. BALDWIN. Mr. President, will the Senator yield to me?

Mr. LUCAS. Just one moment please. I have not concluded. Mr. President, while I agree with the Senator from Ohio with respect to the transacting of business in the Senate, it is worth while to call attention again to the fact that while we are all responsible for this program, nevertheless the majority has the responsibility for carrying it through, and I thought it perfectly proper to call attention to the two roll calls which were had tonight, and to have it known how many Democrats were present and how many Republicans were present.

Mr. WHERRY. Mr. President, will the Senator from Utah yield to me?

Mr. THOMAS of Utah. I yield.

Mr. WHERRY. I wish to ask the distinguished Senator from Illinois a question. In the Senator's recapitulation of the number of Senators present, how many Republicans did he say were present and how many Democrats?

Mr. LUCAS. To which roll call is the Senator referring?

Mr. WHERRY. I am talking about the first roll call.

Mr. LUCAS. What about the last one?

Mr. WHERRY. I am talking about the quorum call now.

Mr. LUCAS. There were two quorum calls.

Mr. WHERRY. I want the RECORD to show that 28 Republicans answered "present" to the quorum call, and 23 Democrats answered "present." I shall be glad to read the names of the Senators who answered "present," and produce them also if the Senator wants me to do so, so he may see them.

Mr. LUCAS. Was the Senator from Nebraska present when the roll was being called, and did he take down the names of Senators as they answered?

Mr. WHERRY. The Senator from Nebraska has been on the floor all day. The Senator from Nebraska was in the Senate Chamber when the roll was called.

Mr. LUCAS. Did the Senator keep a record of the Senators as they answered to their names?

Mr. WHERRY. I checked with the clerk, and I have checked with those present, and I find that 28 Republicans answered to their names when the roll was called.

Mr. MAYBANK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The suggestion of the absence of a quorum is not in order.

Mr. WHERRY. Mr. President——

Mr. MAYBANK. Mr. President, in view of the fact that business has been transacted since the last call of the roll, I ask if it is not in order to suggest the absence of a quorum. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator is not in order.

The Senator from Utah has the floor.

Mr. MAYBANK. I suggest to the Presiding Officer that the rule provides that when business has been transacted by the Senate the suggestion of the absence of a quorum is in order; that when business has not been transacted such a suggestion is not in order.

The PRESIDING OFFICER. There has been no transaction of business since the last call of the roll, and the Senator from Utah has not yielded for that purpose.

Mr. MAYBANK. Mr. President, will the Senator from Utah yield to me?

Mr. THOMAS of Utah. I yield.

Mr. MAYBANK. I suggest the absence of a quorum.

The PRESIDING OFFICER. There has been no business transacted by the Senate in the period intervening since the last call of the roll. If the Senator wishes to appeal from the ruling of the Chair he is privileged to do so.

Mr. MAYBANK. Mr. President, I do not appeal from the ruling of the Chair, but I contend that business was transacted since the last call of the roll. The Presiding Officer has made a ruling on my suggestion of the absence of a quorum. I ask if that is not the transaction of business?

The PRESIDING OFFICER. There was no business transacted by the Senate of the United States since the last call of the roll. The decision of the Chair was not business of the Senate.

Mr. MAYBANK. Mr. President, I appeal from the decision of the Chair and ask for the yeas and nays on that question.

The PRESIDING OFFICER. The question is: Shall the decision of the Chair stand as the judgment of the Senate?

Mr. MAYBANK. On that question I ask for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is: Shall the decision of the Chair stand as the judgment of the Senate? [Putting the question.] The "ayes" have it, and the decision of the Chair is sustained.

Mr. MAYBANK. Mr. President, I ask for a division.

The PRESIDING OFFICER. The Senator is too late.

The Senator from Utah [Mr. THOMAS] has the floor.

Mr. HATCH. Mr. President, will the Senator from Utah yield to me?

Mr. THOMAS of Utah. I yield to the Senator from New Mexico.

Mr. HATCH. I do not want to be technical; I want to raise no question; but I am deeply impressed, as I am sure all other Senators are, at the inadvisability of trying to force night sessions and trying to force decisions.

Mr. President, I said earlier in the evening the Senator from Utah has an important address to deliver. The Senator from Utah has probably given as much study, as much thought, and as much consideration to labor legislation as has any other Member of the Senate. My only thought is that he might have a respectable audience of Senators who are interested in this question who might listen and who, I hope, might learn.

The PRESIDING OFFICER. The Chair will observe that apparently there are more Senators present at this time to listen to the Senator from Utah than were present at times during the day when the Senator from Missouri [Mr. DONNELL] and the Senator from Rhode Island [Mr. MCGRATH] were speaking. Apparently the Senator from Utah has an excellent audience.

Mr. HATCH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HATCH. I think it is perfectly apparent that, when the point of no quorum was made and an appeal was taken from the decision of the Chair, business was transacted, and that a point of no quorum is now in order. I shall not make the point.

The PRESIDING OFFICER. Does the Senator from Utah yield for that purpose?

Mr. THOMAS of Utah. The Senator from New Mexico stated that he would not make the point.

Mr. BALDWIN. Mr. President——

Mr. THOMAS of Utah. I yield to the Senator from Connecticut.

Mr. BALDWIN. I have been trying to obtain the floor to ask whether the Senator from Illinois and the Senator from New Mexico have had their dinner. It seems to me that it is possible some Senators may be absent at dinner. I understood when night sessions were planned that it was contemplated that there would be a recess for dinner.

Mr. MCKELLAR. Mr. President, I am one of those Senators who went to dinner. I came in 3 or 4 minutes late, but I am now here and ready to listen to the Senator from Utah.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. LUCAS. In reply to the suggestion of the Senator from Connecticut, let me say that we have tried several types of procedure. We tried recessing for dinner, and apparently that did not work. Very few Senators returned after dinner. Tonight we have followed the idea of the Senator from Ohio [Mr. TAFT] to continue in session without a recess for dinner, which I thought was a good idea. So whether we go through without a recess or whether we take a recess for dinner, there are still complaints.

Mr. HATCH. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. THOMAS of Utah. I yield for a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HATCH. Would a point of no quorum now be in order?

The PRESIDING OFFICER. If the Senator from Utah were to yield for that purpose, it would be in order at this time, but the Senator from Utah has spoken once, and now being in his second speech, he would be yielding the floor at the same time.

Mr. HATCH. Mr. President, if there is any attempt, or threat, or suggestion with respect to taking the Senator from Utah from the floor some of the others of us will occupy the floor until 10 o'clock.

The PRESIDING OFFICER. The Presiding Officer was merely observing, for the protection of the Senator from Utah, that the rules of the Senate would permit the point of order of no quorum to be made.

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Utah yield for that purpose?

Mr. THOMAS of Utah. I do not wish to yield for the purpose of losing the floor. Therefore, I decline to yield for the purpose of a quorum call.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. MYERS. Mr. President, if I were to make the point of no quorum, would the Senator from Utah lose the floor?

The PRESIDING OFFICER. The parliamentary situation is that the Senator from Utah had started to speak, and the absence of a quorum was suggested, and a quorum call was ordered. The Senator is now making his second speech on the same legislative day. The Presiding Officer was merely pointing out that if the point of order should be made it might take the Senator from the floor if he should yield for the purpose of another quorum call.

Mr. MYERS. The Chair stated that it might take him from the floor.

The PRESIDING OFFICER. If a point of order were made, under the rules of the Senate that would be the effect.

Mr. MYERS. I am asking the specific question, If the Senator from Utah should yield to me for the purpose of suggesting the absence of a quorum, would he be taken from the floor?

The PRESIDING OFFICER. The Chair is unable to answer that question until the point of order is made. If the point of order is made, the Chair will rule on the point of order at that time.

Mr. MYERS. Mr. President, will the Senator from Utah yield to me for the purpose of suggesting the absence of a quorum?

Mr. THOMAS of Utah. I decline to yield for that purpose, Mr. President.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LUCAS. What is the rule, when a quorum call is ordered, with respect to Senators answering to their names? Under a strict interpretation of the rule, may a Senator be recorded as present without answering the quorum call?

The PRESIDING OFFICER. Presumably a Senator must be present to answer the quorum call in order to be recorded as present. However, the practice in the Senate this evening is no different from the practice which has been followed by the Senate for many years.

Mr. LUCAS. I understand that; but frequently we must strictly observe the rules of the Senate in order to keep the parliamentary situation straight. As I understand, it is necessary for a Senator to be actually present and answer to his name when the quorum call is made, in order to be recorded as present.

The PRESIDING OFFICER. The Senator from Illinois is correct. Under a strict interpretation of the rules, when a quorum call is ordered Senators should answer to their names as they are called. If they do not answer at the time their names are called, they may answer at the conclusion of the roll call, before the result is announced.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. CHAVEZ. I thank the Senator for yielding to me for a very brief observation. Senators on both sides of the aisle are trying to make time, but they are trying to make time by delay. I wish we could use a little common sense and propriety and allow the Senator from Utah to proceed, without worrying about anything else.

The PRESIDING OFFICER. The Senator from Utah has the floor.

Mr. THOMAS of Utah. Mr. President, I thank my colleagues for giving me this lesson in parliamentary procedure. I appreciate it. I thank the Presiding Officer for calling attention to the fact that more Senators are present enjoying the dissertation on parliamentary procedure than are usually present when a Senator is making a speech. I trust that after I have been speaking for 5 minutes the Chair will not call the attention of Senators and occupants of the galleries to the number of Senators who remain. That would be embarrassing indeed. But I assure the Presiding Officer that I shall not take offense if I look around and see my usual audience in the United States Senate when I am occupying the floor. I hope that for once I can go home and say that there were few Senators present because it was a night session. That would be the first time since I came to the Senate that I would be able to make that sort of excuse.

If I may now try to gather my wits together and say what I started to say, I believe that we should make plain to the people of the country exactly what the United States Senate is attempting to do in dealing with the pending portal-to-portal legislation. When I say that, Mr. President, I do not reflect upon anyone—especially I do not reflect upon the zealous work done by the Committee on the Judiciary in conducting hearings, moving forward with a report, then withdrawing the report, and bringing in another. The majority report and the minority views are both before us. I am sure that both reports have been written in an attempt to accomplish the best possible result.

But in spite of that, I think it is extremely unwise for any branch of the Government of the United States to attempt to take jurisdiction of the actions of another branch. The genius of the American Government, under the theory of separation of powers and balance of powers, does not rest upon the rights which are granted as the result of a written Constitution. The genius of our Government preserves itself because of the complete fair play and the equality granted each branch of the Government.

Mr. President, our Government fails whenever the Congress of the United States attempts to interfere with the discretion of the President of the United States. Congress can instruct and authorize, but it cannot order. It is assumed that the President will act within his discretion. Congress can point out that it would be unwise to veto a certain bill, and the President, if he vetoes it, must recognize the fact that he vetoes it with a proper understanding of the facts and in accordance with the Constitution. The President of the United States cannot say, "Congress may go so far and no farther." He cannot order it. That would destroy the scheme of democratic processes and that which we are trying to do, which is to operate government by common consent.

Whenever the Congress of the United States steps in and tries to retard the processes of justice, whenever it undertakes to deprive of his rights a petitioner who, whether worthily or unworthily, has taken his rights before the courts, it is simply playing out of bounds and attempting to destroy the genius of our American constitutional system.

We have had stormy affairs in the history of the United States which had to do with the executive, the legislative, and the judicial branches of the Government. I can trust the courts of the United States to handle cases which come before them, and I can especially trust the Supreme Court of the United States, because very seldom in our history has that Court played out of bounds. It has been partisan, as has been charged in some of the dissenting opinions; it has attempted to prevail and to force upon the country a certain economic theory; it probably has at times been political, even in face of the fact that the Court always says that it will not decide a political question; but the 150 years of experience of our country has demonstrated that the genius of our Government is based upon strength, that common consent is not weak, and that our Government is not held together by the bonds of a written Constitution, but by the willingness of the people to play fair.

Before the courts of the United States there are pending hundreds of cases, and because the courts seem to be burdened, it is suggested that the cases involving portal-to-portal pay be wiped out. Let us carry through the implication arising from the introduction of a bill to stop portal-to-portal cases. What does it mean? It means that if Congress enacts this bill into law it does not trust the courts of the land to decide cases in accordance with law, justice, and good, sound reason. That is the only way it can be interpreted.

We have before the Congress at this time two bills, designed to operate in two great spheres. One is labeled the portal-to-portal bill, and the other deals with the administration of railroads. It is suggested that Congress act quickly in order that sides may be taken and in order that courts may be prevented from acting in accordance with the law of the land.

Mr. President, I say that is unwise and unfair procedure which, if it is followed very often, will destroy the essence of the American political system, because if we are to maintain three coordinate branches of government their respective fields must not be encroached upon. We cannot allow one to usurp the functions of the other. When that happens the American system begins to disintegrate. That is one reason why there was opposition a while ago when the President of the United States seemed to be offering too many suggestions to Congress. The American Government might be destroyed if the President ordered the Congress around. We now realize that there was not any ordering on his part. No one was coerced; no one was forced; never once did Congress act outside of its right. When the time came to say "No" to the President's suggestion, Congress rose up and said it in no uncertain terms, and the people of the United States supported Congress in that regard.

At another time when it was suggested that perhaps something should be done about the Supreme Court, the people of our country rose up and objected, and no action was taken.

That is the history of our land, Mr. President. There is a case before the courts, the John L. Lewis coal case, which has been decided in an orderly way through orderly procedure. Were not the judgments sound? Were they of such a character as to command support? Were they not in keeping with the best theories regarding the way in which we should proceed in keeping peace among ourselves and taking care of each others' rights?

Mr. President, I think it would be very unwise to do what is being attempted. It would be not only unwise but in the light of history, almost completely unfair, when we realize the attacks which have been made and are being made upon the labor policy of the United States, which policy was inaugurated by a Democratic administration.

The first people whose rights will be denied are the weakest element in the labor field of the whole United States. A portal-to-portal bill is not directed against organized labor; it is not directed against the great and powerful among organized labor. It is not directed against the highly paid—probably overpaid—who have gained advantages because of their power. The first act of reform, the first attempt to undo that which has been done by those who have been termed "New Deal legislators" and "New Deal administrators" takes the form of a bill aimed at poor people who cannot take care of themselves, workers who are earning 25, 30, and 40 cents an hour, those who are not organized and who cannot bring cases to justify their small pay.

Mr. President, under the circumstances, even if I were not opposed to that which Congress is attempting to do, I would be a bit ashamed to take that sort of stand at this time. Let us hit where we ought to hit. Let us be brave, as some have said. Let us knock down the great dictators among labor, if there are any. I have not found any. I have found labor leaders attempting to keep consistently in harmony with those whom they lead, exactly as every other leader attempts to do.

Mr. President, there is something closely akin to morale, even in labor organizations. If morale is the basis of success in the military field, I am sure it is the basis of success in the labor field. Leadership can come only through holding, keeping, and being worthy of that leadership. Mr. President, under the American system there is no way for a dictator to rise and drive those he is supposed to lead. It simply cannot be done; it is not being done, and it will not be done.

Mr. President, the Wages and Hours Act—otherwise known as the Fair Labor Standards Act—was built upon a new philosophy, namely, that the Federal Government has a right to do something for the general welfare by attempting to raise the standards of labor. That philosophy was questioned. There is no doubt that the lawyers who appeared before us and told us that the Fair Labor Standards Act was unconstitutional were the same ones who carried the case to the Supreme Court of the United States and there attempted to prove it unconstitutional.

However, Mr. President, we must realize what was done at that time and the fight which was made and the efforts which were made in making the National Labor Relations Act and the Fair Labor Standards Act part of the law of our land. In connection with one of them, 68 or 69 of the greatest constitutional lawyers of the United States advised their clients not to obey the law, because they said it was unconstitutional. In attempting to break down that law, a most interesting maneuver in the way of appealing to our courts was indulged in. I refer to the maneuver of bringing test suits in every district court of the United States, so that the agency representing the National Labor Relations Act had to answer all those suits. That was done instead of following the ordinary practice of finding a case which both sides would permit to go through the ordinary judicial and legal processes, and thus determine the constitutionality of the law.

Mr. President, now an attempt is made, in a similar way, to stop the ordinary judicial process. But the judicial process was not stopped even by the scheme I have just referred to, for the Government answered each of those suits. Each was considered and pleaded, and each one went through the judicial process. In the end the Supreme Court of the United States—at that time it was not the so-called reformed court—declared the act constitutional; and the same thing occurred with respect to the Fair Labor Standards Act.

Mr. President, the bill now pending is the first attempt since then to undermine the law which brought about such a drastic improvement in our industry-labor relations and in our constitutional theory regarding labor legislation. If the attempt is carried to a successful conclusion, it may be necessary for us to do over again all that has been done in the last 10 or 12 years in the way of labor legislation, and it may be necessary for us to attempt to restore to the people their rights.

Therefore, Mr. President, I plead with all my might and main for the Senate to consider this matter carefully, not to act hastily, not to pass quickly a bill which should not be passed, not to take action which will be regretted. Let us insist that the true story be told and that the actual situation be made clear. Then if we find that what has been done is unacceptable, let us oppose it, and oppose it honestly; let us admit, if we choose to do so, that the theory of labor law represented by the Fair Labor Standards Act and the National Labor Relations Act is a step backward and should be done away with. Let us not nibble at that theory, but let us face the issue squarely. To those who are attempting to make ineffective the great gains which were made by those acts I suggest that they fight out the battle upon the lines of bad law and bad constitutional procedure, if they regard it as such; but I say they should not attempt to nibble here and nibble there and thus accomplish their purpose by indirection.

Mr. President, sometimes in choosing the names by which laws are known, we disregard the objectives they have attained. For instance, we speak of the Walsh-Healey Act, the Bacon-Davis Act, the Wagner Act, and so forth. In this instance I am proud that although for a time the Fair Labor Standards Act was called the Thomas-Norton Act, and although our names are entitled to be associated with that act, nevertheless that act is generally known by a name which is indicative of the good it has done for the common people of the United States. I should prefer to have all of them know exactly what that act stands for, rather than to have it honor the one or two persons whose names might be connected with it. The people of the United States know that by means of the enactment of the Fair Labor Standards Act, definite steps were taken in their behalf in regard to the theory of our Government dealing with hours of labor and pay. Every girl and boy in the United States who had been caught by the former child-labor practices realized that something had happened which improved their laboring conditions. What happened was healthy for each community and for the entire country. We can begin to comprehend what so many of the under-privileged people of America were being paid for their labor when we remember the struggle which occurred in connection with the enactment of the first act, which called for a minimum wage of 25 cents an hour. At that time many persons were working for 10 cents an hour, and in some cases even less. But after that act was passed and went into effect, all those people knew that something had been done for them.

There was also the great mass of white collar workers, from one end of the United States to the other—people who had been forgotten, and who always are forgotten, because their relationships are merely those of the employee to the boss. They were not organized, and no attempt was made to organize them. That mass of 20,000,000 forgotten persons—and especially during the wartime were they forgotten—knew that something was being done for them, and they appreciated what was being done. How will they feel about this nibbling away, this destruction, this taking away of rights, this attempt to break down what has been gained for them?

Mr. President, the proponents of this measure can argue from now until doomsday that they are merely seeking to protect the employer from unjust suits which might be brought in connection with portal-to-portal pay, but they will never convince anyone of that, because the people will know who are behind the efforts to have the Congress pass the bill.

Who is behind them? Do we not find the same witnesses, the same effort, the same lobbyists who were against the Wages and Hours Act and against the National Labor Relations Act now coming forward? Do we not find the same people now pleading, "Please take care of us and protect us if we act in harmony with a rule or regulation prescribed by an administrator even though the rule or regulation may be erroneous?" Was not that the theory?

Mr. President, sometimes even great nations need guardian angels, and I think this is the time when we need one, because the leadership of our country today is headed right toward action which will hurt the little fellow, and that is not fair.

Mr. President, what about the Fair Labor Standards Act? How did it become law? Did it happen overnight? Was it a hastily drawn act? No; it was introduced in more than one Congress. It had a hard time being born. Finally the forces of reaction lined up in such a way that we would not get a conference together without bringing about a

change in the ordinary procedure of arranging conferences in the Senate. When the conference met did it hastily act on something? No. Senator Borah, of Idaho, who was dean of the Senate at that time, told us that in his whole experience of over 30 years in the Senate he had never seen anything like what happened in that conference—a fight day after day for what was right.

Did those who fought for the Fair Labor Standards Act have the support of all labor? Yes, the moral support. But, as was pointed out by the Senator from Rhode Island [Mr. McGRATH] today, organized labor had already accomplished all that the act could give them, and therefore we did not have the type of support which we ordinarily have for labor legislation. The act had to be passed by men who were humanitarian-minded, if I may use that term, men who accepted the theory that it is possible by legislative act to make better the lot of the people of our country, men who knew that a little more play and a little bit less work would bring happiness and contentment to the people.

Mr. President, we are told that the pending bill is not aimed at the Fair Labor Standards Act. It would be hard for me to believe that. After listening to the eloquent arguments presented this afternoon by the Senator from Nevada [Mr. McCARRAN] and the Senator from Rhode Island [Mr. McGRATH], two great lawyers, who discussed the bill in a manner in which I am not prepared to debate it and who covered a field into which I would not dare to venture, we know from what they said that the enactment of the bill would almost destroy the effectiveness of three of the greatest labor laws which are on our statute books today.

Mr. President, if the Senate is merely trying to correct an evil, if it is merely trying to say, "These portal-to-portal cases are unfair, and therefore they should be stopped," does it take 21 pages of the most legalistic wording to say that much? If the proponents of the bill wanted to retain the Walsh-Healey Act and the Davis-Bacon Act, the Prevailing Wage Act, and the act against the kickback, if they wanted to make sure that the portal-to-portal pay practice would not extend to those acts, under which no such case has as yet been brought, why did they not say that practice shall not be indulged, instead of presenting a lengthy measure running into paragraphs, to protect two acts under which no cases have been brought at all.

Mr. President, 21 pages of legalistic phraseology necessarily carry with them more definitions, more reasons for litigation, more argument, more chance for handing down decisions, and more confusion than possibly prevail today, because in each one of these cases, 1,900 of them as there are, the issue is plain-cut, it is straightforward, it is present. The Supreme Court of the United States interpreted language of the Fair Labor Standards Act which invited these cases. That is all that has to be argued. But when once we put into effect 21 pages of legalistic expressions, we are going to bring about argument of every one of the sentences in those 21 pages, and there will be talk about many other things besides portal-to-portal pay before the end is reached.

Mr. President, whenever a government which is founded upon the theory of law slips into the field of litigation there is no end to argument and there is no end to legal procedure. In my opinion we are inviting such a situation as that.

But let us get back to the Fair Labor Standards Act, and see how it came into existence. It has not been 10 years since it was enacted, but it is easy to forget. Things are soon forgotten. It took so long to pass a fair labor standards act that I have heard more than one Senator given credit for being father of the idea. With the introduction of the first bill we attempted to hold joint hearings between the House of Representatives and the Senate. That was one of the experiments we tried. It did not work any better than night sessions work, because that is not the way the Congress of the United States has usually worked. We did not make very much progress, and we did not pass a bill.

The interesting feature was the opposition to the bill. First it was claimed that it interfered with States' rights. Second, it was said, "You have to have railway regulation before you can have fair labor standards. You have to remember the West, you have to remember the South, you have to remember the East, and here the Government is trying to do something it cannot possibly do. You are going to hurt somebody."

Note how gravely we are hurting somebody. We put the minimum wage at 25 cents an hour, and the minimum work week at 44 hours. Yet there was opposition, so much opposition that we could not touch domestic service, and we have not been able to touch it yet; we could not touch the agricultural field, and we have not been able to touch it yet. Much as that law was needed, much as we should have taken care of those who may be called the underdogs in labor, it was a hard struggle to do what we did.

Mr. President, have we been contented with what has been done? I do not say that the great Senator from Missouri is attempting to undermine the act, because I know he is not. He has been made chairman of a subcommittee, and he is trying to do a consistent piece of work, and is doing it well. But there has not been a session of Congress when there was not a bill introduced in an attempt to do away with the fundamentals of the Fair Labor Standards Act. All during the war we had to fight for the preservation of those standards because men rose either in the Senate or in the House and introduced bills with this sort of philosophy. They would not grant that the Fair Labor Standards Act was introduced for the purpose of raising standards. No; they accepted the philosophy of another bill which had nothing to do with fair labor standards, and they said it was introduced for the purpose of distributing work because there was a depression in the land, and work should have been divided up. They said, "Now, therefore, since war has come and labor is scarce, and we want everybody to work, let us remove all the prohibitions of the Fair Labor Standards Act, and let everybody work in any way he wants to work, because we need laborers, we need production, we need to win the war. Do away with the standards and let the employer hire where he will, where he can, and pay what he can, but let us have production."

Mr. President, that is the history. It is a compliment to the Senate of the United States that not one of those destroying measures ever reached the floor of the Senate. But an effort was made to have them reach the floor of the Senate; and so the Senator from Utah, who had quite a bit to do with this act in the beginning of it, and who has had quite a bit to do with attempting to preserve it, insisted, whenever Executive orders in regard to labor were written during the wartime, no matter how scarce labor became, that such Executive orders should be written in accordance with the high standards we had gained as the result of legislation; and, all credit to the great Commander in Chief, the President of the United States, those Executive orders were written in accordance with the best labor standards which we had on the statute book. Never once did the Government, as such, attempt to destroy that which had been done. I wish I could say as much for a segment of industrial backers of various amendments, who have wanted to destroy it right from the very beginning.

Mr. President, let us be careful that we do not take a backward step. Let us see to it that nothing is done which will in any way destroy the progress made in the development and evolution of labor law, or interfere with our theory that under the Constitution the Government should and can safeguard and promote the general welfare of the people of the United States.

Mr. President, after reading the bill which the majority of the Judiciary Committee has reported, I feel it my duty to counsel the Senate against enacting an amendment to the Fair Labor Standards Act which would, in effect, seriously damage the act itself.

These so-called portal-to-portal suits, at which the Senate bill is directed, have caused a great deal of alarm and confusion in the industrial world, it is true. But let us not, in our desire to remedy that situation, enact other legislation which would create more confusion and more unrest. That is true, Mr. President. But let us not, in our desire to remedy that situation, enact other legislation which would create greater confusion and unrest. Let us not amend the Fair Labor Standards Act to the extent of merely leaving it on the statute books as only a reminder of fair-labor standards.

I was a Member of this body when we enacted wage-and-hour and child-labor standards which have come to be accepted by employers, employees, and the general public as a basic charter for the employment of young people and the working men and women of America, especially those in the lowest income groups. The Senate Committee on Education and Labor held extensive hearings. We brought in witness after witness whose testimony showed that one-third of our Nation was ill-clothed, ill-housed, and ill-fed. We heard the testi-

mony of men and women in all walks of life, representing all sections of our society. I was chairman of the conference committee which agreed upon the final legislation. Now I know that there has been a great hue and cry for legislation dealing with these so-called portal-to-portal questions and I know the Judiciary Committee has tried to bring in legislation in response to that hue and cry. But I fear we are not giving due consideration to the potential effects of the proposed legislation on the statute itself. It seems to me that the hearings have been limited to those persons and parties with special interests in portal-to-portal questions. There is much more to this bill than past liabilities for portal-to-portal pay and I do not think the committee has heard a sufficient number of witnesses who have no special ax to grind. With only an exception or two, there were no witnesses who testified as to the effect of this proposed bill on the basic provisions of the Fair Labor Standards Act. There has been a lack of attention to the basic purposes of the statute. It is, therefore, my intention to discuss the origin of this legislation in the hope of bringing about a better understanding of the Fair Labor Standards Act itself and a better understanding of how the proposals of the committee will seriously cripple the act.

In 1937, President Roosevelt sent to Congress a message advocating Federal minimum wage and maximum hour legislation in which he discussed the need for such legislation and the objective of the Nation, in part, as follows:

> The time has arrived for us to take further action to extend the frontiers of social progress. * * * The overwhelming majority of our population earns its daily bread either in agriculture or industry. One-third of our population, the overwhelming majority of which is in agriculture or industry, is ill-nourished, ill-clad and ill-housed. * * *
>
> All but the helplessly reactionary will agree that to conserve our primary resources of manpower, Government must have some control over maximum hours, minimum wages, the evil of child labor, and the exploitation of unorganized labor.
>
> And so to protect the fundamental interests of free labor and a free people we propose that only goods which have been produced under conditions which meet the minimum standards of free labor shall be admitted to interstate commerce. Goods produced under conditions which do not meet the rudimentary standards of decency should be regarded as contraband and ought not to be allowed to pollute the channels of interstate commerce. * * *
>
> With the establishments of these rudimentary standards as a base we must seek to build up, through appropriate administrative machinery, minimum wage standards of fairness and reasonableness, industry by industry, having due regard to local and geographical diversities and to the effect of unfair labor conditions upon competition in interstate trade and upon the maintenance of industrial peace.

The Fair Labor Standards Act was passed on June 25, 1938. It became effective on October 24 of that year. It provided for a statutory minimum wage of 25 cents an hour for the first year and for 30 cents the next 6 years with provision to raise it to 40 cents an hour by October 24, 1945, or to 40 cents an hour as rapidly as possible before that date through the action of industry committees composed of representatives of management, labor, and the public.

It is significant to note that the 40-cent rate was achieved through such industry committee action in the summer of 1944, 17 months before the 40-cent statutory rate would have become effective.

Approximately 3,500,000 pay increases resulted from the minimum-wage provisions of the act. These increases went to almost 2,000,000 workers. I should like to point out to you that in discussing wage increases by imposition of the statute, that I mean wage increases up to 25 cents an hour in 1938, up to 30 cents an hour for the next 6 years except as the 40-cents-an-hour rate was reached by industry committee actions. The statute still stands at 40 cents an hour. That is the immense sum of $16 a week, and the portal-to-portal legislation may result in reducing even that amount. Certainly, there is not one in a thousand persons in this country, employer or employee, who would say that this 40-cent minimum has ever been high enough in light of the economic situations which have confronted us during the last 8 years.

In section 2 (a) of the Fair Labor Standards Act the finding and declaration of policy of the act was stated as follows:

> The Congress hereby finds that the existence, in industries engaged in commerce or in the production of goods for commerce, of labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well-being of workers (1) causes commerce and the channels and the instrumentalities of commerce to be used to spread and perpetuate such labor conditions among the workers of the several States; (2) burdens commerce and the free flow of goods in commerce; (3) constitutes an unfair method of competition in commerce; (4) leads to labor disputes burdening and obstructing commerce and the free flow of goods in commerce; and (5) interferes with the orderly and fair marketing of goods in commerce.

As the Secretary of Labor stated in his annual report for the last fiscal year:

> The Fair Labor Standards Act, a twentieth-century economic charter for the wage earners of America, especially for those in the lowest income groups, will have been in effect 8 years on October 24, 1946. In those 8 years it has come of age; it has been accepted by workers as an instrument designed to guarantee a measure of security and as a means toward attainment of adequate, decent living standards, and by employers as a fair piece of legislation in the American tradition.

Since the act went into effect a little more than 8 years ago thousands of court opinions, including a number handed down by the Supreme Court, have been issued to clarify the meaning of the act. As a result the law is pretty well understood by the vast majority of all the 550,000 employers subject to its provisions. The law has become a stable force. I say this with full realization of the portal-to-portal question. I want to emphasize, however, that the uncertainty regarding portal-to-portal questions is only an exception to the general situation. The basic provisions of the act have been clarified for a number of years. The coverage of the statute is known except for certain unusual situations. In general, it is such fringe issues as portal-to-portal which have not been clarified.

In light of this relative stability of the law, I wonder if the Members of this body realize the considerable elements of uncertainty which would be injected into the picture by the proposed bill. I wonder if it is realized how much new litigation would result from the enactment of the committee bill. Under the proposed measure, the determintion of hours worked would depend upon the practice or custom in a given establishment or even in a given work place. Under the provisions of this bill hours worked would have to be determined with respect to particular employees at a given work place. It would not be possible, as it is under the act as it now stands, to lay down a general rule which would govern all similar situations. It would be necessary in each case under dispute to determine the law for that case. That would mean, in effect, that the facts in each single individual case would determine the law. That would mean litigation multiplied by more litigation until there would be so much litigation that the threat of 2,000 portal-to-portal suits would seem to be very small indeed. Just how much litigation would be required to clarify such questions, I do not know. I doubt if anyone knows. I would think, however, that it would require thousands of court cases to settle the innumerable disputes which would inevitably arise as to which activities have customarily been treated as working time activities.

I have indicated that one of the purposes of the Fair Labor Standards Act was to establish some uniform minimum standards of employment as to minimum wages, as to overtime, and as to child labor. The bill under consideration, H. R. 2157, in addition to wiping out liabilities for portal-to-portal questions in the past, would eliminate this uniformity under the act, at least as to the question of hours worked. The bill would in effect permit each employer to determine the application of the law with respect to the number of hours for which he would be required to compensate his employees. The framers of this bill no doubt sincerely believe that the employer's discretion would be restricted by strong collective bargaining agencies of the employees. Even if we should grant this contention, what about the 9,000,000 unorganized workers covered by the Fair Labor Standards Act?

Surely it cannot be contended that these 9,000,000 individual workers, with no collective bargaining powers, can bargain equally at arm's length with their employers. It may be true that during periods of relative labor scarcities, such as the present, the unscrupulous employer may not take advantage of the individual unorganized workers by asking them or requiring them to contribute a great deal more of their time in activities of various kinds without compensating for all of those compensable hours. When the Fair Labor Standards Act was passed there was no question that many employers not only could but had taken advantage of their employees, particularly those employees who belonged to no trade union. That is why I say that even in the present situation, when we are experiencing a period of

relative labor scarcity, we must not consider this legislation as a temporary measure. Such legislation must be planned for periods of unemployment as well as for periods of employment.

Substantial periods of time devoted to work by the employee on behalf of his employer are at stake in this legislation. I use the word "work" very advisedly at this point, since I am confident that all Senators will agree with me that the activities performed by employees constitute work in the overwhelming majority of cases. Let me cite some concrete examples of the types of activities which in certain cases were not compensated for at the time the Fair Labor Standards Act was passed, but which were required to be paid for by the act.

In the garment industry, many workers were not paid for time spent in delivering finished work to jobbers' establishments, for cleaning and repairing machines, for making samples, or even for sweeping and cleaning shops. It would seem that under the proposed bill these activities would not have to be paid for since they precede or follow the so-called productive work. Under the proposed bill, the garment-industry employer would not have to pay even the minimum rate of 40 cents an hour specified in the act, if the employer were to require these activities to be performed prior to the beginning of productive time and established the practice of not considering it working time.

In the mining industry in my section of the country, for years before the wage-and-hour law came into being, and long before there were any cases with regard to portal-to-portal pay, portal to portal was a technique used by labor unions, and was included in the contracts. In one State the pay was higher than in another State, but in the State where the pay was lower the portal-to-portal allowance would be given. It is not a new idea that has grown out of the Fair Labor Standards Act. It is something that has been with us for a long time.

In the mining industry, before the passage of the Fair Labor Standards Act, some employers failed to pay their workers for laying track, putting up mine props, and removing impediments. In the lumber industry some employers failed to pay workers for the time spent in taking the employer's teams to and from work, in harnessing and unharnessing them, and in feeding and grooming those teams. A Bureau of Labor Statistics study of logging operations in the southeastern lumber region revealed that 1 out of 10 employers failed to pay for such activities. The amount of time involved in some of these situations in the lumber industry amounted to as much as an hour to an hour and a half daily.

There are obviously thousands of different types of situations involved in this problem. Some of these—perhaps one or two that I have myself mentioned—may well be construed, eventually, as constituting compensable activities or working time. Some of the language on this point in the committee's report accompanying this bill suggests that this may be so with respect to some of these items. On the other hand, the language of the applicable provisions in the bill seems to me subject to interpretation in many ways. The wording of the bill is vague, and I do not see how this approach can really be made clear and precise. Much litigation extending over long periods may be necessary before the terms devised for this bill have been finally interpreted in the courts. Meanwhile standards with respect to working time would be enormously varied and those who wish to take advantage of the interpretation most favorable to themselves would hold a strong competitive weapon against employers who try to comply with the spirit of the basic act.

Even if the proportion of employers who would fail to pay for the many activities involved in this problem in the future should not be greater than the proportion of those who failed to pay in the past, we must still seriously concern ourselves with the effects of such differences in practice or custom on the competitive position of those employers who would pay for such activities. I doubt if many employers realize what the effects of this piece of legislation would be in regard to their competitive position. The cost to one employer, who would, by practice or custom, pay for certain activities, would, in many cases, be much greater than the cost to an employer who would establish certain practices or customs which would preclude compensation for similar activities. When these employers go into the open market to sell their products, the employer who, by his custom or practice paid the full labor bill, would be at the mercy of his competitor, who, by his custom and practice, decided not to pay for similar activities.

Mr. President, I must digress for a moment to point out the fact that one of the great problems we had to face in adopting the Fair Labor Standards Act was that of bringing about a uniform minimum for the whole country. This was objected to. Some sections contended that their whole economy rested upon the fact that they had cheap labor in great abundance. They wanted some sort of differential. It was because of the pressure of those areas where it was thought the economy depended upon cheap labor for the very economic existence of industry that the rate was made so low that no one could be hurt. But the minute we did that, in came other manufacturers saying that the rate must be uniform, that the only way to overcome the competition of the man who maintained low standards was to bring the standards of all up, and make them uniform.

Strange to relate—and yet not strange at all—it will be remembered that President Wilson opposed the establishment of a minimum wage. He said that he was opposed to the principle of the minimum wage because the tendency would naturally be for the minimum to become the maximum, and for employers to rely upon the minimum to hold their wages down rather than to use the minimum for the purpose of raising standards. The adoption of the Fair Labor Standards Act proved that President Wilson was ill-advised and that he did not understand how this system would work, because it did not work in the way he had anticipated. Everyone was glad that it did not work in that way. The minimum has become a real minimum, and not a maximum. But there was fear that if the standards of those sections which had plenty of cheap labor were not brought up to the standards of the rest of the country, they would have an advantage which would last so long that it would bring ill effects upon the rest of the country.

Mr. President, the portal-to-portal pay bill brings us back to the place where the very basis of a uniform minimum would be lost, because each community, and almost each work place, will be the judge of its own standards, after litigation.

In many situations the amount of time and thus the proportion of the wage bill with respect to which competing employers would maintain different standards would be large enough to constitute a crushing burden upon the employer who has been maintaining good standards and who is trying to continue maintaining fair labor standards for the future. Even in the instances in which the proportion of the wage earners' time and thus the proportion of the wage bill involved appears at first view to be small, it may still have a decisive effect in competition. With the possibility of a recession before us and, in any event, with the return of normal operation of supply and demand, the severity of competition experienced in many industries will again become manifest. Competitive industries, which do so much to bring about mass production and consumption of goods delivered to the market place at the lowest practicable prices, operate on small margins. The small amount that the employer who disregards fair labor standards with respect to the activities contemplated in the committee bill, may be able to save by so doing may well represent a major item in relation to the small margins prevailing in his industry. His advantage may thus be decisive, and he may drive out his competitor who by agreement or by practice maintains fair labor standards. In this way, even the situations involving a relatively small proportion of unpaid time for the wage earner may have drastic effects on the maintenance of the type of labor standards that the Fair Labor Standards Act seeks to achieve. It is obvious that where large proportions of unpaid time are involved in the activities to which the committee bill would apply, the effect on standards can be disastrous.

The Fair Labor Standards Act was enacted to establish fair competitive practices. The measure before us would eliminate the principle of fair competition.

Mr. President, one phrase which is used oftener than any other phrase in the political language of our country, especially by those on the other side of the aisle, is the phrase "free enterprise." Free enterprise implies competition. The theory of free enterprise rests upon the fine, old ideas of that great master of all thinkers, Adam Smith. He spoke of what is called the law of supply and demand, by which, if things are left alone, it is believed that they will seek what was thought 100 years ago to be their natural level.

Mr. President, I do not suppose that very many people in the United States know how difficult it is to define "free enterprise" and write it as a guaranty into law. I doubt very much whether many people in the United States know that such an attempt has been made, and that it was made by a group of Senators who believe in free enterprise, but who do not talk much about it. There is in the law itself a definition of what constitutes free enterprise.

It seems to me that we should sometimes refer to the law of the land in attempting to define that phrase, and not merely use a phrase which is meaningless, a phrase which describes some idealistic condition which never has existed, although we hope that some day it will exist. It is ethereal in its hope and in its aspiration. But there is a type of economic procedure which rests upon fundamental theories of good American practice, based upon certain laws of the land, such as the Fair Labor Standards Act, which lays down the principle of trying to protect those in our economic life who are in a weak condition.

Mr. President, when the Surplus Property Act was passed there was so much demand that surplus property be sold in such a way that it would protect our free enterprise that it was suggested, perhaps by the Senator from Alabama [Mr. HILL] who was one of the members of the committee on conference, that we try to write into the act an objective based upon the notion of free enterprise.

That it has never been read, never been discussed, and never been used as a definition is a great surprise to me, because I thought this collective effort on the part of a group of Senators who wanted the American economic system to be made a model in business affairs should become a part of the law and should be reduced to writing, if possible. I suppose everyone knows the law is in existence, but I do not think everyone knows that an attempt was made to define free enterprise. So I shall read into the record, the objectives of the Surplus Property Act, because, as I said before, I believe it contains the best definition I have ever seen of what constitutes in practice free enterprise in the United States, under our American economic system. It reads as follows:

The Congress hereby declares that the objectives of this act are to facilitate and regulate the orderly disposal of surplus property so as—

Here comes definition of "free enterprise." It is not mentioned, of course, but I think this is the first attempt to state the definition in one of our laws:

(a) to assure the most effective use of such property for war purposes and the common defense.

The property belongs to the people of the United States. It was bought for a purpose, and it should be used for that purpose, when it can be, by the people of the United States. That is a part of the free-enterprise system.

(b) to give maximum aid in the reestablishment of a peacetime economy of free independent private enterprise, the development of the maximum of independent operators in trade, industry, and agriculture, and to stimulate full employment.

Mr. President, the country has accepted the full-employment theory, as many other countries have, since the great declaration in Philadelphia in 1944. Here is something which was our first response to that declaration:

(c) to facilitate the transition of enterprises from wartime to peacetime production and of individuals from wartime to peacetime employment.

(d) to discharge monopolistic practices and to strengthen and preserve the competitive position of small business concerns in an economy of free enterprise.

That is made a basic objective of the law.

(e) to foster and to render more secure family-type farming as the traditional and desirable pattern of American agriculture;

(f) to afford returning veterans an opportunity to establish themselves as proprietors of agricultural, business, and professional enterprises;

(g) to encourage and foster postwar employment opportunities;

(h) to assure the sale of surplus property in such quantities and on such terms as will discourage disposal to speculators or for speculative purposes;

(i) to establish and develop foreign markets and promote mutually advantageous economic relations between the United States and other countries by the orderly disposition of surplus property in other countries;

(j) to avoid dislocations of the domestic economy and of international economic relations;

(k) to foster the wide distribution of surplus commodities to consumers at fair prices;

(l) to effect broad and equitable distribution of surplus property;

(m) to achieve the prompt and full utilization of surplus property at fair prices to the consumer through disposal at home and abroad with due regard for the protection of free markets and competitive prices from dislocation resulting from uncontrolled dumping;

(n) to utilize normal channels of trade and commerce to the extent consistent with efficient and economic distribution and the promotion of the general objectives of this act (without discriminating against the establishment of new enterprises);

(o) to promote production, employment of labor, and utilization of the productive capacity and the natural and agricultural resources of the country;

(p) to foster the development of new independent enterprise;

(q) to prevent insofar as possible unusual and excessive profits being made out of surplus property;

(r) to dispose of surplus property as promptly as feasible without fostering monopoly or restraint of trade, or unduly disturbing the economy, or encouraging hoarding of such property, and to facilitate prompt redistribution of such property to consumers;

(s) to dispose of surplus Government-owned transportation facilities and equipment in such manner as to promote an adequate and economical national transportation system and

(t) except as otherwise provided, to obtain for the Government, as nearly as possible, the fair value of surplus property upon its disposition.

Mr. President, I repeat that I have read that portion of the Surplus Property Act because I think it is well for us to define the terms we use. If we do so, I believe we shall find that in connection with this amendment if we attempt to destroy the competitive process we shall destroy, surely, free enterprise in the United States.

Therefore, Mr. President, the pending measure would eliminate the principle of fair and free competition; it would result in a break-down of standards, first in the unorganized establishments, and eventually in the organized establishments, for it would spread to them under competitive pressures by the small but powerful minority which would take advantage of every loophole provided by this measure. The rate at which that break-down would occur would be far more rapid than some persons might suppose. It would take place even if there were no business recession, and, of course, it would be greatly accelerated if an economic recession began. It must be remembered that every year some fifty thousand new enterprises start business, subject to the coverage of the Fair Labor Standards Act. Many thousands of these are in fields in which entry is relatively easy, but in which competition is savage. These thousands of new firms would be able to start at the lowest standards that their managements could impose upon their employees, because of the permission given in this bill for firms to be free of future liability if they establish practices under which they do not pay for many types of employee activities. Each year many thousands of new establishments would be added to the group undercutting the labor standards now maintained by long-established firms. There would be an ever-mounting pressure of the low standards against the fair standards. In labor standards, as in other things, the cheap currency would tend to drive out the good currency. The good work and hard work done in the past 8 years in establishing fair labor standards would be threatened, and might well be lost.

Another provision of this bill would, in my opinion, also have a crippling effect on the Fair Labor Standards Act. I refer to the provision for a 2-year statute of limitations to apply to employee suits. I should like to emphasize again that one of the purposes of the Fair Labor Standards Act was to place a floor under wages, so as to provide a more nearly adequate income for the lowest-paid workers. One of the purposes of section 16 (b) of the act was to insure the workers a means of obtaining the wages due them as a result of violations of the act by their employers. At the present time there is no statute of limitations in the act, and enforcement is governed by State statutes of limitation. These State statutes of limitation, governing Federal legislation, range from 1 to 12 years. In the last few years some States have lowered the periods for recovery under the act. None has raised the time limit for such suits. In discussing this problem in his annual report to Congress, the Administrator of the Wage and Hour and Public Contracts Divisions of the Department of Labor recommended the enactment of a reasonable statute. With your permission, Mr. President, I should like to read pertinent paragraphs from the

Administrator's report which was transmitted to the Senate on January 2:

Varying State standards give competitive advantages to violators in States with restrictive statutes of limitation and penalize many workers in the collection of wages legally due. Thus, the covered employee in Massachusetts has rights of recovery of unpaid wages under the act for a period of 6 years, the covered employee in North Carolina for a period of 3 years, and the covered employee in Alabama has this right for a period of only 1 year.

This lack of uniformity thwarts the purpose of the act to eliminate unfair competition resulting from substandard wages and hours from interstate commerce and the channels of interstate commerce. Moreover, the legal limitations set in some States threaten to undermine the rights of employees in need of the protection of the act (the low-paid, unorganized workers) by denying some of them the right to collect wages legally owed them, the minimum wages which the law guarantees them. Also, the undermining of the rights of these low-paid employees threatens to lower labor standards throughout the country. The passage of a reasonable staute of limitations to apply uniformly to all suits brought as a result of violations of the act would eliminate these evils.

Mr. President, the Administrator recommended in his annual report, and also before the Judiciary Committee, in connection with the now pending legislation, that the Congress enact a 3-year statute as the shortest period which would be fair to both employer and employee, and consistent with the present rights of employees and obligations of employers under the act.

In my opinion, a 2-year statute of limitations would be inadequate. As the Administrator stated in his annual report, there is inevitably a lapse of time in going through the preliminary motions of finding out whether there is a violation, and, if so, whether the employer is willing to adjust it without suit. In many cases, the employee would not have time to file a suit to collect the back wages legally due him, until 7 or 8 months had elapsed. So if we enacted a 2-year statute of limitations, the employee could collect his back wages for only 17 or 18 months. Let me emphasize that such wages would be legally owed and legally due. They have nothing to do with portal-to-portal questions. They may be due because of failure of an employer to pay the statutory minimum wage of only 40 cents an hour.

I wonder, Mr. President, whether we have considered this question from all angles. I wonder whether the proponents of this provision to limit to a 2-year period a worker's right to collect back wages illegally withheld from him are willing to enact legislation which would protect the worker from suits for longer than a 2-year period. The grocer, the butcher, the small-loan company can sue the worker for a period of from 5 to 6 years. Then why limit the worker to a period of 2 years for recovery of his wages—wages which are a debt of his employer. Again, let me point out that I am talking about wages due. There is no portal-to-portal issue here. It is simply a question of wages owed by an employer to his employee. Why limit such recovery to 2 years?

Mr. President, I have argued against a 2-year statute of limitations, for I regard it as inadequate for proper enforcement of the statute; I have contended that the measure under discussion would result in practically endless litigation, with resultant general unrest in the industrial world; and I have pointed out that this proposed legislation would eliminate the uniform minimum standards of employment as to minimum wages and overtime established by the Fair Labor Standards Act. Thus far, my arguments have been aimed against particular language in the pending bill.

Now I should like to direct my arguments into a more constructive channel. No one is more desirous of reaching a solution to these portal-to-portal questions than I am, but I am not willing to reach such a solution at the expense of hamstringing the future effectiveness of the Fair Labor Standards Act. Whatever we do we must not weaken the Fair Labor Standards Act itself. It is part of the lifeblood of our industrial economy. It is here to stay for the protection of workers and for the guarantee of fair competitive practices among employers. Rather than weaken such legislation, we must strengthen it. I will support any bill which would solve these portal-to-portal questions fairly, and which would at the same time strengthen the Fair Labor Standards Act.

Mr. President, the only way under our governmental processes now in which we are afforded a chance to strengthen the act as it is, is through a test made in the courts, so that I find myself recurring in my argument to what I said in the beginning of my speech this evening.

One way we can strengthen the act, and forestall any such situation as that engendered by the so-called portal-to-portal question, is for the Congress to grant the Administrator power to issue authoritative interpretations of the act which employers can follow with the assurance that they cannot be sued retroactively in the event a court overrules the interpretations. As the Administrator pointed out in his testimony before the Judiciary Committee, there are many terms in the act which must be defined. It is not practicable to define all of these terms in statutory language. If the Senate should attempt such a task I am afraid we would be sitting in session for weeks upon weeks. Furthermore, it would be enormously difficult to develop satisfactory and uniform definitions. Such uniformity of definition of terms under the act is the proper work of an administrative agency charged with the responsibility of administering such legislation.

The Administrator has recommended that the Congress grant the power to issue such authoritative rulings subject to court review. He has gone further in his recommendations and asked the Congress to lay down broad standards for his guidance in issuing definitions or interpretations.

It is my opinion that if the Congress should grant the rule-making power to the Administrator, subject, of course, to the guidance of Congress and subject to court review, there would be no need whatever for such legislation as is proposed in the committee bill with regard to claims for future liability under the Fair Labor Standards Act.

Mr. President, in concluding my remarks I should like to urge again that this body review the basic purposes of the Fair Labor Standards Act, and that it consider seriously the effect of the proposed measure on that humanitarian piece of legislation. This is no time to cripple a worker's charter with amendments designed primarily for the benefit of employers.

As was said by the Senator from Rhode Island this afternoon, the Fair Labor Standards law was enacted for the benefit of the employees, it was enacted for the purpose of raising their standards of living, it was enacted for the purpose of raising their pay, or reducing their hours, giving them a start in a decent livelihood. Why should any Congress, after 8 years of progress along that line, make a mistake by retarding the growth and development which is taking place?

Instead of thinking in terms of amending the Fair Labor Standards Act downward with respect to the benefits accruing to workers, this body should think in terms of broadening the act by extending its coverage provisions to more low-paid workers who are within the commerce power of the Congress. It should think in terms of raising the hopelessly inadequate minimum wage.

When I say that, Mr. President, I remind the Senate that last year there was reported from the Committee on Education and Labor a bill to raise the minimum wage. The House and the Senate discussed that for some time, and actually adopted the idea, which showed that it was the proper time for increasing the minimum under law. Surely we do not want to go back on that act of just a year ago.

The Congress of 1938 pointed the way. The Congress of 1947 should take another step forward by raising the floor under the statutory minimum wage, by safeguarding the ceiling over hours, and bringing more workers under the protective roof of the act.

Mr. President, I said at the outset, and I repeat, that beginning with the Prevailing Wage Act in 1930 the Congress of the United States set itself on a new course in regard to industry-labor relations. With the act which did away with the ill and wicked use of the kick-back, and deceit on the part of contractors, it took another step.

With the establishment of the National Labor Relations Act, and the test of that act in the Supreme Court of the United States, we changed the theory of the commerce clause of the Constitution and the Federal Government moved into the sphere of industry-labor relations for the good of our country.

With the passage of the Fair Labor Standards Act of 1938 we started upon a new theory. That theory was tested by the highest court of the land, and the Court accepted the theory as being adequate and in accordance with the design and purposes of the Constitution of the United States.

Mr. President, these steps have been taken in a progressive way, and a new labor-industry program has been laid down.

The Committee on Labor and Public Welfare is considering more labor legislation, attempting to correct what are considered evils, but not attempting to move into a sphere to destroy the new rights which the last 10 years have given the people of our country. In the industry-labor conference of December 1941, immediately following Pearl Harbor, the people of the United States put themselves upon a higher plane than ever in regard to industry-labor relations. From that conference, made up of representatives of the Government, representatives of industry, and representatives of labor, there came a pledge and a promise, which in the main have been observed, and which have set new ideals and made for new practices.

That which was done in 1941 should have become the new constitution for future industry-labor relations. We have gone back on that, Mr. President. The industry-labor conference in the fall of 1945 failed primarily because we slipped back and attempted to do something contrary to or not wholly in keeping with the spirit of the agreement of 1941.

Mr. President, the question now faces the Senate, Are we going forward step by step with further evolution and further development, until we have in our country the industrial peace that everyone wants, the industrial understanding which takes care of those who are exploited, the industrial arrangement which gives every worker a chance for a half-way decent American life?

We have heard much of free enterprise, and I have gone to the trouble of reading the law of the land on that subject. Are we going to step back and not live up to the ideals which were expressed in the fall of 1944, when we passed the Surplus Property Act? Mr. President, that is the big question. Shall we go forward or shall we go backward? I for one am very proud of what has been accomplished in the last 10 years in our industry-labor relations, and say we shall go forward; and if the Senate attempts to destroy the gains that have been made for the underprivileged in our country, for the handicapped worker, for child labor, for those who have been exploited because of low wages, and overworked because of long hours, I say that if the Senate starts the trend back again, it will be repudiated by the people of this country in no uncertain terms the next time the people have a chance to speak.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska [Mr. WHERRY] as a substitute for certain language commencing on page 20, line 20.

Mr. DONNELL. Mr. President, I desire at this time to offer an amendment to the amendment proposed by the Senator from Nebraska. The amendment which I offer is to insert in line 1 of his amendment quotation marks immediately preceding (d), and, second, by striking out, in said line 1, the words "liability nor." May I, Mr. President, briefly state the reasons for the proposed amendment to the amendment of the Senator from Nebraska?

Mr. LANGER. Mr. President, will the Senator yield for a moment?

Mr. DONNELL. I yield.

Mr. LANGER. Would the Senator read the amendment as proposed to be amended?

Mr. DONNELL. I will ask that the clerk read it.

The PRESIDING OFFICER. The clerk will read the amendment as proposed to be amended.

The LEGISLATIVE CLERK. The amendment, with the proposed modification, reads as follows:

On page 20, beginning in line 20, strike out all down to and including line 18 on page 21, and insert in lieu thereof the following:

"(d) Neither punishment under section 15 or 16 (a) of this act, nor liability for an additional amount as liquidated damages under 16 (b) of this act, shall be predicated on any act done or omitted in good faith, prior to, on, or after the date of enactment of the Portal-to-Portal Act of 1947, in accordance with or in reliance on any regulation, order, interpretation, or ruling of the administrator in writing, notwithstanding the fact that such regulation, order, interpretation, or ruling, after such act or omission, is amended or rescinded or is determined by judicial authority to be invalid or without legal effect.

"(2) No liability for an additional amount as liquidated or other damages under the Walsh-Healey Act shall be predicated on any act done or omitted in good faith, prior to, on, or after the date of enactment of the Portal-to-Portal Act of 1947, in accordance with or in reliance on any regulation, order, interpretation, or ruling of the Secretary of Labor or any Federal official utilized by him to assist in the administration of the Walsh-Healey Act, in writing, notwithstanding the fact that such regulation, order, interpretation, or ruling, after such act or omission is amended or rescinded, or is determined by judicial authority to be invalid or without legal effect."

Mr. DONNELL. Mr. President, the reason for the insertion of quotation marks which I desire is that the language set forth in subdivision (d), beginning the words "neither liability nor punishment" is language to be inserted in the Fair Labor Standards Act. If the quotation marks were not inserted, the amendment would be an amendment to the Portal-to-Portal Pay Act of 1947. In order to make it clear that the contemplated amendment of subdivision (d) is an amendment to the Fair Labor Standards Act of 1938, it is necessary that the quotation marks be inserted.

Mr. President, the reason for the motion to strike out of line 1 the words "liability nor," I shall endeavor to explain as briefly as possible. It will be recalled that this subdivision (d) relates to acts done or omitted in good faith in accordance with or in reliance on certain regulations, orders, interpretations, and so forth. It was my intention, as I shall note, from various references in the RECORD of yesterday, that subdivision (b) should provide in substance that neither criminal liability under section 15 or 16 (a) of the act, nor liability for an additional amount as liquidated damages under section 16 (b) of the act should be predicated on the acts done or omitted in good faith as recited further in the subsection (d).

My observations along that line I shall mention in a moment. This afternoon in the course of the remarks made by the distinguished Senator from Nevada [Mr. MCCARRAN], I understand that he took the view that, as worded, subsection (d), in referring to "neither liability nor punishment" under section 15 or 16 (a) of the act, would be susceptible of the interpretation that it would virtually nullify the provisions of sections 6 and 7, and possibly other sections, of the Fair Labor Standards Act, due to the fact that section 15 makes it illegal to violate any of the provisions of section 6 or section 7, and of various other sections of the Fair Labor Standards Act mentioned in that portion of section 15.

Mr. President, on consideration of the point which I understand was in the mind of the Senator from Nevada, and by him expressed, I think there is at least an ambiguity in the language of the bill, in section 10, line 20, thereof, and consequently an identical ambiguity in the language appearing in line 1 of the so-called Wherry amendment. It will be observed that in line 1 of the Wherry amendment—which, by the way, is language which was not prepared by the Senator from Nebraska, but had been previously prepared by or on behalf of the Committee on the Judiciary and was adopted by him in his amendment—it will be observed, I say, that the sentence begins as follows:

Neither liability nor punishment under section 15 or 16 (a) of this act—

And so forth. Which would obviously lead to the very legitimate argument, and, in my judgment, probably the correct argument, that there is a distinction made between liability and punishment in that language. Thus, it might be well argued that subsection (d) appearing at lines 20 and following on page 20 of the bill might mean that liability independently of either liability for liquidated damages or liability for punishment of a criminal nature was being released from persons who acted in good faith on rulings of the Administrator.

Mr. President, as I said a moment ago, it had never been my intention that any such result should follow. My intention was solely that by the language in subsection (d) neither criminal liability under section 15 or 16 (a) of the act nor liability for an additional amount as liquidated damages under section 16 (b) of the act shall be predicated on an act done or omitted in good faith in accordance with the terms of said subsection (d).

I call attention, Mr. President, in this connection to the following language appearing at page 2184 of the CONGRESSIONAL RECORD of March 18. I had addressed myself at this point to a new subsection to read as follows:

(d) Neither liability nor punishment under section 15 or 16 (a) of this act—

I digress, Mr. President, to point out that that is the language which appears

in line 20 of page 20 of the measure before the Senate and is a part of section 10. I then interpolated, after quoting that much of the language of that section, the following observation:

I interpolate that the liability and the punishment under those two sections are the criminal liabilities referred to in section 16 (a)—

And then I proceeded to read the entire subsection (d).

Later on, Mr. President, on page 2185 of the RECORD, is the following language in the middle of a sentence:

The Administrator issues a ruling, even though it be not binding, the man ought not be subject either to criminal liability or to liquidated damages, in the event he has relied upon the ruling of the Administrator.

Following this observation, Mr. President, occurred the following colloquy:

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. DONNELL. I yield to the Senator.

Mr. LUCAS. I agree with the Senator that, where an individual in good faith relies upon a ruling of the Administrator, he should not be subject to criminal or civil action thereafter.

Mr. DONNELL. Pardon me. The Senator, I think, means criminal liability or civil liability for liquidated damages.

Mr. LUCAS. That is correct; that is what I am talking about.

Again, Mr. President, on page 2186 of the RECORD, appears the following:

Mr. DONNELL. Mr. President, I thank the Senator from Nebraska. I want to call to his attention, so that there will not be any possible misunderstanding, to the fact that the only exemption from liability or punishment that is granted even by the amendment which the Senator has submitted is from criminal liability or liability for liquidated damages.

Mr. WHERRY. I understand that.

Mr. President, it is obvious, I think, from what I have read that the clear intent of the committee and the clear intent of myself was that the language "liability nor punishment under section 15 or 16 (a) of the act" should not extend further than criminal liability. In other words, to illustrate, if an employer had received a ruling from the Administrator that the employer was not covered by the Fair Labor Standards Act, and he should have thereafter paid his employees 15 cents an hour, it was not my intention that if it subsequently should develop that the employer was covered by the Fair Labor Standards Act he should be exempt from the payment of the difference between 15 cents and 40 cents. It was my intention solely, as indicated clearly here, that only in the case of criminal liability and in the case of an additional liability for liquidated damages, which is time and one-half over again for overtime, should there be any release of an employer from liability on account of acting in good faith in accordance with or in reliance on any regulation, order, interpretation, or ruling of the Administrator.

So, Mr. President, in order that the point made by the distinguished Senator from Nevada, which I think was an excellent point to present to the Senate—though I think possibly there may be some argument on the other hand—in order that any possible ambiguity may be removed, I respectfully move the adoption of the amendment which I have proposed to the Wherry amendment, and I read it again as follows:

Amend the amendment proposed by Mr. WHERRY to H. R. 2157:

(a) by inserting, in line 1 of the amendment, quotation marks immediately preceding (d); and

(b) by striking out, in said line 1, the words "liability nor."

The PRESIDING OFFICER. The question is on the amendment of the Senator from Missouri to the amendment of the Senator from Nebraska.

Mr. McCARRAN. Mr. President, there has just come to my hand the Journal of Commerce of Wednesday, March 19, 1947, dealing with the subject which the Senate has before it now, and I read as follows:

SENATE PORTAL PAY BILL CONFUSES ISSUE, INDUSTRY CRITICS CHARGE

WASHINGTON, March 18.—New objections to the pending Senate portal pay bill cropped up today, voiced by spokesmen for groups which have the largest stake in its success.

Industry representatives here disclosed their fear that the measure in its present form may turn out to be as bad or perhaps worse than the situation it is aimed at correcting.

The intent of the bill—to wipe out portal pay suits—is wholly endorsed, they pointed out, but the method proposed appears to be full of loopholes.

This charge was made as debate on the measure moved slowly through its third day, with the prospects of reaching a final vote before late tomorrow growing increasingly dim.

LANGUAGE DISPUTED

Industry attacks on the pending bill, as written by the Senate Judiciary Committee, centered around the contention that it means one thing but says another. The language used in certain crucial sections, it is claimed, appears to invite even more portal pay suits.

The disputed language does not appear in the House portal pay measure, known as the Gwynne bill, and may yet be removed in a joint conference after passage of the Senate legislation. Nevertheless, it is claimed the latter now appears to "freeze" the Supreme Court's Mount Clemens decision, rather than correct it.

Specifically, the argument boils down to this:

In its report on the bill the Judiciary Committee observed that "the particular time at which the employee commences his principal activity or activities and ceases them constitutes the beginning and the end of his workday."

Then the report proceeds to illustrate the meaning of "principal activity or activities" through examples in which employees are said to be at work when they:

1. Oil, grease, or clean a machine, such as a lathe, before putting it into operation, and

2. Report 30 minutes early to distribute material to be worked on during the scheduled shift.

SEES RACE STARTED AGAIN

In the words of an employer spokesman, who declined to the use of his name, "This simply starts the old rat-race all over again." If the measure becomes law—with its present legislative history—employees will be able to sue for time now characterized as portal-to-portal, it is claimed.

By thus stipulating that certain preparatory activities are to be paid for by employers, the legislation would appear to reiterate the principle already laid down by the high court, and probably would be so argued by unions, the bill's critics maintain.

A similar criticism was made by Senator HENRY CABOT LODGE, JR. (Republican, Massachusetts), who contended that the bill attempts to define portal time by exclusion, rather than settling down specific limits on what now is to be considered compensable activity.

The contention was denied, however, by Senator FORREST C. DONNELL (Republican, Missouri), chairman of the Judiciary Subcommittee which wrote the bill, and who concluded today a lengthy explanation of the measure begun in the Senate last Friday.

In his final remarks, Mr. DONNELL disclosed that he has prepared an amendment to the measure which more completely defines the circumstances under which an employer can plead a defense against a back-wage suit because he acted in good faith under Wage and Hour Administration rulings.

The amendment largely is concerned with specifying that the order, rule, or regulation relied on must be in written form.

In a speech following shortly afterward, Republican whip KENNETH WHERRY, of Nebraska, told the Senate that he preferred the Gwynne bill to the one being debated because the latter did not go far enough.

I wished to draw the attention of the able chairman of the subcommittee [Mr. DONNELL] to the expressions occurring in this publication. This is an industrial newspaper, and the spokesman for the employers. If they are now perplexed as to what we are doing, certainly it is time for the Judiciary Committee to take the bill back and review the entire question again, and see if we cannot report a bill which will at least do something toward relieving the situation.

Mr. DONNELL. Mr. President, I thank the Senator for giving us the views expressed in the Journal of Commerce. I observe that nothing in what he has read indicated what representatives of industry gave the interview, or what industries were concerned in the interview.

The various points which have been mentioned are very similar to the points which were presented this afternoon by the Senator from Nevada and the Senator from Rhode Island. I can assure the Senator that each and every point mentioned in that article will be taken up and answered decisively on the floor of the Senate before a vote occurs upon either the amendment offered by the Senator from Nevada and the Senator from Rhode Island or upon the bill itself.

We have nothing to be ashamed of in the bill. The bill is the result of hard, diligent labor over a period beginning approximately January 12, 1947. We are able to defend the bill on the floor of the Senate against any attack that has been made or can be made against it. However, I shall not at this hour, 25 minutes to 10, undertake to answer in advance the argument which I understand the distinguished Senator from Nevada proposes to make with respect to his amendment. I have no doubt that we shall fully develop at that time the points which he makes with respect to it. They will receive careful, considerate, and deliberate attention before the Senate, in the effort to show the answer to each and every one of the points he shall make.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. McCARRAN. I do not wish to interrupt the Senator. He has been exceedingly courteous to me. I hope he will understand that my interruption is not at all intended to interrupt the train of his thought. However, the Senator expressed the truth when he said that the subcommittee had labored long. I wonder if the Senator remembers that something has been said about a mountain having labored once upon a time. Has the Senator thought of that?

Mr. DONNELL. I appreciate the very kind remark of the Senator, and particularly the inference which is sought to be drawn. It was stated on the floor of the Senate this afternoon that nine separate drafts of this bill had been made by the subcommittee. I think that is correct. In addition, I may say that I think the subcommittee deserves credit for frankness and honesty when it develops that some time ago there was brought back to the Committee on the Judiciary the first bill which was reported. It was brought back at the instance of the subcommittee, which felt that the bill could be materially improved. Since that time the members of the subcommittee, assisted by other members of the Judiciary Committee itself, have labored long and diligently.

So far as the mountain which labored and brought forth a mouse is concerned, let me say that this afternoon the Senator from Nevada was kind enough to say that the document which has been produced here, in contrast with the document which he pointed out as having originated in the House of Representatives, has been drawn in what he characterized, as I recall, in a lawyer-like manner. I do not know whether that was meant in sarcasm or not. I take it not, because the Senator from Nevada is himself a distinguished lawyer. Before the American Bar Association in session at Atlantic City a few weeks ago he delivered a notable address which I had the pleasure of placing in the CONGRESSIONAL RECORD. The Senator from Nevada is a great lawyer. We admire his standing, and treasure his contribution to the work of the Senate. Let me say this time, with all the earnestness I possess, that the subcommittee has labored and has brought forth a document which it feels is the best document that can be prepared by the subcommitee, or, so far as we know, by the Committee on the Judiciary.

The Senator was kind enough to say that he did not desire to interrupt the train of my thought. I appreciate that point. I am very glad to have in the RECORD what he read from the Journal of Commerce. Let me say to him that so far as I can see, nothing that was read and nothing that has been said has anything to do with the amendment which I have just offered, namely, an amendment applicable to one line in the amendment offered by the Senator from Nebraska [Mr. WHERRY] to section 10 of the bill.

I renew my motion that the amendment offered by the distinguished Senator from Nebraska be amended, first, by inserting in line 1 of the amendment quotation marks immediately preceding "(d)"; and second, by striking out in the same line the words "liability nor."

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Missouri to the amendment of the Senator from Nebraska [Mr. WHERRY].

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question recurs on agreeing to the amendment offered by the Senator from Nebraska [Mr. WHERRY], as amended.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The question now recurs on agreeing to the committee amendment as amended. The committee amendment is still open to amendment.

Mr. LUCAS. Mr. President, I should like to propound an inquiry to the majority leader as to the length of time he expects to hold the Senate in session?

Mr. WHITE. Mr. President, it had been the hope that we might dispose of this proposed legislation today. It is now perfectly certain that that cannot be done. It then became the hope that we might dispose of the so-called Wherry amendment and the amendment offered by the Senator from Nevada [Mr. McCARRAN] and the Senator from Rhode Island [Mr. McGRATH]. I wonder if that amendment can be disposed of at this time. If it could be promptly disposed of, I think the intention would be to take a recess at that time.

Mr. McCARRAN. Mr. President, if the query was addressed to me, let me say that I understand that some other Senators desire to be heard. I think the Senator from Florida [Mr. HOLLAND] wishes to be heard. I hope that I may not be required to proceed tonight with the discussion of the amendment offered on behalf of the Senator from Rhode Island [Mr. McGRATH] and myself. I have tried to arrange that such discussion shall take place tomorrow. Our observations on the proposed amendment will be presented quite in detail, and perhaps at some length. Some time will be required to present them.

Mr. LUCAS. Mr. President, I understand that the Senator from Florida [Mr. HOLLAND] has an amendment which we may be able to dispose of tonight.

Mr. WHITE. I hope that we shall be able to dispose of the amendment of the Senator from Florida, and I think that when that is done there will be no objection to a motion to recess.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment as amended.

Mr. HOLLAND. Mr. President, it will take only a few minutes to present the facts in connection with my amendment. I understand that my distinguished colleague is ready to proceed tonight, and I shall be glad to yield.

Mr. PEPPER. It may be that not much time will be needed. I do not wish to keep the Senate very late. I shall be glad to have my colleague proceed with his amendment.

Mr. HOLLAND. Mr. President, I offer the amendment which I send to the desk and ask to have it stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Florida will be stated.

The LEGISLATIVE CLERK. On page 19, at the end of line 7, it is proposed to strike out the period and insert a semicolon and the following: "except that, in any State having a statute of limitations of 1 year or more but less than 2 years with respect to such claims, suit to enforce any such claim shall be forever barred unless commenced in a court of competent jurisdiction within the applicable period provided by the State statute of limitations."

On page 19, line 14, before the word "period", it is proposed to insert "2-year."

Mr. HOLLAND. Mr. President, if I had the choice of time, I certainly would not bring up my amendment at this late hour. I hope that the Senate will be indulgent enough to listen to the argument for a very few minutes, because that is all the time I propose to take.

The proposed amendment is offered in an effort to preserve to the State of Florida and six other States which have an identical provision in their laws the benefits which have accrued, at least in the case of my State, as I see it, because of our having a statute of limitations of 1 year applicable to this kind of action.

I wish to call attention to four points in connection with this amendment, and I shall do so very briefly.

First, Florida is not the only State in this situation. The seven States which have similar statutes are as follows: Alabama, Arizona, Colorado, Florida, Louisiana, North Dakota, and South Carolina.

In addition, as I understand, although I have not read the act, the State of Mississippi is in the same situation by reason of the fact, I am told, that their State supreme court has adopted as applicable to its situation a 1-year statute of limitations which is designed to govern all cases of penalty. So really there are eight States, if I am correctly advised, which would be affected by this amendment.

The second point which I make is with reference to the resuults in my own State. I do not presume to speak for Senators from any other States, or even, for that matter, for my distinguished colleague [Mr. PEPPER].

As I have observed results in my own State, it seems to me that they have been exceedingly good. In the first place, the amendment was adopted in 1943. I was one of those participating in its adoption. We had no kind of opposition from any factor of our citizenship, and up to this moment I have not had called to my attention any opposition to this amendment from any person, either a labor leader or any other citizen of our State.

In the next place, that clause in our statute has been the principal reason why we have not had a portal-to-portal suit instituted in our State. The results have apparently been good elsewhere, because on referring to pages 768 and 769 of the printed record of the hearings before the very able subcommittee I note

that only four States are shown to have had no portal-to-portal suits instituted, and those four States are States which have 1-year statutes of limitation. They are, as shown by the record upon which I rely, the States of South Carolina, Florida, Louisiana, and North Dakota. I notice, likewise, that the Federal districts other than those four States in which there have been no suits instituted lie almost entirely in other States in which 1-year statutes of limitation apply.

So it would appear, Mr. President, that this measure has been one which has been conducive to peaceful relations rather than otherwise; and in view of the total absence of any complaint, at least in my State, I am hopeful that we may be able to continue the peaceful relations by making this particular provision applicable to the States which are affected.

I may say, Mr. President, that this result would be accomplished, as to the portal-to-portal suits which may be brought up to date by the passage of the bill, by the second paragraph on page 19 of the printed bill, which includes not only the 2-year statute of limitations, but includes also the protection of any other statute of limitations. I am now referring to the committee amendment. The amendment here proposed reaches the same conclusion with reference to the future period of time which will lie ahead after the enactment of the bill if it be enacted.

The third point which I wish to bring out is that the House bill, upon which the Senate committee's action was predicated in the first place, had a 1-year provision which, if it were enacted, would apply to all cases and in all States. I am not advocating a return to that situation, because I take it that there was good reason why the committee departed from the philosophy embraced in the House bill. I do not wish to be offensive to anyone, but I feel that there is good reason for the continuance of the 1-year statute of limitations by the States which have adopted it.

In addition, it seems to me that perhaps the principal point which I could make—and this is the fourth point that I make—is that there is no question of new procedure or new philosophy engrafted upon this important bill; and certainly I do not want to hurt the bill in its important and essential qualities by the adoption of a statute of limitation which is not uniform in all the States.

The distinguished Senator from Missouri [Mr. DONNELL] brought out in his argument yesterday the question of uniformity. I call his attention and that of other Senators to the fact that from its very inception the Fair Labor Standards Act has not been uniform in operation, but by its terms has recognized States' rights, State enactments, and disparities in State laws in all three of the important fields in which the act operates. I quote briefly from section 18 of the Fair Labor Standards Act:

SEC. 18. No provision of this act or of any order thereunder shall excuse noncompliance with any Federal or State law or municipal ordinance establishing a minimum wage higher than the minimum wage established under this act or a maximum workweek lower than the maximum workweek established under this act, and no provision of this act relating to the employment of child labor shall justify noncompliance with any Federal or State law or municipal ordinance establishing a higher standard than the standard established under this act.

In other words, Mr. President, it is quite apparent that in all three of the fields of operation of this act—namely, minimum wages, maximum hours, and child labor—from the very beginning the philosophy of this act has allowed recognition of the fact that States have enacted measures which were different from this measure, and has allowed those differences to be reflected into this very measure.

So, Mr. President, as we come now to the time when apparently there is behind this measure a feeling that divergent statutes have, in many cases, been too long in operation—some of them running as long as 8 years—and when very evidently an effort is being made to correct that situation by going to a much lower limitation and a much shorter requirement—namely, 1 year in the original House bill; 2 years in the committee substitute; and 3 years in the substitute which I understand will be offered tomorrow by the distinguished Senator from Nevada [Mr. MCCARRAN], and the distinguished Senator from Rhode Island [Mr. MCGRATH]—it is quite apparent that in the conception of all these proposals we are moving toward a shorter time limit. Some of the States heretofore have moved to a shorter limitation—although in no instance to less than 1 year; and I am not attempting here to take care of the two instances in which efforts have been made to reduce the limitation to below 1 year. Inasmuch as some of the States have moved to a 1-year limitation and have enjoyed a relative freedom from industrial disputes largely because of that fact, I am hopeful that their interest in this field may be recognized by the adoption of this amendment by the Senate.

Mr. President, without taking further time, I simply state again my hope that the Senate will adopt the amendment.

The PRESIDENT pro tempore. The question is on the amendment submitted by the junior Senator from Florida [Mr. HOLLAND].

Mr. MORSE. Mr. President, I wish to speak briefly in opposition to the amendment offered by the distinguished junior Senator from Florida.

I point out, first, that I think the underlying principle of his amendment involves a very unsound economic principle. I think we need to recognize, first, that the Fair Labor Standards Act was passed as a national policy. It was the decision of the Congress that it should set up such minimum standards for the protection, on a Nation-wide basis, of the people who fall within the terms of the act. That was the substantive part of the law.

I think the Congress needs to keep in mind at all times that it is impossible to separate substantive and procedural rights, because when we establish a variation in procedural rights, we thereby change, to the extent that procedural rights affect substantive rights, the substantive rights of the people of the States that have a more advantageous procedure than do other States.

The second point I wish to make, Mr. President, is that if we are going to work in the direction of uniformity in respect to substantive rights, then in the administration of a Federal statute I think there should also be uniformity in procedural rights and remedies. Of course, the proposal made by the junior Senator from Florida, depending upon which way it is looked at, gives an advantage either to employers or to workers in States, according to the differences in the statutes of limitations in the States in which they live, insofar as the statutes would be applied to the Federal law to which the amendment of the Senator from Florida relates.

Of course, there are many results from such variations, Mr. President. I shall not labor the point; but one could argue that, of course, they give a certain competitive advantage to employers in States with a short statute of limitations, to the degree that a short statute of limitations may be to their advantage as employers, insofar as running the risks of liability under a statute is concerned.

But it seems to me that the point we should emphasize above all else is that if we say to American employers, under the Fair Labor Standards Act, "It shall be the policy of this Government to impose upon you these duties and liabilities," then the enforcement of those duties and liabilities should be uniform from coast to coast and from north to south.

Of course, Mr. President, what the proposal of the junior Senator from Florida seeks to do is, not to have uniformity in the administration of the act procedurally, but to have marked differences in its administration. I think that is bad legislative policy. I hope the Senate will not adopt the amendment tonight, because I desire to point out that not only in connection with this particular piece of Federal legislation, but in connection with many others, we should be working in the direction of greater uniformity in the procedural-enforcement administration of the law, rather than toward disparity.

Last of all, Mr. President, I wish to call attention to the action which was taken by the Senate, in the Seventy-ninth Congress, in regard to the entire question of the statute of limitations, because there is now on the desk—and I wish to have it considered in due course of time—a written amendment which I shall propose to the amendment intended to be proposed by the Senator from Nevada [Mr. MCCARRAN] and the Senator from Rhode Island [Mr. MCGRATH] in regard to the statute of limitations. My amendment provides that the word "three", in line 5 on page 3 of their amendment, shall be stricken out, and that the word "two" shall be substituted therefor. I mention that now in connection with the amendment proposed by the junior Senator from Florida [Mr. HOLLAND] only for the purpose of pointing out that I think the problem we faced in the Seventy-ninth Congress is again

before us in the Eightieth Congress, in regard to working out a conscionable compromise on the entire question of a statute of limitations under the Fair Labor Standards Act.

In the Seventy-ninth Congress, as in this Congress, there was considered the so-called Gwynne bill, which proposed a 1-year statute of limitations amendment to the Fair Labor Standards Act. That measure was before the Senate Committee on Education and Labor, and my colleagues on the floor tonight who were members of the Committee on Education and Labor in the Seventy-ninth Congress will recall that a series of compromise proposals were made in executive sessions of that committee, and it was the junior Senator from Oregon who suggested that probably the most conscionable compromise or the fairest compromise we probably could reach would be one providing for a 2-year statute of limitations. The junior Senator from Oregon proposed the compromise in that committee in the Seventy-ninth Congress. He has thus taken a position on that compromise, and he renews the compromise in the Eightieth Congress, because he is on record in regard to it.

Mr. President, I listened with great interest to the very able speech delivered this afternoon by the Junior Senator from Rhode Island [Mr. McGRATH]—a speech which has left me in considerable doubt as to what my final position will be on this proposed legislation. I wish to say that although he gave a number of reasons in support of his proposal for a 3-year statute of limitations, nevertheless I think the practical situation which faces us from the standpoint of a legislative compromise cannot be ignored, and I do not think labor will in any serious way be injured by a 2-year statute of limitations. A drive will be made again, this time for a 1-year statute of limitations, such as is provided for in the Gwynne bill; and I think we should meet that issue now by remaining united, here in the Senate, in favoring a 2-year statute of limitations proposal.

I have talked to a good many leaders of industry who have told me that they think it is a fair compromise, that they themselves think the 1-year statute of limitation to which the Senator from Florida refers, insofar as his State statute of limitations is concerned, is too short a period of time to protect the legitimate and fair rights of labor as they exist under the Fair Labor Standards Act. Likewise a good many people who speak for labor have told me, off the record, that they cannot raise any serious objection to a compromise of 2 years.

Hence I hope, Mr. President, that as we come to cast a final vote on the portal-to-portal legislation, we will recognize, as we recognized in the Seventy-ninth Congress, that a 2-year statute is a fair, reasonable, and conscionable compromise of the statute of limitations problem, and that the amendment which I have on the desk, and which will be offered in due course of time, when it is in order, to the substitute of the Senator from Nevada and the Senator from Rhode Island, will be adopted insofar as it proposes to substitute 2 years for 3 years in the substitute.

I close, Mr. President, by reiterating that I think the amendment offered by the Senator from Florida is unsound from the standpoint of good legislative practice, when it comes to the problem of providing a uniform procedure in the administration of Federal legislation. I think it is unfair to put the workers of Florida at a disadvantage as compared with the workers of other States who have a right to their remedy under a 3-year statute of limitations. I think we should say to the workers that when it comes to the procedure to be applied to Federal legislation it shall be uniform throughout the entire country.

Hence I hope the Senator's amendment will be voted down, and that we will then come to the question as to what particular statute of limitations, on a uniform basis, shall be provided in the final legislation. I sincerely hope it will be a compromise on 2 years.

Mr. DONNELL. Mr. President, the Senator from Oregon has so clearly expressed his view that there remains but little to be added with respect to the matter of uniformity.

I wish to call attention to the fact that I not only thoroughly agree with the Senator from Oregon as to the desirability and importance of uniformity, and therefore cannot support the amendment offered by the distinguished Senator from Florida, but also that my view and the view of the Senator from Oregon are not confined to him and myself. There has been mentioned frequently on the floor during the debate Mr. L. Metcalfe Walling, who until very recently was the Administrator of the Fair Labor Standards Act. I quote these three sentences from his testimony before the subcommittee. He said:

> I shall not repeat the detailed justification for such a uniform statute which I presented to the House Judiciary Committee 2 years ago. It is not necessary any longer to justify a uniform Federal statute of limitations. Events have proven ample justification. The only question at issue is the period which should be provided.

I think, Mr. President, that the views of Mr. Walling are entitled to great weight. While we may not agree with him as to the period, nevertheless, as to the matter of uniformity, certainly there is sound judgment and excellent merit in the suggestion which he makes.

Then I refer to the fact that Mr. Abt, special counsel for the Amalgamated Clothing Workers of America, testifying at page 162, said:

> We favor writing into the acts a reasonable time limitation on the filing of suits. We believe that such a limitation is necessary in order to secure uniformity throughout the 48 States and to place this Federal question beyond the control of diverse State laws.

Mr. President, the Senator from Oregon has pointed out, on the one hand, as I understand his position, the competitive advantage which an employer has in a State in which there is only a 1-year statute of limitations as compared with the position of the employer in the adjoining States which have a 2-year statute of limitations. If we shall adopt a Federal statute of limitations providing for 2 years, those States which are adjacent to or near the State of Florida, as well as all other States of the Union, except the seven or eight which now have 1-year statutes, will have a period of limitation twice that of the State of Florida and the seven other States. Certainly an employer who is required to look back for only a year to see what his liabilities are is placed in a more advantageous competitive position than is an employer in an adjoining or other State who is compelled to look back 2 years in order to determine what his financial position may be.

On the other hand, with respect to labor, the Senator from Oregon has pointed out the fact that permitting one State's limitation of 1 year to prevail and in other States a limitation of 2 years, gives to the employee in the State having the 2-year statute of limitations an advantage, very great in many cases, over one in the State which has only a 1-year limitation.

Mr. President, mention was made by the distinguished Senator from Florida of the fact that the Fair Labor Standards Act contains section 18 which provides, in substance, that "No provision of this act or of any order thereunder shall excuse noncompliance with any Federal or State law or municipal ordinance," and so forth. I call attention to the fact that the language following that is this, "establishing a minimum wage higher than the minimum wage established under this act or a maximum workweek lower than the maximum workweek established under this act."

So, Mr. President, the provision which the Senator from Florida has suggested with respect to nonuniformity was for some reason placed in the Fair Labor Standards Act, doubtless in order to guarantee greater advantages to labor in States which might have laws more favorable to labor than would be the Federal law.

Yet what the Senator from Florida now proposes is that by a nonuniformity we would say to his State and the other seven States to which this particular provision would apply that labor shall be placed in a less advantageous position than it will be in the other 40 States of the Union.

For the reasons indicated by the distinguished Senator from Oregon, Mr. President, and without in any sense seeking to agree with him as to the change in the period of Federal limitation, I submit that reason in this matter is strongly in opposition to the amendment suggested by the distinguished Senator from Florida.

Mr. HOLLAND. Mr. President, I dislike to find myself in disagreement with the two distinguished Senators who have spoken, but since I am, I should like to answer briefly some of the arguments they have offered.

First, with reference to the point made by the distinguished Senator from Oregon to the effect that he was proposing to offer one or two amendments to the substitute which will be proposed tomorrow by the Senator from Nevada [Mr.

McCARRAN] and the Senator from Rhode Island [Mr. McGRATH], I wish to call the attention of the Senate to the fact that there is lying on the table an amendment to be proposed by me to that particular substitute, which would accomplish the same result, if adopted, that the amendment pending to the committee substitute would bring about.

Second, I should like to call attention again to the fact that the act in Florida was adopted without the objection or opposition of any factor or element whatsoever, and I should like to add that up to this very moment I have yet to receive from any person speaking for labor, or any one else, any objection to the 1-year statute of limitations. To the contrary, Mr. President, our people seem to feel that here is a measure under which we have been able to compose our differences and balance our books, and not have to have heavy contingent liability on a continuing basis for a long period of time, which is the very thing that has caused the trouble that is sought to be corrected by the pending measure.

In the next place, I call attention to the fact that when Senators are arguing for uniformity, they are arguing that this after all is a procedural matter, whereas they are winking at the fact that there is practical nonuniformity in substantial portions of the country, namely, on the questions of hours, wages, and of the details of child-labor provisions of the law.

There is not the slightest doubt in the world that any argument advanced by either of the distinguished Senators to the effect that there would be unfair competitive advantages, if the pending amendments were adopted, is true in much greater measure, if true at all, when it is admitted, by looking at the provisions of the bill themselves, that there is now and has always been from the very beginning nonuniformity in all three of the major fields of coverage of the bill.

I again call the attention of the Senate to the fact that nonuniformity exists, because in the very beginning it was recognized that the experience of the States was valuable and that the action of the States was worth while, that there was still such a thing as State rights in this Nation; and the Congress, enacting the measure some years ago, felt that there should be recognition of experience and progress made by the States in this particular field.

The last point I want to make, Mr. President and Senators, is that under the measure as originally enacted and as existent tonight, and as it will exist up to the time this bill becomes operative, if it does, there is no uniformity whatever on the question of the statute of limitations, because the Federal law contains no statute of limitations. The various States have had statutes running all the way from 6 months to 8 years, and the Nation has lived pretty well for all the years of its existence, with all of that nonuniformity. Now it starts to get away from those extremely long statutes of limitations, and that is one of the purposes calling for the enactment of this act; but I do not feel that purpose alone calls for the neglect of the useful experience which has been had by seven States under statutes, and by one State under court rule, under which 1-year statutes have been found to be helpful, so helpful that there has been a virtual disappearance of any sort of confusion or bickering between industry and labor in the States where those measures exist.

Before I sit down, I want to say to the distinguished Senator from Oregon that I doubt if there are many Senators on this floor who can speak for a labor which showed the qualities that it had in the State of Florida during the war, in that, despite the fact that we had 17 shipyards, despite the fact that we had dozens of factories turning out foods, and many other factories turning out war products, with a total of more than a quarter of a million people working in war industries, we had not one single stoppage for 1 minute, or the delay of one single bit of war products in our State. That is the kind of labor we have there, that is the kind of working together between our working people and those in executive positions, which was maintained during the war.

No, Mr. President, and Senators, I am not here trying to deprive the working people of Florida of anything whatever, but I am simply saying to the Senate that our State has had useful experience under this measure, and that it feels it is entitled to speak of that experience to the Senate, and to ask for the continuance of the benefits which we have already felt under our existing statute of limitations, in which I think we are joined by seven other good States who have had that same experience. I only hope that the Senate will see fit to adopt the proposed amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Florida.

Mr. MORSE. Mr. President, replying to the two points which the Senator from Florida has made in his argument: First, I want to point out that there are no workers who are not covered by the present Fair Labor Standards Act in one State and not in another. It is uniform throughout the country, and the situation is not such that workers in any particular State are covered, while workers in another State are not covered. Let me put it in this way; the lack of coverage so far as substantive rights under the Fair Labor Standards Act is concerned are uniform throughout the country. In my opinion that needs to be pointed out, because I think from what the Senator from Florida has said somebody might misinterpret his remarks to indicate that there is a lack of uniformity throughout the country as to a substantive right under the act.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MORSE. In a second I shall be glad to yield. I think that the Senator from Utah [Mr. THOMAS] in his very able speech today, made very clear why the Fair Labor Standards Act does not cover all occupations in the country. There is a good political reason why that is so: When the act was before the Congress, it could not have been passed if certain exceptions involving certain occupations had not been made, for example domestic service, and agricultural workers. I hope now, however, that we are working in a direction toward increased coverage under the Fair Labor Standards Act, rather than in a direction of producing lack of uniformity in the coverage already within the terms of the act.

What the Senator from Florida is proposing it seems to me, is that when we come to pass upon what type of statute of limitations shall be enacted, by way of amendment to the Fair Labor Standards Act, we should adopt a statute based upon the principle of lack of uniformity, and I say that that will have the effect of producing injustices to workers in certain States.

I may say it is my personal opinion, certainly, that as he says, the Senator from Florida is not trying to work any injustice to labor in the State of Florida; but comparing the effect of a 1-year statute in the State of Florida with a 2-year or a 3-year or a 4-year statute applicable to workers in other States, the effect is that the workers in Florida would not get the same advantage under his proposal as would accrue to the workers in other States that have a longer statute of limitations. I think a fair and reasonable and equitable and conscionable compromise on this matter is a uniform 2-year period, such as I suggested earlier in my remarks.

Mr. HOLLAND. Mr. President——

Mr. MORSE. I am very happy to yield to the Senator from Florida.

Mr. HOLLAND. Is the Senator trying to say that under section 18 of the Fair Labor Standards Act there is uniformity amongst the States of the Nation, either with reference to minimum wages or with reference to maximum hours, or with reference to child-labor provisions?

Mr. MORSE. Certainly, after the terms of the section run. It was so devised as to produce an ultimate uniformity of application.

Mr. HOLLAND. If the Senator will yield further, I must say that either I do not understand him or he has thoroughly misunderstood the provisions of this section of the act. This section of the act provides very clearly that any State having standards different from the Federal standards, but higher as to the minimum wage; different from the Federal standards, but lower as to the maximum workweek; different from the Federal standards, but called here higher in the field of child labor—that such State standards shall apply and they are made applicable under the provisions of this act; which makes it very clear, crystal clear, that there is no uniformity in the three fields of operation of the act, and that there has been none since the very beginning.

Mr. MORSE. I respectfully suggest that I think the Senator from Florida is misinterpreting the act. The Fair Labor Standards Act is uniform in its application of the minimum standards and criteria set out in the act. Those minimum standards are applicable in all States to all employees covered by the act. The Senator from Florida is mistaken if he has the impression that any

lack of uniformity in the act relates to the minimum standards of hours and wages called for by the act. Section 18 to which he refers makes this point very clear. That section reads as follows:

SEC. 18. No provision of this act or of any order thereunder shall excuse noncompliance with any Federal or State law or municipal ordinance establishing a minimum wage higher than the minimum wage established under this act or a maximum workweek lower than the maximum workweek established under this act, and no provision of this act relating to the employment of child labor shall justify noncompliance with any Federal or State law or municipal ordinance establishing a higher standard than the standard established under this act. No provision of this act shall justify any employer in reducing a wage paid by him which is in excess of the applicable minimum wage under this act, or justify any employer in increasing hours of employment maintained by him which are shorter than the maximum hours applicable under this act.

As I read that section it simply says that a State shall have the right to provide standards above the minimum fixed by the Fair Labor Standards Act, but the State cannot pass any legislation which lowers the minimum provided for in the act, whether the State act refers to wages or to hours or to child labor or to any other factors.

The point I want to stress above all else in this exchange with the Senator from Florida is that his amendment does create a lack of uniformity as to procedural rights and a lack of uniformity of procedural rights creates, in effect, a lack of uniformity in the substantive benefits under the act.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Florida to the committee amendment. [Putting the question.] The "noes" appear to have it.

Mr. AIKEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. LODGE. I desire to announce that my colleague the senior Senator from Massachusetts [Mr. SALTONSTALL] is absent because of illness.

Mr. WHERRY. I announce that the Senator from Nebraska [Mr. BUTLER] is absent because of illness. If present and voting he would vote "nay."

The Senator from Wyoming [Mr. ROBERTSON] is absent because of illness.

The Senator from West Virginia [Mr. REVERCOMB] and the Senator from New Hampshire [Mr. BRIDGES] are necessarily absent. If present and voting the Senator from New Hampshire would vote "nay."

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate. If present and voting he would vote "nay."

The Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate because of illness in his family.

The Senator from Maine [Mr. BREWSTER], the Senator from Delaware [Mr. BUCK], the Senator from South Dakota [Mr. BUSHFIELD], and the Senator from Iowa [Mr. WILSON] are necessarily absent.

The Senator from Kansas [Mr. REED] is necessarily absent and is paired with the Senator from New York [Mr. WAGNER].

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], the Senator from Arizona [Mr. HAYDEN], the Senator from Washington [Mr. MAGNUSON], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from New Mexico [Mr. CHAVEZ], the Senators from Texas [Mr. CONNALLY and Mr. O'DANIEL], the Senator from California [Mr. DOWNEY], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from North Carolina [Mr. HOEY], the Senator from Montana [Mr. MURRAY], the Senator from Pennsylvania [Mr. MYERS], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Georgia [Mr. RUSSELL], the Senator from Idaho [Mr. TAYLOR], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Maryland [Mr. TYDINGS] are unavoidably detained.

The Senator from Louisiana [Mr. OVERTON] is absent because of illness.

I announce further that the Senator from New York [Mr. WAGNER] has a general pair with the Senator from Kansas [Mr. REED].

If present and voting the Senator from Louisiana [Mr. OVERTON] would vote "yea."

The result was announced—yeas 23, nays 40, as follows:

YEAS—23

Byrd	Knowland	O'Conor
Ellender	Lucas	Robertson, Va.
Ferguson	McCarran	Stewart
Gurney	McClellan	Taft
Hawkes	McFarland	Wherry
Hickenlooper	Maybank	Williams
Holland	Millikin	Young
Johnson, Colo.	Moore	

NAYS—40

Aiken	Hatch	Martin
Baldwin	Hill	Morse
Ball	Ives	Pepper
Bricker	Jenner	Smith
Brooks	Johnston, S. C.	Sparkman
Cain	Kem	Thomas, Utah
Capper	Kilgore	Thye
Cooper	Langer	Umstead
Cordon	Lodge	Vandenberg
Donnell	McCarthy	Watkins
Dworshak	McGrath	White
Ecton	McKellar	Wiley
Flanders	McMahon	
Green	Malone	

NOT VOTING—32

Barkley	Fulbright	Revercomb
Brewster	George	Robertson, Wyo.
Bridges	Hayden	Russell
Buck	Hoey	Saltonstall
Bushfield	Magnuson	Taylor
Butler	Murray	Thomas, Okla.
Capehart	Myers	Tobey
Chavez	O'Daniel	Tydings
Connally	O'Mahoney	Wagner
Downey	Overton	Wilson
Eastland	Reed	

So Mr. HOLLAND'S amendment to the committee amendment was rejected.

LEAVE OF ABSENCE

Mr. PEPPER. Mr. President, it may be that I shall find it necessary later tonight to make a trip to my State. If I should find it necessary on that account to be absent from the Senate, I ask to be excused for such time as I may be away.

The PRESIDENT pro tempore. Without objection, the Senator's request is granted.

RECESS

Mr. WHITE. Mr. President, considering that we cannot complete this legislation today, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 10 o'clock and 29 minutes p. m.) the Senate took a recess until tomorrow, Thursday, March 20, 1947, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate March 19 (legislative day of February 19), 1947:

UNITED STATES MARSHAL

John Wesley Thompson Falkner IV, of Mississippi, to be United States marshal for the northern district of Mississippi, vice Ira Lamar Morgan, term expired.

SENATE

THURSDAY, MARCH 20, 1947

(Legislative day of Wednesday, February 19, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

O Thou who hast the words of eternal life, help us to cultivate proper speech. Surrounded as we are in this city with noble inscriptions of the plain, stirring words of wise men, may we say what we mean and mean what we say. And may it be worth saying. Teach us economy in speech that neither wounds nor offends, that affords light without generating heat. Bridle our tongues lest they stampede us into utterances of which, later, we shall be ashamed. This we ask in Jesus' name. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, March 19, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 276) to provide for payment and settlement of mileage and other travel allowance accounts of military personnel, and it was signed by the President pro tempore.

CALL OF THE ROLL

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Morse
Baldwin	Hayden	Murray
Ball	Hickenlooper	Myers
Barkley	Hill	O'Conor
Bricker	Hoey	O'Daniel
Bridges	Holland	O'Mahoney
Brooks	Ives	Pepper
Buck	Jenner	Reed
Bushfield	Johnson, Colo.	Robertson, Va.
Byrd	Johnston, S. C.	Russell
Cain	Kem	Smith
Capper	Kilgore	Sparkman
Chavez	Knowland	Stewart
Connally	Langer	Taft
Cooper	Lodge	Taylor
Cordon	Lucas	Thomas, Okla.
Donnell	McCarran	Thomas, Utah
Downey	McCarthy	Thye
Dworshak	McClellan	Tobey
Eastland	McFarland	Umstead
Ecton	McGrath	Vandenberg
Ellender	McKellar	Watkins
Ferguson	McMahon	Wherry
Flanders	Magnuson	White
Fulbright	Malone	Wiley
George	Martin	Williams
Green	Maybank	Wilson
Gurney	Millikin	Young
Hatch	Moore	

Mr. WHERRY. I announce that the Senator from Maine [Mr. BREWSTER] and the Senator from West Virginia [Mr. REVERCOMB] are necessarily absent.

The Senator from Nebraska [Mr. BUTLER], the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Massachusetts [Mr. SALTONSTALL] are absent because of illness.

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate.

Mr. LUCAS. I announce that the Senator from Louisiana [Mr. OVERTON] is absent because of illness.

The Senator from Maryland [Mr. TYDINGS] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDENT pro tempore. Eighty-six Senators having answered to their names, a quorum is present.

LEAVE OF ABSENCE

Mr. MORSE. Mr. President, my colleague the senior Senator from Oregon [Mr. CORDON] has had to leave the floor of the Senate to take a plane for an engagement which he must keep. Accordingly, he has been unable to request for himself, but has asked me to do so for him, that he may be excused from the sessions of the Senate through next Monday.

The PRESIDENT pro tempore. Without objection, consent of the Senate is granted.

TREATY WITH REPUBLIC OF CHINA—EXECUTIVE J, EIGHTIETH CONGRESS, FIRST SESSION

The PRESIDENT pro tempore. As in executive session, the Chair lays before the Senate a message from the President of the United States, which the clerk will read.

The Chief Clerk read the message, as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a treaty of friendship, commerce, and navigation between the United States of America and the Republic of China, together with a protocol thereto, signed at Nanking on November 4, 1946. The enclosed treaty is a comprehensive instrument which takes into account the developments in international relationships during the past century and is intended to meet effectively the needs of the present day.

I transmit also, for the information of the Senate, a report on the treaty made to me by the Acting Secretary of State.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 20, 1947.*

(Enclosures: 1. Report of the Acting Secretary of State; 2. Treaty of friendship, commerce, and navigation with China, with protocol, signed at Nanking, November 4, 1946.)

The PRESIDENT pro tempore. Without objection, the injunction of secrecy will be removed from the treaty, and, without objection, it will be referred to the Committee on Foreign Relations and printed in the RECORD.

There being no objection, the injunction of secrecy was removed from the treaty, and it was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, March 18, 1947.

THE PRESIDENT,
The White House:

The undersigned, the Acting Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a treaty of friendship, commerce, and navigation between the United States of America and the Republic of China, together with a protocol thereto, signed at Nanking on November 4, 1946.

Negotiation of the treaty was carried out pursuant to that part of article VII of the Treaty Between the United States of America and the Republic of China for the Relinquishment of Extraterritorial Rights in China and the Regulation of Related Matters, signed at Washington on January 11, 1943 (57 Stat., pt. 2, 771), which provides that the two Governments "will enter into negotiations for the conclusion of a comprehensive modern treaty of friendship, commerce, navigation, and consular rights, upon the request of either Government or in any case within 6 months after the cessation of the hostilities in the war against the common enemies." In accordance with the provision quoted above, the enclosed treaty includes provisions with respect to the rights of individuals and corporations and with respect to commerce and navigation. It is intended that consular provisions be set forth in a separate instrument.

The present instrument includes provisions which were drafted in the light of suggestions from representative private organizations which have been active in the promotion of cultural and commercial relations with China. Departments and agencies of the Federal Government which deal directly with the subjects covered by the treaty were consulted and gave their assistance in the preparations for the negotiations.

The enclosed treaty, which is basically similar to treaties of friendship, commerce, and navigation now in force between the United States and various other countries, is intended to provide a comprehensive legal framework for relations between the United States and China. It is believed that the treaty offers an adequate basis for the development of cultural, business, and trade relationships to the mutual advantage of the two countries. During the negotiations the Department's endeavor was to draw up an instrument which would be responsive to the needs growing out of the problems and practices of present-day international relationships, particularly to the changes in economic and commercial practice resulting from increasing use of the corporate form of business enterprise. Thus this treaty, as compared with earlier commercial treaties, contains somewhat broadened and modernized provisions, so as to make more specific and detailed the rights and privileges of corporations. The wording of the commercial provisions reflects recent experience in the drafting of provisions to protect American exports from the many new and complex forms of trade restriction and exchange control which have come into use since the early 1930's.

The articles of the treaty may be classified, according to subject matter, into the following categories: (1) rights of individuals and corporations; (2) exchange of goods; (3) navigation; and (4) general matters.

These categories may be summarized as follows:

1. Rights of individuals and corporations: As is customary in treaties of friendship, commerce, and navigation, provisions are included with respect to entry, travel, residence, the conduct of designated activities (including those of a commercial, manufacturing, scientific, educational, religious, and philanthropic nature), freedom of worship, protection of property against uncompensated expropriation, access to courts, freedom from unreasonable searches and seizures, compulsory military services, and landholding. Provisions with respect to commercial arbitration are for the first time included in this treaty. More extensive safeguards are afforded against discriminatory exchange control, and greater protection is provided with respect to literary, artistic, and industrial property.

2. Exchange of goods: In addition to the provisions relating to most-favored-nation treatment as to import and export duties and national treatment as to internal taxation of imported articles, usually included in treaties of this type, the provisions with respect to the exchange of goods include rules applicable to customs administration, quotas and their allocation, exchange control, public monopolies as they may affect trade between the United States and China, and the awarding of public contracts and concessions. With respect to the provisions relating to the exchange of goods, most-favored-nation treatment is generally provided. In accordance with customary practice in the case of treaties of friendship, commerce, and navigation, the present instrument does not contain schedules of duty concessions.

3. Navigation: Standard articles on navigation, relating to such matters as entry of vessels into ports, freedom from discriminatory port charges, and most-favored-nation treatment with respect to the coasting trade, are contained in the present treaty, in a somewhat revised form. The rules set forth are designed to be applied to public vessels which may be engaged in commerce, as well as to private vessels.

4. General matters: The treaty provides for certain exceptions to its application, including the usual provisions regarding sanitary regulations and moral and humanitarian measures. Exceptions also are included to give the two parties the requisite freedom of action in times of national emergency and to keep the instrument in general conformity with the Articles of Agreement of the International Monetary Fund. Other provisions relate to such matters as the territories to which the treaty is to apply, the submission to the International Court of Justice of disputes concerning questions of interpretation or application, and the superseding of provisions of certain treaties now in force between the United States and China.

Provision is made in the treaty for its entry into force on the day of the exchange of ratifications and for its continuance in force for a period of 5 years from that day and thereafter, subject to termination at any time following the 5-year period on 1 year's notice by either Government to the other Government.

It should be noted that the present instrument will not limit or restrict the rights, privileges, and advantages accorded by the Treaty Between the United States of America and the Republic of China for the Relinquishment of Extraterritorial Rights in China and the Regulation of Related Matters, and accompanying exchange of notes, signed at Washington on January 11, 1943.

The protocol, which is to have the same validity as if its provisions were inserted in the text of the treaty, is intended for the purpose of clarifying and construing certain provisions of the treaty.

Approval of the treaty was given by the Legislative Yuan of China on November 9, 1946.

Respectfully submitted.

DEAN ACHESON.

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF CHINA

The United States of America and the Republic of China, desirous of strengthening the bond of peace and the ties of friendship which have happily long prevailed between the two countries by arrangements designed to promote friendly intercourse between their respective territories through provisions responsive to the spiritual, cultural, economic, and commercial aspirations of the peoples thereof, have resolved to conclude a Treaty of Friendship, Commerce and Navigation, and for that purpose have appointed as their Plenipotentiaries,

The President of the United States of America:

Dr. J. Leighton Stuart, Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of China, and

Mr. Robert Lacy Smyth, Special Commissioner and Consul General of the United States of America at Tientsin; and,

The President of the National Government of the Republic of China:

Dr. Wang Shih-chieh, Minister for Foreign Affairs of the Republic of China, and

Dr. Wang Hua-cheng, Director of the Treaty Department of the Ministry of Foreign Affairs of the Republic of China;

Who, having communicated to each other their full powers found to be in due form, have agreed upon the following Articles:

ARTICLE I

1. There shall be constant peace and firm and lasting friendship between the United States of America and the Republic of China.

2. The Government of each High Contracting Party shall have the right to send to the Government of the other High Contracting Party duly accredited diplomatic representatives, who shall be received and, upon the basis of reciprocity, shall enjoy in the territories of such other High Contracting Party the rights, privileges, exemptions and immunities accorded under generally recognized principles of international law.

ARTICLE II

1. The nationals of either High Contracting Party shall be permitted to enter the territories of the other High Contracting Party, and shall be permitted to reside, travel and carry on trade throughout the whole extent of such territories. In the enjoyment of the right to reside and travel, the nationals of either High Contracting Party shall be subject, within the territories of the other High Contracting Party, to the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities, provided that they shall not be subject to unreasonable interference and that they shall not be required to apply for or carry any travel documents, other than (a) valid passports or (b) other documents of identification issued by the competent authorities of their respective countries.

2. The nationals of either High Contracting Party shall, throughout the whole extent of the territories of the other High Contracting Party, be permitted, without interference, to engage in and to carry on commercial, manufacturing, processing, scientific, educational, religious and philanthropic activities not forbidden by the laws and regulations enforced by the duly constituted authorities; to engage in every profession not reserved exclusively to nationals of the country; to acquire, hold, erect or lease, and occupy appropriate buildings, and to lease appropriate lands, for residential, commercial, manufacturing, processing, professional, scientific, educational, religious, and philanthropic and mortuary purposes; to employ agents or employees of their choice regardless of nationality; to do anything incidental to or necessary for the enjoyment of any such rights and privileges; and to exercise all these rights and privileges upon the same terms as nationals of such other High Contracting Party in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities.

3. The nationals of either High Contracting Party shall not in any case, in the enjoyment of the rights and privileges provided by paragraphs 1 and 2 of this Article, receive treatment with respect to such rights and privileges less favorable than the treatment which is or may hereafter be accorded to the nationals of any third country.

4. Nothing in this Treaty shall be construed to affect existing statutes of either High Contracting Party in relation to immigration or the right of either High Contracting Party to enact statutes relating to immigration; provided, however, that nothing in this paragraph shall prevent the nationals of either High Contracting Party from entering, traveling and residing in the territories of the other High Contracting Party in order to carry on trade between the United States of America and the Republic of China, or to engage in any commercial activity related thereto or connected therewith, upon terms as favorable as are or may hereafter be accorded to the nationals of any third country entering, traveling and residing in such territories in order to carry on trade between such other High Contracting Party and such third country or to engage in commercial activity related to or connected with such trade; and provided further that nothing in the provisions of Section 3 of the Immigration Act of the United States of America dated February 5, 1917, which delimit certain geographical zones for the purpose of restricting immigration, shall be construed as preventing admission into the United States of Chinese persons and persons of Chinese descent.

ARTICLE III

1. As used in this Treaty the term "corporations and associations" shall mean corporations, companies, partnerships and other associations, whether or not with limited liability and whether or not for pecuniary profit, which have been or may hereafter be created or organized under the applicable laws and regulations enforced by the duly constituted authorities.

2. Corporations and associations created or organized under the applicable laws and regulations enforced by the duly constituted authorities within the territories of either High Contracting Party shall be deemed to be corporations and associations of such High Contracting Party and shall have their juridical status recognized within the territories of the other High Contracting Party, whether or not they have a permanent establishment, branch or agency therein. Corporations and associations of either High Contracting Party shall have the right to establish their branch offices in the territories of the other High Contracting Party and to fulfill their functions therein after they have complied with requirements of admission not inconsistent with the provisions of the following paragraph, orcvided that the right to exercise such functions is accorded by this Treaty or the exercise of such functions is otherwise consistent with the laws and regulations of such other High Contracting Party.

3. The High Contracting Parties, adhering generally to the principle of national treatment with respect to the matters enumerated in this paragraph, agree that corporations and associations of either High Contracting Party shall be permitted, throughout the whole extent of the territories of the other High Contracting Party, in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities, to engage in and carry on commercial, manufacturing, processing, financial, scientific, educational, religious and philanthropic activities; to acquire, hold, erect or lease, and occupy appropriate buildings, and to lease appropriate lands, for commercial, manufacturing, processing, financial, scientific, educational, religious and philanthropic purposes; to employ agents or employees of their choice regardless of nationality; to do anything incidental to or necessary for the enjoyment of such rights and privileges; and to exercise all these rights and privileges, without interference, upon the same terms as corporations and associations of such other High Contracting Party unless otherwise provided by the laws of that High Contracting Party. The preceding sentence, and all other provisions of this Treaty according to corporations and associations of the Republic of China rights and privileges upon the same terms as corporations and associations of the United States of America, shall be construed as according such rights and privileges, in any state, territory or possession of the United States of America, upon the same terms as such rights and privileges are or may hereafter be accorded therein to corporations and associations created or organized in other states, territories or possessions of the United States of America.

4. Corporations and associations of either High Contracting Party shall not in any case, in the enjoyment of the rights and privileges provided by this article, receive treatment with respect to such rights and privileges less favorable than the treatment which is or may hereafter be accorded to corporations and associations of any third country.

ARTICLE IV

1. The nationals, corporations, and associations of either High Contracting Party shall enjoy, throughout the territories of the other High Contracting Party, rights and privileges with respect to organization of and participation in corporations and associations of such other High Contracting Party, including the enjoyment of rights with respect to promotion and incorporation, the purchase, ownership and sale of shares and, in the case of nationals, the holding of executive and official positions, in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities, upon the same terms as nationals, corporations and associations of any third country. Corporations and associations of either High Contracting Party, organized or participated in by nationals, corporations and associations of the other High Contracting Party pursuant to the rights and privileges enumerated in this paragraph shall be permitted to exercise the functions for which they are created or organized, in conformity with the applicable laws and regulations, if any, which are or may hereafter

be enforced by the duly constituted authorities, upon the same terms as corporations and associations that are similarly organized or participated in by nationals, corporations and associations of any third country. With respect to the ownership of stock by nationals, corporations and associations of either High Contracting Party in corporations and associations of the other High Contracting Party engaged in mining on public lands of such other High Contracting Party, neither High Contracting Party shall be obligated by the provisions of this paragraph to accord rights and privileges greater than those which its nationals, corporations and associations receive from the other High Contracting Party.

2. The nationals, corporations and associations of either High Contracting Party shall enjoy, throughout the territories of the other High Contracting Party, and in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities, the right to organize and participate in, including the right to control and manage, corporations and associations of such other High Contracting Party for engaging in commercial, manufacturing, processing, scientific, educational, religious and philanthropic activities; provided, however, that neither High Contracting Party shall be obligated to accord within its territories to the nationals, corporations and associations of the other High Contracting Party, treatment with respect to such organization and participation, including the right to control and manage, as favorable as that which is or may hereafter be accorded to its own nationals, corporations and associations.

3. Corporations and associations of either High Contracting Party organized and participated in, including those controlled and those managed, by nationals, corporations and associations of the other High Contracting Party pursuant to the rights and privileges enumerated in the preceding paragraph shall be permitted to engage in and carry on such commercial, manufacturing, processing, scientific, educational, religious and philanthropic activities within the territories of the High Contracting Party under the laws of which they are organized upon the same terms as corporations and associations of such High Contracting Party organized and participated in, including those controlled and those managed, by its own nationals, corporations and associations, in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities.

ARTICLE V

Should either High Contracting Party hereafter accord rights in respect of exploration for and exploitation of mineral resources in its territories to nationals, corporations or associations of any third country, such rights shall be accorded to nationals, corporations or associations of the other High Contracting Party, in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities.

ARTICLE VI

1. Throughout the whole extent of the territories of each High Contracting Party the nationals of the other High Contracting Party shall receive the most constant protection and security for their persons and property, and shall enjoy in this respect the full protection and security required by international law. To these ends, persons accused of crime shall be brought to trial promptly, and shall enjoy all the rights and privileges which are or may hereafter be accorded by the laws and regulations enforced by the duly constituted authorities; and nationals of either High Contracting Party, while within the custody of the authorities of the other High Contracting Party, shall receive reasonable and humane treatment. In so far as the term "nationals" where used in this paragraph is applicable in relation to property it shall be construed to include corporations and associations.

2. The property of nationals, corporations and associations of either High Contracting Party shall not be taken within the territories of the other High Contracting Party without due process of law and without the prompt payment of just and effective compensation. The recipient of such compensation shall, in conformity with such applicable laws and regulations as are not inconsistent with paragraph 3 of Article XIX of this Treaty, be permitted without interference to withdraw the compensation by obtaining foreign exchange, in the currency of the High Contracting Party of which such recipient is a national, corporation or association, upon the most favorable terms applicable to such currency at the time application therefor is filed, provided application is made within one year after receipt of the compensation to which it relates. The High Contracting Party allowing such withdrawal reserves the right, if it deems necessary, to allow such withdrawal in reasonable instalments over a period not to exceed three years.

3. The nationals, corporations and associations of either High Contracting Party shall throughout the territories of the other High Contracting Party receive protection and security with respect to the matters enumerated in paragraphs 1 and 2 of this Article, upon compliance with the laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities, no less than the protection and security which is or may hereafter be accorded to the nationals, corporations and associations of such other High Contracting Party and no less than that which is or may hereafter be accorded to the nationals, corporations and associations of any third country.

4. The nationals, corporations, and associations of either High Contracting Party shall enjoy freedom of access to the courts of justice and to administrative tribunals and agencies in the territories of the other High Contracting Party, in all degrees of jurisdiction established by law, both in pursuit and in defense of their rights; shall be at liberty to choose and employ lawyers, interpreters and representatives in the prosecution and defense of their rights before such courts, tribunals and agencies; and shall be permitted to exercise all these rights and privileges, in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities, on terms no less favorable than the terms which are or may hereafter be accorded to the nationals, corporations and associations of such other High Contracting Party and no less favorable than are or may hereafter be accorded to the nationals, corporations and associations of any third country. Moreover, corporations and associations of either High Contracting Party which do not have a permanent establishment, branch or agency within the territories of the other High Contracting Party shall be permitted to exercise the rights and privileges accorded by the preceding sentence upon the filing, at any time prior to appearance before such courts, tribunals or agencies, of reasonable particulars required by the laws and regulations of such other High Contracting Party without any requirement of registration or domestication. In the case of any controversy susceptible of settlement by arbitration, which involves nationals, corporations or associations of both High Contracting Parties and is covered by a written agreement for arbitration, such agreement shall be accorded full faith and credit by the courts within the territories of each High Contracting Party, and the award or decision of the arbitrators shall be accorded full faith and credit by the courts within the territories of the High Contracting Party in which it was rendered, provided the arbitration proceedings were conducted in good faith and in conformity with the agreement for arbitration.

ARTICLE VII

The dwellings, warehouses, factories, shops, and other places of business, and all premises thereto appertaining, of the nationals, corporations and associations of either High Contracting Party, located in the territories of the other High Contracting Party, shall not be subject to unlawful entry or molestation. There shall not be made any visit to, or any search of, any such dwellings, buildings or premises, nor shall any books, papers or accounts therein be examined or inspected, except under conditions and in conformity with procedure no less favorable than the conditions and procedures prescribed for nationals, corporations and associations of such other High Contracting Party under laws and regulations enforced by the duly constituted authorities within the territories thereof. In no case shall the nationals, corporations or associations of either High Contracting Party in the territories of the other High Contracting Party be treated less favorably with respect to the foregoing matters than the nationals, corporations or associations of any third country. Any visit, search, examination or inspection which may be permissible under the exception stated in this Article shall be made with due regard for, and in such a way as to cause the least possible interference with, the occupants of such dwellings, buildings or premises or the ordinary conduct of any business or other enterprise.

ARTICLE VIII

1. The nationals, corporations and associations of either High Contracting Party shall be permitted to acquire, hold and dispose of real and other immovable property throughout the territories of the other High Contracting Party subject to the conditions and requirements as prescribed by the laws and regulations of such other High Contracting Party, and, subject to the provisions of the succeeding sentence, the treatment accorded to such nationals, corporations and associations shall not be less favorable than that accorded to nationals, corporations and associations of any third country. In the case of any state, territory or possession of the United States of America which does not now or does not hereafter permit the nationals, corporations and associations of the Republic of China to acquire, hold or dispose of real and other immovable property upon the same terms as nationals, corporations and associations of the United States of America, the provisions of the preceding sentence shall not apply. In that case, the Republic of China shall not be obligated to accord to nationals of the United States of America domiciled in, and to corporations and associations of the United States of America created or organized under the laws of, such state, territory or possession treatment more favorable than the treatment which is or may hereafter be accorded within such state, territory or possession to nationals, corporations and associations of the Republic of China.

2. If a national, corporation or association of either High Contracting Party, whether or not resident and whether or not engaged in business or other activities within the territories of the other High Contracting Party, is on account of alienage prevented by the applicable laws and regulations within such territories from succeeding as devisee, or as heir in the case of a national, to real or other immovable property situated therein, or to interests in such property, then such national, corporation or association shall be allowed a term of three years in which to sell such property or interest, this term to be reasonably prolonged if circumstances render it necessary. The transmis-

sion or receipt of such property shall be exempt from the payment of any estate, succession, probate or administrative taxes or charges other or higher than those now or hereafter imposed in like cases upon the nationals, corporations or associations of the High Contracting Party in whose territory the property is or the interests therein are situated. Moreover, such devisee or heir shall, in conformity with such applicable laws and regulations as are not inconsistent with paragraph 3 of Article XIX, be permitted without interference to withdraw the proceeds of the sale of such property, by obtaining foreign exchange, in the currency of the High Contracting Party of which the devisee is a national, corporation or association, or of which the heir is a national, during a period not in excess of three years after application therefor, upon the most favorable terms applicable to such currency at the time application for the withdrawal of such proceeds is filed, provided such application is made within one year after receipt of the proceeds of sale to which it relates.

3. Nothing in paragraphs 1 and 2 of this Article shall modify or supersede Article IV of the Treaty of January 11, 1943, between the United States of America and the Republic of China for the Relinquishment of Extraterritorial Rights in China and the Regulation of Related Matters or the paragraph relating to that Article in the exchange of notes accompanying that Treaty.

4. The nationals of either High Contracting Party shall have full power to dispose of personal property of every kind anywhere within the territories of the other High Contracting Party, by testament, donation or otherwise and their heirs, legatees or donees, being persons of whatever nationality or corporations or associations wherever created or organized, whether resident or non-resident and whether or not engaged in business within the territories of the High Contracting Party where such property is situated, shall succeed to such property, and shall be permitted to take possession thereof, either by themselves or by others acting for them, and to retain or dispose of it at their pleasure, exempt from any restrictions, taxes or charges other or higher than those to which the heirs, legatees or donees of nationals of such other High Contracting Party are or may hereafter be subject in like cases. The nationals, corporations and associations of either High Contracting Party shall be permitted to succeed, as heirs, legatees and donees, to personal property of every kind within the territories of the other High Contracting Party, left or given to them by nationals of such other High Contracting Party or by nationals of any third country, and shall be permitted to take possession thereof, either by themselves or by others acting for them, and to retain or dispose of it at their pleasure, exempt from any restrictions, taxes or charges other or higher than those to which the nationals, corporations and associations of such other High Contracting Party are or may hereafter be subject in like cases. Nothing in this paragraph shall be construed to affect the laws and regulations of either High Contracting Party prohibiting or restricting the direct or indirect ownership by aliens or foreign corporations and associations of the shares in, or instruments of indebtedness of, corporations and associations of such High Contracting Party carrying on particular types of activities.

5. The nationals, corporations and associations of either High Contracting Party shall, subject to the exception in paragraph 2 of Article X, receive treatment, in respect of all matters which relate to the acquisition, holding, leasing, possession or disposition of personal property, no less favorable than the treatment which is or may hereafter be received by nationals, corporations and associations of any third country.

ARTICLE IX

The nationals, corporations and associations of either High Contracting Party shall be accorded within the territory of the other High Contracting Party effective protection in the exclusive use of inventions, trademarks and trade names, upon compliance with the applicable laws and regulations, if any, respecting registration and other formalities which are or may hereafter be enforced by the duly constituted authorities; unauthorized manufacture, use or sale of such inventions, or imitation or falsification of such trademarks and trade names, shall be prohibited, and effective remedy therefor shall be provided by civil action. The nationals, corporations and associations of either High Contracting Party shall be accorded throughout the territory of the other High Contracting Party effective protection in the enjoyment of rights with respect to their literary and artistic works, upon compliance with the applicable laws and regulations, if any, respecting registration and other formalities which are or may hereafter be enforced by the duly constituted authorities; unauthorized reproduction, sale, diffusion or use of such literary and artistic works shall be prohibited, and effective remedy therefor shall be provided by civil action. In any case, the nationals, corporations and associations of either High Contracting Party shall enjoy, throughout the territories of the other High Contracting Party, all rights and privileges of whatever nature in regard to copyrights, patents, trademarks, trade names, and other literary, artistic and industrial property, upon compliance with the applicable laws and regulations, if any, respecting registration and other formalities which are or may hereafter be enforced by the duly constituted authorities, upon terms no less favorable than are or may hereafter be accorded to the nationals, corporations and associations of such other High Contracting Party, and, in regard to patents, trademarks, trade names and other industrial property, upon terms no less favorable than are or may hereafter be accorded to the nationals, corporations and associations of any third country.

ARTICLE X

1. The nationals of either High Contracting Party residing within the territories of the other High Contracting Party, and the nationals, corporations and associations of either High Contracting Party engaged in business or in scientific, educational, religious or philanthropic activities within the territories of the other High Contracting Party, shall not be subject to the payment of any internal taxes, fees or charges other or higher than those which are or may hereafter be imposed by laws and regulations enforced by the duly constituted authorities upon the nationals, corporations and associations of such other High Contracting Party. Moreover, in the case of corporations and associations specified in the preceding sentence, such taxes, fees or charges shall not be imposed upon or measured by any income, property, capital or other criterion of measurement in excess of that reasonably allocable or apportionable to the territories of such other High Contracting Party.

2. The nationals, corporations and associations of either High Contracting Party shall not be subject to the payment of any internal taxes, fees or charges imposed by laws and regulations enforced by the duly constituted authorities within the territories of the other High Contracting Party other or higher than those which are or may hereafter be imposed upon the nationals, residents, corporations and associations of any third country, except that the foregoing provisions of this paragraph shall not apply to any advantage in respect of internal taxes, fees or charges which is or may hereafter be granted to the nationals, residents, corporations or associations of any third country, either (a) pursuant to legislation extending the same advantage to all countries, or to the nationals, residents, corporations or associations thereof, on the basis of reciprocity, or (b) in a treaty or other agreement concluded with such third country for the avoidance of double taxation or the mutual protection of revenue.

ARTICLE XI

Commercial travelers representing manufacturers, merchants and traders domiciled in the territories of either High Contracting Party shall, on their entry into and sojourn in the territories of the other High Contracting Party and on their departure therefrom, be accorded treatment no less favorable than the treatment which is or may hereafter be accorded to commercial travelers of any third country in respect of customs and other privileges and, subject to the exception in paragraph 2 of Article X, in respect of all taxes and charges of whatever denomination applicable to them or to their samples.

ARTICLE XII

1. The nationals of either High Contracting Party shall, throughout the territories of the other High Contracting Party, be permitted to exercise liberty of conscience and freedom of worship and to establish schools for the education of their children, and they may, whether individually, collectively or in religious or educational corporations or associations, and without annoyance or molestation of any kind by reason of their religious belief or otherwise, conduct religious services and give religious or other instruction, either within their own houses or within any other appropriate buildings, provided that their religious and educational activities are not contrary to public morals and that their educational activities are conducted in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities.

2. The nationals of either High Contracting Party shall be permitted within the territories of the other High Contracting Party to bury their dead according to their religious customs in suitable and convenient places which are or may hereafter be established and maintained for the purpose, subject to the mortuary and sanitary laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities.

3. Places of worship and cemeteries shall be held in respect and free from disturbance or profanation.

ARTICLE XIII

With respect to that form of protection granted within the territories of either High Contracting Party by the applicable laws establishing civil liability for bodily injuries or for death, and giving to relatives or heirs or dependents of an injured person a right of action or a pecuniary compensation, such relatives or heirs or dependents of the injured person, himself a national of either High Contracting Party and injured within any of the territories of the other High Contracting Party, shall, regardless of their alienage or residence outside of the territory where the injury occurred, enjoy the same rights and privileges as are or may hereafter be granted under like conditions to nationals of such other High Contracting Party.

ARTICLE XIV

1. The nationals of each High Contracting Party shall be exempt from compulsory military or naval training or service under the jurisdiction of the other High Contracting Party, and shall also be exempt from all contributions in money or in kind imposed in lieu thereof.

2. During any period of time when both of the High Contracting Parties are, through military or naval action in connection with which there is general compulsory military

or naval service, (a) enforcing measures against the same third country or countries in pursuance of obligations for the maintenance of international peace and security, or (b) concurrently conducting hostilities against the same third country or countries, provisions of paragraph 1 of this Article shall not apply. However, in such an event the nationals of either High Contracting Party in the territory of the other High Contracting Party, who have not declared their intention to acquire the nationality of such other High Contracting Party, shall be exempt from military or naval service under the jurisdiction of such other High Contracting Party if within a reasonable time prior to their induction for such service they elect, in lieu of such service, to enter the military or naval service of the High Contracting Party of which they are nationals. In any such situation the High Contracting Parties will make the necessary arrangements for giving effect to the provisions of this paragraph.

3. Nothing in this Article shall be construed to affect the right of either High Contracting Party to debar from acquiring its citizenship any person who seeks and obtains exemption in accordance with the provisions of paragraph 1 or 2 of this Article.

ARTICLE XV

The High Contracting Parties reaffirm their adherence to a program of purposes and policies, open to participation by all other countries of like mind, designed to bring about an expansion of international trade on a broad basis, and directed to the elimination of all forms of discriminatory treatment and monopolistic restrictions in international commerce.

ARTICLE XVI

1. In all matters relating to (a) customs duties and subsidiary charges of every kind imposed on imports or exports and the method of levying such duties and charges, (b) the rules, formalities, and charges imposed in connection with the clearing of articles through the customs, and (c) the taxation, sale, distribution or use within the country of imported articles and of articles intended for exportation, each High Contracting Party shall accord to articles the growth, produce or manufacture of the other High Contracting Party, from whatever place arriving, or to articles destined for exportation to the territories of such other High Contracting Party, by whatever route, treatment no less favorable than the treatment which is or may hereafter be accorded to like articles the growth, produce or manufacture of, or destined for, any third country. If the Government of either High Contracting Party requires documentary proof of origin of imported articles, the requirements imposed therefor shall be reasonable and shall not be such as to constitute an unnecessary hindrance to indirect trade.

2. With respect to the matters referred to in paragraph 1 of this Article, the nationals, corporations and associations, vessels and cargoes of either High Contracting Party shall be accorded, within the territories of the other High Contracting Party, treatment no less favorable than is or may hereafter be accorded to the nationals, corporations and associations, vessels and cargoes of any third country. In all matters relating to (a) customs duties and subsidiary charges of every kind imposed on imports or exports and the method of levying such duties and charges, (b) the rules, formalities, and charges imposed in connection with the clearing of articles through the customs, and (c) taxation within the country of imported articles and of articles intended for exportation, the nationals, corporations and associations of either High Contracting Party shall be accorded, within the territories of the other High Contracting Party, treatment no less favorable than the treatment which is or may hereafter be accorded to the nationals, corporations and associations of such other High Contracting Party.

3. No prohibition or restriction of any kind shall be imposed by either High Contracting Party on the importation, sale, distribution or use of any article the growth, produce or manufacture of the other High Contracting Party, or on the exportation of any article destined for the territories of the other High Contracting Party, unless the importation, sale, distribution or use of the like article the growth, produce or manufacture of all third countries, or the exportation of the like article to all third countries, respectively, is similarly prohibited or restricted.

4. If the Government of either High Contracting Party imposes any quantitative regulation on the importation or exportation of any article, or on the sale, distribution or use of any imported article, it shall as a customary practice to give public notice of the total quantity or value of such article permitted to be imported, exported, sold, distributed or used during a specified period, and of any change in such quantity or value. Furthermore, if either High Contracting Party allots a share of such total quantity or value to any third country, it shall allot to the other High Contracting Party, with respect to any article in which the latter has an important interest, unless it is mutually agreed to dispense with such an allotment, a share based upon the proportion of the total quantity or value supplied by, or in the case of exports a share based upon the proportion exported to, the territories of such other High Contracting Party during a representative period, account being taken in so far as practicable of any special factors which may have affected or may be affecting the trade in that article. The provisions of this paragraph relating to imported articles shall also apply in respect of limitations upon the quantity or value of any article permitted to be imported free of duty or tax, or at a specified rate of duty or tax.

ARTICLE XVII

1. Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of each High Contracting Party pertaining to the classification of articles for customs purposes or to rates of duty shall be published promptly in such a manner as to enable traders to become acquainted with them. Such laws, regulations and decisions shall be applied uniformly at all ports of the respective High Contracting Parties except as is or may hereafter be otherwise specifically provided for in statutes of either High Contracting Party with respect to the importation of articles into its insular territories and possessions.

2. No administrative ruling by the Government of either High Contracting Party effecting advances in rates of duties or charges applicable under an established and uniform practice to imports originating in the territories of the other High Contracting Party, or imposing any new requirement with respect to such importations, shall as a general rule be applied to articles the growth, produce or manufacture of the other High Contracting Party already en route at the time of publication thereof in accordance with paragraph 1; provided that, if either High Contracting Party customarily exempts from such new or increased obligations articles entered for consumption or withdrawn from warehouse for consumption during a period of thirty days after the date of such publication, such practice shall be considered full compliance with this paragraph. The provisions of this paragraph shall not apply to administrative orders imposing antidumping duties, or relating to regulations for the protection of human, animal or plant life or health, or relating to public safety, or giving effect to judicial decisions.

3. Each High Contracting Party shall provide some procedure, administrative, judicial or otherwise, under which the nationals, corporations and associations of the other High Contracting Party, and importers of articles the growth, produce or manufacture of such other High Contracting Party, shall be permitted to appeal against fines and penalties imposed upon them by the customs authorities, confiscations by such authorities and rulings of such authorities on questions of customs classification and of valuation of articles for customs purposes. Greater than nominal penalties shall not be imposed by either High Contracting Party in connection with any importation by the nationals, corporations or associations of the other High Contracting Party, or in connection with the importation of articles the growth, produce or manufacture of such other High Contracting Party, because of errors in documentation which are obviously clerical in origin or with regard to which good faith can be established.

4. The Government of each High Contracting Party will accord sympathetic consideration to such representations as the Government of the other High Contracting Party may make with respect to the operation or administration of import or export prohibitions or restrictions, quantitave regulations, customs regulations or formalities, or sanitary laws or regulations for the protection of human, animal or plant life or health.

ARTICLE XVIII

1. Articles the growth, produce or manufacture of either High Contracting Party, imported into the territories of the other High Contracting Party, shall be accorded treatment with respect to all matters affecting internal taxation no less favorable than the treatment which is or may hereafter be accorded to like articles the growth, produce or manufacture of such other High Contracting Party.

2. Articles grown, produced or manufactured within the territories of either High Contracting Party in whole or in part by nationals, corporations and associations of the other High Contracting Party, or by corporations and associations organized or participated in by such nationals, corporations and associations, shall be accorded within such territories treatment with respect to all matters affecting internal taxation, or exportation from such territories, no less favorable than the treatment which is or may hereafter be accorded to like articles grown, produced or manufactured therein in whole or in part by nationals, corporations and associations of the High Contracting Party within the territories of which the articles are grown, produced or manufactured, or by corporations and associations organized or participated in by such nationals, corporations and associations. The articles specified in the preceding sentence shall not in any case receive treatment less favorable than the treatment which is or may hereafter be accorded to like articles grown, produced or manufactured in whole or in part by nationals, corporations and associations of any third country, or by corporations and associations organized or participated in by such nationals, corporations and associations.

ARTICLE XIX

1. If the Government of either High Contracting Party establishes or maintains any form of control of the means of international payment or of international financial transactions, it shall accord fair and equitable treatment to the nationals, corporations and associations and commerce of the other High Contracting Party with respect to all aspects of such control.

2. The Government establishing or maintaining such control shall impose no prohibition, restriction or delay on the transfer of payment for any article the growth, produce or manufacture of the other High Contracting Party which is not imposed on the transfer of payment for the like article the

growth, produce or manufacture of any third country. With respect to the rates of exchange and with respect to taxes or charges on exchange transactions, articles the growth, produce or manufacture of the other High Contracting Party shall be accorded treatment no less favorable than the treatment which is or many hereafter be accorded to like articles the growth, produce or manufacture of any third country. The provisions of this paragraph shall also extend to the application of such control to payments necessary for or incidental to the importation of articles the growth, produce or manufacture of the other High Contracting Party. In general, any such control shall be administered so as not to influence to the disadvantage of the other High Contracting Party the competitive relationships between articles the growth, produce or manufacture of such other High Contracting Party and like articles the growth, produce or manufacture of any third country.

3. In all that relates to the transfer of profits, dividends, interest, payments for imported articles, and of other funds, to loans and to any other international financial transactions, either between the territories of the two High Contracting Parties or between the territories of the High Contracting Party the Government of which establishes or maintains the control referred to in paragraph 1 of this Article and the territories of any third country, the Government establishing or maintaining the control shall accord to the nationals, corporations and associations of the other High Contracting Party treatment no less favorable than the treatment which is or may hereafter be accorded to its own nationals, corporations and associations, and no less favorable than the treatment which is or may hereafter be accorded to the nationals, corporations and associations of any third country which make or receive like transfers and loans, and which are parties to like transactions, between the territories of the same two countries. Moreover, the Government establishing or maintaining such control shall accord to the nationals, corporations and associations of the other High Contracting Party, in all that relates to any such transfers, loans and other transactions between the territories of the two High Contracting Parties, treatment no less favorable than the treatment which is or may hereafter be accorded to the nationals, corporations and associations of any third country which make or receive like transfers and loans, and which are parties to like transactions, between the territories of the High Contracting Party the Government of which establishes or maintains the control and the territories of such third country. The treatment accorded by this paragraph shall apply to the rates of exchange and to any prohibition, restriction, delay, tax or other charge on the transfers, loans and other transactions covered by this paragraph; and such treatment shall apply whether the transfers, loans and other transactions take place directly or through an intermediary or intermediaries in a country or countries not parties to this Treaty. In general, any such control shall be administered so as not to influence to the disadvantage of the other High Contracting Party the competitive relationships between the nationals, corporations and associations of such other High Contracting Party and the nationals, corporations and associations of any third country.

ARTICLE XX

1. If the Government of either High Contracting Party establishes or maintains a monopoly or public agency for the importation, exportation, purchase, sale, distribution or production of any article, or grants exclusive privileges to any agency to import, export, purchase, sell, distribute or produce any article, such monopoly or agency shall accord to the commerce of the other High Contracting Party fair and equitable treatment in respect of its purchases of articles the growth, product or manufacture of foreign countries and its sales of articles destined for foreign countries. To this end the monopoly or agency shall, in making such purchases or sales of any article, be influenced solely by considerations, such as price, quality, marketability, transportation and terms of purchase or sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing or selling such article on the most favorable terms. If the Government of either High Contracting Party establishes or maintains a monopoly or agency for the sale of any service or grants exclusive privileges to any agency to sell any service, such monopoly or agency shall accord fair and equitable treatment to the other High Contracting Party and to the nationals, corporations, associations and commerce thereof in respect of transactions involving such services as compared with the treatment which is or may hereafter be accorded to any third country and to the nationals, corporations, associations and commerce thereof.

2. The Government of each High Contracting Party, in the awarding of concessions and other contracts, and in the purchasing of supplies, shall accord fair and equitable treatment to the nationals, corporations and associations and to the commerce of the other High Contracting Party as compared with the treatment which is or may hereafter be accorded to the nationals, corporations and associations and to the commerce of any third country.

ARTICLE XXI

1. Between the territories of the High Contracting Parties there shall be freedom of commerce and navigation.

2. Vessels under the flag of either High Contracting Party, and carrying the papers required by its national law in proof of nationality, shall be deemed to be vessels of that High Contracting Party both within the ports, places and waters of the other High Contracting Party and on the high seas. As used in this Treaty, "vessels" shall be construed to include all vessels of either High Contracting Party whether privately owned or operated or publicly owned or operated. However, the provisions of this Treaty other than this paragraph and paragraph 5 of Article XXII shall not be construed to accord rights to vessels of war or fishing vessels of the other High Contracting Party; nor shall they be construed to extend to the nationals, corporations and associations, vessels and cargoes of, or to articles the growth, produce or manufacture of, such other High Contracting Party any special privileges restricted to national fisheries or to the products thereof.

3. The vessels of either High Contracting Party shall have liberty, equally with the vessels of any third country, to come with their cargoes to all ports, places and waters of the other High Contracting Party which are or may hereafter be open to foreign commerce and navigation.

ARTICLE XXII

1. The vessels and cargoes of either High Contracting Party shall, within the ports, places and waters of the other High Contracting Party, in all respects be accorded treatment no less favorable than the treatment accorded to the vessels and cargoes of such other High Contracting Party, irrespective of the port of departure or the port of destination of the vessel, and irrespective of the origin or the destination of the cargo.

2. No duties of tonnage, harbor, pilotage, lighthouse, quarantine, or other similar or corresponding duties or charges, of whatever kind or denomination, levied in the name or for the profit of the government, public functionaries, private individuals, corporations or establishments of any kind, shall be imposed in the ports, places and waters of either High Contracting Party upon the vessels of the other High Contracting Party, which shall not equally and under the same conditions be imposed upon national vessels.

3. No charges upon passengers, passenger fares or tickets, freight moneys paid or to be paid, bills of lading, contracts of insurance or re-insurance, no conditions relating to the employment of ship brokers, of whatever nationality, and no other charges or conditions of any kind, shall be imposed in a way tending to accord any advantage to vessels of either High Contracting Party as compared with the vessels of the other High Contracting Party.

4. Within the ports, places and waters of each High Contracting Party which are or may hereafter be open to foreign commerce and navigation, competent pilots shall be made available to take the vessels of the other High Contracting Party into and out of such ports, places and waters.

5. If a vessel of either High Contracting Party shall be forced by stress of weather or by reason of any other distress to take refuge in any of the ports, places or waters of the other High Contracting Party not open to foreign commerce and navigation, it shall receive friendly treatment and assistance and such supplies and materials for repair as may be necessary and available. This paragraph shall apply to vessels of war and fishing vessels, as well as to vessels as defined in paragraph 2 of Article XXI.

6. In no case shall the treatment accorded to the vessels and cargoes of either High Contracting Party with respect to the matters referred to in this Article be less favorable than the treatment which is or may hereafter be accorded to the vessels and cargoes of any third country.

ARTICLE XXIII

1. It shall be permissible, in the vessels of either High Contracting Party, to import into the territories of the other High Contracting Party, or to export therefrom, all articles which it is or may hereafter be permissible to import into such territories, or to export therefrom, in the vessels of such other High Contracting Party, without being liable to any other or higher duties or charges whatsoever than if such articles were imported or exported in vessels of such other High Contracting Party.

2. Bounties, drawbacks and other privileges of this nature of whatever kind or denomination which are or may hereafter be allowed, in the territories of either High Contracting Party, on articles imported or exported in national vessels shall also and in like manner be allowed on articles imported or exported in vessels of the other High Contracting Party.

ARTICLE XXIV

1. Vessels of either High Contracting Party shall be permitted to discharge portions of cargoes at any ports, places or waters of the other High Contracting Party which are or may hereafter be open to foreign commerce and navigation, and to proceed with the remaining portions of such cargoes to any other such ports, places or waters, without paying other or higher tonnage dues or port charges in such cases than would be paid by national vessels in like circumstances, and they shall be permitted to load in like manner, in the same voyage outward, at the various ports, places and waters which are or may hereafter be open to foreign commerce and navigation. The vessels and cargoes of either High Contracting Party shall be accorded, with respect to the matters referred to in this paragraph, treatment in the ports, places and waters of the other High Contracting Party no less favorable than the treatment which is or may hereafter be accorded to the vessels and cargoes of any third country.

2. Should either High Contracting Party accord the rights of inland navigation or

coasting trade to vessels of any third country such rights would similarly be accorded to the vessels of the other High Contracting Party. The coasting trade and inland navigation of each High Contracting Party are excepted from the requirement of national treatment and are to be regulated according to the laws of each High Contracting Party in relation thereto. It is agreed, however, that vessels of either High Contracting Party shall enjoy within the territory of the other High Contracting Party with respect to the coasting trade and inland navigation treatment as favorable as the treatment accorded to the vessels of any third country. Trade between either High Contracting Party and its insular territories or possessions shall be considered coasting trade within the meaning of this paragraph.

ARTICLE XXV

There shall be freedom of transit through the territories of each High Contracting Party by the routes most convenient for international transit (a) for persons, whether or not they are nationals of the other High Contracting Party, together with their baggage, directly or indirectly coming from or going to the territories of such other High Contracting Party, (b) for persons who are nationals of the other High Contracting Party, together with their baggage, regardless of whether they are coming from or going to the territories of such other High Contracting Party, and (c) for articles directly or indirectly coming from or going to the territories of such other High Contracting Party. Such persons, baggage and articles in transit shall not be subject to any transit duty, to any unnecessary delays or restrictions, or to any discrimination in respect of charges, facilities or any other matter; and all charges and regulations prescribed in respect of such persons, baggage or articles shall be reasonable, having regard to the conditions of the traffic. Except as may hereafter be agreed by the High Contracting Parties with respect to non-stop flight by aircraft, the Government of either High Contracting Party may require that such baggage and articles be entered at the proper customhouse and that they be kept in customs custody whether or not under bond; but such baggage and articles shall be exempt from all customs duties or similar charges if such requirements for entry and retention in customs custody are complied with and if they are exported within one year and satisfactory evidence of such exportation is presented to the customs authorities. Such nationals, baggage, persons and articles shall be accorded treatment with respect to all charges, rules and formalities in connection with transit no less favorable than the treatment accorded to the nationals of any third country, together with their baggage, or to persons and articles coming from or going to the territories of any third country.

ARTICLE XXVI

1. Nothing in this Treaty shall be construed to prevent the adoption or enforcement of measures:

(a) relating to the importation or exportation of gold or silver;

(b) relating to the traffic in arms, ammunition and implements of war, and, in exceptional circumstances, all other military supplies;

(c) relating to the exportation of national treasures of historical, archaeological or artistic value;

(d) necessary in pursuance of obligations for the maintenance of international peace and security, or for the protection of the essential interests of the country in time of national emergency; or

(e) imposing exchange restrictions in conformity with the Articles of Agreement of the International Monetary Fund, signed December 27, 1945, so long as the High Contracting Party imposing the restrictions is a member of the Fund, provided that neither High Contracting Party shall utilize its privileges under section 3 of Article VI or section 2 of Article XIV of such Agreement in such a manner as to impair any of the provisions of this Treaty.

2. Subject to the requirement that, under like circumstances and conditions, there shall be no arbitrary discrimination by either High Contracting Party against the other High Contracting Party or against the nationals, corporations, associations, vessels or commerce thereof, in favor of any third country or the nationals, corporations, associations, vessels or commerce thereof, the provisions of this Treaty shall not extend to prohibitions or restrictions:

(a) imposed on moral or humanitarian grounds;

(b) designed to protect human, animal, or plant life or health;

(c) relating to prison-made goods; or

(d) relating to the enforcement of police or revenue laws.

3. The provisions of this Treaty according treatment no less favorable than the treatment accorded to any third country shall not apply to:

(a) advantages which are or may hereafter be accorded to adjacent countries in order to facilitate frontier traffic;

(b) advantages accorded by virtue of a customs union of which either High Contracting Party may, after consultation with the Government of the other High Contracting Party, become a member so long as such advantages are not extended to any country which is not a member of such customs union; or

(c) advantages accorded to third countries pursuant to a multilateral convention of general applicability, including a trade area of substantial size, having as its objective the liberalization and promotion of international trade or other international economic intercourse, and open to adoption by all the United Nations.

4. The stipulations of this Treaty do not extend to advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another, to the Republic of Cuba, or to the Republic of the Philippines. The provisions of this paragraph shall continue to apply in respect of any advantages which are or may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another, irrespective of any change which may take place in the political status of any of the territories or possessions of the United States of America.

5. The provisions of this Treaty shall not be construed to accord any rights or privileges to corporations and associations engaged in political activities or with respect to the organization of or participation in such corporations and associations. Moreover, each High Contracting Party reserves the right to deny any of the rights and privileges accorded by this Treaty to any corporation or association created or organized under the laws and regulations of the other High Contracting Party which is directly or indirectly owned or controlled through majority stock ownership or otherwise, by nationals, corporations or associations of any third country or countries.

ARTICLE XXVII

Subject to any limitation or exception provided in this Treaty or hereafter agreed upon between the Governments of the High Contracting Parties, the territories of the High Contracting Parties to which the provisions of this Treaty extend shall be understood to comprise all areas of land and water under the sovereignty or authority of either High Contracting Party, except the Panama Canal Zone.

ARTICLE XXVIII

Any dispute between the Governments of the two High Contracting Parties as to the interpretation or the application of this Treaty, which the High Contracting Parties can not satisfactorily adjust by diplomacy, shall be submitted to the International Court of Justice unless the High Contracting Parties shall agree to settlement by some other pacific means.

ARTICLE XXIX

1. This Treaty shall, upon its entry into force, supersede provisions of the following treaties between the United States of America and the Republic of China in so far as such provisions have not previously been terminated:

(a) Treaty of Peace, Amity and Commerce, signed at Wang Hea, July 3, 1844;

(b) Treaty of Peace, Amity and Commerce, signed at Tientsin, June 18, 1858;

(c) Treaty Establishing Trade Regulations and Tariff, signed at Shanghai, November 8, 1858;

(d) Treaty of Trade, Consuls and Emigration, signed at Washington, July 28, 1868;

(e) Immigration Treaty, signed at Peking, November 17, 1880;

(f) Treaty as to Commercial Intercourse and Judicial Procedure, signed at Peking, November 17, 1880;

(g) Treaty as to Commercial Relations, signed at Shanghai, October 8, 1903;

(h) Treaty Establishing Rates of Duty on Imports Into China, signed at Washington, October 20, 1920; and

(i) Treaty Regulating Tariff Relations, signed at Peiping, July 25, 1928.

2. Nothing in this Treaty shall be construed to limit or restrict in any way the rights, privileges and advantages accorded by the Treaty for the Relinquishment of Extraterritorial Rights in China and the Regulation of Related Matters and accompanying exchange of notes between the United States of America and the Republic of China signed at Washington on January 11, 1943.

ARTICLE XXX

1. This Treaty shall be ratified, and the ratifications thereof shall be exchanged at Nanking as soon as possible.

2. This Treaty shall enter into force on the day of the exchange of ratifications, and shall continue in force for a period of five years from that day.

3. Unless one year before the expiration of the aforesaid period of five years the Government of either High Contracting Party shall have given notice to the Government of the other High Contracting Party of intention to terminate this Treaty upon the expiration of the aforesaid period, the Treaty shall continue in force thereafter until one year from the date on which notice of intention to terminate it shall have been given by either High Contracting Party.

In witness whereof the respective Plenipotentiaries have signed this Treaty and have affixed hereunto their seals.

Done in duplicate, in the English and Chinese languages, both equally authentic, at Nanking, this fourth day of November, one thousand nine hundred forty-six, corresponding to the fourth day of the eleventh month of the thirty-fifth year of the Republic of China.

[SEAL]	J. LEIGHTON STUART.
[SEAL]	ROBERT LACY SMYTH.
[SEAL]	WANG SHIH-CHIEH.
[SEAL]	WANG HUA-CHENG.

PROTOCOL

At the moment of signing this day the Treaty of Friendship, Commerce and Navigation between the United States of America and the Republic of China, the undersigned Plenipotentiaries have agreed upon the present Protocol which shall have the same

validity as if provisions were inserted in the text of the Treaty to which it refers:

1. The provisions of Article II, paragraph 1, shall not be deemed to affect the right of either High Contracting Party to enforce statutes prescribing reasonable requirements concerning the registration of aliens within its territories, it being understood that identity cards which are now or may hereafter be required by the duly constituted authorities of such High Contracting Party shall be valid throughout the entire extent of the territories of that High Contracting Party, and that treatment accorded to nationals of such other High Contracting Party with respect to such requirements shall not be less favorable than that accorded to nationals of any third country.

2. (a) Without prejudice to rights given elsewhere in the Treaty, Article II, paragraph 2, refers only to rights and privileges to be enjoyed by nationals of either High Contracting Party as individuals, and shall not be construed to imply the right of such nationals to form corporations or associations on the same terms as nationals of the other High Contracting Party.

(b) The words "not forbidden by the laws and regulations enforced by the duly constituted authorities", as used in Article II, paragraph 2, shall be construed to mean such prohibitory laws and regulations as are applicable alike to nationals of the country and to nationals of the other High Contracting Party.

3. Rights in respect of "exploration for and exploitation of" mineral resources as referred to in Article V shall be construed to mean the rights to conduct mining enterprises and operations, as distinct from the ownership by nationals, corporations or associations of one High Contracting Party of interests in corporations or associations of the other High Contracting Party which are or may be engaged in mining operations in the territory of such other High Contracting Party.

4. The provisions of Article VIII, paragraph 1, shall not be construed to limit in any way rights or privileges accorded in other provisions of the Treaty with respect to real or other immovable property.

5. (a) The word "unauthorized", as used in Article IX, shall be construed to mean unauthorized by the owner of the industrial, literary or artistic property in any given case.

(b) The provision in the first sentence and in the second sentence of Article IX, that "effective remedy therefor shall be provided by civil action" shall not be construed to preclude remedies by other than civil action if such remedies are provided for by laws and regulations which are or may hereafter be enforced by the duly constituted authorities.

(c) So long as the laws and regulations of either High Contracting Party do not accord to its own nationals, corporations and associations protection against translations, the provisions of the third sentence of Article IX shall not be construed to obligate that High Contracting Party to accord to nationals, corporations or associations of the other High Contracting Party protection against translations.

6. Without prejudice to rights which are otherwise enjoyed or may hereafter be enjoyed, the word "grown" as used in Article XVIII, paragraph 2, shall not be construed to confer any right upon nationals, corporations or associations of either High Contracting Party to engage in agriculture within the territories of the other High Contracting Party.

7. The words "international financial transactions", as used in Article XIX, paragraph 3, shall be construed to include importation or exportation of paper money and governmental securities, it being understood that each High Contracting Party retains the right to adopt or enforce measures relating to such importation or exportation, provided the measures do not discriminate against nationals, corporations and associations of the other High Contracting Party in a manner contrary to the provisions of that paragraph.

8. The concluding sentence of paragraph 1 of Article XX shall not be construed to apply to postal services.

9. The words "gold or silver", as used in Article XXVI, paragraph 1, shall be construed to include bullion and coin.

10. Advantages which are or may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba or to the Republic of the Philippines as stipulated in Article XXVI, paragraph 4, whenever extended to any other country, shall similarly be extended to the Republic of China.

J. LEIGHTON STUART.
ROBERT LACY SMYTH.
WANG SHIH-CHIEH.
WANG HUA-CHENG.

REPORT OF GOVERNOR OF THE PANAMA CANAL

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read, and, with the accompanying report, was referred to the Committee on Armed Services.

(For President's message, see today's proceedings of the House of Representatives on p. 2316.)

SUSPENSION OF DEPORTATION OF ALIENS

The PRESIDENT pro tempore laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, a report reciting the facts and pertinent provisions of law in the cases of 127 individuals whose deportation has been suspended for more than 6 months by the Commissioner of Immigration and Naturalization Service under the authority vested in the Attorney General, together with a statement of the reason for such suspension (with an accompanying report); to the Committee on the Judiciary.

INTERNATIONAL BILL OF RIGHTS

Mr. MYERS. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted by the Philadelphia Archdiocesan Holy Name Union, on the 2d instant.

There being no objection, the resolution was received, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas the United Nations Human Rights Commission is currently engaged in preparing the first draft of an international bill of rights; and

Whereas this is one of the most important single tasks in modern times since its formulation and implementation are basic prerequisites to a just and lasting peace; and

Whereas newspaper reports of the Commissions' meetings indicate the representative of one nation as claiming that only a small layer separates man from the animal and that the difference may simply be that man can think of someone else as well as of himself; and

Whereas other newspaper reports indicate that the representative of another nation claims that the bills of human rights presented for study are wrong because the emphasis is on the rights of individuals whereas the new trends in the world make it impossible to consider individuals except collectively; and

Whereas still other newspaper reports indicate that the representative of another nation urges the deletion of all the following concepts: "the right of life, of personal liberty; the prohibition of slavery and compulsory labor; the right to petition national governments and the United Nations; nonretroactivity of penal laws; right of property; prohibition of unlawful expropriation; freedom of movement and freedom to resist oppression"; and

Whereas these sentiments are in direct conflict with the natural law, the American Declaration of Independence, and the preamble of the United Nations Charter: Be it therefore

Resolved, That we, the delegates of the Philadelphia Archdiocesan Holy Name Union, regularly assembled at this March 2, 1947, quarterly meeting, hereby respectfully petition the Chief Executive of the United States, President Harry S. Truman, and the several Senators and congressional Representatives of the districts in which we live, to duly instruct the United States representative on the Human Rights Commission to insist that a bill of rights be drafted that takes complete cognizance of at least the following basic truths:

I. That the dignity of man, created in the image of God, obligates him to live in accordance with law imposed by God. Consequently, he is endowed as an individual and as a member of society with rights which are inalienable;

II. That the family is the natural and fundamental group unit of society and is endowed by the Creator with inalienable rights antecedent to all positive law. The family does not exist for the state, but on the other hand is not independent;

III. That political authority is entrusted by God to nations, which are endowed with rights and charged with the obligation of establishing justice, of promoting the general welfare of their citizens and of cooperating with other nations in furthering the universal welfare of mankind; and

IV. That the human family constitutes an organic unity or a world society and the states of the world have the right and duty to associate and to organize in international community for their common welfare.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 20, 1947, he presented to the President of the United States the enrolled bill (S. 276) to provide for payment and settlement of mileage and other travel allowance accounts of military personnel.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting the nomination of James M. Alsup, of Honolulu, T. H., to be collector of internal revenue for the district of Hawaii, and withdrawing the nomination of Herbert E. Arnold, of Texas, to be collector of internal revenue for the second district of Texas, which nomination was referred to the Committee on Finance.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BUSHFIELD:

S. 949. A bill authorizing the issuance of a patent in fee to Joel Wade Tyndall;

S. 949. A bill to provide for the enforcement of the penal laws of the States on Indian reservations, and for other purposes; and

S. 950. A bill authorizing the issuance of a patent in fee to Mrs. Annie Eunice Arm Spotted Elk; to the Committee on Public Lands.

By Mr. WATKINS:

S. 951. A bill for the relief of Mrs. Yoshiye Hayashi Kurisaki; to the Committee on the Judiciary.

By Mr. MURRAY:

S. 952. A bill authorizing an appropriation for the construction, extension, and improvement of a State tuberculosis sanatorium at Galen, Mont., to provide facilities for the treatment of tuberculous Indians in Montana; to the Committee on Public Lands.

By Mr. FULBRIGHT:

S. 953. A bill to amend the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," as amended; to the Committee on Labor and Public Welfare.

By Mr. WILEY (by request):

S. 954. A bill for the relief of James H. Underwood; to the Committee on the Judiciary.

(Mr. LANGER introduced Senate bill 955, for the relief of Toymus Ali, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. MAGNUSON:

S. 956. A bill to amend the Servicemen's Readjustment Act of 1944, as amended, so as to extend the benefits of titles II, III, IV, and V of such act to members of the American Field Service; to the Committee on Finance.

S. 957. A bill for the relief of Col. William J. Kennard; and

S. 958. A bill to authorize the admission into the United States of persons of races indigenous to Siam, and to make them racially eligible for naturalization; to the Committee on the Judiciary.

TOYMUS ALI

Mr. LANGER. Mr. President, I ask unanimous consent to introduce, for appropriate reference, a bill for the relief of Toymus Ali, an Indian. I want particularly to call to the attention of the correspondents of the New York Daily News and the Times-Herald that I am introducing another bill for the relief of an Indian. This man has lived in the United States for nearly 20 years and he has had a clean record. All of a sudden the Department of Justice is trying to deport him. I am introducing this bill at the request of good American citizens who believe it is unjust that a man who has made a fine record all these years should, all of a sudden, be picked up by the nape of the neck and deported.

There being no objection, the bill (S. 955) for the relief of Toymus Ali, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on the Judiciary.

EXTENSION OF CERTAIN POWERS OF THE PRESIDENT UNDER SECOND WAR POWERS ACT—AMENDMENT

Mr. YOUNG (for himself and Mr. LANGER) submitted an amendment intended to be proposed by them, jointly, to the bill (S. 931) to extend certain powers of the President under title III of the Second War Powers Act, which was referred to the Committee on the Judiciary and ordered to be printed.

THEODORE ROOSEVELT NATIONAL PARK, N. DAK.—AMENDMENT

Mr. MORSE (for himself and Mr. CORDON) submitted an amendment intended to be proposed by them, jointly, to the bill (H. R. 731) to establish the Theodore Roosevelt National Park; to erect a monument in memory of Theodore Roosevelt in the village of Medora, N. Dak.; and for other purposes, which was ordered to lie on the table and to be printed.

SUGAR FOR MILK PROCESSORS

Mr. WHERRY. Mr. President, for the benefit of the Senate, I wish to make a brief announcement relative to sugar. Many Senators have called the Small Business Committee and have called my office, on behalf of plants that condense milk, in an effort to obtain sugar for processing milk.

The Office of Temporary Controls has informed me that effective April 1, 1947—assuming that the authority for sugar rationing will be continued by the Congress after its present expiration on March 31—milk processors will again be able to get sugar in quantities necessary to preserve their excess milk.

The Senate Small Business Committee has received many complaints from milk processors that they were unable to process their excess milk since the change in the rationing regulations, effective last November.

This present action of the rationing officials places the use of sugar in preserving milk on what is termed a "provisional allotment basis," as it had been prior to November 1, 1946. On that date the Office of Price Administration changed the regulations, and placed the use of sugar in preserving milk on an historical-use basis. In other words, the measure of how much sugar could be obtained by a bulk sweetened condensed milk processor was made dependent upon what had been used previously by a particular user, and not what his needs were.

Since November 1, 1946—and more particularly in the last month, when the flush milk season began—the Senate Small Business Committee has had countless complaints from every section of the United States that milk processors have been forced to pour milk down the sewer because of the lack of sugar with which to preserve it.

In addition to these complaints, the situation was further brought to the attention of the Senate Small Business Committee by the institution of the suit of the Moberly Milk Products Co., of Moberly, Mo., which sought to set aside the action of the Office of Price Administration in basing sugar usage for preservation of milk on a historical-use basis.

On March 12 an executive conference of the Senate Small Business Committee was held, at which various rationing officials of the Office of Price Administration were present. This situation was forcibly pointed out by the committee members present. At the meeting it was generally agreed that sugar should be made available to preserve milk.

The position of the Secretary of Agriculture, which he made clear in testimony before both the House and Senate Banking and Currency Committees, now considering the extension of sugar rationing, that milk would not be wasted because of lack of sugar, was brought to the attention of all those attending this conference.

In the light of the announcement made by the Office of Price Administration, which I understand had the full concurrence of the Department of Agriculture, I feel it to be my duty, as chairman of the Senate Small Business Committee, to report to the Senate that favorable outcome of our conference with the rationing officials, which not only means the saving of vast quantities of milk for human consumption, but also the favorable culmination of a strong protest by the committee on behalf of small business.

PROPOSED GREEK AND TURKISH LOANS—QUESTIONS AND STATEMENT BY SENATOR WILEY

Mr. WILEY. Mr. President, yesterday, in accordance with the invitation of the chairman of the Senate Foreign Relations Committee, the Senator from Michigan [Mr. VANDENBERG], I submitted to him for transmission to the State Department officials for answer a list of questions relating to the proposed Greek and Turkish loans.

I ask that there be printed in the RECORD at this point the text of my letter to the Senator from Michigan, and a statement which I have issued in connection with question 9 which makes inquiry concerning the setting up of a quid pro quo basis for United States foreign policy.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

MARCH 19, 1947.

HON. ARTHUR VANDENBERG,
Chairman, Senate Foreign Relations Committee, United States Senate, Washington, D. C.

MY DEAR SENATOR: I am presenting herewith a list of questions for submittal to the State Department in connection with the proposed Greek and Turkish loans.

1. In the opinion of the State Department, what is the basic justification for the steps that are contemplated under the Greek agreement? Are they in the opinion of the State Department basically preventative steps againt war, and if so, how so?

2. In view of the critical situation in the Near East, cannot pressure be brought to bear on the representatives of the various Governments in the United Nations to bring about the more immediate creation of an international police force under the UN's jurisdiction and the handling by the Council of situations like that presented in Greece?

3. Are there any other contemplated "surprise" expenditures which the Congress will be asked to authorize within the next year or so along the lines of the Greek and Turkish loans?

4. Has there been any understanding, oral or otherwise, with the Greeks that we would furnish other than advisory aid in military matters if it became necessary; that is, that we would actually use troops if circumstances seemed to require it?

5. Have we made any understanding, oral or otherwise, that we would lend economic, military or other assistance to any Near Eastern country other than Greece and Turkey, such as Palestine, Iraq, Trans-Jordan or nearby lands?

6. In view of the fact that Britain has stated that she could no longer maintain a military force in Greece, has she made similar statements in relation to any other near eastern territory?

7. Just what are the costs of British maintenance of military establishments in the Near Eastern countries, such as Iraq, Trans-Jordan, and Palestine?

8. If harmony could be worked out on a basis mutually satisfactory to the Arabs and the Jews in Palestine, would Britain then be willing to use some of the forces she is using in Palestine to station in Greece?

9. Is there any thought in the minds of our State Department that there should be a quid pro quo if the American taxpayer is to assume the burden of protecting not only American interests but British, French, and Dutch interests in the Near East? Is there any understanding that it's not a Santa Claus job entirely? In our loan to Turkey, are there not some vital materials that she could pay us with?

Sincerely yours,

ALEXANDER WILEY.

THE NEED FOR QUID PRO QUO IN UNITED STATES FOREIGN POLICY

I am determined that the answer to question No. 9 shall be that the United States shall, indeed, receive a quid pro quo for the untold billions of dollars which we will probably spend as we embark on the President's proposed program. The Lend-Lease Administration is right now terminating, after spending some $50,000,000,000, most of which admittedly was tremendously important in winning the war.

However, there is almost little or nothing to show for these fifty billions spent by the American taxpayer in the way of permanent economic concessions, strategic rights, or other advantages which any other nation in our position would have demanded and secured.

When the original lend-lease bill was being considered I stated that our aid program should be secured by foreign collateral, and that there should be a reciprocity in United States bargaining rather than the United States always paying a one-way roll.

There is no question of our "taking blood from stones now" wringing materials from so poverty-stricken a nation as Greece, but with other countries and indeed with Greece there is no reason why we cannot secure certain strategic air rights, sea rights, and further trade agreements such as any other nation in our position would. Our critics may scoff "Uncle Shylock" at this proposal, but it is time someone looked out for the American taxpayer. Our securing concessions is not a major goal of this program, of course.

The combating of communism and prevention of war would undoubtedly be our primary goals. Nevertheless there is no reason why we should not have subsidiary goals if we are to expend the resources of the American people.

NOMINATION OF DAVID E. LILIENTHAL AND BUSINESS OPERATIONS IN OAK RIDGE AREA

Mr. McKELLAR. Mr. President, I ask unanimous consent to have inserted in the RECORD a second letter from Mr. W. E. Badgett, of Knoxville, Tenn., relative to the Oak Ridge situation.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

KNOXVILLE, TENN., *March 19, 1947.*

Hon. KENNETH D. MCKELLAR,
United States Senator,
Senate Office Building.

MY DEAR SENATOR MCKELLAR: I should like to pass on to you certain information which may be of interest and help to you in showing to the Senate on the floor the utter disqualification of Lilienthal to hold a position as Chairman of the Atomic Energy Commission.

This information came to me through a client, Mr. Walter S. Crawford, who has been operating a business at Oak Ridge, Tenn., for some time. There are many others who are in the same status as Mr. Crawford.

When the Oak Ridge project was under the War Department it was the policy for the Government to lease certain buildings and the land connected therewith to private individuals for the carrying on of business which, in any other area of our great country, would be carried on by private enterprise. Recently, however, under Lilienthal's direction, the policy has been formulated, according to my information, that the Government will take over the functions and businesses previously operated on the Oak Ridge area and will operate them as a Government project. In my opinion such high-handedness, on the part of Mr. Lilienthal only goes to bear out that which you have been trying so valiantly and courageously to show to other members of the United States Senate—that Lilienthal's primary purpose in life is to destroy private enterprise and lead us into a Marxian System. The Atomic Energy Act contains no provision authorizing the Atomic Energy Commission to take over and operate, on the Oak Ridge area, functions which in ordinary life belong to private enterprise, and there is utterly no reason upon which Mr. Lilienthal may justify his action in thus destroying private enterprise on the area. His overt acts in this regard should stand as a warning signal to every member of the United States Senate of Mr. Lilienthal's true intentions with respect to the Tennessee Valley Area and his actions should he possibly be confirmed as Chairman of the Atomic Energy Commission. Anyone may state in beautiful language his precepts of democracy, but, as you and I know, as attorneys, the best way to judge one is by his actions, and one's intent may certainly be ascertained by his actions. I think it would be well for the Senate of the United States, and those Members who would vote for Mr. Lilienthal's confirmation, to know of his overt actions as above related in thus destroying private enterprise. The information which I have is that it is the intention of the Atomic Energy Commission, effective June 1, 1947, to take over completely under Government ownership all businesses now operated by private enterprise on the area, and I know of my own personal knowledge and from Mr. Crawford that as contracts are expiring in the Oak Ridge area, the Government is taking over ownership and operation through a so-called "Oak Ridge Recreation and Welfare Association" as a front.

I hope that this information will be of some assistance to you in your efforts to "dethrone" Lilienthal, and I wish you all success in your efforts and hope that you will do all that you can to see to it that the Marxian theory of business enterprise does not prevail in the Oak Ridge area.

With kindest personal regards and best wishes, I am,

Sincerely yours,

W. E. Badgett,
BILL BADGETT.

SENATOR WILEY'S RECORD ON BEHALF OF AGRICULTURE

[Mr. WILEY asked and obtained leave to have printed in the RECORD excerpts from various speeches and statements made by him since January 1929, showing his activities in behalf of agriculture, which appear in the Appendix.]

DEMOCRATIZATION OF GERMANY—STATEMENT BY THE SECRETARY OF STATE

[Mr. GREEN asked and obtained leave to have printed in the RECORD a statement by Secretary of State Marshall at Moscow relative to the democratization of Germany, which appears in the Appendix.]

GEN. GEORGE C. MARSHALL AND BERNARD BARUCH—EDITORIAL FROM COLLIER'S

[Mr. BYRD asked and obtained leave to have printed in the RECORD an editorial entitled "Giants in Our Time," published in the March 22, 1946, issue of Collier's magazine, which appears in the Appendix.]

THE PRESIDENT'S FOREIGN POLICY—ARTICLE BY ARTHUR KROCK

[Mr. BYRD asked and obtained leave to have printed in the RECORD an article entitled "Some Questions Arising Over the 'Truman Doctrine,'" written by Arthur Krock, published in the New York Times of March 20, 1947, which appears in the Appendix.]

JAMES D. PRESTON

[Mr. LODGE asked and obtained leave to have printed in the RECORD an article on James D. Preston, entitled "Mr. Washington," written by Truman Felt and published in the New York Times Sunday magazine of March 16, 1947, which appears in the Appendix.]

THE NEW FOREIGN POLICY—EDITORIAL FROM THE CONCORD (N. H.) DAILY MONITOR

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an editorial entitled "If Liberty Is Not to Perish," bearing upon the recent address by the President concerning aid to Greece and Turkey, which appears in the Appendix.]

THE LOAN TO GREECE AND TURKEY—EDITORIAL FROM MIAMI HERALD

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an editorial entitled "Truman Wants to Police World With United States Dollars and Troops," published in the Miami (Fla.) Herald Sunday magazine, March 16, 1947, which appears in the Appendix.]

SECURITY FOR FBI EMPLOYEES—EDITORIAL COMMENT

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial entitled "An Earned Retirement," published in the Jackson Citizen-Patriot, Jackson, Mich., on March 4, 1947; an editorial entitled "Security for FBI Men," published in the Boston Evening American of Thursday, March 13, 1947; an editorial entitled "Retirement Benefits for FBI Agents," published in the Light, San Antonio, Tex., on March 13, 1947; and an editorial entitled "Support This War," published in the Miami Daily News, Miami, Fla., on March 11, 1947, which appears in the Appendix.]

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 2157) to define and limit the jurisdiction of the courts to regulate actions arising under certain laws of the United States, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment, as amended.

Mr. McCARRAN. Mr. President, at this time the Senator from Rhode Island and the Senator from Nevada believe it well to place before the Senate their proposed amendment to the pending bill which is lying on the table. I therefore ask unanimous consent that the amendment, in the nature of a substitute for

certain parts of the committee amendment, be considered.

The PRESIDENT pro tempore. The Senator is entitled to offer his amendment at the present time. Does he wish to have it read?

Mr. McCARRAN. I think it unnecessary to take up the time of the Senate in reading it, because copies of the proposed amendment are on the desks of all Senators.

The PRESIDENT pro tempore. Without objection, the amendment will be printed in the RECORD, without reading.

The amendment proposed by Mr. McCARRAN for himself and Mr. McGRATH to the amendment reported by the committee is as follows:

Beginning with line 19, on page 10, strike out all down to and including line 2 on page 23 and insert in lieu thereof the following:

"PART II

"EXISTING CLAIMS ELIMINATED

"SEC. 201. The second sentence of subsection 16 (b) of the Fair Labor Standards Act of 1938 is amended to read as follows: 'Action to recover such liability may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves and other employees similarly situated; such action shall be deemed to have been commenced as to any individual claimant as of the date when such claimant is named in such action as a party thereto; and no employee shall be made or deemed a party plaintiff to any such action until his consent in writing to become such a party is filed in the court in which such action is brought: *Provided*, That no employee shall have any statutory right of recovery under this act based on any claim for unpaid minimum wages or unpaid overtime compensation or liquidated damages to the extent that such claim involves such activities of an employee engaged in prior to the effective date of this proviso as were not compensable working time under either (1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer or (2) a custom or practice not inconsistent with any such contract in effect at the time of such activity at the establishment or other workplace where such activities were performed.'

"SEC. 202. Section 16 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof three new subsections, as follows:

"'STATUTE OF LIMITATION

"'(c) No action under this act for unpaid minimum wages, or unpaid overtime compensation, or liquidated damages, shall be brought or maintained unless commenced within three years after the cause of action accrued or, if such cause of action accrued prior to the date of enactment of the Portal-to-Portal Act of 1947 and such action is brought before the expiration of the period of 180 calendar days next following such date, then within the period of any applicable State statute of limitation: *Provided*, That this section shall not be construed to revive or extend any action which otherwise would have been barred by any statute of limitation applicable to such action.

"'SETTLEMENT OF CLAIMS

"'(d) Settlement, compromise, release, or satisfaction of any claim under this Act, for unpaid minimum wages, unpaid overtime compensation, or liquidated damages, accrued before the date of enactment of this subsection shall be a defense thereto and any other appropriate legal or equitable defense may be pleaded in defense of such claim.

"'CURATIVE PROVISIONS FOR VIOLATION RESULTING FROM COMPLIANCE WITH A REGULATION

"'(e) In any judgment hereafter rendered by any court of competent jurisdiction involving a claim under this Act, accrued prior to the date of enactment of the Portal-to-Portal Act of 1947, for unpaid minimum wages, unpaid overtime compensation, or liquidated damages, the employer shall not be held liable for such claim if he can satisfactorily show by competent evidence that his failure to pay minimum wages and overtime compensation under this act was occasioned by his adherence (prior to the time of the publication of a succeeding written interpretation or regulation) to a written interpretation or regulation of the Administrator even though such interpretation or regulation so adhered to was determined by judicial authority to be invalid.'

"SHORT TITLE

"SEC. 203. This act may be cited as the 'Portal-to-Portal Act of 1947.'

"Amend the title so as to read: 'An act to amend the Fair Labor Standards Act of 1938, as amended.'"

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. McCARRAN. I yield.

Mr. WHERRY. Is the amendment which is now being offered by the Senator the same as the amendment that is printed?

Mr. McCARRAN. It is.

Mr. WHERRY. There are no changes?

Mr. McCARRAN. There are no changes.

Mr. President, at this time I also think it well, in view of the lengthy discussion which took place yesterday, during the course of which I occupied the floor for a considerable time, for me to draw to the attention of the Senate now a press release just issued by the Secretary of Labor, Mr. Schwellenbach, on the subject of the pending bill. I hope to have the attention of the able Senator from Missouri. If he has not seen this press release, he will find it of interest.

The Secretary of Labor says:

H. R. 2157, now pending in the Senate, concerning portal-to-portal suits under the Fair Labor Standards Act, is of much concern to everyone interested in fair labor standards for the working people of this country.

I would not feel it necessary to say anything concerning this legislation if the bill were limited to a method by which portal-to-portal claims for the past could be adjusted or settled. I believe it my duty, however, to point out, in the interest of all wage earners, that the proposed legislation goes far beyond a mere settlement of past portal-to-portal claims. As a matter of fact, the language and phraseology of H. R. 2157 are open to a construction that would vitally affect the future enforcement of the Fair Labor Standards Act. I do not believe the people of America are willing to take such a backward step from the sound social progress we have made in the past 15 years.

The statement issued by the Secretary of Labor continues:

I am afraid that in attempting to solve the portal-to-portal questions, the remedies proposed by H. R. 2157 would themselves create another series of problems and voluminous litigation. The result might be that additional legislation would be necessary to solve the problems created by H. R. 2157. This seems to me to be a clumsy method of settling the portal-to-portal problem. Furthermore, H. R. 2157 contains provisions relating not only to the Fair Labor Standards Act, but also the Walsh-Healey Act and the Davis-Bacon Act. Actions under the Walsh-Healey Act are brought by the Government and there never have been any employee suits for portal-to-portal activities under that act. The records of the Department of Labor do not disclose that there have been any employee suits under the Davis-Bacon Act which related in any way to portal-to-portal activities. If the purpose of the legislation is, as its sponsors claim, to solve the portal-to-portal question, I do not see why it is necessary to jeopardize the effectiveness of other statutes.

Under some of the terms of the bill, the millions of workers who are unorganized and without the benefit of union protection would be deprived in the future of many of the protective provisions of the present Fair Labor Standards Act. This is not necessary if we are concerned with solving only the present portal-to-portal question. As Secretary of Labor I do not want to see this great humanitarian statute crippled to such an extent that it cannot be properly enforced. I also do not believe that the Congress desires such a result.

Mr. President, there is now before the Senate for consideration the amendment offered by the Senator from Rhode Island [Mr. McGRATH] and myself. On yesterday I devoted my time to a discussion of the bill as reported by the Judiciary Committee of the Senate. On this occasion I propose to discuss as much in detail as I think it should be discussed, and as briefly as I think the cause justified, the amendment offered by the Senator from Rhode Island and the Senator from Nevada, which has been printed and is on the desk of every Senator.

Mr. President, the amendment which I have just offered is the amendment referred to in the minority views on House bill 2157. I hope that the Senators who listened to the reading of the press release of the Secretary of Labor will recall what the Senator from Nevada said yesterday in his discussion of the committee bill. It is indeed startling to me to find that the Secretary of Labor has taken almost the identical theme on which I talked yesterday in part, and has made it his expression by way of a press release.

As the minority views point out, the amendment has four main purposes.

First, to provide a rule of law which will bar recovery upon the portal-to-portal claims already accrued, but which will not eliminate claims arising out of clear violations of the Fair Labor Standards Act which do not in any way involve portal-to-portal situations, so that deliberate and willful violators of the Fair Labor Standards Act will not escape liability and their employees will have the full protection of the law.

Second, to provide a simple and easy method of disposal of accrued portal-to-portal suits by permitting the parties to enter into compromise settlements.

Third, to establish a 3-year statute of limitation which will provide an equitable protection against accumulation of claims for large amounts of back wages.

Fourth, to provide uniform and adequate protection for employers who have adhered to written interpretations or regulations of the Administrator.

I intend, Mr. President, to analyze this proposed amendment most carefully and

to draw certain comparisons between it and the language of the committee amendment. However, I shall not dwell at length upon such comparisons, but will rather confine myself, in the main, to discussion of the provisions of the amendment which I have offered on behalf of the Senator from Rhode Island and myself.

Senators will note that the text of this amendment is just long enough to cover three printed pages of the standard format of Senate bills, though it is offered as a substitute for more than 12 pages of legislative language in the committee bill. I hope it will not be argued here that because the committee bill is longer than the amendment which I have offered, it is, therefore, better.

The amendment which I have offered on behalf of the Senator from Rhode Island and myself contains three sections. The third section simply provides a short title and need not be considered here. Each of the other two sections proposes an amendment to the Fair Labor Standards Act of 1938. The amendment does not in any way refer to or affect the Walsh-Healey Act or the Davis-Bacon Act.

The Senate will recall that in my discussion of yesterday I contended that it was not at all necessary to interfere with the Walsh-Healey Act and the Davis-Bacon Act.

Section 201 of the minority amendment, which begins with line 3 on page 1 of the printed amendment, would rewrite the second sentence of subsection 16 (b) of the Fair Labor Standards Act.

This entire subsection of the present law now reads as follows:

(b) Any employer who violates the provisions of section 6 or section 7 of this act shall be liable to the employee or employees affected in the amount of their unpaid minimum wages, or their unpaid overtime compensation, as the case may be, and in an additional equal amount as liquidated damages. Action to recover such liability may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves and other employees similarly situated, or such employee or employees may designate an agent or representative to maintain such action for and in behalf of all employees similarly situated. The court in such action shall, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant and costs of the action.

It is the second sentence of this paragraph which the minority amendment would rewrite, so as to read—and if Senators will turn to our minority amendment, which is on their desks, they may follow as I read:

Action to recover such liability may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves and other employees similarly situated; such action shall be deemed to have been commenced—

And this is the language to which I would especially draw the attention of the Senate—

such action shall be deemed to have been commenced as to any individual claimant as of the date when such claimant is named in such action as a party thereto; and no employee shall be made or deemed a party plaintiff to any such action until his consent in writing to become such a party is filed in the court in which such action is brought: *Provided*, That no employee shall have any statutory right of recovery under this act based on any claim for unpaid minimum wages or unpaid overtime compensation or liquidated damages to the extent that such claim involves such activities of an employee engaged in prior to the effective date of this proviso as were not compensable working time under either (1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer, or (2) a custom or practice not inconsistent with any such contract in effect at the time of such activity at the establishment or other workplace where such activities were performed.

Senators will find, upon comparing the language of the proposed amendment with the language of the act, that the first clause of the amendment, down to the semicolon in line 2 on page 2, is identical with the language of the sentence being amended, down to the comma midway of the sentence. The words "or such employee or employees may designate an agent or representative to maintain such action for and in behalf of all employees similarly situated," which appear in the present act, would be deleted from the act if the minority amendment should become law. This would have the effect of eliminating representative actions, while maintaining authority for collective actions. This is in accordance with good practice in the Federal courts. The proposed committee amendment would accomplish the same thing.

The minority amendment, beginning at the end of line 2 on page 2, provides:

Such action shall be deemed to have been commenced as to any individual claimant as of the date when such claimant is named in such action as a party thereto; and no employee shall be made or deemed a party plaintiff to any such action until his consent in writing to become such a party is filed in the court in which such action is brought.

This language is almost the same as the language of the committee bill, beginning in line 12 on page 18. The only important difference is that the committee bill uses the words "no employee shall be made a party plaintiff" whereas the minority substitute uses the language "no employee shall be made or deemed a party plaintiff."

The effect of this difference in language would be that under the amendment which I have offered on behalf of the Senator from Rhode Island and myself, no employee would be considered a party plaintiff to any of the portal-to-portal suits now pending unless and until his consent in writing to become such a party had been filed with the court in which the suit was pending. This would eliminate uncertainty as to the scope of these actions.

Now we come to the real meat in the coconut, which is contained in the proviso beginning in line 8 on page 2 of the amendment which I have offered. This proviso reads:

Provided, That no employee shall have any statutory right of recovery under this act based on any claim for unpaid minimum wages or unpaid overtime compensation or liquidated damages to the extent that such claim involves such activities of an employee engaged in prior to the effective date of this proviso as were not compensable working time under either (1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer or (2) a custom or practice not inconsistent with any such contract in effect at the time of such activity at the establishment or other workplace where such activities were performed.

The language of this proviso is comparable to the language in part II of the committee bill, beginning in line 25 on page 10; but there are substantial differences which I shall attempt to explain.

For one thing, the language of my proposed amendment affects only the statutory rights of recovery granted to employees for claims based on unpaid minimum wages or unpaid overtime compensation or liquidated damages. It would not, for instance, affect a claim for quantum meruit; and it does not affect criminal liability. There is no need to legislate with respect to the criminal provisions of the Fair Labor Standards Act, and thereby provide a possible loophole through which a willful and morally culpable violator might escape.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. YOUNG in the chair). Does the Senator from Nevada yield to the Senator from Arkansas?

Mr. McCARRAN. I yield.

Mr. FULBRIGHT. Are any of the suits which have been brought up to the present time based upon anything other than a statutory right?

Mr. McCARRAN. I am not familiar with any that are not based upon such a right.

Mr. FULBRIGHT. It was my impression that all of them had been based upon statutory rights.

Mr. McCARRAN. That is correct, so far as I know.

The Wage and Hour Administrator has adopted and published an enforcement policy under which no actions will be brought against any employers for alleged violations of section 6 or 7 of the Fair Labor Standard Act, under subsection (a) of section 16 of the act, occurring prior to March 15, of this year; and no employer is in any danger of criminal punishment in connection with any portal-to-portal claim, since it is unthinkable that a jury would convict for any such alleged violation.

Now I come to a very important point, Mr. President. Note the language of the proposed amendment, beginning in line 12 on page 2 as, follows:

To the extent that such claim involves such activities of an employee engaged in prior to the effective date of this proviso as were not compensable working time under either (1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer or (2) a custom or practice not inconsistent with any such contract in effect

at the time of such activity at the establishment or other workplace where such activities were performed.

The comparable language in the committee bill is as follows, beginning in line 5 on page 11:

For or on account of any activities of an employee engaged in prior to the date of enactment of this act, except those activities which were compensable by either—

(1) An express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer; or

(2) A custom or practice in effect, at the time of such activity, at the establishment or other place where such employee was employed, covering such activity, not inconsistent with a written or nonwritten contract, in effect at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer.

The language of the committee bill which I have just quoted is so broad that it would operate to outlaw all claims for activities not expressly made compensable by the provisions of a contract, or by a custom or practice. The effect of this language, therefore, is by no means limited to portal-to-portal suits, as such suits are generally comprehended. As I have pointed out earlier on this floor, the so-called saving clause in the committee bill, beginning with line 15 on page 12, is meaningless, since it uses an artificial definition of "portal-to-portal activities," namely, as provided in section 5 of the committee bill, on page 14:

Those activities which section 2 hereof provides shall not be a basis of liability or punishment—

And so forth. In other words, the definition is in terms of itself, and all that the so-called saving clause of the committee bill says is that the provisions of section 2 shall not be deemed to apply to any claims to which, by its own terms, it does not apply. As I said recently on the floor of the Senate, that is just legislative double-talk.

On the other hand, the language of the amendment I have offered is very carefully drawn so as to be applicable to any claim only with respect "to the extent that such claim involves such activities of an employee as were not compensable working time" under either an express provision of a written or nonwritten contract, or a custom or practice. The effect of this language is to reach all claims involving the question of what is compensable working time—and that includes all the claims based on what are commonly regarded as portal-to-portal activities—but not to touch claims which do not in any way involve the question of whether the nature of the activities engaged in was such as to be considered work. In the opinion of the five Senators who signed the minority report, this is as far as the Congress can go in narrowing down the applicability of such a provision, and still accomplish the important purpose of reaching all the portal-to-portal claims. The minority amendment does reach the portal-to-portal claims, and it reaches them and wipes them out just as effectively as the committee bill would wipe them out. But the minority amendment would not wipe out a claim involving no question of the nature of the activities engaged in. For instance, in the case of a piece-work contract which failed to specify any working hours, and which set the rate of compensation so low that an employee did not receive the hourly minimum specified by the act, the language of the minority amendment would not wipe out the claim; whereas, in my opinion, the language of the committee bill would wipe it out completely. Examples could be multiplied; but the principle is clear. The language of the amendment which I have offered goes only so far as is necessary to reach the portal-to-portal claims, and it goes no farther.

Section 202 of the proposed minority amendment would add three new subsections to section 16 of the Fair Labor Standards Act.

The first of these proposed new subsections would impose a 3-year statute of limitation. With respect to causes of action accrued prior to the date of enactment of the Portal-to-Portal Act of 1947, it would allow a grace period of 180 calendar days within which such action could be brought if not barred by an applicable State statute of limitation. It also contains a proviso, beginning with line 11 on page 3, that—

This section shall not be construed to revive or extend any action which otherwise would have been barred by any statute of limitation applicable to such action.

The effect of this proviso is to leave in effect applicable State statutes of limitation fixing periods less than the 3 years provided in this amendment. In other words, the language of the minority amendment does not propose to broaden or extend the rights of an employee in any State which now has a 1-year or 2-year statute of limitation. This seems to meet the point at which the proposed amendment of the Senator from Florida [Mr. HOLLAND] is directed.

The language of the committee bill, in section 9, beginning in line 23 on page 18, fixes a 2-year statute of limitation; and the paragraph beginning in line 8 on page 19 allows a grace period of 120 days within which a claim accruing prior to the date of enactment of the Portal-to-Portal Act of 1947 may be commenced.

At first inspection, these comparable provisions of the proposed minority amendment and of the committee bill seem to differ only in the length of the statute of limitation fixed and in the length of the grace period allowed. However, closer inspection will show that the language of the committee bill would permit a wholly inequitable result, which I shall illustrate with an assumed case. Let us assume an employee, in a State which now has a 1-year statute of limitation, has a claim which accrued 13 months before the date of enactment of the Portal-to-Portal Act of 1947. His claim would be barred under his State statute, and therefore he would have no rights under the grace period provided for in the committee bill. However, after the lapse of 120 days after the date of enactment of the Portal-to-Portal Act of 1947, by which time his claim would be 17 months old, he would have a period of some 7 months within which he could come in and file that claim; because the creation of a Federal statute of limitation, without any such saving proviso as has been included in the minority amendment, would wipe out and supersede the State statute of limitation. In other words, lacking the protection of such a proviso, the language of the committee bill would operate to revive a claim which might have been barred under a 1-year State statute of limitation.

The second new subsection which the minority amendment would add to section 16 of the Fair Labor Standards Act is found on page 3 of the printed amendment, beginning with line 15. It refers to settlement of claims.

This subsection applies only to claims accrued before the enactment of the Portal-to-Portal Act of 1947. With respect to such claims—past claims—it permits settlement upon whatever terms may be agreed to between an employer and his employees. With respect to future claims, the minority amendment would leave the parties in the same position in which it finds them.

Perhaps the greatest evil in the portal-to-portal claims, as they are commonly regarded, is the element of surprise. Employers were suddenly faced with huge claims which they had not anticipated and which, in many cases, they could not reasonably have anticipated. With respect to such claims, an employer is entitled to have the right of settlement or compromise. With respect to future claims which may arise, there can be no such element of surprise; and so there is no need for providing a settlement feature which might be used to make the Fair Labor Standards Act ineffective for all time to come.

The third subsection which the minority amendment would add to section 16 of the Fair Labor Standards Act begins in line 23 on page 3 of the printed amendment. It provides that—

In any judgment hereafter rendered by any court of competent jurisdiction involving a claim under this act, accrued prior to the date of enactment of the Portal-to-Portal Act of 1947, for unpaid minimum wages, unpaid overtime compensation, or liquidated damages, the employer shall not be held liable for such claim if he can satisfactorily show by competent evidence that his failure to pay minimum wages and overtime compensation under this act was occasioned by his adherence (prior to the time of the publication of a succeeding written interpretation or regulation) to a written interpretation or regulation of the Administrator even though such interpretation or regulation so adhered to was determined by judicial authority to be invalid.

This language is the minority substitute for section 10 of the committee bill, which will be found on page 20 of that bill, beginning at line 16. The language of the minority amendment does not talk about good faith, which, as I have pointed out on this floor, is a term not defined in the committee bill, and therefore is open to very broad interpretation. The language of this particular portion of the minority amendment does, however, provide complete protection for any employer who adhered to a written interpretation or regulation of the Administrator. It does not permit an employer to rely on an interpretation or regulation

to which he did not adhere, and to do so, as the committee bill does, would be clearly inequitable.

This language of the minority amendment does not have any effect with respect to violations which may occur subsequent to the date of enactment of the Portal-to-Portal Act of 1947. It is not intended to be a catch-all clause by which employers can escape liability under the Fair Labor Standards Act for clear and willful violations of that act. It is designed to provide uniform and adequate protection for employers who have followed the act and the regulations and written interpretations of the Administrator under the act.

In this regard the language of the minority amendment goes further than does that language of the committee bill in one important respect. As I pointed out on this floor yesterday and earlier today, neither the Gwynne bill nor the Senate committee substitute affords any protection to an employer with respect to alleged violations occurring between the middle of 1944, when the Supreme Court invalidated the October 1940 regulation of the Wage and Hour Administrator which defined area of production and December 1946, when the Administrator issued a succeeding regulation. The language of the amendment which I have offered on behalf of the Senator from Rhode Island [Mr. McGRATH] and myself does afford such protection. During that period of more than 2 years, there was no regulation interpreting or defining area of production. An employer who had been exempted from the provisions of the Fair Labor Standards Act under the order of October 1940 was, after the 1944 Court decision, on the horns of a dilemma. He could assume that he was no longer exempted, and, therefore, that he had to comply with all the provisions of the act, or he could assume that the new and succeeding regulation which the Wage and Hour Administrator ultimately would issue would still exempt him. An employer cannot be blamed if he crossed his fingers, said a prayer, and chose the latter presumption, because the Supreme Court had indicated its feeling that elimination of all exemptions would be clearly inequitable.

Many employers accordingly elected to continue to adhere to the 1940 regulation until such time as a succeeding regulation should be issued and made effective. Insofar as they did so adhere, those employers are entitled to protection. The Wage and Hour Administrator has recognized this by adopting and publishing the enforcement policy to which I referred earlier today. But this enforcement policy concerns only criminal liability. The Administrator cannot, by adoption of an enforcement policy, protect an employer against suits by his employees. Such protection can be given only by legislation; and, with respect to employers who did adhere to the 1940 regulation of the Administrator, or to written interpretations of the Administrator, such protection is given by the language of the proposed minority amendment.

To sum up, Mr. President, the amendment which I have offered has future effect only in two respects: It would fix a 3-year statute of limitation which would be applicable to all claims, both past and future, though not to the extent of increasing the period provided by any applicable shorter State statute; and it would eliminate, for the future, the filing of representative actions in behalf of employees, though preserving the right to file collective actions. In all other respects, this amendment would have no future effect. It will not emasculate or repeal the Fair Labor Standards Act of 1938, or deprive any employee, in the future, of his just and equal protection under that act. It will bar recovery upon the portal-to-portal claims already accrued, but will not eliminate claims arising out of violations of the Fair Labor Standards Act which do not involve portal-to-portal situations. It provides a simple and easy method of disposal of accrued portal-to-portal suits, by permitting the parties to enter into a compromise settlement; and it provides uniform and adequate protection for employers who adhered to written interpretations or regulations of the Administrator.

This, Mr. President, is as far as the Congress should go. If the laws written by previous Congresses for the protection of the working men and women of this country are to be materially altered or wiped from the statute books, the legislation to accomplish that purpose should originate, not in the Committee on the Judiciary, but in the Committee on Education and Labor, which properly has jurisdiction over labor legislation; and if protection against sweatshop conditions is to be withdrawn from the workers of this country, it should be done openly, and not in the devious and insidious method in which it would be done by the committee bill.

I therefore earnestly hope, Mr. President, that the minority amendment may be adopted.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. BARKLEY. I have not had opportunity to study carefully the new committee bill or the minority views based upon it, or the amendment by way of substitute for certain parts of the bill offered by the Senator from Nevada and the Senator from Rhode Island. Personally I hesitate to take away any valid, meritorious rights enjoyed by anyone in this country, in order to relieve a situation which is admittedly fantastic in view of the number of the suits and the amount involved.

I should like to call the attention of the Senator from Nevada to a hypothetical situation; that is, it may be hypothetical, but it may be true in many cases.

Let us suppose that the 8-hour day is in effect in any given manufacturing institution, let us assume a machine shop, and that employees are required to go to work at 8 o'clock and work 8 hours during the day. But the employer in any given case requires the employees to be on the premises at 7:30 and spend half an hour sharpening the tools with which they are to work during the 8-hour period, tools belonging to the employer, or requires them to remain 30 minutes after the work day is over to sharpen or repair the tools for the 8-hour day which will come on the morrow. Let us assume that there is no contract between the employer and the employees which requires the employer to pay for that half hour, and let us suppose also that it has not been customary to pay for that half hour extra time. Let us suppose that the employer by some form of coercion, actual or constructive, inspires fear in an employee that if he does not obey his employer and put in the extra half hour of work, he will lose his job. What does the proposed legislation do in a case of that sort, and wherein does the proposed substitute differ from the committee bill in a case of that kind? I have a feeling that there are many cases like that in the United States.

Mr. McCARRAN. I think there are.

Mr. COOPER. Mr. President, will the Senator from Nevada yield?

Mr. McCARRAN. Does the Senator wish to answer the question of the senior Senator from Kentucky?

Mr. COOPER. No; I want the Senator to yield so that I may propound a question. I should like to ask the senior Senator from Kentucky if his question is directed to activities which might have occurred before the enactment of the proposed legislation?

Mr. BARKLEY. Yes; my questions are related to activities which may have occurred prior to the enactment of the proposed legislation, as well as subsequent thereto.

Mr. COOPER. Very well.

Mr. BARKLEY. The scope of my question takes in both the period prior to and subsequent to the enactment of the proposed legislation.

Mr. McCARRAN. Then, I shall let the Senator who has charge of the main bill answer for the bill if he desires, but I should like to answer for the amendment.

Mr. COOPER. I should like to ask the Senator from Nevada if he can answer the question of the senior Senator from Kentucky, whether under the amendment which he has been discussing, which has been proposed by the Senator from Rhode Island and the Senator from Nevada, employees would receive compensation for the work referred to.

Mr. McCARRAN. The employees would have their right of action, if the work were embraced within custom or contract.

Mr. COOPER. Could an employee recover?

Mr. McCARRAN. Yes; I think he could recover.

Mr. COOPER. As I understand, the senior Senator from Kentucky gave an example of an activity which was not under contract, and asked the Senator from Nevada if the employee in that case could recover for that activity which was not under contract.

Mr. McCARRAN. If it was not under contract or custom, no.

Mr. COOPER. Then, under the Senator's amendment the employee could not recover?

Mr. McCARRAN. He could not recover?

Mr. BARKLEY. Then, if I understand the Senator, under neither the

committee bill nor the proposed substitute amendment could an employee in the position I have indicated recover.

Mr. McCARRAN. Not unless he brought himself under contract, or established that it was customary to be paid for that kind of work.

Mr. BARKLEY. I should like to ask one other question in that regard. Do both measures, then, create a situation which requires every employee situated as I have indicated either to demand a contract in the future for the extra half hour of work, or run the risk of losing his job if he refuses to perform the extra half hour's work without compensation? Is that a fair statement of both measures?

Mr. McCARRAN. I think it is a fair statement.

Mr. BARKLEY. I thank the Senator.

Mr. COOPER. Mr. President, will the Senator from Nevada yield?

Mr. McCARRAN. I yield.

Mr. COOPER. I take it, then, that the answer the Senator has given to the senior Senator from Kentucky is that as to past claims there is no difference between the committee bill and the amendment which is proposed.

Mr. McCARRAN. I did not quite catch all the Senator's question.

Mr. COOPER. I understood the Senator from Nevada, in answering the question propounded by the senior Senator from Kentucky, to say that under the amendment of the Senator from Nevada there could be no recovery in the example the Senator from Kentucky gave.

Mr. McCARRAN. That is correct.

Mr. COOPER. Then I take it that it is admitted there is no difference as to past claims between the committee bill and the amendment proposed by the Senator.

Mr. McCARRAN. There is a great deal of difference because the committee bill does not attempt to deal with the situation brought forward by the senior Senator from Kentucky. The committee bill wipes out all right of action accruing by reason of portal-to-portal claims.

Mr. COOPER. Did not the Senator just say that under the amendment there could be no recovery in the case propounded by the senior Senator from Kentucky?

Mr. McCARRAN. Was it a portal-to-portal claim which was cited by the Senator from Kentucky? Certainly not.

Mr. COOPER. It was not a portal-to-portal claim.

Mr. McCARRAN. No; but the bill reported by the committee wipes out all portal-to-portal claims, and there are portal-to-portal claims which can have legitimate position.

Mr. COOPER. Is it true that the amendment offered by the Senator would wipe out all claims of the past except those based on contract or custom?

Mr. McCARRAN. That is true.

Mr. COOPER. Then the claim which was described by the Senator from Kentucky would be eliminated.

Mr. McCARRAN. Pardon me—except, as I tried to illustrate in this morning's presentation, that in some instances, such as in piecework, there might be a legitimate claim to enforce the minimum wage.

Mr. COOPER. Did the Senator say that if the piecework were not included in custom or practice it would be compensable under the amendment?

Mr. McCARRAN. It would be compensable under my amendment.

Mr. COOPER. I read from the amendment:

Provided, That no employee shall have any statutory right of recovery under this act based on any claim for unpaid minimum wages or unpaid overtime compensation or liquidated damages to the extent that such claim involves such activities of an employee engaged in prior to the effective date of this proviso as were not compensable working time under either (1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer or (2) a custom or practice not inconsistent with any such contract in effect at the time of such activity.

I should like to have the Senator explain, in the light of that language, how the activity which he has just said would be compensable, could be compensable, if it is not under a contract or custom?

Mr. McCARRAN. Because the law was set up to maintain and establish a minimum wage.

Mr. COOPER. Under his amendment, the Senator is proposing an amendment to that law.

Mr. McCARRAN. Yes; but we do not destroy the spirit of the law, as does the Senator's bill.

Mr. COOPER. The amendment says in certain terms that no activity shall be compensable except by custom or practice.

Mr. McCARRAN. The spirit of the law known as the Fair Labor Standards Act is the maintenance of a minimum wage.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. McCARRAN] for himself and the Senator from Rhode Island [Mr. McGRATH].

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Morse
Baldwin	Hayden	Murray
Ball	Hickenlooper	Myers
Barkley	Hill	O'Conor
Bricker	Hoey	O'Daniel
Bridges	Holland	O'Mahoney
Brooks	Ives	Pepper
Buck	Jenner	Reed
Bushfield	Johnson, Colo.	Robertson, Va.
Byrd	Johnston, S. C.	Russell
Cain	Kem	Smith
Capper	Kilgore	Sparkman
Chavez	Knowland	Stewart
Connally	Langer	Taft
Cooper	Lodge	Taylor
Cordon	Lucas	Thomas, Okla.
Donnell	McCarran	Thomas, Utah
Downey	McCarthy	Thye
Dworshak	McClellan	Tobey
Eastland	McFarland	Umstead
Ecton	McGrath	Vandenberg
Ellender	McKellar	Watkins
Ferguson	McMahon	Wherry
Flanders	Magnuson	White
Fulbright	Malone	Wiley
George	Martin	Williams
Green	Maybank	Wilson
Gurney	Millikin	Young
Hatch	Moore	

The PRESIDING OFFICER. Eighty-six Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. McCARRAN] on behalf of himself and the Senator from Rhode Island [Mr. McGRATH] to the committee amendment.

Mr. COOPER. Mr. President, I have no prepared speech upon the pending bill, and in the short time I shall occupy the floor, I do not intend to discuss at any length the factual situation which has made this proposed legislation necessary, nor to argue the constitutional question raised by the provision in the committee bill, which retroactively invalidates portal-to-portal claims accruing before the date of the enactment of this measure. These questions have been discussed and presented exhaustively and ably and, I believe, unanswerably by the senior Senator from Missouri [Mr. DONNELL]. I should like to say that I believe he has rendered a notable service in providing for the Senate, for the people of the country, and later for the use perhaps of the Supreme Court, a factual analysis of the conditions which make the pending legislation necessary.

I might digress by saying that in the short time I have been here I have heard and read criticism directed toward the Congress for its alleged delay in the enactment of legislation. I am very happy that in the first task to which I was assigned after coming here, I have had the opportunity to be associated with a Senator who considers that his task is one of importance, and who has given to it the care and the deliberation which I believe such an important issue deserves.

In the short time I shall speak I shall have in mind three objectives: First, I should like to explain, as simply and clearly as may be possible, without legalistic words, the meaning and the provisions and the objectives of the commitee bill.

Second, I should like to challenge the argument which has been made by the proponents of the pending amendment, and particularly the argument which has been advanced by the senior Senator from Nevada [Mr. McCARRAN] that the bill strikes fundamentally at the Fair Labor Standards Act.

Third, I want to emphasize, the essential justice and equity and fairness of the committee bill.

In the exhaustive hearings that were held upon the bill numerous witnesses testified. Many of the witnesses who represented industry proposed and recommended changes which would substantially amend and modify the Fair Labor Standards Act. On the other other hand, many representatives of labor organizations said in effect that we should ignore the conditions which confront us because of this avalanche of portal-to-portal claims, and that we should take no action, even as to existing claims. I believe that all of them insisted that certainly nothing should be done as to the future, advancing the argument that if we did we might in fact emasculate the Fair Labor Standards Act.

The committee took the position that it did not represent labor as such, or industry as such, but that it was its duty to approach this question with an open mind and, after its findings, if it was determined that legislation was needed, then to recommend legislation which would be fair to both labor and industry and which would serve the public interest.

Mr. President, the senior Senator from Missouri and the Senator from Mississippi [Mr. EASTLAND] approached the task with this viewpoint, and we had valuable help from the chairman of the Committee on the Judiciary, the Senator from Wisconsin [Mr. WILEY], and many members of the committee. Notably among them I should like to mention the help we received from the junior Senator from Rhode Island [Mr. MCGRATH]. He did not always agree with us. He did not always favor the objectives which we sought, but he did demonstrate his great interest in labor and his great interest in industry by working with us and by offering recommendations and suggestions in connection with framing the bill.

I am very sorry that during the weeks we devoted to the bill we did not have the benefit of the excellent advice which has been given to us in the last 2 days by the senior Senator from Nevada [Mr. MCCARRAN]. His advice would have been of great assistance in the preparation of the bill if it had been suggested during that time.

After a great deal of investigation and extensive hearings we reached two decisions: First, that approximately $6,000,000,000 of claims which have been filed constitute a threat against the economy of the Nation; that there was great danger that ultimately a portion of the claims would be shifted to the Treasury by war contractors by way of reimbursement and employers who will seek and receive tax adjustments. So we decided it was necessary as effectively and promptly as it could be done to invalidate retroactively portal-to-portal claims.

Our second decision was, that it was necessary to legislate as to the future. If we did not, the same conditions which prevail today would occur again, with all the resulting uncertainty, with all the resulting litigation. Further, it seemed to us that since the Wage and Hour Administrator and the courts have been developing their own criteria as to what activities should be deemed compensable or not compensable, the Congress which enacted the act had the power to establish certain standards and certain criteria which would assist the Wage and Hour Administrator and the courts in determining what activities are or are not compensable in the future.

So, addressing ourselves to the first task of efficiently and certainly invalidating existing portal-to-portal claims, we decided that the most efficient and most effective way was to provide that as to existing claims no activity would be compensable unless compensable by contract or by custom.

Since this debate started the senior Senator from Illinois [Mr. LUCAS], the Senator from Massachusetts [Mr. LODGE], and the Senator from Vermont [Mr. AIKEN] have propounded questions to this effect: In providing as to existing and past claims that no activity shall be compensable except by custom or contract, does the committee bill go further than that? Does the committee bill strike down and make noncompensable some activities which have been compensable under the Fair Labor Standards Act prior to the Mount Clemens decision?

I shall be perfectly honest in answering that question in the Senate today. I say that that question must be answered in the affirmative, because when we provide that no activity shall be compensable except by custom or contract, it is certain that there have been activities performed in past years, within the statute of limitations, which were not under custom or contract, and yet were made compensable under the Fair Labor Standards Act.

I digress here to say that the amendment offered jointly by the Senator from Nevada and the Senator from Rhode Island would have exactly the same effect; it would also eliminate every activity except such as were made compensable by custom or contract. Any Senator who will read the amendment can reach no other conclusion.

Mr. ELLENDER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. DWORSHAK in the chair). Does the Senator from Kentucky yield to the Senator from Louisiana?

Mr. COOPER. I yield.

Mr. ELLENDER. As I understand the distinguished Senator, there is no essential difference between the committee bill and the proposed substitute amendment with respect to past claims.

Mr. COOPER. There is no difference as to past claims. I shall demonstrate a little later, however, that the amendment offered by the Senator from Rhode Island and the Senator from Nevada is much more drastic in its effect than is the bill proposed by the committee.

Mr. ELLENDER. That is, as to past claims.

Mr. COOPER. Yes. I shall try to give an example as to past claims.

Suppose that a certain woman was employed in a garment factory. By the terms of her contract she was to arrive at 7 o'clock and work until 5 o'clock. Under her contract she was to be paid only for the time during which she was actually performing work. It might be that during the day there were periods of inactivity during which she would be waiting for work, or for some reason would not be able to be engaged in work upon garments. The contract might provide that she should be paid only for actual productive work upon garments. Before the enactment of the Fair Labor Standards Act she could have received no compensation for the periods of inactivity. After the enactment of the Fair Labor Standards Act the Wage and Hour Administrator made certain interpretations, which were approved by the courts, which held, in effect, that during such period of inactivity, because an employee was required to be upon the premises of the employer, and because the employee's time during that period was utilized, even though there was no custom or contract, nevertheless the employer must pay for such time.

There were many interpretations extending the field, and I think most of them were equitable and fair. Finally, the Mount Clemens case further extended that doctrine, by holding that under certain circumstances other activities—even walking time—might be considered compensable.

Under the bill as reported by the committee the true portal-to-portal time, payment for which was first allowed in the Mount Clemens case, would not be compensable. Again, some of the activities which, prior to the enactment of this bill, had been held under interpretations of the Wage and Hour Administrator to be compensable, would also be excluded. Finally, the only claim which could be pursued to judgment under the committee bill would be a claim involving activities under custom or contract.

It may be said that such a provision appears to be very inequitable; and certainly upon the statement I have made it does appear to be inequitable. Yet we believe in practice that no great inequity as to the past has been done. I will state the reasons why we so believe.

First, as to members of organized labor, we must certainly believe that they have been informed of their rights; that they have kept abreast of the rulings of the Wage and Hour Administrator, and perhaps in nearly every instance incidental activities have been included in a contract arrived at by collective bargaining. Already such workers have been paid, so as to them the question becomes merely academic.

Second, there are employers of unorganized labor who have complied with the act, and have in good faith attempted to follow the interpretations of the Fair Labor Standards Act. We cannot assume that all employers are trying to evade the act. I believe that most employers are trying to follow the provisions of the act. In that event, they have already paid their employees, and certainly no inequity could be occasioned to them.

Finally, the only ones who might receive inequitable treatment under the terms of the committee bill would be an unascertained, unknown number of employees who have not been able to assert their rights.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. LODGE. I am very grateful to the Senator for making this explanation. He has a vigorous and independent mind, and I have found his statement very beneficial. As I understand, both the committee bill and the pending amendment deal with portal-to-portal cases so far as the past is concerned.

Mr. COOPER. That is correct.

Mr. LODGE. So the substantial area of disagreement pertains to cases in the future. Is that, generally speaking, a correct statement?

Mr. COOPER. That is correct.

Mr. LODGE. Let us consider the case of a woman who works in a textile mill. She starts work at 8 o'clock in the morning. Let us say that at 10 o'clock in the

morning there is a 2-hour delay because the supply of cotton has not arrived. Take that as a hypothetical case. Suppose that the employer seeks to take advantage of this employee by using those 2 hours when no work was done as an excuse to reduce the hourly rate. I think that is a practice which is resisted by the Wage and Hour Administration. Under the terms of the committee bill, so far as the future is concerned the power of the Wage and Hour Administration to interest itself and intervene in a case of that kind is not touched. Is that correct?

Mr. COOPER. Under the committee bill the power and right is preserved.

Mr. LODGE. And the only portions of the working day which are affected are the beginning and the end of the working day?

Mr. COOPER. That is correct.

Mr. LODGE. And any occurrence of that kind, which at the present time is contrary to the spirit and the letter of the Wages and Hours Act, would be unaffected by the proposed legislation?

Mr. COOPER. That is absolutely correct.

Mr. LODGE. I thank the Senator.

Mr. COOPER. To continue, as to the past we found that in any bill that could be written some inequities must result. It became a matter of balancing interests. We had determined that it was necessary, for the public good and the public interest, that the portal-to-portal claims be invalidated, certainly as to the past. Against that great public interest, an interest which may reach the Government itself as war contractors seek reimbursement from the Treasury or as tax adjustments were made against the Treasury, we had to balance possible inequities which might touch an unknown and undetermined number of people. Even then we must remember that such persons will always receive the amount which they anticipated they would receive under their contracts.

I should like also to call attention to the fact that in the past few years we have had high wages and good conditions of employment. So, for all practical purposes, we believe that no great inequity could be done as to past claims. Holding that belief, we found that the most effective and surest way to invalidate past claims was to provide that only claims which are compensable by custom or contract should be compensable.

The second decision we reached was to legislate as to the future. Before discussing the subject I should like to turn for a moment to the amendment proposed by the Senator from Rhode Island and the Senator from Nevada. First, let me say that the same objections which have been made in arguments against the committee bill can be addressed in every instance to the amendment proposed and now pending before the Senate.

In reading the minority views, I find this statement on page 1:

> During the long discussions held by the committee we made it clear that we did not oppose the position of the majority that portal-to-portal relief was necessary. However, we continually urged that a valid method be found to eliminate portal-to-portal claims which were the subject of the many hundred suits that are pending, while at the same time protecting the rights of employees on claims not based on portal-to-portal activities. We also made clear that we would not accept a bill which went beyond this immediate problem and lowered the standards of the Fair Labor Standards Act directly or indirectly.

I find these words on the second page:

> We believe that these standards cannot be set aside by contract or by custom or practice any more than the parties can employ child labor merely because they have been doing so in the past.

Again I find on page 6 the following:

> We believe that the statutory standards set out in the act should be strengthened rather than weakened, and we do not believe either prospectively or retrospectively that they should be superseded by either contracts or custom and practice which would provide for basic wage and hour standards less beneficial to the employee than those provided for in the act.

Reading those provisions, it would appear that those who proposed this amendment could not and cannot support any proposal which would limit compensation merely to custom or to practice. Yet on page 2 of the minority views I find these words:

> Under the scheme of our legislation, employees cannot recover on claims already accrued for portal-to-portal activities unless compensable by contract or custom or practice in effect at the time such activities were engaged in.

That statement is borne out by the amendment. I state again that as to existing claims there is absolutely no difference between the bill proposed by the committee and the amendment which is now pending.

Mr. ELLENDER. Mr. President, will the Senator yield at that point?

Mr. COOPER. I yield.

Mr. ELLENDER. With respect to claims, is it proposed to establish rules for the future which are different from those applying to the past?

Mr. COOPER. That is correct.

Mr. ELLENDER. Will the Senator kindly tell us, with reference to future claims, what additional rules, other than the statute of limitations, are provided which are not applicable in connection with past claims?

Mr. COOPER. I shall come to that point in a moment, if the Senator will bear with me.

Mr. ELLENDER. I am sorry I anticipated.

Mr. COOPER. I want to finish with the amendment. I do not want any Senator to have any doubt that there is no difference between the amendment now pending and the commitee bill as to existing claims.

Let me compare the wording as to existing claims. As to such claims, the committee bill provides:

> No employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Davis-Bacon Act on account of the failure of such employer to pay an employee minimum wages, or to pay an employee overtime compensation, for or on account of any activities of an employee engaged in prior to the date of enactment of this act, except those activities which were compensable by either—
>
> (1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer; or
>
> (2) a custom or practice in effect, at the time of such activity, at the establishment or other place where such employee was employed, covering such activity, not inconsistent with a written or unwritten contract, in effect at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer.

It is plain, as I have stated before—I know it becomes repetitious—that there can be no recovery under our bill except in accordance with custom or contract.

I should like to read the amendment proposed:

> *Provided*, That no employee shall have any statutory right of recovery under this act based on any claim for unpaid minimum wages or unpaid overtime compensation or liquidated damages to the extent that such claim involves such activities of an employee engaged in prior to the effective date of this proviso as were not compensable working time under either (1) an express provision of a written or nonwritten contract in effect at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer or (2) a custom or practice not inconsistent with any such contract in effect at the time of such activity at the establishment or other work place where such activities were performed.

There is absolutely no difference between the provisions of the amendment and those of the committee bill. So I am at a loss to understand how the senior Senator from Nevada can argue that the amendment protects and preserves rights and claims which are not provided for by custom or contract.

Again I quote from the minority views:

> Under the scheme of our legislation employees cannot recover on claims already accrued for portal-to-portal activities unless compensable by contract or custom or practice in effect at the time such activities were engaged in.

Passing to other sections of the proposed amendment——

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. O'MAHONEY. I have listened with a great deal of attention to the lucid argument which the Senator is making upon this particular point, but I desire to recall to his mind that he stated earlier in his discussion that in the bill there are some inequities which are altogether inseparable from the legislation. If I correctly understood him he told us that if the committee bill is enacted inequities will be imposed upon those who are employed. It seems to me that that is a very serious charge to make against the committee bill. I think it would be most helpful to those of us who are listening to the argument and who have not had the benefit of attendance upon committee hearings and have not had an opportunity to read the hearings, if the Senator would be good enough to describe to us the nature of the inequities which, as I understand him, he believes to be inseparable from the bill, so that we may know and the country may know what type of inequity we are proposing to inflict

upon those who will be affected by this legislation.

Mr. COOPER. I shall be happy to do so. Was the Senator present a short time ago when I gave an example of an inequity which might arise either under the bill or under the amendment?

Mr. O'MAHONEY. I believe I was not present when that example was given.

Mr. COOPER. I stated that it was the understanding and belief of the committee that probably no bill could be written affecting existing claims which would not impose some inequities. It becomes a matter of balancing interests or balancing the necessity of eliminating and invalidating this large volume of portal-to-portal claims which I believe everyone admits should, in the public interest, be invalidated against unknown and undetermined inequities which might result from the committee bill or from the pending amendment. As an example I stated that prior to the enactment of the Fair Labor Standards Act an employee in a garment factory had periods of inactivity during the day. She might have a contract which provided that she should receive compensation only for actual work performed during the day, and she would not be paid for the periods of inactivity. But after the enactment of the Fair Labor Standards Act the interpretation of the Wage and Hour Administrator was that she should receive such pay. Obviously, under our bill or under the amendment, if she had not previously received payment for such periods of inactivity, she would not be able to assert a claim for pay for similar periods, worked prior to the enactment of the pending bill, unless covered by contract or custom.

I went further and said that practically there would be very little inequity, for the reason that members of organized labor groups having kept abreast of these interpretations, will already have received payment for activities which are compensable under the act; and there are many employers of unorganized labor who have been complying with the act, so their employees have already secured payment for such periods. Therefore as to those two classes the question would be simply an academic one.

There is left an undetermined group of persons who have already received all the compensation they expected under their contracts, and who might not be able to secure added compensation under the Fair Labor Standards Act.

Mr. O'MAHONEY. Mr. President, let me say to the Senator from Kentucky that the illustration he has now given, if I have understood him correctly, does not meet the question which is in my mind, because he referred specifically to a situation which might have existed prior to the passage of the Fair Labor Standards Act, if I understood correctly what he said.

Mr. COOPER. I used the first illustration in referring to the time before the passage of the Fair Labor Standards Act, and then I developed it and attempted to show what happened following the interpretations of the Wage and Hour Administrator.

Mr. O'MAHONEY. As I listened to the Senator earlier in the discussion, I received the impression that he was referring to the situation which has been brought about, not by the passage of the Fair Labor Standards Act but by the decision in the Mount Clemens Pottery Co. case. Is it not a fact that the entire issue of portal-to-portal pay has been brought to a crisis because of the original decision in the Mount Clemens Pottery Co. case and the interpretation which was placed upon the language of the Supreme Court?

Mr. COOPER. That is true. Of course, the Supreme Court extended its prior decisions, and opened up a field of compensation for activities which had not prior thereto been considered by anyone to be compensable.

Mr. O'MAHONEY. Does the committee entertain the belief that the decision in the Mount Clemens Pottery Co. case had the effect of expanding the area in which portal-to-portal suits might be brought, and that that area has since been retracted, as it were, by the decision of Judge Picard, when he reexamined the facts in that case?

Mr. COOPER. I do not believe the decision of Judge Picard contracted the decision of the Supreme Court. Judge Picard made his findings only in that particular case; and, as has been so well said by Judge Jackson in a recent dissenting opinion, the Supreme Court by earlier decisions has "foreclosed every means by which any claim, however dubious, under this statute or under the Court's elastic and somewhat unpredictable interpretation of it can safely, or finally, be settled except by litigation to a final judgment."

As I understand the Supreme Court's decision, it will apply to all who fall under the Fair Labor Standards Act. The ruling of Judge Picard was only upon the facts in that particular case.

Mr. O'MAHONEY. Mr. President, as I read the committee bill, it seems to me to be explicit in its language that the Fair Labor Standards Act, the Walsh-Healey Act, and the Bacon-Davis Act, each, in some way or other established for employees statutory rights which now are to be taken away from them. Is that correct?

Mr. COOPER. No; I do not agree with the Senator in that conclusion.

Mr. O'MAHONEY. I am asking questions, I say to the Senator from Kentucky; I am not expressing opinions. So it is not a question of whether the Senator from Kentucky agrees with me, for I am asking questions.

Now let me ask the Senator to state whether he believes my statement of the legal effect of the language is correct. I read now from page 10, line 25:

(a) No employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act on account of the failure of such employer to pay an employee minimum wages—

And so forth. Does not that mean that those who drafted that language were of the opinion that those three specific statutes gave rights which, in the judgment of the Judiciary Committee, should now be taken away?

Mr. COOPER. Not at all.

Mr. O'MAHONEY. I shall be very happy to have the Senator from Kentucky explain that language.

Mr. COOPER. The Senator from Wyoming has read five or six lines of the section. If he will read all of section 2 (a), of part II, he will find that it applies only to claims which accrue prior to the enactment of this act, and which are based upon activities other than those made compensable by custom or contract. In no way does it change the Fair Labor Standards Act in its provisions for a minimum wage or a maximum workweek.

Mr. O'MAHONEY. Mr. President, if the Senator from Kentucky will indulge me further, let me say that I do not desire to be technical, but I am trying to understand the language.

Mr. COOPER. I shall be very happy to have the Senator from Wyoming ask further questions, of course.

Mr. O'MAHONEY. Let us read the entire sentence, then:

(a) No employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act on account of the failure of such employer to pay an employee minimum wages, or to pay an employee overtime compensation, for or on account of any activities of an employee engaged in prior to the date of enactment of this act, except those activities which were compensable by either—

Either paragraph (1) or paragraph (2), which follow.

To my mind, that language has only one meaning. It says, in common parlance, that the Fair Labor Standards Act, the Walsh-Healey Act, and the Bacon-Davis Act gave certain statutory rights to workers; and it also says that those rights, which may have accrued under those particular laws prior to the date on which this bill becomes law, are to be withdrawn unless they fall into categories (1) and (2), as set forth in the language going from line 8 to line 18, inclusive, on page 11. Am I correct about that?

Mr. COOPER. There is absolutely no question about the answer to the question, which is that if the activity for which the worker claims compensation was not compensable under a custom or contract, and if such activity occurred prior to the date of enactment of this act, the employee cannot recover minimum wages, cannot recover overtime compensation, cannot recover liquidated damages. That is the purpose of this bill.

Mr. O'MAHONEY. That is correct.

Mr. COOPER. Its purpose is to strike down the portal-to-portal claims.

Mr. O'MAHONEY. So the purpose of the bill is to withdraw certain statutory rights which were given under those three particular acts of Congress, unless the action accrues after the date of enactment of this measure; is that correct?

Mr. COOPER. Exactly—as to those activities which are described in section 2 (a).

Mr. O'MAHONEY. Then does that come within the description which the Senator originally gave of inequities which would be visited upon workers affected by the law?

Mr. COOPER. I was answering in this way——

Mr. O'MAHONEY. The Senator will observe that I am coming back to the original question. The Senator from Kentucky answered it by giving an example of a situation which existed prior to the passage of the Fair Labor Standards Act. Can the Senator give us an example of an inequity which will flow from the committee bill on account of a cause of action which has arisen since the passage of the Fair Labor Standards Act or either of the other two acts which have been mentioned?

Mr. COOPER. I would say to the Senator that the example I gave I think is applicable either before or after the enactment of the Fair Labor Standards Act. The committee reaches the conclusion—and that is the reason for the introduction of the bill—that no inequity is done as to certain types of activity made compensable after the Mount Clemens decision.

Mr. President, I should now like to pass to the provisions of the bill as to future claims. I have stated before that after the conclusion of the hearings, the committee made a second decision, namely, that it should recommend legislation, addressing itself to the future, the purpose of which would be to prevent a recurrence of the conditions which now confront the country; and, second, to establish for the first time some standards or criteria which would assist the Wage and Hour Administrator and the courts in determining what activities should be compensable under the act.

It might be assumed from the debates and the arguments which have been heard that every type of activity which has hitherto been compensable is spelled out in the Fair Labor Standards Act, and that any change proposed would foster an inequity. As a matter of fact, at no place in the Fair Labor Standards Act is any mention made as to what activities shall or shall not be compensable, and in no place is there found a definition of "work." The only place where any reference to "work" is found is in section 7 (a) referring to the length of the workweek. In section 3 (g) there is the provision that " 'Employ' includes to suffer or permit to work."

In section 3 (j), in the definition of the word "produce", it is stated that " 'produced' means produced, manufactured, mined, handled, or in any other manner worked on in any State; and for the purposes of this act an employee shall be deemed to have been engaged in the production of goods if such employee was employed in producing, manufacturing, mining, handling, transporting, or in any other manner working on such goods, or in any process or occupation necessary to the production thereof, in any State."

I state again that with the exception of these references there is nothing in the act which defines or attempts to define what activity shall be compensable, and there is no definition of "work" in the act.

It might be argued, and there is very good authority for arguing, that the Congress intended in the enactment of the Fair Labor Standards Act that "work" should have its ordinary or colloquial meaning. That argument was made by Mr. Justice Roberts in the case of Tennessee Coal, Iron and Railroad Co. et al. against Mucode Local 123 et al. In the recent Mount Clemens case, in the dissenting opinion of Mr. Justice Burton, we find again the same argument. He said:

> "Workweek" is a simple term used by Congress in accordance with the common understanding of it. For this Court to include in it items that have been customarily and generally absorbed in the rate of pay but excluded from measured working time is not justified in the absence of affirmative legislative action.

So, I say there is strong argument that Congress in the enactment of the act intended that "work" should bear its traditional, its ordinary, and its colloquial meaning.

However, the Wage and Hour Administrator, after the enactment of the act, began to issue interpretative bulletins in which he refused to accept the colloquial and ordinary definition of "work," but developed his own criteria and his own standards, and held, in fact, that employers must pay employees for activities even though they were not covered by custom or by contract.

The action of the Wage and Hour Administrator was upheld from time to time by the courts in numerous decisions, defining standards by which it was determined whether or not any specific activity was actually work and should be compensable. In the case of Jewell Ridge Coal Corp. against Local No. 6167, United Mine Workers of America, and others, decided on May 7, 1945, in the Supreme Court, there are set forth certain standards by which it may be determined whether an activity is compensable. Those standards are, first, physical or mental exertion, whether burdensome or not: second, exertion controlled or required by the employer; third, exertion pursued necessarily and primarily for the benefit of the employer and his business.

Upon the basis of these standards the courts in many decisions held that although a contract may not provide that certain activities shall be compensable, and even in the absence of a contract or in the teeth of a contract, if the court determines that activities fall under those standards, then the employer will be required to pay the employee.

Mr. President, in answer to the arguments which have been made that there has been an effort on the part of the committee or upon the part of someone to destroy and emasculate the Fair Labor Standards Act, I should like to say that it has been the desire of the committee during the hearings, and during its labors, to perpetuate all of the gains of the Fair Labor Standards Act, and reach only the new so-called portal-to-portal activities. That has been the objective and purpose of the committee. We believe that our provisions as to the future attain those objectives. I do not know how other members of the Committee on the Judiciary may feel about this matter. I think I know how the distinguished Senator from Missouri feels, because we have talked many times about it: I can say for myself that I am happy that the Wage and Hour Administrator and the courts departed from the ordinary and colloquial meaning of the word "work," and adopted a broader and more liberal view. In doing so they have expanded the rights of workers and provided better living conditions for them.

However, we have believed that in the latest extension, in the Mount Clemens case, the courts went too far, and that, under the decision, following these standards, activities were held to be compensable when logically and equitably there should be no compensation activities.

Looking to the future, a section has been prepared which we believe for the first time embodies a declaration by the Congress upholding the decisions which have been reached by the Wage and Hour Administrator and the courts as to certain activities prior to the Mount Clemens decision.

Mr. AIKEN. Mr. President, will the Senator yield for a very simple question?

Mr. COOPER. I yield.

Mr. AIKEN. Am I correct in understanding that one primary difference between the committee bill and the proposed amendment is that the committee bill outlaws portal-to-portal claims, not only up to the present, but arising in the future, as well, whereas the McCarran amendment simply outlaws them to the present time? Is that a correct understanding of the situation?

Mr. COOPER. There is no distinction between the committee bill and the amendment proposed as to existing or past claims.

Mr. AIKEN. But the committee bill outlaws them in the future, as well as in the past?

Mr. COOPER. Yes.

Mr. AIKEN. The McCarran amendment does not do so; is that a correct understanding?

Mr. COOPER. That is correct.

Mr. AIKEN. That is as I have been informed. I wanted to get it clear.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. COOPER. I yield to the Senator from Louisiana.

Mr. ELLENDER. I share the view of the distinguished Senator from Kentucky that, as to past claims, there is no difference between the committee amendment and the McCarran amendment; but what I am interested in having the distinguished Senator point out, if he will, is the difference in the rules and regulations governing future claims, and, if there are any differences, why they are necessary.

Mr. COOPER. I shall attempt to do that now. Let me say that if the amendment proposed by the Senator from Nevada and the Senator from Rhode Island is adopted, there will be absolutely no legislation as to the future, and the rule enunciated in the Mount Clemens case will still be the law of the land. I want the Senate to understand that clearly. Unless legislation is enacted as to the future, the rule laid down in the Mount Clemens case will hold, it will be the law of the land, and the same conditions which now prevail will be extended into the future.

Mr. ELLENDER. Why could not the ruling in the Mount Clemens case be made applicable throughout, and not merely made applicable to past claims?

Mr. COOPER. It could be.

Mr. ELLENDER. The Senator says that corrections must be made in order to deal with future claims. I do not follow the Senator on that point.

Mr. COOPER. If I may I should like to conclude as to the future claims. It became a question of deciding what legislation should be proposed as to future claims. A reading of the bill passed by the House will show that it provides that, as to the future, no activities shall be compensable except by custom or contract, exactly as we have provided as to past claims. We did not adopt the House rule as to the future, because, if adopted, it would in our opinion destroy the advantages which have been given to labor by interpretations of the Fair Labor Standards Act. For that reason a different type of legislation is proposed here as to the future. I shall explain that proposal.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. AIKEN. Does this mean that if the proposed amendment to the committee bill, which outlaws past claims with no reference made to the future, should be adopted, then some employers who had not been paying portal-to-portal pay would find themselves in a position of really paying an increased wage scale without the necessity of changing a contract, or, if they wanted to pay the same scale they had been paying, they would then have to negotiate a new contract at a lower rate, which would take into consideration portal-to-portal time? Is that a correct understanding of the results of the enactment, or failure to enact, certain legislation?

Mr. COOPER. That is correct. The committee decided, first, that we should make noncompensable, walking, riding, or traveling to and from the actual place of performance of the principal activities which such employee is employed to perform. Then, clearly and definitely, as to the future, an employee cannot receive compensation for any walking, riding, or traveling time to the actual place of performance where he begins his actual activities.

Mr. ELLENDER. That is, unless there is a written contract to that effect?

Mr. COOPER. Yes; with one exception, that the employer and the employee may agree by contract that the employee shall receive compensation for such walking, traveling, or riding.

Mr. ELLENDER. In that respect, there is then no difference from the rules established as to past claims. If there had been such a contract, or if it had been the custom, it would be outlawed; and, for the future, there would have to be a contract or a custom?

Mr. COOPER. I think there is quite a decided difference. As the law now stands, walking, riding, and traveling could be compensable. We say that they are not compensable, but we do not deprive the employer and employee of the right to make them compensable by contract. There is quite a difference.

Mr. ELLENDER. They would be outlawed as to past claims, in the absence of a written contract or a custom?

Mr. COOPER. Yes. I have explained that the reason for that is that in order definitely and surely to relieve against past claims, a stricter rule was adopted.

Mr. ELLENDER. Was not virtually the same rule adopted as to future claims?

Mr. COOPER. I think not. If the Senator will permit me to proceed, I think I can explain. Walking, riding, or traveling time to the place where the principal activities are performed has been eliminated as a principal activity.

Mr. ELLENDER. And that is true, even though it be agreed upon by contract?

Mr. COOPER. No.

Mr. ELLENDER. That is what I am saying—there is no difference.

Mr. COOPER. I have already given the Senator the exception. For the period from the beginning of the time of the employee's principal activity, until that principal activity is ended, we do not legislate at all. That area is still under the Wage and Hour Administrator. The rules which have already been developed by the Wage and Hour Administrator and the decisions of the courts still apply to that interval between the commencement of the employee's principal activity and the end thereof. I think in doing that we have demonstrated that we want to preserve to the worker the rights which he has attained since the enactment of the Fair Labor Standards Act. I will give an illustration. I gave an illustration a little while ago. If during the scheduled workday there is a period of inactivity, and even if there is a custom or contract which denies compensation for that period of inactivity, yet under our bill, if the Wage and Hour Administrator ruled that the employee should be so compensated and was sustained by the courts, the employer could and would pay for the period of inactivity.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. PEPPER. It may be that I owe the Senator an apology for asking this question, because he may have made a statement concerning it while I was not present in the Chamber, but has the able Senator made any distinction between the provisions of the committee bill in respect to existing claims and the provisions of the McCarran-McGrath amendment with respect to existing claims, and if so, what is the distinction, if I may ask?

Mr. COOPER. I spent some time on that point, but I will answer the question by saying that I am sure if the Senator from Florida will read the two measures be will, I believe, concur that there is absolutely no difference between the committee bill and the pending amendment with respect to existing claims.

Mr. PEPPER. So the Senator is of the opinion that the two measures in that respect are identical in their provisions?

Mr. COOPER. Yes; I am.

Mr. PEPPER. I thank the Senator.

Mr. COOPER. Reverting again to future claims, I repeat that as to the period which we might call the scheduled workday, from the commencement of the principal activity until it is completed, the committee bill does not legislate. Every right that a worker has secured under the Fair Labor Standards Act up to the Mount Clemens decision is preserved to him. I believe that the distinguished Senator from Rhode Island would agree with the statement I have just made.

There is one other area in which it could be argued that the committee bill might deprive a worker of some right which he has earned or which has been accorded to him under the Fair Labor Standards Act, and that is in a determination or definition of the words "principal activity." I will give an example. Before the enactment of the Fair Labor Standards Act an employee might have worked upon a lathe under a contract, and his contract may have provided that his pay should commence at a scheduled hour, say at 7 o'clock when the lathe began to run, and he began to apply his energy to a casting or to a block upon the lathe. After the enactment of the Fair Labor Standards Act, by interpretations of the Wage and Hour Administrator, it was held that certain preparatory activities such as sharpening the tools, oiling the machinery, preparing his machinery for work, were so closely related to his productive activity that the employer must compensate the employee for it. We believe that in the use of the words "principal activity" we have preserved to the employee the rights and the benefits and the privileges which have been given to him under the Fair Labor Standards Act, because it is our opinion that those activities which are so closely related and are an integral part of the principal activity, indispensable to its performance, must be included in the concept of principal activity. And to make our position clear we have given examples in the report.

Mr. McGRATH. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. McGRATH. I think that at this point we might very definitely make contribution to the legislative history of what we are doing here. Am I correct in understanding the Senator to say that what the majority of the committee proposes is that any activity of a worker shall be considered a part of his principal activity if the doing of that act is indispensable to the performance of the rest of his day's work?

Mr. COOPER. I can read the language used in the report, and I think that language should be used in this connection, because the words and phrases it employs were adopted by the committee. On page 48 of the report, in the definition of "principal activity," we find these words:

> It will be observed that the particular time at which the employee commences his principal activity or activities and ceases his principal activity or activities marked the beginning and the end of his workday. The term "principal activity or activities" includes all activities which are an integral

part thereof as illustrated by the following examples:

1. In connection with the operation of a lathe an employee will frequently at the commencement of his workday oil, grease, or clean his machine, or install a new cutting tool. Such activities are an integral part of the principal activity, and are included within such term.

2. In the case of a garment worker in a textile mill, who is required to report 30 minutes before other employees report to commence their principal activities, and who during such 30 minutes distributes clothing or parts of clothing at the workbenches of other employees and gets machines in readiness for operation by other employees, such activities are among the principal activities of such employee.

We believe that our bill provides that the employee must receive compensation for such activities.

Mr. McGRATH. Mr. President, will the Senator yield further?

Mr. COOPER. Yes.

Mr. McGRATH. Is there any significance to the use of the words "thirty minutes"? Suppose the same activities which are described in the report require only 15 minutes. Would they be regarded as part of the compensable workday, or must the particular activity of distributing clothing, and so forth, as mentioned in example 2, in order to be compensable, require 30 minutes?

Mr. COOPER. No; there was no definite purpose in using the words "thirty minutes" instead of 15 or 10 minutes or 5 minutes or any other number of minutes.

Mr. McGRATH. Then we can clear that point up by reiterating that what the committee means is that any amount of time spent in the performance of the type of activity expressed in examples 1 and 2 is to be hereafter regarded as compensable time.

Mr. COOPER. I should certainly say so, as a part of the principal activity.

Mr. McGRATH. There are innumerable instances of operations which have to be performed that are not covered in these two particular examples. I think of one at the moment. In certain of our chemical plants workers are required to put on special clothing and to take off their clothing at the end of the workday, and in some of the plants they are required to take shower baths before they leave. Does the Senator regard such activity as that as coming within the compensable workday?

Mr. COOPER. I am very happy that the Senator has asked the question, because I believe it gives the opportunity of drawing a fine distinction between the type of activity which we consider compensable and the type which should not be compensable. In accordance with our intention as to the definition of "principal activity," if the employee could not perform his activity without putting on certain clothes, then the time used in changing into those clothes would be compensable as part of his principal activity. On the other hand, if changing clothes were merely a convenience to the employee and not directly related to the specific work, it would not be considered a part of his principal activity, and it follows that such time would not be compensable.

Mr. McGRATH. Let me ask the Senator to apply his understanding to the following hypothetical case: A worker who is paid at piecework rates is required by his employer to report at the place of employment at a particular hour, and he does so. However, in the course of a given day he does not receive the work along the line of production, either because some of the operations preceding him have broken down or for some other reason. Does the Senator regard the compensable workday of that type of worker as beginning at the time he reports to the place where he would normally perform his activity, whether he actually performs any work or not, so long as the nonperformance is for a cause beyond his control?

Mr. COOPER. We regard the commencement of his workday as the time stated in the bill, at the time he commences his principal activity.

Mr. McGRATH. Does he commence his activity when he arrives at his machine by order and under the direction of the employer and is ready to go to work, or does he begin that activity at the time the goods upon which he can work reach him? I am speaking about a situation over which the employee has no control whatsoever. He is there and ready to work, but for some reason—whether the fault of the employer or some other cause—there is no work for him to do. What is his situation? Must he sit all day and not have any compensable working hours in that day?

Mr. COOPER. It is our opinion that when the employee reports at the actual place of performance of his principal activity, his workday commences, and the time should be compensated for.

Mr. McGRATH. So his arrival is what governs, rather than the beginning of his activity.

Mr. COOPER. If arrival is required by the employer at a certain specific time.

Mr. McGRATH. While I am on my feet, if the Senator will yield further, let me say that I have grave concern about the language of part III, under the heading "Future claims," with which we are, of course, most concerned. In this language I know that all walking, riding, or traveling time to and from the actual place of performance of the principal activity is made noncompensable unless it is made compensable by an express provision of a written or unwritten contract in effect at the time of such activity, or by a custom or practice in effect at the time at the particular establishment. I am sure the Senator is aware of the fact that for many years a great many contracts have contained written provisions for travel time when the travel time is on the employer's premises. I should like to have the Senator express his view on the question as to whether or not, by the use of this language, the Congress is saying to employers throughout the country, "Unless you put travel time in your contracts, you will not have to pay for it." In other words, are we not saying to employers who now have such a provision in their contracts, "The next time you negotiate a contract you may well say that you do not care to put that provision in it, because the law of the land sanctions its omission; and if such a provision is not in the contract, that time is not consdered compensable"? To that extent are we not opening up anew a great field of labor trouble and strife which has long since been settled? I should like to have the Senator's views on that subject.

Mr. COOPER. There is no doubt that section 7A, subsection (a), makes it necessary that a contract be entered into between the employer and the employee before walking, riding, or traveling time can be considered compensable.

Again I say that it is a question of balancing the interest which the Senator says would produce strife and conflict against the possibilities of disputes which must inevitably arise if the decision in the Mount Clemens case as to travel time is maintained as a part of the law and if a determination must be made in the case of every employer and every plant as to whether or not the individual worker shall receive compensation for travel time.

Mr. McGRATH. Mr. President, will the Senator further yield?

Mr. COOPER. I yield.

Mr. McGRATH. As I understand the answer of the Senator, he admits that by the use of this language there is the possibility of labor strife in the field of travel upon the premises of the employer, and in those fields of operation in which strife has long since been settled by labor contracts.

Mr. COOPER. With all due respect to the Senator, I did not admit it. I said that it was a question of accepting the statement made by the distinguished Senator as true, and balancing that possibility against the inevitable fact that strife will continue if travel time must be established for every individual in every plant and every time the physical facilities of the plant are changed, or the employee's workplace is changed. Furthermore, I do not think the danger is so great as the Senator implies, because it will be remembered that these practices have developed over the years and have been embodied in the terms of contracts by collective bargaining, and have been established. It is reasonable to believe that in those instances they will be preserved. I invite the attention of the Senator to the fact that, according to reports of the United States Department of Labor, the coal-mining industry is organized by union membership to the extent of 95 percent; the iron-mining industry 90 percent; and the mining of nonferrous metals, 80 percent. It is my opinion that in those organized fields provision will be made in contracts for compensation for the time referred to.

Mr. McGRATH. It is true that in a great many of the existing mining contracts provision is made for portal-to-portal pay. But is it not likewise true that that is one of the principal items in controversy between the owners and the miners? Is it not true that that is one of the reasons why the mines have so long remained in the hands of the Government? If I am correct in that assumption, I am led to believe that the Congress proposes to say to the mine

owners that it does not consider it necessary for them to pay for walking, riding, and travel time unless they choose to put such a provision in their contracts. By the use of this language are we not almost inviting them to resist putting such a provision in their contracts, even though it is there at the present time? I am speaking of the time when new contracts will be negotiated.

Mr. COOPER. I remember that yesterday in the able argument of the Senator he used the words "the realities of the industrial world." I believe I am correct as to his use of that phrase. If he will apply that phrase to his question, I think he will have no doubt that in contracts entered into between the labor and mine owners travel time will be provided for.

Mr. President, I wish to close——

Mr. O'MAHONEY. Mr. President, will the Senator yield for another question?

Mr. COOPER. I yield.

Mr. O'MAHONEY. The question is suggested by the colloquy between the Senator from Kentucky and the Senator from Rhode Island. I will read from the committee bill. The Senator will recall that the Committee on the Judiciary reported a bill and then asked unanimous consent to have the bill recommitted because it was not satisfactory?

Mr. COOPER. Yes.

Mr. O'MAHONEY. And it now has reported a new bill. The action of withdrawing the bill undoubtedly was due to the fact that the members of the committee and those who drafted the bill were not satisfied with their first handiwork, and I am wondering whether they will be any better satisfied with their new handiwork, particularly when I read section 7 (a) which was the subject of the discussion between the Senator from Kentucky and the Senator from Rhode Island. My question to the Senator is this: Does not the language amount to practically a specific statement by the Congress that hereafter no minimum wage shall be paid and no overtime shall be paid for "walking, riding, or traveling to and from the actual place of performance of the principal activity or activities which such employee is employed to perform, and (b) activities which were preliminary to or postliminary to said principal activity or activities," unless hereafter an express provision of a written or nonwritten contract is entered into covering that situation.

Is not that correct?

Mr. COOPER. I think the Senator has accurately read the provision of the bill.

Mr. O'MAHONEY. Will the Senator not agree with me that if the bill becomes a law it is notice by the Congress of the United States to every employer, "If you do not have a written or unwritten contract which requires the payment of minimum wages or of overtime for those activities, you do not need to make any"?

Mr. COOPER. Of course, I shall again apply the answer which I gave to the question of the distinguished Senator from Rhode Island. He said yesterday in his very able argument that those matters had to be considered in the light of realities.

Mr. O'MAHONEY. In the light of realities, yes. But it seems to me——

Mr. COOPER. I should like to remind the Senator that on the other side of the table there would be representatives of labor who would certainly make their position known; and I can not assume that the employer could, of his own volition, determine the terms of the contract. I do not believe the Senator will differ with me on that proposition.

Mr. O'MAHONEY. Mr. President, if the Senator will permit me——

The PRESIDING OFFICER. Does the Senator yield further?

Mr. COOPER. I yield.

Mr. O'MAHONEY. The employer will say, "Congress has written this specific language. You may not be paid for these things unless there is a contract." Therefore, the workers will by this bill be put in the position of not being able to secure compensation after that, unless, by whatever pressure the worker may be able to bring to bear, he may compel the employer in the future to agree to such compensation.

Mr. COOPER. It would be a matter of negotiation.

Mr. President, in summarizing the provisions of the committee bill for the future, I should like to say again that in the period for the scheduled workday the committee did not legislate, and in that period every right which the worker has secured under the Fair Labor Standards Act is preserved.

Second, in our concept of the term "principal activity," we believe it is sufficiently broad to embrace within its terms such activities as are indispensable to the performance of productive work. Third, we have clearly eliminated from compensation walking, traveling, riding, and other activities which are not an integral part of the employment for which the worker is employed.

I shall repeat that instead of legislating against the Fair Labor Standards Act, instead of attempting to destroy it, this is the first legislation which confirms the interpretations which have been given by the Wage and Hour Administrator prior to this date. We have simply set up standards and criteria.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. PEPPER. The Senator has referred in his discussion with the Senator from Rhode Island to page 48 of the report of the committee, where there are set forth two instances of activities which are so interrelated to principal activities that they could be construed as principal activities and therefore compensable.

What I wanted to ask the Senator was this: Would the activities given in instances 1 and 2 on page 48 of the report to which the Senator referred—

(1) In connection with the operation of a lathe an employee will frequently at the commencement of his workday oil, grease, or clean his machine, or install a new cutting tool. Such activities are an integral part of the principal activity, and are included within such term.

(2) In the case of a garment worker in a textile mill, who is required to report 30 minutes before other employees report to commence their principal activities, and who during such 30 minutes distributes clothing or parts of clothing at the workbenches of other employees and gets machines in readiness for operation by other employees, such activities are among the principal activities of such employee.

If I correctly understand the Senator, those incidental activities are to be construed under part II of the bill dealing with future claims as compensable work, as principal activities. Is that correct?

Mr. COOPER. Excluding the use of the word "incidental." I do not think those activities are incidental. I think they are an integral part of the employment.

Mr. PEPPER. I should like to ask the able Senator from Kentucky: Would workers who have been engaged in such activities as we have just been discussing be precluded under part I of the committee bill, dealing with existing claims, from recovery for such work?

Mr. COOPER. Exactly.

Mr. PEPPER. They would?

Mr. COOPER. I will ask the Senator if he was present when that feature was discussed. We discussed it to some extent earlier.

Mr. PEPPER. Yet the committee itself recognizes that such activities are justly compensable in character?

Mr. COOPER. I have already pointed out that the provision of the committee bill and the provision of the amendment now pending in that respect are exactly the same. If the Senator votes for the amendment now pending he votes to make noncompensable the very activities about which we have been speaking.

Mr. PEPPER. Mr. President, will the Senator yield further?

Mr. COOPER. I yield.

Mr. PEPPER. May I also ask the Senator whether he construes the two types of activity which we have just been discussing, which are mentioned on page 48 of the report, as being fairly within the category of portal-to-portal claims.

Mr. COOPER. As defined in the bill they are called portal-to-portal claims, but prior to the Mount Clemens decision they had been interpreted as being compensable under the Fair Labor Standards Act. The reason we adopted this method was that it was a sure and certain way of eliminating the expenditure of billions of dollars in portal-to-portal claims. It became necessary to balance the public interest against the fact that some inequities might be done. We felt that practically there would not be a great number of inequities, because organized labor had already been paid for those activities, and the fair employer has already compensated his employees.

Mr. PEPPER. So the Senator then feels constrained to admit, if he will yield further, that the committee bill and, as he interprets it, the proposed substitute amendment, denies employees who are entitled to compensation for work done, pay for that work; and the justification which the Senator gives for that denial to those people is that it was felt necessary by the committee to cut their claims off in order that some other abuses might be prevented, in the opinion of the committee?

Mr. COOPER. The Senator from Florida has stated the decision which was made. However, I think the way he has stated it is oversimplified. In working for the public interest I think some inequities often result. In making the decision that unanticipated and unearned claims should be invalidated in the public interest, it was necessary to act even if some small inequity resulted.

Mr. PEPPER. Mr. President, will the Senator yield further to me?

The PRESIDING OFFICER (Mr. BALDWIN in the chair). Does the Senator from Kentucky yield to the Senator from Florida?

Mr. COOPER. I yield.

Mr. PEPPER. Will the Senator from Kentucky tell us whether the committee exhausted all other possibilities which it could explore? For example, did it determine what would be the length of time which would be forbidden by the de minimis rule, and did it explore all other possibilities by which it could accomplish what it set out to accomplish; namely, the prevention of vexatious or frivolous or trivial claims which amount substantially to champerty, without denying valid claims for work actually done which should be paid?

Mr. COOPER. In our consideration of the bill I think we did solve this problem. I think it is apparent that even though there are many who would object to any action which might be taken, and even though there are those who would agree that some action should be taken in reference to existing portal-to-portal claims, but would desire that nothing be done in respect to the future, yet no one has suggested any plan other than the one proposed by the committee; and in making that statement I include those who today oppose the committee bill.

Mr. PEPPER. Mr. President, will the Senator further yield?

Mr. COOPER. I yield.

Mr. PEPPER. I am thinking out loud in making this inquiry: Suppose the committee started with the elimination of the traveling claims, let us say—in other words, riding between the worker's home and place of work, and perhaps walking from a means of public conveyance to the gate of the factory, and so forth. In other words, suppose the committee had begun by eliminating the movement time which might be consumed by a worker in going to or approximately to his regular place of work. Would not that have eliminated a good many of these claims?

Mr. COOPER. I think the Senator's question suggests the difficulty. He has suggested that we might thus have eliminated walking time to the worker's place of work. Mr. President, under the decision in the Mount Clemens Pottery Co. case, the worker's place of work is held to be at the point where he begins to walk. So we would not have eliminated anything, under the question the Senator from Florida has just propounded.

Mr. PEPPER. Then suppose the committee wished to proceed further. In the Mount Clemens case, I believe, the court found that the time consumed in walking amounted to anywhere from a few seconds up to perhaps as many as 14 minutes at the outside. If the committee had simply eliminated, declared de minimis, or outlawed up to 15 minutes of walking time, would not that have been a considerable step toward the solution of the problem and the elimination of such claims, without denying, as the bill does in effect, the right of recovery to a workman who has done honest work?

Mr. COOPER. Mr. President, we took the position, as I have previously stated, that we were not legislating for labor as such or for industry as such, but we were trying to prepare a bill which would be fair to both and would be in the public interest. I suggest to the Senator from Florida that such a rule as he has proposed would make it necessary to investigate and determine the walking time of every employee, and keep records in that respect for every employee, so as to determine whether the employee had in his walking exceeded the de minimis rule which is proposed. Thus, instead of reducing or eliminating this litigation, it would have been increased, as we believe, tenfold.

I say again that we arrived at the decision that comparatively little inequity would be done by this bill. In balancing a possible inequity against the large public interest, in which everyone has an interest, we felt that this provision was fair and equitable.

Let me say, finally, that if we fail to legislate as to the future, in effect we shall perpetuate in the future the same conditions which we see about us today. There would be disputes between employers and employees as to walking time and other portal-to-portal activities. There would be similar disputes as between employees. We might have the very peculiar situation of a number of employees who, as members of one group, all operating lathes in the same factory, and doing the same work, would, nevertheless, be paid different rates of pay. It would be necessary to keep records for every employee, so as to determine whether his walking time or traveling time fell within or without the de minimis rule. Every time an employer changed his factory location and every time the physical facilities within the place of work were changed, again it would be necessary to make a new determination. We think the opportunities for continued litigation and continued dispute would be increased in the future.

It has been said that we should let this matter be settled by collective bargaining. I wish to remind those who make that argument that by the decisions of the court it is impossible to agree or contract to deprive a worker of a right which he has under the statute. So it would be necessary to have a separate agreement as to every worker; and if an agreement did not specifically cover every worker, any worker who was denied any part of his recovery under the Mount Clemens case decision would have a right to abrogate his contract and seek compensation for his minimum wages, overtime compensation, and liquidated damages. So, instead of moving toward and reaching a place where collective bargaining would have strength and stability, we would be moving away from such a position.

I have not been able to attend the meetings of the Committee on Education and Labor, but I have read the committee's reports and I have tried to keep up with them in the newspapers. I have noticed that every great leader of labor and all the great industrial leaders say that the only sound and true way to solve labor disputes is by means of voluntary collective bargaining. Yet, Mr. President, by the interposition of the decision in the Mount Clemens Pottery Co. case, there has been created a condition which would make it necessary to reach a different decision as to every worker; and every time a worker changed his position in the plant, a new decision would have to be made; and no collective-bargaining contract could cover all the workers. So I think such a condition moves away from the goal which both labor and industry seek, in the way of true collective bargaining.

Finally, Mr. President, I should like to say that I believe it is the position of labor, and certainly that of industry—and in this connection I have read the bulletins of the American Federation of Labor and of the Congress of Industrial Organizations, in which they state that it is one of the goals of labor—to apply energy efficiently in order to secure full production and to reduce the unit cost of the product, in order that there may be cheap products available for all people, and in order that the prices of commodities may not be so high as to price the consumer out of the market.

I should like to point out to the Senate that when we add to the cost of products produced in plants and establishments the extra wages of unearned portal-to-portal activities, which in no way enter into the production of goods, and which cannot alter the unit cost of the production of the goods, we have added to the cost of the goods, and that such additional cost must go in only one direction—it must be passed on to the consumer and to labor itself. So if the pending measure shall not be enacted, and if this additional unproductive source of wages shall be continued, we will be adding to the cost of goods, which increase will be passed on to the consumer.

I close by saying that it has been the determined effort of the chairman of the subcommittee and of the members of the subcommittee and of the Members of the majority to produce a bill which would surely and efficiently eliminate portal-to-portal claims of the past. It has been one of our great objectives to place before this body a bill which would preserve to the worker the rights he has gained under the Fair Labor Standards Act.

We have no apology to make for the bill. We believe it to be in the interest of the worker. We see no reason why any Member of this body should fail to support it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. MCCARRAN] for himself and the Senator from Rhode Island [Mr.

McGRATH] as a substitute for parts II, III, and IV of the committee amendment, as amended, being line 19 on page 10 down to and including line 2 on page 23.

Mr. PEPPER. Mr. President, a Senator who deigns to say anything in addition to what has been said on both sides of the pending question exhibits, I am afraid, presumptuousness which is not becoming, for the subject has been ably covered by the debate which has preceded my remarks. Yet, I did want in a few words to register my protest, as strongly as I could, against perhaps the unintended aspects of the proposed legislation.

The country has been thrust into a turmoil, much of which was imaginary, in my opinion, over the so-called portal-to-portal suits. That subject gave rise to the initiation of many suits in many parts of the country for alleged unpaid time compensable under the Fair Labor Standards Act.

This litigation was pending in the courts of this country when the proposed legislation was initiated in the Congress. The legislation therefore has for its avowed purpose either the outlawing of, the imposing of a strict statute of limitations upon, or the constriction of claims which are in process of litigation in the courts.

Mr. President, the rights which are asserted in the courts derive, first, from an enactment of the Congress, and, second, from a pronouncement of the Supreme Court of the United States. Yet, the purpose of the proposed legislation is to deny the citizens of this land rights they assert, and which are now being litigated in the courts of the land, deriving from legislation enacted by the Congress and a decision of the highest court in all the land. Legislation which has that purpose, in my opinion, is subject to the most severe question, and should give rise to the most serious concern.

It has been argued here very ably that that does not impair the constitutional right of any citizen. Perhaps technically it does not, although it is recognized in the Constitution that rights which are vested in character cannot generally be taken away by either a State or the Federal Government without violation of the citizen's constitutional rights, and that is exactly what the legislation proposes to do.

It may be said, however, that the rights which are to be denied if the legislation shall be enacted are rights which accrued pursuant to an act of Congress, and therefore the Congress can take away the right of the citizen by depriving him of the cloak of the statute under which the rights are asserted. As I have said, that may be technically permissible. If it is, it is wrong. Congress should not take away from any citizen a right which has accrued against another citizen of this country and which is in course of litigation in the courts of the land.

I think the proposed legislation therefore does violence to the spirit of the Constitution. I think it exhibits a lack of confidence in the courts of our country unbecoming to a coordinate branch of the Federal Government.

Mr. President, I think the decision rendered by the courts in connection with this subject will bear scrutiny, and will stand up under criticism. The decisions rendered by the United States Supreme Court in both the Tennessee case and in the Jewell Ridge case I think are correct, both in substance and in purpose. I also think that the decision rendered in the Mount Clemens case is a just and righteous decision, and that the way the case is working out it will not impose any undue hardship upon any one.

We have been told here, Mr. President, that there are billions of dollars of these claims pending in the courts, that they will wreck the economy of the land, that they will bankrupt many of the companies of the country. I think it has already been pointed out that the reports that have come to the Congress have come largely either from a cursory examination of the amounts claimed in the complaints—we know as lawyers that the ad damnum clauses of complaints are notoriously excessive of the claims presented in the body of the complaints, as a rule—or from the employers themselves who reported to the Congress the pendency of these numerous and extensive claims. But, Mr. President, I have confidence enough in the courts of this country, in the judges and in the juries, to believe that frivolous and unjust and outrageous claims will be stricken down and denied.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. COOPER. Would the Senator call "frivolous" a claim which had been approved by the Supreme Court of the United States? Does not that claim have the same validity as any other claim which might be prosecuted on behalf of a workman?

Mr. PEPPER. Is the Senator speaking of the Mount Clemens case?

Mr. COOPER. Yes.

Mr. PEPPER. Yes. But, if the Senator will recall, I was saying that the Mount Clemens case is working out. The Supreme Court of the United States sent the case back to the trial court, and the trial court has considered the subject and eliminated a good many of the claims that were involved in the Supreme Court decision, by finding them prohibited by the de minimis rule, or trifling in character. That attests just what the Senator from Florida was saying, that if Congress had left this matter exclusively to the courts of the country, to the judges, and to the juries, and had there been one other thing, the power in the parties to compromise claims, I believe that this matter would have died out and there would have been little injustice done to management in the Nation. Surely, taking everything into consideration, less injustice would have been done to management than is going to be done under this bill to the workers of the country, if the committee bill is adopted by the Congress.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. PEPPER. I gladly yield to the Senator.

Mr. COOPER. I have taken it from the Senator's position that he would not deprive the worker of any compensation that is allowed to him by the decision of the courts or by the interpretation of the Fair Labor Standards Act. Does he believe that a settlement between employer and employee would violate that principle?

Mr. PEPPER. I believe that a settlement worked out in good faith, and in the case of unorganized employees, with the approval of the Wage and Hour Administrator, and, in the case of organized employees on their own responsibility, would have been a fair settlement, and that Congress under the circumstances might have aided in the solution of this complicated controversy by giving the parties under this same clause the power to make that kind of compromise. That power to compromise by people who knew the facts, who were the ones concerned, who were on the ground, plus the wisdom of judges and the common sense of juries in this country would in the long run have solved this whole matter far better I venture to say than the Congress of the United States is going to solve it, however long we may continue to consider it.

That, Mr. President, is my view on how this matter should have been handled; but in contradistinction to that course, we come in here, in almost a rage if not a fury, and say that something has got to be done to strike down these portal-to-portal claims.

Assuming, Mr. President, that the portal-to-portal claims should have been stricken down, we have not been satisfied with that. We have not contented ourselves with directly and intentionally invalidating the decisions of the courts of the country on this subject. No, Mr. President, we have not been satisfied with outlawing the portal-to-portal claims. We have gone further and attempted to do two distinctive things: first, to deprive workers who have done honest work of the wages for their toil that were justly due; and, in the second place, so to shorten the statute of limitations that we would take away from them the amount that may have been due them under existing law.

Mr. President, when I say we have gone further than the elimination of the portal-to-portal claims, I go no further than the majority report, on page 48, where it gives two examples of what are activities that should be compensable, that are part of the principal activity, declared to be compensable by the majority report. In the future-claims part of the bill—and I mentioned those before; this is given only as an illustration—one of the examples given is as follows:

> In connection with the operation of a lathe an employee will frequently, at the commencement of his workday, oil, grease, or clean his machine, or install a new cutting tool. Such activities are an integral part of the principal activity, and are included within such term.

And, may I interpolate, made compensable under the statute recommended by the majority committee itself. That is one claim, Mr. President, and all others like it made compensable

under the future law by the committee itself, but denied compensation under the part of the statute that deals with existing claims. So I say that is not a portal-to-portal claim. There was no justification for outlawing that kind of claim, especially when the courts of the land held that workers who performed those activities were entitled to compensation. We strike down an adjudicated right under the law of the land, the right of people performing those activities.

I cite a second illustration, given not by the Senator from Florida but by the committee itself, as entitled to compensation:

> In the case of a garment worker in a textile mill, who is required to report 30 minutes before other employees report to commence their principal activities, and who during such 30 minutes, distributes clothing or parts of clothing at the work benches of other employees and gets machines in readiness for operation by other employees, such activities are among the principal activities of such employee.

And I interpolate, by the committee itself, declared to be in the future part of this act, subject to compensation; yet they are denied compensation under the part of the statute recommended by the committee that deals with existing claims.

Mr. President, that is not portal to portal; so this is not a portal-to-portal bill, not a bill denying portal-to-portal claims. This is a bill which denies honest workmen honest pay for the work they have done, adjudicated to be due them by the highest court in this land.

Mr. President, is that morally, if technically, right? The committee gave these two cases merely by way of illustration. There are others—checking machinery by the worker before he begins to perform what are called his principal activities for pay; adjusting and readjusting safety equipment. After all, Mr. President, adjusting and readjusting safety equipment not only saves the man, it saves the worker for the company. He does that on the premises of the employer. It is related to his work in an essential way; yet he, like the man who checks machinery, Mr. President, would be denied pay for the work he has done, under the committee bill. So does the man who adjusts and readjusts safety equipment receive from this committee a prohibition of the collection of his claim in the courts of the land. Another is one engaged in repairing, oiling, or washing machines. That would be, under the committee bill, compensable in the future but not compensable in the past. Others are checking and sharpening tools; rest periods after arduous toils; inventory taking; periodical physical examination when performed upon the premises of the employer and required by the employer; travel time in plants or mines for some considerable time; cleaning and washing off dirt, and the like.

Those are just a few cases, Mr. President, which have been called to my attention as claims as to existing rights that will be denied under the committee bill if it should be adopted, but would be recognized under the committee bill as to future rights. So I say that I see no reason why the committee should have made a distinction between the past and the future in the recognition of what was compensable work.

Mr. President, this legislation in the first place, therefore, attacks the integrity of judicial decisions in respect to accrued claims of workers. I say that if not technically wrong it is morally wrong for the Congress of the United States to permit it. I say it is a repudiation of the orderly processes of law under which this country is governed; that it is a discrimination against a worthy segment of its citizenry, and does them an injustice. Therefore, I say it is conduct unbecoming to the Congress of the United States.

In the second place, Mr. President, in respect to past claims it denies claims that are not portal-to-portal claims for it allows recovery only in two categories of cases: Work that is compensable in the first place under an agreement written or oral, and in the second place, under what amounts to an agreement which is determined by the custom prevailing in the enterprise where the worker is employed.

Mr. President, what do we find has been the discovery in the past by the Wage and Hour Administration as to whether workers have been getting what was due them by the employers of the country. I am referring now to the very able remarks made by the distinguished Senator from Rhode Island [Mr. McGRATH] former Solicitor General of the United States, in this body on March 19, in which the Senator pointed out:

> The small figures representing employee suits and complaints do not mean that the rest of the employers were complying with the act. But because of the apparent attitude of the majority of the committee, I think we should give careful attention to these facts. One-half of the 42,000 establishments inspected in 1946 were in violation of major provisions of the act, 38 percent of those inspected in substantial violation. In that one year alone the Division found over $21,000,000 due as back wages, and this money was owed to 365,000 employees. This was a year of generally high wages and high profits, yet 11 percent of the establishments inspected were in violation of the minimum wage provisions of the act. They would not pay 40 cents an hour.

Yet I venture to say, Mr. President, that the committee bill will outlaw nearly every one of such claims, and if the Wage and Hour Administration found that degree of nonpayment—that degree of violation in 1946—I dare say no less degree of violation exists in 1947, and probably no less would exist in subsequent years. Yet the Congress of the United States, under the lash of those who want what they call portal-to-portal legislation, are denying, according to known experience, 365,000 people who are workmen and workwomen, as a minimum, the right to recover $21,000,000, and that represents only a portion of the whole number because that is the discovery from the limited investigation the Wage and Hour Administration was able to make.

Now, Mr. President, is that right? Are we compelled to do that to satisfy the demand to protect the employer against the frivolous or the fictitious or the champertous portal-to-portal suit? I do not think so.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. BALDWIN. The argument made by the able Senator from Florida brings out a point which I want to clear up in my mind. I understood that he read on page 48 of the report of the committee two examples. One was:

> In connection with the operation of a lathe an employee will frequently at the commencement of his workday oil, grease, or clean his machine—

And so forth. The other example was in connection with material distributed in a garment factory, say, to the machines of the workers, and the query was whether or not the time spent in distributing the material would constitute compensable time.

I understood the Senator to claim that these two examples, as set forth in the report, are examples of compensable time under the Wage and Hour Act which the portal-to-portal bill, so called, would completely outlaw. It seems to me that if particular activities such as those mentioned in the two examples should hereafter by contract or custom be paid for, this proposed legislation would not bar such claims. Is that not correct?

Mr. PEPPER. That is correct. If I excluded the assumption that if they were covered, either by express written contract or were being compensated for in the past, why, of course, I did not intend to give any such impression.

Mr. BALDWIN. I received that impression. Perhaps the Senator did not say that.

Mr. PEPPER. I am glad the Senator called attention to it.

Mr. BALDWIN. Will the Senator again yield?

Mr. PEPPER. Yes.

Mr. BALDWIN. There is one further point I should like to make. Is it not true that under the bill as drafted by the committee, if there is a borderline situation, not so clear-cut as these cases, but a borderline situation, an employee would still have the opportunity to go into court and press his claim and establish that either by contract or by custom his particular claim fell in the compensable class? Would that not still be possible?

Mr. PEPPER. Let me go back just a little bit earlier. The Senator also I am sure will acknowledge that if these claims—and it is the reason that I left them out of my remarks—if these claims had been the subject of express agreement in the past or if they had been paid for in the past by custom, of course they would not exist today and there would not be a necessity to outlaw a claim that a workman would not be presenting in a court. So what I am saying is, to clear up the first inquiry made by the Senator, that any existing claim which is in a court is, I think we are bound to assume, not covered by an express contract, written or oral, and not subject to compensation by custom.

Now as to the second point raised by the Senator from Connecticut, I will have

to say that the committee bill and to a certain degree the McCarran-McGrath amendment in this particular respect, it has been alleged, limit recovery to two categories, and only to two categories at the present time: Either a claim that is subject to an oral or a written agreement, or that has been compensable in the past pursuant to a custom, and there is no penumbra. I do not see anything that the worker could prove in the court when the court asked him, "Is this covered by contract?" and the worker said "No," and if the question were asked, "In the past has the employer ever paid you and other workingmen for that kind of work performed?" and the worker said, "No; the employer has not been paying me, and that is why I am here."

What I am saying to the Senator is that I do not see how many of this penumbra—any of those who are in the shadows of these two cases mentioned, would have anything they could show in court in view of the legislation that is proposed by the committee.

Mr. BALDWIN. Will the Senator yield further?

Mr. PEPPER. I yield.

Mr. BALDWIN. I am as anxious and as earnest in my anxiety as is the Senator from Florida that the act be so drawn as to exclude only the frivolous, so-called frivolous, if we want to call them such, portal-to-portal claims, and at the same time still give the worker the opportunity to enforce what he is entitled to under a contract, written or oral; still give him an opportunity to enforce what he is entitled to by custom, and further still give him an opportunity to come into court and prove what the custom was or what the personal agreement was. It seems to me that that narrows the question down as much as it can possibly be narrowed.

Mr. PEPPER. I believe the able Senator is not taking into consideration where the narrowing is done, where the shoe pinches. It pinches the employee. This bill says in substance, "You cannot go into court and collect for a claim for which you have not been paid in the past."

Mr. BALDWIN. Mr. President——

Mr. PEPPER. I know what the Senator is about to say. He is about to say that the bill does not so provide. Let me read what the committee bill provides:

> No employer shall be subject to any liability or punishment under the Walsh-Healey Act or the Bacon-Davis Act on account of the failure of such employer to pay an employee minimum wages, or to pay an employee overtime compensation, for or on account of any of the following activities, hereinafter termed portal-to-portal activities, of such employee engaged in on or after the date of enactment of this act—
>
> (a) walking, riding, or traveling to and from the actual place of performance of the principal activity or activities which such employee is employed to perform, and
>
> (b) activities which were preliminary to or postliminary to said principal activity or activities, which occur either prior to the time on any particular workday at which such employee commences, or subsequent to the time on any particular workday at which he ceases, such principal activity or activities: *Provided, however,* That the provisions of this section shall not apply to any of the foregoing portal-to-portal activities of such employee which is compensable by either—
>
> (1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer; or
>
> (2) a custom or practice in effect, at the time of such activity, at the establishment or other place where such employee is employed, covering such activity, not inconsistent with a written or nonwritten contract, in effect at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer.

I am saying that if the activity in question had been the subject of a contract in the past, I do not suppose any employer would deny that he should perform his contract, or that the committee desires to relieve any employer of his duty to discharge his contract. Secondly, if the claim in question had been compensable by reason of the custom of the establishment, and recognized as such, I do not suppose that the committee would make any effort to exempt the employer from his duty to pay claims which it had been the custom in the past to recognize. None of us would claim that the employers of the country have not paid claimants on those two bases. But what we are talking about is an asserted claim not coming under either the custom or a contract in the past; and I am saying that the committee proposes to eliminate every claim up to date which does not come within the category of a contract or under the sovereignty of a custom.

Mr. BALDWIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. JENNER in the chair). Does the Senator from Florida yield to the Senator from Connecticut?

Mr. PEPPER. I yield.

Mr. BALDWIN. Is it not exactly in that field that we have had so much confusion? The portal-to-portal claims—at least those in the State of Connecticut—were instituted in cases in which neither by contract, written or oral, or by custom theretofore, had the time claimed for been compensable. So it seems to me that we narrow the question down to the field in which neither by custom nor contract theretofore was the time compensable. So the bill does no more than deal specifically with a group of situations with respect to which there is bound to be a great deal of uncertainty. It seems to me that one of the primary legislative purposes is to try to clear up any doubts or uncertainties in existing legislation. As I understand, that is exactly what the bill attempts to do, for the benefit not only of the employer but also of the employee.

I thank the Senator for yielding to me.

Mr. PEPPER. I thank the able Senator. I know how solicitous he is that no injustice be done. But the Senator says that all the bill does is to lay down the two categories, which he implies are relatively simple and clear-cut. What I wish to emphasize to the able Senator from Connecticut is that the bill cuts off everyone except those who come within two limited categories. We are not merely saying that we are eliminating the claims of all who come within those categories. We are saying that we are prohibiting the claim of everyone who does not come within those categories. The vice of that action is that we would elminate the claims of many persons who are performing the very kind of work which the committee recognizes on page 48 of the report and in the committee bill. They are engaged in compensable work; but we are denying them recovery because in the past they have not been justly paid. They do not come within the contract category, and they do not come within the custom category.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. PEPPER. I shall be glad to yield in just a moment.

Let me say to my able friend from Connecticut that this action falls with particular severity upon the unorganized worker. Let me give some examples. Several examples have already been given.

In the South, where it is my privilege to live, a new enterprise or a new factory may be established, giving employment to the women of the community. That is certainly a desirable objective. However, too often—if not generally—those women will be told, "Come here half an hour before the time to go to work and get your machines ready, get your needles threaded, get your materials laid out, or get your patterns fitted. Get everything ready on your time."

Mr. BALDWIN. Mr. President, will the Senator yield at this point?

Mr. PEPPER. If it will please my friend from Connecticut, I shall be glad to do so.

Mr. BALDWIN. I should very much like to have the Senator yield at this point.

Mr. PEPPER. I yield.

Mr. BALDWIN. My learned friend from Florida, for whose ability and oratory I have high respect, has stated a case in Florida in which certain time would not be compensated for. The case is almost on all-fours with the first category. In my State of Connecticut there would be no question that the time would be compensated for. So I submit that my learned friend must get a better case than that.

Mr. PEPPER. Let us see whether the Senator from Connecticut or the Senator from Florida has a point. I am assuming that the Senator from Connecticut knows that under the terms of the committee bill the cases referred to on page 48 are compensable only in the future, and not in the past. Does the Senator recognize that?

Mr. BALDWIN. I did not so understand.

Mr. PEPPER. That is where the able Senator was in error. If the committee had laid down the same principle as to existing claims, it would have been a far-reaching step.

I am grateful for the generous words of my distinguished friend. The very point I was making, and had made a little earlier, before the Senator entered the Chamber, was that in the committee report certain types of claims were recognized as compensable in the future; but the committee proposed to cut off compensation for the same kind of claims arising in the past.

I was speaking of the situation in the South, where workers are required to be

present 30 minutes ahead of time. It may be said that they do it voluntarily. Practically every worker does what he or she is directed to, for the simple reason that he must work in order to live. The point that is often overlooked is that a survey was made a little while ago by the Federal Reserve Board, and it was found that only two families out of five in America had total liquid savings of as much as $40. Such workers cannot say, "I will not come to work half an hour early." If coming to work half an hour early is made a condition of the job, they will come half an hour early. If they are required to come an hour early, they will come an hour early, because most of them must work.

What I am saying, Mr. President, is that in the past unorganized workers have been required to do just that kind of thing—to start work earlier than they are paid for and at the end of the day to work longer than they are paid for. For example, the lady to whom I referred may be required to remain after the whistle blows or the bell rings and spend 30 minutes cleaning up for the next day, on her time, not on the company's time. That is an hour, in the case which I put—30 minutes in the morning and 30 minutes in the afternoon—time which she is required to put in for the benefit of the employer; and under this bill every single one of them will be denied the right to recover. What I am saying is that they would not have filed claims if that right had been recognized by the employer in the past under contract or custom.

I know what a problem the committee has had to struggle with. I have never been one of those who criticized the length of time the committee has had the matter under consideration. I know something of the complexity of the problem. Yet surely the committee cannot blame me or other Senators for not wanting to take away from these honest workers the money they have coming to them under existing statute law and the decisions of the United States Supreme Court. It is not right, and I do not believe that I am forced to do these workers that injustice in order to find an effective method to prevent champertous portal-to-portal suits in the courts.

Mr. FERGUSON, Mr. MCMAHON, and Mr. DONNELL addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield, and if so, to whom?

Mr. PEPPER. I yield first to the Senator from Michigan for a moment, and then I will yield to the Senator from Connecticut [Mr. MCMAHON].

Mr. FERGUSON. I ask the Senator from Florida, with reference to past claims, if he finds any distinction between the committee bill and the substitute bill.

Mr. PEPPER. I will say to my able friend from Michigan with the utmost candor that from the reading which I have been able to give the two I am not satisfied about the existence of a distinction. However, Senators who have drafted them have asserted that there is a distinction. Whether or not there is a distinction will have to be sustained by them. With respect to existing claims, I do not see, from a reading of the language, any particular difference between the substitute and the committee bill. But, of course, the Senator recognizes that the McCarran-McGrath substitute imposes no limitations upon future claims, whereas the committee bill does impose such limitations. The McCarran-McGrath substitute also does not go to the point of outlawing judicial decisions. There are many more restraints or prohibitions, even as to existing claims, in the committee bill, however, than there are in the substitute bill.

Mr. FERGUSON. Mr. President, will the Senator yield for another question?

Mr. PEPPER. I yield.

Mr. FERGUSON. Whether we used more language in the original bill than in the substitute, there is an attempt by both the bill and the substitute to abolish all claims existing in and by virtue of the Fair Labor Standards Act as interpreted or to be interpreted by the Supreme Court if it is not under contract or custom or practice. Both bills outlaw such causes of action; and so far as the workingman is concerned, the effect upon him would be identical whether or not we attempt in the original bill to take more away from him than is done in the substitute bill. Is not that a fact?

Mr. PEPPER. I have tried to be honest in answering the Senator's question. As I said, however, he must have heard the arguments made by the able Senator from Rhode Island [Mr. MCGRATH] and the Senator from Nevada [Mr. MCCARRAN]. They assert that there is a difference between the two proposals. There are more things in the committee bill as to existing claims than there are in the substitute. For example, all the substitute does is to provide that to recover the right has to be asserted under either contract or custom. It says no more. However, the committee bill provides that all claims have to come under contract or custom to be the basis of recovery, and it goes further and provides:

> For the purposes of this section, no judicial or administrative interpretation of the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, shall have the effect of changing any written or nonwritten contract between the employer and the employee so as to make compensable any portal-to-portal activities.

As the able Senator from Connecticut [Mr. BALDWIN] stated a moment ago, there may be in the substitute a sort of penumbra, an area on the circumference, as it were, and the courts might find for the claimant even in respect to the portal-to-portal portion of a claim; but under the committee bill even a judicial decision which might give compensation to a worker is outlawed if the claim does not come under one category or the other.

Let me go back to page 11, from which I was reading:

> Nor shall any provision of any such contract, incorporating by reference as a part thereof such judicial or administrative interpretations, make compensable any such portal-to-portal activities.

In other words, even a court decision cannot be incorporated in the contract and made binding upon an employer.

Mr. FERGUSON. I beg to differ with the Senator. One may contract in relation to anything.

Mr. PEPPER. What is the meaning of the words—

> Nor shall any provision of any such contract, incorporating by reference as a part thereof such judicial or administrative interpretations, make compensable any such portal-to-portal activities.

Mr. FERGUSON. I will explain that provision.

Mr. PEPPER. I should be glad to have the Senator do so.

Mr. FERGUSON. If a contract is drafted simply providing in general terms "This contract is drafted in the light of the Fair Labor Standards Act," or even if it contains no clause in reference to the act, if nothing else were said and this bill did not exist, later a court could interpret it as meaning that it included the interpretation of that act by the Supreme Court. It is the intent of the committee to allow no such interpretations to be read into a contract. It is possible to contract in specific terms to pay for any labor in any form, but it cannot be done in general terms so as to bring about a situation such as we have today. After years had gone by, neither the employer nor the employee, nor the Government, which was collecting taxes from the work of the employee, had any idea that there was any liability. We let it accumulate for an 8-year period, and then we found a large amount of lawsuits upsetting the economy, upsetting the taxpayer, upsetting the Nation, for that matter, due to a decision by the Supreme Court which, in effect, is legislation.

It is not and was not the intention of Congress, as I view it, as interpreted by either employee or employer, that certain things should be paid for. After all, we must have the Supreme Court; we must have its decisions.

Mr. PEPPER. I am glad that the Senator does not contemplate the abolition of the Supreme Court.

Mr. FERGUSON. No. I am one who stands for court decisions. But in this particular case we find that the court has, in my humble judgment, legislated. It went much further than the legislature intended to go, and said that included in the workweek is a certain portal-to-portal activity. Next month the Supreme Court may say that portal-to-portal pay shall start from the time a man leaves his door in the morning until he returns at night, or it may say that it shall start when he parks his car. So by this legislation we are attempting to say that that is not included up to the present day, and shall not be included up to the present day, if it is not included by virtue of contract, custom, or practice; and that in the future it shall not be included unless it is included in a contract or by custom or by practice.

The act is very broad; yes. But if we are to abolish the present confusion, as it were, we must do it either by means of adopting the language of the bill or, I

believe, the language of the substitute bill, in respect to past cases. But if the bill which is passed is limited to past cases, then in the future the Congress must determine what shall be the policy, and whether in 4 or 5 years, because of an interpretation of the Fair Labor Standards Act—and I do not wish to abolish it; I think this limitation is a fair one—the Congress will have to say that it will not face a situation of piling up lawsuit upon lawsuit and having them litigated, 4 or 5 years from now, just as they are being litigated today. That is the way I analyze this bill.

Mr. PEPPER. Mr. President, I thank the Senator from Michigan, and I think he makes the situation very clear; namely, that when the whole thing is boiled down and concentrated in a capsule, what we have is that the United States Supreme Court has decided some litigation favorably to the workers of America, and the United States Congress proposes to reverse the decision of the Supreme Court. That is what this matter comes down to.

Mr. O'MAHONEY and Mr. DONNELL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Florida yield; and if so, to whom?

Mr. PEPPER. I yield first to the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, the question which was directed to the Senator from Florida by the Senator from Michigan [Mr. FERGUSON] suggested to my mind an interesting interpretation of the language to which the Senator from Florida originally alluded. I read now from page 11 of the bill, beginning with line 19:

> For the purposes of this section, no judicial or administrative interpretation of the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, shall have the effect of changing any written or nonwritten contract.

Let us assume there was a written contract which, in the view of the parties or from the point of view of the worker, incorporated some provision of the Fair Labor Standards Act. Let us assume that a dispute then arose between the employer and the employee. This language would have the effect, would it not, of saying that in connection with that dispute between the worker and the employer, no court could by any possibility pass judgment as to whether that written contract did, in fact, incorporate a provision of the Fair Labor Standards Act.

Mr. PEPPER. The Senator is absolutely correct.

Mr. President, it will be shocking to those who in a calmer day than this one look back upon this measure, if it is passed—and I assume it will be passed, because the enactment of such legislation seems to be assured in this Congress, and such action may vindicate the statement, which someone made a few days ago, that this is the worst Congress in 25 years, although I do not know whether that is a fair criticism—but I say that people who examine this legislation in a calmer moment hereafter will be shocked, I think, at the length to which this legislation proposes to go to oust the courts of the United States from jurisdiction in the interpretation of Federal statutes and the interpretation of contracts between employers and employees. By this measure we in the Congress would practically say that if a court construed the legislation or a contract in a way which we did not like, we would outlaw it by act of Congress.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. PEPPER. I gladly yield to my friend.

Mr. DONNELL. I should like to call the Senator's attention to the fact that the provision to which he has referred, on page 11 of the bill, namely "For the purposes of this section, no judicial or administrative interpretation of the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act shall have the effect of changing any written or nonwritten contract between the employer and employee so as to make compensable any portal-to-portal activities," contains the further language "(as defined in sec. 5)."

Mr. President, section 5 defines portal-to-portal activities as being—

> Those activities which section 2 hereof provides shall not be a basis of liability or punishment under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act.

In other words, Mr. President, all that the portion between lines 19 and 25, on page 11 of the bill, does is to say that where there is a written or nonwritten contract between an employer and an employee, no decision of a court or no interpretation of any administrative bureau or agency shall be permitted to change that contract from one which by its terms provides that certain activities shall be noncompensable, and make the contract contrary to what the parties have said it shall be.

Mr. President, I wish to say that the Senator from Florida is treading on ground where there is no occasion whatsoever to fear the exercise of the power, which he has here envisaged, in such a way as to amount to encroachment by the legislative department upon the judicial department of government. This provision merely means that where a contract makes an activity noncompensable, the mere fact that a court later says it shall be compensable shall not make it compensable.

Let me add one word, if the Senator will indulge me for a further moment: The Mount Clemens case decision and the results it has brought—so dangerous to our national economy—are in large part, to my mind, due to the fact that in that case the Supreme Court decided that work of that character must be included in the statutory workweek and must be compensated accordingly, regardless of contrary custom or contract.

So, Mr. President, by means of this provision, our bill recognizes the fact that is is proper for the legislative body to say that when parties have entered into a contract, no judicial interpretation or decision or no interpretation by an administrative bureau or agency shall change the contract from the one the parties have made.

Mr. PEPPER. Mr. President, let me ask the able Senator from Missouri a question—and he is a very able lawyer, and he has been most industrious in this matter. Question has been raised as to whether it is constitutional for this measure to deprive workers of accrued claims under the decisions of the court. That question has arisen; has it not?

Mr. DONNELL. Yes.

Mr. PEPPER. The able Senator from Missouri has exhaustively examined the matter, and has concluded that this legislation would be constitutional; and he has made the basis of his argument the position that when the parties enter into a contract or when private rights are otherwise derived, they are always derived subject to public law. Have I stated the matter correctly?

Mr. DONNELL. That is correct; but——

Mr. PEPPER. I wish to ask the Senator from Missouri——

Mr. DONNELL. Mr. President, I had not finished my answer.

Mr. PEPPER. Very well.

Mr. DONNELL. My answer is that when Congress has power to legislate within a certain domain, any contract in that domain, entered into by individuals, is subject to the right of Congress to change and alter and annul it.

Mr. PEPPER. Mr. President, I wish to ask the Senator from Missouri another question. When A and B enter into a contract not to make compensable work which, under the statute, as construed by the only agency which we have to construe statutes—namely, the courts—is made compensable, is not such a contract invalid, according to the same logic and the same argument which the able Senator from Missouri has to use as the basis of his asserted claim of the constitutionality of this proposed statute? In other words, if the law says that a worker must be paid a minimum of 40 cents an hour, but if the parties agree that the worker shall be paid only 18 cents an hour, if a court later finds that only 18 cents an hour is being paid, notwithstanding that contract, though it be in writing, will not the parties be bound by the law as construed by the court?

Mr. DONNELL. Mr. President, I shall answer the Senator from Florida by saying, "Certainly. No one has denied that fact, either directly or indirectly."

But that is not the situation in which the Senator is interested here. Here Congress is declaring the law. Here Congress is saying that if the Senator from Florida and I enter into a contract, he as the employer and I as the employee, and if by that contract a particular activity is not compensable, no judicial decision or administrative interpretation shall make compensable that which the Senator and I have, by our contract, determined to be not compensable.

I may complete my answer by saying that in other words, Congress has the power, within the domain of interstate commerce, to lay down regulations and

laws which will supersede what the private individuals may do, but at the same time Congress has a perfect right to say that if two individuals do contract that such and such shall be compensable or noncompensable, no judicial decision which comes along and says to the contrary shall be allowed to set aside the contract

Mr. PEPPER. If the Senator will allow me, when the Congress says that the worker shall not work more than 40 hours a week without being compensated at a certain rate for overtime in excess of the 40 hours, and if the court finds that a man has been made to work more than 40 hours and has not been compensated for the overtime, does the existence of even a written contract that he shall not be compensated for the overtime save the employer in the courts of the country from liability?

Mr. DONNELL. It certainly does not. As I said a few minutes ago, Congress has laid down the law, and no contract can supersede it, but in like manner Congress can write a law to the effect that if the distinguished Senator and I enter into a contract saying that my employment of him or his of me shall not be compensated, Congress can lay down the law saying that no decision of a court or of an administrative bureau shall violate and negative what he and I have agreed to.

Mr. PEPPER. In other words, the purpose of the bill is to deprive workers of recovery on claims which the courts of the land, including the Supreme Court, have held valid.

Mr. DONNELL. No, Mr. President. I have said what the result of this particular provision is, and later this afternoon I shall discuss very fully the purpose of the bill.

I think the Senator has probably overlooked one fact. There is no definition in the bill, from start to finish, there is none within the amendment offered by the Senator from Nevada and the Senator from Rhode Island, of the term "work." Therefore, Mr. President, were it true that the Senator from Florida and I were to enter into a contract of employment wherein either the word "work" or any synonym of it were used, and our contract was brought into the courts for the purpose of determining whether I, as an employee, was entitled to walking time from the time I entered the plant to the moment I reached the lathe at which I was employed, the court might very properly say, "Here is your contract. I see the word 'work' in it. I see by the decision of Mr. Justice Murphy that under the Fair Labor Standards Act 'work' includes walking time. Therefore I incorporate into this contract, by reference, the contents of the decision of the Supreme Court."

Mr. President, it was in order that there should be no such situation as that, by which, after we get through with enacting the statute we are considering, we would be just where we started. For that reason the portions between lines 19 and 25 were inserted in the bill. As a result of that, in order for a worker to be entitled to recover for any activities, it is necessary, under part II of the bill, pertaining to existing claims, that he shall prove, not by some incorporation by reference, not by some Supreme Court decision, not by some ruling of the OPA or some other bureau, but by the definite provisions of a contract, that he is entitled to compensation for those activities.

Mr. PEPPER. Mr. President, I think it is only fair that we have an understanding about one thing. I was a little surprised that the distinguished Senator from Missouri seemed to be unwilling to admit it. Let us see if we cannot be clear.

The whole reason for the proposed legislation is because of the decisions of the Supreme Court of the United States in three cases—the Tennessee case, the Jewell Ridge case, and the Mount Clemens case. Under those three cases rights were given or recognized and claims were filed for the recovery of money under those cases, and the whole purpose of the pending legislation is to take those rights away, and to make those claims invalid. Therefore, does the Senator deny that the purpose of the legislation is to set aside the decision of the United States Supreme Court rendered as to what constitutes compensable work for the working men and women of America?

Mr. DONNELL. Mr. President, it may be that the opening two or three words of my response have perhaps justly given occasion to some confusion in the mind of the Senator, or perhaps they were confused in my own statement. I welcome this opportunity to state the occasion for the legislation.

The occasion was that in the Mount Clemens case various activities, including walking time and preliminary time, have been held by the Court to be compensable, notwithstanding contrary custom or contract as to the walking time—and I take it likewise it would be true as to preliminary activities. As a result of that decision, great surprise has come to industry from one end of this Nation to the other, and a condition injurious to the economy of the Nation has resulted, as I have indicated.

It was exactly as the Senator has said, in order to set aside, annul, and forever cancel and make void these suits which have been filed based upon that decision of the Supreme Court, that this legislation is before us.

If there was anything in the opening portion of my answer which in any sense conflicts with that—and I can readily see as I look back over the early part of my answer, it might be susceptible to it—and was contrary, perhaps, I want to say that that was the theory of the legislation from beginning to the end.

Mr. PEPPER. I thank the Senator for his characteristic candor and fairness to his colleagues. I just did not want any misunderstanding to exist as to that.

So, Mr. President, we now see that we in the Congress are called upon to take away from the working men and women in America rights the courts of this land say they have.

Mr. President, I will not vote for that kind of legislation. It is not right. Not only that, but the courts of the land can be trusted to give a square deal, they can be trusted to give fair interpretation to the provisions of a contract. If they do not, what hope is there for the vitality and the preservation of our institutions?

Surely Congress is not going to constitute itself a court of appeals to reverse every decision of the United States Supreme Court which it does not like. I am not in favor of our becoming a court of appeals to reverse a decision happening to be made for the benefit of the workers of America. Nor would I be an instrument—and I never have been in the Congress—attempting to take away rights which may be conferred upon other segments of the population by the courts of the land.

I know that since I have been in the Senate attempts have been made to circumvent the decisions of the United States Supreme Court. Senators on this floor will recall that not so long ago there was the charge that the fire-insurance companies were violating the anti-trust laws, in the case of the Southeastern Underwriters. The lower court had made a decision in the case, and an effort was made in the Congress to have us intervene while that case was on the way from the district court in Georgia to the United States Supreme Court, and declare a rule or promulgate a law that would thwart the jurisdiction of the United States Supreme Court. We did not adopt the legislation as proposed. There have been other instances in which we have been called upon to intervene because some did not like the results of a judicial decision. I am proud of the record of our Congress for not having lent itself to such an unworthy endeavor.

Mr. President, I believe that the courts have rightly decided the cases we have been considering, so far as I am individually concerned. I am not the only Member of this body who has done honorable work in public enterprises of this country and know something about walking time and other effort for the employer not now compensable. I walked three-quarters of a mile from the gate of a steel mill to the place where I was to do my work. I do not see but that after I got on the premises my time was compensable, but I was not getting the benefit of it. There are other cases in which the working people get their tools ready when they are getting ready for the day's work, or where there is work to be done after the principal activities of the day.

I think the Supreme Court was right. Certainly, whether they are right or wrong, there is no basis for Congress assuming to assert and arrogate to itself the duty to review a decision just because it may not happen to like the decision.

Mr. O'MAHONEY. Mr. President, the Senator from Florida has been making a very valuable contribution to the discussion on this bill. As I listen to him speak, and listen to his interrogatories addressed to the Senator from Missouri in relation to the bill, it becomes more and more clear that what the Senator from Florida has said is absolutely correct.

The bill before us seems to me to make it absolutely clear that its purpose is to deprive the courts of the United States of jurisdiction over all suits for

portal-to-portal compensation, regardless of whether those suits are based upon contract, written or unwritten, or based merely upon the statute itself.

I call the attention of the Senate to the language in paragraph (c) on page 12:

(c) No court shall have jurisdiction of any action for minimum wages, overtime compensation, or liquidated damages under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, whether instituted prior to, on or after the date of enactment of this act, to the extent that such action seeks to enforce any liability with respect to any claim based on portal-to-portal activities.

So all the language here concerning written and unwritten contracts, and custom and practice in the industry, means nothing when interpreted in the light of this language. If Congress should adopt this language, it will be saying to the workers of America: "No court in the land can interpret this contract that you have, this custom or practice that you have, so far as it affects portal-to-portal activity."

Mr. PEPPER. Mr. President, the conclusion arrived at by the able Senator from Wyoming is inescapable to me.

In mentioning instances in which the Congress is called upon to set aside and to exempt the jurisdiction of the courts, I hope I commit no impropriety, in the absence of one of the sponsors of the bill, but there is a bill pending here now that proposes to exempt the railroads of the country from violation of the antitrust law by congressional enactment, to give them specific permission to do things which presumably under the jurisdiction of the courts would be found to be violative of the antitrust law.

Mr. HILL. Mr. President, if the Senator will yield, may I add that it is a bill dealing with a question involved in a case that is now pending in the Supreme Court of the United States.

Mr. PEPPER. That is another instance in which a case is now pending in the United States Supreme Court, and it is proposed that we should come along and oust the jurisdiction of the highest court of the land in a case pending before it, by legislation.

Mr. President, we like to say here, that we legislate impartially, we legislate objectively, we legislate without discrimination, and we, under our system, justify legislation of that character. Matters of contract interpretation and of statutory interpretation must be left to the courts of this land. We cannot define every case in which there may be liability or nonliability. In fact, the Court itself cannot do that sort of thing. It is decisions of inclusion and exclusion by the courts of the land that has led to the development and the broadening of our law from the beginning of this Nation.

Mr. President, the due process clause in the United States Constitution is not for interpretation by Congress. We leave that to the courts, and they determine what comes under it, and what does not. They apply it, and they hold it is not applicable. That is a part of our system which we cherish, that part of our great constitutional system that is so enviable, we think, in our structure, and yet, Mr. President, because the courts in a particular case happen to have made some rulings and laid down certain interpretations which we do not like, and which management protests, the Congress is supposed to get into a fury and into a fret; it is said the emergency is so acute that we must pass this portal-to-portal legislation before we confirm the Chairman of the Atomic Energy Commission, before we determine the line of succession in case of the Presidency of the United States, before we pass a minimum-wage bill, before we pass health legislation, legislation to aid our public school system, or even, Mr. President, before we pass upon a matter of vital concern to the peace of the world. All those things must wait while we, in the Congress, determine the language of the statutes by which we propose to assert the congressional will in the place of the judicial power of the United States of America.

Mr. President, I said the employers are making a remonstrance over it. I have the figures here to show that, up to June 30, 1946, there had been a total of about .. billion dollars of tax refunds that have been paid out to a lot of those who may be classified as "remonstrating management." We know that management in America today enjoys the highest peacetime profits in the history of America. That remonstrating management is against some additional claims that the workers may have in the courts of the country. Yes, we are also told, Mr. President, by Mr. Wendell Berge, that monopoly in America today is at its all-time peak.

What concerns me, Mr. President, is the trend that I discover in the Congress today to regard more the man at the top than the man at the bottom of the ladder in our economy. What concerns me is what has been done to OPA, and what that has meant to the standard of living of the American people, and the profits that have been added to the manufacturers and the producers and the processors of this land under what we have done here in the Congress. Yes, what concerns me, Mr. President, is what we have already done to rent control. I say, what we have already done—we enacted an appropriation bill here the other day, which for all practical purposes means that rent control, if there is no other legislation adopted, will end in this country on the 30th day of April of this year. What does that mean? That means rents will go up, just as prices have gone up, for the working man. Is anybody shedding any crocodile tears in this Congress about prices going up, and rents going up for the working men and women of this country, including the veterans? No, we heard nothing about Congress making haste to enact further OPA legislation to protect the housewife. We just let the producer and the manufacturer and the processor get what he could. We did not intervene, and I do not see Congress concocting any hasty legislation to preserve rent control, either. We debated it here the other day, and we lost—those of us who were trying to prevent the elimination of rent control, many of us thought, by indirection, in the appropriation bill, when exactly contrary to the language that authorized that control in a statute until June 30 of this year. They cut out the money, after the 30th day of April, with which to carry it on. It is like the fellow that did not fire the working man, he just quit paying him.

What concerns me, Mr. President, is, in the income tax proposal, the principal concern has been for the fellow in the high brackets. Ah! "A 20-percent cut across the board." It looks fine. One might say, "Twenty percent is as good for one man as it is for another." The difference is, it would mean substantially that the man who now has $20,000 net would have $40,000, whereas the fellow who has but little left would have only a little more. That is the difference, Mr. President, the difference between having a few dollars and $40,000 left, after the payment of taxes, or something comparable to that.

Mr. President, with respect to wages, we cannot pass a minimum wage law. If the Senator from Florida or any other Senator were to offer an amendment to the pending bill to raise the minimum wage under the Fair Labor Standards Act which we are so glibly amending, so hastily striving to amend, why such a Senator would be frowned upon here. The look in Senators' faces would be so sharp that one would think such a Senator had committed the grossest of improprieties. If we are going to amend the wage-hour law we should save further consideration and debate on the subject by inserting a provision for a minimum 75 cents an hour wage in the pending bill. Let us extend coverage to millions of people who deserve to be covered. But what concerns me, Mr. President, is that so many who vote for tax revisions for the larger taxpayer, so many who vote to abolish OPA, so many who vote to do away with rent control, so many who try to strike down the danger of working men or working women getting what the Court has said is due them, are never in favor of that kind of thing, that is, to increase the wages of the worker. Or if it is a question of building homes for the people of this country, including the veterans, it is so seldom that we find those who are trying to do away with OPA and rent control and such things leading the fight for more homes for the families and for the veterans of the country. That is what concerns me, Mr. President. That is what I am afraid lays us open to the criticism that we are thinking, as I said, more about the man at the top than we are the family at the bottom of our economic ladder.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. O'MAHONEY. And that thinking is going on despite the plain fact that the man at the top will perish if the family at the bottom is not in a position to purchase what the man at the top makes a profit from producing.

Mr. PEPPER. Mr. President, the able Senator from Wyoming could not have put the matter better. From his vast

knowledge of the economy of this country, which I believe to be superior to that of any of his colleagues, he knows that the prosperity of this country is based upon the purchasing power of the masses of the people. I hazard the assertion that there are many people who do not know us personally who read something we say, ofttimes garbled in a newspaper, who think that any of us who want to help the common people are either demagogs or that we have some sort of a psychopathic animosity to those people who happen to be the better-off people of America. Well, I always say, Mr. President, that I make it a rule to vote with the poor and shoot with the rich, because they have always got so much better hunting as a general rule, and not only that but they are as fine people as we have in our country.

But, Mr. President, if one wanted to befriend his wealthy friend he could not do so better than to make the masses of the people well off. There is no decent business in America that will not prosper if we have a prosperous citizenry. That is as simple as A, B, C, in the economics of the country. Yet so many fail to see it. Where will this so-called portal-to-portal money go if the workers receive it? It will go into the stores. It will go to pay house rent. It will go to buy medicine for a sick child. It will go to pay a doctor for services rendered. It will send the child to the picture show. Mr. President, it will go into the channels of commerce and trade, and once it starts flowing into those channels we know who will get the cream of it. It is those generally at the top who will get the cream.

So Mr. President, this is not a question of taking away something from somebody out of animosity or hate. It is to give the workingman what the Bible says is due him—his hire. That is the matter at issue. It is to recognize the integrity of the American judicial system. Mr. President, it is not for Congress to intervene in a domain which is not within its proper scope in a situation of this kind. It is, I believe, a matter of legislative and economic justice that we are passing upon. I shall not lend my vote to taking away from a man that which he has by the sweat of his brow justly earned and under the sanctity of the American court told is his. That is substantially the issue, Mr. President, which is involved here now.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LANGER. The distinguished Senator from Florida who has delivered a very fine speech, mentioned the fact that efforts are being made to exempt the railroads in certain cases, and efforts are being made to exempt insurance companies in certain cases. I wish to call the Senator's attention to the fact that last year, after the Supreme Court of the United States had found that a group of producers of electrical equipment had conspired together in a war fraud case in Pittsburgh, because of which they had been assessed damages in the sum of $300,000, the Congress then abolished the so-called Abraham Lincoln informers' statute, repealing that law at a time when former Senator Van Nuys, of Indiana, who was chairman of the Committee on the Judiciary, said there were war-fraud cases pending involving $1,000,000,000.

Mr. PEPPER. I thank the Senator from North Dakota.

Mr. President, I will say in addition that if the Congress wants to get back some money, let us make a thorough and effective examination of many individuals who unjustly became rich and fat during the war. That will be far more justifiable than to try to take away from these workmen that which they have already justly earned by their bodily labor.

EFFECT OF FEDERAL TAX SYSTEM ON MERGERS AND MONOPOLIES

Mr. HILL. Mr. President, on March 18 Mr. Marquis Childs, one of our most distinguished columnists, writing under the caption "Drift to monopoly," paid deserved tribute to our colleague, the senior Senator from Wyoming [Mr. O'MAHONEY] for the long and able and tireless fight he has waged against mergers, that is to say, against monopoly, which, if allowed to flourish unchecked, would lead us down the road to some form of collectivism.

In his column, after paying tribute to the Senator from Wyoming, and quoting rather extensively from him, and telling of his work, Mr. Childs calls attention to a letter which he received from a friendly manufacturer. The gist of the manufacturer's letter is to the effect that the Government's tax system, particularly the inheritance tax system, operates today in such a way as, in some instances, to force mergers and to encourage monopoly, which most of us do not wish, and which the Senator from Wyoming so vigorously has opposed. I know that the report of the Temporary National Economic Committee, of which the Senator from Wyoming was the chairman, went into the different questions of the causes for mergers and the factors that brought them about.

I should like to invite the attention of the Senator from Wyoming at this time to the column written by Mr. Childs and particularly to the letter from the manufacturer, and ask the Senator what the TNEC has to say in its report with reference to the question of the tax policy, particularly as related to inheritance taxes, and the effect on mergers and monopolies.

Mr. O'MAHONEY. Mr. President, I am happy to respond to the Senator's request. I read the column of Mr. Marquis Childs myself with a great deal of interest and appreciation because I think it calls attention to what is really the most important question before the people of the United States. We complain about the concentration of power in Government. We can do nothing about that concentration unless we first do something about stemming the concentration of economic power in industry. All complaint about the growth of Government power is futile unless we act to make it possible for independent competitive enterprise to survive. It is dying before our eyes because of the neglect of those who claim to be its friends.

A moment ago I was listening to the eloquent speech of the Senator from Florida [Mr. PEPPER], who spoke about the profits which are now being made. The National City Bank of New York City, in its February economic letter, published a tabulation comparing the profits of approximately 850 manufacturing corporations in 1946 with their profits in 1945. The amazing fact, according to the National City Bank, is that those profits amount to 31 percent more in 1946 than they did in 1945.

I read with interest the letter from a manufacturer quoted by Mr. Childs and just now read by the Senator from Alabama [Mr. HILL]. That manufacturer was concerned about the effect of the inheritance tax on little and local business because it frequently compels certain industries to sell out. Only the other day, on the 31st of January, on behalf of the special committee investigating petroleum resources, I filed a report in which special reference was made to precisely that point. I may be justified, in response to the Senator's question, in reading this brief paragraph which appears on page 51 of the report, Report No. 9, on the independent petroleum companies:

> The majors are corporations with thousands of stockholders of small average holdings, whereas the independents are frequently the ventures of comparatively few stockholders. Again, the major is less affected by the life expectancy of its managers or stockholders, because its executives are drawn from an ample reservoir of talent, and because its stockholders normally do not exercise executive functions. On the other hand, when the founder of a small independent dies, there is often no one among his heirs to succeed him, and the inheritance tax frequently deals such an enterprise a severe blow.

The Temporary National Economic Committee studied the question of combinations and mergers, the effect of the antitrust laws, the need of decentralization of industry, and the effect of the tax laws. The Senator will indulge me, I think, if I read a brief paragraph from the report of that committee. It appears on page 30 of Senate Document 35 of the Seventy-seventh Congress, first session, and will, I believe, answer the Senator's inquiry.

STIMULATING INVESTMENT

> The voluminous testimony before the Temporary National Economic Committee conclusively demonstrated the potential capacity of the American economy to produce an abundance of goods and services. We are committed to the purpose of making that potential capacity the actual quantity of goods and services available to the people of this Nation. We reject as un-American and unrealistic the belief that the limits of economic achievement have been reached in the United States.
>
> The hearings and studies of the Temporary National Economic Committee have disclosed the restraints placed on the competitive system by the concentration of economic power with respect to the disadvantages under which small independent business labors in attempting to operate successfully. Important avenues of credit for small business have either disappeared or so altered in their conditions as no longer to be readily available. Yet small business is the seedbed of a growing system of free enterprise upon which a healthy industrial economy depends. Its encouragement is essential to a dynamic economy.
>
> The social desirability of new enterprise and new employment is so great that Con-

gress can well consider the advisability of material reductions in the rate of taxation on returns which come from investments in new, independent businesses.

Because we have not followed these recommendations, large concentrations of capital have a tremendous advantage over the small operator whose profits are taxed at the same rate that the profits of the huge monopolistic combinations are taxed, with the result that the small business enterprise is unable to invest its profits in necessary expansion. That contributes inevitably to magnifying the drift toward concentration.

The advantages to be derived by the whole economy from the opening of new fields to investment and commercial activity would more than offset any financial loss in returns from the higher brackets under the income-tax law.

This does not blind us to the facts developed concerning the lack of private investment sufficient to absorb in economic production the savings of our citizens during the past decade or more. Vast hoarding of unused capital has resulted. It cannot be denied that the present system of production and distribution permits the amount set aside in savings to increase at a much faster rate than the national income itself increases, causing an imbalance of serious proportions. Nor is the answer found in continued Government spending to counterbalance the accumulation of unused savings in a relatively few hands. The ultimate answer must be in such a stimulus to private enterprise that an expanding economic endeavor will immediately put all savings to work in providing the capital required for a more adequate standard of living for all our people.

No single remedy will achieve this result. Many of the recommendations offered in this report will go far, in combination, to effect it. An equitable tax system will do much. A wise program of aid to the underprivileged to increase their purchasing power will do a great deal.

Mr. HILL. That is exactly what the Senator from Florida has been talking about.

Mr. O'MAHONEY. Certainly. I continue to read from the report:

Strict enforcement of existing antitrust laws and more adequate antitrust legislation to prevent monopoly and insure a system of free competition in a free market will accomplish great things. It is an important axiom that we cannot maintain an economy of mass production unless we have an economy of mass consumption. The only practical way of preserving our democratic institutions is to pass on the benefits of our technology in lowered prices and increased standards of living to our entire population. A combination of the above remedies will remove many of the restraints and uncertainties which have retarded the investment of capital in new enterprise. They are recommended by this committee as essential in stimulating the use of capital which will adjust the imbalance between savings and investments.

I could read much more, but the gist of the report is that the Congress of the United States, if it is to preserve the free competitive system, if it is to prevent the continued growth of big business and big government, must undertake by legislation of this character to encourage and support the independent enterprises by preventing monopolistic mergers. Here we are almost at the end of March, and this Congress, instead of thinking about legislation of this character and acting upon it, is devoting its attention to ways and means of cutting taxes for the benefit of those who receive large incomes, and whose profits are immeasurably greater than they were a year ago.

We seek to hasten the enactment of legislation designed to punish the worker, instead of doing something that will aid both the worker and the small business enterprise. Mr. President, a few weeks ago I presented some facts about a bill which I introduced in the last Congress, again in this Congress, and which has been introduced in the House by Representative KEFAUVER, to amend the Clayton Act so as to prevent monopolistic mergers through the purchase of the assets of competing corporations. In my remarks I pointed out that the rate of industrial combination in this country today is five times greater than it was before the war. We are hastening fast as carelessness will permit us to go toward concentrating economic power in monopolistic mergers which will make inevitable the development of statism. The totalitarian state is the product of private economic concentration. If we wish to resist it, we must go first to the cause. The prevention of private concentration is the supreme need of our time.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from West Virginia.

Mr. KILGORE. I should like to ask a question of the Senator from Wyoming on the subject which he has been discussing. Has it not been the observation of the Senator from Wyoming that the profit he spoke of has been based on the concentration of wealth and that there will be a complete trust system in the United States if we do not stop it?

Mr. O'MAHONEY. Of course.

Mr. KILGORE. That, plus inheritance taxes, the patent pool, and the transportation pool?

Mr. O'MAHONEY. The accumulation of huge profits by a small number of industrial corporations makes it impossible to invest needed capital in the development of the resources of various parts of our country. The development of every State in the Union at the present moment depends not upon local action but upon the decisions made in the counting houses of New York and Chicago, in the executive offices of big business, and in the offices of some of the savings institutions, such as insurance companies. Let me say that while the TNEC was holding its investigation on investment a representative of the New York Life Insurance Co. appeared before us to testify with respect to the investment of the savings of people accumulated by the insurance companies through the payment of premiums. I asked the president of the company whether or not they had many $50,000 loans. "Oh, no," he said. "That is much too small a sum for us to service. We would not be interested in a loan smaller than $200,000 or $250,000."

So, obviously, when the savings of the people are diverted into these huge central reservoirs of capital they do not go back to develop the little business of our country which needs them. The only way in the world to stimulate new activity in little business, decentralized business, is to take steps now to prevent the continual movement toward monopolistic mergers.

Mr. KILGORE. I should like to ask another question. That being the situation, is it not the Senator's recollection that, for instance, in connection with the sale of surplus plants, when that question was passed on in the last Congress, we cast upon the Department of Justice the task of opposing sales which tended to create monopolies and reporting to the Congress regarding the matter? One of the steps now being taken, allegedly a forward step, but really a backward step, is that we are fighting appropriations to enable that one Department, among others, to carry out the mandate of Congress to study that question and take appropriate action where necessary.

Mr. O'MAHONEY. The Senator is quite right.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Kentucky.

Mr. COOPER. From the tenor of the remarks which have been made by the Senator from Wyoming, is it his opinion that large and powerful business interests could assimilate portal-to-portal costs as a part of the cost of their product better than could small industries?

Mr. O'MAHONEY. I say quite frankly to the Senator that large enterprises can assimilate more readily than any other industry costs of any kind; and they do.

Mr. COOPER. The imposition of such costs on small business would make even closer their margin of profit.

Mr. O'MAHONEY. Mr. President, as the Senator knows from the questions which I addressed to him earlier in the day I am not a member of the committee which brought this portal-to-portal bill to the floor, and I have been endeavoring this afternoon by listening and by reading the bill to come to a conclusion as to what is best to do. I will say to the Senator that I find as I have listened and as I have read that those who are defending this bill talk in terms of theory, but they have brought before the Senate a bill which would, in my opinion, have an effect quite the reverse of that which they intend to obtain.

I rose merely to answer a question directed to me by the Senator from Alabama [Mr. HILL] on another subject, and I am afraid that I am so interested in the subject that I took more time than I intended.

Mr. COOPER. My question was in response to the Senator's answer that large corporations and large businesses could better assimilate portal-to-portal costs than could smaller business concerns. If that be true, would not that accelerate the very monopolistic concentration about which the Senator has been speaking?

Mr. O'MAHONEY. I will say to the Senator that the passage of the pending bill will not, in my opinion, do little business a penny's worth of good.

Mr. HILL. Mr. President, let me say to the Senator from Wyoming that he not only ably answered the question, but he made a very real contribution in doing so. He spoke with authority, as he always does.

Mr. President, I ask that at this point there may be printed in the RECORD the article by Mr. Marquis Childs to which I referred in my inquiry of the Senator from Wyoming.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WASHINGTON CALLING

(By Marquis Childs)

DRIFT TO MONOPOLY

Senator JOSEPH C. O'MAHONEY, of Wyoming, is one of the most sincere, fair-minded, dispassionate men in Congress. Yet he finds himself month after month crying out a warning that no one seems to listen to.

A reasonable man himself, Senator O'MAHONEY thinks that the lawmakers and the American people should pay attention to what is to him so very dear. Put in the simplest language, what O'MAHONEY is saying over and over again is this:

The big corporations are gobbling up the little corporations. That process is going on today faster than at any time since the depression year of 1931. The rate at which mergers are occurring is five times that of 1939. The giant corporations now have economic power far greater than all but a few States. The end will be four or five colossal corporations and they will be taken over and run by the Government.

It is this threat of Government control at the end of the monopoly road which is the theme of O'MAHONEY'S warning. He doesn't want State control. He knows that State control is likely to mean the end of all our freedoms. But he sees that statism is certain unless we stop the business of merger and monopoly.

The other day O'MAHONEY introduced a bill he believes will be a remedy. It is an amendment to the Clayton Antitrust Act, which now permits mergers that merge the assets of corporations while forbidding mergers that are merely stock mergers. This is, of course, a loophole big enough to accommodate any kind of merger that a clever set of lawyers want to engineer. O'MAHONEY'S amendment would forbid merger by asset as well as merger by stock.

He has another remedy he has frequently advocated. That is Federal licensing for corporations to make them responsible to the only unit of Government that could contain the giants which sprawl out across State lines and over international boundaries.

Now and then JOE O'MAHONEY gets a little discouraged. He wonders why it is so hard to get people to pay any attention to this drift toward collectivism. In a speech sometime ago, he pointed out that the tendency in industry is inequitably paralleled by the same trend in government. Before the Eightieth Congress was a month old, he pointed out, 30 bills had been introduced increasing the powers of the Federal Government, and they were sponsored by both Republicans and Democrats. It was a Republican, Representative EVERETT DIRKSEN, of Illinois, who introduced a bill creating an office of power administration in Washington.

This column, too, has tried from time to time to point out where monopoly concentration is heading. A recent column recited the troubles of a middle western manufacturer who was fearful that, with high income and inheritance taxes, he or his heirs would be forced to sell the family business.

In a friendly letter, the manufacturer has pointed to what he felt was an oversight in that column. It was not, he wrote, merely a matter of control of the industry by a big corporation or by the family that has owned it and operated it in one community for 40 years.

"My point," he wrote, "is that it could be extremely adverse to everybody who works in the plant and to the entire organization from top to bottom. It could also cause a loss to the community in which we are located, because a forced sale of that kind to pay inheritance taxes could easily mean consolidation of the plant with some other units of a company in an entirely different city, and it might very well mean that the organization that has been here for many years would not be needed in such a new set-up?"

That point is very well taken. It is exactly what happens in merger after merger.

The Federal Trade Commission just published a report showing that 1,800 companies have been merged with larger companies since 1940. They had a value of $4,100,000,000, which is 5 percent of the total value of all manufacturing corporations. Senator O'MAHONEY goes on uttering his warning and most of us go on our all too indifferent way.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Nevada [Mr. MCCARRAN], for himself and the Senator from Rhode Island [Mr. MCGRATH], to the committee amendment.

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hayden	Murray
Baldwin	Hickenlooper	Myers
Ball	Hill	O'Conor
Barkley	Hoey	O'Daniel
Bricker	Holland	O'Mahoney
Bridges	Ives	Pepper
Brooks	Jenner	Reed
Buck	Johnson, Colo.	Robertson, Va.
Bushfield	Johnston, S.C.	Russell
Byrd	Kem	Smith
Cain	Kilgore	Sparkman
Capper	Knowland	Stewart
Chavez	Langer	Taft
Connally	Lodge	Taylor
Cooper	Lucas	Thomas, Okla.
Donnell	McCarran	Thomas, Utah
Downey	McCarthy	Thye
Dworshak	McClellan	Tobey
Eastland	McFarland	Umstead
Ecton	McGrath	Vandenberg
Ellender	McKellar	Watkins
Ferguson	McMahon	Wherry
Flanders	Magnuson	White
Fulbright	Malone	Wiley
George	Martin	Williams
Green	Maybank	Wilson
Gurney	Millikin	Young
Hatch	Moore	
Hawkes	Morse	

The PRESIDENT pro tempore. Eighty-five Senators having answered to their names, a quorum is present.

Mr. WHITE. Mr. President, I asked that the presence of a quorum might be established in order that I might make a unanimous-consent request.

I ask unanimous consent that on the calendar day of Friday, March 21, 1947, at not later than the hour of 3 o'clock p. m., the Senate proceed to vote, without further debate, upon any amendment or motion that may be pending or that may be proposed to the committee substitute, and upon the committee substitute for the pending bill H. R. 2157.

I also request that on said day—that is, tomorrow, at not later than 5 o'clock p. m.—the Senate proceed to vote upon the final passage of the bill itself.

The PRESIDENT pro tempore. The Senator from Maine submits a unanimous-consent request, which he has read. Under the rule a quorum call is required after the presentation of such a unanimous-consent request, but, in view of the call of the quorum previously, without objection, it will be considered that the rule is complied with.

Mr. MCCARRAN. Mr. President, merely to clear the atmosphere with reference to the proposed unanimous-consent request, when the Senator says vote "on the bill," does that mean the bill reported by the majority of the Committee on the Judiciary?

Mr. WHITE. That is the bill that is pending before us.

Mr. MCCARRAN. My reason for asking the question is that there might be pending what is known as the Gwynne bill. The Gwynne bill is in the atmosphere, and I do not know what place it may take during the deliberations. I merely ask the question conjecturally.

Mr. WHITE. As I understand, we have all the while been considering H. R. 2157. That, I take it, is the bill that is referred to in the request.

Mr. MCCARRAN. That is the Gwynne bill; that is, the House bill.

Mr. WHITE. Yes.

Mr. MCCARRAN. That was amended in the Committee on the Judiciary.

Mr. WHITE. Yes.

Mr. MCCARRAN. The bill reported by the majority of the Committee on the Judiciary is an amendment to the House bill.

Mr. WHITE. I think the House bill as amended is the bill that is before the Senate.

Mr. MCCARRAN. That is correct.

Mr. BARKLEY. If the Senator from Nevada will yield, there is pending the committee amendment to the House bill, which will have to be voted on as an amendment before the bill can be voted on as amended. I contemplate that that is what the Senator from Maine had in mind—that there would be a final vote on whatever bill may be finally completed.

Mr. WHITE. Whatever bill may be finally completed in the legislative process is what we will finally vote upon.

Mr. MCCARRAN. I merely ask these questions to clarify the situation. If, however, in the course of the deliberations the amendment proposed by the majority of the Committee on the Judiciary should not prevail, then the Gwynne bill would be before the Senate.

Mr. WHITE. I think that is correct.

Mr. MCCARRAN. In that event, I do not believe we would care to enter into a unanimous-consent agreement, because the Gwynne bill as such has never been debated before the Senate, excepting as I may have discussed it yesterday to a very slight extent. All I want to do is to clear the atmosphere. I want to join in the unanimous-consent agreement, but I do not want the parliamentary situation to be such that we would have to vote on the Gwynne bill. If it were a straight-out vote on the Gwynne bill, I would not want to vote on it tomorrow, because, to my mind, the Gwynne bill is worse than the

amendment in the nature of a substitute which is now before the Senate.

Mr. WHITE. I do not know of anything further in the way of explanation I can offer. What we will finally vote upon, and what the unanimous-consent agreement suggested has in view, is the bill in the final form in which it will come before us after the substitute offered by the Senator from Nevada shall have been disposed of and after the committee amendment shall have been disposed of. In whatever form the bill may then be, that is the form upon which the final vote will come.

Mr. McCARRAN. Very well; but I desire to reserve the right, and will consent to the unanimous-consent agreement with this proviso: That should the committee amendment to the Gwynne bill, by any peculiar movement in legislation, be dropped out of the bill, and the Gwynne bill be before the Senate, I do not propose to agree to limit debate on that. I do not know whether it could come about or not, but I am anticipating something which might happen.

Mr. O'MAHONEY. Mr. President, if I may address a question to the Senator from Maine, as I understand, the proposed agreement contemplates a vote only upon amendments now pending.

Mr. WHITE. Oh, no. Let me read the proposal again:

> I ask unanimous consent that on Friday * * * the Senate proceed to vote, without further debate, upon any amendment or motion that may be pending or that may be proposed to the committee substitute, and upon the committee substitute for the pending bill.

That refers to H. R. 2157, in whatever form it may be when the voting stage is reached.

Mr. O'MAHONEY. If the unanimous-consent agreement is merely to vote upon amendments or motions which may be pending at the hour designated, then it seems to me to meet the question raised by the Senator from Nevada, because clearly, as the Senator has just now read the consent agreement, it does not call for a vote upon the final passage of the bill.

Mr. WHERRY. That is what the agreement is.

Mr. O'MAHONEY. If the Senator would withdraw the request and ask for unanimous consent to vote upon all pending amendments to the bill by 3 o'clock, I think there probably would be no difficulty.

Mr. WHERRY. Mr. President, I am sure the majority leader means to say that what the unanimous-consent agreement provides is that a vote shall be taken upon the committee substitute at not later than 3 o'clock tomorrow afternoon, or on any amendments or motions thereto, and that at 5 o'clock the vote shall be taken on the final passage of the bill. That, I am sure, was the intention of the majority leader, and if we could get that agreement, we would like to have it.

Mr. O'MAHONEY. I suggest that if the Senator from Nebraska would permit the majority leader to state his own meaning, we would all be much better informed.

Mr. WHITE. The majority leader stated his meaning in the language of the unanimous-consent request prepared by the Parliamentarian as an aid to him in presenting the request. I think the language speaks for itself.

The PRESIDENT pro tempore. Is there objection to the request?

Mr. McCARRAN. Mr. President, I do not wish to be put in the position of objecting, and perhaps my apprehension is unfounded, but the majority leader uses the term "the bill," and the bill has been amended by the Senate Committee on the Judiciary, and it is the amendment which comes from the majority of the Senate Committee on the Judiciary that is to be voted on by 5 o'clock.

Mr. BARKLEY. Mr. President, there is some substance to the Senator's observation, undoubtedly. If it should transpire, which is unlikely, that all amendments would be voted down, including the committee amendment, and we were confronted with the proposition of voting on the Gwynne bill just raw—and it would be raw—certainly we would not want to put ourselves in the position of being compelled to vote on that bill without any discussion. I have a feeling that if such a situation should develop, and all amendments should be defeated, including the committee amendment, the Senate itself would want to abrogate the agreement to vote at 5 o'clock. However, I do not think there is any danger to be run in agreeing to the limitation.

The PRESIDENT pro tempore. Is there objection?

Mr. HATCH. I object.

The PRESIDENT pro tempore. The Senator from New Mexico objects.

The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. McCARRAN], on behalf of himself and the Senator from Rhode Island [Mr. McGRATH].

Mr. BARKLEY. Mr. President, I had some part in trying to arrange an agreement to vote at a certain hour tomorrow. I am frank to say that to some extent a personal equation entered into it, because I wanted to discuss very briefly the McCarran amendment. For reasons which I need not explain, but which Senators understand, I arrived in the city only today, and I have not had an opportunity to read or to study either the committee bill or the McCarran amendment or the report on either. I do not wish to be forced to take the floor now to try to discuss either one of those matters, or the whole subject, without the overnight preparation which I feel to be necessary.

Mr. WHITE. Mr. President, we all appreciate the circumstances which lead to the present situation of the Senator from Kentucky. I think it is an entirely reasonable request he makes, that he should have an opportunity between now and tomorrow to study the measure and to prepare to speak, if he desires to do so.

Mr. BARKLEY. Mr. President, I think that if the Senator from Maine were to renew his request for a vote at a certain hour tomorrow there would now be no objection.

Mr. WHITE. I renew the request.

The PRESIDENT pro tempore. The Senator from Maine renews his request. Is there objection? The Chair hears none, and it is so ordered.

LEGISLATIVE PROGRAM

Mr. McMAHON. Mr. President, would the majority leader be kind enough to inform me and inform the Senate whether it is his intention to bring up, immediately following the vote, the Lilienthal nomination?

Mr. WHITE. Mr. President, it has been the understanding that, upon the disposition of the pending matter, the Lilienthal and related nominations would be the subject of discussion and action. That program is, I believe, in effect at this time.

Mr. McMAHON. Is there any intention, I ask the majority leader, to start that debate on Saturday, or is it to go over until Monday?

Mr. WHITE. Mr. President, if I have an opportunity to do so, I shall very shortly move that the Senate stand in recess until tomorrow. Whether there will be a session on Saturday is a matter of doubt. I hope that we can make progress with the Lilienthal and related nominations speedily. I do not like to say that the Senate will be in session on Saturday; I rather cherish the hope that a session on Saturday will not be required, but there will be a session tomorrow.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WHITE. I yield.

Mr. TAFT. If the Senator from Connecticut wants assurance that the Lilienthal nomination will not be taken up for consideration before Monday, that can be given, because there are two or three measures facing deadlines which will have to be acted on, though perhaps they can be disposed of quickly. I refer to sugar control, rubber control, the international refugee situation, and so forth.

Mr. McMAHON. Mr. President, I was hoping that the Senate could begin considering the Lilienthal nomination as quickly as possible, but as between Friday or Saturday and Monday, it does not make too much difference when it is taken up. I hope we can begin debate on the Lilienthal nomination on Monday.

Mr. TAFT. It is also my hope that we can begin debate on the nomination on Monday.

Mr. GURNEY. Mr. President, I heard the statements made by the Senator from Connecticut and the Senator from Ohio, but I wish to call the attention of the Senate to the fact that the selective service law will expire on March 31. If the Senate in executive session embarks on a debate on the Lilienthal nomination it will undoubtedly proceed for a considerable length of time, and I call attention to the fact that there is another very important matter which must be taken care of before the first of the month. It must be passed upon by both Houses.

Mr. TAFT. May I ask what it is?

Mr. GURNEY. The establishment of a Selective Service Records Board to take care of 6,400 local boards where the selective service records are kept.

Mr. TAFT. Is there any reason for thinking that that matter will arouse very much controversy?

Mr. GURNEY. Oh, I think it can be passed in a short time. I do not see how

there can be any objection to it. Probably it would not take more than 30 minutes to explain it.

Mr. WHITE. Mr. President, I have indicated that I cannot give a definite answer as to whether the Senate will be in session on Saturday, but I think we should sit tomorrow and proceed to the conclusion of the pending measure, if that is possible.

I therefore move that the Senate stand in recess until tomorrow at 12 o'clock noon.

Mr. HICKENLOOPER. Mr. President, will the Senator withhold his motion for a moment?

Mr. WHITE. If I can withdraw the motion, I do so.

Mr. HICKENLOOPER. Will the Senator yield to me?

Mr. WHITE. I yield.

Mr. HICKENLOOPER. So that there may be no misunderstanding, Mr. President, I wish to announce that immediately upon the conclusion of the vote on final passage of the pending unfinished business, I shall ask that the question of the confirmation of the nominees to the Atomic Energy Commission, the General Manager, and members thereof, be made the order of business for consideration by the Senate under whatever terms it may please the Senate, but I should like then to proceed, with reasonable interruption if necessary, along that line. I do not want any silence on my part to indicate acquiescence in any other line of procedure.

RECESS

Mr. WHITE. Mr. President, I renew my motion that the Senate now stand in recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 17 minutes p. m.) the Senate took a recess until tomorrow, Friday, March 21, 1947, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate March 20 (legislative day of February 19), 1947:

COLLECTOR OF INTERNAL REVENUE

James M. Alsup, of Honolulu, T. H., to be collector of internal revenue for the district of Hawaii, to fill an existing vacancy.

WITHDRAWAL

Executive nomination withdrawn from the Senate March 20 (legislative day of February 19), 1947:

COLLECTOR OF INTERNAL REVENUE

Herbert E. Arnold to be collector of internal revenue for the district of Texas.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 20, 1947

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, in this sacred hour we praise Thee that Thy boundless mercy is the sunlight of our existence, and Thy love which mantles through its folds can never perish. We give Thee thanks, O Lord, for the open door of Thy blessings, for the heritage of home and church and school, for the character they mold, which is destiny.

O Thou who dost bestow Thy loving kindness in the daytime and Thy song in the night, keep before us the responsibilities which our duties impose. As we begin our labors, O double our diligence and give strength and courage to our arm, that we may break any spell of lesser loyalties, ignoring every fragmentary impulse and vagrant ambition that hinders the sovereignty of right. In the midst of all that perplexes and saddens, we are humbly grateful to live in this day, to take our place and sound the voice that heralds the advent of a new era for our country and the world.

"America, America, God mend thine every flaw,
Confirm thy soul in self-control, thy liberty in law."

In our dear Redeemer's name. Amen.

The Journal of the proceedings of Tuesday, March 18, 1947, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On March 10, 1947:

H. R. 1040. An act to authorize the payment of $425.88 by the United States to the Government of Switzerland;

H. R. 1778. An act to amend the Federal Firearms Act; and

H. R. 2045. An act to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of streptomycin, or any derivatives thereof, and for other purposes.

On March 11, 1947:

H. R. 1030. An act to continue in effect certain war excise tax rates, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 27. Joint resolution amending the Settlement of Mexican Claims Act of 1942 to provide for the consideration of any claim decided by the General Claims Commission in which the United States filed a petition for rehearing.

The message also announced that the President pro tempore has appointed Mr. LANGER and Mr. CHAVEZ members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of Labor.
3. Department of the Navy.
4. Department of the Treasury.
5. Department of War.
6. Federal Security Agency.
7. Federal Works Agency.
8. General Accounting Office.
9. Railroad Retirement Board.

EXTENSION OF REMARKS

Mr. BELL. Mr. Speaker, I ask unanimous consent to insert in the RECORD the transcript of a speech delivered by President Roxas in Manila on March 7, 1947. I have an estimate from the Public Printer that the speech, together with a clipping I desire to insert, will cost about $355. Notwithstanding this fact, I ask unanimous consent to revise and extend my remarks and to include therein the speech by President Roxas, together with the clipping I mentioned.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BLAND (at the request of Mr. DREWRY) was given permission to extend his remarks in the RECORD and include a speech by Hon. John L. Sullivan, Under Secretary of the Navy, at the launching of the cruiser *Newport News*.

Mr. RUSSELL asked and was given permission to extend his remarks in the Appendix of the RECORD and include a statement by John A. Church.

Mr. KEATING asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial comment by Arthur Krock in yesterday's New York Times.

Mr. MILLER of Maryland asked and was given permission to extend his remarks in the RECORD.

Mr. MATHEWS asked and was given permission to extend his remarks in the RECORD and include a statement made by certain employees in an industrial plant in his district.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD in connection with a correction of the list of war veterans of the Eightieth Congress.

Mr. CANFIELD asked and was given permission to extend his remarks in the RECORD and include two editorials.

Mr. PHILLIPS of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include certain recommendations by the League for the American Home. I am convinced that this will exceed the authorized limit, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. KEFAUVER asked and was given permission to extend his remarks in the RECORD and include excerpts from a letter.

Mr. LANE asked and was given permission to extend his remarks in the RECORD in three instances; to include in one an address delivered by the Rt. Rev. Msgr. Fulton J. Sheen; in one to include an article appearing in the Christian Science Monitor; and in the other to extend his remarks on a bill he is filing today.

Mr. ROBERTSON asked and was given permission to extend his remarks in the RECORD and include an article appearing in the New York Times.

Mr. THOMAS of New Jersey asked and was given permission to extend his remarks in the RECORD in two instances; to include in one an editorial appearing in a New Jersey newspaper, and in

the other a short poem appearing in a New Jersey newspaper.

Mr. LATHAM asked and was given permission to extend his remarks in the RECORD in two instances and to include newspaper articles in each.

Mr. HAYS asked and was given permission to extend his remarks in the RECORD.

Mr. THOMAS of Texas asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. EVINS asked and was given permission to extend his remarks in the RECORD and include an article by Commander James G. Stahlman appearing in the National Banner on March 17 under the heading "From the Shoulder."

SPECIAL ORDERS TRANSFERRED

Mr. PHILLIPS of California. Mr. Speaker, I ask unanimous consent to have vacated the 30-minute special order granted me this afternoon and reserve it for next Thursday afternoon, following any special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HORAN. Mr. Speaker, on Tuesday, by unanimous consent, a special order was granted me for 1 hour. I would like to renew that request because I was not able to use it, so I ask unanimous consent that following any special orders heretofore entered I may be permitted to address the House for 1 hour today.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

SPECIAL ORDER GRANTED

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent that on Tuesday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

"PLEASE, GOD, SILENCE THE SCHEMING AND THE STUPID"

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ELLIS. Mr. Speaker, on Tuesday the newspapers carried a statement that the body of a prominent citizen of this city was found on a golf course in the District.

According to the authorities, death was caused by the victim's own hand. His associates recall that he had been deeply affected by the death of his only son who had been killed in action in Italy on April 30, 1945.

A death on the battlefield leaves more than one corpse. One is the mangled body of a soldier, and the others, the crushed and broken hearts of a mother and father.

Under the glass top of the desk in his office the father kept a prayer taken from his son's diary, reading:

Please, God, silence the scheming and the stupid in our Government and let the honest and the strong lead us to light.

Otherwise, we fight in vain. If we cannot correct ourselves, how can we lead others from their chaos?

This prayer was from a boy, Morgan J. Quinn, 22 years of age, a graduate of Notre Dame University.

Today, our hearts and sympathy go out to a wife and mother who is stricken with grief.

It is always good to pray but at this hour this prayer has a special significance, and I would like to repeat it again:

Please, God, silence the scheming and the stupid in our Government and let the honest and the strong lead us to light.

Otherwise, we fight in vain. If we cannot correct ourselves, how can we lead others from their chaos?

And I will add:

"Please, God, deliver us from the stupidity and scheming of those in our Government who would again engulf the world in war."

THE WILLIAM P. CONNERY, JUNIOR, MEMORIAL HOSPITAL

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, many of you in this session of the Congress fondly remember that dynamic figure with the keen mind and brilliant wit, my predecessor in office from the Seventh Massachusetts District, the late Honorable William P. Connery, Jr.

In the long and successful period during which he served as a Member of this House, from 1923 until 1937, Billy Connery, as he was affectionately known, was outstanding in his service to the veterans. Consistently, from his first term till his last, when, worn out by his labors, he was suddenly taken from us, Billy Connery was a member of the Committee on World War Veterans' Legislation. His aggressive interest in their behalf is reflected in the numerous bills he introduced which later became law.

Although it is not the customary procedure to do so, I believe that in this case we should make an exception and dedicate a veterans' hospital to his name. Billy Connery was a veteran in war, promoted for meritorious service on the field of battle with the Twenty-sixth "Yankee" Division in World War I. He was also a veteran in peace, fighting with all the resources of his heart and mind to see that a grateful Nation did not forget its disabled fighting men.

Billy Connery was worn out by that struggle at the age of 49.

To perpetuate the memory of his high character of service in behalf of our ex-soldiers and sailors, I have introduced a bill to name the Veterans' Administration facility at West Roxbury, Mass., the William P. Connery, Junior, Memorial Veterans' Hospital.

This is the largest hospital of its kind in Massachusetts. For many years to come it will be ministering to the needs of those who were broken in the fight to save all that we hold dear.

It is, therefore, appropriate for this House to approve the bill which will dedicate this hospital to the memory of William P. Connery, Jr., the veterans' comrade, friend, and champion.

EXTENSION OF REMARKS

Mr. LARCADE asked and was given permission to extend his remarks in the RECORD in two instances and in each include copies of editorials and newspaper articles.

Mr. ALBERT asked and was given permission to extend his remarks in the RECORD and include a copy of a bill he introduced.

Mr. GARY asked and was given permission to extend his remarks in the RECORD and include an editorial from the Richmond News-Leader.

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the RECORD and include a letter from Senator Callan, chairman of the committee on the budget of the Nebraska Legislature.

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD by inserting an interesting and historic item on my famous city of New Bedford.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McDONOUGH asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the Board of Supervisors of Los Angeles County.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an analysis I have made of the five alternatives now confronting America at this cross road in the history of our foreign policy.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota asked and was given permission to extend his remarks in the RECORD.

HAVE WE NOT HAD ENOUGH OF WAR?

Mr. MORRIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MORRIS. Mr. Speaker, in some instances we were forced into it, but nevertheless, the record is: We have warred with Germany and Japan, with England and with Spain, with Mexico and with the Indians, and we have even warred among ourselves during the Civil War. Have not we had enough of war?

Cannot we realize that our school system is about to break down; that our old-age-assistance program is in a deplorable condition; that our public debt is almost too heavy to bear?

Let us not send any troops to Greece and Turkey. Let us rededicate ourselves to the United Nations. Let us get down to the proposition of trying to make democracy work in this country.

I wonder what the other nations of the world are thinking of us? "Oh, would some power the gift give us to see ourselves as others see us. It would from many a blunder free us and foolish notion."

SUGAR SUPPLY

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JONKMAN. Mr. Speaker, a telegram was relayed to me this morning from Bache & Co., dated March 14, 1947:

PREDICT LARGER 1947 CUBAN SUGAR CROP

HABANA.—In view of conflicting reports regarding the size of the present crop, the Cuban sugar exporting firms have made a survey and have received answers from over 97 percent of producers. This has resulted in a new estimate of 6,137,000 short tons against 1946 production of 4,475,829 short tons.

After deducting the 738,000 short tons destined for local consumption and other countries, it leaves an excess of about 650,000 short tons over and above the 4,752,000 which the International Emergency Food Council allocated as the probable Cuban 1947 supply.

BACHE & CO.

I think the sugar agencies had better get busy and increase the rations for sugar, because it will not be very long before we will be in another canning season and the people need this sugar to use for canning. If I remember correctly, the IEFC allotted 3,150,000 tons of Cuban sugar to the United States a few months ago. OPA has already intimated that this would increase the sugar ration for household use but not for canning. This windfall of 650,000 tons will allow a substantial ration to the long-suffering housewives for that purpose. OPA or its successors should not go to sleep with this sugar in warehouses, or they will hear from these women next fall.

WORDS SPOKEN IN DEBATE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, on last Monday when I was off the floor the Member from Illinois [Mr. SABATH] attacked me on this floor in the most stupid, asinine, and false statement I have ever seen inserted in the CONGRESSIONAL RECORD. I had made a speech in which I had pointed out——

Mr. SABATH. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. SABATH. The gentleman is not in order when he attacks me and charges that I falsely quoted him. I have followed closely what the gentleman has said on the floor and regretted that such things should have been said by him.

The SPEAKER. The gentleman will proceed in order.

Mr. RANKIN. May I be heard on the point of order? I think the question ought to be settled at this time.

The SPEAKER. The Chair will hear the gentleman.

Mr. RANKIN. When a man gets on the floor and makes a false statement it is in order for another Member to denounce it as false. We had this matter before the House once, in a row between Mr. James F. Byrnes, of South Carolina, and Mr. Fordney, of Michigan. One of them had said the other one had made a false statement. At that time we had in the House a great parliamentary authority, the gentleman from Illinois, Mr. Mann, the best parliamentarian I ever saw. He pointed out that it was in order to denounce as false an untrue statement made by another Member.

Mr. SABATH. Mr. Speaker——

Mr. RANKIN. I am talking on the point of order.

Mr. SABATH. There is nothing in the RECORD that I said that the gentleman has made a false statement. I deny that statement.

Mr. RANKIN. He made the false statement himself in his attack on me.

CALL OF THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and eighteen Members are present, not a quorum.

Mr. MICHENER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 22]

Allen, Calif.	Gerlach	Morrison
Allen, Ill.	Gregory	Norton
Bates, Mass.	Hartley	O'Toole
Bland	Hendricks	Patman
Bradley, Mich.	Holifield	Peterson
Buckley	Hull	Pfeifer
Bulwinkle	Johnson, Calif.	Powell
Byrne, N. Y.	Johnson, Tex.	Rabin
Celler	Kelley	Rayfiel
Clements	Keogh	Short
Cravens	Kilday	Simpson, Pa.
Crawford	Kirwan	Sundstrom
Curtis	Landis	Taber
Dawson, Ill.	Macy	Taylor
Dondero	Mahon	Vail
Feighan	Mansfield, Tex.	Vinson
Fletcher	Marcantonio	Vursell
Fuller	Mason	Wigglesworth
Gallagher	Meade, Ky.	

The SPEAKER. On this roll call 373 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

WORDS SPOKEN IN DEBATE

The SPEAKER. At the time the point of order of no quorum was made the gentleman from Mississippi was addressing the House. The gentleman will proceed in order.

Mr. RANKIN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. Mr. Speaker, on last Monday, March 17, I made a 1-minute speech on the floor of the House, and I am going to read that 1-minute speech as a preliminary to my remarks:

A CHALLENGE TO COMMUNISM

Mr. RANKIN. Mr. Speaker, if we are going to challenge the spread of communism in Greece and Turkey, we had better make it a full-dress affair and challenge it all along the line beginning here on Capitol Hill.

We should begin in the House Office Building, the Senate Office Building, the Supreme Court Building, and the Library of Congress, and go on down to the War Department and the Navy Department, and all other branches of this Government—and especially the Justice Department, where a certain bunch of Reds or "pinks" have spent years persecuting the white gentiles of this country—and especially the white people of the Southern States.

In addition, Mr. Speaker, if we are going to challenge communism in Europe, let us go to western Europe and start in Poland and Germany, and put a stop to certain elements persecuting those people who are now unable to defend themselves. Let us make peace with the German people and line them up on our side, if we are going into this battle royal throughout the world.

Then we will have a force that can help us if the worst comes to the worst and we have to sustain our contention at the point of the bayonet.

At that point the gavel fell.

Mr. Speaker, you will note in that 1-minute speech I merely mentioned the German people. I thought all intelligent people knew that Hitler was dead and his military machine shot to pieces.

But later in the day when I was not on the floor the Member from Illinois [Mr. SABATH] arose and, according to the RECORD, some of which was written in with pencil, he attacked me in a manner that violates every rule that I know. And, as I said a while ago, he made false statements that I cannot let go into the RECORD without my protest.

He is quoted as saying:

The gentleman from Mississippi [Mr. RANKIN] has let the cat out of the bag when today on this floor he proposed that we join with the German Nazis to destroy communism and all the Communists the world over.

Everybody knows I never made any such statement.

He goes on to say:

I always suspected that he followed the teachings of Hitler, and that his views and his Red scares were identical with these Nazis who cost the world 20,000,000 lives and such suffering and agony and destruction as many generations shall not erase. Today's statement confirms my suspicion.

Mr. Speaker, if a man can make a more insulting, false statement about another Member on the floor of this House, I do not know how it could be done.

He goes on to attack me further and to attack the Committee on Un-American Activities because we have striven for years to turn the pitiless sunlight of merciless publicity on the subversive elements of this country who are trying to

destroy America and American institutions.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. No; I will not.

No, Mr. Speaker, just such stuff as that, just such statements as that about Members of Congress attacking their integrity and their patriotism, poured into this RECORD by men who would not dare face you on the street and make such a statement, is an insult to this House and ought to be stricken from the RECORD.

Mr. Speaker, I make that as my point of personal privilege. If it is not in order, I shall not take up the time of the House with any motion today.

The SPEAKER. The Chair is ready to rule. The gentleman has not stated a question of personal privilege. The rules provide that strictures in debate do not give rise to a question of privilege, but are properly contravened by a demand that the words be taken down.

It is too late to make the demand that the words in question be taken down after business has intervened. It is plainly indicated that what transpired was in debate and the remedy of the gentleman from Mississippi at that time was to demand that the words be taken down.

The gentleman from Mississippi [Mr. RANKIN] has 45 seconds remaining under permission granted him to address the House for 1 minute.

Mr. RANKIN. This stuff in the RECORD is not only false and loathsome but look what he says:

> I know that you will not be misled by the gentleman's ambitions to join forces with our enemies simply for the purpose of accomplishing the annihilation of some people who are opposed to unfair, dishonest, unrepresentative, yes, crooked government and corrupt imperialistic regimes.

He would have you believe the Communists are opposed to "corrupt imperialistic regimes." That is what they call the United States.

I presume he is also referring to the British Empire and to the Greek Empire.

Mr. Speaker, I cannot say what I want to say because I would violate the rules of the House—but I would like to say what every decent man in the House thinks—for a man to get on the floor and make that kind of a statement which does not have a word of truth in it, but which is as false a statement as can be made, and let it stay in the RECORD, the time may come when we may have to expel such Members for that kind of practice.

The SPEAKER. The time of the gentleman from Mississippi has expired.

SPECIAL ORDER GRANTED

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that on Monday next, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore granted, I may address the House for 30 minutes to discuss the President's message.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COMMITTEE ON PUBLIC LANDS

Mr. WELCH. Mr. Speaker, I ask unanimous consent that the Committee on Public Lands be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. DINGELL asked and was given permission to extend his remarks in the RECORD with regard to the arrest of the 18 American merchant seamen in Palestine.

Mr. McCORMACK asked and was given permission to extend his remarks in the RECORD and include a radio speech recently made by the Prime Minister of Eire.

Mr. McGARVEY asked and was given permission to extend his remarks in the RECORD and include a resolution of the Philadelphia Archdiocesan Holy Name Union on March 2, 1947.

COMMITTEE ON FOREIGN AFFAIRS

Mr. EATON. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may meet this afternoon for a few minutes during general debate.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

EXTENSION OF REMARKS

Mr. COLE of New York asked and was given permission to extend his remarks in the RECORD and include a letter he received from a constituent.

SPECIAL ORDER VACATED

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent that a special order granted to me for today be vacated.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

REFERENCE OF A RESOLUTION

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of House Resolution 99 and that the same be rereferred to the Committee on Un-American Activities.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SPECIAL ORDERS GRANTED

Mr. BENDER. Mr. Speaker, I ask unanimous consent that at the conclusion of the legislative business and any other special orders today I may address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOGGS of Louisiana. Mr. Speaker, I ask unanimous consent that at the conclusion of the legislative business and any other special orders tomorrow I may address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

EXTENSION OF REMARKS

Mr. KERSTEN of Wisconsin (at the request of Mr. BYRNES of Wisconsin) was granted permission to extend his remarks in the RECORD in two instances and include certain extraneous matter.

Mr. BENDER asked and was granted permission to extend his remarks in the RECORD.

Mr. SADLAK asked and was granted permission to extend his remarks in the RECORD and include an editorial.

Mrs. SMITH of Maine asked and was granted permission to extend her remarks in the RECORD and include an editorial.

Mr. MILLER of Connecticut asked and was granted permission to extend his remarks in the RECORD and include an editorial from the Hartford Courant.

Mrs. DOUGLAS asked and was granted permission to extend her remarks in the RECORD in five instances and include certain excerpts.

Mr. PRICE of Illinois asked and was granted permission to extend his remarks in the RECORD and include a certain letter.

Mr. DINGELL asked and was granted permission to extend his remarks in the RECORD and include a brief letter appearing in the Washington Star of March 7.

Mr. MURDOCK asked and was granted permission to extend his remarks in the RECORD on pending legislation.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES — CONTROL OF EXPORTS (S. DOC. NO. 19)

The SPEAKER laid before the House the following message from the President of the United States which was read by the Clerk and referred to the Committee on Armed Services and ordered to be printed:

To the Congress of the United States:

In my message to the Congress on January 31, 1947, concerning the extension of specified parts of the Second War Powers Act, I stated that it was desirable to delay any communication on the subject of the control of this country's exports until it became clear whether or not an extension of such controls would be necessary beyond June 30, 1947.

Further review of domestic and world supplies has now convinced me that this Government must continue its control over the export of products in critically short supply here and abroad, in order to protect the economy of the United States as well as to discharge our international responsibilities. The situation, although essentially temporary in character, will certainly remain acute for some time to come.

As a result of the war many nations have been stripped of essential supplies and their productive capacity has been curtailed. Foreign demands for these supplies are therefore extremely large. Prices of many commodities in other countries are far above present levels in the United States. Uncontrolled exports of food products would result in a

marked increase in the already substantial burden of living costs borne by the American people. Unlimited export of feeds, seeds, and fertilizers would make extremely difficult the achievement of the food-production goals which we have asked American farmers to meet and would increase the cost of production of farm products.

This country is the great undamaged center of industrial production to which the whole world looks for materials of every kind. Our steel, lumber, building materials, industrial chemicals and many other basic industrial commodities are sought throughout the world. Shortages of many of these commodities restrict our own domestic production of other essential products. Unrestricted export would inevitably limit the level of our own industrial production and employment. Furthermore, there are instances in which we wish to direct exports to those countries which produce commodities essential to our own economy. Thus, limited amounts of equipment have been directed to certain countries to increase the production of tin, hard fibers, sugar, and fats and oils.

Serious as would be the effect of unlimited and completely undirected exports upon a nation still troubled by many shortages, our domestic problems are not the only ones which lead me to urge upon the Congress a further extension of export controls. The United States has become a nation with world-wide responsibilities. During a period of world shortages, the distribution of this country's exports has serious international significance. If we retain the ability to channel commercial exports of critically scarce materials, we can permit export of these products to countries whose need is greatest while still protecting the United States from excessive export drains. Our international responsibilities cannot be fulfilled without this machinery. In its absence, foreign purchasing would tend to be concentrated on those commodities in greatest world shortage. Not only would our domestic supply and price structure be seriously affected, but the commodities would go to destinations where the need is comparatively less pressing.

Furthermore, we have granted loans and other monetary aid to nations whose existence must be preserved. These loans will accomplish their purpose only if the recipient nations are able to obtain critically needed supplies from this country. Export control is an important instrument in carrying out the purpose of these loan programs.

The record clearly shows that this authority over exports has been exercised in the past only with respect to those commodities in critically short supply and that, as rapidly as the supply situation has improved, commodities have been removed from control. The list of items subject to export control has been reduced from a wartime peak of over 3,000 to approximately 725 on October 1, 1946, and approximately 500 at the present time. We will continue to remove export controls as rapidly as the supply situation permits. I look forward to the day when the United States and other countries can remove these interferences to the free flow of commodities in world trade. But the danger of immediate and complete decontrol in the face of continuing domestic and world scarcities is too great for this Nation to undertake at this time.

I, therefore, recommended that the authority derived from the Export Control Act be extended for a period of one year beyond its present expiration date, June 30, 1947. It is essential that this extension be made well in advance of this date. Delay would prove unsettling to business and would handicap the planning and execution of our food and other export programs. Effective administration of the export control orders requires the assurance of continuity in operations. I urge upon the Congress prompt action in extending this authority.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 19, 1947.*

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—ANNUAL REPORT OF THE GOVERNOR OF THE PANAMA CANAL

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Merchant Marine and Fisheries:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the Annual Report of the Governor of the Panama Canal for the fiscal year ended June 30, 1946.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 20, 1947.*

PROCUREMENT OF SUPPLIES AND SERVICES BY THE WAR AND NAVY DEPARTMENTS

Mr. CHENOWETH. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 146 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1366) to facilitate procurement of supplies and services by the War and Navy Departments, and for other purposes. That after general debate, which shall be confined to the bill and shall not exceed 3 hours, to be equally divided and controlled by the Chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. CHENOWETH. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois on the rule and yield myself such time as I may require.

The SPEAKER. The gentleman from Colorado is recognized.

Mr. CHENOWETH. Mr. Speaker, the adoption of House Resolution 146 will make in order the consideration of H. R. 1366, which is a bill to facilitate the procurement of supplies and services by the War and Navy Departments, and for other purposes. This is an open rule providing for 3 hours of general debate, to be confined to the bill, the time to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

Mr. Speaker, this is a very important measure. It involves the procedure for spending hundreds of millions of dollars each year by the War and Navy Departments.

The bill made in order by this rule provides for a uniform purchase authority for the Army and Navy, and further provides that the War and Navy Departments shall make all purchases of supplies and services on the basis of competitive bids except in certain instances where this method would not be to the best interest of the Government or the public. Exceptions to the advertising-competitor bid method are specifically set forth in the bill.

Mr. Speaker, I wish to be frank and honest with the House and must state that this bill was not reported out of the Rules Committee unanimously. During the presentation of the bill before our committee there was some criticism of this legislation, and the fear was expressed that possibly Congress was going too far in continuing some of these emergency powers of the Army and Navy. We were assured, however, that this measure will bring about more efficiency in the procurement of our supplies, and will result in great savings to the taxpayers of this country.

The bill, H. R. 1366, continues and extends into our peacetime economy certain powers and authority which were granted the War Department and Navy Department during the period of the war and which expedite the procurement of supplies during that period. This bill revises the procedure for the purchase of supplies amounting to huge sums each year. I mention this so that the House may be fully advised of the importance of the measure you are about to consider.

This bill would also give small-business concerns a fair opportunity to sell to the armed services by providing that supplies and services should be bought in reasonably small lots by the Army and Navy. Not only does this provision help small business, but it also helps the Government. There is definitely greater security in a national emergency to have a larger number of small suppliers, spread over a wide geographical area, than to rely upon a few large suppliers in concentrated centers. By allowing a larger number of small businessmen in all parts of the country to sell to the services, the Army and Navy will become acquainted with the abilities of small producers and will grow more and more to rely upon them for an increasing amount of their supplies. This provision will also give small businessmen an opportunity to learn the procedure by which the Government purchases its requirement.

This measure has the support of the War and the Navy Departments, and it was unanimously reported by the Committee on Armed Services. The bill is rather technical in nature, as it affects

so much existing legislation regarding procurement procedure.

I understand this legislation has the full support of both the Army and Navy and comes to the House with the unanimous approval of the Committee on Armed Services.

I will not enter into a further discussion of the bill at this time. The chairman of the subcommittee of the Committee on Armed Services, which handled this bill, the gentleman from California [Mr. ANDERSON], will explain the measure in detail, and I am sure other members of the committee will give the House full and complete information concerning this measure and the reasons why it should be passed at this time.

Mr. Speaker, I reserve the balance of my time.

WILL NOT DIGNIFY ATTACKS BY ANSWER—RULE ON SUPPLY BILL

Mr. SABATH. Mr. Speaker, I am not going to take up the time of the House to dignify the name calling by the gentleman from Mississippi [Mr. RANKIN] by noticing it. Feeling that it is the desire and aim of the majority to finish the consideration of the bill today, I will desist from answering the unfair, unwarranted, unjustifiable, and wild intemperate statement that the gentleman from Mississippi has made about me. I would appreciate, however, that the membership read his statement appearing on page 2142 of the CONGRESSIONAL RECORD of Monday, March 17, 1947.

Mr. Speaker, as to the rule before us: It provides for 3 hours of general debate, after which the bill will be read for amendment under the 5-minute rule. A great deal of time will be consumed in such consideration. I am hopeful that we can finish with the bill today, and I shall take no more time than necessary.

THIS BILL MAY BLOCK ARMY-NAVY MERGER

As my colleague the gentleman from Colorado [Mr. CHENOWETH] has already explained, the bill aims to facilitate the procurement of supplies and services by the War and Navy Departments. It is an important bill; but I fear that the main aim of the bill is to stop the consideration and adoption of a measure in which I believe most of us are deeply interested, namely, the bill to merge the Army and the Navy.

During the hearings before the Committee on Rules my versatile friend the gentleman from Georgia [Mr. VINSON], the former chairman of the Committee on Naval Affairs, stated that he has a bill that he feels will bring about what is contemplated by this bill. I urge that that bill, as well as the merger bill, be embodied in one bill and that we make one bite of it.

ADVOCATES SINGLE PURCHASING PLAN

I believe in the merger. I believe we should bring about unification of purchasing by the Army and the Navy. We all know the tremendous cost caused by lack of unified service during the war. The records and the evidence disclose that we could have saved millions upon millions of dollars had that been done.

I am for economy, and I hope that you all are. Consequently, I feel that we should not do anything that would preclude the passage of the merger bill. By a merger we could bring about real economy.

TEXT OF VINSON BILL

In that connection, Mr. Speaker, and so gentlemen will know of what I speak, I insert at this point the text of the Vinson bill, H. R. 2006:

Be it enacted, etc., That it is the sense of the Congress that many commodities used by both the Army and the Navy should be purchased or acquired by joint procurement in the interest of economy and standardization.

SEC. 2. There is hereby established an independent agency of the Government to be known as the Joint Army and Navy Procurement Board, hereinafter referred to as the "Board." The Board shall consist of five members, one of whom shall be a civilian, two of whom shall be officers of the Army, and two of whom shall be officers of the Navy. The civilian member of the Board, who shall be the Chairman thereof, shall be appointed by the President, by and with the advice and consent of the Senate, for a term of 6 years and shall receive compensation at the rate of $15,000 per annum. The members of the Board who are officers of the Army shall be assigned to duty as members of the Board by the Secretary of War and shall serve as members of the Board during the pleasure of the Secretary of War. The members of the Board who are officers of the Navy shall be assigned to duty as members of the Board by the Secretary of the Navy and shall serve as members of the Board during the pleasure of the Secretary of the Navy.

SEC. 3. (a) It shall be the function of the Board to purchase or procure, under rules and regulations to be prepared and published by the Board, all petroleum and petroleum products, all materials for the construction of buildings, all textiles, all clothing and shoes, all drugs and medical and surgical supplies, all food and subsistence stores, all ammunition, all small arms, all real estate and interests in land, all motor-propelled vehicles having a commercial chassis, all tires, all critical materials for reserve stocks, all furniture, and all office supplies and stationery which are to be used by either or both the Military and/or the Naval Establishments. The Board shall be the sole purchasing agency of the commodities named in this section which are to be used by either or both the Military and/or the Naval Establishments.

(b) The commodities named in this section shall be purchased or procured by the Board upon requisition by the Secretary of War or the Secretary of the Navy and shall be allocated and made available by the Board to the Secretary who makes requisitions. The cost of commodities purchased or procured upon requisition of the Secretary of War and made available to him by the Board shall be charged to appropriations made for the Military Establishment. The cost of commodities purchased or procured upon requisition of the Secretary of the Navy and made available to him by the Board shall be charged to appropriations made for the Naval Establishment.

(c) The commodities named in this section which are now procured through the Procurement Division of the Treasury Department by or in pursuance of law shall be continued to be so procured, and commodities procurable from manufacturing establishments owned and operated by the War and Navy Departments shall be procured from such establishments to the extent the Board shall determine to be in the public interests and such determination by the Board may be waived or modified only by the President.

SEC. 4. (a) The Board is authorized to appoint and fix the compensation of such civilian personnel as may be necessary to perform its functions. Such appointments shall be made and such compensation shall be fixed in accordance with the provisions of the civil-service laws and the Classifications Act of 1923, as amended.

(b) The Secretary of War and the Secretary of the Navy are authorized to assign to duty with the Board, in addition to the members thereof, such personnel, both military and civilian, of the War and Navy Departments as the Chairman of the Board may request and the needs of the respective services may permit. The assignment of military, naval, or Marine Corps personnel to duty with the Board either as members thereof or in any other capacity shall be without prejudice to the status, rank, grade, rights, or privileges of such personnel in the services of which they are members, and they shall be paid while on duty with the Board from appropriations made to the services of which they are members.

SEC. 5. Within 60 days from the date of taking the oath of office by the civilian member of the Board, the Board shall report to the Congress rules and regulations prepared and published for the purchase or procurement of the commodities named in section 3 of this act shall be published in the Federal Register.

SEC. 6. No provision of this act shall be construed as preventing, limiting, or restricting joint purchase or procurement by agencies other than the Board of products or commodities other than those named in section 3 of this act, or as preventing purchase or procurement by the Board at the request of the Secretary of War and/or the Secretary of the Navy of products or commodities other than those named in section 3 of this act.

SEC. 7. There is authorized to be appropriated such sums as may be necessary to effectuate the provisions of this act.

SINGLE PROCUREMENT AGENCY CAN SAVE MILLIONS

The reason I favor adoption of the merger bill and the Vinson bill is, as I have said, that a single procurement agency can avoid duplication of effort and simplify and economize, and the expenses of the Military Establishments can be coordinated and restricted and bring about the elimination of such reckless expenditures as we had during the war.

I realize that during the war speed in procurement of arms and supplies and equipment was of paramount importance; even then, however, because of lack of standardization and uniformity and of single direction many manufacturers took advantage of the Government.

Proof of the recklessness of some of the contracts and expenditures lies in the report that by the adoption of the renegotiation act we made it possible to recover $6,740,673,000 on War Department contracts alone. Of course, much of this would have been rewon by income and excess profits tax; but remember that we scuttled the excess profits tax law, and consequently without the renegotiation act the people would have been out at least one-half of that saving of almost $7,000,000,000.

SAVINGS IN OTHER AGENCIES PROPORTIONATE

I regret that I do not now have at hand figures showing the recoveries under renegotiation by other agencies, such as the Navy Department, War Shipping Administration, and Maritime Commission; I am sure they would be proportionate and substantial.

It seems to me that in peacetime we should place definite restrictions on expenditures by the Military Establishments.

I had hoped that all contracts would be let by competitive bids, except where national security considerations of genuine urgency dictated the necessity of secrecy and of contracts on a negotiated basis.

DEPARTMENT GIVEN FREE HAND

I have regretted to discover, however, that this bill virtually gives the Department a free hand by making the following 14 exceptions which permit private and secret negotiations practically on a wartime basis, such as I have repeatedly opposed and condemned on this floor.

First. If determined necessary in public interest during the period of a national emergency declared by President.

Second. If public exigency will not admit of the delay incident to advertising.

Third. If aggregate amount of contract does not exceed $1,000.

Fourth. If for personal or professional services.

Fifth. If supplies or services are to be procured or used outside of the United States.

Sixth. If for medicine or medical supplies.

Seventh. If for supplies purchased for authorized resale.

Eighth. If for perishable subsistence supplies or services for which it is impracticable to secure competition.

Ninth. If the agency head determines that the purchase of contract is for experimental, developmental, or research work. Report to be made to Congress every 6 months citing name of contractor, amount of contract, description of work, with due consideration to national security.

Tenth. If agency head determines that character or ingredients are such that the purchase or contract should not be publicly disclosed.

Eleventh. For technical equipment which agency head determines the procurement is necessary without advertising in order to assure standardization, interchangeability of parts, and so forth.

Twelfth. For supplies or services which agency head determines that advertising and competitive bidding would not secure of a quality shown to be necessary in the interest of the Government, or for supplies of a technical or specialized nature requiring a substantial initial investment, or extended period of preparation for manufacture, which may require duplication of investment.

Thirteenth. Preserves the authority to negotiate contracts.

Fourteenth. Permit any negotiation under any relevant after-enacted law.

SECRET NEGOTIATION LEADS TO FAVORITISM

I have opposed and condemned secretly negotiated public contracts for many reasons. One of those reasons most persuasive to my mind is that such negotiations are an invitation to favoritism, to special treatment to contractors who have, for any of many reasons, some perfectly legitimate and some actually unsavory, ingratiated themselves with the contracting officers.

The net result is likely to be that big companies are favored at the expense of the little fellows, the small businessmen that we have tried to help by constructive legislation; that new ideas are discouraged in favor of existing facilities of favored contractors.

For my part, Mr. Speaker, I continue to urge and advocate merger of the services and merger of the procurement agencies, with the utmost practicable restrictions on privately negotiated contracts. The public interest and the real economy of efficiency should always come first.

Mr. CHENOWETH. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Speaker, it is not my intention to go into a detailed discussion of the bill which will be brought before the House by the adoption of this rule but rather to make some comments concerning the question which the gentleman from Illinois has just raised. He has urged that this measure, which in effect provides for a uniform method of making contracts by the War and Navy Departments, should be made a part of a bill to unify the two departments. Unfortunately, for the gentleman's contention, that is quite impossible. Any measure for the unification, so called, of the War and Navy Departments, under the rules of the House, is referred to the Committee on Expenditures in the Executive Departments. The bill for that purpose has already been introduced and is now pending before our committee—I happen to be a member of it—and hearings have been set upon it to start on next Tuesday. That bill does not pretend to alter any basic law governing the activities or the pursuit of policies by the War or Navy Departments or the Air Corps; it merely has to do with the structure, the administrational set-up of the departments if integrated as proposed by the pending legislation.

It should be understood—and a good many people, I think, do not understand it—that the Committee on Expenditures of the House of Representatives has no legislative jurisdiction over legislation involving policy. For example, the Committee on Expenditures has no jurisdiction in this so-called unification bill over the pay of the Army and the Navy and the Marine Corps. That belongs to the Committee on Armed Services. The Committee on Expenditures has no jurisdiction whatsoever relating to how contracts shall be let by the Army and the Navy. Only the Committee on Armed Services has that jurisdiction. The jurisdiction of the Committee on Expenditures in the Executive Departments is confined in this particular field to passing upon proposals for changing or altering the structural organization of a department of the Government. As the so-called unification bill does propose a structural reorganization or change, it comes to the Committee on Expenditures. So it is quite impossible for the Committee on Expenditures to take into consideration the problems involved in this bill which has been reported from the Committee on Armed Services.

Whether or not we enact legislation for the unification, so called, of the War and Navy Departments, legislation of this particular kind which is now proposed to be brought before the House must be enacted. It is just as feasible and proper to enact it before unification as it would be to enact it after unification. In my humble judgment, the Committee on Armed Services has acted entirely within its jurisdiction and very wisely in bringing to the House a suggestion, highly important, involving making uniform the method of letting contracts for the purchase of military supplies. Comprehensive legislation such as this is rare in our history. The Committee on Armed Services, in bringing it before us, has done its best—and I think successfully—to wipe out many statutes which no longer have any meaning or bearing under modern conditions. It proposes to the House uniform methods by which the purchasing agencies of these departments shall acquire supplies for the armed services.

One might go on for some time illustrating the difference between the jurisdiction of the Armed Services Committee and the jurisdiction of the Committee on Expenditures in the Executive Departments, but I believe I have covered the ground within reason.

The SPEAKER. The time of the gentleman has expired.

Mr. SABATH. Mr. Speaker, I have no requests for time. There are 3 hours' general debate provided and I do not wish to take up more of the time of the House.

Mr. CHENOWETH. Mr. Speaker, I wish to call to the attention of the Members of the House that the chairman of the Committee on Armed Services, the gentleman from New York [Mr. ANDREWS], has sent to each Member a copy of Report No. 109, which is the report on this bill, so that each Member has had this report on his desk for the past couple of days.

Mr. Speaker, I have no further requests for time, and move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. ANDERSON of California. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1366) to facilitate procurement of supplies and services by the War and Navy Departments, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 1366, with Mr. SCHWABE of Oklahoma in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. ANDERSON] is recognized for 1½ hours, and the

gentleman from Virginia [Mr. DREWRY] is recognized for 1½ hours.

Mr. ANDERSON of California. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, H. R. 1366, a bill to facilitate procurement of supplies and services by the War and Navy Departments, has been unanimously approved by the Armed Services Committee. The bill is the product of a great many months of intensive work. It reflects the sound accommodation of the collective views of the officials and procurement experts in the War and Navy Departments with the views of the Comptroller General, who approved the bill in the form in which it was introduced.

Mr. ANDREWS of New York. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of California. I yield.

Mr. ANDREWS of New York. The gentleman made a very interesting reference to the Comptroller General of the United States, a former member of this body. I think at the outset, when so many Members are on the floor, it would be well if the gentleman would amplify that.

Mr. ANDERSON of California. I was going to add that this morning I called Mr. Lindsay Warren, the Comptroller General, for whom, as the chairman of the committee knows, every Member of the House has a very high regard. I was advised by him that since this bill was reported by the Committee on Armed Services he has had ample time to study it carefully and he advises me that the Comptroller General's office is solidly behind the proposed legislation. The bill has received the careful consideration of the Armed Services Committee. To the bill as introduced the Committee has added desirable safeguards.

Specifically, the bill will:

First. Provide uniform procurement authority for the War and Navy Departments;

Second. Reestablish the advertisement for competitive-bid method for the procurement of most military supplies and services;

Third. Consolidate within the framework of one statute the basic procurement authority of the services;

Fourth. Authorize negotiated contracts in a limited number of situations under proper safeguards;

Fifth. Assure small business an opportunity to secure a fair proportion of the total value of military purchases;

Sixth. Establish advertising standards designed to assure full and free competition;

Seventh. In the specified situations where negotiation is authorized, permit the use of that type of negotiated contract which will promote the best interests of the Government;

Eighth. Authorize advance payments generally during national emergencies and restrict in normal times their use to research and development contracts;

Ninth. Empower the Comptroller General on the recommendation of an agency head to remit liquidated damages paid or assessed against a contractor;

Tenth. Provide that the more important decisions made under the act, particularly those with respect to negotiated contracts, must be made by the agency head, as that term is defined in the bill;

Eleventh. Give finality to the decisions of the agency head both for his protection and for the protection of suppliers; and

Twelfth. Repeal archaic and unnecessary laws.

To discuss the bill in greater detail, section 1 provides that War and Navy Department purchases with appropriated funds shall with certain specified exceptions be made by advertising. I shall have occasion to discuss these very important exceptions at a later point. At the same time section 11 provides for the repeal, effective with the end of the current fiscal year, of wartime laws under which broad authority to dispense entirely with advertising has been conferred, to the extent such laws are inconsistent. Title II of the First War Powers Act would thus be repealed. The selection of the end of the fiscal year as the effective date for repeal was deliberate on the part of the committee. This will give the services sufficient time to formulate policies and procedures, to establish machinery, and in general to prepare for the transition from purchasing under the First War Powers Act to purchasing under the new act.

Section 1, as I previously mentioned, does authorize the services in 14 specified and defined situations to negotiate contracts without advertising. Of these 14 situations, 8 are not really new.

Subsection (i) of section 1 authorizes the negotiation of all contracts during a national emergency. This is designed to permit the general activation of authority to negotiate in times of national emergency, found so essential during World War II, and is equivalent to the authority possessed by the services under the First War Powers Act. Subsection (ii) which permits the negotiation of exigency purchases is taken from Revised Statute 3709, the basic peacetime statute governing procurement. That statute is also the basis of subsection (iv) which relates to personal and professional services and of subsection (viii) which relates to the purchase of supplies and services where it is impracticable to secure competition. I think the phrase "impracticable to secure competition" in subsection (viii) requires some explanation. This subsection will permit the services to negotiate contracts in situations where there is an absence of competitive conditions. The most typical situation involves an article which can be obtained from only one supplier. But the authority will be available even where there are multiple sources if real competition is nonetheless lacking.

Since 1907 both the Army and Navy have had the authority to make negotiated purchases where the aggregate amount involved does not exceed $500. Subsection (iii), which increases this authority to cover purchases up to $1,000, merely recognizes the reduction in the purchasing power of the dollar since 1907. The Navy Department presently possesses the authority to negotiate purchases of supplies and services to be procured and used outside the United States and its possessions. Subsection (v) would extend this authority to the War Department. Both services have the authority to negotiate purchases for medicines, and this authority would be continued by subsection (vi). The authority to negotiate research and development contracts which is provided by subsection (ix) was given to the Navy Department by the last Congress.

We come now to a consideration of the subsections which contain new grants of authority. Subsection (vii) applies to supplies purchased for authorized resale. This authority will be used to purchase various articles with brand names for resale to service personel. It has been found necessary to purchase such items to accommodate the brand preferences of service personnel using these facilities. I think we can all understand the personal preferences of servicemen for a particular brand of cigarettes, toothpaste, hair oil, and the like. I might at this point emphasize the fact that this bill does not apply to purchases made with nonappropriated funds. Accordingly it will not apply to purchases for Army post exchanges and Navy ship's service stores. The Armed Services Committee is presently studying operations of post exchanges and ship's service stores and will be in a position to make any necessary recommendations in the near future.

Subsection (x) authorizes negotiated purchases where it is determined that the nature of the supplies and services should not be publicly disclosed. At the present time the War Department has this authority with respect to purchases of ordnance, chemical warfare and signal property and also of aircraft parts, instruments or aeronautical accessories. The necessity for this authority is so apparent that it requires no further discussion.

Subsection (xi) authorizes negotiated purchases of technical equipment where this is necessary in order to effect standardization of equipment and interchangeability of parts. The services have been presented with a difficult spare parts problem arising from the purchase of many standard commercial items. These are instances where a service has many different models and makes of the same basic equipment. This often means that it is necessary to have spare and replacement parts for each make or model. When one considers the broad areas over which the Army and Navy operate and the resulting supply problem it can readily be realized that every effort must be made to reduce the number of spare parts. One important way of effecting this reduction is by limiting the makes or models used by a service, that is, standardizing on a limited number of makes or models of the same equipment.

A grimmer phase of this problem often occurs in combat operations where a unit is cut off from its source of supply or supplies are not arriving in adequate quantities. The ability of the unit to maintain its position or to advance or even to survive may be directly dependent upon its ability to take the damaged equipment and through interchanging

of parts make the equipment work. Certainly such instances underline the importance of the need for the greatest possible standardization.

An interesting and, fortunately, limited need for standardization results from the fact that the parts of certain highly complicated equipment are fully interchangeable only if manufactured by the same supplier. This situation exists in the case of certain equipment even though the same specifications, drawings, and manufacturing techniques are employed. A notable example of this occurred in the case of an airplane engine manufactured for the Navy Department. Two companies produced the same engine from identical blueprints; both engines performed properly; but the parts were not fully interchangeable. In equipment of this nature it is absolutely essential that all parts be capable of incorporation in the same equipment. Particularly in combat equipment the luxury of duplicate sets of parts for the same or similar equipment cannot be tolerated.

Standardization of equipment or limiting the types, models or makes of equipment has several other important virtues for the services. The many complex machines and instruments of warfare used by modern armies and navies have increased the period required to train personnel in their use and maintenance. It is, of course, obvious that anything that can be done to reduce or limit the number of different types of equipment will also simplify the training problem. The increasing number of complicated equipment has also necessitated increased specialization on the part of Service personnel. Here, too, anything that can be done to reduce the number of different equipments will reduce the need for specialization.

Subsection (xii) authorizes negotiation in circumstances where supplies and services of the necessary quality cannot be obtained through competitive bidding. This will enable the Departments to maintain necessary standards of quality in a way not possible when the procurement is by bid and award pursuant to general specifications. The more complex the weapons of war have become, the more difficult it has been to maintain quality control through specifications and inspection. For example, the Navy Department purchased gyro pilots from three different companies, all of which had excellent reputations as manufacturers. The products of all three companies passed rigid inspection in accordance with detailed design and performance specifications. When the pilots were put into operation, however, it was found that a number of the products of one company were defective. Exhaustive tests were conducted to determine the causes for this defect but were without success. Information on production techniques and tooling was exchanged by the companies but the pilots of the third company continued to be defective.

Subsection (xii) will also authorize negotiation in one additional situation which in part involves considerations of quality. Under this authority, procurement by negotiation may be made of supplies of technical or specialized nature requiring a substantial initial investment or an extended period of preparation for manufacture. This authority, however, may be exercised only after the agency head determines that competitive bidding may result in duplication of investment or preparation already made, or would unduly delay procurement of the supplies concerned. The committee has found that this authority is essential for the procurement of such items as military and naval aircraft, tanks, military and naval radar, guided missiles, rockets, and other technical equipment. To award contracts for such items after advertising for sealed bids would be highly time consuming and wasteful and would leave the procuring service with no assurance that it would secure supplies of proper quality.

Through the use of the authority contained in subsection (xiii) the services can make certain that extremely vital supplies, services, and facilities will be available in the case of a national emergency. Under this subsection contracts may be negotiated for supplies and services in order to preserve a highly strategic plant, mine, or other facility. They may also be negotiated in order to train a supplier in the manufacture or furnishing of critical supplies or services or to prevent the loss of such ability. This authority will not be widely used and will be subject to Presidential and congressional scrutiny. From the standpoint of dollars it is not an important aspect of the bill. But from the standpoint of national security—and I must plainly and emphatically make this point—this authority must be made available. If it is not, vitally strategic plants will fall into disrepair or will be devoted to other purposes and the ability of certain suppliers to furnish complex and necessary weapons and materials of war will be lost. The validity of the principle underlying this subsection was clearly recognized by the Congress in its passage of the act of June 16, 1938. By that statute the War Department was given authority to place "educational orders" for special munitions with selected commercial concerns.

Subsection (xiv) will preserve the authority to negotiate contracts that the departments have under certain statutes which are not repealed by section 11 of the bill. As an example, it will preserve the authority of the services under such laws as the act of August 2, 1946, which permits an agency in purchasing certain supplies to exchange or sell similar items and apply the exchange allowance or proceeds to the purchase price.

The bill surrounds the exercise of the authority to negotiate with substantial safeguards. Thus, the departments must report to the Congress on contracts made under the authority of subsections (ix) and (xiii). Moreover, the authority under subsections (x) through (xiii) may only be exercised after a determination is made by the agency head acting personally. The agency head includes only the Secretary, the Under Secretary, or an Assistant Secretary. In addition, under subsection (xiii) the decision of the agency head must be approved by the President. Further, all negotiated contracts are to contain a warranty that the contractor has not employed a broker or agent to secure the contract upon a contingent fee or similar basis. Finally, contracts for construction work within continental United States may be negotiated under the authority of only six of the subsections of section 1, namely, subsections (i), (ii), (iii), (viii), (ix), and (x).

Procurement by negotiation means to some people the selection by more or less arbitrary methods of a supplier and the payment to him of a price which he has been able to set without fear of competition. This is not the negotiation method followed by the War and Navy Departments or by industry generally. With them the first step in negotiating a contract consists of securing informal quotations from as many sources as practicable, usually accompanied by a break-down of the elements of cost. Separate negotiations then begin with the lower bidders in order to reduce the price by eliminating unnecessary or unjustified charges. When the best possible agreement has been reached an appropriate contract is awarded the successful firm. Experience has shown that by careful negotiation and by drafting a suitable contract it is frequently possible to secure substantial savings for the Government. In fact, negotiation properly employed often promotes and intensifies competition.

Section 2 declares that it is the policy of the Congress that a fair proportion of the total volume of military purchases and contracts shall be placed with small business concerns. This policy is implemented by two requirements: First, when not of manifest disadvantage to the Government, supplies and services shall be procured in reasonably small lots; and, second, whenever it is proposed to negotiate a purchase or contract in excess of $10,000 for supplies or services for resale and for medicine and medical supplies, suitable advance publicity wherever practicable shall be given for a period of at least 15 days.

Section 3 provides that advertising shall be so conducted as to secure for the Government the benefits of full and free competition. The requirements are of a general nature vesting considerable discretion as to place, medium, period, and frequency of advertising and as to other such matters as who may and how many must be present at the opening of a bid. It reiterates the principle that contracts shall be awarded to the lowest responsible bidder and provides that the Government may reject all bids and readvertise. The matter of determining whether a particular bidder is responsible is left, as it is under present law, to the sound discretion of the procurement agency.

Section 4 states that negotiated contracts may be of any type which will promote the best interest of the Government. Cost-plus-a-percentage-of-cost system of contracting is, of course, prohibited.

Also, neither cost nor cost-plus-a-fixed-fee contracts nor incentive-type contracts may be used unless they are likely to be less costly or it is impracticable to secure the required supplies or services without their use. Cost-type contracts will generally be restricted to

research and development work, construction of overseas bases and initial production of highly complex material such as aircraft and the like. In the great majority of instances, negotiated contracts will be fixed-price contracts.

This authority to use the most effective contractual instrument will enable the procuring agency to secure prices, terms, and conditions which will result in the most economical purchases possible. As an illustration as to how this authority may be used to save Government money, take the case of a contractor who is to supply a new item for which there is available no cost experience for producing either this or similar items. If he is required to quote a straight fixed price, he will generally include in his quotation contingency allowances large enough to protect himself against possible loss. Should these contingencies not occur as they frequently do not, the contractor may realize excessive profits. If the procuring agency has the authority to use the most suitable type of contract, the contract may provide for redetermination of the price after a small part of the contract has been performed. Based on actual cost of performance data the contractor and contracting officer may agree on a redetermined price which is very much lower than the initial contract price. For another example, a supplier of a certain article may be willing to offer a lower price if the guaranty period is 6 months rather than 1 year. After analyzing the importance of the guaranty to the Department, the negotiator may decide that the saving effected through the lower price outweighs the value to the Department of the longer guaranty period. He will, accordingly, agree that the contract shall provide for the shorter guaranty period.

In the case of cost-plus-a-fixed-fee contracts, section 4 provides that the fee shall not exceed 10 percent of the estimated cost of the contract, exclusive of the fee. There are two exceptions to this requirement. In the case of research and development contracts a maximum fee or 15 percent is authorized, and in the case of contracts for architectural engineering services related to any public works or utilities projects the maximum fee is limited to 6 percent of the estimated cost of the project. You will observe that the maximum fees are increased over the present authorization of 7 percent. It is not expected that the maximum fees will be paid in each case. As a matter of fact, the services have testified that the present fees that they are paying under cost-plus contracts are well under 7 percent. The increase in the authorized fee is proposed only as a safeguard against the possibility that the Department may at some time have an urgent need for certain supplies and services and be unable to obtain them unless it is able to pay a fee greater than is now authorized. We must all take note of the fact that during time of war the services are not forced to compete with commercial sources as they must in peacetime. Particularly during good times, it may be difficult for them to place contracts unless they are able to meet prices paid by commercial consumers.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of California. I would be delighted to yield to my distinguished friend from New York.

Mr. COLE of New York. On the question of the cost-plus-a-fixed-fee contract, with respect to the percentage of cost allowable, the bill provides for a maximum percentage. Can the gentleman advise us what has been the average percentage that has been allowed on cost-plus-a-fixed-fee contracts, and can the gentleman assure the Congress and emphasize for future guidance of the departments that the maximum fixed in the bill is not intended to be a standard percentage allowance but rather a genuine maximum?

Mr. ANDERSON of California. Yes. I think the gentleman heard my remarks on that very subject. I indicated that it was not intended by the Congress that the maximum percentage should be allowed. In fact, the subcommittee has advice at this time that the average fee is less than 7 percent on cost-plus contracts.

Mr. COLE of New York. Is it not true that the average fee is substantially less than 7 percent?

Mr. ANDERSON of California. Yes. I am sorry that I cannot give the gentleman the exact figure, but we were advised by the Department that it is substantially less than 7 percent.

Mr. COLE of New York. My purpose in raising the question was to emphasize to the departments that this percentage is not to be considered as standard but as a genuine maximum, and that they should continue to obtain the contracts at the lowest percentage possible.

Mr. ANDERSON of California. Yes. I am very grateful to the gentleman for raising that point, because I think the departments should know that that is the intent of the Congress.

Mr. COLE of New York. I thank the gentleman very much.

Section 5 authorizes the services to make advance payments under all contracts during periods of national emergency but during normal times only in the case of research and development contracts. The need for this authority during times of emergency is obvious. The need for this authority also exists in peacetime in the case of research and development contracts, many of which are with educational and research institutions or small business concerns which cannot obtain the necessary financial support from normal commercial sources. This authority to make advances under research and development contracts is already possessed by the Navy Department pursuant to Public Law 588, Seventy-ninth Congress.

Section 6 permits the Comptroller General, on the recommendation of the War and Navy Departments, to remit sums due the Government under contracts providing for the assessment of liquidated damages for delay in performance. As sometimes happens damages are required to be collected where the contractor is in no wise responsible for the delay and the Government has suffered no substantial damage. It is entirely proper that the Comptroller General should have authority in such cases to remit the damages due.

Section 7 deals with the delegation of powers granted the heads of the War and Navy Departments by the bill. As pointed out earlier the exercise of the new powers of negotiation under subsections (x) through (xiii) of section 1 requires the approval of the agency head acting personally. The agency head, as I stated previously, means only the Secretary, Under Secretary or an Assistant Secretary of either Department. Further, the authority to authorize advance payments may not be delegated. Also, the power to authorize research and development contracts is delegable only to a chief officer responsible for procurement and his first assistant. The committee is convinced that by placing responsibility at such high levels within each department abuses of authority will be prevented.

Section 7 also covers the matter of the finality of the decisions and determinations made under this bill. The committee is firmly of the opinion that the responsible officials of the War and Navy Departments should be given adequate authority to discharge their responsibilities. At the same time, it believes that they and the contractors with whom they deal are entitled to rely and act on their decisions.

Section 8 makes it clear that the Walsh-Healey Act, the Davis-Bacon Act and the 8-hour law apply to negotiated contracts. Section 9 defines the terms "agency head" and "supplies."

The purpose of section 10 is to make clear that the bill is applicable not only to purchases of supplies and services for the agency's own use, but also for purchases made by the agency for another agency's use.

Section 11 would repeal a great many conflicting, inadequate or outmoded statutes, so far as they apply to the War and Navy Departments.

In conclusion, H. R. 1366 will provide the services with uniform and necessary procurement authority. The exercise of this authority will be surrounded by adequate safeguards. The bill will arm the services with adequate and consistent procurement authority and will permit the use of procurement methods which will save Government funds and assure fair distribution of Army and Navy contracts among potential suppliers. All the members of the Armed Services Committee join with me in recommending the passage of this bill.

Mr. MANASCO. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of California. I am very glad to yield to the gentleman.

Mr. MANASCO. The gentleman has explained the bill very thoroughly. I have read the bill carefully and am impressed with the necessity of the passage of such legislation. I wonder if the gentleman's committee gave any consideration to the advisability of extending this legislation to all our executive departments. It occurs to me that we might save much money to the taxpayers if we had uniformity in the laws governing procurement.

Mr. ANDERSON of California. The committee did not consider extending this authority to any other Federal agencies. However, since the full committee reported the bill, the Treasury Department addressed a communication to the chairman of the Committee on Armed Services requesting permission to come under this bill for purchases for the Coast Guard, which, as the gentleman knows, reverts to the Treasury Department in peacetime.

The National Advisory Committee for Aeronautics also requested authority to come under the provisions of this bill in connection with the purchase of supplies for research and development. As the gentleman knows, the NACA is largely a research and development agency.

Mr. MANASCO. Is such an amendment going to be offered by the committee?

Mr. ANDERSON of California. I should like to advise the gentleman further, however, that the full committee had already completed action on the bill at the time those requests came in, so it was my suggestion, and the suggestion of the chairman of the full committee and the ranking minority member, that the request be transmitted to the Senate for consideration when this legislation reaches the other body.

Mr. MANASCO. I hope they will also consider bringing all Government agencies under the same legislation.

Mr. ANDERSON of California. I can assure the gentleman I am firmly convinced that the passage of this legislation will result in the saving of real money for the American taxpayers, and that is what this committee intends to see that it shall do.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of California. I yield with pleasure to my friend, the gentleman from Florida.

Mr. SIKES. May I compliment the chairman of the subcommittee on the very able work that he has done in bringing out this important legislation and on the fine presentation that he has made on the floor of the House. I certainly concur in all that he has said. I am sure from the reception given his remarks that there is no opposition to this fine legislation.

Mr. ANDERSON of California. I am deeply grateful to my friend from Florida for his kind remarks.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. PHILBIN. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. DREWRY].

Mr. DREWRY. Mr. Chairman, last year under the so-called reorganization plan, the Committees on Military Affairs and Naval Affairs were merged into one committee known as the Armed Services Committee to handle all legislation for the Army and Navy. Some thought, and still think, that the volume of work required for each of these committees, Military Affairs and Naval Affairs, was so large and the specialized nature of the work for each committee was so important, that the two committees should have been continued in their respective jurisdictions. Nevertheless, like good soldiers, the members of the two committees accepted the decision of Congress with good grace and prepared to organize in accordance with the proposed plan.

As chairman of the Armed Services Committee, the gentleman from New York [Mr. ANDREWS] promptly worked out his organization. With a genius for detail and organization he set up 12 subcommittees and with rare judgment and skill and some diplomacy, he started consideration of bills referred to the committee. He has unified the elements composing the committee and its work, and the entire committee under his leadership is giving him hearty and patriotic nonpartisan support in the attempt to make the merger work satisfactorily. There has been no partisanship and there will be none in this committee in their guardianship of the national defense.

This bill, H. R. 1366, probably the most important yet reported by the committee, affords a splendid example of what has just been said. The subcommittee handling this measure, under the fair and impartial guidance of its presiding chairman, the gentleman from California [Mr. ANDERSON], after several weeks of careful attention to the witnesses in the hearings unanimously reported this bill to the full committee. The full committee, with a few polishing amendments, reports it unanimously to the House for its consideration. So it comes to you with the unanimous agreement of the leaders of the Army and Navy, representatives of the business organizations affected by its terms, and with the coinciding views of the majority and minority members of the committee, and with the recommendation that the House accept it.

It is not claimed that this legislation is the final word on the subject of military procurement of supplies, nor is it claimed that it is perfect. It may easily be that the practical application of its terms may show the need for amendment. It is a new plan, possibly it might in a sense, be termed experimental. Some parts of it, however, have been tried and tested in the furnace of war, when our Army and Navy found by actual experience the necessity for closer coordination between our armed forces in the procurement of military supplies.

The admirable report filed by the committee is so complete in its analysis of this measure that I do not feel it necessary to take up the time of the House in going more fully into the details of the legislation.

In general, the bill provides that the Army and Navy shall unite in the procurement of supplies and services and a plan is proposed by which it shall be done in the simplest and most efficient way. The legislation provides also that competition shall be the key to its contracts and its purchases, thinking that the Government will benefit by this method and that every business will have an equal opportunity to bid in the open market. There are a few exceptions, however, that are noted in the bill where purchases are made without advertising, but safeguards are supplied to prevent abuses.

This legislation should be productive of greater economy in the outfitting and maintenance of our Army and Navy, not only in peacetime but also in wartime. It will also make permanent the procurement of supplies for the Army and Navy, and also stabilize our war effort if, perchance, such misfortune again overtakes us.

The remainder of the bill repeals unnecessary statutes inconsistent with the purposes of this legislation. The passage of this measure should result in a great saving to the Government, and will not only allow the business of the Government to be more efficient, but will also be in the interest of economy.

Mr. PHILBIN. Mr. Chairman, I yield myself 5 minutes. Mr. Chairman, I desire highly to commend my distinguished colleague the gentleman from California [Mr. ANDERSON] for his splendid handling of this measure and his excellent presentation of the essential philosophy and provisions of this bill.

This bill has been carefully considered by the Armed Services Committee. It is approved by the Bureau of the Budget. It is satisfactory to business groups which do business with the Army and Navy. So far as I know there is no objection or opposition to this measure. It is unanimously reported.

In the main the bill makes uniform the purchasing procedures of the armed services. It contains definite safeguards to protect the Government and to accord to business in general adequate and fair opportunity under advertising and competitive bidding to do business with the Army and Navy. It provides full authority for the Army and Navy to act expeditiously in emergencies.

I believe this bill is an important step forward in integrating the procurement functions of our armed services. It is sound, flexible, and protective of the interests of the Government and American business alike. I ask its speedy, unanimous adoption by the House. Such action will serve notice that we intend to effect needed integration, greater efficiency, and flexibility in our armed services, and thus strengthen our national defense.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back 2 minutes.

Mr. ANDERSON of California. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Chairman, since H. R. 1366, designed to facilitate procurement of supplies and services by the War and Navy Departments, and for other purposes, is a step in the direction of joint purchasing and since there is now pending in both branches of Congress a bill to unify or merge the Armed Forces, it is my intention to devote the time allotted to me to a discussion of the fact that joint purchases by the Army and Navy have been in effect for many months and have been accomplished without the approval of any legislation.

In passing, may I urge that advocates of the proposed Army and Navy merger take time out to study the practice of joint purchases that have been followed

for the past many months by the Army and Navy without any legislation.

This proves that any proposed methods to streamline our armed forces can be accomplished on a voluntary basis with the aid of Presidential directives and without any specific legislation. It is seriously doubted that merging or even streamlining the armed forces can be effected without great cost to the American people.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield.

Mr. BONNER. I wish to ask the gentleman whether or not during the consideration of this bill in the committee the subject of one general purchasing agency for the Army, Navy, and other branches of national defense was discussed.

Mr. VAN ZANDT. It was, very briefly.

Mr. BONNER. I take it, then, that the present policy of cooperative purchasing that has been carried out now is the result of the mistakes they made during the war, the Army and Navy both bidding on the same material and thereby boosting the price of national necessities.

Mr. VAN ZANDT. The gentleman is correct.

Mr. ANDERSON of California. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield.

Mr. ANDERSON of California. I wish to point out to my distinguished friend from North Carolina that the former chairman of the Naval Affairs Committee, the gentleman from Georgia [Mr. VINSON], has introduced legislation which if passed will set up a joint procurement agency for all branches of the armed services. There has not yet been a report on that legislation from the various departments, but I do wish to reassure the gentleman that our subcommittee intends to go into that subject at a later date.

Mr. BONNER. I wish to point out that those of us who had the opportunity to visit both Army and Navy operating bases during the war were greatly impressed by the extravagance that was indulged in by all branches of the service in this purchasing program.

Mr. ANDERSON of California. I can assure the gentleman that the passage of this legislation before the House today will eliminate a great deal of the duplication we have had in the past.

Mr. BONNER. As the gentleman states, it is a step in that direction.

COORDINATING ARMY AND NAVY PROCUREMENT

Mr. VAN ZANDT. Few people realize how extensive Army-Navy collaboration in buying has become. In 1944, the Army and Navy bought jointly more materials than in the 3 years 1941, 1942, and 1943 combined. And the trend has continued upward.

Furthermore, with respect to all procurement, the Army and Navy work closely together. To a great extent they apply common policy and procedures.

Material requirements fall into two major categories: Items sufficiently similar to make coordination desirable; and items so different that coordination offers no advantages.

It would be absurd to centralize procurement to such an extent that Army Ordnance bought armor for carriers or Navy Ordnance bought armored tanks. Any effort to force such a compromise would endanger the men who must man the carrier or the tanks. In other cases the danger is no less real, though it may be less obvious.

If standardization is forced too far, the result is a compromise that will not adequately serve the needs of either service. The Army and Navy must guard against overstandardization and orthodoxy which may retard imagination and dilute the quality of weapons.

An analysis of all Navy material procurement for fiscal years 1944 and 1945, totaling approximately $50,000,000,000, shows the following division:

	Percent
Purchases actually coordinated:	
Purchased by the Army for the Navy	10
Purchased by the Navy for the Army	10
Purchased by the Navy in collaboration with the Army	9
Purchased by the Navy as part of Army-Navy group purchases	12
Purchases actually coordinated	41
Field of possible further coordination	17
Special Navy technical items	42
Total	100

Joint procurement is desirable for many service purchases; it is extremely dangerous for many others.

Of the field wherein joint procurement is possible over 70 percent has already been coordinated, and aggressive efforts are being made to cover the remainder.

Economy in government is the necessary and popular goal of our Nation. During the war years any consideration of economy was overshadowed by the more pressing and more important considerations of military necessity. Now, however, no longer faced with the problems and the waste involved in fighting a global war, the question of economy in government has assumed paramount importance. It is the principal argument advanced by the proponents of merging the armed forces, and they promise that great savings will result, especially in the field of procurement.

It is very true that some money can be saved through joint purchasing by the armed services. The alleged economies that will result from merger, however, must lie in the field of items which are used by, or adaptable to, both services, but which are purchased on a unilateral basis or, worse, in competition with one another. The record shows this a surprisingly small field—almost nothing, in fact—shows that a very great amount of Army and Navy purchasing is already being carried out jointly.

Various forms of coordinated purchase by the Army and Navy were undertaken early in the war, and by now cover a great percentage of expenditures for items susceptible to coordination. This policy accomplished much that was desirable in that it eliminated priority competition between the War and Navy Departments, it enabled industry to prepare necessary production schedules, and led to decreased costs because of uniform price levels and the reduced need for procurement personnel and other administrative overhead.

A good example of this coordination lies in the procurement of food and lumber. Throughout the war these two items were purchased by cross procurement; that is, making use of but one organization—the most expert in the field—in the purchasing operation. In other words, one service bought all of the material needed by both services. The Army Engineers purchased all lumber used by the Army and the Navy, while the Army Quartermaster's Office purchased the food used by both services. Other numerous examples may be found in the procurement of tractors, with the Corps of Engineers responsible for supplying both services, and in the procurement of distillation units, landing craft, and pontoons, with the Navy responsible for filling the requirements of both services. During 1944 approximately 46 percent of the Navy's motor-vehicle requirements were purchased by the Army and the remainder were procured directly by the Navy from commercial concerns because of marked difference in technical design caused by differing military requirements.

Even before 1942 there was coordinated procurement of aircraft engines, air frames, and propellers, and there is now almost complete coordination in the design and requirement stage of service aviation. The dollar value of savings which result from this policy may be realized when we consider that approximately 35 percent of our total wartime expenses for munitions products was made up of aviation equipment.

To insure the most effective operation, and least cost to the Government, in the field of aviation it is, and has been since before the war, the policy and practice of the services to combine purchase wherever practicable, both during peace and during war. To this end a list of all manufacturers of airplanes, aircraft engines, propellers, and even gliders, is maintained by the Aeronautical Board. Opposite the name of each manufacturer are columns which show the cognizance of each service in that plant. Thus it is possible at a glance to see, for instance, that the Navy has primary responsibility for the armed forces contracts at Pratt & Whitney. This responsibility includes the elements of inspection, cost inspection, allocation of productive capacity, and security, to the complete elimination of duplication.

On the other hand, the Army Air Force is assigned responsibility over Curtiss-Wright. This system of agreement as to cognizance worked extremely well during the war and is being maintained during peacetime. In the example given, the Navy handled all purchases from Pratt & Whitney and the Army handled those from Curtiss-Wright. They then distributed the products of both manufacturers between the two services according to initial requirements.

One of the functions under aeronautical procurement, as well as other types, is the service of inspection of material. During the war it was found desirable to inspect some material at source so as to

prevent undue waste because of rejection of finished products. The inspection of aluminum products came under this category, and the Navy made all of the "at source" inspections for aluminum produced under joint Army-Navy specifications. That this policy of single-service inspection saved large sums in the aeronautical field alone may be realized when it is considered that during the third quarter of 1944 a total of 65 percent of all aluminum produced by industry was utilized by the aircraft manufacturers.

Purchase is not the only field in which close coordination of aviation material exists. There is coordination in the research and development of aviation radio and electronic equipment, ordnance, and armament. Examples of this coordination which already exists, and which saves countless dollars through avoiding duplication of effort can be found in all fields of aviation endeavor. Complete agreement has been reached, for instance, on the 5-inch HVAR rocket and the all-electric bomb rack releases, and these items have been standardized for use by either service. In development of the micro-wave radar, the spectra band within the K range has been apportioned, while the characteristics of airborne radio equipment have been agreed on and standardized. The research and development programs of the Army Air Force and the Bureau of Aeronautics are closely coordinated to prevent undesirable duplication.

As an example, last year during a meeting of one of the Aeronautical Board subcommittees, at which the proposals and contracts of the two services were reviewed, it was discovered that both services were considering almost identical proposals involving the development of a nose turret and the development of a wing tip turret. The proposals were modified; the Navy agreed to relinquish interest in the wing tip turret program while the Army Air Force dropped their program for the new nose turret. It was estimated that probable savings from this coordination and elimination of duplication would amount to approximately $1,500,000. Of current joint interest and joint effort, for both the AAF and the Bureau of Aeronautics are the problems imposed by high altitudes, a new design for air cargo transport, and a system of standard lighting for aircraft which will be adopted by all civil and military planes.

For years the Army Air Force and the Bureau of Aeronautics have been working on the development of joint Army-Navy specifications and standards. There are thousands of the so-called Army-Navy standards and specifications compiled today, and the work is continuing. Recently a series of Army-Navy specifications covering the turbo-jet engines was approved.

Representatives of the aircraft industries play a part in this work since they must be cognizant of material specifications of the services. Advance copies of all Army-Navy standards are distributed to aircraft-industry representatives for review and comment, and if disagreement exists on any item the matter is reconsidered so that an acceptable compromise may be worked out. The two services jointly publish an index of current Army-Navy aeronautical standards on a semiannual basis, and copies are available to all contractors and prospective contractors for Government aviation equipment.

I do not mean to imply that there is no duplication between the services in the field of aviation. But there is little undesirable duplication, especially that type of duplication which places the buyer at a disadvantage. Representatives of both services are of the opinion that some parallel efforts are desirable in the development of new and unconventional equipment. Recent projects on which desirable and justified parallelism exists include investigation of microwave communication, automatic-jamming systems, pattern and impedance studies, and advanced antenna design for guided missiles. In all cases the justification for this effort is based on the different tactical requirements of Army and Navy, and the importance of research in new fields which are broad in aspect and provide many possibilities for new techniques. It is controlled duplication, however, and information is freely exchanged between the two services.

The field of ordnance matériel, like that of aeronautical equipment, provides many similar evidences of joint effort and close cooperation between the services. The ordnance procurement efforts of both departments are closely coordinated and single-service procurement has been established for practically all common items. As an example the Navy and Marine Corps requirements for small-arms ammunition have long been furnished by the single-service purchase of the Army, while the Navy purchases all rockets in excess of 5 inches.

The ordnance research and development programs for both services are coordinated under the Joint Research and Development Board, and each service uses the facilities of the other service wherever desirable or necessary. The Army, for instance, has made frequent use of the Navy's test facilities in California and Virginia. Wherever feasible and economical the two departments use each other's ordnance shipping facilities interchangeably. As an example, during the war and at the present time the Army is using the Navy's shipping facilities at Earle, Port Chicago, and Bangor.

But coordination of purchasing during the war was not limited to lumber, subsistence stores, aviation matériel, and ordnance equipment. Few people realize just how extensive was this Army-Navy coordination. An example may be found in the study of Navy purchases for 1944 and 1946. During this period the Navy bought matériel costing $50,000,000,000, and yet 42 percent of the total was purchased through coordination with the Army. Forty-one percent of the total comprised items which were peculiar only to the Navy, items which had no counterpart in the Army. In this field coordinated purchasing was not feasible. As an example, an Army officer would be scarcely qualified to purchase a periscope for a submarine. The remaining 17 percent of Navy purchases for this period were, perhaps, adaptable to coordination.

With the end of the war, entirely different items and commodities became the most important. Aircraft purchasing, for example, fell sharply, while food and fuel became relatively far more important. Consequently it is not possible to determine trends by comparing data for 1944–45 and for 1946. However, it can be said that the services are aggressively seeking to broaden the area of purchase coordination.

During fiscal 1946 the new contract obligations assumed by the Navy amounted to almost $4,250,000,000. Of this sum, 52 percent represented purchases which were coordinated with the Army through joint and single service procurement or through collaborative buying, while 30 percent of the over-all total is comprised of items for which the Army has no need, such as arresting gear for decks of aircraft carriers or submarine periscopes. The remaining 18 percent of the total is perhaps, susceptible to some coordination.

Since 1945, the services have been able to tackle this remaining field more aggressively. Purchases in various additional fields are now being handled jointly. In the case of medical supplies, a joint buying agency has been established in New York, utilizing an integrated staff of both Army and Navy officers.

The purchases which have heretofore been made under some form of coordination have totaled many billions of dollars. From this very considerable experience, the services have been able to reach certain conclusions as to the best ways of coordinating their purchases:

First. Different types of commodities require different methods of coordination.

What works best for one may not work well for another.

Second. Three principal methods of coordinating purchasing have been developed—cross procurement, joint buying agencies, and collaboration of buyers. A joint buying agency results when a new organization with representatives from each service is set up to buy for both services. Collaboration of buyers is a system in which both services continue to do their own buying but do so in one common location, so that buyers for both services sit side by side and are able to work out many problems jointly.

Third. Of the three methods, cross procurement—also called single-service procurement—is considered the best, though the other two methods have their own advantages, particularly in the early stages of combining purchases of the two services.

Fourth. It is very important to distinguish between common-use items on the one hand and highly technical special-use items on the other. By "common-use items" the Navy means both items which are now identical for the two services, and for which specifications have been standardized and those which could be made identical by agreement on specifications. By special-use items we mean those items whose technical as-

pects are controlled by distinctive military use, such as submarine periscopes, torpedoes, airplane catapults, etc.

Fifth. Common-use items can be procured jointly, and the purchase of such items may even be centralized. The Navy centralizes the purchase of its common-use items in the Bureau of Supplies and Accounts and the Army makes similar use of the Quartermaster General. It seems clear that further coordination will most easily be achieved in this area.

Sixth. Economy in purchasing absolutely demands that special-use technical items be bought close to technical engineers and design specialists. Otherwise, many, many opportunities to save money are lost because the person responsible for buying these technical items lacks information about the ways in which savings can be accomplished.

Seventh. At least 70 percent of the field for possible joint purchasing has already been coordinated. Aggressive efforts are not being made to cover the latter, and to broaden the field of possible coordination as much as possible.

For example, in recent weeks the fields of petroleum and coal have been carefully studied, and it seems quite probable both these items will shortly be placed, at least in major part, under single service purchasing.

Eighth. Many people entertain notions as to the exaggerated savings which are possible through coordinated procurement. The average observer is likely to suppose that the bigger the quantity purchased by a single order, the smaller the price which can be secured. As to small purchases, this is unquestionably true. The limit of this kind of savings is reached when any one purchase equals the size of the most economical production run of the cheapest available manufacturer. Beyond that, joint prices may and sometimes do increase as bigger purchases become necessary. In recent textile purchases, for example, both services found that manufacturers were willing to quote lower prices for smaller quantities and insisted on higher prices if they were required to furnish bigger quantities. Thus the field of potential saving through quantity purchases is not nearly so large as is commonly supposed, because both services separately approach the limit of economical purchases for a great many of their items. In the case of coal, for example, all available evidence indicates that coordination of purchases will mean little, if any, reduction in unit prices; each service buys enough coal to secure maximum savings from quantity purchases. The probable saving will come from the possibility of eliminating personnel now engaged in buying coal for the services. While this saving is of course truly worthwhile, it nonetheless represents less than ½ of 1 percent of the value of the coal purchased.

Until recently the services had to reach decisions regarding the coordination of purchases without any referee. To correct this deficiency the Secretaries of War and Navy on October 15, 1946, by an order approved by the President, gave the Chairman of the Army and Navy Munitions Board full power to make final decisions in case of disagreement between the two services on purchase matters. Consequently, for the last 8 months, the Armed Forces have had available all the mechanism and organization needed to achieve complete coordination of their purchases. Procurement men in both services agree that the same steps will be necessary no matter what is done with respect to reorganizing the services. It still will be necessary to study purchases of separate commodities in order to arrive at the best methods of coordinating each. The statements just made do not mean that the services will not proceed at full speed to coordinate their purchases further. On the contrary, irrespective of merger, they had already worked out mechanisms to accomplish the best possible results and to achieve the greatest possible justifiable economies.

Economy gained at the expense of operating efficiency is, in the end, no economy at all but is, rather, "penny-wise and pound-foolish." We must take care, then, to insure that the economies we achieve are justifiable economies and not crippling to wartime efficiency, for the greatest single problem which confronts our country today is that of our future national security in a world of grim realities.

One of the most important requirements of any system of procurement is flexibility. Our peacetime needs must be met, yet the system must be capable of rapid expansion in order to withstand the tests and rigors of war. This was stated concisely by the Chairman of the Army and Navy Munitions Board, when in testimony before Congress, on January 22, 1947, he said:

> Our guiding principle is that we make sure that we install procedures in time of peace that are capable of expansion if an emergency is to be faced.

The current method of coordinated procurement, evolved during the war and now functioning effectively during peace, has proven its flexibility. We must guard against the adoption of any system of joint purchasing which will not meet this test. To adopt any system which may, perhaps, achieve minor economies in peacetime but which would be inadequate in wartime would impose the gravest threat to our national security.

So, you see, that already much has been accomplished in the way of joint purchasing.

Mr. BONNER. Mr. Chairman, if the gentleman will yield further, just a week ago I had the opportunity to talk to a colonel in the Quartermaster Corps about surplus property, and the repurchase of surplus property that was sold, and the fact that the Army was declaring property surplus but at the same time buying similar property of recent manufacture. Has that been discussed in committee?

Mr. VAN ZANDT. No; it has not.

Mr. BONNER. Has the gentleman heard of any such instances?

Mr. VAN ZANDT. Yes; I have, but not in committee.

Mr. BONNER. I hear that said among various business people. It is a laughable practice, and I cannot imagine why either the Army or the Navy would permit such a thing to happen as declaring certain property surplus and then, on the other hand, buying similar property as of today.

Mr. VAN ZANDT. The situation the gentleman points out, of course, is one of the mistakes to be corrected.

Mr. BONNER. It really looks like a lack of administrative and business ability on the part of the high-ranking officers of both the Army and the Navy.

Mr. VAN ZANDT. I think you will find the Army and the Navy working in the direction of trying to correct these mistakes.

At this time permit me to read a partial list of the joint boards already functioning, totaling 38 in all: The Army and Navy Munitions Board, the Aeronautics Procurement Committee, the Medical Procurement Committee. Over in New York we have a joint procurement committee set-up for both the Army and the Navy which has been purchasing and supplying medicine and medical equipment for both branches of the service. Then there is the Marine Life Saving Equipment Committee, the Vessel Propulsion Committee, and so on. This is all intended, of course, to save the taxpayers money and to bring about a greater efficiency in the armed forces of our country.

Mr. ANDERSON of California. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That all purchases and contracts for supplies or services made by the War Department and the Department of the Navy (each being hereafter called the agency) shall be made by advertising, as provided in section 3, except that such purchases and contracts may be negotiated by the agency head without advertising if—

(i) determined to be necessary in the public interest during the period of a national emergency declared by the President;

(ii) the public exigency will not admit of the delay incident to advertising;

(iii) the aggregate amount involved does not exceed $500;

(iv) for personal or professional services;

(v) the supplies or services are to be procured and used outside the limits of the United States and its possessions;

(vi) for medicines or medical supplies;

(vii) for supplies purchased for authorized resale;

(viii) for perishable subsistence supplies or other supplies or services for which it is impracticable to secure competition;

(ix) the agency head determines that the purchase or contract is for experimental, developmental, or research work or for manufacture or furnishing of supplies for experimentation, development, research, or test;

(x) for supplies or services as to which the agency head determines that the character, ingredients, or components thereof are such that the purchase or contract should not be publicly disclosed;

(xi) for technical equipment as to which the agency head determines that the procurement thereof without advertising is necessary in order to assure standarization of equipment and interchangeability of parts where it is shown that standardization of equipment and interchangeability of parts is necessary in the interest of the Government;

(xii) for supplies or services as to which the agency head determines that advertising and competitive bidding would not secure

supplies or services of a quality shown to be necessary in the interest of the Government;

(xiii) for supplies or services as to which the agency head determines that the bid prices after advertising therefor are not reasonable or have not been independently arrived at in open competition;

(xiv) the agency head determines that it is in the interests of the national defense that any plant, mine, or facility or any producer, manufacturer, or other supplier be made or kept available for furnishing supplies or services in the event of a national emergency, or that the interests either of industrial mobilization in case of such an emergency, or of the national defense in maintaining active engineering, research and development, are otherwise subserved; or

(xv) otherwise authorized by law.

SEC. 2. It is the declared policy of the Congress that a fair proportion of the total value of all purchases and contracts shall be placed wtih small business concerns. As one means to that end, supplies and services shall, when not of manifest disadvantage to the Government, be procured in reasonable small lots or amounts.

SEC. 3. Whenever advertising is required—

(a) The advertisement for bids shall be a sufficient time previous to the purchase or contract, and specifications and invitations for bids shall permit such full and free competition as is consistent with the procurement of types of supplies and services necessary to meet the requirements of the agency concerned.

(b) All bids shall be publicly opened at the time and place stated in the advertisement. Award shall be made with reasonable promptness by written notice to the responsible bidder whose bid, conforming to the invitation for bids, will be most advantageous to the Government, price and other factors considered: *Provided*, That all bids may be rejected when the agency head determines that it is in the public interest so to do.

SEC. 4. (a) Except as provided in subsection (b) of this section 4, contracts negotiated pursuant to section 1 may be of any type which in the opinion of the agency head will promote the best interests of the Government.

(b) The cost-plus-a-percentage-of-cost system of contracting shall not be used, and in the case of a cost-plus-a-fixed-fee contract shall not exceed 10 percent of the estimated cost of the contract, exclusive of the fee, as determined by the agency head at the time of entering into such contract (except that a fee not in excess of 15 percent of such estimated cost is authorized in any such contract for experimental, developmental, or research work and that a fee inclusive of the contractor's costs and not in excess of 6 percent of the estimated cost, exclusive of fees, as determined by the agency head at the time of entering into the contract, of the project to which such fee is applicable is authorized in contracts for architectural or engineering services relating to any public works or utility project), and provided that neither a cost nor a cost-plus-a-fixed-fee contract nor an incentive-type contract shall be used, unless the agency head determines that such method of contracting is likely to be less costly than other methods or that it is impracticable to secure supplies or services of the kind or quality required without the use of a cost or cost-plus-a-fixed-fee contract or an incentive-type contract.

SEC. 5. (a) The agency head may make advance payments under negotiated contracts heretofore or hereafter executed in any amount not exceeding the contract price upon such terms as the parties shall agree: *Provided*, That advance payments shall be made only upon adequate security and if the agency head determines that provision for such advance payments is in the interest of the national defense and is necessary and appropriate in order to procure required supplies or services under the contract.

(b) The terms governing advance payments may include as security provision for, and upon inclusion of such provision there shall thereby be created, a lien in favor of the Government, paramount to all other liens, upon the supplies contracted for, upon the credit balance in any special account in which such payments may be deposited and upon such of the material and other property acquired for performance of the contract as the parties shall agree.

SEC. 6. Whenever any contract made on behalf of the Government by the agency head or by officers authorized by him so to do includes a provision for liquidated damages for delay, the Comptroller General on the recommendation of the agency head is authorized and empowered to remit the whole or any part of such damages as in his discretion may be just and equitable.

SEC. 7. (a) The determinations and decisions provided in this act to be made by the agency head shall be final. Except as provided in subsection (b) of this section 7, the agency head is authorized to delegate his powers provided by this act, including the making of such determinations and decisions, in his discretion and subject to his direction, to any other officer or officers or officials of the agency.

(b) The power of the agency head to make the determinations or decisions specified in subsections (x), (xi), (xii), (xiii), and (xiv) of section 1, and in subsection (a) of section 5, shall not be delegable and the power to make the determinations or decisions specified in subsection (ix) of section 1 shall be delegable only to a chief officer responsible for procurement and his first assistant.

(c) Each determination or decision required by subsections (ix), (x), (xi), (xii), (xiii), or (xiv) of section 1, by section 4, or by subsection (a) of section 5, shall be based upon written findings made by the official making such determination, which findings shall be final and shall be made available by the agency for a period of at least 6 years following the date of the determination. A copy of the findings shall be submitted to the General Accounting Office with the contract.

(d) In any case where any purchase or contract is negotiated pursuant to the provisions of section 1, except in a case covered by subsections (ii), (iii), (iv), or (v) thereof, the data with respect to the negotiation shall be preserved in the files of the agency for a period of 3 years, following final payment on such contract.

SEC. 8. No purchase or contract shall be exempt from the act of June 30, 1936, as amended (49 Stat. 2036, as amended by the act of June 28, 1940, 54 Stat. 681, and by the act of May 13, 1942, 56 Stat. 277; U. S. C., title 41, secs. 35 to 45), solely by reason of having been entered into pursuant to section 1 hereof without advertising, and the provisions of said act and of the act of June 19, 1912, as amended (37 Stat. 137, as amended by the act of September 9, 1940, 54 Stat. 884; U. S. C., title 40, secs. 324 and 325a), if otherwise applicable, shall apply to such purchases and contracts.

SEC. 9. As used herein, the term "agency head" shall mean the Secretary, Under Secretary (if any), or any Assistant Secretary of War or of the Navy, respectively.

SEC. 10. The provisions of this act shall apply to all purchases and contracts made by any agency for its own use or otherwise.

SEC. 11. (a) The following acts, insofar as they apply to procurement of supplies or services by the War Department or the Department of the Navy, are hereby repealed:

Revised Statutes, section 3709 (U. S. C., title 41, sec. 5);

Revised Statutes, section 3716 (U. S. C., title 10, sec. 1202);

Revised Statutes, section 3717 (U. S. C., title 41, sec. 9);

Revised Statutes, section 3721, as amended (U. S. C., title 34, secs. 569–570);

Revised Statutes, section 3722 (U. S. C., title 34, sec. 572);

Revised Statutes, section 3724 (U. S. C., title 34, sec. 574);

Revised Statutes, section 3726 (U. S. C., title 34, sec. 577);

Revised Statutes, section 3727 (U. S. C., title 34, sec. 578);

Revised Statutes, section 3729 (U. S. C., title 34, sec. 579);

Act of June 14, 1878, No. 30 (20 Stat. 253; U. S. C., title 34, sec. 565);

Act of March 3, 1893 (ch. 212, sec. 1, 27 Stat. 732; U. S. CC., title 34, sec. 566);

Act of March 2, 1907 (ch. 2512, 34 Stat. 1193; U. S. C., title 34, sec. 571);

Act of March 4, 1913 (ch. 148, 37 Stat. 904; U. S. C., title 34, sec. 575);

Act of June 30, 1914 (ch. 130, 38 Stat. 398; U. S. C., title 34, sec. 567);

Act of May 15, 1936 (ch. 400, 49 Stat. 1277; U. S. C., title 10, sec. 1199 (a));

Act of October 10, 1940 (ch. 851, sec. 1, as amended, 54 Stat. 1109, as amended; U. S. C., title 41, sec. 6).

(b) The following parts of acts are hereby repealed:

(i) That portion of the act making appropriations for fortifications, approved February 24, 1891 (26 Stat. 769), relating to "Armament of fortifications," which reads as follows: "*Provided*, That no contract for the expenditure of any portion of the money herein provided, or that may be hereafter provided, for the purchase of steel shall be made until the same shall have been submitted to public competition by the Department by advertisement."

(ii) Those portions of the Army appropriation acts approved March 2, 1901 (ch. 803, 31 Stat. 905; U. S. C., title 10, sec. 1201); and June 30, 1902 (32 Stat. 514), relating to "Quartermaster's Department, Regular Supplies," which read as follows: "*Provided further*. That hereafter, except in cases of emergency or where it is impracticable to secure competition, the purchase of all supplies for the use of the various departments and posts of the Army and of the branches of the Army service shall only be made after advertisement, and shall be purchased where the same can be purchased the cheapest, quality and cost of transportation and the interests of the Government considered."

(iii) That portion of the Army appropriation act approved June 12, 1906 (ch. 3078, 34 Stat. 258; U. S. C., title 10, sec. 1205), relating to "Ordnance Department," which reads as follows: "Hereafter the purchase of supplies and the procurement of services for all branches of the Army service may be made in open market, in the manner common among businessmen, when the aggregate of the amount required does not exceed $500; but every such purchase exceeding $100 shall be promptly reported to the Secretary of War for approval, under such regulations as he may prescribe."

(iv) That portion of the Army Appropriation Act, approved May 11, 1908 (ch. 163, 35 Stat. 125; U. S. C., title 10, sec. 1199), relating to "Ordnance Department," which reads as follows: "Whenever proposals are invited for the furnishing of articles of ordnance property, the character of which or the ingredients thereof are of such a nature that the interests of the public service would be injured by publicly divulging them, the Chief of Ordnance is authorized to purchase such articles in such manner as he may deem most economical and efficient."

(v) That portion of the War Department Appropriation Act, approved May 15, 1936 (49 Stat. 1299), relating to "Arms, uniforms, equipment, and so forth, for field service, National Guard," which reads as follows: "*Provided*, That specifications for motor ve-

hicles, which shall be so drawn as to admit of competition, shall to the extent otherwise practicable conform with the requirements of the National Guard."

(c) All other laws and parts of laws to the extent that they are inconsistent with this act are hereby repealed.

Mr. ANDERSON of California (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with, that it be printed at this point in the RECORD, and that it be open to amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Clerk will read the committee amendments.

The Clerk read as follows:

Page 1, line 5, after the parentheses and before the words "shall be", insert the words "and to be paid for from appropriated funds."

Page 1, lines 9 and 10, strike out "intest" and insert in lieu thereof "interest."

Page 2, line 4, strike out "$500" and insert in lieu thereof "$1,000."

Page 2, line 18, change the semicolon to a colon and add the following: "*Provided*, That beginning 6 months after the effective date of this act and at the end of each 6-month period thereafter, there shall be furnished to the Congress a report setting forth the name of each contractor with whom a contract has been entered into pursuant to this subsection (ix) since the date of the last such report, the amount of the contract, and, with due consideration given to the national security, a description of the work required to be performed thereunder."

Page 3, line 8, strike out the semicolon and add the following: "or for supplies of a technical or specialized nature requiring a substantial initial investment or an extended period of preparation for manufacture, as to which the agency head determines that advertising and competitive bidding may require duplication of investment or preparation already made, or would unduly delay procurement of the supplies concerned."

Page 3, lines 9 to 12, strike out subsection (xiii) in its entirety.

Page 3, line 13, strike out "(xiv)" and insert in lieu thereof "(xiii)."

Page 3, line 13, place a comma after "head" and insert "subject to the approval of the President."

Page 3, line 21, change the semicolon to a colon and insert the following after the colon and before the word "or": "*Provided*, That beginning 6 months after the effective date of this act and at the end of each 6-month period thereafter, there shall be furnished to the Congress a report setting forth the name of each contractor with whom a contract has been entered into pursuant to this subsection (xiii) since the date of the last such report, the amount of the contract, and, with due consideration given to the national security, a description of the work required to be performed thereunder."

Page 3, line 22, strike out "(xv)" and insert in lieu thereof "(xiv)."

Page 3, line 22, change the period to a colon.

Page 3, after line 22, add the following: "*Provided*, That this section shall not be construed to authorize the erection, repair, or furnishing of any public building or public improvement, but such authorization shall be required in the same manner as heretofore; and *Provided further*, That advertising, as provided in section 3, shall be required for any contract for the construction or repair of buildings, roads, sidewalks, sewers, mains, and similar items, unless such contract is to be performed outside the continental United States or unless negotiation of such contract is authorified by the provisions of subsections (i), (ii), (iii), (viii), (ix), or (x)."

Page 3, line 23, insert "(a)" immediately following "SEC. 2."

Page 4, line 3, strike out "reasonable" and insert in lieu thereof "reasonably."

Page 4, after line 3, insert subsection (b) as follows:

"(b) Whenever it is proposed to make a contract or purchase in excess of $10,000 by negotiation and without advertising, pursuant to the authority of subsections (vi) or (vii) of section 1, suitable advance publicity as determined by the agency head with due regard to the type of supplies involved and other relevant considerations, shall be given for a period of at least 15 days, wherever practicable, as determined by the agency head."

Page 4, line 22, add the following:

"Every contract negotiated pursuant to section 1 shall contain a suitable warranty, as determined by the agency head, by the contractor that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the contractor for the purpose of securing business, for the breach or violation of which warranty the Government shall have the right to annul such contract without liability or in its discretion to deduct from the contract price or consideration the full amount of such commission, percentage, brokerage, or contingent fee."

Page 4, line 25, after "contract", insert "the fee."

Page 5, line 20, strike out "heretofore or."

Page 5, line 21, immediately following "executed", insert "pursuant to the authority contained in subsections (i) or (ix) of section 1 hereof."

Page 7, line 2, after "(xii)", strike out the comma and insert "and." Also strike out the next comma, together with the words "and (xiv)."

Page 7, line 8, after "(xii)", strike out the comma and insert "or." Also strike out the next comma, together with the words "or (xiv)."

Page 8, line 1, strike out the comma immediately preceding "solely" and insert "or from the act of March 3, 1931, as amended (46 Stat. 1494, as amended by the act of Aug. 30, 1935, 49 Stat. 1011, and by the act of June 15, 1940, 54 Stat. 399; U. S. C., title 40, secs. 276a and 276a–6)."

Page 8, line 3, strike out the word "act" following "said", and insert in lieu thereof "acts."

Page 8, lines 8, 9, and 10, strike out section 9 as presently printed and insert in lieu thereof the following:

"SEC. 9. As used herein—

"(a The term 'agency head' shall mean the Secretary, Under Secretary (if any), or any Assistant Secretary of War or of the Navy, respectively.

"(b) The term 'supplies' includes, by way of description and without limitation, public works, buildings, facilities, ships and vessels of every character, type and description, aircraft, parts, accessories, equipment, machine tools and alteration or installation thereof."

Page 8, line 12, strike out "any" and insert in lieu thereof "either."

Page 8, line 17, insert a comma following "3709" and insert immediately thereafter "as amended."

Page 8, after line 22, insert the following: "Revised Statutes, section 3718 (U. S. C., title 34, sec. 561); Revised Statutes, section 3719 (U. S. C., title 34, sec. 562); Revised Statutes, section 3720 (U. S. C., title 34, sec. 563)."

Page 9, after line 2, insert "Revised Statutes, section 3723 (U. S. C., title 34, sec. 573)."

Page 9, after line 10, insert "Revised Statutes, section 3735 (U. S. C., title 41, sec. 13)."

Page 9, after line 22, insert "Act of July 13, 1939 (ch. 265, 53 Stat. 1000; U. S. C., title 10, sec. 313)."

Page 9, line 24, immediately following "sec. 6" insert "and 6a."

Page 10, line 14, strike out "reads" and insert in lieu thereof "read."

Page 12, after line 4, insert subsection (c) as follows:

"(c) The Secretary of the Navy shall have the same authority with respect to contracts of the Department of the Navy as the Secretary of War has with respect to contracts of the War Department under the act of April 10, 1878, as amended (20 Stat. 36, as amended by the act of March 3, 1883, 22 Stat. 487; U. S. C., title 5, sec. 218)."

Page 12, line 5, strike out "(c)" and insert in lieu thereof "(d)."

Page 12, line 6, strike out the period and insert in lieu thereof a comma, and add "effective as of June 30, 1947."

Mr. ANDERSON of California (interrupting the reading of the committee amendments). Mr. Chairman, in view of the fact that most of the committee amendments are simply clarifying and corrective amendments, I ask unanimous consent that the amendments be printed in the RECORD at this point and that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The question is on the committee amendments.

The committee amendments were agreed to.

Mr. BENDER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to inquire of the chairman of the subcommittee as to the attitude of the Comptroller General on this bill.

Mr. ANDERSON of California. I shall be glad to answer the gentleman's question, as I did in my remarks on the floor of the House earlier today. The Comptroller General approved the bill as originally introduced, and this morning, after the bill had been reported out by the full committee as amended, I called him up to ask him his attitude toward this legislation. He said he was delighted that the committee had reported it out and he was glad to see that the committee had also written other safeguards into the bill, and that his office was solidly behind this legislation.

Mr. BENDER. I would like to ask further if the General Accounting Office is satisfied with the manner in which the Army and Navy Departments are cooperating or refusing to cooperate with the General Accounting Office in supplying certain information.

Mr. ANDERSON of California. I did not take that question up with the General Accounting Office, I will advise the gentleman from Ohio.

Mr. BENDER. I heard the gentleman's opening statement and his comment regarding Lindsay Warren, one of America's finest public servants. During the last 5 years the General Accounting Office has done an excellent job in recovering money for the taxpayers as a result of Army and Navy Department deficiencies. The Federal Treasury has been reimbursed as follows: For the year 1943, over $18,000,000; for the year 1944,

over $39,000,000; for 1945, $86,000,000; for the year 1946, $112,000,000; and up to January 31, 1947, $85,000,000. The Accounting Office has just scratched the surface.

I have heard some of the tributes paid to the procurement divisions of the Army and Navy, and all the beautiful words that have been spoken commending them, but I say there is plenty of room for improvement. I trust that this bill will help in that situation.

I question, however, the bill having been sent to the Committee on Armed Services. It should have been sent to the Committee on Expenditures, where all measures pertaining to procurement belong.

I am sure Mr. Warren has not on all occasions been satisfied with the manner in which procurement has been handled by the Army and Navy. However, if he considers this a good bill, of course it should pass and pass unanimously.

Mr. BATES of Massachusetts. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the bill before the Committee today has been thoroughly discussed and considered by the Subcommittee of the Committee on Armed Services over a period of many weeks. We have had very extensive hearings and discussed the matter from every viewpoint, because of the magnitude of the problem involved in procuring not only millions but hundreds of millions of dollars of supplies and matériel as the years go on.

The foreword of this bill, as you probably know, is predicated on what we might well say are the emergency needs of the services.

For the benefit of some Members of the House who do not know the background of the bill and the part the subcommittee played in this matter, we discovered as we went along in the analysis of the bill that the word "services" as interpreted by the War Department embraced even the procurement of buildings, the construction of buildings and public works, sewers, highways, and everything of that description. That is a far-reaching interpretation of the word "services." However, once we had that construction and interpretation placed upon the word "services," we immediately determined to safeguard the interests of the people of the country so far as competition is concerned, in the development of specifications, the approval of plans, and the submission of bids, so that under the provisions of this bill every project embracing buildings, highways, and public works of every description, must be advertised and the award made on the basis of competition to the low bidder.

I can well understand the part the Comptroller General played during the war period and after the war period in the scrutinizing of all accounts, but after all, as a representative of the Congress of the United States, the Comptroller General's duty is to analyze expenditures of every branch of the Government. With his vast organization that is available for that purpose he may well bring to light perhaps many things that were overlooked by department heads, and then in the interest of the people make provisions for refunds to the Government.

On the other hand, when we think of the $300,000,000,000 or more that was spent by the armed services during this great war period, I think we can pass out also a few compliments to them in respect to the efficiency with which they operated not only along the battlefronts of the world but also in the procurement of these necessary materials, supplies, arms, and tools of war that made it possible for us to win this great conflict and bring peace to the world again.

As we survey the past 8 or 10 years we can well feel proud of the Naval Affairs Committees of the House and Senate and the Military Affairs Committees of the House and Senate, now combined in what is known as the Committee on Armed Services, for the job they have done, ably led in the case of the Committee on Naval Affairs by the splendid gentleman from Georgia [Mr. VINSON], who did a magnificent job in initiating and giving impetus to the program of getting ships and naval facilities into the front line of action in order that we could bring this victory about in the quickest possible time.

This bill has been well considered from every viewpoint. We think it is in the interest of economy and efficiency of our armed forces. I trust the bill will be unanimously approved by the House.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SCHWABE of Oklahoma, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 1366) to facilitate procurement of supplies and services by the War and Navy Departments, and for other purposes, pursuant to House Resolution 146, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

AMENDING THE FEDERAL RESERVE ACT

Mr. CHENOWETH. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 148 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2413) to amend the Federal Reserve Act, and for other purposes. That after general debate, which shall be confined to the bill and shall not exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. CHENOWETH. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the adoption of this resolution makes in order the consideration of H. R. 2413, a bill to amend the Federal Reserve Act, and for other purposes. This bill continues the authority which the 12 Federal Reserve banks now have to buy Government securities, up to the amount of $5,000,000,000, direct from the Treasury Department, and also continues their authority to sell Government securities direct to the Treasury Department.

This bill has been reported favorably by the Committee on Banking and Currency. There is a minority report signed by two members of the committee. This is an open rule providing for 2 hours of general debate, to be confined to the bill, the time to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Banking and Currency.

Mr. Speaker, from the time of their creation in 1913 until the enactment of the National Banking Act of 1935, Federal Reserve banks were authorized to make direct purchases of Government securities from the Treasury Department. The Banking Act of 1935 revoked this authority, however, and the Federal Reserve banks then had to make all purchases of Government securities on the open market. Under this system, the Treasury had no direct source from which to obtain large sums of money on short notice; and, therefore, had to maintain large cash balances for refunding maturities of public debt, and for other contingencies. Buying and selling transactions in Government securities between the Federal Reserve banks and the Treasury Department were again authorized under title IV of the Second War Powers Act of 1942, which amended section 14 (b) of the Federal Reserve Act. As title IV of the War Powers Act expires the last day of this month, H. R. 2413 is necessary to extend its provisions beyond March 31.

The committee does not feel that this direct-purchase authority should be made permanent, and recommends that the same terminate on June 30, 1950. In other words, this bill merely extends existing authority to that date.

Mr. CHENOWETH. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Speaker, reading the majority report on this bill one gets the impression that it is a very

innocent bill and much to be desired. But upon looking into it carefully, I think you will agree that it is not quite as simple and as innocent as it might appear.

Here is what 46 members of the National Committee on Monetary Policy think of this measure:

Forty-six Members urge Congress to repeal all authority of the United States Treasury to sell its securities directly to the Federal Reserve banks.

That has reference to the authority which now exists under the Second War Powers Act. The statement is as follows:

ECONOMISTS' NATIONAL
COMMITTEE ON MONETARY POLICY,
New York, N. Y.

FORTY-SIX MEMBERS URGE CONGRESS TO REPEAL ALL AUTHORITY OF THE UNITED STATES TREASURY TO SELL ITS SECURITIES DIRECTLY TO THE FEDERAL RESERVE BANKS

We, the undersigned, members of the Economists' National Committee on Monetary Policy, urge Congress not to pass that portion of H. R. 2233 which authorizes the Federal Reserve banks to purchase Government securities directly from the United States Treasury in an amount held at any one time up to $5,000,000,000.

Such authority, granted under the Second War Powers Act of March 27, 1942, was subject to a time limit which expires March 31, 1947. The present bill, even though the war has ended, contains no time limit.

(After the members of the Economists' National Committee on Monetary Policy had recorded their judgment on H. R. 2233, the House Committee on Banking and Currency, on March 10, reported out a bill, H. R. 2413, which provides for the renewal of the requested authority for a period of 3 years. An identical bill, S. 828, was introduced in the Senate on the same date by Senator TOBEY. It should be noticed, however, that the next to last paragraph of this signed statement says that "Even though the Treasury was granted such emergency power during the war, such authority now is clearly unnecessary and is unsound in principle."—W. E. Spahr, executive vice president.)

The flotation of Government securities should be tested in the market place unless some emergency arises which is so great that the Government cannot wait for popular subscription and must resort to direct monetization of the Federal debt as an unfortunate feature of the emergency.

The requirement that the Government, in times of peace, go to the people in the open-money markets for its borrowings is sound for the reason that the people are provided with one means of exercising some direct control over the public purse.

Even though the Treasury was granted such emergency power during the war, such authority now is clearly unnecessary and is unsound in principle. The Treasury should not request it; the Federal Reserve authorities should urge that it not be granted; and Congress should refuse to enact any such proposal into law.

We also urge the repeal of section 43 (a), (2), of the act of May 22, 1933, which authorizes the Secretary of the Treasury and Federal Reserve authorities to enter into agreements under which the Reserve banks may make direct purchases of United States securities from the Treasury "in an aggregate sum of $3,000,000,000 in addition to those they may then hold."

Benjamin M. Anderson, University of California, at Los Angeles; Charles C. Arbuthnot, Western Reserve University; James Washington Bell, Northwestern University; William A. Berridge, Metropolitan Life Insurance Co., New York City; Ernest L. Bogart, New York City; Frederick A. Bradford, Lehigh University; J. Ray Cable, Missouri Valley College; Wilbur P. Calhoun, University of Cincinnati; William W. Cumberland, Ladenburg, Thalmann & Co., New York City; Rev. B. W. Dempsey, S. J., St. Louis University; William E. Dunkman, the University of Rochester; D. W. Ellsworth, E. W. Axe & Co., Inc., Tarrytown, N. Y.; William D. Ennis; Stevens Institute of Technology; Fred R. Fairchild, Yale University; Charles C. Fichtner, Buffalo, N. Y.; Clyde Olin Fisher, Wesleyan University; J. Anderson Fitzgerald, the University of Texas; Roy L. Garis, University of Southern California; Lewis H. Haney, New York University; E. C. Harwood, American Institute for Economic Research; Hudson B. Hastings, Yale University; William F. Hauhart, dean emeritus, Southern Methodist University; Frederick C. Hicks, University of Cincinnati; John Thom Holdsworth, the University of Miami; Donald L. Kemmerer, University of Illinois; William H. Kiekhofer, the University of Wisconsin; Frederic E. Lee, University of Illinois; J. L. Leonard, University of Southern California; Philipp H. Lohman, University of Vermont; A. Wilfred May, executive editor, the Commercial and Financial Chronicle, New York City; Roy W. McDonald, Donovan, Leisure, Newton, Lumbard & Irvine, New York City; Margaret G. Myers, Vassar College; Melchior Palyi (with one reservation), Chicago, Ill.; Frank Parker, University of Pennsylvania; Clyde W. Phelps, University of Southern California; Charles L. Prather, University of Texas; Leland Rex Robinson, 2 West Forty-fifth Street, New York City; R. G. Rodkey, University of Michigan; Olin Glenn Saxon, Yale University; Walter E. Spahr, New York University; Alvin S. Tostlebe, the College of Wooster; James B. Trant, Louisiana State University; Russell Weisman, Western Reserve University; Nathaniel R. Whitney, the Proctor & Gamble Co., Cincinnati; Edward Wiest, University of Kentucky; Maxi Winkler, College of the City of New York.

I shall refer to the last paragraph again later. This statement is signed by such men as Benjamin M. Anderson, Ernest Bogart, James Washington Bell, Frederick A. Bradford, and many others whom I know by reputation or personally and consider to be sound in their thinking on money.

Mr. Speaker, I ask unanimous consent to include this entire statement in my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHENOWETH. Mr. Speaker, I have no further requests for time and therefore I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. WOLCOTT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2413) to amend the Federal Reserve Act, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 2413, with Mr. VAN ZANDT in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Michigan [Mr. WOLCOTT] is recognized for 1 hour and the gentleman from Kentucky [Mr. SPENCE] will be recognized for 1 hour.

The gentleman from Michigan.

Mr. WOLCOTT. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the gentleman from Colorado [Mr. CHENOWETH] explained generally what the bill provides. From the time the Federal Reserve Act was originally passed in 1913 to the time when the Banking Act of 1935 was passed the Federal Reserve banks had the authority to buy directly from the Treasury. The Treasury had authority, likewise, to sell directly to the 12 Federal Reserve banks up to $5,000,000,000. When the Banking Act of 1935 was passed the authority was not continued.

In 1942 the authority was restored by section 1501 of the Second War Powers Act of that year. So, since 1942 the Treasury has had authority to sell, and the Federal Reserve banks have had authority to buy obligations directly from the Treasury up to $5,000,000,000.

The need for this lies in the fact that on very infrequent occasions the Treasury balances are or might be somewhat in jeopardy due to large withdrawals usually incident to the tax-paying periods, and by reference to the report you will find on page 2 of the report an information which gives the details of how this authority has been used since 1942.

It has been said that the power exists for the purpose of covering overdrafts or conditions which might result in overdrafts. You will notice that it is a day-to-day transaction, that very infrequently is the power exercised for more than 2 or 3 days at a time, with little or no expense to the Federal Treasury.

If this power did not exist in the Federal Reserve banks to buy directly from the Federal Treasury to prevent the reserves from being at a dangerously low point, they would have to sell the obligations in the open market, which would mean, of course, that the Federal Reserve banks could go into the open market, and undoubtedly would go into the open market and buy the same obligations for the same purposes that they would buy under the authority contained in this bill directly from the Treasury.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. BROWN of Georgia. It is my understanding that the authority existed from 1930 to 1935 but that the Federal Reserve was not limited to any particular amount in the buying of bonds and securities from the Treasury.

Mr. WOLCOTT. The gentleman is substantially correct, I believe. There was a provision written into the act of 1933, known as the Thomas amendment, which authorized the purchase directly

of not to exceed $3,000,000,000 in obligations provided the President made certain findings.

The so-called Thomas amendment, which authorized the purchase directly of $3,000,000,000 of Government obligations, provided that that practice could only be indulged in when the President upon investigation found one or more of the following conditions to exist; and, without objection, I will read this in:

1. The foreign commerce of the Nation is adversely affected by reason of depreciation in value of the currency of any other government or governments in relation to the present standard value of gold; or

2. Action under this section is necessary in order to regulate and keep the parity of the currency issues of the Nation; or

3. An economic emergency requires an extension of credit; or

4. An extension of credit is necessary to secure by international agreement stabilization at proper levels of currencies of various governments.

At no time was that authority used, because at no time up to the present time did any one of those conditions exist since the authority was given in 1933 under the Thomas amendment.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Ohio.

Mr. VORYS. I find no limitation in the bill before us, but there is a reference to some other part of the Federal Reserve Act. Is there any limitation in the law that would limit the use of this power to the emergency and other special circumstances where it has been used in the past?

Mr. WOLCOTT. It has never been used except as we say to cover these overdrafts or when overdrafts might be expected. By reference to the report you will notice that the amounts have been as low as $3,000,000, and the highest was on March 15, 1943, a taxpaying period, when it went up to $1,302,000,000. It has never been used for any other purpose than to create a situation which would authorize the Treasury to operate with a smaller cash balance than would otherwise be necessary if this power did not exist.

Mr. VORYS. Mr. Chairman, if the gentleman will yield further, if the utmost use that has ever been made of it was $1,302,000,000, what is the reason for needing an authority of $5,000,000,000?

Mr. WOLCOTT. I think we might hope, perhaps, that we will never have to use it, but it would not make any particular difference if they did use up to five billion. Mr. Eccles testified that we would be on much safer grounds if he had authority to buy up to ten billion. We have got to take into consideration that from now on we will be having refund operations incident to a $260,000,000,000 debt, and we have not had any of these transactions up to the present time in any large quantity, but as soon as the obligations of the Government start maturing and we go into these refunding transactions, and the Treasury draws down its balances to retire current issues, there might be occasion when temporarily, for a few days at a time, up to the time new issues can be marketed, that the Federal Reserve would have to step in and bolster up the actual cash reserve. So it is not in the interest of stabilization to restrict the power any less than five billion. I suppose some will take issue with me in this respect, but it is not the Government's money that is being used for this purpose. It is the Federal Reserve banks which buy the obligations from the Treasury, and they buy from the Treasury instead of buying them in the open market. I hope the time will never come when the Federal Government cannot use its central banking system, the Federal Reserve System, to stabilize its balances to a point where it will help to prevent fluctuations in the value of the currency. That is one of the reasons why it is desirable at this time to grant this authority. The Federal Reserve can go into the open market and buy these obligations if they cannot buy them directly, and it might cost the Government in refunding charges many millions of dollars more than it would for the Federal Reserve banks to buy directly from the Treasury.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. SPENCE. Mr. Chairman, there is no opposition to the passage of this bill from the minority members of the committee. It seems to me it is a very simple and common-sense device to take care of the overdrafts of the Treasury. This power was granted in the original Federal Reserve Act of 1913, and the power was retained until 1935 without limitation as to the amount that could be purchased. It was not included in the Banking Act of 1935.

In the Second War Powers Act of 1942 it was again conveyed to the Federal Reserve banks. That authority will expire on the 31st of this month. The authority had been used with moderation.

As the chairman of the committee has said the greatest amount of direct obligations that has ever been purchased from the Treasury at one time by the Federal Reserve banks, under authority of this statute, was $1,302,000,000. The Treasury pays one-fourth of 1 percent per annum on these obligations. I cannot see how anybody can have any apprehension as to the effect of this, nor are there any sinister implications in its passage.

You have heard something said about the Thomas amendment contained in the Banking Act of 1933. Not one dollar of direct obligations has ever been purchased under the Thomas Act and, as the gentleman from Michigan has said, the conditions have never existed that would permit those purchases.

I think the purpose of the bill is clearly defined and the authority cannot be abused. It is an expeditious and practical way to take care of the overdraft in the Treasury. There are no dangers that lurk in it as to the monetization of our public debt as some seem to fear. Originally there was no limitation on the power to purchase these direct obligations. Here the limitation is $5,000,000,000, less than 2 percent of the outstanding public debt in the United States, and that authority under this act will expire on June 30, 1950. I hope the bill will pass.

Mr. WOLCOTT. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, Mr. SPENCE, the ranking member of the minority side of the Committee on Banking and Currency, stated that no one on his side of the House was opposed to this bill. That was to be expected.

The citizens of the Nation elected a Republican Congress last fall and gave it a mandate to relieve them of the many troublesome and harassing New Deal controls that have been imposed upon them.

I think it not inappropriate in connection with this bill to emphasize this fact to the newly elected Republican Congressmen, especially those from closely contested districts. The sentiment for relief from political controls was an important factor in your districts in deciding your election contests.

Before us we have a bill to extend another wartime control. H. R. 2413, known as the Wolcott bill, proposes the extension of a New Deal, or totalitarian, measure to perpetuate certain war powers, and one of the most vicious of such powers, namely, that to permit the Treasury to create fiat money to meet general-fund shortages. The measure is potentially highly inflationary.

The usual New Deal technique is being resorted to for keeping alive what allegedly was to be only temporary legislation enacted to meet a war emergency, sweetening it by stressing that the extension is only for a limited period to meet a passing need, and depending upon Government officials with an ax to grind to show the necessity for it and their usual solemn promise that they will never abuse the law but always use it wisely, and so forth.

Specifically the Wolcott bill provides for extending until 1950 that part of the Second War Powers Act which authorizes the Treasury to borrow directly from the Federal Reserve an amount up to $5,000,000,000. Direct resort by the Treasury to the central bank—Federal Reserve—follows the classical pattern for uncontrolled inflation.

The proponents of this bill base their approval of it mainly on the ground that the authority here requested is nothing new; that it was used from the inception of the Federal Reserve System until 1935 and again from 1942 to the present time.

Strange to say, it was repealed in 1935 by the New Deal administration on the ground that it was a dangerous measure. Now the New Deal Party is back defending this very measure which it condemned in 1935.

The proponents of the bill also say that the authority has not been misused; that it has supplied an urgent need; and further that it provides a means whereby the Treasury can borrow money without having to pay interest.

Mr. Eccles, Chairman of the Board of Governors of the Federal Reserve—the only witness to appear before the committee—requested that the limit of the amount of funds to be raised under the bill should be $10,000,000,000 in-

stead of five; he also wanted the legislation to be made permanent, as provided in the first Wolcott bill.

He stated that the purposes of the legislation were to provide the Treasury with the overdraft privilege, "a line of credit on which it could call at a moment's notice," to meet conditions where "the market situation was not satisfactory or favorable," or "for any purpose that was in the interest of the Government to use it," and to avoid paying interest on "idle balances" in the Treasury.

Is the New Deal asking for this power only for the purpose of meeting temporary shortages in the general fund? Not according to Mr. Eccles' statement, surely.

Why should not the Government pay interest on money it borrows, regardless of the purposes for which it may be used? "Oh," you say, "it is only for a day, or a week, or a month, that the Government wants to borrow money for nothing." If this be a perfectly innocent transaction, then why not authorize the Government to borrow money for 6 months, or a year, or 10 years, or 50 years, without having to pay any interest; and if for five billions, why not for ten, or fifty, or one hundred? Will some Member rise in his place and give an intelligent answer to these questions?

Mr. Eccles' statement to the committee that the power requested in the pending measure might be needed to meet a situation where the Government's credit was under a strain ought to be of the greatest interest to the Congress and the Nation.

To fully appreciate the significance of this request, we must examine the background of the thinking that brought it here. The policies of the Federal Reserve and the Treasury are the policies of the New Deal administration. It is notorious that the administrations in control of the Government since 1933 have consistently pursued a policy of inflation. The New Deal is based on Government printing-press money. Mr. Eccles has himself on numerous occasions given his blessing to this sort of money to finance Government deficits. If for no other reason than that the request for this power comes from those possessed of a fiat money complex it should be defeated.

Of course, anything that has even the possibility of restricting New Deal spending and controls is an anathema to the devotees of this cult. It strives with all its might to hold onto every vestige of power to control and to spend. It is highly allergic to everything that has even the remotest possibility of checking this power.

Is not the cost of living going up fast enough? Do we want more inflation? It cannot be overemphasized that this bill has potential possibilities of enormously exacerbating this greatest of all social maladies.

In taking our position on this bill we Republicans should keep in mind that almost everyone of us voted for the $6,000,000,000 budget cut. To be consistent we must vote against this bill. The $6,000,000,000 cut is deflationary, while the Wolcott bill now before us is inflationary.

There is no reason why any Republican should vote for this bill; there is every reason why he or she should vote against it. The Treasury will be deprived of no facility whatever for carrying on its normal functions if this request is denied. It can get what emergency funds it needs in the market, as it did from 1935 until 1942. There was no complaint about that arrangement. The cost to the Government to finance such emergency funds as it might need to overcome temporary general-fund shortages is minimal, but in any event proper.

The Republican Members should be reminded that the New Deal already has power under the Thomas amendment and the Gold Reserve Inflation Acts to issue printing press money to an amount exceeding $5,000,000,000. As previously stated, Mr. Eccles indicated he wanted the pending bill to provide authority to print ten billions more instead of five. What the New Deal wants is unlimited power to issue greenbacks, like Stalin has, and it will get that power if Congress continues to yield to its importunities.

It was the political power to create fiat money—John Law money, Lord Keynes money—that plunged France into despair in the early part of the eighteenth century and into utter ruin at the end of that century. The Bolsheviks intentionally used this device to overthrow the Czar's regime. It was this power that had more to do with creating Hitlerism than anything else. Do we want it to happen in America?

I should like also to remind the Republican Members that this bill is strongly opposed by 46 members of the Economists National Committee on Monetary Policy. I know something of the background of most of these men and consider their judgment on the pending bill to be sound.

Republicans should vote as a block against this bill.

Mr. SPENCE. Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONRONEY. Mr. Chairman, I am in favor of this bill. I think it is the logical and sensible way to handle the problem of meeting the Government's obligations at taxpaying time, and would be the same principle that every sensible and successful businessman would use. It is a step away from monetizing the public debt rather than toward monetizing it.

What I would like to mention is the sad news that I have just learned that the Rules Committee is reporting to the House shortly a rule for the establishment of another special select committee.

This time we are going to establish a special select committee outside of the framework of the committee structure adopted by reorganization. Again I remind you that this committee structure was recommended by one of the most distinguished Members of the House, the gentleman from New York [Mr. WADSWORTH].

We are being asked to establish this as a special committee on wildlife and conservation; a new committee allegedly to protect the Nation's wildlife.

I think it is high time that the Congress look at what we are doing in tearing down the reorganized committee structure. We have a complete duplication in this case as we have had in most other cases.

But it is a little clearer here, because we have a subcommittee of the Committee on Merchant Marine and Fisheries already charged with this specific duty. I understand we are going to reestablish this old special committee that is a hangover for 10 or 12 years past because a few people want it and a few members of the committee think it would be very nice to continue to work on it.

The proposed special committee has not any power to report legislation. It can only study as it has for 10 or 12 years past, and then issue documents and publications without the power to report or pass any legislation.

I think it is high time that we look at what we are doing. We are tearing down almost every week, by nibbling away, the structure of a very fine committee arrangement. This committee structure was the result of long study and careful consideration by the joint nonpartisan committee of the two Houses of Congress. It is high time we called a halt to this violation of the jurisdiction of our standing committees.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. GAMBLE. Mr. Chairman, I yield 10 minutes to the gentleman from Nebraska [Mr. BUFFETT].

Mr. BUFFETT. Mr. Chairman, since this Congress came into session about 2½ months ago we have spent a great deal of time talking about various problems. We have not acted on the problems that we talked about in the campaign.

Most of us on both sides of the aisle declared we were going to end the war emergency powers. We pledged that we were going to stop inflation. So I have been reminded, since I came back, a great many times of a phrase in Scripture, where the lowly Nazarene going into the temple said:

> The scribes and the Pharisees sit in Moses' seat:
>
> All therefore whatsoever they bid you observe, that observe and do: but do not ye after their works: for they say, and do not.

I am wondering if we in Congress are going to be in the position of saying but doing not, for this bill is an emergency war power. It is an inflationary device. Those two facts cannot be successfully refuted. This was an emergency war power and has inflationary features. If there have been any emergency war powers repealed in this Congress, they have escaped my attention.

Mr. COLE of Kansas. Mr. Chairman, will the gentleman yield?

Mr. BUFFETT. I yield.

Mr. COLE of Kansas. Will the gentleman explain how it is an inflationary power?

Mr. BUFFETT. Yes; I am coming to that.

This bill would give the Federal Reserve System the right to buy up to $5,000,000,000 of bonds or Treasury notes and give the Treasury credit on its books. That makes possible fiat money inflation. That is exactly the same device that was used in Germany with their central bank during the great German inflation.

I have had people tell me that they were not going to worry about inflation until Government bond prices went down; yet, if you will look at history I think you will find that in Germany throughout their great inflation the price of Government bonds never went down. The Central Bank bought the Government bonds from the German treasury. They kept the bond right at par while inflation went into astronomical figures.

This bill would give our Treasury that same gadget for inflation that the Germans used. Only it is the Federal Reserve bank here and it was the Central Bank in Germany. So, this bill provides a straight-out inflationary device.

Mr. COLE of Kansas. Mr. Chairman, will the gentleman yield further?

Mr. BUFFETT. I yield.

Mr. COLE of Kansas. Based upon the history of the actions taken under the previous bill and based upon the limitations of the bill, would the gentleman think it would be very strongly inflationary?

Mr. BUFFETT. Indirectly, yes. It is like many other economic narcotics. It may be used a little and it will not hurt too much, but it is habit forming and self-accelerating.

It is an almost required piece of machinery for large-scale inflation. That was true when France had fiat money inflation a hundred and fifty years ago. They started by saying they were going to issue only $400,000,000 worth of assignats. They started with $400,000,000 but then went from issue to issue, with each issue promised as the last. This proposes only $5,000,000,000, but can you stop at that point? The smoldering fires of inflation are threatening our economic structure. You will recall the President's statement the other day when he said that the savings of the people were wiped out by inflation in Greece and that was the reason communism was a threat to Greece—the savings were wiped out.

Here we are being asked to pass a bill that is an inflationary device, that is a war-power device, that is a device that has been used in every inflation in history. To be sure, it is not the inflation itself because it is deficit spending that creates inflation. This simply makes it easy, makes it possible for the Government to quietly conceal the effects of inflation on the money markets.

This power might be compared to removing the brake from your automobile. You can take the brakes off your automobile and if you are a good driver you may possibly get by with it. But it is a dangerous idea, especially if your car is in the hands of drivers who have had a record of reckless driving.

Normally the Treasury goes into the open market and sell its bonds to investors. In that way the people of this country have a chance to appraise what the Treasury is doing. This gives the people a control of the Treasury's action. That is why we pointed out in the minority report that this power is a totalitarian device. It removes eventually from the people the power to pass judgment on the Treasury's borrowing.

As I say, this scheme is not inflation itself because it is just an inflationary accessory. And when not measured against the aggregate of other inflationary factors in our economics the bill by itself does not seem to be terribly important.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. BUFFETT. I yield.

Mr. BROWN of Georgia. The bill we considered in the committee the other day had a provision relating to the construction of branch bank buildings. That is not in the present bill, is it?

Mr. BUFFETT. No; I believe not. I have not devoted my attention to that aspect of it, because to me the inflationary power involved is the important objective that we are dealing with.

In the paper yesterday I read where the price of gold in India is now $82, while our official price is $35. The price of gold in Egypt is $65 to $75 as against our legal price of $35. The price of gold in Palestine is $86 an ounce as compared to our price of $35.

Those prices of gold in other parts of the world indicate the deterioration of paper money that is taking place everywhere. That deterioration is reflected in the value of our currency throughout the world. That deterioration will be ultimately accentuated by the passage of any measure that makes inflation easier in this country.

There is no point in us going to the country again and again and saying that we are against inflation, and we are going to stop inflation, if we are going to set up for the Federal Reserve and the Treasury all the standard devices and all the machinery to bring about inflation in this country.

The effect, as you have been told, is that this is an overdraft arrangement. Well, we have been having overdrafts in this country now for 16 years, and it seems to me it is a good time to stop.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BUFFETT. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Yet it should be emphasized that this is the classical method, the classical device, for uncontrolled inflation.

Mr. BUFFETT. Well, it is hard to get across at this stage of inflation just how tragic this process is.

I recently read an excerpt about a British experiment. It seems a scientific group took a frog and put him in a pan of cold water, and then they gradually warmed that water to a point where the frog was boiled to death, but at no point in that procedure did a change of temperature take place sharp enough so that the frog was disturbed to the point of jumping out of the water. Inflation in America proceeds along that pattern, and confirming signs have been evident for some time.

Conditions have been pleasant for the people of this country. Wheat yesterday reached $3 a bushel in Chicago. Now, the farmer may not worry very much about that, although we, as Members of Congress, probably will worry about it when we begin to hear from the city folks about the price of bread.

All the way across our country the people have lots of money, lots of savings in the bank, and we think they are in pretty good financial condition, so we have been gradually warmed up like the frog was. Congress has not reached a point where it is ready to jump out of this pan of hot water.

The reason we are not willing to jump out is that we have been politically comfortable during this process of a quiet inflation.

That is exactly what this bill is designed to continue. You can vote for it without disturbing your political peace of mind, but the time will come when you will rue the day. Adding to the distress of those of us who have tried to warn you of an ultimate economic Pearl Harbor will be our feeling of frustration at our inability to awaken our colleagues to the dangers ahead.

Mr. WOLCOTT. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 1501 of the Second War Powers Act, 1942, as amended, section 14 (b) of the Federal Reserve Act, as amended (U. S. C., 1940 edition, Supp. V, title 12, sec. 355), is hereby amended by striking out the proviso in such section 14 (b) and inserting in lieu thereof the following: "*Provided*, That, notwithstanding any other provision of this act, (1) until July 1, 1950, any bonds, notes, or other obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities either in the open market or directly from or to the United States; but all such purchases and sales shall be made in accordance with the provisions of section 12A of this Act and the aggregate amount of such obligations acquired directly from the United States which is held at any one time by the 12 Federal Reserve banks shall not exceed $5,000,000,000; and (2) after June 30, 1950, any bonds, notes, or other obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities but only in the open market. The Board of Governors of the Federal Reserve System shall include in their annual report to Congress detailed information with respect to direct purchases and sales from or to the United States under the provisions of the preceding proviso."

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. VAN ZANDT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 2413) to amend the Federal Reserve Act, and for other purposes, pursuant to House Resolution 148, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. SMITH of Ohio) there were—ayes 51, noes 11.

Mr. SMITH of Ohio. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken, and there were—yeas 308, nays 55, not voting 69, as follows:

[Roll No. 23]

YEAS—308

Abernethy	Dolliver	Javits
Albert	Domengeaux	Jenison
Allen, Calif.	Donohue	Jennings
Allen, Ill.	Dorn	Jensen
Allen, La.	Doughton	Johnson, Ind.
Almond	Douglas	Johnson, Okla.
Anderson, Calif.	Drewry	Jones, Ala.
Andresen, August H.	Durham	Jones, N. C.
	Eaton	Jones, Wash.
Andrews, Ala.	Eberharter	Jonkman
Andrews, N. Y.	Elliott	Judd
Angell	Ellsworth	Karsten, Mo.
Bakewell	Engel, Mich.	Kean
Banta	Evins	Kearney
Barden	Fallon	Keating
Barrett	Fellows	Kee
Bates, Ky.	Fenton	Kefauver
Bates, Mass.	Fisher	Kelley
Battle	Fletcher	Kennedy
Beall	Fogarty	Kerr
Beckworth	Folger	Kersten, Wis.
Bell	Foote	Kilburn
Bennett, Mich.	Forand	King
Blackney	Fulton	Kirwan
Blatnik	Gamble	Knutson
Boggs, Del.	Gary	Kunkel
Boggs, La.	Gathings	Landis
Bolton	Gearhart	Lane
Bonner	Gifford	Lanham
Bradley, Calif.	Gillette	Larcade
Bramblett	Gillie	Latham
Brooks	Goff	Lea
Brophy	Gordon	LeCompte
Brown, Ga.	Gore	LeFevre
Brown, Ohio	Gorski	Lesinski
Bryson	Gossett	Lodge
Buchanan	Grant, Ala.	Love
Burke	Grant, Ind.	Lucas
Burleson	Griffiths	Lyle
Busbey	Gross	Lynch
Camp	Gwynne, Iowa	McConnell
Canfield	Hagen	McCormack
Carson	Hale	McCowen
Case, N. J.	Hall,	McDonough
Case, S. Dak.	Edwin Arthur	McDowell
Chadwick	Hall,	McMillan, S. C.
Chapman	Leonard W.	McMillen, Ill.
Cheif	Halleck	MacKinnon
Chenoweth	Hand	Madden
Chiperfield	Hardy	Manasco
Clark	Harless, Ariz.	Mansfield,
Clason	Harness, Ind.	Mont.
Coffin	Harris	Mansfield, Tex.
Cole, Kans.	Harrison	Martin, Iowa
Cole, N. Y.	Havenner	Mathews
Colmer	Hays	Meade, Ky.
Combs	Hébert	Meade, Md.
Cooley	Hedrick	Merrow
Cooper	Herter	Meyer
Corbett	Heselton	Michener
Cotton	Hess	Miller, Calif.
Courtney	Hill	Miller, Conn.
Crosser	Hinshaw	Miller, Md.
Cunningham	Hobbs	Mills
D'Alesandro	Hoeven	Mitchell
Davis, Ga.	Holmes	Monroney
Davis, Tenn.	Hope	Morgan
Dawson, Utah	Horan	Morris
Deane	Howell	Morton
Delaney	Huber	Muhlenberg
Devitt	Jackson, Calif.	Mundt
D'Ewart	Jackson, Wash.	Murdock
Dingell	Jarman	Murray, Tenn,
Nixon	Rogers, Fla.	Stratton
Norblad	Rogers, Mass.	Taber
Norman	Rohrbough	Talle
O'Brien	Rooney	Teague
O'Konski	Ross	Thomas, N. J.
Pace	Russell	Thomas, Tex.
Passman	Sabath	Thomason
Patterson	Sadlak	Tollefson
Peden	Sadowski	Towe
Phillips, Tenn.	St. George	Trimble
Pickett	Sanborn	Twyman
Ploeser	Sarbacher	Vail
Poage	Sasscer	Vursell
Potts	Scott, Hardie	Wadsworth
Poulson	Seely-Brown	Walter
Preston	Shafer	Weichel
Price, Fla.	Sikes	Welch
Price, Ill.	Simpson, Ill.	West
Priest	Smathers	Wheeler
Rains	Smith, Kans.	Whittington
Rayburn	Smith, Maine	Wigglesworth
Redden	Smith, Va.	Williams
Reed, Ill.	Smith, Wis.	Wilson, Ind.
Rees	Snyder	Wilson, Tex.
Rich	Somers	Winstead
Richards	Spence	Wolcott
Riehlman	Springer	Wolverton
Riley	Stanley	Wood
Rivers	Stevenson	Woodruff
Rizley	Stigler	Youngblood
Robertson	Stockman	Zimmerman

NAYS—55

Andersen, H. Carl	Engle, Calif.	O'Hara
	Gavin	Owens
Arnold	Goodwin	Ramey
Bender	Graham	Rankin
Bennett, Mo.	Hoffman	Reed, N. Y.
Bishop	Jenkins, Ohio	Reeves
Buck	Johnson, Ill.	Robsion
Buffett	Jones, Ohio	Rockwell
Butler	Kearns	Schwabe, Mo.
Byrnes, Wis.	Keefe	Schwabe, Okla.
Church	Lemke	Scoblick
Clevenger	Lewis	Scrivner
Clippinger	McGarvey	Short
Cole, Mo.	McGregor	Smith, Ohio
Crow	McMahon	Stefan
Curtis	Maloney	Tibbott
Dague	Miller, Nebr.	Van Zandt
Ellis	Murray, Wis.	Vorys
Elston	Nodar	

NOT VOTING—69

Arends	Flannagan	Morrison
Auchincloss	Fuller	Norrell
Bland	Gallagher	Norton
Bloom	Gerlach	O'Toole
Boykin	Granger	Patman
Bradley, Mich.	Gregory	Peterson
Brehm	Gwinn, N. Y.	Pfeifer
Buckley	Hart	Philbin
Bulwinkle	Hartley	Phillips, Calif.
Byrne, N. Y.	Heffernan	Plumley
Cannon	Hendricks	Powell
Carroll	Holifield	Rabin
Celler	Hull	Rayfiel
Clements	Jenkins, Pa.	Scott,
Coudert	Johnson, Calif.	Hugh D. Jr.
Cox	Johnson, Tex.	Sheppard
Cravens	Keogh	Simpson, Pa.
Crawford	Kilday	Sundstrom
Dawson, Ill.	Klein	Taylor
Dirksen	Lusk	Vinson
Dondero	Macy	Whitten
Elsaesser	Mahon	Worley
Feighan	Marcantonio	
Fernandez	Mason	

So the bill was passed.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Arends with Mr. Flannagan.
Mr. Sundstrom with Mr. Clements.
Mr. Crawford with Mr. Keogh.
Mr. Simpson of Pennsylvania with Mrs. Norton.
Mr. Macy with Mr. Feighan.
Mr. Auchincloss with Mr. Vinson.
Mr. Bradley of Michigan with Mr. Rayfiel.
Mr. Hartley with Mr. O'Toole.
Mr. Plumley with Mr. Dawson.
Mr. Hugh D. Scott, Jr., with Mr. Gregory.
Mr. Dirksen with Mr. Fernandez.
Mr. Fuller with Mr. Klein.
Mr. Gallagher with Mr. Pfeifer.
Mr. Brehm with Mr. Rabin.
Mr. Jenkins of Pennsylvania with Mr. Morrison.
Mr. Gwinn of New York with Mr. Cox.
Mr. Phillips of California with Mr. Hart.
Mr. Hull with Mr. Philbin.
Mr. Taylor with Mr. Marcantonio.
Mr. Mason with Mr. Kilday.
Mr. Dondero with Mr. Heffernan.

Mr. VAN ZANDT, Mr. CROW, Mr. REEVES, and Mr. RANKIN changed their vote from "yea" to "nay."

Mr. SHAFER and Mr. RICH changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

DISTRIBUTION AND PRICING OF SUGAR

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I have asked for this time in order to announce to the Members of the House that we propose at this time to call up the rule on the so-called sugar bill. The bill was scheduled for consideration tomorrow, but in view of the fact that we have gotten along so well with the two bills that have been considered today it was thought that we could expedite the consideration and final determination of the measure tomorrow by proceeding with the adoption of the rule this evening.

I make this announcement only because this was not scheduled for today, but I am quite sure that no one could object to our proceeding with the adoption of the rule. I have discussed the matter with the minority leader, who expresses himself as in agreement with this procedure.

INTERPARLIAMENTARY UNION

Mr. EATON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. EATON. Mr. Speaker, Senator BARKLEY will hold a meeting of those interested in the Interparliamentary Union in his Capitol office, which is the old robing room of the Supreme Court in the Capitol Building, at 10 o'clock Saturday morning. All interested in the Interparliamentary Union are cordially invited to be present. I may say there will be no collection taken.

EXTENSION OF REMARKS

Mr. BENNETT of Missouri and Mr. HÉBERT asked and were given permission to extend their remarks in the RECORD.

Mr. BLAND (at the request of Mr. JACKSON of Washington) was given permission to extend his remarks in the RECORD.

Mr. BROOKS asked and was given permission to extend his remarks in the RECORD and include an editorial On Dissolving the Draft.

Mr. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter of congratulation on the seventy-fifth

anniversary of the East Boston Branch of the Boston Public Library, the oldest branch library in the United States.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SPECIAL ORDER GRANTED

Mr. GAMBLE. Mr. Speaker, I ask unanimous consent that on Tuesday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, the gentleman from New Jersey [Mr. AUCHINCLOSS] may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

DISTRIBUTION AND PRICING OF SUGAR

Mr. WADSWORTH. Mr. Speaker, I call up House Resolution 149 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 146, to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes, and all points of order against the said joint resolution are hereby waived. That after general debate, which shall be confined to the joint resolution and continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the joint resolution shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on Banking and Currency now in the bill and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the joint resolution and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. WADSWORTH. Mr. Speaker, the adoption of this resolution would make in order the immediate consideration of House Joint Resolution 146, to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes. Generally, this bill would transfer to the Secretary of Agriculture all controls on sugar. At present, the Government controls sugar through powers granted by four acts, all of which expire before July 1 of this year. The Emergency Price Control Act of 1942 and the Stabilization Act of 1942 both expire June 30, 1947. The provisions of title III of the Second War Powers Act of 1942 that relate to sugar and title 14 of that act will expire the last day of this month; and section 6 of the act of July 2, 1940, will expire on June 30 of this year. House Joint Resolution 146 would extend the sugar controls provided in these acts until October 31, 1947, with the right to exercise inventory controls until March 31, 1948.

There is also a provision in House Joint Resolution 146 for allocation of sugar to new businesses with no base period. Under existing law, sugar is allocated on the basis of the amount used in 1941. This regulation prevents new businesses from entering fields where sugar is necessary to their operation. In addition to providing for the sugar needs of these new enterprises with no base-period history, this joint resolution also instructs the Secretary of Agriculture to allocate sugar in hardship cases, especially where milk or other food products would be wasted unless sugar is made available to preserve them.

In reporting this joint resolution, the Committee on Banking and Currency pointed out that there might be excessive price increases if sugar controls were allowed to expire at this time. This might cause a serious dislocation of our economy, and hardship for many of our citizens. The subject of sugar is very technical. That you may be fully informed on the provisions and the need for House Joint Resolution 146, the Committee on Rules has provided 3 hours in which the chairman, the ranking minority member, and other members of the Banking and Currency Committee can explain the measure, and answer questions on its provisions. Time is an important factor in regard to this joint resolution as some of the powers which it extends would otherwise lapse at the end of this month. Therefore, the rule protects the measure from dilatory action by waiving points of order. Amendments may be offered under the 5-minute rule to the joint resolution as reported; any substitute amendment recommended by the Committee on Banking and Currency shall be considered as an original bill, and amendments to it may also be offered under the 5-minute rule.

Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, I am indeed gratified by this bill, and I want to congratulate the Committee on Banking and Currency which unanimously reported it. I am pleased because some of the gentlemen who are members of this committee and others used to charge that all of the legislation enacted by the so-called New Deal is bad and vicious.

In view of the present approval of these laws originally passed under a Democratic administration in the interest of the public, I congratulate the Republican gentlemen of the committee that they have seen fit to approve and extend this legislation as has been explained by the gentleman from New York [Mr. WADSWORTH].

This bill will extend price control on sugar to October 31, of this year, and inventory control to March 31, 1948. The committee recognized what might happen to prices and to supplies of sugar if this action were not taken. I think it is legislation in the right direction and were it not for the fact that there are 3 hours' general debate provided for under the rule, I would read extracts from the committee's report showing the necessity for this legislation.

As it is I will only point out that provision is made for the needs of hardship cases, for the needs of new users, and for those who have no base-period history.

I am glad that these exemptions have been made. Otherwise it might have been impossible to obtain sugar needed for home consumption.

Inevitably, the large sugar users would have taken advantage, as they always do, of the housewives. Under this bill housewives and home users will be protected, not only in obtaining sugar actually needed, but also in price. If this legislation were not adopted I fear that the price would again be boosted, as many others have been boosted by elimination of the OPA. Of course, this bill wipes out the last of OPA and transfers power and jurisdiction to the Secretary of Agriculture, who is a friend of agriculture and of consumers. I have faith that in his hands the best interests of our country will be protected and safeguarded.

WITHOUT OPA, PRICES WOULD BE FAR HIGHER

Price control under the Office of Price Administration did not function effectively in the last year. It was starved for funds, then emasculated last summer, and now murdered outright by cutting off all appropriations.

Nevertheless, all fair-minded men, and even some Republicans, concede that without its operation inflation would be much greater and prices would have soared much higher. In fact, ever since you came into power, the average cost of living has gone up and, especially, in the last 8½ months, it has risen nearly 60 percent. Consequently, the wage-earner's dollar buys at best one-half of what it did before your determination to destroy this legislation which protected the American consumer.

While in this bill you extend the distribution and price of sugar, you have failed to act upon an extension for housing and rent control. The propaganda by real estate operators and builders has tended to hide the rising cost of construction which has resulted in reducing the building of much needed housing for our veterans and many homeless families.

Mr. WADSWORTH. Mr. Speaker, I have no further requests for time. I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROGRAM FOR NEXT WEEK

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RAYBURN. Mr. Speaker, will the gentleman from Indiana [Mr. HALLECK] tell us what the program will be for next week? If he can do so now, it would be a great accommodation to many Members. If not, tomorrow will be satisfactory.

Mr. HALLECK. I am not prepared to announce the full program for next week

until tomorrow, but I can say that subject to action by the Ways and Means Committee tomorrow and subsequent action by the Rules Committee, it is our hope that the tax bill will be ready for consideration on the floor Wednesday and Thursday of next week.

PRESERVATION OF ROADLESS AREA IN SUPERIOR NATIONAL FOREST

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD regarding a bill I have introduced today.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BLATNIK. Mr. Speaker, I have today introduced a bill which has as its purpose the preservation of the roadless area of the Superior National Forest in northern Minnesota as a permanent national heritage for ourselves and future generations. The bill authorizes the Secretary of Agriculture, acting through the United States Forest Service, to acquire private lands located within the region for the purpose of consolidating and preserving the remaining border natural forest and lake area as a primitive region for use as a wilderness canoe country.

The Minnesota border territory, famous throughout the country for its interlacing network of scenic canoe routes, is one of the last sizable regions in the United States where the natural attractions of lakes, streams, and forests still remain in a more or less primitive condition. This region is centrally located in the continent and accessible to all who seek rest and recreation in the wilderness. It lies in the Rainy Lake watershed, which embraces boundary lakes and forests in Cook, Lake, and St. Louis Counties in northern Minnesota.

The idea of preserving the natural features of this region for the perpetual use and enjoyment of the public has been the dream of conservationists and sportsmen for over 10 years. The project has the endorsement of the Izaak Walton League of America, the Quetico-Superior Council, the American Legion, the Minnesota Conservation Commission, the Minnesota Arrowhead Association, the regional council of the Boy Scouts of America, the county boards of Cook, Lake, and St. Louis Counties, as well as the fullest support of virtually every sportsman and conservation organization in the United States.

This program for consolidation and protection of the roadless areas is supported not only by the conservationists interested in preserving the natural features of the region for the public benefit, but by the great majority of the resort and business interests of Minnesota, who realize that the border wilderness country is their chief drawing card, and that if it is broken up by private developments it will be like killing the goose that lays the golden egg. Seldom has a project of this kind had such widespread and universal support and so little opposition.

Proponents of the project hope to see the establishment of a similar roadless area by the Government of Canada in the near future, thus merging the proposed Superior National Forest roadless area with the Quetico Park in Ontario into one great wilderness area. This would mean the conservation of a 10,000,000-acre roadless area as a great international forest for the enjoyment of both Canadians and Americans.

It has been proposed that this region, the Quetico-Superior Park, would stand as a fitting memorial to the servicemen of both countries who fought as comrades in both World War I and World War II. This suggestion has the approval of both the American Legion and the Canadian Legion.

Recent developments in northern Minnesota make it mandatory for the Congress to act at once if the dream of the roadless area is to be realized The project is endangered by the presence of a large number of private land tracts, including many lake-shore sites which are legally available for improvement and use as resorts, summer cabins, and other private purposes. Formerly the absence of roads in the area prevented such developments, but with the advent of air transport, resorts and summer cabins have been springing up like mushrooms in the roadless areas. Unless action is taken in the near future to preserve the region from commercial exploitation through Government acquisition of the unimproved lake-shore sites, the cost of acquisition will become so prohibitive as to end all hope of preserving or restoring the wilderness character of the territory. Thus it becomes imperative for the Eightieth Congress to proceed without delay to acquire the unimproved private holdings so as to prevent further development.

The bill which I have introduced today to speed the establishment of the roadless area has the approval of the United States Forest Service, the Minnesota Conservation Commission, and a committee representing the three Minnesota counties affected by the project, namely, St. Louis, Cook and Lake Counties. This bill contains three major provisions:

First, it authorizes the Secretary of Agriculture, acting through the United States Forest Service, to acquire the undeveloped private land in the interior of the present roadless areas of the Superior National Forest, while reserving the outer fringe of the region for private development. Under the bill, resorts and other improved real estate in contiguous tracts not exceeding 500 acres and bearing permanent structures suitable for human occupancy at the time of the passage of the act are exempt from condemnation. The bill calls for annual appropriations out of a total authorization of $500,000 for the purchase of condemned land.

Second, the bill authorizes the exchange of private land holdings within the roadless areas for Government-owned land located just outside the proposed roadless areas which can be used for resort development. Some of the owners of developed properties have already expressed willingness to sell or trade such properties to the Government.

And third, the bill provides for the payment of adequate compensation by the Federal Government to the counties in lieu of taxes lost on Government-owned land at an annual rate of 12 cents per acre.

The purpose of this bill, Mr. Speaker, is to preserve the wilderness character of this region and its pristine resources of lakes, streams, forests and wildlife for the benefit of all Americans. It is not a partisan proposal, but is one which will receive the most favorable reaction from those of both political parties and from all men and women who love the great outdoors. It is in a spirit of nonpartisanship that I submit this bill for the consideration of the Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. KEARNS, for March 21 and March 22, on account of labor investigation.

To Mr. HUBER, indefinitely, on account of investigation of Veterans' Administration hospital.

To Mr. BLAND (at the request of Mr. DREWRY), indefinitely, on account of illness.

To Mr. MACKINNON, March 21, 1947, on account of official business.

SESSION OF THE COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that the Committee on World War Veterans' Legislation be allowed to sit during the session of the House during general debate on Friday and Monday and Tuesday of next week.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. REED of New York asked and was granted permission to extend his remarks in the RECORD and include an article.

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. VURSELL] is recognized for 30 minutes.

FINANCIAL AID TO GREECE AND TURKEY

Mr. VURSELL. Mr. Speaker, the President's request to the Congress that the United States Government extend additional financial aid to Greece and Turkey in the amount of $400,000,000 and the further suggestion that we send military experts for the training and direction of the rebuilding of the Greek Army, that we send business advisers to help plan and direct the reconstruction and financial direction of Greece, presents to the Congress and the American people one of the most far-reaching and momentous problems ever to be considered by this Nation. His recommendation that we take over the responsibility of the British Government to protect a part of the Balkan countries and the Middle East against the further inroads of communism may well be termed the greatest gamble in international affairs that has ever been seriously considered by the American people.

For the past number of years we have had one crisis after another on the home front. Then came the crisis leading to the great world war. Before the close

of the war America and its allies throughout the world began making preparation for universal peace through helping to establish the United Nations organization. The American people and the peace-loving people of the world were told that this was a war to overthrow dictators, end all wars, and that this organization would usher in a new era of peace.

The people of America have been pinning their hopes on world peace in the future. Now we are confronted by the action of the President in his message to the Congress with another international crisis with an expansion and change of our international policy that causes deep concern to the American people.

It is most unfortunate that in this crisis which may mean so much to the American people, that the cry of great haste is asked of the Congress, the Members of which are the representatives of the American people who, in the last analysis, are the sovereign power in this Republic of ours.

It is my candid opinion that before we take this step on a road from which we cannot turn back once we are committed, that this momentous question should be debated in both Houses of the Congress, giving time for the representatives of the people through the press to fully inform the public as to all of the implications and responsibilities we are about to assume. The public should have time to become fully informed so that they, who will pay the taxes and who will have to furnish the manpower to carry out such a policy if war comes, may be able to learn all of the facts and make their wishes known to their representatives here in Washington.

Mr. Speaker, it would seem to me that the United Nations organization, which has been set up for the purpose of promoting world peace and considering such questions as have arisen with reference to Greece in particular and Turkey, is the proper forum to which this matter should have been brought before this Government was called upon to take such a step. Certainly the power for peace contained in the 50 nations which have signed a solemn world compact to deal with such problems, should first have an opportunity to bring the moral force and power of the world into action in an effort to stop the Russian Government from its threat and encroachment against Turkey and Greece, and against any other countries. The move we are asked to make is a unilateral action against the policy of the United Nations. It gives Russia, that ruthless and dictatorial nation, the very propaganda it needs to inflame the minds of the Russian people. Out of such a move on our part Russian leaders will falsely seek to convince the Russian people that the policy of the United States Government is one of imperialism, that we seek in cooperation with Great Britain to encircle and cut off from the outside world, the opportunities of commerce and business for the Russian people. It will help that dictatorial government to wield a greater control over her people and doubtless they will make them believe that we are preparing for a war of aggression and conquest against them.

One of the great hopes for peace was to eventually, through peaceful efforts, raise or penetrate the iron curtain surrounding Russia so that the Russian people might get a glimpse of the prosperity and happiness of a free people which would ultimately cause them to change their form of government to a democracy of liberty and progress. This is one of the great opportunities for peace that may be thwarted by such a move.

Mr. Speaker, the First World War was fought to extend democracy to the world. The Second World War was fought to extend the principles of the Atlantic Charter which provided that all nations might have the type of government their peoples wanted without interference or control from more powerful nations. It was fought to end all wars in the future. The people of America spent over $400,000,000,000 and carried the major burden that brought victory to the Allies, and in addition there was the loss that can never be repaid of the lives of 300,000 of our finest young men in arms with 1,000,000 American soldiers wounded, many of whom will need financial aid for the rest of their lives from our Government.

It will yet cost this Government, it is estimated, $300,000,000,000 since VJ-day by the time we have rendered such governmental aid as we will render to the returning veterans throughout the future. It has brought to us a debt of $260,000,000,000. The people of America may well ask the question "where is this illusive 'pot of gold' we have been seeking—'Peace'—at the end of the rainbow?"

The Members of Congress will want clear and definite answers to many serious questions before we are compelled to make a decision. This is no time for haste.

Mr. Speaker, as a practical proposition, can we stop the expansion of Russia into the Middle East by expending $400,000,000 in Greece and Turkey? Times have changed with the centuries, yet the best yardstick we can call upon is to try to judge the future by the past. What light will this throw upon the subject? We gave to Russia through lend-lease about $11,000,000,000, yet Russia has shown no gratitude toward our country.

To France since VJ-day we have given through lend-lease $411,500,000 worth of goods. We have given a line of credit to France through the Export-Import Bank of $650,000,000. In addition to helping to liberate France, our gifts and credit to them are over $1,500,000,000. Has this stopped the inroads of communism in France? It has not. France today is controlled and operated by Communist officials elected by the people. The newspapers of France today, after all we have done for France in two wars, cry out against the policies of the United States Government and praise the policies of the Communist government of Russia. We have given over $500,000,000 to Italy and today Italy is largely in control of the Communist organization. We have given countless millions to Yugoslavia and in return the Dictator Tito, schooled in communism in Russia, proudly told the world that he gave orders to shoot down friendly American airmen who lost their way in flying over his country.

Since VJ-day we shipped relief amounting to $744,493,578 to China. Our total lend-lease to China was $1,543,385,795. And in a further effort to bring the warring factions of China together our Government sent General Marshall to China, where he worked and extended his great power and intellect in the name of our Government to try to bring the Chinese factions together. He gave up the job, failed through no fault of his or our Government, came home, and was later appointed Secretary of State.

Mr. Speaker, in addition to this we gave millions to Poland, Rumania, Bulgaria, and other countries, all of which took our money and lined up with the Russian Government. With all we have done we now receive but little thanks from all of the governments I have named.

Now, in the face of this record, can we stop the encroachment of the Russian Government upon Greece and Turkey with a donation of $400,000,000?

Great Britain has spent close to $1,000,000,000 in helping to liberate Greece, of which over $500,000,000 has been given that country since the close of the war. The United States extended to this little country of Greece $81,562,000 in lend-lease. Through UNRRA, of which the United States paid 72 percent or more on each dollar, Greece was given aid to the extent of $358,000,000. Through surplus property since the war we gave Greece over $20,000,000, and through the Export-Import Bank we have extended a loan or a line of credit of $25,000,000, and $100,000,000 more is being considered as a loan or gift.

In addition to this the Greek people, through the United States and other people in this country who are always anxious to help suffering humanity, were sent millions of dollars in gifts and money to the Greek people. This total that we know of amounts to over $485,000,000 from our Government.

Mr. Speaker, the Congress will want the answer to this question. If we approve the President's request, is it tantamount to establishing an American military beachhead in the countries of Greece and Turkey, 3,000 miles away, which we propose to defend by military force if necessary? It appears to me that if Russia continues on her ruthless unjustified course, nothing can stop her from going into the Middle East except soldiers armed and equipped to hold her back.

Mr. Speaker, the American people ought to be told what this step in our international policy means because if it provokes war it will be up to them to furnish the equipment, the money, and the manpower to man this beachhead and to try to stop communism on its march into the Middle East.

Another question: By this policy are we committed throughout the world to render such aid to all countries in the future against Communist expansion?

Can we finance and will we furnish the soldiers to do it?

Mr. Speaker, another question of tremendous importance, it seems to me, is, can we continue to finance the world at the rate we have been going without dragging the 140,000,000 American people down into abject poverty?

Much as we resent and deplore the unfair advantage the Russian Government has taken against nations along her border, do we not owe our first obligation to the American people?

The cost of living in America has increased 50 percent within the past year. The reason is that our own Government, through the Commodity Credit Corporation, has been in all of the grain markets and every other market buying up the wheat, corn, meats, fats, oils, shipping and giving them away to other countries. We read in the Sunday paper that bread here in Washington is being raised from 1 to 3 cents a loaf. Wheat recently reached an all-time high of $3 a bushel, corn at $1.74¼, and Mr. Anderson, Secretary of Agriculture, comes out with a statement that while they have been buying wheat and food stuffs in the United States market through the Commodity Credit Corporation, we do not have any more grain than we need for our shipping program abroad. Richard Ullman, first vice president of the Board of Trade in Chicago, says:

> There would be no scarcity of wheat and prices would not reach the high levels they are except for the fact that the Government is pushing exports to the limit of transportation facilities. The Government statistics show that in the 8 months ending February 1947, export shipments abroad amounted to 299,417,000 bushels of grain and that the Government will continue to buy, raising these prices against the American consumer and ship the grain of this country abroad, largely giving it away freely to the other nations.

President Truman, in his message recommending the Greek loan, said:

> Inflation has wiped out practically all savings in Greece.

May I say, if we continue as we have during the past 2 years to buy up through the United States Treasury the grain and food productions of the Nation, giving them away along with millions of dollars worth of industrial equipment, inflation will be accelerated until President Truman or some other President may later say, "inflation has practically wiped out the savings of the American people."

Mr. Speaker, in fact, the President, in total, has asked for the expenditure of $1,500,000,000 during the next 18 months to be used for relief abroad.

If the price of living keeps going up, wage earners will strike for higher wages. Inflation is more dangerous to the American people today than it has been at any time in the past 5 years. This inflation and the rise in the cost of living has not come about by lifting OPA controls. It has been brought upon all of the people by the Government buying up the foodstuffs in America to give away abroad. While we want to do what we can to help the distressed people of the world, there is a limit to our ability. The most important service we can render the American people is to keep this Government sound financially. And, if we can keep it sound financially, we can render the world our greatest service. That is the No. 1 basic problem upon which all else depends.

Mr. Speaker, already we note in the press that other nations will renew their requests for help. Iran, Syria, Lebanon, Hungary, and Palestine will soon likely call for many millions each. Where will it all end? Our first regard must be for the American people. The problem we are facing is to great and dangerous to be influenced in any way by any political color. What we do will affect every man, woman, and child living in America today and the millions who will follow after us. We must find the right answer to the question if possible. Each of us will have to be responsible to the American people and to our own conscience. For my part I would prefer this matter be taken with all the force and power of the American Government to the United Nations organization in the hope that this instrument set-up to deal with these problems has advanced to the point, and I believe it has, where its great moral force might well be sufficient in the interest of world peace to not only stop the aggression of Russia toward the Middle East but toward the other nations of the world.

Mr. Speaker, after all of the sacrifice and struggle the American people have made, they have turned their faces toward peace through the United Nations. Our people, with the war over, had hoped for greater production, a reduction of the cost of living, a reduction in taxes, and a reduction of the national debt. It is very doubtful if we can follow the President's proposal and bring to our people such relief. At any rate, we need further information from the President before we make the decision. The people are entitled to know how long is the road we shall have to travel and how steep is the way.

The people will want to know if it is our policy to go into Greece and Turkey and protect them; are we committed to a policy of going into every country where a like situation arises throughout the world? They are entitled to know how far flung are our commitments of this new and expanded international policy laid down by the President.

Mr. Speaker, because of mistakes and bad leadership in the immediate past, we are confronted with this crisis. The mistakes at Teheran, the appeasement at Yalta, the appeasement and mistakes of our leaders at Potsdam, the mistakes of an earlier appeasement policy have brought us to this crisis. Can we make this move in the record of the past with any certainty that those who advise it are right this time?

We were told that the United Nations would bring us peace for the future, that it would do away with dividing nations into spheres of influence; that when the peace of the world was threatened that such matters would be brought before the Council of the United Nations where the moral forces of this world membership would settle such differences and stop wars before they started; we were told it would stop unilateral agreements, yet, in the face of these promises and the world policy laid down, the President's move enters into unilateral agreements, bypasses the United Nations organization, the court to which such matters were to be brought and establishes a policy that the United States Government will assume the functions of a peace-maker and we can assume that the President proposes to back up such expanded international policy with force, if necessary.

Mr. Speaker, unless prohibitions and safeguards can be written into the Act by amendments that will greatly lessen our obligations and give a greater protection to the people of this Nation when we consider this legislation, I cannot permit my conscience to commit the American people to such a vast and dangerous undertaking. In these serious times we all want to go as far as we can to uphold the hands of the President and our international representatives. No one in the Congress has less faith in, or more greatly detests the Russian Government on its record than I, but I must not let my opposition to that dictatorial government lead me to the point where I will endanger the best interest of the people of the United States. We must have more information before a final decision can be made in the interest of the Nation.

The SPEAKER pro tempore (Mr. McDONOUGH). Under previous order of the House, the gentleman from Washington [Mr. HORAN] is recognized for 1 hour.

Mr. HORAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain newspaper articles.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

PUBLIC ASSISTANCE EXPENDITURES

Mr. HORAN. Mr. Speaker, last Monday one of the local papers took me to task for my efforts to have District of Columbia relief abuses corrected. In doing so they inadvertently pointed out what undoubtedly was a national fault; that is, the abuse of the whole system of social security, public welfare, and general relief throughout the Nation.

Monday's article apparently tried to discount my efforts to have the National Capital relief picture corrected. They sought to do so by pointing out what is going on in my own home State. Naturally, I carry no brief for the abuses of welfare grants anywhere in the Nation. To do so would be to undermine the very security of those who honestly and actually need relief; to do so would be to deny what I believe is a perfectly obvious fact that our entire social security and expenditures picture needs a complete, thorough, drastic, and honest overhauling.

The Washington Daily News last Monday stated:

> Figures show that Representative HORAN's own State, Washington, is far more generous

than the District in public-assistance outlay. It's near the top of the list of the 48 States, Hawaii, Alaska, and the District, both in amounts of public-assistance checks and in numbers of beneficiaries.

I am glad that this article was run for it gives me an opportunity to show what the good people of the State of Washington are discussing with regard to these same abuses. I am only sorry that the Washington Daily News saw fit, apparently, to condone such abuses in the District of Columbia.

The District, or Washington, D. C., or just plain Washington should be a proud city—for it is the capital of the greatest nation ever known.

Yet, apparently, some would demand it become the bellwether for despair, the chanticleer of chaos.

Yesterday it was reported that there were 25,000 unemployed within the spare 70 square miles that comprises the District—Washington, D. C.—the Nation's Capital—the should-be-proud city—the same area that saw action a few days ago to import labor to the Nation.

It is about time that we heard from the "grass roots," or, as some would say, from the "local levels."

I do hope that my efforts to correct this problem in the District of Columbia will extend throughout the Nation and be particularly of material assistance to the people of the good State of Washington. The generosity of a democratic people must not be abused, for abuse means eventual denial of relief and succor to those who truly need assistance. It is the duty of us who represent the people of the United States to correct these abuses. At the same time social security should be expanded to protect, assure, and benefit the loyal public servants of State, county, and municipal, or district government bodies throughout the Nation. That is a cardinal reason for clarifying and correcting the whole social security, welfare, and relief picture.

These expenditures simply cannot be considered separately. Annuities, pensions, relief, assistance, grants-in-aid—whatever they may be called—they all come out of the total national income. They are a lien upon the total national credit.

Mr. Speaker, the abuse of these costs in many categories constitutes one of the largest items of national waste prevalent today. This is particularly true of direct relief. Public assistance—or, better, "relief racket" subsidized with Government appropriations—is a flourishing business in this Nation. Ironically enough, it is carefully disguised as a needful item for Government expense to ease human want and suffering in this present hour because of vast and ever-increasing unemployment. This, we are told, Mr. Speaker, by the professional administrators of public relief even in the face of the fact that Congress broke the budget only a couple of weeks ago when it added $10,000,000 to the national expenditure to provide for the induction of foreign labor to offset an established critical labor shortage in agriculture. One naturally wonders what will happen with bad times.

Last week, Mr. Speaker, I called the attention of this House to a deplorable condition existing in the District of Columbia. The alarming increase of public aid in the National City over the past 10 years came to light before the Subcommittee on Appropriations when hearings were held to justify a deficiency appropriation for $184,200 requested by the District Board of Public Welfare. But, Mr. Speaker, this is not a matter related only to the District of Columbia. Relief costs and larger requested appropriations from public revenues are being reported from every section of the country. The article in Monday's News might more constructively have outlined and deplored this dangerous situation. In my own home county—the county of Chelan in the State of Washington—the monthly expenditures have nearly doubled since January 1945. In January of this present year the relief costs for that 1 month—in an area with a population of less than 36,500—reached the preposterous figure of $106,307.80.

Obviously, Mr. Speaker, in the county of Chelan it is becoming increasingly popular to get on the public-assistance rolls. But neither is Chelan County in the State of Washington an isolated situation. What pertains to the District of Columbia and my own home district is reflected in every city, county, and State in the Nation where Federal funds are employed to match local moneys in supporting an indigent population which has learned to depend upon public funds rather than resort to even a minimum effort for themselves.

By the same token those who have a just right to look to the whole justifiable fabric of social security for support are menaced. The proponents and advocates of larger appropriations for public assistance in the District of Columbia have indicated their belief that my interest in this matter is only to curtail the public and Federal expenditure in the District of Columbia. The article in the Monday News indicates this. Heaven protect us from a race among the States to outdo one another in such expenditures.

For clarification of the record on this question, I want to insert here as part of my remarks, a series of articles appearing in the Wenatchee (Wash.) Daily World recently. Wenatchee is the county seat of Chelan County. Wenatchee is my home community—it is "grass roots" to the core—and I strongly feel that its thinking has a lesson that this Nation's capital can wisely heed if we would pose as an example to others. This is an enlightening series which shows that in my own district the present system of providing a way of life through the wanton use of public moneys works no hardship on the person who wants to be unemployed—no hardship anywhere except that worked upon the taxpayers who support the show. Nor is Chelan County the only county afflicted in the Nation.

No, Mr. Speaker, this is not an isolated matter for concern; it is fast becoming a national scandal when employable United States citizens in a time of rich employment opportunity and in a period of unusually high private income, can find it advantageous because of laxity in the provision for proper legislation enabling efficient administration of necessary public assistance, to "go on relief." I repeat, Mr. Speaker, the conviction I expressed in an address before this House on Thursday of last week—the Nation expects us as we deal with problems of returning sanity to our Government's fiscal spending to provide adequate legislation covering the administration of public assistance and relief through federally appropriated moneys, legislation that shall affect the operation from the national level down to the very last administrative effort on the local and, I feel, in this instance, the most effectual plane.

Certainly, every community, as is true with the District of Columbia, wants new roads, improved highways, modernizing construction, and other public expenditures. Certainly if we are to achieve these, we must abolish all waste and correct, as well as we can, all of the abuses that attend the privileges of freedom. The articles follow:

[From the Wenatchee (Wash.) Daily World of March 3, 1947]

LAND OF MILK AND HONEY—RELIEF CASH PLENTIFUL IN STATE OF WASHINGTON

(By Howard Ordway)

One out of four residents of the State of Washington is on relief.

Right now, during prosperous times, three of every four work for a living and support the fourth person who depends on his neighbors, through taxation, for his livelihood. Relief costs in the State have doubled.

The real problem for the present session of the legislature is to find the money necessary to meet the expenses for the young and the older citizens, for education, and social security.

Relief costs in the State have increased from $67,000,000 in 1941–43 to $108,000,000 in 1945–47—and even this amount was not sufficient. A deficiency appropriation of $11,000,000 was necessary for social security expenditures during 1945–47. The house committee on social security now recommends $5,000,000 increase for 1947–49 bringing the total cost for social security to $128,000,000.

The cost per capita for relief cases is $20.83. All this has happened in this State when the experience of other States throughout the country report per capita costs as low as $2 because of good times and peak employment.

Oregon spent in 1943–45 biennium $12,000,000.

The present situation raises many questions. Are all these senior citizens our citizens; are there abuses to the administration of the social-security laws; do they require amendment; is the program established on the basis of need and the promotion of rehabilitation of the recipients of social-security aid?

How will continued increases in costs for social security affect appropriations for schools and highways; are we becoming a State of indigents; will it deter industry from coming to our State because of the necessity of increasing taxes to support the program?

Because of the necessity and responsibility toward our senior citizens in providing adequate financial aid, a survey has been made of the present social-security laws, their application and administration, together with case histories revealing abuses, which, if not corrected by administration and amendment to the present laws, could jeopardize not only the rightful aid to the senior citizens but the economy and fiscal standing of the State.

A slogan is now being heard these days in the legislative halls and cloak rooms at Olympia—"60 at 60."

At present what do the social-security laws provide for our senior citizens in payments for old age assistance and general assistance? What is the nature of the senior citizen grants, who can qualify, what are the requirements, and how liberal are the State laws?

In the language of the laws of 1945 which became effective May 1, 1945, we learn the legislature's declaration of intent.

"On no other issue are the people of the State of Washington, as well as our Nation, as united as they are in recognition of the economic and social necessity of returning to our senior citizens, the fathers and mothers of our country, part of the wealth which their labor helped to create."

"It is simple justice that our Government," the law continues, "which owes its industrial construction, its farms, its factories, its entire wealth in fact, to the labor of its pioneers, should provide as an obligation and not as charity, some measure of security to the pioneers."

And just what is a senior citizen, does he have to be a citizen of the State or of the United States? According to the legal definition, he or she is not required to be a citizen of the country or State.

"Senior citizen," the definition reads, "shall mean a person eligible for a grant under the terms of this act, and shall not be construed as limiting eligibility for grants to citizens of the United States or the State of Washington."

If he doesn't have to be a citizen, then how long must he be in residence in the State before he is eligible for grants in aid, either general assistance or old age assistance?

As to the old age assistance, the law reads, "Senior citizen grants shall be awarded to any person who is without resources who: * * * (c) has been a resident of the State of Washington for at least 5 years within the last 10."

Recipients of general assistance (aid for persons regardless of age) are required only to prove they are "without resources to provide himself and dependents with food, clothing, shelter, and such other items as are necessary to afford a reasonable subsistence."

Are the recipients of public assistance from the county and State required to live within the State of Washington? Here is what the law says in this respect.

"Recipients of Federal aid assistance whose welfare will be furthered by temporary residence outside the State may continue to receive public assistance grants from the State if they are still in need."

Just how much money does a senior citizen secure under the present laws? Does he or she lose if food prices and rent increase.

The law read., "such grant when added to his income shall equal not less than $50 per month. In order to determine a senior citizen's need, the department shall establish objective budgetary guides based upon actual living costs studies of the items in the budget.

"Such living costs studies shall be renewed or revised at least once a year; and whenever there is a change of 5 percent or more (5%) in the cost of any of the items of the budget common to any category of senior citizens such change shall be reflected in the determination of his need."

How about the incidental expenses, say for medical, dental, surgical, hospital, or doctor's care? Who pays for hearing aids and other needed appliances, and do the payments for such items come out of the senior citizen grants? The law says no, they are extra expenses, provided for under section 15 of chapter 7, Laws of 1945, which reads as follows:

"In addition to senior citizen grants, the department shall provide for those eligible medical, dental, surgical, optical, hospital, and nursing care by a doctor of recipient's own choosing; and shall also provide artificial limbs, eyes, hearing aids, and other needed appliances."

When the law speaks about general assistance aid, what does the term embrace? The laws are specific and all-inclusive, "general assistance within the meaning of this section shall include hospital, institutional, and medical care excluding tuberculosis hospitalization." The word "assistance" is defined as "public aid to persons in need thereof for any cause, and shall include services, direct relief, work relief, medical and institutional care."

And what does direct relief involve? "Payment by cash or voucher to provide the necessities of life to a person and his dependents, and shall include materials furnished or services rendered for such purpose to such person and dependent in his own home."

The term "work relief" the law reads, "shall mean wages paid by a body politic or corporate to persons who are unemployed, or whose employment is inadequate to provide the necessities of life to themselves and dependents, out of money specifically appropriated or contributed for the purpose, for the performance of services or labor connected with the work undertaken by such body independent of work under contract or for which an annual appropriation is made: *Provided*, That the expenditure of moneys made available for assistance purposes under this act in connection with work relief programs shall be limited to the payment of wages exclusively."

(This is the first of a series of articles on the problems confronting this State by reason of abuses practiced under the social security law.)

[From the Wenatchee (Wash.) Daily World]

RIGID RELIEF LAWS IMPOSE STRICT CENSORSHIP OF WELFARE EXPENDITURES

(This is the second in a series of articles on the problems confronting this State by reason of abuses practiced under the social-security laws.)

(By Howard Ordway)

The crux of the whole relief picture so far as the county is concerned can be summed up as follows:

1. The county is charged with the responsibility for relief, including old-age pensions and general assistance, and must raise money through a 2-mill tax levy, but they have no control over expenditures—this is exclusively a State function under air tight legal provisions which prevent the taxpayers or county learning where the money goes.

2. County officials emphasize that Washington, unlike other Western States, has no 3-year resident requirement for recipients of relief—hence the county is saddled with a tremendous burden of numerous out-of-State residents who get on the relief rolls immediately upon arrival here.

Here is what an analysis of the State social-security laws reveals regarding the provisions for county responsibility and State control of expenditures.

"The care, support, and relief of needy persons is hereby declared to be a joint Federal State, and county function," the law states. "The several counties of the State are hereby charged with the responsibility, by and through their respective board of county commissioners, for the administration of public assistance to such persons; but they shall be subject to State supervision as in this act provided."

The law also says: "The county commissioners of each county in the State, in order to carry out their responsibility under this act shall establish a county welfare department which shall have full charge of administration of public assistance within the county. The welfare department shall be in charge of a county administrator who shall be appointed by the county commissioners in accordance with the rules and regulation of the merit system."

State dictates

And as for the money to carry out their share of the bill for public assistance, the law reads, "the State hereby undertakes to make available to the counties from State and Federal funds sufficient moneys to enable the counties to discharge their responsibility with respect to Federal-aid assistance; while the respective counties shall provide funds by means of the county tax, hereinafter required to be levied, to discharge their responsibility for general assistance."

As for the levying of the county tax, it works this way: "It shall be the duty of the Board of County Commissioners of each county in the State to submit to the department, and through the department to the committee, a county plan which shall include:

"'An agreement to make available for assistance purposes a sum equal to a two mill tax levy upon the assessed valuation of its taxable property, together with such miscellaneous revenues as may accrue to the county through the operation of public assistance programs, and to apply such moneys in accordance with uniform standards prescribed by the department and submit quarterly reports of all expenditures for such assistance purposes within the county.

"'Disbursements of moneys in such account shall be made primarily for general assistance purposes and shall conform to the uniform standards established as specified in this act.'

"In the event that any county in the State does not for general-assistance purpose require the sum assessed as provided in this section, taken in conjunction with revenues accruing to the county from the administration of public-assistance program, it shall be authorized, by resolution of the board of commissioners to release the amount of the overplus, or such portion thereof as may be deemed expedient by said board of county commissioners, from the assistance account to the current expense for general county purposes."

What is the basis for the State allocating moneys to the county for public-assistance purposes?

"The moneys appropriated for public-assistance purposes and subject to allocation as in this act provided shall be allocated to counties on the basis of past experience and established load history."

Are there any strings tied to how the county can spend the moneys for general assistance under this act?

"In the administration of general assistance under this act, county administrators shall insofar as possible grant work relief to unemployed employables and confine direct relief to those persons who by reason of bodily or mental infirmity, or other cause, are incapacitated from gainful employment."

Censorship

Have the taxpayers access to the records of senior-citizen grants and case studies which would indicate how their money is being spent?

The law is very specific and imposes a strict control which amounts to censorship of all records. Here is what the law states:

"All applications and income records concerning any applicant shall be confidential and shall be open to inspection only by persons duly authorized by the State or the United States in connection with their official duties: *Provided*, That this shall not be construed as interfering with the right of applicant or his attorney or authorized agent from examining such records when applicant's case is on appeal as provided above."

"It shall be unlawful," section 5, chapter 128 of laws of 1941 states, "except for purposes directly connected with the administration of general assistance, old-age assistance, aid to the blind, and aid to dependent children and in accordance with the rules and regulations of the State Department of social security for any person or persons to solicit, disclose, receive, make use of, or to authorize, knowingly permit, participate in, or to acquiesce in the use of, any list, or names of, or any information concerning, persons applying for, or receiving such assistance, directly or indirectly derived from the records, papers, files, or communications of the State or county or subdivisions or agencies thereof or acquired in the course of the performance of official duties."

And what happens if there is such a disclosure or leak of official information by employees of the Social Security department? The laws have provided for that too: "Any violation, or attempted violation or evasion of the provisions of this act by any official or employee of the Department or of its agencies shall constitute a felony, and shall disqualify such official or employee from further employment in the Department or any of its agencies."

Summarizing, the State of Washington laws on public welfare and old-age assistance provide the following:

1. Recipients of senior citizen grants (old-age assistance) and general assistance are not required to be citizens of the State of Washington or of the United Stafes or in residence within the State.

2. Senior citizen grants begin at $50 a month. In addition to the monthly payments, additional expenses for medical, dental, surgical, hospital, and other necessary appliances are paid by the State.

3. The board of county commissioners assess a 2-mill-tax levy upon assessed taxable property within the county to carry on the public-assistance program.

4. Direct relief by the county should be confined to those persons who by reason of bodily or mental infirmity or other causes are incapacitated from gainful employment.

5. All records and applications for old-age and general assistance are classified confidential and only State and Federal officials and employees can study them or have access to the information. Any violation of this provision by a social-security employee is considered a felony and results in disqualifying the official or employee from further employment.

6. The basis for the State allocating moneys to the county for public-assistance purposes is solely on past experience and established load history.

7. Public-welfare laws and those governing old-age assistance make no provision for rehabilitation of the recipient.

8. The State of Washington is the only State in the United States that does not require a 3-year residence of the recipient in the State prior to granting either general assistance or old-age pensions.

I might comment here that Mr. Joe Lester, of Wenatchee, Wash., represents one of those high type public officials whom the American system so often places at the top of local government. This is one more reason why I feel that in many ways the eventual and the dominant responsibility should rest with those in charge of local government.

The following article deals with a bill then before the State legislature. It would allow for a complete system of local control. Such a control should encompass a simple coordination of all local bodies—the assessor's office, penal institutions, and employment agencies of all kinds. Such a local control could also set up an honor system capable of placing the eventual responsibilities with those eligible to receive aid.

[From the Wenatchee (Wash.) Daily World]

WHERE DO THE RELIEF DOLLARS GO?—COUNTY IS RESPONSIBLE, BUT THE STATE HAS CONTROL

(By Howard Ordway)

"Under the present social-security laws," former County Commissioner Joe Lester reveals, "the county is in a difficult and untenable situation—it has responsibility for relief and must raise money, but cannot control the expenditures."

"The job was, and remains, increasing difficult," Lester said, "because of two reasons, both of them stemming from the social-security laws.

"1. All of the Western States, except Washington, require that the recipient live in the State 3 years before he is eligible. In this State, however, a person can come into Chelan County at 11 a. m. and secure relief by 11:05 a. m.—just a simple oral questioning is all that is necessary—no red tape, investigations, or proof of need is required.

"2. If the county objects to payment of a voucher for either general assistance or an old-age pension, the social-security office simply forwards it to the State where it is promptly paid—using county and State money."

In a recent address before the legislative affairs committee of the local chamber of commerce former Commissioner Joe Lester outlined the public-assistance provisions of the social-security program. Lester advanced many cogent reasons for amending the present social-security laws and correcting the abuses through better administration.

Lester told the committee: "Under the present law the county commissioners are responsible for the relief of the poor. All of our activity and administration is subject to the rules and regulations set forth by the State social-security department.

"At our 1945 legislature," Lester continued, "the law was passed increasing the floor on all recipients to a minimum of $50 a month. This means that the recipient may come in and ask for $30 a month for 3 months saying that he could get by after that period," Lester said.

"But under the present law," Lester explained to the chamber of commerce committee, "even though the recipient only needed $30, he would have to accept $50 a month to become a legal recipient. In other words, gentlemen, the program is not set up on the basis of need and does not promote the rehabilitation of the recipient," Lester said.

Lester cited many cases that Chelan county has had in past 2 years where people have moved into the State and accepted relief permanently in a few short days after they had arrived. "With a 3-year resident law," Lester said, "we could buy a railroad ticket for these families and send them back where they came from—saving the county thousands and thousands of dollars.

"Here is how a typical case works," Lester said.

"We have people coming to Chelan County, possibly with a slight heart ailment or asthma or such a condition and immediately securing relief. We had one case," Lester continued, "where a man had asthma and secured a medical statement saying that he could not work. With four children in the family, the county is paying as high as $278 a month, including medical and hospital services.

"He sold his property," Lester continued, "in one section of the country and received some $1,950, dissipated the money, and immediately got back on relief. He moved to Kitsap County. After 2 or 3 months he moved to Arizona, bought a home in Arizona, and continued to receive this monthly remittance from the State of Washington—that is, Chelan County, too, for we assist the State through a 2-mill levy on all taxable property in the county. If you don't think that amounts to a tidy sum, remember our tax levy for all current expenses in 1947 is only 2.7162 mills," Lester said.

Lester continued, "This man would be eligible for that fund for 3 years or until he established his residence in Arizona. This is not an isolated case, gentlemen, we are squandering thousands upon thousands of dollars each year on just such cases."

In concluding his remarks, Lester said, "I urge that every responsible citizen and businessman in Chelan county write to his legislators and try to get their approval for amending the present social security laws, returning the control to local authorities."

As for the social security law amendments, Lester said he favored House bill 395, presented by Representatives Ball and Gehrman, which establishes a State Department of Public Welfare Board.

"This board will consist of seven members, six to be appointed by the governor, with the consent of the Senate, to represent labor, business, medical and legal professions which in intent is to be non-political, three from each party. It limits the service of any member not to exceed two terms," Lester said.

Lester said the proposed bill creates in each county welfare department, a county board of public welfare to consist of one county commissioner and two persons to be appointed by the State Board of Public Welfare. Not more than two members of the board will be of the same political party of the county appointments. "One of the two appointees," Lester said, "should represent labor and the other, business."

The former county commissioner, in his considered opinion, thought the bill had many desirable features, although the weak point was that it failed to include a 3-year resident provision. He explained his support in this manner:

"This bill would bring back county control, in reality, grass-roots control of policies and administration of the relief program. One of the reasons this bill is so constructed is that we have too many individuals coming into the county and securing relief without previous residence and then leaving shortly after, still continuing to secure their checks from us while they live in another State. It decentralizes the relief problem down to the local people who best know their own situation and needy cases and can control payments accordingly," Lester said.

From another authoritative source, there is revealed a new angle or method of complying with the letter, if not the spirit, of the social-security laws, to secure pension payments. A prospective pensioner had $1,200 in cash but realized the law prohibited her from securing a pension if she had more than $200 in cash—so what did she do but invest $1,000 in a diamond ring, qualifying for the pension at the expense of the taxpayers.

A transient thinks of the State of Washington in terms of the land of milk and honey. One wonders if the most liberal social-security laws in the United States don't provide the milk flowing from the State treasury as the taxpayers or workers supply the honey in the form of cash to support them as drones—in a life of idleness and nonproductivity.

(This is the third in a series of articles on the relief situation in this county and the State of Washington.)

[From the Wenatchee (Wash.) Daily World]

WHY WORK?—HIGHER AND HIGHER THE RELIEF COSTS GO!—HERE ARE SOME CASE HISTORIES TO OPEN YOUR EYES AND MAKE YOU WONDER

There is an old saying that "the wheel that squeaks the loudest gets the most grease."

Apparently the Washington State Pension Union and the trained social workers who administer the State social-security program live by this saying—for they have made quite a gravy train out of the vote-getting social-security program that may carry them all to the brink, if not all the way to actual disaster.

You can readily understand why the trained social worker who never met a pay roll, owned property, or paid heavy taxes finds the present liberal social-security laws to their liking, their main dish you might say.

But where is it all leading?

Here is a good indication from typical relief cases within Chelan County—a county the State Department of Social Security refers to as "very conservative."

Names, places, dates, schools, and other pertinent personal data in these cases have been omitted but the complete cases are a matter of record.

The X family consists of the father, mother, a daughter, and three sons. They have been the recipients of public assistance continuously since 1935. Early in the case history, the father was sent to the State penitentiary for theft. Later the mother obtained a divorce.

X family history presents a pretty constant picture of petty misdemeanors on the part of the children. Trouble arose with the neighbors, school authorities, and finally the training school for two of the children. Only one child, a son, has not been involved in rather serious trouble with authorities.

There is evidence that the mother is not much concerned with the care of her children. She has allowed them to run about the neighborhood, destroying the property and annoying the neighborhood, while she was away frequenting beer parlors.

She has often been seen in an intoxicated condition. The older children were not taught to work during school vacation. Every trifling excuse was offered by the mother.

The aid-to-dependent-children check began at $50 a month in 1936 and was increased from time to time until at the present it is $104 a month. There were four children in the home at first; now there are but two.

The children were allowed by the mother to bring home articles from an unoccupied furnished house which they had broken into. In 1938 the oldest child, a girl, was sent to Grand Mound for running away from home and refusing to return.

In 1939 the second son was taken before the sheriff for breaking into a service station. Later he was taken to a farm in another county where he seemed to get along better, but the mother and daughter would not leave him alone.

They kept telling him he would be much better at home, so finally the foster parents gave him up. Later he had trouble with school authorities at school because of bad conduct and indolence. He was often truant and appeared before a juvenile court. The second son was sent to Chehalis for petty larceny.

In 1944 the mother came to the welfare department asking for a food voucher soon after earning $180 during 5 weeks of fruit picking—at a time when she was receiving full general assistance.

Authorities considered taking the children away from the mother but nothing was ever done about it. Three members of the family are now inmates of corrective institutions.

Who can estimate the future costs to the taxpayers of this State for this family?

Here is another interesting case of the Y family that has been saddled upon the taxpayers of the county.

This is a true story of Mr. and Mrs. Y, ages 39 and 37, respectively, and their family of 3 boys, ages 15, 14, and 12, and a daughter, age 1.

It all started 14 years ago in March, along with the birth of the New Deal. At first Mr. Y and family received periodical assistance, as an employable family, although the father complained about "not feeling good."

But Mrs. Y took the initiative in demanding assistance—known to many businessmen as a "moocher," some suspecting her as a kleptomaniac, taking small articles from stores.

In 5 years they moved about, living in Yakima, Okanogan, Douglas, and Pierce and King Counties.

During one period while receiving assistance in Chelan County, they moved seven times in 7 months. Moving so frequently, the children missed school, played truant, and attended schools not more than a month during the year.

It was a usual monthly complaint on Mrs. Y's part to the welfare department that they were hungry and without cash. In checking they found them with a fine car and everyone was smoking cigarettes. They constantly bedeviled the OPA board for more gas and used every subterfuge to secure an extra allowance.

Since July 1943 Mr. Y has considered himself unemployable—he complained of heart attacks. One doctor said it was angina pectoris—another said the same, but an expert said, "no organic trouble." The expert said he could do light work. However, the Y family moved to the country and refused to work.

They purchased a 10-acre tract of dry land—made a $200 down payment—although at this time they had sworn they had no assets so secured general assistance.

OPA learned of the purchase and informed the welfare department. Mrs. Y said the boy, 15, was earning the monthly payments and buying the house. Late in 1945 Mrs. Y was advised by the welfare department that when she brought in receipts to show that the payments were up to date and an estimate of the cost of drilling a well for general assistance grant would be increased to take care of these expenses.

And so it goes, so that now it pays Mr. Y to be unemployed and on relief—he couldn't make as much working—no hardship is worked save on the taxpayers who support the show.

Under present departmental regulations, relief applicants and recipients are asked to estimate the amount they feel they will need to cover their living expenses. Estimates are submitted item by item, and if they fall between a minimum and a maximum figure set by the department, the figure is accepted and assistance is granted in that amount.

However—and this is important to remember—the department has ruled that even though the relief client's estimate is below the minimum figure, he shall nevertheless be granted the higher minimum figure. This in effect means that many people on relief are receiving more than they themselves have requested. For example, suppose a relief recipient has a cow, some chickens, and a garden—not too unlikely for retired or pensioned people, and his food costs are reduced considerably—he still is paid the same "minimum" amount for that item in his relief grant—more than he himself requested.

How many such people are so involved in Chelan County?

The survey revealed among other things that the average was 14 percent overpayment in old-age pensions and 10 percent in the general-assistance and other programs.

Let's take the monthly public-assistance expenditures for Chelan County during January of 1945, 1946, and 1947, to show the rising costs and number of cases constituting the relief burden.

Consulting the official bluebook of the State of Washington Department of Social Security on Public Assistance, published each month and available to the county commissioners, we learn the following:

	January 1945	January 1946	January 1947
General assistance	$4,053.31	$4,606.99	$6,043.23
Old-age pensions	52,437.74	71,087.20	77,388.66
Aid to dependent children	5,449.88	6,406.18	10,359.77
Aid to blind	579.00	917.00	984.00
Administrative expenditures	2,750.60	3,217.27	4,810.59
Total	65,270.53	86,234.64	99,586.25
Extra expenses	299 cases	248 cases	363 cases
Doctor's expenses	$2,533.50	$2,230.90	$3,594.95
Dentist's expenses	1,045.00	208.00	272.00
Nurses' care	101.00	82.00	83.50
Drugs	614.94	806.21	1,096.20
Appliances	56.53	374.12	205.02
Ambulance		17.00	33.00
Hospitalization	681.65		1,436.00
Total	5,032.62	3,718.23	6,721.57
Grand total monthly expenses	70,303.15	89,952.87	106,307.82

Note the principal expenditures for old-age pensions: Observe that in January 1947, this year, Chelan County paid 7.70 percent more for old people than they did for dependent children—the youth of today who are the senior citizens of tomorrow. Most of them, however, are under voting age. Both the number of cases requiring medical attention and the amount expended reveals a large increase.

In less than 2 years the monthly expenditures have nearly doubled. Taking this month as an average, relief would cost this county alone $1,275,686.04 annually. And Chelan County, remember, is a very conservative county.

If this is the situation within Chelan County, what is the over-all picture throughout the State?

Again, let's consult the records. Here are the estimates of the State Department of Social Security on estimated expenditures for 1945–47 and their requested budget for 1947–49.

ESTIMATED EXPENDITURES, 1945–47

Program	Amount	Percent
Total	$129,024,080	100.0
Old-age assistance	82,701,748	64.1
Old-age medical	9,605,619	7.4
General assistance, medical [1]	7,100,000	5.5
General assistance [2]	11,218,540	8.7
Dependent children [3]	13,242,524	10.3
Aid to the blind	1,043,610	.8
Administration	4,112,039	3.2

REQUESTED BUDGET, 1947–49

Total	$175,084,552	100.0
Old-age assistance	104,396,760	59.6
Old-age medical	15,667,000	9.0
General assistance, medical [1]	8,764,800	5.0
General assistance [2]	19,044,000	10.9
Dependent children [3]	20,886,683	11.9
Aid to the blind	1,433,340	.8
Administration	4,891,969	2.8

[1] Includes medical care of dependent children.
[2] Includes $5,000,000 from county funds.
[3] Includes children under foster home care.

Again, it is obvious from study, old-age assistance takes the largest slice of the pie, over 600 percent more than aid to dependent children. General assistance, however, about which so much ado has been raised by the legislature, takes only one-eighth of old-age assistance, and shows only a 2.2 percent increase for the coming biennium.

(This is the fourth in a series of articles on the abuses in the administration of relief cases in this county and the State. The next article will make recommendations for amending the present laws and correcting the abuses through administrative measures.)

Mr. Speaker, as I speak today and as you read this, our Secretary of State is in conference in Moscow. He is defending the democratic way of life and the representative republican form of government against its aggressive enemies. The strength of the Nation he represents depends upon full employment. The world needs our full production. We cannot be guilty of condoning or encouraging the drone. Certainly if we are to present a proper manifestation of our form of government and way of life to the distraught peoples of the world, we must be eternally vigilant to protect our way of freedom from those who would abuse it.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. BENDER] is recognized for 10 minutes.

THE SITUATION IN GREECE

Mr. BENDER. Mr. Speaker, on Tuesday on the floor of the House, I asked the impertinent question about the President's proposed Greek deal—the very impertinent question, What does this policy cost; where will it end; what does it include? Today I wish to call attention to what I believe is an astonishing aspect of the Greek situation. At the present time the British are maintaining 100,000 men under arms in the little Nation of Palestine. At the same time, according to my information, the British have roughly 10,000 soldiers and 2,000 officers in Greece. Permit me to pose a question. Is Greece less important to the British than Palestine is? Or let me ask it another way. Is Greece more important to America than Palestine is? I ask this question because the British have informed us that they are no longer able economically, financially, or otherwise, to meet their commitments in Greece, yet they seem able to pour more and more men and money into Palestine.

On the face of it then, Mr. Speaker, it would seem to me that the British clearly do not believe that the battle against communism in Greece is as important to them as is the battle against the Jewish people in Palestine. This I would like to suggest, is a very interesting sidelight on our good President's request for $400,000,000. Why should the British prove to us by their actions that Greece is basically unimportant to the maintenance of the British Empire, and at the same time, our President comes before the Congress and insists that the situation in Greece, the present situation, must be maintained if America is to be secure. Frankly, Mr. Speaker, let us take a look at this business. The British Empire can do without Greece. They prefer to give up Greece, to stop fighting communism—so that they can have the men and sufficient resources to fight the Jews in Palestine. In other words, they do not think that Greece is important to them.

The British Empire can survive, apparently, without Greece, but our President tells us in his sincere way, that the United States cannot survive without Greece as it is. Mr. Speaker, why should the British tell us what is important? Why should the British make our decisions for us? Why should the British serve notice on us? Why should the British threaten us with the terror of what might happen politically in Greece? Why should the British, after they had completely messed up the economic and political situation in Greece for the past 2 years attempt to dump it in our laps as an unprofiitable adventure in creating monarchies.

Mr. Speaker, let us be blunt. Is there a single man now sitting in the House of Representatives who is willing to stand up and cast his vote for the present Greek monarchy? Does our State Department expect the American people to stomach the venality, the political corruption, of the present Greek monarchy? If it does, it may as well forget about the loan it has asked for. So then, Mr. Speaker, I submit these questions to the State Department, here on the floor of the House:

First. Why, if the British feel as does our President, that Greece is the key to the world battle against communism, why, Mr. Speaker, are the British withdrawing from Greece and continuing to pour money and troops into Palestine?

Second. Why do the British tell us what we should do in Greece and Turkey when they themselves refuse to act on their advice to us?

Third. Does President Truman and our State Department think that this Congress is going to vote $400,000,000 to sustain a corrupt Greek monarchy?

Mr. Speaker, the more I think about this request of the President for $400,000,000, the more I think that the President and our State Department need to answer a few plain, simple questions. The country is tired of global hypocrisy, of world-wide power politics—the country is tired of pouring its money down political rat holes from Singapore to Constantinople, on the assurance from the British that this will help defeat communism. Let us have the answers, Mr. Speaker, because the American people are beginning to think.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 276. An act to provide for payment and settlement of mileage and other travel allowance accounts of military personnel.

ADJOURNMENT

Mr. JENNINGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 26 minutes p. m.) the House adjourned until tomorrow, Friday, March 21, 1947, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

466. A letter from the Administrator, War Assets Administration, transmitting a draft of a proposed bill to amend the Surplus Property Act of 1944 with reference to condemnation powers of the Administrator; to the Committee on Expenditures in the Executive Departments.

467. A letter from the Secretary of the Interior, transmitting financial statements and reports covering the transmission and sale of electric energy generated at the Fort Peck project, Montana, for the first, second, and third fiscal years of operation; to the Committee on Public Works.

468. A letter from the Executive Secretary, National Munitions Control Board, for the Acting Secretary of State, transmitting a copy of the interim report covering the activities carried on by the Department of State during the years 1941 to 1945, inclusive; to the Committee on Foreign Affairs.

469. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report of activities and expenditures for the month of October 1946; to the Committee on Banking and Currency.

470. A communication from the President of the United States, transmitting a supplemental estimate of appropriation in the amount of $9,000,000 for the Department of Agriculture for the fiscal year 1947, to remain available until expended (H. Doc. No. 173); to the Committee on Appropriations and ordered to be printed.

471. A communication from the President of the United States, transmitting a draft of a proposed bill pertaining to an existing appropriation for the fiscal year 1947 for the Department of Commerce (H. Doc. No. 174); to the Committee on Appropriations and ordered to be printed.

472. A communication from the President of the United States, transmitting an amendment to House Document No. 158 and a supplemental estimate of appropriation in the amount of $1,625,385 for the Department of State, in the form of an amendment to the budget for the fiscal year 1948 (H. Doc. No. 175); to the Committee on Appropriations and ordered to be printed.

473. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1947 in the amount of $680,150 for the legislative branch, House of Representatives (H. Doc. No. 176); to the Committee on Appropriations and ordered to be printed.

474. A letter from the Attorney General, transmitting a report reciting the facts and pertinent provisions of law in the cases of 127 individuals whose deportation has been suspended for more than 6 months under the authority vested in the Attorney General, together with a statement of the reason for such suspension; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WELCH: Committee on Public Lands. H. R. 1098. A bill to authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapaho Tribes of the Wind River Reservation; with amendments (Rept. No. 172). Referred to the Committee of the Whole House on the State of the Union.

Mr. GRAHAM: Committee on the Judiciary. S. 26. An act to make criminally liable persons who negligently allow prisoners in their custody to escape; without amendment (Rept. No. 174). Referred to the House Calendar.

Mr. EATON: Committee on Foreign Affairs. House Joint Resolution 48. Joint resolution amending the Settlement of Mexican Claims Act of 1942 to provide for the consideration of any claim decided by the General Claims Commission in which the United States filed a petition for rehearing; without amendment (Rept. No. 175). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOWELL: Committee on Interstate and Foreign Commerce. H. R. 2109. A bill

to amend section 1003 (b) of the Civil Aeronautics Act of 1938, as amended; with amendment (Rept. No. 176). Referred to the House Calendar.

Mr. LOVE: Committee on Post Office and Civil Service. H. R. 1636. A bill to amend section 6 of the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation, and for other purposes," approved July 6, 1945, with respect to the application of such section to rural carriers; with amendment (Rept. No. 177). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WELCH: Committee on Public Lands. H. R. 2199. A bill authorizing the Secretary of the Interior to issue a patent in fee to Henry Big Day and other heirs of Catherine Shield Chief, deceased, to certain lands on the Crow Indian Reservation; without amendment (Rept. No. 173). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on the Judiciary was discharged from the consideration of the resolution (H. Res. 99) to define communism, and the same was referred to the Committee on Un-American Activities.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of New York:

H. R. 2636. A bill to amend section 2 of the act prescribing regulations for the Soldiers' Home located at Washington, in the District of Columbia, and for other purposes, approved March 3, 1883 (22 Stat. 564); to the Committee on Armed Services.

By Mr. CLASON:

H. R. 2637. A bill to amend the Social Security Act to provide unemployment benefits for individuals who have been employees of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. JACKSON of Washington:

H. R. 2638. A bill to regulate the interstate transportation of black bass and other game fish, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LEA:

H. R. 2639. A bill to authorize the Secretary of the Interior to call a convention of the Indians of California, and for other purposes; to the Committee on Public Lands.

By Mr. STEVENSON:

H. R. 2640. A bill to amend the act of July 6, 1945, relating to the compensation of employees in the field service of the Post Office Department; to the Committee on Post Office and Civil Service.

By Mr. BELL:

H. R. 2641. A bill to amend the Philippine Rehabilitation Act of 1946, as amended; to the Committee on Foreign Affairs.

By Mr. BLATNIK:

H. R. 2642. A bill to safeguard and consolidate certain areas of exceptional public value within the Superior National Forest, State of Minnesota, and for other purposes; to the Committee on Agriculture.

By Mr. LANE:

H. R. 2643. A bill to authorize the incorporation of Catholic War Veterans; to the Committee on the Judiciary.

By Mr. WINSTEAD:

H. R. 2644. A bill to prohibit the Government from furnishing stamped envelopes containing any lithographing, engraving, or printing; to the Committee on Post Office and Civil Service.

By Mr. BARRETT:

H. R. 2645. A bill to provide that appointments of United States commissioners for the Isle Royale, Hawaii, Mammoth Cave, and Olympic National Parks shall be made by the United States district courts without the recommendation and approval of the Secretary of the Interior; to the Committee on Public Lands.

By Mr. HAVENNER:

H. R. 2646. A bill to amend paragraph 1102 (b) of the Tariff Act of 1930 (an act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes, of June 17, 1930); to the Committee on Ways and Means.

By Mr. KEARNEY:

H. R. 2647. A bill to recognize the service to the United States of the organized military forces of the Government of the Commonwealth of the Philippines; to the Committee on Veterans' Affairs.

By Mr. KEFAUVER:

H. R. 2648. A bill to amend the Interstate Commerce Act with a view to the establishment and maintenance of a classification of freight and a scale of class rates adjusted so as not to discriminate among regions or territories in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. ALBERT:

H. R. 2649. A bill to increase the normal tax and surtax exemption from $500 to $1,000 and the credit for dependents from $500 to $750; to the Committee on Ways and Means.

By Mr. CASE of South Dakota:

H. R. 2650. A bill to provide for the education of children on Federal reservations and other federally owned property not subject to State or local taxation, and for other purposes; to the Committee on Education and Labor.

By Mr. COLE of Missouri:

H. R. 2651. A bill relating to the compensation of certain railway postal clerks; to the Committee on Post Office and Civil Service.

By Mr. COLMER:

H. R. 2652. A bill to provide for the education of children on Federal reservations and other federally owned property not subject to State or local taxation, and for other purposes; to the Committee on Education and Labor.

By Mr. COMBS:

H. R. 2653. A bill to provide for the education of children on Federal reservations and other federally owned property not subject to State or local taxation, and for other purposes; to the Committee on Education and Labor.

By Mr. D'ALESANDRO:

H. R. 2654. A bill to authorize the Secretary of the Treasury to grant to the mayor and City Council of Baltimore, State of Maryland, a permanent easement for the purpose of installing, maintaining, and servicing a subterranean water main in, on, and across the land of the United States Coast Guard station called Lazaretto Depot, Baltimore, Md.; to the Committee on Merchant Marine and Fisheries.

H. R. 2655. A bill to authorize the Secretary of the Interior to grant to the mayor and City Council of Baltimore, State of Maryland, a permanent easement for the purpose of installing, maintaining, and servicing two subterranean water mains in, on, and across the land of Fort McHenry National Monument and Historic Shrine, Md.; to the Committee on Public Lands.

By Mr. FALLON:

H. R. 2656. A bill to authorize the Secretary of War to make appropriate allotments for the collection and removal of drift in Baltimore Harbor; to the Committee on Public Works.

By Mr. GWYNNE of Iowa:

H. R. 2657. A bill to protect the public with respect to practitioners before administrative agencies; to the Committee on the Judiciary.

By Mr. HAYS:

H. R. 2658. A bill to designate the Farmers' Home Administration as the sole disposal agency for surplus agricultural property, to provide special priorities for the disposal of surplus agricultural property to former owners and to veterans who intend to live on farms and to engage in farming as their principal occupation, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. HÉBERT:

H. R. 2659. A bill to establish a program for the rehabilitation of alcoholics, promote temperance, and provide for the medical and scientific treatment of persons found to be alcoholics by the courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. HEFFERNAN:

H. R. 2660. A bill to amend the patent statutes; to the Committee on the Judiciary.

By Mr. LANE:

H. R. 2661. A bill to name the Veterans' Administration facility at West Roxbury, Mass., the William P. Connery, Junior, Memorial Veterans' Hospital; to the Committee on Veterans' Affairs.

By Mr. LEA:

H. R. 2662. A bill to confer jurisdiction on the State of California over offenses committed by or against Indians on Indian reservations; to the Committee on Public Lands.

By Mr. McGARVEY:

H. R. 2663. A bill to authorize the incorporation of the Catholic War Veterans; to the Committee on the Judiciary.

By Mr. MILLER of California:

H. R. 2664. A bill to provide for the settlement of certain claims against the United States arising out of the Port Chicago, Calif., disaster; to the Committee on the Judiciary.

By Mrs. NORTON:

H. R. 2665. A bill to authorize the incorporation of Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. PACE:

H. R. 2666. A bill to amend section 22 of the Agricultural Adjustment Act, reenacted by the Agricultural Marketing Agreement Act of 1937, by adding thereto a new section, and for other purposes; to the Committee on Agriculture.

By Mr. PASSMAN:

H. R. 2667. A bill to amend section 3771 (a) of title 26 of the Internal Revenue Code by reducing certain refund interest rates; to the Committee on Ways and Means.

By Mr. PRICE of Illinois:

H. R. 2668. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. REES:

H. R. 2669. A bill to provide for the education of children on Federal reservations and other federally owned property not subject to State or local taxation, and for other purposes; to the Committee on Education and Labor.

By Mr. RIVERS:

H. R. 2670. A bill to amend the Civil Service Retirement Act of May 29, 1930, so as to authorize the refund, at the option of an employee separated from the service after completion of 5 years or more of service, of amounts deducted from his compensation;

to the Committee on Post Office and Civil Service.

By Mrs. ROGERS of Massachusetts (by request):

H. R. 2671. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. SADLAK (by request):

H. R. 2672. A bill to provide for crediting postmasters and employees in the field service of the Post Office Department with sick leave for the periods of their service in the armed forces during World War II; to the Committee on Post Office and Civil Service.

By Mr. HUGH D. SCOTT, JR.:

H. R. 2673. A bill to incorporate the Descendants of the Signers of the Declaration of Independence; to the Committee on the Judiciary.

By Mr. SIKES:

H. R. 2674. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, so as to provide for refunds of deductions from the compensation of certain temporary employees separated from the service after completion of five or more years of service; to the Committee on Post Office and Civil Service.

By Mr. WELCH:

H. R. 2675. A bill to amend the Philippine Rehabilitation Act of 1946, as amended; to the Committee on Foreign Affairs.

By Mr. FOOTE:

H. R. 2676. A bill to provide retirement benefits for certain emergency officers of World War I; to the Committee on Armed Services.

By Mr. POTTS:

H. R. 2677. A bill to amend the Canal Zone Code, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H. R. 2678. A bill to amend section 22 (a) of the Internal Revenue Code to exclude pensions, retirement allowances, and annuity payments received because of disability arising solely out of employment; to the Committee on Ways and Means.

By Mr. ROSS

H. R. 2679. A bill to authorize the incorporation of Catholic War Veterans; to the Committee on the Judiciary.

By Mr. SIKES:

H. R. 2680. A bill to provide that schools constructed under the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, may be donated to local public school agencies; to the Committee on Public Works.

By Mr. SNYDER:

H. R. 2681. A bill to amend section 10, Public Law 144, Seventy-eighth Congress, approved July 13, 1943, to provide equivalent benefits for service in World Wars I and II; to the Committee on Veterans' Affairs.

By Mr. STIGLER:

H. R. 2682. A bill to provide for the transfer of title in certain temporary housing from the United States to educational institutions; to the Committee on Public Works.

By Mr. ROHRBOUGH:

H. R. 2683. A bill to authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools and in reducing the inequalities of educational opportunities through public elementary and secondary schools, for the general welfare, and for other purposes; to the Committee on Education and Labor.

By Mr. EATON:

H. J. Res. 153. Joint resolution providing for relief assistance to the people of countries devastated by war; to the Committee on Foreign Affairs.

By Mr. TABER:

H. J. Res. 154. Joint resolution making an appropriation for expenses incident to the control and eradication of foot-and-mouth disease and rinderpest; to the Committee on Appropriations.

By Mr. TEAGUE:

H. J. Res. 155. Joint resolution to provide for designation of the Veterans' Administration hospital at Temple, Tex., as the Thirty-sixth Division Memorial Veterans' Hospital; to the Committee on Veterans' Affairs.

By Mr. COLE of New York:

H. J. Res. 156. Joint resolution to authorize the issuance of a special series of stamps commemorative of the one hundred and fiftieth anniversary of the launching of the U. S. S. *Constitution;* to the Committee on Post Office and Civil Service.

By Mr. BRAMBLETT:

H. J. Res. 157. Joint resolution to quiet the titles of the respective States, and others, to lands beneath tidewaters and lands beneath navigable waters within the boundaries of such States and to prevent further clouding of such titles; to the Committee on the Judiciary.

By Mr. KEFAUVER:

H. Con. Res. 31. Concurrent resolution providing for the printing of the committee print printed for the use of the House Small Business Committee entitled "United States versus Economic Concentration and Monopoly" and authorizing the printing of additional copies thereof; to the Committee on House Administration.

By Mr. ROSS:

H. Con. Res. 32. Concurrent resolution to refer the plight of Archbishop Stepinac to the United Nations; to the Committee on Foreign Affairs.

By Mr. POTTS:

H. Con. Res. 33. Concurrent resolution to refer the plight of Archbishop Stepinac to the United Nations; to the Committee on Foreign Affairs.

By Mr. COLE of New York:

H. Res. 154. Resolution to authorize the payment of 1 year's salary and funeral expenses to the estate of the late Marshall W. Pickering; to the Committee on House Administration.

By Mr. GEARHART:

H. Res. 155. Resolution authorizing the printing of additional copies of Senate Committee Print No. 13, a report of the Senate Special Committee To Study Problems of American Small Business; to the Committee on House Administration.

By Mrs. SMITH of Maine:

H. Res. 156. Resolution to investigate procedures in the retirement of certain commissioned officers for physical disability and their right to retirement pay; to the Committee on Rules.

By Mr. RUSSELL:

H. Res. 157. Resolution to authorize an appropriation for public-school facilities at Owyhee, Nev.; to the Committee on Public Lands.

By Mr. HORAN:

H. Res. 158. Resolution to investigate and expedite the availability of railroad boxcars; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Indiana, memorializing the President and the Congress of the United States concerning unemployment compensation and employment service; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States to strengthen present sanitary requirements governing the importation of livestock products and to appropriate additional funds to the Bureau of Animal Industry; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS of Delaware:

H. R. 2684. A bill for the relief of sundry fruit growers of the State of Delaware who sustained losses as the result of the fumigation of apples with methyl bromide in order to comply with the requirements of the United States Department of Agriculture relating to the Japanese-beetle quarantine; to the Committee on the Judiciary.

By Mr. DINGELL:

H. R. 2685. A bill to provide for the issuance of a duplicate adjusted-service certificate to Andrew J. Bissinger; to the Committee on Veterans' Affairs.

By Mr. ELSAESSER:

H. R. 2686. A bill for the relief of the estate of Elwood Grissinger; to the Committee on the Judiciary.

H. R. 2687. A bill for the relief of Luke Mauriello; to the Committee on the Judiciary.

By Mr. GROSS:

H. R. 2688. A bill for the relief of Eva C. Netzley Ridley, William G. Stuff, Lois Stuff, and Harry E. Ridley, and the estates of Clyde C. Netzley and Sarah C. Stuff; to the Committee on the Judiciary.

By Mr. JACKSON of Washington:

H. R. 2689. A bill for the relief of Mrs. Rosalie Helen Hoskins; to the Committee on the Judiciary.

By Mr. KING:

H. R. 2690. A bill for the relief of Alvin G. Patton; to the Committee on the Judiciary.

By Mr. LARCADE:

H. R. 2691. A bill for the relief of Lawrence Fontenot; to the Committee on the Judiciary.

By Mr. MILLER of Maryland:

H. R. 2692. A bill conferring jurisdiction on the Court of Claims to hear, determine, and render judgment on the claims of W. C. Jackson; to the Committee on the Judiciary.

By Mr. NORMAN:

H. R. 2693. A bill for the relief of public utility district No. 1, of Cowlitz County, Wash.; to the Committee on the Judiciary.

By Mr. PHILBIN:

H. R. 2694. A bill for the relief of Joaquin Faustino Justaniano; to the Committee on the Judiciary.

By Mr. RAYFIEL (by request):

H. R. 2695. A bill for the relief of Ciro Gamboni; to the Committee on the Judiciary.

By Mr. HUGH D. SCOTT, JR.:

H. R. 2696. A bill for the relief of Otto Kraus, receiver of the Neafie & Levy Ship & Engine Building Co; to the Committee on the Judiciary.

By Mrs. SMITH of Maine:

H. R. 2697. A bill for the relief of E. W. Eaton Coal Co.; to the Committee on the Judiciary.

By Mr. SMITH of Virginia:

H. R. 2698. A bill to provide for an appeal to the Supreme Court of the United States from the decision of the Court of Claims in a suit instituted by the Mount Vernon, Alexandria & Washington Railway Co.; to the Committee on the Judiciary.

By Mr. SPRINGER:

H. R. 2699. A bill for the relief of Greek aliens; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

223. By Mr. CHIPERFIELD: Petition of residents of Adams County, Ill., in support

of Senate bill 265; to the Committee on Interstate and Foreign Commerce.

224. Also, petition of residents of Knox County, Ill., in support of Senate bill 265; to the Committee on Interstate and Foreign Commerce.

225. Also, petition of Parent-Teacher Association, of Bryant, Ill., in support of continuing appropriations for school lunches; to the Committee on Education and Labor.

226. By Mr. MILLER of California: Petition of the City Council of the City of Antioch, Calif., requesting defeat of any measures which might interfere with the basic democratic rights of the people of this Nation; to the Committee on the Judiciary.

227. By Mr. JOHNSON of Illinois: Petition of Western Veterans Association of the Western Illinois State Teachers College, of Macomb, Ill., requesting that the Congress adopt such legislation as will increase the payments of Public Laws 346 and 16, as presently amended, by $35 monthly with $10 additional for each dependent child; to the Committee on Veterans' Affairs.

228. By Mr. NORBLAD: Petition signed by Mrs. Mathilda E. Nelson and 47 other citizens of Marion County, Oreg., urging enactment of the Capper bill, S. 265, to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages; to the Committee on Interstate and Foreign Commerce.

229. Also, petition signed by Mrs. Ralph Timm and 40 other citizens of Yamhill County, Oreg., urging enactment of the Capper bill, S. 265, to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages; to the Committee on Interstate and Foreign Commerce

230. By Mr. PRICE of Illinois: Petition transmitted by Mr. Robert Buhl in behalf of Local Union No. 3, Progressive Mine Workers of America, at Collinsville, Ill., petitioning Congress to make revision upward in the benefits of social-security annuitants, and for the reduction in the age requirement from 65 to 60; to the Committee on Ways and Means.

231. Also, petition transmitted by Mr. Gus Herpin, recording secretary, in behalf of Local Union No. 43, Progressive Mine Workers of America, at Lenzburg, Ill., petitioning Congress to make revision upward in the benefits of social-security annuitants, and for the reduction in the age requirement from 65 to 60; to the Committee on Ways and Means.

232. Also, petition transmitted by Mr. Roy Wuest in behalf of Local Union No. 48, Progressive Mine Workers of America, at Freeburg, Ill., petitioning Congress to make revision upward in the benefits of social-security annuitants, and for the reduction in the age requirement from 65 to 60; to the Committee on Ways and Means.

233. Also, petition transmitted by Mr. Fred Herzing in behalf of Local Union No. 80, Progressive Mine Workers of America, at Glen Carbon, Ill., petitioning Congress to make revision upward in the benefits of social-security annuitants, and for the reduction in the age requirement from 65 to 60; to the Committee on Ways and Means.

234. By Mrs. SMITH of Maine: Resolution urging a full congressional investigation of the Czechoslovak question, submitted by George J. Chernenak, president, and John Shinay, secretary, Assembly 31, Slovak Catholic Sokol Organization, Madison, Maine; to the Committee on Foreign Affairs.

235. By Mr. TOWE: Petition of St. Francis of Assisi Post No. 664, Catholic War Veterans, Wood-Ridge, N. J., protesting the cruel and inhuman treatment accorded Archbishop Stepinac and asking for a full investigation of the entire situation in Yugoslavia; to the Committee on Foreign Affairs.

236. By Mr. WELCH: California Assembly Joint Resolution No. 1, relative to centralized purchasing for Navy ships service stores; to the Committee on Armed Services.

237. By the SPEAKER: Petition of Miss Estelle M. Dinnis, and others, of Washington, D. C., petitioning consideration of their resolution with reference to opposition to the 1-cent increase in the local gasoline tax; to the Committee on the District of Columbia.

SENATE

FRIDAY, MARCH 21, 1947

(Legislative day of Wednesday, February 19, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

O Lord our God, in the midst of the troubles that surround us, when compromises come home to roost and expediencies return to plague us, keep us from adding to the mistakes of the past. Save us from accepting a little of what we know to be wrong in order to get a little of what we imagine to be right. Help us to stand up for the inalienable rights of mankind and the principles of democratic government consistently and with ccurage, knowing that Thy power and Thy blessing will be upon us only when we are in the right. May we so speak, and vote, and live, as to merit Thy blessing. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 20, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1366. An act to facilitate procurement of supplies and services by the War and Navy Departments, and for other purposes; and

H. R. 2413. An act to amend the Federal Reserve Act, and for other purposes.

INTERPARLIAMENTARY UNION — ANNOUNCEMENT OF MEETING OF AMERICAN GROUP

Mr. BARKLEY. Mr. President, may I ask the Senate's indulgence for just a moment to make an announcement. Many Senators are familiar with the fact that the Interparliamentary Union, which is an international organization of members of the various parliaments of the world, has been in existence and has had an honorable record for more than 50 years. They have customarily held an annual conference at some place selected, usually at one of the capitals of the world. There has been no such general conference since 1939, prior to the outbreak of World War II.

As president of the American group of this international conference, I am calling a meeting tomorrow at 10 o'clock in my room here, off the Senate Chamber, at which I should be happy if all Senators interested in the matter could attend. A similar announcement has been made in the House of Representatives by Chairman EATON, of the House Committee on Foreign Affairs, and, inasmuch as the organization has been dormant necessarily on account of the war, it is desirable that all Senators and Representatives who are interested in the organization may attend, if possible, and therefore I am taking advantage of this opportunity to make the announcement while there is a full attendance of the Senate.

MEETING OF COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. TAFT. Mr. President, I request the permission of the Senate for the Committee on Labor and Public Welfare to sit at 2 o'clock for a brief meeting.

The PRESIDENT pro tempore. Without objection, consent of the Senate is granted.

WORLD HEALTH ORGANIZATION — MESSAGE FROM THE PRESIDENT (H. DOC. NO. 177)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations.

(For President's message, see today's proceedings of the House of Representatives on p. 2389.)

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

INTERIM REPORT ON EXPORTATION AND IMPORTATION OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

A letter from the Secretary of State, transmitting, pursuant to law, an interim report on the exportation and importation of arms, ammunition, and implements of war under licenses issued by the Secretary of State for the years 1941 to 1945, inclusive (with an accompanying report); to the Committee on Foreign Relations.

TRANSMISSION AND SALE OF ELECTRIC ENERGY GENERATED AT FORT PECK PROJECT, MONTANA

A letter from the Under Secretary of the Interior, transmitting, pursuant to law, financial statements and reports covering the transmission and sale of electric energy generated at the Fort Peck project, Montana, for the first, second, and third fiscal years of operation (with accompanying papers); to the Committee on Public Works.

AUDIT REPORT OF UNITED STATES HOUSING CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the audit of the United States Housing Corporation for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

OCTOBER 1946 REPORT OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report of that Corporation for the month of October 1946 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF LIBRARY OF CONGRESS PLANNING COMMITTEE

A letter from the Librarian of Congress, transmitting a report of the Library of Congress Planning Committee relating to the problem of the future of the Library of Congress (with an accompanying paper); to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Indiana; to the Committee on Finance:

"Enrolled Senate Concurrent Resolution 7

"Concurrent resolution memorializing Congress concerning unemployment compensation and employment service

"Whereas the Congress of the United States did by the Social Security Act and the Wagner-Peyser Act attempt to establish a program of cooperation between the several States and the United States in the field of employment compensation and free employment service; and

"Whereas the departments entrusted with the administration of such programs on behalf of the Federal Government have consistently perverted the congressional will by converting such programs into programs of dictation and minute supervision of the States, by such Federal agencies, all founded upon their control of the funds provided by Congress for such purposes; and

"Whereas the existing program is unjustifiably expensive to both the United States and the States in that dual staffs are required for the purpose of collecting the pay-roll taxes by which these programs are financed and in that a large amount of the time and effort of the agencies of both the State and the United States is devoted to intergovernmental dealings; and

"Whereas it is essential that at this time governmental costs be reduced and governmental efficiency be increased: Now, therefore, be it

"Resolved by the Senate of the General Assembly of the State of Indiana (the House of Representatives concurring), That—

"1. It is hereby recommended to the Congress of the United States that legislation be enacted fixing certain definite minimum standards for State legislation and administration of unemployment compensation and employment service programs and that upon compliance by the State with such standards the taxpayers within such State who are liable for Federal unemployment tax be given full exemption therefrom.

"2. That it is hereby further recommended that any decision by any agency of the Federal Government in which it is determined that the State has not met such standards be fully reviewable in an appropriate court upon request of the State and that pending the determination of such appeal the State legislation be considered as having met such standards.

"3. That it is further recommended that the power of Federal administrative agencies to supplement congressional standards by rule or regulation be specifically denied.

"4. That a certified copy of this resolution be sent by the secretary of the senate to the Clerk of the House of Representatives and to the Secretary of the Senate of the Eightieth Congress and to each United States Senator and Representative from Indiana."

A cablegram from Nicolas Noguera Rivera, secretary-treasurer, San Juan, P. R., embodying a resolution adopted at the sixteenth convention of the Puerto Rico Free Federation of Workingmen State Branch, AFL, Arecibo, P. R., favoring clarification of the political status of Puerto Rico; to the Committee on Public Lands.

A cablegram from P. Rivera Martinez, president, and Nicolas Noguera Rivera, secretary, San Juan, P. R., embodying a resolution adopted at the sixteenth convention of the Puerto Rico Free Federation of Workingmen State Branch, AFL, Arecibo, P. R., favoring a thorough investigation of the privileged contract negotiated by the Commodity Credit Corporation with Cuban sugar producers; to the Committee on Banking and Currency.

A cablegram from P. Rivera Martinez, president, and Nicolas Noguera Rivera, secretary, San Juan, P. R., embodying a resolution adopted at the sixteenth convention of the Puerto Rico Free Federation of Workingmen State Branch, ALF, Arecibo, P. R., favoring an amendment to the Organic Act of Puerto Rico so as to permit the election of a governor at or before the next general elections in 1948; to the Committee on Public Lands.

By Mr. DWORSHAK:

A joint memorial of the Legislature of the State of Idaho; to the Committee on Agriculture and Forestry:

"Senate Joint Memorial 5

"A joint memorial to the President and the Congress of the United States to strengthen present sanitary requirements governing the importation of livestock and livestock products and to appropriate additional funds to the Bureau of Animal Industry, United States Department of Agriculture, in order that border inspection may be strengthened and a system of patrol established along the northern boundary of Mexico to guard against the importation of people, animals, and materials carrying the infection of foot-and-mouth disease, and also petitioning Congress to offer to the Government of the Republic of Mexico such facilities as may be available from the Bureau of Animal Industry, United States Department of Agriculture, and appropriating money to provide for such facilities and to extend aid to the Government of the Republic of Mexico in order that foot-and-mouth disease may be eradicated.

"We, your memorialists, the Senate and House of Representatives of the Twenty-ninth Legislature of the State of Idaho, do hereby respectfully represent that—

"Whereas foot-and-mouth disease now exists in livestock in the Republic of Mexico; and

"Whereas the disease has spread from the six original States involved in the vicinity of Mexico City as far west and north as the State of Zacatecas; and

"Whereas it is extremely doubtful if the Government of the Republic of Mexico can eradicate this disease from their livestock without additional assistance; and

"Whereas the presence of foot-and-mouth disease in the Republic of Mexico presents a very definite threat to the prosperity of the livestock industry and the entire economic welfare of the United States: Be it therefore

"Resolved by the Legislature of the State of Idaho, That we earnestly petition the Congress of the United States to strengthen the present sanitary requirements governing the importation of livestock and livestock products from Mexico and from other countries in which foot-and-mouth disease exists; be it further

"Resolved, That we earnestly petition Congress to appropriate additional funds to the Bureau of Animal Industry, United States Department of Agriculture, in order that border inspection may be strengthened and a system of patrol be established along the northern boundary of Mexico to guard against the importation of people, animals, and materials carrying the infection of foot-and-mouth disease; be it further

"Resolved, That we petition and urge the Congress of the United States to offer to the Government of the Republic of Mexico such facilities and assistance as may be available from the Bureau of Animal Industry, United States Department of Agriculture, and to appropriate funds to provide for this assistance and to provide direct financial aid to the Government of the Republic of Mexico in order that foot-and-mouth disease be eradicated from their livestock; be it further

"Resolved, That a copy of this joint memorial be forwarded by the secretary of state to the President of the United States and to the President pro tempore of the United States Senate, the Speaker of the House of Representatives, the Honorable Secretary of State, the Honorable Secretary of the United States Department of Agriculture, and to the Senators and Representatives in Congress from the State of Idaho with the request that they bring this matter forcibly to the attention of the Members of the Congress of the United States.

"This senate joint memorial passed the senate on the 27th day of February 1947.

"This senate joint memorial passed the house of representatives on the 5th day of March 1947."

(The PRESIDENT pro tempore laid before the Senate a joint memorial of the Legislature of the State of Idaho, identical with the foregoing, which was referred to the Committee on Agriculture and Forestry.)

By Mr. GREEN (for himself and Mr. MCGRATH):

A resolution of the General Assembly of the State of Rhode Island and Providence Plantations; to the Committee on Foreign Relations:

"Resolution commending the President of the United States of America for his forthright action in favor of aid to Greece and Turkey in order to permit the countries to be strong in their efforts to stem the tide of communism

"Whereas upon March 12, 1947, the President of the United States of America called on the Nation to devote money, materials, and military skill to halt the world march of communism, specifically requesting $400,000,000 to aid Greece and Turkey, the existence of which is threatened by terrorist activities of a militant minority spearheaded by Communists; and

"Whereas the President's address, an event of the first magnitude, calls unmistakably for action which will launch the United States on a new and positive foreign policy of worldwide responsibility for the maintenance of peace and order; and

"Whereas this is a matter of such significance that it transcends all political party lines, as evidenced by the immediate support of the President's action by the influential Senator ARTHUR H. VANDENBERG, Presiding Officer of the Senate and chairman of its Foreign Relations Committee, who made the statement:

" 'We cannot fail to back up the President at such an hour, even though many critical details remain to be settled in consultation with Congress': Now, therefore, be it

"Resolved, That the General Assembly of the State of Rhode Island and Providence Plantations now commends the President of the United States of America for his forthright action in favor of aid to Greece and Turkey, in order to permit the countries to be strong in their efforts to stem the tide of communism, since, as he said, 'Totalitarian regimes imposed on free peoples undermine the foundations of international peace and hence the security of the United States'; and be it further

"Resolved, That the Senators and Representatives from Rhode Island in the Congress of the United States be and they are earnestly requested to support the President

in his unfaltering enunciation of a new foreign policy; and the Secretary of State of Rhode Island is hereby authorized and directed to transmit to them and to the President of the United States of America duly certified copies of this resolution."

GUEST HOUSE AT VETERANS' HOSPITAL AT OTEEN, N. C.

Mr. HOEY. Mr. President, I ask unanimous consent to present a petition forwarded me by Richard M. Sherod, chairman, Oteen Veterans Committee for the Construction of a Guest House at the Veterans' Hospital, Oteen, N. C.

This petition is signed by a large number of veterans from the States of Alabama, Delaware, District of Columbia, Florida, Georgia, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, who are tubercular patients now receiving treatment at Oteen Hospital. Patients from 37 States and from Scotland and Canada are receiving treatment in this hospital at this time. A guest house is very greatly needed to accommodate members of the families who come to visit patients who are very ill. There are no present facilities in the community to accommodate relatives or visitors who go to Oteen to visit patients in the hospital.

I request that this petition be referred to the appropriate committee for consideration.

There being no objection, the petition was received and referred to the Committee on Labor and Public Welfare.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. TOBEY, from the Committee on Banking and Currency:

H. R. 2535. A bill to amend the Reconstruction Finance Corporation Act; without amendment; and

H. J. Res. 118. Joint resolution to strengthen the common defense by maintaining an adequate domestic rubber-producing industry; with amendments (Rept. No. 63).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BUTLER:

S. 959. A bill providing for contributions to States and local governmental units in lieu of taxes on real property held by the Federal Government; creating a commission to determine and pay such contributions; and for other purposes;

S. 960. A bill to authorize the Director of the United States Geological Survey to produce and sell copies of aerial or other photographs and mosaics, and photographic or photostatic reproductions of records, on a reimbursement of appropriations basis; to the Committee on Public Lands.

S. 961. A bill to provide for the payment of income taxes by the assignment of terminal leave bonds; to the Committee on Armed Services.

By Mr. McMAHON:

S. 962. A bill to provide that any unused portion of the German immigration quota shall be divided among the countries which were conquered and occupied by the German armed forces during World War II; to the Committee on the Judiciary.

By Mr. ECTON:

S. 963. A bill authorizing the Secretary of the Interior to issue a patent in fee to Henry Big Day and other heirs of Catherine Shield Chief, deceased, to certain lands on the Crow Indian Reservation;

S. 964. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to J. J. Baker; and

S. 965. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Lloyd L. Baker; to the Committee on Public lands.

By Mr. BUCK (by request):

S. 966. A bill to authorize the establishment of the District Educational Agency for Surplus Property in the Municipal Government of the District of Columbia, and for other purposes;

S. 967. A bill to amend the act entitled "An act to prohibit the killing of wild birds and wild animals in the District of Columbia," approved June 30, 1906, so as to permit the killing of starlings; and

S. 968. A bill to authorize the Public Utilities Commission of the District of Columbia to limit the number of taxicabs licensed and operated in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. TAYLOR:

S. 969. A bill for the relief of Damian Arruti; to the Committee on the Judiciary.

By Mr. GREEN:

S. 970. A bill for the relief of Mr. and Mrs. Harold T. Prosser; to the Committee on the Judiciary.

(Mr. AIKEN introduced Senate bill 971, to amend title V of the act entitled "An act to expedite the provision of housing in connection with the national defense, and for other purposes," approved October 14, 1940, as amended, to authorize the Federal Works Administrator to make grants to institutions of higher learning for the construction of educational facilities required in the education and training of war veterans, which was referred to the Committee on Labor and Public Welfare, and appears under a separate heading.)

(Mr. THOMAS of Oklahoma introduced Senate bill 972, to declare the policy of the United States with respect to hydroelectric power generated in connection with federally financed water development projects and to provide procedures for carrying out such policy, which was referred to the Committee on Public Works, and appears under a separate heading.)

(Mr. BALDWIN introduced Senate bill 973, to amend the Surplus Property Act of 1944, as amended, so as to provide for preference of disposal of civilian defense property to the States and local governmental units wherein such property was used, which was referred to the Committee on Armed Services, and appears under a separate heading.)

DISPOSAL OF CIVILIAN DEFENSE PROPERTY

Mr. BALDWIN. Mr. President, I ask unanimous consent to introduce a bill and have it appropriately referred; and in connection with the bill I should like to make a statement for the benefit of the RECORD.

The bill is a bill to amend the Surplus Property Act of 1944, as amended, so as to provide for preference of disposal of civilian defense property to the States and local governmental units wherein such property was used. It may very well be that it is too late to do anything about it. On the other hand, it is better late than never.

During the war years a great many civilians spent long hours and hard work in the civilian defense program, and I think they did it patriotically, loyally, and with great enthusiasm. In many cases and in many communities the work was done with marked ability.

During those years the Federal Government made available to the local Civilian Defense units certain items of fire-fighting equipment. They were small items, such as helmets and equipment of that nature. Such items were made available in great number.

At the close of the Civilian Defense program the communities were asked to collect such equipment and turn it back to the Federal Government. In my home town of Stratford we had an exceptionally active and exceptionally good civilian defense program. A large number of the people were active in the program during the war years and devoted hard work and great thought to it. Many of those people had some of the equipment referred to. They would have liked very much to keep the helmets and some of the other items as mementoes of their participation in the war as civilians. However, under the direction of the Government, the town authorities in Stratford collected the equipment and turned it over to the Federal Government.

I am advised by the general manager of our town of Stratford that all the equipment which was collected by the town and turned over to the Federal Government—and there was quite a substantial quantity of it—was sold to a private dealer by the Federal Government, through the War Assets Administration, I believe, for less than $50. The town would have been glad to buy it and leave it in the hands of the people, who would have liked very much to keep it. Nevertheless, that is what was done with it.

It seems to me that if all the material has not been collected, and there are people in some towns who would like to keep the equipment, such towns should have the first call on it and should have an opportunity to bid it in and buy it, at least for the price that the Federal Government may be able to get for it from a private dealer. This is the purpose of the bill which I am introducing.

There being no objection, the bill (S. 973) to amend the Surplus Property Act of 1944, as amended, so as to provide for preference of disposal of civilian defense property to the States and local governmental units wherein such property was used, introduced by Mr. BALDWIN, was received, read twice by its title, and referred to the Committee on Armed Services.

UNITED STATES OF EUROPE

Mr. FULBRIGHT (for himself and Mr. THOMAS of Utah) submitted the following concurrent resolution (S. Con Res. 10), which was referred to the Committee on Foreign Relations:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the creation of a United States of Europe, within the framework of the United Nations.

INTERNATIONAL REFUGEE ORGANIZATION—AMENDMENT

Mr. REVERCOMB (for himself, Mr. McCARRAN, and Mr. McGRATH) submitted an amendment intended to be proposed by them, jointly, to the joint resolution (S. J. Res. 77) providing for membership and participation by the United

States in the International Refugee Organization and authorizing an appropriation therefor, which was ordered to lie on the table and to be printed.

CHANGES OF REFERENCE

On motion of Mr. MILLIKIN, and by unanimous consent, the Committee on Finance was discharged from the further consideration of the following bills, and they were referred to the Committee on Labor and Public Welfare:

S. 670. A bill to amend the Railroad Unemployment Insurance Act, as amended, and for other purposes; and

S. 956. A bill to amend the Servicemen's Readjustment Act of 1944, as amended, so as to extend the benefits of titles II, III, IV, and V of such act to members of the American Field Service.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred, as indicated:

H. R. 1366. An act to facilitate procurement of supplies and services by the War and Navy Departments, and for other purposes; to the Committee on Armed Services.

H. R. 2413. An act to amend the Federal Reserve Act, and for other purposes; to the Committee on Banking and Currency.

THE BOXCAR SHORTAGE

Mr. YOUNG. Mr. President, there has been great national concern and a great amount of publicity with respect to the present shortage of wheat and the resultant increase in the prices of wheat and also of bread. The farmers of the Middle West, and particularly of my State, have done their utmost in the production in wheat. Now they are faced, as they have been faced during the past many months, and even years, with a shortage of boxcars with which to send to the market the wheat they produce. Most midwestern elevators have been blocked for months and months, at a time when wheat is so sorely needed in other sections of the United States, and, for that matter, in the entire world.

Four midwestern railroads, including the Great Northern Railway, have done their utmost to alleviate this situation. At this critical time the Great Northern Railway has only 57 percent of its ownership of cars on its own railroad. Other western railroads are in exactly the same position. It has been a matter of so much concern to those railroads that they have found it necessary from time to time to insert advertisements in the various newspapers. I know of no action that would contribute more to the stabilization of grain prices at the present time than that which would return to western railroads the boxcars which they own and which they are entitled to use on their own roads.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an advertisement by the Great Northern Railway entitled "Wanted, 20,466 Boxcars."

There being no objection, the advertisement was ordered to be printed in the RECORD, as follows:

WANTED: 20,466 BOXCARS

When a serious boxcar shortage last fall blocked the full movement of new grain and other commodities to markets Great Northern then gave shippers in its territory indisputable facts behind that deplorable situation.

Today, 7 months later, Great Northern is obligated to advise shippers that there has been no improvement in the boxcar supply on its lines. Factually, the car situation now is worse than in August, and the railway proposes to again tell why.

Great Northern is not receiving its deserved, proportionate share of boxcars because other lines, principally those in the East, are using them.

This railway owns 23,789 boxcars, a very large number of them top-grade, built especially for hauling grain, forest products, and other commodities requiring protection from weather.

On March 10, 1947, Great Northern had on its line only 13,737 boxcars, which represented 57.7 percent of the railway's total ownership. The important fact in those figures is that only 3,323 of the 13,737 cars were Great Northern-owned. The other 10,414 boxcars on the railway on that date belonged to other railways, and far too many of them were unfit for transporting grain, flour, and dressed lumber.

Where are 20,466 Great Northern boxcars, which are so desperately needed by shippers along the railway?

Boxcars do a lot of traveling. They roll from coast to coast and over both borders. Yet Great Northern has strong convictions, based on observations and Association of American Railroads' statistics, that most of our truant cars are working for lines east of the Mississippi River.

The association reported on February 1 (the most recent figures available) that boxcar possession on all railroads in the Eastern and Allegheny territories then was 110.1 and 103.1 percent, respectively, of ownership.

The same association, of which Great Northern is a member, consistently has promised relief for shippers on the railway, and with equal consistence has failed to effect any appreciable improvement in getting our own cars back home.

Lack of materials for new car construction has, of course, contributed to the boxcar headache. Great Northern has been unable to obtain materials for building 500 new boxcars, authorized almost a year ago.

The railway industry has been told that an increasing amount of steel and lumber will be available for new-car construction. It will be a year or more before enough boxcars can be built to bring the supply back to normal.

Meanwhile, Great Northern intends to continue its daily fight for an equitable supply of boxcars, its own, preferably, for shippers on the railway.

GREAT NORTHERN RAILWAY.

TRIBUTE TO THE LATE MRS. ALBEN W. BARKLEY

[Mr. RUSSELL asked and obtained leave to have printed in the RECORD an article entitled "Side Lights on Paducah" by Fred G. Neuman, published in the Paducah (Ky.) Sun-Democrat, which appears in the Appendix.]

ADDRESS ON PUBLIC WORKS BY SENATOR REVERCOMB

[Mr. REVERCOMB asked and obtained leave to have printed in the RECORD an address on the subject of public works, delivered by him before the Regional Highway Conference at New York City, on February 20, 1947, which appears in the Appendix.]

ADDRESS BY SENATOR MYERS BEFORE THE SOUTHEASTERN PENNSYLVANIA CHAPTER 1947 RED CROSS FUND CAMPAIGN

[Mr. MYERS asked and obtained leave to have printed in the RECORD an address delivered by him before the Southeastern Pennsylvania Chapter 1947 Red Cross fund campaign, which appears in the Appendix.]

AMERICAN AID TO GREECE AND TURKEY—EDITORIAL COMMENT

[Mr. MYERS asked and obtained leave to have printed in the RECORD an editorial entitled "Why UN Couldn't Serve," published in the Philadelphia Bulletin of March 17, 1947; and an editorial entitled "Not Bypassing the UN But Aiding It," published in the Philadelphia Inquirer of March 21, 1947, which appear in the Appendix.]

IS UTAH SAHARA BOUND?—DIGEST OF LECTURE BY DR. WALTER P. COTTAM

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD a digest of a lecture entitled "Is Utah Sahara Bound?" delivered by Dr. Walter P. Cottam, of the University of Utah, which appears in the Appendix.]

BYPASSING THE UN?—EDITORIAL FROM THE CHARLOTTE OBSERVER

[Mr. HOEY asked and obtained leave to have printed in the RECORD an editorial entitled "Who Is Bypassing UN?" from the Charlotte Observer of March 19, 1947, which appears in the Appendix.]

HE WHO LAUGHS LAST—EDITORIAL FROM THE MAGAZINE LABOR

[Mr. KILGORE asked and obtained leave to have printed in the Appendix of the RECORD an editorial entitled "He Who Laughs Last," appearing in the magazine Labor on March 22, which appears in the Appendix.]

"LET'S TAKE UP A COLLECTION"—EDITORIAL FROM THE WYOMING EAGLE

[Mr. KILGORE asked and obtained leave to have printed in the RECORD an editorial entitled "Let's Take Up a Collection," appearing in the Wyoming Eagle, March 6, 1947, which appears in the Appendix.]

TRIBUTE TO COMMISSIONER DURR OF THE FEDERAL COMMUNICATIONS COMMISSION

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD a tribute, by Variety magazine, to Commissioner Clifford J. Durr, of the Federal Communications Commission, which appears in the Appendix]

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 2157) to define and limit the jurisdiction of the courts to regulate actions arising under certain laws of the United States, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. MCCARRAN] for himself and the Senator from Rhode Island [Mr. MCGRATH], proposed as a substitute for parts II, III, and IV of the committee amendment as amended, being lines 19, on page 10, down to and including line 2, on page 23, as amended.

The Senate is proceeding today under a unanimous-consent agreement reading as follows:

That on the calendar day of Friday, March 21, 1947, at not later than the hour of 3 o'clock p. m., the Senate proceed to vote, without further debate, upon any amendment or motion that may be pending or that may be proposed to the committee substitute, and upon the committee substitute for the pending bill, H. R. 2157, the so-called portal-to-portal pay bill, and that on said day at not later than 5 o'clock p. m. the

Senate proceed to vote upon the final passage of the bill itself.

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Murray
Baldwin	Hayden	Myers
Ball	Hickenlooper	O'Conor
Barkley	Hill	O'Daniel
Brewster	Hoey	O'Mahoney
Bricker	Holland	Overton
Bridges	Ives	Pepper
Brooks	Jenner	Reed
Buck	Johnson, Colo.	Revercomb
Bushfield	Johnston, S.C.	Robertson, Va.
Butler	Kem	Russell
Byrd	Kilgore	Saltonstall
Cain	Knowland	Smith
Capper	Langer	Sparkman
Chavez	Lodge	Stewart
Connally	Lucas	Taft
Cooper	McCarran	Taylor
Donnell	McCarthy	Thomas, Okla.
Downey	McClellan	Thomas, Utah
Dworshak	McFarland	Thye
Eastland	McGrath	Tobey
Ecton	McKellar	Umstead
Ellender	McMahon	Vandenberg
Ferguson	Magnuson	Watkins
Flanders	Malone	Wherry
Fulbright	Martin	White
George	Maybank	Wiley
Green	Millikin	Williams
Gurney	Moore	Wilson
Hatch	Morse	Young

Mr. LUCAS. The Senator from Maryland [Mr. TYDINGS] and the Senator from New York [Mr. WAGNER] are necessarily absent.

Mr. WHERRY. I announce that the Senator from Wyoming [Mr. ROBERTSON] is absent because of illness.

The Senator from Indiana [Mr. CAPEHART] and the Senator from Oregon [Mr. CORDON] are absent by leave of the Senate.

The PRESIDENT pro tempore. Ninety Senators having answered to their names, a quorum is present.

Mr. BARKLEY. Mr. President, I hesitate to occupy the time of the Senate for even a brief period on the pending measure on which we are to vote today. I do not speak with any delusions that I may be able to affect the vote of any Senator, either on the substitute or the bill itself. But I do wish to express some views with reference to the proposed legislation on my own behalf, and on behalf of the record which I shall make in the votes I shall cast.

I recognized the sincerity, the ability, and the good faith of the members of the Committee on the Judiciary which has reported the bill to the Senate, and especially of the subcommittee, of which my able and distinguished colleague the junior Senator from Kentucky [Mr. COOPER] was a member. In what I shall have to say I shall not in the remotest degree cast any reflection on their ability, their sincerity, or their good faith. But there are certain features of the proposal to which I cannot give my approval, and I feel it my duty to record at least a few of the reasons in as brief a manner as possible, realizing that we are to vote at a certain hour on the substitute.

The proposed legislation is called portal-to-portal legislation. The history of the pending bill certainly makes it a portal-to-portal bill. It came through the portal of the House of Representatives after having gone through the portal of the committee of the House. It came through the portal of the Senate and thence through the portal of the Committee on the Judiciary of the Senate, in the meantime another bill having been introduced in the Senate by the chairman of the committee, which went through the portal of the Senate to the portal of the committee, and came out through the portal of the committee into the portal of the Senate. In the meantime, both bills went back through the portal of the Senate, through the portal of the committee, and out through the portal of the committee again and in through the portal of the Senate. So it is in truth and in deed a portal-to-portal bill.

During the process of migration on the part of this proposed legislation it changed both its raiment and its character so that in its present form it is almost unrecognizable as having any relationship to the first bill introduced in the Senate on the subject of portal-to-portal claims.

I have not had an opportunity to read carefully the extensive hearings which were held on the bill. Such time as I have had available I have utilized in running through the hearings. I have read the original portal-to-portal bill introduced by the Senator from Wisconsin [Mr. WILEY], the House bill as it passed the House, the amendment reported by the committee by way of a substitute, the amendment offered by the Senator from Nevada and the Senator from Rhode Island, and the reports on the two bills. I am compelled to say that I am still lingering in a certain amount of fog and confusion as to what is intended by the proposed legislation and what will be its ultimate effect upon the rights of workers as well as employers throughout the United States.

At the outset I wish to say that I deplore the tendency of recent years either by legislation to anticipate decisions of the courts and thereby in advance nullify them or make them impossible or irrelevant or by the passage of legislation to nullify decisions after they have been rendered. That tendency has taken root in the Congress of the United States to a larger degree within recent years than in any previous time, so far as I can recall, in the history of the United States. We saw evidence of it 2 or 3 years ago in legislation designed to lift out of the purview and the scope of the antitrust laws insurance companies engaged in interstate commerce, as they were, and as they were declared later by the Supreme Court to be so engaged. Fortunately, through the members of the committee, among whom especially was the Senator from Wyoming [Mr. O'MAHONEY], legislation was worked out which seemed to be satisfactory to the country and to all parties concerned. But the original proposal was a deliberate effort, Mr. President, to forestall an opinion of the Supreme Court, which was later rendered, holding insurance companies subject to the regulation of Congress because they were engaged in interstate commerce, which I had all my life believed ought to be the law if it was not.

We see now an effort being made, similar to the effort which was made in the last Congress, to forestall an opinion of the Supreme Court with respect to certain rate practices indulged in by the railroads of this country and approved, at least for the time, by the Interstate Commerce Commission which victimize the people of a very large section of the United States, of which my State is a part. That legislation is now pending in the Senate of the United States. It represents an effort to deny to the Supreme Court the right to adjudicate litigation on the part of the State governments of the States involved in order to terminate widespread discrimination in the treatment of communities and shippers and manufacturers and consumers of the United States of America. I do not support that proposed legislation, and I shall not support it.

Here in the Senate we have complained frequently that the executive branch of the Government was impinging upon the rights of the legislative branch. In the Senate of the United States we have frequently bitterly complained that even the Supreme Court was impinging upon the rights of the Congress by placing interpretations upon acts of Congress not intended by Congress. Although it is a peculiar function of the courts to interpret the acts of Congress and their application to the people, yet when the Senate as a whole, or Members of the Senate and the House, have felt that the Supreme Court had gone too far in interpreting laws which Congress had enacted, we have bitterly complained of judicial usurpation; and we have also bitterly complained of executive usurpation in the exercise of the functions intended by the Constitution to be exercised by the three coordinate branches of our Government.

In spite of this criticism and this complaint on the part of Members of Congress, we find ourselves now in the midst of legislation that may deny permanently certain rights to American citizens who are required both in peace and in war to perform all the duties upon which their country may call upon them to perform. We are now considering legislation growing out of a decision of the Supreme Court which is not yet final, which will have to be reviewed by the Supreme Court of the United States when the case involving the question out of which this legislation grows again reaches that Court.

So, Mr. President, it seems to me that we may be estopped hereafter in our criticism either of the executive or the judicial branch of our Government if we ourselves undertake to deny to the courts or to any executive agency set up by Congress the right to interpret the laws which Congress enacts.

I therefore deplore this tendency of legislative interference with the functions and the jurisdictions of the courts to pass upon questions which they themselves do not voluntarily seek, but which are brought before them by citizens of this great country, and upon which they must pass judgment in good conscience, which we feel they must possess, notwithstanding frequently we may disagree

with their logic and their conclusions. So much for that, Mr. President.

I am going to vote for the substitute amendment offered by the Senator from Nevada and the Senator from Rhode Island. There are some things in it to which I do not give wholehearted support, which violate my own conception of proper legislation upon a subject that has been whipped up because of a temporary situation, as I believe; but I think the substitute proposal is so infinitely better than the original bill or the committee amendment that I shall vote for it, and do so gladly, as between the two provisions which are now before the Senate.

Mr. President, I have been disturbed from the beginning of the agitation for portal-to-portal legislation over whether in our zeal, in what during this debate has been called our "hysteria"—I do not use that term, but I quote it from some of those who have discussed this proposed legislation—we may deprive American citizens of rights to which they are entitled and which are guaranteed to them by the Constitution of the United States.

There is more involved in this legislation, and there is more involved in the legislative process by which it has been brought to the Senate, than the mere Mount Clemens Pottery case involving walking time, or washing time, or changing-clothes time before or after the day's work has begun or ended. There is more involved in this legislation and its effect and its permanent results than the mere question of whether a man shall be paid while he is walking from the gate of a plant into the machine shop where he works, or back to the gate when he goes out at eventide, or whether he shall be paid for the time consumed while washing before or after he works, and changing his clothes. There is something more involved than the question whether a man shall be paid while he is riding to or from his work. That was the case upon which this legislation largely hinged and which brought it here. The Mount Clemens Pottery case did not involve many situations which I can visualize in my own mind with respect to workers. The Mount Clemens Pottery case did not involve a case such as that about which I inquired the other day, in which a man, under the fair-labor-standards law, is required to work 8 hours a day or 40 hours a week. Whether he is organized or unorganized makes little difference. It may be that the organized laborer, by reason of his organization, is in a better position than is the unorganized laborer to protect his own rights and demand a contract that is satisfactory to him. I think we all recognize that if that were not true there would be no labor organizations and no particular reason for them. We have always recognized the fact that organization among laboring men was essential in order that they might protect their own rights by concerted action; and we have legalized such organizations by declaring that they shall not be regarded as belonging to the category of violators of the antitrust laws, just as we have legalized farmers' organizations for the same reason. So we may assume that members of labor organizations are in a better position to protect themselves, their wages, and their conditions of labor than are the unorganized millions of workers who outnumber those who are members of labor organizations.

The Mount Clemens Pottery case did not involve a situation in which a man is required to work 8 hours in what is fantastically called his principal employment, which is not defined, as many other things in the bill which must be interpreted by the courts are not defined. The other day on the floor of the Senate, while the Senator from Nevada was speaking on the substitute, I asked whether a certain situation which I described would be covered, and if so, to what extent and in what manner. Suppose that a man is a machinist or a mechanic of some kind. He is required to go to work at 8 o'clock. Let us assume for a moment that he is not a member of an organization. He is required to enter upon the actual labor, which might be termed his principal employment, at 8 o'clock in the morning and to spend 8 hours at such principal employment. But let us suppose that his employer requires him to be on the grounds and within the shop at 7:30 in the morning in order that he may spend half an hour sharpening and preparing the tools with which he himself or his colleagues in the factory are to work. Can anybody say that under those circumstances the 40-hour workweek has been complied with, as intended by the Fair Labor Standards Act? If he is required to do that every day, instead of working 8 hours a day he will be working 8½ hours a day. If he works 6 days a week, instead of 40 hours a week, he will be working more than 50 hours, every moment of which he is under the control of his employer, working with tools which belong to his employer, and he must abide by his orders or run the risk of discharge from his employment.

Is that a part of his principal employment, or is that preliminary; or, if he is required to do it after the close of the shop in the afternoon, is that a part of the "postliminary" work for which there is to be no compensation unless there is a contract or unless it has been the practice and custom for the employer to pay for the extra work done at his command?

Mr. President, regardless of what may be the effect of the pending legislation so far as the future is concerned, or on any rights that may have accrued up to this time in this controversy, I am unwilling, by legislation, to say to a court called upon to administer and enforce the rights of individuals, however humble they may be, however unknown they may be, however they may live their lives in the shadows rather than on the peaks of human existence and human enterprise, that for all time in the future, whether a man is a member of any organization or not, he shall be denied the right to recover, or at least have a court pass upon his right to recover, wages for the extra work which he is compelled by his employer to do and with respect to which he has no remedy and no alternative except the loss of the employment upon which he and his family so vitally depend.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to my colleague.

Mr. COOPER. I think the distinguished Senator knows that I am always impressed by his remarks. However, I gathered from the illustration which he propounded that there was a question in his mind as to what would be the status of an employee who was required to report for his work some time before the beginning of his regularly scheduled hours to perform certain activities, and whether or not he would receive pay for such activities. Is that correct?

Mr. BARKLEY. That is correct, subject to the further observation that, of course, if he has a contract, either written or unwritten, or if there has been a practice or custom—whether it is immemorial or short-lived—he would be entitled to pay. But without a contract, either written or unwritten, and without a custom having prevailed or a practice having been indulged in in that plant, in the future he would not, as I understand, be entitled to recover, because that work would be regarded as portal-to-portal activity, compensation for which is sought to be barred by the bill.

Mr. COOPER. The distinguished Senator has perhaps not had the opportunity to read the report of the committee. Let me say that on page 48 of the report of the committee that exact situation, or one as nearly comparable to it as probably could be cited, is discussed. In the report it is clearly stated that under such circumstances it is the intention of the framers of the bill that such activities shall be compensable, as a part of the principal activity.

Mr. BARKLEY. I thank my colleague. However, I get the very strong impression, if I am mistaken I wish to be corrected, from reading the bill and the report, and listening to the discussion, that under the definition of portal-to-portal activities, unless there is a contract, written or unwritten, or a custom under which such activities are compensable, all preliminary and postliminary work required by an employer is noncompensable.

If I am mistaken about that I should like to be corrected, because I do not want to make a misstatement about it. That is my understanding of the bill. In another place in the bill it is provided that hereafter courts shall not have jurisdiction to try or consider portal-to-portal activities beyond those encompassed in a contract or by custom or practice.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. LUCAS. Has the Senator from Kentucky analyzed the definition of portal-to-portal pay in this bill?

Mr. BARKLEY. I cannot say that I have analyzed it, because I think it is beyond analysis.

Mr. LUCAS. That is exactly the point. If there is a definition of portal-to-portal pay in the bill which will not give the courts plenty of trouble to ascertain what those who are the proponents of this bill are driving at, then I cannot understand the English language.

Mr. BARKLEY. The bill undertakes to define portal-to-portal activities by referring to section 2 of the bill.

Mr. LUCAS. It is not done in an affirmative way; it is done in a negative way.

Mr. BARKLEY. It is necessary to go from the section which undertakes to define portal-to-portal back to section 2 to find out what the authors are talking about; and when we get back to section 2 we find that portal-to-portal means anything which is not covered by contract or by custom or practice. Anything beyond that is portal-to-portal, according to the definition, if the definition is of any value whatever. In my judgment, the courts will have as much difficulty undertaking to determine what portal-to-portal means in this legislation as they have had in undertaking to write the decision out of which this legislation grows.

Mr. LUCAS. I have been here quite a long time, and I have never seen a definition like it in any legislation which has been considered since I have been a Member of the Senate. I have never before seen any committee attempt to define a term other than in an affirmative way which tells the Senate exactly what is meant. In this bill we have to go around Robin Hood's barn to attempt to find out what it means, and when we do so we find nothing, in my opinion, to define the term.

Mr. BARKLEY. Whether it was so intended or not, the bill is a declaration of no confidence in the courts of the United States. It is brought here because Congress fears that some court—either the United States Supreme Court or some Federal court or some other court whose decisions might reach the Supreme Court—might hold in a manner and to a degree that Congress did not wish them to decide. Therefore there is no way to avoid the conclusion which I entertain that the reason for this legislation is the fear of Congress that the courts in their decisions and interpretations might not go along the lines desired by the Congress of the United States. Yet, notwithstanding that implied lack of faith in our courts, the committee bill leaves to those same courts the duty of finding a way through the labyrinthine maze to interpret what is meant by portal-to-portal legislation or portal-to-portal activities or portal-to-portal compensation.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. Inasmuch as the Senator from Kentucky and the Senator from Illinois were discussing the definition, or the lack of definition, of portal-to portal activities in this bill, it seems to me that the occasion should not pass without specifically reciting the language of the proposed statute.

Mr. BARKLEY. I should be very glad to have the Senator do so.

Mr. O'MAHONEY. The language leaves it absolutely clear in the mind of any reasonable person that there is positively no definition in the bill concerning portal-to-portal activities which may be set up as to existing claims.

On page 11, beginning in line 19, the bill provides, as part of section 2:

For the purposes of this section—

That means the whole section—

no judicial or administrative interpretation—

Of the three acts—

shall have the effect of changing any written or nonwritten contract between the employer and employee so as to make compensable any portal-to-portal activities (as defined in sec. 5).

Yesterday when I undertook to read the bill during the debate, when I reached that point I turned to section 5 to find what the definition of portal-to-portal activities is in the minds of those who drafted the legislation. Section 5 appears on page 14 of the bill, beginning in line 3. It is entitled "Definition." Certainly when we come to a section entitled "Definition" we are entitled to believe that the authors of the bill will give us a definition. But what do they say?

As used in this part—

That means all of section 2, section 3, section 4, and, of course, section 5—

As used in this part, the term "portal-to-portal activities" means those activities which section 2 hereof provides shall not be a basis of liability or punishment under—

The three acts.

So we have the amusing and absurd situation that section 2 says that the proposed law deals with portal-to-portal activities as defined in section 5, and section 5 defines them as they are defined in section 2. It is a perfect run around. No court, no Congress, no committee, no Senator can interpret portal-to-portal activities so far as part II of the bill is concerned.

Mr. BARKLEY. And the result is that sections 2 and 5 meet themselves coming and going in every portal which they enter.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TOBEY. The Senator a few moments ago in his remarks stated that in his opinion this bill evidenced a lack of confidence in the courts of the land. Taking that theme for the purpose of a brief interpolation, I point out that I regret that attitude and I deplore it and I attack it and I shall do so in the future. Let me point out to the Senator that the same disease, the same lack of confidence, was exemplified in the oil legislation a year ago which the Senator and I tried to defeat on the floor, and it is also manifested in the so-called Bulwinkle bill.

Mr. BARKLEY. Before the Senator came in I had referred to the Bulwinkle legislation and had referred to the previous effort to deprive the Supreme Court of the power to pass upon whether insurance was interstate commerce. I did not advert to the oil situation, and I thank the Senator for adding that to the list. I concur completely in the statement of the Senator, and I remarked on the fact that I deplored the recent tendency of Congress to undertake to impinge upon the jurisdiction of the courts, as every Congress has from time to time criticized the Executive for undertaking to impinge upon its rights.

Mr. TOBEY. It is a very dangerous situation.

Mr. BARKLEY. That is correct.

I do not want to take any further time with respect to the lack of any definition of portal-to-portal activities. Section 2 refers to the definition in section 5. We turn to section 5 and do not find any definition there. It might have been easy or it might have been difficult to say "portal-to-portal activities" mean this, that, or the other; but it does not say that. If we are to take it for anything of value, whatever it means, taking the two sections together, everything that is not specified in section 2 is portal-to-portal, and that means that many activities in which men engage in good faith, where they may be required from time to time to work for an employer who may be arbitrary or unreasonable, will be regarded, if it were of any value at all as a definition, as a portal-to-portal activity.

This bill provides that even custom or practice, when it is inconsistent with a contract, shall not govern. I am very much disturbed about that provision, because there is no definition of a contract in this bill. All through the measure reference is made to written and unwritten contracts. I imagine that very few individual employees have a written contract with their employer. No doubt they applied for a position or a job or for work, and the employer told them what the wage would be, and the employees went to work at that wage. In the case of such a worker there is an implied contract, of course; and where there is neither a written nor an unwritten contract that is enforceable, the law from time immemorial has stepped in and presumed the existence of a contract between the employer and the employee. In this bill reference is made to written and unwritten contracts; but the bill provides that wherever custom or practice established between the employer and the employee is inconsistent with a written or unwritten contract, then the practice or custom is null and void and of no effect.

Mr. President, what constitutes inconsistency with a contract? Let us suppose there is a written contract between any given employer and any given employee to employ the worker at, let us say, $5 a day for 40 hours a week. Let us suppose that nothing is said in the contract about overtime or preliminary work or postliminary work or whether the employer shall have the right to compel the employee to be on the job half an hour before the time when the machine shop commences operations, in order that he may engage in some preliminary work preparatory to beginning the 8-hour day. The contract contains no provision about that; it is silent on the subject. Mr. President, if a custom is established in that plant, whereby

one-half hour's work, preliminary or postliminary, would be compensable, this bill provides that that practice or custom is null and void if it is inconsistent with the terms of the contract. If there is nothing in the contract on the subject, it might well be said that any agreement outside the contract would be inconsistent with it, and that therefore such work would not be compensable, even though both sides might agree to the practice, which would be established outside of the contract, and which might be inconsistent with it.

So, Mr. President, it seems to me that in writing this bill the committee has been most anxious to give voice to an immediate dismissal of all these lawsuits, thereby taking them out of the hands of the courts. No one knows what the courts' decisions will be. There has been only one trial which has come to any outstanding notice, and that is the trial before Judge Picard in Detroit. The decision in that case was appealed to the Supreme Court, and the Supreme Court held that the activities described in the suit and in the decision might be compensable, and it remanded the case to Judge Picard's court, with instructions to determine how much the employees were entitled to, having in mind the de minimis rule. Judge Picard evidently took that hint of the Supreme Court as being worthy of his consideration, for he then held that all those cases came under the de minimis rule, and therefore he dismissed the entire suit—which I suppose will, in turn, come to the Supreme Court for further consideration; and inasmuch as the Supreme Court gave to the district court in Detroit that hint of what it might do—to take into consideration the de minimis rule—I imagine the Supreme Court itself might have that in mind, and perhaps will dismiss all these cases when they come to it.

Mr. McMAHON. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield.

Mr. McMAHON. Can the Senator from Kentucky tell us what provisions of this measure have previously been before the Senate—for instance, at the last session—and have failed of passage, and what provisions which we have previously rejected are attempted to be run in here in order to have them adopted under the cover of this portal-to-portal legislation?

Mr. BARKLEY. I had in mind the Gwynne bill which passed the House of Representatives and came to the Senate. The Gwynne bill came to the Senate from the House of Representatives during the last session; but the Gwynne bill of the Seventy-ninth Congress is an entirely different measure from the Gwynne bill which the House of Representatives sent to the Senate a few days ago. There was nothing in the former Gwynne bill with respect to portal-to-portal pay. There was not a word in it with respect to amending the Walsh-Healey Act or the Bacon-Davis Act. So we cannot consider that the Gwynne bill which was passed by the House of Representatives during the last session has any real relationship to the measure now before us, except that the decision of the Supreme Court and the filing of these many fantastic cases have given a peg upon which to hang a hat of legislation which, if not designed to do so, at least is likely to do irreparable injury to millions of our people in years to come.

Mr. WHERRY. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield.

Mr. WHERRY. I appreciate the answer the Senator from Kentucky gave to the Senator from Connecticut, for the Gwynne bill which came to the Senate from the House of Representatives in the Seventy-ninth Congress did not contain any strictly portal-to-portal provisions.

Mr. BARKLEY. That is true.

Mr. WHERRY. It did have the good-faith reliance clause, and it was passed with that provision in it. Is that correct?

Mr. BARKLEY. That is correct.

Mr. WHERRY. Yes. I agree with the distinguished Senator that there was no portal-to-portal legislation in it.

Mr. BARKLEY. Mr. President, I wish to refer to the part of the bill which sets out the findings of the committee. I do not have time to discuss more than a portion of the bill. First the bill states that the Congress finds that certain horrid conditions exist in this country, endangering our commerce, our safety, our security, and threatening bankruptcy to many of our institutions. As a matter of fact, Mr. President, of the 550,000 corporations which come under the Fair Labor Standards Act on the average, and the more than 900,000 corporations that have come under it since its enactment because of the turnover in corporate existence, only a very few of them are involved in such suits, now brought or pending in the United States. Nevertheless, the asserted threat of bankruptcy to many of our institutions is set out in the bill as a reason for its enactment.

Then we find this:

> The Congress further finds and declares that all of the results which have arisen or may arise under the Fair Labor Standards Act of 1938, as amended, as aforesaid, may (except as to liability for attorney's fees and, in the case of the Bacon-Davis Act, for liquidated damages) arise with respect to the Walsh-Healey and Bacon-Davis Acts and that it is, therefore, in the national public interest and for the general welfare, essential to national defense, and necessary to aid, protect, and foster commerce, that said Walsh-Healey Act and said Bacon-Davis Act be amended, as hereinafter set forth.

Mr. President, I have gone through the volume of hearings held by the Committee on the Judiciary, and in it I have not found a word with respect to either the Walsh-Healey Act or the Bacon-Davis Act. No witness who appeared before the committee urged or requested or suggested that the Walsh-Healey Act be amended or changed, or that provision for its change be included within this measure, or that the Bacon-Davis Act be amended or changed, or that provision for its amendment be included in this measure. Yet without a word of testimony, without a suggestion publicly made that the Walsh-Healey Act and the Bacon-Davis Act, as interpreted and enforced, endanger our national security and the national defense, the committee asks the Congress to find, in the absence of any basis whatever, that the amendments to the Walsh-Healey Act and the Bacon-Davis Act shall be included in the portal-to-portal legislation.

Mr. President, it has already been stated that there has not been a single lawsuit brought for recovery of compensation for portal-to-portal activities under the Walsh-Healey Act, and that act has been in existence since 1935. The Bacon-Davis Act has been in existence since 1931, and not a single lawsuit has been brought in any court to secure compensation for portal-to-portal activities under either one of these acts.

We have just fought a great war, the greatest war ever fought in all the annals of history. We played a magnificent part in that war. Both industry and labor, agriculture and finance, all of the activities, all of the resources, of our Nation were consolidated and organized in order to win that war. There was no complaint while the war was on, for more than 4 years, that the Walsh-Healey Act was interfering with our national defense. There was no suspicion brought even to Congress or in the public press, or before the American people, that the Bacon-Davis Act and its enforcement and its observance were interfering with our national defense. Yet we are told to find in the proposed law that the way these laws are being observed and enforced is a danger to our national defense, and that their change as recommended by the committee is necessary in order that our national life may be preserved in our effort to defend it.

Mr. President, I decline to make any such finding on my part. I decline to join any other Members of this body in making any such finding, because it is a false finding, it is based on no testimony, no record, no circumstance, that gives justification for the amendments which are included in the bill with respect to the Walsh-Healey Act or the Bacon-Davis Act.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Illinois.

Mr. LUCAS. The Senator was unavoidably absent the other day when the distinguished Senator from Rhode Island [Mr. McGRATH] made a remarkable address upon this question. He discussed thoroughly the Bacon-Davis Act and the Walsh-Healey Act and, as I recall, he said in the address that $50,000,000,000 was spent under the Bacon-Davis Act and the Walsh-Healey Act, and not one complaint was ever made, not one lawsuit was instituted, nothing happened in the spending of all that money, which would give any committee in the United States Congress the right or opportunity to bring the Bacon-Davis Act or even the Walsh-Healey Act under this kind of a bill.

One further observation. It is worth while to repeat that when the committee started the question of portal-to-portal legislation, it first reported out a bill which dealt solely with the portal-to-portal cases, then for some cause or

other the bill was sent back to the committee, and it came back with many additions. I wonder if the committee, like a prizefighter, has a little overtrained in its zeal to bring in something that would be perfect.

Mr. BARKLEY. I was not privileged to hear the speech of the Senator from Rhode Island, but since I returned to Washington I have read it with great admiration and with much profit and benefit, and I hasten to join those who have already congratulated him upon it. In view of its exhaustive discussion of the bill and its implications, it seems like a work of supererogation for me or anyone else to attempt to add anything to it. But there is a strange mystery about how the bill in is present form came before us, because the original bill, Senate bill 70, was not reported to the Senate until after all the hearings had been concluded, and based upon those hearings the committee reported Senate bill 70. Then it was returned to the committee, and while it was back in the committee, it wrote in the provisions amending the Walsh-Healey Act and the Bacon-Davis Act.

The only explanation I can make—and I hope it is not an offensive explanation—is that the committee decided that it would go as far as possible while the going was good, and would add amendments to legislation which had been in effect for 10 or 15 years without complaint, without any justification for the fear that either one of the acts was being misinterpreted or badly administered by the Government of the United States.

Mr. FULBRIGHT. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. In that connection, does the Senator make a distinction between the part of the bill which relates to the past claims and that part relating to future claims, with regard to the real purpose of the bill, and the reason for its reference to the Committee on the Judiciary? It occurs to me that the only jurisdiction we had in mind, and, I may say, the Presiding Officer had in mind when referring such a bill to the Committee on the Judiciary, to deal with a situation which arose somewhat by surprise, was not with the intention of laying down a substitute for labor's future actions.

Mr. BARKLEY. There is a distinction, certainly; there should be a distinction, if Congress feels itself called upon to dismiss all these actions instead of letting the judges do it; and that is what the proposed legislation does. It just dismisses all the cases en masse, without regard to whether any of them have merit or not. It would be inconceivable that this many lawsuits could be brought without some of them probably having some merit. But what gave rise to the legislation was a desire to dismiss the cases, and do it fast, and quick, and now. The committee is not willing to leave it to the judges, every one of whom might dismiss the action, as Judge Picard dismissed those in Detroit. Congress is not willing to leave the cases to the courts; it wants to dismiss the cases at once. But while dismissing these cases already brought, the proponents of the bill project a dismissal, a prospective dismissal, into all the years of the future, and amend the labor laws of the land, which were not sponsored by the Committee on the Judiciary, but by other committees of the Senate and the House of Representatives. Without criticizing the committee, I feel that it went beyond the purview of the proposal before it as it was originally conceived, in order to amend the Labor Relations Act, the Walsh-Healey Act, and the Bacon-Davis Act, which were sponsored by other committees of both the House and the Senate.

Mr. FULBRIGHT. I thank the Senator for his last remark. What I had special reference to was that if we are to amend for the future substantive labor legislation, it properly should be done on recommendation of the Committee on Labor and Public Welfare.

Mr. BARKLEY. I thoroughly agree with that. Of course, the Presiding Officer said, at the time he made reference of the bill, that it might with equal propriety have been referred to the Committee on Labor and Public Welfare; but it was referred to the Committee on the Judiciary, and I suppose that, like all committees, that committee felt that it was commissioned to deal with the entire subject growing out of the litigation. I do not myself adhere to that theory.

Mr. COOPER. Mr. President, will my colleague yield?

Mr. BARKLEY. I have occupied more time than I intended to take, but I yield to my colleague.

Mr. COOPER. I should like to ask the Senator whether, in his analysis of the amendment, it appears to him that the amendment invalidates existing claims exactly in the way the committee bill accomplishes that result.

Mr. BARKLEY. Yes; I think that in all likelihood, under a proper interpretation of the substitute, so far as language is concerned, it invalidates them, but it does not invalidate compensable claims which may be filed in the future, which the bill from the committee does.

Mr. COOPER. In respect to past claims, is it not true that the committee bill and the amendment accomplish the same result?

Mr. BARKLEY. That is why I said at the outset that there are some things in the substitute to which I do no adhere.

Mr. COOPER. I was interested in the Senator's statement that he deprecated the tendency of legislative bodies to anticipate decisions of the courts in retroactively invalidating these claims. Is it not true that the amendment would likewise anticipate the action of the Supreme Court?

Mr. BARKLEY. Oh, yes; I agree with that interpretation as to past portal-to-portal liabilities.

Mr. McGRATH. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. McGRATH. In the short time the Senator has had in which to study the language of the committee's bill and the amendment proposed by the Senator from Nevada and myself, I think the Senator from Kentucky has not become aware of the fact that there is a very distinct difference between the two approaches.

Mr. BARKLEY. I am certainly happy to have the Senator point that out, but I had understood the Senator from Nevada yesterday during his discussion to make the statement—and that is largely the basis for my answer—that so far as past claims were concerned, the McCarran amendment substantially did what the committee bill does.

Mr. McGRATH. I may say to the Senator that it does that, so far as portal-to-portal claims are concerned; that is, what are known as "portal-to-portal" claims. But it does not attempt to take out of court persons who probably have claims now pending under the Fair Labor Standards Act that do not come within what we conceive to be the portal-to-portal theory.

Mr. BARKLEY. In other words, then, the difference is that the committee bill regards all these lawsuits as being based upon portal-to-portal activities, which they outlaw, whereas the amendment offered by the Senator from Rhode Island and the Senator from Nevada distinguishes between strictly portal-to-portal claims and other claims which may be legitimate and have merit?

Mr. McGRATH. That is correct; and, if the Senator will yield to me for a moment, I shall try, as simply as possible, to explain this distinction.

Mr. BARKLEY. I am happy to yield.

Mr. McGRATH. First, I refer the Senator to the language of the committee bill on page 11, line 7, and to the language of the proposed McCarran-McGrath amendment, on page 2, line 14. I may say that the Senators supporting the committee substitute have reiterated here on the floor that with respect to past claims there is no difference between the committee substitute and the McCarran-McGrath amendment. Even if this were true, it would hardly lessen the argument for the amendment, since adoption of the amendment would at least preserve the Fair Labor Standards Act for the future, and the committee substitute would, in my opinion, torpedo it. But the committee substitute and the proposed amendments are not alike in past effect, except with respect to what are really portal-to-portal claims which would be wiped out by both bills.

The difficulty in seeing the difference has perhaps arisen from the fact that Senators making a comparison have not read the entire language of the comparable provisions. The difference lies in the use in the committee substitute of the words to which I have referred, "except those activities which were compensable by either" contract, custom, or practice, as against the use in the minority amendment of the words, "to the extent that such claim involves such activities of an employee as were not compensable working time."

If I may, I should like further to elaborate on that. The committee substitute in effect does this: It looks to the contract, it looks to the custom, and it looks to the practice, to determine only one

question, and that is what activity, by that custom or contract, has been made specifically compensable? The minority approach and the minority amendment look to the contract, to be sure, to the custom and the practice; but it looks to it to determine what was working time—and that is the basic difference—and the extent to which the claim is for activities which were not working time under either a contract or by a custom or practice. Working time is the precise question involved in portal-to-portal suits, not compensability. If in connection with any specific case there should be no question about whether the activities engaged in were work, the proposed minority amendment would not wipe out the claim; but as against this proposition the committee substitute would wipe out any claims not involving in any way the question of what was or was not, or what is work, simply because the activity upon which such claim might be based was not specifically made compensable by the contract, by the custom, or by the practice.

Furthermore, the language of the committee substitute would operate to divest employees of their rights under claims which might be clearly equitable, and which might involve no question at all with respect to what was work. It might divest employees of their rights under such claims solely because some employer had a contract or had established a custom or a practice to the effect that the particular activities engaged in were not to be compensated.

I hope I have made clear the difference in approach.

Mr. BARKLEY. I thank the Senator for calling my attention to that distinction, which is a very vital distinction. As I see it, the committee bill has included in its scope what has always been understood as portal-to-portal activities, and outlaws all of them.

Mr. McGRATH. The phrase "portal-to-portal activities" means working time, not compensability.

Mr. BARKLEY. The substitute offered by the two Senators makes that very just distinction, in order that every claim, whether portal-to-portal or not, may not be wiped out at one fell swoop by an act of Congress.

Mr. McGRATH. Will the Senator yield further?

Mr. BARKLEY. I am glad to yield.

Mr. McGRATH. I should be glad to put into the RECORD along with these remarks which the Senator has permitted me to make the references which clearly will point out the distinct difference in approach as between the committee bill and that proposed by the minority. Those references are, as I said in the beginning, the language used in the committee bill, page 11, line 7, which refers to activities which shall not be paid for, except such as are compensable either by express contract, written or nonwritten, and so forth; and, as against that, the language used in the minority bill, appearing on page 2, line 14, which excludes only activities which were not compensable as "working time," either under an express provision of a written contract or otherwise.

Mr. BARKLEY. I thank the Senator for that interpolation.

Mr. President, I desire to conclude. I want to make merely this observation. I object also to the 2-year limitation, because it is practically a cutting in half of the average of the limitations in existence now in all the States. In my State the statute of limitations provides 5 years, in some States it is 6, in some it is 1 or 2. The average is slightly under 4 years, whereas the committee bill makes it 2 years. The substitute makes it 3, which it seems to me is fair. It is more than fair to industries in States where the limitation is 5, 6, or even 4 years; and it is not unfair to those in States where the limitation is only 1 or 2 years.

Mr. President, I should like to vote for some legislation dealing with this situation, inasmuch as it has been injected here, though I have an abiding faith that, if a little time had been allowed, the courts could have adjusted this difficulty and settled it to the entire satisfaction of business and labor and the people. I would not object, and I would be glad to vote for some bill that relieved business of any harassment on account of inconsequential and trifling lawsuits. But, Mr. President, unless this bill is amended either by the adoption of the substitute or by other amendments that go to the objections which I have raised to the committee bill, I do not see how in good conscience I can cast my vote in favor of the legislation reported by the committee.

I apologize to the Senate for consuming more time than I had intended. We frequently do that here without intending to do so. But I did want my views upon the implications and far-reaching consequences of this legislation made a matter of record in the Senate of the United States.

Mr. DONNELL. Mr. President, will the Senator from Kentucky yield to me for an inquiry?

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Missouri?

Mr. BARKLEY. Mr. President, I have yielded the floor.

Mr. DONNELL. Would the Senator answer an inquiry, please?

Mr. BARKLEY. Yes.

Mr. DONNELL. I wanted to be sure that I understood the Senator earlier in his remarks. Did he refer to what he termed the "hysteria" under which the country is now laboring?

Mr. BARKLEY. I referred to it in quotations, because it had been referred to in other discussions of this legislation in my absence, and I referred to it not as an original expression of my own but as a quotation from other Senators who had discussed the subject.

Mr. DONNELL. May I ask the Senator whether he shares in the view that the country is experiencing a hysteria over this matter at this time?

Mr. BARKLEY. I think a good deal of excitement was whipped up on the subject. I did not say that everybody was afflicted with hysteria. I think that some legislators, without identifying any of them, were afflicted with it.

Mr. DONNELL. May I ask the Senator whether he regards the economic situation that has been presented by the portal-to-portal cases as being such as seriously to require the attention of Congress?

Mr. BARKLEY. If it were conceivable that all the courts in which these cases are pending would render judgment for the entire $5,000,000,000 involved in all the lawsuits, it would present a serious situation. But to me that result is utterly inconceivable, and it is as inconceivable and as fantastic as some of the suits themselves that have been brought upon the subject.

Mr. DONNELL. May I ask the Senator whether or not he regards the pendency of $5,785,000,000 of claims, plus 398 suits with an indeterminate amount as a trivial consequence regardless of the ultimate outcome?

Mr. BARKLEY. I did not use the word "trivial." I think many of the suits involve trivial claims; I am frank to say that. As I said, I am a lawyer by profession. I used to bring lawsuits. Frequently I brought a lawsuit for more than I thought I would obtain when I submitted it to the jury, and my prognostications in that respect rarely failed. I hardly ever received what I asked for in a lawsuit. And it would be utterly inconceivable to me that the Federal courts or any other courts would render judgment for all these claims that have been added up to a total of $5,000,000,000. It is utterly fantastic to think that the courts would do it. And the substitute offered by the two Senators who are members of the committee will answer the question proposed by the Senator from Missouri anyway, because it deals with claims that are legitimate portal-to-portal activities in a way which has been described and which I shall not now further discuss.

Mr. DONNELL. May I ask the Senator if he has had the opportunity to read the statement of Under Secretary Royall as to the figures of possible liability of the United States Government?

Mr. BARKLEY. Yes; I have read hastily all the hearings. I am not disturbed by that. And I would not deny to any American citizen any right he enjoys under the Constitution because it might take a dollar or two out of the Treasury of the United States.

Mr. DONNELL. Mr. President, will the Senator yield for a further inquiry?

Mr. BARKLEY. The Senator from Missouri, I understand, is going to take his own time to discuss this matter. I have concluded my remarks, but I yield one more time.

Mr. DONNELL. The Senator has given us the benefit of his views on this subject, and I should like to have some further elucidation, if he has no objection.

Mr. BARKLEY. I will let the Senator cross-examine me one more time.

Mr. DONNELL. Very well. I ask the Senator whether or not he agrees with this expression contained in the petition for a writ of certiorari in the Mount Clemens Pottery Co. case filed on yes-

terday by the Attorney General of the United States:

Since the decision in this case, which was handed down in June 1946, numerous suits seeking very substantial sums, purporting to rest on that decision, have been filed throughout the country. Prompt and definitive adjudication of the proper application of the de minimis rule in this case will serve to facilitate the disposition of this multitude of cases which now threatens to embarrass judicial administration in both Federal and State courts and to disrupt industrial relations in the period of reconversion.

Does the Senator agree with that expression?

Mr. BARKLEY. I have not read the Attorney General's petition in that matter. I have the greatest respect for the Attorney General of the United States. I think he is endeavoring to perform his duty in an outstanding way and in a very successful way. The petition he files deals with the Mount Clemens case, which revolves around the Fair Labor Standards Act. It has no relationship to the bill now pending, which includes both the Walsh-Healey Act and the Bacon-Davis Act, and, so far as I know, there is nothing in the activity of the Attorney General that in any way involves these two acts which have been lugged in here, in my judgment, unnecessarily and improperly.

Regardless of that, the Attorney General has his duties to perform as the Attorney General of the United States, the chief law officer of this great Nation, and I admire the way in which he is performing his duties. I have my duty here as a Senator, and I seek to perform that duty according to the lights I have, and shall continue to do so, I hope.

Mr. DONNELL. Mr. President, will the Senator yield for just one further question?

Mr. BARKLEY. I yield.

Mr. DONNELL. I ask the Senator whether he agrees with this statement, made by the subcommittee of the Business Advisory Council of the Department of Commerce of the United States:

Whatever the final amounts which might be awarded by the courts if the present judicial interpretation stands, it is clear that the extent of litigation, the cost of defense, and the potential liabilities constitute such a burden on industry as to force many companies into bankruptcy and to disrupt seriously the whole economy.

Mr. BARKLEY. I should want to read the entire statement before I decided that I agreed with that language.

Mr. DONNELL. This is a statement by a subcommittee of the Business Advisory Council of the Department of Commerce of the United States.

Mr. BARKLEY. I do not like to have one paragraph or one sentence lifted out of a discussion of some length and to be asked whether I agree with it. It depends altogether on the basis upon which the statement was made. I do not think I agree necessarily with all the implications that are involved in the statement read by the Senator, but I would want to read the whole statement in order fairly to determine whether I agree with it as a whole or not. It seems to me that it sheds no light upon this discussion or upon the wisdom of the proposed legislation for me to be catechized about how many different organizations I want to line up with in regard to this legislation, either for or against it. I have my own opinions about it, and they are not superinduced by the recommendations of any organization, labor organization, business organization, chamber of commerce, manufacturers' organization or any other organization. I have arrived at my conclusions by processes that are satisfactory to me, although they may not be satisfactory to anyone else.

Mr. DONNELL. May I ask the Senator one final question, and that is whether or not he is acquainted with Mr. Robert T. Caldwell, general counsel of the Associated Industries of Kentucky?

Mr. BARKLEY. Yes, I know Mr. Caldwell. He is an able lawyer in Kentucky. He represents the Associated Industries of Kentucky, and he is one of my warmest friends, one of my lifelong friends, and I have for him and his ability and his character the highest esteem, and I cherish him as a devoted personal friend. We do not always agree.

Mr. DONNELL. I thank the Senator.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. O'MAHONEY. Is it the purpose of the Senator from Missouri to speak at length?

Mr. DONNELL. I shall probably speak for about an hour.

Mr. O'MAHONEY. Will the Senator be good enough to yield to me to make a brief statement of my position on this measure before he takes the floor?

Mr. DONNELL. I shall do so if I may have unanimous consent to retain the floor.

The PRESIDENT pro tempore. That is the only way in which the Senator can retain the floor. Is there objection to the Senator from Missouri yielding to the Senator from Wyoming under the announced circumstances? The Chair hears none, and the Senator from Wyoming is recognized.

Mr. O'MAHONEY. Mr. President, I desire to have in the RECORD a brief statement of my views upon this measure and a statement of my reasons for supporting the substitute proposed by the senior Senator from Nevada [Mr. MCCARRAN] and the junior Senator from Rhode Island [Mr. MCGRATH].

I have listened with a great deal of interest and attention to the debate yesterday and today, and particularly to the questions which were directed a few moments ago to the minority leader [Mr. BARKLEY] by the Senator from Missouri [Mr. DONNELL]. I have a very clear feeling that the majority of the Judiciary Committee has brought in a bill based upon apprehensions which have arisen in the minds of some industrialists about the effect of portal-to-portal suits which have been filed. In the guise of correcting the situation created by the Supreme Court's decision in the Mount Clemens case the majority is seeking not merely to correct that difficulty, but to go far afield and strike down labor legislation against which there has been no attack whatever in the past.

The trouble about the portal-to-portal suits began when the Supreme Court handed down the Mount Clemens decision under the Fair Labor Standards Act. The basis of every claim for compensation for portal-to-portal working time, so to speak, was to be found in the Fair Labor Standards Act itself. In other words, the claims were statutory claims. To correct the portal-to-portal difficulty, therefore, it was necessary only to go to the Fair Labor Standards Act itself, and to modify, amend, or repeal the statutory language in that act which gave rise to the suits.

That is precisely what the substitute does. It submits to the Senate the opportunity to vote for an amendment of the Fair Labor Standards Act. The proposed substitute reads, in part, as follows:

SEC. 201. The second sentence of subsection 16 (b) of the Fair Labor Standards Act of 1938 is amended to read as follows:

It is not necessary to read the amendment. It is only necessary to call attention to the debate which took place here yesterday and today, in which it was agreed upon both sides that insofar as past activities are concerned, and insofar as portal-to-portal activities are concerned, this language of the substitute is very little different in purpose from part II of the bill reported by the committee, and, therefore, it will cover the case so far as the past is concerned.

But the committee was not content to solve the precise question which arose. The committee was not content to correct the difficulty which might come from unwarranted interpretations of the Fair Labor Standards Act, or warranted interpretations, to make compensable activities which were not conceived to be compensable at the time they were performed in the past. The committee was not content to correct the retroactive effect which might follow from the Mount Clemens decision. It was not content to deal with the precise subject which has been giving concern, if any concern has been felt, to employers and employees. The committee went far afield. It went into the future. It went into the undermining of the Bacon-Davis Act and the Walsh-Healey Act, neither of which, as the Senator from Kentucky [Mr. BARKLEY] has so ably pointed out, has ever been productive of any such interpretation as that which followed from the Mount Clemens case. So the majority of the Judiciary Committee is seeking to go far beyond the effect of the Fair Labor Standards Act. I can see no explanation for that course except a desire upon the part of a majority of the committee to accede to the demand which has arisen from shortsighted employers who would strike down the gains which have been achieved for labor.

That is not a wild interpretation, when one reads the language which we are asked to support. I know of no way to interpret a law or a proposed law except to read it. I know of no way to determine what legislators mean except by reading what they say. We are asked to believe that this bill deals solely with portal-to-portal activities. How can anyone who reads the bill reach such a conclusion? It is easy to bring here

editorials from newspapers, quotations from attorneys, quotations from the Attorney General of the United States, and quotations from the economic advisers to the Secretary of Commerce, who are dealing with a substantive fact, a fact which is taken care of by the minority substitute. But those quotations have no relevancy whatever with respect to the language of this measure, unless we understand precisely what that language says.

Let me read significant sentences from part II of the committee bill. Section 2 is entitled:

Relief From Portal-to-Portal Claims Under the Fair Labor Standards Act of 1938, as Amended, the Walsh-Healey, and the Bacon-Davis Acts.

I digress to say that there have never been any portal-to-portal claims under two of those acts in all the years they have been on the statute books. But the title, let us observe, is "Relief From Portal-to-Portal Claims Under the Fair Labor Standards Act of 1938, as Amended, the Walsh-Healey, and the Bacon-Davis Acts." Is that what the committee proposes to do? Let us read on:

No employer shall be subject to any liability—

Observe the word "any"—

or punishment under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act on account of the failure of such employer to pay an employee minimum wages, or to pay an employee overtime compensation, for or on account of any activities of an employee engaged in prior to the date of enactment of this act, except those activities which were compensable by either—

(1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer; or

(2) a custom or practice in effect, at the time of such activity, at the establishment or other place where such employee was employed, covering such activity, not inconsistent with a written or nonwritten contract, in effect at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer.

I call attention to the phrase in line 5, of page 11, "on account of any activities." If that means anything, it means precisely that there shall be no compensation with reference to minimum wage, or for overtime in connection with any activity—not simply any portal-to-portal activity because the phrase "portal-to-portal activities" is not used; it says "any activities"—unless those activities come within the exception set forth in clauses 1 and 2.

Is that a strained construction? Mr. President, no lawyer can construe any bill or any statute except by reading the language and comparing one phrase with another.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. O'MAHONEY. If the Senator will bear with me just for a moment longer.

So, Mr. President, when I say that the language which I have just read goes far beyond the question of portal-to-portal activities, I undertake to prove it by referring to the language which is contained in the clause beginning in line 19 of the same page, which is part of the same section.

The PRESIDING OFFICER (Mr. FLANDERS in the chair). The Chair understands that the Senator from Missouri [Mr. DONNELL] really has the floor.

Mr. O'MAHONEY. And he had unanimous consent to yield to me for a statement. I hope that I shall not trespass too long upon the time of the Senate.

Mr. DONNELL. I am very happy to yield. I assume the Senator will not consume much additional time.

Mr. O'MAHONEY. I shall not consume much additional time. I shall be frank with the Senator. On Monday I was out of the city making a St. Patrick's day speech, while the Senator consumed approximately 5 hours in explanation of the bill. I hope that I shall not take more than 10 minutes, in addition, to make clear my position. I shall try to do so in less time than that.

Mr. DONNELL. I appreciate the Senator's attitude. I call attention to the fact that the Senate is to vote at 3 o'clock As I have stated, I anticipate that my remarks will take probably an hour.

Mr. O'MAHONEY. I am sure the Senator will not begrudge me 20 minutes if he is going to take an hour.

Mr. DONNELL. I have the floor, of course, and I do not desire to yield the floor for an indefinite period.

Mr. O'MAHONEY. Indeed not.

Mr. DONNELL. I shall appreciate the Senator's cooperation to that end.

Mr. O'MAHONEY. The Senator will find me cooperative.

The PRESIDING OFFICER. Does the Senator yield to the Senator from West Virginia?

Mr. DONNELL. Mr. President, I want it clear that the Senator from Missouri has the floor and that the yielding is being done by the Senator from Missouri.

(At this point Mr. DONNELL yielded to Mr. REVERCOMB, who submitted an amendment intended to be proposed to Senate Joint Resolution 77, which appears elsewhere under an appropriate heading.)

The PRESIDING OFFICER. The Chair suggests to the Senator from Wyoming that he might cut his time down to 5 minutes under the circumstances.

Mr. O'MAHONEY. Mr. President, there have been many new procedures introduced in the Senate since it assembled under the new majority on the 3d of January, but I am frank to say that this is the first time I have ever heard a Presiding Officer undertake to limit a Senator. The only comparable occasion that I can recall was when the former Republican Vice President, the distinguished Mr. Charles Dawes, was sworn in as Vice President. When Senators who were elected that year were about to be sworn in, Mr. Dawes, with a grand gesture, said, "Let them all be sworn in at one time." For some reason or other our friends of the majority seem to think that the whole show belongs to them.

I have made my point clear. I shall endeavor to make my remarks as brief and as succinct as possible, and I hope I shall not trespass upon the indulgence of either the Senator from Missouri or the Chair.

The PRESIDING OFFICER. The fact is, nevertheless, that the Senator from Wyoming is speaking by courtesy of the Senator from Missouri.

Mr. O'MAHONEY. Mr. President, he received unaimous consent of the Senate. But I shall not trespass. I suggest that we are taking up much of the Senate's valuable time by this discussion. I might have concluded.

I was citing the language beginning on page 11:

For the purposes of this section, no judicial or administrative interpretation of the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, shall have the effect of changing any written or nonwritten contract between the employer and employee so as to make compensable any portal-to-portal activities.

I pause to emphasize that phrase. In line 24, on page 11, we find the phrase "any portal-to-portal activities"; but in line 5, on page 11, the significant words "portal-to-portal" are omitted, and the only word used is "activities." So that the first part of this section is an exemption for employers from any liability under either law to pay overtime or minimum wages for any activity.

Any lawyer attempting to construe this language, any court attempting to construe it, will read those two clauses and compare them, and the inevitable conclusion will be that when the Congress wrote "portal-to-portal activities" in one place and omitted it in another place it had a specific purpose for doing so.

Mr. President, I could take much more time than under the circumstances will be allotted to me to analyze other obvious inconsistencies in this bill, as, for example, the inconsistency to which I alluded a little while earlier during the speech of the Senator from Kentucky [Mr. BARKLEY] in which part II undertakes to refer the reader, the court, the employer, the employee, to a definition of "portal-to-portal activities" in section 5. When we turn to section 5 we find the same language referring back to the section from which we came. So that we have a beautiful "runaround," and we wind up reading all part II without knowing what the authors of the bill had in mind when they talk about portal-to-portal activities.

It seems to me that this is clear reason to support the substitute offered by the Senator from Nevada [Mr. MCCARRAN] and the Senator from Rhode Island [Mr. MCGRATH].

Let me add another word. I am rather inclined to believe that our friends of the majority are acting in panic. The Senator from Missouri [Mr. DONNELL] a little while ago asked the Senator from Kentucky [Mr. BARKLEY] whether or not he thought there was any hysteria abroad in the land. I think there has been considerable hysteria upon the other side of the aisle, both here and in the House of Representatives. It is a hysteria which has been exemplified by the round robin of 16 freshmen Senators who wanted to be consulted in conferences held by the policy committee on the majority side. Hysteria has been indicated by speeches upon the floor—"We are not

doing enough. The Republican Party is falling down. The Republican Party is not carrying out its pledges." Hysteria is expressed in the talk about reducing taxes 20 percent across the board, and cutting expenditures, while at the same time our Republican friends are urging bills which call for additional expenditures for which there has been no budget estimate. There is hysteria promoted by the fact that the majority party made its campaign in November 1946 upon the ground that it was going to cut down the activities of the Federal Government in Washington; and now, though this Congress is less than 3 months old, the record of the Senate and of the House are filled with bills increasing the activities of the Federal Government and increasing the expenditures, and at the same time every financial record which is available to us demonstrates beyond the slightest possibility of contradiction that this country today is enjoying great prosperity.

Last night it was the privilege of a great many Members of the Senate and of the House of Representatives and of the executive departments and of the courts to be the guests of Life magazine at the Statler Hotel, where a motion picture was displayed.

Mr. DONNELL. Mr. President, I assume that the Senator from Wyoming was present at the gathering, last evening, to which he has referred.

Mr. O'MAHONEY. Indeed I was.

Mr. DONNELL. I suggest that it is not necessary to consume the time of the Senate by referring to the Life magazine party of last evening. We are giving consideration to the portal-to-portal bill, and I shall ask the Senator from Wyoming to desist from such remarks and to complete his remarks on the portal-to-portal bill in 2 minutes. At that time I shall take the floor.

Mr. O'MAHONEY. Mr. President, the Senator from Missouri is most generous. I cannot complain at his request, and I shall desist. I referred to the motion picture displayed by Life magazine because it was a visual demonstration to all who were there of the teeming prosperity of the United States. Every part of that picture was a demonstration that the findings of fact submitted by the majority of the committee in connection with this bill are without any basis at all, but simply are findings written in a desire, it seems to me, to cut down what labor has gained.

Mr. President, there has been handed to me an article written by the Reverend George G. Higgins, assistant director of the social action department of the National Catholic Welfare Council. In the article he refers to an article published in the New York Times a few days ago about the tremendously high prices industry is charging and about the necessity for reducing prices and the failure of industry to act. Then he says this:

> Is there any reason to anticipate that American industry will accept Mr. Porter's challenge and take advantage of its 60- to 90-day reprieve? Let's hope there is; but let's also face up squarely to the facts.
>
> One fact that makes for discouragement and pessimism is the outlandish attack currently waged on the Fair Labor Standards Act—an attack which hasn't, as yet, been publicly disowned or disavowed by the National Association of Manufacturers, or by any of the other major business organizations, the very groups to which Mr. Porter is appealing to save the day for industry.
>
> The House of Representatives has already passed H. R. 2157 which, under cover of finding a remedy for the recent flurry of portal-to-portal suits, deliberately goes out of its way to include a series of amendments that would seriously weaken the very substance of the original act.

Mr. President, I ask unanimous consent that the entire article be printed at this point in the RECORD, as a part of my remarks, so that I may thus save time and not impinge upon the extra 2 minutes which the Senator from Missouri has so graciously allowed me.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE YARDSTICK—CATHOLIC TESTS OF A SOCIAL ORDER

(By Rev. George G. Higgins, assistant director, social action department, National Catholic Welfare Conference)

PUBLIC RELATIONS IN REVERSE—PUBLIC-RELATIONS PROBLEM PRESSED UPON MANAGEMENT—NEW RELATIONS WITH WORKERS AND CUSTOMERS SEEN NECESSITATED BY PRICE OUTLOOK

The public-relations problem, to which this headline in the New York Times refers, is the problem which is posed in part by the fact that at the recent convention of the American Management Association in Chicago "everybody, rich, poor, or in-between, was talking about the huge profits being reported and the fat dividend melons being cut by many of the country's large corporations." (Let it be remembered that this was a convention of businessmen and management representatives; there were no trade-unionists around.)

Russel Porter, the enterprising business analyst of the Times, is disarmingly and somewhat unexpectedly frank about the seriousness of the fix in which American industry finds itself today. He is equally outspoken and equally forthright in admonishing the American business community that this is the acceptable time to redeem itself in the eyes of the general public.

THE OTHER FELLOW

"Many businessmen," Mr. Porter says, "concede privately that prices are too high and should be reduced voluntarily and gradually now in order to stop the inflationary spiral and forestall the deflationary one that might follow a forced and sharp break in prices later. But, with a few exceptions, everybody seems to be waiting for the other fellow's prices to be cut first."

It is to be hoped that American businessmen will take Mr. Porter's word for it when he says that "the time is getting close when industry must find an answer to this problem that will satisfy the public." He speaks rather ominously in terms of 60 to 90 days—after which dead line American industry may reasonably expect a show-down. A word to the wise is sufficient, particularly when it comes from the sympathetic typewriter of an acknowledged friend of the system.

According to Mr. Porter the future public relations of American industry will have to be based upon two foundations: Action in the public interest, and full public information. And since actions speak louder than words, the first of these is by far the more important.

FACING THE FACTS

Is there any reason to anticipate that American industry will accept Mr. Porter's challenge and take advantage of its 60- to 90-day reprieve? Let's hope that there is; but let's also face up squarely to the facts.

One fact that makes for discouragement and pessimism is the outlandish attack currently waged on the Fair Labor Standards Act—an attack which hasn't, as yet, been publicly disowned or disavowed by the National Association of Manufacturers, or by any of the other major business organizations, the very groups to which Mr. Porter is appealing to save the day for industry.

The House of Representatives has already passed H. R. 2157 which, under cover of finding a remedy for the recent flurry of portal-to-portal suits, deliberately goes out of its way to include a series of amendments that would seriously weaken the very substance of the original act.

The House bill gives workers only 1 year to file claims under the Fair Labor Standards Act—a statute of limitations unique in American law, since in almost every other type of business proceeding, from three to seven or more years are provided. It also allows workers and employers to settle wage claims under the wages-and-hours law out of court, thereby giving employers—particularly in nonunion shops—an easy way of violating both the spirit and the letter of the original act by settling their damages at bargain rates. Finally, by setting up standards of custom and good faith, it opens for unscrupulous employers a very wide door through which to escape the wages-and-hours law provisions. An employer will be able to argue that his alleged violation of the law was done in good faith, and having established his claim, will thereby become immune to damages.

MOTIVES QUESTIONED

It is asking a lot of human nature to believe that the motives of the proponents of these amendments are sincere. But motives and intentions aside, the fact is that the amendments will inevitably work a further hardship on the substandard workers of the Nation. Instead of improving upon the Fair Labor Standards Act (the present statutory minimum of 40 cents an hour is obviously only a pittence) and instead of facilitating its administration, American industry—if only by its very significant silence—consents to a set of amendments which will almost cut the heart out of the act and will set up almost insurmountable barriers to its effective administration.

Mr. Porter talks about public relations. Well, here it is. This is public relations in reverse. And if this is the best that American industry can do, the show is all over. The NAM will never meet Mr. Porter's dead line. Let's prepare for the show-down.

Come the next convention of the American Management Association, Mr. Porter will probably be writing a column on the text that "there are none so blind as those who will not see." Maybe not—but time's awasting.

Mr. COOPER. Mr. President, will the Senator from Missouri yield to me? I wish to ask a question of the Senator from Wyoming.

Mr. DONNELL. Mr. President, in order that the record may be clear, let me inquire whether the Senator from Missouri has the floor.

The PRESIDING OFFICER. The Senator from Missouri does have the floor.

Mr. DONNELL. I now yield to the Senator from Kentucky [Mr. COOPER], to permit him to ask a question of the Senator from Wyoming; and thereafter I shall yield 2 minutes to the Senator from Wyoming, to permit him to reply to the question.

Mr. COOPER. Mr. President, in his last statement the Senator from Wyoming said that the committee bill destroys or tends to destroy the Fair Labor Standards Act.

Mr. O'MAHONEY. Yes.

Mr. COOPER. I wish to inquire whether the Senator from Wyoming is aware of the provision of the McCarran amendment which goes much further than the committee bill, in that it not only relieves employers of liquidated damages, but also relieves them of unpaid minimum wages and unpaid overtime compensation.

Mr. O'MAHONEY. Yes, Mr. President; I am well aware of that fact, and I am glad the Senator from Kentucky has given me an opportunity to point it out.

The distinction is this: The committee bill not only deals with activities which took place in the past, but it also deals with future activities; whereas the amendment which has been offered as a substitute deals only with portal-to-portal activities which have occurred in the past, prior to the enactment of this bill. That is why I consider it immensely superior to the committee bill.

Furthermore, I say to the Senator, the great defect of the committee bill is its vagueness of language, the use of the expression "portal-to-portal" in some places and its abandonment in other places, the invasion of the field of the Walsh-Healey Act and the Bacon-Davis Act, and the attempt to abolish all future claims which may arise.

Mr. COOPER. Mr. President, with all due regard to the statement which has been made, I shall like to return to my question. If the Senator from Wyoming will read those two sections, I think he will find that the McCarran amendment relates to future claims as well as to past claims, and that it goes much further than the committee bill does, in that the amendment relieves employers of liability, not only for liquidated damages, but also for minimum wages and overtime compensation.

Mr. O'MAHONEY. Mr. President, under the time limitation I cannot take much more time; but I shall ask the Senator from Kentucky, if he will be kind enough to do so, to ask the Senator from Missouri, when he undertakes his hour's speech, to tell the Senate why the words "portal-to-portal" were left out of line 5, before the word "activities," and why the bill proposes to define portal-to-portal activities in section 5, and yet section 5 refers the reader to section 2. I think it will be very illuminating to have some explanation of those points.

Mr. DONNELL. Mr. President, let me inquire to what line 5 the Senator from Wyoming is referring. There are several pages to the bill.

Mr. O'MAHONEY. I refer to line 5, on page 11, which I have mentioned several times.

Mr. DONNELL. Mr. President, I have listened this afternoon with very great interest to the remarks of both the distinguished Senator from Wyoming [Mr. O'MAHONEY] and the distinguished Senator from Kentucky [Mr. BARKLEY], who is the leader of the minority. The Senator from Kentucky, in the concluding portion of his response to an inquiry, stated that he knows Mr. Robert T. Caldwell very well, that he is a warm personal friend of his, and is a lawyer of high standing in Kentucky. It happens, Mr. President, that Mr. Caldwell was one of the witnesses before the subcommittee which had to do with the matter of portal-to-portal pay. I shall quote just a few sentences from the testimony of that gentleman, as to whose ability and, I judge, high standing the senior Senator from Kentucky has spoken this afternoon so eloquently and glowingly. Mr. Caldwell said, as shown at page 380 of the hearings:

> My statement will be directed primarily to a factual discussion of the situation in industry which now exists as a result of the Supreme Court's successive portal-to-portal decisions, culminating with the Mount Clemens Pottery case; a demonstration of the impossibility of the average employer's compliance with the requirements of those decisions; and the urgent necessity of immediate congressional action.

Further, at page 404, I quote one other sentence from Mr. Caldwell's testimony:

> As compared with the disastrous effects on industry generally if these portal-to-portal suits are permitted to be prosecuted in their present form and within existing limitations, it should be noted that no remotely comparable burden will be placed on the employees if they are eliminated.

Mr. President, the senior Senator from Kentucky argues that the legislation as proposed will set aside the action of courts; that it will invalidate claims which, by the Mount Clemens decision, were permitted to be sustained under the very language of the act as being contrary to custom and contract likewise.

I call the attention of the Senate to the fact that in this proposed congressional enactment we are not in the slightest impinging upon the jurisdiction of the judicial department of the Government, for, after all, what body is it in the Government of the United States which declares the policy of the Government? Is it the Supreme Court of the United States, a body of nine men appointed by the President of the United States? Under the last preceding administration so many of those men were appointed that obviously their selection was induced in large part by the opinions of one man, the President of the United States.

I undertake to say that it is wise that the founding fathers of our country placed in Congress, not in the Supreme Court, the power to declare the policy of the United States. I may say further that when some years ago an effort was made to pack the Supreme Court, by a device which was submitted to the Congress, as I recall, by the then President of the United States, there was an uprising of popular indignation from one end of the Nation to the other, because it was believed by the people that the packing of the Supreme Court was an effort to place in the Court the actual policy-making power, to place in the Court, with its final powers of disposition of litigation, the power to determine what should be the economic and, perhaps, financial policy of this Nation.

Mr. MORSE. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. DONNELL. I yield.

Mr. MORSE. I wish to make a parliamentary inquiry, as to whether or not the amendment which I mentioned in the course of my speech night before last is officially before the Senate. In the course of that speech I referred to a proposed amendment to the substitute amendment, on page 3, line 5, an amendment which is in writing and at the desk, proposing to substitute the word "two" for the word "three."

The PRESIDING OFFICER. The amendment has not been stated from the desk. The amendment the Senate is considering is the one offered by the Senator from Nevada [Mr. MCCARRAN] on behalf of himself and the Senator from Rhode Island [Mr. MCGRATH].

Mr. MORSE. With the further indulgence of the Senator from Missouri, may I ask if the junior Senator from Oregon would be in order if he offered the amendment at this time?

Mr. DONNELL. Mr. President, I do not yield for that purpose. May I say that, inasmuch as possibly 20 to 25 minutes of the time which I had at my disposal, having the floor, has already been consumed, I shall request Senators to kindly refrain from interruptions to my remarks? I shall endeavor, at the conclusion, to answer any questions I can answer, but I am sure Senators will realize that we have had, on behalf of the Senators from Nevada and Rhode Island and Kentucky and Wyoming, and possibly others I do not for the moment recall, a very considerable exposition of their views concerning the McCarran-McGrath amendment. I deem it to be my duty, as well as my privilege, to reply to the arguments which have been advanced with respect to that amendment.

Mr. President, in connection with the argument which has been made this afternoon by the Senators who have spoken on the other side, I understand that they take the view generally that, as the Senator from Rhode Island explained it as his opinion the other day, the proposal now before the Senate is "much ado about nothing," or, as he finally stated, after conceding that he had not examined the court files in a single one of the 1,915 cases on file, "much ado," he said, "about little."

Perhaps, before I finish my remarks, I shall discuss whether, after all, the Congress is engaged in the discussion of much ado about little, much ado about nothing, a hysteria that has come over the country; or whether, on the other hand, we should give weight to the opinions of the Under Secretary of Commerce, of the Under Secretary of War, of the Under Secretary of the Navy, and of the man who was at the head of the War Contracts Adjustment Board, handling transactions in the renegotiation of contracts running into excess of $10,000,000,000 of recovery for the United States Government. I ask whether more credence is to be given to the observations from the Senators on this floor, with such glibness as to the hysteria, to "much ado about nothing," or "much ado about little," unaccompanied by any examina-

tion on their part as to the actual facts in the cases from the records of the courts, or whether credence should be given to those men who have studied the matter, the Business Advisory Council, for instance, of the Department of Commerce of the United States. The Department of Commerce is a governmental agency, and it is assisted by this notable Business Advisory Council.

Mr. President, I shall address myself to the amendment of the Senator from Nevada [Mr. McCARRAN] and the Senator from Rhode Island [Mr. McGRATH]. As I see the amendment, it does five things. First, it leaves intact part I of the committee amendment, which is entitled "Findings and Policy."

Second, it contains a section the purpose of which is to eliminate existing claims.

Third, it contains a 3-year statute of limitations.

Fourth, it contains a provision for settlement of existing claims.

Fifth, it contains a section setting forth curative provisions for violations resulting from compliance with a regulation.

The McCarran-McGrath amendment goes no further.

In connection with the findings and policy portion of the committee bill, which portion, I emphasize, the McCarran-McGrath amendment does not attack, I ask unanimous consent that there be inserted in the RECORD at this point a memorandum with respect to eight decisions of the Supreme Court of the United States.

The PRESIDING OFFICER. Is there objection?

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

Block v. *Hirsh* (256 U. S. 135 (1921)): This case dealt with the constitutionality of the 1919 Rent Control Act in the District of Columbia. At page 154 the court, speaking through Mr. Justice Holmes, made the following statement:

"No doubt it is true that a legislative declaration of facts that are material only as the ground for enacting a rule of law, for instance, that a certain use is a public one, may not be held conclusive by the courts *Shoemaker* v. *United States* (147 U. S. 282, 298); *Hairston* v. *Danville & Western Ry. Co.* (208 U. S. 598, 606); *Prentis* v. *Atlantic Coast Line Co.* (211 U. S. 210, 227); *Producers Transportation Co.* v. *Railroad Commission* (251 U. S. 228, 230). But a declaration by a legislature concerning public conditions that by necessity and duty it must know, is entitled at least to great respect. In this instance Congress stated a publicly notorious and almost world-wide fact. That the emergency declared by the statute did exist must be assumed, and the question is whether Congress was incompetent to meet it in the way in which it has been met by most of the civilized countries of the world."

Mulford v. *Smith* (307 U. S. 38 (1939)): This case challenged the constitutionality of the provisions of the Agricultural Adjustment Act of 1938 relating to the tobacco-marketing provisions. At page 42 the Court set out the findings by Congress, as follows:

"Section 311 is a finding by the Congress that the marketing of tobacco is a basic industry which directly affects interstate and foreign commerce; that stable conditions in such marketing are necessary to the general welfare; that tobacco is sold on a national market, and it and its products move almost wholly in interstate and foreign commerce; that without Federal assistance the farmers are unable to bring about orderly marketing, with the consequence that abnormally excessive supplies are produced and dumped indiscriminately on the national market; that this disorderly marketing of excess supply burdens and obstructs interstate and foreign commerce, causes reduction in prices and consequent injury to commerce, creates disparity between the prices of tobacco in interstate and foreign commerce and the prices of industrial products in such commerce, and diminishes the volume of interstate commerce in industrial products; and that the establishment of quotas as provided by the act is necessary and appropriate to promote, foster, and obtain an orderly flow of tobacco in interstate and foreign commerce."

At page 47 the Court, speaking through Mr. Justice Roberts, stated:

"The statute does not purport to control production. It sets no limit upon the acreage which may be planted or produced and imposes no penalty for the planting and producing of tobacco in excess of the marketing quota. It purports to be solely a regulation of interstate commerce, which it reaches and affects at the throat where tobacco enters the stream of commerce—the marketing warehouse."

And again at page 48:

"What has been said in summarizing the provisions of the act sufficiently discloses that definite standards are laid down for the government of the Secretary, first, in fixing the quota and, second, in its allotment amongst States and farms."

Radice v. *New York* (264 U. S. 292 (1924)): This case challenged the constitutionality of a New York statute forbidding night employment of women. The Court stated at page 294 the rule to be as follows:

"Where the constitutional validity of a statute depends upon the existence of facts, courts must be cautious about reaching a conclusion respecting them contrary to that reached by the legislature; and if the question of what the facts establish be a fairly debatable one, it is not permissible for the judge to set up his opinion in respect of it against the opinion of the lawmaker. The State legislature here determined that night employment of the character specified was sufficiently detrimental to the health and welfare of women engaging in it to justify its suppression; and, since we are unable to say that the finding is clearly unfounded, we are precluded from reviewing the legislative determination."

Old Dearborn Co. v. *Seagram Corp.* (299 U. S. 183 (1936)): This case involved the constitutionality of the Federal Trade Act of Illinois. At page 195 the Court said:

"There is a great body of fact and opinion tending to show that price cutting by retail dealers is not only injurious to the good will and business of the producer and distributor of identified goods, but injurious to the general public as well. The evidence to that effect is voluminous; but it would serve no useful purpose to review the evidence or to enlarge further upon the subject. True, there is evidence, opinion, and argument to the contrary; but it does not concern us to determine where the weight lies. We need say no more than that the question may be regarded as fairly open to differences of opinion. The legislation here in question proceeds upon the former and not the latter view; and the legislative determination in that respect, in the circumstances here disclosed, is conclusive so far as this Court is concerned. Where the question of what the facts establish is a fairly debatable one, we accept and carry into effect the opinion of the legislature."

Zahn v. *Bd. of Public Works* (274 U. S. 325 (1926)): This case involved the validity of a zoning ordinance. The Court said at page 328:

"The common council of the city, upon these and other facts, concluded that the public welfare would be promoted by constituting the area, including the property of plaintiffs in error, a zone 'B' district; and it is impossible for us to say that their conclusion in that respect was clearly arbitrary and unreasonable. The most that can be said is that whether that determination was an unreasonable, arbitrary, or unequal exercise of power is fairly debatable. In such circumstances, the settled rule of this court is that it will not substitute its judgment for that of the legislative body charged with the primary duty and responsibility of determining the question."

To the same effect is *Euclid* v. *Ambler Co.* (272 U. S. 265).

Chesboro v. *Los Angeles County Flood Control District et al.* (306 U. S. 459): This case involved a petition for a mandate directing an administrative board to refrain from levying a special assessment on petitioner's property, contending that petitioner's property would not be benefited by the improvements for which the assessment was to be levied. The court said at page 463:

"In the absence of flagrant abuse or purely arbitrary action, the State, consistently with the Federal Constitution, may establish local districts to include real property that it finds will be specially benefited by drainage, flood control, or other improvements therein, and, to acquire, construct, maintain, and operate the same, may impose special tax burdens upon the lands benefited. *Hagar* v. *Reclamation Dist.* (111 U. S. 701, 704–705); *Spencer* v. *Merchant* (125 U. S. 345, 355); *French* v. *Barber Asphalt Paving Co.* (181 U. S. 324, 342). And see *Houck* v. *Little River Drainage Dist.* (239 U. S. 254, 262). And where, within the scope of its power, the legislature itself has found that the lands included in the district will be specially benefited by the improvements, prior appropriate and adequate inquiry is presumed, and the finding is conclusive."

United States v. *Chandler-Dunbar Co.* (229 U. S. 53 (1912)): At page 64 the court said:

"So unfettered is this control of Congress over the navigable streams of the country that its judgment as to whether a construction in or over such a river is or is not an obstacle and a hindrance to navigation, is conclusive. Such judgment and determination is the exercise of legislative power in respect of a subject wholly within its control.

"In *Pennsylvania* v. *Wheeling Bridge Co.* (18 How. 421, 430) this court, upon the facts in evidence, held that a bridge over the Ohio River, constructed under an act of the State of Virginia, created an obstruction to navigation, and was a nuisance which should be removed. Before the decree was executed Congress declared the bridge a lawful structure and not an obstruction. This court thereupon refused to issue a mandate for carrying into effect its own decree, saying:

" 'Although it still may be an obstruction in fact, it is not so in the contemplation of law.' * * * When Congress determined, as it did by the act of March 3, 1909, that the whole river between the American bank and the international line, as well as all of the upland north of the present ship canal, throughout its entire length, was 'necessary for the purposes of navigation of said waters and the waters connected therewith,' that determination was conclusive * * * there is no room for a judicial review of the judgment of Congress that the flow of the river is not in excess of any possible need of navigation."

To the same effect is *United States* v. *Appalachian Power Co.* (311 U. S. 377, 424 (1940)).

Mr. DONNELL. Mr. President, it is claimed that the McCarran-McGrath

amendment—at times I may, for brevity, refer to it as the "McCarran amendment"—is superior to the committee bill from a constitutional angle. The Senator from Rhode Island said this, as appears on page 2249 of the RECORD:

> I do not believe that under the Constitution of the United States the Congress has a right to declare a vested interest or property right in myself or any other American citizen to be null and void. I take it that that would be depriving me of my property without due process of law; and I cannot conceive that it will ever stand up as constitutional in the courts of the land.

Mr. President, I assume that the Senator was referring to the committee bill. Yet I observe with interest that two paragraphs further down he says:

> A substitute amendment has been offered by the Senator from Nevada [Mr. MCCARRAN] and myself. In that amendment we seek to handle the problem of portal-to-portal claims by taking away the statutory right that may exist or any right that may arise by statute for claims that have heretofore accrued. I do not say to the Members of the Senate that I do not entertain some slight doubt as to the constitutionality even of that approach, but at least I am going to say that if that approach is to be questioned it can be questioned on one simple point alone, which can be quickly resolved.

And so, Mr. President, as the doubt about constitutionality still resides in the mind of the Senator from Rhode Island, I am unable to see any material improvement, so far as his opinion is concerned, in the McCarran amendment over the committee amendment. As a matter of fact, the constitutional point that is presented by both the committee measure and by the McCarran amendment is identical, and if one of these proposals is invalid, the other is invalid. Both of them kill the already accrued claims. Both of them take away from persons rights which have accrued, according to the decision by the Supreme Court of the United States. If there is any deprivation of property without due process of law, the McCarran amendment is just as guilty of that deprivation as is the committee amendment.

Again, Mr. President, the Senator from Louisiana [Mr. ELLENDER] was frank to say upon the floor a day or so ago that he could see—I think he said—"no difference," possibly "little, if any, difference," between the two measures as to existing claims. It is only as to the existing claims that any constitutional question can be presented. Likewise, the Senator from Florida [Mr. PEPPER] was equally frank to say, in substance, as I recall, that he could see no difference between the two measures so far as the existing claims are concerned. Even the senior Senator from Kentucky this afternoon conceded in his response to the junior Senator from Kentucky that in his opinion there was no difference.

Then the senior Senator from Rhode Island, with a very interesting but, to my mind, very difficult-of-comprehension argument, immediately persuaded the senior Senator from Kentucky that there was a material and vast difference between the two proposals.

As a matter of fact, Mr. President, these two measures are almost identical in language, certainly in content, with respect to the constitutional question that is presented; and I may say, with, I trust, a somewhat just pride, that the Senator from Nevada and the Senator from Rhode Island have done our subcommittee and the Committee on the Judiciary the compliment to adopt substantially the language we have prepared or caused to be prepared in the committee amendment, so far as existing claims are concerned.

Now, Mr. President, as a matter of fact, as indicated, I think, very clearly in this argument on more than one occasion, the constitutional basis of both these measures is sound under the decisions of the Supreme Court of the United States; for when Congress has power over any field of endeavor, as, for illustration, interstate commerce, to legislate, any person who makes a contract with respect to that subject matter does so subject to the right of Congress to invalidate and set aside not only future contracts but existing and past contracts. So I undertake to say that this alleged improvement of the McCarran amendment over the committee amendment, from a constitutional angle, does not exist. Both of them are valid from a constitutional standpoint, notwithstanding the doubt of the Senator from Rhode Island [Mr. MCGRATH] of the constitutionality of the measure which he himself advocates, which doubt he admits in the RECORD of this Congress.

Mr. President, the Senator from Wyoming [Mr. O'MAHONEY], who this afternoon has expressed himself on the matter—and, by the way, he had not spoken only this once upon the bill; I do not recall how long he spoke the other day, but he expressed himself distinctly at page 2295: The Senator from Wyoming is impressed by the fact that, to quote his comments, "inequities will be imposed by the committee bill upon those who are employed."

Mr. President, I again call attention to the fact that the same identical inequities will be imposed by the McCarran amendment, for there is no substantial difference between the McCarran amendment and the committee bill with respect to the killing of the claims which now exist.

We are told, Mr. President, to quote again from the language of the Senator from Rhode Island, at page 2249, that the committee bill is a misfit and he also cites the fact as he says, that the committee bill is erroneous in including the Walsh-Healey Act and the Bacon-Davis Act within its scope. The expression of alarm with respect to the inclusion of these two acts which has been vividly and dramatically voiced this afternoon by the distinguished senior Senator from Kentucky, I undertake to say, Mr. President, is not justified by the facts. I shall demonstrate in a few moments why it is that the Congress should not adopt an act of this type, without the inclusion of the Walsh-Healey and the Bacon-Davis Acts within its scope.

Notwithstanding the compliment which the Senator from Rhode Island has paid to the bill, over which our subcommittee and the Committee on the Judiciary have worked, certainly conscientiously if not skilfully—notwithstanding the statement of the Senator from Wyoming that the committee bill is a misfit, I respectfully call attention to the fact that his co-author of the amendment now before us [Mr. MCCARRAN], at page 2245 of the RECORD, says that the committee bill—and I quote him—"evidences, throughout its text, the work of highly trained, extremely capable and extremely legalistic lawyers."

Mr. President, it may be that the word "legalistic" is not intended as complimentary, but certainly words "the work of highly trained, extremely capable" indicate that at least to the mind of the Senator from Nevada work of some character has been done upon this measure. I deem to be somewhat in conflict with this compliment paid by the coauthor of the pending amendment the declaration of his colleague from Wyoming that the bill which has been produced after a period of weeks, beginning with the institution of hearings, ending only after nine distinct drafts had been prepared, is a misfit.

Indeed, Mr. President, the distinguished Senator from Nevada goes further in his comment upon the bill, at page 2245, and declares:

> The language of the Senate committee amendment is, in fact, so meticulously drawn that I am confident that many of the things which would be accomplished by it were not comprehended by all members of the Committee on the Judiciary, and were not intended by all the members of that committee who voted for the majority bill.

Mr. President, I have confidence in the ability of the members of the Judiciary Committee of the United States Senate. I undertake to say that when a lawyer of the distinction and standing of the former chairman of the Committee on the Judiciary refers to this measure as being meticulously drawn, it is hardly in accord with and hardly comports with that statement to declare that as a result of the meticulous drawing of the instrument, by men whose work evidences the fact that "they are highly trained and extremely capable," to quote his language, I say it is somewhat at variance to say that, after all, the members of the Committee on the Judiciary cannot understand it.

Mr. President, I want to call attention to one very interesting fact which illustrates what to my mind is so clear that no eye should fail to see it, no ear should fail to hear it; that is that the McCarran amendment was hastily drawn and was not given the thought, by any manner of means, which was given to the committee amendment. Indeed, Mr. President, while I do not have a record of the exact date on which the distinguished Senator from Nevada presented to the committee his first draft of the bill, it was very close to the time when the Committee on the Judiciary was concluding its deliberations. The fact I was going to call to the attention of the Senate as indicative of the haste with which this measure was drawn, is this: It will be recalled that all these Senators have leveled criticism at our inclusion in the committee bill of the Walsh-Healey and

Bacon-Davis Acts; yet, it will be noted that the McCarran-McGrath amendment leaves in the bill, in full force and effect, these significant words of the findings and policy made by our committee, which are found on page 10 of the bill:

The Congress further finds and declares that all of the results which have arisen or may arise under the Fair Labor Standards Act of 1938, as amended, as aforesaid, may (except as to liability for attorney's fees and, in the case of the Bacon-Davis Act, for liquidated damages) arise with respect to the Walsh-Healey and Bacon-Davis Acts and that it is, therefore, in the national public interest and for the general welfare, essential to national defense, and necessary to aid, protect, and foster commerce, that said Walsh-Healey Act and said Bacon-Davis Act be amended, as hereinafter set forth.

Mr. President, one of two things is true: Either that the Senator from Nevada and the Senator from Rhode Island failed to observe, due to the haste with which their amendment was prepared, the fact that they had left in the bill the language which I have read or else they did not dare to move upon the floor of the Senate to strike out language of such significance and importance as that with which our findings and policy are concluded.

Mr. President, I may say also that the McCarran-McGrath amendment, which is now before the Senate, was never presented to the Committee on the Judiciary. We had the benefit, as I have stated—and as the Senator from Kentucky [Mr. COOPER] has stated—of quite material suggestions of importance and interest by the Senator from Rhode Island. I would not say that the Senator from Nevada did not give some suggestions, but I will say that because of his absence from the city for a week or so, and because of the fact that he was not on the subcommittee, I presume we did not have the benefit, as my colleague from Kentucky has stated, of his suggestions and assistance, which would have been very helpful doubtless, and which we should have very greatly welcomed, until very near the conclusion of our deliberations and work. The amendment which was finally presented to the Committee on the Judiciary in the private office of the Senator from Wisconsin [Mr. WILEY], the chairman of that committee, by the Senator from Nevada [Mr. MCCARRAN] and Mr. Sourwine, former counsel for the committee, is not the amendment which is now before the Senate. The amendment which was then presented did go into the future; it did not stop with the past, but went into the future and undertook to legislate to give the Wage and Hour Administrator the right to make rules and regulations and prescribed the standards which he should follow.

Mr. President, the amendment offered by the Senator from Nevada and the Senator from Rhode Island as a contrast to the bill prepared by the committee after hard work and diligent effort should not receive the favorable consideration of the Senate. It has been contended here most eloquently that the committee bill—and I quote again from the Senator from Nevada:

Thoroughly emasculates the Fair Labor Standards Act.

And a statement by the Secretary of Labor was produced, excerpts from which read:

As a matter of fact, the language and phraseology of H. R. 2157 are open to a construction that would vitally affect the future enforcement of the Fair Labor Standards Act.

I call attention to the fact that that is a very guarded statement. There is no statement there that the language and phraseology of the committee bill are such as to constitute a vital effect upon the enforcement of the Fair Labor Standards Act.

They are open, says the Secretary—

To a construction that would vitally affect the future enforcement of the Fair Labor Standards Act.

Then, proceeds the Secretary:

Under some of the terms of the bill, the millions of workers who are unorganized and without the benefit of union protection would be deprived in the future of many of the protective provisions of the present Fair Labor Standards Act.

Mr. President, I should like to call attention to the fact that under date of January 15 there was sent to the Secretary of Labor by myself a letter, which I ask to have incorporated at this point in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 15, 1947.

SECRETARY OF LABOR,
Washington, D. C.:

DEAR MR. SECRETARY: On January 10, 1947, there was appointed by Senator WILEY, of Wisconsin, chairman of the Senate Committee on the Judiciary, a subcommittee the members of which, who were so appointed by him, being Senator COOPER of Kentucky, Senator EASTLAND of Mississippi and myself.

Senator WILEY is ex officio a member of said subcommittee. I was designated as chairman of the subcommittee. Attached is copy of statement made to the Senate on January 13, 1947, by myself.

The subcommittee would be pleased to have a representative of your office appear before it. Please see that the office of the Committee on the Judiciary is notified as to whether or not such representative will appear. If such representative will appear, the office of said committee will be pleased to arrange a time at which the appearance shall occur.

Yours very truly.

Mr. DONNELL. The concluding paragraph of the letter reads:

The subcommittee would be pleased to have a representative of your office appear before it. Please see that the office of the Committee on the Judiciary is notified as to whether or not such representative will appear. If such representative will appear, the office of said committee will be pleased to arrange a time at which the appearance shall occur.

I call attention, also, Mr. President, to the fact that 2 days later, namely, January 17, a similar letter went to Mr. L. Metcalfe Walling, Administrator of the Wage and Hour and Public Contracts Division, which, as I understand, is within the Department of Labor. I may say that the Secretary of Labor did not appear before our committee. Mr. Walling did appear. I made inquiry this morning of the Undersecretary of Labor, former Governor Keen Johnson, of Kentucky, a friend of mine whom I have known for some years, and he informed me that Judge Schwellenbach, the Secretary of Labor, immediately upon receipt of my letter, directed Mr. Walling to appear before our subcommittee.

Mr. President, I do not criticize the Secretary of Labor. I realize fully that he doubtless thought that Mr. Walling, being in charge of this work, was the man most qualified to come before the subcommittee, and I do not in any sense criticize Judge Schwellenbach. But the fact is that here on yesterday comes forth a criticism of the bill, a criticism emanating, so it appears, from the Secretary of Labor, who did not come before the subcommittee and did not send anyone from his office, other than the man to whom a separate invitation or letter had gone forward, as I have indicated, namely, Mr. Walling.

Mr. President, now although the distinguished Senator from Nevada imputes this evil result to the legislation, namely, that it emasculates the Fair Labor Standards Act, yet I observe with very much interest and appreciation that at page 2244 of the RECORD he absolves completely the members of the Committee on the Judiciary and of the subcommittee, I believe, and all Members of the Senate, from any such evil intention. The Senator said:

Let me make it clear, Mr. President, that I do not now charge—

I do not know whether he intends to do so in the future, but he has not so far—

Let me make it clear, Mr. President, that I do not now charge that the majority has an intention to repeal or emasculate the Fair Labor Standards Act, or that the Judiciary Committee of the Senate has any such intention, or that any particular Member of the Senate has any such intention. What I do say is that this committee bill, now before us, will accomplish that result; and if the bill is passed, by the votes of the majority, the majority will have to take the responsibility.

Mr. President, I may say two things: I am pleased to observe that the Senator has absolved us from the evil intent of emasculating the Fair Labor Standards Act, though it is somewhat incongruous that after having admitted, as he has, the careful training and obvious ability of those who drew the bill, he now charges that inadvertently, and without realizing what they were doing, they had so seriously injured and wounded and maimed the Fair Labor Standards Act as to emasculate all the beneficial features of that act.

Mr. President, what are the facts?

Mr. MCCARRAN. Mr. President, will the Senator yield?

Mr. DONNELL. I will yield for a moment. It is only 30 or 31 minutes until 3 o'clock, and I have declined to yield to other Senators.

Mr. MCCARRAN. Very well, if the Senator has heretofore declined to yield I shall not urge him to yield. I have a telegram here the context of which I wanted to get into the RECORD.

Mr. DONNELL. Is it extensive?

Mr. MCCARRAN. No; it is only a few lines.

Mr. DONNELL. Would the Senator be kind enough to place it in the RECORD

later? I should like to continue with my remarks, if the Senator please.

Mr. McCARRAN. The telegram bears on what the Senator was saying, but I shall defer.

Mr. DONNELL. Very well.

Mr. President, what are the facts with respect to these measures? As I have indicated first, as to past claims, those as to which this constitutional objection may be made and at which it will be leveled, both the committee bill and the McCarran-McGrath amendment do the same thing. Both of them provide in substance that no activities at any time during the day, from one end of the day to the other, the whole 24-hour period, shall be compensable unless by express provision of a contract or by custom or practice not inconsistent with such contract.

Mr. President, if one of these measures emasculates the Fair Labor Standards Act as to the past, the other does so to the identical extent. The two proposals vary quite decidedly with respect to the provision authorizing settlement of claims. Our bill does not provide for the possibility of making settlements unless section 2 of the bill shall be declared invalid. That is the section which deals with past claims and undertakes to kill the portal-to-portal suits. As I say, our bill does not provide for the possibility of making settlements unless that section is declared invalid. On the other hand, the McCarran amendment permits immediate settlements prior to action by the courts, which would make it possible for contractors and other employers to make settlements and then shift to the United States Government the ultimate burden of such settlements in the event cost-plus contracts were involved in the case of war contractors, and to the extent of recoverable taxes in the case of any company or manufacturer which might have to pay any of such claims, or should pay them, and then be entitled to recover taxes from the Government. So if the McCarran plan of authorizing settlements now should be adopted, in my judgment, it would mean in many instances that the taxpayer would ultimately pay the bill for the settlement of such claims which might be made between the employer and the employee.

I take it that it is advisable, as is provided in our bill, not to open a field day for settlement, in which employers can afford to be liberal with employees and perhaps obtain new labor contracts, as perhaps the Dow Chemical Co. did. It paid out $4,500,000 and obtained a new labor contract. I do not know whether there was any connection between the two events or not. The employer would be able to negotiate a new contract without the prospective advance in wages which had been previously planned. The result would be that the taxpayer would pay for the settlement to the extent of recovered taxes, which I understand, in the case of the Dow Chemical Co., represents 57 or 58 cents on each dollar of settlement.

As I have indicated, the McCarran amendment does not deal with future claims. Our bill does. Our bill goes into the future; and in a very few minutes I shall discuss what the committee bill does as to the future, and why it does it.

First let me invite the attention of the Senate to the fact which was mentioned by my colleague on the subcommittee [Mr. COOPER] a few minutes ago. The McCarran provision contains language with respect to what is called curative provisions for violations resulting from compliance with regulations. It is to the effect that if an employer can satisfactorily show by competent evidence that his failure to pay minimum wages or overtime compensation under the act was occasioned by his adherence, prior to the time of the publication of a succeeding written interpretation or regulation, to a written interpretation or regulation of the Administrator, he shall not be liable for the claim. As the Senator from Kentucky pointed out, this provision means—and I want labor to understand this—that if the employer can show satisfactorily by competent evidence, whatever those words mean—that his action was occasioned by adherence to a regulation in writing of the Administrator, he escapes not only liquidated damages, double damages, but also liability for payment of the difference between the amount which he paid and the minimum required by statute.

Let me illustrate. Under the McCarran amendment if the employer had relied on the ruling of the Administrator that he, the employer, was not under the Fair Labor Standards Act, and thereafter paid his employees only 25 cents an hour and worked them 50 hours a week, the employer would not subsequently have to pay them the Fair Labor Standards Act minimum of 40 cents and overtime for time in excess of 40 hours a week.

I say that this provision in the McCarran amendment is a bad mutilation of the Fair Labor Standards Act. What does our bill do? Our bill merely provides that if an employer acts in good faith on a written regulation or ruling of the Administrator, he shall not be liable either for a criminal penalty or for the payment of liquidated damages, which are double the amount required by the statute to be paid in the event of violation. As the Senator from Kentucky has so clearly pointed out this afternoon, this provision in the McCarran bill is a strong, vigorous attack upon the provisions of the Fair Labor Standards Act. It would enable an employer, if he could prove satisfactorily by competent evidence that he had relief upon such a ruling, to escape not merely liability for liquidated damages, not merely the liability of going to jail or paying a fine, but also payment of the difference between the wages which he paid and the minimum required under the act. As I have stated, as to past claims our bill would have the same results as would the McCarran amendment.

As to the future, I point out the fact that our bill leaves untouched the workday proper, or what I may roughly term the time between whistle time in the morning and whistle time in the afternoon. During that period any rights of labor under the Fair Labor Standards Act remain unaffected. Using the same illustration which I used the other day, considering the quadrilateral formed by the speaker's stand before me as the workday, that is not affected by our bill. We seek to legislate only with respect to activities preceding the workday and following the workday.

This provision of our bill was due in large part—I think I may say almost entirely—to the point which was made in my office by Mr. Cotton, the assistant counsel of the CIO, and Mrs. Peterson, of the Amalgamated Clothing Workers organization. They pointed out that if as to the future we undertook to legislate and wipe out the compensation for iniquitous practices of an employer, we would be doing tremendous damage to labor. To illustrate, if we had made our bill applicable in the future to a situation in which a woman sat in a production line waiting for 2 hours while materials did not come, and under the custom of the employer and under his contract no compensation was to be paid the employee, if we were to legislate in such a way that she could not recover compensation for that time without a contract or custom, we would be perpetuating and making valid by law an iniquitous practic which in our judgment it is not proper to perpetuate or make valid.

So we changed our plan. Because of the representations made to us on behalf of labor, our bill, as to the future, seeks to legislate only with respect to preliminary and postliminary activities, such as walking to the actual place of work, and also activities preliminary to or postliminary to the principal activity or activities of the employee. It is in this field—notably with respect to preliminary activities—that the decision in the Mount Clemens case has caused a deluge of unexpected litigation. With respect to those items, that is to say, the preliminary activities and the postliminary activities, before the begining of the workday and after the end of the workday, we submit that there is no injustice in saying that before a person shall be entitled to recover compensation for such preliminary or postliminary activities he must show that he is entitled thereto either by contract or by custom or practice not inconsistent with the contract.

Mr. President, there are in the committee bill several exceedingly important provisions which the McCarran amendment does not contain. In the first place, in section 4 of our bill, we included a provision to cover the contingency in the earlier portion of section 2, the portion under which the existing claims for portal-to-portal suits are killed. In that portion of our bill known as section 4 we have put in a provision, with certain alternative provisions, which would apply only in case the earlier portion should not be sustained as valid.

I undertake to say, Mr. President, that there is no confession in the slightest degree of the unconstitutionality of our measure. As I have indicated, both the McCarran amendment and the committee amendment are, according to the language of the Supreme Court of the United States, in my judgment, consti-

tutional. The fact is that there undoubtedly is the probability, if not the certainty, of litigation with respect to this measure, and it is only the better part of judgment to provide that in the event the courts should hold the measure to be unconstitutional, should sustain, for illustration, the position of the Senator from Rhode Island [Mr. McGRATH], who regards our bill as unconstitutional and his own as being of doubtful constitutionality—I say it is only the better part of wisdom to incorporate provisions which will say, in effect, that if we cannot kill the portal-to-portal suits we shall at least do as much as is within our power toward removing the unjust advantages which the holders of those claims possess under the statute. The McCarran amendment does not contain such a provision. Our bill does. For that reason, as well as for other reasons, I think our bill is preferable.

With respect to limitations, our bill contains a 2-year limitation. The McCarran amendment contains a 3-year limitation. I expressed the view in the earlier discussion of this matter that the question of whether the limitation shall be 2 years or 3 years is one upon which there may be a just difference of opinion, but I call attention to the fact that last year, in Report No. 1395, which was submitted to the Senate by the Senator from Nevada [Mr. McCARRAN] from the Committee on the Judiciary with respect to bill H. R. 2788, the distinguished Senator from Nevada himself advocated the adoption of the measure which in that case required that all causes of action accruing after the enactment of the law be limited to 2 years. In other words, on May 29, 1946, the Senator from Nevada, who now argues so strenuously in favor of a 3-year limitation, advocated a 2-year limitation, which is contained in the bill reported by the committee.

I call attention also to the fact that although the distinguished Senator now criticizes the use of the words "good faith" without definition in our bill, in the report which he filed on May 29, 1946, he approved legislation which would provide protection "to all persons who have in good faith relied upon any regulation, order, or administrative practice."

Mr. MALONE. Mr. President, will the Senator yield?

Mr. DONNELL. I yield to the Senator from Nevada.

Mr. MALONE. Mr. President, I shall vote for the bill as represented by the committee amendment, without further amendment, first, because I believe, with my distinguished colleague, the Senator from Missouri [Mr. DONNELL], that the bill has been carefully drawn and will prevent obvious abuses; second, that it does lay the foundation for collective bargaining upon the points at issue.

I agree with Mr. Justice Burton in his dissenting opinion, in which he said:

> The amounts at issue * * * might not average as much as 5 to 10 minutes a day a person and would not apply at all to many of the employees. None of this time would have been spent at productive work. The futility of requiring an employer to record these minutes and the unfairness of penalizing him for failure to do a futile thing by imposing arbitrary allowances for "overtime" and liquidated damages is apparent.
>
> While conditions vary widely and there may be cases where time records of "preliminary activities" or "walking time" may be appropriate, yet here we have a case where the obvious, long-established and simple way to compensate an employee for such activities is to recognize those activities in the rate of pay for the particular job. These items are appropriate for consideration in collective bargaining. * * *
>
> In interpreting "workweek" as applied to the industries of America, it is important to consider the term as applicable not merely to large and organized industries where activities may be formalized and easily measured on a split-second basis; the term must be applied equally to the hundreds of thousands of small businesses and small plants employing less than 200 and often less than 50 workers, where the recording of occasional minutes of preliminary activities and walking time would be highly impractical and the penalties of liquidated damages for a neglect to do so would be unreasonable. Such a universal requirement of recording would lead to innumerable unnecessary minor controversies between employers and employees. "Workweek" is a simple term used by Congress in accordance with the common understanding of it. For this Court to include in it items that have been customarily and generally absorbed in the rate of pay but excluded from measured working time is not justified in the absence of affirmative legislative action.

Mr. President, to claim back pay for time expended not previously considered compensable by either employee or employer is so patently not in the public interest as almost to preclude serious discussion.

In our western metal mines we know little of portal-to-portal pay or discussions. We do, however, understand the collar-to-collar shift. I have worked in such mines, and so far as I am concerned, when one steps into an ore bucket and disappears underground, he is at work.

This bill, in my judgment, covers the points at issue. First, it precludes any claims not contemplated by either employee or employer when the contract for employment is consummated.

Second, it leaves all such matters, including the collar-to-collar shift and rates of pay, to future collective bargaining, as suggested by Mr. Justice Burton in his dissenting opinion, to which I unqualifiedly subscribe.

Mr. DONNELL. Mr. President, the Senator from Wyoming [Mr. O'MAHONEY] made the statement that, in his judgment, this bill would not benefit small business a penny's worth, or some such expression. The distinguished former chairman of the Committee on the Judiciary subscribed last year to a 2-year statute of limitations—the same as our bill provides—and at that time he said that bill would be particularly beneficial to small employers.

As has been frequently said, the McCarran amendment does not contain any provision as to future claims. Why is it advisable to legislate as to future claims? I take it, Mr. President, that the answer is clear and conclusive.

I call attention to the fact that in the report submitted by the Senator from Nevada [Mr. McCARRAN] to accompany House bill 2788, the Senator from Nevada subscribed to the following doctrine in referring to a measure which provided a 2-year statute of limitations and extended protection to all persons who had in good faith relied upon any regulation or order or administrative ruling, and so forth:

> This legislation will be particularly beneficial to small employers. They generally do not have the large legal staff necessary to keep them posted daily on the volume of administrative regulations, rulings, and interpretations issued by Government bureaus. These regulations are the law under which the employer is expected to operate—

And so forth. So, Mr. President, although yesterday in a somewhat offhand statement one Senator—I believe it was the Senator from Wyoming—stated that, in his judgment, this bill would not benefit small employers a nickel's worth or a penny's worth—or the Senator used some similar expression—yet last year the Senator from Nevada [Mr. McCARRAN] advocated the enactment of a bill providing a 2-year statute of limitations, as does our bill, and in that respect the Senator from Nevada said:

> This legislation will be particularly beneficial to small employers.

Mr. President, there should be certainty, as nearly as possible, as to what preliminary activities are compensable. The best way to arrive at certainty is by contract or custom, rather than to allow future unexpected and surprising liability to be corrected as it was in the Mount Clemens case "regardless of custom or contract."

Some may say that that case has exhausted all the realm of human probabilities in connection with portal-to-portal activities. I see across the aisle the distinguished Senator from New Mexico [Mr. HATCH] who brought to the subcommittee a witness from the potash industry. He called attention to the fact that in that industry in New Mexico, suits embracing millions of dollars have been filed; and one point involved in the case was that 70 minutes each day is required in riding back and forth to and from the potash mine, and that therefore the persons who ride are entitled to time and a half multiplied by two, for the time consumed in riding.

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. DONNELL. I yield for 2 minutes.

Mr. HATCH. I merely wish to tell the Senator from Missouri, if he does not already know it, that the travel-time claim about which he has been speaking has been eliminated by the Federal district judge in New Mexico.

Mr. DONNELL. I thank the Senator for that information. I was not aware of it. However, the ruling to which I had referred is so obviously ridiculous and beyond reason that it seemed incomprehensible that it should have remained in effect.

Mr. President, it is only common sense to put down in black and white in this measure the requirements which a person must observe. It is only common sense to require that before he is entitled to obtain recovery he shall be required to show a contract or a custom under which he is entitled to the recovery he seeks.

My time is almost at an end, but I wish to pay brief attention to the Bacon-Davis Act and the Walsh-Healey Act. The

McCarran-McGrath amendment does not include reference to the Bacon-Davis Act or the Walsh-Healey Act, although, as I have stated, and I now repeat for the benefit of Senators who have since entered the Chamber, the drafters of the McCarran-McGrath substitute perhaps unwittingly omitted including the provision of our bill which states:

It is, therefore, in the national public interest and for the general welfare, essential to national defense, and necessary to aid, protect, and foster commerce, that said Walsh-Healey Act and said Bacon-Davis Act be amended, as hereinafter set forth.

Mr. President, those two acts should be included. In the first place, it is true, of course, that few suits, if any, have been filed hitherto under the Bacon-Davis act or the Walsh-Healey Act. The reason is clear. It is that under those acts all a man can recover is the amount of wages to which he is entitled. Under those acts no one is entitled to recover liquidated damages equal to the amount of wages to which he was entitled. However, Mr. President, two facts should be noted. In the first place, great difficulties may develop for employers in the future, under the Fair Labor Standards Act, because in the case of war contracts, there is great doubt whether suits, even though nominal, against employers are in fact against the Government, and obviously under the Fair Labor Standards Act a suit cannot, by the express provisions of that act, be maintained against the Government.

Furthermore, it may well be held that suits may not be filed and successfully maintained by employees who were working on war contracts, because interstate commerce might not be involved in such suits. There is now in existence a subcommittee of this body which has been looking into the fact that at one time the Attorney General directed that these two defenses—namely, the absence of the interstate commerce element and the fact that the Government is the real party in interest—be made. We find this interesting testimony by Mr. McGregor in the course of the hearings:

Now, the Department has, itself, defended a number of cases. I pointed out several here, defended on the grounds that employees whose activities related solely to new and original construction were not engaged in commerce or production of goods for commerce.

Senator MOORE. Will you repeat that, please?

Mr. MCGREGOR. I say, the Department has been successful in defending a number of cases on the ground that the employees whose activities related solely to new and original construction were not engaged in commerce and the production of goods for commerce.

In a number of other cases the Department has sustained the burden of proving that the plaintiffs were employed in a bona fide executive, administrative, or professional capacity within the meaning of the exemptions established by section 12 (a).

Mr. President, suppose the Congress enacts the pending bill but does not include its references to the Walsh-Healey and Bacon-Davis Acts. Then a man who files suit under the Fair Labor Standards Act will find such suit canceled and nullified by the action of Congress. What will he do then? If he is an employee working in a plant which makes any material for the benefit of the Government, and which comes under the Walsh-Healey Act, he will join with other employees in requesting—yes, demanding—of the Secretary of Labor that a suit be filed for his protection under the Walsh-Healey Act because he has lost his protection under the Fair Labor Standards Act.

Mr. President, to abandon the protection of the Walsh-Healey Act and the Bacon-Davis Act would be the part of absolute mistake, and would be the poorest sort of judgment. Why did the House of Representatives include it? I understand that some jurisdictional point was involved. I do not know the full details regarding it, but I undertake to say that, whether wittingly or unwittingly, they placed in the bill a wholesale protection for the Government of the United States which we would be foolish indeed to leave out of our bill.

Mr. President, I wish to say that we approach this problem with a materially different point of view from that of the Senator from Rhode Island. As I have indicated, yesterday he said that this is "much ado about nothing" or "much ado about little." The Senator from Florida [Mr. HOLLAND] yesterday rather eloquently proclaimed, in substance, that this is a large hullabaloo—I have forgotten the exact words he used, and I do not have before me at the moment a notation of what they were.

We find it to be true, of course, as appears in this morning's newspapers, that one suit has been dismissed. But that is only one suit out of 1,915. It was dismissed yesterday or the day before. That was a suit against the Westinghouse Co., and was in the amount of approximately $2,000,000. I hold in my hand a telegram which I have received from Fort Smith, Ark., from the Athletic Mining & Smelting Co., Raymond F. Orr, president. It reads as follows:

On March 11, 1947, suit was filed against our company in Joplin, Mo., by "individuals, members, and officials of International Union of Mine, Mill, and Smelter Workers, CIO, as agents and representatives of certain employees of defendant and for and in behalf of all employees similarly situated." Total amount claimed in this portal suit asking damages since 1938 is $600,000, plus attorneys' fees and interest. Our company has operated a zinc smelter at Fort Smith, Ark., since 1917. Our net worth or working capital, comprising all quick assets less current liabilities, is $289,000. This suit just filed is for twice our net worth and could mean bankruptcy to us and loss of jobs and wages to workers. We and others desperately need protection against such legalized hijacking.

ATHLETIC MINING & SMELTING CO.,
RAYMOND F. ORR, *President*.

Mr. President, I shall conclude my remarks with this one statement: Here we have on the one hand Senators who tell us that this is "much ado about nothing" or "much ado about little," and they pooh-pooh the seriousness of the situation; and, on the other hand, we have the Department of Commerce, the Under Secretary of War, the Under Secretary of the Navy, a representative of the Maritime Commission, and other important officials who take a contrary view. Which shall we take?

We are not here legislating against labor. We have given every possible consideration, I think, that it is reasonable to request to the representatives of labor. We have been materially piloted and charted in our method of drafting the bill by the representatives of labor. We are here, as are all Senators, not for labor as a class or for management as a class; but we are legislating for the public of the United States of America.

Mr. President, I ask that the McCarran-McGrath amendment be rejected, and that the committee amendment be adopted.

Mr. BUTLER. Mr. President, I have necessarily been absent from the Senate during the time this question has been under debate. I have prepared a short statement which gives my position on it. I ask unanimous consent that the statement may be placed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY HUGH BUTLER (REPUBLICAN), OF NEBRASKA, REGARDING H. R. 2157, PORTAL-TO-PORTAL BILL, MARCH 21, 1947

Mr. President, a few days ago when S. 70 the Senate Judiciary Committee's portal-to-portal bill was on the calendar, I had printed an amendment to be proposed on the floor. This amendment was a simple one. It contained virtually the same language found in section (2) (e) of H. R. 2157, which is now before us, in the form in which it was passed by the House of Representatives last week by the overwhelming vote of 345 to 56. I had changed the language of that bill only slightly, to make it applicable particularly to the Fair Labor Standards Act of 1938 because S. 70 purported to deal only with that act.

My amendment was intended to accomplish only a purpose which the Senate and House of Representatives both approved last year, the purpose of removing danger of suits from employers who acted in good faith under an administrative regulation which later was found invalid by the Supreme Court (case of *Addison* v. *Holly Hill Fruit Products*, decided June 5, 1944). Last year both the Senate and the House passed H. R. 2788, but in slightly different language. Final passage of the legislation in the House failed only because of the last-minute drive for adjournment. The House again has overwhelmingly approved such legislation, and I proposed that it be incorporated in S. 70, both because it is appropriate in this bill and because of the delay that might occur if we did not consider it at that time.

Because of my long experience in the grain business and my intimate contact with country grain elevators, I know the threat that exists for many of the men in that business unless Congress acts to take away an unjust threat. Since 1938 they have relied upon the definitions issued, as provided by law, by the Administrator of the Fair Labor Standards Act of 1938, on the area of production. Under the Administrator's definition these employers in country grain elevators were assured that their employees were exempt from the minimum wage and maximum hours sections of the act if they were doing the work specified for that exemption. Many, if not all, of these employers were paying over the minimum wage, but due to the peculiar demands upon a country elevator by its farmer customers, employers were not required to consider overtime.

The Administrator had made his definition of area of production partly upon the

basis of the number of persons employed in an establishment, and it was this restriction as to number of employees which the Supreme Court in 1944 held invalid. The Court ordered that a new definition be prepared by the Administrator, and that this new definition be retroactive in effect. The Administrator did not issue his new definition until December 24, 1946, and that definition placed under coverage of the act many employees whom the Administrator's previous rulings had held to be exempt.

So here is the simple situation: An employer in a country elevator who gave full faith to the earlier definitions of the Administrator of an agency set up by Congress, now finds himself in jeopardy of suits for overtime back pay as far back as the statute of limitations will allow. If this situation is allowed to stand, some of these operators of these small country business units could be threatened literally with financial ruin through suits for back overtime pay. Even the Administrator of the act admits the unfairness of this situation. I estimate that approximately 700 of these country elevators have been thrown back under the act by the Administrator's latest definition, and that these affected operators are rather evenly scattered throughout the surplus grain-producing areas. The definition now is based in large part upon the population of a town where the elevator is located, and this is a restriction not covered by previous regulations.

Essentially, all that my amendment tried to accomplish was to provide that if an employer relied on a ruling or interpretation of the Administrator, he would be protected and any change in ruling or definition would not operate retroactively. I was afraid that if this amendment were not adopted, it might be some time before we could give the legislative relief which these people need.

Since my amendment was prepared the whole situation has changed. The bill which had been reported by the Senate Judiciary Committee was withdrawn for further study by the committee, and the House bill (H. R. 2157) was reported with an amendment which gave effect to part of what I had in mind. Then my colleague the Senator from Nebraska [Mr. WHERRY] proposed and secured adoption of an amendment which removed the threat of punishment or suits for liquidated damages against employers acting in good faith. The principal difference between the Senate and House versions of the bill now appears to be that the Senate bill would still permit suits for recovery of wages against such employers while the House bill bars such suits entirely. I am not informed whether an additional amendment will be presented in the Senate to give employers the same protection they receive under terms of the House bill. Speaking for myself, I believe the House version is preferable, and I hope it may be adopted in conference. On that basis, I will not press for further consideration of my proposal at the present time.

The PRESIDENT pro tempore. The hour of 3 o'clock having arrived, all debate is concluded.

Mr. DONNELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum is suggested, and the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Byrd	Ecton
Baldwin	Cain	Ellender
Ball	Capper	Ferguson
Barkley	Chavez	Flanders
Brewster	Connally	Fulbright
Bricker	Cooper	George
Bridges	Donnell	Green
Brooks	Downey	Gurney
Buck	Dworshak	Hatch
Butler	Eastland	Hawkes
Hayden	McKellar	Saltonstall
Hickenlooper	McMahon	Smith
Hill	Magnuson	Sparkman
Hoey	Malone	Stewart
Holland	Martin	Taft
Ives	Maybank	Taylor
Jenner	Millikin	Thomas, Okla.
Johnson, Colo.	Moore	Thomas, Utah
Johnston, S.C.	Morse	Thye
Kem	Murray	Tobey
Kilgore	Myers	Umstead
Knowland	O'Conor	Vandenberg
Langer	O'Daniel	Watkins
Lodge	O'Mahoney	Wherry
Lucas	Overton	White
McCarran	Pepper	Wiley
McCarthy	Reed	Williams
McClellan	Revercomb	Wilson
McFarland	Robertson, Va.	Young
McGrath	Russell	

The PRESIDENT pro tempore. Eighty-nine Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. MCCARRAN] on behalf of himself and the Senator from Rhode Island [Mr. MCGRATH].

Mr. DONNELL. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MCCARRAN. Mr. President, the Senator from Rhode Island [Mr. MCGRATH] and I desire to perfect our amendment by striking out in line 5, page 3, the word "three" and inserting the word "two."

The PRESIDENT pro tempore. The amendment will be perfected as indicated.

The question now is upon the amendment submitted by the Senator from Nevada [Mr. MCCARRAN] and the Senator from Rhode Island [Mr. MCGRATH] as perfected. The amendment will be stated.

The CHIEF CLERK. It is proposed beginning in line 19, on page 10, to strike out all down to and including line 2, on page 23, and insert in lieu thereof the following:

PART II

EXISTING CLAIMS ELIMINATED

SEC. 201. The second sentence of subsection 16 (b) of the Fair Labor Standards Act of 1938 is amended to read as follows: "Action to recover such liability may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves and other employees similarly situated; such action shall be deemed to have been commenced as to any individual claimant as of the date when such claimant is named in such action as a party thereto; and no employee shall be made or deemed a party plaintiff to any such action until his consent in writing to become such a party is filed in the court in which such action is brought: *Provided*, That no employee shall have any statutory right of recovery under this act based on any claim for unpaid minimum wages or unpaid overtime compensation or liquidated damages to the extent that such claim involves such activities of an employee engaged in prior to the effective date of this proviso as were not compensable working time under either (1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer or (2) a custom or practice not inconsistent with any such contract in effect at the time of such activity at the establishment or other workplace where such activities were performed."

SEC. 202. Section 16 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof three new subsections, as follows:

"STATUTE OF LIMITATIONS

"(c) No action under this act for unpaid minimum wages, or unpaid overtime compensation, or liquidated damages, shall be brought or maintained unless commenced within 2 years after the cause of action accrued or, if such cause of action accrued prior to the date of enactment of the Portal-to-Portal Act of 1947 and such action is brought before the expiration of the period of 180 calendar days next following such date, then within the period of any applicable State statute of limitation: *Provided*, That this section shall not be construed to revive or extend any action which otherwise would have been barred by any statute of limitation applicable to such action.

"SETTLEMENT OF CLAIMS

"(d) Settlement, compromise, release, or satisfaction of any claim under this act, for unpaid minimum wages, unpaid overtime compensation, or liquidated damages, accrued before the date of enactment of this subsection shall be a defense thereto and any other appropriate legal or equitable defense may be pleaded in defense of such claim.

"CURATIVE PROVISIONS FOR VIOLATION RESULTING FROM COMPLIANCE WITH A REGULATION

"(e) In any judgment hereafter rendered by any court of competent jurisdiction involving a claim under this act, accrued prior to the date of enactment of the Portal-to-Portal Act of 1947, for unpaid minimum wages, unpaid overtime compensation, or liquidated damages, the employer shall not be held liable for such claim if he can satisfactorily show by competent evidence that his failure to pay minimum wages and overtime compensation under this act was occasioned by his adherence (prior to the time of the publication of a succeeding written interpretation or regulation) to a written interpretation or regulation of the Administrator, even though such interpretation or regulation so adhered to was determined by judicial authority to be invalid."

SHORT TITLE

SEC. 203. This act may be cited as the "Portal-to-Portal Act of 1947."

Amend the title so as to read: "An act to amend the Fair Labor Standards Act of 1938, as amended."

The PRESIDENT pro tempore. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED (when his name was called). I have a general pair with the senior Senator from New York [Mr. WAGNER]. On this vote I transfer that pair to the Senator from Wyoming [Mr. ROBERTSON], and will vote. I vote "nay." If the Senator from New York were present, he would vote "yea."

Mr. RUSSELL (when his name was called). On this vote I have a pair with the senior Senator from Oregon [Mr. CORDON]. If the Senator from Oregon were present he would vote "nay." If I were at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. WHERRY. I announce that the Senator from Wyoming [Mr. ROBERTSON] is absent because of illness. He is paired with the Senator from New York [Mr. WAGNER]. If present and voting the Senator from Wyoming would vote "nay," and the Senator from New York would vote "yea."

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate. He is paired with the Senator from Maryland [Mr. TYDINGS]. If present and voting the Senator from Indiana would vote "nay," and the Senator from Maryland would vote "yea."

The Senator from Oregon [Mr. CORDON] is absent by leave of the Senate. He is paired with the Senator from Georgia [Mr. RUSSELL]. If present and voting the Senator from Oregon would vote "nay," and the Senator from Georgia would vote "yea."

The Senator from South Dakota [Mr. BUSHFIELD] is unavoidably detained.

Mr. LUCAS. The Senator from Maryland [Mr. TYDINGS] and the Senator from New York [Mr. WAGNER] are necessarily absent.

On this vote the Senator from Maryland [Mr. TYDINGS] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from Indiana would vote "nay."

The result was announced—yeas 35, nays 53, as follows:

YEAS—35

Aiken	Johnson, Colo.	Murray
Barkley	Johnston, S.C.	Myers
Chavez	Kilgore	O'Conor
Connally	Langer	O'Mahoney
Downey	Lucas	Pepper
Ellender	McCarran	Sparkman
Fulbright	McClellan	Stewart
George	McFarland	Taylor
Green	McGrath	Thomas, Okla.
Hatch	McMahon	Thomas, Utah
Hayden	Magnuson	Umstead
Hill	Maybank	

NAYS—53

Baldwin	Gurney	Overton
Ball	Hawkes	Reed
Brewster	Hickenlooper	Revercomb
Bricker	Hoey	Robertson, Va.
Bridges	Holland	Saltonstall
Brooks	Ives	Smith
Buck	Jenner	Taft
Butler	Kem	Thye
Byrd	Knowland	Tobey
Cain	Lodge	Vandenberg
Capper	McCarthy	Watkins
Cooper	McKellar	Wherry
Donnell	Malone	White
Dworshak	Martin	Wiley
Eastland	Millikin	Williams
Ecton	Moore	Wilson
Ferguson	Morse	Young
Flanders	O'Daniel	

NOT VOTING—7

Bushfield	Robertson, Wyo. Wagner
Capehart	Russell
Cordon	Tydings

So the amendment of Mr. MCCARRAN and Mr. MCGRATH was rejected.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the joint resolution (H. J. Res. 27) proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

EXEMPTION OF EMPLOYERS FROM LIABILITY FOR PORTAL-TO-PORTAL WAGES IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 2157) to define and limit the jurisdiction of the courts to regulate actions arising under certain laws of the United States, and for other purposes.

The PRESIDENT pro tempore. In the opinion of the Chair, the unanimous-consent request now requires a vote on the committee amendment as amended, without further debate of any nature.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HOLLAND. Does the unanimous consent permit the offering of an amendment to the committee substitute, without debate?

The PRESIDENT pro tempore. The Senator is entitled to send his amendment to the desk, to be stated by the clerk, but there can be no debate, and there must be an immediate vote upon the amendment.

Mr. HOLLAND. Mr. President, on behalf of the Senator from Maryland [Mr. O'CONOR] and myself, I desire to send to the desk an amendment.

The PRESIDENT pro tempore. The clerk will state the amendment.

The Chief Clerk read the amendment, as follows:

Amend the bill so as to strike out all provisions contained therein relating to the Walsh-Healey Act and the Bacon-Davis Act.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Florida, for himself and the Senator from Maryland [Mr. O'CONOR].

Mr. HOLLAND. I ask for the yeas and nays.

The yeas and nays were ordered; the Chief Clerk proceeded to call the roll, and Mr. AIKEN and Mr. BALDWIN voted in the negative when their names were called.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. Am I correct in understanding that the amendment we are now voting on eliminates all provisions with respect to the Walsh-Healey Act and the Bacon-Davis Act?

The PRESIDENT pro tempore. That is the opinion of the Chair, but the Chair thinks the clerk had better state the amendment again, so the Senate may judge for itself.

The Chief Clerk again read the amendment, as follows:

Amend the bill so as to strike out all provisions contained therein relating to the Walsh-Healey Act and the Bacon-Davis Act.

The PRESIDENT pro tempore. The clerk will continue the roll call.

Mr. BARKLEY. Mr. President, I would like to propound a parliamentary inquiry to the Chair.

The PRESIDENT pro tempore. The Senator may do so.

Mr. BARKLEY. It is based upon the Chair's announcement a moment ago that his interpretation of the agreement entered into yesterday precluded any debate on the committee substitute. That was not my understanding, otherwise there would have been no point in fixing 5 o'clock as the time at which there should be a vote on the final passage of the bill. I have no desire to debate it, but I am rather impressed by the fact that it was the general understanding here that after a vote on the substitute offered by the Senator from Nevada and the Senator from Rhode Island, there would be a period extending up to 5 o'clock, during which there could be discussion of the bill itself, and that then the vote would come, not later than 5 o'clock, on final passage.

The PRESIDENT pro tempore. Under the unanimous-consent agreement, as the Chair understands it, there is an opportunity from 3 o'clock to 5 to discuss the bill as it will finally pend for passage. Clearly, under the unanimous-consent agreement, however, at not later than the hour of 3 o'clock, the Senate must proceed to vote, without further debate, upon any amendment or motion that may be pending or that may be proposed to the committee substitute, and upon the committee substitute for the pending bill, H. R. 2157. The Chair can find no latitude under which he can agree with the Senator from Kentucky.

Mr. BARKLEY. In the negotiations that led to the final agreement, I think it was the general understanding—it certainly was mine—that between the vote on the amendment we have just voted upon and final passage, there would be opportunity to discuss the provisions of the committee bill, or the final passage of the bill, up to 5 o'clock. I am not interested in discussing it further, but if the Chair's announcement means there can be no debate from now until 5 on the bill as it will be finally voted upon, it certainly was not my understanding.

The PRESIDENT pro tempore. That is not what the Chair stated. The Chair stated that from 3 to 5 the bill as it will finally pend for a vote will be open for debate, but at the present time there is no further debate possible upon the substitute or the committee amendment as amended; and the Chair will have to add to the able Senator from Kentucky that even the parliamentary inquiry is out of order, inasmuch as two Senators have answered to the roll call.

Mr. BARKLEY. I thought I addressed the Chair before the first Senator answered; I did not intend to interrupt the roll call.

The PRESIDENT pro tempore. In the opinion of the Chair, the Senator spoke after there had been responses to the roll call. The clerk will continue the roll call.

The legislative clerk resumed the calling of the roll.

Mr. REED (when his name was called). I have a general pair with the senior Senator from New York [Mr. WAGNER]. On this vote I transfer that pair to the Senator from Indiana [Mr. CAPEHART] and will vote. I vote "nay." I wish to add that if the Senator from New York [Mr. WAGNER] were present he would vote "yea" on this question.

The roll call was concluded.

Mr. WHERRY. I announce that the senior Senator from Oregon [Mr. CORDON] and the senior Senator from Indiana [Mr. CAPEHART] are absent by leave of the Senate. If present and voting the Senator from Indiana would vote "nay."

The Senator from Wyoming [Mr. ROBERTSON] is absent because of illness.

The Senator from South Dakota [Mr. BUSHFIELD] is unavoidably detained.

Mr. LUCAS. The Senator from Maryland [Mr. TYDINGS] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The result was announced—yeas 39, nays 50, as follows:

YEAS—39

Barkley	Johnson, Colo.	Morse
Chavez	Johnston, S.C.	Murray
Connally	Kilgore	Myers
Downey	Langer	O'Conor
Eastland	Lodge	O'Mahoney
Ellender	Lucas	Pepper
Fulbright	McCarran	Russell
Green	McClellan	Sparkman
Hatch	McFarland	Stewart
Hayden	McGrath	Taylor
Hill	McMahon	Thomas, Okla.
Hoey	Magnuson	Thomas, Utah
Holland	Maybank	Umstead

NAYS—50

Aiken	Flanders	Reed
Baldwin	George	Revercomb
Ball	Gurney	Robertson, Va.
Brewster	Hawkes	Saltonstall
Bricker	Hickenlooper	Smith
Bridges	Ives	Taft
Brooks	Jenner	Thye
Buck	Kem	Tobey
Butler	Knowland	Vandenberg
Byrd	McCarthy	Watkins
Cain	McKellar	Wherry
Capper	Malone	White
Cooper	Martin	Wiley
Donnell	Millikin	Williams
Dworshak	Moore	Wilson
Ecton	O'Daniel	Young
Ferguson	Overton	

NOT VOTING—6

Bushfield	Cordon	Tydings
Capehart	Robertson, Wyo.	Wagner

So Mr. HOLLAND'S amendment was rejected.

Mr. KILGORE. Mr. President, I offer an amendment to the bill, as amended, which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 15, line 4, after the words "or activities", it is proposed to insert "unless said activities are normally engaged in during the working day."

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from West Virginia.

Mr. HATCH. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HATCH. I think the Chair has already answered the inquiry I am about to make, but I am frank to confess that I am confused about the unanimous-consent agreement entered into on yesterday and its present interpretation by the Chair. I will say that I have read the agreeement and I think the Chair's interpretation is correct. If I am advised correctly, the Chair has held that no debate will be permissible upon any amendment whatever between 3 and 5 o'clock. Is that correct?

The PRESIDENT pro tempore. The Senator is correct. In the Chair's opinion the unanimous-consent agreement requires continuous voting to the conclusion of the consideration of the committee amendment, as amended, whereupon the only question pending before the Senate from that time until not later than 5 o'clock will be the question on the third reading and final passage of the bill.

Mr. HATCH. Continuing my inquiry then, merely to point out the vice of such agreements; all that is necessary to do to shut off debate between 3 and 5 o'clock would be to offer an amendment?

The PRESIDENT pro tempore. No debate on an amendment would be in order between 3 and 5. An amendment could not be received after the committee amendment as amended has been agreed to.

Mr. HATCH. The Senator from West Virginia has just offered an amendment.

The PRESIDENT pro tempore. After the committee amendment, as amended, is agreed to, the bill is pending on its third reading and final passage.

Mr. HATCH. Yes; but I think the Chair misunderstood me. I said any Senator can offer an amendment to the committee amendment, just as the Senator from West Virginia has done, and that automatically cuts off debate.

The PRESIDENT pro tempore. Until the committee amendment as amended is voted upon, the Senator is correct.

The question is on agreeing to the amendment offered by the Senator from West Virginia [Mr. KILGORE].

Mr. LANGER. Mr. President, I ask for the yeas and nays.

Mr. MORSE. Mr. President——

The PRESIDENT pro tempore. Is the demand sufficiently seconded?

The yeas and nays were not ordered.

Mr. MORSE. Mr. President, I request that the amendment be again stated.

The PRESIDENT pro tempore. At the request of the Senator, if there be no objection, the pending amendment will be again stated.

The CHIEF CLERK. On page 15, at the end of line 4, following the words "or activities," it is proposed to insert "unless said activities are normally engaged in during the working day."

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from West Virginia [Mr. KILGORE].

Mr. BARKLEY. Mr. President, let us have the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. REED (when his name was called). I have a general pair with the Senator from New York [Mr. WAGNER]. I transfer that pair to the Senator from Indiana [Mr. CAPEHART], and vote "nay." The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate. If present and voting would vote "nay," and the Senator from New York would vote "yea."

The roll call was concluded.

Mr. WHERRY. I announce that the Senator from Wyoming [Mr. ROBERTSON] is absent because of illness and the Senator from Oregon [Mr. CORDON] is absent by leave of the Senate. The Senator from South Dakota [Mr. BUSHFIELD] is unavoidably detained.

Mr. LUCAS. I announce that the Senator from Maryland [Mr. TYDINGS] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The result was announced—yeas 39, nays 50, as follows:

YEAS—39

Aiken	Johnson, Colo.	Murray
Barkley	Johnston, S.C.	Myers
Chavez	Kilgore	O'Conor
Connally	Langer	O'Mahoney
Downey	Lucas	Pepper
Ellender	McCarran	Russell
Fulbright	McClellan	Sparkman
Green	McFarland	Stewart
Hatch	McGrath	Taylor
Hayden	McMahon	Thomas, Okla.
Hill	Magnuson	Thomas, Utah
Hoey	Maybank	Tobey
Ives	Morse	Umstead

NAYS—50

Baldwin	Flanders	Overton
Ball	George	Reed
Brewster	Gurney	Revercomb
Bricker	Hawkes	Robertson, Va.
Bridges	Hickenlooper	Saltonstall
Brooks	Holland	Smith
Buck	Jenner	Taft
Butler	Kem	Thye
Byrd	Knowland	Vandenberg
Cain	Lodge	Watkins
Capper	McCarthy	Wherry
Cooper	McKellar	White
Donnell	Malone	Wiley
Dworshak	Martin	Williams
Eastland	Millikin	Wilson
Ecton	Moore	Young
Ferguson	O'Daniel	

NOT VOTING—6

Bushfield	Cordon	Tydings
Capehart	Robertson, Wyo.	Wagner

So Mr. KILGORE'S amendment was rejected.

Mr. MAGNUSON. Mr. President, I offer the amendment which I send to the desk and ask to have it stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Washington will be stated.

The CHIEF CLERK. On page 18, after line 22, it is proposed to strike out down to and including line 16, on page 19.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Washington [Mr. MAGNUSON].

Mr. PEPPER. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. PEPPER. In view of the fact the amendment refers only to pages and lines, can the Chair tell me what the effect of the amendment will be?

The PRESIDENT pro tempore. The Chair is unable to state because the Chair has no further advice with reference thereto than has the Senator from Florida.

Mr. PEPPER. Mr. President, a further parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. PEPPER. Is it true that the amendment would strike out the 2-year statute of limitations and leave the statutes of limitations to the several States?

The PRESIDENT pro tempore. The Chair is unable to answer that question.

Mr. LUCAS. Mr. President, is it permissible for the clerk to read the portion of the bill proposed to be stricken, in order that Senators may know on what they are voting?

The PRESIDENT pro tempore. The Chair is of the opinion that that is an appropriate request, and if there be no

objection the clerk will read the language which the pending amendment seeks to strike. The language which the clerk is about to read is the language which would be stricken out by the amendment offered by the Senator from Washington.

The CHIEF CLERK. On page 18, after line 22, it is proposed to strike out the following:

SEC. 9. Limitations: (a) The Fair Labor Standards Act of 1938, as amended, is further amended by adding at the end of section 16 the following new subsection:

"(c) (1) Every claim under this act for unpaid minimum wages, unpaid overtime compensation, or an additional amount as liquidated damages, accruing prior to or on or after the date of enactment of the Portal-to-Portal Act of 1947, shall be forever barred unless, within 2 years after such claim accrued, suit to enforce such claim is commenced in a court of competent jurisdiction.

"(2) Notwithstanding the provisions of paragraph (1) of this subsection, suit to enforce any such claim accruing prior to the date of enactment of the Portal-to-Portal Act of 1947 may be commenced within 120 days after such date if such claim is not barred at the time of commencing suit by any other statute of limitations; and the period of limitation provided for in paragraph (1) of this subsection shall not be applicable to any suit so commenced."

The PRESIDENT pro tempore. The amendment offered by the Senator from Washington [Mr. MAGNUSON] would strike out the language which the clerk has just read.

Mr. MAGNUSON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. REED (when his name was called). I have a general pair with the Senator from New York [Mr. WAGNER]. I transfer that pair to the Senator from Indiana [Mr. CAPEHART] and vote "nay". The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate. If present and voting would vote "nay", and the Senator from New York would vote "yea."

The roll call was concluded.

Mr. WHERRY. I announce that the Senator from Wyoming [Mr. ROBERTSON] is absent because of illness and the Senator from Oregon [Mr. CORDON] is absent by leave of the Senate.

Mr. LUCAS. I announce that the Senator from Arizona [Mr. HAYDEN], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The result was announced—yeas 28, nays 61, as follows:

YEAS—28

Barkley	Langer	O'Conor
Chavez	Lucas	O'Mahoney
Downey	McCarran	Pepper
Green	McFarland	Stewart
Hatch	McGrath	Taylor
Hill	McMahon	Thomas, Okla.
Holland	Magnuson	Thomas, Utah
Johnson, Colo.	Maybank	Wilson
Johnston, S. C.	Murray	
Kilgore	Myers	

NAYS—61

Aiken	Buck	Cooper
Baldwin	Bushfield	Donnell
Ball	Butler	Dworshak
Brewster	Byrd	Eastland
Bricker	Cain	Ecton
Bridges	Capper	Ellender
Brooks	Connally	Ferguson
Flanders	McKellar	Sparkman
Fulbright	Malone	Taft
George	Martin	Thye
Gurney	Millikin	Tobey
Hawkes	Moore	Umstead
Hickenlooper	Morse	Vandenberg
Hoey	O'Daniel	Watkins
Ives	Overton	Wherry
Jenner	Reed	White
Kem	Revercomb	Wiley
Knowland	Robertson, Va.	Williams
Lodge	Russell	Young
McCarthy	Saltonstall	
McClellan	Smith	

NOT VOTING—6

Capehart	Hayden	Tydings
Cordon	Robertson, Wyo.	Wagner

So Mr. MAGNUSON'S amendment was rejected.

The PRESIDENT pro tempore. The question recurs on agreeing to the committee amendment as amended.

Mr. MYERS. Mr. President, I send to the desk an amendment for which I ask immediate consideration.

The PRESIDENT pro tempore. This amendment will be stated.

The CHIEF CLERK. At the end of the bill it is proposed to insert the following new section:

SEC. —. Section 6 (a) (4) of the Fair Labor Standards Act of 1938, as amended, is amended by striking out "40 cents an hour" and inserting in lieu thereof "60 cents an hour."

Mr. TAFT. Mr. President, I move to lay on the table the amendment which has just been offered.

The PRESIDENT pro tempore. Debate on the amendment is not in order. The question is on the motion of the Senator from Ohio that the amendment be laid on the table.

Mr. STEWART. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. STEWART. In view of the unanimous-consent agreement to vote on amendments, is the motion of the Senator from Ohio in order?

The PRESIDENT pro tempore. Such a motion is always in order; but the net result is the same.

Mr. MAGNUSON. Mr. President, for the purpose of the RECORD, will the President pro tempore direct the clerk to read the names of the sponsors of the amendment?

The PRESIDENT pro tempore. The clerk will read the names of the sponsors.

The CHIEF CLERK. The amendment is submitted by Mr MYERS, Mr. MAGNUSON, Mr. MCMAHON, Mr. PEPPER, Mr. MURRAY, Mr. CHAVEZ, and Mr. TAYLOR.

Mr. MYERS. Mr. President, the name of the junior Senator from South Carolina [Mr. JOHNSTON] was inadvertently omitted from the list of sponsors of the amendment. I ask that it be added.

The PRESIDENT pro tempore. The name of the Senator from South Carolina will be added.

The question is on agreeing to the motion of the Senator from Ohio.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. MORSE. Is the motion to lay the amendment on the table debatable?

The PRESIDENT pro tempore. The motion to lay on the table is not debatable.

The question is on agreeing to the motion of the Senator from Ohio to lay on the table the amendment offered by the Senator from Pennsylvania for himself and other Senators.

Mr. LANGER and other Senators asked for the yeas and nays.

Mr. HATCH. Mr. President——

The yeas and nays were ordered; the legislative clerk proceeded to call the roll; and Mr. AIKEN voted in the negative when his name was called.

Mr. HATCH. Mr. President——

The PRESIDENT pro tempore. The Senator from New Mexico was on his feet and addressing the Chair when the yeas and nays were ordered and the call of the roll was commenced; so he is recognized at this point.

Mr. HATCH. Mr. President, the Senator from Oregon asked whether the motion to lay on the table was debatable. Now I ask whether the amendment itself was debatable.

The PRESIDENT pro tempore. It was not. The clerk will resume the calling of the roll.

Mr. MCMAHON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. MCMAHON. A vote "yea" on this motion is a vote against a 60-cent minimum, is it not?

The PRESIDENT pro tempore. A vote "yea" is a vote to lay on the table the amendment submitted by the Senator from Pennsylvania [Mr. MYERS].

The clerk will resume the calling of the roll.

The legislative clerk resumed the calling of the roll.

Mr. REED (when his name was called). I have a general pair with the Senator from New York [Mr. WAGNER]. I transfer that pair to the Senator from Indiana [Mr. CAPEHART], and will vote. I vote "yea."

The Senator from Indiana is absent by leave of the Senate. If present and voting, the Senator from Indiana would vote "yea," and the Senator from New York, if present, would vote "nay."

The roll call was concluded.

Mr. WHERRY. I announce that the Senator from Wyoming [Mr. ROBERTSON] is absent because of illness; and the Senator from Oregon [Mr. CORDON] is absent by leave of the Senate.

Mr. LUCAS. I announce that the Senator from Arizona [Mr. HAYDEN], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The result was announced—yeas 57, nays 32, as follows:

YEAS—57

Baldwin	Ferguson	Moore
Ball	Flanders	Morse
Brewster	George	O'Daniel
Bricker	Gurney	Overton
Bridges	Hawkes	Reed
Brooks	Hickenlooper	Revercomb
Buck	Hoey	Robertson, Va.
Bushfield	Holland	Saltonstall
Butler	Ives	Smith
Byrd	Jenner	Taft
Cain	Kem	Thye
Capper	Knowland	Vandenberg
Connally	Lodge	Watkins
Cooper	McCarthy	Wherry
Donnell	McClellan	White
Dworshak	McKellar	Wiley
Eastland	Malone	Williams
Ecton	Martin	Wilson
Ellender	Millikin	Young

NAYS—32

Aiken	Langer	O'Mahoney
Barkley	Lucas	Pepper
Chavez	McCarran	Russell
Downey	McFarland	Sparkman
Fulbright	McGrath	Stewart
Green	McMahon	Taylor
Hatch	Magnuson	Thomas, Okla.
Hill	Maybank	Thomas, Utah
Johnson, Colo.	Murray	Tobey
Johnston, S.C.	Myers	Umstead
Kilgore	O'Conor	

NOT VOTING—6

Capehart	Hayden	Tydings
Cordon	Robertson, Wyo.	Wagner

So the motion to lay Mr. MYERS' amendment on the table was agreed to.

The PRESIDENT pro tempore. The question occurs on agreeing to the amendment of the committee, as amended.

The amendment as amended was agreed to.

Mr. TAFT. Mr. President, with respect to the amendment which was just offered regarding the rate of minimum wage, I was unable before the amendment was voted on, to make the statement I wished to make because of the limitation on debate.

I desire to say that that matter is pending before the Committee on Labor and Public Welfare, together with some 8 or 10 other amendments to the Fair Labor Standards Act, involving the various exemptions which are now in effect under that act. Our committee proposes to take up the matter. Certainly by my motion to lay on the table I did not intend to indicate necessarily opposition to the raising of the minimum wage. Last year I voted to raise it from 40 cents to 60 cents. That question cannot be considered except in relation to the various exemptions now contained in the act, and the effect on the different industries concerned. I can only say that our committee will take the matter up at the earliest possible moment, and give full consideration to amendments to the basic provisons of the Fair Labor Standards Act.

My only reason for making the motion was that the amendment was not properly related to the matter now before the Senate; that it happened to involve the same question which is pending before our committee, and because the matter has not as yet had the consideration it should have before the Committee on Labor and Public Welfare.

Mr. BREWSTER. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. BREWSTER. I should like to inquire whether or not the amendment had at any time been presented in the committee considering the pending legislation.

Mr. TAFT. I am not on the Committee on the Judiciary, so I cannot say. There is a bill pending in the Committee on Labor and Public Welfare to raise the minimum wage to 75 cents, as I recall the figure. I am not certain about the amount.

Mr. FERGUSON. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. FERGUSON. I should like to say, in reply to the Senator from Maine, that it was not considered as a part of the pending bill in the Committee on the Judiciary.

Mr. PEPPER. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. PEPPER. Will the able Senator from Ohio inform the Senate whether or not his Committee on Labor and Public Welfare has had any opportunity whatever to consider the pending legislation, notwithstanding the fact that it vitally affects the Wages and Hours Act, the jurisdiction of which falls under the Senator's committee?

Mr. TAFT. Our committee has not considered the question of portal-to-portal pay. At the beginning of the session the pending bill was referred to our committee, I think, when the question of jurisdiction between the two committees was raised, and as we had the general problem of labor legislation in our committee which we wished to begin to consider at once, I made no objection to the reference of the matter to the Committee on the Judiciary, which considered it last year. It seemed to involve more constitutional questions than direct questions relating to the act itself, and I still think that is the fact.

Mr. BARKLEY. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. BARKLEY. In regard to the question asked by the Senator from Maine and answered by the Senator from Michigan, as to whether the amendment just voted on was offered in the committee, I wish to say that I know of no rule or practice or theory which bars any Senator from offering an amendment to any bill, whether it was ever offered in committee or not. If there were any such practice, no one but a member of a committee could ever offer an amendment to a bill on the floor of the Senate, if it was not offered in the committee itself.

Mr. TAFT. The Senator will recognize, however, that from time immemorial, since amendments have been offered on the floor which have not been offered in committee, they have always been open to that objection.

Mr. BARKLEY. I think it is a captious objection, no matter who makes it.

Mr. BREWSTER. Mr. President, will the Senator from Ohio yield further?

Mr. TAFT. I yield.

Mr. BREWSTER. In reply to the Senator from Kentucky let me say that an amendment of this character, which was certainly of very serious import, which was considered and voted on here a year ago in this Chamber, had apparently not been considered as germane or of importance to the pending legislation so that any Member of the Senate or anybody else had availed himself of his undoubted opportunity to offer the amendment in the committee. I do not understand the statement of the Senator from Kentucky that only a member of the committee could offer it, because certainly at the hearings on the pending legislation any Member of the Senate or any citizen of the United States had full opportunity to go before the committee and offer or suggest an amendment and have it considered.

I may remind the Senator from Kentucky that debate on the pending measure has been proceeding for 5 or 6 days, and there has been most ample opportunity for the offering of amendments of any character designed to improve the bill, but the amendment was not offered. However, after the unanimous-consent agreement, which afforded opportunity for the ceremonies in which the Senate has been indulging for the last hour, this amendment was thrust in. I will leave it to every individual to determine what was the purpose and what was the motive and what was the idea. I make no implications.

Mr. BARKLEY. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. BARKLEY. I merely wish to state, in further reference to the remark I made awhile ago answering the question propounded by the Senator from Maine, that it carried with it an implication that Members of the Senate who are not members of the committee, and therefore could not have offered any amendment in the committee, should not, by some interpretation or practice, or theory, be allowed to offer amendments on the floor. They could not offer them in the committee, and furthermore, the fact that the amendment was offered only now is no indication that the Senator from Pennsylvania or any other Senator might not have tried to get recognition earlier to offer it.

The offering of amendments depends upon the parliamentary status of a bill and the amendments which are pending, and it is no reflection upon a Senator that he exercises his right to offer an amendment after other amendments have been disposed of or after an agreement has been made to limit debate or to vote at a certain hour. The fact that the legislation was voted on in the Senate during the last Congress it seems to me offers no legitimate reason why the amendment offered by the Senator from Pennsylvania was not appropriate to be offered. The Senate had disposed of it, but certainly he was not violating any propriety or any rule or any theory with which I am familiar in offering it at this time.

Mr. BREWSTER. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield to the Senator from Maine.

Mr. BREWSTER. I did not intend to intimate any impropriety or any violation of parliamentary procedure. I merely intended to indicate that if the matter was so important as apparently it was thought to be, it was strange that in all the time that passed in the committee consideration and in the discussions on the floor the amendment was not earlier brought to our attention.

I still do not understand the suggestion of the Senator from Kentucky that any Senator or any citizen cannot offer an amendment in a committee considering a bill. I have been sitting on committees for some time, and my experience is much more limited than that of the Senator from Kentucky, but I think we have scarcely ever had a bill before

a committee in which I have been sitting, where Senators and others have not come forward to offer amendments.

Mr. BARKLEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield again to the Senator from Kentucky?

Mr. TAFT. I yield.

Mr. BARKLEY. I do not want to prolong the discussion, but I did not intend to indicate that any Senator could not offer an amendment at any time, either in committee or on the Senate floor. What I suggested was that at any time during the consideration of a bill before the final vote any Senator, regardless of whether he was a member of the committee reporting the bill and regardless of whether the amendment was offered in the committee could offer it from the floor.

Mr. MYERS. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield to the Senator from Pennsylvania.

Mr. MYERS. Mr. President, it had never occurred to me that I should ask unanimous consent to explain my amendment. Of course, if Senators on the other side of the aisle want to take up the time by explaining their votes, and giving the reasons for their votes, that is perfectly satisfactory; but there is nothing mysterious about this amendment. At the last session we passed a bill increasing the minimum wage, and I see no reason why there should be considerable debate over such a proposal when it is offered to the pending measure. There is nothing at all that needs to be explained. The amendment merely proposes to increase the minimum wage from 40 cents to 60 cents. If Senators on the other side wish to explain their votes, I am sure we will be very happy to hear their explanations, but I hope the Senator from Maine will not question my motives in submitting such an amendment. I did not think it needed to be submitted at any other time, because I failed to see that it needed any amplification.

Mr. TAFT. Mr. President, I only rose to explain that this matter should have further consideration by the committee. When we voted to adopt it last year, we did so in connection with eight other amendments to the Fair Labor Standards Act, which were closely related to it. It seems to me that it should be so considered, and such consideration will be given by the Committee on Labor and Public Welfare. I yield the floor, Mr. President.

Mr. MORSE. Mr. President, I wish to make a very brief remark in regard to the motion to lay on the table the amendment of the Senator from Pennsylvania [Mr. MYERS]. I voted for the motion to lay on the table because of the Chair's ruling; and the Chair rightly so ruled. The motion to lay on the table was not debatable, but, even without such a motion the unanimous-consent agreement under which we are laboring and are handicapped, made it impossible to debate the amendment after 3 o'clock. Yet, certainly, if there is any subject that ought to be debated at some length in the Senate of the United States it is the proposal of a minimum wage.

Second, I voted as I did because, in my judgment, the Senator from Pennsylvania proposed an amendment most inadequate, to provide a fair and just minimum wage rate for the underprivileged workers of America. I am surprised that the Senator from Pennsylvania would offer an amendment calling for a minimum wage of 60 cents when the cost of living is such as it is in the United States today. If he had suggested 75 cents, and we could have had a little debate on it, then I think I might have been able to join forces with the Senator from Pennsylvania.

Mr. MYERS. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I will yield in a moment. But certainly, Mr. President, I could not go along with my good friend from Pennsylvania on a minimum wage proposal of 60 cents.

My last point, Mr. President, is that I think the procedure this afternoon has demonstrated once again how wise the junior Senator from Oregon usually is in his objections to unanimous-consent agreements, and, as fast as I can, I am going to restore myself to that position of wisdom when it comes to future unanimous-consent requests. When the request was made yesterday we went along with it, but the spirit and the intent of the request, at least as I understood it, was that today, after 3 o'clock, when we voted on the amendments to the McCarran substitute and the substitute itself, we would then have an opportunity to debate amendments to what we considered to be the bill proper. Because of the wording of the agreement, the Chair, I think, had no other course but to hand down the ruling that he did; but on several amendments offered this afternoon I think there would have been a different vote had we had an opportunity to discuss them. As an example I suggest the amendment offered by the Senator from West Virginia [Mr. KILGORE]. I doubt if there are very many Members of the Senate who really understand the effect of that amendment, or understand that apparently the amendment would not have had a destructive effect on the main objective of the bill as proposed by the Subcommittee on the Judiciary. I think it would have clarified some legal points which ought to have been clarified before the bill was finally passed.

So I say, Mr. President, because of the proposal for an amendment to the Fair Labor Standards Act fixing a minimum wage of 60 cents involved a figure entirely too low, and because of the fact that we were laboring under the handicap of an unfortunate unanimous-consent agreement, I voted as I did. Now I am glad to yield to the Senator from Pennsylvania.

Mr. MYERS. There is much merit to the explanation by the Senator from Oregon. Unfortunately, though, too many Senators agreed with the Senator from Oregon, and so the minimum wage provision of the law remains at 40 cents instead of 60 cents. It would have been much better if the Senator from Oregon had offered an amendment to my amendment to increase it from 60 to 65 or 75 cents—whatever amount he might have in mind. But it occurs to me that we would be much better off with a minimum wage of 60 cents than with a minimum wage of 40 cents, although I am in complete accord with the Senator from Oregon that it should be more than 60 cents. At the same time I remembered that last year when we debated the Fair Labor Standards Act at some length the best we could get was approximately 60 cents; therefore I was hopeful at least we could take that one step forward, rather than to make no progress because of trying to get too much at one time.

Mr. MORSE. I am very glad to have the Senator's statement of assurance that he will go along with us on a high rate of wage, once we can get the bill before the Senate on its merits.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. MORSE. I am glad to yield.

Mr. McMAHON. I suggest that the Senator from Oregon address his prayer for future action to increase the minimum wage not only to the Senator from Pennsylvania but particularly to the side of the aisle on which he stands. In that event, I think the prayer might have, shall I say, better application.

Mr. MORSE. I never pray for this side of the aisle.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. WHERRY. What is the pending question before the Senate?

The PRESIDENT pro tempore. The Chair was about to state that the question is on the engrossment of the amendment and the third reading of the bill.

Mr. WHERRY. I thank the Chair.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDENT pro tempore. The bill having been read three times, the question is, Shall it pass?

Mr. LANGER and other Senators asked for the yeas and nays.

The yeas and nays were ordered.

Mr. TAYLOR. Mr. President, is it in order to make a few remarks on the bill at this time?

The PRESIDENT pro tempore. The Senator is in order for that purpose until 5 o'clock.

Mr. TAYLOR. That will afford plenty of time.

The PRESIDENT pro tempore. The Chair's statement was not an invitation, but a notification. [Laughter.]

Mr. TAYLOR. Mr. President, the Republican majority in this House, of course, have the power to turn the clock back, and repeal all social advances made in the Roosevelt period. But I think they should have the courage to be honest about it—to present to this House a bill to repeal this legislation instead of achieving the same effect by devious methods. A great hue and cry has been raised about portal-to-portal pay suits. But behind this barrage of propaganda an attack is being made, not merely upon portal suits, but upon the Fair Labor Standards Act itself.

For example, section 3 provides that no action may be maintained "based upon failure of an employer to pay an employee for activities heretofore or hereafter engaged in by such employee other than those activities which at the time of such failure were required to be paid for either by custom or practice of such employer or by express agreement at the time." This section does not amend or modify the wage and overtime provisions of the Wages and Hours Act. It repeals them. Under the bill, if an employee sued for failure to pay for overtime activities the employer's answer could be simply that, "It is not my practice to pay for such activities." In other words, if charged with violating the law, his defense could be, "I have always violated the law. Why, I have been violating it ever since the day it was passed."

In order to eliminate the portal-to-portal suits which have aroused so much indignation it would have been sufficient to provide that an employer would be protected in every case where he had an agreement expressly covering these overtime activities with the duly designated collective-bargaining agent of his employees. But this measure goes further. In effect, it says the employer can do as he pleases. If a union thinks this practice of an employer is unfair or in violation of the standards set out in the Fair Labor Standards Act, they cannot, under the bill, go peacefully to the courts for redress. They can seek redress, under the bill, only by resorting to their economic strength, by strikes, and by picket lines. For custom has become higher than law. And this is the proposal of those who presumably are looking for a solution to industrial disputes.

And, so far as the unorganized workers whom this same group so piously proclaims it wishes to protect from the power of unions are concerned, these unorganized workers will be left with no recourse. They will be exactly where they were before the passage of the Fair Labor Standards Act—they will have to take what the employer is willing to give them. They will be forced to organize and protect their rights.

Mr. President, we must be open about this. If we want to bar portal suits, let us do that. And if anyone wants to abolish the protection of the Fair Labor Standards Act and return to an age of unrestricted exploitation of human labor, let him say so openly.

I am particularly annoyed by the section of the bill which outlaws existing portal-to-portal claims. This section involves a decision by Congress to intervene in law suits now in court and to decide them by legislation in favor of one party. I believe this is clearly unconstitutional. At the very least it will invite years of court interpretation before liabilities may be determined with any certainty.

I believe that most of the cases that are now pending would be disposed of under the de minimis doctrine applied by Judge Picard in the Mount Clemens case. In other words, the millions of dollars in portal claims that we hear about is a completely meaningless figure. Plaintiffs always ask for enormous amounts in their complaints. I am confident that not 1 percent of the amount now asked for in the cases taken as an aggregate could possibly be granted by courts or juries. Most of the complaints seem doomed to dismissal. Under the circumstances then there seems to be no justification for a sweeping and unconstitutional revision of law which will strike at the heart of the Wages and Hours Act.

The PRESIDENT pro tempore. The question is on the final passage of the bill, on which the yeas and nays have been ordered.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Murray
Baldwin	Hayden	Myers
Ball	Hickenlooper	O'Conor
Barkley	Hill	O'Daniel
Brewster	Hoey	O'Mahoney
Bricker	Holland	Overton
Bridges	Ives	Pepper
Brooks	Jenner	Reed
Buck	Johnson, Colo.	Revercomb
Bushfield	Johnston, S. C.	Robertson, Va.
Butler	Kem	Russell
Byrd	Kilgore	Saltonstall
Cain	Knowland	Smith
Capper	Langer	Sparkman
Chavez	Lodge	Stewart
Connally	Lucas	Taft
Cooper	McCarran	Taylor
Donnell	McCarthy	Thomas, Okla.
Downey	McClellan	Thomas, Utah
Dworshak	McFarland	Thye
Eastland	McGrath	Tobey
Ecton	McKellar	Umstead
Ellender	McMahon	Vandenberg
Ferguson	Magnuson	Watkins
Flanders	Malone	Wherry
Fulbright	Martin	White
George	Maybank	Wiley
Green	Millikin	Williams
Gurney	Moore	Wilson
Hatch	Morse	Young

The PRESIDENT pro tempore. Ninety Senators have answered to their names. A quorum is present.

The question is on the final passage of the bill.

Mr. JOHNSTON of South Carolina. Mr. President, I have listened to the debate concerning this bill, and as I listened I could not help asking myself, "Where is labor going to end? What are we going to do with labor in the United States?" As I see it, this measure only opens the door to taking away from labor everything that it has gained during the past 14 years. I believe that the majority of the members of this body, particularly the lawyers, will acknowledge that so far as two acts are concerned, they should not be included in the pending bill.

I am mindful of the fact that in 1933 the majority of textile workers in the South were receiving less than 30 cents an hour. If we break down the protection which they have, I do not say that they will go back to 30 cents an hour, but I fear that they will certainly lose much that they have gained during the past 14 years.

Let us look at the bill for a few minutes and see if we are being fair with the workingman. If my memory serves me correctly, each year we pay back, or anticipate paying back, approximately $2,000,000,000 in income-tax refunds. It would be just as fair to enact a bill prohibiting the payment of income-tax refunds as it would be to enact the bill which is now before the Senate.

Why do I say that? We are taking away from the employee a right which he has at present, and we acknowledge it. Otherwise such a bill would not have been introduced. We are not willing to leave the question to our courts to decide. I am not in favor of introducing a bill every time we check up on big business and find conditions which ought not to exist. Before long we shall have an extended debate on a measure known as the Bulwinkle bill, which is nothing more than an effort to take from the courts the authority to penalize the railroads if they violate the antitrust laws. In this instance there are workers who have rights, and by this bill we would take away those rights.

This is called a portal-to-portal bill. The name is a misnomer. If it dealt only with what took place during the actual working time, it would be one thing. But it does not stop there.

Take the example of a mechanic in a cotton mill. I worked in one for 11 years. Let me tell the Senate some of the things of which we are proposing to deprive workingmen. Certain men in the mill known as section men in the spinning room or loom fixers in the weave-shop must report 15 minutes ahead of time. Some mills pay them for that time and some do not. Obviously we are going to compel manufacturers who have paid for such time to continue to do so. The ones which have not been doing so will not pay for it.

If this measure had been in effect, some of the cases which I have brought into court would probably have been thrown out. In the cases which I carried to court the employees should have received compensation, and they did receive such compensation in every case which I filed.

Let me cite one example. I have in mind the case of a paymaster and timekeeper in a cotton mill. During the working hours on 5 days it was necessary for him to check the activities of employees in various rooms, because different kinds of records were kept. Some worked by the hour. Some worked by the day. Some worked at piece-work. Some worked by pick, and some by hand. It was his duty to see that the records were kept straight. He had to do that work during the working hours on 5 days. Year in and year out that man went into the mill office on Saturday morning and worked for 3 or 4 or 5 hours to make up the pay roll for the following week. He was not paid anything for that time. Would he be paid under the terms of this bill? He did not ask for pay for that time until he lost his job.

Anyone who works in an unorganized mill—and approximately 80 percent of them in my State are unorganized—has a tendency to fear to bring suit while he is working for the meal ticket which he draws from week to week for the support of his wife and children. He does not want to lose his job. This man worked not for 1 year or 2 years, but for more than 3 years, and then was discharged. He came to me, and collected

in court. Is that unjust? Do we want to penalize workers in such cases?

But this bill does not stop there. We must not take away these rights of the laboring people. This bill is only the beginning. There will be others introduced, probably under misleading names. This is called a portal-to-portal pay bill. That is not an accurate description of what it deals with, when we consider it from beginning to end and see how many things have been injected into it.

I am glad to say that in checking up the vote it is found without exception that the votes on this side of the aisle have been in favor of every amendment which has sought to make the bill more liberal, whereas on the other side of the aisle only three votes have been cast in favor of any amendment. There have been five roll calls. The majority party in this body has the power and has shown by its votes today what it will do to labor in the United States. That is the record which Senators will see tomorrow when they receive the CONGRESSIONAL RECORD.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I will say to the Senator from North Dakota that I have checked up with him and find that without exception he voted for every amendment offered.

Mr. LANGER. I know the Senator would not want to make a misstatement. As to one amendment there were five Republicans who voted for it.

Mr. JOHNSTON of South Carolina. There have been only 15 such votes in all, across the aisle, on 5 roll calls. That shows the thinking which is going on across the aisle, even though the Senator from North Dakota voted for each amendment.

Mr. President, I should like to remind the Senate of an aspect of the portal-to-portal bill which we tend to overlook in debate—that is, the need for the wage-hour legislation and its beneficial effects. We must take every care to protect its basic standards against encroachment.

I have too intimate a knowledge of the effects of wage-hour legislation in my own State during periods when the cotton-textile industry was depressed, to risk weakening its effectiveness during a possible future period of depressed prices, limited demand for cotton, and an oversupply of labor. We need to maintain the future usefulness of this legislation intact.

We do not have to be reminded of the low wages, the long hours, and the employment of child labor that prevailed in many industries before the passage of the Fair Labor Standards Act. They affected not only the workers who worked long hours for low pay, but they imperiled the higher standards that some workers had won or that some employers had voluntarily granted.

Let us consider, for example, the cotton-textile industry. In 1939 more than one-half of the manufacturing wage earners in South Carolina were employed in making broad woven cotton goods, and many others were in related industries—making cotton yarn, and dyeing and finishing textiles. This is a manufacturing industry in which labor costs represent a relatively high percentage of the value of the product. It would therefore be sensitive to any adverse effects that might be caused by the imposition of increases in wage rates. For this reason, it is especially illuminating to trace the results of minimum-wage laws in the industry.

In July 1933, before the National Recovery Administration, all but a small proportion of workers in the cotton goods industry in the South averaged less than 30 cents an hour. In August 1933, after the National Industrial Recovery Act was passed, less than one-tenth of these workers received so little; and in August 1934, a year later, the proportion receiving under 30 cents an hour had been reduced still further, to less than 7 percent.

In April 1937, some time after the invalidation of the NRA by the Supreme Court, almost one-sixth of the wage-earners in the cotton-goods industry in the South averaged less than 30 cents an hour. In August 1938, a year later, the proportion had risen to nearly one-fourth.

It is not necessary to be an alarmist to find in these figures a warning against tampering with our basic minimum wage legislation.

Under the Fair Labor Standards Act, the 25-cent minimum rate became effective in October 1938. The minimum rate for cotton textiles was raised to 32½ cents an hour on October 24, 1939, by industry committee action; and to 37½ cents by the same method on June 30, 1941. Industry committee action, as Senators know, was concentrated in those early days on industries where relatively large numbers of employees would presumably be affected by wage orders.

During this period when wages were being raised by Federal action, cotton mill employment, as well as pay rolls, increased, contrary to the dire predictions of opponents of the legislation. Mill margins—the difference between the cost of raw cotton and the selling price of cloth, a test of profitability in the industry—also increased.

Since that period the demands of war production and the impact of generally rising wage and price levels have caused textile wages to rise far beyond the required statutory minimum of 40 cents an hour. The minimum rate is now generally 65 cents an hour, and higher minimum rates are in effect, or are being negotiated, in a number of plants. While employment in cotton manufactures rose about one-sixth above the 1939 average, pay rolls nearly trebled.

Average annual wages and per capita income in the South, though still below the national average are beginning to approach it. Average annual wages and salaries of southern manufacturing employees who are covered by employment compensation laws had risen to about three-quarters of the national average in 1944. In South Carolina per capita income payments rose from a little over one-third of the national average in 1929 to about one-half in 1940, and to 58 percent in 1945.

Although this is far from a perfect record, I submit that it shows marked progress; progress along a path that I think we should continue to follow. I think it will be agreed that the basic protections of the act—the minimum wage, the overtime, and the child-labor provisions—are too important to be tampered with lightly.

Senators will surely agree that we must take every precaution in order not to risk any weakening of the basic supports for our wage-hour structure. We shall need every prop we have contrived—and probably additional ones—if we should encounter a future period of recession, with its concomitant slackened demand for goods and for labor. We shall then need the strongest possible supports to prevent wage levels from tumbling disastrously. We must continue to be assured these minimum guarantees against unfair competition, so that the progressive employer who maintains decent working conditions will not be submerged by unscrupulous competitors whose advantage is based on low wages and substandard labor practices. The fundamental benefits of the act must be preserved, and its aim of setting fair labor standards must be kept clearly in view.

The provisions of the Committee bill which we are considering would in large measure negate the purpose and the benefits of the Fair Labor Standards Act in the future. One of the most important means of obtaining the compliance of employers in meeting the basic requirements of the act on a voluntary basis lies in section 16 (b), which provides, at the same time, a protection to workers who are illegally deprived of their rights under the law. Senators are familiar with the terms of this section, which permit a worker to bring suit for back wages due because he has not been paid the minimum wage or because he has not been paid for overtime at the rate of time and a half for all hours over 40 a week, and to receive as liquidated damages an amount equal to his wrongfully withheld earnings. Although substantial sums have been regained by workers through the exercise of their rights under this provision, they are of minor importance compared with its indirect influence on employers.

Let me elaborate on this point. I need not remind Senators that the Congress has never considered it necessary to provide funds sufficient to allow for annual inspections of each employer subject to the act. In other words, enforcement of the act by inspection, and the consequent administrative measures, such as injunctions against further violations, or fines and imprisonment for willful violators, has not been considered practical, and the means to achieve it have not been considered necessary. The law itself does not rely very heavily upon such measures since it does not directly authorize the Administrator to bring suit for back wages, and limits the penalties through such court action as the Administrator can bring in the case of willful violations.

In view of this fact, the right given to employees to collect wages that should have been paid to them and the damages due them because such wages were withheld is thus of double importance. It constitutes at one and the same time an

essential protection to employees which would otherwise be lacking, and an incentive to employers to meet the requirements of the act lest they be forced later to pay a double amount. Without this provision, there would be little pressure upon an employer who wanted to violate the act, to save money at his employee's expense, not to do so. If the most that could happen to him was that he would later have to pay back wages in accordance with the act, he would have nothing to lose by failing to pay at the time and taking a chance on having to pay later. In any situation in which he was not certain of his obligations, it would be to his advantage to decide the issue in his own favor, against his employees, secure in the knowledge that if he was wrong he had nothing to lose.

The liability of employers in suits brought by their employees has thus been a powerful factor in obtaining voluntary compliance with the act. It is unlikely that we could point with pride to the relatively high degree of compliance that has existed if it were not for that liability, since legislative history has demonstrated time and again that no regulatory statute can be effective unless it includes some penalties for failure to observe its requirements. Now let us consider how the committee bill will affect this provision of the act. Section 9 of the bill establishes a 2-year limitation on all claims brought under the act, whether for back wages or for liquidated damages. Any wages which an employee does not claim within 2 years after the time when they were due him are lost to him for good.

It may seem at first glance, Mr. President, that this is fair enough, since indefinite liability or liability which varies according to the laws of the various States, is certainly neither equitable nor desirable. However, if we look into the circumstances under which employees bring claims, it is immediately clear that the fairness of the 2-year period is apparent rather than real. Before employees can make their claims obviously, they must first be aware that they have not been paid what is justly and legally due them; and, perhaps less obviously but nonetheless truly, they must also be free to make claim against their employers.

As to the first factor, many employees are not familiar with the scope and requirements of the law, and may not know of their rights under it even when they are aware that they are not being paid in accordance with its provisions. This is particularly true of employees who do not belong to unions, and therefore have no outside source of information. These employees are in large measure dependent upon the Wage and Hour Division to inform them of their rights, when inspection of the employer's books shows that he has not been conforming to the act. But months may elapse, Mr. President, between the time a violation is discovered and the time the employee can make his claim. Inspections take several weeks, in some cases months; formal notice must be sent to the employee; and the employer must get legal advice and arrange to have his claim filed in court. Six or 8 months or more may have passed, if the employer delays the course of the inspection, or the employee has left his job and cannot be readily located. During this time, the employee's rights will be expiring, and with a 2-year limit he may find he can claim only a fraction of the money which is due him, since nearly half of the time was gone before he could file the claim.

The second factor I mentioned is also of great importance in delaying employees' claims. Experience has shown—and I know this from my own experience, as well as from other sources—that employees seldom bring claims against employers by whom they are still employed, because of the fear of losing their jobs. It is reasonable and understandable for a worker to put continued employment before claims for unpaid wages, since the former is certainly more valuable to him. But his rights under the act should not be subject to barter in return for security in his job, and a situation in which this is possible destroys his employer's incentive to pay him in accordance with the act, since he can materially, if not entirely, reduce his liabilities for not doing so.

I am speaking, Mr. President, not from hearsay, not from theory, but from my own experience. I have handled hundreds of claims brought by employees for wages due them under the Fair Labor Standards Act, brought against employers—individuals and corporations—who had failed to meet the requirements of the act. In practically every case, the employees had let the claims run a year or more before bringing suit. I do not believe we should penalize the large number of workers who cannot bring suit, or who do not dare to bring suit, until some such time has passed by adopting a 2-year limitation. I believe a fairer period would be the 3-year limitation voted by this body last summer.

I should like to discuss also, Mr. President, another section of the committee bill which will, it seems to me, have a damaging effect upon employees' benefits and protection under the Fair Labor Standards Act. Section 10 of the bill would prohibit any claims for liquidated damages under the act if the employer was "in good faith" replying on, or acting in accordance with, "any regulation, order, interpretation, ruling, or practice of the Administrator." At first glance this section, too, seems to be fair and equitable, assuring protection to employers who are trying to comply with the act from having to pay damages. But some of the language which has been used would, I believe, make the section susceptible of very broad interpretation, and of application which was not intended.

"In good faith" is a very general phrase which would be difficult to disprove in the absence of flagrant violations. In combination with the equally broad phrasing of "every interpretation, ruling, or practice," it could conceivably be applied to provide immunity to employers in many situations in which it is not deserved. Would it, for example, apply to an employer following practices of another employer who has been inspected by the Wage and Hour Division, or who alleges that he has the approval of the Wage and Hour Division? Such an employer could, it seems to me, maintain that he was, in good faith, relying on a practice of the Administrator, although I do not believe that immunity for such employers is intended or should be provided.

A provision such as this should be carefully worded, Mr. President, with every precaution taken to limit it to those situations in which the employer has honestly been complying with the law to the best of his knowledge. It should not provide a possible escape to employers who have been "getting away with" violations—particularly since it destroys some of the employees' rights under the law. I believe this section should be modified, limiting an employer's immunity to actions which were in compliance with orders of the Administrator which were clearly applicable to him. If he had acted in compliance with the Administrator's written regulations, or with written rulings which applied specifically to him or to his industry and which were issued with the full knowledge that if they were followed by the employer he would be protected from claims for damages, I would have much greater faith that this section would accomplish its purpose.

Because of the serious threat which this committee bill brings to the future effectiveness of the Fair Labor Standards Act, whose objectives I firmly believe in, I believe we cannot adopt the recommendations of the committee. In their present form they constitute a threat to the continued maintenance of the standards which are still an essential safeguard to millions of workers in this country, to whom the act provides basic protection in their working relationships. This protection may be needed even more urgently in the years to come.

Mr. President, this bill will do great damage to the laborers of this Nation if it is enacted into law. There is not pending at the present time in my State any portal-to-portal suit. No such suits have been filed in South Carolina, so that this bill, if enacted, would not affect us. But it will affect labor in the future.

Probably some compromises are in progress in South Carolina. This bill, if enacted, will stop them. The only question which the Senate has before it is whether or not it shall pass the bill as amended. I, for one, will not lend my vote to the enactment of the bill.

Mr. AIKEN. Mr. President, I do not believe that any Member of the Senate has been more disturbed in connection with voting on this proposed legislation than I have been. I have been very uncertain in my mind how to vote when the final vote comes. I believe that labor was extremely unwise in starting the portal-to-portal suits, which amount, in the aggregate, to several billions of dollars. I have no sympathy for those who started court suits to embarrass employers, to achieve a bargaining point, or to get billions of dollars which they never expected to get in the first place.

When I think of that situation, I think that I shall vote for the bill. When I think of the numberless employees who belong to no union whatsoever and who

have perhaps fifty or one hundred dollars due them in back pay, and then think that by voting for the bill I might vote to deprive them of the only opportunity they have to collect the money which is due them and which means so much to them, I realize that I cannot vote for such legislation.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. AIKEN. I should like to complete what I have to say, and then I shall be glad to yield.

I have voted for the 2-year statute of limitations covering the collection of back pay. I agreed to that as a compromise measure last year, and I still adhere to that agreement. But I cannot vote to deprive the little fellow of the only chance he has in the world of collecting the few dollars which may be due him and which mean such a tremendous amount to him.

I believe that if we were to enact this legislation, and it should be upheld in court, it would probably be the greatest boon to labor unions they have had in many years, because it would force the unorganized employees to join a union in order to get a contract and thereby protect their rights.

Those who advocate the bill most strongly do not themselves like all features of it. They say that some parts of it may not be upheld. They also say that if some parts of it are wrong the courts, through interpretation, can make a good act of it. It seems to me, Mr. President, that if the courts, through interpretation, can make a good act of it, the courts can also handle the situation by which we are now confronted and which has grown out of the pending litigation. It seems to me that if the courts are able to take a bad bill passed by the Congress and make a good act of it through their interpretations, the courts should also be able to find some way to throw out unjust and unwarranted suits which have been brought, amounting to an aggregate of several billion dollars.

I have had a very difficult time in determining how I should vote on the bill, but when I think of the thousands of little people all over the United States who have a few dollars due them, I cannot vote to deprive them of the last chance they have of getting that money.

Mr. HATCH. Mr. President, I asked the Senator from Vermont to yield to me simply because he was so well expressing my own view. I have had the same difficulty which the Senator has had. I thought that these suits were wrong, that they were unjust, and that we should enact legislation to right that wrong, and for such legislation I would have been glad to vote. But the bill that we have before us now does not accomplish that purpose. In my opinion it creates a greater wrong than it attempts to cure, and I shall not vote for any measure which in my opinion is more wrong than right and which does greater injustice than it attempts to cure. Therefore, Mr. President, upon the final roll call I shall vote "nay."

The PRESIDENT pro tempore. The question is on the final passage of the bill.

Mr. LUCAS. Mr. President, from the time this bill came to the Senate, I did what I could to point out what seemed to me to be the obvious defects contained in the proposed legislation. In reply to all of the letters which I have received from my people in Illinois who were inquiring about portal-to-portal legislation, I have advised them that, in my opinion, the Congress of the United States would be able to enact constructive legislation which would outlaw and make null and void these portal-to-portal suits which have sprung up over the Nation involving billions of dollars. I am satisfied that practically everyone in the Senate believed, when we started to enact this legislation, that portal-to-portal cases and nothing else would be the order of the day. In fact, the Committee on the Judiciary was in that frame of mind when it reported out the first bill on the subject. It had nothing in it except legislation dealing with these portal-to-portal claims. For some cause or other, that bill was recalled from the Senate. It was re-referred to the Committee on the Judiciary. When it came here the second time we found many objectionable provisions in the bill. They were utterly unnecessary in dealing directly with these portal-to-portal suits. Like the Senator from New Mexico [Mr. HATCH] and the Senator from Vermont [Mr. AIKEN], I, too, am at this time somewhat troubled as to what I should do in connection with voting on this bill. I would have no hesitancy in supporting a measure which dealt strictly with the activities of portal-to-portal suits, and I have so advised my constituents, both in public and through the mails. But for the life of me, Mr. President, I cannot understand why it was necessary for the Senate Judiciary Committee to bring in a bill that covers so much territory. I shall never be able to understand why it was necessary for the committee to trespass on the rights of the Committee on Education and Labor in bringing in a measure of this kind. Had a bill of this type, with all the allegations it now contains, been submitted originally to the distinguished President pro tempore, I am satisfied that it would have been referred to the Committee on Education and Labor. In other words, Mr. President, the committee has gone much too far—so far, in fact, that I now prophesy that when the President of the United States receives the bill he will veto it, because at present it contains so many objectionable features which do not deal directly with portal-to-portal activities.

So, Mr. President, if the bill is vetoed and sustained the message will be referred to the Judiciary Committee, and that committee will take another 6 weeks to consider a new bill, and then the loquacious Senator from Missouri will take another 4 days in explaining on the floor of the Senate what the committee bill means. That may happen as a result of the action of certain Senators in trying to cover too many bases at one time. They simply cannot go easy on these matters; they cannot attack the main objective; they believe they must do everything at one time. However, in trying to do too much in this bill, they may be frustrated and will be compelled to start again from scratch. The result will be that the very thing the people of the country are complaining about—legislative delay—will confront us boldly again.

Mr. President, I wanted to vote for an honest-to-goodness portal-to-portal bill, but I cannot support the legislative monstrosity which is before us at this time—a bill filled with unnecessary infirmities from beginning to end.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

Mr. WILEY. Mr. President, I believe I opened the debate on this bill. I have refrained from making any comment on it since my brief opening remarks.

Dooley said, on one occasion, that what was needed was common sense. When he was asked about it, he said, "It is the scarcest thing on the market."

Mr. President, all the argument in generalities on this bill does not make for clarity in thinking, either among the Members of the Senate or among people throughout the Nation. There are some persons—of course, there are none in the Senate—who are listening to voices to tell them what they should do and how they should act. Mr. President, there is one dominant voice that should be heard. It is the voice of the Nation.

When any reference is made in a derogatory sense to the labors of the Judiciary Committee, and especially the labors of the subcommittee of that committee, I rise to say that such comments are unsenatorial and against the rules of the Senate, and such statements show the lack of fairness and common sense. The members of the subcommittee and of the full committee have labored as no other committee has labored in the 8 years that I have been a Member of the Senate. They have not brought forth a mouse. They have brought forth a fine, able expression of legislative principles, and it is the result of much hard work on their part. That has been recognized by all Senators who have thought clearly about this measure. The fact that some Senators may disagree with what is provided by the bill is no reason why they should impugn the motives or the judgment of their fellow Senators.

Mr. President, the country has asked for this bill. The judgment of the Senate is that the bill shall pass. In my opinion it will be passed by both Houses of Congress; and in my opinion all the fears of Senators on the other side will be proved to be groundless and their "tears" wasted. Mr. President, this bill does what the country expects the Senate to do—in short, to think straight, to act straight, and to cut across the problem which faces us. It has even been shown, without contradiction, that the RFC refuses to complete loans which it has committed itself to make, simply because it cannot tell what charges in-industry will be subjected to as a result of these suits. The same situation exists as to the banks. Today industry faces paralysis because of these suits. Senators on the other side of the aisle can, if they wish, take the responsibility of voting against the bill. Let them do that if they will; and let the country judge their reasons. I say that, in response

to what Senators on the other side of the aisle have said to us. Certainly, Mr. President, first and last we are Americans. Of course, some cannot forget that an election lies ahead; and I congratulate the four or five Senators on the opposition side who have conducted this opposition maneuver on this bill. But I trust that the press has not been totally oblivious to what has been going on, and I trust that the facts will be given to the country. I say that in all seriousness.

Mr. President, we are here to do a job for the country—not for labor, not for management, but for the 140,000,000 of us. I say to you, Mr. President, that the subcommittee of the Judiciary Committee has done a magnificent job. It is composed of good, Christian, sincere men who listened to the voices of the labor leaders and their best lawyers and listened to the representatives of management, and then went to work and listened, thank God, to their conscience, and then brought forth a bill of which we can be proud.

I trust that the vote on the bill will demonstrate clearly that we have no fear in what we are doing. I trust that nothing which has been uttered will in any way be interpreted as the voice of the "little red men" who wish to break our country apart—which is what would happen if claims amounting to $7,000,000,000 or $10,000,000,000 against various business and industrial concerns in the United States were validated.

In conclusion, Mr. President, let me say it is the function of Congress to determine policy. The distinguished Senator from Missouri has also said that. Under the Constitution it is not the business of the courts to lay down policy. If we here are doing anything, we are telling the courts just that; and the country will sustain us in our action. I trust the bill will immediately be passed.

Mr. WHERRY. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Myers
Baldwin	Hickenlooper	O'Conor
Ball	Hill	O'Daniel
Barkley	Hoey	O'Mahoney
Brewster	Holland	Overton
Bricker	Ives	Pepper
Bridges	Jenner	Reed
Brooks	Johnson, Colo.	Revercomb
Buck	Johnston, S. C.	Robertson, Va.
Bushfield	Kem	Russell
Butler	Kilgore	Saltonstall
Byrd	Knowland	Smith
Cain	Langer	Sparkman
Capper	Lodge	Stewart
Chavez	Lucas	Taft
Connally	McCarran	Taylor
Cooper	McCarthy	Thomas, Okla.
Donnell	McClellan	Thomas, Utah
Downey	McFarland	Thye
Dworshak	McGrath	Tobey
Eastland	McKellar	Umstead
Ecton	McMahon	Vandenberg
Ellender	Magnuson	Watkins
Ferguson	Malone	Wherry
Flanders	Martin	White
Fulbright	Maybank	Wiley
George	Millikin	Williams
Green	Moore	Wilson
Gurney	Morse	Young
Hatch	Murray	

The PRESIDENT pro tempore. Eighty-nine Senators having answered to their names, a quorum is present.

The question is on the final passage of the bill. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PEPPER (when his name was called). On this vote I have a pair with the senior Senator from Maryland [Mr. TYDINGS], who is necessarily absent from the Senate. If the Senator from Maryland were present he would vote "yea." If I were permitted to vote, I should vote "nay."

Mr. REED (when his name was called). I have a general pair with the senior Senator from New York [Mr. WAGNER] who is necessarily absent from the Senate. On this vote I transfer that pair to the Senator from Indiana [Mr. CAPEHART] and will vote. I vote "yea." If the Senator from New York were present he would vote "nay." The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate. If present and voting he would vote "yea."

The roll call was concluded.

Mr. WHERRY. I announce that the Senator from Wyoming [Mr. ROBERTSON] is absent because of illness.

The Senator from Oregon [Mr. CORDON] is absent by leave of the Senate. If present and voting he would vote "yea."

Mr. LUCAS. I announce that the Senator from Arizona [Mr. HAYDEN] is necessarily absent.

The result was announced—yeas 64, nays 24, as follows:

YEAS—64

Baldwin	George	Overton
Ball	Gurney	Reed
Brewster	Hawkes	Revercomb
Bricker	Hickenlooper	Robertson, Va.
Bridges	Hoey	Russell
Brooks	Holland	Saltonstall
Buck	Ives	Smith
Bushfield	Jenner	Stewart
Butler	Kem	Taft
Byrd	Knowland	Thye
Cain	Lodge	Tobey
Capper	McCarthy	Umstead
Connally	McClellan	Vandenberg
Cooper	McKellar	Watkins
Donnell	Malone	Wherry
Dworshak	Martin	White
Eastland	Maybank	Wiley
Ecton	Millikin	Williams
Ellender	Moore	Wilson
Ferguson	Morse	Young
Flanders	O'Conor	
Fulbright	O'Daniel	

NAYS—24

Aiken	Johnston, S. C.	Magnuson
Barkley	Kilgore	Murray
Chavez	Langer	Myers
Downey	Lucas	O'Mahoney
Green	McCarran	Sparkman
Hatch	McFarland	Taylor
Hill	McGrath	Thomas, Okla.
Johnson, Colo.	McMahon	Thomas, Utah

NOT VOTING—7

Capehart	Pepper	Wagner
Cordon	Robertson, Wyo.	
Hayden	Tydings	

So the bill (H. R. 2157) was passed.

The bill as passed is as follows:

PART I

FINDINGS AND POLICY

SECTION 1. The Congress hereby finds that the Fair Labor Standards Act of 1938 (52 Stat. 1060; 29 U. S. C., ch. 8), as amended, has been interpreted judicially so as to require employers to pay compensation thereunder for activities which were not commonly understood by employees and employers in accordance with practice, custom, understanding, or agreement to be work, thereby creating wholly unexpected liabilities, immense in amount and retroactive in operation, upon employers throughout the country for compensation for such activities and for an additional equal amount as liquidated damages and attorney's fees; with the results that, if the act as so interpreted or claims arising under such interpretations were permitted to stand (1) the credit of many employers would be seriously impaired; (2) payment of such liabilities would bring about the financial ruin of many employers and seriously impair the capital resources of many other employers and would thereby result in drastically reducing industrial operations, curtailing employment and the earning power of employees, and substantially burdening commerce and substantially obstructing the free flow of goods in commerce contrary to the purposes of said act; (3) employees, having engaged in such activities with the understanding and belief that they were already fully compensated therefor by their agreed rates of pay, would receive windfall payments for activities performed by them without any expectation of reward, and for liquidated damages and attorney's fees; (4) the Public Treasury would be deprived of large sums of revenues and public finances would be seriously deranged by claims against the Public Treasury on war contracts and for enormous amounts of refunds of taxes paid in prior years; (5) the cost to the Government of goods and services heretofore and hereafter purchased by its various departments and agencies would be unreasonably increased; and (6) employers and employees would be unable to determine, without extensive, expensive, and prolonged litigation to final judgment in a court of last resort, the amounts owing to employees for such activities previously, now, or hereafter engaged in by employees, and would in many cases be unable to make voluntary settlement, compromise, release, or adjustment of claims of employees arising out of such activities, and there would result the promotion of increasing demands for payment to employees for engaging in activities no compensation for which had been contemplated, by either the employer or employee at the time they were engaged in, to be paid, among the results of such conditions being (a) the stirring up of champertous practices and congestion of courts, (b) extended and continuous uncertainty on the part of industry, both employer and employee, as to the financial condition of productive establishments with consequent halting of expansion and development, retardation of employment, the infliction of hampering restraints and restrictions on commerce and on the development thereof, (c) Nation-wide industrial conflict, unrest and disputes between employees and employers and between employees and employees, and (d) gross inequality of competitive conditions between employers and between industries, thereby interfering substantially with the free flow of goods in commerce, seriously and adversely affecting the revenues of the Federal, State, and local governments and injuriously affecting the national prosperity and general welfare of the United States of America.

The Congress further finds that the varying and extended periods of time for which, under the laws of the several States, potential retroactive liability may be imposed upon employers, has given and will give rise to great difficulties in the sound and orderly conduct of business and industry.

The Congress further finds that all of the foregoing constitutes a substantial burden on commerce and a substantial obstruction to the free flow of goods in commerce, contrary to the purposes of said act.

The Congress, therefore, further finds and declares that it is in the national public interest and for the general welfare, essential to national defense, and necessary to aid, protect, and foster commerce, that said act be amended as hereinafter set forth.

The Congress further finds and declares that all of the results which have arisen or may arise under the Fair Labor Standards Act of 1938, as amended, as aforesaid, may (except as to liability for attorney's fees and, in the case of the Bacon-Davis Act, for liquidated damages) arise with respect to the Walsh-Healey and Bacon-Davis Acts and that it is, therefore, in the national public interest and for the general welfare, essential to national defense, and necessary to aid, protect, and foster commerce, that said Walsh-Healey Act and said Bacon-Davis Act be amended, as hereinafter set forth.

PART II

EXISTING CLAIMS

SEC. 2. Relief from portal-to-portal claims under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey and the Bacon-Davis Acts:

(a) No employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act or the Bacon-Davis Act on account of the failure of such employer to pay an employee minimum wages, or to pay an employee overtime compensation, for or on account of any activities of an employee engaged in prior to the date of enactment of this act, except those activities which were compensable by either—

(1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer; or

(2) a custom or practice in effect, at the time of such activity, at the establishment or other place where such employee was employed, covering such activity, not inconsistent with a written or nonwritten contract, in effect at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer.

For the purposes of this section, no judicial or administrative interpretation of the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act shall have the effect of changing any written or nonwritten contract between the employer and employee so as to make compensable any portal-to-portal activities (as defined in section 5); nor shall any provision of any such contract, incorporating by reference as a part thereof such judicial or administrative interpretations, make compensable any such portal-to-portal activities.

(b) Each claim based on any portal-to-portal activities is hereby declared to be and is null and void and unenforceable.

(c) No court shall have jurisdiction of any action for minimum wages, overtime compensation, or liquidated damages under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, whether instituted prior to, on or after the date of enactment of this act, to the extent that such action seeks to enforce any liability with respect to any claim based on portal-to-portal activities.

SEC. 3. Saving clause: The provisions of section 2 of this act shall not be deemed to release or extinguish or to apply to any penalty or liability incurred under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act prior to the date of enactment of this act which is based upon activities other than portal-to-portal activities.

SEC. 4. Special separability provisions: If, notwithstanding the provisions of section 2 hereof, any claim for pay for minimum wages, or for overtime compensation, based on portal-to-portal activities, for any reason remains valid and enforceable after the date of enactment of this act then, with respect to each such claim and with respect to any action pending on or commenced after such date on such claim, the following contents of this section shall apply:

(a) There shall be no recovery of any amount as liquidated damages.

(b) No court shall require the defendant to pay the whole or any part of the attorney's fee of the plaintiff.

(c) The claimant shall be required with respect to any such claim to bear the burden of proof, which shall include proving the extent of his claim, without the benefit of inference, and under no circumstance shall there be shifted to the employer the burden to come forward with evidence of the amount of activities claimed by the employee to have been engaged in. If the employee fails to carry such burden of proof, then the court shall award judgment to the employer.

(d) Settlement, compromise, release, or satisfaction of such claim before the date of enactment of this act shall be a defense thereto and any other appropriate legal or equitable defense may be pleaded in defense of such claim.

(e) Such claim may be hereafter settled, compromised, released, or satisfied, but only if such settlement, compromise, release, or satisfaction contains a provision that the amount of money, if any, resulting therefrom be distributed equitably among the real parties in interest to such claim.

SEC. 5. Definition: As used in this part, the term "portal-to-portal activities" means those activities which section 2 hereof provides shall not be a basis of liability or punishment under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act.

PART III

FUTURE CLAIMS

SEC. 6. Relief from portal-to-portal claims under the Fair Labor Standards Act of 1938: The Fair Labor Standards Act of 1938, as amended, is amended by adding after section 7 of such Act the following new section:

"PORTAL-TO-PORTAL CLAIMS BANNED

"SEC. 7A. No employer shall be subject to any liability or punishment under this act on account of the failure of such employer to pay an employee minimum wages, or to pay an employee overtime compensation, for or on account of any of the following activities, hereinafter termed portal-to-portal activities, of such employee engaged in on or after the date of enactment of the Portal-to-Portal Act of 1947:

"(a) walking, riding or traveling to and from the actual place of performance of the principal activity or activities which such employee is employed to perform, and

"(b) activities which were preliminary to or postliminary to said principal activity or activities,

which occur either prior to the time on any particular workday at which such employee commences, or subsequent to the time on any particular workday at which he ceases, such principal activity or activities: *Provided, however,* That the provisions of this section shall not apply to any of the foregoing portal-to-portal activities of such employee which is compensable by either—

"(1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer; or

"(2) a custom or practice in effect, at the time of such activity, at the establishment or other place where such employee is employed, covering such activity, not inconsistent with a written or nonwritten contract, in effect at the time of such activity, between such employee, his agent or collective bargaining representative and his employer.

"For the purposes of this section, no judicial or administrative interpretation of the Fair Labor Standards Act of 1938, as amended, shall have the effect of changing any written or nonwritten contract between the employer and employee so as to make compensable any portal-to-portal activities; nor shall any provision of any such contract, incorporating by reference as a part thereof such judicial or administrative interpretations, make compensable any such portal-to-portal activities."

SEC. 7. Relief from portal-to-portal claims under the Walsh-Healey and Bacon-Davis Acts: No employer shall be subject to any liability or punishment under the Walsh-Healey or the Bacon-Davis Act on account of the failure of such employer to pay an employee minimum wages, or to pay an employee overtime compensation, for or on account of any of the following activities, hereinafter termed portal-to-portal activities, of such employee engaged in on or after the date of enactment of this act—

(a) walking, riding, or traveling to and from the actual place of performance of the principal activity or activities which such employee is employed to perform, and

(b) activities which were preliminary to or postliminary to said principal activity or activities,

which occur either prior to the time on any particular workday at which such employee commences, or subsequent to the time on any particular workday at which he ceases, such principal activity or activities: *Provided, however,* That the provisions of this section shall not apply to any of the foregoing portal-to-portal activities of such employee which is compensable by either—

(1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer; or

(2) a custom or practice in effect, at the time of such activity, at the establishment or other place where such employee is employed, covering such activity, not inconsistent with a written or nonwritten contract, in effect at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer.

For the purposes of this section, no judicial or administrative interpretation of the Walsh-Healey Act or the Bacon-Davis Act shall have the effect of changing any written or nonwritten contract between the employer and employee so as to make compensable any portal-to-portal activities; nor shall any provision of any such contract incorporating by reference as a part thereof such judicial or administrative interpretations, make compensable any such portal-to-portal activities.

PART IV

MISCELLANEOUS

SEC. 8. Representative actions banned.—

(a) The second sentence of section 16 (b) of the Fair Labor Standards Act of 1938, as amended, is amended to read as follows: "Action to recover such liability may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves and other employees similarly situated; and such action shall be deemed to have been commenced as to any individual claimant as of the date when such claimant is named in such action as a party thereto. No employee shall be made a party plaintiff to any such action unless he gives his consent in writing to become such a party and such consent is filed in the court in which such action is brought."

(b) The amendment made by subsection (a) of this section shall be applicable with respect to any claim accruing under the Fair Labor Standards Act of 1938, as amended, on or after the date of enactment of this Act.

SEC. 9. Limitations: The Fair Labor Standards Act of 1938, as amended, is further amended by adding at the end of section 16 the following new subsection:

"(c) (1) Every claim under this act for unpaid minimum wages, unpaid overtime compensation, or an additional amount as liquidated damages, accruing prior to or on

or after the date of enactment of the Portal-to-Portal Act of 1947, shall be forever barred unless, within 2 years after such claim accrued, suit to enforce such claim is commenced in a court of competent jurisdiction.

"(2) Notwithstanding the provisions of paragraph (1) of this subsection, suit to enforce any such claim accruing prior to the date of enactment of the Portal-to-Portal Act of 1947 may be commenced within 120 days after such date if such claim is not barred at the time of commencing suit by any other statute of limitations; and the period of limitation provided for in paragraph (1) of this subsection shall not be applicable to any suit so commenced.

"(3) Any such claim, if based on portal-to-portal activities as defined in section 5 of the Portal-to-Portal Act of 1947; and any suit thereon, shall be subject to the provisions of section 4 of the Portal-to-Portal Act of 1947."

(b) (1) Every claim under the Walsh-Healey Act or the Bacon-Davis Act or unpaid minimum wages or unpaid overtime compensation, and under the Walsh-Healey Act for an additional amount as liquidated or other damages, accruing prior to or on or after the date of enactment of the Portal-to-Portal Act of 1947, shall be forever barred unless, within 2 years after such claim accrued, suit to enforce such claim is commenced in a court of competent jurisdiction.

(2) Notwithstanding the provisions of paragraph (1) of this subsection, suit to enforce any such claim accruing prior to the date of enactment of the Portal-to-Portal Act of 1947 may be commenced within 120 days after such date; and the period of limitation provided for in paragraph (1) of this subsection shall not be applicable to any suit so commenced.

(3) Any such claim, if based on portal-to-portal activities as defined in section 5 of the Portal-to-Portal Act of 1947, and any suit thereon, shall be subject to the provisions of section 4 of the Portal-to-Portal Act of 1947.

SEC. 10. Reliance on administrative rulings.—

(1) The Fair Labor Standards Act of 1938, as amended, is further amended by adding at the end of section 16 the following new subsection:

"(d) Neither punishment under section 15 or 16 (a) of this act, nor liability for an additional amount as liquidated damages under section 16 (b) of this act, shall be predicated on any act done or omitted in good faith, prior to, on, or after the date of enactment of the Portal-to-Portal Act of 1947, in accordance with or in reliance on any regulation, order, interpretation, or ruling of the Administrator in writing, notwithstanding the fact that such regulation, order, interpretation, or ruling, after such act or omission, is amended or rescinded or is determined by judicial authority to be invalid or without legal effect."

(2) No liability for an additional amount as liquidated or other damages under the Walsh-Healey Act shall be predicated on any act done or omitted in good faith, prior to, on, or after the date of enactment of the Portal-to-Portal Act of 1947, in accordance with or in reliance on any regulation, order, interpretation, or ruling of the Secretary of Labor (or any Federal official utilized by him to assist in the administration of the Walsh-Healey Act), in writing, notwithstanding the fact that such regulation, order, interpretation, or ruling, after such act or omission, is amended or rescinded or is determined by judicial authority to be invalid or without legal effect.

SEC. 11. Definitions.—

(a) When the terms "person," "commerce," "employer," "employee," and "wage" are used in this act in relation to the Fair Labor Standards Act of 1938, as amended, they shall have the same meaning as when used in such act of 1938.

(b) When the term "employer" is used in this act in relation to the Walsh-Healey Act or Bacon-Davis Act it shall mean the contractor or subcontractor covered by such acts.

(c) When the term "employee" is used in this act in relation to the Walsh-Healey Act or the Bacon-Davis Act it shall mean any person employed by the contractor or subcontractor covered by such acts in the performance of his contract or subcontract.

(d) The term "Walsh-Healey Act" means the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," approved June 30, 1936 (49 Stat. 2036), as amended; and the term "Bacon-Davis Act" means the act entitled "An act to amend the act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings," approved August 30, 1935 (49 Stat. 1011), as amended.

SEC. 12. Separability: If any provision of this act or the application of such provision to any person or circumstance is held invalid, the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby.

SEC. 13. Short title: This act may be cited as the "Portal-to-Portal Act of 1947."

Amend the title so as to read: "An act to amend the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, and the Bacon-Davis Act, and for other purposes."

Mr. DONNELL. My attention has been called by the desk to the fact that at the conclusion of line 4 on page 2 of the Wherry amendment to the committee bill which has just been passed, there should have been inserted quotation marks. I ask unanimous consent that the clerks may be authorized to insert the quotation marks.

The PRESIDING OFFICER (Mr. IVES in the chair). Without objection, it is so ordered.

Mr. WILEY. Mr. President, I move that the Senate insist on its amendments, request a conference with the House thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. WILEY, Mr. DONNELL, Mr. COOPER, Mr. EASTLAND, and Mr. MCGRATH conferees on the part of the Senate.

EXECUTIVE SESSION

Mr. WHITE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. IVES in the chair) laid before the Senate a message from the President of the United States submitting the nomination of Edwin F. Stanton, of California, to be Ambassador Extraordinary and Plenipotentiary to Siam, whch was referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

TENNEESSEE VALLEY AUTHORITY

The legislative clerk read the nomination of Gordon R. Clapp, of Tennessee, to be a member of the Board of Directors of the Tennessee Valley Authority.

Mr. WHITE. Mr. President, I ask that that nomination be passed over.

The PRESIDENT pro tempore. The nomination will be passed over.

ATOMIC ENERGY COMMISSION

The legislative clerk proceeded to read sundry nominations to the Atomic Energy Commission.

Mr. WHITE. Mr. President, I ask that all the nominations under the heading "Atomic Energy Commission" be passed over at this time.

The PRESIDING OFFICER. The nominations to the Atomic Energy Commission will be passed over at this time.

DEPARTMENT OF STATE

The legislative clerk read the nomination of Garrison Norton, New York, to be an Assistant Secretary of State.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service.

Mr. WHITE. Mr. President, I ask unanimous consent that the nominations in the Diplomatic and Foreign Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Diplomatic and Foreign Service are confirmed en bloc.

That concludes the Executive Calendar.

Mr. WHITE. Mr. President, I ask unanimous consent that the President may be notified of the action of the Senate upon the nominations this day confirmed.

The PRESIDING OFFICER. Without objection, the President will be so notified.

LEGISLATIVE SESSION

Mr. WHITE. I now move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

PROGRAM FOR THE SENATE

Mr. TAFT. Mr. President, we have been asked by a number of Senators whether we intend to hold a session Monday night. It is not the present intention to have a night session on Monday night or on next Wednesday night. If the pressure of business becomes too great, we may have to begin night meetings, but we have not at present planned night sessions either for Monday or Wednesday of next week.

Mr. KNOWLAND. Mr. President, I understand that it is proposed now to make the nominations to the Atomic Energy Commission on the Executive Calendar the pending business.

Mr. WHITE. In executive session; that is correct.

Mr. KNOWLAND. Will the Senator from Maine yield to me so that I may

address a question to the able Senator from Ohio?

Mr. WHITE. I yield for that purpose.

Mr. KNOWLAND. I call the attention of the able Senator from Ohio, the chairman of the Policy Committee, to the fact that, as he well knows, we have many pieces of legislation coming on with the March 31 deadline. From all indications, the debate on the nominations of Lilienthal and other members of the Atomic Energy Commission will take perhaps a week or 10 days. Would it not be wise under those circumstances, inasmuch as we could gain about a day, every two evenings, to have evening sessions next week? I wish to say as one member of the Atomic Energy Committee that I shall object to running in any additional legislation ahead of the nominations, unless we can proceed with dispatch.

Mr. TAFT. It was my intention to ask the Senate on Monday to call the calendar, and if certain of the incidental legislation that requires prompt action cannot be passed on the calendar, to take them up after the calendar, to try to dispose of them on Monday. I doubt if we will finally reach the Lilienthal matter until Monday afternoon or Tuesday. I hope it will not then be necessary to interrupt the debate on the nominations, although perhaps after 2 or 3 days it is conceivable that there may be something with a deadline which may perhaps require an evening meeting.

Mr. WHITE. May I respond, Mr. President, to what the Senator from Ohio has said?

The PRESIDING OFFICER. The Senator from Maine.

Mr. WHITE. The statement made by the Senator from Ohio accords fully with my understanding of the situation and of the desires of the membership, and I was later to make a similar announcement. The announcement by the Senator from Ohio seems fully to cover the ground.

Mr. KNOWLAND. Mr. President, the only reason I raised this question was, it was my understanding that the Lilienthal nomination would come up as soon as we finished the portal-to-portal bill. I fully understand the procedure being suggested by the able majority leader, and I have no objection to that. The reason I rose to my feet at this time was because it seemed to me that the serving of notice on the Members of the Senate that there would not be an evening session Monday, or would not be an evening session Wednesday, and perhaps not Friday, under those same circumstances, might encourage Senators to make arrangements to be away on those evenings.

It is my belief that the Senate should proceed quickly to consider the Lilienthal nomination, which is one of the most important matters now facing the Nation. In the field of the development of atomic energy we have lost approximately 18 months, and it seems to me that that matter should be proceeded with promptly, and I believe that evening sessions should be in order.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WHITE. I yield.

Mr. TAFT. We have received a formal request from the correspondents who are in attendance upon the Senate and otherwise, that no evening session be held on next Wednesday because that will be legislative night at the Press Club. We felt that the correspondents had made every effort to meet upon some other night, and were unable to do so, and we yielded to their request as to next Wednesday evening. Arrangement has not been made for holding night sessions on any other day, and therefore I think we must wait until we see whether on Monday we can dispose of the various minor measures. I hope we can do so on Monday and then proceed with the Lilienthal nomination. Efforts are being made to iron out differences which may exist as to legislation with respect to various controls. I hope there may be little controversy about those matters.

ASSISTANCE TO GREECE AND TURKEY—AMENDMENT

Mr. VANDENBERG. On behalf of my distinguished colleague from Texas [Mr. CONNALLY] and myself, I offer a proposed amendment to S. 938, a bill to provide assistance to Greece and Turkey. It is in the nature of a proposed preamble, which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the amendment was received, referred to the Committee on Foreign Relations, ordered to be printed, and to be printed in the RECORD, as follows:

Whereas the governments of Greece and Turkey have sought from the Government of the United States immediate financial and other assistance which is necessary for the maintenance of their national integrity and their survival as free nations; and

Whereas the national integrity and survival of these nations are of importance to the security of the United States and of all freedom loving peoples and depend upon the receipt at this time of assistance; and

Whereas the Security Council of the United Nations has recognized the seriousness of the unsettled conditions prevailing on the border between Greece on the one hand and Albania, Bulgaria, and Yugoslavia on the other, and, if the present emergency is met, may subsequently assume full responsibility for this phase of the problem as a result of the investigation which its commission is currently conducting; and

Whereas the food and agriculture organization mission for Greece recognized the necessity that Greece receive financial and economic assistance and recommended that Greece request such assistance from the appropriate agencies of the United Nations and from the Governments of the United States and the United Kingdom; and

Whereas the United Nations is not now in a position to furnish to Greece and Turkey the financial and economic assistance which is immediately required; and

Whereas the furnishing of such assistance to Greece and Turkey by the United States will contribute to the freedom and independence of all members of the United Nations in conformity with the principles and purposes of the Charter: Now, therefore,

Be it enacted, etc.

NATIONAL HOUSING PROGRAM FOR EDUCATION AND TRAINING OF WAR VETERANS

Mr. AIKEN. Mr. President, I ask unanimous consent to introduce for proper reference a bill and also ask unanimous consent to have an explanation of the bill printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred, and without objection, the statement presented by the Senator from Vermont will be printed in the RECORD.

There being no objection, the bill (S. 971) to amend title V of the act entitled "An act to expedite the provision of housing in connection with the national defense, and for other purposes," approved October 14, 1940, as amended, to authorize the Federal Works Administrator to make grants to institutions of higher learning for the construction of educational facilities required in the education and training of war veterans, introduced by Mr. AIKEN, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The statement presented by Mr. AIKEN was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GEORGE D. AIKEN IN CONNECTION WITH THE INTRODUCTION OF A BILL TO AUTHORIZE THE FEDERAL WORKS ADMINISTRATOR TO MAKE GRANTS TO INSTITUTIONS OF HIGHER LEARNING FOR THE CONSTRUCTION OF EDUCATIONAL FACILITIES REQUIRED IN THE EDUCATION AND TRAINING OF WAR VETERANS

When the colleges opened last September 1,090,000 veterans were enrolled for full-time instruction in our institutions of higher education. These veterans swelled college enrollment from the 800,000 of the year before and the 1,490,000 enrolled in the previous peak year 1939–40 to a total of a little over 2,000,000 students. Incomplete reports for the second semester beginning in February show a still further increase of approximately 100,000 veterans in our colleges and universities over the number who were there last September. To meet this unprecedented increase in college enrollment and to carry out the implied contract between the Federal government and our educational institutions to provide educational opportunities for every able veteran who chooses to take advantage of the GI bill, colleges and universities, State and local governments, and the Federal Government have worked hand in hand.

Due to the scarcity of building materials and the immediacy of the demand, it was necessary to provide temporary housing and temporary classrooms and laboratories if institutions were to accept veterans through increasing their capacity for enrollment. Exact figures are not available but a careful analysis of just twelve institutions enrolling 74,000 veterans showed that they had themselves expended $5,462,000 for temporary facilities; the Federal Government has spent $8,369,000 for these same institutions. Put in national terms, the Federal Government has spent $75,000,000 for temporary classrooms, laboratories and other non-housing construction and in addition perhaps $200,000,000 for colleges and universities out of the $411,000,000 appropriated for temporary housing. If this same ratio of 5 to 8 in terms of relative expenditure holds for the Nation, then the institutions have spent for nonquota housing for site preparation and other expenditure for temporary structure something over $200,000,000.

These expenditures on the part of both the institutions and the Federal Government have been necessary to meet the immediate emergency especially since permanent building materials were not available. Data indicate clearly that temporary structures cost approximately five-eighths as much as permanent structures and in addition the

cost of operation and maintenance is very much greater. The great majority of these structures cannot be used more than 3 to 5 years even if the present law is repealed requiring their demolition within 2 years after the termination of the war.

If it were assumed that present enrollment in colleges and universities would remain constant, the demand for the immediate construction of permanent buildings is imperative. Temporary buildings have met only a part of the need, facilities are grossly inadequate for classrooms, laboratories, infirmaries, study halls, and libraries, and gymnasiums to meet the needs of the veterans now enrolled. Add to this need that resulting from the necessary demolition of present temporary structures and the financial investment which institutions must make becomes more than they are able to take care of in the light of the vast sums they have invested in the temporary structures. But, colleges and universities do not face a stable population. The number of veterans will continue to increase at least through 1950-51. More than 3,000,000 veterans who have not entered into educational institutions have already taken out their certificates of eligibility and entitlement. Since the average length of time that the veteran is entitled to education is 4 academic years, the estimate of an enrollment of 3,000,000 by 1950-51, more than half of whom will be veterans, is conservative.

One further factor bears upon granting assistance to colleges and universities for permanent construction. I have indicated that the maximum number of veterans in colleges will probably not come until 1950-51—an estimate concurred in by the Veterans' Administration—but the present GI bill gives the veteran 4 years after the termination of the war in which to begin his education and 9 years in which to complete it. Since the war has not been terminated, the minimum period of time in which large numbers of veterans will be enrolled in our colleges and universities is 9 years and already legislation has been introduced which will still further extend this time limit.

The United States Office of Education has certified institutional needs for non-housing construction of more than 12,000,000 square feet of floor space in excess of that which can be made available through appropriations for temporary facilities. Educational institutions stated that they would require a total of 52,000,000 square feet of floor space adequately to instruct veterans now enrolled and would need 41,000,000 more square feet to take care of the anticipated increase in veterans over the next 2 years.

States and institutions are willing and eager to expend their own funds for permanent construction. Due to the increase in construction cost resulting from the war, funds that in 1939 would have been adequate, now have declined in real value to the point that funds then available will not now meet more than a small proportion of the desperate need of educational institutions. The Congress has assured that established educational institutions will provide opportunity for all veterans who wish to procure an education. As I previously stated, the institutions, State and local governments, and the Federal Government have joined hands. The need has been partially met, but only partially. It can be met in full only by cooperating now still further in assisting institutions on a grant-in-aid basis to erect permanent structures, the need for which is demonstrated by the increase in enrollment resulting from veterans and is certified to by the United States Office of Education.

The bill which I have offered would add to the Lanham Act, as amended, a new section (sec. 505), providing that whenever the United States Commissioner of Education finds that there exists or impends at any institution of higher learning an acute shortage of educational facilities required for war veterans, engaged in the pursuit of courses of training or education under title II of the Servicemen's Readjustment Act of 1944, as amended, the Federal Works Administrator is authorized to make grants to such institution to aid in financing the cost of educational facilities to relieve the shortage.

I call particular attention to the features of this bill which provide that there shall be no Federal supervision or control over educational institutions that participate in this program, and that the institutions themselves shall bear at least 50 percent of the costs or construction under this program.

Funds appropriated under this bill shall not be available for obligation for new projects after June 30, 1948, or for any project which in the determination of the Federal Works Administrator cannot be commenced prior to December 31, 1948.

Seventy-five percent of the funds shall be apportioned among the States on the basis of the number of State veterans eligible for education and training under the GI bill. The remaining 25 percent of the funds shall be apportioned as the Federal Works Administrator may determine.

The bill authorizes the appropriation of $250,000,000 for carrying out this program and for administration expenses.

DECLARATION OF PUBLIC POWER POLICY

Mr. THOMAS of Oklahoma. Mr. President, I ask unanimous consent to introduce a bill.

There being no objection, the bill (S. 972) to declare the policy of the United States with respect to hydroelectric power generated in connection with federally financed water development projects and to provide procedures for carrying out such policy, introduced by Mr. THOMAS of Oklahoma, was received, read twice by its title, and referred to the Committee on Public Works.

Mr. THOMAS of Oklahoma. Mr. President, inasmuch as the bill proposes to set forth a public power policy, and further, inasmuch as the bill is not lengthy, I ask unanimous consent that a copy of the bill be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the bill (S. 972) was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That this act may be cited as the Federal Power Policy Act.

Section 1. It is hereby declared to be the policy of the United States that in order to develop, conserve, and protect our natural resources, flood control, reclamation, and navigation projects shall be constructed, operated, and maintained, and that hydroelectric energy, where economically sound and feasible, shall be developed as an incident to such public works when approved, authorized, and appropriated for by the Congress: *Provided*, That the revenues to be derived from the sale of energy developed at any project shall be estimated and when collected shall be credited to the cost and maintenance of such project.

DEFINITIONS

SEC. 2. (a) As used herein, "project power" means hydroelectric power and energy generated by Government-owned generating facilities at any Federal water-development project and used in the operation of such project and the facilities and appurtenances of its primary purpose; and may include such power and energy consumed in the operation of recreational or other authorized purposes in connection therewith, and power and energy delivered to other federally owned and operated facilities for their own use and not for resale.

(b) "Excess hydropower" means that hydroelectric power and energy generated by Government-owned generating facilities at any such project in excess of project power.

(c) "The Commission" means the Federal Power Commission.

DUTY TO MAKE RECOMMENDATIONS PRIOR TO AUTHORIZATION AND APPROPRIATION

SEC. 3. Prior to any authorization by the Congress for the construction of any Federal water development project, and prior to any appropriation therefor, any agency proposing or recommending same shall make and report to the Congress recommendations as to (a) the engineering feasibility of the proposed construction; (b) the estimated cost of the proposed construction; (c) the primary purpose of such project, whether for reclamation, irrigation, navigation, flood control, or any other purpose; (d) if the proposed construction includes hydroelectric generating facilities, the proportionate part of the estimated cost of each of the various purposes; (e) the cost and value of hydroelectric power and energy to be generated at such project; (f) the market availability for excess hydro power; (g) the economic feasibility of returning to the United States the estimated cost properly allocated to hydroelectric capacity and energy and the period of such amortization. *Provided, however*, That any plans, investigations, or recommendations made under the provisions of this section shall conform in all requirements to the provisions of section I of the Flood Control Act of 1944 (act of December 22, 1944); and said recommendations, investigations, and reports shall be advisory only and all final determinations shall be made by the Congress.

DUTY TO REPORT PORTION OF PROJECT TO BE DEVOTED TO FLOOD CONTROL

SEC. 4. If one of the purposes of any such project is the production of hydroelectric power in connection with the control of flood water, the agency recommending the construction of such project shall report to the Congress that portion of the water-storage capacity of the reservoir to be created which will be devoted to flood control and the Congress in authorizing the same shall be deemed to have dedicated by statute that portion of such reservoir to flood control, and thereafter no part of the water-storage capacity used for the production of hydroelectric power shall be permitted to encroach upon the storage capacity so dedicated to flood control.

DUTY TO SELL EXCESS HYDRO POWER AT WHOLESALE

SEC. 5. Excess hydro power, as defined herein, generated at any Federal water development project shall be delivered to the Federal Power Commission by the Federal agency which is operating the project for its primary purpose. Such excess hydro power as defined herein shall be sold by the Commission (a) at the dam site or point of production or from transmission lines owned and operated by Federal agencies; (b) without discrimination as to price or availability; (c) at rates as provided in section 7 hereof; and (d) at wholesale to persons or corporations, municipal or private, engaged in distributing and selling electric power and energy primarily to ultimate users; provided that preference in the use of any power and energy shall be given to the project producing such energy in such amount as may be necessary for the proper operation of such project and its appurtenances and provided further that preference in availability in the sale of excess hydro power by the Commission under subsection (d) shall be given as follows: (1) to rural electric cooperative corporations, financed in whole or in part by Federal funds, which are engaged only in rendering service to persons in rural areas not receiving central station service as restricted by the Rural Electrification Act of

1936 and amendments thereto: (2) to organizations created by State law operating irrigation and water projects without profit; (3) to any Federal institution maintained in whole or in part by funds provided by the Federal Government for its own use and not for resale and (4) to other purchasers defined in subsection (d) of this section.

FEDERAL POWER COMMISSION GIVEN JURISDICTION OVER RATES AND CONTRACTS

SEC. 6. Contracts for the sale of excess hydro power and rates therefor shall be subject to approval by the Federal Power Commission, which is required to give full effect to the Project Authorization Act and to this act.

ELEMENTS IN FIXING RATES OF SALE

SEC. 7. The rates charged for sale of excess power from each project shall take into consideration (a) the value thereof as determined by the Congress as the time of authorization; (b) the determinations of the Congress upon which authorization and appropriations were based; (c) the use of project power; and (d) an increment sufficient to amortize over a reasonable period of years that portion of the project costs allocated to irrigation which under the findings on which the project authorization is based, are not defrayed by the water users of the project. In no event shall such rates be less than is required to provide a return above operating, maintenance, and replacement costs sufficient to amortize the cost of the hydroelectric portion of the project in a period to be determined by the Congress, and to pay interest on the unpaid portion of the investment assigned to the hydroelectric portion of the project, and, if the project includes reclamation purposes, to afford maximum aid to reclamation commensurate with competitive rate conditions. The purpose of this section is that all the hydroelectric projects heretofore or hereafter authorized shall be self-liquidating and bear their fair share of the public debt.

MONEYS DEPOSITED WITH TREASURY

SEC. 8. All amounts of money collected by the Commission from the sale of such excess hydro power shall be deposited in the Treasury of the United States for disposition in accordance with existing law.

DUTY TO FOLLOW SOUND ACCOUNTING PRACTICES

SEC. 9. With respect to each project and sales of excess hydro power therefrom, the Commission shall account therefor in accordance with the uniform system of accounts provided by the Commission for private companies, and such agency shall, at the end of each fiscal year, file a full and complete report of its operation with the President of the United States and with the Congress.

SHALL NOT ACQUIRE PLANTS OR LINES TO GO INTO ELECTRIC BUSINESS

SEC. 10. No Federal agency shall construct or acquire hydroelectric plants or projects which have the generation of electric power and energy as their primary purpose. No Federal agency shall construct or acquire transmission lines except upon specific authorization made therefor by the Congress.

FINDINGS MUST BE ON HEARINGS UNDER ADMINISTRATIVE PROCEDURE ACT

SEC. 11. Any rate approved or any finding or determination made by the Federal Power Commission, or by any other commission, agency, or instrumentality of the United States, under the provisions of any Federal statute bearing on the generation, marketing, sale, or transmission, of hydroelectric power and energy, including, but not being limited to, this act and the Flood Control Act of 1944, shall be subject to the provisions of the Administrative Procedure Act; and all persons, firms, or corporations affected by any such approval, findings, or determinations are hereby given a litigable interest in the subject matter thereof to the end that their rights may be asserted and adjudicated as set out in the Administrative Procedure Act.

APPLICATION OF THIS ACT TO ALL PROJECTS

SEC. 12. This act shall apply to all Federal water development projects authorized by the Congress and to appropriations hereafter made by the Congress for any such projects, but nothing in this act shall apply to or be construed to repeal the Tennessee Valley Authority Act of 1933, as amended.

REPEAL CLAUSE

SEC. 13. Section V of the Flood Control Act of 1944 (act of December 22, 1944) and all other acts or parts of acts in conflict herewith are hereby repealed. Hereafter all functions of any Federal agency dealing with generation for sale and the sale of hydro power and energy shall hereafter be performed by the Commission in accordance with this act except that nothing in this section shall apply to the Tennessee Valley Authority Act of 1933 and amendments thereto.

EFFECT ON EXISTING CONTRACTS

SEC. 14. Nothing in this act shall affect or invalidate any existing contract heretofore made by the Department of the Interior or extension or renewal thereof for the sale of power and energy, the sale of which was before the passage of this act under the jurisdiction of the Department of the Interior.

SEC. 15. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

Mr. THOMAS of Oklahoma. Mr. President, I propose to discuss the Government's public power policy. Coming from Oklahoma some Senators may wonder what interest my State has or may have in a public power policy. Very soon Oklahoma will be one of the important producers of hydroelectric power.

At this time we have two such power plants in Oklahoma, one on the Grand River and the other the Denison located on the Red River between my State and the State of Texas.

A third hydroelectric power plant is now under construction at Fort Gibson and a fourth plant at Tenkiller Ferry is advertised for construction.

Two other such plants, one at Oologah and the other at Markham Ferry are authorized for construction.

Then there are three additional proposed plants, one at Eufaula, one at Stone Mountain, and the other at Keystone, all surveyed, approved and reported to the Congress for authorization.

Thus in time we shall have at least nine hydroelectric power plants located in my State of Oklahoma, and it is this program which elicits my interest in the public power policy or program of the Government.

Mr. President, I have just introduced a bill proposing to define the Government's policy with respect to the development, sale, and distribution of hydroelectric energy produced at flood control, reclamation, and navigation projects.

The bill has been referred to the Committee on Public Works for consideration and, later, I hope the bill will be reported to the Senate for further consideration and action.

At the outset let me say I hope the bill, when passed, will promote and expand the development and use of electric energy at the lowest possible cost to consumers.

The bill has been prepared and introduced as the result of a conviction that our domestic economy is being retarded by a lack of power.

The Wall Street Journal of February 14 carried an article which stated that at the present time there is an acute power shortage in the Pacific Northwest.

The article referred specifically to the power now being developed at the Bonneville and Grand Coulee Dams located on the Columbia River.

These two dams are capable of producing some 2,500,000 kilowatts of electric energy, or enough power to serve the city of New York with its 8,000,000 population, and now the demand for power from the two plants is greater than the supply.

I was a Member of the Senate when the two mentioned dams were first proposed for construction.

That was during the dark days of the depression when workers in all parts of the country were idle; hence, the two dams were undertaken in an effort to give employment to a vast number of people not only in the construction of the dams themselves but employment in mines and factories where commodities could be produced for use in not only the construction of the dams but in the development and distribution of hydroelectric energy.

At that time it was freely predicted, even by the sponsors of the two proposed projects, that they would probably be white elephants on the hands of the Government for years to come, if not indefinitely.

As proof of such uncertainty the preliminary plans for the building of the dams provided only for the installation of a few generating units; however, while the dams were being constructed the demand for power increased so rapidly that additional generating units were appropriated for before the dams were completed.

At the present time the demand for power in the Pacific Northwest is so great that the Bonneville and Grand Coulee Dams together with other plants are not able to meet the demands for power.

It appears from the article just mentioned that an agreement has been reached between the management of the said public-power dams and the heads of private utilities providing that the Government shall develop the electric energy and that the private utilities shall distribute such energy.

The bill just introduced proposes to adopt and establish the basis of such agreement as the public-power policy of the Government.

UNITED STATES HAS NO DEFINITE POWER POLICY

Today we have no definite public power policy; hence, the time is opportune for the consideration of a proposal such as is presented in the bill just introduced.

In the past some feeble efforts have been made in the direction of the development of a public power policy.

During the first session of the Sixty-fifth Congress an amendment was added to the River and Harbor Appropriation Act (sec. 18, 40 Stat. 250) providing for the creation of a Waterways Commission

to have general supervision over waterways and water resources for the purposes of navigation and for every useful purpose, but the work of such Commission was subject to the approval of the heads of the several executive departments concerned.

Because of such divided authority no constructive results were accomplished by such Commission.

At later dates the Congress authorized the construction of many power projects such as the TVA, the Bonneville, the Grand Coulee, the Fort Peck, and the Shasta and each such project has laws, rules, and regulations for its individual operation and management.

We now have some $722,500,000 after depreciation reserves invested in the TVA and the 1948 budget recommends some $71,000,000 for extensions.

TWO BILLIONS INVESTED IN PUBLIC POWER PROJECTS

The sums invested in Federal power projects make up a total of some $2,000,000,000 already expended for the production of hydroelectric power.

We have other reclamation, flood control, and navigation projects where power is being produced and we have still other power projects under construction which seem to make it obvious that a definite public power policy should be developed and formally declared as a part of our program for the conservation of our natural resources.

The development of public hydroelectric energy is already a definite part of our Government's conservation program, but such program is in no sense coordinated.

DIRKSEN BILL, H. R. 59

Representative DIRKSEN has introduced in the House of Representatives a bill—H. R. 59—providing for the creation of the Office of Power Administration for the coordinated administration of all Federal functions pertaining to the generation, distribution and sale of electricity and the regulation of electric utilities.

In explaining to the committee the need for legislation on the subject of the control of public power Representative DIRKSEN said:

Now, I say to you in all candor, gentlemen, that public power today is incomprehensible and not understandable by any man in the United States, including the Congress of the United States. And now let me proceed to prove it. First, let us take legislation for public power: When the TVA wants legislation they will go to the Committee on Armed Service. When REA wants legislation it will go to the Committee on Agriculture; when the Army wants legislation on flood control, or the War Department wants legislation involving power they will go to the Public Works Committee which involves flood control. When those interested in irrigation want money for public power they will go to the Public Lands Committee; when the Federal Power Commission wants legislation it will come to this Committee on Interstate and Foreign Commerce. When the RFC wants some authority with respect to power loans, it will go to the Banking and Currency Committee, and when they want power on an Indian reservation, they will go to Subcommittee on Indian Affairs in the Public Lands Committee. There you have over seven regular legislative committees of the Congress that are dealing with the various aspects of public power; but when you get to the appropriations for public power, the situation is even worse.

I am still quoting Representative DIRKSEN.

When REA wants money, it comes to my committee, the subcommittee on Agriculture Department appropriations. When the Bonneville Power Authority wants money, it goes over before BOB JONES' committee on the Interior appropriations bill; when they want money for public money for power in the irrigation domain, they will go to the Subcommittee on the Interior. If they want money for public power as an incident to reclamation, they will go to the subcommittee on Interior appropriations bill. When the War Department wants some money for flood-control projects where power is involved, it goes to Mr. PLUMLEY's committee, or one of the committees on War Department civil functions. When the Federal Power Commission wants money it will go to the subcommittee on Independent Offices, under Mr. WIGGLESWORTH. When the TVA wants money it will go to Mr. JENSEN'S subcommittee on appropriations, and when they want a little additional money they will go to Mr. Tarver's subcommittee on Deficiency and Supplemental, so we have seven legislative committees of the House that are dealing with public power today, and we have eight subcommittees of the Appropriations Committee that are dealing with various aspects of public power.

Show me one man in the Senate or in the House of Representatives of the United States, or show me one man in the administrative branch of the Government, or you show me a single individual in the United States of America who knows anything much about the coordination of public power and I will make a trip at my own expense to see him, even if he lives on the Pacific coast.

Now then, how are we going to understand this sort of thing unless we finally get around to setting up an Office of Power Administration or a Federal Power Authority, where you can give it single direction from the top, and somebody, particularly the Congress, can finally know what this thing is going to be all about?

The foregoing statement is not an exaggeration. The clash of authority; the duplication and the waste of public funds are under, rather than overstated.

I agree that Representative DIRKSEN has stated ample reasons for the present consideration of a proposal to develop and announce a public power policy.

In connection with the enactment of the flood-control law of 1944 the Congress devoted one section—section 5—to the disposition of electric power and energy generated at reservoir projects under the control of the Secretary of War and directed that such energy be delivered to the Secretary of the Interior for sale in wholesale quantities to "facilities owned by the Federal Government, public bodies, co-operatives, and privately owned companies."

NO EFFECTIVE LAW ON POWER

To date, no general law has been enacted to govern the sale and distribution of hydroelectric energy developed at reclamation projects.

The bill I have just introduced is intended to establish a coordinated and over-all policy for the sale and distribution of such hydroelectric energy as may be developed at flood control, reclamation, and navigation projects already in existence or to be hereafter constructed.

The text of the bill just introduced was prepared by Charles F. Boots of the office of the Senate legislative counsel from notes submitted by me. Such notes consisted of a speech made in the Senate during the last session in opposition to an item of some $23,000,000 for the Southwestern Power Administration and a portion of a speech made by me on July 1, 1944, at the dedication of the Denison Dam located on the Red River between Oklahoma and Texas.

At that time I said:

Public power, as a rule, is produced as a byproduct of flood control, reclamation, and navigation developments.

The Government should not, in my judgment, enter the field of power development in such a manner as to destroy the value of existing power facilities which have served and are serving the wants and needs of the people.

It seems to me that a cooperative plan of power development and distribution may be worked out whereby the people in the cities and on the farms may receive the benefits of such power at reasonable rates.

Such a plan should embrace a program wherein the Government may create the electrical energy and the existing distributing systems may take the current at the point of manufacture and thereby both the Government and the existing systems may profit by such cooperative plan of operation.

Former Senator James P. Pope, now a director of the Tennessee Valley Authority, has just made the following statement:

There is no doubt but that this cooperative effort, which makes for efficiency, economy, and better service, is here to stay and will play an increasingly important part in the future development of the public and private power industry.

Unless this policy is adopted the Government will be forced to build stand-by steam plants and in addition will have to build transmission and distributing lines in order to deliver the electricity to the consumers.

The Government is interested in making a success of its flood control, reclamation, and navigation power developments.

The public is interested in securing electricity at a reasonable price.

These two interests can be harmonized and adjusted to the benefit of both the Government and the consumers.

This is one of the problems that must be solved and when it is solved it must take into consideration the injury done by removing property from taxation and then it must give credit to the value which may be created as the direct result of the making available of an abundance of cheap power.

INTERIOR DEPARTMENT'S POWER POLICY

On January 3, 1946, the Secretary of the Interior released a memorandum wherein he undertook to state and establish a public power policy for our Government. In such memorandum the Secretary set forth the following basic principles:

1. Federal dams shall where feasible include facilities for generating electrical energy.

2. Preference in power sales shall be given to public agencies and cooperatives.

3. Power disposal shall be for the particular benefit of domestic and rural consumers.

4. Power shall be sold at the lowest possible rates consistent with sound business principles.

5. Power disposal shall be such as to encourage widespread use and to prevent monopolization.

In the memorandum the Secretary attempted to state the Government's public power policy, but while in the main sound and correct, such policy and program have not yet been approved by the Congress.

For example, he said in his memorandum that each hydroelectric generating plant "shall have its own steam stand-by and reserve facilities where necessary to independent operation on an economical and efficient basis."

This item of his program has not been approved by the Congress to this date.

An investigation discloses that we now have under the Reclamation Bureau some 32 hydroelectric plants in operation.

Also, that the Reclamation Service now has some 12 additional plants under construction, and, still further, such Service has some 15 plants authorized for construction.

RECLAMATION HYDROELECTRIC PLANTS

This makes a total of 59 hydroelectric plants that under the Secretary's program must have steam stand-by generating facilities and the cost of such facilities will be an additional drain on the Public Treasury.

In addition to the 59 hydroelectric plants, some completed, others under construction and still others authorized, we have some 20 multiple-purpose dams already constructed or being constructed by the Corps of United States Engineers.

The hydroelectric generating plants already in existence or under construction or authorized, number 79, and while perhaps a few of such plants do not and will not need stand-by steam plants, yet it is known and admitted that practically all hydroelectric plants must have stand-by steam plants in order to produce firm power for sale to the consuming public.

In order to make the record complete, I ask permission to print as a part of my remarks a list of the 59 reclamation projects under four headings.

First, a list of 18 projects already constructed and being operated by the Bureau of Reclamation.

The second list contains the names of 14 projects constructed by the Bureau of Reclamation and now being operated by others than such Bureau.

The third list contains the names of 12 reclamation projects now under construction.

The fourth list contains the names of 15 projects authorized but not now under construction.

The statement in four parts asked to be printed contains the names of the several projects, the States in which they are located, the present kilowatt capacity, and the ultimate kilowatt capacity.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Hydroelectric plants on reclamation projects, operating, under construction, or authorized, as of Dec. 31, 1946

NO. 1 LIST OF PROJECTS

OPERATED BY BUREAU OF RECLAMATION

State	Project	Plants	Initial operation	Present kilowatt capacity	Ultimate kilowatt capacity	Present number of generators and capacities (kilowatts)	Ultimate number of generators and capacities (kilowatts)	Operating status
Arizona-California	Yuma	Siphon Drop	1926	1,600	1,600	2-800	2-800	A
Arizona-Nevada	Boulder	Boulder [1]	1936	1,034,800	1,322,300	12-82,500; 1-40,000; 2-2,400	15-82,500; 2-40,000; 2-2,400	C
Arizona-California	Parker	Parker	1942	120,000	120,000	4-30,000	4-30,000	A
California	Central Valley	Shasta	1944	154,000	379,000	2-75,000; 2-2,000	5-75,000; 2-2,000	A
Colorado	Colorado-Big Thompson	Green Mountain	1943	21,600	21,600	2-10,800	2-10,800	A
Do	Grand Valley	Grand Valley [2]	1932	3,000	3,000	2-1,500	2-1,500	C
Idaho	Boise	Boise River	1912	1,500	1,500	3-500	3-500	A
Do	do	Black Caynon	1925	8,000	8,000	2-4,000	2-4,000	A
Do	Minidoka	Minidoka	1909	13,400	13,400	1-5,000; 1-2,400; 5-1,200	1-5,000; 1-2,400; 5-1,200	A
Montana	Fort Peck	Fort Peck [3]	1943	35,000	85,000	1-35,000	2-35,000; 1-15,000	D
Nebraska-Wyoming	North Platte	Guernsey	1927	4,800	4,800	2-2,400	2-2,400	A
Do	do	Lingle	1919	1,400	1,400	2-400; 2-300	2-400; 2-300	A
New Mexico	Rio Grande	Elephant Butte	1940	24,300	24,300	3-8,100	3-8,100	A
Washington	Columbia Basin	Grand Coulee [4]	1941	740,000	2,190,000	6-120,000; 2-10,000	18-120,000; 3-10,000	E
Do	Yakima	Prosser	1932	2,400	2,400	1-2,400	1-2,400	A
Wyoming	Kendrick	Seminole	1939	32,400	32,400	3-10,800	3-10,800	A
Do	Riverton	Pilot Butte	1925	1,600	1,600	2-800	2-800	A
Do	Shoshone	Shoshone	1922	5,600	5,600	1-4,000; 2-800	1-4,000; 2-800	A
Subtotal				2,205,400	4,217,900			

NO. 2 LIST OF PROJECTS

OPERATED BY OTHERS ON RECLAMATION PROJECTS

Arizona	Salt River	Chandler [6]	1919	600	600	1-600		B
Do	do	Roosevelt [6]	1909	15,400	15,400	5-1,080; 1-4,000; 1-6,000		B
Do	do	Arizona Falls [6]	1913	850	850	2-425		B
Do	do	Cross Cut [6]	1914	5,100	5,100	1-3,000; 3-700		B
Do	do	Stewart Mountain [7]	1930	10,400	10,400	1-10,400		B
Do	do	Horse Mesa [7]	1927	30,000	30,000	3-10,000		B
Do	do	South Consolidated [8]	1912	1,600	1,600	2-800		B
Do	do	Mormon Flat [7]	1926	7,000	7,000	1-7,000		B
Arizona-California	All-American	Drop [3 8]	1941	4,800	9,600	1-4,800	2-4,800	B
Do	do	Drop [4 8]	1941	9,600	19,200	1-9,600	2-9,600	B
Nevada	Newlands	Lahontan [6]	1911	1,500	1,500	3-500	3-500	C
Oregon	Deschutes	Cove No. 2 [12]	1946	1,500	1,500	1-1,500	1-1,500	C
Texas	Colorado River	Marshall Ford [5]	1941	67,500	67,500	3-22,500		B
Utah	Strawberry Valley	Spanish Fork [6]	1908	1,550	1,550	2-450; 1-250; 1-400		C
Subtotal				157,400	171,800			

NO. 3 LIST OF PROJECTS

UNDER CONSTRUCTION

Arizona-Nevada	Davis	Davis			225,000		5-45,000	A
California	Central Valley	Keswick [10]			75,000		3-25,000	A
Colorado	Colorado-Big Thompson	Estes Park			45,000		3-15,000	A
Do	do	Mary's Lake			8,100		1-8,100	A
Idaho	Boise	Anderson Ranch [11]			40,500		3-13,500	A
Do	Palisades	Palisades			30,000			A
Montana	Hungry Horse	Hungry Horse			286,000			E
North Dakota	Missouri Basin	Garrison			320,000		8-40,000	D
South Dakota	do	Fort Randall			240,000		6-40,000	D
Wyoming	do	Boysen			15,000		2-7,500	A
Do	do	Kortes			36,000		3-12,000	A
Do	Shoshone	Heart Mountain			5,000		1-5,000	A
Subtotal					1,325,600			

Footnotes at end of table.

Hydroelectric plants on reclamation projects, operating, under construction, or authorized, as of Dec. 31, 1946—Continued

NO. 4 LIST OF PROJECTS

AUTHORIZED BUT NOT UNDER CONSTRUCTION

State	Project	Plants	Initial operation	Present kilowatt capacity	Ultimate kilowatt capacity	Present number of generators and capacities (kilowatts)	Ultimate number of generators and capacities (kilowatts)	Operating stains
California	Kings River	Balch			52,500			A
Do	do	Pine Flat			45,000			A
Do	do	Wishon			4,000			A
Colorado	Colorado-Big Thompson	Six plants			101,200			A
Montana	Canyon Ferry Dam	Canyon Ferry			36,000		3-12,000	A
Do	Hardin	Yellowtail			125,000		5-25,000	A
Nebraska	Bostwick	Harlan			2,000		2-1,000	D
North Dakota	Missouri Basin	Crosby			72,000		6-12,000	A
Do	do	Des Lacs			72,000		6-12,000	A
South Dakota	do	Big Bend			120,000		6-20,000	D
Do	do	Gavins Point			36,000		3-12,000	D
Do	do	Miller			144,000		6-24,000	A
Do	do	Oahe			400,000		8-50,000	D
Washington	Yakima	Roza			12,000			B
Wyoming	Missouri Basin	Glendo			15,000			A
Subtotal					1,236,700			
Total				2,362,500	6,952,000			

[1] Operated under agency contract.
[2] Leased to Public Service Co. of Colorado.
[3] Dam and power plant constructed and operated by War Department; power transmitted and sold by Bureau of Reclamation.
[4] 3 additional units of 120,000-kilowatt capacity each now on order.
[5] 400-kilowatt station service unit not included.
[6] Original plant built by the United States as part of the project.
[7] Plant built by Salt River Valley Water Users' Association.
[8] Plant built by Imperial Irrigation District.
[9] Plant built by Lower Colorado River Authority of Texas.
[10] Construction of dam and power plant stopped during war. Construction now resumed.
[11] Construction of dam stopped during war, construction now resumed.
[12] Unit No. 3 installed and owned by Bureau of Reclamation in Pacific Power & Light Co. plant and operated by company.

Reference symbols: A—Owned, operated, and power marketed by the Bureau of Reclamation. B—Owned, operated by public non-Federal agencies. C—Owned by Bureau of Reclamation; operated by others. D—Owned by Army Engineers; power marketed by Bureau of Reclamation. E—Owned and operated by Bureau of Reclamation; power marketed by others.

Mr. THOMAS of Oklahoma. Mr. President, the data referred to shows that the Reclamation Service is now producing some 2,263,800 kilowatts of electric energy and that such projects, together with those under construction and others authorized for construction will, when completed, have a capacity of producing some 6,952,000 kilowatts of electric energy.

So much for the production and proposed production of electric energy under the Bureau of Reclamation.

UNITED STATES ENGINEERS' HYDROELECTRIC PLANTS

In addition to reclamation produced hydroelectric power, we have another Federal agency actively engaged in the production of hydroelectric power, and that is the Corps of United States Engineers, operating as a part of the War Department.

I further ask to have printed as a part of my remarks three lists of multiple-purpose dams under the supervision of the said Corps of Engineers.

The first list contains the names of four multiple-purpose dams already constructed and under operation.

The second list contains the names of 11 multiple-purpose dams now under construction by said Corps of Engineers.

The third list contains the names of five multiple-purpose dams to be initiated by the Corps of Engineers during the fiscal year ending June 30, 1947.

No. 1 list of projects

Multiple-purpose dams constructed by the Corps of Engineers now producing power

Bonneville, Columbia River, Oreg. and Wash.
Fort Peck, Missouri River, Mont.
Denison, Red River, Tex. and Okla.
Norfork, North Fork of White River, Ark.

No. 2 list of projects

Multiple-purpose dams now under construction by the Corps of Engineers at which power will be produced

Buggs Island, Roanoke River, Va. and N. C.
Clark Hill, Savannah River, S. C. and Ga.
Allatoona, Etowah River, Ga.
Narrows, Little Missouri River, Ark.
Bull Shoals, White River, Ark. and Mo.
Fort Gibson, Grand River, Okla.
Fort Randall, Missouri River, S. Dak.
Garrison, Missouri River, N. Dak.
Wolf Creek, Cumberland River, Ky.
Center Hill, Caney Fork River, Tenn.
Dale Hollow, Obey River, Tenn. and Ky.

Number 3 list of projects

Multiple-purpose dams to be initiated by the Corps of Engineers during fiscal year 1947 at which power will be produced

McNary, Columbia River, Wash. and Oreg.
Sault Ste. Marie, St. Marys River, Mich.
Blakely Mountain, Ouachita River, Ark.
Whitney, Brazos River, Tex.
Tenkiller Ferry, Illinois River, Okla.

The data authorized to be printed show that the Bonneville power project was constructed by the Corps of Engineers and the power being produced is sold and distributed by the Bonneville Power Administration, under the supervision of the Department of the Interior. This is the exact program that is proposed in the bill save that under the bill such power is to be disposed of by the Federal Power Commission.

STAND-BY STEAM PLANTS NECESSARY

The several lists of public power projects—reclamation and flood control—total some 78, and if the Government should decide to follow the recommendation of the Secretary of the Interior and construct steam stand-by and reserve facilities at each of the said dams, then a total of some 78 steam stand-by plants and facilities remain to be constructed as a part of our public-power program.

The reclamation plants constructed and authorized will generate some 6,952,000 kilowatts and the United States engineers flood-control plants constructed and under construction will generate some 4,092,800 kilowatts or a total of some 11,044,800 kilowatts of electric energy.

It must be admitted that at each hydroelectric plant, to the extent that the water supply is not firm and constant, steam stand-by plants must be provided, hence the issue arises as to whom—the Government or the local private utility—shall provide such plants. If by the Government—then the stand-by plants will yet have to be built, but if by the local utilities then such steam plants are already constructed and now in service.

If built by the Government the size and cost of such plants would be controlled by the amount of power necessary to be produced at any hydroelectric facility; hence, the cost of the several stand-by steam plants would vary somewhat at the respective hydropower developments.

The total expenditures for the construction of the necessary stand-by steam plants will be governed by the total amount of stand-by electric energy needed to make firm all power sold by the Government under contract.

If only one-half of the total estimated hydroelectric power is to be insured by stand-by steam plants then we will have to construct plants to produce a total of some 5,522,400 kilowatts of electric energy.

The former cost of buildings, machinery, and equipment necessary to produce steam electric energy was some $100 per kilowatt. A more recent estimate is $125 per kilowatt, but at $115 cost per kilowatt the stand-by steam plants will cost some $635,076,000.

If the Secretary's recommendation should be carried out, in addition to stand-by steam plants, transmission, and distribution lines would have to be constructed—all at the expense of the Federal Treasury and such outlay of Federal funds will be even more than the cost of the stand-by steam plants.

Further, in addition to the expenses mentioned a vast personnel would have to be assembled to carry on the work of the vast electrical empire provided by the nationalization or near nationalization of electrical energy.

REA COOPERATIVES HAVE FIRST PRIORITY ON PUBLIC POWER

At this point I call attention to another item that has never been made clear to the consumers of electricity. This explanation is made for the benefit of the 1,009 electric cooperatives—forming the Nation-wide rural electrification program, which, under the provisions of the bill, have first priority for the power developed at reclamation and flood-control hydroelectric projects.

The said 1,009 cooperatives now serve some 1,675,228 rural consumers. The number of such consumers is increasing rapidly and it is estimated that when the REA program is completed we will have more than one-half of our rural population served with REA electric energy.

It is obvious that REA subscribers and consumers—one of whom I am—want electric energy and service at the lowest cost consistent with sound business principles.

I am a member of the Cotton Electric Cooperative, with headquarters at Walters, Okla. My yearly rate is $18 for the first 180 kilowatt-hours used. On the excess of this amount the rate is 5 cents for the first 100 kilowatt-hours and 3 cents each for all in excess of that amount.

If figured and paid by the month, the rate will be 10 cents each for the first 30 kilowatt-hours, or $2.95 if there is as many as 30 kilowatt-hours used. The next 50 kilowatt-hours at 5 cents each and the next 920 kilowatt-hours at 2½ cents each. The next 2,000 kilowatt-hours at 2 cents each and all over that at 0.01¾ cent each. With such rates in effect in my section of Oklahoma, I am certainly in favor of any bill or program that will give us cheaper power.

To the subscriber or consumer not versed in the cost of developing and distributing electric energy it might seem that the entire monthly bill was to cover the cost of the single item—the amount of energy consumed.

An analysis of an REA electric-light statement, or bill, as it is commonly called, will show that the subscriber or consumer is paying not for just electric energy but for at least eight distinct items, which may be listed as follows:

1. Interest on the cooperative Federal loan;
2. Amortization of such loan;
3. Cost of operating the cooperative;
4. Cost of maintenance;
5. Cost of collecting;
6. Miscellaneous;
7. Depreciation; and
8. Cost of energy consumed.

The items of cost, as listed, do not cover the line loss which is a charge against the cooperative—hence a charge against the members of such cooperative.

IF ELECTRICITY IS FREE MONTHLY BILL STILL LARGE

An analysis of such a statement will show that only a relatively small part of the total bill is to pay for the current or electric energy consumed so that if the cost of the current or electric energy was zero or free the subscriber or consumer would have a sizable monthly bill to pay.

In the case of my Cotton Electric Cooperative the amount of my bill for items other than for current or electric energy is some 80 percent, leaving 20 percent for the payment of the current or energy consumed.

On a $10 monthly bill from $1.15 to $2.50 is for current or energy and the balance, from $7.50 to $8.85, is for interest, amortization, operation, maintenance, depreciation, and miscellaneous expenses.

In Oklahoma the percentage of costs of current or energy with respect to revenue to cooperatives ranges from 11½ to 25 percent. While the cost of current or electric energy is an important item yet if such current or energy was furnished free the subscribers or consumers would still have sizable bills to meet monthly.

GOVERNMENT OWNERSHIP OF ELECTRIC FACILITIES MEANS LOSS OF TAXES

In my State of Oklahoma the electric utilities pay Federal, State, county, municipal, and school-district taxes in the approximate sum of $4,058,000 annually, and while Oklahoma is not a poor State we cannot afford to lose so much revenue to our several public treasuries.

Investigation discloses that the electric-utility companies pay a substantial part of the tax income of the Treasury. During 1945 such companies paid in Federal taxes the sum of $423,000,000 and paid State and local taxes in the sum of $239,000,000, or total taxes in the sum of $662,000,000.

It should be obvious that with a national debt of some $260,000,000,000 and an annual budget of over $30,000,000,000 to meet, it is not the time to expend vast sums in constructing duplicate electric facilities on the one hand and on the other at the same time decrease the tax revenues by either the purchase of existing electric facilities or the construction of duplicate facilities—all of which when in operation would be on the tax-free list.

GALLUP POLL SHOWS PUBLIC SENTIMENT AGAINST GOVERNMENT OWNERSHIP AND OPERATION OF ELECTRIC FACILITIES

According to the Gallup poll, public sentiment is against the public ownership and operation of electric-power facilities and companies.

On January 28, 1947, the American Institute of Public Opinion, popularly known as the Gallup poll, released an article containing the following question and answers:

"Do you think the United States Government should own electric-power companies?"

In 1936, 40 percent answered "Yes," 52 percent answered "No," and 8 percent were undecided. In 1945, 29 percent answered "Yes," 50 percent answered "No," and 21 percent were undecided. Today, January 28, 1947, 28 percent answered "Yes," 64 percent answered "No," and 8 percent were undecided.

In the poll article it is stated that "fewer Americans want to see the Federal Government own railroads, banks, or electric-power companies today than was the case a decade ago."

The articles states further that "England's labor government has embarked on a sweeping program on nationalization of electric power, coal mines, transportation, and other key industries. By contrast the American workers, including those who belong to labor unions, vote by a substantial majority in favor of continued private ownership."

The poll referred to shows that the vast majority of the 142,000,000 Americans are neither communistic, fascistic, nor are they socialistic. However, I do not intend to say that those who favor the nationalization of our electrical industry are either Communists, Fascists, or Socialists, but it is obvious that the nationalization of our electric industry is a trend toward the nationalization of all industries and such an accomplishment would change our system of free enterprise to that of a Socialist or communistic economy.

ANALYSIS OF BILL

The first section of the bill just introduced defines the policy of our Government with respect to the development of hydroelectric power.

Section 2 gives definitions.

Section 3 provides that full investigations shall be made prior to authorization and appropriations for the development of hydroelectric energy.

Section 4 provides that the exact part of any reservoir to be used for the production of power shall be set forth definitely and thereafter such report shall be complied with.

Section 5 provides that the excess power produced shall be delivered to the Federal Power Commission for sale and distribution under priorities with rural electric cooperatives having first call for such power.

Section 6 provides that the Federal Power Commission shall have exclusive jurisdiction over rates and contracts. This means that the Government will build, own, and operate the plants, make contracts for the sale of the excess power to local distributors, and in such contracts shall assert the right to control the rates charged by the local distributors in their resales of such power to consumers.

Section 7 suggests the elements to be considered by the Federal Power Commission in fixing the rates of sale to distributors.

Section 8 provides that all money collected by the Commission from the sale of excess power shall be deposited in the United States Treasury.

Section 9 provides that the Commission shall follow sound and approved accounting practices, and shall report to the President and to the Congress.

Section 10 provides that no Federal agency shall construct or acquire hydroelectric plants which have the generation of electric power and energy as their primary purposes.

Section 11 provides for public hearings.

Section 12 provides that the act shall apply to all public water-development projects heretofore or now being constructed or hereafter authorized and appropriated for, but specifically exempts the Tennessee Valley Authority project.

Section 13 is a repeal clause affecting section 5 of the Flood Control Act of 1944, and provides that all things to be done respecting the supervision and sale

of hydroelectric power shall be performed by the Federal Power Commission.

Section 14 provides protection for all existing contracts.

Section 15 authorizes appropriation to carry into effect the provisions of the law.

As the author of the bill, I make the following claims:

First. We will avoid the expense of building stand-by steam plants; such expense estimated to be as much as $635,076,000.

Second. We will avoid the expense of building transmission and distributing lines which might cost more than the steam stand-by plants.

Third. We will avoid the expense of a vast personnel which would be necessary to supervise and manage the operation of the plants and offices in connection with the generation and distribution of such hydroelectric power.

Fourth. We will avoid the possible loss of vast sums in Federal income taxes in the sum of $423,000,000 in 1945.

Fifth The States, counties, cities, and local districts will avoid the possible loss of electric-utility taxes in the sum of $239,000,000 in 1945.

In addition to the vast savings to the Treasury and the taxpayers the bill will bring to the Treasury and to the people vast sums as follows:

First. The Federal Treasury will receive the revenue derived from the sales of the power at the dams.

Second. The Treasury will continue to receive the income taxes from the electric utilities which amount to many hundreds of millions of dollars annually.

Third. The stockholders and bond holders will continue to receive dividends and interest from their investments and they in turn will continue to pay income taxes on such income to the Federal Treasury.

Fourth. The consumers will secure electric energy at the lowest possible cost consistent with sound and efficient management—all under the supervision of the Federal Power Commission.

I contend that the bill will stimulate and expand the production of hydroelectric energy by making available more funds for the development of reclamation and flood-control projects.

The funds saved from expenditures on stand-by steam plants, transmission and distributing lines, and personnel will be available for the construction of such projects.

The enactment of the bill into a law will coordinate and concentrate the public power activities of the Government into one Federal agency—the Federal Power Commission now already in existence. This coordination of Government agencies will likewise save the Treasury vast sums of money annually.

To the extent that the program suggested saves expenditures and, in addition, provides additional funds and revenues to the Treasury the bill will assist in balancing the budget and in meeting the costs of the Federal Government.

Summarizing and in conclusion, I contend that the bill, when enacted into law, will do two very unusual things—it will both save money and make money for the Federal, State, city, county, and district treasuries.

It will save money for the Federal Treasury by not incurring the enormous expenses of constructing stand-by steam plants, of transmission and distributing lines and the personnel necessary to supervise and manage such utilities.

The bill will save money for the State, city, county, and district treasuries by preserving for them the taxes they are collecting at the present time.

The bill will make money for the Federal Treasury through the sale of electric energy at the point of manufacture.

The bill will make money for State, city, county, and district treasuries through savings in electric bills and services.

It is my contention that under the provisions of the bill the public interest will be served and at the same time the consumers will secure electric energy and services at the lowest possible rates consistent with sound business principles and efficient management.

ADJOURNMENT TO MONDAY

Mr. WHITE. I move that the Senate adjourn until Monday next.

The motion was agreed to; and (at 5 o'clock and 37 minutes p. m.) the Senate adjourned until Monday, March 24, 1947, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate March 21 (legislative day of February 19), 1947:

DIPLOMATIC AND FOREIGN SERVICE

Edwin F. Stanton, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Siam.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 21 (legislative day of February 19), 1947:

DEPARTMENT OF STATE

Garrison Norton to be an Assistant Secretary of State.

DIPLOMATIC AND FOREIGN SERVICE

TO BE FOREIGN SERVICE OFFICERS OF CLASS 2 AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA

David M. Maynard
Franklin W. Wolf

TO BE FOREIGN SERVICE OFFICER OF CLASS 3, CONSUL, AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA

Claude Courand

TO BE FOREIGN SERVICE OFFICERS OF CLASS 4, CONSULS, AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA

Henry C. Ramsey
Anthony Clinton Swezey
Horace G. Torbert, Jr.

TO BE FOREIGN SERVICE OFFICERS OF CLASS 6, VICE CONSULS OF CAREER, AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA

Taylor G. Belcher
John G. Gossett
Roye L. Lowry
Benjamin J. Ruyle
Miss Mary E. Volz

HOUSE OF REPRESENTATIVES

FRIDAY, MARCH 21, 1947

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Father of our Lord and Master, harken unto our prayer; we beseech Thee that it may climb to the highest courts of heaven, to Him who wore our human flesh and made Thy love available to all. Separate us from the things that divide us, from the forgetfulness of the things we should remember, and from everything that obscures Thy holy purpose.

Dear Lord, consecrate the homes of our land and cleanse our politics; undismayed, help us to face our problems with truth and honor, that the Congress may be a constant inspiration to all ranks of our citizens. O give us wisdom to discern and courage to do whatever is needful. Grant that the Members may work and plan together in mutual trust, with integrity of character and devotion of purpose. Help us to find our joy in doing Thy will, engendering the spirit of true patriotism, from the chiefest to the humblest. Looking back at the close of these hours, may we feel, with pardonable pride, the sense of Thy approval. In our Saviour's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

EXTENSION OF REMARKS

Mr. ROBERTSON asked and was given permission to extend his remarks in the RECORD.

Mr. HILL asked and was given permission to extend his remarks in the RECORD and include four resolutions adopted by the General Assembly of the State of Colorado.

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from South Dakota [Mr. MUNDT] be given permission to extend his remarks in the RECORD and include a copy of the program of the first national meeting of the Advisory Committee of the United Nations Educational, Scientific, and Cultural Organization, to be held next week in Philadelphia, to which all Members of Congress are invited.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

FOREIGN COMMITMENTS

Mr. MATHEWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MATHEWS. Mr. Speaker, last night I determined to ask some of the people who are going to pay the bill what they thought of the President's plan of a global crusade against communism. Pointing to a headline in last night's paper, which I hold before me, which says, "Six hundred million dollars asked for aid to Korea," I asked the waitress who served me dinner what she thought about it, since we were already asked to give $400,000,000 to Greece and Turkey. She said, "I think they are taking us for suckers. I think that after we have spent the money the boys will be sent after it to die again."

Mr. Speaker, I intend to ask the people, the butcher, the baker, and the candlestick maker, if I can find one, to find their answers, and, with your permission and with the permission of the Members of the House, I am going to bring back to you 1-minute reports of their answers. They ought to be interesting.

"SORRY, IT'S A SECRET"

Mr. MEYER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MEYER. Mr. Speaker, I think it is high time someone told the State Department that they are no longer dealing with a rubber-stamp Congress. In the elections of last November 5, the American people voted an end to—among other things—the "era of the blank check."

Yesterday the Foreign Affairs Committee of the House voted out a bill proposing to grant $350,000,000 in food and other aid for devastated nations abroad. It has come to my attention that during the testimony on this bill, the so-called State Department experts refused to give the American people a break-down of where this money is going. In other words, it is the same old New Deal doctrine that the people are too dumb to understand.

I have tried to find out how much of this money is going to Poland, how much to Hungary, to Italy, how much to the other countries. The only answer I have been given, the only answer the American people have gotten from our State Department is "Sorry, it's a secret."

We have gotten into too much trouble already because of these secret deals. I am all in favor, Mr. Speaker, of feeding starving people, but what is so secret about it? It was not a secret when UNRRA did it.

I say, let the American taxpayers in on a few of these secrets. It is their money these free spenders are distributing; they are paying the bills.

GREETINGS FROM GEORGIA

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DAVIS of Georgia. Mr. Speaker, in Washington the calendar has decreed that spring begins today. In the Fifth District of Georgia, Mother Nature herself long ago issued that decree, and there the earth is beautiful with daffodils, blue hyacinths, yellow jasmine, and other fragrant and colorful flowers.

Yesterday the De Kalb County Chamber of Commerce sent a truckload of flowers to Washington in compliment to the Nation's lawmakers. They were gathered by Boy Scouts, Girl Scouts, and school children, women's clubs and civic clubs, and this morning 12 charming girls from the Fifth District have placed a bouquet in each Senator's office, and have left a quantity for the Representatives' cloak rooms and dining rooms. You are invited to take them with the compliments of De Kalb County, educational center, county of industry and agriculture, home of Stone Mountain, famous dogwood blossoms, and luscious Georgia peaches.

We expect to share with you here from time to time, and we offer to all our visitors, such examples of Nature's bounty as peaches in May, watermelons in August, apples in September, cane sirup in October, roses in December, and southern hospitality the year around.

PERMISSION TO ADDRESS THE HOUSE

Mr. CARSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

[Mr. CARSON addressed the House. His remarks appear in the Appendix.]

REDUCTION OF FEDERAL EXPENDITURES

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, may I say to my friend from Kansas, who cannot get the information he wants from the State Department, that I want to give him some information that we all get every day from the Treasury Department. I want to show you that on the 18th of March we were $258,934,078,366.21 in the red. Where will you get all that money? We have been in the red so long that this Treasury statement, instead of being published in black, ought to be published in red every day, and it should have been published that way for the last 15 years with the squandering and spending of the New Deal. But we are getting information now, and I think that with this Republican Congress we are going to do something about this red sheet. We will make it black or bust. We are going to cut down expenses in this country in a way that nobody ever dreamed of, unnecessary expenses, but if we cut down expenses here for things the American people want, you have to be mighty careful in what you do in spending and giving money to foreign countries. It is serious and critical. That is going to be a very ticklish thing, and you should think about it very sincerely before you vote.

We will cut down spending; we will cut down the debt; we will cut down on your taxes. However, a Government not good enough to support by taxation is not fit to exist. I am not talking of exorbitant taxes like the 14 new tax bills of the last 12 years. We must pay our bills and cut down on our national debt.

A people willing that its Government borrow and borrow and borrow just lacks common sense.

Be careful of your spending are the wisest words I can give you now. Open your eyes and economize.

LEAVE OF ABSENCE

Mr. HARTLEY. Mr. Speaker, I ask unanimous consent that leave of absence for 2 days, on account of official business, be granted to the gentleman from Minnesota [Mr. MACKINNON], the gentleman from Pennsylvania [Mr. KEARNS], and the gentleman from Texas [Mr. LUCAS].

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HARTLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

[Mr. HARTLEY addressed the House. His remarks appear in the Appendix.]

GOLD PURCHASING

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, in view of the responsibility of Congress to have before it the fullest information bearing upon the President's recent message to Congress and on the implication of H. R. 2616, it is desirable to know whether this country is pursuing consistent policies.

One of our policies, which is of direct help to the Union of Soviet Socialist Republics on economic lines, is the United States official policy of purchasing gold from every source at $35 an ounce.

Before the recent war this policy was suspended in the case of the Axis, because it was pursuing political and economic policies which the administration considered injurious to this country. The question now is: Are we similarly pursuing in the matter of gold buying a policy in conflict with that which the President has just recommended to the Congress? To obtain the administration's views on this important matter I have written the Secretary of the Treasury for information.

ALCOHOL RUBBER INDUSTRY

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CURTIS. Mr. Speaker, I would like to call attention to a bill that I am introducing today. Its purpose is to perpetuate our wartime-created alcohol rubber industry and thereby improve the defense of our country. In addition to that, I feel that this proposal can be made to be very beneficial to the farmers of America and can be made to fit in with a sound and constructive program for agriculture.

Mr. Speaker, my proposal is that a manufacturers' excise tax be placed upon all rubber, foreign and domestic, except such rubber as is manufactured or produced in the United States from butadiene, which is produced from grain alcohol.

If natural rubber is selling on the world market for about 15 cents per pound, it is impossible for an American manufacturer to buy high-priced corn, wheat, potatoes, and the countless other products of the farm, turn them into alcohol, and then into rubber, and end up by not having this synthetic rubber cost more than the natural rubber or more than rubber made from petroleum. Consequently, the only way that an alcohol rubber industry can be built up is by giving it certain protection.

At the present time, the plants that made alcohol and rubber during the war are still owned by the Government. I would like to create a situation favorable toward this industry so American businessmen would be induced to buy these plants and operate them. This will make a market for millions and millions of bushels and pounds of surplus crops as well as create a new industry in the United States that will provide employment for many.

I propose this tax advantage not to help any particular businessman or investor, but as part of an agricultural program and as a very essential factor in our defense.

The amount of the tax is something that Congress will have to work out. If, through the Commodity Credit Corporation or other Government agency, these alcohol plants can buy potatoes that might be dumped, soft corn, or other surpluses, at a nominal price, the tax can be effective and still not be very high. If, on the other hand, these plants are to buy ordinary farm products at the supported price, the tax must be higher.

I do feel that it offers a program that is worth trying.

EXTENSION OF REMARKS

Mr. ELLIS asked and was given permission to extend his remarks in the RECORD in two instances and include in each an editorial.

Mr. NODAR asked and was given permission to extend his remarks in the RECORD and include a speech delivered by the national commander of the Catholic War Veterans on communism.

Mr. BELL asked and was given permission to extend his remarks in the RECORD and include a clipping from the New York Times.

COPPER PRODUCTION

Mr. HARLESS of Arizona. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. HARLESS of Arizona. Mr. Speaker, I ask unanimous consent to speak for 1 minute and to revise and extend my remarks in the RECORD.

Mr. Speaker, we have been hearing a good deal lately about monopolies. The Federal Trade Commission has just released a report which accuses the large copper companies of this country of monopolizing the production of copper. I should like to point out that copper deposits, as is true with most ore bodies, vary in their size, richness, physical conformations, and hence in cost of operation. It happens, then, when the price of copper drops our small and margined high-cost mines are squeezed out of production not, it may be noted, by deliberate intent but due to the accidental economics of supply, demand, and price.

Before the last war only a handful of copper mines could operate due to low metal prices. During the war the premium price plan for copper, lead, and zinc created an economic atmosphere in which marginal mines could live and hundreds of them sprang up into operation. At present, high prices in combination with premiums are keeping these mines alive. The premium-price plan expires June 30, 1947. Prices eventually will fall—and they generally come down faster than they went up. It is inevitable that without the stabilizing influence of the plan, small and marginal mines gradually will be forced to close until only the few low-cost mines will again be left. The cry of monopoly will then be heard with renewed strength.

I should like to call to the attention of the House the established fact that the premium-price plan for copper, lead, and zinc is the best antimonopoly device we yet have seen as far as the mining industry goes. Under it small and marginal mines can thrive, produce metal for necessary industrial and war stock-pile needs and, with good fortune, perhaps grow into large mines.

For the afore-mentioned reasons I have long felt that the continuation of a premium plan in some form is essential. I introduced, early in the session, H. R. 1284 to establish a National Resources Division to administer such a plan. It has received a good deal of favorable comment.

Bills looking toward the same end have been introduced by Mr. ALLEN of Illinois; Mr. HILL, of Colorado; Mr. MEYER, of Kansas; and Mr. RUSSELL, of Nevada. I understand the bill, H. R. 2455, by my friend the gentleman from Nevada [Mr. RUSSELL] may be favorably reported from Public Lands. I sincerely hope so. The mining industry wants and needs this legislation. I intend to support H. R. 2455 vigorously and I trust it will have the favorable consideration of the Members when it comes to the floor for a vote.

EXTENSION OF REMARKS

Mr. BUCHANAN asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an article from this morning's Washington Post, and in the other the recommendations of the National Committee on Housing concerning veterans' housing.

NATURAL GAS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, a moment ago the gentleman from Ohio [Mr. CARSON] called the attention of the House to the introduction of several bills having to do with the study of our gas supply and the use of natural gas. I sincerely trust the fact that the appropriate committee is entering into a study of this important subject will serve as notice to the Federal Power Commission to go slow in the granting of any license to any company acquiring the Big or Little Inch pipe lines. The use of these lines for distribution of gas to the Atlantic seaboard will destroy one of the basic industries of America, and it seems to me that before any license is issued the committe should make a very thorough study of the entire subject.

EXTENSION OF REMARKS

Mr. BOYKIN asked and was given permission to extend his remarks in the RECORD in two instances and include an article from the Montgomery Advertiser.

Mr. LANE asked and was given permission to extend his remarks in the RECORD in two instances; in one to include an article from the Christian Science Monitor and in the other to include an editorial from the Telegram News of Lynn, Mass.

TRAIN MEN TO WIN THE PEACE

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, as Americans, we have been capable of superhuman efforts in the waging of war. But when it comes to peace, we have gone to the other extreme. Things will take care of themselves, we say, and follow a policy of drift which inevitably leads to another war.

Our people have sensed the fact that the American diplomatic service is not represented by men of the highest professional skill. They have the fatalistic feeling that the victories which our fighting men have won will be lost by our amateur diplomats.

Foreigners resent American representatives who are forever bragging about our Nation's accomplishments and who show no respect for the lands in which they are guests. It is this failure to try and understand the other nation's viewpoints which has caused us to make so many diplomatic blunders in the past.

We need to establish a United States Foreign Service Academy which will educate men for the highest task of all: That of preserving the peace.

In this atomic age, we cannot play at diplomacy. We have got to have the best of trained men to represent us abroad.

To accomplish this, I believe that we should pass this bill to establish in or near the District of Columbia a United States Foreign Service Academy.

Under the direction of the State Department, it shall train carefully selected applicants in the history, culture, customs, folklore, and languages of the nations in which the diplomatic cadets may elect to serve, and provide for field studies in such nations.

Upon satisfactory completion of the course, the cadets shall be granted the degree of bachelor of arts and shall be given preference in the appointment of permanent officers in the Foreign Service of the United States.

This is the logical way to properly train career men for these posts of high responsibility.

EXTENSION OF REMARKS

Mr. DURHAM asked and was given permission to extend his remarks in the RECORD and include an article from the Army and Navy Journal.

Mr. FORAND asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the Rhode Island General Assembly in support of President Truman's position regarding conditions in Greece.

Mr. LEFEVRE asked and was given permission to extend his remarks in the RECORD and include an article by Mark Sullivan.

ON-THE-JOB-TRAINING PROGRAM

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I received the following letter from Lowell, Mass.:

LOWELL, MASS., *March 13, 1947.*

The Honorable MRS. ROGERS.

DEAR MADAM: What became of the legislation proposed to correct the inequalities in the GI bill of rights pertaining to the on-the-job-training program. There was a good deal of talk about raising the monthly limit of $200 and even increasing the monthly allowance.

I hope something is done about it in the near future; if not, I am afraid I and a few more like me will be forced to give up our training program for lack of a living wage.

Thanking you for past considerations, I remain,

——— ———.

Mr. Speaker, I think there was a great misunderstanding in the House and throughout the country generally when the Committee on Veterans' Affairs raised the ceilings for on-the-job training. The public, and I believe many of the Members, feel that the Government will pay more subsistence allowance under H. R. 246, which was reported unanimously from our committee and is now upon the calendars of the House. That is not the case. No matter what the ceiling is, the Government would not increase the amount under this bill, but would pay no more than the subsistence allowance of $65 for a single veteran and $90 for a married veteran, as is being done at the present time.

In the first GI bill, enacted in 1944, there were no ceilings on wages. However, later amendments to the law permitted a veteran to earn only $110 above the amount paid him in subsistence allowance. Thousands of veterans could not qualify for the allowance under these restrictions, and were dropped from the payment rolls of the Veterans' Administration. Now, in raising the ceilings you are but giving back to these veterans a part of what you took away from them by legislative action last year, and which passed the House under a great misunderstanding.

AMENDING THE NATIONAL ARCHIVES ACT

Mr. REES. Mr. Speaker, I ask unanimous consent to file a supplementary report on the bill H. R. 1350.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

LEAVE OF ABSENCE

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from California [Mr. JACKSON] be granted leave of absence for today, Monday, and Tuesday, on account of official business.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. KEATING asked and was given permission to extend his remarks in the RECORD in two instances, in one to include a portion of a press release by Gov. Thomas E. Dewey, and in the other a telegram from the Ukrainian American Relief Committee.

Mr. MERROW asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. CRAWFORD asked and was granted permission to extend his remarks in the RECORD and include a statement which carries a few quotations which he is sending to people in his district.

Mr. O'HARA asked and was granted permission to extend his remarks in the Appendix of the RECORD and include an editorial.

ADJOURNMENT OVER AND LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next at 12 o'clock noon.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. HALLECK]?

Mr. RAYBURN. Mr. Speaker, reserving the right to object, and, of course, I shall not, but we are interested to know just as much of the program for next week as the gentleman can announce at this time.

Mr. HALLECK. Mr. Speaker, my information is that the Committee on Appropriations expects to report the appropriation bill on Labor and Federal Security in time for its consideration on Monday next. If it is so reported, general debate on the bill will be held on Monday and the bill will be read on Tuesday. If the consideration of that bill is completed sufficiently early on Tuesday, we propose to call up House Resolution 151, which is a resolution from the Rules Committee to reestablish the committee to investigate all matters pertaining to the replacement and conservation of wildlife.

On Wednesday and Thursday we hope to have ready for consideration the tax bill, as I announced yesterday. It is our plan to conclude debate on the bill on Thursday and vote on the bill Thursday evening.

Friday is undetermined. Unless something should develop that would require attention on that date, we might adjourn from Thursday until the following Monday.

Mr. RAYBURN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. HALLECK]?

There was no objection.

GOVERNMENT DEBT AND INCOME

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONRONEY. Mr. Speaker, I was very much interested in the remarks of the gentleman from Pennsylvania who read us figures on the record-breaking war debt that the United States Government must carry.

I only hope the gentleman is concerned with both sides of the fiscal program, namely, the income of the Government as well as the outgo. It is amazing to me that in the proposed Knutson tax reduction plan that is coming before us next week reducing income taxes of the very rich by 20 percent, the only way the majority members of the Ways and Means Committee could find to justify that bill—or perhaps deodorize it—was to cut another $350,000,000 out of the Government's revenue. This 350 million is a "tip" given to the lower-income groups to give the Knutson plan a sugar-coating.

If that is the majority party's idea of sound fiscal responsibility, to ignore the necessary income of the Government at a time when we have an all-time high war debt, exceeding any debt that has ever been carried by any government on the face of this globe, then I do not know the meaning of financial responsibility. I believe this Nation wants debt reduction before tax reduction is considered.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the gentleman from Oklahoma [Mr. MONRONEY], who just addressed the House, makes me think of a squalling, bawling, suckling calf being separated from its mother. You take these New Dealers away from the public pay roll, get their feet and heads out of the trough where they have been feeding for the last 15 years at the taxpayers' expense, and hear them squall. The only philosophy they know is that of spending—borrowing money, because, as they say, "we owe it to ourselves"—then tax and spend more and more with the hope that they may be reelected. That is their philosophy. If we are foolish enough to go along with that theory and let them keep on spending down at the other end of the Avenue so they can stay in office, then certainly we are dumb. I do not fall for that one. If we cut off these expenses, the budget will balance itself and the spenders may soon be out.

The SPEAKER. The time of the gentleman from Michigan [Mr. HOFFMAN] has expired.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—WORLD HEALTH ORGANIZATION (H. DOC. NO. 177)

The SPEAKER laid before the House the following message from the President of the United States which was read by the Clerk and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

I am transmitting herewith for your consideration a suggested joint resolution providing for United States membership and participation in the World Health Organization. I also am enclosing a memorandum from the Secretary of State with reference to United States membership in the World Health Organization.

I have been impressed by the spirit of international good will and community of purpose which have characterized the development of the constitution of this Organization. I am sure that it will make a substantial contribution to the improvement of world health conditions through the years.

In view of the significance and urgency of international health problems, I consider it important that the United States join the World Health Organization as soon as possible. Therefore, I hope that the suggested joint resolution may have the early consideration of Congress.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 21, 1947.*

[Enclosures: 1. Joint resolution; 2. Memorandum from Secretary of State.]

TERM OF OFFICE OF THE PRESIDENT OF THE UNITED STATES

Mr. MICHENER. Mr. Speaker, I ask the Speaker to lay before the House for immediate consideration House Joint Resolution 27, a joint resolution proposing an amendment to the Constitution of the United States relating to the terms of office of the President, with Senate amendments.

The SPEAKER. The Clerk will report the title of the joint resolution and the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 1, line 9, strike out all after "SECTION 1." over to and including "term." in line 4, page 2, and insert "No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than 2 years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this article shall not apply to any person holding the office of President when this article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this article becomes operative from holding the office of President or acting as President during the remainder of such term."

Mr. MICHENER. Mr. Speaker, this bill with the Senate amendment was returned to the House on March 13. It was taken informally before the full Committee on the Judiciary, and I am instructed by that committee to call the resolution up at this time for the purpose of agreeing to the Senate amendment. I have followed precedent and cleared through the majority leader and the minority leader.

I therefore move that the House concur in the Senate amendment.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. MICHENER moves that the House concur in the Senate amendment.

The SPEAKER. The gentleman from Michigan is recognized for 1 hour.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield me 5 minutes after he has completed his statement?

Mr. MICHENER. Yes; if the gentleman desires to be heard.

Mr. McCORMACK. I thank the gentleman.

Mr. MICHENER. Mr. Speaker, this matter was thoroughly discussed in the House when House Joint Resolution 27 was before us for consideration. Adequate study was given by the Senate committee to the House bill and, with amendments, it was reported to the floor of the Senate where extensive debate was indulged in. After that debate the Senate amendment, now contained in the bill, was adopted.

What the Senate amendment does is best explained by reading the amendment:

No person shall be elected to the office of President more than twice.

That is clear, two terms of 4 years each.

And no person who has held the office of President or acted as President for more than 2 years of a term to which some other person was elected President shall be elected to the office of President more than once.

That is the material change. There is a change in language and a change in context. Under the Senate amendment it is possible for a President to serve two full terms, to be elected twice, regardless of any other service which he might have had as President, provided he shall only be elected once if he has served more than 2 years of another or a third term. The possibility therefore is that a President may conceivably, under this amendment, serve not to exceed 10 years.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield.

Mr. RANKIN. That would not apply to the present President, Mr. Truman, if he were reelected, would it?

Mr. MICHENER. No; I can answer that it does not apply to the present occupant of the White House, who is serving as President by virtue of having been elected as Vice President and the death of the President. It would in no way affect the present occupant of the office.

Mr. RANKIN. In other words, if President Truman were reelected in 1948 and again in 1952, he could serve out those terms.

Mr. MICHENER. The gentleman is correct.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Pennsylvania.

Mr. WALTER. What the gentleman has stated is correct, but not insofar as the language he has just read is concerned. The following language is designed to meet the situation described by the gentleman from Mississippi.

Mr. MICHENER. As to the present incumbent of the office, yes.

Mr. WALTER. As to the present incumbent of the office.

Mr. MICHENER. The gentleman is quite correct. I intended to read all the language in the amendment. I may say that the gentleman from Pennsylvania [Mr. WALTER] is a very able member of the Judiciary Committee and, together with the committee, gave very close attention to this amendment since it was promulgated by the Senate.

Personally, I prefer—and I think most if not all members of the House Judiciary Committee prefer—the language adopted by the House. To me that language is more concise and understandable. There are no useless words. It is not pregnant with questions.

Mr. RANKIN. Mr. Speaker, will the gentleman yield further?

Mr. MICHENER. I yield.

Mr. RANKIN. As one Member who voted for the resolution when it passed the House, I wish to say to the gentleman from Michigan that I prefer the language of the Senate amendment.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield.

Mr. WALTER. Was not this language inserted in the Senate bill in order to avoid the possibility of anyone's pointing their finger at the present occupant of the White House?

Mr. MICHENER. That was the purpose, and it was stated in debate in the Senate that this was not an action in personam.

Mr. CAMP. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Georgia.

Mr. CAMP. I think I misunderstood the gentleman's statement a moment ago. Is it not possible—not speaking of the present occupant of the office—for some President to serve 10 years?

Mr. MICHENER. Yes; I thought I so stated. I thank the gentleman.

Mr. CAMP. I think the gentleman said eight. I just wanted it corrected.

Mr. MICHENER. If I did, I was wrong; two whole terms and not to exceed two additional years or 10 years.

Mr. CAMP. That is right.

Mr. MICHENER. It would be conceivable that a President might serve 10 years. That could happen. I believe when we legislate, we should always think of the possibilities and not the probabilities. The probabilities are that this amendment of the Senate would provide two terms of 4 years each for any one man, with the possibility just alluded to. The important thing is a definite limitation of terms.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. I am sorry, I did not hear all of the gentleman's discussion and he may have answered this. As I understand, under the proposed amendment, as far as the present incumbent of the Presidency is concerned, he will be entitled to be a candidate to the Presidency two full terms.

Mr. MICHENER. Yes.

Mr. JENKINS of Ohio. It would not apply in the future to any other Vice President who succeeds to the presidency.

Mr. MICHENER. In the future, my understanding is that but two terms of 4 years each are contemplated. This language in the Senate amendment is rather complicated but it is the considered conclusion of the Senate.

Mr. JENKINS of Ohio. Let us see about that now. The gentleman says 10 years. Suppose a President and Vice President are elected for 4 years, and the President should die within 1 year. If that Vice President would come in and serve 3 years as President, then would he be entitled to two terms after that?

Mr. MICHENER. No.

Mr. JENKINS of Ohio. Then why is a special exception made to this one incumbent, and if so, how then in the future could anybody be elected for more than two terms?

Mr. MICHENER. The first part of the amendment says:

No person shall be elected to the office of President more than twice—

And—

No person who has held the office of President or acted as President for more than 2 years of the term to which some other person was elected President shall be elected to the office of the President more than once.

Mr. JENKINS of Ohio. That is very clear then. What that means is this: If a man ascends to the Presidency from the Vice Presidency, and if he served more than 2 years, then he cannot qualify to be a candidate twice for the Presidency.

Mr. MICHENER. No; he cannot qualify twice.

Mr. JENKINS of Ohio. Well, let us take my case. Suppose a man is elected President and another is elected Vice President, and the President dies within a month, and the Vice President succeeds him. Now, that Vice President cannot be elected but once, because he served more than 2 years in that term.

Mr. MICHENER. That is correct, and that is the way it is intended to be.

Mr. JENKINS of Ohio. Here is what the amendment means then. Any man who succeeds to the office after the President has served 2 years, in other words, succeeds so that he will serve less than 2 years, can be a candidate twice, but if he ascends to the Presidency within 2 years after he has been made Vice President he cannot be a candidate for the Presidency but once.

Mr. MICHENER. I said in the beginning that I considered this language more complicated than the House language. If the gentleman will read the debates on this matter in the Senate he will see that there was a difference of opinion. The gentleman's interpretation is correct. Of course, this limitation of one term would apply to any other person, like the Secretary of State, who executed the office of President more than 2 years after the beginning of anyone else's 4-year term.

If the Senate amendment to House Joint Resolution 27 is concurred in at this time, that ends the consideration of the resolution by the Congress. Two-thirds of the House and the Senate having voted in favor of the resolution, it then goes to the legislatures of the several States for ratification or rejection.

Usually legislation passing the House and the Senate contains some elements of compromise. That is natural because the 531 Members of the Congress do not always think exactly alike, especially when details are involved. So it is in the case before us. More than two-thirds of each House is agreed that the people should be permitted to vote on limiting the term which a President of the United States may serve. There is difference among those two-thirds as to the length of that term. There is difference as to the best language to be used in a constitutional amendment. Those differences have not been composed in precise accordance with the views of any individual in the Congress. There is some language I would like to change. I could select a term of limitation more agreeable to me than that contained in the resolution. However, this is the composite view of the people's representatives in Congress, and I hope that my motion will prevail, that this Senate amendment will be agreed to, and that the State legislatures will be advised at once and permitted to pass on this important question in their respective current sessions.

Here today, we are only giving the people back home the right to say what they want. Three-fourths of the States must join two-thirds of the Congress in an affirmative vote before the Constitution can be admended. I believe the States will act speedily.

Mr. Speaker, I now yield 5 minutes to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, the present legislative situation or legislative status of this proposed amendment to the Constitution is such that naturally there is no opposition, as far as I know, certainly not on my part, to the motion made by the gentleman from Michigan [Mr. MICHENER].

However, I want the RECORD to show that because there is no opposition at this legislative stage that does not mean that Members, like myself, vigorously oppose the passage of this legislation to amend the Constitution; and we hope that when it goes to the several legislatures that they will give profound consideration, as I am sure they will, to the serious implications involved if this amendment becomes a part of the organic law of our country.

During the debate when this resolution was before the House I said that putting this into the Constitution will tie the hands of future generations of Americans; that what we are doing today is not legislating for ourselves from a constitutional angle, but acting in a manner that will be binding upon future generations of Americans after we are dead and gone. Some time in the future, if our country is engaged in a war and our back is to the wall, and a future generation has a President whose second term is drawing to an end, this very amendment could produce a condition that might place future generations of Americans in a strait-jacket and seriously imperil the continued existence of our country.

I recognize that men have honest views both ways on this matter. I respect the views of those who are advocates of a two-term restriction, but I am very deeply concerned about the operation of this amendment if it becomes a part of the Constitution. The chances are that I will not be here and nobody in this body will be here when that occasion arises in the future, if it should. We will all have taken the journey by that time, in all probability. I hope no future generation of Americans will be faced with the problem, but we cannot eliminate the possibility that war will visit our country again in the future after we are dead and gone; and if it does, and if there is a good President in office leading our people at that time, and his second term is drawing to a close, this very amendment will have a serious and adverse effect upon the people of America and upon the very institutions of government in which we believe.

I emphasize this for whatever value it may have to the members of the several legislatures when this amendment comes before them on the question of ratification. This is a question they cannot escape. It is a question no thinking legislator in this Congress can just brush aside by saying we are referring it to the legislatures. When it gets to the members of the legislatures, they have their responsibility to pass upon the question. I passed upon it when the matter was in the House before and I am passing upon it now. I am very much disturbed about

the inflexibility of this amendment in binding Americans of tomorrow and preventing them from exercising a flexible judgment in meeting an emergency or an acute situation that may confront them after you and I are dead and gone.

Mr. THOMASON. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Texas.

Mr. THOMASON. We hear a lot of talk these days about World War III, which we all hope and pray will never happen. Is it not a fact that if that sad day should ever come and some great man is President of this country, regardless of his political faith, and we are right in the middle of a terrible war where probably the result is in doubt, and three-fourths of the American States have adopted this amendment, we would be thrown into the throes of a great political contest and under no conditions could that man be reelected? That is the truth, is it not? I contend you can always trust the people and I am against this conference report.

Mr. McCORMACK. Undoubtedly. It is because of my disturbed state of mind, not in opposition to the action taken now, although I do not favor it, that I wanted the record to show that there was a voice raised at this stage of the legislative proceedings pointing out the danger that lies in the ultimate ratification of this amendment by three-fourths of the legislatures of the Union.

Mr. MICHENER. Mr. Speaker, I am sure the gentleman from Massachusetts [Mr. McCORMACK] is very sincere and conscientious, as he always is, and he has made his usual good argument. He made this same argument when this resolution was considered by the House before it was voted on. The House passed this resolution by a vote of 285 for, and only 121 against. That resolution limited a President to not more than 8 years, or two terms, under any circumstances. There was a possibility that a Vice President might serve only one term of 4 years and a minor fraction of a second term.

The gentleman is quite right that all this resolution does is submit this question to the people, to the States, for their determination. The passage of this resolution is not binding until three-fourths of the States have affirmatively said that that is what they want. I have always felt that the people can be trusted when they are advised. The people back home know whether they want to limit the term of a President. They can and will vote intelligently, because the proposal has been debated for years.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield.

Mr. McCORMACK. I would like to make the observation at this time that the debate on this amendment in both bodies was of a very high character, and confining myself to commenting on the action in the House, the debate by Members on both sides of the aisle was on such a very high level I believe all of us can feel proud of it.

Mr. MICHENER. Yes; the manner of approach has been in the right spirit. I was especially impressed with what the gentleman said when he took the floor a moment ago and expressed his views, but made it clear to the House that the majority of the House and the other body having acted, he was not in opposition to the action contemplated by my motion.

Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, I am taking this time because I do not want the impression to go out that Members on our side of the House do not want the legislatures of the various States to ratify this amendment.

Remember, this amendment would not prevent President Truman from succeeding himself in 1948 and 1952.

The gentleman from Massachusetts [Mr. McCORMACK] talks about a contingency that may arise generations from now. My answer is that the Constitution can be amended at any time.

Talk about limitations on future generations—why, some of the greatest blessings we have ever enjoyed are found in the strict limitations placed in the Constitution by the founding fathers.

Talk about a condition arising in time of war? That has happened twice. During the War Between the States you had a Presidential election in 1864, right in the heat of the conflict.

They talk about a President passing away or leaving office in time of war. We had that happen in this war. Has it occurred to you that we changed Presidents before the war closed with either Germany or Japan?

Remember, it was Harry Truman who ordered the use of the atomic bomb that really ended the war with Japan.

Mr. Speaker, there is only one change I would like to see made. I am sorry the Senate did not provide that a man who had succeeded to the Presidency from the Vice Presidency would be eligible to two successive terms. But they did not see fit to do that, and we must vote for or against this amendment. However, they did so provide as to the present occupant of the White House.

In my opinion, the overwhelming majority of the legislatures of the various States will approve this amendment.

I call attention again to the fact that in 1861, when we knew we were going into a war and when our President of the Confederacy had already been selected, the Constitutional Convention of the Confederate States—which was composed of the best minds in the whole country—put a limitation of 6 years in their Constitution. No President, no matter how long the war might have lasted, could have served more than 6 years. Mr. Davis himself agreed to that limitation.

A great many Members wanted to put that limitation in this amendment. I thought it was best to limit it to two 4-year terms. But I do think the Senate acted wisely in providing that this limitation shall not prevent the present incumbent from succeeding himself in 1948 and in 1952; and also providing that any future President who has not served more than 2 years of a term to which he has succeeded may be a candidate for reelection at the two succeeding elections. I am sorry they did not leave it, as I said, so that a man who has succeeded to the Presidency would be eligible to two successive terms.

But, taking it all in all, I think this amendment should be adopted, and I believe it will be approved by an overwhelming majority of the legislatures of the various States.

As for this matter of putting the people of the future in a strait-jacket, it does not do that; because, as I said, they have a right to change the Constitution at any time.

Mr. FOLGER. Mr. Speaker, I was and am opposed to the bill to amend the Constitution so as to limit terms of President to two terms. I think the amendment made by the other body improves the original bill somewhat; this does not, however, change my attitude in opposition to the measure.

This subject was fully discussed by the framers of our Constitution, and in their combined judgment it was deemed unwise to limit the terms of a President to two. Situations and conditions can arise that would make it undesirable and contrary to the wishes of our people that such a limitation become a part of the organic law of the Nation. Recent occurrences confirm, in my mind, the danger of such a limitation. After all, it is a matter for the people and should remain so. One, to be elected one time or two times or three, must receive the nomination, and he must receive a majority of the votes of the people. To impress this two-term limitation or prohibition would deny the right or privilege of the people to have established their wishes and judgment that might be exercised in a case of emergency.

There is not even a fanciful danger that a third or fourth term will occur except under extreme circumstances. By the passage of this bill or resolution we do not escape our responsibility by saying that the matter is left to the States for their determination. The very passage of the bill or resolution is more than the granting of a privilege that the States vote on the question, but it is essentially an invitation to the States to do so. It would not be imagined that the Congress would adopt a resolution of this character unless it were the desire of Congress that it be accepted. What we do is to substantially place our approval upon this constitutional inhibition.

We, no doubt, will not again find it necessary to elect one to a third term or a fourth. What we propose to do is to deny to our posterity the privilege to protect themselves, if they will, from an apparent or certain hazard, which would occur through the removal of one the people desire to be President at a time that, in their opinion, might well result in a great danger to the Nation.

I just desire that any, in posterity, who may have occasion to wonder what my position is on this important subject may find it in the RECORD: That I am opposed to this legislation.

Mr. SPRINGER. Mr. Speaker, House Joint Resolution 27, which relates to the Presidential tenure in office, came before Subcommittee No. 4 of the Judiciary

Committee, of which I am the chairman, and we gave this matter very careful consideration, which resulted in the reporting of the resolution which was then considered by the full Judiciary Committee, reported favorably, and which was then presented to the House and passed by the House by a rather large majority over the required two-thirds vote. This measure then went to the other body, and certain amendments have been adopted written into this resolution. While I far prefer the measure which was adopted by the House, and I prefer the language which was contained therein to that which is now contained in the amendment adopted by the other body, but in order to finally determine this subject and to fix a definite policy relating to the tenure of the office of our President, I am willing to yield to the amendments. This policy, if finally adopted, will be very helpful to both the people and any person aspiring to become President of this great Nation, I am confident.

Mr. Speaker, all of the Members are aware that the import of the pending resolution is that it merely seeks the authority to submit this question to the various State legislatures, and if three-fourths of the States, by and through their State legislatures, approve this policy of fixing the tenure of the office of our Chief Executive, then this joint resolution will become effective. Otherwise, it will have no force and effect. All will note that the additional amendment is incorporated in this resolution, by amendment adopted in the other body, that the provisions of the pending joint resolution does not apply to the present incumbent of the office of President.

The mere authority being granted in this joint resolution for the people, by and through their State legislatures, to pass upon the provisions contained therein is certainly a sound and constructive policy. I, as one Member, desire that the people have the full right and power, through their State legislatures, to determine this policy. All those who oppose this joint resolution, when the final vote is taken, will be in effect saying that they do not desire that the people, through the recognized processes of submitting this important subject to their State legislatures, have any voice in determining this question. What we need in this country is a little closer contact with the people, and to permit the people to participate in the functions of government, and the policies of government. This is one instance wherein the people should have the opportunity of expressing their views upon the policy of fixing the tenure of the office of President. Many of our Presidents have expressed their views upon this subject. Their expressed opinions should be carefully considered. The debates in the Constitutional Convention, upon this very question, lend much support to the fair and reasonable limitation fixed by the pending joint resolution.

Mr. Speaker, it is my hope that the House will accept the amendments adopted in the Senate, thereby finally concluding this measure insofar as this legislative body is concerned. It is also my fervent hope that every State legislature will give this joint resolution very careful consideration, and, after consulting with the people generally, take such action thereon as is just and proper. The reasons mentioned today of fear for our future if this joint resolution is passed are, I am constrained to believe, groundless. In the last war, before it ended, we changed Presidents. In the Civil War, a kindred situation developed. It is unthinkable for us to believe that there are no craftsmen who are able to take the place of any man in any office or position. The people recognize that there are many—yes, many—who are able to assume the work of any person, in any position, at any time. I, therefore, hope this question may be concluded today by the acceptance of the amendments, and that this question may be submitted to the State legislatures for approval or rejection, as they may determine.

Mr. SABATH. Mr. Speaker, the splendid argument made by the gentleman from Massachusetts [Mr. McCORMACK] was most convincing and this legislation, I fear, may come to plague us if the legislatures of two-thirds of the States should approve, which I hope they will not. It has been stated that while favorable action has been taken by Congress it does not mean that the various State legislatures would follow the action of Congress. However, I venture to say that in many of the States it will be felt that in view that Congress has acted that the legislatures should not deny favorable action on the amendment. Personally I would have preferred that instead of leaving the matter to the legislatures that we would have provided for conventions so that the real viewpoint of the people of the respective States would control.

I cannot quite understand why the majority feel the need of changing the Constitution which has stood us so well for 160 years. It is my opinion that only an extraordinary man, one of great ability, and one who had the interest of the country at heart, could be urged to run and be reelected to a third and fourth Presidential term, as was President Franklin D. Roosevelt. It is certain that a weak man who did not enjoy the confidence of the people could not be reelected to a third or fourth term. Consequently, I voted against the original bill and shall vote against the adoption of the conference report.

Mr. MICHENER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The question was taken; and on a division (demanded by Mr. THOMASON) there were—ayes 81, noes 29.

Mr. FORAND. Mr. Speaker, I object to the vote on the ground a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count.

Mr. FORAND. Mr. Speaker, I withdraw the point of order.

So (two-thirds having voted in favor thereof) the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that all Members who so desire may be permitted to extend their own remarks in the RECORD preceding the vote on the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

DEPARTMENT OF LABOR AND THE FEDERAL SECURITY AGENCY APPROPRIATION BILL, 1948

Mr. KEEFE, from the Committee on Appropriations, reported the bill (H. R. 2700, Rept. No. 178) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1948, and for other purposes, which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the State of the Union and ordered printed.

Mr. RAYBURN reserved all points of order on the bill.

CONTROL AND ERADICATION OF FOOT-AND-MOUTH DISEASE AND RINDERPEST

Mr. TABER. Mr. Speaker, I call up House Joint Resolution 154, making appropriations for expenses incident to the control and eradication of the foot-and-mouth disease and rinderpest, and ask unanimous consent that the same be considered in the House as in Committee of the Whole.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. TABER]?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for expenses necessary to enable the Secretary of Agriculture to control and eradicate foot-and-mouth disease and rinderpest as authorized by the act of February 28, 1947 (Public Law 8), and the act of May 29, 1884, as amended by the act of September 21, 1944 (21 U. S. C. 114a), fiscal year 1947, $9,000,000, to be available for the purposes of carrying out the provisions of said Public Law 8 until June 30, 1948.

Mr. TABER. Mr. Speaker, there is a foot-and-mouth disease outbreak amongst cattle in Mexico, and it is spreading very rapidly. The Mexican Government has agreed to put in about $9,350,000. We have been authorized to move into the picture by the Gillie bill, Public Law No. 8, which was passed a short time ago. The Department of Agriculture is ready to step in. At the present time Mexico has 25,000 troops keeping a quarantine on these cattle.

These foot-and-mouth disease outbreaks are very expensive and are very difficult to handle. Unless we move in rapidly, it is going to be disastrous to our entire livestock industry all over the North American Continent.

What bothers me about it is that the program of the Department of Agriculture is so slow. They propose only to

kill 2,000 animals a day, whereas I believe they should equip themselves to take care of 20,000 and get it cleaned up immediately before it spreads any farther.

I do not feel that the Appropriations Committee on the House of Representatives should take a chance on having any responsibility placed on their shoulders for failure to meet this situation.

Mr. THOMASON. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Texas.

Mr. THOMASON. Coming as I do from the Mexican border and being more or less familiar with the seriousness of the situation in Mexico, I would like to commend the distinguished chairman of the Committee on Appropriations for this prompt action. The situation is not only serious. It is very alarming. I think perhaps they are beginning to make some headway to get it under control. Time is of the essence, and I urge prompt and effective action to stamp out this dread disease.

Mr. TABER. The Department of Agriculture is moving too slow.

Mr. THOMASON. Yes; I agree with that. I hope this will be the means of speeding it up. I agree in what the gentleman said about the slowness of the program but I think that was largely because they have not had enough money to proceed with the full program.

Mr. TABER. They did not ask for the money until yesterday, and we are giving our approval today.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. CASE of South Dakota. I simply wish to make the point that the committee acted immediately after the Department brought the request for the funds and reported the bill out on the very next day.

Mr. THOMASON. We from the cattle country are very happy at the promptness with which the committee acted. I hope the Department of Agriculture will follow your fine example.

Mr. PHILLIPS of California. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. PHILLIPS of California. The legislative act requires 30-day reports from the Secretary of Agriculture. I am merely suggesting that the Members, especially the committee and those from the cattle areas, should interest themselves personally in those reports to see that action comes from the Secretary on this foot-and-mouth-disease problem.

Mr. TABER. Mr. Speaker, I yield such time as he may require to the gentleman from Indiana [Mr. GILLIE].

Mr. GILLIE. Mr. Speaker, House Joint Resolution 154 provides for an appropriation of $9,000,000 for use in carrying out the joint United States-Mexican program for exterminating foot-and-mouth disease in the Republic of Mexico through June 30, 1947.

Inasmuch as both the House and Senate unanimously approved American participation in this important program less than a month ago, there should be no opposition to the appropriation of this comparatively modest sum.

I am pleased to report that rapid progress in formulating an effective campaign against foot-and-mouth disease in Mexico has been made in recent weeks by officials of the two governments.

Meeting in Washington, officials representing Mexican agriculture and the United States Department of Agriculture have made a careful estimate of expenses incurred by the Mexican Government since the outbreak of foot-and-mouth disease in Mexico, and probable expenses through June 30, 1947, of both Governments in order to carry out an effective campaign.

It was my pleasure to meet with these officials last week and have them as my guests at the Capitol. Many of you met them at that time. They included the Honorable Oscar Flores, Mexican Under Secretary of Animal Industry; Ignacio de la Torre, representing the Ministry of Agriculture and Animal Industry of Mexico, and Adolfo Alarcon, Agricultural Attaché of the Mexican Embassy.

Representing the American Government in conference with these gentlemen were W. V. Lambert, Administrator of the Agricultural Research Administration; Dr. B. T. Simms, Chief of the Bureau of Animal Industry; and John A. Hopkins, of the Office of Foreign Agricultural Relations.

The following findings and recommendations resulted from these conferences:

Whereas Mexico is incurring expenses for services, personnel, equipment, and supplies which are estimated to amount to $7,600,000 up to June 30, and will be responsible for indemnities to be paid for slaughter of hogs, goats, and sheep, which will amount to a sum of approximately $1,750,000, making a total Mexican contribution of $9,350,000 for this period.

It is recommended: 1. That the United States contribution for this period should consist of expenses for equipment, supplies, personnel, and so forth, amounting to approximately $1,500,000, plus indemnities of $7,500,000 for cattle slaughtered, making a total of $9,000,000.

2. That any salvage recovered by Mexico from animals slaughtered during the campaign should be used in the joint campaign in addition to the services already rendered by Mexico, and, with regard to the continuation of the joint program for the eradication of foot-and-mouth disease in Mexico after July 1, 1947.

Whereas Mexico hopes to continue its expenditures at approximately the same rate as during the months April–June 1947, but foresees that it will not be able to increase this rate of expenditure,

It is further recommended: 1. That, if a fully effective program of eradication is to be carried on during the succeeding 12 months, the United States Government be prepared to increase its rate of expenditures, the amount of such increase to be dependent on the total expenditures necessary for the period from July 1, 1947, to June 30, 1948.

Mr. TABER. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, the two appalling features of this disease are first, its incurability, and second, the alarming rapidity with which it is disseminated.

The only remedy is extermination. All infected animals, or animals exposed to infection, must be slaughtered promptly and either incinerated or buried at least 7 feet deep and beyond all possibility of disinterment.

It spreads with such rapidity, carried by men, dogs, and birds, that if allowed to take its course, it would within a short time eliminate the livestock industry. It first appeared in Mexico in December and although quarantined and opposed by every resource of the Mexican Government, it is now distributed through 10 Mexican States and already has traveled a distance of 250 miles.

The disease is not restricted to cattle but affects all cloven-footen animals, including goats, deer, sheep, and hogs. Its impact upon the livestock of the country is as deadly as an outbreak of smallpox among primitive nomadic tribes in the last century, and unless controlled would eventually wipe out a large part of the animal life of North America.

Some scientists have advanced the idea that the possibility of the incidence of some such disease may explain the mysterious disappearance of prehistoric animals, such as the dinosaur, the largest animal of all time, which roamed through the length and breadth of North America in countless numbers during the Cretaceous period and then became extinct although there was no form of animal life on the globe at the time which could have brought about its extinction.

Although the Mexican Government has deployed an army of 25,000 men about the infected area and is making every effort to restrict and exterminate it, the problem is of such serious proportions, and the disease is advancing so rapidly toward our own borders that it is necessary for us to cooperate at once. Frankly, the $9,000,000 carried in the pending bill will not be sufficient to see us through. But it is all that can be utilized at this time and will carry on the work until further funds can be provided.

The report accompanying the resolution is somewhat misleading in that it may serve to give the impression that the Department of Agriculture has not moved with sufficient celerity and is not attacking the problem with sufficient emphasis.

Quite the contrary is true. The news of the outbreak, with the suggestion that the contagion might be the dreaded foot-and-mouth disease, reached the Department one afternoon. Early the next morning a plane was dispatched with American scientists to the scene of the outbreak. The telegram announcing that the diagnosis was unmistakable was received at the Department at 5 o'clock p. m. and at 5:30 o'clock telegrams were dispatched alerting all stations and closing the Mexican border to importations of susceptible animals and taking every other step warranted by the situation.

The delay intervening between that time and this was due to the necessity of the Mexican authorities completing their plans and securing authorization for negotiations. The representatives of the Mexican Government with final authority to act reached Washington Saturday and the American Department of Agriculture promptly concluded arrangements and forwarded a budget estimate through regular channels to the

House on Monday. In the meantime materials had been located, contracts prepared and every action taken that could be taken in advance of concordance with the Mexican Government and appropriation by the Congress.

I congratulate the Department and those in charge of this work for the aggressive and efficient way in which they have met the situation. It could not have been more ably or more expeditiously handled.

It has been suggested that the rate of slaughter of 2,000 head of cattle a day is too low and indicates either lack of appreciation of the situation or failure to meet it with all available resources. On the contrary, the processing and slaughter of 2,000 head per day is the limit of physical capacity—especially in the early days of the campaign. The process of acquisition, indemnification, and eradication, with all the attending difficulties of salvage of exposed but uninfected animals over so wide and broken a terrain presents obstacles insurmountable at a greater rate of speed, while the cooperation of owners, processors, and officials is being enlisted and a routine established.

As a matter of fact the Committee on Appropriations has acted only and solely on the advice and suggestion of the Department. The amount of the $9,000,000 appropriation itself was determined by the Department and not by the committee, which merely approved it.

But time is short and the committee is to be commended for the promptness with which it has cooperated. I trust the House will likewise cooperate with a unanimous vote on the resolution.

The SPEAKER. The question is on the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. ROBSION asked and was given permission to extend his remarks in the RECORD and include therein a letter from Mr. Ernest T. Weir, president of the Weirton Steel Co., Pittsburgh, Pa.

DISTRIBUTION AND PRICING OF SUGAR

Mr. KUNKEL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 146, to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 146, relating to the distribution and pricing of sugar, with Mr. COLE of New York in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. WOLCOTT. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I think that the purposes of House Joint Resolution 146, which is before us for consideration, quite generally meet the approval of the House. The Committee on Banking and Currency held rather extensive hearings and debated it quite at length, and it was reported out of the committee unanimously with the reservation, as is usual, that the committee members might take any position they cared to on the floor with respect to amendments or the final disposition of the resolution.

The resolution, in substance, provides for the continuance of the sugar rationing and the pricing of sugar until October 31, 1947, with the provision that the Secretary of Agriculture is granted the authority to continue inventory controls between October 31, 1947 and March 31, 1948, when, under the provisions of the resolution, all controls over the rationing of sugar shall expire.

It will be recalled that the authority to ration sugar is contained in the Second War Powers Act which, unless it is extended by the Congress, expires on March 31, 1947, and the power to control prices of sugar is found in the Emergency Price Control and Stabilization Acts. That authority, unless the Congress moves to continue it, expires on June 30, 1947.

In this bill we seek to dispose of both of the questions of rationing and of pricing, and the controls in this resolution are set up separately and independently of any other powers and machinery provided for in the Second War Powers Act and the Emergency Price Control and Rationing Acts. It is contemplated that the Office of Price Administration shall be discontinued as such on or before June 30, 1947. The powers to ration sugar and control the price of sugar is continued under the provisions of this resolution under the jurisdiction and control of the Secretary of Agriculture. Provision is made for the transfer of appropriations and personnel, but the policy making will henceforth be in the Department of Agriculture.

Now, the need for the legislation is quite generally accepted and I think quite apparent. I think you get a great deal of detailed information from the report of the committee.

Mr. TALLE. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Iowa.

Mr. TALLE. An important correction should be made in the report on page 10. The reason for the correction is a typographical error. I should like to read the last sentence of the conclusion as it should appear in the report:

> It feels that with the increased sugar available during 1947, over 1946, for industrial users that the reasonable needs of new users and the reasonable relief of hardship cases including provision of sugar to prevent the wastage of milk—
>
> Not mill—
>
> and other food products, must be provided for by the Secretary of Agriculture.

It was the will of the committee that this direction should be given to the Secretary of Agriculture in order that the wastage of milk, which has already occurred and which would increase in the future, might be stopped.

The preservation of food is certainly very important. I call the attention of my colleagues to page 162 of the hearings, where Mr. Holman, Secretary of the National Cooperative Milk Producers Federation, summarized the situation and expressed his deep interest in this matter.

Said Mr. Holman:

> Large amounts of skim milk will go to waste or be lost for human consumption unless sugar is made available to process it. The Government agencies have indicated that they will not make the necessary sugar available unless they are compelled to do so by Congress.

The committee, therefore, agreed to make the intent of the resolution now before us clear by putting into the report the language which I have read in its correct form.

I shall not take any further time. I believe my very able and distinguished chairman will support me in what I have said.

Mr. WOLCOTT. The gentleman is absolutely correct. It is a typographical error, where the word "mill" appears in the line quoted by the gentleman from Iowa. It should be "milk."

I may say that the intent of the committee in that respect is further set forth in the language on page 12 of the report, which reads as follows:

> It is the intention of the committee that the Secretary of Agriculture, in carrying out this provision—
>
> As respects new users, users who did not have a base period, and hardship cases—
>
> shall make just and reasonable provision for meeting the need for sugar in hardship cases (including cases where sugar is needed to avoid wastage of milk or other food products) and for the needs of new sugar users, and the needs of those who have no base-period history. It is provided that the Secretary shall act without regard to other law, because it is believed that he should not be bound by the provisions of title II of the War Mobilization and Reconversion Act of 1944.

That was put in because of the Moberly against Anderson & Fleming case, with which you are all familiar.

Mr. ALLEN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Illinois.

Mr. ALLEN of Illinois. Getting back to the hardship cases, I know definitely that in the past the Department has discriminated against people where there is a change or transfer of ownership. I know of one case where there were two competitors. One of them sold his business to an individual, and that new individual was denied the same rights as his competitor because there was this transfer in ownership. I wonder if the gentleman would be so kind as to tell the House whether it is not the intent of this bill that there shall be no discrimination where there is a transfer in ownership, providing the person who purchases it continues the same line of business and the same use of sugar.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. WOLCOTT. Mr. Chairman, I yield myself five additional minutes.

In answer to the gentleman I may say that there should be no question in re-

spect to those cases where the purchaser of the property is a veteran. It has always been customary for them to take care of the veterans in that particular.

Mr. ALLEN of Illinois. I mean irrespective of veterans. I am talking of someone who is not a veteran.

Mr. WOLCOTT. I have a letter here on that subject from Mr. Irvin L. Rice, Acting Deputy Commissioner for Sugar, Sugar Department, Office of Temporary Controls, and I shall include this as part of my remarks. It is as follows:

OFFICE OF TEMPORARY CONTROLS,
Washington, D. C.

The Honorable JESSE P. WOLCOTT,
Chairman, House Banking and Currency Committee, Washington, D. C.

DEAR MR. WOLCOTT: You have requested further information as to the right of a purchaser of a going sugar-using business to receive the sugar allotment of that business under the sugar-rationing programs in line with testimony given before your committee last week by Mr. George Dice. Since Mr. Dice is no longer with this office, I have undertaken to supply the information you request.

Section 18.3 of Third Revised Ration Order 3 is the section which governs the transfer of sugar bases and allotments when the transferor disposes of all or part of his sugar-using operations. A transfer to the purchaser of a proportionate part or all of the sugar base of the business will be made if both transferor and transferee notify the appropriate sugar branch office of the sale of the business, and if the transferee will continue to serve the same area, and the same class of customers, with the same class of products as were formerly produced by the transferor. These requirements are, of course, designed to permit the normal consumer of the products of the business the opportunity to continue to receive them.

The transferee need not continue to use the same premises and facilities for his operation as were formerly used by the transferor. From our standpoint all that is necessary to be transferred are the assets of the particular establishment which go to the make-up of that establishment as a going concern. These assets include, of course, the good will, lists of customers or routes, and things of a like nature which are essential to the continued operation of the business by the transferee.

I should like to point out that, in the case of veterans' sugar bases assigned under Revised General Ration Order 18, the rule is somewhat different. In such cases, the transfer of the sugar base is permissible within a year after the establishment has begun to operate only if the transferee is himself a qualified veteran or if he acquires the business by inheritance on the death of the veteran owner of the establishment. However, after the establishment has been in operation for more than a year it may be transferred to any person under the provisions of Third Revised Ration Order 3 mentioned above. The purpose of this 1-year limitation upon transferability of veterans' sugar bases is to prevent the fraudulent use of veterans by established users or otherwise ineligible persons as mere devices for obtaining sugar bases or additions to their established bases.

I trust this supplies the information you desire. If I can be of further assistance, do not hesitate to call upon me.

Sincerely yours,

IRVIN L. RICE,
Acting Deputy Commissioner for Sugar Department.

In accordance with this letter, the purchaser of the business is subrogated to all the rights of the person from whom the business was purchased had, if he carries on the same business. If he indulges in new practices, if he expands the business and goes into the manufacture or processing of new products, then he becomes a new user and would be considered under the other provisions of the law; but if he carries on the same business, producing the same article, he gets all the rights the person from whom he bought had.

Mr. ALLEN of Illinois. I thank the gentleman.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Illinois.

Mr. OWENS. I was listening very carefully but I still cannot understand clearly what the gentleman means by new users. I looked at the report and also the hearings, and I have not been able up to this time to inform myself clearly as to what is meant by new users.

Mr. WOLCOTT. It does not make very much difference. If they are not classified as new users, then they are probably being taken care of at the present time, and if they are classified as new users, whether by reason of expansion of existing business or by having just gone into business, then it is our intention that the Secretary of Agriculture shall make provision for such users consistent with the over-all program. But our intent very clearly is that the Secretary of Agriculture shall make available some sugar for new users. We have deplored the fact that there is a possibility under the practice which has heretofore been indulged in of freezing such an important segment of our economy as to put the Congress in the position where by legislation it not only condones but almost participates in violations of the spirit, at least, of the Sherman Antitrust Act. We wish to avoid this in the pending legislation.

Mr. OWENS. But I do not think the point is made clear enough with reference to those who have struggled through the years regarding sugar as to whether or not it is going to affect them. I agree with the gentleman but I do not believe it is made clear enough.

Mr. WOLCOTT. I think it might affect them somewhat. It will affect them this way. An existing business anticipates an expansion predicated upon an increase in availability of sugar which will give it an increase in its allotment. If we make provisions for new users, that must, of course, come out of any increases which the old users would otherwise get.

Mr. OWENS. I do not see how you can justify continuing the rationing of sugar in that way and permit new users who come into the market to get an increase in sugar.

Mr. WOLCOTT. Would you be against the rationing of sugar to new users?

Mr. OWENS. No, but all I am saying is that it is not explained sufficiently.

Mr. WOLCOTT. May I say that the only alternative would be to set aside a certain percentage of sugar to new users. It is difficult to determine what percentage should be granted to new users or left to the old users. You have to leave the administration of this law to someone. You cannot legislate common sense into the administration of any law. But if common sense is not used in the administration of a law, then, of course, the Congress is always here to check against it and to make provisions to correct any abuses. All of the extension bills for OPA which we have ever had before the Congress have been predicated upon faulty administration, at least, by the Office of Price Administration. It is hoped by transferring the administration of this law to the Secretary of Agriculture the whole economy will get somewhat more sympathetic consideration.

Mr. OWENS. I agree with the gentleman, but I still feel that it is giving dictatorial powers to one man without clearly defining them.

Mr. TALLE. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. TALLE. Supplementing what my chairman has said about transfers of titles to plants and whether a sugar quota passes with the title to the buyer, I may say that I interrogated Mr. Dice on that very matter, and the colloquy may be found on pages 112 and 113 of the printed hearings pertaining to the pending resolution.

Mr. WOLCOTT. May I go on and put these figures in the RECORD justifying this continuance and state very briefly what we may expect the picture to be this year.

I think the sugar situation is getting very, very much better. In 1945, we had available to the United States for all purposes 5,085,908 short tons. In 1946, we had available 5,479,529 short tons, and it is estimated in 1947 we shall have available 6,800,000 short tons. These figures are in terms of raw sugar values. That is quite an increase, and there is a possibility of our getting even more sugar if the Cuban sugar crop comes up to latest expectations. So, I think we can be assured that by the latter part of this year the supply is reasonably going to approach demands.

We are assured that there is going to be almost enough to give the American people on a per capita basis within 10 pounds per annum of normal consumption. The normal consumption by the people of the United States is about 103 pounds raw value. We are assured that this year the American people on a per capita basis will get about 93 pounds raw value. One pound of refined sugar equals 1.07 pounds raw value.

So we are approaching that period, if we use judgment, when it will be perfectly safe without injury to the housewife and without injury to the commercial or industrial user, to take controls off altogether.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. DONDERO. This bill keeps the Government controls until October 31 of this year. Are the people of the United States to understand that at that time Government controls will cease?

Mr. WOLCOTT. That is the recommendation of the committee, excepting that inventory controls may be continued until March 31, 1948.

Mr. DONDERO. Will the gentleman explain what he means by "inventory controls?"

Mr. WOLCOTT. I cannot. It would seem to me that something has to be done with it. I am so far protecting the committee bill. The committee in its judgment accepted that. I would have preferred to handle it otherwise. I am just a little fearful that unless we do something with that language, it will be assumed that we have continued the power of the Secretary of Agriculture to continue sugar rationing until March 31, because we do not say that only commercial inventories shall be continued. We say "inventories." Of course, that might include sugar which the housewives may have in the sugar bowls. I will later offer an amendment to clarify our intentions.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. WOLCOTT] has again expired.

Mr. WOLCOTT. Mr. Chairman, I yield myself one additional minute.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. HILL. Mr. Chairman, where an old-established firm, using a certain amount of sugar, buys another firm that is run down at the heel, and they wish to build up this company, not in its own city or even in its own State, and he comes down to Washington and asks assistance in getting a sugar allotment to take care of that business, is he going to receive the same kind of treatment after this bill is passed that he is receiving now from this group which you just got through saying we could not legislate any common sense in? I do not think they have any kind of sense—common or uncommon.

Mr. WOLCOTT. It is the hope of the committee that the administration of this law from this time on will be more sympathetic. But the answer to the problem is not to take off controls, because if you take off controls you would have the commercial bidding successfully in the open market, either with or without price control, for supplies with which to build up inventories. What I think we have to be very careful about here is that feature. I think we should generally have this in mind throughout these discussions, that what the committee has attempted to do and what the Congress should try to do is to prevent the creation of a situation where, by competition in the open market, the housewife will be prejudiced to the point where she will not be able to get any sugar.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. SPENCE. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this was a unanimous report of the committee. That does not mean there were not some sharp differences of opinion as to what the bill should contain. Controls were the result of the war. I have heard some gentlemen speak of the controls as totalitarian, and they seem to draw no distinction between controls which a dictator places upon his people to enslave them and controls which a freely elected Congress places upon those who freely elected them, for their own good.

Controls during the great emergency of the war were absolutely essential to preserve the economy of our Nation. The taking off of those controls is liable to produce an issue as explosive as putting them on. This is no time to make controls a whipping boy, because if you do the result may be disastrous to those who take that action.

Nobody wants controls. I think all reasonable people want free enterprise and the competitive system. I would like to go back tomorrow to the conditions that prevailed long before that great emergency which the Democratic Party inherited years ago, and long before the war; but conditions make it imperative that we continue these controls. You all know the hazards of agriculture. Nobody can tell what the sugar crop will be this year. There was a wide diversity of opinion before the committee as to what sugar would be produced this year. There is a shortage of sugar. Sugar is the most generally demanded product in the world. There is a world demand. The alternative that presented itself to the committee under this bill was whether rationing would cease on the 31st day of March and price control would cease on the 30th of June. If no legislation is enacted, all controls would go off on the 30th of June of this year.

The bill as originally introduced provided that price control should cease on October 31, but the Secretary of Agriculture afterwards felt it was necessary and in the public interest to continue those controls until the 31st of March of next year. I thought that was a wise provision, for when controls go off under this bill Congress will not be in session. The controls will cease on the 31st of October.

I do not believe either the consumer or the producer wants a disorganized market. I do not believe either would profit by a runaway price of sugar. The producer, of course, might benefit for a short time, but in the long run it would be disastrous to both the producer and the consumer. I think there ought to be discretion somewhere when the date arrives on which these controls are removed to say whether or not it is advisble to remove them on that date. I am for the bill, of course, as compared with the present legislation. I believe the Secretary of Agriculture is the proper person in whom to lodge this discretion.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. I yield.

Mr. JENKINS of Ohio. As I understand, then, the bill does two things: First, it does away with OPA control over sugar.

Mr. SPENCE. Yes.

Mr. JENKINS of Ohio. And it reposes all controls in the Secretary of Agriculture until the 31st of October.

Mr. SPENCE. And transfers to the Secretary of Agriculture all existing machinery and available funds.

Mr. JENKINS of Ohio. Until the 31st of October.

Mr. SPENCE. Until the 31st of October.

Mr. JENKINS of Ohio. Is there any other provision of law under which the Secretary of Agriculture would have control after the 31st of October?

Mr. SPENCE. None that I know of.

Mr. JENKINS of Ohio. No rationing, no price control?

Mr. SPENCE. None that I know of except the control of inventories until the 31st of March. What inventory control means and how far that goes I do not know. I do not think it means ordinary price control or rationing.

Mr. JENKINS of Ohio. It would probably operate something like a floor-tax control. Anyhow, he has that discretion after the 31st of October?

Mr. SPENCE. Yes; after the 31st of October, but the control over rationing and price ceases abruptly.

Mr. JENKINS of Ohio. Would the gentleman construe inventory control to go so far as to inventory the sugar in the hands of the consumer, for instance, the housewife?

Mr. SPENCE. No; I do not think so.

Mr. JENKINS of Ohio. Would it go so far as to require inventory controls of sugar in the hands of little independent grocers or some small retailer?

Mr. SPENCE. I have no definition of inventory control, but I think it would be probably applied to large holders of sugar. I do not believe the Government will go into every kitchen to see what the housewife has on her shelves. I do not believe there is anything like that in contemplation.

Mr. JENKINS of Ohio. Would the gentleman construe it to mean that it covers the large industrial users of sugar and the wholesalers?

Mr. SPENCE. It seems to me it will be limited. I cannot believe the Secretary of Agriculture would want to go into the kitchen of the housewife to see how much she has on hand.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield further?

Mr. SPENCE. Certainly.

Mr. JENKINS of Ohio. See if this expresses it correctly: As I understand sugar was the first commodity put under the control of OPA and it is the last one to be taken out from under control, and with the coming of October 31 all rationing of all commodities will go?

Mr. SPENCE. Yes. It was placed under control of OPA because of necessity and because of the shortage of supply. It is still controlled because of shortage of supply. The only hope is that the supply will equal the demand, for if it does not we will see a spiral rise in the price of sugar that will cost the housewife millions and millions of dollars.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. I yield.

Mr. BONNER. What is the purpose of inventory control if rationing and price controls go off? What is the advantage of it?

Mr. SPENCE. I suppose inventory control after rationing and price controls are removed would tend to prevent hoarding. Some people might hoard sugar for the purpose of selling it afterwards at a profit.

Mr. BONNER. Suppose that takes place. Then what can the Secretary of Agriculture do about it under this bill?

Mr. SPENCE. I do not know what he is going to do about it.

Mr. BONNER. That is why I am asking the question, What is the advantage of this inventory control?

Mr. SPENCE. It will tend to prevent hoarding of sugar.

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. SPENCE. Mr. Chairman, I yield myself 2 additional minutes.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. I yield to the gentleman from New York.

Mr. EDWIN ARTHUR HALL. I would like to ask the gentleman if this bill outlines any specific policy and directs the Secretary of Agriculture to do any specific thing as far as limiting the amount of rationing is concerned?

Mr. SPENCE. No; that is left to the discretion of the Secretary of Agriculture under general powers. He has additional power that he did not have before to render decisions in hardship cases, which I think is a very wise plan.

Mr. EDWIN ARTHUR HALL. Is it the opinion of the gentleman that the passage of this bill will keep the housewife in enough sugar, that is, as far as the policy goes, to continue her through October 31?

Mr. SPENCE. There will be no change in the administration until that time except that it is transferred to the Secretary of Agriculture.

Mr. EDWIN ARTHUR HALL. The point I am trying to make is this: As I understand, the passage of this bill is to avoid chaos and confusion in the whole sugar picture.

Mr. SPENCE. The same methods will be pursued, I presume, that have been pursued heretofore.

Mr. EDWIN ARTHUR HALL. The gentleman feels that it is necessary now?

Mr. SPENCE. I do. I feel the bill is necessary, and between the two alternatives that present themselves, I am certainly for the bill.

Mr. MORRIS. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. I yield to the gentleman from Oklahoma.

Mr. MORRIS. I do not ask this question to be critical at all, but purely for information. Why is it that inventory control is so hard to explain, and why is it in the bill if no one seems to know just what it means? I would like to have a little enlightenment on it. I am not critical in asking the question.

Mr. SPENCE. I cannot give the gentleman a definite answer on inventory control. I presume it means that it is not spelled out in the bill. I presume it means that the Secretary would have control of the inventories of large users, to prevent hoarding of sugar, which they would naturally do, and I certainly do not think it is the import of the bill to give control to those engaged in the industries in which sugar is used.

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. SPENCE. Mr. Chairman, I yield 17 minutes to the gentleman from Georgia [Mr. BROWN].

Mr. BROWN of Georgia. Mr. Chairman, I am satisfied that everybody in the Chamber desires to get back to free enterprise as soon as possible. We do not want any further regimentation unless it is absolutely necessary. We do not want any further controls on food or anything else unless it is necessary.

I know very little about sugar, but I was present and I heard all the witnesses who testified before the committee. I think what the people of America want is more sugar, but I am satisfied that if they knew they were not going to get more sugar, they would not want to pay a higher price for the sugar that they are getting and will receive. I am convinced that if you decontrol sugar at this particular time, the allocation will not be greater, and the price will jump sky high.

Now, here is what the witnesses testified to before us. I would like to say at this point that this bill extends price and ration control only until October 31 of this year, and inventory control until March 31 of next year, and provides that such controls shall be transferred to the Secretary of Agriculture. Now, what we mean by inventory control is those engaged in selling sugar. We do not want those engaged in selling sugar to withhold it from the consumers.

Mr. DOMENGEAUX. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Georgia. I yield to the gentleman from Louisiana.

Mr. DOMENGEAUX. Would the gentleman have any objection to an amendment on page 6 where inventory control is mentioned, but it makes no distinction as to whether that shall be commercial or industrial control? This could mean housewives' inventory, also.

Mr. BROWN of Georgia. I do not have any objection to that, and the amendment should prevail. I brought out from witnesses myself that of this increased amount produced this year housewives will get a larger percentage than industrial users. I think the gentleman was there and heard some of the witnesses. I think the housewives should have more. I am in favor of giving the housewives, the people at home, a larger amount than industrial users.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Georgia. I yield to the gentleman from Michigan.

Mr. DONDERO. Can the gentleman give the House any explanation as to the meaning of the language in lines 17 and 18 on page 6 of the resolution?

Mr. BROWN of Georgia. What does it say?

Mr. DONDERO. It refers to the inventory which may be continued until March 31, 1948.

Mr. BROWN of Georgia. This means the inventory of the amount of sugar a dealer has on hand to sell and does not refer to the consumer. That is my interpretation. The fellow that sells the sugar does not have the right to hold it. He should not obtain a whole lot of sugar and then refuse to sell it to the consumers. A lot of people would do that with the idea that the sugar price would be increased when the controls were taken away, and it would not be distributed properly.

Mr. DONDERO. Did anybody appear before the gentleman's committee and make an explanation as to just what that did mean, if it was different from what the gentleman has just stated? The gentleman is the first one to explain it.

Mr. BROWN of Georgia. I think everybody understood it that way. There was no necessity for explaining it.

A number of witnesses, representing consumers, producers, refiners, processors, wholesalers, retailers, and all classes engaged in the sugar industry, testified before the committee. Practically all of the witnesses stated it would not do to remove restrictions at this time, either on rationing of sugar or ceiling prices for sugar, for the reason that to do so would not bring any more production at this time but certainly would increase the price of sugar and would cause an uneven distribution of sugar in this country.

The testimony of the witnesses showed that production will be about 13 percent more this year than last year, and that another similar increase by next year would bring enough sugar to satisfy the needs for family use and industrial use.

All witnesses wanted continued restrictions on sugar no longer than necessary. Many of them stated that the law should be extended to at least October 31 of this year, as all of the crop will have been planted and much of it harvested by that time, and many others stated that authority for the controls should be extended to March 31, 1948.

The evidence shows that the needs of the United States for this year will be something over 8,000,000 short tons and that the sugar we will produce in the United States this year and our share of the sugar we have contracted for in other countries, including Cuba, will amount to something like 6,800,000 short tons. This estimate is based on acreage planted and to be planted. Therefore we will have a shortage this year of over 1,000,000 tons. It is expected that 6,800,000 tons will provide a per capita consumption for the year of about 87 pounds of refined sugar or 93 pounds raw value, as compared with the prewar per capita consumption of about 96 pounds of refined sugar or 103 pounds of raw value. We find ourselves facing an estimated shortage of more than a million tons of sugar, and there is no possible place in the world from which we can obtain more at any price. So we are forced to the conclusion, so far as this crop is concerned, that we will not get any more sugar for the housewives if controls are taken off, but probably the users of sugar would have to pay many times more than the present price.

I think every member of the Committee and of Congress would like to take controls off sugar at this time if we thought we would get more sugar, even at some reasonable increase in the price, but from the evidence produced to us, this is not the case, but the evidence is encouraging from the standpoint that we will have enough sugar produced to meet the needs for next year.

We all remember 1920 following World War I when the price of sugar went to 27 cents and more per pound. To take controls off at this time, might cause sugar to go this high again, with prospect of not getting any more sugar to satisfy the needs of our people. The evidence shows that uneven distribution and confusion would result and the probability is that housewives and small users would find that they had considerably less sugar than under a rationing system, and this is one reason there is such unanimity of opinion of all those in the sugar industry, including growers, processors, refiners, and trade associations representing such groups as ice cream, evaporated milk, confectioners, bottling, and many other manufacturers.

It is my understanding that a larger percent of increased production for this year was or will be given to housewives over industrial users, which is fair and right. Everyone knows that when sugar is in short supply and without allocation and equal distribution, the first to suffer will be the housewives and then the small industrial users. Many small users have no warehouse facilities for storing sugar nor the funds with which to buy large stocks like large industrial users, and as long as sugar is in short supply the people who would profit would be the speculators and the large users. The small users and the housewives cannot compete with the large users in this short field of supply.

People must understand that we produce in continental United States less than one-third enough sugar to supply our needs. Therefore we have to contract with producers outside of this country to obtain most of our sugar.

We contracted for the entire Cuban sugar crop, of which 3,150,000 short tons will come to the United States. It is thought that Cuba will produce around 5,500,000 short tons. We sent last year 400,000 tons to Europe and other foreign countries. It is estimated we will send less than that this year. This sugar shipped from the United States to foreign countries did not come out of our domestic supplies, but represents sugar that was brought from Cuba to this country for refining and subsequent shipment rather than being shipped direct from Cuba to the foreign countries.

The United States has been purchasing the entire quantity of Cuban sugar during the past few years, with the exception of the relatively small quantity reserved for local consumption in Cuba and for shipment to other American countries. The United States purchase, through the Commodity Credit Corporation, is made in behalf of all the countries which normally purchase some sugar in Cuba. This arrangement, whereby the United States is the sole purchaser, prevents the chaotic condition which would result if all the countries went into Cuba and bid against each other for the available supplies of sugar. This purchasing arrangement naturally leaves the United States with an obligation to share the sugar with the other countries in whose behalf we have purchased a part of it.

Under such arrangement, we will receive two-thirds of the sugar exported from Cuba this year and foreign countries will receive one-third. This represents our normal share of Cuban sugar. Also we get all the sugar that is produced in other countries, Puerto Rico and Hawaii, except what is needed for home consumption.

Since the Commodity Credit Corporation has purchased the entire Cuban sugar crop, the foreign countries receive their share of the Cuban sugar by accepting assignments of the CCC contract for their share of the sugar. This permits the foreign countries to make settlement directly with Cuba for the sugar they receive. In other words, we do not guarantee anything. We just assign them a part of the contract, and then they pay direct to Cuba and we are not involved in that. The Commodity Credit Corporation therefore assumes no financial risks on the sugar that is shipped to foreign countries.

Out of the 5,500,000 short tons produced in Cuba, 750,000 short tons is reserved for home consmption and for sale to other Latin-American countries.

Mr. Chairman, when we all understand the sugar situation I think we will be forced to one conclusion, that unless we extend for a short while the rationing and controls, we will not get any more sugar, and we all know we will have to pay a much higher price for the sugar that we do consume.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. BROWN] has expired.

Mr. WOLCOTT. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, House Joint Resolution 146, to extend the powers and authority under certain statutes with respect to the distribution and pricing of sugar, and for other purposes, has at least two serious flaws in it if the purpose of the resolution is to get rid of political control over sugar. The resolution provides for continuing price control and rationing of sugar until October 31, 1947. Then it qualifies this provision by providing that authority to continue inventory controls of sugar may be exercised until March 31, 1948. I think inventory control can become just as objectionable as rationing. If my memory serves me correctly, Administration witnesses testified against inventory control ostensibly on the ground that it would be difficult to operate. My objection to it is that it not only would be difficult to operate but impossible to operate equitably. I also object to it because it leaves the control boys with a string to the whole program of price ceilings on and rationing of sugar.

If it is really the intention of Congress to end political interference with sugar on that date, the bill should provide for ending price control and rationing of sugar on October 31, 1947—period.

But there is a far more serious flaw involved in this bill than inventory control. I refer to the power exercised by the International Emergency Food Council to pool the world's sugar supply and to ration out of that pool the United States share of sugar. The point is that even if the joint resolution before us does everything its face would indicate, we would still have rationing of sugar.

Mr. BUFFETT. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. BUFFETT. Has the gentleman been able to find any place in the statute books where the Congress of the United States has authorized an international board to determine how much sugar the American people should have?

Mr. SMITH of Ohio. I am quite sure that the Congress never gave such authority. I am coming to that point in just a moment.

Mr. BUFFETT. One other question. When our committee met on this problem and as the Congress meets now, we are operating sort of like a coroner's jury—holding an inquest over how the sugar that has been allocated to us by an international board shall be disposed of. Is that right?

Mr. SMITH of Ohio. That is correct.

The International Emergency Food Council, one of the elements of world government, would continue to tell the United States how much sugar we can have. This would be true even if the United States increased its own sugar production. The people of the United States no longer have the power to say whether or not they shall eat the sugar they produce; that is now left to the one-world government, and this is something we ought to tell the housewives when they write to us for more sugar. Here again the political regime controlling our Government, which craves control and more control, is vested with an extraordinary power to manipulate our sugar supply.

I cannot find any legal authority whereby the President is given the power to enter into any international agreement which gives foreigners control over the sugar we produce.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. JENKINS of Ohio. This International Board of Control the gentleman talks about met here in Washington about a month ago, did it not?

Mr. SMITH of Ohio. I am not sure.

Mr. JENKINS of Ohio. I believe they did. They give us the right to have a representative on that board, do they?

Mr. SMITH of Ohio. Oh, I think they extend us that little privilege.

Mr. JENKINS of Ohio. They give us that much courtesy, do they?

Mr. SMITH of Ohio. I suppose so.

Mr. JENKINS of Ohio. Who is our representative on the board?

Mr. SMITH of Ohio. I understand the President is supposed to be.

Mr. JENKINS of Ohio. He, of course, does not sit on any board.

Mr. SMITH of Ohio. But he is supposed to have the matter under his jurisdiction and he has, I believe designated the Secretary of Agriculture.

Mr. WOLCOTT. If the gentleman will yield, it is Secretary Anderson.

Mr. SMITH of Ohio. So far as I can learn it is just another one of those self-constituted powers of which we experienced so many in the last few years. In this connection it should be mentioned that the one-world government is not only telling the people of the United States how much sugar they can eat, but

also how much wheat and other foods; indeed, it is in the process of applying the same principle to everything we produce. If the people of the United States like this sort of arrangement, if they are willing to share their produce with the rest of the world they have the right to do so. I doubt, however, that they have any such desire.

Certainly it is the duty of every Congressman to inform his constituents of the facts of the situation. They should know if they have not already learned that the political forces controlling our Government are giving America away as fast as they can, and so far as I am aware the United States Congress is doing nothing about it; indeed, it is lending itself to supporting this insane and suicidal policy.

Mr. KUNKEL. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. KUNKEL. I believe the gentleman is performing a public service in calling these facts to the attention of the American people, but does not the gentleman believe that this bill cannot properly deal with the question he has raised, the second question, the one of international control? After all, this particular bill is merely to end sugar rationing in the United States, and this international situation does not properly fall within the scope of the pending legislation.

Mr. SMITH of Ohio. It certainly falls within the scope of the Congress of the United States and I think it is important enough that the Congress should give attention to it.

Mr. KUNKEL. Perhaps so, but it does not come within the scope of the pending legislation which deals purely with domestic matters.

Mr. SMITH of Ohio. But in dealing with this important question in which an international board tells us how much sugar we can have, I think it is certainly relevant to go into the collateral issues of similar nature. This is a bill to continue sugar control, yet we are letting word go out to the people today that we are here considering ways and means for doing away with sugar controls to the extent that we can get more sugar. We are not doing our full duty, so long as we do not tell them about this entire international arrangement.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. EDWIN ARTHUR HALL. The gentleman mentioned the international board and its activities. I call to the gentleman's attention an indication that there are some forces at work to limit the importation of Cuban sugar which during the war constituted a considerable source of supply to the people of the United States. Has the gentleman any information as to what this international board is going to do in relation to limiting the export of Cuban sugar to the United States?

Mr. SMITH of Ohio. How can anybody know what any international body is going to do?

Mr. KUNKEL. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. KUNKEL. I understand the International Emergency Food Council allotted from the Cuban crop somewhere in the neighborhood of 3,150,000 tons. There seems to be good reason to believe that the Cuban crop will exceed the estimate made at that time by 650,000 tons. Is there machinery by which that can be allotted to American housewives for canning purposes? Or does it have to lie in warehouses until the International Emergency Food Council meets again?

Mr. SMITH of Ohio. No; there is machinery to prevent it from coming into the United States; that is the International Emergency Food Council.

Mr. KUNKEL. In other words, as it stands, it will not come in.

Mr. SMITH of Ohio. We will get our proportion, of course; or, we are supposed to get our share. Whether we will or not I do not know but I assume probably we shall.

Mr. WOLCOTT. Mr. Chairman, I yield myself 3 minutes for the purpose of clarifying this question of our participation in the International Emergency Food Council and our authority to participate in it.

Mr. Marshall, of the Department of Agriculture, was before the committee, and this question was asked, and it was debated at length before the committee. On page 67 of the hearings we find this following language in connection with a statement of the history and authority for the United States participation in the International Emergency Food Council. I want to say at the outset that the International Emergency Food Council has no legislative authority and never was given the authority to dictate our policy. It operates only as an advisory group. The report says in part:

> The authority for participation by the United States in the Combined Food Board and the International Emergency Food Council is derived from the inherent constitutional power of the President with respect to foreign affairs. It should be noted that the International Emergency Food Council merely makes recommendations based upon information mutually supplied by its members. As the Chief Executive of the Nation, it is clear that the President has authority to confer and consult with representatives of foreign powers for the purpose of discussing mutual problems and obtaining information necessary to him in the performance of his duties under the Constitution and Federal statutes. The United States Supreme Court said in *United States* v. *Curtiss-Wright Export Corporation* (1936) (299 U. S. 304, 318, 319, 320) that the United States is vested with all the powers of government necessary to maintain an effective control of international relations, including, as a power inherently inseparable from the conception of nationality, the authority to make such international agreements as do not constitute treaties in the constitutional sense. The Court stated, moreover, that in the field of foreign affairs, "the President alone has the power to speak or listen as a representative of the Nation" and that although he makes treaties with the advice and consent of the Senate "he alone negotiates." It then affirmed the doctrine that in the field of international affairs, the President is the constitutional representative of the United States who manages our concerns with foreign powers.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Take additional time, because I would like to have the point clarified.

Mr. WOLCOTT. It was clarified fully in the minds of the committee.

Mr. SMITH of Ohio. It was not clarified, I may say, in my judgment.

Mr. WOLCOTT. I am sorry we have not been able to satisfy the gentleman on that. The gentleman brought this matter up in the hearings before the committee, and consequently we went into this matter very thoroughly and we thought we had satisfied him.

Mr. SMITH of Ohio. We did not get any satisfaction in the hearing. I have gone over this matter with some attorneys, and they have advised me that there is no actual authority for this.

Mr. WOLCOTT. Whether they have authority or not, they merely act in an advisory capacity anyway. They have no status in the law except to advise with the President and the President is given authority under statutory law to ration and control the price of sugar.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. SPENCE. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS of Louisiana. Mr. Chairman, I rise in support of the committee bill. I am quite sure that in the debate that has preceded me it has been pointed out to the Members of this body that this bill was reported out to the House only after full and complete hearings; that in our hearings all of the representatives of the Government, the industry and all of its branches, with two exceptions, to my knowledge, supported this legislation.

I do not believe that it can be intelligently argued or questioned that at the present time this Nation has a serious sugar shortage. I have the honor and the privilege of representing one of the districts in the State of Louisiana which produces a large quantity of cane sugar. As all of you know, there are only two States in the Union which produce cane sugar, those being the States of Louisiana and Florida, and Louisiana by far producing the greatest amount.

Following the last World War we had the experience in this country of the price of sugar skyrocketing. For the moment it was a temporary benefit and advantage to the producers of the great State of Louisiana. But it ultimately resulted in the bankruptcy of practically all of the producers and all of the processors, and, representing a sugar district, I would be the last person in the world to advocate the removal of these controls at this time. I do feel, however, that the committee has been very wise in setting October 31, 1947, as the date for the final termination of these controls. That date was arrived at only after careful consideration by the members of the committee. It is significant because at that time the beet harvest is well under way and the cane harvest has also progressed so that by October 31, 1947, we will know not only what the production will be domestically in the cane and beet areas, but we will also know what the production will be offshore. In addition to that, it

accords to our local producers, whether they be in the cane or beet areas, what little advantage of cost or price increase may accrue as the result of the removal of controls.

Mr. ANDERSON of California. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Louisiana. I am very glad to yield to the gentleman.

Mr. ANDERSON of California. I have listened with interest to the remarks of the gentleman about the termination date being the 31st day of October. In the event it turns out that the increase in the supply of sugar is not brought about by that date and it would be found desirable to continue controls beyond that particular time, does not the gentleman feel that some provision should be made in this bill because of the fact that at that time Congress will not be in session and could not act?

Mr. BOGGS of Lousiana. No; I do not think I would go along with the gentleman on that because if you refer to the hearings you will find I asked that very question of a number of witnesses who appeared before the committee and it is just as logical to argue that controls should be continued through 1948. By October 31, 1947, we will know definitely what our sugar supply is. So I feel that Congress wants to remove these controls, and the October 31 date is as logical a date as March 31, the date which has been suggested by some people.

Mr. Chairman, I should like to commend particularly the chairman of our committee, the distinguished gentleman from Michigan, who conducted these hearings in his usual fair way. All of the interests were permitted to be heard. I believe this bill comes before the House today by and large with the unanimous support of the committee.

Mr. LEWIS. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Louisiana. I yield.

Mr. LEWIS. Why can we not end the controls on the 31st of this month?

Mr. BOGGS of Louisiana. To end the controls on the 31st of this month, that is, the 31st of March, would be a very dangerous thing because we now know exactly what our sugar supply is for this year, 1947. If you will refer to the report on this bill you will find that we are several million tons short of the demand. If we remove controls next week, which would be the end of this month, we would have such a scramble for the available supplies of sugar that the housewives who need it most would not get it and the big industrial users who have the advantage of being able to bid up the price and who have the greatest funds would get all the sugar in the United States.

Mr. PHILLIPS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Louisiana. I yield.

Mr. PHILLIPS of Tennessee. Does this bill make any provision for the housewives during the canning season?

Mr. BOGGS of Louisiana. I think it does.

Mr. PHILLIPS of Tennessee. What provision or section guarantees that any housewife will get additional sugar at the time she needs it most?

Mr. BOGGS of Louisiana. I am not familiar with that particular section or provision, but I do know, first, that the allocation of sugar to the housewives has been increased for the next two quarters which is the period for which this bill extends controls. In addition, there was a great deal of testimony before the committee on that particular subject. However, the chairman of the committee or the gentleman from Kentucky [Mr. SPENCE] might be better prepared to answer that particular inquiry.

Mr. PHILLIPS of Tennessee. Did I understand the gentleman to say that there was no real shortage of sugar? And if there is no real shortage of sugar, why should we have these controls extended?

Mr. BOGGS of Louisiana. No; I did not say there was no real shortage of sugar. I said, in my opinion, on October 31, 1947, ample supplies of sugar would be in sight but at the present time when the 1947 and 1946 crops have been harvested or already in warehouses in this country and the allocations to foreign countries have been made, there is a shortage of sugar.

Mr. PHILLIPS of Tennessee. Did the gentleman read the statement in the Herald Tribune on March 7, 1947, which said that the Department of Agriculture stated there was no shortage of sugar?

Mr. BOGGS of Louisiana. No. But that was not the testimony of the Department before the committee.

Mr. Chairman, I trust this bill will be adopted without amendment.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. WOLCOTT. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. KILBURN].

Mr. KILBURN. Mr. Chairman, I feel that we should decontrol sugar as soon as we possibly can so that the law of supply and demand will again operate with this commodity. Of course the best time to decontrol is when we have an adequate supply. Our committee heard many witnesses who have studied the sugar situation all over the world for years and I listened attentively to their testimony. I feel the most valuable witness was our able colleague the gentleman from Michigan [Mr. CRAWFORD] who during the last 12 months has visited every sugar-producing country in the world north of the Equator and probably knows as much about sugar as anyone in the House. His argument that October was the best time to remove controls carried great weight with me. He said that the crop from the continent of the United States would be available by that time and the Cuban crop would be available the following January to June. By announcing that time as termination date the beet-sugar growers of this country can go ahead this spring and summer and increase their acreage so that around that time of year we should have as good a supply as we are ever likely to get.

We put a provision in this bill to have the Department of Agriculture continue inventory controls until March 31, 1948. This was for the purpose of preventing large industrial users from stocking up before controls go off or right afterward.

I feel that whenever sugar is decontrolled the price will undoubtedly go up and our problem was to set the date of decontrol at the time of year when we would probably have the biggest supply available, in order to prevent too drastic a rise. Last year when jellies, jams, pastry, and so forth, were decontrolled the price, of course, went up and as a result the housewife is now paying between 25 and 30 cents a pound for the sugar going into those products when she buys them. The sugar-using products that the housewife buys account for about half the families' total consumption. So even if the housewife has to pay more for the sugar she buys from the grocer she will undoubtedly pay less for sugar used in the manufactured products and she will be in a position to put up her own jellies, jams, fruits, and so forth.

Generally speaking, the sooner we can have a free market and get the readjustment over with the better and the more likely we are to have an adequate sugar supply. For that reason I support this bill.

Mr. WOLCOTT. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. COLE].

Mr. COLE of Kansas. Mr. Chairman, I do not favor price or rationing control in a peacetime economy. This bill, however, in my opinion, is legislation to decontrol prices and rationing and, therefore, I support it.

This bill provides for the elimination of OPA, and for the first time we have set a definite, positive, fixed date upon which this commodity shall be decontrolled. That date has been fixed as of October 31, 1947, because at that time, we will know exactly what amount of sugar will be available for 1948. In addition, consumption will be at a minimum and production at a maximum. The possibility of speculation and exorbitant prices will be remote.

But the important thing, I repeat, Mr. Chairman, is the announced policy of decontrol.

Mr. WOLCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES. Mr. Chairman, I call attention to the provisions of this bill contained on page 9, beginning with line 16, reading as follows:

> Such personnel as the Director of the Bureau of the Budget determines to be required may also be transferred temporarily to the Department of Agriculture pending termination in whole or in part of the powers, functions, and duties transferred by subsection (a) of this section.

I call your attention to the fact that as the bill is presently written it violates the provisions of the Veterans' Preference Act of 1944. This question is raised in a telegram that I think many of the Members have received from Col. John Thomas Taylor, legislative representative of the American Legion, which reads in part as follows:

> Language of resolution would transfer employees from OPA to Department of Agriculture temporarily. Use of word "temporarily" destroys protection of veterans employed by OPA who would be transferred to Agriculture which protection contained in Veterans' Preference Act of 1944. Would appreciate your cooperation to ascertain that language

of resolution is amended so veterans' preference is preserved for each war veteran involved in transfer.

I discussed this matter with the Legal Division of the Civil Service Commission, and it is their opinion that the word "temporarily" in this resolution would empower the Department of Agriculture to eliminate the employees who were transferred from the Office of Price Administration without competition with employees now or hereafter employed in the Department of Agriculture. The belief, in which I concur, is that the above provision would nullify the following language of the Veterans' Preference Act, section 12:

And provided further, That when any or all of the functions of any agency are transferred to, or when any agency is replaced by, some other agency, or agencies, all preference employees in the function or functions transferred or in the agency which is replaced by some other agency shall first be transferred to the replacing agency, or agencies, for employment in positions for which they are qualified, before such agency, or agencies, shall appoint additional employees from any other source for such positions.

The intention of Congress in this provision of section 12 of the Veterans' Preference Act was to insure the protection of the employees with veterans' preference who were transferred from one agency to another by virtue of the fact that the functions and duties of that particular agency were transferred to another agency. Under the present language the Department of Agriculture would be able to eliminate all of the employees transferred from the OPA, regardless of their veterans' preference or other rights as civil-service employees.

When the proper time comes I shall offer an amendment to protect the veterans' preference rights under the Veterans' Preference Act of 1944. I have prepared an amendment which will, at the end of this section, line 23 on page 9, add these words:

Provided, That nothing in this section shall in any wise be construed to violate any of the provisions of the Veterans' Preference Act of 1944.

I think the members of this committee are as anxious to see that veterans' rights are protected as they were when they passed the Veterans' Preference Act of 1944. I trust that when the time comes for the consideration of this amendment I may secure the unanimous approval of this committee. I should also add that this matter was discussed in a meeting of the Committee on Post Office and Civil Service. It was agreed by the members present that an amendment should be submitted to this legislation to provide for proper protection of veterans' rights under the Veterans' Preference Act of 1944.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mr. REES. I am glad to yield to the distinguished chairman of this committee.

Mr. WOLCOTT. I might state that it was not the intent of the committee or any member of the committee that I know of, to in any manner interfere with the civil-service status of any employee. The word "temporary" was used solely in respect to the length of his employment in that particular department. It was explanatory of the fact that we were setting up these controls temporarily and that did not change in any manner the status of the individual.

The CHAIRMAN. The time of the gentleman from Kansas [Mr. REES] has expired.

Mr. WOLCOTT. Mr. Chairman, I yield the gentleman three additional minutes.

If there is any question about it, I make the suggestion that the gentleman broaden the language of his amendment to include the assertion that this language shall in no manner affect the civil-service status of any employee so transferred, because I am afraid if we say it shall not change the veteran's preference status, by saying that, we might indicate we are changing the status of other employees in other respects.

Mr. REES. To do that you could strike out the word "temporarily."

Mr. WOLCOTT. No, no; because we do not want those employees transferred permanently to the Department of Agriculture.

Mr. REES. I can see what is in the gentleman's mind. I believe my first proposal is the proper one to follow.

Mr. WOLCOTT. We want to make it clear that the status is not changed so long as they are temporarily working for the Secretary of Agriculture, but when he gets through with them they may either be transferred back to the OPA, if OPA is in existence, or transferred to other agencies, or, under the Civil Service rules and regulations, I presume they could be transferred permanently to the Department of Agriculture. But under the provisions of this law they cannot be transferred permanently to the Department of Agriculture. We save the Civil Service Commission in any prerogatives or rights that they may have under the Civil Service law to protect, in full, the status of civil-service employees. This word "temporarily" has nothing whatsoever to do with the status of the employee. It has to do with the length of his employment.

Mr. REES. The thing in which I am deeply interested is this, that when a veteran is transferred under the terms of this measure to the Department of Agriculture, that veteran should have the right, as is required under the Veterans' Preference Act, to compete with any other employee in the Department of Agriculture holding a similar position, in the event of reduction in force. He should have the right of veterans' preference preserved if he is transferred to the Department of Agriculture. You should not hold him out separate from other groups.

Mr. WOLCOTT. Let me ask the gentleman this question: Should a veteran who is now working in OPA have the right, in his present status, to compete with those in the Department of Agriculture, in a comparable status?

Mr. REES. As an employee in the Department of Agriculture, certainly he should have that right. He becomes an employee of the Department of Agriculture and has such rights as accrue to him as an employee of that Department.

The CHAIRMAN. The time of the gentleman from Kansas has again expired.

Mr. SPENCE. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. DOMENGEAUX].

Mr. DOMENGEAUX. Mr. Chairman, there is no doubt in my mind that every man in this Congress today desires to bring about decontrol of sugar as soon as it is safe and proper to do so.

I represent probably the largest sugar-producing area in this country. The question to my mind is when should this be done. My area of south Louisiana also produces an enormous amount of rice. We were very much chagrined when the President continued control on rice and sugar. We thought we were being discriminated against. But after deliberation and thought, it was inevitable that we come to the conclusion that sugar controls should continue, because of the short supply that existed. We do not want a repetition of what occurred after the last war, where every sugar planter, processor, and refiner was virtually bankrupt, and failures were wholesale. We do not want prices to skyrocket like they did during that period. But we do want sugar controls to go off as quickly as possible.

The October 31 date as written in the bill by the committee to my mind is a very reasonable and logical one.

Mr. RAMEY. Mr. Chairman, will the gentleman yield?

Mr. DOMENGEAUX. I yield.

Mr. RAMEY. I am seeking information only, and I may say to the gentleman that I am not a member of his committee. We in my section of Ohio are very much interested in the peach crop. We are consumers of peach crop, and I am wondering if additional rations for canning purposes are being considered.

Mr. DOMENGEAUX. I am not a member of the committee either, I may say to the gentleman from Ohio, but I am informed that such testimony was given before the committee. I was not present myself and cannot testify.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. DOMENGEAUX. I yield.

Mr. SPRINGER. May I say to my distinguished colleague that Subcommittee No. 4 of the Judiciary Committee has been hearing evidence under the Second War Powers Act. That has been completed. The gentleman mentioned something about rationing a little while ago. We had a very distinguished gentleman who testified before our committee and from the statements he made there seemed to be no necessity for continuing rice under the controls it has been held under heretofore. I would like to have the gentleman give an explanation on that subject if he will.

Mr. DOMENGEAUX. I think that is a correct statement, because production of rice in the United States today is 50 percent more than its normal consumption and export to its normal markets

such as Puerto Rico and Cuba. The only justification for rice control at the present time in my opinion is possibly export control, but nct domestic control, because such domestic control would prevent a maximum development of such markets.

Mr. SPRINGER. Does the gentleman feel that it is necessary that the export control be continued?

Mr. DOMENGEAUX. Yes; I do, and that seems to be the unanimous opinion of the producers, processors, and millers of rice in my section of the country.

Mr. BOGGS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. DOMENGEAUX. I yield.

Mr. BOGGS of Louisiana. The same question was directed to the gentleman that was directed to me a few moments ago in my remarks about sugar for the housewife. If the gentleman will refer to page 8 of the committee report he will note that the sugar ration for this year, 1947, has been increased approximately 10 pounds per person over what it was last year, which means approximately 30 or 40 pounds per family.

Mr. DOMENGEAUX. I think that is correct. It simply shows that sugar supplies are improving day by day in this country.

Mr. ROBSION. Mr. Chairman, will the gentleman yield?

Mr. DOMENGEAUX. I yield.

Mr. ROBSION. Does the gentleman think we would have more or less sugar if we did not pass this bill?

Mr. DOMENGEAUX. I do not believe the question of control or decontrol would either increase or decrease production. There is no incentive situation involved in this decontrol measure; but it will do this, it will put back the operations to a normally competitive market which I think will give a better flow of the sugar which is available.

Mr. ROBSION. That will be after October.

Mr. DOMENGEAUX. After October 31, 1947.

Mr. ROBSION. Would the provisions of this bill permit any greater quantity of sugar to be shipped to foreign countries?

Mr. DOMENGEAUX. No; it would not, and as a matter of fact none of our domestically produced sugars have ever been shipped to foreign countries.

If I may continue, I am gratified to see the committee bring out this bill decontrolling sugar as of October 31. Without wishing to be presumptive, it carries with it the major provisions which were contained in House Joint Resolution 115, which I introduced earlier. In my bill there was provision that sugar be decontrolled on October 31 and it also contained inventory controls, the transfer of powers to the Secretary of Agriculture, and a provision allowing new users to participate in sugar supplies.

The question of timing is paramount and important in the question of the decontrol of sugar, and it is proper that October should be that date because October is the statistical date that is employed and has always been employed in the sugar markets. It is also the date when the annual estimates of sugar are established and determined. It is the date when the estimates as to beet and cane sugars from Louisiana, Florida beet areas, Cuba, Puerto Rico, Virgin Islands, and Hawaii are determined. It would be the most ridiculous thing in the world to me to see sugar decontrolled at any other date than September or October, because if you carry it on beyond the year it would only mean this: The Louisiana people who produce sugar and who market their sugar from November on would certainly retain their sugar and not put it on the market, with the result that it would contribute to a short supply. The same would result from other areas who normally market before such date. The reasonable time to decontrol this sugar is before your producers put their sugars on the market, so that the legitimate increase, should any result at the end of October, would go to those people who are entitled to those increases, and they are the producers of sugar and not the speculators. We know that our anticipated consumption for 1948 will be approximately 8,000,000 short tons of sugar. We estimate the production for a similar period, from the mainland and beet areas, will be 2,200,000 tons; from Hawaii, approximately 800,000 tons; from Puerto Rico, 1,000,000 tons; and from Cuba, 5,500,000 tons—or a total of 9,500,000 tons.

Now, all of this sugar in the past, historically, belonged to the United States, and we used such sugars. Today, however, part of the Cuban crop becomes a part of the international arrangement. But the fact still remains that the anticipated production of sugar is going to be substantially larger than it has been in the past. There is an element of risk involved in the decontrol of sugar, and that element exists today; it will exist in October, it will exist in March, and it will exist next October.

The CHAIRMAN. The time of the gentleman from Louisiana has again expired.

Mr. SPENCE. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. DOMENGEAUX. There is always going to be an element of risk involved in the decontrol of sugar, and we might as well understand that there may be and probably will be an increase in the price of sugar. But I believe that after a very short time it will moderate itself and it will go back to normalcy, and it is only reasonable and proper that when the production is about equal to the requirements, that the great sugar industry in this country should have an opportunity to readjust itself in times like these, so that when hard times come, when production comes, they will have adjusted themselves into a normal market and will be in a better position to meet those problems.

Certainly, if sugar goes up a little bit, and I think it will, that is not unreasonable, because sugar today and always has been the cheapest commodity on the American market. You are paying about 9 cents for sugar today, and in comparison it has gone up very, very little to what other commodities have. Actually you could not produce sugar in this country under the market prices if it were not for the subsidies that are provided for by this Government.

So, I say that October 31 is the date on which sugar should be decontrolled. The other body has a bill which provides for the decontrol of sugar after March 31. That bill, I understand, will be taken up today or tomorrow. Certainly, I have no criticism of that but I do hope that they will see the situation as the House will and that they will join with us in meeting the date of October 31.

Mr. BOGGS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. DOMENGEAUX. I am happy to yield to my colleague.

Mr. BOGGS of Louisiana. The gentleman, coming from a large sugar-producing area, is thoroughly familiar with the sugar situation. Does he believe that the production situation will be any different on October 31 than it will be on March 31?

Mr. DOMENGEAUX. The gentleman is perfectly correct. There will be no difference. There can be no difference, because the production period is determined as of October 31. The situation, insofar as greater or lesser supplies are concerned, should change at all between the period of October 31 and March 31 of the following year.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. DOMENGEAUX. I yield to the gentleman from Virginia.

Mr. HARDY. Do I understand that the fixing of the date as of October 31 is predicated on a belief that the sugar situation, the supply situation at that time, will be substantially ample to take care of our requirements?

Mr. DOMENGEAUX. That is the general proposition. It is the estimate of anticipated production on that date.

Mr. HARDY. That anticipation is based on current production estimates?

Mr. DOMENGEAUX. That is correct.

Mr. HARDY. Is it not within the realm of possibility that there might be a serious curtailment in our production between now and October 31?

Mr. DOMENGEAUX. That is possible as to any commodity. There is an element of risk.

Mr. HARDY. That was my point. That being the case, how long prior to October 31 would it be possible to determine whether on October 31 we might be faced with a serious shortage?

Mr. DOMENGEAUX. That could be determined say 15 days previous, October 15.

Mr. HARDY. In such event, what action can the gentleman recommend?

Mr. DOMENGEAUX. That is the risk that is involved in any such operation as this.

Mr. BOGGS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. DOMENGEAUX. I yield to the gentleman from Louisiana.

Mr. BOGGS of Louisiana. Is it not a fact that the same risk would be taken if you adopted March 31, 1948?

Mr. DOMENGEAUX. There is no doubt about that.

Mr. BOGGS of Louisiana. So that you could make a case for continuing control of sugar.

Mr. DOMENGEAUX. There is no doubt about that. You would be con-

stantly confronted with the same uncertainties that exist as of that date.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. DOMENGEAUX. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Suppose on the 15th day of March 1948 Cuba, an independent republic, announces to the United States that it does not propose to harvest any more sugarcane? What are you going to do on March 31, 1948? I submit to those who argue that date.

Mr. DOMENGEAUX. The price would go sky high and you would have little chance of supplying our requirements.

Mr. CRAWFORD. That could happen any time under a free economy?

Mr. DOMENGEAUX. Absolutely.

Mr. WOLCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY of Wisconsin. Mr. Chairman, first, I want to compliment this splendid committee for bringing in this bill.

Listening to the debate, I could not help but think about the efforts this committee made a year ago in bringing in their price-control bill, which later was vetoed by the President, because the principle involved here today is, as far as sugar is concerned, just one example of what this committee tried to do as far as all the many articles that were under control at the time. Therefore, I think this is an admission here among ourselves that we are going to take sugar and do the same thing as we tried to do in the bill of a year ago.

The reason I asked for this time, Mr. Chairman, is to clarify once more exactly what is going to happen in the conservation of one of our greatest foods. Great losses of a splendid food is taking place at this time. I am speaking of dried skim milk. I do not want to take your time to describe it any more than to say that it has something over 35 percent digestible animal protein. It is the cheapest food in the world today. Until 1935 its production for animal use and human use was not kept separately. One of the most constructive pieces of food conservation that took place during this war took place in the diversion of this dried skim milk from animal feeding to human use. In fact, by 1946, there were only 15,000,000 pounds going into animal feeding. The chances are a large part of that 15,000,000 pounds may have been spoiled during the process and might not have been fit for human consumption. Last year we produced 663,000,000 pounds of this wonderful product.

There has been plenty of criticism because no more effort was made to conserve the food value of the millions of bushels of potatoes that were wasted. Many people feel that more effort should have been made to recapture the food in this potato crop and divert those potatoes to human consumption. Facing, as we do today, a large increase in the production of certain manufactured dairy products, which means an increase in the production of this powdered skim milk, we are going to face throughout the next few months a more serious problem than we ever had before. What I am addressing myself to is the importance of providing sugar so that we can conserve as large a quantity as possible of this skim milk that is going down the drain in the thousands of tons and is liable to go from now on during the flush season.

So that we may have it right in the record, once and for all, may I ask the distinguished chairman if he feels in his own heart and in his own mind that this skim milk is having the consideration that it should have, and if he feels that every effort will be made to conserve this great food?

Mr. WOLCOTT. If the intent of the committee in this legislation is carried out, that matter would get all of the consideration which it deserves, taking into account its importance in relation to the over-all program. We found it rather difficult in laying out this program to set aside any certain percentage of our sugar stock for any particular use. As I said, we must give the administration of this law to somebody, and we thought if it was given to the Secretary of Agriculture he would give more sympathetic consideration to the use of sugar for the preservation of foods than at present. So we have made it very clear. It is the intent of the committee, and we should make it clear now that it is the intent of the Congress, that in the allocation of sugar in respect to so-called hardship cases or the cases of new users, that the Secretary of Agriculture in carrying out the provisions shall make reasonable provision for meeting the needs of users of sugar in case of hardship. You note we use the word "shall" which means that it is mandatory.

Then we stress the fact that we intend he shall make larger quantities available for the preservation of milk, including cases where sugar is needed to avoid the wastage of milk or other food products. We mention milk here specifically along with other food products, giving emphasis to the necessity for the allocation of sugar to prevent the spoiling of millions of gallons of food in the form of milk which might otherwise be preserved for our use and the use of people all over the world.

Mr. MURRAY of Wisconsin. I thank the gentleman. I think every one of us realizes that with the huge appropriation being made in connection with our food program in our country and all over the world we must be careful that we recapture and preserve all the food that we produce rather than come to Congress for a $100,000,000 for this and a $100,000,000 for that in the name of agriculture. At least, we ought to make some concerted constructive effort to conserve the food that is produced and not allow it to be continually wasted.

Mr. ROBSION. The gentleman who is addressing the House is a very able member of the great Committee on Agriculture, and as I understand it he favors this bill. Does the gentleman favor the bill?

Mr. MURRAY of Wisconsin. Yes, sir.

Mr. ROBSION. In what way will that help the American housewife or other consumers of sugar?

Mr. MURRAY of Wisconsin. It can be made to help the housewife. I do not know of any way that we can properly get out from under these controls except gradually as we voted to do a year ago. That is the reason why we must submit to certain controls and must submit to a control over exports for a while longer.

Mr. ROBSION. And under this bill the controls are extended to October 31.

Mr. MURRAY of Wisconsin. Yes. By October 31 we should know pretty well what the sugar production of this country is going to be. We should have a pretty good idea of it.

Mr. ROBSION. The gentleman is telling us that this bill is necessary and essential in the interest of the American housewives and canners and other consumers of sugar?

Mr. MURRAY of Wisconsin. I am. I think if it is properly handled and if the sugar is used for the right purpose, it is the very best measure that we can have at the present time.

I yield to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. The gentleman has correctly observed that by October 31 we will know the production of sugar in the United States for this current calendar crop year. Likewise, we will know the production in Europe and all the sugar-beet fields in the world by October 31.

Mr. MURRAY of Wisconsin. Yes.

Mr. CRAWFORD. We will also know what Cuba will have produced from the cane now going to the mills and thus settle this question of the 654,000 additional tons which it was announced in this country it is expected that the Cuban sugar production will be over and above all estimates previously made in the last 60 days by the Government.

Mr. MURRAY of Wisconsin. I thank the gentleman. It has long been recognized that the gentleman from Michigan [Mr. CRAWFORD] is one of the Nation's greatest sugar authorities. I am pleased to find he is in support of this legislation.

The following data and comments are submitted at this point.

DRIED SKIM MILK

Mr. Chairman, dried skim milk is a food product that never has and apparently is not now sufficiently appreciated. This product has a content of 35.6 percent of good digestible animal protein.

When one realizes that meat has but from 15 to 20 percent digestible protein, it is apparent why every effort should be made to save every pound of dried skim milk and use it for human consumption.

The Agriculture Department recently placed a floor price of 10 cents per pound on the product. Even the OPA in its wisdom provided a 14½ cents per pound ceiling price.

Skim milk plus millions of bushels of wasted potatoes could have been used for concentrated soups. Today additional sugar should be allocated so that skim milk could be canned in the form of condensed sweetened skim.

Why waste foods after they have been produced. Why appropriate millions to encourage additional food production if

our agencies are not conserving and processing the good foods already produced.

The following is a table showing both the amounts of dried skim produced and the diversion of dried skim from animal feed to human food.

Nonfat dry milk solids production, United States, 1918–46

[1,000 lbs.]

Year	Spray, human	Roller, human	Total, human food	Dry skim, animal feed	Total, human and animal
1918					26,202
1919					34,945
1920					41,893
1921					38,546
1922					40,617
1923					62,251
1924					69,219
1925					73,317
1926					91,718
1927					118,123
1928					147,996
1929					207,579
1930					260,675
1931					261,938
1932					270,194
1933					288,114
1934					294,935
1935			187,531	109,975	297,506
1936			223,827	125,723	349,550
1937			244,511	127,692	372,203
1938			289,121	160,170	449,291
1939			267,860	140,520	408,380
1940			321,843	159,962	481,805
1941			366,455	110,042	476,497
1942			565,414	61,148	626,562
1943	245,596	264,024	509,620	24,279	533,899
1944	266,448	316,464	582,912	16,407	599,319
1945	[1] 298,741	[1] 345,004	[1] 643,745	[1] 17,602	[1] 661,347
1946	[2] 351,800	[2] 286,460	[2] 638,260	[2] 15,525	[2] 653,785

[1] Preliminary enumeration.
[2] Estimates, subject to revision.

Official table from the Bureau of Agricultural Economics.

The product is used in the baking industry and for the manufacture of ice cream and candy. In condensed form as well as in dried form the product has been combined with cream and reconstituted and used as fluid milk in many areas during the past few years.

Mr. WOLCOTT. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Chairman, I rise at this time to support House Joint Resolution 146 and in doing so wish to compliment the House Banking and Currency Committe for an honest effort to solve the sugar problem.

There is no issue more confused or more difficult to understand than the scarcity of sugar.

During the past week end, when talking to an industrial sugar user in Altoona, Pa., he convinced me that practically everyone but the American people can obtain an adequate supply of sugar. He read a letter that he received from a broker in New York City containing the following statements:

How are you fixed up on cocoa butter, milk chocolate in bales, or Brazilian bitter chocolate in bags or cases?

Then he read this statement:

Imports of sugar candy and confections from all countries to the United States rose from 1,166,000 pounds in 1942 to 62,575,000 pounds in 1945.

He concluded his discussion by informing me that during a recent visit to the post office he was told that a 5-pound package of American granulated sugar that a resident of Sweden sent to a relative here in the United States, was awaiting delivery until the necessary ration stamps could be given to the Post Office Department. In other words, American-processed sugar sent to Sweden was returned to the United States to a relative.

Foreign manufacturers of cocoa butter and milk chocolate requiring sugar seem to have no difficulty in producing chocolate containing sugar. In general, foreign manufacturers have no difficulty in making sugar candy and confections and sending them to the United States. Foreign citizens have no trouble getting sugar from the United States and then returning it to relatives in this country. Is it any wonder the American people are bewildered and confused?

American housewives have been too patient and have accepted so many flimsy excuses that it is time we have an honest allocation of sugar supplies with the insistence that the United States receive an adequate amount of sugar for the needs of the American people.

The House Committee on Banking and Currency is to be commended for establishing a date upon which sugar controls will terminate because until we get the Government out of the hair of the American people we are going to continue to be faced with confusion and chaos in handling the supply of sugar in the United States.

Mr. WOLCOTT. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska [Mr. BUFFETT].

Mr. BUFFETT. Mr. Chairman, I asked for this minute in order to ask the chairman of the committee if he thinks it is intended that the hardship provision in the bill is intended to provide relief for retailers for their inventory to meet the impact of the increase in the stamp ration from 5 pounds to 10 pounds.

Mr. WOLCOTT. If there are any hardships created by increasing the value of the sugar stamp to the retail grocer, it is my opinion that the Secretary of Agriculture will have to give consideration to it, under the language of the bill.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. WOLCOTT. Mr. Chairman, I yield myself three additional minutes to answer the gentleman from Illinois.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. OWENS. At the time of the hearings the statement was made that we feel should be clarified so that the agency may know just how far it should go and what it is required to do insofar as setting up new businesses is concerned. Then it says particularly so since the effect of the new user's provision would be to increase the available supply of sugar for the industrial users. I would like to include the housewives and everyone who uses sugar in that provision concerning new users, to have that clarified enough to let the housewives and industrial users know whether they are going to be deprived of sugar which they previously had.

Mr. WOLCOTT. I do not think there should be any question about this. This will be enough with respect to that. In making available sugar for new users, the Secretary of Agriculture is not limited by too rigid standards or even suggestions in the act, except that we do compel him to make available some sugar for new users. It may be assumed that if it develops that the Secretary should make available, for example, 10 percent of any increase to new industrial users, then the present industrial and commercial users, will have to have 10 percent taken from the increase. So that if there is an increase of 15 percent to the industrial user, as I believe it is contemplated, and it develops that the new users must have 10 percent of that increase, then the new industrial and commercial users will have 10 percent of the increase deducted from the 15 percent. I have gone a long way around to explain the situation but I think that would inevitably happen, but it would not be taken from the allocation which they have at the present time. It would be taken from the increase over any allocation they now have.

Mr. OWENS. That makes it very plain.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. WOLCOTT. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, although I do not like continued governmental controls and hope they can and will be eliminated just as rapidly as is consistent with safety, I have become convinced that the temporary continuance of control over the supply of sugar is necessary in order to give the housewives of this country something like an adequate supply at a reasonable price. My fear is that if we do not support this measure we will find in short order that all our sugar will be gobbled up by industrial users or at least its price will be inflated by the volume consumers to such a point that the housewives cannot buy it or will have to pay a price way out of all reason. With some reluctance therefore I plan to support this legislation.

I do want to ask a question of the distinguished chairman, however, with reference to the very last paragraph of the bill because I think it is not desirable, unless absolutely necessary, to extend governmental control over anything that is not now covered. In the first place, are these liquid sugar, sirups, and molasses and sugar-containing products mentioned in this paragraph now covered by controls, and if they are not, what is the reason for bringing those allied products under this bill?

Mr. WOLCOTT. They are covered at the present time. I suggest that the gentleman not to be confused by the use of the word "saccharin" in line 3. That is not the saccharin that you buy in a drugstore in bottles, which is not made from these products

Mr. KEATING. I have been informed by certain industrial users in my district that the present price control is only over sugar derived from sugar cane and sugar beets. Is that in error?

Mr. WOLCOTT. We cannot add new products under the language of the bill. We could not bring other commodities under control which were not under control on February 18, 1947, which is an arbitrary date. On page 6, if the gentleman will refer to his work copy of House Joint Resolution 146, we provide:

That the power contained herein shall not be deemed (i) to permit the allocation or rationing of any product (other than the allocation of such product imported or brought into the continental United States) unless a regulation providing for allocation or rationing thereof was in effect on February 18, 1947.

So this bill could not be interpreted as broadening any authority which was not in operation on February 18, 1947, in respect to use, rationing and price control which existed on that date.

Mr. KEATING. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WOLCOTT. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. TWYMAN].

Mr. TWYMAN. Mr. Chairman, I rise to commend the gentleman from Kansas [Mr. REES], chairman of the Committee on Post Office and Civil Service, for having called attention to the word "temporarily" on page 9, line 18, and to ask that this committee give favorable consideration to the amendment which I understand the gentleman from Kansas intends to offer.

I want you to know that our committee heard both sides of this question. We came to the conclusion that we should be concerned with the protection of the veterans who are going to be involved by reason of transfer to the Department of Agriculture. I think everyone here appreciates that these men should have the same standing as those presently employed by the Department of Agriculture when it comes to be necessary to reduce the force. We understand that this whole provision of the extension of controls is temporary. We do not believe those men should be sacrificed by the inadvertent use of this unfortunate word "temporarily." I do hope that favorable consideration will be given to the amendment when it is offered.

Unless the word "temporarily" is eliminated from this bill a serious injustice may be done to a large number of veterans who are transferred as a result of the passage of this act. I feel that we should carry out the provisions of the Veterans' Preference Act. I am glad the American Legion and other veterans' organizations were alert and brought this to the attention of the House Committee on Post Office and Civil Service.

Mr. SPENCE. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. FLANNAGAN].

Mr. FLANNAGAN. Mr. Chairman, I rise primarily for the purpose of asking the chairman of the committee a few questions.

Mr. Chairman, I think the sugar rationing program created more resentment among the American housewives than any program ever inaugurated. Take the situation down in my district. During the canning season the housewife could go to any country store and find plenty of soft drinks, plenty of candy, and yet she could not find the sugar to can the fruit that was going to waste.

I believe some provision should be made to give American housewives sufficient sugar to can her fruits and berries. I wish to ask the chairman of the committee if provision (b) on page 7 providing for hardship cases would take care of the American housewives during the canning season?

Mr. WOLCOTT. If there were going to be food wastage at that time, as there of course would be if she were not given reasonably adequate supplies, then I think under the language of the bill and the interpretation expressed in the report, the Secretary of Agriculture would have to give consideration to those cases as hardship cases. The language we have used in the committee report would indicate our intent in that respect.

Mr. FLANNAGAN. It would indicate the intent of Congress to give additional sugar to the American housewives during the canning season provided under the allotments made to them, they could not obtain sufficient sugar to can their fruits and vegetables to tide them over to the next canning season.

Mr. WOLCOTT. Under the language of the bill and under the language in the committee report, the Secretary of Agriculture must give reasonable consideration to the alleviation of those cases if otherwise there is likely to be a wastage of food products.

Mr. FLANNAGAN. There was a tremendous wastage of food products during the last canning season, I think, not only in my district, but all over the country. A lot of food went to waste due to the fact that the housewife could not get the sugar with which to can.

I would like to ask the ranking minority member if the interpretation given by the chairman is his interpretation of the language.

Mr. SPENCE. I think it is a reasonable interpretation.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. WOLCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, may I say to the Members of the House that I take this time to ask the chairman of the committee a few questions, and preliminarily to asking those questions may I say that subcommittee No. 4 of the Committee on the Judiciary has been holding hearings on the Second War Powers Act, which includes also title III of that act which relates to allocations and priorities under which practically all of this sugar rationing and allocations has been handled. At this moment, and before we complete the executive sessions of that committee, and in rewriting whatever will be rewritten with respect to the Second War Powers Act I would like to ask the chairman of the committee two or three questions, if I may have the gentleman's attention at this time.

I note under the bill which is before the House, Mr. Chairman, that it provides that notwithstanding any other provisions of law, title III of the Second War Powers Act of 1942 and the amendments thereto, and title XIV of the Second War Powers Act of 1942, are eliminated, apparently, by this bill. The question now comes under title III of the Second War Powers Act as to whether or not that title should be extended insofar as allocations and priorities are concerned with respect to sugar or whether or not this pending bill, if passed, will fully cover and take care of everything with respect to the allocation of sugar with the present shortage? I would like to have a definite answer on that subject, if I may.

Mr. WOLCOTT. Upon the effective date of this bill, all the powers necessary to ration sugar will be in effect, because this bill continues the provisions of title III and title IV of the Second War Powers Act of 1942, insofar as they relate to sugar. Therefore, since the bill would continue the sugar-rationing-authority provisions of title III of the Second War Powers Act of 1942 it would not be necessary to continue them by other legislation.

Mr. SPRINGER. In other words, as I understand, if this pending bill is passed it will be wholly unnecessary for any extension under the Second War Powers Act, or the allocations provided thereunder with respect to sugar; is that correct?

Mr. WOLCOTT. It would not only be unnecessary, it would be quite redundant.

Mr. SPRINGER. Another question, if I may be permitted. As I understand, with the passage of this act, it will not interfere in any way with the allocation of sugar under rationing stamp 11; that is, those who have possession of the stamp will be entitled to receive 10 pounds of sugar rather than 5 pounds of sugar, and this act will not tend to affect that allocation in any way whatever. That notwithstanding the provisions of the pending bill the housewives will be entitled to receive 10 pounds of sugar on stamp No. 11, and those following.

Mr. WOLCOTT. That is my understanding. As a matter of fact, we hope it will not be necessary to print any more stamps. The commitments we have made are transferred to the Secretary of Agriculture.

Mr. SPRINGER. I wish to thank the chairman for that information and those answers. This information will be very helpful to subcommittee No. 4 of the Judiciary Committee. What we desire, and that which I seek to secure, is an ample allocation of sugar for household use throughout our country and an ample amount of sugar for canning purposes. We must aid in saving the fruit for use in every home in our Nation.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. WOLCOTT. Mr. Chairman, I yield 8 minutes to the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, when the gentleman from Illinois [Mr. SABATH] spoke on the rule the other day he said:

> I am pleased because some of the gentlemen who are members of this committee and others used to charge that all of the legislation enacted by the so-called New Deal is bad and vicious.

Then he expressed his pleasure over the fact that controls on sugar were being continued.

Controls on sugar may be continued, but there is certainly no pleasure in it and it is not being done because the wartime controls were a good thing. We are having sugar trouble today because of the sugar policy followed by this Government over the last 25 or 30 years. It is because we have not produced sufficient sugar domestically. Whenever we are dependent upon foreign producers for a greater portion of any commodity we will be in trouble in time of national emergency and in time of war.

Few people realize that before the war an American farmer who wanted to produce sugar beets, even though his land was adapted to it, could not get that right. That situation still exists so far as long-range planning is concerned. Our sugar troubles began a long time ago. The situation we are facing today started back when the quota on Philippine sugar was removed in the passage of the Underwood tariff. Up until that time a limit of 400,000 tons on the importation of sugar from the Philippines had been maintained. It was taken off in the Underwood tariff. American Spanish, English, and Dutch capital then moved into the Philippines. The islands became a one-crop economy, perhaps to their hurt. The imports into this country continued until they exceeded 1,000,000 tons. In the meantime the American sugar industry got in a bad way, it was chaotic. They came to the Congress and asked for relief, and we had the Jones-Costigan Act, and later on the Sugar Act under which we are now operating, which put a quota on the production of sugar. Congress said that American farmers could have only a small portion of the sugar market in the United States. We were in that sort of an economy and subject to that sort of control when the war came along. Henry Wallace went up and down the country advocating the discontinuance of our domestic sugar industry.

The people in the territory that I have the honor to represent want to produce more sugar. They have land and water adapted to it. We could easily supply sugar beets for four or five more sugar factories, but the Sugar Act must be removed first.

This Congress in the last session passed the Philippines Trade Act. We established a precedent and said that the Philippine Islands shall have in the postwar future the same share of our domestic market as they had before. This means that all the other off-shore producers, whether Cuba, Puerto Rico, South America, or other foreign countries, are going to insist that they be not cut down. It means a program of only a small portion of our sugar being produced in the continental United States. It is wrong and unwise.

There is something that can be done so we will not always be threatened with a sugar shortage and high prices, and I hope the Committee on Agriculture can keep it in mind when they revise the Sugar Act. We should limit these offshore producers of sugar to the number of tons of sugar that they produced for us in the prewar days. I would go further, but we should limit them that much at least. This means that any additional sugar that we need here by reason of increased per capita consumption should be produced by the American beet and cane producers. It means also that the sugar needed to feed our increased population should be produced here at home. The population has increased from 120,000,000 at the time this program was formulated to approximately 140,000,000 at the present time. You are facing a sugar problem today because we have not been self-sufficient in regard to sugar.

Mr. COLE of Kansas. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Kansas.

Mr. COLE of Kansas. I was very much interested in what the gentleman said particularly in the beginning of his statement. I call the gentleman's attention to the statement I made awhile ago, that this is not a sugar control bill, it is a bill to de-control sugar. The timing element is important.

Mr. CURTIS. Yes; but when you decontrol under this bill you still have the Sugar Act and you still have the Philippine trade bill. You gentlemen who served in the last Congress will recall how the Committee on Ways and Means voted to cut the quota for producers of sugar in the Philippines. This would have helped our domestic producers of sugar and it would have helped the Philippines by preventing their return to a one-crop economy. An attack was made on that action. Editorials were published, and the State Department carried on a campaign, and that action was later reversed.

We have started off again on a program of depending on offshore producers for our sugar. The answer to our sugar problem is more production of sugar within the continental limits of the United States.

Mr. Chairman, with millions and millions of people starving throughout the world, why should rich Uncle Sam go into the markets of the world and buy any food and bring it here? We can best serve the world from an altruistic standpoint by producing our own food. The American market belongs to the American farmer. The Committee on Agriculture should write a sugar program that will provide for the maximum domestic production of sugar. Our increased production of sugar beets in the irrigated West will be welcomed and in the interests of the country.

Mr. WOLCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, we have had a clear-cut demonstration here this afternoon of how the President of the United States did relieve this body of mental and perhaps emotional stress and debate amongst ourselves when the President removed controls on numerous things without us having to pass upon them here on the floor of the House, whether it be meat, butter, or anything else. If we had had to pass on those controls, we would have had the same kind of debate with respect to any particular commodity as we have had here on sugar this afternoon. So we can be thankful to the President of the United States because on his own initiative he removed certain controls following the November 5 election and thus took such matters out of the hands of this body.

Secondly, I am going to say something very bluntly here. I am going to talk to you as politicians, Democrats and Republicans. Do you want to decontrol sugar in an election year, a Presidential election year, on March 31 or June 30 or October 31? If you do, go ahead and do it. I am not going to vote for that kind of proposition. That is just about as blunt as I can say it. Many people would say, "That bird is certainly a low-down politician of the first order." I am just being practical about this and realistic about it.

Vote to decontrol sugar on March 31, 1948, and assuming your arguments here are reasonably correct in that the price of sugar is going to rapidly advance, then go home next spring and summer and face the housewives of this country and let them pull the hair out of your head if you have any left—I do not have much left for them to pull. You just try that. Vote to decontrol sugar on March 31, 1948, at the beginning of the heavy sugar consumer period of the year 1948 and as the crops are vanishing on the market and you will take the most encouraging step you ever took in your life to send sugar to 25 or 35 cents a pound, which the housewives of this country will probably have to pay. The time of decontrolling of any commodity is just as important as the matter of decontrol itself. Get that fixed in your minds. If you want to set the natural forces of an economy against the spirit of inflation and speculation, then decontrol as of the date the heavy consuming is over and as of the date the heavy production comes into the market. That is exactly the date selected by this committee, namely, October 31, 1947, and which date I favor.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. In just a moment. If you are not going to decontrol October 31, 1947, I am telling you now you had better not decontrol until 1949. How many of you want to keep controls on sugar until 1949? That is as plain as I can say it.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. GAVIN. What assurance can the gentleman give us that the other body will accept the date you have mentioned?

Mr. CRAWFORD. I am not responsible for the other body, and in no way do I speak for them. I simply point this out: If you will send to the document room, you will get the report of

the committee in the other body, in which they have reported a bill. I have a copy of it before me, Senate Joint Resolution 58. In that they set March 31, 1948, as decontrol period. Why they set it at that date God only knows. I am not speaking politically in that statement. I am speaking because every natural economic argument that can possibly be brought up by anybody—and I will challenge anybody on it—is against decontrol as of March 31. Let me show you why.

Mr. BANTA. That would be any year?

Mr. CRAWFORD. That would be any year. Here is the gentleman from California, or Oregon, or Washington, where sugar is produced; you put control on his farmers who start harvesting their sugar in July or August, and you hold that control until March 31, until they have sold all of their sugar; what assurance do you think he has got of coming back to Congress after a situation like that?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. SPENCE. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. CRAWFORD. When is your heavy consuming period on sugar? It runs from about April 1 until about November 1. That is when the people are drawing sugar for every use imaginable in this country in the biggest volume they can get their hands on.

What do you can after November 1, what do you preserve after November 1 of any consequence? Most of your candy for the Christmas trade has been made at that time and is moving into the channels of trade for Christmas distribution. Along about this time, March 15, you are at the lowest consuming period. Then about April 1 you are approaching the beginning of the heavy consuming period. November to April 1 is your low consumption. When do the sugar stocks go onto the market? They come onto the market starting in California in late August or September, and they move across toward the Atlantic seaboard—I am speaking of domestic sugar now—they come into the eastern area, and your heavy domestic continental production comes on in October, November, and December. Before those stocks are exhausted sugars begin to sweep in from Cuba, Puerto Rico, and the Virgin Islands. You are meshing the heavy flow with the low consumption, which says to the speculator, "You had better go slow on speculation, because you may have to carry that sugar a long time, with markets operating as they do sometimes." Your banker may call you up and say to you, "You had better unload some of that sugar. The price might break." The Federal Reserve Board says to the banks, "Do not supply too many credits for speculative loans at this particular time." So October 31 is the date you mesh your low consumption with high production, and dampen down the speculative spirits of your people. Now, go to March 31 again. Your low-consumption period is about past. You are moving into the high-consuming period. Your heavy production is coming to a close. Who holds the sugar, primarily, for the next 5 or 6 months? Cuba. Cuba can wring the purse strings of every housewife in this country during the period April 1 until September or October, when beet sugar is in heavy supply. If you want to go through a summer like that next year, go ahead and do it, but you remember I told you you had better not do it.

Now, this bill says to the people of this country, "Put your sugar house in order." These controls go off next October 31. You will undoubtedly get one from the other body which says March 31. You will have to compromise somewhere or you will have to stand pat, so you had better look out for a roll call on this proposition and you had better make up your mind what you are going to do before you start voting. The committee report from the other body has put in some very strong language. Unless you know sugar you may get your feet tangled up in the bullrushes and get some burs under your arm too. You have got every housewife in the United States wondering what you are going to do about these sugar controls. If I had my way about it as sugar administrator, I would take the tonnage of sugar that is allocated to the United States and I would say to the housewives of this country, "You are going to have a certain percentage of that." I would be quite liberal in that. Having decided the percentages which the housewives are going to get, I would allocate the balance of it to manufacturing consumers of this country and I would not confer a proprietary right on any fellow, it does not make any difference what his historical background is. Mr. A has as much right to operate a business as Mr. B. I would not use the force of the Federal Government to set up Mr. B in business and confer on him any proprietary right exclusive of all of the others.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. JENNINGS. What the gentleman is saying, boiled down to one sentence, is that we had better pass this bill and not monkey with something the outcome of which we cannot foresee.

Mr. CRAWFORD. Yes. And I yield back the balance of my time.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. WOLCOTT. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. BUCK].

Mr. BUCK. Mr. Chairman, in view of all the circumstances, I favor the enactment of this legislation.

Mr. WOLCOTT. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Chairman, my interpretation of this bill is that it will give the Secretary of Agriculture an opportunity to show that he is fair-minded in the adoption of a policy which should give the American housewife more sugar. On several occasions when he came before our committee he indicated that more sugar would be available this year. Of course, I went on record long ago as wanting a larger ration of sugar for everybody. I, for one, hope that he makes good his pledge in allowing the average housewife more sugar. Every family ought to have at least 25 pounds more right off the bat.

If there was ever an instance of wastage of food it is certainly at the present time when the farmers and the rank and file of city folks are not able to utilize the food they have been able to gather and purchase by preserving it and do a number of different things with it for which sugar is vitally necessary. I, for one, hope the Department of Agriculture will be more fair in allocating and allotting sugar than the agencies which have been empowered with that duty heretofore. That is the reason I am going along with this legislation today.

Just after the last election a friend of mine of long standing took me by the lapel and said: "This Congress has an opportunity to satisfy and satiate the people of America in correcting this No. 1 fiasco that has been foisted upon the American people — the regulation of sugar."

As elected officials we have the chance now to correct this situation. Give the housewife more sugar and we will all be a lot happier.

There are some who feel this bill leaves too much control of sugar in Government hands. Actually there is just enough to keep big buyers from cornering all our sugar supply, at the same time giving the average civilian and the small businessman a chance to obtain an adequate amount.

The responsibility now rests upon the Secretary of Agriculture. He can give the American people a break if he wants to by assuring us all a fairer distribution of one of the most necessary of all food items—sugar.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WOLCOTT. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. MARTIN].

Mr. MARTIN of Iowa. Mr. Chairman, I sought this time to ask for some information from the chairman of the committee, the gentleman from Michigan [Mr. WOLCOTT].

The conclusion of the committee includes the following statement on page 10 of the committee report:

> The committee has further recommended that the Secretary of Agriculture in the administration of the allocation program shall provide for the needs of hardship cases, and for the needs of new users and those having no base-period history. It feels that with the increased sugar available during 1947, over 1946, for industrial users that the reasonable needs of new users, and the reasonable relief of hardship cases including provision of sugar to prevent the wastage of mill and other food products, must be provided for by the Secretary of Agriculture.

Iowa City, Iowa, is the home of the State University of Iowa. It is a city of approximately 18,000 to 20,000 people. The university enrollment has leaped to more than 10,000 students this year and will go even higher next year, whereas the attendance heretofore has been between 6,000 and 7,000 students. Many hundreds of these additional students are married and have brought their wives and children with them. Under

present law adequate provision has not been made for the needs of this increase in population.

My question is: Does this provision in this bill as interpreted in the committee report authorize the Secretary of Agriculture and give him the power and responsibility to make adequate provision for the needs of greatly increased populations in such communities as Iowa City?

Mr. WOLCOTT. I do not know that the bill provides adequately for such a situation any more than under short supply you could make adequate provision for anybody in the United States; but as far as those people are concerned, they would be considered either hardship cases, or rather, let me put it this way, the distributors under those circumstances may make application for increased quotas to meet the demand occasioned by any increase in population. That in itself should be considered a hardship case which the Secretary of Agriculture would have to recognize under the conditions of this act.

Mr. MARTIN of Iowa. He has that responsibility, but that has not been the case under existing law.

Mr. WOLCOTT. He will have that responsibility from now on; yes.

Mr. MARTIN of Iowa. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. WOLCOTT. Mr. Chairman, I yield 3 minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Chairman, I am quite sure that every Member of this House will agree with me that the primary reason why we find ourselves in this sugar crisis is due to the fact that the price of sugar beets and sugarcane has been held down too low in comparison to other farm products. About a month ago the Governor of the Virgin Islands testified before the Subcommittee on Appropriations for the Department of the Interior, at which time I asked him what would happen to the production of sugar in the Virgin Islands if they were permitted to have an increased price of, say, $2 a hundred on their raw sugar. He said, "We would produce approximately 25 percent more sugar." If the OPA had in the past few years permitted a more reasonable comparative price for sugarcane and sugar beets this problem would not confront us today.

If I had my way we would decontrol sugar right now, or at least permit the price to rise sufficiently to get the necessary production everywhere.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. WOLCOTT. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. FLETCHER].

Mr. FLETCHER. Mr. Chairman, as a member of the Banking and Currency Committee having heard the extensive hearings on sugar, I wish to say that I am very much in favor of the passage of House Joint Resolution 146, by Chairman WOLCOTT.

In my considered opinion, the best testimony of qualified witneses proved that the month of October was the best month to decontrol sugar. With sugar production in 1947 at a high level, I can see no reason to defer decontrol until 1948.

We have seen the pitiful spectacle in this country of the loss of milk, fruit, and other foods, considerable of which have been wasted because of the inability of housewives and new users to obtain sugar. I do not think it is fair to continue to give a monopoly to the present industrial users of sugar. Why should new enterprise be discouraged? Let us not forget that sugar is only one of the many problems in our present economy. I call your attention to increasing unemployment in many parts of our country which could be alleviated by the starting of new enterprises. Our business history is replete with stories of the growth of large corporations from small business beginnings.

House Joint Resolution 146 allows the Secretary of Agriculture to control sugar until October 31, 1947; it allows sugar for hardship cases and new-user cases; and provides inventory controls against hoarding until March 31, 1948. I strongly urge the passage of House Joint Resolution 146.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Louisiana [Mr. LARCADE].

Mr. LARCADE. Mr. Chairman, I rise in support of the resolution under consideration, and usually I yield to my colleague, the gentleman from Louisiana [Mr. DOMENGEAUX], in matters connected with the sugar industry, since he represents the Sugar Bowl district of Louisiana, and I therefore join him in urging favorable action on this bill.

The compromises effected under this resolution in committee are now satisfactory to the producers of sugar in Louisiana, and in that connection I wish to submit copy of a telegram from the officers of the Louisiana Sugarcane League of Louisiana, as follows:

NEW ORLEANS, LA., *March 20, 1947.*

C. J. BOURG,
Union Trust Building,
Washington, D. C.:

Reference decontrol of sugar, have contacted membership, executive and legislative committees. Overwhelming majority opinion strongly endorse definite and complete decontrol sugar October 31, 1947. This action taken in interest of 11,000 sugarcane growers who would suffer irreparable damage if decontrol is made effective March 31 instead of October 31, 1947. Kindly advise Louisiana congressional delegation of the position of our industry.

GEORGE L. BILLEAUD,
President.
MURPHY J. FOSTER,
Chairman, Legislative Commitee.

Mr. WOLCOTT. Mr. Chairman, there are no further requests for time on this side.

The CHAIRMAN. There being no further requests for time, under the rule the Clerk will read the committee amendment which will be considered as an original bill.

The Clerk read as follows:

That (a) notwithstanding any other provisions of law, the Emergency Price Control Act of 1942, (56 Stat. 23); the Stabilization Act, 1942 (56 Stat. 765); title III of the Second War Powers Act, 1942 (56 Stat. 177), and the amendment to existing law made thereby; title XIV of the Second War Powers Act, 1942 (56 Stat. 177); and section 6 of the act of July 2, 1940 (54 Stat. 714), all as amended and extended, shall continue in effect with respect to sugar to and including October 31, 1947, except that authority to continue inventory controls may be exercised to and including March 31, 1948: *Provided, however,* That—

(1) the authority contained herein shall not be deemed (i) to permit the allocation or rationing of any product (other than the allocation of such product imported or brought into the continental United States) unless a regulation providing for allocation or rationing thereof was in effect on February 18, 1947, or (ii) to permit price control over any product unless a price-control regulation with respect thereto was in effect on February 18, 1947;

(2) no person shall be subject to any criminal penalty or civil liability, under any such provision of law, on account of any act or omission which is made unlawful by section 4 of this act;

(3) sections 203 and 204 of the Emergency Price Control Act of 1942, as amended, shall not apply in the case of any regulation or order hereafter issued in the exercise of any power, function, or duty transferred by section 3 (a) of this Act; and

(4) hereafter no person shall be required to secure a license, and no license shall be issued to any person, under section 205 of the Emergency Price Control Act of 1942, as amended, for the purpose of providing for the enforcement of any regulation or order relating to sugar.

(b) Notwithstanding the provisions of any other law, the Secretary of Agriculture, in exercising the allocation and rationing authority transferred to him by section 3 of this act, shall, in a manner consistent with the maintenance of an effective national allocation and rationing program, provide for the needs of hardship cases, for the needs of new sugar users, and for the needs of those who have no base period history.

Mr. WOLCOTT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: On page 6, line 17, after "controls", insert "over other than household users."

Mr. WOLCOTT. Mr. Chairman, I have called attention earlier in the debate to the desirability of clarifying this language and, I believe, expressed the fear that unless it was clarified we might unintentionally continue controls over all users through March 31, 1948. It surely was not the intent of the committee when we authorized the continuance of inventory controls to include the householder. It has been suggested that this amendment is the easiest way to clarify it, that is, to restrict it to commercial and industrial users. If we were to use language that it was restricted to industrial and commercial users, of course we would have to define what is a commercial or industrial user, but it is very clear that the inventory controls, if they are going to be continued, should be continued as to everyone but the housewife, the household user. Therefore, probably the most direct approach to the problem is this that by eliminating the household users we include thereby all other users. It is in the interest of assuring that the controls over the allocation of sugar to the housewife for household uses will expire on October

31, 1947, that I believe this amendment should be adopted.

Mr. CHENOWETH. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Colorado.

Mr. CHENOWETH. Do I correctly understand that it is the position of the chairman of the committee that the Secretary should have the authority to ration industrial and commercial users until March 31, 1948?

Mr. WOLCOTT. According to action taken by the committee the inventory control could be exercised to and including March 31, 1948. Believing that it is the intention of the committee to limit inventory controls to industrial and commercial users, I have offered this language to exempt household users, to clarify the intention of the committee in that respect. As I have said, I am afraid that otherwise the Secretary of Agriculture might be justified in interpreting this language to mean that he would have the authority to exercise controls over the amount of sugar the housewife might have in her sugar bowl.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Michigan.

Mr. CRAWFORD. In other words, Government departments have never yet brought inventory controls down to the household?

Mr. WOLCOTT. That is right.

Mr. CRAWFORD. The gentleman's amendment makes the language clear, that there is no intent here that the Secretary of Agriculture shall fuss around with what is in the house?

Mr. WOLCOTT. That is the purpose of the amendment.

Mr. CRAWFORD. It is to restrict it definitely to commercial users?

Mr. WOLCOTT. Yes.

Mr. CRAWFORD. I think the amendment is very proper.

Mr. CHENOWETH. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Colorado.

Mr. CHENOWETH. Would the gentleman have any objection to ending all controls on October 31? Is not that the purpose of this bill?

Mr. WOLCOTT. Yes; I think I do have some objection to that.

Mr. CHENOWETH. I intend to offer an amendment when this amendment is disposed of.

Mr. WOLCOTT. I shall have an opportunity to explain my objection when the gentleman offers his amendment.

Mr. SPENCE. Mr. Chairman, we have no objection to the amendment and think it should be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. WOLCOTT].

The amendment was agreed to.

Mr. WOLCOTT. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT:

On page 7, strike out lines 7 to 11, inclusive, and insert the following paragraphs:

"(3) no provision of section 204 (d) or (e) of the Emergency Price Control Act of 1942, as amended, shall apply (i) in any proceeding, involving a regulation or order with respect to sugar, in which an injunction or other order of a court is hereafter applied for, or (ii) in any proceeding under section 37 of the Criminal Code, which is based on a conspiracy involving any act or omission which is made unlawful by section 4 of this act;

"(4) in the case of any regulation or order with respect to sugar, no protest may be hereafter filed under section 203 of the Emergency Price Control Act of 1942, as amended."

In line 12, strike out "(4)" and insert "(5)."

Mr. WOLCOTT. Mr. Chairman, this language is suggested by the legislative counsel to more clearly define what is intended. It is intended by the language in section 3 on page 7 to do away with the protest procedure now provided for in the Emergency Price Control Act with respect to violations or procedure after the effective date of the bill now under consideration.

It is our intention under this bill to eliminate the Emergency Court of Appeals in the participation in the reviews of violations under this particular bill. The Emergency Court of Appeals was set up to handle a situation which might arise wherein, because of a multiplicity of suits involving hundreds of thousands of commodities, chaos might result from even trying to enforce the price control laws.

At the time the OPA was administering controls over hundreds of thousands of commodities, it was essential, and you will recall that many of us predicted it here on the floor for some years. But there is no longer any need for continuing the cumbersome machinery under which these reviews are made in respect to price control regulations because the activity of the OPA is now pretty much narrowed. After the effective date of this act the OPA and the machinery for the enforcement of OPA regulations will no longer be in existence in respect to sugar controls and they should not be continued after the effective date of this bill because there would then be a conflict of jurisdiction.

As I stated before, the legislative counsel has suggested this language which I have offered to define more clearly our intent. In other words, he puts it in somewhat better language from the legislative point of view.

The CHAIRMAN. The question is on the committee amendment.

The amendment was agreed to.

Mr. CHENOWETH. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CHENOWETH: On page 6, line 16, after the figure "1947", strike out the remainder of the line 16 and all of lines 17 and 18 to the word "provided."

Mr. CHENOWETH. Mr. Chairman, there seems to be considerable confusion over the meaning of the provision I am seeking to strike from the bill by the amendment I have offered. No one can tell the House just what control the Secretary of Agriculture will have over sugar after October 31, 1947. My amendment will stop all controls over sugar on October 31 of this year.

The bill before the House has for its purpose the termination of the sugar rationing program, including the control of prices over sugar, as of October 31, 1947. My amendment, if adopted, will leave no doubt as to the effect of the bill.

The gentleman from Michigan [Mr. CRAWFORD] who addressed the House a few minutes ago, and who is an authority on sugar, made a strong argument for the amendment that I have offered. It is admitted that no one knows what the Secretary of Agriculture would do with this power to continue inventory controls. I have never heard it satisfactorily explained why he should have these powers. It is conceded that October 31 is the proper date to decontrol sugar, as we will then have a full inventory of sugar. This is the period when the candy manufacturers of the country will be anxious to make some Christmas candy. I am not particularly happy about the proposal that the Secretary of Agriculture, or any other Government official, should have the power to say how much sugar any industrial user of sugar should have on hand. I am thinking of the small candy makers, bakeries, soft drink bottlers, ice cream plants, and others affected. I want to see them get adequate sugar, which I am sure will be available. They are certainly entitled to this consideration.

Unless my amendment is adopted, I submit that you are giving the Secretary of Agriculture full power to continue the sugar program for industrial and commercial users until March 31, 1948. The control of inventories is all that he needs to regulate all industrial users of sugar.

We virtually continue the rationing of sugar until March 31, 1948, so far as these commercial users are concerned. I am opposed to any such extension.

Mr. Chairman, I am disappointed that we have to pass this legislation at all. I am ready to support this bill and continue the sugar program until October 31, the date set by the committee, but I am not willing to leave a loophole whereby sugar rationing of any type can be continued beyond that date. Congress should determine when sugar controls will be abolished and not leave this decision up to the Secretary of Agriculture, or anyone else.

I am seeking to strike the following language from the bill:

That authority to continue inventory controls may be exercised to and including March 31, 1948.

The gentleman from Michigan, the chairman of the committee, considered this language so broad and far-reaching that he offered the amendment eliminating housewives from being included under these inventory controls. However, this provision still applies to all other users of sugar, and in effect continues controls until March 31 of next year. In other words, instead of abandoning sugar rationing and controls on October 31, as we have been led to believe was the purpose of this legislation, we are in fact extending controls over certain users of sugar for 6 months beyond that date.

I submit, Mr. Chairman, that we should adopt my amendment. I hope

it will have your approval and that we will end all sugar controls on October 31, 1947. The Secretary of Agriculture should have no inventory control or any other jurisdiction beyond that date. The only logical and reasonable conclusion we can draw from the discussion and debate this afternoon is that it is the purpose of this bill to end all sugar controls on October 31. I know the committee has given careful consideration to the entire sugar situation and is recommending the continuation of rationing and price control a few months longer. Personally, I do not believe the dire predictions of those who contend that chaos would result if these controls were removed at this time. I still have faith in the ability of our producers and distributors of sugar to see that a fair distribution is made. However, I am willing to continue price ceilings on sugar for a few months longer, but I certainly want to protest against the continuation of all controls over sugar, whether by the inventory method or some other ruse, beyond October 31 of this year. Let us make up our minds whether we want to terminate sugar control on October 31, 1947, or on March 31 next year. It seems to me the consensus of opinion is that it should come to an end on October 31, this year. If that is true, let us say so in plain language; in language that those administering sugar controls will understand. In order to avoid confusion and remove all doubt of our intention I urge the adoption of my amendment.

The CHAIRMAN. The time of the gentleman from Colorado [Mr. CHENOWETH] has expired.

Mr. BOGGS of Louisiana. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, earlier this afternoon in the general debate I spoke out without qualification in favor of the October 31, 1947, date, as the best date for the removal of controls on rationing and price. However, I feel that if we were to adopt the amendment that has just been suggested by the gentleman from Colorado [Mr. CHENOWETH], which would remove inventory controls as of that date, it would be almost impossible to decontrol sugar as of October 31, 1947. I say that advisedly. This fact must be borne in mind: While on October 31, 1947, we will know exactly what the sugar supply will be for 1948, we still will not have the sugar stocks on hand, so that we still must wait a period of months before the crops from the Virgin Islands, Puerto Rico, and Cuba start reaching the mainland. If we were to decontrol as of October 31, 1947, on the inventory, we would have the same mad scramble among the big industrial producers that we might anticipate if we decontrol as of this date or as of March 31, 1947.

In addition to that, the amendment just offered by our distinguished chairman [Mr. WOLCOTT] very well clarifies the intent of this bill so that the people we principally want to help, that is, the housewives of America, will not be affected by inventory control. The amendment offered by the gentleman from Michigan [Mr. WOLCOTT] would adequately protect the housewives as of October 31, 1947. But if we remove inventory controls and allow the big industrial users, who occupy a favored financial position, to go out and buy up the most outrageous inventories, then the price of sugar is bound to skyrocket. There are only four or five gigantic sugar users in the United States when you talk about big sugar users. If you put them in a position where they can buy large inventories, then the price of sugar will skyrocket beyond what the gentleman predicted a little while ago, and we are bound to have what the gentleman said, an effort on the part of those who want to continue controls to come back and say to us, "See what happened. Let us put the controls on again."

Therefore, I hope the amendment will be rejected.

Mr. CHENOWETH. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Louisiana. I yield.

Mr. CHENOWETH. In effect, the gentleman is arguing now to continue it.

Mr. BOGGS of Louisiana. No; I am not.

Mr. CHENOWETH. Practically, what you say continues the rationing of industrial sugar until March 31, 1948.

Mr. BOGGS of Louisiana. No; it does not.

Mr. CHENOWETH. If you control the inventory you control everything.

Mr. BOGGS of Louisiana. No. The committee amendment is very specific. The housewives will not be affected by the inventory control.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Louisiana. I am glad to yield to my distinguished fellow committeeman.

Mr. BROWN of Georgia. Without inventory control to March 31, 1948, of course, the housewives would get less sugar.

Mr. BOGGS of Louisiana. Exactly.

Mr. BROWN of Georgia. Industrial users will hoard the sugar.

Mr. BOGGS of Louisiana. Exactly.

Mr. BROWN of Georgia. They certainly will not be placed in a favorable position by this amendment.

Mr. BOGGS of Louisiana. The gentleman is correct. The result will be that the industrial users will hoard all the sugar and the housewives get none of the sugar, and those who want to continue control of sugar will be able to come down here and make out a good case.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. GAVIN. Mr. Chairman, I rise in support of the amendment of the gentleman from Colorado [Mr. CHENOWETH].

Mr. Chairman, I have listened with a great deal of interest to the debate here today on sugar, and the committee have reported out a very fine bill. I feel, however, that all controls on sugar should be definitely eliminated on October 31, 1947. In the past we have listened to discussions as to the decontrol of oil, then we listened to discussion on the decontrol of meats and the dire consequences in event of decontrol but nothing happened. Now it is this emergency and that emergency—always an emergency. The time has now come when the American people are asking relief from restrictions and regulations controlling and strangling business, restrictions and regulations that have killed the free flow of trade. I am asking the Members of this House whether we are going to degenerate this Government into some sort of bureaucratically controlled government, or are we going to return to free enterprise, placing the business of the country in the hands of the American people where it rightfully belongs? It is time to end all controls. There are 140,000,000 people in this Nation and we built without question the greatest productivity the world has ever known. Let me tell you, Mr. Chairman, it was not built by control, restriction and Government regulation. It was built by the American way. It was built by initiative, courage, determination, energy, resourcefulness and hard work, we have built a great producing Nation of agriculture and industry, the envy of all the world. Let us now discontinue these controls that are strangling the free flow of trade and crucifying our system of free enterprise. Further controls are unnecessary and should be discontinued.

I am going to support the amendment offered by the gentleman from Colorado.

Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of Ohio. Mr. Speaker, I move to strike out the last word and ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The gentleman from Ohio is recognized for 8 minutes.

Mr. SMITH of Ohio. Mr. Chairman, let us once and for all clear up the question as to how the International Emergency Food Council is given the power to put the sugar produced and acquired by the United States into an international pool and thence ration out of that pool back to the United States an amount of sugar it determines to be our proper share, and let there be no equivocation about it.

Referring specifically to the source of the power exercised by the International Emergency Food Council to assume this function, I asked Mr. James H. Marshall, Director of the Sugar Branch of the Department of Agriculture, to state specifically who has the power to bind the United States to this international program and whether legal authority existed for it. He replied that the power is vested in the President and the authority for it exists in title III of the Second War Powers Act.

However, I am informed by counsel, the most competent on the Hill, that Mr. Marshall is mistaken in his position; that the authority which the President exercises in delegating to the International Emergency Food Council the power to place American sugar in a world pool and arbitrarily allocate back to us whatever it believes we are entitled to is not provided in article 3 of the Second War Powers Act, and that they can find no specific authority for it.

Now, the gentleman from Michigan [Mr. WOLCOTT], chairman of the committee, has made a statement that

this power is somehow inherent in the President's powers to conduct the foreign affairs of the Nation. I want to challenge that statement. I do not believe the Constitution ever intended to vest any such power as we are here considering in the President of the United States. If the President has authority to exercise, or delegate to an international body the power to tell the people of the United States what portion of the sugar they produce and acquire must be exported to other nations and what part they may be permitted to consume themselves, then the President of the United States has the power to do this with respect to every other article we produce in the United States. Now, who is going to rise in his place and say the President of the United States has that power under the Constitution?

I pause. I want to see if there is any one on this floor who will rise in his or her place and say that the President of the United States has this power under the Constitution. No one rises and, of course, none can.

What I want to get across to the Congress and to the country is that even though all control over domestic rationing of sugar is repealed, we will still have rationing by the body known as the International Emergency Food Council, and that except for that international arrangement the people of the United States today would probably have all the sugar they want.

Let us tell the people the truth. They should know why they are unable to get more sugar and they should know that the blame for this is upon the Congress of the United States. Congress has the power to correct this condition.

One more point. The attempt is being made to give the impression there is nothing compulsory about this international arrangement, that the international group is only an advisory body. Whether that is true or not it has nothing to do with the question I am raising. The point I make is that the President of the United States has no power under the Constitution that authorizes him to accept any recommendation made by the International Emergency Food Council or to deal in any manner with an international body to set up this scheme.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. The gentleman does not take the position that any sugars produced in the United States are sent to foreign countries, does he?

Mr. SMITH of Ohio. Oh, no. I simply say that the sugar we produce and the sugar we acquire is placed into an international pool, and from that pool is allocated back to the United States by this international body whatever amount of sugar it believes proper.

Mr. BROWN of Georgia. I wish to say that the sugar produced in the Hawaiian Islands, the Philippine Islands, Puerto Rico, and the United States is consumed in this country and not sent to foreign countries. It is true that we do purchase all the sugar in Cuba. It is contracted for in order to keep down unjust amounts to be paid for the sugar, with the understanding that we will allot out of that amount a certain portion to foreign countries, like old customers of Cuba, but the sugar produced here as well as in Hawaii and Puerto Rico is consumed here and none of this sugar is sent abroad.

Mr. SMITH of Ohio. The gentleman's argument is entirely beside the point. What I stated is a plain simple fact and it is there for anyone to see who cares to.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FOLGER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we on the Committee on Banking and Currency have been listening to witness after witness. Most every problem of our economy has been represented by the testimony that has been given. I want to pay a tribute to the large users of sugar, in all cases except one, in that they favored the bill as presented by the chairman of the committee in the first instance, to which I am adhering in thought. I really believe that when we substituted another bill for it we made a mistake. But if we add to that the lifting of inventory controls on the 31st of October instead of extending them to March 31, 1948, the result, in my opinion, will be that the small users of sugar and the housewives of this country will find no sugar. It will all be taken by the large purchasers who are able to pay higher prices and have easier access to making sugar contracts. This will be an absolute disaster to the housewives and the small users of sugar in this country, in my judgment, which I have formed from listening carefully to about 100 people.

Mr. CHENOWETH. Mr. Chairman, will the gentleman yield?

Mr. FOLGER. I yield to the gentleman from Colorado.

Mr. CHENOWETH. In one breath the gentleman praises the large industrial users of sugar and in the next breath he expresses a suspicion that they will deprive all the rest of the country of sugar.

Mr. FOLGER. They admitted that they could get it, but they did not want the opportunity and did not want to get into a scramble for it.

Mr. BOGGS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. FOLGER. I yield to the gentleman from Louisiana.

Mr. BOGGS of Louisiana. Is it not a fact that all the large industrial users asked us to continue inventory controls until March 31?

Mr. FOLGER. Except one. The gentleman remembers that one, does he not?

Mr. WOLCOTT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think we have to be realistic about the situation. I do not think anyone desires to see these war controls come off any sooner than I. I think the position of many of us is pretty well known, that it is our purpose to take them off as quickly as we can with as little shock to our economy as possible. This bill as it is written at the present time would authorize and provide for gradual decontrol, with little or no shock to our economy, and with little or no economic or political shocks which might be incident to or the result of taking them off prematurely.

I would rather put myself in the position of encouraging somebody else, some administrator, to take the responsibility for not getting sugar to the housewife after October 31 than I would take it myself. Surely the only harm is going to be possible harm to the housewife following October 31. No one else can be harmed by the continuance of inventory controls except the housewife. We are confronted with this problem. If the housewife is harmed by reason of industrial users operating in open competition with her; if inventories held by industrial and commercial users are built exceptionally high in October, November, and December against demand for candies, beverages, and everything else that is made of sugar, incident to the Christmas trade, I want the fault to lie in the administration of the law and not in the legislation itself. By October 31 people will be looking to December 25. The period between November 1 and Christmas is a period in which industrial and commercial users probably make, distribute, and market more candy than they do in any other period of the year.

Of course, there will be a tendency for them to, regardless of price, bid up every pound of available sugar on October 31 before the beet crop comes on the market, and, I believe, before the cane crop comes on the market, at a time when the inventories may be somewhat lower than you now expect them to be, because of a partial failure of the Cuban crop and because of a partial failure of the Hawaiian or Puerto Rican crop. We do not have any assurances that they are going to be up to the estimates, but surely we want to provide a hedge against crop failures to the point where the housewife is going to be assured of her proportionate share, her just and equitable share of sugar after October 31 and until such time as the new crops do come in. The only way I can see for us to do it and give her assurance that she is going to get her equitable share of these stocks is to give somebody the authority to tell the industrial users that they shall not at any time have more than a certain amount of sugar on hand in their inventories.

Mr. CHENOWETH. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Colorado.

Mr. CHENOWETH. The gentleman is telling the House now that you are not discontinuing the rationing of industrial sugar on October 31, but are going to continue it until March 31? No other conclusion can be drawn from the gentleman's statement.

Mr. WOLCOTT. I think the gentleman is correct. I may say to the gentleman that my bill originally provided for the continuance of these controls until March 1, 1948. I think I had a pretty good provision in the bill. I provided that the Secretary of Agriculture before October 15 would make his finding in respect of the necessity for continuing the controls after October 31. If he made this finding according to certain standards which we set up in the bill, then he

could continue them, even the inventory controls, beyond October 31, but not later than March 31. I think that is better language, but in my opinion on the basis of the practical situation we must defeat the amendment which the gentleman has offered.

Mr. CRAWFORD. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. WOLCOTT] may proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WOLCOTT. I yield to the gentleman.

Mr. CRAWFORD. I have asked for this time so that I could ask my chairman a question. Let us be fair to everybody about this and let us be clear about it. If the Government of the United States says to corporation A, "We no longer have any control over the amount of sugar you use but are simply going to say you must not have on hand more than 5,000 bags at any one time," in doing that the Federal Government does not limit the amount of sugar that can be used and, therefore, the Federal Government does not restrict the quantity of sugar that the corporation can use or exercise rationing power. It is an inventory control power—an inventory beyond which you cannot go. Does my chairman agree with that proposition?

Mr. WOLCOTT. I must admit that the inventory controls contemplated after that date would not be as restrictive as the controls under the power which the Secretary of Agriculture will have up to October 31. If the Secretary of Agriculture by regulation says that this corporation A, to which the gentleman has referred, shall not have more than 30 days' supply of sugar on hand at any one time in his inventory, of course, there is little to prevent that corporation A from sending its employees out into the open market and picking up 5 pounds at a time here and there for the corporation's use. That is, at least some restriction on this practice and that is some guaranty that the housewife is going to get her equitable allotment of this sugar.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. CHENOWETH].

The question was taken; and on a division (demanded by Mr. CHENOWETH) there were—ayes 30, noes 115.

So the amendment was rejected.

Mr. GAMBLE. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. GAMBLE: On page 7, line 24, after the word "history", insert a new subdivision (c):

"Nothing herein shall restrict the import of products of consumer size containers of not more than 3 pounds net each or more than one-half United States liquid gallons each, providing importers of such products shall obtain certification from the proper Government officials of the exporting country that products so shipped shall have been produced out of domestic quota sugar."

Mr. GAMBLE. Mr. Chairman, during the war certain American-owned companies at the request of the United States Army and with priorities granted by the United States Army, I am informed set up production facilities in Cuba for the production of certain food products, required by the Army, particularly guava jelly, to get vitamin C for the Army. They have now converted these facilities to the peacetime production of civilian consumer food products and are at the present time manufacturing jellies, jams, and certain types of sirups.

Cuba has been allocated out of the 1947 crop of sugar 740,000 tons, for Cuba's domestic use and for trading purposes with various South and Central American or other countries. Testimony before the committee disclosed that approximately 150,000 tons of this sugar is necessary for direct domestic sugar consumption in Cuba. This leaves a surplus of 590,000 tons available for sale, manufacture, and conversion, through consumer products, during the year 1947. This surplus is equivalent to over a billion pounds of refined sugar. Where does this sugar go? Some of it comes into the United States ex-quota in the form of jellies and jams, but due to import restrictions here in the United States, and an attempt to prevent diversion and maldistribution to industrial users in the United States, a great portion of this available tonnage of sugar-containing products goes to Europe and other foreign markets ex-quota.

The amendment which I have offered will give to the American consumer a part of this tonnage in sugar products now going to other countries. We cannot get all of it, naturally. Some of it is and must be sold and/or traded by Cuba for products necessary for her economy. In order to stabilize labor conditions, combat agitation, and control the inflationary spiral, the Cuban Government has planned to sell a part of this sugar for the manufacture of sugar products in Cuba at a cost to the purchaser of 2 or 3 cents above the low favored American price for raw sugar.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. GAMBLE. I yield.

Mr. AUGUST H. ANDRESEN. As I understand it, this product that the gentleman is proposing to have shipped into this country is made out of sugar that is retained in Cuba or some other country and is not chargeable to the amount of sugar, that is, the quota that is turned over to the United States for American consumption?

Mr. GAMBLE. That is correct. It has no connection with the United States quota. It has only to do with the quota allocated to Cuba out of the Cuban production. Ex-quota, I believe they call it.

Mr. AUGUST H. ANDRESEN. Of course, that would apply to other products. Beverage companies could buy their sirup, made out of that same Cuban sugar quota, and ship the sirup into the United States without having it charged to the American quota?

Mr. GAMBLE. Yes; ex-quota if they bought the sugar at a price over the price the United States pays for the sugar. But under the terms of this amendment they could only buy it for export in small containers of not more than 3 pounds each which would not be commercially or economically sound.

Mr. AUGUST H. ANDRESEN. Should an American citizen go to Cuba or Mexico and buy 10 or 15 pounds of sugar, does the gentleman's amendment provide that that sugar can be brought into the United States without surrendering ration stamps?

Mr. GAMBLE. No; it has nothing to do with that situation, but I know it is being done right now. That is, sugar is being brought into this country by American citizens without producing ration stamps.

Mr. AUGUST H. ANDRESEN. No. You cannot do it now.

Mr. GAMBLE. You can if you take the chance and get away with it.

But let me finish, if I may.

The money obtained from these sugar sales is used by the Cuban Government to purchase foodstuffs for the Cuban population.

Here is a potential supply of sugar for consumer use such as sirups and other low-cost items, and it would go far toward relieving the pressure on the American consumer for additional sugar. Testimony before the committee states that at least 250,000 tons of this sugar can be readily released for the manufacture of sugar-containing products and sirups for shipment to the United States. Reduced to simple terms this means that every American family would be able to obtain and purchase at least 12 pounds more of sugar products and sirups during the next 7 to 9 months of peak demand. It only requires that import permits be granted by the United States for that purpose. At the present time jellies, preserved fruits, coconut, and so forth, made in Cuba out of the Cuban sugar quota, are now shipped into the United States with permits. They are made by these same companies. These sirups are now on the restricted list of sugar-containing items which are prohibited from being imported under the regulations of the Sugar Branch, Department of Agriculture. I believe this is discriminatory under War Food Order No. 63. This order has been issued on the theory of some economists in the Department, that if this surplus of Cuban-manufactured sirups, on quota, were allowed to come into this country it would upset our economy. I repeat, the Department believes, apparently, that jams and jellies will not upset our economy but that sirups will. It just does not make sense.

This amendment would allow these sugar-containing products and sirups to be imported.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CRAWFORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am in favor of the amendment offered by the gentleman from New York [Mr. GAMBLE] not so much by what he had to say with reference to Cuban products but by the effect

that amendment will have on products produced by citizens of the United States, residents of Puerto Rico. By that I mean the Puerto Ricans. Puerto Rico is a sugar-producing area. There is allocated to Puerto Rico for household and industrial uses a given tonnage of sugar. We allow Puerto Rico to say how that shall be used. They make their own division down there between household and industrial users. It does not affect directly the quota of sugar allowed to the people of the United States.

If Mr. A, a Puerto Rican, takes that sugar and puts it into citron, sugared citron by preserving it, or candied citrus peel, fruits, we will call it, and sends the citrus peel or the citron to the United States, you receive it here in the form of candied products; it gives you sugar in that form and actually adds to your sugar supply just as this proposition would add to your sugar supply as it comes out of the quota assigned to Cuba under the Cuban sugar contract between Cuba and the United States.

Keep this in mind, Puerto Rico is an insular possession of the United States. We have got to underwrite the insular treasury. We send millions and tens of millions of dollars to Puerto Rico in the form of relief funds. Why under the sun do we refuse to let Puerto Rico take their sunshine and their natural fruits and peels and sugar them with the sugar they produce there, convert it through industrial processes, give their people employment, put it into the form to which I have referred, and then say to them they cannot send it to the United States without surrendering sugar stamps? This fight is up now between the Department of Agriculture and the Committee on Insular Affairs, and we are trying to induce the Department of Agriculture and OPA to let the sugar products produced by American citizens in Puerto Rico come into this country without our wholesalers or jobbers being forced to surrender sugar stamps.

The gentleman's amendment has been argued in favor of Cuba. Let the Cuban people do likewise if they want to take their sugar now and put it into preserves, jellies, and jams and send it to us, let them do it, and do not charge them sugar stamps. That is the point the gentleman is making, and with that I agree. But if you people want to protect the taxpayers of the United States with respect to sending relief funds to Puerto Rico, get hold of Mr. Marshall at the Department of Agriculture Sugar Branch and tell him to let these Puerto Rican products come in here without surrendering sugar stamps on the equivalent sugar in those products when they arrive here in these packages shipped to large industrial users like hotels and restaurants.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. CURTIS. Prior to the holidays I received complaints from retailers in this country that manufacturers of candies and confections in this country could not fill their orders but they could buy foreign-produced candies and so forth.

Mr. CRAWFORD. That is correct.

Mr. CURTIS. Will not this amendment offered by the gentleman from New York accentuate that problem?

Mr. CRAWFORD. No, it does not accentuate it for the reason that in the agreement to purchase sugar Cuba reserves the right to allocate to her people for home consumption, industrial and export use, so many tons of sugar, and having made that allocation as of the date we entered the agreement for the purchase of Cuban sugar they have that sugar reserved. If they want to ship that sugar up to us in manufactured products let them do it, paying the tariff, of course; we get that much more sugar.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. HILL. The point I am interested in in this matter we are speaking about of shipping manufactured food products into this country, will these products come up to the standards set by the Food and Drugs Act?

Mr. CRAWFORD. It may or may not, I am not debating that, I cannot answer that. That is up to the control authorities.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CRAWFORD. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SPENCE and Mr. BOGGS of Louisiana rose.

Mr. CRAWFORD. I yield first to the gentleman from Kentucky [Mr. SPENCE].

Mr. SPENCE. This amendment was never considered in the committee. I should like to know what effect it will have. It seems to be a special treatment to particular users. There is an axiom in law that hard cases make bad law. I do not see how we are going to meet all the contingencies that may arise to result in injustices under this act; it seems to me this matter is of sufficient importance that it should have been considered by the committee and testimony taken on it.

Mr. CRAWFORD. I now yield to the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS of Louisiana. Do I understand this amendment to permit the importation of liquid sugars?

Mr. CRAWFORD. I do not think so.

Mr. BOGGS of Louisiana. Do I understand it to permit the importation of molasses and sirups?

Mr. CRAWFORD. In consumer-sized packages containing sugar chargeable to the reserve quota held back by Cuba. Suppose it did; we are getting the benefit of it.

Mr. BOGGS of Louisiana. But is it not possible, though, by the use, for instance, of the ionic interchange procedure whereby you convert molasses to sugar in a liquid state rather than a granulated state, for the man who has the process to do that to get an advantage over the man who does not?

Mr. CRAWFORD. It is in those small containers for personal use. This debate does not enter into the tariff question whatever. It has to do with the allocation of sugar quotas.

Mr. BOGGS of Louisiana. I am not talking about the tariff question; I am talking about the rationing question. If it is just as easy to use liquid sugar as it is to use granulated sugar, do you not give a man an advantage over his competitors?

Mr. CRAWFORD. But the point is that it is being charged to the Cuban sugar rationing quota, and if you want to give up 5 pounds to that quota and give to me, bring it over, and I will take the sugar.

Mr. BOGGS of Louisiana. But he gets that additional advantage.

Mr. CRAWFORD. Does the gentleman mean the domestic consumer here?

Mr. BOGGS of Louisiana. Yes.

Mr. CRAWFORD. Or the housewife.

Mr. BOGGS of Louisiana. No; the industrial user.

Mr. CRAWFORD. I did not understand that this covered the industrial user.

Mr. GAMBLE. Mr. Chairman, if the gentleman will yield, restricting the size of the container would not be advantageous to the industrial user but to the individual.

Mr. CRAWFORD. The economics of it is this; by the time the industrial user acquires those small containers and converts them into his process, the cost will be very prohibitive against the other side of the proposition, at least, I think so.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from California.

Mr. MILLER of California. What effect will this have upon the candy manufacturers of this country?

Mr. CRAWFORD. If the local manufacturers use it, that would be up to them.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BOGGS of Louisiana. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent that the Clerk again read the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk again read the amendment.

Mr. BOGGS of Louisiana. Mr. Chairman, I rise in opposition to the amendment. The amendment may possibly have some good purpose, but in the first place it was never considered before our committee, and I think that it has a very definite danger.

Mr. GAMBLE. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Louisiana. I yield to the gentleman from New York.

Mr. GAMBLE. I offered the amendment before the committee, and I discussed it at length. One gentleman appeared before the committee, and it was the last man who testified before the hearings were closed. Unfortunately, the gentleman from Michigan [Mr. WOLCOTT] and I were the only ones there.

Mr. BOGGS of Louisiana. I apologize to the gentleman.

Mr. WOLCOTT. I withdrew the amendment. There was no vote, but it was offered.

Mr. BOGGS of Louisiana. I am sorry I was not present when it was offered. I want to point out to the House the danger of this type of amendment. In the sugar trade they have recently developed a process whereby you can produce what is called liquid sugar. This bypasses all of the usual procedures of processing and refining. You take your molasses or whatever the base product is and you come out finally with a product that has the same essential chemical ingredients as granulated sugar. I believe, without being too familiar with the amendment, because as I say I was not there when it was discussed before the committee, that this amendment could possibly achieve that result, and if it does that it is invariably going to give the man who has the process and who is able to utilize this method of using sugar an advantage over a man who has to go into the open market and buy granulated sugar, and by the same token it would discriminate against the housewife who must use granulated sugar on the table. Therefore, I think that this amendment has a considerable amount of danger, not having been fully considered, and without knowing just the full implication.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Louisiana. I yield to the gentleman from Michigan.

Mr. CRAWFORD. This amendment, I believe, refers to a 3-pound container. Does the gentleman recall the weight of a 1-gallon container of liquid sugar?

Mr. BOGGS of Louisiana. No; I do not.

Mr. CRAWFORD. Well, I would not be too certain, but I would guess around about 10 pounds per gallon; in other words, let us think in terms of one-third of a gallon container. Suppose I am a fellow who is using sugar in sirup form in my process, and I import sugar from Cuba in that form in one-third gallon containers, I have got to pay for that special packaging while my competitor can purchase sugar with his ration stamps on a hundred-pound basis; a 100-pound bag, for instance. I would be at an economic disadvantage which, in my humble opinion, I could not possibly overcome.

Mr. BOGGS of Louisiana. I think that is true in normal times, but in these times when demand for sugar products is so tremendous I do not believe it is true. We had an illustration of that in New Orleans about 6 months ago, when the Federal Government auctioned off some ration-free sugar, price-control-free sugar, and it brought 26 cents a pound; so that I believe this amendment might very well work to the competitive advantage of the companies which are able to use liquid sugars in place of granulated sugars. Therefore, I would be inclined to vote against the amendment.

Mr. CRAWFORD. If the gentleman will yield further, the very controls which we now exercise place the producer in a position to put sugar into a product and sell it on the basis of 26 cents per pound sugar equivalent, because the housewife is forced to go to the baker and pay 80 or 90 cents for a pie and a dollar and a quarter for a cake, and those who buy sweetened products that go into ice-cream mix, for instance, are forced to pay the equivalent of 25 or 35 cents a pound for sugar right now. That is the reason I do not get so excited about talking in terms of the price of sugar at 15 cents a pound, and I favor the lower price as against the higher.

Mr. BOGGS of Louisiana. That was exactly my point in my answer to the gentleman a moment ago, when he said that the man who imported the candy sirup would not be able to compete because of the additional cost. I say that in this day and time cost is no consideration. I firmly believe this amendment could give a great competitive advantage. It has been done before. Last year one of the great beverage companies of this country converted thousands and thousands of tons of molasses into liquid sugar and made pop out of it, and did not produce one single ration coupon. This year they stopped that practice. Under this amendment that thing could happen again. I hope the committee will not discriminate in this manner.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GAMBLE].

The question was taken; and on a division (demanded by Mr. GAMBLE) there were—ayes 69, noes 62.

So the amendment was agreed to.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, let me compose a direct inquiry to all the Members who are in Committee this afternoon: Have you ever been sued by the Government of the United States? It is not a very pleasant experience. When a United States marshal comes and serves process and makes you the defendant in an action in which the Federal Government is the complainant, you appreciate at once that behind that complaint there is the Treasury of the United States. Uncle Sam never relents. No amount of impatience and no delay in time is going to make a lot of difference when Uncle Sam becomes the complainant in an action against you.

We had many complaints under OPA, thousands of them. Then, one day, thousands of commodities were decontrolled, but the actions at law that were pending were not decontrolled. They are still there.

I sent a note to Mr. Remy, the enforcement officer of OPA, recently, and I found that as of October 31, 1946, there were pending in connection with decontrolled commodities, mind you, for which any action is no longer a violation, 45,131 actions of all kinds against citizens of the United States of America. In addition thereto there were pending 21,624 actions of all kinds with respect to commodities that were still under control. These figures include actions, investigations, anticipated actions, and complaints.

I respectfully submit to the membership this afternoon that when a commodity was decontrolled, why not give the little merchants, the small industrialists, the humble citizen in all the 48 States of the Union, the benefit of the doubt and say, "Now that the commodity has been decontrolled we will also decontrol the action that is pending against you."

As a matter of fact, the OPA is investigating many of them right now because they carry in this summary 4,184 cases that are under investigation. There are 11,022 cases that are awaiting disposition. The number has diminished somewhat since that time, but the net fact is that in every one of the 48 States of the Union there are people who are within the shadow of Uncle Sam's heavy hand and his courts today for something that was done which was a violation or an alleged violation when control was in effect but which is no violation today. I would like to give them the benefit of the doubt.

At the end of this bill I shall offer a very, very simple amendment. It says simply this:

> That notwithstanding the provisions of the OPA act, the administration shall not institute and he shall not maintain nor shall any agency of government—

And that means the Department of Justice—

> institute or maintain any action that arose out of the sale of a commodity with the exception of sugar, rice, and a rent receipt.

So we make those exceptions because they are considered for continued control. Some of them may be continued as in the case of sugar.

But with respect to these other commodities, why not give the humble citizenry, the little lady who sells a hat for 39 cents over the ceiling, who is in the toils of the law today, and the grocer who sold a can of baked beans for 5 cents more than the list price and who is in difficulty because somebody filed a treble damage action—as I say, why not give them a chance? Let us do something about it. I hope this amendment is in order.

I have not asked the Parliamentarian of the House about it. The chairman of the committee has been very gracious about it. We have discussed it. It was not presented to the committee for the reason that I have been so busy myself with appropriations work and with the budget committee work that I frankly did not have the time. But I wish you would think about it because here is an opportunity to do something for people who are still within the shadow of the law as the result of an alleged violation for something which today is not a violation.

May I add that Mr. Remy, enforcement officer for OPA, has an adequate appreciation of this problem and has been genuinely cooperative in finding an administrative solution. I esteem it a matter of high importance which merits immediate action.

Mr. CRAWFORD. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I take this time to keep faith with those engaged in agriculture. Perhaps I shall want to ask the chairman of the committee one or two questions. There has been handed to

me language which applies to lines 23 and 24 on page 7 of the bill. On line 23, after the word "cases", the language has been suggested to be added, "with particular regard to the needs of farm households and the prevention of wastage of milk, fruits, and perishable agricultural commodities."

I should like to ask the chairman if in addition to what the chairman has already given us along that line, he feels it is necessary for us to further strengthen the language in subparagraph (b) with respect to those particular items, or does the chairman and the committee feel that that matter is quite substantially taken care of under the language of the bill?

Mr. WOLCOTT. We had the alternative between allocating these percentages or writing the lines which we did in the bill, with the explanatory matter in the report. I might say to the gentleman, and perhaps to refresh the memories of those in the House on this point, that when courts interpret the language of a statute, especially where the court is trying to determine legislative intent, the courts look first to the language of the act itself. Then if there are ambiguities in the act, the committee report is taken next in importance to the bill in determining legislative intent. We decided we might run into so many difficulties in administering this law if we tried to provide percentage-wise allocations that it would be better to handle the matter by language in the report which would make it very clear as to what our intent was in that particular. We did that, and I believe that the language of the bill with explanatory matter in the report which for purposes of determining legislative intent are next in effectiveness to the bill itself, that the matter to which the gentleman refers will be adequately taken care of; and if it is possible to allocate it, the reasonable demands of every householder for canning purposes should be taken care of. It is our intent that they shall be taken care of if it is reasonably possible to do so.

Mr. CRAWFORD. I thank the chairman for that explanation.

There is one other suggestion in the same paragraph: Following the word "history" in line 24, add this sentence:

In making allocations the Secretary shall give first consideration to medicinal, medical, food and other essential users.

I assume the remarks which the chairman has just made would apply also to that, the committee relying upon the good faith and integrity of the Secretary of Agriculture to use judgment and discretion and to follow the committee's intent as nearly as possible.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The Clerk read as follows:

SEC. 2. Prior to the expiration of the authority granted by this act, the Secretary of Agriculture is hereby authorized and directed to remove any or all controls with respect to any product over which control is authorized by this act when he determines that the supplies of sugar are sufficient to warrant such action.

SEC. 3. (a) The powers, functions, and duties of (1) the President under title III of the Second War Powers Act, 1942, and the amendment to existing law made thereby: (2) the President or any executive department under section 6 of the act of July 2, 1940; (3) the Price Administrator under the Emergency Price Control Act of 1942; and (4) the President and the Price Administrator under the Stabilization Act of 1942, all as amended and extended (and irrespective of what officer, department, or agency may be now exercising any such power, function, or duty) are, insofar as they relate to sugar, hereby transferred to and shall be executed by the Secretary of Agriculture.

(b) Every order, directive, rule or regulation relating to any power, function, or duty transferred by subsection (a) of this section, issued by any officer, department, or agency heretofore performing such power, function, or duty, which is not in conflict with the provisions of this act and which is in effect on the date of the enactment of this act, shall continue in full force and effect, according to its terms, unless and until modified or rescinded by the Secretary of Agriculture.

(c) So much of the unexpended balances of appropriations, allocations, or other funds, and the property available for the use of any officer, department, or agency in the exercise of any power, function, or duty transferred by subsection (a) of this section or for the use of the Secretary of Agriculture in the exercise of any power, function, or duty so transferred, as the Director of the Bureau of the Budget shall determine, shall be transferred for use in connection with the exercise of such powers, functions, or duties. In determining the amount to be transferred, the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such balances of appropriations, allocations, or other funds prior to the transfer. Such personnel as the Director of the Bureau of the Budget determines to be required may also be transferred temporarily to the Department of Agriculture pending termination in whole or in part of the powers, functions, and duties transferred by subsection (a) of this section. There are authorized to be appropriated to the Secretary of Agriculture such sums as may be necessary to carry out the provisions of this act.

Mr. REES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REES: On page 9, line 23, after the period following the word "act", insert "provided, nothing in this section shall in anywise be construed to violate any of the veterans' preference act of 1944."

Mr. REES. Mr. Chairman, I shall not take much time of the committee except to say that this is the amendment I discussed earlier in the afternoon.

I trust the chairman of the committee will accept the amendment.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield.

Mr. WOLCOTT. I have not of course canvassed the committee, but so far as I personally am concerned I can see no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. REES].

The amendment was agreed to.

The Clerk read as follows:

SEC. 4. (a) It shall be unlawful for any person to do or omit to do any act, in violation of any order, directive, rule, or regulation continued in effect by section 3 (b) of this act or issued in the exercise of any power, function, or duty transferred by section 3 (a) of this act.

(b) It shall be unlawful for any officer or employee of the Government, or for any adviser or consultant to the Secretary of Agriculture in his official capacity, to disclose, otherwise than in the course of official duty, any information obtained under this act, or to use any such information, for personal benefit.

(c) Any person who willfully violates any provision of this section shall, upon conviction thereof, be subject to a fine of not more than $5,000, or to imprisonment for not more than 2 years in the case of a violation of subsection (b) and for not more than 1 year in all other cases, or to both such fine and imprisonment.

SEC. 5. As used in this act—

(a) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing: *Provided*, That no punishment provided by this act shall apply to the United States, or to any such government, political subdivision, or agency.

(b) The term "sugar" means any grade or type of saccharine product derived from sugarcane, sugar beets, or corn, including liquid sugar, sirups, molasses, or mixtures thereof, and sugar-containing products, which contain sucrose, dextrose, or levulose.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: After line 7, on page 11, add a new section reading as follows:

"SEC. 6. A new section is added to the Emergency Price Control Act of 1942, as amended, to read as follows:

"'Notwithstanding anything to the contrary in this act, no action shall be instituted or maintained under section 205 (a) or 205 (e) by the Administrator, or on behalf of the United States by any other officer or agency of the Government, if the violation arose out of the sale of a commodity other than sugar or rice or the payment or receipt of rent for defense area housing accommodations.'"

Mr. MONRONEY. Mr. Chairman, I make the point of order against the amendment that it is not germane to the bill under consideration.

Mr. DIRKSEN. Mr. Chairman, I wonder if the gentleman would withhold the point of order for a moment.

Mr. MONRONEY. I will be delighted to reserve the point of order.

Mr. DIRKSEN. Mr. Chairman, indulge me just a moment to say that this proposal to decontrol actions at law and to give our people a little break and to take them out from under the shadow of law is not quite so startling as it sounds. I have spoken some with the enforcement officials of OPA, and they have been endeavoring to set up some kind of a cut-off, measured in terms of dollars below which they would automatically throw these actions out of court. Whether it should be $2,000, $3,000, $9,000, or $10,000, is a matter in question. They did submit to me a figure to the effect that at $3,000 probably 60 percent of these actions would go into the discard. So, you see, the enforcement officials of OPA have been giving this matter some consideration. I think it would be an astonishing thing

indeed, however, if, with respect to decontrolled commodities, all these actions at law were some day transferred to the Department of Justice, and that out of violations that arose from the sale of commodities, other than sugar, rent, or rice, that people will still be relentlessly pursued by the Government when they have come under a violation. The matter is worthy of real consideration by the House, because this shadow is upon these people until either administrative or legislative action has been taken.

Mr. Chairman, with respect to the point of order it did occur to me that because of the general policy set out in the bill, and in view of the fact that it relates to the whole OPA act, the Stabilization Act and the Second War Powers Act, that it might be germane to the bill, notwithstanding the fact that it deals broadly with OPA, whereas the bill in question relates only to one commodity.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Would the gentleman's amendment in relation to audits of possible overpayment of subsidies entirely substitute the provisions of the price-control procedure?

Mr. DIRKSEN. I doubt it very much.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Arkansas.

Mr. HARRIS. I wonder if the gentleman will not agree with me that it might be better if these matters could be worked out administratively, in view of the subsidy just mentioned by the gentleman from South Dakota [Mr. CASE]? If the enforcing officials of OPA could work this matter out separately and as an administrative policy, it would be better than approaching it by legislation here. I have prepared a bill that proposes to do the same thing. I understand that there was $123,000,000 in subsidies involved. I wonder if the gentleman would not agree that it could be worked out much better administratively?

Mr. DIRKSEN. My answer is: It is equally effective whether it is worked out administratively or legislatively, but the essential thing is that nearly 6 months have gone by since these commodities have been decontrolled, and these people still have an action at law hanging over them in the Federal courts of the country.

Mr. MONRONEY. Mr. Chairman, since this bill deals exclusively with sugar, and since the amendment offered by the gentleman from Illinois specifically exempts sugar from any consideration in the amendment, I renew my point of order against the gentleman's amendment.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Illinois has offered an amendment to which the gentleman from Oklahoma has raised a point of order upon the ground that it is not germane. As indicated by the gentleman from Oklahoma, the resolution before the Committee, both in its title and in the provisions contained in the body of the bill, relates solely and exclusively to the commodity of sugar.

The amendment offered by the gentleman from Illinois seeks to amend the Emergency Price Control Act of 1942 by adding a new section. The effect of that amendment is to cover commodities of all sorts, types, and descriptions, remedies, penalties, and procedures covered by the Price Control Act of 1942, with the exception of sugar; therefore, in the opinion of the Chair, it is not germane to the resolution before the Committee of the Whole, and the Chair sustains the point of order.

The question is on the committee amendment as amended.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the preamble to the joint resolution.

The Clerk read as follows:

Whereas the war has resulted in an acute shortage of sugar to an extent which is impairing the reconversion of the national economy from war to peace; and

Whereas it is in the interest of national defense and security to effectuate an orderly distribution of sugar at reasonable prices in order to prevent profiteering, hoarding, market manipulation, and speculation in sugar; waste or spoilage of perishable agricultural commodities; and to prevent or eliminate other disruptive practices arising out of the scarcity of sugar: Therefore be it

With the following committee amendment:

Strike out all of the preamble.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COLE of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the joint resolution (H. J. Res. 146) to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes, pursuant to House Resolution 149, he reported the resolution back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time.

The SPEAKER. The question is on the amendment to strike out the preamble.

The amendment was agreed to.

The joint resolution was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

Mr. SPENCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 287, nays 54, not voting 91, as follows:

[Roll No. 24]

—YEAS—287

Abernethy	Gamble	Miller, Md.
Albert	Gary	Miller, Nebr.
Allen, Calif.	Gathings	Mills
Allen, Ill.	Gearhart	Mitchell
Allen, La.	Gifford	Monroney
Almond	Gillette	Morgan
Andersen, H. Carl	Gillie	Morris
Anderson, Calif.	Goff	Morton
Andresen, August H.	Gordon	Muhlenberg
Andrews, Ala.	Gore	Mundt
Andrews, N. Y.	Gossett	Murdock
Angell	Graham	Murray, Tenn.
Arends	Granger	Murray, Wis.
Auchincloss	Grant, Ala.	Nixon
Bakewell	Gross	Nodar
Barrett	Hagen	Norblad
Bates, Ky.	Hale	Norman
Battle	Hall, Edwin Arthur	O'Brien
Beall	Halleck	O'Hara
Beckworth	Hand	Owens
Bell	Hardy	Pace
Bennett, Mich.	Harless, Ariz.	Passman
Blackney	Harris	Patman
Blatnik	Harrison	Patterson
Boggs, La.	Hart	Peden
Bolton	Havenner	Phillips, Calif.
Bonner	Hays	Pickett
Boykin	Hébert	Ploeser
Bradley, Calif.	Hedrick	Plumley
Bramblett	Herter	Poage
Brooks	Heselton	Poulson
Brophy	Hess	Price, Fla.
Brown, Ga.	Hill	Price, Ill.
Bryson	Hinshaw	Priest
Buchanan	Hobbs	Rayburn
Buck	Hoeven	Redden
Buffett	Holmes	Reed, Ill.
Burke	Horan	Rees
Burleson	Howell	Reeves
Busbey	Huber	Richards
Butler	Jackson, Wash.	Riley
Byrnes, Wis.	Jenkins, Ohio	Robertson
Camp	Jenkins, Pa.	Robsion
Cannon	Jennings	Rockwell
Carroll	Johnson, Calif.	Rogers, Fla.
Case, S. Dak.	Johnson, Ill.	Rogers, Mass.
Chapman	Johnson, Ind.	Rohrbough
Chelf	Johnson, Okla.	Russell
Chenoweth	Jones, Ala.	Sabath
Chiperfield	Jones, Wash.	Sadlak
Church	Jonkman	Sadowski
Clark	Judd	Sanborn
Clason	Karsten, Mo.	Sasscer
Coffin	Kean	Scott, Hardie
Cole, Kans.	Kearney	Scott, Hugh D., Jr.
Cole, N. Y.	Keating	Seely-Brown
Colmer	Kee	Sheppard
Combs	Keefe	Sikes
Cooley	Kefauver	Smathers
Corbett	Kelley	Smith, Maine
Courtney	Kennedy	Smith, Va.
Crawford	Kerr	Snyder
Crosser	Kilburn	Somers
Curtis	Kilday	Spence
D'Alesandro	King	Springer
Davis, Ga.	Kirwan	Stefan
Davis, Tenn.	Kunkel	Stevenson
Dawson, Utah	Lane	Stigler
Deane	Lanham	Stockman
Devitt	Larcade	Stratton
D'Ewart	Lea	Sundstrom
Dingell	LeCompte	Taber
Dirksen	LeFevre	Talle
Dolliver	Lesinski	Teague
Domengeaux	Lodge	Thomas, Tex.
Dondero	Love	Thomason
Donohue	Lusk	Tibbott
Dorn	Lyle	Tollefson
Doughton	Lynch	Trimble
Douglas	McConnell	Twyman
Durham	McDonough	Vail
Eberharter	McMahon	Van Zandt
Ellis	McMillan, S. C.	Vorys
Ellsworth	McMillen, Ill.	Walter
Engel, Mich.	Madden	Welch
Fallon	Mahon	West
Fellows	Maloney	Whittington
Fenton	Manasco	Wigglesworth
Fisher	Mansfield, Mont.	Williams
Flannagan	Martin, Iowa	Wilson, Ind.
Fletcher	Mathews	Wolcott
Fogarty	Meade, Ky.	Wolverton
Folger	Meade, Md.	Woodruff
Foote	Michener	Worley
Forand	Miller, Calif.	Zimmerman
Fulton	Miller, Conn.	

NAYS—54

Banta	Hoffman	Rizley
Bender	Jenison	Schwabe, Mo.
Bennett, Mo.	Jensen	Schwabe, Okla.
Bishop	Jones, Ohio	Scoblick
Brehm	Knutson	Scrivner
Carson	Lemke	Shafer
Clevenger	Lewis	Short
Clippinger	McCowen	Simpson, Ill.
Cole, Mo.	McGregor	Smith, Kans.
Cotton	Merrow	Smith, Ohio
Cunningham	Meyer	Smith, Wis.
Elliott	O'Konski	Vurseli
Engle, Calif.	Phillips, Tenn.	Weichel
Evins	Preston	Wheeler
Gavin	Ramey	Whitten
Goodwin	Rankin	Winstead
Gwinn, N. Y.	Reed, N. Y.	Wood
Gwynne, Iowa	Rich	Youngblood

NOT VOTING—91

Arnold	Gallagher	Macy
Barden	Gerlach	Mansfield, Tex.
Bates, Mass.	Gorski	Marcantonio
Bland	Grant, Ind.	Mason
Bloom	Gregory	Morrison
Boggs, Del.	Griffiths	Norrell
Bradley, Mich.	Hall,	Norton
Brown, Ohio	Leonard W.	O'Toole
Buckley	Harness, Ind.	Peterson
Bulwinkle	Hartley	Pfeifer
Byrne, N. Y.	Heffernan	Philbin
Canfield	Hendricks	Potts
Case, N. J.	Holifield	Powell
Celler	Hope	Rabin
Chadwick	Hull	Rains
Clements	Jackson, Calif.	Rayfiel
Cooper	Jarman	Riehlman
Coudert	Javits	Rivers
Cox	Johnson, Tex.	Rooney
Cravens	Jones, N. C.	Ross
Crow	Kearns	St. George
Dague	Keogh	Sarbacher
Dawson, Ill.	Kersten, Wis.	Simpson, Pa.
Delaney	Klein	Stanley
Drewry	Landis	Taylor
Eaton	Latham	Thomas, N. J.
Elsaesser	Lucas	Towe
Elston	McCormack	Vinson
Feighan	McDowell	Wadsworth
Fernandez	McGarvey	Wilson, Tex.
Fuller	MacKinnon	

So the joint resolution was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Canfield for, with Mrs. St. George against.

General pairs until further notice:

Mr. Simpson of Pennsylvania with Mr. Clements.
Mr. Hartley with Mr. Cravens.
Mr. Latham with Mr. Rabin.
Mr. Towe with Mr. Cox.
Mr. Eaton with Mr. Rooney.
Mr. Coudert with Mr. Morrison.
Mr. Leonard W. Hall with Mr. Gorski.
Mr. Brown of Ohio with Mr. Keogh.
Mr. Chadwick with Mr. Feighan.
Mr. Case of New Jersey with Mrs. Norton.
Mr. Wadsworth with Mr. Pfeifer.
Mr. Thomas of New Jersey with Mr. Vinson.
Mr. Riehlman with Mr. Klein.
Mr. Ross with Mr. Mansfield of Texas.
Mr. Sarbacher with Mr. Gregory.
Mr. Taylor with Mr. Heffernan.
Mr. Macy with Mr. Dawson of Illinois.
Mr. Fuller with Mr. Rayfiel.
Mr. Dague with Mr. Jarman.
Mr. McDowell with Mr. Celler.
Mr. MacKinnon with Mr. Stanley.
Mr. Grant of Indiana with Mr. Delaney.
Mr. Gallagher with Mr. Drewry.
Mr. Jackson of California with Mr. Barden.
Mr. Hope with Mr. Cooper.
Mr. Bates of Massachusetts with Mr. Byrne of New York.
Mr. McGarvey with Mr. Johnson of Texas.
Mr. Crow with Mr. Peterson.
Mr. Boggs of Delaware with Mr. Philbin.
Mr. Bradley of Michigan with Mr. McCormack.
Mr. Elsaesser with Mr. O'Toole.
Mr. Elston with Mr. Fernandez.
Mr. Griffiths with Mr. Powell.
Mr. Mason with Mr. Holifield.

Mr. GAVIN and Mr. COLE of Missouri changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to revise and extend their remarks on House Joint Resolution 146.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PRINCETON UNIVERSITY BICENTENNIAL COMMISSION

The SPEAKER. Pursuant to the provisions of Public Law 367, Seventy-ninth Congress, the Chair appoints as commissioners of the United States Princeton University Bicentennial Commission the following Members on the part of the House to serve with himself: Mr. ANDREWS of New York, Mr. GAMBLE, Mr. MATHEWS, and Mr. FEIGHAN.

EXTENSION OF REMARKS

Mr. JOHNSON of California (at the request of Mr. HALLECK) was given permission to extend his remarks in the RECORD and include an address delivered by him at a convention of the American Legion at Indianapolis, Ind., on March 20.

Mr. CORBETT and Mr. SOMERS asked and were given permission to extend their remarks in the RECORD.

Mr. BUSBEY asked and was given permission to extend his remarks in the RECORD in two instances; to include in one an address delivered by the Speaker over the American Broadcasting System on March 15 in behalf of the American Red Cross, and in the other an article appearing in the New Leader of March 15, 1947.

Mr. BONNER. Mr. Speaker, the gentleman from Virginia [Mr. BLAND] secured permission to extend his remarks in the RECORD and include therein an article entitled "Marine Operating Problems of the Panama Canal and the Solution Thereto." He has been notified by the Public Printer that this will exceed two pages of the RECORD and will cost $266.25. Notwithstanding that fact, Mr. Speaker, I ask unanimous consent on behalf of the gentleman from Virginia that the article be printed in the RECORD.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. MILLS asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in today's issue of the Washington Daily News.

CALENDAR WEDNESDAY

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

DELETION FROM RECORD

Mr. SABATH. Mr. Speaker, I ask unanimous consent to withdraw the statement I made on March 17 on page 2219 of the daily RECORD.

Mr. HOFFMAN. I object, Mr. Speaker.

REFERENCE OF BILL

Mr. VAN ZANDT. Mr. Speaker, after conferring with the chairman of the Committee on Foreign Affairs as well as the chairman of the Committee on Interstate and Foreign Commerce, I ask unanimous consent that the bill H. R. 1000 assigned to the Committee on Foreign Affairs be transferred to the Committee on Interstate and Foreign Commerce.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

EXTENSION OF REMARKS

Mr. KELLEY asked and was given permission to extend his remarks in the RECORD and include a petition from the offices of the Independent Political Slovak Club of Monessen, Pa.

PALESTINE

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, for a long time the American Government has been committed to the establishment of a Jewish homeland in Palestine. For a long time the British Government has been committed to the establishment of a Jewish homeland in Palestine. Following the recent war, the British, without consulting us, stopped the immigration of Jews into Palestine. After tremendous protest, the British Government jointly, with our Government, established an Anglo-American Commission which studied this problem, and after months of deliberation and investigation, recommended the admission of 100,000 Jews to Palestine. The British Government promptly reneged on the official Anglo-American Commission's recommendations for the admission of 100,000 Jews to Palestine.

Mr. Speaker, our good President, Mr. Truman, has been insistent, has several times called to the attention of the British Government the fact that this Government and the American people believe that in all justice and in line with the commitments made by the British Government and the American Government, that 100,000 Jews should be admitted to Palestine. This the British have persistently refused to permit, and day by day are driving refugees from Hitler Germany at the point of the bayonet into new concentration camps on the island of Cyprus. I sum up and refresh our memory on these facts because they have a most important bearing on our good President's request for $400,000,000.

I wish to suggest that the British Government's word, and further, that its judgment, cannot be depended upon.

They would have us believe that Greece is important to our security, but their actions prove that Greece is unimportant to their security.

Mr. Speaker, the important thing about the President's request for funds is this. We propose to enter the political and economic life of the Middle East in a decisive way. That means that we intend to have our say, probably to become the dominant power—international power—in Greece, Turkey, Syria, Lebanon, Palestine, Trans-Jordan, Egypt, Iraq, Iran, Yemen, Saudi Arabia, in short, in the whole Near East-Middle East area. It is impossible to propose that we should take hold of the situation in Greece and Turkey without entering, becoming responsible for, the political, economic situation in every single near- and middle-eastern country.

Mr. Speaker, the British say that they need us to help them. Why then do not the British give us an equal voice in the solution of the question of Palestine? If the British need us to maintain their position in the Middle East, if they need our $400,000,000, why would not the British admit 100,000 Jews to Palestine? And why does not our State Department demand as a price for our even considering the question of advancing $400,000,000 that the British at least live up to their official commitments now 30 years old? How in God's name can we trust the judgment of the British Government or the word of the British Government? How can we continue to pour out the money of American men and women when we witness now the daily violation of the word of honor of the British Government on Palestine. Mr. Speaker, I ask now, on the floor of the House, of our State Department, when will the British agree to the announced American policy for the admission of 100,000 homeless, hungry, Jewish refugees from Nazi oppression into their historic homeland?

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MAHON, for March 20, on account of illness.

To Mr. CHADWICK (at the request of Mr. HUGH D. SCOTT, JR.), for today, on account of illness.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Louisiana [Mr. BOGGS] is recognized for 30 minutes.

Mr. BOGGS of Louisiana. Mr. Speaker, I ask unanimous consent to include in my remarks an editorial from the St. Louis Post-Dispatch dated March 16, 1947; an editorial from Life magazine of March 17, 1947, entitled "Our Foreign Policy Crisis"; and an editorial from the New Orleans Item dated March 19, 1947, entitled "America's Great Opportunity."

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

CREATION OF A UNITED STATES OF EUROPE

Mr. BOGGS of Louisiana. Mr. Speaker, I have today introduced a resolution which, if adopted, will put the Congress of the United States on record as favoring the creation of a United States of Europe. It is a simple resolution consisting of one sentence: "That the Congress favors the creation of a United States of Europe within framework of UN." The resolution, in my opinion, is timely and vital. It comes at a time when people all over America are repeating President Truman's assertion of last week when he addressed us on Greece that "Nobody knows where this will lead us," and it comes at a time when all thoughtful Americans are asking "After this, what?"

I believe that the vast majority of the Members of this body are in accord with our President on the necessity of rescuing Greece and the Near East from the aggressive communism sponsored by Moscow. I believe that the American people thoroughly appreciate the vital necessity of supporting the President. Students of history have drawn the parallel between the President's remarks of last week and President Roosevelt's "quarantine the aggressor" speech of 1937. They have pointed out how President Roosevelt's prophetic words fell upon deaf ears and how the democratic world suffered the humiliation of Munich and was finally subjected to the blood bath of the Second World War because of a policy of stupid appeasement. Yes; Mr. Speaker, we all know that appeasement and isolationism will not work. They have been tried twice and both times humanity has been subjected to the catastrophe of international warfare.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. BOGGS of Louisiana. I yield to the gentleman from Michigan.

Mr. HOFFMAN. What nations are to be in this United States of the World, and how are they to vote? What vote is to be given to each nation?

Mr. BOGGS of Louisiana. My resolution does not contemplate the details of the organization, which will be set up in Europe; and in addition, it is not the United States of the World, it is the United States of Europe.

Mr. HOFFMAN. It is going to be confined to the nations of Europe?

Mr. BOGGS of Louisiana. Yes.

Mr. HOFFMAN. Under what theory does the gentleman believe we can advise Europe what to do?

Mr. BOGGS of Louisiana. If the gentleman will allow me to proceed I shall go on with my statement.

Mr. HOFFMAN. I shall be glad to, and I will listen with a great deal of interest because I am wondering how we could impose our will on those other nations.

Mr. BOGGS of Louisiana. I think the gentleman will be very much interested.

Just as appeasement made Hitler secure in his belief that the democracies were soft and complacent and would not fight, a similar policy will convince the leaders of the Kremlin that the democratic world can be conquered by diplomatic maneuvers and threats of force and war. Therefore, I believe that all thinking Americans will support our Chief Executive. But, as the New Orleans Item pointed out in a forceful and magnificently written editorial of several days ago, entitled "America's Great Opportunity," the policy of holding fast and firm and of going to the help of the democratic nations of Europe, is a good policy but not good enough:

> Our policy, such as it is, springs not from action but reaction. Since the end of the war we have waited for Russia to punch, and then (sometimes) we counterpunch. Our counterpunching, especially in the last year, has been effective, but in the long run it won't be effective enough.
>
> Having no sovereign European plan of its own, the United States has been forced on the defensive. Our policy really consists of merely opposing Russian expansion. That certainly is better than acquiescing, but it still is negative. It offers no permanent relief. Even as a temporary expedient it has not been too successful.

In short, Mr. Speaker, my resolution would seek to recognize the fundamental truth that we have no positive foreign policy in Europe. It would substitute affirmative action and would point the direction that Europe must follow if it is again to become the great force for morality, for Christianity, and for progress that it has historically enjoyed in the world. There is no alternative. Already this Nation has appropriated or made available approximately $31,000,000,000 in American money for the rehabilitation of Europe, and despite this fabulous sum of money, the problem of Europe becomes more acute and more pressing as each day passes. No wonder Americans are saying, "Where do we go from here?"

Suppose, Mr. Speaker, that the men who drafted our magnificent Constitution and who made possible this glorious Federal Union of ours had not succeeded, and suppose our 48 sovereign States were 48 sovereign nations, with separate currencies, different ways of doing business, unintegrated systems of transportation and communication, with all sorts of trade restrictions and barriers, with separate armies and taxing authorities. Do you think that for one moment we would have here today on this continent this mighty Nation? Do you think our States would have been spared constant warfare? Do you think that our Nation would have achieved the unbelievable prosperity and scientific advancement that we now have? Suppose it were necessary to pay taxes and effect an international currency exchange to ship iron ore from the Great Lakes to Pennsylvania, and to transport crude oil from Texas to New York, or to move cotton from Georgia to New England. The very notion is fantastic.

Yet, this is what we are trying to do in Europe. We are trying to reconstitute all sorts of artificial barriers. We are playing a game of power politics in an era where power politics are as outmoded as the feudal system.

Is the plan that my resolution contemplates impractical? Is it utopian? Is it new or novel? All of these assertions have been made. But first, let us talk about whether or not it is impractical or utopian.

What can be a better illustration than the little country of Switzerland. There is the United States of Europe in miniature. The Swiss differ religiously, racially, politically, socially, industrially, and linguistically, yet the 25 cantons are

welded into a federation with a common economic, foreign, and military policy, and without loss of essential sovereignty or the sacrifice of culture or tradition.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. BOGGS of Louisiana. I am glad to yield to the gentleman.

Mr. HOFFMAN. Is not Switzerland a shining example of isolationism?

Mr. BOGGS of Louisiana. I do not think so.

Mr. HOFFMAN. There it is right in the middle of things and it has never taken part in any war, but has just been tending its own business.

Mr. BOGGS of Louisiana. Switzerland has achieved a magnificent advance in Europe because of its unification.

Mr. HOFFMAN. It is a little oasis of peace and prosperity, is it not?

Mr. BOGGS of Louisiana. That is correct.

Mr. HOFFMAN. Because it minds its own business and it does not interfere in any way with any of its neighbors.

Mr. BOGGS of Louisiana. I think history will prove, Mr. HOFFMAN, that there are many factors other than what you call appeasement which have contributed to that situation.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. BOGGS of Louisiana. I yield.

Mr. BROOKS. I have been listening with intense interest to the gentleman. The gentleman has mentioned the program for a United States of Europe which will relieve Europe of the situation in which it finds itself as a result of politics being played on the basis of the balance of power, which in my opinion has been the scourge of civilization for many a year.

Mr. BOGGS of Louisiana. I appreciate the contribution of the gentleman.

Four different tongues—French, German, Italian, and Romansh—are recognized as national languages. Frieburg, a Catholic canton, lives happily side by side with Berne, solidly Protestant, and synagogues are found in every canton. Every so-called canton is a real state, with its own government and parliament, its own laws and taxes, its own traditions and symbols, and its own local patriotism. The Swiss Federation, however, governs foreign affairs, monetary affairs, foreign trade and duties, and ensures the civil rights of the individual and the cantons.

And for a few other illustrations, think of all that has already gone before in Europe. Think of Italy, and the long years when Sardinia, Savoy, Sicily, Piedmont, Lombardy, Venice, Rome, Naples, and Trieste fought bloody, cruel wars; yet so-called utopianism brought about unity; and have you forgotten the centuries during which the German principalities and other sovereign units fought one another in a ceaseless struggle for power?

So, the argument that the plan is utopian or impractical falls by the wayside.

Is the plan novel?

On the contrary. It has been brought forward by the great thinkers of Europe for many centuries, and it has been advocated by intelligent Americans since the time of George Washington. It was George Washington who wrote the following prediction to General Lafayette:

We have sowed seeds of liberty and union that will spring up everywhere on earth, and one day, taking its pattern from the United States of America, there will be founded the United States of Europe.

Many leaders have worked to bring about the federation. After the First World War the movement received tremendous support from the great French leader and Premier, Briand. Before the rise of Hitlerism the Federation of Europe seemed almost certain of success. Twenty-six governments had approved the plan, and the union seemed to be in sight. Briand died, however, in 1932 and in 1933 Adolf Hitler proclaimed the Third Reich. Six years later the Hitler armies marched from country to country with a peculair plan of unification and federation under the banner of "master race" and similar Fascist philosophies.

Today the federation, however, has powerful voices raised in its behalf. Already that peerless British statesman and leader Winston Churchill has spoken out in powerful terms. He has been joined by General Smuts, the Prime Minister of South Africa, and on this side of the Atlantic by John Foster Dulles, and many other outstanding authorities on foreign policy.

Churchill, in an address at Zurich some months ago, had this to say:

It—

Europe—

is the origin of most of the culture, art, philosophy, and science, both of ancient and modern times. If Europe were once united in the sharing of its common inheritance, there would be no limit to the happiness, the prosperity, the glory which its 300,000,000 or 400,000,000 people would enjoy. Yet it is from Europe that has sprung that series of frightful nationalistic morals, originated by the Teutonic nations in their rise to power, which we have seen in this twentieth century and which have for a long time wrecked the peace and marred the prospect of all mankind.

And what is the plight to which Europe has been reduced? Some of the small states have, indeed, made a good recovery, but over wide areas a vast, quivering mass of tormented, hungry, careworn, and bewildered human beings gaze on the ruins of their cities and scan the dark horizon for the approach of some new peril, tyranny, or terror.

They may still return. There is a remedy which, if it were generally and spontaneously adopted by the great majority of people in the many lands, would, as if by a miracle, transform the whole scene and would in a few years make all Europe, or the greater part of it, as free and as happy as Switzerland is today.

What is this sovereign remedy?

We must build a kind of United States of Europe.

If time permitted, I could quote at length from John Foster Dulles, and many others. Suffice it to say that a United States of Europe, I believe, is on its way. The great scholar Richard Coudenhove-Kalergi has polled the members of European parliaments and governments, and he has received 624 replies. Only 12 were against the plan. This summer in Geneva the first Congress of European members of parliament will meet. It will draft a European charter, and submit practical suggestions for the economic and political integration of Europe.

In the words of the Item editorial:

Perhaps in spite of all the good omens this dream won't come true, but it is worth all the trying we have in us. It can't be tried at all without our leading the way. At this point only America has the means and the power to launch the idea, to encourage and influence its growth, and sustain it to maturity.

It will be costly, but not as costly as our present policy. It will be discouraging, especially at first, but not as discouraging as what is happening now. And, if we should ultimately succeed we will have accomplished one of the great undertakings of mankind.

The articles referred to are as follows:

[From the St. Louis Post-Dispatch of March 16, 1947]

IN CLIO'S WOMB

"History," said Voltaire, "is the tread of wooden shoes going up the stairs, and the patter of satin slippers coming down." The patter of satin slippers on history's stairway now is the receding British Empire; the clatter of wooden shoes is the lumbering of Russian imperialism fired by the proselyting zeal of the Communist dogma.

The surging dynamic of communism cannot be met by tired, static and quiescent institutions which demonstrate daily in England, France, and Germany their inability to give the masses the standard of living which they have a right to expect of a modern industrial civilization. The Communist threat can be held at bay, but it cannot permanently be vanquished by such things as loans to Britain, Greece, and Turkey, an increase in the calorie content of German rations, or token forces, garrisoned like police squads, on Russia's boundaries.

Such measures as President Truman now is taking to call Russia's hand, backed up by the atom bomb and America's aptitude for industrial warfare, may restrain the ambitions of a Russia still staggering from blows received in the last war. But they are not a long-range answer to the dangers of an uneasy peace.

SEEDBED OF WAR

And indeed, if Russia and the United States went to war and Russia were resoundingly defeated, it would be no more an answer to the fundamental problem of European civilization than were the defeats of Germany in 1918 and 1945. Before the United States entered the last war, the Post-Dispatch said, in 1940:

"What are the historical forces whose ferment has brought Europe into a great war for a second time in a quarter-century? * * * This area is divided into many separate nations, each with its own illogical tariff barriers, which keep it from exporting its surplus commodities to its neighbors or receiving from them the goods in which it is deficient. * * * To carve a continent into a crazy quilt of small nations creates irresistible economic pressures. Recurrent explosions are inevitable until some machinery for relieving these pressures is devised."

There is more of a vacuum to fill than that of rotting empire. There is also the vacuum of frustrated economic institutions.

Communism's great ally in Europe today is not the cold, abstruse materialism of the Marxian doctrine; it is "balloon belly" in Germany and the Balkans, toothless children in France and Britain, and everywhere, from the crumbling cliffs of Dover to the Black Sea, scurvy and rickets and a door closed against a comfortable and decent human existence.

Yet the situation is not hopeless. A new age knocks on the door of time. The muse of history is in travail; a young giant stirs in Clio's womb, if only the midwives of European politics will stir themselves to attend its birth.

THE GREAT DESIGN

Amidst the ruins of falling empire, there is an instrument that could be used to fill the void. That is a United States of Europe. It is an instrument not limited to the negative object of fending off communism, but possessed of a dynamic and purpose which can interpose a true bulwark against the Communist thrust.

It is a plan the need for which has been recognized from the Middle Ages. In the early seventeenth century, it was the great design of Henry the Fourth of France and his minister, Sully, and might conceivably have been achieved then had not Henry fallen at the hand of the addled ex-valet, Ravaillac.

In the nineteenth century, another Frenchman, Victor Hugo, championed the idea. At the International Peace Congress at Paris in 1849, he said:

"A day will come when those two immense groups, the United States of America and the United States of Europe, shall be seen placed in the presence of each other, extending the hand of fellowship across the ocean, exchanging their produce, their commerce, their industry, their arts, their genius, clearing the earth, peopling the deserts, improving creation under the eye of the Creator and uniting, for the good of all, these two irresistible and infinite powers, the fraternity of men and the power of God."

In the late 1920's, as Europe teetered between two wars, yet another eloquent Frenchman, Aristide Briand, pressed for a federated Europe. With a mortal illness upon him—he was to be dead within the month—Gustav Stresemann, the German democratic leader, made a moving appeal for the Briand scheme in the League Assembly. But to the move for unity Britain opposed her old formula of "Divide and rule"; Briand's plan was stilettoed by the bumbling Baldwin, aided by France's Fascist Flandin. Now Europe's men of vision speak out again, trying to make themselves heard above the thunderous roar of torpor and inertia. Prime Minister Attlee has said, "Europe must federate or perish." Winston Churchill has said:

"If, in this interval, we can revive the life and unity of Europe and Christendom, and with this new reinforcement build high and commanding a world structure of peace which no one will dare challenge, the most awful crisis of history will have passed away and the highroad of history will again become open."

ESCAPE FROM FRAGMENTATION

The political advantages of European union have been well explored. Less has been said—much too little—about the economic, ethnic, and cultural advantages of federation. Therein lies tangible promise of a more prosperous life that can overcome lethargy and tradition and move men to clothe a dream with reality.

Shackled in their present narrow boundaries, and unsustained by the booty of imperialism which poured in so richly in the past, neither Britain nor the continental nations have much prospect of a high standard of living. But with their commerce revived by a free flow of commerce among them, with their talents pooled to utilize the fallow sections of the world, what a prospect of material rewards would unfold before them.

Across the oceans lie the black deltas of Africa, the rich plains and plateaus of New Guinea, the volcanic soil of New Britain and New Caledonia, the infinitely fertile muck of the New Hebrides and the Solomons, all waiting to yield up vast stores of food for a mechanized agriculture, an agriculture which would give a prized outlet to the industrial genius of the Germans and the commercial talents of the British.

The world's mineral wealth waits to yield its riches to the same pooled efforts of British, French, and German capital and enterprise. Above all, the magic of organic chemistry and of atomic science wait to pluck from earth and air bounties which can be reaped only by large-scale industry serving merged populations unhindered by trade barriers and cartels.

TESTS OF A HEALTHY NATION

A United States of Europe, confident in its own strength, and sharing common ideals with the United States of America, would be freed in substantial measure from the crushing load of military budgets and could devote more of its resources to the causes of peace.

Bruce Hopper, the Harvard historian, in an essay on the rise and fall of nations, lists these three essentials of a strong nation today:

1. Actual possession of sufficient raw materials for advancing industrialism.

2. Possession of a highly developed industrial technology to support modern war.

3. An adequate population, a high reproductive rate of the manpower, virility, and energy.

Alone, no European nation has more than one or two of these three essentials for a strong and viable state. United they would have all three in great abundance.

What should be the role of the United States in the creation of a like nation in Europe? First, the role is to guarantee the emerging federation from military interference by Russia. Second, to give financial assistance in generating economic strength. Third and perhaps foremost, to supply encouragement and vision for consummation of the project. It is President Truman's chance to bid for a place with the immortals.

TO LIFT EUROPE FROM DESPAIR

A thousand obstacles—political, racial, and ideological—to the creation of a United States of Europe spring instantly into the practical mind. But how precious are the prejudices and hatreds of Europe, compared to a plan that could lift the continent from a morass of despair?

World crises like the present one demand more than practicality. They require vision, imagination, and heroic boldness. No accomplishment could be more satisfying than to see this old and bloody continent, which has seen so much misery through the centuries, united, peaceful, and arrayed to achieve the full promise of its cultural past.

Let those who call themselves statesmen prick themselves awake with the sharp nettles of necessity and rise to the roles to which history calls them. Or if it is not in them to react with verve and vision, let them band together and act, as Kipling said, "from common funk." Like the famous advice Benjamin Franklin gave to the American colonies, for Europe it is a case of join—or die.

[From Life magazine of March 17, 1947]

OUR FOREIGN POLICY CRISIS—IT CALLS NOT FOR ACTIONS ALONE BUT FOR CLEARER AIMS AND MORE VIGOROUS IDEALS

Not since France collapsed in 1940 has United States foreign policy been under such strain as during the past fortnight. As Secretary of State Marshall went to Moscow on the momentous business of Europe's future, he left the United States Congress in a condition of bewilderment and shock caused by news of far greater moment, namely Britain's impending withdrawal from Greece.

The Americans have a phrase for it: Things are tough all over. Sharp-tongued Harry Gideonse, president of Freedom House and Brooklyn College, publicly hoped for Europe's and America's sakes that the Moscow Conference would fail. The experienced diplomat, Robert Murphy, left Berlin for the Conference in a mood which indicated he was sure it would fail. As for the decision on Greece which faces Congress, even Truman, whose sunny demeanor has struck a cheery note during this solemn fortnight, was gloomy and uncertain. Said he to the Congressmen, "Nobody knows where this will lead us."

No, of course nobody knows. But we can be sure of this: no Moscow conference, no Greek loan, no diplomatic step of any kind will lead us very far unless we can surmount such challenges with a clearer idea of what we think we are up to. Representative EATON, chairman of the House Foreign Affairs Committee, spoke the general need when he asked the President to "enunciate a world policy" into which the Greek, German, and other parts of the puzzle could be fitted. At last week's end the President was working on it. But the issues in this crisis run very deep. Not only the President but every interested citizen should think where we are heading.

TEN MILLION CRIMES

In sending George Marshall to Moscow the United States has no reason to fear that its end of that negotiation will be bungled. He is clearly a man of enormous competence, who knows what he wants from this conference, what opposition he will probably meet and what prices he will pay to overcome it. At once literate and businesslike, Marshall in his recent Princeton speech quoted approvingly from Justice Holmes: "Man is born to act. To act is to affirm the worth of an end, and to affirm the worth of an end is to create an ideal." This sentiment, it will be noted, makes ideals a byproduct rather than the motive of action.

As a practical man Marshall must base his German policy on what has gone before: the Potsdam Declaration, in which the Big Three agreed to punish, disarm and control Germany, and the Byrnes speech at Stuttgart, which promised national unity and a measure of hope to the German people. The economic unity of Germany, which Potsdam and Byrnes both promised, is therefore high on our Moscow agenda. It is an essential step toward the amelioration of Germany's acute misery and the economic recovery of Europe. Since the Soviets want more reparations from German production, agreement on this will be less a question of principle than of price.

But another left-over from Potsdam is a question of principle. Potsdam permitted the Poles in clear violation of the Atlantic Charter (to say nothing of human decency) to uproot and expel some 10,000,000 Germans from what used to be eastern Germany and is still not legally part of Poland. Competent witnesses have called this expulsion "a crime against humanity for which history will exact a terrible retribution." Having abetted this crime in advance at Potsdam, the United States is not likely to undo it at Moscow. There we will be asked to approve the Oder-Neisse line as Poland's legal boundary, thus repudiating the Atlantic Charter in letter as well as in spirit. Marshall is reportedly prepared to agree to an imperfect boundary if it will help him drive a bargain on some other front. Will he thereby invite history's retribution? Or must all active diplomacy involve some abetting of crime?

In Greece, if we take over the British commitment adequately, we will be abetting a civil war. The Greek Government is a rachitic monarchy revived by Winston Churchill. It makes no secret of what it wants of the United States: not just money but arms and moral support for the suppression of rebels. These rebels are salients of the Soviet drive for a Slav-Communist Balkan federation. If we leave Greece to its own fate, its Government will be overthrown and it will become part of this Communist federation. A chain reaction might well be

started, producing Communist triumphs or advances throughout the Mediterranean world.

SOMETHING MISSING

Indeed things are tough: in Korea, China, India, Turkey, Hungary, Austria, all over. Things add up to what the Washington Post calls "a crypto-war situation" between the United States and Russia, a war whose stakes and fronts are at once territory and the minds of men. To Britain, Greece was a vital link in the old Suez lifeline. To America it is vital for equally stark and imperial, though for strategically different, reasons. We must extend our influence and commitments there simply because political physics abhors vacuum. That alone is a sufficient reason for Congress to back Truman and Marshall with a subsidy for Greece.

It is not a very inspiring reason, however, and in this crisis there is something much nobler in Congress' puzzled reluctance than there is in the impatience of our professional diplomats. To the latter the case for our intervention in Greece, like the case for realistic bargaining in Moscow, is open and shut. The operation they call "stern containment" of Russia is its own excuse for action. But Congress senses—quite rightly—that something is missing from such a foreign policy. The name of this missing ingredient is idealism, the kind of idealism which precedes and warrants action instead of tagging after it. It has been missing from our foreign policy for some time.

Among Marshall's advisers in Moscow is one who has peculiarly concerned himself with the role of ideals in foreign affairs. He is the international lawyer, Republican and church leader, John Foster Dulles, well known to the readers of Life (March 18, June 3, June 10, 1946). In recent speeches he has called again and again for more intellectual and moral vigor in the world leadership which history has thrust on the United States. "Negation," said he (i. e., stern containment?), "is never a permanent substitute for creation, and no nation is so poor as a nation which can give only dollars." He wants peace treaties that are not just compromises but that will "bring into being new forces which are curative and creative." Above all he wants a restatement of United States policy which will be consistent with the best ideals of our past.

Two examples of traditional United States policy which have served the twin causes of clarity and practical idealism are the Monroe Doctrine and the open door; another is our belief in the juridical equality of states and in free speech, which caused great improvements in the United Nations Charter at San Francisco. In Europe, however, our actions and words have not always coincided. If they had, two wars might have been avoided; we must not be guilty of what Dulles calls "contributory negligence" again. A clear statement of our European policy is now long overdue.

DULLES ON EUROPE

To Dulles, as to more and more thinking people, our policy should be to help the nations of Europe federate, as our States federated in 1787; and he has proposed Europeanizing the production of the Rhine-Ruhr industrial area as a practical step to this end. Thus could the Big Four help Europe become "something better than the rickety fire hazard of the past." But "if the Soviet Union does not want to advance Continental unity as a whole," says Dulles, "then a worth-while start could still be made in western Europe. There 200 million people could, through increased unity, achieve increased prosperity, freedom and peace."

Greece, the cradle of Europe's 3,000-year-old civilization, is still part of Europe. If our goal for all Europe were as clear as Dulles', our intervention there now would fall sensibly into place as a holding operation. Accompanied by a clear statement of United States aims, a loan to Greece (or to any other country) would be worth something. Not so accompanied, the money will be of dubious value and the adventure will indeed lead us "nobody knows where."

Regional goals, such as Dulles outlines, are not incompatible with more universal ideals. They are simply nearer and likelier to be achieved. Nor do they confine or commit us to the "spheres of influence" arrangement which, by the deal Roosevelt and Churchill made at Casablanca, has prevented us from taking a direct hand in Greek affairs until now. George Marshall was right when he said, "We are now concerned with the peace of the entire world." But as Dulles says, "Peace lies not in compromising but in invigorating our historic policies." The time to invigorate them is now.

[From the New Orleans Item of March 19, 1947]

AMERICA'S GREAT OPPORTUNITY

Just a year ago Soviet Russia threatened to overwhelm Iran; and out of that crisis developed the Byrnes policy of patience and firmness. By and large, it has been a good policy; but not good enough.

Today in Greece we have Iran all over again. Mr. Byrnes is gone, but President Truman and Secretary Marshall are holding fast and firm. The President has met the challenge of Russia, and there is little doubt that America will now come to the aid of Greece. So far so good; but still not good enough.

The plain truth is that, in a positive sense, America does not have a foreign policy, at least where Russia and Europe are concerned. Our policy, such as it is, springs not from action, but reaction. Since the end of the war we have waited for Russia to punch, and then (sometimes) we counterpunch. Our counterpunching, especially in the last year, has been effective, but in the long run it won't be effective enough.

In the reorganization of Europe we have been at a constant disadvantage because Russia knows what it wants and we don't. By assimilation, by puppet governments, by Communist Party collaboration, and other means, Russia is apparently bent on domination of the European continent.

Having no sovereign European plan of its own, the United States has been forced on the defensive. Our policy really consists of merely opposing Russian expansion. That certainly is better than acquiescing, but it still is negative. It offers no permanent relief. Even as a temporary expedient it has not been too successful.

When Russia calls the roll, Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, Bessarabia, Latvia, Estonia, and Lithuania answer. All have been lost to the ranks of democracy; and perhaps more are to follow. The struggle for Germany and Austria is now going on at Moscow. Italy and France are breathing under the oxygen tent of American dollars. Now Greece calls for artificial respiration. And we are driven to the humiliating expedient of backing Franco for fear Spain, too, will fall into the Soviet orbit.

The United States is failing in Europe; and it is failing because it hasn't a practical, long-range program for the continent. Just as after the First World War, we are trying to patch Europe together again without any regard for economic and political unity. Two World Wars and many smaller ones have shown that a disunited Europe, composed of numerous competing nations, can never hope for peace or prosperity.

What would a dis-United States be like? Suppose America consisted of the nation of Pennsylvania with all the coal, of Montana with the copper, Texas with the gas and oil, the Great Lakes region with the ore and industries? Suppose our great States and regions were nations, each with armies and tariff barriers? Can anyone doubt that war and poverty would soon be America's lot, as it is Europe's?

UNITY ONE WAY—OR ANOTHER

Yet that is the way we are trying to reconstruct Europe. It is utterly hopeless and it won't work. Europe must be unified; there is no permanent alternative. Eastern Europe already is being rapidly unified by Russia; and if western Europe is not soon united by a democratic federation it, too, may find unity through totalitarianism.

The United Nations is not the answer to this problem. A United States of Europe could become a great and wonderful new force within the UN, as the United States of America is, but there is little that the UN can now do to solve the economic and political anarchy of present-day Europe. The noble task of welding western Europe into a new democratic power can only be accomplished by the nations at interest, with the support and encouragement of the United States of America.

As the foreign secretaries debate the German peace treaty at Moscow, it is quite clear that the German problem cannot be solved until we have solved the problem of Europe. The world is divided over whether Germany shall be made strong or weak. All Europe would benefit economically from a strong and highly productive Reich, but a vigorous Germany might again become a military threat to its neighbors. That is the dilemma at the Moscow Conference. But if Germany became a part of a United States of Europe, there would be no such problem. With fear of aggression abandoned, all hands would set about restoring German industry as fast as possible.

NOT AN IDLE DREAM

A federated Europe may once have seemed an idle dream, but today it is idle to dream of any other solution. It goes without saying that to rescue Europe by federation will be difficult, but to save it without federation is impossible. The nations of western Europe have now reached the same crisis that once faced the 13 Original American States—they can hang together or hang separately.

There is nothing new or novel about this solution. George Washington once wrote to General Lafayette: "We have sowed seeds of liberty and union that will spring up everywhere on earth. One day, taking its pattern from the United States, there will be founded the United States of Europe." And this vision is even now shared by most of the democratic leaders of the world.

Winston Churchill, who is no utopian, is presently championing a united Europe with all of his energy. Recently General Smuts and John Foster Dulles spoke up for federation. President Truman is sympathetic to the idea and Prime Minister Attlee is the author of "Europe must federate or perish." Leon Blum and Edouard Herriot have long been advocates of federation; and it is no secret that de Gaulle leans in the same direction.

Count Coudenhove-Kalergi, the famous spokesman for European federation, is now polling 3,913 members of European parliaments on the establishment of a European federation within the framework of the UN. So far he has received 624 replies and only 12 were against the plan. Among the 86 members of the French assembly who answered "Yes" are Vincent Auriol, now president of the Republic; Vice Premier Henri Teitgen; War Minister Paul Coste-Floret; Maurice Schumann, founder of the M. R. P.; and Rene Capitant, leader of the de Gaullist Union.

THEY ANSWERED "YES"

Of the 107 members of the British Parliament who voted for federation, 64 belonged to the Labor Party and 34 to the Conservative group. One third of all members of Italy's national assembly voted for the plan, including cabinet members and party leaders. The

Greek proponents number three party leaders and former prime ministers. Belgium, Luxemburg, and the Netherlands are already trying to create a customs-union in the heart of western Europe. Count Coudenhove-Kalergi believes that if a fair plebescite were held tomorrow on the issue of federation, men and women of all parties and nations would vote overwhelmingly for union.

Doubtless Russia would oppose such a solution. A divided Europe is a pushover for Russia; a united Europe would bring into being a great and self-sustaining new democratic power. The Russians would no doubt accuse us of organizing a new bulwark against communism. Thus there might be some friction at first. But how about the friction that exists now? If Europe remains helplessly divided, and Russia and America continue to battle month by month over one and then another European nation, we may have something worse than friction. A wise Russia would not oppose a united Europe, for what's good for Europe is finally good for Russia, too. After all, the Kremlin has a stake in peace, and the best hope for that is a stable, integrated Europe.

American dollar transfusions may save some of the European nations temporarily, but finally we will have to abandon Europe or help organize it into a healthy new unit capable of looking out for itself. There is not much time to lose, and the time for federation was never so ripe. Postwar Europe is still in a fluid state; its millions of citizens desperately need a new hope; the political climate is favorable; and, above all, the democratic world is looking to the United States of America for vision.

Perhaps in spite of all the good omens this dream won't come true, but it is worth all the trying we have in us. It can't be tried at all without our leading the way. At this point only America has the means and the power to launch the idea, to encourage and influence its growth, and sustain it to maturity.

SOMETHING TO STRIVE FOR

It will be costly, but not as costly as our present policy. It will be discouraging, especially at first, but not as discouraging as what is happening now. And if we should ultimately succeed we will have accomplished one of the great undertakings of mankind.

Whenever a government radically alters its foreign policy and embarks on an enterprise of great magnitude it needs the support of the people. It is unlikely that the present administration would adopt the objective of a United States of Europe without a mandate from the public. Therefore, we would like to see a resolution introduced in Congress which would commit the Government to this noble undertaking. We hazard the guess that such a resolution would receive tremendous support and kindle the hopes of all democratic peoples.

The resolution need not be long. As with the now historic Fulbright resolution, one sentence would be enough. For example, *"Resolved by the House of Representatives (the Senate concurring)*, That the Congress hereby expresses itself as favoring the creation of a United States of Europe, within the framework of the United Nations."

Just 100 years ago the great French writer, Victor Hugo, prophesied: "The day will come when these two huge unions, the United States of America and the United States of Europe, will face and greet each other across the Atlantic. When they will exchange their goods, their commerce, their industry, their art, and their genius to civilize the globe, to fertilize deserts, to improve creation under the eyes of the Creator. And to assure the greatest benefit for all by combining these infinite forces: the brotherhood of man and the might of God."

[From the New Orleans Item of March 20, 1947]

FEDERATED EUROPE PROPOSAL PRAISED

The Item's page 1 editorial yesterday advocating a democratic federation of nations in Europe—a "United States of Europe"—as the best possible means of maintaining the peace, met with favorable response in New Orleans.

Many letters and telephone calls came to the editor's desk expressing unsolicited agreement with the Item's program.

In addition the Item asked representative citizens of the State to express their opinion on the subject. A cross section of opinion is printed below:

Former Gov. Sam H. Jones: "Your editorial 'America's Great Opportunity,' is the most powerful argument for a 'United States of Europe' I have read. At the same time it gives a clear picture of our present inadequate foreign policy, particularly as respects Russia and Europe.

"The editorial's most potent quality, however, is the feeling one has when he finishes the reading—the feeling which says 'Why don't we do something about it?' "

Dr. Thornton Terhune, head of the department of history, College of arts and Sciences, Tulane University, and authority on European history: "I am in enthusiastic agreement with every word of the editorial entitled 'America's Great Opportunity.'

"An on-the-scene study of the suicidal course which European affairs, political, and economic, have been taking for the past 20 years has led me to have one positive conviction concerning the future of Western Europe.

"That conviction is simply this: It may still be possible to save western Europe, but nothing can save the individual western European nations as such.

"It seems to me, after careful study of the editorial, that both the essence and point of its message are to be found in one particular sentence, the one wherein you state: 'It goes without saying that to rescue by federation will be difficult, but to save it without federation is impossible.'

"You are absolutely right. And there will be many who will say: 'Yes, but can western Europe be saved even by federation?' This I would answer by telling a little story:

"I once knew an elderly and seasoned physician of the old-fashioned family-doctor type who was rather given to positive expression when irked by what seemed to him a lack of intelligence. One of his charges, a well-intentioned but none too brilliant creature, had the misfortune to suffer a ruptured appendix, whereupon the physician recommended an immediate operation.

" 'But, Doctor,' said the nervous patient, 'if they operate will you promise that I'll get well?'

" 'Hell, no,' he answered, 'but you're gonna die if they don't.'

"The analogy needs no amplification."

John Hall Jacobs, city librarian: "I extend my congratulations on your excellent statement of a plan which seems to be the best, in my opinion, that has been considered.

"It was a clear and helpful summary of the situation and as an editorial is in a class with the finest ones I have read.

"I agree wholeheartedly, with minor reservations, with this expression of our need for a program in relation to a permanent solution of the European situation."

The Reverend Thomas J. Shields, president of Loyola University: "The editorial 'America's Great Opportunity,' was very appropriate and very fine. After all, the human race is really one race, so why do we have to be so utterly separate and apart from each other, always fighting and quarreling?"

Archbishop Joseph Francis Rummell: "Undoubtedly the plan outlined in the Item editorial, on the formation of a United States of Europe, represents very progressive thinking and an idealism that is worthy of serious consideration.

"However, it is hardly fair to compare the merging of the Thirteen Colonies into the United States of America with the merging of the European nations into one united nation. In the first, there was uniformity of origin and language, for most of the colonists were of English origin.

"Also, there was a common ambition—namely, to be separated from the domination of the mother country and to breathe the air of freedom in a new atmosphere.

"In Europe there are centuries of tradition, with differences of nationality, language, custom and rivalries, all of which are still evident even in the midst of the modern crisis. Nevertheless, the ideal must some time be attempted, notwithstanding the evident difficulties.

"It is significant that 150 years have elapsed since Washington expressed the idea of a United States of Europe on the American pattern and 100 years have passed since Victor Hugo gave expression to the same idea; and yet, there has not been even an approach to such a unification.

"However, we must not despair. Certainly a United States of Europe is worth a trial and may prove the alternative of quarreling, rivalries and possibly new wars with which we are confronted, notwithstanding all the sacrifice and punishment of the recent World Wars.

"Let us hope that idealism will prevail once again, as it did in the formation of the United States of America."

Walter Williams, radio commentator: "I think America's Great Opportunity was one of the finest editorials I have ever had the pleasure of reading.

"I am enthusiastic about the plan advocated, which looks to me like the most practical solution yet offered for the problems of Europe.

"Such a federation of European nations could well save American lives and dollars. I am wholeheartedly in favor of it."

Ben J. Williams, cotton exporter: "In my opinion your editorial was outstandingly forceful, logical, and timely.

"You have pointed out the only course to be followed if world chaos is to be avoided and an enduring peace secured.

"I hope your contribution to the cause of sound thought, offered now while there is less freedom from fear and from want than ever, will receive world-wide attention.

"I suggest it be sent with the editor's personal letter of transmittal to a large number of important individuals in circles where our destiny is up for decision."

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 58 minutes p. m.), under its previous order, the House adjourned until Monday, March 24, 1947, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

475. A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of a proposed bill to amend section 2 of an act entitled "An act to provide for the establishment of a probation system in the United States courts, except in the District of Columbia," approved

March 4, 1925, as amended (18 U. S. C. 725); to the Committee on the Judiciary.

476. A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of a proposed bill to provide for the setting aside of convictions of Federal offenders who have been placed on probation and have fully complied with the conditions of their probation; to the Committee on the Judiciary.

477. A letter from the Acting Attorney General, transmitting a draft of a proposed bill to provide for the payment of the sum of $92 to Carl W. Sundstrom; to the Committee on the Judiciary.

478. A letter from the Librarian of Congress, transmitting the report of the Library of Congress Planning Committee, dated March 12, 1947; to the Committee on House Administration.

479. A letter from the President, United States Civil Service Commission, transmitting a draft of a proposed bill to amend the act entitled "An act to provide for the payment to certain Government employees for accumulated or accrued annual leave due upon their separation from Government service," approved November 21, 1944; to the Committee on Post Office and Civil Service.

480. A letter from the Comptroller General of the United States, transmitting a report on the audit of United States Housing Corporation for the fiscal year ended June 30, 1945 (H. Doc. No. 178); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

481. A communication from the President of the United States, transmitting revised estimates of appropriation for the fiscal year 1947 amounting to a decrease of $3,434,200 for the Department of Commerce (H. Doc. No. 179); to the Committee on Appropriations and ordered to be printed.

482. A communication from the President of the United States, transmitting a deficiency estimate of appropriation for the fiscal year 1944 in the amount of $2,065.51 for the Securities and Exchange Commission (H. Doc. No. 180); to the Committee on Appropriations and ordered to be printed.

483. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1948 in the amount of $50,000 for the Smithsonian Institution (H. Doc. No. 181); to the Committee on Appropriations and ordered to be printed.

484. A communication from the President of the United States, transmitting a report prepared by the American Red Cross reflecting all foreign war relief operations which have been conducted since July 1, 1940; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KEEFE: Committee on Appropriations. H. R. 2700. A bill making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1948, and for other purposes; without amendment (Rept. No. 178). Referred to the Committee of the Whole House on the State of the Union.

Mr. TABER: Committee on Appropriations. House Joint Resolution 154. Joint resolution making an appropriation for expenses incident to the control and eradication of foot-and-mouth disease and rinderpest; without amendment (Rept. No. 179). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ST. GEORGE: Committee on Post Office and Civil Service submits a supplemental report on H. R. 1350, a bill to amend the act entitled "An act to establish a National Archives of the United States Government, and for other purposes" (Rept. No. 44, pt. 2). Referred to the Committee of the Whole House on the State of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Foreign Affairs was discharged from the consideration of the bill (H. R. 1000) creating a commission to examine and render final decisions on all claims by American nationals who were members of the armed forces of the United States and who were prisoners of war of Germany, Italy, or Japan, for payment of its awards, and for other purposes, and the same was referred to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KEEFE:

H. R. 2700. A bill making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies for the fiscal year ending June 30, 1948, and for other purposes; to the Committee on Appropriations.

By Mr. BARRETT:

H. R. 2701. A bill to amend the Carey Act with respect to leasing, for grazing or for oil or gas development, unsettled and unreclaimed portions of land; to the Committee on Public Lands.

By Mr. BEALL:

H. R. 2702. A bill to permit members of the Metropolitan Police Department of the District of Columbia, the United States Park Police force, the White House Police force, and the Fire Department of the District of Columbia for the purpose of determining eligibility for certain benefits of relief and retirement to receive credit for honorable military or naval service; to the Committee on the District of Columbia.

By Mr. BOGGS of Louisiana:

H. R. 2703. A bill to enable veterans who are civil-service employees to take advantage of the Servicemen's Readjustment Act of 1944; to the Committee on Post Office and Civil Service.

By Mr. CURTIS:

H. R. 2704. A bill to amend chapter 29 of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. FULLER:

H. R. 2705. A bill to provide for the conveyance of the Fort Ontario Military Reservation, N. Y., to the State of New York; to the Committee on Armed Services.

By Mr. GATHINGS:

H. R. 2706. A bill to require the Administrator of the Farmers' Home Administration to execute and deliver to present owners of real property quitclaim deeds to the interest in the minerals in or under such property reserved by the United States pursuant to the Bankhead-Jones Farm Tenant Act in those cases in which such interest has only a nominal value; to the Committee on Agriculture.

By Mr. HEDRICK:

H. R. 2707. A bill to provide direct Federal old-age assistance at the rate of $65 per month to needy citizens 55 years of age or over; to the Committee on Ways and Means.

By Mr. LANE:

H. R. 2708. A bill to provide for the establishment of a United States Foreign Service Academy; to the Committee on Foreign Affairs.

By Mr. HARRIS:

H. R. 2709. A bill to amend section 4 of the Rural Electrification Act of 1936, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. MILLS:

H. R. 2710. A bill to amend the Federal Farm Mortgage Corporation Act to provide a secondary market for farm loans made under the Servicemen's Readjustment Act of 1944, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. BOGGS of Louisiana:

H. R. 2711. A bill to provide that the Legislative Reference Service shall compile and make available the voting records of the Members of Congress; to the Committee on House Administration.

By Mr. PACE:

H. R. 2712. A bill to extend the time within which applications for benefits under the World War Adjusted Compensation Act may be filed; to the Committee on Ways and Means.

By Mrs. ROGERS of Massachusetts (by request):

H. R. 2713. A bill to encourage employment of veterans with pensionable or compensable service-connected disabilities through Federal reimbursement to any employer, insurer, or fund, of amounts of workmen's compensation paid on account of disability or death arising out of such employment; to the Committee on Veterans' Affairs.

H. R. 2714. A bill to provide for a statutory award of $10 per month to any war veteran who was wounded, gassed, injured, or disabled by an instrumentality of war in a zone of hostilities, and for other purposes; to the Committee on Veterans' Affairs.

H. R. 2715. A bill to amend the World War Veterans' Act, 1924, as amended, to provide continuation of insurance benefits (under certain conditions) to persons permanently and totally disabled, and for other purposes; to the Committee on Veterans' Affairs.

H. R. 2716. A bill to provide increases of compensation for veterans of World War I and World War II with service-connected disabilities, who have dependents; to the Committee on Veterans' Affairs.

By Mrs. BOLTON:

H. R. 2717. A bill to amend section 301 of the Federal Food, Drug, and Cosmetic Act, so as to prohibit the introduction into interstate commerce of salt, for table use, not having a required content of iodides; to the Committee on Interstate and Foreign Commerce.

By Mr. GOODWIN:

H. R. 2718. A bill to amend section 811 (c) of the Internal Revenue Code with respect to the inclusion in the gross estate for the purposes of the estate tax of certain transfers taking effect at death; to the Committee on Ways and Means.

By Mr. REED of Illinois:

H. R. 2719. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act; to the Committee on the Judiciary.

By Mr. SCHWABE of Oklahoma:

H. R. 2720. A bill granting exemption from income tax in the case of retirement pensions and annuities of governmental employees; to the Committee on Ways and Means.

By Mr. AUGUST H. ANDRESEN:

H. R. 2721. A bill to amend the act of March 10, 1934, entitled "An act to promote the conservation of wildlife, fish, and game, and for other purposes," as amended by the act approved August 14, 1946; to the Committee on Merchant Marine and Fisheries.

By Mr. KEE:

H. R. 2722. A bill to eliminate the requirement that a veteran pursuing a course of education or training under the Servicemen's Readjustment Act of 1944 must satisfy the Administrator of Veterans' Affairs as to his reasons for making a change in such course; to the Committee on Veterans' Affairs.

By Mr. MILLER of Connecticut:

H. R. 2723. A bill to incorporate the Jewish War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H. R. 2724. A bill to provide for recognition of the State of Florida as a community-property State for Federal income-tax purposes; to the Committee on Ways and Means.

By Mr. ENGLE of California:

H. R. 2725. A bill creating a Commission on Federal Contributions to States and Local Governments by reason of Federal ownership of real property; to the Committee on Public Lands.

H. R. 2726. A bill authorizing annual payments to States, Territories, and insular governments, for the benefit of their local political subdivisions, based on the fair value of the national-forest lands situated therein, and for other purposes; to the Committee on Public Lands.

By Mr. BOGGS of Louisiana:

H. Con. Res. 34. Concurrent resolution favoring the creation of a United States of Europe within the framework of the United Nations; to the Committee on Foreign Affairs.

By Mr. COLMER:

H. Con. Res. 35. Concurrent resolution providing for the printing of additional copies of House Report No. 541, Seventy-ninth Congress; House Report No. 1205, Seventy-ninth Congress; and House Report No. 2729, Seventy-ninth Congress; to the Committee on House Administration.

By Mr. KEARNEY:

H. Res. 159. Resolution making H. R. 246 a special order of business; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New Mexico, memorializing the President and the Congress of the United States to make national service life insurance available to all Pacific island veterans; to the Committee on Veterans' Affairs.

Also, memorial of the Legislature of the State of North Dakota, memorializing the President and the Congress of the United States to enact legislation barring all forms of liquor advertising from interstate mails, from radio and motion-picture programs; to the Committee on Public Lands.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DIRKSEN:

H. R. 2727. A bill for the relief of Illinois Packing Co., of Chicago, Ill.; to the Committee on the Judiciary.

By Mr. JENSEN:

H. R. 2728. A bill for the relief of Darwin Slump; to the Committee on the Judiciary.

By Mr. O'TOOLE:

H. R. 2729. A bill for the relief of the legal guardian of Rose Mary Ammirato, a minor; to the Committee on the Judiciary.

By Mr. REES:

H. R. 2730. A bill for the relief of Joseph A. Curry; to the Committee on the Judiciary.

By Mr. RIVERS:

H. R. 2731. A bill for the relief of Gustave A. Lohse; to the Committee on the Judiciary.

By Mr. SCOBLICK:

H. R. 2732. A bill for the relief of Dennis Stanton; to the Committee on the Judiciary.

By Mr. SMITH of Kansas:

H. R. 2733. A bill for the relief of Andrew W. Peterson; to the Committee on the Judiciary.

By Mr. TIBBOTT:

H. R. 2734. A bill for the relief of Joseph M. Henry; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

238. By Mr. KEATING: Petition protesting against the discontinuance of rent control and urging the continuance of sugar control; to the Committee on Banking and Currency.

239. By Mr. SCRIVNER: Petition of citizens of Redfield, Kans., urging support for legislation to prohibit the transportation in interstate commerce of alcoholic-beverage advertising, and the broadcasting of alcoholic-beverage advertising over the radio; to the Committee on Interstate and Foreign Commerce.

240. By Mr. SMITH of Wisconsin: Resolutions adopted by the Sheet Metal Contractors National Association board of directors meeting held recently, requesting removal of all priorities and directives that are holding back the peacetime production of necessary material for construction of all kinds; to the Committee on Banking and Currency.

241. By Mr. TIBBOTT: Petition of a number of veterans from Cambria County, Pa.: (1) To permit immediate cash payments for unused leave, (2) to provide for increased subsistence payments under the GI bill of rights, (3) to lift the on-the-job wage ceilings; to the Committee on Veterans' Affairs.

SENATE

MONDAY, MARCH 24, 1947

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Lord God of hosts, Thou who art concerned about two billions of Thy creatures all over the earth, and yet who art as concerned about each of us here as if we were an only child, Thou dost understand how hard it is for these Thy servants to keep in mind the millions of their fellow citizens for whom they must legislate. Thou knowest the clamor of voices in their ears, the constant tugging at their sleeves, forever trying to influence them; the small voices of the little men without money or names; the blatant voices of aggressive pressure groups; the big voices of selfish men and those working for personal gain, even the whispering inner voices of personal ambition, those insinuating voices holding out the lure of unmerited reward. Amid all the din of voices, give these Thy servants the willingness to take time to listen to Thy voice, knowing that if they follow the still small voice within, all Thy people will be served fairly, and all groups will get what they deserve. For Jesus' sake. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., March 24, 1947.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. WILLIAM F. KNOWLAND, a Senator from the State of California, to perform the duties of the Chair during my absence.

A. H. VANDENBERG,
President pro tempore.

Mr. KNOWLAND thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Friday, March 21, 1947, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following joint resolutions, in which it requested the concurrence of the Senate:

H. J. Res. 146. Joint resolution to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes; and

H. J. Res. 154. Joint resolution making an appropriation for expenses incident to the control and eradication of foot-and-mouth disease and rinderpest.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (H. J. Res. 27) proposing an amendment to the Constitution of the United States relating to the terms of office of the President, and it was signed by the Acting President pro tempore.

MEETING OF COMMITTEE ON FOREIGN RELATIONS

Mr. VANDENBERG. Mr. President, indicating the reason for the letter which was read a moment ago from the desk, I ask unanimous consent that the Committee on Foreign Relations be permitted to continue to sit this afternoon in its hearings in respect to the Greek-Turkish loan.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FINAL REPORT OF AMERICAN RED CROSS RELATING TO FOREIGN WAR RELIEF OPERATIONS

The ACTING PRESIDENT pro tempore laid before the Senate the following communication from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations:

THE WHITE HOUSE,
Washington, March 21, 1947.

THE PRESIDENT OF THE SENATE PRO TEMPORE.

SIR: I have the honor to transmit herewith the final report prepared by the American Red Cross reflecting all foreign war relief operations which have been conducted since July 1, 1940, from appropriations for foreign war relief.

The Congress originally made available $85,000,000 for assistance to war-stricken persons throughout the world. Subsequent legislation consolidated and extended the availability of all funds until June 30, 1945. The Second Deficiency Appropriation Act, 1945, continued $2,150,000 available until December 31, 1945, in order to provide for the termination of the program.

There is also transmitted herewith a statement of allocations made to Government purchasing agencies from this appropriation together with balances remaining unobligated in each allocation.

Respectfully yours,

HARRY S. TRUMAN.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, FEDERAL SECURITY AGENCY (S. DOC. NO. 20)

A communication from the President of the United States, transmitting, pursuant to law, a supplemental estimate of appropriation involving an increase of $100,000 for the Federal Security Agency, fiscal year 1948, in the form of an amendment to the budget for that fiscal year; to the Committee on Appropriations and ordered to be printed.

INTERNATIONAL INTERCHANGE AND INFORMATION ACT OF 1947

A letter from the Acting Secretary of State, transmitting a draft of proposed legislation to enable the Government of the United States more effectively to carry on its foreign relations by means of (a) promotion of the interchange of persons, knowledge and skills between the people of the United States and other countries, and (b) public dissemination abroad of information about the United States, its people, and its policies (with an accompanying paper); to the Committee on Foreign Relations.

ACCRUED ANNUAL LEAVE DUE GOVERNMENT EMPLOYEES UPON SEPARATION FROM SERVICE

A letter from the President of the United States Civil Service Commission, transmitting a draft of proposed legislation to amend the act entitled "An act to provide for the payment to certain Government employees for accumulated or accrued annual leave due upon their separation from Government service," approved November 21, 1944 (with an accompanying paper); to the Committee on Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution of the Legislature of the State of New York; to the Committee on Armed Services:

"Senate Resolution 68

"Whereas the county of Queens, in the city and State of New York, has a population of 1,369,000 of whom 207,033 are veterans of World Wars I or II, or of the Spanish-American War, and the adjoining counties of Nassau and Suffolk have a combined veteran population in excess of 140,000; and

"Whereas most of these veterans requiring medical treatment or having claims for adjudication must travel great distances to the Veterans' Administration facility in the Bronx or regional office in Manhattan, and such travel causes severe hardship, particularly to those disabled; and

"Whereas the naval hospital at St. Albans, Queens County, N. Y., has a plant which fits it admirably for use as a combined facility of the Veterans' Administration providing adjudication service, out-patient service, examinations, rehabilitation service, and an orthopedic section; and

"Whereas the St. Albans Naval Hospital, with the Long Island railroad and various bus lines providing service at its door, offers convenient travel facilities to residents of Queens, Nassau, and Suffolk Counties; and

"Whereas some of the wards at the St. Albans Naval Hospital are now being used by the Veterans' Administration on a temporary basis and others have been closed or are being used for storage purposes; and

"Whereas those facts make it evident that the Veterans' Administration can, with little expense, no delay, and no inconvenience to the Navy, establish a combined facility at St. Albans, N. Y., providing convenient and adequate treatment and service for the large veteran population of the three counties named; and

"Whereas the shortage of space for rent and the obstacles to new construction generally prevailing make it improbable that such a combined facility can be opened elsewhere in any of the three counties named, within 3 years or more: Now, therefore, be it

"*Resolved (if the assembly concur)*, That the Congress of the United States be, and it hereby is, respectfully memorialized to take appropriate action to authorize the United States Veterans' Administration to take on the St. Albans Naval Hospital to provide adjudication service, out-patient service, examinations, rehabilitation service, and as an orthopedic section; and be it further

"*Resolved (if the assembly concur)*, That copies of this resolution be transmitted to the President of the United States, the Secretary of the Senate, and the Clerk of the House of Representatives of the United States, the Administrator of the United States Veterans' Administration, the Secretary of War, the Secretary of the Navy, and to each Member of Congress elected from the State of New York."

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Armed Services:

"Senate Joint Resolution 26

"Joint resolution pledging the full cooperation of the State of Wisconsin, its agencies, and people, to the War Department, in the development of Camp McCoy as a permanent military camp

"Whereas it has been recently announced that Camp McCoy has been designated as a permanent military post contemplating a full utilization of the 61,000-acre reservation and the erection of many new permanent buildings, and

"Whereas the Army has made recommendations that regional improvements be provided for highways, railroads, telephone communication, supply routes, feeder routes, and expanded school, airport and recreational facilities, and

"Whereas the Army must depend upon the State and the nearby communities to assist in the provision of many of these improvements and to coordinate their activities with the planning of Camp McCoy in order to assure the greatest possible benefits to the Army, the State and the nearby communities in becoming a vital and integral part of this region, and

"Whereas it is highly necessary that such camp and its operation be continued in the State of Wisconsin so as to afford a good training area and good living conditions tending to a high morale for the personnel, and suitable public utilities, highways and communication systems for military training at a reasonable cost, and

"Whereas this vast training camp has a varied and interesting terrain suitable for all types of combat for both summer and winter conditions, modern barracks for housing more than 60,000 troops, an abundant supply of water, an extensive water and sewerage system, all types of necessary buildings, and other equipment, that will afford all required military facilities necessary to maintain an essential program of military training for the defense of this country, and

"Whereas the State, its agencies, the adjacent communities and the people of the State of Wisconsin pledge their cooperation and support to this plan of expansion that anticipates the provision of many of the requirements of schools, airport and recreational facilities that will assure a mutual continuation of Federal, State, and local benefits; now, therefore, be it

"*Resolved by the Senate (the assembly concurring)*, That the Legislature of the State of Wisconsin hereby pledges the cooperation of the State and all of its agencies, its friendly adjacent communities, and the people of the State, to a plan of expansion envisioning improved and enlarged public utilities, highways and school, airport and recreational facilities to assure the greatest possible benefits to everyone in the establishment of Camp McCoy as a permanent military post. Be it further

"*Resolved*, That properly attested copies of this resolution be sent to the President of the United States, the Secretary of War, to the commanding general of the Fifth Army Headquarters, Camp McCoy camp commander, to both Houses of Congress and to each Wisconsin member thereof."

A joint memorial of the Legislature of the State of New Mexico; to the Committee on Finance:

"House Joint Memorial 5

"House joint memorial memorializing and requesting the Congress of the United States to make national service life insurance available to all Pacific island veterans

"Whereas in some instances entire records pertaining to some Pacific island veterans have been lost, at least so far as records of their insurance are concerned, and these veterans are unable to prove that they carried such insurance or desired to carry such insurance, and are actually prevented from complying with the rules and regulations pertaining to national service life insurance through no fault of their own: Now, therefore, be it

"*Resolved by the Legislature of the State of New Mexico:*

"SECTION 1. That the Eightieth Congress of the United States of America, now in regular session assembled in Washington, D. C., be hereby memorialized and requested to enact legislation which will make national service life insurance available to all Pacific island veterans, particularly former prisoners of war in the Philippines, whether they have been carrying such coverage or not, and regardless of their present physical condition.

"SEC. 2. That copies of this resolution be forthwith sent respectively to the President of the United States of America, to the President of the United States Senate, to the Speaker of the House of Representatives of the United States of America, and to the Senators and Representatives of New Mexico in Congress.

"Approved by me this 12th day of March 1947.

"THOMAS J. MABRY,
"Governor, State of New Mexico."

A joint memorial of the Legislature of the State of Montana; to the Committee on Appropriations:

"Senate Joint Memorial 14

"Joint memorial to the Congress of the United States and to the Administrator, Rural Electrification Administration, requesting action to provide funds for and to expedite the rural electrification program

"Whereas rural electrification is one of the major construction programs that add materially to the progress and development of our community, State, and Nation; and

"Whereas the public need and demand for electricity for rural American and small towns without central electric service is imperatively essential for our modern progress and development; and

"Whereas the urgent need for electricity has not been completely solved and which circumstances has resulted in denying thousands of American farmers and small towns of electric energy; and

"Whereas, that in cooperation with our Government and which is in a favorable position to best finance rural electrification projects to serve the largest number of consumers; and

"Whereas the Rural Electrification Administration should be fully authorized and directed to make adequate allocations to the various so-called REA projects, to thereby enable such REA projects to fully complete their pending demands for electric lines, office buildings, maintenance equipment, and/or any other equipment or material necessary for the practical construction and operation of electric lines; and

"Whereas to best serve all the people on an area coverage basis, the allocations should be made in full and not subdivided so as to further delay or deny the people of any area or community electric energy service; and

"Whereas it is necessary to avoid any further delay of construction, requests for allocating of funds to REA projects should be authorized and promptly granted by the Rural Electrification Administration upon the application for a loan of any REA project that furnishes a gross estimate and preliminary map or maps showing the estimated mileage and cost of construction prepared by the respective REA projects engineer or engineers; and

"Whereas the REA construction program can be greatly speeded up and construction costs reduced by reducing to a minimum the various technicalities and duplications: Now, therefore, be it

"Resolved by the Senate of the State of Montana (the house of representatives concurring), That we do hereby respectfully petition the Congress of the United States for the passage of necessary legislation providing for adequate funds and authorization and direction for expedient execution of the REA program; and be it further

"Resolved, That we do hereby respectfully petition the Administrator of the Rural Electrification Administration to make early and full allocations to applicants for loans by REA projects and further, that in order to expedite the construction program and to reduce to a minimum all technical and duplicating regulations; and be it further

"Resolved, That copies of this memorial be transmitted by the secretary of state of the State of Montana to the Senate and the House of Representatives of the United States, to the Senators and Representatives in Congress from the State of Montana and to the Administrator of the Rural Electrification Administration.

"Approved March 4, 1947.

"SAM C. FORD,
"Governor."

A joint memorial of the Legislature of the State of Montana; to the Committee on Agriculture and Forestry:

"Senate Joint Memorial 15

"Joint memorial to the Congress of the United States requesting legislation to reimburse wheat growers who sold their 1945 wheat early and were deprived of benefit of advance in price

"To the Honorable Senate and House of Representatives of the United States in Congress Assembled:

"Whereas thousands of American farmers enjoying full confidence and respect for our American public officials did sell in the year of 1945 and the forepart of 1946, wheat at set Government prices based upon the Government assurances that no further advance prices would be made on the said 1945 wheat crop, and

"Whereas during the latter part of 1945 and early part of 1946 prices were advanced 48 cents per bushel on wheat, and that therefore the thousands of farmers with full confidence in their Government officials sold their grain early and were deprived of the discriminating 48 cents per bushel advance: Now, therefore, be it

"Resolved by the Senate of the State of Montana (the House of Representatives concurring), That we do hereby respectfully petition the honorable Senate and the House of Representatives of the United States Congress to enact legislation providing funds to reimburse the wheat growers who sold their 1945 wheat early and were deprived of the benefit of the advance in the price of wheat; and be it further

"Resolved, That copies of this memorial be transmitted by the secretary of state of the State of Montana to the Senate and House of Representatives of the United States and to the Senators and Representatives in Congress from the State of Montana.

"Approved March 4, 1947.

"SAM C. FORD,
"Governor."

A memorial of the Senate of the State of Montana; to the Committee on Appropriations:

"Senate Memorial 1

"Memorial to the Congress of the United States requesting the Congress to make funds available for the immediate construction of an electrical transmission line from Kerr Dam to Hungry Horse and to appropriate funds for the prompt construction of Hungry Horse Dam in northwestern Montana

"To the Honorable Senate and House of Representatives of the United States of America in Congress Assembled:

"Whereas the United States Bureau of Reclamation has completed the survey and plans for the construction of Hungry Horse Dam in northwestern Montana and said Bureau has already commenced preconstruction work in the preparation of a camp and the building of access roads and other activities; and

"Whereas the construction of an electrical transmission line from Kerr Dam to Hungry Horse site is required as a preliminary to construction work on Hungry Horse Dam itself, and will be used in transmitting power from said Hungry Horse Dam when the dam is completed; and

"Whereas the construction of said dam will be a means of securing cheap electricity for industrial and home and farm use in western Montana; and

"Whereas the cheapness of power will attract new industries to western Montana and thereby benefit the entire State and the Northwest part of the United States; and

"Whereas this postwar period is the most desirable time to encourage and promote new industries and reclamation of additional lands; and

"Whereas the construction of the said dam will provide water storage for water sufficient for the reclamation and irrigation of thousands of acres of land in western Montana; and

"Whereas the construction of said dam will be the means of providing flood control along the Columbia River and restoration of several thousand acres along the Flathead River; and

"Whereas many other benefits will result from the construction and operation of said dam which will be beneficial to the State of Montana and to the United States in their general reclamation and flood-control programs and in the encouragement of new industrial development: Now, therefore, be it

"Resolved by the Senate of the State of Montana, That the Congress of the United States of America be respectfully urged and requested to make funds available for the immediate construction of an electrical transmission line from Kerr Dam to Hungry Horse and to appropriate sufficient funds for the prompt construction of Hungry Horse Dam in northwestern Montana; be it further

"Resolved, That a copy of this memorial be submitted by the secretary of state of the State of Montana to the President of the United States; to the Presiding Officers of both Houses of the National Congress; to the chairman of the Appropriations Committee of the United States House of Representatives; to the Commissioner of Reclamation; and to each of the Senators and Representatives in the Congress from the State of Montana."

(The ACTING PRESIDENT pro tempore laid before the Senate a memorial of the House of Representatives of the State of Montana, identical with the foregoing, which was referred to the Committee on Appropriations.)

Two joint memorials of the Legislature of the State of Montana; to the Committee on Public Lands:

"Senate Joint Memorial 7

"Joint memorial to the President and Congress of the United States requesting the enactment of legislation authorizing the State of Montana to lease State lands for the production of oil, gas, and other hydrocarbons for such periods of time and on such terms and conditions as may be provided by the Legislative Assembly of the State of Montana

"To the President of the United States and to the honorable Senate and House of Representatives of the United States in Congress assembled:

"Whereas under act of Congress approved February 22, 1889, entitled "An act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments, and to be admitted into the Union on equal footing with the original States, and to make donations of public lands to such States," commonly known as the Enabling Act, as amended by an act of Congress approved May 7, 1932, the State of Montana is restrained from leasing State lands for oil and gas and other hydrocarbons for a longer term than 20 years; and

"Whereas such restriction has resulted in failure of the State lands to be developed for the production of oil, gas, and other hydrocarbons on an equal footing with public and privately owned lands similarly situated; now, therefore, be it

"Resolved by the Senate of the State of Montana (the house of representatives concurring), That the Congress of the United States be, and it is hereby, petitioned to enact suitable legislation amending the said Enabling Act and authorizing the State of Montana to lease her State lands for the production of oil, gas, and other hydrocarbons for such periods of time and on such terms and conditions as may be, from time to time, provided by the Legislative Assembly of the State of Montana; be it further

"Resolved, That copies of this memorial be forwarded by the secretary of state of the State of Montana to the President of the United States, to the President pro tempore of the Senate of the United States, to the Speaker of the House of Representatives of the United States, to the Honorable JAMES E. MURRAY and ZALES N. ECTON, Senators from Montana, and to the Honorable MIKE MANSFIELD and WESLEY A. D'EWART, Representatives in Congress from Montana.

"Approved March 3, 1947.

"SAM C. FORD,
"Governor."

"Senate Joint Memorial 8

"Joint memorial of the Senate and House of Representatives of the State of Montana, to the Congress of the United States, United States Senators JAMES E. MURRAY and ZALES N. ECTON, and Representatives MIKE MANSFIELD and WESLEY A. D'EWART, all of Washington, D. C., requesting the enactment of legislation, allowing for and directing the annual payments of grants by the United States Government to the State of Montana for the use and benefit of the several counties of Montana in lieu of taxes on lands owned by the United States Government in the State of Montana

"Whereas in Montana there is an excess of 39 percent of our landed area which is owned by the Government of the United States, so held by it in proprietory or trustee capacity for Indian reservations, forest

reserves, wild-life refuge, grazing lands, military reservations, and numerous other governmental purposes and objects, none of which lands pay taxes to the State of Montana or the counties therein, nor contribute equitable amounts in lieu of taxes to the school districts, counties and State government, all of which furnish services to such lands and their occupants; and

"Whereas such areas are increasing, and the taxation burdens upon sparsely settled communities of our State are becoming more serious; and

"Whereas these areas should bear some part of the tax burden comparable to that imposed on lands of our own taxpayers; and

"Whereas there has been and will be introduced in the Congress of the United States acts under which the Government of the United States will pay to the several States of the United States for the benefit of counties wherein Government held lands are located, grants in lieu of taxes upon these lands: Now, therefore, be it

"Resolved by the Thirtieth Legislative Assembly of the State of Montana (senate and house of representatives concurring), That we respectfully urge the enactment of legislation by the Congress of the United States providing for the evaluation of property owned or held by the United States Government and providing for payments or grants to the State of Montana for the use and benefit of the counties wherein Government-held lands are located, in lieu of taxes upon these lands; and be it further

"Resolved, That copies of this memorial be submitted by the secretary of state of Montana to the Senate and House of Representatives of the United States Congress and to Senators JAMES E. MURRAY and ZALES N. ECTON and Representatives MIKE MANSFIELD and WESLEY A. D'EWART.

"Approved March 3, 1947.

"SAM C. FORD,
Governor."

A letter in the nature of a petition from George A. Spanops, of New York City, N. Y., praying an amendment to the Constitution relating to the size, in square miles, of the District of Columbia; to the Committee on the Judiciary.

A memorial of sundry citizens of the District of Columbia, remonstrating against an increase in the gasoline tax in the District of Columbia; to the Committee on the District of Columbia.

A letter from J. R. Farrington, Delegate from Hawaii, transmitting a radiogram from Spuds Laundry, signed by P. L. Murphey, Honolulu, T. H., relating to labor disputes on fair labor and management; to the Committee on Labor and Public Welfare.

By Mr. CAPPER:

Petitions of sundry citizens of Wichita, Kans., and Alexandria, Minn., praying for the enactment of the bill (S. 265) to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages; to the Committee on Interstate Commerce.

INCOME-TAX RETURNS IN COMMUNITY-PROPERTY AND NON-COMMUNITY-PROPERTY STATES

Mr. WHERRY. Mr. President, I present for appropriate reference a petition which was sent me by a distinguished State senator and outstanding lawyer, Hon. Earl J. Lee, of Nebraska. The petition prays for the enactment of Senate bill 649 so that married persons who live in States where community-property laws do not exist and who file joint income-tax returns may be placed on a par with those who file joint returns in States where community-property laws do exist. The petition is signed by 43 persons, the total membership of the Nebraska State Legislature. I agree in toto with the principle of Senate bill 649; indeed, a similar bill was introduced by me in the Seventy-ninth Congress. I ask unanimous consent that the petition may be printed in the RECORD without the signatures attached.

There being no objection, the petition was referred to the Committee on Finance, and ordered to be printed in the RECORD, without the signatures attached, as follows:

To the Members of the Senate of the United States:

Whereas there is pending in the Senate of the United States Senate bill 649; and

Whereas Nebraska is a State without community-property laws; and

Whereas the enacting of Senate bill 649 into a law will place married persons living in Nebraska who file joint income-tax returns on the same par with those persons living in a State where community-property laws exist:

Now, therefore, we the undersigned members of the sixtieth session of the Legislature of Nebraska, 1947, petition the Senate of the United States:

To place married persons who live in States where community-property laws do not exist and who file joint income-tax returns on a par with those who file joint returns in States where community-property laws exist by enacting Senate bill 649 into a law.

LETTER FROM NATIONAL SMALL BUSINESS MEN'S ASSOCIATION

Mr. CAPPER. Mr. President, the National Small Business Men's Association has recently brought to the attention of Congress a number of interesting letters with respect to the condition of small business throughout the country. I think the letters, which are in the nature of reports, will be of unusual interest to the Members of the Senate, and I ask unanimous consent that one of the letters from Kansas be printed in the RECORD and appropriately referred.

There being no objection, the letter was referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

NATIONAL SMALL BUSINESS
MEN'S ASSOCIATION,
Washington, D. C., March 20, 1947.

Senator ARTHUR CAPPER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR CAPPER: On February 6, Mr. DeWitt Emery, president of the National Small Business Men's Association wrote to the entire membership of the association requesting an expression of opinion on revising the Wagner Act and other labor laws. Upon receiving replies we compiled the attached statement giving views of 146 of our members, which was presented as an exhibit by Mr. Emery when he appeared before the House Committee on Education and Labor on March 15.

In analyzing this statement it is quite apparent that labor difficulties are not confined to any one section of the country. The difficulties encountered by businessmen in Maine, New York, and Florida are comparable to those in Washington and California. It will be noted that the preponderance of quotations advocated a revision of the Wagner Act so as to put full and equal responsibility on all parties involved, and abolishment of the closed shop and all compulsory unionization.

The small businessmen of America are looking to the Eightieth Congress for legislation to make our labor laws equitable to labor, to employers, and to the public.

Sincerely,

A. W. KIMBALL,
Director, Washington Office.

FAMILY LIFE—EDITORIAL FROM ALLIANCE (OHIO) REVIEW

Mr. CAPPER. Mr. President, the Alliance (Ohio) Review recently printed an interesting article entitled "Family Life," in which the merits of the marriage and divorce bill introduced by me were discussed at some length. I ask unanimous consent to have the article printed in the RECORD and appropriately referred.

There being no objection, the article was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

FAMILY LIFE

With a growing instability of family life, there is a wave of marriage and divorce legislation sweeping through State legislatures, with most of the proposed laws aimed at making divorce and remarriage after divorce more difficult.

The proposed laws provide a cooling-off period for divorce litigants, longer residence requirements before suits can be brought, longer waits for remarriage. A few States are conducting studies as a basis for more positive legislation, such as marriage education and counseling and reconciliation activities.

With no Federal uniform divorce law, the State laws of a prohibitive nature will affect only those citizens financially unable to avail themselves of the Gretna Greens and divorce mills in other States. Most authorities on divorce agree that the most effective legal approach to the problem is a Federal law fixing the grounds of divorce, the cooling-off period, and the limitations on remarriage.

Senator ARTHUR CAPPER'S 24-year-old bill, providing for a constitutional amendment to permit such a law, has much public backing, and has a chance of serious consideration in this Congress.

The rising divorce rate—now at one divorce to every four marriages—is generally recognized as more than a postwar reaction. It has been developing since 1900 and is closely related to the great economic and social changes that have been taking place and that were accelerated by two World Wars.

Also, high standards of marriage relationships help account for more marriage failures. So much is involved in strengthening marriage and family life that legislation concerning it cannot afford to be hasty, superficial, or piecemeal. It is pointed out that such legislation is likely to be effective largely to the extent that it helps people to progress in the laggard and neglected field of human relationships.

NOMINATION OF LOUIS J. O'MARR, ASSOCIATE COMMISSIONER, INDIAN CLAIMS COMMISSION

Mr. O'MAHONEY. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from Sheridan (Wyo.) Press commenting upon the nomination of Mr. Louis J. O'Marr, of Wyoming, to be Associate Commissioner, Indian Claims Commission, and quoting statements from other newspapers speaking in the highest terms of his qualifications. I request that the editorial be referred to the Committee on Public Lands.

There being no objection, the editorial was referred to the Committee on Public

Lands, and ordered to be printed in the RECORD, as follows:

PRAISE O'MARR SELECTION

A number of Wyoming newspapers have joined in commending the appointment by the President of Louis J. O'Marr of Sheridan as a member of the Indian Claims Commission.

"Wyoming knows that no one is better qualified to fill this responsible judicial position than the man who has just completed 4 years as attorney general of the State," the Wyoming Eagle of Cheyenne comments editorially. "His record in this State office has been such that he has won the praise of jurists and attorneys, and his fairness and impartiality won the confidence and respect of the political opposition. Before coming to Cheyenne in 1943, Mr. O'Marr had won distinction as a member of the Sheridan County and Wyoming State bar."

The Wyoming State Tribune is among the others to offer its commendation on the O'Marr appointment. Its editorial follows:

"The Union's Indian population is to be congratulated upon the appointment of Louis J. O'Marr of Wyoming as a member of the three-man Indian Claims Commission.

"There are not higher-grade men than the gentleman from Sheridan who has served as Wyoming's attorney general during the last 4 years.

"The Indian Claims Commission handles all matters of dispute between Indian tribes and between Indians and the Government of the United States.

"With Mr. O'Marr as a member of the Commission, any and all disputants may be assured of fair and impartial consideration of their claims.

"While necessarily absent in pursuit of the duties of his new office, Mr. O'Marr remains legally a resident of Wyoming.

"He is a citizen in whom the State validly may take pride."

THE POSTAL DEFICIT

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a letter I have received this morning from George Cutler, editor, the Open Pouch, New York Branch, Railway Mail Association, entitled "That Postal Deficit."

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE OPEN POUCH,
NEW YORK BRANCH,
RAILWAY MAIL ASSOCIATION,
New York, N. Y., March 24, 1947.

Senator WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

THAT POSTAL DEFICIT

In each session of Congress since 1945, the affiliated postal groups have been vitally interested in the enactment into law of the several bills designed to adjust Public Law 134 in accord with the needs and just deserts of the postal employees.

The greatest obstacle in our path, judging from comments of responsible Members of Congress, is apparently the $287,000,000 deficit estimated by the Post Office Department for the fiscal year ending June 30, 1948. In simple justice to the loyal and hard-working postal employees, the relationship, if any, of such a deficit to the passage of corrective and sorely-needed legislation should be carefully examined.

The truth of the matter is, of course, that it is the Congress and not the postal employee that determines whether or not there shall be a deficit and, if so, just how large it shall be. The factors going into the make-up of any deficit are completely outside the purview and control of any postal employee and, indeed, quite beyond the powers of the officials of the Post Office Department. Since it is the Congress that sets the rates at which the postal service shall operate, it is obviously the Congress and not the Post Office Department or its employees that create or enlarge a deficit. To go a step further, the Congress is therefore in the indefensible position of being responsible for the deficit at the same time that it points to that very deficit as the major reason for refusing the admittedly just and modest requests of the united postal organizations.

Just how unfair and far-reaching this basis for judging the equity of proposed legislation can be, may be seen from the statistics which show that during the past 120 years the post office has operated at a profit only 7 percent of the time and at a loss 93 percent of the time. At a time when postal business is on the boom, the Government is losing money on second- and third-class mail, on parcel post, money orders, registered and insured mail, special delivery and c. o. d. service, and other services.

The postal employees, and their representative organizations, have no brief to present as to the rates to be charged for the very efficient services provided by the Department. Their primary interest is, as it should be, in providing the best services possible with the facilities granted them by the Congress, and in accord with the wishes of the Congress. It is only when the question of postal rates, as set by Congress, is utilized as an unfair criterion of postal working conditions, that we feel the opinions of those most familiar with the inner workings of our great postal service may be of some value to those primarily responsible for its financial operation.

Stated simply, the matter resolves itself to a congressional decision of whether the Post Office Department is, or ought to be, a business designed to operate for profit or whether it is to be considered a governmental service (such as the Public Health Service) constituted primarily for the benefit of the general public with the cost of that service logically met by public taxes.

Let us examine the operation of the Department under both premises. Operated as a business, under business principles, with the express intention of at least insuring that income meets outgo, would mean a drastic departure from past procedure. This can readily be seen from the following:

1. First class letter mail is the only activity of the post office that "pays its way" and this is the postal service used mostly by the general public.

2. Second class privileges as provided for publishers of newspapers and magazines for the period ending June 30, 1947, showed a net loss of some $33,000,000; the 1 cent rate on postal cards accounted for a loss of some $20,000,000; the service provided for other second-, third-, and fourth-class matter drove the total upward an additional $115,000,000.

3. The so-called free services provided by the Department each year amounts to $114,000,000. In this category are included the congressional franking privileges, the abolition of zone rates for certain types of reading matter, bond sales, other governmental agency free mailings, and the special services rendered below cost; such as money orders, postal notes, special delivery and c. o. d. service, registered and insured mail, etc.

Even a cursory examination of these figures demonstrates that by and large the postal deficit is the result of congressional action granting indirect subsidies to many types of business firms, as well as services to the general public that could not possibly be duplicated at the same cost by private enterprises. Again, it must be admitted that the propriety of providing such services below cost for whatever reason is the responsibility of the Congress. It is only when the existence of such low-cost services is used as a justification to deny postal employees their full due, that it is necessary or desirable to call attention to the inapplicability of such reasoning.

If we as postal employees, imbued with the concept of more and better service to our ultimate employers—the public—must take a stand, that stand surely is on the side of those who regard the primary function of the Department to be faster and better service to the public, with cost important but secondary.

As an example: Railroad services and, consequently direct mail service in many rural communities have been severely curtailed or entirely eliminated due to unfavorable financial experiences with the smaller lines in less populated areas. The Post Office Department, at considerable expense and with admirable ingenuity, has evolved a novel and economical highway post office which is calculated to provide for our rural communities' postal service appropriate to their needs. To date, this service has been largely in the blue-print stage because the funds to make this needed service a reality have not been available. The highway post office, if inaugurated on a scale equal to its needs, could never hope to pay its way. Yet it is to be doubted whether any Congressman would state that our rural citizens are not entitled to equitable service, regardless of cost.

The special services of the Department are also ground for legitimate scrutiny by the Congress. Here we find, by directive of the Congress, the Post Office Department in direct and somewhat unfair competition with private enterprise. The March 11 CONGRESSIONAL RECORD carried a plea from the publisher of a small-town newspaper pointing out that the post office was providing printing services on prestamped envelopes far below the price possible for a private printer to meet. The same is true of such services as mentioned above: Postal notes at a rate with which no private firm could possibly compete; books formerly distributed through private expediting houses now go by parcel post at a rate that insures that the greater the volume the greater the loss to the Government.

Yet this very liberality in the mail rate of printed matter is one of the major factors in the American people's enviable position as the best informed, most literate people in the world. We may well hesitate before taking any steps which might injure this position, for it is true, indeed, that this widespread dissemination of knowledge is one of the cornerstones of our liberty.

Finally, there is yet another facet of the practice of placing the needs of the postal employee in competition with the departmental finances over which he exercises no control. The physical working conditions under which he is expected to provide the service for which he is justly respected—conditions never too favorable—have deteriorated during the war years to a hitherto unknown degree. Here, once again, the postal deficit looms as the obstacle to prevent the offices of the Second and Fourth Assistant Postmaster Generals from improving working conditions which would call for Government condemnation if imposed by private industry upon its employees.

If we may presume, we would like to offer a word of caution. Too great a stress on high rates will not only make the services of the Department economically unavailable to many business firms and individuals, but will soon run afoul of the sound principle of diminishing returns. To fall into this error would be poor economy and bad business.

Let our position as postal employees not be misunderstood: We believe that these are legitimate services of the post office and services to which the public and business are entitled. Our contention is that the Congress must determine its policy and be

conscious of and ready to assume the responsibility of its decision. In the light of this responsibility for determining the proper function of the postal service, Congress should not make its economies by its treatment of those whose sole responsibility and pride is in the conduct of the United States Post Office as the greatest and most efficient in the world.

GEORGE CUTLER,
Editor, the Open Pouch.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BRIDGES, from the Committee on Appropriations:

H. J. Res. 154. Joint resolution making an appropriation for expenses incident to the control and eradication of foot-and-mouth disease and rinderpest; without amendment (Rept. No. 65).

By Mr. WILEY, from the Committee on the Judiciary:

S. 241. A bill for the relief of Andrew Chiarodo; without amendment (Rept. No. 66);

S. 243. A bill for the relief of Lillian M. Lorraine; without amendment (Rept. No. 67);

S. 254. A bill for the relief of the legal guardian of Glenna J. Howrey; with amendments (Rept. No. 68); and

S. 425. A bill for the relief of Colonel Frank R. Loyd; with an amendment (Rept. No. 69).

By Mr. TOBEY, from the Committee on Banking and Currency:

H. R. 2413. A bill to amend the Federal Reserve Act, and for other purposes; without amendment (Rept. No. 70).

By Mr. WHITE, from the Committee on Interstate and Foreign Commerce:

H. R. 1240. A bill to provide for the suspension of navigation and vessel inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended; without amendment (Rept. No. 71); and

H. J. Res. 76. Joint resolution authorizing the Commandant of the United States Coast Guard to waive compliance with the navigation and vessel-inspection laws administered by the Coast Guard; without amendment (Rept. No. 72).

REPORT OF COMMITTEE ON CIVIL SERVICE

Mr. LANGER. Mr. President, from the Committee on Civil Service, I report favorably without amendment the bill (H. R. 1713) to provide for the promotion of substitute employees in the postal service, and for other purposes, and I submit a report (No. 64) thereon. By unanimous vote the Civil Service Committee recommended the passage of the bill.

The ACTING PRESIDENT pro tempore. The report will be received, and the bill placed on the calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLANDERS:

S. 974. A bill to provide for financial aid in industrialization of underdeveloped areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. SALTONSTALL:

S. 975. A bill for the relief of the Atlantic Meat Co., Inc., of Boston, Mass.; to the Committee on the Judiciary.

EXTENSION OF CERTAIN POWERS OF THE PRESIDENT UNDER SECOND WAR POWERS ACT—AMENDMENTS

Mr. AIKEN (for himself, Mr. YOUNG, Mr. THYE, and Mr. ELLENDER) submitted amendments intended to be proposed by them jointly to the bill (S. 931) to extend certain powers of the President under title III of the Second War Powers Act, which were referred to the Committee on the Judiciary, and ordered to be printed.

EXTENSION OF SUGAR CONTROLS—AMENDMENT

Mr. WHERRY. Mr. President, I submit an amendment intended to be proposed by me to the joint resolution (S. J. Res. 58) to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes. This amendment requires that, if specific action is taken by both Houses of Congress for the further control of sugar, the home consumption shall be increased to 45 pounds a person per annum.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and lie on the table.

HOUSE JOINT RESOLUTIONS REFERRED OR PLACED ON THE CALENDAR

The following joint resolutions were each read twice by their titles and referred or ordered to be placed on the calendar, as indicated:

H. J. Res. 146. Joint resolution to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes; ordered to be placed on the calendar.

H. J. Res. 154. Joint resolution making an appropriation for expenses incident to the control and eradication of foot-and-mouth disease, and rinderpest; to the Committee on Appropriations.

MEETING OF COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Mr. AIKEN. Mr. President, I ask unanimous consent that the Committee on Expenditures in the Executive Departments be authorized to sit for a short time this afternoon beginning at 2 o'clock, in order to complete a hearing which was begun this morning.

The ACTING PRESIDENT pro tempore. Without objection, authority is granted.

MEETING OF COMMITTEE ON THE JUDICIARY

Mr. WILEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary may meet at 2:30 o'clock this afternoon.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEETING OF SUBCOMMITTEE ON INDIAN AFFAIRS OF COMMITTEE ON PUBLIC LANDS

Mr. WATKINS. Mr. President, I ask unanimous consent that the Subcommittee on Indian Affairs of the Committee on Public Lands be authorized to continue hearings for the remainder of the week during sessions of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, the request of the Senator from Utah is granted.

MEETING OF SUBCOMMITTEE OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. BUCK. Mr. President, the Subcommittee on Building and Rents of the Committee on Banking and Currency asks unanimous consent to meet this afternoon at 2 o'clock, during the session of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, permission is granted.

MEETING OF SUBCOMMITTEE OF SPECIAL COMMITTEE TO STUDY PROBLEMS OF AMERICAN SMALL BUSINESS

Mr. CAPEHART. Mr. President, I ask unanimous consent that a subcommittee of the Special Committee To Study the Problems of American Small Business be authorized to sit tomorrow afternoon while the Senate is in session.

The ACTING PRESIDENT pro tempore. Without objection, permission is granted.

SIGNIFICANCE OF EVACUATION DAY IN AN UPSET WORLD—ADDRESS BY SENATOR SALTONSTALL

[Mr. SALTONSTALL asked and obtained leave to have printed in the RECORD an address entitled "Significance of Evacuation Day in an Upset World," delivered by him at Evacuation Day exercises at South Boston, Mass., on March 16, 1947, which appears in the Appendix.]

THE GOVERNMENT'S POLICY ON AID TO GREECE AND TURKEY—ADDRESS BY SECRETARY SCHWELLENBACH

[Mr. MAGNUSON asked and obtained leave to have printed in the RECORD an address on the Government's policy on aid to Greece and Turkey, delivered by Secretary of Labor Schwellenbach before the Commonwealth Club, San Francisco, Calif., March 20, 1947, which appears in the Appendix.]

ST. PATRICK'S DAY ADDRESS BY SENATOR O'MAHONEY

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD articles appearing in the Charlestown News and Courier and the Charleston Evening Post of March 18, 1947, relative to the address delivered by Senator O'MAHONEY at the annual dinner of the Hibernian Society of Charleston, S. C., on March 17, 1947, which appear in the Appendix.]

TRIBUTES TO THE LATE OLIVER MAX GARDNER

[Mr. UMSTEAD asked and obtained leave to have printed in the RECORD a citation written by Arthur Krock, chief of the Washington Bureau of the New York Times, and editorial tributes to the late O. Max Gardner, Ambassador to Great Britain, which appear in the Appendix.]

TAX REDUCTION—EDITORIAL FROM BOSTON POST

[Mr. LODGE asked and obtained leave to have printed in the RECORD an editorial from the Boston Post of March 22, 1947, entitled "Reduced Taxes," which appears in the Appendix.]

THE ELMORE CORP. PROFIT-SHARING PLAN

[Mr. HOEY asked and obtained leave to have printed in the RECORD an article entitled "Elmore Corp. Has Good Profit-Sharing Plan," published in the Rutherfordton (N. C.) News, which appears in the Appendix.]

REPORT BY HON. HERBERT HOOVER ON ECONOMIC MISSION TO GERMANY AND AUSTRIA

[Mr. SMITH asked and obtained leave to have printed in the RECORD Report No. 3 on his recent economic mission to Germany and Austria, submitted by Hon. Herbert Hoover to the President of the United States, which appears in the Appendix.]

THE BYPASSING OF UNITED NATIONS—ARTICLE BY WALTER LIPPMANN

[Mr. SMITH asked and obtained leave to have printed in the RECORD a column entitled "The Bypassing of UN" written by Walter Lippmann, and published in the New York Herald Tribune of March 22, 1947, which appears in the Appendix.]

WASHINGTON BIRTHDAY ADDRESS BY HON. A. R. BERGESEN

[Mr. YOUNG asked and obtained leave to have printed in the RECORD a Washington Birthday address delivered by Hon. A. R. Bergesen, former speaker of the North Dakota House of Representatives, which appears in the Appendix.]

STATEMENT BY FRANKLIN D. SCHURZ ON PROPOSED INCREASE IN SECOND-CLASS POSTAGE

[Mr. CAPEHART asked and obtained leave to have printed in the RECORD a statement by Franklin D. Schurz, president of the Inland Daily Press Association, on the proposal to increase second-class postage rates, which appears in the Appendix.]

POWER OF CONGRESS TO REMOVE MEMBERS OF THE SUPREME COURT

[Mr. WILEY asked and obtained leave to have printed in the RECORD a report and statement having to do with the power of Congress to remove members of the Supreme Court, which appears in the Appendix.]

CALL OF THE ROLL

The ACTING PRESIDENT pro tempore. The routine morning business is closed. The calendar under rule VIII is in order.

Mr. WHITE. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	O'Conor
Baldwin	Hayden	O'Daniel
Ball	Hickenlooper	O'Mahoney
Barkley	Hill	Overton
Brewster	Hoey	Pepper
Bricker	Holland	Reed
Bridges	Ives	Revercomb
Buck	Johnson, Colo.	Robertson, Va.
Bushfield	Johnston, S.C.	Russell
Butler	Kilgore	Saltonstall
Byrd	Knowland	Smith
Cain	Langer	Sparkman
Capehart	Lodge	Stewart
Capper	McCarran	Taft
Chavez	McCarthy	Taylor
Connally	McClellan	Thomas, Okla.
Donnell	McFarland	Thomas, Utah
Downey	McGrath	Thye
Dworshak	McKellar	Tobey
Eastland	McMahon	Umstead
Ecton	Magnuson	Vandenberg
Ellender	Malone	Watkins
Ferguson	Martin	Wherry
Flanders	Maybank	White
Fulbright	Millikin	Wiley
Green	Moore	Williams
Gurney	Morse	Wilson
Hatch	Murray	Young

Mr. WHERRY. I announce that the Senator from Illinois [Mr. BROOKS] and the Senator from Missouri [Mr. KEM] are necessarily absent.

The Senator from Indiana [Mr. JENNER] and the Senator from Wyoming [Mr. ROBERTSON] are absent because of illness.

The Senator from Oregon [Mr. CORDON] and the Senator from Kentucky [Mr. COOPER] are absent by leave of the Senate.

Mr. BARKLEY. I announce that the Senator from Illinois [Mr. LUCAS] and the Senator from Pennsylvania [Mr. MYERS] are absent on public business.

The Senator from Georgia [Mr. GEORGE], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The ACTING PRESIDENT pro tempore. Eighty-four Senators having answered to their names, a quorum is present.

THE CALENDAR

The ACTING PRESIDENT pro tempore. The clerk will proceed to call the bills on the calendar.

BILLS PASSED OVER

The bill (S. 27), to provide for suspending the enforcement of certain obligations against the operators of gold and silver mines who are forced to cease operations because of the war, was announced as first in order.

Mr. WHITE. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 597) to protect American agriculture, horticulture, livestock, by prohibiting the importation of garbage derived from products originating outside of the United States was announced as next in order.

SEVERAL SENATORS. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

Mr. TAFT. Mr. President, I inquire what happened to House bill 597.

The ACTING PRESIDENT pro tempore. House bill 597 was passed over.

TRIAL PIECES OF COINS

The bill (S. 565) to amend section 3539 of the Revised Statutes relating to taking trial pieces of coins, was announced as next in order.

Mr. WHITE. Mr. President, may we have an explanation of the bill?

The ACTING PRESIDENT pro tempore. The bill was introduced and reported by the Senator from Vermont [Mr. FLANDERS].

Mr. FLANDERS. This bill, Mr. President, relates purely to a technical matter relating to the taking of trial pieces of coins. The present requirement is that the Treasury or the mint take one piece out of every 2,000 silver coins minted. That regulation or statute was enacted in 1873. During the year preceding its adoption only 9,524,000-odd pieces were minted. Therefore less than 5,000 pieces had to be reserved for test by the Annual Assay Commission. Since that time the coinage of silver reached the total of 396,637,401 pieces in 1945. Nothing in the results of the analysis indicates that it is necessary to reserve 198,300 silver pieces in order to make sure that the standard of silver content is maintained. It is obviously an absurd practice to continue the present ratio which was established, as I have said, in 1873 and it is therefore proposed in the bill to raise the number from 1 in every 2,000 silver coins to 1 in every 10,000, and thus do away with a considerable amount of unnecessary work.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 565) to amend section 3539 of the Revised Statutes, relating to trial pieces of coins, was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That section 3539 of the Revised Statutes, as amended (U. S. C., title 31, sec. 352), is amended by striking out the word "two" wherever it appears therein and inserting in lieu thereof the word "ten."

Mr. McCARRAN subsequently said: Mr. President, I ask unanimous consent to revert to order of business 36, Senate bill 565.

The ACTING PRESIDENT pro tempore. The bill was passed.

Mr. McCARRAN. I ask unanimous consent to revert to it.

The ACTING PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent that the Senate revert to order of business 36, Senate bill 565, which the clerk will state by title.

The CHIEF CLERK. A bill (S. 565) to amend section 3539 of the Revised Statutes relating to taking trial pieces of coins.

Mr. TAFT. A point of order, Mr. President. The bill has been passed, and it will take a motion to reconsider the vote by which it was passed.

The ACTING PRESIDENT pro tempore. The Senator from Nevada is asking unanimous consent to revert to it.

Mr. McCARRAN. Mr. President, I did not hear the bill read at the time it was taken up. The next bill on the calendar was explained by its author, but I did not hear Senate bill 565 explained. Until I have an explanation, I am going to object.

Mr. TAFT. A point of order. The Senator will have to move to reconsider the vote by which the bill was passed.

Mr. McCARRAN. I ask unanimous consent that the vote be reconsidered until we can have an explanation. Probably I shall have no objection at the next call of the calendar.

The ACTING PRESIDENT pro tempore. As the Chair understands, the Senator from Nevada has asked that the action of the Senate be vacated and that the bill be restored to the calendar, rather than file a motion for reconsideration.

Mr. McCARRAN. That is correct.

Mr. TAFT. I object to that.

The ACTING PRESIDENT pro tempore. Objection is heard. The clerk will continue the call of the calendar.

Mr. McCARRAN. I now enter a motion to reconsider the vote by which Senate bill 565 was passed.

The ACTING PRESIDENT pro tempore. The motion will be entered.

BILLS PASSED OVER

The bill (S. 566) to amend sections 3533 and 3536 of the Revised Statutes with respect to deviations in standard of

ingots and weight of silver coins was announced as next in order.

Mr. McCARRAN. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 110) to amend the Interstate Commerce Act with respect to certain agreements between carriers was announced as next in order.

Mr. TOBEY and other Senators. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

ANNUAL AND SICK LEAVE FOR RURAL LETTER CARRIERS

The bill (S. 547) to provide for annual and sick leave for rural letter carriers was announced as next in order.

Mr. WHITE. Mr. President, may we have an explanation of that bill?

Mr. LANGER. Mr. President, the bill is very brief. It simply provides as follows:

The authorized absence of a rural carrier on Saturdays which occur within or at the beginning or end of a period of sick or annual leave of five or more days' duration shall be without charge to such leave or loss of compensation: *Provided*, That only 4 days' continuous leave shall be necessary to permit the exclusion of Saturday as a charge against the carrier's leave when a holiday falls within the period of the leave.

It puts the rural carrier in the same category as any other civil-service employee.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Civil Service with amendments.

The first committee amendment was on page 1, line 5, after the word "following", to strike out "statement" and insert "paragraph."

The amendment was agreed to.

The next amendment was, on page 1, line 6, after "Annual Leave" to strike out:

Rural carriers are included in the provisions of this section and are hereby granted 15 days' leave of absence with pay; exclusive of Saturdays, Sundays, and holidays, each fiscal year and sick leave with pay at the rate of 10 days per year, exclusive of Saturdays, Sundays, and holidays, to be cumulative. Rural carriers on annual or sick leave shall be paid for Saturdays, Sundays, and holidays at the regular rate of pay.

And insert:

The authorized absence of a rural carrier on Saturdays which occur within or at the beginning or end of a period of sick or annual leave of five or more days' duration shall be without charge to such leave or loss of compensation: *Provided*, That only 4 days' continuous leave shall be necessary to permit the exclusion of Saturday as a charge against the carrier's leave when a holiday falls within the period of the leave.

The amendment was agreed to.

The next amendment was on page 2, after line 10, to insert a new section, as follows:

SEC. 2. This act shall take effect February 1, 1947.

The amendment was agreed to.

Mr. ELLENDER. Mr. President, I inquire how the amendments affect the bill?

Mr. LANGER. The bill, as amended, would place the rural carriers in the same category as other civil-service employees. It would permit Saturdays to be added to the 4 days' period.

The ACTING PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 6 of Public Law 134, Seventy-ninth Congress, chapter 274, first session, is hereby amended by adding the following paragraph to section 6 under the title "Annual Leave":

"The authorized absence of a rural carrier on Saturdays which occur within or at the beginning or end of a period of sick or annual leave of 5 or more days' duration shall be without charge to such leave or loss of compensation: *Provided*, That only 4 days' continuous leave shall be necessary to permit the exclusion of Saturday as a charge against the carrier's leave when a holiday falls within the period of the leave."

SEC. 2. This act shall take effect February 1, 1947.

BILL PASSED OVER

The bill (S. 865) to provide for the striking of medals in lieu of coins for commemorative purposes was announced as next in order.

Mr. WILEY. Mr. President, may we have an explanation of the bill, please?

Mr. FLANDERS. Mr. President, this bill was introduced in lieu of at least six, and I think seven, bills previously introduced which provided for the minting of commemorative coins. It was indicated from the testimony given with respect to these bills that if they were passed still more bills of a similar nature would be introduced. The fact that the President has indicated that he would veto bills of this nature in view of their growing volume has led the Committee on Banking and Currency to introduce Senate bill 865, which provides for the same services by the Treasury at cost for the minting of medals in lieu of coins for commemorative purposes.

Mr. WILEY. Is it the sum and substance of the bill that States like Wisconsin, for instance, which will celebrate this year its one hundredth anniversary, are to be precluded from having coins struck by the Treasury to commemorate such events? Is the committee by this bill laying down a policy, or what is it doing?

Mr. FLANDERS. The bill lays down a policy that no coins which are legal tender shall be struck, but that the services of the Mint shall be at the disposal of the good people of Wisconsin and other States for the minting of corresponding commemorative medals.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield.

Mr. TAFT. Of course, Congress always can change the policy in the case of an extraordinary desire on its part to do so.

Mr. WILEY. Mr. President, if the only reason that can be given is that members of the committee are afraid the President will veto bills providing for minting commemorative coins, I personally feel that that is not an adequate reason for declining to accede to the request of an independent commonwealth like my own State. I have heretofore spoken of the subject. If once in 100 years the Federal Government, which wants to assist the States, cannot strike a commemorative coin for a State, then it would seem to me that there is something rotten in Denmark.

The State of Wisconsin has 3,200,000 population. It has a history dating back to the early days of the Nation. For 100 years the best people of Europe, the French, the Germans, the Scandinavians, the Irish, the Scotch, and others, have come into Wisconsin and made it the great State it is today.

The legislature of the State adopted a resolution asking that it be privileged to buy a half million 50-cent pieces, paying $250,000 for them. To comply with the request would not cost the Government one cent.

Mr. President, in connection with the discussion of this matter, I ask unanimous consent to have printed in the RECORD at this point a copy of a letter which, under date of February 28, 1947, I addressed to the President of the United States.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
February 28, 1947.

Hon. HARRY S. TRUMAN,
President of the United States,
White House, Washington, D. C.

DEAR MR. PRESIDENT: I have read your letter of February 26, addressed to the chairman of the Senate Banking and Currency Committee, in which you suggest the striking of commemorative medals in place of commemorative coins for certain historical events, and indicate your disapproval of the coinage proposal.

I am, of course, deeply interested in this subject, primarily because of the bill which I have introduced, S. 126, which, as amended, would authorize the Director of the Mint to strike 500,000 fifty-cent silver coins, which would be sold to the State treasurer or other duly authorized representative of the State of Wisconsin, for sale in connection with Wisconsin's celebration in 1948 of the one hundredth anniversary of her admission to the Union.

I have noted the objections raised by both Presidents Hoover and Roosevelt to the striking of commemorative coins, as well as the reasons which you personally advance. It seems to me, with all due respect, that the various reasons do not, however, justify in the present circumstances a negative stand on the part of the executive branch to these coinage proposals. I would like to make the following points, which I earnestly submit to you, and which I hope will stimulate a more favorable view on your part and on the part of the Treasury Department to the commemorative-coin idea:

1. The minting of these coins does not cost the Federal Government one cent, since the full cost of the manufacture is borne by the appropriate historical authority, which buys them at their legal-tender value and sells them at a premium. This is in contrast to the countless proposals sponsored by the present and previous administrations, which have resulted in tremendous indebtedness to the National Government without accompanying favorable effects on the States. It seems to me that it ill behooves an administration which has caused vast indebtedness in wasteful activities to reject a proposal which will not cost the American taxpayers a penny, but will instead serve to create values—to encourage trade and commerce.

2. The commemorative coin in the case of the celebration of a State's centennial could be a real boon to the State governments, particularly in these days of centralization in Washington when States' prestige has been lowered by constant Federal intervention. In the case of S. 126, a State of some 3,125,000 persons would be enabled to finance its centennial celebration principally through this coinage device. There would result new prestige and respect on the part of Badger citizens, who are already devoted to our State government, but who would have even greater appreciation of their State's history, progress, and future.

3. The claim that the coinage of commemorative coins results in counterfeiting of them seem to be a shallow excuse for poor enforcement activities of Government anticounterfeiting agents. I well recognize that a wide variety of designs might contribute in a small way to counterfeiting. Nevertheless, it seems to me that if enforcement authorities are on their toes, and if penalties for counterfeiting are sufficiently stringent and are so enforced, the counterfeiting possibility need not be a real obstacle to minting of these commemorative coins.

4. The alternative proposal of commemorative medals is grossly inadequate to the purpose of financing such a celebration as Wisconsin contemplates, in view of the facts, among others, that the medals have no legal tender value, that the number of collectors of same is relatively limited in comparison to the number of coin collectors, and that a serious burden would fall on the State if a residue of medals were left unsold, in view of the fact that they have no legal-tender value.

5. I well recognize that a line must be drawn in order to prevent the unlimited striking of these commemorative coins. I see no reason why the Congress cannot establish effective standards which would bar minting of these coins for trivial purposes. It seems to me that the Congress of the United States has enough discrimination and judgment to establish such standards. Certainly, within those standards should be provision for coins to mark anniversaries of States' admission into the Union or as Territorial governments. Is it too much to ask that once or twice in 100 years a State government, such as Wisconsin, be aided by the Federal Government in this small manner without resulting cost to the taxpayer, but with great prestige resulting to the State government in its work?

I have written primarily in terms of Wisconsin's need for the commemorative coin, and in so doing, I sincerely feel that I am speaking for the citizens of Wisconsin and for their elected officials who have, in communications to me, unanimously endorsed my bill. I am definitely not asking any special favors for Wisconsin; that has never been the policy of our State, nor its people, nor of myself. All I am asking is that Wisconsin share in being allowed to buy these coins for sale to its citizens and friends as any other State, celebrating a similar anniversary, should be so entitled.

Admittedly, we are establishing a precedent here and, if this measure goes through, we are breaking with the tradition set up by Presidents Hoover and Roosevelt. But in so doing, we shall be acting upon what I believe is "evidence so conclusive and argument so clear," to use Lincoln's words, that we are justified in breaking with the past.

In the light of these facts, may I earnestly recommend to you that you reconsider your suggestion. Or, if you do not believe the facts warrant such reconsideration, may I recommend that, if the Congress passes the bill, in spite of your objection, that you do not exercise your power of veto in connection with it.

With assurances of high esteem and personal admiration, I am,

Sincerely yours,

ALEXANDER WILEY.

We have a mint; we have plenty of silver. We have the facilities. We have the men to do the work; but apparently we want them to sit around doing nothing.

I am very seriously concerned about this question. Why? First, if such a coin were struck off, the Federal Government would receive 50 cents for it. That commemorative piece would probably be worth $2.50 in the hands of the treasurer of the State of Wisconsin. That would leave a margin of $2 for the creation of wealth. Coin collectors throughout the country would want the coin. With the additional money the State could stage a celebration. Once in a hundred years we ask for such a thing; but the Federal Government cannot be constructively helpful.

Mr. President, I ask that the bill go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

DAYLIGHT-SAVING TIME FOR THE DISTRICT OF COLUMBIA

The bill (S. 736) authorizing the Commissioners of the District of Columbia to establish daylight-saving time in the District of Columbia during 1947 was announced as next in order.

Mr. OVERTON. Let the bill go over.

Mr. TAFT. Mr. President, I wonder if the Senator will withhold his objection until the Senator from Rhode Island [Mr. MCGRATH] can explain the bill. If the bill is to be passed at all, it will probably have to be passed under the 5-minute rule. Will the Senator withhold his objection for a moment?

Mr. OVERTON. I am glad to withhold the objection.

Mr. McGRATH. Mr. President, I thank the Senator from Ohio for making this request on my behalf. I had hoped that Senators might see their way clear not to object to the consideration of this measure at this time, because there is a very serious time element involved. If the District of Columbia is to have daylight-saving time this year, there is much yet to be done. We must take action here, which must be concurred in by the House.

I invite the attention of Senators to the fact that the bill would not of itself establish daylight-saving time for the District of Columbia. It would merely give the Commissioners of the District of Columbia the right to hold hearings—and I assume that such hearings would be rather extensive—to determine whether, in the light of all the considerations that might come before the Commissioners, they should establish daylight-saving time for the District of Columbia.

We have held extensive hearings on the bill. The first bill which I introduced provided that the Congress itself should establish daylight-saving time for the District of Columbia. It was determined that the very many and intricate problems which had to be faced as we considered the proposal required that some specialized attention be given to it. The bill before us is not really a daylight-saving bill in the true sense of the word. It is merely a bill granting a very small degree of home rule to the District of Columbia.

I am sure that all Senators are in agreement that in a matter of this kind, which so vitally and intimately affects the lives of the people who live here, we should give them some consideration. If they wish to establish daylight-saving time, which so materially affects their lives, they should have the opportunity to have it.

There has been a great demand for legislation of this kind. As I have stated, the Committee on the District of Columbia heard much testimony, and unanimously reported the bill to the Senate. In support of the measure there appeared before the committee representatives of all the newspapers in the District of Columbia, all the radio stations, and all the civic organizations. The Committee on the District of Columbia has received 4,330 letters on the issue. Three thousand three hundred and three of them were in favor of the passage of this permissive legislation. There were only 1,027 letters against it.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. McGRATH. I yield.

Mr. WILEY. The distinguished Senator could answer several questions. As I understand, all the bill would do would be to authorize the Commissioners of the District of Columbia, if in their wisdom they found it advisable, to place in operation daylight saving in the District of Columbia. As I understand, the bill would confer no extraterritorial jurisdiction whatever.

Mr. McGRATH. It is strictly limited to the District of Columbia. Of course, one of the problems with which the Commissioners will have to deal is the relationship with neighboring communities. However, the bill does not undertake to confer any jurisdiction whatsoever outside the boundaries of the District of Columbia. It is merely permissive legislation, giving the Commissioners the right, after holding hearings, if they deem it proper, to establish daylight-saving time for 1 year only. The bill applies only to the year 1947. During this period of time all the other great cities surrounding Washington will, for the most part, be operating on daylight-saving time.

Because the proposed legislation is permissive, and because it is in a sense a measure of home rule, I ask Senators to permit action to be taken upon it at this time.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. McGRATH. I yield.

Mr. ELLENDER. Would the bill affect the hours of meeting of the two Houses of Congress? In other words, would we have to meet at 11 o'clock rather than 12?

Mr. McGRATH. No; we would meet at 12.

Mr. ELLENDER. That is, under the new daylight-saving time?

Mr. McGRATH. That is correct.

Mr. OVERTON rose.

Mr. McGRATH. Mr. President, does the Senator wish me to yield to him?

Mr. OVERTON. No; I wish to be recognized in my own right.

Mr. McGRATH. Is the Senator still objecting?

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is entitled to 5 minutes under rule VIII.

Mr. OVERTON. Mr. President, I have never been an advocate of daylight-saving time. I believe in letting nature take her course. I do not think we can improve on Old Sol, who regulates the time when we begin and cease our labors. Those who are ambitious and wish to get up early have a perfect right to do so. They can get up an hour earlier than the regular time, or 2 hours, or 3 hours earlier, if they so desire.

Mr. THOMAS of Oklahoma. They can stay up all night.

Mr. OVERTON. As my able friend from Oklahoma says, they can stay up all night.

Take the case of the Senate. It seems that the bill would not apply to the Senate. But it does apply to the Senate. We should be meeting at 11 o'clock instead of 12. Furthermore we shall have to get down to our offices at 7 o'clock in the morning, instead of 8, as Senators usually do. My clerical force would have to rise very early. They have work to do at home. They would have to get up an hour or two earlier in order to meet the requirement of the Commissioners.

I do not see why Congress cannot pass on this question or why we must be controlled by the views of the Commissioners. I have a very high regard for the present Commissioners of the District of Columbia, but I do not think that so important a question as regulating the time when I should get up, when I should go to bed, when I should eat my breakfast, and when I should eat my dinner, should be determined by the Commissioners of the District of Columbia.

Furthermore, we would be out of line with the majority of cities of the United States. Some of them have daylight-saving time. However, all our radio programs would be out of line. I would not know when to listen to my favorite news commentators. I like to listen to my good friend Gabriel Heatter, who has a sonorous voice.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. OVERTON. I shall be glad to yield. Is the Senator on my side?

Mr. SALTONSTALL. Mr. President, radio schedules are based on New York time, so that the District of Columbia would have the advantage of being on the same time as is the city of New York, thereby permitting the Senator from Louisiana to hear his favorite program at the usual time.

Mr. OVERTON. Why should the Senate follow New York in everything? The Senate is an independent legislative body. Let it make up its own mind what it wants to do. If it wants daylight-saving time, let it consider the subject. Maybe it can save 2 hours instead of 1. It seems that everything has to be done in accordance with what New York wants. I think it is time for this august body to assert its own independence. I do not believe we can improve on nature. So far as I am concerned, if daylight-saving time is established for the District of Columbia, I shall place a sign on my office to the effect that room 315 is not subject to daylight-saving time and, instead of arriving at my office at 10 o'clock, according to daylight-saving time, I shall arrive there at 11 o'clock in the morning. I assume that the proposal, if adopted, would interfere with committee meetings. The Commissioners' determination will affect committee meetings. To determine when committees of the Senate shall meet, when Senators shall go to lunch, and when they shall do this or do that, and to regulate our lives, is a vast authority to lodge with the Commissioners of the District of Columbia. Let the Senate assert its independence now. I object.

The ACTING PRESIDENT pro tempore. Objection is made.

Mr. McGRATH. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. McGRATH. I want to give notice that at the first appropriate time I shall ask for the consideration of and a vote on this bill. My inquiry is as to whether or not such a motion is in order at this time or at the end of the calendar?

The ACTING PRESIDENT pro tempore. Under rule VIII, the Senator is permitted to move that the Senate proceed to the consideration of the bill now, regardless of objection; and the motion must be decided without debate.

Mr. McGRATH. Mr. President, then I move that the Senate proceed now to the consideration of Senate bill 736.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Rhode Island.

Mr. OVERTON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. TAFT. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. TAFT. If this motion should carry, is the call of the calendar interrupted at this time?

The ACTING PRESIDENT pro tempore. The call of the calendar is interrupted, under rule VIII, and the limitation of debate is removed.

Mr. TAFT. Then the Senate may proceed with debate upon this bill?

The ACTING PRESIDENT pro tempore. Without limitation. The yeas and nays having been ordered, the clerk will call the roll.

Mr. OVERTON. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The absence of a quorum having been suggested, the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	O'Conor
Baldwin	Hayden	O'Daniel
Ball	Hickenlooper	O'Mahoney
Barkley	Hill	Overton
Brewster	Hoey	Pepper
Bricker	Holland	Reed
Bridges	Ives	Revercomb
Buck	Johnson, Colo.	Robertson, Va.
Bushfield	Johnston, S.C.	Russell
Butler	Kilgore	Saltonstall
Byrd	Knowland	Smith
Cain	Langer	Sparkman
Capehart	Lodge	Stewart
Capper	McCarran	Taft
Chavez	McCarthy	Taylor
Connally	McClellan	Thomas, Okla.
Donnell	McFarland	Thomas, Utah
Downey	McGrath	Thye
Dworshak	McKellar	Tobey
Eastland	McMahon	Umstead
Ecton	Magnuson	Vandenberg
Ellender	Malone	Watkins
Ferguson	Martin	Wherry
Flanders	Maybank	White
Fulbright	Millikin	Wiley
Green	Moore	Williams
Gurney	Morse	Wilson
Hatch	Murray	Young

The ACTING PRESIDENT pro tempore. Eighty-four Senators having answered to their names, a quorum is present.

Mr. McGRATH. Mr. President, so that my motion may not interfere with the program which has been set for the Senate this afternoon, at this time I withdraw the motion, giving notice that at the first appropriate moment after the call of the calendar I shall renew it.

The ACTING PRESIDENT pro tempore. Without objection, the motion is withdrawn, and therefore the order for the yeas and nays is vacated.

The clerk will resume the calling of the calendar.

JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 58) to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes, was announced as next in order.

Mr. ELLENDER. Let the joint resolution go over.

The ACTING PRESIDENT pro tempore. The joint resolution will be passed over.

PARTICIPATION IN INTERNATIONAL REFUGEE ORGANIZATION

The joint resolution (S. J. Res. 77) providing for membership and participation by the United States in the International Refugee Organization and authorizing an appropriation therefor was announced as next in order.

Mr. ELLENDER. Let the joint resolution go over.

Mr. VANDENBERG. Mr. President, I ask unanimous consent to make a brief statement relative to this matter.

We have about 90 days left in which to arrange for meeting our responsibility for approximately 600,000 displaced persons in Germany. Except that action on this joint resolution reaches its conclusion and the International Refugee Organization is set up promptly, we shall have to revert to Army responsibility for those displaced persons, and an entirely new arrangement will have to be created. In other words, it is vitally necessary

that no further delay occur, but that we either vote this measure up or down.

Mr. President, the joint resolution came from the Foreign Relations Committee with unanimous support. The only controversy which arose in connection with it was as to whether it involves in any way any latitudes in respect to our immigration laws. It does not involve any such latitudes, Mr. President; and the committee invited those who feared it might do so to present their own amendment to make perfectly clear that it does not. Therefore, I think I am entitled to say there is no controversy regarding the joint resolution itself.

On the other hand, the distinguished Senator from West Virginia [Mr. REVERCOMB], is anxious to discuss the general subject of immigration which inevitably is related objectively to the discussion of the measure. He has agreed with me that if the joint resolution may be taken up as in legislative session when the Senate convenes tomorrow, he will be prepared to present his case. Inasmuch as I think that is the only controversy—in fact, it is not actually a controversy, because he is to speak in respect to the general subject—I am sure we shall be able to dispose of the matter very promptly tomorrow.

So I am suggesting, after discussing the subject with other Senators, that I am hopeful that, if possible, tomorrow noon, when the Senate convenes, we may resume legislative session, at least temporarily, in order to consider this joint resolution.

Mr. WHERRY. Mr. President, I too should like to see speedy action taken on this joint resolution. I agree with what the distinguished Senator from Michigan has said as to its importance, but I can hardly agree that, aside from the one indicated, there is no other controversy relative to the joint resolution. I wish to propound to the Senator from Michigan some questions about the provisions of the constitution of the International Relief Organization, under which this program would operate. I do not know that there will be controversy; but certainly I should like to have a complete explanation of the measure. When I ran through the constitution of the International Refugee Organization yesterday I was surprised at some of its provisions. One of them forbids help to persons of German ethnic origin. In the case of such persons, found in the displaced persons camps, I wonder whether they are to be classified as enemy, and, if they are, whether relief is to be afforded to such displaced persons. I have visited some of those camps and I know something of the racial extraction of the inmates. I certainly should not like to bar any one, regardless of origin, if he comes under the definition of "refugee," as we have defined it in the past 2 years.

Mr. REVERCOMB. Mr. President, I have been very glad to agree that this subject be taken up tomorrow. I wish to say that insofar as the joint resolution itself is concerned, there is printed and lying on the desk at this time an amendment which has been offered by the Senator from Nevada [Mr. MCCARRAN], the Senator from Rhode Island [Mr. MCGRATH], and myself, and it has come from the Judiciary Committee.

So far as the joint resolution is concerned, while it may be agreed that there is no controversy about it, yet I do not wish a misunderstanding to arise or to have anyone labor under the misapprehension that we are not going to discuss very fully on the floor of the Senate, when this matter comes up, the provisions of the so-called constitution of the International Refugee Organization. I think there should be a very full disclosure of its contents. I feel, with the Senator from Nebraska [Mr. WHERRY], that it contains provisions, the meaning of which we should know before we consent to it and bind this country to it.

My principal interest has been, as a member of the Judiciary Committee and of its subcommittee on immigration, to see to it that nothing that is contained in the joint resolution, if it is passed, will result in the surrender of congressional control over immigration into the United States. The refugee problem is a serious one for the entire world, as well as for the United States; but at the same time we want no action taken—at least, that is my viewpoint—which would permit anyone to make an agreement with this organization under which persons could enter the United States contrary to our immigration laws.

So, Mr. President, when this question comes up for discussion tomorrow, I wish to say in fairness to the able chairman of the Foreign Relations Committee, it will not simply be passed over quietly or speedily enacted without discussion, but we shall wish to have revealed every part of that constitution; and I say that today so that there will be no surprise about it tomorrow.

Mr. VANDENBERG. Mr. President, I ask unanimous consent to speak for 2 minutes in reply.

The ACTING PRESIDENT pro tempore. Without objection, the Senator from Michigan may proceed.

Mr. VANDENBERG. Mr. President, there is no desire to press for action on the International Refugee Organization matter without having the fullest information available to the Senate. The Senator from West Virginia has referred particularly to the immigration problem. He has an amendment pending, and if it does not cover the subject, that will be his fault, not mine. We shall accept his amendment.

There is no thought of extending the International Refugee Organization's authority into our immigration laws in any aspect. The delay for the last few weeks has been solely because of an effort on the part of a number of very earnest lawyers to agree upon language which is so airtight that there can be no possibility of invasion of the immigration laws by means of the measure we are asked to pass.

Inasmuch as the Senator from West Virginia is one of the authors of the saving clause which has been offered, I assume it can be depended upon as a totally successful saving clause, and I support it heartily.

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. VANDENBERG. I shall if I am permitted to do so. I have only 2 minutes.

Mr. HATCH. When the Senator from Michigan spoke about his own idea of accepting the amendment, I wished to add that he spoke not only for himself as chairman of the committee, but, I think, for the entire committee. There was no dissent whatever in the committee.

Mr. VANDENBERG. I think that is so.

Mr. President, the phase of this matter submitted by the able Senator from West Virginia is very important. No one denies that to be a fact. In my opinion the amendment which he himself has sponsored is a complete and total answer to that phase. But I beg of Senators not to overlook the fact that there is another important phase, and that is that the American flag flies over 600,000 displaced persons in Germany and Austria, and the responsibility for the administration of that trust must be established within the next 90 days. We cannot wait any longer to determine what the answer is. Whatever it is, let us find out tomorrow.

Mr. REVERCOMB. Mr. President, I ask unanimous consent to speak for 1 minute on the subject.

The ACTING PRESIDENT pro tempore. Without objection, the Senator may proceed.

Mr. REVERCOMB. I am fully aware of the seriousness of the refugee question, but I take this minute to say that I am delighted to have the statement made now upon the floor of the Senate by the chairman of the Committee on Foreign Relations, and by another able member of that committee, the Senator from New Mexico [Mr. HATCH]. The committee did not see fit to adopt the amendment when it was before them, and I am delighted that they have seen the light and are ready to accept it on the floor of the Senate.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. VANDENBERG. I do not think that is a fair statement. There has not been a minute in the last 3 weeks when the Senator from Michigan has not said to the Senator from West Virginia that this amendment must be written satisfactorily to him. Is not that true?

Mr. REVERCOMB. Yes; and I gave the Senator from Michigan a copy of the amendment. It was taken by the able Senator, the chairman—and I know he was earnest about it—before the committee, but it was not adopted.

Mr. VANDENBERG. It was not adopted because the chairman of the Committee on the Judiciary and other colleagues of the Senator from Massachusetts on his own committee thought the language written into the joint resolution was stronger than that submitted by him. That is the only reason why the situation was as I have stated. But we need have no controversy over the matter whatever. The Committee on Foreign Relations has just one object, and that is to make the language so completely airtight and copper-riveted that there can be no remote possibility of any

change in our immigration laws as a result of the particular action proposed. Therefore I submit that the able Senator from West Virginia and I are in complete agreement, and we have not a thing on earth to quarrel about.

The ACTING PRESIDENT pro tempore. Objection has been heard to the consideration of the joint resolution at this time, and it will go over.

Mr. REVERCOMB. Mr. President, in view of the statement made by the able Senator from Michigan, certainly at this moment there appears to be no disagreement, and I am delighted to have that information on the floor of the Senate.

Mr. HATCH. Mr. President, I should like to have unanimous consent for 1 minute, lest there be a misunderstanding as to the form of the amendment. I thought the amendment had been agreed upon, but I must say that if the Senator from West Virginia is going to present the same amendment he presented to the committee originally, I shall be bound to oppose that particular amendment merely on account of the form of the language contained in it. I do not want to have any misunderstanding about it.

Mr. REVERCOMB. The amendment is printed and is on the desk of the Senator.

The ACTING PRESIDENT pro tempore. The clerk will continue the call of the calendar.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. WHERRY. Did the Chair state that objection had been made to the joint resolution?

The ACTING PRESIDENT pro tempore. The Chair understood there was a request that it go over.

BILL PASSED OVER

The bill (H. R. 2102) to provide for a 6-month extension and final liquidation of the farm labor supply program and for other purposes, was announced as next in order, which had been reported from the Committee on Agriculture and Forestry with an amendment to strike out all after the enacting clause and to insert certain language.

Mr. CAPPER. Mr. President, I have an amendment lying on the desk which I desire to offer.

The ACTING PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. On page 3, line 25, and page 4, line 5, it is proposed to strike out "or December 31, 1947, whichever is the earlier" and insert in lieu thereof "or January 30, 1948, whichever is the earlier."

Mr. WHERRY. Mr. President, I am quite sure that the Senator from Missouri [Mr. KEM] asked that the record of the hearings on this bill be printed, did he not, at the last call of the calendar? I should like to know whether that has been done. Some such request was made by the distinguished Senator from Missouri. I am not sure what it was.

Mr. YOUNG. The order has been made. I do not know whether the hearings have been printed or not.

Mr. WHERRY. Am I to understand, then, that there is no objection on the part of the Senator from Missouri to the immediate consideration of the bill?

Mr. BALL. Mr. President, I ask that the bill go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

LIQUIDATION OF SELECTIVE SERVICE SYSTEM

The Senate proceeded to consider the bill (S. 918) to establish an Office of Selective Service Records to liquidate the Selective Service System following the termination of its functions on March 31, 1947, and to preserve and service the selective-service records, and for other purposes, which was read, as follows:

Be it enacted, etc., That there is hereby established an Office of Selective Service Records, to be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $10,000 per year.

SEC. 2. The functions, duties, and responsibilities of the Office of Selective Service Records shall be (a) to liquidate the Selective Service System, which liquidation shall be completed as rapidly as possible after March 31, 1947, but in any event not later than March 31, 1948, except as herein provided; (b) to preserve and service the records of Selective Service; and (c) to perform such other duties relating to the preservation of records, knowledge, and methods of Selective Service, not inconsistent with law.

SEC. 3. The unexpended balances of funds available to the Selective Service System are hereby made available to the Office of Selective Service Records for the purposes of this act and such additional appropriations as are necessary therefor are hereby authorized.

SEC. 4. (a) All property, records, and personnel of the Selective Service System are hereby transferred to the Office of Selective Service Records.

(b) Authority is hereby granted to the Director of the Office of Selective Service Records to transfer, without reimbursement, and with the approval of the War Assets Administration, to the National Guard in the several States, the District of Columbia, and Territories and possessions of the United States, or to the Organized Reserves of the armed forces, surplus property of the Selective Service System: *Provided*, That no surplus property will be so transferred by the Director of the Office of Selective Service Records prior to July 1, 1947.

SEC. 5 (a) Pursuant to the third sentence of section 7 of Public Law 473, approved June 29, 1946, all functions and responsibilities of the Personnel Division, National Headquarters, Selective Service System, established under authority of section 8 (g) of the Selective Training and Service Act of 1940, as amended, together with so much of the records of the Selective Service System, and so much of the unexpended balances of appropriations of the Selective Service System, as the Director of the Bureau of the Budget may determine to relate primarily to such functions, are hereby transferred, effective March 29, 1947, from the Selective Service System to the Secretary of Labor.

(b) The second sentence of section 600 (a) of Public Law 346, approved June 22, 1944, is hereby amended by substituting the words "Director of the Office of Selective Service Records" for the words "Director of the National Selective Service System."

(c) Section 600 (c) of Public Law 346, approved June 22, 1944, is hereby amended by substituting the words "Office of Selective Service Records" for the words "Veterans' Personnel Division, National Selective Service System."

SEC. 6. (a) The Director is authorized—

(1) to prescribe the necessary rules and regulations to carry out the provisions of this act;

(2) to create and establish local record depots in the several States, the District of Columbia, Territories and possessions of the United States, and such other agencies as may be necessary to carry out the provisions of this act. There shall be created one or more local record depots in each county or political subdivision corresponding thereto of each State, the District of Columbia, Territories and possessions of the United States. Each local record depot shall be under the administration of a local board, consisting of the members of the present Selective Service local boards, and shall consist of three or more members. Any vacancy on such board shall be filled by the Director upon recommendation of the Governors or comparable executive officials: *Provided*, That the Director may establish intercounty local record depots for an area not exceeding five counties within a State or comparable jurisdiction when the Director determines, after considering the public interest involved, and the recommendations of the Governors or comparable executive official or officials, that the establishment of such a local record depot area will result in a more efficient and economical operation. One member from each of the appointed county local boards involved in such intercounty local record depot area shall form such board, and shall have the same authority and jurisdiction as a local board in its area;

(3) to create and establish, on the date hereinafter specified, Federal record depots in the several States, the District of Columbia, Territories, and possessions of the United States, and to maintain such other offices as may be necessary for the purposes of this act;

(4) to utilize the agencies of the Federal Government with the consent of the heads thereof, and to accept the services of all officers and agents of the several States, the District of Columbia, Territories, and possessions of the United States, and subdivisions thereof, in the execution of this act;

(5) to appoint and fix the compensation of such officers and employees, as may be necessary for the purposes of this act, with or without regard to the Classification Act of 1923, as amended;

(6) to delegate and provide for the delegation of any authority vested in him under this act to such officers, agents, or persons as he may designate or appoint for such purpose or as may be designated or appointed for such purpose pursuant to such rules and regulations as he may prescribe.

(b) In the administration of this act voluntary services may be accepted.

(c) The Chief of Finance, United States Army, is hereby designated, empowered, and directed to act as the fiscal, disbursing, and accounting agent of the Director of the Office of Selective Service Records in carrying out the provisions of this act.

(d) Any officer on the active or retired list of the Army, Navy, Marine Corps, or Coast Guard, or of any Reserve component thereof, or any officer or employee of any department or agency of the United States who may be assigned or detailed to any office or position to carry out the provisions of this act may serve in and perform the functions of such office or position without loss of or prejudice to his status as such officer in the Army, Navy, Marine Corps, or Coast Guard or Reserve component thereof, or as such officer or employee in any department or agency of the United States.

SEC. 7. The Director is authorized to prescribe such rules and regulations as may be necessary to preserve the confidential nature of the individual confidential records previously obtained under the Selective

Training and Service Act of 1940, as amended. Any person charged with the duty of carrying out any of the provisions of this act, and who fails to carry out such provisions or who shall knowingly violate the regulations promulgated under this section shall, upon conviction in the district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than 5 years, or a fine of not more than $10,000, or by both such fine and imprisonment, or if subject to military or naval law, may be tried by court martial, and, on conviction, shall suffer such punishment as the court martial may direct.

SEC. 8. Except as provided in this act, all laws and parts of laws in conflict with the provisions of this act are hereby suspended to the extent of such conflict for the period in which this act shall be in force.

SEC. 9. (a) Except as otherwise provided by the terms of this act, the provisions hereof shall take effect at 12 o'clock postmeridian, March 31, 1947.

(b) The provisions of section 6 (a) (2) of this act shall become inoperative and cease to apply at 12 o'clock postmeridian on June 30, 1947, unless extended by the Congress prior to that date.

(c) The provisions of section 6 (a) (3) of this act shall become operative and effective upon the expiration date of section 6 (a) (2), as hereinbefore specified.

Mr. SALTONSTALL. Mr. President, as the Senator in charge of the bill, I present a corrective amendment to be inserted on page 2.

The ACTING PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. On page 2, line 12, before the word "personnel", it is proposed to strike out the word "civilian."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THEODORE ROOSEVELT NATIONAL PARK

The Senate proceeded to consider the bill (H. R. 731), to establish the Theodore Roosevelt National Park; to erect a monument in memory of Theodore Roosevelt in the village of Medora, N. Dak., and for other purposes, which had been reported from the Committee on Public Lands with amendments.

Mr. OVERTON. Mr. President, may we have an explanation of the bill? What is to be the cost to the Government?

Mr. BUTLER. Mr. President, this bill was considered in the committee when I, as chairman of the committee, was personally absent from the Senate and the committee hearing, so if an explanation is required from me at this time, for the reason stated I shall have to ask that the bill go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 45) to change the name of Boulder Dam to Hoover Dam, was announced as next in order.

Mr. McCARRAN. Let the joint resolution go over.

The ACTING PRESIDENT pro tempore. The joint resolution will be passed over.

CHANGE OF NAME OF LUGERT-ALTUS IRRIGATION PROJECT TO W. C. AUSTIN PROJECT

The bill (S. 214) to change the name of the Lugert-Altus irrigation project in the State of Oklahoma to the W. C. Austin project was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in honor and recognition of the outstanding service of the late W. C. Austin in securing irrigation for the benefit of southwestern Oklahoma, the project in the State of Oklahoma known as the Lugert-Altus irrigation project shall hereafter be known and designated as the W. C. Austin project. Any law, regulation, document, or record of the United States in which such project is designated or referred to under the name of the Lugert-Altus irrigation project shall be held to refer to such project under and by the name of the W. C. Austin project.

BILL PASSED OVER

The bill (S. 669) to provide for the payment of a bonus of 30 cents per bushel on wheat and corn produced and sold between January 1, 1945, and April 18, 1946, was announced as next in order.

SEVERAL SENATORS. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

CONTINUATION OF COMMODITY CREDIT CORPORATION

The bill (S. 350) to continue the Commodity Credit Corporation as an agency of the United States until June 30, 1949, was announced as next in order.

Mr. WILLIAMS. Over.

Mr. TAFT. Mr. President, will the Senator withhold his objection until an explanation of the necessity for the enactment of this measure can be made?

Mr. WILLIAMS. I object because this particular bill is tied in with Senate bill 669 which precedes it on the calendar. I am not prepared to discuss either of these bills today.

Mr. TAFT. Mr. President, I do not think the bills have any relationship. The 30-cents-a-bushel provision goes back to a previous consideration, but the question as to whether the Commodity Credit Corporation shall continue seems to me a different question.

We have the obligation to pay 92½ percent of parity to certain farmers for many farm crops, and the only agency through which that can be effectively carried through is the Commodity Credit Corporation. I think it is a distinct question from the one involved in the bill preceding it on the calendar.

The ACTING PRESIDENT pro tempore. Unless the Senator desires to withdraw his objection, the discussion is not in order at this time.

Mr. LANGER. Mr. President, may I state to the distinguished Senator from Delaware that there is no connection at all between the two bills,

Mr. WILLIAMS. I still ask that the bill go over.

HERSCHEL V. JOHNSON

The joint resolution (S. J. Res. 86) to authorize Herschel V. Johnson, Deputy Representative of the United States to the Security Council of the United Nations to be reappointed to the Foreign Service was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That, notwithstanding any provision of law to the contrary, Herschel V. Johnson, Deputy Representative of the United States to the Security Council of the United Nations, may continue in such office and be reappointed as a Foreign Service officer, in the class of career minister, and such reappointment may be effective as of November 25, 1946: *Provided*, That the total compensation to be paid him as a Foreign Service officer in the class of career minister and as Deputy Representative of the United States to the Security Council shall be that provided by law for a Foreign Service officer in the class of career minister or that provided by law for Deputy Representative of the United States to the Security Council, whichever is the higher.

PAUL A. SMITH

The bill (S. 874) to authorize the President to appoint Lt. Comdr. Paul A. Smith to the Interim Council of the Provisional International Civil Aviation Organization or its successor, and as representative of the United States to the Air Navigation Committee of the Provisional International Civil Aviation Organization without affecting his status and perquisites as an officer of the Coast and Geodetic Survey, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the existing provisions of law or any rules or regulations issued thereunder, the President is authorized to appoint Lt. Comdr. Paul A. Smith, an officer in the Coast and Geodetic Survey, as alternate representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor and as representative of the United States to the Air Navigation Committee of the Provisional International Civil Aviation Organization, and his appointment to, acceptance, and service as such alternate and representative shall in no way affect any status, office, rank, or grade he may occupy or hold in the Coast and Geodetic Survey of the United States or any emolument, perquisite, right, privilege, eligibility for promotion or retirement, or other benefits incident to or arising out of any such status, office, rank, or grade: *Provided*, That during the time he holds the office of alternate representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor and representative of the United States to the Air Navigation Committee of the Provisional International Civil Aviation Organization he shall have the rank of rear admiral (lower half) of the Coast and Geodetic Survey, and shall receive such compensation and allowances as the Secretary of State shall prescribe payable from appropriations made by law for the Department of State: *Provided further*, That so long as he remains alternate representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, and representative of the United States to the Air Navigation Committee of the Provisional International Civil Aviation Organization he shall retain his permanent rank and grade or such rank and grade to which he may be promoted by reason of his position on the lineal list of the Coast and Geodetic Survey.

SEC. 2. In the performance of his duties as alternate representative of the United

States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, and as representative of the United States to the Air Navigation Committee of the Provisional International Civil Aviation Organization, Lt. Comdr. Smith shall be subject to no supervision, control, restriction, or prohibition other than would be operative with respect to him if he were in no way connected with the Coast and Geodetic Survey.

MAJ. GEN. LAURENCE S. KUTER

The Senate proceeded to consider the bill (S. 875) to authorize the President to appoint Maj. Gen. Laurence S. Kuter as representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, without affecting his military status and perquisites, which was read as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 1222 of the Revised Statutes (U. S. C., title 10, sec. 576), and the provisions of section 1223 of the Revised Statutes (U. S. C., title 10, sec. 577), and the provisions of section 1224 of the Revised Statutes (U. S. C., title 10, sec. 495), or any other provisions of law, or any rules and regulations issued thereunder, the President is authorized to appoint Maj. Gen. Laurence S. Kuter, a general officer in the Army of the United States, as representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, and Major General Kuter's appointment to, acceptance of, and service as such representative shall in no way affect any status, office, rank, or grade he may occupy or hold in the Army of the United States or any component thereof, or any emolument, perquisite, right, privilege, eligibility, for promotion, or benefit incident to or arising out of any such status, office, rank, or grade: *Provided*, That so long as he remains United States representative to the Interim Council of the Provisional International Civil Aviation Organization or its successor, Major General Kuter in lieu of his military pay and allowances shall receive such compensation and allowances as the Secretary of State shall prescribe from appropriations made by law for the Department of State.

SEC. 2. In the performance of his duties as representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, Major General Kuter shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were in no way connected with the War Department, the Military Establishment, or the Army of the United States, or any component thereof.

Mr. LANGER. Mr. President, may I ask the distinguished Senator from Michigan whether the three gentlemen mentioned in the last three measures are the ones who took part in the civil aviation conference held at Chicago about 2 years ago?

Mr. VANDENBERG. I am unable to tell the Senator, since I do not have the file here, whether they served that particular function. I can tell him they are the best available experts at the present time to deal with the particular functions which are described, and I think there is no doubt that their services are highly essential. The sole purpose of this legislation really is to permit them to return to their Army status when their tasks are finished.

Mr. LANGER. I have no objection.

The ACTING PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 2535) to amend the Reconstruction Finance Corporation Act was announced as next in order.

Mr. FERGUSON. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

SYNTHETIC RUBBER PRODUCTION

The Senate proceeded to consider the joint resolution (H. J. Res. 118) to strengthen the common defense by maintaining an adequate domestic rubber-producing industry, which had been reported from the Committee on Banking and Currency with amendments.

The amendments were, on page 1, line 4, before the word "rubber", to strike out "Crude" and insert "Natural"; on line 11, to strike out "Crude" and insert "Natural"; on page 2, line 2, to strike out "crude" and insert "natural"; on line 10, to strike out "crude" and insert "natural"; on line 13, to strike out "crude" and insert "natural"; on line 23, to strike out "crude" and insert "natural"; on page 3, line 2, before "expandible", to strike out "rapid" and insert "rapidly"; on line 16, to strike out "crude" and insert "natural"; on page 3, line 23, after "notwithstanding," to strike out "any other provision of law, the provisions of section 2 (a) of the act of June 28, 1940, entitled "An act to expedite national defense and for other purposes" (54 Stat. 676), as amended, shall continue," and insert "the provisions of title XV of the Second War Powers Act, 1942, as amended, title III of such act and the amendments to existing law made by such title, shall remain"; on page 4, line 9, to strike out "crude" and insert "natural," and to strike out "crude" and insert "natural-"; on page 4, line 10, to strike out, in the parenthesis, "except," and insert "including import control of synthetic rubber and natural- and synthetic-rubber products, but excluding"; on page 4, line 12, to strike out "crude" and insert "natural"; on page 4, line 13, after "that" to insert "to the extent necessary to accomplish the purposes of this joint resolution"; on page 4, line 18, to strike out "crude" and insert "natural"; on page 4, line 19, to strike out "crude" and insert "natural"; on page 4, line 19, after "products" to insert "and import control of synthetic rubber and natural- and synthetic-rubber products"; on page 4, line 23, to strike out "crude" and insert "natural"; and on page 4, line 24, to strike out "(b) The powers, functions, duties, and authority of the United States to manufacture and sell synthetic rubber shall continue in force until the effective date of permanent legislation enacted to accomplish the policy set forth in section 1 (b) hereof, but in no event beyond March 31, 1948, and as so continued it is hereby directed that they shall be exercised and performed by the Reconstruction Finance Corporation while that Corporation has succession, and thereafter by such officer, agency, or instrumentality of the United States as the President may designate" and insert "(b) The powers, functions, duties, and authority of the United States to manufacture (including the conduct of research essential to the development of the synthetic-rubber industry) and sell synthetic rubber shall continue in force until the effective date of permanent legislation enacted to accomplish the policy set forth in section 1 (b) hereof, but in no event beyond March 31, 1948. There shall not be declared as surplus nor shall War Assets Administration dispose of any synthetic-rubber plant and facilities costing the Government in excess of $5,000,000, until the effective date of permanent legislation enacted to accomplish the policy set forth in section 1 (b) hereof: *Provided*, That there shall be exempt from such disposal limitations the neoprene plant, styrene plants, the petroleum butadiene plant located at Toledo, Ohio, not to exceed two alcohol butadiene plants, and butadiene-styrene type copolymer plants to the extent that the aggregate actual capacity of such copolymer plants remaining in Government ownership shall not be less than 600,000 long tons per year. It is hereby directed that the aforesaid powers, functions, duties, and authority of the United States to so manufacture and sell synthetic rubber shall be exercised and performed by Reconstruction Finance Corporation while that Corporation has succession and thereafter by such officer, agency, or instrumentality of the United States as the President may designate: *Provided further*, That nothing herein shall be construed as precluding any other agency of Government from engaging in research authorized by law."

The amendments were agreed to.

Mr. BALL. Mr. President, may we have an explanation of the joint resolution?

Mr. TOBEY. The purpose of the resolution is to extend Government controls on crude and synthetic rubber beyond the present expiration date of March 31, 1947, until such time as permanent legislation with respect to the maintenance of the synthetic-rubber program is enacted, but in no event beyond March 31, 1948.

The measure had extensive hearings before a subcommittee of the Senate Committee on Banking and Currency, of which the Senator from Ohio [Mr. BRICKER] was chairman, and the distinguished Senator from Virginia [Mr. ROBERTSON] was an active, interested member. I am going to call on the Senator from Ohio [Mr. BRICKER] to explain the joint resolution.

Mr. BRICKER. Mr. President, this joint resolution will discontinue the Government purchase of crude rubber on the 31st day of March and will continue the Government controls over synthetic rubber. That includes the controls of

the end-product formula, and the allocation, but permits private companies to purchase on their own account natural rubber in the foreign market.

There was considerable difference among the manufacturers as to whether or not the latter provision should be included. Most of them, I think, were in favor of a continuance of Government purchase after March 31 for a period of 5 or 6 months. A great majority of the committee, along with the representatives of the Government and the interdepartmental agency of the Government departments interested in rubber, recommended that it be discontinued as of March 31. In substance the joint resolution takes the Government out of the purchase of natural rubber on the 31st day of March, and continues the Government in complete control, as it has been since the beginning of the synthetic program, of the manufacture and utilization of synthetic rubber.

It does so upon the ground that it is essential for the national defense that the synthetic program be continued, and that the Government have complete control over that program, and the authority to require the utilization of synthetic products until such time as we are no longer dependent completely upon natural rubber. The last amendment provides for the sale of certain synthetic plants which the Government feels are no longer necessary for the conduct of the synthetic-rubber program. The remainder of the synthetic plants will be retained pending permanent legislation which may be enacted at this and the coming sessions.

Mr. TOBEY. Mr. President, I would merely add, in amplifying the views just expressed by the Senator from Ohio, that when the war came on us, we were caught with a very scant supply of rubber; the stock pile was increased as much as possible; but we came through successfully because the science and ability and productive capacity of this country brought about the construction of great synthetic-rubber plants, with marvelous results. There were different processes of producing synthetic rubber.

A while ago, a prominent gentleman in this country advocated that when the war was over we should give up the making of synthetic rubber and resume trading again with the British and Dutch under their cartel arrangements, whereby from time immemorial they rigged the crude rubber market from 20 cents to $2 a pound. They piped and we danced.

Now we have the synthetic industry. It is today making synthetic rubber which, in many instances, is the equal, and in some cases the superior, of natural rubber. For certain uses natural rubber takes precedence, but the feeling should be, in our hearts, I think, that having demonstrated we could produce synthetic rubber, it is the best assurance we will never again be caught with our pants down when another world war comes. We will have an industry in this country that can produce rubber for every exigency. I now call upon the Senator from Virginia [Mr. ROBERTSON] to make a statement of his point of view on proposed legislation.

Mr. ROBERTSON of Virginia. Mr. President, the measure we have before us is substantially the one that was passed unanimously by the House. The amendments that have been read and adopted effectuate, we believe, more fully the purposes of the House joint resolution.

As explained by the distinguished Senator from Ohio, there are two objectives in this measure. One deals with the public purchase of natural rubber; the other deals with a stand-by plant for the production of synthetic rubber as an essential security program. There was a difference of opinion in the subcommittee on the subject of Government purchase. There was no difference in the subcommittee or in the full committee on the other phases of the measure, and in its final form it was adopted by a unanimous vote in our committee.

We agreed with the House decision, and with the testimony of all Government witnesses, that if there should be a loss on stock-piling, natural rubber has more ample supplies to get into the market, and the Federal Government and the taxpayers should not assume the burden. We also agreed with them that the purchasers of natural rubber who had for 5 years been denied the conduct of their business should be permitted again to do what all other governments now permit, that is, to engage in the private purchase of rubber.

We also agreed that if the supply of natural and synthetic rubber exceeded the world's demand, our Government should not be placed in the position of being the one to bid down the price of rubber, which is the principal source of revenue in Malaya and the Dutch East Indies. And we also thought that we engaged in Government trading as a war emergency which should not be continued any longer than was absolutely necessary. For those reasons, Mr. President, we agreed with the Government witnesses and with the House that the purchase of natural rubber should not be continued by the Government after the last of this month. But from the other standpoint we looked at the situation which confronted us after Pearl Harbor. We had been using from 700,000 to 750,000 tons of rubber a year, and when the Japanese struck and cut off our supply of natural rubber we had only 500,000 tons in this country and only 100,000 more on the water moving to us.

Mr. Baruch in his famous report on strategic war materials said:

> Of all materials, rubber is the most strategic, and without rubber we cannot win the war.

So, following that report we set up synthetic plants, and their production was one of the important elements of a successful war. In 1942 they produced only 22,000 tons, but in 1944 the production of synthetic rubber had been stepped up to 774,000 tons.

Napoleon said that an army travels on its stomach, but a mechanized army in the twentieth century travels on rubber, and we produced the rubber, and we won the war. But we do not want to be absolutely dependent in some future emergency upon supplies that may be 12,000 or 15,000 miles away.

We have now a domestic capacity of synthetic rubber of 1,000,000 tons. It is estimated that the world will produce this year of natural rubber 1,200,000 tons. Of that amount 680,000 tons will be available to us. Our current production of synthetic rubber is 600,000 tons. So this bill provides for a temporary continuance of the regulation which requires every consumer of rubber to use a certain percentage of synthetic rubber until we can work out a more permanent plan to safeguard the future production of synthetic rubber in this country.

I think the Members of this body will find if they examine the testimony that this program is to the best interest of our country and that we should concur in the action already taken by the House in passing the bill.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. ROBERTSON of Virginia. I am glad to yield.

Mr. LANGER. I notice the provision in line 15 on page 5, as follows:

> There shall not be declared as surplus nor shall War Assets Administration dispose of any synthetic-rubber plant and facilities costing the Government in excess of $5,000,000.

How many of these plants cost less than $5,000,000?

Mr. ROBERTSON of Virginia. I regret that I do not know the details and cannot supply them to the Senator. Some of the plants did cost less than $5,000,000, but I do not know the exact figures. Perhaps the Senator from Ohio [Mr. BRICKER], who was the chairman of our subcommittee, recalls the figures. The testimony before us was very voluminous, but we did not go into particular details respecting the number or the cost of these synthetic plants, because we felt that would be taken care of by the permanent legislation which was to follow the pending measure. The pending legislation is merely to require that the purchase of raw rubber shall cease at the end of this month, but to continue the control program respecting the percentage of raw and synthetic rubber until permanent legislation is enacted.

Mr. BRICKER rose.

Mr. ROBERTSON of Virginia. I yield to the Senator from Ohio.

Mr. BRICKER. As to the sale of the plants there was a top limit of $5,000,000 placed on plants that might be sold under the temporary legislation, except for certain plants which are specified in the proposed amendment.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. ROBERTSON of Virginia. I yield.

Mr. LANGER. Does the Senator know whether all the plants involved cost less than $5,000,000?

Mr. BRICKER. I do not have the exact figure.

Mr. LANGER. Can the Senator tell me what the Omaha plant cost?

Mr. BRICKER. No; I do not have that figure.

Mr. LANGER. Mr. President, I do not want to object to the passage of the bill at this time, but I should like to have some information on that subject if it can be obtained.

Mr. ROBERTSON of Virginia. We shall be very happy to give it to the Senator if we can obtain it. We went quite fully into the question of what was best for the Government, and followed the advice of the Government agencies and they were all unanimous in their recommendation to us.

Mr. LANGER. Could the Senator tell me how many plants there are altogether?

Mr. ROBERTSON of Virginia. That was testified to, but I cannot give the Senator an exact statement. I did not charge my memory with it. I could not say without looking up the record how many plants there are altogether. But I can assure my distinguished colleague that there is no plan on the part of the Government to dispose of any plant the sale of which might result in hazarding the future of our necessary supply of synthetic rubber.

Mr. LANGER. Mr. President, will the Senator yield for a further question?

Mr. ROBERTSON of Virginia. I yield.

Mr. LANGER. I should like to know, for example, where the plants in the West which are going to be closed are located, and where the plants in the East are located which are to be permitted to operate.

Mr. ROBERTSON of Virginia. All I can say to the Senator is that the testimony before us was that if we attempted to make rubber from alcohol it would be seven times as expensive as to make rubber from oil. If the Government were given the corn free gratis, rubber made from corn could not compete, in the matter of operating costs, with butadiene made from petroleum. If that is what the Senator has in mind, I will say that that was the testimony before us. Synthetic rubber made from corn, even at the price at which it sold before the speculators got into the grain market, could not be made competitively with butadiene made from petroleum.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. ROBERTSON of Virginia. I yield.

Mr. BRICKER. One out of the 10 petroleum plants is authorized for sale under this bill, and 2 out of 3 of the alcohol plants.

Mr. LANGER. Can the Senator tell me where those two plants are located?

Mr. BRICKER. Both are located in the East, I believe.

Mr. LANGER. In the East?

Mr. BRICKER. Yes. I do not have the record with me to show their location.

Mr. LANGER. Can the Senator tell me about the one in Omaha, Nebr.? Was that included?

Mr. BRICKER. I am not sure whether it was included or not, but I think it was not.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. ROBERTSON of Virginia. I yield.

Mr. O'MAHONEY. I should like to ask a question about the proviso in the amendment on page 5, which apparently exempts the butadiene plant located at Toledo, Ohio, from the prohibition against disposal. As I understand the amendment it is a general prohibition against the disposal by the War Assets Administration of any synthetic rubber plant costing the Government in excess of $5,000,000 until the effective date of the permanent legislation. But the proviso exempts from that prohibition a plant at Toledo, Ohio. Can any Senator explain why that exception was granted and what the cost of the Toledo plant was?

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. ROBERTSON of Virginia. I yield.

Mr. BRICKER. The Toledo plant is especially adaptable to the chemical industry, and on that account it was specifically exempted. It seems there is a ready market for it at the present time. The RFC felt that there is a ready market for these other synthetic plants that are not being utilized at this time.

Mr. O'MAHONEY. Does the Senator know what chemical industry was to acquire the plant?

Mr. BRICKER. No. The testimony before us was that it was available quickly for some chemical industry.

Mr. O'MAHONEY. Does the Senator know whether any offer has been made for that plant, and, if so, what?

Mr. BRICKER. There have been negotiations by the RFC, but I do not know whether there is any specific offer, nor do I know the figure which may be involved.

Mr. ROBERTSON of Virginia. The evidence before the committee was that the production of that plant was relatively small, as compared with total production and use in the manufacture of tires and items of that kind. I think it is a plant which makes styrene rubber, which goes into the manufacture of certain plastics. I do not know the use of it, but it is a relatively small thing. The Government wanted to get rid of the plant. There is a commercial plant ready to take it over and save the Government a large loss.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. ROBERTSON of Virginia. I yield.

Mr. O'MAHONEY. It is easy to use the words "relatively small," but this is obviously a plant costing more than $5,000,000. That is a large sum of money in anyone's book. It seems to me that since a special exemption is proposed to be granted by an amendment of the committee, we ought to have specific information with respect to why that $5,000,000 exemption is granted.

Mr. ROBERTSON of Virginia. Since the plant is in the State of Ohio and not in Virginia, I can say with better grace, perhaps, than can the distinguished Senator from Ohio, that he had nothing to do with the amendment. This was a Government program.

The ACTING PRESIDENT pro tempore. The Chair calls attention to the fact that the Senate is operating under the 5-minute rule.

Mr. O'MAHONEY. Mr. President, since we are operating under the 5-minute rule, may I make the parliamentary inquiry as to how much time has passed?

The ACTING PRESIDENT pro tempore. Apparently the clock has stopped. [Laughter.]

Mr. BRICKER. Mr. President, if the Senator from Virginia will yield, I should like to make one further suggestion.

The ACTING PRESIDENT pro tempore. The time of the Senator from Virginia has expired.

Mr. BRICKER. Then I shall speak in my own time.

Mr. President, the plant at Toledo is a butadiene petroleum plant which has never been used to any great extent as compared with the other plants. It is not a styrene or neoprene plant. It is one of the original plants built for the purpose of making petroleum butadiene, and is no longer needed by the Government. There may be market for it now. It was originally built of old materials, we were advised, and may not now sell as a unit. If not, then RFC wants authority to sell all marketable parts. The RFC is certain the Toledo plant will never feature in the Government's permanent synthetic rubber program.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. O'MAHONEY. It is my understanding that no member of the committee suggested this exemption, but the exemption is here, and I suggest that it would be advisable if we could have some testimony with respect to the reasons why it was proposed. Since it was not offered by any member of the committee, I assume it must have been offered by the War Assets Administration.

Mr. BRICKER. The suggestion came from the RFC.

Mr. O'MAHONEY. Therefore, there is probably in the record some reason for the special exemption of the single plant.

Mr. ROBERTSON of Virginia. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. ROBERTSON of Virginia. It was also concurred in by the Reconstruction Finance Corporation, which has been financing the construction and operation of these Government plants. The Reconstruction Finance Corporation was very anxious to have permission to liquidate this investment while it had an opportunity to do so, rather than wait 2 or 3 years, when building materials become available, and this particular company could go into the market and obtain the materials and labor with which to build a plant better suited for its use than this plant would be. In the meantime, it is willing to pay good money for this particular plant, because it can use it now.

Mr. BRICKER. I may say further that the plant has never been very practical or useful in a complete petroleum butadiene production program.

Mr. O'MAHONEY. Mr. President, I wish to make a brief statement as to the manner in which this question is presented. Apparently Members of the Senate speaking for the committee have been able to convey to us the conclusions which were reached by the War Assets Administration and the Reconstruction Finance Corporation; but we have no specific information as to what particular company or companies are offering to buy this plant, why they are offering

to buy it, and the particular purpose to which it will be put if it is sold.

I take it from what the Senator from Ohio [Mr. BRICKER] has said that it is not intended to use the Toledo plant for the purpose of manufacturing synthetic rubber. But the Senator is merely under the impression that some chemical company is interested. The chemical industry in the United States is a pretty thoroughly concentrated industry, and it seems to me that the Senate is entitled to a specific statement of the exact reasons why this exemption is proposed, and the names of all the companies which are involved, the offers which they are making, and information as to when the plant can be sold. I have no doubt that such an explanation can be very readily made, but it has not been made as yet so far as the report of the committee is concerned, or so far as any statement that has been made on the floor is concerned.

Mr. President, if no member of the committee is ready to offer such information, I feel that the joint resolution ought to go over until the information is available.

Mr. BRICKER. Mr. President, if the Senator will yield, I did not think anyone would be interested in the details with respect to the Reconstruction Finance Corporation. We accepted their statement to the effect that there is a market at the present time, that the plant is not needed at present, and has not been considered useful or serviceable in the petroleum-butadiene program, and that they would like to get as much for it as they could, the market being better now than it will be at any time in the future.

Mr. O'MAHONEY. I have no doubt of it.

Mr. BRICKER. If the Senator wishes us to go into each of the individual deals, I will say that that has not been done. We took the recommendations of the Reconstruction Finance Corporation, and accepted their figures as to the cost value of the various plants, and upon that testimony we made our recommendation. But we did not go into detail as to the offers which were made or the purchasers who might be available.

Mr. O'MAHONEY. The $5,000,000 limitation prohibiting the disposal of plants in excess of that cost value without a report to Congress was written into the original surplus-property law for the specific purpose of preventing the sale of very valuable Government plants to concentrated groups. The surplus-property law not only required that a report be made to Congress before any plant in certain categories costing more than $5,000,000 should be disposed of; but also that there should be a report from the Attorney General. So obviously when I see a recommendation from the Committee on Banking and Currency for a specific exemption of a certain plant costing more than $5,000,000, I feel that a clear record ought to be made. Unless such a record can be made within the time limit, I shall be forced to ask that the joint resolution go over.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WHERRY. Inasmuch as the distinguished Senator from Wyoming has stated that the record must be made or he will object, I suggest that we complete the call of the calendar under the 5-minute rule, and then that a motion be made to proceed to consider the joint resolution. By that time no doubt the information which is necessary can be obtained, and there will be opportunity for further debate.

Mr. ROBERTSON of Virginia. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. ROBERTSON of Virginia. I should like to offer a suggestion. As a member of the subcommittee, realizing how absolutely necessary it is to get prompt action, so far as I am personally concerned I would prefer to see this particular amendment dropped from the joint resolution and the joint resolution passed as the House passed it, with certain minor changes.

Mr. TAFT. Mr. President, when this measure shall have been disposed of the call of the calendar will be completed. At the completion of the call of the calendar I shall move that the Senate proceed to the consideration of Senate bill 736, calendar No. 46, with respect to which the Senator from Rhode Island [Mr. MCGRATH] withdrew his motion. As soon as that bill is disposed of, I shall move that the Senate proceed to the consideration of House Joint Resolution 118. I hope that in the meantime Senators who are interested may get together so that the joint resolution can be passed at that time. That will allow a little time to see if the amendment can be agreed to or eliminated.

Mr. O'MAHONEY. Mr. President, I recognize the great importance of passing this proposed legislation. I believe that the synthetic rubber industry, which was built up in this country during the war, was a magnificent example of what the energy, industry, and skill of the people of America can do. I think it would be a great tragedy if the synthetic rubber industry should be lost. So I am heartily in favor of the passage of the joint resolution. But I feel that the Senate is entitled to an explanation in connection with the point which I raised. I think the suggestion of the senior Senator from Ohio is quite satisfactory.

The ACTING PRESIDENT pro tempore. Objection is heard, and the joint resolution will be passed over.

That concludes the calendar.

DAYLIGHT-SAVING TIME IN THE DISTRICT OF COLUMBIA

Mr. TAFT. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 46, Senate bill 736.

The ACTING PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 736) authorizing the Commissioners of the District of Columbia to establish daylight saving time in the District of Columbia during 1947.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Ohio [Mr. TAFT].

Mr. OVERTON. Mr. President——

Mr. TAFT. Mr, President, my motion is not debatable under rule VIII, the hour of 2 o'clock not having arrived.

The ACTING PRESIDENT pro tempore. The motion is not debatable.

Mr. OVERTON. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. OVERTON. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The absence of a quorum has been suggested. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	O'Conor
Baldwin	Hayden	O'Daniel
Ball	Hickenlooper	O'Mahoney
Barkley	Hill	Overton
Brewster	Hoey	Pepper
Bricker	Holland	Reed
Bridges	Ives	Revercomb
Buck	Johnson, Colo.	Robertson, Va.
Bushfield	Johnston, S.C.	Russell
Butler	Kilgore	Saltonstall
Byrd	Knowland	Smith
Cain	Langer	Sparkman
Capehart	Lodge	Stewart
Capper	McCarran	Taft
Chavez	McCarthy	Taylor
Connally	McClellan	Thomas, Okla.
Donnell	McFarland	Thomas, Utah
Downey	McGrath	Thye
Dworshak	McKellar	Tobey
Eastland	McMahon	Umstead
Ecton	Magnuson	Vandenberg
Ellender	Malone	Watkins
Ferguson	Martin	Wherry
Flanders	Maybank	White
Fulbright	Millikin	Wiley
Green	Moore	Williams
Gurney	Morse	Wilson
Hatch	Murray	Young

The ACTING PRESIDENT pro tempore. Eighty-four Senators having answered to their names, a quorum is present.

The question is on the motion of the Senator from Ohio [Mr. TAFT].

Mr. LANGER. I ask for the yeas and nays.

The yeas and nays were not ordered.

The ACTING PRESIDENT pro tempore. The question is on the motion of the Senator from Ohio [Mr. TAFT], to proceed to the immediate consideration of Senate bill 736. The motion is made under rule VIII prior to the hour of 2 o'clock, and is not debatable. [Putting the question.]

The motion was agreed to; and the Senate proceeded to consider the bill (S. 736) authorizing the Commissioners of the District of Columbia to establish daylight saving time in the District of Columbia during 1947.

Mr. HATCH. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico will state it.

Mr. HATCH. Is the pending question debatable?

The ACTING PRESIDENT pro tempore. Yes; the bill is debatable without limitation.

Mr. MCGRATH. Mr. President, as the author and sponsor of Senate bill 736, I shall detain the Senate but a very few moments in explaining the bill and urging its passage, for the reason that I

believe the bill amply speaks for itself and, more than that, I believe that most Members of the Senate have rather ample and adequate knowledge of what the bill proposes, and probably they have rather strong opinions one way or another regarding the subject.

I introduced this bill on behalf of the people who live in the District of Columbia the year round. Its purpose is to set up the necessary machinery whereby daylight saving time can be established in the District of Columbia from the last Sunday in April 1947 until the last Sunday in September 1947, if the Commissioners of the District of Columbia, after public hearings, come to the determination that it is desirable that the District of Columbia operate under daylight saving time or, as some people refer to it, "fast time."

Mr. President, beginning with the last Sunday in April in excess of 50,000,000 people, living mostly in the large cities of the United States, will be operating under so-called daylight saving time. That is particularly true of the entire eastern seaboard. However, it is not confined to the eastern seaboard, because cities throughout the length and breadth of the United States annually adopt daylight saving time.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. McGRATH. I am glad to yield.

Mr. OVERTON. Have a majority of the cities of the United States adopted daylight saving time?

Mr. McGRATH. Does the Senator from Louisiana mean to inquire whether they have adopted it through action of the several State legislatures?

Mr. OVERTON. I should like to know whether it has been adopted in any manner. Is daylight saving time now applicable to the majority of the cities of the United States?

Mr. McGRATH. No; I do not think it is. I made the statement that in excess of 50,000,000 people live under daylight saving time during the summer months. So, if that is a correct statement—and I think it is, the remainder of the people of the United States do not live under daylight saving time.

Mr. OVERTON. Mr. President, will the Senator yield for a further question?

Mr. McGRATH. I am glad to yield.

Mr. OVERTON. We had daylight saving time during the war. Was it Nationwide, by act of Congress; or was it established by action of the States or local communities?

Mr. McGRATH. I believe it was established by Presidential proclamation issued under the President's war powers, and applied Nation-wide. It also applied, as I believe, the year round.

Mr. OVERTON. I thank the Senator.

Mr. McGRATH. Mr. President, as I undertook to point out when the bill was reached on the call of the calendar, perhaps no question of local concern has been more thoroughly debated, discussed, and agitated in the press, on the radio, and in public forums during the period under which it has been up for consideration than has the question of daylight saving time. I can only report to the Senate that every business organization in the District of Columbia, including the Board of Trade, the Junior Board of Trade, and various other business organizations, and almost without exception every community organization which operates in the District of Columbia, has appeared in favor of the passage of this bill. Polls have been taken by the press—notably the poll taken by the Washington Times-Herald. In that poll the result was as follows: 5,327 in favor, 2,323 against.

As I stated in the earlier part of the session, the Committee on the District of Columbia has received more mail on this question than it has with respect to any other matter now pending before it. We have received 4,330 letters or postal cards, of which 3,303 were in favor, and 1,027 were against.

Polls have been taken in some of the Government establishments. For instance, a pool taken among the employeess of the Maritime Commission showed the following results: 1,804 in favor, 507 against. In the United States Coast and Geodetic Survey, 543 were in favor, and 121 were against. In the Patent Office, 956 were in favor, and 399 were against.

Mr. President, not an organization, so to speak, which concerns itself with the civic advancement and welfare of the people of the District of Columbia has failed to come forward in support of this measure. Scarcely anything else could come to us with such unanimity of opinion. Obviously it is the desire of the million people who live in the District of Columbia that the little comfort they can get out of this extra hour of daylight during the summertime, in the sweltering city of Washington, shall be given to them.

Mr. President, I recognize the validity of the argument made by the distinguished Senator from Louisiana [Mr. OVERTON]; but I wish to point out to him that for a good many of the hot months and hot weeks while the residents of the District of Columbia are living here, the Congress probably will not be in session and the Members of the Congress will be at home, enjoying whatever advantages we have in our own communities. If they provide us with daylight-saving time, all well and good; if they do not, then we can be happy to live under the conditions we find there. Not so with a million other souls who have to stay in the District of Columbia.

I grant the validity of the argument that, of course, the District of Columbia primarily exists for the benefit of the Federal Government, for the convenience of the Government and of the Congress. But I would remind Senators that the population of this city has been very good to those of us who come from the outside to serve our terms in the Congress. They open their arms to us; they receive us; they do everything they can do to make our stay here pleasant and comfortable. So it seems to me only fair and just that we be good neighbors indeed, and that on an issue of this kind we open our hearts a little and be good neighborly and kindly to them.

Mr. OVERTON. Mr. President, will the Senator yield to me once more?

Mr. McGRATH. I yield.

Mr. OVERTON. Have the neighboring States of Maryland and Virginia taken any action in this regard?

Mr. McGRATH. In the last election the people of Baltimore and Baltimore County voted overwhelmingly to adopt daylight-saving time. So the whole of Baltimore County will be operating on daylight-saving time, beginning the last Sunday in April. The counties immediately adjoining Washington have not taken any action in this regard. We have been told that they will abide by whatever is done by the District of Columbia. In other words, if the Commissioners of the District of Columbia adopt daylight-saving time, I have every reason to believe that the adjoining counties in Maryland and Virginia will accommodate themselves to that situation. They are awaiting action by the District of Columbia.

I would remind the Senator that one of the difficulties in handling this problem as a legislative matter has been that we find ourselves in more or less of a vicious circle. The adjoining counties of Maryland and Virginia cannot decide what to do until they learn what the District of Columbia decides to do. The District has been unwilling to decide what to do until it knows what the other communities are going to do. It is impossible for our committee to find that out. That is why we want the matter passed over to the Commissioners of the District of Columbia, and let them, in cooperation with Federal Government authorities and the authorities in the surrounding counties, try to work out an equitable and fair plan by which they can operate under so-called fast time.

Mr. OVERTON. Have the county commissioners in Maryland the authority to adopt daylight-saving time? Has the legislature vested such authority in the county commissioners?

Mr. McGRATH. I believe that they perhaps do have the power; but I shall not answer the question positively, because there may be some doubt. Senators may be familiar with the fact that I have previously expressed an opinion to the effect that the authority exists to establish daylight-saving time in American communities under the general health powers which have been conferred. That legal position has been questioned, and I am not pressing it. I would remind Senators, however, that in the great State of Illinois, in the city of Chicago, and the other large cities of that State which operate under daylight time, they do so, not by virtue of any act of the legislature, but merely by the exercise of the powers granted to them to legislate on matters affecting the health and comfort of the people. So there probably is authority vested in the local governing units.

Mr. OVERTON. Mr. President, will the Senator yield further?

Mr. McGRATH. I yield.

Mr. OVERTON. May I ask the Senator what action has been taken by the

State of Virginia or any of the counties adjacent to the District of Columbia in the State of Virginia?

Mr. McGRATH. I am not familiar with the fact that any action has been taken.

Mr. OVERTON. As a matter of fact, they have taken no action, have they? I see, before me, the Senator from Colorado [Mr. JOHNSON] who I think resides in Virginia. He would be in position to advise whether any action has been taken.

Mr. McGRATH. I believe that the authorities—I do not know that they are called county commissioners—have given some indication that they would probably, under a volntary system, operate on the same time on which the District of Columbia operates. It seems to me that this is a question which Congress should pass upon from the point of view of what is good and desirable for the people of the District of Columbia.

Mr. OVERTON. What about the trains which come into Washington and leave Washington? Would they operate on daylight saving time, or regular time?

Mr. McGRATH. Regardless of what we do, some of the trains will operate on regular time and some will operate on daylight time, because those from the areas to the north and west, where daylight saving schedules will be in effect, in the large cities where the trains make up and start, will operate on daylight saving time.

Mr. OVERTON. Does not the Senator think that would bring about a great deal of confusion?

Mr. McGRATH. I am certain it will not. It never has in the past in connection with other cities which have gone on daylight saving time. I noted the remarks of the distinguished Senator when he said we should not be controlled by New York. I think I can agree with him in that statement, but, fortunately or unfortunately, perhaps, as the case may be, important rail movements, much news, and many radio programs do emanate from that great metropolitan center. The stockmarkets of the country operate from there, and of course they will operate on daylight time, for the whole State of New York, practically all the large cities in the State of New York, will be operating on daylight time.

I remind the Senator that, rather than interfering with the reception of his favorite radio programs, the adoption of daylight saving time in the District of Columbia would help him to secure some of the programs, because last summer, when for the first time we were not operating under the so-called Presidential wartime order, many of the finest radio programs were not heard in this District of Columbia because they emanated from cities which were on daylight time and the schedule would not permit them to be heard here.

I, too, like to listen to the radio commentators. One of my favorite commentators is Lowell Thomas. I like to listen to him at a quarter of 7 every night, and living here in the District of Columbia all of last summer I found I could not hear him at all, because I had not gotten away from work at a quarter of 6, when the radio stations here in Washington had to carry Lowell Thomas.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. McGRATH. I shall continue to yield to the Senator from Louisiana as long as he desires to ask me questions.

Mr. OVERTON. I wish to observe that I have another favorite besides the radio programs, and that is my milk supply. I am a great advocate of the use of milk. I think it is absolutely necessary in the diet of every family, and I like to have a milk supply in my little apartment in Washington. Of course, the flow of milk from the cows is not governed by any act of the Commissioners or by any act of Congress. Their milk flows periodically at certain times; at least, it used to when I was a boy and I had to milk cows. If we advance the time to an hour earlier, what effect will that have on the supply of milk? How are the milkmen then to get the milk to my door at the right time?

Mr. McGRATH. I can answer the Senator by saying that I am not an authority on milk—I use it once in a while, at the right time—but I am sure there will not be any trouble with the delivery of milk to the Senator's door merely because of the variation of 1 hour in time. No one in Boston goes without milk because of daylight time, and the same statement applies to Springfield, Washington, Philadelphia, Baltimore, and many other cities. No one in the great city of Chicago is going without milk merely because the clocks have been advanced 1 hour. I am sure that special arrangements can be made, if necessary, so that the Senator will receive his milk supply.

Mr. OVERTON. In many of the cities the Senator has mentioned the people prefer beer to milk, but I am sort of old-fashioned, and I like milk. The Senator is a member of the committee which passed on this question, is he not?

Mr. McGRATH. I am a member of the Committee on the District of Columbia, and the sponsor of the bill.

Mr. OVERTON. What inquiry did the Senator make as to the effect daylight-saving time would have on the delivery of milk in the District of Columbia?

Mr. McGRATH. I do not recall testimony on that subject before our committee. I might say to the Senator that that is one of the problems we expect the Commissioners to look into. We are merely proposing to confer upon the Commissioners the authority to take up such questions as that the Senator is now raising, and determine whether the inconvenience, so to speak, would outweigh the convenience which would be enjoyed by the people of the District of Columbia by the establishment of daylight saving time. We did not feel that our committee had the time, or that it was the proper forum to go into all these small details, so to speak, when the Commissioners could more amply do it.

Mr. OVERTON. Speaking of what the Commissioners are going to do—and the Senator is in better position to advise me whether my information is correct or not—I have understood that Commissioner Young took the position that the Commissioners should not do anything until Virginia and Maryland acted.

Mr. McGRATH. I cannot speak at all for the Commissioners.

Mr. OVERTON. Did Commissioner Young appear before the Senator's committee?

Mr. McGRATH. Commissioner Young appeared before our committee, when we had under consideration a previous bill which I had introduced. He did not oppose the idea of daylight-saving time, but stated that one of the questions which had to be considered, and which should be considered, was what the surrounding counties were going to do. I do not recall his remarks as being a flat statement that he denied he would be in favor of daylight time, but I believe he told our committee that he thought the surrounding counties should be consulted before the final decision was made, and the pending bill gives the Commissioners the right to consult them.

Mr. OVERTON. I thank the Senator.

Mr. SALTONSTALL. Mr. President, will the Senator from Rhode Island yield?

Mr. McGRATH. I yield.

Mr. SALTONSTALL. As a member of the Committee on the District of Columbia last year, it appeared to me that daylight saving was extremely desirable for the District. I should like to ask the Senator to answer one question, if he has not already answered it. Is it not true generally that businessmen and storekeepers in the District of Columbia are at a disadvantage because the cities they have to deal with in the East, like Baltimore, Philadelphia, New York, Boston, and other cities, up and down the coast, are all on daylight time, so that they lose the last hour of their business day, because the men in other cities with whom they have to deal have closed their offices and places of business, and, perhaps, left town.

Mr. McGRATH. The Senator is exactly correct, and that is another reason why the business interests of this community, speaking through their Chamber of Commerce and Board of Trade and other business organizations, have unanimously approved this bill and have pleaded with us, through newspapers and over the radio, and in every way they could possibly make their voices heard, to pass this proposed legislation.

Mr. SALTONSTALL. Is it not also true, if the Senator from Rhode Island knows, that the milk which the Senator from Louisiana gets in the morning delivery, is not milk of that morning, in any event, but is milk of the afternoon before, or some previous time?

Mr. McGRATH. I may say the Senator has never invited me over to his house for breakfast, so I do not know how old the milk is that is put on his breakfast table.

Mr. BUCK. Mr. President, I have to attend a committee hearing now, and I wish only to make a short statement in support of the pending bill which was introduced by the distinguished junior Senator from Rhode Island. In passing, I want to say that the subcommittee unanimously approved the bill, and so did the full committee. In fact I do not see why anyone should be against it, un-

less he is opposed to home rule rights. That is practically all the bill does: it gives authority to the Commissioners of the District to hold hearings and decide whether or not they think the people of the District want daylight saving.

As the Senator from Rhode Island has said, the committee has received thousands of letters, a large percentage of which favor the passage of this measure. I am given to understand that whether the bill passes or not, and whether Washington has daylight saving time or not, some of the services such as the AP and UP and the INS are going to adopt "fast" time; also, the radio stations of the city and some of the stores. I want to quote a few figures from the Times-Herald, which made a survey of this question by publishing a ticket which they asked the readers to mark and send back, as to whether they were in favor of or opposed to daylight saving.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. BUCK. I yield.

Mr. OVERTON. Is it a fact that the Federation of Women's Clubs in the District of Columbia are opposing this bill?

Mr. BUCK. Not to my knowledge.

Mr. OVERTON. That is testimony that has been called to my attention.

Mr. BUCK. I do not recall that.

Mr. OVERTON. Mrs. Wright, the president of the association, which consists of some 26 different clubs, declared that the Federation of Women's Clubs of the District of Columbia are very much opposed to the bill.

Mr. BUCK. The Senator may be correct. I do not recall the facts.

Mr. OVERTON. While the Senator is on his feet, my attention has also been called to a report of the Commissioners on the pending bill, or on a similar bill.

Mr. McGRATH. If I may interrupt the Senator, I think the Senator from Louisiana was incorrect when he says the Federation of Women's Clubs have opposed this bill. They appeared in opposition to a mandatory bill, but the leaders of that organization in the District Committee room explicitly told me and, I believe the Senator from Delaware was there at the time, that they were not opposed to the pending bill, which I regard as a home-rule bill, and that as to any view that they have to express on this issue, they will be very happy to have an opportunity to express it before the Commissioners.

Mr. OVERTON. Mr. President, will the Senator yield further?

The PRESIDING OFFICER. The Senator from Rhode Island has the floor.

Mr. McGRATH. I shall yield to the Senator from Louisiana. However, I should like to point out to him that the transcript from which he is reading is not a transcript that has anything to do with the bill which is now before the Senate. It is a transcript of a hearing which was held on a previous bill introduced by me, which provided that the Congress itself should adopt daylight-saving time for the District. That question is not now before us at all. A great many of the people who testified against that approach to this problem have come to us and have said they are in favor of this approach to it.

Mr. OVERTON. That is exactly the point.

The ACTING PRESIDENT pro tempore. If the Chair may interrupt, as the Chair understands the parliamentary situation, the Senator from Rhode Island had the floor. He yielded to the Senator from Delaware to make a statement. During the course of the statement by the Senator from Delaware, the Senator from Louisiana propounded a question. The Chair thinks that technically the Senator from Delaware still is in the process of answering the question asked by the Senator from Louisiana.

Mr. McGRATH. I recognize my previous yielding, and under that, the Senator from Delaware has the floor.

Mr. BUCK. I thank the Senator.

Mr. OVERTON. Mr. President, may I address a parliamentary inquiry to the Chair?

The PRESIDING OFFICER. The Senator will state it.

Mr. OVERTON. Are there any printed hearings, or typewritten hearings, or any hearings reduced to writing whatsoever in respect to a daylight-saving bill for the District of Columbia except the hearings before the Subcommittee on Home Rule and Reorganization of the Committee on the District of Columbia, of date February 18, 1947?

The ACTING PRESIDENT pro tempore. The Chair cannot answer that as a parliamentary inquiry, but he will refer the question to the Senator who is handling the bill on the floor.

Mr. McGRATH. There is no printed record of hearings in connection with the pending bill. The hearings which were had were in connection with the previous bill, and that is the record which the Senator has on his desk.

Mr. BUCK. Mr. President, I do not know whether it is clear to the distinguished Senator from Louisiana that this bill does not provide daylight-saving time for the District of Columbia, but simply authorizes the Commissioners of the District to hold hearings and to decide for themselves whether the District shall have daylight-saving time. In other words, it is the first chance the people of the District have had to enjoy any form of home rule, and I do not see why they should be denied the opportunity thus afforded. I wonder if the distinguished Senator from Louisiana understands that the bill does not provide that there shall be daylight-saving time for the District? It merely authorizes the Commissioners to hold hearings, and, after adequate hearings, to decide whether or not the people of the District want daylight saving.

Mr. OVERTON. That is my understanding, that the author of the bill wishes to delegate authority to the Commissioners, rather than to have Congress act directly on the question.

Mr. BUCK. I thought the Senator might possibly have misunderstood the purport of the bill.

Mr. OVERTON. As I understand, the Senator is opposed to Congress passing on the question. He wants the Commissioners to determine it.

Mr. BUCK. That is right. If the Senator from Rhode Island will permit me, I shall conclude with these few words: In the poll that was taken by the Times-Herald, there were 6,454 replies, of which 4,461 were in favor, 1,993 were opposed. There is also a long letter from the Washington Board of Trade, strongly favoring the measure, as well as from a great many others who have written to the committee and to individual members of the committee.

As I say, so far as I know, the bill represents the first attempt to give people of the District any form of home rule. Personally, I think they ought to have it, and in this instance I hope that the bill will be passed. I thank the Senator from Rhode Island.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. McGRATH. I yield.

Mr. HOLLAND. I wonder if it would not clarify the question raised by the distinguished senior Senator from Louisiana if I were to make this comment: The Senator from Louisiana is correct in saying that at the time of the hearing on the original bill the Federation of Women's Clubs, through proper representatives, appeared as being against that bill. At the hearing on a later measure to provide machinery for the working out of home-rule government for the District of Columbia, the Federation of Women's Clubs appeared, not only not in opposition, but the president of that Federation agreed to serve as one member of the commission in the effort to work out home rule. It is my understanding that with reference to the pending measure the Federation of Women's Clubs regarded it as simply an approach to the home-rule proposition, on which they were generally on record as favoring home rule. It was my understanding that they are not at all opposed to the pending measure.

Mr. McGRATH. That is my understanding also, I will say to the Senator.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. McGRATH. I yield.

Mr. OVERTON. Is there any record of those hearings?

Mr. HOLLAND. I believe not, I will say to the Senator. The hearings at which the president of the Federation appeared were hearings conducted by the subcommittee in the effort to establish a commission to work out a home-rule charter, and we did not want to ask anyone to serve as a member of that commission unless he or she was in sympathy with its objectives. The president of the Federation did appear stating that she and her organization were in sympathy with the proposal, and she did accept membership upon that commission. It was also my understanding that she and her organization approved this particular measure as the beginning of that approach to home-rule government.

Mr. McGRATH. The statement of the Senator from Florida I believe correctly states the position of these distinguished organizations which appeared before our committee. Again I reiterate that it is my firm belief, and I think I am stating it as openly and frankly to the Senate as I can, that all these organizations are in favor of the bill in its present form.

Mr. STEWART. Mr. President, will the Senator yield to me for a question or two?

Mr. McGRATH. I am glad to yield to the Senator from Tennessee.

Mr. STEWART. Perhaps the Senator has answered at least a portion of the question or questions I wanted to propound. I was not present during the entire discussion. I am interested in knowing what would result if daylight saving should be adopted by the District, that is, from the standpoint of confusion here on Capitol Hill. We hold our committee meetings at 10 o'clock or 10:30 in the morning, and on the days when the Senate is in session the Senate meets at noon. Would the daylight saving interfere in anywise with such meetings?

Mr. McGRATH. If the Commissioners were to put daylight-saving time into effect, daylight-saving time would become, during the time it was in effect, the standard time for the District, and, of course, Congress would operate under it. However, there is nothing to prevent the Congress in such event from setting its own time schedule, as we set our time schedule now. We are the ones who decide to meet at 12 o'clock or 11 o'clock; we are the ones who decide when to have night sessions; we are the ones who decide when committee meetings are to be held. If we do not want to go along with the time set, the so-called fast time, we can set another time to suit our own convenience.

Mr. STEWART. But daylight-saving time would be in effect here on Capitol Hill unless we decided otherwise?

Mr. McGRATH. Unless Congress decided by adopting a rule to meet at another hour.

Mr. STEWART. That is all I wished to ask.

Mr. McGRATH. It would be known as the standard time for the summer of 1947.

Mr. President, I said at the beginning that I would not detain the Senate very long on this measure. My appeal is on behalf of the citizens of the District of Columbia. I echo the sentiment expressed by the chairman of the Committee on the District of Columbia when he suggests that this is the first time Congress has been asked to give a measure of home rule to the people of the District. We have heard much about the issue of home rule. Now is the time to show our sincerity. Now is the time, on a very simple little matter, but nonetheless a matter which intimately touches the lives of every man and woman who lives here on which they have expressed themselves so overwhelmingly through every medium they have by which they can express themselves, to show our sincerity and our desire to give to the people of the District this small measure of home rule.

Mr. President, I shall not go into all the advantages which from the standpoint of health and to safety would be derived from daylight saving nor shall I discuss other considerations which would recommend it. Those are arguments to be used before the Commissioners. They are arguments with which I am sure every Senator is amply familiar. In voting upon this issue Senators should not and need not feel that they are putting their own personal stamp upon daylight saving. I say that because I know there are some Senators on the floor who probably do not want to pass upon this issue, but I am asking them to pass upon the pending bill solely as a measure of home rule for the people of the District of Columbia.

I yield the floor.

Mr. CAIN. Mr. President, I should like to make a very short statement in support of the Senator from Rhode Island and in support of the statement made by the Senator from Delaware, who voiced, I think, the convictions of a majority of the members of the Committee on the District of Columbia. If this enabling legislation is passed, none of us has any idea obviously as to what the Commissioners will do with the issue of daylight saving. But what seems very apparent to me is that in this particular problem, all things considered, the issue is not one with which the Senate of the United States should be concerned. I think it is an issue which must be argued out and discussed and fought over by the residents of the community which the daylight saving is going to affect, either adversely or in a positive and favorable way. It seems to me that as we reflect upon the subject of daylight saving with reference to Washington, D. C., we should consider Washington, D. C., to be an average American community, and not the Nation's Capital. We should leave it up to the people who are to live under daylight saving as to whether they shall accept it or whether they shall reject it.

I happen to live in a State some 3,000 miles away. That is my home. Like other Senators who have come from varying distances, I have come to the Nation's Capital as a guest of this city. We have come to a place in which we are to work, but not to live, and from that standpoint, which is basic and positive with me, I think the problem rests more certainly and conclusively with the Commissioners than it does with us.

The general subject of home rule is of imperative importance to every man in this Chamber. Many of America's problems, I think, would be made easier to solve if there were a fuller assumption of responsibility for personal conduct in all communities throughout this Nation. Therefore when as an individual Senator I have an opportunity to vote in favor of a piece of legislation which will permit the people affected to determine their own destiny, I shall readily and enthusiastically embrace such an opportunity.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. CAIN. I yield.

Mr. LANGER. As I understand, there is a difference of 3 hours in time between Tacoma, where the Senator lives, and Washington, D. C.

Mr. CAIN. That is correct, presently.

Mr. LANGER. And there is a difference of 2 hours time between Washington, D. C., and sections of North Dakota. I have received more letters respecting this question of change of time than on almost any other subject involving the District of Columbia. The farmers in North Dakota are overwhelmingly opposed to the proposed change in time. The farmers in my State, especially in the western part of the State, are opposed to such a change. They feel they have a right to hear what is going on as it comes to them over the radio from the city of Washington.

The Senator from Washington said that we Senators are guests of the people of the District. I do not view it in that way at all. Under the Constitution the Congress shall meet in the Capital, and this has been made the seat of government. I think the people all over the Nation, especially the farmers who produce our food, are entitled, as the distinguished senior Senator from Louisiana said a little while ago, to rely on what he called nature taking its course.

Mr. CAIN. Mr. President, the Senator and I merely have an understandable difference of opinion. In order that I may indicate more clearly what I am thinking about, may I ask the Senator how many citizens there are in his State?

Mr. LANGER. Six hundred and forty thousand.

Mr. CAIN. Six hundred and forty thousand citizens, who obviously are entitled to an expression of opinion on many subjects. But are we not concerning ourselves with a problem within a district which in itself has almost half again as many people as there are in the Senator's State?

Mr. LANGER. I want the distinguished Senator to remember that the citizens of the State of North Dakota are persons of exceptional quality.

Mr. CAIN. With that statement I agree.

Mr. LANGER. Not only that but the overwhelming number of them are farmers. They want to get the market prices. They want to know what is going on in the Nation's Capital. I ask the Senator further to remember that in many towns there is an extra hour difference because of what is called fast time, making a difference of 2 hours.

When it is 12 o'clock noon in Washington it is 9 o'clock in Tacoma, in the Senator's State. If there is a difference of an additional hour, the farmer will have to get up at 8 o'clock. If so-called fast time is introduced, he will have to get up at 7 o'clock to hear a program at 9. In order to hear a program on the radio at 9 o'clock in the morning Washington, D. C., time he will have to get up 4, or possibly 5, hours earlier.

I can understand the Senator's viewpoint with respect to home rule. However, the people of my State firmly believe that, so far as the Nation's Capital is concerned, they are interested, and they want to know what is going on. They want to be well informed.

Mr. CAIN. The Nation's Capital is very much interested in what is going on within the Senator's State. But in a matter of this character the Nation's Capital would hesitate to tell the Senator's State when to get up and when to go to bed.

Mr. LANGER. But if a person wishes to listen to the radio in North Dakota, he will be compelled to get up an hour earlier.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. CAIN. I yield.

Mr. MAYBANK. I should like to read a letter. I have been quite concerned about daylight-saving time. I think we should consider the question of whether or not to regulate the radio on God's time rather than on daylight-saving time.

I am very much impressed by what my friend from North Dakota [Mr. LANGER] has said. Several months ago I took it upon myself to make an investigation, and a few weeks ago I wrote to Mr. Charles R. Denny, Chairman of the Federal Communications Commission, to see how the entire United States is being upset by the domination of the radio interests of New York to the disadvantage of the farmers. With the permission of the Senator I should like to read the letter which I received from Mr. Denny:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D. C., March 19, 1947.

Hon. BURNET R. MAYBANK,
United States Senate,
Washington, D. C.

MY DEAR SENATOR MAYBANK: I now have the data with which to answer your letter of March 10, 1947, concerning networks and stations operating in daylight-saving-time areas.

The 4 Nation-wide networks had a total of 749 affiliated stations in July 1946. Of these, 194, or 25.9 percent were located in cities and communities which observed daylight-saving time in 1946. Each of the national networks had some outlets in daylight-saving-time areas.

A total of 965 stations were operating in July 1946. Of these, 270, or 26 percent, were located in cities and communities which observed daylight-saving time in 1946, while 695, or 72 percent, were in communities which did not observe daylight-saving time.

With respect to your question concerning the percentage of the country which observed daylight-saving time, the latest year for which a study has been made is 1941. In that year, a compilation by the National Association of Broadcasters indicates that approximately 35,000,000 people, or 25 percent of the population, resided in cities and communities which observed daylight-saving time. These 35,000,000 people represented approximately 28 percent of the total radio families in the United States.

You may be interested to learn that a pamphlet which lists the cities and communities observing daylight-saving time is published annually by the Commerce and Industry Association, of 233 Broadway, New York City. They have informed us by phone that they did not know of any population study of daylight-saving-time areas for 1946 similar to the one referred to above for 1941. Further, they knew of no map which has been prepared which set forth the daylight-saving-time areas of the country.

I sincerely hope that the above information is adequate for your needs. In the event that any further information is desired, please do not hesitate to let me know.

Very truly yours,
CHARLES R. DENNY,
Chairman.

I asked for a map, so that everyone could see where the 25 percent of the people live who benefit from daylight-saving time, while farmers in the Dakotas and the Carolinas and elsewhere suffer.

The letter from Mr. Denny shows that 28 percent of the people are the only beneficiaries, while others—especially the farmers—suffer from a lack of marketing news, including a knowledge of the price of wheat, cotton, or corn. They suffer because of lack of information as to the hog and cattle markets at Chicago. They suffer all these disadvantages because of New York.

Mr. CAIN. In connection with this problem, Mr. President, we are concerning ourselves with the right of determination of 1,000,000 people as to whether or not they want to get up an hour earlier.

Mr. MAYBANK. I believe that the million people in the Washington area are very fortunate to have the Congress here. Most of them would not be here if it were not for Congress. They are 90 percent dependent on the Government for their living.

Mr. CAIN. Mr. President, I merely wish to reemphasize what some of us feel. Through this piece of legislation we are determining a fundamental issue revolving around the desirability of home rule for a geographical area in which approximately 1,000,000 people live. They consider themselves, in the aggregate, to be an American community deserving of the right to determine whether or not they shall have daylight saving. We want only to provide a right for Washington, D. C., which other communities take, as they should, for granted.

The ACTING PRESIDENT pro tempore. The bill is before the Senate and open to amendment.

Mr. OVERTON. Mr. President, I hope that I shall not be regarded as in any way hostile to the District of Columbia because I oppose the enactment of the pending legislation. There was a time when I was represented as being one of the best friends of the District of Columbia in the United States Senate. I have always espoused the cause of the citizens of the District of Columbia when I thought they were right. I shall not hesitate to oppose them when I think they are wrong.

This question is not one which concerns only the people of the District of Columbia. As the able Senator from North Dakota has said, it is far-reaching. It extends even to the domain of his own State. It reaches out into the State which is so ably represented by the present occupant of the chair [Mr. KNOWLAND]. It reaches down into Louisiana.

The seat of government of the United States is in the District of Columbia. Here the business of the Nation is transacted, not only by Congress, but by the various executive departments. I undertake to close my office, as the Senator from South Carolina [Mr. MAYBANK] very well put it, according to God's time. I close my office at 5 o'clock in the afternoon. That is 4 o'clock in Louisiana. A great many of my constituents, not realizing the difference in time, call up my office after 4 o'clock only to find no one there. They call various departments of the Government with respect to subjects in which they are interested, only to find that all of them close at 5 o'clock, which is one hour earlier than the time in Louisiana.

On top of that, it is proposed to add another hour; so that if any of my constituents in Louisiana wish to communicate with the Agriculture Department, the War Department, the Navy Department, the Treasury Department, or any other agency of the Government, they must reach the telephone by 2 o'clock, because it requires about an hour to get the connection made and the message through. So if it is a very important matter which must be determined quickly and promptly, they must act by that time in order to receive information promptly, or else they cannot receive it at all that day, and will have to wait until the next day. That is all right in the opinion of the proponents of the bill. It does not make a particle of difference how much the people of North Dakota are inconvenienced or how much the people of Louisiana are inconvenienced, just so the people of the District of Columbia feel a little bit better because they happen to have an opportunity to get up an hour earlier than God intended them to get up, anyway. They probably want to go to bed an hour earlier. That would be a good thing. My 16 years' residence here in Washington has forced me to the conclusion that a great many of the citizens ought to retire much earlier than they do. [Laughter.] I think their earlier retirement would redound to the health and well-being of the Washingtonians.

Mr. President, when it comes to home rule, I am reminded of the fact that when the District of Columbia was established, hardly anyone resided here. There were a few people in Georgetown and some residents scattered here and there. The District of Columbia was set aside because it was desired to place it completely under the jurisdiction of the Congress of the United States; and the Constitution provides that the Congress of the United States shall exercise sole legislative authority over the District of Columbia.

Here we have a bill which the Senate is considering. When it was first presented, it provided that Congress should pass on the question whether the District of Columbia should have daylight saving time. That did not appear to be satisfactory, as I gather from the argument made by the able Senator from Rhode Island [Mr. MCGRATH] and other Senators. The bill did not appear to be satisfactory to the Committee on the District of Columbia. So that bill was brushed aside and Congress undertook to "pass the buck" to the three Commissioners of the District of Columbia. Then this bill was introduced. Hearings were had on the other bill.

I requested, and received awhile ago, a typewritten copy of some hearings. They were never printed. They were held on February 18, 1947, on a bill the number of which I do not know. It was some other bill; at least, the Senator from Rhode Island tells me it was. It was a bill according to which Congress would exercise its legislative authority over the District of Columbia, and would not undertake to delegate that authority to the Commissioners of the District of Columbia.

I have my doubts about the constitutionality of this bill. I do not know whether the very able members of the Committee on the District of Columbia

have ever considered it from a constitutional standpoint. But it is a delegation of authority without any general circumscribing provisions by which that authority can be exercised. It simply says that Congress will not decide this question; the Commissioners of the District of Columbia will decide it. It does not say under what circumstances the Commissioners will decide it. It does not contain any bounds to their authority. If the Congress of the United States delegates authority, it must do so under certain formulas. It cannot simply give a blanket delegation of authority.

Let me read this bill. It is a very short one:

That, for the purpose of determining whether or not daylight saving time should be established in the District of Columbia during the year 1947, the Commissioners of the District shall conduct open hearings at which the residents of the District may express their views on the establishment of such time.

I want to note en passant that according to the provisions of this bill, the only persons who can appear before the Commissioners are residents of the District of Columbia. If they reside in Arlington, Va., or in Silver Spring, Md., they cannot appear, although they may work in the District of Columbia and make their living there. The only persons who can be heard are those who reside within the immediate confines of the District of Columbia.

But to proceed with my knitting, it is further provided:

SEC. 2. If, as a result of the hearings held pursuant to the first section of this act, the Commissioners should decide that daylight saving time should be established in the District during the year 1947, the Commissioners are authorized to advance the standard time for the District one hour for any period of the year 1947 not earlier than the last Sunday of April of such year and not later than the last Sunday of September of such year. Any such time established by the Commissioners pursuant to this act shall, during the period for which it is applicable, be considered the standard time for the District of Columbia.

There are no exceptions. Congress is not excepted. Committees of Congress are not excepted. Sessions of Congress are not excepted. If the District of Columbia has daylight saving time, the Commissioners cannot say that it does not apply to Congress, that it shall not apply to those who work in departments of the Government, or that it shall not apply to those employed in hotels, restaurants, and so forth. It must be of general application. It must apply to every one in the confines of the District of Columbia. It will be legal time for the District of Columbia.

The bill further provides:

The Commissioners shall forthwith proceed in the exercise of the authority herein contained and shall, as soon as practicable, publish their findings and orders thereunder.

Mr. President, I do not see why the Committee on the District of Columbia does not, if I may use a common expression, take the bull by the horns and pass on this question and determine whether Congress wishes to have daylight saving time within the District of Columbia.

I am sorry the Senator who made the motion is not present—the senior Senator from Ohio, who has absented himself from the Senate Chamber ever since the debate began. Very important legislation is now awaiting action by the Senate; and I wish to say here that the Senate has been running so far behind in its schedule that we are faced with ignoring the streamlined congressional reorganization bill, and we now learn that instead of having sessions 3 days a week, we must have them 5 days a week, and possibly on Saturdays, and some sessions at night.

But notwithstanding all the important business which is waiting for our action and which must be transacted between now and April 1, according to the declaration made by the senior Senator from Ohio [Mr. TAFT] and other leaders of the Republican Party, lo and behold, the senior Senator from Ohio has moved that the Senate proceed to the consideration of a bill which affects solely the District of Columbia, even though matters with which the entire Nation is very much concerned are waiting to be acted upon by the Senate.

Mr. McGRATH. Mr. President, will the Senator yield to me?

Mr. OVERTON. I am glad to yield.

Mr. McGRATH. I wish to say that I am sure what the Senator from Ohio did this morning was done as a courtesy to the Senator from Rhode Island. I asked the Senator from Ohio what procedure I should follow and what would be the appropriate time for me to make the motion. I certainly would have made the same motion which he made; and I regard what he did as merely a Senatorial courtesy extended from one Senator to another. I greatly appreciate it, and I do not think any political argument should be made against him because of that observance, on his part, of a spirit of cooperation.

Mr. OVERTON. I am not making a political argument. I am making an argument in the interest of my country. I am making a good Republican argument and a good Democratic argument. I am saying that when legislation of such grave importance confronts the Senate and awaits its action, we should not turn aside to determine whether the Commissioners of the District of Columbia should hold hearings and subsequently should decide whether daylight-saving time should be established in the District of Columbia. It seems to me that that is not exactly the proper thing to do; that is all I have to say about this phase of it. Also, I do not think the people of the Nation would look with favor upon our consuming such valuable time on a mere local bill.

The bill before us could provoke considerable discussion; and as a matter of fact, it should be discussed, because there are a great many angles to it.

Let us consider another question which is involved in this matter. Suppose the Commissioners do adopt daylight-saving time. Then what about the train schedules? I tried to find out about that from the Senator from Rhode Island. He said some of the trains would operate on daylight-saving time and others would not. It seems to me that such a situation would not be conducive to proper regulation. It was all right during the war, when we were bending every effort to win the war, to have a uniform rule and regulation, namely, that throughout the United States, daylight-saving time should be placed in effect. But to have a topsy-turvy situation, whereby Washington has daylight-saving time, and other parts of the Nation do not have it; and whereby the trains of the Baltimore & Ohio Railroad operate on daylight saving time, but the trains of the Pennsylvania Railroad operate on standard time; and whereby the radio stations in Mississippi, Louisiana, and California operate on standard time, for the most part, if not altogether, whereas other radio stations operate on daylight-saving time—what a hodge-podge of confusion there will be.

What argument can be brought to bear to sustain legislation of this character, Mr. President? I do not desire to be facetious of course. Although I was not raised on a farm, I was raised in a small town of approximately 200 or 300 souls, and I know something about rural life. Mr. President, it seems to me that we should pursue the course that the God of nature has prescribed for the creation of this earth. Daylight-saving time or no daylight-saving time, the birds are going to their nests according to standard time, and the squirrels will go to their rest in the same way; and the cows will want to go to the barns and get their food at that time; and the horses will want to cease their day's labor and go to rest at that time; and they are entitled to do so. But here come the Members of the Senate Committee on the District of Columbia; and, like Joshua of old, they want to bid the sun and the moon to stand still—why? In order to accommodate some of these ambitious people who like to get to work early and like to get away from work early and get out in the sun and play golf, and, after a few rounds of golf, retire for proper refreshments. [Laughter]. In order that they may indulge in those peculiarities and eccentricities, Mr. President, we are told that we must stop all the machinery of legislation in the Congress of the United States, so as to take up this important question of delegating to the Commissioners of the District of Columbia authority—to do what? To hold hearings. They would have to hold extensive hearings to determine whether the people of the District of Columbia would save an hour of daylight or whether they would go to bed later.

Mr. President, I try to regulate my own office in a way that is fair and just and reasonable to my clerical staff. I do not want any of them to appear there before 9 o'clock in the morning, standard time, and I do not think they should. I do not get there until 10 o'clock; I wait until the mail is arranged in my office before my advent there. I like to have them get away at 5 o'clock in the afternoon, but I do not want them to be leaving there at 4 o'clock in the afternoon, under a time schedule which may be fixed by my good friend Russell Young, whom I like very much—and I am very proud of the fact that I am a graduate of Dean Young's school of expression, and what little

ability I may have in being able to address the Senate is largely due to the fact that I am a student, and have been for a number of years, of Dean Young's school of expression. I commend favorable consideration of it to all other Members of the Senate.

I am sure Commissioner Young will give very earnest consideration to this important measure if Congress undertakes to delegate the authority to him. I am very proud of Commissioner Young, and I also like the other Commissioners of the District of Columbia.

Mr. LANGER. Mr. President, will the Senator yield to permit me to ask a question?

Mr. OVERTON. I yield.

Mr. LANGER. If the Commissioners of the District of Columbia decide to establish daylight-saving time in the District of Columbia, thereby moving the clocks 1 hour ahead, then a citizen residing in California would not be able to get in telephonic or telegraphic communication with any person in the State Department or the Department of Agriculture or the Department of Commerce in Washington after 1 o'clock in the afternoon; would he?

Mr. OVERTON. If he wanted to get into communication with any department on Wednesday he would have to get up at midnight on Tuesday in order to do it. [Laughter.]

Mr. LANGER. That is correct.

Mr. OVERTON. That is what one who lives in California would have to do.

Mr. LANGER. That would be true all over the West.

Mr. MAYBANK. Mr. President, I should like to say, in connection with what the distinguished Senator stated about Commissioner Young, that I think Washington is very fortunate in having such an able Chairman of the Board of Commissioners and such an excellent man. Any remarks I have made were intended only for the benefit of the people of my State, whom I am here to represent, and were not in any way questioning the integrity, the ability, or the honesty of Commissioner Young, and his desire to see that justice is done.

Mr. OVERTON. Mr. President, my only hope, if the bill shall be passed by the Congress, will rest in the good, sound judgment of Commissioner Young. He is a man of good, practical common sense, a very able Commissioner. I do not think he would put into effect a daylight saving scheme for the District of Columbia alone, when Maryland does not have it and Virginia does not have it, and when over half the people of the United States do not have it. As the Senator from North Dakota has very well pointed out, if, let us say, some constituent of the able Senator from California [Mr. KNOWLAND], who is now occupying the chair, desired to call him up and say, "Now, Senator, I would like to have you vote for such and such a bill," by the time he had gotten him on the telephone the bill would have been passed and signed by the President. [Laughter.] I think the Presiding Officer should stop and think about that.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Louisiana yield?

Mr. OVERTON. I yield.

Mr. JOHNSTON of South Carolina. I should like to ask the Senator from Louisiana a question. The only thing that is worrying me is that if daylight saving time is put in force in Washington, D. C., but in the surrounding territory standard time is kept, there will be two times, and how would people arrange their affairs? That is what I want to know.

Mr. OVERTON. We will just be "two-timed"; that is what will happen. [Laughter.]

Mr. JOHNSTON of South Carolina. Let us say that the children in a family do not get up to go to school until 9 o'clock standard time, but the father comes into the District to go to work at 9 o'clock daylight saving. The children would have to get up an hour earlier, or probably the family would have to have two breakfasts.

Mr. OVERTON. That is correct. They would have to have two watches, on keeping standard time and one daylight saving time. [Laughter.]

Mr. MAYBANK. Following that up, Mr. President, I should like to know what would happen to railroad accommodations. If one left Washington he would leave on one time, and if a man left Alexandria he would be leaving on another time.

Mr. OVERTON. That is correct.

Mr. MAYBANK. If one lived in the neighborhood of Spring Valley or Forty-ninth Street, he would leave at one time, but a man catching a train in rural Maryland would leave at another time.

Mr. OVERTON. That is correct.

Mr. MAYBANK. So how would any one know how to catch a railroad train?

Mr. OVERTON. I do not know. If one takes a bus to go to Silver Spring, he will meet himself coming back. [Laughter.]

Mr. MAYBANK. That is correct; he would go and come back before he got there. [Laughter.]

Mr. OVERTON. That is correct. I do not wish to detain the Senate much longer on the bill which, with all due respect to the committee, I think would be very bad legislation.

If the President of the United States, exercising such wartime powers as may be left to him—I do not know that he has many left—should undertake to have national daylight-saving time, so that all could rise together and go to bed together, catch a train together and catch busses together, and the young men could call on their lady friends at the right time, I might be in favor of it. That last reference reminds me of another thing that is bad. A boy calls a young lady up and makes an appointment, they have a date for the evening, and fix an hour. She has standard time and he has daylight-saving time, and they do not get together at all. It merely makes for confusion all around, and I certainly hope the Senate will vote the bill down.

If the bill passes—and it probably will—I will be tempted to insert in the Washington newspapers an advertisement in the lost-and-found column reading something like this:

"Lost—somewhere between sunrise and sunset, one golden hour, set with 60 diamond minutes. No reward is offered; it is lost forever."

Mr. WHITE. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hickenlooper	O'Conor
Baldwin	Hill	O'Daniel
Ball	Hoey	O'Mahoney
Brewster	Holland	Overton
Bricker	Ives	Reed
Buck	Johnson, Colo.	Revercomb
Butler	Johnston, S. C.	Robertson, Va
Byrd	Kilgore	Russell
Cain	Knowland	Saltonstall
Capehart	Langer	Sparkman
Chavez	McCarran	Stewart
Donnell	McCarthy	Taft
Downey	McClellan	Thomas, Okla.
Dworshak	McFarland	Thye
Eastland	McGrath	Tobey
Ecton	McKellar	Umstead
Ellender	McMahon	Watkins
Ferguson	Magnuson	Wherry
Flanders	Malone	White
Fulbright	Martin	Wiley
Green	Maybank	Williams
Gurney	Millikin	Wilson
Hatch	Moore	Young
Hawkes	Morse	
Hayden	Murray	

The ACTING PRESIDENT pro tempore. Seventy-three Senators having answered to their names, a quorum is present.

The bill is open to amendment. If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The ACTING PRESIDENT pro tempore. The question now is, Shall the bill pass?

Mr. OVERTON. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. WHERRY. I announce that the Senator from Illinois [Mr. BROOKS] and the Senator from Missouri [Mr. KEM] are necessarily absent.

The Senator from Indiana [Mr. JENNER] and the Senator from Wyoming [Mr. ROBERTSON] are absent because of illness.

The Senator from Oregon [Mr. CORDON] and the Senator from Kentucky [Mr. COOPER] are absent by leave of the Senate.

The Senator from Kansas [Mr. CAPPER], the Senator from Massachusetts [Mr. LODGE], the Senator from New Jersey [Mr. SMITH], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate because of attendance at an important committee meeting.

The Senator from South Dakota [Mr. BUSHFIELD] and the Senator from New Hampshire [Mr. BRIDGES] are unavoidably detained. If present and voting, the Senator from New Hampshire would vote "yea."

Mr. MAYBANK. I announce that the Senator from Illinois [Mr. LUCAS] and

the Senator from Pennsylvania [Mr. MYERS] are absent on public business.

The Senator from Georgia [Mr. GEORGE], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Idaho [Mr. TAYLOR] is detained on official business at one of the departments of the Government.

The Senator from Florida [Mr. PEPPER] is in attendance at an important meeting of the Committee on Foreign Relations.

The Senator from Kentucky [Mr. BARKLEY], the Senator from Texas [Mr. CONNALLY], and the Senator from Utah [Mr. THOMAS] are absent by leave of the Senate because of attendance at an important committee meeting.

The result was announced—yeas 56, nays 17, as follows:

YEAS—56

Aiken	Gurney	Martin
Baldwin	Hatch	Millikin
Ball	Hawkes	Morse
Brewster	Hayden	Murray
Bricker	Hickenlooper	O'Conor
Buck	Hill	O'Mahoney
Butler	Hoey	Reed
Cain	Holland	Saltonstall
Capehart	Ives	Sparkman
Donnell	Johnson, Colo.	Stewart
Downey	Johnston, S. C.	Taft
Dworshak	Knowland	Thye
Eastland	McCarran	Tobey
Ecton	McCarthy	Umstead
Ellender	McFarland	Watkins
Ferguson	McGrath	White
Flanders	McMahon	Wiley
Fulbright	Magnuson	Williams
Green	Malone	

NAYS—17

Byrd	Maybank	Russell
Chavez	Moore	Thomas, Okla.
Kilgore	O'Daniel	Wherry
Langer	Overton	Wilson
McClellan	Revercomb	Young
McKellar	Robertson, Va.	

NOT VOTING—22

Barkley	George	Smith
Bridges	Jenner	Taylor
Brooks	Kem	Thomas, Utah
Bushfield	Lodge	Tydings
Capper	Lucas	Vandenberg
Connally	Myers	Wagner
Cooper	Pepper	
Cordon	Robertson, Wyo.	

So the bill (S. 736) was passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the joint resolution (S. J. Res. 27) amending the Settlement of Mexican Claims Act of 1942 to provide for the consideration of any claim decided by the General Claims Commission in which the United States filed a petition for rehearing.

The message also announced that the House had agreed to a concurrent resolution (S. Con. Res. 8) relative to placing temporarily a statue of the late Senator Borah, of Idaho, in the rotunda of the Capitol and the holding of ceremonies in connection therewith.

SYNTHETIC-RUBBER PRODUCTION

Mr. TAFT. I move that the Senate proceed to the consideration of House Joint Resolution 118.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The CHIEF CLERK. A joint resolution (H. J. Res. 118) to strengthen the common defense by maintaining an adequate domestic rubber-producing industry.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Ohio.

The motion was agreed to, and the Senate proceeded to consider the joint resolution.

The ACTING PRESIDENT pro tempore. The committee amendments have heretofore been agreed to. The joint resolution is open to further amendment.

Mr. BRICKER. Mr. President, at the conclusion of the discussion of the pending bill a while ago on the floor of the Senate, while the calendar was being called, several questions were asked, the information with respect to which was not available at that time. I have since secured the information, and I think I have satisfied the Senator from Wyoming [Mr. O'MAHONEY] that the Toledo plant is one that ought to be sold at this time. It is a reconverted plant with dilapidated machinery, all of it second-hand in the beginning, and it would cost $1,000,000 to rehabilitate and place in operation.

A question was further asked in regard to the Omaha plant. The Senator from Nebraska [Mr. BUTLER] was interested in that plant. It is now utilized entirely for the manufacture of alcohol; it is operated directly by the Government and is not involved in any way in the proposed authority to sell.

The plants which are in the alcohol group, which the Government has to sell, about which there was some question, are, first, at Kobuta, Pa.; second, at Institute, W. Va.; and, third, at Louisville, Ky. It is the Department's intention, of course, under the law, to advertise for bids and sell them to the ones from whom they secure the best bids, as I understand. That is the authority we have asked in this bill.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. BUTLER. I should like to have the distinguished Senator from Ohio give me a little further assurance that the Omaha plant is not included. I presume the opinion he has just stated was arrived at by conferring with those who prepared the bill?

Mr. BRICKER. With the RFC.

Mr. BUTLER. In paragraph (d), on page 5, it is provided that—

there shall not be declared as surplus nor shall War Assets Administration dispose of any synthetic-rubber plant and facilities.

The Omaha plant would not come under the words "and facilities"?

Mr. BRICKER. It is not intended to be included under those words.

Mr. BUTLER. The only product the Omaha plant has produced is alcohol, industrial and otherwise, and sirup.

Mr. BRICKER. Some might still be sold for the purpose of making rubber, but the plant has not been engaged in that line of work.

Mr. BUTLER. So we can be quite certain that the Omaha plant is not affected in any way?

Mr. BRICKER. I am sure of that.

Mr. WILSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. WILSON. What about the Muscatine plant?

Mr. BRICKER. There is no Muscatine plant included in the request for authority to sell.

Mr. O'MAHONEY. Mr. President, this measure went over earlier in the day because of a question which I raised. During the consideration of the daylight saving bill I conferred with the Senator from Iowa [Mr. BRICKER] and the Senator from Virginia [Mr. ROBERTSON]. I called the Reconstruction Finance Corporation. I find that the Toledo plant, which is exempted by the terms of the committee amendment from the prohibition of the sale of plants exceeding a cost of $5,000,000, is a high-cost plant which, according to the report filed by Congress on behalf of the Office of War Mobilization and Reconversion by Mr. W. L. Batt, was not designed for retention by the Government. That plant will be cannibalized and sold in different ways. I am quite satisfied from the inquiries I have made and the replies I have received from responsible authorities that there is no objection to the amendment. I am glad to give my support to the amendment and to the joint resolution.

Mr. BRICKER. Mr. President, I have information as to all the plants involved, showing the cost of construction and the present operators. However, it is not necessary to read such information into the RECORD unless there is some further question.

Mr. BUTLER. Mr. President, there was a question not only with reference to the Omaha plant, but other plants. Altogether there are three Government-owned alcohol plants, one at Omaha, one at Kansas City, and one at Muscatine, Iowa. As I understand, the Senator from Ohio is certain that the provisions of the joint resolution in no way affect the disposal of those plants.

Mr. BRICKER. The joint resolution does not affect the alcohol plants at all.

Mr. WILSON. Mr. President, I should like to ask the Senator from Ohio a question. Does the joint resolution affect the plant at Muscatine?

Mr. BRICKER. No; that is one of the alcohol plants, and it is not affected in any way.

The ACTING PRESIDENT pro tempore. The joint resolution is before the Senate and open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the joint resolution.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution (H. J. Res. 118) was read the third time and passed.

EXECUTIVE SESSION

Mr. WHITE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. WILEY, from the Committee on the Judiciary:

Borinquen Marrero Rios, of Puerto Rico, to be associate justice of the Supreme Court of Puerto Rico, vice Jorge Louis Cordova Diaz, resigned.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

ATOMIC ENERGY COMMISSION—NOMINATION OF DAVID E. LILIENTHAL

Mr. WHITE. Mr. President, under the heading of the Tennessee Valley Authority and the Atomic Energy Commission there are seven names on the Executive Calendar. I think it would facilitate consideration of the controversial nominations if we were to proceed first with the nomination of Mr. Lilienthal, leaving for later disposition the consideration of the other nominations. I therefore ask unanimous consent that the Senate proceed to the consideration of the nomination of David E. Lilienthal to be a member of the Atomic Energy Commission.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. WHITE. I yield.

Mr. McKELLAR. Is the nomination of Mr. Clapp to be a member of the Board of Directors of the Tennessee Valley Authority included among the seven nominations mentioned by the Senator?

Mr. WHITE. Yes.

Mr. McKELLAR. I would rather have that nomination considered separately.

Mr. WHITE. Then I modify my request to the effect that the Senate proceed to the consideration of the nominations under the title "Atomic Energy Commission" and that we first consider the nomination of David E. Lilienthal.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of David E. Lilienthal to be a member of at Atomic Energy Commission?

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. HICKENLOOPER. As I understand, unanimous consent has been given for the consideration at this time of the nomination of David E. Lilienthal to be a member of the Atomic Energy Commission.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. HICKENLOOPER. As I understand, there is no understanding or agreement, or consent given which requires that all the nominations under that heading be voted on at once.

The ACTING PRESIDENT pro tempore. There is not.

Mr. HICKENLOOPER. It was my understanding the other day that it was the general consensus that while we might discuss the nominations together, the Senate desired to vote on each nomination separately; but I believe that no such agreement has been formally entered into.

The ACTING PRESIDENT pro tempore. The Chair will say to the Senator that the discussion can proceed as it normally would, but the determination of the voting can come at a later time.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. WHERRY. As I understand, the pending question is the confirmation of the nomination of Mr. Lilienthal.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. HICKENLOOPER obtained the floor.

Mr. WHITE. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

Mr. HICKENLOOPER. I yield.

Mr. WHITE. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hayden	O'Conor
Baldwin	Hickenlooper	O'Daniel
Ball	Hill	O'Mahoney
Barkley	Hoey	Overton
Brewster	Holland	Reed
Bricker	Ives	Revercomb
Bridges	Johnson, Colo.	Robertson, Va.
Buck	Johnston, S. C.	Russell
Butler	Kilgore	Saltonstall
Byrd	Knowland	Smith
Cain	Langer	Sparkman
Capehart	Lodge	Stewart
Capper	McCarran	Taft
Chavez	McCarthy	Taylor
Connally	McClellan	Thomas, Utah
Donnell	McFarland	Thye
Downey	McGrath	Tobey
Dworshak	McKellar	Umstead
Eastland	McMahon	Vandenberg
Ecton	Magnuson	Watkins
Ellender	Malone	Wherry
Ferguson	Martin	White
Flanders	Maybank	Wiley
Fulbright	Millikin	Williams
Green	Moore	Wilson
Gurney	Morse	Young
Hatch	Murray	
Hawkes	Myers	

The ACTING PRESIDENT pro tempore. Eighty-two Senators have answered to their names. A quorum is present.

The question is, Will the Senate advise and consent to the nomination of David E. Lilienthal to be a member of the Atomic Energy Commission?

Mr. HICKENLOOPER. Mr. President, the question of the confirmation of the President's appointments to the Atomic Energy Commission and the General Manager of the Commission is of vital and immediate importance to the American people. The matter has been before the Senate section of the Joint Committee on Atomic Energy and before the country for a considerable period of time, and it should be settled without further delay.

The Atomic Energy Act was passed last July, and it was approved by the President on August 1, 1946. The President, on October 28, 1946, appointed David E. Lilienthal as Chairman of the Commission, and Dr. Robert F. Bacher, Lewis L. Strauss, Sumner T. Pike, and William W. Waymack, members. The President thereafter appointed Carroll L. Wilson as General Manager. This Commission took over its duties immediately, and the transition from the military control to civilian control under this Commission began at once, culminating in the assumption of full control and responsibility of atomic energy under the Atomic Energy Act by the Commission on January 1, 1947. This Commission, therefore, has been in practical charge of our entire operations in the atomic energy field since the 1st of November 1946.

It must be recalled, Mr. President, that prior to the appointment of the Commission last fall, the entire atomic energy project from its earliest inception to the successful production of an atomic bomb was a military operation, controlled by the military under war conditions and under all the secrecy and highest degree of security that such conditions demand.

This effort called for the greatest concentration of scientific and industrial ability and resources ever devoted to a single project, and its success is an everlasting monument to the American free-enterprise system and to the ability with which such a system, in time of emergency, brings together the cooperative genius of freemen. The success of this project is also a monument to the organizing and directing ability of Gen. Leslie R. Groves, whose ability and genius coordinated all of the various and conflicting fields of science and industry, resulting in the production of a weapon that ended the war, saved countless thousands of American lives, and laid the basis for the practical application of great new scientific principles which we hope will contribute immeasurably to the peaceful progress and advancement of mankind.

With the surrender of Japan, however, and the lack of any clear peacetime method of handling this new force, without any history or experience for a guide, and with the future mysteries of atomic energy still unsolved, the progress in this field abated somewhat. No legislative program for the control and advancement of the science had yet been prepared; speculation and imagination immediately ran riot; and predictions running all the way from dire and unavoidable doom to the immediate presence of the millennium as the result of this discovery swept not only our country but the world. Because there was no legislative program provided for the immediate transition from war to peace, it was necessary for the military to retain full and complete control, under military terms and conditions, of this going plant that had been built; and it was essential that the military retain such control until a program of peaceful handling had been devised. The Special Committee on Atomic Energy of the Senate went to work on this problem early in the fall of 1945. Various theories of legislation were proposed. The committee was fully aware, not only of the seriousness of the problem, but of the vital necessity for finding the best possible solution within the limits of knowledge and of reasonable prediction. It gave intensive time and attention to the formulation

of a peacetime legislative policy and of laws to implement it. The result of these studies was the Atomic Energy Act of 1946, that was signed by the President on August 1, 1946.

Meanwhile, a year of uncertainty had passed; scientists and engineers in varying degrees of ability, experience, and knowledge began to drift away from the project and return to their normal peacetime jobs or studies; no one could be certain just what the final program might be; the military could not satisfactorily operate it as a peacetime activity, or program the future from that standpoint; the civilian commission was not appointed until late October in 1946. The military administration under the Manhattan district did keep the activities connected and intact, but held them more or less in status quo until such time as a peacetime policy could be established and confirmed; but it is only fair to say that the degree or extent of progressive, scientific, and practical advancement during this period has not been as great as it could have been under settled conditions.

Finally, in the first part of November 1946, the newly appointed chairman and members of the Atomic Energy Commission designated by the President began the job of taking over the program of peacetime control under the Atomic Energy Act; and, as said before, their full and complete control was accomplished January 1, 1947. The Manhattan District was thereupon relieved of authority over and direction of the activities, and that Commission is now and has been in control of this most vital American and even world responsibility for over 4 months.

The United States and the world cannot afford to have any further delay in the reliable and vigorous progress of this science, nor can the United States or the world afford to brook further continuance of confusion, uncertainty, and stagnation of the progress we must make or the maintenance of the preeminence in this field that we must maintain for the assurance and, in fact, the guaranty of our system of human freedom and human hope in these uncertain times. No possible excuse will suffice to tomorrow's generation if we, by protracted confusion, unsupported fear, or unfounded suspicion, permit delays in our immediate and utmost progress in atomic energy. Until reliable assurances of peace and good will can be had, it is our major safeguard against barbarism and social and economic destruction.

The Commission that has been appointed may not be satisfactory to every one; it may be that no Commission would be satisfactory to every one. In a field where there is no history of past operation, and where the future is not clearly patterned, no one can define with certainty exactly what kind of Commission would best serve us, or can describe exactly the particular temperament and abilities of the personnel that is required to best serve us. I think, Mr. President, that each of us can only try to appreciate the vital necessity of getting on with this work vigorously, in order to make the best possible progress; and we should form our opinions as to the Commission, based upon the broad individual capacities of its membership, their devotion to the basic philosophies of our system and their fundamental honesty and integrity of purpose.

It must also be borne in mind that the members of this Commission, appointed by the President, hold office, under these appointments, only until a year from next August, or approximately eighteen months from now. This provision was placed in the law by the Senate special committee, and was passed by the Congress, upon the theory that no one could be certain as to just how atomic energy should be handled under a permanent peacetime policy. This provision permits the continued and vigorous development of atomic energy, but gives time during which its operation can be further examined and studied and provides opportunity for any changes or alterations that experience dictates.

The hearings before the Senate section of the Joint Atomic Energy Committee have been protracted and exhaustive; the printed copies of those hearings have been placed upon the desk of each Member of the Senate; most of the inquiry was relevant to the issues at hand, but some of it was immaterial and burdensome. Mr. President, I may say, however, that every substantial suggestion touching upon the qualifications of these appointees that came to the attention of the committee was investigated; every witness requested was summoned; the committee made inquiries of its own; upon the whole record the committee came to the conclusion that the commission appointees and the General Manager should be confirmed and the committee so recommends.

It is not my purpose, in this statement, to discuss the details of the hearings in connection with the qualifications of each of the appointees. In the report of the hearings that has been delivered to the Senate, the background and qualification of each man is set out in connection with his appearance before the committee.

However, because much of the testimony in examination before the committee was directed at the qualifications of David E. Lilienthal as Chairman of the Commission, I should like to discuss that phase of the examination briefly.

Suggestions and insinuations were made that Mr. Lilienthal either was friendly to Communist elements and persons or was tolerant of and indifferent to the activities of Communists in connection with his administration of the Tennessee Valley Authority while a member of the Board of Directors and Chairman. Much time was given to this phase of the inquiry, but the most that can be said of the evidence developed after penetrating emotional innuendo, insinuation and suggestion is that the evidence produced before the committee was only a burdensome rehash of the evidence taken in at least two and perhaps three other prior hearings and investigations either by committees of the Congress or by arms of the Government and it developed nothing that had not already been passed upon after examination and inspection by public bodies.

Investigation in 1939 and 1940, conducted in the main by the Dies committee in the House, disclosed that in 1937 or 1938 there were three discovered Communists employed in TVA out of a total number of employees of upward of ten or eleven thousand. I think it is a fair conclusion from the evidence to say also that there were seven or eight persons whose actions, conduct, and statements at that time indicated their sympathy for communism and they might well be called "fellow travelers." The Dies committee went into this matter and held a hearing, on the ground, in the area of the Tennessee Valley Authority. The results of this investigation were reported to the authorities of TVA and two of the admitted Communist Party members were discharged and one was retained.

The evidence with respect to the retention of this one seems clear; that is, his strong affirmation that while he had been a member of the Communist Party as a young man then of but 19 or 20 years of age, he had maintained his delusion for only a year or so, and upon discovering that what he thought was communism, as an American political party philosophy, was, in fact, a party whose ideology and direction came from foreign sources, he withdrew and has become anticommunistic and a substantial foe of the Communist philosophy and objectives in this country. This young man, who was then about 21 years of age, was retained, for a time, on the pay roll of TVA by the personnel office, apparently upon the basis that the Authority believed the facts in connection with his prior renunciation and abandonment of his former beliefs.

The evidence also indicates that there were probably not more than 50 or 60 known Communists in the entire State of Tennessee at the time of this investigation.

Had disciplinary action not been taken by the Tennessee Valley Authority in connection with these cases, it undoubtedly would justify vigorous criticism, but it would seem fairly conclusive to say that the Dies committee, then intensively engaged in investigating and acting against subversive movements and people, seemed satisfied with the results and pursued the matter no further.

The sum total of the record before the Senate section of the Joint Committee on Atomic Energy fails to disclose that David E. Lilienthal is either a Communist, a "fellow traveler," or that he has at any time encouraged or supported Communist activities.

This is not to say that the mere lack of evidence of any "fellow traveler" or communistic sympathy leaves the matter in doubt. It does not. I think the evidence affirmatively shows that Mr. Lilienthal is fundamentally committed to the basic principles of Americanism with a deep and intelligent understanding of all the connotations of those principles.

The evidence further establishes, in my mind, that Mr. Lilienthal is a man of high intelligence, great administrative ability, and vigorous devotion to the successful operation of any enterprise with which he is associated. It is entirely possible that I might disagree with him on certain important partisan political matters, but my conception of the

administration of the atomic-energy program in this country is that it is one field that must be above pure partisanship; that it must be conducted with a vigorous and impartial conception of basic security, and, at present, of the necessity for the over-all preeminence of the United States.

The record further discloses no conclusions of dishonorable conduct on the part of Mr. Lilienthal but, on the contrary, leaves the conviction that he is possessed of an idealism, controversial perhaps to some, but nevertheless an idealism conceived and founded upon the basis of human rights.

An impressive part of the evidence is involved in the testimony of Dr. Arthur E. Morgan and the suggestions that may flow from it. To me the evidence here indicates a conflict of administrative methods and concepts of objectives. I believe Dr. Morgan is a fine engineer and honest, but I believe the conflict between Dr. Morgan and Mr. Lilienthal was one between a builder of physical properties on the one hand and an advocate of a conception of administrative progress on the other. Mr. Lilienthal was much younger, no doubt possessing an ambition and a vigor restless with professional detail; and perhaps two able people, each with a different perspective, clashed in their viewpoints without ever having arrived at a fundamental common ground of understanding.

The list of preeminent people, American citizens of the highest trust, who gave testimony urging the confirmation of Mr. Lilienthal is impressive. May I recite a few? The Honorable Dean Acheson, Under Secretary of State; Dr. Vannevar Bush, head of the Carnegie Institution of Washington and perhaps the man who was trusted above all others in connection with the development and production of our most secret and technical weapons of war; Dr. Karl T. Compton, president of the Massachusetts Institute of Technology; Dr. James Conant, president of Harvard University; Dr. John S. Dickey, president of Dartmouth College; Hon. Bernard M. Baruch, who needs no identification in the United States; Mr. John M. Hancock, one of the ablest business administrators and executives in our country; Mr. Joseph H. Lane, president of the Cavalier Corp.; Mr. John Lord O'Brian, one of America's leading attorneys; the Honorable Robert P. Patterson, Secretary of War; Mr. Charles A. Thomas, vice president of Monsanto Chemical Co.; Mr. Harry A. Winne, vice president, General Electric Co.; Mr. Prentiss Brown, one of the leading private utility executives of the United States and a former Member of this body; the American Farm Bureau Federation; the Reverend Thomas E. O'Connell, on behalf of the Catholic Committee of the South; Bishop E. H. Hughes, of the Methodist Episcopal Church; dozens if not hundreds of endorsement messages by the clergy of our major religious denominations; a great number of civic and public-spirited organizations; and very significantly indeed the editorial approval of his appointment of leading newspaper editors of both major political parties from coast to coast.

While it is true that pressure group organizations as such should not dictate legislation because of pressure, I nevertheless say, Mr. President, that such cosmopolitan endorsement cannot be treated lightly. We have had undeniable pressure group activity both for and against Mr. Lilienthal, and where this is apparent, as it often is, it should be either credited or discounted as knowledge of the motives and methods may be apparent. If we approach the confirmation of Mr. Lilienthal, however, under all of the contingencies, demands, and vital requirements of this moment, we must conclude that he is considered by a wide variety of American public opinion to be acceptable as Chairman of the Commission.

I fully realize that many people who write their Senators do it as a result of the urging of some organization head, but the thinking of the individuals in the list I have recited, of those who speak for groups, must undoubtedly be the considered judgment of individuals who are informed and who speak as a result of mature thinking.

May I say again, in concluding this statement, that there are vital issues at stake today of controlling import. The members of this Commission, now subject to confirmation, have been in control of our entire atomic energy program for over 4 months. Their terms of office expire, under the law, in less than 18 months. The continuity of our development in the atomic energy field is absolutely essential to our national security at this time. The confusion and chaos that would be necessitated by a repudiation of the Presidential appointments at this time and the mad scramble for satisfactory replacements for this Commission would be almost fatal to our program. The practical problems of now securing the services of other satisfactory individuals to step into a job that can only be confirmed for 17 months in this experimental, pioneering and still uncertain field would be almost insurmountable.

If I had any sound conviction that the character or trustworthiness, from a national standpoint, of any of these appointees had been reasonably in question I should vote against them, but in my opinion it has not. The most I could say is that there may be members with whose incidental views I might on occasion be in opposition but concerning whom in no instance can I question the basic American integrity or loyalty.

The administrative policies either now set up or proposed by this Commission may be the subject of some dispute but I earnestly point out to you that the law has provided for the establishment of a joint committee on this subject whose duty it is to study and examine the development and progress of this science. This committee does not propose to order the technical details of atomic energy, but I assure you that the committee will, in harmony with the over-all best interests of our Nation, continue its studies of this new venture and that the committee shall, as a representative of this Congress, under its responsibility work with this Commission to guarantee a program for atomic energy that will safeguard our interests and preserve our preeminence.

Mr. President, as I stated in the formal statement I have just made, most of it, at least in the latter part, was devoted to Mr. Lilienthal, but I may point out that what was said about him by the various prominent people and individuals and organizations that came before our committee and testified, was told to us also concerning every other appointee to the Commission. We found, for instance, that these appointees are men of experience and ability. Perhaps they are not, any of them, atomic scientists, but they are men whose records in the past show them to have been tremendously successful in their various fields of activity.

Mr. Lilienthal is an administrator, a lawyer by profession, but an administrator who has proven his ability to administer and conduct large enterprise very successfully. Mr. Lewis Strauss is an investment banker of long experience with extensive governmental experience interspersed with his private activities, and a man who, has had, as a layman, I believe, more practical contact with nuclear fission than any other member of the Commission. The evidence developed I believe that it was about 1936 or 1937 that he began with his own private funds to aid in the investigation of this field. He was not trying to produce atomic energy as we now refer to it, but he was interested in nuclear fission, in one way or another, because his interest was in cancer research and, as a layman, he contributed substantial funds and maintained a constant interest in the whole atomic field. He is in my judgment one of the best qualified laymen, with an understanding of this particular line of scientific activity, that could be found.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from New Hampshire.

Mr. BRIDGES. The Senator does not mean to imply by his speech that these men are the best qualified men in the United States for the job, does he?

Mr. HICKENLOOPER. I think all honesty would cause me to say "no"; I do not think they are necessarily the best men. I do not know, in my own mind, exactly who would be the best men in the United States. However, I will say to the Senator that I believe they are amply able and amply capable, and I am satisfied that they can conduct the activities of this Commission with credit to themselves and with benefit to the country.

Mr. BRIDGES. Will the Senator yield further?

Mr. HICKENLOOPER. I yield.

Mr. BRIDGES. As a matter of fact, what the committee of which the distinguished Senator is chairman did was to determine not whether these were the best qualified men in the United States for the job but to determine that in the judgment of the Senator from Iowa and his colleagues on the committee the men appointed were not too bad for the job. Is not that true?

Mr. HICKENLOOPER. Mr. President, I am delighted to answer that question.

It is not the province of our committee or of any committee of the Senate to canvass all the citizens of the United States to see whether the President appointed the best men for the job. The appointing responsibility is in the President. We have only an examining and confirming responsibility. If the President has sent us the nomination of somebody who is completely incapable or has other defects which in our judgment would make it impossible for him to give reasonably proper service in that job, then I think we should consider it from that angle. As I said to the Senator a while ago, I do not know that I would want the voters in the State of Iowa to examine too carefully to see whether they could pick out somebody better to send here in my place.

Mr. BRIDGES. Will the Senator yield further?

Mr. HICKENLOOPER. I yield.

Mr. BRIDGES. I would rather take a chance on the proposition the Senator stated than I would on some of the nominees for this Commission, for I think the Senator would stand a much better chance than the nominees to the Commission.

I want to ask the Senator if it is not a very sad commentary upon the United States of America today that first the committee, and now the Senate, instead of deliberating on the question of whether the nominees to this all-important Commission are the ablest, are on the lower level of trying to determine whether they are the worst qualified; whether Mr. Lilienthal is too bad for the job. In my opinion it is a matter of judgment, and in my judgment he is; in the judgment of the Senator from Iowa apparently he is not. It is a matter of degree of judgment whether this man, appointed to this great office, is too bad for the job. That is a very sad commentary.

Mr. HICKENLOOPER. Mr. President, I do not want to adopt the Senator's premises as mine in this philosophic approach to the matter. I will say that I am not certain in my own mind exactly what kind of a man should be chosen to be Chairman of the Commission, or exactly what kind of a person should be a member of the Commission for the reason that we have no history of the operation of atomic energy. We have no pattern to guide us. We do not know where we are going in the future.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. May I finish this statement? I am trying to say to the Senator that there is a great question in my mind as to whether or not we would need the most capable scientist in the world to operate this project, or the best businessman, or where the qualifications of the Chairman should lie. I have come to the conclusion, at least until experience teaches me differently, if it ever does, that in the policy making at the top we probably need more intelligent business administration in this matter than we do meticulous scientific direction. All scientists work in laboratories.

Mr. BRIDGES. The Senator said that he has not determined whether we need a great businessman or a great scientist. In Mr. Lilienthal we have neither. He is neither a good businessman nor a good scientist. So by the Senator's own formula he should have disqualified Mr. Lilienthal.

Mr. HICKENLOOPER. I do not think that is quite a proper assumption. I said a moment ago that I have come to the conclusion that this is an administrative job, and I think the record of Mr. Lilienthal shows that he is one of the most outstanding administrators of a public activity that has ever been produced in this country. I think he is unusually outstanding as a public administrator.

Mr. BRIDGES. He probably can spend Government money, the taxpayers' money, faster than almost any other man in the country—I think the Senator is right about that—with very little accounting to the Congress from which he received the funds.

Mr. HICKENLOOPER. His money-spending proclivities may be great. I do not know. But he is a good administrator, an excellent one; I think a completely outstanding administrator. And this particular activity calls for a high type of administration.

Mr. BRIDGES. Mr. President, will the Senator again yield?

Mr. HICKENLOOPER. Yes.

Mr. BRIDGES. The Senator said, as I understood him, that we have no pattern of the past to guide us; that we are going into an unknown future field, and therefore the Senator cannot decide what type of man he wants. In that case, does not the distinguished Senator from Iowa think he has a very distinct duty to his country and to the Senate to look more thoroughly into the background of these men than he would have ordinarily, and does not the Senator think that if there is the slightest taint on any of them that either they should be big enough to step out of the picture or the Senator from Iowa and his colleagues should advise they be turned down?

Mr. HICKENLOOPER. I will say to the Senator that what was before our committee was not the obligation to search the country and look over this one and that one and the other one and make comparisons. Our job and our obligation was to examine the appointments the President had made and sent to the Senate. We have no power to appoint. We have no power to select. We would be considered offensive if we recommended to the President whom he should appoint. We are a legislative body and his responsibility is the appointing power. Therefore it was our duty to see whether or not the appointees were able, whether there was anything fundamentally against them which would mitigate against the proper performance of their duty, the able performance of their duty, and we came to the conclusion that the appointees met those tests. That is the limit of our responsibility.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. OVERTON. I am wondering if the able Senator from Iowa will agree with me in the suggestion that the head of this most important Commission should have the unqualified, or practically unqualified, confidence of the Congress of the United States. He will require the cooperation of the Congress if he is to make a success of this great venture. If Mr. Lilienthal is of the very high type which the able Senator has portrayed, does not the Senator think he would, when he knows, as he must know, that a very substantial number of the Members of the United States Senate quite seriously object to his confirmation, of his own accord withdraw? Must he not realize that if he is confirmed he is going to be confirmed under a cloud which will adhere to him throughout his administration?

Mr. HICKENLOOPER. I will say to the Senator that the fact that there might be some objection to Mr. Lilienthal is not to me a sound or a controlling argument. I recall that in the last Presidential election almost 50 percent of the people did not agree with the President, who had been elected on the other party's ticket, and who in the past had been doing a job apparently satisfactorily to about 55 percent of the people. I do not think the question of division of opinion is a logical or a warranted argument.

Mr. OVERTON. If the Senator will pardon me further, that is an entirely different proposition.

Mr. HICKENLOOPER. I think the position of the President is the greatest position in the world.

Mr. OVERTON. And it is always a matter of contest between the two great parties in the United States. When we come to the matter of selecting the head of the Atomic Commission it is not a question of republicanism against democracy, or democracy against republicanism; it is a question of selecting one who enjoys the confidence of both Democrats and Republicans.

Mr. HICKENLOOPER. Mr. President, we would have to go a step further. He must be able to do the job. It is not sufficient that we have confidence in him. He must also be able to perform his task.

Mr. OVERTON. Certainly. He must have ability, faithfulness, and energy, and he must also above all other things have the confidence of the Congress of the United States, or he will not make a success of it.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. BRICKER. The Senator from Iowa mentioned a moment ago that Mr. Lilienthal is a man of high or great administrative ability. I should like to have the Senator give to the Senate his definition of great administrative ability.

Mr. HICKENLOOPER. That may be a matter of degree that appeals differently to different people. I said I believed that Mr. Lilienthal was a man of high or great ability administratively. I have been in the Tennessee Valley, but I am not familiar with it at all. I never have been there to inspect the Tennessee Valley installations. But I have talked about it with people I have known intimately for several years. I know one

engineer especially who has worked in the Valley for a number of years as an engineer in the TVA. I know a number of other people, both in TVA and who live in the Valley and who have lived there for a number of years. I know that they speak universally of the outstanding efficiency with which Mr. Lilienthal, as Chairman, has operated the TVA. I have also received recommendations from people in Government who have examined and audited and looked over the administrative set-up down there and who speak extremely highly of the efficiency and the orderliness and the progress with which that institution is conducted. It is an institution of considerable size. I know there are quarrels respecting the methods of operation, but, after all, as I understand, it has been operated in the way Congress voted.

Does that answer the question of the Senator from Ohio?

Mr. BRICKER. That does not answer me, but that is the Senator's definition.

Mr. HICKENLOOPER. That is correct.

Mr. BRICKER. Let me ask one further question. Is it not true that there has been great resistance on the part of Mr. Lilienthal to an accounting to the Congress or the Government with respect to the financial operations of the great Tennessee Valley Authority?

Mr. HICKENLOOPER. I do not so understand, Mr. President.

Mr. BRIDGES, Mr. TAYLOR, and Mr. McMAHON addressed the Chair.

The ACTING PRESIDENT pro tempore. Does the Senator from Iowa yield, and, if so, to whom?

Mr. HICKENLOOPER. I yield first to the Senator from New Hampshire.

Mr. BRIDGES. The Senator has just stated that he does not so understand. I have been a Member of the Senate for 11 years. If the Senator does not understand it, he should examine the records of the Appropriations Committee if there is any question in his mind. He certainly would understand then.

Mr. HICKENLOOPER. Mr. President, I did not complete my statement. I said that I did not so understand. I do understand that Mr. Lilienthal had certain philosophies of operating a publicly owned enterprise of this kind, and that among those ideas was the idea that the restrictions and slowness of legislative action did not make for efficiency. I am not arguing that philosophy one way or the other. However, he argued that that plant could operate successfully only under certain conditions which did not permit the TVA, for example, to be hamstrung by what he thought might be legislative action. That attitude may be right or wrong. I understand that he fought for that philosophy, and that he entered into some rather pointed arguments. Perhaps he was a lobbyist. I do not know. But apparently the Congress agreed with Mr. Lilienthal. I have talked with representatives of the auditing department. Some time ago someone came to me and said that the General Accounting Office had some very sharp criticism of Mr. Lilienthal because he had been doing things that were wrong. So just as we tried to follow up every other lead, I went to the General Accounting Office to examine the reports of the audit. There is not one word of criticism against Mr. Lilienthal for the past 2 or 3 years. That business is being operated according to the laws that Congress laid down. Perhaps Mr. Lilienthal was a little too vigorous in advancing his views, but apparently Congress agreed with him.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. McMAHON. When I first rose to ask the Senator to yield, I wished to point out exactly what he has pointed out, namely, that it was the responsibility of the Congress, to itself and to the people of the United States, to change the organic TVA Act, instead of blaming Mr. Lilienthal for, shall we say, advocating that it be kept as it was.

I wish to point out further to the Senate that the nomination of Mr. Lilienthal as the TVA Administrator was confirmed practically unanimously in 1945, after 11 years of his administration of that office.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. MORSE. Did the Senator from Iowa in his investigation find any evidence whatsoever—even a scintilla of evidence—that Mr. Lilienthal has been guilty of any dishonesty in the administration of TVA, so far as the books are concerned?

Mr. HICKENLOOPER. No. I have never heard any individual charge Mr. Lilienthal with personal dishonesty in operating the TVA. Some have said that he has been ruthless; some have said that he overrode others; but I have never heard anyone accuse him of being personally dishonest. I am convinced that the man is personally honest.

Mr. MORSE. Did the Senator find any evidence whatever of any concealment on the part of Mr. Lilienthal in keeping the books of TVA?

Mr. HICKENLOOPER. Not the least.

Mr. MORSE. Did the Senator find that under the accounting system he was entitled to maintain under the congressional law his books were open books?

Mr. HICKENLOOPER. I am not enough of an accountant to know whether they were "open" books or not. The records were available. I could find no evidence in the General Accounting Office that there had been any concealment or failure or inability to get at the books of the TVA.

Mr. MORSE. The Senator has already stated that, so far as the committee which investigated Mr. Lilienthal is concerned, the evidence shows that he has administered TVA in accordance with the letter of the congressional act establishing the TVA.

Mr. HICKENLOOPER. I will say to the Senator from Oregon that the evidence does not necessarily show that conclusively. There is a dispute. The distinguished Senator from Tennessee [Mr. McKELLAR] disputes that Mr. Lilienthal is conducting his financial reporting and his financial structure in accordance with the law. I disagree in a friendly way with the Senator from Tennessee on that point. He does not agree that Mr. Lilienthal is conducting the business and accounting of TVA as it should be conducted. I will say to the Senator from Oregon that, so far as my opinion is concerned, the evidence is clear that it is being conducted perfectly proper.

Mr. MORSE. I should like to ask one further question on that point. I also understand the Senator from Iowa to say, in effect, that, so far as the General Accounting Office is concerned, it makes no charge that he is not administering the accounting of TVA in accordance with the law.

Mr. HICKENLOOPER. That is correct, according to the statements made to me.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. McMAHON. Of course the Senator from Tennessee is present, and he can correct me if he wishes to do so. I have always understood the position of the Senator from Tennessee to be not as the Senator from Iowa stated, namely, that Mr. Lilienthal was not complying with the provisions of the law. As I understand, the Senator from Tennessee believes that the law should be changed.

Mr. HICKENLOOPER. I did not undertake to interpret the position of the Senator from Tennessee. The Senator from Oregon asked me if there was any evidence on the point, and I could not say that there was no evidence, because I knew that the Senator from Tennessee disagreed. I expect that at the proper time he will make his own position clear. If I have misstated it, I apologize.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. McKELLAR. I shall be glad to make my position known now.

It will be recalled that I took the position at all times that it was Mr. Lilienthal's duty to account to the Congress of the United States for the money we had given him and the properties we had turned over to him. It has always been my position that he should account to the Government as does every other officer. I believe the act so provides. Mr. Lilienthal took a different position, and therefore I introduced a bill on this subject several years ago, which the Senate passed, requiring him to account just as do the Post Office Department, the Civil Service Commission, the War Department, the Navy Department, and every other department of Government, for the money turned over to them. Mr. Lilienthal is substantially the only one of any importance who does not account to the Congress for the money placed in his hands as trustee. He did not do so. He came to Washington and lobbied against the bill, but the Senate overwhelmingly passed it, as I recall. I can obtain information as to the vote. The bill went to the House of Representatives, and, with President Roosevelt's help, he had the

bill defeated in the House. It was either smothered or defeated—I have forgotten which.

Mr. BARKLEY and Mr. WHERRY addressed the Chair.

Mr. HICKENLOOPER. I yield first to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, I think probably my question should have been asked earlier when the Senator from Louisiana [Mr. OVERTON] suggested a while ago that Mr. Lilienthal should withdraw his name because there was substantial opposition to it. I recall two outstanding instances which, if such a rule of propriety upon the part of nominees had been applied this country would have been deprived of two fine, outstanding judicial officers. I recall that when President Wilson nominated Louis D. Brandeis for the Supreme Court there was long and bitter opposition in the Senate to the confirmation of his nomination. The nomination was finally confirmed and he became one of the great Justices of the Supreme Court, taking his place along with Justice Holmes, to whom there was considerable similarity.

I also recall that when President Hoover nominated Mr. Hughes as Chief Justice of the United States there was bitter opposition to Mr. Hughes, and on the final roll call I think there were approximately 28 votes cast in the Senate against confirmation of his nomination. I am probably not precise, but it was a considerable number. Yet Mr. Hughes, in my judgment, was one of the great Chief Justices of the United States.

So if there had existed in the past, or now exists, any rule of propriety which would require a nominee to withdraw his name because there was bitter or intense or great opposition, the Nation would in the past have lost, and will no doubt in the future lose the services of outstanding men in many capacities for which they are nominated.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. HATCH. I had thought that the Senator from Iowa was about to conclude, and I wanted to say something else, but the remarks of the Senator from Kentucky [Mr. BARKLEY] remind me of the most extraordinary rule which was propounded a while ago by the Senator from New Hampshire [Mr. BRIDGES] that the committee had the duty and obligation, in acting on a Presidential nomination, to reject the nomination unless the person nominated was the best qualified person in the United States for the position. Never before, I think, in the history of the Senate has anyone ever advanced such a rule as that, and never could it be truthfully said that any man has advanced or could advance such a proposition as that and stand on the Constitution of the United States, which gives the President of the United States the sole right to nominate and the Senate the right to advise and consent. I certainly hope that the people of New Hampshire will never adopt such a rule as that when they select their Senators, lest we might lose one of our most esteemed and valuable Members.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from New Hampshire.

Mr. BRIDGES. When the Senator from Kentucky puts David Lilienthal on the same high plane of American public opinion, that Louis Brandeis and Charles Evans Hughes enjoyed, it is an inappropriate reflection on the memory of Mr. Brandeis and Mr. Hughes. I for one resent having Lilienthal placed on the same level with those two great men.

Mr. BARKLEY. I did not intend to incite the resentment of the Senator from New Hampshire. I remembered those two oustanding instances and cited them in contradistinction to the theory which I thought my friend from Louisiana advanced, that when there is outstanding or vigorous or bitter opposition to a man for any appointment he ought to withdraw his name for that reason. I did not mean to put Mr. Lilienthal in the class with Chief Justice Hughes as a lawyer or with Mr. Justice Brandeis as a lawyer. I do not entertain the contempt for Mr. Lilienthal that the Senator from New Hampshire seems to entertain, but I do entertain the same very high reverential regard that the Senator no doubt entertains for former Chief Justice Hughes and the late Justice Brandeis.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. BRIDGES. The Senator from New Hampshire does not entertain any contempt for Mr. Lilienthal. Let me say to the Senator from New Mexico, in reply to his remark that this is the first time the Senate has been called upon to confirm an Atomic Energy Commission, that this is the first time in the history of the United States that an attempt has been made to choose a man to head the Atomic Energy Commission, a commission which is to develop and control a force which may destroy this country and the world. So I have no apologies to offer when I say that we should get the best qualified man in the United States for the chairmanship. Of course, we should. If the President does not nominate for the position an outstanding man, one of the best qualified in the United States, we should reject the nomination.

So far as concerns the statement of the Senator from New Mexico regarding the people in New Hampshire having an opportunity to pass upon Senators if the rule is applied to them, I will take a chance in New Hampshire, just as the Senator from New Mexico will in his State, and I will be in the Senate as long as he.

Mr. HATCH. Mr. President, I certainly regret that my friend the Senator from New Hampshire took any offense at what I said. I was merely trying to be facetious in my remarks.

Mr. BARKLEY. I thought the Senator from New Mexico was trying to pay the Senator from New Hampshire a compliment.

Mr. HATCH. I failed in trying to be funny. The funniest thing in the Senate is the present attitude of the Senator from New Hampshire. I am sorry if I offended the Senator. Perhaps he may be in the Senate long after I am gone and forgotten. If that is the Senator's desire and wish, and the wish of his people, so may it be.

But, Mr. President, I quite well recall that the Senator from New Hampshire has never been too friendly to the Tennessee Valley Authority. I can quite well understand his opposition to Mr. Lilienthal, who has made such a success of the Tennessee Valley Authority. I remember that many years ago on the floor of the Senate the Senator from New Hampshire rose and made a vigorous protest against the Tennessee Valley Authority in connection with a certain jackass which had been purchased. On that occasion the Senator from Tennessee [Mr. MCKELLAR] very ably and eloquently answered the Senator from New Hampshire and demonstrated that he did not know a word about the subject of which he was talking. I also recall quite well when the great and able late Senator from Nebraska, George Norris, challenged the Senator from New Hampshire on the floor of the Senate as to his opposition toward the public power developed by the Tennessee Valley Authority when the Senator from New Hampshire was taking a position in favor of private-power development.

If we are to consider such questions there will be a great deal of debate and argument. I assure the Senator from New Hampshire that in my first remarks I was merely trying to be facetious; and I say again that if he took offense at anything I said I shall certainly be glad to withdraw my remarks.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. Mr. President, I have very little further to say. I should like to canvass the other members of the Commission and give their background; but I yield to the Senator from Nebraska.

Mr. WHERRY. A while ago the Senator made the statement that he was not sure whether the Chairman of the Commission should have a background that was scientific or a background of business ability. I believe that was the Senator's statement.

Mr. HICKENLOOPER. I said there was doubt in my mind as to whether those questions have been answered, because of the uncertainty.

Mr. WHERRY. Would the Senator care to express an opinion as to whether or not Mr. Lilienthal was selected because of his scientific background? Would the Senator, who is supporting Mr. Lilienthal, vote to confirm his nomination because he had a scientific background?

Mr. HICKENLOOPER. Not necessarily.

Mr. WHERRY. Would the Senator say that his support is because of Mr. Lilienthal's business ability?

Mr. HICKENLOOPER. My support for Mr. Lilienthal comes about in this way: First, he is an outstanding nominee; second, he is able; third, he is honest, and I can find no substantial reason which, to me at least, indicates that he is not qualified to do a business-like job in the position for which he has been named.

Mr. WHERRY. That still does not answer my question. Does the Senator select him because of his scientific background or because of his business background?

Mr. HICKENLOOPER. I did not select him. The President appointed him. I do not know why the President appointed him. But I have come to the conclusion that he is able to do the job.

Mr. WHERRY. Mr. President, will the Senator yield once more to me?

Mr. HICKENLOOPER. I am glad to yield.

Mr. WHERRY. I was referring to the statement the Senator previously made. Of course, all he has said here is that Mr. Lilienthal is honest. I take it there are 140,000,000 American peeople who are honest.

I wish to go back to the reasons why the Senator from Iowa supported Mr. Lilienthal, and I wish to ask a question of the Senator in terms of the statement he has previously made. The Senator from Iowa said he had reached the point where he did not know whether the head of the Atomic Energy Commission should have a scientific background or a background of ability as a business administrator. I ask the Senator on what basis he himself decided that he should vote to confirm the nomination of Mr. Lilienthal. I wish to ask once again whether the Senator from Iowa felt that the nomination of Mr. Lilienthal should be confirmed because of Mr. Lilienthal's scientific background or because of his business ability.

Mr. HICKENLOOPER. Mr. President, Mr. Lilienthal has practically no scientific background.

Mr. WHERRY. That is correct.

Mr. HICKENLOOPER. He is a businessman of ability. I do not wish to be misunderstood; I do not wish Senators to understand that I am in a fog about who should be appointed to the position. That is not quite the case. I said that we are in a pioneering field. No one knows what the future of atomic energy will be, except by conjecture. We know we can make an atomic bomb. We think it will do certain things, and we have some idea of what its effect in the field of biology may be. We have had no experience with an Atomic Energy Commission in peacetime. There is no pattern to go by. We do not know, and I defy anyone today to say that atomic energy would be better served in the United States, over the next 20 years, by establishing as the head of the Atomic Energy Commission a highly trained specialist in atomic energy or a businessman with experience as an administrator. I do not know, but I believe Mr. Lilienthal is a man of ability and experience in government administration, and I believe he can do that job. That is why I am for him.

Mr. WHERRY. Mr. President, will the Senator permit me to complete my question?

Mr. HICKENLOOPER. Yes.

Mr. WHERRY. I should like to point out to the distinguished Senator from Iowa the record of the hearings which his committee held, and on the basis of which his committee made its report to the Senate. On page 4 of the hearings, at the bottom of the page, in answer to a question asked by the chairman, who inquired about Mr. Lilienthal's engineering experience, Mr. Lilienthal made this reply:

> I am a lawyer by profession and training. I am not an engineer, nor do I have any technical or scientific background worth mentioning.

So from a scientific point of view, certainly one would not select that background for this administrator.

On page 5, the next page, question was asked as to his business ability. He maintained, not only throughout the testimony on page 5, but also on page 6, that he is an administrator.

That does not seem to me to indicate that he sets himself up at all as being a businessman in any sense of the word, nor as one who has a scientific background.

So I point out to the distinguished Senator from Iowa that when we consider the two requisites which the Senator stated largely governed his action in voting for the confirmation of the nomination of Mr. Lilienthal—namely, that the head of this Commission must have either a scientific background or a business background—we find that the report does not reveal that Mr. Lilienthal has either one, but merely shows that he is an administrator.

Mr. McMAHON. Mr. President, will the Senator yield to me?

Mr. HICKENLOOPER. I yield.

Mr. McMAHON. Supplementing the answer given a moment ago by the distinguished Senator from Iowa, I wish to point out that until the atomic energy plants were developed, the Tennessee Valley Authority was to my knowledge, the largest business enterprise this Government ever engaged in in all its history, and it has been an outstanding success. The success of the Tennessee Valley Authority is attested by the people who have lived with it, by fine men, businessmen, who came before the committee and testified to the worth and utility of this great development and gave Mr. Lilienthal credit for making it what it is.

Let me point out further to the Senator from Nebraska that Mr. Lilienthal's capabilities and qualifications for this post have been testified to, in the record.

Mr. WHERRY. As what?

Mr. McMAHON. His capabilities and qualifications.

Mr. WHERRY. For what?

Mr. McMAHON. For this post. Mr. President, Owen D. Young; Karl Compton, president of Massachusetts Institute of Technology; James Conant, president of Harvard University; Beardsley Ruml; and Bernard Baruch are among those whose names now come to my mind; and a dozen others whom I can point out in the record, have testified that in their opinion this man is well qualified to administer this post. In fact, most of them said he is better qualified than anyone else they know of.

Mr. WHERRY. Mr. President, will the Senator yield to me once more?

Mr. HICKENLOOPER. I yield.

Mr. WHERRY. I should like to ask the distinguished Senator from Connecticut if he will tell us what particular qualifications, business ability, or scientific ability they testified to. If the Senator means his business ability, let me say that I have been a member of the Appropriations Committee for nearly 5 years; and during that time we have appropriated $626,000,000 to the Tennessee Valley Authority, and it has paid back only $17,000,000. Is that a test of his business ability?

Mr. McMAHON. Mr. President, I suppose there are several other tests which can be applied. I have some recollection of some testimony in the record to the effect that it would have been impossible to have 100,000 airplanes built in the United States and flown abroad in 1 year without the Tennessee Valley Authority. It has also been testified in the record that the whole character of the Tennessee Valley has been changed for the better, that private enterprise has flourished and grown, and that it has done so under the leadership and direction of Mr. Lilienthal, the Chairman of the Board of the Tennessee Valley Authority.

The men I have named are men who have worked with Mr. Lilienthal on that very problem, which he was chosen by the President to administer—namely, atomic energy.

Mr. WHERRY. Mr. President, will the Senator yield to me once more?

Mr. HICKENLOOPER. I yield.

Mr. WHERRY. I should like to make a brief observation in answer to what has been stated by the Senator from Connecticut. I have no quarrel with the men who have testified for Mr. Lilienthal. They have a perfect right to say they are for him—and a great many persons have said they were for him. I ask the Senator to state what particular outstanding ability of Mr. Lilienthal's they testified about. It certainly was not his scientific ability, because Mr. Lilienthal disqualifies himself on that ground. It certainly was not his business ability, because Mr. Lilienthal says he is an administrator. After reading his record, I cannot find anything that indicates he has scientific or business ability.

I am not opposing the Tennessee Valley Authority, and this is not a fight. Prentiss Brown, a private-power man, unqualifiedly testified in behalf of Mr. Lilienthal; there is no question about that.

But I should like to inquire whether there is anything outstanding about Mr. Lilienthal's business ability which qualifies him to be Administrator of the Atomic Energy Commission.

Mr. McMAHON. Simply the fact that he has made an outstanding success of the greatest business enterprise this Government has operated in all its history.

Mr. WHERRY. Does the Senator mean that spending $606,000,000 and getting back $17,000,000 is an outstanding success?

Mr. McMAHON. Mr. President, the question is not to be stated in terms of the investment of dollars and the return of dollars. It cannot be measured in that way, and the Congress which passed the Tennessee Valley Authority Act knew it could not be measured in those terms,

and did not propose that it should be. I say that an appraisal of the physical assets, to say nothing of the human resources, of the Tennessee Valley will show that the Senator's reading of the balance sheet is sadly in error.

Mr. WHERRY. Mr. President, will the Senator from Iowa yield once more to me?

Mr. HICKENLOOPER. I yield.

Mr. WHERRY. I am stating that the measuring stick for financial ability and for business ability is dollars and cents. We are not talking about the benefits to this particular group of people or to that particular group. Such a statement can be made in regard to any project; and if we begin to discuss the problem in such terms, we may never get through with it.

I say to the Senator from Connecticut that if he states that this man is being selected because of his business ability, I should like to ascertain what record shows that anyone has endorsed him because of his business ability.

Mr. McMAHON. Mr. President, will the Senator from Iowa yield once more to me, to permit me to reply to the Senator from Nebraska?

Mr. HICKENLOOPER. I yield.

Mr. McMAHON. Perhaps it is not a fair question, and I do not have the record at my immediate disposal; but earlier I mentioned the fact that 2 years ago Mr. Lilienthal was nominated by the President of the United States for reappointment to a term as head of the Tennessee Valley Authority. As I recall, the Senator from Nebraska did not vote against that appointment.

Mr. WHERRY. Mr. President, that is an entirely different matter from the one we are discussing now, and it has not a thing to do with the statement made by the Senator from Iowa that this man was qualified because he had scientific ability or business ability.

Mr. McMAHON. Mr. President, if the Senator from Iowa will indulge me just once more, the objection of the Senator from Nebraska to this man was on the basis that he is a poor businessman, or at least that he had not business capabilities, and the Senator attempted to demonstrate it by looking at the balance sheet. I say to the Senator that that issue should have been met by him, if he really believed what he contends, when the man was appointed to hold the office in which the Senator claims he has made such a disastrous record.

Mr. WHERRY. I think that is very unfair. I have not said anything about this man in the TVA. I say that the committee have not presented us any testimony as to his financial ability and his success. They come forward and state that the TVA is the one thing they are staking his reputation on, and I ask the Senator what his measuring stick is. If it is dollars and cents, we have appropriated $626,000,000, and we have gotten back $17,000,000.

Mr. AIKEN. Mr. President——

Mr. HICKENLOOPER. I have been trying to yield to the Senator from Tennessee for about 10 minutes. I shall yield to the Senator from Vermont later.

Mr. McKELLAR. Mr. President, something was said about the associates of Mr. Lilienthal in the Tennessee Valley Authority testifying for him. I call to the attention of Senators the fact, as shown by the record, that the only associate of Mr. Lilienthal who appeared to testify in the hearing was Dr. A. E. Morgan, whose place Mr. Lilienthal secured in some way. Dr. Morgan testified against him. Mr. Pope, one of his other associates, did not come forward to testify at all; was not brought here to testify. Dr. H. A. Morgan, his other associate, did not appear to testify at all. No one of his associates in the whole organization came forward and testified about Mr. Lilienthal except Dr. A. E. Morgan. They passed him up. Even the four Members of Congress from Tennessee who appeared before the other committee and testified for Mr. Clapp did not testify for Mr. Lilienthal. Not a soul among his associates from the TVA, his employees, none of them, not a single one, came here and testified, save Dr. A. E. Morgan, and if ever one man skinned another in testimony, and proved it as he went along, it was done on that occasion. By looking at the record it will be seen that Dr. A. E. Morgan literally charged Lilienthal with every offense known to man, and then took the trouble to prove it as he went along. Mr. Lilienthal was present when that testimony was taken, and never answered a single word of his former associate's testimony.

Mr. HICKENLOOPER. I yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, I was interested in the remarks of the Senator from Nebraska, and particularly his statement that the Government had invested $625,000,000 in the Tennessee Valley Authority and is getting back only something like $17,000,000 a year.

Mr. McKELLAR. Oh, no, Mr. President. Will the Senator let me say that that was a mistake? It was just $17,000,000 all told—and I think that is too large an estimate. During the whole time he has been receiving this large income, he has not been paying it in, and has not been allowing the Government to see what he had received, either.

Mr. AIKEN. It is a fact that a large part of this expenditure of $625,000,000 has not been in process long enough for returns to begin to come back to the Government from it.

Mr. McKELLAR. Thirty-five million dollars last year, and for the last 4 or 5 years not far from that. For 6 or 7 years it was something like from twenty-five to thirty million dollars. That is a pretty considerable sum, and we have no accounting for any of it.

Mr. AIKEN. We have had an audit of the Tennessee Valley Authority, by agreement with the Comptroller General's office for a good many years. The Tennessee Valley Authority has been returning a good many million dollars a year to the United States Treasury, but it has been reappropriated for more capital investment the next year. If we have $625,000,000 invested and earning $17,000,000 a year, as the Senator from Nebraska states, he is giving evidence of the kind of Administrator Mr. Lilienthal is, because there probably is not a private corporation in this country that has invested $625,000,000 and is amortizing $17,000,000 a year.

Mr. McKELLAR. And it has not been done here.

Mr. AIKEN. That means it would be paid off in 36 years. And we know that $625,000,000 has not all been spent for power purposes. Some of it has been spent for navigation, some of it for soil improvement, some of it for other purposes. I would say that if he can amortize the entire cost for the Tennessee Valley Authority in 35 or 36 years, he can make a record which very few persons in this country can equal.

Mr. HICKENLOOPER. Mr. President, I will merely say that our record at least shows no such accomplishment as the Senator from Vermont is referring to at all.

Mr. AIKEN. I was quoting the figures from the Senator from Nebraska.

Mr. BRIDGES. The Senator from Vermont has forgotten one thing. He forgot to say that if any amount of that money ever came back, very little of it ever stopped in the Treasury of the United States. So that what the Senator said as to amortization is not correct.

Mr. AIKEN. It was reappropriated for more capital extension the next year.

Mr. BRIDGES. But little of it has ever remained in the Treasury of the United States.

Mr. McMAHON. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. AIKEN. It could have stopped in the Treasury any time Congress had seen fit to stop it there, and if Congress had not considered it a good investment, it undoubtedly would have kept it in the Treasury.

Mr. McMAHON. I should like to point out for the record that the Senator from Tennessee, who has just commented on the fiscal situation, has, I think, a very justifiable pride in the fact that he has been, probably more than any other individual in this country, responsible for securing every dollar of the appropriations which went into the building of the Tennessee Valley Authority. Furthermore, the money was not all appropriated at one time. True, I was not a Member of the Senate when the project was started, but I have heard the Senator from Tennessee graphically describe the burden he carried in making his contribution to this great undertaking. I congratulate the Senator from Tennessee on having made that record.

Mr. McKELLAR. Mr. President, will the Senator from Iowa yield? It will take me but a moment.

Mr. HICKENLOOPER. I yield.

Mr. McKELLAR. I have been an advocate of this project for between 30 and 35 years. Every dollar that went into the project was secured by a vote, as the Senator from New Hampshire [Mr. BRIDGES] can testify as of the later years. I was with it from the beginning. I was a member of the Senate, and of the Committee on Appropriations, when the first appropriation for the Tennessee Valley Authority was obtained by a majority of one, and that one represented a change in the vote of the late Senator Glass. Senator Glass was ill,

and I had to serve as Chairman of the Committee on Appropriations, and Senator Glass gave me his proxy. By a majority of one vote in every substantial contest—and I know the Senator from New Hampshire will bear me out in the statement—every dollar for the TVA was appropriated. Not $650,000,000, as has been stated, but nearer $800,000,000 have gone into this project. So far as I know, no dollar of return has ever gotten back into the Treasury of the United States.

I got the first appropriation through the Senate and then came the conference with the House. The House was opposed to the project. The House Members took a different view of it. They were honestly on the other side, just as my good friend, the Senator from New Hampshire [Mr. BRIDGES], was honestly opposed to it at first. Afterwards he helped put it through, I wish to say for him. But it was carried by a majority of one in the Senate, and when we went to conference with the House, as the Senator from Maine [Mr. WHITE] will bear me out, because he was a Member of the Senate all that time, and on the Committee on Appropriations and we stayed in conference until the House gave in, and we got the dams built.

Dr. A. E. Morgan built the dams. Lilienthal never had anything to do with the building of the dams. As soon as Dr. Morgan got through with them, had them all in condition so that he knew they were going to be built, Lilienthal came here and honeyfugled around our good friend, Franklin Roosevelt. He just sat around him, and pussyfooted with him, and teased him, and begged him, and got him to give him Dr. A. E. Morgan's place.

Dr. A. E. Morgan built the dams. Dr. A. E. Morgan was the agent there, who was responsible for the dams. Mr. Lilienthal took all the credit for it, as soon as he could get rid of Dr. A. E. Morgan. That testimony is absolutely undisputed.

Mr. McMAHON. Mr. President, will the Senator from Iowa yield for one moment, please?

Mr. HICKENLOOPER. I yield.

Mr. McMAHON. A few years ago I had the pleasure of reading a very interesting book entitled "Tennessee Senators as Seen by One of Their Successors," written by the senior Senator from Tennessee. On page 27 I came across this passage about Dr. Morgan:

> When Dr. A. E. Morgan was Chairman of the Tennessee Valley Authority for a season, he came to see me one morning about some matter connected with the Authority. Dr. Morgan claimed to be an engineer, and at times had had some trifling employment in building levees in Arkansas, and for a time was president of the Antioch College in Ohio. He is a strange and peculiar man. For some reason, difficult for me to understand, President Roosevelt took him out of obscurity and made him Chairman of the great Tennessee Valley Authority.

Mr. McKELLAR. Whose statement is that?

Mr. McMAHON. This is the Senator's statement in his book entitled "Tennessee Senators as Seen by One of Their Successors," by Senator MCKELLAR, published by Southern Publishers, in 1942.

Mr. McKELLAR. Those are the facts. Dr. A. E. Morgan is a great engineer, and he built all these dams. Dr. Morgan was exactly "a strange and peculiar man." Most engineers are that way, if the Senators have ever noticed it. Many of them are that way—they have to be that way in order to be good engineers. But they built one of the best series of dams ever built anywhere. There is no other series of dams like them.

Mr. McMAHON. He was qualified for this by "some trifling employment in building levees in Arkansas"?

Mr. McKELLAR. Oh, he had more than that.

Mr. McMAHON. That is the statement made by the Senator.

Mr. McKELLAR. I say that, and more, too.

Mr. MORSE. Mr. President——

The ACTING PRESIDENT pro tempore. Does the Senator from Iowa yield; and if so, to whom?

Mr. HICKENLOOPER. Mr. President, I am trying to finish with what I have to say. I do not want to get into a protracted discussion.

Mr. BRIDGES. Mr. President, I want to refer to something said by the Senator from Connecticut.

Mr. HICKENLOOPER. I yield for that purpose.

Mr. BRIDGES. The Senator from Connecticut made a rather specific statement that because the Senate confirmed Mr. Lilienthal as Director of the TVA a year or two ago, everybody should be wholeheartedly for him as Chairman of the Atomic Energy Commission. That is a most far-fetched premise. I do not understand the reasoning of the Senator from Connecticut in making such a suggestion. I had no objection to Mr. Lilienthal as head of the TVA, but I object to his becoming head of the Atomic Energy Commission—a Commission that is going to control a form of energy that could destroy the world, or destroy this Nation. This is an entirely different and far more important issue than TVA.

Mr. McMAHON. Mr. President, I believe I know that the majority leader would like to have the Senate adjourn until tomorrow, so at least with this one last remark on my part, I shall take my seat. I yield to no man in this body in a realization of the consequences of that which was done on the desert sands of Alamagordo, in July 1945. I sometimes think that very unfortunately the implications of what was done are not sufficiently appreciated even yet by the American people. Because Mr. Lilienthal has made a success of the Tennessee Valley Authority, the fact that he was chairman of the board is only one reason why I am for him.

I will say to the Senator that I was on the committee. Unlike the Senator from New Hampshire, who had no duty to attend those hearings, I was present at 17 out of 20 hearings. I say to the Senator from New Hampshire it is my conviction, based on the record, that Mr. Lilienthal is not only a fair choice; I even say that he is a wonderful choice to undertake the responsibility, which really is second to none in the affairs of this Government.

Mr. MALONE. Mr. President, will the Senator yield for a moment?

Mr. HICKENLOOPER. Mr. President, I like to be courteous, but we are getting along, and I should like to conclude my remarks.

Mr. MALONE. It is a matter of correcting an error in the debate.

Mr. HICKENLOOPER. I yield to the Senator. Does the Senator want to take exception to the fact that engineers have been said to be "a little bit strange and peculiar?"

Mr. MALONE. Engineers can stand anything—we stand it all the time. But in the debate between the Senator from Nebraska and the Senator from Vermont, there was some confusion about the $600,000,000 or $617,000,000, of which $17,000,000 was paid back. We will have the record for tomorrow's debate, but as I remember the figures, as they were cited in the Clapp hearings, there was a total of $622,000,000, with a repayment of $17,000,000—not an amortization, as the Senator from Vermont assumed. As to the remainder of the money, the net out of the $54,000,000 gross, taken in from the sale of power each year, was expended in a way that might be determined by the board of the Tennessee Valley Authority for capital investment, and that was charged as repayment to the Government.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from Oregon.

Mr. MORSE. I shall take only a few moments, and I am sure the Senator from Iowa will appreciate my statement, because it sets forth another point of view as to the measuring-stick which has been mentioned as to Mr. Lilienthal's administrative and business ability, namely, the measuring stick that, only $17,000,000 out of some $600,000,000 has been returned from that investment.

I think the point needs to be made that of course the primary objective of TVA was not a business objective at all, in the sense that those who are making these comments apparently have in mind. It was a great social and economic experiment.

How is it possible to measure, for example, in terms of the type of balance sheet of which the Senator from Nebraska has been talking this afternoon, the great value to the economy of the Nation of the conservation program inaugurated in the Tennessee Valley, which the Senator from Tennessee, on more than one occasion, has pointed out to us has been of great value to his State? How are we to measure, for example, the increase in the standard of living of thousands upon thousands of people in the Tennessee Valley which was made possible by that great project? How is it possible to measure the wealth which has been created by this great economic experiment, in the terms of the benefits that have accrued to private business in the Valley? I think that if an attempt were made to measure the great economic benefits which have flowed from the Tennessee Valley Authority it would be found that the $600,000,000 is a very small amount compared with the great

increase in national wealth which has flowed from the experiment.

Where is there any private enterprise that could possibly have done what the Congress decided ought to be done in the Tennessee Valley by way of this experiment? In fact, industrialists whom I know tell me that that type of project simply could not be carried on by private industry. That is why the great private utilities in the Pacific Northwest today are pleading with Congress, as can be seen if one goes into the record, to go ahead and build some great dams in the Pacific Northwest, because the private utilities cannot possibly build the dams which are going to be needed to industrialize that section. I think it is very similar to the problem of TVA.

Mr. WHITE. May I inquire of the Senator from Iowa whether he cares to proceed any longer this evening?

Mr. HICKENLOOPER. I have not too long a statement to make. I wish to canvass the situation with regard to the other members nominated to the Commission, and the general manager. But if the Senator from Maine wants to have the Senate take a recess, with the understanding that I shall have the floor when the Senate reconvenes in executive session, I will be happy to yield for a motion to recess under those circumstances.

Mr. McMAHON. Mr. President, will the Senator yield to me?

Mr. WHITE. I yield.

Mr. McMAHON. I ask unanimous consent to insert in the body of the RECORD two editorials and an article of not great length which bear on this debate. I think it would be well, since undoubtedly we will refer to our international pledge for control of atomic energy, for every Senator who is interested to read the two editorials, one from the New York Times and the other from the Washington Post, and the article by Joseph and Stewart Alsop, bearing upon that subject.

There being no objection, the editorials and the article were ordered to be printed in the RECORD, as follows:

[From the New York Times]

RESEARCH AND THE BOMB

Appendix 3 of the First Report of the United Nations Atomic Commission indicates roughly how we spent more than two billions up to January 1946 on the atomic bomb—the first statement of account that has thus far been presented to the Nation and the world. Oak Ridge, with its three U-235 plants, cost about a billion, Hanford about $362,000,000, and the bomb laboratory at Los Alamos what seems by comparison a paltry $60,000,000. The rest of the money was spent on subprojects, the construction of the towns of Oak Ridge and Hanford-Richland and on the operation and maintenance of the plants.

As he surveys the history of the atomic bomb in Atomic Information, Dr. J. H. Rush, secretary-treasurer of the Federation of American Scientists, states flatly that "Oak Ridge need never have been built." His reason is that Oak Ridge isolated pure uranium-235, now obsolete. Since Hiroshima bombs have been loaded with plutonium. This is meant not as a reproach but as a lesson. The Oak Ridge plant was a bold, necessary extrapolation, made at a time when uranium-235 was the most promising bomb material. Four methods of separation were devised and a fifth abandoned, and all five were time-consuming and expensive. The development of the plutonium process by the University of Chicago, the Clinton laboratories, and the Hanford plant was cheap in comparison, we are assured, though no comparative costs are given.

The conclusion to be drawn is plain. No competitor of this country will spend a penny on separating uranium-235. It will concentrate on the production of plutonium in the absence of any prohibition by the United Nations. It will conduct its researches in time of peace, so that it will not spend money as lavishly as we did under war pressure. For these reasons the scientists are probably right when they say that in 5 years or so any industrially equipped nation can make atomic bombs loaded with plutonium. What advantage we have in knowledge, skill, and experience is therefore so short-lived that the case for effective international control of atomic energy is a compelling one. A year and a half has already passed since the publication of the Smyth report.

[From the Washington (D. C.) Post]

ATOMIC MONOPOLY

It is somewhat difficult to understand the widespread consternation over recent news that the Canadians now have a chain reacting pile in operation and are stockpiling small amounts of plutonium. Were not the Canadians, along with the British, our partners in this wartime undertaking of nuclear fission? Their scientists contributed, along with our own, to the discoveries which produced the atomic bomb. The actual production was centered here principally because we possessed the industrial and financial resources to carry it through. It can scarcely be doubted that the Canadians have as much right as we to be producing plutonium now.

Our atomic bombs, it will be remembered, were made of both uranium-235 and of plutonium. The plutonium process, J. H. Rush points out in the bulletin of the National Committee on Atomic Information, proved to be at once much simpler and much less expensive than the U-235 separation processes which consumed the major portion of the $2,000,000,000 reportedly expended in atomic-bomb production. We developed, in fact, four separate and independent methods of making these explosive materials. "When no one could be sure that any of these methods would work," says Dr. Rush, "such duplication of effort was justified. But no nation intent on rushing into bomb production will bother to repeat our extravagance (though peacetime power development is another story). It will note that most of our talk of technical secrets and complex industrial know-how centers on the Oak Ridge uranium separation plants—and will make plutonium instead."

Do we, then, have any monopoly for other nations (even those that were not our partners in making the first atomic bombs) to break—save a monopoly of bombs actually produced and perhaps of a few production techniques? If we do not and if, as virtually every scientific authority asserts, it is a matter of only a few years before other nations will be able to produce atomic bombs of their own, would it not be the part of prudence to worry less about secrecy and more about international agreement? Our security does not lie in monopoly. It lies in control.

HOW SOVIETS KIDNAPED A FACTORY

(By Joseph and Stewart Alsop)

According to expert estimates, no less than 7,000 German scientists, technicians, and engineers have been persuaded or kidnaped to work in the Soviet Union—there to produce atomic bombs, long-range guided missiles, bacteriological weapons and other treasures of modern civilization. Intelligence reports from Berlin also tell of an active and quite effective Soviet propaganda to swell this number of prisoner brains.

German scientists beyond Soviet reach are being bombarded by pliable former colleagues in Russia with letters and post cards of the "Having wonderful time; wish you were here" variety. Meanwhile, the kidnapings also continue.

But since it is always easier to understand historic processes in individual terms, the following report from a German scientist who escaped kidnaping probably tells the story better than any statistics. It comes from a leading electronic engineer in the former Oberspree works of the Telefunken Co., and is reproduced in translation with minor excisions.

ALLOWED 30 MINUTES

"On Tuesday, October 22, 1946, we were waked at about 4 a. m. A Russian officer, three armed soldiers, and a female Russian interpreter entered our apartment in the Soviet section of Berlin, and told us that our factory would be removed to the Soviet Union and that we would be obliged to work in the Soviet Union for a tentative period of 5 years.

"We were given 30 minutes to evacuate and pack our entire three-room apartment, and when our packing didn't go fast enough the Russian soldiers began to pack things themselves. They tore the curtains from the windows, smashed open a wardrobe with an axe, and in general packed indiscriminately suits, dresses, dishes, pictures, etc., in rugs or other things which seemed to them useful for this purpose. My wife fainted and only came to again when I gave her water and laid her on a couch.

"I sought permission to leave my wife here, but it was not granted.

"We drove to the freight station at Koepenick. We were given a freight car for our furniture and an express-train compartment for ourselves.

"We waited all day for our departure. It was delayed till about 10 p. m., since new transports with the workers of the Oberspree Works and their families kept coming in constantly.

"Perhaps I should also add that early on October 21 the two directors of the factory, Dr. Steimel and Dr. Spiegel, were brought to Moscow by airplane ostensibly for conferences, and Mr. Grimm (divisional superintendent), Mr. Ziganke (laboratory superintendent), and Mr. Floer (engineer in Mr. Ziganke's laboratory), were also flown to Moscow to explain the work. The dependents of the above-named gentlemen were likewise loaded on the train on Tuesday.

WELL PROVISIONED

"When the sun went down we had to go to our compartment and keep the window shut—it couldn't be opened very far in any case. We were once again registered and at our departure received a food package. In this was food entirely of German origin with the following content: 3 pounds of bacon, 2 pounds of wurst, 5 pounds of onions, 5 pounds of sugar, 6 bars of chocolate, 5 kegs of canned meat, 1,200 cigarettes, 2 pieces of toilet soap, pepper, salt, etc. We were to be told the next day how long we had to make it last.

"While it was dark, I tried to open the door of the car with a skeleton key which I had providently brought along. I did not succeed, however, and it would probably have been foolish in any case to attempt a flight while still in Berlin, since the whole station area was surrounded and later also lit up. When the train was switched from one track to another a Russian soldier with fixed bayonet stood at the entrance of every car.

"After our departure from Berlin I succeeded in opening the connecting door to the next compartment. In the dark I then tried to open the door of the connecting platform and with some difficulty was able to open one side wide enough to creep through. Shortly after Erkner the train went a little more slowly, my wife and I left our compartment

with two light handbags and succeeded in getting out on the step between the second and third cars. Since meanwhile the train had again put on speed we had to remain there till shortly before Fuerstenwalde before we found the courage to jump off."

BETWEEN THE LINES

Into this rather matter-of-fact account of the kidnaping of an entire factory, the seeing eye can read a world of meaning. Implied by it are the Soviet Union's technological weakness, the nature of Soviet rule in Germany, the character of life in a slave system, the advanced stage of the world armament race, the probability that in our time we shall see the means of life again transformed into the means of death.

But these things are disagreeable to think about. In this comfortable America we can leave the realities of the modern world to those so unfortunate as to have them brought forcibly to their attention.

REMOVAL OF FEDERAL EMPLOYEES FOR SUBVERSIVE ACTIVITIES

Mr. HATCH. Mr. President, will the Senator yield to me for a moment?

Mr. WHITE. I yield.

Mr. HATCH. I had risen earlier in the afternoon to make an insertion in the RECORD and inadvertently became involved in the debate. I did not intend to at all.

I now wish to make a brief explanation. Over the week end there has been considerable comment about the discharge of employees of the Federal Government who might be engaged in subversive activities. I have received numerous inquiries about a certain act which bears my name, which was cited as authority for that course. There can be no question, Mr. President, that subsections (1) and (2) of section 9A of what is commonly referred to as the Hatch Act do give ample authority for the procedure which has been announced, and in order that what they provide may be known generally, I send those particular sections to the desk and ask that the clerk read them so they may appear in the RECORD as a part of my remarks, and Senators will only need refer to the RECORD to find them.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will read as requested.

The legislative clerk read as follows:

SEC. 9A. (1) It shall be unlawful for any person employed in any capacity by any agency of the Federal Government, whose compensation, or any part thereof, is paid from funds authorized or appropriated by any act of Congress, to have membership in any political party or organization which advocates the overthrow of our constitutional form of government in the United States.

(2) Any person violating the provisions of this section shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by any act of Congress for such position or office shall be used to pay the compensation of such person.

RECESS

Mr. WHITE. I move that the Senate stand in recess, in executive session, until tomorrow at 12 o'clock noon.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. HICKENLOOPER. Does the motion for recess include the request that I may retain the floor?

Mr. WHITE. It does not prejudice the Senator in any respect.

The ACTING PRESIDENT pro tempore. The Senator from Iowa has the floor, in executive session, as the Senate recesses today.

The question is on the motion of the Senator from Maine.

The motion was agreed to; and (at 5 o'clock and 24 minutes p. m.) the Senate, in executive session, took a recess until tomorrow, Tuesday, March 25, 1947, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 24, 1947

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father God, who willest us to rejoice and give thanks for all things, Thy majesty is inscrutable. The world calls today for work, hard work, whatever the cost may be; O constrain us to move forward with strong, active faith, and forgive any foolish word or frantic boast, for it is righteousness that exalteth a nation.

Eternal One, take us into the upper realms of aspiration, where temptation and selfish ambition will be subdued; preserve us from groundless fears and keep us humble, with minds hopeful and alert, seeking the very best for every section of our land. Grant us to treasure these moments to show forth statesmanship in which honor is honor and truth is truth and cannot be swerved from the paths of rectitude. O give us growing conviction of our high mission to our Republic, and enable us to be firm, calm, and courteous in the throes of uncertainty or thoughtless criticism. Thou Christ, whose brow never wore a frown, whose lips were full of grace, and whose hand was never given in infidelity, O keep us in fellowship with Thee, and Thine shall be the glory forever. Amen.

The Journal of the proceedings of Friday, March 21, 1947, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 2157. An act to define and limit the jurisdiction of the courts to regulate actions arising under certain laws of the United States, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WILEY, Mr. DONNELL, Mr. COOPER, Mr. EASTLAND, and Mr. MCGRATH to be the conferees on the part of the Senate.

EXTENSION OF REMARKS

Mr. AUCHINCLOSS asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. SARBACHER asked and was given permission to extend his remarks in the RECORD and include an address by General Vandegrift, Commandant, United States Marine Corps.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD in two instances and include magazine articles in each.

Mr. LANDIS asked and was given permission to extend his remarks in the RECORD.

Mr. JONKMAN asked and was given permission to extend his remarks in the RECORD and include an article by Mark Sullivan.

Mr. BENNETT of Michigan asked and was given permission to extend his remarks in the RECORD in two instances and include newspaper articles.

Mr. SHAFER asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the United States News.

SPECIAL ORDER GRANTED

Mr. COLE of Kansas. Mr. Speaker, I ask unanimous consent that on Tuesday, March 25, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

BORAH MEMORIAL STATUE COMMISSION

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I call up Senate Concurrent Resolution 8 and ask for its immediate consideration.

The Clerk read the concurrent resolution.

Resolved by the Senate (the House of Representatives concurring), That the Borah Memorial Statue Commission of Idaho is hereby authorized to place temporarily in the rotunda of the Capitol a statue of the late William E. Borah, of Idaho, and to hold ceremonies in the rotunda on said occasion; and the Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include a radio address.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

[Mr. JONKMAN addressed the House. His remarks appear in the Appendix.]

Mr. SHAFER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

[Mr. SHAFER addressed the House. His remarks appear in the Appendix.]

COMMUNISM IN THE GOVERNMENT

Mr. MATHEWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MATHEWS. Mr. Speaker, I asked a man who has been employed by the Government for many years, not in the State Department, what he thought about the President's plan laid down in his speech of March 12, and he said he thought it was a piece of political propaganda to counteract the unfavorable reaction of the American people to the secret agreements made by President Roosevelt at Yalta and elsewhere with Russia and our appeasement policy toward that nation in the UNO. He gave as proof of the fact that although the President on March 12 asked us to combat communism in foreign lands, only over this week end did he announce that he would combat it in his own administration, and the further fact that the people who are now loudest in denouncing communism but a short time before were its most ardent friends and protectors.

I will bring you these answers from day to day, Mr. Speaker.

PERMISSION TO ADDRESS THE HOUSE

Mr. POULSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. POULSON addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. POULSON asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. MURRAY of Wisconsin asked and was given permission to extend his remarks in the RECORD in two instances and include a table.

Mr. BUCK asked and was given permission to extend his remarks in the RECORD and include an address by A. G. Lanston.

Mr. DONDERO asked and was given permission to extend his remarks in the RECORD and include a telegram from the American Federation of Labor.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD in two instances and include in each an editorial.

Mr. MEADE of Maryland asked and was given permission to extend his remarks in the RECORD and include a radio address delivered yesterday.

REMOVAL OF SUBVERSIVE PERSONS FROM GOVERNMENT SERVICE

Mr. BUCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BUCK. Mr. Speaker, the Republican Party has been contending for years that subversive persons occupy many high and low places in the Government service. As a Republican, I am delighted that President Truman has seen the light and has taken positive steps to eliminate these enemies of our country from the Federal pay roll. The pity is that the job was not done a dozen years ago.

SUBVERSIVE PERSONS

Mr. CHELF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CHELF. Mr. Speaker, I first want to commend the President of the United States for his recent Executive Order No. 9300, which will rid all the departments of the United States Government of disloyal and subversive persons. I think the President has done a magnificent job, but unfortunately he has not been able to go far enough. He needs legislation. I know every Member of Congress wants the President's sweeping order to actually sweep out these termites in our Government, and as a member of the subcommittee on Immigration and Naturalization of the Judiciary Committee, I have today introduced a bill which will not only revoke and set aside the citizenship of all those who have been found by the loyalty boards to be subversive and disloyal to this country, but authorizes the Attorney General in the Department of Justice to immediately deport those termites from the United States. If they are dangerous to our Government here as persons on the pay roll, by the same token they are dangerous as citizens or residents and should be denied citizenship and refuge here. They should be sent back on the next boat to the country from whence they came or to the country whose cause they espoused or advocated. To bite the hand that feeds is one thing—but to chew off the arm is another. Folks down in my country have a way of disposing of vicious dogs who bite—let us apply that rule here by deportation—because such action will rid us of all those who would seek to desecrate our flag and to destroy our American institutions of Christianity and democracy.

THE DRIVE AGAINST COMMUNISM

Mr. ALLEN of Louisiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. ALLEN of Louisiana. Mr. Speaker, in the drive against communism, the President has issued an order to investigate the loyalty of all of those in the executive department of the Government. While we heartily approve this step, we fervently wish that it had been taken many years ago. But this investigation is to extend only to all of those in the various agencies of the executive department. The order did not cover the legislative and judicial branches of the Government. I feel that no department ought to be exempt. The order will serve as a protection to the loyal persons in all branches. It is true that the executive department does not control the hiring and firing of all those in the legislative and judicial departments, but any disloyalty to our Nation found in any department should be disclosed and made public and the publicity itself, in most cases, would force the retirement of any disloyal persons. I hope very much therefore that the President will exempt nobody in the entire Government in the sweeping investigation. If any person of this entire Government entertains Communist views or belongs to any Communist-front organization, the facts ought to be made known. If we are to embark upon the plan to combat communism in other parts of the world, we should use every means at our command to stamp out and destroy communism here at home.

PERMISSION TO ADDRESS THE HOUSE

Mr. BELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

[Mr. BELL addressed the House. His remarks appear in the Appendix.]

TAX BILL H. R. 1

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that I may have until midnight tonight to file minority views on tax bill, H. R. 1.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that I may have until midnight tonight to file a report on the tax bill, H. R. 1.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

EXTENSION OF REMARKS

Mr. KNUTSON asked and was given permission to extend his remarks in the RECORD and insert a letter and an article.

Mr. MANSFIELD of Texas asked and was given permission to extend his remarks in the RECORD.

Mr. WILLIAMS asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in connection with the speech which I will make in Committee

of the Whole this afternoon and include certain letters.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PRIVATE DINING ROOM FOR MEMBERS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I wish to announce to the House that the service pantry for the Members' private dining room is now in operation. Therefore, the doors to this room on the main corridor have been locked and the entrance to this room is now through the rear door in the back corridor near the rear stairway. This dining room is for the Members of the House only. All Members are requested to please cooperate in keeping this dining room for the exclusive use of Members, and to that end it is respectfully requested and suggested that the Members not take guests into that dining room.

SPECIAL ORDER GRANTED

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent that tomorrow, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore granted, I may address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. H. CARL ANDERSEN asked and was given permission to extend his remarks in the RECORD relative to the boxcar shortage and also include a copy of a telegram.

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD and include a statement by Mr. Jacobsen, general manager of the Northwest Nut Growers.

PERMISSION TO EXTEND REMARKS AT THIS POINT

Mr. MILLER of Connecticut asked and was given permission to extend his remarks at this point in the RECORD.

Mr. MILLER of Connecticut. Mr. Speaker, on January 3 our newly elected Speaker stated as part of the remarks he made from the Speaker's rostrum that he proposed to eliminate from the Federal pay roll all Communists and other members of subversive organizations. This declaration was applauded from one end of the country to the other, and I am sure the Speaker's promise will be kept.

Last Saturday the President announced that all Federal employees, as well as those who will become Federal employees in the future, are to be given a loyalty test. This Executive order indicated that membership in certain unknown organizations would be considered as proof of disloyalty and that such employees would be discharged from the Federal service. While I want to see every disloyal employee discharged from the Government service, we do not want witchhunting going on in every department.

I am also at a loss to understand why employees of the legislative and judicial branches of our Government should be exempt from such a loyalty test. Regardless of the exemption allowed by the President, I here and now invite the FBI or any other proper agency of the Government to check on the loyalty of every person employed in my office, myself included.

ELIMINATION OF COMMUNISTS FROM THE GOVERNMENT SERVICE

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I trust the Congress will receive with the greatest caution the proposal of the President for an appropriation of $25,000,000 for a program to weed from the Government pay roll those persons with membership, affiliation, or sympathetic association in any foreign or domestic organization, association, movement, and so forth, designated by the Attorney General as totalitarian, Fascist, Communist, or subversive, or those seeking to alter the form of government of the United States by unconstitutional means. This may well involve considerably more than appears on the surface.

In the first place it strikes one rather strangely that the New Deal forces controlling the Government should so suddenly become concerned over those favoring totalitarianism and communism in the Government as to cause it to undertake such drastic action.

Has not one of the main characteristics of the New Deal been to pamper and encourage the development of these very elements? If the President's order includes all those in the Government who have more faith in the Russian system than that provided by the Constitution of our fathers, and his order actually should be carried out, Washington will be almost depopulated.

This proposal has some aspects of being a New Deal witch hunt to eliminate the forces that oppose it in order to strengthen and make secure its totalitarian hold upon the Nation, in the guise of ridding it of Communist adherents. Is it expected that this purge would be confined to Federal employees? Or would it also embrace other persons who do not see eye to eye with the New Deal?

Is this the beginning of a purge of the recusants to destroy the two-party system? Could the intention be to prepare the Nation for another war? Is the concentration camp in sight?

PERMISSION TO ADDRESS THE HOUSE

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

[Mr. MILLER of Nebraska addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. KEATING asked and was granted permission to revise and extend his remarks in the RECORD with reference to a bill he is introducing today at the request of the American Legion.

Mr. MERROW asked and was granted permission to extend his remarks in the RECORD and include an editorial.

Mrs. ST. GEORGE asked and was granted permission to extend her remarks in the RECORD and include a letter.

TERM OF PRESIDENT OF THE UNITED STATES

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Mr. Speaker, a number of inquiries are coming in as to when the proposed constitutional amendment limiting the term of the Presidency will reach the States. The enrolled bill is now on the Speaker's desk, and I understand will be signed by the Speaker today.

The SPEAKER. It has already been signed.

Mr. MICHENER. I thank the Speaker. I understand it will also be signed by the President pro tempore of the Senate today. The State Department advises me that the work has already been done and that the amendment will go forward from the State Department to the Governors of the several States just as soon as it is received at the State Department. The next step is consideration by the State legislatures. It is to be hoped that speedy action will be taken.

QUESTION OF PRIVILEGE OF THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I rise to a question of the privilege of the House and I offer a resolution (H. Res. 160) which I send to the Clerk's desk, and move its adoption.

The SPEAKER. The Clerk will read the resolution.

The Clerk read as follows:

Whereas under Public Law No. 601 of the Seventy-ninth Congress, the so-called Legislative Reorganization Act of 1946, there was created a standing committee of the House of Representatives to be known as Committee on Un-American Activities and to consist of nine members; and the House, on January 3, 1947, by House Resolution 5, adopted all applicable provisions of said Public Law No. 601; and

Whereas the members to serve as said committee were appointed, and the gentleman from New Jersey, Mr. THOMAS, is chairman of said committee and a member thereof; and the gentleman from South Dakota, Mr. MUNDT; the gentleman from Pennsylvania, Mr. MCDOWELL; the gentleman from California, Mr. NIXON; the gentleman from Illinois, Mr. VAIL; the gentleman from Georgia, Mr. WOOD; the gentleman from Mississippi, Mr. RANKIN; the gentleman from Florida, Mr. PETERSON; and the gentleman from North Carolina, Mr. BONNER, are members of said committee and Members of the House; and

Whereas on the 17th day of March 1947, the gentleman from Illinois, Mr. SABATH,

speaking from the well of the House, made certain remarks set forth in the daily CONGRESSIONAL RECORD of that date on page 2219, to which the attention of the Speaker and the House is most respectfully called but which are not herein repeated; and

Whereas the language printed in the last paragraph of the left column on page 2219 of the daily CONGRESSIONAL RECORD reflects upon the integrity and patriotism of a Member of the House in his representative capacity; and

Whereas an examination of the proceedings of the House, as printed in the CONGRESSIONAL RECORD on March 17, 1947, discloses that the gentleman from Illinois, Mr. SABATH, had reference to certain remarks of the gentleman from Mississippi, Mr. RANKIN, as printed in the first column of page 2142 of the CONGRESSIONAL RECORD; and

Whereas, it appears from an examination of the remarks of the gentleman from Mississippi, Mr. RANKIN, that the remarks of the gentleman from Illinois, Mr. SABATH, as above referred to and as printed in the last paragraph of the left column on page 2219 of the daily CONGRESSIONAL RECORD, are not in accord with the fact; and

Whereas the gentleman from Illinois, Mr. SABATH, further stated, and there is printed on page 2219 of the daily CONGRESSIONAL RECORD of March 17, 1947, in the middle column, the words:

"For 8 years the Dies committee and its successor, the standing Committee on Un-American Propaganda Activities, of which the gentleman has been a member for over 2 years, together with several other committees of the House and with a lot of other little understudies for Mr. Dies, have probed and smeared and made public charges against all these alleged Communist or pro-Communist organizations, but they have actually succeeded only in branding some patriotic Americans with the charge of communism, and of gaining some newspaper convictions of others on vague charges of communicating with the Communists. Not one has yet seen fit to penetrate and expose the real dangers to our democratic way of life from powerful Fascist-minded men armed with vast wealth and industrial resources;" and

Whereas such charges as so stated reflect upon the patriotism, the loyalty, of the members of said committee as members of said committee and as representatives of the people, acting in their representative capacity; and

Whereas the words above quoted make the unequivocal and direct charge that a standing committee of the House and its members have made false public charges against alleged Communists or pro-Communist organizations and that said committee has, and its members have, falsely accused some patriotic Americans with a charge of communism, and makes the further charge that said committee has neglected and failed in its legislative duty, and that members of said committee are guilty of the same fault and dereliction; and

Whereas the statements of the gentleman from Illinois, Mr. SABATH, tend to undermine the confidence of the people in the House of Representatives and in one of its standing committees: Therefore be it

Resolved, That the remarks of the gentleman from Illinois, Mr. SABATH, as printed on page 2219 of the daily CONGRESSIONAL RECORD be, and the same hereby are, stricken from the RECORD.

The SPEAKER. The gentleman from Michigan [Mr. HOFFMAN] is recognized for 1 hour.

Mr. HOFFMAN. Mr. Speaker, a word of explanation is due those Members who are here for the first time.

Perhaps some of the new Members may wonder why objection was made to the unanimous-consent request submitted by the gentleman from Illinois [Mr. SABATH] on Friday evening. Perhaps a word of explanation is also due because of the statement made a few moments ago by the gentleman from Georgia [Mr. COX], for whom I have the highest respect.

Before proceeding to discuss this resolution let me say that on several occasions in the past, not one but several, the gentleman from Illinois [Mr. SABATH] has not only made attacks upon Members of Congress but upon Committees of the Congress, reflecting upon the patriotism of Members of the Congress, their integrity in their legislative capacity, reflecting upon the actions of the duly appointed special and standing committees of this House. I agree with the gentleman from Georgia [Mr. COX] that we should exercise the utmost charity before attempting as a body to criticize any Member of the House for what is said on the floor.

I recall very distinctly in the early years of my service here when a Member of the House put in the RECORD false affidavits and from the floor accused Members of the House of disloyalty and unpatriotic action. I recall very distinctly that at that time it was announced by me that I intended to move to strike those affidavits from the RECORD. I talked with the gentleman from Georgia [Mr. COX], and it was agreed that if that resolution was not presented the Committee on Rules would take care of the situation by proper resolution. Later it was agreed that the remarks should, by unanimous consent, be stricken from the RECORD, and they were so stricken and that was the end of that.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. RANKIN. I wish to say to the gentleman from Michigan that I have sent for and got the stenographic notes and as to the matter of the statements slandering me that appeared in the RECORD, I find most of it was not uttered on the floor but was written by someone else. It was, therefore, in violation of the rules of the House and of all other rules of common decency.

Mr. HOFFMAN. Of course, the rule of the House is violated where some statement of that kind is written in the RECORD and not made on the floor. But I hold no brief for the gentleman from Mississippi and am not concerned at the moment in the disagreement between the two gentlemen on my right. The gentleman from Mississippi needs no defense from me or from anyone else. He has served the people of his district, I think, for some 30 years—how many is it?

Mr. RANKIN. Twenty-six.

Mr. HOFFMAN. Well, I am 4 short. It will be 34 years from this day.

They have been satisfied, and I doubt if there is any Member of this body who will question either his ability, his sincerity, his loyalty and patriotism, or his competency to serve, and I say that notwithstanding the statements which have been made by the gentleman from New York, Mr. WINCHELL, and perhaps the gentleman from Washington, Mr. PEARSON.

So, to come back to this resolution and what has preceded it. On February 27—now, get that date—1946, the gentleman from Illinois [Mr. SABATH]—and I have here the RECORD—on the floor of this House attacked the Dies committee. That was not the first time. The gentleman from Illinois, who sits in front of me [Mr. MASON], has been on that committee, and other Members have served on that committee with honor and distinction, and the service rendered by them has been invaluable, as is evidenced by the fact that the President within the week has seen fit to adopt and to follow the course which that committee, under the guidance of Mr. Dies, recommended eight long years ago with reference to the Communists and disclosed the way in which they have been taken in and carried on the Federal pay roll. The gentleman from Illinois on the 27th of February 1946 made that attack upon that committee. At that time I had a resolution ready to strike, and so again then the gentleman asked unanimous consent to withdraw his remarks. The consent was given, and he withdrew his remarks, and in withdrawing them he repeated the charge in the so-called apology which he made to the House at that time. He referred to the demand of the gentleman from Mississippi that they be withdrawn as being unfair.

How long are we to follow this policy of letting Members of Congress, of letting committees of Congress, be charged with disloyalty, with a lack of integrity, with improper and unlawful activities, charges not made on the floor of the House but inserted in the RECORD, and then permit the one making the charge to come in at the close of the session when no one is here, and without apology ask that the offending words be withdrawn. Let us take this hypothetical case. I charge you gentlemen with all sorts of misconduct, and the Daily Worker and the Communist press and the left-wingers throughout the country pick it up and repeat it, work up publicity, and send it out to your districts, and then I come in at night, when there are only four or five Members on the floor, or I come in a week later and I say, "I ask unanimous consent, Mr. Speaker, to withdraw the remarks I made on such a date" or "printed at such and such a page." Are we going to stand for that, I ask?

The Members of the House, of course, can do as each may wish; but there is no doubt as to the meaning, the import of the charge made by the gentleman from Illinois [Mr. SABATH]. There is no doubt, if you examine the RECORD, but that that charge has been made by him over the years, for the last 6 or 7 years, practically ever since the Dies committee began its work right down to the present moment, repeated time and again.

Gentlemen, if the House wants to yield its dignity, its integrity, so that the confidence of the people in it will be destroyed, that is within the power of the House, but I say unanimous consent should be denied until the gentleman gets on the floor and apologizes in the proper way and gives promise and assurance to the House that he does not intend to continue that course of conduct.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. SABATH. The gentleman has failed to read the different statements that have been made by the gentleman from Mississippi and myself. But I do not object to that. However, I wonder whether the gentleman has read the following that I said:

> I agree with the gentleman that we should discharge all Communists in the State and Justice Departments or anywhere else if such there be. Personally, I would go a step further than the gentleman and fire every man or woman whose first and only loyalty is not to the United States.

That is in the speech I made.

Mr. HOFFMAN. There you are. I say to the Members of this House, there is an illustration of just the course the gentleman has followed throughout the years. He apologizes and he attempts to justify. What is he justifying? Those few words? No, he is talking about his speech, and he is attempting to argue that his speech is all right. That is just what he did in February of 1946, a little more than a year ago.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Georgia.

Mr. COX. I am not combating what the gentleman says nor am I resisting his resolution. I simply wish to make this inquiry: Would the gentleman and others so deeply concerned be satisfied if the gentleman from Illinois were given the opportunity to offer apologies and to submit a request for unanimous consent to take the speech out of the RECORD?

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Mississippi.

Mr. RANKIN. If the gentleman from Georgia had consulted me before he entered this controversy, I could have given him some information. In the first place, the statement that was put in the RECORD by the Member from Illinois was not uttered on the floor of the House; but it was written, I am informed, by a man named Buckles in the Member's office. I have Buckles' record of smearing the Congress of the United States and of his alinement with subversive organizations and individuals. He seems to have put in the last few years maligning and abusing the Congress of the United States, individual Members of Congress, and other patriotic Americans. For that reason, I sent for and got the stenographic notes, and they are not what appeared in the CONGRESSIONAL RECORD. Therefore, since this man Buckles has been maligning Members of Congress and other patriotic Americans, I think it is about time we come to a showdown. For that reason, I am going to support the gentleman's motion to strike this entire statement from the RECORD.

Mr. HOFFMAN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution offered by the gentleman from Michigan.

The question was taken; and on a division (demanded by Mr. RANKIN) there were—ayes 152, noes 0.

Mr. RANKIN. Mr. Speaker, this is so important that I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and seventy-six Members are present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 324, nays 1, answered "present" 1, not voting 106, as follows:

[Roll No. 25]

YEAS—324

Abernethy	Crawford	Holmes
Albert	Crosser	Hope
Allen, Calif.	Crow	Horan
Allen, Ill.	Cunningham	Howell
Allen, La.	Curtis	Jackson, Wash.
Almond	Dague	Jarman
Andersen, H. Carl	D'Alesandro	Jenkins, Ohio
	Davis, Ga.	Jenkins, Pa.
Anderson, Calif.	Davis, Tenn.	Jennings
Andresen, August H.	Dawson, Utah	Jensen
	Deane	Johnson, Calif.
Andrews, Ala.	Devitt	Johnson, Ill.
Andrews, N. Y.	D'Ewart	Johnson, Ind.
Angell	Dirksen	Johnson, Okla.
Arends	Dolliver	Jones, Ala.
Arnold	Domengeaux	Jones, Wash.
Auchincloss	Dondero	Jonkman
Bakewell	Dorn	Judd
Banta	Doughton	Karsten, Mo.
Bates, Ky.	Eberharter	Kean
Battle	Elliott	Kearney
Beckworth	Ellis	Kearns
Bell	Ellsworth	Keating
Bennett, Mich.	Engel, Mich.	Kee
Bennett, Mo.	Engle, Calif.	Keefe
Bishop	Evins	Kefauver
Blackney	Fallon	Kelley
Boggs, Del.	Fellows	Kennedy
Boggs, La.	Fenton	Kerr
Bonner	Fisher	Kersten, Wis.
Bradley, Calif.	Flannagan	Kilburn
Bradley, Mich.	Fletcher	Kilday
Brehm	Gamble	Knutson
Brooks	Gary	Landis
Brophy	Gathings	Lanham
Brown, Ga.	Gavin	Larcade
Bryson	Gearhart	Lea
Buchanan	Gifford	LeCompte
Buck	Gillette	LeFevre
Buffett	Gillie	Lemke
Burleson	Goff	Lesinski
Busbey	Goodwin	Lewis
Butler	Gore	Love
Byrne, N. Y.	Graham	Lucas
Byrnes, Wis.	Grant, Ala.	Lusk
Camp	Griffiths	Lyle
Canfield	Gwinn, N. Y.	McCowen
Canfon	Gwynne, Iowa	McDonough
Carson	Hagen	McDowell
Case, N. J.	Hale	McGarvey
Case, S. Dak.	Hall, Edwin Arthur	McGregor
Chelf		McMahon
Chenoweth	Hall, Leonard W.	McMillan, S. C.
Chiperfield		McMillen, Ill.
Church	Halleck	MacKinnon
Clark	Hardy	Macy
Clason	Harless, Ariz.	Mahon
Clevenger	Harness, Ind.	Manasco
Clippinger	Harris	Mansfield, Coffin
Coffin	Harrison	Mont.
Cole, Kans.	Hays	Mansfield, Tex.
Cole, Mo.	Hébert	Martin, Iowa
Cole, N. Y.	Hedrick	Mason
Colmer	Hendricks	Mathews
Combs	Herter	Meade, Ky.
Cooley	Heselton	Meade, Md.
Cooper	Hess	Merrow
Corbett	Hill	Meyer
Cotton	Hinshaw	Michener
Coudert	Hobbs	Miller, Conn.
Cox	Hoeven	Miller, Md.
Cravens	Hoffman	Miller, Nebr.
Mills	Reeves	Stigler
Monroney	Richards	Stockman
Morgan	Riehlman	Stratton
Morris	Riley	Sundstrom
Morrison	Rivers	Taber
Muhlenberg	Rizley	Talle
Mundt	Robertson	Taylor
Murray, Tenn.	Robsion	Teague
Murray, Wis.	Rockwell	Thomas, N. J.
Nixon	Rogers, Fla.	Thomas, Tex.
Norblad	Rogers, Mass.	Thomason
Norman	Rohrbough	Tibbott
Norrell	Rooney	Tollefson
O'Hara	Ross	Trimble
O'Konski	Russell	Twyman
Owens	St. George	Vail
Pace	Sanborn	Van Zandt
Passman	Sarbacher	Vorys
Patman	Sasscer	Vursell
Peden	Schwabe, Mo.	Walter
Phillips, Calif.	Schwabe, Okla.	Welch
Phillips, Tenn.	Scrivner	West
Pickett	Seely-Brown	Wheeler
Plumley	Shafer	Whitten
Poage	Sheppard	Whittington
Potts	Short	Wigglesworth
Preston	Sikes	Williams
Price, Fla.	Simpson, Ill.	Wilson, Ind.
Price, Ill.	Simpson, Pa.	Wilson, Tex.
Priest	Smathers	Winstead
Rains	Smith, Kans.	Wolcott
Ramey	Smith, Maine	Wolverton
Rankin	Smith, Wis.	Wood
Rayburn	Snyder	Woodruff
Redden	Spence	Worley
Reed, Ill.	Springer	Youngblood
Reed, N. Y.	Stefan	Zimmerman
Rees	Stevenson	

NAYS—1

Douglas

ANSWERED "PRESENT"—1

Gordon

NOT VOTING—106

Barden	Fuller	Maloney
Barrett	Fulton	Marcantonio
Bates, Mass.	Gallagher	Miller, Calif.
Beall	Gerlach	Mitchell
Bender	Gorski	Morton
Bland	Gossett	Murdock
Blatnik	Granger	Nodar
Bloom	Grant, Ind.	Norton
Bolton	Gregory	O'Brien
Boykin	Gross	O'Toole
Bramblett	Hand	Patterson
Brown, Ohio	Hart	Peterson
Buckley	Hartley	Pfeifer
Bulwinkle	Havenner	Philbin
Burke	Heffernan	Ploeser
Carroll	Holifield	Poulson
Celler	Huber	Powell
Chadwick	Hull	Rabin
Chapman	Jackson, Calif.	Rayfiel
Clements	Javits	Rich
Courtney	Jenison	Sabath
Dawson, Ill.	Johnson, Tex.	Sadlak
Delaney	Jones, N. C.	Sadowski
Dingell	Jones, Ohio	Scoblick
Donohue	Keogh	Scott, Hardie
Drewry	King	Scott, Hugh D., Jr.
Durham	Kirwan	
Eaton	Klein	Smith, Ohio
Elsaesser	Kunkel	Smith, Va.
Elston	Lane	Somers
Feighan	Latham	Stanley
Fernandez	Lodge	Towe
Fogarty	Lynch	Vinson
Folger	McConnell	Wadsworth
Foote	McCormack	Weichel
Forand	Madden	

So the resolution was agreed to.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Hartley with Mr. Carroll.

Mr. Hugh D. Scott, Jr., with Mr. Miller of California.

Mr. Chadwick with Mrs. Norton.

Mr. Eaton with Mr. Hart.

Mr. Towe with Mr. Vinson.

Mr. Rich with Mr. Boykin.

Mr. Ploeser with Mr. Gossett.

Mr. Weichel with Mr. Chapman.

Mr. Nodar with Mr. Lane.

Mr. Fuller with Mr. Philbin.

Mr. Gallagher with Mr. Donohue.

Mr. O'Connell with Mr. Dawson of Illinois.
Mr. Maloney with Mr. Clements.
Mr. Hand with Mr. Feighan.
Mr. Gross with Mr. Fogarty.
Mr. Brown of Ohio with Mr. Huber.
Mrs. Bolton with Mr. Murdock.
Mr. Kunkel with Mr. Madden.
Mr. Latham with Mr. Peterson.
Mr. Fulton with Mr. Havenner.
Mr. Scoblick with Mr. Gorski.
Mr. Hardie Scott with Mr. Gregory.
Mr. Bender with Mr. Courtney.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the RECORD and include a radio speech.

Mr. NORBLAD asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. VURSELL asked and was given permission to extend his remarks in the RECORD in two instances, and in one to include a speech delivered by Colonel McCormick at Los Angeles, Calif.

Mr. WOLVERTON asked and was given permission to extend his remarks in the RECORD and include a memorandum on the British nationalization of transport bill by Dr. C. S. Duncan, economist of the Association of American Railroads.

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the RECORD in five instances and include excerpts.

Mr. RAINS asked and was given permission to extend his remarks in the RECORD and include a statement by Mr. Donald Comer, of Alabama.

Mr. BUCHANAN asked and was given permission to extend his remarks in the RECORD and include two editorials, one from the Pittsburgh Press and the other from the Pittsburgh Post-Gazette.

COMMITTEE ON BANKING AND CURRENCY

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the House Committee on Banking and Currency may sit this afternoon notwithstanding the fact that the House may be in session.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDMENT OF SETTLEMENT OF MEXICAN CLAIMS ACT

Mr. MANSFIELD of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (S. J. Res. 27) amending the Settlement of Mexican Claims Act of 1942 to provide for the consideration of any claim decided by the General Claims Commission in which the United States filed a petition for rehearing.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the Settlement of Mexican Claims Act of 1942, approved December 18, 1942, be amended by adding after section 3 (a), paragraph (6) thereof, the following paragraph:

"(7) Any claim decided by the General Claims Commission in which the United States filed a petition for rehearing."

Mr. MANSFIELD of Texas. Mr. Speaker, this is a claim of the North American Dredging Co. of Texas against the Mexican Government. It was for dredging done many years ago on the harbor of Salina Cruz on the western coast of Mexico. There have been three or four Mexican Claims Commissions preceding this one now functioning and the present Commission will cease to function after April 4, in accordance with the terms of the treaty. This claim has been presented to previous commissions, but never came to a hearing. They all terminated before reaching this claim, except one and then the claim was dismissed on a technicality. Consequently it has never been considered on its merits. The purpose of this resolution is to give the present Commission authority to act upon it and either approve it or disapprove the claim in whole or in part. It cannot wait for the regular day for taking up the Consent Calendar as the Commission will have gone out of existence before that time. They have given us the assurance that if it can be presented to them at once, they will have time to consider it before April 4, the last day of the existence of the present Commission. The adoption of the resolution does not cost the Federal Government anything, neither does it say whether or not the claim shall be approved or disapproved. It merely gives the Claims Commission authority to take such action as the facts warrant.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House joint resolution (H. J. Res. 48) was laid on the table.

DEPARTMENT OF LABOR-FEDERAL SECURITY APPROPRIATION BILL, 1948

Mr. KEEFE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2700) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1948, and for other purposes; and pending that motion, I wonder if an agreement can be reached as to the time for general debate on this bill.

I have a suggestion to make, Mr. Speaker. I understand the majority conference is to be held in this room at 4 o'clock this afternoon. Obviously that will not give sufficient time to consider this appropriation measure adequately. I suggest therefore that in the event general debate is not concluded by 4 o'clock this afternoon we resume general debate tomorrow morning at 11 o'clock for an hour and a half, and then commence to read the bill.

Mr. ROONEY. Reserving the right to object, Mr. Speaker, there is merit in the suggestion of the gentleman from Wisconsin that we proceed with general debate tomorrow morning at 11 o'clock, but I suggest that we determine the time for general debate in view of the situation then.

Mr. CASE of South Dakota. Reserving the right to object, Mr. Speaker, do I correctly understand that those who plan to attend the majority conference this afternoon may arrange their affairs so as to be here at 4 o'clock?

The SPEAKER. The Chair suggests to the gentleman from Wisconsin that it would be better to limit his request to the time for general debate tomorrow, the time to be equally divided, and later in the day the majority leader can ask unanimous consent that the House meet at 11 o'clock tomorrow.

Mr. KEEFE. Yes.

Mr. CASE of South Dakota. Will the gentleman from Wisconsin move that the Committee rise at 4 o'clock this afternoon?

Mr. KEEFE. That is correct.

The SPEAKER. Will the gentleman from Wisconsin state his request again for the information of the House?

Mr. KEEFE. Mr. Speaker, my motion is that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of this bill, and pending that motion I ask unanimous consent that general debate continue today until 4 o'clock, and that in the event we have not concluded at 4 o'clock we have 1 hour and a half of general debate tomorrow, the House if possible to meet at 11 o'clock.

Mr. ROONEY. Reserving the right to object, Mr. Speaker, would it not be better if we were to run on until 4 o'clock and then see what the situation is tomorrow? We might otherwise be cutting off a number of those who would wish to make remarks and engage in the debate on this important bill making funds available for the Department of Labor and the Federal Security Agency. We probably can agree on that tomorrow morning.

Mr. KEEFE. Mr. Speaker, I am making this request because of what I understand the legislative program of the leadership of the House to be, and rather than to get into any argument tomorrow as to an extension of time for general debate, I have made the request so that we might pass this bill tomorrow. So far as I am personally concerned, I have no particular wish in the matter, but that seems to be in line with the intent of the leadership of the House.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. ROONEY. I object.

Mr. KEEFE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KEEFE. Mr. Speaker, do I understand that on the adoption of the motion to go into the Committee of the Whole

House on the State of the Union that there will be 1 hour for general debate for each side?

The SPEAKER. Under the rule, whoever is first recognized is entitled to 1 hour and, of course, the Member can yield such portions of that time as he wishes.

Mr. ROONEY. Mr. Speaker, perhaps we could agree with the gentleman from Wisconsin as to the time. I note that there are 2 hours and 40 minutes left and perhaps it is possible at this point to agree to divide that time.

The SPEAKER. If the gentleman withdraws his objection to the request of the gentleman from Wisconsin he can come to some agreement on the time.

Mr. ROONEY. Mr. Speaker, is it understood that the minority is to have an equal division of the time for debate this afternoon?

The SPEAKER. After the first hour has been used by the majority, the minority then can have 1 hour under the rule.

Mr. ROONEY. That is agreeable.

The SPEAKER. The question is on the motion offered by the gentleman from Wisconsin [Mr. KEEFE].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 2700, with Mr. HOPE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. KEEFE. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, the bill which is now before us makes appropriations for the Department of Labor, the Federal Security Agency, and certain related independent agencies of Government. It is a very complicated bill and very difficult to understand all of its provisions. It provides for appropriations totaling about one-billion-six-hundred-odd-million dollars.

I want to discuss first the appropriations for the Department of Labor, about which there has been some considerable discussion in the newspapers and over the radio recently. Many of these remarks that you have heard over the radio and much of the editorial comment with respect to the action of this committee has been made completely in ignorance of the true facts of the situation.

Generally speaking, the Department of Labor is divided into certain specific elements, for purposes of appropriation. For example, the first appropriation which you will find in reading this bill and the report relates to the Office of the Secretary. Included in the over-all heading, "Office of the Secretary," is the Solicitor's office, contingent expenses, traveling expenses, printing and binding for the whole agency. Then, in addition, there are penalty-mail costs, Division of Labor Standards, and Conciliation Service. That is all incorporated, for the purpose of appropriation, in the office of the Secretary. And I want to discuss that appropriation for just a few moments.

That office is headed by the Secretary of Labor. See what a wonderful outfit they have developed down there, largely because the Congress has given them authority to go ahead and develop it. Sitting up here is the Secretary af Labor. Under him is the Under Secretary of Labor. Next in line are three Assistant Secretaries of Labor, and next in line are three assistants to the Assistant Secretaries of Labor, and then, following on down, appear the division chiefs and division heads of agencies and so on. So that the head of a division in the Department of Labor in order to reach the Secretary of Labor himself has to go through an assistant secretary to the Assistant Secretary, then the Assistant Secretary, then the Under Secretary before he can even ever reach the Secretary of Labor. It is the greatest administrative set-up you have ever seen to provide lush jobs at $10,000 a year, and offers the finest opportunity for the repayment of political preference that you have ever seen, in order to take care of job holders at $10,000 a year. The former Governor of Kentucky, Mr. Johnson, occupies the job of Under Secretary of Labor.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. Pardon me. I cannot yield now. The time has been very restricted by action of the gentleman on my right.

The situation is simply this: Supposedly, here is a little department. They call it a little department because its appropriation, over-all, is only about $103,000,000; and $71,000,000 of that represents funds allocated to the States for the Employment Service. But it has this big over-all, top-heavy administration set-up down there. That is their business. The last Congress provided it and the people of the United States are paying for it, believe me.

Now, we went into that situation a little bit and we made a cut. We said, "Over-all you are going to get along with salaries in that office that you had before." And I think we are treating them mighty well. If you will turn to page 40 at the back of the report, you can follow this through. The Secretary's office had $968,648,000 in 1947. We recommended $819,500,000 for the next fiscal year, and it is plenty.

We have cut the Solicitor's office in line with cuts that have been made in other parts of the Department. We have cut their contingent expenses and their travel expenses, and we have cut their printing and binding expenses and penalty-mail costs—all in line with the general cuts that have been made throughout the entire bill.

Then, we finally come to this Division of Labor Standards that many of you have heard so much about. I wish I had a couple of hours to talk to you about the Division of Labor Standards, but I only have a few minutes. Let me say to you the Division of Labor Standards was created not by an act of Congress of the United States. It was a little division set up in the Department of Labor by Miss Perkins when she became Secretary of Labor, by administrative order. I think you should know a little bit about this Division of Labor Standards, because we have not made any appropriation for it at all.

When the Children's Bureau was transferred to the Federal Security Agency, there was left in the Department of Labor the functions relating to child labor and child welfare enforcement.

A sum of money was left to the Department of Labor to carry on that function. The Secretary administratively transferred that function to the Division of Labor Standards.

Then they have a little outfit called the Division of Labor Education for which Mr. Gibson, one of the Assistant Secretaries got $34,000 from us last year. Then they spent $13,000 and they set up a little outfit in the Division of Labor Standards to educate labor and to equip seminars and to equip universities to set up courses, and so on and so forth, $63,000.

What we did was to take these child-labor functions and transfer them to the Wage and Hour Division; and we took the labor education functions office and transferred it to the Bureau of Labor Statistics; and let me tell you what a good thing it is.

Now, the Labor Department itself, nor the Secretary, nor anybody down there, does not offer any serious objection to the transfer of the child-labor functions to the Wage and Hour Division. Nobody could offer objections to that. That is a step in the right direction. Why? Because for years the Wage and Hour Division has handled the complete problem of child-labor violation and prosecution and study and everything relating to all plants in the United States operating under Walsh-Healey contracts, and as to those not operating under Walsh-Healey contracts they did the investigating work through their inspection staff and then funneled their reports back into the Children's Bureau when it was in the Department of Labor.

All we are saying is that the Wage and Hour Division has the functional capacity to handle this whole problem involving plants operating under Walsh-Healey contracts. It has the ability to do it in the entire civilian production of the country. So we transferred that over to the Wage and Hour Division and we are saving about $150,000. The work will be done, and Mr. Walling's department should do that job. The Secretary of Labor himself said he proposed to have it transferred there as of March 1 and that the only reason he did not put it there in the beginning was because Mr. Walling's outfit was up in New York, but they expected them back here and they expected to make the change. Well, the committee decided to make sure the change was made, and they did this at a saving of about $150,000.

The other thing that was in this Division of Labor Standards was the publication of little booklets relating to safety and sanitation and labor's rights and how to bargain collectively, and this, that, and the other.

Mr. Chairman, if you will read this record you will see that in that field there is a complete overlapping, despite

all of the contrary talk that you may hear coming from this side. All you have got to do is to take this book I hold in my hand and read it and see what is in it. This is a book that is published by the Bureau of Labor Statistics. It is entitled: "Union Agreement Provisions." We went over this in the committee, and with the two supplements that they are going to put in their new book which I have here they completely cover the entire program of the printing of pamphlets by the Division of Labor Standards. They cover the whole field, and it is here in a well-written instrument that the committee thoroughly has approved of; but we cannot see any reason why the Division of Labor Standards should be taking material from these pamphlets and reprinting it in separate pamphlets of their own and taking credit for doing that sort of thing.

In the matter of safety and sanitation in the plants of America the Division of Labor Standards used to tell us the field was important and what a grand job they were doing. They had only about three people, and for years I have asked the Secretary of Labor to have these agents of the Wage and Hour Division, the three-hundred-odd inspectors that they have, called in to seminars and have them trained as trained safety factory inspectors to cooperate with the State factory inspectors and thus get some real safety into the picture, because safety is a State matter and the Federal Government cannot do anything about it except to make suggestions and say we want that matter built up in the States, and we want the agency that has the force that goes into the States and goes into the plants train those men in the simple minimum standards of safety and sanitation, not that they would be able to make an enforceable order but merely to cooperate with the State agencies and to offer suggestions.

If we are going to save any money any place we have got to begin to cut down. Here you are going to have an opportunity to cut down, to get rid of the first agency of government since I have been here, that is, the Division of Labor Standards, but not to do away with all of its functions. We put it in other places in the Department of Labor, as I have indicated.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. Will the gentleman call to the attention of the House the fact that this is simply an administrative agency and was never set up by statute?

Mr. KEEFE. I have said that; that this outfit was not set up by any act of Congress. It is a mere administrative agency.

Now, we come to the next one, the Conciliation Service. I want to spend a little time on that. There have been a lot of misstatements in the paper and over the radio, and a lot of people talking who do not know what they are talking about. Let me just indicate to you how things develop, to lay a little background.

I had a man come to my office Saturday afternoon, a very fine citizen of Chicago, who was a member of the Sixth Regional War Labor Board, that a fellow by the name of Warren used to be the head of. This man's name is W. Homer Harts, president, Morgan Frog & Crossing Works, who with a number of other men signed the statement in the paper telling what a great man this Warren is who is involved in this Conciliation Service business.

Well, sir, you know, that reminded me of the last case I tried before I came to Congress, when I was appointed by the Governor to prosecute a big arson case. The defendant in the trial of that case put on the witness stand the president of his company and all his business associates and everybody else, and they all testified what a wonderful man he was, but before that case concluded, in the presence of all his friends, neighbors, preachers, bankers, and business associates, he stood up in that courtrom and said, "Your Honor, I ask leave to withdraw my previous plea of not guilty and enter a plea of guilty," and that night he took strychnine and committed suicide, all of this evidence concerning his great character to the contrary notwithstanding.

So, this gentleman came to me. He read something in the paper and he said, "I did not know about these things that are being said now when I signed this. A fellow came out to Chicago from the Conciliation Service with the statement already prepared and asked if I would sign it. He said, 'So-and-so has agreed to sign it. Will you sign it?' And just as a matter of course, without thinking, I signed it." I said, "When you signed it, did you know the facts?" He said, "I didn't know anything except that this man was out there during this short period of time and he had a good job." I said, "Let me read you the record." And I read the record to him and it is here for you to read, and you ought to read it. You will find it starting on page 662 of the hearing.

Mr. KEEFE. Mr. Warren, were you at any time an economist with the Wage and Hour Division of the Department of Labor?

Mr. WARREN. Yes, sir.

Mr. KEEFE. Did you live at 103 George Mason Drive, Arlington, Va.?

Mr. WARREN. I did.

I asked him those questions. Why? Because I never knew Mr. Warren. I knew nothing of his background or anything about him. I had sent to the Committee on Un-American Activities for a list of all persons that showed they were employed by the Labor Department and had any subversive background, and I found this name, E. L. Warren, residing at 103 George Mason Drive, Arlington, and I did not know whether that was Edgar L. Warren or who it was. So I asked him these questions.

Mr. KEEFE. At that time, when you were an economist in the Wage and Hour Division of the Department of Labor, were you a member of the American League for Peace and Democracy?

Mr. WARREN. I was a member of that organization at one time, probably at that time; yes.

Mr. KEEFE. Were you a member of the Washington Book Shop?

Mr. WARREN. I was.

I have since found out he was not only a member but he was a director of the Washington Book Shop. Now, those organizations were two of the foremost, outstanding Communist organizations here in Washington. "Well," he said, "I do not hold that radical philosophy any longer," if you read the record. "I do not believe that way any more," and yet at last year's hearings I questioned him before the committee with respect to a statement which he made in a seminar down here in an interdepartmental seminar of employes in which he took the position that he approved the philosophy of the right of Federal employees striking against the Government, and under his own statement that was in the autumn of 1945. You will find it on page 146 of these hearings of last year.

So this gentleman who now says that he does not believe these philosophies of radicalism any more, he quit when he found out that there were Communists in those organizations, as late as the fall of 1945 he is the head of the Conciliation Service, is advocating the right of Federal employees to strike against the Government, and then when I asked him about that he said, "Oh, I do not believe that any more." And I said, "Why not?" "Why," he said, "I have been reading and thinking and I have changed my mind now; I do not believe in it any more." I said, "When did you change your mind? When did you disavow that philosophy? Have you ever publicly disavowed it?" And he said the only disavowal was when he disavowed at the time I questioned him before this committee, and he was caught.

My position in this matter is simply this. I have been one of the friends of the Conciliation Service, and my record is clear. I have been one of those who have fought for the Conciliation Service, as every Member of the House knows. We gave them every dollar of money they needed when John Steelman was the head of it. But we have a different situation down there right now. Let me tell you about it. This is characteristic of a lot of this Government stuff that I will not have time to talk about.

When we set up this Conciliation Service originally we provided that as far as the departmental service was concerned that would be subject to Civil Service, but as to the field, we said to John Steelman, "You go out and hire the best men you can hire without regard to Civil Service limitations." He did, and we supported him. So they always made their presentation before this committee on the basis of a departmental appropriation and a field appropriation.

Along comes Warren. He thinks John Steelman's method of having conciliation work out in the field in the grass roots where the conciliators did the work is crazy. He is building up a great big department here in Washington with a lot of so-called experts that can go out into a plant and tell the mannfacturer what is wrong, that he ought to have another assembly line here, "You are spending too much time on this operation and that operation. We can show you where you can save some money and thus pay more money to these people." It is no longer a conciliation

service. That is what he is doing, and he is wrecking the Conciliation Service that John Steelman set up, despite anything that anybody may say.

What did he do? In order to build up this departmental service he had to have money, so he fired 39 of the grassroots conciliators. Some of those conciliators had excellent records right at the time they were fired. He used that money from out in the field to build up his departmental service here at Washington. He brought people into the department without any compliance with civil-service requirements, and he did it through fraud, by setting out a jobsheet certificate that these people were appointed as commissioners of conciliation, when he knew, as he admitted, that not one of them would perform any of the functions of a field conciliator.

When I go down to his department and say, "What about this man here, Mr. Warren, this Gordon Cole that you appointed on August 12, 1946, at a salary of $7,102.20? He is appointed as a conciliation commissioner. Let me see his job sheet, let me see his civil-service job sheet." He does not have any. Why? Because he is fooling you and fooling me when he puts that guy on the pay roll and says that he is a commissioner of conciliation, when he knew that man was never going to perform any of the services of a conciliator.

The committee, or a majority of the committee, has designated that conduct as fraud, a fraud not only upon the 39 commissioners that he fired but a fraud on the Congress of the United States, and certainly a fraud upon the committee that gave him his money.

That is not all. There are a lot of other things that this fellow has been doing down there. As far as this committee is concerned, the chairman submitted the whole situation to the Secretary of Labor in advance, in hope that this man could be gotten rid of before we even had to consider his appropriation. The matter was taken right up to the White House. We have done everything we can to lay this bird's record right out there cold.

As far as this committee is concerned, what it has said is twofold. First, there are plenty of real Americans left in this country with no background of affiliation with Communist outfits that can handle that job and do it well. There are plenty of Americans that believe in America and have never associated with these Communist radicals that can do that job. We do not propose, if it lies within our power, to see this man kept by the taxes that come from our people. We can successfully prevent it here if you will stand with us. You will have an opportunity now to show whether you meant what you said when you told your people that you are going to throw out the first Communist that gets in your way. My friend, Mr. ROONEY, can stand up here and tell how anti-Communist he is and how they all hate him up in New York and how his name and his religion any everything else would belie the fact that he could see anything good about a Communist. He has made such statements. I understand he will make them here again today in support of this man Warren. He will say that this man Warren is a wonderful man. He will say, "I have letters here from so-and-so and so-and-so and so-and-so—from the chamber of commerce and from the Nation Manufacturers Association." How they do use the National Association of Manufacturers when they want to use them and how they dam them almost every other time.

I can bring in a stack of letter that high from people who say that this man has wrecked the Conciliation Service. I am not relying upon that, however. I am relying upon the record. If Mr. Warren had any statement to make, look at the record. The record is here. He had a chance. He had every chance. We brought him before the committee twice. I want to tell you as a friend of the Conciliation Service and as one who wants to see that service carried on that you do not have to worry about the fact that we have gotten rid of a whole flock of $10,000-a-year men and have also gotten rid of a lot of these so-called regional offices. In one of these regional offices they had three conciliators working. They had a regional director, a special regional director, and a branch regional director. You never saw such a bunch of $10,000-a-year lush jobs in all your life. No wonder they are scurrying up and down the land trying to hold on to that kind of stuff.

But I am telling you that as long as I have anything to say about it, they are going to go. If you are going to achieve any reduction in public expenditures, here is your chance to demonstrate what you want to do. I know you will do that, and I know you will have confidence in the committee that has brought you this bill.

The Conciliation Service will not be hurt a bit. Your real fellows out in the field are all there. The offices are all provided for. We have left one branch supervisor in each of the offices and we have left the stenographic help to take care of the offices. We have left the conciliators that they have said were necessary to do the job, which is a very much reduced job.

Mr. BUSBEY. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. BUSBEY. I think the applause of the Members a few moments ago demonstrates our appreciation of the fine work the chairman of this subcommittee has done on this particular department and the very intelligent statement he has made regarding this situation. I think that the gentlemen would also like to know that the gentleman he referred to a moment ago, Mr. Homer Harz, of Chicago, who interviewed him in his office Saturday afternoon, has gone back to Chicago to call together at a luncheon today these various men who signed that statement with him and explain to them how they were sucked in by this emissary of Mr. Warren's down here and that somebody's face will be red, I am sure.

Mr. KEEFE. I think before this bill has been concluded many faces will be red in connection with this episode because we are checking up on this fellow Warren spending your money and mine to send his emissaries throughout the country to get these letters that my friend on the other side will wave in front of you in a short time. It is easy to get people to sign petitions. It is easy to get them to sign letters. But Mr. Warren had an opportunity to make some statements of that kind before the committee when he could be examined and he did not open the door—believe me, he did not.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. CHURCH. With reference to Mr. Homer Harz, I want to emphasize what the gentleman from Illinois [Mr. BUSBEY] has just said about Homer Harz, of Chicago. He is one of the leading citizens of Chicago. He was misled by the conciliator going out there on the taxpayers' money and presenting a paper for him to sign before he knew the facts developed here.

Mr. KEEFE. In this service you have a very lush outfit called the Board of Arbitration Panel which is appointed by Mr. Warren. When the parties get together and say they want an arbitrator then Mr. Warren appoints one of these fellows to be the arbitrator. Do you know what they get? Those jobs are simply terrific. Look at the list of people who are getting all that money. Some of these little unions were scared to death when they got the bill for the little bit of an outfit down here in Florida when they were charged over $6,000 for arbitration fees and expenses. I was told by this gentleman from Chicago Saturday afternoon, who is a member of the Sixth War Labor Board, that this fellow asked him to appoint our former colleague, Mr. Biemiller, to one of these jobs. That will give you some idea. He refused to do it. That will give you a little idea of how this fellow Warren has gotten rid of his radicalism and his radical ideas, when he recommended the appointment of Andy Biemiller for a job as arbiter between management and labor. For God's sake, where are we going?

Mr. ROBSION. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. ROBSION. I have observed the gentleman for many years in dealing with the matter of conciliation and arbitration. He has been a great friend of that service. Like the gentleman, I am interested in conciliation and arbitration of matters in dispute. Is it the gentleman's position that what has been recommended by his committee in removing Mr. Warren or withholding these funds to certain people in Washington will strengthen and not harm the conciliation and arbitration service?

Mr. KEEFE. Why, of course, it will. It is right in line with what the Congress is trying to do. This may all be an academic question before the end of this year. I understand the Committee on Education and Labor is about to pass upon a bill which may deal with this subject and reorganize this conciliation service entirely. We must have a conciliation service but we do not need to build up places to take care of all the old palsy-walsys of Ed Warren that he had over in the War Labor Board, and furnish them all with lush $10,000 a year

jobs. That is what they have done. They have done it by firing 39 commissioners out in the field, in order to get the money to put these other birds on the pay roll. That is telling you in plain English what happened.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. REES. I am just wondering how many of these lush $10,000-a-year jobs, on a percentage basis, you have eliminated, and along with that, on a percentage basis, how much have you reduced this bill as compared with the request of the Bureau of the Budget?

Mr. KEEFE. Well, we have reduced the bill, as compared with the 1947 appropriation, $22,816,000. As to the 1948 estimates, $12,714,000. That sounds small. It is. But it is about 44 percent of money we had to work with. You understand this appropriation for the Department of Labor carries $71,000,000 of appropriation to take care of the administrative expenditures necessary to carry on the Employment Service. That money the Department of Labor simply allocates and turns over to the States to carry on the Employment Service. So that the actual amount of money we had to work on was a little over $30,000,000. Of that we reduced it $12,000,000. Does that answer the gentleman?

Mr. SCHWABE of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. SCHWABE of Oklahoma. Would the gentleman care to comment on the fact that six of these so-called conciliators, who are not conciliators at all, were appointed, at least three of them, last spring and the committee was not told last spring what the facts were? These men were not brought in from the field as conciliators.

Mr. KEEFE. If you will turn to the hearings, page 661, you will find that I was fair with Mr. Warren, and in advance of his coming before the committee submitted certain questions that I wanted answered. You will find the questions and answers given beginning on page 661, and you will find a list of names of those people who were appointed, among them people who were appointed as early as February, April, and March, 1946. Those appointments were made before we even met to consider his proposition last year. He knew he was making those appointments in violation of the rules of appropriation, before we ever passed the bill last year. He did not say a word to us about it. That appears now in the record.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. VURSELL. Is it not a fact that the recommendations of the gentleman from Wisconsin and his committee, if carried out, will be our first opportunity to implement the suggestion of the President in his directive issued last Saturday when he called upon the Congress, and particularly when he issued the directive to get rid of people who might have subversive connections? Is this not our first opportunity to do it today?

Mr. KEEFE. I think it is. I think it is establishing a precedent.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. CHURCH. Is it not apparent that the President held this long-studied method of getting rid of those people until after he knew what the Appropriations Subcommittee was doing?

Mr. KEEFE. I will not say that the President knew about what we were doing or that it influenced him in any way. I can at least say this, Mr. Chairman, that the action of this committee is historical to this extent, that it reiterates in a manner which we believe is not subject to attack in the courts or any other place the power of this Congress to control the purse and to control the expenditures of money; and that is a power that we ought to take back, which we have nearly lost up until now.

Now let me tell you about the apprenticeship-training program. I may say again that the apprenticeship-training program started in my State. The present director, Mr. Patterson, was the director of apprenticeship training in my State. It is a State function, it is not a Federal function at all. Mr. Patterson came down here when we passed the apprenticeship-training law and was made the head of it. I have always been a friend of apprenticeship training and I am now. I put the amendment before the Congress in the GI bill that set up apprenticeship training as one of the functional additions to the GI act. I have not time to go into the details of it except to say that we have given to the apprenticeship-training division here for the Federal Government the same amount of money they had last year, and they will be perfectly happy with it.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. KEEFE. Mr. Chairman, I yield myself 10 additional minutes.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 10 additional minutes.

Mr. KEEFE. Now we come to this Bureau of Labor Statistics. Are not some of you people getting a little bit tired of statistics, spending millions of dollars to get a lot of statistics together and then have the CIO, the A. F. of L., or somebody else say they are not worth a damn? Have them say that their own organization has gotten statistics together that prove that the Bureau of Labor Statistics' figures are not worth anything? Are you not a little bit tired of that?

During the war this thing was built up just like you built blocks when you were kids. Do you know how they did it? We appropriated a certain amount of money and then when they came back the next year they told us they had spent over $7,500,000. Where in the world did you get that money? Well, we got a million and a half allocated from OPA; we got another $700,000 from WPB; we got another sum from this agency and that agency. Altogether from all these allocations last year they had about $7,500,000 for which today they are asking for a regular appropriation to implement and carry on work which got started with funds allocated in that way from all these other agencies. Thus they have written into their regular appropriations all of these wartime appropriations that we so diligently tried to get away from when we compelled them to divide their wartime and peacetime activities appropriation-wise.

The committee just cannot go along with that sort of thing. We believe that the cost of living index should be kept going. We have given them the money to carry on this little education business. And, by the way, if you will read the report, you will see that this committee is going to make some investigation of this education business. I think it is high time that the Congress of the United States began to assert itself. Are we going to allow the Labor Department to start a great program of federalized education? They did that over in England, you know; that is how they got a Socialist government. It is exactly the same plan in its genesis that is proposed here, and so far as I am concerned on this item, perhaps before this bill is finished I am not so certain but what it ought to be stricken out and let them go to the Office of Education if it is an educational program and let those courses of less than college grade be given through the vocational system that we have financed to such great extent, and those of college level let them be given in the university extension courses by the various universities.

We have cut this Bureau of Labor Statistics down to where we think it ought to be in 1948. My goodness it only had $784,000 in 1938, yet it has grown to $5,517,000 in 1947, and now they come in and ask for $6,700,000 in 1948. We are giving them $3,373,400. To my mind that is still plenty of money for statistics and all the money they ought to have.

Now, the Employment Service. Funds for that increased sharply when the President made the Employment Service entirely Federal, for there had to be developed here in Washington a Federal Employment Service under the leadership of Bob Goodwin, a very able administrator and a very fine fellow. Now, they sent a lot of money out of the Washington office taking over the direct supervision of all the employment offices of this country, and they used to spend about $6,500,000 in doing that job. Well, Congress put on top of it a veterans' organization headed by a fellow by the name of Faulkner, and he dipped into this fund to the tune of about $1,700,000 to run his show which Secretary of Labor Schwellenbach testified before the committee was simply nuts. That was his expression. He said, "That program is nuts." That comes from the Secretary of Labor. That is in the record. Well, we sent these offices back to the States, did we not, last November, and the States are running that show, and all they need at the Federal level is an office to get together the standards that can be sent out to the States and to place the funds out in the States, to allocate the funds that are allotted for administration in

the States. That is all Bob Goodwin has to do.

So we have cut him down to $900,000. Do you know why? Oh, these papers are squawking that we have massacred the USES. They had an article in the Post the other day how this committee has massacred the USES. Now, I am sure you have heard of unemployment compensation that is administered by the Social Security Board, have you not? They spend hundreds of millions of dollars and have just as many offices as has the employment services. They go hand in hand. Do you know how much money they spend for administration, and they have exactly the same function to perform as has the USES under Bob Goodwin? The Social Security Administration administers the funds for unemployment compensation, and they get $900,000 for doing that, and the committee said, "Mr. Goodwin, you haven't any bigger job to perform than they have. It is an identical job, almost; same office, same type of thing, one at one end of the office and one at the other end, but we are going to give you that amount of money," and he will be able to do the job for what he has to do. He does not have to look after all of these offices as he did when they were federalized. The States have them back, and that is why we are giving him $71,000,000 to administer the job in the States. Do not let anybody kid you about it. It is just one damnable job to get rid of one of these barnacles when they are on the old Ship of State here, and you are going to be a pretty unpopular guy if you head the job and wield the ax. Yes, Drew Pearson will take a sock at you and so will Walter Winchell. He did at me last night, and he did at JOHN TABER, and they are after anybody that has the guts and the courage to look them straight in the eye across the table, as this committee did, and say "Gentlemen, you are through. We mean what we say. This is a new situation. The people spoke last November and by the eternal gods we are going to see that what they asked for is carried out, and you are not going to fool us on that situation."

Now, they said that we are going to strip the Women's Bureau. Yes, we are going to kill the Women's Bureau, they say, and I guess I have received a thousand letters as a result. We are going to kill the women of America. We are going to do away with all women's rights. Oh, what an ungodly committee that is.

Do you know how that came about? Frieda Miller was up there. She is the head of it, and she is a nice person, she originated in my State, and she wants to do a good job in the Women's Bureau. This is in the record. So when we got all through I said, "Miss Miller, you are not going to get any increase over what you had last year. Supposing the committee decided to cut your outfit 10 or 25 percent of what you had last year, how would you allocate the cut?"

"Hoo-hoo," she said. Her hands went back and she pretty nearly died and she said they would not be able to run it at all. "Well," I said, "that may be a good reason to do away with the whole outfit then," just facetiously. It appears in the record. So the word went out. The teletype got busy to every woman's club in America, "KEEFE is going to assassinate the Women's Bureau," and they began to come in. They did not know what they were talking about. That Women's Bureau was created in 1922 under a Republican administration, and I am not one to assassinate it. I think it is doing some work that is worth while. Just what it is, I do not know. It is doing a lot of work, perhaps, that is worth while, so I am told by a lot of people, some of whom wrote me and told me about what a great organization it was, and at the bottom of the letter was a P. S. reading, "What is this Women's Bureau, anyway?"

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. KEEFE. Mr. Chairman, I yield myself two additional minutes.

They never heard of it. Well, we left it there as it was and hope they get along and do a good job.

Now, there is one thing that I want to talk about if I have the time. This is a tremendous bill. I want to talk to you just a little bit about this hospital program. There are certain men on my right that just go about clapping their hands every time they think that they can demonstrate that we are not going to be able to save any money. Oh, how the gentleman from Tennessee has been quoted in the paper and how others on this side have let loose with barrages to the effect that this cut is just a phony. In this case he is talking about a cut, as he was quoted in the paper, that was thoroughly approved by the gentleman from New York [Mr. ROONEY], his own ranking Democrat on the committee, approved by Dr. Parran completely, and approved by the General Counsel's office of the Federal Security Agency.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from New York.

Mr. ROONEY. Is it not a fact that there is no cut in the bill at all with regard to hospital construction?

Mr. KEEFE. I do not yield any further on that. That is the gentleman's story. He has been harping on that. The gentleman ran in here to the gentleman from Tennessee [Mr. GORE] to tell him about it before the bill had ever been reported. We know about that, too. So let that be as it may, we have never intended nor have we tried to show that there was any cut. The gentleman knows that as well as anyone knows it, and so does his friend from Rhode Island know it as well as anyone knows it.

Mr. FOGARTY. No; I do not know that.

Mr. KEEFE. If the gentleman will listen to me a minute I will tell him what he does know. He knows that this committee in its report never claimed that we cut $50,000,000 from this budget, yet you have tried to make the American people believe that. Let me tell you the truth about it and I hope you want to tell your men the truth. When we were considering this bill, we got into quite an argument on this $50,000,000 hospital program. Every man on the committee wanted to implement that Hill-Burton bill. I did; I am for it. I want to see these hospitals built, and you know it. I have expressed myself over the country on that subject. But here we were with a bill that provided an authorization of $75,000,000 for 1947, $75,000,000 for 1948, and $75,000,000 for three succeeding years. The beneficiaries were to provide $2 for every $1 we provided under that bill. The budget sent up a proposal here to appropriate $50,000,000 out of a total authorization of $175,000,000.

The question was asked, and I asked it, "How are you going to pay this money out? Who is going to get it? Is it going to be first come first served? Suppose you get $100,000,000 or $150,000,000 of approved program coming from just two States, are they going to get this whole $50,000,000? How is this thing going to be handled?"

That presented another question. The boys had not thought of that. So we went to work and, with the assistance of Mr. Arthur Orr, one of the clerks of the committee, with the assistance of Dr. Parran, and with the assistance of the General Counsel of the Federal Security Agency, we worked out the language that is in this bill. It has the unanimous approval of all parties concerned, because under the language of this bill we do not limit the expenditure at the Federal level to $50,000,000, we say to the State under this law, "If you go out and raise the money to meet the dollars that we have raised or will raise, you can go ahead with your program and the Federal Government will match it as a contractual obligation." If the States raise $150,000,000, we will put up $75,000,000. My Democratic friends know that is the truth as well as anything. We do not claim there was any cut in this budget as a result of that action, but we do claim we are carrying out the will of Congress with respect thereto. Do not let anybody kid you on this floor that we have made a lot of phony cuts.

I want to tell you one or two other things, and that is all I have time for. I wish I had a couple of hours to go through this here. This committee has done a remarkable job, and I mean all the members of the committee, in bringing this bill to you. It is the most difficult bill that comes before this Congress. I do not say I have done any remarkable job but the committee has in going through this situation.

Let me show you. We cannot cut the social-security program, do you realize that? Eighty-nine and nine-tenths percent of the total of the appropriation for the Federal Security Agency is for grants under the social-security program and under the public-health program. Three and three-tenths percent is for operation of hospitals. Two percent is for the operation of educational institutions. A total of 93.2 percent of the entire appropriation for the Federal Security Agency is for those categories. Is there any way that we can cut the maintenance of St. Elizabeths Hospital? Can we cut the maintenance of the marine hospitals throughout the country?

Can we cut the budget of Howard University or Freedmen's Hospital?

We went beyond the budget and said, "No; not only will we not cut that, but we will provide more funds than the Bureau of the Budget provided."

We gave Freedmen's Hospital enough money here to clean that hospital up and take care of those people as they should be taken care of.

We gave $6,000,000 more for the cancer-research program than was allowed by the Bureau of the Budget. We have provided for a real cancer program. My colleagues, I wish I had 1 hour to tell you about that program alone.

We provided all the funds necessary for research in heart disease, poliomyelitis, tuberculosis, research in mental illnesses, and so on.

We provided the facilities for the establishment of this huge hospital at Bethesda which my friend, the gentleman from Tennessee, worked so hard for. We provided the funds to get that started and to provide for the clinical experience to take care of these programs.

We are supposed to be a lot of old wild reactionaries because we cut a little off the Department of Labor. We gave the Public Health and Federal Security Agency, which deal with the health and public welfare of human beings throughout this land, all the money they asked for and more than the Bureau of the Budget saw fit to give them. The cuts we have made in the Department of Labor are those cuts that will enable the Department to function better than they have functioned heretofore. There will not be quite so much confusion or overlapping or duplication of effort and service and there will not be quite so many lush $10,000-a-year men such as they have down there at the present time.

The CHAIRMAN. The gentleman from New York [Mr. ROONEY] is recognized for 1 hour.

Mr. ROONEY. Mr. Chairman, I yield myself 20 minutes at this point.

Mr. Chairman, the prosecution has rested.

Oh, in talk he's a wonder, but oh, how small are the gains.
Oh, how loud is his thunder, but oh, how little it rains.

We have just heard a great deal, but nothing about the over-all figures in connection with this annual appropriation bill. From the report, it might appear to the American people that the slash in the amounts requested by the Labor Department and the Federal Security Agency for the fiscal year 1948 was another advance toward a $6,000,000,000 cut in the President's budget. But oh, no. My friends on the other side of the aisle have now dropped the second dribble into the budget bucket. The first dribble was in the Treasury-Post Office bill, when they tried to show that there was a saving therein of about $890,000,000. Lo, it then appeared that the fact of the matter was that the actual cut was about $90,000,000, or approximately seven-tenths of 1 percent of the full amount of the bill, and that $803,200,000 was temporarily and falsely saved by use of a clever pencil. We immediately found that the alleged cut was only in refunds and draw-backs for the Internal Revenue Bureau and the Customs Service, which eventually would have to be paid out of the Treasury.

Now, as I said, we are along to the second dribble in the budget bucket. The President through his Bureau of the Budget requested funds for the Labor Department and the Federal Security Agency for the coming fiscal year in the amount of $1,763,412,300. Using the majority's figures as now presented to this House the cut which is claimed in the report in the amount of $77,825,520 is less than 4½ percent of the President's budget estimate. But they are still playing with figures and using a clever pencil because there is a peculiar and misleading item in this bill, to which the charming gentleman from Wisconsin referred, in the amount $50,100,000 for hospital and construction activities of the Public Health Service. If you will look at the report—I believe it is on page 44—you will find that there has been a reduction in the amount requested for this purpose by the Bureau of the Budget, so claims the gentleman from Wisconsin, of $50,100,000.

The facts with regard to that $50,100,000 item are these: The full subcommittee, both the minority and the majority, were in entire accord with the program for hospital construction activities requested by the Bureau of the Budget. There came into play the question of how the funds would be properly allocated among the States by Dr. Parran and the Public Health Service. A splendid suggestion was made by Mr. Orr, one of our most competent clerks, following the language of a clause in the public-roads bill, that similar language be inserted in this bill, so that the full amount, $50,100,000, would be allowable to Dr. Parran as it was needed and as soon as the construction plans were received and approved by the Public Health Service for the erection of the hospitals in the States, under which plan the States contribute two-thirds and the Federal Government one-third of the full program. Now, the clause inserted in this bill provides not only that the Public Health Service shall have $50,100,000 for the ensuing fiscal year for hospital construction, but that the Public Health Service may have as much as $150,000,000 under the terms of the Hill-Burton bill and the language on page 21 of the present bill. This being so, the budget-slashing team has been thrown for a loss on the 50-yard line to the extent of $72,274,480. Instead of the figure shown in the report, a claimed reduction from the budget estimate of $77,825,520, the fact is that this committee has allowed the amount $72,274,480 over and beyond the amount of the present budget estimate. This cannot be denied.

Now, I would like to take up the matter of Mr. Warren, Director of the Conciliation Service. The gentleman from Wisconsin [Mr. KEEFE], very appropriately stated that I would say to the House that I hate communism as much as anyone on either side of the aisle. He knows that if I thought Warren was a Communist sympathizer or a follower of the Communist line I would be right on his neck. I know something about their insidious propaganda activities. There is no Member of this House whom they hate more than me. They have fought me since I have been a Member of Congress, and I have defeated them at every turn. But, what about these charges against Warren? Have we now arrived at the point where a congressional committee or a one-man grand jury, prosecutor and policeman can dictate who shall be a Justice of the Supreme Court of the United States, by striking from the annual judiciary appropriation bill the moneys to pay him his legal salary? Has the Congress reached the point where it is going to interfere with the executive department to the extent that an appointee to the Court of St. James' by the President may be recalled and renamed by the failure and refusal of a congressional committee to appropriate the money to pay his salary?

Now, who is Mr. Edgar L. Warren? I do not know him personally or socially. I met him when he first appeared before the committee. I will give you his biography.

Mr. Warren was born in Pittsburgh in 1904 and was graduated from Bethany College, Bethany, W. Va., in 1926. He did graduate work at the Harvard Business School, United States Department of Agriculture School, and Brookings Institution. From 1927 to 1933 he was connected with the Ralston Purina Co. in St. Louis, Mo., as salesman and sales supervisor and economist. From 1933 to 1938 he was an economist with the Department of Agriculture in Washington. From 1938 to November 1942 he was an economist and later director of the industry committee branch of the Wage and Hour Division, Department of Labor. In November 1942, Mr. Warren was appointed assistant director of the Wage Stabilization Division of the National War Labor Board. He also served as public member of the Wage Adjustment Board, as acting deputy director of the National Board in Charge of Industrial Missions. In 1943 he became chairman of the Seventh Regional War Labor Board at Kansas City, Mo., and later served as chairman of the Sixth Regional War Labor Board, in Chicago. Mr. Warren was appointed director of the United States Conciliation Service on September 23, 1945.

This attack directed to Mr. Warren is an old chestnut, as appears from last year's hearings before this same committee. At that time he was questioned extensively by the present chairman of the subcommittee, the gentleman from Wisconsin [Mr. KEEFE]. I am going to read you a few questions and answers from which I trust you may be able to gain an insight into the kind of man Mr. Warren is.

Mr. KEEFE. Assuming there was a strike among the workers of the Government in cafeterias operated by this so-called nonprofit organization that is not, in fact, operated by the Government, but in sympathy therewith those employees who are on the Government pay roll walked out and went on strike and you, as the head of the Conciliation Service, were called in to settle the strike affecting these Government workers: What would your attitude be?

Mr. WARREN. As far as Government workers are concerned, they certainly cannot strike.

Mr. KEEFE. Why not?

Mr. WARREN. They are not allowed to strike by Executive order. There is a specific provision against striking on the part of Government employees.

Mr. KEEFE. Well, suppose they did?

Mr. WARREN. Well, as a matter of fact, I, of course, am not in sympathy with strikes as such at all and I feel my function is to prevent and avoid strikes and stop them where we can.

At another point:

Mr. WARREN. I would like to have the record clearly show that I am opposed to strikes of Government employees.

Mr. KEEFE. All right; I want that brought out in the record.

Mr. WARREN. I would like to have the record clearly show that.

Mr. KEEFE. You are in sympathy then, with the policy that has been announced by the President?

Mr. WARREN. I am very much in sympathy with that policy.

Mr. KEEFE. Which I have heretofore placed in this record.

Mr. WARREN. I am very much in sympathy with that policy.

At another point—referring to the Chicago forum statement:

Mr. WARREN. Mr. KEEFE, I did not say that Government employees have the right to strike; I simply said, that on a purely theoretical basis, I could not see why a distinction should be made on the part of the employee just by reason of his Government service as distinguished from other factors. I feel that there are many strikes that might be more serious from the standpoint of public welfare than strikes by Government employees. That is the only thing I said.

The following appears at page 151 of last year's hearings:

Mr. KEEFE. And I think it would be well to have both the Congress and the public know that in this broad, big field of conciliation you have had pretty signal success in settling these things.

Mr. WARREN. Yes; judged on a percentage basis, the Conciliation Service has been very successful.

Let me tell you something about the Conciliation Service. A year and a half ago the representatives of management joined with those of labor in a unanimous report on the Conciliation Service. They concluded that an impartial and efficient Service "will be a strong force in minimizing industrial disputes and preventing strikes." The entire weight of the testimony and opinion before both the House and Senate Labor Committees during the present Congress also have agreed upon this. Indeed, it is the one important fundamental of a Government labor policy on which there is full agreement. But the President's Labor-Management Conference also unanimously concluded that to achieve an impartial and effective Service it had to be strengthened and reorganized—and I am quoting the words "strengthened" and "reorganized." The report of the majority of this committee, on the other hand, completely eliminates all of the improvements developed in the last 18 months and returns the Service to an even weaker state than existed at the time of that conference.

Every single recommendation of that Labor-Management Conference was followed in developing the Service. Every one of these is repudiated by the report of the majority of this subcommittee.

The conference unanimously said to reorganize the Service. That has been done and a strong decentralized supervision has been established. This report completely eliminates this program.

The conference urged the use of a strong and representative joint advisory committee. That committee has collaborated in every policy change. Its representatives have testified to the progress that has been made in the Service in line with its recommendations. The subcommittee report, on the other hand, completely dismisses all the improvements made on the advice of both management and labor.

The conference unanimously recommended that commissioners of conciliation be given practical training and information on policies, techniques, labor laws, and industrial-relations trends. By conferences, and by distribution of factual and analytical material, the work of conciliators has been improved. On the other hand, this subcommittee report eliminates the funds for all these activities.

A handful of people, I believe seven, were brought from the Washington, D. C., field office in to the Washington, D. C., departmental office and because Mr. Warren did not previously advise the chairman and this subcommittee of what he was going to do, he is now on the carpet of the gentleman from Wisconsin.

The fact is this House and this Congress went into recess last August. It became impossible for Mr. Warren to bring his plans before Congress until he promptly did so at the end of the month of January of this year.

The Labor-Management Conference insisted that there must be an adequate number of conciliators for prompt and efficient service. The Department has designed its program to the current and prospective needs of the Nation. It should be noted that there is no word of criticism in the entire report on the successful record of the Service. Yet the majority of this committe eliminated not only some 25 top supervisory jobs but also some 20 field commissioner positions as well. Labor and management did not believe that was the way to reduce strikes.

The conference called for a reorganization of the arbitration facilities of the Service and the development of a list of per diem employees cleared by labor and management representatives. That reorganization is largely accomplished and the new policies are being administered. The committee report eliminates the central staff responsible for carrying through such a program and sharply reduces the funds for arbitrators.

The conference unanimously recommended a reorganization and building up of the technical engineering services and the collaboration of a technical labor-management advisory committee. Such a joint advisory committee is established. With its collaboration the recommended reorganization is being carried through. The Appropriations Committee report abolishes the central staff, substantially reduces the number of technical men and blocks all opportunity for a strong technical service.

Obviously the majority have repudiated the entire program for Government mediation as a basis for industrial peace which labor and management representatives unanimously adopted. Apparently it has decided that the improvements should be abandoned and the Conciliation Service made impotent. This is the road to industrial chaos, not industrial peace.

Since Mr. Warren became Director of the Conciliation Service in 1945, I believe sometime along about the month of November, he has earned the plaudits not only of labor, but of industry as well. I am going to read to you a number of passages from various letters signed by men prominent in the management field, and I am sure you will agree that if Mr. Warren is the man that the gentleman from Wisconsin claims him to be, he would never receive such glowing praise. If he were a Communist, or a follower of communistic ideas, he could never have taken the position he did in all his activities since he became Director of the Conciliation Service.

Briefly, a word in regard to the charges that he was a member of the American League for Peace and Democracy and that at one time he was a member of the Washington Book Shop. Mr. Warren, while employed some years ago down in the Department of Labor in a minor position, was one of those gentlemen who liked to join employees' and other cooperatives. You have met some of these people who like cooperatives, where they can obtain automobile tires at a discount, and where they can obtain clothing and jewelry and other merchandise at a discount. It was suggested to him—and his story is in the record—that he join a new organization that was then forming, to join a book cooperative. He tells me that he paid $1 to become a member of the Washington Book Shop, and after 2 months he found that a Communist group had taken it over; that it was no longer the Washington Book Shop but the Communist Book Shop, and he immediately resigned and had nothing further to do with it.

In regard to the American League for Peace and Democracy, who is not in favor of peace and democracy? Mr. Warren did not know as I do and as I have known for some time that the American League for Peace and Democracy is and was a Communist front organization. He belonged to it for 2 or 3 months, no longer, and then, having found that it was directed and controlled by Communists, he immediately resigned.

Now, let me read from these letters that I referred to awhile ago. I first wish to refer to a statement of five former members of the War Labor Board, including its three wartime chairmen, who have joined in a public statement endorsing the loyalty and ability of Edgar L. Warren, Director of the United States Conciliation Service:

We knew and worked with Edgar Warren throughout the war period and found him at all times to be a fine and loyal American. In

his work he ably and impartially represented the public interest. We delegated important, difficult, and delicate responsibilities and tasks to him and he came through in fine shape demonstrating to all of us by his actions that he is a loyal and devoted citizen.

The five signers of this statement, all of whom knew Mr. Warren more intimately than the gentleman from Wisconsin, were:

William H. Davis, attorney, Davis, Hoxie & Faithful, New York, N. Y., member NYC Board of Transportation, formerly chairman NWLTS and director Office of Economic Stabilization; George W. Taylor, chairman, advisory board of the Office of War Mobilization and Reconversion; professor of industrial relations, Wharton School of Finance U. of P., Philadelphia, Pa., former chairman NWLB.

Frank P. Graham, president, University of North Carolina, Chapel Hill, N. C., former public member NWLB, chairman secretary's Fact Finding Board for the Oil Industry; Dr. Edwin E. Witte, professor of economics, University of Wisconsin, Madison, Wis., public member NWLB, chairman Secretary's Fact Finding Board for Meat Packing Industry; Lloyd K. Garrison, attorney, Paul, Weiss, Wharton & Garrison, New York, N. Y., formerly chairman NWLB, dean law school, University of Wisconsin, chairman of President's Fact Finding Board in the General Motors case.

Senator MORSE, who also served as a former public member of the WLB, has announced his complete disapproval of any attempt to smear Mr. Warren, asserting that Warren's loyalty to our form of government and his patriotism is as fine and true as that of any Member of Congress or other loyal American.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ROONEY. Mr. Chairman, I yield myself 10 additional minutes.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. Not at this point.

Mr. HOFFMAN. Just for a question?

Mr. ROONEY. I have not the time at this point.

Now, with regard to these letters directed to Mr. Warren and to the Secretary of Labor. The first is one from George S. Dring, the assistant vice president of the American Telephone & Telegraph Co., Long Lines Department, 32 Sixth Avenue, New York, not dated now or in answer to a request concerning the present charges of the gentleman from Wisconsin, but dated back on March 13, 1946:

DEAR MR. WARREN: Now that we are back on home grounds again and labor matters have quieted down, I want you to know that we are greatly appreciative of the manner in which you, your people, and Mr. Gibson handled our recent wage case.

The time and patience put into our case by you, Mr. Gibson, Mr. Caldwell, and Mr. Manno, together with your tireless efforts in obtaining a clearer understanding of the complicated details associated with it, in my opinion, played an important part in the final settlement of the case. Thus, through the combined efforts of the forces of the Secretary of Labor, the union, and ourselves, we were able to avoid what might have resulted in a serious interruption to the Nation's communications system.

In closing, I wish to again thank you and your people for a job well done.

I have one from the St. Louis Public Service Co., of St. Louis, Mo. Here is a letter from the vice president and general manager, Mr. S. W. Greenland, in which he says to Mr. Warren:

I am sure that you have been advised by your efficient staff of the outcome of the negotiations we have had with members of the amalgamated association here in St. Louis. We were on the verge of a strike, but fortunately the vote of the membership was for arbitration, as proposed by representatives of your department, instead of a strike.

I want to take this occasion to commend the very fine help and cooperation that the union as well as we received from your representatives, Messrs. White, Johnson, and Fillo. All of them are well trained, efficient and effective, and to them should be given great credit for the way this controversy ended. The manner in which these gentlemen performed reflects credit on you who have been directing their efforts.

Here is a letter to Mr. Warren from the business editor of the Ohio State Journal, Mr. Justin Henley, of Columbus, Ohio.

As a newspaperman, I have had the opportunity on several recent occasions to come in close contact with the work of the United States Conciliation Service and to observe its efforts to restore and maintain labor-management peace in the Columbus area.

From my observations, I am convinced that the Service has made important contributions to the economic well-being and contentment of this community during the past few months. The efforts of your representatives have been of value not only in bringing about a settlement of strikes, but in their unpublicized, behind-the-scene labors in preventing them.

I have in hand letter after letter, from the Duquesne Smelting Corp., from the National Association of Manufacturers, which at the bottom of its letterhead states that it has been the champion of the American enterprise system since 1895, and one, hardly communistic, from the Crosley Corp., a number of extracts from the National Association of Manufacturers News, letters from the Baltimore Poreclain Steel Corp., the Dravo Corp. of Pittsburgh, the Standard Felt Co. of Alhambra, Calif., the Celanese Corp. of America, and Mr. Tom Freeman, president of the Chicago Association of Commerce, addressed to Mr. Warren, not at this time, but back in July of 1946, it says:

You have been doing some good work. Your old associates here who worked with you when you were Chairman of the Sixth Regional War Labor Board have watched your career with interest and pride.

I have letters from the Bridgeport Brass Co.; Hart, Schaffner & Marx; and from any number of Government agencies that were confronted at some time or another with strikes, all complimentary to Mr. Warren.

Under permission which I expect to obtain later when the committee reports to the House I shall include at this point a letter from the assistant director, policy industrial relations department, National Association of Manufacturers, dated January 17, 1947:

NATIONAL ASSOCIATION OF MANUFACTURERS,
New York, N. Y., January 17, 1947.

MR. EDGAR L. WARREN,
Director, United States Conciliation Service, United States Department of Labor, Washington, D. C.

DEAR MR. WARREN: It was a great pleasure to have you present the major address at our Boca Raton Institute on Industrial Relations.

You dealt with a subject that is of paramount interest to industry and left our participants with a clear picture of what the Conciliation Service can contribute to free collective bargaining and—equally important—your strong views against compulsory arbitration. Both Carroll French and I feel that your talk did much to clarify both these issues.

On behalf of the NAM, and speaking for Mr. French and myself, please accept our sincere appreciation for the contribution you made to the success of our 5-day Institute.

Sincerely,

SYBYL S. PATTERSON,
Assistant Director, Policy Industrial Relations Department.

The following appeared in the January 18, 1947, NAM News:

CONCILIATION CHIEF WARNS ON COMPULSORY ARBITRATION PERILS

Government sits now at the collective-bargaining table strictly in the role of conciliator. No agency can order an employer to write any particular clause or condition into any labor contract. This means Edgar L. Warren, Director of the United States Conciliation Service, told the Institute, that "today the full responsibility for continuous production rests wholly with employers and unions."

He urged quicker resort to conciliation when strikes are threatened. And he warned that if strikes don't stop, Congress is likely to "consider seriously some form of compulsory arbitration." He added:

"That, of course, will be the first step to many other compulsions.

"Once the Government is permanently in the business of deciding the wage increase every year—in peace as it did in war—then inevitably the Government will have to make other decisions on prices and production schedules."

Clarence B. Randall, taking note of the Conciliation Service director's warning on compulsory pricing and compulsory production as a consequence of compulsory arbitration, was quoted in the press as follows:

"This view * * * confirms what the NAM all along has been telling industry and the public—that compulsory arbitration means the death of free enterprise.

"Without freedom to determine prices and to plan production schedules, enterprise would be Government controlled, lock, stock, and barrel. It is to be hoped that this will dispel some of the current illusions about special labor courts and other devices as a cure-all for industrial strife."

Mr. Warren assured the industrialists that the Conciliation Service was doing all in its power to make its conciliators act impartially. He decried criticism of conciliators with union backgrounds as agents likely to be biased. He declared that on the contrary those have the advantage of knowing techniques of negotiations and understanding union values; they are unlikely to be confused by union tactics, he contended.

In the past year, he said "we have been working hard to create a mediation agency in which both unions and employers can have confidence. I believe that we have come

a long way on that path in 12 months. I would like to say that in this effort, we have had some able assistance from Carroll French, the industrial relations director of the NAM."

The following is an excerpt from the report of March 8, 1946, meeting of the Labor-Management Advisory Committee:

Before taking up the agenda, Mr. Warren told the committee of an anonymous letter claiming to speak for a Committee of Commissioners of Conciliation, which had been received by a number of Commissioners, in which charges were made that several employees of the Conciliation Service had been displaced by former members of the War Labor Board staff, etc. He touched briefly on his statement to the press with respect to this letter and named 13 persons from the War Labor Board (whose personnel had numbered 2,600) who have been employed by the Conciliation Service. Six of them, he said, came to the Service at the same salary they received from the War Labor Board; 6 took a salary reduction, and 1 came at a salary higher than that which he received from the War Labor Board. The background of each of the 13 individuals was discussed, and the committee, believing that the Conciliation Service should avail itself of the services of experienced people from the War Labor Board, expressed general approval. Mr. Warren mentioned that most of the members of the Washington staff holding key positions and the Regional Directors had received a promotion in grade and salary since his appointment as Director, and that no one had been demoted.

The committee as a whole indicated its pleasure with the actions of the Director, and Mr. Sarnoff referred to the "outstanding accomplishment of the Director and the Service in the settlement of the American Telephone and Telegraph Co. threatened strike. The committee felt that no importance should be attached to the anonymous letter, and offered to give the Director a vote of confidence. Mr. Warren said he was satisfied with their expressions and did not wish a vote of confidence.

The Executive's Labor Letter issued a week or two ago contained the following editorial:

The caliber of the United States Conciliation Service has improved noticeably since the appointment of Edgar L. Warren as its head. This fact accounts for the shock among industrial relations men created by Representative FRANK KEEFE'S threat "to do everything in my power" to oust Warren. (KEEFE is chairman of the House Appropriations subcommittee which is reviewing the budget for the Department of Labor.)

With the unanimous approval of a Management-Labor Advisory Committee, Warren has strengthened the conciliation work of the Service by training its staff in the art of conciliation, supplying them with necessary informational and technical tools, improving the quality of their supervision, and raising their morale principally by getting them long-overdue salary increases. He has also increased the Service's effectiveness in preventing labor disputes by expanding the technical job evaluation and wage incentive assistance it provides industry.

Unfortunately, Warren made the mistake of exceeding his budget. He was forced several months ago to let some conciliators go. When many of the dismissed men took their complaints to their congressional sponsors (the Service is not under civil service), the unwarranted attack upon Warren began. This campaign may succeed if there are many Congressmen who wrongly believe that the Conciliation Service is a labor-partisan agency.

Warren, aware of this allegation, has done as much as he could to contradict it with facts. He has been trying to persuade employers of the public relations advantage that lies in "beating unions to the gun" by calling for the services of a Federal conciliator. He has also been seeking to eradicate from employers' minds certain common misconceptions of what conciliators can and cannot do. They cannot, he recently told an NAM industrial relations institute:

1. Make plant inspections.
2. Require employers to fill out any forms.
3. Order an employer to do anything.
4. Take an employer to court.
5. Testify in court or in Government hearings on any details of any dispute in which they acted as mediators.
6. Make any public statements against either employer or union.

Their only power is "the power of persuasion and the cold eye and clear head that an impartial third party can contribute in a crisis."

Everyone knows that today the Conciliation Service is one bulwark, together with the National Labor Relations Board, which can keep industrial peace in this country. We are being penny-wise and pound-foolish at this time if we proceed with the proposal of the gentleman from Wisconsin to cut the appropriation for the Conciliation Service to the tune of approximately $600,000 and lay off all the directors and employees he contemplated.

The minority did not agree with the majority in any instance concerning the appropriations for the Department of Labor. We felt that it was such a drastic cut, to the extent of 40 percent of operating expenses, and an attendant lay-off of practically 2,400 out of 7,200 employees in the Labor Department, that we would be doing the people of this country a disservice to even consider going along with it. What has been gained by the cut? The comparatively small amount, $12,000,000, cripples the Labor Department. Just think of it, $12,714,500 as compared with $1,763,412,300, the total amount of appropriations contained in this appropriation bill we are now considering. And, then, we practically have no Labor Department.

Let me tell you about the apprentice-training service. They have been cut, cut over 21 percent. They have been cut to the tune of $528,600. Still, the proof is that their program has grown as follows: Number of establishments participating, January 1, 1946, 30,628, as compared with January 1, 1947, 76,753—an increase of 157 percent. You know what the apprentice-training program is. It is an entirely voluntary program. The employers and employees participate in it because they want to, not because the Government says they must.

Take the item for the Vocational Rehabilitation Service. There were 85 State agencies for 1948 through which the Department expected to give service to 374,000 crippled persons as compared with 287,000 for the present fiscal year. Although the number of serviced crippled persons has increased from 287,000 in the present fiscal year to 374,000 in the fiscal year 1948, almost 32 percent of the budget estimate has been cut from the amount for the administration expenses of the Office of Vocational Rehabilitation.

The minority of this committee would not agree to cut $1,710,000, or almost 9 percent of the budget estimate for the grants to States for this meritorious service. Let us see some of the things this service does. I am trying to find some figures I have here where it is shown that the amount of income earned by these crippled people has greatly increased as the result of the work of the Office of Vocational Rehabilitation, by putting them back on their feet again so that they can go to work and increase their earning capacity—increase their earning capacity and pay taxes and share in the functions of government just as everyone else. In 1946, 36,100 persons were rehabilitated and became gainfully employed. Prior to receiving this service, they only earned eleven and one-half million dollars a year. An increase of $44,800,000 in wage-earning capacity resulted, and these people now earn $56,300,000 a year, or an average of $1,620 per individual. Again, it is penny-wise and pound-foolish to cut this appropriation for the Office of Vocational Rehabilitation.

Let us consider the National Labor Relations Board, which has been thoroughly gutted by the majority members of this committee. They asked a total of $7,984,000 and were cut to the tune of 50 percent of the amount of the budget estimate. This in the face of the present labor unrest in the country. This in the face of the fact that the members of the National Labor Relations Board testified that it is impossible for the Board to handle cases promptly under present conditions, which include an increase in case intake for the first 7 months of the present fiscal year of about 65 percent over the corresponding period of the previous year, and a present staff in the 1947 fiscal year which was 25 percent below that of the last fiscal year.

Is it good economy at this time, gentlemen, to interfere with both industry and labor who wish to appear before the National Labor Relations Board and have their cases promptly determined? When the question of an election in a plant arises, is it good sense to compel the parties to wait months upon months upon months? Under such circumstances it is easy for Communists to start agitating and say, "Let us go out on strike and to so-and-so with it." We want such matters handled by orderly process. This cannot be done unless this Congress appropriates sufficient moneys for such items in this bill as the National Labor Relations Board appropriation.

Take the Wage and Hour and Public Contracts Division of the Department of Labor. There the cut is over 22 percent of the budget estimate. I would like to point out that there are approximately 550,000 establishments with a total of 20,000,000 covered employees subject to the Fair Labor Standards Act which this division polices. The records of that division show that for the last few years about half of the establishments which

they inspected were found to be in violation of the major provisions of this act; that is, in the minimum wage requirements they were paying, mind you, less than $16 a week for a 40-hour week, the minimum wage being 40 cents an hour—violation of the Fair Labor Standards Act in connection with overtime provisions and the child-labor provisions. The Director testified before this committee that they are only able to inspect, in the course of a year, for the purpose of finding these violations about 45,000 or 8 percent of the total number of establishments which come under their jurisdiction. Nearly 380,000 establishments or two-thirds of the total number have never been inspected during the past 8 years. I am sure you do not want this situation to continue. What are you going to do about it?

The amount of child-labor violations have been appalling, and if in this country we are going to permit business establishments to continue to use child labor, we are returning to the backwoods. We are not even maintaining the gains we have made in this direction during the past 15 or 20 years.

If I had the time I would like to discuss every single item in this bill. The Members of the minority cooperated fully with the majority in sustaining items with reference to the public health and public welfare, such as for venereal diseases, for hospital construction activities, as I have already pointed out, for hospitals and medical care, and for all other programs of the Public Health Service, including the cancer program. It was by unanimous agreement between the minority and the majority that the amount of the budget estimate in connection with the cancer program was increased by $6,000,000. Personally, I do not feel that is enough. I feel it is not the way to go about attacking the cancer question. I feel the only way to attack it is to give to the President of the United States $100,000,000 and have him gather together experts from every country in the world and attack it as we did the atom bomb. To my mind it is just as important to fine a cure for cancer as it was to find the atomic bomb.

In conclusion, may I point out again that this method of liquidating the Labor Department by cutting its operating expenses 40 percent is going to bode no good. We just cannot go back 20 years. We can never go back. That is shown in the amount of allowance of total appropriations in this bill by this committee as compared with the amount of the budget estimates. I shall again remind you of this fact, that this bill, in the over-all picture, does not make a dent in the proposed legislative budget cut of $6,000,000,000, because it actually adds $72,274,480 to the amount requested by the President's Bureau of the Budget.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. ROONEY. Mr. Chairman, I yield 15 minutes to the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, until the sudden emergence of an important issue in foreign affairs, it is safe to say the attention of the entire country was focused on the importance of stable industrial relations. The present majority party in Congress, in speeches, press releases, proposed legislation, and countless other ways, pointed up this importance of harmonious relations between labor and management.

The chief agency in the Federal system for the promotion of these harmonious relations is the Department of Labor—a branch of the Government of Cabinet rank—having intimate and complex relations with all phases of our industrial life.

What do we find happens today to this Department? We find that the majority on this committee has seen fit to cut 44 percent of the proposed budget of 1948 in the Labor Department. This reduction, cutting the Department of Labor almost in half, comes at a time when the majority party today has recommended new legislation and amendments to old laws which it claims will promote industrial stability. Who is going to administer those laws? Who is going to carry into effect the already expressed will of Congress? How can it be supposed that labor will believe it can get a square deal from Congress when the Department of Labor is being emasculated in the manner suggested in this appropriation bill?

The committee has wiped out entirely the Division of Labor Standards. One of the principal functions of this Division is to cooperate with the States, in reality to encourage the States to establish and maintain proper working conditions, to promote safety in industrial establishments, cut down accidents and deaths due to the failure to observe proper standards of safety.

The loss of this Division of the Labor Department will be a serious blow and will result in substantial losses in our national income instead of promoting economy.

Our economy is geared to a high level of national income. Industrial accidents constitute the greatest interference with the level of production which is necessary to maintain that high level of national income. One witness before the committee reported from statistics that there are 2,000,000 accidents a year in industry. They cost American industry and labor better than $3,000,000,000 a year. That is lost purchasing power, producing power, taxpaying power. That is tragic waste which the Division of Labor Standards has been working to eliminate.

It has been argued that this kind of function is properly the responsibility of the States. All the operations of this Division were in cooperation with the States. The States have demonstrated that they are unable or unwilling to undertake to do this job properly. The Division of Labor standards has demonstrated on the other hand that it can and will get the job done.

The Division has also acted as a clearing house for information and material having to do with the education of employers and employees in their respective rights and responsibilities.

Through its educational functions the Division has worked hard to promote intelligent cooperation between management and labor. Its influence has been felt in schools, universities, and civic associations of many kinds throughout the country.

We talk about the desirability of an honest approach to the intricate problems of industrial relations. This Division aimed at charting a clear, wide path through all the problems which affect these relations. It is making headway. Such service is needed and wanted. It should not be curtailed now when it is more necessary than ever in the past.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. McCORMACK. The other day we had a bill before this House under the guise of portal-to-portal, that constituted a serious attack upon the rights of labor, organized and unorganized, under the Fair Labor Standards Act, the Wage and Hour Act, the Bacon-Davis law, and the Walsh-Healey Act, and this is now being followed up by the Republican Party constituting a direct attack upon the working men and working women of this country.

Mr. FOGARTY. I thank the gentleman for his contribution. It reminds me of one of the witnesses who appeared before our committee.

He was the director of the American Federation of Labor from Kentucky. I remember in his closing remarks he said that he spoke as a Republican. I think the members of the committee will remember when I asked him, stating that being a laboring man and being a leader of organized labor in this country, and knowing something myself of labor unions I could never understand how any man who works for a living, let alone any member of a labor organization in this country could ever be a Republican or vote the Republican ticket in these United States of ours today.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. H. CARL ANDERSEN. And that was about the only remarks the gentleman from Rhode Island made during the entire hearings, was it not?

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. ROONEY. I would like to refer to the minutes of the hearings.

Mr. FOGARTY. I think I attended about every meeting they held and attended many meetings which the gentleman from Minnesota did not. I was trying to be a gentleman at all times, but the chairman and the gentleman from Minnesota took up so much time and made so many political speeches to all those who appeared before our committee and the prosecution never rested once in our committee in all of the 2 months these hearings were held.

Mr. ROONEY. And then struck them from the record.

Mr. FOGARTY. I just want to say that when the National Labor Relations Board came before our committee asking for funds they had a terrific backlog of accumulated cases. I think it is common knowledge that the work load of this Board increased greatly right after the cessation of hostilities.

The inability of the Board to get its cases cleared promptly and fairly resulted in many instances in uncertainty and doubt, both in the minds of management representatives and officers of labor unions. This uncertainty was galling to employees, and work stoppages resulted in a great many instances, stoppages which could have been avoided if the Board had adequate personnel to keep abreast of the incoming appeals. I think it was evident from the testimony presented at the committee hearings that the Board needed some help if it is to do the job Congress itself carved out for it. Yet, the committee recommends cutting the funds it requested by three and a half million dollars.

This Board, it should be remembered, has no control over the number of cases it will hear. It is the expressed will of Congress that this Board should settle industrial disputes wherever possible. It is to be expected and hoped that disputes will be taken to the Board before they get to the stage where a work stoppage is threatened. Yet, the majority party would prevent the Board from handling the cases of all who would seek consideration.

The present majority party also proposes amendments to the National Labor Relations Act which, if enacted, are bound to increase the work of the Board. One proposal suggests giving employers a right to appeal to the Board. Some suggest more intensive investigation by the Board.

But in the face of these proposals, instead of providing funds which are sorely needed to clean the slate of old cases, the committee recommends the Board be deprived of funds and so forces it to become more bogged down in the normal run of appeals.

This, clearly, is just the reverse of the kind of action necessary to promote industrial peace.

Perhaps the most startling action of the Appropriations Committee—at least to those who believe it is important that we try to prevent work stoppages—is the violent manhandling given the Conciliation Service of the Labor Department. This branch of the Department is practically washed up by the recommendations of the committee.

I have heard many people criticize various actions of Government agencies. With some of the criticisms I heartily agreed. But while all the attacks were being made on bureaucracy during recent years, there was always a good word for the Conciliation Service. In fact, during the war the chief criticism of the Government's activities in labor disputes centered around the fact that there were too many outfits handling labor problems and not enough freedom of action was given to the Conciliation Service.

Regardless of one's attitude on labor legislation, or unions, or management attitudes, it is a fact that the Conciliation Service has compiled a record that is brilliant. Not alone have the men of the Conciliation Service settled controversies in a fair and honest manner—but of far greater importance—they have been able to resolve differences of opinion between employer and employees before those differences resulted in the threat of a strike or lock-out. Here is an important and beneficial function of the Federal Government. This is a function which contributes in a tangible way to steady and sound productive effort in our industrial life. Under no circumstances should it be put to the ax as the committeee report proposes.

The hearing before the Appropriation Subcommittee set out in detail the number and type of cases which have been handled by the Conciliation Service. I recommend this portion of the hearings sincerely to all Members of the House who are interested in increased production through stable industrial relations.

Because of the work of the Conciliation Service almost all of the cases which are referred to it result in settlement without work stoppages. In the cases where work stoppages have occurred before the Conciliation Service came into the picture, solutions have been worked out and production resumed in short order.

The experience and reputation of the Conciliation Service is growing. The faith of employees and employers in this service is expanding. There is great work which the Service can do. It should be permitted and encouraged to play a leading role in preserving intelligent and harmonious industrial relations. If it is hamstrung at this juncture—as industry expends in the postwar era—our industrial life will suffer a severe jolt and this Congress will long regret the action it has taken.

As justification for the blow at the Conciliation Service criticism has been directed at the present Director, Mr. Warren. I do not know Mr. Warren personally and I don't think it is my province to defend him—or object to the criticisms made of his personal character. However, I do strongly object to the practice of throwing an individual out of a job through the devious method of cutting off the appropriation for his particular position. Whether that appropriation cut is honestly stated as a method of getting rid of a disliked Federal employee—or through the underhanded method of cloaking the move with the name of economy—it is bad business.

For many years the majority party here has objected violently to what it claimed was Executive interference in matters within the province of Legislature. Here is an example of the Legislature interfering with the Executive functions in a manner which is improper in the extreme.

I have always been of the belief that if a man is guilty of an offense he should be charged, he should be given an opportunity to defend himself against those charges. The Executive and Judicial branches of the Government have already demonstrated their willingness and ability to deal properly with the type of charges which have been leveled at the Director of the Conciliation Service.

The Congress has no right to brand him and banish him in the manner proposed under the appropriation for this Service. If this action of the committee is approved a dangerous precedent is being established.

The chairman of the committee in his presentation of his case today said they had made all of these cuts in the Department of Labor, but they had given practically everything the Public Health Service wanted and everything else along that line. He did not tell you that the committee has recommended this year in the Office of Vocational Rehabilitation, in my opinion one of the most essential functions of Government. Any person of employable age whose physical or mental handicap impairs his ability to find or hold a regular job is a potential client of this service.

The Office of Vocational Rehabilitation, as I remember, asked for approximately $20,000,000, which I will admit is more than they received in 1947, but the committee by some reasoning or other said: "We are going to cut you $1,750,000," for no rhyme or reason, but simply because of the feeling that they had made up their minds to cut everywhere they could whether there was any merit in the operation or not. They decided to cut one of the most essential organizations of this Government $1,750,000.

When you talk about the greatness of our country, when you talk about the money we are giving to help the people of other lands that they may enjoy the benefits of our system of government, does it not strike you that this vocational-rehabilitation program is a program which helps our own people to enjoy democracy? It is financed by our own people and enables those of our own people who have been unable to play their proper roles in our democratic system to take their places and opportunity in the ranks of the gainfully employed and carry their share of the load of maintaining our Government.

Seventy-five percent of those who were rehabilitated by this Office in 1946 were people who were unemployed at the time they first came within the consideration of this Office. Of the other 25 percent, most earned about $20 per week.

After rehabilitation the total annual earnings of the group amounted to $56,000,000—representing an increase of almost $45,000,000 in purchasing power. Remarkable in this record is the fact that only 9.3 percent of those rehabilitated were placed in unskilled jobs. Almost all were placed in professional, sales, service, and other similar skilled occupations.

Many of these individuals were taken from public-assistance rolls and made into tax-paying, productive citizens.

Many of them had dependents all of whom were supported by relatives, friends, or the community. Now they support themselves and their own and contribute their share to the support of those less fortunate than themselves.

Here is something good that is being done. Its results speak for themselves, and I submit the Office of Vocational Rehabilitation should be encouraged and supported generously.

Now we go on to the employment services. The United States Employment Service this year requested $6,500,000. The sum is slightly less than they had in 1947. The United States Employment Service is charged with the administration of two enactments of the Congress

of the United States, one, the Wagner-Peyser Act of 1933, the other the Veterans' Employment Service provided by the Servicemen's Adjustment Act of 1944.

The committee provides almost seventy-two millions for grants to the States for public employment offices—because of the provisions of the Wagner-Peyser Act—but then reduces the funds of the Service for general administration and the Veterans' Placement Service by approximately $4,000,000. Of this sum $1,756,800 is earmarked for the Veterans' Placement Service—leaving $900,000 for general administration of the Employment Service.

This figure, $900,000, will provide little more than enough—if in fact there is enough—to merely dole out the funds provided for as State grants.

It will be impossible for the Service to conduct an inquiry into the compliance of the various States with the standards which have been set up for the protection of the Federal Government. It will not be possible for the Service to check the requests of the various States in order to determine the need and the use of the funds asked for.

It is the expressed will of Congress, through the Wagner-Peyser Act, that the United States Employment Service coordinate the activities of State employment agencies throughout the country. It is the expressed will of the Congress that the United States Employment Service supervise the allocation of funds to the various States—to guarantee they conform to certain definite standards. In the face of that directive from the Congress, the committee now recommends a 77-percent cut in the funds provided for the functioning of this service.

If the committee's recommendation is adopted by the Congress then it will be physicially impossible for the United States Employment Service to carry out this expressed will of the Congress. It will have all it can do to maintain a bookkeeping function to record which State gets how much and when.

In addition the Congress expressly provided for the Veterans' Placement Service within the framework of the Federal Government. This must have been because of the ability to cross State lines and artificial barriers between various regions. This Veterans' Placement Service is acknowledged as a valuable and vital function of the Federal Government. The record contains letters of Floyd F. Oleson, national commander of the DAV, and Louis E. Starr, commander in chief of the VFW, urging sympathetic consideration for this veterans' service. The budget for this service had already been cut close to half a million dollars when it came before the committee for consideration.

The Employment Service asked for $2,650,600 for this service to the veterans—not a hand-out, or a reward, or something for nothing, but an honest-to-goodness effort to help them fit themselves back into the productive life of the country, to help them regain their positions as wealth-producing, happy civilians. I believe this service is important. It is necessary. The last Congress acted in sound judgment in providing it. It should have the funds necessary to carry out the intent of the Seventy-ninth Congress—and this Congress—in continuing this legislation in effect.

However, the committee recommends a cut in its funds of 34 percent.

When Mr. Goodwin, Director of the United States Employment Service, was before our committee, I remember very distinctly how our generous chairman asked at that time how he could operate if we decided to cut him 25 percent. Mr. Goodwin, I will admit, at that time did not know as he could operate with any less than he asked for in his budget, and lo and behold when this committee appropriation bill was made public on last Friday, it was not anything like a 25-percent cut that was suggested in the committee hearings, but it was a cut of 77 percent over what they had in 1947. Another worthwhile program which takes a severe cut under the committee's recommendation is the tuberculosis-control work of the Public Health Service. Almost half a million dollars is taken away at a time when the program is in need of expansion and development.

Now, I have a sanitarium within a few miles of my home. I have an occasion to visit that sanitarium time and time again, and I know that tuberculosis up to this point in our history has not been stopped; that when a program like this has been started we should give them all the money that they ask for to stamp out that terrible disease. But, no, the majority on this committee said, "No, let us cut them, too; let us take away four or five hundred thousand dollars from them," and that is what actually happened in this committee, cutting the appropriation for tuberculosis down four-hundred-and-some-thousand dollars.

While economy is a fine and necessary thing—this is no place to start practicing this kind of saving. The money spent in this program is money invested in the well-being of the citizens of the Republic. It is not a coddling program by any stretch of the imagination. Its work is essential and like the Vocational Rehabilitation Service it achieves results which enhance the Federal Treasury through the strength and ability of healthy, productive citizens.

In these times when all of us want industrial peace your party is asking the Congress to enact new labor legislation, yet you give no consideration, as members of the Committee on Appropriations, to what is absolutely essential to the administration of present laws. To enact legislation of this sort is not in the interest of the country. Why, it was testified before us by the National Labor Relations Board, by members of that Board, that if some of these proposed bills that are now resting in the House Labor Committee and the Senate committee are passed and made into law, then it is going to create more work. But that did not have anything to do with the economy minds of our committee. They said they did not care, saying "We are going to cut you anyhow."

The CHAIRMAN. The Clerk will report the words objected to.

The Clerk read as follows:

* * * * *

Mr. FOGARTY. Mr. Chairman, I ask unanimous consent that I may withdraw those words.

Mr. CHURCH. They are subject to a point of order, Mr. Chairman, but I shall not insist on the point of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ROONEY. Mr. Chairman, I yield the balance of my time to the gentlewoman from New Jersey [Mrs. NORTON].

Mrs. NORTON. Mr. Chairman, I ask unanimous consent to proceed for 10 additional minutes.

The CHAIRMAN. The Chair regrets that the request is not in order at this time, as the time is under the control of the gentleman from New York and is restricted under the rules of the House.

Mrs. NORTON. Is it not possible to get that additional time by unanimous consent? I have known it to be done in many, many other cases.

The CHAIRMAN. That would be true under the 5-minute rule, but we are proceeding now in general debate, and under the rules of the House that is not permitted.

Mrs. NORTON. I do not want to question the authority of the Chair, but I recall two or three occasions when additional time was granted in general debate by unanimous consent.

Mr. Chairman, I have been absent from the House during the past 10 days suffering from a throat infection, but I have come here today against orders to plead with you to stop, look and listen before you adopt this bill. The economy ax has been wantonly slung at the Labor Department appropriations. There are many parts of the bill to which I am opposed, but time will not permit me to go into all of them. My very great concern is the Division of Labor Standards. I want it understood by the chairman and the committee that I am not carried away by propaganda or politics. It is a matter of deep conviction. I know whereof I speak and I am speaking from a full heart.

I do not see how the Labor Department can operate with the budget allotted. Apparently in their antilabor drive the Republicans do not want to see it operate. They not only want to strangle labor by ill-conceived labor legislation but now they propose to murder the agencies that are in a position to give labor assistance in meeting its responsibilities. They wish to take the life out of the Labor Department services to the States and to the public that will eliminate the abuses of our industrial system.

Gentlemen, you talk about eliminating communism in this country. Within a short period we will appropriate millions to ferret Communists out of the Government. I am all for it and believe this should be done. But that is not enough. I am also for seeing that we do not create the atmosphere and distress in this coun-

try in which communism grows and thrives. This bill we are considering today in its obviously unfair attack on the arm of the Government which deals with workers has in it all the seeds that make for communism and fascism. By slashing the Labor Department 40 to 50 percent at the same time that we give a 1-percent cut to the Post Office, 10 percent to the Treasury, and up the present appropriations of some agencies in Federal Security, the Republicans show clearly where they are leading us. The discrimination is clear.

I warn you that this Congress will have something to answer for if it destroys the Labor Department in this ruthless and vindictive fashion.

Take the Division of Labor Standards—a small unit in the Labor Department set up primarily to help the States improve working conditions. I know this Division well because, as chairman of the House Labor Committee, I frequently called on them for information on all types of problems that were up for discussion.

The Republicans were not satisfied in curtailing the work of this Division, they eliminated it entirely. The reasons given in the report certainly do not convince me. Take the comment on accident prevention, a field in which the Division has performed a remarkable service for the country, saving thousands of lives and billions of dollars, with its trifling appropriation of $136,000. The committee says industrial safety is a field in which States have supreme authority. We all agree with that. There are plenty of other fields in which the States have supreme authority, but we do not deny funds to the Federal Government to assist States in carrying on these other functions. In fact, every branch of State Government, except the labor department, gets Federal funds or Federal services so that they may do a better job. We give millions to the Office of Education for aid to States in vocational education. Think of the millions we give to agriculture for aid to the States. In this bill before us it is proposed to give $116,000,000 to the Public Health Service, mostly for aid to the States. There are some hundreds of millions to the Federal Security for aid to the States and yet the committee says, and I quote:

> That inasmuch as industrial safety must be accomplished by State law that any efforts of the Federal Government in this field are gratuities extended to the States and can safely be discontinued until some future period.

Gentlemen, I ask you, why is assistance to the States in saving the lives of workers a gratuity when similar assistance to the States for protecting bees and birds and cattle is a necessity?

Let us look facts squarely in the face. The committee had more than economy in mind when it made this report. Let me point out that in the appropriation it made grants to the States for vocational rehabilitation, which as it says, "have for their purpose the restoration to employable capacity of persons injured in industry." They up the amount available this year by $6,000,000, to a total of $18,000,000. Who is paying for industrial accidents if not the taxpayers of the United States? How long are we going to spend $18,000,000 a year to rehabilitate people that have been injured in industry and cut out a measily $136,000 to help the States to stop these accidents before they occur? For the life of me I cannot understand the reasoning of the Republicans on the House Labor Committee. I am sure the taxpayers will not understand it either.

In abolishing the Division of Labor Standards the Appropriations Committee has performed another feat which, if approved by this House, will live forever in infamy. I wish to speak—with all the power of my voice—with all the conviction of my heart—on behalf of the innocent victims of this measure. For their voices are small and still—they cannot speak for themselves. They cannot even vote, gentlemen. They are the children of America—our Nation's proudest and most cherished possession—our youth, our future citizens.

Under the false mask of economy you will nullify the most basic purpose of government, to protect and promote the welfare of children, to regulate child labor, and to develop employment and educational opportunity for America's youth.

Mr. Chairman, a ruthless hand has drawn this appropriation bill. A ruthless hand has slashed the child-labor agency in the Labor Department's Division of Labor Standards. It has transferred part of its function to the Wage and Hour Division of the Labor Department. That child-labor agency was created 35 years ago as a part of the Children's Bureau by the act of a Republican Congress and by the signature of a Republican President, the Honorable William Howard Taft.

That Republican Congress knew the need to prohibit the labor of little children. That Republican Congress knew the need to stamp out sweatshops. That Republican Congress knew the need for a Federal agency to help the States and community groups raise the age at which society allows its youth to work, lengthen the years during which its children learn to live, learn to work, learn to play, learn to become worthy future citizens of a democracy. That Congress knew the need to find out what kind of jobs are safe for our youth, what kind are dangerous to their health, stunting to their minds, deadening to their souls.

Subsequent Congresses, with both Republican and Democratic majorities, knew the need for this kind of an agency and supported it with funds down through the years. Last July, when the Children's Bureau was transferred to the Federal Security Agency, the child-labor and youth-employment functions went to the Division of Labor Standards. But it is the same function that Congresses since 1912 have supported. What omniscience does this Congress possess that justifies its elimination? What possible emergency justifies the saving of a paltry $330,000 at the expense of the Nation's most precious asset, its youth? It cannot be that any Member of this Congress believes that agency's work is done, that there is no more child labor in this land, no more exploitation of the young in hazardous jobs, that all the children who can profit from more schooling are docilely sitting behind their desks. Have you no idea of the debt we owe to the children of America—of the responsibility we assumed when many of their fathers lost their lives in attempting to bring freedom and happiness to the world? Can you dare to shirk your sworn obligation to the children of America, particularly in this time of great juvenile delinquency, in order to save a few hundred thousand dollars? Or, is this necessary because you have promised a 30 and 20 percent tax reduction this year? How can you square your conscience with such figure juggling? Or perhaps you do not know how many children are working in America today. I will give you a few facts. Actually there are two and one-half times as many youngsters working today as in 1940 and a million less are in high school than in 1941. This increase in child labor stems from the war. But much of the child-labor problem in this country stems from our complacence and our indifference. We have a 16-year minimum age under the Fair Labor Standards Act. We generally accept a 16-year minimum as desirable for State laws.

We sit back and boast of the highest standard of living on earth; we smile with condescension and say, oh yes, in the last century, we had lots of child-labor-sweatshop conditions—but not today. My friends, the Fair Labor Standards Act protects less than half the children of America. Only 14 States have a 16-year minimum age for factory work. Only 4 States prohibit all employment of children under 16 during school hours. If we marked these States in white on a map and marked the rest black do you realize that most of you would be living today in black States? States that do not have a 16-year minimum age for factory work and for all work during school hours?

Oh no, this Republican Congress cannot claim it is abolishing the child-labor and youth-employment branch of the Division of Labor Standards because its work is done. And it will satisfy no one seriously concerned for the welfare of children to transfer some of these functions of the Wage and Hour Division of the Department of Labor. Yes, this child-labor agency also administers the child-labor provisions of the Fair Labor Standards Act. But it does many other things, as I have said, on behalf of the majority of our children, who are not protected by the Fair Labor Standards Act. And the Congress which passed the Fair Labor Standards Act decided after extended deliberation and consideration of various alternatives that it did not want the Wage and Hour Division even to administer the child-labor provisions of this act. I ought to know the legislative history and intent of the Congress which gave far more extended consideration to this problem than the present Congress has had time to give. I was

chairman of the committee which deliberated over many versions—all of which used the accumulated experience and skill of the then Children's Bureau in some way to enforce the child-labor provisions of the Fair Labor Standards Act. The final version placed all responsibility for their administration in the Children's Bureau.

That Congress knew that an enforcement agency like the Wage and Hour Division required to check employers' pay rolls was not equipped to do research on hazardous jobs for youngsters. That Congress knew that wage-hour inspectors—accountants, if you please—would not be equipped to work with State administrators and women's groups and labor and community organizations in developing better State child-labor standards. That Congress knew that wage-hour accountants would not be equipped to negotiate agreements with 44 States by which the Federal Government accepts as valid proof of age, State age, and work certificates. Yet these Federal-State agreements prevent a complete duplication of Federal certificates and save employers time, money, and irritation.

That Congress made these wise decisions because it had studied the problems for months. What facts had this Congress to controvert the decisions of its predecessor? A small House appropriations subcommittee has perforce given this matter the most superficial examination during the last 6 weeks or so. If this Congress overturns its predecessor's long-debated and deliberated determination, it will not be on the merits of the question. This Congress will be playing politics with its future generations. Is that what you want to do?

The majority in this Congress insist they received the people's mandate last November to economize in government. We Democrats are as interested as anybody else in true economy. But we don't think you Republicans received any mandate to exploit America's future citizens. The American people did not give you a mandate to recreate the sweatshops of the nineteenth century. They gave you no mandate to condemn their 12- and 14-year-olds to long hours, night work, back-breaking toil for starvation wages, hazards of life and limb, to early contact with the seamy side of life. They gave you no mandate to deprive their children of a chance to learn to work and to live and to develop to the height of their capacity. They gave you no mandate to deny their children the proudest heritage of America.

Nor did the people give you a mandate to deprive men and women workers of a chance to work safely in the factories and shops of America. They did not give you a mandate to save a few thousands at the expense of millions to American industry and labor. They did not give you a mandate to economize by turning the economic clock back to the nineteenth century. The Gallup poll has already confirmed what I say, gentlemen. It has already confirmed the people's discontent with your 2 months of stewardship. A vote for this appropriation bill as it stands will boomerang just as the other things you've done in the last 2 months. Or don't you want to profit from experience? Have you challenged your conscience in this matter, and are you prepared to defend before the judgment seat of God cutting down the appropriations necessary to protect the children of America and at the same time give to the taxpayers of America a present of something around $4,000,000,000? Oh, yes, we all would like to have our income taxes reduced, but not at the expense of America's children, nor by reducing the funds in the Labor Department, which have to do with accident prevention and other important functions of Government. Think it over, my colleagues, and I beg you to put back in your bill the $330,000. It may mean the difference between helping hundreds of thousands of American children, or their loss to the wealthiest Nation in all the world.

Mr. Chairman, it was my privilege to devote many of the best years of my life to child welfare work, and I am making this appeal to you from personal knowledge of the subject gained long before I came to Congress or knew anything about politics. Having had this knowledge, I consider it my duty to place this matter in your hands. Having worked with you for 22 years, I have confidence in your judgment, particularly when the question is one concerning human values.

Mr. H. CARL ANDERSEN rose.

The CHAIRMAN. For what purpose does the gentleman from Minnesota rise?

Mr. H. CARL ANDERSEN. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman is recognized for 1 hour.

Mr. H. CARL ANDERSEN. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CANFIELD. Mr. Chairman, several misleading and unfounded statements have appeared in the press in recent days regarding lay-offs by the Bureau of Customs as a result of the Treasury Department appropriation bill recently passed by the House with a unanimous vote.

Dismissals of personnel engaged in protecting the customs revenues and providing services to importers could result, under this bill, only from maladministration on the part of the Bureau of the Customs. Sufficient funds are provided so that Customs can retain every single employee engaged in port activities, such as collectors, inspectors, port-patrol officers, appraisers, comptrollers, and surveyors.

The bill passed by the House contains $32,500,000 for the Bureau of Customs for salaries and expenses. This is $3,150,000 more than was available to Customs in 1947. This belies the statement that the bill is an open invitation to smugglers and dangerously imperils the revenues from customs.

It is true that the House cut the 1948 Customs estimates by $3,500,000. A further cut, in considerable amount, could have been made before it became necessary to dismiss any port employees. In asking an increase of $6,650,000 for 1948 the Bureau of Customs requested $1,668,186 for new and additional employees. It asked for $1,172,061 for Customs Agency Service abroad, which in the opinion of the committee, after receiving testimony, could well be handled by regular attachés of the Foreign Service. Since Attorney General Tom Clark recommended that the border patrol of the Immigration and Naturalization Service and the Customs could be merged without impairment of duties the committee felt that only half of the $1,543,259 requested for patrols on the Canadian and Mexican borders was sufficient. These figures add up to $3,611,877, or $111,877 more than was cut from the estimates.

It is entirely possible for Customs to make further savings, thus adding some personnel to port work, and without curtailing any vital service, by eliminating some of the comptrollers of customs, some of the Customs Information Exchange personnel, some of the temporary field employees, some of the "when actually employed" people, some of the temporary day labor, some of the overtime and night work. By careful and efficient administration some savings can be made in other expenses, shown here with the amount requested for each: Travel, $259,000; transportation of things, $400,000; communications, $250,000; rents and utility services, $250,000; contractual services, $271,000; supplies and materials, $305,000; equipment, $502,000; and securing evidence, $60,000.

If port services are impaired, if smuggling increases, and if customs revenues are not maintained, the fault will lie with the officials of the Bureau of Customs and Congress must hold them responsible.

Mr. HAVENNER. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I shall be glad to yield to the gentleman from California.

Mr. HAVENNER. I have just received a telegram from the mayor of San Francisco in which he stated that he had been informed that as a result of the passage of the appropriation bill the Customs Service at San Francisco would necessarily be reduced to a point where the service would be crippled.

Will the gentleman tell me how I can reply to him?

Mr. CANFIELD. I have just made the answer that should be given. If the gentleman will send my statement as it will appear in the RECORD tomorrow, the mayor will have his complete answer: That this crippling is entirely unnecessary. It is done because the Bureau of the Customs does not want to have a dollar taken off their 1948 estimates. Yet we have given them $3,150,000 more than they had in 1947.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. H. CARL ANDERSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. CHURCH].

Mr. CHURCH. Mr. Chairman, we have before us today a bill making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies for the fiscal year ending June 30, 1948. This is the third appropriation bill presented by our Committee on Appropriations to the House. In each bill reported the committee has made substantial reductions in the funds requested by the Administration, and those reductions have been made without in any way interfering with the essential functions of the departments and agencies involved.

We promised the people a reduction in Government expenditures and a reduction in the number of people on the Federal pay roll. We promised the people a balanced budget and relief from the burden of taxes. We promised an elimination of a costly, wasteful, and oppressive bureaucracy and its unnecessary restrictions and controls. This bill is in partial fulfillment of those promises. It is part of our program to put this Government on a sound financial basis and to take this Government out of the hands of petty bureaucrats and return it to the people.

For the past 14 years we have seen the public debt steadily mount, and taxes become more and more burdensome. Money was spent for all kinds of experiments and without regard as to how it might be raised. All manner of new agencies and new bureaus and new boards and new offices were created. The Federal pay roll steadily grew. According to the most recent report of the so-called Byrd committee during the month of December 1946, there were 1,987,808 persons employed by the Federal Government.

The days of "blank check" appropriations, experimentation, and broad delegations of power to the executive branch of the Government have come to an end. We are determined that every expenditure be fully justified and that every law clearly express the intent of Congress. We are also determined that the laws be administered in accordance with the intent of Congress and not in accordance with what some bureaucrat might think the law should be.

With this as our objective, the Subcommittee on the Department of Labor, on which I am privileged to serve under the able chairmanship of the distinguished gentleman from Wisconsin [Mr. KEEFE], carefully analyzed every item in the budget. I should like to say that the gentleman from Wisconsin [Mr. KEEFE] conducted the hearings of our subcommittee with unusual ability. If you read through the two volumes of printed hearings, you cannot but be impressed with the orderly and fair manner in which our chairman developed the facts concerning the operations and needs of each agency. He was thorough. He was firm, but always fair. It has, indeed, been a great privilege to serve under his chairmanship.

The bill carries appropriations for the Department of Labor, the Federal Security Agency, the National Labor Relations Board, the National Mediation Board, and Railroad Retirement Board. The amount of money provided in the bill for these agencies is $77,825,520 less than the budget estimates. In making this reduction we have carefully examined every single item, and we are convinced that the reductions recommended by our committee can be carried out without impairment of the essential activities. Indeed, with the elimination of the unnecessary activities, the wholly superfluous positions and personnel, the agencies themselves will be able to carry on their essential work with a greater degree of efficiency.

For the fiscal year 1948 the committee made a rather substantial reduction in the appropriation for the Department of Labor. The bill allows $90,864,200 for the Labor Department, of which $71,728,000 is for grants to the States for the public employment offices. In other words, the bill would give the Department of Labor $19,136,200 for its operations, which is 40 percent below the comparable budget estimate and 40 percent below 1947 appropriations.

This reduction was not arbitrary. It was made, as I said before, only after the most painstaking analysis of each and every activity, each and every office, and each and every budget item. Doubtless certain activities, which we have seen fit to curtail, have certain value to the country. But in order to economize we must make a distinction between what is necessary, that which is essential, and what is a luxury. It is no doubt possible to find some justification for practically every item in the budget. Every one of us as individuals could readily justify for ourselves a larger home, a larger automobile and a more complete wardrobe. But we simply cannot afford it. There are many things each of us would like to have, which could perhaps add to our comfort and happiness. When we do not have the income to pay for them we do without, and to be economical and frugal we purchase only that which we find necessary and can afford. That is precisely the approach the committee has made in its consideration of the different items. We have kept what is essential and have eliminated the others.

For salaries in the immediate office of the Secretary of Labor, the budget recommends an appropriation of $1,190,000. In the bill we have allowed $819,500. In reaching this decision we have inquired into the operations of the office, and, in my opinion, at least, the amount allowed by the committee is more than ample. The office seems to me to be filled with subfunctionaries who may be helpful but totally unnecessary. There are, in my view, too many assistants to the assistant to the assistant, not only in the Department of Labor, but in all departments and agencies of the Government.

A substantial reduction was also made in the office of the Solicitor. The Budget recommends $1,251,000 for this office, but the committee reduced the amount to $755,300. As explained in our report, with the reduction in practically every other appropriation for the Department, there should be less legal work required. And aside from that, I have long been convinced that if the legal offices of the Government were run more efficiently, if the personnel was obliged to do a full day's work, fewer lawyers would be required.

The committee has made a very substantial reduction of $1,117,100 below the budget or 30 percent below the comparable 1947 amount, for traveling expenses. And we have made a 20 percent reduction in the amount allowed for printing and binding. There has always been a tendency on the part of Government employees to use every ostensible excuse to make a trip here or there at Government expense, when a telephone call, or a telegram, or a letter would serve the purpose of obtaining the information that might be sought. I have talked with many businessmen, and they will tell you that they have had numerous visits to their office or plant from Government employees for the most inconsequential reason. It is not uncommon for someone to decide that he would like to spend a week end in New York, Chicago, or Kansas City, and to manufacture some excuse for making the trip on official business. There must be closer control over travel on the part of Federal employees.

It is hardly necessary to speak of the savings that can be made in the elimination of the great bulk of printing that is done by the departments and agencies. To be sure, some of it is very necessary and very important. But also a great amount of it has been waste. We know for a fact that during recent years agency after agency issues great streams of propaganda.

When Miss Frances Perkins was Secretary of Labor she established the Division of Labor Standards. It was supposed to serve as a clearing house in the field of industrial safety and sanitation. But, like so many other divisions throughout the Federal Government, it gradually expanded its functions, and entered into the fields of labor education and labor legislation.

We have provided no funds whatever for this Division other than those transferred as indicated in the report. We are now convinced that there has been a duplication of the work of this division with the Bureau of Labor Statistics and the Wage and Hour Division. For years the Wage and Hour Division has performed the inspection service necessary to the enforcement of the child-labor law, and in transferring certain funds to that division we have consolidated all functions related to child-labor provisions of the Fair Labor Standards Act. And it is our opinion that no useful purpose is served by having a group of Federal employees gratuitously duplicating work by helping States in the administration of their safety and sanitation laws. That is a matter that can be left to the States, to insurance companies and private organizations.

I should like to call special attention to the amount allowed by the committee for the United States Conciliation Service. We have here an example of what has been taking place in this great Federal bureaucracy. It is not only an example of how the agencies grow year after year, but it is also an example of how the intent of Congress is deliberately ignored.

As you know, the Secretary of Labor is empowered to act as a mediator in industrial disputes and he can appoint Commissioners of Conciliation for that purpose. In 1938 this unit received an appropriation in the amount of $273,000. It steadily grew, and in 1945 it received $493,000. But in the year 1946 the sum of $504,350 was specifically appropriated for the Conciliation Service. However, in that year it also received under the heading "National defense" an additional $1,992,500. Thus, for the year 1946, the sum of $2,496,850 was made available to this Service. In 1947 the appropriation amounted to $2,301,746, and for the year 1948 they requested the sum of $2,678,400. As pointed out in our report, the Service proposes to continue to receive in its regular appropriation substantially all the sums it previously received under the heading of "National defense."

Not only has the Service expanded beyond all reason, but we discovered that the Director of the Service, Mr. Edgar L. Warren, dismissed 39 conciliators in the field in order that he could hire at high salaries his friends and acquaintances with whom he served on the late War Labor Board. In order to obtain the ablest men possible for the field service in this important work, Congress waived the civil-service restrictions for the field. Mr. Warren was thus able to take care of his friends and colleagues, without having to care about Civil Service, by appointing them to the field as conciliators, but actually having them serve in the department where they did not serve as conciliators at all.

As characterized by our committee, this was a definite fraud. People were designated as conciliators without any intention that they ever serve in that capacity, and their salaries were charged to the field, where Civil Service approval was not required, although they performed services in the department, where Civil Service approval would be required.

I have no doubt but that other instances of this very same thing will be uncovered as we proceed with a close scrutiny of the operations of the various departments and agencies. I have no doubt that every kind of scheme, device, and subterfuge has been employed by the bureaucrats to realize the highest possible salary and to circumvent the intent of Congress. As stated by the committee "this action in itself represents conduct in an executive officer that cannot be tolerated."

And there is this additional fact: Mr. Warren has a record of membership in Communist-front organizations. He at one time advocated that Government employees have the right to strike against the Government. But since the election of this Republican Congress, it is no longer popular to hold such radical beliefs, and Mr. Warren naturally claims that he has changed his mind on the subject. That, however, is what they will all claim. It is in keeping with the communistic methods.

It is a known fact that the New Deal protected and coddled the communistic elements in the Federal service. Every attempt we made to have them removed was obstructed. This Congress intends to deal with this problem. It is a significant fact that now that the administration recognizes how determined the Republican majority in Congress is to get rid of all Communists, fellow travelers, and all other radical elements from the Government, the Executive has decided to take some steps to meet that demand. Mr. Warren is a case in point. He should be dismissed from the responsible position he holds.

Before concluding I should like to say a brief word with respect to the appropriation carried in this bill for the National Labor Relations Board. The amount allowed by the committee is $3,950,300 less than the budget estimates. The Board claimed before our committee that it should have increased appropriations because its work load and backlog has been growing. An important point to bear in mind is that when the Board refers to its backlog of cases, it classifies each craft of a given company as a separate case. In other words, it is the same thing as classifying each subsidiary of a corporation as a separate case although the corporation is really a unit. The Board's figures are misleading.

Moreover, it is my conviction that if the Board would confine its work to administration of the law itself and refrain from all manner of extracurricular activities, it would be able to discharge its functions with greater efficiency. Instead of promoting industrial peace, the Board has actually created industrial warfare.

Whatever might be the opinion of the members of the Committee on Appropriations with respect to the National Labor Relations Board, we could not abolish it by refusing to appropriate money for it. So long as the National Labor Relations Act is on the statute books, our Committee on Appropriations is obliged to supply funds for its enforcement. It is the function of the Committee on Education and Labor to determine what labor legislation shall be brought before the House. That there is a great need for remedial labor legislation, there should not be the slightest doubt on the part of any fair-minded person. And I am confident that the members of the Committee on Education and Labor will shortly report a bill for that purpose. This is one of our major problems. The people look to us for a sound solution.

Mr. Chairman, there are several other items in the bill that I would like to discuss, but time precludes. Suffice it to say that the committee has made every possible reduction in the expenditures of the department and agencies involved in this particular appropriation bill. It must be recognized that included in the bill are considerable sums for public health and welfare programs, such as old-age pensions, which we could not possibly reduce without changes made in the basic legislation. In my judgment, and I hope in the judgment of the House, the committee has done a thorough job in meeting a very difficult situation, and we have been able to accomplish substantial savings without interfering with any essential functions.

Mr. H. CARL ANDERSEN. Mr. Chairman, I yield myself 25 minutes, and at 4 o'clock I reserve the balance of my time.

The CHAIRMAN. The gentleman from Minnesota is recognized for 25 minutes.

Mr. H. CARL ANDERSEN. Mr. Chairman, we have heard much wailing and gnashing of teeth here today about what is proposed to be done to the Department of Labor by this bill. What are the facts?

Let us look into the record and try to dispel some of the fog and gloom dispensed by left-wing newspapers and columnists.

May I call to your attention that we have been very liberal with this particular department upon the basis of a peacetime year. Let us go back to 1941 and see what was the comparable amount of money given to this entire department for the same functions which it exercises today, and also let us add to that particular amount 25 percent to take care of the various pay increases since that time. What do we find? In 1941 the Department of Labor received $14,630,000 for functions for which we are giving them $19,000,000 for the year 1948. Is that being niggardly? In 1942 the same Department of Labor received for these very same bureaus and functions from a Democrat-controlled Congress, $16,500,000 in comparison to the $19,000,000 that this Republican-controlled committee in Congress is willing to give them for this coming year. Yes; in 1943 this Labor Department only had $16,000,000, $3,000,000 less than our committee is willing to accord to them for their operation this coming fiscal year. Some people are not aware of the fact that the war is over.

It makes me sick and tired, Members of the House, to see certain Members get into this well and make assertions which are, to say the least, difficult to substantiate by facts. When I see the gentleman from New York [Mr. ROONEY], in the first place, attempt to ridicule the majority members of this subcommittee for not making severe enough cuts and then, on the other hand, get up here and bemoan the fact that we did not allow each and every item that the Bureau of the Budget demanded. I question his consistency. May I ask of you people on the right who oppose the action of this subcommittee, if you want us to cut the crippled children's appropriation? Do you want us to cut the cancer research? No, on the other hand, we in control of this subcommittee saw fit to increase the cancer research by $6,000,000. Yes, we looked through each and every little item in this bill and found certain jobs that we could take out and set aside, and in place of those particular jobs, in addition to the $27,000,000 which we actually did save below the budget request, we inserted this $6,000,000 for cancer research and overrode the administration's budget request for that very important work.

I wonder if the gentleman from Rhode Island and the gentleman from New York and the gentlewoman from New Jersey want us to prevent the expenditure of a sufficient amount for cancer research to take care of that great problem that is the scourge of mankind, killing more people than any other disease in America.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I refuse to yield at this point.

Mr. ROONEY. Will the gentleman answer a question?

Mr. H. CARL ANDERSEN. Not at this point. The gentleman is just attempting to get me off of the trend of my thought, but he will not succeed.

Mr. ROONEY. I assure the gentleman I have no such intention.

Mr. H. CARL ANDERSEN. I will yield later.

Yes; they come in here and try to make you believe, in the face of all this evidence, that we have been bad; that we have been mean to labor, whereas we have increased the appropriation to the Department of Labor by at least 25 percent over the first three years in which this great country of ours was engaged in war. Labor itself has a very great stake in a balanced budget, and must take its share of reductions in governmental expense.

The gentlewoman from New Jersey had something to say relative to the Children's Bureau and how we were killing it. But, the gentlewoman does not say that we transferred a considerable amount of money over to the Wage and Hour Division from the Bureau of Fair Labor Standards and that, in addition to what is in the Wage and Hour Division, gives ample funds for the enforcement of child-labor laws.

I ask my chairman the gentleman from Wisconsin [Mr. KEEFE] if that is not a true statement?

Mr. KEEFE. It is, and I have listened with great concern to the remarks made by the gentlewoman from New Jersey, who ought to know better. Evidently her speech was made in ignorance of the action of this committee, because all of the functions that were left in the Labor Department, when the Children's Bureau was transferred to the Federal Security Agency, have been transferred to the Wage and Hour Division. The statement she makes is a charge that the Wage and Hour Division of the Department of Labor is not able and does not have the capacity to carry out these functions. She makes that statement despite the fact that the record shows that the Secretary of Labor himself stated that he intended to transfer these functions to the Wage-Hour Division just as soon as the Division moved back to Washington. In view of these facts, I ask the gentleman what becomes of this argument of the gentlewoman from New Jersey, who talks about the necessity for protecting children.

The gentleman from Minnesota and I have served on this committee for a number of years. This is my seventh year on that committee. The head of the Children's Bureau, Katharine Lenroot, and Dr. Eliot, her assistant, will have to give testimony to the fact that we have supported and urged the continuation and enlargement of the Children's Bureau every year they have come before this subcommittee for their appropriation. I am astounded that the gentlewoman from New Jersey would have the audacity to place in this RECORD a statement that has so little substance in fact as it refers to the action of this committee in reference to the Children's Bureau.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Illinois.

Mr. CHURCH. Perhaps the gentleman will excuse the gentlewoman from New Jersey because she in her statement said she was here against doctor's orders. She mentioned her health. She has not been here for weeks. Therefore, she could easily be mistaken because of lack of knowledge of the facts involved.

Mr. H. CARL ANDERSEN. That I believe would be charitable.

Mr. ROONEY. Mr. Chairman, will the gentleman let me make an observation at this point?

Mr. H. CARL ANDERSEN. I do not yield at this point.

We have heard the gentleman from New York [Mr. ROONEY] on the floor of the House this afternoon try to make you believe that what we have done to the Conciliation Service will ruin it. Let us go into the history of this service for just a few minutes and show just what this committee has done, and you will see whether the majority of this committee is desirous of ruining the Conciliation Service.

Back in 1938, the record shows, the Conciliation Service had for all purposes only $273,000; in 1939 $283,000; 1940 to 1943, the highest amount in any one year was $449,000. Even in 1946 the total for that service was merely $504,000. In 1946 the Congress jumped that appropriation up to $2,300,000, which with the pay increase amounting to $296,000, made a total of $2,596,000 available for the present fiscal year.

I feel that when this committee allocates to this service, in a year in which we are at peace, in a year in which labor troubles have died down, $2,080,000, four times the amount they received in 1943, 1944, and 1945, we certainly cannot be accused of trying to ruin them. I think the opposition's argument is ridiculous.

Mr. KEEFE. Mr. Chairman, will the gentleman yield further?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Wisconsin, who is probably the best informed Member in Congress upon the labor and Federal security functions of our Government.

Mr. KEEFE. The evidence in this case clearly shows a very rapidly declining case load, does it not?

Mr. H. CARL ANDERSEN. Certainly.

Mr. KEEFE. Instead of being an expanding service, as the gentlemen on the other side would have the public believe, their work load has very materially decreased right along.

Mr. H. CARL ANDERSEN. That is correct.

Mr. Chairman, let me bring out this fact. Whether or not Mr. Warren was a member of subversive organizations in years gone by, and he did admit such to be the case, we would have cut this service at least the same amount without his being in the picture. To me he is just incidental. We are not cutting the Conciliation Service because the Administration refuses to put in at the head of that Service a man whose loyalty to the American Government and to the American people is unquestioned. As the gentleman from Wisconsin [Mr. KEEFE] has told you, we gave opportunity to the Secretary of Labor to get rid of this man. We felt that whether or not he was a Communist, his past associations show that there was ground for belief that he was. In the Bureau of Conciliation, particularly, can the American people afford to have a man with any suspicion attached to him? If there is taint in connection with his name by his past associations, whether that be proved or not, we cannot afford to take the chance and put over this great Conciliation Service, this organization which attempts to keep labor peace throughout America, a man who has admitted publicly that he has been a member of subversive organizations and who has admitted that he thinks it perfectly all right for the employees of the Federal Government to strike.

On that particular point I wish the gentleman from Wisconsin [Mr. KEEFE] would corroborate me. Did he not?

Mr. KEEFE. The gentleman is absolutely right. The gentleman now speaking read into the record the questions and answers relating to that. May I not call attention of the gentleman and the Members of the House to the fact that it was the party line of the Communist outfit to support the war effort in every way from the time that Hitler attacked Russia. So we find our Communist sympathizers and our actual Communists all over the country not trying to destroy the war effort but giving every aid to the war effort because we were sending the supplies that our Soviet friends so badly needed—everyone knows that was the party line.

Mr. ROONEY. Would my distinguished friend from Minnesota yield for a question?

Mr. H. CARL ANDERSEN. Certainly, I yield to the gentleman because he was kind enough to yield to me previously.

Mr. ROONEY. Is it not a fact that Mr. Warren, head of the Conciliation Service, was tried on the very same charges before the United States Civil Service Commission and also was investigated by either the Secret Service or the FBI? Is that not a matter of fact and does not the record show that?

Mr. H. CARL ANDERSEN. I understand there is no record to that effect. Is that a correct statement, Mr. KEEFE?

Mr. KEEFE. The gentleman is absolutely correct. Mr. Warren made the statement when he was before the committee that he had been cleared by the FBI and the Civil Service Commission. But when I asked him the question, "Have you been cleared by the FBI?" he said, "I do not know about that. I do not know about the FBI, but I had a hearing before the Civil Service Commission and was cleared." I may say in answer to the distinguished gentleman that he had the opportunity to bring that record before the committee. It was not brought before the committee but it will be brought before someone before this appropriation bill is finally enacted into law. I think it will be interesting to see

what that Civil Service Commission trial, to which the gentleman from Brooklyn refers, really was.

Mr. ROONEY. I think the gentleman from Oshkosh is incorrectly stating the facts.

Mr. H. CARL ANDERSEN. Mr. Chairman, in the time remaining I want to go into a problem which I think has been disregarded and thrown aside as something not worth while by the Democratic administration which has been in control of our subcommittee for a good many years past. I refer to Freedmen's Hospital. Ladies and gentlemen of the House, if these so-called liberals who are in the House care to investigate something, they might go into this question of Freedmen's Hospital and Howard University. They might examine those institutions with friendly interest. They might go out there as our subcommittee did and see, for example, the garbage room, just 30 or 40 feet away from where the ice is cracked for the use of the patients of the hospital. Yes; you might see that the rats can go into that garbage and from there, a few feet farther on, to the floor where this ice is prepared for human beings. Yes; I would suggest they could go down into the basement and see that damp hole, where the hospital had, until recently, prepared the milk for the babies of the hospital. I know these children have skins which are dark, but nevertheless, as far as I am concerned, they are children; and, as far as I am concerned, the colored people are just as much entitled in the District of Columbia to decent hospital facilities as are the whites.

Yes; you might go out there as we did and go up into the ward where they keep little children from 2 to 16 years of age of both sexes. You might ask the nurses as we did whether they had sufficient help and why the floors were in the condition that they were. We did not like the dirt that was all too evident. The nurses told us and the Public Health Service told us that where they were supposed to have five nurses to take care of that particular ward during a 24-hour period and where they were supposed in addition to have three custodians working there during that same 24-hour period, eight people in all should be working there, under the present circumstances due to the small allocations they have received from past administrations they have only three nurses to take care of that particular ward. Conditions throughout this hospital showed a pitiful lack of ordinary necessities needed for decent hospitalization. A startling lack of personnel makes me realize just what caused the deaths of more than a dozen babies last summer at Freedmen's. We have decided to make this hospital a decent institution and have acted accordingly.

In this particular bill we have jumped the budget about half a million dollars for this purpose. I did not look for any saving at that point. I did not look for any saving when it came to trying to find out how to root out this evil of cancer. We upped the budget in cancer research $6,000,000. Nor did we look for any savings in the control of venereal diseases throughout the Nation. There again we overrode the judgment of the noninfallible and nonsacrosanct budget and furnished to the rapid treatment centers approximately $400,000 so that we would not have to close those particular centers for a part of the time during this year.

Our committee is entitled to credit for these actions—and when I say our committee, naturally, I must give the bulk of this credit to the majority of the committee because after all we are accused by the minority of anything that goes wrong. So, for anything that is right, we will also take the credit just as we are accorded the abuse for what some think wrong. We looked all through this bill to find places where there were unnecessary jobs so that we could find this $6,000,000 for cancer, $400,000 for control of venereal diseases, and $500,000 for Freedman's Hospital. Of course, that made our savings balance on the entire bill look bad. If it had not been for that, we would have shown a saving of $34,000,000 on the entire bill. However, as far as I am concerned I do not intend to save at the expense of children and babies and such things as hospitals. The committee has not claimed that we were making a $50,000,000 saving in this hospital program. Instead, we decided to give to that program the entire $150,000,000 which will be available through contractual obligations for various States of the Nation, as the gentleman from Wisconsin has told you, as these States put up their $2 for each dollar that the Federal Government will match.

This has been a very difficult bill. It is a bill which deals with human elements. I am going to close today by telling you this: As a farmer I have fought for years for the AAA payments for agriculture. It is my intention when the Department of Agriculture bill comes before the House to urge the Congress to do away with those payments of $185,000,000 to agriculture; payments to my own group of people, if you please; but I will not get up here today and urge you to cut the control work of tuberculosis, venereal disease, cancer, and other destructive elements. The farmer can contribute his share of triple A payments as his contribution toward national financial security. The Government in turn must eliminate all unnecessary people in its employ, useless bureaus, and agencies. That which is worth while and necessary to the future of America will stay—that which is not absolutely essential, must go. Thank you.

Mr. KEEFE. Mr. Speaker, I move the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. HOPE, Chairman of the Committee on the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 2700, directed him to report that it had come to no resolution thereon.

HOUR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

SPECIAL ORDER GRANTED

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the special order granted the gentleman from California [Mr. PHILLIPS] today be vacated and that it may be transferred to Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

EXTENSION OF REMARKS

Mr. SHORT asked and was granted permission to extend his remarks in the RECORD and include two newspaper articles.

Mr. RIEHLMAN asked and was granted permission to extend his remarks in the RECORD and include an editorial from the Democratic Chronicle of Rochester, N. Y.

Mr. FORAND (at the request of Mr. ROONEY) was granted permission to extend his remarks in the RECORD and include an editorial.

Mr. ROONEY asked and was granted permission to revise and extend the remarks he made in Committee of the Whole and to include certain letters and editorials.

ENROLLED JOINT RESOLUTION SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 27. Joint resolution proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

JOINT RESOLUTION FILED WITH THE SECRETARY OF STATE

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on this day present to and file with the Secretary of State of the United States a joint resolution of the following title:

H. J. Res. 27. Joint resolution proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock p. m.), pursuant to its previous order, the House adjourned until tomorrow, March 25, 1947, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

485. A letter from the Acting Attorney General, transmitting a draft of a proposed bill to authorize certain administrative expenses for the Department of Justice, and for other purposes; to the Committee on the Judiciary.

486. A letter from the Acting Secretary of State, transmitting a draft of a proposed bill

to enable the Government of the United States more effectively to carry on its foreign relations by means of (a) promotion of the interchange of persons, knowledge, and skills between the people of the United States and other countries, and (b) public dissemination abroad of information about the United States, its people, and its policies; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KNUTSON: Committee on Ways and Means. H. R. 1. A bill to reduce individual income tax payments; with amendment (Rept. No. 160). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H. R. 2735. A bill to amend section 3 of the Bankhead-Jones Farm Tenant Act, as amended; to the Committee on Agriculture.

By Mr. DOMENGEAUX:

H. R. 2736. A bill to provide that terms of the District Court for the Opelousas Division of the Western District of Louisiana shall be held at Lafayette on the first Mondays in March and November; to the Committee on the Judiciary.

By Mr. HARTLEY:

H. R. 2737. A bill to authorize the incorporation of Catholic War Veterans; to the Committee on the Judiciary.

By Mr. HAYS:

H. R. 2738. A bill to provide for financial aid in industrialization of underdeveloped areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. LEA:

H. R. 2739. A bill to amend the act approved May 18, 1928, as amended, with reference to a revision of the census roll of the Indians of California; to the Committee on Public Lands.

By Mr. O'HARA:

H. R. 2740. A bill to amend the act of March 19, 1918, so as to provide that standard time shall be the measure of time for all purposes, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. ROGERS of Massachusetts:

H. R. 2741. A bill to authorize payment by the Administrator of Veterans' Affairs on the purchase price of automobiles or other conveyances purchased by certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SHAFER:

H. R. 2742. A bill to provide that persons 17 years of age may enlist in the National Guard, but that no such person shall be called to active military service before his eighteenth birthday; to the Committee on Armed Services.

By Mr. TOLLEFSON:

H. R. 2743. A bill to provide for the education of children on Federal reservations and other federally owned property not subject to State or local taxation, and for other purposes; to the Committee on Education and Labor.

By Mr. BROOKS:

H. R. 2744. A bill to provide for the selection for elimination and retirement of officers of the Regular Army, for the equalization of retirement benefits for members of the Army of the United States, and for other purposes; to the Committee on Armed Services.

By Mr. CHELF:

H. R. 2745. A bill to revoke acquired United States citizenship of all former aliens and to deport these residents and any alien residents of the United States who for sufficient reason or just cause shall have been duly purged, released, or otherwise properly discharged from any United States Government position as a result of their disloyalty, subversive activities, or sympathies against the United States of America, by amending subsection (a) of section 19 of the Immigration Act of February 5, 1917, as amended; to the Committee on the Judiciary.

By Mr. GRAHAM:

H. R. 2746. A bill to provide secretaries for circuit and district judges; to the Committee on the Judiciary.

By Mr. KEATING:

H. R. 2747. A bill to amend the Nationality Act of 1940; to the Committee on the Judiciary.

By Mr. LANDIS:

H. R. 2748. A bill to amend the National Labor Relations Act, and for other purposes; to the Committee on Education and Labor.

By Mr. MICHENER:

H. R. 2749. A bill to provide for the performance of the duties of the office of President in case of the removal, resignation, or inability both of the President and Vice President; to the Committee on the Judiciary.

By Mr. NORMAN (by request):

H. R. 2750. A bill to transfer certain lands from the Olympic National Park to the Olympic National Forest, Wash., and for other purposes; to the Committee on Public Lands.

By Mr. JACKSON of Washington (by request):

H. R. 2751. A bill to transfer certain lands from the Olympic National Park to the Olympic National Forest, Wash., and for other purposes; to the Committee on Public Lands.

By Mr. POULSON:

H. R. 2752. A bill to provide every adult citizen in the United States with equal basic Federal insurance, permitting retirement with benefits at age 60, and also covering total disability, from whatever cause, for certain citizens under 60; to give protection to widows with children; to provide an ever-expanding market for goods and services through the payment and distribution of such benefits in ratio to the Nation's steadily increasing ability to produce, with the cost of such benefits to be carried by every citizen in proportion to the income privileges he enjoys; to the Committee on Ways and Means.

H. R. 2753. A bill to provide a civil government for the island of Guam, and for other purposes; to the Committee on Public Lands.

H. R. 2754. A bill to provide that the benefits of Veterans' Administration laws be extended to certain disabled enlisted men of the armed services who were called from the Reserve or the retired list and who served in World War II; to the Committee on Veterans' Affairs.

By Mr. SNYDER:

H. R. 2755. A bill to amend the Civil Service Retirement Act of May 29, 1930, to provide for automatic retirement of officers and employees upon attaining the age of 65 years or after 30 years of service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. THOMASON:

H. R. 2756. A bill to amend the act entitled "An act to prohibit the unauthorized wearing, manufacture, or sale of medals and badges awarded by the War Department," as amended; to the Committee on Armed Services.

By Mr. WOLVERTON:

H. R. 2757. A bill to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the Civil Aeronautics Board to prescribe rates and practices, and to suspend rates, in the case of foreign air transportation by air carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H. R. 2758. A bill to amend the act entitled "An act to provide for the administration of the Washington National Airport, and for other purposes," approved June 29, 1940; to the Committee on Interstate and Foreign Commerce.

H. R. 2759. A bill to amend the Interstate Commerce Act, as amended, so as to provide limitations on the time within which actions may be brought for the recovery of undercharges and overcharges by or against common carriers by motor vehicle, common carriers by water, and freight forwarders; to the Committee on Interstate and Foreign Commerce.

By Mr. HOPE:

H. J. Res. 158. Joint resolution to authorize the Secretary of Agriculture to provide for a continuation of the wool price support program, and for other purposes; to the Committee on Agriculture.

By Mr. COLMER:

H. Con. Res. 36. Concurrent resolution to express the sense of Congress with respect to the foreign policy of the United States; to the Committee on Foreign Affairs.

By Mr. HAGEN:

H. Con. Res. 37. Concurrent resolution to reduce rates of parcel-post packages of food, clothing, and medicine sent to war-devastated countries; to the Committee on Post Office and Civil Service.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New York, memorializing the President and the Congress of the United States to establish a veterans' hospital in the Borough of Queens; to the Committee on Veterans' Affairs.

Also, memorial of the Legislature of the State of Utah, memorializing the President and the Congress of the United States urging the transfer of certain land and buildings on the military reservation of Fort Douglas, Utah, to the Federal administration of the Veterans' Administration; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to congressional support for flood-control projects; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States requesting that funds be made available for the immediate construction of an electrical transmission line from Kerr Dam to Hungry Horse and to appropriate funds for the prompt construction of Hungry Horse Dam in northwestern Montana; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States requesting the continuation of the present Commodity Credit Corporation wool-purchase program and requesting price support for wool; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States requesting action to provide funds for and to expedite the rural electrification program; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States requesting legislation to reimburse wheat growers who sold their 1945 wheat early and

were deprived of benefit of advance in price; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States, requesting allocation of funds for construction and maintenance of farm-to-market roads by States and political subdivisions thereof; to the Committee on Public Works.

Also, memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States, requesting the enactment of legislation allowing for and directing the annual payment of grants by the United States Government to the State of Montana for the use and benefit of the several counties of Montana in lieu of taxes on lands owned by the United States Government in the State of Montana; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States, requesting the enactment of legislation authorizing the State of Montana to lease State lands for the production of oil, gas, and other hydrocarbons for such periods of time and on such terms and conditions as may be provided by the Legislative Assembly of the State of Montana; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States, requesting legislation to grant certain servicemen and veterans who have been prisoners of war the benefits of section 251 of the Internal Revenue Code; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1, of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COFFIN:

H. R. 2760. A bill for the relief of Thomas Camarda; to the Committee on the Judiciary.

By Mr. D'EWART:

H. R. 2761. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Karsten Harstad; to the Committee on Public Lands.

By Mr. EBERHARTER:

H. R. 2762. A bill for the relief of Sotirios Ioannis Perivolaris (also known as Sotirios J. Perivolaris or Sam Aspiotes); to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

242. By Mr. KEARNEY: Memorial of the Senate and Assembly of New York State, as exemplified in Senate Concurrent Resolution No. 11, calling on the Congress to establish a veterans' hospital in the Borough of Queens; to the Committee on Veterans' Affairs.

243. Also, memorial of the Senate and Assembly of New York State, as exemplified in Senate Concurrent Resolution No. 68, calling on the Congress of the United States to take appropriate action to authorize the United States Veterans' Administration to take over the St. Albans Naval Hospital; to the Committee on Veterans' Affairs.

244. By Mr. KEATING: Petition of citizens of the State of New York protesting the abolition of the Division of Labor Standards of the Department of Labor; to the Committee on Appropriations.

245. By Mr. PRICE of Illinois: Petition transmitted by Mr. Walter Burk in behalf of Local Union No. 72, Progressive Mine Workers of America, at New Athens, Ill., petitioning Congress to make revision upward in the benefits of social-security annuitants and for the reduction in the age requirement from 65 to 60; to the Committee on Ways and Means.

246. Also, petition submitted by Mr. Robert Grieve, secretary, in behalf of Progressive Mine Workers of America, Local 41, Collinsville, Ill., regarding necessity for increasing social-security benefits and reducing age for entitlement for persons eligible for benefits; to the Committee on Ways and Means.

247. By Mr. SMITH of Wisconsin: Resolution adopted by the Kenosha County Board of Supervisors on March 10, 1947, asking that the Congress of the United States and the Legislature of Wisconsin take whatever steps that are necessary to change the laws affecting the housing and hospitalization of the aged so that the housing of aged pensioners in county and municipal institutions would not result in any loss of State or Federal aid to such pensioners; to the Committee on Ways and Means.

248. Also, joint resolution adopted by the Wisconsin State Legislature, pledging the full cooperation of the State of Wisconsin, its agencies and people, to the War Department in the development of Camp McCoy as a permanent military camp; to the Committee on Armed Services.

249. By the SPEAKER: Petition of Horace A. Riggs, Lakewood, Ohio, on behalf of 6,000 to 7,000 stockholders of Central Republic Bank & Trust Co. (now Central Republic Trust Co.), of Chicago, Ill., petitioning consideration of their resolution with reference to relief of stockholders of Central Republic Bank & Trust Co. (now Central Republic Trust Co.), Chicago, Ill., and restoration of funds illegally withheld therefrom; to the Committee on Banking and Currency.

SENATE

TUESDAY, MARCH 25, 1947

(Legislative day of Monday, March 24, 1947)

The Senate met, in executive session, at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Our Father in Heaven, as we pray for Thy guidance and help, we know that Thou dost not intend prayer to be a substitute for work. We know that we are expected to do our part, for Thou hast made us, not puppets, but persons with minds to think and wills to resolve. Make us willing to think, and think hard, clearly, and honestly, guided by Thy voice within us, and in accordance with the light Thou hast given us. May we never fail to do the very best we can. We pray in the knowledge that it all depends on Thee. Help us then to work as if it all depended on us, that together we may do that which is well pleasing in Thy sight. For Jesus' sake. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the legislative proceedings of Monday, March 24, 1947, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the joint resolution (H. J. Res. 118) to strengthen the common defense by maintaining an adequate domestic rubber-producing industry.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILLS

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on March 21, 1947, the President had approved and signed the following acts:

S. 220. An act to authorize the Secretary of the Navy to convey to American Telephone & Telegraph Co. an easement for communication purposes in certain lands situated in Virginia and Maryland; and

S. 221. An act to authorize the Secretary of the Navy to grant and convey to the Virginia Electric & Power Co. a perpetual easement in two strips of land comprising portions of the Norfolk Navy Yard, Portsmouth, Va., and for other purposes.

ORDER OF BUSINESS

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HICKENLOOPER. Under the agreement of last evening, I was to have the floor this morning at the convening of the Senate.

The PRESIDENT pro tempore. The Senator from Iowa has the floor.

Mr. HICKENLOOPER. I understood the Chair to recognize the Senator from Maine.

The PRESIDENT pro tempore. In order that he might request the approval of the Journal. The Senator from Iowa is recognized and has the floor.

Mr. HICKENLOOPER. Mr. President, a further parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HICKENLOOPER. Is the Senate now in executive session or in legislative session?

The PRESIDENT pro tempore. The Senate is in executive session.

Mr. WHITE. Mr. President, it was my understanding that the Lilienthal nomination was to be made the unfinished business of the Senate in executive session, and that the Senate would proceed as in legislative session to consider other measures which might be emergent in character. I had hoped that at this time we might resume legislative session in order that the Senator from Michigan might call up the joint resolution providing for participation by the United States in the International Refugee Organization.

Mr. HICKENLOOPER. Mr. President, just to make it clear, let me say that, so far as I am concerned, I am happy to have that measure discussed, and have so informed the Senator from Maine. I merely want to clarify the parliamentary situation so there will be no misunderstanding about it.

Mr. WHITE. I do not think there is any misunderstanding.

The PRESIDENT pro tempore. It is the opinion of the Chair that if the Senate now goes into legislative session and returns to executive session, the Senator from Iowa at that time will be entitled to resume the floor.

LEGISLATIVE SESSION

Mr. WHITE. I therefore move, Mr. President, that the Senate now resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

PARTICIPATION IN INTERNATIONAL REFUGEE ORGANIZATION

Mr. VANDENBERG. Mr. President, I move that the Senate proceed to the consideration of Senate Joint Resolution 77.

The PRESIDING OFFICER (Mr. CAIN in the chair). The joint resolution will be read by title for the information of the Senate.

The CHIEF CLERK. A joint resolution (S. J. Res. 77) providing for membership and participation by the United States in the International Refugee Organization and authorizing an appropriation therefor.

The PRESIDING OFFICER. The question is on the motion of the Senator from Michigan.

The motion was agreed to; and the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Foreign Relations with amendments.

Mr. GREEN. Mr. President, my colleague the junior Senator from Rhode Island [Mr. MCGRATH] asked me to read into the RECORD the following statement:

I desire to withdraw my name as a sponsor of the amendment to Senate Joint Resolution 77 intended to be proposed by Mr. REVERCOMB for himself, Mr. MCCARRAN, and Mr. MCGRATH.

This action is taken because it has been suggested to me, and I concur in the suggestion, that the language of the amendment might be construed to nullify the existing power of the Chief Executive to administer the present immigration laws.

The PRESIDING OFFICER. The clerk will read the first committee amendment.

The first amendment reported by the committee was, on page 1, line 9, after the word "Nations", to insert a colon and the following proviso: "*Provided*, That this authorization shall not be construed as delegating to the President or any officer, representative, or agency of the United States authority to conclude any agreement with the Organization; (a) authorizing any temporary, emergency, or other immigration or admission to the United States or its Territories or possessions of any refugees or displaced persons referred to in the Constitution of the International Refugee Organization; or (b) abrogating, superseding, suspending, or modifying any law of the United States; or (c) concerning any other matter, in contravention of existing law; or (d) concerning any other matter requiring action by the Congress, or either branch thereof, under the Constitution of the United States."

Mr. VANDENBERG obtained the floor.

Mr. REVERCOMB. Mr. President——

Mr. VANDENBERG. I yield to the Senator from West Virginia.

Mr. REVERCOMB. I should like at this time, which I think is the proper time, to call up an amendment to be considered prior to the amendment which has just been stated.

Mr. VANDENBERG. I think, if the Senator will permit me to say so, that his amendment should be offered as a substitute for the committee amendment.

Mr. REVERCOMB. I am very glad to accept that suggestion, and, Mr. President, at this time I call up for consideration as a substitute for the committee amendment, the amendment which has been offered on behalf of myself and the Senator from Nevada [Mr. MCCARRAN]. I ask that the amendment be read.

The PRESIDING OFFICER. The amendment to the committee amendment will be stated

The CHIEF CLERK. In lieu of the committee amendment beginning on page 1, line 9, after the word "nations", and extending to line 12 on page 2, inclusive, it is proposed to insert the following: "*Provided, however*, That this authority is granted and the approval of the Congress of the acceptance of membership of the United States in the International Refugee Organization is given upon condition and with the reservation that no agreement shall be concluded on behalf of the United States and no action shall be taken by any officer, agency, or any other person (1) whereby any person shall be admitted to or settled or resettled in the United States or any of its Territories or possessions without prior approval thereof by the Congress, and this joint resolution shall not be construed as such prior approval, or (2) which will have the effect of abrogating, suspending, modifying, adding to, or superseding any of the immigration laws or any other laws of the United States."

Mr. VANDENBERG. Mr. President, I wish to make a brief general statement regarding the pending joint resolution.

I think Senators are familiar with the postwar responsibilities which we confront in the conquered countries of central Europe. Included in those responsibilities is the responsibility for displaced persons, so-called. At the present time we are responsible for 588,000 refugees and persecuted persons, in Germany and Austria. They are living under the American flag. Our administration is responsible for what happens to them.

Up to the present time, and at the moment, this responsibility is divided into three parts. It is being administered in part by the Army, in part by what is left of expiring UNRRA, and in part by the Intergovernmental Committee on Refugees.

As the Senate knows, UNRRA is about to expire. As the Senate knows, the Army has made no estimate to cover a continuation of its share of the responsibility in the next fiscal year. Therefore we confront the necessity of providing a new authority to handle our responsibilities in respect to what we will call generally displaced persons.

I repeat, there are at present 588,000 of them. I might add that while the total number of displaced persons originally amounted to seven or eight million, for whom we ourselves and other Allies were responsible, it is down to approximately 1,000,000, of which number, I repeat, we are responsible for 588,000.

Mr. President, the administration of this responsibility has cost the United States Treasury $130,000,000 in the fiscal year 1947. That is the expenditure which has been required to administer this responsibility. The question is—and it is the question pending in the Senate today—What will happen on July 1, when new auspices must be developed to handle this responsibility?

In order to handle it the United Nations has created an instrumentality known as the International Refugee Organization, to which all members of the United Nations are eligible, but in which not more, at a maximum, than from 15 to 20 are expected to participate, because the interest in the problem is confined within limits growing out of its nature.

The International Refugee Organization will take over the responsibilities of the Army of the United States, heretofore and presently exercised; the responsibility of UNRRA, presently expiring; and the responsibilities of the Intergovernmental Committee on Refugees. It will present a united, organized control of the displaced-persons problem in Germany, Austria, and Italy.

What are the advantages of thus establishing what we will call, for brevity, "IRO," meaning the International Refugee Organization? What are the advantages? If we are to speak first, Mr. President, in terms of dollars and cents, the advantages are these: I repeat, on this problem we spent $130,000,000 in fiscal year 1947. Under IRO, our share of the expenditure for the same responsibility will be a maximum of $75,000,000. Therefore, at the outset, we confront a very substantial economy over the previous year, amounting to the difference between $75,000,000 and $130,000,000, or $55,000,000.

If we were to undertake on our own responsibility to operate the displaced-persons administration in Germany and Austria through the Army alone, which would be our only recourse if IRO were not established, it is estimated by the War Department that the expenditure for the next fiscal year would be $95,000,000 or $100,000,000. In other words, we confront an economy of at least $55,000,000 compared with the previous fiscal year; we confront an economy estimated at $20,000,000 or $25,000,000 under IRO, as compared with the burden we would bear if we were simply to turn this responsibility over to the Army on July 1, and that is our only alternative if IRO is not established.

Mr. President, there is another great advantage in IRO. The ultimate answer to the displaced-persons problem obviously is resettlement of displaced persons. The resettlement problem has been an exceedingly difficult one, but member nations in IRO include not only those which are responsible for the administration of displaced-persons camps; they also include a number of smaller nations which are interested in receiving displaced persons into their populations. It is calculated that there will be far greater impetus in respect to resettlement through the concentration of this responsibility in one place, where those who are responsible for the operation of displaced-persons facilities are joined together with those who are interested in resettlement. Therefore, there are the two contemplated advantages as a result of the enactment of the pending joint resolution; on the one hand, a very substantial cash saving to

the Treasury of the United States in respect to responsibilities which we cannot shirk, cannot evade, cannot ignore, and, on the other hand, the substantial advantage of a new impetus in respect to resettlement, which is the ultimate answer to the whole situation.

Mr. President, I think I have outlined in a general way the scope of IRO and the prospectus which is presented in the proposed legislation. The great fear which has been expressed among Senators in respect to it has been that somewhere, somehow, in some way, this particular IRO legislation in some fashion invades our immigration laws and commits us to an acceptance of displaced persons, regardless of existing statutes in the United States. There has been no purpose at any time, in anybody's mind, that the pending resolution, Senate Joint Resolution 77, should invade the immigration laws to the extent of a single comma. From start to finish it has been understood that it has nothing to do with immigration laws, is not intended to invade them, directly or indirectly, and is not contemplated as any sort of commitment, direct or indirect, in respect to our acceptance of displaced persons beyond existing immigration quotas.

In other words, the two subjects are totally unrelated in so far as the purposes of the sponsors of the legislation are concerned. Whether or not the United States is to participate in the acceptance of displaced persons beyond existing quota laws is entirely a matter for separate and distinct legislation, which must be handled and met and answered upon its own independent merits.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Tennessee?

Mr. VANDENBERG. I yield.

Mr. McKELLAR. But, if we should pass the joint resolution, would it not indirectly commit us to participate in finding a place for these displaced persons? I think 588,000 is a large number. If we were to contribute places for them within our own borders as we contribute money with which to care for them, it would mean a very large number in addition to the number permitted entry by our immigration laws. But, as I understand the Senator, that is not the purpose of the joint resolution, either directly or indirectly.

Mr. VANDENBERG. The Senator is correct, and I cannot state it too categorically or too specifically or with too great finality. There is nothing in the proposal—and it was repeatedly so stated in the hearings by representatives of the State Department—which in any aspect makes any commitment of any nature whatsoever in respect to our receipt of displaced persons.

But in order to make that unequivocally clear, the committee undertook to write an amendment on the subject; and it was at that point that I ran into lawyer trouble. The committee said to the Senator from Wisconsin [Mr. WILEY] the distinguished chairman of the Committee on the Judiciary, that if he would be good enough to put in black and white an amendment which would close the door to any such possible immigration latitudes as are suggested by the question of the able Senator from Tennessee, the committee would be glad to adopt it; because it is perfectly clear that that is what is intended. So the able Senator from Wisconsin, in collaboration with some of his distinguished colleagues, including my able friend from West Virginia [Mr. REVERCOMB], and my distinguished colleague the junior Senator from Michigan [Mr. FERGUSON] submitted a text which they thought slammed the door and locked it and threw the key away.

We considered that text in the committee, and the distinguished Senator from West Virginia thought he found an attic window open. So we said, "All right, if there are any windows open, let us shut them." Therefore, it was concluded, with the assent of my able friend, the chairman of the Judiciary Committee, that we would adopt the Hickenlooper text on the theory that we were going a little further by way of protective device than had been suggested to us through the Judiciary Committee.

The chairman of the Foreign Relations Committee thought everything was placid and settled and that all controversy had been eliminated, when he discovered to his consternation that the able Senator from West Virginia and one or two of his associates decided that the Senator from Iowa had left an attic window open. It is my understanding that finally the amendment submitted by the Senator from Iowa is satisfactory to all those who are undertaking to make it indubitably plain that this joint resolution has nothing whatsoever to do with our immigration. So far as I am concerned, inasmuch as I understand that the amendment applies to the text of the pending joint resolution and its restrictions are related to the business in hand, I have said that I am perfectly willing to substitute the amendment submitted by the Senator from West Virginia. In any event, I should like to make it as plain as I have failed to make it for the last 4 weeks of "lawyer trouble"—I should like to make it as plain as possible that there is nothing intended in this joint resolution to affect one single comma in our own immigration laws.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. VANDENBERG. I am glad to yield.

Mr. ELLENDER. I should like to know the extent to which the organization will be compelled to pay for the food, the clothing, the housing, and the transportation of displaced persons.

Mr. VANDENBERG. The organization will take over all responsibilities in all those aspects which have heretofore been borne either by the Army or by UNRRA.

Mr. ELLENDER. Who will pay for those services?

Mr. VANDENBERG. It will be paid from the assessment upon the International Refugee Organization.

Mr. ELLENDER. Is it the Senator's view that $75,000,000 will be all that this Government will be called upon to furnish the Organization for the fiscal year beginning June 30, 1947?

Mr. VANDENBERG. It is the estimate of the Department that that is—I have forgotten the word used, but it is a word which indicates that the limit is a very close one, and contemplates a very close diet, and is of itself a minimum. But it is accepted by the Department as a maximum, and in order to make perfectly sure that the answer to the Senator's question is "yes," we wrote an amendment into the pending joint resolution which says that the authorization is limited to $75,000,000 for the present year.

Mr. ELLENDER. That is that the appropriation shall not exceed that amount?

Mr. VANDENBERG. That is correct.

Mr. ELLENDER. How was the figure $75,000,000 determined as our share in this venture?

Mr. VANDENBERG. I shall be very glad to tell the Senator. It involves a brief narrative, if the Senator will bear with me.

Mr. ELLENDER. Yes; I will be glad to hear the Senator.

Mr. VANDENBERG. The question involves the whole subject of what share of expense the Government of the United States should carry in the United Nations in relation to the other memberships. There are two types of expenditures in the United Nations. One type is administrative and the other is operational. The administrative formula is standard because it applies to everything alike. The operational formula varies in respect to the operation for obvious reasons. The share of the United States for 1 year's administrative expense of the United Nations is 39 percent-plus.

Mr. ELLENDER. Of the entire amount necessary to operate the administrative functions of the Organization?

Mr. VANDENBERG. Of all administrative budgets. I will say to the Senator that that figure was arrived at as follows—and I might as well make this explanation now, because it will apply to a number of other problems from the United Nations which will be on the floor of the Senate during the course of the present session of Congress.

At the first meeting of the General Assembly in London last winter a provisional allocation of funds was made because obviously at that time there was no basis for a permanent allocation. But a special committee was appointed to make a study of relative capacities to pay among the various member nations.

When we reached New York for the second meeting of the General Assembly we discovered to our consternation that this special committee, including in its membership the Director of the Bureau of the Budget of the United States, had subscribed to the fact that the United States has 50 percent of the income-producing capacity of the entire earth at the present time. It was the view of many of us that in the first place those figures were too nebulous to be reliable; in the second place, that it was a serious threat to the sovereign equality of membership in an organization of this sort if any one member nation paid as much as half of its administrative expenses. So it fell to my rather embarrassed lot to try to drive down the administrative percentage from 50 percent to what we thought was an appropriate figure, namely 33⅓ percent. But some of our friends in the General Assembly gloried in the opportunity they confronted to insist that we

pay 50 percent, and my friend Mr.—well, my friends, the representative of the Soviet Union, were particularly engrossed with the idea that we ought to pay 50 percent.

I must confess to the Senator that I was almost down and out in the argument when it occurred to me to say to our Soviet friends one day, "Now listen: We like these compliments to our economic system, but we do not like expensive flattery, and I would suggest to you that if 5 percent of the people of this earth have got 50 percent of its income capacity we have got an economic system that had better be made mandatory on all members of the United Nations so that they can catch up with us."

That argument held the line of about 10 days, when my Soviet friend came back with what I thought was a pretty good answer. However, it took him 10 days to think of it. He said, "No; the explanation made by the delegate from the United States is incorrect. The 50-percent figure does not reflect the superiorities of the American economic system. It reflects the fact that not one bomb fell on America in World War I, and not one bomb fell on America in World War II." That was a pretty good answer. At any rate, the net result was a compromise for 1 year only, that our share of administrative expenditures in the various United Nations instrumentalities should be 39 percent plus.

We come now to the operational budget. Obviously the share of the United States in an operational budget bears somewhat upon the share of the United States in the particular problem involved in the operational budget. In other words, we would have a different percentage in a specialized agency which had general interest around the world, as compared with a specialized agency which represented a particular and peculiar and emphatic American responsibility, as in the instance of displaced persons. The Senator will remember that we are responsible for 588,000 displaced persons out of 1,037,000.

Mr. ELLENDER. Does the Senator mean displaced persons who have come to the American zone of German occupation?

Mr. VANDENBERG. They are in American displaced-persons camps or under our displaced-persons administration in the American zones in Germany and Austria. That means that our share of the DP problem in terms of displaced persons is something like 58 percent, but our operational figure was fixed as 45 percent of the total of 100 percent if all the nations joined the organization.

Mr. ELLENDER. That was the next subject I was about to discuss with the Senator. What assurance have we——

Mr. VANDENBERG. Let me conclude my explanation. It was clearly recognized that all the members of the United Nations would not be interested in joining. For example, neither the Soviet Union nor any of its associated powers, let us say, have any interest in this problem because they handle problems of this nature in a totally different fashion. So if 15 nations join—I believe 12 have joined—we shall still pay 45 percent of 100 percent, which means that we shall pay about 55 percent of what is actually contemplated.

Mr. ELLENDER. Of the whole amount necessary to——

Mr. VANDENBERG. That is correct.

Mr. ELLENDER. Does the Senator know where the other displaced persons are, by regions? He stated that the United States was responsible for more than half a million, now located within that part of Germany and Austria under our control.

Does the Senator know where the others are located and how they will be taken care of?

Mr. VANDENBERG. If the Senator has the hearings before him, he will find four charts which give all the detailed information.

Mr. ELLENDER. I am sorry. I was very busy before another committee. I just returned to the Chamber, and I have not had the time to study the report. I thought probably it might be a good thing to have that information in the RECORD.

Mr. VANDENBERG. I can tell the Senator roughly. Of 1,037,000 displaced persons and refugees, we are responsible for 588,000. The United Kingdom is responsible for 349,000. France is responsible for 61,000. The share which is here allocated to the United Kingdom does not include 200,000 Poles who were in General Anders' army, all of whom have been taken under the exclusive responsibility of the United Kingdom, at their own expense. That is the general breakdown.

Mr. ELLENDER. From the chart it appears that the Russians have some, also.

Mr. VANDENBERG. Will the Senator repeat that statement?

Mr. ELLENDER. Are there any displaced persons in the Russian zone?

Mr. VANDENBERG. No; I think there are none.

Mr. ELLENDER. Have they all taken refuge in, or been shoved into, the American zone?

Mr. VANDENBERG. No.

Mr. ELLENDER. I was in Europe last summer, and I was informed by high officials of the army that thousands moved into our zone of occupation. Some were forced in and others came over the border without authority. I was told that the Russians placed into the American zone as many displaced persons as they possibly could.

Mr. VANDENBERG. Let me answer the Senator before he goes further. Let us consider one question at a time. I think there are no displaced persons in the Russian zone.

Mr. ELLENDER. Does the Senator know why that is?

Mr. VANDENBERG. Yes. I am about to tell the Senator.

Mr. ELLENDER. I should like to know.

Mr. VANDENBERG. There is no doubt that many displaced persons and refugees filtered over into the American and British zones. But the fundamental difference, which the Senator will immediately recognize, is that in the American zone we flatly refuse to permit any involuntary repatriation. In the Russian zone all repatriation is involuntary—or else voluntary; one or the other. So it is fundamentally a great American principle that displaced persons, refugees, and persecutees who are the victims of the war shall not be sent back to places where they are afraid of their lives if they go. We stand immutably against involuntary repatriation, and that is why we have camps. That is why the Russians do not.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. VANDENBERG. I shall be glad to yield as soon as I have completed my replies to the questions of the Senator from Louisiana.

Mr. ELLENDER. I learned a good deal while I was over there last summer. I was informed that thousands of displaced persons came to our zone not only because they expected better treatment than was accorded persons in other zones, but in the hope that we in America would open our hearts and cause the Congress to enact laws lowering the bars of immigration so that all of those in our zone would find a haven in America. I have made the statement on many occasions since my return from abroad that so far as I was concerned, I would not lend my support to change our immigration laws in any respect in order to permit them to come to this country. On the contrary, I am for stopping all immigration for a period of 5 years so that we can put our own house in order.

Mr. VANDENBERG. Let me comment at that point, so that we may not get off the track. If there is anyone over there who has any notion that through legislation such as the pending measure there is to be a free entry into the United States, it is because he has not heard about the Senator from West Virginia [Mr. REVERCOMB], the Senator from Louisiana [Mr. ELLENDER], the Senator from Wisconsin [Mr. WILEY], the Senator from Iowa [Mr. HICKENLOOPER], and other Senators who are making this measure so plain that no one can misunderstand it.

Mr. ELLENDER. I am delighted and I desire to now associate myself with those distinguished Senators.

I should like to ask the Senator one further question. Will the organization have jurisdiction over all displaced persons, irrespective of their location? Will the same group of administrators and officials handle those in the American zone and the British zone as well as other zones?

Mr. VANDENBERG. That is correct.

Mr. ELLENDER. Are there any plans by which displaced persons will be given a home? Is there anything in sight, or has any plan been developed? Exactly how will the problem of relocation be dealt with?

Mr. VANDENBERG. That is the second phase of the matter to which I referred in my opening statement. The answer to this problem does not lie in appropriations for subsistence; the answer lies in successful resettlement.

The second fundamental function of the IRO is to proceed wherever possible to arrange for resettlement, and with the preliminary possibilities of that nature as described to the committee by General Hilldring, he hoped that arrangements for quite substantial numbers could be perfected by the organization within the next year in some South

American countries and in some of the low countries of Europe.

Mr. ELLENDER. Has the Senator any idea how long it will require to place these displaced persons?

Mr. VANDENBERG. None whatever. All I know is that we have them on our hands and that at least for the next 12 months we have to do something about it, and in the unanimous opinion of the Committee on Foreign Relations this is the best way to handle it.

Mr. ELLENDER. Does the Senator know whether any of the countries of the world have requested that some of these displaced persons be made available to them?

Mr. VANDENBERG. Yes; I think they have.

Mr. ELLENDER. Does the Senator know to what extent?

Mr. VANDENBERG. I cannot answer the question with figures.

May I supplement my answer to the Senator from Louisiana? I have one specific exhibit. A joint declaration was made on February 18, 1947, by the Venezuelan Ambassador in London and the head office of the Intergovernmental Committee on Refugees that the Venezuelan Government would receive during 1947 a number of refugee immigrants which it is hoped will reach a total of 5,000 families, or approximately 15,000 persons.

Mr. ELLENDER. I noticed from press reports the other day that the French had suggested they could take some German citizens, and I assume the British will also take some.

Mr. VANDENBERG. I cannot answer in detail. All I can say is that General Hilldring notified us that there are at long last some substantial prospects of resettlement.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield to the Senator from New Hampshire.

Mr. TOBEY. I ask the Senator from Michigan if he does not agree with me—and I want to commend his attitude and that of others of the delegation—that the position which America takes on this subject is one further asset in building up our great American traditions.

Mr. VANDENBERG. If we took any other attitude we would cut our American traditions from ear to ear.

Mr. TOBEY. That is correct. Regarding the apprehensions and fears which are expressed by some Senators and which brought about the progressive series of amendments and restored confidence in the attitude of the Senator from Michigan, have those apprehensions and fears now been allayed?

Mr. VANDENBERG. I think they should have been.

Mr. TOBEY. The Senator is always magnificent when he is on his feet, but it seems to me that it is regrettable that he had to exert so much mental and physical effort and take so much time of the Senate to carry through his convictions about the virtues and values involved in this matter. I am willing to take the word of the Senator from Michigan when he says "It does not"—period.

Mr. VANDENBERG. I thank the Senator.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield to the Senator from Connecticut.

Mr. McMAHON. It occurs to me that the Senator from Michigan has very eloquently stated the good work which is projected by some of the other nations of the earth in planning to assimilate some of these displaced persons. From what I have heard elsewhere and from the statement which the Senator has made, including some of the questioning, it seems to be a case of our wanting resettlement but not wanting to have any part in it.

I was particularly impressed with the Senator's statement regarding American traditions which we are so gloriously upholding in not sending displaced persons to countries where they would be oppressed. I thoroughly, wholeheartedly, and totally approve of that. We also have a tradition—or I thought we had—of offering some kind of a refuge for oppressed, persecuted, and downtrodden peoples. The Statue of Liberty which stands at the entrance of New York harbor has been greeted by many future citizens who have made their contributions to what America is today. I hope that on further reflection Congress may see fit at some time in the near future to set an example to the other nations of the earth and let it be a case of "do as we do" and not "do as we say."

Mr. VANDENBERG. I can understand the Senator's feeling. I simply say to him that for the purpose of this proposed legislation it is very important to keep the two subjects separated, because there is a sharp divergence of opinion respecting any additional latitude in our immigration laws. That subject will have to be threshed out on its own merits, in due season.

I do not see how there can be any difference of opinion regarding the wisdom of passing Senate Joint Resolution 77 and putting the United States into IRO, for unless we join it, we are left, first, with veritable chaos with respect to displaced persons in the German and Austrian zones under the jurisdiction of the United States; second, if we do not do this we confront an infinitely heavier expenditure for responsibilities which we cannot escape and cannot ignore; and third, because the IRO does offer an organized promise of resettlement.

I should like to keep the two subjects totally unrelated, because it is so desperately important that this particular thing should be done at once, because there are only 90 days left in which to organize our administration, and it is a terrific responsibility.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield to the Senator from Florida.

Mr. PEPPER. I desire to have the privilege of associating myself wholeheartedly with the sentiment expressed by the able Senator from Connecticut [Mr. McMAHON].

Mr. ELLENDER. Mr. President, will the Senator yield for one more question?

Mr. VANDENBERG. I yield.

Mr. ELLENDER. After we become a member of this organization, will we be forced to continue our membership and to contribute to it until such time as all the displaced persons in Europe are relocated?

Mr. VANDENBERG. No; we can file notice at any time, after 1 year, and retire from the organization 12 months later. So that in any event it would not have to be more than 2 years.

Mr. ELLENDER. It would not have to be more than 2 years if we wished to be relieved?

Mr. VANDENBERG. That is correct.

Mr. ELLENDER. I thank the Senator.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield to the Senator from Georgia.

Mr. GEORGE. In that connection, may I call the Senator's attention to the fact that General Hilldring testified, and I believe it was not disputed, that this problem ought to be solved in from 3 to 5 years. He declined to say that it could be solved within 2 or 3 years, but that it would be reduced year by year. The estimated cost was given as from seventy-one to seventy-three million dollars a year. Therefore a second amendment, which has not been read, was inserted in the joint resolution calling for an annual authorization as well as an annual appropriation, and the first authorization provides for not exceeding $75,000,000.

Mr. VANDENBERG. I am very glad the Senator has made that statement. I overlooked it. Instead of being presented as originally written, in the form of a continuing authorization, it contains an authorization for only 1 year, and we are to review the whole subject 12 months hence. As the able Senator from Georgia indicates, our best expert on the subject, General Hilldring, prophesies that the problem itself can be liquidated within from 3 to 5 years.

Mr. CONNALLY. Mr. President, I shall not consume much time. I feel that it is really unnecessary to add anything to the very able and illuminating explanation given by the Senator from Michigan. The Committee on Foreign Relations considered this matter in great detail. We had before us General Hilldring, who has given a year or two of his time in Europe to the handling of this problem.

We are confronted with a situation, not a theory. The Army has on its hands in Germany these displaced persons and refugees. We are feeding them; we are housing them; we are clothing them. As has been suggested here, on account of our generous treatment of them, many more have come over the lines into the American zone from other zones. It has been our policy to put them on the rolls and to take care of them. Of course, this condition cannot continue indefinitely. We do not want to continue it indefinitely. The obligations we have assumed have placed this duty on the Army. It is felt that the Army should divest itself of this responsibility, and should devote itself to purely military and occupational tasks.

So this joint resolution has been devised, and under it we hope the expenditures will be considerably less than they are now under Army administration.

Of course, it is desirable to bring about the resettlement of these displaced persons when and if opportunity presents. In the hearings it developed that a number of countries have expressed an interest in obtaining certain numbers of immigrants from these sources. The organization has not yet been formed and it has not been able to bring about negotiations going into the details of the conditions under which such immigration should take place.

Let me say that we are faced with two alternatives: Either participating in the International Refugee Organization or continuing on our own responsibility, with perhaps increasing operations, increasing expenditures, and increasing difficulties. Those are the alternatives which are presented to us.

So far as the immigration laws of the United States are concerned, provision to cover that aspect of the case is meticulously made by the joint resolution. The three or four lawyers mentioned by the Senator from Michigan, with their skill and legal acumen, have prepared amendments to this measure which will make it absolutely clear and unequivocal, beyond any question of doubt, that this measure in no wise authorizes anyone to modify, suspend, circumvent, or evade any laws of the United States relating to immigration, or, for that matter, any other law of the United States.

So, Mr. President, it seems to me that as we are situated, and in view of the alternatives which are presented to us, we should enact this joint resolution with the amendment of the Senator from West Virginia [Mr. REVERCOMB], which has been accepted by the Senator from Michigan.

Mr. WHERRY. Mr. President, in the hearings before the Senate Foreign Relations Committee a letter was introduced, written by Gen. George C. Marshall, Secretary of State, to the distinguished Senator from Michigan [Mr. VANDENBERG] setting forth his views in behalf of Senate Joint Resolution 77, a measure to authorize United States membership in the International Refugee Organization.

In his letter, the Secretary of State makes the following statement:

> At the climax of the war in Europe, on April 20, 1945, to be exact, I transmitted to the leaders of the Congress an urgent message from the supreme commander of the Allied Expeditionary Force. In that message General Eisenhower referred to the unspeakable conditions found in the concentration camps then being liberated by our advancing armies. He invited the congressional leaders to make a flying trip to Germany to see for themselves "the full evidence of the cruelty practiced by the Nazis in such places as normal procedure."
>
> With a deep sense of responsibility, a bipartisan committee of 12 Senators and Representatives dropped their current business and departed by air for Germany. They saw for themselves, and through their eyes, the whole country saw, too. The report of this joint committee, signed by all 12 members, ranks in my opinion as an historic document. It described vividly the tragic plight of those who were victimized by the Nazis. It recorded firm determination to do everything possible to right the appalling wrongs perpetrated by the enemy. It was a moral mandate, to soldier and civilian alike, to exert every effort to help these unfortunate people.
>
> Almost 2 years have elapsed since that joint congressional report. More than 3,500,000 of our soldiers have been returned from the European battleground. Seven million displaced persons have been assisted to return to their homes from areas under the control of the western Allied armies. Many of the German war criminals responsible for the suffering and dislocation of these people have been tried and punished. However, some of the victims of Nazi concentration camps are still in displaced persons centers in our occupied areas. We also have many others who, although not actually confined in concentration camps, had been uprooted from their homes by the Nazis and brought to Germany for forced labor. They are still there. Why? Because we will not force them back against their will to the countries from which they were uprooted; and because they have not yet been resettled elsewhere. We are now faced with this pressing question: What is to happen to these people?

Mr. President, it was my privilege to be one of the congressional delegation that inspected the concentration camps at the invitation of General Marshall and the commander in chief of our military forces, and I saw first-hand hundreds of those who were victimized by the Nazis. I joined unanimously with the other 11 members of that delegation in the recommendations which were submitted to the Congress and to the Commander in Chief of our Military Forces. Many of those recommendations have been carried out.

It was my privilege, again, last November and a part of December to visit Germany and Austria; and, once again, I inspected several of the concentration camps called "displaced persons camps" in those two countries. I was dumbfounded to learn that the number in our German zone had increased to 456,000 at that time, and in the Austrian zone to more than 230,000, and that daily we were receiving thousands of displaced persons who were coming into the American zone under the definition of refugees and persecutees—terms which have become so broadened that we have taken into our zone thousands of persons, who are classed as persecutees, who have either been expelled or who have come to the American zone for help and aid because of the fear for their lives if they remain in the countries from which they came. I think the week I was there General Clark told me that more than 30,000 of them came that week into our zones in Germany and Austria.

Mr. President, if political persecutees are to continue to find refuge in the American Zones of Germany and Austria, that means that instead of thousands, there may be millions before this problem is solved. This is only the beginning; and so it is most important that the provisions and terms of the constitution under which the International Relief Organization is to operate shall be defined, and certainly we should know who are to define them.

In the light of the observations I have made, I should like to ask the distinguished Senator from Michigan how these definitions can possibly anticipate the additional categories of refugees or persecutees who will emerge when the peace treaties are finally negotiated. I should like to make an observation before the Senator answers the question.

To be specific, I quote from a memorandum from A. A. Berle, Jr., released on February 10, on the Italian peace treaty, as follows:

> Even in peace treaties, I suppose, decent attention ought to be paid to the amount of misery they create. One effect of this treaty—

He was referring to the Italian treaty—

> will be the immediate migration of a great number of Italian citizens from territory to be turned over to Yugoslavia. They will, in fact, become homeless refugees in Italy.

That will be their plight. I read further from Mr. Berle:

> This is not what the treaty says. It is the result of a condition of affairs by which many thousands of Italians will not risk remaining in Yugoslav territory, where there exists a period of revolutionary terror, and where political revenge is being carried out with extreme ruthlessness. The number of added displaced persons can only be estimated. * * * And there is thus added another item to the black page of individual misery which so-called peacemaking in Europe has already caused.

That is a statement by Mr. Berle in reference to the question I have asked the distinguished Senator from Michigan, namely, what will happen to the refugees from the various countries when we sign the five peace treaties?

Mr. VANDENBERG. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I yield.

Mr. VANDENBERG. First, in responding to the able Senator, I should say that I know he has not overlooked the fact that the letter from General Marshall, from which he read, unequivocally requests the passage of the pending joint resolution.

Mr. WHERRY. Oh, yes. I am not opposing the joint resolution. I am going to suggest some amendments to it, not, perhaps, with the idea that they will be adopted by the Senate, but to ask the distinguished Senator if he will not take them with him to conference in the event the House should amend the joint resolution. The amendments embody suggestions which I think would be helpful in considering the definitions.

Mr. VANDENBERG. Any suggestions from the Senator are always helpful, and will always be welcome.

Mr. WHERRY. I should not want the Senator to answer the question with any feeling that I am going to oppose the resolution. I am merely here as one Member of the Senate trying to get what information I can, and to have the benefit of the Senator's good judgment as to definitions in regard to some of the aspects of the proposal.

Mr. VANDENBERG. Even when the Senator says, "Good morning," he says it so vehemently that I am always a little scared. [Laughter.]

Mr. President, the answer to the Senator's question is that it must be found in the definitions in the Charter. As I understand, refugees are persons who have fled from their former homes in the face of persecution and of advancing armies. Displaced persons are people who have been taken from their former homes by force and introduced into other countries as slave laborers. However, the definition is of no very great importance.

I do not know whether the ultimate result of the peace treaties will be the creation of such a type of displaced-persons problem as that which we now confront, because it is my understanding that migration is already under way in those areas in a rather orderly fashion, and without any responsibility upon the occupying powers.

Mr. REVERCOMB. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I yield to the Senator from West Virginia.

Mr. REVERCOMB. On the very point which the able Senator from Michigan has discussed, I wish to call attention to the language of the constitution to which we are asked to subscribe. I call attention to page 14, the language "Persons who will not be the concern of the Organization." This is a copy of the constitution itself.

Mr. VANDENBERG. What page?

Mr. REVERCOMB. I am reading from a copy of the constitution as furnished by the Department of State. Among the persons who will not be considered as refugees are those enumerated. I read:

> 6. Persons who, since the end of hostilities in the Second World War * * * have become leaders of movements hostile to the Government of their country of origin, being a member of the United Nations or sponsors of movements encouraging refugees not to return to their country of origin.

I wish to say to the able Senator who is discussing this matter that I understand there are today about 30,000 nationals of Yugoslavia in Italy—and Yugoslavia is a member of the United Nations—who cannot return home because they were members of a hostile army. They cannot return home because they would be killed by the present regime in the country. Mihailovich, himself, was executed. This refers to persons some of whom served in the American forces, under the American flag. Under this language does the Senator think it is fair not to class them as refugees and as such entitled to receive the help of this country?

Mr. VANDENBERG. Will the Senator from Nebraska yield?

Mr. WHERRY. I am glad to yield to the Senator from Michigan.

Mr. VANDENBERG. In the first place, I call the attention of the Senator to the fact that the language which he has read says: "Persons who, since the end of hostilities in the Second World War," and so forth. It is not my understanding that the forces of General Mihailovich, for example, were in rebellion following the termination of the war, and after the organization of the United Nations. I should say that any persecutees or refugees who are throw-backs from what happened during the war itself were eligible, but I submit to the Senator that we cannot maintain this particular organization for those who may be presently in revolt against the members of the United Nations which are setting up the organization to handle the situation.

Mr. REVERCOMB. Will the Senator from Nebraska yield?

Mr. WHERRY. I am glad to yield to the Senator.

Mr. REVERCOMB. I call the attention of the able Senator from Michigan to the fact that it does not say in revolt against the United Nations. I read this language:

> Persons who, since the end of hostilities in the Second World War * * * have become sponsors of movements encouraging refugees not to return to their country of origin.

Of course, those people cannot return to the country of their origin. If the Yugoslavs referred to should go back to their former homes, they would be killed, and is not that equally true of some 200,000 Poles who fought alongside the British, who fought first against Russia and then fought against Germany, and cannot go back because they would be put into slavery by Russia, or executed?

I call the attention of the able Senator to the language in the agreement itself. If they "sponsor movements which encourage refugees not to return to their country of origin," they cannot be helped. That seems a severe provision. I am merely trying to point out some things in the document to which we are subscribing which I wish could be eliminated.

Mr. VANDENBERG. I ask the Senator again to distinguish between those of the type he defines, whose status was established before the termination of the war, and before the establishment of these new national governments—distinguish between them and those who subsequently may revolt against an established government which is a member of the United Nations.

If the Senator will permit me, if there is one thing more than another of which the United States has a right to be proud, in my opinion, it is that as to all the displaced persons, persecutees, and refugees to whom the Senator refers, whose status was created during World War II, the Government of the United States has stood like a concrete wall against their involuntary repatriation at any time. We had a bitter show-down on the floor of the General Assembly on the subject. We have insisted they should not be involuntarily repatriated, and they are all eligible to our assistance.

I call the Senator's attention to the language on page 12 of the printed text—I have not the original text here—subdivision 2 of section A, which particularly defines a refugee who is eligible as a person outside of his country of nationality or former habitual residence and who, as a result of events subsequent to the outbreak of the Second World War, is unable or unwilling to avail himself of the protection of the government of his country of nationality or former nationality.

In other words, it seems to me that the answer to the Senator's question is that all persons of the type he indicates are eligible up to the point where they rebel against member nations of the United Nations. So far as I am concerned, I think it is quite obvious that the line must be drawn at that point in an organization which is supported by the United Nations.

Mr. REVERCOMB. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I shall be glad to yield.

Mr. REVERCOMB. Let me say to the able Senator from Michigan that I know full well the attitude taken by the United States toward persons who cannot safely return home, and I hope that our country and our Government will continue to maintain that attitude. It is for that very reason that I am asking why these people who cannot return home are excluded from being considered as refugees.

Let me say to the able Senator, on this line, that what he has read from the record is the general rule; what he last read is the general application. I have that language before me. But if the Senator will turn to another page, he will note that exceptions are made, and definitions are provided of persons who are not to be considered as refugees. After the general rule is prescribed, the able Senator knows the application of an exception which says:

> Those persons who, since the end of hostilities in the Second World War * * * have become sponsors of movements encouraging refugees not to return to their country of origin.

I say it is absolutely against the principle for which this country has stood and to which it has adhered to compel persons to return to their former homes, there to be executed or mistreated; yet we find that this agreement to which we are asked to subscribe today violates that policy and principle as to persons who sponsor those who refuse to return because they are in danger. I have the concrete example of some 30,000 Yugoslavs and some 200,000, I am told, Poles.

It seems to me, Mr. President, that something ought to be done to that part of this agreement. The purpose of the agreement to look after these people is lofty; it is splendid; but when we make an exception of that kind it is not right and does not accord with what we have done heretofore.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. WHERRY. I would be glad to yield.

Mr. VANDENBERG. Everything the Senator has said totally certifies the distinction I drew for him in respect to this problem. We are in complete agreement as to what this language means. I say again that those who are not eligible are "persons who, since the end of hostilities in the Second World War, have participated in any organization having as one of its purposes the overthrow by armed force of the government of their country of origin, being a member of the United Nations."

Mr. REVERCOMB. Mr. President, will the Senator continue to read?

Mr. VANDENBERG. Just a moment. In other words, we are not recognizing as persecutees or refugees those who are in rebellion against member nations of the United Nations, and I submit that we would object very strenuously if anybody applied any other sort of rule to us. Now, what is it the Senator wants me to read?

Mr. REVERCOMB. The able Senator is reading section (a), with which I have no dispute, and which I have not mentioned. I want the Senator to read section (b). Read it to us.

Mr. VANDENBERG. I am reading from part II.

Mr. REVERCOMB. Part II, section (b).

Mr. VANDENBERG. Very well; section (b) means exactly the same thing.

Mr. REVERCOMB. Please read it.

Mr. VANDENBERG. It reads:

> Have become leaders of movements hostile to the government of their country of origin being a member of the United Nations or sponsors of movements encouraging refugees not to return to their country of origin.

I say again that this applies to those who are acting against member nations of the United Nations. I do not understand how anybody can expect the United Nations to sponsor a movement which offers a sanctuary to those who try to overthrow members of the United Nations.

Mr. REVERCOMB. I agree heartily; but that is not the point I have raised—action to overthrow the governments of the members of the United Nations.

Mr. VANDENBERG. That is what the provision says.

Mr. REVERCOMB. But the Senator read very clearly this language "or"—that is in the disjunctive—"sponsors of movements encouraging refugees not to return to their country of origin."

That can mean only one thing, that anyone or any group that sponsors refugees and encourages them not to return to their homes because of what might happen to them, cannot be treated as refugees and receive help under this organization. I can see no other meaning.

Mr. VANDENBERG. I see that the Senator now is confining his observation to the final phrase.

Mr. REVERCOMB. I have, from the beginning, sir; and it is the only phrase I have read.

Mr. VANDENBERG. It reads "or sponsors of movements encouraging refugees not to return to their country of origin."

I submit to the Senator that, so far as the individual rights of persecutees or displaced persons or refugees are concerned, it is covered elsewhere in the charter. This particular language refers to those who are engaged in the organized effort to keep us in the business of supporting displaced persons the rest of their lives. We confront a very serious problem in these camps in respect to organized movements about any repatriation, voluntary or otherwise; and obviously, among five or six hundred thousand people of this type there is plenty of opportunity for exploitation of the largess of which they are the beneficiaries. In my opinion this language is aimed against those who are "sponsors of movements encouraging refugees not to return to their country of origin."

It does not have any effect upon any refugee himself who, under the definition, is entitled to be protected. It applies only to the sponsors of movements to make displaced persons permanent and to make our responsibility in Germany and in Austria go on forever.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. VANDENBERG. That is the only explanation I can give, if I repeated it 50 times.

Mr. REVERCOMB. I am not going to ask the able Senator for another explanation, because I hope his explanation is correct. I wish the provision had been written in a way that would sustain his explanation. I hope it is correct, but the language of this agreement as I read it hardly justifies that explanation.

In another part of this very constitution it is provided that persons who will not accept or will not act in good faith under the direction of this organization, of course, cannot be treated as refugees.

Mr. WHERRY. Mr. President, I want to thank the distinguished Senator from West Virginia for raising the question he has raised. It is one of the questions I propound later in my remarks. I also want to thank the able Senator from Michigan for his answers.

I think, however, that the fact that two very able Senators disagree on the language of that particular section is further evidence that there is a question as to what the terms are. The terms should certainly be defined in language that we all understand. They should be so defined because, when the matter comes before an international organization, one may well believe interpretations will be made which will suit each and every country individually, if anything can be gained thereby. That has been our experience with similar organizations. Furthermore, beyond the shadow of a doubt this is not merely a temporary organization. It will be of lengthy duration. I cannot draw any other conclusion.

The testimony that the performance of this task will require from 3 to 5 years ought to be the basis for the program upon which we prepare to act when we ratify the constitution. I believe it is unfair to say that this is a temporary organization. I believe the Senator from Michigan himself will agree that this is a task that will be carried on for years if we perform it as it is expected that it shall be performed, and resettle these displaced persons. That will require considerable time. I think it will require much more than 2 years. I think it will require at least 5 years, and I think the proposed appropriation of $75,000,000 is merely the first appropriation. I think next year, the following year, the year following that, and the year thereafter there will be succeeding appropriations which we will be called upon to make to carry on the work of the international organization.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. WHERRY. I am glad to yield to the Senator from Michigan.

Mr. VANDENBERG. Of course, if the Senator does not propose to make the appropriation for the International Refugee Organization in that aspect, he will have to favor the making of a larger one for the Army to do the same job.

Mr. WHERRY. Mr. President, I usually agree with the distinguished Senator from Michigan because I have confidence in his judgment and I follow his leadership in respect to foreign-relations problems, but I cannot agree with that particular statement. I have seen so much of so-called international spending, so much of so-called cooperation, under which the United States of America has actually paid the bill, that I think the time has come, if we are to go into these international organizations, when we should appraise our experience with UNRRA and other organizations. I think it would be more economical for the United States to take upon its own shoulders this responsibility, spend its own money as it feels it should for relief and for refugees, rather than to put it into the pot of an international organization.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. MORSE. If that is the Senator's belief, then he should be opposing the joint resolution which the Senator from Michigan is advocating.

Mr. WHERRY. In answer to that, I should like to state to the distinguished Senator from Oregon that I have gone along with a considerable amount of legislation in order to expedite matters, but I have a perfect right in connection with the pending measure to make my own wishes and thoughts and desires known. I can vote for the pending joint resolution conscientiously and go along with it with the expectation and hope that the recommendations I am making shall be taken to conference to be considered by the conferees, so that some of the terms of the joint resolution may be defined more clearly. I hope my recommendations may be considered in conference.

Mr. MORSE. I understood the Senator from Michigan to say that, of course, if we do not do it through the international organization we will have to do it through a military appropriation. Does the Senator from Nebraska question that statement?

Mr. WHERRY. No; I do not question it. The Senator from Michigan said it would cost more money to do it through the military organization. I said I questioned that statement.

Mr. MORSE. Does the Senator think we could assume the complete burden through the military organization for less than it would cost through the international organization?

Mr. WHERRY. I think I can convince the Senator that we are practically assuming the complete burden, anyway.

On pages 15 and 16 of the constitution, the allocations for member nations which are entitled to come into this organization are set forth in tables A and B, but is it not a fact, I ask the chairman of the Foreign Relations Committee, that only 11 have signed the International Refugee Organization?

Mr. VANDENBERG. Yes; but the constitution of the organization cannot come into effect until 15 have signed, representing 75 percent of the budget.

Mr. WHERRY. I agree with the chairman. But only 11 have signed so far, and only 1 of them has signed unconditionally; that is, only 1 has ratified the constitution without reservation, and that is the United Kingdom.

Mr. VANDENBERG. If the Senator will permit me, I will say that according to all testimony the chief reason for the delay is the fact that we for perfectly sound reasons are unable to take the leadership, and obviously this is our show.

Mr. WHERRY. I do not quarrel with that statement. I think the Senator from Michigan has done everything he could to obtain action. But the point I make is that only 11 signatures are affixed to the constitution, and only 1

nation, the United Kingdom, has ratified the constitution without reservation.

Of the 11 nations which are signatory to the constitution and whose contributions with ours make up 70 percent of the budget, how many are now receiving or have received loans or grants from the United States? I should like to ask the distinguished Senator from Michigan if it is not true that with the exception of one of those countries we have made loans and grants to them all in order to keep them going?

Mr. VANDENBERG. I do not have the list before me, but if we have made such loans I assume they were made for sound reasons and sound purposes. Will the Senator from Nebraska name one or two of them? I do not have the list before me.

Mr. WHERRY. The list appears at the bottom of page 17.

Mr. VANDENBERG. I shall read the list. It is as follows:

Canada, Dominican Republic, France, Guatemala, Honduras, Liberia, Netherlands, Norway, Philippine Republic, United Kingdom, United States.

Yes; we have made loans to the Philippine Republic, but the mere fact that we have made loans on a soundly contained basis for other reasons does not reflect, in my opinion, upon the integrity of the attitude of the Philippine Government in agreeing to take its share of this responsibilty.

Mr. WHERRY. Mr. President, I realize that the distinguished Senator can take the position that any loan we make is sound. I merely have to point out that we entered into the Bretton Woods agreements, and we made various foreign loans. We made one to France and one to Great Britain. All I have to do is to call to mind the huge sums we have loaned which I doubt very much will be paid back. The history of such loans is that they are not paid back. Eighty percent of them are not repaid. So in reality what it is proposed that we do here is to advance money to these 11 nations to finance this program on the theory that we are getting something in return from them, when in reality the United States is paying the bill and the international organization is framing the policy with respect to what we shall do in our zone, which includes most of the displaced persons.

The constitution which we are called upon today to ratify was signed by Warren R. Austin, subject to congressional approval, December 15, 1946. Since that time world conditions have changed and the policy of the United States has changed notably with respect to the sphere of influence of the Soviet Union, which is evidenced by the President's recent proclamation of his all-out war against communism at home and abroad. According to Dean Acheson's own statement, made in the hearings, the vast majority of these refugees now in our zones are political refugees from the Soviet sphere of influence.

I quote Mr. Acheson's words:

The problem, then, is that of the remaining displaced persons, about 1,000,000 people, of whom some 600,000 are in the United States zone.

Of these people, almost all come from the countries of eastern Europe. Perhaps a third are registered as Poles, a fifth as Balts, a fourth as Jews, and smaller fractions as Yugoslavs and citizens of the Soviet Union, stateless, and of miscellaneous origin.

In view of the change in policy, does the distinguished Senator from Michigan now feel that this problem should be handled by an international board in which Russia has membership and may have a determining voice?

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. VANDENBERG. The International Refugee Organization has been set up against the constant, persistent, relentless opposition of the Soviet Union. It does not belong to the organization. It will not sign. None of its component countries will sign, and it will have nothing whatsoever to say about the administration of the organization.

Mr. WHERRY. There is no bar against Russia becoming a member. There is no bar against a country which is a satellite of Russia becoming a member if it sees that it can get something out of the organization and at the same time help frame the policies with respect to the resettlement problem.

Mr. VANDENBERG. Mr. President, will the Senator again yield?

Mr. WHERRY. Yes; I am glad to yield.

Mr. VANDENBERG. It had not occurred to me that I am not sufficiently suspicious of communism to be adequately diligent against hypotheses of this nature. I can only say to the Senator that if he had faced the bitter opposition, the persistent, the constant opposition of the Soviet Union and its associate powers in connection with this problem, an opposition which is perfectly understandable inasmuch as this organization is committed to the principle that there shall be no involuntary repatriation of refugees and persecutees—if the Senator had faced that opposition day by day by day, he would not indulge in what to me is the rather fantastic notion that for some reason which is entirely beyond my comprehension they are going to offer to join an organization which would require them to surrender the very fundamental principle upon which they deal with displaced persons, namely the principle that displaced persons shall be handled as pawns to suit the state.

Mr. WHERRY. Certainly our experience with UNRRA, which was mentioned a few moments ago as an international agency, ought to be a warning to us before we go into the proposed international organization, if in any way this organization could be used as an instrument by Russia to further her own interests. I appreciate the answer of the distinguished Senator from Michigan; but I think this organization could be used by Russia and her satellite countries to further their own interests.

Let me quote from Mr. Clayton's statement about UNRRA. I opposed UNRRA for the very reason that I think we ought to go into this organization with our eyes open. I doubt very much if any of us have gone into this thing with our eyes open. I did not see the charter until last Thursday night, and I doubt if other Senators have much information about it. That is no reflection upon them. We were told that if we went into UNRRA, other nations would also contribute, and that the money would not be used to feed armies, or for political purposes, or other uses not intended. We were even denied the right to make inspections to see where food was needed, and where it went. With respect to UNRRA, I offered an amendment which was defeated on the floor of the Senate.

What does Mr. Clayton say about UNRRA?

The committee is, I am sure, aware of the position taken by the Department of State and the President regarding post-UNRRA relief. It has not seemed wise or proper to meet the remaining needs through an international agency. Instead it is believed that the problem which remains can best be handled directly between the individual contributing countries and the recipient countries. The Secretariat of the United Nations will be useful as a clearing point for the exchange of relevant information.

One of the major arguments advanced by the United States representatives in making clear this position regarding relief in 1947 was that the problem, although of utmost urgency and seriousness, was not of the magnitude of past years and could be handled more efficiently and expeditiously without the cumbersome mechanism of an international relief agency.

This argument is still valid. Some of the UNRRA countries no longer require free assistance; others, not as fortunate, need relatively small amounts of additional assistance to carry them through another year. Thereafter it is expected that they will be able to stand on their own feet. In addition we feel that we can more effectively adapt our program to meet changing needs and can maintain better supervision over the use of our funds and supplies by dealing directly with the countries needing assistance.

As I stated a moment ago, I saw how UNRRA worked. I think General Clark will substantiate the statement that I was one American who got into the Russian-occupied zone. I went 50 miles into the zone. I was told that I was the first American who had been there since General Clark was stationed at Vienna.

I talked with a Russian colonel, who admitted to me, first, that they were diverting food to feed the army, in direct violation of the international agreement with respect to occupied countries. Secondly, he told me that there was no inspection of UNRRA food in that country, and no investigation as to needs, or where the food went. Third, they used our food and supplies to build up a difference between a Russian worker, an Austrian worker, and those whom they actually wanted to starve to death. That is the experience with UNRRA, an international organization which was conducted by an international body. I stated then, and I say now, that we should think a long time, especially when we furnish the money which others distribute. In addition to our own direct contribution, we make an indirect contribution. We ought to have a good deal to say about the policy as to displaced persons in the next 5 years.

Do we intend to have an international board, on which Russia may be a member, define the terms with respect to persons who will not be the concern of the organization?

Once again I turn to the page cited by the distinguished Senator from West Virginia. Here are listed the exceptions, the persons who will not be the concern of the organization. I ask, What is the definition of war criminals? What is the definition of quislings? What is the definition of traitors? Who is to determine these definitions?

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. REVERCOMB. There is a term used which I should like to have defined, and that is the term "persons of German ethnic origin."

Mr. WHERRY. I am coming to that.

Mr. REVERCOMB. I shall be glad to hear the Senator's comments on that definition.

Mr. WHERRY. Was Mihailovich a traitor? Yet under these definitions he would not be entitled to relief.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. VANDENBERG. I totally disagree, because this definition applies to those who are rebels in the postwar world against member nations of the United Nations; and Mihailovich was not in that category.

Mr. WHERRY. There are men just like Mihailovich who in the postwar period are doing the same thing. My judgment is that they would not be entitled to protection.

Who is to determine who are persons of German ethnic origin? Let me read this exception:

> Persons of German ethnic origin, whether German nationals or members of German minorities in other countries, who—
>
> (a) Have been or may be transferred to Germany from other countries;
>
> (b) Have been, during the Second World War, evacuated from Germany to other countries;
>
> (c) Have fled from, or into, Germany, or from their places of residence into countries other than Germany in order to avoid falling into the hands of Allied armies.

What would happen to the 5,600 German members of the Buchenwald concentration camp? They were German people who refused to cooperate with Hitler. Under this definition they would not be entitled to relief if they were refugees or persecuted persons in Germany.

I also visited a Lithuanian camp. Three thousand persons in that camp refused to cooperate in the puppet countries which were set up, so they were evacuated into Germany. Are they eligible for relief? They are of German origin. They speak the German language; and yet they are foreclosed by this definition.

"Persons of German ethnic origin" is the language of the definition. That means traits, customs, and language.

Reading further from the definition:

> Whether German nationals or members of German minorities in other countries—

What about Polish nationals who speak the German language, whose parents, grandparents, and great-grandparents were Germans, and who fought all the way through with the Allies? Are they to be denied this relief?

I am not sure about another thing which has just come to my attention. I refer to the last paragraph which the Senator from West Virginia read. Syria is a member of the Council, or will be a member of the Council if she qualifies. She is one of the members mentioned, and yet the Syrian Government warned 13,000 Syrian Jews that unless they publicly renounced Zionism and surrendered all Jewish refugees attempting to reach Palestine—I suppose they are probably not leaders, as the distinguished Senator has classified them—they will be sentenced to death, along with the captured refugees and any others assisting them. In other words, they must renounce Zionism in order to return to their homes.

I believe that there has been sufficient debate upon some of these provisions to show that amendments should be made to explain some of the definitions. I have an amendment which I should like to present.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. REVERCOMB. For the purpose of this agreement, I should like to see better definitions, so that we may know just what we are agreeing to. I ask the able Senator from Michigan to advise us what is meant by "persons of German ethnic origin." What is the meaning of the term as used in this agreement?

Mr. VANDENBERG. Mr. President, I have never examined the precise phrase to which the Senator refers. I know what the object is. The object is to exclude ex-enemy nationals from the jurisdiction of this organization. Ex-enemy nationals are under a totally different responsibility in Germany and Austria. They are under the responsibility, so far as subsistence is concerned, of the Army and the civilian military government. If the service of DP camps were extended to all ex-enemy Germans, the problem would be increased from 588,000 to six or seven millions. Obviously that is impossible, and I think it is not in harmony with the theory upon which this particular operation is established.

Mr. REVERCOMB. Mr. President, will the Senator yield further?

Mr. WHERRY. I yield to the Senator from West Virginia.

Mr. REVERCOMB. I wonder why, in framing this language, the words "ex-enemy Germans" were not used.

Mr. VANDENBERG. I think that would have been preferable.

Mr. REVERCOMB. I have looked up the word "ethnic" as found on page 877 of Webster's International Unabridged Dictionary, and there the definition is given as follows:

> 1. Pertaining to the Gentiles, or to nations not converted to Christianity; heathen; pagan—opposed to Jewish and Christian.
>
> 2. Relating to community of physical and mental traits in races, or designating groups of races of mankind discriminated on the basis of common customs and characters.

In using the word "ethnic" I wonder who is to determine whether the person involved is a religious man, or whether he is a Christian. It is unfortunate that in such agreements language is used which is so elastic that persons cannot be classified under it. It is impossible to determine what is meant. Why was not the term "ex-enemy Germans" used? I think it is exceedingly unfortunate that words are used here which have meanings which really cannot be defined or classified.

Mr. WHERRY. I thank the distinguished Senator for his observation. I feel that these definitions should be made plain. But as I stated in my opening remarks, it is not my purpose in any way to delay enactment of this proposed legislation, because it is needed. I agree in toto with everything the distinguished Senator from Michigan has said about the emergency character of the joint resolution and that it must be enacted, because the Army is furnishing food and UNRRA is performing the administration. I agree that when UNRRA expires this Nation must be prepared to take over and feed these displaced persons. In view of the fact that world conditions have changed in the past 2 months, I was hopeful that the arguments made and the colloquy engaged in today might prove the basis for further consideration of the joint resolution and clarification of the definitions.

I shall now read into the RECORD an amendment for which I ask the consideration of the Senator from Michigan, so that if amendment is made in the House and if amendments are to be added to the constitution, there will be no delay in launching the machinery. The amendment is as follows:

> At the end of line 12, page 2, strike out the period, insert in lieu thereof a semicolon, and add the following: "*Provided further*, That this authority is granted and the approval of the Congress of the acceptance of membership of the United States in the International Refugee Organization is given upon condition and with the reservation that the Organization shall not discriminate for or against (a) persons otherwise eligible who refuse to return to their country of origin, the present government of which cannot guarantee personal and political liberty; (b) persons who have endeavored to reestablish the independence of their country of origin as it existed on August 23, 1939; and (c) persons solely because of their racial or religious origin or affiliation: *And provided further*, That as a condition precedent the Organization shall agree (a) to permit free access of the United States Government officials for the purpose of observing whether the assistance authorized is utilized effectively; (b) to permit representatives of the press and radio of the United States to observe freely and to report fully regarding the utilization of such assistance; and (c) to make such provisions as may be required by the President of the United States for the security of any article, service, or information received pursuant to this joint resolution."

Mr. President, I thank the distinguished Senator from Michigan for giving his time. I agree with the distinguished Senator from New Hampshire [Mr. TOBEY] that because of the tremendous responsibilities upon his shoulders it was a physical effort for the Senator from Michigan to stand here and answer a great many questions. I hope the Senator will forgive me. I believe I have suggested definitions of terms to which the Senator ought to give his further attention, and I hope when that is done it will not require as much of his

physical effort as has been required in answering my questions on the floor this morning.

Mr. VANDENBERG. Mr. President, I will say to the Senator by way of benediction that he owes me no apology for anything. I am grateful to him for his discussion. It has been very illuminating. We disagree in respect to some interpretations, but the Senator is always interesting and able.

Mr. DONNELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DONNELL. Has the amendment offered by the Senator from West Virginia for himself, the Senator from Nevada [Mr. McCARRAN], and the Senator from Rhode Island [Mr. McGRATH] been accepted by the proponents of Senate Joint Resolution 77?

The PRESIDING OFFICER. It has not.

Mr. REVERCOMB. Mr. President, I have listened with great interest to the very able exposition of the position of the Senator from Michigan [Mr. VANDENBERG], chairman of the Committee on Foreign Relations, as he described his position with reference to the joint resolution. There is no argument between us on the object of the resolution which has been offered. I realize fully the plight of these unfortunate people. There are more than a half million of them today in the American zone. I realize that it is a problem for America to solve. I further realize that we have undertaken to solve the problem and have the obligation to follow it through. I subscribe to the view that other nations should join together in the administration of the work of mercy and in solving the problem which confronts us. But too often in preparing to perform a good work, when agreements are drafted containing the language which will constitute the guide for action, words are used that have no bearing and should have no part in the obligation which is being undertaken.

The amendment which has been offered to the resolution on behalf of myself and the able Senator from Nevada [Mr. McCARRAN] is solely for the purpose of removing any question of doubt whatever that under the guise of authority of this resolution persons may be brought into this country without the consent of Congress which, from the beginning of our Nation, has had control of the entry of immigrants to America. I am delighted that the Senator from Michigan joins me in that. He has, however, taken a view in which I do not join, and that is that there is nothing to be found in the constitution of the International Refugee Organization which endangers or bears upon the entry of people into this country.

I believe the able Senator talked about having lawyer trouble. I say to him with all kindness and friendship that he would have had no lawyer trouble whatsoever if he had listened and followed, and if his committee had gone along with, the Judiciary Committee, which became very much concerned with this problem—particularly so because it deals with the subject of immigration into our country. I do not wish to give the Senator any more lawyer trouble, but I am compelled to disagree with the view he takes; namely, that there is nothing in the agreement or constitution bearing upon the immigration question.

I desire to point out now, first of all, that there was no doubt in the minds of the members of the Senate Judiciary Committee that this subject involved and touched very closely upon the general subject of immigration and our established immigration laws, so much so that every member of the Judiciary Committee signed a letter to its chairman, the able Senator from Wisconsin [Mr. WILEY], asking him to take up this subject and see to it that the immigration laws of the United States were not transgressed by any action taken upon this joint resolution. As a result of that action, a proposed amendment, generally like the amendment now before the Senate, was submitted. That was not drawn entirely by those who have offered it; that amendment, Mr. President, is the work of counsel of the Judiciary Committee, the legislative counsel of the Senate, and counsel in the Library of Congress.

I wish to point out now, if I may, the places in the constitution of the International Refugee Organization where definite reference is made to subjects involving immigration or the entry of people into the United States, whether they be called refugees or immigrants. I read from page 2 of the International Refugee Organization resolution of the General Assembly, dated December 27, 1946, and coming from the Department of State:

> Having considered the constitution of the International Refugee Organization and the arrrangement for a preparatory commission as approved by the Economic and Social Council;
>
> Considering that every effort should be made to provide for the early establishment of the International Refugee Organization and the provision of measures during the interim period designed to facilitate such establishment;
>
> Therefore—

Now I pass over (a), (b), (c), and (d), and come to paragraph (e).

It "urges members of the United Nations to give the most favorable consideration to receiving each into its territory at the earliest possible time, so far as may be practicable for permanent resettlement, its fair share of the nonrepatriable persons who are the concern of the International Refugee Organization and this in conformity with the principles of the Organization."

Mr. President, that is an appeal to all members of the United Nations—and we are one of them—to take as many refugees as they can, as soon as they can, into their borders; and the conclusion is inescapable that the refugee problem is tied in to the immigration question and our immigration laws. So, from the standpoint of some of us, it became very important to see to it that the laws of the Congress which control immigration shall be maintained inviolate, and that we shall not, by signing this agreement and passing this joint resolution, thereby becoming a member of the Organization, surrender the power of Congress over the subject of the entry of persons into the United States. That was the question.

Let us go further into the question whether there is any link between the subject of immigration and the pending joint resolution. Under article II of the so-called proposed constitution of the International Refugee Organization, we find what its purposes are generally intended to be. I read now from paragraph (b):

> With respect to persons for whom repatriation does not take place under paragraph 1 (a) of this article to facilitating—

Paragraph 1 (a) deals with repatriation, sending the people back to their homeland, when that can be done with safety to them.

It is one of the powers and purposes——

Mr. LANGER. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. LANGER. From what is the Senator reading?

Mr. REVERCOMB. I am reading from the constitution of the International Refugee Organization. I wish every Member of the Senate had a copy of it. I sent to the Department of State, and I have one of the early copies and also one of the later prints of it.

Mr. LANGER. I have one in my hand, but the numbers of the articles do not correspond at all.

Mr. REVERCOMB. I regret that very much. These were sent to me, as I have said, from the Department of State. I shall be very happy to place them in the hands of any Senator as soon as I finish using them for the purpose of my remarks.

Mr. President, continuing with what these powers are with respect to resettling people:

> (i) Their reestablishment in countries of temporary residence—

Now we are dealing with the refugees—

> (ii) The emigration to, resettlement and reestablishment in other countries of individuals or family units, and
>
> (iii) As may be necessary and practicable within available resources and subject to the relevant financial regulations, the investigation, promotion or execution of projects of group resettlement or large-scale resettlement.

Mr. President, that language can mean only one thing; namely, that among the purposes of this Organization there is added the purpose of resettling these persons—about a million of them, I believe, who today are in Europe—in various parts of the world.

This agreement undertakes to have the United States pay 45 percent of the cost of conducting the work of the International Refugee Organization. Is that provision significant? This country must keep within its Congress, its legislative body, the sole power to deal with immigration. If the United States places that power in the hands of this international organization, and if the United States pays 45 percent of the cost, based upon the idea of our great wealth, do we not know that 45 percent of those refugees will be brought to the United States? So, Mr. President, the purpose of this amendment, as I have said, is to

see that nothing is surrendered in the way of the sovereignty of the United States over the subject of permitting persons to enter the United States.

It is interesting to note that when the first resolution came before the Foreign Relations Committee, it contained no provision whatsoever, in any language, guarding against a change in the immigration laws of the United States.

I do not doubt for a minute—and let no one think that I question—the earnestness of those who have expressed the view that this proposal has nothing to do with immigration. But I do question their conclusion, I do question their judgment, because it is written—and I have read the provision—into the Constitution that one of the first purposes of the organization is to resettle persons permanently anywhere in the world. The amendment I have offered, to use the language of the Senator from Michigan, is designed to close every window against an attack upon the sovereignty and the power of this Government to control the entrance of alien peoples into America.

Mr. President, to show that there was difference of opinion, I have before me a memorandum prepared by able counsel who have given attention to this subject, and who advised the members of the Committee on the Judiciary upon it. Without reading from it at length, at this time, I ask unanimous consent that it be made a part of my remarks.

The PRESIDING OFFICER (Mr. BALDWIN in the chair). Is there objection?

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM RE MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—INTERNATIONAL REFUGEE ORGANIZATION (H. DOC. NO. 145)

SYNOPSIS

1. Under the provisions of the constitution of the International Refugee Organization the organization is vested with power to "conduct negotiations and conclude agreements with governments." The scope of these agreements involves resettlement of immigrants.

2. There is no power vested in Congress to conclude agreements. The President, under his general executive power and frequently under legislative enactments, is the only agency of the United States vested with power to conclude such agreements.

3. The authorities hold that the operative effect of agreements executed by the President is the same as the operative effect of a treaty, namely that such agreements prevail over contrary statutes.

4. It is suggested that the acceptance by Congress of the Constitution of the International Refugee Organization be conditioned upon the future approval by Congress of any agreement negotiated or entered into by the President. Precedent for this is found in the United Nations Participation Act of 1945.

I. CHRONOLOGY

(a) February 12, 1946, the General Assembly of the United Nations Organization referred the problem of refugees and displaced persons to the Economic and Social Council for examination and report.

(b) February 16, 1946, the Economic and Social Council established Special Committee on Refugees and Displaced Persons.

(c) June 1, 1946, Special Committee on Refugees and Displaced Persons reported to second session of Economic and Social Council. This report included a draft of a constitution for the proposed International Refugee Organization.

(d) June 21, 1946, the Economic and Social Council adopted, after revising and amending, the draft constitution.

(e) December 15, 1946, the General Assembly of the United Nations Organization, having made certain changes in the draft constitution, approved the same.

(f) December 16, 1946, Senator Warren Austin, the United States representative to the United Nations signed the constitution of the International Refugee Organization subject to subsequent approval by the Congress.

(g) February 24, 1947, President Truman recommended that the Congress authorize the United States to participate as a member of the International Refugee Organization.

II. PROVISIONS OF THE CONSTITUTION OF THE INTERNATIONAL REFUGEE ORGANIZATION, HEREIN UNDER SCRUTINY

Among the functions and powers vested in the International Refugee Organization, under the terms of article 2, are the following:

"(e) to conduct negotiations and conclude agreements with Governments;"

* * * * *

"(i) to undertake any project appropriate to the accomplishment of the purposes of this Organization;

"(j) to conclude agreements with countries able and willing to receive refugees and displaced persons for the purpose of insuring the protection of their legitimate rights and interests insofar as this may be necessary;

"(k) in general, to perform any other legal act appropriate to its purposes."

Section 3 of article 9 of the Constitution of the International Refugee Organization provides as follows:

"3. In the performance of their duties, the Director-General and the staff shall not seek or receive instructions from any Government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization. Each member of the Organization undertakes to respect the exclusively international character of the responsibilities of the Director-General and the staff and not to seek to influence them in the discharge of their responsibilities."

Article 15 of the constitution of the International Refugee Organization provides as follows:

"The relationship of the Organization with the governments or administrations of countries in which displaced persons or refugees are located and the conditions under which it will operate in such countries shall be determined by agreements to be negotiated by it with such governments or administrations in accordance with the terms of this constitution."

III. PROCEDURE FOR ACCEPTANCE

Section 1 of article 18 of the constitution of the International Refugee Organization provides as follows:

"(a) States may become parties to this constitution by:

"(i) Signature without reservation as to approval;

"(ii) Signature subject to approval followed by acceptance;

"(iii) Acceptance.

"(b) Acceptance shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations."

As noted in the chronology (supra) on December 16, 1946, Senator Warren Austin, the United States representative to the United Nations, signed the constitution of the International Refugee Organization, subject to subsequent approval by the Congress.

It will be observed that the procedure for acceptance by the United States of the constitution of the International Refugee Organization does not contemplate treatment of such constitution as a treaty within the purview of the constitution of the United States. Under the provisions of section 2 of article II of the Constitution of the United States, the President "shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur." Under the provisions of article VI of the Constitution of the United States, the Constitution "and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land."

The message of the President, recommending that participation as a member of the International Refugee Organization by the United States be authorized, was addressed not to the Senate but to the Congress, and it is contemplated that authorization may be made by a simple majority of both Houses of the Congress, rather than by two-thirds of the Senators present.

IV. STATEMENT OF ISSUES

1. If Congress authorizes participation as a member of the International Refugee Organization by the United States, who will be empowered on behalf of the United States "to conduct negotiations and conclude agreements" with the International Refugee Organization?

2. Can such agreements have the effect of suspending contrary laws of the United States?

3. What steps, if any, can Congress take to insure that if Congress authorizes participation as a member of the International Refugee Organization by the United States, the laws of the United States will not thereafter be affected by "agreements" without congressional sanction?

V. CONSIDERATION OF ISSUE 1

"Governmental power over external affairs is not distributed (between the National Government and the several States) but is vested exclusively in the National Government. And in respect of what was done here (in making an executive agreement with Russia) the Executive had authority to speak as the sole organ of that Government. The assignment and the agreement in connection therewith did not, as in the case of treaties, as that term is used in the treaty making clause of the Constitution (Article II, sec. 2), require the advice and consent of the Senate" (*United States* v. *Belmont* (1937), 301 U. S. 324, 330).

"The President of the United States is intrusted with the right of conducting all negotiations with foreign governments and is the judge of the expediency of instituting, conducting, or terminating such negotiations in respect to claims against foreign governments. (Executive) agreements of such adjustment or settlement of such claims are not submitted to the Senate" (*State of Russia* v. *National City Bank* (1934), 69 F. 2d 44, 48).

"That document (the Constitution) contains, however, no definition of a treaty and no statement declaring under what circumstances a conventional arrangement purporting to bind the United States must be dealt with according to the procedure that is mandatory in the case of treaties. The reference to an 'agreement or compact' with a foreign power which no State of the Union is permitted to enter into without the consent of Congress indicates the familiarity of those who framed the Constitution with the habit of States to conclude international agreements of lesser dignity, which by reason of their form or content, as well as the methods employed in perfecting the contractual relationship, were not dealt with as treaties by the persons or countries which found it convenient to have recourse to them" (International Law (1945), Charles Cheney Hyde, vol. 2, p. 1405).

"In a memorandum by the Solicitor (Nielson) for the Department of State (1922) agreements made by the Executive and not

submitted to the Senate were classified as (1) 'agreements made pursuant to authority contained in acts of Congress', and (2) 'agreements entered into purely as executive acts without legislative authorization'" (Digest of International Law (1943), Green Haywood Hackworth, vol. 5, p. 390).

Query: Would not acceptance by Congress of the constitution of the International Refugee Organization, which constitution provides for "agreements," raise the presumption that Congress is, irrespective of other "Executive power" of the President, vesting in him, as a matter of legislative enactment, the power to conclude on behalf of the United States such agreements? This query is pertinent in view of the quotation immediately preceding and also in view of the following quotations:

"In addition to the authority of the President under the Constitution to negotiate and sign treaties with foreign governments and by and with the advice and consent of the Senate to ratify them, the Executive is empowered without legislative sanction to conclude with foreign governments certain classes of agreements which are not classified as treaties in the sense in which that term is used in the Constitution. There agreements are concluded by virtue of the authority inherent in the Chief Executive under the Constitution, and are confined to subject matter within the purview of his constitutional authority" (ibid.).

"Perhaps there is no exact definition possible of the expression 'Executive agreements.' It is doubtless used to include international agreements made by the Executive (whether under statutory authority or not), but excluding those made by and with the advice and consent of the Senate. In this sense it is obvious that the term comprises agreements and acts of a quite varied nature; for while such an agreement may finally be made by the President or under his direction, it may in some cases have a very different basis of authority from others; it may rest on a statute; it may follow a treaty; it may be an exercise of the power of the President under the Constitution and without the aid of statute or treaty, such a modus vivendi or an agreement for the determination of claims of American citizens against another country; or it may, as in the case of an armistice, be his act as Commander in Chief" (International Executive Agreements (1941), Wallace Mitchell McClure, p. 277).

"Whatever distinction there is between treaties and executive agreements must be found, not in the practices and doctrines of international law, but in our own unique constitutional law. By common practice under that law the term 'treaty' is used to refer to every agreement, whether written or verbal, important or unimportant, with one or more foreign nations which, prior to ratification by the President, receives the consent of two-thirds of the Senate, and which is never submitted for approval to the House of Representatives. The term 'executive agreement,' on the other hand, is used both colloquially and in scholarly and governmental writings as a convenient catch-all to subsume all other international agreements intended to bind the United States and other governments. Despite many attempts to make distinctions between treaties and executive agreements in terms of form, subject matter, and legal practical consequences, and however surprising or even shocking the conclusion may be to any who have not examined the record, this common usage is the only distinction that the facts of our constitutional law and practice will sustain * * * there are no significant criteria, under the Constitution of the United States or in the diplomatic practice of this Government, by which the genus 'treaty' can be distinguished from the genus 'executive agreement,' other than the single criterion of the procedure or authority by which the United States' consent to ratification is obtained. More explicitly, agreements with other governments, when consummated pursuant to congressional authorization or when subsequently sanctioned by Congress, have the identical legal and practical consequences both under the municipal law of the United States and at international law, as treaties, consented to by two-thirds of the Senate" (Treaties and Congressional-Executive or Presidential Agreements (1945), Yale Law Journal, 54: 181, 197).

At this point it is pertinent to direct attention to an illustration of (a) executive agreement pursuant to congressional authority and (b) executive agreement entered into purely as an executive act without legislative authorization.

(a) Under the Reciprocal Trade Agreements Act (June 17, 1930, 48 Stat. 943) the Congress provided that the President, "whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose (in the act) declared will be promoted by the means (in the act) specified, is authorized from time to time (1) to enter into foreign-trade agreements with foreign governments or instrumentalities thereof; and (2) to proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign-trade agreements, as are required or appropriate to carry out any foreign-trade agreement that the President has entered into hereunder."

(b) An illustration of an executive agreement entered into purely as an executive act without legislative authorization was the agreement of the President to transfer destroyers in exchange for the use of certain British naval and air bases. (See 39 Op. A. G. 484; Executive Agreement Series No. 181).

Conclusion on issue 1

From the foregoing authorities it is concluded that if Congress authorizes participation as a member of the International Refugee Organization by the United States, the Constitution of which provides for "agreements with governments," the Congress will by such authorization either (a) vest, as in the case of the Reciprocal Trade Agreements Act, power in the President to conclude such agreements or (b) give sanction to an organization with which the President could, irrespective of legislative authorization, conclude such agreements.

VI. CONSIDERATION OF ISSUE 2

As was noted in the citation of the authorities referred to in V of this memorandum, the operative effect of an executive agreement is not distinguishable from that of a treaty. Although the procedure to be observed in consummation of a treaty differs from the procedure followed in consummation of an executive agreement, the legal practical consequences are the same.

Article VI (paragraph 2) of the Constitution of the United States reads:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land."

It is well settled that a treaty has the effect of repealing all preceding Federal law in conflict with it, whether unwritten, as the law of nations or admiralty and common law, or written as acts of Congress (6 Op. Atty. Gen. 293). See also *Whitney* v. *Robertson* (8 S. Ct. 456, 124 U. S. 194).

In the course of his message recommending that the Congress authorize the United States to participate as a member of the International Refugee Organization the President stated:

"The Organization to be created will have no governmental powers. It can in no way alter the statutes of any of its members, such alteration could be made under the terms of the "agreements" provided for in the constitution of the Organization, which agreements, it is submitted could be made and entered into on behalf of the United States by the President.

VII. CONSIDERATION OF ISSUE 3

As will be noted by reference to III of this memorandum there is no provision for a conditional acceptance by the Congress of the constitution of the International Refugee Organization. As to whether or not a conditional acceptance would be regarded by the Organization as either (a) rejection or (b) total acceptance, no authorities are available.

It is suggested, however, that precedent exists for Congressional limitations on Executive agreements based on legislative action. Section 6 of the United Nations Participation Act of 1945 provides in part as follows:

"The President is authorized to negotiate a special agreement or agreements with the Security Council which shall be subject to the approval of the Congress by appropriate act or joint resolution, providing for the numbers and types of armed forces * * *.

"*Provided*, That nothing herein contained shall be construed as an authorization to the President by the Congress to make available to the Security Council for such purpose armed forces, facilities, or assistance in addition to the forces, facilities, and assistance provided for in such special agreement or agreements."

Further authority for the Congress to limit the scope of Executive agreements, based on legislative enactment, is found in the following quotation:

"In short, we are of opinion that, so far as a treaty made by the United States with any foreign nation can become the subject of judicial cognizance in the courts of this country, it is subject to such acts as Congress may pass for its enforcement, modification, or repeal" (Head Money cases (1884), 112 U. S. 580, 599).

Suggested procedure

1. A conditional acceptance based on a proviso that the laws of the United States shall not be suspended by any such agreements and that any such agreements shall first be submitted to Congress for approval or disapproval. (Similar to Participation Act of 1945, supra.)

2. As an alternative, accompany the acceptance with legislation in which are provided standards as a basis for executive agreements. This would follow the plan of the Reciprocal Trade Agreements Act, referred to, supra.

The foregoing is based on the assumption that the authority for the executive agreements would be derived from the acceptance by the Congress of the International Refugee Organization. If, however, an exercise of such authority is derived from the general executive power apart from act of Congress it is suggested that Congress, before it accepts the Constitution, request a statement from the President as to the policy which he will pursue in regard to agreements which may affect existing laws of the United States.

Mr. REVERCOMB. Mr. President, this memorandum sets forth very clearly authority after authority, decisions of the courts one after another, which bear upon the question of whether or not the immigration laws are under the control of the Congress; and we are called upon today to determine whether control shall

remain there. Also they deal with Executive agreements, something that we cannot permit to be used on this subject. I say that unless the pending joint resolution shall be amended as proposed, there will have been taken away from the Congress its power over immigration. I submit upon this brief as a legal proposition, that it is one of the greatest threats to the sovereignty of the American Government.

The Senator from Michigan said—and he stated it fairly, and I was very glad to hear it—that he wants the joint resolution, quoting his language, "so plain that nobody can misunderstand it." If he wants it so plain—and all of us join with him in that—that no one can misunderstand it, then let him accept my amendment, which cannot be misunderstood in the clear language in which it is drawn. As I said, it was drawn by able counsel.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. DWORSHAK. The Senator from West Virginia is deserving of commendation for his solicitude in behalf of the integrity of our immigration laws. During the war many hundreds of thousands of alien refugees entered the United States in violation of our immigration laws, and little if anything was done to apprehend them. Only a few days ago there appeared an article in one of the local daily newspapers from which I quote:

> Estimates of illegal entries range from 500,000 to almost a million a year. Even half of the lowest estimate would be considerably higher than the current annual rate of 138,000 legal immigrants.
>
> Attorney General Clark estimated last year that illegal alien entries totaled 2,000 daily, with only half of these persons apprehended by the Government.

It is apparent that, although fighting ceased almost 2 years ago, aliens are still entering our country, and the Department of Justice faces a serious challenge in attempting to meet that situation. I am in complete accord with the Senator from West Virginia that we should demand the right for the Congress to determine whether these alien refugees should enter our country, and we should make no concessions, under the terms of the proposed legislation currently before this body, which would in any degree deprive Congress of its authority. I sincerely trust that the Senator will continue to defend the position he has taken, because in doing so he will render outstanding service to the Nation.

Mr. REVERCOMB. I deeply appreciate the remarks of the able Senator from Idaho. I am delighted to have his aid in this movement, because there is involved indeed a threat to our own country. I wish to discuss a little later, in a review of the history of immigration, some of the points which have been brought out by the able Senator from Idaho, and I appreciate the remarks he has made.

Mr. O'DANIEL. Mr. President, will the Senator from West Virginia yield?

Mr. REVERCOMB. I yield to the Senator from Texas.

Mr. O'DANIEL. It is quite apparent to me, from reading the joint resolution and other literature relating to the proposal, that the main objective is to nullify the immigration laws of the United States, or to circumvent them in some manner. If that be true, and that is the intention of the proposed legislation, am I to understand that the Senator from West Virginia is proposing an amendment which would prevent the very thing I have suggested?

Mr. REVERCOMB. It is my earnest belief that the adoption of my amendment, which is drawn after careful consideration, after advice of counsel, will stop any construction of the joint resolution which would take from Congress complete control over immigration. If it is not adopted, then by the joint resolution Congress will surrender its control over the immigration laws.

Mr. O'DANIEL. If that be the case, why should Congress pass this joint resolution which would call for the expenditure of $75,000,000 or more a year and then add the Senator's amendment which would prevent the Organization from doing what it proposes to do? Would it not be more logical and economical and consistent merely to refuse to pass the joint resolution, and thus save the $75,000,000 or more a year?

Mr. REVERCOMB. I recognize the problem of the refugees and their maintenance, and the continuance of the duty we have to look after them somewhere, to see that they do not starve, to see that they are clothed; but I say that when we undertake that task, we can do it without surrendering the control of the Congress over the immigration laws. I wish to save control of immigration in the Congress, and that is why I have offered the amendment.

Mr. O'DANIEL. I agree with the Senator. I think that practically every American citizen has a great deal of sympathy and human understanding for the displaced persons, and each of us individually wants to do everything possible to alleviate their suffering and improve their present condition. But to do that is it necessary to do what is proposed in the pending joint resolution, which would destroy the power of Congress to control immigration into this country?

Mr. REVERCOMB. The power of Congress will not be destroyed if my amendment shall be adopted.

Mr. O'DANIEL. I mean without the Senator's amendment. It is possible the joint resolution may be passed without his amendment.

Mr. REVERCOMB. If the amendment shall not be adopted, I shall have to vote against the joint resolution, and I think other Senators entertain the same feeling. It has been indicated that the amendment may be agreed to, but unless the amendment shall be adopted, I say to the Senator from Texas that we cannot enter this organization with any certainty that control of immigration will remain in the Congress.

Mr. O'DANIEL. In other words, if the Senator's amendment shall be agreed to, it will involve this Nation spending $75,000,000 or more per annum to remain in the same position regarding our immigration laws as if we did not pass the joint resolution at all?

Mr. REVERCOMB. That is correct; yes.

Mr. O'DANIEL. I thank the Senator.

Mr. SMITH. Mr. President——

Mr. REVERCOMB. I yield to the Senator from New Jersey.

Mr. SMITH. Mr. President, answering the last point made by the distinguished Senator from Texas, he seemed to imply that we were spending $75,000,000 for some useless purpose.

Mr. REVERCOMB. I did not think he made that point. I did not so understand him.

Mr. SMITH. I got that impression. I merely want, in defense of the Senator from Michigan who presented the case originally, to say that he pointed out that we had to consider taking care of these people in our own military zone in Germany at a greater cost than would be involved if we participated in the refugee program.

I might say also while I am on my feet that the Committee on Foreign Relations, of which I have the honor to be a member, felt that the governing clause in article II, from which the distinguished Senator from West Virginia has been reading, is section 1, which, referring to resettlement and reestablishment, says:

> In countries willing and able to receive them.

We understood, of course, that that meant willing to receive them under their own laws.

We were all willing, I will say to the Senator from West Virginia, to accept any amendment that would make that absolutely clear, and without any question or equivocation, and therefore we were all perfectly willing to accept the amendment which the distinguished Senator from West Virginia has offered. As the distinguished Senator from Michigan has said, there is no debate about it. It is merely a question as to what form the amendment should take, whether the language, which seemed to us sound, as offered by the Senator from Iowa [Mr. HICKENLOOPER], and which appears in the report of the committee, or the amendment which the Senator from West Virginia now offers. So we are now discussing which is the best way to do it, and as I say we are willing to accept the one which the Senator from West Virginia has offered.

Mr. REVERCOMB. I thank the Senator from New Jersey. I am delighted to hear his statement. I talked to the Senator from Iowa; we have had conversations about this question; and of course I am quite hopeful that my amendment will be agreed to. It was drawn after very careful study and counsel of those who considered it in order to make crystal clear the purpose to protect the immigration laws of the United States.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. But referring to the question asked by the Senator from Texas, and the answer by the Senator from West Virginia, I do not quite

agree that, unless the amendment or the substitute offered by the Senator from West Virginia is adopted, the question of immigration will be wide open. I am fully convinced that if the amendment as adopted by the committee and written into the bill is agreed to, the situation will be amply and completely safeguarded and taken care of. However, the Senator from West Virginia did not agree that the amendment adopted by the Foreign Relations Committee was ample. I think everyone was agreed that we wanted to make this an air-tight prohibition. Several of us looked over the amendment, or the substitute, as offered by the Senator from West Virginia, and I will say I think it will do the job as well as the amendment adopted by the Foreign Relations Committee. Either one of them will do the job. But I have certainly agreed to abandon any claim for support to the amendment adopted by the Foreign Relations Committee, and to support, so far as my vote is concerned, the substitute offered by the Senator from West Virginia. I merely wanted to clarify the fact that I do not agree that his amendment has any more strength, or plugs up any more holes, than the one the Foreign Relations Committee adopted, but I am perfectly willing to go along with him, perfectly willing to have his amendment adopted, and perfectly willing to do anything that we can to strengthen this prohibition.

Mr. REVERCOMB. Now we are getting closer and closer together. I am sure that I have never intended to attack the amendment offered by the Senator from Iowa, and I certainly would not do it now, after the speech he has just made.

Mr. HAWKES. Mr. President, will the Senator yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from New Jersey?

Mr. REVERCOMB. I yield.

Mr. HAWKES. The amendment that the Senator from West Virginia is offering to the pending joint resolution does not change the situation in reference to illegal entries into the United States which are supposed to have occurred heretofore, does it?

Mr. REVERCOMB. No. Of course, that is an administrative problem, and one I want to speak to, beginning in a few minutes. That is a question of an investigation that must be made. It must be cleared up before I think we should ever take any step toward changing the immigration law. We must have a clear understanding of it, and that will come only after a thorough investigation, when we can see and obtain the full and complete and clear picture of the immigration subject, and have definite information of the people who have entered the United States during the past few years.

Mr. HAWKES. I should like to say to the Senator from West Virginia that I am very strongly in favor of what he is attempting to do. I think it has to do with one of the most vital issues now confronting the Nation. In the interest of all who have come to this country, and of all those who have been here for years, I believe it essential that immigration should be under the definite control of Congress. The statement by the Senator from Idaho taken from a newspaper has been rumbling around the Senate since I have been a Member of it. I have heard repeatedly from the members of the Immigration Committee that during the last 5 years, contrary to the immigration laws, anywhere from 500,000 to 2,000,000 people have come into this country. It is my hope that the Senator will not stop with the amendment he is now offering, but will go ahead and plug up all the loopholes and do all of the things which may be necessary in order to keep faith with our immigration law.

Mr. REVERCOMB. I thank the able Senator from New Jersey. I want to say to him that there is no question that today should be of greater interest to the American people, for the future of the country, than through knowledge of what has happened in the last few years not only under the immigration laws but particularly outside the laws.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. REVERCOMB. I am very glad to yield.

Mr. HATCH. It is not about his particular amendment, which I know he understands perfectly, and I think I do, too; but a question has been raised about which I want to ask the Senator's interpretation. For instance, it has been suggested—and if the Senator from Michigan were here he might say it is "more lawyer trouble"—that the amendment might relate to some other agreements entirely outside the particular agreements authorized by the pending joint resolution. What is the Senator's position?

Mr. REVERCOMB. Does the Senator mean to indicate there is some other agreement?

Mr. HATCH. I am not indicating anything. I merely want the Senator to explain what I know he means, that his amendment applies only to matters covered by this particular resolution.

Mr. REVERCOMB. That is the whole scope of it. I did not for a moment consider that there was any agreement anywhere dealing with the entry of people into this country until this was brought up. Is there one?

Mr. HATCH. Not that I know of.

Mr. REVERCOMB. There is none that I know of.

Mr. HATCH. But I simply want to make it clear that we are dealing with this particular matter only.

Mr. REVERCOMB. We are; but I want to say that if there is any other agreement dealing with the entry of people into this country, I want it laid before the Senate of the United States, and laid before the other House so that it may be revealed. Certainly as a member of the Committee on the Judiciary, I should like to know.

Mr. HATCH. I might say to the Senator that I am quite sure there is no other agreement, and there could not be under existing laws. We are clear on that. I am merely pinning it down now that the Senator's amendment relates to this agreement only.

Mr. REVERCOMB. Let me put it this way: The amendment of the Senator from West Virginia relates to all agreements which might enable people to come into this country, and the whole scope that the Senator has understood was within this resolution.

Mr. HATCH. That is correct; there is not anything else? Now, one other question. There is perhaps a suggestion—I do not know whether it is a correct interpretation or not—in connection with the prior approval mentioned in line 4 on page 2, that that language, being general in its terms, might not even permit the admission into this country of those who are entitled to admission under present immigration laws, unless prior approval were specifically given by Congress. I know that is not the intention.

Mr. REVERCOMB. That is certainly not the intention. I want to make that statement clear that the present entries under our quotas are not to be disturbed in any manner whatever.

Mr. HATCH. And exactly what the Senator is trying to do is to prevent any change, any alterations in the present law?

Mr. REVERCOMB. In the present law of entry by quota.

Mr. HATCH. So if a person is entitled to be admitted into this country under existing law, he would not have to come to Congress to obtain prior approval.

Mr. REVERCOMB. No. That is correct.

Mr. HATCH. I think that clears up that point. I thank the Senator.

Mr. REVERCOMB. Mr. President, we are dealing as a matter of fact with a situation under which persons, whether they be refugees or not, seek entry into this country. I feel that in the discussion just preceding my remarks at this moment it has been clearly pointed out that there is a relationship between the pending question and the general subject of entry and immigration into this country. The joint resolution before us has been so amended and changed from the draft originally advocated by the State Department that the control of and the entry of persons into the United States, if this amendment is adopted, would continue under the control of the Congress. Had this change not been made, it is my view that Congress would have surrendered its control over this subject and the immigration laws of the country would have been circumvented and ignored. This view which I express is sustained by counsel of the Judiciary Committee, the legislative counsel of the Senate, and counsel in the Library of Congress. Thus we seek—and I believe effectively—to keep immigration solely within the control of the elected Congress of this country.

The subject of immigration at this time is particularly important. There are thousands upon thousands of people in the torn countries of Europe who seek entrance here. It is similar to the situation that came as an aftermath of the First World War. Of course, it is more accentuated and larger in scope today.

The problem was met with wisdom at that time, insofar as laws were enacted. It is to be hoped that it may be wisely met today for the maintenance of the

strength and security of America. I may add that I hope the enforcement and administration of the laws today will help carry out their purpose.

Not only is there a great clamor by those who desire to come here, but there are many in America who seek with great pressure and by every force they can use to compel the opening of the gates of this country to a greater flood of immigration.

There is a definite appeal to the feelings of our people for those unfortunate persons who as victims of the ravages of war and because of political turmoil in their own country find themselves unable to return to their homelands. There are doubtless countless thousands who could stay in Europe with security, but they have a natural desire to come to a land which does not have to rebuild its economy such as those countries which knew the destruction of war. This latter class wants aid in a way which necessitated years ago the establishment of an annual quota system to regulate entry here. But at once we are confronted with a question of whether it is best to aid them where they are, in or near their native lands, or to place upon the people of this country the inherent burdens and dangers, both economic and political, of bringing them here.

The answer must be definite laws that will maintain the security and the strength of America.

HISTORY OF IMMIGRATION

As we approach this problem it is well to review our history of legislation on this subject. For over 100 years after the adoption of the Federal Constitution we had no organized control of immigration. Mass immigraton, in fact, was actively urged; immigrants came across the Atlantic in continuous waves, packed into immigration ships like herrings. Early American passenger brokers did a thriving business at $25 a head at the European gangplanks. Ship agents took up posts in England, Ireland, and other congested zones of Europe, soliciting mass migration, selling steerage space. Come one, come all, was our philosophy. Expanding American corporations sent labor scouts abroad, "contracted" for laborers, brought them to the United States by the steerage shiploads. Immigrant banks boomed in the principal Atlantic seaports. Immigration land frauds became a major early American racket.

Our first immigration law passed on July 4, 1864, was, in fact a law not to curtail in any way but an act to encourage immigration. It provided for a Commissioner of Immigration appointed by the President, under the direction of the Department of State, and it established the first United States Immigration Office in New York City, with a superintendent and one clerk. The Congress of 1864 charged the Commissioner, Superintendent, and clerk with the duty to protect such immigrants from imposition and fraud while providing them information and expediting their travel to their destinations. The first act of Congress on this subject was to protect the immigrant from us rather than to protect us from the immigrant.

Since 1864 various Congresses have slowly passed legislation to protect this country from the immigrant. The reason for this change of policy and the need for it is apparent because the influx of people from other lands was so great that very soon an economic situation as to sustaining them arose, and thoughtful persons foresaw a country crowded and economically ruined. So restrictive legislation followed. From entries of more than a million a year when there were no restrictions, immigration has been cut down legally, or by Congress to less than 200,000 a year for permanent residence or under permanent visas. I may add that in the year 1907, 1,285,349 people came to this country. In 1914—as recently as that year—1,218,480 persons came to our shores.

With the growth of restrictions certain persons were kept out because of their physical conditions. Thus there was a bar against those with contagious diseases, prostitutes, imbeciles, cripples, and finally, in 1918, legislation was enacted excluding and expelling aliens who were members of anarchistic or similar classes preaching the overthrow of the United States Government by force.

Following the First World War there arose, as before stated, a situation similar to that which we have today and Congress met it in the interest of this country. It was the intent of Congress, 3 years after the First World War, to limit the immigration of aliens who had proved to be least assimilable. It was thought at first that quotas based on the 1910 census, 3 percent of the foreign born of each nationality resident in the United States in 1910, would build up an increasing assimilable population. Congress discovered, however, it had based the quota legislation in 1921 on the wrong census year; that between 1890 and 1910 there had been a heavy immigration from southern and eastern Europe.

In 1924, therefore, Congress revised the immigration law again and restricted the nationalities to 2 percent of the 1890 census. This legislation proved ineffectual, one loophole being that it was based on the immigrant's residence rather than his birthplace. All an alien had to do, for example, was to become a legal resident of a favored country and he could enter the United States under that nation's quota. Some of that is being practiced today, but outside the law of the land.

In the year 1924 Congress enacted the national origins provision of the Immigration Act of that year, which became effective July 1, 1929. The national-origins provision was adopted primarily as a basis for determining quotas, but, in its broader sense, it represented the will of Congress to preserve the traditions and political system of the United States by preferable admittance of those who would be, because of their own characteristics and history, more readily assimilated into our own national life, customs, and views of government.

That law became effective July 1, 1929, and is the basic immigration law under which we have lived since that date. These quotas, which now limit immigration for permanent residence to some 153,929 quota aliens each year, nonaccumulative, permit the entry here of 65,721 people from Great Britain; 25,957 German born, and 17,853 emigrants born in Ireland. Quotas for other countries of birth are Poland, 6,524; Italy, 5,802; Sweden, 3,314; Netherlands, 3,153; Russia, 2,712; Norway, 2,377; Denmark, 1,181; Switzerland, 1,707; Austria, 1,413; Belgium, 1,304; Hungary, 869; Yugoslavia, 845; Finland, 569; Portugal, 440; Lithuania, 386; Greece, 307; Rumania, 377; Spain, 252; Syria and Lebanon, 123; and 100 immigrants a year born in the other nations of the world. The quota is divided among nations under the immigration laws of today.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. McKELLAR. Has the Senator any figures showing whether all the quotas were taken up by the various nations last year?

Mr. REVERCOMB. I shall reach that subject; but in immediate answer to the Senator's question I will say that the quotas of countries in northern and western Europe were not filled, and have not been filled for many years. Quotas from southern, eastern, and central Europe have been overcrowded for a number of years with waiting lists.

Mr. McKELLAR. The Senator has digressed a little. I will ask him to digress again, for this question: Has the Senator the figures showing how many aliens entered the United States in 1946?

Mr. REVERCOMB. A total of 108,721.

Mr. McKELLAR. Were there any who entered illegally, in addition to the 108,721?

Mr. REVERCOMB. I will say to the Senator that the 108,721 came in under the law. We have heard statements as to many entering illegally. It is stated that more have entered illegally than legally. Perhaps the Senator heard the statement of the able Senator from Idaho [Mr. DWORSHAK] a moment ago quoting the Attorney General of the United States, whose department is charged with the administration of the immigration and naturalization laws. One of the very purposes of the statement I am making today is to urge upon the Congress an early and complete investigation and revelation of the entire situation, particularly as to illegal entries into this country.

Mr. McKELLAR. I am very happy to know that the Senator is interested in that subject. I am very much interested in what he has to say about it. I think we ought to reduce the quotas, instead of permitting aliens to continue to come into this country at the rate of 108,721 a year.

Mr. REVERCOMB. We certainly ought to eliminate unlawful entry into this country.

Mr. McKELLAR. Absolutely.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. HATCH. In connection with unlawful entry into the United States, I am reminded that the other day I read that under the proposed cut of the budget the offices of the customs and immigration authorities would be reduced to the

point where they would not have a sufficient number of men even to patrol our own borders.

Mr. REVERCOMB. I hope that nothing will interfere with sincere, honest enforcement of the immigration laws.

Mr. McKELLAR. Mr. President, will the Senator further yield?

Mr. REVERCOMB. I yield.

Mr. McKELLAR. As a member of the Appropriations Committee, I can assure the Senator from New Mexico and all other Senators that there will be sufficient funds to enforce the law against immigrants entering the United States illegally.

Mr. REVERCOMB. I am very glad to have that statement from the ranking member of the Committee on Appropriations. I have never doubted for a moment that there would be sufficient funds to carry on the Government effectively.

Mr. HATCH. Mr. President, will the Senator further yield?

Mr. REVERCOMB. I yield.

Mr. HATCH. I hope the Senator from Tennessee, as the ranking minority member of the Committee on Appropriations, will bear this thought in mind, because illegal entries into the United States along certain borders present a most serious problem. If the force is reduced so that the job cannot be done, illegal entries will be increased many times.

Mr. REVERCOMB. It is very comforting to me to know that Senators realize that this is a serious problem and one which has been serious for years. In the course of my remarks today, and before I conclude, I should like to point out some of the practices which have been uncovered, and which I trust may be ended.

Mr. McKELLAR. Mr. President, will the Senator further yield?

Mr. REVERCOMB. I yield.

Mr. McKELLAR. I wish to say to the Senator that in my humble judgment no subject of greater importance could be brought before this body or the other body of Congress than the question of enforcing our immigration laws. The information which the Senator is presenting to the country is coming at a most appropriate time. I thank the Senator for what he is doing. He is engaged in a very fine work.

Mr. REVERCOMB. I deeply appreciate the kind remarks of the able Senator.

Since 1931, it may be stated in passing, the aliens of northern and western Europe have used less than 32 percent of their permanent quota allocations, while there has been a long, crowded, waiting list for those requesting entrance into this country from central and southern Europe.

According to the United States Department of Justice, Immigration and Naturalization Service, in the years 1900 to 1946, 19,446,910 aliens have been admitted into the United States for permanent residence.

That figure is surprising and shocking to many people in this country. In 46 years, 19,446,910 have entered legally and taken up permanent residence in the United States. Of course, since 1929 the limitation upon the permanent residents has been 153,000 a year. In the year 1907, 1,285,349 aliens entered. We had no quota system at that time, and in several years more than 1,000,000 entered annually into this country.

Assimilability is not rhetorical but basic. It is the very basis of the national origins provision of the Immigration Act of 1924, which was a realistic attempt to preserve some homogeneity in our population, which is so necessary among people dwelling togther under one government and as one nation. Any other course is bound in time to lead to internal dissension and continuous strife, and perhaps to the destruction of the very basis of our form of government, which has permitted us to grow into a strong nation of people.

It may be interesting to point out the distribution of those who have come into America. Most of our foreign-born population is to be found in the northern rather than in the southern States, for it is in the northern region of our country that over 80 percent of the foreign-born immigrant stock is concentrated—more than 20 percent being jammed into the State of New York. The areas of greatest concentration are to be found in the highly industrialized States of New York, New Jersey, Pennsylvania, Ohio, Illinois, and Michigan. Less than 6 percent of the total permanent immigrants are in the southern region, including the immigrants and citizens of Mexico originating in southern California, the border and Gulf States.

In addition to the annual permanent quotas for immigrants, totaling approximately 153,929 visas, there have sprung up, especially since 1933, other classifications under which aliens can come to the United States in numbers equaling and often exceeding the annual quota figures. Foreigners can come into the United States "in transit" to another country. They may also enter the United States with "temporary" visas.

Beginning with the rise of Hitler and increasing with the expansion of fascism and nazism, many thousands of aliens entered the United States each year, legally, under these classifications. Many thousands of other aliens entered the United States illegally by jumping ships on which they had purposely taken temporary jobs as seamen; by way of the Mexican border; and in small boats from Cuba. In 1939 investigations by some of the specialists of the State, War, and Navy Departments convinced the investigators that many more aliens were in the United States out of quota than under quota. They consulted Congressional committees. In 1940 Congress passed, for the first time in the history of the United States, an alien registration act. Any foreigner in the United States who failed to register and fill out the recording forms truthfully was subject to severe penalties. It is generally considered that 90 percent of the aliens registered. At my request the Attorney General has furnished me with a statement, dated December 26, 1940, showing those aliens who registered under this law classified by country of birth and sex. A total of 5,009,857 unnaturalized aliens registered under that act in 1940.

I here ask unanimous consent to insert at this place in the RECORD as a part of my remarks a statement consisting of four pages, showing the registered aliens in the United States classified by country of birth, and sex, in 1940.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Registered aliens in the United States, classified by country of birth and sex

[Dec. 26, 1940]

Country of birth	Total	Male	Female
Total	5,009,857	2,340,770	2,669,087
Austria	193,505	84,825	108,680
Austria-Hungary	94,893	40,116	54,777
Belgium	16,358	7,957	8,401
Bulgaria	4,596	3,476	1,120
Czechoslovakia	73,909	28,527	45,382
Denmark	30,385	18,837	11,548
Estonia	1,931	1,203	728
Finland	50,758	25,484	25,274
France	34,427	14,906	19,521
Germany	321,080	149,160	171,920
Great Britain	299,653	130,958	168,695
Northern Ireland	31,198	12,475	18,723
Irish Free State	160,098	50,966	109,132
Greece	83,102	52,283	30,819
Hungary	117,828	47,310	70,518
Italy	703,445	298,713	404,732
Latvia	7,177	3,026	4,151
Lithuania	87,369	39,995	47,374
Netherlands	33,335	18,751	14,584
Norway	68,979	38,906	30,073
Poland	446,462	179,140	267,322
Portugal	74,471	40,753	33,718
Rumania	32,664	13,045	19,619
Russia	370,308	156,237	214,071
Spain	40,743	27,668	13,075
Sweden	103,407	57,815	45,592
Switzerland	24,822	14,070	10,752
Turkey	44,741	22,197	22,544
Yugoslavia	56,532	31,427	25,105
Other Europe	13,578	7,909	5,669
Arabia (Saudi)	609	558	51
China	41,024	33,066	7,958
India	4,108	3,381	727
Iraq (Mesopotamia)	476	275	201
Japan	92,623	56,920	35,703
Korea	3,564	2,584	980
Palestine	2,887	1,759	1,128
Persia (Iran)	1,992	1,042	950
Siam	176	148	28
Syria and Lebanon	25,209	11,129	14,080
France (Asia)	74	47	27
Great Britain (Asia)	2,511	2,030	481
Portugal (Asia)	30	26	4
Other Asia	262	222	40
Australia	4,232	2,051	2,181
New Zealand	1,464	745	719
France (Pacific)	126	69	57
Great Britain (Pacific)	218	115	103
Japan (Pacific)	41	32	9
Netherlands (East Indies)	574	385	189
Portugal (Pacific)	11	9	2
Philippine Islands	84,730	79,597	5,133
United States possessions (Pacific)	4,238	637	3,601
Other Pacific	33	14	19
Egypt	1,278	675	603
Union of South Africa	1,666	846	820
Ethiopia	45	38	7
Liberia	228	205	23
Belgium (Africa)	37	16	21
France (Africa)	1,035	587	448
Great Britain (Africa)	661	523	138
Italy (Africa)	80	44	36
Portugal (Africa)	70	39	31
Spain (Africa)	54	27	27
Other Africa	110	72	38
United States	73,141	10,668	62,473
Canada	467,258	208,227	259,031
Newfoundland	14,823	5,509	9,314
Mexico	423,519	230,694	192,825
Costa Rica	1,209	612	597
El Salvador	1,092	459	633
Guatemala	1,184	598	586
Honduras	1,162	617	545
Nicaragua	1,471	672	799
Panama	2,383	1,144	1,239
Cuba	16,207	9,357	6,850

Registered aliens in the United States, classified by country of birth and sex—Con.

[Dec. 26, 1940]

Country of birth	Total	Male	Female
Dominican Republic	2,899	1,198	1,701
British West Indies	62,747	30,186	32,561
Dutch West Indies	1,602	903	699
Haiti	697	432	265
Canal Zone	369	215	154
Other North and Central America	11,863	5,497	6,366
Argentina	4,016	2,123	1,893
Bolivia	198	127	71
Brazil	5,088	2,736	2,352
Chile	1,921	1,339	582
Colombia	3,174	1,622	1,552
Ecuador	882	643	239
Peru	1,513	1,046	467
Paraguay	93	28	65
Uruguay	426	243	183
Venezuela	3,290	1,427	1,863
British Guiana	2,312	1,171	1,141
Dutch Guiana	285	208	77
French Guiana	22	15	7
Other South America	32	18	14
Unknown	3,126	2,056	1,070
Born on board ship	714	398	316
None or blank	896	528	368
Europe, not specified	13	6	7

Date of entry of registered aliens in the United States, classified by sex

[Dec. 26, 1940]

Date of entry	Total	Male	Female
Total	5,009,857	2,340,770	2,669,087
Prior to 1880	32,739	13,858	18,881
1880-89	117,790	61,251	56,539
1890-99	239,605	120,561	119,044
1900-09	1,080,654	553,314	527,340
1910	182,900	87,694	95,206
1911	151,822	66,820	85,002
1912	216,750	98,817	117,933
1913	287,230	129,419	157,811
1914	154,646	69,126	85,520
1915	62,648	29,710	32,938
1916	82,803	38,149	44,654
1917	46,371	23,265	23,106
1918	43,195	23,389	19,806
1919	91,322	47,827	43,495
1920	194,672	82,856	111,816
1921	163,980	59,105	104,875
1922	134,693	59,124	75,569
1923	217,840	106,962	110,878
1924	106,352	53,621	52,731
1925	92,765	41,717	51,048
1926	107,305	52,084	55,221
1927	107,828	52,572	55,256
1928	106,468	49,148	57,320
1929	110,797	50,389	60,408

Date of entry of registered aliens in the United States, classified by sex—Con.

Date of entry	Total	Male	Female
1930	89,722	39,882	49,840
1931	39,329	17,492	21,837
1932	30,370	11,560	18,810
1933	30,210	11,806	18,404
1934	39,315	15,320	23,995
1935	45,671	17,607	28,064
1936	56,861	22,560	34,301
1937	83,556	34,888	48,668
1938	100,860	45,086	55,774
1939	109,705	51,503	58,202
1940	142,463	72,028	70,435
Unknown	108,620	30,260	78,360

Mr. REVERCOMB. I further ask unanimous consent to have printed in the RECORD a statement showing registered aliens in the United States for selected countries of birth by State of residence, as of December 26, 1940.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Registered aliens in the United States, for selected countries of birth by State of residence, Dec. 26, 1940

State of residence	Country of birth							
	Italy	Canada	Poland	Mexico	Russia	Germany	Others	Total
United States	703,445	467,258	446,462	423,519	370,308	321,080	2,277,785	5,009,857
Alabama	892	333	131	78	255	412	3,031	5,132
Arizona	217	518	82	26,807	177	218	3,935	31,954
Arkansas	545	220	118	190	108	503	1,705	3,389
California	52,749	40,693	5,282	146,439	19,970	19,952	257,379	542,464
Colorado	3,093	1,122	639	6,908	5,004	1,104	9,603	27,473
Connecticut	41,818	15,937	24,232	51	11,534	4,937	59,619	158,128
Delaware	1,726	246	1,172	15	572	333	2,364	6,428
District of Columbia	2,154	1,031	553	90	2,063	1,057	7,804	14,752
Florida	3,035	5,465	699	183	1,089	1,779	29,077	41,327
Georgia	237	492	272	29	546	484	3,127	5,187
Idaho	289	1,412	55	315	308	409	5,444	8,232
Illinois	35,292	18,728	53,352	11,921	26,800	28,981	154,996	325,070
Indiana	2,357	2,603	5,680	2,771	2,010	3,973	24,991	44,385
Iowa	1,203	1,153	433	1,268	1,358	4,516	14,717	24,648
Kansas	697	706	598	5,053	1,664	1,591	5,646	15,955
Kentucky	647	451	225	41	404	948	2,842	5,558
Louisiana	7,021	461	199	1,040	328	843	7,418	17,310
Maine	1,105	35,272	777	21	968	215	8,875	47,233
Maryland	6,182	1,347	5,362	84	6,548	3,934	14,335	37,792
Massachusetts	53,989	91,654	30,956	94	26,907	4,179	156,642	364,421
Michigan	17,856	77,990	48,189	4,751	15,653	12,705	125,959	303,103
Minnesota	1,254	6,108	2,363	1,210	3,484	4,205	42,809	61,433
Mississippi	881	105	62	183	104	217	1,667	3,219
Missouri	7,699	1,552	3,229	1,965	5,508	5,327	18,270	43,550
Montana	713	2,149	179	1,065	1,180	465	8,026	13,777
Nebraska	1,302	615	869	1,977	3,340	2,539	8,291	18,933
Nevada	1,042	330	25	799	56	211	3,655	6,118
New Hampshire	697	18,236	2,105	11	1,060	307	8,122	30,538
New Jersey	72,582	6,721	36,291	298	20,239	24,820	118,248	279,199
New Mexico	366	173	54	9,909	89	242	1,569	12,402
New York	250,253	62,385	122,937	3,600	145,202	130,803	542,321	1,257,501
North Carolina	179	498	103	19	191	352	2,865	4,207
North Dakota	15	1,684	399	108	1,766	576	6,024	10,482
Ohio	26,901	9,410	23,391	1,461	11,691	11,547	118,637	203,038
Oklahoma	424	596	285	1,419	601	676	2,945	6,946
Oregon	1,983	6,573	453	340	2,384	1,914	20,777	34,424
Pennsylvania	71,952	6,153	53,127	1,526	31,172	16,976	189,114	370,020
Rhode Island	11,924	11,745	3,335	10	1,793	715	23,048	52,570
South Carolina	70	180	106	10	199	199	1,424	2,188
South Dakota	59	452	139	94	873	935	4,848	7,400
Tennessee	1,132	393	344	52	541	553	2,122	5,137
Texas	3,345	1,768	1,162	183,738	1,507	3,757	18,601	213,898
Utah	984	603	39	796	78	863	7,124	10,487
Vermont	659	10,826	765	9	349	136	3,183	15,927
Virginia	771	855	405	37	1,027	884	6,114	10,093
Washington	3,982	17,019	1,296	425	3,222	3,025	52,667	81,636
West Virginia	5,284	430	2,679	210	1,405	479	13,175	23,662
Wisconsin	3,332	3,428	11,083	940	5,911	14,767	35,666	75,127
Wyoming	298	225	150	1,434	700	146	2,964	5,917
Alaska	52	479	31	17	147	116	2,563	3,405
Hawaii	34	295	45	23	123	98	90,829	91,447
Puerto Rico	90	29	12	87	14	43	14,579	14,854
Virgin Islands	2	5	5	2	2	10	3,827	3,853
American Samoa	0	1	0	0	0	7	97	105
Canadian commuters and visitors	19	2,108	20	18	31	5	461	2,662
Mexican commuters and visitors	6	7	2	1,242	3	4	82	1,346
Foreign address	2	16	0	12	0	0	32	62
Others and unknown	53	272	56	304	50	88	1,530	2,353

Mr. REVERCOMB. By request, I ask that the clerk read from the last exhibit or statement I have offered, the portion which shows the location, by States, of the alien residents of our country. I refer to the total number of alien residents registered in those States under the act of December 26, 1940.

The PRESIDING OFFICER. The clerk will read, as requested.

The Chief Clerk read the matter referred to from the preceding table.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. HATCH. A moment ago, when we were discussing the question of illegal entry, it occurred to me that some testimony was given recently before a committee of which I and the Senator from Iowa [Mr. HICKENLOOPER] were members. The Assistant Commissioner of Immigration testified before our committee, when he appeared there in regard to another matter, that on the southern border, for the first 7 months of this year, 99,000 persons have actually been apprehended. Of course, he had no knowledge of how many other persons had crossed the border and had not been apprehended. He further testified that the problem is increasing to such an extent that they expect in the coming year to apprehend nearly 200,000.

Mr. REVERCOMB. I thank the Senator for that information, which is most interesting and very helpful. I wish to say that that is another reason for having a complete investigation made of this matter, and for using in connection with it every facility of the Government, including the Federal Bureau of Investigation.

Mr. HICKENLOOPER. Mr. President, will the Senator yield to me?

Mr. REVERCOMB. I am happy to yield to the Senator from Iowa.

Mr. HICKENLOOPER. Do the figures which have just been read show the number of registered aliens in the various States?

Mr. REVERCOMB. They were the ones who registered in 1940, under the 1940 Act, and were not citizens. They were aliens in the United States—more than 5,000,000 of them.

Mr. HICKENLOOPER. Does the Senator from West Virginia have any knowledge of the pretext or other method which was used by such persons to enter the United States? Were they here on visitors' visas? I should like to know what information the Senator from West Virginia has on that subject.

Mr. REVERCOMB. I do not have any information on it. I rather suspect that persons who had come into the United States illegally would not have registered. I doubt that they would have. So we do not know how many aliens were illegally in the United States, in addition to the 5,000,000 who registered. That is my own thought upon the subject.

Thus, at the beginning of the year 1941, there were more than 5,000,000 unnaturalized persons resident in this country. Of this number, 491,591 were natives of Germanized zones of Europe; 1,235,477 were natives of Russia and the Soviet satellite zones. Here is something timely which I wish now to call to the attention of the Senate, in connection with the important issue of world communism and the great question which confronts us in that connection. It is well to bear these figures in mind, for we know the German Bund was active in the United States, its leaders being German immigrants subsequent to the First World War, many of whom became naturalized citizens. Mr. President, that fact has significance, particularly with respect to the other figure I have given you.

Today there are perhaps more than twice as many in this country from Communist-dominated areas, and it cannot be doubted that much of the communism that has spread through America to the point of danger will be found coming from these immigrants who were nurtured in this philosophy.

We shall soon consider what steps we shall take with respect to Greece and Turkey. It has also been suggested that we should take steps along the same lines, to protect Korea from communism. So we hear the cry that we must protect others from communism. I say that we have a more immediate duty, one that is upon our own doorstep—namely, to protect this country from communism, a communism that doubtless is largely led by those to whom we have given haven in this country.

Within the last few days the President of the United States has found it necessary and has seen fit to issue an order to drive Communists and those with the Communist line of thought from positions in the departments of Government. The order is a good one, but it has been a long time in coming, and I earnestly wonder how effectively such an order will be administered. As to that we must wait and see the result. But can we expect the same department heads who have harbored Communist actors within their departments to now rid this Government of them? I doubt that that will ever come about, in fact, until in some instances those department heads themselves are changed. That Communists are in these departments must be recognized from the fact of the issuance of the President's order alone.

Returning to the figure of registration of 5,009,857 aliens, the Immigration Service estimates that this alien population decreased, as of July 1, 1946, to an estimated $3,050,000 aliens, as a result of naturalization, emigration from this country, and death. There was a rush for naturalization after the Registration Act became law, and 1,437,000 of the 1940 aliens had been rushed through citizenship mills between the beginning of 1941 and July 1, 1946. Just how good citizens these 1,437,000 hastily approved persons will become remains to be seen. They did not desire citizenship until they were revealed to be living here within this haven while maintaining their allegiance to their native countries. Then they rushed to become citizens.

To the alien statistics of 1940 there will now have to be added the figures for the aliens who entered the United States during the years 1941 to 1946. I have been furnished two tables of statements dealing with entries from June 30, 1939 to 1946, by Mr. Ugo Carusi, Commissioner of Immigration and Naturalization, under date of March 20, 1947. I ask unanimous consent at this point to have included as a part of my remarks a table entitled "Immigrant Aliens Admitted, by Countries of Last Permanent Residence, Years Ended June 30, 1939 to 1946."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Immigrant aliens admitted, by countries of last permanent residence, years ended June 30, 1939–46

Countries	1939	1940	1941	1942	1943	1944	1945	1946
All countries	82,998	70,756	51,776	28,781	23,725	28,551	38,119	108,721
Europe	63,138	50,454	26,541	11,153	4,920	4,509	5,943	52,852
Albania	229	152	2			1	1	9
Belgium	683	1,713	1,816	346	120	126	71	1,718
Bulgaria	129	87	135	15	3	6	3	8
Czechoslovakia	2,896	1,074	314	137	102	136	64	267
Denmark	306	250	244	84	100	61	43	194
Estonia	93	75	41	14	14	26	16	9
Finland	411	233	244	44	49	29	29	29
France	1,907	2,575	4,801	4,430	1,201	387	201	5,708
Germany	38,515	21,520	4,028	2,150	248	238	172	2,598
Great Britain:								
England	2,739	5,850	7,368	838	901	1,210	2,784	30,922
Scotland	277	263	295	51	71	96	192	1,586
Wales	42	45	51	18	2	15	53	1,044
Greece	907	811	268	174	229	226	176	367
Hungary	1,348	1,902	330	186	75	87	54	49
Ireland (Eire)	1,101	749	211	70	132	68	125	526
Italy	6,570	5,302	450	103	49	120	213	2,636
Latvia	168	288	97	27	21	24	16	29
Lithuania	290	262	242	52	43	37	19	14
Netherlands	1,259	2,097	823	139	77	71	50	355
Northern Ireland	88	90	61	13	33	44	302	1,290
Norway	527	488	369	72	71	127	61	248

Immigrant aliens admitted, by countries of last permanent residence, years ended June 30, 1939–46—Continued

Countries	1939	1940	1941	1942	1943	1944	1945	1946
Europe—Continued								
Poland	3,072	702	451	343	394	292	195	335
Portugal	422	448	1,101	437	395	431	570	578
Rumania	421	333	122	67	45	70	77	19
Soviet Russia	59	40	41	60	32	41	18	72
Spain	257	259	300	234	254	271	156	227
Sweden	342	518	518	205	58	58	45	643
Switzerland	1,237	1,211	1,375	585	123	33	39	766
Yugoslavia	1,090	652	142	73	29	93	88	65
Other Europe	753	465	301	186	49	85	110	541
Asia	2,162	1,913	1,801	564	334	227	442	1,633
China	642	643	1,003	179	65	50	71	252
Japan	102	102	289	44	20	4	1	14
Palestine	1,066	850	268	150	107	45	133	483
Syria	207	111	14	24	9	8	18	90
Other Asia	145	207	227	167	133	120	219	794
Canada	10,501	10,806	11,280	10,450	9,571	9,821	11,079	20,434
Newfoundland	312	272	193	149	190	322	451	910
Mexico	2,640	2,313	2,824	2,378	4,172	6,598	6,702	7,146
West Indies	2,231	2,675	4,687	1,599	2,312	3,198	5,452	5,878
Central America	530	639	1,239	805	1,218	1,985	3,423	2,338
South America	915	1,115	2,216	989	693	1,160	1,609	2,633
Africa	218	202	564	473	141	112	406	1,516
Australia	159	156	137	100	97	461	1,261	5,111
New Zealand	54	51	57	20	23	116	364	898
Other countries [1]	138	160	237	101	54	42	987	7,372

[1] Chiefly Philippine Islands.

Source: U. S. Department of Justice, Immigration and Naturalization Service.

Mr. REVERCOMB. Mr. President, I also ask unanimous consent to file as a part of my remarks a table or statement furnished me on the same date by Mr. Carusi. It is entitled "Immigrant Aliens Admitted, by Nationality, or Country or Region of Birth, Years Ended June 30, 1939, to 1946."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Immigrant aliens admitted, by nationality, or country or region of birth, years ended June 30, 1939–46

Nationality or country or region of birth	Total	1939	1940	1941	1942	1943	1944	1945	1946
Total, all countries	433,427	82,998	70,756	51,776	28,781	23,725	28,551	38,119	108,721
Europe	268,987	68,198	56,254	36,989	14,881	8,953	8,694	10,141	64,877
Albania	429	217	156	8	1	3	10	5	29
Belgium	4,658	329	482	1,212	428	210	135	92	1,770
Bulgaria	428	117	108	108	14	11	23	11	36
Czechoslovakia	9,900	3,127	2,247	1,848	598	375	341	289	1,075
Danzig, Free City of	400	183	106	42	13	6	9	8	33
Denmark	1,700	303	287	328	122	142	119	108	291
Estonia	513	112	99	70	28	21	28	19	136
Finland	1,743	514	314	394	81	113	72	58	197
France	10,910	923	858	2,015	1,151	524	232	207	5,000
Germany	86,652	33,621	26,854	13,307	4,945	1,295	1,360	1,260	4,010
Great Britain:									
England	43,034	2,423	2,241	3,614	1,117	1,114	1,135	2,627	28,763
Scotland	5,679	619	607	538	284	287	357	515	2,472
Wales	1,942	92	53	71	41	43	47	100	1,495
Greece	3,490	841	735	284	216	309	292	235	578
Hungary	5,075	1,321	1,682	663	306	167	227	132	577
Ireland (Eire)	5,101	1,494	1,021	358	182	227	146	286	1,387
Italy	17,849	6,780	5,805	731	69	81	177	320	3,886
Latvia	1,140	241	209	192	111	65	66	50	206
Lithuania	1,776	418	359	273	152	139	105	86	244
Luxemburg	376	25	25	86	98	23	2	11	106
Netherlands	4,343	674	1,154	1,154	224	199	217	111	610
Northern Ireland	2,702	187	176	138	73	112	92	340	1,584
Norway	2,544	575	555	485	118	123	195	114	379
Poland	28,242	7,315	4,768	4,688	2,376	1,647	1,420	1,222	4,806
Portugal	3,376	484	485	371	190	301	429	562	554
Rumania	3,090	679	610	346	317	230	249	234	425
Soviet Russia	8,627	1,901	1,779	1,761	800	444	433	399	1,110
Spain	2,639	379	396	372	243	318	291	238	402
Sweden	1,855	378	450	306	124	113	90	67	327
Switzerland	2,843	639	640	785	250	127	50	70	282
Yugoslavia	3,360	1,050	776	271	126	99	178	184	676
Other Europe	2,571	237	217	170	83	85	167	181	1,431
China	1,632	317	296	357	88	56	72	109	337
India	834	51	72	101	25	40	43	95	407
Japan	322	79	75	103	20	16	9	3	17
Palestine	959	254	257	59	62	47	35	52	193
Syria	702	190	112	67	51	36	42	61	143
Turkey in Asia	950	244	180	82	85	77	76	90	116
Other Asia	1,356	169	203	165	101	81	72	150	415
Canada	74,111	8,151	8,303	8,428	8,519	7,235	7,023	8,866	17,586
Newfoundland	3,134	342	295	207	179	194	363	513	1,041
Mexico	32,073	2,265	1,914	2,068	2,182	3,985	6,399	6,455	6,805
West Indies	17,390	1,192	1,147	1,122	978	1,116	2,299	4,660	4,876
Central America	10,889	450	446	659	711	1,181	1,876	3,395	2,171
South America	7,090	625	697	742	572	474	899	1,326	1,755
Other America	30	11	1		6	7	1		4
Africa	2,306	167	193	281	142	83	75	267	1,098
Australia	7,110	151	155	141	108	82	425	1,179	4,869
New Zealand	1,560	59	58	53	21	28	108	356	877
Philippine Islands	577	58	68	91	28	9	15	15	293
All other and unknown	1,415	25	30	61	22	25	25	386	841

Source: U. S. Department of Justice, Immigration and Naturalization Service.

Mr. REVERCOMB. Mr. President, I wish to call attention to the fact that the number shown on these statements are for lawful entries into the country, and do not consider or show those who have entered the United States illegally. A great many aliens came into the United States with "intransit" visas, being "in transit," according to their promises, for Cuba, Mexico, or some other part of the world; but they are still in the United States. This particular method of entering the United States and remaining here has required the specific connivance of foreign as well as American officials. During the war over 750,000 aliens were admitted into the United States under temporary quota transit visas, and Congress has not yet been advised as to what has become of them. During the period from 1925 to 1944, 1,280,716 immigrants gained entrance into the United States under quota visas. There were 1,143,158 who entered the United States as nonquota immigrants during the same years. It is evident, therefore, that very careful supervision over nonquota immigration is as important as such supervision over quota entry. The figures I have just read are taken from the Immigration and Naturalization Service, Monthly Review, August 1945, pages 187–189.

Mr. LANGER. Mr. President, will the Senator from West Virginia yield?

Mr. REVERCOMB. I yield to the Senator from North Dakota.

Mr. LANGER. Of course the Senator is aware of the fact that only a few months ago it was shown on the Senate floor that these immigrants, or refugees, whatever we may call them, did not pay any income tax. It was estimated they had derived income of $800,000,000 without paying any income tax on it. Of course, the Senator is aware also that at the very time when our veterans cannot get homes, these people are living in houses which they either bought or have rented.

Mr. REVERCOMB. The able Senator from North Dakota has made a very valuable contribution to the discussion, and I am glad he has done so.

It must be remembered that in addition to the quota immigrants admitted to this country—153,929 are admitted for permanent residence—others are admitted for temporary stays. Still others are admitted under the preferential quota or nonquota admittance. Such entrance, temporary or preferred, is granted to foreign government officials, their families, attendants, and employees, and properly so; for "temporary" business visitors; for "temporary" pleasure visitors; for continuous travel through the United States in transit to another country; to carry on trade under treaties; to husbands and wives of United States citizens; to unmarried children of United States citizens; to natives of the other American republics and Canada, their wives and unmarried children; to ministers of religious denominations, their wives and unmarried children; to "students"; and to laborers under special agreements with other governments for temporary work, then to be returned. All of the foregoing are not included within the quota of 153,929 who may enter for permanent residence. It is doubtless these who enter outside the quota of 153,929 who are the ones that give us trouble and stay here without legal right to do so.

I urge that the Eightieth Congress proceed to ascertain the whole situation with respect to those who are validly here and those who live here against the laws we have set up for the protection of this country. Certainly no move should be made toward changing our immigration laws until these facts have been clearly ascertained and the true picture made known to the American people. Suffice it to say that there are among us many more from other countries than it was intended should be admitted under our laws.

This whole subject should be approached in a fair, sound, and practical way, with the welfare of this Nation and our people as the primary guiding principle in any step that is taken on the subject.

Many of those who have come from other lands have become great and useful citizens and have contributed much to the advancement of the United States. On the other hand, we are today beset with the advocates of political ideologies principally fostered by those who came here to find a haven among us. Also, we cannot ignore the economic situation that confronts America when millions of our own young men recently returned from the battle fronts are seeking to reestablish themselves in economic security in this country and to rear and maintain their families and to progress under the standards of free American people. It would be tragic to destroy their opportunities through an influx of people from other lands.

We cannot blind ourselves to true conditions if we are going to serve in truth the welfare of America, our own Nation, and if we are going to maintain a good living standard and keep secure the Government which we have sworn to uphold.

America will never turn a deaf ear to the distress of any people anywhere. Certainly she has poured forth her millions and her billions of dollars of wealth to aid the needy. But she must be practical enough to see that in this course of philanthropy she does not destroy her own people while helping others to get the best that can be obtained under the conditions we confront.

Mr. President, I wish to call to the attention of the Senate a very interesting program which has recently been embarked upon by Canada. From their pages we can take a lesson today. They live so close to us that their problems are quite the same as ours.

Canada is proceeding upon a program under which it takes in a limited number of persons for farm work. This has sound appeal to Americans, in whose country there is today a shortage of farm workers.

It is interesting to observe a breakdown of the permanent visas which our Foreign Service officials abroad issued to aliens for permanent entry into the United States under the existing annual quota. In the year 1945, as appears in the hearings of the Senate Committee on Immigration, of a total of 38,119 visas examined after the aliens had entered the United States, only 497 had been issued to farmers or agriculturists and only 225 to farm laborers, while 21,434 visas were issued to aliens whom the American officials found to have no occupation. The complete audit may be of value: 2,852 were listed as professionals; 1,451 were listed as proprietors; 2,120 were craftsmen; 497 were farmers, agriculturists; 225 were farm laborers; 3,715 were clericals, salesmen; 1,495 were domestic servants; 886 were laborers, outside of farmers; 21,434 were found to have no occupation. That was for the year 1945; year before last.

CANADIAN PLAN

In contrast to such a selection of immigrant stock for the United States, in a turbulent year of reorganization, reconversion, and other national problems, we have the far more enlightened immigration program of Canada. The Canadians would not allow 21,434 aliens with no occupations to enter Canada in 1945, or any other year. Nor would they allow refugees to enter Canada merely because they were refugees. When the Canadian Parliament was shown evidence that the prewar immigration into Canada had changed the percentages of the racial and national components of the Canadian population, it abruptly closed the door on all immigration from Europe pending a Crown study of Canada's need for further immigration.

The Canadian Parliament became convinced that the immigration of refugees had introduced liabilities rather than assets into the nation. The Finnish refugees admitted indiscriminately in the early 1920's for example, had become a turbulent element in Canada's political life.

A Canadian commission was assigned the task of surveying Canadian requirements for additional population. It found that the philosophy that Canada was a great undeveloped country capable of supporting, and advantageously using, several hundred thousand colonizing immigrants to be an economic fallacy. If it is an economic fallacy in Canada, it certainly would seem to me to be an economic fallacy in the United States. The previous maximum population growth of Canada, between 1901 and 1911, when it was opening up the rich prairie provinces on a large scale, was 180,000 a year. Compare this with those who entered the United States in excess of 1,000,000 per year for several years during the same time.

This Crown inquiry furnished the answer in 1946 for Canada toward groups who had been publicly advocating the free immigration of farmer-refugees from Europe and the Middle East.

Canada is proceeding upon a program under which it takes in a limited number of persons for farm work. This has sound appeal to many an American.

To balance off the shutting of Canada's door against refugee immigration the Canadian Government announced an experimental project. This is in process of being done. This is not ancient history, or in years past. This is what Canada is doing today. Some 200,000 members of the Polish Army which had

fought valiantly with British troops against Germany and which also had fought against the Russian conquest of Poland, could not return to their homeland except as slave labor of the Soviet Government. Canada planned that if it had enough specific applications and agreements from approved Canadian farmers 4,000 of these Polish soldiers would be brought into Canada as farm workers. A commission was sent across the Atlantic to interview Polish veterans and select applicants after careful investigation.

This group of highly selective immigrants is now en route to Canadian farms and dairy establishments. The immigrants average 29 years of age, are unmarried, have had at least 8 years of farm experience similar to the work they will do in Canada, and have signed up to work for Canadian employers for a minimum of 2 years at regular local wages. Canadian farmers, on the other hand, have been required to sign contracts for at least one full year's employment of the immigrant, under Government specifications as to pay, shelter, food, and labor. The Government may change the place of employment and may reassign the immigrant to another employer for reason. For the 2-year period, the immigrant is in Canada on probation. After that he will be given citizenship, if he earns it.

Canada's 1947 immigration will be highly restricted, selected through personal investigations of trained officials who were sent abroad to open interview offices last December 1946, in Paris, Brussels, The Hague, Norway, Sweden, Denmark, and Greece. The landing in Canada of immigrants of all classes and occupations is otherwise prohibited, except for, first, British subjects with means of self-support until employed; second, United States citizens with means of support; third, wives or children of legal residents, after inspection; fourth, fathers, mothers, or unmarried children of legal residents, after inspection; fifth, farmers having sufficient means of buying and operating Canadian farms; sixth, fiancees of legal residents, after inspection; seventh, selected veterans of the Allied armed forces, with honorable discharges, and eighth, orphaned children of the war, after inspection, and these children are called the perfect immigrant for assimilation.

In the sixth century St. Benedict, famed for providing an asylum for refugees of that era, laid down the immigration rules of his monastic order:

> If any pilgrim monk comes from a distant country and wishes as a guest to dwell within the monastery, and will be content with the customs which he finds in the place * * * he shall be received for as long a time as he desires. But if he hath been found gossipy and contumacious in the time of his sojourn as a guest, not only ought he not to be joined to the body of the monastery, but also it shall be said to him, honestly, that he must depart. If he does not go, let two stout monks, in the name of God, explain the matter to him.

In the rule of that famed monastery may be found the very heart of the principle that should guide the formation of any immigration plan.

It has been very difficult under the administration of our immigration laws to deport undesirables from this country. I am advised that there are many deportation cases that have been pending for years. Under Saint Benedict's formula of having two stout monks explain the matter to him if he fails to leave when he was unwanted is not within our laws but perhaps we can take a suggestion from it.

Therefore, it becomes all the more important that very complete inspection be made of all those entering this country, particularly with a view to seeing to it that not only may they be self-sustaining to avoid an economic problem but that they in truth may be expected to accept our customs and our way of government.

It was intended under our immigration laws as they are written that persons applying for entrance to this country under our quotas must first have visas or permits issued to them by our foreign representatives in the country of origin of the immigrant. It is my belief from information given me that it will be shown that this precaution and requirement has been ignored in many instances by the Immigration and Naturalization Service and that our foreign representatives have been bypassed in order that there may be brought here persons to whom they did not issue visas.

I want to point out on that situation an ingenious device which officials of our own Government helped to contrive, found in the Canadian agreement of 1935 which permitted aliens here on temporary visas to enter Canada, stay 1 day, and return to the United States and become permanent residents of this country. This agreement was made as a result of a conference held in 1935 between representatives of the Canadian Embassy, the Canadian Immigration Service, the State Department and the Immigration and Naturalization Service, which would permit the temporary entry into Canada of aliens in the United States who were proceeding to Canada for the sole purpose of applying for admission visas solely for the purpose of circumventing the act of Congress.

Under this agreement I charge that we have suffered one of the greatest executive abuses of our immigration laws in the history of this country. The only qualification, aside from the usual qualifications of health and morals, required for a person going to Canada for readmittance to the United States was that he had resided in this country for 6 months. It appears that he was never questioned as to how he got into this country. The result has been that many undesirables have been admitted for permanent residence by first getting into the country by any means, legal or illegal, living here 6 months and then being sent by our Immigration and Naturalization Service to Canada for 1 day's stay in order to be legally readmitted.

This action on the part of the Immigration and Naturalization Service defeats every purpose for which the national origins provision of 1924 was enacted. The purpose of that law was, first, to restrict immigration; and, second, to select immigrants from restricted quotas who would more easily be assimilated into the American way of living and ideas of government.

I have had explained to me by the Commissioner of Immigration and Naturalization that this was done after they had been here for 6 months, because they could not return to their native countries and go back and come back again; it was a matter of convenience of travel. I want to say, Mr. President, to me that does not excuse an evasion of the laws, because it was their duty to return to a point where the foreign visa should be issued by the representative of America, and into that situation I ask that the Senate make its inquiry.

I want to call attention to an order which was issued by President Truman on December 22, 1945, which put into effect a program for the admission into this country, under the framework of the existing immigration laws and regulations, of displaced persons and refugees from Europe. These included about 1,000 persons who had been brought into this country without visas and placed in Camp Oswego, N. Y., so that they could become permanent residents although they entered contrary to law, and that the quotas should be filled from displaced persons and refugees principally natives of central and eastern Europe and the Balkans.

Naturally as a result of this order giving selection to these refugees, those who had been waiting in their countries and were not classed as displaced persons or refugees were pushed aside and the quotas closed to them.

Up to March 1, 1947, a total of 9,918 of these displaced persons had been authoritatively admitted to the United States.

Mr. President, I ask unanimous consent at this point to place in the RECORD as a part of my remarks a statement furnished me by the Bureau of Immigration and Naturalization Service of the Department of Justice, entitled "Displaced Persons Admitted to the United States by Country of Birth, as of March 1, 1947."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Displaced persons admitted to the United States by country of birth, as of March 1, 1947

EUROPE

Albania	1
Austria	398
Belgium	36
Bulgaria	10
Czechoslovakia	726
Danzig	36
Estonia	41
Finland	5
France	36
Germany	3,428
Northern Ireland	2
England	7
Scotland	1
Greece	2
Hungary	283
Eire	1
Italy	13
Latvia	191
Lithuania	239
Netherlands	27
Norway	2
Poland	3,620

Rumania	130
Sweden	2
Switzerland	9
Turkey	1
U. S. S. R.	356
Yugoslavia	256
Other Europe	2
Total, Europe	9,851
ASIA	
China	8
India	3
Iran	6
Palestine	2
Syria	2
Turkey in Asia	5
U. S. S. R. in Asia	4
Total, Asia	30
AFRICA	
Cameroons	1
Egypt	3
Possessions of France	2
Possessions of Great Britain	1
Total, Africa	7
PACIFIC	
Possessions of Great Britain	1
CANADA	
Canada	8
WEST INDIES	
Dominican Republic	1
CENTRAL AMERICA	
Costa Rica	1
SOUTH AMERICA	
Argentina	2
Bolivia	4
Peru	1
Uruguay	1
Venezuela	1
Total, South America	9
United States	13
Born on shipboard	1
Unknown or not reported	1
Grand total	9,918

Mr. REVERCOMB. On May 25, 1946, the President wrote to the Secretary of State, Mr. Byrnes, in which he said:

You will recall that on December 22, 1945, I issued a directive on the subject of immigration, in which I stated, among other things:

"The decision has been made, therefore to concentrate our immediate efforts in the American zones of occupation in Europe. This is not intended however entirely to exclude issuance of visas in other parts of the world.

"In our zones in Europe there are citizens of every major European country. Visas issued to displaced persons and refugees will be charged, according to law, to the countries of their origin. They will be distributed fairly among persons of all faiths, creeds, and nationality."

I have been informed that 90 percent of the nonpreference quotas are now being allocated to displaced persons in American zones of occupation in Europe, which means that many persons in other countries are denied the opportunity to emigrate to the United States, even though eligible to enter.

It is my view that the State Department should now give serious consideration to lessening the allocation to the American occupied zones, thus enabling displaced persons in other areas, as well as eligible persons residing in their native countries, to enter the United States under the nonpreference quotas.

It will be seen that the President, therefore, in May of last year lessened his former directive of permitting the taking in of other people and made the statement that 90 percent of the nonpreference quotas were given over to the refugees and advised the Secretary of State that others should be considered from that time on, but it is plain from the information furnished me by the Department of State that refugees were continued thereafter to be admitted under the quotas into this country, until they had exceeded the figure of 9,000, which I have just stated, and which appears in the table which I asked to have printed in the RECORD.

Congress has seen the necessity for prohibiting the immigration of persons having contagious diseases, idiots and lunatics, Asiatics, prostitutes, people convicted of moral turpitude, and finally anarchists believing in the overthrow of the United States Government by force. It is largely a matter of continued protection of the great growing American population that not only must we keep out these undesirables who have been classified under the headings above because harmful to this country, but such limitations must be strictly enforced.

The United States at the present time and in the foreseeable future certainly for its welfare needs very little immigration. It can continue, I believe, to assimilate those who enter here under the fixed quotas of our law if those charged with the enforcement of the law will see to it that selected immigrants are brought in. Naturally preference should be given to those who are kinsmen of the immigrants who have settled here and who have proved their right to receive citizenship.

We must recognize the liabilities that arise from importing revolutionaries and revolutionary intellectuals who, should we have reason to deport them, cannot be returned to the country of their origin.

Our primary interest must be in the welfare of the United States. This does not prevent us from aiding individuals when in need wherever they may be, but certainly we are not called upon to take in members of unassimilable persons from abroad or to take in any number who cannot wholly adopt our way of life.

The scrutiny and appraisal of all applicants for American immigration visas must be under the selective responsibility of the United States consular officers abroad and under the executive administration of the Department of State.

There should be a Board of Immigration Visa Review appointed by the President, with the approval of the Senate, and the membership of that board might well be representatives of the Departments of State, War, Navy, Justice, Labor, Agriculture, and Commerce. This board could prepare and present to Congress at regular intervals advice for the exclusion of certain persons and for the admittance of others.

Congress should require publication in the Federal Register, or in a separate volume, of the names and qualifications of all immigrants to whom United States visas are being issued abroad prior to the immigrants' departure for the United States.

The American problem in dealing with those who come here is both economic and political. Although the economic problem is perhaps the more important and controlling from a realistic point of view, the philosophies and political propaganda of certain groups must definitely be taken into consideration in these serious times.

It is true that the liberal traditions on which the United States was founded as a land of freedom and opportunity, open to all races, all religions, have permitted all peoples to enter here and that is in keeping with the traditions which we preserve.

We have obtained through immigration some of our best citizens, many of them ancestors of our best citizens of this time. They had strong characters and were urged toward America by their personal love of freedom and democracy. Naturally we also received those who came to the United States because of economic reasons—to make more money and accrue more property. The fact that our Constitution and laws protect personal property from seizure and confiscation was of importance to the money-making mind; it guaranteed the immigrant that if he made his fortune in the United States he could keep it for his children and his descendants.

This brought strong people among us. But in recent days, we have the communistically inclined mind with respect to property and its ownership, and over the last few decades there has been constant turmoil throughout the countries of Europe.

European people have historically been at each other's political and economic throats, embroiling this country, and Canada as well, in the wars of their enmities and ideologies.

There is certainly no good sense in any program that imports a great segment of European agitation into the American hemisphere. While some observers of today's world advocate the importing of these people into the United States as a device in lieu of exporting the products of our industries overseas, such a theory overlooks the fact that if we import here unassimilable agitators it would be similar to setting our own time fuse for an internal explosion among us, such as they have been accustomed to in their own countries.

It seems to me that if we are to be sound in our system of future immigrations, we must receive here those only who are free from the germs of communism that they may not bring their contagion into this country.

To accomplish this, we may well consider the plan followed this year by Canada. We must, first, organize a program where the persons, before they are granted their visas to leave, are known to be individuals of skill, character and health; second, we must know that when they arrive here, there is a place for them where they are needed; third, we must compile and organize lists of industries and work places and farms throughout the United States which will agree to provide those selected with gainful employment, good training in American ideals, and opportunities to become worthwhile citizens.

The kind of immigration we need must be obtained selectively under laws enacted by the Congress.

Such laws, if honestly administered for their real purpose, can permit under the quota systems already established in this country a reasonable entrance here of persons who can be assimilated not only into the American way of political thinking but also into those occupations where they are in fact needed and where they will have the opportunity to make progress.

The question is one that demands our early attention.

But before we turn to that we must be fully apprised of the real situation today which through the recent years of the turmoil of war has caused to be brought into this country many who have not fitted here and who are a festering source of trouble so long as they stay here. Only through selective immigration under definite quotas, and deportation of those who have proven unwilling to accept sound American ways can we hope to have a settled future and give haven to the right kind of people.

CONCLUSION

The facts which I have brought to the attention of the Senate I believe to be revealing enough to make us hesitate in moving to change our immigration laws or to consent to the bringing into this country of groups of persons who do not enter under the established quotas or law.

I urge upon the Senate the necessity for further and complete investigation into every phase of our immigration problem. Canada has done that and as a result of its investigation has closed its doors to general immigration except restricted entry of farm workers. I do not urge the complete closing of the door to immigrants, but I do urge that no change be made in the laws of the land as they are now established and, more than that, that we move now to see that those laws are complied with by our officials and that those who enter here be admitted upon a selected basis.

From such an investigation there should be revealed completely to us every phase of this problem so that we may deal with it intelligently and fairly. In approaching it we should be realistic in facing facts; we should stand squarely upon what is best for this country.

We know the threat of subversive activities; we know that communism, with its vicious purposes and its hidden boring-in tactics already has sent its Trojan horsemen into the United States. How many are here has never been authentically determined, and that would be a difficult task. In a recent article in the magazine Life it was estimated that there was a membership of 100,000. That number may seem small, but I have heard it to be the boast of Communists that for every 1 member they have 10 who subscribe to their ideals and their purposes.

In the recent hearings upon the nominations before the Atomic Energy Committee and before the Committee on Public Works it was brought out—and there is no doubt about it whatsoever—that Communists attempted to bore into the control of the Tennessee Valley Authority's operation. Those who admittedly had been members of the Communist Party told of such activities. Certainly, if they had planted themselves in this one industry, they must have planted themselves elsewhere in our country.

That they have infiltrated into positions of government is revealed by the order of the President of the United States issued only last Saturday, March 22, demanding that they be removed from all positions in the executive branches of the Government. They are present and with us, and their very existence ties in closely with the admission of persons from other lands.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. McKELLAR. The Senator has just stated that a number of Communists were found in the Tennessee Valley Authority. That is correct. I invite his attention to the fact that, as shown by the evidence in both cases—both the Lilienthal case and the Clapp case, one before the Senator's committee and the other before another committee—it was indubitably shown that four of those men in the TVA were outstanding Communists, namely, R. O. Neihoff, James T. Ramey, Paul W. Ager, and Herbert S. Marks. All four of them have been moved by Mr. Lilienthal from the TVA to the Atomic Energy Commission. So the Senator can see just what progress the Communists are making in the TVA and in the Atomic Energy Commission.

Mr. KNOWLAND. Mr. President, will the Senator yield for the purpose of addressing a question to the Senator from Tennessee?

Mr. REVERCOMB. Mr. President, I am about to conclude, and I hope that I may not be interrupted by debate upon any of the pending nominations.

Mr. KNOWLAND. I can assure the Senator that I shall not take very much of his time. I merely wish to address one question to the Senator from Tennessee, which I think is necessary to clarify the record at this time.

Mr. REVERCOMB. I would like to yield to the Senator. I want to accommodate him; but while he may not intend to do so, he may incite extended argument. I will yield later to the Senator to put his question. I should like to proceed at this time.

Mr. HICKENLOOPER. Mr. President, let me state to the Senator from West Virginia the reason I ask him to yield to me, and let me give him assurance before I ask him to yield. A statement was just made by the Senator from Tennessee referring to the political associations of certain men, as I understood him to say, proved in the hearings on the nominations to have been Communists. I merely wish to make a statement in that connection. I do not care to argue the question. I do not believe that the statement of the Senator from Tennessee should stand unchallenged at this point, because it might not be answered. I merely wish to make a statement.

Mr. REVERCOMB. I understand that the Senator from Iowa and the Senator from Tennessee are not in agreement upon that subject as well as other subjects, but I will proceed now with my remarks.

Mr. HICKENLOOPER. Will the Senator yield if I promise not to take more than half a minute?

Mr. REVERCOMB. I yield.

Mr. HICKENLOOPER. As I recall, the record will show that there is no acceptable evidence in the record regarding these nominations that any of the four men were Communists.

Mr. REVERCOMB. Mr. President, I decline to yield further on that subject. That question was laid aside so that we might dispose of the pending joint resolution. We know from the President's order and from other evidence that such persons are present among us. Their very existence ties in closely with the admission of persons from other lands.

I enlist now the aid of the Department of Justice to give to Congress a full and complete report upon the picture of immigration. How many have entered here illegally? How many are remaining in this country unlawfully?

Under the Department of Justice is the Federal Bureau of Investigation. That the activities of Communists are known to the FBI is made fully clear in the speech of Mr. J. Edgar Hoover, its Director, last fall at the national convention of the American Legion in San Francisco.

Cannot the FBI, in the Department of Justice, be helpful in ascertaining for public knowledge the numbers of persons who, in truth, have entered this country, so that we may know how many are here illegally before we attempt to change any law dealing with the subject?

Let us proceed to do what is best for this country and for our people. Let us proceed to maintain here our own form of government and not endanger it through the admission of persons who may bring to us, and carry among us, the contagion of political disease; and let us not destroy the economic progress of our people here in a day of reconstruction.

We can maintain our own strength and at the same time be helpful—yes; even beneficent—to those in need elsewhere, but we should not take any step without first considering the effect of it upon the future well-being of this Nation.

Too many people are engaged in promoting what to them seems best for foreign people rather than what is best for us—the people and Government of the United States.

Mr. President, I desire now to submit and have made a part of my remarks on this subject a report which I prepared and which was filed with the steering committee of the Republican Members of the Senate, and ask that it be printed as a part of my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT TO THE SENATE REPUBLICAN STEERING COMMITTEE ON THE POSSIBLE ADMISSION OF DISPLACED PERSONS TO THE UNITED STATES

PREFACE

On November 19, 1946, I was advised by Senator TAFT, chairman of the Republican Steering Committee, that, at the committee meetings on November 12, 13, and 14, I had been chosen to prepare an advisory report to the committee on the subject, Possible Admission of Displaced Persons.

Senator TAFT's letter stated that the Steering Committee desired preparatory work

done on the subject for the consideration of the new conference and the committees which it will create. The Steering Committee felt that it had no right to adopt or even recommend a program to the conference of the Eightieth Congress.

Accordingly, I have attempted herein to report only such facts as are pertinent and obtainable without making specific recommendations. I have, however, indicated the points upon which a legislative program may focus hereafter.

IMMIGRATION AND NATIONAL ORIGINS

Any program for the admission of displaced persons must necessarily encompass considerations of America's immigration history, and the existence of, and the reasons for, present policies and laws.

In 1924 Congress enacted the national origins provision of the Immigration Act of that year, which became effective July 1, 1929. The national origins provision was adopted primarily as a basis for determining quotas, but in its broader sense, it represented the will of Congress to preserve the traditions and political system of the United States by preferable admittance of those who would be, because of their own characteristics and history, more readily assimilated into our own national life, customs, and views of government.

The national origins distribution of the population was arrived at through a study of records of the 1920 census. The study showed that 43.5 percent of the population in 1920 was of colonial stock, those whose ancestors were enumerated in the first census of 1790, and that 56.5 percent of the population was of post-colonial stock, immigrants and their descendents who came to the United States after 1790.

An effort was made to trace the national origins of these two groups and the estimates, when completed, indicated that practically all colonial stock originated in northern and western Europe, 77 percent being of British origin. Of the postcolonial stock, 65 percent originated in northern and western Europe and 27 percent in southern and eastern Europe.

Based on this distribution, the first proclamation, establishing quotas on a national origins basis, was made on March 22, 1929, and put into effect July 1, 1929.

The national origins provision was an item of the legislative program of the Republican Party in the 1920's. It was enacted by a Republican Congress and put into effect by the proclamation of a Republican President. It is essentially a landmark of Republican achievement and has helped to preserve some homogeneity in our population, so necessary to harmony among people dwelling together under one government and as one nation.

OPPOSITION TO THE NATIONAL ORIGINS PROVISION

The national origins provision was opposed in some quarters, at the time of its adoption, on the ground that it discriminated against certain nationals who desired to enter the United States. Our immigration laws have long discriminated against Orientals, not because of racial prejudice but because it was recognized that if Orientals were not restricted they would inundate the country by sheer force of numbers. The national origins provision applied the same principle, though less severely, to southern and eastern Europe.

We have been able, until recent times, to assimilate among us those who came to us because the majority of them were akin to us in traditions and willingly undertook to fit themselves into our life here.

Due to distortions and dislocations caused by the recent war, the view is now being advanced that the United States should revalue its policy on immigration and national origins to the end that persons who have been dislocated or displaced in Europe may enter this country in excess of established quotas. The persons who would be affected by the plan are principally from eastern and southern Europe.

The appeal for such a change is based upon the plight of those not enemies who have been driven from, or who have voluntarily left, their native countries. Apparently little consideration is given by these advocates to the effect upon the well-being of this country of admitting large groups here at this time.

An outstanding statement on that basis came from Hon. Fiorello H. LaGuardia, Director of UNRRA, in an address made by him at New York, November 2, 1946.

There is quoted herewith the text of Mr. LaGuardia's speech as reported by the New York Herald Tribune:

"The most pathetic and difficult problem facing the world today is that of displaced persons. There are about 830,000 men, women, and children homeless, hopeless, and confused in UNRRA camps today.

"The United Nations Relief and Rehabilitation Administration, known as UNRRA, is the official international agency of 48 nations. It is really one of the beautiful things that has come out of this terrifying war period. It has carried on its work in the spirit of the brotherhood of man. I can, with all propriety, talk of the good work of UNRRA, for I had nothing to do with its organization and the work in the early difficult period. Credit for that is due entirely to Gov. Herbert H. Lehman, its first director general, who served up to a few months ago.

"Displaced persons are persons who were displaced from their homes by reason of the war and who were nationals of the United Nations or persecuted by the enemy. This last group consists of all those, regardless of their nationality, who were obliged to leave their homes or were deported therefrom by action of the enemy by reason of their race, religion, or activities in favor of the United Nations.

"LIVING SPACE INADEQUATE

"Shelter for the displaced persons is provided by the military and on an emergency basis. This has been sufficient to prevent disease and exposure, but living space and sleeping quarters are inadequate and below a proper level for habitation over the prolonged period that the displaced persons must remain in them. The food is provided by the armies of occupation—the United States, United Kingdom, and France.

"In addition to displaced persons, there were men and women who were forcibly taken from their homes and brought to Germany for slave labor. When hostilities ceased, 6,000,000 men, women, and children from other countries were in Germany. Over 5,000,000 were repatriated to their own countries by the armies of occupation. This was a gigantic undertaking, and the armies deserve credit for the humane and expeditious way in which it was carried out.

"The residue of some 830,000 in UNRRA camps and perhaps another 100,000 scattered presents a world problem. Some of the people do not want to return to their own homes because of the horrifying memories of having seen members of their own family and friends deliberately murdered in cold blood by the Nazis—others because their homes have been destroyed and all family ties lost, and still others who do not like the new governments in their old homelands.

"COERCION FORBIDDEN

"Many were themselves politically active. In some instances where there was civil war, many of them had participated on the losing side. This is particularly true of Yugoslavs and the former residents of the Baltic states, as well as Poles. Many of them have been subjected to constant propaganda against returning to their own home. This condition is now being corrected and accurate information is made available. No one is forced to return to their country of origin. There have been a great many misstatements concerning this policy, but I can assure you that I have issued orders that no one should be coerced if he has any personal objection to returning to his country, as well as that no one should be coerced under threat or otherwise not to return.

"I have had splendid cooperation from the United States, United Kingdom, and French Governments. Only recently I presented a plan which was approved by all three governments, and now 60 days' rations are given to all Polish citizens on their return home. Within the first 3 weeks of this month 32,000 Poles are reported to have returned to Poland. In the case of the Yugoslavs I have encountered some difficulty in getting new liaison officers into Austria. This, I feel, is because of some misunderstanding which I hope soon to have cleared. While repatriation has increased, the sum total population of the displaced persons is not decreasing appreciably, because of the large number of infiltrees now coming from Poland.

"The Jewish people from eastern Europe who are infiltrating into the western zones of Germany and Austria, I have ruled, are entitled to the UNRRA care as displaced persons.

"The British military authorities in Germany deny them D. P. status and refuse them shelter and food. We have protested this treatment, pointing out that the British agreed at international conferences to the inclusion of these Jews in the definition of refugees in the proposed I. R. O. constitution and to UNRRA's assumption of care for them.

"I personally took up the matter with the Prime Minister of Great Britain, Mr. Clement Attlee, and sought to prevail upon him to accept our interpretation of the agreement. The United States and French Governments did. The British Government refused to change its policy. Therefore these infiltrees coming from Poland are all crowding into the American zone, making living conditions in the camps even more congested, more uncomfortable than before.

"UNRRA carries on, with the assistance of the voluntary agencies working with it, programs to prevent the mental and physical deterioration of displaced persons and to provide knowledge and skills helpful in adjustments after repatriation.

"Ninety percent of all children between the ages of 5 and 16 in assembly centers in Germany are estimated to be attending school.

"Vocational instruction courses are adapted to accelerate repatriation by providing quickly taught skills or by refreshing technical knowledge.

"DATA ON SKILLS COMPILED

"A compilation of data concerning the skills, previous experience, and other qualifications for employment of the displaced persons was called for by the UNRRA Council. This survey has been completed in the United States, British, and French zones in Germany. UNRRA now has a compilation by occupation and by major nationalities of 345,281 persons. These people are classified under more than 100 different specific trades.

"Measures have been instituted to encourage repatriation by increased dissemination of information about the home countries. UNRRA has called on the governments of origin and the occupying armies for better and greater cooperation.

"UNRRA shall continue its various operations with respect to displaced persons only until June 30, 1947, unless prior to that time they are undertaken by the International Refugee Organization or by any interim

commission or by any other appropriate body designated by the United Nations.

"There are now pending for approval before the General Assembly of the United Nations a constitution for the IRO and an arrangement for a Preparatory Commission. Both these instruments were approved by the Economic and Social Council and referred to the General Assembly. UNRRA has been assisting in the deliberations of that council and its various committees in a consultative capacity.

"BUDGET OF $160,851,000

"The Economic and Social Council has approved a provisional budget for the first financial year totaling $160,851,000. It is not enough, but a good start.

"The largest group of displaced persons are the Poles, numbering 319,680. The second group in size are the Balts—that is, Lithuanians, Estonians, and Latvians—with a total of 177,200. Then the Yugoslavs, with about 30,000. There are about 110,000 displaced persons of the Jewish faith. There are 299 camps operated by UNRRA in addition to 16 centers operated by voluntary agencies.

"The plight of the little children is heartrending. The children who were kidnaped from their homes or had their parents murdered is another example of the Nazi brutality and degradation.

"UNRRA has found in Germany approximately 10,000 unaccompanied children out of the unknown thousands of children who were kidnaped by the Germans from the neighboring countries and brought to Germany to be nazified or used for slave labor. They are called hidden children, as they were found not with other displaced persons, but as a part of the German population, in institutions in private homes. They were found by search teams who began to look for them in January 1946, as a result of rumors of the existence of these United Nations children, of requests from the national governments, and of reports by camp inmates.

"GERMAN RECORDS USED

"Information leading to their discovery was largely obtained as a result of military regulations requiring German local officials to report on United Nations nationals in their localities. In addition, records from German sources, particularly from various ex-Nazi organizations, have been utilized. Countries are unable to estimate how many children have been removed but they are making every effort to secure a census of their cities and towns and obtain lists of their lost children. We will never know the accurate figure.

"There is now sufficient evidence, both from Nazi sources and from national governments, to establish the fact that organized raids were made on the countries adjacent to Germany for the purpose of removing large groups of children. The children were taken from their towns and villages and brought into Germany by truck or train load. After a period of 'Germanization,' during which the children were carefully screened for intelligence and physical superiority, some were placed in German families, particularly those of high Nazi standing, or in German institutions. Those best equipped were sent to special schools where potential SS men were being educated.

"Others considered inferior were designated for use as guinea pigs in Nazi eugenics laboratories. Many were deliberately and cruelly destroyed.

"The problem of the displaced persons is one that must be intelligently, constructively, and humanely met. It cannot be delayed. Human beings cannot be placed in a deep freezer of indifference awaiting debates of diplomats and decisions of politicians. This stock pile of human misery cannot be left abandoned after UNRRA ceases its activities on June 30, 1947. The work of repatriation will continue, and yet the best we can hope for is to repatriate perhaps 150,000 more. That will still leave several hundred thousands that must be placed.

"And there is only one way to do it, and that is for every country to do its share. By doing its share I do not mean contributing money to feed them and keep them in continued confinement in camps. There is a great deal of salvageable usefulness and happiness in these people. No country has done as much in expressing sympathy and understanding than our own. Yet to date we have not done much really constructive. We must set the example.

"If every country would take its proportionate share of these people it would not only save hundreds of thousands of souls but would benefit the country. Why, here in New York City alone we could employ 20,000 housemaids, and the same is true of the rest of our country. Our classification shows 77,000 farmhands. They are needed not only in this country but in many others. In a new land these people will be useful citizens. Kept in camps they will deteriorate and become useless. Turned loose in the economy of Germany they will create a political problem.

"PRESIDENT HELPFUL

"President Harry Truman has been most understanding.

"I have submitted a plan that would permit the allocation of unused immigration quotas for a short period in order to provide a haven for these people. I am confidently hopeful that if the United States would take 150,000 or 175,000, the United Kingdom would then relent and would change its present restrictive policy on immigration to Palestine. Nothing will be done by Great Britain until the United States does something. Brazil has already presented a plan. Canada and Australia will surely follow our example as soon as we take our share of the unfortunate but promising people. Bolivia and Venezuela, Peru and Chile are interested. Yes; all countries will follow our lead.

"In this, like many other problems, the United States must set the example. This, as in other cases, is because of our fortunate position and the leadership which has come to us. This job should be completed in 1947. The morale and physical resistance of these unfortunate people cannot hold out much longer. They have a right to live. These are the mourners and must be comforted. These are the meek. These are the hungry. These are the thirsty. These are the strangers. These are the sick. These are the imprisoned.

"APPEAL TO CHRISTIANITY

"We have a responsibility. Yes; we have a mandate from the Highest. Here is the opportunity of practicing that which we have preached for nearly 2,000 years. Here we have an opportunity to demonstrate that finally a wicked world has learned the lesson of the Son of God, Prince of Peace.

"'When the Son of man shall come in his glory, and all the holy angels with him, then shall he sit upon the throne of his glory.

"'And before him shall be gathered all nations.

"'Then shall the King say unto them, come, ye blessed of my Father, inherit the kingdom prepared for you from the foundation of the world.

"'Then shall the righteous answer him, saying, Lord, when saw we Thee an hungered, and fed Thee, or thirsty, and gave Thee drink?

"'When saw we Thee a stranger, and took Thee in? Or naked, and clothed Thee?

"'Or when saw we Thee sick, or in prison, and came unto Thee?

"'And the King shall answer and say unto them, Verily I say unto you, inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto Me.'" (Matthew xxv: 31–40.)

DISPLACED PERSONS IN EUROPE

In an effort to provide the committee with the latest available figures on the numbers and origins of displaced persons in Europe, I asked the War Department on December 4, 1946, to furnish me with certain detailed information, which report of the War Department in its entirety is submitted herewith:

"REPORT OF CIVIL AFFAIRS DIVISION, WAR DEPARTMENT, DECEMBER 4, 1946

"1. There are no figures available on the number of displaced persons in the Russian occupied zone of Europe.

"2. The following figures show the number of displaced persons in and out of camp by nationality in the United States zone of Germany as of November 15 by Office of the Military Government:

Nationality	In camp	Out of camp	Total
I. UNITED NATIONS DISPLACED PERSONS			
Belgian and Luxemburgian	35	1,648	1,683
Czechoslovakian	342	7,124	7,466
Estonian	15,024	2,566	17,590
French	41	2,082	2,123
Latvian	45,242	7,586	52,828
Lithuanian	29,713	3,600	33,313
Norwegian	22	193	215
Polish	126,610	33,060	159,670
Russian	7,587	11,076	18,663
Yugoslav	6,540	11,403	17,943
Stateless	12,458	17,806	30,264
Others and unclassified	22,042	23,725	45,767
Jews	126,729	34,708	161,437
Total	392,385	156,577	548,962
II. AUSTRIANS AND ITALIANS			
Austrians	49	10,294	10,343
Italians	487	3,604	4,091
Total	536	13,898	14,434
III. EX-ENEMY DISPLACED PERSONS			
Bulgarian	27	763	790
Hungarian	78	17,726	17,804
Rumanian	531	4,820	5,351
Total	636	23,309	23,945
Grand total	393,557	193,784	587,341

"3. The following information from Headquarters, United States Forces in Austria, furnishes data as of October 31 on displaced persons in United States zone of Austria and United States Vienna area:

I. United Nations displaced persons (most of these are in camp)

Nationality:	*Number*
Albanians	8
South and Central Americans	728
Armenians	117
British	24
Czechs	6
Estonians	528
Greeks	5
Latvians	1,263
Lithuanians	1,010
Poles	6,127
Russians (Soviet)	470
Russians (white)	7,352
Stateless	2,635
Sudanesian	1
Turks	17
Ukraines	7,873
United States	150
Yugoslavs	7,064
Jews (permanent)	8,461
Jews (transient refugees)	26,571
Total, United Nations	70,410

II. Ex-enemy displaced persons (all of these are out of camp)

Nationality:	*Number*
Bulgarians	166
Germans	13,580
Hungarians	7,389
Rumanians	1,263
Volksdeutsche	69
Baltic Volksdeutsche	34
Bulgarian Volksdeutsche	23
Czech Volksdeutsche	1,060
Danish Volksdeutsche	3
Holland Volksdeutsche	1
Hungarian Volksdeutsche	5,903
Latvian Volksdeutsche	3
Lithuanian Volksdeutsche	111
Polish Volksdeutsche	6,482
Rumanian Volksdeutsche	37,527
Russian Volksdeutsche	1,974
Yugoslav Volksdeutsche	49,055
Sudetendeutsche	29,711
Total, ex-enemy	154,354
Grand total	224,764

"4. The following figures are for all displaced persons in the British and French occupied zones of Germany in assembly centers as of October 15, 1946, as shown from the UNRRA report No. 33.

Nationality	Number	
	British zone	French zone
Belgian and Luxemburger	218	106
Czechoslovak	406	266
Dutch	651	268
French	141	359
Polish	165,749	20,011
Russian	315	86
United States of America	256	82
Yugoslav	13,719	987
Estonian	13,481	786
Latvian	45,517	2,314
Lithuanian	24,334	2,384
Austrian	68	68
Hungarian	3,959	688
Italian	100	203
Rumanian	1,796	349
Jewish	13,121	1,930
Others and undetermined	21,733	2,560
Total	305,564	33,447

NOTE.—Figures on the French zone include those only in UNRRA centers—figures for DP's in military-operated centers are not available.

"5. The following figures are furnished on displaced persons in UNRRA assembly centers in the British and French zones of Austria for the month of September. These figures are from an UNRRA report and figures for later date are not available.

Nationality	Number	
	British zone	French zone
Czechoslovak	15	42
Estonian	55	46
Greek	3	2
Italian	5	8
Latvian	307	61
Lithuanian	114	74
Polish	3,688	2,688
Turkish	43	2
Union of Soviet Socialist Republics	102	13
Yugoslav	6,903	94
Ex-enemy	60	59
Jewish	3,578	----
Stateless	67	7
Undetermined	213	624
Other	22	15
Total	15,175	3,735

"6. The following figures are for displaced persons in Italy in all zones, occupied and unoccupied, as of the month of September. This information is from an UNRRA report.

Nationality	Number in UNRRA centers	Number outside UNRRA centers
Albanian	18	36
Austrian	223	763
British	42	30
Czechoslovak	455	1,235
French	57	115
Greek	693	398
Lithuanian	149	124
Polish	4,108	5,124
Union of Soviet Socialist Republics	59	174
Turkish	47	133
Yugoslav	465	1,654
Ex-enemy	1,930	3,457
Other and unclassified	266	603
Total	8,512	13,846

NOTE.—In addition to the above figures on displaced persons in Italy, there are 12,328 displaced persons as of Nov. 12, 1946, most of whom are Yugoslavs and Poles who are a combined US-UK responsibility. All of these are in Allied-controlled operated camps."

REPORT OF MR. GEORGE MEADER, CHIEF COUNSEL TO THE SPECIAL SENATE COMMITTEE INVESTIGATING THE NATIONAL DEFENSE PROGRAM

On September 12, 1946, Senator Mead, then chairman of the Special Committee Investigating the National Defense Program, announced through the press that the committee would investigate military government in Germany. Afterward Mr. George Meader, chief counsel to the committee, was sent to Europe to make the investigation, and Mr. Meader's findings were made public on December 4, 1946.

Much of Meader's report is foreign to matters within the scope of this inquiry, but his observations on displaced persons are timely and informative. That portion of Mr. Meader's report is submitted herewith. Particular attention is directed to the statement that this Government has agreed to accept 2,250,000 expelees in its zone in Germany.

"There are at the present time approximately 150,000 Jewish displaced persons in United States zone of Germany, of whom less than one-quarter were in Germany during the war. Their number has increased by 120,000 since January 1, 1946, and they are continuing to come. It is estimated that there are 100,000 Jews left in Poland, of whom the United States will eventually have to care for well over half. There are 180,000 Jews in Hungary whom the Russians are at present not permitting to leave. The United States continues to accept into its zone the Jews, as well as any other eastern European people who can present a plausible claim that they are persecuted for racial or religious reasons or for political beliefs favorable to the Allies.

"At Babenhausen there were 3,000 newly arrived Jews who had come from Poland. The Babenhausen camp had been opened for only about 2 weeks prior to my visit. It was at that camp where a trainload of Jews had refused to get off the train because the camp was not good enough. When the Army authorities threatened to turn the train around and send them back where they came from they still did not get off the train. The Army authorities did turn the train around, but instead of taking them back took them to another camp.

"These persons are, for the most part, penniless and do not desire to work, but expect to be cared for, and complain when things are not as well done as they think they should be. Mr. Goldman, the United Nations Relief and Rehabilitation Director of the camp, said that he had not been able to get more than 400 of the 3,000 to do any work, even fixing up their own dwelling space. When he did get any work out of them, it was because of offering special inducements, such as extra cigarettes.

"It is very doubtful that any country would desire these people as immigrants. I spoke with a Jewish girl at Babenhausen, who said she was a block leader, and asked her who had paid for the transportation of these persecutees through Poland and Czechoslovakia. She said it was the Jewish organization. I spoke with representatives of the American Joint Distribution Committee, both in Vienna and Paris, and they denied that their organization defrayed transportation costs for these people, and insisted that this mass migration was a spontaneous movement generated because of pogroms and persecution in Poland. These representatives observed that the best way to solve the problem of what to do with these 150,000 Jews was to permit them to migrate to Palestine.

"The Army authorities were unable to state the source of the financial support for transporting these trainloads of Jews, who all seem to be coming into our zone. They suspect strongly, however, that the American Joint Distribution Committee is doing it in spite of their protestations to the contrary. General McNarney stated that he believed Mr. Schwartz, who is head of the Paris office, would admit they were furnishing the transportation.

"It would be important to know two things: First, whether there is, in fact, persecution in Poland, or whether it is simply alleged without any basis; second, it would be important to know whether these mass migrations are spontaneous or are encouraged by paying train fare and otherwise for the purpose of building up a pressure in the United States zone in Germany to further Zionist objectives. There is a very serious question of policy involved as to whether or not the United States taxpayers, without formally passing upon the question, should be compelled to finance a minority political program. Whatever the policy may be, and it may very well be that the Congress would desire to appropriate funds for this specific purpose, the facts should be known and the policy should be formulated with the full knowledge of those facts.

"The War Department sought to close the camps of displaced persons, other than the Jews, and treat the occupants merely as Germans. It is said that considerable pressure developed from various racial and religious groups within the United States sufficient to cause a reversal of this War Department policy on a very high level. Programs have been initiated to arrange with South American countries, particularly, to accept some of these displaced persons as immigrants. Little progress has been made because the South American countries want to accept only the cream, leaving the least desirable persons still in our care.

"This problem is a difficult one. Because it forms the basis for a large proportion of the appropriations made for military government, the Congress should be fully and accurately informed as to all the facts with regard to it.

"Upward of five and one-half million displaced persons have been repatriated or resettled. The repatriation of the 'hard core' of one-half million is difficult for a variety of reasons, ranging from inertia or a preference to stay where they are and be cared for to a fear that if they return home they will be either killed or abused.

"Many of them are cared for in encampments, the German Army barracks being used for this purpose in many places.

"Of the 535,000 displaced persons in the United States zone, 410,000 are in camps and 125,000 are living with the German population.

"Displaced persons are presently requiring the attention of some 800 United States Army officers and men, of whom approximately 500

are devoting full time to this duty. An estimated 10 percent of the effort of military service troops in the American zone is also devoted to displaced persons. Approximately 1,400 United Nations Relief and Rehabilitation Administration personnel aided by some 600 personnel of various voluntary agencies, are also caring for displaced persons. United Nations Relief and Rehabilitation Administration furnishes no food, clothing or 'amenity supplies,' such as soap and cigarettes. It provides supervision only.

"United Nations displaced persons are accorded a basic ration of 2,000 calories per day, and persecutees, including Jews, receive an extra 200 calories. Statistics show all age groups and both sexes of these displaced persons to be overweight. However, an explanation of this condition has been offered in that the ration contains a substantial proportion of starchy foods which tend to create fat.

"The finding of employment for displaced persons presents an additional problem which appears to have no satisfactory solution. It has already been pointed out that a number of displaced persons have thus far been able to support themselves outside centers. However, among the estimated 275,000 employables only about 40–50 percent are employed, and such employment includes a substantial number engaged in vocational training within the centers. Approximately 53,000 are employed by the United States forces, and a certain number are engaged in their own center administration. The basic difficulties of employment for displaced persons are that their centers are often located distant from centers of employment; the German reichsmarks which they earn have no foreign-exchange value; they may not buy in the rationed German economy; and finally they must compete with indigenous labor. Certain of them—notably the Balts—show a willingness and desire for work; others, including the Jews, do not want to work. The entire problem is rendered more acute in the light of the unavoidable moral and physical deterioration resulting from long periods of idleness and dependence on outside charitable support.

"The lack of employment opportunities for displaced persons may contribute in part to the general security problem which they have created for the occupying forces. Black-market activities have offered a convenient substitute for regular employment, and certain criminal elements have committed numerous crimes of violence. This is an aspect of the displaced persons problem which has received little publicity but has been a source of constant worry to those responsible for the maintenance of order. Accurate statistics can probably never be obtained; however, those furnished are worthy of note in passing.

"G–5 Division, United States Forces, European Theater, reports that incidents involving displaced persons dropped from a weekly average of 225 during the winter to a low of 163 in July. More revealing, perhaps, are the figures taken from the Weekly Intelligence Summary of G–2 Division of the same headquarters. Examination of these figures over a period of 23 weeks in the first half of the current year discloses reports of 4,116 thefts, 219 homicides, and 890 assaults, and available figures indicate that better than 50 percent of those reported may be considered verified.

"Unfortunately the shortage of clothing in the earlier stages of displaced persons' care necessitated the issuance of items of United States Army uniform to them; accordingly, a substantial number of these depredations must have been charged up by the Germans to United States soldiers. (Uniforms for displaced persons have since been dyed.)

"The security situation is not eased by the fact that United States forces are strictly limited in the extent to which German police may be used in Jewish and Soviet centers. This policy was largely the outcome of an incident which occurred last March in a Jewish center near Stuttgart, when German police, partially supported by United States troops, were used to conduct a justified raid, during which a near riot occurred and one Jewish displaced person was shot and killed. The matter was immediately taken up by Jewish groups in the United States, with the result that a new procedure for the use of German police in displaced persons centers was established, whereby German police might only enter such centers in numbers limited to one or two essential individuals, unarmed, accompanied by adequate United States military personnel, and then only for the purpose of identifying persons or evidence connected with a crime committed outside the center—this although in the Stuttgart case the official findings were to the effect that the actions of the German police were not unwarranted.

"In summing up the security aspect of the displaced persons question, it must not be overlooked that the Germans must gaze with some bewilderment upon the conditions the United States permits to exist, and the behavior of the displaced persons themselves appears to be a strange expression of gratitude for the hospitality which they are receiving from the Americans.

"The cost of caring for displaced persons has been estimated at $12 per month per person for food ($13.20 for persecutees) and $49 for an initial outfit of clothing, with a $5 monthly maintenance cost. The estimated cost of caring for displaced persons plus 15,000 civilian internees (the costs are computed together) for fiscal year 1947 comes to $108,500,000 and for fiscal year 1948 to $109,400,000. These figures come under the appropriations, actual and proposed, for government and relief in occupied areas. They do not take into account the cost of United States military and civilian personnel required to handle displaced persons matters, the share of the cost of tactical and service troops so required, the use of military vehicles and fuel therefor for displaced persons' transportation, nor the items paid by the German economy such as telephone, housing, medical supplies and equipment, medical services, or housekeeping personnel.

"No solution for the problem is presently in sight. Originally the matter was in the hands of the Intergovernmental Committee on Refugees. However, late in 1945, Headquarters, United States Forces, European Theater, realized that this committee was not going to solve the problem. In December a plan was submitted to the War Department for repatriation of certain groups, the closing of centers, and the turning over to the German economy of those persons not desiring repatriation. This plan followed a distressing course of delay for policy coordination in Washington, for consultation with the United Nations Relief and Rehabilitation Administration, and eventually on April 24, 1946, the War Department notified Headquarters, United States Forces, European Theater, that the Secretary of State had announced the decision to defer closing of the centers until after the United Nations Assembly should have an opportunity to consider the matter in September (later delayed to October) and that the War Department had no prior knowledge that such an announcement would be made. Plans are now being considered in Frankfurt for eventually turning over certain displaced persons to the German economy with safeguards set up through voluntary organizations; however, these plans are not yet definite.

"The position of the other zones with respect to displaced persons offer a sharp contrast. The British zone has some 300,000 displaced persons in centers. However, as of July 1 the British ceased to accept displaced persons into their centers and, in addition, the British classify Jews according to their nationality rather than merely as Jews. The displaced-persons problem in the French zone is negligible, and it is estimated that the French have approximately 33,000. The Soviets have chosen the other possible alternative in handling their displaced persons; namely, they ignore them. When asked for information on this matter the Soviets have merely replied, "We have no displaced-persons problem," and at a recent meeting at Geneva the Soviets admitted the presence of 69 displaced persons.

"The position of the United States with respect to displaced persons is one of continuing to accept all Jews and all "persecutees" into a zone which is already beset with serious housing and food shortages and thus to place an additional burden on the United States occupation authorities in Germany.

"A decision must ultimately be reached as to whether the United States desires to continue indefinitely its largesse at the cost of over $110,000,000 per year and untold problems.

"There are over 1,000,000 German refugees in the United States zone. They are a primary responsibility of the Germans themselves, but each gets his 1,550 calories a day, at United States expense. "Expellees" are ethnic Germans expelled from Hungary, Czechoslovakia, Austria, and Poland pursuant to the Potsdam Agreement. The United States has agreed to accept 2,250,000 expellees in its zone. Although the British and Russians have also accepted large numbers of expellees, the French, claiming that they were not a party to the Potsdam Agreement, agreed to the acceptance of only 150,000 expellees of a special category. It turns out that there are not that many, but only a few thousand, in that category."

REGISTERED ALIENS

After the opening of hostilities in Europe in 1940, our Government, in the interest of national defense, required registration of all aliens. The statistics on registered aliens are pertinent to this inquiry because they indicate what nationals acquire citizenship and the rate of assimilation. I have therefore obtained and submit herewith three statistical tables concerning registered aliens:

Registered aliens in the United States, classified by country of birth and sex, Dec. 26, 1940

Country of birth	Total	Male	Female
Total	5,009,857	2,340,770	2,669,087
Austria	193,505	84,825	108,680
Austria-Hungary	94,893	40,116	54,777
Belgium	16,358	7,957	8,401
Bulgaria	4,596	3,476	1,120
Czechoslovakia	73,909	28,527	45,382
Denmark	30,385	18,837	11,548
Estonia	1,931	1,203	728
Finland	50,758	25,484	25,274
France	34,427	14,906	19,521
Germany	321,080	149,160	171,920
Great Britain	299,653	130,958	168,695
Northern Ireland	31,198	12,475	18,723
Irish Free State	160,098	50,966	109,132
Greece	83,102	52,283	30,819
Hungary	117,828	47,310	70,518
Italy	703,445	298,713	404,732
Latvia	7,177	3,026	4,151
Lithuania	87,369	39,995	47,374
Netherlands	33,335	18,751	14,584
Norway	68,579	38,906	30,073
Poland	446,462	179,140	267,322
Portugal	74,471	40,753	33,718
Rumania	32,664	13,045	19,619
Russia	370,308	156,237	214,071
Spain	40,743	27,668	13,075

Registered aliens in the United States, classified by country of birth and sex, Dec. 26, 1940—Continued

Country of birth	Total	Male	Female
Sweden	103,407	57,815	45,592
Switzerland	24,822	14,070	10,752
Turkey	44,741	22,197	22,544
Yugoslavia	56,532	31,427	25,105
Other Europe	13,578	7,909	5,669
Arabia (Saudi)	609	558	51
China	41,024	33,066	7,958
India	4,108	3,381	727
Iraq (Mesopotamia)	476	275	201
Japan	92,623	56,920	35,703
Korea	3,564	2,584	980
Palestine	2,887	1,759	1,128
Persia (Iran)	1,992	1,042	950
Siam	176	148	28
Syria and Lebanon	25,209	11,129	14,080
France (Asia)	74	47	27
Great Britain (Asia)	2,511	2,030	481
Portugal (Asia)	30	26	4
Other Asia	262	222	40
Australia	4,232	2,051	2,181
New Zealand	1,464	745	719
France (Pacific)	126	69	57
Great Britain (Pacific)	218	115	103
Japan (Pacific)	41	32	9
Netherlands (East Indies)	574	385	189
Portugal (Pacific)	11	9	2
Philippine Islands	84,730	79,597	5,133
United States possessions (Pacific)	4,238	637	3,601
Other Pacific	33	14	19
Egypt	1,278	675	603
Union of South Africa	1,666	846	820
Ethiopia	45	38	7
Liberia	228	205	23
Belgium (Africa)	37	16	21
France (Africa)	1,035	587	448
Great Britain (Africa)	661	523	138
Italy (Africa)	80	44	36
Portugal (Africa)	70	39	31
Spain (Africa)	54	27	27
Other Africa	110	72	38
United States	73,141	10,668	62,473
Canada	467,258	208,227	259,031
Newfoundland	14,823	5,509	9,314
Mexico	423,519	230,694	192,825
Costa Rica	1,209	612	597
El Salvador	1,092	459	633
Guatemala	1,184	598	586
Honduras	1,162	617	545
Nicaragua	1,471	672	799
Panama	2,383	1,144	1,239
Cuba	16,207	9,357	6,850
Dominican Republic	2,899	1,198	1,701
British West Indies	62,747	30,186	32,561
Dutch West Indies	1,602	903	699
Haiti	697	432	265
Canal Zone	369	215	154
Other North and Central America	11,863	5,497	6,366
Argentina	4,016	2,123	1,893
Bolivia	198	127	71
Brazil	5,088	2,736	2,352
Chile	1,921	1,339	582
Colombia	3,174	1,622	1,552
Ecuador	882	643	239
Peru	1,513	1,046	467
Paraguay	93	28	65
Uruguay	426	243	183
Venezuela	3,290	1,427	1,863
British Guiana	2,312	1,171	1,141
Dutch Guiana	285	208	77
French Guiana	22	15	7
Other South America	32	18	14
Unknown	3,126	2,056	1,070
Born on board ship	714	398	316
None or blank	896	528	368
Europe, not specified	13	6	7

Date of entry of registered aliens in the United States, classified by sex, Dec. 26, 1940

Date of entry	Total	Male	Female
Total	5,009,857	2,340,770	2,669,087
Prior to 1880	32,739	13,858	18,881
1880-89	117,790	61,251	56,539
1890-99	239,605	120,561	119,044
1900-09	1,080,654	553,314	527,340
1910	182,900	87,694	95,206
1911	151,822	66,820	85,002
1912	216,750	98,817	117,933
1913	287,230	129,419	157,811
1914	154,646	69,126	85,520
1915	62,648	29,710	32,938
1916	82,803	38,149	44,654
1917	46,371	23,265	23,106
1918	43,195	23,389	19,806
1919	91,322	47,827	43,495
1920	194,672	82,856	111,816
1921	163,980	59,105	104,875
1922	134,693	59,124	75,569
1923	217,840	106,962	110,878
1924	106,352	53,621	52,731
1925	92,765	41,717	51,048
1926	107,305	52,084	55,221
1927	107,828	52,572	55,256
1928	106,468	49,148	57,320
1929	110,797	50,389	60,408
1930	89,722	39,882	49,840
1931	39,329	17,492	21,837
1932	30,370	11,560	18,810
1933	30,210	11,806	18,404
1934	39,315	15,320	23,995
1935	45,671	17,607	28,064
1936	56,861	22,560	34,301
1937	83,556	34,888	48,668
1938	100,860	45,086	55,774
1939	109,705	51,503	58,202
1940	142,463	72,028	70,435
Unknown	108,620	30,260	78,360

Registered aliens in the United States, for selected countries of birth by State of residence, Dec. 26, 1940

State of residence	Country of birth							Total
	Italy	Canada	Poland	Mexico	Russia	Germany	Others	
United States	703,445	467,258	446,462	423,519	370,308	321,080	2,277,785	5,009,857
Alabama	892	333	131	78	255	412	3,031	5,132
Arizona	217	518	82	26,807	177	218	3,935	31,954
Arkansas	545	220	118	190	108	503	1,705	3,389
California	52,749	40,693	5,282	146,439	19,970	19,952	257,379	542,464
Colorado	3,093	1,122	639	6,908	5,004	1,004	9,603	27,473
Connecticut	41,818	15,937	24,232	51	11,534	4,937	59,619	158,128
Delaware	1,726	246	1,172	15	572	333	2,364	6,428
District of Columbia	2,154	1,031	553	90	2,063	1,057	7,804	14,752
Florida	3,035	5,465	699	183	1,089	1,779	29,077	41,327
Georgia	237	492	272	29	546	484	3,127	5,187
Idaho	289	1,412	55	315	308	409	5,444	8,232
Illinois	35,292	13,728	53,352	11,921	26,800	28,981	154,996	325,070
Indiana	2,357	2,603	5,680	2,771	2,010	3,973	24,991	44,385
Iowa	1,203	1,153	433	1,268	1,358	4,516	14,717	24,648
Kansas	697	706	598	5,053	1,664	1,591	5,646	15,955
Kentucky	647	451	225	41	404	948	2,842	5,558
Louisiana	7,021	461	199	1,040	328	843	7,418	17,310
Maine	1,105	35,272	777	21	968	215	8,875	47,233
Maryland	6,182	1,347	5,362	84	6,548	3,934	14,335	37,792
Massachusetts	53,989	91,654	30,956	94	26,907	4,179	156,642	364,421
Michigan	17,856	77,990	48,189	4,751	15,653	12,705	125,959	303,103
Minnesota	1,254	6,108	2,363	1,210	3,484	4,205	42,809	61,433
Mississippi	881	105	62	183	104	217	1,667	3,219
Missouri	7,699	1,552	3,229	1,965	5,508	5,327	18,270	43,550
Montana	713	2,149	179	1,065	1,180	465	8,026	13,777
Nebraska	1,302	615	869	1,977	3,340	2,539	8,291	18,933
Nevada	1,042	330	25	799	56	211	3,655	6,118
New Hampshire	697	18,236	2,105	11	1,060	307	8,122	30,538
New Jersey	72,582	6,721	36,291	298	20,239	24,820	118,248	279,199
New Mexico	366	173	54	9,909	89	242	1,569	12,402
New York	250,253	62,385	122,937	3,600	145,202	130,803	542,321	1,257,501
North Carolina	179	498	103	19	191	352	2,865	4,207
North Dakota	15	1,684	309	108	1,766	576	6,024	10,482
Ohio	26,901	9,410	23,391	1,461	11,691	11,547	118,637	203,038
Oklahoma	424	596	285	1,419	601	676	2,945	6,946
Oregon	1,983	6,573	453	340	2,384	1,914	20,777	34,424
Pennsylvania	71,952	6,153	53,127	1,526	31,172	16,976	189,114	370,020
Rhode Island	11,924	11,745	3,335	10	1,793	715	23,048	52,570
South Carolina	70	180	106	10	199	199	1,424	2,188
South Dakota	59	452	139	94	873	935	4,848	7,400
Tennessee	1,132	393	344	52	541	553	2,122	5,137
Texas	3,345	1,768	1,162	183,758	1,507	3,757	18,601	213,898
Utah	984	603	39	796	78	863	7,124	10,487
Vermont	659	10,826	760	9	349	136	3,183	15,927
Virginia	771	855	405	37	1,027	884	6,114	10,093
Washington	3,982	17,019	1,296	425	3,222	3,025	52,667	81,636
West Virginia	5,284	430	2,679	210	1,405	479	13,175	23,662
Wisconsin	3,332	3,428	11,083	940	5,911	14,767	35,666	75,127
Wyoming	298	225	150	1,434	700	146	2,964	5,917
Alaska	52	479	31	17	147	116	2,563	3,405
Hawaii	34	295	45	23	123	98	90,829	91,447
Puerto Rico	90	29	12	87	14	43	14,579	14,854
Virgin Islands	2	5	5	2	2	10	3,827	3,853
American Samoa	0	1	0	0	0	7	97	105
Canadian commuters and visitors	19	2,108	20	18	31	5	461	2,662
Mexican commuters and visitors	6	7	2	1,242	3	4	82	1,346
Foreign address	2	16	0	12	0	0	32	62
Others and unknown	53	272	56	304	50	88	1,530	2,353

DISPLACED PERSONS IN THE UNITED STATES

During the war years there were references in the press to groups of displaced persons who reached the shores of this country. I have been unable to obtain sufficient information to make a complete report upon the subject of displaced persons who, to this date, have entered the United States. This should be the subject of careful inquiry upon consideration of any legislation upon the subject.

Life magazine at one time carried a picture of a refugee camp at Oswego, N. Y.

I am advised by the Attorney General that during the war there came into this country 953 persons without visas, and that approximately 200 of these have been returned to their native countries. The others were issued visas after reaching here and charged against the quotas of their respective countries.

I have received information that American vessels have been used, and are being used, for the transport of refugees from Bremerhaven and Mediterranean ports, and that such vessels are transporting 940 persons per vessel to this country. This situation should be made the subject of inquiry.

In addition, reports from the American zone in Germany indicate that large numbers of persons are infiltrating into that sector.

In view of the position taken by some to change our immigration policies and the observations of Mr. George Meader on the conduct and quality of displaced persons infiltrating into the American zones of occupation, I thought it advisable to obtain specific and detailed information concerning such persons both in this country and abroad. In particular I sought the following data:

(1) Who are they? (2) Where are they? (3) How did they get where they are? (4) How many are coming to this country? (5) Under what authority are they here?

I asked the Department of Justice for the following information:

A. Total number of persons entering this country in 1938, the total broken down (1) according to countries from which immigrants came, (2) according to nationality, (3) according to race.

B. Same information for 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946.

C. How many displaced persons are there in this country?

D. Who are the displaced persons—the figures broken down (1) according to countries from which they came, (2) nationality, (3) race.

E. Where are they now?

F. How are displaced persons in this country being provided for and under what authority are they here?

G. Total number of legal entries into the United States under quotas for the years 1939 to 1946, the total being broken down (1) according to countries from which the immigrants came, (2) according to nationality, (3) according to race.

In answer to item A, the Department of Justice furnished me with the following statistical table set out on pages 28 and 29; and in answer to item B, the Department of Justice furnished me with the following statistical tables set out on pages 30 to 39, inclusive:

Immigrant aliens admitted, year ended June 30, 1939, by classes under the Immigration Act of 1924, races or peoples and sex

Race or people and sex	Number admitted	Quota immigrants	Husbands of citizens	Wives of citizens	Unmarried children of citizens	Infants (admitted as returning residents)	Natives of non-quota countries	Wives and children of natives of non-quota countries	Ministers and their wives and children	Professors and their wives and children	Women who had been citizens	Other classes
All races	82,998	62,402	1,088	3,759	2,196	71	12,119	104	705	447	88	19
Albanian	207	91		62	53					1		
Armenian	193	144	4	37			6		1	1		
Bohemian and Moravian	264	197	6	23	16	1	11		1	8	1	
Bulgarian, Serbian, and Montenegrin	397	326	4	36	12		2		17			
Chinese	124			112						12		
Croatian and Slovenian	457	341	17	46	41		5		6	1		
Cuban	558	2	2	7	2		545					
Dalmatian, Bosnian, and Hercegovinian	73	68		4						1		
Dutch and Flemish	758	562	34	17	3		136	1	3	1	1	
English	5,076	2,026	93	195	37	13	2,577	31	59	24	21	
Filipino	56	45		9	1		1					
Finnish	439	385	4	30	1	1	13		5			
French	2,214	609	18	63	32	3	1,463	2	3	15	5	1
German	5,524	4,463	148	217	104	16	424	4	47	94	7	
Greek	992	464	29	386	65		15		29	1	3	
Hebrew	43,450	41,439	159	451	287	2	545	8	315	213	31	
Irish	2,968	1,607	25	66	53	10	1,190	3	9	4	1	
Italian	6,708	3,940	275	1,193	1,108		132	18	29	11	2	
Japanese	57				3				51	3		
Lithuanian	131	95	4	16	4		10		1		1	
Magyar	614	475	14	57	18	1	24	1	5	18	1	
Negro	304	180	6	6	14		94		3		1	
Polish	868	513	28	159	83	1	68		13	3		
Portuguese	509	417	13	41	23	1	9		1	4		
Rumanian	98	60	1	16	1		11		7	2		
Russian	840	636	9	98	8		79	1	4	5		
Ruthenian (Russniak)	198	81	8	30	11		63		5			
Scandinavian	1,563	1,153	74	89	31	4	184	2	17	5	4	
Scotch	1,968	537	30	62	18	7	1,284	15	11	2	2	
Slovak	991	729	31	88	122	1	10		1	9		
Spanish	428	246	11	46	23		53	13	25	5		6
Spanish American	826	6	5	6	2	2	797	4	2		1	1
Syrian	282	171	8	41	11		40		9		1	1
Turkish	34	26		4	1				3			
Welsh	134	47	6	6	2	1	64	1	5		2	
West Indian	292	145	2	7	5	1	129					3
All other:												
Chiefly natives of Mexico	2,145	1	6	9		2	2,109		16	1	1	
Egyptians, Estonians, Latvians, etc	258	175	14	24	4	1	26		2	3	2	7
Sex:												
Male	39,423	31,699	1,088		1,236	39	4,633	18	441	259		10
Female	43,575	30,703		3,759	960	32	7,486	86	264	188	88	9

Immigrant aliens admitted, year ended June 30, 1940, by classes under the Immigration Act of 1924, and races or peoples

Race or people	Number admitted	Quota immigrants	Husbands of citizens	Wives of citizens	Children of citizens	Infants (admitted as returning residents)	Natives of non-quota countries	Wives and children of natives of non-quota countries	Ministers and their wives and children	Professors and their wives and children	Women who had been citizens	Other classes
All races	70,756	51,997	963	3,195	1,316	40	11,886	99	630	499	100	31
Armenian	181	132		32	1		9		6	1		
Bohemian and Moravian	188	133	3	17	7		14		6	8		
Bulgarian, Serbian, and Montenegrin	276	216	3	30	10		5		12			
Chinese	106			99					2	5		
Croatian and Slovenian	292	220	14	34	18		4	1	1			
Cuban	548	1		1	1		543	1				1
Dutch and Flemish	1,087	849	45	37	5		133	1	11	3	3	
English	4,889	1,948	78	220	39	10	2,484	28	44	10	18	

Immigrant aliens admitted, year ended June 30, 1940, by classes under the Immigration Act of 1924, and races or peoples—Continued

Race or people	Number admitted	Quota immigrants	Husbands of citizens	Wives of citizens	Children of citizens	Infants (admitted as returning residents)	Natives of non-quota countries	Wives and children of natives of non-quota countries	Ministers and their wives and children	Professors and their wives and children	Women who had been citizens	Other classes
Filipino	55	43	1	7	1				3			
Finnish	298	253	10	17	1		16		1			
French	2,363	630	8	78	30	4	1,582	5	5	15	6	
German	3,556	2,630	81	219	35	7	413	4	49	111	7	
Greek	1,049	554	14	352	73		24		32			
Hebrew	36,945	35,156	121	365	123	2	639	14	252	239	33	1
Irish	2,548	1,160	29	58	33	4	1,239	5	14	2	4	
Italian	5,512	3,491	323	846	676	1	130	9	20	15	1	
Japanese	48					2			44		2	
Lithuanian	99	57	3	29	1		6		3			
Magyar	561	393	21	66	39		22	1	3	16		
Negro	315	181	7	13	24		87		1		1	1
Polish	467	238	25	80	11		81		14	18		
Portuguese	516	433	9	46	12		16					
Rumanian	102	44	4	24	5		19		6			
Russian	671	513	3	85	5	1	43		15	6		
Ruthenian (Russniak)	118	30	8	11	7		60		1	1		
Scandinavian (Norwegians, Danes, and Swedes)	1,514	1,173	38	94	32	5	144		18	1	8	1
Scotch	1,946	515	19	89	7	2	1,282	11	10	5	6	
Slovak	349	216	32	34	51		6		2	7	1	
Spanish	435	226	26	57	27		35	12	24	19	1	8
Spanish American	922	23	13	13	4	1	865	2		1		
Syrian	193	85	2	22	3		72	5	3	1		
Turkish	18	12		4	2							
Welsh	105	44	4	4			49		3	1		
West Indian (except Cuban)	166	72	1	11	3		77		1		1	
All other:												
Chiefly natives of Mexico	1,801		6	31	2	1	1,747		9		5	
Albanians, Estonians, Dalmatians, Latvians, etc	517	326	12	70	28		40		15	4	3	19

Immigrant aliens admitted, year ended June 30, 1941, by classes under the Immigration Act of 1924, and races or peoples

Race or people	Number admitted	Quota immigrants	Husbands of citizens	Wives of citizens	Children of citizens	Infants (admitted as returning residents)	Natives of non-quota countries	Wives and children of natives of non-quota countries	Ministers and their wives and children	Professors and their wives and children	Women who had been citizens	Other classes
All races	51,776	36,220	368	1,543	211	23	12,501	85	404	245	168	8
Armenian	93	67		10			9		7			
Bohemian and Moravian	437	408	2	13	3		8		4	2		
Bulgarian, Serbian, and Montenegrin	56	48		6			2					
Chinese	73			66					6	1		
Croatian and Slovenian	81	53	8	10			8		1	1		
Cuban	596	2		1			591	1			1	
Dutch and Flemish	1,344	1,137	16	26	10	1	120	3	9	10	12	
English	6,115	3,016	48	218	33	3	2,640	23	44	12	78	
Filipino	56	45		10	1							
Finnish	366	309	3	28	1		23		2			
French	3,283	1,472	27	123	23		1,582	4	5	24	23	
German	2,154	1,642	24	84	17	1	316	2	32	30	6	
Greek	410	303	12	54	11		22		6	2		
Hebrew	23,737	22,378	73	290	28	4	703	13	123	114	11	
Irish	1,883	470	18	47	5		1,306	7	11	6	13	
Italian	696	530	16	35	5		105	1	3		1	
Japanese	30					7			23			
Lithuanian	121	87		22			5		5	1	1	
Magyar	279	209	3	37		1	21		4	3	1	
Negro	229	85	8	8	6		111	1	10			
Polish	686	476	13	49	6		122	2	7	9	2	
Portuguese	395	313	7	32	24		15	1		2	1	
Rumanian	90	43	5	9			24	1	7	1		
Russian	940	748	8	89			75	2	13	5		
Ruthenian (Russniak)	98	23	2	7			59		5	2		
Scandinavian (Norwegians, Danes, and Swedes)	1,351	1,095	27	38	9		156	1	11	8	6	
Scotch	1,865	510	15	83	4	3	1,221	5	14	2	8	
Slovak	163	142	4	8			8		1			
Spanish	443	270	13	47	17		52	11	26	7		
Spanish American	1,148	3	3	10	2		1,122	5	1	1	1	
Syrian	150	64		16		2	65		2	1		
Turkish	15	13		2								
Welsh	97	45		1			48		1		2	
West Indian (except Cuban)	152	64	2	7	2		77					
All other:												
Chiefly natives of Mexico	1,924	[illegible]	[illegible]	43			1,858	[illegible]	12	1	1	
Albanians, Estonians, Dalmatians, Latvians, etc	220	148	6	14	4	1	30		[illegible]			8

Immigrant aliens admitted, year ended June 30, 1942, by classes, under the Immigration Act of 1924, and races or peoples

Race or people	Number admitted	Quota immigrants	Husbands of citizens	Wives of citizens	Children of citizens	Natives of non-quota countries	Wives and children of natives of non-quota countries	Ministers and their wives and children	Professors and their wives and children	Women who had been citizens	Other classes
All races	28,781	14,597	223	904	135	12,554	42	136	54	80	56
Armenian	61	51		5		5					
Bohemian and Moravian	110	92	2	8		7		1			
Bulgarian, Serbian, and Montenegrin	23	18		2		3					
Chinese	13			10				1	2		
Croatian and Slovenian	37	21	4	5		7					
Cuban	551	1		1		547			1		1
Dutch and Flemish	386	239	5	19		117		3	1	1	1
English	3,802	1,001	46	161	19	2,485	20	32	4	33	1
Filipino	18	9	1	6		2					
Finnish	78	50	3	14		9		2			
French	2,363	555	11	57	13	1,685	1	9	18	14	
German	800	413	7	38	5	310		14	9	4	
Greek	263	219	5	20	2	17					
Hebrew	10,608	9,760	52	189	28	546	4	15	9	5	
Irish	1,707	249	11	33	5	1,381	4	16	2	6	
Italian	146	41	1	12		91	1				
Japanese	7							7			
Lithuanian	64	36	2	11		12		3			
Magyar	131	85	2	16	3	22		2	1		
Negro	171	60	2	8	11	89				1	
Polish	436	278	10	34	3	109		2			
Portugese	201	129	5	31	14	23					
Rumanian	84	51	1	7		21		4			
Russian	269	166	3	30	2	66			2		
Ruthenian (Russniak)	80	5	1	5		69					
Scandinavian (Norwegians, Danes, and Swedes)	594	348	18	35	6	175		10		2	
Scotch	1,649	285	8	48	4	1,279	3	11	2	9	
Slovak	102	73	5	9		14				1	
Spanish	292	167	9	42	14	52	5	1	2		
Spanish American	1,132	9	2	7		1,110	3			1	
Syrian	94	38	1	7		45		1		2	
Turkish	18	15	1	1		1					
Welsh	88	25	2	4		57					
West Indian (except Cuban)	127	40		5	6	76					
All other:											
Chiefly natives of Mexico	2,131	2	2	16		2,105	1	2	1	1	1
Albanians, Estonians, Latvians, Persians, etc	145	67	1	8		17					52

Immigrant aliens admitted, year ended June 30, 1943, by classes under the Immigration Act of 1924, and races or peoples

Race or people	Number admitted	Quota immigrants	Husbands of citizens	Wives of citizens	Children of citizens	Natives of nonquota countries	Wives and children of natives of non-quota countries	Ministers and their wives and children	Professors and their wives and children	Women who had been citizens	Other classes
All races	23,725	9,045	145	630	100	13,491	31	115	39	54	75
Armenian	52	41	1	5		5					
Bohemian and Moravian	88	77	1	3		7					
Bulgarian, Serbian, and Montenegrin	36	30		4		2					
Chinese	4							2	2		
Croatian and Slovenian	46	36	1	1		7	1				
Cuban	551	4		3		543					1
Dutch and Flemish	381	250	8	7	1	110	1	1	1	2	
English	3,629	1,132	17	146	14	2,247	10	34	7	21	1
Filipino	4	4									
Finnish	96	70	1	10		13	2				
French	1,763	296	2	30	7	1,416	1	7	1	3	
German	498	216		24		245	1	5	3	4	
Greek	378	346	2	6		24					
Hebrew	4,705	4,029	40	103	6	516	1	5	5		
Irish	1,511	299	5	26	1	1,142		23	8	7	
Italian	150	42	6	12		90					
Lithuanian	73	51		13		9					
Magyar	86	62	1	4	2	17					
Negro	198	86	4	12	1	90		4		1	
Polish	434	307	5	26	1	89	1	5			
Portuguese	312	252	5	26	22	7					
Rumanian	37	28		2		7					
Russian	211	90		15	2	102	2				
Ruthenian (Russniak)	57	18	2	3		34					
Scandinavian (Norwegians, Danes, and Swedes)	625	376	17	33	7	175	1	9		7	
Scotch	1,387	279	7	31	2	1,047	7	8	1	4	1
Slovak	129	105	1	8		15					
Spanish	404	264	9	35	22	68	1	2	3		
Spanish American	1,444	5	3	11	2	1,420	1		2		
Syrian	80	49	1			30					
Turkish	23	20		3							
Welsh	89	28		1		54		6			
West Indian (except Cuban)	186	80		14	10	79	1	2			
All other:											
Chiefly natives of Mexico	3,868		3	11		3,843		1	6	4	
Estonians, Latvians, Persians, etc	190	73	3	2		38		1		1	72

Department of Justice, Immigration and Naturalization Service, Philadelphia—Immigrant aliens admitted, years ended June 30, 1944–46, by countries as specified

[NOTE.—Column (a) covers country of birth and column (b) covers country of last permanent residence, the difference between the two indicating the number of immigrants who had left their native land to make their home in other foreign countries before coming to the United States for intended future permanent residence]

Country of birth or last residence	1944		1945		1946	
	(a)	(b)	(a)	(b)	(a)	(b)
All countries	28,551	28,551	38,119	38,119	108,721	108,721
Europe	8,694	4,509	10,141	5,943	64,877	52,852
Albania	10	1	5	1	29	9
Belgium	135	126	92	71	1,770	1,718
Bulgaria	23	6	11	3	36	8
Czechoslovakia	341	136	289	64	1,075	267
Denmark	119	61	108	43	291	194
Estonia	28	26	19	16	136	9
Finland	72	29	58	29	197	29
France	232	387	207	201	5,000	5,708
Germany	1,360	238	1,260	172	4,010	2,598
Austria					989	
England	1,135	1,210	2,627	2,784	28,763	30,922
Scotland	357	96	515	192	2,472	1,586
Wales	47	15	100	53	1,495	1,044
Greece	292	226	235	176	578	367
Hungary	227	87	132	54	577	49
Ireland (Eire)	146	68	286	125	1,387	526
Italy	177	120	320	213	3,886	2,636
Latvia	66	24	50	16	206	29
Lithuania	105	37	86	19	244	14
Netherlands	217	71	111	50	610	355
Northern Ireland	92	44	340	302	1,584	1,290
Norway	195	127	114	61	379	248
Poland	1,420	292	1,222	195	4,806	335
Portugal	429	431	562	570	554	578
Rumania	249	70	234	77	425	19
Soviet Russia	433	41	399	18	1,110	72
Spain	291	271	238	156	402	227
Sweden	90	58	67	45	327	643
Switzerland	50	33	70	39	282	766
Yugoslavia	178	93	184	88	676	65
Other Europe	178	85	200	110	581	541
China	72	50	109	71	337	252
Japan	43	4	3	1	17	14
Palestine	35	45	52	133	193	483
Syria	42	8	61	18	143	90
Other Asia	157	120	335	219	938	794
Canada	7,023	9,821	8,866	11,079	17,586	20,434
Newfoundland	363	322	513	451	1,041	910
Mexico	6,399	6,598	6,455	6,702	6,805	7,146
West Indies	2,299	3,198	4,660	5,452	4,876	5,878
Central America	1,876	1,985	3,382	3,423	2,122	2,338
South America	899	1,160	1,326	1,609	1,755	2,633
Africa	75	112	267	406	1,098	1,516
Australia	428	461	1,179	1,261	4,869	5,111
New Zealand	105	116	356	364	877	898
Other countries	41	42	414	987	1,187	7,372

In answer to item C, the Department of Justice furnished me with the following statement (Note: It will be noted that the following statement does not fully answer the question in item C):

"Displaced persons: The President's directive of December 22, 1945, concerning immigration from the American occupation zones in Europe provided that 90 percent of the quotas for central and eastern Europe should be used for persons who could not or would not be returned to their prewar homes. The Commissioner of Immigration and Naturalization was a member of the committee that went to Europe to survey the problem and set up a plan of operations. The plan effected was a joint one, in which a number of agencies cooperated. Military authorities determined that applicants for admission would not be detrimental to the security of the United States and also furnished transportation to the port of embarkation. The Public Health Service made physical examinations. Applicants for visas were examined and visas approved by consuls of the Foreign Service of the United States. UNRRA had the care and custody of refugees until they embarked, and the War Shipping Administration furnished the ships on which they traveled. All expenses, such as visa fees, transportation costs and head tax were privately paid by individuals or welfare agencies.

"Displaced persons were considered for admission in the following order: American citizens, orphaned children, close relatives of American citizens, then other refugees. Upon arrival at New York, officers of the Immigration and Naturalization Service made sure that all requirements of the immigration laws were met.

"Persons who qualified for admission as immigrants could be sponsored by an individual or by approved welfare organizations guaranteeing financial support. The first ship bringing displaced persons arrived May 20, 1946. From then until June 30, 1946, there were 2,534 such persons admitted as quota immigrants and 17 admitted nonquota. Almost half of those admitted—1,215—were charged to the quota of Poland; the next largest group—718—were charged to the German quota.

"The President specified that special attention be given to orphan children. By June 30, 1946, the United States Committee for the Care of European Children, Inc. (the only sponsoring agency authorized to be responsible for unaccompanied children) had received 122 children from Europe. Another group—190 Polish children who had been housed in Mexico—were admitted to the United States under the Polish quota. These children were assigned quota numbers in March, which was prior to the beginning of the displaced persons program in Europe.

"For a year or more, there had been some concern about approximately 1,000 refugees who were transported from the war zone of Italy and detained at Fort Ontario, Oswego, N. Y. This group of persons was granted the privilege of preexamination, and most of them were readmitted as quota immigrants."

In answer to item D, the Department of Justice furnished me with a copy of President Truman's plan for refugees taken from the January 1946 Monthly Review of the Immigration and Naturalization Service, as follows:

"On December 22, 1945, President Truman announced a far-reaching program to facilitate the admission into the United States, within the framework of existing immigration laws and regulations, of displaced persons and refugees from Europe. The President's plan encompasses two principal groups. The first of these is the group of refugees now in the relocation camp at Oswego, N. Y. Almost 1,000 persons were originally housed in this camp, after having been brought to the United States on an emergency basis by order of President Roosevelt. Some 900 refugees still at Oswego may now become permanent residents of the United States through appropriate statutory and administrative processes. Officers of the Department of State and the Immigration and Naturalization Service are presently processing the cases of those of the internees who desire to become permanent residents of the United States, and, if found eligible, they will be granted preexamination or other appropriate relief to enable them to establish legal residence.

"The major group affected by President Truman's directive of December 22, 1945, are displaced persons and refugees who are natives of central and eastern Europe and the Balkans. The annual immigration quotas for these countries total approximately 39,000. Statutory restrictions preclude the allocation of more than 10 percent of the annual quota in any single month. Consequently, no more

than 3,900 visas may be issued in any one month to natives of the affected countries.

"The President declared that 'common decency and the fundamental comradeship of all human beings require us to do what lies within our power to see that our established immigration quotas are used in order to reduce human suffering.' Therefore, he directed that the following procedure be followed 'to facilitate full immigration to the United States under existing quota laws':

" 'The Secretary of State is directed to establish with the utmost dispatch consular facilities at or near displaced person and refugee assembly center areas in the American zones of occupation. It shall be the responsibility of these consular officers, in conjunction with the immigration inspectors, to determine as quickly as possible the eligibility of the applicants for visas and admission to the United States.

" 'For this purpose the Secretary will, if necessary, divert the personnel and funds of his Department from other functions in order to insure the most expeditious handling of this operation.

" 'Within the limits of administrative discretion, the officers of the Department of State assigned to this program shall make every effort to simplify and to hasten the process of issuing visas. If necessary, blocs of visa numbers may be assigned to each of the emergency consular establishments. Each such bloc may be used to meet the applications filed at the consular establishment to which the bloc is assigned. It is not intended, however, entirely to exclude the issuance of visas in other parts of the world.

" 'Visas should be distributed fairly among persons of all faiths, creeds, and nationalities. I desire that special attention be devoted to orphaned children to whom it is hoped the majority of visas will be issued.

" 'With respect to the requirement of law that visas may not be issued to applicants likely to become public charges after admission to the United States, the Secretary of State shall cooperate with the Immigration and Naturalization Service in perfecting appropriate arrangements with welfare organizations in the United States which may be prepared to guarantee financial support to successful applicants. This may be accomplished by corporate affidavit or by any means deemed appropriate and practicable.

" 'The Secretary of war, subject to limitation imposed by the Congress on War Department appropriations, will give such help as is practicable in:

" '(A) Furnishing information to appropriate consular officers and immigrant inspectors to facilitate in the selection of applicants for visas; and

" '(B) Assisting until other facilities suffice in:

" '(1) Transporting immigrants to a European port;

" '(2) Feeding, housing and providing medical care to such immigrants until embarked; and

" '(C) Making available office facilities, billets, messes and transportation for Department of State, Department of Justice and United Nations Relief and Rehabilitation Administration personnel connected with this work, where practicable and requiring no out-of-pocket expenditure by the War Department and when other suitable facilities are not available.

" 'The Attorney General, through the Immigration and Naturalization Service, will assign personnel on duty in the American zones of operation to make the immigration inspections, to assist consular officers of the Department of State in connection with the issuance of visas and to take the necessary steps to settle the cases of those Allies presently interned at Oswego through appropriate statutory and administrative processes.

" 'The administration of the War Shipping Administration will make the necessary arrangements for water transportation from the port of embarkation in Europe to the United States, subject to the provision that the movement of immigrants will in no way interfere with the scheduled return of service personnel and their spouses and children from the European theater.

" 'The Surgeon General of the Public Health Service will assign to duty in the American zones of occupation the necessary personnel to conduct the mental and physical examinations of prospective immigrants prescribed in the immigration laws.'

"Ugo Carusi, Commissioner of Immigration and Naturalization, was designated by the President to serve as chairman of an interdepartmental committee, which includes representatives of the Department of State, War, and Justice, the War Shipping Administration, and the Public Health Service, to supervise the execution of President Truman's directive. Commissioner Carusi, accompanied by Howard K. Travers, Chief of the Visa Division of the State Department, and Dr. Ralph C. Williams, Assistant Surgeon General of the Public Health Service, has left for Europe to make arrangements for the speedy inauguration of the President's program.

"It is anticipated that officers of the State Department, the Public Health Service and the Immigration and Naturalization Service will be stationed in the American zone of occupation in Germany, to which immigration activities under the President's directive will be confined for the time being, in order to pass on the qualifications of prospective immigrants before they embark for the United States."

In connection with President Truman's plan for refugees, the Department of Justice furnished me with the following statistical table covering persons admitted under that plan:

TABLE 3.—*Displaced persons admitted to the United States under the President's directive of Dec. 22, 1945, by nationalities, April–October 1946*

Nationality:	
Albania	1
Austria	164
Belgium	2
Bulgaria	2
Czechoslovakia	174
Danzig	3
Estonia	34
Finland	3
France	1
Germany	1,450
Great Britain	1
Greece	2
Hungary	133
Latvia	113
Lithuania	134
Monaco	3
Netherlands	6
Norway	1
Poland	1,681
Rumania	27
Turkey	1
Union of Soviet Socialist Republics	54
Yugoslavia	60
Stateless	642
Iran	6
Costa Rica	1
Venezuela	1
Total	4,700

TABLE 4.—*Displaced persons admitted by country of last permanent residence*

Country of last residence:	
Albania	1
Austria	216
Czechoslovakia	106
Danzig	1
Estonia	2
France	2
Germany	4,048
England	5
Ireland (Eire)	2
Northern Ireland	2
Hungary	7
Iceland	1
Italy	5
Latvia	12
Liechtenstein	1
Lithuania	6
Norway	1
Poland	259
Rumania	2
Russia	15
Sweden	1
Yugoslavia	2
Russian possessions in Asia	1
Unknown	1
Total	4,700

TABLE 5.—*Displaced persons admitted to the United States under the President's directive of Dec. 22, 1945, by nationalities, April–October 1946*

Nationality:	
African (black)	2
Albanian	1
Armenian	6
Bohemian	174
Bulgarian	32
Croatian	33
Dutch and Flemish	10
Estonian	32
Finnish	9
German	1,599
Greek	5
Irish	1
Italian	2
French	3
Lithuanian	133
Magyar	138
Latvian	114
White	46
Polish	2,054
Rumanian	40
Russian	154
Ruthenian	28
Scandinavian	2
Slovak	19
Syrian	1
Turkish	1
Other peoples	59
Unknown	2
Total	4,700

In answer to items E and F, the Department of Justice furnished me with no information.

The question asked under item E was: "Where are they now?" i. e., where are the displaced persons who entered this country illegally?

The question asked under item F was: "How are displaced persons in this country being provided for and under what authority are they here?"

In answer to item G, the Department of Justice furnished me with the following statistical table:

Department of Justice, Immigration and Naturalization Service, Philadelphia—Aliens admitted as quota immigrants under sec. 5 of the Immigration Act of 1924, in years ended June 30, 1938–46, by countries of last permanent residence

Last residence	1938	1939	1940	1941	1942	1943	1944	1945	1946
Number admitted	42,494	62,402	51,997	36,220	14,597	9,045	9,394	11,623	29,095
Europe	35,590	56,500	45,554	25,206	10,640	4,561	4,146	5,203	14,338
Belgium	442	653	1,649	1,784	341	117	117	65	209
Bulgaria	108	116	76	126	15	2	6	2	3
Czechoslovakia	2,623	2,546	883	295	128	98	126	60	245
Denmark	328	285	223	233	73	98	55	37	176
Estonia	35	86	75	35	14	12	25	14	7
Finland	377	376	209	229	38	42	27	26	21
France	1,286	1,746	2,373	4,488	4,299	1,159	372	177	1,731
Germany	16,730	32,711	20,994	3,963	2,130	237	221	151	2,260
Great Britain:									
England	1,653	2,484	5,605	7,161	779	839	1,151	2,611	5,512
Scotland	275	216	224	275	43	59	27	124	394
Wales	26	32	40	50	17	2	11	49	112
Greece	359	414	389	204	160	224	221	171	78
Hungary	844	1,164	1,654	291	172	75	81	52	30
Ireland (Eire)	801	1,034	708	202	64	108	56	105	299
Italy	3,152	3,968	3,412	409	98	36	103	172	103
Latvia	106	152	264	86	24	18	23	12	24
Lithuania	255	255	228	197	47	40	32	18	11
Netherlands	665	1,207	1,997	777	131	73	68	46	92
Northern Ireland	127	68	67	55	13	31	37	235	345
Norway	476	424	406	341	62	60	114	53	178
Poland	1,859	2,535	568	391	305	361	272	174	280
Portugal	291	339	375	1,010	392	347	375	416	444
Rumania	230	291	251	104	59	43	68	71	7
Soviet Russia	46	35	23	35	47	29	37	11	61
Spain	221	153	144	226	184	209	252	125	153
Sweden	335	301	476	498	189	52	55	40	574
Switzerland	578	1,195	1,155	1,330	570	118	31	28	716
Yugoslavia	748	905	559	126	69	29	85	85	31
Other Europe	614	869	527	285	177	43	73	73	253
China	408	442	471	791	130	47	27	59	67
India	22	24	35	86	27	48	29	75	219
Japan	42	38	48	210	32	17	4	----------	7
Palestine	1,175	945	735	231	133	103	41	110	385
Syria	154	149	80	5	17	9	6	10	55
Other Asia	80	83	123	123	113	59	72	106	243
Africa	141	190	166	526	439	120	87	168	689
Australia	150	125	121	112	63	62	110	99	160
New Zealand	44	44	47	53	15	21	39	42	98
Philippine Islands	69	64	79	122	29	6	4	9	206
Other Pacific	15	8	19	56	37	40	31	24	34
America	4,604	3,790	4,519	8,699	2,922	3,952	4,798	5,718	12,595
Canada	2,631	1,736	1,796	2,292	1,565	2,071	2,563	2,006	2,961
Newfoundland	4	3	1	5	1	4	3	5	16
Mexico	385	295	308	662	133	131	152	172	776
British West Indies	437	337	327	305	114	359	766	1,655	1,512
Cuba	657	934	1,331	3,081	508	1,002	699	647	885
Dominican Republic	22	13	21	111	41	31	49	79	165
Other West Indies	31	16	53	126	42	43	63	147	271
Central America	86	81	194	587	79	49	129	137	302
South America	348	365	486	1,524	432	257	374	424	1,116
Other America	3	10	2	6	7	5	----------	446	4,589

In an effort to discover exactly what had been done under the President's directive of December 22, 1945, giving preference to displaced persons in immigration quotas, I asked the State Department to furnish me with a statistical table of immigration visas issued under the directive broken down according to the country of birth of the immigrant and his race.

I also asked the State Department to advise me concerning the scope and the operation of the program.

In reply I received a letter from Mr. G. J. Haering, Chief, Visa Division, under date of December 18, 1946, which letter is submitted herewith.

"MY DEAR SENATOR REVERCOMB: In reply to your request of December 12, 1946, for certain information on visa issuances to displaced persons, I take pleasure in transmitting the following information and accompanying statistics.

"1. Under date of December 22, 1945, the President issued a directive in regard to the immigration into the United States of displaced persons resident in the American zones of occupation in Germany and Austria. A copy of that directive with its covering press release is enclosed.

"There is also enclosed a copy of the President's communication of May 25, 1946, to the Secretary of State in regard to the extension of the program for the issuance of visas to displaced persons. The President's approval of October 31, 1946, of the prospective admission of a small group of Estonians who arrived in the United States during the current year in small boats may likewise be mentioned in this connection.

"2. Upon the issuance of the President's directive of December 22, 1945, the Department arranged for the establishing of emergency consular offices in the American zones of occupation in Germany to issue immigration visas to displaced persons in those zones. A committee consisting of representatives of the Department of State, War Department, Public Health Service, and Immigration and Naturalization Service proceeded to Germany and Austria in January to coordinate these consular facilities with arrangements by the Army, War Shipping Administration, and United Nations Relief and Rehabilitation Administration for assembling, screening, and the transportation of displaced persons. Arrangements were also made for the use of corporate affidavits of support of certain voluntary welfare agencies to meet the public charge provisions of the immigration laws and regulations in the cases of displaced persons. The President's directive of December 22, 1945, provided for the use of such corporate affidavits as were approved by the Attorney General.

"Actual visa issuances to displaced persons commenced in the American zones of occupation of Germany and Austria at the end of March. Owing to the necessity of dealing simultaneously with the repatriation of American citizens and as a consequence of other limitations, difficulties were encountered in maintaining consular staffs at sufficient strength to deal with visa activities. In the distribution of visas among displaced persons of the various faiths and creeds, as provided for in the President's directive, the consulates have been confronted by the following circumstances:

"(a) All displaced persons must be qualified for admission into the United States under the immigration laws and regulations, including the so-called public charge provisions of the law. The slowness of most non-Jewish welfare agencies in providing any considerable number of affidavits and of establishing adequate staffs of their representatives in the field to deal with cases requiring evidence to meet the provisions of the law naturally affected the number of non-Jewish cases which could qualify in early months of the distribution of visas to displaced persons. In contrast, Jewish organizations had large staffs and thousands of affidavits of support available at the very beginning of the program and they were therefore in a position to take up any balance of monthly quotas for which non-Jewish applicants were not available by virtue of a lack of adequate documentation concerning support.

"(b) A large proportion of some non-Jewish groups had a Volksdeutsch status under the Nazi regime and their Army security screening was thereby affected.

"(c) For obvious reasons, the majority of the persons qualifying under the German and Austrian quotas would be Jewish persecutees.

"In combination, these circumstances have resulted in creating a majority of Jewish immigrants among the displaced persons covered by consular reports on visas issued thus far. However, an increase in the volume of affidavits of support for non-Jewish immigrants is bringing about a continually rising percentage of visa issuances to displaced persons of non-Jewish faiths.

"3. The attached statistics are a summary of data contained in consular reports covering the issuance of immigration visas in 1946 through the month of October. Included in these figures are visa issuances to 504 persons in the Santa Rosa camp.

"It may be added by way of explanation that not more than 10 percent of the annual quota for a country may be issued monthly except in quotas of less than 300. The principal quotas involved have been those of Germany and Central European countries totaling approximately 39,000 numbers per fiscal year inclusive of the German quota of 25,957. The number of persons qualified for displaced persons status under the German quota has been far less than the supply of German quota number, and of course, this has resulted in a proportional reduction of the possible maximum of displaced persons who could receive quota visas under the President's directive. This maximum has been further reduced by the legal requirement that quota numbers must be allotted to aliens entitled to preference under section 6 of the act of 1924, as amended, regardless of whether they are displaced, and to aliens to whom the provisions of section 19 (c) of the 1917 act are applied.

"The quotas shown in the enclosed statistics represent the countries of birth of the aliens with few exceptions applicable chiefly to minor children accompanying their parents.

"I hope that the material contained in this letter and its enclosures will prove to be of service to you.

"Sincerely yours,

"G. J. HAERING,
"Chief, Visa Division."

The State Department has also provided me with a copy of Mr. Truman's letter to Mr. Byrnes, Secretary of State, under date of May 25, 1946, in regard to the extension of the program for the issuance of visas to displaced persons, which letter follows:

"MY DEAR MR. SECRETARY: I have been advised that the State Department has requested, and the Bureau of the Budget has approved for inclusion in the third deficiency appropriation bill, an item of approximately $1,600,000,000 for use in connection with immigration to the United States of displaced persons and refugees in Europe. I have approved the appropriation requested and trust that it will be enacted by the Congress.

"You will recall that on December 22, 1945, I issued a directive on the subject of immigration, in which I stated, among other things:

" 'The decision has been made, therefore, to concentrate our immediate efforts in the American zones of occupation in Europe. This is not intended, however, entirely to exclude issuance of visas in other parts of the world.

" 'In our zones in Europe there are citizens of every major European country. Visas issued to displaced persons and refugees will be charged, according to law, to the countries of their origin. They will be distributed fairly among persons of all faiths, creeds, and nationality.'

"I have been informed that 90 percent of the nonpreference quotas are now being allocated to displaced persons in American zones of occupation in Europe, which means that many persons in other countries are denied the opportunity to emigrate to the United States, even though eligible to enter.

"It is my view that the State Department should now give serious consideration to lessening the allocation to the American occupied zones, thus enabling displaced persons in other areas, as well as eligible persons residing in their native countries, to enter the United States under the nonpreference quotas.

"Very sincerely yours,

"HARRY TRUMAN."

The State Department likewise furnished me with the following statistical table concerning immigration visas issued to displaced persons through October 31, 1946, under the President's directive:

Immigration visas issued to displaced persons in 1946 through Oct. 31

(Based on consular reports received in the Department of State by Nov. 30, 1946)

Quotas:	
Albania	2
Australia	1
Austria	349
Belgium	20
Bulgaria	17
China	5
Chinese	1
Czechoslovakia	466
Danzig	31
Denmark	1
Egypt	1
Estonia	49
Finland	11
France	22
Germany	2,914
Great Britain	2
Greece	2
Hungary	226
Iran	8
Iraq	1
Ireland	2
Italy	7
Japan	5
Latvia	134
Lithuania	172
Luxemburg	1
Netherlands	16
Norway	3
Palestine	1
Poland	[1] 3,705
Rumania	87
Spain	1
Switzerland	4
Turkey	4
Union of S. S. R.	892
Yugoslavia	187
Nonquota	[2] 324
Total	9,174
Faiths:	
Catholics	1,669
Jews	6,032
Protestants	1,039
Others	434
Total	9,174

[1] Includes visas issued to Polish refugees in Santa Rosa.

[2] Covers wives and unmarried minor children of American citizens.

UNITED NATIONS' ACTION ON DISPLACED PERSONS

The United Nations Assembly at the recent meeting in New York adopted a resolution on December 15, 1946, to bring into being a constitution under which the International Refugee Organization is to be created to deal with displaced persons. The terms of the resolution provide that the organization is to become effective on signature by the delegates in the United Nations Assembly either with or without reservation as to subsequent legislative acceptance.

I am advised by Mr. Philip Burnett, of the Division of International Affairs of the State Department, that this constitution has been signed by the Honorable Warren R. Austin, our representative, with reservation as to subsequent legislative acceptance.

This means that the resolution will be submitted to the Congress of the United States for approval or rejection.

When the representatives of 15 member nations have signed the constitution it then becomes effective subject to its adoption by the governments of the respective countries.

The constitution creating this United Nations authority on displaced persons would empower that organization, in summary, to deal with displaced persons as to (1) feeding and clothing them; (2) repatriation, that is, return of them to their countries of origin; and (3) resettlement of them.

Resettlement means placing them in other lands. Therefore this question of settlement or entry into this country of displaced persons will be brought before the Congress whenever the plan is submitted for legislative acceptance.

Whether or not the United Nations (or its agent International Refugee Organization) will be given authority to override the immigration laws of this country will depend upon the authority granted the International Refugee Organization when the Congress acts upon the plan which must be submitted to it.

Mr. Burnett, of the Division of International Affairs of the State Department, advises me that it is the position of the State Department that there is not any provision in the United Nations' general constitutional powers that would permit that organization to override the immigration laws of this country without the specific authorization and consent of the Congress.

I am filing with the original copy of this report a copy of the resolution creating the International Refugee Organization and a copy of the Financial and Budgetary Questions Relating to the International Refugee Organization.

These two documents are too lengthy to write into this report with convenience.

Thus, we see that the United Nations Organization is proceeding to take over control of displaced persons. But the extent of its power to place and settle such persons in this country will depend upon the authority given it by Congress on the subject.

The policy upon immigration is still for the Congress.

AMERICAN LEGION'S POSITION

I am advised by the National Headquarters of the American Legion at Washington, D. C., that at its national convention this year that organization passed a resolution dealing with the subject of our immigration laws. The position taken in that resolution may be summarized as follows: The American Legion is opposed to any change in the quota as now provided under our immigration laws, and also opposes admitting persons of other countries under any unused quotas.

The American Legion is composed of veterans of the armed services who saw service in the First and Second World Wars and has a membership of approximately four million.

VETERANS OF FOREIGN WARS POSITION

I am advised by the Washington Office of the Veterans of Foreign Wars that that organization passed a resolution at its national convention this year urging that all immigration into the United States for all quotas be stopped completely for a period of 10 years.

The Veterans of Foreign Wars has a membership of approximately two million veterans.

SUMMARY

From the data contained herein the following summary facts appear:

1. In 1940 there were 5,009,857 registered aliens in this country, that is 5,009,857 persons who had not become citizens. Note: Under our present immigration laws 153,912 persons may legally enter the United States annually under complete filling of all quotas.

2. There are approximately 1,250,000 displaced persons including ex-enemies, but not German refugees, in the American, British, and French occupied zones in Europe.

3. The number of such persons in the Russian zone is not known.

4. It has long been State Department procedure to establish priorities for nonpreference immigrants on a first-come first-served basis.

On December 22, 1945, however, President Truman, by direction, abolished this procedure and gave priority of admittance to displaced persons in the American zones in Europe.

Under date of May 25, 1946, the President advised the Secretary of State that serious consideration should be given to lessening the allocation to American occupied zones, that displaced persons in other areas and eligible persons residing in their native countries could be taken into the United States under nonpreference quotas.

(NOTE.—The effect of the Presidential directive was, naturally, to cut off those on the waiting lists in their native countries from receiving visas, and also to cause a great rush into the American occupied zones of those who desired to come to America.)

Nine thousand one hundred and seventy-four visas were issued displaced persons in the American zones in Germany and Austria between January 1, 1946, and October 31, 1946.

The number of aliens admitted on visas from everywhere in 1946 to October 31 was 44,154, plus 4,903 under section 19 (c) of the 1917 act.

5. A number of persons who have reached this country illegally during the war have been admitted as quota immigrants, visas being issued to them after they entered here. This, of course, has excluded some who could have entered legally. Note: The number of these persons has not been furnished to date, although requested of the Department of Justice. This point should be made the subject of inquiry.

6. The United States Army has accepted into its occupied zones all persons who can present a plausible claim that they are persecuted for racial or religious reasons, or have political beliefs favorable to the allies.

7. Displaced persons are furnished a basic ration of 2,000 calories per day, and persecutees receive an extra 200 calories. By comparison the German population receives 1,550 calories daily. According to the Meader report all age groups in both sexes of displaced persons are overweight.

8. The United Nations has moved to take over the feeding, clothing, repatriation, and resettlement of all displaced persons. The representative of the United States, Hon. Warren A. Austin, has signed approval of such power subject to legislative action of his Government. Therefore, the Congress will determine to what extent the United Nations Organization known as International Refugee Organization may resettle displaced persons in this country.

CONCLUSION

The question squarely confronts this Government as to whether it will retain its present policy on the admission of persons to this country expressed in existing statutes, or whether it will change that policy so as to permit increased immigration or further restrict immigration.

This subject may come before the Congress upon a bill dealing directly with a change in the immigration laws or it may be presented when the Congress is asked to act upon the resolution of the United Nations Assembly setting up an organization to deal with displaced persons and to define the powers of that organization.

There are many phases to the problem.

During the war years none of the immigration quotas were filled. Some of those who advocate the entry of larger numbers of displaced persons suggest that we cumulate these past unused quotas and permit entry under them now. This would require a change in the present statutes under which quota entry is based upon yearly periods and even upon monthly limitations—as not more than 10 percent of the annual quota can be admitted in any 1 month.

It is doubtful that a number of countries will use their quotas for entry here this year and during subsequent years, notably the United Kingdom and some north European countries. It has been suggested that these current unused quotas be filled with displaced persons regardless of nationality. To follow such a suggestion would of course break down the whole quota system and completely do away with the present plan of allotments by countries and the policy of national origins. Any such plan would require amendment of the present law.

One of the most important considerations is that of economic result to this country. With today's starved market and need for replacements, there is full opportunity of employment. The time may come, however, when this market has been satisfied and production will be lessened and unemployment becomes a critical question. The addition to this population of any considerable number of persons would naturally add to the problem of unemployment whenever it may arise.

The political aspect of the situation cannot be overlooked. Many of those who seek entrance into this country have little concept of our form of government. Many of them come from lands where communism has had its first growth and dominates the political thought and philosophy of the people. Certainly it would be a tragic blunder to bring into our midst those imbued with a communistic line of thought when one of the most important tasks of this Government today is to combat and eradicate communism from this country.

The point of whether these displaced persons who are undesired in their own country, and who for some reason have made themselves undesirable, or who from their own choice are not willing to attempt to get along with their own governments, should be brought into this country to dwell among our people, is worthy of study.

Another point to be given consideration is whether we should accept people who are unwilling to accept the now dominant political policies of their own countries, and take the chance of dealing with them here among us. In other words, will we take the position that they should work out with their own peoples and their own governments their own situations in Europe until such time as they may come here under our present immigration laws, or shall we bring them here to work out their problems in this land.

We cannot ignore the distressing plight of many of these people who suffer as a result of the ravages of war. But, in helping them, should aid be given to them in Europe to reestablish themselves there, in or near to their native lands, or should we permit them to come into this country in large numbers and have our people assume the burden of caring for and directing them here?

No step should be taken at the price of probable economic or political turmoil in our own midst.

Our position should be taken squarely upon what is best for this country.

This does not mean that we ignore the plight of distressed people anywhere. Their needs should be met with great liberality. But it does mean that we cannot ignore our paramount duty to the people of this country to do what is best for them within the bounds of right and to keep secure the strength and progress of the Nation.

Respectfully submitted.

CHAPMAN REVERCOMB.

DECEMBER 30, 1946.

Mr. REVERCOMB. Mr. President, I deeply appreciate the patience of those who have heard me upon this subject. I feel that indeed at this time it was well to discuss and review the subject of immigration. I hope that the amendment which has been offered will be adopted, because I believe that it closes the door to any attempt to take from Congress its powers over the immigration laws. That is the purpose of it; that is the intent of it, and if it is made a part of this resolution I believe that then we may safely proceed knowing that any step taken must first receive the prior approval of the Congress of the United States.

I was glad indeed to hear the proponent of the resolution, the able Senator from Michigan [Mr. VANDENBERG] say that it was what he wanted, that he wanted this power left in the Congress.

I now ask that this amendment be adopted and made a part of the resolution.

The PRESIDING OFFICER (Mr. BALDWIN in the chair). The question is upon agreeing to the amendment offered by the Senator from West Virginia [Mr. REVERCOMB] for himself and the Senator from Nevada [Mr. MCCARRAN].

Mr. DONNELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DONNELL. Is an amendment to the amendment offered by the Senator from West Virginia in order at this time?

The PRESIDING OFFICER. It is not. The question is on agreeing to the amendment offered by the Senator from West Virginia and the Senator from Nevada in the nature of a substitute for the first committee amendment, on page 1, beginning in line 9.

The amendment to the amendment was agreed to.

Mr. DONNELL. Mr. President, I renew my parliamentary inquiry. Is an amendment to the Revercomb amendment in order at this time?

The PRESIDING OFFICER. The Chair rules that an amendment to other parts of the joint resolution would be in order, but not an amendment to the amendment offered by the Senator from West Virginia.

Mr. DONNELL. May I inquire of the Chair if he is able to state at this time at what period in the proceedings such an amendment will be in order?

The PRESIDING OFFICER. As soon as the committee amendment is agreed to the joint resolution will be subject to further amendment.

Mr. DONNELL. I thank the Chair.

The PRESIDING OFFICER. Without objection the committee amendment as amended is agreed to.

Mr. REVERCOMB. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. REVERCOMB. As I understand, the substitute which I offered on behalf of the Senator from Nevada [Mr. MCCARRAN] and myself has been adopted and made a part of the joint resolution.

The PRESIDING OFFICER. The Senator is correct.

Mr. REVERCOMB. I do not know of any other committee amendments.

Mr. VANDENBERG. Mr. President, there is one other committee amendment.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The LEGISLATIVE CLERK. On page 3, after line 3, it is proposed to strike out:

SEC. 3. There is hereby authorized to be appropriated annually to the Department of State such sums as may be necessary.

And insert:

SEC. 3. There is hereby authorized to be appropriated to the Department of State such sums not to exceed $75,000,000 for the fiscal year beginning June 30, 1947, as may be necessary.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. DONNELL. Mr. President, am I correct in my understanding that amendments are now in order?

The PRESIDING OFFICER. The Chair so rules.

Mr. DONNELL. I offer the amendment which I send to the desk. It is an amendment to the amendment previously offered by the Senator from West Virginia, and I should like to be heard briefly upon it. I ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 2, of the Revercomb amendment, after the words "other person", it is proposed to insert "an acceptance of the constitution of the Organization by or on behalf of the Government of the United States shall not constitute or authorize action."

The PRESIDING OFFICER. The Chair rules that the amendment is not in order, unless it is an amendment directed to the joint resolution as it now stands amended.

Mr. DONNELL. I offer it in that form, Mr. President. May I address myself to the amendment?

The PRESIDING OFFICER. The Chair rules that the amendment offered by the Senator from Missouri is out of order. The only circumstances under which his amendment could be in order would be if the amendment offered by the Senator from West Virginia [Mr. REVERCOMB] were voted down. The amendment offered by the Senator from West Virginia was an amendment in the second degree.

Mr. DONNELL. Now that the amendment offered by the Senator from West Virginia has been adopted it becomes a part of the bill, does it not?

Mr. VANDENBERG. Mr. President, will the Senator yield? I think I may be able to help the Senator.

Mr. DONNELL. I am very happy to do so.

Mr. VANDENBERG. If I correctly understand the amendment, I have no objection to it; and in order to facilitate action I ask unanimous consent that the amendment of the Senator from West Virginia be perfected by the acceptance of the amendment proposed by the Senator from Missouri.

The PRESIDING OFFICER. If there is no objection, the amendment offered by the Senator from Missouri [Mr. DONNELL] will be agreed to by unanimous consent.

Mr. REVERCOMB. I have no objection, Mr. President.

The PRESIDING OFFICER. Without objection, the amendment of the Senator from West Virginia [Mr. REVERCOMB] is perfected by the amendment offered by the Senator from Missouri [Mr. DONNELL].

Mr. DONNELL. I very much appreciate the courtesy of the senior Senator from Michigan and that of the Senator from West Virginia.

Mr. VANDENBERG. Mr. President, may we have a final vote on the joint resolution?

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution (S. J. Res. 77) was ordered to be engrossed for a third reading, read the third time, and passed.

The joint resolution, as passed, is as follows:

Joint resolution providing for membership and participation by the United States in the International Refugee Organization and authorizing an appropriation therefor

Resolved, etc., That the President is hereby authorized to accept membership for the United States in the International Refugee Organization (hereinafter referred to as the "Organization"), the constitution of which was approved in New York on December 15, 1946, by the General Assembly of the United Nations, and deposited in the archives of the United Nations: *Provided, however*, That this authority is granted and the approval of the Congress of the acceptance of membership of the United States in the International Refugee Organization is given upon condition and with the reservation that no agreement shall be concluded on behalf of the United States and no action shall be taken by any officer, agency, or any other person and acceptance of the constitution of the Organization by or on behalf of the Government of the United States shall not constitute or authorize action (1) whereby any person shall be admitted to or settled or resettled in the United States or any of its Territories or possessions without prior approval thereof by the Congress, and this joint resolution shall not be construed as such prior approval, or (2) which will have the effect of abrogating, suspending, modifying, adding to, or superseding any of the immigration laws or any other laws of the United States.

SEC. 2. The President shall designate from time to time a representative of the United States and not to exceed two alternates to attend a specified session or specified sessions of the general council of the Organization. Whenever the United States is elected to membership on the executive committee, the President shall designate from time to time, either from among the aforesaid representative and alternates or otherwise, a representative of the United States and not to exceed one alternate to attend sessions of the executive committee. Such representative or representatives shall each be entitled to receive compensation at a rate not to exceed $12,000 per annum for such period or periods as the President may specify, except that no member of the Senate or House of Representatives or officer of the United States who is designated as such a representative shall be entitled to receive such compensation.

SEC. 3. There is hereby authorized to be appropriated to the Department of State such sums not to exceed $75,000,000 for the fiscal year beginning June 30, 1947, as may be necessary—

(a) for the payment of United States contributions to the Organization (consisting of supplies, services, or funds and all necessary expenses related thereto) as determined in accordance with article 10 of the constitution of the Organization; and

(b) for additional expenses incident to participation by the United States in the activities of the Organization, including: (1) Salaries of the representative or representatives and alternates provided for in section 2 hereof, and appropriate staff, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and the Classification Act of 1923, as amended; (2) travel expenses without regard to the Standardized Government Travel Regulations, as amended, the Subsistence Expense Act of 1926, as amended, and section 10 of the act of March 3, 1933, as amended (U. S. C., 1940 ed., title 5, sec. 73b), and, under such rules and regulations as the Secretary of State may prescribe, travel expenses of families and transportation of effects of United States representatives and other personnel in going to and returning from their post of duty; (3) allowances for living quarters, including heat, fuel, and light, as authorized by the act approved June 26, 1930 (U. S. C., 1940 ed., title 5, sec. 118a), and similar allowances for persons temporarily stationed abroad; (4) cost-of-living allowances under such rules and regulations as the Secretary of State may prescribe, including allowances to persons temporarily stationed abroad; (5) services as authorized by section 15 of Public Law 600, Seventy-ninth Congress; (6) official entertainment; (7) local transportation; and (8) printing and binding without regard to section 11 of the act of March 1, 1919 (U. S. C., 1940 ed., title 44, sec. 111), or section 3709 of the Revised Statutes, as amended (U. S. C., 1940 ed., title 41, sec. 5).

SEC. 4. (a) Sums from the appropriations made pursuant to paragraph (a) of section 3 may be transferred to any department, agency, or independent establishment of the Government to carry out the purposes of such paragraph, and such sums shall be available for obligation and expenditure in accordance with the laws governing obligations and expenditures of the department, agency, independent establishment, or organizational unit thereof concerned, and without regard to sections 3709 and 3648 of the Revised Statutes, as amended (U. S. C., 1940 ed., title 41, sec. 5, and title 31, sec. 529).

(b) Upon request of the Organization, any department, agency, or independent establishment of the Government (upon receipt of advancements or reimbursements for the cost and necessary expenses) may furnish supplies, or if advancements are made may procure and furnish supplies, and may furnish or procure and furnish services, to the Organization. When reimbursement is made it shall be credited, at the option of the department, agency, or independent establishment concerned, either to the appropriation, fund, or account utilized in incurring the obligation, or to an appropriate appropriation, fund, or account which is current at the time of such reimbursement.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

DONATIONS BY NAVY DEPARTMENT TO NONPROFIT INSTITUTIONS AND ORGANIZATIONS

The PRESIDENT pro tempore laid before the Senate a letter from the Secretary of the Navy, reporting, pursuant to law, a list of institutions and organizations, all nonprofit and eligible, which have requested donations from the Navy Department, which was referred to the Committee on Armed Services.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint memorial of the Legislature of the State of Utah; to the Committee on Labor and Public Welfare:

"House Joint Memorial 7

"Joint memorial to the Military Affairs Committees of the Congress of the United States of America urging the transfer of certain land and buildings on the Military Reservation of Fort Douglas, Utah, to the Federal Administrator of the Veterans' Administration

"Be it resolved by the Legislature of the State of Utah:

"Whereas the ending of hostilities has brought to an end the greatest war of all times and more than sixty-five thousand sons and daughters of the great State of Utah have returned to their loved ones and to take up their citizenry in this State; and

"Whereas these veteran citizens have, in their efforts to become rehabilitated and use the service of the Veterans' Administration, confronted many delays and much unnecessary travel to get the benefits to which they are entitled, because the regional Veterans' Administration offices are so isolated from the city and so separated as to cause much delay and hardships; and

"Whereas the present location of the regional manager's office of the Veterans' Administration is in temporary quarters, provided by semipermanent office buildings located some 6½ miles from the business section of Salt Lake City at the emergency war industry of Remington Small-Arms Ammunition Plant; and

"Whereas said buildings, facilities, communications and transportation are insufficient and inadequate to provide proper service to our veterans, and the structures do not have sufficient space to provide for present requirements, are not properly arranged for economic or efficient operation, are not of permanent construction, are not safe from fire hazards, and are too far isolated from other related operating agencies of both Federal and State units; and

"Whereas the cost to rearrange space, construct required addition, furnish necessary facilities and correct fire hazards and to provide permanent quarters is not within economic justification; and

"Whereas the present arrangement of splitting the administration's personnel, having four sections in the business section of Salt Lake City, with approximately 150 employees of the training division separated from the chief of the division and managers of other various departments, places a great burden of delay and confusion upon the many functions of the administrative and operating units of the managers' responsibilities; and

"Whereas the manner of conducting the affairs of the many units by present communication system and transportation is entirely unsatisfactory, and the handling of mail, communications, and files between these units results in serious delay to final action and service to our veterans; and

"Whereas the inadequacies of the present arrangements seriously impair the operations, supervision, and training of personnel required of the regional manager and further deprives the veterans of services they expect and are entitled to; and

"Whereas the United States Army military post at Fort Douglas, Utah, provides sufficient space for all present forces and for any reasonable expansion; building and facilities are much more adequate and suitable and may be rearranged to provide satisfactory facilities for all the manager's personnel at a minimum cost; the communications trunk system is of sufficient capacity to provide suitable services; there is ample building space available to furnish suitable offices for other State and Federal agencies having relations with the Veterans' Administration that could be moved to this location and further the economic operation of such agencies; and

"Whereas the post is now operated on a standby status and the military personnel assigned there is not of a number to economically justify the use of the many buildings, quarters, and other facilities at their disposal; and

"Whereas a plot of ground in the southwest corner of said reservation has been transferred to the Veterans' Administration and there will be constructed thereon a 500-bed veterans' hospital during the year 1947; and

"Whereas having this hospital on said reservation will further enhance the value and economy of having the Veterans' Administration administrative and operating units consolidated in one area; and

"Whereas the present veterans' hospital has always had and does now have a waiting list of general medical and surgical cases and this unsatisfactory condition could be alleviated by the use of the present Fort Douglas post hospital and facilities not now being used; and

"Whereas it is most desirable to bring all medical activities as near the Utah State Medical School as possible, to assure that the best talent is accessible and available for our disabled veterans. This could be accomplished if the Veterans' Administration was permitted to occupy the post hospital facilities previously requested from the War Department: Be it therefore

"Resolved by the Twenty-seventh Legislature of the State of Utah in session assembled, being fully mindful of the manifold problems confronting your honorable body, That necessary action will be taken immediately to transfer from the jurisdiction and custody of the United States Army to the jurisdiction and custody of the United States Veterans' Administration agency, administrator of all the property, land, and buildings, with their operating equipment, all situated within the boundaries of the United States military reservation known as Fort Douglas, Utah, as set forth in the Veterans' Administration request to the War Department Commanding General of the Sixth Army at Presidio, Calif., dated approximately August 1, 1946; Be it further

"Resolved, That the secretary of the State of Utah forward copies of this memorial to the congressional delegation from the State of Utah, the President of the United States Senate, the Speaker of the United States House of Representatives, and to members of the Military Affairs Committee of the United States Congress."

By Mr. MURRAY:

A joint memorial of the legislature of the State of Montana; to the Committee on Finance:

"Senate Joint Memorial 6

"Joint memorial to the Congress of the United States requesting legislation to grant certain servicemen and veterans who have been prisoners of war the benefits of section 251 of the Internal Revenue Code

"To the honorable Senate and House of Representatives of the United States in Congress assembled:

"Whereas section 251 of the Internal Revenue Code exempts military personnel who served in possessions of the United States from payment of income tax; and

"Whereas no exemption is made in the case of military personnel who were made prisoners of war while in a possession of the United States and who were removed therefrom by the enemy;

"Now, therefore, we petition you, that legislation be enacted such as H. R. 6541 and S. 1958 of the second session of the Seventy-ninth Congress, or other legislation, making section 251 of the Internal Revenue Code applicable to servicemen and veterans who were made prisoners of war while in a possession of the United States and who were removed therefrom by the enemy.

"It is hereby directed that copies of this joint memorial be sent to the Honorable Harry Truman, President of the United States, to the President of the Senate, and the Speaker of the House of Representatives of the United States and to each of the Members of the Senate and House of Representatives from Montana."

(The PRESIDENT pro tempore laid before the Senate a joint memorial of the legislature of the State of Montana, identical with the foregoing, which was referred to the Committee on Finance.)

A joint memorial of the legislature of the State of Montana; to the Committee on Agriculture and Forestry:

"Senate Joint Memorial 10

"Joint memorial of the Senate and the House of Representatives, of the State of Montana, to the Congress of the United States, requesting the continuation of the present Commodity Credit Corporation wool-purchase program and requesting price support for wool

"To the Honorable Senate and House of Representatives of the United States in Congress Assembled:

"Whereas the State Department is now giving consideration to a further reduction of duties on apparel wool; and

"Whereas probably no agricultural commodity has been so adversely affected by war as the domestic wool-growing industry; and

"Whereas there was a carry-over of apparel wool in this country on January 1, 1947, of about a billion pounds regardless of the fact that consumption of wool in the United States during the past 5 years has been maintained on a plane about 35 percent greater than prewar averages; and

"Whereas about 75 percent of all apparel wool consumed in the United States in 1945 and 1946 was of foreign origin; and

"Whereas the operation of present duties and national administration policy has resulted in every apparel-wool-producing country of the world using our markets as a dumping ground; and

"Whereas this national policy will, if continued, inevitably liquidate the domestic wool-growing industry as evidenced by the 33-percent loss in sheep numbers nationally and the over 50-percent loss in sheep numbers in Montana in the last 5 years: Now, therefore, be it

"Resolved by the Thirtieth Session of the Legislative Assembly of the State of Montana (the senate and house of representatives concurring), that Congress request the Secretary of Agriculture to immediately announce the continuation of the present Commodity Credit Corporation wool-purchase program for the 1947 wool clip on the basis of not less than 90 percent of comparable price of January 15, 1947.

"That, pending an increase in tariff, enactment of legislation to establish a comparable price for wool and lambs, to declare wool a Steagall commodity for price support of not less than 90 percent of the comparable price, for 2 years following January 1, 1947; and

"That, Congress grant permission to the Commodity Credit Corporation to sell domestic wool under their jurisdiction at a price competitive with foreign duty-paid wool; be it further

"Resolved, That copies of this memorial be forwarded by the secretary of the senate to the Presiding Officer of the United States Senate, to the Speaker of the House of Representatives of the United States, to the Secretary of Agriculture, to the Secretary of State, and to the Senators and Representatives in Congress from this State."

(The PRESIDENT pro tempore laid before the Senate a joint memorial of the Legislature of the State of Montana, identical with the foregoing, which was referred to the Committee on Agriculture and Forestry.)

A joint memorial of the Legislature of the State of Montana; to the Committee on Agriculture and Forestry:

"House Joint Memorial 11

"Joint memorial addressed to each member of the Montana delegation in Congress of the United States and to the Honorable J. A. Krug, Secretary of the Interior, relating to predatory animals and urging that the Federal Government allocate more money to assist in bringing said predatory animals under control

"Whereas in the State of Montana there is approximately 35 percent of our land area which is held by the Federal Government in proprietary or trustee capacity for Indian reservations, forest reserves, wild animal refuges, grazing lands, military reservations, and for other governmental purposes and objects; and

"Whereas the livestock industry of the State of Montana is suffering large losses each year because of the large number of predatory animals which attack and kill livestock upon the public ranges in the State; and

"Whereas the numbers of said predatory animals have increased to a considerable extent in recent years, due partially to the fact that said animals are protected in national parks and in game refuges, and that by reason thereof said livestock growers are facing a serious situation; and

"Whereas the State, counties, grazing organizations and stockmen of the State of Montana are spending between $200,000 and $300,000 annually for the purpose of bringing said predatory animals under control, and the Federal Government expends or contributes approximately $40,000 annually to assist in the control of said predatory animals: Now, therefore, be it

"Resolved by the House of Representatives of the State of Montana (the senate concurring), That we respectfully urge that the Department of the Interior increase the allocation of moneys to be expended for the control of predatory animals in the State of Montana to the sum of $100,000 per annum, and that the necessary steps be taken to decrease the number of predatory animals in the national parks and the game refuges where said predatory animals are now protected; be it further

"Resolved, That copies of this memorial be forwarded by the secretary of state of the State of Montana to the Honorable JAMES E. MURRAY and ZALES N. ECTON, Senators from the State of Montana, and to the Honorable MIKE MANSFIELD, Congressman from the First Congressional District, and to the Honorable WESLEY A. D'EWART, Congressman from the Second Congressional District, and to the Honorable J. A. Krug, Secretary of the Interior of the United States of America, with the urgent request that each use every effort to accomplish the object and purpose herein set forth."

A joint memorial of the Legislature of the State of Montana; to the Committee on Appropriations:

"Senate Joint Memorial No. 12

"Joint Memorial to the Congress of the United States requesting the appropriation of funds for the completion of construction of that portion of the Broadus-Crow Agency Highway known as State Route No. 8, lying within the northern Cheyenne Indian Reservation between Ashland and Lame Deer, Mont.

"To the Honorable Senate and House of Representatives of the United States in Congress assembled:

"Whereas the Broadus-Crow Agency Highway running from Broadus, Powder River County, Mont., to Crow Agency, Big Horn County, Mont., known as State Route No. 8, was long ago accepted by the Montana State Highway Commission and the United States Department of Agriculture as a part of the 7 percent Federal highway system; and

"Whereas this highway runs approximately 88 miles through Federal lands, namely: the northern Cheyenne Indian Reservation, the Crow Indian Reservation and the Custer National Forest and the remainder of 22 miles is Federal-aid highway outside of any reservation; and

"Whereas, the Indian Department and the United States Forestry Service have asked for the construction of the highway as a necessity for the proper administration of their work and the development of the Indian lands and the preservation of the forests; and

"Whereas, this highway will open up and cause to be developed a large territory of rich agricultural, stock-raising, lumber, and mineral lands which has remained largely dormant because of inadequate transportation facilities, and thus will add much to the State's wealth, and help the Indians of this section to be more nearly self-supporting; and

"Whereas the territory to be traversed is of wonderful natural scenic beauty, and historical interest and especially attractive to tourists; and

"Whereas this highway shortens the distance from the Black Hills and the central West to our National Parks by more than 100 miles and will prove a great feeder highway, bringing in tourists in great numbers to our State; and

"Whereas said highway has not been constructed except about 20 miles between Ashland and Lame Deer, Mont., which stretch of proposed highway lies within the Northern Cheyenne Indian Reservation and for which no money has as yet been appropriated by the United States; and

"Whereas the portion of this highway already constructed will have been hard-surfaced when contracts already let or about to be let have been completed, leaving only the 20 miles above described as yet unbuilt and unfit for travel; and

"Whereas said highway is considered by the State of Montana to be of such importance that the Montana Highway Commission has spent $100,000 thereon which is unmatched by Federal funds; and

"Whereas the unconstructed portion makes the use of the entire highway difficult or impossible; therefore be it

"Resolved by the Senate of the State of Montana (the house of representatives concurring), That the Congress of the United States be requested to appropriate funds for the construction of the portion of the Broadus-Crow Agency highway, known as State Route No. 8, lying between Ashland and Lame Deer, Mont., within the Northern Cheyenne Indian Reservation; be it further

"Resolved, That copies of this Memorial be forwarded to each of the Senators and Members of the House of Representatives from Montana in the Congress, to Thomas H. MacDonald, Commissioner, United States Bureau of Public Roads, and to the State Highway Commission of the State of Montana and that all of them be hereby requested to use their best efforts to obtain the necessary funds to complete said highway in the manner aforesaid."

Two joint memorials of the Legislature of the State of Montana; to the Committee on Interstate and Foreign Commerce:

"Senate Joint Memorial 9

"Joint memorial to the Congress of the United States of America and to the Interstate Commerce Commission, requesting an investigation of the railroad boxcar shortage, appropriate legislation to relieve such shortage and appropriate action by the Interstate Commerce Commission to correct the present inequitable distribution of cars.

"To the Honorable Senate and House of Representatives of the United States in Congress Assembled and to the Interstate Commerce Commission of the United States:

"Whereas there is now pending in the Senate of the United States, Senate Resolution No. 47, introduced by Senator REED, providing that the Interstate and Foreign Commerce Committee or any duly constituted subcommittee thereof, of the United States Senate be authorized and directed to make an early and thorough investigation on the following points and to make prompt report to the Senate together with such recommendations as to necessary legislation as it may deem desirable:

"A. Whether the boxcar supply of the railroads has been and is now adequate;

"B. Whether there has been an avoidable failure to make necessary material available for the building of new cars;

"C. Whether material for building of freight cars for export from the United States of America has been provided and such cars exported to the detriment of business in this country;

"D. Whether the Interstate Commerce Commission has fully carried out the duties and obligations imposed upon that agency of the Congress by the Interstate Commerce Act, with respect to the control of the freight-car supply of the country and the prevention and correction of dislocation as among railroads and as among sections of the country; and

"Whereas, there has been and now is a shortage of boxcars in the State of Montana and it appears that the present holdings of cars by Eastern roads are in many cases considerably in excess of the holdings of cars by Western roads, proportionately, as is evidenced by the on-line ratio of cars as currently published: Now, therefore, be it

"Resolved by the Senate of the State of Montana (the house of representatives concurring), That the Legislative Assembly of the State of Montana, in regular session, respectfully urges the Congress of the United States, or the appropriate committees thereof, to conduct an early and thorough investigation of the boxcar shortage pursuant to S. 47 introduced by Senator REED and to enact such legislation as may be deemed necessary as a result of such investigation to relieve the present boxcar shortage; be it further

"Resolved, That the Legislative Assembly of the State of Montana respectfully urge the Interstate Commerce Commission of the United States to take whatever action may be necessary to correct any inequities now existing in the distribution of boxcars, to the end

that on-line car ratio of Western roads serving Montana be increased to and maintained at an amount equal to the on-line car ratio of the principal Eastern roads; be it further

"*Resolved*, That a copy of this memorial be sent to each of the following: To the Honorable JAMES E. MURRAY, and the Honorable ZALES N. ECTON, United States Senators from Montana; to the Honorable WESLEY A. D'EWART and the Honorable MIKE MANSFIELD, Congressmen from Montana; to the Interstate and Foreign Commerce Committees of the United States Senate and the United States House of Representatives and to the Interstate Commerce Commission of the United States."

"Senate Joint Memorial 11

"Joint memorial requesting the United States Civil Aeronautics Board to give early consideration to providing that northern area of the United States as the crow flies from Duluth, Minn., to Seattle, Wash., with regular air transportation serving Chicago via the Twin Cities and Duluth and the intermediate points of Grand Forks, Devils Lake, Minot, Williston, Wolf Point, Glasgow, Malta, Havre, Great Falls, Shelby, Cut Bank, Kalispell, and Spokane

"*To the Honorable United States Civil Aeronautics Board:*

"Whereas there is no transcontinental air service between Lake Superior and Seattle along the northern part of the United States; and

"Whereas said territory can well support such service and is in fact operating one of the most successful railroad operations in the Nation; and

"Whereas applications are pending on the part of air-transport companies for such authority; and

"Whereas all of the cities and trade areas affected are desirous of having such service; and

"Whereas said service appears to be both economically feasible and necessary in the best interests of the country; and

"Whereas no through service is available from the intermediate territory to important commercial and industrial centers of the country East or West: Now, therefore, be it

"*Resolved by the Senate of the State of Montana (the house of representatives concurring therein)*, That the Members of Congress from this State be requested to lend every effort toward the establishment of such service by presenting this memorial to the Civil Aeronautics Board and in person reporting to said Board the lack of transportation by air above set forth; be it further

"*Resolved*, That copies of this memorial be sent by the secretary of state to the Honorable JAMES E. MURRAY and the Honorable ZALES N. ECTON, Members of the United States Senate, and to the Honorable MIKE MANSFIELD and the Honorable WESLEY A. D'EWART, Members of the United States House of Representatives from Montana.

"Approved March 3, 1947.

"SAM C. FORD,
"Governor."

Two joint memorials of the Legislature of the State of Montana; to the Committee on Public Works:

"House Joint Memorial 10

"Joint memorial to the Secretary of Interior of the United States, the Commissioner of Indian Affairs, the Secretary of War of the United States, Hon. James E. Murray, Senator from Montana; Hon. Zales N. Ecton, Senator from Montana; Hon. Mike Mansfield, Representative from Montana; and Hon. Wesley A. D'Ewart, Representative from Montana, requesting that funds be made available from Federal public-land funds, Indian Department funds, and War Department funds for assisting in the location and construction of a bridge across the Missouri River between Poplar and Brockton, Mont.

"Whereas the State Highway Commission of the State of Montana at the direction of the Twenty-ninth Legislative Assembly of the State of Montana has made an examination and survey preliminary to the location for the construction of highway bridges over the Missouri River in the State of Montana; and

"Whereas the State Highway Commission of the State of Montana reports a favorable location for a bridge over the Missouri River near Brockton, Mont.; and

"Whereas the people in Richland County, Mont., south of the towns of Brockton and Poplar are now forced to travel a great distance to market by reason of a lack of a bridge over the river, and because of the impossibility of maintaining a ferry crossing over the Missouri River due to the great and continuing fluctuation of the water level in the Missouri River resulting from the opening and closing of the head gates at Fort Peck Dam; and

"Whereas the Bureau of Reclamation plans the construction of the Charlie Creek and Redwater irrigation pumping units in Richland County, and a bridge over the Missouri River would substantially decrease transportation costs during construction of these irrigation projects and would serve the projects after completion; and

"Whereas if a bridge were constructed across the Missouri River between Poplar and Brockton, Mont., approximately 500,000 bushels of wheat and 1,000 head of cattle would annually be hauled over the bridge to market resulting in a higher price for the weight of cattle because of decreased transportation and freight rates to market; and

"Whereas a very large area of the State of Montana which now depends upon ferry crossings and rowboats for postal service would receive far better service over a bridge than having to depend upon ferries and rowboats; and

"Whereas the north end of the bridge would be located on tribal lands of the Fort Peck Indian Reservation; and

"Whereas it would be an unreasonable burden upon the State of Montana and the Public Roads Administration for them to pay the entire cost of such a bridge when the bridge would be serving the Indian Department of the United States, the Bureau of Reclamation of the United States, and the War Department of the United States; and

"Whereas funds from Federal public lands, the Indian Department of the United States, and the War Department of the United States are available but not allocated for assisting in the construction of such a bridge: Now, therefore, be it

"*Resolved*, That the House of Representatives of the Thirtieth Legislative Assembly of the State of Montana, the senate concurring, does hereby respectfully request the Secretary of the Interior of the United States, the Bureau of Indian Affairs, and the Secretary of War of the United States to make funds available to assist the State of Montana and the Public Roads Administration of the United States in the construction of a bridge across the Missouri River between Poplar and Brockton, Mont.; and be it further

"*Resolved*, That copies of this memorial be forwarded by the secretary of state of the State of Montana to the Secretary of War of the United States, and also to the Secretary of the Interior of the United States, the Commissioner of Indian Affairs, and the Honorable JAMES E. MURRAY and the Honorable ZALES N. ECTON, Senators from Montana; and the Honorable MIKE MANSFIELD and the Honorable WESLEY A. D'EWART, Representatives in Congress from Montana."

"Senate Joint Memorial 16

"Joint memorial to the Congress of the United States requesting allocation of funds for construction and maintenance of farm-to-market roads by States and political subdivisions thereof

"*To the Honorable Senate and House of Representatives of the United States Congress:*

"Whereas we acknowledge that America needs thousands of miles of farm-to-market roads at a cost that will enable the American taxpayers to finance the construction of the necessary farm-to-market roads; and

"Whereas good practical farm-to-market roads can in many areas be designed and constructed by State local political subdivisions at a cost of a few hundred dollars per mile as against the present cost of several thousands of dollars per mile for farm-to-market roads; and

"Whereas the State and the local political subdivisions are in the best position to design and construct farm-to-market roads at the lowest cost: Now, therefore, be it

"*Resolved, by the Senate of the State of Montana (the house of representatives concurring)*, That we do hereby respectfully petition the Congress of the United States to pass necessary legislation to provide adequate funds to build and maintain farm-to-market roads, and to allocate such funds directly to such States, counties, and other political subdivisions thereof, that are qualified to receive them, for the purpose of building and maintaining farm-to-market roads in their respective areas; be it further

"*Resolved*, That copies of the memorial be transmitted by the secretary of state of the State of Montana to the Senate and House of Representatives of the United States, to the Senators and Representaives in Congress from the State of Montana, and to the Montana Highway Commission.

"Approved March 7, 1947.

"SAM C. FORD,
"Governor."

A joint resolution of the Legislature of the State of Montana, favoring the enactment of legislation authorizing the State of Montana to lease State lands for the production of oil, gas and other hydrocarbons for such periods of time and on such terms and conditions as may be provided by the Legislative Assembly of the State of Montana; to the Committee on Public Lands.

(See joint memorial printed in full when laid before the Senate by the Acting President pro tempore on March 24, 1947, p. 2426, CONGRESSIONAL RECORD.)

A joint memorial of the Legislature of the State of Montana, requesting Congress to make funds available for the immediate construction of an electrical transmission line from Kerr Dam to Hungry Horse and to appropriate funds for the prompt construction of Hungry Horse Dam in northwestern Montana; to the Committee on Appropriations.

(See joint memorial printed in full when laid before the Senate by the Acting President pro tempore on March 24, 1947, p. 2426, CONGRESSIONAL RECORD.)

A joint memorial of the Legislature of the State of Montana, favoring the enactment of legislation to reimburse wheat growers who sold their 1945 wheat early and were deprived of the benefit of advance in price; to the Committee on Agriculture and Forestry.

(See joint memorial printed in full when laid before the Senate by the Acting President pro tempore on March 24, 1947, p. 2426, CONGRESSIONAL RECORD.)

A joint memorial of the Legislature of the State of Montana, favoring the enactment of legislation to provide funds for and to expedite the rural electrification program; to the Committee on Appropriations.

(See joint memorial printed in full when laid before the Senate by the Acting President pro tempore on March 24, 1947, p. 2425, CONGRESSIONAL RECORD.)

A joint memorial of the Legislature of the State of Montana, favoring the enactment of legislation providing for the annual payment of rents by the Government to the State of Montana for the use and benefit of the several counties of that State in lieu of taxes on land owned by the Government in the State of Montana; to the Committee on Public Lands.

(See joint memorial printed in full when laid before the Senate by the Acting President pro tempore on March 24, 1947, p. 2426, CONGRESSIONAL RECORD.)

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WILEY, from the Committee on the Judiciary:

S. 931. A bill to extend certain powers of the President under title III of the Second War Powers Act; with an amendment (Rept. No. 74).

By Mr. REVERCOMB, from the Committee on Public Works:

S. 516. A bill to authorize the furnishing of steam from the central heating plant to the property of the Daughters of the American Revolution, and for other purposes; without amendment (Rept. No. 75).

REPORT OF COMMITTEE ON BANKING AND CURRENCY

Mr. TOBEY, from the Committee on Banking and Currency, submitted a report (No. 73) to accompany the bill (H. R. 2535) to amend the Reconstruction Finance Corporation Act reported by that committee on March 21, 1947.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. REED:

S. 976. A bill for the relief of O. Dean Settles and Mrs. Ruth E. Settles, husband and wife; Mrs. Ruth E. Settles, individually; the estate of Ora H. Hatfield; and Mrs. Kittie B. Hatfield; to the Committee on the Judiciary.

By Mr. TAFT:

S. 977. A bill to prescribe certain dates for the purposes of determining eligibility of veterans for vocational rehabilitation, education, and training, and for guaranty of loans and readjusting allowances under the Servicemen's Readjustment Act of 1944, as amended; and

S. 978. A bill relating to the exercise by the Public Health Service of certain wartime authority; to the Committee on Labor and Public Welfare.

(Mr. ECTON (for himself, Mr. MALONE, Mr. MCCARTHY, Mr. OVERTON, and Mr. THOMAS of Oklahoma) introduced Senate bill 979, to amend the Atomic Energy Act of 1946, which was referred to the Joint Committee on Atomic Energy, and appears under a separate heading.)

By Mr. REVERCOMB:

S. 980. A bill to amend the act entitled "An act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes," approved July 31, 1946; to the Committee on Public Works.

By Mr. LANGER:

S. J. Res. 92. Joint resolution designating April 5, 1947, as Booker T. Washington Day; to the Committee on the Judiciary.

(Mr. PEPPER (for himself and Mr. TAYLOR) introduced Senate Joint Resolution 93, favoring the establishment of a relief and rehabilitation fund for Greece to be administered through the United Nations Organization, which was referred to the Committee on Foreign Relations, and appears under a separate heading.)

STRIKING OF MEDALS IN LIEU OF COINS FOR COMMEMORATIVE PURPOSES—AMENDMENT

Mr. WILEY submitted an amendment intended to be proposed by him to the bill (S. 865) to provide for the striking of medals, in lieu of coins, for commemorative purposes, which was ordered to lie on the table and to be printed.

REDUCTION OF INDIVIDUAL INCOME-TAX PAYMENTS—AMENDMENT

Mr. BUTLER submitted an amendment intended to be proposed by him to the bill (H. R. 1) to reduce individual income-tax payments, which was referred to the Committee on Finance, and ordered to be printed.

AID TO GREECE—ADDRESS BY SENATOR CAPPER

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address on the subject of aid to Greece, delivered by him on March 23, 1947, which appears in the Appendix.]

CONTROL AND REGULATION OF RAILROADS—STATEMENT BY WILLIS J. BALLINGER

[Mr. TOBEY asked and obtained leave to have printed in the RECORD a statement in opposition to Senate bill 110, made by Willis J. Ballinger, economic adviser to the National Federation of Small Business, on behalf of the Federation, which appears in the Appendix.]

DEFENSE AGAINST RED FASCISM—ADDRESS BY DR. JOSEPH F. THORNING

[Mr. O'CONOR asked and obtained leave to have printed in the RECORD an address delivered by Dr. Joseph F. Thorning before the Maryland Society of the Daughters of the American Revolution on March 18, 1947, which appears in the Appendix.]

THE PORTAL PAY BILLS—EDITORIAL FROM THE NEW YORK HERALD TRIBUNE

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an editorial entitled "The Portal Pay Bills," from the New York Herald Tribune of March 25, 1947, which appears in the Appendix.]

AID TO GREECE AND TURKEY—EDITORIAL BY JOHN S. KNIGHT

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an editorial on aid to Greece and Turkey, by John S. Knight, from the Miami Herald of March 23, 1947, which appears in the Appendix.]

EXECUTIVE SESSION

Mr. WHITE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

ADMINISTRATION OF GRECIAN RELIEF FUND BY UNITED NATIONS

Mr. HICKENLOOPER obtained the floor.

Mr. PEPPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Florida?

Mr. HICKENLOOPER. For what purpose?

Mr. PEPPER. I should like to introduce a joint resolution and make a statement of about 10 minutes.

Mr. HICKENLOOPER. I yield to the Senator from Florida for that purpose.

Mr. PEPPER. Mr. President, on behalf of the Senator from Idaho [Mr. TAYLOR] and myself I ask unanimous consent, as in legislative session, to introduce a joint resolution. The joint resolution relates to the extension of aid to Greece, but the proposals it contains differ in four vital particulars from the administrative proposals pending in the Congress at the present time.

They are as follows: (a) Relief is provided to Greece and Turkey is excluded; (b) the relief is administered by the United Nations; (c) military supplies and aid are excluded; (d) a full-scale investigation of the whole Near East and Middle East problem by the General Assembly is called for.

Since the Greek situation is inextricably bound up with the political and economic crisis in the Near East and Middle East, the United States representatives to the United Nations are directed to initiate a request for an emergency meeting of the United Nations General Assembly to consider and take action on the peace-threatening situations in that area, with a view to resolving not only the Greek crisis but the problems of Palestine, Dardanelles, and Middle East oil.

The joint resolution provides that United States representatives at the United Nations shall initiate proposals for the establishment of an international fund for the relief and rehabilitation of Greece. Contributions by member nations will be voluntary, but the United Nations may recommend equitable quotas. A United States contribution of $250,000,000 is authorized. The international fund will be subject to the following conditions: (a) United Nations control; (b) relief to the civilian economy only; (c) the Greek Government must give assurances that supplies will be distributed without discrimination as to race, creed, or political belief; (d) United Nations observers and representatives of press and radio of countries contributing to the fund must have full access to observe and report on the distribution of supplies; (e) the Greek Government must furnish pertinent information promptly; (f) the United Nations must make quarterly reports on the administration of the fund.

Pending the establishment of the international fund, the joint resolution provides for an immediate advance of $100,000,000 by the Reconstruction Finance Corporation for the relief and rehabilitation of Greece, under the control and administration of the United Nations.

Mr. President, there are no people in the world whom the people of the United States are more anxious to help in their distress than the heroic people of Greece. But there is no reason why, in order to help the Greek people, we have to destroy the United Nations—for the United Nations is the only hope mankind has

against the unspeakable destruction of World War III.

The United Nations, if we lend it our full support, can do every appropriate thing we propose to do to help Greece. But it is said the United Nations has no relief organization. It had the United Nations Relief and Rehabilitation Administration, but we killed it, effective March 31 of this year. The United Nations tried to set up an international relief fund at its last assembly meeting, after former Mayor LaGuardia, as head of UNRRA, had personally appealed to Generalissimo Stalin and had gotten his agreement that Russia would participate in that international fund. But we prevented that.

But we can now by congressional resolution authorize the President to make available to the United Nations, through the Reconstruction Finance Corporation, funds up to, say, $100,000,000 to be expended through a United Nations Commission, on which we shall be prominently represented, along with other nations. We are sure many other nations will add their contributions to that fund, according to their ability. The United Nations would not have to recruit new personnel for the task, for it has the veteran personnel of UNRRA which is on the ground in Greece, which knows the problem, and which could be absorbed into the United Nations relief program. That trained UNRRA personnel could effectively do the work under direction of the United Nations.

Meanwhile we can secure by our request, in about 45 days, a special meeting of the United Nations General Assembly. The United Nations would then take up immediately the Greece-Turkey situation and the whole question of relief and security for the nations and the peoples in that area.

The Food and Agricultural Organization, through a mission which was in Greece for months, has just recommended a $100,000,000 loan for Greece from the World Bank for Reconstruction and Development. Upon the basis of the FAO report, the Greek Government could, in a matter of days, file an application for this $100,000,000 loan for building railroads, bridges, power plants, hydroelectric dams, docks, highways, and for purchase of railroad rolling stock and the like. We, being the principal stockholder in the World Bank, and having the President of the bank, could get this loan approved in short order after its filing. The United Nations could and would, we are sure, work out with our help an adequate relief program for Greece, short-term and long-term.

A United Nations mission is already in Greece, investigating alleged aid to Greek insurgents from outside sources. The Acting Secretary of State, Mr. Acheson, has testified that that problem was being handled by the United Nations, and certainly there has been no failure on the part of the United Nations yet to handle it satisfactorily.

If the security of Greece or Turkey is impaired by threatened aggression from a foreign power, is it the duty of the United States to try to stop it without consulting with a single other member of the United Nations, and without calling on the United Nations to tackle the task?

Yet Mr. Acheson testified before the Senate Foreign Relations Committee that before this proposal was made by the President to provide economic aid to Greece and to put $150,000,000 into the training and maintaining of a Greek Army and another $100,000,000 or $150,000,000 into the support of the Turkish Army, we had not consulted with a single other nation, and had not taken the matter up with the United Nations.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. PEPPER. I am glad to yield.

Mr. HATCH. While the Senator is referring to the Assistant Secretary of State, Mr. Acheson, I wish to ask whether it would be fair to say that the Assistant Secretary of State did testify before the committee to the effect that until this Government by its own constitutional processes—that is, by action of Congress giving the necessary authority—had a definite proposal to make to the United Nations, there was no proposal to be made; but that when those constitutional processes had been followed, it was the intention to take it up with the United Nations, when we knew definitely what this country could be authorized to do.

Mr. PEPPER. Mr. President, I thank the Senator for his comment, but I may say that the entire purport and character of the proposal indicates that it was contemplated as unilateral action on the part of our country.

The failure to which I have referred is all the more regrettable in view of the fact that in the only two cases of armed intervention brought to the attention of the Security Council, namely Iran and Syria and Lebanon, the Security Council secured a successful peaceful disposition of the dispute, a result which greatly heartened the people of the world and increased their confidence in the United Nations. It should be noted that the United Nations achieved that result without our having to furnish armies in any of those countries. Yet we now propose to send military missions to Greece and Turkey, the limit of which the resolution does not prescribe. Our Government has not, in the past, had authority to send military missions outside the Western Hemisphere. Here, too, is a departure from our traditions of the past.

The truth—which the State Department has not been willing fully to disclose to the Congress and the country—is that we and the British are engaging in a power struggle in the Balkans, in Turkey, and in the Middle East against the Russians and against communism. We are told that the Communists will come to dominate the Government of Greece if we do not put up the money to prevent it.

We are told that if Greece goes communistic she will undermine Turkey, which might also become communistic. In addition, we are told that the Turks cannot maintain their present Army of nearly a million if we do not bear a part of the cost, and that an exceptionally large Army is said to be necessary against Russia, which might use force to back up her demand for a larger voice in the control of the Dardanelles. As against these "iffy" contingencies, we do know definitely that in both Greece and Turkey there are governments strongly opposed by many of their own people, who allege that they are being ruthlessly deprived of their democratic rights. In the case of Greece, the Government of a discredited and Fascist-minded King leads a pitiful persecution of the republican elements in the population. And we should know that in Greece our money will be used, as our surplus war goods have been used, to kill off a large number, if not all, of these people, whose only offense is that they have the classic Greek passion for democracy, the ancient Greek hatred for tyranny. We should know this, because our State Department has some pretty good figures showing how many Greek democrats have been assassinated, exiled, and imprisoned.

We do know that Turkey, with all her excellent progress toward democracy, was allied with Germany in World War I, and that she gave some assistance to Germany in World War II. She did not declare herself on the Allied side until the end of the war.

The $300,000,000 we are to put up to maintain the Turkish and Greek Armies will last only until June 30, 1948. That $300,000,000 will be spent to maintain foreign armies to fight for a discredited imperialism, or as part of global policy of power politics. Are we hiring foreign soldiers to fight our battles?

The British have poured hundreds of millions into the maintenance of armed forces in Greece. Now they are getting out and we are getting in. Are we trying to bolster up a collapsing empire or laying the foundations of a new? For more than half of the money going into Greece and all of the money going into Turkey is to maintain armed forces.

Boiled down to the dregs, the President's proposal is this. American corporations have big oil interests in Saudi Arabia in the Middle East. The British have oil interests and other interests in many Middle Eastern countries; and the British life line, so-called, leads through the Mediterranean and the Suez Canal on toward India and other British possessions in the Far East. The British for centuries have been fighting to keep the Russians out of the Dardanelles and out of influence in the Eastern Mediterranean, Greece, Turkey, and the Middle East. The British are still carrying on that fight, but they are so embarrassed financially that they are having to retreat. They put it up to us to take over their load in this battle. We have stepped in and now we are going to defend, as strategic areas, Greece, Turkey, the Dardanelles and the Middle East, not only against possible Russian aggression, but against becoming communistic in their domestic politics. So we support the Greek and Turkish armies; we maintain a fleet in the Mediterranean; we put up enough money to keep the present Government headed by King George, in power in Greece by enabling it to kill off its opposition by the gun and the bomb; we make it clear that we are committed to the same policy at least in every area of the world which we deem to be of strategic significance. By this logic, to-

morrow it may be France or Italy or Iran or India or China, and we know not where else.

We may have to come to such a decision, but let us know it will be the most momentous decision we have ever made. It means, first, incalculable cost to this country; it means the death of the United Nations; and it means that this power struggle between us and Russia is rendered hopeless of peaceful solution, and commits us both to a conflict which will engulf all mankind.

Mr. President, we humbly submit that we do not have to commit ourselves to such a dangerous doctrine. We can help Greece through the United Nations in every humanitarian and appropriate way. We are trying to provide such help through the proposed resolution. If the integrity of Turkey is in danger, the way to meet that is through the United Nations as we met the danger to the integrity of Iran and Syria and Lebanon. If forces are needed, let us put up our share through the United Nations.

Mr. President, when those forces go forth, let it be said they have the United States on the one side and the United Nations on the other side, and that they fight with the other forces of the world trying to maintain democracy, and they shall not be suspected as being but the emissaries of a new imperialism raising its head above the nations and the peoples of the earth.

If we follow this course of international cooperation, we will get the material and moral help of many other nations. If the United States takes a strong leadership in meeting this crisis through the organization of the United Nations, we will strengthen, instead of weakening, the United Nations to meet future crises. We must not sacrifice the United Nations upon the altar of haste and condemn it to death for inaction before we give it a chance to act.

The handling of this crucial matter through the United Nations is, therefore, of the sternest necessity to the future of the United Nations and the peace of the United States and the world.

For that reason, the Senator from Idaho and I have felt it necessary to introduce this joint resolution, which will provide effective peaceful aid to Greece through the United Nations. Thus, not only will Greece be safe, but the fair escutcheon of American democracy will be saved from the taint of imperialism and power politics.

There being no objection, the joint resolution (S. J. Res. 93) favoring the establishment of a relief and rehabilitation fund for Greece to be administered through the United Nations Organization, introduced by Mr. PEPPER (for himself and Mr. TAYLOR), was received, read twice by its title, and referred to the Committee on Foreign Relations.

Mr. PEPPER. Mr. President, I ask unanimous consent that the joint resolution be printed in the RECORD at this point.

There being no objection, the resolution (S. J. Res. 93) was ordered to be printed in the RECORD, as follows:

Whereas the postwar adjustment in the Near East and Middle East areas has given rise to a number of interrelated situations which endanger the peace and foster suspicion and distrust among members of the United Nations, including armed conflicts in Greece and Palestine, disputes over the control of the Dardanelles, and problems of access by the various nations of the world to the critical oil resources of these areas on an equitable basis; and

Whereas the people of the United States have renounced war and the use of armed force in the solution of international disputes and have joined with other peace-loving nations in the United Nations in order to promote and secure the peace through international cooperation; and

Whereas there is and will be hunger, privation, and suffering in Greece if assistance is not promptly provided, and the Government of the United States desires to assist in the furnishing of such assistance to Greece for humanitarian reasons and in order to promote international well-being; and

Whereas administration of such assistance by the United Nations will promote international confidence and minimize suspicion and conflict among the nations, and will foster that spirit of unity of the great powers that brought us victory in war and laid the foundations of a United Nations Organization to preserve the peace: Therefore be it

Resolved, etc., That it is the sense of Congress that (a) the United States shall initiate a request for an emergency meeting of the General Assembly of the United Nations to consider, investigate, and take appropriate action looking toward the resolution of those situations in the Near East and Middle East areas which are endangering the peace, and (b) United States representatives at the several constituent organizations of the United Nations now in session request such organizations as have jurisdiction over any of the aforesaid situations to expedite consideration and action upon such situations pending the convening of the emergency meeting of the General Assembly.

SEC. 2. The United States representatives at the appropriate constituent organizations of the United Nations are hereby authorized and directed to initiate proposals looking toward the establishment of a fund for the relief and rehabilitation of Greece in accordance with the following terms and provisions:

(a) The said fund shall be subscribed by voluntary contributions of the member nations (but the United Nations may recommend to the member nations quotas based on equitable considerations).

(b) The said fund shall be controlled and administered by appropriate organizations and officials of the United Nations.

(c) The said fund shall be used only for the provision of supplies for the relief and rehabilitation of the civilian economy of Greece (including incidental administrative, transportation, technical, and other necessary services); but no part of said fund shall be used for the provision of military material, supplies, or services.

(d) No assistance shall be provided through this fund unless the Greek Government has given assurance satisfactory to the Secretary-General of the United Nations that: (1) the supplies made available under this fund as well as similar supplies made available locally will be distributed among the people of Greece without discrimination as to race, creed, or political belief; (2) representatives of the United Nations and of the governments which have contributed to the said fund and representatives of the press and radio of the countries which have contributed to said fund will be permitted to observe freely and report fully regarding the distribution and use of said supplies; and (3) upon request of the Secretary-General of the United Nations the Greek Government will furnish promptly information concerning the production, distribution, importation, and exportation of any supplies which affect the relief and rehabilitation needs of Greece.

(e) The Secretary-General of the United Nations or the appropriate organizations of the United Nations shall submit quarterly to the nations contributing to the said fund reports of expenditures and activities pursuant to said fund.

SEC. 3. There is hereby authorized to be appropriated to the President upon the establishment of the fund described in section 2, a sum of not exceeding $250,000,000 to provide the United States contribution to such fund. Any advances made by the Reconstruction Finance Corporation pursuant to section 4 shall be charged against any appropriation made under this authorization and shall be repaid to the Reconstruction Finance Corporation.

SEC. 4. Pending the establishment of the fund described in section 2, and notwithstanding the provision of any other law, the Reconstruction Finance Corporation is authorized and directed until such time as an appropriation is made pursuant to section 3 to make an advance of $100,000,000 to the President for the purpose of providing supplies for the relief and rehabilitation of Greece. The administration of such relief and rehabilitation shall be carried out by appropriate organizations of the United Nations. For this purpose the President shall transfer the aforesaid advance to the Secretary-General of the United Nations or to such constituent organizations as the Secretary-General may direct, in such amounts as the President shall determine to be appropriate, upon the receipt of assurance satisfactory to the President that the terms and conditions specified in subsections (c), (d), and (e) of section 2 will be complied with.

SEC. 5. The authority of the President under sections 3 and 4 may, to the extent the President so directs, be exercised by the Secretary of State.

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Texas?

Mr. HICKENLOOPER. I yield.

Mr. CONNALLY. Mr. President, I have listened to the words of the Senator from Florida with a great deal of disappointment and regret that the Senator from Florida should lend his brilliant talents to a cause which I feel should not be permitted to control the action of the Senate.

I have not had opportunity to study the resolution introduced by the Senator from Florida and the Senator from Idaho, but I shall take pleasure in doing so in a little while. However, from the remarks of the Senator from Florida, I assume that he is now approaching the subject of relief to Greece and Turkey from the standpoint that it should be administered by the United Nations, and not by ourselves. May I inquire if I am accurate in that assumption?

Mr. PEPPER. With our participation, of course, as a leading member of the United Nations.

Mr. CONNALLY. I thank the Senator.

Mr. HATCH. Mr. President, if the Senator from Texas will permit, I think he was not in the Chamber when the Senator from Florida took the floor, and perhaps should understand just what the proposal of the Senator from Florida is. As I heard it read, it was that we should authorize the payment of $250,000,000 to the United Nations, to be used for relief purposes. Other nations might voluntarily contribute if they so desired. We would also authorize the

payment of $100,000,000 directly, or through the World Bank. How was that payment to be made?

Mr. PEPPER. If the Senator will allow me, the gist of it is that the Congress by resolution should authorize the President to make $100,000,000 of RFC funds immediately available to the United Nations Organization, to be used by that organization through an appropriate committee in meeting the distress current at the present time in Greece. It contemplates that the UN would call upon other member States to contribute according to their ability, or all they would contribute, along with the funds we made available for the initial emergency program. Furthermore, it suggests that the personnel of UNRRA which is already in Greece and is now functioning there could be immediately availed of by the parent organization, the United Nations, in the carrying out of the program. That would be the temporary program for relief only for Greece.

There would be initiated by the United States representative a request for a special session of the Assembly, which I contemplate could be achieved in 45 days. Within about 45 days after the initial request, it would be possible to have a special meeting of the UN Assembly. Then at that time the resolution contemplates that the UN shall take up the problem in Greece, and proceed toward a solution of it through the agencies and through the ordinary processes of the UN. The resolution contemplates that we shall, of course, take a leading part in not only helping to formulate the program that the UN might devise, but that we shall, of course, have a leading part in carrying it out, and that we shall be a prominent part of the committee that will be charged with the execution of the program. Then, the resolution contemplates that there shall be——

Mr. HICKENLOOPER. Mr. President, if the Senator will permit——

Mr. PEPPER. Just 1 minute, and I will finish.

Mr. HICKENLOOPER. May I have a moment, please?

Mr. PEPPER. Yes.

Mr. HICKENLOOPER. I think I have yielded a great deal of time in the Lilienthal matter.

Mr. PEPPER. The Senator has been more than courteous, Mr. President.

Mr. HICKENLOOPER. I desire to say, Mr. President, that I wish to be entirely courteous, but, having the floor to discuss the Lilienthal matter, I cannot yield in my time for an extended discussion of a matter which will be fully explored on this floor at a later date. I still want to be courteous to the Senator from Texas and to the Senator from Florida, but I feel that it is an imposition—I do not use the word in any harsh way, but it is an imposition on the business before the Senate to go over the details of the program of the Senator from Florida, or to discuss the Greek loan at this time.

Mr. PEPPER. Mr. President, I thank the Senator. I did not intend to trespass upon his time. I shall immediately desist; but I hope he will allow the Senator from Texas to make any comment he desires.

Mr. HICKENLOOPER. I yielded to the Senator from Texas for that purpose, but I did not want a round-robin discussion to ensue.

Mr. CONNALLY. Mr. President, the Senator from Florida proposes a very unique approach to this problem. From the explanation I have had, I assume that he wants the United States to furnish the money, but to let somebody else handle it and spend it.

Those who suggest that this is a problem of the United Nations must not have read the Charter of the United Nations. I challenge them to put a finger on any clause in the Charter which authorizes that organization to do the things relative to Greece and Turkey that are proposed in the joint resolution.

In the first place, UN has no funds. In the second place, if it had funds, it has no authority to loan them. It has no authority to make grants of public funds to which we are contributors.

We hear discussion of the troubles of Greece and Turkey. If there are troubles there of military nature, the United Nations does not have one dime of funds with which to meet such expenses, and no military forces, not one soldier, can it summon. It is well known that the Military Staff Committee of the United Nations has for more than a year undertaken to formulate plans for the allocation of quotas to the various member nations as to the troops which they will supply and place at the command of the United Nations, to resist or to prevent aggression; but, Mr. President, they have never agreed, and, if they did agree, they would then have to submit the agreements to all the participating nations, numbering, as I recall, 51, at the present time. Such agreements would have to be ratified as treaties are ratified. That process would require so much time that it would not be of material benefit to Greece or Turkey to meet the existing emergency. The situation in Greece particularly is of a desperately emergent character; so that what we do we must do quickly and well.

What is the objection to the United States handling this matter directly? We handled the British loan directly, and there was no fervent elocutionary appeal that it should be handled by the United Nations. We made a loan to Italy in her distress. No one asked that it be done through the United Nations. We made a loan to France. Nobody complained that that ought to come under the jurisdiction of the United Nations. Implicit in every one of those loans was the motivating thought which is embodied in the loan resolution now pending, that by reason of the war and chaos and confusion which were created in Italy, for instance, unless we went to her economic relief she would be submerged by communism. We all know that. It was not written into the bill, but we all know that that was one of the motivating causes for extending aid to Italy. The same thing was true of France; we did not want communism to grow any more rapidly than it was already growing in France, and we made a generous loan to that Nation. We did not call on the United Nations to perform that task.

Even in the case of Great Britain, when we loaned her three and three-quarter billion dollars, as I remember the amount, we were concerned with her economic condition. We did not want Great Britain to be thrust into chaos and confusion as an aftermath of the dislocations of the war, because we did not desire that staid old England, which for a thousand years has stood as the exemplar of democracy and free government, should become engulfed by the sweeping surges of communism, which might overcome, to a limited extent, at least, her ancient democratic government.

Mr. President, suppose this matter were sent to the United Nations. What has happened to the Military Staff Committee of the United Nations? It has been delayed and practically vetoed because there are on the Security Council representatives who do not view these questions as we do. Suppose the Senate listened to the Senator from Florida and the Senator from Idaho and sent this case to the United Nations; it would go to the Security Council, would it not? The Senators know who sits in the Security Council. They know who in the recent past has, not merely once, not twice, not thrice, but 10 times registered a veto of the solemn decisions and actions of the Security Council.

If it be true—and the Senator from Florida says it is true—that the proposal to provide relief for Greece and Turkey is designed to resist the efforts of Russia—I dislike to use the term, but in order to be frank and honest, I am compelled to use it, and my excuse is that the Senator from Florida used it; for he says that the proposal is designed to resist the encroachments of Russia—if that be true, does anyone suppose that Russia as a member of the Security Council would hestitate to veto the proposal?

No, Mr. President; we are seeking, it is true, to arrest the ravages of communism which might submerge Greece and destroy a civilization which had its roots in antiquity.

Mr. President, Greece, among the ancient nations, was foremost in the practice of democracy. The annals of the classical days of Greece, and the glorious days of her greatest orators, are filled with stories of democracy and free government. That ancient land has at the present moment, by reason of the ravages of war, become devastated, its industries have been destroyed, its railways and communications have been almost obliterated. With cruel savagery the war swept over that country and killed thousands upon thousands of Greek citizens. I would recall to the Senator from Florida that in the early days of the war, when Italy invaded Greece, the Greeks stood with heroic valor and attracted the admiration of the world as they resisted the invaders of Greek soil and sought to maintain the integrity of their nation. The measure now pending providing relief for Greece is designed to maintain the integrity of the Greek Government. It is designed

to give assistance to Greece. It is not an aggressive measure. Even the military aid proposed is limited, as Senators will find if they read the measure, to a small group which shall act in advisory capacities only. The word "only" is used in it. We are not proposing to send a combat force to Greece. We are proposing to send a small military group to aid the Greeks in utilizing and learning the use of the military weapons which we shall furnish them in order to reequip their army, not for aggressive purposes, but to restore order in their own territory, to maintain the functions of democracy, and to resist, if need be, the invasions from foreign lands on the north.

Mr. President, everyone knows that in large part the troubles of Greece grew out of conditions on her northern border. She is bordered on the north by Albania, by Yugoslavia, by Bulgaria. Everyone who is at all familiar with the situation in Europe knows under what influences those three countries operate. He knows what the influences are which dominate and motivate them.

If they can smother Greece, if they can muzzle her activities, if they can override her Government by the substitution of a communistic government, their purposes will be served according to the voice and the command of their commander in chief.

Mr. President, I do not want to take up more of the Senate's time. The Senator from Iowa has been very generous. But I should like to say to the Senate that the proposal to hand over the matter of aid to Greece to the United Nations in the first place is a delaying movement. It is a flanking movement. It is not a frontal attack. It is not resistance in the open, but is an effort to create in the minds of the people of the United States the idea that we have bungled this matter and that we ought to entrust it to the United Nations.

Mr. President, if it were a problem that the United Nations was authorized to handle under its charter I would say yes. If the situation were not emergent and did not demand quick action, yes, perhaps. But, Mr. President, one cannot go to a well and draw water when there is no water in it. The United Nations could not have done anything in the world about this matter if it wanted to. Everyone knows that under its charter—and that is all the authority it has—the United Nations could do neither of the things proposed in the joint resolution introduced by the Senator from Florida. The United Nations can neither make a loan, because it does not have any money to loan, nor can it make a grant or a gift, because it has no funds with which to make a grant or a gift. It cannot afford military advice and direction, because it does not have a single soldier, not a single one. The reason why it does not have a single soldier is known to all who keep informed of current events.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. PEPPER. If the Senator says the United Nations is utterly helpless to provide relief, how does the Senator account for UNRRA? Was not UNRRA set up for the United Nations, and was not UNRRA given a grant of funds, and not a loan of funds?

Mr. CONNALLY. That was done by special act of Congress providing the funds.

Mr. PEPPER. All we did was to participate in the organization that was proposed by the United Nations.

Mr. CONNALLY. That is true. Mr. President, UNRRA is going out of business quite shortly, and the only reason it had existence was that Congress by a separate act specifically provided the authority and the funds. UNRRA was not created under the general charter of the United Nations. I challenge the Senator to find anything in the charter of the United Nations that gives it primary authority to do the things that UNRRA did. UNRRA received a grant of funds through an act of the Congress.

Mr. PEPPER. Mr. President, will the Senator yield once more?

Mr. CONNALLY. Yes, indeed.

Mr. PEPPER. My information is that at the last meeting of the assembly in New York it was proposed formally that there be set up an international relief fund. Ex-Mayor LaGuardia, former head of UNRRA, made the proposal, and my information also is that the United States took the lead in preventing the establishment of that fund, and no one raised the question that the United Nations did not have authority, if its member states subscribed, to set up an international relief fund.

Mr. CONNALLY. I cannot go into all the details because I do not know what was done at that particular meeting. The Senator says that the creation of a relief fund was proposed in the UNO, but the fund was not established, it was not created. What does that prove except that it proves that UNO was not very greatly interested in this proposition even if it had the authority to do it, which it does not have.

Mr. President, there are many terms, many ideals, many concepts of fancy, but we are faced here with realities, not with dreams. Our old friend Greece, with whom we have maintained cordial relations for more than 100 years since she threw off the Turkish yoke and achieved her independence along in the 1820's—Greece is in dire distress. Her industries are destroyed. Her people are in want. She is threatened with communism internally, inspired, we think, from abroad. It is necessary that we do one of two things—either grant this relief as provided in the joint resolution heretofore introduced or refuse it. I shall not refuse it by my vote. I want to see preserved the free governments of the world, the free democracies of the world. I want to see their independence maintained.

In the UNO we profess to adopt the principle of the equal sovereignty of all nations, great and small, and the small nations have an equal vote, except on the Security Council. In the United Nations the smallest republic, the smallest nation on earth, has the same vote as the great ones. Greece is a small country, but she has a glorious past. She has contributed perhaps more than any other nation of ancient times to the culture and to the advancement of civilization. Her history is a glorious one, filled with examples of all the arts, many of the sciences, literature, and oratory.

Mr. President, I want Greece to be able to stand before the world in her own dignity, in her own integrity, in her own freedom, and in her own independence, and if the greatest and most powerful Republic on the globe cannot render this slight service to one of the smallest republics on the globe, then all of our Fourth of July speeches during which we beat our breasts and talk about democracy and freedom go for little

Mr. President, we face a reality. Shall we face it with courage, with patience, with determination, or shall we face it by beginning to trim and hedge and say, "Oh, no; wait a minute, this is not our obligation. This is the obligation of the UNO." The UNO what? [Laughter.]

How can it be said that it is the obligation of an organization which knows it cannot perform it, which we know cannot perform it, which Greece knows cannot perform it, which Russia knows cannot perform it, which Great Britain knows cannot perform it? But, thank God, we propose to do that which no nation except ourselves can do. We can do it. Standing on our own dignity, with our own resources, with courage and with a high conception of preserving the peace of the world, we propose to take this step in aid to Greece. I believe our aid will contribute to the preservation of the peace of the world. We propose to aid this free government, this great republic in the ancient world, to maintain her dignity. We are taking this course not because someone tells us to but we are taking it because of our own strength, our own resources, and our own courage.

AMENDMENT OF ATOMIC ENERGY ACT OF 1946

Mr. ECTON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. For what purpose?

Mr. ECTON. For the purpose of introducing a bill.

Mr. HICKENLOOPER. I yield for that purpose.

Mr. ECTON. I thank the distinguished Senator.

Mr. President, in view of what has transpired in world affairs during the past couple of weeks I think it is safe to state that we are facing some of the most serious questions which this Nation has ever confronted. President Truman called the two Houses of Congress together in joint session and asked that we support a measure which would provide a loan of $400,000,000 to Greece and Turkey. In connection with that request he also asked that he be permitted to send civilian and military personnel. It has made some of us wonder just how far our national policy is to be extended by our State Department. We necessarily must trust the State Department, and especially General Marshall, who is to direct the future of that great Department and our foreign policy. Many of us have felt that perhaps a

little more than American dollars would be required to stop the totalitarianism against which we have been waging a world war, and especially to uproot totalitarianism in Europe as we find it today.

We think that General Marshall's hand should be strengthened in other ways than merely putting up American dollars. I do not know whether or not this is the psychological time for this country to extend the Monroe Doctrine, as it applies to this hemisphere, literally to the entire world. Perhaps it is. However, it seems that that is what we are doing, when the President asks us to make a loan to Greece and Turkey.

Possibly other countries may respect us for what we have done or tried to do for human liberty in the world; but I for one suspect that some of the nations in the world respect this country of ours because we hold the atomic bomb.

Therefore, Mr. President, a few of us believe that we can strengthen General Marshall's hand, and that of our State Department, by introducing a bill proposing an amendment to the Atomic Energy Act of 1946, which was passed by the Seventy-ninth Congress.

On behalf of the Senator from Nevada [Mr. MALONE], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Louisiana [Mr. OVERTON], the Senator from Oklahoma [Mr. THOMAS], and myself, I ask unanimous consent, as in legislative session, to introduce a bill to amend the Atomic Energy Act of 1946. With the indulgence of the able Senator from Iowa, I should like to read the first paragraph as an explanation. It reads as follows:

(1) There is hereby established an Atomic Energy Control Board (herein called the Board), which shall be composed of the Secretary of State, who shall be Chairman of the Board, the Secretary of War, the Secretary of the Navy, and two additional members to be appointed by the President, by and with the advice and consent of the Senate. In submitting the nomination of any appointive member to the Senate, the President shall set forth the experience and the qualifications of the nominee. Three members shall constitute a quorum of the Board.

Mr. PEPPER. Mr. President, will the Senator yield for a question?

Mr. ECTON. I yield with the consent of the Senator from Iowa [Mr. HICKENLOOPER].

Mr. PEPPER. I wish merely to get the purport of the bill. Is it proposed to displace the present Atomic Energy Commission, and to establish instead a board consisting of the Secretary of State, the Secretary of War, and the Secretary of the Navy?

Mr. ECTON. That is correct. The board would consist of the Secretary of State, the Secretary of War, the Secretary of the Navy, and two members appointed by the President.

Mr. PEPPER. I thank the Senator.

Mr. ECTON. Mr. President, I ask unanimous consent, as in legislative session, to introduce the bill and have it appropriately referred.

There being no objection, the bill (S. 979) to amend the Atomic Energy Act of 1946, introduced by Mr. ECTON (for himself, Mr. MALONE, Mr. MCCARTHY, Mr. OVERTON, and Mr. THOMAS of Oklahoma), was received, read twice by its title, and referred to the Joint Committee on Atomic Energy.

Mr. MALONE. Mr. President, will the Senator from Iowa yield to me?

Mr. HICKENLOOPER. For what purpose?

Mr. MALONE. For the purpose of commenting on the bill just introduced.

Mr. HICKENLOOPER. I hope the comment will not be extensive.

Mr. MALONE. I thank the Senator. I shall be brief.

Mr. President, times have changed since the enactment of the 1946 Atomic Energy Act. Times have changed since Mr. Lilienthal and other members of a committee recommended that the atomic energy secret be shared with all other countries, including Russia, without adequate inspection for security.

The President of the United States has sounded the warning note. He has said that the time has come for a show-down.

It is well known that there are two great world powers in the world today—not five—and they are Russia and the United States.

The other three—England, France, and China—we are simply leading by the hand. They have neither the money nor the national stamina successfully to oppose the continuous unrelenting pressure of communism.

Mr. President, our own President of the United States has made this decision—we here have only the right to accept or reject.

Our own generation has experienced two devastating world wars. Our people were never properly informed of the approach of either of them, or of the great principle and policy upon which the decision to enter them was made.

This time they have a right to know. They have a right to be fully and completely informed of not only the great over-all plan of which our entry into Greece and Turkey is a part, but they have a right to know what the alternative to such a plan might be, what would be the consequences of our refusal to enter into the European and Asiatic internal conflicts which have continued periodically throughout all recorded history.

According to the President of the United States this is clearly a conflict between two philosophies of government—an attempt to establish spheres of influence.

Communism is a religion as well as a socioeconomic system. For this reason the spreading of it around the world is a holy purpose to the Russians. This explains why they can be expected to die for it right here in this country and to deny, when confronted by the evidence, that they are members. This also explains why we have not been able to reach them with any argument to stop the expansion of their doctrine by subterfuge, trick, deceit, propaganda, and every other means.

This has led to the "containment" plan which brought out the Greece-Turkey military-economic backing program now under consideration. The immediate proposal is to give $400,000,000 to Greece and Turkey to organize their armed services and to vitalize their industries in defense against the totalitarians.

It has already been announced that Korea will be the next country to be helped in the same way. It is understood China will follow Korea, and that we intend to build a great naval base at Singapore, probably also at other points along the China coast or the Asiatic waterfront.

The plan of containment also includes dominance in Iran, Arabia, Italy, Syria, and to attain as much control in Europe at key points as is essential for the purpose.

Last week we made a treaty with the Philippines which gives us the right to build harbors, military bases, air bases, fortifications, and many other kinds of offensive and defensive works in all parts of the islands in approximately 20 areas. By the terms of the treaty we may put in the installations under our own laws in our own way virtually without any control by the Philippine Government. About half of these installations whose building has begun are in absolutely new locations.

The theory involved in this containment program includes the purpose of establishing industries wherever we come to the aid of a country. Even Germany, it is hoped, may be launched on a light industrial-production program. This, obviously, will be done with our money collected from our own taxpayers, and will be guided by our technicians, business executives, trained administrators, and financiers.

All these countries have an extremely low living standard. It is obvious that the plan has been launched to make this country the principal market for their products. This part of the program, if successful, will tend to lower our wage living standards when dumping begins.

The problem involved in this entire program is whether our 140,000,000 people and their equipment, military forces, and resources—which are not illimitable—can be scattered around the globe to contain and control 2,000,000,000 people—which is roughly estimated to be the populations who might eventually follow totalitarian leadership.

It also is wise to emphasize that, while the President through his Cabinet members is continually emphasizing that our resources are running short, and that through their preachments of becoming a have-not nation and current operating policies, they have practically stopped the investment of venture development capital in our mines, forests, and fuels.

An argument used against the containment program is that it will drain us of human resources, mental energies, and most of our physical resources of mine, forest and field, and that we are playing into the hands of the Russians by exhausting ourselves. When a certain point of exhaustion is reached, not only our physical resources will be depleted but we will be so terribly taxed that people will reach the discouraged conclusion, "what is the use to work purely for the tax collector who gathers in his money to support Government's enterprises?"

The theory on which this program as well as others are based is that Russia is

weak and still unorganized and poorly equipped and therefore is not able at the present to fight. The thought seems to be that she can get ready within 5 or 10 years, the military here says 5 years, and the people abroad say 10 years.

Those who have faith in the containment program think Russia can be so well bottled up within 5 years that she will not want to fight. The practical immediate effect of the program obviously means the expenditure of billions of dollars which must come from our people.

It will, and is already, recreating a war economy.

The foreign demand will take United States goods abroad which we need at home. Replenishment industrially and by the consumer inevitably will be delayed. Machinery and materials we need here for our capital plant and equipment will go into foreign countries.

Britain already has restored practically all its wartime controls. It is inevitable that we will restore wartime controls with a war economy. It is immediately apparent that we must have controls under this program to speed production of goods needed abroad.

That the Government must have controls to make the necessary allocations between foreign and domestic needs and the Government must place controls on prices, marketing, storage and transportation. It is inevitable that the armed services will buy enormous quantities of many materials and equipment. This means new United States industrial mobilization.

What are alternatives to this program?

Some people are very candid who hate the thought of war and who have confronted the present situation with Russia in bewilderment, have reached the conclusion since some form of war is apparently inevitable that now is the time to deliberately offer Russia the alternative of fighting, or confining her communistic activities to their own sphere of influence as layed down by your plan of occupation.

These thoughts are somewhat like the philosophy of the surgeon, but it is the surgeon's philosophy in reverse. The surgeon tries to operate while the patient is still strong. In this case we would operate while the patient is still weak. The springboard for this particular trend of thought is downright realism without any of the higher or spiritual phases of life.

Another alternative that is often discussed is that we shall keep out of the rest of the world—draw our people back wherever they are and devote ourselves to making ourselves completely ready in our own hemisphere. This would include integration into the hemispheric plan of everything from Baffin Bay to the Straits of Magellan. It would involve the English-speaking, Spanish-speaking, and Portuguese-speaking people of the Western Hemisphere. It would also involve the possibility sometime in the future that we would be attacked by the totalitarians on our own hemisphere. They would be under the necessity of bringing troops many thousands of miles over practically all the oceans of the world. The same of course is true of our problem if we seek to join the issues with them in Asia and Europe. And all military thought still holds that masses of infantry are the deciding weight that wins and occupies countries.

Another alternative that should have some force and which probably appeals to the greatest number of Americans, Although they cannot see how it can be accomplished, is what you might call the spiritual phase or program.

This is not a religious feeling. It is a feeling that there must be some better way to decide issues than by conflicts that destroy civilization. There is not the remotest doubt that the next conflict will leave most of the globe in ruins. It is impossible to imagine what will be the state of this world when the next conflict has been terminated and only one social and political form is left sitting on top of the world on a heap of skulls as it were. No thinking man or woman can imagine that the next war will leave anything but vast, monstrous, demolition and annihilation.

We want peace and we are ready to sacrifice for peace. The trouble seems to be that the Russians, truly Asiatics, are fired with a fanatic zealousness for communism which to them is religion. They think it is their destiny to convert the future world to the system of cooperative living and eliminate competition. We do not appear to have that same spiritual conviction that possesses those people.

If we had some tremendous and inspiring conviction it is possible that with our will to peace and our conviction we might be able to sell the Russians the idea that the globe is big enough for their system and for the nontotalitarian system, and that it is perfectly feasible for both systems to compete for the good will and following of the peoples of the globe in peace rather than in an annihilating conflict.

There is no reason why such an appeal might not register. The trouble is, apparently we on our side of the fence have inadequate leadership and are still riddled with too obvious selfishness.

Bear in mind that in the minds of practically every mother and father and in those of us who have had to do with the last two World Wars will be the desperate question, Why cannot they do something about avoiding war? And that particularly is the problem of the people in the Congress. It is up to them some way to find the method by which the Russians can be stopped and contained without recourse to those processes which will destroy the globe.

Now, Mr. President, since it is well understood that the atomic energy is purely a national security asset and that it will have no civilian application for a considerable time, it seems the sensible thing to place the control where it is so obviously needed.

This morning's papers carry headlines announcing the Korean emergency, estimating the cost at $600,000,000. This, together with the crisis in Greece and Turkey, adds up to $1,000,000,000 with more to come.

The purpose, then, of introducing the amendment to the Atomic Energy Act of 1946 at this time is to put into the hands of the one man holding the absolute confidence of the American people at this time, the greatest national security and peace-enforcement weapon of all time. That man is Hon. George C. Marshall, Secretary of State.

CONTROL AND ERADICATION OF FOOT-AND-MOUTH DISEASE AND RINDERPEST

Mr. HICKENLOOPER. Mr. President, I understand that the Senator from Kansas [Mr. REED] wants to ask unanimous consent, as in legislative session, for the consideration of a bill referring to the prevention, control, and eradication of foot-and-mouth disease and rinderpest.

Mr. REED. Mr. President, I ask unanimous consent, as in legislative session, for the present consideration of House Joint Resolution 154, Calendar No. 63.

The PRESIDENT pro tempore. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 154) making an appropriation for expenses incident to the control and eradication of foot-and-mouth disease and rinderpest.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Kansas?

There being no objection, the Senate proceeded to consider the joint resolution.

The PRESIDENT pro tempore. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution was ordered to a third reading, read the third time, and passed.

Mr. REED. Mr. President, I wish to thank the Senator from Iowa for his courtesy in permitting me to have the joint resolution considered at this time. I know how he feels; for at one time when I had the floor, for 45 minutes continuously I was kept from saying a word because of the interruptions of other Senators.

Mr. HICKENLOOPER. Mr. President, I have been pleased to yield to the Senator from Kansas. He is a delightful gentleman from the Midwest, and I am glad he has been able to secure action on the measure so quickly.

ATOMIC ENERGY COMMISSION—NOMINATION OF DAVID E. LILIENTHAL

The Senate resumed the consideration of the nomination of David E. Lilienthal to be a member of the Atomic Energy Commission.

Mr. HICKENLOOPER. Mr. President, I have just one or two other things to say in order to complete the statement I wish to make at this point. I have referred to the qualifications of Mr. Lilienthal and the reasons why I have decided to vote for the confirmation of his nomination. I referred briefly, yesterday, to Mr. Lewis L. Strauss and his background as a layman in science.

At this time I desire to refer briefly, for the information of the Senate, to Mr. Robert F. Bacher, another proposed member of the Commission. I call attention to the fact that Dr. Bacher is a nuclear scientist of highest degree. He is the one scientific, professional man

nominated to be a member of this Commission. He has had extensive experience in the Manhattan project. He began in 1941, with the Massachusetts Institute of Technology, in radar work; and in the spring of 1943 he went to the Los Alamos Laboratory, as head of the experimental physics division. Later he was head of the bomb physics division of the Los Alamos Laboratory, which is the laboratory of the Manhattan District which put the bomb together in its final stages.

Again I call attention to the fact that in the printed hearings we find, prior to the testimony of each of the nominees, a résumé of his experience.

One of the other gentlemen nominated to be a member of the Commission is Mr. Sumner T. Pike, of Maine. He has had broad governmental and business experience. It will be found, from reading the references to his background and experience, as shown in the hearings, that he has had military service in the past; he has been purchasing agent and assistant manager of an electric company in Texas; he was vice president of the Service Station Equipment Co., in Texas; he was assistant to the president of G. Ansinck & Co., of New York, a firm in the general South American import and export business. He was later a member of the financial department and financial secretary for the Continental Insurance Co. and affiliated companies; and he has been vice president and director of Case Pomeroy & Co., a firm engaged in mining exploration and investment and also in oil production and exploration. He was later business adviser to the Secretary of Commerce and a member of the Temporary National Economic Committee for the Department of Commerce. Thereafter he was a member of the United States Securities and Exchange Commission. He has been a Director of Fuel Prices, in the Office of Price Administration; and now he has been nominated for appointment as a member of the Atomic Energy Commission.

The other gentleman nominated to be a member of the Commission is Mr. William W. Waymack. His home is in Des Moines, Iowa, and he would come to the Atomic Energy Commission from the position of editor of the Des Moines Register. To indicate Mr. Waymack's background, I suggest that Senators read in the hearings the résumé of his experience. He has had world-wide experience during the past 20 or 30 years. He has had unusual opportunity to learn about the rest of the world. He is a Pulitzer prize winner as an editor. He has received many honors for the excellence and high quality of his editorial ability. I have know Mr. Waymack personally for a great many years. He is an intensive worker, a man with a highly qualified mind, and one who, as a layman, in my judgment cannot only secure a completely adequate grasp of his duties in this field, but also will bring to it a zeal and an integrity which will be of great benefit to the Atomic Energy Commission.

Mr. BRIDGES. Mr. President, will the Senator yield to me? I wish to ask a question about Mr. Waymack.

Mr. HICKENLOOPER. I yield.

Mr. BRIDGES. I simply wish to say that I judge that the Senator from Iowa is a little more enthusiastic about Mr. Waymack than he has been about some of the other gentlemen he has described; is he not?

Mr. HICKENLOOPER. I did not intend to be, Mr. President. I merely felt that because I have known Mr. Waymack for some years, perhaps I might enlarge a little upon the statement of his qualifications.

Mr. BRIDGES. I think that when the Senator from Iowa knows a man and has known him for years, he is correct in enlarging a little on his qualifications. I can excuse the Senator for not doing so as to others. Probably he does not know Mr. Lilienthal as well as I do and is not as well acquainted with him as I am. I have known Mr. Lilienthal for 16 years, and I can understand very well why the Senator from Iowa would be a little reticent in speaking in detail about him.

So I am glad to see that when the Senator from Iowa does know a man like Mr. Waymack, he enthuses over him a little more.

Mr. HICKENLOOPER. Mr. President, I may say that while the acquaintance of the Senator from New Hampshire with Mr. Lilienthal has actually extended over 16 years, I will bet him a new hat that the 16 years have not seemed as long to him as the 6 weeks I have known him have seemed to me. [Laughter.]

Mr. President, let me say a word about the nominee for General Manager of the Commission, who, under the law, must be appointed by the President and confirmed by the Senate. The President appointed Carroll L. Wilson to be General Manager of the Commission, after recommendation by the Commission. Mr. Wilson is a young man, 36 years old, I believe. However, the record shows, as do the recommendations of those who know him, that during that time he has reached an enviable standing in scientific-production fields. He bears the unqualified and enthusiastic endorsement of such men as Dr. Vannevar Bush, to whom he was assistant at one time; Dr. Karl Compton; and a number of other scientific men who know well the atomic-energy field, and who not only speak of him in the highest terms, but were instrumental in recommending him to the Commission and to the President for appointment as General Manager of the Commission.

Now, Mr. President, I have concluded what I wanted to say, at least in a preliminary way.

Mr. BRIDGES. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield to the Senator from New Hampshire.

Mr. BRIDGES. The Senator does not think that as General Manager Wilson would be of much account with Lilienthal as Chairman, does he?

Mr. HICKENLOOPER. Yes; I think he would be.

Mr. BRIDGES. Why does the Senator think that the General Manager would have much to say with Mr. Lilienthal as Chairman?

Mr. HICKENLOOPER. If the Senator is suggesting that Mr. Lilienthal overrides the provinces of employees or those under him, I do not believe Mr. Lilienthal is of that disposition. I think Mr. Lilienthal is a forceful executive; I do not think anyone can deny that he is a successful executive. But I believe that, as a successful administrator, he will cooperate with his associates on the Commission, and will certainly confine his activities to the establishment of a general policy, and that the General Manager will be fully authorized and permitted to perform his functions as such.

Mr. BRIDGES. The Senator said yesterday that Mr. Lilienthal is impatient of legislative processes. Of course, that is how all dictators start; they begin to oppose or become impatient with legislative processes. So they take the law into their own hands. That is how Hitler started; that is how Mussolini started; that is the way many men in countries overseas started to become dictators.

If Mr. Lilienthal has that characteristic—and the Senator from Iowa said yesterday he has—if he is impatient with legislative processes of the Congress, which created his Commission—and the Senator from Iowa said yesterday that he is—it is reasonable to suppose that he would be intolerant of a manager who exercised any of the real duties of management, particularly when the manager is a subordinate? In other words, instead of being a resolute executive, as the Senator indicates, would it not be better to say that he is a ruthless executive, who demands complete obedience from his subordinates, and will brook no interference?

Mr. HICKENLOOPER. Mr. President, when I said yesterday, in effect, that he may be a man who is restless at certain legislative restraints or legislative procedure, I was speaking, perhaps, forensically, or admitting forensically, for the sake of the argument, taking the assumption that he might be. I am not in a position to say that he is not. There are those who accuse him of being restless, and, as I have said, he may be; I do not know. I have not any evidence that he wishes to override legislative authority. If he does accentuate that feeling, if he is strongly of the opinion that he wants to disregard all legislative restraints upon a public body, I would say he probably would be ruthless, but I am not convinced that he is that kind of a man.

Mr. McMAHON. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield to the Senator from Connecticut.

Mr. McMAHON. I ask the Senator from Iowa if it is not a fact that all the witnesses who appeared and testified about Lilienthal—that is, all those who were asked about this specific point and this charge—united in their expression? I can refer the Senator from New Hampshire to the record, and I would ask him to read the testimony of Mr. Charles A. Thomas, the vice president of the Monsanto Chemical Co., in charge of the gas-diffusion project at Oak Ridge.

Mr. BRIDGES. Will the Senator yield?

Mr. McMAHON. Just a moment, please. He was one of the collaborators and one of the writers and signers of the Acheson-Lilienthal report. I would ask

the Senator from New Hampshire to read the testimony of Harry A. Winne, of Mr. Chester I. Barnard, and of Lilienthal's other associates. Every one of them made the point that he knew how to cooperate, that he listened carefully to the suggestions which were made by them, was quite willing to compromise and to adjust his viewpoint if he believed intellectually that that was the thing to do.

I must say to the Senator that the picture contained in the thousand or twelve hundred pages of testimony does not convey to me, or to any one else who will read the record, I believe, the kind of a picture the Senator is attempting to draw of this man. I think it is a figment of the Senator's own imagination, based upon the fact that Mr. Lilienthal has committed the terrible crime of making the TVA project a success.

Mr. BRIDGES. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. BRIDGES. The Senator from Connecticut knows that is not true.

Mr. McMAHON. If I knew it was not true, I would not say it.

Mr. BRIDGES. Why did the Senator not mention Dr. Arthur Morgan? There is a man who knows Lilienthal better than the Senator from Connecticut does, or perhaps I know him better than the Senator does. So why quote the heads of great corporations who have projects that may come under Mr. Lilienthal, who do not dare to say anything else?

Mr. McMAHON. Mr. President——

Mr. HICKENLOOPER. I yield for an answer.

Mr. McMAHON. I propose to discuss Dr. Arthur E. Morgan at some length. I propose at the proper time in the debate to read the characterization of Dr. Arthur E. Morgan by the senior Senator from Tennessee. I read one of the characterizations of Dr. Morgan yesterday. I have three or four more, in which the Senator described Dr. Morgan back in 1935.

I listened to Dr. Morgan, as did the other members of the committee, for, I believe, 2 days. I think that all the members of the committee—well, shall I reserve one?—were of the opinion that the doctor completely and entirely failed to make out his case, as he did when previously a joint committee took 6,158 pages of testimony, wrote a report of 275 pages, and denominated every charge which was made by Dr. Morgan, every charge, incidentally, remade in this hearing, as entirely unsubstantiated and without merit.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from Louisiana.

Mr. OVERTON. I should like to make a slight contribution to the statements which are now being made with reference to Mr. Lilienthal. I should like to quote from Mr. Bernard M. Baruch, testifying before the committee, who stated, speaking of Mr. Lilienthal, as appears on page 100:

> He is a man of prodigious energy, of driving force. I think sometimes that in his conception of his duty he drives exceedingly hard; and sometimes perhaps makes enemies or creates misunderstandings.

I thank the Senator.

Mr. McMAHON. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. McMAHON. It is significant that the Senator stopped at just that point in the record. Mr. Baruch proceeded to say:

> He never had any with me, but I understand, that at some time or other, he has had some with my good friend, Senator McKELLAR—whom I have known for 31 years, and for whom my affection and admiration have grown each year in the time that I have known him, since the great days of Woodrow Wilson, when he was particularly active and up until now.
>
> Those differences I have never discussed with either one of them. I have had a closer and more affectionate relationship with Mr. McKELLAR than I have with Mr. Lilienthal. But Mr. Lilienthal is thoroughly qualified, a good manager—knows his subject.

Mr. OVERTON. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. OVERTON. How does that detract from or add to the information I conveyed to the Senate, when Mr. Baruch stated, along the line the Senator from Iowa was discussing, that Mr. Lilienthal "is a man of prodigious energy and of driving force"? That is the point I wanted to bring out:

> I think sometimes that in his conception of his duty perhaps he drives exceedingly hard, sometimes perhaps makes enemies or creates misunderstandings.

There is no necessity for my proceeding to read the eulogy he pronounced on my good friend, the Senator from Tennessee [Mr. McKELLAR]. The Senator from Tennessee needs no eulogy from anyone on the floor of the Senate.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I am trying to yield the floor, but I will yield to the Senator from Connecticut, if he wants to make a comment.

Mr. McMAHON. I think it is only fair to say that the Senator from Connecticut completed the reading, because he did not want the inference to be in the RECORD that Mr. Baruch had done anything else but completely and finally and totally endorse this nominee. "He is a man of driving force." What were the adjectives? "A man of prodigious energy." That he is a man of "prodigious energy" and of "driving force" makes him, to me, very much the man for the job. That is what we need.

Mr. BRIDGES. Mr. President, will the Senator yield once more?

Mr. HICKENLOOPER. I yield.

Mr. BRIDGES. I want to ask the Senator from Connecticut whether Mr. Baruch said that Mr. Lilienthal was the best qualified man in the United States. Did he make that statement?

Mr. McMAHON. I do not know that he was asked that question.

Mr. BRIDGES. Did he make that statement?

Mr. McMAHON. No, as I remember, he did not make that statement. But Mr. Baruch is not the President of the United States; Mr. Truman is the President of the United States. He sent the nomination of this man to the Senate for our consent and advice as to whether we should confirm him.

Mr. BRIDGES. Does the Senator think that we should get the best man in the United States for such an important office as this?

Mr. McMAHON. I certainly do. I will say to the Senator from New Hampshire that I believe after listening to the hearings and after giving the matter considerable thought and reflection, that is exactly what we have done. I stand on that.

Mr. BRIDGES. I merely want to say to the Senator from Connecticut, in that connection, that he and all others who agreed with him that Lilienthal is the best man in the United States will have my deepest sympathy in the years to come. I have nothing but sympathy for the Senator, because I believe he is certainly terribly misled.

Mr. McMAHON. I accept the Senator's expression of sympathy, and at the same time I congratulate the President and the people of the United States, and the Senate, which will have a chance to confirm the nomination of Mr. Lilienthal.

Mr. SMITH. Mr. President, will the Senator yield for a question?

Mr. HICKENLOOPER. I yield.

Mr. SMITH. For my own information, and for the RECORD, I should like to ask the Senator from Iowa a few questions. Is it true that on January 7, 1946, the then Secretary of State, Mr. Byrnes, appointed a committee on atomic energy, of which Mr. Dean Acheson, Under Secretary of State, was chairman, and on which committee were the following members:

Mr. Vannevar Bush, who has been head of the OSRD;

Mr. James B. Conant, who was president of Harvard University;

Maj. Gen. Leslie R. Groves, United States Army, who was in charge of the Manhattan project, as I understand it; and

Mr. John J. McCloy, who has recently been appointed President of the International Bank.

Is it also a fact, if I may ask the distinguished Senator from Iowa, that that committee set up a board of consultants, in order to make the study they had been asked to make by the Secretary of State, and on that board were the following gentlemen:

Mr. David E. Lilienthal, Chairman of the Tennessee Valley Authority;

Mr. Chester I. Barnard, president of the New Jersey Bell Telephone Co., who, I am glad to interject, is a warm personal friend of mine, one of my constituents, and he is also one of the leading businessmen in my State;

Dr. J. Robert Oppenheimer, of California Institute of Technology, and the University of California;

Dr. Charles Allen Thomas, vice president and technical director, Monsanto Chemical Co.; and

Mr. Harry A. Winne, vice president in charge of engineering policy, General Electric Co.

Is it not true that that group, working with the Acheson committee, prepared what was called the Acheson-Lilienthal report, which was released to the press, as I understand, on the 16th day of March 1946?

Mr. HICKENLOOPER. I am unable, without the book or the records, to verify the dates the Senator has mentioned, but with reference to the committee to which the Senator has referred, which was appointed, with the personnel he has stated, there was the main committee, the Secretary of State's committee, I believe, and the other committee, headed by Mr. Lilienthal, was a panel or group to do, I think, the detailed work in the preparation of a report.

Mr. SMITH. Is it a fact also, I will ask the Senator, that these gentlemen, other than Mr. Lilienthal, worked with Mr. Lilienthal during the period of time in which this report was made; and also, that they were in consultation with Mr. Baruch, at the time of the preparation of the material that Mr. Baruch used in preparing our case before the United Nations? Is it not also true that the gentlemen whose names I have read testified at the hearings conducted by the Senator's committee, and certified to the ability of Mr. Lilienthal to carry on this job?

Mr. HICKENLOOPER. Mr. President, generally speaking, the Senator is correct. I think he has asked a three-barreled question.

Mr. SMITH. I merely recited for the RECORD this material from the report of the committee, which gave the names of both the original committee appointed by the Secretary of State and also the Board of Consultants.

Mr. HICKENLOOPER. The Secretary of State's committee was appointed, as the Senator has stated, and that committee in turn appointed a panel headed by Mr. Lilienthal to make a survey of the subject and help with the report. The panel, headed by Mr. Lilienthal, as I understand, made two or three reports to the main committee, headed by the Secretary of State, or the Secretary of State's committee, and after several meetings, and after canvassing the situation, a report was adopted for the international control of atomic energy, or a recommendation, called the Acheson-Lilienthal Report.

In our hearings Mr. Bernard, Mr. Thomas, and Mr. Winne testified for Mr. Lilienthal. Dr. Oppenheimer did not appear. Mr. Acheson, Under Secretary of State, Vannevar Bush, and Dr. Conant appeared. I cannot recall at the moment whether Mr. John J. McCloy appeared or not. I am informed that he did not. Does that answer the question?

Mr. SMITH. I thank the Senator.

Mr. HICKENLOOPER. Replying to another part of the Senator's question, as to whether or not they were in consultation with Mr. Baruch, when he became our representative to the United Nations for the composition of the Atomic Energy International Control Plan, I think there was a consultation by Mr. Baruch and his assistants with this group, all of them, or some of them at least, and that some of the details of the so-called Acheson-Lilienthal Report were used as a basis for certain proposals on the international control of atomic energy. I think it was helpful in that way.

Mr. SMITH. I thank the Senator. I simply wanted to get the relationship of this work with which Mr. Lilienthal was connected to our program before the United Nations.

Mr. HICKENLOOPER. It was interrelated.

Mr. SMITH. I thank the Senator.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. BRIDGES. The distinguished Senator from New Jersey did not ask the Senator whether or not he knew if Mr. Lilienthal requested any of these gentlemen to appear and to testify personally, did he?

Mr. HICKENLOOPER. No; as a matter of fact, I do not know whether he requested them; but if I had been in Mr. Lilienthal's place, in one way or another, I might have tried to see whether they would testify in my behalf, or against me.

Mr. BRIDGES. Did the Senator from New Jersey also ask the Senator why, before they prepared this report and turned it over to Mr. Baruch, they left out one very fundamental thing—the safeguards to the United States of America on the disposal of the atomic bomb; why this commission, which endorsed Mr. Lilienthal, in preparing this report, forgot that very fundamental phase, which is of interest to some 140,000,000 people in this country.

Mr. HICKENLOOPER. Mr. President, I take a much different view of that report than the connotation raised by the Senator from New Hampshire. The so-called Acheson-Lilienthal report, as I read it—and I have read it a number of times, and I can take no other interpretation from it—only consisted of the broadest generalization of principles.

The Baruch report, which went further, specified in more meticulous detail the step-by-step proposals under which we would turn over the last secrets of atomic energy. The Acheson-Lilienthal report never intended and did not in fact give the details of the implementation of the plan. It consisted of broad generalities. That is the only interpretation I could make of it. I know there is some disagreement on that point, but I think that a reading of the plan fairly discloses that fact.

Mr. BRIDGES. The Senator answers my question, and the answer is "Yes," that they did forget to include any safeguards for the United States of America in the disposal of the atomic bomb.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. KNOWLAND. In answer to my distinguished friend, the Senator from New Hampshire, to the question he now asks, I propounded to the Under Secretary of State during the hearings on Monday, February 10, as appears on page 287, the very same question the Senator raises. Mr. Acheson said this in reply:

That is correct.

In other words, that the veto had not been gone into.

Now, what I have said several times is that the Attorney General's committee—

Which was a misstatement. He meant the Secretary of State's committee—

and the Board of Consultants undertook to limit what they were doing. In my judgment it is a wise court that limits its own jurisdiction. We undertook to deal with the basic physical problems; what had to be done if you are going to control it. We did not undertake to go into the questions of international law, international finance, the use of international armaments to repress aggression.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. McMAHON. I think it would be well to place in the RECORD at this point the very eloquent statement which was made by the distinguished President pro tempore, the senior Senator from Michigan, and comment which he made, as follows:

Mr. Chairman, I think I would like to make a brief observation at this point, to help clear the record. I happened to have been with the Secretary of State "at the front and in the trenches" at the particular time this commission (the Board of Consultants) was launched. We had been rather glibly discussing international inspection and control, with the constant question in the back of our heads as to: Just how do you do it when you get around to it? And it is my opinion that the Commission to which you refer was created for the specific purpose, and the purpose only, of answering the physical question: "How do you do this thing if you get a chance to do it?"

It did not occur to me, I must say, that the absence of a discussion of the veto in your particular report—

Referring to the Lilienthal-Acheson report—

was any reflection on the report. I quite agree with Senator KNOWLAND, as I know you do, that in the final showdown the veto becomes perhaps exhibit A in connection with the entire affair. But I think I would have to testify from my own association with the development of the enterprise that the problem presented you was purely an answer to the question: "Can you physically, factually, mechanically, actually control atomic energy?"

Mr. BRIDGES. Will the Senator from Iowa yield for one more question, please?

Mr. HICKENLOOPER. I yield.

Mr. BRIDGES. Did Mr. Lilienthal ever explain to the chairman or his committee why he was reluctant or why he refused to allow the military to participate in the work of the Commission? This question has been raised here very definitely, and I say it is a very interesting coincidence. It is peculiarly significant that we laid down the broad basic principles on atomic energy, but we forgot one which I thought paramount to all, the safeguarding of our Nation and her 140,000,000 people in what is probably their most vital possession, the atomic bomb. I am just wondering if it is true, as the hearings indicate, that Mr. Lilienthal refused to have the military participate in the discussions of this committee after he took over, and, if so, if that is significant to the Senator?

Mr. HICKENLOOPER. Mr. President, in the first place, the Senator assumes that Mr. Lilienthal has refused to let the military participate. That assumption is not correct. In the second place the protection of the atomic bomb is completely assured under the law. The law created a military liaison committee to be appointed by the Secretaries of War and Navy, six men. That committee has the right to be informed as to whatever goes on in the atomic energy field that has anything whatsoever to do with the military applications. That committee has the right if it feels that anything the Commission is doing or is not doing is inimical to the security of this country, to appeal to the Secretaries of War and Navy, who, if they think or if they agree that there is a serious question involved, can carry the matter to the President, who has the authority, and the duty, and the right, and the responsibility to order the Commission either to do or to refrain from doing that which is going on which is considered to be inimical to the safety of the United States. And in the Commission itself there is a department of military application which is devoted to the military application of atomic energy. I think the question of the security of our military application is safeguarded.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. BRICKER. Is it not true that Mr. Lilienthal testified that he had not from the time that the Commission took over the project conferred with General Groves, who had previously headed it, until the time the hearings began?

Mr. HICKENLOOPER. I would prefer, Mr. President, to quote that testimony accurately, and I cannot do it from memory. I will give the Senator my best judgment respecting what was said. On the first or second or third day of the hearing—perhaps a few days later, I do not recall—a question was asked Mr. Lilienthal as to whether or not he had consulted with General Groves. I think he said that he had seen him a time or two. I think a day or so later he came back with a list of specific dates upon which he had consulted General Groves and had talked with him about this matter. It was a much more extensive list, I will say, of dates and times, than I had been led to believe from his first statement. I cannot be more specific.

Mr. BRICKER. I think his first testimony was that he had not conferred with General Groves, and then a couple of days later he came back and said he had.

Mr. HICKENLOOPER. The Senator may have the exact pages of the record at which the testimony occurred. I do not have the time now to leaf through the hearings.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. HATCH. I was impressed by the statement of the Senator from New Hampshire that Mr. Lilienthal had shown a reluctance to consult with or utilize the military in connection with atomic energy. I do not know whether that is true or not. I know nothing about Mr. Lilienthal. But I recall quite well that millions of people in the United States were terribly afraid that atomic energy would fall into the exclusive control of the military, and that this great force would be used only for destruction and not for any constructive purpose. I remember that when the bill creating the Atomic Energy Commission was first presented on the floor of the Senate I and other Senators raised the question whether the measure should go to the Military Affairs Committee because many of us were reluctant to turn this vast force over to the military. As a result of the objections and of the fears that some of us entertained, a special committee was established, headed by the distinguished Senator from Connecticut [Mr. MCMAHON]. I do not think it is a just criticism of Mr. Lilienthal to say that he hesitated to turn this force over to the military.

Mr. HICKENLOOPER. Mr. President, I have before me at least a portion of the record referred to by the Senator from Ohio [Mr. BRICKER] a moment ago, on the point as to whether or not there had been consultation between Mr. Lilienthal and General Groves.

Mr. MCKELLAR. What page?

Mr. HICKENLOOPER. Page 11 of the record of the hearings.

The first question was asked by the Senator from Michigan [Mr. VANDENBERG], as follows:

Senator VANDENBERG. Has your Commission ever consulted with General Groves since the Commission was organized?

Mr. LILIENTHAL. Yes; that was one of the very first things we did, and all during this period we have had the benefit of a good many consultations with General Groves and some of his associates on a great variety of matters. And Colonel Nichols, his deputy, has been of invaluable service to the Commission, as well.

Senator VANDENBERG. You did consult with General Groves? Your answer was "yes"?

Mr. LILIENTHAL. Yes. On many occasions; yes, sir. And on many subjects.

Senator KNOWLAND. Was that individually, or did the Commission call General Groves in?

Mr. LILIENTHAL. It was chiefly between the Commission and General Groves, although I perhaps did see the general at times in addition to that.

Senator JOHNSON. Was that since December 31 at midnight, or prior to December at midnight?

I interpolate that the Commission took over complete control of all phases of the Manhattan project at midnight on the 31st of December.

Mr. LILIENTHAL. Most of the consultations were prior to that. I am not sure whether there have been consultations with General Groves since the transfer or not.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. Just a moment. I continue to read from the record.

Senator JOHNSON. You have not had any since December 31 at midnight with General Groves, have you?

Mr. LILIENTHAL. I don't recall that there have been any; I think perhaps not.

The testimony continues on the question of the military.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. BRIDGES. The Senator from Iowa has, I think, very fairly revealed the record; and it proves the point that since David Lilienthal came into control at midnight on December 31, 1946, when the military relinquished control and he took over, he has not consulted General Groves. Of course, he probably consulted him while General Groves was in charge. That would be very natural. But since he assumed the supreme power, since he became our atomic dictator, he has not consulted General Groves. I thank the Senator from Iowa for his contribution to the cause, which clearly demonstrates that my point was correct.

Mr. HICKENLOOPER. I will say to the Senator from New Hampshire that it is my recollection—although I cannot find it in the record at this time—that Mr. Lilienthal later brought in a memorandum of dates and times when he had in fact later consulted with General Groves, after the 31st of December.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. KNOWLAND. On that point I think an explanation of Mr. Lilienthal's position is appropriate. I quote from page 16 of the record, in his answer to the Senator from Colorado [Mr. MILLIKIN], a member of the Senate section of the Joint Committee on Atomic Energy:

Mr. LILIENTHAL. We had a great many before the take-over, and I may be in error about after that date. It is quite possible I am. But as problems arise in which we feel the need for General Groves' judgment—when we get to those problems, and his experience becomes relevant, then either he or his aides have been consulted. As an example, I might cite this change in operation, which I referred to hypothetically, which actually took place. There, Colonel Nichols, General Groves' deputy in charge of that sort of thing, was the man who presented the matter to the Commission; very ably, giving us the whole background. In that sort of situation, of course, General Groves and his aides' experience will be invaluable.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. BRICKER. There is nothing in that statement by Mr. Lilienthal to the effect that he had conferred with General Groves at any time after taking over control. If the Senator will read carefully, he will note that there is no positive statement to that effect. The statement by Mr. Lilienthal was in reply to a question by the Senator from Colorado [Mr. MILLIKIN], who said:

Well, it continues to seem strange to me. Here is the most valuable single source of information in this whole business; and from the time you took over, you have not had a single consultation with him.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. KNOWLAND. In reply to the point raised by the distinguished junior Senator from Ohio, in the first place, the testimony being given by Mr. Lilienthal before the Senate section of the Joint Committee on Atomic Energy was given on the 27th day of January. Mr. Lilienthal, the designated chairman of the Commission, had testified that there had been many consultations. The point at

issue was whether there had been any consultations from midnight on the 31st of December until the 27th day of January, when he appeared before the committee The testimony shows—and I think there is no dispute about it—that he had testified to the effect that there had been many consultations prior to that time. The Commission had been busy getting itself established under the law, which it was required to do; and as matters came up affecting the military applications of this subject there had been consultations with Colonel Nichols, an able soldier, the righthand man of General Groves, and the man who was primarily responsible for the Manhattan project at the Oak Ridge plant.

Mr. BRICKER. But the fact stands out that before the Commission took over on the 31st of December, they were in touch with the organization of the military, which was then in control of the project; and during the time when they ought to have been organized, and after they got started and should have been in touch with the military organization, they were talking to subordinates and not to the man who was best informed.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. OVERTON. I should like to ask the Senator from Iowa whether General Groves was summoned to appear before the committee and testify on this point or any other point?

Mr. HICKENLOOPER. He was not.

Mr. OVERTON. Why not?

Mr. HICKENLOOPER. General Groves is a major general and a Regular Army officer. So far as I am concerned, the summoning of Regular Army or Navy personnel in a matter of this kind by the committee is an ineffectual medium of testimony, because I have the feeling that military personnel are bound to express only the administrative policy of the Government, and are not free to express their own opinions. I say that with no discredit to anyone. It follows from the nature of the service in the Regular Establishment. I will say to the Senator that if an officer or official of the Government volunteers to testify under circumstances when opinions and policies are involved, that is a different matter. In this case the committee did not feel that it was justified, by subpena or otherwise, in compelling the attendance of a member of the Regular Establishment in either the Army or Navy, unless the testimony arose naturally in connection with some specialized field. This was a matter of policy, a matter of Presidential discretion. General Groves was not summoned, and he did not volunteer to testify.

Mr. OVERTON. I take occasion to differ with the able Senator as to his duties as chairman of the committee. I think it is very proper to summon an officer of the Government, whether he be a civilian officer or a military officer. I have had occasion to summon them before committees of which I have been in charge and have them testify. I have requested them to be present, and they have come and have testified. They did not volunteer to testify, and at times they did not care to testify. But we are searching for the truth in these investigations. We want to know the facts. Certainly General Groves would have been in a position to testify exactly what contact, if any, Lilienthal had had with him. I think General Groves would have given a very accurate statement in that respect.

I attended the first session and one or two other sessions of the committee at the time when Lilienthal was under examination, and the impression created on my mind was that in his early testimony, in response to questions by the Senator from California [Mr. KNOWLAND], the Senator from Colorado [Mr. MILLIKIN], and the Senator from Colorado [Mr. JOHNSON], Mr. Lilienthal indicated that he was not desirous of having any contact with the military liaison at the meetings of the Atomic Energy Commission; and it was only after it was evident that the Senator from California and the Senators from Colorado did not agree with him that, later on in his testimony, he changed his attitude in that regard and stated something to the effect that he would welcome such conferences. But in the beginning he stated very clearly, I think, to the contrary.

Mr. HICKENLOOPER. The Senator will have to make his own interpretation of the evidence. The testimony on one day and the testimony on the second day, at least in my mind, made it clear that there was a willingness on the part of the Commission and on the part of Mr. Lilienthal to meet with and work with the military.

Mr. OVERTON. If the Senator will pardon me, and he is always courteous in yielding to others, let me say that the testimony to which I have reference is found on pages 13, 14, and 15 of the hearings. I do not care to take up the time of the Senate in reading it, especially in the Senator's own time. But there is the testimony in which Lilienthal clearly indicated, and I heard him say so, that he did not want any interference from the military and that they would not be present at the meetings of the Commission.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from Connecticut.

Mr. McMAHON. I want to make a very brief observation. As I recollect, after the first of the year, immediately after the Commission took over, General Groves went to Florida for a very well-earned rest, and until about 10 days ago, I think he was at the old Miami-Biltmore Hotel, which had been turned into a Government hospital. He has now returned and is on the military liaison committee. General Brereton has been appointed the head of that committee. There has been no complaint of any kind whatever from the military about noncooperation; in fact, the Secretary of War and the Secretary of the Navy have given their approval to these nominations.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. BRIDGES. When the Senator from Connecticut says there has been no complaint from the military, that is a broad statement; is it not? Members of the military have complained to me. I shall not elaborate on what they have said or mention their names at this time. But when the Senator from Connecticut says that no one in the military has complained about this matter, that is a broad statement. The Senator certainly has not consulted the military list extensively. He knows only that one has complained to him, does he not? He can speak only for himself.

Mr. McMAHON. I think that if the Senator has any observations to make regarding any specific complaints made by any responsible member of the military it is a proper subject to place in the RECORD at this point.

Mr. BRIDGES. The military men I have talked with are opposed to Mr. Lilienthal. Of course, the President has nominated Mr. Lilienthal, and the fact that the President is the Commander in Chief of the Army and Navy could mean their careers would be prejudiced by taking a public position in opposition to the President. Therefore, I do not blame them for being silent. But if the Senator will talk with some of the military or naval men with whom I know the Senator is acquainted, because I have seen him from time to time hobnobbing with some of them, and if he will lend his ear, I am sure they will give him information about Mr. Lilienthal which could, if the Senator's mind is open, cause him to change his mind.

Mr. McMAHON. All I can say is that during whatever hobnobbing I have done with them they have never let out a peep.

Mr. BRIDGES. Perhaps they thought the Senator was too far committed, and they did not want to waste their time and energy in that respect.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. BARKLEY. I should like to ask the Senator from New Hampshire or any other Senator why these military officers who were so brave on the field of battle are now such cowards that they cannot open their mouths to a Senator.

Mr. BRIDGES. Let me say to the Senator from Kentucky, that he knows how long a Navy or Army officer would last if he publicly took a position against the President of the United States.

Mr. BARKLEY No; I do not know how long he would last, but I think it is due the Senate and the country, when Senators are constantly referring to some secret, private conversation, some whispering into the ear of a Senator by a high ranking military officer, to let it be known who the officer is and what is behind it all.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. BREWSTER. I think the Senator from Kentucky might well recall the very distinguished case in which a very high-ranking officer of our Navy did take issue with the President of the United States, and consequently was demoted from the very exalted position he held. That was the case of Admiral Richardson, a case which was fully explored in the Pearl Harbor investigation, and concerning which there was no doubt that Admiral

Richardson was removed from his position of power and prestige because he dared to put his considered military and naval judgment against that of the President.

So I think we have very definite evidence of what happens, or certainly of what happened under a previous administration.

Mr. BARKLEY. That was not a case were Admiral Richardson or any other naval officer whispered into the ear of a Senator his private views in regard to something which was a matter of disagreement, between the Commander in Chief of the Army and Navy and the high-ranking officer, over naval policy as to which the Commander in Chief had the responsibility of making the decision. Admiral Richardson told the President very frankly that if there was a disagreement between them in regard to the policy at Pearl Harbor, the President should appoint someone who was in sympathy with his own views.

Mr. BREWSTER. That is not my recollection of Admiral Richardson's statement.

Mr. BARKLEY. The Senator will recall that Admiral Richardson specifically stated before the Pearl Harbor Committee that his transfer from the command at Pearl Harbor to a position in the Navy Department in Washington, D. C., was within the rights of the President. He made no complaint against it; and he took the position that the President, in the exercise of his own judgment and discretion, was not to be criticized for it.

Mr. BREWSTER. That is quite correct; but it is quite different from the Senator's earlier statement.

Mr. BARKLEY. The Senator can make any point out of it that he wishes to make.

Mr. BREWSTER. It is quite true that Admiral Richardson made exactly the statement which the Senator has now given, and it certainly reflected great credit on his concept of obedience.

But here we have an exactly parallel case in which the President of the United States has the responsibility of naming these officials, and he has exercised it. It might well be presumptuous for Army officers who may be familiar with this matter to express their private opinions—certainly in the light of the existing executive prohibition forbidding any Army or Navy officer to say anything inconsistent with the policies of the President. That is covered by a written Executive order which is now in effect, and certainly it suffices to explain the difficulty to which the Senator from New Hampshire has referred.

Mr. BARKLEY. All this is probably beside the point, but I think that if we are to give credence to confidential, secret conversations held by Army or Navy officers with Senators, the Senate ought to have the advantage of their names and the circumstances under which they complained, if they have complained, so that we might pass judgment upon it and weigh the testimony, if it is testimony, according to its own merits.

Mr. BRIDGES. Will the Senator further yield?

Mr. HICKENLOOPER. I yield.

Mr. BRIDGES. I have confidence that if an officer whom the Senator from Kentucky liked and respected, say, a colonel or a general in the Army, should come to the Senator from Kentucky and say, "ALBEN——

Mr. BARKLEY. Will the Senator make it "Dear ALBEN"? [Laughter.]

Mr. BRIDGES. Yes—"Dear ALBEN, I have lived my life in Kentucky. I am an old neighbor of yours, and I feel that I could tell you something that you should know"—I think the Senator, no matter what his position was on the floor, would not betray the confidence of that old friend. I have too much faith in the Senator from Kentucky to think that he would. I really think he would respect and honor that confidence.

Mr. BARKLEY. I thank the Senator for the compliment, and I hope I deserve it. But if some such person were to come to me and tell me that he had information in regard to a Presidential appointment which a congressional committee should know or which the Senate should know or the country should know, I feel that I would urge him to make the information available to the committee; and if he declined to do so, I might, of course, inquire—and I would have a right to do so—as to his motive in coming to me, no matter how friendly he might be in urging the rejection, for instance, of a nomination made by the President. I think, in fairness and truth, I would feel disposed to ask him why he was coming to me personally and confidentially, and why he was unwilling to make the information available to the committee, if it was worthy of consideration by the committee.

There come times, I think, in the life of a military or naval officer, just as they come to Members of the Senate, when the interest of the country is more valuable than confidential information.

Mr. BRIDGES. I agree.

Mr. BARKLEY. And where men have to take the chance of losing something which they regard as a temporal advantage, if they can serve their country by so doing.

Mr. BRIDGES. Yes; I agree. But if that old friend who had come to the Senator from Kentucky and had called him "Dear ALBEN," as the Senator desires, and had approached the Senator from Kentucky in that way, had also said "I tell you that it will mean my career—my career probably will be shattered; and I will be on my way to Timbuktu, or somewhere in the Pacific; but I am telling you this because I believe that in your great power as minority leader of the Senate you can utilize this information for the best interests of our country," I have every confidence that the Senator from Kentucky then would say, "Of course."

Mr. BARKLEY. Mr. President, I tell the Senator that I would not reveal a confidential conversation; but I would not let it outsway testimony or facts brought publicly to a committee as to the qualifications bearing on a nomination.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. McKELLAR. I wish to say that so far as I can remember, not one Army officer, not one naval officer, not one air officer, not one Marine Corps officer, came before the committee. Am I mistaken about that, or is my statement correct?

Mr. HICKENLOOPER. It is correct.

Mr. McKELLAR. I felt sure it was correct. I thank the Senator.

Mr. HICKENLOOPER. Mr. President, in answer to the query of the Senator from Kentucky, who asked me why men who have been so brave on the field of battle fear to come before the committee, I might suggest that on the battlefield they have some fighting chance for their lives, and they are brave men because they have that fighting chance; but I am afraid that if they were thus to risk their political careers, they would have no chance whatever for their political lives.

Mr. BARKLEY. I agree with that. But is a committee or is the Senate to be swayed by reason of a prejudice against a nomination with which they had nothing to do, simply because that person did not take that chance and appear before the committee either for or against the nominee?

Mr. HICKENLOOPER. I say to the Senator that in my argument I have not alleged that any Army or Navy officers have whispered anything to me.

Mr. BARKLEY. I understand that.

Mr. HICKENLOOPER. So I am out of this argument. It is academic so far as I am concerned.

Mr. President, I merely wish to make one other statement; namely, there are a number of incidental matters which I think undoubtedly will come up during the debate. They are incidental in connection with the hearings, because in my judgment those matters go to administrative detail, not to the fundamental question of confirmation of the nomination. Therefore, I shall not take the time of the Senate to discuss matters which I believe go to administrative detail. As to some of them I disagree; but none of them go to the fundamentals of the question of confirmation of the nomination.

Mr. ELLENDER. Mr. President, will the Senator yield to me?

Mr. HICKENLOOPER. I yield.

Mr. ELLENDER. I am sorry that I have not had an opportunity to hear all the Senator's discussion of this important subject since he has had the floor. However, judging from the newspaper reports, I am certain that the question of communism will be raised during this debate.

Mr. HICKENLOOPER. It was raised yesterday.

Mr. ELLENDER. I am sure the distinguished Senator from Iowa is about the best-qualified member of the committee to answer the question I am about to ask; namely, Is it a fact that all members of the committee which reported the nomination concluded that Mr. Lilienthal was not a Communist and was not sympathetic to communism?

Mr. HICKENLOOPER. Mr. President, I can only answer that question by saying—and I should like to have each member of the committee make his own statement on this matter if he believes

my statement to be incorrect—that it is my opinion that each member of the committee came substantially and soundly to that conclusion.

Mr. ELLENDER. That was my understanding.

Mr. HICKENLOOPER. Mr. President, I now yield the floor.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Cecil Wayne Gray, of Tennessee, now a Foreign Service officer of class 1 and a secretary in the diplomatic service, to be also a consul general.

LEGISLATIVE SESSION

Mr. WHITE. I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

MEMBERSHIP OF NATIONAL ARCHIVES TRUST FUND BOARD

The PRESIDENT pro tempore. The Chair wishes to make the following statement: The act of July 9, 1941, establishing the National Archives Trust Fund Board, provides that the Board shall be composed of the Archivist of the United States, as chairman, the chairman of the House Committee on the Library, and the chairman of the Senate Committee on the Library. In view of the reorganization of the committee system of Congress and the disappearance of the House and Senate Committees on the Library, the Archivist, Mr. Solon J. Buck, states that he is at a loss to know who the other members of the Board now are. He asks for instructions and authority from the Senate.

In the opinion of the President pro tempore, in view of the fact that the Committee on Civil Service has taken over the functions of the Committee on the Library, insofar as they relate to the National Archives, the Senator from North Dakota [Mr. LANGER] is the duly qualified member of the National Archives Trust Fund Board; and, without objection, this announcement will stand as being made with authority.

EXTENSION OF SUGAR CONTROLS

Mr. FERGUSON obtained the floor.

Mr. TOBEY. Mr. President, will the Senator yield to me?

Mr. FERGUSON. I yield.

Mr. TOBEY. I move that the Senate proceed to the consideration of Senate Joint Resolution 58, relating to the extension of sugar controls.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from New Hampshire.

The motion was agreed to; and the Senate proceeded to consider the resolution (S. J. Res. 58) to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes, which had been reported from the Committee on Banking and Currency with amendments.

LEGISLATIVE PROGRAM

Mr. KNOWLAND. Mr President, will the Senator from Michigan yield to me?

Mr. FERGUSON. I yield to the Senator from California for a question.

Mr. KNOWLAND. I wish to address a question to the majority leader. My question is this: In view of the fact that we have before us these very important nominations to the Atomic Energy Commission, and in view of the further fact that, as was pointed out the other day, the United States probably has lost about 18 months in the development of nuclear power, and also in view of the other important legislative matters requiring early action by us—including the one which now is the unfinished business, following adoption of the motion by the Senator from New Hampshire—is it not necessary that we recognize the importance of such matters and the deadline of March 31 which we face, and is it not, therefore, possible to have evening sessions, so that we may be able to take care of these urgent matters and at the same time not unnecessarily delay confirmation or rejection of the nominations of members of the Atomic Energy Commission?

Mr. WHITE. Mr. President, of course if it is the desire of the Senate we can hold evening sessions, I shall take the matter up with the members of the policy committee to determine whether at this time we should again undertake to hold evening sessions. Our two experiences up to date have not been particularly helpful. But if Senators want evening sessions they can readily be provided, and I shall discuss the matter with the policy committee.

Mr. BREWSTER. Mr. President, will the Senator from Michigan yield?

Mr. FERGUSON. I yield.

Mr. BREWSTER. I do not think the statement should constantly be repeated, unchallenged, that we have lost 18 months in nuclear power. I understand that, according to many Members of the Senate, we now have a very competent man directing this field. While he may feel the sword of Damocles suspended over his head, I presume he is proceeding under the responsibility and power that are clearly his. During the preceding period, when the President failed to make the appointments to the Commission, I assume the President felt it was in the competent hands of the military and of General Groves. I am at a loss to understand why we hear constantly reiterated the statement of 18 months being lost.

Mr. TOBEY. Mr. President, I merely wish to say to the Senator from California that the urgency of the sugar situation must be apparent to him as it is to all of us. Controls on sugar will expire next Monday. The Senate Committee on Banking and Currency, after weeks of deliberation, reported Senate Joint Resolution 58, and submitted a written report, and unless we act on the joint resolution by tomorrow, it will be too late, because it must go to conference after we get through with it. I realize the urgency of the situation regarding Mr. Lilienthal.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. TOBEY. I yield.

Mr. KNOWLAND. I do not think that in my statement I disputed the urgency of action on the measure taken up on motion of the Senator from New Hampshire; in fact, I acknowledged it. I merely pointed out that, due to the fact that there are two urgent matters before the Senate, it seems to me the Senate could well meet in evening sessions and expedite the business of the Senate.

Mr. TOBEY. I am glad the Senator corrected me. In the confusion I did not catch his point.

LEAVES OF ABSENCE

Mr. BRICKER. Mr. President, I ask unanimous consent that I may be absent from the sessions of the Senate tomorrow.

The PRESIDENT pro tempore. Without objection, the leave is granted.

Mr. WHITE. I ask unanimous consent that the Senator from Oregon [Mr. MORSE] be excused from attendance on the sessions of the Senate tomorrow and until Thursday.

The PRESIDENT pro tempore. Without objection, leave is granted.

MEETING OF COMMITTEES ON BANKING AND CURRENCY AND FOREIGN RELATIONS

Mr. TOBEY. Mr. President, I ask unanimous consent that the Senate Committee on Banking and Currency may sit while the Senate is in session on Wednesday and Thursday of this week.

The PRESIDENT pro tempore. Without objection, the order is made.

And, without objection, the Committee on Foreign Relations is given authority to sit tomorrow afternoon.

RECESS

Mr. WHITE. Will the Senator from Michigan yield?

Mr. FERGUSON. I yield.

Mr. WHITE. I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The PRESIDENT pro tempore. The Senator from Michigan has the floor. The question is on agreeing to the motion of the Senator from Maine.

The motion was agreed to; and (at 6 o'clock and 5 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, March 26, 1947, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate March 25 (legislative day of March 24), 1947:

DIPLOMATIC AND FOREIGN SERVICE

Cecil Wayne Gray, of Tennessee, now a Foreign Service officer of class 1 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 25, 1947

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

In this sacred stillness, Heavenly Father, we would lift our eyes unto Thee. Thou hast set Thy glory above the heavens, and all Thy works shall praise Thy name in earth and sky and sea. We beseech Thee to pour into our

lives a high and holy meaning, renewing and refreshing them. We praise Thee for the assurance that Thy mercy strengthens, Thy heart forgives, and Thy wisdom guides us aright. Even in the dark hours when reason and experience fail, we pray for Thy comforting signals. Send forth Thy light, which strikes a crimson pathway through the ages, and bless us with that spirit of brotherhood which breathes from the Saviour of men. In the name of our Lord and Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 118. Joint resolution to strengthen the common defense by maintaining an adequate domestic rubber-producing industry.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 214. An act to change the name of the Lugert-Altus irrigation project in the State of Oklahoma to the W. C. Austin project;

S. 547. An act to provide for annual and sick leave for rural letter carriers;

S. 736. An act authorizing the Commissioners of the District of Columbia to establish daylight-saving time in the District of Columbia during 1947;

S. 874. An act to authorize the President to appoint Lt. Comdr. Paul A. Smith as alternate representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, and as representative of the United States to the Air Navigation Committee of the Provisional International Civil Aviation Organization, without affecting his status and perquisites as an officer of the Coast and Geodetic Survey;

S. 875. An act to authorize the President to appoint Maj. Gen. Laurence S. Kuter as representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, without affecting his military status and perquisites;

S. 918. An act to establish an Office of Selective Service Records to liquidate the Selective Service System following the termination of its functions on March 31, 1947, and to preserve and service the selective service records, and for other purposes; and

S. J. Res. 86. Joint resolution to authorize Herschel V. Johnson, Deputy Representative of the United States to the Security Council of the United Nations, to be reappointed to the Foreign Service.

REDUCING INDIVIDUAL INCOME TAX PAYMENTS

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 161, Rept. No. 181), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 1) to reduce individual income tax payments, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 6 hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendments shall be in order to the said bill except the substitute amendment recommended by the Committee on Ways and Means now in the bill and such amendment shall be in order any rule of the House to the contrary notwithstanding but shall not be subject to any amendment except such amendments as may be offered by direction of the Committee on Ways and Means. At the conclusion of such consideration the Committee shall rise and report the bill to the House and the previous question shall be considered as ordered on the bill to final passage without intervening motion, except one motion to recommit, with or without instructions.

EXTENSION OF REMARKS

Mr. SMITH of Ohio asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Wall Street Journal.

COMMUNIST PARTY VIOLATES CORRUPT PRACTICES ACT

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. CURTIS. Mr. Speaker, last December the Committee To Investigate the Conduct of Elections, pursuant to the authority of this House, laid before Attorney General Tom Clark the facts in connection with the failure of the Communist Party to file a report under the Corrupt Practices Act.

The Communist Party actively engaged in the election of Representatives and Senators in several States in the 1946 election. The Republican Party and the Democratc Party are compelled to file reports of their receipts and expenditures under the law. Why should not the Communist Party also comply with the law?

Our committee went into this and made a full report of the facts to the Attorney General so that he might bring prosecution.

As a humble citizen, I am tired of the political outward anti-Communist drive of the administration while, at the same time, it fosters and protects Communists who violate the law. The Attorney General should proceed forthwith with this prosecution.

A TAXI DRIVER'S VIEW ON COMMUNISM

Mr. MATHEWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MATHEWS. Mr. Speaker, last night when I left the House Office Building I grabbed the first taxicab available, and I asked the taxi driver what he thought of President Truman's plan to combat communism in Greece, Turkey, and other places, and he said, "I think he better start combating it right here, and the conditions which give rise to communism. I am living with my wife and two daughters in a house with only one bedroom, because we cannot get any other place. We ought to take care of Americans first. I do not think," he said, "that these people will ever pay the money back; they will not think any more of us for having given it to them, and they are not going to take care of me and my family when we are in trouble. It might be well," this taxi driver said, "to let them have communism to get their fill of it, see how bad it is, and then maybe they will not like it or keep it."

Mr. Speaker, I give you these not as my own opinions but the answers as I get them.

THE CONSUMER IS THE MOST IMPORTANT FACTOR IN ANY FOOD PROBLEM

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, in the last session of Congress the House passed what promised to be a very important bill. It was the Hope bill dealing with food, the manufacture, preparation, and scientific development of food from various angles. It was so popular that the gentleman from Virginia [Mr. FLANNAGAN], chairman of the Committee on Agriculture, stated that that legislation was the most important legislation passed in the history of the country as far as agriculture was concerned. However, the Department of Agriculture is refusing to put that law into effect.

I have been granted permission to address the House this afternoon on this subject, but in view of the fact that it will be very late before I can be recognized for that purpose, Mr. Speaker, I ask unanimous consent that instead of taking that time I may be permitted to extend my remarks at that point in the RECORD, and in my extension I shall deal at length with the subject to which I have just referred.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. REED of New York asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. REEVES asked and was given permission to extend his remarks in the RECORD and include a statement and certain excerpts.

Mr. RICH asked and was given permission to extend his remarks in the RECORD and include an editorial from the Saturday Evening Post of March 1 entitled "The Russians Made It Hard To Aid Them."

Mr. DEANE asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. ROONEY asked and was given permission to extend his remarks in the RECORD and include a newspaper article by Dorothy Thompson, and further to

extend his remarks and include a resolution and memorandum with regard to naval shipyards.

Mr. FORAND asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. CELLER asked and was given permission to extend his remarks in the RECORD and include a statement by Pandit Nehru on Indian aims.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a statement by W. Craven-Ellis, former Member of the British Parliament, on the subject The Truth About British Housing Construction. I am informed by the Public Printer that this will exceed two pages of the RECORD and will cost $165.67, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

ACQUISITION FROM BRITAIN OF A 99-YEAR LEASE OF THE ISLAND OF CYPRUS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, the Navy has announced that a task force to be led by the 27,000-ton aircraft carrier *Leyte*, will soon visit the Dardanelles Strait in Turkey. This aircraft carrier will proceed to the Mediterranean to join with the cruisers *Dayton* and *Providence*, and the destroyers *Bristol*, *H. R. Dickson*, and *Purdy*, presently in the Malta area; the cruiser *Portsmouth* and destroyer *Compton* now at Trieste; the destroyer *Calnard* at Pola, now on the Istrian Peninsula below Trieste; and the destroyer *Hyman* at Naples. These warships will undoubtedly call at Piraeus, Greece, which is the port of Athens, and will visit the Suda Bay in Crete, as well as Gibraltar, Naples, Istanbul, and Alexandria.

The United States has no naval base in the Mediterranean area. It has no facilities of its own for the berthing, refueling, repairing, and dry docking of its vessels. In addition, it obtains vast supplies of fuel from the Palestinan and Saudi Arabian areas in the eastern Mediterranean Basin.

The new "Truman doctrine" will undoubtedly require from now on, the presence of our naval forces in the Mediterranean. The acquisition of a 99-year lease from Great Britain of the Island of Cyprus, would greatly bolster this new "Truman doctrine."

We cannot rely in times of peril and emergency, upon the services for our ships, to be obtained at Malta, Gibraltar, Italian Naples, French Marseilles, Spanish Tangiers, or any of the ports of the Moslem areas of Tunisia, Algeria, or Morocco. From now on we are on our own. We need a naval base to implement the interest we are now taking in the Middle East.

Great Britain, I am quite certain, would willingly grant this base. She has everything to gain thereby, and nothing to lose. The maintenance of this base would be one of the greatest factors in the maintenance of the peace in the Middle East.

THOMAS LYNCH

Mr. ROONEY. Mr. Speaker, on May 21, 1946, in the Seventy-ninth Congress, I introduced the bill (H. R. 6512) for the relief of the legal guardian of Thomas Lynch, a minor. This is a private tort claim against the Government. The bill died in the Claims Committee of the Seventy-ninth Congress. Certain files which are now in the House file room and the property of the claimant are necessary to enable the claimant to prosecute this claim in the district court. I ask unanimous consent that these papers and files may be removed from the House file room so that they may be turned over to me for return to the claimant.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

COMMUNISTS

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, in the Sunday papers we saw big headlines stating "Truman orders check of all Federal workers to determine loyalty." We have been working on that ever since we established the Dies committee years ago. The people of this country, and especially the President, knew what the Dies committee and the Committee on Un-American Activities have been telling him and the country about communism in this country. They only wake up to this fact when they want to do something to try to drive communism out of countries way over in Europe. That is all right, but we want to get communism out of this country first. Clean our own house before you start on another. I am glad he issued this order, but I do not want this order now to be construed by the public all over the land as meaning that it is time for us to spend billions and billions and billions of the dollars of the American taxpayers trying to drive communism out of other countries, until we first drive it away from our own shores.

Oh, this propaganda to bring the issues is so apparent. But we must be so very careful in what course we take in obligating our country to do what the United Nations should do and do now.

We must not take on the responsibility of being godfather to Greece, to Turkey, and to dozens of other nations. Involving us in war, involving us to look after these countries of Europe, Asia and Africa. We are not now responsible to help Great Britain in pulling her chestnuts out of the fire. We have done that long enough. Time to stop before we wreck ourselves. I am for America first, last, and all the time.

LEGISLATIVE LARCENY

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HÉBERT. Mr. Speaker, on yesterday my good friend, my distinguished colleague from Nebraska, Dr. MILLER, made a feeble attempt to explain away his participation in what has become public property, of a piece of legislative larceny committed during last week. At the time I was not on the floor and I was not given an opportunity to read his remarks until this morning. Therefore, I am taking this opportunity to suggest that those who are interested in keeping the record straight and in keeping the Congress intellectually honest read the extension of my remarks in reference to what he had to say.

I am seriously considering writing a book about the whole business which I shall entitle "Ali Baba and the Forty Republicans—More or Less."

I assure you it will be interesting reading when the facts are all brought out in the open.

EXTENSION OF REMARKS

Mr. TRIMBLE asked and was given permission to extend his remarks in the RECORD and include a report.

Mr. BOGGS of Louisiana asked and was given permission to extend his remarks in the RECORD and include some editorial comments.

LET US NOT GIVE AWAY OUR WEAPON SECRETS TO THE NAZIS

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, it comes as a shock to most Americans to learn that our War and Navy Departments have actually imported Nazi scientists to work on the development of secret weapons. Anyone familiar with the Nazi mentality should know that they consider a war that is lost, merely a battle that is lost, and they immediately lay plans to correct their mistakes so that they will win the next, and final one.

Nazi scientists are entirely unscrupulous. While we have brought them here to assist us, we must not lose sight of the fact that they will help themselves to our military secrets which they may turn against us some day. And with their cynicism, you may depend upon them to get the best of the exchange.

On the one hand we are striving with might and main to perfect a plan for international control of the atom bomb, while, on the other hand, we invite Nazi scientists who were recently working to destroy us to share in our ordnance secrets. This is an impossible situation.

In the interests of genuine security, I propose that we prohibit the use by

the United States of Nazi scientists and other Nazi experts.

Under the bill which I offer, all those now working for our Government shall be discharged and no agency of the executive branch shall be permitted to bring any more to this country for the performance of any task which permits them to gain access to information of such a secret character that it is being withheld from the American people.

This would apply only to those aliens who were at any time members of the German National Socialist Party, or who were employed at any time between March 23, 1933, and May 9, 1945, by the German Government.

Hard-headed realism, won at such a fearful price, should warn us to be on our guard. Once a Nazi, always a Nazi. Do not let them get near any of our military or naval secrets lest we be called upon again to pay dearly for our awakening.

Or perhaps wake up too late.

EXTENSION OF REMARKS

Mr. PASSMAN asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. DURHAM asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. MUNDT] may extend his remarks in the RECORD and include the script of a broadcast given last night over the Columbia Broadcasting System on the subject Should Special Restraints Be Placed Upon the Communist Party?

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

ADMITTING FERRY *CROSLINE* TO AMERICAN REGISTRY

Mr. LATHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 1344) to admit the American-owned ferry *Crosline* to American registry and to permit its use in coastwise trade.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JACKSON of Washington. Mr. Speaker, reserving the right to object, this bill was reported out unanimously by the committee. The reason it is being brought up at this time is that the present war powers which would make it possible to extend the operation of this vessel will expire on March 31 and thereby the ferry service in that particular area will be interrupted.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, nothwithstanding the provisions of section 27 of the Merchant Marine Act, 1920, as amended (U. S. C., 1940 ed., title 46, sec. 883), the ferry *Crosline*, owned by the State of Washington, shall be admitted to American registry, and shall be entitled to engage in the coastwise trade and to transport passengers and merchandise between points in the United States, including districts, Territories, and possessions thereof embraced within the coastwise laws.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SELECTIVE SERVICE RECORDS

Mr. ANDREWS of New York. Mr. Speaker, agreeable to the majority and minority leadership, I am instructed by unanimous vote of the Committee on Armed Services to ask unanimous consent to take from the Speaker's desk the bill S. 918, an act to establish an Office of Selective Service Records to liquidate the Selective Service System following the termination of its functions on March 31, 1947, and to preserve and service the selective-service records, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

Mr. SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, I would like to ask a question about the personnel now employed in the Selective Service. What will it do with the personnel now being employed under the Selective Service Act?

Mr. ANDREWS of New York. The great majority of the personnel will be dismissed.

Mr. MILLER of Nebraska. Will that keep intact the personnel and overloaded staffs that are now in every State capital handling the selective-service records?

Mr. ANDREWS of New York. No; it will not.

Mr. MILLER of Nebraska. Will it reduce them?

Mr. ANDREWS of New York. It will greatly reduce them.

Mr. MILLER of Nebraska. By how much.

Mr. ANDREWS of New York. I cannot tell you exactly.

Mr. MILLER of Nebraska. I would like to know; otherwise, I am going to have to object because this is an important bill.

Mr. ANDREWS of New York. There is a time limit on this bill, and this bill must go through today.

Mr. MILLER of Nebraska. The gentleman should not bring such an important bill up without having the bill or report before us. I insist on seeing the bill and the report.

Mr. ANDREWS of New York. Mr. Speaker, if the gentleman will withhold his objection for just a moment, I will explain the report to him. This establishes an office of selective-service records and transfers to this office all of the property records, personnel, and unexpended balances of the appropriations of the Selective Service System.

The continuance of the confidential nature of selective-service records with a provision for penalties for violations of these confidences.

I may say that these records go back to the States and then to the county agents and are left there. Many of the States have set up a system of bonus for the men who served overseas. Unless this is done, there is no authentic way in which the matter can be carried on after next Monday.

Mr. MILLER of Nebraska. Did not the President of the United States request that they be sent to the central office in the State capitals?

Mr. ANDREWS of New York. He did; but the Senate, wisely, I think, adopted a further amendment to put them down in the counties and leave them there, where they would be available for the communities.

Mr. MILLER of Nebraska. Can the gentleman give us any information as to how much the present personnel may be reduced in the handling of these selective-service records?

Mr. ANDREWS of New York. The expenses for operating the present local board organization to June 30, 1947, is estimated at $4,500,000. The cost of liquidating the Selective Service System is estimated at $11,150,000, and the cost of establishing and maintaining the Federal-record depots in States from July 1, 1947, to June 30, 1948, is estimated at $4,500,000. Thus it will be seen that if the Federal-record depots in States were established at once, $4,500,000 of this expense would be eliminated; but there would be $5,000,000 of office equipment and an unestimated amount of leases that would be lost by the immediate liquidation of local offices.

Most of the office equipment and material of that is, under this act, transferred to the National Guard Associations of the several States and the Reserve Officer Associations at their request.

Mr. MILLER of Nebraska. How long do the records stay in the position they are under the proposed resolution?

Mr. ANDREWS of New York. It runs until July 1, 1948.

Mr. MILLER of Nebraska. Mr. Speaker, I have been one of those who have felt that the selective service, since the war is over, should be folded up. The President suggested that these records be sent to the State capitals, and I am under the impression that is where they belong. It seems to me that this bill will continue selective service, with their large personnel, until 1948.

Mr. ANDREWS of New York. It will not. I might add further that there are 44,000,000 records included in this provision. They are of much value to the several governmental and State agencies who have a legal right to this information. State-bonus acts are in operation in some States and contemplated in others. As a result, there have been over 1,000,000 inquiries from veterans and governmental agencies, outside of the selective-service inquiries, during the last 6 months. These will undoubtedly continue at a heavy rate for some months to come. For convenience and speed in handling these inquiries, it has been deemed advisable to maintain these records at the presently organized local selective-service offices until the end of the fiscal year, June 30, 1947.

Mr. MILLER of Nebraska. Mr. Speaker, I am going to object to the consideration of this bill until we have more information on it.

The SPEAKER. Objection is heard.

DOMESTIC RUBBER-PRODUCING INDUSTRY

Mr. SHAFER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 118, a joint resolution to strengthen the common defense by maintaining an adequate domestic rubber-producing industry, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the House joint resolution.

The Clerk read the Senate amendments, as follows:

Senate amendments:

Page 1, line 4, strike out "Crude" and insert "Natural."

Page 1, line 10, strike out "Crude" and insert "Natural."

Page 2, line 3, strike out "crude" and insert "natural."

Page 2, line 10, strike out "crude" and insert "natural."

Page 2, line 13, strike out "crude" and insert "natural."

Page 2, line 23, strike out "crude" and insert "natural."

Page 3, line 1, strike out "rapid" and insert "rapidly."

Page 3, line 16, strike out "crude" where it appears the first time and insert "natural."

Page 3, line 16, strike out "crude" where it appears the second time and insert "natural."

Page 3, line 23, strike out all after "Notwithstanding" over to and including "continue", in line 1, page 4, and insert "the provisions of title XV of the Second War Powers Act, 1942, as amended, title III of such act and the amendments to existing law made by such title, shall remain."

Page 4, line 6, strike out "crude" and insert "natural."

Page 4, line 6, strike out "crude-" and insert "natural-."

Page 4, line 7, strike out "except" and insert "including import control of synthetic rubber and natural- and synthetic-rubber products, but excluding."

Page 4, line 7, strike out "crude" and insert "natural."

Page 4, line 8, after "that", insert ", to the extent necessary to accomplish the purposes of this joint resolution."

Page 4, line 12, strike out "crude" where it appears the first time and insert "natural."

Page 4, line 12, strike out "crude" where it appears the second time and insert "natural-."

Page 4, line 13, after "products", insert "and import control of synthetic rubber and natural- and synthetic-rubber products."

Page 4, line 14, strike out "act" and insert "joint resolution."

Page 4, line 15, strike out "crude" and insert "natural."

Page 4, strike out all after line 15 over to and including line 2 on page 5 and insert:

"(b) The powers, functions, duties, and authority of the United States to manufacture (including the conduct of research essential to the development of the synthetic-rubber industry) and sell synthetic rubber shall continue in force until the effective date of permanent legislation enacted to accomplish the policy set forth in section 1 (b) hereof, but in no event beyond March 31, 1948. There shall not be declared as surplus nor shall War Assets Administration dispose of any synthetic-rubber plant and facilities costing the Government in excess of $5,000,000, until the effective date of permanent legislation enacted to accomplish the policy set forth in section 1 (b) hereof: *Provided*, That there shall be exempt from such disposal limitations the neoprene plant, styrene plants, the petroleum-butadiene plant located at Toledo, Ohio, not to exceed two alcohol butadiene plants, and butadiene-styrene-type copolymer plants to the extent that the aggregate actual capacity of such copolymer plants remaining in Government ownership shall not be less than 600,000 long tons per year. It is hereby directed that the aforesaid powers, functions, duties, and authority of the United States to so manufacture and sell synthetic rubber shall be exercised and performed by Reconstruction Finance Corporation while that Corporation has succession and thereafter by such officer, agency, or instrumentality of the United States as the President may designate: *Provided further*, That nothing herein shall be construed as precluding any other agency of Government from engaging in research authorized by law."

Mr. DURHAM. Mr. Speaker, reserving the right to object, and I shall not, I wish the gentleman from Michigan would explain the amendments to the House and tell us whether they make any material change in the bill as passed by the House.

Mr. SHAFER. In answer to the gentleman from North Carolina I might say that the Senate made very few material changes in the bill. They made such changes as inserting the word "natural" in place of the word "crude" when speaking of rubber.

The one change that probably should be explained is that beginning on line 16, section (b), an amendment suggested by the RFC better to control the synthetic-rubber industry. I think it is a good amendment. No doubt we would have adopted it in our committee had we received the amendment in time.

Mr. DURHAM. There is no material change in the bill as it passed the House.

Mr. SHAFER. That is right.

Mr. DURHAM. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes today, following any other special orders heretofore entered for the day.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. BENDER asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter from Ernest T. Weir on the Greek deal.

Mr. SHAFER asked and was given permission to extend his own remarks in the RECORD in two instances.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the Appendix of the RECORD in regard to House Resolution 38, which he introduced today.

Mr. McGREGOR asked and was given permission to extend his remarks in the RECORD and include certain tables.

Mr. JOHNSON of California asked and was given permission to extend his remarks in the Appendix of the RECORD.

HOUR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

DEPARTMENT OF LABOR-FEDERAL SECURITY APPROPRIATION BILL, 1948

Mr. KEEFE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2700) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1948, and for other purposes; and pending that I ask unanimous consent that general debate be limited to 1½ hours, the time to be equally divided and controlled by the gentleman from New York and myself.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER. The question is on the motion.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 2700, the Labor-Federal Security appropriation bill, 1948, with Mr. HOPE in the chair.

The Clerk read the title of the bill.

Mr. KEEFE. Mr. Chairman, I suggest that the gentleman from New York [Mr. ROONEY] yield time now in view of the fact that our side closed the matter yesterday.

Mr. ROONEY. Yes. I think we shall not have any difficulty with regard to it. We will see that the gentleman has the opportunity to close the debate.

Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. HAVENNER].

Mr. HAVENNER. Mr. Chairman, the dissolution of an entire service to labor and industry is a matter for grave consideration. Therefore, I would like to analyze the result of action by the House Committee on Appropriations which voted to dissolve the Division of Labor Standards in the Department of Labor and decided to transfer a few of its functions to other agencies.

The Division of Labor Standards is a highly specialized agency and the smallest agency in the Labor Department. It is therefore vulnerable to attack. But size is no indication of worth.

The Division of Labor Standards was established within the Labor Department to represent all of the people in the effort to standardize labor legislation and practices. All of our 48 States have autonomy in such fields as workmen's compensation, industrial safety and health and a good many other fields affecting the relationship between management and labor. Is it not the responsibility of the Federal Government to be

at least aware of the legislative action of its 48 parts? I believe it is. No single State will assemble material on what all the others are doing in the field of labor legislation. No other agency in the Labor Department is concerned with assembling State labor legislation.

This is a proper function for the Federal Government—to have a Division of Labor Standards in which information on labor-management legislation is accumulated and which works to encourage the States to raise their standards.

This year 44 State legislatures will be in session. Every 2 weeks the Division of Labor Standards assembles digests of State labor bills. This is not a statistical job; it is a frank effort on the part of the National Government to encourage the passage of better labor laws.

That is the function of the Division of Labor Standards—a clearinghouse for information and promotion of higher standards.

For example, there is much to be done to reduce industrial-accident rates. This is a job being performed by the Division of Labor Standards. But it will not be done if the Appropriations Committee report is approved.

Last year about 16,000 men and women were killed in industrial accidents. Last year about 2,000,000 workers were injured on the job. Has the Federal Government no responsibility to reduce the cost of these deaths and accidents? The cost to American wage earners of industrial accidents last year was $1,500,000,000. The cost to industry was $1,800,000,000. Experts say 90 percent of this gigantic waste was preventable.

Can the people in California be responsible for industrial deaths in New Jersey? Can the States themselves reduce this frightful accident record? Whether they can or not, the facts prove that they have not reduced accidents as much as they should be reduced. The States need help, and the Division of Labor Standards has been providing them with help. Through the services of its Federal safety engineers, working in cooperation with the States, the accident rate in the last 3 years—years of the most intense industrial activity in our history—has come down. But 70 percent of the accidents occur in plants which have not yet been approached by safety experts.

It is obvious that the States need help. The very fact that there are only 500 safety inspectors in the States for 40,000,000 workers in industry is proof of that. The fact that the States have indicated their desire for the maintenance of this Federal-State cooperation is further proof.

Because the Bureau of Labor Statistics is an agency which studies objectively the results of labor-management relationship, it cannot be expected to alter the results. That is the job of the Division of Labor Standards and the service should be maintained.

Just as no other agency in the Labor Department is equipped for this Federal-State cooperative effort in the field of safety and health and in the field of workmen's-compensation and child-labor laws, so no other agency can rightfully assume the labor-education job of the Division of Labor Standards.

The House Appropriations Committee has admitted that the workers of this country should be educated for union responsibility. It has admitted that the Federal Government should help public and private agencies to educate the workers in such things as collective bargaining and labor legislation.

The committee admitted this by recommending $63,000 for the continuation of the labor-education program of the Division of Labor Standards—but by transferring that service to the Bureau of Labor Statistics.

This shows a fundamental misconception of the functions of the Bureau of Labor Statistics. That Bureau gathers information and adds up the figures and announces the result—without consideration for the effect of those totals. If the cost of living rises, it says so. But by no stretch of the imagination does it attempt to educate labor or industry on laws or practices. It is a research agency.

But the field of labor education is entirely different than that. The universities throughout the country which are only just now starting classes for the study of industrial-relations problems are not interested in just figures. They want basic texts in collective bargaining. They want the advice of experts in this relatively new field of labor education. In short, they want to raise the level of practices in this field. That is what the Division of Labor Standards was created to do, that is what it has been doing, and that is what it should continue to do.

Mr. ROONEY. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. HOBBS].

Mr. HOBBS. Mr. Chairman, in 1943 and again in 1945 and again in 1947, I introduced a bill for the prevention or purge of subversives in our Government employ. It is now H. R. 1103. The enactment of such a bill is the way in which employment only of the loyal may be assured. Such legislation is within the constitutional power of Congress.

The token payment on our debt to decency proposed in the pending bill, H. R. 2700, is unconstitutional at least in that it would invade the province of the Executive, and even if it were constitutional, it would be a piecemeal, haphazard, inadequate procedure. The Humphreys case, the Meyers case, and other cases decided by the Supreme Court of the United States have condemned that kind of practice, not that this does not avoid some of the manifest characteristics of a bill of attainder so recently condemned. This may escape condemnation as a bill of attainder, and is better than those preceding appropriation bills that carried similar provisions that were condemned by the Supreme Court. However, I wish to read from the decision in the Humphreys case:

> The sound application of a principle that makes one master in his own house precludes him from imposing his control in the house of another who is master there. James Wilson, one of the framers of the Constitution and a former Justice of this Court, said that the independence of each department required that its proceedings "should be free from the remotest influence, direct or indirect, of either of the other two powers."

We should just as fiercely repel a threatened invasion of the executive province by the legislative as we would resent an intrusion by the executive branch of our Government into the legislative.

It has been suggested that the Conciliation Service in the Department of Labor was not created by Congress. That is all the more reason that we should stop, look, and listen before we intrude upon the clearly defined prerogatives, privileges, and province of the executive department.

I will take second place to no man in fighting intrusion on the part of the executive or the judiciary into our province. What I am voicing again today is a warning, with the utmost friendliness for the objective sought, that we should respect our oaths of office, the traditions of our Government, and the doctrine implicit throughout our Constitution, observed in our legislation, and commended by our courts, of separation of the powers of Government into three coordinate, independent, free branches.

It may be argued with a smile that this is not an intrusion because we are "firing" no one. But if the result be the same that argument is facetious, specious, and untenable.

So I am pleading again, as I have in the past, let us do this job in the way which is within our province, let us exercise our own power and adopt the bill H. R. 1103 or some similar measure, and with the utmost care and propriety let us implement the message of the President of the United States exercising his Executive functions, as he should, by suitable punishment to be inflicted upon subversives, as well as upon their employers, and so keep every single one of them out of every branch of the Government, or drive out those who got in. Otherwise, there is no security, nor possibility of national perpetuity.

Boll weevils can destroy the whole cotton crop. Termites can ruin the finest homes. We must accomplish this purpose if the Government is to endure. My plea is, please do it in the sphere in which we are authorized by the Constitution of the United States to operate. There never has been one syllable of power conferred on Congress to hire or fire executive employees. We can destroy beyond question the whole Department of Labor by denying appropriations. The life we gave, we may take. If that be a desirable end, then let it be done. That is within our power, but let us not stoop to an invasion of the sphere of authority of another independent, coordinate branch of our Government through a back door or side door and thus seek to curtail the functions implicitly and explicitly committed by the Constitution to another branch of the Government.

Let us protect the principle of the separation of powers. Let us protect, as we would be protected against any invasion of any one of our powers. If we revere the Constitution, let us observe it.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am so happy, always, to yield to the distinguished gentleman from Pennsylvania.

Mr. WALTER. What assurance would we have that Mr. Warren would be separated from the Federal Service in the event that the legislation as reported was not amended?

Mr. HOBBS. Only the assurance in debate given us by the distinguished, able, perfectly honest chairman of the subcommittee presenting this bill, and others who have assured us that will be the result.

Mr. WALTER. There would be nothing to prevent the transfer of this man from his present position to another position in the same department.

Mr. HOBBS. That is true, but that must come, sir, and I repeat, at the instance and request and under the order of the executive branch and not the legislative branch of our Government. We are not pleading to save any man. We are not pleading here to prevent the Congress from wreaking its vengeance or working its will in any respect in which it is authorized so to do. But we are pleading that it perform its own functions and not those of another branch of the Government.

Before you vote, please read these authorities, directly in point:

Humphrey's Executor v. *United States* (295 U. S. 602); *Meyers* v. *United States* (272 U. S. 52); *Morgan* v. *T. V. A.* (115 Fed. 2d 990, certiorari denied 61 Sup. Ct. Rep. 806); Opinion of Attorney General Mitchell (37 Opinions of Atty. Gen. 56, 61).

Mr. KEEFE. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, in ordinary circumstances, I certainly would not trespass the proprieties by speaking out of order in connection with general debate on an appropriation bill. I do so only because right soon a bill now in preparation in the Committee on Deficiency Appropriations with an estimate of $350,000,000 will come to this House which is designed to provide for foreign relief. In the not distant future there will probably be on the floor of this House a bill dealing with relief for Greece and Turkey. It is only in the interest of emphasizing the attention these problems must necessarily receive that I do trespass upon your time this morning.

AID TO GREECE AND TURKEY—A NEW FOREIGN POLICY

We are confronted with a new foreign policy.

It is embodied in 28 words.

It is the essence of the President's message.

Most of the message deals with the Greek request for aid, the reasons for the request, what might happen if aid is denied, and, finally, the kind of assistance to be rendered.

But it is the three-line statement of policy which is the nub of the President's message.

It states in brief that:

I believe that it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures.

At once certain questions arise: What peoples? How many? What will it cost? What is included in the term "attempted subjugation"? What is meant by outside pressures? Where does this policy take us? Is it realistic? Will there be firm adherence to it if it is carried into action? How will other nations react? What about Russia?

These are but some of the questions which immediately spring to mind.

APPLICATION OF THE POLICY

Obviously, the President refers to the militant Communist minority in Greece.

But there are also armed minorities in Korea, China, Iran, and elsewhere. The President's reference to "outside pressures" must mean Soviet needling and economic pressures on small nations in the Soviet orbit.

It embraces what might be called psychological aggression.

At the San Francisco Conference in 1945 former President Hoover suggested that the United Nations take account of psychological aggression. It was then waved aside. Now it is on our doorstep and precipitates a crisis.

In general, this new policy would apply to Communist expansion in small nations too weak and unequipped to successfully resist.

To these, in all parts of the world, the President now offers assistance in behalf of the people of the United States.

AREA OF AGREEMENT

In general our people will applaud a spirited resistance to communism.

It is the avowed enemy of our free system.

Lenin and Stalin have made it abundantly clear that the two systems cannot live together in the same world.

They regard us as imperialistic.

American policy must necessarily take account of this sharp conflict.

But all this must be considered against the background of recent history.

SOME BACKGROUND

Not so long ago this Nation was assisting communism.

Eleven billions of lend-lease supplies went to the Soviet Union.

Yugoslavia received thirty-two million and Greece seventy-one million.

A misguided UNRRA program, badly administered, directly aided and strengthened communism.

Of the $2,700,000,000 of UNRRA aid provided by the taxpayers of this Nation, four hundred and eighty-five million went to China, four hundred and forty million to Poland, three hundred and ninety million to Yugoslavia, three hundred and eighty-five million to Italy, three hundred and thirty million to Greece, two hundred and fifty million to Czechoslovakia, two hundred and thirty million to Byelo-Russia and the Ukraine, one hundred and ten million to Austria, and twenty-five million to Albania.

Since VJ-day, lend-lease aid on a long-term, reimbursable basis has been made available. France received three hundred and ninety-two million and Russia two hundred and thirty-nine million. In addition, substantial loans have been made by the Export-Import Bank.

How fantastic it all appears now as I look back upon the action taken in July 1945 on the bill to expand the capital of the Export-Import Bank. At that time I offered an amendment which read as follows:

Provided, That none of the powers granted herein may be exercised with respect to any country (including political subdivisions, persons, organizations, and business firms, corporate or otherwise, owing allegiance thereto) unless such country has adhered and continues to adhere to and is faithfully observing the first three principles of the joint declaration of the President of the United States and the British Prime Minister, otherwise known as the Atlantic Charter, as set forth in the message of the President of the United States to the Congress of the United States under date of August 21, 1941: *Provided further*, That, if any such country is in the enjoyment of any aggrandizement obtained subsequent to its adherence to the said Atlantic Charter and contrary to the principles thereof, such country may qualify for benefits hereunder by divesting itself of such aggrandizement: *Provided further*, That the certificate of the President of the United States that such country meets the requirements hereof shall be conclusive.

In brief, that amendment would prohibit loans to any nation, which did not faithfully adhere to the freedoms which were assured in the Atlantic Charter.

It would have denied loans to any country which had violated the principle of self-determination set forth in the Atlantic Charter and was designed to protect small nations against aggression.

It was a modest effort to prevent American dollars from undoing the work of dead American GI's, but singularly enough it failed.

All of our previous policies in terms of money have served to strengthen and entrench communism.

The latest available report from Communist Party headquarters in London indicates that in Italy the party has 2,000,000 members, 108 seats in Parliament, and 4 memberships in the Cabinet. In Austria the party has 150,000 members, 4 seats in Parliament, 1 member in the Cabinet. In Bulgaria the party had 450,000 members and 278 seats in Parliament. In Czechoslovakia it boasts 1,000,000 members and 115 seats in Parliament. In Hungary it has 650,000 members and 70 seats in Parliament. In Rumania it claims 500,000 members, 68 seats in Parliament, and 4 memberships in the Cabinet. In Poland it claims 600,000 members and scored more than 9,000,000 votes in the recent election. In Yugoslavia it boasts 100,000 members and gained 6,725,000 votes in the last election. It is in complete control. In Albania it also has complete control.

Here are the beneficiaries of American aid. In many cases they have established complete total government and are directly allied with the Soviet Union.

Our reproof of Bulgaria for holding an undemocratic election was little more than a light tap on the wrist.

Our note to Poland in protest of an unfree election marked by Communist

terrorism was nothing more than a mild note.

Yalta and Potsdam made concessions to communism.

Releasing the secrets of atomic energy to the Communists was seriously considered by the administration.

There has been appeasement at every turn.

Now we are confronted with a sudden show of resistance.

What shall we believe? What shall the people believe? Will this be a sincere and genuine effort or is it political in character?

THE SITUATION AT HOME

Until this good hour, the present administration has shown but a mild interest in eradicating communism at home.

Sincere and genuine resistance to Red fascism, like charity, must begin at home.

The record reveals no such effort.

There are Communists in Government today.

The Personnel Division of the Treasury Department testified before the Appropriations Committee that charges were made against 352 persons in that Department—page 268 of the hearings—but only one hearing was held on such charges.

There are Communists in certain labor organizations today.

The Communist Party has actively supported the Democratic administration.

Only a single day before the President's message did a responsible administration official speak on the subject.

Secretary Schwellenbach called for the outlawry of the Communist Party.

Even that suggestion was so timed to tinge it with political suspicion.

Anticommunism was the greatest single force in the elections of November 1946.

Its implications were not lost on the administration. If the administration means business, why are vigorous anti-Communist measures so long in coming?

This ideological malady cannot be successfully resisted abroad until we are completely cured at home. The President's first Loyalty Commission has had 4 months to do something. Little has been done. On Saturday last, there has come a new Executive order and a new Board. Will it achieve more substantial results or must it be done by legislative flat?

WHAT LIES AHEAD

Appeasement of communism at home and abroad has shaken confidence in the administration.

It now proposes an about-face.

But, is it real? The Congress and the country want definite assurances on that point. The record of the past is too revealing.

If succor for free peoples against armed minorities and outside pressures shall be our policy, there must be some evidence of good faith before the Congress and the country embrace such a policy.

Some pertinent questions suggest themselves.

Who will be selected to administer this aid? To place food and supplies, valued at hundreds of millions of dollars, purchased with funds from the pockets of American taxpayers, at the disposal of intellectual pinks and misguided liberals will mean that communism will be strengthened, not stopped. This Nation is interested in firm and long range results and wants no more experiences like that of Yugoslovia where more than $400,000,000 worth of United States aid has assisted Tito in maintaining a huge army with which to provoke the very problem in Greece to which the President now directs attention in his message.

Do we propose to meekly submit to Soviet falsehoods in the press and over the radio or do we speak our minds?

How shall this new policy be translated into action? Does it call for a broad delegation of power to be used by certain persons as they think best, no matter what the views of the Congress and the country may be, or shall the policy be reduced to writing and then adhered to as an assurance to those who pay for this policy and this assistance, that it is being carried out?

Does this become another costly goodwill binge without tangible benefits, or do we at long last become realistic and in return for this aid request certain concessions such as naval bases, air rights, travel privileges, the elimination of trade and exchange controls? Communism is not resisted for a day or a week or a month. We are embarking on a long range policy which may lead us into strange and devious paths and it must be implemented in realistic fashion.

What have we to show for more than $350,000,000 of lend-lease and UNRRA aid to Greece? The very request which is the basis for the present so-called crisis indicates an impoverished, unstable country swept by inflation and powerless to deal with an armed minority estimated at 400,000 Communists. To add additional hundreds of millions would be like bailing out the ocean unless there is an immediate reordering of exchange and the stabilization of currency so that a thin crust at the top does not become the principal beneficiary of our largess.

How many persons is it proposed to send and who are they? Shall we have another experience like UNRRA when mental misfits, indolent adventurers, and hypersensitive pinks squandered billions of American funds?

How carefully has this estimate of Greek and Turkish needs been considered, or does it contain jokers? The people would not like it if, for example, certain quantities of powdered milk at an estimated cost of 23 cents per pound was considered for shipment to these countries when it might be purchased for half that amount.

These are but some of the questions for which there must be adequate answers and they at once suggest a course of action. Once before the Congress delegated broad lend-lease powers to a President which developed many strange and unanticipated results and which will cost this Nation billions of dollars with little to show for it.

Yes, there was a victory, but the President's own message now makes it appear that while we have dispatched a black dictator, we have nurtured a red one. Otherwise, why this message and this crisis?

A COURSE OF ACTION

Resisting communism at home or abroad is no child's play. It requires strong, purposeful, and coordinated action. The following suggestions should be considered for incorporation in any proposal to authorize the expenditure of funds of United States taxpayers for this purpose:

First. The amount authorized should be determined after a most careful and critical examination of the needs and purposes to be served. Waste has become a settled habit in the field of international relief and must be halted. Our own survival in a desperate world is a matter of primary consideration, and we cannot continue forever dissipating the assets and resources of this country. Wherever possible, war surplus supplies, material, commodities, and equipment should be utilized to reduce the cash outlay that might be involved.

Second. There should be a proviso that all goods and commodities for relief shipment should be purchased in the United States.

Third. A commission should be created to administer this aid composed of men experienced in the field of business, economics, and finance and the members thereof should be confirmed by the Senate.

Fourth. There should be a requirement that no aid shall be furnished until a clear and reasonable detailed statement of what is proposed to be done and how it is to be done shall have been prepared in writing and submitted to the Congress for information and study. Congress should seriously consider the creation of a Congressional Advisory Committee to provide constant and sustained oversight of this policy.

Fifth. There should be a requirement that all goods be shipped in American vessels.

Sixth. There should be a requirement that negotiations be instituted with Greek and Turkish authorities for long-term air rights, naval bases, trade concessions, and travel privileges. Is this asking too much? What would Britain or Russia do under similar circumstances?

Seventh. There should be a proviso placing a definite limit on the number of persons to be sent to Greece and Turkey for the administration of this aid, and each person so designated should be required to submit to a loyalty test.

Eighth. Insofar as United States assistance might be regarded as relieving Great Britain of any responsibilities there should be a requirement that all Greek and Turkish credits and balances in London should be freed from all exchange restrictions so that these countries might convert sterling balances into dollars for the purchase of American goods. In the case of Turkey, there should be a reexamination of her assets to determine whether aid from the International Bank might be utilized.

Ninth. There should be a requirement for commitments of adequate newspaper space and radio time with which the United States might tell its story to the people of Greece and Turkey.

Tenth. Revamping of the currency systems of these two countries should be one of the conditions of the loan and should be attended by a vigorous stamping out of black markets under heavy penalties.

It is common knowledge that large quantities of UNRRA funds and commodities went into the black market for the enrichment of speculators.

Eleventh. Consideration should be given to the adoption by the beneficiary countries of a repayment tax. Corollary thereto there should be a definite understanding with respect to any outstanding loans against the Greek Government, in the nature of a moratorium, so that her economy will not be too heavily burdened by repayments on those obligations.

IN CONCLUSION

There should be an evidence of complete good faith in respect of this new policy by an immediate vigorous all-out drive on communism at home.

What shall it profit us to resist communism abroad and lose freedom at home?

Mr. KEEFE. Mr. Chairman, I yield 15 minutes to the gentleman from Oklahoma [Mr. SCHWABE].

Mr. SCHWABE of Oklahoma. Mr. Chairman, there are many who think the task of a member of the Committee on Appropriations is very easy. It is in fact one of the most difficult, as all who have served in that capacity will have to admit. It is extremely difficult at this time, more so, perhaps, than it has been for the past 14 years, because we have been engaged in an ever-expanding system of spending, deficit spending, reckless spending, spending to get into and out of the depression, spending to get into and out of a war, spending to get into a peacetime program.

Let us just consider for a moment whether or not we are willing to approach this proposition from the standpoint that the people of this country are demanding that we approach it, from a realistic standpoint. Let us see what has happened all during these years with reference to these various items that are covered by this bill. Let me give you a few figures in order that we may be realistic. Every bureau, every agency that appears before the committee considers that it and its functions and services are the most important of any connected with the Federal Government. They are indispensable, according to these bureaucrats, and they want even more money. They have grown like Topsy, just grown up until they have mushroomed beyond the realization of the people. Let us see for a moment what these figurers have been doing.

Take the office of Secretary of Labor and the salaries of that office. In 1938 the salaries for that office were $323,500; in 1947, $1,083,686. We have allowed in this bill $819,500, almost three times as much as the salary item for 1938.

Then take salaries and expenses. For the office of Secretary of Labor in 1941 they were $78,940, and last year, 1947 fiscal, $1,075,775. The item provided in our bill is $755,300. Then let us look at the next item in the bill, contingent expenses. In 1938 that item was appropriated for at the amount of $115,000. In 1947 it had grown to $681,316. Our bill provides for $468,400. Traveling expenses in the office of Secretary of Labor were $630,800 in 1938, and in 1947 they had mushroomed and grown to $3,017,757. That item in our bill is fixed at $2,112,400. Take printing and binding in that same office, the office of Secretary of Labor. In 1938 it was $253,560. In 1947 it was more than double that amount, $518,388. Our bill provides for that item at $414,700. Penalty mail in 1945 was $107,763. In 1947 it was five times that amount, $551,925. Our bill is fixed at $119,700.

So we go on. Then we have the Conciliation Service about which there has been so much talk. In 1938 that item of appropriation was $275,000. In 1947 they had $2,583,976. We have heard much talk about the appropriation for the Bureau of Labor Statistics, in the office of Secretary of Labor. I invite your attention to the fact that in 1938 the appriation for that year, for this function, was $784,000, but in 1947 it was $5,517,465. We fix the figure in the bill at $3,373,400.

I could go on indefinitely and show that there is no end, apparently, to what will be asked. I invite your attention to some wise sayings, or sayings of wisdom, by the Comptroller General of the United States, Mr. Lindsay C. Warren, in an address he delivered some months ago to the chamber of commerce at Asheville, N. C. Listen to what Mr. Warren said:

> The States are now, for the most part, in excellent financial condition. Their budgets, unlike that of the Federal Government, are in balance, and most of them have comfortable reserves. If the States will assert their leadership in their proper sphere, there will be less incentive for further expansion of Federal power.

But the weaning time has come, and it is a difficult task to wean the bureaucrats.

Here is another statement made by Mr. Warren:

> I, for one, still believe that there are important functions to be exercised by the States and their subdivisions. There are highly proper and necessary contributions that the Federal Government should make, but if the States, in order to obtain Federal funds, surrender too many of their rights and functions to the Federal Government, something very precious, something very valuable and democratic, and something uniquely American will have gone out of our public service. The danger is that our people, looking to Washington indiscriminately for aid, will sell their political birthright for a mess of Federal pottage.

We have come to the weaning time. That is always a difficult time, in politics as well as elsewhere. We have come to the time when we must wean the bureaucrats, and the public is demanding that. That is what they said on November 5. I for one shall vote to wean as many of them as possible to keep our Government American and from becoming communistic, and we all know that it has been tending that way a long time ago. Let us not be deceived. Everyone likes the Government's protection, Government aid. We have been spoon feeding, we have been nursing the bureaucrats too long. There is no record in history of any human being who wanted to be weaned away from Government aid. They get a taste of it, and it is almost impossible to get them off of it.

Many years ago former United States Senator Robert L. Owen, one of the first Senators from the State of Oklahoma, one of the authors of the bill creating the great financial institution that largely controls our Government today, the Federal Reserve System, a member of the Senate Banking and Currency Committee, a man who had few equals and no superiors when it came to statesmanship, a man who now has seen 91 summers but is still intellectually brilliant, the recent inventor of the Global alphabet, when he saw this danger approaching made a statement that may sound crude coming from a statesman, as he was, I say, and may sound a little commonplace. Nevertheless it is illustrative of the weaning time that has approached. Senator Owen in speaking on the point that we are now discussing, of weaning people from the Federal pay roll, referred to a 6-foot boy 16 years old chasing his mother through the cornfield and howling, "Damn her hide, she's trying to wean me." That is the point we have arrived at right now. That is why we are being damned, if you please, by some of our brethren who have long been promoting this program. They are damning our hides because we have called the weaning time.

Here is a statement from a man who recently delivered a speech which most of you got in the mail this morning, Paul M. Millians, vice president of the Commercial Credit Corp., of Baltimore, Md., before the annual meeting of the Council of State Chartered Building, Savings, and Loan Associations of Maryland. He said:

> Please understand, however, we are not condemning all Government aid.

Neither are we.

> There are great and deserving needs which Government must support * * * many demands for public aid have strong emotional appeal.
>
> No one here is without sympathy for the social unfortunate and we are all willing to provide a floor for these high enough to violate no one's self-respect. We can all think with deep emotion about the Nation's obligation to the returned veteran, we can think with still deeper emotion about those who did not return and about their loved ones who weep. The hunger and despair of peoples in war * * * devastated nations of the world pull at our hearts.
>
> But national solvency comes ahead of all claims against the Federal Treasury. About public debt we must be cold, dispassionate, rational. We cannot feel about public debt, we must think.

Now we think that the weaning time has come. Let us wean the bureaucrats. They are old enough to wean. Most of them have been in the Government for 14 years. Let us not be afraid that they will upbraid us. The people elected us to do the job. Let us acquit ourselves like true representatives and get back to peacetime appropriations of figures such as I have referred to and could refer to in many other instances.

We have a bill here, Mr. Chairman, that in my humble opinion is too high and not too low. The figures should be further reduced.

Mr. ROONEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. KELLEY].

Mr. KELLEY. Mr. Chairman, I am rather amazed at the extent to which the Republican Party has gone in its efforts to circumscribe the rights of labor. When I refer to labor, I mean all labor, organized and unorganized. There are something like 55,000,000 workers in the United States. I hope they take cognizance of what has been going on under the auspices of the Republican Party in this Congress.

Why this onslaught against labor? Why this apparent coordinated effort to restrict the activities and the rights of labor by denying sufficient funds to carry on the work of the Conciliation Service, the Vocational Training Service, the United States Employment Service, the National Labor Relations Board, and many other functions of the Labor Department? This is not the first attempt that has been made in this session of Congress to cripple the functions of the Government dealing with labor or to deny the rights of labor. So the question naturally poses itself—why this concerted efforts on the part of our Republican friends?

The Conciliation Service has done a great deal of good in the prevention and settling of labor disputes—thousands of them each year—not given publicity in the papers because they have been handled silently and efficiently. Mind you, these crippling actions are being carried forth at a time when all of the functions of the Federal Government leading to the prevention and settlement of labor disputes are so fundamentally necessary. I am constrained to say that the workingman today is being persecuted on all sides. Restrictive labor legislation is being proposed which would prevent him from exercising his natural rights as a workingman for the protection of his family. Adequate funds are being denied the agencies of the Government which have as their prime purpose the handling of labor disputes, at the same time that this Congress has failed to reduce the cost of living and to enable labor to achieve a proper living wage, which was suddenly taken from it when the war ended. Let us not forget that when we are talking about doing something to lessen labor disputes and to keep labor relations harmonious a negative position is not sufficient. The important thing is to take a positive position and do something for the welfare of labor. People who are persecuted—and I use this word advisedly—such as are labor families today by the majority of the Congress, make fertile soil for the growth of radical doctrines.

Mr. ROONEY. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Chairman, it would really start beginning to get amusing if it were not so serious to listen to our friends on the Republican side make the speeches that they are making. They started out with a 20 percent cut across the board for the wealthy income-tax payers. Now they have been forced to make a mild concession with a few crumbs. Then they got tied up on the matter of a six billion or a four and a half billion dollar budget reduction and now cannot get out of it. The bill has been in conference for several weeks.

While I do not know how many times the Republican members of the conference committee have met, there has been but one meeting of the full conference committee.

Now we hear the gentleman from Oklahoma [Mr. SCHWABE] standing in the well of the House weeping crocodile tears for economy. Yet, he introduced a soldiers' bonus bill which would cost the people billions of dollars. Yet, with reference to a few millions of dollars which mean so much to labor, organized and unorganized, they would wipe that out which would have serious effects upon the Conciliation Service, upon the National Labor Relations Board, agencies of government which are of great importance to both management and labor. The gentleman argues vigorously how strong he is for economy.

Only the other day I heard my distinguished friend, the gentleman from Kansas [Mr. HOPE], who is now in the chair, whom I personally like, and who I believe is a great legislator, argue against false economy. But then when my friend, the gentleman from Illinois [Mr. DIRKSEN], took the floor and warned the Republican Members about the $6,000,000,000 cut which they have promised the American people to make in President Truman's budget, my friend, the gentleman from Kansas, on a bill costing twelve to fifteen million dollars more to keep foreign labor in the United States, argued it would be false economy if the bill did not pass. I voted with him.

I thought it was all right. If it is all right for him to argue false economy, then it is all right for us to argue false economy in this case. I say he and other Republicans have caught themselves in a trap on the $6,000,000,000 cut.

I wonder how they are going to reconcile that. I wonder when the projects come in later and when the Committee on Appropriations cuts them out and our Republican friends stand in the well of the House and cry for assistance, what are we going to say and what are we going to think? You have caught yourselves in a beautiful trap. On the roll call vote on the measure which the gentleman from Kansas [Mr. HOPE] so brilliantly led the fight, and I was with him, you will find outside of the gentleman from Illinois [Mr. DIRKSEN] and the gentleman from Michigan [Mr. HOFFMAN], all of the Republican leaders voted for the bill. Only two outstanding Republican leaders——

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield? I am no leader.

Mr. MCCORMACK. Oh, of course you are a leader. The gentleman is chairman of the Committee on Expenditures in Executive Departments. That automatically makes the gentleman a leader. Whether his party likes him as a leader or not, we admit the gentleman is one of the outstanding, although probably one of the most annoying leaders of the Republican Party—annoying to his own party.

Mr. HOFFMAN. Did I annoy you any yesterday?

Mr. MCCORMACK. Now, the gentleman is my chairman and I do not want my chairman to lessen himself in my eyes. I place you among the leaders of the Republican Party and you cannot escape your responsibility.

Let us see what the majority party is doing in this bill. By "majority party," let us call names; the Republicans. Well, they are practically wiping out the effectiveness of the Conciliation Service. They take away 100 employees, top officials included, and then they say they cannot be replaced. Some of those officials have been there for 37 years. One of the officials has been in the Department of Labor 37 years. Another man has been in the Federal service 39 years, 8 years of which was in the Department of Labor. Another man has been in the Federal service for 29 years, in the Department of Labor. So it is men of experience of that type who are being eliminated. They cannot be replaced even by other persons. We placed a veto upon replacements at the hands of the executive department.

Then, we have the National Labor Relations Board. Half of its appropriations are cut, and at a time when there is greater demand for their services; at a time when we are having hearings before the Labor Committee. They are going to report out a bill. The gentleman from New Jersey [Mr. HARTLEY] said the other day it is not going to be a punitive measure. I believe him. I do not know what it will be when it gets through this House, in which I have seen coalitions work. I have seen them work before. No matter what the gentleman from New Jersey [Mr. HARTLEY] intends, no matter what his committee reports, I predict it is going to be a far different bill when it gets through this House than when it comes into the House, if there are not punitive measures contained in this bill against labor and I hope there will not be.

Now, for all practical purposes they are wiping out the Conciliation Service.

We have labor troubles in Massachusetts—differences between labor and management. Every State is trying to explore to see what can be done. We are all Americans. We realize that labor and management have to live together, and the public interest has to be served. In Massachusetts we have a problem. The present Governor, Governor Bradford, a Republican by politics, appointed a committee to investigate and report recommendations to him in relation to labor legislation. That committee is known as the Slechter committee, and is composed of Mr. Sumner H. Slechter, of Harvard, Mr. Douglas V. Brown, of the Massachusetts Institute of Technology, and Father Thomas E. Shortell of the Holy Cross College, and several others. That committee made a unanimous report to Governor Bradford only recently. I have that report before me and the recommendation of Governor Bradford to the Massachusetts Legislature. What is the main thing they report? "New

and stronger conciliation service, which gives new opportunities and new responsibilities to employers and trade unionists; and new arbitration service of assured competence and impartiality." Governor Bradford in his message to the legislature called this conciliation service the Magna Carta of labor-management good-will relations.

We have in Massachusetts a Republican Governor and a Republican legislature recommending a strong conciliation service. We have here in the Federal Capitol a Republican-controlled House, recommending practically the abolition of the effectiveness of the conciliation service that has been in existence for some years in the Federal Government. Management has all testified to the fine character of service rendered by the Conciliation and Mediation Service.

The National Labor Relations Board is handling itself in an excellent manner and at a time when we need them. Their appropriation is cut in half, practically wiping away the effectiveness of the National Labor Relations Board to give even a minimum of service to both management and labor when disputes arise.

As the gentleman from Pennsylvania [Mr. KELLEY] said a few moments ago, the record is being laid for the country. They, the Republicans, are in control, but they have to answer. Political parties must lie in the political bed they make, just the same as all other persons in public life.

We have got to take the consequences of our acts. We see this pattern being set up with the cloth being cut to fit into the picture of the vested few of this country: The 20-percent-across-the-board tax reduction; cutting down the statute of limitations in suits over wages and hours to 1 year; this indirect attack upon the agencies that are of great importance to the workingmen and the workingwomen, not alone the organized but the unorganized. We find this whole pattern, and the record might as well carry the fact.

I realize the chances are that nothing will be done in this body. Under the hysteria of attacking a man they expect to get it over. I know a prominent Republican who occupies a high position, who was the governor of a great Commonwealth—and I admire him. He became a member of an organization the nature of which he did not know, but he resigned only a few months ago. That man knew nothing about the real purposes of the organization—and he comes from Massachusetts and is a man whom I respect very, very much. That man said he did not know what he had joined and I believed him. I met another man 12 years ago when I was chairman of a special committee investigating communism, nazism, fascism, and bigotry. I was in New York and we came across a prominent judge of New York City who belonged to a bigoted organization. I called him in. I asked him if he belonged to this organization. He said, "Yes, I do." I asked him if he knew what the organization was. He said he did from the constitution. I said, "That is what I thought; you did not know what the real purposes of this organization were and I thought you did not know. You joined an organization with a fine patriotic constitution without making a special investigation as to the character of the leadership." I said, "Forget it, it will not be made public." Yet, if I had followed the tactics of some others I would have made his name public and he would have been branded as a member of a bigoted organization, smeared in the press, and his reputation ruined. I wanted more evidence than that to convict a man of being a member of a bigoted organization. The man was well known, one of the chief jurists of New York City. I do not know whether he is alive today or not.

A number make mistakes, sometimes, of joining organizations and then finding the objectives such that we are not in agreement with them and withdraw. That happens. Men join organizations without knowing, and when they find out certain things they withdraw. We have one of the Justices of the Supreme Court who did that, yet he has developed into one of the soundest Justices of the Supreme Court, a man whose opinions on civil liberties are absolutely sound. In my own mind I started out being critical of him, but he has made a great reputation for himself; and he said he did not know the real purpose of the organization when he joined it. Those things can happen in the case of others. It could happen in the case of this man Warren. But outside of that, assuming he is guilty of everything, why destroy the Conciliation Service? Why for all practical purposes destroy the Conciliation and Mediation Service by writing into the bill language which prevents those hundred employees and top officials of this agency from being replaced in case under present circumstances they have to be let go.

And so, Mr. Chairman, this talk about economy; yes, we have the case of the gentleman from Oklahoma [Mr. SCHWABE], with his bill. We have the case of my friend, the gentleman from Kansas [Mr. HOPE]. I was with him. We have others. It will be interesting to make a survey of the bills introduced by the Members of this House requiring the appropriation of money, introduced by those who voted for the $6,000,000,000 cut, to find out what bills they have introduced and how much they will cost the taxpayers if they become law.

Yes; economy. I say to the Members of the House and particularly to my friend the gentleman from Kansas [Mr. HOPE], that it is false economy, as he said it was false economy only a few weeks ago, to fail to put through an extension for 6 months permitting alien labor, foreign labor to remain in the United States and to make the appropriations therefor. I joined with you in that action. I say it is false economy to make these drastic cuts that are carried in this bill at the expense of the workingman and the workingwoman.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. ROONEY. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I do not intend to say anything at this time in connection with this bill, but I trust that the committee will indulge me if I dwell upon cuts in an appropriation bill that has previously passed the House. I think what is now happening is of more than passing concern to all the Members without regard to which side of the aisle they sit on.

It has been brought to my attention through the press as to what is happening now at the ports of entry, chiefly in New York, San Francisco, and Detroit, and along the entire Canadian border as the result of the—should I say looseness?—in prescribing cuts in order to arrive at what our Republican friends term economy. Not so long ago the Board of Commerce and the merchants of Detroit appealed to me to protect the merchants and the businessmen throughout the Nation against the uncontrolled influx of goods from Canada. We of the Committee on Ways and Means, prescribed an effective rule, and it became part of the customs law. Today, regardless of the law, by the elimination of customs guards along the border and in the ports of entry this country faces a deluge of foreign goods and the entry, by the way, of perhaps unwanted illegal immigrants. The situation is very drastic, very dangerous, and I want to protest this unwarranted, this senseless economy as prescribed by the Committee on Appropriations.

I want to say to you that I think the Committee on Appropriations does not know enough about it all to justify what they have done in the past. The situation is desperate. It is a dangerous situation which exists, and it ought to be corrected promptly. I want to say on this occasion that unless the committee treats these subjects with more care and diligence and with greater intelligence and foresight, the time will come when the Committee on Appropriations will be abolished, as I have advocated for a long time, and its functions reinvested in the legislative committees who know more about the subject matter covered by appropriations. This is one outstanding example of a condition created by the Committee on Appropriations in its desperation to arrive at what they call economy, which is working against the best interest of the American merchant, the taxpayer, and against the citizens generally.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from North Carolina.

Mr. COOLEY. My recollection is that I read in the paper yesterday, I believe, that as the result of this drastic reduction in appropriations, that at the port of New York the personnel would be reduced from 840 to 100 persons.

Mr. DINGELL. I understand that is correct.

Mr. COOLEY. They are maintaining only a skeleton organization in that important office.

Mr. DINGELL. That is right, and it will permit smugglers and dope peddlers in New York and elsewhere to operate as they please. The condition of demoralization is going to be general, because

the cut is drastic from one end of the country to the other.

Another thing I want to touch upon is the unwarranted cut affecting the Internal Revenue Department and the special agents charged with the responsibility of recovering millions of dollars in taxes due the Government from tax evaders. Preliminary work of these highly trained specialists in tax-evasion work indicates possible recovery of over $600,000,000, which is being jeopardized by an appropriations cut of less than one-twentieth or thirtieth of the amount to be recovered. This is not economy, but rank injustice to the Treasury and to the honest taxpayers. I am told that estimates of recovery for the next 2 years from this source amounts to four or five billions of dollars. I will have more to say on these matters later.

EXAMPLES OF TAX EVADERS WHO MIGHT IN THE FUTURE ESCAPE DETECTION IF THE INVESTIGATIVE STAFF OF THE BUREAU OF INTERNAL REVENUE SHOULD BE REDUCED

An oyster packer, operating in the Chesapeake Bay area, acquired oyster beds either by lease, or from the State, or by purchase of leases from other dealers. During the slack period when oysters were plentiful and the market was low, he would buy all the oysters he could get and then have them dumped overboard on one of his oyster beds, where they could be readily dredged or tonged when very few oysters were coming into packing houses from other sources. When they were purchased and dumped overboard, the prevailing price was between 50 cents to $1 per bushel, but when the price rose to $3 or $4 per bushel, they were redredged and sold at the prevailing market price. Investigation disclosed that the oysters were charged to purchases on the books of the packer at the current market price when redredged, thus overstating purchases by the difference between the price when actually dumped and the market price when taken up. Additional tax and penalties of over $27,000 were levied in this case.

Alex Steinberg, of Dallas, Tex., was one of the most important figures in the liquor trade in the Southwest. He was charged on four counts with attempted evasion of his and his wife's income taxes, amounting to almost three-quarters of a million dollars for the single year 1943. Testimony in his trial brought out that Steinberg dealt in enormous quantities of whisky, the payments for which were frequently shipped to him by express in the form of currency. Steinberg was found guilty as charged, and reports by newspapers in the Dallas area indicate that this conviction had had a very salutary effect on potential tax evaders throughout the Southwest.

In 1934 a promoter was convicted in the Fulton County, Ga., Criminal Court on three counts of larceny after trust and two counts of violations of the Georgia securities laws, and sentences of from 2 to 3 years on each count, to run consecutively, were imposed. After slightly more than 2½ years imprisonment, he obtained a pardon from Governor Talmadge and moved to Miami, Fla. Said to have been insolvent at the time, he first found employment as a parking lot attendant, and later as an electrical appliance salesman. In 1939 he entered the real estate field and organized several corporations that developed vacant properties by erecting groups of store buildings and theaters, which upon completion were rented or sold. Using borrowed funds he also dealt extensively in bonds of Florida East Coast Railroad which were depressed because of the road's financial straits prior to the war. With a group of associates he has gained representation on the boards of directors of the Missouri, Kansas & Texas, Chicago & Eastern Illinois, and Chicago & Great Western Railways. His battle for control of the first-named, and his plan for consolidating the three carriers into a Great Lakes to Gulf system, have been nationally publicized. Investigation of this individual and two of his corporations disclosed additional taxes and penalties of approximately $173,000 to be due.

A Kentucky doctor was in the penitentiary from 1932 through 1936 as the result of a conviction of violating the narcotic laws. After being released from the penitentiary he began an abortionist business in Covington, Ky., and was able to make contacts with several prominent doctors in Cincinnati who assisted him by furnishing him with prospective clients. This doctor was found to have 15 different bank accounts or building and loan savings accounts in different banks and associations, all under assumed names. No other assets of any consequence were discovered, and it is not believed that any other assets existed, inasmuch as the doctor, due to the nature of his business, was afraid to list his assets under a correct name, thus laying himself liable for civil action in those cases where his abortions may have been a failure. Investigation found assets totaling $140,000 and additional tax for the years 1937 through 1945 was assessed in the amount of $71,938.

A notorious operator of a policy-numbers racket in the St. Louis area was subject to tax deficiencies and fraud penalties in the amount of $224,471 for the years 1942 through 1945. This man maintained no records and investigation had to be based on other sources of information. It was finally proven that this man received large amounts of currency in connection with his operations which he failed to report on his tax returns. He had accumulated a large amount of net worth but had reported only nominal income.

An individual operated a wholly owned corporation and a sole proprietorship on the black market in nylon yarn and hosiery. The total income tax paid by the corporation and his individual business amounted to $68.19 whereas the aggregate taxes due for the years investigated exceeded $112,000. Before the investigation was completed, the individual died and after appointment of his wife as executrix for her husband's estate two safe-deposit boxes were located in New York, N. Y., one of which contained $107,345 and the other $76,750, all in cash. An additional safe-deposit box maintained by the taxpayer where he resided in Philadelphia, Pa., yielded $2,370 in cash. This cash no doubt represented the proceeds of the taxpayer's sales in the black market. Upon the discovery of the funds in question, the taxpayer's representatives consented to the payment of the additional taxes previously mentioned.

One of the largest fraud cases developed during the drive against tax evaders was that of the Longchamps Restaurants in New York City, headed by Henry Lustig, who started his career many years ago behind the handles of a pushcart. There were four codefendants in the case, namely, his nephew, E. Allen Lustig, secretary of the seven Longchamps corporations; Joseph Sobel, certified public accountant; Wallace Platt, office manager; and Platt's brother, Martin, the restaurant king's bookkeeper.

The fraud operations in this case consisted of keeping two sets of books—one "honest," the other "elaborately falsified"—the siphoning of approximately $2,000,000 in cash from the restaurant chain's tills into Lustig's personal safe deposit box, and Lustig's asserted pocketing of thousands of dollars in tips handed by customers to his attractive hatcheck girls.

The Platt brothers turned State's evidence and their sentences were suspended. Allen Lustig was sentenced to a prison term of 3 years, and Joseph Sobel, the chief accountant for the Lustig Enterprises, to a 2-year term. Henry Lustig was sentenced to 4 years on 22 counts for willful failure to defeat and evade taxes of the various corporations, the sentences to run concurrently, and was sentenced to 2 years on a conspiracy count to also run concurrent with the 4-year sentence, and to the payment of a fine of $115,000.

The total taxes and penalties in this case amounted to $7,726,124.

Mr. Speaker, I include the following editorial from the Washington Times-Herald of today:

LOOKS LIKE POOR ECONOMY

We're as strong as ever for a big slash in the Truman $37,528,000,000 budget, and think from the debate on the subject up to now that radical cuts can be accomplished without damage to any of the Government's essential services.

We're still taking with plenty of salt the solemn warning of spend-and-spend New Dealers that disaster will follow if Congress forces the Government to come down a bit from the high level of luxurious living on which it has been riding during the New Deal era.

However, it does look as if the House pulled one boner, at least, in its recent approval of a slash of $30,000,000 in the Treasury Department's 1947–48 operating expenses.

Included in this reduction of Treasury spending money was a cut of $6,500,000 in the Customs Bureau's allowance. The Customs Bureau has charge, not only of collecting tariffs on goods coming into this country, but also of maintaining border patrols and other devices for keeping goods from being smuggled in without paying duty.

Because of this $6,500,000 Customs Bureau slash, about 1,600 of the Bureau's employees are in process of being let out, effective March 28, which is next Friday. Customs work at the key port of New York, where most legitimate tolls are paid, and most smugglers ply

their trade, will be crippled by this proposed cut.

Harry M. Durning, collector of the port of New York, now has a staff of 840 men engaged in this valuable work. Durning has been forced to notify 740 of his staff, including 600 war veterans, of their impending dismissal. This will leave America's greatest port with a skeleton force of 100 men.

According to John C. Tulloch, an old collector of the port and border-patrol organizer at the important boundary point of Ogdensburg, N. Y., these dismissals also will leave the Canadian border wide open to smugglers of all manner of contraband, and to illegal entry of aliens as well. Similar results are expected along the Mexican border.

The loss in revenues to the Government, if such a condition lasts any considerable length of time, will more than outweigh the cut of $6,500,000 in the Customs Bureau's allotment of funds for 1947-48.

Altogether, the House apparently made a bad mistake. It is made the more striking by the sudden and simultaneous expansion of the Civil Service Commission, which calls for between 2,500 and 3,000 extra investigators, in order to root disloyal and subversive employees from our Government pay roll.

We hope this project works. But, somewhere in the hiring-and-firing confusion, a serious injustice has been done our Customs Bureau, and it is one which ought to be rectified without delay.

The Senate can still perform this job, when it acts on the cost-cutting bill passed by the House. We hope the Senate will do just that, and plug these serious port and border leaks. It seems obvious that better ways to save money can be found than this one.

Mr. ROONEY. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. RAYFIEL].

Mr. RAYFIEL. Mr. Chairman, I have read the report of the Appropriations Committee very carefully and cannot recall ever reading a report of a committee of this House which is so vindictive in its approach to the problem before it. It is well established that the Appropriations Committee has as its only function the consideration of legislation for the appropriation of money for the efficient functioning of the executive offices of the Government. In carrying out that function the committee must, of course, exercise judgment as to how those functions can be conducted most efficiently and economically. However, this does not give to the committee the power to direct the executive side of the Government as to how its functions should be carried out.

The report of the committee on the pretext of alleged maladministration by Director Warren recommends the virtual elimination of the entire administrative and supervisory staff of the Conciliation Service. If the report is adopted it will make the Conciliation Service a headless body.

Public, labor, and management representatives in the field of industrial relations are virtually unanimous in their belief that a strong conciliation and mediation service is the cornerstone of a sound government labor-relations policy. Although some of these groups may differ as to the method whereby that function should be carried out, they are all in accord with the basic principle that a strong conciliation service is essential in the maintenance of our free collective-bargaining system. It is, of course, fundamental that a strong conciliation function requires adequate and effective supervision, for without proper direction it is impossible to perform the conciliation and mediation functions efficiently and effectively.

The committee report recommending the elimination of the supervisory structure of the Conciliation Service is a repudiation of the virtually unanimous informed opinion that we should have a strong conciliation service. It is a repudiation of the unanimous recommendation of the President's Labor Management Conference that the Conciliation Service be strengthened. It is a repudiation of the recommendations of the Labor-Management Advisory Committee which participates on a regular periodic basis with the Conciliation Service in the program of building and strengthening the Service.

The committee's action is based upon charges made by disgruntled laid-off employees against Director Warren. These charges are preposterous on their face and are completely unfounded. They have been refuted by responsible public officials, such as Senator WAYNE L. MORSE, who was a former public member of the War Labor Board, and by five former public members of the War Labor Board under whom Mr. Warren served.

It has been charged that Mr. Warren has hired a group of high-priced WLB people to build up his organization. Let us look at the facts. Of the 30 grade 14 and 15 employees who may be affected by the proposed cut, only 5 were ever employed by the War Labor Board. Of the 7 regional directors whose jobs would be eliminated by the committee report, all were employed by the Department of Labor before Mr. Warren took office as Director of the Conciliation Service and none were employees of the Labor Board. Let us look at the records of these regional directors whom the committee would have thrown out:

Name	Years of Labor Department service	Total years of Federal service
Colwell, H. Ross	8	39
Cunningham, Edward J	37	37
Durham, Howard E	8	11
Marsh, E. P	29	29
Spillane, James J	0	0
White, William F	12	12
Williams, Clarence H	12	13

Under the committee's proposal, these 30 grade 14 and 15 employees having a total of 346 years of service in the Federal service, 254 years of which were in the Department of Labor, would be removed from Government office. These men have an average of 12 years in Government service. Is it wise governmental policy for us as Congressmen to wipe out this vast reservoir of experience when the public is demanding that we provide for a strong Conciliation Service? Upon what foundation are we to build if we eliminate this vast store of experience in government and labor-relations work?

The report of the committee is based upon distortion and misrepresentation of the transcript of the record. The sole reason given by the committee in its report for the elimination of the positions of regional director and assistant regional director is that in an office out of which work only three conciliators, there is no sense in having a regional director and an assistant regional director. The facts are that there are actually from 20 to 50 conciliators supervised out of each regional office with a regional director and an assistant regional director. This one misconception is sufficient to invalidate entirely the premise on which regional staffs were cut. Such unsoundness in the exercise of judgment on the part of the committee should cast doubt upon the merit of the whole report, particularly as it relates to the United States Conciliation Service.

These unfounded charges upon which the committee relies are merely being used as a smoke screen to cripple the Conciliation Service. If the report is adopted the Conciliation Service will be left a less-effective organization than it was before the President's labor-management conference.

The record of the Conciliation Service in the year and a half since Mr. Warren assumed office has been acclaimed by both labor and management representatives and by impartial experts in the field of industrial relations. In 90 percent of the disputes in which the Conciliation Service has been called in prior to work stoppages they have succeeded in closing the cases without a work stoppage occurring. This is a truly remarkable record when we consider the difficult problems which confronted the Service during this reconversion period from a war economy to a peace economy. That record was possible only because there was sound direction from on top and through the supervisory personnel in the field. Without supervision and close watching of key cases throughout the country, it is doubtful that this remarkable record could have been made. If we vote for an appropriation which contemplates that each conciliator go off on his own without any supervision or direction, we are voting for industrial chaos. We are voting for more strikes. I do not think the Congress wants more strikes. I know the people do not want them. I know the people expect us to provide means for peaceful settlement of strikes. This appropriation bill would defeat that purpose. Unless the funds for the office of the Director and his administrative and supervisory personnel are restored, the people of the country will know that this Congress has voted for industrial chaos and for more strikes.

The recommendation of the committee represents an attempt to usurp executive functions through an arbitrary use of its control over the Government's purse strings. It attempts to give the executive departments detailed instructions as to how the executive shall carry out its designated functions. Such an attempt is, of course, contrary to our basic constitutional concept of separation of powers.

I do not believe that the Congress desires to usurp the executive functions of the Government. I do not believe that the Congress desires to promote strikes.

I feel confident that the Congress will not adopt this irresponsible report.

Mr. ROONEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. SMATHERS].

Mr. SMATHERS. Mr. Chairman, at this time I should like to protest the cut in the appropriations for the Veterans' Placement Service, as has been proposed by the majority members of the Appropriations Committee.

An examination of the hearings before the subcommittee reveals that this Veterans' Placement Service has done a singularly outstanding job in behalf of veterans. During the first 11 months of 1946 there was something in the neighborhood of 5,394,000 applications filed by veterans. Employment-counsel interviews to those veterans amounted to 952,000. Local job referrals of veterans were in the neighborhood of 4,231,000. The number of handicapped job seekers during the first 11 months of 1946 totaled more than 640,000 with approximately 400,000 of that number being disabled veterans. In addition to assistance to those there has been a steady increase in the activities of the employment counsel. Actual job placements directly attributable to the Veterans' Placement Service have been increasing each month, and the figures that we have show that 198,000 local placements of handicapped workers was made by this service during the first 11 months of 1946.

I would like at this point to read from the statement of Mr. Faulkner regarding this service, and I here quote:

> We know of no precise method of directly measuring the contribution which the activities of the public employment service has made to the economic well-being of this country. We have attempted, however, to make some conservative estimates from time to time of the importance of selected activities. For example, if we take the total number of nonagricultural placements, exclusive of short-time placements, made during the first 11 months of 1946 and make the assumption that the Employment Service has been responsible for shortening by only 1 week the duration of unemployment for the individuals placed, the savings to the State unemployment compensation funds, and to the Veterans' Administration servicemen's readjustment funds on the basis of average weekly benefits amounted to more than $50,000,000. If, in addition, account is taken of the fact that such placement activities resulted in an extra week of employment and earnings at the average weekly wage of $35, the additional wage payments to individuals would increase the national income by $150,000,000.

The veteran represents the biggest investment that this country has today. Many men are still being discharged from the service. Thousands of veterans are now getting out of colleges and schools. These men also represent the greatest productive factor that the United States has. It is important not only to them but to our economy and to the country as a whole that these young men are placed in worthwhile jobs and become self-supporting and productive. The Veterans' Placement Service has succeeded in a great measure in bringing this about thus far.

Mr. Chairman, I regret to see the appropriations for this service reduced in any way because this is the service that has given aid to the veteran who is not going to school under the GI bill of rights and who is not receiving his $20 for 52 weeks of unemployment. This agency is designed to assist those veterans who are anxious to become productive and useful citizens forthwith. It has rendered a great service thus far. It is entitled to our continued support. The veteran needs and wants the assistance of this agency, and this Congress will be practicing false economy if it does not grant to them the appropriation which has been requested.

Mr. ROONEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Rhode Island [Mr. FORAND].

Mr. FORAND. Mr. Chairman, the Appropriations Committee is using this appropriation bill to hamstring the Labor Department in the functions which have been assigned to it by the Congress and thus not only reducing the effectiveness of this Department, but placing the general welfare of the working people of this country at the mercy of the employers.

It goes further than that because it will cripple the Veterans' Employment Service, practically eliminates the Conciliation Service, and abolishes the Division of Labor Standards.

The Division of Labor Standards is a small division set up to carry out the over-all function of the Labor Department, which is to promote and foster the well-being of the workers of the United States. The Service is a clearinghouse for all types of labor information and administration to State labor departments, to labor, to management, to all groups that are interested in improving the working conditions. Through the work of this division, accident prevention has not only gained a foothold in this country, but already has made remarkable progress. It has not only saved lives and limbs of workers, but it also has saved millions of dollars to employers.

To eliminate this division completely is, to my mind, not sound economy but, rather, an expensive venture.

I can see in this action just a part of the over-all pattern which, when pieced together, will show that through anti-labor legislation and through the withholding of appropriations this Republican-controlled Congress is out to whip labor into submission to the whims of the employers. I regret to note that the majority party has decided on such a course.

Mr. ROONEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Tennessee [Mr. KEFAUVER].

Mr. KEFAUVER. Mr. Chairman, I regret exceedingly that the Appropriations Committee has seen fit to recommend a reduction in the amount going to the United States Employment Service, and particularly the service provided for veterans in the Servicemen's Readjustment Act of 1944. This is one of the most worth-while laws we have passed for the benefit of the serviceman. It is being carried out in an efficient manner. All of the employees working under this service are quite busy and have produced excellent benefits in finding positions for veterans. The service should be strengthened—not reduced.

In the months ahead positions and jobs are going to be even more difficult for the veteran to find and therefore more veterans will be calling upon the Readjustment Service for assistance. And yet, in the face of this, we are trimming the personnel of this Service drastically. I am glad that an amendment will be offered to increase the funds for this service. I hope the amendment is adopted.

Mr. ROONEY. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Chairman, we on numerous occasions have legislated when the Supreme Court, in the judgment of the Congress, has invaded the legislative field, such as just recently in the McNabb case, the Insurance case, and the case of Local 807, but jealous as we are in the protection of our prerogatives, it seems that we ought to be recognizing the prerogatives of another of the integrated branches of our Government.

We are endeavoring today to do by indirection that which the Supreme Court said not so long ago could not be done when we limited an appropriation so as to prevent any part of it from being applied to the salaries of three Governments officials that we did not feel ought to be on the pay roll. I voted for that limitation, albeit with grave apprehensions as to the legality of what we had done. But it certainly seems to me that now, when attention is going to be paid to the loyalty of people on the Federal pay roll, we should adopt another way of removing those people whose services are no longer desired.

I, for one, feel that Mr. Warren has outlived his usefulness. I am thoroughly convinced that his membership in two organizations which were branded by Francis Biddle as being subversive makes it impossible for that man to function satisfactorily in that position. On the one hand you will find management regarding him with suspicion. On the other hand you will find employees going farther than they might ordinarily do because of the belief they have in philosophies they think he might possess. It seems to me that if Mr. Warren is interested in the preservation of a service that means so much to the workers of America he will resign immediately, and if he does not resign I am thoroughly convinced that it will not be very long before he is separated from the service. However, I repeat what I said at the outset of these few brief remarks, we ought not invade a field that is not ours.

Mr. KEEFE. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, it is very easy to understand why the gentleman from Massachusetts [Mr. MCCORMACK] works himself up into a sweat and wears out the carpet walking back and forth through the well of the House. All you need to do is go back over the record and recall the finding of the so-called Shepherd committee—a Democratic committee—in the other House, where they found that money appropriated by the Congress for the relief of the unfortunate

and the needy was being used for political purposes. That report was filed several years ago. The practice then condemned has continued to this day. All you need to do is recall the report of another committee of the same body about the political activities down in Kentucky, where money appropriated for the needy, for the unfortunate, was used to elect a Member of the upper House. During the last campaign Republicans promised economy. They promised to do what they could to get rid of government by bureaucrats. The first time we make a move to carry out those promises along come the Members of the minority side and complain of what we are doing. Why should we not keep our political promises? I know that is a novel doctrine to some of the gentleman on the other side. From the time when the New Dealers first came into power and repudiated the promises they made and which got them elected to office—within 6 months of the date they took office and from then right down to the present moment that party has had no idea of carrying out a campaign promise.

This is not a move to do something that should not be done. Whatever Mr. Warren may have believed in the past is at the moment to me of no concern. It is what they are doing now. Here is a letter dated March 22 from a constituent who is honest and straightforward. Listen to what this department, the Wage and Hour Division, is doing. Not last year; not 2, 5, 10 years ago but in March of 1947. Their representative went down to this industry. Here is the report from the employer:

At the end of the day he—

The Labor Department's representative—

had been able to find that we should have started paying overtime 2 months before we did, and so he requested us to make up the 2 months' back overtime. Up to this point, although we did not agree with the law, we had no fault to find as we want our employees to have all they are entitled to. Even though this may be more than our agreement called for, we will pay.

There is the statement of a man who is complying with the law and with the request of the Department. Then, what happened? This man from the Wage and Hour Division asked the employer if he could ask the employees some questions.

He had asked if he could visit the employees in the shop and was given permission to do so. He went out and asked them if they were satisfied with their jobs and asked them about their wages.

Now, get this:

He asked them if they had previously worked for another firm in St. Joe, to which they replied in the affirmative. He then said he thought he would be able to get them some extra money from this firm by which they were previously employed; and if they would get it, to remember who got it for them and to tell their friends.

For whom was he campaigning?

Now, what do you think of an employee paid by the taxpayers' money going out into the factory after he has settled all the questions which arose in that factory and after the employer has agreed to make all the payments suggested, going back to the men and women in the factory and saying, "For whom did you work before?" Of course, there was no complaint from anyone concerning that, but he said, "I will go over and see if I cannot get you some more money from your old employer." In other words, if that man were a lawyer, he would be disbarred and would not be permitted to practice. A Federal employee going around to factories in the country asking the employees if they work too hard and if they work too long, and if by some possibility they might not think that they were entitled to something—some additional compensation—from someone else. That is a practice which I understand has continued since 1937. And if they say they are satisfied, this Federal employee still says, "I will go over and look over the books of your last employer and see if I cannot stir up a lawsuit for the employer." An employee of the Federal Government who goes about the country stirring up agitation is not needed on the Federal pay roll.

Mr. ROONEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. WORLEY].

Mr. WORLEY. Mr. Chairman, I have received a number of telegrams this morning from various veterans' posts of the American Legion, Disabled American Veterans and Veterans of Foreign Wars protesting the arbitrary cut the majority party has made in the Veterans' Employment Service. I understand the gentleman from Rhode Island [Mr. FOGARTY] will offer an amendment to correct that mistake so that this service for veterans will continue.

If the Republican Party is really interested in helping the veterans, I believe the House would be interested in knowing just why this cut of nearly a million dollars was made in the appropriation. I understand the gentleman from Wisconsin [Mr. KEEFE] the chairman of the subcommittee in charge of this bill, has 13 minutes remaining, and we would appreciate having his views as to just why this arbitrary cut was made, and how he thinks it can be justified.

Mr. KEEFE. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. MARTIN].

Mr. MARTIN of Iowa. Mr. Chairman, the welfare of our men and women who have been disabled in the service of their country is in jeopardy. Does anybody deny that disabled veterans have earned a right to the pursuit of happiness found in jobs that are suited to their abilities, interests, and to their ambitions? Does anyone deny that these same veterans, disabled in the service of their country, shall have the assistance they need in finding and establishing themselves in jobs that provide for them the shelter, the food, the clothing they need? Does anyone deny that disabled veterans have a right to dignity and to self-respect in their occupations and to the satisfaction of work well done?

These questions, my colleagues, we must squarely face in our consideration of appropriations for the support of the Veterans' Employment Service. Can we return to our States and face our neighbor's boy who lost a leg at Anzio Beach or the butcher's son who left his eyes on Saipan and tell them "There wasn't enough to go around for you. You'll have to shift for yourselves."

Disabled veterans seek only an opportunity—an opportunity to demonstrate their capacities, their skills, and their abilities to do things as well, yes, better, than their nondisabled fellows. They want the opportunity to prove that they will stick to jobs much better than these fellows; that they are better accident risks; that they are better producers than their fellows.

This is the message which the field assistants of the Veterans' Employment Service are bringing to employers in behalf of disabled veterans. The results are apparent: From January 1, 1946, to November 1, 1946, the placements of disabled veterans increased almost 300 percent. This increase did not just happen. Constant, conscientious, and consistent effect upon the part of the Employment Service produced these results.

The development and application of special techniques for counseling and placement of disabled veterans will be completely abandoned with the curtailment of the United States Employment Service. Disabled veterans need counseling and guidance. Their choice of job opportunities is substantially broadened through job leads developed only through the use of these techniques. Continued development and improvement of special selective placement techniques for disabled veterans by the United States Employment Service is imperative if disabled veterans are to continue to have the service they have earned.

I appeal to you in behalf of the disabled defenders of our great Nation that you face your conscience—remember the sacrifices made by these disabled defenders—and give to the Veterans' Employment Service enough to enable them to serve the disabled veterans adequately.

Mr. KEEFE. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Chairman, I am sorry the distinguished gentleman from Michigan [Mr. DINGELL] was not on the floor of the House yesterday afternoon when I addresed myself to the appropriation for the Customs Department. Had he been on the floor yesterday afternoon or had he read my remarks in the RECORD this morning, he would not have made the remarks he did on the floor of the House today.

Mr. KEEFE. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Chairman, the debate thus far is indicative of the approaching contest. The question is: Are we going to make a courageous and determined effort to keep faith with the people and reduce expenses of government in accordance with the mandate given to the Eightieth Congress.

Within a few minutes the Clerk will be reading the bill for amendment. In accordance with advance notice, given by those who are opposed to reducing these expenses, amendments will be offered, the very purpose of which are to destroy the accomplishments of this subcommittee. I warn the House that crippling amendments should be voted down if

there is to be any real saving by the Congress.

For week upon week this subcommittee has been meeting daily, from early morning until late at night, in an effort to see that adequate money to carry on the necessary functions of government is provided. There is no disposition on the part of the committee or the majority to cut expenses simply for the sake of cutting expenses. The real purpose is to carry on Government efficiently and at the least possible expense—plenty of dollars for necessary and proper activities but not one penny for waste, extravagance, or political partisan activities. I hold in my hand the printed hearings. There are 847 pages. Every item carried in this bill has been justified before the committee and it is now the duty of the Congress to uphold the hands of a committee possessed of sufficient courage to make cuts where cuts can be made without injury to government, even though pet projects are eliminated and selfish interests are offended.

According to the printed report accompanying this bill, it carries $77,825,520 less than the Presidential budget estimate. The bill as reported carries a total of $1,685,586,780. Now that is not as great a reduction as I should like to see; however, the committee says that this is the largest amount that can be taken from this particular budget and still permit adequate money for the several agencies and departments to do the things that should be done in the interest of all the people during the coming fiscal year.

Mr. Chairman, let us approach the amendment stage in a spirit of calmness and sincerity. Let us act conscientiously, thoughtfully, and not emotionally. Let us forget that the center aisle divides us politically. Up to now the indication is that those who have controlled the Congress during the last few years have become so in the habit of increasing budgets rather than decreasing budgets that it is going to be very difficult for them to espouse the new philosophy of the majority and proceed along the line of less spending, less taxes, more efficiency, and eventually a balanced budget.

Mr. Chairman, unless we do adopt this philosophy and act accordingly, we will have betrayed the trust that the people placed in us in November.

Mr. KEEFE. Mr. Chairman, I yield myself the remaining time in order that I may answer a few of the questions that have been submitted.

The CHAIRMAN. The gentleman is recognized for 13 minutes.

Mr. KEEFE. Mr. Chairman, it ought to be perfectly apparent how difficult it is to keep a pledge made to the American people to reduce expenditures of Government. Everyone says, "Oh, yes. Don't touch this agency. Go over to the other one. It is all right to go into that one but don't touch this one."

I just could not understand how my distinguished friend, the gentleman from Massachusetts [Mr. McCORMACK] could get up here and make the speech he made. Evidently my friend has not even read the report of the committee. Evidently he does not know anything about what is in the report or he could not have made the statements he made.

Let me give you a few facts to demonstrate the truth of what I have just said. He has stated that we have emasculated and killed the Conciliation Service. Yes. We have practically killed the Conciliation Service by our action. Let me give you the figures and let us see whether we have or not.

Under the leadership of the gentleman from Massachusetts and a strong New Deal Congress, what did you do for the Conciliation Service? In 1938, you gave them $273,000. In 1939, you gave them $283,470. In 1940, you gave them $325,000. In 1941, $383,400. In 1942, $444,300. In 1943, $475,917. In 1944, $502,700. In 1945, $493,000. In 1946, $504,350. In 1947–48, $2,050,000. You did not tell the Congress that. You did not tell the American people that. Those figures speak for themselves.

Now, you said we have destroyed the functions of the National Labor Relations Board. What are the facts? Again I say the Minority Whip evidently has not read the report. He listens to a lot of propaganda from these birds down in the Department. Let me give you the facts. In 1945, the National Labor Relations Board, under the generous treatment of the New Deal Congress and under the leadership of the gentleman from Massachusetts, got from this Congress $3,664,373. What did they get in 1946? I will give it to you. Let us not listen to a lot of bunk. Let us get the facts. In 1946, the same Congress, under the leadership of the gentleman from Massachusetts, so generous, gave to the National Labor Relations Board $4,307,530. And in 1947, $4,481,900. The 1948 estimate was $7,934,000. Your committee this year gave to them $4,033,700. How does that stack up?

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I do not.

Mr. McCORMACK. Of course you will not.

Mr. KEEFE. I have given you the facts.

Mr. McCORMACK. But there is one important fact lacking.

Mr. KEEFE. There is no important fact lacking. Anyone who wants the facts can look in the record and find them. It is too hard to do that for some people. They prefer to listen to a lot of this bunk that is passed out by the interested parties.

Now I want to talk to you about this Veterans' Employment Service. I had a lot of people come to me this morning, and it is perfectly obvious that the Members of Congress themselves are not familiar with that situation. Let me see if I can tell it to you and thus dispel a lot more bunk that has been handed to you, showing how hard it is to try to reduce an appropriation once it has been granted.

Under the provisions of the Wagner-Peyser Act, with which I assume you are all familiar, which was passed by the Congress in 1933, if you read the Wagner-Peyser Act you will see there is a provision in that act for the establishment of a veterans' placement service. Ever since 1933 right down to the present moment, there has been in every employment office in the United States a veterans' placement and counseling service. That is the service some of you think we have cut down. I have had Member after Member come and say: "You can't cut that old Veterans' Employment Service that has been in these employment offices."

We have not taken a dollar away from the Veterans' Placement Service and the Veterans' Employment Service. That has been in the employment offices since 1937.

We have given $71,000,000, the exact sum asked by the States to carry on that function; every dollar they asked for we have appropriated.

Then what have we done? Let me tell you. You will have difficulty finding out and some of you do not want to find out. Some people do not want the truth. They want to give you some more bunk.

There is an outfit called the Veterans' Placement Service, which was created as the result of title IV of the GI bill, the Servicemen's Readjustment Act. I had something to do with preparing the language in that bill and I know what I am talking about. In title IV of the Servicemen's Readjustment Act a committee is set up consisting of the Secretary of Labor; Mr. Hershey, the head of Selective Service; and General Bradley, the head of the Veterans' Administration They are authorized under the provisions of that law to select a secretary, and they selected, or somebody selected, a man by the name of Perry Faulkner, from Ohio. He came down here to be the secretary of that veterans' placement body set up in title IV of this bill. Now, if you read title IV—and I suggest that the gentleman from Massachusetts and others read it so they will know what there is in title IV—you will see it provides for a liaison between this committee set up here in Washington——

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I do not yield. The gentleman cannot interrupt at this moment.

It provides for a liaison in the form of a representative to be appointed to sit in each State, one man who would transfer to the local employment services the ideas of this committee set up under title IV.

Instead of doing that, what have they done? They have created a new Federal employment service for veterans, an entirely new service superimposed upon the regular Employment Service, and they have hired some 677 special agents throughout the country operating under the direction of Mr. Faulkner here at the Federal level. The Employment Service is under the Department of Labor. Mr. Faulkner's service is responsible only to General Bradley in the Veterans' Administration. Administratively the Secretary of Labor has no control over it whatsoever; and, as I told you yesterday, when the Secretary was discussing this matter before our committee, he said that as an administrative proposition the whole thing was simply "nuts."

Mr. ROONEY. Mr. Chairman, will the gentleman yield at that point?

Mr. KEEFE. I do not yield. I want to give these facts to the gentleman.

The party in power, represented by the majority of this committee, had tremendous difficulty in getting from Mr. Faulkner this year just exactly what he wanted. Look at the record and read it, and you will find it. He had a lot of difficulty understanding the budget estimates. He could not understand what the Bureau of the Budget had done. He said he wanted only 500 people in the field. The Bureau of the Budget gave him 640. He could not understand that, neither could we. So we cut his outfit about a million and a half dollars, that is all.

We have given everything to the Employment Service to carry on its veterans' service as it has carried it on up to the establishment of this service, and we gave Mr. Faulkner $1,700,000 to carry on his service on top of that. I think the committee has been exceedingly liberal.

Mr. ROONEY. Mr. Chairman, will the gentleman yield at that point?

Mr. KEEFE. I yield.

Mr. ROONEY. Is it not the fact that the request made of the Bureau of the Budget and by Mr. Faulkner, the head of this veterans' employment service, was in the amount of $3,309,300, and that the committee cut it to $1,756,800?

Mr. KEEFE. The gentleman is absolutely misinformed; and whoever gave him those figures has been just as guilty of misstating the facts as many of these other things that have been said here during the debate on this bill. I have the figures right before me. I do not have to take it from somebody down in the department. Look at the budget itself; it is there, nobody can take it out. The Employment Service for 1948 requested $2,650,600. They had for expenditure in 1947 $2,342,500. Now, the committee allowed them $1,756,800, or a reduction of $585,700 in that item.

Now, let me say this to you, my friends. You are going to be right up against a wedge in the road. You are either going to keep your promises to the people that sent you here or you are going to listen to this suave talk that I have listened to now for 8 years. You will never cut the estimates of the Bureau of the Budget until you cut, and that requires action here today.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. All time has expired.

The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1948, namely:

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, if the Members read the Times-Herald for today, they will have observed an editorial which says that Congress evidently pulled a "boner" in enacting the Treasury-Post Office appropriation bill with a slash of $6,500,000 for the Customs Service.

Now, the accuracy of that editorial is on a par with some of the inaccuracies that have been ventilated on this floor. No. 1 is that there was no slash of $6,500,000 in the Customs Service. The committee did take out $3,500,000, but only when they came to us with an estimate of more than $6,000,000 over and above the fiscal year 1947. So, in truth and in fact the bill as it left this floor had in it over $3,000,000 more for the Customs Service than in the fiscal year 1947.

Now, when some inquiry was made as to how that editorial was written and where they got the figures, it was stated—and I shall not use names this morning—but it was stated this morning over the telephone that that editorial came from New York, and it indicates what is going on at the present time by way of an organized effort on the part of the bureaus and the agencies and the departments of government to seek to roll back the intent of Congress and to have this money restored. In other words, the bureaus are seeking to frustrate the efforts of Congress to achieve economy.

Now, it is only a few days that the Treasury announced that 8,200 revenue agents would be fired, who are collection men. The Treasury forgets that there are over 33,000 administrative employees in the Treasury, as compared with 26,000 who are gathering taxes in the field, and in that report—and I wrote the language myself—we said the committee was going to review Treasury and make sure that the field force was not dissipated and impaired. But notwithstanding that expression of intent, they are firing them in the wrong place, and I have been advised from very credible sources that the best propagandists and informational specialists and publicists in the Treasury Department have been assigned to carry on this campaign in the country. That is a pretty fair indication of what is going on.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I think the gentleman, in all fairness, ought to state the source of his information.

Mr. DIRKSEN. Definitely not. I am not going to give anybody the ax. You know what will happen. Any person's job will be just as good as through at 6 o'clock tonight if his name is revealed.

But I am telling you about the announcement in the paper, and it is on a par with this editorial that appeared in the Washington Times-Herald this morning. Evidently they do not want any economy, so they send any number of inaccuracies into all the corners of the country. That is why the governors and others are calling up Members of the other body right now, and they are wanting to find out what we did and what the basis for it was.

They are getting $3,000,000 more in the Customs Service than they had last year, and they asked for a good many additional employees over and above the number now on the rolls. The committee took out $1,668,000 for new personnel—that is more persons than they had in the fiscal year 1947. Now, how do you justify this statement from the Treasury Department that men now in the Customs Service have to be laid off? That is a part of an organized campaign.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from New Jersey.

Mr. CANFIELD. Is it not true that the bureau also asked for a foreign agency, which the committee disallowed?

Mr. DIRKSEN. Yes. They wanted $2,200,000 for a customs agency service abroad, a service that can be performed by the consular service in the State Department.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Michigan.

Mr. DINGELL. I think, with all due deference to the gentleman, there is much to be said for a foreign connection in the customs service with which, perhaps, the Committee on Appropriations is not at all familiar. A smuggler is frequently detected before he leaves a foreign land.

I want to ask this question of the gentleman. The gentleman admitted that a cut has been made in the customs service.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Yes; half as much as was reported in the newspapers, but still more than three million above the fiscal year 1947.

Let us get the facts straight. They asked us for $6,500,000 more for fiscal 1948 than they had in fiscal 1947. We just halved that amount and gave them $3,150,000 more in 1948 than they have in the current fiscal year. Most of the cut came out of the fact that we disallowed not the people who are on the rolls today but the increased number that they requested over the current year of 1947. Then, in addition, we disallowed the amount for setting up this foreign agency, because we thought the State Department facilities could provide the information that is necessary.

I want to admonish the agencies of government that they forget that the Congress, which has the appropriating power, also has the rescinding power. I am going to suggest to the chairman of the subcommittee that we ask the bureau chiefs in the Treasury Department, including the Secretary, to come up some day soon and confront them with these releases and say, "Where did these come from? Where did you get these figures?" And then point the finger at them and say, "Look here. Maybe the cut should have been more. Do not forget that if we cannot enforce the will of the people for economy and there comes a test of strength as to whether the Congress or the appointed bureaus are running the Government of the United States, we can exercise the rescinding power over in the Appropriations Committee and take away a little more."

Mr. McCORMACK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, in talking with the Chief of the Secret Service yesterday, he informed me that they have to let 95 of their agents go, at a time when counterfeiting is going to come back actively again. He told me that about 95 would have to be let go, men assigned to the important duty of detecting counterfeiting.

On this situation in the Customs Service our Republican friends are apologizing and defending themselves, and it is going to grow and grow and grow, until between now and June 30 they will arrive at the inevitable result of having trapped themselves.

The gentleman from Wisconsin [Mr. KEEFE] has a very unusual habit when anybody disagrees with him of charging in his loud-voiced manner that everything the other fellow says is bunk, bunk, and he uses a lot of other common, common phrases of that kind. The gentleman has referred in such a manner to everything that has been said by any Democrat who disagrees with him, and I have heard him say the same thing about Republicans who disagreed with him, so it is apparent that the only inference we can draw is that the superintelligent Member of the House is the gentleman from Wisconsin [Mr. KEEFE].

He overlooked putting in some important facts when he made his presentation on dollars and cents. He did not tell you that the activities of the Conciliation Service in 1938 would not be comparable with the activities in 1948 or the fiscal year 1947. He did not tell you that there would be increased business. He did not tell you that there are increased salaries.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. The gentleman refused to yield to me, but I yield to him.

Mr. KEEFE. I thank the gentleman very much. That is very kind of him.

Mr. McCORMACK. I have never refused to yield to the gentleman, that I can remember.

Mr. KEEFE. I suggest again that the distinguished gentleman read the record and the report, and he will see that they have a rapidly declining business in the Conciliation Service, instead of an expanding one. That is their testimony.

Mr. McCORMACK. The gentleman overlooks the fact that during the war there was not so much activity in the lines in which many agencies were engaged, but that they will have to engage in increased activities after the war. This applies to the Conciliation Service and the National Labor Relations Board. The War Labor Board took over during the war and had jurisdiction over a lot of these activities. Now, with the termination of the War Labor Board, the Conciliation and Mediation Service and the National Labor Relations Board must pick up these activities.

Mr. ROONEY. Mr. Chairman, will the gentleman yield for a question?

Mr. McCORMACK. I yield.

Mr. ROONEY. Is it not a fact that the cases which now come before the Conciliation Service are much more involved and take much more time and are very much more important to the economy of our country?

Mr. McCORMACK. I believe the statement just made by the gentleman from New York is based upon his study and experience as a member of the subcommittee having jurisdiction of that subject matter.

I have here an editorial from the Washington Star. While I admire that paper, I do not believe by any means that the Washington Star is a Democratic paper. In talking of the action of the subcommittee on appropriations under the heading of "Bad politics," the editorial said:

> On the whole record, however, it would be difficult to say that Congress would be wholly unjustified in coming to the conclusion—

That is, talking about Mr. Warren—

> that Mr. Warren is the wrong man for the job he holds. But that is an entirely different thing from saying that the Appropriations Committee is justified in the action it has taken.
>
> The committee has not been content merely to lock the door on Mr. Warren. Instead, through an abuse of its control of the purse, it has assumed a veto power over the filling of Mr. Warren's post and the posts of about 100 other executives and employees of the Conciliation Service.

That is what I said during my remarks. That is what the gentleman referred to as "bunk." Well, the Washington Star is in the same category as the gentleman from Massachusetts.

The gentleman from Wisconsin, if I may say so, in his dynamic character, has an unfortunate habit of characterizing the remarks made by other Members. So far as I am concerned, any time he criticizes anything I say as bunk, I consider the characterization coming from the gentleman from Wisconsin as one of the finest and highest compliments that I can receive.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it is always a pleasure to listen to the gentleman from Massachusetts [Mr. McCORMACK]. He says it is all right with him to have what he says characterized by the gentleman from Wisconsin [Mr. KEEFE] as bunk. You know what was said when the fellow kissed the cow—"Everyone to his taste." If the gentleman from Massachusetts [Mr. McCORMACK] has no objection to the characterization, I am sure I have none. Whether his statements were accurately described as bunk can be determined by a reading of the RECORD.

Here is what is griping some of our friends on the other side. There are a lot of good, fine, patriotic gentlemen on the other side, and they vote with us once in a while and sometimes twice in a while—in fact, whenever they think we offer something worth while. We helped them to put through some good legislation last year. That brings me to the point of asking: Did not the gentleman from Massachusetts [Mr. McCORMACK] vote for this bill, the Treasury and Post Office bill which went through the other day, one of the bills which he is criticizing today and because of which he now complains about the discharge of some people in the customs service?

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. DIRKSEN. The vote was 387 to nothing.

Mr. HOFFMAN. To nothing?

Mr. DIRKSEN. That is right.

Mr. HOFFMAN. Then the gentleman from Massachusetts [Mr. McCORMACK] must have voted for it. Nevertheless the gentleman comes here today and cries and weeps and moans about the cut in the bill and criticizes what he says is going to happen and of what he thinks is going to happen he is fearful. Here is what is the matter with some of those boys on the other side, if I may violate the rules by so referring to them, and I would like to address my colleagues on this side of the aisle.

For years the agencies down there in the executive departments and elsewhere all over the country have been spending Federal money to elect New Dealers and some good Democrats from the South, and some of us are glad to know that is one good thing that has come out of all that spending. Now, when they find that we intend to carry out our promises and give the country a little economy and a little efficiency, a little freedom from bureaucratic rule, they realize that if that pocketbook is taken away from them they will not have all that money to be spent in their behalf. Sure, it hurts. Running for office on your own pocketbook is one thing, and running for office with Federal funds and influence is something else again. If I had been running in that kind of a campaign in that way, I too, would be fearful of what might happen to me the next time because my funds could not possibly equal the funds of the Federal Treasury. If you cut some folks from the Federal funds and their jobs they cannot buy any more CIO-PAC support through the activities of the Labor Department and the National Labor Relations Board and all those Federal agencies which have been campaigning over the years. They are fearful of what might happen in 1948. Cry about it? Sure. Weep? Sure. It will not do them any good because the Republicans are going to carry out those campaign promises they made. That may be something of a shock to some, as I said before. It is unusual, but that is the way I think it is going to be. That is the way I hope it will be.

Republicans and Democrats who want economy and efficiency, who are tired of government by Federal employees, will do well to deprive the bureaus and agencies of the funds which enable them to carry on extralegal activities.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. McCORMACK. The gentleman, of course, speaking as he does, has lived up to just what I said he was a little while ago—one of the great leaders of the Republican Party.

Mr. HOFFMAN. I only wish that were true. For 10 years I tried to get the House—but you so dominated it that they

would not listen—I tried for 10 years to get the Communists kicked out. When President Truman found out the Congress was about to do it, along he came, tagging along behind. I will not say that of him and I will not say it of any Member of this House, but I will say that of somebody, just like the stink that follows an automobile when the gas is burned out, along they come. Now, they are all against Communists. They all want to do something about these wicked departments, because they do not believe the people were exercising good judgment in November but they nevertheless realize it might happen again in 1948. So they want to get in before the storm comes.

Oh, do not let them steal your thunder. Let us cut this appropriation just as the committee suggested we should, for the reasons given by the gentleman from Wisconsin [Mr. KEEFE] and the gentleman from Illinois [Mr. DIRKSEN] who know what they are talking about, and not follow along some of these campaign speeches that might well be made on a soap box in Boston or somewhere else.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. HOFFMAN] has expired.

Mrs. NORTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have asked for more time this morning to supplement my remarks of yesterday on the abolition of the Division of Labor Standards in the Labor Department appropriation bill. I understand that after I left this hall yesterday, the chairman of the House Subcommittee on Labor Department and Federal Security Appropriations, undertook to instruct me as to the action of the committee on the child-labor and youth-employment function of this Division. He attempted to reassure me that I might save what he apparently regarded as my crocodile tears, or something of the sort, over what the Republican majority had done to the future protection of our Nation's youth.

Let me assure the chairman and Republican members of the House Appropriations Committee that I have read their report with exceeding care. But I am sorry to tell them that it does not make me feel any better. Had they extended me the courtesy yesterday of allowing me to finish my remarks, I would have explained why. I shall do so this morning, although I hope some of you may be sufficiently interested to read my full statement in the RECORD of yesterday. The Republican majority of the House Appropriations Committee cut in half the funds available for the child-labor and youth-employment function of the Division of Labor Standards and transferred the functions to the Wage and Hour Division of the Department. Now that action to which they point with pride will satisfy nobody who is seriously concerned for the welfare of children.

The functions were transferred on the score that the Wage and Hour Division administers the wage-and-hour provisions of the Fair Labor Standards Act, and therefore could and should administer the child-labor provisions and perform all the research and advisory services now being carried on by the Division of Labor Standards. Now if anybody should know what the intent of Congress was when it enacted the Fair Labor Standards Act and conferred upon the then Children's Bureau, and now the Division of Labor Standards, the administration of the child-labor provisions of the act, I really think I should. I was chairman of the House Labor Committee which deliberated over many possible methods of administering this act. Every draft proposed to use the experience and skill of the Children's Bureau in some way to enforce the child-labor provisions of the Fair Labor Standards Act. The final version placed all responsibility for their administration in the Children's Bureau.

I also understand that my remarks were construed by the gentleman from Wisconsin as reflecting upon the competency of the Wage and Hour Division. I can assure you that they were not so intended. I have a high regard for the Wage and Hour Division, but I know full well that that Division is an enforcement agency. Its job is to check employers' pay rolls, time records, invoices—things like that, a type of accounting job. Why should they now be saddled with research on hazardous jobs for youngsters? Why should we believe that they are equipped to work with State administrators and women's groups and labor and community organizations in developing better State child labor standards? Why should they be asked to negotiate agreements with States on certificates of age?

I note by the report that you are also proposing that they become safety and health inspectors for the States. At the same time you cut their funds by 25 percent. They are now getting around to only 8 percent of the plants and you expect them to take on all of these new functions. With a smaller staff they will probably get around to 4 percent. They have plenty to do in the enforcement of the Wage and Hour Act without becoming the promoters of improved standards of child labor.

The Congress that passed the wage and hour bill, as I have said before, decided after much deliberation to keep the child labor and youth employment functions separate from the Wage and Hour Division. What facts had this Congress that would change the decisions of its predecessor? A small House Appropriations subcommittee has taken upon itself to rewrite the law.

If this Congress takes that step, it will not be on the merits of the question, I can assure you. This Congress will be playing politics with its future generations. It will be doing so at a time when, as a result of war, over two and one-half times as many youngsters are at work as in 1940, at a time when a million fewer children are in high school than in 1941.

In further reply to the gentleman from Wisconsin, I fear that there is some misunderstanding about the point of view expressed by the Secretary of Labor concerning the transfer of the child-labor and youth-employment functions of the Bureau of Labor Standards to the Wage-and-Hour Division. He did not state definitely that he would recommend the transfer of the entire functions of the Bureau to the Wage-and-Hour Division but said that he would study the problem when the Wage-and-Hour Division was transferred back to Washington. It may be that there are some inspection functions which could be transferred to the Wage-and-Hour Division, and in cases of duplications of functions, I would not oppose such a transfer. However, I would oppose the transfer of the entire Division, as it was erroneously stated the Secretary of Labor suggested. The majority of this Congress insist they received the people's mandate last November to economize in government. We Democrats are as interested as anybody else in true economy. But we do not think you Republicans received any mandate to exploit America's future citizens. The American people did not give you a mandate to recreate the sweatshops of the nineteenth century. They gave you no mandate to condemn their 12- and 14-year-olds to long hours, night work, back-breaking toil for starvation wages, hazards of life and limb, too early contact with the seamy side of life. They gave you no mandate to deprive their children of a chance to learn to work and to live and to develop to the height of their capacity. They gave you no mandate to deny their children the proudest heritage of America.

Further reference was made to the transfer of a considerable amount of money from the Bureau of Labor Standards to the Wage and Hour Division for the child labor and youth employment program. The truth of the matter is that this bill decreases the funds of the child labor and youth employment program by 50 percent. That 50 percent has been transferred to the Wage and Hour Division appropriation. The other 50 percent is so-called economy.

The kind of economy that will help to provide a tax decrease at the expense of the children of America.

I presume, Mr. Chairman, this economy is considered necessary because I understand that tomorrow a bill will come to the House to cut the taxes of the wealthy people of this country who can well afford to pay taxes, 30 percent. Is that the kind of economy you want? It certainly is not the kind of economy I want. Or is that the kind of economy you believe the people gave you a mandate for?

The CHAIRMAN. The time of the gentlewoman from New Jersey has expired.

Mr. KEEFE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I address my remarks not only to the Members here, but to the gentlewoman from New Jersey, who I know cannot disagree with what I shall say, because she well knows that they have the so-called Walsh-Healey Act still on the books; not only the Fair Labor Standards Act but the Walsh-Healey Act. She did not tell you about that. She did not tell you that ever since the Walsh-Healey Act has been on the books that the Wage and Hour Division has not only made the inspections for child-labor violations, but the Wage and Hour Division has done all of the work of enforcement and punishment and recommendations, every single thing, that the Children's Bureau does as to child-labor work

under the provisions of the Fair Labor Standards Act.

Now then, to say that the Wage and Hour Division is not equipped to handle this function is to say that they are not able functionally or otherwise to handle the functions placed upon them as to child-labor interests.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. The gentlewoman did not yield to me but I will yield.

Mrs. NORTON. The gentleman knows perfectly well that the Wage and Hour Division cannot handle the children's affairs as well as the Children's Bureau can. He knows that.

Mr. KEEFE. Well, that is a categorical statement by the gentlewoman, and may I say to her that I recommend that she read the hearings, and if she does, she will see.

Mrs. NORTON. I have.

Mr. KEEFE. Well, if she has, then she knows that her statement is not correct, because she knows that I asked the specific question of Mr. Walling, "Is the Wage and Hour Division equipped to do this work?" And the answer of Mr. Walling, the Wage and Hour Administrator, was that they were; that they are already doing that work under the Walsh-Healey Act.

Now, then, why give any misrepresentation to the press or the public or this Congress? The fact of the matter is that Mr. Schwellenbach himself very definitely said they were giving consideration to turning this over to the Wage and Hour Division, and perhaps the only reason that it was not turned over at the time of the hearings was because the Wage and Hour Division was still located up in New York and had not got back to Washington. Now, that is all there is to it.

May I say to the gentlewoman from New Jersey something that perhaps she does not know and she ought to be informed on the subject, that we were given a budget estimate showing just exactly how this transfer could be effectuated, and it is in the record.

Mrs. NORTON. Mr. Chairman, will the gentleman yield further?

Mr. KEEFE. I do not yield further. The gentlewoman has not read the record. If she had she would know those facts, and she would not make the statements she made on this floor, and I think it is high time that instead of just going on with these glittering generalities of talking about how we have done away with the protection for the little children and the youth of America, you ought to listen to what Katharine Lenroot, the head of the Children's Bureau, said about the man who is addressing you on that subject, when she spoke night before last in my own city, and you would get a different impression and you would not be talking about the gentleman from Wisconsin like you have been. I know something about the Children's Bureau and I have been one of its protagonists, as the gentlewoman from New Jersey well knows, ever since the Children's Bureau has been in existence.

You shake your head. I am not going to try to convince the gentlewoman from New Jersey. A lot of people have tried to convince Boss Hague up there and they have not been successful.

Mr. VURSELL. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, in summing up this debate, which has been very interesting, there comes to my mind the fact that the people of these United States of America spoke out at the last election as to the course they would like for their Government to follow.

Something was said by one of the previous speakers about our getting certain mandates. We did get a mandate to reduce the cost of Government, because the people know that the only way to balance the budget, the only way to reduce taxes, and the only way to get the ship of state out of the dangerous position it is in at the present time is to move it out of the danger zone through economy in Government back toward a sounder financial economy. We are their representatives, supposed to carry out their wishes. The Republican majority have from the first day they came here up to this very minute given every evidence of carrying out that mandate of the people. We have worked and voted for economy. The Republican Party has been opposed in this effort by you of the minority at every step of the way from the day the President called for a budget of $37,500,000 to run this Government in peacetime, four times what it had ever cost to run the Government in peacetime before. You are opposing us again today. You of the minority here on the floor of the House made your initial step by trying to defeat the will of the people which we of the Republican majority were trying to carry out when we voted in this House to cut the budget by $6,000,000,000. After we had achieved that objective, then the strategy of opposition to every economy became very plain through the minority leader and the minority whip, who has injected himself so forcefully into the debate today. That strategy is to fight the reduction in the cost of Government, the reduction sought by the Republicans, every time an appropriation bill comes on the floor of the House. They seek to prevent the Republican majority from reducing governmental expense in the interest of the taxpayers.

It is unfortunate that all of the American people who voted in this last election and who will have an opportunity to vote in the 1948 election that they cannot be in this gallery today, yes; that they could not have been here when we were voting to reduce the budget, yes; that they could not have been here when we were voting 2 weeks ago on the Treasury-Post Office Appropriation bill, so the people in the districts represented by those on the minority side who have sought to block the way, could have found out exactly what their strategy is, and what they are trying to do. After they had opposed reducing the appropriation in the Treasury-Post Office Appropriation bill and sought to block the reduction that we sought to bring about in the interest of the American people, when they had to answer a roll call go down in the printed record they voted 100 percent to support the action the majority had forced through on that particular bill. I predict that when the roll is called today the dissidents on the minority side will make a similar record, so that they can say in the next campaign to their people, who are so far away that they cannot be here to keep a watchful eye on them, "Oh, yes; we voted for a reduction in the cost of government."

This is the people's fight, and the Republicans will not turn back. They will keep their promises. If we do not cut the cost of government now and thereby reduce the Federal pay rolls it will never be done. The people of the Nation should know the opposition on this floor joined with the bureaucrats here in Washington are standing together as they have stood for the past 14 years solidly fighting against our efforts for economy in the interest of the great mass of the American people.

The Clerk read as follows:

Salaries: For personal services in the District of Columbia, $819,500.

Mr. ROONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROONEY: On page 2, line 6, strike out "$819,500" and insert "$1,190,000."

Mr. H. CARL ANDERSEN. Mr. Chairman, I ask unanimous consent that debate on this amendment close in 10 minutes.

Mr. ROONEY. I object, Mr. Chairman.

Mr. KEEFE. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto close in 10 minutes.

Mr. COOPER. Mr. Chairman, I make the point of order that the motion is not in order now, until some debate is had on the amendment.

The CHAIRMAN. The point of order is well taken. The motion is not in order at this time, since there has been no debate on the amendment.

Mr. ROONEY. Mr. Chairman, being a member of this great subcommittee, I suppose I should defend my chairman, the gifted gentleman from Wisconsin, who does not always use the word "bunk," who does not always answer the gentlewoman from New Jersey by referring to Mayor Hague, incidentally a great man, who has done more for public health, welfare, and education, and to help the little man in the State of New Jersey than the gentleman from Wisconsin ever did in his life. The gentleman from Wisconsin is really a charming fellow, when you get to know him. I spent 9 weeks with him as a member of this subcommittee, and it was just one grand tea party. If you did not agree with him, whether you were a member of the minority or the majority, it did not get you anywhere. He wrote the bill. You saw him on the march here awhile ago, strutting as he usually does from one side of the floor to the other, and you have listened, I am sure, to all those fancy expressions of his.

In yesterday's debate he quoted the Secretary of Labor, Mr. Schwellenbach, as having said that the set-up in the Veterans' Employment Service was

"nuts." I will say at this point that Secretary of Labor Schwellenbach at no time in the hearings reflected in the slightest degree upon the ability or integrity of Mr. Perry Faulkner, the Director of the Veterans' Employment Service, appointed by General Bradley, the Administrator of the Veterans' Administration, or upon the work of the Veterans' Employment Service. He did say that it was an unusual situation where General Bradley appointed Mr. Faulkner and he—Secretary Schwellenbach—appointed the entire staff. Mr. Schwellenbach advocated a much larger appropriation—larger to the extent of about a million dollars for the Veterans' Employment Service of the United States Employment Service.

We now have before us the first item in the march of the gentleman from Wisconsin to cut the vitals out of the functions of the Department of Labor. We have here an item requested by the Bureau of the Budget in the amount of $1,190,000 for salaries and expenses in the District of Columbia for the Secretary's office. Is it such a great increase? Oh, no. In the present fiscal year the amount under which they are now operating is $1,015,400. But the gentleman from Wisconsin has cut that down to the amount of $819,500. It is apparent, as pointed out here yesterday and today, that the march of the gentleman from Wisconsin and his colleagues against the Labor Department is well on the way. Why have they singled out that particular Department and not the other items in this general bill, the total amount of which is $1,763,412,300? Although the amount requested by the Department of Labor for its annual appropriation for fiscal 1948 is only $103,578,700, which is less than 6 percent of the total amount $1,763,412,300 requested in this appropriation bill, nevertheless the gentleman from Wisconsin and his colleagues on the majority side have cut the Labor Department operations to the tune of $12,714,500, which is 46 percent of the total cut of $27,725,500 referred to by the gentleman from Minnesota yesterday.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ROONEY. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

Mr. HOFFMAN. Mr. Chairman, reserving the right to object, can anyone advise us how long it will be before we vote?

Mr. KEEFE. At the present rate, and if the same tactics are indulged in, which I understand will be indulged in all through the bill, I assume we will be here until midnight.

Mr. HOFFMAN. I thank the gentleman.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Let me say that that is another familiar expression of the gentleman from Wisconsin.

Mr. HOFFMAN. Mr. Chairman, I object to the extension of 5 minutes if that is the way the gentleman is going to speak.

The CHAIRMAN. The objection of the gentleman from Michigan comes too late.

Mr. ROONEY. May I say that the usual careless language so often used by the gentleman from Wisconsin has again been heard. When anyone who disagrees with him is talking, that Member is using dilatory tactics—tactics designed to interfere with what? With the gentleman's full sway as a dictator and as a czar of this appropriation bill. He might well stop, look, and listen.

There was an editorial in this morning's Times-Herald referring to a subject which has been discussed previously. I quote from it:

Because of this $6,500,000 Customs Bureau slash—

And that was the slash, you know, in the Treasury, Post Office appropriation bill passed a week or so ago by this House—

about 1,600 of the Bureau's employees are in process of being let out, effective March 28, which is next Friday. Customs work at the key port of New York, where most legitimate tolls are paid, and most smugglers ply their trade, will be crippled by this proposed cut.

Harry M. Durning, Collector of the Port of New York, now has a staff of 340 men engaged in this valuable work. Durning has been forced to notify 740 of his staff, including 600 war veterans, of their impending dismissal. This will leave America's greatest port with a skeleton force of 100 men.

According to John C. Tulloch, an old collector of the port and border patrol organizer at the important boundary point of Ogdensburg, N. Y., these dismissals also will leave the Canadian border "wide open" to smugglers of all manner of contraband, and to illegal entry of aliens as well. Similar results are expected along the Mexican border.

The loss in revenues to the Government, if such a condition lasts any considerable length of time, will more than outweigh the cut of $6,500,000 in the Customs Bureau's allotment of funds for 1947-48.

Somewhere in the hiring-and-firing confusion, a serious injustice has been done our Customs Bureau, and it is one which ought to be rectified without delay.

The Senate can still perform this job, when it acts on the cost-cutting bill passed by the House. We hope the Senate will do just that, and plug these serious port and border leaks. It seems obvious that better ways to save money can be found than this one.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I am sorry. I do not have time.

So I say, you are here today doing the very same thing in connection with the Labor Department appropriation when you single them out for slaughter and cut them 46 percent of the actual amount admitted by the gentleman from Minnesota [Mr. H. CARL ANDERSEN] as the amount cut from the budget estimates in connection with this appropriation bill.

The CHAIRMAN. The time of the gentleman from New York [Mr. ROONEY] has expired.

Mr. H. CARL ANDERSEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. H. CARL ANDERSEN. Mr. Chairman, I regret exceedingly to hear the kind of speech that has just been delivered on this floor, when a member of the Subcommittee on Appropriations for Labor and the Federal Security tries to make the Members of the House believe that the chairman of this particular committee is a swaggering czar, strutting, and so forth, and so on; and that the chairman of this subcommittee has written the bill without consultation with his colleagues. I feel that the gentleman from New York [Mr. ROONEY] has violated the rules of the House in so stating, and I am looking right at him when I am saying this.

Mr. ROONEY. I say I am looking right at the gentleman, too.

Mr. H. CARL ANDERSEN. It is regrettable that we cannot discuss this particular bill upon its merits. I know and any member of the majority on the subcommittee will testify to the fact, that very little interest was given in the hearings by either of the two members of the minority on that committee. Scarcely ever did they offer anything constructive. I ask you to go through the hearings and see whether you can find any place where those two members of the minority offered any constructive suggestions.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I refuse to yield. The gentleman might as well sit down. Scarcely any place in the record can you find anything constructive offered by either the gentleman from New York [Mr. ROONEY], or the gentleman from Rhode Island [Mr. FOGARTY], and I challenge them to find it.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I also refuse to yield to the gentleman from Rhode Island.

Mr. HOFFMAN. Will the gentleman yield for a question?

Mr. H. CARL ANDERSEN. I refuse to yield.

Mr. Chairman, it seems to me too bad, after 6 weeks' hearings and attempting to do something worthwhile for the people of this Nation, that the majority members of the committee must virtually carry the entire load by themselves. Certainly we had to write the bill, the four of us in the majority. There was no cooperation from the others whatsoever.

Mr. ROONEY. Mr. Chairman, will the gentleman yield at that point?

Mr. H. CARL ANDERSEN. With the exception of the Public Health Service.

I am just saying these few words in the hope that we can get down to sanity in the discussion of this bill, Mr. Chairman. Let us discuss issues, let us not try to attribute to the chairman of this subcommittee, one of the most capable men in the Congress of the United States, statements to the effect that he is a czar, that he is strutting around, and so forth, and so on; whereas, if the truth were known, that particular man knows more

about this bill than any Member of either body of the Congress.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. KEEFE. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mrs. NORTON. Mr. Chairman, may the amendment be read again?

The CHAIRMAN. Without objection, the Clerk will again read the amendment.

There was no objection.

The Clerk again read the amendment.

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. ROONEY) there were—ayes 65, noes 114.

So the amendment was rejected.

The Clerk read as follows:

Page 2, line 7:

"Contingent expenses: For necessary expenses of the offices and bureaus of the Department, for which appropriations are not specifically made, including purchase of two passenger motor vehicles (including one at not to exceed $3,000); transfer of funds to United States Public Health Service for costs of health service program as authorized by act of August 8, 1946 (Public Law 658); commercial and labor-reporting services; when authorized by the Secretary of Labor, dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members, not exceeding $400; newspapers, press clippings, and teletype news service not to exceed $7,300; and contract stenographic reporting services as authorized by section 15 of the act of August 2, 1946 (Public Law 600); $468,400, of which $1,000 is for payment of claims pursuant to part 2 of the Federal Tort Claims Act."

Mr. VAN ZANDT. Mr. Chairman, I offer an amendment.

Mr. Chairman, inasmuch as this amendment applies to the Veterans' Employment Service I ask unanimous consent that at this time all four amendments be considered at once and that I be permitted to continue for an additional 5 minutes and to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. ROONEY. Mr. Chairman, I object.

The Clerk read as follows:

Amendment offered by Mr. VAN ZANDT: On page 3 strike out lines 3 and 4 and following the figure "600;" add the following: "$474,950, of which $21,510 shall be for carrying into effect the provisions of title IV except section 602 of the Servicemen's Readjustment Act of 1944, and of which $1,000 is for payment of claims pursuant to part II of the Federal Court Claims Act."

Mr. VAN ZANDT. Mr. Chairman, at this time I do not speak for any particular department of Government.

Mr. ROONEY. Mr. Chairman, may I interrupt the gentleman and say that I do not have any objection to his having five additional minutes.

Mr. VAN ZANDT. May I make this inquiry? Will the gentleman agree to the consideration of all four amendments at this time?

Mr. ROONEY. Not at this point. I cannot say that I have studied it sufficiently. You see, the minority has been in entire accord with the accepted position of the gentleman in regard to increasing the Veterans' Employment Service. That has been our position all through the hearing. So I withdraw my objection to his proceeding for five additional minutes.

Mr. VAN ZANDT. Then, Mr. Chairman, I renew my request that I be permitted to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Chairman, I speak at this time for two of America's great veterans organizations, the American Legion and the Veterans of Foreign Wars. Naturally, they are concerned with the employment of veterans so much that at the moment they have at heart the interests of 1,300,000 unemployed veterans in the United States, the majority of whom are veterans of World War II. These organizations cannot understand why it is necessary to cut from this bill less than $1,000,000, and in so doing deny the unemployed veteran the service of 644 agents, whose responsibilities are to secure and place veterans in employment.

In the enactment of the provisions of title IV of the Servicemen's Readjustment Act of 1944—Public Law 346—Congress declared as its intent and purpose that there should be set up an effective job counseling and employment placement service for veterans and that to this end policies shall be promulgated and administered so as to provide for them the maximum of job opportunity in the field of gainful employment. For this purpose there was created to cooperate with and assist the United States Employment Service a Veterans' Placement Service Board. The present Chairman of this Board is Gen. Omar Bradley, Administrator of Veterans' Affairs. Gen. Lewis B. Hershey, Director of the Selective Service System, and the Honorable Lewis B. Schwellenbach, Secretary of Labor, are the other members. This Board is charged with determining all matters of policy relating to the Veterans' Employment Service of the United States Employment Service.

The Chairman of the Veterans' Placement Service Board was given direct authority and responsibility for carrying out its policies through the Veterans' Employment Representatives in the several States. This authority has been delegated to Mr. Perry Faulkner, executive secretary to the Veterans' Placement Service Board and Chief of the Veterans' Employment Service. The veterans' employment representatives in the several States are charged specifically by title IV of the Servicemen's Readjustment Act of 1944 as follows:

In cooperation with the public employment service staff in the State, he shall (a) be functionally responsible for the supervision of the registration of veterans in local employment offices for suitable types of employment and for placement of veterans in employment; (b) assist in securing and maintaining current information as to the various types of available employment in public works and private industry or business; (c) promote the interest of employers in employing veterans; (d) maintain regular contact with employers and veterans' organizations with a view of keeping employers advised of veterans available for employment and veterans advised of opportunities for employment; and (a) assist in every possible way in improving working conditions and the advancement of employment of veterans.

Section 605 of the Servicemen's readjustment Act of 1944 assigns budgetary responsibility to the Board as follows:

The Board through its executive secretary shall estimate the funds necesasry for the proper and efficient administration of this title; such estimated sums shall include the annual amounts necessary for salaries, rents, printing and binding, travel, and communications. Sums thus estimated shall be included as a special item in the annual budget of the United States Employment Service. Any funds appropriated pursuant to this special item as contained in the budget of the United States Employment Service shall not be available for any purpose other than that for which they were appropriated, except with the approval of the Board.

In March of 1946 the Veterans' Placement Service Board, in order to adequately carry out the provisions of the Servicemen's Readjustment Act of 1944, deemed it necessary to materially increase the field staff of the Veterans' Employment Service. It was only after careful planning that the additional field staff was requested of the Bureau of the Budget. This additional staff was to include a few more assistant veterans' employment representatives in those States where the necessity warranted; but in the main the requested personnel, which are now called field assistants, were to be located in strategic areas throughout the various States and their duties were to locate job opportunities for veterans. However, the actual placements were to be made by the local employment offices as the Veterans' Employment Service had no desire whatsoever to attempt setting up its own employment service.

The headquarters staff very carefully planned, with the assistance of each individual State veterans' employment representative, the areas wherein the selected field assistants were to work. Vigilance has been maintained at all times to insure that the individual worked within his assigned area. The number of field assistants requested for their respective States was planned on a basis of 1 to every 30,000 veteran World War II population. Following this plan of expansion, the Veterans' Employment Service in March of 1946 requested approval from the Bureau of the Budget

the following positions for the fiscal year of 1947.

Field: 1,029 positions at a cost of $3,101,750.

Department: 66 positions at a cost of $241,529.

Total positions, 1,095; total cost, $3,543,279.

The Bureau of the Budget did not approve the Veterans' Placement Service Board's expansion request, however the Appropriations Committee of Congress granted the following positions:

Field: 738 positions at a cost of $1,924,405.

Department: 57 positions at a cost of $171,990.

Total positions, 795; total cost, $2,096,395.

The Veterans' Employment Service, by exercising extreme conservatism in recruiting practices and observing economical management procedures, was able to successfully meet the ever-increasing demands being made upon it as of the first of the calendar year of 1947. However, it was apparent that the excellent record of job placements for veterans could not be maintained with the then current Veterans' Employment Service staff. The Veterans' Placement Service Board, therefore, after careful study, again recommended to the Bureau of the Budget in February of this year substantially the same addition in personnel as was made last year.

For the fiscal year 1948 the following positions were requested of the Bureau of the Budget:

Field: 1,005 positions at a cost of $3,263,446.

Department: 57 positions at a cost of $209,044.

Total positions, 1,062; total costs, $3,472,490.

The Bureau of the Budget recommended that Congress grant to the Veterans' Employment Service the following:

Field: 644 positions at a cost of $2,521,697.

Department: 32 positions at a cost of $128,799.

Total positions, 676; total cost, $2,650,496.

H. R. 2700, the present bill you are considering, grants to the Veterans' Employment Service only $1,756,800 for personnel services. Such a radical cut in appropriation would force the Veterans' Employment Service to lay off all of its newly appointed field assistants. These men are doing a splendid job of selling merchandise—the veteran. It is by placement of veterans in jobs that the Veterans' Employment Service is seeking to carry out congressional directives. Job placements of veterans represents the greatest of all benefits to veterans. Successful placement of veterans in jobs, in the minds of the Veterans' Placement Service Board, represents the most economical and beneficial service that could possibly be rendered to those citizens who have risked their lives in the service of their Nation.

Your cooperation and support is earnestly and sincerely solicited to the following amendments to H. R. 2700.

Inasmuch as section 605, paragraph (a), of the Servicemen's Readjustment Act of 1944, specifically states:

> Sums thus estimated shall be included as a special item in the annual budget of the United States Employment Service. Any funds appropriated pursuant to this special item as contained in the budget of the United States Employment Service shall not be available for any purpose other than that for which they were appropriated, except with the approval of the Board.

It appears necessary to earmark all funds assigned to the Veterans' Employment Service. H. R. 207 does this only on personal services, hence a qualifying clause is suggested in each of the other budget items.

I. CONTINGENT EXPENSES

The Veterans' Employment Service requested the Bureau of the Budget for contingent expenses the sum of $21,510, and they, in turn, recommended to Congress that the Service be granted $18,700. In reporting out the appropriation bill the committee recommended a 20-percent cut in contingent expenses. The bill should be amended to increase the amount of $468,400—line 3, page 3—to $474,950, of which $21,510 shall be for carrying into effect the provisions of title IV—except section 602—of the Servicemen's Readjustment Act of 1944.

The above category covers what might well be called practically all expenses for items other than personnel, travel, and printing and binding. The items include supplies, communications, transportation of things, equipment, and other materials necessary for the maintenance of any Federal service. In their request to the Bureau of the Budget for the sum of $21,510, the Veterans' Employment Service felt they were justified if they were to carry out their work efficiently and in good order. The Bureau of the Budget in their recommendation to the Congress lowered the figure to $18,700, or $2,810 less than the original request. No doubt this lesser figure was due to general cuts of practically all objects which we requested in the budget for the fiscal year 1948. The amendment serves to restore the original amount requested.

II. TRAVELING EXPENSES

The Veterans' Employment Service requested of the Bureau of the Budget for traveling expenses—departmental and field—the sum of $888,000 and they, in turn, recommended to Congress that the Service be granted $600,000. In reporting out the appropriation bill, the committee recommended a 30-percent cut for this item. The bill should be amended to increase the amount of $2,112,400—page 3, line 6—to $2,580,440, of which $888,000 shall be for carrying into effect the provisions of title IV—except section 602—of the Servicemen's Readjustment Act of 1944.

Requests for travel funds for field personnel were figured on a formula which the Veterans' Employment Service has learned from many years' experience is quite accurate.

Twelve dollars a day covers both transportation and per diem. The State veterans' employment representatives, naturally, due to their administrative duties, are not in travel status as much as the assistant veterans' employment representatives, while the field assistants, whose work is solely in the field and not of an administrative nature, should be in travel a great portion of the time. However, with the exception of those field assistants working in thinly populated areas, there will be very little of this $12 a day travel cost spent in per diem. Nearly all will be transportation costs.

To arrive at the figures requested of the Bureau of the Budget, the Veterans' Employment Service merely multiplied the number of days the various members of their field staff should be in travel status, in order to properly do their job, by $12.

Each agency in the Government bases their individual travel requests upon such a formula, although the amount for each day's travel may vary in some instances. The Veterans' Employment Service formula is their own and, as has been previously stated, is based upon past travel records of field personnel. Stringent travel regulations are carefully enforced by the administrative staff of the Service. Employees in travel status are limited to their specifically assigned territories on the basis of a preaudited itinerary.

III. PRINTING AND BINDING

The Veterans' Employment Service requested of the Bureau of the Budget for printing and binding the sum of $50,000, and they, in turn, recommended to Congress that it be granted $40,000. In reporting out the appropriation bill the committee recommended a 20-percent cut. The bill should be amended to increase the amount of $414,700—line 8, page 3—to $432,700, of which $50,000 shall be for carrying into effect the provisions of title IV—except section 602—of the Servicemen's Readjustment Act of 1944.

The request for $50,000 was made by the Veterans' Employment Service to cover necessary items involved under printing and binding. A successful potential employer—potential employer relationship is considered absolutely essential in the present pattern of the Veterans' Employment Service job-promotion program. Explanatory documents, technical tools such as charts, graphs, maps, and illustrative materials, as well as leaflets, pamphlets, and booklets have known to be invaluable media in aiding the promotion of the program. Receipt of systematized summaries of new legislation, changes in regulations, new directives, and actual listings of job opportunities are musts from the standpoint of both the field operations of the Veterans' Employment Service as well as the United States Employment Service. With the pending liquidation of the Retraining and Reemployment Administration and the apparent necessity of discontinuing certain functions of the Selective Service System, the absolute need of increased effort in this field appears obvious. Media for transmitting vital information to the various

State employment services also is included in this item.

IV. UNITED STATES EMPLOYMENT SERVICE

General administration: In reporting out the appropriation bill the committee recommended that the United States Employment Service be granted the sum of $2,656,800, of which $1,756,800—line 8, page 5—shall be for, and so forth. The bill should be amended to increase the total of $2,565,800—line 8, page 5—to $4,372,496, of which $3,472,496 shall be for carrying into effect the provisions of title IV—except section 602—of the Servicemen's Readjustment Act.

Justification for this amendment is found in the forepart of the document. Your attention is called to the current liquidation of the Retraining and Reemployment Administration and the suggested transfer of certain responsibilities of the Selective Service System to the Veterans' Employment Service. Acceptance of additional responsibilities once assigned to these agencies on the part of the Veterans' Employment Service certainly should be considered as potential additional evidence for the need for the sum requested by the amendment.

I want to call to your attention at this time, and I repeat what I said in the beginning, there are more than a million unemployed veterans in the country today. You who are Members of this body look to the American Legion, the Veterans of Foreign Wars, the D. A. V., and the other great veteran organizations to assist the Government and assist the people in general to place the veteran in employment. All, we agree, these organizations have done a magnificent job. But when you deny them the services of these 644 field men, you are taking away one of the most valuable assets they have to place the unemployed veterans in jobs.

We of organized veterandom believe in economy, sure we do, but we do not believe that economy should be practiced at the expense of the men who bared their chests to the bullets of the enemy on the many far-flung frontiers of this last war. We earnestly solicit your vote in support of these amendments all offered in behalf of these great veteran groups who speak for the veterans of this country.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from New York.

Mr. ROONEY. I wish to commend the gentleman for his statement and say that I am in entire accord with him at this time. I withdraw my objection to considering the four amendments en bloc, as proposed by the gentleman from Pennsylvania. I have now had time to study them.

Mr. VAN ZANDT. Mr. Chairman, I ask unanimous consent that the four amendments may be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The Clerk will report the remaining amendments.

The Clerk read as follows:

Amendment No. 2 offered by Mr. VAN ZANDT: On page 3, strike out line 6 and substitute therefor the following: "Department, $2,580,440, of which $888,000 shall be for carrying into effect the provisions of Title IV (except section 602) of the Servicemen's Readjustment Act of 1944."

Amendment No. 3 offered by Mr. VAN ZANDT: On page 3, strike out line 8 and substitute therefor the following: "Department, $492,700, of which $50,000 shall be for carrying into effect the provisions of Title IV (except section 602) of the Servicemen's Readjustment Act of 1944."

Amendment No. 4 offered by Mr. VAN ZANDT: On page 5, strike out line 8, and substitute therefor the following: "Public Law 600), $4,372,496, of which $3,472,496 shall."

Mr. KEEFE. Mr. Chairman, how easy it is to run to cover in the field of economy.

Mr. ROONEY. Mr. Chairman, is the gentleman rising in favor of this amendment?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from New York?

Mr. KEEFE. I do not yield.

Mr. ROONEY. I want to understand for what purpose the gentleman rises.

The CHAIRMAN. The gentleman has been recognized.

Mr. KEEFE. If the gentleman who attempts to be so facetious will just sit down for a little while, I am sure when I have finished he will understand thoroughly why the gentleman rose. He cannot wait to hear the gentleman from Wisconsin speak. He wants to clap his hands because the Congress of the United States will not be able to save as much money as we thought we were going to. He gets up on this floor and agrees to everything that my friend the gentleman from Pennsylvania [Mr. VAN ZANDT] says. Oh, yes, he is for it. He is not only for that but he is for every other thing that will be presented here that will spend more money, and you will find that out before we are through with this bill.

I have received all the telegrams that you have received from the Veterans' Affairs Members of Congress. We went into this thing very thoroughly. This is not anything new. May I say to you of faint heart who get these telegrams that I told you back about 3 weeks ago that you were going to have to have courage if you were going to cut the expenditures of Government. I told you in this well and warned you what was going to happen. You are not going to get any help over on this side except from a few fine Democrats who want to save this country.

You are going to get the type of thing that my friend from New York is suggesting—that we increase everyone of these appropriations. That is what you are going to get. I warned you about it then, and it has all come to pass. Now, turn to the record. How many of you have read the record on this Veterans' Service? I do not think very many have read it from the questions that have been asked me. You have not had time to read it and it is not fair to expect that you would have had time. But you do have a committee that has worked diligently on this thing, may I say to you, despite the statements of the gentleman from Brooklyn who from the very first day that he came on this committee has attempted at all times to give no real suggestions, as the gentleman from Minnesota, has said, except to throw flies in the ointment all the time, as he is doing today. I expected that, too.

How many of you know what this agency is that the gentleman from Pennsylvania [Mr. VAN ZANDT] is talking about? How many of you actually know what this organization is? I tried to explain it here a few moments ago when there were a few people on the floor. I tried to point out to you just what this veterans' placement service is and what is involved. I told you then, and I repeat now, that ever since 1933 when the Congress of the United States passed the Wagner-Peyser Act there has been a veterans' placement service in every United States employment office in the land. When we enacted the GI bill, if you remember, and you can go back and read it in title IV, we made provision for a board composed of the Secretary of Labor, the head of the Veterans' Administration, and the Director of Selective Service. They chose a secretary of that board. His name is Perry Faulkner, and he is supposed to represent that board. To do what? Read the bill.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. KEEFE. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

Mr. WORLEY. Mr. Chairman, reserving the right to object, and I shall not object, does the gentleman suppose that we will finish this bill by midnight?

Mr. KEEFE. I do not think so, if we give it the consideration that it is entitled to receive. In view of some of the statements made here, I think it is going to take quite a long while.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KEEFE. I am trying to give you this information because many Members on both sides of the aisle have asked me to give this information. There is quite a bit of confusion in the minds of many people on this subject, and the confusion has been deliberately generated.

Let me read to you, if you will, some questions and answers appearing on page 483 of the hearings:

Mr. KEEFE. The thing that the Congress would be interested in and is interested in, I think, Mr. Faulkner, is this: We had a Veterans' Employment Service in the United States Employment Service and it was contemplated to have one under the Wagner-Peyser Act, in the State operations. This is an intensification of that veterans' program that you are undertaking?

Mr. FAULKNER. Yes, sir.

Mr. KEEFE. And it may be summarized by the statement that you are intensifying the

scratching of the field for jobs and job openings for veterans?

Mr. FAULKNER. Yes, sir.

Mr. KEEFE. And you are doing it in a supplementary way, over and beyond what the regular service is doing. That is right; is it not?

Mr. FAULKNER. Yes, sir; and it is all encompassed in the one phrase in the law that you wrote, that the veteran shall be given a maximum job opportunity.

Mr. KEEFE. And when you have found these job openings you report them to the Regular Establishment, and the Regular Establishment then calls in the veterans who have those skills to fill those jobs.

Mr. FAULKNER. Yes, sir.

Mr. KEEFE. And if there are no veterans, then a civilian has a crack at it?

Mr. FAULKNER. And my men are supposed to be out at veterans' meetings, where they can find veterans, hunting veterans for those jobs, too. That is the other end of it.

Mr. KEEFE. I assume that the work is not as onerous in those locations where there is a surplus of jobs and job opportunities; is it?

Mr. FAULKNER. No.

Now, the fact of the matter is, when you provided in title IV of the GI bill for this committee and Mr. Faulkner was appointed secretary of that committee, there was absolutely not a thing in that bill—and I defy anyone to get up here and point it out if he thinks otherwise—that provided for a Federal veterans' placement service of the character and kind that is contemplated in the amendments offered by the gentleman from Pennsylvania [Mr. VAN ZANDT]. In fact, it is the opinion of those who know about it that the whole thing is subject to a point of order, and there is no authority for it in point of law. This committee has gone along with this program despite the fact that we think it is subject to a point of order, and we have not raised the point of order and are giving Mr. Faulkner $1,700,000—enough to employ 500 men in this field to supplement the tremendous number of men who are engaged in that work in the regular employment offices that we are giving $71,000,000 to in this bill. All I can say to you is, if you just want to go out and say the sky is the limit and say the limit is there, because the veterans' organizations ask for it, that is the privilege of the Members of this House. But let me tell you something, if you are going to save any money, if you are going to cut Government expenses, you have got to exercise some reason.

We have given to the veterans every single service you can think of in the way of finding jobs and job counseling. Those are in the regular offices of the employment service. We are now adding 500 more to go out in the States and assist veterans in job placement. The committee has given Mr. Faulkner over $1,700,000 for this purpose. I ask you in all seriousness, my friends, to read the hearings. If you will only do that I am sure you will conclude, as the majority of this committee concluded, that we have done right well by the veterans who fought this last war.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. KEEFE] has again expired.

Mr. ROONEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I will first say to the gentleman from Wisconsin [Mr. KEEFE] that my record in this House on the Committee on Appropriations belies the statements he made a while ago. For me to take his position in regard to this amendment would be to act like an undertaker, and I am sure I do not look like an undertaker at a funeral, not only of the Veterans' Employment Service but of the United States Employment Service and the Labor Department as well. This I refuse to do. Justice has a great part in these appropriation items.

The veterans of this country are very much interested in the Veterans' Employment Service. Secretary Schwellenbach has stated that they have been doing a fine job. He pleaded for sufficient funds to the amount submitted by the Bureau of the Budget, to carry on their work. He has stated that Mr. Faulkner and his staff, whom he appointed, as Secretary of Labor, were doing a fine job in this service.

I am in receipt of a telegram from the department commander of the Veterans of Foreign Wars of my State, Mr. C. Burton Huse, in which he says he understands the Labor Department appropriation bill H. R. 2700 does not provide adequate funds for Veterans' Employment Service:

> This is a most important service; absolutely necessary that it not be curtailed. Urge support of amendments to increase funds.

I agreed to consider the four amendments proposed by the gentleman from Pennsylvania [Mr. VAN ZANDT] en bloc, and after having read the language and figures in those amendments I stated that the gentleman from Pennsylvania should be commended for the position he took. I am sure no Member of this House wants to curtail the employment services for war veterans, nor does any Member desire to curtail, as suggested and proposed by the gentleman from Wisconsin [Mr. KEEFE], the regular United States Employment Service, which has been cut to a ridiculously small amount by the gentleman from Wisconsin and his colleagues.

Before I sit down I would like to say to the gentleman from Minnesota [Mr. H. CARL ANDERSEN], who reflected upon the gentleman from Rhode Island [Mr. FOGARTY] as to his attendance at committee hearings, that our attendance was much more faithful and diligent than his. I vigorously resent his statement on the floor of this House or anywhere else about the attendance of any member at any committee meetings. I happen to be a member of three subcommittees of the House Committee on Appropriations, all important and all sitting at the same time during the past 10 weeks.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield, although the gentleman did not see fit to yield to me.

Mr. H. CARL ANDERSEN. I regret if I did not see fit to yield to you at the time, but under the circumstances it was impossible. May I ask the gentleman if the subject under discussion was not the question of attendance but——

Mr. ROONEY. The gentleman brought it up, though.

Mr. H. CARL ANDERSEN. It was a question of whether the gentleman had made any suggestions worth while throughout the hearings of several weeks.

Mr. ROONEY. The suggestions of the gentleman from Rhode Island were worth while to my mind and to the mind of the gentleman from Rhode Island. They probably were not worth while in the eyes of the gentleman from Minnesota because he represents a farming district and is strictly looking out for the interests of his people. It is my responsibility to see that the gentleman from Minnesota does not so gage a Labor Department appropriation bill as to cripple the activities of the Department and bring about the attendant wrecking of a program which is for the benefit of an industrial district such as the one I represent.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield further?

Mr. ROONEY. Let me say one thing more to the gentleman from Minnesota. He has made a statement here on the floor with reference to a number of questions asked by the gentleman from Rhode Island and myself during the hearings. A reading of the record of the hearings will disclose that most of the record was taken up by the imposing gentleman from Wisconsin [Mr. KEEFE], the chairman. As a matter of fact, although he started out, as he said, to streamline the hearings and cut the volume of the record——

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ROONEY. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

Mr. KEEFE. Mr. Chairman, I object unless the gentleman will yield to me.

Mr. ROONEY. I will gladly yield.

Mr. HOFFMAN. Mr. Chairman, I object.

Mr. KEEFE. Mr. Chairman, I ask unanimous consent that all debate on the pending amendments do now close.

Mr. ROONEY. Mr. Chairman, I object.

Mr. KEEFE. Mr. Chairman, I move that all debate on the pending amendments do now close.

The CHAIRMAN. The question is on the motion.

The question was taken; and on a division (demanded by Mr. ROONEY) there were—ayes 130, noes 89.

Mr. ROONEY. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chair appointed as tellers Mr. ROONEY and Mr. KEEFE.

The Committee again divided; and the tellers reported that there were—ayes 163, noes 99.

So the motion was agreed to.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Pennsylvania [Mr. VAN ZANDT].

The question was taken; and on a division (demanded by Mr. ROONEY) there were—ayes 110, noes 145.

Mr. ROONEY. Mr. Chairman, I demand tellers.

The Committee again divided; and the tellers reported that there were—ayes 113, noes 150.

So the amendments were rejected.

The Clerk read as follows:

Printing and binding: For printing and binding for the Department, $414,700.

Mr. FOGARTY. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

On page 3, after line 8, insert a new paragraph as follows:

"Salaries and expenses, Division of Labor Standards: For necessary expenses, including personal services in the District of Columbia and purchase and distribution of reports and of material for informational exhibits, in connection with the promotion of health, safety, employment stabilization and amicable industrial relations for labor and industry, and the functions under the Fair Labor Standards Act (except the enforcement of the child labor provisions of such act) transferred under and pursuant to Reorganization Plan No. 2 of 1946, $473,000."

Mr. FOGARTY. Mr. Chairman, I ask unanimous consent that I may proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island?

Mr. HOFFMAN. Mr. Chairman, I object.

Mr. FOGARTY. Mr. Chairman, this amendment restores to the Department of Labor, Division of Labor Standards, what has been stricken out by this committee. It is a function of government which I sincerely believe is a very necessary function. As you will note, the sum that I have included in the amendment is $473,000. That does not include the enforcement provisions of the Child Labor Act. The amount that was spent by the Division of Labor Standards in 1947 was $642,142. The Division of Labor Standards this year requested for the fiscal year 1948 $865,142. So you can see by this amendment that I am not attempting to justify the budget that has been sent up here, but just asking for $473,000.

There has been one item in this bill that has been discussed pro and con, yesterday and today, and that is whether or not the Wage and Hour Division can do this work that has been done by the Division of Labor Standards, pertaining to the Child Labor Act. As I remember the hearings, when Mr. Walling was asked by our chairman, the gentleman from Wisconsin [Mr. KEEFE], whether or not he could take over the enforcement provisions of this act, he said, "Yes." The Budget Director said, "Now, you are talking about the enforcement provisions." And again the gentleman from Wisconsin [Mr. KEEFE] said, "Yes; the enforcement provisions of this act."

The enforcement provisions of the Child Labor Act is the smallest part of that sum. It only amounted to $92,000. The youth employment and research part of the Child Labor Act amounts to the largest part of that sum, which is $236,557. That is what I intend to leave in the Division of Labor Standards. I do not believe the Wage and Hour Division can do it, and if this committee had any advice from Mr. Walling, Director of the Wage and Hour Division, if he could do it, they did not ask him at that time how much money he needed. But in my contact with the State directors all over the country, I have yet to find one who has harmonious relations with the Wage and Hour Division. This Division of Labor Standards that has operated so successfully in the past has made a record second to none when we talk about States' right. They do not attempt to go into any State and enforce any actions of their own. Their intention has always been to work with the various directors of labor in enforcing the provisions of the Child Labor Act and setting those standards for minimum wages and the doing away of the sweat shops that our children work in today.

One of the most important functions of the Labor Standards Division is the Accident Prevention Division. I have definite proof in the State of Rhode Island that they have done a good job with the funds allotted to them. In Rhode Island they have supplied safety technicians, they have set up State industry-wide safety programs, and it has helped us to train management and union safety representatives.

Last year, 1946, with this Division's help, we were able in Rhode Island to reduce job accidents 14 percent, and save management and labor, in the smallest State of this Union, over $3,500,000.

The CHAIRMAN. The time of the gentleman from Rhode Island has expired.

Mr. KEEFE. Mr. Chairman, I rise in opposition to the amendment.

Now, Mr. Chairman, I want to point to the record and let us get the facts. I have before me, on page 554 of the hearings, the colloquy which took place between the gentleman who is now addressing you and Mr. Walling, Director of the Wage and Hour Division, referring specifically to the thing which my friend from Rhode Island [Mr. FOGARTY] has just discussed.

Instead of making any generalized statement as to what was said and putting the conclusion that you want to put on it to suit your own convenience, let us listen to the questions and answers as they were submitted:

Mr. KEEFE. All that would be necessary would be to set up within the over-all picture of the Wage and Hour Division this group that devote themselves to a study of these reports which your agency makes and determines the policy ultimately as to what is going to be done with these violators.

It seems to me that some very substantial savings can be effected, and it was contemplated by the President when he submitted his reorganization plan to the Congress that substantial savings would be effected by this transfer. Up to date it is costing us a lot more money, according to the figures that have been submitted. Mr. Watson Miller indicates that on the Federal Security side, they see no savings that can be effected.

Suppose this committee, in its wisdom or lack of wisdom, decides to abolish completely the appropriation for the Division of Labor Standards, and transfers to your Division a sum of money to carry out these functions. Could you carry them out?

Mr. WALLING. I am sure we could.

What is the use of talking any further about that situation? That is what the committee did. We transferred the functions relating to child labor that had just been put in the Division of Labor Standards, by the way. Let us get this thing straight. The Children's Bureau went over to the Federal Security Agency and they left in the Labor Department the enforcement and the child-welfare provisions and functions; and Mr. Schwellenbach, the Secretary, said "All right, I will turn those functions over to the Division of Labor Standards." That was done only recently.

What actually happened was that they took the personnel and the functions that were in the Children's Bureau and left them in the Labor Department, and said: "You are now part of the Division of Labor Standards." That is all that happened.

All we have done is transfer those same functions over to the Wage and Hour Division; and Mr. Walling says, "We can handle the job." By so doing we are saving about $150,000; that is all. The amendment offered by my friend from Rhode Island would simply mean to put back into this bill the appropriation request and would nullify completely the action of this committee.

I ask that the amendment be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Rhode Island.

The question was taken; and on a division (demanded by Mr. FOGARTY) there were—ayes 53, noes 147.

So the amendment was rejected.

The Clerk read as follows:

Page 3, line 9:

"Commissioners of Conciliation: For expenses necessary to enable the Secretary of Labor to exercise the authority vested in him by section 3 of the act creating the Department of Labor (5 U. S. C. 611), including not to exceed $50,000 for the temporary employment of arbitrators and mediators on labor relations without regard to the civil-service and classification laws; and not to exceed $133,500 for personal services in the District of Columbia, $2,080,000."

Mr. ROONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROONEY:

On page 3, line 17, after the words "not to exceed" strike out "$50,000" and insert "$125,000."

In line 20, after the words "not to exceed" strike out "$133,500" and insert "$291,000."

In line 21, after the words "District of Columbia" strike out "$2,080,000" and insert "$2,678,400."

Mr. ROONEY. Mr. Chairman, this amendment, if it were to be acted upon favorably, would restore the amount requested in the budget estimates for the United States Conciliation Service.

Since the start of the debate on this bill yesterday you have listened to quite

a bit about the Conciliation Service and about the charges made by the gentleman from Wisconsin against the Director of the Conciliation Service.

The committee report provides for the appropriation of funds for the office of Associate Director of the Conciliation Service. It calls for the elimination of the position of the Director, Mr. Warren's, and along with this, the elimination of 101 positions, most of them dealing with the top directing force of the Conciliation Service who have been so successful in directing its affairs.

Now, the position of Associate Director, which has been allowed by the gentleman from Wisconsin and the majority of the committee, implies that the associate will be associated with a director, but no funds are supplied or provided for an office of director. It seems to me that just because the gentleman from Wisconsin makes the charges that he does against Mr. Warren, No. 1, that he made a speech one time in which he referred to the matter of the right of Federal employees striking against the Government, which right he has denied; No. 2, that he at one time belonged to an organization known as the American League for Peace and Democracy, a Communist-front organization, as well as the Washington Book Shop, from both of which he resigned as soon as he found out within the space of a month or two that they were Communist fronts, that it does not follow that 101 other employees, among them 32 low-paid clerks, all in the low grades, should be summarily removed from their jobs and the Conciliation Service wrecked.

You have heard a great deal in this debate regarding the Conciliation Service. You know that it and its activities have been endorsed by both management and labor. If you read today's RECORD you will find a number of such endorsements made by the leaders of management throughout the country. They are all agreed that Warren has done a fine job. I yesterday read to you a letter from one of the heads of the American Telephone & Telegraph Co., which letter was one of many such, in which the vice president of the company stated that were it not for the efforts of Mr. Warren and his Conciliation Service, a strike which would have tied up this country's communication system would have occurred.

We are penny-wise and pound-foolish to reduce appropriations for an organization which has done so much to keep industrial unrest at a minimum, an organization which has the approval of labor as well as management. In today's RECORD, as I previously stated, you will find any number of similar endorsements. You will find that Mr. Warren and the Conciliation Service have been wholeheartedly endorsed by the National Association of Manufacturers and the leading industrial firms throughout the country. If the Conciliation Service were run on any basis that would smack in the least of communism or Communist ideas these firms would not have endorsed Mr. Warren and his associates as they did.

Under the permission which I expect to obtain after the Committee rises I include at this point an editorial from the Miami Daily News of March 19, 1947:

LEGISLATION BY FIAT

At the core of President Truman's proposals for labor legislation last January was the strengthening of the Government's conciliation services for the settlement of disputes before they reached the strike stage. That proposal fell on deaf ears insofar as the Republican Congressmen were concerned.

Now, according to Washington reports, the conciliation service already functioning in the Labor Department will be crippled by withholding its funds, another example of the second way to skin a cat which the Republican leaders have hit upon since they obtained control of congressional committees.

Representative FRANK KEEFE, of Wisconsin, who heads the House Appropriations Subcommittee in charge of Labor Department funds, does no conceal the fiat legislation he is preparing. "I have said this before," he told a reporter at the Capitol, "and I will say it again: I intend to do everything I can to see that Edgar L. Warren does not continue as head of the Conciliation Service." Having been rebuffed, presumably, in his request to Secretary Schwellenbach for Warren's removal, Representative KEEFE will recommend withholding funds to pay the salaries of Director Warren and at least 11 of his assistants.

Congress was sat upon by the Supreme Court when it attached a rider to an appropriations bill specifically withholding the salaries of Goodwin Watson, Robert M. Lovett, and William E. Dodd in 1943. Representative KEEFE might keep his act constitutional if Warren and his aides were not named in a bill cutting the funds of the Conciliation Service. But constitutional or not, such an act is fiat legislation usurping the right of the executive department to name its own officers.

There are legal ways by which the Congress can abolish the Labor Department's Conciliation Service. There are not enough votes in Congress to do so, and Representative KEEFE's proposal is a subterfuge designed to accomplish the end without a roll call of the majority.

Mr. KEEFE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, again, my friends, I think we will turn to the record. Loose talk does not get very far, and certainly you must recall that the gentleman who left the well of the House just got through saying that Mr. Warren made a speech some place out in Chicago in which he referred to the right of Government workers to strike. Why, what a loose statement that is. Do you know what the facts are? He ought to know them, because he participated in the hearings.

Now, let me read to you something from the hearings of last year. You will find, if you turn to pages 145 and 146 of last year's hearings, the complete text of the speech or statement that Mr. Warren made, in which he advocated the right of Government workers to strike. Did he make that in his speech out in Chicago? He did not. He made it in the fall of 1945 after he was made head of the Conciliation Service and he made it to an interdepartmental group of Government employees right down at the Labor Department. Now, why not give the people the facts about this situation?

Here is his own statement: He says:

As far as I know, that is a correct or approximately correct quotation of what I said in this panel discussion in the autumn of 1945.

You have heard the statements with respect to Mr. Warren. I told the Members of this Congress that I did not even know whether Mr. Warren had ever been a member of any subversive organization until I asked the Committee on Un-American Activities to send me a list of everybody in the Labor Department with any such leanings and tendencies, and for the first time I found the name Edgar L. Warren. So when I had him up before the committee—I deal across the board in these things; no running around behind the bush; I lay the stuff out on the table—I asked him this question which appears on page 662 of the hearings:

Mr. KEEFE. Mr. Warren, were you at any time an economist with the Wage and Hour Division of the Department of Labor?

Mr. WARREN. Yes, sir.

Mr. KEEFE. Did you live at 103 George Mason Drive, Arlington, Va.?

Mr. WARREN. I did.

I did not even know the man, and I had to identify him because the report from the Committee on Un-American Activities showed that Edgar L. Warren was at that time an economist with the Wage-Hour Division and that he lived at that address. So he admitted, as the record clearly showed, his record with these two subversive organizations.

My friend from New York says, "Oh, he only belonged to them for just a little while. He resigned." How does he know it? Where did he get the information?

You are not going to get rid of radicals in the Government if you are going to permit them to come in here and say, "Oh, yes, I joined this organization. I did not know what it was. When I found out that there were Communists running the show, why, I got out. I changed my viewpoint." He says he got out years ago, yet in the autumn of 1945, after he was made head of the Conciliation Service, he advocated the old party-line concept of the right of workers to strike against the Government.

Now, you can have it for what you want, that is merely incidental. This fellow Warren down there, in the manner in which he is running the Conciliation Service, which the RECORD will show I have supported 100 percent as a member of this committee, and have supported it in every way up until this year, is simply overloaded with $10,000-a-year men that he has taken over from the War Labor Board, and is now reorganizing the Conciliation Service. In the reorganization he is getting rid of the philosophy that the place to have conciliation is out in the field. He wants to build a bureaucratic outfit here in Washington of these $10,000-a-year cronies.

Mr. JAVITS. Mr. Chairman, I move to strike out the last word.

COMMISSIONERS OF CONCILIATION

Mr. Chairman, I have consistently advocated the need for maintaining a Federal labor conciliation service of the highest and most efficient type to help settle labor-management disputes. If we are to have labor peace we must provide such an agency. On the one hand to strike out the appropriation for the top direction of the United States Conciliation Service and on the other to ask for labor peace is an irreconcilable position. I am opposed to sweeping labor legislation setting back the clock for labor, and I am for legislation which will deal with specific injustices that may have arisen in the course of the years which affect the public interest. I believe such a policy to have been the true mandate of the people last November 5. An essential element in such a policy is the maintenance, unimpaired, of at least the machinery for conciliation which we have, and its strengthening and improvement. An appropriation bill should not be made a vehicle for crippling this vital service at this time.

UNITED STATES EMPLOYMENT SERVICE

I would also like to refer to the sharp cut in the appropriations for the United States Employment Service contained in this bill, a cut of 80 percent. No one can tell now how soon we may have another serious depression. Certainly the high cost of living, the touch-and-go relations between labor and management and the still prevailing tendencies in our economy to excesses of rise and fall promise that we had better be aware of this danger. The whole fate of the world hangs on the security of our internal economy, too. Under these circumstances I consider it very unwise to eliminate, what is for all practical purposes the core of a national employment service system, and to make the United States Employment Service almost solely a bookkeeping agency. If considered in terms of only a stand-by agency—and its work of coordination, technical development, and supervision of the State employment services is far more than that—it would yet be worth the money needed to keep it in shape to head off or to cushion a major depression. I am also opposed to diminishing the services made available for veterans under the Veterans' Employment Service, and voted for the amendment to restore the full amount of that appropriation. I believe that the USES is a necessary factor in maintaining the full value of the Veterans' Employment Service. For these reasons, Mr. Chairman, I will vote for the amendment to give the USES the money to do the job.

Mr. KEEFE. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close in 5 minutes.

Mr. FOGARTY. I object, Mr. Chairman.

Mr. BUSBEY. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I think I should explain to this Committee the incident that occurred Saturday in regard to Mr. Homer Hartz, president of the Modern Frog & Switch Co. in my congressional district, inasmuch as his name has entered into the debate.

It happened that Mr. Hartz called at my office Saturday morning, and I confronted him with the article regarding Mr. Warren which appeared in the Washington Star last Friday evening, stating that he and some leading industrialists in the city of Chicago, had signed a statement in behalf of Mr. Warren. When I asked Mr. Hartz how he happened to sign that statement, he said a good friend of his, head of one of the large industries in Chicago, had called him up stating that he and another party were signing a statement and asked if Mr. Hartz would join with them. Having confidence in this man, Mr. Hartz innocently signed the statement. He signed it by an emissary of Mr. Warren's coming to his office, a man that Mr. Warren had sent out to Chicago from Washington for the explicit purpose of getting this statement signed. I understand that Mr. Warren has sent emissaries to other cities such as New York, Boston, and other places, to get so-called character witnesses.

I then called on the gentleman from Wisconsin [Mr. KEEFE] in his office and introduced Mr. Hartz to him. Mr. Hartz was astounded when he was shown the testimony of Mr. Warren where he admitted being a member of Communist-front organizations. This is the reason why character witnesses in a case of this kind are of no value.

We have seen a demonstration here today with the galleries full. We have seen a party of 500 delegates of the Congress of American Women, another group which has been identified by the Attorney General and is mentioned in the Washington Daily News of today along with 10 others as a Communist-front organization. The list also includes the Washington Book Shop and the American League for Peace and Democracy, to which Mr. Warren belonged. If Mr. Warren did not know what these organizations were and what they stood for, he certainly should have because he was a director of the Washington Book Shop. Furthermore, anyone who knew about the Washington Book Shop at all knew it was not only a Communist-front organization, but it was the Communists' headquarters in Washington where they held meetings in the back room. If Mr. Warren did not know this, then I do not think he is qualified to fill the position he has been holding in the Government.

The President of the United States came out Saturday with an order to get rid of people who have belonged to Communist-front organizations. I agree with the gentleman from Wisconsin that if we are going to start cleaning house we had better start now.

In regard to this matter of character witnesses and the telegrams and letters that Mr. Warren has solicited, I direct your attention to the case of Carl A. Marzani, one of the most notorious Communists we have in this country who has just recently been indicted. He held a key position in the State Department. I asked for his record at the Civil Service Commission. Here in brief is what they said:

The Commission rated Mr. Marzani ineligible. From this rating Mr. Marzani appealed and was given a hearing before the Board of Appeals and Review, at which time Messrs. H. C. Barton, Chief of the Presentation Division; Emil Depres, of the Board of Analysis; Prof. Edward S. Mason, of the Board of Analysis; and Maj. D. Thompson, of the Army Services Forces, all of whom were fellow employees, with the exception of Mr. H. C. Barton, who was the supervisor under whom Mr. Marzani was employed, and all of whom were with the Office of Strategic Services, testified emphatically regarding Mr. Marzani's loyalty. Thereafter the Board of Appeals and Review recommended eligibility, and the case was again reviewed by two staff members.

Then Mr. Marzani was rated eligible.

It is a well-known fact that character witnesses are recruited generally among people who do not know all the facts.

There are thousands of men capable of filling the position of Mr. Warren, and as well as others who have never held membership in Communist-front organizations.

Mr. FOGARTY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am not going to attempt to defend the name of Mr. Warren because I do not know anything more about him than the chairman of my committee knows about him, and that is not very much. But I do not think it is the right way to do things. I think you are establishing a bad precedent in taking funds away as to any particular individual in the Government.

As the previous speaker just stated, the President has given notice of how he intends to rid the Government of all Communists. But in that notice he is also fair enough to say to all those who are being accused that they have a chance for a trial. That is something we are not attempting to give anybody here. We do not give anybody any kind of a trial to prove whether or not he is right or wrong. But let that be as it may; what you are doing in this appropriation bill today is cutting the Conciliation Service $600,000, at a time when industrial peace and stable relations between labor and management is more essential than it ever has been in the history of our country. In the face of the grand job that the Conciliation Service has done in the past year and a half in preventing strikes and settling strikes and in view of the good record they have made, you say you are going to slap their face by cutting them to the tune of $600,000. Oh, yes, it is all right to talk out of one side of your mouth one day and then talk out of the other side of your mouth the next day, but when you go throughout the country preaching to the people that you are going to take care of this labor situation and that you want peace between labor and management you are not going very far in that direction today when you are cutting the most effective arm of this Government for the prevention of strikes and industrial unrest.

Mr. KEEFE. Mr. Chairman, I move that all debate on this pending amendment do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. ROONEY].

The amendment was rejected.

The Clerk read as follows:

Apprentice Training Service: For expenses necessary to enable the Secretary of Labor to conduct a program of encouraging apprentice training, as authorized by the act of August 16, 1937 (29 U. S. C. 50), including personal services in the District of Columbia, $2,015,600.

Mr. ROONEY. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. ROONEY: On page 4, line 8, strike out "$2,015,600" and insert "$2,544,200."

Mr. ROONEY. Mr. Chairman, the purpose of this amendment is to increase the amount allowed by the majority of the committee for the Apprentice Training Service to the amount set forth in the President's budget estimate.

In the figures submitted by the Bureau of the Budget, $2,544,200 was requested for this very vital training service. The majority of the committee saw fit to cut this requested appropriation almost 21 percent.

The Apprentice Training Service is a State program, supervised by the Federal Government. It is one that is entirely voluntary. Neither the employees nor the employers are compelled to participate in the program, but they do participate in it because they wish to do so and because the employees wish to learn a skilled trade. This policy of voluntary cooperation between employer and employee has accounted for a great increase in the apprentice-training program for the ensuing fiscal year. This is because of the fact, first, the deficit in the number of skilled workers caused by the war and the preceding depression years; second, because of the experience employers had during the war with workers with limited skills and who were not skillful to the extent that they were of sufficient use to the employer; third, because of the increasing age of the present skilled labor force in the country. You can appreciate what this means in such industries as the construction industry which is at the moment one of the most important industries with which the American people are concerned.

Fourth, because of strong aid in favor of the program from national employer organizations, as well as from international unions in promoting apprenticeship among their members.

And lastly, because of the availability of a large number of veterans who desire to learn a skilled trade.

The work load of the Apprentice Training Service has been greatly increased, has been increased far beyond the amount of work that can be handled by the present staff and by the amount of funds which have been allowed in the present fiscal year. As a matter of fact, as I pointed out yesterday, the program has grown in this respect: The number of establishments participating in the Apprentice Training Service, in this voluntary program—not a program in which the Federal Government says to the employer or employee, "You must participate"—the number of establishments which have participated in the program as of January 1, 1946, in the amount of 30,628 has grown to the amount 78,753 as of January 1, 1947. In other words, an increase of 157 percent.

The number of registered apprentices participating in this program as of January 1, 1946, was 28,329, whereas, as of January 1 of the present year, 1947, we had 105,679, or an increase of 273 percent.

Yet in the face of this substantially added number of establishments, this added number of registered apprentices, the majority of this committee have seen fit to cut 21 percent of the appropriation for this worthy service. I trust you will support my amendment.

Mr. KEEFE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, one would think that this apprenticeship training service that the gentleman just talked about is a Federal service in its entirety. As a matter of fact, may I state again that apprenticeship at its State level had its origin in my State. I know something about it and I have been one of the people who supported it vigorously down through the years. The man who heads this, Mr. Patterson, headed the apprenticeship training service in my State. What does he do down here since they called him to Washington? What he is doing is to give leadership from an office here in Washington to the extension of apprenticeship in the States and trying to get those States, of which there are many, which have no State laws on the subject of apprenticeship, he is trying to get them to see light and to enact legislation providing for State systems of apprenticeship, not Federal systems.

So in that effort this terrible committee, headed by the strutting slave driver, the gentleman now addressing you, gave to the apprenticeship training service at Washington exactly within $6 of what they had for expenditure in 1947.

One would think that the gentleman on the other side would at least tell the members of the committee what the subcommittee has really done. He has left you the impression that we have destroyed this service—oh, how we have battered it down, these terrible people, the czars!

Well, we have given to the apprenticeship training service—and you can understand that this is the truth; all you have to do is read the record on page 11 of the report—we are giving them within six bucks of what they had last year. I think you will agree that is a pretty generous act, in view of the necessity for money in other parts of the world.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. HOFFMAN. The gentleman means that he as czar cut $6 out of them?

Mr. KEEFE. That is what this "terrible" committee did.

Mr. Chairman, I ask that this amendment be voted down.

Mr. FOGARTY. Mr. Chairman, I move to strike out the last word.

Mr. KEEFE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KEEFE. Did the gentleman from Rhode Island speak on this amendment?

The CHAIRMAN. No.

Mr. KEEFE. Very well.

Mr. FOGARTY. For once the gentleman is wrong.

Mr. Chairman, it always amuses me to hear the chairman of this committee get up and ask those of us on this side: "Why do you not give us all the story?" I do not know yet of one amendment today where he has given you all the story when it meant something to him to have the amendment defeated.

Why does he not come out and tell the whole story? Why does he not tell that this apprenticeship-training program is one of the great programs of our Government, that the service is doing an excellent job and wants to expand to the tune of $500,000 more this year. But this generous committee, headed by that overgenerous gentleman from Wisconsin, says "No, we do not believe that program is helpful, we will give you what you had last year and see if you can get by with that, notwithstanding the housing and other programs that need so much skilled labor."

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. KEEFE. Has the gentleman read the report of the committee?

Mr. FOGARTY. Yes; I have.

Mr. KEEFE. I call the gentleman's attention to the fact that this "terrible" committee the gentleman has castigated so many times this afternoon states in this report on page 11 with reference to this service:

This has been a splendid contribution on the part of the apprentice-training service and should be continued. The committee has been very sympathetic to the apprentice-training service and desires to see its work continued at the level it has been carried on in the current fiscal year.

Mr. FOGARTY. I think that is exactly what I said, but I said further that they are asking an additional $500,000 to expand and that the majority refused to give them that $500,000.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. ROONEY].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Salaries and expenses: For necessary expenses, including not to exceed $5,500 for purchase of newspaper-clipping services; reimbursement to State, Federal, and local agencies and their employees for services rendered; and not to exceed $15,000 for temporary services as authorized by section 15 of the act of August 2, 1946 (Public Law 600); $3,373,400, of which amount not to exceed $2,202,700 may be expended for personal services in the District of Columbia and not to exceed $695,000 for a cost-of-living study and report.

Mr. SCHWABE of Oklahoma. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHWABE of Oklahoma: Page 4, lines 15 and 16, after the semicolon, strike out the figure "$3,373,400" and insert "$2,373,400."

Mr. SCHWABE of Oklahoma. Mr. Chairman, this is simply an amendment to cut $1,000,000 off of this appropriation. We have heard so much recently about the unreliability of statistics that the Government statisticians have been foisting upon the people, especially from the Department of Labor, and about all of the soft jobs that they have in that Department, that I think the only mistake our committee made with reference to this amount was by fixing the amount $1,000,000 larger than it should have been.

Mr. FOGARTY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it seems that the requested budget was $6,750,000. This committee has already seen fit to decrease it by $3,000,000, and even though we do not have any agreement with those on the other side, there are a great many people in this country that think the Bureau of Labor Statistics is one of the very fundamental and necessary functions of our Government today, and it seems to me that when you cut out $3,000,000, almost in half, that you have gone far enough.

I hope the amendment is not agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. SCHWABE].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

UNITED STATES EMPLOYMENT SERVICE

General administration: For expenses necessary for the general administration of the United States Employment Service, including one Director at not to exceed $10,000 per annum and other personal services in the District of Columbia and contract stenographic reporting services as authorized by section 15 of the act of August 2, 1946 (Public Law 600), $2,656,800, of which $1,756,800 shall be for carrying into effect the provisions of title IV (except sec. 602) of the Servicemen's Readjustment Act of 1944: *Provided*, That the appropriation in this title for traveling expenses shall be available, in an amount not to exceed $2,000, for expenses of attendance at meetings of organizations concerned with the work of the United States Employment Service when incurred on the written authority of the Secretary of Labor.

Mr. FOGARTY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FOGARTY: Page 5, line 8, strike out "$2,656,800, of which $1,756,800" and insert in lieu thereof, "$4,796,000, of which $2,650,600."

Mr. FOGARTY. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

Mr. VURSELL. I object, Mr. Chairman.

Mr. FOGARTY. I appreciate the generosity of the Republican leadership on this day.

Mr. KEEFE. Mr. Chairman, will the gentleman yield to make a little correction here? I know what he is endeavoring to do, but may I suggest that we have already just voted down the amendment offered by the gentleman from Pennsylvania to raise the amount for the Veterans' Placement Service, and that same thing is now embodied in the figure which the gentleman has submitted in his amendment, so we would be voting on the same thing again.

Mr. FOGARTY. Well, now, I am not going to yield any further. This is not just on that Veterans' Placement Service at all. It raises the appropriation for USES, which I think is advisable at this time.

Mr. KEEFE. Mr. Chairman, I make the point of order against that part of his amendment which relates to the Veterans' Placement Service on which the House has just voted.

The CHAIRMAN. The gentleman's point of order comes too late.

Mr. FOGARTY. Mr. Chairman, the recommended appropriation for the United States Employment Service, exclusive of the funds specifically appropriated to the Veterans' Employment Service, amounted to $3,912,900. The committee recommendation provides for only $900,000, a cut of 77 percent. The funds requested specifically for the Veterans' Employment Service amounted to $2,650,600, and the recommendation by the committee is $1,750,000, a cut of 34 percent.

This action in effect emasculates the Wagner-Peyser Act of 1933 by abolishing the responsibility placed upon the Federal Government by that act to maintain a national system of public-employment offices and for coordinating these offices throughout the country and increasing their usefulness. This is apparent when account is taken of the fact that the funds appropriated to the States for carrying out their responsibility under the Wagner-Peyser Act, amounting to $71,728,000, are to be administered by the United States Employment Service. An appropriation of $900,000 to the United States Employment Service is scarcely adequate to maintain the separate accounts for the 51 State employment service agencies. In fact, I seriously question whether the United States Employment Service will be able to account to this Congress whether the State expenditures have been made in accordance with the requirements of the Congress under this appropriation. Under these circumstances, it is impossible for the USES to carry out its responsibilities for promoting and coordinating these public-employment offices and for providing minimum standards of efficiency and uniformity in administrative procedures.

The United States Employment Service, to carry out its responsibilities, must develop operating methods and tools as required in the face of changing labor market conditions, analyze the experience and practices in the various States in order to provide for the prompt extension of the best operating practices to all local employment offices; in addition, it must provide employment counseling and specialized placement materials to assist disabled war veterans and war-handicapped workers to find useful employment; maintain a national uniform reporting system to appraise operations and work load; provide for exchange of labor market information on employment opportunities among local offices; and provide for the clearance of labor among the States.

On the basis of the testimony presented before the committee, it is utterly impossible to understand the committee's recommendation. A clue is found, however, in the committee report, which states, and I quote:

It impresses the committee that the functions to be performed by the United States Employment Service are no greater or much different from those performed by the Bureau of Employment Security in the Social Security Administration, which administers the unemployment-compensation program.

Even a casual comparison of the Wagner-Peyser Act with the Social Security Act will disclose at once that wholly different kinds of responsibility are placed on the Federal agencies administering these programs. There is no reference in the Social Security Act to a national system of unemployment compensation. On the contrary, the responsibility of the Bureau of Employment Security consists almost entirely of administering grants-in-aid to independent State unemployment compensation systems. The United States Employment Service, on the other hand, is specifically required by law to promote and develop a national system of employment offices and to coordinate the activities of the employment offices and to increase their usefulness by developing and prescribing minimum standards of efficiency and by assisting them in meeting problems peculiar to their localities and by promoting uniformity in administrative and statistical procedures.

It is obvious that the committee is in error when it states that the responsibilities for administration of the unemployment compensation and of the public employment service are the same and on this basis appropriates to each of the agencies $900,000 for the next fiscal year. The only responsibility which is common to both of these agencies is the administration and allocation of funds to the States, and it is for this reason that I say $900,000 will scarcely provide for the bookkeeping functions required of the United States Employment Service in making grants to the States and accounting for State expenditures.

The committee has erred also in assuming that the appropriation to the Bureau of Employment Security represents the total costs of providing administrative grants to the independent State unemployment compensation agencies. On this basis, it has recommended the same amount to the United States Employment Service. The committee has failed to take into account the fact that over and above the $900,000 which it recommends for the Bureau of Employment Security, it is also appropriating to the Social Security Administration, Office of the Commissioner, $2,072,000 for salaries, consolidated operations. This latter amount covers the central services to all

offices in the Social Security Administration, including the Bureau of Employment Security. These services are personnel and business management, accounting and auditing, informational services, and over-all statistical and analytical activities. For example, it is not the Bureau of Employment Security which audits the State agency expenditures, but rather the Social Security Administration. Likewise, State personnel merit standards and examination materials are not developed by the Bureau of Employment Security, but by the State Technical Advisory Service in the Social Security Administration. Indeed, a considerable part of the $2,072,000 appropriated to the Social Security Administration is for services to the Bureau of Employment Security in addition to the $900,000 recommended for that Bureau. The United States Employment Service, however, is supposed to provide for all of these services in addition to the administrative services it renders to the Veterans' Employment Service out of the appropriation recommended by the committee.

The committee recommendation for the United States Employment Service in effect does away with a Federal-State system of public employment offices and substitutes independent State employment office systems. It destroys a capital investment of many million dollars made by the Federal Government in the development of the public employment service. The report throws aside the wealth of employment-service experience acquired by the National Government during the depression and war years. It means the dissolution of professionally qualified and experienced personnel developed in the public employment service over the years. It is my firm conviction that to liquidate the most effective machinery we have developed for mobilizing our manpower resources is ill-advised.

USES SERVICES TO DISABLED VETERANS AND HANDICAPPED WORKERS

I should like to point out to this Congress that if the committee recommendations for appropriations to the United States Employment Service remain unchanged, a great disservice will be done to the millions of disabled war veterans and handicapped workers of this Nation. You perhaps realize that this segment of our labor force requires a most specialized job assistance if they are to obtain suitable employment and take their rightful place in our economy. To deprive these handicapped people from entering on gainful employment because public employment offices do not have in their possession the kinds of techniques and methods supplied by the United States Employment Service represents no economy at all. On the contrary, any job assistance to handicapped people made possible by the cooperative action of the United States Employment Service and the State employment services is a real contribution to improving the welfare of their families and their communities. Only in this way can the handicapped job seekers become taxpayers.

The specialized job placement problems of disabled veterans and handicapped workers requires a thorough knowledge of physical capacities of these workers and the physical requirements of the jobs to which they may be properly referred.

We cannot allow job services to disabled veterans and handicapped workers to be limited to the resources of the individual local employment office. I have here a document that I wish to insert in the RECORD, which the United States Employment Service within the past few weeks has forwarded to all States, entitled "Plan of Employment for Physically and Mentally Handicapped Through Public Employment Services." This document is only one illustration of the type of activity which the United States Employment Service must undertake to develop programs in a State employment service.

I say to the Members of this body that the Public Employment Service is not just another Government agency, but one which in all of its daily operations is dealing with the human problems of obtaining and holding jobs. These problems are even more difficult and more complex for our disabled veterans and handicapped workers. We must not deny to these groups the assistance which the United States Employment Service renders. It is our undeniable obligation to assure adequate funds to the United States Employment Service so that these responsibilities may be carried out in accordance with the requirements of the Wagner-Peyser Act of 1933.

Mr. KEEFE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall not take 5 minutes. This matter has been quite thoroughly discussed. However, in view of the statements just made and in order that the record may be kept straight, let us bear in mind that this so-called United States Employment Service here in Washington during the period of time in which the United States Government operated the hundreds of employment offices throughout the Nation had the responsibility here in Washington for looking after the management of all these offices scattered from one end of the country to the other.

On November 15 last those local offices and all the services connected with them, including the very services that the gentleman from Rhode Island just spoke about, were returned to the States. They are now being operated by the States, and we are giving them $71,000,000 to carry on those services in the next fiscal year, the very services the gentleman has talked about, except this: The service of coordinating and collecting the ideas of the employment services here in Washington and funneling that information out to the States, and of making the studies of the grants that are made for the administration of these employment offices in the States.

When I made the statement that we gave them $900,000 for that service we gave them that sum because that is all they need to function in that field. We gave as an illustration the amount of money that is given to the social security function which handles the administration of the unemployment-compensation grants, which is almost identical to this employment service here in Washington.

Mr. ROBSION. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. ROBSION. Is not that part of the program that is carried on by Mr. Faulkner?

Mr. KEEFE. Mr. Faulkner's program is part of it. The other part of it is carried on by Bob Goodwin who is head of the USES.

Mr. ROBSION. The States handle that.

Mr. KEEFE. May I say that all Mr. Goodwin has to do is supervise the allotment of funds and the gathering together of information that can be sent out to the various employment offices which since last November are being operated by the States.

Mr. ROBSION. This includes the funds for the program carried on by Mr. Faulkner that the Secretary of Labor labeled as "nuts." Is that right?

Mr. KEEFE. That is correct; yes, sir; that is correct.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. FOGARTY. I do not think the Secretary of Labor ever said that that program of Mr. Faulkner's was "nuts."

Mr. KEEFE. Well, do you want me to bring the record here?

Mr. FOGARTY. Yes; I would like to see the record.

Mr. KEEFE. Would you like me to bring the record here and prove it to you?

Mr. FOGARTY. You have been talking about what is in the record. Let us see it.

Mr. KEEFE. You were there and heard it just the same as I did. It is part of the record.

Mr. FOGARTY. I did not get it the same as you did. Let us see the record. You have been talking about the record all afternoon. Let us have the record and let us take a look at it and see who is right.

Mr. KEEFE. You will get it if you just keep your shirt on.

Mr. Chairman, I move that all debate on this amendment do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, may the amendment be read again?

The CHAIRMAN. Without objection, the amendment will again be reported.

There was no objection.

The Clerk read as follows:

On page 5, line 8, strike out "$2,656,800, of which $1,756,800" and insert in lieu thereof "$4,796,000, of which $2,650,600."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Rhode Island [Mr. FOGARTY].

The question was taken; and on a division (demanded by Mr. FOGARTY) there were—ayes 56, noes 131.

So the amendment was rejected.

The Clerk read as follows:

WAGE AND HOUR DIVISION

Salaries: For personal services for the Wage and Hour Division necessary in performing th duties imposed by the Fair Labor Standards Act of 1938 and by the act to provide

conditions for the purchase of supplies and the making of contracts by the United States, approved June 30, 1936 (41 U. S. C. 38), and the functions under the Fair Labor Standards Act transferred under and pursuant to reorganization plan No. 2 of 1946, $3,748,400, of which amount not to exceed $746,100 may be expended for departmental salaries.

Mr. ROONEY. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. ROONEY: On page 9, line 2, strike out "$3,748,400" and insert "$4,803,100."

Mr. ROONEY. Mr. Chairman, this amendment seeks to increase the amount allowed by the majority of the committee for the Wage and Hour Division, to make up for a cut of 22 percent which the majority has made.

As you know, the Wage and Hour Division enforces the provisions of the Fair Labor Standards Act, as well as the Public Contracts Act, known as the Walsh-Healey Act. There are approximately 550,000 establishments in this country, with a total of 20,000,000 covered employees, subject to the Fair Labor Standards Act alone. For the last few years about 50 percent of the establishments inspected by the Wage and Hour Division have been found to be in violation of the major provisions of the Fair Labor Standards Act. That is, with regard to minimum wage, as to overtime, and as to child labor. Of these 550,000 establishments covered under the Fair Labor Standards Act, the Wage and Hour Division has been able to inspect only 45,000, or 8 percent of them, each year. Nearly 380,000 establishments, two-thirds of the total of the currently operated covered firms, have never been inspected during the past 8 years. As I said, under the present budget estimate—and the Department is seeking no increase over the amount allowed them for this purpose for the year 1947—they have been able to make only about 45,000 inspections per year. There is no way in which these laws, the Fair Labor Standards Act and the Walsh-Healey Act, can be enforced unless actual physical inspections are made, and they cannot be made under the amount of appropriation which has been proposed in this bill.

To repeat, the current inspection schedule of 45,000 establishments per year is only 8 percent of the total covered establishments. I would like to tell you something about the inspections in the fiscal year 1946, just 1 year ago. The Wage and Hour Division made 43,832 inspections of establishments under both the Walsh-Healey Act and the Fair Labor Standards Act. Of this number, 22,058, or more than half, were found in violation of one of the major provisions of the acts; that is, the minmum wage, overtime, or child labor provisions. Almost half of them, 20,184, were in violation of the overtime provisions of one or both acts, at some time during the period covered by the inspection. Eleven percent of the inspected establishments were in violation of the minimum wage provisions. The minimum wage law is 40 cents an hour for a 40-hour week, or $16. It seems to me it is poor economy and not to the best interest of the people of this country if we cut an appropriation which seeks to enforce this minimum wage law and which seeks to enforce other provisions of the Fair Labor Standards Act and the Walsh-Healey Act, such as the overtime and child labor provisions.

The facts with regard to the child labor provisions of the act were discussed by me on yesterday.

Let me close by saying that any reduction contemplated in this bill is going to cause a great deal of danger to the people of this country and the public welfare insofar as enforcing the provisions of these acts is concerned.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read as follows:

Page 9, line 5:

This title may be cited as the "Department of Labor Appropriation Act, 1948."

Mr. ANDERSON of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, before and during the war out in the San Francisco Bay area we had a rather unholy alliance of the CIO Machinists' Union, Local 1304, and the A. F. of L. Machinists' Union, Local 68, headed by three notorious and unsavory characters known as Hook and Dillon and Turkeyneck Smith. During the war they repeatedly and successfully prevented work on Government and merchant ships, and in some instances even prevented convoys from sailing on time. It got so bad that on one occasion the President at the request of the War and Navy Departments and the Maritime Commission sent a directive to Messrs. Hook and Dillon and Turkeyneck Smith to cease and desist in their efforts to prevent work on vitally needed ships for the Navy and Maritime Commission. Now I refer to page 299 of the CONGRESSIONAL RECORD of January 21, 1943, and quote this directive from President Roosevelt:

I am informed by Army, Navy, and Maritime Commission that actions of your union are seriously interfering with vital war production and have delayed shipments of men and supplies to fighting fronts because, contrary to the action of practically all other labor, you have refused to abide by agreements for work on Saturdays and Sundays and to comply with measures established to prevent unnecessary migration of labor.

You are directed to conform with the amended Pacific coast shipbuilding and ship-repair stabilization agreements and to antimigration measures adopted and generally operating in San Francisco Bay area.

The individuals referred to heretofore ignored the directive. And now—good grief. And good gravy. What next? Here is a letter I received the other day from the California Metal Trades Association of San Francisco:

DEAR MR. ANDERSON: It has come to our attention that Mr. Harry Hook, business agent for the International Association of Machinists, Lodge No. 68, until March 1946, when he was thrown out by the International, and presently business agent for Local No. 168, United Steel Workers of America, CIO, is being seriously considered for a position as labor consultant with the United States Department of Labor.

That is one letter.

Here is another from the National Motor Bearing Co. of Redwood City:

You are probably familiar with the fact that Messrs. Harry Hook and Edward Dillon were the organizers of Local 68, International Association of Machinists, in San Francisco for a number of years and that these men, in their position as organizers, called illegal and unjustified strikes in shipyards and various metal-working industries in the bay area off and on during the war. The situation was so bad at one time that President Roosevelt asked Messrs. Hook and Dillon to return men to work and they ignored this request right in the midst of a crucial period of the war.

* * * * *

I am writing to you at the request of a number of firms in San Francisco and Oakland who are very disturbed over the fact that Harry Hook has applied to the National Labor Relations Board for a position as labor relations adviser, hoping to become a negotiator for the National Labor Relations Board and, as such, seeking civil-service status. We, as manufacturers, object to the National Labor Relations Board appointing a man of Harry Hook's stripe to a Federal agency wherein he could continue the nefarious operations that he has carried on for so many years in the machinists' union.

Mr. Chairman, I just want to put the Department of Labor and the National Labor Relations Board on notice that Mr. Harry Hook will only be employed by the Government over my prostrate form. It's high time that our Federal agencies took care to insure the fact that the persons they employ to serve the public are loyal citizens of the United States and that they are possessed of the highest character and integrity.

Mr. KEEFE. Mr. Chairman, we have now reached title II of the bill dealing with appropriations for the Federal Security Agency. I am wondering if we cannot by unanimous consent agree to consider all of the items under title II as read in order to expedite matters, but any paragraph to be open to amendment. I understand there is no objection to the provisions of title II.

Mr. ROONEY. Mr. Chairman, I have no objection to dispensing with the further reading of the bill provided I am granted the opportunity to offer two amendments, and I believe the gentleman from Rhode Island [Mr. FOGARTY] has one amendment and the gentleman from Mississippi [Mr. COLMER] one.

Mr. KEEFE. Mr. Chairman, I ask unanimous consent that title II may be considered as read, and that amendments may be in order at any point thereto.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ROONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROONEY: On page 15, line 20, strike out "$14,200,000" and insert "$19,842,759.97."

Mr. ROONEY. Mr. Chairman, I offer this amendment because I find that under the George-Barden Act, Public Law 586, passed by the Seventy-ninth Congress, for the further development of vocational education, including vocational education in agriculture, which act provides for 100 percent matching of funds by the States, there will be a great

deal of difficulty caused in the program unless we now appropriate the amount $5,842,759.97 to cover a deficit in the amount of allowances to the States under this item. In order to assure to the States, most of which have promptly cooperated in this program of 100 percent matching funds, in order to grant them the same amounts as they have in the present fiscal year for vocational education, it becomes necessary to allow this $5,842,759.97 increase provided in my amendment.

I therefore ask that my amendment be favorably acted upon by the Committee of the Whole.

Mr. KEEFE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as I understand the amendment offered by the gentleman from New York, in the appropriation for the Office of Education for grants to the States for the further maintenance of vocational education, he asks that the amount provided in the bill, namely $14,200,000 be increased to $19,842,759.97, and I am only taking this time because this is a very difficult and technical situation.

You will recall that last year this House passed the so-called George-Barden Act, a very good bill, I will say to my friend, the gentleman from North Carolina, and in that bill they raised the amount of authorization for vocational education in three of its aspects to twenty-nine odd million dollars in the form of grants to the States, but when they wrote that bill they did something else. They changed the formula under which these funds are allocated to the States.

Under the law as it existed prior to the enactment to the George-Barden Act there was a distinct formula written into the law setting forth the bases upon which these funds were to be allocated to the several States. Now, that formula was changed, so here is what we are up against. We get this bill from the Bureau of the Budget, and what does it provide? It provides for an allocation of funds on the basis of $29,000,000, the authorization of the George-Barden Act, and then it carries a budget appropriation of $14,200,000.

Now, how ridiculous. When the committee got to going into this item, and we had to go into it very diligently, we found that if we accepted the Budget suggestion as to the amount of the appropriation State after State would not get as much money under this new formula as they received under the old law. So the vocational people all over the country began to write and wire me and come to my office with a delegation pointing out the difficulties of the situation and what it would do to the vocational-education system in many of the States of the Nation.

What we were up against was this. We wanted to assure to the States of this Nation that have built their vocational systems of education upon the theory that they would continue to receive these vocational grants the same amount of money that they had in the current fiscal year, so the committee asked Dr. Studebaker when he appeared before the committee to figure out how much he would have to allocate and what sum in the allocation process would guarantee to all of the States at least the amount of money that they have had in the current fiscal year. He came up with this figure of $19,842,000 and said, "That is the figure that we must use for our allocation."

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. KEEFE. Mr. Chairman, I ask unanimous consent to proceed for four additional minutes.

Mr. ROONEY. I will not object, although the gentleman objected to Mr. FOGARTY's continuing.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KEEFE. I have not objected to any person continuing, and if the gentleman does object I assure him I will be very happy to sit down, because I am exceedingly tired. However, I think the gentleman and the Members of this House ought to know just what is involved in this very complicated and difficult situation that we have to deal with.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Indiana.

Mr. HALLECK. I want to take this opportunity to commend the gentleman and his colleagues for the very effective work they have done in trying to effect some real economy in government. It is quite apparent by now that some of our friends on the other side of the aisle yet persist in pursuing that extravagant spending course that has characterized the conduct of government under their leadership for so long a time. I hope the country will understand that we on this side are intent and determined upon making some real economies in government, and that it is now, as I say, apparent that we are going to have to do it on our own.

Mr. KEEFE. I thank the gentleman.

There is just this about this situation. In the limited time that is available I of course cannot give you all the technical information that is necessary with respect to what the committee did with this paragraph. Simply let me say this to you, that with the appropriation of $14,200,000 and the allocation of funds on the basis of $19,000,000 each State will have allocated to it the same amount of money that it had last year under the old formula. We are forced to do this because of the new formula that was written into the George-Barden Act, and you would not want it to be any other way than the way this committee has written this provision into the law.

I may say to you that there will come a time before long when we shall have to raise the amount of this appropriation, because when you passed the George-Barden Act you authorized $29,000,000 to be appropriated, and there will come a time when the States who have to match those funds will come in with matching funds sufficient so that they can very properly ask us to appropriate more money. If the States actually appropriate at the State level the matching funds necessary to meet the allocation of $19,000,000, I will be the first one to come in here as a member of the Deficiency Committee and ask that those funds be provided.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Michigan.

Mr. DONDERO. Will the gentleman explain to the House the difference in the formula between the present act and the old law?

Mr. KEEFE. The principal difference is this: Under the old law they had it on the basis of population, generally speaking. Under the new law they have provided a minimum amount that must be certified to each of the States, a minimum of $35,000. There are a lot of States that will benefit by that. They are going to get more money than they ever had in their lives under this program, under this so-called minimum amount that must be given to the various States of the Union.

Mr. BARDEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I probably am playing a little unusual role today in supporting an amendment to increase appropriations. My normal tendency is in the other direction.

May I say to the Members of the House it is time to check up a little when you begin to cut the funds off of the vocational-training program, the one great piece of legislation that this House put into effect and had on the statute books for many years, to encourage work, to encourage thrift, and to encourage boys to learn how to earn a living.

Mr. KEEFE. Mr. Chairman, will my friend yield?

Mr. BARDEN. I yield to the gentleman although he was not so kind as to yield to me.

Mr. KEEFE. Is it not a fact that we have not cut the budget and that we have allowed appropriations in the exact amount that the budget recommended?

Mr. BARDEN. When you stop a program dead in its tracks and the need for that program continues to grow, then you have cut it. You can kill it in that way. Do not make any mistake about that. You can kill it. The formula the gentleman talks about as some mysterious formula, I have never heard of before, and the committee on education has not been a party to any change that would be detrimental to the program.

There is the gentleman from Michigan and many of the finest Members on your side of the aisle. We worked for months and months and turned out a bill which when explained to the House was virtually accepted with unanimous approval on the record that was made at that time. On that basis the legislatures of the various States have already met the requirements under this bill and have appropriated moneys in anticipation of these funds.

I do not know of a piece of legislation that is benefiting the average veteran, whom we talk so much about, any more than this legislation. The vocational-training schools in my section of the

country are crowded with them. This is the cheapest way in the world for the Government of the United States to render this service.

I heard the gentleman talk about how complaints are coming in from all over the Nation. I have been somewhat in the center of this vocational-education picture. I want to say to the gentleman that not one single complaint, not one single criticism, has come to my attention, and I have spoken, I reckon, to as many vocational schools as any man in the country. I am for them 1,000 percent and this House is for them. With all of the schools that have made good you cannot expect to stop that movement dead in its tracks.

I am asking that this appropriation be fixed at a practical sum. The States are going to meet it. If the States do meet it, then the money will remain in the Treasury. If they do, and I think they will, it will be the finest investment that any dollar of the Government of the United States could take part in.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. Yes; I yield to my friend.

Mr. JUDD. If this sum is increased and the States do not qualify under the program, the money cannot be spent. Is that not correct?

Mr. BARDEN. Certainly; the gentleman is correct.

Mr. JUDD. Then we are authorizing and making available the sums that we promised under legislation which this House passed?

Mr. BARDEN. That is right. The gentleman knows that the committee was not only tight but very conservative in arriving at the amount of money, and we turned away every request to match in every other way except on a dollar-per-dollar basis. We stood firm on that. We brought the bill here with a fine report. The House adopted it and practically just embraced it. The gentleman from Wisconsin voted for it and everybody was delighted to have that bill because it was a very carefully prepared piece of legislation. It sickens me now because I know there is not a hamlet, there is not a county, there is not a big city that is not drawing real genuine benefits from the money being spent on this matching fund in the vocational-training program in this country. If it had not sold itself to the people, if it had not done such a wonderful job, there would not be such a genuine wholesale cry for its continuation and program.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. BARDEN. Mr. Chairman, I ask unanimous consent to proceed for an additional 4 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KELLEY. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. KELLEY. Is not this program under the Vocational Training Act an expanding program that millions of people in this country need for vocational training?

Mr. BARDEN. The gentleman is correct. The gentleman from Michigan and I have served on this committee. We have seen this fund grow from a little small amount every year, and he knows and I know that it has justified every dollar of its expenditure.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. H. CARL ANDERSEN. The gentleman on your side who addressed the question to you referred to an entirely different matter when he referred to the vocational rehabilitation program. That has nothing to do with this particular item.

Mr. BARDEN. Well, if he did, he intended to say "vocational training." Vocational rehabilitation is in another field, but the vocational-training program is what the gentleman meant to refer to.

You have many counties and sections of States that are calling for these schools, and we have to say "No" to them. I have some of the finest vocational-training schools and instructors in my district in the country. The white people have taken the lead, and the Negro schools are joining in doing a fine job.

Let me tell you of one colored school in my district—an excellent vocational-training school headed by a fine instructor. That one man has approximately 40 of the Negro veterans in that school and is making every dollar do $10 worth of work. Then to say that we must stop there—I cannot understand it, gentlemen. You cannot stop the progress in this movement.

Mr. MACKINNON. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. MACKINNON. Is this appropriation the maximum amount, or will it still be permissible for the Congress to appropriate under a supplemental appropriation?

Mr. BARDEN. You will either put it in now or I am afraid the program will be cut down.

Mr. MACKINNON. How is the law worded? Is this the amount of money appropriated for the full year, or is there a definite obligation on the part of the Government to match every nickel that the States put up?

Mr. BARDEN. No; there is no obligation to match anything beyond the amount of appropriation that you make. If the appropriation is made and a State does not match it, dollar for dollar, it will stay in the Treasury. So the gentleman was wrong when he said we had done any great changing in the formulas. You have got three or four different formulas in the bill. You have always had different formulas. When you are dealing with agriculture the formula is one thing. When you are dealing with the city population the formula is another, and when you are dealing with home economics it is another. The gentleman intended to be fair about it, but there are three or four different formulas.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. KEEFE. I am a little surprised that my friend, if he has read the record, would make the type of argument he is making——

Mr. BARDEN. Well, now, do not lecture me. What is your question?

Mr. KEEFE. Is it not a fact that I made the statement on this floor that, if the States will match this up to the $19,000,000 which, under this bill, we are permitting the Office of Education to allocate, that I, as one member of the Subcommittee on Deficiencies on the Committee on Appropriations, will be in here asking for an appropriation to match those funds? But there is not a single showing that you can point to that indicates that the States are going to match this $19,000,000 which is authorized.

Mr. BARDEN. I can call one State to the gentleman's attention. That is the State of North Carolina. That State has matched every dollar, and they look around and they find beyond the allocation of the $14,000,000 it will not be available. I wish I could construe the gentleman's statement to mean that, if the need arises, the gentleman could, just by turning a little valve, provide the funds. However, I am going to construe the gentleman's statement to mean that he and his committee will take care of the program if the need arises. I hope the House will make these funds available now, however.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. BARDEN] has again expired.

Mr. COOLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, if I read and understand the record correctly, I think that the gentleman from Wisconsin [Mr. KEEFE], while not always right, perhaps took just about the same position with regard to this particular appropriation as any other member of his party would have under the circumstances. While I am just as anxious as my colleague from North Carolina [Mr. BARDEN] about the welfare of the vocational education program, I must say that a reading of the record—and I say this in fairness to the gentleman from Wisconsin—indicates that the gentleman from Wisconsin is entirely friendly to vocational education. But the trouble is not so much with the gentleman from Wisconsin [Mr. KEEFE] as with the Bureau of the Budget. The Bureau of the Budget fixed the figure and he stayed within the figure. As anxious as I am for the figure to be increased substantially, I doubt very much if we should criticize the committee in following, as it did in this case, the exact recommendation of the Budget.

If I understand the record clearly, it also indicates that under the $14,200,000 appropriation, some States will actually receive less this year than before, and we would need to provide $1,532,922.73 additional to prevent any State receiving less than it received heretofore; but to add $1,532,922.73 would be, to that extent, going beyond the recommendation

of the Bureau of the Budget. Congress has definitely recognized the great value of vocational education and the recommendation of the Bureau of the Budget should have been compatible with the expressed will of Congress. Personally I think it is one of the finest programs the Government has ever undertaken. Not only have we recognized it, but we have authorized expenditures in excess of $29,000,000 annually. Notwithstanding our authorizations and the approval of both Houses of Congress, the Bureau of the Budget holds this program down to $14,200,000. Congress should not hesitate to override the Bureau of the Budget and provide additional funds. Certainly, however, we would hardly expect economy-minded Republicans to go beyond the recommendation of the Bureau of the Budget, especially in view of their expressed intention to reduce drastically the recommendations which have heretofore been made by the President and the Bureau of the Budget. I do hope, however, that the leadership in the Republican Party will appreciate the wisdom of providing additional funds for this particular item which means so much to the welfare of the people of the Nation.

I can, of course, appreciate the difficulties involved in trying to increase this amount at this time here in the House, but I do hope that the Senate will increase it. If the Senate does not increase it, then I hope that additional funds will be provided in a deficiency bill which may hereafter come before Congress.

With regard to North Carolina, as my colleague the gentleman from North Carolina [Mr. BARDEN] has pointed out, we predicated and based our program on the maximum, in the honest belief that Congress would keep faith with the authorization and that the money would be provided. We are going to be shortchanged to the extent of about $378,000 unless Congress does provide additional funds. Whether or not it will provide it hereafter in a deficiency bill remains to be seen, but at least we have the statement of the gentleman from Wisconsin [Mr. KEEFE], who is chairman of this subcommittee, that he for one is willing to vote for the necessary deficiency appropriation.

Now, if we have others on his side who will go along on a deficiency appropriation then we certainly are encouraged to believe that the States which can justify and can match the Federal funds will not be handicapped in the vocational-education field.

I understand that Dr. Studebaker will be able to give the Congress the actual data between now and April 15, which is not too far away. If he can obtain the information from the States with regard to the needs, he can give the information to the appropriate committee, then the deficiency can be provided, and our States can be taken care of. I for one am delighted at the support offered by the gentleman from Wisconsin.

I hope that we may be justified in the belief that his Republican colleagues in the House will support him in the very definite position he has taken with regard to this particular matter.

As I stated in the beginning, I do not feel that we should be too severe on the subcommittee, in view of the recommendations of the Bureau of the Budget, and especially in view of the fact that the several States have failed apparently to furnish the data necessary in the determination of the amount of Federal funds which may be needed in the expansion of the program. I am delighted that the State of North Carolina has demonstrated such a great interest in vocational education, and has placed itself in a position to take advantage of the increased grant in aid. Vocational education is close to the people and should be expanded greatly in the interest of the general welfare of the people of our Nation. The program is not restricted to any particular section of the country, and I have every reason to believe that a great and magnificent job has been done in all areas. Skilled workers still constitute one of the great needs of this Nation. Our recent experience has demonstrated to all sections of our country and to all segments of our population the great need for skilled men and women in all vocations. States should be encouraged to expand vocational education as a means of lifting higher the standards of living in America. Now that we have the assurance of the very distinguished and able gentleman from Wisconsin [Mr. KEEFE] that an expanded program will have the benefit of his support, and since everything indicates that additional funds in substantial amounts will be needed, I express the earnest hope that the Bureau of the Budget will approve the increase which will be indicated by the information which is now being collected and which will soon be available.

Mr. DONDERO. Mr. Chairman, I move to strike out the last word.

Mr. KEEFE. Mr. Chairman, I would like to try to limit debate on this bill. It is now 4:30, and if we are going to finish this bill today we must have some limitation of debate.

Mr. DONDERO. I can make my statement in 2 minutes.

Mr. KEEFE. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 2 minutes.

Mrs. ROGERS of Massachusetts. Mr. Chairman, reserving the right to object, will it be in order afterward to move to strike out the last word?

Mr. KEEFE. My request relates to this amendment only.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that all debate on this amendment close in 2 minutes.

Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Michigan is recognized for 2 minutes.

Mr. DONDERO. Mr. Chairman, I did not intend to speak on this bill, but this amendment has challenged my interest and attention. As one who had something to do with the framing of the George-Barden Act I want to confirm everything the gentleman from North Carolina has said regarding that bill. That legislation is a matching program, dollar for dollar.

The President in his budget message requested $14,200,000. The committee has tried to follow that recommendation. The committee has said to the House and to the country that if the States should provide funds beyond the $14,200,000 and up to the $19,000,000 figure then the Congress would at a later date provide the difference between the two figures in order to match the State dollars so appropriated.

I will ask the chairman of the subcommittee if that is not about the whole thing in a few words.

Mr. KEEFE. I think the gentleman has very succinctly stated the situation.

Mr. DONDERO. Under those circumstances we should support the Committee and also provide the funds if at a later date it becomes necessary to meet the State appropriations.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. JUDD. Suppose the $14,000,000 should be exhausted or all allocated to States now participating but that in October or November when Congress was not in session other States wanted to qualify; how would they be able to get any money under their authorization when the deficiency committee would not be able to function?

Mr. KEEFE. Mr. Chairman, will the gentleman from Michigan yield to permit me to answer the inquiry?

Mr. DONDERO. I yield.

Mr. KEEFE. I think if the gentleman will read the record of the hearings and examine what Dr. Studebaker said, he would have observed that Dr. Studebaker hopes by the middle of April to be able to have the figures from the States on this situation. All Dr. Studebaker has got to do then is to convey those figures up to the appropriate committee and the Congress, of course, will see to it that this vocational program is carried out.

Mr. JUDD. Through a deficiency for this fiscal year?

Mr. KEEFE. Why, of course; exactly.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. RICH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RICH. Is a point of order against an item in title II in order at this time?

The CHAIRMAN. That stage has been passed, and it would not be in order at this time.

Mr. GORE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GORE: On page 21, line 10, strike out the paragraph beginning with line 10 and ending with line 24, and insert "hospital and construction activities for carrying out title VI of the Public Health Service Act, as amended (Public Law 725, 79th Cong.), $1,509,965, of which not to exceed $965,000 shall be available for administrative expenses incident thereto, including printing and binding; purchase of eight passenger motor-vehicles; and travel, including attendance at meetings of organizations concerned with the purposes of this appropriation."

Mr. GORE. Mr. Chairman, in pointing out the fact that this bill does not carry one dollar of appropriations for

hospital construction, I do not in any way contend or desire to suggest that the distinguished chairman of the subcommittee or any member of it intends to deny appropriations for the implementation of the Hill-Burton hospital construction bill.

I rise, however, to point this out and offer an amendment to correct it, for two purposes: One, because of genuine interest in seeing the hospital construction expedited and, two, to prevent juggling of the budget bookkeeping.

You will note in the hearings, if you have read the hearings, and if not, you can find on page 389 this statement by Dr. Hilleboe, who was testifying before the committee in support of provision of the bill. He said:

So the whole chain of circumstances really awaits the statements from us that there is money in the Treasury and it is allocated, and when the plan has been approved and you have started your construction funds will be certified for payment.

Now, Mr. Chairman, I would like to point out that on page 21 of the bill, instead of following the budget recommendation of placing in the bill an appropriation, the committee has deleted entirely the appropriation item and has written into the bill contractual authority. There, again, we are but postponing the reckoning day for appropriation, but in postponing the date you raise doubts in the minds of many small communities as to whether or not their funds will be matched, because you are placing no money in the Treasury, no money in the bank, so to speak, available for this purpose.

Now, on yesterday the distinguished gentleman and my friend from Wisconsin said that he did not intend this to be shown as a reduction in the budget, and he pointed out that the report did not so indicate. But, Mr. Chairman, if you will notice on page 44 of the report, and if my distinguished friend from Wisconsin will notice, you and he will see listed there $50,100,000 as a reduction in the President's budget and then if you will note on the recapitulation page of the report you will note that it shows a total reduction below the President's budget of $77,825,520. The fact stands that of that $77,000,000 reduction below the budget, $50,000,000 is in hospital construction.

Now, much has been said here about economy. We have been debating a good deal about cutting this bureau some and that bureau, but the over-all figure is what counts in economy. The fact stands that this bill, if passed as reported, reduces the President's budget by only 4½ percent, and included in that 4½ percent is this $50,000,000 item which the distinguished gentleman from Wisconsin says is no reduction at all. So, you see, there is an actual reduction according to his statement of only $27,000,000 which is a little more than 1 percent.

But, Mr. Chairman, that is not quite all the story. The contractual authorization authorizes this agency of Government to enter into contracts, not just to the extent of $50,000,000, but to the extent of $150,000,000.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GORE. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GORE. Mr. Chairman, that is why I offer the amendment to make actual appropriations in the amount the committee authorizes to be contracted. This business of postponing the day when we make appropriations, this business of leaving it all to some deficiency committee at some later date raises doubts and a lot of indecision in the minds of the people, and it also casts doubt on the authenticity of the figures of the legislative budget. Here we have another example of a cut which is not real, it is an optical illusion, a committee report showing a cut of $77,000,000, when actually there is no cut at all. If you authorize contractual authority of $150,000,000, this bill represents an upping of the President's budget by $75,000,000. So where is this economy? We are but postponing the date when we will live up to our commitments. The original Hill-Burton Act authorized the appropriation of $75,000,000 for each of five fiscal years, beginning with this year. Therefore, my amendment would make available the funds for matching the funds raised by the local governmental units for this year and for next year, which is living up to the full obligation of the Hill-Burton bill. I hope the committee will accept the amendment.

Mr. KEEFE. Mr. Chairman, I have just this to say. This afternoon the gentleman from Rhode Island [Mr. FOGARTY] challenged me to produce some testimony. I stated that I would. In justice to the House, I desire to read it. It is the testimony of the Secretary of Labor when he appeared before our committee on March 14, 1947:

Mr. KEEFE. Did you have anything to do with the selection of Mr. Faulkner?

Mr. Faulkner is head of the Veterans' Placement Service.

Secretary SCHWELLENBACH. No, I did not. I said that I felt that the set-up, to quote my exact language—I thought the set-up was nuts, that there would be within the Department of Labor an organization that had no responsibility within the Department of Labor and whose head is General Bradley.

Mr. Chairman, I move that all debate on the pending amendment do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. GORE].

The question was taken; and on a division (demanded by Mr. GORE) there were—ayes 66, noes 129.

So the amendment was rejected.

Mr. H. CARL ANDERSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, yesterday, as will appear on page 2482 of the RECORD, I stated that the committee has not claimed we were making a $50,000,000 saving in the hospital program.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield.

Mr. GORE. I do not wish to enter into any argument with the gentleman about what the report shows; but if he will look on page 44 of the report and the specific item on page 49 of the report, he will see what I say is printed in black and white.

Mr. H. CARL ANDERSEN. The gentleman well knows that from all the racket that has been coming today from the other side of the aisle certainly we must have injured somebody's feelings. So far as I am concerned, it is too bad, but we have to hurt somebody when we are doing this job of cutting down expenditures.

We have, however, in the hospital program, allotted under this bill contractual obligations for $100,000,000 more than the Budget had seen fit to give in direct appropriation.

Mr. Chairman, I yield to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. I believe I ought to contribute this much at least. I was advised by the Budget Bureau only 2 days ago that while there was a request here for $50,000,000, only a fractional amount of that could have been expended in the fiscal year 1948.

Mr. H. CARL ANDERSEN. I might add to that in conclusion, Mr. Chairman, that not a single State program had been sent in for approval to the Public Health Service in relation to this entire picture at the time our subcommittee wrote this bill. So why have $50,000,000 lying around doing nothing? The Congress will make every cent available that is matched up to the authorized limit.

Mr. KEEFE. Mr. Chairman, I move that all debate on title 2 and all amendments thereto do now close.

The question was taken; and on a division (demanded by Mr. ROONEY) there were—ayes 137, noes 79.

Mr. ROONEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. KEEFE and Mr. ROONEY.

The Committee again divided; and the tellers reported there were—ayes 146, noes 71.

So the motion was agreed to.

Mr. COLMER. Mr. Chairman, I offer a preferential motion which I send to the desk.

The Clerk read as follows:

Mr. COLMER moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Mississippi [Mr. COLMER] is recognized for 5 minutes.

Mr. COLMER. Mr. Chairman, I think in my experience here this is the first time I have ever made such a motion. I am not too proud of making that motion today, but we are confronted with a situation here where we have to protect ourselves as best we can.

I had an amendment on the Clerk's desk that I wanted this Committee to consider. I had no opportunity to present that amendment, and I took this method of bringing the amendment to the attention of the Committee.

Since it is likely that the forces that are in control will prevail, I am going to take further advantage of this opportunity to state what that amendment is, at least. I recognize, of course, under the circumstances and the temper of the situation that my plea may have possibly little effect.

Mr. Chairman, about 12 years ago when I first came into this House I was rather proud of the fact that I succeeded in collaboration with the late lamented Senator Pat Harrison of Mississippi in getting a bill through the Congress known as the Sea Food Inspection Act. We succeeded in getting an appropriation to implement that act, after a knock-down and drag-out fight in this Chamber. We got $80,000. Subsequently the Department, as the demand for that inspection grew, recommended a cut and they got only $40,000. This appropriation has been granted annually now for the past 12 years.

The purpose of sea-food inspection, Mr. Chairman, was to prevent the sale of bad sea food that was canned in these factories; to protect not only the packers but the public also.

This year we have asked for the same $40,000 that has been in the budget and appropriated for the past 12 years. It is not in the bill, even though it was in the budget. The Department of Agriculture receives $11,000,000 to inspect meat that is processed in the packing houses, yet we are denied this one little item of $40,000 to inspect seafood as it is canned in the factories.

Yes, we believe in economy, but I contend that this is the falsest kind of economy. Why, the life of one person which might be taken by the consumption of one can of bad shrimp is worth more than $40,000.

The factories themselves put up about two-thirds of the money necessary to operate the Inspection Service and we ask for only $40,000. It is argued that if the packers can put up two-thirds of it why can they not put up all of it? The answer comes from the testimony of one of the witnesses from the Department that appears in the record, that the chances are that some bad sea food will be packed in some of these small factories. They do not, of course, compare with the big meat packers and it is said it will cost the Government more than the $40,000 to go out there and enforce it.

I have brought this to the attention of the committee now and I hope my amendment will prevail.

Permit me to say that this Service has proved of inestimable value to both the public and the sea-food industry. And while I appreciate the fact that the gentlemen over on the left side of the aisle, the Republicans, are in control of this House and have their machine well-oiled and are running roughshod over others, their action certainly comes with ill grace in cutting off by the motion of the gentleman from Wisconsin [Mr. KEEFE], the chairman, even an opportunity to offer this and other amendments that are to be offered. Especially is this true when it is realized that under the system that prevails those of us who are interested in this and other appropriations are prevented from appearing before the committee and knowing whether our appropriations are included or not because of the fact that these committee hearings are conducted in secret. The first opportunity that we have of knowing whether our appropriations are in the bill is when the bill is reported to the floor of the House. It is to be hoped that in the Senate where the rules of procedure are more liberal this most worthwhile item may be again included in the bill.

And, finally, Mr. Chairman, I submit herewith a telegram which I have just received from the Biloxi Seafood Shippers Association, by Mr. R. H. Sewell, manager, which indicates how these packers who are affected feel about the matter:

BILOXI, MISS., *March 25, 1947.*

Hon. WILLIAM M. COLMER,
United States House of Representatives, Washington, D. C.:

The chamber of commerce has contacted us regarding your wire of today advising that House Appropriations Committee has deleted the $40,000 item for sea-food inspection. Also regarding your intention to offer amendment to reinstate this amendment. We strongly urge in behalf of local packers and packers in other areas that you do all in your power to have this item retained. Canned shrimp and oysters items are experiencing considerable consumer resistance due to present high costs and additional cost at the packer level will only result in increased consumer resistance. Food and Drug Administration has apparently been misinformed as regards packers being in position to assume full cost of inspection. It is our understanding that meat packers, packing for distribution in interstate commerce, have long been furnished inspection on their products by the food and drug at no cost to them whatever. The $40,000 heretofore granted for sea-food inspection, while but a portion of the total cost of sea-food inspection, has been of great help to the canners in this area. Please be assured that anything that you can do toward having this appropriation retained will be greatly appreciated by all concerned.

Kindest regards.

BILOXI SEA FOOD SHIPPERS ASSOCIATION,
R. H. SEWELL, *Manager.*

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. KEEFE. May I say to the gentleman from Mississippi that the committee does not care very much about this little item of $40,000 that has been carried in the bill heretofore. The only reason it was stricken out was because we assumed from what Dr. Dunbar testified—and his testimony is right here for anybody to read—that the industry itself would take care of this item.

This $40,000 item, may I say to my friend from Mississippi—and I think he knows it—is only a portion of the money that is spent in the seafood inspection service. I believe that service costs about $121,000 and of this $81,000 is made up of fees paid by the industry itself. The Department asks for only $40,000 to supplement what they were getting from fees.

Now, Dr. Dunbar, the head of the Pure Food and Drug Administration, on page 80 of the hearings, testified in reference to this item, and it was on his testimony alone that we decided to strike this $40,000 out. But the only question involved is just this: Seafood inspection to the tune of $81,000 is being paid for by the industry, and the industry ought to pay for its own inspection in order to police it, and they are policing it, spending $121,000, and here they are only asking $40,000 from the Congress.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Mississippi.

Mr. COLMER. I want to say first that the gentleman has both in private conversation and otherwise shown the most sympathetic attitude toward this, and I have not criticized the gentleman about that.

Mr. KEEFE. May I say to the gentleman right at that point, if he will read the report of the committee he will see that the action of the committee is absolutely in harmony with the suggestion of the President of the United States in his budget message, in which he made the suggestion himself that Congress should consider the extent to which fees should be charged to services of this character, for those who are the beneficiaries of it.

Mr. COLMER. But the item was carried in the President's budget, was it not?

Mr. KEEFE. Yes.

Mr. COLMER. Then the fact that 80 percent of it is furnished by those packers, is that any reason that the 20 percent should be denied them, when 100 percent of the meat packers' expense is furnished by the Government?

Mr. KEEFE. Well, I do not think that has anything to do with it at all.

Mr. COLMER. It is the same principle, is it not?

Mr. KEEFE. We found all sorts of certification services in the Pure Food and Drug Administration, where the industry itself is paying for the examination and certification of its products. I want to say as one Member of this Congress that I think the time is here right now when this Congress ought to determine whether or not special services of that character that are rendered to industry, in line with the suggestion of the President himself, should not be paid by the industry that receives the benefit of Government inspections.

The CHAIRMAN. The question is on the motion offered by the gentleman from Mississippi [Mr. COLMER] that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The motion was rejected.

The CHAIRMAN. Does the gentleman from Mississippi desire recognition to offer an amendment at this time?

Mr. COLMER. Yes, Mr. Chairman; I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLMER: On page 13, line 11, after the word "act" insert a new paragraph as follows:

"Salaries, sea-food inspectors: For salaries of sea-food inspectors designated in accordance with the provisions of section 702A of the Pure Food, Drug, and Cosmetic Act, $40,000."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. COLMER].

The amendment was rejected.

Mr. FOGARTY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FOGARTY: Page 17, line 16, after the word "agency" strike out the sum "$18,000,000" and insert "$19,710,000."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Rhode Island [Mr. FOGARTY].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE III—NATIONAL LABOR RELATIONS BOARD

Salaries: For three Board members of the National Labor Relations Board and other personal services of the Board in the District of Columbia and elsewhere necessary in performing the duties authorized by law, $3,063,100.

Mr. SCHWABE of Oklahoma. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHWABE of Oklahoma: Page 42, line 7, and page 43, line 19, strike out all of title III "National Labor Relations Board" beginning with line 7 on page 42 and ending on line 19 on page 43.

Mr. SCHWABE of Oklahoma. Mr. Chairman, this appropriation is rather premature at this time. The House Committee on Education and Labor, as we all know, is about ready to report a bill. Nobody knows, I take it, just what that bill will contain nor how much money should be appropriated. I suggest to you that the law under which we are operating now has caused us more confusion and more trouble than perhaps any other law that was ever passed by this Congress. I want to read some remarks I placed in the RECORD on June 14, 1946, giving some factual information:

Senator WAGNER, the author of the bill, stated in 1935:

"The enactment of this measure will clarify the industrial atmosphere and reduce the likelihood of another conflagration of strife."

Eleven years later, we are now experiencing the bitterest labor strife in history.

Senator WAGNER further stated 11 years ago that:

"There is not a scintilla of truth in the propaganda that this bill will create a labor dictatorship."

Now a few labor bosses are dictating to industry, to the Government, and to 130,000,000 American citizens. John L. Lewis was successful in accomplishing practically everything for which he precipitated the coal strike.

Senator WAGNER, speaking further in 1935, of the National Labor Relations Act, said:

"This bill is designed to promote industrial peace."

Apparently it has had the opposite effect.

Let us see what the Wagner Act has done. During the past 11 years—

Now almost 12—

there have been more than 37,000 work stoppages—three times as many as there were the 11 years before the passage of the act by Congress in 1935. The number of workers involved in the work stoppages for the past 11 years is almost 17,000,000, again approximately 3 times the number for a like period before the passage of this act. Hence, roughly speaking, there have been three times as many idle, time wasted, and production lost since, as compared with a similar period before the Wagner Act—National Labor Relations Act was passed in 1935.

Consider these facts: In January 1946 there were 325 new work stoppages, with a carry-over of 175 strikes from the month before, both together involving 1,750,000 workers, and 19,200,000 man-days lost. In February 1946, 260 new work stoppages were added to the 200 carried over from January involving 1,450,000 workers and 21,500,000 man-days lost.

Mr. Chairman, I conclude by saying that there is no doubt but that there will be some kind of labor legislation passed by this Congress to remedy the evils that exist and to stop the activities of the labor racketeers. I suggest that this appropriation is premature.

Mr. H. CARL ANDERSEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, very briefly we on this subcommittee cannot act as a legislative committee. If the Congress in its wisdom later decides that this shall be taken out of the picture, the Committee on Appropriations can bring in a rescission bill and take away this sum of money. With all due respect for my fine colleague from Oklahoma, I hope that the amendment will be defeated.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. No one will accuse me, I think, of holding any special brief for the National Labor Relations Board, but may I say that for us to abolish the National Labor Relations Board in this way at this time I think would be a definite mistake. I feel confident from what I heard from members of the House Committee on Education and Labor when I appeared before them and when I have talked with them individually that the House is going to have an opportunity to consider what it wants to do with respect to the National Labor Relations Board and the Wagner Act. To abolish it by denying all appropriations in this way I think would be a very great mistake. Let us leave the NLRB to the time when we consider the recommendations of the Labor Committee. Last year the Board received $4,069,000, and with the increases in pay it is anticipated that the Board will have in this current year $4,481,000. The 1948 budget estimate came in for $7,984,000. The committee is recommending in this bill $4,033,700, which constitutes a reduction in the budget estimates of $3,950,000. Certainly the committee has recommended a very sizable reduction in the budget request. I believe we should allow that at this time in order that the Board may proceed until the House has full opportunity to consider what it wants to do in a legislative way. We would be open to justifiable criticism if we were to abolish the NLRB in this manner and with no more debate or consideration than can be given here today.

Mr. OWENS. Mr. Chairman, as a member of the Committee on Education and Labor, I do not believe I would be trespassing on anyone's rights when I say there has been no such suggestion in the committee.

Mr. ROONEY. Mr. Chairman, I offer a perfecting amendment which is at the Clerk's desk.

The Clerk read as follows:

Perfecting amendment offered by Mr. ROONEY: On page 42, line 11, strike out the sum "$8,063,100" and insert "$6,157,000."

Mr. KEEFE. Mr. Chairman, may I inquire as to the status of the amendment offered by the gentleman from Oklahoma [Mr. SCHWABE]?

The CHAIRMAN. The amendment offered by the gentleman from New York [Mr. ROONEY] is in the nature of a perfecting amendment. The Schwabe amendment will be held in abeyance until the Committee has had an opportunity to pass upon the amendment offered by the gentleman from New York [Mr. ROONEY].

Mr. KEEFE. Mr. Chairman, I ask unanimous consent that all debate on this amendment and other amendments to this section close in 10 minutes.

Mr. FOGARTY. Mr. Chairman, I object.

Mr. HALLECK. Mr. Chairman, I wonder if the gentleman from Wisconsin [Mr. KEEFE] would amend his request to limit the time to 10 minutes on this amendment and all amendments thereto.

Mr. McCORMACK. Mr. Chairman, I believe that can be settled very easily. There are only a few Members interested in speaking.

Mr. KEEFE. Mr. Chairman, I shall be very happy to do it that way.

Mr. Chairman, I ask unanimous consent that debate on the amendment offered by the gentleman from New York [Mr. ROONEY] be limited to 10 minutes.

Mr. ROONEY. Mr. Chairman, I object.

Mr. KEEFE. Mr. Chairman, I move that all debate on the amendment offered by the gentleman from New York [Mr. ROONEY] close in 10 minutes, 5 minutes to be allotted to the gentleman from New York.

Mr. McCORMACK. Mr. Chairman, a point of order. I make the point of order that the motion of the gentleman from Wisconsin [Mr. KEEFE] is not in order.

The CHAIRMAN. The gentleman from Massachusetts makes the point of order that the motion is not in order at this time. The Chair sustains the point of order. The gentleman from New York [Mr. ROONEY] may proceed.

Mr. ROONEY. Mr. Chairman, I was quite amused awhile ago when we were taking the last teller vote. One of my good friends on the other side of the aisle made the remark that union cards in the Republican steamrollers' union had just been issued today.

Mr. Chairman, the purpose of my present proposed amendment is to increase the amount shown on line 11, page 42, for the annual appropriation for the National Labor Relations Board to the amount of the budget estimate. The majority of the committee have seen fit in this instance to cut the amount proposed by the Bureau of the Budget 50 percent and to the tune of $3,950,300, in the face of the fact that there have been numerous undue delays in the handling of

cases by the National Labor Relations Board due to insufficient personnel, with the result that in many instances parties have been unable to obtain NLRB collective-bargaining elections, or, rather, elections to determine who is the correct collective-bargaining agent in behalf of employees. The further result is that we play right into the hands of the Communists who, after the employees have been waiting for months upon months upon months for remedial action, then are able to say, "You see, we're getting nowhere, let us go out on strike." This is not the orderly way to handle industrial labor relations in this country. This is one of the results we cause when we cut the amount in this budget estimate for NLRB appropriations to the extent of 50 percent. The estimate is being cut 50 percent in the face of the fact that it is impossible, according to the testimony, for the National Labor Relations Board to handle cases under present conditions and under their present appropriation, since in the first 6 months of the present fiscal year the amount of case intake has increased 65 percent over the corresponding period of the previous year.

This in face of the fact that the staff of the National Labor Relations Board has been decreased 25 percent below that which they had at the close of the last fiscal year. Therefore, I fail to see how we are going to eliminate industrial strife and trouble in this great country of ours if we continue as we have here today, to cut appropriations such as this item to the tune of 50 percent, for the legitimate and absolutely necessary activities of the Labor Department. One of the most important, as you all know, is the National Labor Relations Board. I trust that you will vote for this amendment.

Under the permission which I expect to obtain later when we go back into a session of the House, I insert at this point an article by Thomas L. Stokes entitled "Reckless Ax Wielding":

RECKLESS AX WIELDING

(By Thomas L. Stokes)

In its avid quest for economy, Republican leadership in the House continues to exhibit what appears to be something short of wisdom.

There seems little contribution to the public welfare in whacking off 40 percent of the budget for regular operating expenses of the Labor Department submitted by President Truman, or in cutting almost in half the amount he recommended for the National Labor Relations Board, created by the Wagner Act to protect labor's right of collective bargaining. These are among economies of the second major supply bill laid before the House by its Appropriations Committee.

The wholesale economy in this particular field is surprising. For it was during a GOP administration that the Labor Department was created 34 years ago this month. Formerly there had been a Department of Commerce and Labor. The bill for a separate Labor Department was the last signed by President Taft, father of the present Ohio Senator, before he retired from office on March 4, 1913.

Since its creation the Department's functions have been broadened and enlarged, through both Republican and Democratic administrations, as the Nation has grown, as the labor population has increased, and as the people have recognized the need of improving conditions among workers, organized and unorganized.

This Department, like others, has a general function inherent in our system of government, aside from specific administrative functions. This is to serve as a sort of watchdog on behalf of the people, in this instance of the great mass of workers who keep our industries going.

In carrying out this function, the Labor Department continually inquires into matters affecting labor—working condition safety precautions, employment prospects, protection of women workers, education of workers, and the like. It gathers pertinent information and makes it available to States, organizations of all sorts, and the various public media.

The proposed appropriations cut affects this vital function in various ways. For one illustration, it abolished the Division of Labor Standards, a relatively small agency which had a part in this function. It shifted its components elsewhere on a restricted basis where it did not eliminate them entirely.

The importance of any Federal department is that it and its agencies take the over-all look. Through the facts it can make available it can be helpful in improving local conditions, particularly where local agencies either lack the facts or, for reasons obvious to any newspaper reporter, hesitate to move in. The Federal Government carries prestige and is less susceptible to local influences of one sort and another which often stop action.

The House Appropriations bill, for example, does away with the industrial safety and sanitation service of the Division of Labor Standards, which requires only a few people. In defense, the committee said industrial safety and sanitation is a State matter and explained that safety and sanitation "are being constantly appraised by insurance companies and by private organizations."

But any newspaper reporter knows how private interests can influence local agencies and State legislatures and not only suppress information but prevent action. It is a common experience that reporters constantly go to a Government agency to dig up facts which, when published, open the eyes of people in a local community and force action.

This is a service of Federal Government with which the layman is not so familiar, though he enjoys its benefits. Such service is especially valuable for labor, since it still does not have complete protection in its work and its work conditions.

It seems false economy to withdraw or curtail so severely the many useful functions affected by the appropriation bill.

The CHAIRMAN. The time of the gentleman from New York [Mr. ROONEY] has expired.

Mr. KEEFE. Mr. Chairman, I ask unanimous consent that all debate on the amendment offered by the gentleman from New York [Mr. ROONEY] do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. ROONEY].

The amendment was rejected.

Mr. CHURCH. Mr. Chairman, I offer a perfecting amendment.

The Clerk read as follows:

Amendment offered by Mr. CHURCH: On page 42, line 11, strike out "$3,063,100" and insert "$2,050,000."

Mr. CHURCH. Mr. Chairman, it is very evident that my amendment if adopted may save the NLRB. I feel quite certain that when Congress amends the NLRA there will be much less work for the NLRB.

My amendment provides for a cut from $3,063,100 to $2,050,000, a cut of a little more than a million dollars. That leaves ample money, I am sure for this item. It leaves $5,000 more than the appropriation for 1941 and $335,000 more than the appropriation for 1944.

Mr. KEEFE. Mr. Chairman, I rise in opposition to the amendment.

The effect of the amendment offered by the gentleman from Illinois [Mr. CHURCH] would be to further reduce the amount below the amount suggested by the committee $1,015,100. If you will read the report, you will observe that the report itself indicates there was a sharp division on the committee with reference to the appropriation for the National Labor Relations Board. That division is clearly manifested here now. The gentleman from Oklahoma [Mr. SCHWABE] wanted to give them no appropriation at all. The gentleman from Illinois [Mr. CHURCH] wanted to cut it another million dollars. The strident, bold, bad chairman of the committee had to step into the situation when the vote was taken in order to get for the National Labor Relations Board the amount of money carried in this estimate. I think also the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

I do not see how we can expect to consider the amendment that has just been offered or the amendment that has been offered by the gentleman from Oklahoma [Mr. SCHWABE]. We cannot legislate on an appropriation bill in this manner. Somebody may say, "Well, you just did it. You knocked out the provision for the Division of Labor Standards in the Labor Department." I would fully expect somebody to rise and say that. The difference is just this: The National Labor Relations Board is the creature of the Congress by enactment of organic legislation. It is an act of Congress. I have always taken the position on every one of these bills that it is not the prerogative or the function of the Appropriations Committee to try to emasculate or do away with existing law.

Mr. KEEFE. May I say to the gentleman and my colleagues, who have been so patient during this afternoon, that I hope, with all deference to my friend from Oklahoma [Mr. SCHWABE] and my friend from Illinois [Mr. CHURCH], who have rendered such splendid service on this subcommittee, that both of their proposals will be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. CHURCH].

The amendment was rejected.

The CHAIRMAN. The question recurs upon the amendment offered by the gentleman from Oklahoma [Mr. SCHWABE].

The amendment was rejected.

Mr. ROBERTSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in an effort to intimidate, bulldoze and bully the Congress of the United States into continuing a program of extravagance, duplication and waste the bureaucrats of the Treasury Department and the Customs have launched a campaign of deceit, misrep-

resentation and falsehood to achieve their ends.

Not satisfied to receive $3,500,000 more than they have for 1947, nor to carry out the express intent of the House of Representatives as given in the report which accompanied the Treasury-Post Office appropriation bill, the Bureau of Customs in an effort to obtain publicity for pressure purposes has sent dismissal notices to the most vital personnel in Customs service.

Bureaucrats will hold their jobs and their prerogatives at the risk of encouraging smuggling.

They will dismiss port employees yet spend $259,000 for traveling expenses.

They will dismiss port employees yet spend millions to set up new bureaus in foreign countries.

They will dismiss port employees yet spend $250,000 for telephone calls and telegrams.

They will dismiss port employees yet spend $400,000 to transport household effects of Bureau personnel from place to place, and other transportation items.

They will dismiss port employees yet spend $271,000 to do repair work on buildings and property that will draw construction materials away from the Government housing program.

They will dismiss port employees yet spend $55,000 for an Information Exchange.

They will dismiss port employees yet spend $305,000 for stationery, tires and such automobile accessories, rope, box openers, and such miscellaneous expenses.

They will dismiss port employees yet spend $350,000 to purchase desks, filing cabinets and such trappings of bureaucracy.

They will dismiss port employees yet spend $558,000 to hire temporary day labor and other part-time employees.

They will not carry out the will of Congress to cut down administrative expenses and retain port employees. They were given sufficient money to retain these port employees and to hire a few new ones.

Mr. KEEFE. Mr. Chairman, I do not understand there are any further amendments.

Mr. ROONEY. We have no further amendments on this side.

Mr. KEEFE. Then, Mr. Chairman, then I ask unanimous consent that title IV, title V, and title VI of the bill be considered as read and open to amendment.

Mr. DINGELL. Mr. Chairman, reserving the right to object, and I shall not, this will not preclude me from making a pro forma amendment and taking about 2 minutes, will it?

Mr. KEEFE. No.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. DINGELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, earlier this afternoon I spoke about the ill-advised and unjustified Treasury Department cuts. I referred to the loss of revenues and the sources of loss. I now submit actual samples of tax evaders who might in the future escape detection if the investigative staff of the Bureau of Internal Revenue should be reduced; and I ask unanimous consent that this be made a part of my previous remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TABER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, it is becoming increasingly apparent that there is a Nation-wide plot on the part of bureaucrats, left-wingers, and New Dealers to sabotage the work of the Appropriations Committee. I think the American people should be placed on guard against it.

It is utterly essential if we are to maintain our free enterprise system that the budget be reduced. The American people voted for this reduction on November 5 and the Republican Congress is determined to carry out their mandate.

But an insidious campaign of misrepresentation, deceit, and falsehood is being conducted to the effect that we are scuttling essential public services. It is being applied to the two bills already reported and I am convinced it is to be applied against every bill as it comes up.

A striking case in point is the propaganda that the Customs Service is being forced to discharge members of its ports patrols and throw our ports open to smugglers.

The facts are that this Service was given $3,165,000 more than it had for the current fiscal year. It sought $6,500,000 more. Its original figures were recognized as being padded by both the Treasury and the Budget Bureau.

It can hire at least 400 more employees than it now has and yet it is announcing large reductions in force with the deliberate object of deceiving the people.

Our committee also caught the service in a shocking effort at deceit in the matter of mileage allowances sought.

It so happens that this particular appropriation bill was passed by a unanimous vote of the House.

It is a well-nigh intolerable situation when the bureaucrats, faced with an end of their heyday, use their offices to sabotage a Congress which is struggling to restore sanity to our Government. And I may as well say to them that we Republicans are determined to do our job and if the administrators cannot give efficient service on the appropriations granted, then we manifestly need new administrators.

This particular administrator, instead of being hurt, will have $32,500,000 to spend next year, including $300,000 for telephone calls.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. KEATING. I wonder if the Chairman's attention has been called to the real words which were spoken by Mr. John C. Tulloch, who has been mentioned here today by the gentleman from New York as the collector of the port at Ogdensburg, when he said this:

With 156 Federal agencies in Washington they should forget patronage for a while and economize there instead of taking off the patrols.

Those are the words, Mr. Chairman, of the collector of the port up in Ogdensburg.

Mr. TABER. He should read the bill and be honest with the people and quit playing to the galleries and falsifying everything in connection with this situation.

Mr. GORE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, those of us who have worked with the distinguished gentleman who has just spoken, the chairman of the Appropriations Committee, day in and day out and year in and year out do not doubt for one moment the gentleman's utter sincerity. He started out seriously about this business of economy. His intentions were good. The only obstacle was that the gentleman and other leaders of his party were talking in theory apart from a practical application of their theories or was it promises?

It was very easy for this House to pass a resolution that we were going to reduce $6,000,000,000, but what is the score today? For a goodly number of years the gentleman and his party have been telling the country what they were going to do, what they would do. Well, that easy saddle of pleasant vaticination has become the hard seat of responsibility. The question now is, and in 1948, I assure you, will be—what have you done? What is the score to date? When we vote on this bill today we will have considered a little more than 40 percent and acted upon a little more than 40 percent of the President's budget. With what result? We will have made an actual reduction of less than 1 percent.

Of course, the distinguished gentleman now blames the bureaucrats, as we have just heard. Well, for 9 years here I have heard the woes of the world blamed on the bureaucrats. The bureaucrats did not write these Republican appropriation bills. Forty percent of $37,500,000,000, the President's budget is exactly $15,000,000,000. The Treasury-Post Office bill contained $13,265,000,000 in the budget request. What did we appropriate? We cut it actually $97,000,000. Of course, there was that bogus claim of an $800,000,000 cut in tax refunds, but when you pass this tax bill tomorrow you are not only going to have to reappropriate that $800,000,000, but you will have to add another billion dollars to it to make tax refunds.

What is the score in this bill which appropriates $1,785,000,000? We have heard today a lot about economy cutting of the heads of a few bureaucrats here and there. My distinguished friend from Wisconsin has assumed the role of a martyr to economy, a big bad wolf. The gentleman is really not a big bad wolf, not very.

If you look at the totals in this bill, you will find that, even if you consider that they have cut this hospital item completely out, the cut is only 4½ percent below the budget. Not counting the hospital cut, it is only 1½ percent. I think a Democratic committee might have cut more.

In appropriating 40 percent of the President's budget there has actually

been a reduction of less than 1 percent. If we grant all the claims, the $800,000,000 phony on tax reduction, the $50,000,000 item for hospital construction, which at least two distinguished majority members of this subcommittee, including the chairman, have said was no cut at all—well, is it or is it not—but granting that is a real cut, granting all economy claims, they have cut only a fraction over 6 percent.

What does that mean? We have considered a little more than $15,000,000,000 of the President's budget. This leaves $22,500,000,000 yet to be considered. Of that amount 80 percent is for the Army and the Navy and the veterans. Unless you slash national defense and veterans, where are you going to save your $6,000,000,000? The truth is, you are meeting your responsibilities face to face, and strained though the acquaintance may be, you may as well get acquainted with your responsibilities, and not try to cram an unsound tax reduction down our throats on the theory that great economies are to be effected before we know how much our expenditures will be, before we know what our foreign commitments will be. What's the rush on tax reduction? Mr. Chairman, what are my Republican friends afraid of? Their promises or performances? Or both?

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. GORE. I yield to the gentleman from Illinois.

Mr. OWENS. If what the gentleman says is true, why are we wasting so much time today?

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. GORE. I yield to the gentleman from New York.

Mr. KEATING. Do I understand the gentleman to reply that we have not cut enough?

Mr. GORE. I certainly do, if taxes are to be slashed $3,840,000,000. What did we do to the Post Office Department? You made a smaller cut than the Democratic committee did last year. Where is this vaunted Republican economy drive? It is completely bogged down. What are you going to do about it?

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. GORE. I will always yield to my friend, the distinguished gentleman from New York.

Mr. TABER. Has the gentleman, since he has been on the floor in connection with these bills, offered to cut appropriations?

Mr. GORE. I offered an amendment today to try to correct the finagling in your budget bookkeeping.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. KEEFE. Mr. Chairman, I ask unanimous consent that all debate on this bill and all amendments thereto close in 5 minutes.

Mr. BONNER. I object, Mr. Chairman.

Mr. KEEFE. Mr. Chairman, I move that all debate on this bill and all amendments thereto close in 7 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. BONNER].

Mr. BONNER. Mr. Chairman, the CONGRESSIONAL RECORD for March 10 and 11 in the debate on the Treasury Department and Post Office Appropriation Act contains certain statements concerning the Coast Guard and its administration which cannot be supported by the facts. The unjustified inferences resulting from those statements should be brought into the open and subjected to the clear light of the true facts relating thereto.

Mr. CANFIELD, on page 1875 of the RECORD, states that—

> The Coast Guard is attempting to build itself up into a full and complete replacement for the independent Navy.

The only apparent basis for this remark is that the Coast Guard in its budget for 1948 originally asked for approximately $232,000,000. As we all know, during the wartime period from 1939 through 1945, developments in technical fields, including air transportation and communication, were startlingly rapid. Postwar commercial and military conditions cannot be compared with or brought back to 1939. During the war the Coast Guard played a large, active part in development of facilities for safe sea and air navigation. This year the Coast Guard recognized that the country's need for safe transport was vastly different than before the war.

As is well known, this country has been participating in a Provisional International Civil Aviation Organization in determining requirements, standards, allocation of routes, safety services, and so forth, covering international transport. Also there is an established Air Coordinating Committee comprising the heads of the executive departments concerned, which has an over-all responsibility for this country's program relative to air transport. Both of these agencies have stated to the Treasury Department the need for modern and adequate navigational service and rescue facilities outside the United States. In preparing its budgetary program for the fiscal year 1948, the Coast Guard would have been burying its head in the sand and derelict in its duty if it did not present estimates of the cost of the necessary ships, planes, and stations required to meet the country's needs for safe transport. Estimates were prepared on a considered basis related to the prospective volume of military and commercial sea and air transport and the use of modern technical developments to provide adequate safety. We all have read of many recent instances in which our citizens and our international neighbors, have lost their lives in transport disasters. Were it not for the navigation and rescue facilities, inadequate though they have been, probably many more lives would have been lost. We all know, further, of specific cases in which the Coast Guard can be credited with the saving of lives outside of the continental limits of the United States. The Coast Guard believes, just as you and I do, that these lives are valuable. I do not think that in these terms, the Coast Guard's program can be termed "grandiose."

Whether or not this Congress intends the Coast Guard to provide navigational aids and rescue services beyond continental limits of the United States is, of course, a matter for this Congress to decide. Until the decision has been made in the negative, the Coast Guard should not be scathingly censured for presenting estimates of the cost of such services. In fact, the Coast Guard would have been subject to severe criticism if it did not present such estimates. It is emphasized that the original budget proposal of the Coast Guard was based in every instance on properly carrying out statutory functions, or new functions resulting from developments during the war—functions which other Government agencies requested and urged the Coast Guard to continue—functions which the Coast Guard could not itself determine were unnecessary—functions which have not yet been shown to be unnecessary for the proper continuance of our Government.

Mr. CANFIELD on the same page states:

> Some of my colleagues will, a little later, give you specific examples of the waste, the extravagance, and the grandiose schemes of the Coast Guard.

Despite the great number of words used to censure this service, which has always willingly and efficiently performed all tasks assigned to it, the nearest approach to specific examples of waste are vague statements concerning high ranking officers and a completely unsupportable inference that Coast Guard headquarters is deliberately operated with practically all commissioned officers. It is emphasized that, despite the sweeping derogatory statements about waste and extravagance, not one specific instance attributable to the Coast Guard is cited. Gentlemen, if specific instances had been found, I am sure you will agree that they would have been brought to our attention in no uncertain manner by the gentlemen who saw fit to make these vilifying statements about the Coast Guard.

Mr. CANFIELD further states:

> We hope to cause a reduction in the great and disproportionate numbers of high ranking officers whose rank was created admittedly to keep pace with Navy protocol.

No explanation is given as to how this number of high ranking officers is disproportionate. If reference is made to the second table on page 586 of the hearings it will be seen that the only great disproportion appears in the rank of lieutenant commander. The reason for this, as explained by the table on page 583 of the hearings, is the absorption into the Service of 676 personnel of the former Bureau of Marine Inspection and Navigation, whose duties are such that it is clearly necessary that they have commissioned status, and the position of the great majority of these officers in the former Bureau of Marine Inspection and Navigation was such that it is fair and appropriate that they should have the rank of lieutenant commander or above. This is practically the entire reason for any disproportion as it appears in the break-down of officers by rank at the

present time. Workable plans have been made by the Coast Guard to bring these proportions to whatever Congress decides they should be as soon as possible without injustice to these officers who have, since the beginning of the war, been absorbed into the Coast Guard.

Mr. ROBERTSON on page 1879 states that—

> There would be one officer for every six enlisted men.

No reference is made to the footnote to the table on page 587 of the hearings which makes it clear that if the former Bureau of Marine Inspection and Navigation officers, who admittedly and necessarily work without an enlisted force, were eliminated from the computation the ratio would have been 1 to 8. Furthermore it is to be noted that the figures used include over 700 warrant officers—officers who have been appointed from the ranks. If they were also eliminated, the ratio would be 1 officer to 12 enlisted men. This ratio of commissioned officers to enlisted men is a fair one to compare with similar ratios in other services. The more or less standard ratio in the Navy, for example, has been 1 commissioned officer to 10 enlisted men.

Mr. ROBERTSON on page 1879 further states:

> Captain Richmond, Chief of the Planning and Control Staff, admits that when they have to reduce personnel in the Coast Guard, they let the enlisted men go and keep the admirals.

A careful perusal of the testimony in the hearing reveals that, not only was such a statement not made, but that no statement was made from which such an inference could be drawn. The number of admirals in the Coast Guard today is less than half what it was 2 years ago. During demobilization hundreds of officers in the Coast Guard were reduced in rank, and other hundreds who had been temporarily commissioned from warrant or enlisted status had to revert to their permanent position in the Service. It is clear that any insinuation that the Coast Guard is not striving to achieve a well-balanced workable officer structure which is comparable to that maintained before the war cannot be justified.

Mr. DIRKSEN on page 1927 of the RECORD makes much of the fact that the Coast Guard is asking for three times as many captains and commanders as were in service in 1940, and states:

> Would you not say that the adjective "grandiose" is rather properly applied when an agency reaches out for that kind of an expansion program.

This presents a very simple problem in arithmetic. If you refer to the table on page 579 of the hearings you can readily see that the number of commissioned officers in 1940 has more than quadrupled in 1947, which is the same number as was requested for 1948. Now note, gentlemen, that the Coast Guard is not asking for four times as many captains or four times as many commanders, which the ratio of expansion indicates it should have. It is asking, as Mr. DIRKSEN points out, for only three times as many. I ask you, gentlemen, where is there anything scheming or grandiose about this? Or where is there any evidence of disproportionate numbers of officers in the higher ranks?

Mention was made of the number of flag officers requested. The table on pages 585 and 586 of the hearings shows clearly what the cost of flag officers in the Coast Guard is and will be. The Commandant of the Service is, as he stated in his testimony before the committee, convinced that greater efficiency will result to the Government if flag rank is authorized for each commander of a Coast Guard district and for certain other responsible positions in the service, and that the very small additional expense is well justified. There is no intention on his part to exceed normal percentages for flag officers in a military service, and the Coast Guard will adjust itself accordingly just as soon as an indication of the will of Congress on this matter is expressed in legislation.

Mr. ROBERTSON on page 1879 states:

> In the Commandant's headquarters in Washington there are eight officers for every enlisted man.

Gentlemen, allow me to quote from the appropriation bill itself beginning on the second line of that part of the bill which deals with the Coast Guard:

> *Provided*, That no part of this appropriation shall be used to pay any enlisted man of the Coast Guard while detailed for duty at Coast Guard headquarters if such detail increases above thirty the total number of enlisted men detailed to such duty at any time.

I merely need ask how the administration of this busy agency of the Government is to be carried out at its headquarters unless officers who understand Service functions are brought in to do it. Mr. ROBERTSON did not see fit to point out that his committee provided for some 700 civilians who do the work at headquarters which, to a large extent, could be performed by enlisted men if the Congress had not annually placed a limitation on the number of enlisted men who may be stationed in Washington; this limitation has been repeated annually in the appropriation act for the past 30 years.

Mr. ROBERTSON further states:

> Added altogether we have a sordid story of bureaucratic expansion at its worst.

If there is anything sordid about the expansion of the Coast Guard, it certainly does not appear in the RECORD. Reference is made in the RECORD to Coast Guard air bases and their proximity to Navy air bases. In many instances a Coast Guard air station was the first one in the vicinity; other air stations were established by Congress at later dates; so the proximity to other air stations cannot be attributed to the Coast Guard in all cases. Congress in 1916 provided for the establishment of 10 Coast Guard air stations along the coasts of the United States. Since that time Congress has provided for one additional air station. Nothing can be seen in this history of the growth of the Coast Guard that can be considered unreasonable or "sordid."

In the course of the discussion statements were made to the effect that the Coast Guard was not intended to be a "blue water" organization or to function as a military or naval organization. How can this be reconciled with statutes which require the Coast Guard to conduct the International Ice Patrol, to enforce the Whaling Treaty Act, to provide medical aid to deep-sea fishermen, to remove derelicts on the high seas, and, finally, to enforce all United States laws on the high seas and the navigable waters of the United States. The Coast Guard is, by statute, a part of the land and naval forces at all times, and as such has always been required to maintain its equipment in a state of military readiness to function with the Navy in time of war or in time of national emergency, and this requirement of military readiness must be given constant attention in any training program that the Coast Guard maintains. The record of this Service in World War II bears irrefutable evidence that the Coast Guard was properly trained as a military service, and the wisdom of such training cannot be questioned.

Make no mistake, gentlemen, when you cut the Coast Guard you are cutting one of the national defense forces of the United States; while it is very small in comparison to the Navy, it is an efficient organization which gives military training to thousands of young Americans yearly, and at the same time gives valuable service to the Government; it certainly seems short-sighted to cut this branch of our national defense force on the one hand while we are considering compulsory military training on the other. Why do we not realize that we have a service here that provides military training and useful service to the Government at the same time?

It seems entirely unjustified that a service which functioned throughout the war with the Navy on every ocean in which combat vessels were engaged in operations should be accused of "sordid expansion," "disproportionate numbers of high-ranking officers," "wastes, extravagance, and grandiose schemes," because it is requesting that the internal organization of the service approximate that of the Navy even though it be on a ratio of about one twenty-fifth in size. It appears that the Coast Guard has been severely criticized for requesting that it be given funds to carry out functions which other departments and agencies of the Government believe are necessary, and for requesting that its internal organization be similar to that of other military organizations of the land and naval forces of the United States. It appears to be a most unjust criticism of the Coast Guard to brand its request for approximate equality in officer percentages with the peacetime Navy as unreasonable expansion when it was called upon during the war to serve side by side with that organization and will undoubtedly be called on again in case of any war or national emergency to operate in the same manner.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, hope springs eternal in the human breast, it is said, and it is particularly true in the case of those afflicted with many of the so-called incurable diseases.

I call attention to the fact that there is a little hospital in my home county of Chautauqua located at an elevation of about 1,600 feet that has made perhaps more progress toward the cure of tuberculosis than any other institution known in the country. Of course, they are dealing almost entirely with the application of this drug known as streptomycin.

My purpose in taking the floor is to call to your attention some newspaper articles and to give you some idea of the miraculous—and I use that word advisedly—miraculous work being done there in curing tuberculosis cases that are very far advanced. The Government must provide this streptomycin to help this institution and many others like it which are going to take up this type of study, investigation, and cure.

The articles referred to are as follows:

[From the Buffalo Evening News of January 28, 1947]

REMARKABLE RESULTS OF NEW TUBERCULOSIS TREATMENT EXPLAINED—DOCTORS HERE LEARN OF WORK OF DR. RATHBUN WITH STREPTOMYCIN AT CHAUTAUQUA COUNTY'S SANATORIUM; STILL IN EXPERIMENTAL STAGE

A new hope for combating mankind's terrible scourge, tuberculosis, rests with the miracle drug streptomycin.

This was the word that spread rapidly among Buffalo's medical profession after a demonstration Monday evening of the remarkable results achieved in 4½ months of experimentation by Dr. Walter L. Rathbun at Newton Memorial Hospital at Cassadaga, Chautauqua County's tuberculosis sanatorium.

While it was emphasized that the treatment is still in the experimental stage, the accomplishments have been so impressive as to draw comments of "amazing, miraculous, momentous" from physicians who have worked in the tuberculosis field for half a century and more. Streptomycin is a drug developed from soil fungus.

The results of the treatment were presented in preliminary form by Dr. Timothy C. H. Liang, assistant to Dr. Rathbun (who was unable to attend because of illness), to 20 Buffalo physicians and tuberculosis specialists at a private dinner in the Buffalo Club arranged by Dr. Albert H. Garvin.

FORTY-ONE CASES SHOW IMPROVEMENT

Dr. Liang pointed out that 41 cases have been treated during these 4½ months and all have shown general improvement. In fact, only three cases continue to show the presence of active tubercle bacilli. The others have shown sputum negative, urine negative and generally diminishing tuberculosis.

Most spectacular of the cases described was that of a Navy veteran of World War I, who entered Newton Hospital last September at the point of death. He was suffering from tuberculosis in nearly every part of the body, including the meninges, or covering of the brain. The disease was so widely disseminated that physicians held no hope for his recovery.

He had been in a coma for 19 hours when streptomycin was injected intramuscularly. "He regained consciousness," reported Dr. Liang, "and he is still with us today. He has gained 28 pounds and he is up and around and taking a new interest in life. Now he has shown up negative in three successive tests for tuberculosis bacilli."

REMARKABLE RECOVERIES

In X-ray plate after X-ray plate, Dr. Liang pointed out remarkable improvements from the disease in 1 week, 4 weeks, 2 months. He cited lung cases and grave bone cases, where tissues had healed and bone structures were being restored following the use of streptomycin.

Each patient receives two grams of the drug daily for the first 4 days, Dr. Liang explained. Then for a month he receives one gram daily in two injections. Starting with the second month, the dose is reduced to half a gram daily, depending on the individual patient's conditions.

Difficulties, Dr. Liang pointed out, were the scarcity of the drug; the high price and the inability of the manufacturers to produce uniform quality. Variations in the potency of the streptomycin from lot to lot affected results, he said.

The drug costs $4.80 a gram. While that appears to be extremely high, it is considerably less than the price when the drug first appeared on the market, $20 a gram.

DR. GARVIN VISITED HOSPITAL

Asked about research with streptomycin at the Mayo Clinic in Rochester, Minn., Dr. Liang pointed out that experiments there had been conducted before a dosage of the drug had been established and before manufacturers had developed present methods of achieving purity.

Dr. Garvin, who is president of the Tuberculosis Association of Buffalo and Erie County, Inc., visited the hospital at Cassadaga a week ago and studied the treatment first-hand with Dr. Rathbun, the hospital superintendent. The two have been friends for more than 40 years.

"What I have seen is to me a modern miracle," Dr. Garvin said. "I saw a 9-month-old baby with tuberculosis who was sent down from Jamestown to die. That baby was perfectly normal in 8 days.

"In 40 years of contact with tuberculosis, I've never seen anything like it."

Dr. Nelson G. Russell, chairman of the Advisory Board of Health, reported good results in eight cases receiving the streptomycin treatment at the J. N. Adam Memorial Hospital, Perrysburg, under Dr. Horace Lo Grasso, superintendent.

"I saw an improvement in 1 week in a supposedly hopeless case that would have required many months of treatment without streptomycin," he declared. "This is one of the medical events of our lives."

FINAL PROOF STILL LACKING

One note of caution was sounded by Dr. A. H. Aaron, chairman of the X-ray committee of the Tuberculosis Association of Buffalo and Erie County, Inc. After questioning Dr. Liang, he pointed out to a News reporter that final proof is still lacking that streptomycin actually destroys tubercle bacilli.

The evidence shows, he explained, that the drug inhibits the disease. Whether or not it destroys the bacilli can only be determined by postmortem examination of the tissue, he said.

Dr. Liang, a Chinese doctor who has been working on tuberculosis in this country for several years and has been at Cassadaga 7 months, was accompanied by his wife, Dr. Esther Chang Liang, also a physician, who has been on the staff of the Josephine Goodyear Convalescent Home in Buffalo since last fall but now is working with her husband.

[From the Buffalo Evening News of February 20, 1947]

FORTY-SEVEN PATIENTS GET STREPTOMYCIN AT NEWTON MEMORIAL HOSPITAL

(By Lance Zavitz)

High in the windswept hills of Chautauqua County is a sanatorium on which the eyes of the medical world are focused because of the promising results achieved in the use of streptomycin as a treatment for tuberculosis.

The sanatorium is Newton Memorial Hospital, Chautauqua County's institution for the treatment of this disease, an institution built with funds provided from the estate of Mrs. Elizabeth Mary Newton of Fredonia and maintained by county funds.

A bronze plaque above a fireplace in the reception room reads: "In appreciation of the splendid generosity of Elizabeth Mary Newton of Fredonia, N. Y., who by provision in her will made possible the erection of this group of buildings to be known forever as Newton Memorial Hospital for the treatment of tuberculosis. Dedicated to the memory of her two sons, Albert L. Newton and Henry J. Newton, 1919."

FIVE BUILDINGS IN HOSPITAL

Located atop the ridge which divides the northwestern portion of Chautauqua County from the southeastern district, Newton Memorial Hospital, is 1,600 feet higher than Buffalo and is reached by a swift climb from Cassadaga.

It has accommodations for 185 patients, including 60 children. The hospital consists of five buildings—an administration building, infirmary, and separate buildings for men, women, and children.

In this quiet rural setting, Dr. Walter L. Rathbun, hospital superintendent, assisted by Dr. Timothy C. H. Liang and his wife, Dr. Esther Chang Liang, mission-trained Chinese doctors, is employing one of the newest methods of treating tuberculosis and obtaining results which physicians with long experience in the treatment of the disease to date have termed "marvelous." It is not yet, however, a substitute for the conventional methods employed up to now.

Dr. Liang and his wife are graduates of Chee Loo University, operated in the capital of Shantung Province, China, by the Presbyterian Board of Foreign Missions.

CAME TO UNITED STATES TWO AND ONE-HALF YEARS AGO

Dr. Liang was an associate in medicine at that university and several other medical colleges in China. He came to the United States 2½ years ago and spent a year with Dr. J. Burns Amberson in the Chest Service, Columbia University Division, Bellevue Hospital, and another year on the staff of the State Hospital for Incipient Tuberculosis at Raybrook.

Dr. Albert H. Garvin, president of the Buffalo & Erie County Tuberculosis Association, has been watching the work at Newton Memorial Hospital with close attention. He has been a friend of Dr. Rathbun, head of the hospital, since their graduation from medical school. Both are impressed with Dr. Liang's ability to carry on the experiments. During the war he performed more than 3,000 surgical operations with the Jap-infested jungle for an operating room.

Dr. Esther Liang, generally referred to at the hospital by her maiden name, Dr. Chang, to distinguish her from her husband, has been in the United States only 6 months.

RESULTS WERE SURPRISING

She was resident physician of the Josephine Goodyear Convalescent Home, Williamsville, until a few weeks ago, when she went to Newton Memorial Hospital to aid in the streptomycin work. She is devoting her attention largely to laboratory studies. Dr.

Liang's family is Christian, but Dr. Chang is the first member of her Buddhist family to embrace Christianity.

Decision to try the streptomycin treatment was reached when a Navy veteran was brought to the hospital with tuberculosis in almost every part of his body, including kidneys, lungs, and meninges or brain covering. Dr. Rathbun conferred with Dr. Ralph M. Bruckheimer, Cassadaga health officer and part-time member of the hospital staff, and Dr. Liang. It was decided, in view of the patient's critical condition, that they would be warranted in risking streptomycin treatment. The results were so surprising that its use was extended under the supervision and direction of Dr. Rathbun and Dr. Bruckheimer.

HAD INITIAL DIFFICULTIES

The treatment was started with 41 patients, but is being administered now to 47 patients. It is expected this number will be increased to 60 by the end of next month.

Dr. Rathbun explained that difficulty was experienced at first because the hospital had no funds with which to purchase streptomycin. This difficulty was overcome by the Chautauqua County Tuberculosis & Public Health Association.

The association's executive committee last December 9 voted $5,000 from its Christmas Seal funds to buy streptomycin at Dr. Rathbun's discretion. The appropriation, to which $1,000 has since been added, was to form the basis of a fund to be used only for the purchase of streptomycin for further research and for the treatment of needy patients. The fund is to be known as the Dr. Walter Rathbun Fund, the committee stipulated.

While patients are treated at county expense at Newton Memorial Hospital, the normal county appropriation covers only well-established forms of treatment. Special treatments, such as streptomycin, must be paid for by the patient or from funds provided for that purpose, such as the Dr. Walter Rathbun Fund.

May I inquire of the Chairman whether, as I understand, the Budget Bureau is now considering that very item and that it will come before us in other legislation?

Mr. KEEFE. I may say to the gentleman and to the other Members that no committee of this Congress could possibly be put together which would be more sympathetic to providing funds for further research in the use of streptomycin in tuberculosis than is this committee. The difficulty with the situation is simply that we have given them the funds that are needed for research in the field of tuberculosis. Very late in the hearings the representatives of the National Tuberculosis Society came to my office and presented the situation that confronted them with respect to streptomycin. We discussed the matter in the field, and the Public Health Service is going to submit a budget. When it comes up, this committee will give them the money to carry on this research in the use of streptomycin.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Replying to the gentleman from Tennessee [Mr. GORE], who on the one hand votes for all amendments to appropriation bills and against economy and on the other hand complaints about Republicans not cutting enough, I have this to say, the budget will be balanced. Expenses will be cut, whether you like it or not. We are going to cut taxes, no matter what you say. We are going to keep our campaign pledges. If the Army and Navy budgets need to be cut, our defenses will not be hurt by that cut. We are going to cut expenses wherever necessary. We have the votes and we are going to do exactly as we promised last November—something new after 14 years of the New Deal.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. HENDRICKS].

Mr. HENDRICKS. Mr. Chairman, earlier in the day the gentleman from Pennsylvania [Mr. VAN ZANDT] offered amendments to pages 3, 4, and 5 of the bill to restore to the bill certain funds for the Veterans' Placement Service under the Servicemen's Readjustment Act. By all the acts of this House, we have obligated ourselves to the cause of the servicemen. We should have kept these funds in the bill. I am convinced when this bill goes to the Senate the funds will be put in there. There is no reason why we should not do it here. When we go back into the House I am going to offer a motion to recommit, which I hope will accomplish that purpose.

Mr. KEEFE. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOPE, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H. R. 2700) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1948, and for other purposes, directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. KEEFE. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. HENDRICKS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HENDRICKS. I am opposed to the bill in its present form.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk reads as follows:

Mr. HENDRICKS moves to recommit the bill H. R. 2700 to the Committee on Appropriations, with instructions to report it back forthwith with amendments as follows:

On page 3, lines 3 and 4, strike out lines 3 and 4 and insert "600); $474,950, of which $21,510 shall be for carrying into effect the provisions of title IV (except sec. 602) of the Servicemen's Readjustment Act of 1944, and of which $1,000 is for payment of claims pursuant to part II of the Federal Court Claims Act."

On page 3, strike out line 6 and insert "Department, $2,580,440, of which $88,000 shall be for carrying into effect the provisions of title IV (except sec. 602) of the Servicemen's Readjustment Act of 1944."

Page 3, strike out line 8 and insert the following: "Department, $432,700, of which $50,000 shall be for carrying into effect the provisions of title IV (except sec. 602) of the Servicemen's Readjustment Act of 1944."

Page 5, strike out line 10 and insert the following: "(Public Law 600) $4,372,496 of which $3,472,496 shall."

Mr. KEEFE. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit, offered by the gentleman from Florida [Mr. HENDRICKS].

Mr. HENDRICKS. Mr. Speaker, on that motion I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 170, nays, 211, not voting 51, as follows:

[Roll No. 26]

YEAS—170

Abernethy	Elliott	Kirwan
Albert	Engle, Calif.	Klein
Allen, La.	Evins	Lane
Almond	Fallon	Lanham
Andrews, Ala.	Fisher	Larcade
Angell	Flannagan	Lea
Barden	Fogarty	Lesinski
Bates, Ky.	Folger	Lodge
Battle	Forand	Lucas
Beckworth	Gary	Lusk
Blatnik	Gathings	Lyle
Bloom	Gordon	Lynch
Boggs, La.	Gore	McCormack
Bonner	Gorski	McMillan, S. C.
Brooks	Granger	Madden
Brown, Ga.	Grant, Ala.	Mahon
Bryson	Gregory	Manasco
Buchanan	Hardy	Mansfield,
Burleson	Harless, Ariz.	Mont.
Byrne, N. Y.	Harris	Meade, Md.
Camp	Harrison	Miller, Calif.
Carroll	Hart	Mills
Celler	Havenner	Monroney
Chapman	Hays	Morgan
Chelf	Hébert	Morris
Clark	Hedrick	Morrison
Clements	Heffernan	Murdock
Colmer	Hendricks	Murray, Tenn.
Combs	Hobbs	Norman
Cooley	Huber	Norton
Cooper	Jackson, Wash.	O'Brien
Cox	Jarman	O'Toole
Cravens	Javits	Passman
Crosser	Johnson, Calif.	Patman
D'Alesandro	Johnson, Okla.	Patterson
Davis, Ga.	Jones, Ala.	Peden
Deane	Karsten, Mo.	Peterson
Dingell	Kearney	Pickett
Domengeaux	Kee	Poage
Donohue	Kefauver	Powell
Dorn	Kelley	Preston
Doughton	Kennedy	Price, Ill.
Drewry	Keogh	Priest
Durham	Kilday	Rabin
Eberharter	King	Rains

Ramey
Rankin
Rayburn
Rayfiel
Redden
Richards
Riley
Rogers, Fla.
Rogers, Mass.
Rooney
Sabath
Sadowski
Sasscer
Sheppard
Sikes
Smathers
Somers
Spence
Stanley
Stigler
Teague
Thomas, Tex.
Thomason
Tolleíson
Trimble
Van Zandt
Walter
Wheeler
Whitten
Whittington
Williams
Wilson, Tex.
Winstead
Wood
Worley
Zimmerman

NAYS—211

Allen, Calif.
Allen, Ill.
Andersen, H. Carl
Anderson, Calif.
Andresen, August H.
Andrews, N. Y.
Arends
Arnold
Auchincloss
Bakewell
Banta
Barrett
Beall
Bender
Bennett, Mich.
Bennett, Mo.
Bishop
Blackney
Boggs, Del.
Bolton
Bradley, Calif.
Bradley, Mich.
Bramblett
Brehm
Brophy
Buck
Buffett
Burke
Busbey
Butler
Byrnes, Wis.
Canfield
Carson
Case, N. J.
Case, S. Dak.
Chenoweth
Chiperfield
Church
Clason
Clevenger
Clippinger
Coffin
Cole, Kans.
Cole, Mo.
Cole, N. Y.
Corbett
Cotton
Coudert
Crawford
Crow
Cunningham
Curtis
Dague
Devitt
D'Ewart
Dirksen
Dolliver
Dondero
Ellis
Ellsworth
Elsaesser
Elston
Fellows
Fenton
Fletcher
Foote
Fulton
Gallagher
Gamble
Gavin
Gearhart
Gifford
Gillette
Gillie
Goff
Goodwin
Graham
Griffiths
Gross
Gwinn, N. Y.
Gwynne, Iowa
Hagen
Hale
Hall, Edwin Arthur
Hall, Leonard W.
Halleck
Hand
Harter
Heselton
Hess
Hill
Hinshaw
Hoeven
Hoffman
Holmes
Hope
Horan
Howell
Jenison
Jenkins, Ohio
Jennings
Jensen
Johnson, Ill.
Johnson, Ind.
Jones, Ohio
Jonkman
Kean
Kearns
Keating
Kee
Keefe
Kerr
Kilburn
Knutsen
Kunkel
Landis
Latham
LeCompte
LeFevre
Lemke
Lewis
Love
McConnell
McCowen
McDonough
McDowell
McGarvey
McGregor
McMahon
McMillen, Ill.
MacKinnon
Maloney
Martin, Iowa
Mathews
Meade, Ky.
Merrow
Meyer
Michener
Miller, Conn.
Miller, Md.
Miller, Nebr.
Mitchell
Morton
Muhlenberg
Mundt
Murray, Wis.
Nixon
Nodar
Norblad
O'Hara
Owens
Phillips, Calif.
Phillips, Tenn.
Ploeser
Poulson
Reed, N. Y.
Rees
Reeves
Rich
Rizley
Robertson
Robsion
Rockwell
Rohrbough
Ross
Russell
Sadlak
Sanborn
Sarbacher
Schwabe, Mo.
Schwabe, Okla.
Scoblick
Scott, Hardie
Scott, Hugh D., Jr.
Scrivner
Seely-Brown
Shafer
Short
Simpson, Ill.
Simpson, Pa.
Smathers
Smith, Kans.
Smith, Maine
Smith, Ohio
Smith, Wis.
Snyder
Springer
Stefan
Stevenson
Stockman
Sundstrom
Taber
Taylor
Thomas, N. J.
Tibbott
Towe
Twyman
Vail
Vorys
Vursell
Wadsworth
Weichel
West
Wigglesworth
Wilson, Ind.
Winstead
Wolcott
Wolverton
Woodruff
Youngblood

NOT VOTING—51

Bates, Mass.
Bell
Bland
Boykin
Brown, Ohio
Buckley
Bulwinkle
Cannon
Chadwick
Courtney
Davis, Tenn.
Dawson, Ill.
Dawson, Utah
Delaney
Douglas
Eaton
Engel, Mich.
Feighan
Fernandez
Fuller
Gerlach
Gossett
Grant, Ind.
Harness, Ind.
Hartley
Holifield
Hull
Jackson, Calif.
Jenkins, Pa.
Johnson, Tex.
Jones, N. C.
Jones, Wash.
Judd
Kersten, Wis.
Macy
Mansfield, Tex.
Marcantonio
Mason
Norrell
O'Konski
Pace
Pfeifer
Philbin
Plumley
Price, Fla.
Reed, Ill.
Richlman
Rivers
Smith, Va.
Vinson
Welch

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Vinson for, with Mr. Riehlman against.

Mrs. Douglas for, with Mr. Judd against.

Mr. Philbin for, with Mr. Macy against.

Mr. Price of Florida for, with Mr. Brown of Ohio against.

Mr. Delaney for, with Mr. Gerlach against.

Mr. Marcantonio for, with Mr. Fuller against.

Mr. Holifield for, with Mr. Chadwick against.

Mr. Dawson of Illinois for, with Mr. Hartley against.

Mr. Pfeifer for, with Mr. Jenkins of Pennsylvania against.

Mr. Mansfield of Texas for, with Mr. Eaton against.

Mr. Boykin for, with Mr. Grant of Indiana against.

Mr. Gossett for, with Mr. Jones of Washington against.

Mr. Fernandez for, with Mr. Reed of Illinois against.

General pairs until further notice:

Mr. Bates of Massachusetts with Mr. Davis of Tennessee.

Mr. Plumley with Mr. Feighan.

Mr. Welch with Mr. Johnson of Texas.

Mr. Mason with Mr. Courtney.

Mr. O'Konski with Mr. Buckley.

Mr. Dawson of Utah with Mr. Rivers.

Mr. Jackson of California with Mr. Buckley.

Mr. Hull with Mr. Bulwinkle.

Mr. Engel of Michigan with Mr. Bland.

Mr. WOLVERTON changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. KEEFE. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 342, nays 40, not voting 50, as follows:

[Roll No. 27]

YEAS—342

Abernethy
Allen, Calif.
Allen, Ill.
Allen, La.
Almond
Andersen, H. Carl
Anderson, Calif.
Andresen, August H.
Andrews, Ala.
Andrews, N. Y.
Angell
Arends
Arnold
Auchincloss
Bakewell
Banta
Barden
Barrett
Bates, Ky.
Battle
Beall
Beckworth
Bell
Bender
Bennett, Mich.
Bennett, Mo.
Bishop
Blackney
Boggs, Del.
Boggs, La.
Bolton
Bonner
Boykin
Bradley, Calif.
Bradley, Mich.
Bramblett
Brehm
Brooks
Brophy
Brown, Ga.
Bryson
Buck
Buffett
Burke
Burleson
Busbey
Butler
Byrne, N. Y.
Byrnes, Wis.
Camp
Canfield
Carson
Case, N. J.
Case, S. Dak.
Chapman
Chelf
Chenoweth
Chiperfield
Church
Clark
Clason
Clements
Clevenger
Clippinger
Coffin
Cole, Kans.
Cole, Mo.
Cole, N. Y.
Colmer
Combs
Cooley
Cooper
Corbett
Cotton
Coudert
Cox
Cravens
Crawford
Crosser
Crow
Cunningham
Curtis
Dague
D'Alesandro
Davis, Ga.
Deane
Devitt
D'Ewart
Dingell
Dirksen
Dolliver
Domengeaux
Dondero
Dorn
Doughton
Drewry
Durham
Elliott
Ellis
Ellsworth
Elsaesser
Elston
Engel, Mich.
Engle, Calif.
Evins
Fallon
Fellows
Fenton
Fisher
Flannagan
Fletcher
Folger
Foote
Forand
Fulton
Gallagher
Gamble
Gary
Gathings
Gavin
Gearhart
Gifford
Gillette
Gillie
Goff
Goodwin
Gordon
Gore
Gorski
Graham
Granger
Grant, Ala.
Gregory
Griffiths
Gross
Gwinn, N. Y.
Gwynne, Iowa
Hagen
Hale
Hall, Edwin Arthur
Hall, Leonard W.
Halleck
Hand
Hardy
Harless, Ariz.
Harris
Harrison
Hart
Hartley
Hays
Hébert
Hedrick
Herter
Heselton
Hess
Hill
Hinshaw
Hoeven
Hoffman
Holmes
Hope
Horan
Howell
Jackson, Wash.
Jarman
Javits
Jenison
Jenkins, Ohio
Jennings
Jensen
Johnson, Calif.
Johnson, Ill.
Johnson, Ind.
Jones, Ala.
Jones, Ohio
Jonkman
Kean
Kearney
Kearns
Keating
Kee
Keefe
Kerr
Kilburn
Kilday
King
Knutson
Kunkel
Landis
Lanham
Larcade
Latham
Lea
LeCompte
LeFevre
Lemke
Lewis
Lodge
Love
Lucas
Lyle
McConnell
McCowen
McDonough
McDowell
McGarvey
McGregor
McMahon
McMillan, S. C.
McMillen, Ill.
MacKinnon
Mahon
Maloney
Manasco
Mansfield, Mont.
Martin, Iowa
Mathews
Meade, Ky.
Meade, Md.
Meyer
Michener
Miller, Conn.
Miller, Md.
Miller, Nebr.
Mills
Mitchell
Monroney
Morris
Morrison
Morton
Muhlenberg
Mundt
Murdock
Murray, Tenn.
Murray, Wis.
Nixon
Nodar
Norblad
Norman
O'Brien
O'Hara
Owens
Passman
Patman
Patterson
Peden
Peterson
Phillips, Calif.
Phillips, Tenn.
Pickett
Ploeser
Poage
Potts
Poulson
Preston
Priest
Rains
Ramey
Rankin
Redden
Reed, N. Y.
Rees
Reeves
Rich
Richards
Riley
Rizley
Robertson
Robsion
Rockwell
Rogers, Fla.
Rogers, Mass.
Rohrbough
Ross
Russell
Sadlak
St. George
Sanborn
Sarbacher
Sasscer
Schwabe, Mo.
Schwabe, Okla.
Scoblick
Scott, Hardie
Scott, Hugh D., Jr.
Scrivner
Seely-Brown
Shafer
Sheppard
Short
Sikes
Simpson, Ill.
Simpson, Pa.
Smathers
Smith, Kans.
Smith, Maine
Smith, Wis.
Snyder
Spence
Springer
Stanley
Stefan
Stevenson
Stigler
Stockman
Stratton
Sundstrom
Taber
Talle
Taylor
Teague
Thomas, N. J.
Thomas, Tex.
Thomason
Tibbott
Tolleíson
Towe
Trimble
Twyman
Vail
Van Zandt
Vorys
Vursell
Wadsworth
Walter
Weichel
West
Wheeler
Whitten
Whittington
Wigglesworth
Williams
Wilson, Ind.
Wilson, Tex.
Winstead
Wolcott
Wolverton
Wood
Woodruff
Worley
Youngblood
Zimmerman

NAYS—40

Albert
Blatnik
Bloom
Buchanan
Carroll
Celler
Donohue
Eberharter
Fogarty
Havenner
Heffernan
Hendricks
Hobbs
Huber
Johnson, Okla.
Karsten, Mo.
Kefauver
Kelley
Kennedy
Keogh
Kirwan
Klein
Lane
Lesinski
Lusk
Lynch
McCormack
Madden
Miller, Calif.
Morgan
Norton
O'Toole
Powell
Price, Ill.
Rabin
Rayfiel
Rooney
Sadowski
Smith, Ohio
Somers

NOT VOTING—50

Bates, Mass.
Bland
Brown, Ohio
Buckley
Bulwinkle
Cannon
Chadwick
Courtney
Davis, Tenn.
Dawson, Ill.
Dawson, Utah
Delaney
Douglas
Eaton
Feighan
Fernandez
Fuller
Gerlach
Gossett
Grant, Ind.
Harness, Ind.
Holifield
Hull
Jackson, Calif.
Jenkins, Pa.
Johnson, Tex.
Jones, N. C.
Jones, Wash.
Judd
Kersten, Wis.
Macy
Mansfield, Tex.
Marcantonio

Mason	Philbin	Rivers
Merrow	Plumley	Sabath
Norrell	Price, Fla.	Smith, Va.
O'Konski	Rayburn	Vinson
Pace	Reed, Ill.	Welch
Pfeifer	Riehlman	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Price of Florida for, with Mrs. Douglas against.

Mr. Vinson for, with Mr. Marcantonio against.

Mr. Macy for, with Mr. Sabath against.

Mr. Brown of Ohio for, with Mr. Holifield against.

Mr. Judd for, with Mr. Pfeifer against.

Mr. Chadwick for, with Mr. Delaney against.

Additional general pairs:

Mr. Eaton with Mr. Feighan.

Mr. Fuller with Mr. Dawson of Illinois.

Mr. Harness of Indiana with Mr. Philbin.

Mr. Jenkins of Pennsylvania with Mr. Fernandez.

Mr. Bates of Massachusetts with Mr. Mansfield of Texas.

Mr. Grant of Indiana with Mr. Rivers.

Mr. Jones of Washington with Mr. Johnson of Texas.

Mr. Hull with Mr. Gossett.

Mr. Riehlman with Mr. Davis of Tennessee.

Mr. Reed of Illinois with Mr. Courtney.

Mr. FOGARTY, Mr. BUCHANAN, and Mr. DONOHUE changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. REED of New York asked and was given permission to include in the remarks he made today in Committee of the Whole two newspaper articles.

Mr. FELLOWS asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. WOLVERTON. Mr. Speaker, on yesterday I was granted permission to extend my remarks in the RECORD and include an article entitled "The British Nationalization of Transport Bill." I am informed by the Public Printer that it exceeds two pages in the RECORD and will cost $177.50, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

LEAVE OF ABSENCE

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent that the following Members may be granted leave of absence on account of official business from Thursday afternoon of this week until April 10: Messrs. BRADLEY of Michigan, POTTS, BRADLEY of California, MALONEY, BURKE, BROPHY, BONNER, DOMENGEAUX, KEOGH, PRICE of Florida, and LARCADE.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks in the RECORD and include some figures on job placement.

Mr. BUSBEY asked and was given permission to extend his remarks in the RECORD and include an article from today's Washington News by Frederick Woltman entitled "Red Front Outfit Here Today To Lobby Against Greek Aid."

Mr. PATTERSON asked and was given permission to extend his remarks in the RECORD and include an editorial from the Lakeville Journal.

Mr. CANFIELD asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. ROONEY asked and was given permission to revise and extend the remarks he made in the Committee of the Whole today and include some newspaper editorials.

GENERAL LEAVE TO EXTEND ON H. R. 2700

Mr. ROONEY. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks on the bill H. R. 2700.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to insert in the RECORD an editorial which appeared in the Times-Herald this morning, captioned "Looks like poor economy" and that it may be made part of my remarks regarding the impact of appropriation cuts upon the Customs Service.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOLIFIELD (at the request of Mr. MCCORMACK) was given permission to extend his remarks in the RECORD.

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. GORE] may revise and extend the remarks he made in Committee of the Whole this afternoon, and, if he so desires, to include any other data and material.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. KELLEY asked and was given permission to extend his remarks in the RECORD concerning the United States Employment Service and national security.

SMALL-BUSINESS UNIT IN DEPARTMENT OF JUSTICE MOST WORTH-WHILE STEP

Mr. BLATNIK. Mr. Speaker, the gentleman from Tennessee [Mr. KEFAUVER] has been granted permission to address the House later this afternoon. Due to the lateness of the hour he does not wish to take the time of the House, but I ask unanimous consent that he be permitted to extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KEFAUVER. Mr. Speaker, a short time ago I was much interested in an item appearing in the public press regarding the announcement by the Honorable Tom C. Clark, Attorney General, of the reestablishment of a Small-Business Unit in the Antitrust Division of the Department of Justice. This announcement followed very closely upon the President's address to the Congress on the State of the Nation. Members of the Congress will recall that second on the list of President Truman's major economic policies which he believed the Government should pursue during 1947 was "restriction of monopoly and unfair business practices, assistance to small business, and the promotion of the free competitive system of private enterprise."

On inquiry, I am informed that the reestablishment of the Small Business Unit was designed for the dual purpose of conforming with this declared policy of the President and of meeting the increasing demands from small businessmen upon the Department of Justice for relief against existing conditions throughout industry.

ATTORNEY GENERAL CLARK COMMENDED

Many of my colleagues here in the House may recall that in the early years of the war, the Small Business section of the Department of Justice received commendation from the Members of Congress in both House and Senate, for the effective work that that section was doing on behalf of this great segment of American enterprise, commonly called Small Business. It was the thought of the Antitrust Division that after the war was over and the various regulations and controls were lifted by the elimination of the various war agencies, the difficulties confronting small business would be largely eliminated. This has not, however, proved to be the case. Consequently, Attorney General Clark and Assistant Attorney General Berge, in charge of the Antitrust Division, have felt the necessity for the reestablishment of a unit devoted exclusively to ministering to the needs of those who feel the pinch of concentrated wealth and power.

The Antitrust Division necessarily has on its staff men whose extensive service has given them a broad understanding of the workings not only of business but also of the various departments and agencies of Government. The entire work of the Antitrust Division is devoted to the study and understanding of problems of business. Its sole reason for being is to protect business against monopoly, restraints of trade, and other unfair business practices. Members of the Antitrust Division, therefore, are singularly aware of the many types of difficulties with which a small business may be faced. They are unusually equipped to work out a solution to a small businessman's difficulties and to work it out with as little delay as possible.

WILL NOT DUPLICATE WORK OF OTHER AGENCIES

I am familiar with the work on behalf of small business which is being conducted by other departments and agencies of Government. I am familiar, too, with the suggestion that has been made

that perhaps the work of the Small Business Unit of the Department of Justice duplicates or overlaps the activities of these other agencies. A study of their respective activities, however, convinces me that this is not the case. In fact, no other agency is equipped, or could be expected, to render the type of service offered by the Antitrust Division because such a service is distinctly a part of that Division's function of enforcing the antitrust laws.

Most of the complaints of small businessmen which reach the attention of the Small Business Unit of the Department of Justice involve situations which, if uncorrected, would ripen into major antitrust violations. By looking into these situations as they arise and by nipping them in the bud the Department of Justice is actually saving the taxpayers a considerable amount of money which would otherwise have to be spent in instituting antitrust suits. For this reason the Small Business Unit seems to me to effect an economy which should receive the support of the House.

ENFORCEMENT OF ANTITRUST LAWS PAYS DIVIDENDS

We hear much in these days of governmental economy. It seems to me that no one can quarrel with the fact that a very conscientious effort must be made on the part of all in the Government to reduce expenditures in the maximum amount consistent with the national policy as determined by the Congress.

Nevertheless, when we are dealing with law enforcement it seems to me that economy must be subservient to the public interest in obtaining respect and obedience to law. This policy is particularly true in the case of enforcing a law of such paramount importance as that of the Sherman Antitrust Act. Chief Justice Hughes, whom we should remember was the Republican nominee for the Presidency in 1916 and Chief Justice of the United States, called the Sherman Act the American businessman's charter of freedom. No effort should be spared to protect the charter.

I suppose that there are some who advocate a reduction in the budget for the enforcement of the antitrust laws who do so because they do not believe in those laws. I daresay, however, that the vast majority are simply unaware of the consequences of cutting. It certainly is not true that by effecting a reduction of 10 or 20 percent in appropriations for antitrust enforcement that you will be squeezing out the water. In antitrust enforcement we get only what we pay for. The effectiveness of the law is in direct proportion to the amount of funds for enforcement that we vote.

Without hesitation many of us have willingly voted sums that are astronomical as compared with the $2,500,000 requested for antitrust enforcement in the coming fiscal year. These sums have been appropriated for what, I am sure, are very worthy projects such as land reclamation, conservation of national resources, bridge building, care of Alaskan Indians and all the countless other services that we conceive to be the duty of the Federal Government. But of what avail are expenditures for these worthy purposes if we are to neglect the guiding principle upon which our entire economic life is based: the preservation and promotion of free competitive enterprise.

I shall not attempt to recite the extent and degree to which concentration of economic power in this country has increased nor the added momentum which it received as a result of the war effort. These facts have been set forth in innumerable reports during the past 6 or 8 years. Notable are the studies of the Temporary National Economic Committee and, more recently, the report of the Smaller War Plants Corporation to the Senate Committee on Small Business entitled, "Economic Concentration of Word War II" and, finally, the Staff Report to the Monopoly Subcommittee of the House Committee on Small Business. The record is perfectly clear.

At the same time, an optimistic note is introduced by reason of the recent increase in the number of small businesses. If these businesses are to survive we must have adequate antitrust enforcement. In addition, we must render positive assistance to small business.

In a limited way the Antitrust Division of the Department of Justice is attempting to do its part through the Small Business Unit. I am told that the total number of the men on the staff of that Unit is six. Its recent reestablishment is a good omen. It should receive the support of the entire Congress.

RELIEF FOR GREECE

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to address the House at this time for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BLATNIK. Mr. Speaker, I have today introduced a joint resolution which would provide the relief which the people of Greece so urgently need, and at the same time preserve the integrity and prestige of the United Nations.

I am most certainly in favor of relief for Greece, and there can be no doubt that a most unhealthy political and economic situation exists in Greece today. No one can read the recent report of the United Nations Food and Agricultural Organization without being acutely aware of the suffering of the Greek people. Funds for food, clothing, and for the rehabilitation of her war-torn economy must be forthcoming. In fact, relief should be given to the hungry peoples in many parts of the world—in Italy, Poland, China, Hungary, Yugoslavia, as well as Greece. The United States, the richest country in the world, has a Christian duty to provide a large share of this relief.

At the same time, the United States has other obligations. We are a member of the United Nations, and that Organization was created under the leadership of the immortal Franklin D. Roosevelt—it was nurtured by his dying breath. The Government of the United States has the sacred obligation of working within the framework of the United Nations in solving international political and economic problems which fall within its jurisdiction. If the United Nations is weak, we have the duty of helping make it strong. If the UN does not work effectively, we have the duty of helping streamline it and making it function properly. We have the responsibility of protecting it and building it up as an instrument of peace. Above all, we have the moral obligation of refraining from taking any action which would tend to weaken it.

The United Nations was created to prevent war and aggression, and to lay a firm foundation for world peace. As an instrument of peace it reflects the hopes and aspirations of all humanity. I well remember how elated my Army buddies and I were when the delegates at the San Francisco Conference agreed upon and signed the United Nations Charter. We believed that at last we were going to be allowed to lay away our uniforms forever.

Now we see the entire United Nations structure in the greatest jeopardy. The House Committee on Foreign Affairs is now considering a bill, H. R. 2616, which would provide military and economic aid to Greece and Turkey without consultation with the United Nations. It will, if it is adopted, mean unilateral action on the part of the United States and complete bypassing and ignoring of the United Nations. This bill is based upon the assumption that the Greek problem is an American problem only, when in fact it is a world problem. As a world problem, it falls squarely within the jurisdiction of the United Nations.

My chief objection to the provisions of this bill is the probable effect it would have upon the future of the United Nations. In my opinion, this effort to bypass the international organization is a cruel blow to its prestige, and is taking the heart out of its high aims. We will, if we pass such a bill, be setting a dangerous precedent for future unilateral action by the United States and other great powers. Walter Lippmann pointed this out in the March 22, 1947, issue of the Washington Post when he said:

> If the pattern of our conduct in this affair becomes a precedent we shall have cut a hole in the Charter which it will be very difficult to repair. * * * Suppose that in Greece later, or in some other wracked and hungry land, there comes into power by elections a government of the extreme left. * * * What happens then is that government calls upon the Soviet Union for aid, asks it to equip and train its armies, to supervise its budget, to plan and direct its economy. What under the "Truman doctrine" do we do if the Soviet Government says that there is an emergency, that it has been invited to intervene, that the United Nations is not in a position to extend the kind of help required?

Let us not forget that it was unilateral actions on the part of the great powers which weakened the League of Nations, and eventually destroyed it. In my opinion, the inevitable consequences of such a policy will not only undermine the whole structure of the United Nations, but will divide the world into two hostile camps and destroy the very foundations upon which the nations of the world are attempting to build a stable and enduring peace.

On the other hand, international action in solving the Greek crisis will have

the effect of strengthening the United Nations. It seems to me that it is time for the Congress to stop and weigh carefully the consequences of the Truman doctrine. I, for one, believe that relief which Greece so sorely needs should be administered by a United Nations mission such as has been proposed in the report of the United Nations Food and Agricultural Organization. I insist that if there are border violations of Greek territory, or if Greece is in danger from outside, then it is the duty of the Security Council to protect Greece. I am also of the opinion that if the real issue in the Greek crisis turns out to be not Russian expansion, but the oil of the Middle East, then the United Nations should expose this hoax. If Greece is in danger, let the United Nations tell us the facts and recommend action to be taken. Let the United States follow such recommendations. Let the United States give aid to Greece through consultation and agreement with other members of the United Nations, and let them share in the project and shoulder some of the responsibility.

The bill which I have introduced contains the following major provisions:

First. The Government of the United States is requested to take immediate steps toward calling an emergency session of the Security Council to cope with the dangerous and explosive situation in Greece, Turkey, Palestine, and the entire Middle East.

Second, it would authorize a contribution by the United States of $250,000,000 for Greek relief and rehabilitation. This money would go into an international fund for Greece, with recommendations that other states should also contribute according to quotas fixed by the UN. Pending the creation of this fund, an advance of $100,000,000 by the RFC is authorized.

And, third, the bill would provide for United Nations supervision of the distribution of all supplies in Greece. The distribution would be administered by appropriate international agencies under the control of the Secretary General. Such supplies would be made available to Greece on the condition that they be used without discrimination on account of race, creed, or political belief, and providing that the press and radio would be permitted to observe and report fully regarding the distribution of all supplies.

I am convinced that this is the only logical approach to the problem of Greece, the Near East, or any other international problem of similar nature. Such a bill would provide relief for Greece and at the same time protect and strengthen the United Nations. It will also eliminate any doubts and fears as to the motives of the United States. I do not want it to be said 20 years from now that the United States contributed to the destruction of the United Nations.

The Congress has a great decision to make. We must decide whether our foreign policy is to be based upon the principles of the United Nations, the good-neighbor policy, and the ideals of Franklin Roosevelt, or whether we are to follow the unilateral road of power politics which may eventually lead to war. America must choose between the internationalism of Wendell Willkie and Franklin Roosevelt and the short-sighted nationalism contained in the bill now being considered by the Committee on Foreign Affairs.

I realize that it is becoming increasingly unpopular to believe in the ideals of our late President, or to suggest that his path was the right one. But I now want to go on record before the Congress as standing with Franklin Delano Roosevelt when he said:

> The structure of world peace cannot be the work of one man or one party or one nation. It cannot be an American peace or a British or Russian or Chinese peace. It cannot be a peace of large nations nor of small nations. It must be a peace which rests on the cooperative effort of the whole world.

I fear that the dream of the United Nations is fading fast. It is with the hope of saving it, and the Roosevelt ideal of world peace, that I submit this joint resolution for consideration by the Congress.

PRELIMINARY DRAFT OF JOINT RESOLUTION

Whereas the postwar adjustment in the Near East and Middle East areas has given rise to a number of interrelated situations which endanger the peace and foster suspicion and distrust among members of the United Nations, including armed conflicts in Greece and Palestine, disputes over the control of the Dardanelles, and problems of access by the various nations of the world to the critical oil resources of these areas on an equitable basis; and

Whereas the people of the United States have renounced war and the use of armed force in the solution of international disputes and have joined with other peace-loving nations in the United Nations in order to promote and secure the peace through international cooperation; and

Whereas there is and will be hunger, privation, and suffering in Greece if assistance is not promptly provided, and the Government of the United States desires to assist in the furnishing of such assistance to Greece for humanitarian reasons and in order to promote international well-being; and

Whereas administration of such assistance by the United Nations will promote international confidence and minimize suspicion and conflict among the nations: Therefore be it

Resolved, etc., That (a) the United States shall initiate a request for an emergency meeting of the General Assembly of the United Nations to consider, investigate, and take appropriate action looking toward the resolution of those situations in the Near East and Middle East areas which are endangering the peace, and (b) United States representatives at the several constituent organizations of the United Nations now in session request such organizations as have jurisdiction over any of the aforesaid situations to expedite consideration and action upon such situations pending the convening of the emergency meeting of the General Assembly.

SEC. 2. The United States representatives at the appropriate constituent organizations of the United Nations are hereby authorized and directed to initiate proposals looking toward the establishment of a fund for the relief and rehabilitation of Greece in accordance with the following terms and provisions:

(a) The said fund shall be subscribed by voluntary contributions of the member nations (but the United Nations may recommend to the member nations quotas based on equitable considerations);

(b) The said fund shall be controlled and administered by appropriate organizations and officials of the United Nations;

(c) The said fund shall be used only for the provision of supplies for the relief and rehabilitation of the civilian economy of Greece (including incidental administrative, transportation, technical, and other necessary services); but no part of said fund shall be used for the provision of military material, supplies, or services;

(d) No assistance shall be provided through this fund unless the Greek Government has given assurance satisfactory to the Secretary General of the United Nations that: (1) The supplies made available under this fund as well as similar supplies made available locally will be distributed among the people of Greece without discrimination as to race, creed, or political belief; (2) representatives of the United Nations and of the governments which have contributed to the said fund and representatives of the press and radio of the countries which have contributed to said fund will be permitted to observe freely and report fully regarding the distribution and use of said supplies; and (3) upon request of the Secretary General of the United Nations the Greek Government will furnish promptly information concerning the production, distribution, importation, and exportation of any supplies which affect the relief and rehabilitation needs of Greece.

(e) The Secretary General of the United Nations or the appropriate organizations of the United Nations shall submit quarterly to the nations contributing to the said fund reports of expenditures and activities pursuant to said fund.

SEC. 3. There is hereby authorized to be appropriated to the President upon the establishment of the fund described in section 2, a sum of not exceeding $250,000,000 to provide the United States contribution to such fund. Any advances made by the Reconstruction Finance Corporation pursuant to section 4 shall be charged against any appropriation made under this authorization and shall be repaid to the Reconstruction Finance Corporation.

SEC. 4. Pending the establishment of the fund described in section 2, and notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed until such time as an appropriation is made pursuant to section 3 to make an advance of $100,000,000 to the President for the purpose of providing supplies for the relief and rehabilitation of Greece. The administration of such relief and rehabilitation shall be carried out by appropriate organizations of the United Nations. For this purpose the President shall transfer the aforesaid advance to the Secretary General of the United Nations or to such constituent organizations as the Secretary General may direct, in such amounts as the President shall determine to be appropriate, upon the receipt of assurance satisfactory to the President that the terms and conditions specified in subsections (c), (d), and (e) of section 2 will be complied with.

SEC. 5. The authority of the President under sections 3 and 4 may, to the extent the President so directs, be exercised by the Secretary of State.

(Mr. BLATNIK asked and was given permission to revise and extend his remarks and include the text of a resolution which he introduced today.)

JURISDICTION OF THE COURTS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 2157, entitled "An act to define and limit the jurisdiction of the courts to regulate actions arising under certain laws of the United States, and for other purposes," with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. McCORMACK. Mr. Speaker, I reserve the right to object.

Mr. MICHENER. Mr. Speaker, I have cleared this through the majority leader and the minority leader. The distinguished gentleman from Texas [Mr. RAYBURN], the minority leader, does not happen to be in the Chamber at the moment, but he spoke to me as well as to the Speaker of the House.

The SPEAKER. The Chair might advise the House that the minority leader advised the Chair that he was agreeable to this procedure.

Mr. McCORMACK. Mr. Speaker, I know the gentleman from Michigan had cleared this matter with the majority and minority leaders. I want him to know that I have such confidence in him that if he had not done so, but assured me that this was the course of action to take, I would have acceded to his request.

The SPEAKER. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. MICHENER, GWYNNE of Iowa, GOODWIN, CELLER, and WALTER.

ECONOMY IN GOVERNMENT

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CANFIELD. Mr. Speaker, the gentleman from Michigan [Mr. DINGELL] just received unanimous consent to insert in the RECORD an editorial appearing in a Washington newspaper today. I wish to make the observation that all the money figures quoted in that editorial are in error with the exception of one.

THE CONSUMER IS THE MOST IMPORTANT FACTOR IN ANY FOOD PROBLEM

Mr. JENKINS of Ohio. Mr. Speaker, for the past several years a group of Republican Congressmen has been conducting an independent study and investigation of the food and agricultural situation in the United States. As early as the Seventy-eighth Congress the value of the work this group was doing was recognized by the Republican leadership of the House, and it was designated the Republican Congressional Food Study Committee. To me fell the honor—and with it, may I say, many hours and weeks of hard labor—of being made chairman of that committee.

Since its inception that group, whose membership is almost equally divided between representatives of consumer and producer districts, has been the outstanding public exponent of the doctrine of full and unrestricted production of food commodities as the answer to not only wartime shortages but to the long-range welfare of American agriculture and health and happiness of the people of this Nation. At times it seemed that this committee was the only exponent of this sound and humanitarian doctrine.

Time after time the committee has denounced as unwise, unworkable, and inherently evil the economy of scarcity in food production which was foisted on this country by Henry Wallace and his cohorts and which has remained even throughout the war years the greatest single reason for the scarcities of sugar, meat, fats, and oils, and other basic commodities which have plagued the American housewives.

The committee has not confined itself to mere criticisms of the fallacious policy of reducing food production so as to maintain a high price for that which was grown. It has taken the constructive viewpoint that some better answer than limitation of production could and must be found. After studying the situation the committee reached the conclusion that underconsumption, not overproduction, was the basis of our agricultural difficulties. As a result of its studies, the committee prepared a bill expressing in legislative form the philosophy of abundant production. The purpose of this bill was to establish a philosophy of abundance as a national policy and to create in the Department of Agriculture as a separate and distinct unit an organization which should devote its entire time and attention to the problem of the scientific development of processing, marketing, and distribution of food and agricultural products.

This legislation was introduced in the House on March 28, 1946, by Representative CLIFFORD HOPE, a member of this committee, and then the ranking minority member of the House Committee on Agriculture. To Members of Congress, Republicans and Democrats alike, who had long studied this problem, this bill appeared to be the answer for which they had been looking. The goal it sought to attain was the goal toward which the special marketing committee of the House Committee on Agriculture also had been working for 2 years. The result was that the combined products and findings of these two committees, and of the many independent studies which had been made by individual Members of Congress and different organizations, were combined into the Hope-Flannagan bill of the Seventy-ninth Congress, which was reported favorably by the Committee on Agriculture and adopted unanimously by both the Senate and the House of Representatives. Following the adoption Congressman FLANNAGAN, then chairman of the House Committee on Agriculture, predicted that it would "accomplish more for American agriculture than any other piece of legislation ever enacted."

The policies and intent of that legislation, which is now Public Law 733, are plain. It authorizes and directs the Secretary of Agriculture to set up and establish within the Department of Agriculture a special, semi-independent unit or branch for the purpose of servicing and developing the private marketing system in the United States. This Department was also to perfect and carry out plans to apply scientific research to food and agriculture utilization as it has in the past been applied to agricultural production. A fundamental and very important function of this Department would be to improve the nutritional level of the people of the United States and to develop new and wider markets for the agricultural products of this country. Into this bureau or branch were to be concentrated all the functions and activities of the Department relating to marketing, research, development, regulation, and servicing.

From time to time since the enactment of this law and its approval by the President, I have had occasion to point out on the floor of this House and to the Republican membership of the House in the Food Study Committee's bulletins which were sent to them regularly during the recent recess of Congress, that the Department of Agriculture did not appear to be moving to carry out the intent of this legislation as rapidly and as willingly as many of us thought should be done; nor indeed as willingly as the Department's spokesmen indicated would be done when hearings were held on the bill by the Committee on Agriculture.

Strange as it may seem to Members of Congress, who after years of full personal experience with it have almost unanimously come to the conclusion that the doctrine of scarcity is a failure, there are still within the Department of Agriculture a sizable and an important group of officials who cling tenaciously to the theory of acreage and production restrictions, and seem unwilling to accept the enacted policy of Congress that the welfare of the people of this country is to be promoted best by a scientific increase in food consumption rather than by a dictatorial decrease in food production.

These officials are important enough in the Department both in numbers and in the positions they occupy to have succeeded thus far in completely avoiding the establishment of a marketing research branch and program in the Department pursuant to Public Law 733, and have effectively nullified the declared policy and intention of the Congress.

It is now 7 months since Public Law 733 was approved by the President. Even prior to its approval, in the months when it was being considered by the Congress and during which the hearings were being held, the Department knew that its adoption was almost certain, it expressed its willingness and desire to work with the Congress in effectuating the policies of the legislation, and it had those several months within which to begin to put into operation the plan for carrying out this legislation. In spite of the time that has elapsed, the Department of Agriculture has not as yet taken one single constructive step toward realining its own organization in keeping with the announced intent and principle of this legislation. Such marketing functions as the Department now has are scattered willy-nilly and without rhyme or reason throughout its various planning, production, and action units. No separate branch or unit can take the lead and the responsibility for establishing a marketing research, servicing, and regulating organization, and such has not as yet been established in the Department; nor are there any present plans for the establishing of such a unit.

It is becoming increasingly clear that the Wallace disciples favoring restriction of production are still sufficiently in con-

trol of the Department of Agriculture to dictate the policies of that important branch of the Federal Government. It is also increasingly clear that the Department of Agriculture, as now constituted, has no intention of carrying out or putting into effect the clear intent of Congress as expressed in the Hope-Flannagan Marketing Research Act, Public Law 733, Seventy-ninth Congress.

I am advised that the Department of Agriculture has now under consideration or soon to be considered by the Committee on Appropriations a request for several millions of dollars of appropriations to be expended on some of its pet projects which it believes it will be able to bring in under the authorization of Public Law 733.

I hope my esteemed colleagues on the Committee on Appropriations and the Members of the House who voted for the Hope-Flannagan bill with such high hopes for the benefit it was to confer on the country, will agree with me that not one single cent of the funds authorized in that act should be appropriated to the Department of Agriculture until it has put into operation clearly, willingly and effectively the kind of organization and the policies which the Congress enunciated in that law.

There are some valuable marketing research programs now under way in one or two branches of the department—particularly in the fields of the transportation, storage, and wholesale marketing of perishable commodities. Money should be appropriated to continue and even to expand these valuable activities.

But as to the bulk of funds for the establishment and operation of the great marketing research agency, an organization of which Members of Congress and the soundest agricultural thinkers of this country have been dreaming for years—let us say to the schemers in the Department of Agriculture, "Gentlemen, the Congress has outlined for you the blueprints of an economy of plenty for this country. It has told you as explicitly as it knows how exactly what it wants you to do and how it wants you to go about doing it. You have responded with delays and evasions—with words that signify nothing. The task before you is of such transcendent importance to the people of America that we believe it is better not started at all than started in a manner that foredooms it to frustration, disappointment, and failure. Until you condescend to put into effect the law Congress has written we will give you not one cent of money to squander on another of your semiannual reorganizations of your interlocking bureaus and branches."

The Department may claim that it cannot set up the organization before it receives an appropriation, but this claim is without merit. There are already in existence in the Department marketing, research, and servicing and regulatory activities which are now spending annually some $10,000,000, and which can and should be transferred immediately to this new semi-independent marketing, research, and development branch. These functions and activities could and should form the nucleus of the new marketing-research program directed by the Congress. The administrative set-up could be completed for all immediate purposes by the appointment of one competent, outstanding man to head the new bureau and bring together under his guidance the counsel and cooperation of all Federal, State, and private organizations engaged in this tremendously important program.

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. BENDER] is recognized for 10 minutes.

QUESTIONS TO OUR STATE DEPARTMENT

Mr. BENDER. Mr. Speaker, I note from the newspapers that our Navy is sending some of its ships to the Dardanelles. Why is the Navy sending these ships to the Dardanelles now? Secretary of State Marshall, one of the great military strategists of all times, is now sitting in Moscow in a peace conference, and our Navy Department sees fit to send ships—battleships, aircraft carriers—down to the Dardanelles. How do you suppose that situation looks to the Russians? I remember so well when the Japanese Ambassador was here in Washington in December 1941, supposedly negotiating a peace with Secretary of State Hull at the same time that Japanese aircraft carriers were closing in on Pearl Harbor. Mr. Speaker, the right to declare war resides in the Congress of the United States, and the time has come for Congress to tell our War and Navy Departments and our President, Mr. Truman, that only the Congress has that power. I personally do not like and I resent the waste involved for the American taxpayer for these belligerent, nonsensical, foolish displays of military power in the Mediterranean when we have a perfectly competent Secretary of State in Moscow. Mr. Marshall does not need a Navy to be running around loose in the Mediterranean in order to back up his points.

One of the things that troubles me, Mr. Speaker, about our President's request is the provision that he be permitted at his discretion to send military advisers and personnel to Greece and Turkey. Mr. Speaker, the President himself in this Chamber stated that Greece is one aspect of the global situation. If we agree to grant the President the power to send an American military mission to Greece and Turkey, are we not also by implication committing ourselves to grant similar power to the President to send military personnel to any country in the world which requests it?

Mr. Speaker, let us consider that thought just a little bit. If our President obtains the power to send a military staff anywhere in the world—to intervene in any civil conflict anywhere in the world or to bolster up some rotten, corrupt government by force of American arms anywhere in the world—have we not in effect transferred the power to declare war from the Congress of the United States to the President of the United States? I ask this House to analyze what is involved in the grant of military powers that the President has requested. Do our Army and Navy now consider that the whole world has turned into another Central America and that they can intervene as we did in the twenties in the international affairs of every nation everywhere in the world with our armed forces? Constitutionally, is this a valid grant of powers to the President? Suppose that 5 months from now the Government of Iran requests that we send in 50,000 American troops. Suppose that 1 year from now the British ask us to send a quarter of a million men to India. Suppose, Mr. Speaker, that the Chinese Government 1 year from now asks us to send a half-million men to China. Suppose, Mr. Speaker, that the President of the United States and our Chiefs of Staff determine that they have the authority to send our men anywhere that they choose throughout the world—what kind of situation are we in? I want to know before I vote on the request of the President what exactly is involved in this extraordinary request for authority from the Congress to send military advisers and personnel.

I know that the request states that our men are to be advisers—nothing but advisers. But what is advice? Why cannot the advice be given here in Washington? Why do our military men have to be in Greece in order to advise the Greek Government? Does advice cover the practical fact that our military men expect to plan, direct, and give orders for the operation of the present Greek Army in the civil war now raging in that nation? I want to know what in actual fact is intended under the word advice, and the Members of this House, I believe, want to know whether the President of the United States expects that we will grant authority to him to send military advisers anywhere in the world that he sees fit to send them.

Mr. Speaker, if we send advisers, and the advisers then inform our Chiefs of Staff that the present Greek Army is politically unreliable and that American troops are needed, what do we then do? After all, the British are now maintaining 10,000 troops in Greece, and previously have been maintaining more men. What have the British casualties been in the present civil war in Greece? I think that the Congress has a right to know what the British casualties have been up to now in Greece. How many casualties—American casualties—can we budget for the next 2 years in Greece? If some Ohio boy is killed on a military mission in Greece, I want to be able to tell his mother why Congress voted to send him there. So far, I do not believe that any American mother will be satisfied with the explanation that we had to sustain a corrupt, venal, undemocratic Greek monarch in order to keep the Greek people from turning to communism. I do not think that the answer that the British said it was important for us to do it will satisfy anyone who loses his son in Greece. Frankly, the American people understand why hungry people should be fed, why naked people should be clothed. They are ready to support appropriations for relief, but they are not ready to commit themselves to another world-wide war to protect the British Empire, to maintain monarchy, to bribe every scoundrel throughout the

world to keep screaming against communism.

Mr. Speaker, I submit here on the floor of the House these questions to our State Department:

First. What do the words "adviser" and "advice" cover?

Second. Will our advisers direct the activities of the Greek Army?

Third. What have been the British casualties in Greece in the last 2 years?

Fourth. If we grant this power requested by the President, do we by implication grant authority to send American military missions anywhere in the world at the discretion of the President?

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. DAVIS of Tennessee (at the request of Mr. PRIEST), for the balance of this week, on account of official business.

To Mrs. DOUGLAS (at the request of Mr. MCCORMACK), for Tuesday, March 25, on account of illness.

SENATE BILLS AND A JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 736. An act authorizing the Commissioners of the District of Columbia to establish daylight saving time in the District of Columbia during 1947; to the Committee on the District of Columbia.

S. 874. An act to authorize the President to appoint Lt. Comdr. Paul A. Smith as alternate representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, and as representative of the United States to the Air Navigation Committee of the Provisional International Civil Aviation Organization, without affecting his status and perquisites as an officer of the Coast and Geodetic Survey; to the Committee on Merchant Marine and Fisheries.

S. 875. An act to authorize the President to appoint Maj. Gen. Laurence S. Kuter as representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, without affecting his military status and perquisites; to the Committee on Armed Services.

S. 918. An act to establish an Office of Selective Service Records to liquidate the Selective Service System following the termination of its functions on March 31, 1947, and to preserve and service the Selective Service records, and for other purposes; to the Committee on Armed Services.

S. J. Res. 86. Joint resolution to authorize Herschel V. Johnson, deputy representative of the United States to the Security Council of the United Nations, to be reappointed to the Foreign Service; to the Committee on Foreign Affairs.

SENATE JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S. J. Res. 27. Joint resolution amending the Settlement of Mexican Claims Act of 1942 to provide for the consideration of any claim decided by the General Claims Commission in which the United States filed a petition for rehearing.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 48 minutes p. m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 26, 1947, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

487. A letter from the Secretary of the Navy, transmitting a list of institutions and organizations, nonprofit and eligible, who have requested donations from the Navy Department under the provisions of section 2 of Public Law 649 (79th Cong., 2d sess.), approved August 7, 1946; to the Committee on Armed Services.

488. A letter from the Comptroller General of the United States, transmitting a report on the audit of Federal Crop Insurance Corporation for the fiscal year ended June 30, 1945 (H. Doc. No. 182); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

489. A letter from the President, Civil Service Commission, transmitting a draft of a proposed bill to further amend the Classification Act of 1923, as amended, to bring about uniformity and coordination in the allocation of field and departmental positions under the grades of the Classification Act of 1923, as amended, and for other purposes; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 161. Resolution providing for the consideration of the bill H. R. 1, to reduce individual income-tax payments; without amendment (Rept. No. 181). Referred to the House Calendar.

Mr. ANDREWS of New York: Committee on Armed Services. H. R. 1621. A bill to authorize the Secretary of War to lend War Department equipment and provide services to the Boy Scouts of America in connection with the World Jamboree of Boy Scouts to be held in France in 1947; and to authorize the Commissioner of Internal Revenue to provide exemption from transportation tax; and further to authorize the Secretary of State to issue passports to bona fide Scouts and Scouters without fee for the application or the issuance of said passports; with amendment (Rept. No. 182). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FELLOWS: Committee on the Judiciary. H. R. 1176. A bill for the relief of Mrs. Elizabeth Kempton Bailey; without amendment (Rept. No. 183). Referred to the Committee of the Whole House.

Mr. FELLOWS: Committee on the Judiciary. H. R. 1318. A bill for the relief of Mrs. Fuku Kurokawa Thurn; without amendment (Rept. No. 184). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LANE:

H. R. 2763. A bill to prohibit the use by the United States of Nazi scientists and other Nazi experts; to the Committee on the Judiciary.

By Mr. LANHAM:

H. R. 2764. A bill to provide for recognition of the State of Georgia as a community-property State for Federal income-tax purposes; to the Committee on Ways and Means.

By Mr. LESINSKI:

H. R. 2765. A bill to amend section 4 (a) of the Immigration Act of 1924, as amended; to the Committee on the Judiciary.

By Mr. MICHENER:

H. R. 2766. A bill to amend section 2 of an act entitled "An act to provide for the establishment of a probation system in the United States courts, except in the District of Columbia," approved March 4, 1925, as amended (18 U. S. C. 725); to the Committee on the Judiciary.

H. R. 2767. A bill to provide for the setting aside of convictions of Federal offenders who have been placed on probation and have fully complied with the conditions of their probation; to the Committee on the Judiciary.

H. R. 2768. A bill to create an Evacuation Claims Commission under the general supervision of the Secretary of the Interior, and to provide for the powers, duties, and functions thereof, and for other purposes; to the Committee on the Judiciary.

By Mr. TRIMBLE:

H. R. 2769. A bill to extend the period during which certain members of the armed forces of the United States captured by the enemy during World War II were covered by national service life insurance, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WALTER:

H. R. 2770. A bill to allow costs against the United States; to the Committee on the Judiciary.

By Mr. DONDERO:

H. R. 2771. A bill to provide for the acquisition of a site and for the construction, equipment, and furnishing of a building thereon for the United States Court of Appeals for the District of Columbia; to the Committee on Public Works.

By Mr. ELLIOTT:

H. R. 2772. A bill to require payment by the United States before taking possession of any estate in land; to the Committee on the Judiciary.

By Mr. ELLSWORTH:

H. R. 2773. A bill to amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section; to the Committee on Agriculture.

By Mr. KUNKEL:

H. R. 2774. A bill authorizing the Secretary of War, the Secretary of the Treasury, the Secretary of the Navy, and the United States Maritime Commission to dispose of certain materials to the United States Coast Guard Auxiliary; to the Committee on Armed Services.

By Mr. STOCKMAN:

H. R. 2775. A bill to provide for the conservation of fish and wildlife on the Klamath Reservation, in Oregon, and for other purposes; to the Committee on Public Lands.

By Mr. WEST:

H. R. 2776. A bill to extend the times for commencing and completing the construction of a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.; to the Committee on Foreign Affairs.

By Mr. ELLIOTT:

H. R. 2777. A bill to provide that employees under the Sergeant at Arms of the House of

Representatives who handle money shall be bonded; to the Committee on House Administration.

H. R. 2778. A bill to provide for the periodic auditing by the Comptroller General of the accounts of the Sergeant at Arms of the House of Representatives; to the Committee on Expenditures in the Executive Departments.

By Mr. ROSS:

H. R. 2779. A bill to provide loans to veterans attending school under the provisions of section VIII of Veterans' Regulation 1 (a); to the Committee on Veterans' Affairs.

By Mr. WOLCOTT:

H. R. 2780. A bill to amend section 502 (a) of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes"; to the Committee on Banking and Currency.

By Mr. TABER:

H. J. Res. 159. Joint resolution making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes; to the Committee on Appropriations.

By Mr. BLATNIK:

H. J. Res. 160. Joint resolution initiating a request by the United States for an emergency meeting of the General Assembly of the United Nations to consider, investigate, and take appropriate action looking toward the resolution of, those situations in the Near East and Middle East areas which are endangering the peace; to the Committee on Foreign Affairs.

By Mr. VAN ZANDT:

H. Con. Res. 38. Concurrent resolution requesting the President to invite General MacArthur to visit the United States; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Utah, memorializing the President and the Congress of the United States urging the use of certain land and the transfer of certain buildings at the Tooele Ordnance Depot at Tooele, Utah, to the State department of public welfare; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATTLE:

H. R. 2781. A bill for the relief of the Alabama Flake Graphite Co., a corporation; to the Committee on the Judiciary.

By Mr. BOGGS of Louisiana:

H. R. 2782. A bill for the relief of Charles C. Armbruster, Sr.; to the Committee on the Judiciary.

By Mr. GOFF:

H. R. 2783. A bill for the relief of Joseph MacGuffie and Eugene Rohrer; to the Committee on the Judiciary.

By Mr. JAVITS:

H. R. 2784. A bill for the relief of William H. Fagerstrom; to the Committee on the Judiciary.

By Mr. JENNINGS:

H. R. 2785. A bill for the relief of the New Amsterdam Casualty Co.; to the Committee on the Judiciary.

By Mr. MICHENER:

H. R. 2786. A bill for the relief of Carl W. Sundstrum; to the Committee on the Judiciary.

By Mr. McMILLAN of South Carolina:

H. R. 2787. A bill for the relief of Mrs. G. Wilden Eaddy; to the Committee on the Judiciary.

By Mr. POWELL:

H. R. 2788. A bill for the relief of Philip Sumampow; to the Committee on the Judiciary.

By Mr. SUNDSTROM (by request):

H. R. 2789. A bill for the relief of Vito Antonio Piccinnino; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

250. By Mr. CHURCH: Petition of Fred Brown Whitney, of Waukegan, Ill., with reference to nonintervention in Greece, and other matters; to the Committee on Foreign Affairs.

251. By Mr. LARCADE: Petition of Mrs. N. J. Amy, president, and members of the Eunice, La., WCTU, requesting passage of Senate bill 265; to the Committee on Interstate and Foreign Commerce.

252. By Mr. GRIFFITHS: Petition of the Lions Club, the Progress Club, and the Business and Professional Women's Club, of the village of Roseville, Ohio, for appropriations to complete the Roseville flood-control project; to the Committee on Appropriations.

253. By Mrs. ROGERS of Massachusetts: Petition of 136 citizens of Lowell, Mass., asking for immediate passage of House Concurrent Resolution 4; to the Committee on Foreign Affairs.

254. Also, petition of city of Lowell, Mass., in favor of continuance of rent control; to the Committee on Banking and Currency.

255. By the SPEAKER: Petition of the board of supervisors of the city and county of Honolulu, petitioning consideration of their resolution with reference to endorsement of House bill 857; to the Committee on the Judiciary.

256. Also, petition of Doroteo G. Soriano, petitioning consideration of his resolution with reference to arrears in pay and additional benefits; to the Committee on Veterans' Affairs.

SENATE

WEDNESDAY, MARCH 26, 1947

(Legislative day of Monday, March 24, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

In the name of Jesus Christ, who was never in a hurry, we pray, O God, that Thou wilt slow us down, for we know that we live too fast. If we are to burn ourselves out, may it be in causes worth dying for. With all of eternity before us, make us take time to live—time to get acquainted with Thee, time to enjoy Thy blessings, and time to know each other. Deliver us from wasting time and teach us how to use it wisely and well.

We ask these things in the lovely name of Jesus. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the legislative proceedings of Tuesday, March 25, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 2157) to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MICHENER, Mr. GWYNNE of Iowa, Mr. GOODWIN, Mr. CELLER, and Mr. WALTER were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 1344. An act to admit the American-owned ferry *Crosline* to American registry and to permit its use in coastwise trade;

H. R. 2700. An act making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies for the fiscal year ending June 30, 1948, and for other purposes; and

H. J. Res. 159. Joint resolution making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

ENROLLED JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled joint resolutions, and they were signed by the President pro tempore:

S. J. Res. 27. Joint resolution amending the Settlement of Mexican Claims Act of 1942 to provide for the consideration of any claim decided by the General Claims Commission in which the United States filed a petition for rehearing;

H. J. Res. 118. Joint resolution to strengthen the common defense by maintaining an adequate domestic rubber-producing industry; and

H. J. Res. 154. Joint resolution making an appropriation for expenses incident to the control and eradication of foot-and-mouth disease and rinderpest.

LEAVE OF ABSENCE

Mr. BALDWIN. Mr. President, I ask unanimous consent to be absent from the Senate this afternoon to fulfill a commitment which I made long before I undertook my duties here.

The PRESIDENT pro tempore. Without objection, leave is granted.

MEETING OF SUBCOMMITTEE OF COMMITTEE ON BANKING AND CURRENCY

Mr. BUCK. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Rents of the Committee on Banking and Currency may meet this afternoon at 2 o'clock.

The PRESIDENT pro tempore. Without objection, the order is made.

CALL OF THE ROLL

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Michigan [Mr. FERGUSON] has the floor. Does he yield for that purpose?

Mr. FERGUSON. I yield for that purpose.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	O'Conor
Baldwin	Hawkes	O'Daniel
Ball	Hayden	O'Mahoney
Barkley	Hickenlooper	Overton
Brewster	Hill	Pepper
Bridges	Hoey	Reed
Brooks	Holland	Ravercomb
Buck	Ives	Robertson, Va.
Bushfield	Johnson, Colo.	Russell
Butler	Johnston, S. C.	Saltonstall
Byrd	Kem	Smith
Cain	Knowland	Sparkman
Capehart	Langer	Stewart
Capper	Lodge	Taft
Chavez	Lucas	Taylor
Connally	McCarran	Thomas, Okla.
Cooper	McCarthy	Thomas, Utah
Cordon	McClellan	Thye
Donnell	McFarland	Tobey
Downey	McGrath	Umstead
Dworshak	McKellar	Vandenberg
Eastland	McMahon	Watkins
Ecton	Magnuson	Wherry
Ellender	Malone	White
Ferguson	Martin	Wiley
Flanders	Maybank	Williams
Fulbright	Millikin	Wilson
George	Moore	Young
Green	Murray	
Gurney	Myers	

Mr. WHERRY. I announce that the Senator from Ohio [Mr. BRICKER] and the Senator from Oregon [Mr. MORSE] are absent by leave of the Senate.

The Senator from Indiana [Mr. JENNER] and the Senator from Wyoming [Mr. ROBERTSON] are absent because of illness.

Mr. LUCAS. I announce that the Senator from West Virginia [Mr. KILGORE] is absent on public business.

The Senator from Maryland [Mr. TYDINGS] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDENT pro tempore. Eighty-eight Senators having answered to their names, a quorum is present.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

INTERNATIONAL BROADCASTING FOUNDATION—REFERENCE OF PROPOSED LETTER AND BILL

The PRESIDENT pro tempore. The Chair has received from the State Department a communication transmitting a draft of a bill to promote development of international radio broadcasting, to create an international broadcasting foundation, and for other purposes.

This is one of those situations, under the language of the Legislative Reorganization Act of 1946, where a choice of committee references is clearly possible within the mandate of the reorganization law; but it seems in this instance the reference could be either to the Committee on Foreign Relations or to the Committee on Interstate and Foreign Commerce. Inasmuch as the bill has to do primarily with the creation of a domestic corporation dealing with the subject of radio broadcasting internationally, it seems to the Chair that the radio phase overrides whatever the international character of broadcasting involves. Therefore, without objection, and unless there is an appeal to the contrary, the Chair will refer this communication and proposed legislation to the Committee on Interstate and Foreign Commerce.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Attorney General, withdrawing the name of Francisco Mora y Bovis from a report relating to aliens whose deportation he suspended more than 6 months ago, transmitted by him to the Senate on March 15, 1947; to the Committee on the Judiciary.

AUDIT REPORT OF FEDERAL CROP INSURANCE CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the audit of the Federal Crop Insurance Corporation for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

AMENDMENT OF CLASSIFICATION ACT OF 1923

A letter from the President of the United States Civil Service Commission, transmitting a draft of proposed legislation to further amend the Classification Act of 1923, as amended; to bring about uniformity and coordination in the allocation of field and departmental positions under the grades of the Classification Act of 1923, as amended; and for other purposes (with an accompanying paper); to the Committee on Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Appropriations:

"Senate Joint Resolution 2

"Joint resolution relative to congressional support for flood-control projects

"Whereas the total flood-control needs in California as expressed in terms of current costs of projects authorized but for which funds have not been appropriated by Congress amounts to $555,000,000; and

"Whereas the allotment to California for the 1948 fiscal year for such projects recommended in the President's budget is only $5,000,000; and

"Whereas the economic justification of the immediate construction of the more vital flood-control projects in California is demonstrated by the fact that there would be an estimated annual flood-control benefit of $23,274,000 and the total reported flood damage for the 1937-38 winter season alone for the entire State was in excess of $100,000,000; and

"Whereas the President's recommended budget appropriation of $5,000,000 by the United States toward the total estimated cost of the authorized flood-control projects indicates that vital flood-control works necessary for the development of the State of California in the protection of lives and property will, under the contemplated rate of appropriation, be long deferred and will seriously interfere with the development of this State as required for its future progress and assimilation of rapidly increasing population, because of the yearly threat of flood damage; and

"Whereas all authorized flood-control projects for California will cost approximately 25 percent of all authorized projects for the United States and the portion of the President's budget of $189,000,000 for flood control to be allocated to California amounts to less than 3 percent thereof; and

"Whereas the State water resources board is supporting for 1948 Federal appropriation an amount less than California's proportionate need based on authorized projects; and

"Whereas the President's budget provides principally for the continuance of flood-control projects already commenced and not for commencement of authorized projects; and

"Whereas if this basis for appropriation is established and continued by the Congress it will mean that because money has not been appropriated in the past for projects in California, money will not hereafter be appriated therefor: Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California (jointly)*, That the governor and State water resources board are requested and directed to vigorously present to the Congress the need of California for additional 1948 Federal appropriations for authorized flood-control projects; and be it further

"*Resolved*, That the governor and State water resources board are requested to vigorously present to the Congress the need for those purely flood-control projects in California which have been heretofore authorized but for which no moneys have yet been appropriated for construction; and be it further

"*Resolved*, That the Congress of the United States be memorialized to enact legislation and make appropriations as above indicated; and be it further

"*Resolved*, That the legislature pledge its full support to the State water resources board in taking action as above requested and directed; and be it further

"*Resolved*, That the secretary of the senate forthwith transmit copies of this resolution to the governor, each member of the State water resources board, the State engineer, the President of the United States, the President pro tempore of the Senate and the Speaker of the House of Representatives and each Senator and Representative from California in the Congress of the United States and each member of the Appropriations Committee of the Senate and House of Representatives of the Congress of the United States."

A letter in the nature of a petition from Rafael Arjona Siaca, senator at large, Senate of Puerto Rico, relating to the political conditions in Puerto Rico; to the Committee on Public Lands.

A resolution of the Board of Supervisors of the City and County of Honolulu, T. H., favoring the enactment of the bill (H. R. 857) to remove the racial restrictions upon naturalization and to amend the immigration laws; to the Committee on the Judiciary.

By Mr. IVES:

A resolution of the Legislature of the State of New York, favoring the enactment of legislation to authorize the Veterans' Administration to acquire the St. Albans Naval Hospital to provide adjudication service, outpatient service, examinations, rehabilitation service, and as an orthopedic section; to the Committee on Armed Services.

(See resolution printed in full when laid before the Senate by the Acting President pro tempore on March 24, 1947, p. 2425, CONGRESSIONAL RECORD.)

A joint resolution of the Legislature of the State of New York; to the Committee on Finance:

"Senate Resolution 11

"Whereas the borough and county of Queens, State of New York, is larger in population than many of the States in the United States; and

"Whereas Queens does not possess adequate United States veterans' facilities for hospi-

talization of wounded and disabled veterans; and

"Whereas a large number of men formerly in the armed forces, who now require hospital, medical, or surgical treatment, came from localities in or contiguous to Queens and must travel great distances to receive proper attention: Now, therefore, be it

"Resolved (if the assembly concur), That the Senate and Assembly of the State of New York do memorialize Congress to establish a veterans' hospital and maintain suitable facilities for the hospitalization of such veterans in the borough of Queens, city of New York and State of New York; and be it further

"Resolved, That copies of this resolution be sent to the President of the United States, the Speaker of the House of Representatives, each member of Congress from the State of New York, and to the Administrator of the United States Veterans' Administration."

By Mr. WATKINS:

A joint memorial of the Legislature of the State of Utah, favoring the transfer of certain land and buildings on the military reservation of Fort Douglas, Utah, to the Federal Administrator of the Veterans' Administration; to the Committee on Armed Services.

(See joint memorial printed in full when laid before the Senate by the President pro tempore on March 25, 1947, p. 2522, CONGRESSIONAL RECORD.)

A memorial of the Legislature of the State of Utah; to the Committee on Armed Services:

"Senate Concurrent Memorial 4

"Concurrent memorial to the Military Affairs Committees of the Congress of the United States of America and to the Secretary of War, urging the use of certain lands and the transfer of certain buildings at the Tooele Ordnance Depot at Tooele, Utah, to the State department of public welfare

"Be it resolved by the Legislature of the State of Utah:

"Whereas the State of Utah, through the public welfare commission, in cooperation with the commanding officer of the Tooele Ordnance Depot, did establish at said depot on August 1, 1946, the Tod Training Center, a center for the education, training, treatment, and employment of boys between the ages of 16 and 21 years, who because of their problems must be removed from their natural homes; and

"Whereas the said program has been of great value in adjusting said boys to life and preparing them for useful citizenship; and

"Whereas the commanding officer of the Tooele Ordnance Depot has advised the State of Utah that the Tod Training Center must cease operation on or about April 15, 1947, because of lack of employment opportunities for said boys; and

"Whereas buildings, facilities, and equipment will be necessary if such substitute program is developed; and

"Whereas it appears that the Tooele Ordnance Depot will have no use for the buildings, facilities, and equipment now used by the Tod Training Center: Be it therefore

"Resolved by the Twenty-seventh Legislature of the State of Utah in session assembled, That necessary action be taken immediately to transfer from the jurisdiction and custody of the Tooele Ordnance Depot to the State department of public welfare the title to all buildings, facilities, and equipment now occupied and used by the Tod Training Center, together with the use of the land upon which such buildings are situated; be it further

"Resolved, That the secretary of the State of Utah forward copies of this memorial to the congressional delegation from the State of Utah, the President of the United States Senate, the Speaker of the United States House of Representatives, members of the Military Affairs Committees of the United States Congress, to the Secretary of War, and to the commanding officer of the Tooele Ordnance Depot."

(The PRESIDENT pro tempore laid before the Senate a memorial of the Legislature of the State of Utah identical with the foregoing, which was referred to the Committee on Armed Services.)

By Mr. CAPPER:

A petition of sundry citizens of Salina, Kans., praying for the enactment of Senate bill 265, to prohibit the transportation of alcoholic beverage advertising in interstate commerce; to the Committee on Interstate and Foreign Commerce.

PROTEST AGAINST INCREASE IN TAX RATES IN THE DISTRICT OF COLUMBIA

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted by the Graphic Arts Association of Washington, D. C., expressing their opposition to an increase in tax rates for the District of Columbia until the Federal Government contributes a fair amount of the cost of maintaining the District of Columbia.

There being no objection, the resolution was received, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

Resolution opposing sales tax

Whereas the Federal Government has for many years failed to pay a fair proportion of the cost of operating the District of Columbia Government; and

Whereas the Congress of the United States has seen fit to declare large real-estate holdings in the District of Columbia tax exempt; and

Whereas the Congress of the United States has seen fit to exempt thousands of persons enjoying the benefits derived from residing in the District of Columbia from the payment of District of Columbia income taxes; and

Whereas the Federal Government, the owners of tax-exempt real estate, and the local residents exempt from the payment of District of Columbia income taxes enjoy and use all of the facilities and services offered by the District of Columbia, to the same extent as the individual District of Columbia citizen and taxpayer: Be it

Resolved, That this association condemns and opposes the enactment of a sales tax or any other new tax laws or the increase in the rates of any taxes now in effect until and unless the Congress of the United States provides that the Federal Government contribute a fair amount to the cost of maintaining the District of Columbia and until the Congress of the United States removes from the present status the real estate and incomes of those landowners and individuals now exempt from tax action.

Dated at Washington, D. C., this 17th day of March 1947.

GRAPHIC ARTS ASSOCIATION OF WASHINGTON, D. C., INC.,
ELMER M. PUSEY, *President*.

Attest:

C. E. SUMMERS,
Recording Secretary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GURNEY, from the Committee on Armed Services:

H. R. 1943. A bill to establish a permanent Nurse Corps of the Army and the Navy and to establish a Women's Medical Specialist Corps in the Army; without amendment (Rept. No. 77).

By Mr. SMITH, from the Committee on Labor and Public Welfare:

S. 526. A bill to promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense; and for other purposes; with amendments (Rept. No. 78).

Mr. SMITH. Mr. President, in connection with the report submitted by me from the Committee on Labor and Public Welfare of a bill to establish a National Science Foundation, I desire to say that I submit it in collaboration with the distinguished Senator from Utah [Mr. THOMAS], who joined with me in combining two bills which were introduced, in order that there might be one bill unanimously reported by the committee.

REPORT OF COMMITTEE ON CIVIL SERVICE

Mr. LANGER. Mr. President, from the Committee on Civil Service, I ask unanimous consent to report favorably without amendment the bill (S. 715) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide annuities for investigatory personnel of the Federal Bureau of Investigation who have rendered at least 20 years of service, and I submit a report (No. 76) thereon. The bill provides for the retirement of the employees of the FBI, and it is a unanimous report of that committee. I request that a letter from J. Edgar Hoover be printed as a part of the report.

The PRESIDENT pro tempore. Without objection, the report will be received, and the bill will be placed on the calendar, and, without objection, the letter will be printed as a part of the report as requested by the Senator from North Dakota.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, March 26, 1947, he presented to the President of the United States the enrolled joint resolution (S. J. Res. 27) amending the Settlement of Mexican Claims Act of 1942 to provide for the consideration of any claim decided by the General Claims Commission in which the United States filed a petition for rehearing.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. TAFT, from the Committee on Labor and Public Welfare:

Francis A. O'Neill, Jr., of New York, to be a member of the National Mediation Board for the term expiring February 1, 1950; and

Carl E. Schwob, and several other candidates for appointment in the Regular Corps of the Public Health Service.

By Mr. GURNEY, from the Committee on Armed Services:

Col. Charles Joseph Barrett (lieutenant colonel, Field Artillery), Army of the United States, to be professor of modern languages at the United States Military Academy, with rank from date of appointment; and Col. John Will Coffey (lieutenant colonel, Ordnance Department), Army of the United States, to be professor of ordnance at the United States Military Academy, with rank from date of appointment;

Lt. Gen. Lucius DuBignon Clay (brigadier general, U. S. Army) to be general, Army of the United States, and Maj. Gen. Clarence Ralph Huebner (brigadier general, U. S. Army) to be lieutenant general, Army of the United States;

Maj. Harold Rathbun Turner and sundry other officers for promotion in the Regular Army of the United States;

Lt. Col. Charles Dayton Carle and sundry other officers for appointment, by transfer, in the Regular Army of the United States;

Admiral Jonas H. Ingram, United States Navy, to be placed on the retired list with the rank of admiral;

Roscoe F. Good, Jr., to be a second lieutenant in the United States Marine Corps from the 6th day of June 1947, and John J. Bozek to be a second lieutenant in the United States Marine Corps to correct his given name, James J. Bozek, as previously nominated and confirmed;

Eugene J. Ambrosio and sundry other officers to be second lieutenants in the Regular Marine Corps;

Arthur H. Ashton and sundry other officers for appointment in the line of the Navy; and

Harold B. Goodwin and sundry other officers for appointment in the Navy.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILEY:

S. 981. A bill for the relief of Carl W. Sundstrom to the Committee on the Judiciary.

By Mr. FLANDERS:

S. 982. A bill to provide seniority benefits for certain officers and members of the Metropolitan Police force and of the Fire Department of the District of Columbia who are veterans of World War II and lost opportunity for promotion by reason of their service in the armed forces of the United States; to the Committee on the District of Columbia.

By Mr. ECTON:

S. 983. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Robert J. O'Connor; to the Committee on Public Lands.

EXTENSION OF SUGAR CONTROLS—AMENDMENTS

Mr. ELLENDER submitted an amendment in the nature of a substitute intended to be proposed by him to the Joint Resolution 58, to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. WHERRY submitted two amendments intended to be proposed by him to the joint resolution (S. J. Res. 58) to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar and for other purposes, which were ordered to lie on the table and to be printed.

JOINT COMMITTEE TO STUDY FARM LEGISLATION

Mr. THYE. Mr. President, on behalf of myself and my friends and colleagues, the senior Senator from Vermont [Mr. AIKEN] and the junior Senator from North Dakota [Mr. YOUNG], I ask unanimous consent to submit for appropriate reference a concurrent resolution. I shall state very briefly, by way of a prepared statement, the reason for submitting the resolution at this time.

In submitting the concurrent resolution providing for the re-creation of a joint committee of the Senate and House to study policies relating to agriculture and to recommend supporting legislation that will promote the stability of this great industry and enable it to go forward and assure a high level of production in the postwar years, I wish to draw attention to three important considerations:

First. The economic structure and well-being of the United States rests to such a great extent upon agriculture that this basic industry must be prosperous if the Nation as a whole is to prosper.

Second. Price supports under the Steagall amendment, which are a vital part of the present farm program, will end in less than 2 years, so that consideration of legislation to stabilize farm prices will be imperative.

Third. We must plan now to avoid the hardships and losses which the farming segment of our population experienced in a similar period immediately after World War I.

It is doubtful that any emergency legislation is needed to safeguard farm prosperity during the present levels of prices, production, and world food needs. However, when the parity price payments end on December 31, 1948, if we shall have failed to provide for the transition, through a sound farm program, it is certain that a crisis in agriculture will occur. It could result in serious damage to the agricultural economy before emergency legislation could be enacted.

I want the Congress to be fully aware of the needs of agriculture in this period. I am not worried about the specific method of arriving at the desired result. If we make a study of conditions now, I believe that such a joint committee of the Senate and House, as proposed, would suggest especially constructive means of determining what legislation is needed and would, at the same time, help to coordinate the legislative program for agriculture along desirable lines.

I do not regard this as a partisan proposal in any sense. In submitting the concurrent resolution I welcome the interest and support of my friends on the Democratic side who are as deeply concerned as I am in developing a sound and stable agricultural program.

Basically, what is proposed is a careful study of legislation to be considered in the next session of Congress, and a research into the agricultural economy to determine long-term needs. The latter is already in progress under the constructive provisions of the Research and Marketing Act of 1946. The work of the joint committee would supplement the research program with special emphasis on what needs to be done in the next year.

Mr. President, we dare not run the risk of permitting a recurrence of disastrous prices for agricultural products, as they were in the early thirties. We must not and we cannot afford to fail in planning an effective and coordinated program, for failure might lead again to such conditions as prevailed in 1932 when mortgage foreclosures increased to shocking totals and thousands of farm families lost their life's savings and thousands more became homeless because of the foreclosures.

Such adverse conditions in the next few years would lay an especially heavy burden upon young people, many of them veterans, who are only now, after long delay, establishing themselves in business and farm management. They have assumed and are assuming heavy personal financial obligations, to say nothing of their share of the staggering national debt and the burden of taxation they will have to shoulder. Thoughtful planning and action by this Congress would bolster the hopes and opportunities of many young Americans who are seeking to find a satisfying livelihood in farming.

It is with these major considerations in mind, Mr. President, that I submit the concurrent resolution providing for the establishment of a joint congressional committee. From such a committee I am confident would come recommendations for legislation to provide, in ample time, a well-balanced and adequate plan for agriculture in this new period of transition through which we are passing.

There being no objection, the concurrent resolution (S. Con. Res. 11) submitted by Mr. THYE (for himself, Mr. AIKEN, and Mr. YOUNG) was received and referred to the Committee on Agriculture and Forestry, as follows:

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a joint congressional committee to be composed of five members who are members of the Committee on Agriculture and Forestry of the Senate, to be appointed by the President pro tempore of the Senate, and five members who are members of the Committee on Agriculture of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members. A vacancy in the membership of the committee shall not affect the power of the remaining members to execute the functions of the committee, and shall be filled in the same manner as in the case of the original appointment.

SEC. 2. The committee shall make a thorough study and investigation of existing and pending agricultural legislation and of the trends, needs, and problems of agriculture in the United States, including, but not limited to—

(a) the effect of the expiration on December 31, 1948, of the period specified in section 8 (a) of the Stabilization Act of 1942, as amended (56 Stat. 767), and section 4 of the act entitled "An act to extend the life and increase the credit resources of the Commodity Credit Corporation, and for other purposes," approved July 1, 1941, as amended (55 Stat. 498), relating to price support for basic and nonbasic agricultural commodities, and the advisability of additional legislation on account of such expiration;

(b) methods of conserving the Nation's soil and forest resources, and encouraging the better use of land and more efficient cutting of timber;

(c) improvement of methods of production, marketing, and distribution of agricultural commodities to the end that present high levels of production may be maintained

and expanded and agriculture may assume its basic position in the national economy; and

(d) such other problems and subjects in the field of agriculture as the committee deems appropriate.

SEC. 3. The committee shall confer and consult with responsible leaders and experts in Agriculture, shall complete its study and investigation as expeditiously as possible, and shall forthwith thereafter (but not later than January 1, 1948) report to the Committee on Agriculture and Forestry of the Senate and the Committee on Agriculture of the House of Representatives the results thereof, recommending such legislation as may be necessary to assure and speed the transition from a wartime, to a sound, stable, and continuing prosperous, peacetime agricultural economy.

SEC. 4. For the purposes of this concurrent resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Eightieth Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of the committee, which shall not exceed $10,000, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers approved by the chairman of the committee.

EXTENSION OF TIME FOR REPORTS BY FORMER COMMITTEE ON PUBLIC LANDS AND SURVEYS

Mr. BUTLER submitted the following resolution (S. Res. 97), which was referred to the Committee on Public Lands:

Resolved, That the authority granted to the Committee on Public Lands and Surveys under Senate Resolution 315, Seventy-ninth Congress, agreed to July 30, 1946, relating to studies and investigations of matters referred to such committee, as heretofore extended, is hereby further extended to May 31, 1947, for the purpose of allowing additional time in which to make a report to the Congress.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred, as indicated:

H. R. 1344. An act to admit the American-owned ferry *Crosline* to American registry and to permit its use in coastwise trade; to the Committee on Interstate and Foreign Commerce.

H. R. 2700. An act making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1948, and for other purposes; and

H. J. Res. 159. Joint resolution making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes; to the Committee on Appropriations.

THE STEAMSHIP "MARTIN BEHRMAN"

Mr. WILEY. Mr. President, this morning's New York Times contains an advertisement regarding the steamship *Martin Behrman*. I ask that this advertisement, with its statement by the president of the Isbrandtsen Co., be reprinted in the RECORD at this point.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

STEAMSHIP "MARTIN BEHRMAN," AN AMERICAN SHIP

This vessel, which has figured a great deal in the news lately, is owned by the United States Government and under charter to our concern. We are an American company, entirely American owned. We buy commodities in foreign countries, essential to our economy and sell American goods abroad.

We own and operate American vessels on regular trade routes and otherwise. We are inclined to be independent, and we follow the American way whenever possible.

On January 28, 1947, representatives of our firm concluded arrangements with responsible Indonesian interests and with Dutch Government authorities in Washington, and with full knowledge of our State Department, to have the *Martin Behrman* call at Cheribon, Java, a port controlled by the Indonesians to load a cargo of cinchona, sugar, rubber, and other scarce products on consignment to our firm. Under present regulations these goods would be disposed of to United States Government agencies, much interested in receiving them. In fact, President Truman has within the last few days asked for an extension of war powers in order to accumulate further materials of this character.

Simultaneously with the *Martin Behrman's* arrival in Cheribon, the Dutch authorities changed the rules by issuing various decrees and applying same to the *Martin Behrman*, contrary to prior assurances given us in writing. These decrees virtually established a blockade of all Indonesian controlled ports, thus stopping the flow of produce from Indonesia to the outside world.

After loading her cargo, the *Martin Behrman* was forcibly taken by the Dutch to Batavia, a Dutch-controlled port, purportedly for inspection, but actually for the purpose of unloading and seizing her cargo. According to news dispatches, our State Department protested this action, but at this writing the process of unloading is still going on.

Capt. Rudy Gray of the vessel and his men have resisted, as they naturally would, such high-handed action. They have been confronted with Japanese war prisoners rummaging through their ship and have met the humiliations offered them as best they could.

After weeks of delay and after much moral pressure being brought by public opinion, both here and out there, it has been suggested by the Dutch Government that they will supply the *Martin Behrman* with another cargo and compensate us for delay of the vessel, etc. That proposition would require us, as consignors, to abandon the interests of the original shippers with whom we made our agreements and to join forces with the people who have despoiled them. This may be good diplomacy, but it is not the American way of doing business. This will not be the first time where we might be involved in financial loss, because we find it hard to throw off the habits of a lifetime of fair dealing.

We can speak about our foreign trade and our merchant marine as much as we like. But unless we keep freedom of access to ports and freedom of trade we might as well stay home, both in peace and war.

If it was worth while for our young people to be sent out to maintain the open door, the old John Hay policy, we should not now return so soon to Old World subtle and legalistic diplomacy, which up to this time has chiefly involved us in wars, loss of life, and high taxes.

When we don't follow elemental simple rules, we do not keep faith.

HANS JEPPESEN ISBRANDTSEN,
President, Isbrandtsen Co., Inc.,
New York, N. Y.

SALES TAX ON LIQUOR ADVERTISING—STATEMENT BY DR. CLINTON N. HOWARD

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a statement by Dr. Clinton N. Howard favoring a sales tax on liquor advertising, which appears in the Appendix.]

TESTIMONY OF FRANKLIN D. ROOSEVELT, JR., ON HOUSING LEGISLATION

[Mr. SPARKMAN asked and obtained leave to have printed in the RECORD a statement relative to certain housing bills, made by Franklin D. Roosevelt, Jr., on behalf of the American Veterans' Committee before the Committee on Banking and Currency, which appears in the Appendix.]

CHANGES IN CLOTURE RULE

[Mr. KNOWLAND asked and obtained leave to have printed in the RECORD editorials from the Denver Post, the St. Louis Star-Times, the El Paso Times, the Virginian-Pilot (Norfolk, Va.), and the Citizen (Asheville N. C.), commenting on the desirability of a change in the cloture rule, which appear in the Appendix.]

INTERVENTION IN GREECE

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an article entitled "Fortnightly Commentary of the Value Line Investment Survey—Intervention in Greece," published in the New York Times, Sunday, March 23, 1947, which appears in the Appendix.]

EUROPEAN VOTING STATISTICS

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD a table entitled "Europe—Voting Statistics," dated March 12, 1947, which appears in the Appendix.]

OUR EXPANDING OIL INTERESTS—ARTICLE BY MALCOLM HOBBS

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an article entitled "Our Expanding Oil Interests," written by Malcolm Hobbs and published by the Overseas News Agency, Inc., March 20, 1947, which appears in the Appendix.]

NOMINATION OF DAVID E. LILIENTHAL

Mr. FERGUSON. Mr. President——

The PRESIDENT pro tempore. Let the Chair state the parliamentary situation. The Senate is in legislative session, and the question is on agreeing to the first committee amendment to the Senate Joint Resolution 58 to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes.

The Senator from Michigan has the floor.

Mr. FERGUSON. Mr. President, yesterday I obtained the floor to speak upon the matter which was then under consideration in executive session, and I wish to speak upon that subject today.

I have sought long and earnestly to settle in my own mind the issues which are involved in the nomination of Mr. Lilienthal to be Chairman of the Atomic Energy Commission. I reviewed as carefully as time would permit the testimony produced in the hearings held by the Senate section of the Joint Atomic Energy Commission. I dipped back into certain testimony and reports on the TVA under Mr. Lilienthal's directorship. Wherever they were obtainable I read

Mr. Lilienthal's writings and public addresses. I made this personal investigation with an open mind, knowing that when this nomination came before the Senate I would have to stand and be counted, upon my own judgment and responsibility.

Today, the United States is farthest in advance of other nations in knowledge of the theory of atomic energy. Of equal importance is the further fact that we have the capacity to make practical application of this strange and terrible power. We gained that knowledge at great financial cost and under the bloody stimulus of war.

We possess this great force at a time in world history, as the President recently said, when "nearly every nation must choose between alternative ways of life." He referred to the great struggle going on all over the world between a way of life based upon individual liberty, free institutions, and the will of the majority, but with respect for minorities, and an opposing way of life founded upon oppression and upon the coercion of the majority by a ruthless minority. At bottom this is the age-old struggle between freedom and slavery, between democracy and totalitarianism, which has appeared over and over again in the course of civilization.

In this conflict the use or misuse of atomic energy is of crucial significance because of the range of its terrible destructive power. As a war weapon ruthlessly applied it can tip the balance in this struggle between freedom and slavery. Although the United States alone possesses the full power to use atomic weapons, it is practicing remarkable self-restraint by its willingness to devote the discovery to the benefit of all mankind. America asks only that there be proper safeguards against the destructive use of atomic energy by those who learn the secret at our expense and by our voluntary disclosure. We do not wish our generosity to become the instrument of our own destruction or the means by which others may enslave mankind.

National suicide and the enslavement of mankind can readily follow any disclosure of the practical use of atomic energy if time and proper safeguards are not used to prevent such tragic consequences. Other nations will require time to equip themselves with this destructive power; they cannot use it now because they do not have the equipment or the knowledge of how to use it. Eventually they will gain the knowledge and capacity, but if we wisely use the intervening time to build procedures capable of protecting mankind we may save rather than destroy civilization.

We cannot bottle up the development of atomic energy and put it on ice until the world is ready to use it safely. We have to continue with the development. Other nations will do the same in all the frenzied haste of which they are capable. Some nations may even be spurred to greater efforts by the diabolical dream of world domination which atomic weapons conjure in the mind. In any case we know that development will continue here and elsewhere throughout the world.

To do this in an orderly, safe fashion we have established a Commission into whose hands will pass the fundamental knowledge we now possess. A terrible responsibility rests upon the men who will compose this Commission. The Nation's trust—our lives, our possessions, and our fortunes—are literally in the hands of these Commissioners. They will hold the key to the world's future. On this account, we who are to confirm their authority have a solemn responsibility of our own.

This is the background with which I approached Mr. Lilienthal's nomination. What manner of man is he? How will he approach the trust we are asked to place in him? Where does he stand in this struggle between freedom in democracy as America knows it and oppression by minorities elsewhere in the world?

The Communist issue has been raised in this case. The implication has been made, if not the direct charge, that Mr. Lilienthal may be a Communist, or that he is a fellow traveler, and that at least he was tolerant of Communists when their presence was disclosed in a public enterprise directed by Mr. Lilienthal. The reference is to the Tennessee Valley Authority.

The theory of this charge is that we cannot afford to trust anyone with atomic energy development who is friendly or indifferent to communism when we know that Communists are in violent opposition to our conception of free democracy and that Communist-dominated Russia is striving intensively to learn atomic technology.

I should like to dispose of this charge. I am convinced Mr. Lilienthal is not a Communist. As to what are Mr. Lilienthal's thoughts on communism in United States, I cite what he has admitted. When his attention was drawn to the presence of some Communists in TVA he brushed the evidence aside as of no consequence. He considered the Communist "cell" too small and too unimportant in the vast TVA to bother about it.

This is an error in his judgment which causes me some concern. In the Canadian Communist spy ring there were involved only 16 persons. Ample testimony on Communist operations shows that it is part of Communist tactics to work in exceedingly small and disciplined minorities. When Communists took control in Russia back in 1917, they numbered about 25,000. In all the vast population of Russia, the Communist Party remains a mere fraction yet it rules the country with an iron hand. Sometimes a single person is a "cell" at some key point in an organization.

In ordinary circumstances there is excuse for remaining indifferent to minority groups in general. It might even be excusable in Government agencies like TVA and RFC, where any harm an ordinary minority group may do cannot wreck the country before it is checked. But Communist minorities are different than ordinary minority groups. Indifference to Communists is not excusable because of their tactics and because of the destructive nature to their movement. The smallness of their number bears no relation to their effectiveness and to the damage they can do. Certainly this would be the case in atomic energy development. A single person serving, let us say, as research director on the Atomic Energy Commission, or as editor of scientific studies, can be a leak of incredible and tragic proportions. One man or a chosen few could work great harm.

I believe, therefore, it was a grave error for Mr. Lilienthal to remain indifferent to Communists in TVA when he knew of their presence and was aware of the manner in which Communists operate. It raises a doubt in my mind about the wisdom of confirming him for the important post on the Atomic Energy Commission.

This does not make him a Communist or a fellow traveler and I would not reject him on those grounds. But it does raise the question in my mind of why Mr. Lilienthal was indifferent to Communists. This calls for further examination into his personal qualities and his thinking and the bearing they may have upon the trust we are asked to place in him.

I do not raise any question about his education or his administrative ability. The peculiar nature of the atomic force and the extraordinary powers of the Atomic Commission compel us to dig deeper into the type of men we place in charge of it.

We are required to go beyond surface generalizations in these appointments for another important reason; namely, the bearing of atomic energy development upon this struggle between two ways of life. The President described this struggle as one based upon rule by majority versus rule by minority. He did not elaborate upon these opposing forces except in general terms of political freedom versus political oppression. But we have to go deeper than that, as I hope to make clear to the Senate.

Minorities which rule by oppression, by controlled press and controlled radio, by fixed elections and the suppression of personal freedoms are rightly called totalitarian governments. But there are other identifying marks of totalitarianism than these. Those who push everywhere for government planning, government ownership, government controls, government paternalism are also traveling the road to totalitarianism. They may not know it. They may not intend it. They may argue otherwise. But in my judgment they move inevitably in the direction where the people exist only for the state which is the basic philosophy of totalitarian governments.

Considerable government activity is consistent with freedom, but when sufficient government ownership, planning, controls, and paternalism is achieved in any country, the people of the country lose their liberites, their free elections, their free institutions, and the representative character of their governments. This conclusion to me is logical; it is a reasonable one to make; it has been demonstrated many times in history; and the world's experience in the last 50 years documents it with many terrible examples.

Anyone professing to believe in the constant expansion of government—in planning, ownership, controls, and pa-

ternalism—heads in the direction of the authoritarian state. If such a person were to head atomic-energy development, every decision, every undertaking, every act in that regard would widen the framework of government domination. I am aware that the Atomic Energy Commission is itself to be a government monopoly. I am sorry that the nature of the force compels that form of development. I submit to government monopoly only because security makes it imperative until international agreement makes atomic development safe.

But I do not admit that the occasion should be one for using such a monopoly to extend government domination indefinitely and wherever the opportunity arises. But this is what those who believe in big government would do. Experience with the actions of such people show that they are possessed of a crusading spirit, that they are not scrupulous about the tactics they use, and that they follow the dangerous doctrine that the end justifies the means. Their operations are often sugar-coated by the intent to do good things, but the inevitable upshot of this thinking and these tactics is totalitarianism.

How does this bear upon Mr. Lilienthal? How should it bear upon our decision to confirm or reject his nomination?

It has been said that Mr. Lilienthal is a New Dealer. It is said that he is considerably to the left in his thinking and philosophy. Such labels are not disparaging, and in themselves are meaningless. What I want to describe, if I can, is the actual nature of his thinking and attitude on this question of Government planning, ownership, controls, and paternalism as I gather it.

From an examination of his writings, addresses, and activities at TVA, I am convinced that he is one who would push big government until Government dominated the lives and property of all its people. He is a crusader in that direction. He believes Government domination is necessary and inevitable in modern conditions. Let us admit he is sincere in his belief that on this road lies progress and the advancing welfare of the people. Wherever he has his choice between encouraging private and public enterprise, he will lean to public enterprise. He wants the Government to plan, to own, to control directly where possible and by money indirectly.

I do not believe Mr. Lilienthal would or could deny this. All of his acts as TVA Administrator travel in that one direction. As early as 1934 he was denouncing private business for what he described as its inaction in the depression. He then said:

> In this situation it became one of the new functions of Government to supply the necessary stimulus to industry. (Business and Government in the Tennessee Valley, Annals of the American Academy of Political and Social Science, vol. 172, March 1934, pp. 45–49.)

He did not then understand industry, and he does not now understand Government; for, thereafter, with 7 years of Government stimulus to industry on a colossal scale, the evils of which he spoke were not corrected until the war liquidated the depression of the 1930's.

As late as June 1946, in an address at the Utah State Agricultural College, Mr. Lilienthal declared:

> Only an antiquarian will fail to recognize that the country must entrust the Federal Government with extensive powers and responsibilities, and that these responsibilities will be broadened rather than narrowed as time goes on. (Appendix of the CONGRESSIONAL RECORD, vol. 92, pt. 11, p. A3500.)

Back in 1939, he was of the same opinion when he declared:

> The granting of additional responsibilities to the National Government has been a victory for clear thinking. (Address before the Southern Political Science Association, November 10, 1939, The TVA: An Experiment in the Grass Roots' Administration of Federal Functions.)

In a moment, I will challenge this victory for clear thinking.

I say that the vast extensions of Federal power in the 1930's did not solve our problems. It intensified and aggravated them. It did not solve the monopoly problem in economic life, but aggravated it. It did not solve the labor problem, but intensified it until today we have seen some labor challenge government itself. Big government did not solve the problem of purchasing power, but gave the consumer the largest dose of inflation his dollar ever took. Price and production controls of big government did not stabilize the economy, but created hopeless confusion which plagues us to this day.

All of these grants of power to the National Government are what Mr. Lilienthal describes as "a victory for clear thinking." Yet instead of solving our problems they have hopelessly confused and magnified them. Mr. Lilienthal and those who constantly push for greater government powers will never understand that there are many problems which cannot be solved by government fiat, by government planning, or by government control. Yet that is the only clear thinking they can offer; and they stick to it notwithstanding it has failed over and over agair in their own lifetime and in all history. They stick to it too in the face of recent and historical experience which shows that progressive transfer of powers from the people to government eventually undermines the free foundations of the nation and destroys the freedom of the people.

A new name is needed to describe men like Mr. Lilienthal. His philosophy is what may be called social aristocrat. It is socialist because he believes in government ownership and controls. It its aristocratic because he believes that experts should be the new governing class.

It is because of these beliefs that he has been accused of communism. Communism has much in common with socialism, with government ownership and domination over economic life. Communism likewise believes in a special governing class with dictatorial powers. Mr. Lilienthal would extend government power, perhaps without calling it socialism, and certainly without subscribing to communism. He would do it for a good end—the people's welfare—and he would expect to achieve an advancement of the people's welfare short of communism and short of government oppression. But the end result would be benevolent despotism until it degenerated into tyranny.

The zeal of people like Mr. Lilienthal is so great that they are not overscrupulous about their tactics. I do not mean to imply that they are intentionally dishonest, although the thread here sometimes runs pretty thin. Acting as they do within the framework of crusading idealism for what they believe to be the highest public good, they make decisions and shade operations which will move them along toward those goals.

This disregard for scruple has occurred on many occasions in connection with TVA. In appraising the struggle between Dr. Arthur E. Morgan and Mr. Lilienthal which ended in Mr. Lilienthal's domination of TVA, the minority of the Joint Committee Investigating the TVA declared:

> We conclude, therefore, that the real issue back of this dissension in the Board was the question of whether this great public enterprise should be conducted on the highest possible plane, with clear, adequate, and thoroughly honest reporting as to what it was doing, or whether it should be conducted on a plane which involved using the methods, which were lacking in complete candor, and which would be condemned in the conduct of private business. (Minority Views, Report of Joint Committee Investigating the Tennessee Valley Authority, 79th Cong., 1st sess., p. 274.)

Dr. Morgan, this report continues, "objected to indirectness, concealment, manipulation, and indeed to all methods of carrying on the business of the TVA which, while within the pale of the law, could not be justified by a high standard of fair dealing." The majority of the TVA Board, on the other hand, did not give all the pertinent facts, took short cuts to make a favorable showing for TVA, and exaggerated their accomplishments. This congressional report further declared:

> Frequently the (TVA) administration has been arbitrary, dictatorial, and unbusinesslike. Its reports to the Congress, its releases to the public have not always represented the facts and have tended toward exaggeration. Its reports have not always been candid. Moreover, it has in many instances completely ignored the rights of the States and has impinged upon their sovereignty almost to the point where there is ground for the charge that the Tennessee Valley Authority was endeavoring to set up a sort of superstate in the Tennessee Valley area.

These are the words which the minority members of the congressional investigating committee used to describe the lack of scruple practiced by the TVA under Mr. Lilienthal's administration.

I do not rely alone on reports like these or upon representations of private power companies who have been hostile to the TVA program. I have been looking into some of these matters on my own and I am convinced that this lack of scruple I have described does exist.

I have here photostatic documents and other papers of a case which illustrates the lack of scruple on the part of the

TVA. This case concerns the Tennessee Valley Associated Cooperatives, Inc. This was a cooperative organization incorporated under the laws of Tennessee, January 23, 1934, "to promote, organize, establish, manage, finance, coordinate, and assist in any way whatsoever in the development of cooperative enterprises in the Tennessee Valley and contiguous areas through grants and loans of funds and management services."

The first thing to notice about this case is that while the organic law of the Tennessee Valley Authority itself gave the TVA no powers to form these cooperative corporations, the directors of the TVA found a way to get around the law and form the corporations anyway. I quote from the opinion by the general solicitor of the Tennessee Valley Authority dated January 18, 1934, which I have at my desk. They were trying to form these corporations. They could not do it under the law or under the authority of the TVA, but they got an opinion from the legal officer of the TVA, and this is how they did it:

> You will note that I have provided that the Corporation is to be formed—

They used the Government lawyer to do it—

> You will note that I have provided that the Corporation is to be formed by the directors of the Tennessee Valley Authority and not by the Tennessee Valley Authority itself. I do not believe the Tennessee Valley Authority is authorized under the act creating it to organize other corporations or to hold the stock itself. At best, the right is certainly very doubtful. It would be just as easy—

This is their own counsel, the Government counsel speaking—

> It would be just as easy for the directors to organize the Corporation and hold the stock in trust for the United States or to take the stock in the name of the United States, as we have done with the Electric Home and Farm Authority, Inc.

Without legal power to set up cooperative corporations in their capacity as directors of TVA, the directors, of whom Mr. Lilienthal was one, thereupon functioned as plain individuals to form the Tennessee Valley Associated Cooperatives, Inc., and became the stockholders—for the United States, without legal authorization—and officers of the cooperative corporation. What they could not do by direct authority of Congress, they did indirectly anyway. This, I assert, is an example of this lack of scruple I have been describing. It is also an example of the turn of thought which leads men like Lilienthal to turn to Government corporations and Government planning rather than to methods of private enterprise.

But this is not all that they did with this corporation. It is not the only demonstration of unscrupulousness. The cooperative corporation they formed was to be something of a cross between a holding company and an RFC for the purpose of creating a large number of cooperative enterprises. It had to have money to lend to these smaller cooperatives. Where was it to get the money? The one place that Mr. Lilienthal would look was to the United States Treasury to get the money. Not one cent could be obtained from private capital. It thereupon arranged to get this working capital by inducing the Governor of Tennessee to apply for a $300,000 grant from the Federal Emergency Relief Administration. In fact, Mr. Morgan, one of the directors, wrote to the FERA first about getting the $300,000.

Mr. McMAHON. Which Morgan was that?

Mr. FERGUSON. Mr. Arthur E. Morgan, I think.

The grant was made by the Federal Emergency Relief Administration; and thereafter the Cooperative Corporation went into business and thereafter launched nine smaller cooperatives.

In the course of time the General Accounting Office sought to audit the accounts of this cooperative corporation. In an amazing statement of evasion, the Cooperative Corporation denied the right of the General Accounting Office to audit these accounts. In a letter to the United States Comptroller General, the Cooperative Corporation took this position:

> Because of the fact that these funds were granted by the Federal Emergency Relief Administration to the State of Tennessee, and by the State of Tennessee to the Tennessee Valley Associated Cooperatives, Inc., and because no money has been put into the organization directly by the United States, we feel that this organization is not subject to the usual regulations affecting Government departments.

Later I shall show why they did not want the Comptroller General to look into their books.

So all the stock was owned by the United States Government, having been put into the organization by the Government. By the way, the $1,000 which was used to cover expenses of incorporation was obtained from the United States Treasury. They did not want to have their books audited, even though the organization was a Government corporation solely owned by the Government and not capable of being formed under the law. Mr. President, let me show why they did not want an audit made: Here, by a roundabout device conceived by Mr. Lilienthal and his friends, they first set up a cooperative corporation which they had no power to form as directors of TVA; and second, they obtained $300,000 capital for it in such a way as to give them technical grounds to deny that there was any United States money in the enterprise. They did deny the investment of Federal money, although the application of the Governor of Tennessee plainly stated "Title to all property bought with Federal funds is to be * * * held to the use and benefit of the Federal Emergency Relief Administration." The purpose of the denial was to give them a free hand.

They finally did allow the General Accounting Office to look at the books, and that brought to light some further interesting examples bordering upon the unscrupulous. The $300,000 granted by the FERA as relief funds became the working capital to finance and sustain a group of cooperative associations launched by the parent cooperative corporation. Executives paid by the Tennessee Valley Authority appropriations—those of a Government corporation—served this privately organized cooperative corporation. The administrative expenses of the cooperative corporation were also paid by the TVA, but were capitalized on the books of the TVA as "regional development." In other words, Mr. President, we have the counsel of the TVA telling them that the TVA could not do this, that they could not operate those services; but they simply set up their own little corporation, and used the FERA money which they obtained, and then started out to engage in that business.

Mr. KNOWLAND. Mr. President, will the Senator yield for a brief inquiry at this point, for the purpose of clarification?

Mr. FERGUSON. Yes; although I did not wish to yield.

Mr. KNOWLAND. What year was that?

Mr. FERGUSON. 1935 and 1936.

Mr. KNOWLAND. That was during the time that Dr. A. E. Morgan was Chairman of the Tennessee Valley Authority; was it not?

Mr. FERGUSON. That is correct; but Mr. Lilienthal was one of the directors.

Mr. HILL. Mr. President, if the Senator will yield for a further question, let me ask whether the FERA was a relief organization which was the predecessor of the WPA. It was, was it not?

Mr. FERGUSON. Yes; I think that is true.

Mr. HILL. That is correct.

Mr. FERGUSON. Mr. President, to digress for a moment from what I was about to say, let me state that this organization is referred to as being a relief organization. All during the war the small amount of money that was left from the $300,000 was being used by the Tennessee Valley Authority, and it is still being used. I propose to introduce a bill, some time later, to close this corporation and return these funds to the Treasury of the United States.

Mr. President, in the fiscal year 1935, TVA appropriations to the amount of $39,780.09 were again diverted to the cooperative corporation, but were capitalized on the books of the TVA as "construction work in progress, cooperation with TVAC" pending distribution to project investment accounts. The TVAC is what they called the new corporation. In 1936 the TVA again spent funds for these cooperative ventures to the amount of $54,866.61. In other words, they did not want to use the $300,000, which they had received, as money for these small corporations, but they were getting those funds from the TVA and were using them to operate the corporation—in other words, using Government funds in that way. Let me state how they listed it: The expenditure was innocently set up under the title "Cooperative Research and Experiment Division"; they were using $36,083.54 for the purpose of furthering the program of social and economic development, and the balance of $18,783.07 was used directly for the administration of TVAC affairs; in other words, for the affairs of the Tennessee Valley Association Cooperative.

This, to me, is a typical example of what I mean when I say that men like Mr. Lilienthal follow practices bordering upon the unscrupulous. It dis-

tinctly shows how they make decisions and shade operations to further their plans for government ownership and planning. It is an example of what the congressional investigating committee meant when it said that the Tennessee Valley Authority reports "were not always candid"—to phrase the matter delicately. So tenuous is the use of words today that it is always possible for persons like Mr. Lilienthal to explain away unscrupulous acts and to play up with convincing indignation the good ends they sought to achieve by saying, "Oh, yes; this is for the public welfare," with utter disregard of what has been accomplished by private initiative and private enterprise in building our magnificent industrial system, which has afforded greater opportunities for employment and advancement and brought about a higher standard of living than can be found anywhere else in the world. We hear Mr. Lilienthal extol the virtues of the Tennessee Valley Authority, but do we ever hear him extol the virtues of the great private industries of America? That is the test. The idea seems to be that what is done by TVA is for the public welfare and therefore it should be praised.

Mr. HAWKES. Mr. President, will the Senator yield to me?

Mr. FERGUSON. I prefer not to yield at this time. I would rather yield at the end of my remarks, because I know we wish to proceed with the sugar legislation.

Mr. HAWKES. Very well.

Mr. FERGUSON. Mr. President, these are the questionable practices we can expect if Mr. Lilienthal becomes Chairman of the Atomic Energy Commission. Practices like these may not be harmful so far as the TVA is concerned; but if carried over into the Atomic Energy Commission in dealing with other nations, such subterfuges may become tragic for the interests and even the security of the United States.

It is characteristic of Mr. Lilienthal and people who follow his philosophy to read greater powers into laws than were placed there. When they ask for authority, they ask it in broad terms; and that enables them to read a good deal more of their own powers into the law than Congress intended. We have seen this happen in the NRA, the WPA, FERA, AAA, lend-lease, the selective-service law, OPA, and dozens of other statutes over the last 15 years. Indeed, this is one of the most obvious characteristics of New Deal legislation, including the TVA.

Those who would govern us in this way subscribe to the belief that modern life has become too complex for the people to govern themselves. They believe that this is the day of experts, of a special managerial class to whom the people must grant broad powers. They imply, but do not say it in so many words, that they know best what is good for the people, and that the people are to do what they are told to do. Harry Hopkins, I believe it was, said that the people were just too dumb.

These experts want more than broad powers. They want us to set up a special Government authority, such as the TVA, for many great economic undertakings, and to entrust these authorities to experts. They want Government corporations, Government boards, Government commissions, and other Government agencies to be endowed with legislative, administrative, judicial, and enforcement powers combined. They want no one to interfere with them.

They want blank-check appropriations in huge amounts. They do not want to be hedged about in the use of money. They want the powers of eminent domain, so they may extend Government ownership to places where they want it extended. They want unrestrained power to plan things as they think best. They want to license, to control, and to order by directive. It is with this self-expressed philosophy of Mr. Lilienthal that I disagree.

Those who believe as Mr. Lilienthal does are impatient and dissatisfied with rule by the people through freely elected legislatures. They put up with Congress and with State legislatures only because they need them to get broad powers. It is a gesture to get popular support, just as the Nazi plebiscites were gestures of popular support, but otherwise meaningless.

Mr. Lilienthal prefers to operate in government by what is smoothly called modern management. What this would imply may be gathered from some of Mr. Lilienthal's views on this point. Writing in his book, TVA—Democracy on the March, Mr. Lilienthal declares:

> The policies of lawmaking in the immediate past have been largely regulatory and negative: This shall not be done. The atmosphere of the legislature has, therefore, been heavy with this regulatory spirit, expressed in carefully limited responsibility, lack of trust, and forever setting one man to watch and checkmate another.

That is what Mr. Lilienthal thinks of legislatures. In other words, he does not approve of our three departments of Government, which act as a check and balance upon each other. Mr. Lilienthal thinks it is a bad thing for lawmaking bodies to exercise limited powers over people. He thinks they are wrong when they enact laws in terms—as he says—"This shall not be done." He misses entirely the implications of this method in free government. By defining only what shall not be done, which the legislature does to protect the majority from the abuses of a few, the great majority of the people are left free to do all other things that are lawful and legitimate. This is the very essence of free government—a government of limited powers with all others reserved to the people.

Continuing his thinking, Mr. Lilienthal describes his preference for something like a managerial form of government in these terms:

> The tradition and climate of the skill of management, however, are remote from all such negation. Management is affirmative and initiatory: "This is to be done." It is in the process of defining, with skill and sense, what is to be done, and with it the fixing of responsibility for results, with wide freedom for judgment in the managers as to how it may best be done, that you have the essence of the best form of modern management.

He was talking about what kind of authority we should give to the managers of governmental corporations. This passage is a perfect gem of authoritarian thinking. Consider for a moment the sentence, "Management is affirmative and initiatory: 'This is to be done.'" Applied to government, this is the heart of the dictatorial process. It quickly becomes government by decree, as we have seen in Germany, Italy, and Russia. Surely Mr. Lilienthal was not advocating this, but what he was expressing in government leads to this, as is shown throughout history.

Take another phrase in this remarkable paragraph—"with wide freedom for judgment in the managers as to how it may best be done." Reflect on that phrase for a moment; it has two dangerous implications: One is that the people are to surrender their own freedom of judgment to a small body called managers. The other implication is that means can be separated from ends when the people direct something to be done. Both of these ideas—the people's surrender of their freedom to managers and the separation of means from ends—are marks of totalitarian government; they have no place in the operation of good government in a free society, as in America.

The people left the regulation of the price system to the managers in the OPA, and our economy was all but ruined. Yet, Mr. Lilienthal would have us turn our affairs over to managers, give them broad powers, and then be told by them, "This is to be done." In other words, he does not want the Government to say, "This shall not be done"; he wants the managers, men outside the legislative body, to say, "This shall be done." He is naive enough to believe that the people can reserve to themselves the right to "fix responsibility." The answer to that is written in the blood of people who have done so in recent history only to become the victims of persecutions, purges, and banishment to concentration camps when they complained against the managers who were trusted with power. When people surrender their freedom by broad grants of power to managers, presidents, fuehrers, or whatever we want to call them, they soon find themselves helpless to "fix responsibility." The grant of power soon makes protest impossible.

Mr. Lilienthal is enamored of government by experts. In the same book—TVA—Democracy on the March—Mr. Lilienthal says:

> The experts, using the term in its broad, modern sense, have a central role to play not only in the development of harmony between private interests and public interest, but in every facet of modern living. The people and the experts: The relation between them is of the greatest importance in the development of the new democracy. For people are now helpless without the experts—the technicians and managers (p. 108).
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> * * * * *
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> This will require some drastic changes in the prevailing relations between experts and the people, both in industry and in government (p. 108).

What drastic changes? They are implicit in all of Mr. Lilienthal's writings. Give broad powers to the managers.

Leave them free to do what they think is best for us. Let the managers say: "This is to be done." Let them plan, control, and direct. Reserve to the people only the privilege to fix responsibility—that is, after the deed is done. That is the essence of his thinking.

It is also the perfect framework, not of democracy, but of the authoritarian state, the totalitarian state. It begins with good managers partially checked by the people. It progresses step by step to the point where the people are progressively the wards of the managers. Correspondingly the powers of the managers are enlarged, deepened, and strengthened by the institutions and bureaucracy they set up. In time it becomes benevolent despotism, and finally tyranny.

The most mystifying thing about this process is that it is called democracy. Russia at this very moment proclaims her methods to be democratic. Yet from every test we apply we know Russia is the opposite of a democracy. Her people have given all power to the commissars, who say "This is to be done"; they have given power to the experts who set up the 5-year plans; and now the Russian people are not free to "fix responsibility"; they cannot speak freely; they cannot write freely; they cannot even move freely about their own country; and if they are dissatisfied with all of this they cannot change their managers. Yet that is called democracy; and that is what comes when the people surrender the freedom to decide their own destiny. Mr. Lilienthal would shrink from such a system. He would be one of the first victims of it. Yet his whole approach to modern government will take us down the same tragic road.

In a TVA, an RFC, an OPA, and in other agencies of Government small enough to be subject to the greater power of Congress, the people have a check upon totalitarian trends. We can repair the harm if the pendulum swings too far in encroachment upon the people's liberties. Still in possession of reserved powers and exercising them democratically, the people can afford the luxury of some of these would-be czars who undertake to manage our lives for us. But extend the system step by step, turn more and more powers over to these experts and their managers, and the time will not be far distant when freedom will be wholly lost. We shall be told "This is to be done," and we shall be powerless to think or do otherwise.

Development of the atom bomb should not be in the control of people who are so naive as to think they can manage our affairs without also leading us down the road to tyranny. Why did we take this power out of the hands of the military and place it in civilian hands? We did it because many people were fearful of the military frame of mind. Well, I am fearful of the authoritarian frame of mind—of the people who would push Government ownership, planning, management, and control over our lives. I am convinced that no matter how good his intentions may be, Mr. Lilienthal falls within that group.

Having a crusading attitude, these experts drive toward goals of their own making even if they have to resort to twisted statistics, to subterfuge to get around the law, and to propaganda tactics. They make alliances with individuals and groups operating among the people in order to contrive a measure of support.

Always the grand design is for expanded Government ownership, planning, spending, and controls. Always the direction is toward greater centralization in the hands of the expert few. Inevitably the result is progressive loss of the people's freedom and of free institutions. Behind the veneer of paternalism which marks this development lies the shadow of benevolent despotism so common in the history of the past. And benevolent despotism invariably passes into tyranny. We do not want this to happen here. When I look at this entire situation and consider my responsibilities to the people of Michigan and of the United States I cannot vote to confirm Mr. Lilienthal's nomination.

EXTENSION OF SUGAR CONTROLS

The Senate resumed the consideration of the resolution (S. J. Res. 58) to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes.

Mr. TOBEY. Mr. President, at long last the joint resolution relating to sugar is before the Senate. Probably no piece of legislation will affect more people individually and in groups than that which we are considering today. The history of the proposed legislation is that some weeks or months ago a measure was introduced and referred to the Committee on Banking and Currency, and considered by a subcommittee of that committee, of which the distinguished Senator from Vermont [Mr. FLANDERS] was chairman. The subcommittee held extensive hearings, and after their deliberations were concluded they reported a measure to the full committee. The full committee then met, considered the subject, and by a vote of 10 to 3, reported Senate Joint Resolution 58 which is now before the Senate.

For some time we have been trying to have this measure considered and acted upon by the Senate, but in vain. Now, if ever it can be said truly that time is of the essence, it can be said of this proposed legislation because of the fact that sugar controls expire next Monday, and sugar legislation passed by the Senate today must of necessity go to conference so that the differences between it and similar legislation passed last week by the House by a large majority may be reconciled. Time is rapidly passing, and so far as it is in my power I shall confine myself to as few remarks as possible, and I hope that will be the policy followed in connection with the consideration of the measure this afternoon.

Mr. President, the motivating factor which prompted me, at least, and I believe most, if not all of my fellow Members on the Senate Banking and Currency Committee to vote to report Senate Joint Resolution 58 favorably to the Senate, was the promise that under this measure the housewife and the members of her family would get a minimum of 35 pounds of sugar per capita for the coming year. That represents a general increase of about 10 pounds per capita over last year's rations.

I may interpolate that last year householders received a total of 25 pounds of sugar, 10 pounds being earmarked for canning. This year, the calendar year 1947, they will receive 35 pounds with no earmarking at all, which is an increase of 40 percent over the amount given them last year.

There are no definite statistics which indicate the exact amount used in home consumption before the war, but the Department of Agriculture has informed our committee that the best information available tends to indicate that 50 pounds per capita constituted the normal prewar home consumption figure.

Now, there is a possibility that the United States may receive, this year, an additional amount of sugar over that previously estimated. For instance, Mr. James H. Marshall, Chief of the Sugar Section, Department of Agriculture, in a telephonic conversation with sugar experts in Cuba on March 15, 1947, was informed that if the present weather conditions continue to be favorable in that country, there may be an increase of 300,000 short tons of sugar in the Cuban crop over the estimate upon which allocations from that source were made to the various countries by the International Emergency Food Council. That does not mean that the United States will receive those 300,000 short tons. The International Emergency Food Council, of which this country is a member, will allocate any increase to all countries to fill in that amount previously allocated to the various countries which was to come from undesignated sources. For instance, the United States was to receive 6,800,000 short tons of sugar, 200,000 short tons of which were to come from undesignated sources. The United States will receive their aliquot share to fill in that undesignated sources allocation. However, the fact remains that this country may receive from an increase in the Cuban yield or an increase in other sources, a larger amount of sugar than was previously estimated for the coming year.

Bearing these facts in mind, I desire to offer an amendment designed to achieve two desired results. First, I wish to convert the present promise of a 10-pound per capita increase into an assurance, written into the law, that the housewife and the members of her household shall not receive less than the promised 10-pound increase per capita. Secondly, in case there is an over-all increase there will be strong pressure, on the part of commercial sugar users, to obtain the benefit of that increase. To protect the Department of Agriculture against such pressure, this amendment would write into the law a requirement that any increase in the national sugar supply shall be allocated for home consumption until the prewar level of 50 pounds per capita is reached.

So, Mr. President, I now submit the amendment which I have outlined in my remarks as an amendment to the committee amendment.

The PRESIDENT pro tempore. The amendment submitted by the Senator from New Hampshire to the committee amendment will be stated.

The CHIEF CLERK. In the committee amendment on page 2, line 20, before the period, it is proposed to insert a colon and the following: *"And provided further,* That refined sugar shall be allocated for home consumption at a rate of not less than 35 pounds per capita per calendar year, and any increase in the amount of sugar available for allocation in the calendar year 1947 over the amount recommended by the International Emergency Food Council for allocation to the United States for 1947 shall be allocated for home consumption until the allocation for such use equals 50 pounds of refined sugar per capita."

The PRESIDENT pro tempore. The question is on agreeing to the amendment by the Senator from New Hampshire to the committee amendment.

Mr. TOBEY. Mr. President, I also submit, as an amendment to the pending bill, an amendment covering and safeguarding the civil-service status of veterans of all wars as this transfer is made from the OTC, formerly the OPA, to the Department of Agriculture under Clinton P. Anderson, the Secretary.

The PRESIDENT pro tempore. The amendment submitted by the Senator from New Hampshire will be received, printed, and lie on the table.

Mr. TOBEY. Mr. President, at this point I should like to have printed in the RECORD several telegrams bearing on the need for speed and the urgency of continuing the sugar controls.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

CHICAGO, ILL., *March 26, 1947.*

Senator CHARLES W. TOBEY,
Chairman, Senate Banking and Currency Committee,
Senate Office Building,
Washington, D. C.:

We urge you to do all in your power to see that pending legislation continuing sugar rationing is passed by Senate immediately. Untold hardship to some 24,000 small-neighborhood retail bakers will result otherwise, likewise householders and many other small industrial users of sugar will be affected. Your help will be appreciated.

FRANK G. JUNGEWAELTER,
Secretary, Associated Retail Bakers of America.

WASHINGTON, D. C., *March 26, 1947.*

Hon. CHARLES W. TOBEY:

We are gravely concerned over the delays in getting Senate action on Senate Joint Resolution 58, since March 31, 1947, is the dead line for the President to sign the law, making possible the orderly decontrol of sugar by March 31, 1948. It is the considered opinion of persons best qualified to forecast sugar trends that if the Senate fails to take favorable action immediately, April 1, 1947, will usher in the most disastrous period for growers, refiners, distributors, industrial users, and the many tens of thousands of small business dependent on sugar for their products. Under sudden decontrol now, the greatest scarcity and maldistribution would most likely occur in the distribution channels serving small business and the housewife. The resulting business failure, unemployment, and the loss of large outlets for many agricultural products can be avoided by prompt Senate action. We respectfully solicit your assistance.

American Bakers Association, American Bottlers and Carbonated Beverages, The American Bulk Condensed Milk Association, Associated Grocery Manufacturers of America, Associated Retail Bakers of America, Cocoa and Chocolate Manufacturers Association, Dairy Industry Committee, International Association of Ice Cream Manufacturers, National Association of Food Chains, National Association of Frozen Food Packers, National Association of Retail Ice Cream Manufacturers, National Candy Wholesalers Association, Inc., National Confectioners Association of the United States, National Preservers Association.

CHICAGO ILL., *March 25, 1947.*

Senator CHARLES W. TOBEY,
Chairman, Senate Banking and Currency Committee,
Senate Office Building,
Washington, D. C.:

Control of sugar will end on March 31 with the ending of the Second War Powers Act. Joseph M. Creed testified before your committee for bakers, and many others testified for other industrial users and urged the continuation of sugar rationing in the interest of all consumers. We urge you to do all in your power to see that pending legislation continuing sugar rationing is passed by both Houses immediately. Untold dislocations and hardships will result otherwise. Your help on this extremely important matter will be greatly appreciated. Many thanks.

C. P. BINNER,
President, American Bakers Association.

Mr. TOBEY. Mr. President, I shall not speak further on this subject except to say that the distinguished Senator from Vermont [Mr. FLANDERS], who has very conscientiously and faithfully conducted the deliberations in the committee, will now, at the request of the committee, discuss the sugar situation as he sees it, presenting his views after conferences in the committee room.

Mr. FLANDERS obtained the floor.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield.

Mr. TOBEY. I ask if the Senator from Vermont will yield so I may suggest the absence of a quorum. The subject before us is an important one. Only a bare handful of Senators are present. It is not the way to legislate.

The PRESIDENT pro tempore. Does the Senator from Vermont yield for that purpose?

Mr. FLANDERS. I yield for that purpose.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Cooper	Hawkes
Ball	Cordon	Hayden
Barkley	Donnell	Hickenlooper
Brewster	Downey	Hill
Bridges	Dworshak	Hoey
Brooks	Eastland	Holland
Buck	Ecton	Ives
Bushfield	Ellender	Johnson, Colo.
Butler	Ferguson	Johnston, S. C.
Byrd	Flanders	Kem
Cain	Fulbright	Knowland
Capehart	George	Langer
Capper	Green	Lodge
Chavez	Gurney	Lucas
Connally	Hatch	McCarran
McCarthy	O'Conor	Taylor
McClellan	O'Daniel	Thomas, Okla.
McFarland	O'Mahoney	Thomas, Utah
McGrath	Overton	Thye
McKellar	Pepper	Tobey
McMahon	Reed	Umstead
Magnuson	Revercomb	Vandenberg
Malone	Robertson, Va.	Watkins
Martin	Russell	Wherry
Maybank	Saltonstall	White
Millikin	Smith	Wiley
Moore	Sparkman	Williams
Murray	Stewart	Wilson
Myers	Taft	Young

The PRESIDING OFFICER (Mr. YOUNG in the chair). Eighty-seven Senators have answered to their names. A quorum is present.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield.

Mr. TOBEY. I should like to ask where the 87 Senators are. I suggest sending to the Bureau of Missing Persons.

Mr. WHERRY. Mr. President, will the Senator yield for a moment on that very point?

Mr. FLANDERS. I yield to the Senator from Nebraska.

Mr. WHERRY. I should like to have the RECORD show that four committees, namely, the Committee on Foreign Relations, the Committee on Banking and Currency, the Committee on Finance, and a subcommittee on housing and rents, have obtained unanimous consent to hold meetings this afternoon—and some of them through the entire week—during sessions of the Senate. It is becoming obvious that if we continue that practice there will not be a quorum in the Senate to transact business. I think it is sufficiently important at least for those who are responsible for conducting the Senate sessions to begin to object to such unanimous-consent requests.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield to the Senator from Tennessee.

Mr. STEWART. I think the Senator from Nebraska is entirely correct. At the beginning of this session of Congress, I thought the Senate would undertake to observe at least the intent of the Reorganization Act. It is not only embarrassing at times, but it is difficult for Members of the Senate to carry on committee work and keep up with what is going on in the Senate Chamber. I think the Senate should put a stop to this practice early in the session. Either the Senate should resume the program of meeting every other day, holding three meetings a week, permitting committees to work likewise on an every-other-day basis, or we should put a stop to this practice before it goes too far.

I agree with the Senator from Nebraska.

Mr. WHERRY. I should like also to include in my previous statement that the Subcommittee on Indian Affairs of the Committee on Public Lands is holding a hearing this afternoon. They have unanimous consent to meet this afternoon. Yet we have this important measure before us, which must be passed, as the distinguished chairman of the Committee on Banking and Currency has told us. I shall certainly bring this question up at our next policy meeting. We

must discontinue granting such unanimous-consent requests if we are to have a session of the Senate every day in the week.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield to the Senator from New Hampshire.

Mr. TOBEY. Amplifying the remarks of the distinguished Senator from Nebraska, the pending legislation is of interest to every person in the United States. A large part of our national economy is involved in the proposed legislation. Very few Senators are in the Chamber, and yet the Senate as a whole must vote on the joint resolution. There is hardly a Senator who has read the hearings. Most of them rely upon what is said on the floor to guide them in their determination. How can they vote intelligently if they are not present to hear the evidence given by proponents and opponents of the legislation? It is possible to have a good cause lost or a bad cause thrust upon us because of inadequate information, due to the nonpresence of Members on the floor. I recognize the conflict because of special meetings of committees. But I agree with the Senator from Nebraska [Mr. WHERRY] that the question of policy should be determined.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield.

Mr. CAPEHART. I should like to have the RECORD further show that this is additional proof that the Reorganization Act, for which I voted, and for which I am sorry, is unworkable.

Mr. FLANDERS. Mr. President, the joint resolution which is now before the Senate contains a number of provisions, but the overriding one is the authorization to extend sugar rationing and price control under the administration of the Secretary of Agriculture until March 31, 1948. The decision to report such a measure is the result of the collection of much data, long consideration, and thorough discussion. While the committee had a sizeable majority in favor of reporting the joint resolution to the Senate, opinion on this matter was by no means unanimous. The reasons for this are not far to seek. The subject is very complicated, and furthermore, some elements of judgment must enter into the final decision. It is comparatively easy to collect statistics on the production, distribution, cost, and pricing of sugar which all will agree, in general, to be reliable. It is likewise possible, with little disagreement, to review the facts of the results of sugar rationing and price control to date, and even to agree on some of the lessons to be drawn therefrom. But when an endeavor is made to extend past and present information into the future, and particularly when it is necessary to protect what the interests and desires of many millions of sugar users will be and how they will affect a given situation under controlled markets or free markets, we must forego the sure guide of mathematical logic and base our final conclusions on judgment. It is essential to get the most experienced and disinterested judgment possible in such a case.

As a basis for forming our own judgment, the committee held a series of three hearings. In the first of these we listened to Government officials. These included Mr. Francis A. Linville, of the State Department, whose responsibilities are concerned with the world-wide allocation of sugar under the International Emergency Food Council. There also appeared Mr. James H. Marshall, Director of the Sugar Branch of the Department of Agriculture, and Mr. George A. Dice, head of sugar rationing in the Office of Price Administration.

A second session was held to hear proponents of continued sugar rationing and price control. These included representatives of all branches of the industry, including producers, refiners, distributors, and industrial users in every important line of production. The third and last hearing was open to opponents of the program set forth in the joint resolution. These included a group of industrialists who were not in sympathy with the major group which attended the second hearing.

As a result of the hearings and subsequent discussion, the pending joint resolution has been prepared. As already stated, it was not reported unanimously, but by a substantial majority. For reasons already explained, this was not an unexpected result, since the subject of this proposed legislation is one on which reasonable men may not come to perfect agreement. It is important that the facts and reasoning back of the joint resolution be presented in some detail so that each Member of the Senate may have a basis on which to form his own judgment.

The purpose of the joint resolution itself is stated in the preamble:

> Joint resolution to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes
>
> Whereas the war has resulted in an acute shortage of sugar to an extent which is impairing the reconversion of the national economy from war to peace; and
>
> Whereas it is in the interest of national defense and security to effectuate an orderly distribution of sugar at reasonable prices in order to prevent profiteering, hoarding, market manipulation, and speculation in sugar and waste or spoilage of perishable agricultural commodities and to prevent or eliminate other disruptive practices arising out of the scarcity of sugar: Therefore be it *Resolved*—

And so forth. Section 1 extends price control under the Price Control Act and the Stabilization Act of 1942, export control under the so-called Export Control Act, and allocation and rationing under title III of the Second War Powers Act, beyond their present termination dates of June 30, 1947, for price and export controls, and March 31, 1947, for allocation and rationing. Title XIV of the Second War Powers Act, relating to the utilization of certain vital war information, is extended until March 31, 1948. Section 1 of the joint resolution also authorizes the allocation of sugar without regard to the provisions of title II of the War Mobilization and Reconversion Act of 1944. In substance this permits the Secretary of Agriculture to use discretion in the allocation of available supplies.

Section 1 of the joint resolution, as received from the Senate, has been amended by the committee to provide that the authority contained therein shall not be deemed to permit the Secretary to exercise price, allocation, or rationing control of any product which was not controlled on February 18, 1947, except that allocation control of products imported into the continental United States could be exercised even though not controlled on that date.

Section 2 of Senate Joint Resolution 58, as amended, relates to decontrol of sugar and provides that the Secretary of Agriculture shall remove such controls when he determines that the supplies of sugar are sufficient to warrant such action. This decontrol provision supersedes the present decontrol provisions of the Price Control Act, including those relating to action by the Price Decontrol Board.

Section 3 vests in the Secretary of Agriculture sole responsibility for the administration of sugar controls carried out pursuant to the statutes extended by section 1. Section 3 also continues in full force and effect all orders, directives, rules, and regulations relating to the functions so transferred, until modified or revoked by the Secretary of Agriculture. Unexpended balances of appropriations and property available to the respective agencies in the exercise of the functions transferred are transferred to the Secretary of Agriculture. The last provision has been enlarged by the committee to include an amount to liquidate obligations against such appropriations incurred prior to transfer, and to authorize the transfer, on a temporary basis, of such personnel as may be needed in the exercise of the functions transferred.

Mr. SALTONSTALL. Mr. President, will the Senator yield at this point?

Mr. FLANDERS. I yield.

Mr. SALTONSTALL. I have received a letter from the American Legion office in Washington concerning the word "temporarily," on page 4, in line 18. They take the position that if that word is left in the joint resolution it will adversely affect veterans. I understand from the chairman of the committee that that word has now been deleted. The Senator from Vermont read it just now. Do I correctly understand that that word has been or will be removed?

Mr. FLANDERS. By an amendment which the Senator from New Hampshire will present, that word will be clarified in a way, I am sure, to preserve all the rights that veterans would have had if they had remained under OPA.

Mr. TOBEY. That amendment, Mr. President, has already been presented.

Mr. FLANDERS. Yes. It makes clear that no employees so transferred would have any retention rights in the Department of Agriculture when the functions transferred have terminated. Section 3 also continues all provisions of existing orders, directives, rules, and regulations pertaining to sugar, for the purpose of sustaining any proper suit, action, or other proceeding with respect

to violations, liabilities incurred, or appeals taken thereunder.

Section 4 provides that the provisions of the joint resolution shall become effective immediately upon its enactment.

Under the provisions of Senate Joint Resolution 58, as amended, the Secretary of Agriculture is given discretionary power to terminate price control and rationing of sugar at any time prior to March 31, 1948, if conditions warrant such termination. The committee is confident that Secretary Anderson will use this discretionary authority if it is possible to do so, and at the earliest possible date.

What are the purposes of the joint resolution thus briefly described? The obvious purpose of price control is to keep prices from going abnormally high. The obvious purpose of rationing is to insure an equitable distribution of the product. Is there danger that prices will become unreasonably high and that distribution will be seriously inequitable for any length of time if rationing is removed? These are the questions which have to be answered.

Of the sugar produced by us or allocated to us from foreign production, there are two principal classes of users—industrial users and household users. The categories of industrial users include bakers, soft-drink bottlers, ice-cream manufacturers, confectioners, and producers of jams, jellies, preserves, and other canned fruits. In general this group is satisfied with present rationing and price-control regulations, and would like to see them continued. This is not strange. At current costs of sugar and at the current price which sugar shortage has made possible, the possibilities of profit in these food and drink and confectionery industries are not only excellent but are stabilized. Most of the uncertainties are removed and the businessman engaged in the use of sugar can pursue the even tenor of his way without having to lie awake nights wondering whether to play his inventory close or to lay in a large stock in fear of anticipated rises or short supply.

In addition, there is a certain protection of his position, so far as new competition is concerned, although this protection is by no means 100-percent effective, since some provisions are made for new industrial users, particularly if they are veterans; and, in addition, new restaurants, hotels, and so forth, as well as some other categories of new enterprise, are allowed access to the supply of sugar.

All this adds up to saying that under present rationing and present prices, industries are safe, have a certain measure of protection from competition, and, for the most part, would prefer that safety to the scramble and uncertainty that would follow the end of a controlled market.

The housewife is in many respects in a different position. If her family is composed of adults, she has been on short rations throughout the war. If she has small children in the family, the present allowance has permitted more generous portions for the other people. If she lived in the city, the allowance may have been sufficient most of the time. Had she lived in the country she would have had to, and did, cut down on the canning and preserving which play such a large part in country families, and even in many village, town, and city families. In consequence of this decrease in her supply of preserving sugar she has been in the market for commercial preserves and canned fruits, for which she has had to pay, in terms of the sugar furnished, many times what would have been the case could she have done her own preserving.

The price at which she might have to buy her sugar, were controls removed, would be of importance to her; but its total effect on the family budget would still be comparatively small, since it is such a small item in the home. Her real concern under any reasonable price possibilities is to get what sugar she needs, when she needs it. This must furnish the basis of our judgment as to whether and how, controls shall be continued on sugar. Will the end of controls now so disrupt the distribution of this commodity that the housewife will have more trouble than now in getting as much as she wants, when she wants it? On the other hand, will continuation of controls, to the extent proposed, meet her desires more successfully in this respect?

Another question may well be raised at this point. With all of us convinced that controls are undemocratic and in the long run destructive of the interests and rights of the people as a whole, can we be assured that their continuance at this time will lead us in the future to a period when they may be more safely relinquished than now?

The sum of all this is that the key to our legislation on the pricing and rationing of sugar is the best interest of the American housewife. No other consideration compares with this in importance. Will continuance or immediate repeal be in her interests?

Everyone expects a period of disorganization in prices and supply immediately at the end of controls, even under the best conditions. A free market price and even distribution cannot come automatically into action immediately or even in a few days' or a few weeks' time after the end of control. It is easier to get hold of a bull's tail than to let go of it. It is easier to establish controls than it is to relinquish them. A lot of dust will be raised and some fast footwork will be necessary when it comes to letting go, and there may be some casualties.

The primary consideration is that there shall be enough sugar in primary stocks, in transportation, and on retailers' shelves throughout most of the Nation so that the housekeeper shall be able to purchase freely at a reasonable price. If controls are taken off when stocks are short or unevenly distributed the country over, and if the purchasers find that they cannot purchase as much as they desire, we are going inevitably to have a run on sugar which will both drive hundreds of thousands or even millions of tons out of circulation and at the same time increase its price far beyond that which would be reasonable under normal supply and demand conditions.

We have to admit that at least twice in our recent history the American family has exhibited a tendency to hoard sugar if the head of the household suspected that the supply was short. This was true in 1920. A run of purchasing and hoarding was initiated in 1939 and if supplies are not on hand in 1947 or 1948 or whenever controls are taken off, the same process will be repeated.

The conditions in some respects will be worse than they were in 1920. Available world supplies are less. The Philippines are not yet in full production. The sugar stocks of Java, now doubtless much depleted, are still surrounded by a blockade until political arrangements have been completed between the Dutch and Indonesian governments. There was far more destruction of the beet sugar production in Europe and consequently there will be a slower recovery. All of this is an added danger as compared with the situation in 1920.

It is not necessary to examine in detail the controversies about the various production and stocks figures to see the dangers of decontrolling sugar now or providing definitely for such termination on October 31. Most of the controversy about the production and stocks figures boils down to disputes about 300,000 or 400,000 tons of sugar at the outside. If international obligations are recognized, and if it is recognized that the 1947-crop beet sugar cannot be consumed before it is produced, the picture is clear. The Department of Agriculture has assured us that all the 1947-crop beet sugar which can be moved into consumption in 1947 will be so moved; however, the fact that beet sugar is not produced until the last quarter limits the quantity which can be moved into consumption before the end of the year, and therefore, there is necessarily a large increase in year-end stocks in a year when we are fortunate enough to have a large beet crop. It is also pointed out that the most optimistic estimates of the Cuban crop will not provide enough additional sugar to fill by itself the quantities already allocated from undesignated sources.

The gap between the 6,800,000 tons now indicated as available for the United States in 1947 and the estimated requirements under a free market is about 1,000,000 to 1,500,000 tons. Therefore, it is evident that even if we should be able to get a few hundred thousand tons of sugar in addition to the 6,800,000 tons, such additional quantities would not be sufficient to narrow the gap between supplies and requirements to a point which would prevent burdensome price increases, undue price fluctuations, and disorderly and inequitable distribution.

The compelling idea behind this bill is that there is not now enough stock, enough sugar in the warehouses, in transportation, or in the refineries to prevent a serious price rise; and, more seriously, a wild scramble for the available supply.

It is true that we are having bumper crops of sugar in Cuba. It is possible that the size of the crop previously estimated at 5,500,000 tons may be several hundred thousands of tons more than that amount when it is finally harvested and processed. The first priority on any increase in Cuban sugar production must

be to fill this 700,000-ton deficiency. Furthermore sugar is moving to our Atlantic and Gulf seaboard more slowly than normal due to transportation difficulties. At the best it will not begin to come through the refineries ready for distribution in any large volume before May and June if past history is any guide. We would therefore have at least two months of shortage and widespread hoarding before the new supply could make its effect and even then the new sugar would not come into a normal market but into one which had been depleted; and it would be doing so at the very time when the peak demand occurs due to the commercial and household preservation of fruit.

This would tend to spread the overbuying and hoarding of the well-to-do and fortunate buyers on the eastern border of the country, while the West, already using up its beet-sugar supply in the normal course of events, would all the more frantically join in the hoarding process. This would result in the added complication of shipping some of the Cuban sugar to the beet-sugar regions which normally depend upon their own supply, in this case hoarded because of a run on the market.

The expectation that this would occur during the summer, when the canning demand is at its highest, disrupts the situation so far as the American housewife is concerned, and she is our principal concern. It is she whom this measure is intended to protect. There is in the minds of the sponsors of the bill no doubt whatever that we would be doing her a disservice in removing controls at this time.

But when is a good time? To come to a proper judgment on this matter we can do no better than to suggest a close analogy between a run on sugar supplies and a run on the cash of a bank whose supply of cash is dubious.

In times past, when the American housewife has suspected a short supply of sugar she has bought more than she needed. This is no different than the natural impulse of the bank depositor to withdraw his cash if he suspects the bank has a short supply. The bank may well be solvent so far as normal operations are concerned, but can be made insolvent by a run of withdrawals.

That fear which leads depositors to begin withdrawals from a bank has been mitigated by the provisions of deposit insurance. An ample supply to meet an emergency has been made available through the Federal Reserve System. There is no sugar insurance, and there is no sugar-reserve system to draw on. In other words, there is no substitute for a well-distributed stock of the commodity when controls are taken off.

When can we have this well-distributed stock in the commodity of sugar which will warrant the removal of controls?

Most fortunately we can foresee the time. The unusual Cuban sugar crop expected this year will permit a more liberal distribution of sugar to consumers and at the same time leave some over to help fill the pipe lines and the shelves.

Mr. BUTLER. Mr. President, will the Senator from Vermont yield?

Mr. FLANDERS. I yield to the Senator from Nebraska.

Mr. BUTLER. The Senator from Vermont just made the statement that there would be no controls over the movement of sugar in case present controls were removed. I should like to ask him this question: Suppose all controls were off as of any certain date, and those who had sugar for sale were not satisfied with the price that was available. There would be a tendency to hold back, would there not, just as in the case of any other commodity?

Mr. FLANDERS. There would be.

Mr. BUTLER. If the price were sufficiently interesting and profitable there would be a tendency to move the supply into the market. It is exactly the same control we have had over the movement of all commodities during all history, and it is, I think, the only control which the people of the United States want for a permanent diet.

Mr. FLANDERS. I agree with the Senator from Nebraska in saying that the control of supply is normally and properly through price. The question arises whether the price will be excessive, whether it will lead to a boom and bust as in 1920. Furthermore, I call attention to the fact that if sufficient supplies are not in sight it will begin to affect the distribution before controls are released, because, 1 month, 2 months, 3 months—heaven only knows how long—before an announced date for taking off controls, there will be inevitably a tendency on the part of those who possess sugar at any stage of production and distribution to hold it with the expectation of the higher price coming immediately after the relinquishment of control. So I still conclude, while agreeing with the Senator from Nebraska, that the evidence, physical evidence, statistical evidence, of a strong supply of the commodity is in the long run the only safeguard against its getting out of hand.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield to the Senator from Nebraska.

Mr. BUTLER. I agree thoroughly with the statement made by the Senator from Vermont. I do not know at what date he is ultimately going to arrive, in his recommendation, but in that connection I personally state that I favor the date October 31, for the exact reason that the Senator from Vermont has just given: namely, the prospect of a good supply October 31 is just ahead of or at the beginning of the movement of the beet-sugar crop, and October 31 is only slightly ahead of the date the cane offshore crop begins to move. So we are removing controls at the time when there is the largest prospective movement or available supply of the commodity under consideration.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield to the Senior Senator from Vermont.

Mr. AIKEN. I should like to ask my distinguished colleague if he does not think, inasmuch as there is going to be a tendency to withhold the commodity from the market in anticipation of the removal of price controls, that if we set October 31 as the date for removing the controls, the sugar would be withheld from the market at least 6 weeks prior to that date, or at the height of the canning season?

Mr. FLANDERS. I am glad to agree completely with the suggestion of the senior Senator from my State. I think the fall canning certainly, and very likely the summer canning, would be apt to be very seriously affected.

Mr. AIKEN. About the only worse time for removal of controls would be during September, or possibly October 1.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield to the Senator from West Virginia.

Mr. REVERCOMB. I thank the Senator. The question asked by the senior Senator from Vermont has led very much to what I had in mind, namely the effect of the time of releasing controls. Of course, if October 31 is the date used for release, the canning season would have passed by that time. It might not have passed for the apple or the fruit season, but it would have passed for a part of the berry season throughout the country.

Mr. AIKEN. What I had in mind was 60 days or so prior to October 31. The months of August and September are the two important canning months.

Mr. REVERCOMB. I think it has been stated by the able Senator that the principal interest is in getting supplies for the domestic user—that is, the housewife—and I join in that. That is the principal concern I believe to most of us, to see that there is available an abundance of sugar for domestic use.

There are two questions I have in mind which I want to address to the Senator. The first is, What in his opinion, would be the amount of rise in the price of sugar per pound if it were released from control at the present time?

Mr. FLANDERS. I would like to inquire of the Senator from West Virginia how much the stock market will be up or down at any given time? The question is of the same sort.

Mr. REVERCOMB. It is as uncertain as that?

Mr. FLANDERS. I think so; yes, sir.

Mr. REVERCOMB. I am somewhat surprised to hear that, because I thought there was a rather definite knowledge of the sugar supply, which would indicate what the price might be.

Mr. FLANDERS. There is a definite knowledge also of the supply of stock on the market. The imponderable is the psychological element in the purchases, whether of sugar or of stocks. I might say that in one respect my analogy falls down, since we cannot be sure in advance whether the stock market is going up or down at a given time. We could be sure that sugar was going up.

Mr. REVERCOMB. May I say further to the Senator that of course there are a good many more factors entering into the rise and fall of the stock market than in the case of a staple product such as sugar? In a general way we know from its historical use the amount of sugar which will be used; we know how much we have on hand; and, as the Senator says, we know it will go up. But I take it from the Senator's answer that he

does not desire to indicate to what extent it would go up, even knowing what the sugar supply would be, and even knowing what the historical use of sugar has been in this country.

Mr. FLANDERS. I may say that testimony of various persons with experience in the industry has shown prices ranging from 15 to 30 or even 40 cents a pound. I am inclined to discount those very high prices. The Senator is asking me to guess on the stock market.

Mr. REVERCOMB. No, not on the stock market; I am interested in sugar.

Mr. FLANDERS. It is the same sort of question. I would be surprised if, under the worst conditions, the price of sugar should go above 30. It might be somewhere between 20 and 30. The point I am making is that we can so set the conditions that the price rise will be comparatively unimportant.

Mr. REVERCOMB. May I ask the able Senator another question?

Mr. FLANDERS. Certainly.

Mr. REVERCOMB. Does he feel that the price rise would be less if controls were extended a longer time, a matter of months, or a matter of a year, than if we released them today?

Mr. FLANDERS. It is my belief, sir, that if controls were released today there would be an unusually large price rise. I am not prepared to say what it would be, but my guess is it would be well over 20. Furthermore, I believe that we can find a time before the year has ended, when controls can be taken off and the price rise be somewhere around 15 cents, and then drop back again. But I am neither a prophet, the son of a prophet, nor the grandson of a prophet, and I am just talking hot air on that particular subject. So, I think, is everyone else.

Mr. REVERCOMB. Let me say to the Senator that I think the question of what the price rise would be is a very important guiding point in this discussion. That is the reason I make inquiry of those who have given particular study to this subject. We want to get rid of controls, but I think that in considering that question we must look into the subject of price rise. There will be a temporary rise, but if it were to be such a rise as is talked about here, of course, that would be most unfortunate. We want plenty of sugar, but we want it at reasonable cost, particularly to the domestic consumer, indeed, to all consumers. That is the reason I put the question to the Senator.

I believe that both those who advocate the views of the able Senator and those who advocate other views have taken the position that they primarily want the domestic consumer, or, as we say, the housewife, to have first consideration in the use of sugar and the supply of sugar in this country; is that correct?

Mr. FLANDERS. That is correct, sir.

Mr. REVERCOMB. It then comes down to a question of the better argument as between the two points of view, as to which course will give the domestic consumer more sugar, and I want to say that that will be largely guiding with me.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I should like to ask the Senator from Vermont a question in furtherance of the statement made by the senior Senator from Vermont, concerning October 31 as a possible date of ending controls. In addition to the canning, is there not a very large seasonal business in ice cream and confectionery that would be adversely affected by the suspension of controls on that date? In other words, if we are going to suspend controls, is it not better to do it at the end of March than it is at the end of October? If we do it at the end of October, we are going to affect the housewife adversely, because all large industrial users are going into the market for what sugar they can get. Is that not correct?

Mr. FLANDERS. That is correct, sir, from my point of view.

Mr. ROBERTSON of Virginia. Mr. President——

Mr. FLANDERS. I now yield to the Senator from Virginia. I am trying to recognize Senators in proper firing order.

Mr. ROBERTSON of Virginia. Mr. President, is it not a fact that the Secretary of Agriculture informed the subcommittee of which the Senator from Vermont was chairman, that the bulk of our domestic production would not be available for distribution until after October 31; that at that time the stocks available for distribution in this country would be at their very lowest ebb, and therefore October 31 would be the very worst time to end control, if the Senate has in view the keeping of prices within the purchasing power of the average consumer, as the distinguished Senator from Massachusetts suggested, and protecting certain industries which are not in position to pay high prices for the sugar they need?

Mr. FLANDERS. That, sir, is, according to our best information, the fact. There are three important sections of the country, so far as the source of sugar supply and its consumption are concerned. The Pacific coast in general is taken care of by the continuous production of the Hawaiian fields, though that production suffered somewhat last year because of strikes. The great middle section of the country, roughly from the Sierras to the Alleghenies, is for the most part dependent on beet sugar. The eastern seaboard and a part of the South are dependent on Cuban sugar. A part of the South is dependent on the Louisiana cane. But in general there are those three regions. They stock up at different times. They are drawn down at different times. October 31 is about the worst date, because the heavy drains will have been made on the Cuban sugar on the eastern seaboard, and the beet sugar will have been pretty nearly completely drained away, leaving the total supplies to the country at their lowest point at that time.

I shall mention one other point, and that is that it may be feasible, or considered feasible if we get, for instance, a large stock of sugar from Cuba, and the beet sugar supplies are drawn down, to put Cuban sugar into box cars and transfer it to the beet-sugar regions, or under similar but reverse conditions we can bring it back. But that is the uneconomical way to do, and in view of the story told by our friend, the Senator from Kansas, concerning box cars, it is an unwise thing to do. The proper thing to do is to have in each of these regions a sufficient stock when the controls are taken off so that any price and distribution flurries will be of a minor degree and of short duration.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield.

Mr. AIKEN. Since the Secretary of Agriculture has become so thoroughly involved in this discussion on sugar, and since the Senator from West Virginia has raised a hypothetical question as to what the price of sugar would be if controls were removed, I should like to say that in testifying before the Committee on Agriculture last month, about 6 weeks ago, the Secretary of Agriculture estimated that if controls were removed this spring the retail price of sugar would rise to between 30 and 40 cents a pound.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield.

Mr. TOBEY. The Senator from West Virginia raised the question of price controls coming off immediately, and the effect which would be caused thereby. I point out that the Senator from Vermont [Mr. FLANDERS] answered him by discussing the price increase which would ensue. In the statement of the Senator from Vermont I concur; but I point out that it is not only the danger of a price increase that causes us concern. The fact remains that if controls were taken off today prices would soar, but beyond that it would result in crucifying the small businessmen, because, ergo, the large sugar users with ample means to finance their purchases would purchase large supplies of sugar and drive the price up and store the sugar away for themselves to the exclusion and detriment of the small businessmen.

I point out that about 8,000 veterans have availed themselves of the GI bill of rights to start small sugar-using businesses, such as soft-drink businesses, ice-cream businesses, candy businesses, pharmaceutical businesses, and businesses engaged in the production of gelatines and other types of desserts. When we express our interest in and compassion for the small businessmen, here is a very good opportunity to show our concern and regard for him in safeguarding against such increases, which I believe are a great probability and potentiality if we should remove controls now.

Mr. FLANDERS. Mr. President, I should like to say to the Senator from New Hampshire that I fully concur with him, that in the event of serious dislocation of prices and distribution it would be the small businessman, particularly the new businessman, and the housewife, who would be the sufferers.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield.

Mr. ELLENDER. I want to say that I am for a continuation of controls on sugar. I shall in the course of this debate state my reasons why I believe October 31, 1947, should be the date at which controls should end.

I should like to ask the Senator from Vermont this question: If the controls are ended on March 31, 1948, will there not be a tendency on the part of the processors of sugar in this country—say, the Louisiana processors, the beet processors, those in Cuba and in Puerto Rico and Hawaii, who begin their grinding seasons in January—to retain their sugar and keep it from the market until after March 31, 1948, in order to obtain a larger price for their commodity?

Mr. FLANDERS. That, sir, is possible, but supposing we do have ample supplies when control is taken off, we can ride out those 2 or 3 months. But that is merely one more argument for assuring ample supplies before controls are taken off.

Before I yield again, I should like to make an observation to this effect: The distinguished Senators who have interrupted me are moving me rapidly through my prepared speech toward its latter end, and whether to thank them or whether to ask them to hold up a bit is beyond the possibility of my deciding at the present moment, but I think I shall let them proceed. I yield further to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, as I indicated a moment ago, it is true that on October 31 the supply of sugar is less than it is ordinarily, but if we stop controls at that time, is it not true that we are going to have a supply flowing in from continental producers and also from offshore producers who usually sell in this market?

Mr. FLANDERS. That is true, but the supply comes through only at the rate that the refining process can be carried on.

Mr. ELLENDER. Yes. The further point I wanted to make was that in the House measure, aside from controls which continue until October 31, there are the inventory controls, which extend until the 31st of March 1948. That would have a tendency to keep large industrial users from piling up great quantities of sugar, and would leave the housewives a greater supply from which to buy sugar.

Mr. FLANDERS. Inventory controls have a certain definite usefulness, but they do not go the whole way, for a number of reasons. In the first place, they are applicable only to the primary distribution from the refineries to the wholesaling warehouses and the large industrial users. To make such controls effective through to the smaller wholesalers and the retailers, and particularly to the housewives, would require the swarm of spies and functionaries which Thomas Jefferson so delightfully described in the Declaration of Independence. In other words, we would have to multiply our former OPA force by several times to have them really follow through to the stocks in which the hoarding would occur.

But there is another point. The large industrial users might not hoard their stocks of sugar as such. They might rush the sugar through to the finished products, and inventory it in the form of finished products. They might bring about that condition by increased working forces, night shifts, and overtime. At no time would they have more than the proposed 30 days' supply on hand. Inventory control has a usefulness, but it is a limited usefulness.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield to the Senator from West Virginia.

Mr. REVERCOMB. I thank the Senator for yielding to me. I will not interrupt him further if I may ask two brief questions.

The Senator has just discussed the question of what would happen when sugar controls were taken off. The Senator from Louisiana [Mr. ELLENDER] spoke of sugar controls, and the result with respect to holding sugar back from the markets if we removed the controls on October 31, 1947. Let me put this question: Will there not be a holding back of sugar whenever the controls may be ended? We must end the controls at some time. Naturally there will be a holding back of sugar from the market on the part of some. The only way to get around that is to slip up on them quickly and end the controls; but we do not do things that way. Will there not be a holding back regardless of the date when controls are removed?

Mr. FLANDERS. The Senator from West Virginia is entirely correct as to what will happen. To what extent it will happen, and how serious the withholding and price rises will be, will depend upon how large a stock of reserve sugar we have when the controls are removed. If that stock is large, the dislocations will be comparatively small and of short duration, and the withholding will be comparatively small. If our stocks are small, the price increase will be large, the dislocations in distribution will be great, and the withholding from distribution in advance of the removal will begin at a much earlier date.

Mr. REVERCOMB. In the discussion by the Senator from New Hampshire [Mr. TOBEY] he spoke of great hardship being placed upon small business if controls were released. Am I to understand from that that the housewife, the domestic user, today is suffering shortage in part from the allocations under controls to business? There seems to be a question of balancing the use of sugar between business and the domestic user. If it goes to business, whether it be small business or large business, it naturally comes from the domestic user so long as there is a shortage in the supply of the domestic user. Am I to gather from the statement of the Senator from New Hampshire that under controls the small-business user, or any business user, is taking sugar to the detriment of the supply of the domestic user?

Mr. FLANDERS. Let me say a word to the Senator from West Virginia with regard to the status of the allocation as between industry and the household user to date. Approximately 80 percent of the industrial use is apportioned to industry based upon its normal prewar use. That allocation was based on a 75 percent basic allocation. At the end of the war a great many industrial users found themselves with enlarged plants and enlarged working forces. They made a plea to the sugar-control authorities that they be permitted to expand beyond the 75 percent of their historic basis, in order not to throw men into unemployment at that particular time. Those pleas were listened to, to the extent that some of them were given as much as 80 percent, and some 85 percent; but the average increase in all those cases amounted to an over-all 80 percent of the prewar use. This season's promised allocation to the housewife is 35 pounds, which figures out about 70 percent of her prewar use. So industry is getting a 10 percent larger distribution than is the housewife. However, I should like to invite attention to the fact that that allocation was given industry on the basis of maintaining employment, and for no other purpose.

Have I answered the Senator's question?

Mr. REVERCOMB. Yes.

Mr. ELLENDER. Mr. President, will the Senator permit me to make a comment on the first question asked by the Senator from West Virginia?

Mr. FLANDERS. I yield to the Senator from Louisiana.

Mr. ELLENDER. It is true that no matter when controls are taken off, no matter what date is fixed, there will be a tendency to hoard sugar. But that tendency would be further removed by fixing the date at October 31 than by fixing any other date that could be fixed, because today the Commodity Credit Corporation owns the entire Cuban crop which is now being harvested. It also owns the entire Puerto Rico crop which is now being produced. In other words the Government can better control distribution of the sugar it now owns.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield.

Mr. REVERCOMB. Does the Senator from Louisiana mean that the holding back would be less if the date were fixed at October 31?

Mr. ELLENDER. Absolutely. There can be no question about it.

Mr. ROBERTSON of Virginia. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield to the Senator from Virginia.

Mr. ROBERTSON of Virginia. On the point raised by the Senator from Louisiana, with regard to holding back sugar, whether the date be October 31, 1947, or March 1948, we must bear in mind these factors: There will be production of beet sugar in Europe this year, which may enable the international control to give us a larger percentage of sugar from Cuba, available by March of next year. We expect a substantial shipment of sugar from the Philippines by the spring of 1948, commencing perhaps in April. That statement is based upon the report of the Department of Agriculture. We expect that when the Dutch settle their political problems in Indonesia and other sugar-producing areas in that section of the Pacific, we shall get a substantial supply from that source, which will probably come to us by March of next year. So from every standpoint we shall be in a better position if we relax control in the spring of 1948 than if we were to end the controls in the fall of 1947.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield to the Senator from Nebraska.

Mr. BUTLER. I appreciate the interruptions which the Senator has permitted, because I believe they have added to the information of all of us who are keenly interested in this subject.

The question centers for the moment around matters of production, in determining what date might be most propitious for decontrolling. We all admit that the decontrol date is approaching. The question is, what would be the most propitious time? I take it from the tone of the remarks which have been made by the distinguished Senator from Vermont, and perhaps by other Senators, that a continuation of control tends to give the answer to this whole question. The answer is production. Is not that correct?

Mr. FLANDERS. The answer is production and the building up of sufficient stocks.

Mr. BUTLER. Yes; the answer is production. Let me ask the distinguished Senator from Vermont what the record is in reference to the production of sugar under Government control.

Mr. FLANDERS. My personal knowledge of that is doubtless very much less than that of the Senator from Nebraska, who lives closer to the sugar-beet-producing areas than I do. I know however, that at times the Department has discouraged the production of beet sugar, but at the present time it is encouraging it by every means within its power.

Mr. BUTLER. For the information of the Senator from Vermont and other Senators. I may say that production of sugar in our own continental area is considerably reduced, especially as regards the production of sugar beets. It is almost 50 percent lower, in my own State today, than it was in the prewar era.

Mr. FLANDERS. What about the planting?

Mr. BUTLER. The planting has been under the control of the Department; and it is that form of control that the producers do not like. My prediction is that the sooner we get rid of control, the greater will be the production. In other words, the sooner we eliminate control, the sooner we shall find the answer to the problem.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield.

Mr. TOBEY. I am referring now to the comments concerning the date of decontrol—whether October 31 or next March. Addressing myself briefly to that subject, in my opinion if the date were fixed as of October 31, the eastern seaboard probably would receive very little sugar, if any, during September and October, because the persons who had it to sell would know that rationing was being terminated at the period of greatest scarcity and that, therefore, prices probably would be bound to go up; and so they would withhold the sugar during the months of September and October, and not sell it to the merchants, but wait for the price rise which would be inevitable then.

On the other hand, if the date were fixed as of March 31, and if the Secretary saw that there was sufficient sugar to end rationing March 31, he could do it as of midnight of that date without any previous announcement; and the hoarding and speculating feature would not then enter the picture, so the people in the eastern half of the country would have sugar in September and October, which from the sugar standpoint are very important months to them.

Let me point out that Senate Joint Resolution 58 contains a section which makes it mandatory for the Secretary of Agriculture, Mr. Anderson, to decontrol whenever in his good judgment he finds he can do so.

I should like to point out to the Senator who referred to sugar from the Philippines—I think it was the Senator from Virginia [Mr. ROBERTSON]—that before the war we received a million tons of sugar a year from the Philippines, year after year. Of course, the war destroyed their refineries and plants, but now they are slowly being restored. In the last few years we have been exporting sugar to the Philippines; but as he stated—and I confirm it—in another year, by March or April, our receipts of sugar from the Philippines will be back to nearly the prewar basis.

Mr. FLANDERS. I thank the Senator from New Hampshire for putting his finger on the possibility of removing controls before March 31, and of doing it unexpectedly, because that is very much within the possibilities and within, in fact, as he has indicated, the mandatory provisions of the pending joint resotion. March 31 is the limit beyond which it must not go. As I shall show a little later, the possibilities of removing controls before that time are extremely hopeful.

I shall continue briefly on the subject of United States sugar-beet production. The average production in the period 1935 to 1939 was 1,520,000 tons; for the period 1944 to 1945, 1,056,000 tons; 1945–46, 1,278,000 tons; 1946–47 the crop, as estimated by the Department, is 1,541,000 tons—the largest in our history.

I do not know who is correct—the distinguished Senator from Nebraska [Mr. BUTLER], who lives in the sugar-beet area, or the departmental statisticians, who admittedly have not always been correct.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield.

Mr. BUTLER. I should like to answer the distinguished Senator just to this extent: The figures quoted are average. The figures I quoted, showing that the production in the State of Nebraska was almost 50 percent under its former production, are approximately correct; in fact, I know they are correct. But to balance that, when we consider the increased allotments under the control program to other areas—I might mention the State of California as an example, in perfect good will, because none of us cares where sugar is produced, so long as we can obtain it—the point I am making is that we are not getting more than half the amount of sugar we could get from my State; and there are many other similar areas.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield.

Mr. FERGUSON. After listening to the Senator from New Hampshire [Mr. TOBEY], I wish to have the record show that so far as beet sugar is concerned, the height of sugar production—that is, the time when there would be more sugar than at any other time—would be in October, rather than next March. So I think the record ought to be clear that, so far as the growers in America are concerned, there would be sugar to be sold at that time. If we make the date next March, we are likely to find that beet sugar will be held over until after March, so that the producers will get a higher price.

So I think we have to choose a date. So far as I can learn from the growers of sugar beets in Michigan, they would prefer the date in October, rather than the date in March, for the ending of these controls.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. FLANDERS. I should like to say, first, in answer to the remarks made by the Senator from Michigan, that, of course, beet sugar does not become instantaneously available when the beets are harvested. They go to the sugar mills, and the sirup is extracted, and the sugar is drained off and refined. Doubtless the Senator knows more than I do about the duration of the process, but I should be surprised if the refineries were not working for at least 3 months on the fall beet crop.

Mr. FERGUSON. But during that entire period the sugar would be coming out and could be supplied directly to the market, and if the producers were being paid what they regarded as a fair price at that time, there would be no reason to withhold the sugar.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield.

Mr. MAYBANK. Following up what the Senator from New Hampshire [Mr. TOBEY] so ably stated, what impresses me is that in voting for the March 31 date, we have to think of the movement of crops next fall, when cotton and every other crop will move, and we must realize that a tremendous car shortage is expected at that time. As the Senator well knows, in connection with the sugar-inventory cases which were brought up by the Secretary of Agriculture and others, the really serious situation will develop next fall when beet sugar and the other sugar will be distributed.

The shortage of cars is well known to the Members of the Senate. Approximately 65,000 cars in the last year, alone, passed out of use. The testimony throughout the hearings, by every witness in connection with the inventories, was that the distribution of the crops in the fall will present a most serious problem because of the boxcar shortage which will exist at that time.

Mr. FLANDERS. I thank the Senator from South Carolina for bringing out that point. It only emphasizes the necessity for having sufficient stocks of

sugar coming from each of the sources, in the regions which normally supply it, so that it will not be necessary to shuttle it back and forth across the country.

Mr. MAYBANK. Mr. President, if the Senator will further yield, let me say that the testimony also shows that there will have to be a tremendous shuttling movement in order to supply the points outside those where the Cuban sugar is available or where beet sugar is produced.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me?

The PRESIDENT pro tempore. Does the Senator from Vermont yield to the Senator from Wyoming?

Mr. FLANDERS. I yield.

Mr. O'MAHONEY. I should like to ask the Senator from Vermont whether testimony was submitted to the committee, on behalf of the processers of sugar beets and on behalf of the growers, to the effect that the March date, rather than the October date, was more desirable from the point of view of the beet-sugar industry?

Mr. FLANDERS. Such testimony was offered.

Mr. O'MAHONEY. I am not at all surprised that it was, although I was not present at the committee meeting, because I know that in the Rocky Mountain beet-sugar area the program for the refining of sugar beets is not completed at all by the 31st of October. In some cases it is not completed until long after that time.

Mr. OVERTON. Mr. President, will the Senator yield to me?

Mr. FLANDERS. I yield.

Mr. OVERTON. There are two or three questions which I should like to ask the able Senator from Vermont. The first is this: While it is true that the stock of sugar will be very low on October 31, nevertheless, beginning at about that time, from October on, a large supply of sugar commences to come into the market. Is not that correct? That is the first question.

The second question is this: Is it not true that the consumers' demand for sugar is larger at about March 31 than it is at any other time?

Mr. FLANDERS. I would say to the Senator from Louisiana that that is rather doubtful. The largest demand for sugar would naturally come in the summer, with its combination of the use of sugar for household canning, coca-cola, and other soft drinks, and ice cream.

Mr. OVERTON. We in Louisiana have coca-cola all the time.

Mr. FLANDERS. The Senator from Louisiana is fortunate.

Mr. OVERTON. And the use of sugar by confectioners, and for ice cream, and so forth, increases in the spring.

However, it is also true, is it not, that production begins immediately after October and November, and continues, with increasing quantities, from then on?

Mr. FLANDERS. In the beet-sugar regions beet sugar production begins in October; Louisiana production begins a little later, and subsequently the Cuban sugar begins to come in. That is the "firing order" of the production of those three separate production and consuming regions.

Mr. OVERTON. That is correct.

Mr. President, I should like to ask the Senator from Vermont another question: It is true, is it not, that for Louisiana cane-sugar production, the producer is paid the average of the market value of refined sugar from October 15 until January 31?

Mr. FLANDERS. That is as I have understood it. I would defer to the Senator from Louisiana as an authority, rather than attempt to give him any information. From what I know, the conditions are very much more favorable for the sugar-beet producers, who have the price turned back to them at whatever price the sugar leaves the refinery at any time during the year. I could only wish that the cane-sugar producers in Louisiana could be as enterprising or as fortunate as the beet-sugar producers are.

Mr. OVERTON. That has been the history of the method by which the cane-sugar producers are paid. For years and years in Louisiana they have been paid on the basis of the average market value from October 15 to January 31.

If control is retained until March 31, of course that will do a rank injustice to the sugarcane growers of Louisiana and Florida, as compared with removing control on October 31, for in the former case control would be held over sugar until the Florida and Louisiana sugar had been marketed, and then control would be released.

On the other hand, if it is released on October 31, that will afford an opportunity for the cane-sugar producers to receive the increase in the market price.

Mr. FLANDERS. I may say to the Senator from Louisiana, Mr. President, that there is no question that the cane-sugar producers of Louisiana and Florida will not be in as good a position so far as price is concerned as will the beet-sugar producers or the Cuban sugar producers. That is most unfortunate. It may properly be taken into account and doubtless will be so taken into account, in weighing the time when controls should be released, if it develops that they can be released very much earlier than the final date set.

However, I still wonder how the Louisiana cane-sugar producers got into a situation as disadvantageous to them as the existing situation is, as compared with that of the beet-sugar producers. The beet-sugar producers seem to have done very nicely by themselves.

Mr. OVERTON. The custom dates back so far into past times that I do not recall how it originated. The system under which the cane-sugar producers in Louisiana are paid has prevailed for years and years and years. Perhaps the junior Senator from Louisiana [Mr. ELLENDER] may be able to state how it originated. At any rate, that is the way it is. I think the answer the Senator from Vermont has made is very fair.

Mr. FLANDERS. However, Mr. President, there is this to be considered—and it is of real importance: If the final removal of controls is left to a time when there are ample stocks available, no one will make any great windfall of profits, either in the case of beet sugar or Louisiana and Florida cane sugar or Cuban cane sugar. That is the sum and substance of the matter, as I see it.

Mr. OVERTON. Of course, that brings up another question, namely, when will that event take place, or when could it take place?

Mr. FLANDERS. Mr. President, I say to the Senator from Louisiana that if I had a little encouragement, I would read further in my manuscript, and perhaps we could come to that subject.

Mr. OVERTON. I thank the Senator from Vermont, and I shall not interrupt him again.

Mr. FLANDERS. Mr. President, as I have said, most fortunately we can foresee the time when controls may safely be removed. The unusual Cuban sugar crop expected this year will permit a more liberal distribution of sugar to consumers, and at the same time will leave some over to help fill the pipe lines and the shelves. Encouragement is being given to the planting of sugar beets this year. It is hoped that the Senate will pass House bill 2102, permitting the importation of labor supplies so that this great crop can be planted, cultivated, and harvested. It is possible that the small supplies available in the Far East may be released before the year is over. It is hoped that the new Louisiana cane crop will be good. It should be noted that none of them will be available for filling the warehouses, pipe lines, and shelves until the very end of the year and the beginning of next year. Between now and then, Cuban sugar has to carry the full burden.

There are geographical and transportational difficulties in putting the whole burden on this source of supply. Ordinarily this sugar goes to the eastern seaboard and to such part of the South as is not completely taken care of by the Louisiana and Florida cane sugar. The great Midwest, clear to the Rocky Mountains, depends on beet sugar. Only on the Pacific slope is there the relatively constant supply of Hawaiian sugar whose last year's crop was diminished by strikes. It is clear, therefore, that dependence on the Cuban crop as a backlog after decontrol involves a large scale transportation of this sugar to areas which do not normally depend on it. And we may safely prophesy that any depletion of eastern reserves by premature lifting of controls will in turn at a later date require an unnatural flow of beet sugar to the seaboard. This unnatural distribution of sugar to take care of artificial scarcities comes in a country in which the boxcar shortage has passed, the danger point even at a time of year when there is normally a surplus.

This situation applies particularly to one of the early dates frequently suggested, that is, October 31. A maldistributed Cuban supply will have been carrying the load for the whole country east of the Sierras. The new beet crop would be in the course of harvesting but not yet completely refined and moving from the refineries to meet customer requirements. It would be many weeks before this could effectively take place, particularly if this beet sugar had to move east to replace depleted stocks of Cuban, and it should be noted that this

eastern movement would be taking place at the same time as the railroad lines would be meeting the big demands for moving grain in the same direction. Again we are up against the boxcar shortage.

All of these questions point to a time past the end of the year as being the time when under proper control there will be enough sugar in warehouses, in transportation, and on the shelves to meet any run which may develop when the commodity is given over to a free market.

All this is in the interest of the American housewife, but what can we do for her in the period between now and this far-off end of controls?

Announcement has already been made that she will be allowed 10 pounds more of sugar per person this year than she had last. Last year she had 15 pounds regular, plus 10 pounds of canning allowance, making 25 pounds in all. This year she will have 35 pounds straight.

Throughout the countryside, in villages and small towns—even with many housewives of the great cities—the question of sufficient sugar for canning and preserving is a serious matter. The 10 pounds of last year was not enough. In many instances, indeed, the housewife did not get the 10 pounds due to the fact that when she went to the store, it was not there—thus emphasizing the point which has been emphasized so continuously in this argument, that plentiful stocks are an essential, not merely to the ending of controls, but for the continued purchase and use of sugar, whether under controls or not.

Last year the allocation for canning was intended to be used for this purpose only. It was soon found that it is impossible, administratively, to police the use of canning sugar. To do so would have required a great increase in the already existing number of unpopular, and at times offensive, OPA administrators and investigators. The prospect of adding to this already large force enough to do a good job of policing the use of canning sugar, is too terrible to contemplate. We may therefore easily agree with the rationing authorities that it is better to do as has been done this year: to lump the sugar all together rather than to put on a 10-pound coupon with the special requirement that it is to be used for canning. The net result is that the housewife will get 35 pounds per person instead of 25.

Feeling that something better than this might be possible if the Cuban crop is as large as or larger than has been expected, I have conferred with the Secretary of Agriculture as to the possibility of increasing the distribution of sugar to families during the summer canning season. I am glad to say that he has approved of the suggestion, and I shall read into the RECORD the letter on the subject which I have just received from him:

MARCH 24, 1947.

HON. RALPH E. FLANDERS,
United States Senate.

DEAR SENATOR: In connection with the pending proposals for the continuation of controls over sugar, you have expressed concern regarding the lack of sufficient sugar to give household users more than 35 pounds per person in 1947 and have asked for our views regarding further increases in allotments for household and industrial users out of any additional supplies of sugar which may become available this year above the supplies as now estimated.

As you know, it has been indicated that current supplies of sugar should be sufficient to give allotments to the so-called percentage industrial users at the rate of 75 percent of their 1941 base use for the remainder of 1947, in addition to providing 35 pounds per person for direct household use. Current estimates of production, particularly in Cuba, afford some basis to hope that increased supplies above the 6,800,000 tons, which has been used for allocation purposes, might become available in 1947. If such additional supplies become available, it will be our intent to provide further increases in sugar rations for direct household use before giving further general increases to industrial users. However, there is one important qualification which should be stated in relation to this intent. Because of our desire to prevent the wastage of perishable agricultural commodities, it may become necessary to provide minor quantities of sugar for certain commercial uses to save such agricultural commodities. The total amount of sugar required for such emergency cases will be very small in relation to the 375,000 tons of sugar required to give an additional 5 pounds per person for direct household use. I am sure you agree with this general policy of so using the relatively small quantities of sugar required to save perishable agricultural commodities.

Our fulfilment of this intent will also be dependent upon the provisions of the legislation enacted for the continuation of sugar controls, particularly the provisions relating to sugar for new users.

Sincerely yours,

CLINTON P. ANDERSON,
Secretary.

Mr. COOPER. Mr. President——

The PRESIDING OFFICER (Mr. BALL in the chair). Does the Senator from Vermont yield to the Senator from Kentucky?

Mr. FLANDERS. I yield.

Mr. COOPER. I did not understand the Senator's reference to 50 pounds.

Mr. FLANDERS. The Senator from New Hampshire [Mr. TOBEY] offered an amendment providing that no increased allotment should go to industrial uses until a total of 50 pounds per person had been given to household use, that being the normal prewar consumption of the American individual.

Mr. COOPER. That amendment is now pending?

Mr. FLANDERS. Yes.

Mr. COOPER. I noticed, during the thorough statement which has been made by the Senator, that the questions and answers have been directed to the source of supply for 1947. From reading the report it appears that in the year 1946 the supply amounted to 5,400,000 tons, approximately, according to one of the tables, and that the estimated sources of supply for 1947 amount to 6,800,000 tons, or an increase of 1,400,000 tons.

The Senator just stated that an increase of 5 pounds to each consumer would amount to about 325,000 tons; was that the figure?

Mr. FLANDERS. Three hundred and seventy-five thousand tons.

Mr. COOPER. The increase that has been granted, of 10 pounds, then, would amount to 750,000 tons, and according to the estimate there would still be a balance of some 650,000 tons.

Did the committee have any information as to whether or not that 650,000 tons would be used for the individual consumers, the housewives, whom all of us have particularly in mind, or would that go to industrial consumers?

Mr. FLANDERS. The supply of 6,800,000 tons is allotted in accordance with the 75-percent basic industrial allotment and the 35-pound household allotment. I do not have the figure at hand. I would have to figure it out again. But the prewar demand is figured at 6,700,000 tons. The increase in population requires an additional 800,000 tons, and the total needed to reach the prewar per capita is 7,500,000 tons, but there is now a deficit of 700,000 tons, which must be made up by the increase in the Cuban crop, sugar from other sources such as South America, possibly Philippine and Java sugar, and similar miscellaneous sources. Besides that there is an estimated quantity of a million tons needed to rebuild the stocks for safe decontrol. That leaves a deficit for that purpose of about a million tons. But all of these expected increases in production will go to meet that deficit and will be swallowed up by it. I am not sure that I answered the Senator's question.

Mr. COOPER. I probably did not make myself very clear. This was the point of my inquiry: In table 4 of the report, page 9, the recommended sugar allocations for 1947 for the United States are 6,800,000 tons. On page 4 of the report it is stated in the last paragraph that this represents an increase of 21 percent over 1946, which, roughly figured, would indicate that the allocation for 1946 was approximately 5,400,000 tons. That would mean that in 1947 there would be an increased allocation of 1,400,000 tons. The increase of 10 pounds to each housewife would use up 750,000 tons of that increase, leaving 650,000 tons; to which I have directed my question. Does the Senator know, or did the committee consider, whether that tonnage would be used for the individual consumer, or for the industrial consumer?

Mr. FLANDERS. There is an increase in allotment to the industrial consumer as well as to the housewife for this year. That is 5 percent, as I remember. There is a 5-percent increase in the allotment to the industrial user. That is from the basic 70 percent of his prewar use to 75 percent basic of his prewar use.

Mr. COOPER. Did the committee have any information whether or not it would be possible under the allocations to increase the allocation for the individual consumer to more than the 35 pounds?

Mr. FLANDERS. The sugar statisticians in the Department of Agriculture and the Secretary himself are hopeful that that may be done. They are very hopeful that 5 pounds extra may be allowed during the canning season, in which event it will be made available not by giving a new coupon but by moving forward to an earlier date the coupon which succeeds July 1, so that within that period the extra amount will be used up I think in 2 months instead of 3.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. FLANDERS. I yield.

Mr. TOBEY. I may say to my friend from Kentucky that the amendment which I offered at the opening of my remarks meets with the approval of the Secretary of Agriculture and of my friend from Vermont, and it will take care of the situation he has in mind. If the supply increases a sufficient quantity will go to the individual consumer until his allotment of 35 pounds reaches 50 pounds, which is the amount estimated to have been used by the householder before the war. So, if adopted, the amendment, ought to safeguard that situation.

Mr. COOPER. I thank the Senator.

Mr. FLANDERS. The additional 10 pounds, plus the prospect, under certain conditions, of still more than this will, I believe, lead toward a great improvement in the sugar distribution to the household, and at the same time tend to mitigate the hoarding complex when controls are finally removed.

Will these controls have to go to March 31, 1948, as the bill proposes? It is the hope of your committee and a hope based on conversations with the authorities involved, that if all goes well the available supplies may be such that the controls can be taken off a month or two earlier than the final date set by the resolution itself. Such action on the part of the Secretary of Agriculture will be obligatory since section 2 reads: "Prior to the expiration of this act, the Secretary of Agriculture is hereby authorized and directed to remove any or all controls with respect to any product over which control is authorized by this act when he determines that the supplies of sugar are sufficient to warrant such action." The significant words here are "authorized and directed."

This leads us to a consideration of what is perhaps the most important element in this whole problem: What are the abilities, the purposes and the ruling ideas of the Secretary of Agriculture in whose hands the administration of this act is placed? This is a pertinent question. We have had so much experience with administrators who looked with affection on the idea of a controlled economy that we are gun-shy on the general subject of controls. Worse than this, we have seen perfectly respectable citizens, brought up in the atmosphere of free enterprise, succumb to the lure of controls when they were once given a hand in their administration. What is the record of this official to whom the administration of sugar controls is delegated?

It is not a bad record. It shows that his efforts since the day he became Secretary of Agriculture, have been clearly directed toward eliminating Government controls over the distribution of our food supply as rapidly as possible.

Speaking at an Agriculture-Industry Conference at Decatur, Ill., on September 20, 1945, soon after he became Secretary of Agriculture, Secretary Anderson said:

> I am glad to be able to report to you that the Department of Agriculture is clearing the decks by removing wartime controls as rapidly as possible. Many foods have been taken off the ration lists. Restrictions on the distribution and use of many commodities have been removed. Since VJ-day 25 war food orders have been lifted and those remaining will go at the earliest possible moment.

Six weeks later, speaking at Kansas State College—November 9, 1945—he said:

> The Department of Agriculture got into business in farm products in the depression and again in the war emergency it got into the food business in a big way. We want to get out of that business as quickly as possible and it will be a happy day for the Secretary of Agriculture when circumstances permit it. That is part of the future to which we look forward.

He has made many other public statements to the same effect.

A check-up on his record convinces me that Secretary Anderson meant what he said:

On July 1, 1945, a total of 92 War Food Orders were on the books. Included in this total were 16 orders on fats and oils, 10 on dairy products, 7 on fruits, 3 on grain, and 2 on sugar. The remaining 54 orders covered miscellaneous commodities, delegations of authority to the Office of Price Administration for rationing of food, requisitioning of foods, procedural regulations, and the like.

He immediately established the policy of terminating orders no longer needed for war or post war purposes. By January 1, 1946, in keeping with this policy, the number of orders effective had been reduced nearly one-half, to a total of 49.

The need for exporting huge quantities of foodstuffs in 1946, particularly grain, made necessary the issuance of several new orders, such as limitations on wheat and flour inventories; set-asides on flour, meat, and dairy products; and prohibitions against the use of grain in alcoholic beverages. The downward trend in the number of outstanding orders thus was interrupted in the summer of 1946. But by January 1 of this year the number of effective orders had declined to 20. On March 10, 1947, only 15 orders remained in effect.

His record in his recommendations to OPA on the removal of price controls is similar. He has consistently advocated the end of price controls and consumer subsidies at the earliest feasible moment, and has not hesitated to urge the raising of price ceilings when it was necessary to stimulate greater production.

Further proof is to be found in the fact that rationing of meat was discontinued in November of 1945, surely the earliest possible date, and rationing of fats and oils was terminated at the same time, even though they were recognized to be then in short supply.

Also, I am advised that the Secretary of Agriculture in August 1946 recommended to the Price Decontrol Board, that ceilings on beef be not restored after the price-control holiday last summer, but did recommend the reimposition of price controls on pork. I cite this to show he has tried to be discriminating, and I think the present pork prices indicate that he had facts behind his actions.

The Secretary and his Department are honestly loath to take on this job. It will get them no honor or glory. It will be full of headaches. To soothe the pain of one of the headaches involved, the committee has incorporated in section 3 (c) in connection with the transfer of personnel this provision:

> Any personnel so transferred shall not by virtue of their temporary employment in the Department of Agriculture acquire or be entitled to any right to employment in such Department in connection with the exercise of any function other than a function transferred under this act.

The purpose of the provision is obvious. It would be unfortunate if, in taking over such of the personnel of OPA into the Department of Agriculture, the Department would find itself with a new group of employees and officials possessed of seniorities and other rights in the Department superior to the regular organization. The provision is intended to be strictly just. It proposes to give to the various OPA employees all the rights, including veterans' rights, which they would possess had they remained in OPA until its dissolution. It gives them all these rights; no more, no less.

Let me, in closing, refer again to the all-important question of how much confidence we may place in the administration of the joint resolution by the Secretary of Agriculture. In my own mind this was a matter of compelling importance. The new administrator must be guided by the facts as they exist, by the best judgment he can bring to bear on the problems, and by a strong determination to end controls at the earliest possible moment. No temptation of power or of political advantage must sway his judgment to the slightest degree.

So important did I feel this question of the Secretary's character and abilities to be, that I sought for advice from a person whose judgment weighs heavily with me. I called ex-President Hoover on the telephone.

First, I inquired of him as to whether he felt that the domestic controls on sugar could be taken off at this time. His reply was that he did not feel himself sufficiently acquainted with the details of our present supply and future prospects to be able to answer that question. He was only sure that if domestic controls were removed, export controls must be continued.

I next asked him whether he felt I was safe in taking the advice of the Secretary of Agriculture as to whether controls should be lifted or continued. His reply was, in effect, that there was no one he knew of whose judgment would be better on this matter.

I finally asked him whether he would expect the Secretary to be moved by political questions or by any influences other than the best interests of the people of the country, as he saw them. His reply to this question was emphatically to the effect that Secretary Anderson was a man of complete honesty, as well as ability, and that the public good would be his guide.

This private telephone conversation with ex-President Hoover is divulged only because it has already been made public by a radio commentator and newspaper columnist who must have obtained his information through some telepathic means.

I have known Secretary Anderson for a number of years and during that time

have formed a high regard for his character and abilities. Nevertheless, the responsibilities laid upon his shoulders are so serious that I felt the need to be confirmed in those ideas if he were to be convinced that the joint resolution before us is really in the best interests of the people of the United States. That telephone call to Mr. Hoover gave me, as an individual, that assurance. As a result I have no doubt as to the wisdom of placing this serious responsibility in his hands.

I therefore, Mr. President, commend this bill to the Members of the Senate as being worthy of their support.

Mr. TOBEY. Mr. President, my first comment would be to express a word of very deep appreciation to my friend from Vermont for the very comprehensive and painstaking and thorough statement he has made. His presentation was well made. I think the Members of the Senate must appreciate the work he has performed in connection with this subject.

Now, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	Myers
Ball	Hawkes	O'Conor
Barkley	Hayden	O'Daniel
Brewster	Hickenlooper	O'Mahoney
Bridges	Hill	Overton
Brooks	Hoey	Pepper
Buck	Holland	Reed
Bushfield	Ives	Revercomb
Butler	Johnson, Colo.	Robertson, Va.
Byrd	Johnston, S. C.	Russell
Cain	Kem	Saltonstall
Capehart	Knowland	Smith
Capper	Langer	Sparkman
Chavez	Lodge	Stewart
Connally	Lucas	Taft
Cooper	McCarran	Taylor
Cordon	McCarthy	Thomas, Okla.
Donnell	McClellan	Thomas, Utah
Downey	McFarland	Thye
Dworshak	McGrath	Tobey
Eastland	McKellar	Umstead
Ecton	McMahon	Vandenberg
Ellender	Magnuson	Watkins
Ferguson	Malone	Wherry
Flanders	Martin	White
Fulbright	Maybank	Wiley
George	Millikin	Williams
Green	Moore	Wilson
Gurney	Murray	Young

The PRESIDING OFFICER. Eighty-seven Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. TOBEY] to the first committee amendment, adding at the end thereof certain language which the clerk will read.

The LEGISLATIVE CLERK. On page 2, at the end of line 20, it is proposed to strike out the period, insert a colon, and the following: *"And provided further,* That refined sugar shall be allocated for home consumption at a rate of not less than 35 pounds per capita per calendar year, and any increase in the amount of sugar available for allocation in the calendar year 1947, over the amount recommended by the International Emergency Food Council for allocation to the United States for 1947, shall be allocated for home consumption until the allocation for such use equals 50 pounds of refined sugar per capita."

Mr. TOBEY. Mr. President, the pending sugar-control legislation is brought to the floor of the Senate by a favorable report from the Senate Committee on Banking and Currency. The vote was 10 to 3. It is now before the Senate. It is an important, far-reaching measure. Weeks of work have been done by the committee. It has finished its job and made its report.

I understand that an effort is to be made this afternoon by the opponents of the legislation to do something which in my judgment is wrong. I am informed that a motion is to be made to lay the amendment on the table. I decry that method of legislating. This important legislation is so far-reaching that a motion to lay the amendment on the table would be manifestly unfair. When a Senator votes to table the amendment, he automatically votes to throw on the scrap heap behind the barn all the efforts of the committee, and to refuse to consider the problem on its merits. It is a vote to repudiate the judgment of the President of the United States, who yesterday, in a nonpartisan manner, stressed the importance of this legislation to the American people. It is a vote to repudiate the leadership of the Committee on Banking and Currency and of the subcommittee.

According to Cushing's Manual, a motion to lay on the table is not debatable. If it is to be made, I ask Senators to vote it down, and to consider the proposal on its merits, whatever their vote may be on final disposition.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. TOBEY. I yield.

Mr. ELLENDER. Will the Senator kindly explain his amendment?

Mr. TOBEY. I shall be very glad to do so.

Mr. ELLENDER. As I understand, the purpose of it is to allow the housewife more sugar.

Mr. TOBEY. That is correct.

Mr. ELLENDER. Does the amendment guarantee the additional poundage or is it conditioned on greater production to be determined by the Secretary of Agriculture?

Mr. TOBEY. Let me explain. Realizing—and also hoping—that there will be an increased production of sugar, and that a greater available supply will come on the horizon sometime during the calendar year—perhaps tomorrow, or 3 months or 6 months from now—when and if that occurs, if the supply is greater than the normal supply which is now allocated to the commercial interests and the housewife, the Secretary of Agriculture, Mr. Anderson, is directed—it is mandatory—forthwith to allocate the excess amount and prorate it among the housewives of America. The amendment assures an allotment of 35 pounds, with a ceiling of 50 pounds, which is the amount per capita which was used by housewives before controls were established.

Mr. ELLENDER. In other words, 50 pounds is to be allowed only in the event production reaches a certain level.

Mr. TOBEY. The Senator is correct.

Mr. ELLENDER. Would it not be better to enact legislation to make certain that the housewife will receive 40 or 45 pounds, rather than to make the increase conditional, as the Senator proposes?

Mr. TOBEY. It is certain that housewives will receive 35 pounds directly from the allocation.

Mr. ELLENDER. That is correct. The pending measure does give authority to increase the allowance from 25 to 35 pounds.

Mr. TOBEY. It is also certain that housewives and individuals will receive from 5 to 8 pounds more through increasing patronage of bakeries, restaurants, and hotels.

Mr. ELLENDER. Under the proposal now pending the housewife would receive 35 pounds.

Mr. TOBEY. And that is 40 percent more than she received last year.

Mr. ELLENDER. I understand; but would it not be better to adopt an amendment to guarantee to the housewife 5 pounds, rather than the 35 pounds proposed to be provided in the pending resolution?

Mr. TOBEY. Where would the Senator take the extra 10 pounds from, if increased supplies did not show up on the horizon?

Mr. ELLENDER. Let the Secretary wrestle with the problem. I am of opinion that production estimates for this year will be considerably increased.

Mr. TOBEY. That is an appealing argument, and I go along with the sentiment behind the suggestion. I yield to no man in my desire to take care of the housewives. But we must have a balanced economy. The business interests and the home owners are a composite of the people of the United States.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. TOBEY. I was answering the question of the Senator from Louisiana.

Mr. WHERRY. I do not wish to interrupt the Senator.

Mr. TOBEY. The Senator may ask his question. I am but clay in the potter's hands.

Mr. WHERRY. As I understand, what the Senator's amendment does is to make mandatory a distribution to the individual user—we call her the housewife—of 35 pounds.

Mr. TOBEY. That is correct.

Mr. WHERRY. Prior to this time the allocation has been discretionary with the Department of Agriculture.

Mr. TOBEY. It has been a promise, but has not been translated into legislation.

Mr. WHERRY. With that observation, let me ask a further question: In answer to the distinguished Senator from Louisiana [Mr. ELLENDER], the Senator stated that his amendment did not mean granting the housewife an additional amount unless there was an increase in the supply from some source.

Mr. TOBEY. That is correct.

Mr. FERGUSON. Mr. President, will the Senator yield for a question?

Mr. TOBEY. I yield to the Senator from Michigan.

Mr. FERGUSON. The Senator may be able to answer both questions at one time. Is it not true that in the past the industrial users of sugar have had a 10-percent preferential over the housewives? In other words, industry has been receiving 10 percent more, based on historical use, than has the housewife. Could it

not be so arranged that in the future the housewives would be taken care of rather than industrial users?

Mr. TOBEY. I will say to the Senator it is quite correct that at the present time the industrial users of the country are receiving more than 50 percent and the housewives are receiving a little under 50 percent. That is the reverse of the situation which existed some years ago. I may at least make an answer which I hope will edify the Senator from Louisiana [Mr. ELLENDER]. I now address myself to the composite question posed by the three Senators——

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. TOBEY. I yield.

Mr. MAYBANK. Does the Senator intend also to explain the serious situation existing in the milk-producing sections of the country? The Secretary of Agriculture assured us that he would look after the milk producers throughout the country, so that supplies which have been wasted in the past would be saved this year. One of the main reasons for an increase in the sugar supply during the next few months is to take care of the milk producers in the West and in New England.

Mr. TOBEY. That is correct.

Mr. MAYBANK. That is where a large part of the sugar is going.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. TOBEY. I yield to the Senator from Vermont.

Mr. FLANDERS. Will the Senator from South Carolina repeat his question?

Mr. MAYBANK. At the hearings the Secretary of Agriculture assured the subcommittee that he believed he would be able to look after the milk-producing areas of the country in the next few months, and that by so doing large quantities of milk would be saved by conversion to condensed milk. It would be a great boon to the milk producers. I asked the distinguished Senator from New Hampshire if that was not one of the best uses of sugar. It is essential to the farmer and the dairyman.

Mr. FLANDERS. In the letter which I read from the Secretary, he called attention to the desire and intention to allocate sufficient sugar to prevent the spoilage of foodstuffs. He said that this would affect the amount which it would be proper to allocate to housewives, but that he would allocate all that was possible, with that reservation as to food spoilage.

Mr. MAYBANK. According to the testimony, the main question of food spoilage related to milk.

Mr. FLANDERS. That is the worst situation.

I should like to make one further point. Any mandatory provision we might place in this joint resolution for decreasing the amount of sugar that goes to industry in order to give more to the housewife would, I am sure, be most unfortunate, indeed, because it would reduce employment in the food-processing industry and would perhaps reduce it more in connection with the smaller and newer undertakings than in the case of older and well-heeled ones. So the amendment which the Senator from New Hampshire proposes, which would hold the industrial allotment steady and build up the housewife's allotment, is better than any proposal which would reduce the industrial allotment.

Mr. MAYBANK. Would it not also take away much of what the Secretary of Agriculture now contemplates giving to the dairy industry throughout the country?

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WHERRY. As I understand, the parliamentary situation is that the distinguished Senator from New Hampshire is offering an amendment to the committee amendment. Therefore, it is an amendment in the second degree.

The PRESIDING OFFICER (Mr. BALL in the chair). That is correct.

Mr. WHERRY. Therefore, it is not in order for me to offer an amendment to the amendment offered by the distinguished Senator from New Hampshire?

The PRESIDING OFFICER. The Senator is correct.

Mr. TOBEY. I am sorry, but that is true.

Mr. WHERRY. Will the Senator yield long enough for me to say that I should like to propose an amendment which contemplates what the Senator would like to have done, and I should like to have an opportunity to explain my amendment.

Mr. TOBEY. I will give the Senator the answer that Agrippa gave to St. Paul: "Almost thou persuadest me"—but not quite.

I have an answer to give to the three Senators who have asked a question. Then I shall be glad to answer the Senator's question. This is the answer:

I had considered the advisability of reducing the present industrial user's allotment to give more sugar to the housewife. Before drafting an amendment to accomplish this, I conferred with Secretary Anderson and Mr. James H. Marshall, Director, Sugar Branch, Department of Agriculture, to see what the effect of such a policy would be.

Secretary Anderson informed me that to withdraw, for instance, 5 pounds per capita of sugar for home consumption from the present allotments allowed to industrial users would mean a withdrawal of approximately 375,000 tons from the industrial users. That would mean that for the second half of this year, instead of obtaining 75 percent of their 1941 base period, industrial users would get between 50 to 55 percent of that base period allotment. 50 percent is the lowest that industrial users were ever reduced to throughout the whole rationing period, and that has occured for a very short period of time. When that did occur, several small sugar users were put out of business.

Secretary Anderson and Mr. Marshall pointed out the two main objections to such an amendment as is now proposed. The great majority of industrial users, while constantly requesting greater allotments, are satisfied that they are being dealt with fairly at the present time. They will cooperate, and cooperation of the industry goes a long way toward securing effective controls. Should this amendment be adopted, they will feel that they are being dealt with in an unfair manner and that will jeopardize the timely adoption of legislation and the effective administration of sugar controls.

Secondly, and this is the most important consideration, a large number of small industrial users will be put out of business with the serious effect that always has on our economy. It will mean reduction of employment. It will go contrary to the spirit of present-day legislation in aid to small business.

Let us not forget that industrial users are presently obtaining only 60 percent of the 1941 base period use. Several industrial users are rendering indispensable services. They are furnishing chocolate bars to the armed services and to the children of our country. Even bakers need a small amount for bread. Many couples are employed and must purchase their pastries, because they do not have the time for home cooking.

We must approach this problem of rationing, not from the demagog's viewpoint, but from the point of view of getting the utmost supply possible for the housewife consistent with the minimum needs of industrial sugar users.

Let us not forget that the people of the United States will get 35 pounds per capita as a minimum under the present bill, and all the sugar from hotels, restaurants, and all types of institutions, which amounts to another 5 pounds per capita.

From that aspect, it is true that the amount for home consumption is a little less than 50 percent. Conversely, it is true that commercial sugar users get a little more than 50 percent of the present supply of sugar. Before the war, the figures were reversed. There are no accurate figures available, but the Department of Agriculture believes that the best estimates are that a little more than 50 percent of the sugar supply went to home consumption.

The shift in figures can be explained as follows. The Department of Agriculture in making the allotments took notice of the facts that:

First. During the higher-income period that we are now in, there are many more persons purchasing pastries and sweets than in the prewar period.

Second. When the sugar allotment was, for a brief period of time, reduced to 50 percent of the current supply, a large number of small commercial users were put out of business.

Third. In the present food-scarcity period, it is wise to save all possible fruits, and commercial canners need a larger amount of sugar to do that, as they handle such a large bulk of food.

Fourth. Milk producers need four or five times more sugar than they did before the war, to preserve milk supplies. More people use canned milk for babies, and so forth, than they did before.

Fifth. The housewife does not keep a 15- to 25-pound supply on her shelves as before the war.

Mr. President, although we are advised to avoid vain repetitions, nevertheless I shall repeat something I said a while ago, for more Senators are now in the Chamber than were present at that time: I pointed out, for the benefit of

veterans, this truth: Approximately 8,000 veterans have availed themselves of the benefits of the GI bill of rights, which the Congress passed, to start small sugar-using businesses, such as soft-drink businesses, ice-cream businesses, bakeries, candy businesses, some pharmaceutical businesses, or businesses involving the production of gelatin desserts, or other types of desserts. We must not yield to any parliamentary motion or procedure which will put them and thousands of other small commercial sugar users out of business.

Mr. President, I yield the floor.

Mr. McCARTHY. Mr. President, the Senator from New Hampshire [Mr. TOBEY] has proposed an amendment based upon the thought that the sugar-rationing program will continue until March 31, 1948. There is considerable opinion to the effect that the pending measure will be amended so as to continue sugar rationing only to October 31 of the present year. The junior Senator from Ohio [Mr. BRICKER] and myself, who are on the subcommittee studying the sugar situation, felt at the end of those studies, and we still feel, that more sugar is available now than was available during any one prewar year. Accordingly, we drafted a measure to do away immediately with all sugar rationing, but to continue sugar-inventory controls. By way of a compromise, we agreed with a number of Senators on the other side of the aisle, and also with our Republican colleagues who differed with us, to draft an amendment providing for an October 31 end of sugar rationing. If that amendment prevails, then the amendment of the Senator from New Hampshire will be meaningless, for his amendment presupposes that rationing will continue until next March. If we vote to end sugar rationing as of October 31 of this year, then——

Mr. TOBEY. Mr. President, will the Senator yield to me for a correction?

Mr. McCARTHY. I prefer not to yield until I conclude this part of my remarks.

Mr. TOBEY. Does not the Senator wish to be set aright?

Mr. McCARTHY. Of course. I yield for that purpose.

Mr. TOBEY. I thank the Senator very much.

Mr. President, the Senator from Wisconsin has stated that my amendment presupposes that controls will continue until next March. My amendment presupposes nothing of the sort, I say to the Senator in all kindness. My amendment simply says that when, as, and if—whether it be in June, August, or September—there is any increase, the increase shall forthwith be passed on to the housewives. No date at all is set in the amendment.

Mr. McCARTHY. Mr. President, let me point out that the Senator's amendment provides for a 35-pound allotment for the year. If we end the controls as of October 31, then Mr. Dice, or whoever is administering the rationing program at that time, can allow any amount he wants to allow before October 31, and can say that they will receive the remainder after rationing is ended.

Mr. President, the Senator's amendment has considerable merit, but I believe we should not consider his amendment at this time. I believe he should wait and see whether we intend to end controls as of October 31 or as of March 31 of next year. I think the Senator from New Hampshire should wait, and should resubmit his amendment at the proper time, if necessary.

For that reason, Mr. President, I now move that the amendment submitted by the Senator from New Hampshire to the committee amendment be laid on the table until such time as it shall be properly brought before the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wisconsin to lay on the table the amendment submitted by the Senator from New Hampshire to the committee amendment. The motion is not debatable.

Mr. TOBEY. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JOHNSON of Colorado. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the folowing Senators answered to their names:

Aiken	Hickenlooper	Murray
Ball	Hill	Myers
Brewster	Hoey	O'Conor
Bridges	Holland	O'Daniel
Brooks	Ives	O'Mahoney
Buck	Johnson, Colo.	Overton
Butler	Johnston, S. C.	Pepper
Byrd	Kem	Revercomb
Cain	Knowland	Robertson, Va.
Capehart	Langer	Russell
Capper	Lodge	Saltonstall
Chavez	Lucas	Sparkman
Cooper	McCarran	Stewart
Donnell	McCarthy	Taft
Dworshak	McClellan	Taylor
Eastland	McFarland	Thomas, Utah
Ecton	McGrath	Thye
Ellender	McKellar	Tobey
Ferguson	McMahon	Umstead
Flanders	Magnuson	Watkins
Fulbright	Malone	Wherry
Green	Martin	Williams
Gurney	Maybank	Wilson
Hawkes	Millikin	Young
Hayden	Moore	

The PRESIDING OFFICER. Seventy-four Senators having answered to their names, a quorum is present.

The question is on agreeing to the motion of the Senator from Wisconsin [Mr. McCARTHY] to lay on the table the amendment offered by the Senator from New Hampshire [Mr. TOBEY] to the first committee amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. WHERRY. I announce that the Senator from Connecticut [Mr. BALDWIN] and the Senator from Ohio [Mr. BRICKER] are absent by leave of the Senate.

The Senator from Indiana [Mr. JENNER] and the Senator from Wyoming [Mr. ROBERTSON] are absent because of illness.

The Senator from South Dakota [Mr. BUSHFIELD] is necessarily absent.

The Senator from Kansas [Mr. REED] is unavoidably detained. He has a general pair with the Senator from New York [Mr. WAGNER].

The Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate because of attendance at an important committee meeting. He has a pair with the Senator from Oregon [Mr. MORSE] who is absent by leave of the Senate. If present and voting the Senator from Wisconsin would vote "yea" and the Senator from Oregon would vote "nay."

The Senator from New Jersey [Mr. SMITH], the Senator from Michigan [Mr. VANDENBERG], and the Senator from Oregon [Mr. CORDON] are absent by leave of the Senate because of attendance at an important committee meeting. If present and voting the Senator from New Jersey would vote "nay."

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from Texas [Mr. CONNALLY], the Senator from Georgia [Mr. GEORGE], and the Senator from New Mexico [Mr. HATCH] are absent by leave of the Senate because of attendance at an important meeting of the Committee on Foreign Relations.

The Senator from California [Mr. DOWNEY], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from West Virginia [Mr. KILGORE] is absent on public business.

The Senator from Oklahoma [Mr. THOMAS] is absent on official business at one of the Government departments.

The Senator from New York [Mr. WAGNER] has a general pair with the Senator from Kansas [Mr. REED].

If present and voting, the Senator from Kentucky [Mr. BARKLEY], the Senator from Texas [Mr. CONNALLY], the Senator from California [Mr. DOWNEY], the Senator from Georgia [Mr. GEORGE], the Senator from New Mexico [Mr. HATCH], the Senator from West Virginia [Mr. KILGORE], and the Senator from New York [Mr. WAGNER] would vote "nay."

The result was announced—yeas 26, nays 48, as follows:

YEAS—26

Brooks	Hawkes	Overton
Butler	Ives	Revercomb
Cain	Kem	Taft
Capehart	McCarthy	Thye
Dworshak	McKellar	Watkins
Ecton	Malone	Wherry
Ellender	Martin	Williams
Ferguson	Moore	Wilson
Gurney	Murray	

NAYS—48

Aiken	Hill	Millikin
Ball	Hoey	Myers
Brewster	Holland	O'Conor
Bridges	Johnson, Colo.	O'Daniel
Buck	Johnston, S. C.	O'Mahoney
Byrd	Knowland	Pepper
Capper	Langer	Robertson, Va.
Chavez	Lodge	Russell
Cooper	Lucas	Saltonstall
Donnell	McCarran	Sparkman
Eastland	McClellan	Stewart
Flanders	McFarland	Taylor
Fulbright	McGrath	Thomas, Utah
Green	McMahon	Tobey
Hayden	Magnuson	Umstead
Hickenlooper	Maybank	Young

NOT VOTING—21

Baldwin	George	Smith
Barkley	Hatch	Thomas, Okla.
Bricker	Jenner	Tydings
Bushfield	Kilgore	Vandenberg
Connally	Morse	Wagner
Cordon	Reed	White
Downey	Robertson, Wyo.	Wiley

So the motion to lay on the table was rejected.

The PRESIDING OFFICER. The question now recurs on the amendment offered by the Senator from New Hampshire [Mr. TOBEY] to the first amendment of the committee.

TRIAL PIECES OF COINS

Mr. McCARRAN. Mr. President, on Monday, when the calendar was called, the Senator from Nevada objected to two numbers on Calendar No. 36, Senate bill 565, and Calendar No. 37, Senate bill 566. I now ask the attention of the Senator from Vermont [Mr. FLANDERS]. At that time I was not fully apprised or informed as to the purport of those bills. Since that time I have become conversant with the meanings of the bills.

I now ask unanimous consent that I be permitted to withdraw my objection to Calendar No. 37, Senate bill 566, and also to withdraw my motion to reconsider Senate bill 565, Calendar No. 36. If there is no objection, I should like to have those measures taken up.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada?

Mr. WHERRY. Mr. President, that requires unanimous consent, does it not?

The PRESIDING OFFICER. It does.

Mr. McCARRAN. That is what I am asking.

Mr. WHERRY. Reserving the right to object, will the Senator restate his reasons for making the unanimous-consent request at the present time?

Mr. McCARRAN. When the calendar was being called on Monday, last, I objected to Calendar No. 37, Senate bill 566. Calendar No. 36, Senate bill 565, had at that time already been passed. I then moved to reconsider the vote by which S. 565 was passed. The bills pertain to silver, and I had not been advised as to the purport of them. Since that time, I have become conversant with them and I have no objection to their passage. I desire to withdraw my objection and my motion to reconsider.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada to withdraw his motion to reconsider the vote by which the bill (S. 565) to amend section 3539 of the Revised Statutes relating to taking trial pieces of coins was passed? The Chair hears none; the motion to reconsider is withdrawn, and the bill stands passed.

FINENESS OF SILVER INGOTS AND WEIGHT OF SILVER COINS

Mr. McCARRAN. Mr. President, I also request unanimous consent to withdraw my objection to Senate bill 566.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada? The Chair hears none. The Chair now inquires if there is objection to the present consideration of the bill?

There being no objection, the bill (S. 566) to amend sections 3533 and 3536 of the Revised Statutes with respect to deviations in standard of ingots and weight of silver coins, was considered, ordered to be engrossed for a third reading, read the third time, and passed.

The bill as passed is as follows:

Be it enacted, etc., That section 3533 of the Revised Statutes (U. S. C., title 31, sec. 346) is amended by striking out the word "three-thousandths" and inserting in lieu thereof the word "six-thousandths."

SEC. 2. Section 3536 of the Revised Statutes, as amended (U. S. C., title 31, sec. 349), is amended to read as follows:

"In adjusting the weight of silver coins the following deviations shall not be exceeded in any single piece: In the dollar, six grains; in the half-dollar, four grains; in the quarter-dollar, three grains; and in the dime, one and one-half grains."

CENTRALIA COAL MINE DISASTER

Mr. WHERRY obtained the floor.

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. WHERRY. I yield to the Senator from Illinois.

Mr. BROOKS. Out of order, I ask unanimous consent to submit a resolution, and I ask that it be appropriately referred.

The PRESIDING OFFICER. Without objection, the resolution will be received.

Mr. BROOKS. Mr. President, I should like to state that the resolution is concerned with the tragic explosion in the Centralia Coal Co. mine No. 5, announced in today's newspapers. From all the reports, 131 miners were trapped at the bottom of the shaft, 9 of them have been removed and are alive, 1 was removed dead, and 14 accounted for as dead. It is feared that the others may perish. If they do it will be the worst mining tragedy in the United States in 19 years.

This mine was under the operation of the Federal Government, through the Secretary of the Interior. It has been stated that there were many violations, not only of the Federal safety rules, but of the rules for mine safety laid down by the State of Illinois.

The resolution I have submitted provides that the Committee on Public Lands, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation of the mine explosion which occurred at Centralia Coal Co. Mine No. 5, at Wamack, Ill., on March 25, 1947, with a view to determining the cause of such explosion, and whether adequate inspection was being maintained. The committee shall report its findings to the Senate as soon as possible, including its findings as to the negligence, if any, of any agency or official of the United States in connection with the explosion.

Mr. BRIDGES. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I am very glad to yield to the Senator from New Hampshire.

Mr. BRIDGES. I am very glad that the Senator from Illinois has submitted this resolution. When I picked up the newspaper this morning and read that a blast in a coal mine in Illinois had killed a large number of men, and that one-hundred odd more men were trapped, it concerned me, for it was a great tragedy. It is very important at this point to note that on November 4 to November 6, Mr. Frank Perz, a Federal coal-mine inspector, made an inspection of No. 5 Mine of the Centralia Coal Co. in Illinois, the mine at which the tragedy occurred. A report was submitted to the Coal Mines Inspector, Mr. Collisson, on November 26, 1946, and this report showed a widespread violation of the safety laws of the Federal Mine Safety Code.

The Krug-Lewis agreement was executed on May 29, 1946. The report of the inspector shows a wholesale infraction of the Federal Mine Safety Code, as a result of which, a death trap for some 130 men was created. To my mind, it is a disgrace for the Federal Government, in the operation of the coal mines, to permit a direct violation of all the safety codes to go on resulting in this great tragedy. I hold in my hand the recommendations of the inspector; first, his findings, and then his recommendations. They are amazing, and yet the man who assumed the great responsibility of properly and safely operating this mine, Mr. Krug, the Secretary of the Interior, is spending his time traveling all over the United States and all over the Pacific Ocean trying to build up a background for a Vice Presidential campaign. He is the man who, in great arrogance, a very short time ago, was reported as saying, "I don't care what the boys on the Hill do about appropriations, I can bring pressure enough to swing them into line."

That arrogant bureaucrat who heads the Department of the Interior is the man who today must assume the responsibility for this mine disaster because upon the basis of his inspector's report he could have ordered conditions corrected or closed the mine. At the present time he is in the process of removing the Director of Mines and putting in a man of his personal choice. The inaction of the Secretary or his representative preceding this great mine tragedy is a disgrace. The Senator from Illinois is performing a real service in demanding a complete Senate investigation. When the full story is told, it will be a tragic revelation of Federal bureaucracy at its worst. That is what we have in the operation of that mine in Illinois.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. CHAVEZ. I want to thank the Senator from Nebraska for his indulgence. I also want to thank the Senator from Illinois [Mr. BROOKS] and the Senator from New Hampshire [Mr. BRIDGES] for their interest in the miners of the United States. It seems, however, that it requires the happening of a tragedy such as this to call the attention of the Members of this body and of the other House to the bleak sufferings of the miners of this country. Sometimes it seems we only think about them when something happens such as the tragedy which occurred yesterday in Illinois. But when some of us try to obtain a small appropriation in order to hire inspectors to inspect the mines of New Mexico, Colorado, Wyoming, Nebraska, or West Virginia, Congress appears to get into an economical mood, and individual Members of Congress seem to suffer because of the tremendous Federal expenditures which would be involved in such an appropriation.

Mr. President, I hope this tragic accident in Illinois will be a lesson to us all. I hope in the future it will not require a

tragedy to make Members of Congress think about the miners. Only 2 or 3 months ago we were condemning the coal miners, at least some persons were condemning them, simply because they dared to express their rights as Americans. Then how our hearts bleed for them after they die in the guts of the earth. I hope this terrible tragedy will be a lesson to us all, and that the economically minded Senate will remember it when requests are made for appropriations to employ a few extra mine inspectors to protect the lives of miners.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. CAPEHART. The speech just made by the able Senator from New Mexico might be appropriate, though I question it. It certainly is not appropriate in this instance, because I hold in my hand the report made by the Federal inspector to the Secretary of the Interior, about which nothing was done. So it does not do any good to stand on the floor of the Senate and blame the Republicans or the Appropriations Committee in this instance, because in this case the Federal inspector was paid, and there was sufficient money to send him to the mine to make the inspection. He was sent there, he went there, he made the inspection and submitted a report, but nothing was done about it. More appropriations in this instance would have done no good whatsoever.

Mr. CHAVEZ. Mr. President, will the Senator again yield so I may make a reply to the Senator from Indiana?

Mr. WHERRY. I yield.

Mr. CHAVEZ. I did not condemn a particular party or any one individual. I was condemning the Congress of the United States. I do not care whether the blame for the accident lies with the Democrats or the Republicans. I am blaming the Congress for its failure to provide sufficient funds for inspection purposes.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. CAPEHART. In this instance I do not think the Senator from New Mexico should even blame the Congress of the United States, or any Member of it. The reason I say that is that I hold in my hand the report which was submitted by the inspector. If anyone is to be blamed in this instance it should be the administration. Blame those responsible for looking after the mines and the safety of the miners.

Mr. CHAVEZ. Whoever is to blame should receive the blame irrespective of party politics or party advantage. But I insist again that we should remember the miner at times other than when he suffers and dies.

Mr. CAPEHART. I agree with that statement. Not more than 10 days ago I read a letter which I received from the Secretary of the Interior, and a letter from the head of the miners' union, and asked Congress to take some action to bring together the miners, the operators, and officials of the Government to settle the mess we are in in respect to the coal-mining industry of America. I still think that should be done. Unless it is done I believe more accidents will occur. It is likewise true that the Federal Government cannot function without the continued operation of our major industries.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. JOHNSTON of South Carolina. We all regret the accident which happened yesterday in Illinois. There is no use in our trying to lay the blame for the accident on any particular party. We do not know what caused the accident. We do know that it is probable that if proper inspection had been made there would have been no accident in the mine.

Last year I introduced a mine safety bill which carried an appropriation of $5,000,000. The purpose was to arouse the industries of the United States to the need for reducing the accidents. The Committee on Education and Labor unanimously reported that bill. It came to the Senate floor. Objection was made to it on the floor, and it was never allowed to be voted upon in the Senate. A similar bill is now in committee. I believe if that bill is adopted it will result in reducing accidents in the United States, and greatly decrease the money losses which result from such accidents. The country is losing more than $2,000,000,000 a year by reason of accidents. Let us do something in the future about this problem; let us not argue about what has happened in the past.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. MYERS. I have just taken from the clerk's desk the original copy of the resolution offered by the Senator from Illinois, and I will say I am in wholehearted accord with the purposes of the resolution. Many miners have gone to their eternal reward while toiling in the mines. They have died in the earth, and their families have lost fathers or husbands or brothers. But in the face of such a great tragedy I do not believe politics should be allowed to enter into consideration of the question. Whether Federal inspectors, or whether Illinois State inspectors are at fault, is not the question before us. But now, simply because there has been a great mine disaster, because tragedy has entered the homes of many persons in Illinois, we find the Secretary of the Interior indicted, tried, convicted, and judged guilty right here on the floor of the Senate. Are we here to investigate this tragedy? I hope the Senate will adopt the resolution. Are we then going to have an impartial and a nonpolitical investigation? Or when an accident occurs, perhaps because an inspector has not performed his duty, or because someone in the Interior Department has not performed his, or even because the Secretary of the Interior may or may not have performed the duty devolving upon him, are we going to indict those individuals and try them the moment a resolution is submitted?

Mr. President, I say it is about time for us to forget partisan politics and to begin to get down to work for the people of America. There are tremendous issues pending before Congress. Why can we not debate them on their merits? The coal-mine accident presents to us a serious problem. Why not refer the resolution to the appropriate committee for proper action? I sincerely hope and trust that the Committee on Public Lands when it begins consideration of the resolution, consider it in the same frame of mind evidenced by some Senators before the matter is even before the Senate.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. DWORSHAK. The allegation was made a few minutes ago that the funds appropriated for coal mine inspection for the current year are inadequate. I have just checked with the clerk of the Appropriations Committee, and I am advised that the Bureau of the Budget a year ago requested $1,178,000 to take care of coal mine inspections this year. The House increased that figure to $1,483,000, which figure was later approved by the Senate. So that actually for the current year there is available for coal mine inspection $305,000 in excess of the amount requested by the Bureau of the Budget.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. O'MAHONEY. I am prompted to intervene to say that if I have correctly understood the Senator from Idaho, the information which he has just given to the Senate gives an incorrect impression. The Senate increased the fund available for coal mine inspection by $305,000 over that which was recommended by the Appropriations Committee because I had the opportunity myself to offer the agreement upon the floor of the Senate to increase that appropriation.

The Senator from New Mexico [Mr. CHAVEZ], the junior Senator from West Virginia [Mr. REVERCOMB], and the senior Senator from West Virginia [Mr. KILGORE] all joined with me upon the floor in urging the increased appropriation. It was the Senate and not the House which increased the appropriation.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. WHERRY. I yield

Mr. DWORSHAK. I received this information from the clerk of the Appropriations Committee of the Senate. I reiterate that the Bureau of the Budget requested only $1,178,000. On the floor of the House during the consideration of the bill that body adopted an amendment raising the sum of $1,178,000 to $1,483,000. When the bill was considered by the Appropriations Committee of the Senate I understand that a reduction was made, because the Bureau had not requested the additional amount; but that on the floor, as the Senator from Wyoming has indicated, the original House language providing $1,483,000 was approved. Thus the House and Senate figures coincided on this item and the final appropriation approved by the Congress provided $305,000 more than the Bureau of the

Budget had asked for coal-mine inspection.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. O'MAHONEY. My point was to make clear that the Senate increased the appropriation above the amount reported by the committee. There was quite a lengthy discussion on the subject on the floor at that time. It is only necessary to refer to the RECORD to get the facts. I understood the Senator from Idaho to say that the increase had been made in the House above the Senate figure. If he did not make that statement, I misunderstood his remarks.

Mr. BRIDGES and Mr. REVERCOMB addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Nebraska yield, and if so, to whom?

Mr. WHERRY. I yield first to the Senator from New Hampshire.

Mr. BRIDGES. Mr. President, this is not a question of appropriations. That is beside the point. Let us keep the record straight. From November 4 to November 6, Mr. Frank Perz, a Federal coal mine inspector, made an examination of the mine in which the disaster occurred last night, Mine No. 5 of the Centralia Coal Co., in Illinois. He reported various violations of the Federal Mine Safety Code. The report was submitted to his chief, Capt. N. H. Collisson, coal mine inspector, on November 26, 1946. The report showed widespread violations. I am told that there were probably 57 different violations of the Federal Safety Code which was agreed upon in the so-called Krug-Lewis agreement.

What happened? The Federal Government, the Department of the Interior, headed by Mr. Krug, failed to do anything. Yesterday a great tragedy occurred. Men are dying. Women and children are left widows and orphans as a result, probably, of failure on the part of the Federal Government, which is operating the mines, to live up to the recommendations of its own inspector.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. CHAVEZ. The Senator from New Mexico is not trying to accuse anyone connected with the Federal Government or any other agency who might have been responsible for the tragedy which occurred in Illinois. The point I was trying to make, and still insist on making, is that it requires a tragedy such as this to bring to our minds the trials and tribulations of those who delve under the earth for a living. If the Senator from Idaho, and other Senators, would only investigate the amount of money appropriated, in an effort to provide the necessary inspections for the protection of miners, and divide it among the mines of the United States, they would find that the Congress was very negligent, and that the amount was extremely insignificant.

I do not care who is to blame. Whoever is to blame in Illinois should be condemned. But we should not forget our own responsibility in the matter. We should try to think of the miner at other times than when he is to be buried.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. REVERCOMB. I had not intended to speak upon this subject. A great tragedy has occurred in a coal mine. The question has been raised as to responsibility. Some question has been raised as to appropriations for inspection of mines by the Congress. I think the Senator from Wyoming [Mr. O'MAHONEY] and the Senator from Idaho [Mr. DWORSHAK] have made it quite clear that the Congress appropriated for inspection an amount considerably in excess of what was requested by the executive department.

I recall very distinctly the action taken by the Senate. I joined with the Senator from Wyoming and other Senators in urging an increase in the amount for Federal inspection of mines. I joined in that effort because it was a safety measure. It was a course which I have always felt I should follow and which I have always followed. Wherever the safety of a man is involved, no chances should be taken.

It seems to me that when we discuss what we have appropriated, that is somewhat aside the point here. Although we made available money in excess of that requested, we should bear in mind the situation which exists in this case, whoever may be at fault. An inspection was made, and a report of the inspection was made to the Federal administrator. The accident followed that report, which showed faults and dangers in the mine, dangers known to the Federal administrator.

I hope that this investigation will be carried forward. While it cannot relieve the distress which arises from this tragedy, it may be of some help in preventing similar occurrences in the future.

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. WHERRY. I yield to the Senator from Idaho.

Mr. TAYLOR. Mr. President, I do not want to beat my breast over the tragedy which has occurred. It is deplorable. We all regret it exceedingly and want to do what we can to prevent such accidents in the future.

I feel that the statement of the Senator from New Hampshire, that Mr. Krug is responsible for this mine tragedy, is political drivel. Mr. Krug is not operating the mines in fact. We all know that all the Government did was to run up a flag over the mines. The operators are continuing to operate the mines, and if anyone has been negligent it is the mine owners. We know very well that the mine owners are receiving the profits from the mines, and shifting to the Federal Government the responsibility of operating them, because the operators are incapable of reaching an agreement with their workers.

Frankly, I believe that the idea that the miners are working for the Government or that the Government is actually operating the mines is a farce. Let us not, for political purposes, try to make it appear that Mr. Krug should be there with his cap and miner's lamp on, seeing how the mines are going. Federal operation is only figurative.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. FERGUSON. I believe that the subject which has been brought to the attention of the Senate by the able Senator from Illinois [Mr. BROOKS] is so important that I now ask unanimous consent to suspend the rule and immediately consider the resolution in order that it may be adopted.

The PRESIDENT pro tempore. The Senator from Michigan asks unanimous consent that the unfinished business be temporarily laid aside for the purpose of suspending the rule and considering at this time the resolution submitted by the Senator from Illinois [Mr. BROOKS]. Is there objection? The Chair hears none, and it is so ordered. The resolution will be read for the information of the Senate.

The resolution (S. Res. 98) was read, as follows:

Resolved, That the Committee on Public Lands, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation of the mine explosion which occurred at the Centralia Coal Mine No. 5, Womac, Ill., on March 25, 1947, with a view to determining the cause of such explosion, whether all mine safety requirements and provisions were being observed, and whether adequate inspection was being maintained. The committee shall report its findings to the Senate as soon as possible including its findings as to the negligence, if any, of any agency or official of the United States in connection with such explosion.

Mr. LUCAS. Mr. President, before voting I desire to say a word with reference to the resolution. I regret the awful tragedy which has occurred in my State. I think the resolution is perfectly appropriate and that an investigation should be made. However, I hope that while the Federal Government is now proceeding with such dispatch in making an investigation, the officials of the State of Illinois will also act with equal dispatch, because, if I correctly understand the situation, while there is a Federal Safety Inspection Act, its enforcement is left to the States. If I am not correct I should like to have someone like the able Senator from West Virginia [Mr. REVERCOMB], who comes from a coal-mining State, correct me.

In the past, attempts have been made in the Senate and in the House to pass a Federal safety inspection law with teeth in it, making examination and inspection and the enforcement of safety rules definitely a responsibility of the Federal Government.

Such proposed legislation has been defeated in the past. I think I am correct in saying that the only power the Federal Government has at the present time is inspection, examination, and recommendation, and that the real power of enforcement, so far as any penalties are concerned for failure to maintain a mine in proper condition, is a State matter. If I am wrong in that statement I should like to be corrected.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. WHERRY. I yield to the Senator from West Virginia.

Mr. REVERCOMB. I shall have to challenge that statement. Under the present situation it is my understanding—and I believe the Senator from Wyoming [Mr. O'MAHONEY] is as familiar with the situation as I am—that while the mines are under the control of the Federal Government any measure of safety can be enforced by the Federal Government. The Federal administrator could have closed the dangerous mine. It is also my understanding—and I state this in reply to what was said about responsibility by the senior Senator from Idaho [Mr. TAYLOR]—that this report was made to the Federal department and could have been acted upon by the Federal department, and that no action was taken.

Mr. LUCAS. There can be no question that the agent of the Federal Government would make a report to the Federal agency which is handling the situation. But I should like to ask what the report shows as to recommendations in connection with the conditions found in this mine.

Mr. BRIDGES. Mr. President, I have before me a list of the violations and conditions which were found, and the recommendations.

Mr. LUCAS. What are the recommendations? I should like to have the Senator read the recommendations. It seems to me that they are very important.

Mr. BRIDGES. One of the inspector's findings was:

> Unsupported loose roof and overhanging ribs and brows were observed along practically all of the room-entry and intermediate haulageways. And unsupported loose roof was observed along the roadways in a large number of working places.

The inspector's recommendation was as follows:

> The loose roof and overhanging ribs and brows along the room-entry and intermediate haulageways and along the roadways and working places should be either timbered adequately or taken down.

There are 30 or 40 findings in the report.

Mr. LUCAS. Let us take that one. To whom was that recommendation made?

Mr. BRIDGES. To the Federal Government.

Mr. LUCAS. Where is the authority for the Federal Government to carry out the recommendation?

Mr. BRIDGES. The Federal Government is operating the mine.

Mr. LUCAS. Of course it is. But can the Federal Government supersede a State law, for instance, with respect to examination and safety regulations?

Mr. BRIDGES. The Supreme Court of the United States says that the Federal Government has been operating the mines. I do not want to take issue with the Supreme Court.

Mr. LUCAS. I am raising the question because I think it is very important, in view of the wild or exaggerated statement made about my good friend Mr. Krug.

Mr. REVERCOMB. Mr. President, it is my recollection that the law provided for Federal inspection, and certainly under Federal control the Administrator could act to the extent of closing down a mine and keeping men away if the conditions were found bad during the time of operation by the Federal Government.

Mr. LUCAS. The Senator may be correct, and I shall not challenge the statement. But I know the situation before the Government took over the mines and I know the arguments which have been made upon the floor of the Senate regarding the Federal Government's taking over and having complete control and jurisdiction as to inspection and examination and putting some teeth into the law, making mines safe from a Federal standpoint. Such legislation has been defeated in the past.

Mr. REVERCOMB, Mr. BRIDGES, and Mr. FERGUSON addressed the Chair.

Mr. LUCAS. I will yield further to the Senator from West Virginia, because the Senator and I are talking business.

Mr. BRIDGES. I thought the Senator would yield to me, because he cut me off.

Mr. REVERCOMB. The Senator from Illinois is discussing the general proposal which has been before the Senate with respect to the Federal Government taking over the inspection of coal mines and taking them entirely away from State inspection. That proposal has been before the Senate in years past. I think it arose before I came to the Senate. The appropriation made last year and referred to by the Senator from Wyoming [Mr. O'MAHONEY] provided for additional Federal inspectors, and the laws as I understand them to exist today provide for Federal inspection by the Department of the Interior, and there is power to close a mine if it is in a dangerous condition certainly while under Government ownership.

Mr. LUCAS. I shall not challenge the Senator. I hope to look up the law between now and tomorow. But the Senator will agree with me that if we have the power to close a mine it is because the Government is at the present time operating the mines, and that is the only power we have.

Mr. REVERCOMB. I should want to consult the statute as to that.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. WHERRY. I yield to the Senator from Pennsylvania.

Mr. MYERS. Of course, the Senator is perfectly correct in the statement that there is no power in the Federal Government to enforce recommendations made by mine inspectors. There is technically that power in the case of coal mines, because the Federal Government happens to be in possession; but I hope that no Senator is of the opinion that these violations began to occur only when the Federal Government came into control of these properties. Violations have been occurring constantly, but the Federal Government never had and does not now have, except by reason of its technical position, any power to enforce the recommendations of its mine inspectors. The Federal operation is technical. I think every Senator knows that we have argued for years as to whether the Federal Government should be given power to enforce the recommendations of its mine inspectors. The operators in many areas of the country, to use a common expression, can thumb their noses at the recommendations of mine inspectors, except now probably, because of the technical possession by the Government.

I agree with the Senator that technically the Government could close down any mine. But what I object to is that before we even vote on the resolution or any amendment and before any investigation is made, some Senators attempt to place the responsibility on the Secretary of the Interior, and talk about a Vice Presidential candidacy. I hope this resolution will be adopted unanimously. I hope the committee will conduct a full-scale investigation both as to State and Federal action, and as to who may be at fault. We cannot restore to their families the men who have lost their lives, but probably we can do something to prevent the occurrence of similar catastrophes. Let us, however, do it practically, let us do it decently, and let us do it nonpolitically.

Mr. LUCAS. Mr. President, I thank the Senator from Pennsylvania for his contribution to the discussion. He is absolutely correct.

One of the primary reasons for injecting myself into the debate was because we know definitely that previous to the time when the Federal Government took over the mines, the inspection and examination of mines with respect to safety features and the imposition of penalties for violation of laws or regulations were strictly a State matter, and a State matter alone.

Now the Federal Government has taken over the mines, and has had control of them for some months. As the able Senator from Pennsylvania has said, these violations undoubtedly have been going on for some time.

Mr. BRIDGES and Mr. REVERCOMB addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Illinois yield; and if so, to whom?

Mr. LUCAS. I ask the Senators who have addressed the Chair to wait for a moment, please.

Mr. President, no doubt the violations have been going on for some time, as I have said. I venture to say that they were going on in the Centralia mine long before the Federal Government took it over—in view of all the violations which the able Senator from New Hampshire has pointed out were found to exist in that mine by the Federal inspectors.

But I wish to make the point that we do not want to leave the impression that during all these years the Federal Government has had under its charge the coal mine at Centralia, Ill. That is the impression which I am sure my able friend the Senator from New Hampshire would like to leave.

Mr. BRIDGES. Mr. President, I asked the Senator to yield to me for a minute, but then he shut me off.

Mr. LUCAS. I did so because I was asking the Senator from Pennsylvania a question, and I was afraid I might have

a little trouble with the Senator from New Hampshire.

Mr. BRIDGES. I have just two questions which I should like to ask. One is this: If we do not have effective regulation of the mines now—and I ask this question because the Senator from Illinois has referred to political parties—what party is responsible; what administration has been in power for the last 14 years, with overwhelming majorities?

Mr. LUCAS. That would be a hard question to answer. [Laughter.]

Does the Senator from New Hampshire wish to propound another question now?

Mr. BRIDGES. Yes.

Mr. LUCAS. Does the Senator wish to propound a question equally difficult to answer?

Mr. BRIDGES. My second question is this: If a Federal mine inspector inspected these mines in early November and made his report to his chief in the Bureau of Mines in the latter part of November, is it conceivable to the Senator from Illinois that any responsible Federal official, knowing that those dangers and violations existed and having had them called to his attention, would permit men to operate or work in a mine in which those dangers were found by the Federal Government's own representatives to exist. To me, it is inconceivable.

Mr. LUCAS. Mr. President, I more or less agree with the able Senator from New Hampshire that the conditions were such that certainly whoever had the responsibility of enforcing the safety regulations and seeing that the mines were in safe condition should have done so. But before I give the Senator from New Hampshire a final answer, I desire to examine the report carefully, and find out from Secretary Krug or someone in the Department just what has been done with respect to that matter. After I have done that, I may have something more to say about it, tomorrow.

Mr. BARKLEY. Mr. President, I merely wish to make this observation: There was a very disastrous mine explosion in my State, last year, which orphaned and widowed many persons, perhaps more than were affected by the grievous disaster of which we are speaking today. The mines were then in charge of the operators. I do not recall that any great hubbub was raised in the Senate in regard to that explosion, at the time when it occurred. Of course, the Federal Government was not even in technical charge of the mines at that time; and I suppose there was no disposition to criticize the operators. Furthermore, as I recall, the comment which was made regarding it revealed a conflict of authority, to some extent, between the Federal Government and the State government. The State governments heretofore have assumed primary responsibility for the enforcement of safety provisions for mines within their borders.

The Congress has provided modest funds—inadequate funds, I think—for the Bureau of Mines, in the Department of the Interior, to make inspections of the mines. That has been done for many years. All the Federal inspectors can do is make inspections. Conflicts have heretofore occurred between the jurisdiction of the Federal inspectors and the jurisdiction of State inspectors in regard to the inspection of mines. In any event, after the Federal inspectors have made their inspections, they submit their reports to the Department of the Interior. So far as I recall, the Department of the Interior has never had any authority to carry out the recommendations made by the Federal inspectors. The Department of the Interior has never been given by Congress any funds with which to install safety appliances, not even those recommended by Federal inspectors. It may be—and on this matter I am inclined to take the same position I have heretofore taken—that there is a Federal responsibility without regard to the question of technical operation of mines by the Federal Government in an emergency or on account of a strike.

When the investigation is made by the committee called for by the resolution—and I am sure it will be made, and I certainly want it to be made—I hope the committee will not only go thoroughly into the question of the responsibility for this particular disaster, but also will broaden the inquiry beyond that, and will report to the Senate and to the country regarding the inefficiency of mine safety appliances in mines throughout the United States. Regardless of whether such inefficiency is a responsibility of the States or of the Federal Government, I should like to have the committee report on the extent to which there is any conflict between the State authority and Federal authority in regard to safety conditions in the mines and the inspections made by mine inspectors.

I should also like them to report concerning whether the taking over of mines during an emergency, on the occasion of a threatened strike or during the existence of a strike, has resulted in the automatic withdrawal of the State authorities, who had a primary responsibility, from inspections and from enforcement of the State laws with respect to mine safety. I should like to have that done in order that we may determine the real responsibility which any State Government, not only of Illinois, but of Kentucky, West Virginia, Pennsylvania, and every other State, may be held to have for these matters in the future.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. REVERCOMB. In view of the fact that the Congress passed an act appropriating money so that approximately 40 additional inspectors, as I recall—making a total of 202 Federal inspectors—might be employed by the Federal Government to inspect the coal mines in the United States, does the Senator from Kentucky think there is a primary obligation on the States to inspect the mines, inasmuch as the Federal Government, acting through the Department of the Interior, had control of the mines, furnished the money for the inspections, and employed the inspectors? I wonder whether the Senator from Kentucky means to imply that the State had any inspection duty higher than that of the Federal Government, in view of the fact that the Federal Government provides for employing inspectors, and employs them for that purpose.

Mr. BARKLEY. I was speaking of the responsibility of the State in a broad and general sense, independent of any operation of the mines by the Federal Government. I do not recall that Congress has given any greater authority to the Federal officers to enforce the recommendations for the installation of safety appliances in the mines while they are operated by the Government than they previously had.

A very proper question, it seems to me, is whether, notwithstanding technical Federal operation of the mines, which has extended longer than was expected, and longer than any of us desired, if the difficulty could have been composed before, the Department of the Interior had any funds with which it could, out of the Treasury of the United States, have installed safety appliances, or whether it had the right to reach into the treasury of the operating companies to carry out a recommendation made by a Federal inspector. Those are matters which I think should be looked into and reported to the Senate, so that we may know hereafter what the situation is, and assess the relative responsibility of both local governments and of the Federal Government, even during Federal operation, and certainly when there is no Federal operation.

Mr REVERCOMB. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. REVERCOMB. I hope that out of the proposed investigation will come recommendations with respect to inspection. I do not know of any provision whereby the Federal Government might install appliances, but there is no doubt, is there, I ask the Senator from Kentucky, that the Federal Government could have closed down that mine once it found it was unsafe?

Mr. BARKLEY. I suppose the Federal Government could close a mine for any reason, but I do not understand that by reason of the Federal operation of mines the State withdrew from the exercise of the police power it has always had under the laws of the State.

Mr. O'MAHONEY. Mr. President——

The PRESIDENT pro tempore. The Senator from Wyoming.

Mr. O'MAHONEY. The resolution authorizing the Committee on Public Lands to make an investigation of this unfortunate coal mine accident in Illinois is defective, as I have read it, in that it does not provide any funds to enable the committee to carry on the investigation.

The matter is of such grave importance, involving as it does weakness of State law and weakness of Federal law governing the inspection of coal mines, that I feel the committee should be authorized to spend a reasonable sum to conduct the investigation. Otherwise only a cursory and ineffective study can be made. Therefore, Mr. President, I

intend to offer this amendment, adding section 2 to the bill in the usual form provided in such cases:

SEC. 2. The expenses of the committee under this resolution, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Before asking the Chair to put that amendment, however, I desire to advert to some testimony which was presented to the Committee on Appropriations last year when this matter was under consideration.

The CONGRESSIONAL RECORD for June 19, 1946, on page 7140, shows that a committee amendment was presented on that date to the Department of the Interior appropriation bill, under the heading "Bureau of Mines," to strike out the appropriation which was passed by the House of $1,483,000, and insert in lieu thereof $1,178,000. On that day, acting on behalf of a group of Senators, including the Senator from New Mexico [Mr. CHAVEZ], the Senator from Kentucky [Mr. BARKLEY], the Senators from West Virginia [Mr. KILGORE and Mr. REVERCOMB], and myself, I resisted the committee amendment and urged that the 305,000 which was being stricken out should be restored to the bill. In support of that, I find that I had pointed out that there were some 3,100 coal mines in the United States, employing 25 miners or more each; and that the Bureau of Mines, which under the law is authorized to inspect these mines, had only 157 inspectors. The purpose of the amendment was to enable the Bureau to employ 45 additional inspectors. The committee amendment reducing the amount was rejected, so that the $305,000 was restored.

The Coal Mine Inspection Act was not enacted until 1941. It was approved May 7, 1941, and it amounts to little more than an authorization to the Bureau of Mines in the Department of the Interior to conduct investigations and inspections and to make reports. The law is chapter 87 of the Public Laws of the Seventy-seventh Congress, first session.

Dr. Sayers, who was at that time the head of the Bureau of Mines, was questioned by the Senator from Rhode Island [Mr. GREEN]. This appears on page 948 of the Senate hearings on the Interior Department appropriation bill for 1947:

Senator GREEN. What is the course of the report after an inspector makes it?

Dr. SAYERS. A copy of an abridged preliminary report is tacked up on a bulletin board outside the mine, within a short time (possibly within a few days) after the mine inspection has been completed.

Senator GREEN. Does it have to be approved by anyone?

Dr. SAYERS. Yes; it is approved by the engineer in charge of the district. Then another and more complete report is formulated for review by various supervising heads. The district engineer reviews it and then it is sent to Washington and again carefully reviewed. Copies of that final report, which is held to a reasonable minimum as to length, go to the State mine inspector, to the operator, and to the union, in its national, district, and local offices; in addition, a copy is retained at the district engineer's office of this Bureau and in the Washington office of the Bureau, and the copies in the Bureau's offices are at all times open to the public to read.

In this way they are all informed.

In addition, in order to comply with the law as to publicizing this report, it is abstracted and a news release is prepared and sent to the papers in the mine locality for publication and I assure you they are published regularly. In States where they have laws covering safety in coal mining, the State inspector of mines sees that wherever the law is being disobeyed as shown by Federal inspection reports, the offending mine is called upon to obey the law.

It will be observed from this that a difficulty is created by reason of the conflict of law. In some States there are effective mine-inspection laws, in some States the mine-inspection laws are very poor, and in some States there are none. So the problem of final enforcement in a State coal mine is always one of greatest difficulty, and heretofore, as one reads the testimony presented before the Appropriations Committee, it would seem that the reports of the inspectors had sanction only to the extent that publicity was given to the reports.

I feel that, great as this tragedy has been, it may prove to be the reason for an improvement of the law, both the Federal law and of the State law. In any event, it is clear, Mr. President, it seems to me, that the resolution ought to be amended so as to provide a sum of at least $5,000 from the Contingent Fund of the Senate, in order to carry on the investigation.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Wyoming.

Mr. REVERCOMB. Mr. President, may I address a question to the Senator from Wyoming? The testimony he has read bearing upon the question of the appropriation deals with the subject of the inspection laws under the Federal Government in ordinary times, and by ordinary times I mean when the operation of a mine was in the hands of its owner. It did not deal with the situation when the Government had charge.

Mr. O'MAHONEY. Oh, no; certainly not.

Mr. REVERCOMB. The question here raised is as to the power of the Government when it takes charge to close a mine upon a report made to it. The testimony read by the Senator from Wyoming deals with cases when a mine is in private ownership and private operation.

Mr. O'MAHONEY. That is correct. That is the only law we have. I might say that section 5 of title XXX of the United States Code, the original Bureau of Mines law, authorizes—

The Director of the Bureau * * * to prepare and publish, subject to the direction of the Secretary of the Interior, under the appropriations made from time to time by Congress, reports of inquiries and investigations, with appropriate recommendations of the Bureau, concerning the nature, causes, and prevention of accidents, and the improvement of conditions, methods, and equipment, with special reference to health, safety, and prevention of waste in the mining, quarrying, metallurgical and other mineral industries.

These reports, as the inquiry last year indicated, are made annually and in a complete form, but as I said, the law itself is defective in that it lacks the sanctions which would seem to be necessarily required to prevent the constant recurrence of these tremendous tragedies in the coal mines.

Mr. DONNELL. Mr. President, I feel, as do some of the other Senators who have expressed themselves this afternoon, that this is not the moment to decide the facts upon which the investigation is to proceed. I think the tragedy is an appalling one which requires Congress to make an investigation; certainly we desire that an investigation be made; but I have been interested in one or two observations which I think should be commented upon at this time.

In the first place, frequent reference has been made by some of those who have spoken to the alleged technical possession by the United States Government. I observe nothing in the statutes of the United States which refers to the possession which the United States Government has of these mines as being purely technical.

The Senator from Idaho said we all know that that is a method of conducting operations; that it is a technical possession only. If it is, Mr. President, I undertake to say that, as I understand the laws of the United States, the officials who have given back to anyone else the authority actually to operate these mines have themselves been guilty of violations of the laws of the United States. I know of nothing in the statutes of the United States which permits the President of the United States or any executive department of the Government to take merely a technical possession and then divest himself or itself of all responsibility, moral, legal, or otherwise, with respect to the purpose for which such possession has been taken.

It is my understanding that the possession of the mine in which this terrible disaster has occurred inured to the Government by virtue of the Smith-Connally Act. If I am in error on that, I shall be glad to be corrected.

I observe, Mr. President, by an inspection of that act at the moment, that it provides that the President is empowered to "take immediate possession of any plant upon a failure to comply with any such provisions, and the authority granted by this section for the use and operation by the United States."

I pause, Mr. President, to say that nothing is said there about any technical possession, about any technical operation.

The authority—

I read again—

granted by this section for the use and operation by the United States or in its interests of any plant of which possesison is so taken, shall also apply as hereinafter provided to any plant, mine, or facility equipped for the manufacture, production, or mining of any articles or materials which may be

required for the war effort or which may be useful in connection therewith.

Then it proceeds, Mr. President:

Such power—

It does not say anything about a technical power—

Such power and authority—

It says nothing, Mr. President, about a technical authority—

may be exercised by the President through such department or agency of the Government as he may designate, and may be exercised with respect to any such plant, mine, or facility whenever the President finds, after investigation, and proclaims that there is an interruption of the operation of such plant, mine, or facility—

And so forth. Mr. President, if the United States Government has taken possession of mines and facilities and then coolly disregards all of the responsibility, taking the position when a great disaster occurs involving the lives of a hundred or more men that all the responsibility it had was a little bit of a technicality which can be disregarded and thrown off upon the occasion of such a tragedy—I want to say if that is the position of the United States Government, Congress had better pass some further legislation, in my judgment, which will awaken the executive department of the Government to the fact that it does have, not a mere technical, but a legal and a moral obligation.

Mr. President, I shall consume but a very few moments more of the Senate's time. Some reference has been made to the question as to whether or not the Secretary of the Interior has any authority in connection with the operation of these mines to do anything. I have not had the time to make anything except a very cursory and hurried examination, and I am not undertaking to say that the language to which I shall call attention in a moment necessarily imposes any obligation upon the Secretary of the Interior. But I do say that the committee which I trust will be duly constituted in a few moments should take into consideration, among other things, the question as to whether or not the legislation to which I referred does impose an obligation on the Secretary of the Interior, and if it does not, that there should be sufficient new legislation recommended by the committee to impose such a responsibility upon some official at any rate, who shall have charge of the management of operation of such facilities.

I call attention, Mr. President, to 55 Statutes, at page 178, being a portion of the public laws enacted on May 7, 1941, and I quote this language from section 6:

The Secretary of the Interior, acting through the United States Bureau of Mines, is hereby authorized and directed—

* * * * *

(d) To expend the funds made available to him for the protection or advancement of health or safety in coal mines, and for the prevention or relief of accidents or occupational diseases therein, in such lawful manner as he may deem most effective in the light of the information obtained under this act to promote the accomplishment of the objects for which such funds are granted.

Mr. President, I call attention further, not, as I said, with a view of determining with any finality whether this language does or does not impose upon the Secretary of the Interior the responsibility to which I refer, but solely for the purpose of the committee taking this language into consideration with a view to recommending such, if any, additional legislation as may be needed.

I call attention to the fact that whereas the language which I have read refers to the expenditure of funds made available to the Secretary of the Interior for the protection or advancement of health or safety in coal mines, and so forth, in the act of Congress passed, and approved on July 1, 1946, namely, the appropriation bill for the Interior Department, and particularly the Bureau of Mines, there is appropriated $1,019,000 for various purposes, included in which is this:

For salaries and expenses necessary for the investigation and improvement of mine-rescue and first-aid methods and appliances and the teaching of mine safety, rescue, and first-aid methods; investigations as to the causes of mine explosions, causes of falls of roof and coal, methods of mining, especially in relation to the safety of miners, the possible improvement of conditions under which mining operations are carried on—

And so forth. In conclusion, Mr. President, I submit, first, that all the talk upon the floor this afternoon with respect to the United States Government, after having taken over a mine, having only technical possession and responsibility, is to my mind not founded upon any law, any section of the statutes, any paragraph, semicolon, or otherwise, in the statutes of the United States. If there is any conception on the part of the Federal Government that its duty is solely technical, one of two things should happen. Either the Government should have it called to its attention that its duty is not merely technical, or, if there should be additional legislation to make the duty other than technical, we should have such legislation.

Finally, as I have indicated, clearly from the excerpt which I have read from 55 Statutes, page 178, it has been the intention of Congress to place upon the Secretary of the Interior the privilege and the obligation to extend the funds made available to him for the protection or advancement of health or safety in coal mines in such lawful manner as he may deem most effective in the light of the information obtained under the act, to promote the accomplishment of the objects for which such funds are appropriated.

Finally, there is strong reason to believe that the language which I quoted from the appropriation act of last year may give him the authority to expend those funds. It it does not, Mr. President, we should have sufficient amplifying legislation to confer not only the power, but the duty upon him in the future.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. LANGER. In connection with the legislation which the Senator proposes, does he not also believe that when the committee makes an investigation it should recommend to the Congress an appropriation of sufficient funds so that the widows and children may be properly taken care of in case the Government is to blame?

Mr. DONNELL. I think that is a subject well worthy of the careful and thoughtful consideration of the committee. I thank the Senator.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY].

The amendment was agreed to.

Mr. BARKLEY. Mr. President, I wish to offer an amendment to the resolution. I would not consume the time of the Senate even to offer an amendment, except for the fact that I think the resolution gives evidence of hasty draftsmanship. In my judgment it is not adequate to obtain all the facts which ought to be obtained if the investigation is to be made.

Personally, I do not believe that any person, agency, corporation, or other identifiable cause of this disaster should be overlooked or shielded. If this investigation is worth making—which I think it is—it ought not to be made with the purpose of shielding anyone, a Federal officer or otherwise.

In order that there may be sufficient background for the fullest possible investigation by the committee, I think a few additional words should be added to the resolution. In order that I may make clear what I have in mind, let me read the language of the resolution:

Resolved, That the Committee on Public Lands, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation of the mine explosion which occurred at the Centralia Coal Mine No. 5, Womac, Ill., on March 25, 1947, with a view to determining the cause of such explosion whether all mine safety requirements and provisions were being observed, and whether adequate inspection was being maintained.

After the word "provisions" I wish to add the words "Federal or local", so that that clause would read: "whether all mine safety requirements and provisions, Federal or local, were being observed, and whether adequate inspection was being maintained."

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Kentucky.

Mr. BROOKS. Mr. President, I think there will be no objection to the language, but before making a definite statement to that effect, I wish to express my great appreciation for the solicitude on the part of the minority leader that the resolution be all-encompassing. The wording of the resolution is:

Resolved, That the Committee on Public Lands, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation of the mine explosion which occurred at the Centralia Coal Mine No. 5, Womac, Ill., on March 25, 1947, with a view to determining the cause of such explosion, whether all mine safety requirements and provisions—

That certainly means "Federal or local," without adding the words "Federal or local."

I mention this point because I think it is very significant. For the past several

months we have heard ringing through the halls of Congress the statement that the Federal Government has become all-powerful in the past 15 years and taken unto itself control of the economics and lives of the American people. Every time a Member on this side wishes to investigate something because the Federal Government has control of it, we hear the cry of "politics" coming from the other side. In the words "Federal or local" in the amendment offered by the Senator from Kentucky we see an emphasis of that attitude.

I think it is high time to call a halt to politics on the other side, or challenging those of us on this side because we would like to have an investigation made. The local authorities do not operate the mines. Congress did not have the local authorities take over the mines. The purpose of the resolution is to investigate the operation by the Federal Government, which Congress authorized. We do not limit the investigation. We say: "All mine safety requirements and provisions."

The addition of "Federal and local" does not change the scope of the resolution, no matter how much the minority at this moment seek a fuller investigation.

Mr. BARKLEY. Mr. President, during the entire discussion this afternoon I have not mentioned the word "politics." I do not know who injected politics into this discussion, if it has been injected into it. A narrow-minded man might be prompted or goaded to say that the mere introduction of the resolution, in view of the fact that the Federal Government is in charge of the mine, was prompted by politics. I make no such statement. I have not even countenanced or encouraged any such statement, and I do not think any such statement has been made. But I do not see how anyone who wants a full investigation can object to it being a full investigation, including an investigation of every person, every agency, and every governmental authority which had any responsibility, whether it be a Federal or local authority.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. FERGUSON. I agree with the able Senator from Kentucky that we want a full and complete investigation. Having that in mind, I moved to take up the resolution for immediate consideration, because I think it is vital that the men who are to do the investigating should be on the ground at the very earliest date following this great calamity. Knowing something about mines, I think that is a vital consideration.

The able Senator from Illinois [Mr. BROOKS] has provided for a full and complete investigation. I know of no words that we can add to the resolution which would require the committee to do more than make a full and complete investigation of everything connected with this subject.

The resolution provides that the committee shall make a full and complete investigation, including Federal agencies. I think the resolution as submitted by the able Senator from Illinois is complete. I have no objection to adding other words. The President pro tempore said yesterday that he was having lawyer trouble. It appears that we are having minority trouble here today in getting this resolution in satisfactory shape.

Mr. BARKLEY. If the language which I have suggested adds nothing to the scope of the resolution, the minority trouble about which the Senator from Michigan complains could be resolved by accepting the amendment.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Kentucky [Mr. BARKLEY].

The amendment was agreed to.

Mr. BARKLEY. Mr. President, I have one other amendment which is in harmony with the one which I have just suggested. The last sentence of the resolution is as follows:

> The committee shall report its findings to the Senate as soon as possible, including its findings as to the negligence, if any, of any agency or official of the United States in connection with such explosion.

I wish to add certain language to that sentence. After the word "States" in the last line I propose to add the following: "or any State, Government body, or any other person or corporation."

So the findings of the committee may fix the responsibility anywhere it may properly lie, whether it be in a Federal agency, an individual, or corporation, or some other authority set up locally. It seems to me that if we are to ascertain the facts and fix the responsibility, it ought to be fixed where it belongs.

I hope the Senate will adopt the amendment.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Kentucky.

Mr. BROOKS. Mr. President, I did not have any objection to the other words suggested and I have no objection to the amendment now proposed. I merely wish to point out that this proposed amendment adds nothing to the resolution. The resolution calls for a complete and full investigation and a report of the findings to the Senate. That is all-inclusive. In addition, it includes the one agency of Government which has control, and not merely technical control, of the mines. If we are to put into the hands of the Federal Government the responsibility of controlling enterprise in America, I think the Federal Government should be responsible for its negligence, especially when it takes human life to the extent that it apparently has done.

I have no objection whatever to including the State government. It had nothing to do with operating the mine, so far as control of it was concerned, except official investigations which it may make of a corporation.

I accept the amendment.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Indiana.

Mr. CAPEHART. When can something be fuller than full?

Mr. BARKLEY. When it is superfull.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Kentucky.

The amendment was agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the resolution as amended.

The resolution (S. Res. 98), as amended, was agreed to.

The resolution as amended is as follows:

Resolved, That the Committee on Public Lands, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation of the mine explosion which occurred at the Centralia Coal Mine No. 5, Womac, Ill., on March 25, 1947, with a view to determining the cause of such explosion, whether all mine safety requirements and provisions, Federal, or local, were being observed, and whether adequate inspection was being maintained. The committee shall report its findings to the Senate as soon as possible, including its findings as to the negligence, if any, of any agency or official of the United States or of any State, governmental body, or any other person or corporation in connection with such explosion.

SEC. 2. The expenses of the committee under this resolution, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AMERICAN POLICY AS TO GREECE AND TURKEY—BROADCAST OF HEARINGS

Mr. TAYLOR. Mr. President, I should like to read an editorial from the Idaho Daily Statesman on the question of our policy in Greece and Turkey. The title of the editorial is "Give it to the UN." It reads:

GIVE IT TO THE UN

That the dead hand of the League of Nations—a hand weak, vacillating, unable to grasp a problem and settle it—should have stretched out from its grave and cast a shadow over the United Nations is an appalling fact.

In the Greek crisis we have evidence of that. The League was destroyed within itself because the member nations were steeped in an aura of hypocrisy toward humanity. International politics and fear of one another so effectively blanked the League that it became nothing more than a debating society with about as much power as a feather trying to resist a whirlwind.

The world has just reaped the whirlwind. The product of that catastrophe, that unbelievable failure of mankind to prevent mass destruction, is now fertilizing the bloody soil of Europe and the islands of the Pacific.

Now we have the spectacle of a United Nations organization, an organization of the great and the small powers, supposedly imbued with the power and the deliberating function sufficient to quell war or its breeding wherever it appears, standing apparently immobile in the Greek situation.

The United States, bless its heart, is going to put forth $200,000,000 as a starter to bail the Greeks out of their financial distress and will provide arms and ammunition with the avowed purpose of keeping communism out. The money is nothing. What's a mere $200,000,000 if it would stop the bloodspilling in Greece or anywhere else?

That's not the point. The fact is that this is a problem for the United Nations. If the UN could step in and push the Greeks about and kick out the border intruders who have kept that unhappy land in a state of war these long months past the peace that ended the recent great struggle, it would justify its existence.

It is a troublesome picture. Are the United Nations so far from anything resembling a general concord on the ideas of international justice and service to humanity? We are not so naive as to believe that the Golden Rule is uppermost in the minds of

those who control nations. But, by the eternal god of truth and wisdom, when will the peoples of the world be freed of seeing bodies created to a tongue-whipping frenzy of brotherly love, only to have them bog down the first time something occurs that takes concurrent action and international guts?

President Truman, the chief executive of the United States, is represented as declaring that communism must be kept out of Greece. He chopped off a handshaking tour of the Spanish Americas to go back to Washington and implement his decision.

Anybody who can read the newspapers knows that communism means Russia. Anybody who can look at a map knows that the Greek nation and archipelago is the key to the Middle East, the Dardanelles—which Russia wants—and lastly, to India.

Russia is also a member of the United Nations. Now is the time to find out if the United Nations is something with iron in its veins. Now is the time to put the problem before that group of nations and hammer it until something happens. If a decision is born, that is better than nothing, whatever the decision. But if the United Nations pushes it around the table, if the problem of fratricidal murder in Greece under the guise of a struggle between monarch King George and the Communists is merely shoved aside—if nothing happens—then we know where we stand.

We can put on our hats and say, "Good day, gentlemen. Let's go home."

It is not a question of bailing out the British, who have been keeping troops in Greece and who have been putting a basis of pounds sterling under the drachma. Britain says she's broke and can't keep it up.

We could help a neighbor with a loan; we have a lot of notes in the Treasury which have remained unpaid as a reminder of that American willingness to give the other chap a chance.

It's this business of our saying we will keep—we must keep—communism out of Greece. Because the Greeks willy-nilly inhabit a strategic spot from the question of global war, that single point in the offer of help to the British puts us squarely into this proposition:

Communism means Russia. Are we beginning a long-range blocking of Russia outside of the United Nations? Are we committed to a policy of beginning now the frustration of what some believe is Russian domination of militarily valuable sections of the earth?

Give it to the United Nations first. Let the Russians speak in open meeting. Hammer the table in front of Molotov and Gromyko. Hear what they say. If they hedge, that's enough. If nobody backs us up, the UN is through, finished, wiped out, and humanity has been double-crossed again.

Maybe our State Department and our President are tired of sending notes and of watching UN excursions investigate conditions in nations where injustice is being done.

The time to have become tired was before this postwar foundation for the Third World War was laid.

Mr. President, I wanted to call this editorial to the attention of the Congress, and let Congress know that Idaho, a State which in the past has been considered somewhat of an isolationist State, feels, as represented by its largest newspaper, that we are bypassing the United Nations in the proposal to extend aid to Greece and Turkey.

I had another editorial from another paper in Idaho in the same vein, and I shall ask later that that be printed in the RECORD

Mr. President, I was happy to learn that two radio networks broadcast parts of the opening sessions of the hearings now being conducted by the Senate Foreign Relations Committee on the Greek-Turkish plan. This is a vital issue, and deserves full public attention. When I heard of these broadcasts I immediately wired the president of the National Broadcasting Co. to express my congratulations and my hope and confidence that he would in all fairness broadcast later sessions of the same committee, at which witnesses opposed to the State Department plan would testify. At the opening day's hearing all the witnesses were official witnesses, who appeared in support of the Government plan.

Today, when I queried the National Broadcasting Co. to find out what consideration had been given to my request, I was shocked to learn that while NBC had made an attempt in good faith to round out its presentation by making additional broadcasts on which opposition witnesses could be heard, they were refused permission to do so.

I was informed that NBC employees, assuming they had blanket permission to broadcast all of the hearings, had begun to extend their lines from the caucus room to the finance committee room. I understand that the hearings were moved from the caucus room to the finance committee room, for what reason I do not know, after the proponents of the measure being considered had concluded. For the opponents the hearing was moved to a different room.

When a question was raised as to permission to install the equipment in the caucus room, the matter was taken up with the committee clerk, who in turn approached the chairman. Last evening the chairman, according to NBC officials, refused permission to broadcast these other hearings.

I was also informed that the Mutual Broadcasting System, which also had broadcast Government witnesses on the first day, requested permission to broadcast the opposition testimony of Mayor LaGuardia, and was also turned down.

We all know that the Communications Act of 1934 enjoins upon radio broadcasters the responsibility to make well-rounded rather than one-sided presentations of public issues. In this instance these two networks made a very honest and commendable effort to do so. Yet it appears that they were frustrated in this effort, and that against their will they were limited to broadcasting only one side of the committee hearings.

Mr. President, I desire to raise the question as to why this action was taken. I believe that the broadcasters and the public are entitled to know why room could not be found in the Finance Committee room for two microphones and a small amount of equipment, which takes up less space than two chairs. This Greek-Turkish plan is probably the most momentous issue in the history of the United States. The public is entitled to hear all sides, and to make its decision. It is entitled to have full information.

I would appreciate it if the distinguished chairman of the Foreign Relations Committee could clear up this matter for us.

The PRESIDENT pro tempore. With the indulgence of the Senate, the chairman of the Committee on Foreign Relations would like to state to the Senator from Idaho that he sought the caucus room for all the hearings. He was unable to secure the caucus room for Tuesday and Wednesday, because the Committee on Armed Services had obtained it for their hearing on the merger.

The witnesses heard on Tuesday, without broadcast, were Government witnesses. The Government was cut off from broadcast just as much as anyone else when we moved to the room of the Committee on Finance, which was the only other room available. There was no intent or purpose to cut off anyone from any privilege.

The chairman of the committee is under the impression that he has gone to extreme lengths in connection with this issue, to obtain all the facts, publicly, that are possibly available. The room of the Committee on Finance is a smaller room, where it was not deemed feasible to set up the broadcasting apparatus. That inhibition ran against Government witnesses on Tuesday just as much as against any on Wednesday. If and when we can return to the caucus room the chairman of the committee will be very happy to have the broadcasting continued.

Mr. TAYLOR. I think the distinguished chairman of the Committee on Foreign Relations for his explanation. I sincerely wanted to know the facts of the matter. When I had called the broadcasters, they simply told me that they had been unable to broadcast the testimony of the opponents. I am happy to have had the explanation. That is all I wanted.

Mr. GURNEY. Mr. President——

The PRESIDENT pro tempore. The Senator from South Dakota.

Mr. GURNEY. Due to the fact that the Armed Services Committee has now heard most of the top witnesses from the Army and Navy, I am sure we can hereafter take care of our hearing in a smaller room. Should the Committee on Foreign Relations or any other committee wish the caucus room tomorrow, or any day thereafter, I shall be glad to relinquish the room to whomever may want it.

BONUS ON WHEAT AND CORN

Mr. WILLIAMS. Mr. President, the Senate has on its calendar Senate bill 669, to provide for the payment of a bonus of 30 cents per bushel on wheat and corn produced and sold between January 1, 1945, and April 18, 1946. To my mind, this is one of the most flagrant raids on the Federal Treasury that has been proposed in recent years.

I have before me some figures showing the benefits to the various States and how the amounts will be distributed. In the first place, this bill is supposed to cost approximately $377,000,000. Last year, taking the figures of the Department of Agriculture, the country produced 3,000,000,000 bushels of corn and 1,000,000,000

bushels of wheat. Using these figures, it would cost around $1,200,000,000.

The bill was favorably reported from the Committee on Agriculture and Forestry. I shall go through the list of States and show the Senate what each one would receive under the provisions of the bill.

The first State I shall mention is North Dakota, which, under this bill, would receive a little more than $55,000,000. The proportional part of what North Dakota would pay on that amount, under this bill, using the percentage of the taxes paid by the State, would be $420,000.

Kansas would pay a little less than $4,000,000 and receive $84,000,000.

Minnesota would pay less than $6,000,000 and receive $71,000,000.

Iowa would pay less than $4,000,000 and receive $153,000,000.

Illinois would pay less than $40,000,000 and receive $120,000,000.

South Dakota would pay approximately $420,000 and receive $51,000,000.

Missouri would receive $36,000,000 against a payment of less than $10,000,000.

Oklahoma would receive $29,000,000 and pay $3,000,000.

Tennessee would receive $21,000,000 and pay $3,000,000.

North Carolina would receive $18,000,000 and pay $10,000,000.

Mr. President, to indicate not only the raid on the Treasury but what Eastern States would have to pay, the State of New York would pay $75,000,000 and receive $9,000,000.

The State of Pennsylvania would pay $30,000,000 and receive $24,000,000.

The State of Delaware would pay $3,000,000 and receive less than $1,000,000.

I am not even trying to argue that the farmers were not misled by the officials of the Commodity Credit Corporation when they advised the farmers to sell their grain and at the same time assured them that there would be no increase granted in the price ceilings; but what can be said in the interest of the wheat and corn growers of the West can likewise be said of the eastern dairy farmer and poultry grower. The eastern farmers are just as much entitled to a subsidy payment on their crops as are the western farmers, and, if this bill is to be passed, the eastern farmers should be included. But the Federal Treasury cannot stand such raids as this bill proposes; our eastern farmers realize that and are not asking for any additional payments, but they are not going to sit idly by, nor are their representatives, and see the Treasury raided by some other group, whose claims are no better than theirs.

I intend to oppose this bill or any similar bill introduced into the Senate.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. LANGER. Mr. President, I wish to say, first of all, that the Senator from Delaware has been absolutely unfair in his statement in reference to the bill. A similar bill was reported by a unanimous vote of the Committee on Agriculture at the last session.

Mr. KEM. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. KEM. I should like to ask the Senator from North Dakota if there were not two dissenting votes—the vote of the Senator from Illinois, who stands next to the Senator from North Dakota, and the Senator from Missouri?

Mr. LANGER. The then Senator from Missouri, Mr. Briggs, voted for it at the last session. It was voted out, as can be proved by the chairman of the committee, the Senator from Oklahoma [Mr. THOMAS].

What are the facts in regard to the 30-cent bonus? I do not know why the question is brought up today. While the bill is on the calendar, no Senator has made a motion that the Senate consider it. But since it has been discussed, I should like to make absolutely clear the position of the Committee on Agriculture and Forestry.

Mind you, Mr. President, the Department of Agriculture set the price at $1.38 a year ago. The ceiling price was $1.51. Ninety percent of that is approximately $1.38. The farmers relied upon that price. At the time of threshing we wrote not one letter but many letters to the Department of Agriculture. We wanted to know if that price was to be raised. We were assured by the Department of Agriculture not once but many times that the ceiling price would be left exactly where it was. At the same time a great many of the farmers who needed money badly were assured by the Government that the ceiling price would not be raised. Many thousands of them in Montana, South Dakota, North Dakota, and, in fact, all over the West took out CCC loans upon their wheat. Those loans were not due until April 1. What happened? All of a sudden it was stated that in England wheat and corn were needed. So before the Senate Committee on Agriculture and Forestry there was produced letter after letter sent out by the Department of Agriculture calling some of the loans in January, some in February, and some in March. What could the poor farmers do? In the western part of my State the snow was 3 or 4 feet deep. The Department of Agriculture said, "Pay your note." The only way the farmer could pay it was by selling the pitiful amount of wheat he had. The farmers hired trucks to haul their wheat so that people in Europe would not starve. Those loans, mind you, Mr. President, were not due for a month or 2 months or 3 months; but, nevertheless, they were called in by the Government.

Then on the 18th day of last April, out of a clear sky, Mayor LaGuardia, who had been appointed head of UNRRA, and the new Secretary of Agriculture, Mr. Anderson, got into an airplane and went to Climax, Minn., and Fargo, N. Dak.; and there they said to all the farmers who had not hauled in their wheat, who had not brought in this "mercy wheat," "We are going to give you 30 cents a bushel more because you did not care whether the people over in Europe died. Even though you kept it, we are going to give you 30 cents a bushel more."

So, Mr. President, the farmer who was not patriotic received 30 cents a bushel more than the farmer who was patriotic received.

All we are trying to do by this measure is to see that the farmer who was patriotic is treated on an equal basis with and just as fairly as a farmer who was not patriotic.

Mr. President, that is not all. Eleven Senators, including the then Senator Briggs, of Missouri, went to the Department of Agriculture on the 21st of April, and protested. We said, "It is not fair," and we asked the Department to be so kind as not to pay the additional 30 cents a bushel.

Mr. KEM. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. LANGER. I decline to yield at this time.

The PRESIDENT pro tempore. The Senator from North Dakota declines to yield.

Mr. LANGER. As I was saying, Mr. President, we asked them to be so kind as not to pay the additional 30 cents a bushel. Mind you, Mr. President, the junior Senator from Nebraska made in that connection, before the Secretary of Agriculture, one of the best pleas I have ever listened to. Please bear in mind also, Mr. President, that in that delegation were both Democrats and Republicans. The distinguished Senator from Nebraska said this:

> We have in Nebraska thousands and thousands of cattle that are being fed corn in the feed lots, and there is only a 10-day supply of corn to feed to them.

He then cited the case of two farmers who were in partnership and who were feeding 7,000 head of cattle. He laid that fact before the Department of Agriculture and its Secretary, Mr. Anderson. He stated that in Nebraska there were thousands of farmers who had in the feed lots cattle for which they had paid big prices; and he stated that, among others, there were two farmers who had 7,000 head of cattle in the feed lots. At that time those of us in the delegation said, "The Government is going into the black market now and is paying 30 cents a bushel more than any farmer can pay to fatten those cattle." I myself said that to the Secretary of Agriculture, and so did other Senators.

But, Mr. President, what did the Secretary of Agriculture say? He said, "It is just too bad. The farmers who have bought those cattle will have to take a loss. The Government will pay 30 cents more, but any farmer who pays more than $1.20 will go to jail."

Mr. President, I ask any Senator whether my statement is correct. They will confirm what I have said. I shall be glad to yield to the distinguished Senator from Nebraska or to any other Senator who accompanied us over there. Eleven Senators, both Democratic and Republican Senators, attended that meeting.

Mr. President, on that committee last year there were economically minded

men, men who did not want to waste a dollar of money belonging to the Government. When they investigated they found that on the advisory committee of the Department of Agriculture dealing with "mercy wheat" was a man by the name of Tom Campbell, who at that time had 400,000 bushels of his own wheat at Hardin, Mont. He did not sell it when the Senator from Michigan [Mr. VANDENBERG] and the Senator from Texas [Mr. CONNALLY] were begging the farmers to sell the wheat; but he kept it. However, he was a member of that advisory committee. Yet just as soon as the 18th day of April came he hauled in every bushel of that wheat and made a profit of $120,000. But the poor farmer who had only 1,000 or 3,000 bushels of wheat, and whose loan had been made by the Government, and whose loan had been called in, did not get a single penny.

On the subject of the cost, I hate to say that my distinguished friend, the Senator from Delaware [Mr. WILLIAMS] is not correct; but the truth of the matter is that we received a letter on that subject, and it is in the possession of the Committee on Agriculture and Forestry, and we also had before the committee witnesses from the Department. That letter shows that the cost will be $331,000,000. That letter is signed by a responsible official of the Department of Agriculture.

Let me say, further, that when the witnesses were before the committee, we asked them to state the number of bushels that were sold by the farmers in each State, and we also asked them exactly what the payment of 30 cents a bushel would amount to.

Mr. President, I do not know why this matter was brought up today, out of a clear sky; but when the time comes and when this measure is before the Senate, at that time, I, for one, together with my distinguished colleague from North Dakota [Mr. YOUNG] propose to act together with various other Senators, including the senior Senator from Nebraska [Mr. BUTLER], who joined in that measure; the junior Senator from Nebraska [Mr. WHERRY], I believe; the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Kansas [Mr. CAPPER], and various other Members of the Senate, to bring the truth fairly and squarely before the Senate.

Mr. WILLIAMS. Mr. President, I wish to say merely a few words in response to the statement which has been made by the distinguished senior Senator from North Dakota [Mr. LANGER]. Let me state that the figures I have cited regarding this matter are, for the most part, taken from statistics published in 1946 by the Department of Agriculture.

Mr. LANGER. Mr. President, I wish to say in reply that before the committee we had representatives of the Department of Agriculture; and at that time we had, and we have now, letters signed by responsible officials of the Department of Agriculture stating that the total cost will be $331,000,000.

Mr. WILLIAMS. Mr. President, I am not questioning the information which the Senator received in the committee. It so happens, as the Senator knows, that the eastern section of the United States has only a very small representation on the Committee on Agriculture and Forestry. That fact has been pointed out several times. As we all know, there is only one Senator from the Northeastern States on the Committee on Agriculture and Forestry. So about the only way we can obtain desired information is by consulting the books or other publications.

Mr. President, all the figures are in the documents I have before me, and I think they can be fully substantiated. According to the Department of Agriculture, the United States produced 3,000,000,000 bushels of corn and 1,000,000,000 bushels of wheat during that period; and according to these figures, a payment of 30 cents a bushel for that production will amount to $1,200,000,000—unless it is proposed not to pay some of the farmers. However, if the payment is to be made to any, surely it should be made to all of them. If payment is made for all the wheat and corn which, according to the figures I have cited, was produced in that calendar year, the cost will be $1,200,000,000. On the basis of these figures, no other conclusion can be reached.

Mr. WHERRY obtained the floor.

Mr. KEM. Mr. President, will the Senator yield to me?

Mr. WHERRY. I am glad to yield for a question.

Mr. KEM. I wish to interrogate the distinguished Senator from North Dakota [Mr. LANGER] for a moment.

Mr. LANGER. I shall be delighted to have the Senator do so.

Mr. KEM. I wish to ask the Senator from North Dakota whether he has in mind that since a similar bill was approved by the Committee on Agriculture and Forestry in the Seventy-ninth Congress, a very significant thing has occurred—namely, the election of last November—and that the then Senator Briggs of Missouri, to whom the Senator from North Dakota has referred as having voted for that bill, is no longer a Member of the Senate, and that this Congress has received from the people of the United States a mandate to stand firm against pork-barrel legislation, of which this measure is a flagrant example and also a mandate to balance the budget and to use every possible means to reduce the expenditures of the Federal Government.

Mr. LANGER. Mr. President, let me say to my distinguished friend the Senator from Missouri, if the Senator from Nebraska will yield for that purpose——

Mr. WHERRY. I yield.

Mr. LANGER. Let me say to him that I do not know why former Senator Briggs is not now a Member of the Senate; but I do know that Senator LANGER, of North Dakota, who introduced this measure, is here, and I know that the measure has also been approved by various other Senators who likewise were reelected.

Mr. DONNELL. Mr. President, in response to the statement of the distinguished Senator from North Dakota as to why Mr. Briggs is not here, I will say that Mr. KEM was elected in Missouri in his place by a majority of 60,000 votes.

EXTENSION OF SUGAR CONTROLS

The Senate resumed the consideration of the resolution (S. J. Res. 58) to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. TOBEY], adding at the end of the first committee amendment certain words.

RECESS

Mr. WHERRY. I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 2 minutes p. m.) the Senate took a recess until tomorrow, Thursday, March 27, 1947, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 26 (legislative day of March 24), 1947:

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America:

Elmer H. Bourgerie, of Maryland.
George A. Morgan, of the District of Columbia.
W. Leonard Parker, of New York.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

James D. Bell, of New Mexico.
Frank P. Butler, of New Jersey.
Nat B. King, of Texas.
Harold H. Rhodes, of Washington.
Roy Richard Rubottom, Jr., of Texas.

The following-named persons for appointment as Foreign Service officers of class 5, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

David M. Bane, of Pennsylvania.
William G. Gibson, of New York.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Theo C. Adams, of Texas.
Slator C. Blackiston, Jr., of North Carolina.
William B. Connett, Jr., of the District of Columbia.
John I. Fishburne, of South Carolina.
John E. MacDonald, of New Hampshire.
Gilbert L. Newbold, of New Jersey.
John B. Young, of New Jersey.

IN THE NAVY

The following-named officers to the ranks indicated in the line of the Navy:

(*Indicates officers to be designated for EDO and SDO subsequent to acceptance of appointment)

ENSIGNS

Aeschbach, Warren E.	Braid, Robert A.
Anthony, Robert P.	*Brandenburg, Howard H.
Augenblick, Richard G.	Brewer, Norman E.
Austin, William H., Jr.	Brewington, William I.
Bagwell, Wallace B.	*Britton, Beverly L.
Barksdale, Allen D.	Brooks, Claude C.
Beck, Lester H.	Brown, Louis F., Jr.
Bell, John, Jr.	Bunger, Samuel J.
Bennett, Walter F., Jr.	Burke, Edwin J.
Best, Carl O.	Burt, Robert A.
Biscomb, Lloyd I., Jr.	Campbell, William M.
Black, Owen J.	Carlin, Joseph W.
Bluestone, Max	Chester, Raymond M.
Boland, Joseph P.	Chronister, Irvin G.
Bowden, John L., Jr.	Clark, Albert H.

Conditt, Leslie T., Jr.
Condon, Vernon W.
Conn, Robert H.
Craig, Robert M.
Cruse, Vernon E.
Cruser, Handford T., 3d
Cummings, Donald E.
Cundy, David R.
Davenport, Thomas T.
Davis, William J.
Day, Charles F.
DeCamp, Dwight E.
Deckert, Albert R.
DeLavergne, Cornelious B.
*Divine, Forrest M.
Doak, William C.
Dobyns, Robert E.
Dollard, Thomas J., Jr.
*Dowdell, James S.
Drabent, Eugene A.
Drum, Henry W.
Dura, Leon J.
Durden, Walter D.
Durkin, Michael F.
Dutton, Charles R.
Eadie, Charles J.
Eaton, Kenneth H.
Else, Leslie A.
Erdner, Lewis E.
Ernst, Francis C.
Erwin, David A.
Etcher, Robert W.
Ewald, Arden A., Jr.
Farris, George W.
Finley, John P., Jr.
Fish, Harold M.
Fisher, Paul E.
Fogg, John K.
Fullerton, Gordon W.
Galvin, Thomas F.
Gatts, William H.
Gebler, Gerald P.
Gibbs, Edward M.
Glowasky, William A.
Glusenkamp, Arthur F.
Gray, Leland T., Jr.
Grieb, "J" "C"
Gudal, Sigurd M.
Gurley, Walter P.
Gumb, Dana F.
Haecherl, Frank S.
Hahn, George C.
Hall, Donald M.
Handel, John W., Jr.
Hanson, Peter S.
Harper, John R.
Hebert, Frank C.
Henry, George L.
Herbert, Christopher A.
Herbert, Charles E.
Herzog, James H.
Hickman, Wilbur M.
Hill, Arnold M.
Hilton, Calvin E.
Hodges, Thomas V.
Hord, John W.
Howard, Donnell
Hubka, Verne R.
Hunter, Guy E.
Irving, Robert
Jackson, Lee S., Jr.
Janson, Richard H.
Johnson, Edwin H., Jr.
Johnson, John D., Jr.
Johnston, Joseph L.
Johnston, Richard C.
Jones, Grover C.
Kaluza, Martin S.
Kauffman, Allen P.
Keefe, William J., Jr.
Kenyon, Arnold O., Jr.
Kimble, Elbert D.
King, Harry W.
Kline, Edward C., Jr.
Knight, Thomas C
Koch, Don R.
Kohler, Frederick W.
Koster, Edwin R.
Lackore, Raymond C., Jr.
Lamson-Scribner, Frank H., Jr.
Larson, Ben R.
Larson, Wilfred C.
Lawrence, Harry B.
Leask, Joseph A.
Lee, Earl B.
Lennon, Gerard T.
Lienhard, Bernard A.
Lyons, James I.
MacDonald, Ivan L.
Magee, William M.
*Magennis, Edward G.
Mahar, Edward T.
Manly, Paul W.
Martin, Claude F., Jr.
Mason, Arthur A.
Mathews, James F.
Mathews, William R., Jr.
*McComb, Norris L.
McGowan, James V.
McKee, Richard L.
McMahon, James P.
Meadows, Roy L., Jr.
Miller, Donald L.
Mohler, Dallas F.
Montelone, Nunzio E.
Morin, Edward C.
Morris, Adrian B., Jr.
Moseley, Richard E.
Mount, Harold W.
Muller, David G.
Nelson, Hugh M.
Nelson, Richard H.
*Newlin, John W.
Noesen, Harold
O'Brien, Richard J.
Olson, Richard A.
O'Neill, John M.
Onofrio, Edward
Owens, Albert T.
Paffe, Fabian J., Jr.
Patch, Donald R.
Pierozzi, Constantino
Pollard, Robert D.
Powell, James A.
Powell, Robert A.
Price, Mood B., Jr.
Pros, Anton J., Jr.
Provost, William B., Jr.
Purcell, Stephen E., Jr.
Rauch, Robert P.
Reese, Walter "H"
Reichwein, Tremont E.
Rezzarday, Joseph, Jr.
Richardson, James P.
Riddick, John C.
Riebow, John F.
Riess, William C.
Roberts, Louis V.
Roetman, Orvil M.
Rogers, Edmund D., Jr.
Rose, Jack "D"
Roy, Robert I.
Ryan, Bayliss Q.
Sanders, Herman J.
Scheibner, Juergen G.
Schelb, William F.
Scherrer, David E.
Schimpf, Donald R.
Schubert, Allen H.
Schwan, Alfred P. G.
Scott, Howard T., Jr.
Scott, Kenneth G.
Sellman, Edmund W.
Shaner, Donald H.
Silvert, "M" E.
Sinfield, Charles P.
Smith, Albert J.
Smith, Burton E.
Smith, Harold L.
Smith, Wayne H.
Spruance, Owen E., Jr.
*Staley, Henry E.
Steen, Stuart M.
Stephens, Lawrence B.
Summitt, Charles K.
Sutter, Milton L., Jr.
Swanke, Charles C.
Thomas, Paul B.
Thorson, Robert L.
Tilley, Herbert S.
Tipping, William L.
Titcomb, Edmund B.
Toole, Wycliffe D., Jr.
Turner, Lee L.
Vose, Stephen J.
Walston, Claude E.
Waters, Alex "C"
Weaver, John K.
Weidman, William K
Weidner, Virgil C.
Wells, Marvin G.
Westmoreland, Arthur E.
Woodard, David A.
Woods, William L., Jr.
Wright, Merritt R.
Young, Austin V.
Zumwalt, Marvin W.
Carpenter, Benjamin, Jr.
Kline, John L., Jr.
Seligman, Irwin H.
Wilkinson, Thomas R.

The following-named officers to the grades and ranks indicated in the Medical Corps of the Navy:

SURGEONS WITH THE RANK OF LIEUTENANT COMMANDER

Bullwinkel, Henry G.
Sherwood, David W.
Whalen, John M.

ASSISTANT SURGEONS WITH THE RANK OF LIEUTENANT (JUNIOR GRADE)

Roberts, James A., Jr.
Tandy, Roy W.

The following-named officers to the grades and ranks indicated in the Supply Corps of the Navy:

ASSISTANT PAYMASTERS WITH THE RANK OF ENSIGN

Allan, Richard T.
Bishop, Merwood R.
Blassic, Robert S.
Britt, Ernest R.
Canton, Julian B.
Fisher, Robert D.
Ford, Robert G.
Fronke, Robert E.
Gardner, George H.
Gayle, James A.
Goetzmann, John C.
Herrick, Eugene G.
Huntress, James F.
Kramp, Henry F.
Kulow, Frederick C.
Lindsey, Bob R.
Martin, Robert W.
Matarazzo, Joseph D.
Mossing, Raymond L.
Orrill, Donald P.
Park, Eugene L., Jr.
Peterson, George W., Jr.
Peterson, Roger G.
Polk, Donald E.
Polk, Robert B.
Prosuch, Charles B.
Quinn, Gerard J.
Searcy, William C.
Sineath, William D.
Thompson, Edwin H.
Wagner, Robert L.
White, Francis H.
Bauman, Howard

The following-named officers to the grades and ranks indicated in the Civil Engineer Corps of the Navy.

ASSISTANT CIVIL ENGINEERS WITH THE RANK OF LIEUTENANT (JUNIOR GRADE)

Anderson, Donald N.
Atwater, Vern E.

ASSISTANT CIVIL ENGINEERS WITH THE RANK OF ENSIGN

Jones, Malcolm S., Jr.
Schmoker, Robert F.
Umble, George R.

The following-named officers to the grade and rank indicated in the Dental Corps of the Navy:

PASSED ASSISTANT DENTAL SURGEON WITH THE RANK OF LIEUTENANT

Friedrich, Eduard G.

ASSISTANT DENTAL SURGEON WITH THE RANK OF LIEUTENANT (JUNIOR GRADE)

Leberman, Odin F.

The following-named officers to the rank of commissioned warrant officers in the Navy in the grades indicated:

CHIEF BOATSWAINS

Cadaret, Albert J.
Dreman, Wesley C.

CHIEF AEROGRAPHER

Mullins, Jimmy

CHIEF PAY CLERK

Hancock, Charles F.

POSTMASTERS

The following-named persons to be postmasters:

ARKANSAS

Elwin K. Hurley, Alpena Pass, Ark., in place of Jewell Coxsey, removed.

COLORADO

Paul A. Lemke, Creede, Colo., in place of M. M. Lamb, resigned.

Mabel C. White, Rangely, Colo., in place of F. A. Nichols, resigned.

FLORIDA

Clyde L. Hillhouse, White Springs, Fla., in place of L. C. Pritchard, resigned.

GEORGIA

Sam D. Williams, Vidalia, Ga., in place of E. M. Davis, resigned.

ILLINOIS

Harold E. Hohenstein, Mount Auburn, Ill., in place of L. J. Smith, retired.

Joseph J. Smaron, Posen, Ill., in place of G. B. Livesay, resigned.

INDIANA

Walter H. Fried, Corydon, Ind., in place of G. C. Rainbolt. Incumbent's commission expired June 23, 1942.

Lorin Grant Tyler, Georgetown, Ind., in place of I. V. Tyler, transferred.

Alfred P. Collins, Rensselaer, Ind., in place of G. W. Strole, transferred.

IOWA

Ralph Wentzel, Malcolm, Iowa, in place of G. F. Eisele, resigned.

KENTUCKY

Hiter Q. Kennady, Munfordville, Ky., in place of A. G. Hubbard, transferred.

LOUISIANA

Ruth C. Barentine, Longville, La., in place of Berta Cobb, declined.

MARYLAND

Harry R. Ringler, Bishopville, Md. Office became Presidential July 1, 1945.

Alice A. Kellner, White Marsh, Md., in place of J. F. Elste, resigned.

MASSACHUSETTS

Francis A. Webb, Osterville, Mass., in place of A. J. MacQuade, resigned.

Hazel F. Tenney, West Townsend, Mass., in place of G. H. Tenney, retired.

MICHIGAN

Stanley R. Wattles, Colon, Mich., in place of J. G. Watson, retired.

August M. Huotari, Mass, Mich., in place of C. J. Maloney, resigned.

MINNESOTA

Alfred F. Ess, Hopkins, Minn., in place of F. D. Markham, resigned.

Edward S. Thomas, Nashwauk, Minn., in place of J. P. Lanto, resigned.

Henry E. Grube, Nassau, Minn., in place of E. D. Wills, transferred.

MISSOURI

Gertrude L. Duke, Dadeville, Mo. Office became Presidential July 1, 1946.

Henry E. Bowers, Langdon, Mo. Office became Presidential July 1, 1946.

Jefferson D. Marsh, Steelville, Mo., in place of A. E. Thurman, transferred.

MONTANA

Pauline E. Russell, Hot Springs, Mont., in place of M. S. Smith, deceased.

NEW JERSEY

Helen M. Iuliucci, Waterford Works, N. J., in place of M. D. Heggan, resigned.

NEW YORK

Harold G. Haines, Earlton, N. Y. Office became Presidential July 1, 1945.

Arnold D. Case, Hinsdale, N. Y., in place of D. B. Allen, retired.

Bessie A. Benjamin, Speonk, N. Y. Office became Presidential July 1, 1945.

OHIO

Stewart K. Nighswander, Maple Grove, Ohio, in place of I. M. Hepp, resigned.

Philip F. Dickerson, Scio, Ohio, in place of L. H. Duswald, resigned.

Harry A. Hahn, Waynesburg, Ohio, in place of H. C. Brubaker, resigned.

OKLAHOMA

Hettie O. Russell, Loco, Okla. Office became Presidential July 1, 1945.

Bertie N. Livingston, Sparks, Okla., in place of A. G. Stockton, resigned.

PENNSYLVANIA

Charles F. Mase, New Ringgold, Pa., in place of H. R. Miller, resigned.

Albert Elton MacKissic, Parker Ford, Pa., in place of B. H. Shade, retired.

Winifred C. Brendel, Reinholds, Pa., in place of S. E. Hornberger, retired.

Thurlow C. Brenneman, York Haven, Pa., in place of M. E. M. Busser, resigned.

SOUTH DAKOTA

Wilbur E. Prann, Timber Lake, S. Dak., in place of Agnes Schirber, resigned.

TEXAS

Samuel O. Cress, Sweetwater, Tex., in place of A. G. Lee, resigned.

UTAH

Sylvester C. Scott, Marysvale, Utah, in place of A. M. Long, deceased.

VIRGINIA

Mary H. Trevey, Big Island, Va., in place of J. T. Trevey, removed.

Samuel Trent Ranson, Bremo Bluff, Va., in place of W. H. Ranson, retired.

Oscar S. Chaplain, Princess Anne, Va., in place of N. J. B. Etheridge, removed.

WEST VIRGINIA

Glenn R. Mason, Aurora, W. Va., in place of Ernest Schrock, retired.

WISCONSIN

Frederick W. Jaeger, Black Earth, Wis., in place of W. A. Frome, transferred.

August E. Mecikalski, Pelican Lake, Wis., in place of M. A. Whalen, removed.

Gilbert H. Goldbeck, Wilton, Wis., in place of M. G. Tonn, transferred.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 26, 1947

The House met at 11 o'clock a. m.

Rev. W. Lowrey Compere, pastor, Northside Baptist Church, Jackson, Miss., offered the following prayer:

O God, our Father, we humbly and gratefully acknowledge Thy marvelous goodness to us. In spite of all our sins and shortcomings, Thou hast been gracious and merciful unto our land. May we prove worthy of the manifold blessings Thou hast bestowed upon us.

We pray now for the Members of this body as they deliberate today. Give them strength equal to their responsibilities, wisdom equal to the tremendous issues they face, and divine guidance equal to the decisions they must make.

May the righteousness that exalteth a nation prevail throughout this land of ours. May our people be true to Thee and to Thy great principles of human conduct, and may America fulfill her destiny in Thy great plans for the nations of the world.

These requests we make in the name of Thy Son our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 154. Joint resolution making an appropriation for expenses incident to the control and eradication of foot-and-mouth disease and rinderpest.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 77. Joint resolution providing for membership and participation by the United States in the International Refugee Organization and authorizing an appropriation therefor.

COMMITTEE ON THE JUDICIARY

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the subcommittee of the Committee on the Judiciary may be permitted to sit today during general debate. This is in accordance with the custom and the precedents of the House. I have conferred about it with the Speaker and the two leaders.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

HOUR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

EXTENSION OF REMARKS

Mr. MUNDT (at the request of Mr. HALLECK) was given permission to extend his remarks in the RECORD and include an address he delivered at the UNESCO Conference in Philadelphia last night.

Mr. ARNOLD asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

SUPPLYING DEFICIENCIES IN CERTAIN APPROPRIATIONS

Mr. TABER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H. J. Res. 159) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1947, to meet increased pay costs authorized by the Acts of March 6, 1946 (Public Law 317); May 21, 1946 (Public Law 386); May 24, 1946 (Public Law 390); July 5, 1946 (Public Law 491); July 31, 1946 (Public Laws 567, 568, and 577); and August 1, 1946 (Public Law 582); and other legislation enacted during or applicable to said fiscal year authorizing increases in pay of Government officers and employees, as follows:

LEGISLATIVE BRANCH

Senate:

"Salaries, officers and employees, Senate," $1,013,725;

"Salaries and expenses, Joint Committee on Printing, to be disbursed by the Secretary of the Senate," $5,235;

"Compiling and preparing a revised edition of the Biographical Directory of the American Congress," $14,000;

"Salaries and expenses, legislative counsel," $15,000;

"Salaries and expenses, Senate policy committees," $11,000;

"Contingent expenses, Senate, reporting debates and proceedings of the Senate," $19,075;

"Contingent expenses, Senate, services in cleaning, repairing, and varnishing furniture," $760;

"Contingent expenses, Senate, expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee on Rules and Administration of the Senate, but not exceeding 25 cents per hundred words," $118,350: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended;

"Contingent expenses, Senate, folding speeches and pamphlets at a rate not exceeding $1 per thousand," $5,015;

"Contingent expenses, Senate, maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms," $790;

"Contingent expenses, Senate, miscellaneous items, exclusive of labor," $19,640;

"Contingent expenses, Senate, purchase, exchange, driving, maintenance, and operation of two automobiles, one for the majority leader of the Senate and one for the minority leader of the Senate," $760;

"Contingent expenses, Senate, purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President," $770;

House of Representatives:

"Compensation of officers, clerks, messengers, and others," $675,000;

"Clerk hire, Members and Delegates," $1,675,000;

Contingent expenses of the House:

"Furniture," $17,500;

"Miscellaneous items," $6,000;

"Joint Committee on Internal Revenue Taxation," $37,500;

"Folding documents," $10,000;

"Preparing and editing a new edition of the Code of Laws," $12,000;

"Clerk's office, special assistance," $1,000;

"Speaker's automobile," $1,200;

"Capitol Police Board," $300;

Office of Legislative Counsel: "Salaries and expenses," $10,000;

Architect of the Capitol:

Office of the Architect of the Capitol: "Salaries," $9,176;

Capitol Buildings and Grounds:

"Capitol Buildings," $56,173;

"Capitol Grounds," $17,882;

"Legislative garage," $3,297;

"Senate Office Building," $52,898;

"House Office Buildings," $72,456;

"Capitol power plant," $50,478;

Library Buildings and Grounds:

"Salaries," $23,583;

"Salaries, Sunday opening," $1,250;

Botanic Garden: "Salaries," $20,298;

THE JUDICIARY

United States Supreme Court:
"Salaries," $97,000;
"Structural and mechanical care of the building and grounds," $18,631;
Court of Customs and Patent Appeals: "Salaries and expenses," $28,315;
United States Customs Court: "Salaries and expenses," $41,250;
Miscellaneous items of expense:
"Salaries of judges," $1,164,000;
"Salaries of clerks of courts," $190,000;
"Probation system, United States courts," $78,000;
"Salaries of criers," $11,800;
"Fees of commissioners," $95,000;
Administrative Office of the United States Courts: "Salaries," $40,000;

EXECUTIVE OFFICE OF THE PRESIDENT

Executive Mansion and grounds: "Care, maintenance, repair, and alteration," $18,250;
Bureau of the Budget: "Salaries and expenses," $350,500;
Office for Emergency Management:
Office of Defense Transportation: "Salaries and expenses," $62,400;
Office of Scientific Research and Development: "Salaries and expenses," $48,800;

INDEPENDENT OFFICES

Federal Trade Commission: "Salaries and expenses," $281,000;
Interstate Commerce Commission:
"General expenses," $793,100;
"Railroad safety," $56,500;
"Locomotive inspection," $52,100;
National Advisory Committee for Aeronautics: "Salaries and expenses," $1,040,000;
National Capital Housing Authority: "Maintenance and operation," $1,550;
National Mediation Board:
"Salaries and expenses," $16,000;
National Railroad Adjustment Board: "Salaries and expenses," $19,000;
Panama Railroad Company: "Administrative expenses" (increase of $85,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses);
Railroad Retirement Board:
"Salaries," $304,000;
"Miscellaneous expenses (other than salaries)," $31,000;
Securities and Exchange Commission: "Salaries and expenses," $572,000;
Smithsonian Institution:
"Salaries and expenses," $180,400;
"Salaries and expenses, National Gallery of Art," $101,000;
The Tax Court of the United States: "Salaries and expenses," $123,500;
Veterans' Administration: "Administration, medical, hospital, and domiciliary services," $48,272,500;

FEDERAL WORKS AGENCY

Public Buildings Administration:
"General administrative expenses," $201,500;
"Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area," $2,096,000;
"Salaries and expenses, public buildings and grounds outside the District of Columbia," $1,123,600;

POST OFFICE DEPARTMENT

(Out of the postal revenues)

Post Office Department, Washington, D. C.:
Office of the Postmaster General: "Salaries," $44,700;
Salaries in bureaus and offices:
"Office of Budget and Administrative Planning," $6,300;
"Office of the First Assistant Postmaster General," $137,900;
"Office of the Second Assistant Postmaster General," $110,900;
"Office of the Third Assistant Postmaster General," $158,200;
"Office of the Fourth Assistant Postmaster General," $78,000;
"Office of the Solicitor for the Post Office Department," $21,000;
"Office of the Chief Inspector," $31,300;
"Office of the purchasing agent," $9,800;
"Bureau of Accounts," $77,100;
Field Service, Post Office Department:
Office of Chief Inspector:
"Salaries of inspectors," $263,700;
"Clerks," $149,600;
Office of the First Assistant Postmaster General:
"Compensation to postmasters," $12,701,900;
"Compensation to assistant postmasters," $1,260,000;
"Clerks, first- and second-class post offices," $74,221,400;
"Clerks, third-class post offices," $5,954,000;
"Miscellaneous items, first- and second-class post offices," $200,400;
"Village delivery service," $51,600;
"City delivery carriers," $42,981,200;
"Special-delivery compensation and fees," $1,488,000;
"Rural-Delivery Service," $13,793,900;
Office of the Second Assistant Postmaster General: "Railway Mail Service," $13,055,200;
Office of the Third Assistant Postmaster General: "Manufacture and distribution of stamps and stamped paper," $3,600;
Office of the Fourth Assistant Postmaster General:
"Post office stationery, equipment, and supplies," $26,600;
"Equipment shops, Washington, District of Columbia," $193,800;
"Pneumatic-tube service, New York City and Boston," $61,300;
"Vehicle Service," $2,486,300;
Public Buildings, maintenance and operation: "Operating force," $7,074,700;

DISTRICT OF COLUMBIA

General administration:
"Executive office," $18,700;
"Office of the corporation counsel," $15,600;
"Board of Tax Appeals," $1,700;
Fiscal Service:
"Assessor's office," $51,700;
"Collector's office," $14,400;
"Auditor's office," $40,500;
"Purchasing division," $10,000;
Regulatory agencies:
"Alcoholic Beverage Control Board," $5,700;
"Board of Indeterminate Sentence and Parole," $4,800;
"Coroner's office," $3,700;
"Department of Insurance," $3,800;
"Department of Weights, Measures, and Markets," $9,700;
"License Bureau," $3,300;
"Minimum Wage and Industrial Safety Board," $5,700;
"Office of Administrator of Rent Control," $11,500;
"Office of Recorder of Deeds," $26,400;
"Poundmaster's office," $3,100;
"Public Utilities Commission," $12,200;
"Zoning Commission," $2,300;
Public Schools:
Operating expenses:
"General administration," $45,000;
"General supervision and instruction," $1,540,000;
"Vocational education, George-Deen program," $21,000;
"Operation of buildings and maintenance of equipment," $200,000;
Public Library: "Operating expenses," $99,500;
Recreation Department: "Operating expenses," $43,300;
Metropolitan Police: "Salaries and expenses," $553,500;
"Fire Department," $397,600;
Courts:
"Juvenile court," $14,200;
"Municipal court," $43,200;
"Municipal court of appeals," $4,100;
"Probation system," $1,700;
"Office of Register of Wills," $11,100;
"Commission on Mental Health," $4,300;
Health Department:
"Operating expenses, Health Department (excluding hospitals)," $158,400;
"Operating expenses, Glenn Dale Tuberculosis Sanatorium," $20,000;
Department of Corrections:
Adult Correctional Service: "Operating expenses," $163,000;
Public Welfare:
Office of the Director," $10,900;
Family Welfare Service:
"Operating expenses, child care," $15,800;
"Public assistance and children's services," $32,900;
"Operating expenses, institutions for the indigent," $14,700;
Juvenile Correctional Service:
"Operating expenses," $16,100;
Mental Rehabilitation Service:
"Operating expenses, District Training School," $48,500;
"Deportation nonresident insane," $2,200;
Public Works:
"Office of Chief Clerk," $6,400;
"Office of Municipal Architect," $11,100;
"Operating expenses, Office of Superintendent of District Buildings," $51,600;
"Surveyor's office," $4,600;
"Department of Inspections," $54,100;
"Central garage," $4,200;
"Department of Vehicles and Traffic (payable from highway fund)," $14,900;
"Reimbursements of other appropriations (payable from highway fund)," $109,500;
"Operating expenses, Refuse Division," $30,700;
"Operating expenses, Sewer Division," $39,500;
"Operating expenses, Water Division (payable from water fund)," $38,000;
Washington aqueduct:
"Operating expenses (payable from water fund)," $25,000;
"National Capital Parks," $87,600;
"National Capital Park and Planning Commission," $4,700;
"National Zoological Park," $39,100.

DIVISION OF EXPENSES

The sums appropriated in this act for the District of Columbia shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act, 1947.

SEC. 2. The restrictions contained within appropriations or affecting appropriations or other funds, available during the fiscal year 1947, limiting the amounts which may be expended for personal services or for other purposes involving personal services, or amounts which may be transferred between appropriations or authorizations, are hereby waived with respect to the foregoing items to the extent necessary to meet increased pay costs authorized by the acts of March 6, 1946 (Public Law 317), May 21, 1946 (Public Law 385), May 24, 1946 (Public Law 390), July 5, 1946 (Public Law 491), July 31, 1946 (Public Laws 567, 568, 577), and August 1, 1946 (Public Law 582), and other legislation enacted during or applicable to the fiscal year 1947 authorizing increased pay for civilian employees of the Government.

Mr. TABER. Mr. Speaker, this resolution has been reported by the Committee on Appropriations, providing for funds for certain agencies that need the money to take care of the pay increase provided for under Public Law 390 in the last Congress. These items, I might say, have been gone over very carefully, and only the undisputed items, which are absolutely necessary, are included.

Mr. Speaker, this resolution calls for $243,000,000. The big items involved are $176,000,000 for the Post Office Department and $48,000,000 for the Veterans' Administration. The other items are

small and include items which the committee has examined very carefully and has found cannot be reduced. As a matter of fact, I do not believe that those items I have referred to can be reduced. They are based on the pay act, and most of the departments are absorbing the entire cost of the pay act. Many of the others we have had hearings on, and will come up in the deficiency bill which we hope to present to the House on Friday and take up the first of the week. The resolution comes here with the unanimous report from not only the subcommittee but the full committee this morning, and we hope that it may go through the Senate just as it is so that the agencies may be supplied with the necessary funds.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A NURSE'S VIEW ON COMMUNISM

Mr. MATHEWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MATHEWS. Mr. Speaker, this morning I obtained the opinion of a lady who is a registered nurse, and an experienced social-service worker, in regard to the President's plan for aid to Greece and Turkey. She said that she approved the giving of money, food, and other things to the people of these needy nations, but that to launch military campaigns, and by force or threat of force compel or attempt to compel the governments of these nations to become or remain democracies, would be doing exactly what we object to Russia doing. She said that she does not know just how far we should go in the expenditures of those moneys, but she does not think we should expend such enormous sums of money to combat communism elsewhere when we need to combat it very much in this country.

Tomorrow morning I hope to have another report for you.

EXTENSION OF REMARKS

Mr. CROW asked and was given permission to extend his remarks in the RECORD and include an editorial from Forbes magazine called Raise Wages by Tax Cut.

Mr. COLE of New York asked and was given permission to extend his remarks in the RECORD.

Mr. MERROW asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. SEELY-BROWN asked and was given permission to extend his remarks in the RECORD.

Mr. HAND (at the request of Mr. SEELY-BROWN) was given permission to extend his remarks in the RECORD.

Mr. REDDEN asked and was given permission to extend his remarks in the RECORD and include a petition which he received from some citizens in his district.

Mr. ROONEY asked and was given permission to extend his remarks in the RECORD in two instances and to include in one a newspaper editorial and in the other a newspaper article.

SPECIAL ORDERS GRANTED

Mr. MASON. Mr. Speaker, I ask unanimous consent that on Monday, April 7, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I be permitted to address the House for 30 minutes on the subject The Geneva Trade Conference Program.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RICH. Mr. Speaker, I ask unanimous consent that on Tuesday next, following any special orders heretofore entered, I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

OIL

Mr. MERROW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. MERROW. Mr. Speaker, failure to adopt the President's program for extending aid to Greece and Turkey means that Soviet Russia with her foreign policy of expansion and aggression will control the Mediterranean Sea and the Middle East. It is perfectly obvious that this will imperil American oil interests in the Middle East. To prevent this we must be firm and resolute. During World War II great inroads were made on the oil reserves in the United States. In the event of future trouble the almost illimitable supply of oil in Arabia will be of paramount importance to our national defense. To protect our national interests and to help guarantee our security we must not allow the Middle East to be overrun by a power whose actions clearly indicate an unfaltering determination to dominate all the earth.

When in 1950 the proposed 1,000-mile, 30- and 31-inch pipeline, at a cost of $115,000,000 extending from Saudi Arabia through Transjordan, Lebanon and Syria to the Mediterranean, is completed the production of oil will be stepped up from 200,000 barrels a day to 500,000 barrels a day.

I, for one, do not wish to see the security of the United States endangered by the possible cutting off of this oil supply. We must prevent the Mediterranean and the Middle East from falling into the hands of a power who refuses to honor her agreements and whose policy is, through Moscow-dominated Communist parties, to control the entire world.

CUSTOMS BUREAU

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. SNYDER. Mr. Speaker, yesterday there appeared in the Washington Times-Herald an editorial to the effect that by reason of the budget of the Customs Bureau being reduced, the staff at the port of New York had to be reduced from 840 to 100—that it was necessary to notify 740 of the staff at the New York port, including 600 veterans, of their dismissal.

This action on the part of the Customs Bureau is not understood. The Customs Service is receiving $3,165,000 more in 1948 than they received in 1947. In 1947 there was enough money to employ the necessary personnel at the New York port. In 1948, with more money, 740 have to be dismissed because there is not sufficient money. This does not make sense.

This matter should be checked into by the Committee on Expenditures in the Executive Departments and as a member of that committee, I am going to urge such action.

The Congress is appropriating sufficient money to carry on essential Govment activities. I believe it is imperative that the Congress follow through to see that the bureaus or agencies themselves do not sabotage the economic program. This action on the part of the Customs Bureau should be investigated, as well as like actions of other bureaus if they occur.

If any administrative or Government official is not efficiently and effectively carrying out his duty and responsibility, the matter should be brought to the attention of the Chief Executive of this Nation by appropriate action by the Congress.

FOR A FEDERAL SYSTEM OF TRAFFIC LAWS

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts.

There was no objection.

Mr. LANE. Mr. Speaker, they call us the United States of America, but when it comes to our prize product, the automobile, and the jungle of laws in the 48 States regarding traffic regulation, we appear to be the most disunited Nation on earth.

When drivers are not slaughtering others or themselves, they are being held up in every State across the Nation and summarily fined for infractions they did not commit by justices of the peace whose every whim is law.

We boast that we are the most peace-loving Nation on earth, yet the yearly toll of deaths and injuries on our highways reads like a major battle.

If you intend to make a transcontinental trip by car, you might just as well face the fact that each State you pass through, is like a separate nation in itself, with surprisingly different regulations concerning automotive traffic.

In this chaotic situation, even the best of drivers and the best of citizens will,

unwittingly, break some traffic law, endangering the lives of others, or becoming one of the 6,500,000 people who pass through municipal traffic courts each year. And, as far as the justices of the peace are concerned, the national average of traffic convictions before such hit-and-miss authorities is 98 percent. With them, revenue comes before justice.

To bring this antiquated system into line with the needs of modern motorists, I propose that we establish a uniform system of Federal traffic laws, so that the motorist from Maine will know his rights and obligations in California because they are the same there as in his home State, and vice versa.

When you consider this question, just remember that the traffic flow on our major highways in 1946, passed the volume of 1941, which was the prior peak year. This increase came with 1,800,000 fewer vehicles in operation. It does not take much imagination to comprehend that the situation, bad as it is, will become immeasurably worse as the new cars start rolling off the assembly lines and onto the highways.

The bill I hope to offer to you will establish a uniform system throughout the Nation, based on the motor vehicle code and the model traffic ordinances developed after careful surveys, by the National Conference on Street and Highway Safety.

EFFECT OF REDUCTION OF CERTAIN APPROPRIATIONS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I am very glad to hear my colleague on the Republican side, who is a member of the Committee on Expenditures in the Executive Departments, say he is going to ask the committee to investigate layoffs in the Customs Bureau. I had the same thought in mind, but being on the minority side I hesitated to suggest it to the committee because that will constitute an investigation of the action of the Republican Party in making available appropriations under the Treasury-Post Office appropriation bill. When that comes up I intend to pursue it all along the line, in relation to all agencies, particularly as to the effect of the provision carried in the various appropriation bills compelling furlough leave, leave employees have earned in the past, to be paid out of fiscal year 1947 appropriations instead of 1948 funds. I hope my friend will request the chairman of the committee, the gentleman from Michigan [Mr. HOFFMAN] to call a meeting of the committee at once, and I will join with him in having that investigation made forthwith.

PERMISSION TO ADDRESS THE HOUSE

Mr. KEATING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

[Mr. KEATING addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. BEALL asked and was given permission to extend his remarks in the RECORD and include some letters relative to Mason and Dixon's line and to extend his remarks in another instance and to include an article by Rev. P. J. Bradley, of Frostburg, Md.

THE COPPER SITUATION

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I hold in my hand a 600-page report from the Federal Trade Commission on the copper industry of the United States and the international copper cartels. The second part of this report deals with the copper industry and the concentration of control by the three dominant companies. No one can read this report and square it with the present inadequate supply of copper in this country and not be terribly concerned about what is going on.

Today I am introducing a resolution calling for an investigation by the Interstate and Foreign Commerce Committee of the House to get the answer for the people, the investigation to follow this report and inform the people as to what is going on in the copper field, and which I suspicioned the other day when I raised the question as to the market price of copper and the manipulations of the market when the copper bill was under consideration on this floor.

EXTENSION OF REMARKS

Mr. CRAWFORD asked and was given permission to extend his remarks in the RECORD and include some editorials from a Panama newspaper.

DEBT AND TAX REDUCTION

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the gentleman from Massachusetts [Mr. McCORMACK], the whip of the minority, the gentleman who for the last 10 or 15 years has been so successful in guiding the legislative program of the administration through the House, and who perhaps has had more to do with the passage of legislation than any other man in the House, is more responsible for the laying of the foundation and the building of the first, second, third, fourth, fifth, and seventy-fifth stories and putting the roof on the structure which we now have, wants to investigate the governmental monstrosity that he has put up here in Washington. That is all right with me. He said he was going to ask me, as chairman of the Committee on Expenditures in the Executive Department, to investigate the action of the Customs Service. Just 1 week from today—and I recall that the minority withdrew a member of the committee and selected the gentleman from Massachusetts to go on the committee—there will be a regular meeting of that committee. If the gentleman will put his request in writing, we will start the investigation at once.

ANNOUNCEMENT

The SPEAKER. It is the desire of a great many Members that the tax bill be disposed of as promptly as possible tomorrow. Therefore, the Chair will not recognize any Member for 1-minute speeches tomorrow until after the tax bill has been disposed of.

INDIVIDUAL INCOME TAX PAYMENTS

Mr. ALLEN of Illinois. Mr. Speaker, I call up House Resolution 161 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 1) to reduce individual income-tax payments, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 6 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to the said bill except the substitute amendment recommended by the Committee on Ways and Means now in the bill and such amendment shall be in order, any rule of the House to the contrary notwithstanding, but shall not be subject to any amendment except such amendments as may be offered by direction of the Committee on Ways and Means. At the conclusion of such consideration, the Committee shall rise and report the bill to the House and the previous question shall be considered as ordered on the bill to final passage without intervening motion, except one motion to recommit, with or without instructions.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH], and at this time I yield myself such time as I may require.

Mr. Speaker, as you know, this is a closed rule. It waives all points of order. It grants 6 hours' general debate, after which the bill will be read for amendment under the 5-minute rule, amendments to be offered only by the Ways and Means Committee.

To the new Members today I would explain that since I have been in Congress, almost 15 years, every tax bill has come before the House under a closed rule. It may be possible that later on some of my good friends on the other side will emphasize the fact that this is a closed rule. So I want you to bear in mind the fact that under the able leadership of my good friends the gentleman from Texas [Mr. RAYBURN] and the gentleman from Massachusetts [Mr. McCORMACK] for many years past, every tax bill that has come before this Congress has come under a similar rule to that under consideration here today.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. Yes; I yield.

Mr. McCORMACK. The gentleman recognizes there is one important distinguished feature, however, that the full Committee on Ways and Means always asked for it on those occasions.

Mr. ALLEN of Illinois. That shows that the Republican members were ready to cooperate under those most trying times.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. Yes. I will be happy to yield.

Mr. COX. As a member of the gentleman's committee, I want to say there is nothing extraordinary about the rule which he now presents. On every occasion heretofore, since I have been a member of that committee, a rule of this character has been requested on bills of the nature of the bill which the pending resolution proposes to make in order. The reason for requesting such rule and the justification of the gentleman's committee for always granting such rules has been that the bills are of such technical nature that they could hardly be well considered in any other manner. That is the position that I take. I have heretofore supported the granting of rules of this character. I can see no reason now for reversing the position that I have heretofore taken. I think it reasonable and fair and certainly it is consistent with the practice of this body that the gentleman should ask the House to adopt the rule which he now presents.

Mr. ALLEN of Illinois. I thank my good friend for his contribution.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. Surely, I yield to the gentleman from Texas.

Mr. RAYBURN. As far as I am concerned, I join with the gentleman from Georgia [Mr. Cox], and as far as I am individually concerned I shall not resist the rule. Fifteen Members on the Republican side have made the bill bad enough, and I fear if we turn it loose for amendment to 245 Members it may be impossible to write a bill.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. REED of New York. After 14 years' experience with bad bills, I think we are safe to proceed with this one. But I want to say further that the former distinguished chairman of the Ways and Means Committee was delayed and he called me on the telephone and asked me to convey to the Rules Committee that he favored this rule. The gentleman will recall that I conveyed that information to the committee.

Mr. ALLEN of Illinois. I thank the gentleman.

Mr. Speaker, having in mind, as indicated by our distinguished former Speaker, that we all have different ideas in regard to our tax structure, when I heard that the Ways and Means Committee contemplated a 20-percent reduction across the board I wrote the following letter to the chairman of the Ways and Means Committee:

FEBRUARY 13, 1947.

Hon. HAROLD KNUTSON,
Chairman, Ways and Means Committee,
House of Representatives,
Washington, D. C.

MY DEAR MR. CHAIRMAN: Within the next few days the Committee on Ways and Means will begin consideration of proposed legislation to reduce the burden of taxation that has been borne by the American people in recent years. Realizing that the time for hearings will be limited, I am addressing my recommendations to you, as chairman, for transmission to and consideration by the members of your committee.

I most earnestly urge that the committee, in their effort to prepare an income tax reduction bill which will be both profitable in result and equitable in imposition, give favorable consideration to my proposal for a reduction on a graduated scale of percentages.

As you and the members of your committee are aware, I have proposed a 20-percent reduction in taxes on incomes up to $2,500 per annum; 17 percent on incomes between $2,500 and $5,000; 15 percent on incomes between $5,000 and $10,000; and 10 percent on all incomes over $10,000 per annum. I believe this ratio would be most equitable to our taxpayers, and yet would work no hardship on our over-all economic situation. Cognizant of the complexities and the technical nature of tax legislation, I realize that the percentage figures indicated may be subject to variance as the judgment of your committee may determine.

While providing incentive, the plan I have proposed for a percentage tax reduction differentiation would tend to mitigate the greater comparative disparity in purchasing power of the lower income groups. In making this recommendation, I am more interested—and I am sure our people are more interested—in the load that is to be carried than in the vehicle that carries it. We now have a huge Federal debt. This debt must be paid to preserve the credit of the United States, and it can only be paid through taxation. Along with the determination of lowering taxes, must also come the actual reduction of Federal expenditures.

In the United States our legislation is made under a democratic system. Not everyone can have his way, but everyone can have his say. The meeting of minds is most surely to be reached through compromise. That is true democracy.

Being firmly persuaded that the principle I am advocating is perfectly sound and in the best interests of our country and the welfare of its people, I earnestly urge full and careful consideration of my proposal by your committee.

You will note in my letter to the chairman that I respectfully requested that the lower-income group receive a greater reduction than the higher-income group. I am happy indeed that the Committee on Ways and Means has seen fit to follow my suggestions.

Mr. Speaker, may I digress but for a moment and direct the attention of all members, and especially of my younger colleagues, to the great debt that we Congressmen and every American owe to these elder statesmen of the Ways and Means Committee, six of who have served this Congress more combined years than we have been a Nation. What a wealth of experience these men bring to this eightieth session of Congress. This bill is the fruit of their labors this session and represents the result of the wisdom these men have accumulated during their long years of service to our country. All honor to you, our elder statesmen—BOB DOUGHTON, HAROLD KNUTSON, DAN REED, ROY WOODRUFF, TOM JENKINS, JERRY COOPER, MILTON WEST, NOAH MASON, and all other members of the committee. As long as we are associated with such as these, we in this House cannot go far afield in legislating in behalf of our Nation's interests. How few of our constituency realize the long steady grind that goes on in our committees day after day, week after week, in honest endeavor to compound all differences and to perfect every bill before its presentation to this House. The record of the work being done every day by the House committees under the newly adopted Reorganization Act is one of which this body, this Nation can well be proud.

It is in full realization of all the foregoing that I am myself persuaded to lend my full suport to this bill as reported out of the Ways and Means Committee.

The bill, as reported, comes from the Ways and Means Committee with the unanimous support of the members of the majority party. It also has the full endorsement of all Republican members of the Rules Committee. It also redeems one of the pledges made by the Republican Policy Committee, appointed by our own honored Speaker, Hon. JOSEPH W. MARTIN, then Republican leader of the House. This bill sponsored by a Republican House has been calculated not alone to reduce the tax burden upon all classes, but also to provide sufficient revenue to carry on all necessary functions of Government in keeping with the reductions in Federal spending as covered by the revised Republican Budget, which received overwhelming approval by this body.

Mr. Speaker, this bill is popularly known as a bill to reduce income taxes, but it is actually, and in fact, a bill which will determine the rate of taxes which all Americans of all classes will have to turn over to their Federal Government next year. It was the Seventy-ninth Congress, under a Democratic President, which actually established the high rates which now exist. Republicans are convinced that the present rates are too high. We desire to cut unnecessary Federal expenditures and pass these savings on to the taxpayer in the form of tax relief. Would any deny that our people are entitled to this relief?

To those of you who would say that this bill is not equitable or just in its rates to any one class I would say: These rates are more favorable to the lower-income group than any tax bill ever enacted by a Democratic administration.

Reconciling my own views as to what might constitute the best revision of our tax law, I ask every member on both sides of the aisle to support this rule. Let us in that way give our expression of confidence to those who labored so ardently in the committee in bringing out this bill.

Mr. Speaker, besides a reduction in taxes, we Republicans must cut down Federal expenditures if we are to have economic stability.

Viewing in retrospect the mushroom growth of our Government during the past 14 years—with its usurpation of many powers that formerly belonged to the States; with its octopus-like tentacles reaching into every phase of our economic, our social, and even our personal lives; with its tremendous drain on our Treasury, and the financial burden on our citizens—would it not be wise to stop for a moment and revaluate the purpose of government.

Government is not an end in itself—as many foreign ideologies hold—government is a means by which the governed should be aided in attaining their own ends. What a government does to help its citizens realize happiness, is good—because it serves its end. What a government does to impede the happiness of its citizens, is bad. In other words, a government is good only so long as there exists a proper relationship between the needs of the people and the functions of the government. Government in itself is restrictive. Some restriction is good, however, so long as it contributes to the happiness of a greater number of our people. But each function of government in excess of the need is an unnecessary restriction on the governed. The continued spread of government will cause further distortion between the purpose of government and the function of government. It might be well to examine in concrete terms this relationship between the functions of government and the needs of the people.

When I first came to Congress 15 years ago, there was a peanut vendor across from the White House. I believe his name was Nick—but his name is unimportant—he was representative of many small businessmen. So I am going to use him as my example in attempting to bring out the distortion now existing between the needs for government and the extent of government. It is not a true story, of course, but it might bring the problem into clearer focus.

In the dark days of the depression, Nick was selling peanuts at his little stand across from the White House. He was not making much money, but he was able to support his family and enjoy a few comforts. One day he was approached by an unemployed personnel assistant—who was also somewhat of a salesman. We will call him Frank. Frank became conversant with Nick, and soon had him convinced that his peanut stand could be expanded into a major enterprise—and Frank volunteered to do the job. Nick had not much money, but he had good credit. Visualizing himself as a merchant prince, he hired Frank and borrowed money to pay his salary. Frank then pointed out that he would need a classification specialist to group all passers-by under the proper heading—that is, "Customer," "Prospective customer," or just plain "Non-peanut-eaters." Nick approved the idea, borrowed more money to pay the classification specialist's salary, and kept on selling peanuts.

The three of them were standing on the street corner one day when it started to rain. Frank pointed out that an embryonic merchandising empire could not conduct business in the rain, on a street corner. You guessed it—Frank persuaded Nick to borrow more money to rent an office building—but Nick kept on selling peanuts.

As he was no longer under Nick's direct supervision, Frank took it upon himself to make all the decisions. He started out by hiring two secretaries, two building guards, and a janitor. This, of course, necessitated a pay-roll clerk to pay the salaries. By this time Nick had been persuaded to set up an unlimited checking account in Frank's name—so there was no trouble with financing the expansion. One employee led to another, and one function necessitated another—until finally there were several hundred employees serving the interests of Nick, the peanut vendor.

Further expansion of the enterprise was planned, and a meeting of the administrative executives was called to work out some of the details. Nick was hopelessly in debt, and he wanted to put an end to the venture—so he decided to stop selling peanuts long enough to attend the meeting. After the grandiose plans had been explained and discussed, Frank, the chairman of the board of directors, rose from his plush chair, and inquired: "Are there any objections to the proposed plan for expansion?" Nick, whose small frame was obscured by the immensity of the meeting room, rose from his hard wooden chair in the far rear corner, and in a weak voice replied, "I object. This foolishness has gone far enough. Your schemes have bankrupted me."

Nick's small voice was drowned out by the buzz of whispers around the room. Everyone was asking who the strange little fellow could be. But no one seemed to know—not even the members of the board of directors. Frank recognized Nick, however. He rose and explained to the assembly rather casually: "Oh, him! That's Nick, the peanut vendor. We don't have to pay any attention to him. He probably thinks he should have something to say about the operation of this enterprise just because he financed it."

You might think this chain of events too ludicrous to be within the realm of possibility—but the point is, gentlemen, that it is not only possible—it is what actually happened. That is exactly how the number of Government employees was doubled in the 7-year period from 1932 to 1939. In 1939 there were approximately 925,000 persons on the Federal pay roll. On VJ-day this number had increased to 3,650,000—an increase of nearly 400 percent since 1939—and about 700 percent since 1932. The functions of Government must be expanded in wartime; and increased personnel was probably necessary. My criticism is directed to the fact that now—more than a year and a half since VJ-day—there are still 2,250,000 individuals on the Federal pay roll. This is nearly five times the number of Federal employees in 1932. So you can see that the story is not as ridiculous as it appears.

The functions, the powers, the personnel, and the expense of the Federal Government have grown in just such a manner as Nick's venture—and the people of the United States, who are paying the bill for this purposeless monstrosity we call Government, apparently can not stop it. They are dissatisfied—but they can not make their voices heard. This Government has become a bureaucracy—and its bureaucrats have become so far removed from the control of the people, that they have apparently forgotten that the people exist. And when the existence of the people is forcibly brought to their attention, they can say with impudence: "Oh, them! They are merely the people of the United States. We don't have to pay any attention to what they want. They seem to think they have something to say about the operation of this Government simply because they pay the bills."

The operating expense of the Federal Government now exceeds $50 a month for every employed person in the United States. But the tremendous cost is not the most dangerous aspect of this monstrous governmental machine. The real danger lies in the fact that the machine has become a Frankenstein—so powerful that its maker no longer controls it—so powerful that it could destroy its maker. The Federal Government has become so immense—has assumed so many functions—and has become so far removed from the people—that it now threatens the freedom it was created to insure.

Hatton W. Sumners, a sincere Democrat, and formerly chairman of the House Judiciary Committee, summed up the situation perfectly. When announcing his intention of retiring from Congress after 34 years' service, Representative Sumners said:

> By ignoring principles and the lessons of history, and accepting the theories of men and political expedience for our guidance, we have made vassals of our States and dependents of our people.
>
> By concentration of governmental power and drafts upon the Federal Treasury, we have now a financially "busted," great piled-up mass of governmental confusion—beyond human comprehension—impossible of democratic control—extravagant—wasteful—inefficient—and by its nature, the instrumentality of favoritism, tyranny—oppression and corruption, and the destroyer of the self-reliance and self-respect and governmental capacity of the people—qualities without which no people can remain free.

These words of a great American sum up the real danger that now confronts us because of the huge Federal bureaucracy. Bureaucracy—by its very definition—means Government by administrative officers who are not subject to the common law of the land. Neither citizens nor Congress have recourse from their decisions.

These Government officials who have never served in an elective office can issue regulations with the effect of law. It is the duty of this Congress to get rid of these bureaucrats.

To allow this system to become more firmly entrenched means greater regimentation of the lives and affairs of all

the people. The Senate Judiciary Committee has reported that 130 Federal bureaus and agencies are empowered to issue rules, regulations, and directives that have the force of law. It found that more than 100,000 such "laws" had been issued between 1933 and 1943. The committee estimated that it would require 18 months' work by a staff of experts to analyze only the most important classes of Executive orders and regulations, to determine whether they had any statutory authority and whether they provided necessary safeguards to the citizen. There lies the real danger of bureaucracy—the danger that the power of the people of the United States to govern themselves will be usurped completely by bureaucratic ukases.

I use the word ukase advisedly. In totalitarian Russia administrative orders, which have the force of law, are issued by bureaucrats similar to our own. Violations of these orders can carry penalties as severe as death, and yet the people of Russia have no recourse—no appeal from this arbitrary treatment—not even the protection of the courts. These administrative orders are called ukases. And ukase is exactly what I mean when I speak of the 100,000 orders and regulations issued by the bureaucrats now in control of our Government.

One of the most noteworthy developments in American life is the zeal with which machinery is designed and built by the Federal Government ostensibly to serve various public interests and undertakings, but in reality to control them. Perhaps in no other way is the decline of faith in liberty so clearly marked.

When anything appears to go wrong, or when any desirable movement seems to lag, a cry goes up for the creation of some new board or commission, and for an appropriation of public funds to maintain it in reasonable comfort. An infinite number of forms must be filled out and an infinite number of records must be kept, classified, and audited at steadily mounting costs.

So far as the Federal Government is concerned, there has been overcentralization for a long time past—overcentralization by assuming governmental functions that formerly, and rightfully, belonged to the individual States. Too many persons in the Federal Government are engaged in supervising, in inspecting, and in recording the work of other persons. There is too much machinery, and in consequence a steady temptation to lay more stress upon the form of government than upon its content and purpose. There are, in addition, too many laws and too many precise laws and not enough opportunity for those mistakes and failures due to individual initiative and experiment, which are the foundations of great and lasting success.

Another danger of the huge Federal governmental set-up is its exorbitant cost in the face of a huge national debt. Any excuse for expanding the personnel and functions of the Government passed with the cessation of hostilities. The time has long since passed when the emergency wartime functions of the Government should have been dispensed with.

There has been much double talk about liquidating wartime agencies. Actually, most of these wartime agencies with their functions, personnel, and funds have merely been transferred almost intact to regular old-line Government agencies.

For example, the Office of War Information, the Office of Inter-American Affairs, the Office of Strategic Services, and the Foreign Economic Administration were abolished sometime after the shooting war had ended. But these agencies were abolished in name only. In reality, almost all of their functions, personnel, and funds were transferred to the State Department. In August 1945, before the transfer was effected, the State Department had 11,188 employees. In March 1946 the State Department had 19,801 employees. This figure is interesting because it shows that State Department personnel increased in direct proportion to the decrease in personnel of the agencies which were supposedly liquidated. This is not an isolated instance—it is a general practice. The Senate Committee on Reduction of Nonessential Federal Expenditures brought out this point in a report on postwar Federal personnel. This report showed that personnel in emergency war agencies had been reduced nearly 100,000 in the first 6 months following VJ-day. But personnel in old-line Government agencies had been increased nearly 90,000 in the same period. According to the Senate committee, most of this increased personnel in the permanent agencies was occasioned by the transfer of functions from scattered war agencies which had been ordered transferred or liquidated.

For the entire period of our Nation's history, from 1789 to 1933, a period of 144 years, the sum total of all Federal expenditures, including the cost of World War I, was $110,896,000,000. At the rate of spending proposed in the budget submitted by President Truman to this Congress, this amount would not even pay the cost of government for 3 years.

In addition to the burden of meeting current operating expenses, the taxpayers of this country are also faced with a national debt which now stands at approximately $261,000,000,000. But the economic theorists in our Federal bureaus tell us that we have nothing to worry about. They point out that we have always had a national debt. They say a national debt is necessary to our economy. They admit that our national debt is bigger than ever before, but they contend that there are more people than ever before to pay the debt. The national debt can only be paid by the people. The only fair way to view this debt, then, is the burden it presents to each individual.

In 1790 the debt could have been wiped out had each living inhabitant of the United States paid in $19 to the National Treasury. After the War of 1812 each person would have had to pay in $15. Just after the Civil War the figure rose to $78; and after World War I, to $240. To extinguish the present national debt, each man, woman, and child in the United States would have to pay about $2,000. But every person in the United States cannot be classified as a taxpayer. The present national debt is more than $5,000 for every income taxpayer in the United States.

It has been our national tradition to pay down our war debts promptly. Our past record with respect to our national debt is good enough to encourage us, and poor enough to put us on guard. During the 155 years from 1792 through 1946, we have had 93 years of net surplus in our national budget, and 62 years of net deficiency.

Throughout our history, the greatest obstacles to national financial strength, and the most acute dangers of fiscal collapse have never been the result of inadequate or failing resources, but always the consequence of weak financial policies.

George Washington gave some good advice on the subject of public debt in his Farewell Address of September 1796. He said:

> As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible; avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burdens which we ourselves ought to bear.

It is apparent that in the immediate past, this Government has ignored the advice of our founding fathers—and has completely overlooked the needs of the people. Under our present bureaucratic system, our citizens are ruled entirely inconsistent with the purpose of government. Our Government has become an end in itself—it is no longer a means by which the governed are aided in seeking their own end.

Radical newspapers, left-wing orators, and New-Deal propagandists have recently been sniping at the new Republican Congress. They say that the Republicans have not yet brought forth one piece of important legislation. It must be remembered that those propagandists visualize important legislation as that giving the Federal Government more powers to hire more people—and spend more money—and do more things that the people of this country can do for themselves—and do them better than the Government could.

The new Republican Congress is working to bring about a sensible government in the United States. Its work is to bring back into harmony the needs of the governed and the extent of government. The Republican Congress is working to make the Government of the United States consistent with the purpose of government.

In setting about this job of revaluating the purpose of government, careful study must be given to each individual function of each individual unit, in each division, in each office, in each bureau, in each agency of the Federal Government. Those functions which are good—that is, those functions which serve the needs of the people—will be retained. And those

functions which exist for their own end—unnecessary functions, overlapping functions—will be cut.

It is the first duty of the Republican Congress to rip to pieces the superstructure of Federal Government—with its inefficiency, its waste, and its corruption—and reestablish a proper relationship between the Government and the governed, where a free people choose their lawmakers, and thereby protect themselves from arbitrary treatment by government.

Lindsay C. Warren, Comptroller General of the United States, has summed up the first duty confronting the Republican Congress. While testifying before a committee of the Senate some time ago, Lindsay Warren said:

> I am firmly of the opinion that if the present trend continues—that is, the creation of Government corporations—or if it is not curbed, we will soon have a government by Government corporations. A large segment of the Government is today operating independently of congressional control and free from accountability to the Executive. Indeed, this thing we call Government has reached such gargantuan proportions that it is sprawled all over the lot. It has become greater than Congress, its creator—and at times it arrogantly snaps its fingers in the face of Congress.

That is the way the Comptroller General of the United States defines the problem—and who should be in a better position to know the condition of Government than the person who audits its records? To solve the problem, Lindsay Warren advises:

> Duplications and overlapping are widely prevalent, and untold millions could be saved and efficiency increased to a high degree. Of course, there would be loud yelps and snarls, but that is always true when powers are curbed, consolidations made, or appropriations reduced or discontinued.
>
> The most necessary thing that I know of today along governmental lines is a thoroughgoing reorganization of the executive branch of the Government. It should be done scientifically, but once the decision is made, then a bush ax or a meat cleaver should be used. The only way to reorganize is to reorganize. It calls for great courage.

From this statement, you can see that it is not only Republicans who wish to set this Government on solid ground. It is a job for all patriotic Americans, regardless of their politics.

Well, gentlemen, there is the problem of this Congress—to give the people of the United States the kind and the amount of government they need, at a price they can afford to pay. It is going to be a big job—and we are going to have a lot of opposition from those who survive and prosper because of inefficiency in Government. But regardless of the obstacles, it is our job to eliminate these expensive functions of Government for which there is no excuse or purpose—and it is our duty to see that the people of the United States will be heard when they register complaints against the operations of the Government. After all, it is they who are paying the bill.

MOST DRASTIC GAG RULE EVER BROUGHT TO FLOOR OF HOUSE

Mr. SABATH. Mr. Speaker, I shall not oppose this rule, notwithstanding the fact it is the most drastic gag rule that has ever been brought to the floor of the House. It not only precludes any Member from offering amendments to improve the bill, if the bill could be improved, but it also precludes reading of the bill. As I stated, no amendments may be offered. So I feel that the 6 hours' general debate as provided by the rule is merely that much time and talk wasted.

I fully appreciate the statement made by my colleague the gentleman from Illinois [Mr. ALLEN], my chairman of the Rules Committee, that he urged improvement of the original bill, known as H. R. 1, but by no means is it an A No. 1 bill even now. The gentleman says, and I know he means it, that he asked for elimination of the more drastic provisions and tried to improve the bill after having given it consideration and having heard from the people at home. I commend him for his efforts, although he still has not succeeded in bringing in a bill which could be considered a fair bill.

THIS BILL NOT COMPLICATED

Yes, Mr. Speaker; on technical, complicated revenue-producing bills in the past we have brought in a closed rule, prohibiting amendments; but there is nothing complicated about this bill.

Instead of the present 30-percent reduction for small taxpayers, this bill can be easily and reasonably amended to provide a 40-percent relief in the lowest brackets; a 35-percent reduction to those earning $5,000 to $10,000; 30 percent to those earning from $10,000 to $15,000; and so on.

Or better yet, Mr. Speaker, exemptions could be increased from $500 to $750 or $1,000, as provided in the Forand and Ergle bills.

This bill, as reported, is expected to reduce tax revenues, roughly, $3,800,000,000, but, due to retroactive provisions, will reduce by $5,700,000,000.

But 60 percent of this saving of almost $6,000,000,000 will go to only the top 4 percent of income taxpayers, while 96 percent of the taxpayers will have to share the remaining 40 percent of the savings.

We have to take a bill that has been rushed through by the majority and reported to the House after only 2 days of hearings, at which only two witnesses appeared.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Michigan.

Mr. MICHENER. I am interested in the statement the gentleman just made that only two witnesses appeared. Since they were both Assistant Secretaries of the Treasury under the Roosevelt administration, I wonder if the gentleman questioned what they said.

SHOULD AWAIT MATURE JUDGMENT

Mr. SABATH. Well, they both, as I understood their views, felt that we should delay passage of a bill reducing our tax income by $5,880,000,000 until we can see whether it would be justified, and that we should first start to balance the budget and later reduce the indebtedness increased vastly by the last war.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I might say that they appeared in their individual capacities. No others of the public were permitted to appear and testify. They represented a tax association in New York. They are both very estimable men. I do not know how both of them have been politically, but I know one of them opposed the late President in 1940 and 1944.

Mr. SABATH. I thank the gentleman for the explanation. I was under the impression that my colleague, the gentleman from Michigan [Mr. MICHENER] had reference to the Secretary of the Treasury and the Commissioner of Internal Revenue who both felt there should be no action at this time; that we should wait a little until we see where we are.

Mr. MICHENER. Mr. Speaker, will the gentleman yield further?

Mr. SABATH. I yield.

Mr. MICHENER. Then the gentleman has already named four witnesses who did appear.

Mr. SABATH. I meant two for and two against.

Mr. MICHENER. So at least four appeared.

Mr. SABATH. Yes; two for and two against.

Mr. MICHENER. May I say to the gentleman from Massachusetts [Mr. McCORMACK] that these former Assistant Secretaries of the Treasury, or Under Secretaries, I think they were called, were familiar with the situation, and as soon as they found where the tax plan was leading us they were brave enough to come back to the Congress and state that they had been wrong.

Mr. SABATH. Well, I understood the gentleman. Only two supporting witnesses appeared, as the gentleman from Massachusetts has explained.

Due to the interruptions, Mr. Speaker, I ask unanimous consent to extend my remarks and include therein certain schedules and certain figures and articles, one appearing in the Chicago Sun.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield further?

Mr. SABATH. I yield.

Mr. McCORMACK. I want the RECORD to show that personally I respect both of these men. I was a member of the Committee on Ways and Means when they were Under Secretaries, as the gentleman from Michigan has said, but also, as I have previously stated for the RECORD—and I do not know about both of them, but I know one of them, and I liked them very well, I liked to see them; I have a friendship for them personally—one of them, I know, in 1940 and 1944, opposed President Roosevelt. But, I did not want the gentleman's very keen observation to remain in the RECORD without saying what the true facts are, and that from a committee, of which these two are prominent members, has emanated a very thick document on taxes, which I received a copy of and which I assume all the members of the Committee on Ways and Means received a copy of, and probably all the Members of the Congress. In any event, they are part of a tax committee located in New York and are making their recommendations having in mind that environment.

Mr. HERTER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Massachusetts.

Mr. HERTER. In connection with the remarks made by my colleague, I might add that a third Under Secretary of the Treasury under Mr. Roosevelt, T. Jefferson Coolidge, a very distinguished constituent of mine, joined fully in the recommendations made by Mr. Hanes and Mr. Magill, and has so stated publicly.

Mr. SABATH. I presume these are able gentlemen, but they have not been free from service to special interests whose self-seeking propaganda and pressure brought about the adoption by the Committee on Ways and Means of this bill. They belong to and speak for those in the higher brackets who will be the chief beneficiaries of this bill.

WHY DO THEY NOW NEED FURTHER RELIEF?

This is not the first time that these persuasive gentlemen have been able to bring about substantial benefits to the wealthy and the powerful. In 1945 very substantial benefits in the way of carry-back provisions were given, and corporations were relieved of excess-profits taxes, all to the benefit of wealthy people. Approximately $9,000,000,000 in reduction of tax liability was accomplished making such changes in the wartime tax structure as was then deemed necessary. This, of course, is in addition to the six or seven billions of dollars in benefits which resulted from the tax-forgiveness features of the Ruml plan.

It is hard to believe, Mr. Speaker, that they now need further relief.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. SABATH. If the gentleman will pardon me, I want to make an explanation.

Mr. KNUTSON. I think we need one.

Mr. SABATH. What does this bill do? I did not know whether I would get unanimous consent to extend my remarks and include therein some reports and statistics, so for the first time I have prepared my speech. I am not going to follow it because of the interruptions and because of my desire to answer any fair questions that may be put to me. I am going to disregard my prepared notes and proceed in my usual way to try to show that this bill will not give relief to the people who need relief most.

EMERGENCIES ARE NOT ALL PAST

I have felt and I still feel that the period of great emergency is not past. We do not know whether we can balance the budget within the tax revenues; we do not know if we can meet out of income the minimum needs our Army and Navy are seeking.

However, as long as the bill is here with all its imperfections, I cannot understand why, in the preparation of the committee report, you based your comparisons on the wartime revenue act of 1945 rather than on the more comparable act of 1939.

You know that the 1945 act was partial to big taxpayers and to corporations, and was unfair to the little people of small earnings.

You know that you, sir, and I now address myself to the chairman of the Committee on Ways and Means, because of your strategic position at that time, forced the enactment of a bill not desired by the Democratic leadership.

It was their desire to give first and primary relief to the small taxpayers; but to get any kind of a bill through they were forced to yield to you.

I contend, therefore, that the instant bill, H. R. 1 as amended, should be compared with the 1939 statute rather than with 1945. In that way you will see more clearly how unfair this bill is to the little people of America, and how it favors the people with big annual incomes.

At this point, Mr. Speaker, I insert the table from the minority report of the Ways and Means Committee which gives that comparison, and shows the inequities in percentage points of the present bill in relation to the 1939 schedule:

TABLE 5.—*Comparison of amounts of individual income tax under the Revenue Act of 1945 and under H. R. 1 as amended by the Committee on Ways and Means with 1939 taxes, for specified amounts of net income*

MARRIED PERSON—NO DEPENDENTS

Net income	1939	Amounts of tax		Percentage increase in tax	
		Revenue Act of 1945	H. R. 1 as amended [2]	Revenue Act of 1945	H. R. 1 as amended
				Pct.	*Pct.*
$1,000	$0	$0	$0	-------	-------
$1,200	0	38	27	-------	-------
$1,500	0	95	67	-------	-------
$2,000	0	190	133	-------	-------
$2,500	0	285	228	-------	-------
$4,000	44	589	471	1,238.6	970.5
$6,000	116	1,045	836	800.9	620.7
$10,000	415	2,185	1,748	426.5	321.2
$25,000	2,489	9,082	7,266	264.9	191.9
$50,000	8,869	24,795	19,836	179.6	123.7
$100,000	32,469	63,128	50,502	94.4	55.5
$500,000	304,144	407,465	342,074	34.0	12.5
$1,000,000	679,044	839,715	728,824	23.7	7.3
$5,000,000	3,788,994	[3]4,275,000	3,822,824	12.8	.9

[1] Assumes maximum earned net income.
[2] Assumes taxpayer is under 65 years of age.
[3] Taking into account maximum effective rate limitation of 85.5 percent.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to my colleague.

Mr. COX. Mr. Speaker, the courage I see displayed here on the floor here this morning by one who was so severely dealt with last Monday is something that commands my very great admiration.

Mr. SABATH. Mr. Speaker, I only yielded to the gentleman for a question.

Mr. COX. The gentleman misunderstood me, I wanted to praise and not damn him.

Mr. SABATH. I beg your pardon. I am afraid that again I failed to hear what the gentleman said. I am grateful to the gentleman for his kind words and his tribute. I am doing what I have to do.

And now I must return to the subject of my remarks.

Mr. Speaker, I have here a compilation showing the small savings to individuals with low incomes under this proposed tax bill.

For instance, a single man without dependents who earns $1,200 a year will find a saving of $11.40. At $1,500 a year he will save $28. At $1,800 a year he will save $45.60.

If, however, he earns $25,000 yearly his "take-home pay" after taxes will be increased by $2,816, while the man who earns $50,000 a year will have an extra $4,859 to spend.

A man who makes $500,000 a year will save $164,000.

But to make it clear I am inserting here a table showing the actual take-home pay under the 1939 Revenue Act and under H. R. 1 as revised, using a small number of specified incomes rounded off for ease in reading:

Original table showing "take-home pay" (spendable income) after paying personal income tax for a single person without dependents in 1939 and under H. R. 1 as amended, in 7 specified income grades

Income before personal exemption	1939 tax bil	Take-home pay after tax payment	Percent of income	Tax under H. R. 1 as amended	Take-home pay after tax payment	Percent of income
$1,200	$3	$1,197	99.5	$26	$1,174	96.1
$2,000	32	1,968	98.4	133	1,867	93.3
$4,000	104	3,896	97.4	471	3,529	88.2
$10,000	560	9,440	94.4	1,749	8,251	82.5
$25,000	2,804	22,196	88.7	7,266	17,734	70.9
$50,000	9,334	40,666	81.1	19,836	40,164	80.3
$500,000	305,224	194,776	38.9	342,704	157,296	31.5

Mr. Speaker, the following table shows what a family of four at various income levels now pays, what it would pay under the new Republican plan, the savings, and what the family paid in 1939:

Net income, before exemptions	Present tax	Proposed tax	Savings	1939 tax
$2,500	$95	$66.50	$29.50	None
$4,000	380	304.00	66.00	$12
$5,000	589	471.00	82.00	48
$10,000	1,862	1,490.00	372.00	343
$25,000	8,522	6,818.00	1,704.00	2,327
$100,000	62,301	49,841.00	11,560.00	31,997

To show the inequities of this tax reduction bill, I set forth a further table showing how a married couple with no children would fare under the revised income-tax reduction bill advocated by the Republicans. It clearly shows that the savings to the smaller taxpayers would be but a pittance as compared with the reductions allowed to taxpayers of higher income:

Gross income	Present tax	Knutson bill	Revised bill	Savings revised bill
$1,200	$38	$30.40	$26.60	$11.40
$1,500	95	76.60	66.50	28.50
$1,800	152	121.00	106.40	45.60
$2,000	190	152.00	133.00	57.00
$2,500	285	228.00	228.00	57.00
$4,000	589	----------	471.00	118.00
$6,000	1,045	----------	836.00	209.00
$10,000	2,185	----------	1,749.00	436.00
$25,000	10,082	----------	7,266.00	2,816.00
$50,000	24,795	----------	19,836.00	4,859.00
$100,000	63,127	----------	50,502.00	12,625.00
$500,000	407,464	----------	342,704.00	164,760.00

Mr. ALLEN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SABATH. So, notwithstanding the efforts of my colleague the gentleman from Illinois [Mr. ALLEN], the chairman of the Committee on Rules, you see that it is manifestly unfair and the bill does not give the relief which the people are entitled to receive and justice would demand.

I yield to the gentleman from Illinois.

Mr. ALLEN of Illinois. The gentleman complains about the treatment ac-

corded to the lower income group. I cannot reconcile his reasoning with the facts of the situation. Under the present tax bill which was passed by a Democratic majority in the Congress, a man with a $2,000 income had to pay $285 in taxes. Under this bill sponsored by a Republican majority, the person who has an income of $2,000 does not pay $285 a year, but only pays $133 a year. Under the tax bill passed by the Democratic administration, anyone who earns $2,500 a year had to pay $380 taxes, and under this Republican bill, instead of paying $380, he pays $228. My question is: How can you say that this Republican Congress is not more fair to the lower income group than the tax bill now in existence which was passed by the Democratic Congress and under which they would have to pay twice as much? How can you answer that question?

Mr. SABATH. I explain that by saying that the last bill that was passed was a coalition bill and it was jammed through by the Republicans who forced the Committee on Ways and Means to report it. You know you really had control of that committee and you should not laugh.

Mr. KNUTSON. That is a reflection on the gentleman from North Carolina to say that the Republicans had control, and I resent it.

Mr. SABATH. The gentleman from North Carolina will explain that and he will give you the reasons why that bill came here. I am sure that he will not resent my remarks, for he knows I am right, and that no reflection against him is intended. He simply wanted some bill because of the urgency of the times; and, because you had almost as many members on that committee as the Democrats, he was obliged to yield and bring that bill in, not because he liked it, but because he was compelled to do so.

I should like most respectfully to suggest to my colleague the gentleman from Illinois, that he consult the tables showing the actual savings as shown in the minority report. Once more I invite attention to the fact that the $1,200-a-year man, under this bill now before us, would, if married but with no other dependents, save $11.40 a year; the $2,000-a-year man would save $57, more than 5 times as much; the $10,000-a-year man would save $436, or 40 times as much as the $1,200-a-year man; the $25,000 man would save $2,816, or 256 times $11; while the $500,000-a-year man saves $164,760, or 14,976 times as much as the $1,200-a-year man.

NEW DEAL BUREAUCRATS MADE COUNTRY PROSPEROUS

Yesterday, during debate on the appropriation bill, a good many gentlemen charged the New Deal and the bureaucrats with unspecified crimes which created conditions which, the gentlemen said, demanded improvement and reform.

May I not say to those gentlemen that under the New Deal and these bureaucrats, conditions are better today than ever before. Businessmen and the people generally are making more money than ever before.

The New Deal has done something in the interest of the people, in the interest of the masses. I know if you gentlemen will take the time to study the earnings of corporations and business in general, you will come to the conclusion, as I have, that they are more prosperous, that they have more money and are making more money than at any time in the history of our country.

PROFITS ARE INCENTIVE ENOUGH

The gentleman from New York [Mr. REED] says these businessmen need incentive, and that is the reason we must reduce the taxes of these big companies, and big interests, or rather these big men. They do not need any further incentive, since, as I have said, they are making more money than ever before. I know they will be only too pleased if 1947 and 1948 are as profitable to them as was 1946. I hope prosperity will continue, but we should tax those who can best afford to pay. Why should we put such burdens on the little fellow who has an income of twelve or fifteen or eighteen hundred dollars, when you take into consideration the 60 percent increased cost of living since you came into power, which really takes away from them 60 percent more of their earnings. But earnings have stood still. These are the people who need and deserve relief. They cannot exist upon what they are earning.

BILL WILL BE PASSED

However, I realize that you have the votes and you will pass the bill without permitting any amendments to aid those in the lower brackets. Of course, I am sorry that you have that majority and that you can and will do as you please; but I feel you will come to regret it.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the majority leader.

Mr. HALLECK. I would like to ask the gentleman whether he is in favor of tax reductions.

Mr. SABATH. Not at this time and in this way. I feel we should wait and see how far we can go. You have always urged balancing the budget. I want to balance the budget. I do not want to do anything that would deprive you of the honor and credit of helping to balance the budget.

Mr. HALLECK. Mr. Speaker, will the gentleman yield further?

Mr. SABATH. Yes.

Mr. HALLECK. I am glad to know of the gentleman's new-found conviction, that the budget ought to be balanced, because he and his party have gone along here for years with an unbalanced budget. We propose to balance the budget.

Mr. SABATH. And I am going to help you.

Mr. HALLECK. We are going to cut the cost of government and give the people of this country some much-needed tax relief and begin to pay on the national debt. We are going to do that. However, I would like to make this suggestion to the gentleman.

Mr. SABATH. Well, I yielded only for a question.

Mr. HALLECK. We will give you some additional time if you need it. I would like to make this additional suggestion, The gentleman has said he is not for tax reduction, at least at this time.

Mr. SABATH. Not at this time.

Mr. HALLECK. I have been reading the statements of people on his side, and, from all I can gather, they are not for tax reduction, with some possible exceptions. Now, that being true, it just strikes me that what you have to say about the kind of bill we have does not ring with that degree of sincerity with which the gentleman generally conducts himself.

EVERYBODY WANTS TAXES REDUCED

Mr. SABATH. I will say to the gentleman that this is the first time I have heard anyone say that no one wants tax reduction. My experience is that people at all times want tax reductions. If they did not have to pay any tax at all they would be still more pleased about it.

What I have in mind is that tax reduction should favor those who cannot afford to pay a heavy tax. We should not soak the poor and coddle the rich.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. ROGERS of Florida. I wonder if the majority leader would not consent to the payment of these terminal-leave bonds in cash now and thereby reduce the public indebtedness? I should like to have an expression from the majority leader along that line.

Mr. SABATH. I presume he will answer the gentleman some day.

Mr. ALLEN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield, but I should like to get through.

Mr. ALLEN of Illinois. I am surprised at the gentleman because he is not for income-tax reduction for the lower-income people.

Mr. SABATH. That is what I am fighting for.

Mr. ALLEN of Illinois. I had always felt that the gentleman from Illinois [Mr. SABATH] was more or less a champion of those people in his district with low income.

Mr. SABATH. Yes; I am and shall continue to be.

Mr. ALLEN of Illinois. Here is a bill that cuts the taxes of the people of your district of low income, cuts them in half. Do I understand the gentleman to say he is opposed to cutting the taxes of the lower-income people of his district in half, thus reducing their taxes?

Mr. SABATH. I may say to the gentleman from Illinois that the people in my district are very patriotic people.

Mr. ALLEN of Illinois. And yet the gentleman does not want to cut in half the taxes of those lower-income people.

Mr. SABATH. I do; I do; that is what I am contending for, not only in half but to raise the exemptions.

Mr. ALLEN of Illinois. The gentleman does?

Mr. SABATH. Yes.

Mr. ALLEN of Illinois. Notwithstanding that, the gentleman is opposed to this bill.

Mr. SABATH. But this bill does not cut them enough.

Mr. ALLEN of Illinois. It cuts them in half.

SAVING OF 14 CENTS A DAY

Mr. SABATH. No, no. It does not cut them in half. It reduces them somewhat; but it still throws an undue burden on the people with small incomes. They are being taxed to death by the food profiteers, by the inflation encouraged and brought on by selfish business interests.

The savings under this bill to a single man without dependents and an income of $1,200 would be about 14 cents a day or $1 a week.

But the man with an annual income of $100,000 would save approximately $43 a day or $300 a week.

This bill would increase the take-home pay of a $1,200 a year man about 1 percent; but it would increase the take-home pay of a $50,000 a year man by almost 20 percent.

Yet this is the vaunted amendment for the benefit of the little man.

Mr. Speaker, under leave given me I am inserting at this point an enlightening editorial published this week in the Chicago Sun which points out that under this bill the higher the income, the greater the taxpayer's improvement of his position over the prewar Democratic revenue act.

A TAX-CUT JOKER SURVIVES

Having been spruced up a bit for the sake of public appearances, the Republican tax-reduction bill appears ready for passage in the House. Representative KNUTSON, who once roared that he would accept no alternative to his original proposal of a flat 20-percent cut for all taxpayers, has been gently induced to back down. As a result the new Republican plan is somewhat better than the old. But its central and gross inequity remains.

The main objection to the Knutson plan has always been that, under cover of what seemed to the uninitiated a rough justice, it undertook to carry out a deep and basic reform of the tax structure. Mr. KNUTSON pretended to be giving everybody the same break. The actual effect of his plan, however, was to reduce certain people's taxes far more drastically than other people's, in comparison with prewar distribution of the tax burden. This remains virtually unchanged in the plan now accepted by the GOP leadership.

Some might argue that such a fundamental change in the incidence of taxation is desirable. But if so, the bill should be debated on that issue, and the country should be told exactly what is being done and why.

The new House plan differs from the Knutson plan mainly in granting a tax cut of 30 percent to families in the lower-income brackets, while retaining the 20-percent cut for most of the others. The heavier cut would be extended to a family of four with a yearly income (before exemptions) of $3,300 or less; to a family of three with income of $2,750 or less; to a married couple with income of $2,200 or less, and to a single person with income of $1,650 or less.

From the viewpoint of sustaining mass purchasing power, the heavier cut in the lower brackets is a sound principle. But where 20,000,000 taxpayers would be so treated, nearly 33,000,000 would get the same flat-rate cut of 20 percent. It was in the broad range of the latter brackets that the Knutson plan's original inequities were most pronounced.

The following table shows what a family of four at various income levels now pays, what it would pay under the new Republican plan, and what it did pay in 1939:

Net income before exemptions	Present tax	Proposed tax	1939 tax
$2,500	$95	$66.50	None
$4,000	380	304.00	$12
$5,000	589	471.00	48
$10,000	1,862	1,490.00	343
$25,000	8,522	6,818.00	2,327
$100,000	62,301	49,841.00	31,997

A comparison of the proposed Republican plan with the taxes paid by each family in 1939 tells the story. At $4,000 of income, the family of four would pay 20 times what it paid before the war. At $5,000 it would pay 10 times as much. At $25,000 it would pay only three times as much, and at $100,000 only one and a half times as much. The higher the income, the greater the taxpayer's improvement of his position over prewar.

If the Republicans think such a change in taxation desirable, they should frankly say so and prove their case. They should explain why this method of tax reduction is more desirable than the fair and simple method of increasing everybody's exemptions by the same amount. But they ought to quit pretending that a flat-rate cut, even modified by a heavier cut in the lower brackets, gives the same treatment to everybody.

Due to the retroactive provisions of the bill the tax reduction will amount to $5,888,000,000. Of this amount 4 percent of the taxpayers will receive 60 percent of the reduction, amounting to $3,532,800,000, while 96 percent of the taxpayers will receive 40 percent of the reduction, amounting to $2,355,200,000, which is $1,177,800,000 less than the amount received by the favored 4 percent of the taxpayers. Can you Republican gentlemen on the other side honestly maintain that this is a fair tax reduction bill to the small taxpayers, or can you dispute that it is again a bill to give relief to the wealthy taxpayers?

Let me give you the facts again in a table showing the 1939 tax under a Democratic law and the tax under this bill:

TABLE 3.—*Comparison of spendable income in 1939 with present law and H. R. 1, as amended by the Committee on Ways and Means, for specified amounts of net income*

MARRIED PERSON—NO DEPENDENTS

Net income before personal exemption	Spendable income after tax				
	Amount			Percent of 1939	
	1939 [1]	Present law	H. R. 1 as amended [2]	Present law	H. R. 1 as amended
$1,200	$1,200	$1,162	$1,173	96.8	97.8
$1,500	1,500	1,405	1,433	93.7	95.5
$2,000	2,000	1,810	1,867	90.5	93.4
$4,000	3,956	3,411	3,529	86.2	89.2
$6,000	5,884	4,955	5,164	84.2	87.8
$10,000	9,585	7,815	8,252	81.5	86.1–4.6
$25,000	22,511	15,918	17,734	70.7	78.8
$50,000	41,131	25,205	30,164	61.3	73.3–18.7
$100,000	67,531	36,873	49,498	54.6	73.3
$500,000	195,856	92,536	157,926	47.2	80.6
$1,000,000	320,956	160,286	271,176	49.9	84.5
$5,000,000	1,211,006	[3]725,000	1,177,176	59.9	97.2

[1] Assumes maximum earned net income.
[2] Assumes taxpayer is under 65 years of age.
[3] Taking into account maximum effective rate limitation of 85.5 percent.

Mr. ALLEN of Illinois. The Democratic administration was the one which put those high taxes on the low-income people of the gentleman's district. Now we want to cut them exactly in half.

Mr. SABATH. The Democratic administration?

If you believe that the great mass of people who receive pennies in savings will not look to those who are receiving thousands, you are mistaken.

They will recognize that you have given the big boys the cream and them only the skim milk.

Because of the costly world war, this country owes about $260,000,000,000.

One-third of the outstanding bonds representing this debt is owned by individuals, and we should safeguard their interests against depreciation by further inflation.

As I have so often pointed out, 98 percent of business establishments are making their highest profits, and the country is more prosperous than ever before.

Now is the time we should be paying off the national debt, to keep those bonds safe and sound, and at the same time discourage more inflation by reducing the amount of money available for luxury spending.

This bill will do the opposite.

During the consideration of the appropriation bill yesterday, nearly every one of you gentlemen criticized the New Deal and bureaucratic spending; but not one of you said that the greatest war in the history of the world had been fought and won.

No one mentioned the fact that vast and useless expenditures had to be made because of delays in defense preparations.

I will concede, and have before said, that some departments recklessly expended the taxpayers' money; but most of these bureaucrats you condemn, and the beneficiaries and profiteers who accumulated millions upon millions in profits, were members of your own Republican Party.

I also heard several gentlemen plead for free enterprise.

Not during the lifetime of any of you has business ever been so free to enlarge their plants, their businesses, and their profits as under this New Deal you criticize so often and so pointlessly.

I remember how you shed crocodile tears for these poor businessmen and manufacturers when you were jamming through the Ruml plan, the carry-back tax-evasion plan, and the bill to repeal the excess-profits tax in the effort to aid big business in the reconversion period.

There was much talk that we might have eight to ten million workers out of employment.

I predicted then that there would be little immediate unemployment, and that business did not need these millions of dollars for reconversion because manufacturers and businessmen had been effecting reconversion for the preceding 2 years at Government expense.

I will venture to say that the vast majority of fair-minded and patriotic businessmen will disagree with the gentleman from New York [Mr. REED] who feels that there should be no tax reduc-

tion at this time. This is evidenced by many letters which I have received from outstanding businessmen and, not wishing to encumber the RECORD, I shall insert as part of my remarks only one of them which I received from Mr. Edgar L. Schnadig, of the New Boston Store, of Chicago, which gives the honest businessman's viewpoint on the proposed legislation. It is as follows:

DEAR CONGRESSMAN: May I respectfully suggest that, if it becomes necessary, major consideration be given to reducing the tax of those in the lower income brackets (though myself one of those who profit by an across-the-border reduction of tax).

It is my considered opinion that the greatest benefit to our people and our country can come from reducing the tax in lower income brackets, even to eliminating it in the very low brackets. Not only will this improve purchasing power where it is most important, but it will also save a great deal of work for the Government and the employer.

EDGAR L. SCHNADIG

Now, Mr. Speaker, this bill is a political sop without much real meaning to the man in the lowest income brackets.

According to the committee report, a man with an income of $2,500 pays, at the present time, a tax of $95. Under this proposed bill he will pay a tax of $66. The saving will be $29.

Mr. McCORMACK. Is that a married man?

Mr. SABATH. Yes.

Mr. McCORMACK. That probably explains the difference.

Mr. SABATH. He will save $29. A married man with a $1,200 income will save only about $12. But the man with a $25,000 income will save $2,327, and the man with a $100,000 income will save 100 times as much in proportion as the man with the small income.

Mr. McCORMACK and Mr. CURTIS rose.

Mr. SABATH. I yield first to the gentleman from Massachusetts.

Mr. McCORMACK. Let us refresh our memories. It was only a few weeks ago that our friend the gentleman from Minnesota [Mr. KNUTSON] told us that unless there was a $6,000,000,000 cut in the President's budget we could not put through any tax-reduction bill. There has been no $6,000,000,000 cut. It is in conference. Nobody knows what it is now going to be. The chances are the real reduction will be less than a billion dollars. I am wondering just where this leaves my friend from Minnesota now. He said we could not have any tax reduction unless there is a reduction made in the President's budget. To date there has been none, yet we have this bill before us today.

Mr. SABATH. That is one of the reasons why I think this bill should not be considered or passed today.

I want to answer the gentleman from Indiana [Mr. HALLECK], who called attention to the national debt and the budget deficit. Does the gentleman recollect that when we had a Republican administration and while President Hoover was in office there was a deficit of $5,000,000,000 one year? There was no preparation for war at that time and no amount needed for that purpose; still there was this deficit. I am satisfied that we can balance the budget now if we use good judgment in not reducing those in the high brackets to the extent which this bill does.

MILLIONS SPENT FOR RELIEF

Does he not realize that when the New Deal came into power we had about 18,000,000 people out of employment and millions of others in distress and in want. That it became necessary for us to provide for them and find employment for them, and feed them, which cost us millions upon millions, farmers and businessmen were on the verge of bankruptcy. Yes, and the banks, insurance companies, and railroads we were obliged to aid. We had to rebuild and reconstruct the destruction brought about by 12 years of Republican misrule and reckless administration which, though it has done nothing for the people the last years, in 1932 had a deficiency of over $5,000,000,000. Later on the greatest war in the history of the world required billions and it was impossible then to balance the budget. I concede that sometimes money has been recklessly expended. Today defense costs and veterans' benefits are tremendous.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, I am somewhat amazed and shocked at the figures that have been inserted in tables by the minority and the figures that have been used on the floor here today. Under existing Democratic law an individual with a $25,000 surtax net income pays about 51 times as much as the individual with a $1,000 surtax net income. Under H. R. 1, as amended, that man is required to pay 58 times as much as the individual with a $1,000 surtax net income.

Mr. Speaker, the figures cited and referred to are misleading and I am naturally very much surprised that the minority inserted them in its report.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. VURSELL] and ask unanimous consent that he may speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Speaker, doubtless several Members of the Congress during the past 24 hours have heard over the radio of the Centralia coal mine disaster which, according to early reports, is second only to the Cherry mine disaster some years ago in Illinois which was regarded as the worst the Nation had ever experienced.

I take a minute's time to refer to this matter today because this mine is located in my home county of Marion at Centralia, Ill. It is operated by the Bell & Zollar Coal Co., of Chicago, Ill. It was a great shock to me to learn of this unfortunate occurrence and it comes close to home to me because I have known the majority of these men for several years. For this reason I want to make a report, giving the Members the latest information I was able to obtain over the telephone between here and Centralia, Ill., an hour ago.

Twelve men who came out early Tuesday escaped. Shortly after they came out the explosion occurred. Rescue squads were rushed in and have been working all night, encountering considerable gas which has retarded their efforts. One hundred and fourteen men are known to be still down in the mine some 3,000 feet back from the main entrance. In the rescue work so far, 14 men have been found, all apparently killed by monoxide gas.

Governor Green and his State Mine Director, Robert Medill, who flew to Centralia, reports that there may be some hope that out of the 114 men yet unaccounted for, some may be alive. It is agreed that there is very little chance that few, if any men out of this number will be rescued alive.

I make this report because the safety of working conditions for miners Nation-wide is the concern of Congress. You will recall that there is a Federal law which provides for certain standards of safety in mines and also provides for mine inspectors to assist in maintaining those standards. The Federal Government can only recommend the maintaining of these standards to mine managers and mine owners. There is no question but that conditions should be brought about either by the State or the Federal Government which will compel mine owners and operators to rigidly enforce better safety standards and working conditions for the miners. When the Government seized the mines some few months ago the question of better safety conditions had been agitated to the point where the Government was supposed to promulgate a certain code of safety standards.

It is presumed that Mr. Krug has laid down such standards, but evidently it had not reached the level of the Centralia No. 5 coal mine. This safety matter has been of deep concern to the miners because of the major loss of lives among their workmen.

There are two elements causing these disastrous explosions and fires in the mines. The accumulation of coal dust, because the mines are not kept properly cleaned up and rock dusted is the first element. The miners know that by the use of rock dust and proper cleaning up explosions can be held to a minimum. The next important matter is proper ventilation which would prevent gas from remaining in the mine which, when touched off, causes the explosion which invariably sets fire to the coal dust.

There should be one safety code for coal mine operations Nation-wide set up by the Government and which should be mandatory as to its enforcement in every mine in America. If we are to encourage young men to work in the mines in the future we must have better safety conditions regardless of the cost, because we must have the coal.

Statistics show that young men are not taking up coal mining as a vocation. Statistics show that the great majority of the men working in the mines today

range from 45 to 70 years of age; in fact, the average age of the coal miners today is 50 years. No other industry approaches this high age average in America.

Mr. Speaker, when I was in Centralia during the holidays representatives of the men working in mine No. 5 called upon me to talk over the labor situation generally. The four of them were fine reasonable good sound citizens. They were entirely satisfied with their wages, but they stressed to me time and again the great necessity for better safety conditions to protect their lives. Naturally they wanted to go back to a shorter workweek rather than to continue 9 hours a day, 6 days, or 54 hours a week. In fact, Mr. Lenzini who was spokesman mostly for the representatives said, "Try as we will, we old men just cannot work 9 hours at this hard work." He said, "They can shorten the hours and get just as much coal produced because a part of our time is wasted because of exhaustion in the long hours." Ironically, this explosion occurred at the ninth hour of the day. Had they had even 8 hours their lives would have been spared.

Mr. Speaker, we are at a critical point at the present time on this whole coal mine set-up. We must make progress in the right direction in the future. And in this connection, I am rather sorry to note that Dr. Sayers, who for many years has been one of the ablest directors of the Bureau of Mines this Nation has ever had, is leaving the service. I understand that his leaving the service was brought about or encouraged by Secretary of the Interior, Mr. Krug. You may have noted recently that a Mr. James Boyd of Colorado has been appointed to succeed him as Director of the Bureau of Mines. My information is that Mr. Boyd has had very little experience, if any, in coal-mining operations and, in a practical way, it would seem to me such experience would be necessary in this important position. I further understand that the coal miners of America have been disappointed in the retirement of Dr. Sayers and have protested the appointment of Mr. Boyd.

Mr. Speaker, it would seem that the mining industry and the workers should be consulted and at least their reaction and opinion obtained before such an important decision affecting the coal-mining business and the miners of the Nation was taken.

Mr. Speaker, this disaster at Centralia must again call to the serious attention of the Members of Congress the necessity for better safety conditions in the coal mines of America.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. WILSON].

Mr. WILSON of Indiana. Today will mark the beginning of a new period in our history. The Republican Party, with dogged determination, is going to set the economy of our country straight, once and for the first time in a period of 16 years. This House controlled by the Republican Party, will pass a new tax bill before the sun sets on the dome of this Capitol tomorrow night, which bill will balance the budget, reduce taxes, and pay substantially on our national debt. This is essential for our national security. The confidence of the people in their Government must be restored. A new philosophy of government is going to be initiated and that is that it is the people's duty and obligation to support its Government rather than the New Deal parasitic philosophy of the Government supporting the people.

It is charged that the Republicans made this promise to their people during the last campaign. I am sure this promise will be kept and will be the beginning of platforms on which a party stands rather than merely a platform on which a party runs and then abdicates once the people have fallen for it.

Yes, Members of the House, this is an all-important day in the history of our country, for it not only marks the beginning of a new philosophy of Government, but in so doing, it sounds the death knell of the New Deal's philosophy of "tax and tax and tax; spend and spend and spend; elect and elect and elect."

This tax program is not only essential for assuring an all-important high national economy but necesary to the maintenance of it. Even though the tax rate is going to be reduced, the resultant effect will be a greater national income and thereby more tax revenue.

I now predict a greater payment on the public debt in 1948 than has so far been suggested.

For political reasons, the New Dealers have set out to wreck this program. They are going to bend every effort to throw our Republican balanced budget out of kelter. They are now aware of the fact that the Republican Party has the "know-how," the will, and the determination to carry out their promise to the people.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I was away on official business and did not have the opportunity to vote in the Committee on Rules for this rule. If I had been present I would have supported the rule, because I am very much in favor of this tax-reduction legislation.

May I say to the House that I have just returned from a little swing through several States, where I found a great deal of interest among the members of both political parties in this legislation. The people of the United States want and expect tax reduction. They believe that this measure—and I talked to hundreds of them—is a fair one; that it does gives a "break," or an advantage, to the lower-income groups, and my party, as the sponsor of this legislation as it comes to the House, is receiving a great deal of credit for it.

I believe that this is the first tax-reduction bill, with the exception of the 5-percent cut of last year, that we have had before us, in many years. I know that many citizens of America are expecting to use the savings made as the result of our lowering taxes for the purpose of expanding their business, or for buying those things which they need for their homes. So, Mr. Speaker, I am convinced that the enactment of this legislation will be of great aid to the economy of the Nation and, in turn, will result in a greater national income which, of course, in the final analysis, will bring more tax revenues into the Treasury.

I question very much that this measure will greatly reduce our tax income; at least not anything like the estimates that have been given, simply because of the great incentive that its enactment will give business activity throughout our country. I hope that this rule and the tax bill will pass. I am certain both will.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I am very happy to yield to the distinguished gentleman from Illinois. I always yield to him.

Mr. SABATH. In view of the fact that the gentleman has been away from here, may I call his attention to the fact that this bill as reported, contains a retroactive provision, and it will go back to January 1.

Mr. BROWN of Ohio. Every bit of tax legislation has been retroactive. When you raised taxes it was always retroactive. I assure the gentleman that if he will check as closely as I did in his home city of Chicago he will find that his own constituents are very much in favor of this legislation. It grieves me to realize that the gentleman, much as I admire him, is making the mistake of opposing this bill. I hope the gentleman from Illinois will reconsider and join with us in giving tax relief to the people of his own State, especially those in the lower income groups.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Michigan.

Mr. HOFFMAN. I think the gentleman is justified in his hope that the gentleman from Illinois [Mr. SABATH] may change his mind. I recall very well the morning when the gentleman opposed the loan to Britain, and he came in before the debate was over and inserted in the RECORD another speech in favor of it. So the gentleman does change his mind on occasion, and perhaps he will on this.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. SABATH. They say all big men or good men or sensible men sometimes change their views.

Mr. BROWN of Ohio. That is the reason why I am hopeful the gentleman will change his mind before the roll is called.

Mr. SABATH. I do not think the gentleman was in my district. I think he was in the Blackstone or one of the other high-priced hotels, and they are high priced.

Mr. BROWN of Ohio. Of course, the gentleman was not in Chicago.

Mr. SABATH. If I had been, surely I would have tried, notwithstanding the

report that I read about the gentleman as to his ability to get away with certain things.

Mr. BROWN of Ohio. I may say to the gentleman I was on State Street, which is in his district, and I found very many people there who were greatly interested in tax reduction, especially those in the lower income groups. I hope the gentleman will reconsider and join me in supporting this legislation for the benefit of the poor of his own district, as well as for those of the whole Nation.

Mr. ALLEN of Illinois. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. KNUTSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1) to reduce individual income tax payments.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 1, with Mr. CASE of South Dakota in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. KNUTSON. Mr. Chairman, I yield myself such time as I may need.

Mr. Chairman, I rise to discuss the provisions of H. R. 1, which was reported to the House by the Committee on Ways and Means on Monday.

The purpose of H. R. 1 is twofold:

First. To provide income-tax relief for all individual taxpayers who are still bearing the high and oppressive taxes of the war;

Second. To remove the deterrents to managerial efforts and to the investment of venture capital, which constitute so serious a threat to the maintenance of the present high level of production and employment, and to the business expansion of the future.

To explain how H. R. 1 accomplishes these objectives, I wish to divide taxpayers into five groups:

First. Those whose income—after deductions and exemptions—is $1,000 or less;

Second. Those whose income—after deductions and exemptions—is between $1,000 and about $1,400;

Third. Those whose income—after deductions and exemptions—exceeds $1,400 but is not in excess of about $303,000;

Fourth. Those whose income—after deductions and exemptions—is in excess of $303,000;

Fifth. Those individuals who have attained the age of 65.

The first group contains approximately 25,000,000 taxpayers. It includes single persons earning up to $1,667, married persons earning up to $2,222, and married persons with two dependents earning up to $3,333. Recipients of these small incomes have suffered most severely as a result of the rise in the cost of living during recent years. To them this bill brings a tax reduction of 30 percent.

The second group which consists of individuals whose income, after deductions and exemptions, is between $1,000 and $1,396, numbers around 6,000,000 taxpayers. The relief granted by the bill to this group ranges from a 30 percent reduction on a surtax net income of $1,000 to a 20 percent reduction at approximately $1,400.

The third group, consisting of taxpayers whose income, after deductions and exemptions, is in excess of $1,396 but not in excess of $302,396, includes 15,000,000 taxpayers. These receive a flat 20 percent reduction in the individual income tax payable under existing law.

The fourth group, which consists of taxpayers whose incomes after deductions and exemptions are in excess of $302,396, contains about 600 taxpayers. These receive a straight 20 percent reduction on the tax on the first $302,396 of income, and a 10½ percent reduction on the balance. Generally speaking, income in excess of $300,000 is unearned.

Estimates relating to the year 1945 show that salaries and wages made up only 5 percent of the total income received by those with net incomes of $300,000 and over and 79 percent came from dividends, interest, and from fiduciary sources, and 16 percent came from businesses and partnerships.

The fifth group receiving relief under H. R. 1 consists of taxpayers who have attained the age of 65. I have been particularly concerned over the plight of these individuals. Many of them, including retired school teachers, policemen, municipal workers, and others who have retired from private industry have as their sole source of livelihood, the small amount which they receive as a pension, annuity or retirement pay.

The incomes of such persons will not, in most cases, increase in an expanding economy, since many will be unable to engage in a gainful occupation. H. R. 1 allows to each taxpayer in this age group, an additional exemption of $500, making a total personal exemption of $1,000. This additional exemption will remove almost 1,400,000 taxpayers from the rolls.

Our committee provided an amendment to prevent this additional exemption from pyramiding where the pension, annuity or retirement pay was already exempt from taxation.

Under existing law, pay received by former Army and Navy officers retired by reason of military disability, annuities paid under the Social Security and the Railroad Retirement Acts, and a few other items are excluded from gross income.

The committee felt that the additional exemption granted to persons over 65 should be allowed only if they included in their income the first $500 of fully tax-exempt pensions, annuities and retirement pay. While this will not result in taxing income that is already exempt, it will prevent the recipient from getting a further benefit by applying the extra $500 allowance against taxable income.

The amendment does not require the taxpayer to include any part of his pension or annuity in his gross income if his income from other sources does not exceed $500. Veterans' pensions, which are exempt under the act of August 12, 1935, are not affected by this amendment.

H. R. 1 does not go as far as I would like it to go in providing income-tax relief. However, in view of the present high rate of Government spending and the magnitude of the public debt, the reductions in H. R. 1 are as great as I believe we can make at this time.

In the past few weeks, H. R. 1 has been criticized because some Members felt it did not provide adequate relief for the low-income groups. I believe that the bill, by allowing a 30 percent instead of a 20-percent reduction to the lowest income group, adequately meets any valid criticism from that angle.

Because most of the earnings in the low-income groups are required for food, clothing, and other necessities, our committee believed it proper and just to provide a larger reduction to that group than to the higher groups. This has aptly been termed a "cost-of-living allowance."

A table which I will insert at this point shows that 96 percent of the taxpayers have incomes under $5,000. This group receives about 80 percent of the net income but pays only 56 percent of the tax. The group above $5,000 has only 20 percent of the net income but pays 44 percent of the tax.

TABLE I.—*Estimated distribution of the individual income tax liability and taxpayers under present law compared with estimated distribution of total tax reduction under H. R. 1*

Net income class	Percentage distribution of—		
	Total taxpayers	Total tax paid under present law	Total reduction under H. R. 1
	Percent	*Percent*	*Percent*
$0 to $2,000	52.7	17.3	23.7
$2,000 to $5,000	43.3	38.4	37.3
$5,000 to $10,000	2.6	8.3	7.5
$10,000 to $25,000	1.1	12.0	10.6
$25,000 and over	.3	24.0	20.9
Total	100.0	100.0	100.0

Source: Staff of the Joint Committee on Internal Revenue Taxation.

Of the tax reduction provided by this bill, 61 percent goes to persons receiving net incomes of $5,000 or less, and of this amount almost 71 percent goes to individuals with incomes under $3,000. This does not include the relief granted to individuals of 65 or over which is heavily concentrated in the lower-income brackets.

I cannot emphasize too strongly that if we are to give real relief to the low-income groups, we must not stop with tax relief in the bottom brackets. We must provide encouragement to business expansion and free competition.

By reducing the taxes in the middle and higher brackets, income is released for investment in new and expanding businesses, the managerial group is stimulated to greater efforts, low-income groups are benefited by a larger volume of output, more jobs, lower prices and reduced cost of living.

It is a blot on the present administration that in spite of all the lip service to the forgotten man under the New Deal the cost of living has risen over 60 percent since 1932.

In this connection, I have been advised by the Commissioner of Labor Statistics that—

The consumer price index for the average of large cities increased 42.7 percent between the average of the years 1932 and 1946, and 64.0 percent between December 15, 1932, and December 15, 1946.

H. R. 1 recognizes the importance of the cost-of-living factor by extending the 20-percent reduction to those who furnish the capital, material, and incentive for business production and expansion. Accordingly, under H. R. 1, 39 percent of the total reduction goes to the group with incomes of $5,000 and over.

The present tax rates have drastically reduced the spendable income of this group. I am inserting at this point a table which shows the spendable incomes of taxpayers receiving certain amounts of net income before exemptions under the rates now in effect and under those provided by this bill:

TABLE II.—*Comparison between spendable income under present law and H. R. 1*

SINGLE PERSON

Net income before personal exemption	Spendable income after tax		Percent of spendable income after tax to net income before personal exemption	
	Present law	H. R. 1	Present law	H. R. 1
			Percent	*Percent*
$500	$500.00	$500.00	100.00	100.00
$600	581.00	586.70	96.83	97.78
$700	662.00	643.40	94.57	96.20
$750	702.50	716.75	93.67	95.57
$800	743.00	760.10	92.88	95.01
$900	824.00	846.80	91.56	94.09
$1,000	905.00	933.50	90.50	93.35
$1,200	1,067.00	1,106.90	88.92	92.24
$1,500	1,310.00	1,367.00	87.33	91.13
$1,800	1,553.00	1,607.00	86.28	89.28
$2,000	1,715.00	1,772.00	85.75	88.60
$2,500	2,120.00	2,196.00	84.80	87.84
$3,000	2,515.50	2,612.40	83.85	87.08
$4,000	3,306.50	3,445.20	82.66	86.13
$5,000	4,078.50	4,262.80	81.57	85.26
$6,000	4,831.50	5,065.20	80.53	84.42
$7,000	5,565.50	5,852.40	79.51	83.61
$8,000	6,280.50	6,624.40	78.51	82.81
$9,000	6,976.50	7,381.20	77.52	82.01
$10,000	7,653.50	8,122.80	76.54	81.23
$11,000	8,311.50	8,849.20	75.56	80.45
$12,000	8,950.50	9,560.40	74.59	79.67
$13,000	9,565.75	10,252.60	73.58	78.87
$14,000	10,157.25	10,925.80	72.55	78.04
$15,000	10,729.75	11,583.80	71.53	77.23
$20,000	13,354.75	14,683.80	66.77	73.42
$25,000	15,637.75	17,510.20	62.55	70.04
$30,000	17,735.50	20,188.40	59.12	67.29
$40,000	21,574.75	25,259.80	53.94	63.15
$50,000	24,863.00	29,890.40	49.73	59.78
$60,000	27,752.25	34,201.80	46.25	57.00
$70,000	30,356.50	38,285.20	43.37	54.69
$80,000	32,675.75	42,140.60	40.84	52.68
$90,000	34,710.00	45,768.00	38.57	50.85
$100,000	36,459.25	49,167.40	36.46	49.17
$150,000	44,193.75	65,355.00	29.46	43.57
$200,000	51,448.50	81,158.80	25.72	40.58
$250,000	58,228.25	96,582.60	23.29	38.63
$300,000	65,003.25	112,002.60	21.67	37.33
$400,000	78,553.25	134,889.75	19.64	33.72
$500,000	92,103.25	157,539.75	18.42	31.51
$750,000	125,978.25	214,164.75	16.80	28.56
$1,000,000	159,853.25	270,789.75	15.99	27.08
$2,000,000	295,353.25	497,289.75	14.77	24.86
$5,000,000	725,000.00	1,176,789.75	14.50	23.54

Source: Staff of the Joint Committee on Internal Revenue Taxation.

Table II brings out the fact that although an individual with $1,000 income has 90½ percent of his income left after taxes under existing law, an individual with an income of $100,000 is left with only 36.5 percent, and an individual with $200,000 income with only 25.7 percent.

Tax burdens of this size are an obstruction to the development of our country. Confronted with taxes of this size young men who otherwise might accumulate capital to build up new and productive enterprises become discouraged.

Men of experience and ability fail to take on the added responsibilities which the full utilization of their capacities requires. Responsible officials in the Government itself are subjected to very severe burdens—witness the fact that the President of the United States, after paying his Federal and State income taxes and food costs in the White House, has a take-home pay of less than $5,000 out of a salary of $75,000.

Mr. FORAND. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Briefly.

Mr. FORAND. Is it not a fact that the condition at the White House is unique and should be remedied by way of additional appropriations for expenditures of the White House which the President himself should not be called upon to meet?

Mr. KNUTSON. I dare say that if the gentleman would examine the whole picture he would find it full of unique situations such as I have just mentioned.

From the point of view of the effect of a tax on initiative and investment, it is the rate in the top bracket of the individual's income which is of critical importance. It is the additional tax taken out of the extra dollar of income that added effort or greater assumption of risk will bring in, that determines whether or not it is worth while to make the effort or incur the risk.

I will insert in the RECORD at this point a table which shows how much additional tax the Government takes out of additional income received by taxpayers at certain income levels under existing law and under H. R. 1:

TABLE III.—*Comparison between the marginal rates of the individual income tax under present law and H. R. 1*[1]

Taxable income		Marginal rate	
From—	To—	Present law	H. R. 1
		Percent	*Percent*
$0	$1,000	19.0	13.3
$1,000	$1,395.83	19.0	20.0
$1,395.83	$2,000	19.0	15.2
$2,000	$4,000	20.9	16.7
$4,000	$6,000	24.7	19.8
$6,000	$8,000	28.5	22.8
$8,000	$10,000	32.3	25.8
$10,000	$12,000	36.1	28.9
$12,000	$14,000	40.9	32.7
$14,000	$16,000	44.7	35.8
$16,000	$18,000	47.5	38.0
$18,000	$20,000	50.4	40.3
$20,000	$22,000	53.2	42.6
$22,000	$26,000	56.1	44.9
$26,000	$32,000	58.9	47.1
$32,000	$38,000	61.8	49.4
$38,000	$44,000	65.6	52.5
$44,000	$50,000	68.4	54.7
$50,000	$60,000	71.3	57.0
$60,000	$70,000	74.1	59.3
$70,000	$80,000	77.0	61.6
$80,000	$90,000	79.8	63.8
$90,000	$100,000	82.7	66.2
$100,000	$150,000	84.6	67.7
$150,000	$200,000	85.5	68.4
$200,000	$300,000	86.5	69.2

[1] The rates shown on this table are the bracket rates (both normal and surtax) less the 5-percent credit in the case of present law and less the 33.5-, 24-, and 15-percent credits in the case of H. R. 1.

Source: Staff of the Joint Committee on Internal Revenue Taxation.

This table shows that a man with a $32,000 income who receives a $6,000 raise in salary now has to return 62 percent, or almost two-thirds of his raise, to the Federal Government; a man with a $100,000 income who receives a $50,000 raise has to turn over approximately 85 percent, or $42,500, to the Government. This applies not only to salaries but also to earnings on capital.

Is there any wonder that business is having difficulty in getting executives to undertake new responsibilities, or in securing venture capital to expand old companies or create new ones?

Under H. R. 1 the rate applied to the extra $6,000 received by a man with a $32,000 income is cut from 62 percent to 49 percent. The rate in the extra $50,000 received by a man with an income of $100,000 is reduced from 85 percent to 68 percent. While the rates which remain are still very high, I believe that we are taking a step in the right direction.

The plan which the gentleman from Michigan [Mr. ENGEL] has advocated, of allowing a $2,000 exemption to married persons, $1,000 exemption to single persons, and $500 credit for dependents, would remove 20,000,000 taxpayers from the rolls. It would cost nearly $6,000,000,000, and on top of that it would perpetuate the present system of discriminating against initiative, investment, production, and the creation of new jobs.

By providing practically no relief for investment in new and productive enterprises, it would confirm old ventures in their monopolies. Because of this, it would continue high prices and impose high living costs upon the less fortunate.

I, for one, will never agree that the boy in the foxhole should not have the same chance and opportunity as was afforded Cyrus McCormick and Henry Ford when they were young men. Anyone who knows the history of the Ford Motor Co. must realize that that company, as well as many other corporations, got its start through local capital raised in the local community.

There were 12 original Ford stockholders who organized the company in June 1903. At the outset, this company had patents worth $40,000, machinery worth $10,000, and contracts valued at $1,000. It was a small company with a small capital. Now it has grown to great proportions. It built up to its present size only because it was permitted to accumulate its earnings for expansion.

Let me say that neither Henry Ford nor any other man could start out today from scratch, as Ford did in 1903, and create an industrial enterprise that gives employment to several million, directly and indirectly, develop a new market for raw materials that runs into the hundreds of millions of dollars and at the same time build up a pay roll that runs into the billions of dollars, not to mention the fact that the automobile industry through the use of venture capital has pushed back the horizon way, way beyond where it had ever been. Today the American who has not seen at least one coast to this great and glorious country is a most unusual individual.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from Michigan.

Mr. DONDERO. I think the gentleman might well have added that he also provided transportation for the poor man, or the common man.

Mr. KNUTSON. I am glad the gentleman interrupted to make that observation.

All the industries that we have in this country were made possible by venture capital, capital that came from the brackets of $10,000 on up, but in the last 15 years we have been squeezing those taxpayers dry. There has been no venture capital. None of you can cite any new industries that have grown up in this country in the last 15 years. Had it not been for the war, our economy would have remained static.

Our present high taxes take away the incentive of the man in a small community to risk his capital. If the venture should turn out to be a success, his profit after taxes will be so small that in most cases the venture will not be worth the try. As a result, the small businessman must go outside this community to big business and large banks in order to secure venture capital. Eventually this results in taking control of local business away from the local community. Does the gentleman from Michigan [Mr. ENGEL] or his colleague the gentleman from Michigan [Mr. DINGELL], want to make it impossible for another Ford to rise in Michigan? If so, then they must not believe in free competition but in the continuance of monopolies.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from Michigan.

Mr. DINGELL. I, of course, want to say that I am not going to interpose an obstacle to the rise of any individual who might become another Ford in Michigan. I have never done anything like that since I have been in Congress. But what I want to say to my friend from Minnesota is this: He just expressed the opinion that much of the venture capital came from the high brackets. Well, in the supplemental views of the minority in connection with the tax bill of 1945, signed by the present chairman of the Committee on Ways and Means, the gentleman from Minnesota [Mr. KNUTSON], two paragraphs on page 40 of the report refer specifically to the fact that venture capital comes from the little fellow. How does the gentleman reconcile his reversed attitude now?

Mr. KNUTSON. Well, of course, "little" is a comparative term. Certainly, the gentleman would not contend that the bulk of venture capital comes from those below the $5,000 income group.

Mr. DINGELL. In these low-income groups the gentleman refers to?

Mr. KNUTSON. Let me say to the gentleman that I did not read the report when I signed it. As a matter of fact, I have no recollection of having signed it. Do you not see that the firm of DINGELL, ENGEL, and GORE do not want tax reductions? We do. The Republican Party promised the country tax reduction, and I hope we are going to be able to give it to them.

Few people today realize the burden of taxation which now falls upon the middle and high income groups. The Gallup poll published on January 24, 1947, contained some interesting information. People were asked what they thought the tax now is on an income of $10,000. On the average they thought it was $1,000 instead of $1,700. They thought the existing tax on an income of $50,000 was $9,000 instead of $24,000.

These same people were also asked what they thought the tax ought to be. On an income of $3,000, they thought it should be $50 instead of $131; on an income of $10,000, $900 instead of $1,720; on an income of $50,000, $7,500 instead of $24,000.

I am particularly concerned over the statement made by my Democratic colleague, the gentleman from Tennessee [Mr. GORE], several weeks ago, that in advocating a 20-percent reduction in income taxes, straight across the board, I was abandoning the ability to pay principle. I certainly hold no brief for the present confiscatory individual income-tax rates which were adopted by his party and not mine. While there was some justification for these excessive and discriminatory rates during the war, there is not the least justification for continuing them during peacetime.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from Tennessee.

Mr. GORE. Does the gentleman want to forget that we have not yet paid the war debt? What is the gentleman going to do with the war debt? Is he going to transfer that debt to the low-income and middle-income groups?

Mr. KNUTSON. Let me say to my good friend from Tennessee that the time to have been concerned over that debt was when you were piling it up by taxing and taxing and electing and electing. That was the time to have expressed concern; not when the debt got to be so stupendous that it threatens the very solvency of the Republic.

I cannot yield any further. I was simply trying to set the gentleman straight.

I certainly hold no brief for the present confiscatory individual income-tax rates, which were adopted by his party, not mine. While there was some justification for these excessive and discriminatory rates during the war, there is not the least justification for continuing them in peacetime.

Mr. FORAND. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from Rhode Island.

Mr. FORAND. The gentleman has just made a statement that the tax bill was passed by our party and not his. That is in direct contradiction to the statement made to me in committee when he said we had a coalition government at that time.

Mr. KNUTSON. We did on certain occasions. It was not ironbound, I will say to the gentleman, neither was it founded on any treaties.

However, if the gentleman from Tennessee [Mr. GORE] is of the opinion that the present progressive system is a fair measure of one's ability to pay, then a uniform percentage reduction will keep the share of the total burden levied on a particular taxpayer the same as at present. Thus, if A pays, under existing law, 10 times as much tax as B, he continues to pay 10 times as much as B after the uniform percentage reduction.

On the other hand, if we raise exemptions or reduce rates for one group in preference to another, the effect is to disturb the existing ratio. For instance, under present law an individual receiving an income of $50,000 pays a tax which is 27 times as high as that paid on an income of $5,000. Under a flat 20-percent tax reduction, the $50,000 man still pays 27 times as much as the $5,000 man. If, instead, exemptions are raised to $600, he will pay 28 times as much, and if exemptions are raised to $1,000, he will pay 31 times the tax paid by the $5,000 individual.

One more illustration will make my point quite clear. Under existing law the recipient of an income of $300,000 pays 255 times as much as the person with a $5,000 income. Under a flat 20-precent cut he will still pay 255 times as much. However, with an increase of exemptions to $600 he will pay 262 times the tax on a $5,000 individual, and with an exemption of $1,000 he will pay 294 times as much.

It has been estimated that on a full year's basis H. R. 1 will reduce revenues by approximately $3,800,000,000. But this is the most pessimistic side of the picture. It makes no allowance for the stimulating effect the bill will have upon production and upon the national income, out of which the taxes are paid. In answer to a question by my colleague, the gentleman from Nebraska [Mr. CURTIS], as to how long it takes for a tax reduction to be reflected in enterprise and job opportunities in this counery, Secretary Snyder said: "It could very easily come within a very short time." Upon further questioning the Secretary indicated that a "short time" might mean a "year."

In a press release in December I called attention to the fact that the reductions through the 1920's actually resulted in increasing instead of decreasing the revenues. I wish to insert in the RECORD at this point my statement setting forth the experience with tax reduction in the 1920's:

EXPERIENCE WITH TAX REDUCTION IN THE TWENTIES

In the period of the twenties, when the Republicans were in control, there were four reductions made in internal revenue taxes. The first tax reduction was made in 1921, when the country was in the depression of 1920–21. The reductions were made to relieve the people from the oppressive tax burdens of the First World War, in order to stimulate business recovery and employment. The acts providing for such reductions were the Revenue Act of 1921, applicable to 1921, 1922, and 1923, the Revenue Act of 1924, applicable to 1924, the Revenue Act of 1926, applicable to 1925, 1926, and 1927. The Revenue Act of 1928, applicable to 1928 and 1929, did not provide for any tax reduction but liberalized the earned income

credit. However, House Joint Resolution 113 reduced individual normal taxes and corporate income taxes for the calendar year 1929.

The reductions made by these acts were very extensive. Individual income taxpayers were granted three reductions in normal tax rates, three reductions in surtax rates, successive increases in personal exemptions, a 25 percent reduction in 1923 income tax, payable in 1924, a credit for earned income and a maximum tax on capital gains of 12½ percent. The war profits and excess profits tax on corporations was repealed and practically all the war excise taxes were removed. Despite these reductions, tax revenues continued to rise so that there was ample surplus to provide for sizable reductions in the national debt.

The following figures taken from statistics of income of the Bureau of Internal Revenue show the increase in individual receipts for the calendar years 1921 to 1929, inclusive. The individual income tax receipts for 1923 were sufficiently large to permit a 25-percent reduction which accounts for the revenue figure of $662,000,000:

Calendar year:	*Individual income tax receipts*
1921	$719,000,000
1922	861,000,000
1923	662,000,000
1924	704,000,000
1925	735,000,000
1926	732,000,000
1927	831,000,000
1928	1,164,000,000
1929	1,001,000,000

Average annual receipts in the above table, for the first 5 years of the period, totaled approximately $736,000,000, while in the last 4 years of the period they totaled $746,000,000.

Corporate income-tax receipts during this period continued to rise, despite the reductions in corporate income tax. This is shown by the following table:

Calendar year:	*Corporation income-tax receipts*
1921	$366,000,000
1922	775,000,000
1923	937,000,000
1924	881,000,000
1925	1,170,000,000
1926	1,229,000,000
1927	1,130,000,000
1928	1,184,000,000
1929	1,193,000,000

Due to the slight business recession in 1924, there was a decrease in corporate receipts of $55,000,000, and a decline of $90,000,000 in 1927. But this was small compared to the decline in corporate receipts during the depression of 1919 to 1921, when the Government revenues were reduced by $378,000,000.

Total internal revenue receipts held to a steady level during this period, annual revenue surpluses were recorded and substantial reductions were made in the public debt as shown in the figures below:

Fiscal year	Total internal-revenue receipts	Gross public debt	Annual surplus
1920	$6,695,000,000	$24,299,000,000	$212,000,000
1921	5,625,000,000	23,977,000,000	87,000,000
1922	4,109,000,000	22,963,000,000	313,802,000
1923	4,007,000,000	22,350,000,000	310,000,000
1924	4,012,000,000	21,251,000,000	505,000,000
1925	3,780,000,000	20,516,000,000	251,000,000
1926	3,963,000,000	19,643,000,000	378,000,000
1927	4,129,000,000	18,512,000,000	636,000,000
1928	4,042,000,000	17,604,000,000	399,000,000
1929	4,033,000,000	16,931,000,000	185,000,000
1930	4,178,000,000	16,185,000,000	184,000,000

The experience in the twenties shows the fallacy of trying to secure revenue through continuing unfair and oppressive rates. We must remove the tax shackles in order that business may go ahead with full production, expansion, and employment.

Calendar year	Maximum rates		Receipts from individuals
	Normal tax	Surtax	
	Percent	*Percent*	
1921	8	65	$719,000,000
1922	8	50	861,000,000
1923	[1]8	[1]50	662,000,000
1924	6	40	704,000,000
1925	5	20	735,000,000
1926	5	20	732,000,000
1927	5	20	831,000,000
1928	5	20	1,164,000,000
1929	4	20	1,001,000,000

[1] Less 25 percent.

NOTE.—Tax credit of 25 percent provided in Revenue Act of 1924 applicable to 1923 liabilities.

The fact that tax reductions have a tendency to increase collections by raising national income can be illustrated also by the experience of the State of New York. This State reduced its tax on individual incomes by a flat 25 percent for the years 1941 to 1944, inclusive, and by a flat 50 percent for 1945. Another 50-percent cut has been recommended for the fiscal year 1946.

Nevertheless revenues have increased from $465,000,000 in 1940 to $682,000,000 in 1946, and a deficit in 1940 has given place to an unbroken series of surpluses, the largest of which occurred in 1946. In spite of the 50-percent cut, a surplus of $60,700,000 is estimated for the fiscal year 1947. I am inserting at this point a table which summarizes the New York experience:

TABLE IV.—*New York State revenues, expenditures, and surplus, 1940–48*

[In millions of dollars]

	1940	1941	1942	1943	1944	1945	1946	1947 (estimated)	1948 (estimated)
Total revenues	464.8	501.2	495.6	283.8	532.0	617.4	682.4	660.5	667.3
Expenditures	466.0	464.1	448.5	263.9	437.9	460.8	494.6	599.8	663.0
State government	196.7	196.5	192.1	139.0	197.4	210.6	.....	.....	.....
Local (including share in State taxes)	269.3	267.6	256.4	129.9	240.5	250.2	.....	.....	.....
Surplus	[1]1.2	37.0	47.1	14.8	94.1	156.6	187.8	60.7	4.3

[1] A deficit.

Source: This table was prepared by the Legislative Reference Service of the Library of Congress on the basis of the Annual Report of the Comptroller for the fiscal year ended Mar. 31, 1945, p. 113, and the budget message of Feb. 1, 1947 (New York Times, Feb. 2, 1947, p. 48).

The experience of Australia in recent years furnishes additional evidence supporting my contention that an income-tax reduction fosters an increase in national income which in time tends to increase tax collections. Since the end of World War II, Australia has reduced its income tax twice.

The tax program which included the first of these reductions was estimated at the time to cost between £2,000,000 and £3,000,000. Instead the tax reductions were followed by an increase in revenues of £17,000,000.

Hence the Government was able to come forward with a proposal to reduce the income tax a second time with an estimated loss of revenue of £17,500,000.

At this point the leader of the opposition argued that no real tax cut was being proposed since the Government was merely distributing the surplus which it had failed to estimate in the previous year when the first of the two tax cuts was being made.

The method for reducing taxes used in H. R. 1 is by no means new, either in the history of Federal or State taxation. In the Revenue Act of 1945, the Congress adopted a flat 5-percent reduction in individual income taxes. In 1924, we had a tax reduction of 25 percent for taxes payable in 1924. Many of the States adopted the flat-tax-cut method as the easiest and fairest way of reducing taxes.

In his budget message of January 26, 1942, the then Governor Herbert H. Lehman advised the New York Legislature:

I recommend a 25-percent reduction in each individual's personal-income taxes payable this spring * * * I recommend a similar 25-percent reduction in each individual's income taxes payable in the spring of 1943.

This method of tax reduction was continued by Governor Dewey, except that in 1945 and 1946 he recommended a 50-percent instead of a 25-percent reduction.

Mr. LYNCH. Mr. Chairman, will the gentleman yield for a question?

Mr. KNUTSON. I am glad to yield to the gentleman, a member of the committee.

Mr. LYNCH. I presume the chairman knows that when that recommendation was made we had a surplus in the Treasury of the State of New York. We have no surplus in the Treasury of the United States at the present time, and it is not likely we are going to have any.

Mr. KNUTSON. I do not think we will have a surplus in the Treasury until we have had a change of administration.

Mr. LYNCH. If you are not going to have a surplus in the Treasury, how do you expect to have debt reduction and how do you expect to balance the budget?

Mr. KNUTSON. Well, the gentleman knows, being a member of the great Ways and Means Committee, of which he is a very valuable member, that the receipts for this year will probably total two and a half or three billion in excess of the estimates.

Mr. LYNCH. Well, the gentleman knows that the gentleman at the other end of the Capitol in charge of the Finance Committee estimates that this bill will cost $5,700,000,000.

Mr. KNUTSON. Well, I cannot be responsible for what they say at the other end of the Capitol.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. EDWIN ARTHUR HALL. I would like to commend the gentleman's reference to New York State and to say that the legislature for the past few years has come in at the last minute and passed a reduction bill, to which the gentleman has referred, and it has come more or less as a present to the taxpayers of the State. Therefore, after we have made out our income taxes, we divide the total amount by 2 or 4 and we have our reduction.

Mr. KNUTSON. On March 11 you made another 25-percent cut in the State income taxes of New York.

Mr. EDWIN ARTHUR HALL. I understand it is 50 percent.

Mr. KNUTSON. I am advised it is 50 percent. Why cannot the Congress do as much for the people of the United States as the Governor of New York can do for the people of that State?

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. COOPER. The distinguished chairman made the statement that we would not have a surplus until there was a change of administration. Was that just about what the gentleman said?

Mr. KNUTSON. I think that is substantially correct.

Mr. COOPER. How much surplus did the gentleman's party turn over when they went out the last time?

Mr. KNUTSON. We did not turn over any.

Mr. COOPER. I did not think so.

Mr. KNUTSON. How much surplus did the gentleman's party turn over to us in 1921?

Mr. COOPER. There was a deficit then, when the gentleman's party went out.

Mr. KNUTSON. That is true. I grant that, and that deficit was due to the war that the gentleman's party promised to keep us out of back in 1916.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. JENNINGS. According to my reading of American history, the last time a Democratic President left a surplus in the Treasury when he went out of office was Andrew Jackson, of Tennessee, and that is so far in the distant past that the memory of man runneth not to the contrary.

Mr. KNUTSON. And they have been celebrating his birthday ever since as an outstanding and unusual Democratic President.

But let us keep this debate on a higher plane. I do not want any politics in this discussion.

Now, let us take another State. Maryland, under a Democratic Governor, reduced its taxes. You see I am willing to give credit no matter on what side of the aisle it goes.

Under Democratic Governor O'CONOR, Maryland reduced its individual income taxes by a flat 33⅓ percent in 1942 and later increased the cut to a flat 50 percent. Iowa has allowed a flat 50-percent cut in its individual income tax since 1942.

Our friends on the Democratic side may tell you that this is not the time to reduce taxes. We must wait until we know how much the Administration is going to spend, and what boondoggling will cost before it is safe to even think about reducing the tax burden of the American people. Yet when my friend from New Jersey [Mr. KEAN], offered an amendment to my bill to further reduce the tax burden of the very lowest income group, which will result in a further tax cut of approximately $380,000,000, what do you think occurred? Why our Democratic friends on the Ways and Means Committee voted unanimously for this amendment, voted unanimously to further reduce taxes by approximately $380,000,000, and yet they tell you this is not the time to reduce taxes.

I think one of the things that has kept you folks in power so long is your indifference to consistency—and it is a great gift sometimes.

I hope our Democratic colleagues will vote to give the country the tax relief that it needs and demands. I, for one, have never been in favor of deficit spending, and our study of the budget for 1947 and 1948 clearly indicates, the other end of the Capitol to the contrary notwithstanding—may I say parenthetically that I do not want to violate the rules of the House. Every building, of course, has two ends. I think this is the front end—but our study of the budget for 1947 and 1948 clearly indicates that there is ample surplus to provide both for tax relief and debt relief, even disregarding the impetus which H. R. 1 will give to the production of increased income.

I know there are some who advocate that all the surplus should be applied toward the payment of the national debt. But, I believe that a proper approach is to provide for both tax reduction and debt reduction.

In the President's budget message for the fiscal year ended June 30, 1948, it was estimated that the public debt at the end of the fiscal year ending June 30, 1948, would be $260,200,000,000, and that the cash balance at the end of the year would be $2,100,000,000.

It now appears that on March 20, 1947, the debt had already been reduced to $259,000,000,000 and that cash balance existed of $5,900,000,000.

After payment of Treasury notes and certificates maturing on March 15, 1947, and April 1, 1947, the Treasury cash balance should still be at least $4,000,000,000.

It appears that more of this cash could be applied toward reduction of the debt in the hands of the public. By the end of fiscal 1947, we should be well ahead of schedule in debt retirement.

This will necessarily reduce the interest charge now being borne by the Treasury with respect to the national debt.

I was deeply disappointed at the President's budget message calling for expenditures of $37,500,000,000 for the fiscal year 1948, which under his budget left practically nothing for debt or tax reduction.

Any novice should know that this is the most opportune time to provide for debt relief and tax reduction.

Tax receipts are at a high level and there is practically no unemployment. Indeed, it is most fortunate for the country that the Congress, and not the Executive, with his confused advisers, controls the purse strings.

Under the Reorganization Act passed last year, a committee of the House and Senate, composed of both the Appropriation and Tax Committees has called a halt to governmental waste and extravagance by putting an over-all ceiling on Federal expenditures for the fiscal year 1948 of $31,500,000,000.

Under the House action which approved the report of this committee a surplus of $6,800,000,000 exists even if the budget committee's estimate of receipts of $39,100,000,000 is used. If present levels of production and income continue, receipts will be substantially higher. They might reasonably be expected to exceed $43,000,000,000.

As I have indicated the estimated revenue loss from H. R. 1 is about $3,840,000,000. Applying this against the conservative $39,100,000,000 estimate of revenues used by the legislative budget committee we would still have $3,000,000,000 left for debt retirement or other purposes. With full employment continuing throughout fiscal 1948, as the Secretary of the Treasury indicated it would at the hearings on this bill, a surplus of $11,500,000,000 would appear. This would leave something like seven billion available for retirement and other purposes after giving full effect to H. R. 1.

Yes, this bill is fair, but it is only a start in the right direction. As we clear away the dead wood in the executive branch and restore efficiency in government there will be further tax relief. Remember, we are beginning to reverse a trend that has been snowballing for 14 years.

It is a fair bill because it recognizes that the "little fellow" is having a hard time. Sixty-one percent of the reduction provided goes to persons receiving net incomes of $5,000 or less, and of this amount 71 percent goes to individuals with incomes of less than $3,000 a year.

It is a fair bill because it recognizes the unfortunate situation of some of our senior citizens. It gives to taxpayers 65 years of age and older a special $500 exemption, making a total personal exemption of $1,000. Nearly 1,400,000 persons by that provision will be removed from the tax rolls. This is a practical way to attack the gloom of want that haunts some of the aged and infirm.

It is a fair bill because it will help resurrect for the rising generation—war veterans, youngsters going to schools, and others—an incentive to start a small business or enter the professions of law, medicine, and so forth, with the knowledge that they will have an opportunity in the well-proven American way to grow, contribute to their country, and provide jobs.

It is a fair bill because it puts the ax to punitive taxes designed by alien minds and whizzed through subservient Congresses—a tax program that fitted neatly into the New Dealers' master plan to put ceilings over all Americans and make of this a nation of automatons.

For these reasons tax reduction now is imperative. The people in last November's election made it unmistakably plain

that they had had enough of the way the Government at Washington was being mismanaged, so they voted for a thorough housecleaning.

Until then they had enthusiastically borne the back-breaking taxes necessary to win the war. Remember those sky-high rates were imposed on the almost annual increases in taxes since 1933.

I hope the Democratic Members of Congress will join the Republicans in reversing the trend of higher and higher taxes, because it is the right thing to do.

For years we Republicans have been warning that the short-haired women and long-haired men of alien minds in the administrative branch of the Government were trying to wreck the American way of life and install a hybrid oligarchy at Washington through confiscatory taxation.

I am glad to see that President Truman by his recent order for a loyalty test of Government employees recognizes as sound the warnings by our Speaker MARTIN and other Republican leaders these many years against the un-American infiltration of the Democratic administration.

Let us all hope that the President will follow through in cleaning out these rascals. Let us also hope that the President, though he acted belatedly on his loyalty test, will see the wisdom of the Republican Party in giving the people immediate relief from a tax levy that cannot be defended in peacetime.

Through enactment of this tax bill our country will be strengthened for its heavy responsibilities in a troubled world. When Congress votes a reduction in taxes it will give new hope in all the peace-loving nations of the world. It will be an inspiration to those countries that are now struggling to reach the highway of prosperity and happiness because they know that their hope lies in a solvent and prosperous America.

The CHAIRMAN. The Chair will advise the gentleman from Minnesota that he has consumed 46 minutes.

Mr. DOUGHTON. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, I shall endeavor to state my position in respect to the pending bill, as did my distinguished colleague from Minnesota, although he spent more of his time defending than explaining the bill. It will be my purpose to discuss the bill and its effects on taxation in the United States and not discuss tax laws in Australia, Czechoslovakia, and Spitzbergen.

Mr. Chairman, it is with considerable regret that I find myself unable to support the pending bill. I sincerely wish that it were a measure that I could support. During the years when I was chairman of the Committee on Ways and Means, every effort was made to keep politics out of tax legislation. Revenue bills were drafted with the fullest cooperation with minority Members, and very rarely, if ever, was a tax problem decided along party lines. Instead it was our earnest effort to formulate fiscal policies and write our tax bills strictly on the merits of the issues as developed by the witnesses before the committee and the technical experts of the Treasury and the Staff of the Joint Committee on Internal Revenue Taxation. Moreover, it was our usual practice to set aside sufficient time for public hearings to enable all interested parties to present their views. Only after receipt of this testimony, and consideration of the advice of our technical experts in executive session, did we proceed to draft a tax bill.

The former well-known practice of the Committee on Ways and Means while under Democratic control is related in order to point out the drastic change in the origin and consideration of H. R. 1. This tax bill seems to be predicated upon promises made in the 1946 campaign rather than upon analysis of the fiscal and economic conditions necessary to be taken into account in formulating a sound tax policy.

But even more significant, and of real personal concern to me, is the precedent established by the majority members of the Committee on Ways and Means in rushing through a tax bill without opportunity for adequate study and consideration by all the members of the committee.

While I have the greatest respect for my friend, the distinguished chairman of the Committee on Ways and Means, as well as all the members of our committee, I can only view with alarm this departure from precedent in precluding the full membership of the committee in the preparation of revenue legislation. This departure from precedent was carried even further by the majority membership of the committee in setting aside only 2 days for public hearings, and in hand-picking the only two witnesses permitted to testify, other than Treasury officials.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the distinguished gentleman from Minnesota.

Mr. KNUTSON. My good friend, the gentleman from North Carolina [Mr. DOUGHTON], is always fair and affable and generous.

Mr. DOUGHTON. I thank the gentleman.

Mr. KNUTSON. But I do at this point want the RECORD to show that we did not bring any witnesses, outside of the Treasury, before the committee except two very outstanding Democrats, both of whom endorsed the action of the committee 100 percent.

Mr. DOUGHTON. If the gentleman was never more accurate in some of his statements or his consistency, I would pity him. I do not like to get into personalities, but I am reliably informed that the key witness, who was handpicked and brought here at the gentleman's invitation, is a registered Republican voter in New York City. I do not think that can be challenged.

Mr. KNUTSON. Well, he has seen the light, then.

Mr. DOUGHTON. I am informed he never has voted, at least in the last 15 or 16 years, for a single Democrat. I do not know about the other one. If the gentleman challenges a statement of mine, he ought to be careful.

Mr. KNUTSON. I should gladly state that a reformed Democrat makes an excellent Republican.

Mr. DOUGHTON. The gentleman means a renegade.

This exclusion, over the protests of the minority, of other witnesses fully as informed and learned in tax matters as the gentlemen selected is something entirely new in the history of the Committee on Ways and Means in recent years. Historically, it has become the custom of the House to entrust the drafting of tax bills to the committee on the theory that revenue legislation is too complex to be satisfactorily amended and perfected on the floor of the House, and because it was known that tax bills were reported only after the fullest, fairest, and politically impartial consideration by the members of the committee. Consequently, the practice of considering tax bills under a closed rule has developed. The bill, unlike any tax measure reported to this House in recent years during Democratic control, is, in my opinion, nothing more than a hurriedly conceived, untimely, discriminatory, and unsound patchwork of political expediency.

Mr. Chairman, to remove any possible doubt as to my views on tax reduction, let me say at the outset that the Democratic members of the committee have a clear and convincing record of reducing taxes when it is practicable to do so. I refer to the Revenue Act of 1945—the most recent major tax legislation passed by the Congress. The 1945 bill was designed to aid both individuals and business in the difficult transition from war to peace. It gave me great personal satisfaction to be able to aid initiating this first step to reduce wartime taxes and in reporting the bill to the House. That act made major reductions in both corporation taxes and individual income taxes, and a minor reduction in excise taxes. The excess-profits tax, capital-stock tax, and declared value excess-profits tax were repealed, and corporate surtax rates were reduced, with a net tax benefit estimated at that time at $3,100,000,000. Individual tax liabilities were reduced by an estimated $2,800,000,000, through an increase in normal tax exemptions, a reduction in individual income-tax rates and also removal of $12,000,000 low-income taxpayers from the rolls. In the field of excises, the use tax on automobiles and boats was repealed.

A good deal is said about low-income taxpayers and great concern is expressed for them. My friend becomes a fountain and his eyes become great rivers of water pleading for the low-income taxpayers, but he fails to remind you that in the 1945 bill we removed from the tax rolls 12,000,000 low-income taxpayers, while in the bill under consideration not a single low-income taxpayer is removed from the tax rolls, other than some of those over 65 years of age. I suppose they had John D. Rockefeller and Henry Ford, Sr., in mind when they made that reduction. We removed 12,000,000 low-income taxpayers from the tax rolls, those unable to pay taxes, but

they do not remove a single one from the tax rolls.

Mr. KEAN. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from New Jersey.

Mr. KEAN. Does the gentleman believe it is a good idea?

Mr. DOUGHTON. It is not a question of what I believe, it is a question of what we know.

Mr. KEAN. Does the gentleman believe we should continue to take people off the tax rolls so that only a very few pay taxes?

Mr. DOUGHTON. I do not. We have already gone as far as we can at this time.

Mr. KEAN. The gentleman is criticizing us for not having taken people off the tax rolls.

Mr. DOUGHTON. When the condition of the Treasury and our national economy justify it then the first consideration should go to the low-income taxpayers.

Mr. KEAN. That is just what we have done here.

Mr. DOUGHTON. Oh, no.

Mr. KEAN. Oh, yes.

Mr. DOUGHTON. Somebody spoke about the minority members voting for the amendment offered by my distinguished friend. We did that to reduce the inequities as much as possible, but the gentleman knows and my good friend from Minnesota also knows, the minority members voted against reporting the amended bill. We were trying to improve it some, bad as it was.

The estimated amount of the over-all tax reduction, which was spread over the entire tax structure, at present income levels amounts to a cut of $9,000,000,000. This should prove conclusively that we, the minority members, were interested in encouraging risk capital and business incentive in the difficult period of transition from war to peace, and we still are interested in these objectives.

And it also gives me much satisfaction to recall that the revenue bill of 1945 was drafted in the committee room with the full participation of all the members—majority and minority alike. As further proof of my sincere and earnest efforts to keep politics out of tax legislation—please indulge me for a moment regarding my record in this House on the Revenue Act of 1943. You will recall that the 1943 bill, which became law in 1944, was passed by both Houses of Congress after the usual careful consideration by the Committee on Ways and Means and the Committee on Finance. When presented for Executive approval, it was vetoed by the President because it did not carry as great increases as he had recommended. At that time I had a most unpleasant decision to make bu. the final answer was to support the work of the committee and the action of the Congress. I had to break with my own administration on that issue to support passage over the veto of the President.

It is because I see this splendid spirit of nonpartisan cooperation in the Committee on Ways and Means being destroyed that I feel it necessary to advise the House that H. R. 1 has not received the customary, careful, nonpartisan consideration, and should not be hastily passed.

Mr. Chairman, it has always seemed axiomatic that a person heavily in debt was expected to pay something toward his debts when he was able to do so. It had been my understanding that the same principles were applicable to Government.

A sound fiscal policy at this time calls for the following priorities: First, the budget should be balanced; second, a substantial payment toward debt retirement should be made; third, and only after fulfillment of the first two objectives, taxes should be reduced.

The majority report at page 1 states that—

> A reduction estimated at $3,800,000,000 is provided in this bill, leaving between $2,300,000,000 and $3,800,000,000 available for debt retirement.

Upon what assumptions do they give us these figures? Are they reliable assumptions? Certainly not.

Section 138 of the Legislative Reorganization Act of 1946, enacted with a bipartisan support, prescribed the method for establishing a legislative budget. It provides that—

> If the estimated receipts exceed the estimated expenditures, such report shall contain a recommendation for a reduction in the public debt.

No mention in the act is made of tax reduction. It is significant that this act of Congress fixes joint responsibility, a responsibility rejected by the majority in its headlong dash toward tax reduction.

At the present moment the conference committee on the legislative budget has had but one meeting, at which exactly nothing was accomplished, and I seriously doubt whether anything will come from a subsequent meeting, if one is ever held.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I am glad to yield to the distinguished gentleman.

Mr. KNUTSON. Am I to understand that the gentleman objects to the treatment we have given to taxpayers in the lower brackets?

Mr. DOUGHTON. No. If this bill is enacted, of course, I am glad if they are benefited, but my point is that the complaints are not coming from those in the lower brackets. I have not heard a word of complaint from those who pay a small amount of taxes to help defray the expenses of the war and pay some of the interest on the national debt. The complaints I have had are from those in the high income-tax brackets. That is where you will find that the complaints originate.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to my distinguished friend, the gentleman from Wisconsin.

Mr. KEEFE. In the consideration of this tax bill, has the gentleman received any evidence which convinces him that in the present fiscal year the budget will be balanced and that revenues will exceed expenditures by nearly $2,000,000,000?

Mr. DOUGHTON. No. There is some estimate of that kind, based on the highest possible revenue receipts and the lowest expenditures. It is based on revenue receipts of January 1947, which none of us can give any assurance will be maintained. That is what it is based on.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. DOUGHTON] has expired.

Mr. DOUGHTON. Mr. Chairman, I yield myself 10 additional minutes.

Will the gentleman please state his question again?

Mr. KEEFE. As the gentleman well knows, I may say I have always taken the position that there should be a balancing of the budget first, then debt retirement, then tax reduction. I would like to know from the gentleman whether or not it is not true that in the current fiscal year 1947, we will not only have a balanced budget but in addition will have created a surplus sufficient not only to provide for some debt retirement, but also to provide for tax reduction.

Mr. DOUGHTON. No one can answer that question. The gentleman thinks it answers itself and that is the reason he asked it, I think; but no one can tell. It is mere guesswork. I say that the estimates made, upon which the gentleman bases his statement that we will have a surplus, are estimates of the highest possible receipts that anyone can imagine and the lowest possible expenditures. They take both extremes, the extremes on receipts on the one hand, the highest they can get, and disbursements on the other hand just as low as they can get them. Now, I will ask my friend if he thinks it is safe to legislate on that hypothesis.

Mr. KEEFE. May I ask the gentleman this question?

Mr. DOUGHTON. Certainly.

Mr. KEEFE. The gentleman says this bill relates to fiscal 1948.

Mr. DOUGHTON. Yes.

Mr. KEEFE. As I understand the bill, it proposes to relate back to January 1, 1947. Is that not right?

Mr. DOUGHTON. Yes. It is retroactive and that is one objection I have to it. It makes it that much more difficult. But you cannot tell, and the gentleman knows you cannot tell, what will be the situation within the next few months. It will change, perhaps very greatly. The estimates in the last 2 months have varied something like $2,000,000,000. They may go down within the next 2 months. Is that not a possibility?

Mr. KEEFE. Yes; I think it is. The whole situation is based upon projecting into the future the estimates which are based upon trends.

Mr. DOUGHTON. May I ask the gentleman this question? Does the gentleman think it is best to proceed recklessly in such matters, or cautiously?

Mr. KEEFE. I believe we should proceed cautiously. And the reason I have asked the gentleman the question is because, sitting on another committee that has to provide appropriations, we have had certain testimony as to the ideas of expenditures and the ideas of revenue receipts. I may say to the gentleman it has been my understanding from the proof

that has come before the committee on which I serve that the Treasury itself has boosted its estimates as to revenues by over $2,000,000,000, and in addition to that, that we will have a balanced budget in the fiscal year 1947.

Mr. DOUGHTON. Let me ask the gentleman this question: He accepts this estimate of the Treasury of the receipts for 1948. Now, is he willing to accept the estimate of the Treasury on the budget, and the expenditures that will be necessary?

Mr. KEEFE. No; I am not willing to.

Mr. DOUGHTON. Of course not, because that disproves the gentleman's position.

Mr. KEEFE. I am not willing to do that.

Mr. DOUGHTON. Of course not. Why do you take the other, then?

Mr. KEEFE. Well, because——

Mr. DOUGHTON. The gentleman must have undergone a change of heart, because I had reason to believe about 10 days ago that the gentleman was definitely opposed to any tax reduction or tax bill at this time. I say, I was led to believe that.

Mr. KEEFE. Now, the gentleman wants to be perfectly fair, I assume.

Mr. DOUGHTON. Yes; I do. The gentleman will not deny that, will he?

Mr. KEEFE. I shall not deny any such statement. I have been quoted publicly in the press and have talked on the radio and everything else, so the gentleman is not expressing anything new as to the gentleman's attitude based upon the real value of a 20-percent cut across the board.

Mr. DOUGHTON. I have great admiration for the gentleman.

Mr. KEEFE. Will the gentleman give me this information——

Mr. DOUGHTON. I will if I have it; yes.

Mr. KEEFE. I am only asking for information, that is all I want.

Mr. DOUGHTON. Perhaps I can give the gentleman information. He is already gifted with understanding, but if I can give him information I will be glad to give him any I have.

Mr. KEEFE. Does the gentleman understand that the reason we claim a balanced budget in 1947 is because of the rescissions that have been made in appropriations plus an unexpected increase in our revenues?

Mr. DOUGHTON. The gentleman talks about rescissions. We are not through with appropriation bills. I think those rescissions the gentleman talks about are more in imagination and extravagant claims than they are in reality, in my opinion. I will get to that a little later.

Mr. KEEFE. I am not talking about reductions in appropriations, I am talking about rescissions, which are quite a different thing.

Mr. DOUGHTON. All right. What does the gentleman mean by rescission?

Mr. KEEFE. I mean the rescission of an appropriation, the canceling of an appropriation that was available for expenditure in 1947. Many of those we rescinded.

Mr. DOUGHTON. What has that got to do with this tax bill?

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield that I may ask the gentleman from Wisconsin a question?

Mr. DOUGHTON. I yield.

Mr. KEEFE. What is the gentleman's question?

Mr. ROGERS of Florida. I wish to ask the gentleman from Wisconsin when he talks about balancing the budget and bringing in a surplus of some $2,000,000,000 to apply against reduction of the public debt, whether the gentleman is agreeable to paying off the terminal-leave bonds if the boys want them now and thus reduce that much of the public debt?

Mr. KEEFE. I am not answering that question now because I do not think that is a matter that is before the Committee at this time. We have voted the gentleman's bill and it is now the law; and I voted for it.

Mr. ROGERS of Florida. But the gentleman will admit that these bonds are a public debt and that they are drawing 2½-percent interest. Will not the gentleman agree that this is a debt that should come before bonds held by people who do not want to part with them?

Mr. KEEFE. I do not think that is a question that is before the Congress.

Mr. DOUGHTON. A direct answer to the question the gentleman has asked as to the balancing of the budget and having a surplus is Section 138 of the Legislative Reorganization Act of 1946 for which most of you voted but I did not. It was of course a sugar-coated proposition to increase the salaries of Members but I do not object to that. It was a bi-partisan measure. But this Legislative Reorganization Act prescribed a method of establishing the legislative budget. It provides:

> If the estimate of receipts exceeds the estimate of expenditures, such report shall contain a recommendation for a reduction on the public debt.

No mention whatever is made of tax reduction, not a word. It is significant, I think, that this act of Congress places joint responsibility on the Committee on Ways and Means for debt retirement and that responsibility is now met by the majority by rushing headlong into tax reduction first before they get the legislative budget. Our first responsibility should be the fixing of the limit expenditures, yet the majority party rushes headlong into tax reduction without waiting for the report of the committee. The only budget guide we have is the recommendation sent down by the President. This bill is brought out here, notwithstanding, and hurried through. Now, the majority must be afraid of the report. They do not know what the report will be, they do not know what the budget is going to be, they cannot tell. My good friend from Wisconsin cannot tell. He has labored earnestly, I have no doubt, and I have great respect for those on this side of the House too who are trying to cut down the debt by eliminating unnecessary expenditure of public moneys. I am just as earnest in that as he is so long as proper regard can be had for essential Government services needed by the American people or in their behalf. Up to the present moment the committee of conference on the legislative budget has had but one meeting since we appointed conferees on March 3. What happened since then? The conferees have had but one meeting and absolutely nothing was accomplished. Why not wait? Is not some criticism justified for rushing this tax reduction bill through before we know what the recommendation of this committee is going to be and what will be the size of the budget we may expect for 1948? I would like for some Member to answer that question.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. DOUGHTON. Mr. Chairman, I yield myself 10 additional minutes.

The CHAIRMAN. The gentleman from North Carolina is recognized for 10 additional minutes.

Mr. DOUGHTON. So to date we have only the President's budget estimates to guide us. Now, I am for every economy measure that can be made consistent with maintenance of the essential functions of Government and fulfillment of our present and prospective international responsibilities and commitments. But can anyone honestly contend that he thinks it practicable, in view of the requirements for relief for devastated areas, not included in the budget, of the amounts recommended by the President for aid to Greece and Turkey, and the active consideration of legislation for benefit payments to agriculture of some $300,000,000, which does not appear in the budget—can anyone actually be so unrealistic as to assume that the amount of the President's budget can be reduced by $6,000,000,000 or even $4,500,000,000, as recommended by the Senate, or even below the President's estimates. I repeat that I am for economy—I voted for the $6,000,000,000 cut in the estimate of the President—but certainly my eyes are not closed to the changes that have come to pass since then.

There is a strong possibility that even the amount included in the President's budget may be exceeded when all of the appropriation bills for the fiscal year 1948 have been passed.

Would it not be far better for the majority and for the entire country to relieve them of their campaign pledges than to plunge our Nation into so hazardous a fiscal policy as H. R. 1 must entail?

In order to reach their conclusion that it now is possible to reduce taxes and to balance the budget, the majority members of the Committee on Ways and Means use as the basis for estimated receipts for fiscal year 1948 the current high rate of income payments to individuals—the highest in our Nation's history. In contrast, they close their eyes to the facts of life in a war-torn world and to our obligations as a victorious power, and profess to believe that the drastic cuts of $4,500,000,000 to $6,000,000,000 still are attainable. Assuming

the highest national income and a minimum level of expenditures obviously unattainable, the majority eke out a bare $3,000,000,000 for debt retirement in the event H. R. 1 should be enacted.

On the precedent of the Treasury-Post Office appropriation bill, as it passed the House, the $37,500,000,000 requested by the President would only be cut to $36,000,000,000.

The start has been made on the precedent of the first appropriation bill passed by the House. I have not considered the one acted on yesterday. All those 65 years of age and those who have paid taxes through withholding or otherwise would have to have refunds, and that was not estimated in the present budget; not taken into consideration at all. A lot of these things open our eyes, and I think we had better look and listen and think as we go along before we just go blindly ahead and take the responsibility for action. The credit of the Government and the solvency of the Government and the interest of 85,000,000 bondholders are all involved. There is something more than politics involved in this, or redeeming campaign promises.

A total of a billion dollars not included in the President's budget, for relief, aid to Greece and Turkey, and additions to the farm program would raise the total expenditures for 1948 to $37,000,000,000. The most recent estimates for the Treasury Department are for a revenue yield of $39,000,000,000, in which event $2,000,000,000 would be available for debt retirement in 1948 under the present law. Passage of H. R. 1 would reduce revenues by approximately $4,000,000,000 and would leave us with a deficit of $2,000,000,000 and nothing to pay on the debt.

Where are the spokesmen for better business in government? Who are the reckless advocates who would speed us toward insolvency—when the war-incurred debt is over six times the prewar level? Are these the same Republicans who prate about a solvent America? Is this the party which pledged itself in its 1944 platform in these words: "We shall reduce that debt as soon as economic conditions make it possible." Does the majority now propose to break faith with the 85,000,000 war bondholders to grant special consideration to the 48,000,000 taxpayers?

I submit in all sincerity, if under the highest national income in our history, tax reduction is given priority over debt retirement, when can we hope to begin payment on the public debt? I submit that sound fiscal policy for the American Nation at the present critical hour is but poorly served by the determination of the majority to slash blindly at the Government's revenues as is done in H. R. 1.

To date, hopes of a balanced Federal budget still are but hopes. Only when payments are made on the debt from the proceeds of taxation will we be able to feel that the Nation actually is on its way out of the fiscal wilderness into which the war plunged us.

The majority, in their ill-advised rush to slash taxes at this time, find themselves making contradictory assertions in their report on H. R. 1. As I have indicated, their conclusion that we can both balance the budget, pass H. R. 1, and still make a payment of $3,000,000,000 on the public debt, is based upon an assumption of a level of expenditures that cannot reasonably be realized. It also assumes that the national income will remain at the January 1947 peak—the highest in history.

A recession of business, as I will mention later, was mentioned by one of the key witnesses called by the majority before our committee. He said a recession was not at all improbable. When the Democrats are in power and business is bad, they call it recession, and the Republicans call it depression. When the Republicans are in power and business is bad, they call it recession, and the Democrats call it depression. That is the difference.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. DOUGHTON. Mr. Chairman, I yield myself 10 additional minutes.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Minnesota.

Mr. KNUTSON. The gentleman will recall that both the distinguished witnesses we had before the committee, former Under Secretaries of the Treasury, Mr. Magill and Mr. Hanes, ventured the statement that there was probably a recession ahead of us, and being good Democrats they used the word "recession." Of course, if the Republicans were in, they would call it a depression. At any rate, what I was trying to say was that they both said positively that a tax reduction at this time might avert a recession, or at least soften the blow.

Mr. DOUGHTON. They labored trying to justify their position. I have never seen a man labor as Dr. Magill did. He first talked the round system and then the flat. When they pinned him down and made him do it—you had to pin him down and make him do it—he would talk about a depression, and he would also say that if you could only do one, make a reduction in the debt or reduce taxes, you should have debt reduction. But this bill is predicated on the other assumption of continued high levels of income. Certainly if you pass this bill, you get tax reduction, whether you get any debt payment or not. You just reverse what Dr. Magill's philosophy was; the record shows that.

I cannot yield further to the gentleman.

Mr. KNUTSON. I will give the gentleman additional time. I will give him anything I have.

Mr. DOUGHTON. I hope the gentleman will agree to an extension of time for debate tomorrow so that we can have more time for Members who desire to speak.

Mr. KNUTSON. Certainly we do not want to deprive the House and the gallery of this great spectacle.

Mr. DOUGHTON. These hypotheses developed on page 7 of the report, however, are controverted on page 11 by the argument there made that the passage of H. R. 1 is necessary to provide additional spendable consumer income and incentives for business expansion because of the fear of a recession.

If a recession is feared by the majority, then how can they advise tax reduction based upon the peak levels of national income? Is not this the most reckless sort of fiscal management and almost certain to result in a further deficit?

If we enact H. R. 1, it means that we are departing from a policy of safety and fiscal prudence. The sound and intelligent policy briefly is this: To balance the Federal budget not in theory, not in expectation, but in undeniable fact; when revenues are sufficient to balance the budget and have produced a surplus of revenues over expenditures, to apply that surplus first and foremost to reduction of the public debt; after payments of substantial amount have been made on the debt from surplus revenues, to determine from careful and thorough study of the national economy and of the entire tax structure, including excise, estate and gift, and corporate income taxes, what downward revisions of taxes could and should be made.

Has the budget been balanced? No Member of this House can answer that question in the affirmative.

No report has reached this House on the legislative budget called for under the Legislative Reorganization Act.

Only a beginning has been made at completing congressional action on the appropriation bills for the fiscal year 1948.

The level of the Government's tax collections at the present moment is high; employment remains most satisfactory; the national income is unprecedented. Yet doubts still cloud the future for the average man. Yes, even the majority of the committee have their doubts for they speak about a recession and their key witnesses at the hearings expressed fear of a possible recession. On the other hand the fabric of wholesale and retail prices is yet far from stabilization; inflation threats still confront us at almost every turn.

I am mystified as never before in my long experience in the halls and chambers of this Capitol that under circumstances such as now prevail over the Nation and the world, men with a record of having cried loudly in days gone by for conservative fiscal policies should at the moment be pursuing a course so plainly unsound.

The majority expresses the hope—and that is the best case that possibly can be made of it—that the budget will be balanced; they also express the hope that a payment of some size or other can be made on the public debt. The minority, however, calls upon the Congress to pause and reflect. In view of present uncertain economic conditions and the great uncertainty of the amount of expenditures for 1948, especially when we consider the size of the public debt, it is our view that tax reduction at this time, as proposed in the bill under consideration, cannot be justified.

Tax reduction should not be made without an over-all study and revision of the entire tax structure. The Secretary of the Treasury recently called the attention of the Committee on Ways and

Means to 16 important items of postwar tax revision which have been under study. They include issues recognized by both sides of this House as vital. Among them are such issues as the overhauling of our schedules of excise taxes; the removal of inequities in the treatment of family income under the individual income tax; allowances for life insurance premiums and other forms of savings, also under the individual income tax; the double taxation of dividends under the corporate and individual income taxes; the averaging of incomes over good and bad years; the taxation of American corporations doing business in foreign lands.

Substantial losses of revenues may be involved in any attempt to solve the problems of tax reform which these issues present. H. R. 1, with its heavy cut into the present yield of the individual income tax, may, and probably will, if it becomes law, preclude indefinitely any further reduction, and so make it impossible to carry out any equitable, comprehensive tax revision.

The point is, Mr. Chairman, that nobody knows with any reasonable degree of certainty what our expenditures will be; nor what the revenues for 1948 are likely to be. A $10,000,000,000 drop in national income would reduce revenues by $3,000,000,000, and a $20,000,000,000 income drop by nearly $6,000,000,000. When we consider that the highest prewar national income was somewhat less than $100,000,000,000, some reduction from the 1947 level of $166,000,000,000 appears not unlikely. It is important to bear in mind that even a $10,000,000,000 decline in national income would wipe out entirely the margin which the majority contends would still be available for debt retirement under H. R. 1, assuming a five and one-fourth to six-billion-dollar cut in the President's budget, which I do not believe possible of realization.

When the state of the Government finances clearly warrants tax reduction, downward revision of the individual income-tax rates merits the fullest consideration. But the broad field of the individual income tax presents many important opportunities for revision and improvement, wholly aside from the question of rates. H. R. 1 has been written without reference to faults of the present law outside the rate schedules—and wholly, of course, without reference to challenging demands for excise-tax adjustments and far-reaching changes in the taxation of corporations.

In conclusion, the passage of H. R. 1, in my opinion, would be a great mistake, for this bill embarks upon a reckless, ill-timed, and ill-considered fiscal policy. It cuts taxes at a time when the public is best able to pay, and when any possible budgetary surplus should be applied against the public debt. Only when the budget has been balanced and a substantial amount set aside for debt retirement, should we consider tax reduction. And when that happy day arrives, whether later in this session of Congress or at some later time, instead of concentrating solely on rate reduction in the individual income tax, let us proceed to make a careful and comprehensive study of the Federal tax structure to provide the most equitable, permanent, peacetime tax law possible. Taxpayers confronted with the obligation of repayment of a $260,000,000,000 national debt are entitled to the most equitable and the soundest fiscal structure in our power to devise.

We should, therefore, recommit H. R. 1 for further study by the Committee on Ways and Means. We would do well to heed the admonition contained in an editorial in the Washington News of March 21, 1947, which stated:

Taxpayers in all brackets would be much better off if Congress held to the present tax rates this year, and used all surplus revenues collected to start paying off the public debt. With prices and living costs still rising, due largely to the Government's continued spending of borrowed money, this is no time to cut taxes. Now may be a good time to start working on a sensible tax cut to become effective next year, after the budget has been balanced and prices stabilized.

We certainly do not know, at present, enough about the subject on which we are attempting to legislate. We should defer action on tax reduction until more of the appropriation bills are acted upon by the Congress—both House and Senate. Until we know more about the consequences of the action the Congress will likely take respecting foreign commitments and obligations, we should not take precipitate action that might throw the budget out of balance for 1948 and would certainly make any substantial repayments on the public debt impossible.

[From the Washington (D. C.) News of March 21, 1947]

TAXATION FOR VOTES ONLY

House Republican leaders have agreed on a tax reduction bill. It provides:

A 30-percent cut for those with taxable income up to $1,000, comprising—and not by coincidence—the largest number of voters.

A cut of 20 percent for the next largest number of voters, those with taxable income between $1,000 and $302,000.

And 10.5 percent for the handful whose income is above $302,000 and who are presumed to vote Republican anyway.

This bill, if passed, will diminish the Government's revenues by $3,840,000,000 at a time when the Government's debt is $260,000,000,000, when the budget is still unbalanced, when demands for national security expenditures at home and around the world are rising.

Taxpayers in all brackets would be much better off if Congress held to the present tax rates this year, and used all surplus revenues collected to start paying off the public debt. With prices and living costs still rising, due largely to the Government's continued spending of borrowed money, this is no time to cut taxes. Now may be a good time to start working on a sensible tax cut to become effective next year, after the budget has been balanced and prices stabilized.

[From the Washington (D. C.) Post of March 23, 1947]

ILL-TIMED TAX RELIEF

The revised Knutson tax-reduction bill reported out by the Ways and Means Committee is an improvement over the earlier plan to make a uniform 20-percent cut in taxes for all but a very few rich taxpayers. The present bill would provide a substantial measure of relief for individuals in the low-income tax brackets without dropping millions from the tax rolls by liberalizing exemptions. For the time being, retention of a broadly based system of income taxation affords much-needed popular support for retrenchment that will make it feasible to increase personal exemptions at a later date, despite the resultant large loss of revenue.

Bad timing, however, remains a formidable objection to the Knutson bill. From present indications the measure will be railroaded through the House this week before the House and Senate have reached an agreement as to the amount of over-all reductions in expenditure to be aimed at. The House and Senate are also at odds concerning the question whether debt reduction should take priority over tax reduction. The Senate has already allocated $2,600,000,000 of the expected 1948 surplus to tax reduction. Since enactment of the Knutson bill would result in an estimated revenue loss of $3,800,000,000 during the next fiscal year, the possibility of combining these two objectives seems remote. Moreover, the Knutson bill makes the proposed tax reductions retroactive to January 1, 1946, thereby taking a substantial slice out of the revenues of the current fiscal year. Probably the result would be to dash the hopes recently voiced by Secretary Snyder of achieving a balanced budget for the fiscal year 1947.

We had supposed that the Republicans were even more eager to balance the budget than to provide tax relief. At any rate, promises of tax reduction have always been predicated on a balancing of the budget. Yet Speaker MARTIN has indorsed the Knutson bill in toto and is urging its passage as evidence that the party is keeping faith with the American people.

We trust that the Senate will be less rash and take cognizance of Representative DOUGHTON'S warning that "we very easily could get into the red" if Congress votes for tax reductions without adequate knowledge of expenditure requirements. There is a good chance that the Senate will at least insist on dropping the retroactive feature of the Knutson bill. And it is to be hoped that it will delay final action on the rest of the tax-reduction program until more information is available concerning the Government's future commitments. By making tax reduction a partisan issue the Republicans have been tempted to act precipitately and have forfeited an opportunity to present the people with a balanced, well-timed system of tax relief that would have earned them the thanks of all the people.

Mr. KNUTSON. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, it is unnecessary for me to say that we are here to consider H. R. 1, a tax reduction bill. I realize that it comes as a shock to my New Deal friends on my right, because for the last 14 years they have been accustomed to bringing in, in a great majority of cases of 17 total tax bills, bills to raise revenue. Apparently, it has become a habit to spend and tax and spend.

My background is a little different, of course, than some of those who are here. I came here as a young Congressman nearly 30 years ago, just after the First World War. I remember very vividly the conditions that prevailed in this country at that time. In the first place, the labor situation was quite desperate. It was estimated at that time that some six or seven million people were idle. There was no smoke coming out of the chimneys of the factories of this country. My town is a small town. The men in it were idle. Not only that, but soup kitchens were being erected to take care of the people. An election came along,

much like the one we had in November. The people realized that we had been on a great spending spree during the war. They realized also that except for that war, the First World War, things were bogging down completely before the war came along to open up the factories to manufacture war materials. They made up their minds it was time for a change and they made a change.

There were some very able men in the Wilson administration. I do not think anyone will question the ability of Secretary Carter Glass or Mr. Houston, and certainly they would not question the ability of Mr. Coolidge. Those men were recommending, as a postwar proposition, a terrific retrenchment in governmental expenditures. I remember the loud howl that went up as a result of it, but the Republicans cut to the bone. It was a tough job. They thought we were going to ruin the country because we were cutting so deep. They said we would not be able to pay anything on the national debt, that we would retrench so much it would ruin the country. I remember it very well and there are a few men here today who will remember the opposition of the Democrats to the program of tax reduction. But after the retrenchment and during the retrenchment, when the new Congress came into power, taxes were reduced. They were reduced moderately, as they are in this bill. The stimulation to business enterprises was almost instantaneous. Almost overnight the factories started to open. Furnaces that had been dead were again supplied with coal, and it was not long before you saw idle men starting back to the factories. I am telling you they were a happy lot. There was one tax reduction and that was the effect of it. The revenue increased, for some reason or other, and it increased to a very marked degree. That was in 1921. And, much to the surprise of everybody, the budget was balanced in 1921. Then they reduced taxes again. The reduction in 1921 was for 1922 and 1923. Then another bill came along reducing taxes in 1924. Of course, they were not paying taxes currently then, and they reduced the taxes by 25 percent, applicable to 1923. Still the revenues increased. It became possible to pay a billion dollars on the national debt as a result of increased revenue from lowering the taxes, not only a billion dollars one year but it kept up every year over a period of 10 years. That was not all. Industry increased, labor's wages increased, farmers who had been bankrupt down in the Southwest came to Washington to thank the President of the United States for what he had done for the farmers. That was true of four governors from the deep South. They were not worried about tax reduction, not at all; they were getting all the benefits of tax reduction. The tax was reduced four times, again in 1926 and again in 1928. Still the revenue increased. And every year from 1921, of course, the budget was balanced and there was a surplus for debt reduction.

And you recall that we had the program of building the hospitals for the soldiers of World War I, and we carried on housing projects without the Government interfering with it, and we built units enough to take care of everybody. We did not have any of these controls that create scarcity of materials, not at all.

We have now come down to the question following this war after having the experience of lowering the taxes and paying a billion dollars a year on the national debt for 10 years, reducing the national debt from $20,000,000,000 to $10,000,000,000——

Mr. CLARK. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. In just a moment. I wish to proceed. I will yield a little later, but I have very little time.

Times were splendid in this country. There never were 10 years in which this country enjoyed such wonderful prosperity as we enjoyed then, with wages up, not down. The people have again registered their will that the Republicans take over in the hour of the Republic's peril. I realize that our background as a party is considerably different than the one on the other side. The Republican Party can never be charged with having overlooked the necessity of protecting this Republic. The Republican has never been a party of slavery and it is not going to be a party of tax slavery. Physical slavery is one thing, but tax slavery can become almost as bad. We had to carry on a great fight, a deplorable fight in order that millions might not be enslaved. We must now see to it that we are not enslaved by a tax system that is crushing to hope or incentive. The tax load during the present war has become unbearable. Men are not going to have any initiative to go into enterprise if 85 cents out of every dollar they earn is taken from them by the Government.

Mr. LYNCH. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. In just a few minutes.

Many a GI has already tried to start in business but he has found it useless under present conditions. Let me illustrate my statement that these high taxes are sapping initiative. A man earning $12,000 a year pays almost 50 cents out of every dollar to the Government. He really does not have any initiative to earn any more because if he gets up in the high figures paid managerial experts who are responsible for creating pay rolls, taxes will take 75 cents out of every dollar he earns.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield at that point?

Mr. REED of New York. I yield, but I would rather not.

Mr. KNUTSON. It might be well to call attention to the fact that over half of the States have income-tax laws of their own.

Mr. LYNCH. Mr. Chairman, will the gentleman yield to me now?

Mr. REED of New York. Yes; I will yield.

Mr. LYNCH. The gentleman has described the glorious days from 1920 to 1928 but forgot to go on. I wonder if he would describe 1929, 1930, and 1931?

Mr. REED of New York. Yes; I will be very glad to mention them. It is a fact that there was a world-wide depression at that time. I do remember that it became necessary for Mr. Hoover to borrow $2,000,000,000, and it was all in recoverable loans, and every dollar of it was recovered under the New Deal; but every dollar of it was spent by the New Deal and never applied to the discharge of those debts. You boondoggled it away. That is the way you have operated all the time.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. No; I cannot at this time.

Mr. DINGELL. They did not recover the Dawes millions. Those were stinking dollars, too.

Mr. REED of New York. They restored all of the banks to solvency.

Speaking on the question of incentive to go into business, I received a letter which I will put in the RECORD. It comes from a Democratic city; it comes from the State of New York; it comes from the member of a prominent firm. This gentleman states:

DEAR SIR: Let an old line, anti-New Deal Democrat, who never voted for Roosevelt on any of the four occasions when he ran for President, tell you how the present income-tax dispensation works out in his particular case, resulting in diminishing returns for the Government:

1. Weary of working largely to turn my earnings over to the collector, my firm's partnership articles have been amended, effective January 1 of last year, so as to cut in two my share of the firm's net profits, the other one-half thereof being apportioned, by way of bonus, among those employees whose income-tax brackets are lower than mine.

2. When asked some time ago in a questionnaire put out by the magazine Fortune as to whether I would work 2 or 3 hours per day longer if it would result in doubling my income, the answer was emphatically in the negative, on the ground that any such increase would go mainly to the tax collector.

3. As a voting trustee of stock in a corporation which operates at a loss, I have declined to accept remuneration, and am rendering my services free of charge, since a large percentage of such compensation, if paid to me, would be diverted to the Public Treasury from the corporation which has no taxable net income.

4. For the same reason, I function biennially without compensation as a member of an examining committee of a tax-exempt corporation.

5. Before last year's first break in the bull market, I could have realized a profit of some $44,000 on securities purchased in the past few years, but as $11,000 would have gone to the collector under the guise of an income tax on capital gains, I will hold the securities until they go below the prices which I paid for them before submitting to any such extortionate tax.

6. This week I shall be in receipt of a quite substantial sum upon the retirement of preferred stock of Electric Bond & Share, with an inevitable capital-gains tax to pay next year on the transaction. The problem of what to do with the proceeds of the retirement I am solving by leaving the same on deposit in my bank account where my bank will probably loan it out at seven-eighths of 1 percent. Certainly there is no incentive for me to try to invest the proceeds in other securities yielding the current low return, and whatever small income may accrue to me from reinvestment would be to a great extent handed over to the tax collector. So, what's the use?

Perhaps a revenue-minded tax court, circuit court of appeals, and Supreme Court will hold me to a tax on what might have

been payable to me under items 3 and 4 (above), on the theory that the power to command income creates a tax liability (*Harrison* v. *Schaffner*, 312 U. S. 579, 582).

Or on the ground that the dominant purpose of the income tax is "the taxation of income to those who earn or otherwise create the right to receive it and enjoy the benefit of it when paid" (*Helvering* v. *Horst*, 311 U. S. 112, 119; *Com'r* v. *Tower*, 327 U. S. 280, 283).

Such being my situation, it is likely that there are many others similarly situated who, but for the existing tax rates, would be disposed to invest their funds and direct their business activities in such a way as to contribute toward the increased production which the country's economic well-being so sorely needs.

Do not stop to reply to this letter.

Yours truly.

Of course, I have removed his name. I shall write to him, however, even though he does not ask me to do so. The last speaker was worrying much about this question of reducing expenditures and complaining about the ceiling that has been fixed. I am not going into that in great detail, but let me say that I hold in my hand print No. 2 of the Postwar Economic Policy and Planning Committee, under House Resolution 60. There are some very eminent citizens on this committee, including Members of the House. I certainly have great respect for all of them: Mr. Cooper, Mr. Walter, Mr. Zimmerman, Mr. Voorhis of California, Mr. Murdock, Mr. Lynch, Mr. O'Brien of Illinois, Mr. Fogarty, Mr. Worley, Mr. Gifford, Mr. Reece of Tennessee, Mr. Welch, Mr. Wolverton, Mr. Hope of Kansas, Mr. Wolcott, Mr. LeFevre, and Mr. Simpson of Illinois.

Then, they had some of the very ablest economists, a large number of them: Mr. Marion B. Folsom, director of staff; Henry B. Arthur, economist; and A. D. H. Kaplan, economist. Mr. William Y. Elliott, Mr. Edwin B. George, Mr. Robinson Newcomb, Mr. Theodore W. Schultz, Mr. Vergil D. Reed, Mr. C. A. Sienkiewicz, Mr. Lloyd A. Metzler, Mr. Robert J. Landry, all consultants.

I find in here some very interesting material where that committee recommends the retrenchment of expenditures down to $30,000,000,000, and payment on the public debt and the reduction of taxes. Now, that committee, I thought, was worthy of following. I studied these reports from end to end because of the high character of the men on here and the economists which they had, and I knew that there were no more able men in the House than these men, and that they were selected for their ability and high character.

Mr. WORLEY. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Texas.

Mr. WORLEY. I believe, if the gentleman will read that report carefully, he will find that the committee recommended that the budget be balanced before any tax reduction was made.

Mr. REED of New York. I do not have the time to read it here on the floor for the RECORD but I will ask unanimous consent when we are in the House, as part of my remarks, to insert the material to which I have referred.

Be it enacted, etc., that this act may be cited as the "Individual Income Tax Reduction Act of 1947."

SEC. 2. Reduction in Normal Tax and Surtax on Individuals.

(a) Reduction in normal tax on individuals: Section 11 of the Internal Revenue Code (relating to the normal tax on individuals) is hereby amended by striking out "5 percent" and inserting in lieu thereof "24 percent", and by adding at the end of such section a new sentence to read as follows: "If aggregate of tentative normal tax and tentative surtax is not more than $279.17, see section 12 (i), and if more than $250,000, see section 12 (g)."

(b) Reduction in surtax on individuals: Section 12 (b) of the Internal Revenue Code (relating to the rate of surtax on individuals) is hereby amended by striking out "5 percent" and inserting in lieu thereof "24 percent."

Section 2 (a), (b), Internal Revenue Code 11; Internal Revenue Code 12 (b): The Revenue Act of 1945 granted a 5-percent reduction. The further reduction of 20 percent granted by the bill, applied to the tax now in effect, makes the aggregate deduction 24 percent. Five percent plus 20 percent multiplied by 95 percent equals 24 percent.

(c) Tentative tax more than $250,000: Section 12 (g) of the Internal Revenue Code (relating to tax on large incomes) is hereby amended to read as follows:

"(g) Tentative tax more than $250,000: If the aggregate of the tentative normal tax under section 11 and the tentative surtax under subsection (b) of this section is more than $250,000, the combined normal tax and surtax shall not be less than such aggregate reduced by the sum of (1) 24 percent of the first $250,000 thereof plus (2) 15 percent of the amount thereof in excess of $250,000, but in no event shall the combined normal tax and surtax exceed 76½ percent of the net income of the taxpayer for the taxable year. In the application of this subsection, the combined normal tax and surtax shall be computed without regard to the credits provided in sections 31, 32, and 35."

Section 2 (c), Internal Revenue Code 12 (g): Two hundred and fifty thousand dollars is the existing tax on a net income (after credits) of $302,395.61. The 15 percent reduction includes the 5 percent reduction granted under the Revenue Act of 1945 and the 10.526 percent reduction under the bill. Five percent plus 10.526 percent multiplied by 95 percent equals 15 percent.

The lower percentage of reduction allowed where the tax is $250,000 or more prevents the tax burden under the bill from falling below what it was in the prewar period 1936–39.

The existing tax burden is limited to 85½ percent of the net income. The bill reduces this limit to 76½ percent. This 76½ percent is arrived at by reducing the existing 85½ percent by the same percentage thereof—10.526 percent plus—as is applied in reduction of the existing tax in these high income brackets—$302,395.61 and above.

The credits provided in sections 31, 32, and 35 of the Internal Revenue Code are, respectively, for: Foreign taxes; taxes withheld at the source—on tax-free covenant bond interest and on payments to nonresident aliens; and taxes withheld at the source on wages.

(d) Tentative tax not more than $279.17: Section 12 of the Internal Revenue Code is hereby amended by adding at the end thereof a new subsection to read as follows:

"(i) Tentative tax not more than $279.17:

"(1) If the aggregate of the tentative normal tax under section 11 and the tentative surtax under subsection (b) of this section is not more than $200, the combined normal tax and surtax shall not be greater than such aggregate reduced by 33⅓ percent thereof.

"(2) If the aggregate of the tentative normal tax under section 11 and the tentative surtax under subsection (b) of this section is more than $200 but not more than $279.17, the combined normal tax and the surtax shall not be greater than such aggregate reduced by $67.

"(3) In the application of this subsection, the combined normal tax and surtax shall be computed without regard to the credits provided in sections 31, 32, and 35."

Section 2 (d), Internal Revenue Code 12 (i): Thirty-three and one-third percent is the sum of 5 percent—the reduction already in effect—and 28½ percent—the 30-percent reduction under the bill applied to the existing basis of 95 percent.

Two hundred dollars is the tax on a net income of $1,000—after credits—before either the previous 5 percent reduction or the reduction under the bill.

Two hundred seventy-nine dollars and seventeen cents is the amount of which 24 percent is $67. This $67 is 33⅓ percent of $200—the tax on $1,000 before any reduction.

A reduction of 24 percent based on $279.17 amounts to $67. Since $279.17 is the tax—before any reduction—on $1,395.85, the effect of Internal Revenue Code 12 (i) (2), proposed to be added by section 2 (d) of the bill, is to give a net income of that amount the same reduction as a net of $1,000. Otherwise, the reduction for net incomes between $1,000 and $1,395.85—the exact figure is $1,395.83⅓—would be less than the reduction for net income of $1,000.

(e) Taxable years to which applicable: The amendments made by this section shall be applicable to taxable years beginning after December 31, 1946. For treatment of taxable years beginning in 1946 and ending in 1947, see section 6.

Section 2 (e): The effect of this subsection and of section 6 is to make the reductions under the bill effective January 1, 1947. If that date falls within a taxable year—it would rarely do so because there are only a very few individuals on a fiscal-year basis—the tax under the bill is the sum of proportionate parts of tax under existing law and the tax under the bill. The apportionment is on the basis of the number of days of the taxable year which are governed by the old law and the number which will be governed by the new.

SEC. 3. Individuals With Adjusted Gross Incomes of Less Than $5,000.

(a) In general: The tax table in section 400 of the Internal Revenue Code (relating to optional tax on individuals with adjusted gross incomes of less than $5,000) is hereby amended to read as follows:

"Individuals with adjusted gross income of less than $5,000—

If adjusted gross income is—		And the number of exemptions is—					If adjusted gross income is—		And the number of exemptions is—								
At least	But less than	1	2	3	4	5 or more	At least	But less than	1	2	3	4	5	6	7	8	9 or more
		The tax shall be—							The tax shall be—								
$0	$550	$0	$0	$0	$0	$0	$2,275	$2,300	$237	$145	$74	$8	$0	$0	$0	$0	$0
550	575	1	0	0	0	0	2,300	2,325	240	149	77	11	0	0	0	0	0
575	600	4	0	0	0	0	2,325	2,350	244	154	80	14	0	0	0	0	0
600	625	7	0	0	0	0	2,350	2,375	247	158	83	17	0	0	0	0	0
625	650	10	0	0	0	0	2,375	2,400	251	163	86	20	0	0	0	0	0
650	675	13	0	0	0	0	2,400	2,425	254	167	89	23	0	0	0	0	0
675	700	16	0	0	0	0	2,425	2,450	257	172	92	26	0	0	0	0	0
700	725	19	0	0	0	0	2,450	2,475	261	176	95	29	0	0	0	0	0
725	750	22	0	0	0	0	2,475	2,500	264	181	98	32	0	0	0	0	0
750	775	25	0	0	0	0	2,500	2,525	268	185	101	35	0	0	0	0	0
775	800	28	0	0	0	0	2,525	2,550	271	190	104	38	0	0	0	0	0
800	825	31	0	0	0	0	2,550	2,575	275	194	107	41	0	0	0	0	0
825	850	34	0	0	0	0	2,575	2,600	278	199	110	44	0	0	0	0	0
850	875	37	0	0	0	0	2,600	2,625	281	203	113	47	0	0	0	0	0
875	900	40	0	0	0	0	2,625	2,650	285	208	116	50	0	0	0	0	0
900	925	43	0	0	0	0	2,650	2,675	288	212	119	53	0	0	0	0	0
925	950	46	0	0	0	0	2,675	2,700	292	216	122	56	0	0	0	0	0
950	975	49	0	0	0	0	2,700	2,725	295	219	125	59	0	0	0	0	0
975	1,000	52	0	0	0	0	2,725	2,750	298	222	128	62	0	0	0	0	0
1,000	1,025	55	0	0	0	0	2,750	2,775	302	226	131	65	0	0	0	0	0
1,025	1,050	58	0	0	0	0	2,775	2,800	305	229	135	68	1	0	0	0	0
1,050	1,075	61	0	0	0	0	2,800	2,825	309	233	139	71	4	0	0	0	0
1,075	1,100	64	0	0	0	0	2,825	2,850	313	236	144	74	7	0	0	0	0
1,100	1,125	67	0	0	0	0	2,850	2,875	317	240	148	77	10	0	0	0	0
1,125	1,150	70	3	0	0	0	2,875	2,900	321	243	153	80	13	0	0	0	0
1,150	1,175	73	6	0	0	0	2,900	2,925	324	246	157	83	16	0	0	0	0
1,175	1,200	76	9	0	0	0	2,925	2,950	328	250	162	86	19	0	0	0	0
1,200	1,225	79	12	0	0	0	2,950	2,975	332	253	166	89	22	0	0	0	0
1,225	1,250	82	15	0	0	0	2,975	3,000	336	257	171	92	25	0	0	0	0
1,250	1,275	85	18	0	0	0	3,000	3,050	341	262	178	96	30	0	0	0	0
1,275	1,300	88	21	0	0	0	3,050	3,100	349	269	187	102	36	0	0	0	0
1,300	1,325	91	24	0	0	0	3,100	3,150	356	276	196	108	42	0	0	0	0
1,325	1,350	94	27	0	0	0	3,150	3,200	364	282	205	114	48	0	0	0	0
1,350	1,375	97	30	0	0	0	3,200	3,250	371	289	213	120	54	0	0	0	0
1,375	1,400	100	33	0	0	0	3,250	3,300	379	296	220	126	60	0	0	0	0
1,400	1,425	103	36	0	0	0	3,300	3,350	386	303	227	132	66	0	0	0	0
1,425	1,450	106	39	0	0	0	3,350	3,400	394	310	234	141	71	5	0	0	0
1,450	1,475	109	42	0	0	0	3,400	3,450	401	318	241	150	77	11	0	0	0
1,475	1,500	112	45	0	0	0	3,450	3,500	409	325	247	159	83	17	0	0	0
1,500	1,525	115	48	0	0	0	3,500	3,550	416	333	254	168	89	23	0	0	0
1,525	1,550	118	51	0	0	0	3,550	3,600	424	340	261	177	95	29	0	0	0
1,550	1,575	121	54	0	0	0	3,600	3,650	431	348	268	186	101	35	0	0	0
1,575	1,600	124	57	0	0	0	3,650	3,700	439	355	275	195	107	41	0	0	0
1,600	1,625	127	60	0	0	0	3,700	3,750	447	363	282	204	113	47	0	0	0
1,625	1,650	130	63	0	0	0	3,750	3,800	454	370	288	212	119	53	0	0	0
1,650	1,675	133	66	0	0	0	3,800	3,850	462	378	295	219	125	59	0	0	0
1,675	1,700	137	69	2	0	0	3,850	3,900	469	386	302	226	131	65	0	0	0
1,700	1,725	141	72	5	0	0	3,900	3,950	477	393	309	233	140	71	4	0	0
1,725	1,750	146	75	8	0	0	3,950	4,000	484	401	317	240	149	77	10	0	0
1,750	1,775	150	78	11	0	0	4,000	4,050	492	408	324	247	158	83	16	0	0
1,775	1,800	155	81	14	0	0	4,050	4,100	499	416	332	253	167	89	22	0	0
1,800	1,825	159	84	17	0	0	4,100	4,150	507	423	340	260	176	95	28	0	0
1,825	1,850	164	87	20	0	0	4,150	4,200	514	431	347	267	185	101	34	0	0
1,850	1,875	168	90	23	0	0	4,200	4,250	522	438	355	274	194	107	40	0	0
1,875	1,900	173	93	26	0	0	4,250	4,300	529	446	362	281	203	113	46	0	0
1,900	1,925	177	96	29	0	0	4,300	4,350	537	453	370	288	212	119	52	0	0
1,925	1,950	182	99	32	0	0	4,350	4,400	544	461	377	295	219	125	58	0	0
1,950	1,975	186	102	35	0	0	4,400	4,450	552	468	385	301	225	131	64	0	0
1,975	2,000	191	105	38	0	0	4,450	4,500	559	476	392	309	232	139	70	4	0
2,000	2,025	195	108	41	0	0	4,500	4,550	567	483	400	316	239	148	76	10	0
2,025	2,050	200	111	44	0	0	4,550	4,600	574	491	407	324	246	157	82	16	0
2,050	2,075	204	114	47	0	0	4,600	4,650	582	498	415	331	253	166	88	22	0
2,075	2,100	209	117	50	0	0	4,650	4,700	589	506	422	339	260	175	94	28	0
2,100	2,125	213	120	53	0	0	4,700	4,750	597	513	430	346	266	184	100	34	0
2,125	2,150	216	123	56	0	0	4,750	4,800	605	521	437	354	273	193	106	40	0
2,150	2,175	220	126	59	0	0	4,800	4,850	612	528	445	361	280	202	112	46	0
2,175	2,200	223	129	62	0	0	4,850	4,900	620	536	452	369	287	211	118	52	0
2,200	2,225	227	132	65	0	0	4,900	4,950	627	544	460	376	294	218	124	58	0
2,225	2,250	230	136	68	2	0	4,950	5,000	635	551	467	384	301	225	130	64	0"
2,250	2,275	234	140	71	5	0											

(b) Taxable years to which applicable: The amendment made by this section shall be applicable with respect to taxable years beginning after December 31, 1946. For treatment of taxable years beginning in 1946 and ending in 1947, see section 6.

Section 3: Adjusted gross income is gross income minus business deductions and losses from the sale or exchange of property.

Section 400 of the Code contains a table which sets forth the tax payable on specified adjusted gross incomes of less than $5,000. The number of adjusted gross-income brackets so specified is 139. Below $3,000 the range in each bracket is $25; for $3,000 and above, the range is $50.

The amounts of tax shown in the table have been computed on the basis of the standard deduction—10 percent—of the mean adjusted gross income in the bracket. The table obviates the need for itemizing deductions—that is to say, it provides a short form of return for the taxpayer. Its use is optional with the taxpayer.

The new table is to be effective January 1, 1947, and the same provision is made for fiscal-year taxpayers using the short form of return as for those who compute their tax on the basis of itemized deductions.

SEC. 4. Additional Credit Against Net Income for Normal Tax and Surtax

(a) Exemption for age: Section 25 (b) (1) of the Internal Revenue Code (relating to credits against net income for normal tax and surtax) is hereby amended by striking out the period at the end of subparagraph (C) and inserting in lieu thereof a semicolon and by adding after subparagraph (C) a new subparagraph, to read as follows:

"(D) If the taxpayer has attained the age of 65—

"(i) an additional exemption of $500;

"(ii) in the case of a joint return by husband and wife under section 51, an exemption, in lieu of the exemption provided in clause (i) of this subparagraph, of $500 for each spouse who has attained the age of 65, and whose gross income (computed without regard to section 22 (o)) for the taxable year is $500 or more;

"(iii) for limitation on exclusion from gross income of retirement pay, etc., see section 22 (o)."

Section 4 (a), Internal Revenue Code 25 (b) (1) (D): This provision allows a new credit against net income for normal tax and surtax purposes. This credit will be allowed only to individuals at least 65

years of age on the last day of their taxable year. In the case of a joint return, the credit will be allowed to each spouse who is 65 years old or more and whose gross income—without regard to certain exclusions—is $500 or more.

To prevent aggravation of the existing discrimination, for Federal income-tax purposes, in favor of certain pensions, annuities, retirement pay, old-age and survivors' benefits, and similar payments excluded from gross income, this new exemption will offset such excluded payments—with certain stated exceptions—to the extent of its amount, $500.

(b) Determination of age: Section 25 (b) (2) of the Internal Revenue Code is hereby amended by adding at the end thereof a new sentence to read as follows: "For the purposes of paragraph (1) (D) the determination of the age of an individual shall be made as of the last day of the taxable year."

Section 4 (b), Internal Revenue Code 25 (b) (2): Internal Revenue Code 25 (b) (1) (D), referred to here, is the new provision for the additional $500 exemption for individuals 65 years of age or over.

(c) Limitation on exclusion from gross income of retirement pay, etc.: Section 22 of the Internal Revenue Code (relating to gross income) is hereby amended by adding at the end thereof a new subsection to read as follows:

"(o) Retirement pay, etc., of individuals 65 or over: If an individual entitled to the exemption provided in section 25 (b) (1) (D) (relating to individuals who have attained the age of 65) receives during the taxable year any amount (other than a lump-sum benefit) as pension, annuity, retirement pay, old-age or survivors' benefit, or similar payment, with respect to services rendered by him or another person, and the whole of such amount would, but for this subsection, be excluded from gross income, then only the excess over $500 of the aggregate of such amounts shall be excluded from gross income, despite any provisions of this title or of any other law. This subsection shall not require the inclusion of any such amount as gross income unless the gross income, computed without regard to this subsection, is $500 or more. This subsection shall not apply—

"(1) to amounts excluded from gross income under section 22 (b) (5); except that this subsection shall apply to amounts received as a pension, annuity, or similar allowance for personal injuries or sickness resulting from active service in the armed forces of any country, unless such amounts are also excluded from gross income by a provision of law other than section 22 (b) (5); or

"(2) to amounts excluded from gross income under section 3 of the act entitled 'An act to safeguard the estates of veterans derived from payments of pension, compensation, emergency officers' retirement pay and insurance, and for other purposes,' approved August 12, 1935, as amended (U. S. C., 1940 ed., title 38, sec. 454a); or

"(3) to amounts excluded from gross income under section 3 of the act entitled 'An act to establish in the War Department and in the Navy Department, respectively, a roll, designated as "the Army and Navy medal of honor roll," and for other purposes,' approved April 27, 1916, as amended (U. S. C., 1940 ed., title 38, sec. 393)."

Section 4 (c), Internal Revenue Code 22 (o): This provision requires that pensions, annuities, retirement pay, old-age or survivors' benefits, and similar payments, now wholly excluded from gross income, be included in the gross income of an individual entitled to the new exemption of $500, to an amount not in excess of $500 in the aggregate. The effect of the provision is to offset the new exemption by the existing exclusion, the maximum offset to be $500.

To prevent the inclusion of amounts now excluded from operating to require the filing of a return where none is now required, no such inclusion will be required unless the gross income is otherwise $500 or more.

But there are certain payments now excluded from gross income which will not be affected by the new limitation on excludibility. These payments are of three kinds: First, pensions, annuities, and similar allowances for disability incurred in the active armed service of any country, unless such allowances are excluded by some provision other than Internal Revenue Code 22 (b) (5); second, payments to or for the account of a beneficiary under any act relating to veterans—excluded by section 3 of the act of August 12, 1935; and third, payments to persons on the Army and Navy medal of honor roll—excluded by section 3 of the act of April 27, 1916.

(d) Technical amendment: section 22 (b) (5) of the Internal Revenue Code (relating to exclusion from gross income of compensation for injuries or sickness) is hereby amended by striking out "and amounts" and inserting in lieu thereof: "and (except as provided in subsection (o) in the case of individuals 65 or over) amounts."

Section 4 (d) Internal Revenue Code 22 (b) (5): This provision qualifies the exclusion of armed service disability payments under Internal Revenue Code 22 (b) (5) in accordance with the new subsection (o), added to Internal Revenue Code 22 by section 4 (c) of the bill.

(e) Taxable years to which applicable: The amendments made by this section shall be applicable to taxable years beginning after December 31, 1946. For treatment of taxable years beginning in 1946 and ending in 1947, see section 6.

Section 4 (e): This provision makes the new exemption effective January 1, 1947, and provides for its proration in the case of a taxable year beginning in 1946 and ending in 1947.

SEC. 5. Reduction in Withholding of Tax at Source on Wages.

(a) Percentage method: Section 1622 (a) and section 1622 (b) (1) of the Internal Revenue Code (relating to percentage method of withholding) are hereby amended to read as follows:

"(a) Requirement of withholding: Every employer making payment of wages shall deduct and withhold upon such wages a tax equal to the sum of the following:

"(1) 12 percent of whichever of the following is the lesser:

"(A) the amount by which the wages exceed the number of withholding exemptions claimed, multiplied by the amount of one such exemption as shown in the table in subsection (b) (1); or

"(B) the amount shown in the second column in the table in subsection (b) (1);

"(2) 18 percent of whichever of the following is the lesser:

"(A) the amount by which the wages exceed the sum of—

"(i) the number of withholding exemptions claimed, multiplied by the amount of one such exemption as shown in the table in subsection (b) (1); plus

"(ii) the amount shown in the second column in the table in subsection (b) (1); or

"(B) the amount shown in the third column in the table in subsection (b) (1);

"(3) 14 percent of whichever of the following is the lesser:

"(A) the amount by which the wages exceed the sum of—

"(i) the number of withholding exemptions claimed, multiplied by the amount of one such exemption as shown in the table in subsection (b) (1); plus

"(ii) the sum of the amounts shown in the second and third columns in the table in subsection (b) (1); or

"(B) the amount shown in the last column in the table in subsection (b) (1);

"(4) 15 percent of the amount by which the wages exceed the sum of—

"(A) the number of withholding exemptions claimed, multiplied by the amount of one such exemption as shown in the table in subsection (b) (1); plus

"(B) the sum of the amounts shown in the second, third, and last columns in the table in subsection (b) (1).

"(b) (1) The table referred to in subsection (a) is as follows:

"Percentage method withholding table

"Pay-roll period	Amount of one withholding exemption	Maximum amount subject to 12 percent rate	Maximum amount subject to 18 percent rate	Maximum amount subject to 14 percent rate
Weekly	$11.00	$21.00	$9.00	$13.00
Biweekly	22.00	43.00	17.00	25.00
Semimonthly	23.00	46.00	19.00	28.00
Monthly	46.00	93.00	36.00	56.00
Quarterly	139.00	278.00	110.00	168.00
Semiannual	278.00	556.00	219.00	336.00
Annual	556.00	1,111.00	440.00	671.00
Daily or miscellaneous (per day of such period)	1.50	3.00	1.00	2.00"

Section 5 (a), Internal Revenue Code 1622 (a), (b) (1): This provision amends the existing percentage withholding rates to conform to the reduced tax payable under the bill.

NOTE.—The matter in line 19 and following, on page 22 of the bill, should follow line 14.

(b) Wage bracket withholding: The tables contained in section 1622 (c) (1) of the Internal Revenue Code (relating to wage bracket withholding) are hereby amended to read as follows:

"If the pay-roll period with respect to an employee is weekly—

And the wages are—		And the number of withholding exemptions claimed is—										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$0	$11	12% of wages	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
$11	$12	$1.40	.10	0	0	0	0	0	0	0	0	0
$12	$13	1.50	.20	0	0	0	0	0	0	0	0	0
$13	$14	1.60	.30	0	0	0	0	0	0	0	0	0
$14	$15	1.70	.50	0	0	0	0	0	0	0	0	0
$15	$16	1.90	.60	0	0	0	0	0	0	0	0	0
$16	$17	2.00	.70	0	0	0	0	0	0	0	0	0
$17	$18	2.10	.80	0	0	0	0	0	0	0	0	0
$18	$19	2.20	.90	0	0	0	0	0	0	0	0	0
$19	$20	2.30	1.10	0	0	0	0	0	0	0	0	0
$20	$21	2.50	1.20	0	0	0	0	0	0	0	0	0
$21	$22	2.60	1.30	0	0	0	0	0	0	0	0	0
$22	$23	2.80	1.40	.10	0	0	0	0	0	0	0	0
$23	$24	2.90	1.50	.30	0	0	0	0	0	0	0	0
$24	$25	3.10	1.70	.40	0	0	0	0	0	0	0	0
$25	$26	3.30	1.80	.50	0	0	0	0	0	0	0	0
$26	$27	3.50	1.90	.60	0	0	0	0	0	0	0	0
$27	$28	3.70	2.00	.70	0	0	0	0	0	0	0	0
$28	$29	3.80	2.10	.90	0	0	0	0	0	0	0	0
$29	$30	4.00	2.30	1.00	0	0	0	0	0	0	0	0
$30	$31	4.20	2.40	1.10	0	0	0	0	0	0	0	0
$31	$32	4.30	2.50	1.20	0	0	0	0	0	0	0	0
$32	$33	4.40	2.60	1.30	.10	0	0	0	0	0	0	0
$33	$34	4.60	2.80	1.50	.20	0	0	0	0	0	0	0
$34	$35	4.70	3.00	1.60	.30	0	0	0	0	0	0	0
$35	$36	4.90	3.20	1.70	.40	0	0	0	0	0	0	0
$36	$37	5.00	3.40	1.80	.50	0	0	0	0	0	0	0
$37	$38	5.10	3.50	1.90	.70	0	0	0	0	0	0	0
$38	$39	5.30	3.70	2.10	.80	0	0	0	0	0	0	0
$39	$40	5.40	3.90	2.20	.90	0	0	0	0	0	0	0
$40	$41	5.50	4.10	2.30	1.00	0	0	0	0	0	0	0
$41	$42	5.70	4.20	2.40	1.10	0	0	0	0	0	0	0
$42	$43	5.80	4.40	2.50	1.30	0	0	0	0	0	0	0
$43	$44	6.00	4.50	2.70	1.40	.10	0	0	0	0	0	0
$44	$45	6.10	4.00	2.90	1.50	.20	0	0	0	0	0	0
$45	$46	6.30	4.80	3.10	1.60	.30	0	0	0	0	0	0
$46	$47	6.40	4.90	3.20	1.70	.50	0	0	0	0	0	0
$47	$48	6.60	5.00	3.40	1.80	.60	0	0	0	0	0	0
$48	$49	6.70	5.20	3.60	2.00	.70	0	0	0	0	0	0
$49	$50	6.90	5.30	3.80	2.10	.80	0	0	0	0	0	0
$50	$51	7.00	5.40	4.00	2.20	.90	0	0	0	0	0	0
$51	$52	7.20	5.60	4.10	2.30	1.00	0	0	0	0	0	0
$52	$53	7.30	5.70	4.30	2.40	1.20	0	0	0	0	0	0
$53	$54	7.50	5.90	4.40	2.60	1.30	0	0	0	0	0	0
$54	$55	7.60	6.00	4.50	2.80	1.40	.10	0	0	0	0	0
$55	$56	7.80	6.20	4.70	2.90	1.50	.20	0	0	0	0	0
$56	$57	7.90	6.30	4.80	3.10	1.60	.40	0	0	0	0	0
$57	$58	8.10	6.50	4.90	3.30	1.80	.50	0	0	0	0	0
$58	$59	8.20	6.60	5.10	3.50	1.90	.60	0	0	0	0	0
$59	$60	8.40	6.80	5.20	3.70	2.00	.70	0	0	0	0	0
$60	$62	8.60	7.00	5.40	3.90	2.20	.90	0	0	0	0	0
$62	$64	8.90	7.30	5.70	4.20	2.40	1.10	0	0	0	0	0
$64	$66	9.20	7.60	6.00	4.50	2.70	1.40	.10	0	0	0	0
$66	$68	9.50	7.90	6.30	4.80	3.10	1.60	.30	0	0	0	0
$68	$70	9.80	8.20	6.60	5.10	3.40	1.90	.60	0	0	0	0
$70	$72	10.10	8.50	6.90	5.30	3.80	2.10	.80	0	0	0	0
$72	$74	10.40	8.80	7.20	5.60	4.10	2.30	1.10	0	0	0	0
$74	$76	10.70	9.10	7.50	5.90	4.40	2.60	1.30	0	0	0	0
$76	$78	11.00	9.40	7.80	6.20	4.70	3.00	1.50	.30	0	0	0
$78	$80	11.30	9.70	8.10	6.50	5.00	3.30	1.80	.50	0	0	0
$80	$82	11.60	10.00	8.40	6.80	5.20	3.70	2.00	.70	0	0	0
$82	$84	11.90	10.30	8.70	7.10	5.50	4.00	2.30	1.00	0	0	0
$84	$86	12.20	10.60	9.00	7.40	5.80	4.30	2.50	1.20	0	0	0
$86	$88	12.50	10.90	9.30	7.70	6.10	4.60	2.80	1.50	.20	0	0
$88	$90	12.80	11.20	9.60	8.00	6.40	4.90	3.20	1.70	.40	0	0
$90	$92	13.10	11.50	9.90	8.30	6.70	5.10	3.60	1.90	.70	0	0
$92	$94	13.40	11.80	10.20	8.60	7.00	5.40	3.90	2.20	.90	0	0
$94	$96	13.70	12.10	10.50	8.90	7.30	5.70	4.20	2.40	1.10	0	0
$96	$98	14.00	12.40	10.80	9.20	7.60	6.00	4.50	2.70	1.40	.10	0
$98	$100	14.30	12.70	11.10	9.50	7.90	6.30	4.80	3.10	1.60	.30	0
$100	$105	14.80	13.20	11.60	10.00	8.40	6.80	5.30	3.70	2.00	.80	0
$105	$110	15.60	14.00	12.40	10.80	9.20	7.50	5.90	4.50	2.70	1.40	.10
$110	$115	16.30	14.70	13.10	11.50	9.90	8.30	6.70	5.20	3.60	2.00	.70
$115	$120	17.10	15.50	13.90	12.30	10.70	9.10	7.40	5.80	4.40	2.60	1.30
$120	$125	17.80	16.20	14.60	13.00	11.40	9.80	8.20	6.60	5.10	3.50	1.90
$125	$130	18.60	17.00	15.40	13.80	12.20	10.60	9.00	7.30	5.70	4.30	2.50
$130	$135	19.30	17.70	16.10	14.50	12.90	11.30	9.70	8.10	6.50	5.00	3.30
$135	$140	20.10	18.50	16.90	15.30	13.70	12.10	10.50	8.80	7.20	5.70	4.20
$140	$145	20.90	19.30	17.60	16.00	14.40	12.80	11.20	9.60	8.00	6.40	4.90
$145	$150	21.60	20.00	18.40	16.80	15.20	13.60	12.00	10.40	8.70	7.10	5.60
$150	$160	22.70	21.10	19.50	17.90	16.30	14.70	13.10	11.50	9.90	8.30	6.70
$160	$170	24.20	22.60	21.00	19.40	17.80	16.20	14.60	13.00	11.40	9.80	8.20
$170	$180	25.70	24.10	22.50	20.90	19.30	17.70	16.10	14.50	12.90	11.30	9.70
$180	$190	27.30	25.60	24.00	22.40	20.80	19.20	17.60	16.00	14.40	12.80	11.20
$190	$200	28.80	27.10	25.50	23.90	22.30	20.70	19.10	17.50	15.90	14.30	12.70
		15 percent of the excess over $200 plus										
$200 and over		29.50	27.90	26.30	24.70	23.10	21.50	19.90	18.30	16.60	15.00	13.40

"If the pay-roll period with respect to an employee is biweekly—

And the wages are—		And the number of withholding exemptions claimed is—										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$0	$20	12% of wages	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
$20	$22	$2.50	0	0	0	0	0	0	0	0	0	0
$22	$24	2.80	.20	0	0	0	0	0	0	0	0	0
$24	$26	3.00	.40	0	0	0	0	0	0	0	0	0
$26	$28	3.20	.70	0	0	0	0	0	0	0	0	0
$28	$30	3.50	.90	0	0	0	0	0	0	0	0	0
$30	$32	3.70	1.20	0	0	0	0	0	0	0	0	0
$32	$34	4.00	1.40	0	0	0	0	0	0	0	0	0
$34	$36	4.20	1.60	0	0	0	0	0	0	0	0	0
$36	$38	4.40	1.90	0	0	0	0	0	0	0	0	0
$38	$40	4.70	2.10	0	0	0	0	0	0	0	0	0
$40	$42	4.90	2.40	0	0	0	0	0	0	0	0	0
$42	$44	5.20	2.60	0	0	0	0	0	0	0	0	0
$44	$46	5.50	2.80	.30	0	0	0	0	0	0	0	0
$46	$48	5.90	3.10	.50	0	0	0	0	0	0	0	0
$48	$50	6.20	3.30	.70	0	0	0	0	0	0	0	0
$50	$52	6.60	3.50	1.00	0	0	0	0	0	0	0	0
$52	$54	7.00	3.80	1.20	0	0	0	0	0	0	0	0
$54	$56	7.30	4.00	1.50	0	0	0	0	0	0	0	0
$56	$58	7.70	4.30	1.70	0	0	0	0	0	0	0	0
$58	$60	8.00	4.50	1.90	0	0	0	0	0	0	0	0
$60	$62	8.30	4.70	2.20	0	0	0	0	0	0	0	0
$62	$64	8.60	5.00	2.40	0	0	0	0	0	0	0	0
$64	$66	8.90	5.30	2.70	.10	0	0	0	0	0	0	0
$66	$68	9.20	5.60	2.90	.30	0	0	0	0	0	0	0
$68	$70	9.40	6.00	3.10	.60	0	0	0	0	0	0	0
$70	$72	9.70	6.40	3.40	.80	0	0	0	0	0	0	0
$72	$74	10.00	6.70	3.60	1.10	0	0	0	0	0	0	0
$74	$76	10.30	7.10	3.90	1.30	0	0	0	0	0	0	0
$76	$78	10.50	7.40	4.10	1.50	0	0	0	0	0	0	0
$78	$80	10.80	7.80	4.30	1.80	0	0	0	0	0	0	0
$80	$82	11.10	8.20	4.60	2.00	0	0	0	0	0	0	0
$82	$84	11.40	8.40	4.80	2.30	0	0	0	0	0	0	0
$84	$86	11.60	8.70	5.10	2.50	0	0	0	0	0	0	0
$86	$88	11.90	9.00	5.40	2.70	.20	0	0	0	0	0	0
$88	$90	12.20	9.30	5.80	3.00	.40	0	0	0	0	0	0
$90	$92	12.50	9.50	6.10	3.20	.70	0	0	0	0	0	0
$92	$94	12.80	9.80	6.50	3.50	.90	0	0	0	0	0	0
$94	$96	13.10	10.10	6.80	3.70	1.10	0	0	0	0	0	0
$96	$98	13.40	10.30	7.20	3.90	1.40	0	0	0	0	0	0
$98	$100	13.70	10.60	7.60	4.20	1.60	0	0	0	0	0	0
$100	$102	14.00	10.90	7.90	4.40	1.90	0	0	0	0	0	0
$102	$104	14.30	11.20	8.20	4.70	2.10	0	0	0	0	0	0
$104	$106	14.60	11.40	8.50	4.90	2.30	0	0	0	0	0	0
$106	$108	14.90	11.70	8.80	5.10	2.60	0	0	0	0	0	0
$108	$110	15.20	12.00	9.10	5.50	2.80	.30	0	0	0	0	0
$110	$112	15.50	12.30	9.30	5.90	3.10	.50	0	0	0	0	0
$112	$114	15.80	12.60	9.60	6.20	3.30	.70	0	0	0	0	0
$114	$116	16.10	12.90	9.90	6.60	3.50	1.00	0	0	0	0	0
$116	$118	16.40	13.20	10.20	6.90	3.80	1.20	0	0	0	0	0
$118	$120	16.70	13.50	10.40	7.30	4.00	1.50	0	0	0	0	0
$120	$124	17.20	14.00	10.80	7.80	4.40	1.80	0	0	0	0	0
$124	$128	17.80	14.60	11.40	8.50	4.90	2.30	0	0	0	0	0
$128	$132	18.40	15.20	12.00	9.00	5.40	2.80	.20	0	0	0	0
$132	$136	19.00	15.80	12.60	9.60	6.20	3.30	.70	0	0	0	0
$136	$140	19.60	16.40	13.20	10.10	6.90	3.70	1.20	0	0	0	0
$140	$144	20.20	17.00	13.80	10.70	7.60	4.20	1.70	0	0	0	0
$144	$148	20.80	17.60	14.40	11.20	8.30	4.70	2.10	0	0	0	0
$148	$152	21.40	18.20	15.00	11.80	8.80	5.20	2.60	.10	0	0	0
$152	$156	22.00	18.80	15.60	12.40	9.40	5.90	3.10	.50	0	0	0
$156	$160	22.60	19.40	16.20	13.00	9.90	6.60	3.60	1.00	0	0	0
$160	$164	23.20	20.00	16.80	13.60	10.50	7.40	4.00	1.50	0	0	0
$164	$168	23.80	20.60	17.40	14.20	11.00	8.10	4.50	2.00	0	0	0
$168	$172	24.40	21.20	18.00	14.80	11.60	8.60	5.00	2.40	0	0	0
$172	$176	25.00	21.80	18.60	15.40	12.20	9.20	5.70	2.90	.40	0	0
$176	$180	25.60	22.40	19.20	16.00	12.80	9.70	6.40	3.40	.80	0	0
$180	$184	26.20	23.00	19.80	16.60	13.40	10.30	7.10	3.90	1.30	0	0
$184	$188	26.80	23.60	20.40	17.20	14.00	10.80	7.80	4.40	1.80	0	0
$188	$192	27.40	24.20	21.00	17.80	14.60	11.40	8.50	4.80	2.30	0	0
$192	$196	28.00	24.80	21.60	18.40	15.20	11.90	9.00	5.40	2.80	.20	0
$196	$200	28.60	25.40	22.20	19.00	15.80	12.50	9.50	6.10	3.20	.70	0
$200	$210	29.70	26.50	23.20	20.00	16.80	13.60	10.50	7.40	4.10	1.50	0
$210	$220	31.20	28.00	24.80	21.50	18.30	15.10	11.90	9.00	5.40	2.70	.20
$220	$230	32.70	29.50	26.30	23.00	19.80	16.60	13.40	10.30	7.20	3.90	1.40
$230	$240	34.20	31.00	27.80	24.50	21.30	18.10	14.90	11.70	8.80	5.10	2.60
$240	$250	35.70	32.50	29.30	26.00	22.80	19.60	16.40	13.20	10.10	6.90	3.70
$250	$260	37.20	34.00	30.80	27.60	24.30	21.10	17.90	14.70	11.50	8.60	4.90
$260	$270	38.70	35.50	32.30	29.10	25.80	22.60	19.40	16.20	13.00	9.90	6.70
$270	$280	40.20	37.00	33.80	30.60	27.30	24.10	20.90	17.70	14.50	11.30	8.40
$280	$290	41.70	38.50	35.30	32.10	28.80	25.60	22.40	19.20	16.00	12.80	9.80
$290	$300	43.20	40.00	36.80	33.60	30.40	27.10	23.90	20.70	17.50	14.30	11.10
$300	$320	45.50	42.30	39.00	35.80	32.60	29.40	26.20	23.00	19.80	16.50	13.30
$320	$340	48.50	45.30	42.10	38.80	35.60	32.40	29.20	26.00	22.80	19.50	16.30
$340	$360	51.50	48.30	45.10	41.80	38.60	35.40	32.20	29.00	25.80	22.60	19.30
$360	$380	54.50	51.30	48.10	44.90	41.60	38.40	35.20	32.00	28.80	25.60	22.40
$380	$400	57.50	54.30	51.10	47.90	44.70	41.40	38.20	35.00	31.80	28.60	25.40
		15 percent of the excess over $400 plus										
$400 and over		59.00	55.80	52.60	49.40	46.20	42.90	39.70	36.50	33.30	30.10	26.90

"If the pay-roll period with respect to an employee is semimonthly—

And the wages are—		And the number of withholding exemptions claimed is—										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$0	$22	12% of wages	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
$22	$24	$2.80	0	0	0	0	0	0	0	0	0	0
$24	$26	3.00	.20	0	0	0	0	0	0	0	0	0
$26	$28	3.20	.50	0	0	0	0	0	0	0	0	0
$28	$30	3.50	.70	0	0	0	0	0	0	0	0	0
$30	$32	3.70	.90	0	0	0	0	0	0	0	0	0
$32	$34	4.00	1.20	0	0	0	0	0	0	0	0	0
$34	$36	4.20	1.40	0	0	0	0	0	0	0	0	0
$36	$38	4.40	1.70	0	0	0	0	0	0	0	0	0
$38	$40	4.70	1.90	0	0	0	0	0	0	0	0	0
$40	$42	4.90	2.10	0	0	0	0	0	0	0	0	0
$42	$44	5.10	2.40	0	0	0	0	0	0	0	0	0
$44	$46	5.40	2.60	0	0	0	0	0	0	0	0	0
$46	$48	5.70	2.90	.10	0	0	0	0	0	0	0	0
$48	$50	6.00	3.10	.30	0	0	0	0	0	0	0	0
$50	$52	6.40	3.30	.60	0	0	0	0	0	0	0	0
$52	$54	6.70	3.60	.80	0	0	0	0	0	0	0	0
$54	$56	7.10	3.80	1.00	0	0	0	0	0	0	0	0
$56	$58	7.50	4.10	1.30	0	0	0	0	0	0	0	0
$58	$60	7.80	4.30	1.50	0	0	0	0	0	0	0	0
$60	$62	8.20	4.50	1.80	0	0	0	0	0	0	0	0
$62	$64	8.50	4.80	2.00	0	0	0	0	0	0	0	0
$64	$66	8.90	5.00	2.20	0	0	0	0	0	0	0	0
$66	$68	9.20	5.20	2.50	0	0	0	0	0	0	0	0
$68	$70	9.40	5.50	2.70	0	0	0	0	0	0	0	0
$70	$72	9.70	5.80	3.00	.20	0	0	0	0	0	0	0
$72	$74	10.00	6.20	3.20	.40	0	0	0	0	0	0	0
$74	$76	10.30	6.50	3.40	.70	0	0	0	0	0	0	0
$76	$78	10.50	6.90	3.70	.90	0	0	0	0	0	0	0
$78	$80	10.80	7.30	3.90	1.10	0	0	0	0	0	0	0
$80	$82	11.10	7.60	4.20	1.40	0	0	0	0	0	0	0
$82	$84	11.40	8.00	4.40	1.60	0	0	0	0	0	0	0
$84	$86	11.60	8.30	4.60	1.90	0	0	0	0	0	0	0
$86	$88	11.90	8.70	4.90	2.10	0	0	0	0	0	0	0
$88	$90	12.20	9.00	5.10	2.30	0	0	0	0	0	0	0
$90	$92	12.40	9.30	5.40	2.60	0	0	0	0	0	0	0
$92	$94	12.70	9.60	5.60	2.80	0	0	0	0	0	0	0
$94	$96	13.00	9.80	6.00	3.10	.30	0	0	0	0	0	0
$96	$98	13.30	10.10	6.30	3.30	.50	0	0	0	0	0	0
$98	$100	13.60	10.40	6.70	3.50	.80	0	0	0	0	0	0
$100	$102	13.90	10.70	7.10	3.80	1.00	0	0	0	0	0	0
$102	$104	14.20	10.90	7.40	4.00	1.20	0	0	0	0	0	0
$104	$106	14.50	11.20	7.80	4.30	1.50	0	0	0	0	0	0
$106	$108	14.80	11.50	8.10	4.50	1.70	0	0	0	0	0	0
$108	$110	15.10	11.70	8.50	4.70	2.00	0	0	0	0	0	0
$110	$112	15.40	12.00	8.90	5.00	2.20	0	0	0	0	0	0
$112	$114	15.70	12.30	9.10	5.20	2.40	0	0	0	0	0	0
$114	$116	16.00	12.60	9.40	5.50	2.70	0	0	0	0	0	0
$116	$118	16.30	12.90	9.70	5.80	2.90	.20	0	0	0	0	0
$118	$120	16.60	13.20	9.90	6.10	3.20	.40	0	0	0	0	0
$120	$124	17.10	13.60	10.40	6.70	3.50	.70	0	0	0	0	0
$124	$128	17.70	14.20	10.90	7.40	4.00	1.20	0	0	0	0	0
$128	$132	18.30	14.80	11.50	8.10	4.50	1.70	0	0	0	0	0
$132	$136	18.90	15.40	12.00	8.80	5.00	2.20	0	0	0	0	0
$136	$140	19.50	16.00	12.50	9.40	5.40	2.70	0	0	0	0	0
$140	$144	20.10	16.60	13.10	9.90	6.10	3.10	.40	0	0	0	0
$144	$148	20.70	17.20	13.70	10.50	6.80	3.60	.90	0	0	0	0
$148	$152	21.30	17.80	14.30	11.00	7.50	4.10	1.30	0	0	0	0
$152	$156	21.90	18.40	14.90	11.60	8.30	4.60	1.80	0	0	0	0
$156	$160	22.50	19.00	15.50	12.10	8.90	5.10	2.30	0	0	0	0
$160	$164	23.10	19.60	16.10	12.70	9.50	5.50	2.80	0	0	0	0
$164	$168	23.70	20.20	16.70	13.30	10.00	6.30	3.20	.50	0	0	0
$168	$172	24.30	20.80	17.30	13.90	10.60	7.00	3.70	1.00	0	0	0
$172	$176	24.90	21.40	17.90	14.50	11.10	7.70	4.20	1.40	0	0	0
$176	$180	25.50	22.00	18.60	15.10	11.70	8.40	4.70	1.90	0	0	0
$180	$184	26.10	22.60	19.20	15.70	12.20	9.10	5.20	2.40	0	0	0
$184	$188	26.70	23.20	19.80	16.30	12.80	9.60	5.70	2.90	.10	0	0
$188	$192	27.30	23.80	20.40	16.90	13.40	10.20	6.40	3.30	.60	0	0
$192	$196	27.90	24.40	21.00	17.50	14.00	10.70	7.10	3.80	1.10	0	0
$196	$200	28.50	25.00	21.60	18.10	14.60	11.30	7.80	4.30	1.50	0	0
$200	$210	29.60	26.10	22.60	19.10	15.60	12.20	9.00	5.10	2.40	0	0
$210	$220	31.10	27.60	24.10	20.60	17.20	13.70	10.40	6.70	3.60	.80	0
$220	$230	32.60	29.10	25.60	22.10	18.70	15.20	11.80	8.50	4.80	2.00	0
$230	$240	34.10	30.60	27.10	23.60	20.20	16.70	13.20	10.00	6.20	3.20	0
$240	$250	35.60	32.10	28.60	25.10	21.70	18.20	14.70	11.30	8.00	4.40	1.60
$250	$260	37.10	33.60	30.10	26.70	23.20	19.70	16.20	12.70	9.60	5.60	2.80
$260	$270	38.60	35.10	31.60	28.20	24.70	21.20	17.70	14.20	10.90	7.40	4.00
$270	$280	40.10	36.60	33.10	29.70	26.20	22.70	19.20	15.70	12.30	9.10	5.20
$280	$290	41.60	38.10	34.60	31.20	27.70	24.20	20.70	17.20	13.70	10.50	6.80
$290	$300	43.10	39.60	36.20	32.70	29.20	25.70	22.20	18.70	15.30	11.90	8.60
$300	$320	45.40	41.90	38.40	34.90	31.40	28.00	24.50	21.00	17.50	14.00	10.70
$320	$340	48.40	44.90	41.40	37.90	34.50	31.00	27.50	24.00	20.50	17.00	13.60
$340	$360	51.40	47.90	44.40	40.90	37.50	34.00	30.50	27.00	23.50	20.00	16.60
$360	$380	54.40	50.90	47.40	44.00	40.50	37.00	33.50	30.00	26.50	23.10	19.60
$380	$400	57.40	53.90	50.40	47.00	43.50	40.00	36.50	33.00	29.50	26.10	22.60
$400	$420	60.40	56.90	53.50	50.00	46.50	43.00	39.50	36.00	32.60	29.10	25.60
$420	$440	63.40	60.00	56.50	53.00	49.50	46.00	42.50	39.10	35.60	32.10	28.60
$440	$460	66.40	63.00	59.50	56.00	52.50	49.00	45.50	42.10	38.60	35.10	31.60
$460	$480	69.50	66.00	62.50	59.00	55.50	52.00	48.60	45.10	41.60	38.10	34.60
$480	$500	72.50	69.00	65.50	62.00	58.50	55.00	51.60	48.10	44.60	41.10	37.60
		15 percent of the excess over $500 plus										
$500 and over		74.00	70.50	67.00	63.50	60.00	56.60	53.10	49.60	46.10	42.60	39.10

"If the pay-roll period with respect to an employee is monthly—

And the wages are—		And the number of withholding exemptions claimed is—										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$0	$44	12% of wages	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
$44	$48	$5.50	0	0	0	0	0	0	0	0	0	0
$48	$52	6.00	.40	0	0	0	0	0	0	0	0	0
$52	$56	6.50	.90	0	0	0	0	0	0	0	0	0
$56	$60	6.90	1.40	0	0	0	0	0	0	0	0	0
$60	$64	7.40	1.90	0	0	0	0	0	0	0	0	0
$64	$68	7.90	2.40	0	0	0	0	0	0	0	0	0
$68	$72	8.40	2.80	0	0	0	0	0	0	0	0	0
$72	$76	8.90	3.30	0	0	0	0	0	0	0	0	0
$76	$80	9.30	3.80	0	0	0	0	0	0	0	0	0
$80	$84	9.80	4.30	0	0	0	0	0	0	0	9	0
$84	$88	10.30	4.80	0	0	0	0	0	0	0	0	0
$88	$92	10.80	5.20	0	0	0	0	0	0	0	0	0
$92	$96	11.30	5.70	.20	0	0	0	0	0	0	0	0
$96	$100	12.10	6.20	.60	0	0	0	0	0	0	0	0
$100	$104	12.80	6.70	1.10	0	0	0	0	0	0	0	0
$104	$108	13.50	7.10	1.60	0	0	0	0	0	0	0	0
$108	$112	14.20	7.60	2.10	0	0	0	0	0	0	0	0
$112	$116	14.90	8.10	2.60	0	0	0	0	0	0	0	0
$116	$120	15.70	8.60	3.00	0	0	0	0	0	0	0	0
$120	$124	16.40	9.10	3.50	0	0	0	0	0	0	0	0
$124	$128	17.10	9.50	4.00	0	0	0	0	0	0	0	0
$128	$132	17.80	10.00	4.50	0	0	0	0	0	0	0	0
$132	$136	18.30	10.50	5.00	0		0	0	0	0	0	0
$136	$140	18.90	11.00	5.40	0		0	0	0	0	0	0
$140	$144	19.40	11.60	5.90	.40	0	0	0	0	0	0	0
$144	$148	20.00	12.40	6.40	.90	0	0	0	0	0	0	0
$148	$152	20.50	13.10	6.90	1.30	0	0	0	0	0	0	0
$152	$156	21.10	13.80	7.40	1.80	0	0	0	0	0	0	0
$156	$160	21.60	14.50	7.80	2.30	0	0	0	0	0	0	0
$160	$164	22.20	15.20	8.30	2.80	0	0	0	0	0	0	0
$164	$168	22.70	16.00	8.80	3.20	0	0	0	0	0	0	0
$168	$172	23.30	16.70	9.30	3.70	0	0	0	0	0	0	0
$172	$176	23.80	17.40	9.70	4.20	0	0	0	0	0	0	0
$176	$180	24.40	18.00	10.20	4.70	0	0	0	0	0	0	0
$180	$184	24.90	18.60	10.70	5.20	0	0	0	0	0	0	0
$184	$188	25.50	19.10	11.20	5.60	.10	0	0	0	0	0	0
$188	$192	26.10	19.70	12.00	6.10	.60	0	0	0	0	0	0
$192	$196	26.70	20.20	12.70	6.60	1.10	0	0	0	0	0	0
$196	$200	27.30	20.80	13.40	7.10	1.50	0	0	0	0	0	0
$200	$204	27.90	21.30	14.10	7.60	2.00	0	0	0	0	0	0
$204	$208	28.50	21.80	14.80	8.00	2.50	0	0	0	0	0	0
$208	$212	29.10	22.40	15.60	8.50	3.00	0	0	0	0	0	0
$212	$216	29.70	22.90	16.30	9.00	3.40	0	0	0	0	0	0
$216	$220	30.30	23.50	17.00	9.50	3.90	0	0	0	0	0	0
$220	$224	30.90	24.00	17.70	9.90	4.40	0	0	0	0	0	0
$224	$228	31.50	24.60	18.30	10.40	4.90	0	0	0	0	0	0
$228	$232	32.10	25.10	18.80	10.90	5.40	0	0	0	0	0	0
$232	$236	32.70	25.70	19.30	11.50	5.80	.30	0	0	0	0	0
$236	$240	33.30	26.30	19.90	12.30	6.30	.80	0	0	0	0	0
$240	$248	34.20	27.20	20.70	13.30	7.00	1.50	0	0	0	0	0
$248	$256	35.40	28.40	21.80	14.80	8.00	2.50	0	0	0	0	0
$256	$264	36.60	29.60	22.90	16.20	9.00	3.40	0	0	0	0	0
$264	$272	37.80	30.80	24.00	17.70	9.96	4.40	0	0	0	0	0
$272	$280	39.00	32.00	25.10	18.80	10.90	5.30	0	0	0	0	0
$280	$288	40.20	33.20	26.30	19 90	12.20	6.30	.70	0	0	0	0
$288	$296	41.40	34.40	27.50	20.90	13.60	7.20	1.70	0	0	0	0
$296	$304	42.60	35.60	28.70	22.00	15.10	8.20	2.70	0	0	0	0
$304	$312	43.80	36.80	29 90	23.10	16.50	9.20	3.60	0	0	0	0
$312	$320	45.00	38.00	31.10	24.20	17.90	10.10	4.60	0	0	0	0
$320	$328	46.20	39.30	32.30	25.30	19.00	11.10	5.50	0	0	0	0
$328	$336	47.40	40.50	33.50	26.50	20.10	12.50	6.50	.90	0	0	0
$336	$344	48.60	41.70	34.70	27.70	21.20	14.00	7.40	1.90	0	0	0
$344	$352	49.80	42.90	35.90	28.90	22.30	15.40	8.40	2.90	0	0	0
$352	$360	51.00	44.10	37.10	30.10	23.40	16.80	9.40	3.80	0	0	0
$360	$368	52.20	45.30	38 30	31.30	24.50	18.10	10.30	4.80	0	0	0
$368	$376	53.40	46.50	39.50	32.50	25.60	19.20	11.40	5.70	.20	0	0
$376	$384	54.60	47.70	40.70	33.70	26.80	20.30	12.80	6.70	1.20	0	0
$384	$392	55.90	48.90	41.90	35.00	28.00	21.40	14.30	7.70	2.10	0	0
$392	$400	57.10	50.10	43.10	36.20	29.20	22.50	15.70	8.60	3.10	0	0
$400	$420	59.20	52.20	45.20	38.30	31.30	24.40	18.10	10.30	4.70	0	0
$420	$440	62.20	55.20	48.20	41.30	34.30	27.30	20.80	13.50	7.10	1.60	0
$440	$460	65.20	58.20	51.20	44.30	37.30	30.30	23.60	17.10	9.50	4.00	0
$460	$480	68.20	61.20	54.30	47.30	40.30	33.40	26.40	20.00	12.40	6.40	.80
$480	$500	71.20	64.20	57.30	50.30	43.30	36.40	29.40	22.70	16.00	8.80	3.20
$500	$520	74.20	67.20	60.30	53.30	46.30	39.40	32.40	25.40	19.10	11.20	5.60
$520	$540	77.20	70.30	63.30	56.30	49.40	42.40	35.40	28.50	21.80	14.80	8.00
$540	$560	80.20	73.30	66.30	59.30	52.40	45.40	38.40	31.50	24.60	18.20	10.40
$560	$580	83.20	76.30	69.30	62.30	55.40	48.40	41.40	34.50	27.50	21.00	13.70
$580	$600	86.20	79.30	72.30	65.30	58.40	51.40	44.40	37.50	30.50	23.70	17.30
$600	$640	90.80	83.80	76.80	69.90	62.90	55.90	49.00	42.00	35.00	28.10	21.50
$640	$680	96.80	89.80	82.80	75.90	68.90	61.90	55.00	48.00	41.00	34.10	27.10
$680	$720	102.80	95.80	88.90	81.90	74.90	68.00	61.00	54.00	47.10	40.10	33.10
$720	$760	108.80	101.90	94.90	87.90	81.00	74.00	67.00	60.10	53.10	46.10	39.20
$760	$800	114.80	107.90	100.90	93.90	87.00	80.00	73.00	66.10	59.10	52.10	45.20
$800	$840	120.90	113.90	106.90	100.00	93.00	86.00	79.10	72.10	65.10	58.20	51.20
$840	$880	126.90	119.90	112.90	106.00	99.00	92.00	85.10	78.10	71.10	64.20	57.20
$880	$920	132.90	125.90	119.00	112.00	105.00	98.10	91.10	84.10	77.20	70.20	63.20
$920	$960	138.90	132.00	125.00	118.00	111.10	104.10	97.10	90.20	83.20	76.20	69.30
$960	$1,000	144.90	138.00	131.00	124.00	117.10	110.10	103.10	96.20	89.20	82.20	75.30
		15 percent of the excess over $1,000 plus										
$1,000 and over		147.90	141.00	134.00	127.00	120.10	113.10	106.10	99.20	92.20	85.20	78.30

"If the pay-roll period with respect to an employee is a daily pay-roll period or a miscellaneous pay-roll period—

And the wages divided by the number of days in such period are—		And the number of withholding exemptions claimed is—										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be the following amount multiplied by the number of days in such period—										
$0	$1.50	12% of wage	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
$1.50	$1.75	$0.20	0	0	0	0	0	0	0	0	0	0
$1.75	$2.00	.20	.05	0	0	0	0	0	0	0	0	0
$2.00	$2.25	.25	.05	0	0	0	0	0	0	0	0	0
$2.25	$2.50	.30	.10	0	0	0	0	0	0	0	0	0
$2.50	$2.75	.30	.15	0	0	0	0	0	0	0	0	0
$2.75	$3.00	.35	.15	0	0	0	0	0	0	0	0	0
$3.00	$3.25	.40	.20	0	0	0	0	0	0	0	0	0
$3.25	$3.50	.40	.20	.05	0	0	0	0	0	0	0	0
$3.50	$3.75	.45	.25	.05	0	0	0	0	0	0	0	0
$3.75	$4.00	.50	.30	.10	0	0	0	0	0	0	0	0
$4.00	$4.25	.55	.30	.15	0	0	0	0	0	0	0	0
$4.25	$4.50	.60	.35	.15	0	0	0	0	0	0	0	0
$4.50	$4.75	.65	.35	.20	0	0	0	0	0	0	0	0
$4.75	$5.00	.65	.40	.20	.05	0	0	0	0	0	0	0
$5.00	$5.25	.70	.45	.25	.05	0	0	0	0	0	0	0
$5.25	$5.50	.75	.50	.30	.10	0	0	0	0	0	0	0
$5.50	$5.75	.75	.55	.30	.15	0	0	0	0	0	0	0
$5.75	$6.00	.80	.60	.35	.15	0	0	0	0	0	0	0
$6.00	$6.25	.85	.65	.35	.20	0	0	0	0	0	0	0
$6.25	$6.50	.90	.65	.40	.20	.05	0	0	0	0	0	0
$6.50	$6.75	.90	.70	.45	.25	.05	0	0	0	0	0	0
$6.75	$7.00	.95	.75	.50	.30	.10	0	0	0	0	0	0
$7.00	$7.25	1.00	.75	.55	.30	.10	0	0	0	0	0	0
$7.25	$7.50	1.05	.80	.60	.35	.15	0	0	0	0	0	0
$7.50	$7.75	1.05	.85	.65	.35	.20	0	0	0	0	0	0
$7.75	$8.00	1.10	.85	.65	.40	.20	.05	0	0	0	0	0
$8.00	$8.25	1.15	.90	.70	.45	.25	.05	0	0	0	0	0
$8.25	$8.50	1.20	.95	.75	.50	.25	.10	0	0	0	0	0
$8.50	$8.75	1.20	1.00	.75	.55	.30	.10	0	0	0	0	0
$8.75	$9.00	1.25	1.00	.80	.60	.35	.15	0	0	0	0	0
$9.00	$9.25	1.30	1.05	.85	.60	.35	.20	0	0	0	0	0
$9.25	$9.50	1.35	1.10	.85	.65	.40	.20	.05	0	0	0	0
$9.50	$9.75	1.35	1.15	.90	.70	.45	.25	.05	0	0	0	0
$9.75	$10.00	1.40	1.15	.95	.75	.50	.25	.10	0	0	0	0
$10.00	$10.50	1.45	1.25	1.00	.80	.55	.30	.15	0	0	0	0
$10.50	$11.00	1.55	1.30	1.10	.85	.65	.40	.20	0	0	0	0
$11.00	$11.50	1.60	1.40	1.15	.90	.70	.45	.25	.05	0	0	0
$11.50	$12.00	1.70	1.45	1.25	1.00	.75	.55	.30	.15	0	0	0
$12.00	$12.50	1.75	1.55	1.30	1.05	.85	.65	.40	.20	0	0	0
$12.50	$13.00	1.85	1.60	1.40	1.15	.90	.70	.45	.25	.05	0	0
$13.00	$13.50	1.90	1.70	1.45	1.20	1.00	.75	.55	.30	.15	0	0
$13.50	$14.00	2.00	1.75	1.55	1.30	1.05	.85	.65	.35	.20	0	0
$14.00	$14.50	2.05	1.85	1.60	1.35	1.15	.90	.70	.45	.25	.05	0
$14.50	$15.00	2.15	1.90	1.70	1.45	1.20	1.00	.75	.55	.30	.15	0
$15.00	$15.50	2.20	2.00	1.75	1.50	1.30	1.05	.85	.65	.35	.20	0
$15.50	$16.00	2.30	2.05	1.85	1.60	1.35	1.15	.90	.70	.45	.25	.05
$16.00	$16.50	2.35	2.15	1.90	1.65	1.45	1.20	1.00	.75	.55	.30	.10
$16.50	$17.00	2.45	2.20	2.00	1.75	1.50	1.30	1.05	.85	.65	.35	.20
$17.00	$17.50	2.50	2.30	2.05	1.80	1.60	1.35	1.15	.90	.70	.45	.25
$17.50	$18.00	2.60	2.35	2.15	1.90	1.65	1.45	1.20	1.00	.75	.55	.30
$18.00	$18.50	2.65	2.45	2.20	2.00	1.75	1.50	1.30	1.05	.85	.60	.35
$18.50	$19.00	2.75	2.50	2.30	2.05	1.80	1.60	1.35	1.15	.90	.70	.45
$19.00	$19.50	2.80	2.60	2.35	2.15	1.90	1.65	1.45	1.20	1.00	.75	.55
$19.50	$20.00	2.90	2.65	2.45	2.20	1.95	1.75	1.50	1.30	1.05	.85	.60
$20.00	$21.00	3.00	2.75	2.55	2.30	2.10	1.85	1.65	1.40	1.15	.95	.70
$21.00	$22.00	3.15	2.90	2.70	2.45	2.25	2.00	1.80	1.55	1.30	1.10	.85
$22.00	$23.00	3.30	3.05	2.85	2.60	2.40	2.15	1.95	1.70	1.45	1.25	1.00
$23.00	$24.00	3.45	3.20	3.00	2.75	2.55	2.30	2.10	1.85	1.60	1.40	1.15
$24.00	$25.00	3.60	3.35	3.15	2.90	2.70	2.45	2.25	2.00	1.75	1.55	1.30
$25.00	$26.00	3.75	3.50	3.30	3.05	2.85	2.60	2.40	2.15	1.90	1.70	1.45
$26.00	$27.00	3.90	3.70	3.45	3.20	3.00	2.75	2.55	2.30	2.05	1.85	1.60
$27.00	$28.00	4.05	3.85	3.60	3.35	3.15	2.90	2.70	2.45	2.20	2.00	1.75
$28.00	$29.00	4.20	4.00	3.75	3.50	3.30	3.05	2.85	2.60	2.35	2.15	1.90
$29.00	$30.00	4.35	4.15	3.90	3.65	3.45	3.20	3.00	2.75	2.50	2.30	2.05
		15 percent of the excess over $30 plus										
$30.00 and over		4.45	4.20	3.95	3.75	3.50	3.30	3.05	2.85	2.60	2.35	2.15"

Section 5 (b), Internal Revenue Code 1622 (c) (1):

NOTE.—The tables beginning on page 23 of the bill should follow the words in line 18, page 22.

This provision contains the new wage bracket withholding tables, conforming to the reduced tax payable under the bill.

(c) Effective date: The amendments made by this section shall be applicable only with respect to wages paid on or after June 1, 1947.

Section 5 (c): This subsection makes the new withholding rates effective June 1, 1947.

SEC. 6. Fiscal-Year Taxpayers.

(a) Income taxes: Section 108 of the Internal Revenue Code is hereby amended by striking out "(d)" at the beginning of subsection (d) and inserting in lieu thereof "(e)," and by inserting after subsection (c) the following:

"(d) Taxable years of individuals beginning in 1946 and ending in 1947: In the case of a taxable year of an individual beginning in 1946 and ending in 1947, the tax imposed by sections 11, 12, and 400 shall be an amount equal to the sum of—

"(1) that portion of a tentative tax, computed as if the law applicable to taxable years beginning on January 1, 1946, were applicable to such taxable year, which the number of days in such taxable year prior to January 1, 1947, bears to the total number of days in such taxable year, plus

"(2) that portion of a tentative tax, computed as if the law applicable to taxable years beginning on January 1, 1947, were applicable to such taxable year, which the number of days in such taxable year after December 31, 1946, bears to the total number of days in such taxable year."

Section 6 (a), Internal Revenue Code 108 (d), (e): The present Internal Revenue Code 108 (d) is relettered as (e), and a new subsection (d) is inserted. This new subsection (d) provides, in effect, that if the taxable year of an individual begins in 1946 and ends in 1947, his tax liability for that year shall proportionately reflect the tax reduction effective January 1, 1947. That result is accomplished by computing a tax under existing law, a tax under the bill, taking a fraction of each tax and adding the fractions together. The denominator of each fraction is the number of days in the taxable year. The numerator of the fraction applicable to the existing tax is the number of days in the 1946

portion of the taxable year; the numerator applicable to the tax under the bill is the number of days in 1947 portion.

H. R. 1, as reported Mar. 24, 1947

Reduction	Taxable returns affected	Tax reduction
30 percent	24, 596, 302	$877, 000, 000
30 to 20 percent	6, 555, 257	365, 000, 000
20 percent	15, 531, 673	2, 411, 000, 000
20 to 10.5 percent	567	43, 000, 000
Total	46, 683, 799	3, 696, 000, 000

In addition to the above reduction, the $500 exemption for persons 65 years of age or over is estimated to result in a further reduction of $140,000,000.

The total reduction under the bill, therefore, is estimated at $3,836,000,000.

Turn over then to page 16. I am not going to read it all but I am going to put it in the RECORD a little later, together with the bill, so that any time you want to answer any questions—and I know that these are worked out accurately—you can write to your people and know that you are giving an accurate explanation of the bill. You will find this explanation on pages 12, 14, 15, 16, 19, 21, and 23, and then again a little farther over, one on page 22 and another on page 29, and those I am going to put in the RECORD.

One of the fine things about this bill is that it is going to do in a measure what the tax bills did for the Republic after the First World War. We are going to begin to supply venture capital. I think a great many people are not aware of the extent to which venture capital is necessary to create industry. In Gastonia, N. C., a survey was made of that city and all its industries. It was made by the United States Chamber of Commerce and another organization studying these affairs. Much to my surprise I found, on going through the whole list of industries, that it requires an investment per man in a barber shop of over $2,000. That is the investment to give one man a job. They went along up to three, four, five, six, seven, eight, nine thousand dollars per man. One industry in Gastonia, N. C., required an investment in order for a man to have a job of over $48,000.

What I want to point out here is that it works two ways. We are releasing the $3,800,000,000, which can properly be called an increase in the pay of the people who earned that income, or you can put it another way and say that much of it is going to be released as venture capital, it is going into industry, it is going to create more pay rolls; and more pay rolls will create more revenue to the Government, and the income from more property will be available to be taxed. That is the reason we are going to get more revenue from tax reduction. Then later on, when we frame a new tax bill, a long-range tax bill, further reductions can be made, because we will soon see the effects of this bill and we will go on paying on the national debt substantially, as well as relieving the people of this terrific war-tax load.

Mr. ROBSION. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Kentucky.

Mr. ROBSION. I wish to commend the distinguished gentleman from New York for his very clear understanding and fine presentation of the tax bill. They say history repeats itself. The gentleman referred to the proceedings of the House in 1921 in writing a tax bill. Does not the gentleman see the parallel between what happened on the Republican side in 1921 and what happened on the Democratic side and what is happening now? They contended then very much what they are contending here today, and the Republicans are contending now what they contended then. The Republicans in 1921 still had the high wartime taxes, about the same period of time after the war as this is after the war, when we still have our high war taxes. The gentleman took the floor at that time with others and claimed that a tax-reduction bill would open up business and bring in revenue, which turned out to be so.

Mr. REED of New York. I thank my distinguished colleague.

Mr. ROBSION. There was no effort made at that time to reduce what was then regarded as and was the greatest national debt this country had ever had. We did not talk about paying the national debt but to reduce taxes and encourage business and create jobs and prosperity and bring in more revenues. That is the very thing that happened, and that is what the gentleman says is going to happen now.

Mr. REED of New York. Speaking frankly, I would say if I were new in the Congress and had not been here at the time taxes were cut in the twenties, and the same arguments had been put out against reducing taxes and the same forces had been at work as are at work here trying to frighten the people and frighten the Congress, I might have felt some hesitation. But after the experience of the twenties, I feel no hesitation in cutting the taxes now.

We all know, as a statesman once put it, I think it was Edmund Burke, that Anglo-Saxon liberty was fought out on the battlefield of taxation. What we do here means everything in maintaining the liberty of the citizens under a free-enterprise system. We have to keep in mind what these high taxes can mean to the Government because it has been said, and truly said, that the power to tax is the power to destroy.

I remember in 1938 the Congress passed a bill over the protest of the Republicans who were then in the minority. That was the tax on undistributed profits. Anyone who cares to do so can read the minority report on that bill in which we predicted a tailspin in business with accompanying unemployment as a result of such legislation. Only a small part of the roots of that cancer still prevail in our Internal Revenue Code. But it had to be removed in order to restore the confidence of the people generally and the confidence of business people in particular so that they could at least have the benefit of the so-called seed corn to create new industries and expand old ones. There is an example of an unwise piece of legislation which in a short time deprived the country of venture capital which is absolutely necessary to keep the country prosperous and to keep existing industries in operation so that they could expand and have ever-increasing pay rolls.

Mr. ROBSION. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. ROBSION. Our Democratic friends realized that and brought in a bill to repeal that legislation.

Mr. REED of New York. Absolutely.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield to my distinguished former chairman of the Ways and Means.

Mr. DOUGHTON. May I apologize to the gentleman from New York [Mr. REED] for taking up his time. There is no abler member of our committee and no finer gentleman than the gentleman from New York, my good friend [Mr. REED]. The gentleman from Minnesota [Mr. KNUTSON] in his statement said, and we all think it is true, that we have practically full employment and production is at a high peak. The only trouble now seems to be with reference to the material and manpower to implement what industry we already have. If by this law we release risk capital and increase our industries, and now we are speaking of 1948, where are we going to get the manpower and where are we going to get the material to implement these new industries if we are already up to the maximum limit?

Mr. REED of New York. I am not at all disturbed by that situation. In the first place, it will not be so very long before we are going to have an outpouring from the colleges and schools of our soldiers who were away during the war fighting for their country and who are now trying to make up time getting their education. They will be wanting jobs. By the time this tax bill gets on the books I hope this Republican Congress will have removed all of the bureaucratic obstacles which now are a country-wide hindrance to production so that the materials can begin to flow. They have been strangled by the legislation coming from your party, and the result is, of course, we are short of material. Whenever you start to regulate, as has been done heretofore, you begin to throttle production. Production has been effectively throttled. When you once begin to give free enterprise a chance by lowering taxes and by releasing these strangleholds on our economy, then the country will go forward as it always has under a Republican administration.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER. Mr. Chairman, I request that the Chair advise me when I have consumed 15 minutes.

Mr. Chairman, it had been my hope that the Republican majority now in control of both Houses of Congress

would adopt a sound fiscal policy, and place the welfare of the country ahead of politics. But it soon became apparent that this hope was not to be realized. It is clearly apparent that purely political considerations have guided the majority in bringing the pending bill, H. R. 1, to the House and urging its passage.

Nine of the ten minority members of the Committee on Ways and Means have joined in a minority report on this bill, to which I invite your attention. I believe this report contains ample reasons for opposing the pending measure.

It should be remembered that one very important tax-relief bill has already been enacted into law since the close of the recent war. The Revenue Act of 1945 reduced wartime taxes by about $9,000,000,000. It made considerable reductions in corporate taxes and individual income taxes, and some reductions in excise taxes. Its main purpose was to ease the transition from wartime to peacetime economy of the country. This transition was made with far less decline in business activity than had been anticipated. Any further tax reduction at this time to stimulate business activity cannot be justified. Business conditions are now the best we have ever known in the history of this Nation. In 1946 employment was the highest in the history of our country. Some 10,000,000 of our returning veterans had received employment in civilian activities by the end of 1946. Production reached the highest point in peacetime in the entire history of the Nation, being 50 percent greater than the last peacetime year, 1939, and only about 15 percent less than the highest point reached during the war. Our national income is the highest in all history. It reached $165,000,000,000 in 1946, and the estimate is for an even higher national income in 1947.

With those favorable conditions existing, it is certainly the proper time to give attention to our national debt. Therefore, the minority has taken the position that the first objective to be accomplished is the balancing of the Federal budget, which has not been balanced since 1930. Then, it is our position that after that there should be substantial payment on the national debt, and then, if our situation justifies it, a reduction in individual income taxes. Not only that, but a complete review of our entire tax structure, as has been done in the past when the matter of tax relief was given consideration. The cost of World War II was an enormous sum. From 1939 to 1946 our Federal expenditures amounted to more than $400,000,000,000 and we know that during a good part of that time 96 cents out of every tax dollar that was collected was for the cost of the prosecution of the war. We now find that we have a national debt of $260,000,000,000. We have 85,000,000 individual bondholders in this country. Certainly we realize that there is an obligation that we owe to those 85,000,000 bondholders. We take the position that during the war when patriotic fervor was up to such a high point and we made the appeal to the school children and all the people of the land to buy war stamps and war bonds, we now owe the obligation to them to see to it that that investment in their Government is always sound.

So I take the position, as does the minority on this occasion, that the first obligation of the Congress is to see to it that this Government of ours follows a sound fiscal policy. I have never known of but one way to discharge an honest debt, and that is to pay it. The best time to make a payment on a debt is when you have the money, and it so happens that the Government at this time because of the favorable business condition existing in the country is in a position to look forward to the balancing of the budget with greater encouragement than we have ever looked before, and at the same time to be able to pay a substantial amount on the public debt.

It must be remembered that we have much heavier expenses to meet than we ever had before the recent war. The Federal budget for the fiscal year 1947 embodies a very important and what might well be considered a permanent change from prewar conditions. This 1947 budget includes three items, the largest three items in the budget, which alone amount to more than three times the total expenses of the Federal Government before the war. It includes about $15,000,000,000 for military expenditures, which is about 12 times the prewar level. It includes about $7,000,000,000 for veterans' benefits, which is about 12 times the prewar amount. It includes about $5,000,000,000 for interest on the public debt, which is about 5 times the prewar requirements. It is interesting to observe that in the 1948 Federal budget to which attention is now being given, the last two items remain about the same and the item for military expenses is reduced to about $11,000,000,000, which will still be about 9 times greater than the prewar level. We are unable to know at this time what our budget situation may be by the end of the year. We know the changes that have occurred in a little more than two months of time that have elapsed since the President's budget was submitted to the Congress.

We know that the present Democratic President of the United States, looking to the welfare and the interests of this country of ours, has found it necessary to recommend a rather large additional expenditure, including about $400,000,000 for the Greek and Turkish situations. The last Republican President, Mr. Hoover, has, during that period of time, recommended to the Congress in appearance before standing committees of this House that some $400,000,000 plus be used to help care for the starving and destitute people of the war-torn countries of Europe. Therefore, it can be seen that something approaching a billion dollars has been requested during the short period of time that has elapsed since the President's budget was submitted to the Congress.

It is impossible for us to know now just what these budget requirements may amount to, but it does occur to me it is the part of wisdom to proceed cautiously and not to rush in here and purely for political considerations reduce taxes and thereby endanger balancing of the budget and run the risk of not being able to make payment on the public debt of the country.

If the time comes, and we hope it will come soon, that we can be able to make a reduction in taxes in this country, certainly I would welcome the opportunity to vote for tax-reduction measures. I am sure we all feel that way. We want to give tax relief to our people as soon as possible, but we should not embrace an opportunity to do that until it is in keeping with sound fiscal principles that are in the best interests of the fiscal affairs of the Nation.

The pending bill, H. R. 1, cannot be defended upon the essential basis of fairness or equity. I simply invite your attention to the chart appearing on page 35 of the report accompanying this bill. How anybody can examine that chart appearing on page 35 of this report and feel justified in voting for this measure is more than I can understand.

Some gentlemen say that if your present graduated-tax system is fair and sound, it is likewise fair and equitable to reduce that by a definite percentage, as in this instance 20 percent. If that is sound, if they can sustain that proposal, why is it that they have three different graduations provided in this bill? Simply because a position of that kind cannot be justified; it cannot be sustained.

Now, what has happened? Our distinguished friend, the chairman of the Ways and Means Committee, first came forward advocating a 20-percent reduction in individual income taxes straight across the board from top to bottom of the income-tax schedules. That was his position, so announced. Then the light of day was turned upon the proposal, and it was seen it could not be justified. What would it have meant? It would have meant that some of the wealthiest taxpayers of this country would have been paying less taxes than they paid in 1939 before the war.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. COOPER. Mr. Chairman, I yield myself five additional minutes.

You will see this chart on page 35. It shows the line 1939 and the original proposal of a 20-percent reduction straight across the board, and from top to bottom shows that that would reduce the high income taxpayers below the 1939 level. Then the gentleman from Minnesota revised his plan and provided that above $302,000 the percentage of reduction would not be 20 percent, as he had promised, straight across the board, but would be 10½ percent, and if you will notice what that curve does, that curve brings the 10½-percent application right back down to about the 1939 level. That means, then, that these high-income taxpayers under this pending bill will be relieved of the increases that were necessary since 1939.

But look what happens to the low-income taxpayers. See how high and how steep the curve goes with respect to them, and then if you get yourself a real strong magnifying glass and look carefully enough you may be able to find where this 30 percent comes in in the

dotted line down there. It is so infinitesimal, it is so small that you almost have to have a magnifying glass to be able to find it.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Kentucky.

Mr. CHELF. First of all, I am for reducing taxes, but not at the expense of the Army and the Navy. As the gentleman knows, to show my good faith on the subject, I have a bill in now to raise the income tax bracket exemptions for the little fellow to $2,500 on single persons and $5,000 on married folks. I condemned on the floor of the House not very long ago this particular bill as being a rich man's bill, and I repeat that charge today. It is a rich man's bill—if there be any doubt, look at the chart of this so-called 30 percent cut. A man who has an income of $1,200 a year gets a measly credit of $12, a saving of $1 a month, less than the cost of a carton of cigarettes. The man that has a $2,000 income saves $57 a year, which is less than $5 a month, yet the man that has a $250,000 income saves over $38,000, and the fellow or corporation that has a million-dollar income saves $110,000. How are you going to justify that before the people of this country? So, I am against your bill.

Mr. JENKINS of Ohio. Mr. Chairman, if the gentleman will yield, the trouble with the gentleman is that his figures are not correct.

Mr. COOPER. I appreciate the contribution by the gentleman from Kentucky.

But, Mr. Chairman, the whole point is, after our good friends of the majority on the committee found that even after the bill had been doctored and changed, after the original 20 percent across the board from top to bottom had been altered to the extent that it should apply only up to about $302,000, and from there on the reduction should not be 20 percent, but 10½ percent, then further realizing that they were not doing anything to speak of for the little man, they were not giving proper relief to the man in the small-income tax bracket, then they had to have a meeting of their own with the Republican steering committee of the House, and they then finally came forward with this great 30-percent idea: Give the little man some benefit and some relief, and give him 30 percent instead of 20 percent for the $300,000 man or 10½ percent for the million-dollar man.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from North Carolina.

Mr. DOUGHTON. Is it not a fact also that this small 30-percent crumb was not granted to the low-income taxpayers until it was obvious that a revolt was threatened on the majority side, and they could not pass the bill without it?

Mr. COOPER. Well, there is some indication of that.

Mr. DOUGHTON. Everybody knows it is true.

Mr. COOPER. At any rate, at the last moment they made that change, which does not amount to enough to really call it a change. It is not worthy of it

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. Is it not a fact that if this bill is enacted, the inflation caused by its enactment will wipe out the so-called savings of the little folks?

Mr. COOPER. Well, there is danger of that, but the main point is that any one of you who votes for this bill, thinking that you are providing relief for the little fellow, you just go home and try to find that fellow who is able to find what relief you gave him. He will never be able to find it under this bill.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. COOPER. Mr. Chairman, I yield myself 3 additional minutes.

Instead of giving thorough and careful consideration to tax relief on the basis it should be given, to see whether the fiscal condition of the Government would justify it, they bring in here a political gesture and ask the Members of the House to pass it in the name of tax relief, and try to claim that real consideration has been given to the low-income taxpayers. By the time he worries himself half crazy trying to figure out the application of the notch provision in this bill, he will be criticizing every man who ever claimed he was giving him any relief under this measure. The idea of having to provide a complicated notch system to give the little man some tax benefits. The effective way to afford tax relief for the little man is to increase the exemptions. Under the Revenue Act of 1945, by increasing the exemptions, and two other definite changes that were made in that measure, 12,000,000 of our low-income taxpayers were relieved not only from paying a tax but from having to file a tax return. As the situation now stands, a single man making $10 a week or a married man making about $20 a week has to file a tax return to his Government. Think how low that carries you down among the wage-earners in this country, $10 a week, yet he has to make a tax return, and with just a few dollars more than that he has to pay a tax to his Government. So the position we take on this side is that this is not an opportune time to provide for tax relief, until we know more about the requirements of our Budget and more about our international requirements and that when the time does come to give tax relief, we should really advise the tax structure of this country and afford relief that is worthy of the name.

Mr. REED of New York. Mr. Chairman, it is perfectly evident from the statement just made by the distinguished gentleman from Tennessee, Representative COOPER, neither he nor his party desire to give any relief, regardless of age or income, to anybody. All they want to do is to continue the New Deal program of spending, taxing, and sometimes electing on that theory.

Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. WOODRUFF].

Mr. WOODRUFF. Mr. Chairman, I have read the report of the minority on H. R. 1 with considerable amusement and some amazement. Rarely have I seen a document so thoroughly permeated with a Micawber-like attitude toward the finances of this country, and so thoroughly laced with peculiar statistics. According to the minority the fact that our economic system is now operating well removes all necessity for making provision that it shall continue to do so in the future. Yet the President's economic advisers recently warned us of the grave danger of a recession during the fiscal year 1948. This warning was repeated recently by the Bureau of Agricultural Economics of the Department of Agriculture. We hear similar words of caution continuously from economists and professional business analysts. Yet the minority goes blithely on its way, assuming that the full employment of today will automatically recur in the future, and that the problem at hand is not the avoidance of a recession, but the checking of an inflation which gives every indication of having spent its main force. Apparently the minority thinks it is time enough to take action when a recession is already upon us.

One of the major political planks set out in the minority report seems to be that debt retirement is more important in all cases than the preservation of a prosperous and fully employed America, which is what we mean by a "solvent" America. We are all aware of the size of our present Federal debt, and the need for its reduction. We are planning for a reduction, but we are unwilling to ignore the fact that there is also a need for a relief from the stultifying effects of the individual income tax rates. In our judgment, this tax reduction is just as important at the present time to the preservation of a solvent America as the retirement of the national debt.

The minority argues as though the enactment of H. R. 1 would preclude debt retirement. They base this conclusion in part on an estimate of receipts of $39,000,000,000, which is the figure used in the legislative budget, and which allows for a possible recession during the fiscal year 1948. Yet they contend that we face an inflation, not a recession. If this forecast is correct, the estimate of receipts ought to be substantially larger. Forty-three billion dollars would be a conservative estimate.

On the expenditure side the minority assumes that the reduction which Congress will make in expenditures set out in the President's budget can be no greater percentagewise than the percentage reduction in the appropriations for the Treasury and Post Office Departments. I suspect they really must know better than this. Everyone must realize that these particular appropriations contained a large proportion of the fixed obligations of the Federal Government. They include such items as $5,000,000,000 for interest payments, and the expenditures necessary for tax refunds.

Let us take for a moment the most conservative reduction in the over-all expenditures which either House of Congress is now considering, the Senate pro-

posal of a ceiling of $33,000,000,000. Let us compare this to receipts of $43,000,000,000, which represents a conservative estimate, if the minority is correct, in forecasting a continuation of the present level of employment. On this basis there would be $10,000,000,000 available for debt retirement and tax reduction. Certainly the moderate tax reduction proposed in this bill would leave ample room for substantial debt retirement.

Much of the minority's difficulty appears to arise out of its assumption that the transition from a wartime to a peacetime economy has been completed. The minority also assumes that our economy will continue to prosper under the handicap which the existing rate structure of the individual income tax imposes upon the free flow of venture capital and the exercise of managerial initiative. The transition to a peacetime economy has not yet been completed. Expenditures have not yet reached their postwar plateau, and the tax system has not yet been corrected to remove the deterrents to a fully employed economy which were necessitated by the extreme financial pressure imposed by the war.

The minority contends that even if this were the time for tax reduction, H. R. 1 is not a fair means of distributing relief. They call the 30-percent reduction for those in the lowest income bracket mere sugar coating. Yet I recall that the minority voted unanimously for this feature of the present bill. Moreover, I do not believe that a provision which brings a 30-percent reduction to the 24.6 million taxpayers receiving taxable incomes of $1,000 or less and constituting 52.7 percent of the total number of income taxpayers can be dismissed as mere sugar coating.

Even more perverse is the minority's inability to understand the effect of a uniform percentage reduction in the amount of the tax due upon the rate of progression under the individual income tax. Elementary arithmetic will tell you that if a man is paying 10 times as much tax as his neighbor and their taxes are both reduced by uniform percentage, the first individual will still be paying 10 times as much tax as the second. This is what progression means. Let me illustrate this with two specific cases. Under existing law, a single person with a net income of $300,000 before personal exemption pays a tax which is 255 times the tax paid by a single individual with a net income of $5,000 before exemption. Under the tax reduction of 20 percent provided by H. R. 1 for incomes of these sizes, the individual with a $300,000 income will still pay 255 times the tax paid by the individual with a $5,000 income. Similarly, under existing law an individual with a net income of $50,000 before exemption pays 27 times the tax of the $5,000 individual. Under the rate reductions provided by H. R. 1, the individual with a $50,000 income would still pay 27 times the tax imposed on the individual with a $5,000 income.

The minority seems to believe that a reduction of a uniform number of percentage points will maintain the existing scale of progression. The absurdity of this can be shown by the following illustration: A single individual with a net income of $100,000 pays a tax under present law which is four and two-tenths times as great as the tax paid by a single individual with $2,500 of net income.

If a 20 percentage point reduction were to be made, the individual with a $2,500 income would pay no tax at all, while the individual with $100,000 of net income would still have an effective rate of around 44 percent. Whereas under existing law the man with the $100,000 net income pays four and two-tenths times the tax of the man with the $2,500 net income, the 20 percentage point reduction makes his tax infinitely larger than that of the $2,500 individual. Clearly a change of this sort will alter the rate of progression embodied in the existing law.

The minority alleges that the special exemption of $500 provided by House Resolution 1 for persons who have attained the age of 65 is merely another "sop" to the lower-income brackets. The minority maintains that age is not related to ability to pay, that the $500 exemption constitutes class legislation, and above all that it represents an innovation. If legislation is bad because the ideas embodied in it are innovations, then most of the changes made in the income tax since its inception in 1913 are tarred with the same brush.

The special exemption for the aged is justified by the fact that as a group persons over 65 are handicapped in an economic sense. While the minority report states that age alone is not a factor in determining ability to pay, the next sentence which follows this statement contains an admission that this group is a handicapped one. That this is a fact is indicated by the heavy concentration of small incomes in this age group. The Congress has already recognized the economic handicaps of this age group in the social-security legislation enacted in 1935. Moreover, it is clear that the events of the past few years have borne with unusual severity upon persons over 65. Unlike younger people, they were not able to adjust themselves to the rise in prices and the tax changes of the war period by accepting full-time employment at prevailing high rates of wages.

The minority's belief, that the $500 exemption sets a pattern for discrimination in favor of particular groups, is contrary to fact. By granting full exclusion to particular types of income, such as the annuities received by railroad retirement and social security beneficiaries, and the retirement pay of former Army and Navy officers retired by reason of medical survey, existing law has already established a discrimination against recipients of other types of income. This fact was taken into consideration in drafting H. R. 1. The $500 exemption has been set up in a manner which tends to reduce existing discrimination among persons who have attained the age of 65, but who receive different types of income.

The minority suggests that if relief is to be granted to persons who have attained the age of 65, it should also be extended to individuals who are physically handicapped irrespective of age. It is worth pointing out that the blind already receive a deduction of $500. If it should prove possible to set up a working definition of a crippled person, an extension of a concession to persons in that category similar to that provided to persons of 65 or over in H. R. 1 would be a logical and desirable procedure.

In several places in the minority report a plea is made for postponing action on a tax reduction. It is contended that no action should be taken until the conferees have agreed upon a ceiling on expenditures, until all appropriations have finally been made, and until the Treasury Department has time to study fully and report upon some twenty-odd complicated and controversial subjects. These are stalling tactics only. With respect to the ceiling on expenditures set by the legislative budget committees, I should like to stress the relatively small area of disagreement which remains between the House and the Senate conferees. It is only a choice between a ceiling of $31,500,000,000 and $33,000,000,000. Either way, as it is set forth in the majority report, there will be sufficient funds available for the tax reduction proposed under H. R. 1 and for debt retirement.

The argument that tax reductions should await final action on appropriations is indeed a strange one. I fail to recall that the Democratic majority has followed this procedure during recent years. The tax reduction in the Revenue Act of 1945, for example, was enacted even before the President's budget had been submitted.

The minority makes the further point that the Legislative Reorganization Act of 1946 which set up the procedure for establishing expenditure ceilings, made specific provision for a recommendation by the budget committee concerning appropriate reductions in the public debt, but that "No mention in the act is made of tax reduction." Does this mean that the minority believes no tax reduction should ever be made, or does it suggest that the framers of this bill were already aware of the fact that the House Ways and Means Committee and the Senate Finance Committee were already charged with responsibility for tax legislation?

I think we all are obligated to the minority for including in its report certain very illuminating tables and charts. Chart 1 on page 35 compares the tax burden under present law and H. R. 1 with that which existed in 1939 at various income levels. In its report the minority seems to think that this chart shows that the lower income groups do not fare as well as they should under this bill. Yet it is clear from Chart 1 that under H. R. 1 an individual with a net income of $60,000 is still paying 22 percent more than he did in 1939, while an individual with a net income of $2,000 is only paying 7 or 8 percent more than he did in 1939.

Chart 2 on page 37 adds nothing to what has been presented in Chart 1, as can be seen by holding chart 2 upside down and looking at it in a mirror.

Table IV of the minority report shows spendable income remaining after taxes under present law and under H. R. 1. It also shows the percentage increase in spendable income resulting from H. R. 1.

The point the minority is trying to make is that H. R. 1 increases disproportionately the spendable income of the higher income groups.

In reality this is nothing but a statistical trick. This can be shown by representing spendable income by X and taxes by Y. When Y is already small, relative to X, a decrease in Y could have only a small effect on X. This is what is happening under H. R. 1 in the lower income brackets and accounts for the small percentage increase in spendable income. If Y is large in comparison to X, a decrease in Y will of necessity have a substantial effect on X. This, in effect, is what is happening under H. R. 1 in the higher income brackets, and accounts for the large percentage increase in spendable income.

To show the absurdity of the minority's table, it is only necessary to consider the case of a person with a net income of $500. He at the present time pays no tax and, therefore, when a tax reduction is made there is no increase in his spendable income. Thus, in his case the increase in spendable income resulting from the enactment of H. R. 1 must of necessity be zero. Thus, a uniform increase in spendable income would require payments on the part of the Federal Government to those in the lower income groups.

Reference to table 5A in the majority's report will show that even under H. R. 1, a person with a $10,000 income retains only 81 percent of it after paying his income tax; a person with an income of $30,000 retains only 67 percent; and a person with an income of $100,000 retains only 49 percent. On the other hand, a person with a net income of $600 retains almost 98 percent after the reduction provided in H. R. 1.

The minority has characterized H. R. 1 as economically unsound and inequitable. I am afraid that the facts of the matter demonstrate that my Democratic colleagues are in error on both counts.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. DOUGHTON. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I wonder how many of my colleagues remember that fanciful era when a man could print up fancy imitations of securities and peddle them under equally phony prospectuses to unsuspecting widows? Eventually we woke up to the fact that there was nothing in the American system of free enterprise which licensed swindlers. Under a Democratic administration we outlawed securities swindling.

What, in good conscience then, can we say about H. R. 1? Here is a $4,000,000,000 swindle which will prove to be a scaffold built by you Republicans which will be used by the irate electorate to hang you, come next election day.

H. R. 1 started out with beguiling simplicity to do justice to all downtrodden taxpayers. It would give each a 20 percent flat reduction in his income tax.

It did not take long for even responsible members of the majority party in this House to recoil from this arithmetical fraud.

H. R. 1 has had some decorations added to it since, in the hope of its sponsors to disguise its wickedness. Reneging on some of their millionaire patrons, the sponsors of this bill now offer only 10½ percent cut in the top income brackets.

But you and I have worried more about the little fellow—the fellow that might use his tax cut for household necessities and for plain everyday groceries.

The sponsors of H. R. 1 held out for a long time, but now they have some bait for the little fellow, too—it might be swallowed if not examined too closely. The bill now proposes a 30 percent reduction for the man with less than $1,000 income over and above his exemptions and deductions. The most wicked thing about this bill is its deceitful appearance. If you do not think about it, this bill sounds almost decent. A 30 percent cut for the little fellow, a 20 percent cut for the middle fellow, and a 10½ percent cut for the big fellow.

I may add here parenthetically that the 30 percent added to the 20 percent is like adding an extra 10 percent to near nothing. It still constitutes near nothing in the total amount of additional groceries.

Mr. FORAND. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Rhode Island.

Mr. FORAND. The magnanimous gift that is made to the little fellow is represented by this bill which shows a married man with no dependents whose income is $1,200 a year will have 22 cents a week less tax to pay. He can buy a package of cigarettes every week now.

Mr. DINGELL. That is correct; and that is the sum total of his relief. But the illustration gets worse, I may say to the gentleman from Rhode Island, as you go up the ladder. When you get to the million-dollar per annum income taxpayer that is when the illustration is really beautiful and worth while to the recipient. That is the element for whom this tax bill is being enacted.

Mr. FORAND. I do not have the million-dollar income in this table, but the man with a $300,000 income would get a relief of $902 each week.

Mr. DINGELL. That is correct. That is per week.

Mr. FORAND. That is as compared with the 22 cents a week for the little fellow.

Mr. DINGELL. I will cover that in my remarks if the gentleman will indulge me.

But let me tell you, the American people are not dumb. They know, and you know, that you cannot eat percentages. Any child in elementary school can tell you that percentages mean nothing unless you relate them to something. But what happens when you use these nice-sounding percentages? What happens to the oily promises of justice with which this bill is annointed?

I would like to give you a few illustrations. Strip the bill of its complicated arithmetic, and here is what happens:

The little man with the big family who now pays $100 of tax will save, under this bill, the magnificent sum of $30.

The man who now pays $1,000 in tax will save, under this bill exactly $200 or 6⅔ times as much.

The man who now pays $10,000 in tax will save, under this bill the sum of $2,000, or 66⅔ times as much.

The man who now pays $100,000 in tax will save under this bill, a mere $20,000, or 666⅔ times as much.

The man who now pays $1,000,000 in tax will save, under this bill, approximately $150,000 or 5,000 times as much.

Now, I ask the House, tell me what justice lies in the fancy percentages of H. R. 1? Thirty dollars saving for the little fellow. One hundred and fifty thousand dollars saving for the big fellow. Five thousand times as much for the big taxpayer.

But I beg the House not to misunderstand me. This is not the only deceit in H. R. 1. Why is this bill before us at all? Are we so free of debt, so rolling in surpluses, that we must hasten to slough off our revenues?

Oh, no. We have a war debt of $260,000,000,000. Is costs us $5,000,000,000 in interest alone to carry that debt. The sponsors of H. R. 1 are willing to let that debt and those interest charges run on. They are willing to trade a deceitful income tax cut now for the privilege of paying extra taxes the balance of our lives and the lives of our children so that the interest on the public debt may be prolonged.

Times are prosperous now. Now is the time to pay on the national debt to maintain Uncle Sam's credit rating and the value of the outstanding bonds. Now is not the time to cut taxes, much as each of us may desire it. Even if H. R. 1 were rewritten so that the tax cut was spread about in some semblance of fairness, no thinking man should vote for such a bill before he considers the future.

I say, and I doubt if any will dispute me, this tax cut will cost the taxpayers money in the long run.

The little fellow who is going to be saved the grandiose sum of $30 by this bill is the fellow who in a few years should be exempted from paying any income tax at all. That can be done when the national debt is whittled down to some extent. But instead, the price of his $30 saving, if this bill is enacted, is that he will probably have to keep on paying taxes the rest of his life so that he can pay the interest on the public debt that could be paid off now.

The pity of the whole thing is that the little fellow probably will get no benefit even now for his $30 saving from H. R. 1. The inflationary fires that already threaten our homes will be fanned by this bill. This bill will free nearly $4,000,000,000 of money for bidding up the prices the people have to pay. Last week the price of bread went up. If we would only let them, rents would go through the roof. Clothing is up. Everything seems headed in the same direction.

If this inflationary legislation should cause an increase in the cost of living as little as 60 cents a week—60 cents a week, I repeat—it will wipe out the generous $30 tax saving which H. R. 1 holds out to him.

There is one more aspect to H. R. 1 upon which I cannot refrain from speaking. You and I and everyone has complained bitterly for many years about

the complexity of the tax laws and the tax forms. We have seen with dismay the inequalities that exist in particular situations. We have waited with ill-concealed impatience for the day when some committee of the Congress would sit down and, in the name of sanity, overhaul our tax laws to make them simpler and more fair.

You do not have to be a Philadelphia lawyer to know that H. R. 1 is not the answer to this prayer. In their haste to distribute rewards to their millionaire patrons, the sponsors of H. R. 1 have only further complicated the tax laws and forms. They have frozen the many inequities that cry for remedy.

When, during the war, we needed every dime to fight for survival, tax laws had to be tuned to high revenues. We could not afford the nice adjustments which would solve and simplify every problem.

If we could spare the revenue now, you would think the committee would look to these grievances first. Should we enact H. R. 1—which I hope never comes to pass—we will not be able to afford the revenue loss that will be necessary to work justice and simplicity.

Many of you have heard the learned leaders of the majority jibe at the complicated task of filling out a tax return. I ask them how much simpler the task will be if H. R. 1 becomes law.

They will not answer. They dare not answer. Under this bill, they must know, there are four computations where two now suffice.

We have heard the distinguished members of the appropriations committee talk in this House scarcely a week ago about reducing Treasury expenditures. This bill increases Treasury expenditures by complicating the computations that have to be made.

When we debated the Treasury appropriation bill, we were told that large savings could be made because legislation was expected materially reducing the number of taxpayers and the number of tax forms. This bill does not eliminate a single taxpayer or eliminate a single tax form.

When we debated the Treasury appropriation bill, we were told that the Treasury could reduce tax refunds by $800,000,000, another glaring fraud of course. This bill increases tax refunds by more than a billion dollars and the amount of the refund to the average small taxpayer will not be worth much more than the check paper it is written on, and the cost of the refund to the Treasury will, in many instances, exceed the refund itself.

The most damaging document against H. R. 1 even in its present amended form is the statistical form prepared by the staff of the Joint Committee on Taxation by direction of Chairman Knutson. I invite your careful study of this data and of the tables contained in the majority and minority reports. You will be stunned by impact of the facts presented as you realize who will be the beneficiaries. I will include some tables to give graphic illustration to statistical facts and I would like to refer to some of the tables which the Republicans do not dare to use or even refer to after ordering their preparation. But these graphs, tables and factual figures cannot be ignored for they will follow you like your shadow and will haunt you to and beyond your political grave.

I urge you to study all the tables but above all else concentrate upon table 8, page 23, and table 4, page 38, covering take-home pay; they are an encyclopedia of valuable information.

The graph on page 35 is a most informative bit of evidence offered in condemnation of H. R. 1 even with its many amendments and changes.

Table 4, take-home pay, and table VIII follows:

TABLE 4.—*Comparison of spendable income under present law and under H. R. 1, as amended by the Committee on Ways and Means, for specified amounts of net income*

MARRIED PERSON—NO DEPENDENTS

Net income before personal exemption	Spendable income after tax		Increase in spendable income after tax under H. R. 1 as amended
	Present law	H. R. 1 as amended [1]	
			Percent
$1,200	$1,162	$1,173	1.0
$1,500	1,405	1,433	2.0
$2,000	1,810	1,867	3.1
$4,000	3,411	3,529	3.5
$6,000	4,955	5,164	4.2
$10,000	7,815	8,252	5.6
$25,000	15,918	17,734	11.4
$50,000	25,205	30,164	19.7
$100,000	36,873	49,498	34.2
$500,000	92,536	157,926	70.7
$1,000,000	160,286	271,176	69.2
$5,000,000	[2] 725,000	1,177,176	62.4

[1] Assumes taxpayer is under 65 years of age.
[2] Taking into account maximum effective rate limitation of 85.5 percent.

TABLE VIII.—*Comparison between the estimated individual income-tax liability under present law and H. R. 1, calendar year 1947 (with assumed income payments of $165,000,000,000)*

[Money amounts are expressed in millions]

Net income class (in thousands)	Taxable returns		Net income		Tax liability under [1]				Decrease in tax over present law					
					Present law		H. R. 1		Amount			Percent		
	Number	Percentage distribution	Amount	Percentage distribution	Amount	Percentage distribution	Amount	Percentage distribution	Simple distribution	Cumulated from smallest income class	Cumulated from highest income class	Simple distribution	Cumulated from smallest income group	Cumulated from highest income group
$0 to $1	6,563,742	14.1	$5,087	4.5	$343	2.0	$240	1.8	$103	$103	$3,696	2.8	2.8	100.0
$1 to $2	18,032,560	38.6	26,982	23.6	2,579	15.3	1,805	13.7	774	877	3,593	20.9	23.7	97.2
$2 to $3	12,696,257	27.2	31,441	27.5	3,163	18.8	2,445	18.6	718	1,595	2,819	19.4	43.1	76.3
$3 to $4	5,731,566	12.3	19,574	17.1	2,238	13.3	1,791	13.6	447	2,042	2,101	12.1	55.2	56.9
$4 to $5	1,793,235	3.8	7,926	6.9	1,066	6.3	853	6.5	213	2,255	1,654	5.8	61.0	44.8
Total under $5	44,817,360	96.0	91,010	79.6	9,390	55.7	7,135	54.2	2,255			61.0		
$0 to $10	1,213,469	2.6	8,100	7.1	1,393	8.3	1,114	8.5	279	2,534	1,441	7.5	68.5	39.0
$10 to $25	506,953	1.1	7,500	6.6	2,030	12.0	1,628	12.4	402	2,936	1,162	10.9	79.4	31.5
$25 to $50	102,103	.2	3,450	3.0	1,446	8.6	1,162	8.8	284	3,220	760	7.7	87.1	20.6
$50 to $100	34,896	.1	2,419	2.1	1,321	7.8	1,065	8.1	256	3,476	476	6.9	94.0	12.9
$100 to $300	8,096	(2)	1,250	1.1	850	5.0	690	5.2	160	3,636	220	4.3	98.3	6.0
$300 to $500	555	(2)	208	.2	157	.9	129	1.0	28	3,664	60	.8	99.1	1.7
$500 to $1,000	287	(2)	195	.2	144	.9	125	.9	19	3,683	32	.5	96.6	.9
$1,000 and over	80	(2)	161	.1	126	.7	113	.9	13	3,696	13	.4	100.0	.4
Total over $5	1,866,439	4.0	23,283	20.4	7,467	44.3	6,026	45.8	1,441			39.0		
Grand total	46,683,799	100.0	114,293	100.0	16,857	100.0	13,161	100.0	[3] 3,696			100.0		

[1] Normal tax surtax and alternative tax on capital gains.
[2] Less than 0.05 percent.
[3] In addition to this loss of $3,696 million there is a loss of $140 million due to the $500 exemption for persons 65 years of age and over. The total loss under H. R. 1 therefore is estimated at $3,836 million. Insufficient data on persons now enjoying certain tax exclusions make it impossible to estimate this loss, although it is believed to be small.

NOTE.—Figures do not necessarily add to totals because of rounding.
Source: Staff of the Joint Committee on Internal Revenue Taxation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DINGELL. Mr. Chairman, I yield myself five additional minutes.

Mr. Chairman, I should like to refer now to one phase of the discussions that we heard so much about in connection with the statistical data prepared by the staff of the Joint Committee on Taxation. This appears on page 12, table 13. You have heard much said about how these taxes in the past have stifled initiative,

how they have reduced to almost abject poverty the man in the upper brackets.

Let us look at this table: In 1933 the number of persons in the net-income class $100,000 to $300,000 amounted to 1,779. In 1947, after a steady climb through the years, and mind you, this is 2 years after the war, too, it had grown to 8,096.

The $300,000 to $500,000 net-income class grew from 141 in 1932 to 555 in 1947—that is, 2 years after the war. The $500,000 to $1,000,000 net-income class grew from 81 in 1933 to 287 in 1947.

The $1,000,000 and over net-income class grew from 50 in 1933 to 80 in the year 1947.

In nearly every instance, Mr. Chairman, I respectfully call your attention to the fact that these classifications have grown consistently as the income-tax rate rose. Therefore, there was no such thing as a depressing effect as the result of taxes paid by the taxpayer. I submit the detailed table No. 13 of page 12 of the report:

TABLE XIII.—*The number of taxable individual and fiduciary income-tax returns with net income over $100,000 by net income classes, actual for 1933–44 and estimated for 1947*

Net-income class	1933	1934	1935	1936	1937	1938	1939
$100,000–$300,000	1,779	1,672	2,291	4,150	3,627	2,092	2,553
$300,000–$500,000	141	116	206	330	312	207	212
$500,000–$1,000,000	81	86	109	178	162	118	111
$1,000,000 and over	50	33	41	61	49	57	45
Total	2,051	1,907	2,647	4,719	4,150	2,474	2,921

Net-income class	1940	1941	1942	1943	1944	1947 [1]
$100,000–$300,000	3,095	4,404	5,570	6,702	7,454	8,096
$300,000–$500,000	267	367	415	456	394	555
$500,000–$1,000,000	128	169	199	222	185	287
$1,000,000 and over	52	57	40	55	50	80
Total	3,542	4,997	6,224	7,435	8,083	9,018

[1] Estimated.

Mr. FORAND. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield.

Mr. FORAND. I simply want to call the attention of my friend to the fact that in 1942 when we were actually at war there were 40 taxpayers in that income-tax group of a million dollars or over and that has actually doubled in 5 years so that now it is 80.

Mr. DINGELL. I am cognizant of that fact. It is absolutely correct.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I am glad to yield to the gentleman.

Mr. MONRONEY. I think the amazing thing about the gentleman's statement is the vast increase shown which I think he said was from some few hundred to 8,000 in the $100,000 to $300,000 bracket. I wish when the gentleman revises his remarks, since the $100,000 figure undoubtedly represents the annual income of those who became millionnaires in the interim period, he would compute all of these figures so that the Congress might have some idea of how many new millionaires have been created as the result of World War II and the income they have made therefrom.

Mr. DINGELL. I do not know whether I can go into all that, but I will say that I have cited, as my friend understands, net income, which, of course, in every instance means that after all statutory exemptions, deductions, and allowances have been made, tax is paid upon the residue, that is the income-tax classification. So it points well in the direction of created millionnaires. In that particular classification of $100,000 to $300,000 net income, the number has increased during the period from 1933 to 1947 from 1,779 to 8,096. That is not bad at all when you think of how they fared under this depressing, restrictive, corrosive, and abusive tax system.

Mr. FORAND. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield.

Mr. FORAND. Is it not a fact that table refers simply to net taxable income from the $100,000-and-up class and that the total shows that there will be in that group 9,018 taxpayers whose net taxable income will be over $100,000?

Mr. DINGELL. That is right.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield.

Mr. MICHENER. Is it not also true that most of the money made by these factories was made under the system practiced by the administration and that the cost-plus contracts were responsible for it so that as a matter of fact these large profits were the result of the way the people were permitted to operate and profiteer in many instances under the Government control and regulation during the war? I know cases, and the gentleman does, where the Government took all the chances and the manufacturer took all the profits. Now, we want somebody to take chances, and you cannot do it unless you reduce some of these taxes.

Mr. DINGELL. Those incomes were permitted to grow up under the system, as the gentleman referred to it, during the war, but I remember only too well as we repealed certain restrictions in the Walsh-Healey Act and other acts on this floor, that the gentleman's party voted almost as a unit to abolish those restrictions. I know, too, what happened when those people came before the Committee on Ways and Means with regard to amortization and with regard to renegotiation and how they howled and how they scowled about the restrictions of the administration. I remember one distinguished citizen who came there along with others, and they all wanted to know what will be the amount of profit before we start producing for the national defense.

Mr. MICHENER. Mr. Chairman, will the gentleman yield further?

Mr. DINGELL. I yield.

Mr. MICHENER. The gentleman is certainly correct in what he has just said.

Mr. DINGELL. I would not want to be incorrect or refuse my good friend from Michigan, because I say to him most sincerely that I have a very high regard for him.

Mr. MICHENER. I thank the gentleman. That is very nice. But you referred to repealing restrictions under the Walsh-Healey Act. I take it the gentleman has reference to the portal-to-portal bill which recently passed this House, because that is the only law which has in any way affected the restrictions of the Walsh-Healey Act. That was necessary because of the very things that were being done then.

Mr. DINGELL. Now, I appeal to my friend, let us not inject any portal-to-portal here. That had nothing to do with the wartime profits. Let us deal here with wartime profits. It is conceded that in spite of all we tried to do to skim off the excess profits and with all that has been said about abuses of the taxpayer by the tax laws of this Democratic administration, the incomes of the taxpayers have grown consistently as the tax rates have been pushed upward by necessity. The repeal of excess profits and the forgiveness under the Ruml plan vigorously pushed by the Republican Party helped to swell the number of these high-bracket taxpayers.

Mr. LYNCH. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from New York.

Mr. LYNCH. Our distinguished friend from Michigan [Mr. MICHENER] has stated that these 9,000 people who have incomes of over $100,000 were the result of the controls. I wonder what would have happened if we had had no controls.

Mr. DINGELL. God Almighty only knows what would have happened then.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield.

Mr. MONRONEY. And the gentleman from Michigan [Mr. MICHENER] failed to mention that the famous Ruml plan, the $8,000,000,000 booby trap which was rushed through here by Congress with the support of his party, helped make many of those wartime millionaires.

Mr. DINGELL. It had much to do with the increase in the 1947 returns and the raising of those classifications to astronomical proportions.

Now, if you will permit me, I would like to touch on one or two other things.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. DINGELL. Mr. Chairman, I want to particularly plead with the

membership of the House to make a very careful study of this table on page 23 of the report before you vote tomorrow. It will astound you if you can possibly digest the inequities contained in the chart. Of a total amount of 46,683,799 taxpayers, 44,817,360, or 96 percent, will get 54.2 percent of the benefits under this bill. On the other hand, the 1,866,439 taxpayers, or 4 percent, will receive 45.8 percent of the benefit. If this is justice and equity in a tax bill, I do not know the meaning of the words; and, as I have said here repeatedly, I have only been on this committee now for 14 years, and this just does not make sense or reason nor can I square it with my conscience when I look at the amount of benefit that is given the big fellow as compared with the individual who is trying to feed, clothe, educate, and bring up as decent citizens a family of two or three or more children. It is unbelievable that the majority would come in here with a bill of this kind and try to jam it down the throats of the membership.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield.

Mr. KNUTSON. Does the gentleman mean to tell us that these little-income groups would be better able to feed and clothe their families without tax reduction?

Mr. DINGELL. I mean that if you give them what amounts to about 22 cents a week, which is about the price of a package of cigarettes where you have a State sales tax, which the gentleman so ardently advocates, that it would not do him any good, and he could just as well do without one package of cigarettes per week as a tax concession.

I close as I started, by saying this bill is a $4,000,000,000 swindle. I beg you to send it back to the committee with instructions to give it as decent a burial as fits the deceitful environs from which it sprang.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. KNUTSON. Mr. Chairman, how does the time stand now?

The CHAIRMAN. The gentleman from Minnesota has 1 hour and 28 minutes remaining. The gentleman from North Carolina has 1 hour and 19 minutes remaining.

Mr. KNUTSON. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. AUCHINCLOSS. Mr. Chairman, I ask unanimous consent that I may extend my remarks in the RECORD immediately following the speech of the gentleman from Ohio [Mr. JENKINS].

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. The gentleman from Ohio is recognized for 10 minutes.

Mr. JENKINS of Ohio. Mr. Chairman, I am very much amused by the various excuses that my friends on the right give with reference to certain phases of this bill. My good friend the gentleman from Tennessee [Mr. COOPER] devoted most of his time to the 30-percent reduction. He said in effect that it was iniquitous. Yet he and every member of the committee, both Republicans and Democrats, voted for that 30-percent reduction.

Mr. FORAND. Mr. Chairman, will the gentleman yield at that point?

Mr. JENKINS of Ohio. I yield.

Mr. FORAND. We voted to try to help the gentleman's committee perfect a bad bill.

Mr. JENKINS of Ohio. That is as good an excuse as you can make. The gentleman does not dispute the fact that he voted for the 30-percent reduction.

Mr. FORAND. I will help perfect a bad bill every time.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. DINGELL. While we thought the committee bill was bad, at the same time we tried to make it a little more palatable.

Mr. JENKINS of Ohio. Yes; the gentleman wants to get in out of the rain. There were two amendments added to the bill. One was the 30-percent reduction for the lower-income groups and we all voted for it; and the other was an amendment giving some more favorable consideration to those above 65. I hope I might discuss that further. We all voted for that. Not a single person voted against those amendments. I think all the Republicans and many of the Democrats are going to vote for this bill tomorrow.

You know, I was also very much impressed, as I said before, with what the gentleman from Tennessee [Mr. COOPER] said about how iniquitous this legislation was and how terrible it was going to be.

Do you know all we do in this bill, and let me impress this on you: All we do in the bill is to reduce the taxes as they are now levied by a bill that the Democrats themselves passed. The Democrats and New Dealers passed all the tax laws we are operating under. They fixed the schedules and the different gradations of taxes. We do not tear the structure down nor do we change the classes. All we do is to reduce the taxes of every single taxpayer in the United States and we do it just as methodically and scientifically as the present law was built.

Mr. COOPER. The gentleman voted for every one of them, too.

Mr. JENKINS of Ohio. Yes, I did; but I say it is their bill. What do we do in this bill? We do just two things. You cannot find fault with our perfecting your bill. Every piece of legislation under which we collect taxes now was passed under a Democratic administration. We come along and we say that we have just come out of a war. We say it is time to reduce taxes and we tell the people we are going to reduce taxes. We proceed to reduce taxes by taking 20 percent off of everybody up to those who make $300,000 or more, and we take off 10 percent from them. In addition to that we go back and say instead of making it 20 percent across the board we will do something for the small taxpayer. What do we do? We give them all a 30-percent reduction. Thirty percent on what they are now paying. Mr. Chairman, how much of a reduction do you expect to give an individual? Someone stands up here and says "Isn't it awful that somebody only gets 22 cents a week of a reduction." If he only pays taxes at the rate of 70 cents a week, 22 cents a week would be a pretty good reduction. You cannot attack the fairness of any reduction plan if it reduces in the same proportion that it built up. If the man who pays $2,000 in taxes is not given any better rate than the man who pays $30 then there should be no accusation of unfairness. In this bill the man who pays two thousand is not given the same rate as the $30 man. The $30 man is given a 30-percent reduction while the other man is only given 20 percent. You cannot in fairness take all the income that the wealthy man has. We already take more than 80 percent of what he has. On the other hand we cannot take all the small man has. We are, in this bill, reducing the taxes of all as equitably as possible.

If we confiscate all the income of the so-called rich we would not have very much compared to the volume of taxes collected. Seventy-five percent of all the taxes collected are below the $10,000 level. It is the great middle class that pay the taxes.

What do we do for them? In 1945 we passed a tax-reduction bill. We voted for it and the Democrats voted for it. What was the result? We took 12,000,000 in the lowest brackets off the tax rolls. Twelve million people went off completely. How many people are affected by this 30-percent reduction? Eighteen million and six million more who are covered by the notch to which I shall refer—a total of 24,000,000 people get from a 20- to 30-percent reduction. That is quite a reduction for that class of people. If a man only pays about $10 a year in taxes, how much of a reduction can he expect? He gets a 33⅓-percent reduction under the new computation. That is a pretty good reduction. If you want to give him some more why do you not vote some more? Why did you Democrats not offer a motion in committee to make it 40 percent? No one rose up and said, "Let us make it 40 percent." You all voted for the 30 percent, every last one of you voted for the 30 percent, and you were glad of that opportunity. I am glad you had that opportunity.

Mr. FORAND. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. No. I prefer to continue as my time is short.

Mr. FORAND. The gentleman better not.

Mr. JENKINS of Ohio. I shall yield to the gentleman from Minnesota.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the chairman of my committee first.

Mr. KNUTSON. We have listened to the minority speakers and one would think they were in favor of taking all taxpayers off the roll and paying them a bonus on top of that.

Mr. JENKINS of Ohio. I now yield to the gentleman from Rhode Island.

Mr. FORAND. I will tell the gentleman why we did not offer anything in the committee, because of the way the committee was ridden by the one man. We

did not stand a chance, and I will tell you more if you want to hear it.

Mr. JENKINS of Ohio. I am sorry that the gentleman is aggrieved. It is almost childish to think that one man dominates the whole 25 members of the committee. I am sure that the gentleman from Rhode Island was not dominated.

Mr. FORAND. The gentleman knows that is true.

Mr. KNUTSON. It is not even childish.

Mr. FORAND. The record does not prove I am childish.

Mr. JENKINS of Ohio. I am glad I yielded to the gentleman, but I cannot yield any more.

Let me talk seriously about this matter. This is a very important matter, my friends. We are going to make a decision tomorrow whether we are going to reduce taxes before we provide for any debt payment. That is an important question. Now, I acknowledge and I admit that is an important matter; that is an important proposition. There are many fine gentlemen on my side of the aisle who have maintained consistently that we should pay something on the public debt before we reduce taxes. Very well. If you would stand adamant on that proposition and say you will never vote for a reduction in taxes until we pay the debt, why you will be here for fifty years, because we will not pay this debt in less than 50 years. It is so colossal we cannot pay it very soon.

Now, why have we not paid something on the debt? Well, the Secretary of the Treasury can pay on the debt any time he wants to if he has the money. I understand that there are probably $2,000,000,000 of cash available that the Secretary of the Treasury could pay now on the public debt. We in the Congress can not pay the debt. We can just pass legislation. We can pass legislation instructing him that the next time a certain issue of bonds comes due that he must retire them if he has the money, but we leave that to him, and he has plenty of money down there today that he can pay a substantial payment on the debt if he wanted to do it. But, apparently his policy is not to do it, not to want to retire the debt now. He said he does not want to reduce taxes now. What does he want to do?

Well. now, then, listen to me. It has been brought out here that we reduced taxes at a certain time last year. Someone said we reduced the taxes because an election was imminent; we reduced the taxes because an election was coming on; and so and so forth. But would it be wrong for me to say that the Secretary of the Treasury is waiting for next year, in 1948, when he will come forward and recommend a reduction of taxes, and the President will come on and recommend a reduction of taxes? They will most surely do so. Now, we can do this tax reduction today, gentlemen; we can reduce the taxes today, and we can pay on the debt today. Why do we not pay on the debt? I said before that is up to the Secretary of the Treasury. My good friend, the gentleman from North Carolina [Mr. DOUGHTON] said that the conferees having to do with the fixing of the budget had not reported yet; the gentleman and I and 18 others are on that conference committee. It has not, and it has not brought back a final report, but it will do so shortly. It must certainly recommend some figure between six billion and four and one-half billion. The 108 Congressmen making up this Budget Committee brought back a report here and they have recommended a reduction in the budget of $6,000,000,000, and the House has accepted it, and most of you voted for it. It passed overwhelmingly in this House. We cut the budget down $6,000,000,000. Why, the President himself recommended that we cut the budget to some extent; I mean, his figures show it. The President's budget figures show what? They show a figure of thirty-eight and nine-tenths billion as probable receipts and he recommended expenditures of thirty-seven and one-half billion. That leaves a balance of one and four-tenths billion right there in the President's own figures.

Now then, what did the committee of 108 recommend? What did you adopt? You adopted these figures. You said in effect that we are going to have an income of $39,100,000,000.

Well, this same committee fixed expenditures at $31,500,000,000. You take $31,500,000,000 from $39,100,000,000, and there is $7,600,000,000 that we have already found in this Congress by an overwhelming vote. Now then, if we pass this bill, it takes $3,800,000,000 off of taxes, and that leaves over $3,000,000,000 for payment on the debt.

Now then, in addition to that, let me say this: The President, when he sent his budget up to us, gave no consideration to the $1,300,000,000 that we have saved since that time. Here is a saving of $1,300,000,000 which resulted when we reenacted the statutes applicable to excise taxes. You put that on the President's balance of $1,400,000,000 and that gives you $2,700,000,000. What are you going to do this year?

These experts that we have here, they are not Democrats or Republicans; they are career men. They tell us we are going to have an intake of $42,100,000,000. If we have an intake of $42,100,000,000 and can spend only $31,100,000,000, because we have agreed that that is all we are going to spend, then we will have $11,000,000,000 to work on. Suppose you take $1,000,000,000 of that off and let them have a leeway of $1,000,000,000. Let us bring it down to $10,000,000,000. It looks very much as if we are going to have $10,000,000,000 to work on this year. Then why wait? Now is the time to reduce taxes. The taxes under this bill are reduced absolutely percentagewise, accurately, definitely, and fairly. If you want to say, "Well, here is a $5 man, he only gets so much," if you want to give him more than 30 percent that is all right, but you can never fix it so we will not have small taxpayers. That will never happen.

The argument has been made in the committee and in the press that we can forgive the first part of 1947 and commence to collect the taxes in July of 1947. You know what the trouble with that would be. If you are going to divide the year 1947 administratively it is almost impossible to do so, I am informed. Further, there are many people who make all their money in the first part of the year. All their earnings accrue in the first 6 months of the year. If you forgive these, then you have forgiven all of their tax. Then take the farmer, the cattleman, for instance. He makes all his money in the fall of the year. If you forgive the first part of the year and assess the full percentage on the last part of the year, then you are making the cattleman pay on the full income but you are forgiving the man who operated in the first part of the year; that is not fair, it is not just, and it cannot be done administratively, except at a great deal of trouble, neither can it be done equitably. For that reason, I do not want anybody to be swept off his feet by an argument, however plausible it might appear to him, that he may see in the newspapers.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I agree with the gentleman. It would simply mean an additional chapter of economic bullwhipping to our people, who have had enough of that kind of stuff.

Mr. JENKINS of Ohio. Exactly. It would just be a matter of impossible bookkeeping to whoever would participate in it.

To the new Members of Congress and those of you who have not given much attention to tax laws, I am sorry to say that this bill is like all other tax bills in that taken literally and by itself you cannot learn much about it. In fact many of us who have had a great deal of experience in handling tax bills are not much better off than you are if we take this bill literally. However, I want to say that those responsible for the drafting of this legislation have adopted a plan that will not be complicated to follow if one would take the time to understand just what the plan is.

For instance we have talked a great deal about a 30-percent rate on those whose taxable income is $1,000 or less and a 20-percent rate on those whose taxable income is greater than $1,000. But strange as it may seem neither the figures and words 30-percent cut and 20-percent cut do not appear anywhere in this bill. In fact the $1,000 net income which seems to be a very important figure is as a matter of fact not the important figure because neither the 20 percent nor the 30 percent apply to the $1,000. These percentages apply to the tentative tax that must be paid by the individual. For instance, the real figure that plays an important part in these computations is a figure that, without this legislation, would be the tentative tax of the taxpayer. For instance the tentative tax is established by computing 20 percent (which is not the 20-percent cut that we refer to) on the net taxable income whatever it may be. If it is $1,000 the tentative tax is $200. If it is

only $500 the tentative tax would be $100 and if it is $2,000 the tentative tax would be $400. Under the bill which we passed in 1945 a deduction of 5 percent was allowed on the tentative tax in the three cases above given, 5 percent of the $200 or the $100 or the $400 referred to would first be taken. In the $200 case 5 percent would be $10. That $10 would be deducted from the $200 and would be $190. That would be the present tax payable under the present law.

Under the bill which we are considering today we are allowing a 30-percent deduction on this $190. This would amount to $57. We would then deduct this $57 from the $190 which would leave the figure $133. That would be the tax in this case that would be required to be paid under the bill now under consideration. In that case the reduction would be $57.

This bill under consideration provides a 30-percent deduction on the tentative tax in all cases where the taxable income was $1,000 or less. If a man's taxable income was $1,001, the rate of reduction would only be 20 percent. If we were to go through the same arithmetic with this sum as we did with the $1,000 we would find that the man whose net taxable income is $1,001 would be compelled to pay $19.15 more than the man whose taxable income was $1,000. In other words, for having the one extra dollar he would be penalized to the extent of $19.15.

I am glad to say, however, that in this bill proper language has been provided to guard against that inequality. That is what is referred to in tax language as a notch. The language in this bill provides that a sliding scale should be established to operate upon net incomes between $1,000 and $1,395.83. It is at this last-named figure that the notch will run out. The formula established is to ascertain the tentative tax just as we did in the other example, that is, take 20 percent of any figure between $1,000 and $1,395.83 and take 20 percent off of that amount so as to establish a tentative tax. Then deduct from that $67 and the remainder would be the actual tax to be paid under the present law.

Let us apply the arithmetic to this sum of $1,395.83 by taking 20 percent of it. The result would be $279.17. By subtracting $67 from this sum the balance would be $212.17 and that would be the tax payable under that net income.

Therefore on all net incomes above $1,395.83 the tax would be found by taking 20 percent of that amount which would be the tentative tax, and then taking 24 percent from the tentative tax, which would be the tax under the new bill. The reason for taking the 24 percent, as provided in this new bill, is that 20 percent taken after the 5 percent has been taken is the same as taking 24 percent. By doing this, the one computation is saved. For instance, 5 percent from 100 is 95 and 20 percent of 95 is 19. And 5 and 19 make 24.

I am sorry that I cannot go further into detail in explaining this notch transaction, but I wish to compliment those who have devised this plan, because it works out very accurately with the result that everybody is treated alike.

I sincerely hope that this legislation will pass and that it will not only be a great satisfaction to the overburdened taxpayers of the country, but I hope it will act as a stimulant to business and a stabilizer to our economy.

Mr. AUCHINCLOSS. Mr. Chairman, I am very definitely in favor of H. R. 1, which is now being considered by the House, and support it with enthusiasm. This bill not only relieves the payers in the lower-income brackets of considerable tax burden but it also will stimulate the flow of risk capital to finance an expanding economy in the country.

Too much emphasis cannot be placed on the need for a stimulus to our expanding economy in order to meet the ever-present threat of inflation. I hope this measure will pass by a large vote and that there will not be too much delay before it is enacted into law. Any delay would be detrimental to the best interests of the country because at this time it is especially necessary that our financial house be put in order by the reduction of taxes as well as by the reduction of unnecessary Government expenditures.

I am taking this opportunity, however, to direct the attention of the Members of this body to serious departure from the doctrine of separation of powers in our Government. It is the unnecessary and unwarranted delegation of legislative power to the Executive without adequate safeguards or standards to insure that the will and intent of the Congress is observed. This fundamental error will be repeated until Congress asserts and equips itself to perform once more the legislative function, rather than permitting it to go by default, sometimes misnamed delegation, to the executive departments.

I am sure that every Member of Congress from time to time has found a constituent confronted by a Federal law, usually of a regulatory or tax character, which was "legislated" by some executive agency, rather than the Congress of the United States. It is appropriate that, with a new peacetime Congress and a new legislative reorganization act, we stop and take stock of these situations. They cannot be allowed to increase without a serious danger to the integrity of the Congress and our particular form of government to which rule by executive decree is abhorrent.

We all recognized that during the war period a variety of emergency regulations were necessary to mobilize our national efforts for the conflict. The delegation of the power to legislate by the Congress to executive agencies in such a situation may be a necessity. Likewise there are many problems of Federal Government in which the delegation of a legislative power may be necessary to a smooth and efficient functioning of the Congress and the other branches of the Government.

Recognizing these realities, I have come to the view that we have gone much too far in turning over our responsibilities for legislation to the executive departments and agencies and that this unchecked practice has resulted in a large number of unnecessary abuses. We must renew our vigilance to place severe limitations upon this delegation of legislative power where it is not necessary or where it has been subject to abuse.

I wish to give point to my remarks in this connection by citing a particular example which, however homely and specialized, illustrates the general problem.

Some time ago some of my constituents pointed out to me that an excise tax, originally imposed as a luxury tax on toilet articles, was being applied in such a way as to make taxable medicinal preparations which arguably were beyond the purview of the taxing act. In this particular case, a product known in common parlance as baby oil and lotion was the subject of a tax under section 2402 of the Internal Revenue Code (26 U. S. C. A. 2402). The provision of the statute read:

SEC. 2402. Tax on toilet preparations:

(a) Tax: There is hereby imposed upon the following articles sold at retail a tax equivalent to 10 percent of the price for which so sold: Perfumes, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, aromatic cachous, toilet powders, and any similar substance, article, or preparation, by whatsoever name known or distinguished; any of the above which are used or applied or intended to be used or applied for toilet purposes.

Although it seemed to me that the language of the statute would deny any attempt of Congress to tax baby oil as an article similar to the specific products mentioned because of its medicinal character and limited use to newborn infants, I decided to check my layman's impression with the authorities.

First, I sent a letter to 3,262 hospitals in the United States which reported more than 100 births annually, enclosing a card with the following questions:

1. Is baby oil or lotion generally used for newborn infants in your institution?

2. Is baby oil or lotion generally considered by your staff a necessity in the care of newborn infants?

3. Is the use of baby oil or lotion generally recommended by your staff to mothers when they leave your institution?

These questions were framed to ascertain whether the medical profession considered baby oil or lotion a medical necessity in the care and treatment of infants or whether they classified this article as a cosmetic or a luxury. The card provided also a place for the signature and position of whoever answered for the hospital. The replies came in promptly and in volume, and no card was listed which was not signed. In all, 2,640 replies have been received and the questions were answered as follows:

1. Is baby oil or lotion generally used for newborn infants in your institution?

Yes, 2,512; no, 121; no answer, 7.

2. Is baby oil or lotion generally considered by your staff a necessity in the care of newborn infants?

Yes, 2,496; no, 138; no answer, 6.

3. Is the use of baby oil or lotion generally recommended by your staff to mothers when they leave your institution?

Yes, 2,416; no, 166; no answer, 58.

These replies clearly indicate that doctors consider baby oil or lotion a necessity in the care of newborn infants and whose judgment could be better? Certainly not the employees of the Internal Revenue Department who insist that the parents of babies must pay a tax on this important medication.

Next, I reported my findings to the Treasury Department, requesting their consideration of the removal of baby oil from the class of taxable products in the light of the information I had made available to them or which they could obtain by checking my sources.

The reply was that—

> There is no provision in the present law under which a baby oil * * * or other product used as an adjunct to the toilet or in the care of the body, may be exempt from the tax because it may be considered a necessity or may also have or be held out to have a medicinal value.

Leaving to one side the questionable character of this opinion of the Bureau of Internal Revenue in the light of decided cases by the higher Federal courts—borrowing the words of Justice Cardozo see, for example, *Sharp & Dohme* v. *Ladner* (82 F. 2d 733 (CCA Pa. 1936)—this experience has convinced me that a serious abuse of the doctrine of separation of powers is involved and that steps should be taken by the Congress at the earliest moment to correct this and similar abuses.

Certainly, it is delegation running riot, in the famous case outlawing the NRA, for the Congress of the United States to leave it between the Bureau of Internal Revenue and the courts to determine what products are to be the subject of an excise tax. Yet, in practice this is what has happened with Congress listing a few specific articles as taxable and delegating to the Executive the power to tax hundreds of other products which it may determine as included in the language any similar substance, article, or preparation, by whatsoever name known or distinguished. The only standard imposed is that the product so declared be used or applied or intended to be used or applied for toilet purposes. That is either poor legal draftsmanship or a deliberate effort to pass over to the Executive determinations of tax policy, general and specific, that Congress ought to make as the representatives of the people elected for that purpose.

I have no objection to the levy of an excise tax on the specific products named in section 2402 of the Internal Revenue Code; nor would I have any objection to the extension of that levy on many additional items which Congress, after adequate study, sees fit to determine as within the general category of toilet articles and, hence, properly included along with perfumes, cosmetics, hair oils, pomades, toilet waters, hair dressings, hair dyes, aromatic cachous, and toilet powders. I am not even sure how I would vote upon a proposition to broaden this category of product subject to excise taxes in this field to include certain particular products which were primarily medicinal in their nature and should be considered as necessities. Nor would I ask this body to pass a special legislative exemption for a product because it happens to be manufactured in my district. But I do seriously object to the loose inclusion of an omnibus category of items which are to be declared taxable by the Bureau of Internal Revenue merely because it feels that they are similar to the products named. Such a practice results in the passing over of such questions of policy as the one involved here: Will the Congress levy a sales tax on a medicine which is a necessity for every family with an infant; will Congress tax a necessary medicine as it taxes a cosmetic? These are questions for Congress to decide; not the Commissioner of Internal Revenue.

This may be considered by some as a minor matter; limited to its specific sphere, it is minor; but the general principle of preserving a separation of powers is as important as our form of Government. Hence, I urge the Ways and Means Committee at an early date to present the Congress such measures as will cure existing situations and guard against future developments of this character. No matter how much we may choose to pass the buck to the executive departments to determine how and in what manner the laws we pass shall be applied, we should not continue a system of taxation by administrative decree.

One may read the cases in which the Federal court has reviewed the application of this act and see the extent to which this general delegation can be pushed without judicial check and how the courts, without too much success, have strained to develop judicial standards in lieu of the absence of legislative standards. In this situation Congress abdicated its proper responsibility; it delegated its legislative power without adequate standards or direction; it perpetrated, as a practical matter, a modern application of the principle of taxation without representation, which we thought we had rid ourselves of as early as the Declaration of Independence.

How can we, with the necessary conviction, perform the much needed function of policing arbitrary and unwarranted abuses by the executive agencies when, as a Congress, we give them a blank check to determine what is to be taxed? I submit that one of our first tasks of this Congress in dealing with the taxing and revenue laws is to locate every instance in which the power to tax and to determine what is to be taxed has been delegated in general terms, to initiate those studies necessary to a legislative determination by Congress rather than some employee of the Bureau of Internal Revenue, and finally to inaugurate those practices and procedures of legislation which, whatever else they accomplish, at least result in taxing those things the legislative body determines should be taxed and omitting those things from taxation which a wise national legislative policy would exempt from the taxing power.

It is only by a studied and undramatic effort to do the job we are elected to do rather than pass it over to the Executive that the integrity and efficiency of the legislative process will be maintained. Let the Congress recapture its responsibilities and call a halt to the process of government by executive decree, lest our system of government lose yet another hallmark that distinguishes it from the totalitarian states.

Mr. KNUTSON. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Chairman, the gentleman from Ohio [Mr. JENKINS] has just made what seems to me to be an unanswerable argument in favor of the passage of this bill. There was no rancor, no acrimony, no political bias. In short, as a member of the tax committee for many years, he speaks from experience and his remarks do and should carry weight.

The debate has demonstrated that the membership of the House may be divided into three categories so far as this bill is concerned:

First. Those who believe that tax reduction at this time will be advantageous not only to the recipients, but to the general economy of the country, and who accept this proposal as the most likely tax aid at the moment.

Second. Those who are diametrically opposed to any tax reduction until the budget has been balanced and a substantial payment made on the national debt.

Third. That part of the minority which views with suspicion any legislation which seems to have the united support of the majority. This might be called a politically partisan group.

Mr. Chairman, no one likes to pay taxes, yet without taxes the Government cannot operate. In the final analysis, it is just a question of how the taxes are to be levied. I have always entertained the view that the bulk of the taxes should be borne by those most able to pay. This does not mean that because a man starts at the bottom in economic life and by hard work, frugality, and fair dealing succeeds financially, he should be punished, because he has contributed to the success of the country and has furnished jobs, employment, and a livelihood to many of his fellow citizens.

I hope there are none among us who would demagog and insist that the large income taxpayer is not paying at least his fair share at this time. When we recall that the tax collector takes as much as 86 percent of the taxable income of those in the highest brackets today, we must wonder just what the incentive is, inspiring these taxpayers to continue to risk their capital and hazard what they have in order to pay more taxes. It may be popular in certain quarters to demagog, but in peacetime consideration must be given to any policy that makes for more employment, more production, and more pay checks at the end of the week. The free enterprise system has made the payment of very large taxes possible. We must not destroy that system.

The Chairman, this bill does not provide a 20-percent reduction straight

across the board. It does provide a 20-percent reduction of all who pay taxes, but it provides a 33⅓ percent reduction for those with the smaller incomes. The principle of ability to pay finds expression in this bill. If we delay the reduction of income taxes until the national debt has been paid, it will mean paying the present rate of taxes for more than a hundred years, because no one conceives that the present debt will be liquidated before that time, if the obligation created by the debt is honestly met in accordance with the American way of doing things. Our bonds always have been and always will be good so far as repudiation is concerned.

Mr. Chairman, the members of the Ways and Means Committee have presented an admirable report accompanying this bill. Anyone reading that report must be convinced of the soundness of this proposal. I came to Congress at the close of World War I and participated in tax reductions between 1920 and 1930. On August 31, 1919, the national debt was $26,000,000,000. This was reduced a billion dollars a year until 1929, yet the economy of the country improved, the incomes increased, and as income increased there was more income to tax and the Treasury was the beneficiary. This was history repeating itself, and I predict that the reducing of these taxes will be most beneficial not only to the small taxpayer in the amount of money he is relieved from paying to the Government, but also because of the additional business resulting from the use of money invested in industry rather than being sucked from industry and expended by wasteful administration of government.

This is not a political bill, and it is to be regretted that so much political heat has been generated by those who are apparently more inclined to think in terms of politics than in terms of the welfare of the country. This group, however, should not and will not dominate. When the final roll is called, if I do not miss my guess, this bill, as written, will receive an overwhelming endorsement by the House, all this criticism and political harpooning to the contrary notwithstanding.

Mr. DOUGHTON. Mr. Chairman, I yield 20 minutes to the gentleman from Arkansas [Mr. MILLS].

Mr. MILLS. Mr. Chairman, ordinarily, one desires to place himself with the group recommending tax reductions. This certainly is the desire of every Member of Congress, I am sure. It is proper that we be favorable to the interests of taxpayers at all times when circumstances will permit. Therefore, I wish that I could appear today advocating some type of tax reduction. However, I have been unable to justify in my own mind any action other than that of opposition to this bill. Perhaps the reasoning that prompted this result may be of interest to you as you struggle with the problem of determining your own action on the roll calls to follow.

In the past I began thinking in terms of reduced Government expenditures, balanced budgets, and debt retirement. During the war I longed for the moment when circumstances would permit a discontinuance of staggering wartime expenditures and sacrifices. I longed for the time when circumstances would permit expenditures of Government to be less than receipts of Government. I longed for the day when circumstances would permit the Government to begin substantial yearly repayments of the amounts it had borrowed from its taxpayers and other citizens.

During the adjournment of the Congress I began to think in terms of the immediate arrival of that day. My Republican colleagues had been elected to congressional leadership on the apparent promise of a balanced budget, debt retirement, and tax reduction. I recalled their party platform of 1944, which, in part, says:

> We shall maintain the value of the American dollar and regard the payment of the Government debt as an obligation of honor which prohibits any policy leading to the depreciation of the currency. We shall reduce that debt as soon as economic conditions make such reduction possible.

The present Congress convened amid the shouts of my colleagues announcing a drastic reduction in the President's budget requests. The Legislative Budget Committee wielded the ax—$6,000,000,000 in reductions would be accomplished. I need not take your time now to discuss what has happened to the legislative budget. There is no legislative budget to look to in determining possible expenditures of Government for the fiscal year 1948. All that remains is the President's statement that budgetary needs will equal thirty-seven and one-half billions. The loss of the legislative budget would not be so alarming if we could find evidences of its presence in the workings of the Appropriations Committee. It is alarming, however, when we seek a trend indicating its presence in the appropriations rooms, and do not find even the trend.

What is the record? Have we discarded the idea of accomplishing such reductions in expenditures as are necessary to balance the budget, provide repayments on our debt, and provide tax reductions?

The House has considered two supply appropriation bills. The sharp ax, of which we have heard, was not used. The dullest of pocket knives appears to have been the weapon to which my friends had easiest access. Reductions so far, if they are to be considered as a pattern by which the remaining supply bills, including Army, Navy, veterans, and farmers, are to be "butchered," mean a total cut in the President's thirty-seven and one-half billion dollar request of one and one-half billion dollars. Instead, therefore, of spending thirty-seven and one-half billion, we will spend in fiscal year 1948 thirty-six billion, judging by the record so far made.

The highest estimate of tax return on present rates is thirty-nine and one-tenth billion. This would mean a surplus in fiscal year 1948 of three and one-tenth billion. That would be a worthwhile repayment on the public debt. It might be sufficient even to allow some reduction in some of the admittedly unjust excise taxes.

Under our present procedure, however, it is not to be used for these purposes. This surplus is to be returned to the taxpayers and we are to continue in fiscal 1948, with our Republican friends in control of Congress, the policy of deficit financing which they have in the past so deplored. If this is not a true statement of facts, I challenge any Member of the majority, in his own time, to show the House and the country how you will cut the President's budget so as to provide for both this tax reduction and substantial debt retirement. Where will you cut? Will you cut the Army and Navy? If so, how much? Will you cut the veterans? If so, how much? Will you cut the farmers? If so, how much? Unless these facts are developed in this debate, we can only assume you will not cut enough to provide for both H. R. 1 and debt repayment. We must also assume that the sponsors of H. R. 1 are more interested in political expediency than in maintaining a sound fiscal policy by Government. "Only a solvent America can help meet the postwar problems of the world." Those are not my words. They are yours in the supplemental views of the Republican minority on the revenue bill of 1945. Did you mean then by "solvent America" an America borrowing money to meet current expenses in peacetime?

No, Mr. Chairman, the facts are not on the side of those who sponsor this discriminatory patchwork of political duplicity. Your own majority report indicates the struggles you had in trying to write something to justify reducing taxes now.

Your report assumes a reduction in the President's budget of either $4,500,000,000 or $6,000,000,000. It assumes continued high employment, high national income and high capacities to pay taxes. But you give as one of the reasons for passing this bill the prediction that a recession will occur in late 1947 or 1948 and taxes must be eased for that occurrence before its appearance. For how much recession are you legislating? Will not the anticipated revenues on which you attempt to justify this legislation then be considerably less? Or do you reason, as has been your party's fault in the past, that these tax savings given in the upper brackets will trinkle down to the jobless through the generosity of the managerial brains?

I have read your report where you state in effect that these tax savings of approximately $111,000 on each net income of $1,000,000 will be used to create jobs for the jobless, to produce additional goods at a time of shrinking purchasing power and market. You reason that these tax savings in the upper brackets will save us from depression by merely being utilized to produce more goods at a time when restricted markets cause lessening of national income. This type of reasoning generally occurs when one counts votes as he considers legislation. I trust my friends will advise us as to the

reason for the illogicalness of their report. Perhaps my friends have not recovered from the shock of finding themselves in position of leadership. It is to be assumed that tax reduction could not be delayed for fear that the idea would be forgotten later by this new inexperienced Ways and Means Committee leadership as it struggles to produce a program of work.

Let us now turn to the assumption of our friends on the majority that there will be sufficient reductions in expenses for both tax reduction and substantial repayment on the public debt. One already knows from what has been said the type of assumption I think this to be. However, if we do cut taxes, we should be concerned as to how we do the job. Should not our handiwork still permit of adequate revenues after its enactment? Should it not be equitable in its treatment of different income groups? Should it not be so written as to help maintain large consumer markets so essential to high-level production and employment? Should it not provide for simplicity in administration and in compliance? Should not the responsible committee be concerned over the reaction of all segments and individuals to its handiwork? Should not the committee consider reduction of individual rates together with all other taxes so as to avoid possible defeat of its purpose by overlooking some other deterrent to incentive.

Mr. Chairman, H. R. 1 does not qualify by these standards.

The sound approach to this whole question of postwar tax revision is to make a comprehensive study of the entire Federal tax system, including individual taxes, corporate income taxes, estate and gift taxes, and excise taxes. Such a study should aim at equitable adjustments, incentive effects, and sound economical administration under peacetime conditions. If your committee had proceeded in this direction, it would have saved you many of the pitfalls you will find in the pathway of support of H. R. 1.

Many amendments are needed to the Revenue Code as a result of the accumulation of many structural, administrative, and procedural tax problems arising since the Revenue Act of 1942. These amendments have not been passed because they would have resulted in substantial loss to the Treasury in wartime. The passage of H. R. 1 prevents the committee approving these amendments.

The Treasury and the staff of the Joint Committee on Internal Revenue are now, and have been, studying such problems as the double taxation of dividends, the treatment of family incomes, and many others, including wartime excess rates. Excise taxes as a class fail to meet the standard of ability to pay. We should review these taxes and revise many of them before we finally pass back to the taxpayer his reductions. They certainly are not less important than the reduction of the tax on a million-dollar income by $111,000.

Even if we are to reduce individual income-tax rates without such a study, the pattern of H. R. 1 is unsound.

The majority report asserts that the same percentage cut of tax liability is equitable on the assumption that the present burden of distribution is equitable. Nothing could be more fallacious. H. R. 1 completely destroys the present system of progression in the individual income-tax rates and seriously undermines the ability-to-pay formula that has been in our income-tax structure since 1913. Income tax is based on a technical system of percentage points in each tax bracket of income. Thus, a 30-percent reduction of a 20-percent tax rate in the first half of the first bracket is a reduction in rate of only 6 percentage points, but a 20-percent reduction of an 80-percent tax rate is a 16-percentage-point reduction in rate. Even a 10½-percent reduction of an 80-percent tax rate is an 8.4-percentage-point reduction in rate. It is, therefore, very obvious that a flat across-the-board percentage cut, or a modification thereof as proposed by H. R. 1, actually cuts the top-tax brackets for more steeply and thereby reduces the progression in the top brackets and gives rise to the feeling on the part of those in the low brackets that we have abandoned the formula of ability to pay.

In addition, H. R. 1 reduces the wartime percentage point rates of taxation in the higher brackets by a greater percent that it reduces them in the lower brackets. Those in the upper brackets, therefore, are relieved of their responsibilities to repay the war debt by a greater percent than are other taxpayers. For example, a married person with no dependents and a net income of $4,000 would pay almost 10 times as much tax under H. R. 1 as in the prewar year 1939. A person with a net income of $5,000,000 would pay less than 1 percent more taxes than in 1939. It is interesting to study the chart on this point, which, by inadvertence I feel sure, is not included in the majority report in support of H. R. 1.

TABLE 1.—*Comparison of amounts of individual income taxes in 1939 with highest taxes after all wartime increases, present taxes and taxes under H. R. 1 as reported to the House*

MARRIED PERSON—NO DEPENDENTS

Net income before personal exemption	Taxes in 1939 [1]	Highest taxes after all wartime increases	Present taxes after reductions under Revenue Act of 1945	Taxes under H. R. 1, as reported to the House [2]
$600	----------	$3	----------	----------
$1,000	----------	15	----------	----------
$1,500	----------	130	$95	$67
$2,000	----------	245	190	133
$2,500	----------	360	285	228
$3,000	$8	475	380	304
$4,000	44	725	589	471
$5,000	80	975	798	638
$8,000	248	1,885	1,577	1,262
$10,000	415	2,585	2,185	1,748
$25,000	2,489	10,295	9,082	7,266
$50,000	8,869	27,585	24,795	19,836
$100,000	32,469	69,435	63,128	50,502
$500,000	304,144	443,895	407,465	342,074
$1,000,000	679,044	900,000	839,715	728,824
$5,000,000	3,788,994	4,500,000	4,275,000	3,822,824

[1] Assumes maximum earned net income.
[2] Assumes taxpayer is under 65 years of age.

TABLE 2.—*Tax decreases from highest wartime levels under Revenue Act of 1945 and under H. R. 1, as reported to the House, compared with highest wartime increases in taxes from 1939*

MARRIED PERSON—NO DEPENDENTS

Net income before personal exemption	Highest wartime increases in taxes from 1939 [1]	Tax decreases from highest wartime levels		Tax decreases from highest wartime levels as percentages of the highest wartime increases		Percentage reduction of wartime tax liability made by H. R. 1
		Under Revenue Act of 1945	Under H. R. 1, as reported to the House [2]	Under Revenue Act of 1945	Under H. R. 1, as reported to the House [2]	
				Pct.	Pct.	
$600	$3	$3	$3	100.0	100.0	0.09
$1,000	15	15	15	100.0	100.0	.09
$1,500	130	35	63	26.9	48.5	21.6
$2,000	245	55	112	22.4	45.7	23.3
$2,500	360	75	132	20.8	36.7	15.9
$3,000	467	95	171	20.3	36.6	16.3
$4,000	681	136	254	20.0	37.3	17.3
$5,000	895	177	337	19.8	37.7	17.9
$8,000	1,637	308	623	18.8	38.1	19.3
$10,000	2,170	400	837	18.4	38.6	20.2
$25,000	7,806	1,213	3,029	15.5	38.8	23.3
$50,000	18,716	2,790	7,749	14.9	41.4	26.5
$100,000	36,966	6,307	18,933	17.1	51.2	34.1
$500,000	139,751	36,430	101,821	26.1	72.9	46.8
$1,000,000	220,956	60,285	171,176	27.3	77.5	50.2
$5,000,000	711,006	225,000	677,176	31.6	95.2	63.6

[1] Assumes maximum earned net income in 1939.
[2] Assumes taxpayer is under 65 years of age.

The unfairness of H. R. 1 can also be seen by comparing the reduction in effective rates as between single persons, married persons with no dependents, and married persons with dependents. Let us assume a net income before personal exemptions and see what the reduction in the effective rate for each group is. At $2,500 the effective rate for a single man is reduced by 3.04 percentage points; for a married man with no dependents the effective rate on the same amount is reduced by 2.28 percentage points; for a married man with two dependents the effective rate on the same amount is reduced by 1.14 percentage points.

Let us take $5,000 net income before personal exemption. For the single man the effective rate is reduced by 3.69 percentage points; for the married man with no dependents the effective rate is reduced by 3.19 percentage points; for the married man with two dependents the effective rate is reduced by 2.36 percentage points. The sponsor of H. R. 1 will have the effective rate on his salary reduced by 5.08 percentage points, while the married taxpayer with two dependents will have the effective rate on his $12,000 reduced by 4.18 percentage points. All of this is set forth in the tables accompanying the majority report.

It is my understanding that certain of those sponsoring H. R. 1 are single. I do not object to them looking after the interests of single taxpayers, but ordinarily, in the past, we have shown greater concern over the married taxpayer with dependents on the assumption that his burdens are heavier. It will be said that these facts are true because the married man with dependents pays less tax—therefore, 20 percent of his tax is less. Yes, that is true, but the fact still re-

mains that H. R. 1 gives tax relief without regard to the need for tax relief.

Furthermore, H. R. 1 increases spendable income in a manner not calculated to ease any possible shrinkage in purchasing power by providing greater increases in the higher brackets. For example, it would increase spendable income after taxes for a married person with no dependents with a net income of $1,200 by 1 percent; with $6,000 by 4.2 percent; with $100,000 by 34.2 percent; with $1,000,000 by 69.2 percent. To say the least, this does not mean two cars in every garage of those in the lower brackets. Their income cannot be increased by greater amounts because the report of the majority points out it is necessary for large percentages to be given in the upper brackets so they can speculate. I assume this would also mean speculate in the markets. New speculators could bring on another situation such as we had last fall in portions of the agricultural produce market. This is certainly not the type of broader markets nor incentives I desire created by tax reductions.

Such reductions as are made by H. R. 1 in the tax liabilities of those in the upper brackets cannot be used to create new jobs now. This objective of the bill is defeated by present full employment, scarcity of raw materials, and other deterents to incentive in the law and not covered by this bill. No more automobiles can be produced by such reductions. No more washing machines, radios, houses, or other items now scarce, because of shortage of materials and labor, will be available by the passage of H. R. 1.

Simplification of tax returns has been the great desire of the public since the material increase in the number of taxpayers occurred. Even now, in spite of the withholding system and the supplement T-tax tables, technicalities of filing income-tax returns and estimates are confusing. Our present forms and instructions reflect the provisions of the Individual Income Tax Act of 1944, which had simplification as the sole objective. Our wartime experience with a broad-based income tax has clearly indicated the need for tax-return forms and instructions which are easily understood and which require the minimum number of computations. Instead of providing for greater simplicity, H. R. 1 will further complicate the law and confuse the millions of taxpayers.

H. R. 1 splits the first surtax bracket into three smaller brackets: Under $1,000, $1,000 to $1,396, and $1,396 to $2,000. This increases the number of withholding rates to four from the two provided by present law for the first bracket. I wish we could be assured that this will not perplex the taxpayer as he attempts to estimate his tax and file his return, or the employer as he attempts to determine where to place the employee for withholding purposes.

Today a taxpayer itemizing deductions or claiming the $500 standard deduction computes his tentative tax from a combined normal tax and surtax table shown in the instructions of Form 1040. The tentative tax so determined is reduced by 5 percent in all instances. This reduction requires but one line on Form 1040, and because of its application to all taxpayers is not susceptible to misinterpretation.

Under H. R. 1, the same taxpayer would determine his tentative tax from a combined normal tax and surtax schedule as under present law. Unlike present law which provides only one rule for tax reduction in tentative tax, however, the reduction in tentative tax under H. R. 1 would be made on the basis of four rules varying with the size of the tentative tax and would probably require four lines on the return form which would read somewhat as follows:

1. Enter 33.5 percent of your tentative tax, if your tentative tax on line 6 is not in excess of $200 _____
2. Enter $67, if your tentative tax is in excess of $200 but not in excess of $279.17 _____
3. Enter 24 percent of your tentative tax, if your tentative tax on line 6 is in excess of $279.17 but not in excess of $250,000 _____
4. Enter $60,000 plus 15 percent of the excess of your tentative tax in line 6 over $250,000, if your tentative tax is in excess of $250,000 _____

Aside from the complications just outlined, the taxpayers of the country will be mystified by the 33.5-percent reduction in tentative tax which mathematicians indicate is equivalent to a 30-percent reduction in present law liability; the 24-percent reduction which is equivalent to a 20-percent reduction in present law liability; and the 15-percent reduction which is equivalent to a 10.5-percent reduction in present law liability.

Taxpayers with tentative taxes between $200 and the magic figure of $279.17 will receive an apparent reduction of $67.00 under H. R. 1. The actual reduction in present law liability, however, is only $57.00, for taxpayers with tentative taxes of $200, and decreases to $53.04 for taxpayers with tentative taxes of $279.17.

The report of the majority states that the same type of reduction as that provided by H. R. 1 could be accomplished by changing the rate schedule, and indicates that it will probably be desirable to consolidate the percentage reductions in the rate schedule ultimately. In the meantime, however, the majority gives the following justification for the weird and incomprehensible computations outlined. Quoting from page 14 of the committee report:

> Your committee believes, however, that percentage reductions are more readily understood by the public, and, therefore, should be used for a reduction made during the year it becomes effective.

Does the majority contend that this type of simplicity in the interest of politics will create greater taxpayer morale and cooperation so that cost of administration by the Internal Revenue Service can be reduced, as we have already directed?

Splitting the first surtax bracket and the resultant lowering of the wage level at which graduated withholding rates become operative would increase both the number and amount of refunds due to overwithholding. It has been estimated these refunds will be increased by $1,900,000,000. Moreover, employers using the percentage method of computing the amount of tax to be withheld from salaries and wages would be faced with added computations because of the four withholding rates and brackets entering into the calculations as compared with two under present law.

Is it logical to claim soundness for a bill causing these results and necessarily providing for greater costs of administration?

Certainly the Congress cannot so claim. The House on tomorrow, I hope, will return this bill to its author, the chairman of the Ways and Means Committee, with the recommendation that he change his ideas on taxes.

Mr. KNUTSON. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. KEAN].

Mr. KEAN. Mr. Chairman, we must balance the budget. We should in the next fiscal year make a substantial payment on the national debt.

It was with these facts in mind that I have given careful study to our financial picture.

The Government revenue for the next fiscal year was estimated by the President at $39,200,000,000.

His budget calls for expenditures of $37,500,000,000.

The surplus, according to the President's figures, will thus be $1,700,000,000.

The House has said that they can cut costs by $6,000,000,000.

The Senate has said that they can cut costs by $4,500,000,000.

A mean between these figures would be $5,250,000,000.

Adding this amount to the surplus shown by the President's figures gives a net saving of $6,950,000,000.

Deducting the $3,800,000,000 of possible reduction in taxes through the present bill, we will have available for debt reduction or other emergencies $3,150,000,000.

But history has shown that a reduction in taxes does not result in an equal reduction in revenue.

The Secretary of the Treasury also testified that at present the national income is running on the annual basis of $175,000,000,000 rather than one hundred sixty-five billion, as per his January estimate.

If this rate continues during the next fiscal year, the revenue should be closer to forty-three billions than $39,000,000,000.

There seems to be ample room for a balanced budget, a substantial payment on the national debt, and tax reduction.

The next question which faces us is: Is tax reduction advisable at this time?

If the threat of inflation was as great as it appeared to be a year ago, there might be some question as to whether we should reduce taxes now.

But in spite of a few sharp increases during the past few months, it does seem that we are scraping the top in prices.

There has been a considerable drop in the price of luxury items, which fact usually foreshadows a general price decrease. And buyers are demanding quality and known brands.

Inventories are increasing at the rate of about twelve billion a year. Sooner or later buying power generated by the desire to accumulate inventories will cease and orders will only be given as consumers purchase goods.

Effects of this tax cut will only show in the economy in a year's time. There should be no shortages of goods by then.

To argue that we should not reduce taxes now owing to the dangers of inflation, as is suggested in the minority report, does not seem to me to be valid.

During the hearings the Secretary of the Treasury agreed that we should cut taxes at some future indefinite date. In fact he indicated close agreement with the theory behind this bill, for he said to me—and it appears on page 73 of the hearings—I quote:

> I am heartily in accord with your notion that we must put the incentive in there to get that extra effort. We must bear in mind that the men who give the greatest employment must be given consideration, too, in arriving at that.

But he did not want to make the cut now. He testified that he wanted to wait until such time as we start suffering from bad business conditions and unemployment.

But Mr. Roosevelt's former Under Secretary of the Treasury, Professor Magill, testified that there would be a lag between the date of tax reduction and any stimulation resulting therefrom, of at least a year.

What would you Democrats do about the man who loses his job during this lag? Would you start another WPA?

I say let us do our part now to see that this man does not become unemployed.

Of course, spenders never want to reduce the revenue. It will give them less money to squander.

Our opponents say they hope to make a tax cut at some future date, which they keep indefinite. When will this be? Are they waiting for some time when it may be more politically advantageous?

The time for tax relief is now.

The next question is, In what manner should these cuts be made? We should try to remove as far as possible the burdens where they strike hardest, and at the same time forget politics and try to pass the type of legislation which will in the long run provide the greatest incentives, stimulate the economy, increase the national wealth, improve the standard of living of our people, and give the greatest possible employment at the highest possible wage.

The present bill does this.

Through the amendment which I introduced in committee, which was unanimously supported by all members of the Ways and Means Committee—both Republicans and Democrats—26,000,000 of the lowest-income group, with net taxable income of under $1,000 will receive a 30-percent cut in their taxes.

Those who will get this full 30-percent cut are single persons with gross income of about $1,650; married persons without dependents with income of about $2,200; married persons with one dependent with income of about $2,750; and married persons with two dependents with gross income of about $3,300.

Through the notch provision which was necessary so that there would not be a substantial difference in tax reduction between those whose incomes were $999 and those whose incomes might be $1,001, an additional 6,000,000 taxpayers will receive reductions of between 20 and 30 percent.

Thus, 31,000,000 out of our estimated 48,000,000 income taxpayers—over two-thirds—will receive a reduction greater than 20 percent.

Such discrimination in favor of the small-income group is thoroughly justified today. It is they who are suffering most from the high cost of living, for they must spend practically their entire income on the necessities of life.

And, though it is true that their spendable income has been reduced by taxes in the past few years by a much smaller percent than those who earned more, the few dollars which they pay are often a greater burden than thousands of dollars may be in the higher brackets.

The bill provides that all other taxpayers, until you get into the very high income group, have a flat 20 percent reduction.

This is fair, for outside of the special benefits for the low-income group, such a cut will in no way change the percentage of the burden carried by each individual.

It continues in full effect the percentages of the present tax bill. Everyone must put the same proportion of ingredients into the cake, only the cake is smaller.

Our opponents are making much of a table in which they show only a small increase in spendable income in the lower brackets resulting from the enactment of the pending bill.

There is an old saying that liars figure and figures lie. The figures they present are but a statistical trick. When taxes are already very small, relative to spendable income, a decrease in taxes of course can have only a very small effect on spendable income.

If taxes are large in comparison to spendable income, a decrease in taxes will of course have a substantial effect on spendable income.

To show the absurdity of their argument, let us consider the case of the 20,000,000 wage earners who today pay no income tax.

For instance, a married man with two dependents having a net income of $2,000 at present pays no tax and, therefore, when a tax reduction is made there is no increase in his spendable income. In his case the increase in spendable income resulting from the pending bill is zero.

Would the Democrats pay him a Government bonus to provide a uniform increase in spendable income?

If you applied the same trick figures to the Democratic reduction made in 1945—it gave incomes of $500 only one-half of 1 percent increase in spendable income; while it gave the $10,000 income man 5½ percent, and the $100,000 income man 21 percent; while the $750,000 income man, about whose welfare it is evident the Democrats must have been much concerned, received a 68-percent increase in his spendable income.

Our opponents seem to criticize any reductions for the managerial class. But isn't it true that it is chiefly through their efforts that others find employment? What good does it do to raise a man's exemptions for income-tax purposes, if while doing so you take away his job so he has no income; or, by contracting the economy reduce his pay.

We must not handicap too greatly the man who provides the jobs, that provide the income, that provide the tax, which is the Government revenue.

Today at an $18,000 income the Government takes more than half of any extra dollar earned by any individual. Previous to the war even after the "soak the rich" tax bill, this figure was at an income of $74,000.

I think this $18,000 executive is entitled to real consideration. He is the man who is coming up in the world. He may be the assistant vice president of a great corporation. He may be the vice president or president of some small business, striving to grow.

It is these young men of unusual ability and drive upon whom we must rely to build up this country and keep our economy functioning in the highest gear in future.

If we take more than half of every extra dollar he earns, he will have little incentive to put that extra drive and push into his work which will result in more employment and better wages for his employees.

Under the pending bill this 50 percent take of any added dollar earned will not become operative until you reach an income of $32,000.

It might be of interest to read to you here the figures as to what an extra dollar of earnings are worth to a married man with two dependents, at various income levels under the present law.

If he has a $4,000 income an extra dollar of earnings is worth 81 cents.

If he has an $8,000 income an extra dollar of earnings is worth 75 cents.

If he has a $16,000 income an extra dollar of earnings is worth 59 cents.

If he has a $32,000 income an extra dollar of earnings is worth 41 cents.

If he has a $64,000 income an extra dollar of earnings is worth 29 cents.

If he has a $128,000 income an extra dollar of earnings is worth 15½ cents.

I repeatedly asked the Secretary of the Treasury, as may be seen in the hearings on page 72—What percentage of income take by the Government did he feel would prevent an individual from adding to the national wealth by giving that extra effort or working that extra hour, which would result in further employment of labor? He refused to answer.

I think he realized that if he did answer it would have been embarrassing to the tax theories of certain gentlemen on his own side of the aisle.

In order to fulfill our obligations, we must keep the national income high. It is only through the foresight and initiative of those who are rising to positions of responsibility that this can be accomplished.

Those in the higher income groups must rightly shoulder the largest part of the tax burden. But we should not

at this time too greatly increase their proportion of the load.

In a world where Communism is on the march, this Nation must be strong—strong economically as well as militarily. Tax reduction at this time will help make it so.

I have been asked to explain those notch provisions so I have put them on the board. My writing is not very legible. If we did not have the notch provisions, this is what would happen. The man with a $999 income has a basic tax of 20 percent, or $199.80. The reduction under this bill is 33.5 percent, or a net reduction of $66.93. The basic tax being $199.80, the reduction of $66.93 would bring a total tax of $132.87.

The man with the $1,001 income would pay a 20-percent basic tax of $200.20. The 24-percent reduction would be $48.04. Two hundred dollars and twenty cents less $48.04 would give him a tax of $152.16, which as you can see would be manifestly unfair as compared with the man who had an income of only $2 less. So we give him a straight $67 reduction. Sixty-seven dollars off the basic tax of $200.20 gives him a tax of $133.20, which compares evenly and fairly with the man with the income $2 less, $132.87 against $133.20

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. KEAN. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. I am wondering whether the gentleman thinks that a person in that income bracket would ever be able to understand that formula sufficiently to make out his own income-tax return, or would he have to hire a tax expert to make out his return, which would probably cost him as much as he would save in taxes.

Mr. KEAN. They do not have to understand any formula.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. KEAN. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Let me say to the gentleman from Pennsylvania that that would be all worked out in the table.

Mr. KEAN. That would all be worked out in the table.

Mr. KNUTSON. All Republicans can read.

Mr. KEAN. I remember during the First World War when we were over in France and I was being instructed in artillery the French tried to teach us, and they put a long table of logarithms before us. We tried to understand it, but the average American candidate for officer there just could not understand at all what was going on. Then we were just shown a table and we worked from the table, and the Americans made better artillerymen than the French ever did.

All the taxpayer will have to do is work from the table.

Now, I want to show you what you do as you come out of the notch. The figure for coming out of the notch is $1,395.83. I give you as an illustration the man with a $1,395 income and the man with a $1,400 income to show what happens as you come out of the notch; 20 percent of $1,395 is $279; 24 percent of $279, which is the reduction, is $66.96; $279 less $66.96 makes $212.04. You get $212.04 as his tax, but you find that if it had been reduced by $67 he would pay 4 cents less, and so you find that as his income is under $1,395.83 it is provided that he shall make use of the notch. But take the man who earns $5 more, the $1,400 man, when you figure the 20 percent basic tax it is $284, and 24 percent of that is $67.20. You will note that the reduction is more than the $67; it is $67.20. This proves that he is correctly out of the notch and his tax is $212.80.

That is probably as clear as mud.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. KEAN. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I think the gentleman has made a fine contribution. It is too bad it cannot be shown in the RECORD just as he has put it on the blackboard.

What attention was given by the committee to the question of average family income? I believe these tables deal with individual income, but getting over into the realm of the family, was any study made of the average family incomes of this country under present conditions?

Mr. KEAN. What is the average family income today? That was not brought up in the hearings.

Mr. CRAWFORD. Now we are down to where there are many members of families who are working, and a lot of them draw very high wages and salaries. After all, you come back to the family unit where father, mother, and children are involved.

Mr. KEAN. I have heard that the average family income has increased by about $1,500 over the last few years.

Mr. CRAWFORD. I have been informed by one of the most highly respected research institutes in this country that the average family income is about $4,500, and we have 75 percent of the families with incomes in excess of $2,500 per year and probably not over 3 percent have incomes around $1,000 per year. I wonder if any study has been made of that by the committee in connection with the question of tax reduction.

Mr. KEAN. The higher the income, the better I like it.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. REED of New York. Mr. Chairman, I yield five additional minutes to the gentleman.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. KEAN. I yield.

Mr. CURTIS. With reference to the point raised by the gentleman from Michigan about family income, it is my belief that the figures cited by him are based upon the fact that more members of the family are working.

Mr. KEAN. That is right.

Mr. CURTIS. So the chances are that they all come within the class of less than $1,000 taxable net income.

Mr. KEAN. They will all be benefitted by this 30-percent amendment. That is why we figure that 31,000,000 taxpayers will come under it. Thirty-one million taxpayers constitute two-thirds of all the taxpayers in the United States who are going to benefit by this provision.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. KEAN. I yield.

Mr. CRAWFORD. May I have the gentleman's reaction to this problem: I, as an individual, receive so much income per year. The first thing I have to do is to meet soul and body expenses, that is, the necessities which I cannot reduce. Then suppose I move into a bracket where I can spend some money and save some money as well. Then I move into a bracket where taxes have to be paid.

If I understand the discussion here this afternoon, the philosophy of those who support this bill is to the effect that the thing to do under our type of economy is to keep taxes so low that there will be a spendable income over and above expenses for the actual necessities of life so that that spendable income can be used in the consumption of goods and services and thereby maintain an economy in this country and have people employed producing goods and services and create business and increase the total national income and help to employ others.

Mr. KEAN. That is right. I was just going to refer to that.

Mr. DINGELL. Mr. Chairman will the gentleman yield?

Mr. KEAN. I yield.

Mr. DINGELL. That is exactly where our philosophies clash.

Mr. KEAN. That is right.

Mr. DINGELL. The gentleman goes on the supposition that you must give relief to the big fellow.

Mr. KEAN. I am not talking about the big fellow.

Mr. DINGELL. The gentleman goes on the supposition that you must give relief to the big fellow and that that will bring about prosperity.

Mr. KEAN. Who does the gentleman consider to be a big fellow?

Mr. DINGELL. Our philosophy is just the opposite. We believe that if you make the little fellow's income sufficient, he will buy the things that the big fellow will produce.

Mr. KEAN. The big fellow will not produce unless he has some incentive.

Mr. KNUTSON. The gentleman's definition of a big fellow is one who has a thousand dollars in the bank.

Mr. KEAN. I do not know what the gentleman's definition of a big fellow is.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. KEAN. I yield.

Mr. CRAWFORD. My friend the gentleman from Michigan [Mr. DINGELL] must certainly argue that the majority of goods and services purchased are purchased by the little person.

Mr. DINGELL. Absolutely.

Mr. KEAN. They certainly are.

Mr. CRAWFORD. Therefore, you must reduce taxes on the little person so that he will have some income which is spendable so that he can buy goods and services.

Mr. KEAN. That is right.

Mr. CRAWFORD. So how in the name of common sense can you argue against this bill?

Mr. DOUGHTON. I yield 10 minutes to the gentleman from Georgia [Mr. CAMP].

Mr. CAMP. Mr. Chairman, our most distinguished former chairman of the Ways and Means Committee, the gentleman from North Carolina [Mr. DOUGHTON], veteran expert on taxation who led us through the difficult war years, has stated in his speech that our first concern should be to balance the budget; second, to make a substantial payment toward debt retirement; and third, to consider tax reduction. Indeed, not only do such wise leaders as he support that program but the Legislative Reorganization Act, which all of us on both sides of the aisle so heartily supported, prescribes the same procedure. It must, indeed, be disappointing to the country to find the majority here today abandoning the principles of the Reorganization Act and embarking upon a course of tax reduction before any appropriation bills have been passed and before it can be known what the budgetary requirements are. Especially is this true when we consider our international responsibility.

We have just concluded the most expensive war of history. In this great struggle we have sacrificed not only thousands of the flower of our youth but we have strained our natural resources and our financial strength to an extent far greater than the American people yet realize. In dollars the war has cost more than four hundred and thirty billions, of which two hundred and sixty billions is represented by the greatest debt any nation ever amassed. It is true that financial institutions, insurance companies, and the like hold a part of the bonds representing our national debt, but there are 85,000,000 individual citizens of the United States who are holders of these bonds and many of them made great sacrifices to make this investment in our national security. It is the duty of this Congress to preserve the credit of the United States, and in order to do that interest on the public debt must be met promptly and regularly, and payments on the principal must be made whenever the financial condition of the country permits. A most important and significant fact is the low interest rate being paid on this debt at the present time. We cannot hope to keep it at this unprecedented low rate indefinitely. It is the part of wisdom to reduce this debt in these flush times.

I am wondering what the thoughtful veterans of the late war are thinking of this proposed action of the majority to reduce taxes before balancing the budget or making a payment on the national debt. In a recent address, Gen. Omar M. Bradley, one of America's most distinguished soldiers and now Chief of the Veterans' Administration, stated that within 10 years war veterans and their dependents will number about half the population of this country and thus will have to shoulder the major tax burden. If payments on the national debt are postponed, it will mean that these veterans, many of whom gave five of the best years of their lives in arduous military service, will shoulder also the burden of paying off the national debt.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. CAMP. I yield.

Mr. KEATING. As a veteran of both wars I can tell you what they think because I have had many letters from them. They say we should reduce taxes now.

Mr. CAMP. Regardless of the debt? Is that what they say?

Mr. KEATING. Not regardless of the debt at all.

Mr. CAMP. Wait a minute. Do they tell the gentleman that we should reduce taxes without making a payment on the national debt?

Mr. KEATING. That we should make a payment on the debt and reduce taxes, which we are going to do.

Mr. CAMP. That is fine and that is the point I am making. There is not a man in this House who wants to see taxes reduced any more than I do. There is not a man in this House who will vote to cut expenditures wherever possible more than I will; but I will not consent to the passage of such a bill as this reducing our revenues by $4,000,000,000 or more when the budget has not been balanced, when the appropriation bills have not been passed and when no one, even the best experts, can tell whether we can meet this year's expenditures or not.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield at that point?

Mr. CAMP. Yes; I yield.

Mr. McCORMACK. The gentleman's argument, as I interpret it, is in favor of sound-money government.

Mr. CAMP. Absolutely.

Mr. McCORMACK. And this bill under consideration reported by the Republican majority is a repudiation in the light of the present national debt and the world conditions of the course we should take to assure our people sound-money government.

Mr. CAMP. Certainly. The gentleman from New York in answering my question a few minutes ago spoke of the letters he has received. I receive letters too, and I receive them from men in all walks of life. They are more concerned about building a sound fiscal policy than they are about taxes; and of all the letters I have received not one person has asked for tax reduction before that has been done. I feel sure that every Member of this House regardless of party is as anxious to see taxes reduced as is the author of this bill.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield for an observation?

Mr. CAMP. I yield.

Mr. EBERHARTER. The gentleman from New York may have received a lot of letters from veterans asking for a reduction in taxes, but I believe some of those veterans may have the impression that this bill will give the low income groups some relief. Instead, if they knew that the $5,000 income man would get a reduction of probably $10 or $15 in his tax they would not be so anxious to have tax reduction.

Mr. CAMP. They do not understand, of course they do not.

Mr. EBERHARTER. They think they will get a big tax reduction whereas the bill will not give the low income group much if any tax reduction, and this is the group that hits most of the veterans.

Mr. CAMP. Of course.

Experts tell us that our national income this year will be $165,000,000,000, the highest in all history. Congress, therefore, not only has a solemn obligation to our 85,000,000 individual bondholders and to our war veterans and their dependents, but it now has an opportunity to demonstrate its determination to keep faith with them by making a beginning in debt reduction.

The Secretary of the Treasury in appearing before our Committee on March 13 of this year made this statement:

> We should take full advantage of our present opportunities. It may be that in the future there will be years when it will be unwise to try to retire any part of the debt. If, however, we reduce the debt as rapidly as we can in good years, there will be less cause for concern if we have to omit debt retirement in some future year.

When the revenue bill of 1945 was reported, the Republican minority in their supplemental view said:

> Only a solvent America can help meet the postwar problems of the world.

In the 1944 platform of the Republican Party, they made this pledge:

> We shall maintain the value of the American dollar and regard the payment of the Government debt as an obligation of honor which prohibits any policy leading to the depreciation of the currency. We shall reduce that debt as soon as economic conditions make such reduction possible.

Have the Republicans forgotten these statements? For the Congress to fail to balance the budget and make some reduction in the public debt this year would be deplorable. The 85,000,000 bondholders and the veterans have a right to expect it. If we pass this bill today, reducing as it does the Federal income by nearly $6,000,000,000, not only will it be impossible to balance the budget, but we cannot even make a token payment on the public debt.

I feel sure that every Member of this House, regardless of party, is as anxious to see taxes reduced as is the author of H. R. 1, now under consideration. I certainly yield to no one in this desire. Indeed, it is no new proposition, and the Republican Party cannot claim any originality in it. The present administration began to reduce taxes immediately after the cessation of hostilities in 1945. The Revenue Act of 1945 was designed to aid both individuals and corporations in the difficult transition from war to peace. A tax reduction amounting to nearly $9,000,000,000, at current income levels, was applied in making these changes—12,000,000 of the lowest income taxpayers were relieved of all taxes. Corporate taxes were reduced greatly. The excess-profits tax, capital-stock tax and declared value excess-profits taxes were repealed, and corporate surtax rates were reduced. Normal tax exemptions were increased to surtax levels and individual income-tax rates were reduced. The use tax on automobiles and boats was repealed. This relief was granted promptly, and further relief was contemplated as soon as the budget could be balanced.

This bill has not had proper consideration and study, and is not a fair sample of the usual work of the great Ways and Means Committee. It comes to this House after only 2 days of hearings, with only two witnesses besides the representative of the Treasury Department appearing before us, and these two witnesses were hand picked by the proponents of the bill. In considering it in this ill-advised and untimely manner, we are simply shooting in the dark. The only information before us as to our budgetary requirements for the fiscal year ending June 30, 1948, is the report of the Budget Commission accompanying the President's message, and according to this information these requirements amount to $37,500,000,000. Although we can look forward in 1947 with great confidence in the vitality of the American system of free enterprise, knowing that during the year just passed civilian employment was at an all-time high and that more than 10,000,000 demobilized veterans have returned to civilian life and to civilian jobs, and that total production has reached a new peacetime high, being 50 percent above that of the year 1939 and only 15 percent below the wartime peak, yet the highest estimate so far made of the Government's revenues is only about $38,000,000,000, or practically the same as the budget requirements. To reduce these revenues by $6,000,000,000, as proposed in this bill, in such an ill-timed and ill-advised manner, is most deplorable and the people of this country, when they understand it, will condemn such action. Editorial writers all over the country who understand this situation are condemning such action, and I wish to quote in full two such editorials:

[From the Washington Post of March 16, 1947]

Chairman KNUTSON's prediction that the Ways and Means Committee will act next Thursday to report out his bill calling for an immediate 20 percent "across the board" reduction in personal income taxes, after only 2 days of hearings, warrants Democratic charges of steam-roller tactics. The bill stands condemned because of the indecent haste with which it is being rushed through the committee. The House and Senate have not yet agreed as to the amount of over-all reductions in expenditures that is to be their goal. And when they do, the figure will be highly tentative. For, as Secretary of the Treasury Snyder has testified, it is "impossible to foresee what the requirements of peacetime public expenditures will be." The outlook is even more uncertain as regards our defense expenditures, including recommended unbudgeted outlays for Greece and Turkey. To try to rush a tax-reduction bill through the House in these circumstances discredits its sponsors.

This is no time for tax cutting. With the economic outlook promising and the national income at a high level, existing taxes can be borne with much less hardship to individuals and to business than would normally be the case. If we ever intend to reduce our huge national debt, now is the time to begin. If the debt is reduced as rapidly as possible in good years, there will be less reason to feel concerned if debt retirement is suspended in some future less prosperous year.

The Knutson bill is not only ill-timed; it is also open to criticism for offering a flat 20-percent reduction of income taxes paid by persons with net incomes below $303,000. For the 1,100 income-tax payers above this dividing line, tax cuts would be graduated down to a minimum of 10.5 percent. Exemptions for taxpayers over 65 years of age would also be raised by $500, regardless of the size of the incomes of these aged persons. Concerning the latter extraordinary proposal, Secretary Snyder stated emphatically that it would be unfair to increase exemptions of this particular group without giving relief to many other special groups with low incomes. Many aged persons are very well off, indeed, and in no need of special dispensations.

Although believing that substantial tax relief for upper-income groups is imperative to stimulate the spirit of enterprise essential to economic progress, we think Secretary Snyder is right in saying that the Knutson tax bill "gives too little reduction to lower incomes and relatively too much to higher incomes." For instance, a married person with no dependents and a net income of $1,200, now paying a tax of $33, would be taxed $30 under the Knutson bill. A married man with a $50,000 income, on the other hand, would have his $24,795 tax reduced to $19,836, and the tax on a $100,000 income would be cut from $63,128 to $50,502.

In view of recent sharp declines in the purchasing power of the dollar, the case for tax relief of individuals in the low-income brackets has been greatly strengthened. Effective reductions in tax rates for the low-income groups could be made without cutting them off the tax rolls.

A final strong objection to the Knutson bill is that it deals with only a part of the tax system. When the time is ripe for tax reduction, a comprehensive revision of the tax system should be undertaken, covering excise, corporate and other taxes as well as the individual income tax. That is the only way in which we can hope to work out a well-balanced tax system that will give due weight to rival claims for tax reduction.

[From the Washington News of March 17, 1947]

America's taxpayers have just gone through the agony of settling up last year's income tax, estimating this year's tax and paying the first quarterly installment of all in excess of the withholding.

It has been painful, but those who are wise have made their plans for this year to conform to the tax rates now in effect. They would like to believe, that come next March, the country will face a brighter prospect, and they a lighter burden.

But the political tactics of the House Republican leadership, in driving for a hurry-up vote on a 20 percent across-the-board cut in this year's income taxes, raise doubts that anything at all in the way of tax legislation will be accomplished in this Congress.

If the Knutson tax cut is passed by the House, it is not likely that it will be approved by the Senate. Even if it is, it surely will be vetoed by the President—and the veto will be sustained. For the country is overwhelmingly behind the President's sound insistence that a balanced budget and public debt reduction must come first.

Representative KNUTSON and those who vote with him, in their drive for political recovery of the GOP, underestimate both the intelligence and patriotism of taxpayers. For a majority of taxpayers well know that even the heavy exactions they have just paid are less onerous to them than the inflated living costs which stem from the Government's continued deficit financing.

The Knutson Republicans could better serve the country by working this year to reduce public spending and the public debt. And by working now on a broad tax reform, eliminating double taxation and other inequities, and making the lower rates applicable to next year's business and income, to the end that people may plan ahead with hope and confidence. Representative KNUTSON, et al., apparently don't think so, but they probably could even get more votes that way.

Back some 18 years ago some of our leaders of that day grasped the idea that prosperity and the distribution of money and buying power was subject to the laws of gravity and flowed downward. When the great depression began they figured that if they could enrich the people in the upper-income levels, they would distribute it on down to the lowest reaches of our population. Is that the idea underlying H. R. 1, the bill now before us? If so, it is a most deceptive proposition. At first glance this bill has a fair appearance. But if we examine it closer, we find it to be most fallacious and most unfair. There are 48,544,600 income taxpayers in the United States. Of this number, 46,801,800 persons have net incomes of $5,000 or less, and this group of smaller taxpayers pay 55.5 percent of the total income tax paid to the Government. The other group, whose net income is $5,000 or more, numbers 1,742,800, and they pay 44.5 percent of our income taxes. This bill increases the spendable money or buying power of the large group of more than 46,000,000 small taxpayers only a very small amount. The increase of their buying power under this bill is illustrated as follows:

For a married person with no dependents, with a net income of $1,200, it is increased 1 percent. If his net income is $6,000, his buying power is increased 4.2 percent. But in the upper brackets, a person with a net income of $100,000 has his buying power increased 34.2 percent while the person with a net income of $1,000,000 is increased 69.2 percent.

If the object of the bill is to insure prosperity, the old elephant has overlooked some important facts:

Those 46,800,000 with incomes of $5,000 or less must buy 50,000,000 or more pairs of shoes each year and a like number of hats; they must buy 100,000,000 shirts and 100,000,000 pairs of socks, and other clothing and food in comparative quantity. One of those people consumes as much or more food as those in the upper bracket for, of course, they are the working people and require more food. When they have buying power and are at work, they will consume the products of the American farm and factory and the profits from their purchases will reach the high brackets, as they always do. If we can keep this group of people employed and prosperous, we need have no fear of those in the upper bracket.

Any sound approach toward postwar tax reduction should include a comprehensive study of the entire Federal tax system including individual income taxes, corporate income taxes, estate and gift taxes, and excise taxes, and such a revision should aim at equitable adjustments, incentive effects, and sound administration under peacetime conditions. During the war it was necessary to extend personal income taxes to millions of very low income taxpayers. There

was little time to consider the inequities and discrimination under the lax laws which have been revealed under actual experience in tax administration. Single men whose net income is over $500 are required to pay tax. Married men with no dependents, whose net income exceeds $1,000 are required to pay these taxes. I contend that relief should first be extended to these low-income-tax groups not in the manner of a percentage cut, but that exemptions should be raised.

During the war years, in our effort to pay at least half the cost of the war as we went along, taxes were imposed wherever possible, with the result that many unjust and unequal taxes were levied. Many businesses are today stalemated because of these taxes. I am informed, and I think reliably so, that the fur industry and many other businesses like table cutlery, small items of jewelry, watches, and so forth, are being heavily retarded by these excess taxes. Any effort to reduce taxes should consider all these items. For instance, when a woman buys the cheapest-grade handbag, say, for $3, she pays a 60-cent Federal excise tax. The tax on telephone calls, telegrams, railroad tickets, and many other excise taxes of that character fall very heavily on people who are not able to pay them.

There are many technical administration and procedural tax problems that have been accumulating during the war years. The last major substantive revision of the Internal Revenue Code was made in the Revenue Act of 1942. Many amendments should be made to this act. All of these amendments will result in substantial losses in revenue, but these amendments should be considered whenever taxes are reduced. Any income-tax advantage enjoyed by community-property States by allowing husbands and wives to split their income equally should be nullified. Other tax problems are now under study by the Treasury Department or the joint committee staff, such as a double taxation of dividends, the tax treatment of cooperatives, taxation of American corporations doing business abroad, provisions for accelerating a more flexible depreciation allowance, allowing the taxpayer with fluctuating income to average the incomes of good and bad years in fixing tax liability, the treatment of capital gains and losses, an allowance for life-insurance premiums, and other forms of saving under the individual income tax. All these matters should be considered when tax reduction is contemplated. If, however, only individual income tax is to be considered, H. R. 1 is most unfair and discriminatory to taxpayers in the lower bracket.

In the low-income groups will be found millions of so-called white-collared employees—school teachers, clergymen, shopkeepers, salespeople, bookkeepers, barbers, clerks, and professional or semiprofessional workers, not to mention small farm operators, mechanics, janitors, caretakers, skilled, and unskilled laborers, many of whom are self-employed individuals. Most of these people are not organized and none of them have experienced any measurable wartime prosperity. The purchasing power of their dollar, however, has shrunk by more than 40 percent below 1939 levels. With the heavy rates of taxation now in effect, and with living costs constantly increasing, these groups have either been reduced to a substandard of living or are rapidly approaching that level. Any tax relief granted should first consider this group and should be in the form of higher exemptions.

The special exemption of $500 for persons over 65 years of age is a feeble attempt to improve the burden distribution under H. R. 1. The position of elderly persons with low, fixed incomes is undoubtedly an important factor to be considered in any program for postwar tax revision. However, the special exemption for the aged ignores the need for substantial income tax relief of other low-income taxpayers. The special exemption for the aged might set a precedent for similar treatment of other physically handicapped groups. Claims are already being made for exempting the incomes of teachers, veterans, the partially and totally disabled and other groups. It would be difficult to justify favored treatment for one particular low-income group as against all the others; or to discriminate against a disabled person 60 years of age, while allowing an additional exemption to a healthy person over 65 still actively engaged in his business or profession.

Under present law, it is advantageous for married couples to file separate returns only if their combined surtax net incomes exceed $2,000. The split bracket provided under H. R. 1 will make it profitable for husbands and wives now filing joint returns to file separately when their combined surtax net incomes are between $1,000 and $2,000. For example, a husband and wife, each with a net income of $1,500, would pay a tax of $190 each under present law if they filed separate returns, and a total of $380 if they filed joint returns. Under H. R. 1 as modified by the committee, they would be required to pay a tax of $133 each if they filed separate returns; however, if they filed a joint return, their total tax would be $304, or $38 more than their taxes on separate returns. The same tax savings under H. R. 1 would accrue to a married person residing in a community-property State, even if his spouse receives no income. The shift from joint to separate returns resulting from the split bracket would increase the number of returns substantially, thus increasing the work load on the Bureau of Internal Revenue despite a cut by the House of $30,000,000 in its budget for the fiscal year 1948.

When the time is right for tax reduction, the whole problem of incentives and the supply of venture capital will merit broad and careful consideration. The problem is not merely one of the individual income tax rates at the higher income levels, or of the individual income tax as a whole. It includes other phases of the Federal tax structure and many features of the individual income tax not treated under H. R. 1. Premature reduction of individual income tax rates on the scale provided under H. R. 1 may, in effect, prejudge these important questions and prejudice the development of a sound postwar tax system.

In the face of all these reasons against this ill-advised, ill-timed and considered bill, reducing the revenues of the country in this year when the national income is at its highest peak, almost $6,000,000,000, before the budget is balanced and without making any payment on the national debt, why do the majority insist on its passage? Is it because it proposes to make income-tax reductions effective retroactively to January 1, 1947; that taxes at the present rate are now being withheld from the salaries and wages of our people, and those whose income is other than salaries and wages are making quarterly advance payments at the present rate and if this bill becomes law, next year after income-tax returns are made on March 15 the Treasury will owe these taxpayers a refund and the Treasury Department will send refund checks to the 48,544,600 taxpayers of the country in 1948 during the election year? If that is the reason, they are grossly underestimating the character and patriotism of the American people.

Mr. KNUTSON. Mr. Chairman, I yield 10 minutes to the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, if our country is to prosper under a system of private enterprise, it is necessary that we reduce Government expenditures, balance the budget, make a payment on the national debt, and reduce the tax burden on the people. This is an interrelated program and, in considering this tax bill, I think it is important to give attention to the other factors.

Figures and estimates are not always reliable but the information comes to me from the staff of our Joint Committee on Internal Revenue Taxation that if present income and business trends continue throughout the next fiscal year that begins in July we would collect, under existing rates of taxation, $42,000,000,000. The House has voted a budget ceiling of $31,500,000,000, but let us take a more pessimistic view of it. Let us err on the conservative side.

Suppose existing rates would only produce $40,000,000,000 in revenue instead of $42,000,000,000, and suppose that our expenditures are held, not at $31,500,000,000, but at $33,000,000,000. It leaves a spread of $7,000,000,000. In all probability, the eventual loss in revenue by reason of the reductions made in this bill will not equal or exceed one-half of that spread of $7,000,000,000.

The Democratic-controlled Seventy-ninth Congress voted $9,000,000,000 in tax reduction. In other words, it was anticipated that the cuts to be made would amount to a loss of revenue of $9,000,000,000. However, due to the higher national income than was anticipated, the actual loss would probably not be more than half that amount.

Repeatedly our Federal Government has had the experience of actually increasing revenue by lowering rates. I do not believe that theory should be relied upon to the extent that we would be in danger of deficit spending or in danger of not being able to make a substantial payment on the national debt, but I submit that it is a principle that merits some consideration.

If we are to proceed under the system of private enterprise, we must have a vigorous forward-moving economy. A high national income with moderate rates of taxation will produce more revenue than a low national income with exorbitant rates. In that connection, I am very much in accord with the expression of the Secretary of the Treasury, Mr. Snyder, and I refer to the following colloquy, as shown by the hearings:

Mr. CURTIS. The burdens of the Federal Government will be very high for not only this generation but for several generations.

Secretary SNYDER. That is right.

Mr. CURTIS. Now the individual without a job, what his taxes might be if he had a job is purely academic; is it not?

Secretary SNYDER. I think we can agree on that.

Mr. CURTIS. Then is not the criterion that this committee must adhere to: What tax structure will produce the maximum enterprise and the maximum number of jobs?

Secretary SNYDER. That is it without a question. I recommend just such a thing. I recommend that very principle in my statement.

There are many well-meaning individuals who are of the opinion that there should be absolutely no tax reduction. I respect their views. It should be borne in mind, however, that we are going to move into an economy far different from our war economy. For several years Government purchases have been taking the greater portion of the output of our mines, forests, factories, and farms. The ordinary incentives and the usual causes and effects have not been the impelling forces in our wartime economy.

Our tax rates are at a very high point. If these high tax rates would prove to be disastrous to our economy as we come to the end of the period of big Government purchases, some of the individuals who now advocate no tax reductions might be the first to blame the Congress for its lack of foresight. I think you might be interested in something else Secretary Snyder had to say as shown by the hearings. I said to him:

Now, Mr. Secretary, we have agreed that the maximum amount of enterprise and the maximum number of jobs was a very important principle to be applied in recommending taxes. How long does it take for tax reduction to reflect in enterprise and job providing in the country?

Secretary SNYDER. It could very easily come within a very short time.

Mr. CURTIS. It does take a little time, does it not?

Secretary SNYDER. It takes a year, probably, yes.

Mr. CURTIS. That leads us to the conclusion that in any action taken to reduce taxes, we should keep in mind the job opportunities that would result not now but next year, the year following, and throughout the years, by reason of the enterprises it started, is that not true?

Secretary SNYDER. Certainly it is true, and that is the very basis upon which we are considering these taxes, as the prospect for next year.

What we do here today will not be pleasing to the critics of the Eightieth Congress. Anything the Eightieth Congress might do would not please them. The loyal opposition, consisting of the PAC, the administration, the minority in Congress, and a score of left-wing writers and commentators, have made their position well known. They are opposed to corrective labor legislation. They are opposed to the elimination of waste in Government. They are opposed to a reduction in the size of our Government. They are opposed to a cut in the budget. They are opposed to a reduction in the tax load of our citizens. In the great battle of the people versus a grasping, growing, burdensome government, they have cast their lot against the people.

This tax reduction bill, as it comes from the Committee on Ways and Means, provides for a 30, 20, and 10½ percent reduction in taxes. Those individuals, whose surtax net income is $1,000 or less are given a 30-percent reduction in taxes. The reduction is then graduated downward and, beginning at about a $1,400 surtax net income, it levels off at 20 percent. The people in the extremely high brackets of over $300,000 receive a 10½ percent reduction.

Let us consider what we mean by surtax net income. That means the amount of income after all deductions and exemptions have been figured. In the case of the typical American family, where the taxpayer has a wife and two children, if his wages or income amount to $3,300, he is first allowed 10 percent as a blanket deduction. His personal exemption and his exemption for dependents amounts to $2,000. Thus, his surtax net income is $1,000.

This group gets a 30-percent reduction in taxes. In this particular bracket you will find the people who must toil and earn their living. You will find the operators of small farms and businesses. The figures show that more than 24,000,000 taxpayers fall in the category of having a surtax net income of $1,000 or less. This is approximately one-half of the taxpayers in the United States. In other words, H. R. 1, as amended, grants to one-half of the taxpayers a reduction of 30 percent in taxes.

An individual with a surtax net income of $1,000, under existing law, pays $190 tax. Under H. R. 1, he gets a reduction of $57, or he pays $133. This is a reduction of almost $5 per month.

Much argument has been made to the effect that instead of applying a percentage reduction, the personal exemption should be increased. From one standpoint, that is very desirable. It should be borne in mind, however, that to raise the personal exemption from $500 to $600 would remove over 4,000,000 taxpayers from the tax rolls. To raise this exemption to $700 would remove almost 10,000,000 taxpayers.

A proposal has also been made that a married couple be granted a $2,000 exemption, a $1,000 exemption be given a single person, and a $500 exemption for each dependent. This would remove 20,000,000 taxpayers from the tax rolls. It would result in a loss of revenue of $5,500,000,000.

It is not a question of whether or not the Congress would like to remove these people from the tax rolls but it is a question of whether or not it can be done. It cannot be done until we are able to put into effect a greater degree of government economy than we are at present. It may be surprising to learn that the individuals, whose net income is under $5,000, receive 79.6 percent of the national income. Under present law, they pay 56.3 percent of the tax burden. Under H. R. 1, as amended, they will pay a little less than 56.3 percent.

The individuals receiving over $5,000 income receive 20.4 percent of the national income. Under present law, they pay 43.7 percent of the tax burden. Under H. R. 1, as amended, they would pay that amount or just a little more.

A great many tables have been used in this debate and by writers and commentators on the subject of taxes. They have tried to infer that the principle of H. R. 1 is unjust and unfair. Much has been said about the percentage increase in spendable income that a taxpayer would have after this bill becomes a law as compared with the present. It has been suggested that a small taxpayer might have the spendable portion of his income increased only a little over 1 percent. Let us analyze that.

If the head of the family of four is making $2,500 a year, after his exemptions and deductions are taken out, he pays about $50 Federal income tax. If we were able to relieve him of his entire tax burden, we would only increase the spendable portion of his income 2 percent.

Our present tax structure has been changed many times since 1932. The relation of the tax burden for any particular income level, as compared to other levels, is the responsibility of the party that has controlled the Congress throughout these many years. Let us see how H. R. 1, as amended, affects the relationship.

Under existing law, the individual whose surtax net income is $25,000 pays 9.2 times as much as the individual whose surtax net income is $5,000. Under H. R. 1, he will still pay exactly 9.2 times as much.

Under existing law, the individual whose surtax net income is $50,000 pays 24.4 times as much tax as the individual whose surtax net income is $5,000. Under H. R. 1, he will still pay exactly 24.4 times as much.

Let us take another case. The individual whose surtax net income is $100,000, under existing law, pays 25.5 times as much as the individual whose surtax net income is $10,000. Under H. R. 1, he will still pay 25.5 times as much.

Under existing law, the individual who makes $50,000 pays 10.2 times as much as the man whose surtax net income is $10,000. Under H. R. 1, he still will pay 10.2 times as much.

In other words, the ratio remains the same. If any particular group of people in America are paying more than their share of the taxes, it must be borne in mind that that ratio was established in the existing law enacted by Democratic Congresses.

Under H. R. 1, the existing ratios are changed in but one place. That is in reference to the small taxpayer. We do change the ratio for the benefit of the people of low incomes. For instance, under existing law, the individual with $5,000 surtax net income pays 5½ times

as much tax as the individual with a surtax net income of $1,000, but because of the additional cut that we give the lowest bracket, the tax on a $5,000 surtax net income is 6.3 times as much as it is on a $1,000 surtax net income. Likewise, under existing law, the tax for an individual with a surtax net income of $10,000 is 13.2 times the tax for an individual with a surtax net income of $1,000, but because of the preference in H. R. 1 for the lowest bracket, the tax on the $10,000 sum is 15.1 times the tax on the $1,000.

In the case of the individual with a surtax net income of $25,000, he pays, under existing law, 50.8 times as much as the individual with a surtax net income of $1,000. Because of the benefits of the 30-percent reduction that is given to the lowest bracket under H. R. 1, the tax on the $25,000 is 58 times as much as the tax on $1,000.

I want to mention something about the provision in H. R. 1 in reference to persons over 65 years of age. This is inserted in the bill to meet a number of problems. Some of the people who draw retirement benefits are required to pay income taxes on those benefits. Other benefits are exempt from income taxes. This problem has been before the Congress many times. In connection with tax-exempt retirement benefits, we must not lose sight of the fact that many of our citizens who reach old age receive no retirement checks, must still toil and not only pay their own taxes but added taxes because the neighbors are exempt from taxation.

In order to be fair to our aged, including those who receive no retirement benefits, H. R. 1 gives an additional personal exemption to those over 65 of $500. If they avail themselves of this additional exemption, they cannot take any other specific tax exemption that they might receive in connection with their retirement benefits.

Perhaps there are arguments against this idea but we must bear in mind that these aged people face many problems. They face the hazard of ill health. Continued employment is uncertain. Opportunities for new jobs and promotions are very few. A majority of the Committee approved this additional consideration for those over 65 and it is in the bill today.

Mr. Speaker, in these troubled and complex days, the problems that face this Government are really beyond description. It is my hope and prayer that when all the deliberations are over and the discussion is ended, the course that is charted is the one that is wisest and best for our Republic. I have no desire that any other course be followed.

Mr. KNUTSON. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman, there are two basic reasons for passing H. R. 1, and passing it quickly. We should do so, first, to remove, at least to a very large measure, the threat to private initiative and new investment which stems from continuation of the enormously high wartime tax rates. Private initiative and new investment, of course, are restricted by such burdensome rates, and, as they are restricted, America's traditionally high level of employment is jeopardized. Lower taxes mean more jobs. But they mean much more than that, too, and that brings me to the second basic reason for wholeheartedly supporting this measure: namely, tax relief is necessary, particularly for people in the low-income groups, to enable them to meet, partially at least, the higher cost of living. By giving them this relief—nay, by increasing their take-home pay, which is what this tax measure means to them—we enable them to maintain consumer purchasing at a higher level, and thereby give more stimulus to employment and to business activity. Indeed, it is the surest way to maximum employment and business activity.

I pass the question of the effect of tax reduction on private initiative and the free enterprise system, Mr. Chairman. I wish to advert directly to my second reason for supporting this measure. The bill provides the greatest amount of tax relief for people in low-income groups. For instance, all individuals with net incomes of $1,000 or less are given a 30-percent reduction. Most of the others will get a 20-percent saving. That is as it should be. I need not emphasize the enormous increase in the cost of living since the outbreak of war. It has been more than 50 percent, and this, of course, has confronted the low-income person with prodigious problems. It has been particularly hard upon the white collar workers receiving relatively low incomes. For example, school teachers, whose difficulties constitute one of the most pressing of State and municipal problems today. But office employees and many other groups of average Americans are in the same difficulty. Their salaries and incomes did not increase during the war period in anything comparable to the rate of advances given wage earners in factories. Therefore, Mr. Chairman, it is entirely fitting that the very low income group receives some preferential treatment. This bill seeks to do that by giving the 30-percent reduction for those with net incomes of $1,000 and below, a sliding reduction between 20 percent and 30 percent for those in the groups between $1,000 and $1,400, and 20 percent which will apply to most of the rest of the American taxpayers.

All of us, of course, would like to reduce taxes still more, but we cannot, at least for some time. But let us keep one thing clearly in mind: The American people are firmly of the opinion that the Federal budget must be balanced and that some attempt must be made to start paying off the gigantic national debt, the interest on which alone costs more than the whole Federal Government did before 1933. Let us be clear in our minds about this, too: It is impossible to reduce taxes still more or to shift the burden more completely to the upper income group as long as our National Government expenditures run between thirty and forty billion dollars a year, four times the level of prewar years. All groups in the Nation must pay for big government, and the bigger the government, the more the lower income groups must pay. It is idle to talk about paying the costs of the gigantic Federal bureaucracy by a "soak-the-rich" tax policy. If we took all the income of the so-called rich, it would by no means be adequate to pay the costs of the Federal Government. This year, under the existing tax law, Government experts tell us there will be 46,683,799 taxpayers; 96 percent, or 44,817,360 of those taxpayers have net taxable incomes of $5,000 or less. Furthermore, they tell us that of an estimated net income of $114,293,000,000, 79.6 percent or $91,010,000,000 is accounted for by people with incomes of $5,000 or less. That leaves only $23,283,000,000 as the total income of persons having an individual income of $5,000 and above. Furthermore, under the present law the people with incomes of $5,000 and less pay 55.7 percent of all individual income taxes. This percentage would be lowered to 54.2 percent by H. R. 1. The point is inescapable, namely, you cannot run big government, such as we now have in this country, without the low income people paying the big share of the cost. People with large incomes simply do not have enough money, even if you took all of it from them, to pay for the luxuries of this enormous Government.

I mention this for a specific reason, Mr. Chairman. We here will take a step toward providing some tax relief for the lower income people in particular. But all parts of the population will get some relief. The point is this: Additional tax cuts, which we all desire so greatly, cannot be made until we cut back much farther the wasteful and expensive big Government which has been built up in Washington in the past 14 years. This, the people must keep clearly in mind, for the more they ask from their Government, the more functions and services they seek from this prodigious bureaucracy, they must pay for it, and pay dearly, for no further tax cuts will be possible if we do not reverse the movement of the past 14 years. Indeed, taxes undoubtedly will have to be increased again if we continue to expand the services and functions of the National Government.

Now, sir, the same observations can be applied in respect of the provision providing an additional $500 exemption for persons 65 years of age and over. It is a well-known fact, Mr. Chairman, that most people at that age are living on their pensions, income from savings, and the like. They have been very hard hit by a 54-percent rise in the cost of living since 1939. Consideration of the revision of our social security laws which would increase financial benefits to old people has been delayed by the war and the uncertainties of the postwar period. So, we owe it to our senior citizens to make more adequate provision for them, in one way or another. Pending further action on social security benefits and other readjustments, the present bill will offer some special relief to those so justly entitled to it. The bill, as amended, would prohibit the abuse from the operation of the $500 exemption provision by those people who already have special exemption because of the nature of their incomes. Certainly, this tax provision cannot be seriously attacked as setting up a preferential group to receive Gov-

ernment benefit. It will scarcely be maintained that it provides adequate relief for them but at least it is a step toward correcting a maladjustment which is bearing so heavily upon our senior citizens, many of whom gave splendid service during the war effort by continuing in their jobs beyond their retirement age, or by coming out of retirement to help the war effort.

Mr. KNUTSON. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. BRADLEY].

Mr. BRADLEY of California. Mr. Chairman, I cannot speak for other Members of the House but I know that the voters of the Eighteenth District of California elected me November 5 on a platform which advocated, among other things, a balanced budget, elimination of much of the octopus of New Deal bureaucracy and a reduction in income taxes.

Insofar as it is within my power I intend to live up to every part of this platform.

We, in the House, have voted to slash $6,000,000,000 from the proposed budget; day by day we are chopping off entrenched bureaucrats through refusal of funds to continue their tactics of smothering individual freedom; and, now, by this bill which we are considering today, we are going to give that tax reduction which is so badly needed and so well deserved.

Mr. Chairman, the American people of my district want to reduce the public debt—they want to strengthen the dollar and so destroy the tendency towards inflation—but, right now they need their earnings for purposes other than for the support of a government which, during the past several years, has performed on the theory of "Tax and tax, spend and spend, elect and elect." My constituents are the kind of people who cannot be fooled all the time by even the most magnificent flow of distorted facts from a multitude of administration propagandists. My constituents have seen through the smokescreens thrown up to stave off defeat at the next elections. They see through opposition efforts to prevent the Republican Party from delivering the goods it promised—the goods which the American public has bought and paid for—the goods, which include a substantial tax reduction for every income taxpayer.

No tax bill is perfect. No tax bill ever will be perfect. Yet, this bill does a lot of things I like. The 30-percent slash on small incomes makes me very happy. Through it, the man with just $1,000 taxable income will have $57 more of his earnings to spend on his wife and kids. And that $57 is not chicken feed out in California where the cost of living has gone up just as it has here, and where we want people to live as Americans should live—not crowded together in hovels like sheep in a cattle car.

Then this $500 exemption for those good senior citizens who have had 65 birthdays roll around. It means at least $90 a year additional for every such person who has a taxable income of $1,000.

Let us look at the civil-service annuitant and his wife, retired after long and faithful service, both well along in years and getting about $2,200 per annum. These people have been praying for some magic which would give them an exemption of around $1,200 a year over and above their regular exemption as man and wife. And here, praise God, we hand it to them, for when they add their $500 each to their family exemptions, and then add in other deductible items such as taxes, contributions, and so forth, they will find themselves tax-free.

The big-income man will get his cut, too—in a lesser degree, but sufficient, I hope, to release capital for investment and to show that the party in control of this House is not imbued with loyalty toward any one financial level of our people, but rather, that it goes all out to give a break to every American.

Mr. Chairman, this is a good bill. Let us pass it with a resounding majority so America can see exactly where we stand and how we live up to our promises.

Mr. KNUTSON. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. COLE].

Mr. COLE of Kansas. Mr. Chairman, no one but the financial wizards of the New Deal could "reduce" the Government debt $20,000,000,000 and by the same transaction increase its liabilities.

This is the administration which objects to the Republican proposed tax reduction bill on the theory that they should first have the opportunity to reduce the debt.

Judging by past performance, if we permit them to perform these mystic rites of financial mumbo-jumbo, we may find our debt burden doubled.

As an example of sorcery, witness the Victory Loan.

The war ended in August 1945, and the drive for this loan was opened in October of that year. No sound reason existed for this additional burden upon the gigantic debt load. This is evidenced by the fact that, as a result of the loan, on February 28, 1946, the Treasury had a cash balance of $26,000,000,000. Also, added to our debt burden were $20,000,000,000 long-term, 2½ and 2¼ interest bonds.

Now, what did our bright scholars do?

They "reduced" the debt by paying off in cash $20,000,000,000 of short-term securities bearing interest at seven-eighths to 1½ percent.

Our wizards of debt reduction, therefore, borrowed money from Peter at a high rate of interest, to pay Paul to whom we owed money, but who was willing to continue the investment at a low rate of interest.

Our Government is worse off than if there had been no debt reduction.

This costly sleight-of-hand is characteristic of those who now say, "Let's not have a tax reduction. Give us the money and we will manage the debt."

The term, I advise, is "mangle the debt."

The administration has glibly talked of debt reduction for months, but not one sound plan has been presented by them for debt reduction.

With some humility, I am here to suggest a plan for the consideration of Congress.

The national debt can be paid—but not with hopes alone. It can be paid only with money—and plenty of it.

Practical debt retirement cannot now be accomplished at a cost of less than $5,000,000,000 a year paid on the principal. Any sum less than this amount will rapidly create a permanent debt of almost $250,000,000,000, for which $5,000,000,000 must be paid each year in interest.

A policy of forgetting about debt retirement will be very easy to adopt after July 1, 1947, for, by that time, much of the surplus cash in the United States Treasury will have been used to remove the twenty billions from the postwar debt peak of $280,000,000,000. Unless additional funds are made available for this purpose not later than September 15 of this year, debt reduction will cease, for all time.

Forgetting about postwar debt reduction has been tried before by other nations, but not by the United States. Fighting wars on credit has long been a habit of modern nations, but, so far, the United States has not subscribed to the European practice of waging the next war before making a substantial payment on the debt created by the one most recently concluded.

How constant debt is associated with constant wars is shown by the experience of Great Britain. The English people have had a funded debt ever since 1695, and the cost of settling the affairs of Europe and the world have kept this debt on the rise ever since William III's time. By 1793, it stood at about $1,300,000,000, at a time when the United States owed eighty millions. In 1820, after settling the accounts of the Napoleonic Wars, Great Britain owed more than $4,000,000,000, and this debt remained at substantially the same level until 1914. World War I brought a British peak debt of more han $38,000,000,000, and World War II has raised the British debt to beyond $100,000,000,000. A constantly rising public debt is not unique to Great Britain; it is typical of most modern nations, and has frequently been flaunted as one necessary aspect of the process of becoming a great power.

But a rising public debt has not always been eagerly acclaimed in the United States. Indeed, the debt remaining from the Revolution and the War of 1812 was marked "paid in full" in 1935. Half the Mexican War debt was paid before the clouds of the Civil War approached, and nearly two-thirds of the Civil War debt was paid by 1893. After World War I, the $26,000,000,000 debt was reduced to sixteen billions in 1930.

Today the United States has an equally favorable opportunity.

If Congress chooses, the present national debt of $262,000,000,000 can be cut in half by 1975.

And if the present debt is ever to be reduced at all, the choice must be made quickly.

For the national debt is not a lump sum which one may whittle at as he wishes.

It is a complex assortment of installment payments. In effect, the United States has agreed to pay so many remittances a year toward the remaining costs of World War II. And it can pay these remittances only when the installments fall due.

These installments are of many different types. On July 1, 1947, our $260,000,000,000 debt will include about forty billions which will probably never be paid; these are in Government trust funds and currency. The fifty billions in savings bonds will remain relatively constant; in prosperous years, at least, redemptions will be balanced by sales and accrued interest. The floating debt will also include as much as $47,000,000,000 in low-interest—1 to 1½ percent—securities subject to annual redemption or renewal.

But the real challenge of our national debt will lie neither in the forty billions used for various Government services, nor in the ninety-seven billions which can be redeemed on short notice. The real test of debt payment will come in the handling of the remaining $123,000,000,000. For, if this portion of the national debt is not paid off as each separate issue falls due, payment of the unredeemed part will be postponed for as long as 20 years.

In 1999, not very many persons will wish to be taxed to pay off a debt which was accumulated in 1946. Theoretically, there is no statute of limitations on the payment of public debt such as often affects the payment of bad private debts. In practice, however, no nation has yet asked its citizens to pay off through taxation, the debt incurred in earlier generations. In most programs of debt retirement, each generation of citizens pays off only that portion of the public debt which it accumulated for its own purposes; inherited debt is either carried on the books forever or repudiated outright if it becomes too burdensome.

For this reason, Congress should and can take immediate steps to halve the present debt within 20 years.

It has the power to do so. And it must do so at once, because $4,000,000,000 of the one hundred and twenty-three billions is tied up in long-term bonds, maturing during the 1948 fiscal year, and must be paid as they fall due or become perpetual debt.

Unless a substantial sum is set aside from 1948 revenues, these bonds will not be paid off. Three billion dollars must remain in the Treasury cash balance at all times to take care of continual debt transactions, and only the cash in excess of this amount can be used to cut down the size of the total debt. On July 1, the excess cash may amount to more than $3,000,000,000; but it can melt away by September 15, unless Congress deliberately provides for a surplus of revenues during the 1948 fiscal year.

In the coming fiscal year, it is already apparent that an effort will be made to secure a surplus of about $5,000,000,000 to be applied on the reduction of the national debt.

If Congress sets aside at least $5,000,000,000 each year to retire the Federal debt, that debt will be more than halved by 1975. It might be well for Congress to provide that the budget include each year, a sum of $10,000,000,000 for paying the interest on the public debt and a portion of the principal. Each year, it could enforce debt retirement by lowering, as provided in the fiscal provisions of the Legislative Reorganization Act of 1946, the legal limit of the national debt. As the debt declined, the interest charges would also drop, and a larger portion of the remaining debt could be paid each year.

Such a program would, by no means, rule out tax reductions.

Nor is it necessarily incompatible with the present tax bill offered by the Republican members of the Ways and Means Committee. Tax reduction is imperative. Our people are weary of the burden, and are entitled to relief. The details of timing, percentage, and exemptions have been agreed upon by the committee. While I do not agree with all these details, particularly with the retroactive and percentage features, yet, if we are to have relief, we must accept the best judgment of our committee.

That judgment includes a considered opinion that this tax bill will produce forty-one billions of revenue. The thirty-one and five-tenths billion budget, recently adopted by the House, provides for the five billion interest on the debt. Thus, my plan will only require five billion of the surplus and leave four and five-tenths billion for cushion and emergencies.

I am introducing a bill which, if adopted, will, for the first time, fix a definite, sound policy of debt reduction. Generally, it will require the payment of $10,000,000,000 on the principal and interest of the debt each year.

In addition, the Treasury will be required to pay, in cash, the long term securities the year in which they mature or are callable.

Allowing for the prospective 1947 cash balance of $6,000,000,000 (half of which must remain at hand for current needs), I have computed a schedule showing results of my plan in a period of continuing prosperity. I ask unanimous consent, Mr. Chairman, that this schedule be included in the RECORD immediately following these remarks.

Mr. Chairman, the best laid plans of men for reduction of expenditures and taxes will be of little value unless this plan I have outlined or a similar one is adopted.

We may permit the willy-nilly haphazard confusion in the management of the debt without specific directions or certainty of funds. Or, we may set up a definite fiscal policy for an orderly and economic retirement of the debt.

The first choice involves the freezing of our public debt at the present level, the second gives positive hope of placing our economy upon a sound financial basis.

The American people expect this Congress to bring order out of chaos, to restore sanity to Government.

I offer these suggestions as my contribution toward the achievement of this goal.

[All figures in billions of dollars]

Fiscal year	Debt payment	Interest payment	Proposed limit on debt
1948	7.5	5.0	265
1949	5.0	5.0	258
1950	5.1	4.9	253
1951	5.1	4.9	248
1952	5.2	4.8	243
1953	5.2	4.8	238
1954	5.3	4.7	233
1955	5.4	4.6	227
1956	5.5	4.5	222
1957	5.6	4.4	217
1958	5.6	4.4	211
1959	5.7	4.3	205
1960	5.8	4.2	200
1961	5.9	4.1	194
1962	5.9	4.1	188
1963	6.0	4.0	182
1964	6.1	3.9	176
1965	6.2	3.8	170
1966	6.2	3.8	164
1967	6.3	3.7	158
1968	6.4	3.6	151
1969	6.4	3.6	145
1970	6.5	3.5	138
1971	6.5	3.5	132
1972	6.6	3.4	125
1973	6.7	3.3	128
1974	6.8	3.2	121
1975	6.9	2.1	114

Mr. DOUGHTON. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. LYNCH].

Mr. LYNCH. Mr. Chairman, I wish to make my position on tax reduction crystal clear. I believe that when we have balanced the budget and made a substantial reduction in the national debt, we should give a reduction in taxes to those who are least able to carry the burden. I believe that such reduction can best be effected by increasing the tax exemptions.

I cannot support the tax bill presently before us for consideration. The tax-reduction plan embodied in this bill was conceived in political expediency, nurtured by political demagoguery, and delivered to you today in political desperation. It was conceived in political expediency for the reason that it was intended only as a preelection vote-catching device. No thought had been given to the finances of the Government, but it was popular before November 5th last to promise that taxes would be reduced. It was popular to try to make the people forget the financial obligations that the most terrific war in world history had forced upon them, and it was popular to tell our American people that the Democratic administration that had guided the country through the world's worst financial depression and emerged triumphantly as still a free, democratic government and had, likewise, guided the country through mankind's worst war and emerged triumphantly as still a great, free, democratic government, was responsible for the staggering debt burden that the war of the Four Freedoms entailed. Political expediency, it was, and of the rankest kind.

There can be little doubt that the tax-reduction plan contained in this bill was, likewise, nurtured by political demagoguery. Under the guise of tax reduction it was intended as a windfall for the rich and a hand-out for the poor. It was in-

tended to bring the tax in the highest brackets down below prewar levels, but the tax of the little man in the lower brackets was to be kept substantially above prewar levels. The vigorous opposition of the minority brought these facts to light, with the result that a sugar-coating—a 30-percent tax reduction for those with incomes of $1,325—was devised in order to make the whole bill more palatable.

The more the American people pondered over the inequities and injustices of H. R. 1, the so-called Knutson bill, the greater has become their indignation, when they realize that under this bill the spendable income of a married person, without dependents, and with an annual income of $1,200 is increased just $11 or 1 percent, while the spendable income of a married man, without dependents, and $500,000 annual income is increased from $92,536 to $157,926 or 70.7 percent.

Note the contrast: The increase in spendable income per annum for the little man is $11—22 cents a week, 3 cents a day—not enough to pay for a Republican newspaper in New York City.

Mr. KEAN. Mr. Chairman, will the gentleman yield?

Mr. LYNCH. I am glad to yield to the gentleman.

Mr. KEAN. Let us look into that matter a little. You are talking about a married man with no dependents with $1,200 income. Do you mean net taxable income?

Mr. LYNCH. Net income before personal exemptions.

Mr. KEAN. You did not say that.

Mr. LYNCH. Net taxable income. With an income of $1,200 of the person cited without dependents this bill will give him a spendable income increase of $11 per annum, which is 22 cents a week or 3 cents a day, which is just enough to buy a postage stamp.

Mr. KEAN. What increase in the spendable income would it amount to if there was no tax at all?

Mr. LYNCH. When you take away the tax, of course, you increase the spendable income.

Mr. KEAN. It would only amount to 2 or 3 percent if it were removed entirely, would it not?

Mr. LYNCH. When you take away the taxes, you increase spendable income by so much.

Mr. KEAN. Yes; by about 2 or 3 percent.

Mr. LYNCH. By whatever is the amount of the tax. This is the time to increase the spendable income of the little man.

Mr. KEAN. Absolutely.

Mr. LYNCH. This is not the time to increase by tax reduction the income of the big man. This is the time to increase the income of the little man who has not got enough to buy the necessities of life, the cost of which has increased so much since the end of the war when all controls were removed. I say, if we are going to have tax relief, that tax relief should be given to the small man. The best way to do it, in my opinion, is to increase the exemptions, but if you take it your way and give the 30-percent increase, you give the small man of $1,200 net income before personal exemptions an increase in his spendable income of exactly 3 cents a day. That is the Republican generosity of the day.

Mr. KEAN. Or a one-third reduction in his taxes.

Mr. LYNCH. That is the Republican generosity of the day. As a matter of fact, the distinguished chairman of the committee, in giving this concession of 3 cents a day to the man with a $1,200 income, indicated the generosity of the Republican Party to the low-bracket taxpayer. I just want to say that the great heart of Minnesota opened with generosity when the chairman agreed to accept this amendment.

The American people will be outraged when they learn that the income tax of the $4,000 per year married person, without dependents, will, under H. R. 1, as amended, be increased over his 1939 tax by 970.5 percent, while the income tax for the married person, without dependents, with a $5,000,000 income will be increased over his 1939 tax by only nine-tenths of 1 percent. Is there any wonder that there were only 2 days of public hearings? Is there any wonder that representatives of labor, agriculture, small business, pensioners, and white-collar workers were flatly and unprecedentedly denied by the majority the opportunity to appear in opposition at the hearings before the committee? The majority had, of necessity, to invite the Secretary of the Treasury to testify, and he testified vigorously in opposition. The Commissioner of Internal Revenue had, of necessity, to be invited to testify as to the technical difficulties of the original H. R. 1.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. LYNCH. I yield.

Mr. EBERHARTER. I just wanted to observe that the Commissioner of Internal Revenue did not have an opportunity to testify as to how difficult it may be to administer this particular act that is before us today. We have no word from him in any shape or form as to how difficult it may be to administer these notch provisions and various other differences between this bill and H. R. 1 as originally introduced.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. LYNCH. Yes; I yield.

Mr. REED of New York. Commissioner Nunan was questioned on that subject and said it would not require more than 60 days.

Mr. LYNCH. No. The gentleman is in error.

Mr. REED of New York. Oh, we are always in error.

Mr. LYNCH. I think the RECORD will show that the gentleman is in error.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MILLS. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. LYNCH. I think the gentleman will see that Commissioner Nunan referred to the original bill. We did not have these amendments under consideration at that time.

Amendments to the bill were voted without any knowledge as to the technical difficulties involved, except that it was conceded that the difficulties that the taxpayer and employer would meet would be greatly enhanced. But speed was of the essence—rash preelection promises had been made, when the Republicans did not think they would control the Congress and have the responsibilities that go with that control. Each day has brought greater criticism on a do-nothing Congress. The fiasco of the excise tax bill, when the majority in newspaper headlines promised reductions and then extended all excise taxes with the exception of those on foreign air travel and on certain fur-trimmed garments. Today, in political desperation, this bill is brought forth in the House—the majority must get off the spot their preelection promises and postelection braggadocio have made so uncomfortably hot.

Mr. Chairman, other than the Secretary of the Treasury and the Commissioner of Internal Revenue, only two witnesses were permitted to testify—those two were specially selected for their known views in favor of the 20 percent cut across-the-board—one a member of a well-known law firm in New York that represents a Wall Street clientele and the other a director and head of personal trust department of the Bankers Trust and also a director of the Hearst Co., United States Lines, American Airways, American Superpower Co., and other large corporations. In brief, their testimony was that a reduction in individual income taxes was necessary as an incentive for business and an incentive to the individual. Those arguments are transparently fallacious. Today the national income is at its all-time peak, approximating $165,000,000,000; industry is in as high production as the scarcity of material and labor will permit; unemployment is at a low ebb; the financial reports of corporations show substantial increases over the lush year of 1945—business needs no incentive, it has all the incentive to a high production that scarcity and high prices can possibly give.

In the column Business Briefs of the Washington Star of March 21, last, there appears a note that business loans climbed $193,000,000 in the week ended March 12 to the unprecedented total of $10,995,000,000 which was $3,509,000,000 above a year ago. That certainly does not show that business needs an incentive.

In the New York Herald Tribune of yesterday there appears an article to the effect that the volume of outstanding bank loans in the United States increased more than $5,000,000,000 in 1946, which is the largest gain reported for any 12-month period since 1919–20, when a similar expansion occurred. That certainly does not indicate that venture capital needs an incentive.

One of the witnesses was particularly concerned that young men in his law office and elsewhere getting $8,000 or $10,000 a year would lose their incentive to work if these taxes were continued longer. I asked him point-blank if he

knew of any such men whose ambition had thus been thwarted and he said no. This gentleman quite understandably boasted of his Scotch thrift, so I imagine that taxes or no taxes, incentive or no incentive, he saw to it that the young associates in his law office turned out the work. I asked him if he knew any man getting $3,000 a year or $20,000 or $25,000 quitting his job because the taxes were too high and his answer was in the negative. He did refer, however, to a man, well over 70, who had an income that put him into the top brackets, who finally decided to quit—I suspect, however, that old age and an accumulated pot of gold had more to do with the retirement than present-day taxes.

Not one sound argument has been presented for the passage of this bill. Not one shred of credible evidence has been adduced to support the bill. It goes contrary to every sound principle of taxation—it is in direct opposition to every sound principle of business.

It is not sound policy to reduce the revenues of the Government when we do not know what the budget is going to be and if the majority cannot agree amongst themselves in the future better than they have in the past—we won't know what the budget will be for a considerable length of time. It is not sound policy to reduce the revenues of the Government, not only when we do not know what the budget will be, but when we also do not know what the appropriations will be.

Mr. REED of New York. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. LOVE].

Mr. LOVE. Mr. Chairman, it is with a pleasing satisfaction that I rise at this time to speak in support of the amended H. R. 1. I shall vote for this bill. Many of my colleagues are well aware that I have been working for an immediate income tax relief that will be fair to taxpayers in all brackets. I forthwith urge all my colleagues to vote for this bill in its amended form.

One of the first steps toward a strong government is a sound fiscal policy. It is gratifying to know that we are making that step. For the first time in many years the income of our Government will be more than its expenditures. We shall not only balance the budget but we plan to pay a substantial sum toward the national debt and also cut personal income taxes as provided in this bill. Regardless of what anyone may say, I submit that this is a turn in the direction of prosperity.

Prosperity is the result of an incentive for investors to enter business coupled with adequate living conditions of the working people. I have never favored the theory that a person should be taxed for all he made over $25,000. I believe such a theory hurts business and curtails employment. I hope the time may come when an investor may be able to keep half of what he makes regardless of the amount.

Therefore, I say that this bill will be a great incentive for investment and create many new jobs. For a stronger reason, I am for this bill because it gives a 30 percent tax reduction to more than 25,000,000 taxpayers of the lower income groups and a reduction of between 20 and 30 percent for an additional 6,000,000 taxpayers. This is what I have been fighting for. This is the best part of a good tax reform, in my opinion. The man or woman who struggles for the necessities of life should be the first to have the most tax relief.

I am speaking in particular of workers with small incomes who need bread and butter and substance for their families, also the many office workers, store clerks, and school teachers and like groups who have not benefited from increased salaries, yet who have paid income taxes with money that should be used for the bare necessities of life. I am also for this bill because it increases exemption by $500 to more than 3,000,000 taxpayers beyond the age of 65 years.

Yes, I am for this bill not only because it will be an incentive for business, but, in particular, because it gives substantial tax relief to more than 31,000,000 people in the low-income brackets.

Mr. Chairman, I yield back the balance of my time.

Mr. KNUTSON. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. GILLIE].

Mr. GILLIE. Mr. Chairman, I rise in support of this tax-relief bill. It will come like a breath of fresh air to the millions of taxpayers who have been stagnating under the heavy burden of taxation necessitated by 14 years of New Deal extravagance. It was inevitable that the Republicans should sponsor tax reduction and reverse the policy of the administration which has been choking the initiative and incentive of our people with oppressive taxes. This bill permits the small wage earner to catch his tax breath. It will provide a shot in the arm to our free-enterprise system. Tax savings can be diverted into business and investment channels. The time-honored desire which has stimulated our people into new fields of endeavor is given new challenge. Punitive and restrictive tax policies are being revoked. This is a step in the right direction.

It often has been said that the power to tax, is the power to destroy. That is what the past tax policies have been doing. By increasing the tax load during the last four administrations, taxation has become a monster frightening the future of our Nation. Since the end of the war, it has been a factor in discouraging the start of small businesses and halting the venture of individuals into new fields of endeavor. With increasing costs under the inflation brought about by the wasteful expenditures and controls, the small-income family has been faced with a serious dilemma as to how to feed and clothe its members. This bill will help offset the higher cost of living. It will permit an expanding economy. It provides a fair shake for all of the taxpayers, affording the greatest relief to the lower-income brackets. Moreover, it will take care of those persons over 65 years of age who are living on pensions, annuities, and retirement pay.

It also opens the door for slashing needless Federal expenditures, balancing the budget, and creating income for the reduction of the terrific national debt which the people demand and we must have for a sound, growing Nation.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. Chairman, during the 2 days' hearings that were granted on this bill, which I consider of the greatest moment of any that has been considered by the House in the past several years, we had witnesses from the Treasury Department and the Internal Revenue Bureau, and witnesses whose principal business interests were on Wall Street.

I wonder if the committee during that time had occasion to glance at the report of the Committee on the Public Debt. It is a great booklet. It was the last thing prepared by the late Brig. Gen. Leonard P. Ayres, one of the greatest statisticians of all time.

THIS STAGGERING PUBLIC DEBT

It is a study I think the Members on the Republican side of the House might well look into. It is revealing, and maybe it might cause them to forego their longing, as we Democrats are willing to forego our longing, to hand out on a silver platter a tax reduction at a time when the national debt exceeds any debt ever carried by any principality, democracy, or kingdom in the world's history.

On the front page of this debt study we see that the public debt now totals $7,009 per family, which figures out on a per capita basis of $1,981 of public debt for every person in the United States.

EIGHT TIMES GREATER THAN 1920

This is eight times greater than it was at the end of World War I when the public debt was $240 per capita, or 25 times greater than during the Civil War when the national credit virtually collapsed.

Measured by our national income the national debt is now 180 percent of our national income and bear in mind our national income is at an all-time high point. Please bear in mind that despite our record-breaking national income, the debt has never before exceeded 52.2 percent of national income—and this after the Civil War. After World War I the then high public debt was 41 percent of national income.

I have heard many members of the Republican Party stand up on this floor in 1939 and 1940 and tell us at that time it was dangerous to our system of free enterprise, our capitalistic system, to carry a public debt of $45,000,000,000.

WHERE IS THEIR LOGIC NOW?

I wonder how with any logic or reason these same men on the Republican side can now ignore the danger of a public debt that is some 600 percent greater than it was at the time those speeches were made and come in here today with a $260,000,000,000 debt asking for a tax reduction.

Oh, this debt book I think you Republicans could well study because I believe you will find in there something that might cause the hair to stand up on the

back of your neck some night and make you wonder what will happen if the interest rate on this public debt ever gets back up to its historic normal figure between 4 and 5 percent.

It is now the lowest in all history—2 percent.

HISTORIC RATE BETWEEN 4 AND 5 PERCENT

The interest rate, and you can see on this chart, has been around 4 and 5 percent on an historic basis. If the interest rate on this staggering public debt goes back to normal, your debt service alone for interest will be $10,000,000,000.

Yet now, with the national income at an all-time high point, you refuse, you decline to reduce by any definite amount this staggering public debt.

DEBT CORNERSTONE OF CAPITALISTIC SYSTEM

This public debt is the cornerstone, the keystone of our free enterprise system that we have and must continue to make work. Without the public debt being safely handled, without the confidence of the people of this country in these bonds that have been issued by the United States, then your capitalistic system is in grave danger.

If you will study the decadence of all the older countries of Europe you will find that the loss of confidence in the debt structure of their country preceded their inflation and collapse in almost every instance.

Yet now you Republicans are refusing to pledge any payment on this public debt, but you do pledge $3,330,000,000 tax reduction despite this staggering national load of a $260,000,000,000 war debt.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from New York.

Mr. REED of New York. I want to say to the gentleman that he has lodged a perfect indictment against his own party and his own boss.

Mr. MONRONEY. The gentleman knows very well that more than $20,000,000,000 of the $260,000,000,000 debt was created by anything other than the war. He knows that as well as I do, and yet he voted for every one of these appropriations that took the debt up from $45,000,000,000 to $260,000,000,000, and I ask the gentleman to affirm or deny that.

Mr. REED of New York. All that you have done since you came into power is to rob the people of $3,000,000,000 by reducing the value and the purchasing power of the dollar.

Mr. MONRONEY. Will the gentleman get on the subject?

Mr. REED of New York. All you have done is to vote debt after debt, to pile up one debt upon the other, all the time you were in power. You doubled the debt.

Mr. MONRONEY. I have but a limited amount of time. I ask that the gentleman be specific.

Mr. REED of New York. You kept piling up the debt and you voted for every inflationary measure of the Government that would create that debt.

PREWAR DEBT, FORTY-FIVE BILLIONS

Mr. MONRONEY. The gentleman knows very well that the public debt was less than $45,000,000,000 when this country started preparing for war, and he and the members of his party voted unanimously to put that debt up to $260,000,000,000, and I challenge anyone here to deny it. You know very well that you helped to fight this war with money as well as boys, and if you did not appropriate that money the war would still be going on, and the gentleman knows that.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Nebraska.

Mr. CURTIS. I think the record will show that most of the Members on this side of the aisle voted to stop giving lend-lease to Russia after Germany was defeated, and that most of the Members on the other side voted to continue that expense.

Mr. MONRONEY. The gentleman knows very well that the debt has been reduced since the end of the war with the balance on hand in the Treasury balances, and yet they say that the Democratic Party created this $260,000,000,000 debt when you know it is absolutely not true.

FINANCIAL INTEGRITY FIRST

The first duty of Congress is to maintain this Nation's financial integrity. How we handle and retire this war debt is the cornerstone of our free-enterprise system.

The House majority has refused to earmark one thin dime for debt retirement even though the Members in the other body have insisted on earmarking, by unanimous consent, over $2,600,000,000 toward debt retirement.

I say even if the present Knudson tax-relief bill were an equitable bill—which I do not think it is, I think it is a relief bill for the rich—I would still be against it. This is no time to cut nearly $4,000,000,000 out of Uncle Sam's income when our war debt is greater than any debt that has ever been carried by any people ever on the face of the earth.

Mr. REED of New York. Mr. Chairman, if the gentleman will yield further, it was not created by any political party except your own.

Mr. MONRONEY. Does the gentleman deny that it was necessary to vote large sums for the conduct of the war?

Mr. REED of New York. And I will give the gentleman another example.

Mr. MONRONEY. Will the gentleman deny that it was necessary to appropriate large sums of money for the conduct of the war?

Mr. REED of New York. Why, bless your dear heart, you armed Japan or you would not have had a war in the Pacific, and you would not have had Pearl Harbor. Your party did that.

Mr. MONRONEY. Will the gentleman answer the question? He has failed to deny that his party voted the necessary funds as far as the conduct of the war was concerned.

Mr. REED of New York. Every life and every dollar that the Pacific war cost you voted for. You armed Japan.

Mr. MONRONEY. I refuse to yield further. The gentleman knows and every member of his party knows that outside of $20,000,000,000 of this debt, the balance is entirely war created, and the gentleman's party, I am proud to say, was patriotic enough to vote for the creation of the debt to arm our men overseas. Now you come in and say it is a New Deal debt.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The position taken by the gentleman from New York and others like him would, if carried to the final conclusion, indicate that they must be sorry they won the war.

Mr. MONRONEY. Or at least that they would have refused on second look, perhaps, to vote for money to carry on the war.

Mr. REED of New York. You armed Japan and you armed Yugoslavia, and now you come in and send our boys, their blood, our money, and our treasure to try to lick the fellow you armed.

Mr. MONRONEY. I think I might add, inasmuch as the gentleman makes this remark, that with world affairs in the condition they are I think it is a very poor time for this Congress to show reluctance in raising the necessary funds to keep this country strong.

Out of your appropriation bills as reported by Republican controlled committees 40 percent of which have been passed, you have cut less than $125,000,000.

You are not going to get your promised $6,000,000,000 saving out of the 60 percent remainder of that amount because the Army, the Navy, and the Veterans' Affairs appropriations comprise 85 per cent of the remaining amount.

I do not believe even the gentleman from New York would care to cut national defense at this time.

It seems apparent to me that the only safe, sane and responsible way for Congress to handle this momentous question is for us to wait and see if these nebulous promises of $6,000,000,000 economies will be effected—and then consider debt reduction first and then tax reduction.

To cut taxes before effecting budget savings—actual, not promised—is an irresponsible and dangerous procedure with our present staggering war debt confronting us.

TABLE I.—*Per capita national debt of United States*

	Per capita
After Revolutionary War	$19
After War of 1812	15
After Civil War	78
After World War I	240
After World War II	[1] 1,981

[1] $7,009 per family.

Source: Committee on Public Debt Policy by the late Brig. Gen. Leonard P. Ayres.

TABLE II.—*National debt as percent of national income has varied from 0 to 180 percent between 1799 and 1946, with a remarkable increase since 1940*

	Percent
After Revolutionary War	16.6
After War of 1812	13
After Civil War	52.2
After World War I	41
After World War II	180

Source: Same as table I.

TABLE III.—*Percent of national income required to pay interest on public debt*

	Percent
After Revolutionary War	0.5
After War of 1812	.8
After Civil War	2.6
After World War I	2
After World War II	[1]3.5

[1] Highest in our history.

Source: Same as table I.

TABLE IV.—*Interest rate on interest-bearing national debt*

	Percent
After Revolutionary War	4.5
After War of 1812	5.5
After Civil War	6
After World War I	4.25
After World War II	2

Source: Same as table I.

TABLE V.—*Comparison of Knutson tax-relief measure by yardstick of relief given $2,000-per-year man*

$5,000-per-year man makes 2.5 times as much as $2,000 man; gets 2.8 times as much tax relief.

$10,000-per-year man makes 5 times as much as $2,000 man; gets 7.6 times as much tax relief.

$15,000-per-year-man makes 7.5 times as much as $2,000 man; gets 14.2 times as much tax relief.

$25,000-per-year-man makes 12.5 times as much as $2,000 man; gets 31.8 times as much tax relief.

$50,000-per-year-man makes 25 times as much as $2,000 man; gets 87 times as much tax relief.

$75,000-per-year man makes 37.5 times as much as $2,000 man; gets 151 times as much tax relief.

$100,000-per-year-man makes 50 times as much as $2,000 man; gets 221 times as much tax relief.

$250,000-per-year-man makes 125 times as much as $2,000 man; gets 671 times as much tax relief.

$500,000-per-year-man makes 250 times as much as $2,000 man; gets 1,174 times as much tax relief.

$1,000,000-per-year-man makes 500 times as much as $2,000 man; gets 1,945 times as much tax relief.

(Married person—no dependents—net income before personal exemptions.)

Source: Treasury Department report.

Mr. REED of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. LEFEVRE].

Mr. LEFEVRE. Mr. Chairman, I have thoroughly read H. R. 1, the tax bill presently before us, and also the committee report. I can assure you I favor the passage of this legislation and know the American people are waiting anxiously for this Tax Reduction Act of 1947. It is very amusing to sit here in the House and hear the Democrats oppose this bill. As one very able Republican member of the committee stated, they hate to break away from their old formula—to tax and tax, spend and spend, and elect and elect. The Democrats can say all they want to and oppose H. R. 1 to their hearts' desire here on the floor of the House, but when voting time comes I feel very confident a great majority of their number will be voting with the Republicans. They know what this country needs; they know also what the people want, and they will be on the band wagon when the roll is called. No one likes any sort of taxes, that is admitted. Here is a bill reducing taxes, helping those in the lower brackets by 30 percent and the great majority of taxpayers by 20 percent. This helps all the taxpayers, who have willingly supported the wartime tax bills throughout that trying period.

The existing taxes have been a real threat to individual initiative and certainly have strangled venture capital. To create new jobs and a high level of employment, tax relief is one of the most important measures for this Congress to put through. There is a group I wish might have been helped further and that is the group living on pensions, annuities, retirement pay, and so forth. Those who have reached the age of 65 years or more do get a further exemption of $500.

However, I realize there are others in this category very worthy of extra consideration and who have had and still are having a difficult time living on a small fixed income. I believe this is a matter that surely will receive further consideration by the committee.

There is no doubt in my mind that every American citizen, receiving a fair income by wages or salaries, earned through business or investments, should help pay the costs of running our Government. This direct interest in our fiscal matters is bound to make our people government conscious. When every American citizen is conscious as to what our Government is costing and what is expected of it in these very unsettled times, we are bound to have the greatest possible efficiency in government, and maintain that leadership so necessary today.

Mr. REED of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. MARTIN].

Mr. MARTIN of Iowa. Mr. Chairman, the Democrats of the House have certainly repudiated their old policy that they sang from shore to shore not so long ago, that we owe the debt to ourselves. I am glad they have abandoned that idea. I never accepted it as a lasting policy when it was put out by them.

The gentleman from Oklahoma [Mr. MONRONEY] made another point that intrigues me. He said they are willing to give up their longing. I wonder what longing he is talking about. If it is a longing for spending, I have not seen much evidence from the Democratic side of their willingness to give up that longing in connection with appropriation bills. If that is the longing they are willing to give up, it will be an innovation. In the 8 years I have spent in these halls, I have not seen any longing for saving and cutting down expenditures on the part of the Democrats in the House of Representatives.

Mr. Chairman, the Revenue Act of 1945 established individual income marginal tax rates ranging from 19 percent to 85.5 percent. In my opinion those rates are too great a burden for our economic stability. The income tax reductions provided by the bill, H. R. 1, now under consideration reduces the percentages so that the marginal rate of individual income tax will range from 13.3 percent up to 69.2 percent.

Whatever else is said about the reductions provided by the Knutson bill, H. R. 1, the percentage reductions stand at exactly 30 percent for the first $1,000 of taxable income, and 20 percent for all those earning more than $1,395.83. Persons earning between $1,000 and $1,395.83 will receive a flat $57 reduction under present taxes which of course protects them against unfair discrimination and brings about a gradual adjustment of the percentage reduction between the bracket entitled to 30 percent reduction and the bracket entitled to 20 percent reduction. All persons having income in excess of $302,000 receive a reduction under H. R. 1 of about 10½ percent on the surtax net income in excess of that amount. This schedule of reductions strikes me as being fair and equitable and brings about a much better balance in our personal income tax structure than we have under present law.

The provisions of the bill, H. R. 1, are much superior to any other proposal that has come to my attention. In the first place, the highest percentage of tax reduction is given to the low income group and the lowest percentage is given to the high income group.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Iowa. I yield.

Mr. KNUTSON. The gentleman has raised a very interesting point that has been overlooked by all the speakers on the other side; that is, that we are giving 30 percent tax reduction to those with a net income of $1,000 or less, then the reduction is graduated up to the net incomes of $1,395, and we are only giving 20 percent and 10½ percent to the high income groups.

Mr. MARTIN of Iowa. That is right. I thank the gentleman.

This schedule continues to extend the burden of supporting our Government to 47,644,600 individuals and gives each and everyone of these taxpayers a very real reason for critical observation of careless and extravagant expenditures by our Federal Government, and yet extends these 47,000,000 people badly needed relief. They should not be forced to pay present exorbitant income taxes one year longer in order to let a spending, wasteful, National Administration learn how to look at accumulated tax revenues without spending them. Sixteen years of reckless spending by the Democrats now in Federal office does not give the taxpayer much hope that this extravagant Democratic administration will change its spending habits as long as funds are made available to them.

Any observer of procedure to date in the Eightieth Congress knows that the Democrats are opposing economy in our appropriation bills, and if huge tax funds remain within their reach I predict that the economy in Federal spending that our Nation needs so badly will be put off from day to day, month to month and year to year until the taxpayers themselves take matters in hand and put an end to this wild spending record of the Democrats.

I have read with great care the views of the minority members on the bill, H. R. 1, and about all that these nine

Democratic members of the Committee on Ways and Means say is that it is unsound and inequitable and reckless to reduce taxes before they and the Democratic administration have accumulated surpluses. From their record of the past 16 years I do not care to postpone tax reduction that long. I do not even want to postpone tax reduction until the voters have had the opportunity to kick the spenders out of control of our Federal Government. The people of our Nation vigorously support the proposal to force a program of economy upon President Truman and his Democratic spenders. We need not and, in fact, we must not give them unbridled spending freedom for the closing months of their administration. The time for tax reduction is at hand, and I predict this Republican Congress will give Mr. Truman and his spenders their answer by the passage of this bill.

While the minority Democratic members of the Committee on Ways and Means criticize the bill, H. R. 1, at every turn, they make no recommendation of any plan for tax reduction. However, I am greatly interested in the fact that one of the minority members of the Committee on Ways and Means, the gentleman from Rhode Island [Mr. FORAND], introduced a bill, H. R. 2577, on March 17 calling for the exemption of $700 for each taxpayer, $700 for the spouse of the taxpayer, and $700 for each dependent of the taxpayer. When this plan was first brought to my attention it sounded reasonable enough to merit the careful study and analysis which I proceeded to give it. My greatest concern was in the matter of the effect of such a plan upon our ability to maintain the American free enterprise system in business, agriculture, and industry.

My brief analysis of the effect of such plan shows not only a reduction of more than $3,000,000,000 in tax revenues but a surprisingly small total sum of personal incomes left available for investment purposes. For example, I separated those earning more than $25,000 of surtax net income from those earning less than that amount. I have also separated income subject to normal tax and surtax from income subject to tax on long term capital gains. Under the tax schedule proposed in the Forand bill the combined normal tax and surtax reduce a $25,000 income to $15,357. Furthermore all of the earners of more than $25,000 in our entire country taken together would have only $1,033,000,000 left of their earnings in excess of this $15,000 average income after taxes. It is estimated that the recipients of capital gains income in our entire Nation will have a total of $928,000,000 after payment of their capital gains taxes. These two sums added together total less than $2,000,000,000 potentially available for new investment. Not all of this $2,000,000,000 would be made available for investment and I submit to you my view that even though every penny of this new money were invested in business, agriculture and industry, it would not provide adequate new capital to uphold a national income of $165,000,000,000 beyond the time when present reserves of investment capital are exhausted.

Every wage earner in our Nation is so dependent upon our maintenance of a good level of national income that I know he will not want Congress to enact any legislation that will cripple business, agriculture, and industry in the maintenance of a good level of national income under a free enterprise economy. The Knutson bill here under consideration today is a sound step in the direction of preserving a sound free enterprise system for our Nation.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. MARTIN] has expired.

Mr. REED of New York. Mr. Chairman, I yield the gentleman one-half minute.

I just wanted to call to his attention some figures that I think are important. During the next 15 years we are going to need about $280,000,000,000 in venture capital in order to keep our economic structure operating fully. That will amount to $18,600,000,000 a year in venture capital over a period of 15 years. I just wanted to make that observation because it fits in with what the gentleman suggested.

Mr. MARTIN of Iowa. I appreciate the gentleman's remarks very much because it does fit in with discussion and illustrates very effectively our need of the passage of the Knutson bill.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Chairman, in 5 minutes you cannot say very much, but I want to call to the attention of the House and the people of this country some things I have been thinking about this afternoon after listening to the gentleman from New York [Mr. REED] make his observations earlier in the day. You know, the Republican Party apparently is not satisfied to let well enough alone. At a time when you had 60,000,000 unemployed, when the corporations of this country, after having paid their taxes, had more money left than they ever had before, we now find what they want to go back to. I did not think they would have the nerve to come out and tell us what they really had in their minds, but when you figure that H. R. 1 was given the rather dubious honor of being the first bill introduced in this Congress, we can accept that as their pattern.

The gentleman from New York harkened back to 1921, 1923, and 1925 as the time when they came in here and cut taxes and provided what he said was incentive capital.

He said that we had an unprecedented prosperity, that there was a smile on the faces of the workers, that there was laughter in the land. All right. I well remember that period. That was the time when Andrew Mellon condescended to come down here from Pittsburgh, Pa., and we all know that three Presidents of the United States served with distinction under Mr. Mellon.

And I will say this further thing to you—let us pursue the record. Why did the gentleman from New York stop coming? He did not come up from the 19th day of October 1929. Oh, no, you bet he did not. His voice became strangely silent because he knew that then the assembly lines would turn into soup lines, the smiles be frozen on the faces of the unemployed workers, and the laughter turned to cries of hunger.

Yet that is what he wants to go back to. I venture to say this to you as to your vote here tomorrow—I am not kidding myself, this bill will go through—I will tell the gentleman from New York, and he well knows it, the people of this country are going to say when this bill passes that the shadow of Andrew Mellon once again walks the halls of the Congress of the United States, bringing in its wake the same chaos that existed back there between 1929 and 1933.

It was not only the poor people of this country who were affected by that Mellon tax bill back in those days, it even reached up to the high industrialists of this country. They were praying to Almighty God that some hand would rescue them from the millions of unemployed in this country and the chaos which was wrecking them. Then that calm voice on March 4, 1933, when the empire of the Insulls and the Charlie Mitchells was crumbling about their heads, that calm voice reassured the people of this country when it said: "The only thing we have to fear is fear itself."

There has been a lot of laughter about this bill here, but there is nothing that should cause laughter to the people of this country because the same thing will happen to you that happened back there when the Mellon tax policies were pursued during those years from 1921 to 1929 to which the gentleman from New York, the gentleman from Minnesota, and the majority over on my left want to return.

I say to you when you have 60,000,000 people gainfully employed, when the factories of this country are making more than they ever made before, for God's sake let us leave well enough alone. I do not want any more Mellon tax bills.

I am going to vote against this bill for another reason: You cannot cut your taxes here like you are trying to because when you bring in your Agriculture appropriation bill next week or the week after you are going to cut Soil Conservation, and my friend the gentleman from Wisconsin [Mr. KEEFE] will be delighted if it leaves out the $75,000,000 for the school-lunch program. Oh, yes; he wonders how he got to be as big as he is because they did not have a school-lunch program back in his day. I will say to him that the school-lunch program is the first line of defense. All you have got to do is to look at the number of rejections at the reception centers of this country during 1940 and 1941 when we were trying to get ready to fight. Maybe if they had had a school-lunch program long before that time there would not have been so many people rejected for physical ailments.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. REED of New York. Mr. Chairman, I certainly listened with a great deal of interest to the young man from Oklahoma. He has made a very impassioned address, but apparently he is not

familiar with the historical events. He apparently was rather young in the days to which he referred. I remember very well the stockmen out in his Southwest were not even a jump ahead of the sheriff in 1920; but under the policies set in motion by a Republican Congress the farmers sent their own representatives here to thank the Republican Congress and President for helping them out of their situation. He has forgotten all that. That is usually the way when somebody gets help.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. No; I cannot yield now. When some people get help, they soon forget. Ingratitude is not an uncommon human trait. But during those days we further developed this country. The Democratic Party, just previous to that time, had taken us into a war under the theory that they would keep us out of war. They got us into that mess, and they worked themselves then as they are working now, into a free-trade policy. The time will come, if they ever do get in power again, which I doubt very much, because the people have learned their lesson, when they will have learned the terrible consequences of their misguided policies. They have learned how to go out and arm the enemies, then turn around and use our finest manhood and our money to fight and to win the wars against the dictators of the world. I want to say that I am glad the gentleman has spoken here because now we have taken his measure and we will know just exactly how to handle him.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Chairman, I remember those days in 1921, 1922 and 1923 and I also remember those days in 1930, 1931 and 1932. Then the cattle men were selling good steers for 3½ cents a pound and hogs for even less than that. We were selling our cotton at 4½ cents a pound. There were 14,000,000 people who were willing to work with their hands to make a livelihood for themselves and their families walking the streets of cities and towns, the highways and the byways of the country with nothing to do. I remember when 6,000 banks and trust companies closed within a year. I remember when businesses went to the wall.

I wonder if the gentleman from New York [Mr. REED] remembers those delectable and glowing and happy Republican days?

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. I yield to the gentleman from New York.

Mr. REED of New York. I remember those days very well, I may say to the gentleman from Texas, and I know that we were coming out of a world-wide depression in very fine shape. I remember that a group of your leaders was called to the White House when Mr. Hoover was President to see if they would cooperate. You informed him you would not cooperate to save this Republic, that you would not get in office if you would cooperate and you were not going to do it.

Mr. RAYBURN. The only constructive measure that it was proposed passing during that time was the Reconstruction Finance Corporation measure and that had the support of the Democrats.

Mr. REED of New York. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CASE of South Dakota, chairman of the Committee of the Whole House on the State of the Union, reported that that committee, having had under consideration the bill (H. R. 1) to reduce individual income tax payments, had come to no resolution thereon.

HOUR OF MEETING TOMORROW

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that the action heretofore taken whereby the House was to meet at 11 o'clock tomorrow be vacated.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow morning.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUFF (at the request of Mr. CASE of South Dakota) was given permission to extend his remarks in the RECORD in two instances and include newspaper articles.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include two addresses delivered by Dr. H. H. Bennett, Chief of the Soil Conservation Service of the United States Department of Agriculture, two speeches which I think are of great importance to this Nation, and being a great advocate of soil conservation, I ask that they be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. KELLEY asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the American Legion Post of New Kensington, Pa.

Mr. SADOWSKI asked and was given permission to extend his remarks in the RECORD in two instances and include excerpts.

Mr. MONRONEY asked and was given permission to revise and extend the remarks he made in Committee of the Whole today and include certain tables.

Mr. MONRONEY asked and was given permission to extend his remarks in the RECORD and include an address delivered before the Oklahoma delegation.

Mr. FEIGHAN (at the request of Mr. MADDEN) was given permission to extend his remarks in the RECORD.

Mr. HAVENNER asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. REED of New York asked and was given permission to extend his remarks in the RECORD and include certain extraneous material.

THE NATIONAL ARCHIVES

The SPEAKER laid before the House the following communications:

THE NATIONAL ARCHIVES,
Washington, March 19, 1947.

The Honorable JOSEPH W. MARTIN, Jr.,
Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: The act of July 9, 1941, establishing the National Archives Trust Fund Board (44 U. S. C. 300aa-300jj), provides that the Board shall be "composed of the Archivist of the United States, as chairman, the chairman of the House Committee on the Library, and the chairman of Senate Committee on the Library." In view of the reorganization of the committee system of Congress and the disappearance of the House and Senate Committees on the Library, I am at a loss to know who the other members of the Board now are.

I shall apreciate it very much, therefore, if you will inform me as to what Member of the House of Representatives, if any, may be considered to be legally qualified to serve as a member of the National Archives Trust Fund Board. The Board has certain responsibilities with reference to trust funds deposited in the Treasury of the United States, and it is necessary for it to take formal action from time to time.

Sincerely yours,

SOLON J. BUCK.

MARCH 22, 1947.

Hon. SOLON J. BUCK,
The Archivist of the United States,
Washington, D. C.

DEAR SIR: I have before me your letter dated March 19, 1947, in which you request information as to what Members of the House of Representatives, if any, may be considered to be legally qualified to serve as a member of the National Archives Trust Fund Board.

Section 300f, title 44, United States Code, provides as follows:

"There is created a National Archives Council composed of the Secretaries of each of the executive departments of the Government (or an alternate from each department to be named by the Secretary thereof), the chairman of the Senate Committee on the Library, the chairman of the House Committee on the Library, the Librarian of Congress, the Secretary of the Smithsonian Institution, and the Archivist of the United States. * * *."

Section 300bb, title 44, United States Code, referring to the National Archives Trust Fund Board, reads as follows:

"The Board is hereby created and established, to be known as the National Archives Trust Fund Board, which shall consist of the Archivist of the United States, as chairman, and the chairman of the House Library Committee and the chairman of the Senate Library Committee."

Rule XI (1) of the rules of the House of Representatives provides in part as follows:

"All proposed legislation, messages, petitions, memorials, and other matters relating to the subjects listed under the standing committees named below shall be referred to such committees, respectively:

"(e) Committee on Post Office and Civil Service:

* * * * *

6. The National Archives."

Section 224, Public Law 601, Seventy-ninth Congress, known as the Legislative Reorganization Act, under the heading "Transfer of functions," reads as follows:

"The functions, powers, and duties imposed by statute, resolution, or rule of either House of Congress on the effective date of this sec-

tion on a standing committee of the Senate or the House of Representatives (or the chairman thereof) are, insofar as they are consistent with this act, hereby transferred to that standing committee created by this act (or the chairman thereof) to which is transferred the legislative jurisdiction over the subject matter to which such functions, powers, and duties relate; except that the chairman of the Committee on Civil Service of the Senate and the chairman of the Committee on Post Office and Civil Service of the House created by this act shall be members of the National Archives Council."

There is no question, of course, as to the membership of the chairman of the House Committee on Post Office and Civil Service on the National Archives Council.

Inasmuch as the jurisdiction over the National Archives has been placed in the Committee on Post Office and Civil Service it would be my opinion that the chairman of that committee would now be a member of the National Archives Trust Fund Board.

Very truly yours,

JOSEPH W. MARTIN, Jr.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. J. Res. 77. Joint resolution providing for membership and participation by the United States in the International Refugee Organization and authorizing an appropriation therefor; to the Committee on Foreign Affairs.

ENROLLED JOINT RESOLUTIONS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. J. Res. 118. Joint resolution to strengthen the common defense by maintaining an adequate domestic rubber-producing industry; and

H. J. Res. 154. Joint resolution making an appropriation for expenses incident to the control and eradication of foot-and-mouth disease and rinderpest.

ADJOURNMENT

Mr. CURTIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 43 minutes p. m.), under its previous order, the House adjourned until tomorrow, Thursday, March 27, 1947, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

490. A letter from the Acting Secretary of State, transmitting a draft of a proposed bill to promote the development of international radio broadcasting, to create an International Broadcasting Foundation, and for other purposes; to the Committee on Foreign Affairs.

491. A letter from the Attorney General, transmitting a request that the case of Francisco Mora y Bovis be withdrawn from the 127 cases involving suspension of deportation; to the Committee on the Judiciary.

492. A letter from the Acting President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill authorizing and directing the removal of stone piers on West Executive Avenue between the grounds of the White House and the Department of State Building; to the Committee on the District of Columbia.

493. A letter from the Comptroller General of the United States, transmitting report on the audit of Home Owners' Loan Corporation for the fiscal year ended June 30, 1945 (H. Doc. No. 183); to the Committee on Expenditures in the Executive Departments, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TABER: Committee on Appropriations. House Joint Resolution 159. Joint resolution making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes; without amendment (Rept. No. 185). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOPE: Committee on Agriculture. House Joint Resolution 158. Joint resolution to authorize the Secretary of Agriculture to provide for a continuation of the wool price-support program, and for other purposes; without amendment (Rept. No. 186). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GEARHART (by request):

H. R. 2790. A bill to amend section 811 (c) of the Internal Revenue Code with respect to the inclusion in the gross estate for the purposes of the estate tax of certain transfers taking effect at death; to the Committee on Ways and Means.

By Mr. JENKINS of Ohio:

H. R. 2791. A bill to amend the Atomic Energy Act of 1946; to the Joint Committee on Atomic Energy.

By Mr. ROGERS of Florida:

H. R. 2792. A bill to extend the time within which the municipality of Fort Lauderdale, Broward County, Fla., may consummate the purchase of the Coast Guard site (commonly known as the Base 6 property) which is located at Fort Lauderdale; to the Committee on Merchant Marine and Fisheries.

By Mr. MANSFIELD of Montana:

H.R. 2793. A bill authorizing an appropriation for the construction, extension, and improvement of a State tuberculosis sanatorium at Galen, Mont., to provide facilities for the treatment of tuberculous Indians in Montana; to the Committee on Public Lands.

By Mr. PHILBIN:

H. R. 2794. A bill to provide for certain tax-exempt purchases for hospitalized veterans; to the Committee on Ways and Means.

By Mr. SHEPPARD:

H. R. 2795. A bill to reduce and revise the boundaries of the Joshua Tree National Monument in the State of California, and for other purposes; to the Committee on Public Lands.

By Mr. MILLER of California:

H. R. 2796. A bill to extend the gratuitous insurance benefits granted by subsection 602 (d) of the National Service Life Insurance Act of 1940, as amended, to parents of certain deceased members of the armed forces without any requirement as to the dependency of such parents, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WOLCOTT:

H. R. 2797. A bill to terminate Executive Order 9070, to reestablish the Home Loan Bank Board, to establish a Federal Home Loan and Housing Board, and for other purposes; to the Committee on Banking and Currency.

H. R. 2798. A bill to amend section 5 of Home Owners' Loan Act of 1933, and for other purposes; to the Committee on Banking and Currency.

H. R. 2799. A bill to amend the Federal Home Loan Bank Act, title IV of the National Housing Act, and for other purposes; to the Committee on Banking and Currency.

H. R. 2800. A bill to amend section 5 of the Home Owners' Loan Act of 1933, and for other purposes; to the Committee on Banking and Currency.

By Mr. CORBETT (by request):

H. R. 2801. A bill to abolish the position of substitute employee in the postal service and to provide that all classified substitute employees shall be appointed to regular positions; to the Committee on Post Office and Civil Service.

H. R. 2802. A bill to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945; to the Committee on Post Office and Civil Service.

By Mr. JUDD:

H. J. Res. 161. Joint resolution providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor; to the Committee on Foreign Affairs.

By Mr. CRAWFORD:

H. Res. 162. Resolution to investigate the shortage of copper; to the Committee on Rules.

By Mr. WOLVERTON:

H. Res. 163. Resolution to provide funds for the conduct of the investigation continued by House Resolution 153; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented, and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to congressional support for the Merced County stream group flood-control project; to the Committee on Public Works.

Also, memorial of the Legislature of the State of New York, memorializing the President and the Congress of the United States to take appropriate action to authorize the United States Veterans' Administration to take over the St. Albans Naval Hospital; to the Committee on Veterans' Affairs.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States pledging the full cooperation of the State of Wisconsin, its agencies and people, to the War Department, in the development of Camp McCoy as a permanent military camp; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRAMBLETT:

H. R. 2803. A bill for the relief of Miriam Barkle; to the Committee on the Judiciary.

By Mr. CELLER:

H. R. 2804. A bill for the relief of Jehan Warliker Seesodia; to the Committee on the Judiciary.

By Mr. CORBETT:

H. R. 2805. A bill for the relief of Sebastiano Lobo Pina; to the Committee on the Judiciary.

By Mr. COX:

H. R. 2806. A bill for the relief of the estate of H. M. McCorvey; to the Committee on the Judiciary.

By Mr. FARRINGTON:

H. R. 2807. A bill for the relief of American Brewing Co., Ltd.; to the Committee on the Judiciary.

H. R. 2808. A bill for the relief of Mrs. Wong Shee Goo; to the Committee on the Judiciary.

H. R. 2809. A bill for the relief of Vernon J. Medeiros; to the Committee on the Judiciary.

By Mr. HAVENNER:

H. R. 2810. A bill for the relief of Wang Cho King; to the Committee on the Judiciary.

By Mr. JENNINGS:

H. R. 2811. A bill for the relief of G. F. Allen, former Chief Disbursing Officer, Treasury Department, and for other purposes; to the Committee on the Judiciary.

By Mr. KELLEY:

H. R. 2812. A bill for the relief of Mary Kouloura Drosseau; to the Committee on the Judiciary.

By Mr. PETERSON:

H. R. 2813. A bill for the relief of George E. Morris, Jr.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

257. By the SPEAKER: Petition of the Protestant War Veterans of the United States, Inc., petitioning consideration of their resolution with reference to redress of grievances and violation of rights as free and uncontrolled citizens of this Republic; to the Committee on the Judiciary.

258. Also, petition of Morris H. Gaunach, and others, petitioning consideration of their resolution with reference to opposition to the 1-cent increase in the District of Columbia gasoline tax; to the Committee on the District of Columbia.

259. Also, petition of the Bar Association of Hawaii, petitioning consideration of their resolution with reference to H. R. 854, a bill relating to salary of justices and judges in the Territory of Hawaii; to the Committee on the Judiciary.

260. Also, petition of Rafael Arjona Siaca, senator at large, Senate of Puerto Rico, petitioning consideration of his resolution with reference to the political status of the people of Puerto Rico; to the Committee on Public Lands.

261. By Mr. GRAHAM: Petition of 21 residents of Lawrence County, Pa., in support of S. 265, a bill to prohibit the transportation of alcoholic-beverage advertising in interstate commerce and the broadcasting of alcoholic-beverage advertising over the radio; to the Committee on Interstate and Foreign Commerce.

262. By Mr. MANSFIELD of Montana: Montana House Joint Memorial 11, relating to predatory animals and urging that the Federal Government allocate more money to assist in bringing said predatory animals under control; to the Committee on Public Lands.

263. Also, Montana House Joint Memorial 10, requesting that funds be made available from Federal public-land funds, Indian Department funds, and War Department funds for assisting in the location and construction of a bridge across the Missouri River between Poplar and Brockton, Mont.; to the Committee on Public Works.

264. Also, Montana Senate Joint Memorial 9, requesting an investigation of the railroad boxcar shortage, appropriate legislation to relieve such shortage, and appropriate action by the Interstate Commerce Commission to correct the present inequitable distribution of cars; to the Committee on Interstate and Foreign Commerce.

265. Also, Montana Senate Joint Memorial 12, requesting the appropriation of funds for the completion of construction of that portion of the Broadus-Crow Agency highway, known as State Route No. 8, lying within the northern Cheyenne Indian Reservation between Ashland and Lame Deer, Mont.; to the Committee on Public Works.

266. Also, Montana Senate Joint Memorial 7, requesting the enactment of legislation authorizing the State of Montana to lease State lands for the production of oil, gas, and other hydrocarbons for such periods of time and on such terms and conditions as may be provided by the Legislative Assembly of the State of Montana; to the Committee on Public Lands.

267. Also, Montana Senate Joint Memorial 8, requesting the enactment of legislation allowing for and directing the annual payment of grants by the United States Government to the State of Montana for the use and benefit of the several counties of Montana in lieu of taxes on lands owned by the United States Government in the State of Montana; to the Committee on Public Lands.

268. Also, Montana Senate Joint Memorial 6, requesting legislation to grant certain servicemen and veterans who have been prisoners of war the benefits of section 251 of the Internal Revenue Code; to the Committee on Ways and Means.

269. Also, Montana Senate Joint Memorial 10, requesting the continuation of the present Commodity Credit Corporation wool-purchase program and requesting price support for wool; to the Committee on Agriculture.

270. Also, Montana Senate Joint Memorial 11, requesting the United States Civil Aeronautics Board to give early consideration to providing that northern area of the United States as the crow flies from Duluth, Minn., to Seattle, Wash., with regular air transportation serving Chicago via the Twin Cities and Duluth and the intermediate points of Grand Forks, Devils Lake, Minot, Williston, Wolf Point, Glasgow, Malta, Havre, Great Falls, Shelby, Cut Bank, Kalispell, and Spokane; to the Committee on Interstate and Foreign Commerce.

271. Also, Montana Senate Joint Memorial 13, opposing the transfer of operating functions from Helena regional office to the Seattle subzone office, War Assets Administration; to the Committee on Expenditures in the Executive Departments.

272. Also, Montana Senate Joint Memorial 14, requesting action to provide funds for and to expedite the rural electrification program; to the Committee on Agriculture.

273. Also, Montana Senate Joint Memorial 15, requesting legislation to reimburse wheat growers who sold their 1945 wheat early and were deprived of benefit of advance in price; to the Committee on Agriculture.

274. Also, Montana Senate Joint Memorial 16, requesting allocation of funds for construction and maintenance of farm-to-market roads by States and political subdivisions thereof; to the Committee on Public Works.

275. By Mr. PRICE of Illinois: Petition transmitted by Mr. William Frech, local financial secretary, in behalf of Local Union No. 4, Progressive Mine Workers of America, at Belleville, Ill., petitioning Congress to make revision upward in the benefits of social-security annuitants and for the reduction in the age requirement from 65 to 60; to the Committee on Ways and Means.

276. Also, petition transmitted by Mr. Henry Elliott, recording secretary, in behalf of Local Union No. 75, Progressive Mine Workers of America, at O'Fallon, Ill., petitioning Congress to make revision upward in the benefits of social-security annuitants and for the reduction in the age requirement from 65 to 60; to the Committee on Ways and Means.

277. By Mr. SMITH of Wisconsin: Petition presented by a group of citizens of Racine, Wis., requesting favorable consideration of S. 265, a bill which penalizes interstate transmission, by mail or otherwise, of newspapers, periodicals, news reels, photographic films, or records advertising alcoholic beverages or soliciting orders therefor; advertising by radio is also prohibited, as well as the sending of circulars, letters, etc., into States which bar liquor advertisements; to the Committee on Interstate and Foreign Commerce.

278. By Mr. HAND: Petition of Local Union 573, American Flint Glass Workers Union of North America, Vineland, N. J., opposing Senate bill 55 as legislation which will hurt every working man and woman in this country; to the Committee on Labor and Public Welfare.

279. Also, petition of Local Union No. 559, American Flint Glass Workers Union of North America, Vineland, N. J., opposing Senate bill 55 as legislation which will bring about slavery and exploitation of the American workman; to the Committee on Labor and Public Welfare.

280. Also, petition of Local Union 550, American Flint Glass Workers Union of North America, Vineland, N. J., opposing Senate bill 55 as legislation that is the beginning of the end of freedom for American workers; to the Committee on Labor and Public Welfare.

SENATE

THURSDAY, MARCH 27, 1947

(Legislative day of Monday, March 24, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Our Father, that we stand to join our hearts in prayer is our acknowledgment of our great need of Thy guidance. We know that by ourselves we are not sufficient for these days, or for problems beyond the measure of our best wisdom. We are finding out that government of the people by the people is not good enough. We pray for government of the people by God. As this Nation was founded under God, so we confess that our freedom, too, must be under God. Then, and only then, shall we achieve the peace we seek and the righteousness which alone exalteth a nation.

Hear our prayer, O God, and grant unto the Members of this body Thy guidance, we humbly beseech Thee in Jesus' name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., March 27, 1947.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HENRY CABOT LODGE, JR., a Senator from the State of Massachusetts, to perform the duties of the Chair during my absence.

A. H. VANDENBERG,
President pro tempore.

Mr. LODGE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Wednes-

day, March 26, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on today, March 27, 1947, the President had approved and signed the act (S. 276) to provide for payment and settlement of mileage and other travel-allowance accounts of military personnel.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

WHITE HOUSE POLICE FORCE

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to authorize an adequate White House Police force (with accompanying papers); to the Committee on Public Works.

EXEMPTION OF COAST GUARD PERSONNEL FROM PAYMENT OF TOLLS ON GOLDEN GATE BRIDGE

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the act of March 14, 1944, to include Coast Guard personnel in the exemption from payment of tolls on the Golden Gate Bridge; to the Committee on Public Works.

REPORT OF FEDERAL POWER COMMISSION

A letter from the Chairman of the Federal Power Commission, transmitting, pursuant to law, a statement showing the names and compensation of the members and employees of the Federal Power Commission as of June 30, 1946, together with the annual report of that Commission for the fiscal year 1946 (with accompanying papers); to the Committee on Public Works.

PETITION

Mr. CAPPER presented a petition of sundry citizens of Argonia, Kans., praying for the enactment of Senate bill 265, to prohibit the transportation of alcoholic beverage advertising in interstate commerce, which was referred to the Committee on Interstate and Foreign Commerce.

REPORT OF A COMMITTEE

Mr. BRIDGES, from the Committee on Appropriations, to which was referred the joint resolution (H. J. Res. 159) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, reported it without amendment and submitted a report (No. 79) thereon.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. TAFT, from the Committee on Labor and Public Welfare:

William R. McComb, of Missouri, to be Administrator, Wage and Hour Division, Department of Labor.

BILLS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

(Mr. IVES (for himself, Mr. SALTONSTALL, Mr. SMITH, Mr. MORSE, Mr. CHAVEZ, Mr. DOWNEY, Mr. MURRAY, and Mr. MYERS) introduced Senate bill 984, to prohibit discrimination in employment because of race, religion, color, national origin, or ancestry, which was referred to the Committee on Labor and Public Welfare, and appears under a separate heading.)

By Mr. JOHNSTON of South Carolina:

S. 935. A bill to repeal the tax on oleomargarine; to the Committee on Finance.

By Mr. LODGE (by request):

S. 936. A bill to amend the Servicemen's Readjustment Act of 1944, and for other purposes; to the Committee on Labor and Public Welfare.

(Mr. BREWSTER (for Mr. WHITE, Mr. MCCARRAN, himself, and Mr. MCMAHON) introduced Senate bill 987, to amend the Civil Aeronautics Act of 1938, as amended, to provide for the creation of a consolidated international air carrier for the United States, and for other purposes, which was referred to the Committee on Interstate and Foreign Commerce, and appears under a separate heading.)

By Mr. BUCK (by request):

S. 983. A bill to amend the District of Columbia Traffic Act, 1925, to permit compulsory tests of the blood, urine, or breath of persons charged with certain offenses, and for other purposes; to the Committee on the District of Columbia.

By Mr. LANGER (for himself and Mr. CHAVEZ):

S. 989. A bill to amend the Trading With the Enemy Act so as to permit certain aid to civilian recovery in occupied zones; to the Committee on Civil Service.

PREVENTION OF DISCRIMINATION IN EMPLOYMENT

Mr. IVES. Mr. President, out of order, I ask unanimous consent to introduce a bill and request that it be appropriately referred. In doing this I want to state the reasons for and the purposes of the bill.

It will be called, if enacted into law, the National Act Against Discrimination in Employment. It is not an FEPC bill, and I should like to have that definitely understood. It proposes to establish a new approach for handling the problem of discrimination in employment—discrimination because of race, religion, color, national origin, or ancestry.

Heretofore, as I understand, legislation on this subject which has been proposed in the Congress of the United States has contained a large measure of legal compulsion. I do not believe in legal compulsion in dealing with problems of this kind. It is necessary to have a certain amount of it—a minimum—otherwise, no attention whatever is paid to that which the legislation attempts to do. To that extent this bill has a minimum of legal compulsion, with minor penalties.

What this bill does do is to make a new approach—an approach by mediation, by conference, by conciliation—in the handling of these problems, and in dealing with this particular problem which has to do with discrimination in employment this particular step is mandatory in the bill. Moreover, the bill provides for a broad educational approach in handling this immediate problem through the establishment of local, State, and regional advisory and conciliation councils for the purpose of enabling the localities voluntarily to settle questions of this kind.

This bill, I might say, is patterned to a considerable extent after the New York State statute, which was enacted 2 years ago and which has been working very effectively in New York. Recently the report for the year 1946 was issued by the New York State Commission Against Discrimination, and that report shows that 752 cases of this kind came before the commission during the year 1946, and that of those 752 cases not one went to the courts—not one. A large majority were thrown out because they were inappropriate; in about one-third there was evidence of an act of real discrimination, and every single case in that third was resolved by conference, conciliation, and persuasion.

In this connection I ask unanimous consent to insert in the RECORD at this point an editorial recently appearing in the New York Herald Tribune, commenting upon that record.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PROGRESS AGAINST PREJUDICE

Two years ago the Legislature at Albany was arguing the establishment of the State commission against discrimination, first agency of the kind in the United States. There was a good deal of head shaking, and many a sincere voice was raised that no amount of law would eliminate prejudice. One remembers well the misgivings at that time, but there was also great hope. And now, as the commission reports on its 1946 activities, it is a pleasure to hear again that the hope was justified.

In this year the commission had 752 cases before it involving allegations of bias in employment practice, 448 dealing with Negroes, 118 with Jews, and so on down the list of groups. Of the cases disposed within the year, 277 were withdrawn, found unmeritorious, or outside the commission's jurisdiction. But there were 290 cases in which violations were indicated, and the commission proudly reports that each was settled purely and simply by persuasive conference. Not once has the commission resorted to the courts for punishment which the law provides up to a year's imprisonment and $500 fine.

These are the statistics, but far more important is the commission's work in education. Instead of existing as a narrow agency of prosecution the commission has always taken the large view that the way to eliminate employment discrimination is to keep it from arising in the first place. Corporations, unions, trade groups, employment agencies are constantly approached in this campaign of education. We think the results have been plain enough in the commission's brief history. Any reader can call up examples out of his own experience.

Maybe the antidiscrimination law was not solely responsible, but it certainly has pointed to a way of doing things. At least one phase of prejudice is being successfully attacked. Every resident of the State of New York can be proud of the story.

Mr. IVES. Mr. President, in closing I want to say that this bill is being introduced by me in collaboration with my

very distinguished colleagues the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from New Jersey [Mr. SMITH], the Senator from Oregon [Mr. MORSE], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Montana [Mr. MURRAY], the Senator from Pennsylvania [Mr. MYERS], and the Senator from California [Mr. DOWNEY]. We might have had many more with us in this undertaking, but we felt it inadvisable to delay any longer the introduction of the bill. This measure is typical of the best way to meet great problems which now confront us in this country.

We are dealing nowadays with great questions involving human relations. These same fundamental questions are involved in the subject matter of the bill I am now introducing. Yet more and more people nowadays seem to be turning to the law, to legal compulsion, to solve these problems. These problems in the final analysis can never be solved by legal compulsion alone. That is one of the things we should remember constantly in dealing with all these questions involving human relations which are before us.

Our great job in this country at the present time is to make our free society in America work successfully. Call it capitalism, call it the society of free competitive enterprise, call it the private profit system—it does not make any difference what we call it, our job is to make the system work.

We have heard a great deal about communism on the floor of the Senate in recent days. No one hates and loathes communism more than I do. But I wish to say that the great answer we should make to communism, which will insure once and for all that there will be no communism in this country, is to make our own great system work as effectively and successfully as it can be made to work. This can be done only through the full use of the voluntary processes which should always be available in this country.

In the consideration of legislation of the type I am introducing, in the consideration of legislation dealing with labor relations, the basic test should be whether that legislation will permit and encourage the effective exercise of the voluntary processes, so that out of their use can come that understanding, that grasp, that appreciation of the viewpoint and position of one another which will enable all of us to work together more happily in our own country.

The ACTING PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred.

The bill (S. 984) to prohibit discrimination in employment because of race, religion, color, national origin, or ancestry, introduced by Mr. IVES, for himself, Mr. SALTONSTALL, Mr. SMITH, Mr. MORSE, Mr. CHAVEZ, Mr. DOWNEY, Mr. MURRAY, and Mr. MYERS, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. CHAVEZ. Mr. President, in reference to the remarks made by the Senator from New York, I may say that I was most happy to join the Senator and the other Senators mentioned by the Senator from New York, in introducing and sponsoring the proposed legislation. It is my honest opinion that it is the right approach to a problem which is very apparent in our country.

Lately we have been hearing much about communism, lately we have been impressed, through the radio, through the press, through the voices of public officials, about democracy everywhere.

By considering and acting on the proposed legislation, Congress can say whether or not the democracy we are talking about and are trying to impose throughout the world shall exist even in the United States.

AMENDMENT OF THE CIVIL AERONAUTICS ACT OF 1938, AS AMENDED

Mr. BREWSTER. Mr. President, I ask unanimous consent, out of order, to introduce for appropriate reference a bill on behalf of my colleague the senior Senator from Maine [Mr. WHITE], who is unable to be here this afternoon, and for the Senator from Nevada [Mr. MCCARRAN] and for myself and for the Senator from Connecticut [Mr. MCMAHON]. The bill deals with the amendment of the Civil Aeronautics Act of 1938, as amended. I also ask unanimous consent that the Senator from Nevada [Mr. MCCARRAN], may make a brief statement regarding the bill.

Mr. WHERRY. Mr. President, will the Senator repeat the request?

Mr. BREWSTER. My request is that I be permitted, by unanimous consent, to introduce a bill, and that the Senator from Nevada [Mr. MCCARRAN], may be permitted to make a brief statement regarding it, inasmuch as he is obliged to take a train.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the bill (S. 987) to amend the Civil Aeronautics Act of 1938, as amended, to provide for the creation of a consolidated international air carrier for the United States, and for other purposes, introduced by Mr. BREWSTER (for MR. WHITE, Mr. MCCARRAN, himself, and Mr. MCMAHON), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The ACTING PRESIDENT pro tempore. Under the unanimous-consent agreement, the Senator from Nevada is recognized at this time.

Mr. MCCARRAN. Mr. President, my colleagues in the Senate know that for some years now I have been striving for the enactment of legislation to provide for the creation of a community company to operate throughout the world, under the American flag, in international air transportation—a company which would give proper representation to our domestic air carriers and to the other elements in our great transportation system, a company which would have the full weight of our Government behind it, and which, therefore, would permit us to present a united front against our real and formidable competition in the airways of the world, namely, the chosen instruments of other nations.

In my efforts to secure this legislation, I was for several years as a "voice crying in the wilderness." The succession of bills which I introduced gained small support at first; but the need for such a community company as I have proposed has come to be more and more widely recognized as time has passed. In the Seventy-ninth Congress, the junior Senator from Maine [Mr. BREWSTER], stood shoulder to shoulder with me on this proposition; and in that Congress my bill was lost in committee by a tie vote, 10 to 10.

World events have demonstrated beyond question the soundness of my proposal for the all-American flag line. The present financial plight of many of our air lines demonstrates the desirability of pooling our interests in international air transportation, for the good of the carriers themselves, as well as for the national welfare. I believe in this principle today even more strongly than I did 3 or 4 years ago, if that is possible. We can no longer delay action in this matter with safety to our national interests in world trade and in global air transportation. I, therefore, welcome the turn of events which today sees the Republican leadership adopting this principle and taking responsibility for pushing the legislation to final enactment.

I want to say just a word, Mr. President, about the bill which has just been introduced. My colleagues know that in the past I have introduced a succession of bills on this subject. Each of those bills, in succession, represented not only a renewal of the basic principle involved, but also an attempt to improve the language designed to carry that basic principle into effect. Thus, my bill S. 326 of the Seventy-ninth Congress was somewhat different in language from my bill S. 1790 of the Seventy-eighth Congress. The amendment in the nature of a substitute for Senate bill 326, which I proposed toward the end of the Seventy-ninth Congress, involved changes of language which I felt constituted an improvement upon that bill as originally introduced. The bill just introduced for the senior Senator from Maine [Mr. WHITE], in behalf of himself, the junior Senator from Maine [Mr. BREWSTER], the senior Senator from Nevada [Mr. MCCARRAN], and the senior Senator from Connecticut [Mr. MCMAHON] again contains changes of language from my bill S. 197, which was the successor in this Congress to Senate bill 326 of the Seventy-ninth Congress. But I want the Senate and the country to understand that the principle involved remains unchanged. Certain perfections of language will, I hope, help to gain support for this new bill. Expansion of the provisions respecting subsidies to the proposed community company, and fixing definite limits to such subsidies, will, I hope, meet the criticism that the language of my earlier bills in this regard was too broad. Details of language will, of course, be threshed out in committee and on the floor of this body, and I anticipate that perhaps other and further changes will be made. For myself, I shall welcome any change in

language which will strengthen the workability of this legislation. The vitally important thing is that the principle involved in this bill, the principle which I have advocated for all these years past, the principle for which the junior Senator from Maine and the senior Senator from Nevada fought in the Seventy-ninth Congress, the principle which is simply a common-sense application to the field of international air transportation of the American theory of "united we stand, divided we fall"—that this principle shall be embodied in law, so that at long last this Nation will have with respect to international aviation a fixed policy which will give us the basis we need, and which we must have, to preserve our position in world trade and commerce, in our dealings with the other nations of the earth, and in the air lanes of the world.

CHANGE OF NAME OF COMMITTEE

Mr. JOHNSTON of South Carolina. Mr. President, I send to the desk a resolution amending the rules of the Senate, changing the name of the Committee on Civil Service to Committee on Post Office and Civil Service. Under the reorganization bill of last year the name of the committee in the House was Civil Service, but when the bill reached the House it was amended, and the name of the committee on that side is Post Office and Civil Service. We want the name of the committee in the Senate to be the same. I am submitting the resolution at the request of the committee. It is unanimously supported by the members of the committee.

The ACTING PRESIDENT pro tempore. The resolution will be received and appropriately referred.

The resolution (S. Res. 99), was referred to the Committee on Rules and Administration, as follows:

Resolved, That paragraph (1) (e) of rule XXV of the Standing Rules of the Senate is amended by striking out "Committee on Civil Service," and inserting in lieu thereof "Committee on Post Office and Civil Service."

Such change in identification of this committee shall be effective January 1, 1948.

UNAUTHORIZED IMPORTATION OF GARBAGE INTO THE UNITED STATES—AMENDMENT

Mr. CAPPER submitted an amendment intended to be proposed by him to the bill (H. R. 597) to protect American agriculture, horticulture, livestock, and the public health by prohibiting the unauthorized importation into, or the depositing in the territorial waters of, the United States of garbage derived from products originating outside of the continental United States, and for other purposes, which was ordered to lie on the table and to be printed.

AID TO GREECE AND TURKEY—AMENDMENTS

Mr. BALL submitted an amendment, and Mr. LODGE submitted three amendments intended to be proposed by them, respectively, to the bill (S. 938) to provide for assistance to Greece and Turkey, which were referred to the Committee on Foreign Relations, and ordered to be printed.

THE LILIENTHAL NOMINATION—ARTICLE FROM THE KNOXVILLE (TENN.) JOURNAL

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article relating to the Lilienthal nomination, written by William Moore, and published in the Knoxville (Tenn.) Journal of March 25, 1947, which appears in the Appendix.]

EFFECT OF UNIFICATION ON MARINE CORPS

[Mr. CHAVEZ asked and obtained leave to have printed in the RECORD an article by David Lawrence, entitled "Move To Undermine Marine Corps Is Seen—Armed Forces Merger Bill Could End Organization," published in the Washington Evening Star on March 27, 1947, which appears in the Appendix.]

THREATENED TELEPHONE STRIKE—ADDRESS BY J. A. BEIRNE

[Mr. MORSE asked and obtained leave to have printed in the RECORD a radio address on the subject of the threatened telephone strike delivered by J. A. Beirne, president of the National Federation of Telephone Workers, which appears in the Appendix.]

AID TO GREECE AND TURKEY—ADDRESS BY HON. HENRY A. WALLACE

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD a radio address delivered by Hon. Henry A. Wallace on the subject of aid to Greece and Turkey, which appears in the Appendix.]

THE PRESIDENT'S PROPOSALS FOR AID TO GREECE AND TURKEY

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD a statement entitled "The President's Proposals for Aid to Greece and Turkey," prepared by Alvanley Johnson, grand chief engineer, Brotherhood of Locomotive Engineers, and A. S. Whitney, president, Brotherhood of Railroad Trainmen, which appears in the Appendix.]

TRUMAN PURGE IS FAR FROM JEFFERSONIAN—ARTICLE BY KENESAW M. LANDIS 2D

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD an article entitled "Truman Purge Is Far From Jeffersonian," written by Kenesaw M. Landis 2d, and published in the Chicago Sun of March 26, 1947, which appears in the Appendix.]

WHY AN ARMS INVESTMENT?—EDITORIAL FROM CHICAGO SUN

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD an editorial entitled "Why An Arms Investment?" published in the Chicago Sun of March 26, 1947, which appears in the Appendix.]

NOMINATION OF DAVID E. LILIENTHAL—EDITORIAL FROM KNOXVILLE JOURNAL

[Mr. SPARKMAN asked and obtained leave to have printed in the RECORD an editorial entitled "Selection of Lilienthal To Become Chairman of Atomic Energy Committee Most Logical," published in the Knoxville Journal of October 29, 1946, which appears in the Appendix.]

PROTECTION OF INTERNAL SECURITY OF THE NATION

Mr. McKELLAR. Mr. President, yesterday Mr. J. Edgar Hoover, the head of the Federal Bureau of Investigation, appeared before the House Committee on Un-American Activities and last night made a statement over the radio. It is one of the finest, most thoughtful, and most convincing arguments on communism that I have seen anywhere. I ask unanimous consent that it be inserted in the body of the RECORD, so that Senators can the better see it. Regardless of how Senators may feel concerning the confirmation of the nomination of Mr. Lilienthal I hope that every Senator will read this wonderful, patriotic, thoughtful statement by Mr. J. Edgar Hoover.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The aims and responsibilities of the House Committee on Un-American Activities and the Federal Bureau of Investigation are the same—the protection of the internal security of this Nation. The methods whereby this goal may be accomplished differ, however.

I have always felt that the greatest contribution this committee could make is the public disclosure of the forces that menace America—Communist and Fascist. That is why the venom of the American Communist and the now defunct German-American Bund has been directed at this committee as it has also been directed at the Federal Bureau of Investigation. This committee renders a distinct service when it publicly reveals the diabolic machinations of sinister figures engaged in un-American activities.

THE ROLE OF THE FBI

The FBI has great responsibilities to the Nation. In addition to being charged "with the duty of investigating violations of the laws of the United States, collecting evidence in cases in which the United States is or may be a party in interest, and performing other duties imposed * * * by law," the FBI has been charged by Presidential directive, dated September 6, 1939, "to take charge of investigative work in matters relating to espionage, sabotage." In implementing this charge the President called upon all law-enforcement officers to promptly "turn over to the nearest representative of the Federal Bureau of Investigation any information obtained by them relating to espionage, counterespionage, sabotage, subversive activities."

The FBI is essentially an investigative agency. It is our duty to get the facts. We do not establish policies—that is the responsibility of higher authority. We do not make decisions as to prosecutions—that is the responsibility of the Attorney General, his assistants and the various United States attorneys.

To the end that our responsibilities may be discharged it is necessary not to lose sight of the fact that our chief responsibility is the duty to obtain information and to protect confidence. Thus, when a citizen furnishes information on a confidential basis his confidence must be respected. In any intelligence operation, security of information is of primary concern. I recall in the prewar years that the FBI was criticized on the ill-founded premise that nothing was being done to meet the Nazi-Fascist-Japanism threat to our internal security. The real facts are now a matter of record. What was being done, and done successfully, could not then be discussed and publicized. When the time came to act the FBI was fully prepared to carry out its responsibilities. There was not one successful enemy-directed act of sabotage during the war and enemy espionage was kept under complete control.

In one of our espionage cases, a spy ring was kept under close surveillance for over 18 months. The arrests when made broke the backbone of the Nazi spy system in America. I shudder at what might have happened had there been a disclosure of our operations and our sources of information in the initial days of that investigation. That was the very time we were most criticized for inaction. I hope this committee will understand our situation and I know you will readily

agree that there are many questions that you might like to raise which I would for obvious reasons be unable to answer in a public hearing.

THE COMMUNIST PARTY

My feelings concerning the Communist Party of the United States are well known. I have not hesitated over the years to express my concern and apprehension. As a consequence, its professional smear brigades have conducted a relentless assault against the FBI. You who have been members of this committee also know the fury with which the party, its sympathizers and fellow travelers can launch an assault. I do not mind such attacks. What has been disillusioning is the manner in which they have been able to enlist support often from apparently well-meaning but thoroughly duped persons.

Anyone who opposes the American Communist is at once branded as a "disrupter," a "Fascist," a "Red baiter," or a "Hitlerite," and becomes the object of a systematic campaign of character assassination. This is easily understood because the basic tactics of the Communist Party are deceit and trickery.

The great god of the American Communists, Comrade Lenin, whose writings are their Bible, in various speeches and writings urged the use of deceit and trickery, and his converts live by his injunction:

"The strictest loyalty to the ideas of communism must be combined with the ability to make all necessary practical compromises, to maneuver, to make agreements, zig-zags, retreats, and so on, so as to accelerate the coming to power." (Left-Wing Communism, an Infantile Disorder, pp. 75–76, V. I. Lenin, International Publishers Co., Inc., 1940.)

Lenin's views were incorporated in the "Thesis on the Fundamental Tasks of the Second Congress of the Communist International," and the following provision is familiar to all American Communists:

"In all countries, even the freest, 'legal and peaceful' in the sense that the class struggle is less acute in them, the time has fully matured when it is absolutely necessary for every Communist Party systematically to combine legal with illegal work, legal with illegal organization. * * * It is necessary immediately for all legal Communist Parties to form illegal organizations. * * * Illegal work is particularly necessary in the Army, the Navy, and police."

Continuing, the Thesis states:

"The absolute necessity in principle of combining illegal with legal work is determined, not only by the sum total of the specific features of the present period, the period of the eve of the proletarian dictatorship, but also by the necessity of proving to the bourgeoisie that there is not, nor can there be, a sphere or field of work that cannot be won by the Communists." (Volume X, Selected Works of Lenin, pp. 172–173; International Publishers Co., Inc., 1943.)

The Communist movement in the United States began to manifest itself in 1919. Since then it has changed its name and its party line whenever expedient and tactical. But always it comes back to fundamentals and bills itself as the party of "Marxism-Leninism." As such, it stands for the destruction of our American form of government; it stands for the destruction of American democracy; it stands for the destruction of free enterprise; and it stands for the creation of a Soviet of the United States and ultimate world revolution.

THE HISTORIC MISSION

The preamble of the latest constitution of the Communist Party of the United States, filled with Marxian "double talk," proclaims that the party "educates the working class, in the course of its day-to-day struggles, for its historic mission, the establishment of socialism."

The phrase "historic mission" has a sinister meaning. To the uninformed person it bespeaks tradition, but to the Communist, using his own words, it is "achieving the dictatorship of the proletariat"; "to throw off the yoke of imperialism and establish the proletarian dictatorship"; "to raise these revolutionary forces to the surface and hurl them like a devastating avalanche upon the united forces of bourgeois reaction, frenzied at the presentiment of their rapidly approaching doom."

In recent years the Communists have been very cautious about using such phrases as "force and violence." Nevertheless it is the subject of much discussion in their schools and in party caucus where they readily admit that the only way in which they can defeat the present ruling class is by world revolution.

The Communist, once he is fully trained and indoctrinated, realizes that he can create his order in the United States only by bloody revolution.

Their chief textbook, The History of the Communist Party of the Soviet Union, is used as a basis for planning their revolution. Their tactics require that to be successful they must have—

1. The will and sympathy of the people.
2. Military aid and assistance.
3. Plenty of guns and ammunition.
4. A program of extermination of the police, as they are the most important enemy, and are termed "trained Fascists."
5. Seizure of all communications, busses, railroads, radio stations, and other forms of communications and transportation.

They evade the question of force and violence publicly. They hold that when Marxists speak of force and violence they will not be responsible—that force and violence will be the responsibility of their enemies. They adopt the novel premise that they do not advocate force and violence publicly, but that when their class resists to defend themselves then they are thus accused of using force and violence.

PARTY FOUND ILLEGAL

On May 28, 1942, Hon. Francis Biddle, then Attorney General, in reviewing the deportation proceedings of Harry Bridges, found that the Communist Party from the time of its inception in 1919 believes in, advises, advocates, and teaches the overthrow by force and violence of the Government of the United States.

Since then much has happened. In 1944 the party dissolved and became the Communist Political Association. The constitution of the new CPA in 1944 omitted references to "Leninism" and the "historic mission." That was the era when Browder was preaching a second front and all-out production. But even then they secretly held to their historic mission, for in an injunction to party members, Eugene Dennis, now general secretary of the party, said:

"Irrespective of name, we are, and shall continue to be, an American working class political organization, guided by the science of Marxism-Leninism."

But that era was short-lived. Immediately after Jacques Duclos, the French Communist leader, blasted the American Communists as deserting the Marxian cause, Browder was repudiated, the CPA was relegated to oblivion and the present Communist Party of the United States was reborn. A new constitution adopted in July 1945, as I have already indicated, referred to the party as basing itself "upon the principles of scientific socialism, Marxism-Leninism" and reincorporated the reference to the party's historic mission.

In establishing the party's illegal character in 1942, the then Attorney General Biddle based his findings on the contents of the same Communist publications which today are being sold and circulated in party circles. The American Communist, like the leopard, cannot change his spots.

THE PARTY LINE

The Communist Party line changes from day to day. The one cardinal rule that can always be applied to what the party line is or will be is found in the fundamental principle of Communist teachings that the support of Soviet Russia is the duty of Communists of all countries.

One thing is certain. The American progress which all good citizens seek, such as old-age security, houses for veterans, child assistance, and a host of others is being adopted as window dressing by the Communists to conceal their true aims and entrap gullible followers.

The record of the American Communists conclusively proves their true feelings. In the prewar days, when they were allied with Hitler, they marched on Washington protesting selective service, lend-lease, shouting "The Yanks are not coming." The American Peace Mobilization picketed the White House until the day before the Nazis marched into Russia and then within less than a month reconverted it into the American People's Mobilization, demanded all-out production, and started the chant for the second front.

We are witnessing the same tactics today. Since Secretary Schwellenbach advocated outlawing the Communist Party, and President Truman called for aid to Greece and Turkey, the Communists have been mobilizing, promoting mass meetings, sending telegrams and letters to exert pressure on Congress. The American Communists fail to realize that already they have outlawed themselves in the minds and hearts of loyal Americans.

The mad march of Red fascism is a cause for concern in America. But the deceit, the trickery, and the lies of the American Communists are catching up with them. Whenever the spotlight of truth is focused upon them they cry, "Red baiting." Now that their aims and objectives are being exposed, they are creating a committee for the constitutional rights of Communists, and are feverishly working to build up what they term a "quarter-million-dollar defense fund" to place ads in papers, to publish pamphlets, to buy radio time. They know that today it is a fight to the finish and that their backs will soon be to the wall.

STRENGTH OF THE PARTY

A few days ago word leaked out that the annual Communist convention scheduled to be held in Chicago had been shifted from July to September in order that they might carry on their campaign of obstruction to American foreign policy and increase their membership. They have been conducting an active membership campaign as the leadership is concerned over the manner in which membership has slipped.

The numerical strength of the party's enrolled membership is insignificant. But it is well known that there are many actual members who because of their position are not carried on party rolls.

New York leads in the number of enrolled party members, 30,000; followed by California, 8,553; Illinois, 6,500; Ohio, 3,838; Oregon, 3,654; Washington, 2,752; New Jersey, 2,487; and Michigan, 2,135. The Daily Worker boasts of 74,000 members on the rolls.

What is important is the claim of the Communists themselves that for every party member there are 10 others ready, willing, and able to do the party's work. Herein lies the greatest menace of communism, for these are the people who infiltrate and corrupt various spheres of American life. So rather than the size of the Communist Party, the way to weigh its true importance is by testing its influence—its ability to infiltrate.

The size of the party is relatively unimportant because of the enthusiasm and iron-clad discipline under which they operate. In this connection it might be of interest to observe that in 1917, when the Communists overthrew the Russian Government, there was

1 Communist for every 2,277 persons in Russia. In the United States today there is 1 Communist for every 1,814 persons in the country.

One who accepts the aims, principles, and program of the party, who attends meetings, who reads the party press and literature, who pays dues and who is active on behalf of the party shall be considered a member. The open, avowed Communist who carries a card and pays dues is no different, from a security standpoint, than the person who does the party's work but pays no dues, carries no card and is not on the party rolls. In fact, the latter is a greater menace because of his opportunity to work in stealth.

IDENTIFYING UNDERCOVER COMMUNISTS, FELLOW TRAVELERS, AND SYMPATHIZERS

The burden of proof should be placed upon those who consistently follow the ever-changing, twisting party line. Fellow travelers and sympathizers can deny party membership but they can never escape the undeniable fact that they have played into the Communist hands, thus furthering the Communist cause by playing the role of innocent, gullible, or willful allies.

PROPAGANDA ACTIVITIES

The Communists have developed one of the greatest propaganda machines the world has ever known. They have been able to penetrate and infiltrate many respectable and reputable public opinion mediums.

They capitalize upon ill-founded charges associating known honest progressive liberals with left-wing causes. I have always entertained the view that there are few appellations more degrading than "Communist" and hence it should be reserved for those justly deserving the degradation.

The Communist propaganda technique is designed to promote emotional response with the hope that the victim will be attracted by what he is told the Communist way of life holds in store for him. The objective, of course, is to develop discontent and hasten the day when the Communists can gather sufficient support and following to overthrow the American way of life.

Communist propaganda is always slanted in the hope that the Communist may be aligned with liberal progressive causes. The honest liberal and progressive should be alert to this and I believe the Communists' most effective foes can be the real liberals and progressives who understand their devious machinations.

The deceptiveness of Communist "double talk" fulfills the useful propaganda technique of confusion. In fact, Lenin referred to their peculiar brand of phraseology as, "* * * that cursed Aesopian language * * * which * * * compelled all revolutionaries to have recourse, whenever they took up their pens to write a 'legal' work." Lenin used it for the purpose of avoiding censorship. Communists today use it to mislead the public.

The use of the term "democracy" by the Communists, we have learned to our sorrow, does not have the meaning to them that it does to us. To them it means Communism and totalitarianism and our understanding of the term is regarded by them as imperialistic and Fascist.

The Daily Worker on Independence Day last year, for example, proclaimed: "It is a dramatic fact that on July 4, 1946, the independence of other countries is menaced by the United States in the grip of trusts and tories."

CORRESPONDENCE CAMPAIGNS

Communists and their followers are prolific letter writers and some of the more energetic ones follow the practice of directing numerous letters of protest to editors but signing a different name to each.

Members of Congress are well aware of Communists starting their pressure campaigns by an avalanche of mail which follows the party line.

RADIO

The party has departed from depending upon the printed word as its medium of propaganda and has taken to the air. Its members and sympathizers have not only infiltrated the airways but they are now persistently seeking radio channels.

MOTION PICTURES

The American Communists launched a furtive attack on Hollywood in 1935 by the issuance of a directive calling for a concentration in Hollywood. The orders called for action on two fronts: (1) An effort to infiltrate the labor unions; (2) to infiltrate the so-called intellectual and creative fields.

In movie circles, Communists developed an effective defense a few years ago in meeting criticism. They would counter with the question, "After all, what is the matter with Communism?" It was effective because many persons did not possess adequate knowledge of the subject to give an intelligent answer.

Some producers and studio heads realize the possibility that the entire industry faces serious embarrassment because it could become a springboard for Communist activities. Communist activity in Hollywood is effective and is furthered by Communists and sympathizers using the prestige of prominent persons to serve, often unwittingly, the Communist cause.

The party is content and highly pleased if it is possible to have inserted in a picture a line, a scene, a sequence, conveying the Communist lesson, and, more particularly, if they can keep out anti-Communist lessons.

INFILTRATION

The Communist tactic of infiltrating labor unions stems from the earliest teachings of Marx, which have been reiterated by party spokesmen down through the years. They resort to all means to gain their point and often succeed in penetrating and literally taking over labor unions before the rank and file of members are aware of what has occurred.

With few exceptions the following admonitions of Lenin have been followed:

"It is necessary to be able to withstand all this, to agree to any and every sacrifice, and even—if need be—to resort to all sorts of devices, maneuvers, and illegal methods, to evasion and subterfuge, in order to penetrate into the trade-unions, to remain in them, and to carry on Communist work in them at all costs" (p. 38, Left-Wing Communism, an Infantile Disorder, vol. I, Lenin, 1934, International Publishers Co., Inc.).

I am convinced that the great masses of union men and women are patriotic American citizens interested chiefly in security for their families and themselves. They have no use for the American Communists, but in those instances where Communists have taken control of unions it has been because too many union men and women have been outwitted, outmaneuvered, and outwaited by Communists.

The Communists have never relied on numerical strength to dominate a labor organization. Through infiltration tactics they have in too many instances captured positions of authority. Communists have boasted that with 5 percent of the membership, the Communists, with their militancy, superior organizational ability, and discipline, could control the union.

They regard as political every movement of the working class which seeks to gain concessions by exerting pressure from without as a political movement. Thus, as Lenin puts it: "The economic strike develops into a political strike and the latter develops into insurrection" (p. 12, Left-Wing Communism, vol. I, Lenin, 1934, International Publishers Co., Inc.)

That the Communists feel themselves ordained for a special mission in penetrating labor is revealed by the statement made by Eugene Dennis, general secretary of the Communist Party of the United States of America, at a recent party meeting: "No trade-union or people's organization," he said, "not even the great CIO, could long remain progressive if it were to exclude or to attack Communists."

The Communists have long viewed with envy the A. F. of L. They admit they play a very small role with only a handful of Communists active in the A. F. of L. locals. Recently there has been agitation in the party to reorganize to influence the A. F. of L.

A few months ago a party functionary said it was imperative that 3,000 party members be infiltrated into the A. F. of L. without publicizing this fact. They say this action is necessary because of the danger of a Third World War and the need to fulfill the Communist plan of creating a third party.

If more union members took a more active role and asserted themselves it would become increasingly difficult for Communists to gain control. Patriotic union members can easily spot sympathizers and party members in conventions and union meetings because invariably the latter strive to establish the party line instead of serving the best interests of the union and the country.

FOREIGN LANGUAGE GROUPS

The party for the past 18 months has been giving special attention to foreign language groups and has called for a sweeping self-critical examination of its work in this field. As long ago as 1945, in urging the importance of penetrating these groups, party leaders said, "We need only mention the Polish, Italian, Yugoslav and Greek questions," and in characteristic party double talk observed that they occupied an important relationship "to the entire democratic camp and to the broader peoples movements." In other words, the Communists now seek strength from foreign groups who may have relatives in countries which Russia seeks to influence.

GOVERNMENT

The recent Canadian spy trials revealed the necessity of alertness in keeping Communists and sympathizers out of Government services. In fact, the high command of the Communist party regards such assignments of sufficient importance to demand that party members not contact fellow members in the Government and if such Government employees are carried on party rolls at all they are assigned an alias. Last fall a high-ranking party leader instructed that all party membership cards of Government employees be destroyed and that party organizational meetings in Government circles be discontinued although informal social or union gatherings which could not be identified as Communist meetings could be continued. The dangers of permitting Communists or sympathizers to work in Government circles are too obvious to mention.

There has developed, however, as a result of Communist propaganda, some fanciful feeling among Communists that no distinction should be drawn and that Communists have a right to Government jobs.

Since July 1, 1941, the FBI has investigated 6,193 cases under the Hatch Act, which forbids membership upon the part of any Government employee in any organization advocating the overthrow of the Government of the United States.

For the purposes of investigation the Attorney General has ruled that a number of organizations in addition to the Communist Party are subversive under the Hatch Act because of Communist influence.

One hundred and one Federal employees were discharged as a result of our investigation, 21 resigned during the investigation, and in 75 cases administrative action was taken by the departments. A total of 1,906 individuals are no longer employed in the government while 122 cases are presently pending consideration in the various Government agencies.

The FBI does not make recommendations; it merely reports facts and it is up to the interested Government Department to make a decision. Almost invariably, of course, subjects of investigations deny affiliation with subversive groups, often despite strong evidence to the contrary.

The following is a case in point:

The FBI submitted a 57-page report to the Federal Security Agency on March 7, 1942, on Dexey Wilkerson. The investigation recorded interviews with persons who stated he was a member of the Communist Party. Following the submission of the report we were advised by the Federal Security Agency that further investigation failed to show that Wilkerson was subversive or disloyal to our Government. Wilkerson subsequently transferred to OPA and resigned on June 19, 1943. Within less than 24 hours he announced his new job as a Communist Party organizer. He was subsequently appointed a member of the National Committee of the Communist Party. To be eligible for service in the National Committee one must have been a member of the party in continuous good standing for at least 4 years.

MASS AND FRONT ORGANIZATIONS

The united front program of the Communist Party was launched at the seventh world congress of the Communist International in 1935. The Communist Party in the United States immediately took up the program and a systematic plan was worked out of infiltrating existing organizations with Communists.

For the most part, front organizations assumed the character of either a mass or membership organization or a paper organization. Both solicited and used names of prominent persons. Literally hundreds of groups and organizations have either been infiltrated or organized primarily to accomplish the purposes of promoting the interests of the Soviet Union in the United States, the promotion of Soviet war and peace aims, the exploitation of Negroes in the United States, work among foreign-language groups, and to secure a favorable viewpoint toward the Communists in domestic, political, social, and economic issues.

The first requisite for a front organization is an idealistic sounding title. Hundreds of such organizations have come into being and have gone out of existence when their true purposes have become known or exposed while others with high sounding names are continually springing up.

THE AMERICAN YOUTH FOR DEMOCRACY

Illustrative of how the Communists bury one organization and conceive another is the Young Communist League. In convention assembled in New York City, the Young Communist League was dissolved on October 16, 1943, and the next day the American Youth for Democracy was born.

At first the Communists denied paternity for the AYD, but in April of 1946 the party's national board indicated that the AYD was the successor to the YCL. William Z. Foster, the Communist Party head, at the AYD National Intercollegiate Conference in New York City in 1945, told the delegates in the concluding session that "the atomic age is the age of socialism, of communism. This is the greatest lesson that the youth of America has to learn." This new front set up youth centers ostensibly to combat juvenile delinquency. More properly, these centers could be termed Communist youth-recruiting centers.

THE TEST OF A FRONT ORGANIZATION

I feel that this committee could render a great service to the Nation through its power of exposure in quickly spotlighting existing front organizations and those which will be created in the future.

There are easy tests to establish the real character of such organizations:

1. Does the group espouse the cause of Americanism or the cause of Soviet Russia?
2. Does the organization feature as speakers at its meetings known Communists, sympathizers, or fellow travelers?
3. Does the organization shift when the party line shifts?
4. Does the organization sponsor causes, campaigns, literature, petitions, or other activities sponsored by the party or other front organizations?
5. Is the organization used as a sounding board by or is it endorsed by Communist-controlled labor unions?
6. Does its literature follow the Communist line or is it printed by the Communist press?
7. Does the organization receive consistent favorable mention in Communist publications?
8. Does the organization represent itself to be nonpartisan yet engage in political activities and consistently advocate causes favored by the Communists?
9. Does the organization denounce American and British foreign policy while always lauding Soviet policy?
10. Does the organization utilize Communist double talk by referring to Soviet-dominated countries as democracies, complaining that the United States is imperialistic and constantly denouncing monopoly-capital?
11. Have outstanding leaders in public life openly renounced affiliation with the organization?
12. Does the organization, if espousing liberal progressive causes, attract well-known honest patriotic liberals or does it denounce well-known liberals?
13. Does the organization have a consistent record of supporting the American viewpoint over the years?
14. Does the organization consider matters not directly related to its avowed purposes and objectives?

NATIONAL DEFENSE

The Communist Party of the United States is a fifth column if there ever was one. It is far better organized than were the Nazis in occupied countries prior to their capitulation.

They are seeking to weaken America just as they did in their era of obstruction when they were alined with the Nazis. Their goal is the overthrow of our Government.

There is no doubt as to where a real Communist's loyalty rests. Their allegiance is to Russia, not the United States.

A top functionary of the Communist Party recently said, "A war by the United States against the Union of Soviet Socialist Republics would be an unjust war, which is why it must be fought against, but that if it should come the Communist Party in the United States would be with Russia, and make no mistake about that."

In another section of the country another Communist leader made the following statement, "I believe that everyone should know that we are for Russia and, if need be, we will die for the cause. I don't mean that war with Russia is coming soon; I hope not, so that Russia will be better prepared."

WHAT TO DO

What can we do? And what should be our course of action? The best antidote to communism is vigorous, intelligent, old-fashioned Americanism with eternal vigilance. I do not favor any course of action which would give the Communists cause to portray and pity themselves as martyrs. I do favor unrelenting prosecution wherever they are found to be violating our country's laws.

As Americans, our most effective defense is a workable democracy that guarantees and preserves our cherished freedoms.

I would have no fears if more Americans possessed the zeal, the fervor, the persistence, and the industry to learn about this menace of red fascism. I do fear for the liberal and progressive who has been hoodwinked and duped into joining hands with the Communists. I confess to a real apprehension so long as Communists are able to secure ministers of the gospel to promote their evil work and espouse a cause that is alien to the religion of Christ and Judaism. I do fear so long as school boards and parents tolerate conditions whereby Communists and fellow travelers under the guise of academic freedom can teach our youth a way of life that eventually will destroy the sanctity of the home, that undermines faith in God, that causes them to scorn respect for constituted authority and sabotage our revered Constitution.

I do fear so long as American labor groups are infiltrated, dominated, or saturated with the virus of communism. I do fear the palliation and weasel-worded gestures against communism indulged in by some of our labor leaders who should know better but who have become pawns in the hands of sinister but astute manipulations for the Communist cause.

I fear for ignorance on the part of all our people who may take the poisonous pills of Communist propaganda.

I am deeply concerned whenever I think of the words of an old-time Communist. Disillusioned, disgusted, and frightened he came to us with his story and concluded:

"God help America or any other country if the Communist Party ever gets strong enough to control labor and politics. God help us all."

The Communists have been, still are, and always will be a menace to freedom, to democratic ideals, to the worship of God and to America's way of life.

I feel that once public opinion is thoroughly aroused as it is today, the fight against communism is well on its way. Victory will be assured once Communists are identified and exposed, because the public will take the first step of quarantining them so they can do no harm. Communism, in reality, is not a political party. It is a way of life—an evil and malignant way of life. It reveals a condition akin to disease that spreads like an epidemic and like an epidemic a quarantine is necessary to keep it from infecting the Nation.

SUMMARY OF AUDIT OF TENNESSEE VALLEY AUTHORITY

Mr. AIKEN. Mr. President, under date of March 17 of this year the Comptroller General's office submitted to the Congress a report of an audit of the Tennessee Valley Authority for the fiscal year ending June 30, 1945. There have been a great many requests for the report, and copies are not presently available. I understand that the report is to be printed as a House document, but will not be available for several days. In the meantime, with the discussion of the nomination of Mr. Lilienthal before the Senate, the report is likely to be referred to frequently in the course of the debate. The report itself is so voluminous that I shall not ask to have it all printed in the RECORD. However, I do ask to have a summary, which contains the findings and recommendations of the General Accounting Office, printed in the body of the RECORD, preferably at the end of today's debate on sugar.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Vermont?

Mr. McKELLAR. Mr. President, let me say to the Senator that I am informed that the report will be printed

and in the hands of all Members of Congress within the next few days. Would it not be better for Congress to see the entire report, rather than a part of it?

Mr. AIKEN. I shall be very glad to submit the entire report to be printed in the RECORD; but it would occupy a great deal of space.

Mr. McKELLAR. I think that is true. It is unnecessary, because I have been informed by the Government Printing Office that the entire report will be printed by next Monday, I believe.

Mr. AIKEN. I have been informed today that the proof has not yet even gone to the General Accounting Office to be edited. In the meantime the debate on the nomination of Mr. Lilienthal will be under way. I hope it will be under way. I think Members of the Senate ought at least to have the findings and recommendations of the General Accounting Office available.

Mr. McKELLAR. I shall not object to the Senator's request. However, I warn Senators that I have read the report, and I was told that it was in the hands of the Government Printing Office, and that printed copies would be available within a few days. If that is so, I do not believe that culled-out parts should be printed. I shall not object to the request of the Senator from Vermont, but I invite the attention of all Senators to the fact that they can obtain the entire report in a short time.

Mr. AIKEN. It is in the hands of the printers, but the body of the report contains tables and charts which are difficult to print, and which take time to set up. Therefore, I ask unanimous consent to have only the summary of the report printed in the RECORD.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Vermont?

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY AS CONTAINED IN THE AUDIT REPORT ON THE TENNESSEE VALLEY AUTHORITY SUBMITTED TO THE CONGRESS BY THE COMPTROLLER GENERAL MARCH 17, 1947

1. Tennessee Valley Authority is a wholly owned Government corporation created by the act of Congress approved May 18, 1933 (48 Stat. 58; 16 U. S. C. 831 et seq), for the purpose of improving the navigability and providing for flood control of the Tennessee River, providing for the agricultural and industrial development of Government properties at and near Muscle Shoals, Ala., including Wilson Dam. Although power production and sale is considered in the act as incidental to these purposes, that activity is one of the most important of the Authority's activities. The Authority has been managed by a Board of Directors independently of any other Government agency or department.

2. The Authority received appropriations from the Congress and Executive allotments from emergency funds aggregating approximately $668,000,000 to June 30, 1945, for the purpose of financing construction of additional dams and power and other facilities in the Tennessee Valley and for covering the costs of development programs, navigation, and flood control. Other sources of funds have included net revenues of the power department, aggregating approximately $100,000,000 (before charges for depreciation) and borrowings of $65,000,000 from the Treasury and Reconstruction Finance Corporation.

3. Of the total investment of $718,000,000 in property, plant, and equipment, less depreciation, at June 30, 1945, the amount allocated to power facilities was $391,000,000, and to navigation and flood control, $284,000,000. The allocation of the property investment reflects direct classification of the costs of facilities installed for single uses and apportionment of the depreciated cost of multiple-use dam facilities ($331,000,000). The method of allocation selected by the Board of Directors is based largely upon prorating the cost of the joint investment between power, navigation, and flood control in ratio to the hypothetical justifiable-alternate-single-use investments for the three purposes. As a result, the cost allocated to power, thus far the main revenue-producing program, was less than the estimated cost of a hypothetical single-use investment for that purpose. Similarly, the cost allocated to navigation and flood control was less than the hypothetical single-use investments for those respective purposes. The basis of allocation of the investment is also used in allocating operating costs for maintenance and depreciation of the multiple-use facilities. Therefore, the effect of the cost allocation is to reduce operating costs of each activity below what would have been borne on the basis of single-use operations. For this and other reasons, the cost of power operations may not be compared with a private power corporation's operations.

4. Power sales for the fiscal year 1945, amounting to $38,959,400 (10,314,746 thousand kilowatt-hours), were the largest in the Authority's history. During this year more power was produced than by any other single integrated power system in the Nation, and it is estimated by the Authority that more than three-fourths of its power system output was utilized in war production. Substantially all of the power generated is sold wholesale to municipalities, cooperatives, other Federal agencies, large industrial power users, and private public utilities.

5. Net income of $17,982,034 from power operations was based upon the method of allocation of costs of multiple-use facilities and certain other accounting and financial policies subject to comment on pages 22 to 26. As indicated therein, charges to power operations do not include the following items:

DEPRECIATION

As discussed on pages 61 and 62, no depreciation has been provided on the costs of land rights and clearing for transmission lines and reservoirs and costs of relocations and removals of former occupants, because such provision is not required by the Federal Power Commission.

TAXES

The Tennessee Valley Authority contributes to the support of State and local governments in its area through payments in lieu of property taxes, but, like other Federal agencies and other governmentally owned public utilities, it is not required by law to make any contribution to the general support of the Federal Government through the payment of income taxes.

INTEREST

Interest paid by the Tennessee Valley Authority and charged to power operations is limited to the interest on its bonds held by the United States Treasury and Reconstruction Finance Corporation. Bonds having a principal amount of $56,500,000 held by the Treasury carry an interest rate by temporary agreement of 1 percent, which is less than the interest cost of long-term bonds to the United States Treasury.

No interest is required by law to be paid on the remainder of the Government's investment in power operations, which in the aggregate amounted to approximately $400,000,000 at June 30, 1945. The interest rate on long-term borrowing of the United States Treasury is 2½ percent. Based upon this rate and investment in power facilities, the annual interest cost to the United States Government on its investment in power facilities would be $10,000,000, or approximately $9,274,000 in excess of interest charged in the income statement for power operations for the fiscal year 1945.

Contrary to the customary practice in public utility accounting, the Authority's investment in property, plant, and equipment does not include any interest during construction. If interest had been paid on the investment and capitalized during construction, depreciation on property, plant, and equipment would be increased.

EMPLOYEES' COMPENSATION CLAIMS

Claims for employees' injuries are allowed and paid by the United States Employees' Compensation Commission (now Bureau of Employees' Compensation, Federal Security Agency) without charge to TVA. As in the case of interest, the cost of property, plant, and equipment does not include the cost of employees' injuries and damages applicable to construction. If such costs had been paid and capitalized, the annual depreciation charges would reflect some increase.

It is recommended that the Congress consider specific amendments in the TVA Act or other legislation, as follows:

(a) All claims for injuries and damages should be paid by the Tennessee Valley Authority and not charged to separate appropriations from the United States Treasury for the United States Employees' Compensation Commission unless such charges are reimbursed to it by TVA.

(b) Interest should be required to be paid to the Treasury on the entire investment of the Government in power operations.

(c) Retroactive adjustments should be required as to both interest and claims for injuries and damages to the end that TVA shall reflect in its accounts such costs for the prior years as additional capital invested by the United States Government. (It is understood that that portion applicable to construction would be added to the cost of property, plant, and equipment and made the subject of annual depreciation charges.)

The Tennessee Valley Authority Act states it to be the policy of Congress that in order, as soon as practicable, to make the power projects self-supporting and self-liquidating, "the surplus power shall be sold at rates which, in the opinion of the Board, when applied to the normal capacity of the Authority's power facilities, will produce gross revenues in excess of the cost of production of said power."

An enterprise is self-supporting only when its revenues at least equal the sum of the costs properly chargeable against its revenues. It is self-liquidating when its revenues are sufficient not only to cover its costs but also to afford repayment of its capital. It is believed that the Authority's revenues for the year ended June 30, 1945, were in excess of the sum of all its costs, including those costs which we have recommended be required by law to be taken into account. It appears, therefore, that the power rates for the year ended June 30, 1945, produced "gross revenues in excess of the cost of production of said power." However, we cannot say this positively, and there can be no consistent showing of whether TVA is self-supporting and self-liquidating unless and until every element of cost is recorded on its books and shown in its financial statements.

6. Non-income-producing and developmental activities showed the following costs for the year ended June 30, 1945, based on a

method of accounting similar to that used for power operations:

Navigation	$2,114,981
Flood control	1,408,756
Chemical division, after deducting research and development expenses of $1,355,146	859,373
Other development activities:	
Agricultural resources	2,839,487
Forest resources	451,078
Mineral resources	339,180
Other resources	178,398
Other development activities	285,684
Administrative and general expenses therein	760,148
Total	4,853,975
	9,237,084

7. TVA is required to deposit annually into the general fund of the Treasury—as distinguished from the Authority's funds in the Treasury—the net proceeds from power sales and other sources under section 26 of the act. The TVA Board determined that for the year ended June 30, 1945, a payment was due for the first time under this section; it determined that the sum of $12,597,744 was so payable. This determination was consistent with prior interpretations of the Authority, apparently acquiesced in by the Congress, and, as indicated on page 51, has had the approval of the House Appropriations Committee. The amount payable to the Treasury under section 26, pursuant to such interpretations, is not subject to conclusive, independent-audit verification. The effect of such interpretations is to avoid an effective basis for assuring return of the Government's investment in power facilities and, in turn, to avoid control by the Congress over capital expenditures for power facilities financed by revenues withheld by TVA. The interpretations of the TVA Board and our comments are presented fully on pages 50 to 54. The result of our consideration of section 26 and of the problems of legislative and executive control of the Authority's affairs indicates that section 26 is inadequate as a means of assuring ultimate liquidation of the Government's investment in the Authority's power operations and that some of the controls to which the Authority is subject are too restrictive, while others are inadequate or are inappropriate to the nature of some of the Authority's most important activities. These defects should be corrected, and as means of correction we recommend that section 26 be repealed and the following be adopted as an integrated plan to reserve to the Congress complete and effective control over the Authority's programs, provide definitely for the return to the Government of its capital investment with interest, and yet leave to the Authority all necessary flexibility for its authorized business operations:

(a) That the over-all capital requirements of the Authority as it is now constituted be determined and formalized.

(b) That future capital needs of the Authority from the United States Treasury be financed by appropriating funds for subscriptions to capital by the Treasury. (Recommendation (g), which contemplates discontinuance of the making of direct appropriations for capital needs, is a concomitant of this recommendation. The Government Corporation Control Act gives Congress sufficient control over expenditures to obviate the necessity for using direct appropriations as a means of controlling capital outlays. Under this act the Authority's annual intentions are required to be submitted to legislative review, and its expenditures are independently checked by the General Accounting Office for Congress against the budget plan authorized by Congress. The Congress has ample opportunity under the Government Corporation Control Act to control over-all policies, the adoption or alteration of programs, and the authorization of major construction projects to implement these policies, independently of appropriation procedure. It is sufficient, therefore, to provide money for capital outlays by authorizing subscriptions to capital to be used therefor. Moreover, this deals with the matter at the level at which it should be dealt with, recognizes the corporate nature of the activities involved, and in other respects puts the authorization of these activities on a more appropriate basis.)

(c) That the Authority have the power to borrow only temporarily from the United States Treasury within limits established by the Congress at current interest costs, and that it not have authority to borrow either temporarily or on a long-term basis from any other source.

(d) That the Authority determine and show separately on its books that portion of its capital derived from appropriated funds and invested in power facilities or otherwise used in the power activity. (This is a necessary prerequisite to implementation of the announced intention of Congress that the power projects of the Authority be made self-liquidating. Implementation of this intention is proposed in recommendation (e).)

(e) That a definite plan for the repayment of the appropriated funds invested or otherwise used in the power activity and the payment of interest on this capital at a definite rate be provided for by law. (This action should be related to repeal of section 26 and is proposed as a more satisfactory and definite arrangement for repayment of the Government's investment in power facilities. The management of TVA is engaged in a study of this matter and is expected to make recommendations concerning it shortly.)

(f) That the net income from power operations, after deduction of all costs of these operations, be carried to an earned surplus account.

(g) That the practice of making direct appropriations for the construction of dams, reservoirs, and other power facilities not taken care of under sections 12 and 26, and for machinery, equipment, and other commercial facilities, be discontinued.

(h) That the act be amended to permit the Authority to use temporarily any of its unappropriated funds and, if necessary, its borrowing power to finance extensions of its existing commercial facilities that the Authority's Board of Directors deem necessary to proper discharge of the authority's commercial obligations and responsibilities. (The management of the Authority must have this power in order to meet the requirements for prompt action that arise almost daily in the commercial undertakings for which it is responsible. Managers of similar private commercial undertakings commonly have such power, and it should be unhesitatingly given here. Possession of it by the managers of the Authority would promote efficiency and thus be advantageous to the Government. Note that the extension of authority contemplated by this recommendation is meant to apply only to expenditures made pursuant to actions already taken by Congress by budget adoptions or otherwise.)

(i) That separate appropriations be made for the operating expenses of the Authority's navigation, flood control, and other essentially or entirely nonincome-producing developmental programs. (This recommendation is made on the theory that Congress alone should determine how much should be spent for programs and activities that are primarily matters of spending; that there is danger that this prerogative will be invaded when appropriations for such programs and activities are lumped; and that the best way to avoid this danger and leave no doubt is to establish definite limitations through the medium of specific appropriations. This recommendation would strengthen legislative control over expenditures that are required to be financed from the United States Treasury.)

(j) That the Authority be permitted to combine under one depository account all of its funds from whatever source derived, in the same manner as corporations generally, governmental as well as private. (It is not necessary to separate money according to the purposes for which it is provided in order to safeguard or control the application of it. To do so merely creates a difficult and unnecessarily costly accounting situation. Money can be safeguarded in one account as well as in several, and its application can be determined by commercial-type accounting procedures; that is, by classifying and allocating expenditures by programs or activities which are the subject of control. Reasonably satisfactory procedures as to this already have been developed by TVA, and the expenditures determined on this basis are satisfactorily auditable annually by the General Accounting Office under the Government Corporation Control Act; therefore, the present requirements that call for much complex cash accounting are superfluous and unjustifiably expensive.)

(k) That the act of November 21, 1941, 55 Stat. 775, containing the requirement that the Authority render accounts to the General Accounting Office under the Budget and Accounting Act, 1921, be repealed. (Auditing of the Authority's affairs as now required by the Government Corporation Control Act is adequate and renders such rendition of accounts unnecessary.)

These recommendations are discussed at greater length on pages 43 to 49. They have as their purposes, and the adoption of them would afford: The establishment of a definite plan of financing TVA consistent with its corporate status and its functions; budgetary presentation of the financial requirements of the Authority in a manner that will afford Congress opportunity for firmer control of the Authority's programs and policies; tightening of congressional control of those activities of the Authority that primarily involve only the expenditure of funds; full use of the means of fiscal control that are contemplated by the Government Corporation Control Act; desirable limitation upon, and equally desirable extension of the use of, the Authority's borrowing powers; fully informative accounting for the Government's investment in and earnings from the Authority's power operations; a definite plan for the payment of interest on, and the liquidation of the Government's investment in, the Authority's power operations, as contemplated by the TVA Act; freeing of the management of the Authority from unnecessary and hampering restrictions; and elimination of unnecessary accounting requirements.

8. In our opinion, TVA's accounts generally are well conceived, supervised, and maintained, and the Authority is to be commended as one of the foremost Government corporations in the use of accounting in management, comparing quite favorably in this respect with well-managed private corporations.

9. Insofar as we are qualified to make general observations regarding the character of the management of TVA, and insofar as covered within the scope of our audit, we believe that the management is entitled to the highest commendation for the effectiveness with which the Authority functions and for its accomplishments in carrying out the objectives of the TVA Act. However, we reserve the privilege of commenting in future reports, after further study, upon navigation, fertilizer, and other developmental operations. The accounting recommendations made in this report are not intended as a criticism of the management with respect to the manner in which they have discharged their broad responsibilities, and may not be so construed.

LEGISLATIVE PROGRAM

Mr. TOBEY. Mr. President, the unfinished business before the Senate is the proposed sugar legislation, and there is an amendment pending which takes prior consideration. My purpose in rising, in behalf of the Senator from Vermont [Mr. FLANDERS] and myself, who I know shares my views in this matter, is to point out to the distinguished Members of this body, in connection with the pending sugar legislation, that the sugar controls will expire next Monday. There has been 1 day of debate on the bill, interrupted by several extraneous matters, which certainly were brought up in all good faith.

I am now going to make an appeal to my colleagues in the Senate that this day, after the one exception I shall speak of in a minute, Senators refrain from introducing other matters during the consideration of the sugar legislation, for this prime reason: Time is of the essence, as I said yesterday. After the joint resolution shall be passed in the Senate it must go to conference between the two bodies; it must then be engrossed and go to the President for signature, or there will be chaos and rampant disorder in connection with sugar next Monday.

We will proceed with the consideration of the proposed sugar legislation soon, I hope, and I should like to make the request of the distinguished acting majority leader that if we do not finish consideration of the joint resolution by 6 o'clock today he will hold the Senate tonight until we do complete action on the legislation. It is important.

The distinguished Senator from Ohio [Mr. TAFT] came to me this morning in amity and stated that he also had an important measure, proposing to extend a law which will expire on March 31, which he desired to have taken up, and of course I yielded. There may be a dispute arise over it, and if so, the Senator has made me a very fair promise that he will then withdraw his matter so that we may again take up the sugar legislation.

So I make this appeal in good faith. It is important to enact the sugar legislation. It is not a personal matter with me; I think it is the concern of the Senate; it is a matter affecting the American people. I submit my case to the Senate's sense of fairness.

Mr. WHERRY. The distinguished Senator from New Hampshire has made an observation I was about to make, and he has made it much better than I could have done. However, I should like to have the Senate know that we would like to finish the pending sugar measure today. When its consideration is resumed, we shall go right on through and finish it, if that is possible.

Mr. BARKLEY. If the Senator from Nebraska will yield, I wish to associate myself in the remarks of the Senator from New Hampshire [Mr. TOBEY] as well as the Senator from Nebraska [Mr. WHERRY]. The matter that is in a moment to be taken up is somewhat in the same category with the sugar legislation, because of the expiration of the law on the 31st of March, and I hope we may promptly dispose of the matter the Senator from Wisconsin will bring forward, and then promptly dispose of the sugar legislation.

TERMINATION OF WAR POWERS AND CONTROLS UNDER SECOND WAR POWERS ACT

Mr. WILEY. Mr. President, will the Senator from Nebraska yield

Mr. WHERRY. I yield.

Mr. WILEY. I take the floor to ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to consider Senate bill 931 and dispose of it as quickly as possible.

The ACTING PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 931) to extend certain powers of the President under title III of the Second War Powers Act.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Senate bill 931?

Mr. WHERRY. Reserving the right to object, I should like to ask the distinguished Senator a question. If the unanimous-consent agreement is made and the Senate proceeds with the bill referred to, is it the Senator's idea that it can be concluded within a reasonable length of time?

Mr. WILEY. I think so.

Mr. WHERRY. And if we find it cannot be concluded in a reasonable time, the consideration of the unfinished business now before the Senate may be resumed?

Mr. WILEY. Yes.

The ACTING PRESIDENT pro tempore. The Chair might state, for the information of the Senate, that at any time during the consideration of Senate bill 931 it would be in order for any Senator to ask for the regular order, at which time the Senate would recur to Senate Joint Resolution 58.

Is there objection to the request of the Senator from Wisconsin?

There being no objection, the Senate proceeded to consider the bill (S. 931) to extend certain powers of the President under title III of the Second War Powers Act, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That this act shall be cited as the First Decontrol Act of 1947.

SEC. 2. The Congress hereby declares that it is vital to a free economy and full production in the United States that all emergency controls and war powers under the Second War Powers Act be removed except in certain limited instances.

The Congress further declares that in each such limited instance the authority for such emergency controls and war powers should not be exercised by the grant of broad, general war powers but should be granted by restrictive, specific legislation.

SEC. 3. For the purpose of liquidating existing emergency controls and war powers and for the purpose of affording further opportunity for the appropriate committees of the Congress to consider specific legislation granting restricted authority in limited instances, title III of the Second War Powers Act, as amended, shall (except as provided in S. J. Res. 58 and H. J. Res. 118, 80th Cong., 1st sess.) remain in effect only until June 30, 1947: *Provided*, That any material or facilities which were not being allocated by the President on March 24, 1947, shall not be allocated hereafter under the provisions of such title III.

Mr. WILEY. I think if I read section 3 of the bill every Senator will very quickly understand the meat of the matter which we are now considering. Section 3 reads:

For the purpose of liquidating existing emergency controls and war powers and for the purpose of affording further opportunity for the appropriate committees of the Congress to consider specific legislation granting restricted authority in limited instances, title III of the Second War Powers Act, as amended, shall (except as provided in S. J. Res. 58 and H. J. Res. 118, 80th Cong., 1st sess.)—

By the way, I interpolate, those are the rubber and sugar resolutions, one of which has passed, the other of which is being considered—

remain in effect only until June 30, 1947: *Provided*, That any material or facilities which were not being allocated by the President on March 24, 1947, shall not be allocated hereafter under the provisions of such title III.

It will be remembered that the President of the United States, on March 14, as I recall the date, submitted a request for an extension of titles I, III, and V of the Second War Powers Act. It was then, after that request, that we were able in our committees for the first time to learn from the various departments the real reasons or the real need for a continuation of these war powers. Because of the President's message, although there was no bill before us, the Committee on the Judiciary held several sessions with the result as set forth in section 3.

At this time I ask that there be inserted in the RECORD an explanation, as set forth in the report of the committee which was filed on the 24th day of March. I refer especially to part II, beginning on page 3, and terminating on page 5. I ask that that be printed in the RECORD.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

II. RÉSUMÉ OF PRINCIPAL CONTROLS CURRENTLY IN FORCE

A. UNDER TITLE I.—EMERGENCY POWERS OF THE INTERSTATE COMMERCE COMMISSION OVER MOTOR AND WATER CARRIERS

The only control power under title I for whose continuance extensive testimony was submitted was that control currently in force to provide transportation services presently furnished by Capital Transit Co. to the Pentagon Building and vicinity under temporary orders from the Interstate Commerce Commission.

B. UNDER TITLE III.—PRIORITIES AND ALLOCATION POWERS

Of the thousands of orders which have at one time or another been issued under title III of the Second War Powers Act only a relatively small number of general orders remain in effect. A sketch of the chief provisions of the principal remaining orders, grouped by subjects, is as follows:

1. Rails (ODT General Orders 1, 16C and 18A):
(a) Minimum loads prescribed;
(b) Permit required for transportation of carload shipments of overseas freight to certain port areas for storage or delivery to ocean carriers.
(c) Loading requirements prescribed.
2. Rubber (CPA Order R-1):
(a) Restrictions on deliveries, consumption, inventories, importation, and end-use.
(b) Specifications and manufacturing regulations.
(c) Export controls.
3. Automobiles and trucks (CPA Order L-352): Export controls; same percent of total production as exported during 1935-39.
4. Farm wheel-type and track-laying tractors (CPA Order L-356): Limits production and shipment for export to any foreign country except Canada.
5. Manila (abaca), agave fiber and cordage (CPA Order M-84):
(a) Controls production.
(b) Limits uses.
(c) Limits inventories.
6. Cinchona bark and cinchona alkaloids—(CPA Order M-131):
(a) Deliveries must be authorized by CPA.
(b) Deliveries to consumer only through physician's prescription—amount restricted.
7. Streptomycin (schedule 119 to CPA Order M-300):
(a) Producers, importers, distributors must apply to CPA for authority to make delivery.
(b) Each mixture must be tested by FDA.
8. Antimony (CPA Order M-112):
(a) Controls delivery.
(b) Directions concerning use.
(c) Inventory restrictions.
(d) Reporting provisions.
9. Tin (CPA Orders M-43 and M-81):
(a) Restrictions on deliveries of pig tin.
(b) Allocation of pig tin.
(c) Restriction on use of pig tin.
(d) Restriction on sale and delivery of articles containing tin.
10. Steel (CPA Directives, 10 to M-21): Certain steel exports to be rated by Office of International Trade.
11. Sugar (War Food Orders 7, 63, 64):
(a) Raw-sugar allocation.
(b) Import control—sugar and sugar products.
(c) Sugar rationing.
12. Rice (War Food Order 10): Set-aside order—percentage for Government use.
13. Cheddar cheese (War Food Order 15): Set-aside order—percentage for Government use.
14. Meats and meat products (War Food Order 63): Importation control.
15. Fats and oils (War Food Order 63): Importation control.
16. Beans (War Food Order 63): Importation control.
17. Peas (War Food Order 63): Importation control.
18. Protein feeds (War Food Order 63): Importation control.
19. Grain and grain products (War Food Order 63): Importation control.
20. General export restrictions (CPA Priorities Regulation 28): Minimum quantities of materials vitally needed in the United States permitted to be exported as necessary to the restoration of foreign countries.
21. General inventory regulation (CPA Regulation 32): Restricts ordering, deliveries, receipts, and processing of materials in short supply.

C. TITLE V.—WAIVER OF NAVIGATION AND INSPECTION LAWS

The waivers under this title are largely on an individual vessel basis. At present such waivers are in effect with reference to a number of vessels including both Government and privately operated. These waivers relate not only to safety and inspection requirements but also relate to crews.

Mr. WILEY. At one time, under the War Powers Act, more than a thousand orders were outstanding, but my understanding is at this time there are only some 21.

On June 30 the Export-Import Control Act expires unless continued, and it is the judgment of the committee that the President's request and the Export-Import Act should be considered together, and that between now and June 30 we should have the complete answer as to which of these controls should be continued for a longer time.

That in substance is the issue before the Senate. It has been stated dramatically by the Senator from New Hampshire [Mr. TOBEY] in relation to sugar. I personally feel that if this action is not taken and there should be a hiatus between the 30th of March and the time when we could get a bill passed, the consequences might be serious. I understand, a few nights ago, the President pro tempore of the Senate [Mr. VANDENBERG], the Senator from Kentucky [Mr. BARKLEY], and several of the distinguished Members of the House were called to confer with the President. I may say that we had favorably reported our bill before that conversation took place. While I have not talked with any of these gentlemen, I am informed that the chief concern of the President was that there would be such a hiatus. In that respect, we agreed with the President.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. ELLENDER. Mr. President——

Mr. WILEY. I will yield in a moment. Up to the time of that message, however, we received no cooperation from the executive department in relation to giving us information.

At this time I ask that there be printed in the RECORD that portion of the report of the Committee on the Judiciary beginning on page 2 and extending down to "II" on page 3.

The ACTING PRESIDENT pro tempore. Without objection, the excerpt will be printed in the RECORD.

The excerpt is as follows:

I. STUDY AND HEARING

TWOFOLD NATURE OF PROBLEM

The subject of war controls as they have been considered by the Senate Committee on the Judiciary may be divided into two categories:

(1) The most immediate problem and the subject of this report relates to the extensions proposed in the Presidential message dated January 31, 1947, requesting a 1-year extension to March 31, 1948, for titles I and V and for title III for limited purposes of the Second War Powers Act.

(2) The much broader and only slightly less immediate problem relating to all other emergency and wartime controls which (in addition to second war powers controls) come within the purview of Senate Resolution 35. This broader problem is not directly involved in this report.

HEARINGS

Pursuant to the Presidential message dated January 31, 1947, and pursuant also to the provisions of Senate Resolution 35, a subcommittee consisting of Senator WILEY, chairman, and Senator KILGORE, conducted hearings of Government witnesses on Friday, March 7, and Saturday, March 8, 1947, and further conducted hearings of nongovernmental witnesses on Tuesday, March 11, 1947.

STUDIES PRECEDING HEARINGS

Following is an approximate chronology and substantial résumé of the studies preceding the hearings:

On November 29, 1946, the present chairman of the Senate Committee on the Judiciary addressed letters to members of the Cabinet and to the Veterans' Administration stating his belief that termination of wartime and emergency controls would be high on the agenda of the committee and asking for statements of opinion from these offices as to (a) which wartime and emergency powers currently applied to his department or office, (b) which powers could be terminated and why and when, and (c) which powers could not be terminated and how long those powers should remain in force.

Replies to these letters contained or transmitted lists of laws and authorities in answer to (a). None contained complete answers to (b) and (c)—all stating in effect that information pertinent to (b) and (c) had been transmitted or would be transmitted to the President for study and correlation by Dr. John R. Steelman, assistant to the President, and the Attorney General.

By letter dated December 17, 1946, the present chairman called this situation to the attention of the President, asking that the requested information be furnished because of its importance to the formulation of recommendations to the majority conference scheduled for December 30.

By letter dated December 27 the Chief Executive replied in effect that he had directed the Cabinet officers to answer the first question (a): That a complete survey was being made; that the conclusion must be on an over-all basis; not on a departmental basis; and that information would be furnished to Congress as soon as available.

On January 8, 1947, the chairman of the Senate Committee on the Judiciary submitted Senate Document No. 5 to the Senate and introduced Senate Resolution 35 directing the standing committees to make full and complete studies of all existing temporary and permanent wartime legislation and to make recommendations to the Committee on the Judiciary not later than March 15, 1947. The resolution was agreed to on January 29, 1947.

By letters dated January 30, 1947, attention of the various chairmen of the standing committees was directed to Senate Resolution 35 and the required studies.

By letter dated February 8, 1947, following the Presidential message to the Congress dated January 31, 1947, requesting the extension of titles I and V and title III (for limited purposes) of the Second War Powers Act, the chairman of the Senate Committee on the Judiciary again sought the cooperation of the Chief Executive and requested specifically that the President direct the various departments to present justifications for continuation of any specific wartime and emergency authorities deemed absolutely essential.

No substantial information was forthcoming, however, until Tuesday, March 4, 1947, when Mr. Harold Stein, Commissioner of War Mobilization and Reconversion, and Mr. Aaron Lewittes, counsel to Dr. John R. Steelman, and Mr. George T. Washington, Assistant Solicitor General of the Department of Justice, meeting with the chairman of the Senate Committee on the Judiciary and with representatives from the Committees on Armed Services, Banking and Currency, and Interstate and Foreign Commerce, gave assurances that Government witnesses would be available on Friday, March 7, 1947, to present evidence supporting the Presidential request of January 31, 1947.

It is felt that the chronology outlined above clearly indicates delay on the part of the executive department in supplying data and justification evidence to the committee.

In connection with committee consideration of the Second War Powers Act terminations, it should be noted that the Committee on the Judiciary has had the benefit of consultation with the three standing commitees of the Senate involved in the three pertinent titles. These three committees are Armed Services, Banking and Currency, and Inerstate and Foreign Commerce.

In connection with any further report from the Committee on the Judiciary with reference to all other emergency and wartime controls as studied under the terms of Senate Resolution 35, the committee will utilize the reports made by all of the standing committees of the Senate.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. ELLENDER. Do I understand correctly, that should the Senate enact the pending measure it would mean that the allocation and rationing authority would expire on the same day that the Price Control Act expires, that is, June 30?

Mr. WILEY. Yes; and also the export-import control would expire on that day.

Mr. ELLENDER. So that in the event the Senate should enact this legislation all controls over and rationing of sugar would remain in effect until at least June 30?

Mr. WILEY. The pending bill especially excepts sugar. There is a special measure before the Senate dealing with sugar. We have taken sugar out of this measure because of the conflict which otherwise would exist with respect to that subject.

Mr. ELLENDER. I see. I was not aware of such a provision. Would it not be a good idea not to exempt sugar so that in the event Congress should fail to pass sugar legislation by March 31 both the Price Control Act and the Allocation and Rationing Act would expire on June 30?

Mr. WILEY. I might say that my personal answer to that question would be yes. But because of the conflict between the two measures now before the Senate we felt we should resolve all fields of conflict outside this particular proposed extension, so we could get this particular extension passed by the Senate, because it covers the entire field except sugar.

Mr. BARKLEY. And rubber.

Mr. WILEY. A measure relating to rubber has already been passed by the Senate.

Mr. BARKLEY. The object of this temporary extension of 3 months is to enable the Congress to consider to what extent, if at all, there should be any extension beyond June 30 of control over the items which are now under control.

Mr. WILEY. The Senator states the situation perfectly.

Mr. BARKLEY. The President, as we know, has been releasing controls over various commodities as fast as he felt was justified under the circumstances, but there are a few upon which controls must be retained for a while in order that Congress may further examine the question, and not be obliged to act separately on each one of them, as we have done with respect to rubber and are now about to do with respect to sugar. So the measure before us would give Congress a 3-month period in which to determine what shall be done hereafter with respect to all items now under control.

Mr. WILEY. That is exactly the situation existing. I thank the Senator from Kentucky.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the committee amendment to Senate bill 931.

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill (S. 931) was ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF SUGAR CONTROLS

The Senate resumed the consideration of the resolution (S. J. Res. 58) to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on the amendment of the Senator from New Hampshire [Mr. TOBEY] to the first committee amendment.

Mr. WHERRY. Mr. President, the Chair has stated that the pending question is on the amendment offered by the distinguished Senator from New Hampshire [Mr. TOBEY] to the first committee amendment. The amendment of the Senator from New Hampshire is to the committee amendment on page 2, line 20, and proposes at that point to insert a colon before the period and the following: *"And provided further*, That refined sugar shall be allocated for home consumption at a rate of not less than 35 pounds per capita per calendar year, and any increase in the amount of sugar available for allocation in the calendar year 1947 over the amount recommended by the International Emergency Food Council for allocation to the United States for 1947 shall be allocated for home consumption until the allocation for such use equals 50 pounds of refined sugar per capita."

Mr. President, I should like to say for the benefit of the Members of the Senate that as the Committee on Banking and Currency reported the joint resolution it did not contain the provision which the Senator from New Hampshire now proposes to insert in it. It was only after there had been considerable discussion and urging on the part of many Members of the Senate that the amount of the allocation of sugar to the housewife or to the individual be equalized, that the distinguished Senator from New Hampshire apparently then became receptive to incorporating in the joint resolution an amendment which would accomplish the purpose sought by many Senators who had asked for such equalization, by adding to the amount to be allocated to housewives, on the theory that during the past month the housewife had been discriminated against.

We were told in the beginning that it was impossible to do this because the Department did not feel that there was sufficient sugar for that purpose. At that time the Department did not know enough about the Cuban crop, it did not know exactly what the production would be, and did not know exactly what the allocations would be. But since the hearings have been held and since there has been a reexamination of the figures, which are much more encouraging, indicating, for example, an increase in Cuban production, and also the availability of nearly 600,000 tons which the Department did not count on from Cuba, if I remember correctly the figures given by the Senator from Wisconsin [Mr. MCCARTHY], a member of the subcommittee, there seems to be now a disposition on the part of the Department of Agriculture and those in charge of the legislation to agree that it is possible to do the first thing provided by the distinguished Senator from New Hampshire in his amendment, and that is to make a firm commitment of 35 pounds to the individual. I wish to compliment the distinguished Senator from New Hampshire on what he has provided in that respect, because that is exactly what the amendment I am about to offer does, except that I want to go further than the Senator does in the matter of allocation.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. REVERCOMB. I think it would be helpful to us at this time in the discussion if the able Senator were to state the amount of sugar per capita that is being received for domestic use at this time.

Mr. WHERRY. At this time the housewife is being allocated 35 pounds per annum, or rather the individual is being allocated 35 pounds per annum. That, however, is not mandatory. It is under a directive issued by the Department of Agriculture. The amendment offered by the distinguished Senator from New Hampshire would make it mandatory that the individual should receive 35 pounds per annum.

Mr. REVERCOMB. For the sake of clarity, will the able Senator state the amount received per capita during the year 1946?

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. WHERRY. I yield to the Senator from New Hampshire.

Mr. TOBEY. I may say to the distinguished Senator from West Virginia that for the year 1946 the housekeeper or the individual received a total of 25 pounds, 15 pounds for each allotment across the board for any use the individual wanted to put it to, and 10 pounds which were earmarked for canning purposes, making a total of 25 pounds. But I point out, as the Senator doubtless realizes, that many individuals did not use the 10 pounds for canning purposes, but took the 10 pounds for general use.

Mr. REVERCOMB. Many individuals did not make use of the sugar for canning purposes. Did such individuals receive 15 or 25 pounds in the year 1946, that is, was each individual entitled to receive that amount?

Mr. TOBEY. The individual received 25 pounds all in all.

Mr. REVERCOMB. The proposal now before the Senate is that a guarantee be

made of 10 pounds more for each individual?

Mr. TOBEY. The proposal is to guarantee 35 pounds to each individual, or a 40 percent increase.

Mr. REVERCOMB. Which would mean 10 pounds more for each individual for 1947?

Mr. TOBEY. Yes.

Mr. REVERCOMB. I thank the Senator from New Hampshire.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. McCARTHY. I believe it is generally understood that the Senator from Ohio [Mr. BRICKER] and myself, who were members of the subcommittee studying the sugar situation, at the conclusion of the hearings were firmly convinced, and still are firmly convinced, that we have more than enough sugar and that therefore sugar can immediately be decontrolled. I assume it is also understood that the question of rationing or derationing has nothing whatsoever to do with the world allocation program. That would in no way interfere with that program.

However, we have been prevailed upon—at least I have been; I am not sure about my colleague from Ohio—to consider a compromise in the nature of ending allocations as of October 31 of this year, on condition that the housewife get her fair share of the sugar allotment. I took the question up with the Senator from Vermont [Mr. FLANDERS] and suggested that there be added to the joint resolution a provision giving the housewife an additional 10 pounds of sugar during the canning season. The present plan is to give her 10 pounds on July 1. I suggested to the Senator from Vermont that there was sufficient sugar available to give her 20 pounds during that period. He has rejected that suggestion.

The Senator from New Hampshire [Mr. TOBEY] has offered an amendment which I think is completely meaningless—I shall go into that question later—and completely deceptive so far as the housewife is concerned.

Within the past 10 minutes I have received word from the Department of Agriculture that they have gone over the figures which we have been submitting, and now wish to discuss with us the possibility of agreeing to make available to the housewife during the third quarter—that is, during the canning season—a total allotment of 20 pounds of sugar, to be made available half during the first part of the third quarter and half at some other point in the third quarter.

Frankly, I feel that if we could do that, if we could add an additional 10 pounds to the canning sugar ration, personally I would have no objection to extending the controls to October 31, although I can see no reason for it.

I should like to give the figures. I shall not object to being questioned in detail as to the figures. I feel that this is entirely a question of figures. Either we have sufficient sugar to do away with rationing, or we have not. It is a matter of tons.

Originally the Department of Agriculture estimated the Cuban sugar production at 5,000,000 tons for the current year. That figure was later revised upward to five and a half million tons. The rationing program was based upon an assumed Cuban sugar production of five and a half million tons. However, we now have the final figures, and they no longer represent an estimate. As we all know, the harvesting of the Cuban sugar crop commences in January. It ends some time in May or early June. So any figures as to that production are now no longer an estimate. They represent an actual counting of noses.

There has been completed within the past few days a survey of 97 percent of the Cuban sugar producers. The new estimate of the Cuban crop is 6,137,000 tons. I should like to have Senators bear that figure in mind. We have a contract with Cuba, the contents of which seem to be not a matter of general knowledge. I have taken the trouble to go over it very thoroughly. This contract provides that we shall obtain a large percentage of the Cuban sugar crop. The Commodity Credit Corporation has purchased America's quota of the Cuban crop for 1946 and 1947. We shall get all the 1947 crop, less 350,000 short tons for local consumption, and less 300,000 tons for what is referred to as "export free." Ordinarily the 300,000 tons of "export free" sugar would go to Latin America. I am taking the figures of Mr. Marshall, who will be in charge of the sugar-rationing program if and when it is turned over to the Department of Agriculture. He tells us that this year there is a surplus of sugar in the Argentine; there is a surplus of sugar in Peru; and there is a surplus of sugar in Brazil. So it follows, as night follows day, that a part of the 300,000 tons "export free" sugar will be available to us. But even assuming that it is not, let us see how much sugar we can get from Cuba.

Let me make a correction. I stated that we would get all of the Cuban sugar crop, less 350,000 short tons for local consumption and less 300,000 tons for what is referred to as "export free." In addition there has been allocated to foreign nations a total of 1,600,000 tons. This is, roughly, 600,000 tons more than the foreign nations got before the war, but it is made necessary because of the shortage of sugar in other producing areas. So we get all the Cuban crop except a total of 2,250,000 tons.

Coming back to our figures, the original estimate, based upon the estimates which were made at the time when we did not know how much sugar we would get from Cuba, and upon which the Department of Agriculture and the OPA planned their rationing program—and we cannot blame them for it, because that was the best estimate they had at that time—was that we would get 3,146,000 tons of sugar from Cuba. However, taking the revised figures representing the amount of available sugar in Cuba, that figure now goes up to 3,387,000 tons, which gives us an additional 741,000 tons of sugar.

Mr. Marshall takes the position that we should not decontrol. So we cannot very well question his figures when he estimates an additional tonnage. He tells us that Hawaii will give us an extra 50,000 tons over what we originally estimated. So that will give us 791,000 tons of sugar upon which we had not counted.

Mr. WHERRY. Mr. President, perhaps the Senator has already stated it, but if so, I did not hear him. How many tons of sugar would be required to provide an increase of 5 pounds for each individual in the United States?

Mr. McCARTHY. Between 600,000 and 700,000 tons.

Mr. WHERRY. For 5 pounds?

Mr. McCARTHY. No; for 10 pounds.

Mr. WHERRY. How much would be required for 5 pounds?

Mr. McCARTHY. About half that amount.

Mr. WHERRY. How much is that?

Mr. McCARTHY. Approximately 300,000 tons.

Mr. WHERRY. That is, provided they all take the sugar.

Mr. McCARTHY. That is correct.

Mr. WHERRY. Has the Senator any idea how many persons might not take the sugar made available by such an increase?

Mr. McCARTHY. All I can say is that the average prewar consumption of sugar—I do not refer to total consumption, but to the granulated sugar which the housewife buys—was slightly more than 50 pounds a person. Again, that figure is deceptive in that the housewife in the lower-income group, the woman with a family of four, five, six, or seven children, ordinarily does her own canning and preserving of fruit. She uses far more than 50 pounds. The housewife in the higher-income group, who does not do her own preserving of fruits and vegetables, uses much less. I could not make a guess. I know that many farm women use 100 pounds of sugar during the canning season. My mother, who had seven children, used to get 100 pounds of sugar to put up her fruits and berries. Undoubtedly many housewives in the upper-income brackets would not take the additional 5 or 10 pounds of sugar. I hope they would know some woman on a farm or in the lower-income group to whom to give the sugar.

This one figure gives us nearly 800,000 tons of sugar. I am proposing a 10-pound increase, and I believe the Agriculture Department will go along with me. We have the figures to show that the sugar is available.

Mr. WHERRY. If there is an increase of 5 pounds per individual, or 10 pounds——

Mr. McCARTHY. Let us talk about 10 pounds.

Mr. WHERRY. The Senator's point is that not all individuals will consume that increase.

Mr. McCARTHY. I think there is no question about it. At present some of the women in the higher income group do not use their full quota. I talked with some ladies in the Press Gallery, and they say they have plenty of sugar. They do not do their own canning and preserving. I presume that is true of one or two million families.

Let me point out this further fact in connection with the question of surplus sugar. At the beginning of this year, using round figures, we had a stock pile or inventory—call it what we may—of

1,400,000 tons of sugar. It is proposed that we ration 6,800,000 tons, based on a Cuban production of 5,500,000 tons, and that we add to our stock pile half a million tons of sugar, so that at the end of the year, instead of having a stock pile of 1,400,000 tons, we shall have built the stock pile up to 1,900,000 tons. So we have the fantastic picture of attempting during a period of scarcity to increase the stock pile by half a million tons.

Let me quote briefly from the hearings——

Mr. WHERRY. Let me propound a question to the Senator while he is looking up his reference. The Senator was a member of the subcommittee and heard the testimony. What evidence was submitted that we need an addition of 500,000 tons to the stock pile?

Mr. McCARTHY. The reasons given were varied. Mr. Marshall appeared before the subcommittee. As bearing upon the Senator's question, I propounded this question to him:

Just one further question: Mr. Marshall, in view of the world food shortage, in view of the apparently undisputed fact that unless the milk processors get more sugar there will be a great waste of food, namely, milk, would you not think it might be wise, even if you continue rationing, instead of building up the stock pile in the United States by 500,000 tons during the current year, that you take at least a part of that 500,000 tons and allocate that to the milk processors?

That is the question which I propounded to Mr. Marshall.

He did not agree to that. However, the next day Mr. Anderson said they would use part of the 500,000 tons for milk processors to prevent milk from being wasted.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. McCARTHY. Let me finish my answer first.

There were a number of excuses given. One of the gentlemen said that the reason we had to build up the stock pile was to bring it up to normal; that, regardless of whether we were in a period of scarcity or of plenty, there should be an increase in order to maintain a normal stock pile.

Another gentleman—all of them were opposing derationing or decontrol—said that unless we had a stock pile of 1,900,000 tons some hardship would be entailed in moving sugar from the west coast to the east coast. At that time the statement was made that the 1947 beet crop would not be available for consumption until 1948.

In making that statement that gentleman did not check the Department's own records.

Mr. FLANDERS. Mr. President, the Senator is getting away from the point on which I wanted to question him.

Mr. McCARTHY. I shall not yield to the Senator until I finish my answer.

I have in the pile of material before me some charts issued by the Department of Commerce in which they show that, beginning in February, Cuban sugar is not available to the refineries but is available to the consuming public on a fairly even scale from February until late in August. The charts also show that the beet crop, starting in the West and slowly rolling eastward, becomes available before the first of the year, and that the low point of availability of sugar is some time in September. I understand that the low point in consumption is after the canning season has ended.

I now yield to the Senator from Vermont.

Mr. WHERRY. I shall be glad to yield to the Senator from Vermont to ask a question of the Senator from Wisconsin.

Mr. McCARTHY. Let me apologize to the Senator from Nebraska for taking his time. I forgot that he had the floor.

Mr. FLANDERS. The Senator from Wisconsin has raised questions so fast that I am having difficulty in keeping up with him. I should like, first, to refer to the 500,000 tons which has been spoken of as being added to the stock pile of the United States this year. That is not the plan of the Department of Agriculture and the OPA. As was repeatedly stated, the Department's figure for additions to stock this year is 458,000 tons, the difference between the anticipated stock of 1,900,000 tons on January 1, 1948, and the 1,440,000 tons which existed on January 1, 1947.

This increase in stock is largely the automatic result of the large beet-sugar crop which is expected this fall. The beet-sugar crop of 1947 will begin to reach the market in late 1947. Only a small portion of this year's crop can be marketed during the last 3 months of the year.

I merely want to indicate, in regard to the first question, that there is an automatic increase due to beet sugar.

On the various points on which I am at issue with the Senator from Wisconsin, I wish to say that we cannot deal cavalierly with the question of sugar stocks. Figures regarding the Cuban crop, the receipts, the amounts——

Mr. McCARTHY. Mr. President, I sat here for 4 hours yesterday while the Senator from New Hampshire [Mr. TOBEY] and the Senator from Vermont [Mr. FLANDERS] held the floor on this subject. I do not object to being asked questions, but I do not think the Senator should make a speech at this time. I do not mind being questioned thoroughly on anything I say, but I would prefer that the Senator not make a speech until I have concluded.

Mr. FLANDERS. I was under the impression, after listening to the speech of the Senator from Wisconsin, that he was not present during the remarks made yesterday.

Mr. DONNELL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. DONNELL. Who has the floor?

The PRESIDENT pro tempore. The Senator from Nebraska [Mr. WHERRY] has the floor.

Mr. DONNELL. So I understood.

Mr. TOBEY. Mr. President——

Mr. WHERRY. I yield to the Senator from New Hampshire in order that he may ask a question.

Mr. TOBEY. Did I correctly understand the Senator in the course of his remarks to make the statement that he had talked with representatives of the Department of Agriculture and that they had agreed that ten additional pounds of sugar could be allotted to housewives?

Mr. McCARTHY. The assistant to the Senator from Nebraska [Mr. WHERRY] stated that the gentlemen from the Agricultural Department wanted to discuss this matter with us and talk about the possibility of allocating 20 pounds instead of 10 pounds during the third quarter, which is the canning season, on the basis of giving part of it at the beginning of the period and part later during that period.

Mr. TOBEY. Was it the understanding of the Senator from Wisconsin with reference to increasing the allotment for the calendar year from 35 pounds to 45 pounds, or did he mean merely to speed up and give 10 pounds of the 35 pounds to housewives to be used at canning time, continuing the total allottment at 35 pounds?

Mr. McCARTHY. In view of the fact that I feel confident that sugar rationing will not be extended beyond October 31, I frankly do not care what anyone has in mind for any period beyond October 31.

Mr. TOBEY. No; but let me point out that a few minutes ago the Senator stated, as I think the RECORD will show, that he talked to the Department of Agriculture and they advised him that they could give 10 pounds more sugar this year.

Mr. McCARTHY. Mr. President, the gentleman from the Department will be here shortly.

Mr. TOBEY. That is not the question. I ask the Senator whether he said that or whether he did not say it?

Mr. McCARTHY. Mr. President, I ask the Senator to let me finish.

Mr. TOBEY. Mr. President, the Senator from Wisconsin is not answering the question. He is dodging it.

Mr. McCARTHY. Mr. President, I ask the Senator to let me finish. The gentleman from the Department will be here shortly. What I have stated is the word I have received; namely, that they can give the 20 pounds which I mentioned. I shall be glad to have the Senator from New Hampshire sit down with us when the gentleman comes, and I shall be glad to ask him a further question.

Mr. TOBEY. Mr. President, I ask the Senator to wait a moment. He talks too fast.

Mr. McCARTHY. Mr. President, if the Department of Agriculture does agree with me on my findings that we can give the housewife an additional 10 pounds of sugar during the canning season, then I ask whether the Senator from New Hampshire will go along with that idea, or will he still insist that the industrial user get it?

Mr. TOBEY. Mr. President, I will answer the Senator's statement now and forthrightly; here the answer comes: The Department of Agriculture's announced position was misrepresented by the Senator from Wisconsin today. Here is the answer which came from Secretary Anderson just 3 minutes ago, over the telephone, to me:

I authorize you to state that I have not, at any time, made a statement that we can give more sugar for home consumption now.

What I did tell Senator McCARTHY was simply that we were happy that we could now allot 10 pounds per person for home consumption over and above what we gave them last year.

I stand unqualifiedly behind the 35 pounds, and there is no more sugar available for home consumption. But I support your amendment that if any more does come across the horizon, we will allocate it to the housewives.

That is Secretary Anderson's statement, and it refutes the statement which has been made by the Senator from Wisconsin.

Mr. McCARTHY. Then, Mr. President, let me say that in view of the unquestioned figures, I do not give a tinker's dam what Secretary Anderson says about the matter. The sugar is here.

Mr. TOBEY. But he has said the sugar is not available. That is his own statement. Yet the Senator from Wisconsin, putting himself in a higher orbit, above Secretary Anderson, the Secretary of Agriculture, says the sugar is available. On a question of veracity, I would not choose between the two gentlemen, but on a question of fact, I take the Secretary of Agriculture any time.

Mr. McCARTHY. Mr. President, do I still have the floor.

The PRESIDENT pro tempore. The Senator from Nebraska has the floor.

Mr. WHERRY. Mr. President, I am glad to yield to the Senator for an observation.

Mr. McCARTHY. I wish to point out to the Senator from New Hampshire that we sat through more than 2 weeks of hearings on this question. We heard all the available evidence. Mr. Anderson was not there.

Mr. DONNELL. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. DONNELL. I desire to state that, as I understand the rule, a Senator who has the floor cannot yield save for questions. I now make the point of order that the recent debate has gone entirely too far, and that the Senator from Nebraska can yield only for a question.

The PRESIDENT pro tempore. The Senator from Missouri is entirely correct in his interpretation of the rule. Under the latitude of debate, it is the practice of the Senate to permit substantial interruptions, but at any time a Senator wishes to call for the enforcement of the rule he is entitled to do so. The Chair is forced to rule that the Senator from Nebraska can yield only for a question.

Mr. WHERRY. Mr. President, I shall be glad to yield to the Senator from Wisconsin for a question.

Mr. McCARTHY. Mr. President, let me point out that I may be rather long-winded in answering the question, but I am answering it. If there is objection to this procedure, I should like to request the Senator from Nebraska to yield the floor to me.

The PRESIDENT pro tempore. The Senator from Nebraska has the floor.

Mr. McCARTHY. Let me say to the Senator that in view of the fact that I have spent a great deal of time on this matter, I shall get all the figures at my fingertips. If the Senator from Missouri [Mr. DONNELL] objects to having me take the floor in this manner, I should like to suggest, respectfully, that the Senator from Nebraska yield the floor to me.

Mr. WHERRY. Mr. President, I shall be glad to yield the floor when I conclude my statement. I cannot yield the floor at this time to the Senator from Wisconsin unless he is recognized. However, he can get the floor in his own right when I have concluded my statement.

The PRESIDENT pro tempore. The Senator from Nebraska is recognized for the moment.

Mr. WHERRY. Mr. President, I should like to continue and conclude my statement relative to the amendment which I hope to offer in the event the amendment now being considered, which has been offered by the distinguished Senator from New Hampshire [Mr. TOBEY], is defeated.

Let me explain the present parliamentary situation. The amendment which the distinguished Senator from New Hampshire has offered is an amendment in the second degree. It is impossible for a Senator to offer another amendment changing any of the provisions of his amendment, under those circumstances. Another amendment—one requiring the allotment of more pounds or requiring more firm commitments—can be made only if the amendment which has been offered by the Senator from New Hampshire is rejected.

I have been endeavoring to point out the difference between his amendment and the one which I propose to offer if his amendment is defeated. I hope it will be defeated; but I have tried to say as kindly as possible that in the first part of his amendment he is attempting in principle to do what I am attempting to do, but his amendment does not go as far as mine does. In other words, the distinguished Senator from New Hampshire [Mr. TOBEY], the chairman of the Banking and Currency Committee, who is speaking here for the Department of Agriculture, because he is receiving letters and telephone calls from the Department——

Mr. TOBEY. Mr. President, the Department of Agriculture is not my tutelary deity; but after all, the witnesses from the Department of Agriculture are the principal witnesses, and I am taking the position that they can be depended upon to tell the truth.

Mr. WHERRY. Mr. President, I am not taking exception to the Senator's statement. But after consulting with the Department of Agriculture, as is evidenced by the letters which have been read into the RECORD and the observations which the Senator has made, based upon telephone calls—one of them made only 3 minutes ago—there seems to be considerable confusion in the Department of Agriculture and the Committee on Banking and Currency as to what can be done in the way of a firm commitment.

Mr. TOBEY. Mr. President, will the Senator yield there?

Mr. WHERRY. I ask the Senator to wait a moment.

Mr. President, further evidence is presented to us by the fact that when the bill was reported by the Banking and Currency Committee, it did not provide for the firm commitment which now is proposed by the amendment of the distinguished Senator from New Hampshire, chairman of the Banking and Currency Committee, namely a commitment for 35 pounds. So in the last 3 or 4 days we have pried loose, apparently, an available sugar supply, as to which the Secretary of Agriculture now has advised us that we can give the housewife or the individual 35 pounds, although that was not provided for when the bill came from the Committee on Banking and Currency.

Mr. McCARTHY. Mr. President, will the Senator yield to me?

Mr. WHERRY. I yield first to the distinguished Senator from New Hampshire, who first requested that I yield.

Mr. TOBEY. I thank the Senator for his courtesy.

Mr. President, the distinction the Senator from Nebraska has made is a distinction without a difference. The point I affirm is that when the bill came from the Committee on Banking and Currency, as both the hearings and all the evidence will show, the intention was to give the 35 pounds. But I am one of those who like to have things ironclad, so I simply provided that the 35-pound allotment should be mandatory, that it should be a mandatory feature of the bill, instead of simply being based on the assurance of the Department. That is all.

Mr. WHERRY. Yes; and we are not in disagreement as to that.

Mr. TOBEY. No; not at all.

Mr. WHERRY. Let me state in one sentence what the Senator's amendment does. His amendment now provides that for the individual, the firm commitment per annum will be 35 pounds. He also provides in his amendment that if there is any increase above the allocation allotted to the International Board—the I. E. C.—which amounts to 6,800,000 tons, the housewives shall have priority use to 50 pounds a person.

Mr. TOBEY. That is correct—which is the amount they had before the war.

Mr. WHERRY. Yes. I think that is the amendment, fairly stated.

The amendment I intend to offer came about after a conference we had with the distinguished Senator from New Hampshire and the other members of the Banking and Currency Committee who submitted the majority report, as well as with the members of the committee who submitted minority views. The first commitment was simply that if there was an increase in the sugar supply, 35 pounds would be given. This amendment provides for a commitment of 35 pounds, for which we are hopeful.

The amendment I shall offer, if the amendment of the Senator from New Hampshire is defeated, provides for 40 pounds a person for the current year. That is an addition of 5 pounds per capita.

To be perfectly frank about it, there is no dispute that that will require approximately 375,000 tons, if all the individuals ask for the additional sugar

that is allocated. However, that does not mean that the entire 375,000 tons will be used, because not all of them might ask for that much sugar, as has been ably explained by the distinguished Senator from Wisconsin; and I think all of us will agree to that.

Mr. REVERCOMB rose.

Mr. WHERRY. I am glad to yield to the Senator from West Virginia.

Mr. REVERCOMB. If 375,000 tons, approximately, is required in order to provide for the additional 5 pounds per capita, let me ask the Senator what is to be done with the additional 700,000 tons which it has been discovered will be added to the sugar supply, but which was not known, as I understand, when the bill was reported by the committee?

Mr. WHERRY. Mr. President, I shall answer that question in the remarks I am about to make. My amendment has to do with that matter.

Mr. REVERCOMB. As I understand from the figures given by the Senator from Wisconsin [Mr. McCARTHY] in his very able discussion showing a splendid knowledge of this subject and deep study of it, it has been discovered that we may receive an additional seven-hundred-thousand-odd tons of sugar which we did not know we would receive when the original bill came to the floor of the Senate. Is that correct?

Mr. WHERRY. That is the statement made by the Senator from Wisconsin [Mr. McCARTHY], and as a member of the subcommittee he had the evidence, and the figures as he interpreted them warrant that statement. That is not my statement. I am not familiar with the figures he presented.

Mr. REVERCOMB. The Senator from Nebraska says he wants to add 5 pounds, which will take up only three-hundred-and-some-odd thousand of the seven-hundred-thousand-odd. The question is, What is to be done with the remainder of the tonnage?

Mr. WHERRY. In answer to the question of the distinguished Senator, which is a very fair one, the last paragraph of the amendment I propose to offer, if the amendment of the distinguished Senator from New Hampshire should be defeated, provides:

> In the event the quantity allocated to nonprovisional industrial users during the portion of the period from April 1, 1947, until the expiration of the allocation authority is increased above the base allocation of such users, the quantity herein required to be allocated for home consumption during such portion of such period shall be appropriately increased.

That is, the difference between what the firm commitment is and any increased quantity of sugar which may become available will be allocated proportionately to the housewives and the industrial users.

Mr. FERGUSON. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I yield.

Mr. FERGUSON. In other words, the Senator provides a firm commitment, and then he adopts the amendment of the Senator from New Hampshire?

Mr. WHERRY. No, Mr. President, that is not my amendment. My amendment provides that if any allocations are made from any source of supply above that now estimated they must be made on a proportionate basis between the housewives and the industrial users.

Mr. FERGUSON. I thank the Senator. I see the distinction.

Mr. LANGER. It would be in proportion?

Mr. WHERRY. If industry or any segment of industry is given an increase of, say, 5 percent, the same proportionate percentage of increase would have to be given to the housewife.

Mr. FERGUSON. What are we going to do about the fact that industry in the past has had 10 percent more than the housewife? Is it not time that at least this year, when the cost of living is high, the housewife should be permitted to have an increase? That is why I am in favor of the amendment of the Senator from Nebraska; but if we cannot obtain the amendment of the Senator from Nebraska, I shall support the amendment of the Senator from New Hampshire. I think, however, that the proposal of the Senator from Nebraska is better from the standpoint of assuring additional sugar to the housewife for the coming year.

Mr. WHERRY. I thank the distinguished Senator for the observation.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. WHERRY. The Senator from North Dakota was questioning me.

Mr. LANGER. I wanted to know if the proportionate division would come after the 10 percent.

Mr. WHERRY. Oh, yes; that is in addition to the firm commitment that has been made of the 35 pounds. If this amendment shall be agreed to, it would be above the 40 pounds.

Mr. TOBEY. Mr. President, if the Senator from Nebraska will yield; I did not catch the suggestion of the Senator from Michigan.

Mr. FERGUSON. What I have in mind is that if the amendment of the Senator from Nebraska cannot be adopted, I naturally favor the amendment of the Senator from New Hampshire. The only reason why I voted to table the amendment of the Senator from New Hampshire yesterday was in order that the amendment of the Senator from Nebraska might be voted upon. My reason for the statement I made is that in the past, as the information comes to me, industry has received 10 percent more sugar, in proportion, than the housewife has received, and from what I learn from housewives, and others who do canning, when the cost of living is so high, they need the sugar. The time has come, in my opinion—it has been in the past, for that matter—when the housewife should be able to obtain sugar at least on an equal basis with industry, or, in proportion, more than industry, when we consider that some of the industries' use is certainly for the production of luxuries, compared with the actual use to which the housewife puts the sugar.

Mr. TOBEY. It seems to me the Senator is very much in favor of my amendment, without realizing it.

Mr. FERGUSON. I am in favor of the Senator's amendment providing we cannot get the amendment of the Senator from Nebraska.

Mr. TOBEY. The Senator from Nebraska would give 5 pounds more, making it mandatory, making it 40 instead of 35.

Mr. WHERRY. That is correct.

Mr. TOBEY. My amendment is inclusive. If the sugar is not available, the Department cannot allot 5 pounds more, and they have said they cannot. Secretary Anderson said this morning they cannot. I point out the fact that my amendment makes it mandatory that if there appears on the horizon an increase in the allocation recommended by the international organization it is to be prorated among the housewives of the country, whether it be 5 pounds or 15 pounds. The ceiling is 50 pounds.

Mr. FERGUSON. If it were not for the word "if" in the amendment, there would not be so much difficulty. The Senator from Nebraska wants to give an additional amount to the housewife.

Mr. TOBEY. He wants to give it even though it is not available.

Mr. FERGUSON. He wants to take it away from the so-called industrial users, which I think should be done.

Mr. WHERRY. Mr. President, I am glad to yield for any question, but at least I should like to interpret my own amendment, and not have it misinterpreted.

Mr. TOBEY. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. The Chair reminds the Senator that the Chair is under the compulsion of enforcing the rule strictly. Does the Senator yield to the Senator from New Hampshire?

Mr. WHERRY. I am glad to yield.

Mr. TOBEY. My question is addressed to the two Senators jointly. Do the Senators from Michigan and Nebraska realize that there is in this country today a far larger number of businessmen engaged in businesses using sugar than we ever had before the war? Eight thousand veterans have come back and gone into industries which require the use of sugar, which has increased the commercial uses, and the spread between the industrial users and housewives varies around 50 as a median point, a little above 50 and a little below 50 at the present time. That allocation has been gone over most carefully. I wonder whether the Senators realize that that is the Department's position.

Mr. McCARTHY. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I am glad to yield to the Senator from Wisconsin.

Mr. McCARTHY. I wish to read very briefly from the evidence taken at the hearings on the question being covered by the Senator from New Hampshire and the Senator from Nebraska. I was questioning Mr. Overman, who represented, according to his own testimony, a tremendous number of industrial users. I read:

> Senator McCARTHY. On further question: You recognize, of course, the fact that the average farm wife, as well as many other housewives, are processors of food?
>
> You realize that women in the small towns and farming areas do their own canning, they

put up their own jellies and preserves, you know that, do you not?

Mr. OVERMAN. That is right.

Senator MCCARTHY. When you allot such a woman 35 pounds of sugar, do you realize that is far below the 80 percent which it is proposed your industry be allowed? There is no question about that, is there?

Mr. OVERMAN. That is true.

Let me reread that question and answer by the man who is here representing the industrial user:

Senator MCCARTHY. When you allot such a woman 35 pounds of sugar, do you realize that is far below the 80 percent which it is proposed your industry be allowed? There is no question about that, is there?

Mr. OVERMAN. That is true.

Senator MCCARTHY. Would you recommend that we reduce your 80 percent sizably and try to level off this situation and give the housewife some more?

Mr. OVERMAN. I would hesitate to recommend that, certainly.

Senator MCCARTHY. In other words, you say that we have been unfair to the housewife who cans her own food, but, representing bottling works as you do, you would recommend against trying to alleviate that condition?

Mr. OVERMAN. For the moment I would, sir.

Senator MCCARTHY. In other words, you say that you have the sugar, she is not being treated fairly. "As long as we have got it, let us keep it," that is your answer?

Mr. OVERMAN. It is not. To tell the truth, if historical rationing had followed through as intended, from the start, I think we would have had a much different picture, and you would not have had this criticism of all industry because they have gotten a little additional perhaps over the housewife.

In other words, historical rationing, as I understand it, was based upon what the public asked for prior to the war, what the public had set up as its pattern of purchases.

If it was in soft drinks, it meant a certain pattern of the brands they liked—or in jellies, jams, and preserves.

I had set its pattern of what it wanted.

A historical pattern of what the public preferred had been set up, and I think the OPA and the rules made a definite effort to reflect that pattern.

However, there have been pressures, and the soft-drink industries certainly have not profited by that.

They are perhaps one of the few who have been held to the 50, 60, and 70 percent, with very little opportunity of using substitute sweeteners and with certainly no history of having increased their business by 400 percent during the time when this rationing was in effect, so if there is any complaint from the housewife it certainly does not come from the—it should not be laid down at the door of the soft-drink industry.

Senator MCCARTHY. You understand you are in a rather peculiar position. You admit that while it is proposed that your particular industry gets 80 percent of its normal sugar consumption, that the housewife is presently getting far below that percentage.

I then asked you a question. I said: "Would you recommend that in view of this unfairness, that we try to at least bring things into balance by reducing the amount of sugar which your bottling companies and confectioners get and increasing the amount of sugar that the housewife who processes fruits and berries gets?" Your answer to that, I gather, is "No"; you think we should continue this unfairness.

At that point the Senator from Vermont [Mr. FLANDERS] came to the rescue of the man who was representing the industrial users, and would not allow him to answer the question.

Mr. FLANDERS. Mr. President, will the Senator yield? I rise to a question of personal privilege.

The PRESIDENT pro tempore. The Senator will state his question of privilege.

Mr. FLANDERS. Instead of making that statement, may I ask the Senator if he will read from the RECORD?

Mr. MCCARTHY. I shall be glad to do so. I quote:

Senator FLANDERS. If I were in Mr. Overman's position across the table, I think I would suggest that the extra sugar be taken from the processors of jams and preserves rather than from myself.

I made exactly that suggestion to the Senator from Vermont, and he said, "No, we will not do it; we are going to introduce some type of fictitious amendment which in effect will do nothing more nor less than deceive the housewife"——

Mr. FLANDERS. Mr. President, I rise to a point of order.

Mr. MCCARTHY. And the Tobey amendment——

Mr. TOBEY. Mr. President, that is a personal challenge, and I demand an opportunity to answer it.

The PRESIDENT pro tempore. The Senator from Nebraska has the floor.

Mr. TOBEY. I rise to a question of personal privilege. The Senator made a charge against me of offering a fictitious amendment. I want to answer it.

The PRESIDENT pro tempore. The Senator from New Hampshire will have to ask the Senator from Nebraska to yield.

Mr. TOBEY. I ask to be heard on a matter of personal privilege.

The PRESIDENT pro tempore. The Chair is advised by the Parliamentarian that the Senator from New Hampshire is required to request the Senator from Nebraska to yield.

Mr. TOBEY. I ask that the Senator yield.

Mr. WHERRY. I yield.

Mr. TOBEY. I heard the statement by the Senator from Wisconsin. My hearing is fairly good. The Senator just said, "The Senator from Vermont said, 'We are going to introduce a fictitious amendment to cover this matter.'" He charged that my amendment is deceptive and fictitious. I take exception to his derogatory remarks. The Senator's statement, I submit, far contravenes the truth, to put it plainly. I want to go a little further and say that this amendment was not offered as a fictitious amendment, but as an honest-to-God amendment—as sincerely as anything the Senator from Wisconsin ever wanted to do. I stand here and defend a fellow Senator. To call it fictitious is not a fair commentary on the Senator's action.

Mr. MCCARTHY. Mr. President——

Mr. TOBEY. I am not quite through yet, sir. I point out that the Senator is confusing the Senate of the United States by a heterogeneous mass of figures, which will not stand test of accuracy, and will be taken care of a little bit later by the Senator from Vermont and the Senator from New Hampshire with interest.

Mr. MCCARTHY. Mr. President, will the Senator from Nebraska yield, so that I may answer the Senator from New Hampshire?

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Wisconsin?

Mr. WHERRY. I shall be glad to yield so that the Senator from Wisconsin may reply to the Senator from New Hampshire.

Mr. MCCARTHY. In answer, Mr. President, I might say that anyone who sat through the sugar hearings, who heard Mr. Dice testify, who knows that if the Department of Agriculture takes over the rationing of sugar, Mr. Dice, who was only temporarily loaned to OPA, will return to the Department and will still be in charge, must realize that the Senator's amendment will mean absolutely nothing, except that it will mislead the American public. I can find in the record two or three or four cases—I shall be glad to point them out to the Senator—where the industrial users repeatedly referred to Mr. Dice as "our friend, Mr. Dice."

The PRESIDENT pro tempore. Under the point of order made by the Senator from Missouri, the Chair is forced to say again to the Senator from Nebraska that he can yield only for a question, or he will lose the floor.

Mr. WHERRY. Mr. President, returning to the statement that I was making on the amendment which I desire to offer, in the event the amendment of the distinguished Senator from New Hampshire is rejected, as I hope that it will be, I should like to call the attention of the Senate to the provisions of my amendment so that the Senate will have the information, and so that when the amendment offered by the Senator from New Hampshire is voted upon, the Senators can make up their minds whether they care to support his amendment or the one I expect to propose.

Mr. MARTIN. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. MARTIN. I should like to ask unanimous consent that I be excused for the remainder of the afternoon, to attend to some other very important business.

The PRESIDENT pro tempore. Without objection, the consent is granted.

Mr. WHERRY. Mr. President, as I said a moment ago, as I analyze the amendment offered by the distinguished Senator from New Hampshire, it now proposes to give a firm commitment of 35 pounds to the individual consumer; and, certainly, if there is an increase above the 6,800,000-ton figure, then the Senator proposes to give a priority to the housewife up to 50 pounds.

Mr. President, in the amendment that I shall offer I propose to give the individual 40 pounds of sugar. Regardless of whether there is an increase in the supply, the 40-pound provision of the amendment runs straight across the board.

One of the reasons why I think individual consumers are entitled to it is made plain in the very forceful argument made by the distinguished Senator from Michigan that it has been admitted

in the hearings by the industrial users of sugar that there has been a discrimination in the percentage the housewife has had compared with industrial users.

Mr. McCARTHY. Mr. President, will the Senator yield for a question?

Mr. WHERRY. I am glad to yield for a question.

Mr. McCARTHY. The Senator has an amendment which has been printed, and which is lying on the table. He has another amendment on his desk, which contains certain language suggested by myself. I am very curious to know which amendment the Senator proposes to offer if and when the amendment proposed by the Senator from New Hampshire is defeated.

Mr. WHERRY. Mr. President, I shall not read it, but I send the amendment to the desk and ask that the clerk read it for the information of the Senate.

The PRESIDENT pro tempore. Without objection, the clerk will read the amendment for the information of the Senate.

The CHIEF CLERK. Before the period on page 2, line 20, it is proposed to insert a colon, and the following: "*And provided further*, That in exercising the authority extended by this act, the Secretary of Agriculture shall allocate, and permit the purchase of, refined sugar for home consumption at a rate of not less than 40 pounds per person per year; providing further that having in mind the need for sugar for home-canning purposes not less than 15 pounds per person shall be made available for home consumption during the third quarter of 1947. In the event the quantity allocated to nonprovisional industrial users during any portion of the period from April 1, 1947, until the expiration of the allocation authority is increased above the allocation of such users, the quantity herein required to be allocated for home consumption during such portion of such period shall be proportionately increased."

Mr. WHERRY. Mr. President, the amendment really can be explained very simply. There are three provisions. One is that the housewife gets 40 pounds. It is possible to cite a vast array of figures. I want to say that while there seems to be considerable disagreement among some of the distinguished members of the Committee on Banking and Currency, I compliment the work of the subcommittee, including the distinguished Senator from Vermont, the chairman of the subcommittee, and those who helped him, the Senator from Wisconsin, and the Senator from Ohio; and I also commend the leadership of the chairman of the Committee on Banking and Currency in this sugar problem. It is an acute problem, and it is a difficult one to settle. All of us have our respective opinions about what should or should not be done, but it is my humble opinion, after listening to the testimony and after learning about the discriminations which the housewife has experienced in the past, that the time has come when we ought to eliminate that discrimination, we ought to try to make some retribution for it. As a compromise, I think that giving them five additional pounds over this firm commitment can be reached, if we try it. I do not take exception to the remarks of the distinguished Senator from New Hampshire, the chairman of the Committee on Banking and Currency; neither do I dispute the letter written by the Secretary of Agriculture.

I should like to say for the RECORD that I have much confidence in, and I highly respect, Clinton P. Anderson, the Secretary of Agriculture. No one was more helpful to me when I was gathering statistics relating to the meat situation durthe Seventy-ninth Congress than was the distinguished Secretary of Agriculture, and I appreciate what he did. I respect his point of view. He takes the position that any other administrator would take. The final figure for the sugar still depends upon the weather in Cuba. There are certain things about which the Secretary might be apprehensive. His position at this time is that possibly there might be some doubt respecting the size of the sugar crop. He has not given me a clearance that we should provide 40 pounds, and I wish so to state now to the Senate. But his Department has led me to believe that there will be the expected increase in the sugar crop. The figure given by the distinguished Senator from Wisconsin in respect to stock piling 500,000 additional tons certainly should have our careful consideration.

Mr. President, the fact that the chairman of the Committee on Banking and Currency has offered an amendment which would make a firm commitment of 35 pounds convinces me that there is ground for optimism with respect to the increased sugar production in Cuba, and that we may expect an increase not only from Cuba but from other countries of the world. My amendment, however, provides that the individual consumer shall be allotted 40 pounds of sugar. I think that can be done. If the feeling prevails that 35 pounds can be allotted to each individual, I think it can be increased to 40 pounds. That would represent an increase of only 375,000 tons.

Mr. President, in considering the various figures we are assuming that each individual would avail himself of the amount allotted. The Department of Commerce estimates that only 30,000,000 individuals will use their full allotments. So it cannot be said with certainty that an allotment of 40 pounds to each individual will require an addition of 375,000 tons. Only if every last citizen of the United States asks for the proposed additional sugar allotment will 375,000 tons additional be required.

Mr. President, I think we are a little bit too apprehensive respecting the existing situation. I think some extravagant statements have been made here as to what can or what cannot be done. I think the Department of Agriculture can shoot at the figure of 40 pounds for each individual without creating as much disturbance as has been indicated might result. Such things have been done in connection with other commodities, and I am satisfied they can be done with respect to sugar.

I doubt if anyone, even the Secretary of Agriculture, can state with authority that there can or cannot be an increase to 40 pounds for each individual. What can be done is to make use of all the available statistics, and make an estimate on that basis. But between now and the time the housewives receive the proposed allotment of 40 pounds, it may be that 50 pounds instead of 40 will be available.

I believe, on the basis of the crop reports and the statistics furnished by the distinguished Senator from Wisconsin that we can pick up the additional sugar needed to provide 40 pounds for each individual, without jeopardizing to any great extent the distribution of sugar throughout the United States. In fact I have been told that a fairer estimate would be that there will be an additional 100,000 tons available above the amount heretofore suggested. But once again I say I cannot give any authority for such an estimate. I suppose the Secretary of Agriculture is as high an authority as we can avail ourselves of. But like all administrators, he surely does not want to make a commitment which he himself probably feels cannot be fulfilled by reason of weather conditions or for other reasons.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. WHERRY. I yield for a question.

Mr. TOBEY. The Senator from Nebraska spoke about someone having told him that there would probably be 100,000 tons of sugar additional coming along over and above other figures which have been suggested.

Mr. WHERRY. I should like to correct that statement. What I meant to say was that 100,000 tons additional might be required if an allotment of 40 pounds to each individual were made.

Mr. TOBEY. My purpose in rising was to call the attention of the Senate to the fact that should the mythical 100,000 tons additional which may be needed appear on the horizon and in fact become available, under the Tobey amendment that amount would go to the housewife. Would it not?

Mr. WHERRY. I feel that the amendment does provide that it should go to the housewife.

Mr. TOBEY. Under my amendment it would be mandatory, would it not?

Mr. WHERRY. If the amount is rationed.

Mr. TOBEY. It is mandatory, is it not?

Mr. WHERRY. I shall come to that point in a moment when I discuss the provisions of the Senator's amendment and compare his proposal for increase with my proposal.

The second part of my amendment has not been touched upon to any great length up to this time. During the first quarter of this year there was an allocation of 5 pounds of sugar to each individual, that is for the months of January, February, and March. In the second quarter an allocation of 10 pounds of sugar is made, for the months of April, May, and June. My amendment

provides that for the third quarter of this year there shall be allotted for the use of the individual, or I might say the housewife, because the third quarter is the canning season, 15 pounds of sugar. That is a firm commitment which is not contained in the Senator's amendment. I feel that if there is any time of the year when this proposed increase is needed, it is during the canning season. So I ask that an additional 5 pounds of sugar, as provided in my amendment, be allocated during the third quarter. My amendment does not disturb the situation in the first quarter or in the second quarter, but it provides that in the third quarter, that is during the months of August and September, a total of 15 pounds of sugar shall be allotted to each individual.

My reason for proposing an allotment of 15 pounds during the third quarter is obvious, and does not require any lengthy explanation. My proposal is simply that an additional 5 pounds shall be given the individual, or the housewife, during the time of year when it is most needed, which is during the canning season.

Mr. President, I have received hundreds of letters telling of food spoilage, or fruit that has been lost simply because there was not sufficient sugar to preserve it. We are paying out millions of dollars to provide floors for agricultural products, but on the other hand, we permit vegetables and fruit to go to waste, to be dumped into the sewers, because sufficient sugar is not allotted for preserving purposes. It is nonsense to have floors under agricultural production, and to encourage the fruit and vegetable producers to greater production, and then deny sugar to preserve the increased production. So the least we can do, if it is possible, is to provide 5 pounds more sugar to each individual during the third quarter, the canning season.

I should like to say for the benefit of the distinguished Senator from Wisconsin that I, too, have been in telephonic conference with the Department of Agriculture almost as constantly as has the distinguished Senator from New Hampshire, and I have asked the Secretary this question over and over again: Can you not work out a provision for 5 more pounds, or a total of 45 pounds for each individual? I have asked him if he could not find a way to provide 20 pounds for each individual during the canning season. I wish to verify what the Senator from Wisconsin has said that now there is an effort to find out if it will not be possible to allocate 20 pounds during the canning season.

Mr. President, I do not want to have the Senate enact legislation providing an arbitrary, mandatory program impossible of being carried out, but I am willing to vote for a proposal which will give to each housewife every pound of sugar which can be given her during the canning season. I think it is smart to give the housewife as much sugar as possible during that time. There is a need for preserving the food which is produced. I think we should preserve every pound of food we can preserve.

Mr. President, in that respect my amendment is different from the amendment of the Senator from New Hampshire. I beg of Senators that they will give it their earnest consideration.

A suggestion has been made by the Department of Agriculture that they ration the 10 pounds up to a certain date, and then if they could provide 15 pounds thereafter set the allotment of 15 pounds ahead, perhaps to the last week in July. I do not know whether that will be worked out or not, but regardless of whether it is worked out, when the time comes I shall offer the amendment I have suggested, that 15 pounds, an addition of 5 pounds over the 10 pounds, be allotted to the housewife in the canning season. I do not see why anyone should object to it. Certainly, if the housewives are to get the sugar, that is the time of the year they must have it.

Reference is made to stock piles. It is all very well to have stock piles, and it is all very well to increase the stock piles, if it is the opinion of the Secretary that they should be increased. But I think it is just as important, increased stock piles or no increased stock piles, to try to take care of food that is produced, and preserve it, if we are to have floors under production.

The third difference between my amendment and the amendment of the distinguished Senator from New Hampshire [Mr. TOBEY] is relative to the allocation in the event there is an increase. Under the terms of the Senator's amendment, there must be an increase above 6,800,000 tons before the housewife gets any increase. I am sure that is correct. At least that is my interpretation. So until we reach the figure of 6,800,000 tons, the housewife gets no more than 35 pounds.

My amendment provides that regardless of the 6,800,000 tons, if there is any additional allocation of sugar to industrial users, whether there be an increase or not, the allocation shall be made proportionately in the same percentage of allocation as between industry and the housewife in the future. I think that is sound. I think there should be no further discrimination. The meaning of my amendment in that respect is entirely different from that of the amendment of the distinguished Senator from New Hampshire. My amendment provides that if any additional allocation is made, in addition to the firm commitment, whether there be an increase above 6,800,000 tons or not, the allocation shall be made on a percentage basis, allowing a proportional increase to the housewife.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. TOBEY. As I understand the Senator's amendment, as he has explained it, when, as, and if an increase occurs, it will be allocated proportionately as between homemakers and commercial users.

Mr. WHERRY. In the percentage in which commitments are now made to industry and to the housewife.

Mr. TOBEY. The distinction between the Senator's thought and the thought expressed in my amendment is that in the case of my amendment the homemakers would get it all.

Mr. WHERRY. The distinction is that an increased allocation might be made whether there was an increase above 6,800,000 tons or not. In the past we have not had sugar for new users, or for hardship cases. The percentage of increase has been greater in some directions than in others. That is the reason why the housewife has been discriminated against to the extent of 10 percent. My amendment would take care of any increased allotment. The Senator's amendment provides a priority to the housewife provided there is an increase beyond 6,800,000 tons. I want it provided in the law that if there is any increased allocation of sugar, whether or not there is an increase beyond the 6,800,000 tons, it must be made proportionately, in the same percentage to the housewife as to any industrial user.

Mr. WATKINS. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum? I think this subject is important enough so that Senators should hear the discussion.

Mr. WHERRY. I yield for that purpose.

Mr. WATKINS. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	Myers
Baldwin	Hawkes	O'Conor
Ball	Hayden	O'Daniel
Barkley	Hickenlooper	O'Mahoney
Brewster	Hill	Overton
Bricker	Hoey	Pepper
Bridges	Holland	Reed
Brooks	Ives	Revercomb
Buck	Jenner	Robertson, Va.
Butler	Johnson, Colo.	Russell
Byrd	Johnston, S. C.	Saltonstall
Cain	Kem	Smith
Capehart	Knowland	Sparkman
Capper	Langer	Stewart
Chavez	Lodge	Taft
Connally	Lucas	Taylor
Cooper	McCarran	Thomas, Okla.
Cordon	McCarthy	Thomas, Utah
Donnell	McClellan	Thye
Dworshak	McFarland	Tobey
Ecton	McGrath	Umstead
Ellender	McKellar	Vandenberg
Ferguson	McMahon	Watkins
Flanders	Martin	Wherry
Fulbright	Maybank	Wiley
George	Millikin	Williams
Green	Moore	Wilson
Gurney	Murray	Young

Mr. WHERRY. I announce that the Senator from Oregon [Mr. MORSE] is absent by leave of the Senate.

The Senator from Wyoming [Mr. ROBERTSON] is absent because of illness.

The Senator from South Dakota [Mr. BUSHFIELD] and the Senator from Nevada [Mr. MALONE] are necessarily absent.

Mr. LUCAS. I announce that the Senator from Mississippi [Mr. EASTLAND] and the Senator from West Virginia [Mr. KILGORE] are absent on public business.

The Senator from California [Mr. DOWNEY], the Senator from Washington [Mr. MAGNUSON], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDENT pro tempore. Eighty-four Senators have answered to their names. A quorum is present.

Mr. WHERRY. Mr. President, I wish to make a brief summary of what I have

said relative to my amendment. I should like to call the parliamentary situation to the attention of the Senators who may not have been present earlier.

The amendment offered by the distinguished Senator from New Hampshire [Mr. TOBEY] is a second-degree amendment. Therefore, it is not in order to offer an amendment to his amendment to increase the number of pounds. Unfortunately, if any amendment is to be adopted which will provide otherwise than is provided by the distinguished Senator's amendment relative to further allocations, the Senate must defeat his amendment.

The amendment which he has offered provides 35 pounds as a firm commitment to the housewife. It also provides that in the event there is an increase over 6,800,000 tons, the housewife shall be given priority up to 50 pounds. Nothing is said about other users, such as milk condensers. At the moment it provides that if there is an increase—and that increase is based upon 6,800,000 tons—there may be additional allocations to the housewife up to 50 pounds.

The amendment which I should like to offer, if the Tobey amendment is defeated, would make a firm commitment of 40 pounds to the housewife, regardless of any increase. It is based primarily on the fact that there has been discrimination against the housewife. It is felt that this is one way to equalize the situation. I think most of us are convinced that the Department can provide for distribution of an additional 5 pounds, because if everyone in the United States asked for it it would amount to only 375,000 tons. The evidence is that probably less than 30,000,000 people would avail themselves of the additional amount, and they are the people on the farms. Six million families, averaging five to a family, would represent approximately 30,000,000 people who would avail themselves of additional sugar. The evidence is that it will probably require only an additional 100,000 tons to provide the 40 pounds.

In the first quarter, in which we are now operating, 5 pounds of sugar is allocated to the housewife. In the second quarter, ending in June, 10 pounds will be allocated. In the third quarter it is asked that 15 pounds be allocated, or 5 pounds more than in the allotment proposed.

The reason my amendment proposes such an allotment is that throughout the country the months of July, August, and September are primarily the months when more sugar is needed for canning; and, as I have previously explained at considerable length, it seems to me that if we put a floor under agricultural commodities, such as fruits and vegetables, to induce their production, we ought to provide sugar to preserve them. We should not continue to appropriate money for floors under agricultural commodities and then not take care of the fruits and vegetables when they are grown, if sugar is needed for canning them.

The amendment of the distinguished Senator from New Hampshire provides for an increased allotment to the housewife only if there is an increase above 6,800,000 tons. There is a great deal of evidence in the hearings, and there has been a good deal of evidence given on the floor of the Senate, that sugar will be recouped from other sources, so as to make the supply in excess of 6,800,000 tons. In that event the third section of my amendment provides:

> In the event the quantity allocated to nonprovisional industrial users—

The nonprovisional industrial users are those who are not milk condensers, and so forth—

> In the event the quantity allocated to nonprovisional industrial users during any portion of the period from April 1, 1947, until the expiration of the allocation authority, is increased above the base allocation of such user, then in that event the quantity herein required to be allocated for home consumption during the last portion of such period shall be proportionately increased.

In other words, Mr. President, from here on there will be no discrimination. If there is any increase from any source and if an allocation of it is made, it will become mandatory upon the Department of Agriculture to increase proportionately the amount going to the housewife, as her percentage, just as they increase it for the industrial users. Certainly no one should quarrel with such a provision. It does exactly what the distinguished Senator from New Hampshire wishes to do, insofar as allocations are concerned, if we go above 50 pounds. I imagine he would not object to it.

I should like to say further that prior to the war, the amount of sugar consumed by home users, as compared to the amount consumed by industrial users, was approximately 50 percent of the total consumption; in other words, the home users and the industrial users were on approximately a 50–50 basis, with 50 percent being consumed by home users and approximately 50 percent being consumed by industrial users. However, during the war the amount allotted to the housewives dropped to nearly 40 percent. My amendment would return, from now on, to the historical basis of the distribution of sugar as between industries and the housewives.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. LUCAS. I wish to say that I should like to see the housewives get all the sugar they possibly can get. Of course, in the event that I was in favor of the amendment of the able Senator from Nebraska, I would have to vote against the amendment of the able Senator from New Hampshire.

Mr. WHERRY. That is correct.

Mr. LUCAS. If I voted that way and if the amendment of the able Senator from New Hampshire were not adopted, then I would be on record as being against giving the housewives 35 pounds of sugar.

Mr. WHERRY. Except, I may say to the Senator, if that eventuality arises, I still shall have the right to offer my amendment as a substitute for the House bill, after the House bill is amended by adding to it the Senate committee amendment as perfected; and that is what I intend to do in that event. So the Senator from Illinois will not then be on record as being opposed to giving the housewives the most sugar that possibly can be given to them. If the amendment of the Senator from New Hampshire is adopted, then I shall offer my amendment when the House bill, as amended by the Senate committee amendment as perfected, is before the Senate; and when I do that I shall ask for a yea-and-nay vote, and thus the Senator from Illinois will have a chance to place himself on record on the question of favoring my amendment.

Mr. LUCAS. Yes; but so far as the present situation is concerned, in order to vote for the amendment of the Senator from Nebraska, I shall be compelled to vote against the amendment of the Senator from New Hampshire.

Mr. WHERRY. That is correct.

Mr. LUCAS. In other words, so far as my record will be concerned, in that event I shall be voting against giving the housewife 35 pounds of sugar.

Mr. WHERRY. Except for the assurance of the junior Senator from Nebraska that the Senator from Illinois, when the Senate has before it the House bill as amended by the Senate committee amendment as perfected—which then will make the House bill a new bill—will have an opportunity to vote on the question of the adoption of my amendment, even in the event the amendment of the Senator from New Hampshire is accepted. So the Senator from Illinois will still have a chance to vote for 40 pounds of sugar for the housewives, and I say to him that if he wishes to vote for 40 pounds of sugar, he had better vote against the amendment of the Senator from New Hampshire and vote for my amendment when the time comes to vote on it.

Mr. LUCAS. Yes. But if I am going to have two chances to vote on the amendment of the Senator from Nebraska, I think I shall take the chance of voting for the amendment of the Senator from New Hampshire first. I do not wish to be placed on record as voting aganist letting the housewives have the 35 pounds of sugar. If I voted against that, I am afraid my record on the sugar question might reach my constituents; and that would be very dangerous, because my constituents are very much in favor of getting even 35 pounds of sugar. I do not wish to be misunderstood. I am afraid the parliamentary situation is such that I would be misunderstood if I should not support the amendment of the Senator from New Hampshire.

Mr. WHERRY. Mr. President, for some reason it is very difficult for me ever to propose a piece of legislation for which the distinguished Senator from Illinois finds that he can vote.

Mr. LUCAS. Oh, Mr. President, I have voted with the Senator from Nebraska many times, and he knows it.

Mr. WHERRY. I deeply appreciate the Senator's interest in my amendment, and I know he wishes to support it. I can assure him that after all his years of experience in the Senate, he knows exactly what to do; and so of course at this time it is unnecessary for me to point out to

him that I should like to give him an opportunity to vote for my amendment, and that if he and I are to have that opportunity, he should join with me in helping to defeat the amendment of the Senator from New Hampshire.

Mr. LUCAS. But I do not wish to be misunderstood by the housewives.

Mr. WHERRY. The Senator from Illinois will take care of the housewives all right.

Mr. President I yield the floor.

Mr. McCARTHY. Mr. President——

The PRESIDENT pro tempore. The Senator from Wisconsin is recognized.

Mr. McCARTHY. First, I should like to refer to the amendment of the Senator from New Hampshire, which I was not previously able to cover thoroughly. The Senator from New Hampshire took exception to my description of his amendment as "fictitious." Mr. President, in law if there is a complaint or other matter which accomplishes nothing, it is referred to as fictitious. So I repeat that comment about the amendment of the Senator from New Hampshire; it is fictitious, in that it will accomplish nothing. It provides for what shall happen, first, over a period of a year. In the second place, it contains no mandate that the amount of sugar going to the housewives shall be increased.

At this time I should like to ask the Senator from New Hampshire if he will consent to a suggestion to which for some time I have been trying to get the Senator from Vermont [Mr. FLANDERS] and other Senators who take the opposite side of the question to consent to. I wish to know whether he will consent at this time, in view of his avowed concern for the housewives, to modify his amendment so as to make it provide that the housewife shall get at least 15 pounds of sugar during the canning season. If the Senator from New Hampshire will consent to such a modification of his amendment, then I also ask him whether he will agree to modify his amendment so that it will not affect the milk processors, as his amendment now does.

If the Senator will modify his amendment in those two respects, I shall be very happy to go along with him and to vote for and support the amendment as thus modified.

Does the Senator from New Hampshire understand my question?

Mr. TOBEY. Mr. President, I was interrupted, I regret to say; so I shall appreciate having the Senator repeat his proposal.

Mr. McCARTHY. My question is this: The Senator from New Hampshire told me, and I believe he is sincere, that he is much concerned about having the housewife get her proper share of sugar. I read to the Senator from page 226 of the hearings, in which the gentlemen who represent the mass of industrial users of sugar freely admit that the housewife is not getting her fair share of the sugar. In view of that, and in view of the Senator's avowed concern for the housewife, I ask the Senator from New Hampshire whether he will consent to modify his amendment so as to make it mandatory that the housewife shall receive a minimum of 15 pounds of canning sugar during the third quarter. If the Senator from New Hampshire will do that and if, in addition, he will do something else—which I think is merely a correction required as a result of an oversight—namely, provide that his amendment shall not affect the provisional users, I shall very heartily support the amendment. As the amendment now stands, I say to the Senator, I have used the word "fictitious" to describe it, because I think it will accomplish nothing, and will be nothing more or less than a deceptive measure.

Mr. TOBEY. Mr. President, let me answer the Senator in my own way, if I may. I shall answer the Senator's question as I go along, but first let me state—I wish to repeat it, because it seems to me that some people do not grasp the facts of the amendment even as yet. The Tobey amendment is one which is thought out primarily for the housewife, in all good faith; and it does a very definite and concrete and substantial thing. It guarantees 35 pounds of sugar to the housewife during the calendar year, as against 25 pounds which she received in toto last year. That is a 40-percent increase. Then it makes a reasonable and sane and, I think a constructive statement, and makes it mandatory; namely, that when, as, and if an increase in the supply of sugar is available, the Department of Agriculture, through Secretary Anderson, must give all of it to the housewife—not a portion of the amount, but all of it, up to the limit of 50 pounds, which is the amount the housewise consumed annually before the war.

Mr. McCARTHY. Mr. President, let me interrupt the Senator to comment on his statement that the amendment would increase the allotment to the housewife by 40 percent. When the Senator refers to 35 pounds and to increasing the allotment to the housewife up to 35 pounds, the amendment would not increase it at all over what the OPA says it will give the housewife.

What I have been asking the Senator from New Hampshire and the Senator from Vermont [Mr. FLANDERS] to do all along is to recognize the fact that the industrial users are receiving an unfair portion of the sugar as they themselves admit in the record repeatedly. I say that, instead of giving the housewife a promise, which may or may not be fulfilled, we should make it mandatory.

Mr. TOBEY. Mr. President, I ask the Senator to let me know when he finishes his statement, and then I shall come in.

Mr. McCARTHY. I invite the Senator to come in now.

Mr. TOBEY. The Senator from Wisconsin misses the point, I hope not intentionally to befuddle, but his is a befuddling statement. He fails to recognize and point out that the housewives were getting last year 25 pounds, and would get this year, by my amendment, 35 pounds, representing a 40-percent increase over last year. Does the Senator recognize that fact?

Mr. McCARTHY. I recognize the fact that she is not getting her fair share of sugar.

Mr. TOBEY. That is not the question.

Mr. McCARTHY. Let me say to the Senator——

Mr. TOBEY. The Senator is not answering the question.

Mr. McCARTHY. Let me refer to the hearings. I was interrogating Mr. Overman, who was representing the industrial users:

> Senator McCARTHY. When you allot such a woman 35 pounds of sugar, do you realize that is far below the 80 percent which it is proposed your industry be allowed? There is no question about that, is there?
>
> Mr. OVERMAN. That is true.
>
> Senator McCARTHY. Would you recommend that we reduce your 80 percent sizably and try to level off this situation and give the housewife some more?

Then Mr. Overman, who represents the industrial users, answered:

> I would hesitate to recommend that, certainly.

I say to the Senator from New Hampshire that here today we should do what Mr. Overman and the other industrial users refuse to recommend, we should level off the situation and give the housewife her fair share. The Senator's amendment does not do that, and my point is that if he is as sincere as I believe he is, he should be willing to amend his own amendment and make it mandatory that the housewife shall get at least an additional 5 pounds for canning. Obviously she should get more than that, she should get 10 pounds. The sugar is available.

Mr. TOBEY. I do not like to void the Scriptural injunction and use "vain repetitions," but here it comes again. The issue is whether the housewives of this country are going to be treated fairly, and we demand they shall be. So, in a constructive effort to take care of the needs of the housewives, we jack up the supply they are to get 40 percent over last year, and then we say, "Mr. Secretary Anderson, when the new sugar comes in if the supply is larger than estimated you must give it to the housewives up to 50 pounds," which would be 15 pounds more than contemplated.

Now about the canning feature. There is a certain amount of sugar available, and the Department has made an estimate of it. Has the Senator figured that? They allocate it to the commercial users and the housewives, and at any time in the current year, preserving time or not, when the supply of sugar increases and more is available the Secretary can and will give it to the housewives, but if it is not there he cannot and he will not.

Mr. McCARTHY. I thank the Senator.

Mr. TOBEY. The Senator is very welcome.

Mr. McCARTHY. Mr. President, I should like to point out to the Senate that in 1944 a law was passed which made it illegal to ration sugar on the historical-usage basis. It was there very clearly written into the law. Mr. Dice, who was the head of the sugar-rationing program and who will, apparently, continue to be at the head of it, saw fit completely to disregard that provision, thereby creating a monopoly in certain industrial users, and excluding everyone from the use of sugar unless he or she

had been in that particular type of business in 1941.

Whether that was wise or unwise, the law was there, very clear to see, and Mr. Dice saw fit to disregard it. The matter was taken to court, and it was decided that he was violating the law. The case was appealed to the higher court, and the higher court affirmed the lower court and said he was violating the law.

In view of that the ambiguous, deceptive amendment which the Senator from New Hampshire proposes to add to the bill can be interpreted in any conceivable way by Mr. Dice, who is heading the sugar-rationing program, and the only way we can get——

Mr. TOBEY. Is that name "Dice"?

Mr. McCARTHY. Dice.

Mr. TOBEY. I do not play with dice.

Mr. FLANDERS. Mr. President, will the Senator from Wisconsin yield?

Mr. McCARTHY. Let me finish the sentence. The only way we can make sure that the housewife gets her fair share of the sugar is by defeating the Tobey amendment. We may then vote upon the Wherry amendment.

Now I yield to the Senator from Vermont.

Mr. FLANDERS. The Senator was speaking a moment ago about the allocation of sugar to prevent the wastage of milk. I believe he was present when the Secretary said that sugar would be allocated for that purpose. We have him on record to that effect in our report, at the top of page 7, the 4th, 5th and 6th lines, where it is said:

> The Secretary has assured the committee that sugar will be made available to prevent the wastage of milk.

Furthermore, administrative orders to that effect have already been issued.

Mr. McCARTHY. Let me point out, in connection with that, that when we were examining Mr. Marshall, of the Office of the Secretary of Agriculture, as appears on page 237 of the record, we were trying to urge that something be done for the milk industry, and this is what he said:

> We still feel that it isn't right to pick out a single industry of that kind and give it sugar unless you are able to give increases to others.

At that time, while we were conducting the hearings, the Department of Agriculture had already made up their minds that they would not give the milk processor any milk.

Again, on page 240, in questioning Mr. Marshall, I asked:

> Senator McCARTHY. Just one further question: Mr Marshall, in view of the world food shortage, in view of the apparently undisputed fact that unless the milk processors get more sugar there will be a great waste of food, namely, milk, would you not think it might be wise, even if you continue rationing, instead of building up the stock pile in the United States by 500,000 tons during the current year, that you take at least a part of that 500,000 tons and allocate that to the milk processors?

It is true that at that time they said they could not, should not, and would not do it. A few days later Secretary Anderson came before us, and, like the typical bureaucrat trying to defend his position, he changed his mind, and said, "We will now do what was impossible 2 days ago."

That being the situation, I say we cannot trust those gentlemen. We have got to tell them definitely what they must do and when they must do it. I say that, in view of his changeable and changing attitude; it is indicated that there must be an investigation before we can have a law interpreted wisely, we must not use ambiguous language, such as is used in the amendment of the Senator from New Hampshire, we must have something concrete, as is found in the amendment of the Senator from Nebraska [Mr. WHERRY].

Mr. FLANDFRS. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. FLANDERS. Again going back to the point where the Senator took off, as I was listening, with regard to the agreement by the Secretary of Agriculture to take care of wastage of milk, I would say that he was not the typical bureaucrat. The typical bureaucrat does not retreat, and the Secretary told us that he had himself been dealing with OPA for a long time on that question, trying to persuade them to do it; all of which, Mr. President, leads me to believe that we cannot pick out a much better man to handle the sugar law than Secretary Anderson.

Mr. TOBEY. Mr. President, will the Senator from Wisconsin yield.

Mr. McCARTHY. I yield.

Mr. TOBEY. In reply to the statement of the Senator from Wisconsin to the Senate a few moments ago that the Tobey amendment was ambiguous, I will quote the admonition of St. Paul describing some people back in his day, and it applies equally to the Senator from Wisconsin: "Eyes have they and they see not." There is nothing ambiguous about the amendment. There it is, a plain declaration. I would like to have the Senator point out an ambiguous statement in the amendment.

Mr. McCARTHY. Mr. President, the undisputed fact that we have a tremendous amount of sugar which we did not anticipate at the time of the hearing, the Senator's repeated professions of concern about the housewife, plus his refusal to insert in his amendment anything concrete saying when and how she shall get additional sugar cause me to wonder whether or not the Senator does not heartily agree with me that his amendment is so ambiguous that Mr. Dice can interpret it in any fashion he wants to.

Let me say one thing further on the question of whether or not sugar is available to give the housewife additional canning sugar. I told the Senator from Nebraska [Mr. WHERRY] we would go along with him in his suggestion of an additional 5 pounds. I think that is entirely inadequate. I think we could give her 10 pounds easily. But I believe that 5 pounds would help somewhat. Let me take the word right out of the mouth of Mr. Dice, who is the head of sugar rationing, and show the Senate that we could, and should, as of today, do away with rationing, and, if that is possible, we could certainly give the housewife an additional 5 pounds. Let me read very briefly from the testimony of Mr. Dice:

> Senator McCARTHY. Do you know, roughly, how much sugar was in the United States on the first of this year?
>
> Mr. DICE. I believe it was about 1,440,000 tons. I believe Mr. Marshall could give a more accurate figure.
>
> Senator McCARTHY. Is that substantially correct, 1,440,000 tons?

The record shows Mr. Dice and Mr. Marshall answered, "Yes, sir."

> Senator McCARTHY. I understand further that under your present rationing plan, with 6,800,000 tons available to us, there will be at the end of this year how much on hand?
>
> Mr. DICE. It is my understanding that it is somewhere i the neighborhood of 1,900,000 tons. However, that is not something over which OPA has control. That is a matter that is determined by the Department of Agriculture.
>
> Senator McCARTHY. In any event, if you follow the present rationing plan, which will give each individual about 93 pounds of sugar—that is sugar consumption, not allocation; if you follow that plan of rationing you will increase both the visible and invisible stocks combined by, roughly, 500,000 tons; is that right?
>
> Mr. DICE. Or 450,000.
>
> Senator McCARTHY. You are also aware of the fact that the Cuban crop is tremendously better than was anticipated several months ago?
>
> Mr. DICE. I have heard reports both ways. I understand that the official estimate is still 5,500,000 tons.

I digress there to say that, 3 days before that, 3 days before Mr. Dice said the final estimate was 5,500,000 tons, his department issued an estimate of Cuban production of 5,750,00 tons.

> There are some reports that indicate that it will be higher.
>
> Senator McCARTHY. In other words, all of the reports that we get from Cuba indicate that the crop is a bumper crop. So far we have no reports indicating that it is not a bumper crop. That is substantially true?
>
> Mr. DICE. So far as I know, that is correct.
>
> Senator McCARTHY. And it has been estimated here that the crop will run from 300,000 to 500,000 tons more than was anticipated?

Again, if I may interrupt the quotation, I point out that instead of being from 300,000 to 500,000 tons, it is now actually and definitely 637,000 tons more than anticipated.

> Mr. DICE. Yes, sir.
>
> Senator McCARTHY. If we add that to your 500,000 tons by which you are increasing the inventory in this country during this year, we have close to 1,000,000 additional tons of sugar which we could use this year, and have our stock the same at the end of the year as it was at the beginning of the year.
>
> That is correct, is it not; just by simple arithmetic?
>
> Mr. DICE. If you assume that we would run our stocks down to the point where we started this year, and if you assume that there is an additional half-million tons produced in Cuba, and if you assume further that all of that half-million tons is available to the United States civilians for consumption, then that is a correct assumption.

Now let me analyze the statement of Mr. Dice. He says, first "if you will assume we will have over a half million tons available." We have; we have 637,000 tons available.

He says, second "If you assume that is available to this country." It is available to this country, because we have a contract with Cuba which makes it available.

Senator McCARTHY. You testified, I believe, the other day, that if we added about 1,000,000, or 1,200,000, tons of sugar to the amount of 6,800,000 tons which you presently propose to ration, that would make rationing unnecessary in this country?

Let me repeat that question. This is a question asked of Mr. Dice:

You testified, I believe, the other day, that if we added about 1,000,000 or 1,200,000, tons of sugar to the amount of 6,800,000 tons which you presently propose to ration, that would make rationing unnecessary in this country?

Mr. DICE. Providing there was some inventory control.

So, out of the mouth of the head of OPA, out of his own mouth, we find him telling us that if we have the amount of sugar available which we do now have available, rationing would be unnecessary, if we have inventory control.

Senator McCARTHY. Yes. In other words, the type of inventory control that was suggested the other day by Mr. Mack, perhaps.

Mr. DICE. That was not defined, but, say, a 30-day inventory limitation I believe would do it.

Mr. REVERCOMB. Mr. President, will the Senator yield at this time, to permit me to address a question to the Senator from New Hampshire?

Mr. WHERRY. I yield.

Mr. REVERCOMB. I am very much interested in these proposed amendments, including the amendment offered by the Senator from New Hampshire. The Senator from New Hampshire fixes a figure of not less than 35 pounds per capita for the calendar year, and that, I take it, is based on the known crop of sugar and the allocation to the United States when this bill was originally reported to the Senate?

Mr. TOBEY. That is correct.

Mr. REVERCOMB. If it should be found that there is an additional amount of sugar, which has been mentioned here as some 700,000 tons, what would become of that additional amount of sugar under the Senator's amendment?

Mr. TOBEY. It would all go to the housewives.

Mr. FLANDERS. Excuse me, sir.

Mr. TOBEY. Please.

Mr. FLANDERS. I think it would not all go to the housewives. At the proper time I should like to be interrogated on that point.

Mr. REVERCOMB. Very good, sir.

Mr. TOBEY. I thought the Senator asked, if there were an increase in the supply of sugar that had been allocated.

Mr. REVERCOMB. It is said, that the Cuban crop, and I believe, other crops that it was stated were coming in, would make available an additional 700,000 tons plus. If that be correct—not going into the question of whether that figure is correct, but assuming that it is—where would that 700,000 tons go? Who would get the benefit of it?

Mr. TOBEY. Up to 50 pounds per housewife, it would go to them.

Mr. REVERCOMB. Is it possible that any part or all of the 700,000 extra tons of sugar could be allocated to countries other than the United States by the International Emergency Food Council?

Mr. TOBEY. I have a signal from my friend, the Senator from Vermont [Mr. FLANDERS], who knows this question better than I do. I yield to him on that particular point. He will answer it.

Mr. FLANDERS. I would like to read the record.

Mr. REVERCOMB. I would like to have my last question answered first.

Mr. FLANDERS. I will answer the Senator's last question. Like the Senator from Wisconsin, I shall have to read a few preliminary statistics first, but it all goes to the points being raised by the Senator, and it is only one paragraph.

There is reason to believe that the supply situation is somewhat improved due to the more favorable reports from Cuba. On March 5 the Cuban Sugar Stabilization Institute cabled that the Cuban crop might reach 5,675,000 short tons; on March 17 word was received from the institute that, due to unusually favorable weather in recent weeks, the present crop will reach 5,960,000 short tons, barring an early rainy season. An estimate was made by the Cuban sugar trade on March 14 that it would go as high as 6,137,000 tons. However, these optimistic estimates cannot be accepted with assurance. The crop is not yet half harvested; therefore, it still is possible that production might fall short of the optimistic estimates or even of the estimate on which allocations were recommended.

Mr. REVERCOMB. I should like to interrupt the Senator at that point. I am not going into the question of how much margin there will be, in round figures. Let us assume that there is an increase. Let us assume it, not as a fact, but for the purposes of the question. What becomes of that extra amount? Where does it go?

Mr. FLANDERS (reading):

Allocations were recommended by the International Emergency Food Council on the basis of a Cuban crop of 5,500,000 short tons. The realization of a higher Cuban crop will, of course, be quite helpful, but the supply situation still will be far short of meeting the needs of a free market. The 1947 international allocation recommendation includes a total of 736,000 tons of "undesignated" sugar to all countries——

Mr. McCARTHY. Just a moment. I will not yield further to the Senator from Vermont.

Mr. FLANDERS. I will finish the paragraph.

Mr. McCARTHY. Mr. President, I will not yield further to the Senator.

Mr. FLANDERS (continuing reading):

with 200,000 tons of such sugar allocated to the United States. The increase in the Cuban crop, therefore, would not be——

Mr. McCARTHY. Mr. President, I still have the floor.

The PRESIDING OFFICER (Mr. BALDWIN in the chair). The Senator from Wisconsin has the floor.

Mr. FLANDERS (continuing reading):

enough to fill the need of the various countries——

Mr. McCARTHY. Mr. President, I have the floor and I do not yield further.

Mr. FLANDERS (continuing reading):

from the undesignated sources.

The PRESIDING OFFICER. Will the Senator from Vermont desist?

Mr. FLANDERS. I will at the request of the Chair.

Mr. McCARTHY. The Senator will recognize the fact that I have the floor, and I want to point out in my own time that when the Senator referred to "undesignated" I stopped him at that particular point, because that expression, "undesignated" sugar has been bandied about so much. We do have 200,000 tons of undesignated sugar allocated to the United States. However, there is nothing in the allocation with regard to our continental cane sugar. That amounted to 461,000 tons last year. This year we have an estimated 17,000 additional acres in cane production.

Mr. FLANDERS. May I correct that statement?

Mr. McCARTHY. I do not yield now. Let me finish my sentence. The additional 17,000 acres of cane sugar will bring the continental cane sugar output up to about 500,000 tons; so, instead of having 200,000 tons of undesignated sugar, we have a surplus of 300,000 tons. That is not taken into consideration.

Now I yield to the Senator from Vermont.

Mr. REVERCOMB. Mr. President, will the Senator yield to me first?

Mr. McCARTHY. Certainly.

Mr. COOPER. Mr. President——

Mr. McCARTHY. I shall yield to the Senator from Kentucky as soon as the Senator from West Virginia concludes.

Mr. REVERCOMB. I thank the Senator from Wisconsin for yielding to me. I have a very simple question to ask which can be answered in a word or two without discussion such as has preceded. I will now propound the question. If a margin of sugar over the estimate upon which the allocations were originally made is found to exist, who gets that margin of sugar?

Mr. McCARTHY. I shall tell the Senator who will get it. We presently have a contract with Cuba for a large proportion of her sugar. If there is a great surplus of over 5,500,000 tons, as there is, then one of the foreign nations could, I assume, ask for a reallocation. If we accepted that reallocation, that would deprive us of some of that sugar. Presently all of that sugar is allocated to us. I might say further——

Mr. REVERCOMB. May I ask a question at this point?

Mr. McCARTHY. Certainly.

Mr. REVERCOMB. As a matter of fact, the allocations were made upon an estimated production of some 5,000,000 tons; is that correct?

Mr. McCARTHY. Five and a half million tons.

Mr. REVERCOMB. Five and a half million tons. Now it is found that we are going to receive some 6,100,000 tons. Will the allocations made by the International Emergency Food Council to the different countries, including our own, be changed because there has been found to be more sugar?

Mr. McCARTHY. We interrogated witnesses on this question in detail, and so far as I know and so far as I can determine, there is no automatic reallocation. I believe that any one of the na-

tions that is concerned could ask the International Emergency Food Council to reconsider the allocation and give it more sugar.

Let me make a further statement. We have presently allocated 1,600,000 tons of sugar to foreign nations. That sugar is priced at 8 cents a pound, which is the established wholesale price. They can purchase calories, if I may use that term—they can purchase food value in grain much cheaper than in sugar at the present price. So that there is at least some possibility, if they use their dollars wisely, and use them for the purpose of getting the most calories per dollar for starving people, that they may not use the 1,600,000 tons of sugar. Now, if we were to do away with rationing, it would not affect the allocation program so far as sugar to foreign nations is concerned. But it might have this effect, that if sugar were to rise in price 2 or 3 or 4 cents a pound, then the cost of calories in sugar would be so far out of line with the cost of calories in grain that they would undoubtedly not even take—I say undoubtedly—they perhaps would not take the present allocations, and would do what appears to be much wiser, use their dollars to purchase the highest food value, and that is in grain.

Mr. REVERCOMB. Mr. President, will the Senator again yield?

Mr. McCARTHY. I yield.

Mr. REVERCOMB. I realize that the Senator has argued from a very practical standpoint as to what may happen. But let us get down to the very basis of this situation. We have talked about getting additional sugar for the individual user, for the housewife. We know how much sugar the United States was going to receive under the original allocation based upon a production of 5,500,000 tons. Now we have some 700,000 additional tons that have been found actually to exist, as the Senator from Wisconsin advises us. What I am asking is: Under the amendment of the Senator from New Hampshire will all that 700,000 tons come to the United States. I ask that question of the Senator from New Hampshire?

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. TOBEY. I thank the Senator. The statement I would make to the Senator from West Virginia is, that if there is an increase in the large allocation which is divided up among the nations of the world, we will get our proportionate share of that increase, and the whole of that proportionate share will go to the housewife; and all the sugar produced in this country, under the present estimates, will also go to the housewife.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. REVERCOMB. I should like to ask another question of the Senator from New Hampshire? Then in order really to say that the housewife of this country will receive an additional share we will have to provide in the measure we pass that that sugar shall go to the housewife of this country before it is allocated to the people of other countries.

Mr. TOBEY. That cannot be done. We cannot on the floor of the Senate vitiate the terms of an international agreement.

Mr. REVERCOMB. I am not trying to vitiate anything. But I say that this sugar comes to the United States. It has been contracted for by this Government. Some 300,000 tons of that sugar are found to be in excess of the basis of the sugar supply upon which the international allocations were made. I put this question to the Senator from New Hampshire: Is it not necessary that we fix a minimum amount that the housewife is to receive if we are going to protect her in connection with the increased quantity of sugar we receive?

Mr. TOBEY. The answer to that question in my judgment is "No," because the increase the Senator speaks of we hold in trust for other nations through the Commodity Credit Corporation. It is not our sugar.

Mr. REVERCOMB. One more question. Does the Senator agree with the argument that it is possible that the foreign countries will not need all of the 1,600,000 tons allocated to them?

Mr. TOBEY. They have now a smaller amount than we have, and far be it from me to say that they do not need the smaller amount than we have. Who has the authority to raise that question?

Mr. REVERCOMB. I am not arguing.

Mr. TOBEY. I am not argumentative. I say that whereas they now have under the international agreement a lower allocation than the United States has, it is rather presumptive for me or anybody else to say that they would not want to use what they now have allocated to them.

Mr. McCARTHY. Mr. President, I wish to point out that the matter now being discussed has nothing to do with the question whatsoever. Canada and England have exactly the same per capita allocation that we have. There is no difference. I do not think that has anything to do with the question of rationing in this country, because our rationing will not affect the allocation program except insofar as it may induce some other nations not to take their full allocation.

Mr. REVERCOMB. One more thing. It seems to me that the very heart of the situation so far as additional sugar for the housewife, for the individual, is concerned, is that there will be some 700,000 additional tons by actual measurements after the crop is in. It seems to me, then, that the whole question of whether the housewife shall receive additional sugar comes down to what proportion of that sugar is coming to this country.

Mr. McCARTHY. I heartily agree with the Senator. Presently there may be indications that we shall not get the full amount of sugar from Cuba that we have contracted for. There has been no request for increased allocations. They are now getting 600,000 tons more than they got prior to the war. It is entirely possible that some of the other nations may request a reallocation by the International Emergency Food Council. Whether such a reallocation would be granted or not, I have no way of knowing. But as things stand today we have a contract for the sugar. We shall get an additional 700,000 tons of sugar.

Mr. REVERCOMB. In addition to the original amount?

Mr. McCARTHY. Yes; in addition to the original amount.

Mr. COOPER and Mr. FLANDERS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield; and if so, to whom?

Mr. McCARTHY. I yield first to the Senator from Kentucky.

Mr. COOPER. Mr. President, I think I stand in the position of a great many other Senators. We did not have an opportunity to attend the hearings or hear the witnesses, particularly the Secretary of Agriculture. Any decision we may make must be based upon the facts developed by the committee and, I believe, upon the judgment of the committee.

I believe also that despite our statements and our interest in helping the housewife, we cannot help the housewife unless the sugar is available. My question is directed to the point as to what sugar is available. I notice from the report of the committee, in table 4, on page 9, that there has been allocated to the United States a total of 6,800,000 tons for 1947.

Mr. McCARTHY. Let me interrupt the Senator to clear up that point. No particular amount has been allocated to the United States. There has been allocated to foreign nations, out of the amount which we purchased through Commodity Credit Corporation, the amount of 1,600,000 tons. The allocation to other nations is out of the Cuban supply.

Mr. COOPER. Table 4 is headed "International Emergency Food Council recommended sugar allocation for 1947 by source of supply." The figures are given in thousands of short tons. In the first column, the total recommended allocation for the United States is 6,800,000 tons. As I understand the amendment proposed by the Senator from New Hampshire, it would require, on the basis of the allocation of 6,800,000 tons, that 38 pounds per consumer be mandatorially allotted.

Mr. McCARTHY. and that is the present plan of the OPA. It is merely a reaffirmation of what they say they are going to do.

Mr. COOPER. On the basis of an estimated supply of 6,800,000 tons, does the Senator from Wisconsin propose to increase the supply to the individual consumer?

Mr. McCARTHY. Obviously not. We are talking about the additional sugar which is available.

Mr. COOPER. Then it is upon the basis of the increase which the Senator has information will be available.

Mr. McCARTHY. Yes. It is based upon the known fact—not an estimate—that we shall have more than 1,000,000 tons of additional sugar. I should like also to point out that the other day the Netherlands East Indies issued a story to the effect that their peace treaty was about ready for signing—it has been initialed—and that when the treaty between the Dutch and the Indonesians has been signed in excess of 1,000,000 tons of sugar will be available for shipment from

the East Indies. That will be a windfall. I am not basing my proposal upon that. But if that is true, before the end of the year we shall have a tremendous surplus of sugar, and Government agencies will again be paying our beet farmers not to raise sugar beets.

Mr. COOPER As I understand the proposal of the Senator, it is that an increase can be made, based upon information which has come to him that the imports from Cuba will be increased to a total of 6,137,000 tons.

Mr. McCARTHY. Yes. The total amount we shall get from Cuba, assuming that the survey which has been completed is correct, is 3,887,000 tons.

There is one additional item. I am taking the testimony of Mr. Marshall, an official of the Department of Agriculture. He also tells us that there will be an additional 50,000 tons from Hawaii, which gives 791,000 tons, which incidentally is sufficient to give an additional 10 pounds to every one of the 143,000,000 people in the United States, which would bring us up to the total pre-war consumption of sugar.

Mr. COOPER. Pursuing the Cuban situation, I notice on page 8 of the report, in table 1, that the estimate imports from Cuba for this year are 5,500,000 tons. The Senator has stated that he has information that that supply could reach 6,137,000 tons.

Mr. McCARTHY. Let me interrupt and give the Senator the complete picture. Originally the Department of Agriculture estimated the Cuban crop at 5,000,000 tons, which is much higher than the figure for last year. It later revised that figure upward to 5,500,000 tons. At the time of the hearings Mr. Dice stated that the estimate was 5,500,000 tons. However, at that time—in fact, 3 days previous to that time—the Agricultural Department had issued a bulletin to the effect that their estimates were again revised upward, to 5,750,000 tons. Let me point out that this is no fault of the Department of Agriculture or any other department. The Cuban crop is being presently harvested. They start to harvest it in January and finish some time in May. Since the hearings have ended, within the past week, a survey of 97 percent of the Cuban sugar producers has been made, and the estimate now is 6,137,000 tons.

Mr. COOPER. Whatever it is, out of the estimated increase in supply of 637,000 tons, the Senator proposes an increase to the individual consumer, whom we have been denominating as the housewife. Is that correct?

Mr. McCARTHY. That, and also the 500,000 tons which OPA presently plans to add to our stock pile this year. So we have 1,100,000 tons of sugar to draw upon.

Mr. COOPER. We have reached that point. How much does the Senator propose to increase the supply to the individual consumer out of the estimated increase?

Mr. McCARTHY. I am sorry, but I did not catch the question.

Mr. COOPER. How many pounds would the increase represent to the individual consumer out of the estimated increase?

Mr. McCARTHY. I have proposed an additional 10 pounds for home use. The Senator from Nebraska [Mr. WHERRY] has an amendment which calls for an additional 5 pounds. His amendment also provides that after that 5-pound increase has been granted, any surplus of sugar shall go in proportionate amounts to the industrial user and the housewife. His proposal goes one step further, in that it would not affect the milk processors.

Mr. COOPER. Let me ask a final question. The Senator has stated that there will be a certain additional amount of sugar. The Senator proposes to capture that sugar for the housewife, under a mandatory provision that a certain number of pounds shall be allotted to the housewife.

Mr. McCARTHY. Yes.

Mr. COOPER. The Senator from New Hampshire [Mr. TOBEY] would likewise capture it under his amendment, which provides that an increased allotment be made, up to 50 pounds per person, from the expected increase.

Mr. McCARTHY. Let me point out that the industrial user is now receiving, roughly, 80 percent of his prewar consumption. The housewife is receiving 67 or 68 percent of her prewar consumption. The proposed additional 5 pounds would bring them both, roughly speaking, up to the same comparative percentage of their prewar consumption; and from this time onward, under the Wherry amendment, it is provided that when there is a further allocation it shall go in equal proportion to the housewife and the industrial user. In other words, if the industrial user gets an additional 10 percent, the housewife will get the same percentage increase.

Mr. COOPER. The Senator stated that an additional 5 pounds would require 375,000 tons of sugar.

Mr. McCARTHY. Approximately that amount.

Mr. COOPER. Is it not true that if there should be an increase of 637,000 tons, under the amendment proposed by the Senator from New Hampshire an amount larger than 5 pounds—almost 10 pounds—would be captured for the housewife out of that increase?

Mr. McCARTHY. Except this: The Senator from Vermont [Mr. FLANDERS] has been urging that before we decontrol we must build up a sizable stock pile. I think he is correct. I think it would be well if we built up a sizable stock pile. That is also the attitude of Mr. Dice and Mr. Marshall. They apparently feel that instead of consuming the sugar this year we should add it to our stock pile. Under the amendment offered by the Senator from New Hampshire [Mr. TOBEY] we have absolutely no control whatsoever over Mr. Dice or Mr. Marshall. In view of the fact that the allocations have been admittedly unfair to date, unless we put it down in black and white that by such and such a date we must allocate so much sugar, as is proposed by the amendment offered by the Senator from Nebraska [Mr. WHERRY], I have no faith in their judgment. While the Senator from New Hampshire may attempt to do the same thing that the Senator from Nebraska attempts to do, the terms of his amendment are ambiguous. They are indefinite. We know that Mr. Dice and Mr. Marshall, or whoever is in charge, can say, "We will not give it to the consumer. We will add it to the stock pile."

Frankly, I believe that the amendment offered by the Senator from Nebraska, while it does not go as far as I should like to go, is so infinitely superior to that offered by the Senator from New Hampshire that there is no comparison at all. For that reason I intend to vote against the amendment offered by the Senator from New Hampshire.

The Senator from Kentucky was not present when, relying upon the sincerity of the Senator from New Hampshire, I asked him if he would so change his amendment as to provide for some additional amount of sugar for the housewife. If he would change his amendment to provide that the housewife should receive an additional 5 pounds, and then do something which I think he has probably overlooked, but which has to be done in order to make the amendment a sensible one, namely, provide for the processors of food and the processors of milk, I would heartily support his amendment. The Senator has refused to do so, and the Senator from Vermont has consistently refused to do anything toward definitely providing additional sugar for the housewife.

Mr. COOPER. I do not want to continue repeating. I am only trying to get the facts, to ascertain whether there is any essential difference between the two amendments. As I interpret the facts which I have heard, it seems to me that there is no essential difference between the two amendments.

Mr. McCARTHY. Let me interrupt the Senator. There is this difference: The amendment offered by the Senator from New Hampshire is apparently a mere well-meaning, pious hope and desire. The amendment offered by the Senator from Nebraska says that it shall be done by a certain date.

Mr. COOPER. As I understand, the idea of the Senator from Wisconsin is that there is a supply greater than 6,800,000 tons actually coming into this country, and that a definite amount should be allocated.

Mr. McCARTHY. That is correct.

Mr. COOPER. As I read the Tobey amendment it provides:

> That refined sugar shall be allocated for home consumption at a rate of not less than 35 pounds per capita per calendar year, and any increase in the amount of sugar available for allocation in the calendar year 1947 over the amount recommended by the International Emergency Food Council for allocation to the United States for 1947 shall be allocated for home consumption until the allocation for such use equals 50 pounds of refined sugar per capita.

Mr. McCARTHY. The joker is the word "available." Mr. Dice and Mr. Marshall can interpret the word "available" in any way they care to. They can say that unless we add a million tons to the stock pile the sugar is not available.

Mr. TOBEY. Let me ask a question. The Senator says the word "available" is the nub of the whole amendment. What does "available mean? It means that we have it. When we have it, it

can go to the housewife. If the sugar is available, the housewives can get it.

Mr. McCARTHY. Available means one thing to the Senator and another thing to me.

Mr. TOBEY. I am a Yankee. I know what it means to me. It means that we have it in our hands.

Mr. McCARTHY. It does not mean the same thing to the bureaucrats who are administering the law.

Mr. TOBEY. Who is the bureaucrat in this case?

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New Hampshire [Mr. TOBEY] to the committee amendment.

Mr. ELLENDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	Myers
Baldwin	Hawkes	O'Conor
Ball	Hayden	O'Daniel
Brewster	Hickenlooper	O'Mahoney
Bricker	Hill	Overton
Bridges	Hoey	Reed
Brooks	Holland	Revercomb
Buck	Ives	Robertson, Va.
Butler	Jenner	Russell
Byrd	Johnson, Colo.	Saltonstall
Cain	Johnston, S. C.	Smith
Capehart	Kem	Sparkman
Capper	Knowland	Stewart
Chavez	Langer	Taft
Connally	Lodge	Taylor
Cooper	Lucas	Thomas, Okla.
Cordon	McCarran	Thomas, Utah
Donnell	McCarthy	Thye
Dworshak	McClellan	Tobey
Ecton	McFarland	Umstead
Ellender	McGrath	Vandenberg
Ferguson	McKellar	Watkins
Flanders	McMahon	Wherry
Fulbright	Maybank	Wiley
George	Millikin	Williams
Green	Moore	Wilson
Gurney	Murray	Young

The PRESIDING OFFICER. Eighty-one Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment of the Senator from New Hampshire to the committee amendment on page 2, adding certain words in line 20.

Mr. LANGER, Mr. TOBEY, and other Senators asked for the yeas and nays; and they were ordered.

Mr. AIKEN. Mr. President, will the Chair restate the pending question?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. TOBEY], adding certain words at the end of line 20 of the committee amendment on page 2. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll; and Mr. AIKEN answered in the affirmative, when his name was called.

Mr. SALTONSTALL. Mr. President, is it too late to have the amendment read?

The PRESIDING OFFICER. Without objection, the amendment of the Senator from New Hampshire to the committee amendment will be read.

The CHIEF CLERK. In the committee amendment on page 2, in line 20, before the period it is proposed to insert a colon and the following: "*And provided further,* That refined sugar shall be allocated for home consumption at a rate of not less than 35 pounds per capita per calendar year, and any increase in the amount of sugar available for allocation in the calendar year 1947 over the amount recommended by the International Emergency Food Council for allocation to the United States for 1947 shall be allocated for home consumption until the allocation for such use equals 50 pounds of refined sugar per capita."

The legislative clerk resumed and concluded the calling of the roll.

Mr. WHERRY. I announce that the Senator from Pennsylvania [Mr. MARTIN] and the Senator from Oregon [Mr. MORSE] are absent by leave of the Senate. If present and voting, the Senator from Oregon would vote "yea."

The Senator from Wyoming [Mr. ROBERTSON] is absent because of illness.

The Senator from South Dakota [Mr. BUSHFIELD] and the Senator from Nevada [Mr. MALONE] are necessarily absent. If present and voting, the Senator from Nevada would vote "yea."

Mr. LUCAS. I announce that the Senator from California [Mr. DOWNEY], the Senator from Washington [Mr. MAGNUSON], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Mississippi [Mr. EASTLAND] and the Senator from West Virginia [Mr. KILGORE] are detained on public business.

The Senator from Kentucky [Mr. BARKLEY] and the Senator from Florida [Mr. PEPPER] are unavoidably detained.

If present and voting, the Senator from Kentucky [Mr. BARKLEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Washington [Mr. MAGNUSON], and the Senator from New York [Mr. WAGNER] would vote "yea."

The result was announced—yeas 49, nays 32, as follows:

YEAS—49

Aiken	Hoey	O'Conor
Ball	Holland	O'Daniel
Brewster	Johnson, Colo.	O'Mahoney
Bridges	Johnston, S. C.	Overton
Buck	Knowland	Robertson, Va.
Byrd	Lodge	Russell
Chavez	Lucas	Saltonstall
Connally	McCarran	Smith
Cooper	McClellan	Sparkman
Donnell	McFarland	Stewart
Flanders	McGrath	Taylor
Fulbright	McKellar	Thomas, Okla.
George	McMahon	Thomas, Utah
Green	Maybank	Tobey
Hatch	Millikin	Umstead
Hayden	Murray	
Hill	Myers	

NAYS—32

Baldwin	Ferguson	Revercomb
Bricker	Gurney	Taft
Brooks	Hawkes	Thye
Butler	Hickenlooper	Vandenberg
Cain	Ives	Watkins
Capehart	Jenner	Wherry
Capper	Kem	Wiley
Cordon	Langer	Williams
Dworshak	McCarthy	Wilson
Ecton	Moore	Young
Ellender	Reed	

NOT VOTING—14

Barkley	Magnuson	Robertson, Wyo.
Bushfield	Malone	Tydings
Downey	Martin	Wagner
Eastland	Morse	White
Kilgore	Pepper	

So Mr. TOBEY's amendment to the first committee amendment on page 2 was agreed to.

Mr. TOBEY. Mr. President, I move to reconsider the vote just taken.

Mr. FULBRIGHT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The CHIEF CLERK. On page 2, it is proposed to strike out beginning with line 21, as follows:

SEC. 2. The Secretary of Agriculture is hereby authorized and directed to remove any or all controls with respect to any other product over which control is authorized by this act prior to its expiration when in his judgment the supplies of sugar are sufficient to warrant such action.

And to insert in lieu thereof the following:

SEC. 2. Prior to the expiration of this act, the Secretary of Agriculture is hereby authorized and directed to remove any or all controls with respect to any product over which control is authorized by this act when he determines that the supplies of sugar are sufficient to warrant such action.

The amendment was agreed to.

The next amendment of the committee was on page 3, line 24, to strike out the following:

(c) So much of the unexpended balances, appropriations, or other funds available for the use of any agency in the exercise of the functions transferred by this act as the Director of the Bureau of the Budget shall determine shall be transferred for use in connection with the exercise of such functions.

And to insert the following:

(c) So much of the unexpended balances of appropriations, allocations, or other funds, and the property available for the use of any agency in the exercise of any function transferred by this act or for the use of the Secretary of Agriculture in the exercise of any function so transferred as the Director of the Bureau of the Budget shall determine, shall be transferred for use in connection with the exercise of such functions. In determining the amount to be transferred, the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred, against such balances of appropriations, allocations, or other funds prior to the transfer. Such personnel as required may also be transferred temporarily to the Department of Agriculture pending termination of the functions authorized hereunder. Any personnel so transferred shall not, by virtue of their temporary employment in the Department of Agriculture, acquire or be entitled to any right to employment in such department in connection with the exercise of any function other than a function transferred under this act. There are authorized to be appropriated to the Secretary of Agriculture such sums as may be necessary to carry out the provisions of this act.

Mr. TOBEY. Mr. President, with reference to this amendment, it is to take care of veterans and the civil service rights of the transferees from the OTC to the Department of Agriculture under the

legislation being considered. I offer as an amendment to it an amendment which has been printed and is on the Senators' desks, and which I ask to have stated.

The PRESIDING OFFICER. The Clerk will state the amendment.

The CHIEF CLERK. In the committee amendment, on page 4, line 20, after the period, it is proposed to insert the following:

The annual and sick leave of personnel so transferred shall be transferred with them; and they shall be entitled to the benefits of section 14 of the Veterans' Preference Act of 1944 to the same extent and effect as though they had remained employees of the agency from which transferred until the termination of such functions.

Mr. REVERCOMB. Mr. President, may we have an explanation from the Senator of New Hampshire as to just what that means? It says they "shall be entitled to the benefits of section 14 of the Veterans Preference Act of 1944." Does that mean that the Veterans Preference Act applies in any way other than to veterans?

Mr. TOBEY. It has no such implication. The purpose of the amendment is merely to insure to the men who are veterans, and who are employees of the OTC, that their rights as such under veterans' legislation and civil-service laws would be the same as if they had never been transferred.

Mr. REVERCOMB. It applies only to veterans?

Mr. TOBEY. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. TOBEY] to the committee amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The Clerk will state the next amendment of the committee.

The CHIEF CLERK. On page 5, line 5, after the word "heretofore", it is proposed to strike out the word "used" and insert the word "issued."

The amendment was agreed to.

The next amendment was, on page 5, line 6, before the word "referred", to strike out the word "act", and insert in lieu thereof the word "acts."

The amendment was agreed to.

The PRESIDING OFFICER. That completes the amendments of the committee.

Mr. McCARTHY. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The Clerk will state the amendment.

The CHIEF CLERK. It is proposed on page 2, line 7, to strike out "March 31, 1948", and insert in lieu thereof "October 31, 1947, except that authority to continue inventory controls over other than household users may be exercised to and including March 31, 1948."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. McCARTHY].

Mr. McCARTHY. Mr. President, will not the clerk read the remainder of the amendment?

The PRESIDING OFFICER. The Chair rules that the other amendments are separate amendments. Does the Senator desire to have them read for information?

Mr. McCARTHY. I should like to have them read for the information of the Senate.

The PRESIDING OFFICER. Without objection, the clerk will read as requested.

The CHIEF CLERK. Immediately before section 3, on page 3, it is proposed to insert the following:

(6) Not less than 40 pounds of refined sugar shall be allocated during the period from April 1, 1947, through October 31, 1947, to each person in the United States for home consumption, to be made available as follows:

(i) Not less than 10 pounds shall be made available for purchase from April 1, 1947, through June 30, 1947;

(ii) Not less than 20 pounds shall be available for purchase from July 1, 1947, through September 30, 1947; and

(iii) Not less than 10 pounds shall be available for purchase from October 1, 1947, through October 31, 1947; and

(7) In the event the quantity allocated to nonprovisional industrial users during any portion of the period from April 1, 1947, is increased above the base allocation of such users the quantity herein required to be allocated for home consumption during such portion of such period shall be proportionately increased. For the purposes of this act nonprovisional industrial users means industrial users who, as of February 18, 1947, were allocated sugar on the basis of use during a base period; and

(2) Base allocation with respect to any interval of time means 75 percent of the quantity of sugar used by such nonprovisional industrial users during the corresponding portion of the base period.

Insert immediately prior to section 2 the following:

(b) Notwithstanding the provision of any other law the Secretary of Agriculture in exercising the allocation and rationing authority transferred to him by section 2 of this act shall in a manner consistent with the maintenance of effective national allocation and rationing program, provide for the needs of hardship cases, for the needs of new sugar users, and for the needs of those who have no base period history.

Mr. LUCAS. Mr. President, am I to understand that the Senator is offering a series of amendments, or a substitute for the bill?

The PRESIDING OFFICER. The Chair will say to the Senator from Illinois that there are two separate amendments. One proposes to change the date as it appears in the joint resolution as reported by the committee, and the other makes substantial changes in the committee's proposal with reference to the handling of the entire matter.

The Chair would ask the Senator from Wisconsin if he desires to request unanimous consent for the consideration of the two amendments as one? They are related.

Mr. McCARTHY. I should prefer to consider them as one, and I would like to ask unanimous consent that the two amendments may be considered as one.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin to consider these two amendments as one?

Mr. ROBERTSON of Virginia. Mr. President, I should like to make an inquiry to see if I understand the ruling of the Chair. We have adopted an amendment providing for an allocation for domestic use of 35 pounds of sugar. I understand that the distinguished Senator from Wisconsin now seeks to change that amendment, which was adopted, by raising the allocation to 40 pounds, and making it compulsory.

The PRESIDING OFFICER. As the Chair understands the amendment, the Senator is correct.

Mr. ROBERTSON of Virginia. I make the point of order that the amendment for a compulsory allotment of 40 pounds is not in order.

Mr. McCARTHY. Mr. President, may I point out to the Senator that the second part of my proposed amendment, dealing with the allocation of sugar, will not be in order, unless the first part of the amendment is adopted. If we adopt that part of my amendment which changes the termination date of rationing from March 31, 1948, to October 31, 1947, then there is nothing contradictory in the amendment which I now propose, and the admendment which has been adopted, for the reason that——

Mr. ROBERTSON of Virginia. Mr. President, will the Senator yield?

Mr. McCARTHY. Let me finish, please—for the reason that the Tobey amendment calls for a minimum of 35 pounds for the entire year. My amendment calls for a definite amount of 40 pounds during a certain period of that year. It in no way conflicts with the amendment offered by the Senator from New Hampshire. If he set a maximum requirement, there would be a conflict.

Mr. ROBERTSON of Virginia. Mr. President, with all due deference to my distinguished colleague, I do not agree with his position, but in the event his position should be correct, I would be compelled to ask for a separation of the amendments, and that the vote be taken first on the proposal to fix October 31, 1947, as the date for the termination of control.

Mr. McCARTHY. Mr. President, I have no objection to a separation of the amendments.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Nebraska will state his parliamentary inquiry.

Mr. McCARTHY. Mr. President, I believe I have the floor.

The PRESIDING OFFICER. The Senator from Nebraska desires to propound a parliamentary inquiry.

Mr. WHERRY. As I understood, the Chair ruled that it required the unanimous consent of the Senate to consider the amendments as one.

Mr. McCARTHY. Mr. President, I withdraw the request that the two amendments be considered as one. I will

withdraw that request so they may be taken up separately.

The PRESIDING OFFICER. The Senator from Wisconsin withdraws his request. The amendments he has offered will be considered separately. The question now is upon agreeing to the first amendment offered by the Senator from Wisconsin [Mr. McCARTHY].

Mr. LODGE. Mr. President, I ask that the amendment be stated.

The PRESIDING OFFICER. The clerk will state the first amendment offered by the Senator from Wisconsin.

The CHIEF CLERK. It is proposed on page 2, line 7, to strike out "March 31, 1948", and insert in lieu thereof "October 31, 1947", except that authority to continue inventory controls over other than household users may be exercised to and including March 31, 1948.

The PRESIDING OFFICER. The question is on agreeing to the first amendment.

Several Senators asked for the yeas and nays, and they were ordered.

Mr. McCARTHY. Mr. President, I would like to be heard upon the amendment. I still have the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Wisconsin.

Mr. McCARTHY. Mr. President, I might repeat—and I shall be very brief—that the Senator from Ohio [Mr. BRICKER] and myself, who very extensively studied the sugar situation, both feel that decontrol should take place as of now, and not as of next fall. However, a number of things have been pointed out to us.

First. The Senators who come from States where sugar beets are raised, and Senators who come from States where sugarcane is an important industry, have pointed out to us that if we decontrol as of March 31 of this year, then any temporary price increase will inure to the benefit of the Cuban sugar producer, but that if we wait and decontrol as of October 31, then if there is any temporary price rise, the American beet grower and the American cane grower will benefit thereby. That is one of the reasons why we are willing to change the date of it.

Second. All the charts prepared by the Department of Agriculture, all the information which we have indicates that the consumer demand is at an all-time low on the 31st of October. The canning season has ended, the so-called Christmas cooking season has not begun, so that at that particular time of the year we can perhaps more safely decontrol than at the date originally suggested.

I would like to point out for the benefit of the Senators who were not here at the time this point was covered, that the OPA stated unqualifiedly that if and when we had 8,000,000 tons of sugar available we could decontrol. All the figures now show that we do have that amount available, and if any of the Senators want to inquire beyond that, as to the source of the figures, or where the sugar is available, I shall be glad to answer questions; otherwise I shall not take more time on this phase of the subject.

Mr. ELLENDER and Mr. TOBEY addressed the Chair.

Mr. McCARTHY. Mr. President, I yield to the Senator from Louisiana.

The PRESIDING OFFICER. The Chair understood the Senator from Wisconsin had yielded the floor.

Mr. McCARTHY. I have not yielded the floor. I will yield for a question.

Mr. ELLENDER. I do not desire to ask a question. I desire to speak on my own account.

Mr. McCARTHY. I am sorry. Then I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin yields the floor. The Chair recognizes the Senator from New Hampshire.

Mr. TOBEY. Mr. President, I shall not detain the Senate long, but this matter has been considered in the subcommittee, in the committee, and in the Senate. The Senate has adopted the Tobey amendment, and has fixed the allocation for the coming year. The date in the bill is March 31, 1948. Now, at the last hour, the Senator from Wisconsin, who has been trying to kill this bill from the very beginning, comes forward and offers this entirely radical change, which is exceedingly important. He would change the date to October 31 instead of March 31.

I desire to be heard to read four paragraphs from a letter which will show the lack of wisdom in the attempt that is now being made.

> Stocks of sugar in the United States are normally at the lowest seasonal level in October. At that time the stocks of beet sugar have been exhausted in preparation for the new beet crop which begins to move in volume in November. Seaboard cane-sugar stocks are at a low level in October because of the heavy distribution during the heavy consumption months of July, August, and September, and the distribution of the mainland cane crop begins in that month. The termination of controls on October 31 would come at a time when there is the least amount of sugar available to absorb the first shocks of decontrol and, therefore, could be expected to result in greater price fluctuations and more serious distribution troubles than at any other season of the year.
>
> If it is known in advance that controls must be removed on October 31, as would be the case if the committee's resolution is enacted, it is almost certain that a considerable amount of sugar will be withheld from consumption channels in anticipation of decontrol on October 31 and higher prices immediately thereafter. Any sugar withheld from consumption would, of course, be in stocks in October, but October stocks still would be at the seasonal low point for the year. Such withholding would result in insufficient distribution of sugar during the heavy consumption season when orderly distribution is most important from the standpoint of saving the maximum quantities of perishable agricultural commodities.
>
> It is questionable whether decontrol on October 31 would result in any considerable increase in the production of sugar this year. The certainty of decontrol on that date could not result in any increase in cane sugar production because new plantings of sugarcane will not be ready for grinding until after March 1948 at the earliest, and later in most areas. There might be a slight increase in the plantings of sugar beets but the amount of such increase would necessarily be small because it is anticipated that the price-support program already announced for 1947 crop beets will result in a production of beets almost equal to the capacity of the processing facilities. The small additional acreage which might possibly be planted in some areas would produce a very small quantity of sugar in relation to our total supplies for the year. Moreover, sugar beet growers have announced their support of an extension of controls until March 31, 1948, with a provision that the Secretary of Agriculture should remove controls at an earlier date if the supply of sugar warrants such action.

Mr. President, the last clause is extremely important. In the joint resolution which I believe the Senate is about to pass, the Secretary of Agriculture is directed to remove controls at the earliest possible moment when the supply makes it possible. That is his job. Not only is it mandatory, Mr. President, but the Secretary of Agriculture has given us his word, and his word is good. He is a gentleman and a man of integrity; and he desires to remove these controls just as soon as it is humanly possible to do so. I submit, Mr. President, that I have made out a case that October 31 is a dangerous time, and this expert testimony has given further strength to that case.

Mr. McCARTHY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Wisconsin?

Mr. TOBEY. Not until I am through. I am continuing my statement, I will say to the Presiding Officer.

The point I make, Mr. President, is that the job for us to do is to back up the committee which voted 10 to 3 to report the joint resolution favorably to the Senate. A small group of Senators has been trying all the way through to kill the measure.

Mr. McCARTHY and Mr. ROBERTSON of Virginia addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield; and if so, to whom?

Mr. TOBEY. I yield to the Senator from Virginia.

Mr. ROBERTSON of Virginia. I should like to ask the distinguished Senator if it is not true that even if there should be a slight increase this year in the production of beet sugar, distribution could not be made by October 31? It would run well past that date.

Mr. McCARTHY. Mr. President, will the Senator yield to me on that point?

Mr. ROBERTSON of Virginia. I was asking the question of the Senator from New Hampshire.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Wisconsin?

Mr. TOBEY. I yield further to the Senator from Virginia.

Mr. ROBERTSON of Virginia. Is it not true that if there should be an increase in beet-sugar production this year the supply could not be distributed until early next year?

Mr. McCARTHY. Mr. President, will the Senator not yield at that point?

Mr. TOBEY. I yield further to the Senator from Virginia.

Mr. ROBERTSON of Virginia. The Secretary of Agriculture said he could not distribute the increased production of beet sugar until early next year, did he not?

Mr. TOBEY. That is correct.

Mr. ROBERTSON of Virginia. So, if there should be a slight increase in sugar-beet production, we could not obtain the benefit thereof until early next year.

Mr. TOBEY. That is correct.

Mr. ROBERTSON of Virginia. Is it not also true that by decontrol as of March 31, 1948, we would have the prospect, perhaps, of additional sugar from Cuba, some sugar from the Philippines, some sugar from the Dutch East Indies, and from other sources that could not possibly be available if we decontrolled on October 31, which the Secretary of Agriculture said would be the time of the lowest ebb of our supply in this country.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. TOBEY. I wish first to answer the Senator from Virginia in the affirmative. I now yield to the Senator from Wisconsin.

Mr. McCARTHY. I wish to cite authority on the point under discussion. I have been studying the matter for weeks. When the sugar crop will be available is important. I am glad the question has been raised. I shall speak of the Cuban crop first and then of the beet crop. According to detailed charts which have been prepared to March 1947, supplied by the Department of Agriculture, the Cuban crop commences to become available in large quantities late in February, and it continues on a fairly even keel until along in August and September.

The beet crop starts to become heavily available about the first of October. On the 31st of October it reaches the high point. By that I mean it is available not to the refiners, but to the consuming public. It continues to drop off very heavily until the latter part of December. Then there is no noticeable available beet sugar until the following October.

So we do have that picture. The Cuban crop is available from February until late in August and September. Then there is a dropping off, and then we have heavy production from October until about the 18th or 20th of December. That is what is shown by the charts prepared by the Department of Agriculture on the subject.

Mr. ROBERTSON of Virginia. Mr. President, will the Senator yield?

Mr. TOBEY. I yield.

Mr. ROBERTSON of Virginia. I would say to my distinguished colleague from Wisconsin that all the testimony I have heard or read on this subject is to the effect that stocks of sugar in the United States are normally at the lowest seasonal level in October, and beet sugar cannot be distributed by that time. I will say further that it may be that some of the beet sugar growers might like to see a whirl of 25-cent or 30-cent or 40-cent sugar even for one fall. I remember what was called the Dance of the Millions in Cuba. I went down there after the price of sugar had dropped from 20 cents raw to nine-tenths of 1 cent raw, and saw the misery and suffering resulting from the inflation and the deflation, which wrecked the country. I am sure my distinguished colleague received a letter written by the representative of all the sugar-producing industries of Cuba begging us not to precipitate another disaster of that kind upon them, but to continue the control not only until this fall but until next spring.

Mr. McCARTHY. Mr. President, will the Senator from New Hampshire yield to me at that point so I may say a word regarding the letter written by the Cuban producers?

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Wisconsin?

Mr. TOBEY. If the Senator from Virginia has finished, I will be glad to yield to the Senator from Wisconsin.

Mr. ROBERTSON of Virginia. I do not think we can get very far in this matter unless we can agree on the facts.

Mr. TOBEY. I yield to the Senator from Wisconsin.

Mr. McCARTHY. The Senator asked me a question. I should like to answer it. I saw the letter from the Cuban producers, and the full-page advertisement which the Cuban producers ran in the newspapers, and the high point in the letter was this:

They objected to doing away with sugar control, because it was contended that if we did so it might encourage the production of sugar in other parts of the world to the detriment of the Cuban sugar producers. I do not think we are here today to legislate to protect the Cuban sugar-beet industry.

Mr. ROBERTSON of Virginia. A 2-cent tariff will not protect sugar in this country if the price goes up, as the Secretary suggests, to 30 or 40 cents. What would 2 cents mean? When the price drops it will ruin our beet-sugar and cane-sugar producers.

Mr. FLANDERS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FLANDERS. Who has the floor?

The PRESIDING OFFICER. The Senator from New Hampshire [Mr. TOBEY] has the floor.

Mr. FLANDERS. I thank the Chair.

Mr. ROBERTSON of Virginia. Let me ask the Senator from New Hampshire this question: Does he believe that 1 year of high prices for domestic sugar could repay our domestic farmers for 4 or 5 years of depression if we were to stimulate the world production of sugar to the point where our present tariff would be no protection whatever?

Mr. TOBEY. The answer is "No."

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. TOBEY. I yield.

Mr. FLANDERS. Mr. President, we have been hopping about in a maze of statistics—or rather a swamp of statistics, because from time to time we have set one foot on solid ground, but no more than one foot at any time.

Mr. McCARTHY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCARTHY. Does not the Senator from New Hampshire lose the floor if he farms out the time for speeches?

Mr. TOBEY. The Senator from Vermont is asking me a question. This is the preamble to the question.

Mr. FLANDERS. The question I am asking the Senator from New Hampshire is this——

Mr. McCARTHY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCARTHY. Has the Senator from New Hampshire lost the floor by farming out the time to the proponents of his measure and refusing to yield to other Senators?

The PRESIDING OFFICER. The Chair rules that if any Senator raises a point of order in that connection, the Senator to whom the floor has been yielded must ask a question or else subside.

Mr. McCARTHY. Mr. President, I raise that point.

Mr. TOBEY. I suggest to the Senator from Vermont that he ask a question.

Mr. FLANDERS. Mr. President, I was about to ask a question, but it has been some time since I started to ask the question. This is the question——

Mr. TOBEY. Perhaps we had better vote.

Mr. FLANDERS. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. McCARTHY] on behalf of himself and the Senator from Ohio [Mr. BRICKER]. On this question the yeas and nays have been ordered.

Mr. ELLENDER. Mr. President, I rise to speak in support of the pending amendment. The reason why I do so is that I have on the desk an amendment in the nature of a substitute, which incorporates the amendment which is now before the Senate. The amendment, I may say, stands out as the main difference between the House bill and the Senate measure.

My substitute is not my own handiwork. It happens to be the bill which was passed by the House with very little opposition. Let me say at this point that since it is essential that the Congress take action on sugar legislation before the 31st of this month, which is next Monday, it might be a good idea for the Senate to adopt the House bill, which I have at the desk, as a substitute for the measure now being considered.

Mr. President, I do not desire to delve at length in statistical data. Many figures have been submitted to the Senate pertaining to sugar consumption and production during the course of this debate. However, I ask the indulgence of Senators to listen to me so that I may present to them the world picture so far as sugar production is concerned.

The record shows that world production of sugar reached its lowest point since the beginning of the war in the 1945–1946 season. The production for that period was 26,692,000 tons, which was 77 percent of the prewar 1935–39 average production of 34,660,000 tons. The estimated production for 1946–47 season is 30,361,000 tons, which is 88 percent of prewar production. It can readily be seen that in one season after the war we have raised production to but 12 percent of our average 1935–1939 production and I have little doubt that during the 1947–48 season world production will

be greater than the prewar 5-year average above referred to.

The greatest loss in sugar manufacturing occurred in countries which were ravished by war. For example, the European production decreased to 53 percent of the prewar average. The average production for Europe before the war was 10,366,000 tons which decreased to 5,494,000 during the 1945–46 season and by the 1946–47 season production had increased by almost 2,000,000, or 71 percent of prewar production. The same may be said of decreased sugar production in the Asiatic area, where the drop was more pronounced. For example, the production in the Philippine Islands before the war was in excess of 1,000,000 tons. In the 1945–46 season only 115,000 tons were produced and the estimate for the 1946–47 season is only 200,000 tons. It is expected that during the 1947–48 season there will be considerably more sugar manufactured.

I believe that the Congress should enact a law along the lines of the bill passed by the House. I believe that controls on sugar are necessary until October 31 of this year.

Our production in the Western Hemisphere has increased considerably since and during the war. As I pointed out a moment ago, production in the Asiatic portion of the world, as well as the European portion, was on the decline. But in North and Central America and in the West Indies the reverse was true. We might have expected a steady, normal prewar production, which most of us would have probably been satisfied with, but instead there was an increase of 11 percent in 1945–46 over our prewar average. Prior to the war the average production for North and Central America and the West Indies aggregated 8,745,000 tons, and in 1945–46 it increased to 9,606,000 tons. This season, 1946–47, the increase is 28 percent over the prewar average production, so that this year there will be produced in North and Central America and the West Indies an estimated 11,157,000 tons. All of this production has been on the incline, and I expect and anticipate that the increase will be much greater in all other sections of the world, so that the 1947–48 season will bring such an abundance of sugar as to satisfy the requirements of all users of the commodity.

The main difference between the joint resolution which is now before the Senate and the House bill hinges on the time element involved in cutting off controls. The House bill provides, as does the amendment which is now before the Senate, for October 31 of this year as the period at which controls and rationing shall end.

As to inventory controls, both measures provide that the date at which they shall cease shall be March 31, 1948. That is a very important provision to retain in the bill we finally pass. The principal reason for the retention of inventory controls is to make it impossible for large industrial sugar users to corner the market and load up with all the sugar in sight, and thereby defeat the housewife in obtaining her just share of the sugar which is available. They could buy large quantities during the next few months and store it for future use and the housewife may have to do without it for home use and canning purposes. Under this provision, as I understand it, the Secretary of Agriculture could limit the purchases of large industrial users to say a 30 to 40 days' supply.

I am certain that October 31 should be the period which this Congress should agree upon as the date on which to cease all controls and rationing. There are a number of reasons for that position, and I shall attempt to discuss a few of them.

First, the period during the year when sugar is purchased in greatest amount for all purposes is from the month of March through the month of October of each year. There is a great demand for sugar not only by industrial users but also by housewives. More soft drinks, ice cream, cakes, and the like are consumed during the summer, a large amount of fruit is canned during the fall both by the large canneries and the housewife and therefore the demand for sugar is much greater.

If the Senate adopts March 31, 1948, as the date upon which to remove controls, my guess is that the sugar processors of Cuba, Hawaii, the Virgin Islands and Puerto Rico will not be inclined to send their products to this country, because there will be on the statute books a law which will result in producing higher prices after March 31. The natural inclination will be for them to retain their sugar so they can sell it on an uncontrolled and unrestricted market. That will be the consequence if March 31, 1948, is the date fixed by law.

In Louisiana we begin our sugar operations in October. The sugar-beet producers begin their operations, I understand, in the latter part of September and early October. Puerto Rico, Cuba, and all off-shore producers that supply our markets begin their operations in early January. I believe it goes without saying that those producers will hold back the sale of their product. Then who will suffer? The housewife. There will not be much sugar sold to consumers from new production between October when the new crop begins to be manufactured and March 31, 1948, when all rationing and price controls are removed. The result will be, I repeat, that most of the sugar that comes to this country or is produced here will be stored somewhere and not put on the market. There is a situation now existing which will be far different from that which will prevail after all controls are off. We can now better control the distribution of such sugar we now have at our disposal. Why? It is because the Federal Government, through the Commodity Credit Corporation, has purchased the entire output of Cuban processors and the entire output of Puerto Rican processors and hence the distribution of sugar will have strings tied to it, as it were, and the Government is in position to see to it that sugars are equitably distributed and not hoarded. In other words, our Government will be armed with two methods of controls, one by virtue of the ownership of the greater portion of sugar for our requirements for this year and then rationing and price controls that will be voted by the Congress.

But after March 31, 1948, insofar as new sugar is concerned, there will be no such controls; and I can see the Cuban sugar manufacturers, the Puerto Rican manufacturers, and the Hawaiian manufacturers keeping all their new crop of sugar in warehouses in the hope that after March 31 they will be able to sell all of their crop on an uncontrolled market at nice, fancy prices. They know that we are dependent on them for our supplies, and it will be almost miraculous if they did not force us to buy at their own price.

Regardless of when controls are removed, we will necessarily have a little increase in the price; there is no question about that. But my argument is this: Why not permit the increase in prices at a time when consumers do not use much sugar? That would be accomplished by making October 31 as the date to end price and ration controls. Why remove controls in March, when that period is the beginning of the season when there is the greatest demand for sugar for all purposes, such as for soft drinks, for making ice cream, cakes, and so forth? What should be done, I repeat, is to remove controls when there is less demand for sugar, when prices would not take the spurt which they would take when there was a large demand for sugar. That is the theory upon which the House bill is predicated.

On the other hand, Mr. President, let us consider the farmers. If the Senate bill as now written is passed, the price paid to the farmers of my State and to those of Florida for every ton of sugarcane they produce will be paid on the basis of sugar sold on a controlled market. That is to say, the Florida sugarcane grower and the Louisiana sugarcane producer will have to sell their cane to manufacturers who will not be compelled to sell the cane sugar as soon as it is manufactured, but processors will be able to store all of it, if they wish to do so; but the price the farmers receive for sugarcane will be based on whatever the market price per pound happens to be under a controlled market. It happens that cane growers are paid on a basis of whatever the average price of sugar is between October 1 and March 1 of each year.

Mr. President, let us now consider the case of the sugar-beet growers. Their situation is slightly different from that of the sugarcane growers. As I understand, the sugar-beet growers are paid on the basis of one-half of the gross receipts of the factory. If farmers sell to a large beet-sugar factory which can store the sugar it produces and can sell it over a period of 12 months, such farmers of course will reap the benefits under such a system. But in Ohio, Michigan, and other States there are many smaller factories which are unable to store their output, but must sell the beet sugar as it is produced, because they lack the finances or facilities to store and hold it. The farmers who sell to those factories will be paid on the basis of prices that are fixed and under control. I venture the opinion that they

will be placed in the same category as Louisiana and Florida cane farmers.

Mr. ROBERTSON of Virginia. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. ROBERTSON of Virginia. The distinguished Senator from Louisiana said that if we end this control on October 31, the price will go up. I assume, however, that he will agree with me that he would not want to see a period of boom and bust for the cane producers of Louisiana.

Mr. ELLENDER. Mr. President, in answer to the Senator's question I may say that I do not foresee more than a flurry. I do not expect prices to run wild, for the reason, as I said a while ago, that the period when we are to end controls will be at a time of the year when purchases of sugar or the use of sugar is at its lowest, and production will begin at its greatest. When November comes along all continental sugar processors will be in full operation and then will be followed by offshore manufacturing. The Senator must not overlook the fact that but a small amount of sugar produced after October 31 of each year is consumed in the year it is produced.

Mr. ROBERTSON of Virginia. Does the Senator know what the official representative of the cane producers told us in the committee as to whether this would be a small bust or a big one? Let me read to the Senator just a paragraph from the record. This was the testimony of Clarence J. Bourg:

> I represent the American Sugar Cane League and the Farmers and Manufacturers Beet Sugar Association.
>
> The former is an association whose members are growers and processors of sugarcane in Louisiana, and the latter is an association of the growers and processors of sugar beets in the States of Michigan, Ohio, and Wisconsin.
>
> We recognize, after making a very thorough study of the sugar statistical picture in the world as it affects the United States market, that this is not the appropriate time for discontinuing controls.
>
> We are convinced that rationing should be continued beyond March 31, 1947, and price control will be necessary beyond June 30, 1947. Should either or both be discontinued, there would result a chaotic condition.

Not just a little flurry, said this witness representing the cane producers, but he said a chaotic condition would result. He was a representative of the producers of cane sugar, from the Senator's home State.

Mr. ELLENDER. Mr. President, I am in thorough agreement with the statement just read by the distinguished junior Senator from Virginia, because Mr. Bourg did not question the fixing of October 31. Mr. Bourg was talking about decontrolling allocations and rationing on March 31, 1947, and price controls on June 30, 1947. Of course, I agree with him. That is why today I am on this floor asking that controls be retained until October 31. Mr. Bourg said in his testimony that it would be fatal to many sugar producers—and I agree with him—to take off price controls on June 30 and rationing on March 31. Of course, I agree with him.

What I am arguing for is that we delay the decontrol date until October 31, when our consumption of sugar in this country is at its lowest point and when production is well on its way.

Mr. President, there is no question in my mind that it will mean chaos to the housewife after next January. I am not worried about the period up to December 31 of this year, because we have for distribution among the sugar consumers of our country for this year, 6,800,000 tons. That amount may be somewhat increased because of higher estimates of the Cuban production as was discussed today in the course of this debate.

Mr. ROBERTSON of Virginia. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. In just a moment. Of that amount, that is, the 6,800,000 tons, there is included a carry-over from 1946 of 1,450,000 tons. But with the increased production that is expected from Cuba, the inventory on January 1, 1948, will be 1,900,000 tons, rather than 1,450,000, as in January of this year. We may also expect some sugar from the East Indies.

Mr. ROBERTSON of Virginia. Is it not a fact that the Senate bill authorizes the Secretary of Agriculture to decontrol when he thinks conditions justify it, and will the Senator still stick with his representative from Louisiana, who said this to us:

> We have complete confidence in the Secretary of Agriculture and in the Director of the Sugar Branch of the Department of Agriculture. We are convinced that a transfer of the authority to them would result in the earliest practicable removal of unnecessary controls.

Mr. ELLENDER. I have complete confidence in our Secretary of Agriculture, but I do not have much faith in some of the advisers he has around him. When Mr. Bourg made that statement the Senate bill had written in it a fixed decontrol date of October 31, 1947, with the understanding that said date could be extended if the Secretary found it necessary to do so. I understand that language was deleted from the bill. On the other hand, Mr. President, I want to leave it to Congress to take action. I want Congress to say when controls are to be removed. Let us assert ourselves.

Mr. ROBERTSON of Virginia. The spokesman before us for the Senator's industry and the beet sugar industry told us just what I have read, and that is what we put into the bill, thinking that we had the highest source of information we could get.

Mr. ELLENDER. Mr. President, it is evident that the distinguished Senator from Virginia has based much of his study on the evidence he heard before the committee. He spent 2 or 3 minutes here reading from a statement made by a representative from the cane area with which I am in full accord and which is not inconsistent with my present position. What the representative from the cane area had in mind when he testified was based on the contents of the bill before him at the time. It is possible that the distinguished Senator is basing his views from the testimony on a bill that is somewhat different from the one now under discussion.

Mr. ROBERTSON of Virginia. If the Senator will yield for a suggestion, the Senator from Virginia spent 10 years as a member of the Committee on Ways and Means of the House of Representatives, and time after time he heard the sugar people, the beet-sugar and the cane people, who come before that committee on the subject of tariffs on sugar, and the distinguished Senator from Louisiana, I think, will agree with me that if he today had his choice between 100-percent increase in the tariff on sugar and the additional allocation of 500,000 tons under the Jones-Costigan Act, he would take the latter. The Senator knows his people need the control and that the tariff is not enough, and he knows that our previous experience was that uncontrolled prices will run the industry into serious trouble.

Mr. ELLENDER. The question raised by the distinguished Senator from Virginia has no place in this debate. Of course, I prefer the quota system to the imposition of tariffs. There is no question about that. But what I am arguing for—and I do not like to repeat it—is simply that we in America, who produce but 29 percent of our sugar requirements, are going to be at the mercy of Cuban producers, as we were following World War I. Manipulators held the sugar back and sold it at whatever prices the traffic would bear. If we at this time should make the mistake of providing that controls should end on March 31 of next year, there is no question that Cuban and many other offshore producers of sugar would retain their supply of sugar with a view of selling it on an uncontrolled market, manipulating it so as to obtain high prices for it.

So I say to my colleagues, let us have controls end on March 31, when the consumption of sugar is at its lowest peak during the year, rather than when production starts and is at its highest. That is the way to handle the situation.

Mr. OVERTON. Will the Senator yield?

Mr. ELLENDER. I yield.

Mr. OVERTON. The Senator is saying March 31. Does he not mean October 31?

Mr. ELLENDER. I am sorry. What I intended to say is that the lowest period during the year of sugar consumption is during the latter part of October of each year.

Mr. OVERTON. That is correct.

Mr. ELLENDER. And the greatest production begins about that time.

Mr. OVERTON. The Senator is correct.

Mr. ELLENDER. That is what I intended to say and I thank my distinguished colleague for his correction.

Mr. OVERTON. That is all there is to it.

Mr. ELLENDER. Absolutely.

Mr. OVERTON. It is just as plain as can be.

Mr. DWORSHAK. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield for a question.

Mr. DWORSHAK. I understand our Government has a contract with the Cuban sugar producers to take over most of their crop.

Mr. ELLENDER. Yes.

Mr. DWORSHAK. Is there not some provision contained in the agreement as to the price to be paid for the sugar?

Mr. ELLENDER. Yes.

Mr. DWORSHAK. Would not that provide protection against an uncontrolled price?

Mr. ELLENDER. I am not talking about next year's crop. So far as this year's crop is concerned, we are protected, because we have bought that sugar at a certain price, and it is under the control of the Commodity Credit Corporation.

We have also bought the Puerto Rican crop, and the Government controls that output of production, and it can sell that sugar and dispose of it so as to prevent hoarding, and to compel a fair distribution of that supply.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. Mr. President, I do not desire to address the Senate any longer. I am going to reserve a little bit of my energy to debate the House bill when I offer it as a substitute to the pending Senate bill.

Mr. FLANDERS. Mr. President——

The PRESIDENT pro tempore. The Senator from Vermont has the floor.

Mr. ELLENDER. Mr. President, I had the floor.

The PRESIDENT pro tempore. The Senator yielded the floor.

Mr. ELLENDER. I was in the process of answering a question.

The PRESIDENT pro tempore. The Senator was in the process of yielding the floor, as far as the Chair could see. Will the Senator from Vermont yield to the Senator from Louisiana?

Mr. FLANDERS. I shall be glad to yield.

Mr. LANGER. I want to know who bought the Cuban sugar last year and the year before.

Mr. ELLENDER. The Commodity Credit Corporation bought the entire Cuban sugarcane crop this year, and under agreement reached with the International Food Control Organization, about a third of the entire crop will be sold to 14 countries, giving to them in some cases a per capita consumption equal to 75 percent of their prewar requirements, and in other cases as much as 90 percent; and we, under the agreement, are to obtain the remaining two-thirds of the Cuban crop.

Mr. LANGER. A further question to the Senator. Is that true of the crop this year?

Mr. ELLENDER. It is.

Mr. LANGER. We will only get from 10 to 12 percent?

Mr. ELLENDER. Oh, no; we get two-thirds of the Cuban crop. We get 3,146,000 tons out of an estimated production of 5,500,000. The rest of it goes to these various countries, as I indicated a moment ago.

Mr. FLANDERS. Mr. President, I want to address myself very briefly, because the position can be stated very briefly, to the question of the October 31 date. There are two troubles with the October 31 date. The first trouble is that on that announced date and in anticipation of it, for 2 or 3 months previously sugar will be withdrawn from the markets, just as much on October 31 as on March 31. It will be withdrawn in anticipation of higher prices subsequent to the removal of the controls. It will be withdrawn from the market during the canning season. It will be withdrawn during a month in which the stocks are the next to the lowest of any month in the year. September is the month of lowest stocks. October is the month of the next to the lowest stocks, and it is one of the months of medium production, neither the highest nor the lowest. But the principal thing I am emphasizing is that the release of controls on that date would leave the markets bare of sugar for household use for 2 or 3 months preceding.

That leads me to the second point which I wish to make, and this, it seems to me, is the most important point about the pending measure and the whole process of removing controls. It is this: The date of removal of controls must not be legislated; it must be administered. March 31, the date set in the committee's proposal, is not a date of relinquishing controls. The Secretary of Agriculture is simply told "You must relinquish controls by March 31." Any date which the Congress sets as a date for relinquishing controls is an invitation to hoarding and to speculation and to market disorganization, and to inability of both housewives and of industry to get sugar. We must not, particularly if we consider ourselves to be friends of the American housewife, set legislatively the decontrol date, and by all means, we must not set October 31 as the decontrol date. A worse date for the housewife of America could by no means be picked even by some satanic group interested in disrupting our home economy in this country. It is the worst possible date.

I beg of the Senate not to legislate a date of decontrol. Let that come from the Administrator, like a stroke of lightning from Heaven. That is the only way the thing should be done.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

Mr. BUTLER. Mr. President, I have been waiting for several days to make a few brief remarks on the subject of sugar legislation. I regret that it has been necessary to attend committee meetings, both morning and afternoon, to such an extent that I have not been able to keep in constant touch with the debate here on the floor; but I am certain that the few remarks I wish to make in defense of the October 31 date will be appropriate at this time.

The joint resolution as reported by the Senate committee sets a date of March 31, but I consider the House version, setting the date of October 31, much the best in the interests of the people of our country.

Mr. President, in my judgment, one of the principal reasons why the people of this Nation voted to change the political control of both the House and Senate was the desire to get rid of all these unnecessary wartime controls. The people discovered last summer that continuation of controls meant continued shortages. They voted to get rid of those controls just as rapidly as possible. We have a clear mandate on that point.

For that reason, I am frankly very reluctant to vote for any extension at all of these controls on sugar. I am willing to do so only for a very short period of time, and only because it is clear we cannot correct the mistakes of many years in a few weeks.

In my opinion it is ridiculous that there should still be a shortage of sugar in March 1947—over 18 months after the end of the fighting. If prompt energetic steps had been taken by the Administration to meet this situation by expanding sugar production, these controls could be wiped out immediately. Such steps were not taken. We still have a sugar shortage. We must face that fact and give the sugar industry a few more months to recover. For that reason I believe we must extend the controls for a short period in the interest of avoiding a run-away market that would do no one any good.

Nevertheless it is important to get rid of the controls as soon as possible. There will never be a perfect time to wipe them out. I say that because I am convinced that disruptions and shortages will continue as long as the controls continue. It is the control program which has kept sugar production from expanding to meet our needs. Controls cause shortages. We saw that proved last year in the case of meat and many other commodities. It is even more true with respect to sugar. Price control has prevented farmers from growing all the sugar we need, since the returns to them on other uncontrolled crops were far more profitable.

In fact, in some parts of the country, on sugar-beet land, farmers are growing potatoes which we do not need and which may eventually be sold to the Government and left in the field to rot. The prices that have been set by our economic planners have led them to grow potatoes we do not need instead of sugar that we do need. That has been the result of Government planning. It is a situation that will not be corrected until we encourage the farmers to expand to meet our requirements.

If controls are to be lifted on October 31 by legislation that we pass this week it will serve as a clear announcement to our farmers that they can depend on receiving a profitable price for all the sugar they want to grow. Planting of sugar beets has not been completed in most parts of the country, but it will be very soon. In other words, this proposition is a matter of telling our farmers now that we want them to expand their sugar acreage just as rapidly and as much as they can. If we extend these controls until next March, the domestic sugar producer will have practically all his 1947 sugar sold before that time. He will know that he will have to sell at

the present fixed price or something very close to it. It will serve clear notice on him that the Government does not want or expect him to increase production. If we do tell him any such thing as that, we can hardly blame him for drawing his own conclusions and turning his acreage to beans and potatoes.

Mr. President, in this connection, I wish to say that from the newspapers of the last 2 or 3 days which have come to me from Nebraska, I have this little clipping:

THIRTY-FIVE THOUSAND SIX HUNDRED AND EIGHTY-NINE ACRES OF BEETS SEEN—NORTH PLATTE VALLEY CROP MAY BE UP 20 PERCENT

SCOTTSBLUFF, NEBR.—A total of 35,689 acres of sugar beets have been contracted so far in the North Platte Valley, exclusive of the Wheatland (Wyo.) district, P. H. McMaster, general manager of the Nebraska district of the Great Western Sugar Co., said Saturday.

This represents an increase of 20 percent on the same farms and farms which did not grow beets a year ago.

"If this same percentage of increase continues throughout the contracting season, from 54,000 to 55,000 acres of beets will be planted in the valley this year," he said.

Some farmers plan to start planting late this month. Some beet labor already is arriving and other groups are en route from Texas. Mr. McMaster said the company would be able to provide all necessary labor to growers.

Contracting will be completed in about 10 days.

That is in the first irrigation district that was ever completed in the United States, in the North Platte Valley.

Another news item deals with Alliance, which is located on high ground irrigated by pump irrigation. I read from the Nebraska Farmer of March 15, as follows:

NEBRASKA'S CHAMP SUGAR PRODUCERS

The Koester brothers, of Alliance, are the champion sugar producers of Nebraska. They have won the title seven consecutive years.

The brothers produced a total of 294.1 acres that yielded an average of 16.19 tons per acre with a total sugar production of 1,464,532 pounds. Harold Ledingham, of Mitchell, was the reserve champion with 795,925 pounds produced on 146.31 acres that averaged 20.13 tons per acre.

Phillip Schriener, of Haig, is the champion sugar-beet producer in the State. He produced 25.75 tons of beets per acre on 20.99 acres. Jack Gempert, of Mitchell, is the reserve champion producer with an average of 25.24 tons per acre on 19.04 acres.

Mr. President, those figures are given, as I stated, in order to show the importance of increasing the acreage as early as possible, and that increased acreage will come as a result of the announcement that the closing date on controls will be on October 31 this year. I am speaking from the standpoint of the producer, and it is the producer who is going to answer our sugar problems, and not the consumer.

There are other important reasons for preferring the October date. During the past few months, it has become clear that the world-wide sugar picture is not nearly so black as it has been painted. Just a few months ago, the administration was predicting a Cuban sugar crop of only 5,000,000 tons. Then recently that estimate was increased to 5,500,000 tons. Now the latest reports are that Cuba will produce this spring more than 6,100,000 tons. It is clear that our department experts have been too pessimistic about sugar prospects all along. I do not charge that these underestimates have been due to a desire to extend controls and maintain the present bureaucratic regimentation. I do suspect, however, that it is in the nature of a bureaucrat always to seek out and find some excuse for maintaining and increasing Government regulations. The whole case for control was based on the assumption of an extreme shortage. We now find there are over a million tons more than we thought there were. Most of the case for continuation of control has therefore vanished.

Another argument for early decontrol is the availability of substantial amounts of free sugar in various parts of the world. Cuba, for example, reserved 300,000 tons out of her supply to sell to her other customers in Latin America and elsewhere. I believe she has had some difficulty in finding a market for this sugar at the prices she wants. If our prices go a little bit higher, it may come here. The same is probably true of sugar from several smaller supplying countries. I suspect we shall find that a good deal of sugar will come out in the open for sale if prices are lifted slightly. At the present time it is a good speculation for any country to withhold sugar off the market and wait for the end of controls. Once controls are removed, that speculative motive will disappear.

In this connection I want to say that within the last 2 or 3 days I had a conversation with a gentleman whose business it is to distribute sugar in the wholesale market. He told me that the sugar is backing up on the grocers' shelves, and I am sure that Senators who have sugar coupons are going to have no difficulty in obtaining the sugar represented by them two or three times over if they happen to pick up extra coupons in the near future. Sugar is not moving at the present time from the retail shelves.

Frankly, if we do not definitely decide to get rid of the controls this year, we shall be faced with the very same problem at the beginning of next year. The Department of Agriculture has never given us concrete assurance that there will be all the sugar we want even next spring. I do not know whether there will ever be enough sugar to supply every country in the world with all the sugar it wants. I see no logic in keeping controls for another year or two or three in the hope that some day there will be sugar to supply every country with enough sugar to bring it up to the American standard of consumption. Most of the other countries buying sugar in competition with us are using our money to do it with, anyway. I repeat, we do not dare extend these controls until next year when we know we will have to face this same problem again and decide, under pressure, whether to keep the controls on until 1949.

It is worth remembering a few of the panicky predictions that were made last year when we were considering price-control legislation. It is worth remembering that butter did not go up to a dollar a pound and stay there; that meat is now available for far less than the black-market prices of last summer. We owe it to our belief in the American way of doing business to get rid of the controls on one more American industry at the earliest possible date. If we really believe in our own system, we can hardly do otherwise.

One point I have hardly touched on is the importance of this subject to the agriculture of the irrigated sections of the Middle West and the West. Sugar production in the United States has been controlled, discriminated against, and held down ever since 1934 by quotas which prevented our farmers from producing enough to fill our needs. We saw the unfortunate effects of this policy when the war broke out. Sugar was the first thing of which a shortage appeared. Quotas restricting our domestic production were lifted at that time, but the price controls and priority regulations effectively prevented our farmers from expanding to meet our needs. The history of sugar during the war was one of consistent favoritism to foreign producers at the expense of our own farmers.

Now that the war is over, it is high time we get to work and expand domestic beet production. This measure is one important step in that program. Another important step will be revision of the quota legislation which has prevented construction of new beet-sugar factories. In my own State we could easily produce enough beets to supply four or five additional sugar factories if the quotas can be increased or removed. I am hopeful that we can consider such a change when the question of reviewing the Sugar Act comes before us later on in the session. Meanwhile, the best thing we can do for both the consumer and the producer is to get rid of these controls as soon as possible. That will permit the housewife to buy as much or as little sugar as she cares to. If she is used to canning her own fruit, she can obtain the sugar with which to do it, and avoid paying the very high prices for commercial jams and jellies. Decontrol will thus bring down any unreasonable prices for such manufactured products. It will permit the housewife to preserve her own fruit instead of forcing her to buy commercial goods. At the same time, it is the only way to stimulate production and to thus get rid of the shortage completely, if there is a shortage. It will stop the nonsense of paying farmers to produce too many potatoes on irrigated land that should be producing sugar. It will help restore domestic beet and cane production to a point where we can rely on it as a source of supply in case of emergency. It will definitely strengthen the agricultural economy in States having irrigated farms. It will return one more industry to the American people, and remove that industry from continued control of the economic planners.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. BUTLER. I yield.

Mr. LANGER. Do I correctly understand the Senator to say that the champion sugar raiser in his State produced only 24 tons to the acre?

Mr. BUTLER. The figure I read was close to 26 tons to the acre.

Mr. LANGER. Was that the best that was done?

Mr. BUTLER. That was done by the champion farmer in that area. I presume that in the Red River Valley there may be isolated farms that can compete with that record.

Mr. LANGER. We have a great many farmers who raise 30 tons to the acre. Sinner Brothers at Casselton produce 30 tons. I was interested in what the Senator had to say about new plants. Have contracts been let for new plants?

Mr. BUTLER. They cannot be let until those investing in the plants can be assured of a quota to maintain the plants.

Mr. LANGER. That is our trouble in the Red River Valley. The farmers are willing to raise sugar beets, but there is no place to dispose of them. The existing plants are already operating to capacity, and there is no money to build new plants.

Mr. BUTLER. The situation in Nebraska is a little different, because we have some idle plants in areas where sugar acreage has dropped, which we wish to remove to areas where sugar production is under way.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. BUTLER. I yield.

Mr. MAYBANK. I was very much interested in what the Senator from Nebraska said in connection with the increased amount of sugar in Cuba, to the effect that if the market price went up a little we would be able to buy more of it.

Mr. BUTLER. I made the statement that I thought a slight advance in the price of sugar might bring an increased movement.

Mr. MAYBANK. And that the United States would probably benefit?

Mr. BUTLER. The Cubans, or whoever is handling their sugar for them, set aside 300,000 tons to take care of the demand in addition to what they sold in the United States. They are having difficulty in disposing of those 300,000 tons, and my statement was that ultimately some of it would probably come to the United States.

Mr. MAYBANK. Is not that difficulty occasioned by agreements in the UNO, in which the allotments of Cuban sugar were prorated?

Mr. BUTLER. I am unable to answer the Senator's question.

Mr. MAYBANK. I believe that there would be some additional Cuban sugar sold if the price were increased, but there was one point that impressed me very much as a member of the subcommittee, and which I have not yet heard discussed. If the Commodity Credit Corporation and the various other Government agencies dealing with Cuba are discontinued, there are some countries in the Old World which still have a great deal of gold, namely, Sweden, Switzerland, and France. With the competition which we would find from them there would eventually come into existence black markets in Europe which would be just as bad as the black markets under the old OPA, which the Senator and I both voted to do away with in connection with meat. When we come into competition with the gold credits of Sweden, Switzerland, and some other European countries, we shall find that the only sufferers will be our old friends, who spent everything in this war, and who perhaps need some small allotment.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. BUTLER. I yield.

Mr. TOBEY. Does the Senator from Nebraska realize that the 300,000 tons of sugar to which he has referred as being reserved by Cuba for its own use will be sold to South American countries if it is not used in Cuba, and then, as the Senator stated, it would come to the United States? When that happy occasion arises, let me assure the Senator with great pleasure that it will then go to the housewives pronto.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. BUTLER. I yield.

Mr. McCARTHY. The contract provides that if Cuba does not use her 350,000 tons, we are to get it. That is in the contract, as set forth on page 38 of the hearings.

Mr. TOBEY. The Senator realizes that Cuba has obligations to South American countries to supply them with sugar.

Mr. McCARTHY. We are speaking of the 350,000 tons reserved for Cuban use, to the extent that Cuba does not use it.

Mr. TOBEY. Under the Tobey amendment, it would go to the housewives at once.

Mr. McCARTHY. We are not arguing the Tobey amendment. There is an item of 300,000 tons of export free sugar that can go anywhere. Ordinarily, it would go to South America, except for the fact that this year Argentina, Peru, and Brazil have a surplus of sugar.

Mr. FERGUSON. Mr. President, I wish to take a few moments of the time of the Senate on the subject which is now before it, namely, sugar legislation. I wish to speak to the point that, in my opinion, the date for the termination of controls should be October 31. I have tried to ascertain the facts from those who are familiar with the subject and who know what the facts are, and I wish to say a few words on the facts. October 31 each year comes exactly at the peak of the beet sugar production in the United States. The beet sugar harvest begins as early as July in California, and all beet areas are in production by October 1.

Likewise, the mainland cane production in Louisiana begins in the first week of October, so that deliveries of sugar are being made regularly by October 31 and in substantial amounts.

Based on the 1947 estimates of 1,700,000 tons of beet sugar and 500,000 tons of cane sugar, the production of beet and cane sugar at the October 31 date within the United States would average about 200,000 tons per week.

We must not lose sight of the extremely important fact that the 1947 crops of Cuban sugar and Puerto Rican sugar have been bought by the Commodity Credit Corporation. True, considerable part of this volume will have been delivered by October, but the remainder will be sugar that belongs to the United States Government. The fact of Government ownership will have a stabilizing effect, because the distribution of sugar can be controlled and supervised in an orderly manner. The possibility of speculation in sugar or the possibility of withholding sugar from the market would be reduced to its lowest point in October.

The situation would be completely reversed in March 1948. The Government would own no Cuban sugar or Puerto Rican sugar, and would have very little influence, therefore, upon the orderly distribution in the first 3 months of 1948. In fact, I am told by people in the sugar industry that the prospect of serious withholdings from the market would be very much greater in the first 3 months of 1948, than it could possibly be in September and October. The reason is obvious, because in October the insular production will have been largely delivered to refiners under Government direction and the remaining supplies of sugar will continue under Government control until December 31.

In addition, the Department of Agriculture has announced the intention to build up the year-end stocks from 1,400,000 tons at the beginning of 1947 to 1,900,000 tons at the end of 1947. This reserve or surplus of 500,000 tons would provide additional means of Government protection against speculation, withholding, or disorderly marketing.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Wisconsin [Mr. McCARTHY] and the Senator from Ohio [Mr. BRICKER]. On this question the yeas and nays have been ordered.

Mr. O'DANIEL. Mr. President, I wish to say a few words with reference to the bill which is before the Senate, but not particularly in reference to any of the amendments.

For the benefit of Senators who did not hear me last summer when I spoke against OPA and price control, I will say that I am still against price control, regimentation, and regulations governing the lives of American citizens during peacetime.

However, I wish to say that at that time, last July, I tried to express in the Senate the voice of the people, by reading on the floor of the Senate hundreds of telegrams and letters which came to me from people who were pleading that the Senate abolish OPA and price control. Unfortunately, my brother Senators did not seem to hear the voice of the people as I then expressed it. Fortunately, however, the keen political, analytical mind and ears of President Truman were quick to recognize and hear the voice of the people, soon after November 5—either he or his advisers did so—for quickly he issued an order abolishing practically all price controls, except rent control, sugar control, and rice control. I am very happy that such controls now have simmered down to the control of only those three commodities—rents, rice, and sugar.

I suspect there is very little chance of eliminating sugar control at the present time; but I desire to voice my resentment of it as well as my opposition to it. As I have said, I am not interested in any of the amendments, except of course I shall vote for any amendment which

will bring closer the day when price control on sugar ends; and if I am given an opportunity to do so, I shall vote against continuation of price control on sugar, regardless of how the bill for the control of sugar may be amended.

However, inasmuch as it appears to me that the control of sugar may be continued, I wish to direct my remarks to the absurdity of the entire program and the humiliation which has been visited upon the citizens of my State by the New Deal bureaucrats who have endeavored to enforce the control of sugar in Texas. The main objection which is coming from the citizens of Texas at the present time is that most of the housewives and other consumers of sugar, including also the manufacturers and the large commercial users of sugar in Texas, are forced to buy their sugar on the black market, and the price on the black market is rather high.

Mr. President, if I may have the attention of the Senator from New Hampshire, I should like to propound several simple questions. I wish to know whether he has detected in the pending measure any provisions which would take care of the black marketeers in sugar.

Mr. TOBEY. That is an administrative matter in the hands of Mr. Anderson, Secretary of Agriculture.

Mr. O'DANIEL. Is the pending measure any different in that respect from the measure which it is intended to supersede?

Mr. TOBEY. Not in any degree.

Mr. O'DANIEL. Then that leaves us with the information that no provision has been deliberately inserted in the bill to take care of the black marketeers in sugar.

My next question is: Did any evidence or any testimony appear before the Banking and Currency Committee to indicate how the black marketeers obtain the sugar which they sell at high prices?

Mr. TOBEY. I do not believe so.

Mr. O'DANIEL. It seems to me that there must be some loophole somewhere, because in Texas there is a flourishing market for sugar in the black markets.

Mr. TOBEY. The trouble with the black market, Mr. President, is that we hear a great deal about it; but when we wish someone to come forward and say, "Thou art the man," and to fix the guilt personally, such persons are conspicuous by their absence. Does the Senator from Texas agree?

Mr. O'DANIEL. I agree.

To illustrate my point a little better than I have so far, I wish to read a letter which I have received from the H. O. Wooten Grocer Co., of Abilene, Tex. It is a large wholesale grocery concern, which under normal conditions would deal in sugar; at least it deals extensively throughout west Texas in other groceries. The letter reads as follows:

ABILENE, TEX., *February 18, 1947.*

Hon. W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.

DEAR SIR: The present situation on sugar has become unbearable for the wholesale grocer and also the retail grocer. The low ration allowance for the consumer in 1946 caused the housewife to devise all kinds of methods for counterfeiting sugar stamps. Retailers over our entire territory have had sugar stolen from them, and at the present time both their allowable inventory and our allowable inventory are depleted to the point that they and we are both unable to continue to supply sugar to the consumer on legitimate claims made by valid ration stamps.

Some plan should be worked out immediately, and we do mean immediately, to allow the wholesaler and retailer to revise their allowable inventory and get back in the sugar business. At the present time most of the sugar available in this territory is through black-market channels. We hope that you can take steps that will bring relief at once.

If you need further information in regard to this critical situation, please advise us by return air mail.

Yours very truly,

H. O. WOOTEN GROCER CO.
T. W. PEARCE.

Mr. President, if no provision has been made for taking care of the black marketeers in sugar, and if the pending measure is substantially the same as the law now in effect, there must be some loophole by which the black marketeers get the sugar they sell. I should like to ask the chairman of the committee on what basis the allotment of sugar to housewives and individual users of sugar was arrived at. How did you arrive at the amount which each housewife would be entitled to receive under the law?

Mr. TOBEY. We did not arrive at that as a committee. We had the testimony of Mr. Anderson, Mr. Marshall, and the other sugar authorities. We discussed the world supply and the supply which is allocated to this country by the world organization, with which doubtless the Senator from Texas is familiar, under which we buy the Cuban sugar crop and then allocate it to other nations, as well as to ourselves, and then we have so much sugar—let us say 6,000,000 tons. That is allocated between the commercial users and the housewives. The commercial users are receiving slightly more than 50 percent of it and the housewives are receiving slightly less than 50 percent. So much for the allocations.

Doubtless the Senator from Texas is familiar with the amendment which has been adopted by the Senate, which allocates to the housewives 35 pounds of sugar on a firm definite basis, with the provision that all that is available in addition to that amount shall also go to the housewives.

With respect to the black markets, the following has been pointed out in the course of the committee hearings:

We have had our investigating staff trying to run down a few of those. Some of the industrial users have also helped us in trying to run some of those down, and everyone of them to date that we have run down has just evaporated into thin air. When you call one of those fellows and ask, "Where is this sugar," the answer usually is, "Well, I cannot talk to you about this over the phone." "All right, I will come to your office." "No; I cannot do that. I will come to your office."

And then they come to the investigator's office or to one of the industrial users, when he is doing this for us, and they just do not have the sugar, and why they are putting out such feelers, I have not the slightest idea, because it costs money to publish an ad. It costs money to do the cabling back and forth that is usually done in connection with one of these transactions.

But in every case we have investigated, and we have investigated several of them, there is not anything in back of it.

Senator BRICKER. They are doing it just for fun?

Mr. MARSHALL. Maybe someone is doing it who is being duped with the understanding that there may be some sugar to be obtained. If there is any such sugar, it is bootleg sugar and Cuba, the Cuban Government, does not know anything about it, nor do we, because we bought their sugar crop in its entirety, with the exception of the amount needed for their local consumption, and specific reservations for free export, all of which is accounted for to us.

If there is any other sugar available for shipment, it is bootleg shipment.

Senator BRICKER. Have you any amount of black market, or any estimate of black-market sugar in this country?

Mr. MARSHALL. No, I have not.

Senator BRICKER. You hear rumors about it all of the time.

Mr. MARSHALL. I think in relation to the volume of sugar, it is very low, that is as to the amount distributed, although you hear several rumors about it.

We are distributing at the rate of 5,600,000 short tons last year and 6,800,000 this year. The percentage of total volume is bound to be low, and much lower this year with the increase of over a million tons.

Senator BRICKER. You do not think it is enough to pay much attention to or make any appreciable difference in the market?

Mr. MARSHALL. I do not think so. I think it should be run down in every possible instance, but in the total volume, I do not really think it is significant in affecting the supply.

That is the testimony about the black market which the Senator asked about, as given in the course of the Senate committee hearings.

Mr. O'DANIEL. I thank the Senator. He has stated that the allotment is based on an allowance of 35 pounds for each citizen of the United States.

Mr. TOBEY. Yes.

Mr. O'DANIEL. Is that to be the maximum amount which each citizen may acquire?

Mr. TOBEY. That is the mandatory amount—not the maximum amount, but the mandatory amount, based upon present allocations. But as I have said many times before, today—and I gladly repeat it—when, as, and if the supply which comes to the United States is increased, then all the amount which comes to the United States, according to the provisions of the Tobey amendment which now has been adopted, will accrue to and be passed on to the housewives, up to the point of 50 pounds per capita, which is the prewar consumption of sugar by households in the United States.

Mr. O'DANIEL. I understand the Senator on that point; and I think his amendment is a laudable one, and it gives to the housewives hope that they will get more sugar.

But, as I said a moment ago, I am trying to find whether the maximum amount is to be 35 pounds per person. Could any person get more than 35 pounds?

Mr. TOBEY. That is the minimum amount anyone could be given, 35 pounds.

Mr. O'DANIEL. Suppose a person wanted only 5 pounds.

Mr. TOBEY. He could get it, and give away the balance to some other person. He could be a good Samaritan. Others might be glad to receive it. I should be.

Does the Senator mean that if John Jones and Bill Smith were neighbors and John Jones wanted to use only 5 pounds, the Senator would like to know what he would do with the other? He would give it away, would he not?

Mr. O'DANIEL. What I am trying to find out is about the leak through which comes the black market sugar. If each citizen in the United States is entitled to acquire 35 pounds, and many of them do not acquire that much, many do not acquire any, some of them 5 pounds, some 10 pounds, none of them over 35—it would appear to me that there would result, if that took place, an abundance of sugar which had been allocated to the housewives, but not availed of by the housewives, and which would find its way into the black market.

Mr. TOBEY. That is human nature, and it is a bad feature of human nature. If the Senator means, and poses the thought, that the people who have 35 pounds coming to them under the Tobey amendment might use only 10 pounds, and then sell the rest on the black market, of course they could if they were evilly inclined.

Mr. O'DANIEL. I do not mean that. If they are entitled to 35 pounds, and they desire only 10 pounds, that leaves 25 pounds left for some other person in the allocation which is to go to the domestic housewife. The accumulation of those small amounts from each of the 140,000,000 citizens, it appears to me, might well be finding its way through some channel into the black market.

Mr. TOBEY. The Senator realizes that if a person does not use the stamps which are good for sugar, the stamps are still good until they are canceled, and they are outstanding claims, an account receivable on the outstanding supply of sugar. There has to be sugar to balance the stamps which come into the bank.

Mr. O'DANIEL. The point I am trying to make is that under the allocation plan of the pending measure there might be a large volume of sugar which had been allocated for domestic use in the home which would not be called for by the domestic users. It appears to me that that sugar might get into the hands of the black marketeers. If that is the case, or if there is enough suspicion that that is the case, some provision should be made in the joint resolution, if possible, so that that additional quota would go to the housewives.

Mr. TOBEY. It will beyond peradventure go to the housewives. It increases the floating supply of sugar. But remember, they cannot get it as long as the stamps are outstanding. They are a first lien. If one should cancel his stamps, and should say, "I shall not use my sugar," the sugar would be apportioned out, on the next stamp date, to the other householders.

Mr. O'DANIEL. That may be true theoretically.

Mr. TOBEY. What does the Senator suggest? He goes around in a circle.

Mr. O'DANIEL. I suggest that we let the OPA and price controls die. I do not think there is anyone in Washington smart enough to devise a plan that will work out equitably as compared with the plan of taking off controls.

Mr. TOBEY. Of course, that is not the pending question. The pending question is on an amendment to change the date, and not to let the OPA die.

Mr. O'DANIEL. I am not speaking on the amendment. I am in favor of changing the date to the nearest possible time.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield for a question.

Mr. HAWKES. Does the Senator know that counterfeit stamps are in circulation in connection with the sugar program, to such an extent that the Government feels that it must set aside, I understand, approximately 400,000 tons of sugar to take care of counterfeit stamps, and that they are probably responsible for a large part of the black market about which the Senator is talking?

Mr. O'DANIEL. I think there must be a large volume of sugar taken into consideration as going to the black marketeers, because they are getting it, and it is a serious thing.

Mr. HAWKES. Will the Senator yield again?

Mr. O'DANIEL. I yield for another question.

Mr. HAWKES. The Senator recalls, does he not, that one of the strongest points urged in getting rid of the OPA was the black market.

Mr. O'DANIEL. Yes.

Mr. HAWKES. In other words, if there was fixed a price level which everybody looked at, and which was supposed to represent the actual prices, but did not do so, the people were being fooled by looking at a list, on the one hand, and paying other prices, on the other hand, to get what they wanted.

Mr. O'DANIEL. That is correct.

Mr. HAWKES. There is the same situation in the picture today, and the same actuation should come to every Senator which came in connection with the OPA, for so long as controls are retained and people are bound down to certain things with which they are not satisfied, we are going to have black market operations. That is the thought I should like to leave with the Senator.

Mr. O'DANIEL. I thank the Senator from New Jersey. I have here another letter which bears out the point I am discussing. It comes from another wholesale grocery company, in another section of Texas, from Corsicana, Tex. The writer says:

DEAR SENATOR: Since he early part of 1943, we have operated under the various OPA regulations on coffee, canned foods, meats, and sugar. As these several commodities were released from ration restrictions they shortly began to adjust to supply and demand, and with a great deal less confusion.

There still remains sugar rationing, requiring stamps, certificates, or checks before sugar can be delivered from the refiner, wholesaler, or retailer. The rationing of sugar has affected the people, as a whole, to a greater degree than any other commodity; gasoline not excepted. There has been more injustice, with the least consideration for business or the individual, by the incompetent field men and the district OPA office, than you would ever believe possible under a democracy. Pages could be filled with cases of how the people and business alike have been humiliated and persecuted under this sugar rationing since the war was over in 1945.

Today we have 27 notices to our retail customers of debits to their sugar-ration accounts for what the OPA office calls invalid or altered stamps. In many cases these retailers will not have enough sugar inventory left to operate on. Many are now forced to operate their business without sugar, and the OPA office will not give them any consideration for replacement or increase in their allowance.

If there was sound reasoning in 1933 for the repeal of the Prohibition Act, because the people refused to abide by a bad law, then there are a thousand more reasons why the sugar rationing should be stopped, and at once.

Please use your effort to stop this curse.

Yours truly,

SOUTHERN WHOLESALE GROCERY CO.,
J. H. SULLIVAN, *President*.

There are many things contained in this letter. Let me repeat just one sentence.

Many are now forced to operate their business without sugar, and the OPA office will not give them any consideration for replacement or increase in their allowance.

That was the point I was endeavoring to bring out. In the pending measure there is a certain allocation made, of 35 pounds, to every individual, every citizen, in the United States. But how are those citizens to get their 35 pounds when this wholesale grocery company, and the retail grocery company in that territory, have no sugar, and are unable to get any sugar? The sugar which this wholesale company and the retail stores should be getting and selling to the housewives is going into the black market.

Mr. President, I wish to tell Senators something more about the black market. I will tell where the black-market sugar goes.

Mr. WHERRY. Mr. President, will the Senator yield for an announcement?

Mr. O'DANIEL. I yield.

Mr. WHERRY. I should like to inform Members of the Senate that we expect to remain in session until we dispose of the pending sugar-control legislation.

Mr. O'DANIEL. Mr. President, I have here a letter I wish to read, and I should like to have the attention of every Senator to it. It comes from a gentleman who should know what he is talking about, from an attorney, Hubert T. Faulk, of El Paso, Tex. The letter is addressed to Hon. Cliff Anderson, Secretary of Agriculture, Washington, D. C. I understand the new legislation now being considered will turn the handling of sugar over to Secretary Anderson. This is a copy of a letter which was sent to me. Other copies were sent to others, as I shall relate later.

This letter is dated January 25, 1947:

DEAR MR. ANDERSON: With your permission I will add one more to the daily increasing list of "gripes" on the sugar situation.

By way of introduction of myself I will say that I am just a country lawyer, without

affluence or influence and recognizing my station and strata in society I am never disappointed when things go awry and seem to stay that way and our officials in high places say they know the inequities of conditions as they exist but the regulations say we must do certain things and we cannot substitute our wisdom, discretion, and judgment for the regulations. I am here referring particularly to the sugar situation.

I have two clients who use a great deal of sugar in their business. They are not distillers or moonshiners but are legitimate industrial users of sugar. They must stay in business and hope that some day the tide will turn. The ration board says "your predecessor in business in 1939 did not require much sugar therefore we cannot allot you any more than he required although you are pushing your business and the public is clamoring for your products." When the small allotment of sugar is exhausted there is always a man standing at the front door who is glad to let my clients have the sugar they need to finish the quarter on and supplies them at a sacrifice of $25 per hundred. Lately this type of sugar has gone up and is now being offered at $40 per hundred. Of course, if I knew the names of the sugar bootleggers I could not afford to divulge their names unless the Government would see that my clients get some relief. My clients must stay in business and if their source of sugar be cut off they would go out of business and it would be cut off if the sugar pirates were put in jail because the Office of Price Administration says sugar is so scarce we cannot expect any increase in allotments. Naturally, my clients would not know the names of the fellows furnishing them the sugar any more than a witness before the grand jury back in prohibition days would know the name of the tall, dark man that sold the witness the pint of corn.

This attorney is laying it right on the line. He is not concealing anything. He wrote this letter to the Secretary of Agriculture, and, to make sure that it was known by other officials in Washington, he sent a copy to Tom Clark, the Attorney General of the United States, if you please, and he sent a copy to his Representative in Congress, Mr. R. E. THOMASON, at Washington, D. C., and, in order to get a little publicity, he sent copies to the El Paso Herald Post and the El Paso Times of his city, El Paso, Tex. The letter continues:

The situation all over the country and the refusal of the proper Government officials to take cognizance of the condition, just naturally raises two questions in the minds of the American people, whether they be Democrats, Republicans or "Bumfuzzled," to which latter group I have been forced to go because of the peculiar theory entertained by our officials as to what is best for our country as a whole. These two questions are:

"Is the rationing of sugar continued for the benefit of the dealer in what is commonly called the black marketing of scarce commodities?"

I want to tell you, Mr. President, that there are many good citizens in this country who actually believe that this price-control bill has been enacted heretofore, and may be renewed for the principal purpose of benefiting these black marketeers, who make great contributions to those who help get the bills enacted. I do not know whether that is true or not, but it has been told me by many of our citizens who are struggling and suffering under the oppression of this kind of administration.

I have many more letters from the citizens of my State and from other States. After reading what is related in those letters it is almost impossible for anyone to realize the extent of the oppression that has been visited upon the citizens of the country.

Some of those letters state that it is surely as bad right here in the United States as some of the edicts that were visited upon the people of Nazi Germany; and I tell you that is a bad thing for the country, to be under an oppresison like that.

Here we are, 2 years after the termination of World War II, still hanging onto the outworn and exploded theory that the Congress of the United States, or some administrator in Washington, knows what the people of the country should have, whether they should have one teaspoonful of sugar in their coffee or two. I say with all due respect to the wise men we have in Washington—and there are many of them—it is my distinct opinion that there is nobody here wise enough to rule this Nation and to regulate the life and the activities of each one of its citizens. It is simply one of those things that it is impossible to do under our democratic form of government.

And so Mr. Hubert T. Faulk says:

If the supply of sugar is so scarce that it must be rationed so each person will get some of it, why is it so abundantly plentiful that when the user of large quantities has exhausted his legal allotment he can rely on getting any quantity he is able to pay for from the black market?

And the price today is from $25 to $40 a hundred pounds, or 25 cents to 40 cents a pound.

The black marketeer has sugar, all he wants, and he is selling it freely in the State of Texas, and all over the Nation, I assume.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. O'DANIEL. I yield.

Mr. LANGER. I should like to ask if the Senator noticed an Associated Press item in the paper a week ago, in which it was stated that one company got over a million pounds of sugar, and used it before being arrested?

Mr. O'DANIEL. No, I did not happen to read that particular item, but I find instances in my correspondence along the same line as that item.

The letter from Mr. Faulk continues:

It is my conviction that if Congress will get its mind off of 1948 and seriously consider the crisis at hand, not only as to sugar but other matters, we can usher in an era of prosperity and contentment such as we have never known.

Mr. President, I do not know whether or not the black marketeers had anything to do with inspiring someone to get this rationing- and price-control measure enacted into law in this country, but nobody could have done the job any better for their benefit than the way it is being done. They are not coming into the committee and making any complaint; they are not asking that price control be eliminated. They are going right ahead doing business at the same old stand and now, when sugar controls could very innocently and beneficially die next Monday at midnight, we are proposing to extend them and are debating as to whether we should extend them until June 30 or October 31, or March 31, next year. It is proposed to continue the authority for a while, and when the authority again expires it can again be extended, and again and again.

Mr. President, some of the abuses under rationing and price control are very bad indeed. I do not believe I shall take up the time of the Senate this evening to go into all the complaints I have received, because I think it would be a futile thing. I do not believe there is a possibility of preventing the passage of the joint resolution. I think it is going to go through. I think the New Dealers are going to have this little emergency continued for them. Ever since 1933 the New Dealers have been unable to operate unless there was some great emergency on which they could feast. There has been emergency after emergency until November 5 last, when President Truman heard the voice of the people and got busy and abolished most of the price controls. The New Dealers got down to almost the last emergency in the bottom of the barrel. They do not have very many emergencies left; just a little old rent control, and a few cubes of sugar, and a little rice to be dealt with under the pretext of emergencies. But they have got to hang on to their emergencies or they will die. They cannot exist unless they have some emergencies on which to live. They would like to have the law extended so as to retain a strangle hold on the citizens of this country and thus be able to tell them how much sugar they can have in their coffee.

Mr. President, we hear it said that we must do something to give more sugar to the housewife. That is a laudable ambition, but it cannot be done. Everything is so lined up that the housewife cannot obtain more than 35 pounds of sugar, or perhaps 40 pounds of sugar if something favorable happens in Cuba or Hawaii or somewhere else so we can obtain another shipload of sugar.

Senators may think they are hearing something good for the housewife and her children. Not so, for all that happens is that she is limited in the amount of sugar she can buy. This is depriving her little kiddies of the great joy that used to come to many Senators when they were boys, seeking out the cookie jar and eating some of those fine home-made cookies their mothers used to make. But now the cookie jar is broken and gone. The housewife who would like to make cookies and doughnuts and other bakery goods, sweets for her children and perhaps for her husband, cannot buy enough sugar for such purposes. She may bake a few cookies, but not many. So she must go to the bakery and there she can buy all she wants of fine cakes, one of which would make about a meal for one husky boy. She can buy such a cake for about a dollar, so there is a saving of a few cents on the pound of sugar she cannot obtain, but she spends a dollar for a cake which, if she had the sugar, she could bake at a cost of about 10 or 15 cents.

That is what is being done to the housewives of this country. Those who can afford to do so buy their sweets at the bakery, but the housewife who is on a

small budget, who cannot afford to buy high-priced bakery goods, she and her children must do without those delicious dainties which are so essential to the well being of growing children if they are to become strong and sturdy. They are deprived of them. The result of the Government policy is that instead of bakery goods, cookies and doughnuts being made in the home, that business has been directed into commercial channels, practically all of it, because the housewife cannot obtain enough sugar with which to bake the dainties she would like to make for her family.

Mr. President, why cannot the housewife get the sugar she needs? It is because of the law which is in effect and which it is now proposed to extend. The law says she can have 35 pounds of sugar, if she can find it. But when she goes to the store it is not there. The wholesale dealer says he has no sugar, and the retail grocer says he has no sugar. She has her sugar stamps and she is entitled to 35 pounds, and has the money to pay for the 35 pounds, but she cannot buy that amount of sugar because it is not avail..ble. Why is it not available to her? Because the black marketeers have headed it off somewhere down the line. What does he do with it? Does he go to the housewife and say, "I will let you have some of this sugar at 35 cents or 40 cents a pound?" No, he is in the wholesale business, and he sells it to the manufacturers of bakery goods who are on his list, and he receives for his sugar, as the letter I read says, 25 cents a pound, or at least that is what he used to get, but now he gets 40 cents a pound. He lets the manufacturers have all the sugar they want at $40 a hundred pounds.

So, Mr. President, are we doing anything for the common citizens of the country when we are forcing the sugar through the manufacturing channels via the black marketeer?

Are we doing anything beneficial for the people of this country when we permit such practices to prevail? I cannot see that we are. On the other hand, I can see where we are doing something highly detrimental to the common people, something that is injurious to the health of their children.

Mr. President, it seems we must continue this little emergency if the New Dealers in Washington are to continue to operate. The New Dealers could have enough to do if they really meant to help the farmer. However, they think they must engage in the administration of the distribution of sugar, to dish it out a spoonful at a time, and it is dished out in this manner with the result that the housewife finally does not get much of it.

Mr. President, there are 140,000,000 citizens in the country. Multiply that number by 35 pounds which each individual is entitled to, and we have the amount which should go to the housewives. But we know there are thousands of people who do not buy one pound of sugar. Where does the sugar which is allotted to them go? There are others who buy less than 35 pounds; where does that sugar go? That provision with respect to 35 pounds to each individual is put in the measure deliberately so that there will be a surplus. It is put in it deliberately by somebody. I do not want any Senator to construe my remarks as impugning the motives of anyone who supports the measure. I would not do that for the world. That is against the rules of the Senate.

But I do want to say that such a provision is in the measure. That provision is in the bill for a purpose, and I have concrete proof that it is with the purpose of providing a surplus. I cannot vote for such a provision. I do not criticize any Senator who votes for it, because, thank God, every Member of this body has the right to vote in any way he pleases, and he does not have to answer for his vote to anyone. He may vote as he thinks is right. I hope we shall continue to maintain the form of government here that permits every Senator to vote as he thinks. But we will not do the right thing so long as we impose such a regulation as this on the citizens of the country. The citizens are sick and tired of such practices, and my mail so indicates. I do not know whether my mail is of different character from that received by other Senators. But I know that the people of Texas do not hesitate to express their views and opinions on political matters or on any subject that pertains to them. Most of the citizens of Texas are against this measure. I have letters from preachers who cannot get a little sugar with which to make ice cream for their church socials. I have letters from veterans of the war protesting against the measure. Oh, yes; it is true we are always going to do something for the war veterans. But let us say a war veteran decides to start a business of making ice cream, and he may take a partner in with him. He starts a little business and receives some kind of an allotment for 30 days which will be only sufficient for 1 day. I have letters from such individuals, but I shall not take the time of the Senate to read them.

Mr. President, I have a letter which shows that the OPA established a new census bureau. It revived a system which had been used by the United States Bureau of the Census, and began the taking of a census all its own. It found that someone had left the town of Corpus Christi, Tex.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield for a question.

Mr. CAPEHART. Does the Senator know that unless an individual who goes into a small business, such as the Senator has indicated, is a veteran he is denied an allocation of sugar by OPA at this time?

Mr. O'DANIEL. Yes; I have received testimony from many who have stated that fact.

Mr. CAPEHART. If the Senator should wish to start a bakery and bake pies and cakes and sell them today he would be denied any sugar for that purpose.

Mr. O'DANIEL. That is absolutely correct.

Mr. CAPEHART. Does the Senator know that in the city of San Diego, Calif., a bakery has been built, a new building, and machinery has been installed. There is great unemployment in that city. Two hundred workmen are standing by waiting to go to work. Yet, that bakery is unable to open its doors because the OPA denies it the right to obtain any sugar.

Mr. O'DANIEL. I have heard of that instance also. In my home town of Fort Worth the Government has urged that the farmers produce more milk. The dairy herds have been multiplied and fine dairy barns have been built, and the milk has been produced, to take care of the demand during the war. As the demand commenced to lessen and the milk continued to come, the management of one of those dairies thought it would be a good idea to make ice cream. A great deal of machinery was bought and a plant was equipped. They were ready to start, and they had everything but the sugar. But some little bureaucrat in Washington said, "No; you cannot have any sugar. We are saving it." He would not say what it was being saved for, but I say it was being saved for the black marketeer. At least the black marketeer gets it, and it goes through commercial channels, but the housewife does not get it.

At Corpus Christi a new system of taking the census was placed in operation. It was found that someone had left Corpus Christi. They could not find out who it was, but the sugar quota for Nueces County, in which Corpus Christi is situated, was reduced. There was not enough sugar for the people to get half as much as they need. They are entitled to it, but they cannot get it. But under the new system of taking the census instituted by Mr. Max McCullough and the OPA it is stated that there are not that many people in Corpus Christi. These people are there, but the OPA census does not show their presence.

I have before me a letter from General Mills, Inc., Minneapolis, Minn. It reads as follows:

MINNEAPOLIS, MINN., *January 21, 1947.*

Hon. W. LEE O'DANIEL,
United States Senate,
Washington, D. C.

DEAR SIR: Should like very much to add my support to the position you have taken concerning the Emergency Price Control Act as it affects the sugar situation.

I am sure that you will have the universal support of industry as well as the majority of householders.

Speaking for industry, we have been severely handicapped and held back in the development of many new food products and the expansion of old products, which has hindered the development and manufacture of new machinery as well as the employment of additional labor.

Allowing a sugar allocation of 60 percent of 1941 usage does not seem right or equitable in face of published Government reports on the world's production of sugar, which indicate for 1946–47 92 percent of the prewar average.

Am also taking the liberty of writing our Minnesota Senators and Representatives requesting them to support your movement.

Yours very truly,

GENERAL MILLS, INC.,
C. V. NELSON,
Director of Purchases.

Mr. President, I do not intend to take up much more time of the Senate at this late hour, because nothing I can say will influence the vote. I merely

wish to make the record clear that I am opposed to the joint resolution. I think it is unconstitutional. I think it is un-American. I think it is useless. I do not think there was any great demand from the citizens of the country for legislation of this nature. I think it was concocted by some of the New Deal economists and nit-wits in Washington. I think it will do much damage to our country. I do not think it will help the housewife get any more sugar, and that is what she wants.

In my State we have an abundance of fruit which has rotted on the trees and on the ground under the trees simply because we could not get sugar. Under the OPA we established a sugar refinery at Sugarland, Tex., and all its warehouses were so crammed with sugar that the mill had to be closed.

This administration has been catering to minority class about long enough. I think it is time to cater to the rank and file of American citizens who know how to conduct their own business. They know how to stand on their own feet and conduct their own affairs. They made sacrifices enough during the war. They did not object to rationing during the war, no matter whether it was necessary or not; but they have heard that all our enemies surrendered unconditionally, and that the war is over. They think it is time to end the foolishness of trying to ration sugar, rice, rent, or anything else which anyone might think of rationing.

I wish to voice my objection to the joint resolution, and to say that if it is passed by a voice vote, I want the RECORD to show that I am against it. I do not care how it is amended.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. MCCARTHY] on behalf of himself and the Senator from Ohio [Mr. BRICKER]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll, and Mr. AIKEN voted "nay" when his name was called.

Mr. CHAVEZ. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CHAVEZ. Has any Senator voted yet?

The PRESIDING OFFICER. The roll call has begun.

Mr. CHAVEZ. Has any Senator voted?

The PRESIDING OFFICER. The Senator from Vermont voted in the negative.

The roll call was continued and concluded.

Mr. REED. I have a general pair with the Senator from New York [Mr. WAGNER]. I transfer that pair to the Senator from South Dakota [Mr. BUSHFIELD] and will vote. I vote "yea."

The Senator from South Dakota is necessarily absent. If present and voting, he would vote "yea," and the Senator from New York would vote "nay."

Mr. WHERRY. I announce that the Senator from Pennsylvania [Mr. MARTIN] is absent by leave of the Senate.

The Senator from Wyoming [Mr. ROBERTSON] is absent because of illness.

Mr. LUCAS. I announce that the Senator from California [Mr. DOWNEY], the Senator from Arizona [Mr. HAYDEN], the Senator from Washington [Mr. MAGNUSON], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], the Senator from Utah [Mr. THOMAS], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Mississippi [Mr. EASTLAND], the Senator from West Virginia [Mr. KILGORE], and the Senator from Nevada [Mr. MCCARRAN] are absent on public business.

If present and voting the Senator from West Virginia [Mr. KILGORE], the Senator from Washington [Mr. MAGNUSON], the Senator from Utah [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] would vote "nay."

The result was announced—yeas 45, nays 35, as follows:

YEAS—45

Baldwin	Ecton	Malone
Ball	Ellender	Moore
Brewster	Ferguson	O'Daniel
Bricker	Green	Overton
Bridges	Gurney	Reed
Brooks	Hawkes	Revercomb
Buck	Hickenlooper	Taft
Butler	Ives	Thye
Byrd	Jenner	Vandenberg
Cain	Kem	Watkins
Capehart	Knowland	Wherry
Capper	Langer	Wiley
Connally	McCarthy	Williams
Cordon	McClellan	Wilson
Dworshak	McKellar	Young

NAYS—35

Aiken	Johnson, Colo.	O'Conor
Barkley	Johnston, S. C.	O'Mahoney
Chavez	Lodge	Robertson, Va.
Cooper	Lucas	Russell
Donnell	McFarland	Saltonstall
Flanders	McGrath	Smith
Fulbright	McMahon	Sparkman
George	Maybank	Stewart
Hatch	Millikin	Taylor
Hill	Morse	Tobey
Hoey	Murray	Umstead
Holland	Myers	

NOT VOTING—15

Bushfield	McCarran	Thomas, Okla.
Downey	Magnuson	Thomas, Utah
Eastland	Martin	Tydings
Hayden	Pepper	Wagner
Kilgore	Robertson, Wyo.	White

So the amendment offered by Mr. MCCARTHY for himself and Mr. BRICKER was agreed to.

Mr. WHERRY. Mr. President, I move to reconsider the vote by which the amendment just adopted was agreed to.

Mr. ELLENDER. Mr. President, I move that that motion be laid on the table.

The motion to lay on the table was agreed to.

Mr. HATCH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HATCH. Was the Senator from Louisiana [Mr. ELLENDER] recognized?

The PRESIDING OFFICER. If the Senator from Louisiana was not recognized, the Chair intended to recognize him. The Chair did recognize the Senator from Louisiana by entertaining his motion.

Mr. OVERTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. IVES in the chair). The Senator will state it.

Mr. OVERTON. Has the Senator from New Mexico been recognized at all?

The PRESIDING OFFICER. That is an embarrassing question.

Mr. OVERTON. It certainly is. [Laughter.]

Mr. MCCARTHY. Mr. President, I believe that the other half of my amendment is still pending. I do not desire to address the Senate about it at this time, and I now move its adoption.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. Immediately before section 3 on page 3, it is proposed to insert the following:

Provided further, That not less than 40 pounds of refined sugar shall be allocated during the period from April 1, 1947, through October 31, 1947, to each person in the United States for home consumption, to be made available as follows:

(i) Not less than 10 pounds shall be available for purchase from April 1, 1947, through June 30, 1947;

(ii) Not less than 20 pounds shall be available for purchase from July 1, 1947, through September 30, 1947; and

(iii) Not less than 10 pounds shall be available for purchase from October 1, 1947, through October 31, 1947;

And provided further, That in the event the quantity allocated to nonprovisional industrial users during any portion of the period from April 1, 1947, through October 31, 1947, is increased above the base allocation of such users, the quantity herein required to be allocated for home consumption during such portion of such period shall be proportionately increased. For the purposes of this act (i) "nonprovisional industrial users" means industrial users who as of April 1, 1947, are allocated sugar on the basis of use during a base period, and (ii) "base allocation" with respect to any interval of time means 75 percent of the quantity of sugar used by such nonprovisional industrial users during the corresponding portion of the base period.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Wisconsin.

Mr. ROBERTSON of Virginia. Mr. President, I rise to a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. ROBERTSON of Virginia. I make the point of order that so much of the amendment of the Senator from Wisconsin, which has just been read, as changes the action taken previously today by the Senate in respect to the allocation of sugar for domestic use is not in order.

Mr. REVERCOMB. Mr. President, will the Senator from Virginia speak louder, so that all Members of the Senate can hear him?

Mr. ROBERTSON of Virginia. I make the point of order that the amendment is out of order because it seeks to change action previously taken today by the Senate—as to which action a motion to reconsider was made, and the Senate voted to lay that motion on the table, so that became the final action of the Senate in regard to this portion of the bill.

The PRESIDENT pro tempore. It is the opinion of the Chair that the ques-

tion is one of consistency between the various parts of the bill, and that that is for the Senate itself to decide by its vote on the amendment. So the point of order is overruled.

The question is on agreeing to the amendment submitted by the Senator from Wisconsin.

Mr. TOBEY. Mr. President, I simply wish to point out—although, of course, it is difficult to gather the full import of the amendment, because it has not been considered at all, but simply has been read at the desk—that as I understand the amendment it provides that 40 pounds of sugar be given to each person. Is that correct?

Mr. McCARTHY. It gives an extra 10 pounds for canning.

Mr. TOBEY. Does the Senator mean 10 pounds in addition to the 35 pounds?

Mr. McCARTHY. Of course, rationing will end on October 31.

Mr. TOBEY. However long rationing runs, the allowances will be proportionate.

Mr. McCARTHY. Mr. President, without taking undue time——

Mr. TOBEY. No, Mr. President; I ask the Senator to take all the time he wants, because this matter is important.

Mr. McCARTHY. Let me say that the amendment does not change the 10 pounds which will be allowed on April 1, but maintains that amount; it does not change the 10 pounds which will be allowed on October 1, but will maintain that. It does provide that instead of receiving 10 pounds on July 1 for canning, the housewife will receive 20 pounds, not on July 1, but between July 1 and the next coupon date. In other words, the amendment provides a 20-pound allowance for canning over the three canning months. Is that clear?

Mr. TOBEY. Yes; it is clear insofar as the Senator has stated it.

Mr. President, the Senate has debated at length the matter of allocations, and after considerable debate, as I think all Senators will agree, the Senate adopted the Tobey amendment, which gives 35 pounds, definitely, for the calendar year and also provides that all extra sugar which comes into the United States during the year, up to the amount of 50 pounds per person, shall be allowed.

Now we are faced with a proposed amendment which would stop that process on October 31, just as the Tobey amendment will, but the Tobey amendment will operate proportionately, whereas by the McCarthy amendment it is proposed to allow an extra 10 pounds of sugar for canning.

The point is that under the Tobey amendment the consumers will get all the sugar that is available, and the canning allotment will be taken care of by the Secretary of Agriculture, according to the supply, when, as, and if he is able to allow it. That is his intention, and that is what he has told me.

I think it would be a mistake for the Senate to take action contrary to the Tobey amendment, which has been adopted and which provides for the allotment of 35 pounds of sugar definitely.

The amendment now proposed would change that arrangement. No member of the Senate now present could explain the present proposal, except for what has been said by the proponent of the amendment.

Mr. President, I ask that the amendment of the Senator from Wisconsin be rejected, so as to have the Senate act consistently with the action it took earlier today.

Mr. COOPER. Mr. President, I should like to ask the Senator from New Hampshire whether he understands that the amendment would increase the allotment to 45 pounds or to 40 pounds?

Mr. TOBEY. My understanding of the amendment which has been offered is that it would give 20 pounds of sugar for canning during the summer months—10 pounds as provided by the Tobey amendment and 10 pounds in addition to the April 1 coupon allowance. Is that correct?

Mr. McCARTHY. That is correct. The housewife already is to have 5 pounds as of April 1. The pending proposal is to give her, instead of 10 pounds on July 1, an additional 10 pounds sometime between July 1 and October 1, so that instead of having 10 pounds for canning, she will have 20 pounds for canning. The amendment would not disturb the rationing now proposed up to October 31.

Mr. COOPER. Mr. President, does the Senator from Wisconsin state that his amendment would increase the allotment to 40 pounds?

Mr. McCARTHY. It would increase it to 45 pounds. The housewife will have 5 pounds as of April 1, anyway. My amendment provides that she shall have 40 pounds more, or a total of 45 pounds. The amendment will give the housewife a total of 20 pounds of sugar for canning.

Mr. TOBEY. Mr. President, where does the Senator think the extra sugar will come from?

Mr. McCARTHY. Mr. President, I went over that matter thoroughly earlier today, and I showed that there is available more than a million pounds of additional sugar.

Mr. TOBEY. The Senator from Wisconsin knows that, under the Tobey amendment, that will go to the householders, anyway.

Mr. President, the amendment of the Senator from Wisconsin is a play on words.

SEVERAL SENATORS. Vote! Vote!

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. McCARTHY].

Mr. McCARTHY. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. REED. I have a general pair with the Senator from New York [Mr. WAGNER]. I transfer that pair to the Senator from North Dakota [Mr. YOUNG] and will vote. I vote "yea." The Senator from North Dakota is unavoidably detained. If present and voting, he would vote "yea," and the Senator from New York would vote "nay."

Mr. WHERRY. I announce that the Senator from Pennsylvania [Mr. MARTIN] is absent by leave of the Senate.

The Senator from Wyoming [Mr. ROBERTSON] is absent because of illness.

The Senator from South Dakota [Mr. BUSHFIELD] is necessarily absent.

Mr. LUCAS. I announce that the Senator from California [Mr. DOWNEY], the Senator from Arizona [Mr. HAYDEN], the Senator from Washington [Mr. MAGNUSON], the Senator from Florida [Mr. PEPPER], the Senator from Utah [Mr. THOMAS], the Senator from Oklahoma [Mr. THOMAS], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Mississippi [Mr. EASTLAND], the Senator from West Virginia [Mr. KILGORE], and the Senator from Nevada [Mr. McCARRAN] are absent on public business.

If present and voting, the Senator from West Virginia [Mr. KILGORE], the Senator from Washington [Mr. MAGNUSON], the Senator from Utah [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] would vote "nay."

The result was announced—yeas 32, nays 47, as follows:

YEAS—32

Baldwin	Ecton	Malone
Brewster	Ellender	Moore
Bricker	Ferguson	O'Daniel
Brooks	Gurney	Reed
Buck	Hawkes	Revercomb
Butler	Hickenlooper	Russell
Byrd	Ives	Watkins
Cain	Jenner	Wherry
Capehart	Kem	Wiley
Capper	Langer	Williams
Dworshak	McCarthy	

NAYS—47

Aiken	Holland	O'Conor
Ball	Johnson, Colo.	O'Mahoney
Barkley	Johnston, S. C.	Overton
Bridges	Knowland	Robertson, Va.
Chavez	Lodge	Saltonstall
Connally	Lucas	Smith
Cooper	McClellan	Sparkman
Cordon	McFarland	Stewart
Donnell	McGrath	Taft
Flanders	McKellar	Taylor
Fulbright	McMahon	Thye
George	Maybank	Tobey
Green	Millikin	Umstead
Hatch	Morse	Vandenberg
Hill	Murray	Wilson
Hoey	Myers	

NOT VOTING—16

Bushfield	Magnuson	Tydings
Downey	Martin	Wagner
Eastland	Pepper	White
Hayden	Robertson, Wyo.	Young
Kilgore	Thomas, Okla.	
McCarran	Thomas, Utah	

So Mr. McCARTHY's amendment was rejected.

Mr. ELLENDER. Mr. President, I have on the desk an amendment to the pending bill in the nature of a substitute. The main purpose of the amendment was to change the date from March 31, 1948, to October 31, 1947. Since that has been accomplished, I wish to state to the Senate that I shall not submit my proposed amendment.

Mr. WHERRY. Mr. President, I send an amendment to the desk and ask to have it stated. I offer it at this time.

The PRESIDENT pro tempore. The Senator from Nebraska offers an amendment, which will be stated.

The CHIEF CLERK. It is proposed to strike out all of section 4 and insert in lieu thereof the following:

SEC. 4. The Secretary of Agriculture, in exercising the allocation and rationing authority transferred to him by section 3 of

this act, shall make available not less than 50,000 tons of refined sugar for other than provisional-allotment users during the period from April 1, 1947, to March 31, 1948, to provide for the needs of new industrial-sugar users (with particular reference to the needs of shortage areas caused by population shifts) and for the needs of those who have an insufficient base period history to operate currently at competitive levels (and shall consider, as a determining factor in those cases where there is such insufficient base period history, the rate of growth of such user prior to the base period year).

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Nebraska.

Mr. WHERRY. Mr. President, the amendment merely provides that the Secretary of Agriculture shall set aside 50,000 tons of sugar to be used in hardship cases, where no base has been established, and also for those who desire to establish new businesses.

This is one of the amendments that came out of the Small Business Committee, and I am quite satisfied, after talking with the officials of the Department of Agriculture, that they have no objection to it, as they have so announced to me. They are doing in a limited way what the amendment provides, and this will simply provide that they shall set aside 50,000 tons for the purpose specified.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. WHERRY].

The amendment was agreed to.

The PRESIDENT pro tempore. If there be no further amendments to be offered, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, and was read a third time.

The PRESIDENT pro tempore. The Chair lays before the Senate a joint resolution coming from the House of Representatives which will be stated by title.

The CHIEF CLERK. A joint resolution (H. J. Res. 146) to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes.

Mr. TOBEY. Mr. President, I move that the Senate proceed to the consideration of the House joint resolution.

The motion was agreed to, and the Senate proceeded to consider the joint resolution.

Mr. TOBEY. I move to strike out all after the enacting clause of the joint resolution, and to insert the text of the Senate joint resolution as amended.

The PRESIDENT pro tempore. The question is on the motion of the Senator from New Hampshire to strike out all after the enacting clause and to insert the Senate text.

Mr. WHERRY. Mr. President, I offer to the joint resolution the amendment which I send to the desk.

The PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. On page 2, line 20, before the period, it is proposed to insert a colon and the following: *"And provided further,* That in exercising the authority extended by this act, the Secretary of Agriculture shall allocate, and permit the purchase of, refined sugar for home consumption at a rate of not less than 40 pounds per person per year; providing further that having in mind the need for sugar for home-canning purposes not less than 15 pounds per person shall be made available for home consumption during the third quarter of 1947. In the event the quantity allocated to nonprovisional industrial users during any portion of the period from April 1, 1947, until the expiration of the allocation authority is increased above the base allocation of such users, the quantity herein required to be allocated for home consumption during such portion of such period shall be proportionately increased."

Mr. WHERRY. Mr. President, this is the amendment which has been discussed as the Wherry amendment all afternoon. It has not been offered until this time. This is the amendment I explained in detail on the floor, and which was the subject of debate for many hours. It merely provides that individual users shall be allotted 40 pounds instead of 35 pounds. It provides, and is mandatory, that during the third quarter the Secretary of Agriculture shall give the housewife 15 pounds instead of 10.

The amendment also provides that if there is any new allocation, whether there is an increase or not, the Secretary of Agriculture must make it on a pro rata basis, seeing that the housewife has the same advantage of increase as is given to industrial users.

Mr. President, this is the amendment which the distinguished Senator from Illinois [Mr. LUCAS] said he would like to vote for, but he could not vote for it unless the amendment of the Senator from New Hampshire was voted down, and he did not want to vote against that.

I shall not indulge in further debate now, but I should like to have the yeas and nays, so that all those who would like to vote for the amendment can be so recorded.

The yeas and nays were ordered.

Mr. LUCAS. Mr. President, I shall let the RECORD speak for itself as to my position on the amendment.

Mr. TOBEY. Mr. President, I should like to close the debate, if it is worthy of being called that, and I should like to close it along this line. The amendment the Senator from Nebraska offered this morning——

Mr. WHERRY. I have never offered it.

Mr. TOBEY. The Senator has offered it now.

Mr. WHERRY. Yes.

Mr. TOBEY. And he discussed it.

Mr. WHERRY. Mr. President——

Mr. TOBEY. I am not blaming the Senator; he certainly talked about it, and it has been thoroughly aired in the Senate. It is a first cousin to the amendment just defeated. If Senators vote for this amendment they go back on the way they have voted twice by a large majority, 2 to 1 in each case. If they vote for this amendment they make null and void all they have done. I say it is a first cousin to the amendment just defeated, and I merely ask Senators to vote the amendment down. Let the Senator have his record, make it plain, and make it emphatic.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Nebraska [Mr. WHERRY]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. WHERRY. I announce that the Senator from Pennsylvania [Mr. MARTIN] is absent by leave of the Senate.

The Senator from Wyoming [Mr. ROBERTSON] is absent because of illness.

The Senator from South Dakota [Mr. BUSHFIELD] is necessarily absent.

The Senator from Kansas [Mr. REED] is unavoidably detained. He is paired with the Senator from New York [Mr. WAGNER].

Mr. LUCAS. I announce that the Senator from California [Mr. DOWNEY], the Senator from Arizona [Mr. HAYDEN], the Senator from Washington [Mr. MAGNUSON], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], the Senator from Utah [Mr. THOMAS], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Virginia [Mr. BYRD], the Senator from West Virginia [Mr. KILGORE], and the Senator from Nevada [Mr. MCCARRAN] are absent on public business.

If present and voting, the Senator from West Virginia [Mr. KILGORE], the Senator from Washington [Mr. MAGNUSON], the Senator from Utah [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] would vote "nay."

The result was announced—yeas 34, nays 44, as follows:

YEAS—34

Baldwin	Ferguson	O'Daniel
Brewster	Gurney	Revercomb
Bricker	Hawkes	Russell
Brooks	Hickenlooper	Stewart
Buck	Ives	Vandenberg
Butler	Jenner	Watkins
Cain	Kem	Wherry
Capehart	Langer	Wiley
Capper	McCarthy	Williams
Dworshak	McKellar	Young
Ecton	Malone	
Ellender	Moore	

NAYS—44

Aiken	Hoey	Myers
Ball	Holland	O'Conor
Barkley	Johnson, Colo.	O'Mahoney
Bridges	Johnston, S. C.	Overton
Chavez	Knowland	Robertson, Va.
Connally	Lodge	Saltonstall
Cooper	Lucas	Smith
Cordon	McClellan	Sparkman
Donnell	McFarland	Taft
Flanders	McGrath	Taylor
Fulbright	McMahon	Thye
George	Maybank	Tobey
Green	Millikin	Umstead
Hatch	Morse	Wilson
Hill	Murray	

NOT VOTING—17

Bushfield	McCarran	Thomas, Okla.
Byrd	Magnuson	Thomas, Utah
Downey	Martin	Tydings
Eastland	Pepper	Wagner
Hayden	Reed	White
Kilgore	Robertson, Wyo.	

So Mr. WHERRY's amendment was rejected.

Mr. TOBEY. Mr. President, I move to reconsider the vote by which the so-called Wherry amendment was rejected.

Mr. FULBRIGHT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BUTLER. Mr. President, on January 31, 1947, as appears on page 715 of the CONGRESSIONAL RECORD, as chairman of the Committee on Public Lands I requested a short extension for a committee carrying over from the Seventy-ninth Congress to make its report. No additional expense would be involved. The extension was granted until March 31. The committee referred to was under the chairmanship of the then Senator from Utah, Mr. Murdock, and other Members were the Senator from Idaho [Mr. TAYLOR], and the Senator from Oregon [Mr. CORDON]. They desire to complete the report. The shorthand reporter who took the notes was ill in the hospital. He is still confined to the hospital, but with the assistance of his own clerical force he is completing the transcript and will have it ready, we hope, in the near future. I send to the desk another extending resolution, in order that the report may be completed.

The PRESIDENT pro tempore. Is the Senator requesting present consideration?

Mr. BUTLER. I request present consideration.

Mr. BARKLEY. Mr. President, I have no objection to the resolution, but it is presented on the verge of our voting on the sugar joint resolution, and it is a matter which could wait at least until we pass that measure. If the Senator will wait until we get through with the pending matter, I shall not object.

The PRESIDENT pro tempore. Is there objection at the moment?

Mr. BARKLEY. I must object at the moment.

The PRESIDENT pro tempore. Objection is heard.

The question is on agreeing to the motion of the Senator from New Hampshire [Mr. TOBEY] to strike out all after the resolving clause of the House joint resolution and to substitute therefore the perfected Senate text.

The motion was agreed to.

The PRESIDENT pro tempore. The question now is on the engrossment of the amendment and the third reading of the joint resolution.

The amendment was ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time.

The PRESIDENT pro tempore. The question now is on the passage of the joint resolution.

Several Senators asked for the yeas and nays; and they were ordered.

Mr. RUSSELL. Mr. President, I wish to make a brief statement before the final vote. I have been strongly in favor of continuing the Sugar Control Act and the rationing of sugar, for I apprehend that too early an ending of it would cause tremendous confusion in this country. I am convinced, however, Mr. President, that since the majority of the Members of the Senate have seen fit to conclude the controls on sugar by the 31st of October of this year, thereby adopting the House date, that it would be much better to end the rationing at the end of this week. The proposed short extension in my opinion will cause a great deal of confusion and will lead to unusual profiteering on the part of some persons who will hold their sugar until the expiration date of the act and otherwise manipulate the supply. For that reason I shall vote against the measure. I do so despite the fact that I probably will have to explain to a number of my constituents, to whom I have written letters, that I favor sugar rationing. I had hoped that we could extend this sugar rationing until sometime next spring so that the controls might be removed without any lengthy knowledge to those who might speculate in sugar. If rationing is going to be concluded in October, I shall cast my vote against the measure and let it end now. Prices will go up whenever rationing ends, but in my opinion it will cause more profiteering and hoarding to fix the October date than to catch the speculators unaware and end it now. I would like to have an opportunity to vote for a bill to help the people of the United States solve the sugar problem. I regard this as a bill to benefit speculators and hoarders. I cannot vote for a speculators' bill.

Mr. MAYBANK. Mr. President, as a member of the subcommittee of the Committee on Banking and Currency, and as a member of the committee supporting sugar legislation, I want to make my position perfectly clear. I could not support a measure which would end rationing in October, thus creating gambling and hoarding between now and then. If the rationing is to end, Mr. President, let us end it on March 31, and let those who desire to hoard, or do whatever they want to do, commence to do it immediately. Therefore, I shall vote against the measure.

Mr. AIKEN. Mr. President, I agree with what the Senator from Georgia and the Senator from South Carolina have said. By changing the date to October 1, if we enact this measure into law, we will simply make millions and millions of dollars for speculators. For that reason I think it is better to let sugar control end now than after 6 months from now.

Mr. MORSE. Mr. President, I wish to associate myself with the remarks of the Senator from Georgia and the Senator from South Carolina, because in my judgment we have laid the foundation today for a very serious sugar scandal in this country. I think we are playing into the hands of the speculators and the profiteers. I do not believe it represents sound Republican policy. Therefore, I shall vote against the measure.

Mr. FLANDERS. Mr. President, coming from a State which has voted Republican ever since there was a Republican Party, and on behalf of that party for which my State has so consistently voted, I shall vote against the measure because, like the dead albatross around the neck of the ancient mariner, it would hang on the neck of the Republican Party, and I will have no part in it.

Mr. CAPEHART. Mr. President, I join with the Senator from Georgia, the Senator from South Carolina, the Senator from Oregon, and the Senator from Vermont. I shall vote against the measure. But I want to call the attention of the Senate to the fact that there will be no more of a scandal, and no more justification for an increase in the price of sugar by our releasing controls on October 31 than there would be if we removed controls on March 31 next. I want the RECORD to show that, in my opinion, anyone who maintains that there will be such a scandal merely for that reason, is wrong. I think the facts will substantiate that such a thing is going to happen regardless of when rationing is discontinued. Let us not be fooled now by anyone into believing that as a result of what the Senate has done today by voting to discontinue rationing on October 31, something is going to happen that would not happen on next March 31.

Mr. TOBEY. Mr. President, I speak with no bitterness in my heart, but I concur in the statements made by both Senators from Vermont. I want to go on record as saying that this subject has been thoroughly aired here on the floor of the Senate, and honest representation has been given to the sugar situation by sincere men, including the Secretary of Agriculture, Mr. Anderson. No man in this Chamber can say he did not know from authoritative sources what the consequences would be of changing the date to October 31. They were thoroughly explained and pointed out.

There is a certain clique in this country which is going to capitalize on the action we take today in changing the date to the 31st of October. The speculators are singing a Te Deum in their hearts tonight throughout the country. They are singing "Hail, Hail the Gang's All Here. We are ready for the kill."

Mr. President, I deplore that. I shall do nothing that would result in advantage to that selfish crowd, the crowd that has no interest whatever in the welfare of the people of the country.

Mr. President, the measure as framed by our committee and favorably reported to the Senate was designed for the good of the country, to administer a very trying situation, and to let the effects of rationing decline gradually. It was voted out 10 to 2. To remind those who may try to defend their action in changing the date to October 31, instead of leaving controls on until March 1948, as the joint resolution reported by the committee provided, the Secretary of Agriculture was directed in that measure to remove controls whenever he could and when he found it in his heart to do it. Both the junior Senator from Vermont [Mr. FLANDERS] and I repeatedly pointed that out. I read to the Senate the letter of the Secretary, in which he said that when that time came he would give no advance notice, so there could be no speculative benefit from the action he would take. He would pull the curtain down at a time unannounced in advance, and at such a time that no privileged or preferred class would benefit thereby.

Now by what is proposed to be done, the removing of controls on October 31, the speculators are being put on notice that the doors are ajar. The floodgates of speculative profits are open to greedy hearts. I shall vote against the measure.

I want the country to know where the blame lies. It lies with a group in my own party, in the Republican Party, who have been trying to sabotage this measure at every possible opportunity.

Mr. DWORSHAK. Mr. President, I make the point of order that the Senator from New Hampshire is out of order.

The PRESIDENT pro tempore. The Chair rules that the Senator from New Hampshire is not out of order.

Mr. TOBEY. The Senator from Idaho cannot take it, can he?

Mr. SPARKMAN. Mr. President, I want to say that I served on the subcommittee. That subcommittee worked very hard to draft and report out a bill which would continue these controls in an orderly manner. I consider the change of the date as an absolute scuttling of the measure. The Secretary of Agriculture, if I remember correctly, told our subcommittee that it would be better to end the controls now than to end them on October 31.

Mr. TOBEY. The Senator is correct.

Mr. SPARKMAN. For that reason I want to say that I shall join the other members of the subcommittee who have announced their intention to vote against this measure.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. MORSE. I understand the Senator from Idaho raised a parliamentary inquiry as to whether or not the Senator from New Hampshire was out of order.

The PRESIDENT pro tempore. The Chair ruled he was not out of order.

Mr. DONNELL. Mr. President, I am at a loss to understand the reason for the tremendous consternation that seems to have struck the Senate within the last few minutes. As I see it, there is no occasion for any great fear of any great national scandal arising out of this situation. Unless I am entirely in error, section 2 of the measure, which has been eulogized on the floor here, still remains in it. Is that not true? Does not section 2, which provides that "prior to the expiration of this act, the Secretary of Agriculture is hereby authorized and directed to remove any or all controls with respect to any product over which control is authorized by this act when he determines that the supplies of sugar are sufficient to warrant such action," still remain in the measure?

Mr. TOBEY. Yes, it still stands there. It is a pretty mess of verbiage. But let me point out that what the Senate is doing now is put speculators on notice that they can make the killing, when they can play the game. But if the measure is left in the form in which the Banking and Currency Committee reported it, the Secretary of Agriculture will, when he knows the proper time has arrived, let the portcullis fall at such a time as to make the speculators impotent to take advantage of his action. But they are not blind now; they are put on notice that controls definitely go off October 31 and there is no uncertainty to them. They will govern themselves accordingly.

Mr. DONNELL. I have understood upon the floor of the Senate this afternoon, certainly from this side of the aisle, that the Secretary of Agriculture is esteemed as an honorable man. I have understood him to be eulogized here, as to his judgment and his integrity. It seems to me that this authority—not merely authority but direction to him by section 2—means, if it means anything, that he is told that prior to the time when the removal of the controls would take effect on October 31 he shall remove the controls, and the idea is, as I understand, Mr. President, that by so doing he will prevent the very scandal and the very reaping of vast harvests of unholy gains, concerning which consternation seems to have struck the Senate. Now if I am wrong about that I should like to be corrected, and I yield to the Senator from Vermont who stands upon his feet.

Mr. FLANDERS. Mr. President, in answer to the point raised by the Senator from Missouri I would say that it is the considered judgment of the Secretary of Agriculture that it is unsafe to ask him to raise the controls at any time between now and October 31. He might be able to, but he would not want to be responsible for having to remove the controls between now and October 31.

Mr. DONNELL. Does the Senator mean that he is not willing to commit himself to do so at this time?

Mr. FLANDERS. It means a little more than that. He feels that there is very great danger in being required to remove controls between now and October 31.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. DONNELL. I yield to the Senator from Indiana.

Mr. CAPEHART. I should like to know what there is about the date of October 31 as compared with next March 31, which will make any difference in the so-called scandal? What is the difference, so far as the profiteers are concerned, and those who would hoard sugar, between hoarding it from now until October 31 and hoarding it between now and next March 31? I have never listened to anything I thought was such a striking example of much ado about nothing as the discussion with respect to those two dates. We voted to decontrol on October 31. The joint resolution as reported by the committee set the date as next March 31. Either date gives notice to those dealing in sugar that on October 31 or March 31 controls will be lifted from sugar. I wish some Senator would tell me the difference. In the interim, whether we take October 31 or March 31, the Secretary of Agriculture has the right, at any time he may see fit, to decontrol. We are making a great ado about nothing.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. AIKEN. I invite attention to the fact that setting the date for the expiration of the control at October 31 sets it at a time when undoubtedly the Congress will not be in session; and no matter how short the supply of sugar becomes, no matter how much the gamblers withhold the supply of sugar, there is nothing in the world that Congress can do about it, whereas on the 31st of March Congress will be in session.

Mr. DONNELL. I yield.

Mr. FLANDERS. I should like to say further in response to the inquiries raised by the Senator from Indiana that the best time, in the judgment of the Secretary, lies somewhere between a November date and the March date, and that so far as any knowledge or information about supplies, stocks, and consumption is concerned, any date before that would be unsafe. There is a practical surety in finding a date between those extremes.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. CAPEHART. I appreciate that point; but I was trying to point out to the Senate that there is not much difference between dates so far as speculation is concerned.

Mr. SALTONSTALL. Mr. President, will the Senator yield to me so that I may ask the junior Senator from Vermont a question?

Mr. DONNELL. I yield.

Mr. SALTONSTALL. The question is this: Massachusetts is a large industrial State which uses a great deal of sugar in ice cream, bottled goods, and confectionery. There are also two large refineries in the State. If we take off controls now, will not those large industrial users get all the sugar, and leave none for the housewife, or for canning? In other words, if we keep the controls until October 31, even though there may be a large increase in the price of sugar after that time, with the coming of new supplies there will be better opportunity for the housewife under those conditions than if we were to remove controls today.

Mr. DONNELL. I yield to the Senator from Vermont [Mr. FLANDERS] for the purpose of answering the question.

Mr. FLANDERS. The situation so far as the housewife is concerned in the case of an October release would be very bad indeed. The hoarding would take place during her canning season. As I explained this afternoon, that was one of the very bad features against the October 31 date. I can conceive of nothing worse so far as the housekeeper and home canner are concerned.

With regard to the other part of the question, as to whether it was not more serious to decontrol now than next October, the Senator from Massachusetts was thinking largely in terms of the very large industrial consumption of sugar. As I understood, he expressed the fear that that very large industrial consumption of sugar might drain the household supplies at this time. Am I correct in that statement of the question?

Mr. SALTONSTALL. My question was, Would not the housewife, in an industrial State using large quantities of sugar, be better off with the October 31 date, than if controls were removed today?

Mr. FLANDERS. My answer to that question was that there was no time worse for the housewife so far as canning was concerned than October 31. As has been explained, the hoarding which would take place in anticipation of that date would come during the canning season. The point has been raised that the Sec-

retary does not necessarily decontrol at that date. The fact remains, however, that everyone knows that control is to be lifted at that time at the latest, and the hoarding will therefore start during the canning season unless the Secretary announces a date suddenly, well in advance of that time. The housewife and canners certainly are not served by the October 31 date, under any conceivable circumstances except those I last mentioned, if the Secretary should suddenly announce a date well in advance of the canning season. That is what we are doing, in effect, if we vote "nay" on the joint resolution.

Let me say to the Senator from Massachusetts that I cannot say what will happen to the household user as compared with the industrial user in the State of Massachusetts or any other region where the industrial demand is strong. We would be in the position of relinquishing controls, and something would happen—heaven only knows what. I am not up in heaven, but in a very different place, namely, on the floor of the United States Senate; and I must plead ignorance on that subject.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. MAYBANK. I wish to mention one further point to the distinguished Senator from Vermont. Not only would prices be affected, but I was led to believe by the evidence that the Cuban cane is now being cut. A great deal of Cuban cane might not be cut, and there might not be as much sugar from Cuba if the controls were to be terminated in October.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. DONNELL. I yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I think this confusion which has taken hold of the Senate in the last few minutes is much ado about nothing. As I tried to point out this afternoon in the course of the debate the Senate should not overlook the fact that the Federal Government, through the Commodity Credit Corporation, owns the largest available source of sugar that is now being produced in this hemisphere. The Government is the owner of the Cuban crop and the Puerto Rican crop, and I am certain that with that sugar in the hands of the Federal Government and with controls applied until October 31 all will receive their just share and there will be no opportunity to hoard sugar.

As I tried to point out this afternoon, if we select March 31, 1948, instead of October 31, 1947, as the date for the removal of controls, the scandal which has been mentioned will really occur, because the period of the greatest sugar production begins in November and continues through December and on until May in each year; and if we should make the mistake of having controls removed on March 31 there is no question in my mind that all the new sugar produced from November until early next year, up to March 31, would be retained so that it could be sold on an uncontrolled market.

Mr. DONNELL. May I ask the Senator from Louisiana, who has just spoken, whether or not he anticipates that if this joint resolution shall be passed in its present form a great national scandal will result?

Mr. ELLENDER. Of course not. It is silly to contemplate that such an occurrence will come to pass.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. ELLENDER. I do not have the floor.

Mr. DONNELL. I yield to the Senator from South Carolina for the purpose of interrogating the Senator from Louisiana.

Mr. MAYBANK. The Senator from Louisiana is more familiar than am I with the production of sugar and the growing of cane. Inasmuch as he has stated that the Commodity Credit Corporation owns the Cuban crop and the Puerto Rican crop I should like to ask him this question: Is it not a fact that the Cuban Government made certain arrangements with UN to allocate a certain amount of the crop and that the American Government agreed to it?

Mr. ELLENDER. As I understand, the American Government purchased the entire Cuban crop, and approximately one-third of it has been allocated for foreign distribution, so there is an increased allotment to the people of countries which are not producing as much as they produced before the war. This country has been allocated two-thirds of the Cuban sugar production, which amounts to approximately 3,200,000 tons.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. DONNELL. I yield to the Senator from South Carolina.

Mr. MAYBANK. My only point is that the Government acted as an agent for UN, and when we remove the ceilings the dollar credits will be involved, and Cuba desires to build up her credits in the future with countries other than the United States. The United States will control the sugar as an agent for Canada, England, and for every other Nation involved.

Mr. ELLENDER. But I repeat to the distinguished Senator from South Carolina——

Mr. DONNELL. Mr. President, I yielded for the purpose of propounding an inquiry only.

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. DONNELL. I yield to the Senator from Kentucky for an inquiry.

Mr. BARKLEY. I wish to propound an inquiry to someone who can shed enough light on this situation to enable me to cast an intelligent vote. I preface my question by the observation that because I felt that March was a better date I voted against the amendment providing for moving the date up to October 31. I think it is now obvious that the Senate made a mistake in the action which it took. But the joint resolution is now beyond consideration so far as amendments to the text are concerned. The question is now on the passage of the joint resolution. If we decline to pass it, all sugar control will end next Monday.

The question I should like to ask the Senator from Missouri [Mr. DONNELL] or the Senator from New Hampshire [Mr. TOBEY], or any other Senator who can answer it, is this: In view of the fact that it has long been known that sugar control will expire next Monday unless Congress extends it, if this measure is now defeated, as between the condition that will transpire following next Monday and that which will transpire following next October, would the country be worse off next Monday and following, or would it be worse off in October? I am not speaking of a possible sugar scandal. I presume that so far as it could be done there has already been hoarding of sugar, on the theory that Congress might not extend the law and that the price would immediately rise after the law's expiration next Monday. Whether there will be greater hoarding between now and October I do not know; but insofar as the equitable distribution of sugar among the consumers in this country is concerned, would the country be any worse off next October than it would be next week if Congress declined to extend control?

Mr. FLANDERS rose.

Mr. DONNELL. I see that the Senator from Vermont is on his feet, and I am sure he can respond to the question.

Mr. BARKLEY. Let me also include in my question this observation, with an interrogation point after it: In my section of the country the canning season as a rule is long in advance of the 31st of October. When the 1st of November arrives vegetables and ordinary fruits have been consumed or canned. There are certain products which are suitable for canning up to the 31st of October, but for the most part the housewife in my section of the country has done most of her canning before the 31st of October. I am concerned about what will happen to her in the summer season. If the Senator from Vermont or any other Senator can satisfy my mind with reference to that, and in relation to the other matters about which I have inquired, I shall be very grateful.

Mr. FLANDERS. There is no better time than right now for a disorderly removal of controls for which we have voted. Now is the time. We are in a period when Cuban sugar is coming in. The refining of sugar will reach its peak in May, June, and July. Beyond that time stocks continuously decrease. Now is the time for disorderly removal of controls. There is no better time.

Mr. BARKLEY. That does not entirely answer my question, but I accept it.

Mr. O'MAHONEY rose.

Mr. DONNELL. The Senator from Wyoming is on his feet.

Mr. O'MAHONEY. I desire to obtain the floor in my own right, in accordance with the rule.

Mr. OVERTON. Mr. President——

Mr. DONNELL. I yield to the Senator from Louisiana for an inquiry.

Mr. OVERTON. I wish to propound this inquiry to the able Senator: If controls are removed next Monday is it not true that the sugar refiners and those who grow sugar will proceed to hoard it in order to obtain higher prices, and the market will go up, and that the country will be infinitely better off if control is continued until October 31?

Mr. DONNELL. The Senator has stated his view in his question, and I shall not make further comment upon it. It has been stated by him with clarity.

Mr. OVERTON. I thank the Senator.

Mr. DONNELL. I was, like the Senator from Kentucky who spoke a few moments ago, one of those who voted to retain March 31, 1948, as the date for the removal of control, rather than October 31, 1947. Two things are true: In the first place, the Senate, by the majority of its Members, determined that October 31, 1947, is the proper date to place in the joint resolution. Personally, notwithstanding the fact that I differed with those Senators and voted against it, I am willing to abide by the judgment of the Senate.

In the second place, Mr. President, when that vote was taken by the Senate section 2 was in the joint resolution; and prior to that vote I failed to hear any comments made with respect to any great scandal which would result in the event that we placed in the joint resolution the October 31, 1947, date. Throughout the discussion I have understood that although many believed, as did I, that the proper date was March 31, 1948, nevertheless, section 2, which has been inserted, as I understand from italics, by the committee was a safeguard, or deemed to be such. Certainly when the Senate decided this afternoon that the proper date was October 31, 1947, rather than March 31, 1948, the Senate must have acted on the theory that section 2 was a safeguard.

Mr. President, I am unable to read the mind of the Secretary of Agriculture. I saw this afternoon a memorandum which was handed about here. For the life of me I cannot recall the details of it. I only glanced at it hastily. It may have been conveying the news to which the Senator from Vermont has referred.

But, Mr. President, bearing in mind, first, that the Senate, after full and complete debate, fixed upon October 31, 1947, as the proper date; and bearing in mind the further fact that when the Senate did that there was no charge, so far as my ears conveyed it to me, of prospective scandals resulting therefrom; and bearing in mind the further fact that when the Senate voted to put that date into the joint resolution section 2 was in the joint resolution; and bearing in mind, also, that section 2 provides that—

> Prior to the expiration of this act, the Secretary of Agriculture is hereby authorized and directed to remove any or all controls with respect to any product over which control is authorized by this act when he determines that the supplies of sugar are sufficient to warrant such action.

I say, Mr. President, that bearing in mind that combination of facts, I shall vote in favor of the joint resolution.

Mr. O'MAHONEY. Mr. President, I have listened with a great deal of disquietude to the discussion which has taken place here in the last half hour. I was one of those who voted against termination on October 31, 1947, because I was convinced that termination at that time would provoke the hoarding and the speculation which have been prophesied by the Senator from New Hampshire and the Senator from Vermont.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. O'MAHONEY. If the Senator from Ohio will permit me to finish, I shall then yield.

Mr. President, I sympathize completely with everything which has been said here by the Senator from Georgia, the Senator from South Carolina, and the Senator from Alabama. I can understand the feeling of the members of the subcommittee who, having studied this problem, feel that disaster will come to the consumers of sugar in the United States if the price controls are lifted on October 31, 1947.

The question now propounded to us, however, is that which was asked by the Senator from Kentucky; namely, which date of termination will be worse for the people of the United States—next Tuesday or October 31 of this year? I believe that what the Senator from Georgia has said is correct; namely, that with termination as of October 31, 1947, the joint resolution is a speculator's joint resolution. But I also know——

Mr. TAFT. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I decline to yield.

Mr. President, I also know that if we permit sugar controls to terminate next Tuesday, the housewives of the United States, the industrial users of the United States—all who want sugar—will be the sufferers; and the price will rise. There is much greater danger of a price rise with termination of controls within the week than there is with termination on October 31.

I call to the attention of the Senate that after the OPA was repealed, after the failure of OPA legislation in the last session of Congress, when all controls were lifted, there was an immediate rise of prices. Then the OPA was reimposed. Subsequently, the controls were dropped. As a result of that failure to deal realistically with the situation which then confronted us, the price index as of last November was 188. In short, the prices of food in the United States at that time reached an all-time peak.

Mr. President, everyone who pays the slightest attention to what is going on in the United States today knows that prices are rising on every hand. They are rising so rapidly, Mr. President, that I have a grave feeling that before many months have passed this country will face another depression, another crash of prices. Mr. President, that is not my prediction. The business writer for the New York Times, Mr. Russell Porter, only a few weeks ago, in his column in one of the issues of the Times, warned the industrialists of the United States that they had 60 or 90 days within which to reduce prices or else face a break in the market. The United States News, which certainly is not a New Deal publication, in its issue of only last week predicted that a recession was near at hand. Mr. President, we have allowed things to get out of hand because we have been thinking emotionally instead of realistically about the condition which confronts this country.

What is the issue which faces us? The joint resolution brought in by the committee would extend these controls until March 31, 1948, which is only a year from now. As the Senator from Vermont well stated, the purpose of the legislation as brought in by the committee was to secure orderly decontrol.

Section 2, to which the Senator from Missouri [Mr. DONNELL] has referred, was written into the joint resolution for the purpose of avoiding termination at a time of shortage. But it was intended to enable the Secretary of Agriculture, if there were a sufficient supply of sugar, to bring about the termination without notice or without warning, in order to prevent speculation. However, this afternoon the Senate of the United States has made that impossible. The joint resolution now contains no safeguard against a termination of price control on October 31 for the simple reason that there is no possibility of getting a sufficiently increased supply of sugar between now and then.

We are confronted with a shortage of sugar. Anyone who has given attention to the sugar problem knows that the United States is confronted with a shortage of sugar. There was a time before the war when we used to receive over a million tons of sugar annually from the Philippine Islands. That supply was utterly and completely cut off; the Japs destroyed the machinery and the plantations there; and there is no possibility of securing more than a thimbleful of sugar from the Philippine Islands next year, comparatively speaking.

But if we terminate price controls while there is a shortage of the sugar supply, the slightest bit of common sense should convince everyone that we are inviting disaster; and when the prices begin to rise the housewife will not get sugar for her canning or for the table. The people of the United States as a whole will be the ones to suffer.

O Mr. President, let us legislate with common sense. Let us legislate in the interest of all the people of the United States. It is perfectly obvious, from what has happened here this afternoon, that this is a matter which needs more consideration. As the Senator from Kentucky said, the parliamentary situation is such that we cannot reconsider the vote by which the October 31 date was inserted, but we have not lost the power to legislate if we are willing to deal with this question intelligently, with common sense, without partisan feeling, in the interest of all the people of the United States. All that is necessary is for us to send the joint resolution back to the committee, Mr. President, and I move that it be recommitted.

Mr. TAFT. Mr. President, I wanted to point out that those who think the controls should be continued to March 31, 1948, it seems to me should necessarily vote for the pending measure. They

have an opportunity to introduce for the consideration of the Senate another bill to extend the controls until March of next year, if they wish to do so. The passage of this measure will continue the controls, and there will be at least 4 months in which those who think that is the wrong date can bring in another bill to extend the date to March 31, and get full consideration in the Senate and the Congress.

It seems to me those who think controls should be continued, but vote to cut them off tomorrow because they do not like the exact date fixed at the present moment, are cutting off their noses to spite their faces. The whole subject has engendered far greater heat than is justified. I may be mistaken, but I do not see how anyone can hoard sugar before the 31st of October if people are strictly limited in the amount they can get. Who can hoard before the 31st of October if there is inventory control and rationing control? I cannot see that disaster would ensue. It is possible that we have so overestimated that we will be very short on the 1st of November, but I do not think so. So far as I can see, with the additional sugar from Cuba, we are going to have a very large stock pile. We will have the new plants of the International Emergency Food Council, and we will have built up a considerable stock. That is why we are rationing for the next 7 months. If we add to that five or six hundred thousand tons more from Cuba, which we have not counted, it seems to me we may expect a perfectly normal supply, certainly for the two coast areas, and the beet sugar crop is coming in to take care of the central area of the country.

In any event, I cannot see why anyone who wants to continue controls should not vote for the joint resolution and then, if later on it is desired to reconsider, move to extend the date from the first of November until March 31. We can reconsider our decision of this afternoon.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Wyoming [Mr. O'MAHONEY] to recommit the bill.

Mr. BARKLEY. Mr. President, I wish merely to suggest to the Senator from Wyoming that if his motion to recommit is to be of any value it should carry with it, if it is to be agreed to, an instruction to the committee to report back to the Senate not later than tomorrow in order that the Senate might take action.

Mr. O'MAHONEY. The Senator is right. I accept the amendment.

Mr. BARKLEY. It would be in order, if the motion to recommit should carry, for the Senate Committee on Banking and Currency on tomorrow, or later today, if it desired, to report back the bill to the Senate as it was reported originally by the committee, minus all the amendments agreed to, or plus anything else the committee might want to add to it. So that if we are to get out of this situation, assuming the Senate wants to get out of it, in some way other than by having all control expire next Monday, there should be carried with the motion of the Senator from Wyoming an instruction to the committee to report not later than tomorrow.

Mr. O'MAHONEY. I am very glad to accept the amendment as a part of my motion.

The PRESIDENT pro tempore. The Senator's motion, then, is that the bill be recommitted with instructions to the committee to report not later than——

Mr. O'MAHONEY. Not later than tomorrow.

Mr. TAFT. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. Let the Chair understand the motion clearly.

Mr. O'MAHONEY. The motion is to recommit the bill with instructions to the Committee on Banking and Currency to report back to the Senate at not later than noon tomorrow.

The PRESIDENT pro tempore. At not later than noon tomorrow.

Mr. TAFT. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. TAFT. If the bill shall be recommitted, will the committee be free to make any changes in the bill?

The PRESIDENT pro tempore. The recommittal would nullify the action of the Senate in respect to all amendments, and the committee would be free to report as it pleased.

Mr. TAFT. I move that the motion of the Senator from Wyoming be laid on the table, and on that I ask for the yeas and nays.

The PRESIDENT pro tempore. The Senator from Ohio moves to lay on the table the motion of the Senator from Wyoming. The motion is not debatable.

The yeas and nays were ordered.

Mr. O'MAHONEY. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. O'MAHONEY. I understand those who desire to recommit will vote "no."

The PRESIDENT pro tempore. The Senator's understanding, as usual, is sufficiently accurate not to require any prompting from any source.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. WHERRY. I announce that the Senator from Pennsylvania [Mr. MARTIN] is absent by leave of the Senate.

The Senator from Wyoming [Mr. ROBERTSON] is absent because of illness.

The Senator from Kansas [Mr. REED] is unavoidably detained. He is paired with the Senator from New York [Mr. WAGNER].

Mr. LUCAS. I announce that the Senator from California [Mr. DOWNEY], the Senator from Arizona [Mr. HAYDEN], the Senator from Washington [Mr. MAGNUSON], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], the Senator from Utah [Mr. THOMAS], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Nevada [Mr. MCCARRAN], and the Senator from West Virginia [Mr. KILGORE] are absent on public business.

If present and voting the Senator from West Virginia [Mr. KILGORE], the Senator from Washington [Mr. MAGNUSON], the Senator from Utah [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] would vote "nay."

The result was announced—yeas 44, nays 36, as follows:

YEAS—44

Baldwin	Dworshak	Millikin
Ball	Ecton	Moore
Brewster	Ellender	O'Daniel
Bricker	Ferguson	Overton
Bridges	Gurney	Revercomb
Brooks	Hawkes	Smith
Buck	Hickenlooper	Taft
Bushfield	Ives	Thye
Butler	Jenner	Vandenberg
Byrd	Johnson, Colo.	Watkins
Cain	Kem	Wherry
Capehart	Knowland	Wiley
Capper	McCarthy	Williams
Cordon	McKellar	Young
Donnell	Malone	

NAYS—36

Aiken	Holland	Myers
Barkley	Johnston, S. C.	O'Conor
Chavez	Langer	O'Mahoney
Connally	Lodge	Robertson, Va.
Cooper	Lucas	Russell
Flanders	McClellan	Saltonstall
Fulbright	McFarland	Sparkman
George	McGrath	Stewart
Green	McMahon	Taylor
Hatch	Maybank	Tobey
Hill	Morse	Umstead
Hoey	Murray	Wilson

NOT VOTING—15

Downey	Magnuson	Thomas, Okla.
Eastland	Martin	Thomas, Utah
Hayden	Pepper	Tydings
Kilgore	Reed	Wagner
McCarran	Robertson, Wyo.	White

So Mr. TAFT's motion to lay Mr. O'MAHONEY's motion on the table was agreed to.

Mr. BARKLEY. Mr. President, I want to make a very brief statement, not for the purpose of attempting to influence the vote of any Senator, but in order that I may make my own position clear. I regret that the Senate took the action it took earlier in the day in moving the date forward to October 31. I think it was a mistake, but it was made, and it was made by the Senate, knowing that the same date was fixed in the House bill, and that therefore that date would not be in conference and it could not be changed by the conferees. So that the Senate took the action with its eyes open on that subject.

I do not know, and I would not pretend to say, whether it is wiser to end control of sugar on next Monday or Tuesday, or to continue it until the 31st day of October. I do feel that if we suddenly and unexpectedly remove controls from sugar, the result may be a windfall for the benefit of those who have, or will have, sugar for sale or manufacture. I think the Congress would not want to bring that about. I am afraid of that situation. I am therefore unwilling to take the responsibility. I have been unwilling to get the consent of my own mind to end these controls unexpectedly on next Monday, which will take place if this bill fails of passage. From my past experience, following the expiration of a control law and a 2 months' hiatus, during which the sky was the limit, in undertaking to secure legislation to reimpose limitations in a field where they had been lifted by failure of Congress, I would not be willing, if this law expires next Tuesday, to try again after my previous experience to reimpose these controls, because it

would be ineffective, just as it was last year when we could not reimpose controls after the expiration of the price control act, and its reenactment a month or two later.

Therefore, for my own part, Mr. President, being unwilling to get the consent of my own mind to end these controls on next Tuesday, I shall vote for the passage of this measure, with the hope that if it turns out, in the light of new information, another date should be adopted for the expiration finally of sugar controls, we will have an opportunity to consider it and act upon it between now and the time when Congress shall adjourn.

Mr. LUCAS. Mr. President, I should like to make an inquiry of some member of the Committee on Banking and Currency. The inquiry is this: Is there any evidence before the committee which discloses the viewpoint of the Secretary of Agriculture with respect to these two dates, namely, March 31 and October 31? Has the Secretary testified as to the two dates, and the impact either would have upon our economy, so far as sugar is concerned? Has he given us any information about those two dates?

Mr. FLANDERS. Mr. President, I would like to say to the Senator from Illinois that the Secretary said, I think possibly without realizing that this emergency would come upon him, that he would rather decontrol now than that the October 31 date be fixed by law. He said that, quite specifically. I shall want to inquire of him, between now and our meeting tomorrow morning, whether he feels the same way, and I would not want to hold him to that, personally, until he faced this as a possible fact, rather than as something that is a hypothetical situation. He certainly told us that he would rather decontrol now than between now and the 31st of October.

I think there is one other matter that is pertinent. Mr. Marshall told us that at the present moment there was no evidence of hoarding sugar; so that is also pertinent to this situation, and is favorable to an immediate decontrol.

Mr. TOBEY. Mr. President, I may say to the Senator from Illinois that I spoke at considerable length today, and slowly, much more slowly than I usually do, so I would be clearly understood, expressing the hope the Secretary of Agriculture would act along the specific lines we have suggested, and indicating the danger if he resorted to the October 31 date.

The PRESIDENT pro tempore. The question is on the passage of the joint resolution.

Several Senators asked for the yeas and nays; and they were ordered.

Mr. BUTLER. Mr. President, I do not want more than a half a minute. I desire to express my personal appreciation of the practical and sensible statement just made by the leader of the minority group. In that connection, if Congress finds that the measure as passed here today is not working satisfactorily, in the next 2 or 3 months is there any reason why we cannot amend it at that time? I ask the chairman of the Committee on Banking and Currency that question.

Mr. TOBEY. The dike will have been opened, the floods will come, and hell will be to pay.

Mr. O'DANIEL. Mr. President, I have already spoken once today on the pending subject, and I think everyone knows that I am against price control and rationing. I presented several reasons why I thought we should discontinue the control on sugar at the present time. The whole thing, however, has taken a different trend since I made my little talk, and during that talk I said that I did not think there was any doubt but that the measure would be passed by the Senate. I also want to say that I had in mind at the time I made my talk, that even though Congress should pass the measure it would not remain in force very long.

I think we all know that Mr. Truman down in the White House has been playing some very smart politics beginning immediately after last November 5. I think it has been demonstrated that the best time to bring about decontrol is suddenly and without much warning. That is the way Mr. Truman has brought decontrols about, and the plan has worked very well.

Everything has found its level or will continue to seek to find its level. So I think nothing would be smarter, so far as Mr. Truman's political career is concerned, than for Congress to put itself on record as being in favor of continued price control in order that he might in a few days or a few weeks receive the plaudits of the Nation by removing these controls. It is plainly seen in the pending measure that the Secretary of Agriculture has the right to remove controls at any time he wants to. Of course, I am a Democrat and I would be very glad to see Mr. Truman pull that rabbit out of the bag, so to speak. At least, what I mean is that I would be glad to see him get the best of Congress and continue to build up his political fences.

I am surprised, however, and I say it in all friendliness, that my friends on the other side of the aisle would be led as innocent little lambs to slaughter so soon after the election last November, when, without a doubt, the people of this Nation decided that they did not want any more controls. They decided it in such a convincing manner that anyone could see. Mr. Truman took advantage of the situation and 2 or 3 days later he removed price controls, and thereby he grew in stature before the public. Now, here we are considering the question of putting controls back. I certainly hope—well, I do not know whether I hope that we kill the measure here today or that Mr. Truman shall kill it later. If we do not kill it here, I certainly hope that he will do so and do it soon. If he continues to be politically astute he will veto this bill if Congress passes it.

I certainly hope he will.

The PRESIDENT pro tempore. The question is, Shall the House joint resolution pass? The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. WHERRY. I announce that the Senator from Pennsylvania [Mr. MARTIN] is absent by leave of the Senate.

The Senator from Wyoming [Mr. ROBERTSON] is absent because of illness.

The Senator from Kansas [Mr. REED] is unavoidably detained. He is paired with the Senator from New York [Mr. WAGNER.]

Mr. LUCAS. I announce that the Senator from California [Mr. DOWNEY], the Senator from Arizona [Mr. HAYDEN], the Senator from Washington [Mr. MAGNUSON], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], the Senator from Utah [Mr. THOMAS], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Nevada [Mr. MCCARRAN], and the Senator from West Virginia [Mr. KILGORE] are absent on public business.

The Senator from New York [Mr. WAGNER] has a general pair with the Senator from Kansas [Mr. REED].

I announce further that if present and voting, the Senator from Utah [Mr. THOMAS] would vote "yea."

The result was announced—yeas 46, nays 34, as follows:

YEAS—46

Baldwin	Green	O'Conor
Ball	Hawkes	O'Mahoney
Barkley	Hickenlooper	Overton
Brewster	Hoey	Robertson, Va.
Bridges	Johnson, Colo.	Saltonstall
Butler	Johnston, S. C.	Smith
Byrd	Knowland	Stewart
Cain	Langer	Taft
Capper	Lodge	Thye
Connally	Lucas	Umstead
Cooper	McClellan	Vandenberg
Cordon	McGrath	Watkins
Donnell	McKellar	Wiley
Dworshak	McMahon	Young
Ellender	Malone	
Ferguson	Millikin	

NAYS—34

Aiken	Hatch	Myers
Bricker	Hill	O'Daniel
Brooks	Holland	Revercomb
Buck	Ives	Russell
Bushfield	Jenner	Sparkman
Capehart	Kem	Taylor
Chavez	McCarthy	Tobey
Ecton	McFarland	Wherry
Flanders	Maybank	Williams
Fulbright	Moore	Wilson
George	Morse	
Gurney	Murray	

NOT VOTING—15

Downey	Magnuson	Thomas, Okla.
Eastland	Martin	Thomas, Utah
Hayden	Pepper	Tydings
Kilgore	Reed	Wagner
McCarran	Robertson, Wyo.	White

So the joint resolution (H. J. Res. 146) was passed.

The PRESIDENT pro tempore. Without objection, Senate Joint Resolution 58 will be indefinitely postponed.

Mr. WHERRY. I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. TOBEY, Mr. FLANDERS, and Mr. MAYBANK conferees on the part of the Senate.

Mr. WHERRY. I ask unanimous consent that the joint resolution which just passed the Senate, and all the amendments thereto, be printed so that Senators may have it tomorrow.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 931) to extend certain powers of the President under title III of the Second War Powers Act, with an amendment; insisted upon its amendment, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MICHENER, Mr. SPRINGER, Mr. FELLOWS, Mr. DEVITT, Mr. WALTER, Mr. BYRNE of New York, and Mr. CRAVENS were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the bill (S. 918) to establish an Office of Selective Service Records to liquidate the Selective Service System following the termination of its functions on March 31, 1947, and to preserve and service the selective-service records, and for other purposes, with amendments; insisted upon its amendments, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SHORT, Mr. COLE of New York, and Mr. DREWRY were appointed managers on the part of the House at the conference.

TERMINATION OF WAR POWERS AND CONTROLS UNDER SECOND WAR POWERS ACT

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 931) to extend certain powers of the President under title III of the Second War Powers Act.

Mr. WHERRY. I move that the Senate disagree to the amendments of the House, agree to the conference requested by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. WILEY, Mr. COOPER, and Mr. MCGRATH conferees on the part of the Senate.

LEAVE OF ABSENCE

Mr. BALDWIN. Mr. President, I ask unanimous consent to be absent from the Senate on next Friday and Monday.

The PRESIDENT pro tempore. Without objection, permission is granted.

IMPORTANCE OF PRICE REDUCTIONS

Mr. MORSE. Mr. President, I invite the attention of the Senate to a series of articles written by Mr. Blair Moody and published in the Detroit News, dealing with the problem of reduction of prices. I think it is very important that this material be inserted in the RECORD, and I should like to have it published in the body of the RECORD as a part of my remarks, because I believe that in this series of articles Mr. Blair Moody has put his finger on one of the vital economic problems facing the country.

I notice that the President in his recent press conference called attention to the importance of American industry voluntarily reducing prices. Mr. Moody has certainly brought out very clearly in these articles the vital importance of a quick reduction in prices if we are to save ourselves from what I think is clearly ahead of us, namely, a great economic disruption. If the spiral of high prices continues, it may result soon in the legitimate demand on the part of labor for a quick increase in wages. I fear that such increases in wages will be increases in money wages and not increases in real wages. I feel so deeply about it that I think attention should be focused on the economic crisis toward which I think America is rapidly moving, a crisis which, as the Senator from Wyoming [Mr. O'MAHONEY] pointed out this afternoon, is bound to result in serious depression within the next few months unless American industry and American labor get together on a price-reduction program in order to avoid demands for increases in wages.

There being no objection, the series of articles was ordered to be printed in the RECORD, as follows:

PRESSURE FOR PRICE CUTS APPLIED BY BIG BUSINESS—HARVESTER AD URGES KEY INDUSTRIES TO BREAK THROUGH INFLATION SPIRAL

(By Blair Moody)

WASHINGTON, March 20.—The Government's effort to check inflation, by getting United States Steel and other key industrial giants to break a path for widespread price cuts, gathered strength today by polite—but pointed—pressure from within the ranks of industry itself.

A new type of industrial ad, calling on business to rise to its public responsibilities, is beginning to appear in eastern newspapers.

For example, such key price makers as Big Steel's executive committee, which shortly must decide whether to cut the price of industry's basic material or keep it high, must have seen in the New York Times the other morning a big black-and-white display reading:

"Any price is too high if it can be reduced."

The ad was signed by Fowler McCormick, president of International Harvester Co., which has just announced price reductions totaling $20,000,000, effective April 1.

There can be little doubt that many, many prices can be reduced. Steel is one obvious example, with production and profits running at unprecedented, swollen levels. So many prices are so much too high that the president of the New York Stock Exchange, Emil Schram, has been raising ned about it. He fears an angry public backlash if the country is high-priced into a depression.

"MOST IMPORTANT"

"We believe," says McCormick's ad, "there is nothing more important to this country than to lower the prices of goods that people buy."

That is what every ranking economist in the White House, every top businessman in the Commerce Department, including Secretary Harriman and Under Secretary Foster, and many businessmen outside Government also believe.

But so far, McCormick's effort to lead the economy away from a postboom crash, toward prosperous stability, has been received by key industrial bigwigs with the same indignant high nose as greeted the similar effort by Henry Ford II a few weeks ago.

"Business, to our way of thinking, has a social as well as an economic responsibility," continues McCormick's ad.

This statement might raise quite a debate on, say, Big Steel's big board which numbers Sewell M. Avery and several prototypes as well as some pretty broad-gaged men.

"The American people," says McCormick, "have insisted that the Government withdraw from its attempt to control prices in peacetime."

He might have said: Congress insisted, after it had been assured in full-page ads of quite another type, sponsored by the National Association of Manufacturers and others, that if only price controls could be smashed, prices would go down. At any rate:

"That places the responsibility," McCormick continues, "where it belongs—in the hands of business and industry."

MUST BREAK THROUGH

Obviously, not all business can reduce prices by the same amount, and some can't cut them at all, he points out. But:

"Our company has felt a duty to act as promptly as possible. In our case, the business outlook now makes it possible to move toward the goal of lower prices. The only way out of the vicious circle of higher and higher prices is to break through."

Now, as is always the case when men of great position and power are involved, much more is being said privately than on the record about this whole issue.

Several important industrialists have told the Detroit News they see the economic threat to the Nation. They say they would like to cut prices and could cut them, but they are afraid to act until the steel industry acts, and the steel industry will follow the lead of its biggest member.

It is not a cartel, formally. It may not be industry-wide price-fixing, technically. But it is a curious phenomenon of the American "competitive" system which might well be examined by the new unit in the Department of Justice just set up by Attorney General Clark to investigate the concentration of economic power.

U. S. STEEL URGED TO LEAD FIGHT TO HALT INFLATION—GOVERNMENT REBUFFED IN FIRST EFFORT TO LAUNCH KEY MOVE

(By Blair Moody)

WASHINGTON, March 19.—The Government is calling on the U. S. Steel Corp. to cut its prices, as the key move in an effort to check inflation before the soaring cost of living plunges the country into a depression.

Secretary of Commerce W. Averell Harriman, a big businessman himself, put the proposition up to Irving S. Olds, chairman of the board of Big Steel, when he passed through the Capital en route to a winter vacation in the Bahamas.

Harriman told Olds in effect that his company, should it follow the price reductions by Ford and International Harvester, could set a pattern for the Nation which would do more than any single thing to reverse the current dangerous trend. Olds' response is reported to have been not encouraging.

The same situation was laid before Enders N. Voorhees, chairman of the finance committee of Big Steel, by Under Secretary of Commerce William C. Foster. Voorhees, said in business circles to be a leader of those opposing a price cut in the corporation's inner councils, was reported even less responsive."

John R. Steelman, assistant to President Truman, and Dr. Edwin G. Nourse, chairman of the President's Economic Advisory Council, have been privately warning industrialists for weeks that failure to reduce prices, while piling up tremendous profits, is making another big wage increase, and a final pre-crash whirl of the inflationary spiral, all but inevitable.

BUSINESS WARNED

The same warning was voiced by Emil Schram, president of the New York Stock Exchange, in a closed meeting of the Business Advisory Council. Schram told BAC, which is an adjunct of the Commerce Department but is composed of independent industrialists, that the public would never understand the huge profits being piled up while prices are so high that millions of buyers are being priced out of the market.

Schram presented figures showing 1946 profits of 51 consumer-goods corporations,

many of which, he said, "never could be justified."

Schram's concern was primarily directed at consumer goods, as most directly affecting living costs. Harriman, Foster, Steelman, Nourse, and other officials and like-minded industrialists, however, are concentrating their efforts on steel as the fulcrum of the industrial economy.

Olds and Voorhees were reminded that United States Steel made profits of $34,000,000 and $31,000,000 in the last two quarters of 1946, the latter despite some production troubles. Profits for the first quarter of 1947 are running far above even those levels.

For the steel industry as a whole, profits rocketed from $22,000,000 in the first quarter of 1946 to $94,000,000 and are still rising, according to semiofficial reports.

PROMISE RECALLED

A highly important factor, from the public standpoint, is the fact that prices have soared following removal of controls by Congress in response to a widely advertised promise, by the National Association of Manufacturers and others, that they would not soar.

Steel is crucial, officials assert, because a substantial reduction of steel prices would be reflected all through the industrial economy. Automobile companies for example, are currently paying 19 to 35 percent above VJ-day prices for sheet.

Some automobile companies are now paying $115 to $120 a ton for steel, including extras, and large amounts of steel are appearing in the gray market at much higher prices.

The cut in extra charges, announced by Carnegie-Illinois, does not affect basic prices, nor even extra charges on the big industrial items, sheet and strip.

If Big Steel would make a substantial price cut, officials and some industrialists say, the pattern would be widely followed not only by other steel companies but throughout industry. They declare it would have a moderating effect on impending wage negotiations and could lead to a stabilized economy.

The impact of a domestic economy disrupted by extreme inflation on world stability, and on the chance of checking communism in Europe and avoiding war, is a collateral issue of great concern to some high officials.

WHITE HOUSE WINS BACKING IN DRIVE FOR PRICE CUTS—GROUP OF BUSINESSMEN, PRESIDENT TEAM IN BATTLE TO HALT INFLATION

(By Blair Moody)

WASHINGTON, March 18.—The White House and a group of forward-looking businessmen are teaming up in a vigorous backstage warning that failure of big industrial and commercial interests to cut their prices may be heading the country into a violent depression.

Alarmed by the soaring cost of living, these industrialists and financiers, backed by top Presidential advisers, are declaring that, unless the inflationary surge is reversed, the very structure of our economic system will be in danger.

A moment when President Truman and Congress are about to launch a bold new effort to stop the spread of world communism, and when a strong or disrupted American economy may spell the difference between future war or peace, is no time, these men say, to dissipate our national strength in the aftermath of irresponsible profit grabbing.

The trend can be reversed, they assert, if those in key price-making positions in industry will take advantage of current enormous profits to set a pattern for stability instead of for a boom and bust.

Prices and profits have been soaring without restraint ever since Congress wrecked price controls last summer. Every week they are touching new 27-year highs. Only Ford Motor Co., International Harvester, and a few others have made good on the promise made then by the National Association of Manufacturers and other business spokesmen that lifting controls would automatically lower prices by competition.

WAGE PARLEYS PEND

Coming up are wage negotiations in crucial industries, like steel, which set the pattern over a wide area of business and industry, both for wage and price policies. Steel profits were very high in the third and fourth quarters of 1946 and are even higher now. Farm prices, leaping up after removal of controls, shortly may be subjected to even greater pressures by demand from overseas.

Many industrialists declare that a new pattern of wage boosts, unless kept within moderate bounds, would bring the crash closer by pricing more goods out of the reach of mass buyers. Yet those who have power to start the cost of living downward for the most part ignore the situation.

Emil Schram, president of the New York Stock Exchange, read the riot act in a closed meeting of the Business Advisory Council, an industrialist adjunct of the Department of Commerce, late last week.

He presented a confidential analysis of the profit of 51 prominent, selected commercial corporations selling goods directly to the public. It showed that high volumes and high prices are piling up astronomic profits, running in some cases many hundred percent over wartime levels.

If this sort of thing continues, Schram said, the capitalistic system will be endangered.

Among the comparatively progressive industrialists and merchants who comprise the BAC, the reaction to Schram's speech was described as excellent. Some industrialists with whom the Detroit News has discussed this situation entirely agree with his analysis of the danger involved. For various reasons, they do not want to be quoted.

GRAVELY CONCERNED

Secretary of Commerce W. Averell Harriman, a big businessman, and Under Secretary of Commerce William C. Foster, head of a small manufacturing company, are gravely concerned at high prices in some lines.

A blunt warning was voiced Monday by Dr. Edwin G. Nourse, former Brookings Institution economist, who is now Chairman of President Truman's Economic Advisory Council, before the Controllers Institute of America.

Nourse said that businessmen who currently get while the getting is good are "doing everything possible to dig the grave of private business enterprise."

Recalling that business interests, in demanding removal of controls, said the natural forces of market competition would promptly restore sound and permanently prosperous business relationships, Nourse said:

"I cannot accept the theory that, in this day of giant corporations, big financial institutions, and Nation-wide unions, the impersonal forces of the market will automatically establish sound wage-price-profit relationships.

"Over large areas of the economy prices and the course of business are determined by highly personalized administrative decisions made by officials of business organizations, and affecting large blocks of capital resources or of labor resources.

"I think it is quite clear to everyone that the decisions of these responsible executives have not since VJ-day mutually added up to anything like a workable solution of the Nation's business problems in terms of well-sustained production and the prosperity that goes with it.

"It is a familiar saying that you cannot do anything to change the law of supply and demand. That is true. But you can act intelligently or stupidly within the conditions laid down by the law."

THREATENED TELEPHONE STRIKE

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD as a part of my remarks a letter which I have received from the president of the National Federation of Telephone Workers. When I made the suggestion a few days ago on the floor of the Senate that the telephone workers and the telephone industry try to work out an agreement for voluntary arbitration of a dispute, I did so without consultation either with the union or the industry. I understand that some members of the industry seem to think that I must have been in consultation with the union. The fact of the matter is that the union strenuously objected to the suggestion which I made.

I wish to say again—because April 7 is not very far away—that unless the telephone industry and the telephone workers find a way to settle this dispute by way of peaceful procedures—the last step being by way of voluntary arbitration—I think the American people have the right to call both the industry and the workers to an accounting, because there is no justification on the part of the industry—workers and employers combined—for confronting the country with the tremendous loss of a telephone strike.

I read an excerpt from a letter which I have received from a telephone worker, which I think is typical of the attitude of the workers in the industry. He says:

> Yesterday I heard telephone employees laying plans for a strike. In fact, I saw the picket signs. There is no fooling or bluffing this time. The members are resigned to militant action. I dread the consequence of a strike. Yet if I am to secure sufficient salary and job security it appears that I must resort to force. What can we do to prevent this calamity?

I will tell them what to do. Both industry and labor can get together on a voluntary arbitration agreement, neither side reserving to itself the right—which I am afraid the telephone employers are seeking to reserve—of determining in advance what the issues are that shall be submitted to arbitration. All issues ought to go to arbitration in this dispute. Therefore I ask to have the letter from Mr. J. A. Beirne, president of the National Federation of Telephone Workers, printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL FEDERATION OF TELEPHONE WORKERS,
Washington, D. C., March 19, 1947.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: In the CONGRESSIONAL RECORD, I read the statement you made to the Senate on March 18. I will personally present the proposal you made to the policy committee of the National Federation of Telephone Workers. The policy committee meets in Washington, D. C., on March 24, and will be reviewing the entire situation as it exists in the telephone industry. The policy committee will be making a decision on the future course of action which will be followed.

Since November of 1946 we have been making proposals to the policy-making man-

agement of the Bell System. All of the proposals made were designed to offset the need for any strike action by our members. The Bell System management has refused to deal with us even though we have in our possession properly executed papers of agency and even though the Bell System management is fully aware of the fact that the federation's bargaining committee is equipped to settle all disputes.

It was demonstrated during the wartime period that the Bell System controls the policies of all associated companies. This means that 90 percent of the telephone industry is under the direct supervision of Bell System management. The Telephone Commission of the War Labor Board made the following unanimous observation:

"The over-all wage structure of the Bell System reflects the centralized management policies of the A. T. & T. Co. The unifying influence of the A. T. & T. appears in the close similarity of most nonrate aspects of the wage structures of the various associated Bell companies. Each Bell company, for example, has the same four major operating departments. Further, these same four departments in all companies carry almost identical job or task titles, and task routines. this same unifying influence is evident also in the existing interrelation of Bell System wage rates, not only among departments and specific jobs of each company but, likewise, among the total wage-rate structures of the companies themselves."

I might point out that one of the industry members who concurred in the statement was the official representative of the Bell System. In spite of the foregoing declaration, the Bell System management, since last November has refused to meet the only union capable of settling the labor problems in the industry.

The policy of the National Federation of Telephone Workers calls for the use of every medium in order to peacefully settle our problems. Your proposal will be considered in the light of our policy. Telephone workers do not want a strike any more than the management or the legislators on Capitol Hill. With contracts expiring, however, and with the industry refusing consideration of retroactivity treatment, we cannot be asked to forget our birthright as American citizens.

Very sincerely yours,

J. A. BEIRNE, *President.*

P. S.—I am also enclosing a copy of a recent talk given over ABC Broadcasting System which may give you some of the facts and figures connected with our current case.

EXECUTIVE SESSION

Mr. WHERRY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the calendar.

NOMINATIONS PASSED OVER

Mr. WHERRY. I ask unanimous consent that the Tennessee Valley Authority nominations be passed over momentarily.

The PRESIDENT pro tempore. Without objection, the Tennessee Valley Authority nominations will be passed over momentarily.

Mr. WHERRY. I ask unanimous consent that the Atomic Energy Commission nominations be passed over momentarily.

The PRESIDENT pro tempore. Is there objection?

Mr. HICKENLOOPER. Mr. President, reserving the right to object, what is the object of passing them over?

Mr. WHERRY. I am asking that they be passed over momentarily. We will revert to them; but it is desirable to confirm the other nominations on the calendar.

Mr. HICKENLOOPER. I have no objection.

The PRESIDING OFFICER. Without objection, the Atomic Energy Commission nominations will be passed over momentarily. The clerk will state the remaining nominations.

SUPREME COURT OF PUERTO RICO

The legislative clerk read the nomination of Borinquen Marrero Rios to be Associate Justice of the Supreme Court of Puerto Rico.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

NATIONAL MEDIATION BOARD

The legislative clerk read the nomination of Francis A. O'Neill, Jr., to be a member of the National Mediation Board.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. TAFT. I ask that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith with respect to all nominations confirmed today.

PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the Public Health Service.

The PRESIDENT pro tempore. Without objection, the nominations in the Public Health Service are confirmed en bloc.

THE ARMY

The legislative clerk read the nomination of Lucius DuBignon Clay to be a general in the Army of the United States, under temporary appointment.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Clarence Ralph Huebner to be a lieutenant general in the Army of the United States, under temporary appointment.

The PRESIDENT pro tempore. Without objection the nomination is confirmed.

The legislative clerk proceeded to read sundry further nominations in the Army.

Mr. GURNEY. I ask the remaining nominations in the Army be confirmed en bloc.

The PRESIDENT pro tempore. Is there objection?

Mr. MORSE. Mr. President, reserving the right to object, I have not had an opportunity to check the entire list, but I ask the Senator if the name of Colonel Kilian is on the list?

Mr. GURNEY. His name is not on the list.

Mr. MORSE. I have no objection.

The PRESIDENT pro tempore. Without objection, the remaining Army nominations are confirmed en bloc.

THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. GURNEY. I ask that the Navy nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the Navy nominations are confirmed en bloc.

THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. GURNEY. I ask that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the Marine Corps are confirmed en bloc.

ATOMIC ENERGY COMMISSION NOMINATION OF DAVID E. LILIENTHAL

Mr. WHERRY. I move that the Senate resume consideration of the nomination of David E. Lilienthal to be a member of the Atomic Energy Commission.

The motion was agreed to; and the Senate resumed the consideration of the nomination of David E. Lilienthal to be a member of the Atomic Energy Commission.

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent that the question of the confirmation of the nomination of Mr. Lilienthal be made the unfinished business in executive session, until it is completed.

The PRESIDENT pro tempore. The Parliamentarian advises the Chair that a request of that sort is not in order.

Mr. WILLIAMS. Mr. President, I ask unanimous consent to be recognized tomorrow at the beginning of the session.

The PRESIDENT pro tempore. Is there objection?

Mr. LUCAS. I object, Mr. President.

The PRESIDENT pro tempore. Objection is heard.

RECESS

Mr. WHERRY. Mr. President, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 7 o'clock and 40 minutes p. m.) the Senate, in executive session, took a recess until tomorrow, Friday, March 28, 1947, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 27 (legislative day of March 24), 1947:

UNITED STATES DISTRICT JUDGE, DIVISION NO. 1, DISTRICT OF ALASKA

George W. Folta, of Alaska, to be United States district judge for division No. 1, district of Alaska, vice Hon. George F. Alexander, term expired.

UNITED STATES ATTORNEY

Benjamin Scott Whaley, of South Carolina, to be United States attorney for the eastern district of South Carolina, vice Claud N. Sapp, deceased.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named candidates for appointments in the Regular Corps of the Public Health Service:

Leonard H. Male to be senior sanitary engineer (lieutenant colonel), effective date of oath of office.

Justin M. Andrews to be senior scientist (lieutenant colonel), effective date of oath of office.

TO BE SCIENTIST (MAJOR), EFFECTIVE DATE OF OATH OF OFFICE

Sidney H. Newman
Samuel W. Simmons

TO BE SURGEONS (MAJOR), EFFECTIVE DATE OF OATH OF OFFICE

Alexander A. Doerner
Russell E. Teague
Abraham Wikler

Norman F. Gerrie to be dental surgeon (major), effective date of oath of office.

Hazel A. Shortal to be nurse officer (major), effective date of oath of office.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 27 (legislative day of March 24), 1947:

SUPREME COURT OF PUERTO RICO

Borinquen Marrero Rios, to be associate justice of the Supreme Court of Puerto Rico.

NATIONAL MEDIATION BOARD

Francis A. O'Neill, Jr., to be a member of the National Mediation Board for the term expiring February 1, 1950.

PUBLIC HEALTH SERVICE

APPOINTMENTS IN THE REGULAR CORPS

To be senior sanitary engineer (lieutenant colonel), effective date of oath of office

Carl E. Schwob

To be surgeons (major), effective date of oath of office

John B. Alsever
Harry Heimann

To be nurse officer (major), effective date of oath of office

Minnie E. Pohe

IN THE ARMY

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

Lucius DuBignon Clay, to be general.

Clarence Ralph Huebner, to be lieutenant general.

APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES

Col. Charles Joseph Barrett, to be professor of modern languages at the United States Military Academy, with rank from date of appointment.

Col. John Will Coffey, to be professor of ordnance at the United States Military Academy, with rank from date of appointment.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

Harold Rathbun Turner and 1,002 other officers who were nominated on March 5, 1947, for promotion in the Regular Army of the United States, whose nominations appear in full in the Senate proceedings for that day, under the caption "Nominations" beginning with the name of Harold Rathbun Turner on page 1705 and ending with the name of Aguste Madore appearing on page 1716.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

Lt. Col. Charles Dayton Carle and 336 other officers who were nominated on March 5, 1947, for appointment, by transfer, in the Regular Army of the United States, whose nominations appear in full in the Senate proceedings for that day, under the caption "Nominations" beginning with the name of Charles Dayton Carle appearing on page 1716 and ending with the name of Peter David Summer appearing on page 1720.

IN THE NAVY

APPOINTMENT ON THE RETIRED LIST

Admiral Jonas H. Ingram, United States Navy, to be placed on the retired list with the rank of admiral.

APPOINTMENTS OF OFFICERS TO THE RANK INDICATED IN THE LINE OF THE NAVY

(NOTE.—*Indicates officers to be designated for EDO and SDO subsequent to acceptance of appointment.)

To be lieutenants

*Ashton, Arthur H.
*Blamphin, Arthur M.
*Grange, Gifford

To be lieutenants (junior grade)

*Albert, John W.
*Buddress, Elmer N.
Conway, John P.
Luther, Roger W.
*Rogers, Lafayette E.
*Schwab, Herbert S.
Trudell, George T.
*Wimberley, Louis P.
Youngjohns, Ernest J., Jr.

To be ensigns

*Abercrombie, Theodore
Adams, Kenneth
Ahrendts, Luther A.
Allison, Frank E.
Alterson, Irwin
Anderson, Robert E.
Ayers, Alvin G.
Bailey, Emera S.
Barr, James H.
Beck, William, Jr.
Becker, Martin S.
Behm, Charles H. H.
Berry, Henry M.
Bevan, Kenneth F.
Bihr, Richard A.
Bird, Comer H., Jr.
Bitting, Frederick E.
Blakeney, Harvey N.
Bliesener, Arthur B.
Blumberg, David H.
Boice, Grant
Bond, John C., Jr.
Borowski, Chester
Bothwell, John H.
Bradshaw, Ray H.
*Braley, Gerald N.
Brown, Francis T.
Brown, Lewis C.
*Brown, Marcus A.
Brown, Walter A., Jr.
Bruck, Thomas J.
Brueggemann, Arthur R.
Buck, Maurice D.
Buller, Ronald M.
*Busscher, Harry A.
Butler, John E.
Carroll, Kent J.
Carson, James D.
Case, George O.
Castro, James
Chapman, Tyrus C.
Chartier, Wilfred G.
Cochran, Joseph D.
Collis, James E.
Comingore, Edward G., Jr.
*Conforti, James, Jr.
Cooper, Robert J.
Corrigan, John F., Jr.
Costanzo, Carl J.
*Coughlin, Charles E.
Coulter, William G.
Craig, Preston S.
Creighton, Bert H., Jr.
Crockett, David S.
*Cullen, Albert J.
Custer, Prentice J.
Cutshall, Harland B.
*Davis, John A.
DeCamp, Edgar A.
Delaney, Charles E.
De Witt, Ward A.
Dickson, Richard "D"
Drennen, Grant A.
*Duchin, Morris G.
Eagan, Bryan R.
Edmunds, Wesley N.
*Everson, John K.
Fagan, Philip J.
Fenwick, Joseph E.
Field, Gerald C.
Fossum, Theodore T.
Fowler, Earl B.
*Fraser, George R.
Frellson, Max E.
Friel, James T.
Fuleihan, Nave "A," Jr.
*Gard, Louis S.
Gardner, Charles A.
Goforth, Calvin T.
Goodwin, Everett R.
Goodwin, Norman, Jr.
Gordon, Arthur D.
*Gordon, Earl C., Jr.
Goudy, Maynard P.
Grimball, Daniel E.
Gross, James R.
Hallam, Orval K.
Hallen, Walter E.
Hancock, Burton W.
Hannon, Paul G.
Hare, Guy C.
*Hare, Robert H.
Hargis, Jack R.
Hartwell, James O.
*Haughey, Leo E., Jr.
Heidorn, Lawrence H.
Henderson, Charles W.
Hewitt, William A.
Hill, Robert E.
Hill, Robert J.
Hollandsworth, Herbert C.
Hoover, Ralph A., Jr.
*Horne, Edward V. P.
*Hudgins, William H.
Hughes, Leslie D.
*Humphreys, Thomas H., Jr.
Iler, John W.
Jacobs, Andrew E.
Jacobson, Ray O., Jr.
*Jacoby, Edmond M.
James, Evan L., Jr.
Jensen, William G.
Johnson, Arthur G.
Johnston, Harry D.
*Juergens, Richard C.
Junghans, Robert C.
Kearns, Edward L.
Keller, William F., Jr.
Kelly, John J.
*Kendrick, Mercator C.
Kirklighter, James F., Jr.
Kleist, Roy F.
Klepin, Leon "E"
Knowles, Cline H., Jr.
Krejcarek, Donald J.
Kulik, Paul B.
LaPerche, Jacques, B.
Lee, James F.
*Lee, Robert E., Jr.
*Leichter, Herbert L., Jr.
Liss, Irving E.
Lloyd, Norman E.
Long, Douglas L.
Lotzgesell, James H., Jr.
Lutkenhouse, William J.
Maguire, Joseph W.
Mallard, Joseph F., Jr.
Maloney, David A.
Manger, Arthur J.
Mansfield, Samuel K.
Markey, Francis H.
Martin, Linwood F.
Mathwick, Leon E. L.
Matthews, William R.
*McCabe, Donald C.
McDaniel, William O.
*McDevitt, Joseph B.
McEwan, Sheldon S.
McGann, Thomas F.
McKinley, Robert T.
McLaughlin, Norman H.
Meekins, Willis E.
Meissner, Robert W.
Meyer, Wayne E.
Midgette, Oliver F.
Miller, David
Miller, Robert C., Jr.
*Milota, Robert F.
Minger, Eugene J.
*Mitchell, Michael G.
Mitchell, Robert W.
Moehle, Wilfred
Moffat, Robert E.
Moore, Charles R.
Morgan, Theodore L.
*Morris, William R.
Morrow, Sam A.
Muller, George R.
Negele, John H., Jr.
Nemoff, Alfred J.
Norman, Robert J.
O'Connor, John J.
Odum, Richardson A.
Oechslin, Robert E.
Pankratz, Ronald D.
Parks, Thomas B.
Peyser, Richard W.
Poe, Robert V.
Porterfield, Floyd R.
Poynter, Robert J.
Quintero, Donald B.
Rappenecker, James C.
Rawls, Raymond L.
Reding, Willis B.
Reisinger, Edward A.
*Richards, John M.
Roden, Dan C.
Rollins, Henry G., Jr.
Ross, Royal R., Jr.
Rummelhoff, Warren E.
Russ, William T.
Sawyer, Kenneth E.
Saylor, Beverly
Scheller, William F.
Schultz, Charles F.
Scott, Norvell O., Jr.
*Scudder, Kenneth R.
Shorts, Donald E.
*Shryock, Raymond D.
Skidmore, Howard H.
Slabey, Theodore M.
Smith, Harry B.
Snicer, Edward
Snure, Robert O.
Snyder, Charles E.
Sobien, Joseph W.
Stallknecht, Leland P.
Stanfield, Henry L.
Stapelfeld, Johann F.
Starkweather, Robert L.
Stell, Albert L., Jr.
*Sullivan, Harry F.
Suttles, Raymond H.
Swanson, Keith E.
Swartz, Neil A.
Sydow, John P.
Talmadge, Charles J.
Tanner, Sylvan
Tarbox, James S.
Tarbox, Stanley
Tennyson, Durward J.
Thomas, Robert E.
Thompson, Clifford E.
Tigert, Marion A.
Timm, Fred C.
Tindall, George R.
Tinny, John D.
Tkach, George
Tobin, Daniel P.
Toomey, Carl E.
Vail, Malcolm E.
*Vail, Ronald A.
Vincent, Patrick T.
Votolato, John
Wallace, William D.
Walters, Joseph A., Jr.
Ward, David V. V.
Ward, Raymond E.
*Waterbury, Daniel E.
Webster, Harvey O., Jr.
Weeks, Edward F.
Weeks, Robert E.
Wente, David A.
West, Raymond W.
White, Richard L.
Whitehead, Andrew D.
Whitsell, John D.
Wilhelmi, Edward H.
*Williams, Bill J.
Wilsie, Roger M.
Wilson, Frederick C., Jr.
Woerman, William B.
Wolff, Paul M.
Woody, William S.
Wright, Fred E.
Wright, William R.
Yerly, Harold J.
*Yoemans, Moreau
Zeltner, Walter R.
Zseltvay, Robert R.
Zuehlke, Lloyd T.
Altieri, Mickelangelo
Dominguez, Arnold C.
O'Leary, Stephen J., Jr.
Redner, Harold A., Jr.
Senden, John J. H.

APPOINTMENT OF OFFICERS TO THE GRADE AND RANK INDICATED IN THE MEDICAL CORPS OF THE NAVY

To be assistant surgeons with the rank of lieutenant (junior grade)

Weaver, Richard H.
McNerney, John C.

APPOINTMENT OF OFFICERS TO THE GRADE AND RANK INDICATED IN THE SUPPLY CORPS OF THE NAVY

To be assistant paymaster with the rank of lieutenant (junior grade)

Dean, Jack G.

To be assistant paymasters with the rank of ensign

Bower, Ralph R.
Christenson, Carl L.
Coon, Leroy E.
Crane, Frank E., Jr.
Cromwell, Julian E., Jr.
Cummings, Harold J.
Donahue, Daniel F.
Dorrance, Sumter E.
Feller, Benjamin P.
Ford, Robert R.
Kreska, William P.
Lenon, Richard A.
Lent, Robert E.
Mercier, Emmett J.
Patterson, Frank H., Jr.
Roberts, Maynard R.
Schmidt, Harold A.
Stonum, Robert H.
Vogel, Robert E.
Waits, Melville L.
Arnall, Dwight L.
Burwick, Herbert A.
Heitmeyer, Richard C.
Huntley, John B.

APPOINTMENT OF OFFICERS TO THE GRADE AND RANK INDICATED IN THE CIVIL ENGINEER CORPS OF THE NAVY

To be assistant civil engineers with rank of lieutenant (junior grade)

Alfred Karp
John W. Wilson

To be assistant civil engineer with rank of ensign

Donald E. Smith

APPOINTMENT OF OFFICER TO THE GRADE AND RANK INDICATED IN THE DENTAL CORPS OF THE NAVY

To be assistant dental surgeon with the rank of lieutenant (junior grade)

Charles A. Dayton

APPOINTMENT OF OFFICERS TO THE RANK OF COMMISSIONED WARRANT OFFICER IN THE NAVY IN THE GRADE INDICATED

To be chief boatswains

Davis, George W.
Jaworski, Stanley

To be chief gunners

Betleyoun, Charles A.
Crisman, James L.
Railsback, Robert A.
Shablowski, Chester T.

To be chief torpedomen

Parolini, Geacomo A. "G"
Woods, Ivan E.

To be chief electricians

Davis, Albert
Jackson, Wilbur J.

To be chief radio electricians

Salem, Albert M.
Yetter, Donald A.

To be chief machinist

Smith, Cecil L.

To be chief carpenters

Biechlin, Louis E.
Gilmore, Joseph C.
Jones, Merle V.
Lee, Cletus A.

To be chief ship's clerks

Gregg, Robert A.
Herrmann, Donald E.
Kern, Horace A.
Lewis, Heber S.
Sullivan, John E.

To be chief pharmacists

Allen, Robert A.
Bryant, Forrest H.
Fenn, Frank L.
Herrick, Stewart V.
Lanning, John R.
Lee, Charlie W.
Martin, Kenneth V.
Nalls, Nathan C.
Riley, William E.
Rye, Jens O.
Sims, Milfred E.
Stamp, Loren E.

To be chief pay clerks

Le Ribeus, Francis
Miller, Junice W.
Stalls, Henry M.

APPOINTMENT IN THE UNITED STATES NAVY IN THE CORPS, GRADE, AND RANK HEREINAFTER STATED

(NOTE.—*Indicates officers to be designated for EDO and SDO subsequent to acceptance of appointment.)

To be lieutenants (junior grade)

*Goodwin, Harold B.
*Mindte, Richard W.

To be ensigns

Ayers, James E.
Bade, Robert B.
Baker, Harold J.
Barrington, Bruce O.
Barry, William
Becker, Henry C.
*Berry, Benjamin H.
Berude, John B.
Beyer, Henry J.
Boger, Clarence E.
Bohlken, John R.
Bowen, Robert W.
Bowman, Donald A.
Brandt, John H.
Britt, Ray H.
Brumbaugh, Jack R.
Bublitz, Robert E.
Bultzo, Charles
Bush, Philip R.
Campbell, Kenneth C.
Carini, Walter P.
Carroll, Charles H.
Cermak, Frank A., Jr.
Chamberlain, Lloyd W.
Chiles, James O.
Clare, James H.
Clark, Robert T.
*Clarke, Thomas H.
Classen, Robert E.
Clement, Robert R.
Coleman, George J.
*Collier, William A.
*Collins, Joseph O.
Cressman, Robert A.
*Crom, James R.
Cunneen, Wallace V., Jr.
Cusumano, Robert D.
Darby, Keith C.
Davis, Richard M.
*Desel, Robert F. P.
Dixon, Alva L.
Drake, John F.
Draz, David I.
Ebersole, Robert "H"
Ellis, Joseph M.
Emig, Alvin F.
Farris, Frederick A.
Filson, Paul L.
Fisher, Robert M.
Fitzgibbons, Edward L.
Fleischli, Robert E.
Flere, Albert J.
Fosdick, Theron D.
Freeman, John T.
Gaiennie, George W.
Garrison, Walter V.
Geer, Jon R.
Geiberger, Charles R.
Gettings, Harold W.
Gieszl, Carl R.
Gilliland, Frank
Gillis, John W.
*Ginn, Wilbur N., Jr.
*Gleeson, John P.
Gorsuch, Reynolds G.
Gower, Harry T., Jr.
Graham, Thomas A.
Grant, Charles D.
Gremer, Charles E.
Hadsell, William V., Jr.
Hafner, Joseph J.
Hahnfeld, Arnold A.
Hale, James R.
Hall, Harold "D"
Halverstadt, Robert K.
Hamilton, Joe
Hansen, Albert E.
Harlow, Harry B.
Harrington, Donald J.
Hasler, Arthur R., Jr.
*Heidt, Webster B., Jr.
Heise, Frederick J.
Hemeyer, Wilbert L.
Hess, John A.
High, Joseph R.
Holden, William P.
Hord, Eldridge, Jr.
Hoskins, Thomas H.
Howard, John N.
Huddle, Norman P.
Hufstedler, Edward F.
Humphrey, Herbert, 3d
Ivans, Joseph D.
Jackson, Maurice B.
Johnson, John T.
Jones, Stanley W.
Junkin, George, Jr.
Karr, Kenneth R.
Kelso, Quinten A.
Kemp, Glenn E.
*Kenney, Edward T.
Kenny, Joseph M.
*Kiracofe, Warren C.
Kirkwood, Maylon M.
Koenig, William H.
Kowalski, Raymond J.
Lake, Walter T.
Lukens, Reeves A.
Luoma, Walter R.
Lynch, Robert E.
Macaluso, Anthony A.
Macon, Benjamin H.
Mahon, John Q.
Mansfield, James R.
*Manson, Frank A.
*Martin, Guilbert W.
Maruschak, Peter
Mathews, John M.
McCall, Charles R.
McCall, Sherrod G.
McDonald, Robley A., Jr.
McKenzie, William W., Jr.
Miller, Charles P.
*Miller, Hugh B.
Mitchell, Eugene B.
Molony, James
Monahan, John J.
Moon, Donald P.
Moore, William G., Jr.
Moseley, Raymond H.
Nelson, Eugene L.
Nockold, Louis W.
Norment, Roy F.
O'Bryan, George R.
Ohme, Henry F.
Orr, Raymond J.
Outten, Harold R., Jr.
Paquette, Martin W.
Penfold, Norman E.
Peterson, John P.
Phalan, James E.
Poitras, Robert R.
Premo, Kenneth W.
Purcell, James C.
Rahlman, Harry E.
Reider, Richard K.
Richardson, Jewett E., Jr.
Riehl, Julian W., Jr.
Riley, Edward E.
*Robinson, Martin W.
Saldin, Carl N.
Sandidge, Falvey M., Jr.
Scappini, Mimo L.
Shanahan, John J., Jr.
Shaughnessy, John J.
Shaw, Fletcher H.
Shults, Roy G.
Shunny, John R.
Smith, Donald L.
Snyder, Jack L.
Sorenson, Carl E.
*Spainhour, Wayne E.
*Speight, William W.
Stanfill, Joseph F., Jr.
Stecker, John P.
Stewart, Donald R.
Striso, Julius A.
Sullivan, Robert M.
Suppers, Donald L.
Teed, John
Thomas, Cyrus H.
Thomas, Walter J.
Totten, Warren L.
Tuel, Merritt D.
Ulbricht, Frederick W.
Urban, Henry, Jr.
Vanstrum, Erwin M.
Wallace, Billy C.
Watkins, Robert W.
Wells, Frank M.
White, Clifford N.
*Whitney, William W.
Williams, Richard C.
Wise, Richard E.
Wismann, Harold F.
Wood, William D., Jr.
Young, Claude E.
Young, George E., Jr.
Herne, Charles G.
Layne, Harold B.
Newcomb, Paul R.

OFFICERS TO THE GRADE AND RANK INDICATED IN THE MEDICAL CORPS OF THE NAVY

To be surgeons with the rank of lieutenant commander

Bunnell, Chester W.
Burkwall, Herman F.
Ferguson, Russell S.
Huth, Peter E.
Johnson, Spencer
Simunich, William A.

To be passed assistant surgeons with the rank of lieutenant

Friend, Leroy F.
Lee, Willard J.
McLean, Marvin M.
Schiff, George N.
Toothaker, Bernard L.

To be assistant surgeons with the rank of lieutenant (junior grade)

Bonar, Robert R.
Heinz, Vernet H.
Lipcon, Harry H.
Reed, Karl A.
Saeli, Amadeo B.

OFFICERS TO THE GRADE AND RANK INDICATED IN THE SUPPLY CORPS OF THE NAVY

To be assistant paymasters with the rank of ensign

Anderson, John J., Jr.
Barensfield, Paul L., Jr.
Bollman, Robert G.
Borchers, Alyn L.
Brennan, Jack M.
Charette, Author E.
Crawford, Francis E., Jr.
Crouch, Perry B.
Cummings, Robert C.
Daniel, James C.
Daniels, Hoyle H., 2d
Drzewiecki, Casimir A
Flock, Jens B., Jr.
Gaetz, Edward F., Jr.
Geisler, Richard A.
Growden, Ellwood W.
Hay, Patrick M.
Hickok, Richard S.
Hicks, William T., Jr.
Hillard, Herbert S., Jr.
Johnson, Richard D.
Jones, Charles W.
Kukral, Allan C.
Leighton, James G.
Long, Samuel M., Jr.
Luck, William E.
McComb, Arthur D.
McCormick, Thomas F.
Moss, Robert A.
Owen, LeRoy, Jr.
Pavelko, Anthony, J.
Podrouzek, William J.
Poulson, William M.
Salter, Richard G.
Scott, Edward W.
Snoddy, Charles E.
Verdow, Richard L.
Vollmer, Thomas D.
Xefteris, Zefter C.
Corrick, James A., Jr.
Allen, Paul
Barrett, Henry T.
Kirchner, Henry C.
Leonard, Robert E.
Lewis, Raymond O.
Randolph, Karl W.
Roberts, Giles H.
Treece, George H., Jr.
Williams, James C.
Burgess, Frederick C.
Powell, Albert L., Jr.

OFFICERS TO THE GRADE AND RANK INDICATED IN THE CIVIL ENGINEER CORPS OF THE NAVY

To be assistant civil engineers with the rank of lieutenant (junior grade)

Julian, James B.
Lewis, William C.

To be assistant civil engineers with the rank of ensign

Black, Dock F., Jr.
Flippen, Homer W.
Heinen, Roger J.
McAllister, Eugene
Nuss, Edward S.

OFFICERS TO THE GRADE AND RANK INDICATED IN THE DENTAL CORPS OF THE NAVY

To be assistant dental surgeons with the rank of lieutenant (junior grade)

Allen, William M.
Blaich, George F.
Crouch, James H.
Faulconer, William T.
Graves, Raymond J.
Hanley, Walter F.
Parker, John A.
Phipps, Wilbur N.
Rhen, Louis J.
Smith, James W.
Stewart, Craig A.

OFFICERS TO THE RANK OF COMMISSIONED WARRANT OFFICERS IN THE NAVY IN THE GRADE INDICATED

To be chief gunners

McBrier, James W.
Russell, Otha K.

To be chief ship's clerk

Ballard, Edward A.

To be chief pharmacist

Carpenter, Seth J.

To be chief pay clerks

Allen, Albert F.	Lewis, James H.
Allison, Sidney C.	Nash, Finley A., Jr.
Digonno, Theodore	Stearns, William
Groman, John M.	Tremblay, Philip A.
Jones, Robert L.	Wiggins, George A.

IN THE MARINE CORPS

APPOINTMENTS IN THE REGULAR MARINE CORPS

To be second lieutenants

Eugene J. Ambrosio	John D. McLaughlin
Robert S. Anderson	Merrill J. Melton
Herbert J. Bain	Charles A. Meyer
Frederick W. Baker, Jr.	Rex Z. Michael, Jr.
Neil E. Barber	Jack L. Miles
Foster W. Blough	Lester Miller
Norman H. Bryant	Roland E. Miller
Lyle W. Bullard	Mason H. Morse
Thomas R. Burns	Herbert A. Moses
Harrison M. Butler	Stanley A. Myzienski
John W. Carraway	John H. Papurca
James G. Costigan	Joseph A. Piedmont, Jr.
Charlie J. Dunkley	
Frank M. Fitzpatrick, Jr.	Ollie B. Porter
	Charles A. Read
Homer D. Frison	Augustine B. Reynolds, Jr.
Melvin K. Green	
Richard P. Grey	Edward L. Roberts
Robert Hall	George C. Schmidt, Jr.
Ernest C. Hargett	Clarence R. Stanley
LeRoy C. Harris, Jr.	Richard E. Stansberry
Joe L. Hedrick	Charles S. Stribling
William J. Heepe	Alfred C. Taves
Hermann Heinemann	David S. Taylor
John V. Huff	Earl W. Thompson
Clarence M. Hurst	Owen I. Thompson
James D. Jordan	Homer E. Tinklepaugh
Jack F. Kelly	William P. Vaughan
James F. King	Alan J. Warshawer
Harold R. Kurth, Jr.	James O. Webb
George E. Leppig	Marshall A. Webb, Jr.
Alan E. Lowry	Edgar D. Webber
Henry A. Maas, Jr.	William S. Witt
James P. Mariades	Edward A. Wilcox
Walter D. Maskall	Wallace L. Williamson
John C. McClelland, Jr.	Kermit M. Worley
	John R. Wyatt, Jr.
Robert H. McCormick	Roscoe F. Good, Jr.
Burd S. McGinnes	John J. Bozek
James W. McIlwain	

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 27, 1947

The House met at 10 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our blessed Father in Heaven, with grateful and thankful hearts we approach Thee. Do Thou enable us to understand that the best life is not all a battle or a race, but a growth and a walk with God. With this truth in our thoughts, we may turn cheerfully to our appointed tasks. Dismiss from us the jarring and discordant note; let us have done with the drudgery of fear and friction that often make duty an unendurable burden. Help us to ascend into the spiritual heights for inspiration and outlook, to feel the immensities of God's great world house, to wander along its shore lines, drink in the breath of heaven, and thus receive hope and faith and courage for the labors and conflicts of life. Through Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 565. An act to amend section 3539 of the Revised Statutes, relating to taking trial pieces of coins; and

S. 566. An act to amend sections 3533 and 3536 of the Revised Statutes with respect to deviations in standard of ingots and weight of silver coins.

LEAVE OF ABSENCE

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. RANKIN] be granted leave of absence for today on account of illness.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

COMMITTEE ON PUBLIC LANDS

Mr. WELCH. Mr. Speaker, I ask unanimous consent that the Committee on Public Lands be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. POTTS asked and was given permission to extend his remarks in the RECORD and include an editorial from the New York Times of March 19, 1947, on a bigger Panama Canal.

Mr. RICH asked and was given permission to extend his remarks in the RECORD and include an address by William S. Livengood, Jr., secretary of internal affairs, before the Philadelphia Chapter of American Institute of Banking at the Bellevue-Stratford Hotel, Philadelphia, Pa., on Saturday, March 22, 1947.

H. R. 2090

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that certain photographs and papers in connection with the bill H. R. 2090, a private bill which I introduced in the last session of Congress, be returned to the claimant. There has been no adverse report filed by the committee.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

SPECIAL ORDER GRANTED

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that on next Monday, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

LEAVE OF ABSENCE

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that I may be granted leave of absence from March 31 through April 9 on account of official business in my district.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

EXTENSION OF REMARKS

Mr. PASSMAN asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. SMATHERS asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. FOLGER asked and was given permission to extend his remarks in the RECORD and include an article by Hon. Harold Ickes entitled "Proposed Loans to Greece and Turkey Become Less Clear With More Light."

Mr. CASE of South Dakota asked and was given permission to extend his remarks in the RECORD in two instances and to include certain correspondence of interest to the Sioux Tribe of Indians.

COMMITTEE ON ARMED SERVICES AND COMMITTEE ON THE JUDICIARY

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services and the Committee on the Judiciary may meet today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

GENERAL DEBATE ON THE TAX BILL

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that the time for general debate on the bill (H. R. 1) to reduce individual income taxes be continued until not later than 2 o'clock this afternoon, the debate to be confined to the bill and equally divided and controlled by the gentleman from North Carolina [Mr. DOUGHTON] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

CALL OF THE HOUSE

Mr. KNUTSON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. HALLECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 28]

Allen, Ill.	Feighan	Marcantonio
Andrews, N. Y.	Fuller	Meade, Ky.
Bakewell	Gerlach	Meade, Md.
Barrett	Granger	Mills
Beall	Grant, Ind.	Mitchell
Bell	Hall, Edwin Arthur	Morrison
Bland	Havenner	Morton
Bloom	Hendricks	Norton
Bradley, Mich.	Hull	O'Konski
Bulwinkle	Jenkins, Pa.	O'Toole
Cannon	Johnson, Tex.	Patterson
Clark	Kennedy	Peden
Cole, N. Y.	Keogh	Philbin
Courtney	Kilday	Potts
Davis, Tenn.	Lesinski	Rains
Dawson, Ill.	McCowen	Rankin
Delaney	McDonough	Rivers
Donohue	Macy	Rooney
Douglas	Maloney	Sabath
Eaton	Mansfield, Tex.	Sarbacher
Fallon		Sasscer

Scoblick	Somers	Vursell
Shafer	Stigler	Wadsworth
Short	Thomas, Tex.	Wood
Simpson, Pa.	Towe	Zimmerman
Snyder	Vinson	

The SPEAKER. On this roll call 349 Members have answered to their names, a quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

PHILADELPHIA NATIONAL SHRINES PARK COMMISSION

The SPEAKER. Pursuant to the provisions of Public Law 711, Seventy-ninth Congress, as amended by Public Law 9, Eightieth Congress, the Chair appoints as a member of the Philadelphia National Shrines Park Commission to fill the existing vacancy thereon the gentleman from Pennsylvania [Mr. McGARVEY].

EXTENSION OF REMARKS

Mr. CHELF asked and was given permission to extend his remarks in the RECORD and include a dedicatory address delivered by him at Station WKYW.

Mr. POWELL asked and was given permission to extend his remarks in the RECORD and include five newspaper items.

Mr. BOGGS of Louisiana asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. KELLEY asked and was given permission to extend his remarks in the RECORD and include excerpts from a letter.

Mr. BUSBEY asked and was given permission to extend his remarks in the RECORD and include an article from today's edition of PM.

Mr. JONES of Washington asked and was given permission to extend his remarks in the RECORD and include an editorial from the Times-Herald of Washington, D. C., published March 22, 1947.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD concerning the so-called merger of the Army and Navy.

Mr. HALE asked and was given permission to extend his remarks in the RECORD and include a radio address which he made last week.

Mr. KEFAUVER asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. DINGELL asked and was given permission to extend his remarks in the RECORD and to include a timely editorial from the Boston Globe of March 25 captioned "Penny-wise and pound-foolish."

COMMITTEE ON FOREIGN AFFAIRS

Mr. VORYS. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

SPECIAL ORDER GRANTED

Mr. BENDER. Mr. Speaker, I ask unanimous consent that today, after the close of legislative business, I may address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

INDIVIDUAL INCOME TAX PAYMENTS

Mr. KNUTSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 1) to reduce individual income tax payments.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 1, with Mr. CASE of South Dakota in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose yesterday, the gentleman from Minnesota [Mr. KNUTSON] had 25 minutes remaining, and the gentleman from North Carolina [Mr. DOUGHTON] had 15 minutes remaining. By unanimous consent granted in the House today, the time for debate was extended until not later than 2 o'clock, the added time to be equally divided between the gentleman from Minnesota and the gentleman from North Carolina.

Mr. DOUGHTON. Mr. Chairman, I yield 10 minutes to the gentleman from Rhode Island [Mr. FORAND].

Mr. FORAND. At the outset, Mr. Chairman, I wish to advise my colleagues that I was not responsible for the quorum call that brought them here. I am glad, however, to see that the audience is a little larger than it was at the time the quorum call was made, because of a few points I hope to make during the course of my remarks.

Let me repeat what I have said before, that I yield to no man in my desire to reduce taxes. I am most anxious for that moment to arrive; but I cannot today agree with the majority that now is the time to do it, because on this tax bill, as was the case on the budget measure, they are acting in the dark; they are basing their decision not on factual information but rather on campaign promises. They are placing in jeopardy the opportunity of balancing the budget, and yet they have the colossal nerve to tell us they are going to balance the budget, they are going to pay on the public debt, and also that they are going to reduce taxes by $3,800,000,000 a year. I have asked many times that they tell me how they are going to do it, but I have yet to receive an answer. I hope sometime before the debate closes that the answer will be given to us.

It has been the practice in the past for the Republican Party to proclaim to the Nation that they believe in a sound fiscal policy for this government, that they believe in fairness and equity to all concerned. As was pointed out yesterday, in the minority views on the tax bill of 1945, which was signed by the now chairman of the Ways and Means Committee as well as the other Republican members, grave concern was expressed for the people in the low-income brackets. To follow that policy, of course, would detract considerably from campaign promises that were made last fall, and because of those campaign promises they are riding roughshod today.

I made a statement yesterday, when the gentleman from Ohio yielded to me after he had asked why the Democrats on the Ways and Means Committee had voted for the amendment of the gentleman from New Jersey [Mr. KEAN] providing an additional 10 percent for those in the brackets below $1,000, I told him then that we were ready and willing at any time to help make a bad bill a little better if we could. He asked then why we had not suggested that it be raised from 30 to 40 percent, and my reply at that time—and I read now from page 2663 of the CONGRESSIONAL RECORD, the first column:

> I will tell the gentleman why we did not offer anything in the committee, because of the way the committee was ridden by one man. We did not stand a chance, and I will tell you more if you want to hear it.

To that the gentleman from Ohio replied—and again I read:

> I am sorry that the gentleman is aggrieved. It is almost childish to think that one man dominates the whole 25 members of the committee. I am sure that the gentleman from Rhode Island was not dominated.

Of course, I was not dominated and I am not going to be dominated, but I was precluded from expressing freely my thoughts and my opinions. That was not the only instance where we had to face that type of boss rule. Read the hearings, read the reports of the newspapers during the consideration of this bill, particularly during the 2 days of hearings.

Let me go further and give you a little background of this bill. I am not going to deal in statistics this morning because you have plenty of statistics in the CONGRESSIONAL RECORD. You also have a discussion there on the merits and demerits of the bill, but I think you are entitled to know how this bill is up today and why it is being rushed through. The bill is here today because, as I said before, of campaign promises that were made at a time when it was the hope of the Republicans that they would control this House. Frankly, in their own hearts they had no hope of controlling the body at the other end of the Capitol. It would have been great politics for them to put through this House a tax-reduction bill and have the Democratic-controlled Senate defeat it. But the voters crossed them up and gave the Republicans complete charge of both branches of the legislature. Today they are on the spot. They are trying to make good. In their effort to make good, what are they doing? They want to make good, of course, in the higher brackets, because that is where their slush fund for the election comes from. They want to make good in the higher brackets, practically disregarding the little people.

They brought in this bill which was supposed to be a cut of 20 percent across the board. What happened? The gentleman from Minnesota and his colleagues realized what would happen with a 20-percent across-the-board cut. They realized they would be reducing the tax of the man in the higher brackets by about 7 percentage points below the taxes

he paid in 1939 and they did not dare face the music. So they said that those earning above $302,000 would be cut about 10½ percent. To those below the $302,000 brackets and above the $100,000 bracket, yes, above $1,395, they gave a 20-percent cut.

Then they come in with a little notch for that group between $1,000 and $1,395 and they say magnanimously "We are going to give 30 percent to the little people." Yes; 22 cents a week to a married man who makes only $1,200 a year. That to me is an insult.

But, let me get back to the progress of this bill. It came before the committee after the Republicans, behind closed doors, had reached an agreement on what they were going to do. They had 15 members to 10 of the Democrats. They did not care how the Democrats acted. The gavel was there and there was a strong man handling it; also there were 15 votes against 10. Therefore, they brought in a bill considered behind closed doors. Let me assure you that the Republicans are not as full of agreement as appears on the surface, and as appears from these reports of what has been going on. I have heard some pretty loud voices behind these closed doors which indicated to me they were not getting along so well. Then they whittled the cut down a little further, and they bring in a bill that will give relief to the low-income group by 30 percent. This on the motion of the gentleman from New Jersey [Mr. KEAN]. What does that do? It does so little that if you take the chart you will need a magnifying glass to see the line and note where there is any real relief in the low-income brackets.

Mr. Chairman, you must realize this bill was supposed to be considered only in closed hearings, with selected witnesses, supposed to be only representatives of the Treasury Department, the Bureau of Internal Revenue, together with the staff of the Joint Committee on Internal Revenue Taxation. The committee voted on motion by the gentleman from New York [Mr. REED], that the hearings would be restricted, and the date set for the hearings was February 18 and 19. Again, I say one man rules the committee. The chairman decided to postpone the hearings and we, the Democratic members of the committee, learned of that postponement only through the press and not from the chairman of the committee. We also learned through the press first when the hearings would be held in March and also we learned then that it had been decided the hearings would be open to the public.

The CHAIRMAN. The time of the gentleman from Rhode Island has expired.

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. FORAND. I ask you, ladies and gentlemen, in this country where we proclaim democracy, is it fair, is it honest for the Republicans to close the door on the Democrats and when they have legislation ready, to say, "Here it is fellows. Take it. If you are not going to take it, you will not get anything."

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I think it is well to put in the RECORD, right here, the fact that every hearing on tax legislation held before the Committee on Ways and Means under a Democratic-controlled committee, was open to the public, and every person interested had the opportunity to appear and testify.

Mr. FORAND. The gentleman is absolutely right, and that is the way it should be. But the Republicans go considerably further when they adopt a rule such as that which was brought in yesterday. Why, gentlemen, you will not even hear the bill read. The rule precludes the reading of the bill.

Mr. McCORMACK. Mr. Chairman, if the gentleman will yield further, there is an absolute constitutional right involved; the right of the citizens to petition their public officials, and it is denied in this case to the public, and we have always preserved it.

Mr. FORAND. Oh, of course, that is true, and I believe any one of you who would sit in the Committee on Ways and Means would realize that constitutional rights mean nothing. In fact, our Republican friends were so anxious to bring this bill to the floor that the rule provides for only 6 hours of general debate. When the legislative counsel pointed out that there were technical amendments that should be made to this bill, the gentleman from Minnesota simply said, "The Senate will take care of it." Now, I ask you, is that the way to bring in legislation?

Mr. KELLEY. Mr. Chairman, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Pennsylvania?

Mr. KELLEY. That is not the only committee that is holding hearings by the majority members to the exclusion of minority members.

Mr. FORAND. I heard that.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Michigan.

Mr. DINGELL. I want to say for the record that I believe it is true that not all hearings were held officially here in the Capitol. They were held elsewhere, and the decisions were made elsewhere.

Mr. FORAND. I will say to the gentleman that I am inclined to agree with him, because you recall, as I do, I am sure, that last week there was a postponement of the meeting of the committee for 2 days so that the Republicans could get together on the Kean amendment, and certain members left town.

Mr. LESINSKI. Mr. Chairman, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Michigan.

Mr. LESINSKI. Is it not a fact that the Manufacturers Association wrote this bill?

Mr. FORAND. I would not be a bit surprised that they were behind it. They had a finger in the pie. They were hot and bothered about it, and so was the chamber of commerce.

Mr. KEAN. Mr. Chairman, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from New Jersey.

Mr. KEAN. The gentleman said some hearings or discussions on this bill took place somewhere else than in the Capitol. As far as I am concerned there was no discussion of the bill or meetings of the Republican members anywhere except in this Capitol or in the House Office Building.

Mr. DINGELL. Mr. Chairman, if the gentleman will yield further, I do not believe my friend the gentleman from New Jersey [Mr. KEAN] is high enough in the inner circles of the party. You were not all included; you would not know about it.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Minnesota.

Mr. KNUTSON. When the gentleman from Michigan makes the statement that any conferences were held outside the Capitol or the House Office Building, that is false.

Mr. FORAND. Will the gentleman also brand as false the fact that when the Republican members of the Ways and Means Committee tried to report out the original Knutson bill, the steering committee of the Republican Party called them in?

Mr. KNUTSON. What do we have a steering committee for?

Mr. FORAND. That same gentleman from Minnesota told us in the committee that the committee was going to write the bill, and Republican members of the committee did write the bill, but the committee amended the bill at the request of the steering committee.

Mr. KNUTSON. I am getting tired of these false statements.

Mr. FORAND. I am giving the facts.

Mr. KNUTSON. We will reply to the gentleman in time.

Mr. FORAND. I am very anxious to get a reply, and I hope it will be a clear-cut one. I hope it is not the kind of reply I got when I asked the chairman in committee when the time would be propitious to consider my bill raising exemptions. The only answer I got then was a bang of the gavel by the chairman.

Mr. KNUTSON. He always does that when foolish questions are propounded.

Mr. FORAND. That is the gentleman's opinion as to how foolish the questions are, but I will match my wits against his, and I think I have at least as much brains as he has, despite the fact that he has lived more years than I have.

Now, with that background, ladies and gentlemen, I do not ask you to vote as I am going to vote. You vote your own convictions, but you are entitled to know the background of this iniquitous bill.

Mr. KNUTSON. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, the Good Book states that when you hand out the Gospel you ought to hand it out to sinners and not to saints. The Good Book also says that there is greater rejoicing in heaven over the conversion of

1 sinner than over 99 that need no conversion.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. MASON. Not now. Mr. Chairman, I would rather not be interrupted from this floor until I yield the floor.

The CHAIRMAN. The gentleman declines to yield.

Mr. MASON. If the word "sinners" is a proper word to apply to my friends on this side of the aisle, I want to confess right here and now that at least 99 percent of them are delightful sinners, and I love to associate with them as closely as I can. For that reason, I am over here on this side of the aisle speaking for this 10 minutes that has been allotted to me.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield right there?

Mr. MASON. I refuse to yield right now because I have some things on my mind that I want to get off, and I want to get them across to your minds.

The first thing I want to do is clear up a misconception or a misunderstanding that exists between the gentleman from Michigan [Mr. DINGELL] and myself. As you all know, some 3 or 4 weeks ago I tried to analyze the theory behind the Engel bill and the Knutson bill and make comparisons. At the close of that analysis I was interrogated by the gentleman from Tennessee and also the gentleman from Michigan [Mr. DINGELL]. I answered those interrogations as clearly and as specifically as I could by saying either "Yes" or "No."

In the extension of remarks that the gentleman from Michigan placed in the RECORD, which were not uttered on the floor so far as I could hear, he made the statement that I did not know any more about taxes than I knew about the man in the moon. He also made the statement in his extension of remarks that I had not been on the Ways and Means Committee long enough to learn about taxes. That was not a very nice statement to make about a colleague, even if it had been true, and it certainly was not a nice thing to do to put it in an extension of remarks so that the gentleman from Illinois could not answer it at that time.

To clear up the RECORD I want to say this, and not in any prideful way at all. I was studying economics, majoring in economics, specializing in taxation in the university when the gentleman from Michigan was in knee britches. Later on I lectured all over the State of Illinois on tax matters before tax groups, for 7 years. I served in the Illinois State Senate on the tax committee of that senate and piloted tax bills through that senate for six long years. During those 6 years the State of Michigan got into a tax mess, the great State of Michigan, the State from which the gentleman [Mr. DINGELL] comes.

The Legislature of the State of Michigan sent a Macedonian call down to Springfield, Ill., to the Governor—a Democratic Governor—Governor Horner, to please send someone up to Michigan, some person to help them out of their tax mess and to explain the tax system of the State of Illinois and the methods of the State of Illinois of collecting taxes to the people of Michigan.

The Governor of the State of Illinois—the Democratic Governor of Illinois—Governor Horner, selected the Senator from the Thirty-ninth District of Illinois—a Republican Senator—the gentleman who is now addressing you. I went up to Michigan and I conferred with the tax committee of the Michigan Senate and the Michigan House of Representatives. I spoke also at a mass meeting that evening in the legislative halls, where there were assembled taxpayers from all over the State of Michigan. The next morning I addressed the joint session of the Legislature of the State of Michigan on this tax question. Whether I gave them any light on the subject or not, of course, I do not know, but those are the facts. That was in late April of 1933, 14 years ago, about the time the gentleman from Michigan was placed on the Committee on Ways and Means.

Now, I confess I am a freshman on the Committee on Ways and Means, but I do not think I am entirely a freshman on the subject of taxation. But, as I am a believer in the Good Book, and as I have been criticized and harsh things said about me before many times, even my wife, who has put up with me for 45 years, sometimes says a harsh word to me, I am going to say this to the gentleman from Michigan, and it is what I have said to my wife more than once, "In spite of the harsh words, I shall continue to love you as much in the future as I have in the past."

Mr. Chairman, now about tax theories: Perhaps I should lecture these delightful sinners here on tax theory for a minute or two. As I see it, there are only two questions before us in the consideration of this bill. One question is: Shall we do it now; is this the proper time? The other question, if it is the proper time, is: What is the best way to do it to bring about the greatest good to the greatest number? Those are the only two questions we are faced with here today. First, the proper time; second, how to do it to bring about the greatest good to the greatest number.

I want to try to treat each one of those questions very briefly.

The first one: Is now the appointed time? Well, every sound economist in the country today, without exception, says that our tax rates today are confiscatory; that they have passed the point of diminishing returns; that they are now drying up the streams of risk capital or investment capital; that they are at least slowing up and checking the expansion of business; that they absolutely prevent any new business from being started with any idea of success. Whenever you take 90 cents out of every dollar of profit that a manufacturer makes, which situation applies to many of them today, you are taking away from him the incentive to expand, to create jobs, and to produce the necesary goods to satisfy a hungry, consuming public. That is the situation today. Most people do not realize it, and I am afraid most men in this House do not realize that taxes and jobs are Siamese twins—they are tied together—they are closely related, and you just cannot separate them.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. MASON. No; I cannot yield.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. MASON. No; I cannot yield. I do not have the time.

Mr. DINGELL. I would like to answer the gentleman.

Mr. MASON. Mr. Chairman, high tax rates always bring about a contracting national economy, fewer jobs, and greater unemployment. Low tax rates always produce an expanding national economy, create more jobs, and eliminate unemployment. Now, that is the situation we are facing in this Nation today, and we have got to do something about it. Whenever taxes take at least one-third of the national income they are absolutely too heavy for the average taxpayer to pay. He just cannot do it, and whenever you take from 80 cents to 92 cents of every dollar of income from the fellow in the high brackets, as you are doing today, then you are killing the goose that lays the golden egg, the golden eggs in this instance being jobs and increasing pay rolls for the workers of America.

Mr. Chairman, "the power to tax is the power to destroy." The speaker is opposed to high taxes, not primarily because they place a burden upon the rich, but because they prevent the poor from becoming rich. The ambitious individual that "dreamed dreams" and "launched out on some business venture" in the days of low taxes has already made his mark. He has accumulated his capital and become a captain of industry. The acid test of a system of taxation is not its effect upon the man who has already achieved, but rather its effect upon the ambitious young man just starting out to achieve.

Collecting taxes is like taking blood from a human body for a blood bank. If we take too much at a time, we run the risk of weakening the patient so that he cannot give blood another day. Whenever a tax takes too much or too often from the channels of business, business is weakened and the Treasury loses. When virile, forward, venturesome young men are permitted to grow and expand in a favorable tax climate the Treasury gains. High tax rates produce an economic anemia that prevents business expansion and makes it impossible for an ambitious, venturesome young man to achieve.

Mr. DOUGHTON. Mr. Chairman, I yield 17 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, I am sure all Members who were on the floor were very glad to hear, from his own lips, the gentleman from Illinois [Mr. MASON] tell us how brilliant he is with respect to tax matters. I wonder if the membership knows that the gentleman from Illinois [Mr. MASON], who just spoke, is not in agreement with his party on this bill. The gentleman

from Illinois [Mr. MASON] within the last 2 or 3 days said publicly, "I am in favor of a straight 20-percent across-the-board cut." I am sorry, with all the knowledge of tax matters, that he was not able to convince his Republican colleagues that they should bring out a 20-percent across-the-board reduction.

Mr. MORRIS. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. MORRIS. I have the highest regard and respect for the gentleman from Illinois who has just spoken, but it may be that on this particular subject his much learning hath almost made him a "KNUTSON."

Mr. EBERHARTER. I thank the gentleman for his contribution.

I want to further call attention to the fact that in Illinois they do not have any State income tax. So that all that experience which the gentleman had perhaps is responsible for Illinois having what is known as one of the most regressive tax systems in the country, because nearly all of their revenue is derived from excise taxes. So if the House wants to follow the gentleman from Illinois [Mr. MASON] in a 20-percent straight-across-the-board reduction and his method of raising revenue by excise taxes, then we will acknowledge his superiority over the gentleman from Michigan [Mr. DINGELL] whom he mentioned about seven times but to whom he refused to yield.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I shall be glad to yield.

Mr. DINGELL. The gentleman from Illinois [Mr. MASON] referred to me but would not permit me to answer. I may say to my friend from Illinois that the remarks to which he objected, and implied at least that they were not made on the floor, that they were definitely made on the floor; and the gentleman from Mississippi [Mr. ABERNETHY], by my side, tells me he heard me make them on the floor, and there are other Members on the floor today who heard me make those references. This much must be conceded, however, that under the rule I have the right to revise and extend my remarks and I could if I chose place an added thought or a graphic illustration in them.

Let me say just one other thing to my friend from Illinois: If he were called to Michigan to advise with the legislature in 1933 it was for the express purpose probably of trying to correct a tax situation that was a mess from the previous administration under Republican misrule.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I have only 15 minutes. If the gentleman from Minnesota [Mr. KNUTSON] will yield me an extra minute or two I will yield to the gentleman, but I cannot otherwise.

Mr. DINGELL. Mr. Chairman, will the gentleman yield for one question further?

Mr. EBERHARTER. I yield.

Mr. DINGELL. I am prompted at this moment by my distinguished colleague from Michigan [Mr. SADOWSKI] that it is presumed that the gentleman from Illinois came to Michigan to advise us about the passage of a sales tax bill in Michigan.

Mr. SADOWSKI. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. SADOWSKI. I was a member of the Legislature of Michigan at that time. If I remember correctly, what the gentleman from Illinois proposed to us at that time was the infamous sales tax, unjust in its workings, which taxed the milk of the babies and the food of the underprivileged. The man making $50 a month would have to pay a 3-percent tax on every bit of food he bought or every piece of clothing he wears. It is the most onerous, the most indecent thing ever put upon our State.

The Republican policy of high prices for consumers, high profits, and high tax reductions for the rich is already resented by the great masses of people, as recently demonstrated by the teachers' strike and the thousands of letters that I am now receiving. I think this foretells the end of Republican rule in Congress.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from Michigan. His name has been mentioned so many times it is only fair to yield to him.

Mr. MASON. What I said was that I did not hear the statements made by the gentleman from Michigan [Mr. DINGELL]. I did not say they were not made on the floor.

Mr. DINGELL. That was the only inference I could draw.

Mr. MASON. Secondly, I was called to Michigan to do a definite job, to explain the sales tax which I had voted against in the Illinois State Senate; but I was called there to do a job and I did it.

Mr. CURTIS. Mr. Chairman, will the gentleman yield for one question?

Mr. EBERHARTER. I will yield for a question, but I cannot spend all my time yielding to others to carry on this dispute.

Mr. CURTIS. It appears that the minority is not going along with this bill, but I wonder who is on trial, the gentleman from Minnesota [Mr. KNUTSON] or the gentleman from Illinois [Mr. MASON].

Mr. EBERHARTER. I will let the committee decide that.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. Mr. Chairman, I decline to yield further.

There are just two points I want to make clear about this bill in the time at my disposal: First, H. R. 1 favors the rich against the poor; and, second, the few crumbs for the low-income taxpayer are tossed him in such a complex way as to seriously disrupt the simplified system of individual income-tax payment.

On the first point, it is crystal clear that H. R. 1 favors the rich against the poor. Even the Republicans do not deny that the amount of dollars added to the spendable income of upper-bracket taxpayers is vastly greater than the pittance added to the weekly salary of the taxpayers with net incomes under $5,000. No; the Republicans do not deny that the take-home pay of the $300,000-a-year married man with no dependents would be increased by about $47,000, or more than 70 percent, while the $4,000-a-year man would be increased by $118, or 3½ percent.

The Members of this House, Mr. Chairman, no doubt are interested in what this bill does for them. Well, a married person with a net income of $12,500 before personal exemption would receive an additional $609, or 6.5 percent in take-home pay.

I wonder, Mr. Chairman, whether the members of the majority, who seem to think the tax reduction joy ride such a fine campaign issue, have stopped to consider just how many people in their districts will receive this 70-percent increase in spendable income given to taxpayers above $300,000. The figures of the Secretary of the Treasury show that only around 1,000 taxpayers in the entire country make this much money. It is my prediction that the Republican Party will rue the day when H. R. 1 was born. The 46,000,000 taxpayers with incomes under $5,000, all of whom, even after the illusory 30-percent committee amendment, would receive less than a 4-percent increase in take-home pay, may well ask a few embarrassing questions. Nor may all the taxpayers be too pleased with the fact that Members of Congress receive a higher tax benefit than they.

No; the Republicans do not deny the disparities I have outlined. They seem proud of providing this vast windfall for the wealthiest taxpayers. Of course, they become a bit nervous when it is pointed out that the original 20 percent across-the-board plan would have increased the take-home pay of the highest brackets by nearly 100 percent. And what a shock it was to find that the original plan would have resulted in taxpayers with net income above a million dollars actually paying less taxes than before the war. This obviously was political dynamite—even to the Mellon-minded majority. You may have wondered, as I did, where the 10½-percent figure in the case of taxpayers over $303,000 came from. Well, Mr. Chairman, chart 1 on page 35 of the minority views in the report on H. R. 1 shows that this 10½ percent is the highest figure that could be applied in the upper brackets, and still not restore them quite to the prewar level.

Yes; Mr. Chairman, this bill would enable the high-bracket taxpayers to forget that World War II ever occurred. The people who benefited most from the wartime levels of business activity and the highest profits in our history now are to have their share of the war debt transferred to the shoulders of the smaller taxpayers—the veterans' laborers, and other persons of modest income—who did the fighting and sacrificing to win the war.

Yet the Republicans have the crust, Mr. Chairman, to attempt to justify this preposterous scheme. They say that the special consideration for the wealthy is necessary to stimulate venture capital and managerial incentives. On page 10 of their report it is stated:

New investments are believed to come primarily from incomes of more than $10,000 to

$15,000. Those with smaller incomes can save little, and what they do save is likely to be invested in old, well-established business. Such persons have neither the information nor the time to examine the possibilities of making investments in new ventures, and cannot afford to assume the risks involved.

What a contradiction is this concern for the well-to-do and the wealthy with the tears shed by the Republicans for the low-income groups in the views of the Republican minority on the tax adjustment bill of 1945. In these words 9 of the present 15 Members of the majority on the Ways and Means Committee wept for the small taxpayer:

In these low-income groups will be found the millions of so-called white-collared employees—school teachers, clergymen, shopkeepers, salespeople, bookkeepers, barbers, clerks, and professional or semiprofessional workers, not to mention small-farm operators, mechanics, janitors, caretakers, skilled and unskilled laborers, many of whom are self-employed individuals. Most of these individuals are not organized and none of them has experienced any measurable wartime prosperity. The purchasing power of their dollar, moreover, has shrunk by more than 40 percent below 1939 levels. With the heavy rates of taxation now in effect, and with living costs constantly increasing, these groups have either been reduced to a substandard of living, or are rapidly approaching that level. The successful solution of our entire reconversion problem will very largely depend upon the resources of this particular segment of the taxpaying public. Within this group we find the bulk of the American market for the products of agriculture and industry, not to mention the sources of capital used in the production of agricultural and manufactured goods and maintenance of essential services. If tax demands continue for too long to empty the pockets of these citizens, the results can be serious on a broad scale.

Do you wonder, Mr. Chairman, that we Democrats now suspect these tears of 1945 to be more of crocodile than human origin?

In a final desperate effort to absolve themselves from guilt, the Republican sponsors have pointed an accusing finger across the aisle. They say, "The 1945 Revenue Act made a flat percentage cut in individual income tax."

But, Mr. Chairman, this is but a half or third of the story. While the 1945 act provided a 5-percent decrease, this was only one of three major changes affecting individual income liability. In addition to the 5-percent cut, the 1945 act provided for an increase in exemptions by raising the flat $500 normal tax exemption for the taxpayer to the surtax level of $500 for the taxpayer, $500 for his spouse, and $500 for each dependent. It also reduced surtax rates by three percentage points throughout the scale. The increase in exemptions and three-point decrease in surtax rates recognized the principle of progressive taxation in accordance with ability to pay. In contrast with the reductions proposed under H. R. 1 which range from 30 percent at the bottom of the income scale to 10 percent at the top, the tax cuts under the 1945 act ranged from 100 percent for some 12,000,000 low-income taxpayers to less than 7 percent for the highest incomes.

No; the unsullied record of the Democratic Party cannot be used to hide the sticky fingers of the majority advocates of H. R. 1. If ever a tax measure provided, in the words of the late President Roosevelt, "relief not for the needy but for the greedy," H. R. 1 does.

My second point, Mr. Chairman, is the mockery H. R. 1 makes of our efforts to simplify the tax laws. Enactment of H. R. 1 would be a set-back to the program of tax simplification which has advanced so far in recent years. It would complicate the rate structure, the tax-return form, and the withholding system. The "notch" provision would be confusing. Employers using the percentage method of withholding would be required to compute the amounts to be withheld on the basis of four rates rather than the two provided under present law. The retroactive tax reduction and the split first bracket under H. R. 1 would greatly increase the number of refunds. The split first-surtax bracket would increase the number of separate returns of husbands and wives and thus greatly increase the work load of the Bureau of Internal Revenue.

The gentleman from Arkansas [Mr. MILLS] yesterday explained in some detail how H. R. 1 complicates the tax forms and creates problems of education and compliance in case of taxpayers with small incomes. Though his remarks might well bear repetition, I merely direct your attention to them on page 2667 of yesterday's RECORD. Other administrative problems include the following:

First, H. R. 1 would aggravate the inequities resulting from application of the State community property laws.

You are familiar with the unequal tax treatment that now exists as between taxpayers in community property States and taxpayers in other States. H. R. 1 would serve to expand greatly the area within which such inequities would arise. It appears that in community property States the number of couples with surtax net incomes between $1,000 and $2,000 is about the same as the number with surtax net incomes above the $2,000 level. This means that the number of couples accorded preferential tax treatment simply by virtue of their residence in community property States will be about doubled. And for the first time low income taxpayers in noncommunity property States in the bracket under $2,000 would be discriminated against.

Second. A new choice problem will be presented for the first time to millions of taxpayers.

Under H. R. 1, every husband and wife who have separate incomes, that together represent over $1,000 of surtax net income—that is, gross income minus deductions and exemptions—are faced with the choice between filing separate returns or a single joint return. This question cannot be answered merely by reference to the total amount of net income nor by any other equally simple method. For example, consider two married couples, each having one child, and each having aggregate net incomes of $3,000. Suppose that in one instance the husband has $2,200 income and the wife has $800 income. If they file a joint return the total tax liability is $228, whereas if they file separate returns their aggregate tax is $212.90, or a saving of $15.10 with separate returns. In contrast, assume that the husband of the second couple has an income of $2,700 and the wife $300. The tax advantage here would be with the joint return—$228 as compared with a tax of $258.40 on a separate return basis. The problem would be still more complex if we were to consider the matter of allocating deduction items under separate returns; so complex, in fact, that I shall not undertake to lead you through any illustrative examples.

The point to be stressed is that under present law this sort of complication need not be faced by married couples with one child with aggregate net incomes of less than $3,500. Under H. R. 1, however, millions of married couples would have to start to worry about the type of tax return whether separate or joint that they should file in order to minimize their tax liability.

In other words, the married couple with small income would have to compute the tax liability under both methods before they could actually know which method is more advantageous.

H. R. 1 allows a taxpayer an additional $500 exemption for himself if he is over 65 years of age. In the case of a joint return, an additional $500 exemption is allowed with respect to each spouse provided such spouse is over 65 and has a taxable gross income of $500 or more. If the taxable gross income of either spouse is less than $500, no exemption is allowed. This provision would operate somewhat as follows:

Take the case of Mr. and Mrs. Jones, each over 65. Mr. Jones has a net income of $1,500 and his wife has a net income of $500. They file a joint return claiming two special exemptions, and under H. R. 1 incur no tax liability.

In contrast, take the case of Mr. and Mrs. Smith, each also over 65. Mr. Smith, like Mr. Jones, has a net income of $1,500, but Mrs. Smith has a net income of only $499 or $1 less than Mrs. Jones. Mr. and Mrs. Smith file a joint return claiming only one special exemption and incur a tax liability of $66.37. In both the above cases, the wives were assumed to have no deductions.

Thus, H. R. 1 creates a most unusual situation whereby an additional dollar of income serves, not to increase the tax, but to reduce it by $66.37. The Bureau of Internal Revenue is constantly faced with taxpayers who understate their incomes to reduce their taxes. Surely, though, this will be the first time that the Bureau will have to concern itself with taxpayers who may find it decidedly advantageous to overstate their income.

As a condition to the allowance of the additional exemption to persons over 65 years of age, certain benefits which are not at present treated as income are required to be included in gross income for tax purposes by H. R. 1. The complicated rules dealing with these benefits defy explanation.

Let me read a portion of H. R. 1, beginning with line 2, page 19:

This subsection shall not apply—

(1) to amounts excluded from gross income under section 22 (b) (5); except that

this subsection shall apply to amounts received as a pension, annuity, or similar allowance for personal injuries or sickness resulting from active service in the armed forces of any country, unless such amounts are also excluded from gross income by a provision of law other than section 22 (b) (5).

I do not know just how the folks in the Bureau of Internal Revenue can explain this to the taxpayers, even though they are supposed to be pretty good at that sort of thing. Frankly though, I do not understand it myself and I challenge any Member here to take the floor and explain this passage to the House.

In conclusion, equity and simplicity are priority requirements for the successful administration of the individual income tax. H. R. 1 is written without regard for these considerations. It should, therefore, not pass. When the workingmen back home see just what the Knutson 20-percent across-the-board tax plan does for him and what it does for the rich man up the street, and how it complicates the job of making out his income tax return, he is going to have the gentleman from Minnesota [Mr. KNUTSON] and the Members who vote for this bill "across the barrel."

Mr. KNUTSON. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, the gentleman seems to change his position. He was shedding tears, it seems, in the Seventy-ninth Congress, because he introduced H. R. 5293, a graduated-tax bill in which the highest tax to be paid by either a corporation or an individual was 50 percent. He seems to have changed his tune. He was then interested, of course, in his distinguished visitor from Pittsburgh. Then he was weeping tears. He was then ready to release venture capital.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Is the House to understand that the gentleman who has just taken his seat [Mr. EBERHARTER] introduced a bill in the Seventy-ninth Congress that would have given a 50-percent tax reduction to those individuals and corporations in the highest brackets?

Mr. REED of New York. That is right.

Mr. KNUTSON. Where were his tear ducts then?

Mr. REED of New York. Now he comes here to indict us.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. The gentleman did not yield to me when I asked him, and I am not yielding now. I just want to say that the gentleman is giving a perfect demonstration of the fact that the human mind has infinite resources for resisting the introduction of knowledge.

Mr. KNUTSON. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. ENGEL].

Mr. DOUGHTON. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan.

Mr. ENGEL of Michigan. Mr. Chairman, before I discuss the merits of the bill I want to make a few observations.

I was rather amused when I read the CONGRESSIONAL RECORD this morning to see the reference my friend, the gentleman from Minnesota, made to the tax firm or the tax experts, DINGELL, ENGEL, and GORE. Mr. Chairman, if it is a question of taking the expert opinion—and I am no tax expert and have never held myself out as such—of a tax firm called DINGELL, ENGEL, and GORE, or a tax firm known as Dr. Townsend and KNUTSON, I will take the former every time.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield.

Mr. KNUTSON. Of course, the gentleman missed the point. When I referred to the gentleman as a tax expert, it was irony.

Mr. ENGEL of Michigan. Oh, it was; was it? I am very glad the gentleman informed me it was irony.

By the way, the gentleman from Minnesota is a poet. He is a distinguished poet. I picked out of the CONGRESSIONAL RECORD a gem that should not be lost to future historians when they write up the debate on this particular bill. When the other tax bill came up in 1945, to be exact, on October 30, in twitting the chairman of the Ways and Means Committee [Mr. DOUGHTON], the gentleman from Minnesota [Mr. KNUTSON] quoted the following little poem, which I assume was original:

How sweet it is to hear the faithful watchdog bay
As we draw nigh to election day.

On August 2, before the Republican election in 1946, the gentleman from Missouri [Mr. CANNON] my distinguished former chairman of the Committee on Appropriations, engaged in the following colloquy wth the gentleman from Minnesota:

Mr. CANNON of Missouri. The gentleman from Minnesota [Mr. KNUTSON] is going to cut taxes 50 percent? How?

Mr. KNUTSON. Of course, when I made that statement I was going on the assumption that Republicans were going to control the House and cut all the waste.

Did I hear a watchdog bay, or was it just a little rat terrier yipping?

Then, according to the RECORD here, yesterday he pointed with a great deal of pride to the fact that nearly 1,400,000 senior citizens of the age of 65 and over are being removed from the tax rolls.

Mr. Chairman, this ought to be known not as the Knutson bill, not as H. R. 1, but it ought to go down in history as the Dr. Townsend-Knutson bill.

Mr. Chairman, the House has before it H. R. 1, a bill to reduce income taxes by approximately $3,800,000,000 a year. This bill was made retroactive to January 1, 1947. Here is the picture as I see it:

First. H. R. 1 reduces income-tax revenue for the fiscal year ending June 30, 1948, by $3,800,000,000.

Second. In addition to the above amount, the bill, being made retroactive, makes subject to refund $1,900,000,000 or such other sum as will have been collected during the last half of the fiscal year ending June 30, 1947, and for the period of January 1, 1947, to June 30, 1947.

Third. The taxpayers will make their tax return for the calendar year ending December 31, 1947, on March 15, 1948, claiming $1,900,000,000 refund.

Fourth. The Republican Congress will have to pass an appropriation bill refunding this additional $1,900,000,000 in taxes collected during the previous fiscal year, together with the cost of reprocessing every income-tax return that is made on March 15, 1947. Net result: The Democrats gain the $1,900,000,000 in taxes they have collected for the last half of the fiscal year ending June 30, 1947, to balance the budget with, and the Republican Congress will have to somehow make up this $5,700,000,000 more, including the $1,900,000,000 refunded, to balance the 1948 budget.

It is my candid opinion that the Democrats will balance the 1947 budget and there is a great possibility of the Republicans having unbalanced the 1948 budget. The task has been made a great deal more difficult by the policy of our Government supported by many able Republicans in pouring billions of dollars into foreign governments. The following are a few of the requests for the two fiscal years, 1947 and 1948: $1,450,000,000 for relief of occupied areas—these appropriations are supported by former President Hoover, Senator ARTHUR H. VANDENBERG, chairman of the Senate Foreign Affairs Committee, and Mr. EATON, chairman of the House Foreign Affairs Committee; $400,000,000 for loan and aid to Greece and Turkey; $350,000,000 to feed people in liberated countries, to mention only a few of these bills. There has also been approved by our committee an additional $489,000,000 for the Army to make up a deficiency caused by the passage of the Army-Navy Pay Act and by reason of the fact that the Army carried over more men than they told us they would have when the 1947 budget was made up. Here we have approximately $2,700,000,000 extra appropriations to mention only a few, which must be raised by taxes. If you are bound to pass this tax bill at least do not make it retroactive to January 1947. Start its operation not earlier than with the beginning of the fiscal year 1948, which begins July 1, 1947.

Let me state my position on this tax bill clearly. First, and above all, we have to balance the budget. We cannot continue to borrow; we cannot continue to go in debt for operating expenses of this Government. When I say balance the budget, I want it distinctly understood that I want included in that budget not only the interest on the national debt but inclusion in each annual budget of an amount which will liquidate that debt upon a sound plan of amortization. If there is anything left after we have balanced the budget, including an amount for amortizing debt, the great masses of people in the low-income group who require that money to live should be given the maximum benefit of that reduction.

1945 TAX BILL GAVE CORPORATIONS $3,136,000,000 TAX RELIEF

In 1945 Congress passed the first postwar tax reduction bill. This bill gave the biggest tax reduction to those who made the biggest profits out of the war.

It gave $3,136,000,000 in tax reduction to corporations—$2,550,000,000 of this tax reduction went to 19,100 corporations, 900 of whom benefited to the tune of $1,797,000,000 in excess war profits alone. All this, while individual taxpayers received a reduction of $2,641,000,000. The bait which induced some of us to vote for this bill was that we were told it took 12,000,000 of low-income individuals off the tax rolls.

Now we have before us another tax bill which gives the largest individual benefits to individuals with the highest incomes. This time it is a Republican bill and a part of the Republican political bait that is supposed to satisfy us and induce us to forget our scruples in that it will get the Townsend vote by giving people 65 years of age and over an additional $500 tax exemption. I have no objection to this exemption. I know these people need it. However, I also know there are millions of others in the low-income group who are equally worthy of consideration.

A 20–30 PERCENT TAX REDUCTION IS NOT FAIR TO THE LOW-INCOME GROUP

The Republican party has had a splendid tax record in the past insofar as the low-income group of our Nation is concerned, as pointed out in my remarks on the floor of the House on January 27.

REPUBLICAN POLICY HAS ALWAYS BEEN TO GIVE TAX RELIEF TO LOW-INCOME GROUP FIRST

A Republican Congress passed five tax-reduction bills from 1921 to 1930. In four of these bills the low-income group was given special consideration. Tax exemptions were increased during that period from $1,000 to $1,500 for a single person and by several steps from $2,000 to $3,500 for a married person. The tax rate on incomes under $4,000 was reduced from 6 to 4 percent to 2 to 1½ percent and finally one-half of 1 percent, successively, all by a Republican Congress during that 10-year period. At the same time taxes were reduced on a sliding scale on the higher income group. The higher the income the less the tax reduction.

The same attempt to reduce taxes for the few in the high-income group at the expense of the many in the low-income group I am informed was made then as now. The attempt was defeated by this House then and I hope it will be defeated now. It was because I wanted the Republican Party to continue that policy that I introduced a bill last year and again this year to increase tax exemptions on the low-income group. During the period from 1921 to 1940 the need for revenue was not as great as it is now. On the other hand living costs had not advanced to the high level that they have advanced since 1939 and the need for tax relief to the low-income group to maintain a decent standard of living was not nearly so great as it is now.

THE LOW-INCOME GROUP MUST HAVE TAX REDUCTION

The need of the low-income group for a tax reduction can best be measured by the increased cost of living since 1939. According to a recent issue of the United States News it took $1.56 in February 1947 to buy in living cost what $1 bought in 1939. On a living-cost basis therefore, $320 bought in 1939 what $500, which is an individual tax exemption, buys today and $640 bought in 1939 what $1,000 buys today, which is the exemption of a husband and wife. In 1939 that husband and wife had a $2,500 exemption. That is what your tax law and your cost-of-living increase have done to your low-income taxpayer.

HOW MANY PEOPLE CONSTITUTE THE LOW-INCOME GROUP?

Let us examine the record and see just how many people we have in this low-income group I am speaking about. Let us use $2,500 as the top figure for the sake of illustration. I addressed the House on this subject in 1945 and again in 1946. I had obtained from the Treasury Department tables showing the income of the various groups in 1944, one of our largest national income years. I found that in 1944 there were:

First. Twenty-one million six hundred thousand individuals with annual incomes of $1,000 or less, 12,250,000 of whom were single persons and 9,010,000 were heads of families.

Second. There were 12,430,000 individuals, 7,450,000 of whom were married or heads of families with incomes from $1,000 to $1,500.

Third. There were 11,990,000 individuals with incomes of from $1,500 to $2,000, 9,580,000 of whom were married persons or heads of families.

Fourth. There were still another 7,550,000 with incomes of $2,000 to $2,500, 6,590,000 of whom were married persons or heads of families.

This was according to the Treasury report furnished me taken from the income tax records. Summarizing we find we had, in 1944, 53,230,000 individuals with incomes of $2,500 or under. If we assume that each head of a family in this group had at least one dependent, we find that we have 85,860,000 people in this country or 61 percent of the population who were dependent on individual or family incomes of $2,500 a year or under in 1944.

I introduced my bill because I wanted the Republican party to have the credit for being the first to recognize that need. I stated repeatedly both on and off the floor of the House that I wanted the low-income group to get tax relief first in order to increase both their living standard and their purchasing power. They have to have tax relief to live decently. I do not want them to have tax relief to the exclusion of everyone else.

KNUTSON BILL GIVES GREATEST TAX RELIEF TO MAN WHO MADE GREATEST WAR PROFIT

The Knutson bill gives a man who made the biggest profits during the war the biggest tax relief, while the individual who had little or no increase in income, such as teachers and other white-collared groups, is now asked to continue to accept increasingly low-living standards because of such increased costs. Giving a 10 percent added reduction to the extremely low-income group is no fair solution of their problem. The added reduction for them is so small as to be of little importance. I recognize the fact that with the tremendous tax load we have to bear we must tax the broad base or the great mass of people who have the largest aggregate though the smallest individual income. In trying to prevent waste of the taxpayers' dollar in the past, I repeatedly called attention to the fact that the tax burden of the future, made necessary to repay these wasted dollars, would fall heaviest on that great mass of small taxpayers in the Nation. I did not expect, however, that the Republican Party would advocate a policy which would give the greatest tax relief to the higher income group including those who made the largest profit out of the war who would now under this policy receive the largest tax relief.

HOW DOES REDUCTION OF TAXES AFFECT THE TOTAL TAX COLLECTION AND WHY?

There are many people in both the Republican and Democratic Parties, in fact I believe they constitute a majority of those parties, who believe that if you will only give tax relief to the man on top the benefits will trickle or percolate down to the little fellow below. This argument has been and will be again advanced in trying to justify the passage of this bill. It is based upon the theory that by creating new investment capital the workers will obtain jobs. I cannot agree fully with this theory of government. I agree that under a capitalistic form of government or under a profit system we must permit the retention of enough profit so that industry can expand. However, all the capital in the world will not create jobs except insofar as it creates purchasing power in the erection of new factories, and so forth.

The depression of 1929 to 1940 should satisfy the most skeptical that those benefits do not adequately trickle or percolate down to the little fellow below. My theory is that in order to have permanent prosperity one has to begin by increasing the purchasing power of that great mass of people—86,000,000—in the low-income group. It is only by increasing the purchasing power and raising the standard of living of this great mass of the people that we can have real and permanent prosperity. By increasing mass purchasing power I do not mean taking the tax dollar from one taxpayer and giving it to another. I mean increasing the farmer's and worker's productive capacity and giving them a greater share of the selling price of the thing they produce on the farm, in the factory, mine, or whatever it may be. If you will do this the man above is bound to obtain his share of the profit.

Let me illustrate what I mean. If the wife of a low-income worker from whom we are taking 10 cents a week in pay-roll tax should take the 10 cents a week and buy a spool of thread from the corner drygoods store to patch her husband's pants, everyone from that corner store up through to the manufacturer of the thread and back to the farmer who grew the cotton that went into the thread would get a part of the 10 cents. If that $2,500-a-year worker could take a part of the $187 you were going to tax him under the original Knutson bill to buy a suit of clothes for himself or a dress for his wife, everyone from the store which sold him the suit or dress through to the manufacturer and back down to the farmer who grew the cotton or wool that went into the suit or dress is bound

to benefit. But if that worker is not left enough to buy a suit or dress, everyone from the store where he would buy the suit or dress, or whatever it may be, up to the textile mill and manufacturer who would make that dress and suit of clothes and back down to the farmer who raises the cotton or wool will be the loser.

It was for this reason and not because the tax relief was given to the higher bracket taxpayer that the revenue in the Treasury for a time increased in the past, despite the reduction made in income tax rates. I recognize the fact and I have said so repeatedly that we have passed that critical point in the rate of taxation, where the law of diminishing returns is now operating. Under a capitalistic or profit system you must leave enough profit to the businessman so he can have capital to expand his plant to take care of increased business. On the other hand no business can expand and no profit system can survive without profits and there is no profit on a pair of overalls, a suit, or dress that the low-income group does not buy. Mr. Henry Ford, Sr., undoubtedly had this very policy in mind when for the first time he established what was then considered extremely high a $5-a-day minimum wage in his factory.

Let me repeat that a sound peacetime prosperity can only be built upon that basis. It is only by building up the income and productive capacity of the low-income group that you can have a national income large enough to pay our minimum current operating expenses, pay our national debt and not have further inflation.

THE HOUSEHOLDER CLAUSE MUST BE RESTORED

Only by restoring the householder clause and increasing exemptions can we give real low-income group tax relief. By doing that we need not increase the exemptions of the dependents. As the law now stands every member of the family receives the same exemption of $500. A widow whose husband died and who has the care of the dependent children loses her husband's $500 exemption despite the fact that she has to maintain the same household and at the same time support the fatherless children. The same is true if the mother dies and leaves the responsibility of supporting the children to the father. The householder clause recognized the fact that the exemption should be maintained for both father and mother after one dies because the same household must be maintained. After the household is maintained the added expense for rent, heat, and so forth, for each successive child is not increased on a numerical basis. I would restore the householder clause and give the householder an added exemption. This would of course reduce the amount required because the exemption of the children would not be increased. This principle was recognized until recently. I want to go back to it.

Today that householder has only $1,000 exemption for the father and mother, or the equivalent of $640 in 1939 purchasing power. It is not enough under present conditions. If the amount available for tax reduction is not enough to increase the householder exemption from $1,000 to $2,000 let us increase it to $1,500 or even to $1,250 and leave the dependent's exemption where it is at $500. Surely no one can argue that taking taxes out of incomes above $1,000 a year on a household is not taking the necessities of life where that income is below $2,000 or $2,500 a year. Again if we cannot give everyone that increase, limit it to families where the aggregate income of the husband and wife is $5,000 or under as we did in 1921. If that takes too much tax money, limit its application to cases where the aggregate income of the husband and wife is under $4,000, under $3,000, or even under $2,000. Surely that sort of a plan can be arranged without taking too much tax revenue. All I want is to give that low-income group a break.

I do not want to give him, the low-income group, that break to the exclusion of everyone else. I want to divide the amount available for tax reduction in the same way as we divided it in the 1921–30 period. First, give the low-income group an added exemption however small. Second, divide the balance in such a way so that every taxpayer gets the same reduction on a sliding scale just as we did during the previous Republican administration.

I do not want to go into the next election, and I do not believe the Republican Party does, and tell that husband and wife with a $1,200 income to maintain a household and from whom we are taking $38 a year living money that we are now going to give them $8, $9, or $10 a year relief and continue to take $30, $29, or $28 a year of their living money, and then give the man with an annual income of $6,000,000, $540,000 a year in tax relief.

I do not want to say to that single person who has room rent, clothes, food, and so forth, to buy on an income of $600 a year and from whom we are taking $19 a year in living money: "We are giving you tax relief, we are only going to take $15 out of your living and give you $4 a year tax relief," and then give the man with $1,000,000 a year income $110,000 a year in tax relief.

That is sure to be the issue upon which the next Congress is going to be elected if we pass this bill. Does anyone honestly believe that we can go into that next election and convince these people that we had their interest at heart and are entitled to their support if you vote for and pass this bill?

If we, the Republican Party, lose this House and the Presidential election in 1948, it will be because of the short-sightedness of our leaders and not because of a few of us who have tried to avoid having our party placed in such a vulnerable political position. I want to go to these people and say, "Here is what we were able to do for you. We tried to help you. It was not all we would like to have done, but the terrible financial condition of this country, the tremendous public debt, much of which was caused by waste and extravagance, makes it impossible for us to give you all the relief we would like to have given you. Go along with us and next year when we get some of these financial liabilities out of the way we will try to give you further relief." I honestly believe that the average man will go along with us despite the fact that we have not given him the tax relief he needs to live. He will not go along with us if we permit the high-income group with incomes running into the millions to feast luxuriously like Dives at the table of tax relief while we expect this low-income group whose very living we are taking in taxes to be satisfied like Lazarus with a few crumbs of tax relief that may accidentally fall from the table of Dives.

WHAT REPUBLICAN TAX PROMISES WERE MADE AND TO WHOM WERE THEY MADE?

Much has been said about promises made by the Republican Party during the campaign that we would reduce taxes 20 percent straight across the board. I heard no promises of that kind made by responsible Republican leaders during the campaign. I heard some rash statements made as to tax cuts, such as were made by the present chairman of the Ways and Means Committee on the floor of this House on August 2, 1946, when the following colloquy took place:

Mr. CANNON. The gentleman from Minnesota [Mr. KNUTSON] is going to cut taxes 50 percent. How?

Mr. KNUTSON. Of course when I made that statement I was going on the assumption that the Republicans were going to control the next Congress and that they would cut out all waste.

That statement was of course ridiculous and bound no one. The only promise to cut taxes straight across the board which I heard at that time was made by the chairman of the Ways and Means Committee and he was not talking for me nor for the Republican Party so far as I am concerned, when he added the words "straight across the board."

Again the same gentleman in a letter inserted into the RECORD on July 22, 1946, promised a Mr. Scott, of a large Minneapolis firm, a 20-percent straight tax reduction after speaking of cutting taxes 50 percent.

Again on October 30, 1945, when the tax bill was up—which reduced taxes $5,900,000,000 in largest part on corporations—and in ribbing the then chairman of the Ways and Means Committee, the gentleman from Minnesota waxed very poetic when he quoted from some unknown poem:

How sweet it is to hear the faithful watchdog bay
As we draw nigh to election day.

Speaking of election-day promises, I heard some watchdog baying about a 20-percent straight-across-the-board tax reduction before election day. I hear them baying again today in the attempt to get the Townsend vote. But I wonder just to whom the Republican Party made a promise to cut taxes 20 to 30 percent straight across the board? Let me ask the Members of this House: Did you make that promise to cut taxes 20 to 30 percent straight across the board? If so, to whom? Did you tell the low-income farmers of your district, if you have any, that you were going to give the man with an income of $1,000,000 a year $110,000 tax reduction and the married man with $1,200 a year $8 or $9 a year reduction? Did you tell the work-

ers, organized and unorganized, in your district that you were going to give the men with $6,000,000 annual income $540,000 a year tax reduction, and the millions of people, including workers with annual incomes under $2,500 a year an average of $26.50 or perhaps $35 a year tax reduction? Did you address any large meeting of the low-income group of voters and tell them just what you were going to do to them in this amended 20-percent across-the-board tax reduction? Did you get any applause when you told them, if you did? Just to whom did you make the promise? Was it to those in the low-income group, including farmers and workers, or was it to the wealthier persons who were best able to kick into the political campaign fund? Was it to the workers in United States Steel, Weirton Steel, or other steel corporation? Or was it to the financiers behind those steel companies to whom this promise was made? I heard nothing from responsible parties about a 20- to 30-percent straight-across-the-board tax reduction during the campaign.

I was told recently by the president of one of the financial institutions and by one of the wealthiest oil operators in the State of Michigan, who reside in my district, just what they are going to do to me in 1948 and 1950 if I did not change my opinion on the question now before the House. I did have a vice president of one of the largest steel corporations, who is a friend of mine, call me and try to convince me that I should withdraw my opposition to H. R. 1. I did have the Republican national committeeman of my State phone me and ask me to change my mind. To save him embarrassment, I shall not give the reasons he gave as to why I should change my mind. In fact I received many long distance calls and letters from the higher-income group disagreeing with me, and some of them violently and I answered them frankly. I, together with other Members of Congress, have accepted campaign expense money from my party. I always felt there were no strings attached to party contributions. I have always rejected contributions from both labor and industry because of possible obligations such contributions might put me under. It is the first time I have ever been criticized for my position by a member of our National Republican organization.

This Michigan Republican national committeeman wrote to other Republican Members of Congress from Michigan giving his views on this 20-percent-tax reduction. In that letter he wrote, in part, as follows:

> It is most distressing to have the proposed 20-percent across-the-board tax cut questioned so critically by some of our Members of Congress. From their reported remarks, it would seem that they are a bit confused as to which party elected them.

It was evident to whom he was referring when apparently I was the only Republican Member from Michigan who did not get a copy of this letter. This was the same gentleman who called me on the telephone and asked me to withdraw my opposition to H. R. 1. Apparently this gentleman made some promises I never heard about to someone on this 20-percent across-the-board tax cut. May I inform the gentleman that out of the hundreds of letters I received on my stand, 95 percent approved my position and less than 5 percent disapproved. It seems to me that he is a bit confused in thinking that the 5 percent who make the larger campaign contributions elected a Republican Congress instead of the 95 percent of the voters, Republican and Democratic, who actually cast their ballots on election day.

He is the one who is in a fog. Unless that fog is cleared from the brain of some of our Republican leaders, they will find themselves once more a minority party when the next election rolls around.

Mr. HOLMES. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield.

Mr. HOLMES. Are you taking into consideration any changes in amended income-tax returns in relation to your figures?

Mr. ENGEL of Michigan. The payroll tax will be in. Your first-quarter estimates are in. Everybody paid into the Federal Treasury our estimated returns for the year.

Mr. HOLMES. Do you take into consideration the changes in amended income-tax returns?

Mr. ENGEL of Michigan. Regardless as to whether the 1947 tax return is reduced by amendment or the tax paid is refunded, the result is the same. It comes out of the tax receipts collected on March 15, 1948, when the final 1947 returns are made.

Mr. HOLMES. Will the gentleman let me finish?

Mr. ENGEL of Michigan. I beg your pardon. I have the floor.

Mr. HALLECK. You yielded to him. Why do you not let him say what he wants to say?

Mr. ENGEL of Michigan. Well, now, you are not running this. I am running this end. You can run your crowd but you cannot run me.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield to the gentleman from Ohio.

Mr. BENDER. Is not that 20 cents important to the little fellow? In my own State, a Democratic governor put over a sales tax and after we had been on this drunken spree for 14 years, does not the gentleman think it is about time we do a little something for the taxpayers?

Mr. ENGEL of Michigan. Sure it is important. It is the price of only a quart of milk. I want that low-income taxpayer to have more.

Mr. KNUTSON. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. COUDERT].

Mr. COUDERT. Mr. Chairman, I want to thank the distinguished chairman of the Committee on Ways and Means for giving me this brief opportunity to participate in what I think is an historic debate. I do not believe we can exaggerate the importance of the bill that is before this House and the action the House is going to take on it.

I heard with interest the remarks of the gentleman from Michigan. I do not think any of us on our side of the aisle are going to be very much concerned about what our voters will do to us when we pass this bill. I heard his heart bleed for the little fellow. I do not think anyone of us yields to him in our desire to take 20,000,000 people off the tax rolls, and in our desire to spare 20,000,000 people a $6,000,000,000 tax load. But my friend from Michigan forgets, and his colleagues in the firm of DINGELL, ENGLE, and GORE, forget that Republicans did not put these people on the tax rolls. We would like to get them off. We have the deepest sympathy, all of us, with everyone who pays taxes, and particularly with those at the lower end of the tax scale, on whom the burden of rising costs of living falls so heavily.

Why are they on the tax rolls? Why must they stay on the tax rolls? Ask the gentlemen who for 14 long years supported the wild extravagances of the New Deal and supported the new schemes of government activity that cost money. Those things now are coming home to roost. Those things will have to be paid for and paid for by every citizen in the United States. On top of that, there was a great war with a cost beyond all imagination, with a national debt and an annual cost burden that can not possibly be met unless everybody stays on the tax rolls. Gentlemen, we did not put them there. They were put there by the Democratic Party, the Democratic Administration, and the war.

The most important issue, the one issue that we confront here today, is the issue of whether or not we are going to adopt a tax bill and a policy of taxation in the true American tradition of fairness, justice, and equality all along the line, for all citizens, or whether we are going to adopt the line of tax policy advocated by the gentleman from Michigan and the two Democratic members of that firm and their colleagues, the liquidation of incentive tax policy—the destruction of incentive tax policy—the marxist, collectivist policy—a policy that more than anything else will tend to destroy freedom in the United States, undermine the economic strength of the United States, and will do more than anything else to deter the processes of economic expansion out of which alone the national debt will ever be paid.

Our friends on the other side speak sanctimoniously of paying off the national debt: "Oh, no, not taxes—let us not reduce taxes. Let us pay off the national debt." That is the trap that they would like to lay for us. They know that we Republicans are cast in the role of Simon Legree and Scrooge because we are cast in the role of budget-cutters and are obligated to effect economies in the national budget. Surely they are not naive enough to think you can effect economy in the national budget without stirring up widespread resentment and having to face the squawks of all those individuals and their families and of the different groups who may feel aggrieved. They know that the national debt has no Edgar Bergen to give it a seductive voice.

So what would they have us do? They would have us bear the burden of effecting economy with all the attendant pain, annoyance and trouble, and political risk, and they would come in next year and give to the American people the benefit of our work and sweat in the form of a tax reduction. Of course, they are against tax reduction, and any bill that the Republican majority might bring in.

Our Democratic friends have long had among their leaders advocates of sound American tax policy. Going back to the father of the Democratic Party, Tom Jefferson, it was he who declared that the first principle of association was the guarantee to everyone of the free exercise of his industry and of the fruits acquired thereby. You do not get that under the present tax structure, and would get it a great deal less under the program of the Democratic Party in the House.

Franklin D. Roosevelt made a great speech that has so often been quoted, that taxes are paid in the sweat of every man's brow who labors, and that excessive taxation leads to unemployment and misery.

But I do not stop there. There are living Democratic leaders who have taken a sound position and not hesitated to state it—a position in the tradition of Jefferson and the other great leaders of the old democracy. One of those leaders sits on the floor of this House today. Here is what he said in 1939, and as far as I am concerned, I shall be glad to have him join the firm of KNUTSON and Townsend. Listen to him:

One of the deterrents, probably the greatest, to business expansion is the high surtax brackets of the Federal Government. At present our normal rate is 4 percent—

That was back in the antediluvian days of 1939—

but our surtax rates run to as high as 75 percent—

I think they are 86 percent now—

in some cases, and this does not include State income taxes. You can see from this statement—

Says the gentleman—

that a deterrent exists to business expansion by new or venturesome capital.

One would suppose that was our own chairman [Mr. KNUTSON] speaking, but it is not.

The best interests of the man and woman who is looking for a job call for a sharp reduction of the present surtax rates. This and any other deterrents to business activity should be removed as soon as possible.

Mr. Chairman, those are remarks made in a radio address on September 13, 1939, by the then majority leader of this House, now the minority whip, the gentleman from Massachusetts, Hon. JOHN W. MCCORMACK.

Mr. Chairman, the responsibility of this House is great. The eyes of our countrymen are upon us, from Maine to California, anxious eyes, wondering if we are going to stand up for true, sound, traditional American policies; stand up for equality of opportunity, for the principle of keeping the doors open to the talent, the door open to opportunity for all men of imagination, initiative, and good-will. The country owes a very real debt to the courageous chairman of the Ways and Means Committee and a majority of its members for squarely meeting the challenge.

The CHAIRMAN. The time of the gentleman from New York [Mr. COUDERT] has expired.

Mr. KNUTSON. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, I propose to support this bill, and I speak, as did the gentleman from Michigan [Mr. ENGEL], as the author of a different tax bill from the one in question. My tax bill, H. R. 2492, called for a graduated percentage method of tax reduction, all the way from 35 percent in the lowest brackets to 7½ percent at the top.

But I cannot go along with the gentleman from Michigan [Mr. ENGEL] in two respects. The first error I believe he is committing is in deciding to vote with some Democrats, not all, I suspect, against any tax reduction just because his particular bill was not accepted by the Committee on Ways and Means or because he may have had some personal differences with the chairman of that committee. I sincerely hope he will reconsider that decision. In the second place, I cannot go along with him in the allegation, or at least the implication, that the distinguished majority leader has been trying to tell him what to do. I did not, as the gentleman from Michigan says he did, drop my bill in the hopper never expecting it to go through. I introduced it and I fought for it with the members of the Ways and Means Committee with all the force and sincerity I could muster and by every legitimate method I could devise. But I recognize the fact that legislation is a give-and-take matter and that all knowledge in the world is not reposed in the mind of any one man, least of all in my mind.

I want to assure the membership on both sides of the aisle that neither the majority leader nor anyone else has tried to tell me what to do, and I do not propose to have anybody tell me what to do. Furthermore, I am confident that he has not told anybody what to do and I resent deeply the fact that the gentleman from Michigan in his excessive zeal, no doubt, has allowed himself to create any such distorted picture of the majority leadership in this body which has the respect and admiration, even when in disagreement, of the Members of the House on both sides of the aisle.

I believe the fight I put up along with many of my Republican colleagues who shared my views has borne fruit and I am happy to testify that the leadership has at all times been ready and willing to hear us. Contrary to the apparent conclusion of my friend from Michigan, I believe up my way that the hard-working charwoman who earns $18 a week about whom I told the House the other day, will be very grateful to receive a check from the Government for $20.28, which is the annual amount she will save on taxes, and the man with two children who is making $50 a week and having $3.20 taken out of his pay every week will welcome a reduction of that amount to $2.20, and you cannot tell me that the retired school teacher or fireman or policeman, or Federal or State employee trying to get along on a pension that is subject to taxation, or, for that matter, the large group over 65 who have laid aside a bank account or a few Government bonds or other securities and in the evening of their lives, when they should be entitled to a measure of comfort and security, are worrying over their living expenses and the cost of meat and coal and rent, you cannot tell me that these people will not welcome the tax relief afforded by this raise in their exemptions by $500.

Thirty-one million of these small taxpayers in the lower-income and over 65 groups, it is estimated, are benefited especially by the additional consideration shown in raising the reduction from 20 percent to 30 percent and in this special exemption for the older people. In addition, some 15,000,000 more share in the benefits in the 20-percent and 10-percent brackets. Just because this bill before us does not approach this tax-reduction problem in precisely the manner I might wish, is no reason, it seems to me, to deny these deserving and overburdened taxpayers any relief at all. I conceive it to be my duty to support this legislation, and am confident that it will bring not only new hope to the people of this country, but also, by thus virtually effecting a pay increase to the wage-earners, will give them more money to spend on the good things of life, thus contributing to the general prosperity, and will release not only much needed venture capital, but also, and even more important, the wells of confidence leading to increased productivity, business progress, full employment, and the creation and maintenance of a high standard of living for all our people.

As I stated when H. R. 2492 was introduced, I hope the time is not too far distant when the present exemptions of $500 for a single person and $1,000 for a married person can be raised somewhat to a more realistic figure. There certainly is some bare minimum, it seems to me, beyond which we should not go in requiring a man or a woman to contribute out of his or her income to the expenses of running the Government. This bare minimum might well be set somewhat higher than the present figures.

The difficulty arises out of the amazing reduction in revenue which the Bureau of Internal Revenue figures reveal as the cost of the Government of raising the exemptions even $100. For instance, it is estimated that to raise these exemptions $200 would result in a revenue loss very nearly equivalent to the total amount expected to be the result of the passage of H. R. 1.

Although special emphasis, it is true, should be placed on relief in the lower brackets, as I am happy to say this bill now does, it would not be equitable, it strikes me, to deprive of the benefits of tax reduction single men with incomes over $700, or married men with incomes above $1,200, which would be the result of adopting the suggestion of the gentleman from Rhode Island.

Therefore, I conclude, a bill has been brought before us, not perfect, in my opinion, but embodying, to some extent, the principle of graduated reduction, a bill worked out by resolving the sincere and conflicting opinions and positions of many Members. There are those who sincerely contend that a straight percentage reduction should be given to everyone. Others claim that reductions should take the form of a raise in the present exemptions. Still others, like myself, favor the graduated-reduction approach. We could argue here until next Christmas and beyond, if we all stubbornly opposed any tax-reduction bill except the particular one which we favored. The country looks to this Congress for accomplishment. We must get on with the great work which lies ahead of us. Tax reduction is but one, albeit an important one, of the constructive steps we must take along the path of progress.

We have before us a good bill. Let us support it wholeheartedly. Let us give the people of this country this relief, so long overdue and so richly deserved.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. KNUTSON. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, I intend to support this bill because I believe that people in the lower income and moderate income brackets, now 2 years after the war, must have some tax relief from the high wartime tax structure to help them meet the high cost of living—up over 60 percent since 1939. I was against an across-the-board tax reduction because I considered it unfair to the ordinary citizen in my district and would be against it today if it were before us. The further reduction of the tax by one-third—from 20 to 30 percent—for the great bulk of the taxpayers in my district does make enough of a difference to them so that I must support the bill. I still do not like the feature of the bill giving a 20-percent tax cut to taxpayers up to $300,000. I believe that the cut should have been graduated, this 20 percent cut down materially and the saving in the amount available for tax reduction used to increase the tax cut to over 30 percent for those in the middle and lower income brackets. However, the need of my constituents for some tax relief to help them meet living costs is so great that I feel that as their representative I must vote for the bill with its imperfections rather than vote for no tax cut at all. The figures also show that this readjustment of taxes from war to peace will allow for a substantial debt reduction—essential to the future of the country in times of high national income like today. I have surveyed the opinion of the rank-and-file citizens of all parties in all parts of my district, and this is what they want me to do by an overwhelming majority.

Mr. KNUTSON. Mr. Chairman, I yield such time as he may desire to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

A BALANCED BUDGET AND TAX REDUCTION

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I am supporting H. R. 1 with certain reservations, and I feel that I should make my position clear before I cast my vote. In the first place, the Republican majority is committed to balance the budget and to make a substantial payment upon our national debt. These commitments must be carried out.

Relying upon the presentation made by the members of the Ways and Means Committee as to prospective tax income for 1947, I am convinced that the Federal budget will be balanced, and that a substantial sum will be made available to pay on the national debt. However, no one can predict with any degree of accuracy as to the curtailment in Federal expenditures until after we have passed on all of the appropriation bills. It is my hope, which will be backed up with my votes, that Federal appropriations can be cut at least $6,000,000,000. I feel that expenditures can be reduced in this amount, or more, without curtailing essential services that the Federal Government should perform for the people. I am also convinced that the expenditures can be materially reduced for the Military Establishment without injuring our national defense and taking care of commitments to which we have been obligated by the administration in foreign fields. I will do my part in voting to cut expenditures so as to bring about a balanced budget, a substantial payment on the national debt, and tax reduction.

Under the Constitution, the House of Representatives must originate all tax bills. While I feel that the provision in H. R. 1 to make tax reduction retroactive to January 1 of this year is premature, I am nevertheless voting for the bill so that it can be presented to the Senate and be given consideration in time for final action before June 30, 1947. In my opinion, the tax-reduction program should not become operative until July 1, 1947, at which time definite information will be available to Members of Congress and the country as to the amount that we have been able to cut Federal expenditures. At that time we will also learn as to the amount of tax income for at least the first 6 months of this year.

I also feel that a more substantial cut in taxes should be approved for taxpayers in the lower-income groups—either by way of increased exemptions or higher percentage reductions than the 30 percent approved by the committee in H. R. 1.

The tax bill will come back to the House for another vote after it has been considered by the Senate, at which time I want to reexamine its provisions carefully to determine my vote on the conference report or the bill in its final form.

Mr. KNUTSON. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. TWYMAN].

Mr. TWYMAN. Mr. Chairman, I am in favor of and will vote for H. R. 1, the Republican 1947 tax bill. This proposal will be received enthusiastically by the people of the Ninth Congressional District of Illinois.

The Ninth Congressional District of Illinois is known as the gold coast district of Chicago. This is a misnomer. It is true that the gold coast is located in the district and that some of the wealthy people in Chicago are my constituents. On the other hand, mine is a district of extremes. It is the most cosmopolitan district in the United States. I represent both extremes in the financial register. I represent people who work and people who live off of invested capital. In my district is to be found every nationality, color, and creed in Chicago. There are people of Irish, German, Scandinavian, and Slavic descent; there is a large Italian-American population and a large Jewish population; there is a large colored population; also living in my district are one-third of the Japanese-Americans who live in Chicago; in addition, there is a large number of Filipinos in my district. Every religious denomination is represented. In fact, in my district there is both a Buddhist and a Mohammedan congregation. I represent people from all walks of life, and I recognize my responsibility in trying to adequately represent them all.

This tax bill could not possibly satisfy everyone. There are features in it which I, myself, would have liked to have seen changed, but it is a good bill, and it is the forerunner of other bills which will lessen the tax burden on the American people.

I am glad that special consideration is being given to those in the lower-income brackets. They are really the ones who need relief. I am also glad that consideration is being given to those who live on annuities and pensions. With the increased cost of living, all people will welcome tax reduction now, and I am glad to vote for H. R. 1.

Mr. KNUTSON. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. REEVES].

Mr. REEVES. Mr. Chairman, I desire to express my support of H. R. 1. I agree with what my colleague the gentleman from New York [Mr. KEATING] has said, because, like him, I introduced a tax bill and urged the Ways and Means Committee to act favorably upon it. The fact that it has not yet been given consideration does not in anywise change my opinion that this bill is sound, and that it must be enacted to relieve the American people from the overwhelming burden of taxes which they have carried in recent years. So far as the questions of the proposed rates, exemptions, and the application of rates to various income brackets are concerned, the field has been thoroughly, and I might add very vigorously, plowed in this debate. I think it is now a question as to whether this tax reduction is desirable and acceptable to the House and to the American people at this time.

I do not think anyone can seriously question the importance of a tax reduction now. Every American citizen is paying taxes which are multiplied many times over those which he paid in the

days before the tremendous extravagances of the New Deal. It is especially important to the workingman and to the small businessman that his taxes be reduced, and that he have the opportunity to accumulate some reserve against the day when a contingency or emergency now unforeseen may arise.

If there is any discrimination under this bill, it is against the upper-income brackets. It has long been a national policy that Federal income taxes shall be based upon, and graduated according to, ability to pay. This principle will not be violated through the enactment of H. R. 1. As a matter of fact, upper-bracket incomes, which already bear a disproportionately high share of the total tax burden will, after this bill is enacted, pay an even higher proportion of the total income-tax burden.

As the gentleman from Nebraska [Mr. CURTIS] so ably pointed out yesterday, under the existing income tax law, adopted in the New Deal's wartime heyday, a man with a $25,000 income pays about 51 times as much income tax as the man with an income of $1,000; and under the bill we are now considering he will pay 58 times as much. In other words, this bill actually imposes on the larger incomes a still greater share of the total tax burden.

One effect of H. R. 1 will be to increase Federal revenues in the same way that income-tax reductions produced additional revenue in the 1920's. It is a matter of record that between 1920 and 1929 Federal income taxes were reduced four times and in every instance the Federal Government gained in receipts from income taxes because the reduction enabled private enterprise to expand, increased the national income and promoted prosperity generally.

It was the gentleman from Massachusetts [Mr. GIFFORD] who said in the House not very long ago something we all should bear in mind, in considering the matter of tax reduction. He said:

> If you tax a man 20 percent of what he makes on Monday, 40 percent of what he makes on Tuesday, and 60 percent of what he makes on Wednesday, and plan to tax him 80 percent of what he makes on Thursday, and perhaps 100 percent of what he makes on Friday, he will not work on either Thursday or Friday.

Today, as never before in our history, it is imperative that we encourage every American to produce all that it is within his power to produce in the interest of our national prosperity and the prosperity of the individual citizen.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. REEVES. I am glad to yield to the gentleman from Minnesota.

Mr. KNUTSON. It was stated in the House of Commons during a debate several weeks ago that one reason for the tremendous drop in the production of coal was the fact that the miners would only work 3 days a week in order to avoid paying taxes, that their wives worked the other 3 days in some nearby factory. That was one of the reasons for the coal shortage in Great Britain.

Mr. REEVES. I thank the gentleman for that illustration. It demonstrates completely that you kill incentive and the productivity of the individual through taxes as burdensome as those imposed on the American people today.

The Democratic Party has never reduced Federal income taxes but once. That was last year, in the Seventy-ninth Congress, which they controlled. What did the tax cut do for the wage earner, the low-income taxpayer? Did it give him a greater tax reduction than it gave the upper-bracket incomes? It did not. It was a 5-percent reduction straight across the board, a 5-percent reduction on every income, however large or small.

When they passed that bill the gentlemen across the aisle did not express for the millions of small incomes the tender solicitude they now profess in opposing this bill. They did not then demand debt reduction before tax reduction. They did not even argue from across the aisle that we should balance the budget before reducing income taxes 5 percent straight across the board. They forced through the 5-percent reduction in a frantic but unsuccessful effort to stem the rising tide of public revolt against the policies with which they had brought us very close to national disaster.

Now there is a substantial explanation, I think, for some of the opposition to this bill from the other side of the aisle. Yesterday I was interested to hear the arguments of the gentlemen from Oklahoma [Mr. MONRONEY and Mr. JOHNSON], as well as the distinguished gentlemen from Texas [Mr. RAYBURN and Mr. WORLEY] who were opposing the enactment of this bill.

All of these gentlemen are citizens and Representatives of districts within so-called community-property States, which already enjoy an enormous and unfair tax advantage over the 39 States which do not have the community-property system. These gentlemen do not know how vital this tax cut is to the rest of the country because in the community property States which they represent they do not carry the terrible tax load that we do. In a community-property State they pay 15 percent less in Federal income taxes on a $10,000 income, 29 percent less on a $25,000 income, and 20 percent less on a $100,000 income. No one can justify that discrimination against taxpayers in the 39 non-community-property States.

When the gentleman from Oklahoma [Mr. JOHNSON] so righteously espoused the cause of the little taxpayer, and opposes relief in the steep surtax brackets, I think we ought to look at what they did down in his State of Oklahoma to escape high Federal income taxes. In 1945 they voted themselves a Federal tax cut by adopting the community-property system, which gives them a great advantage, percentagewise, over all the taxpayers in the 39 States which do not have that system. And whom did they benefit? The little taxpayer? Not at all. They did not reduce the little taxpayer's taxes a dime. But they did thereby give the man who makes $10,000 a year a 15 percent reduction in his Federal income taxes; they gave the man with a $25,000 income a 29 percent reduction; and they gave their wealthy oilmen who make $100,000 a year a 20 percent reduction—and today it is worth nearly $13,000 a year to a man with a $100,000 income to live in Oklahoma where his Federal income taxes are that much less. When they adopted the community property system it was for the express purpose of reducing the taxes on large incomes, for it did not, and could not, give a nickel's worth of relief to taxpayers with low incomes.

The same situation obtains in Texas, Louisiana, and 6 other States where the community-property system protects incomes from the burdensome surtaxes that citizens of the other 39 States have to pay.

Because of the community-property system and its effect on Federal income-tax liability the gentlemen from the nine community-property States and their constituents do not know and have not experienced the crushing weight of Federal taxes. They are not burdened as the rest of us are, and now they are attempting to deny the rest of the country the tax relief which they have already obtained for themselves under the community-property system.

If you will examine the figures you will find that more than one-fourth of the gentlemen on the Democratic side of the aisle represent districts in community-property States. Less than one-tenth of the Members on the Republican side represent districts in community-property States. And we who live in the 39 non-community-property States always have paid part of the taxes of the citizens of the community-property States, and we will still be doing so after this bill is passed. One explanation for the opposition from across the aisle, particularly on the part of the gentleman from Oklahoma [Mr. JOHNSON], who spoke yesterday, is that the 49 Members on that side who are from community-property States, and the people they represent, pay substantially lower Federal income taxes, and they do not need relief to the extent that the rest of the country does. It seems to me that that explanation somewhat dims the brilliance of the eloquence of the gentleman from Oklahoma yesterday.

Mr. RIZLEY. Mr. Chairman, will the gentleman yield?

Mr. REEVES. I yield to the distinguished gentleman from Oklahoma.

Mr. RIZLEY. I would also like to call the attention of the gentleman, as well as my distinguished colleagues on the other side who spoke against this reduction yesterday, to the fact that the Oklahoma Legislature this year, for the very purpose of further encouraging venture capital in our State, reduced the State income tax in Oklahoma to the extent of 30 percent.

Mr. REEVES. I thank the gentleman for bringing that fact to the attention of the House. I understand that it was an across-the-board cut.

Mr. RIZLEY. That is right.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. KNUTSON. Mr. Chairman, I yield three additional minutes to the gentleman from Missouri.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. REEVES. I am glad to yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. The gentleman made a statement a few min-

utes ago pointing out that from 1921 to 1929 there were four tax cuts, which he stated provided incentive capital, caused more people to go to work, and so forth, but I want to know what happened in 1929. Why did not the incentive capital then provide employment for the seventeen or eighteen million people that were then unemployed? In other words, during a 8-year period you had four successive tax cuts, which apparently is what you are trying to do with this bill. I say to you that it fell down in 1929, when you had misery rampant in this land, when you had people unemployed. Where were your manufacturers then with their incentive capital? Why did they not put those people to work then?

Mr. REEVES. Of course, the income-tax laws of the United States had no extraterritorial effect. As the gentleman well knows, the depression which occurred in 1929 was a world-wide depression which affected and infected every nation and every economy on the face of the earth. The fact that there were income-tax reductions during the 10-year period preceding that time, as the gentleman well knows or ought to know, had nothing whatever to do with the results of the complex interrelationships of the economies of the world, which were all depressed at the same time.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. REEVES. I yield to the gentleman from Pennsylvania.

Mr. RICH. I congratulate the gentleman on his explanation to the gentleman from Oklahoma. The question the gentleman is discussing with reference to equalization of taxes in the community-property States is something very timely. I think the Congress should take some recognition of that. I think the bill the gentleman has introduced to provide that there will be equality in taxation between the community-property States and all the other States of this Nation, so that each individual is taxed alike, is something that should be given recognition. I congratulate the gentleman on the work he is doing on that matter, and I hope he will succeed. I assure him that I want to do everything I can to assist him in bringing about the enactment of that bill into law.

Mr. REEVES. I am deeply grateful to my colleague from Pennsylvania for his support of the measure I have introduced. It is H. R. 1759. I have not withdrawn from my position that that bill should be enacted in all fairness to the people of the 39 States, comprising five-sixths of the income-tax payers of this country, who now suffer from the discriminatory operation of the Federal income-tax laws.

No tax bill is perfect, as the gentleman from New York [Mr. KEATING], has said so well, nor can it satisfy everyone. There is necessarily some give and take before there can be agreement upon any legislation on which there are different points of view. In the beginning I had hoped that in this bill, in addition to providing relief in the lower brackets, we could equalize income taxes in accordance with the proposal which the gentleman from Pennsylvania [Mr. RICH], has just mentioned, but I am willing and satisfied that we proceed now to reduce taxes in the manner and to the extent provided by H. R. 1, as amended. I believe that it grants tax relief which the American people need to increase their purchasing power and to build up their economic security. At the appropriate time the Congress can consider the equalization measure I have proposed along with other existing tax inequities which can be eliminated only by a general tax revision bill.

So, Mr. Chairman, I support the present bill, H. R. 1, and urge its enactment; and I forecast that it will pass the House by an overwhelming majority.

Mr. COOPER. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. GORE].

Mr. GORE. Mr. Chairman, I think it might be proper if I prefaced my remarks by an expression of appreciation to my distinguished friend, the able gentleman from Minnesota, who on yesterday paid two of my colleagues and me a high compliment by referring to us as a firm of tax experts, by name DINGELL, ENGEL, and GORE. I am but a minority stockholder in that firm and I do not wish to go beyond my rights, but I venture to suggest to the distinguished gentleman from Minnesota that his endorsement may presage an auspicious inauguration of a new firm of tax consultants.

I have suggested to my colleagues in that firm that we specialize in tax equity and sound fiscal policy. The indications are bright that we would have a prosperous business and many clients, the most prominent among whom would be the Republican candidates for Congress who vote for the Knutson bill. I say that not without definite indication, because on next Tuesday a Republican primary is being held in the State of Wisconsin to select a nominee of that party to fill a vacancy in the House of Representatives in which there are three Republican candidates. Those candidates are not running on promises made last year. They are running before the people now. And all three of those Republican candidates, I am informed, have repudiated the Knutson bill.

Mr. Chairman, the distinguished gentleman from New York said he understood legislation was a matter of give and take. Generally that is true. It is incumbent upon us to consider and try to understand the logic and merits of the positions taken by those with whom we disagree on the sundry issues which come before the Congress. Such an attitude of tolerance and understanding has resulted in much good, and in my limited time as a Member of the House I have seen many conflicting points of view resolved by that process into an action truly representative of the national will.

But on this question before us today, may I advise my friend, those democratic processes of developing the will of this Congress has been denied us—not only denied to this body but denied to the committee to which it was referred, as has been attested to by every Democratic member of the committee who has spoken.

I am one of those 85,000,000 Americans who bought a war bond. I am one of those American citizens who believe that the war-created public debt is an obligation of every American citizen and of the two political parties. I respectfully resist and repel the suggestion made in debate yesterday that because one party was in power when a great victory was forged that a party subsequently coming into power should, because of that previous fact, treat lightly the most stupendous debt in our national history.

Perhaps we here in this Chamber hear the public debt discussed so frequently we become calloused to its dangers to the American way of life and to its meaning to those 85,000,000 Americans who have their savings in bonds tucked away in their savings boxes.

True it is, the Treasury of the United States and the Federal Reserve System has done a great job in holding down the interest rates on these bonds voluntarily purchased, but if this Congress fails to live up to its responsibilities of preserving the stability and financial integrity of the Republic, then they will not be so successful in their refinancing operations, and then this tremendous burden of interest charge on our public debt, now an annual $5,000,000,000 burden, may become unbearable. Then it may be that the confidence of the American people will be shaken in Government paper. When that confidence in Government paper is shaken, the very foundations of our national economy will be shaken, if not shattered.

However, the question today is not simply whether we favor payment on the national debt on the one hand or tax reduction on the other. Not at all. It is far more complicated than that. To vote for the Knutson bill you not only vote to give tax-reduction priority over debt reduction, but you vote for the most inequitable, the most unfair, the most unsound tax bill that it has ever been my privilege to read and study or hear about.

These charts serve to illustrate the points I wish to emphasize. The distinguished gentleman from Minnesota [Mr. KNUTSON] yesterday undertook to say that his bill did not violate the principles of ability to pay. Let me show you how war taxes were levied. They were put on to the extent which this Congress considered the people able to contribute to the cost of the war. Here are the percentages by which they were increased on various income levels over the 1939 tax rate, and the third column shows by what percent they would be reduced by this bill:

Percentage tax increase 1939–46—Percentage tax decrease 1946—H. R. 1

Married person with income of—	Percentage increase of 1946 tax over 1939 tax	Percentage increase of H. R. 1 tax over 1946 tax
$1,200	(1)	30
$1,500	(1)	30
$2,000	(1)	30
$3,000	4,650	20
$5,000	898	20
$10,000	427	20
$25,000	265	20
$50,000	180	20
$100,000	94	20
$303,396	44	20
$500,000	34	16
$1,000,000	24	13

[1] No tax was levied on incomes of this amount in 1939. For 1946 the tax on $1,200 was $38; on $1,500, $95; and on $2,000, $190.

Let me say to the gentleman who spoke a moment ago that the war tax bills passed by almost unanimous vote.

Percentages can be deceiving. That is why 20 percent across the board is deceiving. But I am putting it on the basis of percentages, too. The percentages begin with this $3,000 income. There was an increase of 4,650 percent 1946 tax over the 1939 tax. How much do you decrease it by this bill? Twenty percent.

Let us take the $5,000-income bracket. It was increased 898 percent. How much do you decrease it? Twenty percent. So you are transferring the burden of the war debt from those most able to pay to the backs of those who are least able to pay.

"Take-home pay" is a democratic, workingman, farmer term. Every housewife knows what that means. It means what they have left to spend after paying their taxes. For this $1,200-a-year-income man that we have heard so much about, you increase his take-home pay by 1 percent. Take a look at this table:

Under H. R. 1 (Knutson tax bill) as amended by Committee on Ways and Means

Married person with income of—	*Percent increase in take-home pay*
$1,200	1.0
$1,500	2.0
$2,000	3.1
$3,000	2.9
$5,000	3.8
$10,000	5.6
$25,000	11.4
$50,000	19.7
$100,000	34.2
$303,396	72.1
$500,000	70.7
$1,000,000	69.2

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. GORE] has expired.

Mr. COOPER. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. GORE. The $303,000-income man gets a take-home pay increase of 72.1 percent—$47,000.

The man who earns $1,200 per year will receive an increase of $11.40 in his take-home pay, per year.

What does this mean to him? How much can this man buy with that take-home increase. He may be able to buy a cheap spring hat for his wife. But what can the man with an additional take-home of $47,000 do with his extra change? He can buy a dozen $50 hats, a mink coat, pay the grocery bill for an entire year, buy a new car, buy a new home at $20,000, and pay cash for it; buy a farm for $10,000 for a hobby, and pay cash for that, too.

Moreover, he will have enough left to buy a yacht, I mean another yacht, for, of course, he probably already has one; and he can pay his membership in the golf club, take a cruise, a vacation, and still have $5,000 left with which to gamble on the stock market. Is that what you are going to vote for? Well, that is what you will vote for if you vote for the Knutson bill.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. GORE. I am sorry; later. No wonder the gentleman is disturbed, but here is another chart I want to show the Committee.

By this bill, taking for granted that $3,840,000 tax relief is conveyed by the bill, you will give tax relief to 4 percent of the taxpayers in the amount of $1,441,000,000—and these are not my calculations. I asked the actuaries of the Treasury Department to supply me with this information, and they complied with my request.

Let us look now at the middle income group, making up 43.3 percent of the taxpayers. They will get $1,378,000,000. And then this lowly income group which we have heard so much about, the 52.7 percent, get only $877,000,000. Here it is in table form. This is what you will be voting for.

UNDER H. R. 1 (KNUTSON TAX BILL)

Four percent get $1,441,000,000 tax relief.

Forty-three and three-tenths get $1,378,000,000 tax relief.

Fifty-two and seven-tenths get $877,000,000 tax relief.

Mr. Chairman, the author attempts to justify this on the promise that we are going to make drastic reduction in expenditures, that we are going to deeply cut cost of government. Weeks ago, this Congress voted a resolution to cut $6,000,000.

A disagreement with another body developed. Then conferees were appointed and we waited for a meeting. Day passed and day passed; no meeting; then the weeks began to roll by and still no meeting. Finally the distinguished former chairman of the Ways and Means Committee made some reference to the strange procedure and promptly a meeting of the conferees was called for last Saturday. I was a member of that conference committee, and although I am not privileged to disclose to you what happened there, I assure you it was a rare privilege to attend, and I assure you further that those noted Aristotelian logicians of the Middle Ages who spent long hours debating upon whether there was a homo genus and how many angels could stand on the point of a needle would have felt delightfully at home in that conference.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield for an inquiry?

Mr. GORE. I yield.

Mr. McCORMACK. Where is this conference report now? Most of us are wondering where it is.

Mr. GORE. It is in the bosom of the Republican leadership of the Congress, and there I predict it will remain until the tax bill is passed.

Much has been said here today of the spending spree of the Democratic administration. Well, who are the spenders now? In the first two appropriation bills, this Republican House has appropriated 50 percent more money than was appropriated to run the whole Government in 1938.

Mr. COOPER. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, House bill 1, known as the Knutson tax bill, and sponsored by the Republican leadership of the House, will, if enacted into law, take its proper place alongside of other special privileged legislation for which the Republican Party has long been famous. The gentleman from Rhode Island [Mr. FORAND] and other Democratic members of the Ways and Means Committee have sponsored an amended bill which will extend relief to the taxpayer in the lower brackets by increasing the exemptions. This is the only practical method to relieve the tax burden on the millions who create the purchasing power of America.

Our Nation is just emerging from the greatest world war in history and is heavily burdened with a terrific national debt. It is the contention of the opponents of the present bill that substantial payments must be made on our national debt and also to balance our Federal budget, and then our Government should make a substantial reduction in Federal income taxes. The eighty-odd-million people who purchased defense bonds must not have the value of those bonds jeopardized by a politically conceived tax bill which will grant terrific reductions to the taxpayers in the high brackets. Our Government must continue on a sound fiscal policy and we cannot maintain it if the Republican leadership insists on playing politics with our tax structure. At no time in our history is the average American taxpayer better able to make substantial payments on our national debt than during these postwar years of prosperity. We must not postpone this responsibility of payment to some future date and have the burden fall on the shoulders of the boys who fought and won the war.

I fully realize that the Republican national committee promised the voters that they were going to cut Federal income taxes 20 percent across the board. The chairman of the Ways and Means Committee for several months has been assuring the American people that this would be done. We find that he has even retreated from his position.

The legislation which will undoubtedly pass the House this afternoon is nothing more than an empty gesture to the American people that the Republican leadership is carrying out its wild campaign promise. I do not believe that the Republican leadership in this House have any serious hope that House bill No. 1, as it now stands, will ever be enacted into law. This bill will merely serve as an instrument for the Republican National Committee to present to their corporate campaign donors as evidence that they are endeavoring to recompense their benefactors for the great campaign slush fund of 1946.

Millions of the smaller American taxpayers will become acquainted with the tax-reduction provisions of this bill by the November election of 1948. They will then learn that the policy of the Republican leadership toward the masses has not changed since the lush days of the Republican leadership in the 1920's. Young America and the World War II veterans will see in this bill a scheme to pass on the double burden of both fighting and paying for World War II.

On account of the Republican majority, it will be impossible to defeat this bill, but I do hope that the Democratic membership remain solid and, with the aid of a number of Republican Members, a sizable protest be registered against this ill-advised tax legislation.

Mr. REED of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. McGARVEY].

Mr. McGARVEY. Mr. Chairman, much has been said lately of the need for party unity. For this reason, I am puzzled by those Republican Congressmen, who, in statements made on the floor of the House or to members of the press, openly criticize the proposed income-tax reduction.

This is a party measure. It helped us to win the election in November, and now we are being asked by some to forget its existence.

The original plan, calling for a 20-percent across-the-board reduction, has been changed in favor of the present measure, but still the critics are not satisfied. They would prefer still further revisions, or, better yet, a complete shelving of the bill.

They call it a rich man's bill. They claim that it benefits those in the upper-income brackets to the detriment of the workingman and farmer. Mr. Chairman, to me this pitting of class against class sounds strangely like the beginnings of new dealism in the Republican Party. Apparently some of our Members have forgotten the answer to that question heard so frequently before the last election. Perhaps they have forgotten the question.

Well I, for one, have not forgotten that my constituents had enough and voted for me in a district that has not had a Republican Congressman in 16 years. And I would like to make it clear that it is not a rich man's district. The people in it are, for the most part, working people and low-income wage earners. These same people write me daily urging my support of this so-called rich man's bill.

One Congressman, who opposes the bill for reasons best known to himself, has decided that the new Members are to blame for the desire to produce an effective tax bill. As you can readily see, he picked an easy target. What does a freshman Member do in Congress but keep his mouth shut? His remarks that business interests have threatened new Members with withdrawal of their support in the next election unless they vote for the tax bill belongs in the interesting if true department; a polite way of saying pure "bunk."

If anyone has used coercion in regard to this matter, I would say it was he. This gentleman issues dire warnings of the loss of the little man's vote. To listen to him for any length of time, one would come to believe that we proposed to raise the income tax, instead of lowering it.

This distinguished gentleman is so engrossed with his press interviews that he apparently has not had the time for a careful study of the measure. If he had, he would see the folly of his rantings. Not only does this bill benefit the workingman directly, by decreasing the tax on his income, but indirectly, by releasing a stream of venture capital from the upper income brackets into the field of productive enterprise. This would not only enable established businesses to expand, but allow the creation of new industrial undertakings. The obvious result is higher wages and more and better jobs for the workingman, who, according to some, is so abused by this bill.

I would like to say here and now that though I may be a freshman in Congress, I am not a freshman in politics. I know what the people of my district want. They want tax relief, not 1 year or 2 years hence, they want it now. This is the Republican Party's first chance to give the American people what they voted for last November. It is expected of us. Let us, therefore, cease this useless talk of revisions and amendments. Above all, let us stop, right now, any move favorable to the complete abandonment of the measure.

This is a sound tax bill. It not only paves the way for better tax bills, but is a necessary start in the restoration of the economic stability of our country.

I therefore urge your enthusiastic support of this bill. This is our chance to show the American people that the Republican Party does not make a mockery of their campaign promises.

Mr. REED of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I desire to make a few remarks respecting H. R. 1, which is now pending before this Committee, and which measure provides for the reduction of individual income-tax payments. At the very outset, I wish to state that I intend to support this measure. It is high time that the people of this country have some tax relief. During the war, and since the end of the war, the people have struggled, and they are continuing that struggle, to save and to prepare for the payment of their income taxes. These are certain, as long as the law provides for such payments. It has been written that there are two certain happenings in our lives, and these are death and the payment of taxes. That statement is unqualifiedly true. These are "fixed charges" against us, and the only variation is in the amount of the tax charges, and this great legislative body has the power to fix just what that charge may be. In the pending legislation this body is called upon to fix the amount of the tax charge against the people of this Nation.

Mr. Chairman, the people are eager for some tax relief. In the passage of the pending bill, I am certain that relief will be extended to them. I am very proud of the fact that the Ways and Means Committee has approached this problem upon the basis of the ability of the people to pay taxes, and they have seen fit to make a reduction to all those in the lower and small-income brackets; the small-income earner, regardless of what his vocation may be, is entitled to a reduction of his tax—he desires to enhance his power of purchase, and it is wholesome to our Nation to grant that increased purchasing power to those in the lower-income brackets. The Nation will welcome this reduction, I am confident. Another provision contained in this bill, with which I am in complete accord, is the provision granting to all those who have attained the age of 65 years an additional exemption of $500. It is common knowledge among the Members of the House that the aged people of our country, those who have attained the age of 65 years, are struggling to secure jobs, and many of them are unable to secure a job of permanent character. The mere pittance of their earnings, or the small amount which they may receive by way of income of any character, is quite soon absorbed in the payment of taxes. Under the pending measure these people, who are over 65 years of age, will receive an additional exemption of $500, which will be very helpful, I am certain. I fully approve of the action taken by the Ways and Means Committee with respect to the aged people of our country. I am confident all of the other reductions contained in the bill, now presented to the Committee of the Whole House, will meet with the general approval of the Members of the House, and that it will be universally approved by the people generally over the country.

Mr. Chairman, there is another, and a most potent, reason for my approval of this measure and of all measures which will reduce the spending of the taxpayers' money, and which will force the Departments of our Government to reduce their personnel and employees, and which will place a firm and definite limitation upon the amount of money our Government will have available for spending, and that is this—the people have reached the end of the road in their ability to pay, and they are entitled to a respite from this constant demand for more taxes, and for more money. The earning power of our people is largely fixed. Their resources are being sapped away by the payment of very high taxes. They are, therefore, unable to purchase the commodities they need, and they are unable to employ the people they should have to make repairs, and to engage in construction; their purchasing power is limited by the imposition of these high and all-absorbing taxes, and it was with this thought in mind, together with the desire to help the people in the lower income tax brackets, and the aged people, that this bill was prepared and introduced. It is my fervent hope that this measure will be promptly passed by the House of Representatives, all to the end that the much-needed relief provided in the bill may be extended to the people generally in our country. This measure, written into law, will also be a firm limitation upon our Government in the spending of the people's money. It will be a signal to those in control of our Government, and the many and various agencies thereof, to stop, look, and listen, a signal which has not been presented during the past 14 years. It is my considered judgment, Mr. Chairman, that this action is wholesome and that this legislation will redound to the ultimate benefit of the people in our Nation.

This measure should be passed without a dissenting vote.

Mr. REED of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. GOODWIN].

Mr. GOODWIN. Mr. Chairman, when we pass this bill today, we will be furnishing additional proof that we propose to keep faith with the American people. They are looking to us to give them some measure of relief from the burden of individual income taxes. They have courageously and patriotically carried this burden during the war years, but now at the threshold of the third peacetime year they desire and deserve such tax reduction as will enable them to save from their earnings something more to spend for themselves and for the increased comfort and enjoyment of their families.

We should fail miserably in our obligation to our constituents if we did not pass on to them as taxpayers the savings which can be made and which we are going to make by eliminating unnecessary items in the cost of the Federal Government.

It is natural that there should be a difference of opinion as to how most equitably to apportion to the different income brackets the tax savings to be effected by cutting down Federal expenses. I feel certain the committee has approached this problem with analytical care and has reached a solution which will work substantial justice to the entire taxpaying public.

The benefit of the full 30-percent cut is given to that great army of taxpayers whose income falls into the lower brackets and who have been hardest hit by the increased cost of living. At the same time the bill recognizes the necessity for affording a tax reduction for those whose taxable income is larger.

In this latter group are those upon whose capital we rely for the financing of those business ventures so essential for an expanding economy.

We must encourage the free flow of this risk capital if we are to maintain and increase a high level of production and employment.

Thus this bill will furnish incentive for business expansion, stimulate our national economy and build up the wealth of the country. All our people will be able to enjoy a higher standard of living through full production, and a corresponding increase in gainful employment.

I am confident that the passage of this bill will be enthusiastically hailed by the great rank and file of our people as proof that this Eightieth Congress proposes to move with expedition and certainly to take from their backs the burdens brought on by the exigencies of war; to give them now the privilege of having and spending for themselves the tax-savings made by cutting the cost of Government and by eliminating Federal employees no longer necessary, fit the Federal pay roll to the pattern of a peacetime economy.

Mr. REED of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION. Mr. Chairman, I arise in support of H. R. 1, as amended. Our Democrat friends took control of the House in 1933. They continued in control with an overwhelming majority for 16 years and during all of those years they did not present a real tax-reduction bill. On the contrary, they increased taxes and the national debt, and it is a real pleasure to me, for the first time in 16 years, to have the opportunity to speak and vote for an honest-to-God tax-reduction bill, a bill that gives substantial tax relief to those with small incomes, to those of moderate incomes, and some relief to those who have larger incomes who provide much of the investment capital which creates jobs and more tax-producing incomes.

We have had a lot of figures submitted here by our distinguished friend the gentleman from Tennessee [Mr. GORE] and others. I have always heard that figures do not lie. I am glad to observe that our friend the gentleman from Tennessee [Mr. GORE] admits that he did not make the figures he presented here. You know a lot of people make figures. Some good folks as well as others submit figures to uphold their contention but are very misleading. The gentleman from Tennessee [Mr. GORE] reminds me of a story that I heard about a young man in my own congressional district. He was one of two brothers whose father was a farmer. One's name was Sam and the other Levi. The father was unable to provide funds for a college education for both of these sons. He decided to send the elder son, Sam, to one of the leading universities. Sam majored in logic. After 5 years, and in the month of June when chickens were large enough to broil, Sam returned to his home with his degree in logic. Levi had very limited educational opportunities. Sam daily astonished his father and brother with his discourses on logic. He claimed by the process of logic he could prove black is white, green is red, and so on. Sam said one day: "You think we are hoeing corn here on the south side of the Rockcastle River, but I can prove by the process of logic that we are on the north side of the Rockcastle River." Finally the dinner bell rang and they went to the house for dinner. The mother had broiled two fine young chickens and they were before them on a platter. The father returned thanks and then was about to carve the chickens and serve them to his two sons and himself. Sam, the logician, said: "Father, now wait, I am going to prove to you that there are three chickens on that platter." Levi remarked, after he became a man, in telling the story that his brother Sam convinced him that there were three chickens on the platter instead of two. The father, however, listened patiently until Sam got through. Then he took a fork and put one chicken on his son Levi's plate, and the other one on his own plate and said: "Now my son Sam, as you proved to your own satisfaction that there are three chickens on the platter, you may have the third chicken for your dinner."

Now my colleague the gentleman from Tennessee [Mr. GORE] and other good Democrats have, by the use of a lot of hypothetical figures and some of Sam's logic, tried to convince us that there are three chickens on the platter instead of two. What do our Democratic friends know about reducing taxes, reducing expenditures, and reducing the national debt? They are experts on increasing taxes, expenditures, and the national debt.

I first came to the House in 1919. Our Democrat friends had run true to form during the years they had control of the Congress. They had raised taxes sky high. They bequeathed to us also a great national debt. The Republicans secured control of the Congress and the executive branch on March 4, 1921. The high war taxes and the big debt were there. The Republicans proposed to reduce taxes and reduce the national debt, but our Democratic brethren brought in figures and more figures, and also a lot of Sam's logic as they have been doing here for the last 2 days on the present tax bill. They insisted that taxes should not be reduced and should not and ought not be reduced. They almost shed tears pointing out how the reductions of taxes and the debt would ruin the country and destroy the Republican Party. The Republican Congress did reduce the taxes in 1921 and in that year paid a billion dollars on the national debt and had a surplus because the lower rates had encouraged business and brought on an era of greatest prosperity this country has ever witnessed. A number of other tax-reduction bills were passed by the Republicans before the depression in 1930, and in 10 years we not only provided well for all of the agencies of the Government but reduced the national debt by $10,000,000,000. It did not ruin the country; it did not ruin the Republican Party. So now these wild stories we now hear from our Democratic friends that we cannot reduce taxes, that it will ruin the Nation and the Republican Party, do not disturb me.

The Democratic Party again got control on March 4, 1931. They proceeded to increase taxes, proceeded to increase the national debt by leaps and bounds in peacetime and before we entered the war they had increased the national debt by more than $40,000,000,000 and the taxes also went up by leaps and bounds. I made the prediction some time after the Democrats took control that they would increase taxes and increase the national debt so long as they remained in power. That prophecy was fulfilled. I know you boast of the fact that in 1945 you did put through a tax-reduction bill but that was a real "phony" tax-reduction bill. You decreased taxes that year when we had a deficit for that particular fiscal year staring us in the face for more than $40,000,000,000 and in that same year and at the same time that you were putting through that tax-reduction bill, a great campaign was put on all over the Nation to sell some 15 or more billion dollars worth of bonds. In other words, while you were handing out a tax reduction in one hand you were increasing the indebtedness of this country by 15 billion or more. Now you argue that with a surplus confronting the country for the coming fiscal year of many billions of dollars that we cannot have a tax reduction. While many of us supported and voted for that tax-reduction bill as it was the first gesture toward the reduction of taxes in 14

years, I pointed out in a speech on the floor of the House what a ridiculous proposal it was with 14 years of going in the red and a tremendous deficit for that particular year, we were going out and borrowing billions of dollars by selling bonds in order to secure the money to pay for the reduction in taxes, and it was to take effect on January 1, 1946. Were our Democratic friends thinking about the big election in 1946 involving the control of the House and Senate? In selling these bonds we placed a first mortgage on the property and resources of every kind of the people of this country and used more than one half of the money to put through a phony tax-reduction bill. Of course, it was unfair to the American people. That is just like a bank or a business concern putting a first mortgage on their property to secure money to pay a dividend. If a board of directors did that in a bank they would be put in jail and that would be true in some cases of any business concern.

The bill before us will give a cut of 30 percent on the present taxes to practically 30,000,000 American taxpayers in the low income brackets. This will save several billions of dollars in taxes to these 30,000,000 low-income taxpayers of the Nation. Those who have a net taxable income above $1,400, and this means after deducting all exemptions, and up to $300,000 will receive a net reduction in their taxes over present taxes of 20 percent. Those that have a net income now of about $300,000 and are paying 86½ percent will have a reduction of 10 percent on their present taxes. In other words, the taxes will be reduced to 76½ percent. Persons who are 65 years of age or older will receive an additional benefit in exemptions of $500.

If a man and his wife each are 65 years of age, each of them will be entitled to this $500 exemption in addition to the present exemption of $500 for each of them. This, of course, is to bring some relief to nearly a million and a half aged people in this country who have small incomes and whose productive or earning capacity is practically at an end.

Two able former Under Secretaries of the Treasury under President Roosevelt strongly endorse this bill in their testimony before the Ways and Means Committee.

Mr. KNUTSON. What does the Good Book say about straining at a gnat and swallowing a camel?

Mr. ROBSION. Our Democratic friends appear to be doing that very thing.

DEMOCRATIC LEADERS OPPOSED

President Truman and his leaders, for some time, have expressed strong opposition to any tax-reduction bill. The Republicans again have inherited from the Democrats the highest national debt in proportion to its population of any country in the world and the highest pro rata taxes of any country in the world. Much of this was due to the reckless squandering of the people's tax and bond money by the New Dealers for the last 14 or more years, and, the Democrats now say we cannot and must not reduce taxes or we will ruin the country and destroy the Republican Party and they have consistently in this debate chided the Republicans for having promised the people last fall that if they were given control of the Congress, they would balance the budget, reduce taxes, and pay a substantial sum on the national debt. The Republicans did agree to balance the budget, reduce, taxes, and pay on the national debt. That is what I promised and I believe that is what every Republican in this House promised.

Who ever heard of one of our Democratic brethren going over his district last year and telling the people he was against reducing taxes? Why did not our Democratic friends, who are today so vigorously opposing any and all tax reductions, tell the people before the election last year? I heard no Democrat last year in the House before the November election, or elsewhere, claim that he would oppose the reduction of taxes. Insofar as I have observed, our Democratic friends joined with the Republicans in urging the balancing of the budget, the reduction of taxes, and reducing the national debt.

I, as one Republican, intend to carry out that pledge insofar as it is in my power to do so. I want to keep the promise I made last fall to the people that I represent and the American people, and I feel sure that practically every Republican in this House will do likewise. If we have any Republican who has any doubt as to the popularity of this bill among the Members of this House, as well as the American people, I want such Republican to listen when the roll is called in a short time and see how many of our brethren who have been opposing our efforts to reduce taxes vote for the bill. I am sure that many of our Democratic friends will remember the promises they made last fall before the election and forget some of the speeches that were made on the floor during the last few days and will vote for this bill. I have every reason to believe that the bill will be adopted by a vote of perhaps 2 to 1 or more, and I honestly believe that these Democrats who will vote for the bill will be rendering a real service to themselves and to our country. It will be much easier to explain a vote for this bill, giving substantial reductions to all groups of taxpayers, than a vote opposing a tax reduction to all groups. I am sure that each and every Member will find it much easier to explain his vote in keeping his promise than in giving a vote contrary to the pledges he has made.

One of the most vigorous speeches made against this bill was by our good friend and colleague, Mr. EBERHARTER, a Democrat from the State of Pennsylvania. He declares that he opposes the bill because we have not cut the incomes of the rich enough and have given too little consideration in the lower brackets. What percentage of taxes do the so-called rich pay at the present time? Eighty-six and one-half percent of their net taxable income, or in other words, they give to the Government in taxes 86½ cents out of every dollar of their income and they have left only 13½ cents out of each dollar for themselves. This bill reduces their taxes 10 cents on each dollar of their income and they can now retain from their income 23½ cents out of each dollar.

It would not be much encouragement for a man to invest his money in job-producing and tax-paying enterprises if he must take all the risks of loss and be permitted to retain no more than 13½ cents out of each dollar for himself. Now, let us see how consistent our friend, the gentleman from Pennsylvania [Mr. EBERHARTER] is. He is an able Democratic member of the great Ways and Means Committee. He introduced a tax-reduction bill in the present Congress which fixes the maximum taxes to be paid by corporations as well as individuals, at 50 percent of their income. Yes, he would let the biggest corporations and the richest men in this country off at 50 cents on each dollar of their incomes. Yet, for some strange reasons, he denounces the present bill as being too liberal to the rich when it fixes the tax at 76½ percent on individual incomes.

This bill does not reduce in any way or at all the high taxes on corporations. His tax bill and his speech, according to my lights, is very inconsistent indeed. Later on the Congress will consider the taxes of corporations, both large and small, and also excise taxes. This bill deals solely and only with individual income taxes. If Mr. EBERHARTER'S bill should be adopted now, we could give very little relief to the income-tax payers in the lower brackets and also to those in the brackets of moderate incomes, but as it is, a man and his wife with two children will pay practically no taxes on an income of $2,500 and will pay very little if his income does not exceed $3,300. The additional exemption of $500 for persons 65 years of age will take perhaps a million of needy old people from the tax rolls. This bill brings substantial relief to more than 50,000,000 income-tax payers.

Some countries, for whom we have done so much and who still today owe us billions and billions of dollars, have since the war ended given their people substantial tax reductions. The Australian Government, that owes us a great deal of money, has given to her people two tax reductions since the war. We have been and still are the Santa Claus for the world. Why not do a little Santa Clausing for the tax-burdened American people?

I have voted for many tax bills during my years of service in the House and Senate and this is the most popular and fairest tax bill that I have ever had an opportunity to support. Of course, I wish the reductions could be much more than they are. These reductions amount to approximately $4,000,000,000. The American people will have just that much more to spend for the necessities of life, their other requirements, and to invest in homes and business enterprises. We hope, by restricting the waste of the tax money of the people, that there can be another tax reduction in the latter part of this year or next year.

CUT EXPENDITURES, TAXES, AND PAY ON NATIONAL DEBT

Our Democratic friends insist that we cannot cut taxes. They have denounced

us for our efforts to reduce the President's budget. The position of the Republicans is that we can balance the budget; we can cut taxes, and we can pay a substantial sum on the national debt, and we must put forth every honest and reasonable effort to do so.

Every day we hear the threat that President Truman will veto this tax bill. I sincerely pray that he does not follow that course, but if he does and we cannot pass it over his veto then it becomes his responsibility and not the Republican Congress'.

Let us examine for a moment this situation. We must do it because this was the pledge by the Republicans and practically all of the Democrats before the November election in 1946. The 30-percent reduction will apply to 30,000,000 or more taxpayers. These 30,000,000 will include single persons earning up to $1,667, married men, with wives, earning up to $2,222, and married persons with 2 dependents earning up to $3,333. The 20-percent reduction will go to some 15,000,000 taxpayers whose net taxable income ranges between $1,400 and $302,396. The $500 additional exemption will give relief to 1,400,000 persons who are 65 years of age or over. There are 922 taxpayers only who will receive the 10 percent or more reduction. This bill will bring relief to all individual income taxpayers of the Nation. Of course, this is based on a reduction in the expenditures of this Government.

President Truman sent his budget to Congress asking for $37,500,000,000 for the fiscal year beginning July 1, 1947, and ending June 30, 1948. President Roosevelt was rated as the greatest spender at the head of any government in all history in peacetime. The highest budget he ever asked for was about $12,500,000,000. President Truman is asking for three times that amount for a peacetime year. I realize fully there is some increase in the expenditures of our Government but we certainly are not justified in calling upon the American people to provide three times as much in a peacetime year as Mr. Roosevelt called for, with all of his officeholders, bureaus, commissions, agencies, relief, and so forth.

Under a law passed in the last Congress, the Congress must before the beginning of each fiscal year examine the President's budget and then fix a budget. The Republicans in the House after examining the President's budget decided that it could be cut at least $6,000,000,000 without doing harm to the efficient operation of our Government, and did pass a measure cutting the President's budget six billion, leaving a balance of thirty-one and one-half billion. The Senate cut the budget four and one-half billion. We are informed the Senate has offered to compromise on the basis of a cut of five and one-quarter billion and there is no doubt but what the minimum cut will be five and one-quarter billion. If it cut six billion then the President will have thirty-one and one-half billion to spend next year. If it is cut five and one-quarter billion he will have thirty-two and one-quarter billion to spend next year.

The President estimated that our revenues this year will amount to $38,900,000,000, but it was conservatively estimated by those who know that the revenues will amount to $39,100,000,000 on a basis of an annual income from all sources of $165,000,000,000, but it is now claimed that the annual income of this country from all sources will be at least $175,000,000,000. This, of course, will increase the taxes proportionately. It is now generally admitted that the revenues of this Government for the year beginning July 1, 1947, will amount to at least $41,000,000,000. If the cut of the budget is not more than $5,250,000,000 this fixes the President's budget at $32,250,000,000; there will be a surplus of approximately $10,000,000,000. This tax-reduction bill will cut the revenues approximately $3,850,000,000. But assuming that the tax reduction will amount to $4,000,000,000, then there would still be a surplus of approximately $6,000,000,000.

It has been urged that we apply two and a half billion dollars on the national debt. This would still leave a surplus of three and one-half billion. Now, why should anyone argue that we cannot reduce the taxes to the amount provided in this bill? It can be done, and it must be done, in the interest of all of the American people. Nothing could give the American people more encouragement, stimulate business, and provide jobs. I realize how difficult it is to cut expenditures with the present administration in charge of the executive branch of the Government when they have been, for many years, following a course of taxing and spending. We must restore honesty, economy, and efficiency in our Government. How can we justify spending three times as much in a peacetime year as Mr. Roosevelt spent in any peacetime year? Let us bear in mind that every dollar we take from the American people in taxes takes just that much away from them in purchasing power. Of course, some persons hint that we may soon get into another war. We should be dedicated to do all within our power to avoid another costly, bloody, and destructive war.

Believing as I do that this bill, while it is not all that I should like, yet under the circumstances it is the very best bill that we can bring out under an administration that thinks in terms of heavy taxes and big spending.

Mr. KNUTSON. What does the Good Book say about straining at a gnat and swallowing a camel?

Mr. ROBSION. Yes; the Republicans agreed to balance the budget, reduce taxes, and pay on the national debt. That is what we promised. That is what the people want. That is what I promised. That is what I believe every Republican sitting in this House promised. Whoever heard of one of your Democratic brethren going out into his district last year and saying that he was against reducing taxes? Why, you did not do that, and if anyone did, let him stand up now and let us find out who it was. So far as I ever heard any of them speak on the floor of the House before the last November election, they joined the chorus of promises to reduce taxes and reduce the national debt.

I, for one, as a Republican, and I believe every Republican in this House will do the same, am going to respond and keep the promises that we made to the American people last fall. When the roll is called, I wish some of my dear Republican friends who may be hesitating on this question will listen to the roll call and see how many of our dear brethren will remember the promises they made last November much more than they remember the speeches that they have made on the floor in the last few days. Many of them are going to vote for this bill.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may care to consume to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, for the last 10 years I have heard my Republican colleagues talking about balancing the budget and demanding that it be done. Now, I maintain it will be impossible to balance the budget this year if we pass this bill. Therefore I regard this bill as dangerous to our economy if passed now, to say nothing about the unfairness and injustice of the methods used in it.

The provisions of the Reorganization Act, admittedly difficult to carry out in the beginning of a new Congress, appears not to have been fully carried out with respect to budgetary matters. The theory of the new law is correct and good, I believe, and is presumed to enable a balancing of the budget, but congressional action taken thus far under the new law has not been adequate. Balancing the budget presupposes a very safe and sane estimate of anticipated revenues and also a conservative figuring of all imperative expenditures. It is my information that we have had neither, aside from the President's budget of several weeks ago. It is for this reason that it seems unwise and dangerous to bring a tax-reduction bill before Congress at the present time before supply bills are passed.

Only two of the appropriation bills have thus far been acted on by the House, and neither of them has been acted on by the other body or enacted into law. It is a safe guess that both of those bills will total a greater amount of expenditure than they provided for as they left this body. I think such is a safe guess concerning every one of the following appropriation bills. How, then, can we know with any certainty what our bedrock expenditures must be for the coming year?

Not only that uncertainty but several unforeseen expenditures have arisen since the President sent his budget to Congress a few weeks ago. Those in charge of our foreign affairs, both inside and outside of Congress, both Democrats and Republicans, know that there must be large expenditures of money which were not contained in the President's budget. That great Republican leader, ex-President Herbert Hoover, has recently joined with President Truman since the President's budget was submitted to Congress in recommending

hundreds of millions of dollars of expenditures in connection with our foreign affairs and particularly for the purpose of feeding the starving peoples of the Old World. The result will be that the President's budget will be enlarged even more than it can possibly be reduced by savings. Such savings as an economy-minded Congress can make in the regular budget cannot in all probability begin to equal the loss of revenue by this tax-reduction bill.

Saying nothing about the justice or injustice of this method of tax reduction—on which a great deal could be said—it is perfectly obvious that a reduction at this particular time is unwise in the light of all circumstances and because of our lack of knowledge of conditions as they will be 2 or 3 months from now. The majority party in its zeal to carry out preelection promises is getting the cart before the horse in this attempt to reduce taxes before balancing the budget. The feeling on our side is that the value of the dollar is jeopardized and the integrity of United States bonds held by 85,000,000 of Americans is also jeopardized. For that reason I feel that this bill is unwise in several respects but especially because it is untimely. It has been given first place over other fiscal steps which are more important. It should be recommitted.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may care to consume to the gentleman from South Carolina [Mr. RICHARDS].

Mr. RICHARDS. Mr. Chairman, this bill is indefensible from any standpoint. It is a political bill from every standpoint.

Here we are with the greatest debt ever confronted by any nation in the history of the world, and this bill laughs at that fact.

The Republican Party need pose no more as the champion of sound fiscal policies in government because the present tax bill violates every rule of good business. For this Government to remain solvent, the budget must be balanced, expenditures reduced, and a substantial payment must be applied to the public debt. The national income is now higher than it has ever been and this is our golden opportunity to reduce the debt while income is good. It will be hard to do later on when business is not so good. A child should understand those basic facts, but the Republican Party, with a weather eye to the 1948 elections, buries its head in the sand.

If the Republicans actually want to do justice in the matter of income taxes, they should give tax relief first to the lower income tax brackets. Except in wartime, there is no just excuse for taxing the bread and meat money of any man.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may care to consume to the gentleman from Georgia [Mr. WHEELER].

Mr. WHEELER. Mr. Chairman, to paraphrase Nathan Hale, my only regret is that I have but one vote to cast against this bill.

When the results of the general election in the fall of last year became known, one of the first questions that came into the mind of the American people was whether or not the Republican Party would follow its traditional policy of catering to wealthy interests with almost total disregard for the welfare of the average little man.

All of their protestations to the contrary notwithstanding, the answer to this question is found in H. R. 1 which gives tremendous tax relief to those in the upper brackets and who are most able to pay while giving only a token relief to those who are at present forced to pay taxes on their bread and meat money.

I denounce this bill, H. R. 1, as nothing but an attempt to railroad through this Congress under the guise of general tax relief, a measure that ignores all of the original intent of the sixteenth amendment, the authority under which income taxes are levied.

The original intent of the sixteenth amendment was to provide a method of taxation according to ability to pay. This bill ignores that intention by giving the most relief to those most able to pay.

It is interesting to note that in the time of need for greater income to the Government, the heaviest increase in proportion to income is always laid on those in the lower-income brackets. Why then, I ask you, should not the same method be applied when trying to grant relief? I say to you that the method of tax reduction proposed in H. R. 1 is grossly inequitable. That the bill would give too little reduction to lower incomes and relatively too much to higher incomes can be seen by looking at the effect of the proposed reduction on net incomes after tax and by comparing taxes under the bill with those in effect before the wartime increases. Tax relief at the bottom of the income scale is not significant in relation to tax burdens at these levels and the incomes left after present-law taxes, by comparison, are disproportionately increased at the top of the scale. H. R. 1 would wipe out most of the wartime increases in taxes on very large incomes while leaving taxes on other incomes much higher than before the war.

In effect, this bill (H. R. 1) forgives the people who became wealthy during the war, of their obligation to pay for the war by placing them back on the same basis they were in 1939. They are the ones who should bear most of the load. The proponents of this bill say they are giving the little fellow relief in the form of 30 percent reduction. How much is 30 percent of nothing?

One of the big arguments by the majority in favor of this bill is that the large tax reductions in the higher brackets will promote prosperity and business conditions by releasing new capital with which to promote and finance industry. This argument is without basis at the present time. A tax reduction on the upper level would not contribute to the immediate expansion of business and employment above the current levels, because the supplies of raw materials, machinery and equipment and labor available for producing new investment goods are already being used at capacity levels. And speaking of investments, the official records of the Treasury Department show that nearly 50 percent of the dividends of industry are received by those receiving incomes of less than $5,000. This will show you where investment money in the past has come from.

If we are ever going to place this country on a sound business basis we have got to have a systematic method of reducing our national debt which now stands at approximately $260,000,000,000. Why not start on this task while our national income is now at an all-time high? Preliminary estimates put the national income for the year 1947 at $166,000,000,000 but according to reports compiled after January and February, it will be nearly $177,000,000,000. This, gentlemen, is the time to reduce the debt while the national income is high. Then later in the event of a business recession, we can effect a large reduction in taxes and make a smaller payment on the national debt. Let me point out to you, gentlemen, that nearly $5,000,000,000 in the proposed budget is solely for the purpose of paying interest on this tremendous obligation. A reduction in the national debt would automatically lower the interest item in the budget which would enable Congress to effect even lower reductions in taxes.

It is generally conceded that the family is the basis of civilized society. The inadequate exemption provided in the present tax law offers no inducement or encouragement whatsoever for a young wage earner to marry and raise a family because everyone knows that the present exemption will not cover the expenses of raising a child. Court records show that the largest share of divorce cases grow out of couples who have no children. Raising the personal exemption might be some small inducement to combat the high divorce rate in this country and at the same time make the basis of our society more secure.

The only equitable way of reducing taxes at this time is by raising the personal exemptions. The personal-exemption section of the income-tax law was originally supposed to keep the taxpayer from paying taxes on the necessities of life. The present exemption is too low to be even a token toward carrying out that original intent.

It is just not morally right to grant relief to the person with a lush salary while forcing the people in the lower brackets to pay taxes on money that is going for providing the necessities of everyday life. I again denounce this bill and say again that personal exemptions should be increased before any kind of percentage cut is made.

Mr. Chairman, the votes I have cast in this Congress offer conclusive proof of my regard for economy in Government. I would also like to cast a vote in favor of tax reduction, but I cannot favor tax reduction in the form embodied in H. R. 1. In the first place, we should first determine what our outgo is going to be before we try to establish the amount of our income. After this is done we should then reduce taxes from the bottom up instead of from the top down.

No, Mr. Chairman; this H. R. 1 is no more than an ill-advised political gesture; and since I have more regard for the welfare of the next generation than I have for the result of the next election, I must paraphrase Nathan Hale by saying that "I regret that I have only one vote to cast against this tax bill."

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may care to use to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, I believe the time has come to make a start toward tax reduction. It has been necessary to have high taxes for the last 6 years. We have had to spend enormous sums of money to win the war. The people of the United States have all made sacrifices in many directions. We have bought war bonds. We have planted and cultivated victory gardens. We have canned vegetables, fruits, and food of all kinds. Men and women left careers and went into war-production plants. Boys and girls left school and college and went into the armed forces. We have denied ourselves and our families many needed articles, among which are shirts, shoes, clothing, furniture, washing machines, radios, automobiles, and other durable goods. We adopted the slogan: "Eat it up, wear it out, make it do." We have now just about worn out the 6- and 8-year-old automobiles, the shirts, the shoes, the coats, and many of the articles that we have been using in accordance with that slogan. The wage-earning taxpayer now needs relief in order to begin to replenish and replace some of these worn-out articles.

I do not think this bill gives enough relief to the low-salaried worker. If it lay within my power, I would amend this bill to give more tax reduction to the low-salaried worker. I am sorry that the House has voted to consider this bill under a rule which deprives Members of the right to submit amendments to it. No one has had an opportunity to submit amendments except the members of the Ways and Means Committee, to which the bill was referred. I believe this bill should be amended to provide greater reduction in the lower-income brackets. The only way this can be done is to recommit the bill. I shall vote to recommit the bill so that it can be amended to give more relief to the lower-income brackets.

I have given this bill serious thought and study. There are serious issues involved. In giving it this consideration, there are certain facts which appeal to me, namely, that with the war now over, the taxpayers need some relief from the heavy and unusual taxes brought upon us by the war. The term "taxpayer" includes practically every American citizen who works or who owns property. I have heard the statement advanced that we should adopt a sound fiscal policy and make a substantial reduction of the national debt before we begin to cut taxes. What does that mean? The national debt of the Federal Government is today approximately $260,000,000,000. It is not seriously contended that this debt can be reduced at a greater rate than three or four billion dollars per year. If that is the case, and it is the case, then, under that theory, it would be at least 25 years, and maybe 50, before we could begin to make any substantial tax reduction. I do not believe we should adopt that attitude. I am not willing to wait that long to begin. In my opinion the time to begin to reduce taxes is now.

I believe that debt payments and tax reduction should go hand in hand—that the debt should be reduced to some extent, and that taxes should be reduced to some extent, so as to relieve as much as possible the heavy burden of taxation which we are now bearing.

This problem is higher than political partisanship. It should be viewed from the standpoint of what is best for America, and not what is the policy of the Democratic Party or the policy of the Republican Party. The fundamental welfare of our entire country is at stake, and this question should be viewed from a nonpartisan standpoint. For these reasons I shall vote to recommit the bill so it can be amended to give greater reductions to the lower-salaried taxpayer. If it is not amended, then I shall vote for the bill as it is. From the standpoint of tax reduction, I believe that some reduction is better than none at all, and this bill, while it is not satisfactory to me, nevertheless is a step in the right direction—a step which I believe should be taken at the earliest possible date, and that date is today.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may care to use to the gentleman from Michigan [Mr. SADOWSKI].

Mr. SADOWSKI. Mr. Chairman, I am opposed to this Republican tax bill. This is a brazen sell-out to the rich and high-income groups. If any tax relief should be granted, in my opinion, it should come to those wage earners of $5,000 a year or under, so that the purchasing power of the Nation may be maintained, and, therefore, prosperity and full employment may be realized. I also feel that income-tax exemptions should be raised to $2,500 for married couples, and $500 for each dependent. Single persons should have an exemption of at least $1,500.

This Republican policy of high prices for consumers, high profits and high tax reductions for the rich, is already resented by the great masses of people, as recently demonstrated by the teachers' strike and the thousands of letters that I am now receiving. I think this spells the end of Republican rule in Congress.

This tax bill that is before us now represents a revival of the old Mellon-Hoover policy of siphoning off millions of dollars to the rich on top of the pyramid in the hope that some little bit will dribble down to the masses of people. This policy will create a lot of millionaires and then another depression, as we had under Hoover. The only way that we can have continued prosperity is to see that the purchasing power of the masses of people is maintained. A good many people are already wondering whether this bill is not really a big sledge hammer to smash the labor unions. They feel that this bill will fill the pockets of the wealthy with millions of dollars, and then they will close the factories and tell labor to wait in the bread lines until they are ready to come to work at slave-labor wages.

The pattern that is being followed now by the Republican party is the same as they used after the first world war. They are shouting communism, while at the same time they are socking labor on the head with a whole sackful of antilabor bills and following a general policy of increasing prices and the cost of living for the workingman. Look at the recent school teachers' strikes—certainly no one can accuse them of being Communists. They do not even belong to a labor union, but they simply had to strike because they couldn't live on the salaries they were receiving. Now, during the war living costs increased considerably, but the factory workers were getting time and a half for overtime, and double pay on Sundays. This gave them sufficient income to meet the increased wartime cost of living. Now that the war has ended, these factory workers are employed only forty hours a week, and in some instances less than that. There is no more time and a half or double time. Their pay checks have shrunk about 40 percent, but the living costs have not come down. On the contrary, there has been a considerable increase in the cost of food, clothing, and everything since last June, when the Republicans, with the help of some of our southern Democrat-Republicans smashed Government controls. At that time they promised that "free enterprise would take care of the situation and living costs would come down." Now, instead of helping the workers, the disabled, the old-aged, the school teachers, and the white-collar help generally, they are proposing to hand over a gift of millions of dollars more to our rich profiteers.

Gentlemen, I say to you that the Republican Party is done. The masses of people realize that they made a terrible mistake last November. The Republican policy of high prices and inflation for the consumers and workers, and high profits and high income-tax exemptions for the rich profiteers will put them back in the Hoover political gutter. This tax bill will hand a full silk purse to the wealthy and a sow's ear to the lower income groups. Nine million taxpayers will get nothing. Twenty-five million taxpayers will get an average of $34, and the rest goes to the rich. I remember when they came here with the infamous Ruml plan. Mr. Ruml, the stooge of the millionaires, talked about the poor workingman. The Republicans worked out a rebate plan, whereby about $8,000,000,000 of taxes were to be refunded. When they got through the poor workingman and consumers that they cried and lamented about would get about $1,000,000,000, and the rich would get seven billions. This bill stinks even worse than that one. This bill should be called the Knutson-Republican swindle bill.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may care to use to the gentleman from Texas [Mr. LYLE].

Mr. LYLE. Mr. Chairman, the passage of this bill by the Congress will forcefully demonstrate that this body under-

estimates the intelligence of the majority of the people in the United States.

It costs $5,000,000,000 each year to pay the interest on the national debt. Translated into terms that I can understand, that means about $35 for each individual each year as interest on the national debt, and it has been estimated that if we retire the debt in 100 years, it will necessitate the payment of over $600,000,000,000.

Other than national security, there is no more important and vital problem for the people of this country today than the retirement of the national debt.

The levying of taxes is one of the most unpleasant duties of a Congressman in times of peace, but even more unpleasant than that would be to leave this Chamber today with a sense of having cast a cheap political vote.

Taxes are high, burdensome, and severe, but they do not equal our responsibilities in our quest for peace and decency. The statement made by the majority party that existing taxes are "a real threat" to the initiative and new investment essential to a high level of employment is not well founded.

In 1946 income taxes paid by individuals in America amounted to $17,600,000,000. Expenditures by the American people for the same period for selected consumption of luxury items, and I list them, were $17,600,000,000. Automobiles purchased for luxury purposes—a quarter of the total—cost $686,250,000 and gasoline for luxury use cost $1,323,000,000. Amusements last year cost $2,171,335,969 and the purchase of furs for American women amounted to an expenditure of $917,061,705. Luggage bought last year cost $407,117,132; toilet goods cost $477,872,426 and cosmetics, $862,000,000. People of the United States spent $1,830,287,495 for horse racing, and $7,770,000,000 for liquor. It is revealing that our liquor bill parallels the amount we spent on veterans, who paid the highest price any man ever paid for liberty.

Certainly the greater part of the seventeen-odd billion dollars spent on luxury items was not spent by the low-income groups. People with less than $3,000 a year are having a most difficult time securing the very essentials of life. How constructive and how pleasant it would be if the majority party would join with us to bring a measure of relief and security to these millions, who, under this bill, are certainly not receiving that relief.

For example, a married man making $2,500 a year would get a reduction amounting to about 50 cents a week. A married man with no dependents, earning $1,200 a year, would get relief of about 25 cents a week, or $11.40 a year. On the other hand, a man making $9,000 would get a reduction of $372.40. Married people paying taxes on less than $4,000 would actually and potentially be losing money by this bill. For instance, a married man with two children, paying taxes on $3,500, will save $57 per year under this bill. At the same time, he is saving $57, his family will incur a potential debt of interest on the national debt amounting to $140, which means that he has suffered a net loss for the year of $83. Of course, this isn't true for the higher-income brackets. For example, a Congressman would likely make a little money on the deal, but inasmuch as we have recently increased our own incomes, I believe it is fitting that we consider those who are in need of financial relief, and the only possible way for this Congress to materially benefit the average man is by reduction of the national debt.

Mr. Chairman, fortunately the people of this country are intelligent and well informed. They understand the issues at stake today. No individual Member of this Congress and no party will be able to purchase the preference of the people with such ill-conceived legislation.

I will join the Members of this House, of both parties, in an effort to drastically reduce the cost of Government, to balance the budget, and to retire the national debt. And then, Mr. Chairman, it will be my happy privilege to vigorously support a revision of the tax laws so that individuals and business institutions will be given proper relief and consideration in the light of our commitments and responsibilities.

Mr. DOUGHTON. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. GARY].

Mr. GARY. Mr. Chairman, the experience of two world wars within a quarter of a century into which we were inevitably drawn against our will has convinced the American people that we cannot isolate ourselves from the strife of the rest of the world. We are, therefore, accepting our responsibility and assuming our rightful position of world leadership in an effort to promote international cooperation and durable peace among the nations. If, however, we are to maintain our influence abroad, we must remain strong and virile at home, which means that we must not only maintain our military strength, but that we must remain strong economically and fiscally as well. Any evidence of weakness on our part, particularly at the present time, would deprive us of our position of leadership and would have tremendous repercussions abroad which might easily lead to world chaos.

Moreover, our domestic prosperity and tranquillity are contingent upon our economic and fiscal stability. No nation can long remain strong without a sound fiscal condition which cannot be preserved under a policy of continuous deficit financing.

In fact, if democratic government is to survive it must be able to properly finance itself. Elected representatives are usually so anxious to satisfy the wishes of their constituents for increased governmental service and at the same time so reluctant to adopt the measures necessary to properly finance such services, that there is a growing tendency toward deficit financing as the course of least resistance. This tendency is becoming a serious threat to the form of government that we cherish.

The Federal budget has not been balanced for 16 years, and the Federal debt has pyramided by leaps and bounds during that period. In 1917, just prior to World War I, the Federal debt was $3,000,000,000. It rose to a World War I peak of $26,600,000,000 on August 31, 1919. During the decade of the twenties there was a small surplus in the Treasury at the end of each year and the debt was gradually reduced to $16,000,000,000 on December 31, 1930. It was then that our present era of deficit spending, brought on by the depression, was resumed. By the end of the fiscal year 1940 the debt had arisen to $43,000,000,000. You will remember it was during that period we heard many arguments as to the ability of this Nation to carry a debt of such tremendous proportions. When some economists suggested that the debt might be increased to $50,000,000,000 without too seriously affecting our national economy their views were severely criticized.

Then came World War II and arguments as to the policy or size of the debt became academic. Unprecedented expenditures which reached the stupendous sum of $100,000,000,000 in 1945 increased the debt to an all-time high of $279,800,000,000 in February 1946. This has been reduced to $259,100,000,000 as of today. This reduction was accomplished by applying to debt retirement large outstanding Treasury balances which were maintained during the war, and not by surplus financing. At the beginning of the fiscal year 1948, however, the Treasury balances will have been reduced to a peacetime level and any further reduction in the debt must come from current surpluses. Likewise further current deficits will result in debt increases.

It is estimated that $75,000,000,000 of the outstanding interest-bearing securities are owned by commercial banks; $23,500,000,000 by Federal Reserve banks; $11,500,000,000 by mutual savings banks; and $25,000,000,000 by insurance companies, making a total of $135,000,000,000, which constitutes more than 50 percent of the assets of those institutions. After World War I, Federal securities depreciated in value to such an extent that at one time $100 bonds sold on the market as low as $80. If we were to suffer a similar experience after World War II the solvency of every bank and insurance company in the United States would be seriously jeopardized. We cannot permit this to happen. To prevent it, we must maintain the faith of the American people in the fiscal stability of their Government, and this can be accomplished only by adopting sound fiscal policies.

Our present fiscal condition, therefore, demands that the budget be balanced for the fiscal year 1948, and that a definite program of substantial debt retirement be initiated immediately. Unless some progress is made toward debt reduction during the period of prosperity and inflation through which we are now passing, we will inevitably face disaster in the lean years which are certain to follow.

Neither of these objectives can be attained if we undertake to reduce taxes at this time. The President's budget estimated the receipts for the fiscal year 1948 at $37,700,000,000 and expenditures at $37,500,000,000 which would provide a surplus at the end of the year of only $200,000,000. The receipts did not include the $1,130,000,000 of revenue which

will result from continuation of war excise taxes as recommended by the President and enacted by the Congress. The addition of these receipts will, therefore, provide a surplus of $1,330,000,000.

There has been endless talk by the Republicans of cutting the expenditures proposed by the President but the legislative budget is resting quietly in the conference committee where it was referred nearly a month ago because the Republicans cannot agree among themselves as to the size of this cut.

In the meantime, two appropriation bills have passed the House. The appropriations carried in these two bills totaled $15,000,000,000, which represents 40 percent of the entire budget. After careful scrutiny by able subcommittees manned by the most vigorous Republican axmen these appropriations were actually cut approximately $125,000,000, or less than 1 percent. This percentage applied to the entire budget will result in a total reduction of less than $325,000,000. Of the remaining $22,500,000,000 of the budget yet to be acted on $11,250,000,000 is appropriated for national defense and $7,343,000,000 for veterans' services and benefits. Unless, therefore, these items are greatly reduced the prated Republican economies will become as mythical as their campaign promises.

Not only is it becoming more apparent day by day that there will be no drastic cuts in the expenditures recommended by the President, but we must recognize that the international situation may require increased expenditures in support of our foreign program. Already an appropriation of $400,000,000 has been recommended for Greece and Turkey. I dare say there is not a single person in this House who does not fear that this is the beginning rather than the end of such expenditures. We are living in critical times in which the exigencies of the occasion shape our policies rather than the dictates of our own desires.

Mr. Chairman, I shall not discuss the provisions of this particular bill. Its defects have already been forcibly disclosed on the floor of this House

The gentleman from Tennessee [Mr. GORE], pointed out that this bill will switch the burden for paying the war debt from the high bracket to the low bracket taxpayers. May I remind you that most of the veterans of World War II are in the lower brackets. So that the effect will be to shift the burden of the payment of war debt to those who won the war.

May I say in closing that I favor a reduction of taxes at the earliest moment conditions will permit. The war has left us with tax and other burdens which are oppressive to our people, but our present fiscal situation demands that we defer all tax reductions until the budget has been balanced and a definite program of reasonable debt retirement has been adopted. Thereafter we can apply surpluses over and above the debt requirements to tax reductions with a clear conscience and with the knowledge that we are following sound fiscal policies. Such a course will strengthen the faith of our people in the stability of our Government and promote our prestige and influence abroad. Any other course at the present time is fraught with grave danger.

Mr. REED of New York. Mr. Chairman, Andrew Mellon, Secretary of the Treasury, had this to say in his Treasury Annual Report of 1925:

> While taking the people as a whole it is immaterial when the debt is paid, still, as between different classes of people, the investing class holding the bonds and the producing class from whom a larger part of our taxes are collected, inequality may exist. We should not tax too heavily the producers to pay the security holders. It is for this reason that we have sought a balance between debt reduction and tax reduction.
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> We come now to the other principal factor in debt reduction, that of surplus, which has accounted to date for over one-third of the reduction in our debt. It is proposed to exhaust this surplus by reducing taxes. This is sound policy. A surplus of Government receipts over expenditures should be distributed just as the profits of any other mutual organization are distributed, among its members—the taxpayers—through a reduction in their forced contributions to the State.

Mr. REED of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from West Virginia [Mr. ELLIS].

Mr. ELLIS. Mr. Chairman, this bill has been discussed 2 days by the best informed men in the Congress on the subject of taxation.

There is no mystery about its provisions; there is no doubt about its import. Consequently, my chief purpose in making this brief statement is to lend my unqualified and enthusiastic endorsement to the tax-reduction measure and to let the people in my district know that I am in complete accord with the leadership of my party in its determination to reduce taxes; reduce the budget; terminate waste and useless spending in Government, and make a substantial payment on the national debt. This is the first step on the road to the accomplishment of our objective.

This is a good bill and it will be a refreshing experience for the hard-pressed taxpayers of this Nation to observe that common sense and stability are again, in a large measure, dominating the consideration of fiscal problems by the Congress.

One of the basic principles woven by our forefathers into our form of government is the sacredness of private property.

The growth of the tax burden on our people has reached the punitive and confiscatory stage. The over-all annual tax burden of the country—Federal, State, and local governments—has grown from $10,500,000,000 in 1933 to the staggering sum of $105,000,000,000 in 1945.

This record is shocking and indefensible. The people demand tax relief and they are going to get it. This is the first step. We lighten the burden by approximately $4,000,000,000 and as far as the majority party is concerned, taxes are going to be reduced again, again, and again until the opposition is sick and tired of the battle and surrenders to the ideals of sanity and intelligent direction in Government.

I am happy to have the opportunity afforded me in supporting this bill to reduce the taxes of our people.

Mr. REED of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. CHURCH].

Mr. CHURCH. Mr. Chairman, it is not my purpose to discuss the details of the bill before us, providing for a reduction of the individual income taxes of our people. The details have been ably presented by the members of the Committee on Ways and Means which reported the bill. I take this time to express, in behalf of the people I am privileged to represent, my full support of this legislation and to make a few general observations concerning it. I particularly desire to comment on the arguments that have been advanced by our Democratic friends on the other side of the aisle in their vigorous opposition to this bill.

The report filed by the minority members of the Ways and Means Committee, recommending recommitment of the bill to the committee, contains some rather startling statements in the light of record. In my opinion, the report is nothing more than a political document, in which the minority advocate principles which they in fact never support. Deeds, not words, is the test, and I do not think the people will be deceived by the rhetoric when the minority's voting record speaks so loudly.

In opposing this bill the minority have placed great stress on the relationship between expenditures and revenue. They say, and quite correctly, that in order to have a reduction in taxes there must be a reduction in Government expenditures. They say, and I quote from their report:

> The minority shares the conviction that every possible economy must be made in Federal expenditures.

The fact is, Mr. Chairman, that the gentlemen on the other side of the aisle have consistently opposed every effort we have made for reducing Government expenditures. When we had before this House from the Joint Committee on the Legislative Budget, on which I have the honor to serve, the resolution to fix the ceiling on expenditures at $31.5 billion, representing a reduction of $6,000,000,000 in the President's recommended budget, the minority argued that we should delay fixing any ceiling and, failing in that, they argued that the reduction should be at the very most not more than $4,000,000,000.

We have had three appropriation bills before this House: the Urgent Deficiencies bill, the Treasury and Post Office Departments bill, and the Labor Department-Federal Security Agency bill. In each of these bills the Committee on Appropriations, on which I serve, made substantial reductions in the budgets. And the House supported our committee. But, as the record clearly shows, both in committee and on this floor, the gentlemen on the other side of the aisle opposed practically every proposed appropriation reduction. They offered amendment after amendment, and de-

livered speech after speech, in an effort to restore our reductions.

The minority may say in their report that they share the conviction that every possible economy must be made; but, Mr. Chairman, I have yet to see that conviction expressed in votes, in committee or on this floor, for realizing economy. The record speaks for itself. It loudly proclaims that the gentlemen on the other side of the aisle believe in the doctrine of spending and taxing. They have opposed economy and today they are opposing reducing taxes. They created this great public debt and they created this existing tax burden. Spend and spend; tax and tax, is their true philosophy.

The second argument advanced by the minority in opposition to this bill is that no tax reduction should be made until a comprehensive study of the entire Federal tax system has been made, and they emphasize the "important structural, administrative, and procedural tax problems" that have accumulated. As to the need of a general overhauling of our entire tax structure, I am in complete agreement. On any number of occasions since I have been a Member of Congress, I have contended that there should be a general revision of our taxes. It seems to me rather strange that our Democratic friends, who have had complete control of this Government for 14 years and who have had a majority in Congress for 16 years, should now come forward with the argument for the need for a revision in our entire tax structure. Mr. Chairman, it is what we would characterize in the law as a "dilatory plea." How else can one characterize it, when those who make the plea have had at least 14 years to do the very thing they now plead we should do before we do anything else.

Mr. Chairman, the bill before us provides for a flat 20-percent reduction for most income-tax brackets, with two exceptions. A 30-percent reduction has been provided for individuals with surtax net income of $1,000 or less; and with respect to surtax net incomes over $302,000 the reduction has been limited to 10½ percent. This means that the committee has accepted the graduated rate schedule based on the principle of the ability to pay and has endeavored to treat all taxpayers fairly. And, most important, the committee proposes to provide a reduction in taxes so as to stimulate venture capital and furnish incentives.

I should like to call your attention to the report of the Committee on Postwar Tax Policy, under the chairmanship of Roswell Magill, published in February of this year, entitled "A Tax Program for a Solvent America." At pages 80 and 81 of this report you will find the following, which, in effect, is an endorsement of the bill before us:

> One step which we believe can and should be taken now is a revision of the surtax rates. These rates still stand very close to the peak established under the stress of war financing. Indeed, short of complete confiscation, they could not be much higher. We believe that they are so high as to provide a powerful deterrent to our productive effort. In fact, we are convinced that the effects of the kind of taxation which is now imposed upon individual income extend far beyond the individuals immediately concerned and involve the incomes and well-being of people generally.
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> Every citizen has a vital stake in the welfare of the economy in which he lives and works. Regardless of what he does or what his own income may be, he will be better off with respect to both cash income and real income in proportion as there is vigor and growth throughout the economic system. The essential condition of this vigor and growth is a reduction of the tax load, not merely for small incomes, but for all incomes.

Mr. Chairman, it is difficult to translate into tax rates the principle of "taxation according to the ability to pay"; but, insofar as it is possible to do so, I believe we should adhere to that principle. I believe in progressive taxation. But that progression can be such that it completely destroys individual initiative and incentive. The rates can be so severe, as they are today, that one is not willing to make that extra effort and to assume that extra risk which contribute to our national growth and well-being. It is my conviction that with the reduction in the rates as proposed in this bill, people will again be willing to risk investing in new ventures and willing to exert new efforts, and our whole national economy will move forward. It is when our economy expands that our people as a whole have employment and better wages in terms of purchasing power.

For the past several years, our country has been in the hands of those who believe that America really has no future. They could see no new frontiers to be conquered and they have kept us in a static condition. On this side of the aisle we believe that America has a great future, that there are new frontiers to be conquered, and by such legislation as this we propose to attain an economy of abundance. We propose to revive the American spirit of free competitive enterprise.

Mr. Chairman, this bill should have the support of everyone who believes in the importance of the individual in the American philosophy of government, as opposed to the alien philosophy that dignifies the Government rather than the individual. This bill is a return to the American principle that each man is entitled to a just share in the fruits of his labors.

Mr. REED of New York. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. GEARHART].

Mr. GEARHART. Mr. Chairman, I did not intend to take the floor in support of the bill under consideration, but after listening to the addresses of the gentlemen who have been lightly described as composing a mythical firm of DINGELL, ENGEL, and GORE, I believe that I should say something about another tax-reduction bill that was before the House not so long ago as time is measured. It was in the good old New Deal year of 1945 that that measure was before us.

Because of what the genial gentlemen who have been described collectively as DINGELL, ENGEL, and GORE had to say about the gross inadequacy of the relief granted by H. R. 1 to those in the lowest bracket, the ones whose net taxable income does not exceed $1,395, it occurred to me that a comparison of the relief granted to this bottom group under the Democratic tax-reduction program of 1945 with that which the Knutson bill of 1947 would afford would be helpful—illuminating, to say the least.

So I asked the one who is, in my opinion, the greatest living tax expert, Mr. Colon F. Stam, chief of staff of the Joint Congressional Committee on Internal Revenue Taxation, to apportion the tax relief, as afforded by the Democratic tax-reduction act of 1945, among the taxpayers as they fall within the classifications set up by the Knutson bill and to fix the percentages of the total relief granted to each group.

The result of these calculations was impressive, very much so in the light of the somewhat explosive protests of the gentlemen of Michigan [Mr. DINGELL and Mr. ENGEL] and the gentleman from Tennessee [Mr. GORE] against the pending bill.

Under the Democratic Tax Reduction Act of 1945, those within the $1,395 bracket, were given 27.2 percent of the total relief granted by the act. Under the Knutson bill, taxpayers within this classification will get 33.6 percent of all of the relief which H. R. 1 will afford.

Under the Democratic Tax Reduction Act of 1945, the taxpayers within the middle bracket, that is, those with net taxable incomes of from $1,395 to $302,000, got 72.4 percent of the total tax reduction granted. Under the Knutson bill, the taxpayer will get but 65.2 of the total relief which H. R. 1 will afford.

Under the Democratic tax reduction program of 1945, the taxpayers of the top bracket, those who have net taxable incomes of more than $302,000, were given four-tenths of 1 percent of the total relief granted, but six-tenths of 1 percent less than the Knutson bill will grant to these more fortunate individuals.

But where does this comparison leave the distinguished members of the firm of DINGELL, ENGEL, and GORE? Why do they protest so vigorously against the Republican tax-reduction bill that deals so much more considerately with the group in the lowest bracket than did the Democratic Tax Reduction Act of 1945? And why were they so silent when the then Democratic majority was dealing so niggardly with those who were on the bottom rung of the tax ladder?

Just why is a Republican tax reduction bill so bitterly excoriated when a Democratic tax reduction bill which is far less considerate of the little fellows, escapes even the mildest of criticism? And that seems to describe exactly what has happened.

Why did we not hear the golden voice of the gentleman from Tennessee [Mr. GORE] in an impassioned plea for the downtrodden taxpayers in this lowest bracket in 1945? Why was not the eloquent voice of the gentleman from Michigan [Mr. DINGELL] raised for a better break for those that compose this less fortunate group? Where was the gentleman from Michigan [Mr. ENGEL] when the New Dealers of that day were doing dirt to those over whom his tears are now falling?

Mr. Chairman, is it possible that anyone could be playing politics with this tax reduction measure, seeking to make political capital of a just and equitable program? Certainly not these genial

gentlemen to whom we have affectionately referred so many times under the euphonious designate of DINGELL, ENGEL, and GORE.

But all this notwithstanding, permit me, Mr. Chairman, to conclude my remarks by spreading upon the pages of the CONGESSIONAL RECORD the calculations of the chief of staff of the Joint Committee on Revenue Taxation to which I have so frequently referred. They are, in tabulated form, the following:

Surtax net income class	Number of people benefited	Their tax saving under—		Percentage of total reduction	
		H. R. 1	1945 act	H. R. 1	1945 act
		Millions	*Millions*	*Percent*	*Percent*
$1 to $1,395	31,151,559	$1,242	$1,180	33.6	27.2
$1,395 to $302,000	15,531,673	2,411	3,150	65.2	72.4
$302,000 and over	567	43	20	1.2	.4
Total	46,683,799	3,697	4,350	100.0	100.0

Mr. REED of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. BUCK].

Mr. BUCK. Mr. Chairman, during the course of this debate everything appropriate to the bill has already been said. I therefore content myself with saying that I shall support the bill enthusiastically.

Mr. REED of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, "The power to tax is the power to destroy." The highest court in the land rendered that decision during the early history of our country. Never before has the truth of that statement been more apparent than today.

Government is now reaching into the pockets of our people and taking out one-third of all they earn or make. Can any government long endure under such a burden? Republicans told the people in the last campaign that they would reduce taxes, the cost of Government, retire the national debt, and stop wasteful spending of public funds. The people registered their faith in such promises. This bill, H. R. 1, proposes to carry out that promise by reducing the income taxes of every taxpayer in the United States. It has my unqualified support.

Free enterprise has been dying in our country. Venture capital is vanishing from the American plan of life. Incentive to work, save, and expand has been killed by excessive taxation. To buy and sell, barter and trade, have been restricted and retarded by the ever-present threat of confiscatory taxes.

This condition must be corrected, and the bill before us is intended to do that.

The workingman and all our people in the lower-income brackets, including those who earn or receive incomes up to $3,300, are given the greatest relief. That is as it should be. That relief under this bill is a 30-percent reduction in their taxes. It will apply to 25,000,000 of our people who pay income taxes. All others generally will be benefited by a 20-percent reduction up to $300,000. Above that amount, 10½-percent reduction is allowed.

The passage of this bill will revive hope and encourage our people to go forward again to a better day for America. It will stimulate greater effort in the domestic affairs of the Nation. This will result in an increase of revenue, as many precedents have shown. Australia, New York, and Iowa have reduced wartime taxes and received increased income. I predict a similar result for the Federal Government, which will reduce the national debt.

The fallacious theory that we can spend ourselves into prosperity has come to an end. Tax slavery shall be abolished as human slavery was abolished. With the passage of this measure, people will no longer be able to say, "What is the use of working or trying to make money while the tax collector takes the most of it?"

This legislation means a larger take-home pay envelope for the average wage earner to support himself and his family. It does away with wartime taxes in peacetime. We move in the direction of strengthening our economic structure. Without a solvent and strong America, we cannot meet our obligations to those who fought the Nation's battles, nor can we maintain a position of world leadership at a time when freedom-loving nations everywhere look to us for light in a darkened world.

I shall keep faith with the people of my district, for whom I speak, by keeping my pledge to reduce their tax burden by voting for this bill.

Mr. REED of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. MCGREGOR].

Mr. McGREGOR. Mr. Chairman, I am going to vote for H. R. 1, a bill to reduce taxes, because I think it gives aid to every man, women, and child in these United States. I think it is about time we gave more consideration to our own people. This bill, H. R. 1, will do two things:

First. It will give income-tax relief for all individual taxpayers.

Second. It will give an incentive to venture capital and allow business expansion which means more work and more income for all.

This bill, Mr. Chairman, also gives special recognition and exemptions to taxpayers who have attained the age of 65. I have been especially concerned about this group. Many of them, including retired groups, such as retired school teachers, policemen, municipal workers, and others who have retired from private industry, have as their sole source of livelihood, the small amount which they receive as a pension, annuity, or retirement pay. H. R. 1 allows each taxpayer in this age group, an additional exemption of $500, making a total personal exemption of $1,000.

This bill, H. R. 1, is equitable and fair. The people want relief from high taxes and high living costs. This is not a political measure. Politics should be forgotten and we should all vote for this bill and give to the people the aid and relief which they so justly deserve.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS. Mr. Chairman, I have given a great deal of care and study to the provisions of this bill. There are numerous provisions which I would much prefer changing. Suggestions have been made for more relief to the small taxpayer than the provisions of the bill give. Other suggestions have been made for a better handling of this problem.

This is, however, the only bill presented to us for vote. I believe the time has come for a reduction in taxes. The burden borne by the American people during the war in carrying extremely heavy taxes in time of peace becomes truly oppressive. Some reduction should be made, and tests to be applied in the reduction should be based on the ability to pay.

I have repeatedly told my people at home that tax reduction and debt reduction should go hand in hand. It is imperative that our debt be reduced in an orderly and businesslike manner. I hope this Congress will take up this problem at an early date and will make suitable provisions for annual debt retirements. Without some tax reduction, our people may lapse into a condition where they will feel the burden is too much to carry in normal times.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Chairman, I am opposed to H. R. 1 because it does not give tax relief where relief is badly needed. In this age of rising and inflationary prices individuals in the lower-income brackets are finding it increasingly difficult to make ends meet. H. R. 1 does not furnish the solution. To the married man making $100 per month the total relief will amount to only 22 cents a week. The taxpayer making $300,000 per year will save about $47,000 in taxes. In my opinion, the simplest and surest way of granting relief where relief is sorely needed is by increasing the personal exemptions of individual taxpayers.

I am also opposed to H. R. 1 because it will shift the burden of paying for the war from the shoulders of those most able to pay to those in the lower- and middle-income brackets.

I further oppose this bill because I think we should balance our budget and

pay our national debt while our income is high. In 1946 our national income reached an all-time peak. This is no time to cut taxes in the higher brackets.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I rise in opposition to this bill—not so much from a standpoint of opposing the reduction of taxes—but primarily because this bill is a tool of the autocratic Republican Party which has never regarded the needs of the little man. If they must reduce taxes, certainly first relief should be given to the poor devil who must scrape the bottom of his dusty pockets in order to pay the exorbitant prices for his cornbread, peas, and turnip greens which have resulted from the application of Republican "economy." There is no justice in this bill; it relieves none but those who need relief least; it does not relieve the man who needs relief most, and is but a smoke screen thrown up to protect wild, promiscuous political promises made by Republicans in the North and East and West in their desperate grab for power. If taxes must be reduced, the only fair way to do so would be by raising exemptions and not by any spurious across the board plan.

Mr. REED of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Chairman, I do not like to disagree with my good friend, the able gentleman from North Carolina [Mr. BONNER]. Yet, I cannot permit to remain unanswered the statements he made here Tuesday regarding the appropriation for the Coast Guard in the Treasury-Post Office appropriation bill recently passed by the House unanimously. I understand his anxiety for he has long been a friend of the Guard even as I have. All of us salute this service on its enviable record, its contribution to victory in war. All of us know it has a big peacetime job.

When the Treasury bill was before the House I made the statement that—

> The Coast Guard is attempting to build itself up into a full and complete replacement for the independent Navy.

I repeat that statement today. My colleague takes exception to this. May I point out to him and the House that the record speaks for itself. This year the Coast Guard originally requested $232,000,000. Now, please listen. In 1935 the total appropriations for the Navy Department amounted to $284,658,000. The Navy Department appropriations for the years 1930 through 1935 averaged $335,000,000. Thus, it is established, the Coast Guard this year asked for an amount equal to 70 percent of the Navy's average appropriation for these prewar years. And the Chief of the Coast Guard Planning Section told our committee in this year's hearings that 1948 would be a base year with increased appropriations requested in the years to come.

The gentleman from North Carolina goes on to say that the committee failed to give any evidence of "the waste, the extravagance, and the grandiose schemes" of the Coast Guard. I am afraid he has not made a study of the printed hearings, the report accompanying the bill, and the speeches on the floor. And certainly he minimizes the slashing of the guard's 1948 requests by the Treasury and the Bureau of the Budget. I will not take time to repeat all the evidence. Concrete examples were given the House by the hard-working gentleman from North Dakota [Mr. ROBERTSON] on page 1878 of the CONGRESSIONAL RECORD; by the alert gentleman from Ohio [Mr. GRIFFITHS] on pages 1883 and 1884 of the RECORD; and my own statement which appears on page 1875. You will also find on page 1880 the statement by the diligent gentleman from Virginia [Mr. GARY]:

> The facts are that the Coast Guard has expanded considerably during the war. The committee felt that the time has come when we should begin to eliminate some of the wartime activities.

I might also refer you to page 1884 of the RECORD wherein the gentleman from Ohio [Mr. GRIFFITHS] called for a consolidation of training programs. The gentleman from North Carolina [Mr. BONNER] arose to say, "I agree with the gentleman." That there was waste, extravagance, and overexpansion is amply borne out by the testimony on pages 570 through 731 of the printed hearings.

I must take sharp exception to my colleague's statement that there is no evidence to show that when forced to reduce personnel the Coast Guard retains admirals and dismisses enlisted personnel. One answer might be this, "Just ask the enlisted personnel." I ask the House to review page 587 of the hearings. Please note also that after World War I, the percentage of officers to men increased. Captain Richmond proceeds to tell us:

> In 1932, during the depression years, the officers were way out of line because, of course, we were forced to reduce drastically. We did that by letting men out of the service.

If my colleague still feels that those in charge of the Coast Guard have not been off the beam and that our committee has been unjust, let me ask him to read carefully the report that accompanied the 1947 appropriation bill for the Coast Guard, a report submitted by the distinguished gentleman from Indiana [Mr. LUDLOW], whom none has ever accused of vilification or improprieties of any kind.

The so-called Ludlow committee last year, disturbed over the Coast Guard's presentation, directed an investigator to go to the Guard's headquarters and make a check-up. As a result the committee, in its report, had the following to say on two phases—administration and the truth:

> The committee's study of this item leads to the conclusion that the offices charged with responsibility for over-all management of the headquarters organization are not sufficiently familiar with details of administration and that there is not the measure of control over such matters as should obtain. The committee shall expect this situation to be corrected in the near future and that it will not again be confronted with testimony which varies from the real situation.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may require to the gentleman from Texas [Mr. WORLEY].

Mr. WORLEY. Mr. Chairman, I take this time for the purpose of keeping the record straight. The gentleman from New York [Mr. REED] has stated that the recommendations of the House Postwar Committee on Economic Policy and Planning advocated tax reduction. He is correct in that statement but he inadvertently left out the major recommendation of that committee, namely, that first, the budget should be balanced and a surplus created before any substantial tax reduction was made.

As the gentleman from New York pointed out also, there were a number of able and outstanding members on that committee, including the following members of the Republican Party: Mr. Charles L. Gifford, of Massachusetts; B. Carroll Reece, of Tennessee, who is now chairman of the Republican National Committee; Richard J. Welch, of California; Charles A. Wolverton, of New Jersey; Clifford R. Hope, of Kansas; Jesse P. Wolcott, of Michigan; Jay LeFevre, of New York, and Sid Simpson, of Illinois.

As I recall, the vote on this report of the committee was unanimous, and as a matter of fact, I have never served on a committee in which less politics or partisanship was present. We did not consider any of these problems from the standpoint of anything except what was for the best interests of this Nation's welfare.

Referring further to the report, I quote from page 66:

> In its ninth report, issued March 4, 1946, the committee called attention to the inflationary forces existing in the economy and stated that it was convinced that effective control over these forces was impossible without strong fiscal and monetary countermeasures. Among the measures which it stated should be adopted were curtailment of Federal expenditures, balancing the budget in the fiscal year 1947, and in the following year creating a surplus to be applied to the retirement of the public debt.

Further along on the same page is the following excerpt:

> All those who have studied fiscal policies of the Federal Government, however much they differ on other views, agree that during a period of high employment and income there should be a surplus in Federal revenues to apply toward reduction of the debt. It forebodes danger for the future if we cannot under these very favorable conditions handle the fiscal affairs of the Government in such a way that the budget can be balanced. The committee strongly urges that additional efforts be made to reduce expenditures during the remainder of the fiscal year so that the budget can be brought into balance and a surplus created.

The committee took the same realistic attitude of Government fiscal policy as

an individual takes in managing his own financial matters, namely, that you can never get out of debt unless you begin paying and you cannot begin paying if you do not have the money. Further on, this doctrine is more concisely stated on page 70 in the following excerpts:

> The committee still feels that under the present economic conditions the prime concern should be the balancing of the budget and the creation of a surplus in order to reduce inflationary forces.

And the concluding quotation reads as follows:

> The issue should be faced squarely and realistically by the Eightieth Congress. If the budget cannot be balanced now when the Nation is enjoying its highest peacetime income, it is absurd to contend that it can be balanced in an era of recession or depression.

The committee quite logically placed the major emphasis on trimming Government spending, balancing the budget, making substantial payments on our national debt while we have the money, and reducing taxes as soon as sound business judgment and a strong fiscal policy will permit.

Mr. DOUGHTON. Mr. Chairman, I yield the balance of the time remaining to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Chairman, I have enjoyed this debate—and I have heard most of it. The majority of it has been on the bill, which I was glad to see. It has been a very informative debate. Yesterday I felt a little sorry for my friends on my left and was glad when the time for debate was extended. I said yesterday that, of course, our people could attend to this matter in 3 hours, but I thought that it would take at least 5 hours for our Republican friends to even begin to justify the actions that the Committee on Ways and Means took and that the House in a short while will take.

I have always thought from way back that the Republican Party at least said it stood for a 100-cent dollar, for sound currency, for a balanced budget, and for paying our debt when we had prospects of having the money to do it. I have talked to a great many people, big and little—big incomes and little incomes—since the first of the year. I have yet to find one who did not tell me he thought the most vital thing in the Government was to protect the value of our dollar and pay something on our debt while we had the means of paying. That may not be the situation 3 or 4 or 5 years from now—who knows?

Someone spoke about risk capital. In these times is there any impeding of risk capital when capital is being used to such an extent that everybody in the United States who wants to work is employed? The thing that is going to bother capital and anyone who has a dollar in the years to come is what that dollar is worth when he goes to the store to buy something. We must, in my opinion, we must pay as much as possible upon our national debt in this most prosperous time that we have ever known. I say if you take $3,800,000,000 from the Treasury receipts and there are others who say that your bill would reduce revenues by $5,700,000,000, I do not see how you are going to sustain the Government and pay anything on the public debt.

I think this is an untimely thing. I think the gentleman from Illinois [Mr. MASON], stated the problem very clearly when he asked two questions: one, is this the time to reduce taxes; and, two, is this the way in which to reduce taxes?

My answer to the first question is that this is not the time. We do not have enough information. We do not know what our ultimate commitments are going to be because nobody can tell what the appropriations are going to amount to. We cannot even make a wild guess. Of course, you can guess $6,000,000,000—you can guess $4,000,000,000 or $3,000,000,000 or $2,000,000,000. But just a little political advice to you. You would have been in so much better shape before the country about reducing expenditures if you had said you were going to cut to the bone and every dollar that was possible. Then you might have reduced the President's budget by a billion and a half or two billion. Two billion dollars is still a lot of money, even in the United States of America. You would have gotten credit for that. But now, since you have said you can reduce it $6,000,000,000, and you reduce it only a billion and a half or two billion, you are going to have great disappointment in this country. The people who are spending money for things to eat and wear are interested in what their dollar is worth. They do not want a 59-cent dollar. They want a dollar that is worth a hundred cents when it comes out of their pocket and goes over the counter, or as near that as possible. So in order to have that sound economy that our friends on the left have talked so much about and are doing so little about now; in other words, instead of making that dollar sounder, in my opinion, by your action here today you are making it less sound, because you are going to deplete the money in the Treasury so much that you cannot make a sounder dollar by paying on our Federal obligations. I thought before this debate closed I would just call these two or three little things, in all sincerity, to your attention.

Mr. REED of New York. Mr. Chairman, at this point I wish to say that the party on the other side gave us the 59-cent dollars. They gave us the national debt. They gave us the inflationary measures. They gave us the spending program. It is rather unusual to see them take the floor now and shed tears about the future of this Republic. The Republican Party never sought to overthrow this Republic. It did have to spend a great many lives to save this Republic. This party does not believe in the question of slavery. It never did. We are not going to make tax slaves out of the people. We are going to lift this load and we are going to do what we have done before. We are going to relieve this country from the peril which the other party has brought upon the country. We are going to relieve people of that fear, and from now on we are going to have prosperity; we are going to have debt reduction and we are going to have tax reduction. I am sure that these people are not so worried about what is going to happen to our party as a result of this bill. They are not shedding tears over that. It will not change a vote for them to stand there and weep over what may happen to the Republicans because they vote for this bill.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Missouri.

Mr. SHORT. We have always had a 50–50 agreement with our Democratic friends about debts. They make them and we pay them.

Mr. REED of New York. I thank the gentleman.

The CHAIRMAN. The gentleman has consumed 2 minutes.

Mr. REED of New York. Mr. Chairman, I yield the remainder of my time to the gentleman from Indiana [Mr. HALLECK].

The CHAIRMAN. The gentleman from Indiana is recognized for 15½ minutes.

Mr. HALLECK. Mr. Chairman, of course we always enjoy listening to the gentleman from Texas, the very eminent minority leader [Mr. RAYBURN]. I had not thought that I would participate in this debate, because I think the views of those on our side have been pretty well established by members of the committee and others who have debated this very momentous proposition. However, in view of some things that have been said, I feel constrained to respond.

I am not so sure but that the gentleman from Texas really would prefer that instead of going ahead with a tax reduction now—a tax reduction that is needed, badly needed for the welfare of the country—he would like to have us forego it so that sometime, possibly quite soon in the future, he and his people might say: We propose tax reductions. And thus undertake by that procedure to establish some credit in the country for themselves for having brought about a tax reduction.

I have been a little amused at the difficulties of some of the folks on the other side of the aisle. They do not know whether to be for tax reduction or against tax reduction. It is quite evident and I think it ought to be understood in the country, that fundamentally and primarily they are against tax reduction. True, they may say that they are for tax reduction but we should not have it now, which really is to say they are not for tax reduction at all. I think it has been quite definitely established that now is the time for tax reduction.

Some of you have contended that more of the tax reduction should go to the so-called little fellow. But in your professed solicitude for the little fellow, let me remind you that you have to have some tax reduction before you can help anybody. If you are not for any tax reduction at all, which you have indi-

cated to be your position, certainly you are not for helping the little fellow.

The proposal before us today recognizes the problems of the low-income groups by the added benefit that is given that group. There is this additional factor in this whole proposition which you ignore: The man who works for a salary wants and needs some tax reduction to help him, but beyond that he needs to have a job to realize income out of which he can pay taxes. He must first have a job at good wages. And it is only a strong, functioning, productive economy that will give him the sort of job at good pay out of which he can and will gladly pay taxes.

Reference has been made to the question of the value of the dollar. We, of course, stand for a sound dollar. As the gentleman from New York pointed out, among other things that have happened the reduction in the value of the dollar cannot be laid at our door. That will be laid at the door of you people on the other side of the aisle. However, that is water over the dam.

What are we now facing? We face a situation under which I think we must all recognize that the value of the dollar can be maintained only by the maintenance of a strong, functioning, productive economy. Certainly tax relief is now necessary if such a functioning economy is to be maintained in the country.

Some argue that debt reduction should precede tax reduction. In keeping with our program to give new life and vigor to our economy, we are going to have tax reduction and we are also going to have debt reduction. But let us pursue the argument of those who say that debt reduction is the only thing to be achieved, and the suggestion of the gentleman from Texas that everything that might be saved should be applied on the debt, that we ought to tax and tax to get more money to apply on the debt. If you followed that theory to the end, then you would raise tax rates to take more out of the economy to pay on the debt. That could be pursued to the point where we would be killing the goose that lays the golden egg. That suggestion, of course, has not been made now, but if these tax rates are too high, as they now are, then we are in the process of stymieing and hamstringing our economy. Our economy would be doomed to a static condition. Certainly that is not the way, in the long run, to pay the debt.

Let me point this out to those of you who contend these rates should be maintained as they are now: We have changed from a wartime economy to a peacetime economy. If these rates are not too high today in a peacetime economy, then you did not have them high enough in the wartime economy. During the war billions and billions of borrowed dollars were being pumped into our economic bloodstream. It was our responsibility and your responsibility as the majority party to take the maximum out of the revenues and income of the country in order that we come as closely as possible to a position of pay-as-you-go in the war.

Why, for any one to contend that this country can go on with this schedule of wartime tax rates and at the same time provide a highly effective functioning peacetime economy to my mind fail to recognize the very essentials of our whole economy.

Mr. Chairman, we voted for a reduction of $6,000,000,000 in the President's budget. The other body voted for a reduction of $4,500,000,000. I have seen it suggested that the minimum figure being considered in the conference is $5,250,000,000 as a reduction. In addition to that, it has been pointed out that the estimate of revenues is too low and there is every indication that the revenues will be over the estimate. Certainly that clearly points to the truth of the assertion that this tax relief so badly needed, so sorely needed by all of our people, can be accomplished to the end that we do maintain a strong, effective, productive economy and, at the same time, begin paying off on the national debt. That is the way, I may say to the gentleman from Texas, that we will maintain the value of the dollar, and it is the only way I know of to maintain the value of the dollar.

So, Mr. Chairman, we are going to pass this bill. I know that it does not suit the PAC and some of the folks who stand with the PAC; but, you know, they are not writing this tax bill.

Some solicitude has been expressed on the Democratic side for the political consequences to us Republicans by our passage of this legislation. Possibly I am a little old-fashioned, but I have always thought that the best politics is to do right. That is what we are doing here and history will prove it. Sometimes we have got to look out a little for this very fine advice that is offered us. I have said for a long time that if I believed something were right, that something was in the national interest, I would support it without regard to its political effect upon my party or the political future of my party. I have sought in my time in the Congress to follow that precept. I am following it today. And I have no fear, because I think that on this as on many other occasions it will be established that we are right.

Mr. Chairman, I can discern in this solicitude shown on the other side of the aisle for our political chances some sort of an indication that what you are really afraid of is that we are doing the right thing, that we are going to cut the cost of Government, that we are going to respond in that way to the heart's desire of the American people, that we are going to give them a tax reduction they so badly need, that we are going to start paying off the debt in order to maintain the value of the dollar; and that out of it all will come a happier, a more prosperous America, and that we will get the credit for it.

You have sought to dissuade us from a right and correct course, and that you have not been able to do so will soon be quite apparent.

Now, if you want to vote against this bill, if you want to take the position that you are not for tax reduction for the little fellow, or anybody else, you just go ahead and vote that way and try to explain it. I think we know what we are doing. I know that we know what we are doing. I think if the truth were known a lot of you gentlemen on the other side of the aisle—and you are all my good friends; it is a pleasure to cooperate with you and to listen to what you have to say—but I think, if the truth were known and down deep in your hearts you could resolve this question the way you would like to, you would take this tax bill and vote for it. But because it is brought out here by the Republican Party you are having a little trouble following that course. But you may live long enough to see the error of your ways, and when you repent come around and tell us about it, and we will be glad to listen to you.

The CHAIRMAN. The time of the gentleman from Indiana has expired. All time has expired. Under the rule, the bill is considered as read. The Clerk will report the committee amendment.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Individual Income Tax Reduction Act of 1947."

SEC. 2. Reduction in Normal Tax and Surtax on Individuals.

(a) Reduction in normal tax on individuals: Section 11 of the Internal Revenue Code (relating to the normal tax on individuals) is hereby amended by striking out "5 percent" and inserting in lieu thereof "24 percent," and by adding at the end of such section a new sentence to read as follows: "If aggregate of tentative normal tax and tentative surtax is not more than $279.17, see section 12 (i), and if more than $250,000, see section 12 (g)."

(b) Reduction in surtax on individuals: Section 12 (b) of the Internal Revenue Code (relating to the rate of surtax on individuals) is hereby amended by striking out "5 percent" and inserting in lieu thereof "24 percent."

(c) Tentative tax more than $250,000: Section 12 (g) of the Internal Revenue Code (relating to tax on large incomes) is hereby amended to read as follows:

"(g) Tentative tax more than $250,000: If the aggregate of the tentative normal tax under section 11 and the tentative surtax under subsection (b) of this section is more than $250,000, the combined normal tax and surtax shall not be less than such aggregate reduced by the sum of (1) 24 percent of the first $250,000 thereof plus (2) 15 percent of the amount thereof in excess of $250,000, but in no event shall the combined normal tax and surtax exceed 76½ percent of the net income of the taxpayer for the taxable year. In the application of this subsection, the combined normal tax and surtax shall be computed without regard to the credits provided in sections 31, 32, and 35."

(d) Tentative tax not more than $279.17: Section 12 of the Internal Revenue Code is hereby amended by adding at the end thereof a new subsection to read as follows:

"(i) Tentative tax not more than $279.17:

"(1) If the aggregate of the tentative normal tax under section 11 and the tentative surtax under subsection (b) of this section is not more than $200, the combined normal tax and surtax shall not be greater than such aggregate reduced by 33⅓ percent thereof.

"(2) If the aggregate of the tentative normal tax under section 11 and the tentative surtax under subsection (b) of this section is more than $200 but not more than $279.17, the combined normal tax and surtax shall

not be greater than such aggregate reduced by $67.

"(3) In the application of this subsection, the combined normal tax and a surtax shall be computed without regard to the credits provided in sections 31, 32, and 35."

(e) Taxable years to which applicable: The amendments made by this section shall be applicable to taxable years beginning after December 31, 1946. For treatment of taxable years beginning in 1946 and ending in 1947, see section 6.

SEC. 3. Individuals With Adjusted Gross Incomes of Less Than $5,000.

(a) In general: The tax table in section 400 of the Internal Revenue Code (relating to optional tax on individuals with adjusted gross incomes of less than $5,000) is hereby amended to read as follows:

"Individuals with adjusted gross income of less than $5,000—

If adjusted gross income is—		And the number of exemptions is—					If adjusted gross income is—		And the number of exemptions is—								
At least	But less than	1	2	3	4	5 or more	At least	But less than	1	2	3	4	5	6	7	8	9 or more
		The tax shall be—							The tax shall be—								
$0	$550	$0	$0	$0	$0	$0	$2,275	$2,300	$237	$145	$74	$8	$0	$0	$0	$0	$0
550	575	1	0	0	0	0	2,300	2,325	240	149	77	11	0	0	0	0	0
575	600	4	0	0	0	0	2,325	2,350	244	154	80	14	0	0	0	0	0
600	625	7	0	0	0	0	2,350	2,375	247	158	83	17	0	0	0	0	0
625	650	10	0	0	0	0	2,375	2,400	251	163	86	20	0	0	0	0	0
650	675	13	0	0	0	0	2,400	2,425	254	167	89	23	0	0	0	0	0
675	700	16	0	0	0	0	2,425	2,450	257	172	92	26	0	0	0	0	0
700	725	19	0	0	0	0	2,450	2,475	261	176	95	29	0	0	0	0	0
725	750	22	0	0	0	0	2,475	2,500	264	181	98	32	0	0	0	0	0
750	775	25	0	0	0	0	2,500	2,525	268	185	101	35	0	0	0	0	0
775	800	28	0	0	0	0	2,525	2,550	271	190	104	38	0	0	0	0	0
800	825	31	0	0	0	0	2,550	2,575	275	194	107	41	0	0	0	0	0
825	850	34	0	0	0	0	2,575	2,600	278	199	110	44	0	0	0	0	0
850	875	37	0	0	0	0	2,600	2,625	281	203	113	47	0	0	0	0	0
875	900	40	0	0	0	0	2,625	2,650	285	208	116	50	0	0	0	0	0
900	925	43	0	0	0	0	2,650	2,675	288	212	119	53	0	0	0	0	0
925	950	46	0	0	0	0	2,675	2,700	292	216	122	56	0	0	0	0	0
950	975	49	0	0	0	0	2,700	2,725	295	219	125	59	0	0	0	0	0
975	1,000	52	0	0	0	0	2,725	2,750	298	222	128	62	0	0	0	0	0
1,000	1,025	55	0	0	0	0	2,750	2,775	302	226	131	65	0	0	0	0	0
1,025	1,050	58	0	0	0	0	2,775	2,800	305	229	135	68	1	0	0	0	0
1,050	1,075	61	0	0	0	0	2,800	2,825	309	233	139	71	4	0	0	0	0
1,075	1,100	64	0	0	0	0	2,825	2,850	313	236	144	74	7	0	0	0	0
1,100	1,125	67	0	0	0	0	2,850	2,875	317	240	148	77	10	0	0	0	0
1,125	1,150	70	3	0	0	0	2,875	2,900	321	243	153	80	13	0	0	0	0
1,150	1,175	73	6	0	0	0	2,900	2,925	324	246	157	83	16	0	0	0	0
1,175	1,200	76	9	0	0	0	2,925	2,950	328	250	162	86	19	0	0	0	0
1,200	1,225	79	12	0	0	0	2,950	2,975	332	253	166	89	22	0	0	0	0
1,225	1,250	82	15	0	0	0	2,975	3,000	336	257	171	92	25	0	0	0	0
1,250	1,275	85	18	0	0	0	3,000	3,050	341	262	178	96	30	0	0	0	0
1,275	1,300	88	21	0	0	0	3,050	3,100	349	269	187	102	36	0	0	0	0
1,300	1,325	91	24	0	0	0	3,100	3,150	356	276	196	108	42	0	0	0	0
1,325	1,350	94	27	0	0	0	3,150	3,200	364	282	205	114	48	0	0	0	0
1,350	1,375	97	30	0	0	0	3,200	3,250	371	289	213	120	54	0	0	0	0
1,375	1,400	100	33	0	0	0	3,250	3,300	379	296	220	126	60	0	0	0	0
1,400	1,425	103	36	0	0	0	3,300	3,350	386	303	227	132	66	0	0	0	0
1,425	1,450	106	39	0	0	0	3,350	3,400	394	310	234	141	71	5	0	0	0
1,450	1,475	109	42	0	0	0	3,400	3,450	401	318	241	150	77	11	0	0	0
1,475	1,500	112	45	0	0	0	3,450	3,500	409	325	247	159	83	17	0	0	0
1,500	1,525	115	48	0	0	0	3,500	3,550	416	333	254	168	89	23	0	0	0
1,525	1,550	118	51	0	0	0	3,550	3,600	424	340	261	177	95	29	0	0	0
1,550	1,575	121	54	0	0	0	3,600	3,650	431	348	268	186	101	35	0	0	0
1,575	1,600	124	57	0	0	0	3,650	3,700	439	355	275	195	107	41	0	0	0
1,600	1,625	127	60	0	0	0	3,700	3,750	447	363	282	204	113	47	0	0	0
1,625	1,650	130	63	0	0	0	3,750	3,800	454	370	288	212	119	53	0	0	0
1,650	1,675	133	66	0	0	0	3,800	3,850	462	378	295	219	125	59	0	0	0
1,675	1,700	137	69	2	0	0	3,850	3,900	469	386	302	226	131	65	0	0	0
1,700	1,725	141	72	5	0	0	3,900	3,950	477	393	309	233	140	71	4	0	0
1,725	1,750	146	75	8	0	0	3,950	4,000	484	401	317	240	149	77	10	0	0
1,750	1,775	150	78	11	0	0	4,000	4,050	492	408	324	247	158	83	16	0	0
1,775	1,800	155	81	14	0	0	4,050	4,100	499	416	332	253	167	89	22	0	0
1,800	1,825	159	84	17	0	0	4,100	4,150	507	423	340	260	176	95	28	0	0
1,825	1,850	164	87	20	0	0	4,150	4,200	514	431	347	267	185	101	34	0	0
1,850	1,875	168	90	23	0	0	4,200	4,250	522	438	355	274	194	107	40	0	0
1,875	1,900	173	93	26	0	0	4,250	4,300	529	446	362	281	203	113	46	0	0
1,900	1,925	177	96	29	0	0	4,300	4,350	537	453	370	288	212	119	52	0	0
1,925	1,950	182	99	32	0	0	4,350	4,400	544	461	377	295	219	125	58	0	0
1,950	1,975	186	102	35	0	0	4,400	4,450	552	468	385	301	225	131	64	0	0
1,975	2,000	191	105	38	0	0	4,450	4,500	559	476	392	309	232	139	70	4	0
2,000	2,025	195	108	41	0	0	4,500	4,550	567	483	400	316	239	148	76	10	0
2,025	2,050	200	111	44	0	0	4,550	4,600	574	491	407	324	246	157	82	16	0
2,050	2,075	204	114	47	0	0	4,600	4,650	582	498	415	331	253	166	88	22	0
2,075	2,100	209	117	50	0	0	4,650	4,700	589	506	422	339	260	175	94	28	0
2,100	2,125	213	120	53	0	0	4,700	4,750	597	513	430	346	266	184	100	34	0
2,125	2,150	216	123	56	0	0	4,750	4,800	605	521	437	354	273	193	106	40	0
2,150	2,175	220	126	59	0	0	4,800	4,850	612	528	445	361	280	202	112	46	0
2,175	2,200	223	129	62	0	0	4,850	4,900	620	536	452	369	287	211	118	52	0
2,200	2,225	227	132	65	0	0	4,900	4,950	627	544	460	376	294	218	124	58	0
2,225	2,250	230	136	68	2	0	4,950	5,000	635	551	467	384	301	225	130	64	0"
2,250	2,275	234	140	71	5	0											

(b) Taxable years to which applicable: The amendment made by this section shall be applicable with respect to taxable years beginning after December 31, 1946. For treatment of taxable years beginning in 1946 and ending in 1947, see section 6.

SEC. 4. Additional Credit Against Net Income for Normal Tax and Surtax.

(a) Exemption for age: Section 25 (b) (1) of the Internal Revenue Code (relating to credits against net income for normal tax and surtax) is hereby amended by striking out the period at the end of subparagraph (C) and inserting in lieu thereof a semicolon and by adding after subparagraph (C) a new subparagraph to read as follows:

"(D) If the taxpayer has attained the age of 65—

"(i) an additional exemption of $500;

"(ii) in the case of a joint return by husband and wife under section 51, an exemption, in lieu of the exemption provided in clause (i) of this subparagraph, of $500 for each spouse who has attained the age of 65, and whose gross income (computed without regard to section 22 (o)) for the taxable year is $500 or more;

"(iii) for limitation on exclusion from gross income of retirement pay, etc., see section 22 (o)."

(b) Determination of age: Section 25 (b) (2) of the Internal Revenue Code is hereby amended by adding at the end thereof a new sentence to read as follows: "For the purposes of paragraph (1) (D) the determination of the age of an individual shall be made as of the last day of the taxable year."

(c) Limitation on exclusion from gross income of retirement pay, etc.: Section 22 of the Internal Revenue Code (relating to gross income) is hereby amended by adding at the end thereof a new subsection to read as follows:

"(o) Retirement pay, etc., of individuals 65 or over: If an individual entitled to the exemption provided in section 25 (b) (1) (D) (relating to individuals who have attained the age of 65) receives during the taxable year any amount (other than a lump-sum benefit) as pension, annuity, retirement pay, old-age or survivor's benefit, or similar payment, with respect to services rendered by him or another person, and the whole of such amount would, but for this subsection, be excluded from gross income, then only the excess over $500 of the aggregate of such amounts shall be excluded from gross income, despite any provisions of this title or of any other law. This subsection shall not require the inclusion of any such amount as gross income unless the gross income, computed without regard to this subsection, is $500 or more. This subsection shall not apply—

"(1) to amounts excluded from gross income under section 22 (b) (5); except that this subsection shall apply to amounts received as a pension, annuity, or similar allowance for personal injuries or sickness resulting from active service in the armed forces of any country, unless such amounts are also excluded from gross income by a provision of law other than section 22 (b) (5); or

"(2) to amounts excluded from gross income under section 3 of the act entitled 'An act to safeguard the estates of veterans derived from payments of pension, compensation, emergency officers' retirement pay and insurance, and for other purposes,' approved August 12, 1935, as amended (U. S. C., 1940 ed., title 38, sec. 454a); or

"(3) to amounts excluded from gross income under section 3 of the act entitled 'An act to establish in the War Department and in the Navy Department, respectively, a roll, designated as "the Army and Navy medal of honor roll," and for other purposes,' approved April 27, 1916, as amended (U. S. C., 1940 ed., title 38, sec. 393)."

(d) Technical amendment: Section 22 (b) (5) of the Internal Revenue Code (relating to exclusion from gross income of compensation for injuries or sickness) is hereby amended by striking out "and amounts" and inserting in lieu thereof: "and (except as provided in subsection (o) in the case of individuals 65 or over) amounts."

(e) Taxable years to which applicable: The amendments made by this section shall be applicable to taxable years beginning after December 31, 1946. For treatment of taxable years beginning in 1946 and ending in 1947, see section 6.

SEC. 5. Reduction in Withholding of Tax at Source on Wages.

(a) Percentage method: Section 1622 (a) and section 1622 (b) (1) of the Internal Revenue Code (relating to percentage method of withholding) are hereby amended to read as follows:

"(a) Requirement of withholding: Every employer making payment of wages shall deduct and withhold upon such wages a tax equal to the sum of the following:

"(1) 12 percent of whichever of the following is the lesser:

"(A) the amount by which the wages exceed the number of withholding exemptions claimed, multiplied by the amount of one such exemption as shown in the table in subsection (b) (1); or

"(B) the amount shown in the second column in the table in subsection (b) (1);

"(2) 18 percent of whichever of the following is the lesser:

"(A) the amount by which the wages exceed the sum of—

"(i) the number of withholding exemptions claimed, multiplied by the amount of one such exemption as shown in the table in subsection (b) (1); plus

"(ii) the amount shown in the second column in the table in subsection (b) (1); or

"(B) the amount shown in the third column in the table in subsection (b) (1);

"(3) 14 percent of whichever of the following is the lesser:

"(A) the amount by which the wages exceed the sum of—

"(i) the number of withholding exemptions claimed, multiplied by the amount of one such exemption as shown in the table in subsection (b) (1); plus

"(ii) the sum of the amounts shown in the second and third columns in the table in subsection (b) (1); or

"(B) the amount shown in the last column in the table in subsection (b) (1);

"(4) 15 percent of the amount by which the wages exceed the sum of—

"(A) the number of withholding exemptions claimed, multiplied by the amount of one such exemption shown in the table in subsection (b) (1); plus

"(B) the sum of the amounts shown in the second, third, and last columns in the table in subsection (b) (1).

"(b) (1) the table referred to in subsection (a) is as follows:

"Percentage method withholding table

Pay-roll period	Amount of one withholding exemption	Maximum amount subject to 12-percent rate	Maximum amount subject to 18-percent rate	Maximum amount subject to 14-percent rate
Weekly	$11.00	$21.00	$9.00	$13.00
Biweekly	22.00	43.00	17.00	25.00
Semimonthly	23.00	46.00	19.00	28.00
Monthly	46.00	93.00	36.00	56.00
Quarterly	139.00	278.00	110.00	168.00
Semiannual	278.00	556.00	219.00	336.00
Annual	556.00	1,111.00	440.00	671.00
Daily or miscellaneous (per day of such period)	1.50	3.00	1.00	2.00"

(b) Wage bracket withholding: The tables contained in section 1622 (c) (1) of the Internal Revenue Code (relating to wage bracket withholding) are hereby amended to read as follows:

"If the pay-roll period with respect to an employee is weekly—

And the wages are—		And the number of withholding exemptions claimed is—										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$0	$11	12% of wages	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
$11	$12	$1.40	.10	0	0	0	0	0	0	0	0	0
$12	$13	1.50	.20	0	0	0	0	0	0	0	0	0
$13	$14	1.60	.30	0	0	0	0	0	0	0	0	0
$14	$15	1.70	.50	0	0	0	0	0	0	0	0	0
$15	$16	1.90	.60	0	0	0	0	0	0	0	0	0
$16	$17	2.00	.70	0	0	0	0	0	0	0	0	0
$17	$18	2.10	.80	0	0	0	0	0	0	0	0	0
$18	$19	2.20	.90	0	0	0	0	0	0	0	0	0
$19	$20	2.30	1.10	0	0	0	0	0	0	0	0	0
$20	$21	2.50	1.20	0	0	0	0	0	0	0	0	0
$21	$22	2.60	1.30	0	0	0	0	0	0	0	0	0
$22	$23	2.80	1.40	.10	0	0	0	0	0	0	0	0
$23	$24	2.90	1.50	.30	0	0	0	0	0	0	0	0
$24	$25	3.10	1.70	.40	0	0	0	0	0	0	0	0
$25	$26	3.30	1.80	.50	0	0	0	0	0	0	0	0
$26	$27	3.50	1.90	.60	0	0	0	0	0	0	0	0
$27	$28	3.70	2.00	.70	0	0	0	0	0	0	0	0
$28	$29	3.80	2.10	.90	0	0	0	0	0	0	0	0
$29	$30	4.00	2.30	1.00	0	0	0	0	0	0	0	0
$30	$31	4.20	2.40	1.10	0	0	0	0	0	0	0	0
$31	$32	4.30	2.50	1.20	0	0	0	0	0	0	0	0
$32	$33	4.40	2.60	1.30	.10	0	0	0	0	0	0	0
$33	$34	4.60	2.80	1.50	.20	0	0	0	0	0	0	0
$34	$35	4.70	3.00	1.60	.30	0	0	0	0	0	0	0
$35	$36	4.90	3.20	1.70	.40	0	0	0	0	0	0	0
$36	$37	5.00	3.40	1.80	.50	0	0	0	0	0	0	0
$37	$38	5.10	3.50	1.90	.70	0	0	0	0	0	0	0
$38	$39	5.30	3.70	2.10	.80	0	0	0	0	0	0	0
$39	$40	5.40	3.90	2.20	.90	0	0	0	0	0	0	0
$40	$41	5.50	4.10	2.30	1.00	0	0	0	0	0	0	0
$41	$42	5.70	4.20	2.40	1.10	0	0	0	0	0	0	0
$42	$43	5.80	4.40	2.50	1.30	0	0	0	0	0	0	0
$43	$44	6.00	4.50	2.70	1.40	.10	0	0	0	0	0	0
$44	$45	6.10	4.60	2.90	1.50	.20	0	0	0	0	0	0
$45	$46	6.30	4.80	3.10	1.60	.30	0	0	0	0	0	0
$46	$47	6.40	4.90	3.20	1.70	.50	0	0	0	0	0	0
$47	$48	6.60	5.00	3.40	1.80	.60	0	0	0	0	0	0
$48	$49	6.70	5.20	3.60	2.00	.70	0	0	0	0	0	0
$49	$50	6.90	5.30	3.80	2.10	.80	0	0	0	0	0	0
$50	$51	7.00	5.40	4.00	2.20	.90	0	0	0	0	0	0
$51	$52	7.20	5.60	4.10	2.30	1.00	0	0	0	0	0	0
$52	$53	7.30	5.70	4.30	2.40	1.20	0	0	0	0	0	0
$53	$54	7.50	5.90	4.40	2.60	1.30	0	0	0	0	0	0
$54	$55	7.60	6.00	4.50	2.80	1.40	.10	0	0	0	0	0
$55	$56	7.80	6.20	4.70	2.90	1.50	.20	0	0	0	0	0
$56	$57	7.90	6.30	4.80	3.10	1.60	.40	0	0	0	0	0
$57	$58	8.10	6.50	4.90	3.30	1.80	.50	0	0	0	0	0
$58	$59	8.20	6.60	5.10	3.50	1.90	.60	0	0	0	0	0
$59	$60	8.40	6.80	5.20	3.70	2.00	.70	0	0	0	0	0
$60	$62	8.60	7.00	5.40	3.90	2.20	.90	0	0	0	0	0
$62	$64	8.90	7.30	5.70	4.20	2.40	1.10	0	0	0	0	0
$64	$66	9.20	7.60	6.00	4.50	2.70	1.40	.10	0	0	0	0
$66	$68	9.50	7.90	6.30	4.80	3.10	1.60	.30	0	0	0	0
$68	$70	9.80	8.20	6.60	5.10	3.40	1.90	.60	0	0	0	0
$70	$72	10.10	8.50	6.90	5.30	3.80	2.10	.80	0	0	0	0
$72	$74	10.40	8.80	7.20	5.60	4.10	2.30	1.10	0	0	0	0
$74	$76	10.70	9.10	7.50	5.90	4.40	2.60	1.30	0	0	0	0
$76	$78	11.00	9.40	7.80	6.20	4.70	3.00	1.50	.30	0	0	0
$78	$80	11.30	9.70	8.10	6.50	5.00	3.30	1.80	.50	0	0	0
$80	$82	11.60	10.00	8.40	6.80	5.20	3.70	2.00	.70	0	0	0
$82	$84	11.90	10.30	8.70	7.10	5.50	4.00	2.30	1.00	0	0	0
$84	$86	12.20	10.60	9.00	7.40	5.80	4.30	2.50	1.20	0	0	0
$86	$88	12.50	10.90	9.30	7.70	6.10	4.60	2.80	1.50	.20	0	0
$88	$90	12.80	11.20	9.60	8.00	6.40	4.90	3.20	1.70	.40	0	0
$90	$92	13.10	11.50	9.90	8.30	6.70	5.10	3.60	1.90	.70	0	0
$92	$94	13.40	11.80	10.20	8.60	7.00	5.40	3.90	2.20	.90	0	0
$94	$96	13.70	12.10	10.50	8.90	7.30	5.70	4.20	2.40	1.10	0	0
$96	$98	14.00	12.40	10.80	9.20	7.60	6.00	4.50	2.70	1.40	.10	0
$98	$100	14.30	12.70	11.10	9.50	7.90	6.30	4.80	3.10	1.60	.30	0
$100	$105	14.80	13.20	11.60	10.00	8.40	6.80	5.30	3.70	2.00	.80	0
$105	$110	15.60	14.00	12.40	10.80	9.20	7.50	5.90	4.50	2.70	1.40	.10
$110	$115	16.30	14.70	13.10	11.50	9.90	8.30	6.70	5.20	3.60	2.00	.70
$115	$120	17.10	15.50	13.90	12.30	10.70	9.10	7.40	5.80	4.40	2.60	1.30
$120	$125	17.80	16.20	14.60	13.00	11.40	9.80	8.20	6.60	5.10	3.50	1.90
$125	$130	18.60	17.00	15.40	13.80	12.20	10.60	9.00	7.30	5.70	4.30	2.50
$130	$135	19.30	17.70	16.10	14.50	12.90	11.30	9.70	8.10	6.50	5.00	3.30
$135	$140	20.10	18.50	16.90	15.30	13.70	12.10	10.50	8.80	7.20	5.70	4.20
$140	$145	20.90	19.30	17.60	16.00	14.40	12.80	11.20	9.60	8.00	6.40	4.90
$145	$150	21.60	20.00	18.40	16.80	15.20	13.60	12.00	10.40	8.70	7.10	5.60
$150	$160	22.70	21.10	19.50	17.90	16.30	14.70	13.10	11.50	9.90	8.30	6.70
$160	$170	24.20	22.60	21.00	19.40	17.80	16.20	14.60	13.00	11.40	9.80	8.20
$170	$180	25.70	24.10	22.50	20.90	19.30	17.70	16.10	14.50	12.90	11.30	9.70
$180	$190	27.30	25.60	24.00	22.40	20.80	19.20	17.60	16.00	14.40	12.80	11.20
$190	$200	28.80	27.10	25.50	23.90	22.30	20.70	19.10	17.50	15.90	14.30	12.70
		15 percent of the excess over $200 plus										
$200 and over		29.50	27.90	26.30	24.70	23.10	21.50	19.90	18.30	16.60	15.00	13.40

"If the pay-roll period with respect to an employee is biweekly—

And the wages are—		And the number of withholding exemptions claimed is—										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$0	$20	12% of wages	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
$20	$22	$2.50	0	0	0	0	0	0	0	0	0	0
$22	$24	2.80	.20	0	0	0	0	0	0	0	0	0
$24	$26	3.00	.40	0	0	0	0	0	0	0	0	0
$26	$28	3.20	.70	0	0	0	0	0	0	0	0	0
$28	$30	3.50	.90	0	0	0	0	0	0	0	0	0
$30	$32	3.70	1.20	0	0	0	0	0	0	0	0	0
$32	$34	4.00	1.40	0	0	0	0	0	0	0	0	0
$34	$36	4.20	1.60	0	0	0	0	0	0	0	0	0
$36	$38	4.40	1.90	0	0	0	0	0	0	0	0	0
$38	$40	4.70	2.10	0	0	0	0	0	0	0	0	0
$40	$42	4.90	2.40	0	0	0	0	0	0	0	0	0
$42	$44	5.20	2.60	0	0	0	0	0	0	0	0	0
$44	$46	5.50	2.80	.30	0	0	0	0	0	0	0	0
$46	$48	5.90	3.10	.50	0	0	0	0	0	0	0	0
$48	$50	6.20	3.30	.70	0	0	0	0	0	0	0	0
$50	$52	6.60	3.50	1.00	0	0	0	0	0	0	0	0
$52	$54	7.00	3.80	1.20	0	0	0	0	0	0	0	0
$54	$56	7.30	4.00	1.50	0	0	0	0	0	0	0	0
$56	$58	7.70	4.30	1.70	0	0	0	0	0	0	0	0
$58	$60	8.00	4.50	1.90	0	0	0	0	0	0	0	0
$60	$62	8.30	4.70	2.20	0	0	0	0	0	0	0	0
$62	$64	8.60	5.00	2.40	0	0	0	0	0	0	0	0
$64	$66	8.90	5.30	2.70	.10	0	0	0	0	0	0	0
$66	$68	9.20	5.60	2.90	.30	0	0	0	0	0	0	0
$68	$70	9.40	6.00	3.10	.60	0	0	0	0	0	0	0
$70	$72	9.70	6.40	3.40	.80	0	0	0	0	0	0	0
$72	$74	10.00	6.70	3.60	1.10	0	0	0	0	0	0	0
$74	$76	10.30	7.10	3.90	1.30	0	0	0	0	0	0	0
$76	$78	10.50	7.40	4.10	1.50	0	0	0	0	0	0	0
$78	$80	10.80	7.80	4.30	1.80	0	0	0	0	0	0	0
$80	$82	11.10	8.20	4.60	2.00	0	0	0	0	0	0	0
$82	$84	11.40	8.40	4.80	2.30	0	0	0	0	0	0	0
$84	$86	11.60	8.70	5.10	2.50	0	0	0	0	0	0	0
$86	$88	11.90	9.00	5.40	2.70	.20	0	0	0	0	0	0
$88	$90	12.20	9.30	5.80	3.00	.40	0	0	0	0	0	0
$90	$92	12.50	9.50	6.10	3.20	.70	0	0	0	0	0	0
$92	$94	12.80	9.80	6.50	3.50	.90	0	0	0	0	0	0
$94	$96	13.10	10.10	6.80	3.70	1.10	0	0	0	0	0	0
$96	$98	13.40	10.30	7.20	3.90	1.40	0	0	0	0	0	0
$98	$100	13.70	10.60	7.60	4.20	1.60	0	0	0	0	0	0
$100	$102	14.00	10.90	7.90	4.40	1.90	0	0	0	0	0	0
$102	$104	14.30	11.20	8.20	4.70	2.10	0	0	0	0	0	0
$104	$106	14.60	11.40	8.50	4.90	2.30	0	0	0	0	0	0
$106	$108	14.90	11.70	8.80	5.10	2.60	0	0	0	0	0	0
$108	$110	15.20	12.00	9.10	5.50	2.80	.30	0	0	0	0	0
$110	$112	15.50	12.30	9.30	5.90	3.10	.50	0	0	0	0	0
$112	$114	15.80	12.60	9.60	6.20	3.30	.70	0	0	0	0	0
$114	$116	16.10	12.90	9.90	6.60	3.50	1.00	0	0	0	0	0
$116	$118	16.40	13.20	10.20	6.90	3.80	1.20	0	0	0	0	0
$118	$120	16.70	13.50	10.40	7.30	4.00	1.50	0	0	0	0	0
$120	$124	17.20	14.00	10.80	7.80	4.40	1.80	0	0	0	0	0
$124	$128	17.80	14.60	11.40	8.50	4.90	2.30	0	0	0	0	0
$128	$132	18.40	15.20	12.00	9.00	5.40	2.80	.20	0	0	0	0
$132	$136	19.00	15.80	12.60	9.60	6.20	3.30	.70	0	0	0	0
$136	$140	19.60	16.40	13.20	10.10	6.90	3.70	1.20	0	0	0	0
$140	$144	20.20	17.00	13.80	10.70	7.60	4.20	1.70	0	0	0	0
$144	$148	20.80	17.60	14.40	11.20	8.30	4.70	2.10	0	0	0	0
$148	$152	21.40	18.20	15.00	11.80	8.80	5.20	2.60	.10	0	0	0
$152	$156	22.00	18.80	15.60	12.40	9.40	5.90	3.10	.50	0	0	0
$156	$160	22.60	19.40	16.20	13.00	9.90	6.60	3.60	1.00	0	0	0
$160	$164	23.20	20.00	16.80	13.60	10.50	7.40	4.00	1.50	0	0	0
$164	$168	23.80	20.60	17.40	14.20	11.00	8.10	4.50	2.00	0	0	0
$168	$172	24.40	21.20	18.00	14.80	11.60	8.60	5.00	2.40	0	0	0
$172	$176	25.00	21.80	18.60	15.40	12.20	9.20	5.70	2.90	.40	0	0
$176	$180	25.60	22.40	19.20	16.00	12.80	9.70	6.40	3.40	.80	0	0
$180	$184	26.20	23.00	19.80	16.60	13.40	10.30	7.10	3.90	1.30	0	0
$184	$188	26.80	23.60	20.40	17.20	14.00	10.80	7.80	4.40	1.80	0	0
$188	$192	27.40	24.20	21.00	17.80	14.60	11.40	8.50	4.80	2.30	0	0
$192	$196	28.00	24.80	21.60	18.40	15.20	11.90	9.00	5.40	2.80	.20	0
$196	$200	28.60	25.40	22.20	19.00	15.80	12.50	9.50	6.10	3.20	.70	0
$200	$210	29.70	26.50	23.20	20.00	16.80	13.60	10.50	7.40	4.10	1.50	0
$210	$220	31.20	28.00	24.80	21.50	18.30	15.10	11.90	9.00	5.40	2.70	.20
$220	$230	32.70	29.50	26.30	23.00	19.80	16.60	13.40	10.30	7.20	3.90	1.40
$230	$240	34.20	31.00	27.80	24.50	21.30	18.10	14.90	11.70	8.80	5.10	2.60
$240	$250	35.70	32.50	29.30	26.00	22.80	19.60	16.40	13.20	10.10	6.90	3.70
$250	$260	37.20	34.00	30.80	27.60	24.30	21.10	17.90	14.70	11.50	8.60	4.90
$260	$270	38.70	35.50	32.30	29.10	25.80	22.60	19.40	16.20	13.00	9.90	6.70
$270	$280	40.20	37.00	33.80	30.60	27.30	24.10	20.90	17.70	14.50	11.30	8.40
$280	$290	41.70	38.50	35.30	32.10	28.80	25.60	22.40	19.20	16.00	12.80	9.80
$290	$300	43.20	40.00	36.80	33.60	30.40	27.10	23.90	20.70	17.50	14.30	11.10
$300	$320	45.50	42.30	39.00	35.80	32.60	29.40	26.20	23.00	19.80	16.50	13.30
$320	$340	48.50	45.30	42.10	38.80	35.60	32.40	29.20	26.00	22.80	19.50	16.30
$340	$360	51.50	48.30	45.10	41.80	38.60	35.40	32.20	29.00	25.80	22.60	19.30
$360	$380	54.50	51.30	48.10	44.90	41.60	38.40	35.20	32.00	28.80	25.60	22.40
$380	$400	57.50	54.30	51.10	47.90	44.70	41.40	38.20	35.00	31.80	28.60	25.40
		15 percent of the excess over $400 plus										
$400 and over		59.00	55.80	52.60	49.40	46.20	42.90	39.70	36.50	33.30	30.10	26.90

"If the pay-roll period with respect to an employee is semimonthly—

And the wages are—		And the number of withholding exemptions claimed is—										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$0	$22	12% of wages	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
$22	$24	$2.80	0	0	0	0	0	0	0	0	0	0
$24	$26	3.00	.20	0	0	0	0	0	0	0	0	0
$26	$28	3.20	.50	0	0	0	0	0	0	0	0	0
$28	$30	3.50	.70	0	0	0	0	0	0	0	0	0
$30	$32	3.70	.90	0	0	0	0	0	0	0	0	0
$32	$34	4.00	1.20	0	0	0	0	0	0	0	0	0
$34	$36	4.20	1.40	0	0	0	0	0	0	0	0	0
$36	$38	4.40	1.70	0	0	0	0	0	0	0	0	0
$38	$40	4.70	1.90	0	0	0	0	0	0	0	0	0
$40	$42	4.90	2.10	0	0	0	0	0	0	0	0	0
$42	$44	5.10	2.40	0	0	0	0	0	0	0	0	0
$44	$46	5.40	2.60	0	0	0	0	0	0	0	0	0
$46	$48	5.70	2.90	.10	0	0	0	0	0	0	0	0
$48	$50	6.00	3.10	.30	0	0	0	0	0	0	0	0
$50	$52	6.40	3.30	.60	0	0	0	0	0	0	0	0
$52	$54	6.70	3.60	.80	0	0	0	0	0	0	0	0
$54	$56	7.10	3.80	1.00	0	0	0	0	0	0	0	0
$56	$58	7.50	4.10	1.30	0	0	0	0	0	0	0	0
$58	$60	7.80	4.30	1.50	0	0	0	0	0	0	0	0
$60	$62	8.20	4.50	1.80	0	0	0	0	0	0	0	0
$62	$64	8.50	4.80	2.00	0	0	0	0	0	0	0	0
$64	$66	8.90	5.00	2.20	0	0	0	0	0	0	0	0
$66	$68	9.20	5.20	2.50	0	0	0	0	0	0	0	0
$68	$70	9.40	5.50	2.70	0	0	0	0	0	0	0	0
$70	$72	9.70	5.80	3.00	.20	0	0	0	0	0	0	0
$72	$74	10.00	6.20	3.20	.40	0	0	0	0	0	0	0
$74	$76	10.30	6.50	3.40	.70	0	0	0	0	0	0	0
$76	$78	10.50	6.90	3.70	.90	0	0	0	0	0	0	0
$78	$80	10.80	7.30	3.90	1.10	0	0	0	0	0	0	0
$80	$82	11.10	7.60	4.20	1.40	0	0	0	0	0	0	0
$82	$84	11.40	8.00	4.40	1.60	0	0	0	0	0	0	0
$84	$86	11.60	8.30	4.60	1.90	0	0	0	0	0	0	0
$86	$88	11.90	8.70	4.90	2.10	0	0	0	0	0	0	0
$88	$90	12.20	9.00	5.10	2.30	0	0	0	0	0	0	0
$90	$92	12.40	9.30	5.40	2.60	0	0	0	0	0	0	0
$92	$94	12.70	9.60	5.60	2.80	0	0	0	0	0	0	0
$94	$96	13.00	9.80	6.00	3.10	.30	0	0	0	0	0	0
$96	$98	13.30	10.10	6.30	3.30	.50	0	0	0	0	0	0
$98	$100	13.60	10.40	6.70	3.50	.80	0	0	0	0	0	0
$100	$102	13.90	10.70	7.10	3.80	1.00	0	0	0	0	0	0
$102	$104	14.20	10.90	7.40	4.00	1.20	0	0	0	0	0	0
$104	$106	14.50	11.20	7.80	4.30	1.50	0	0	0	0	0	0
$106	$108	14.80	11.50	8.10	4.50	1.70	0	0	0	0	0	0
$108	$110	15.10	11.70	8.50	4.70	2.00	0	0	0	0	0	0
$110	$112	15.40	12.00	8.90	5.00	2.20	0	0	0	0	0	0
$112	$114	15.70	12.30	9.10	5.20	2.40	0	0	0	0	0	0
$114	$116	16.00	12.60	9.40	5.50	2.70	0	0	0	0	0	0
$116	$118	16.30	12.90	9.70	5.80	2.90	.20	0	0	0	0	0
$118	$120	16.60	13.20	9.90	6.10	3.20	.40	0	0	0	0	0
$120	$124	17.10	13.60	10.40	6.70	3.50	.70	0	0	0	0	0
$124	$128	17.70	14.20	10.90	7.40	4.00	1.20	0	0	0	0	0
$128	$132	18.30	14.80	11.50	8.10	4.50	1.70	0	0	0	0	0
$132	$136	18.90	15.40	12.00	8.80	5.00	2.20	0	0	0	0	0
$136	$140	19.50	16.00	12.50	9.40	5.40	2.70	0	0	0	0	0
$140	$144	20.10	16.60	13.10	9.90	6.10	3.10	.40	0	0	0	0
$144	$148	20.70	17.20	13.70	10.50	6.80	3.60	.90	0	0	0	0
$148	$152	21.30	17.80	14.30	11.00	7.50	4.10	1.30	0	0	0	0
$152	$156	21.90	18.40	14.90	11.60	8.30	4.60	1.80	0	0	0	0
$156	$160	22.50	19.00	15.50	12.10	8.90	5.10	2.30	0	0	0	0
$160	$164	23.10	19.60	16.10	12.70	9.50	5.50	2.80	0	0	0	0
$164	$168	23.70	20.20	16.70	13.30	10.00	6.30	3.20	.50	0	0	0
$168	$172	24.30	20.80	17.30	13.90	10.60	7.00	3.70	1.00	0	0	0
$172	$176	24.90	21.40	17.90	14.50	11.10	7.70	4.20	1.40	0	0	0
$176	$180	25.50	22.00	18.60	15.10	11.70	8.40	4.70	1.90	0	0	0
$180	$184	26.10	22.60	19.20	15.70	12.20	9.10	5.20	2.40	0	0	0
$184	$188	26.70	23.20	19.80	16.30	12.80	9.60	5.70	2.90	.10	0	0
$188	$192	27.30	23.80	20.40	16.90	13.40	10.20	6.40	3.30	.60	0	0
$192	$196	27.90	24.40	21.00	17.50	14.00	10.70	7.10	3.80	1.10	0	0
$196	$200	28.50	25.00	21.60	18.10	14.60	11.30	7.80	4.30	1.50	0	0
$200	$210	29.60	26.10	22.60	19.10	15.60	12.20	9.00	5.10	2.40	0	0
$210	$220	31.10	27.60	24.10	20.60	17.20	13.70	10.40	6.70	3.60	.80	0
$220	$230	32.60	29.10	25.60	22.10	18.70	15.20	11.80	8.50	4.80	2.00	0
$230	$240	34.10	30.60	27.10	23.60	20.20	16.70	13.20	10.00	6.20	3.20	0
$240	$250	35.60	32.10	28.60	25.10	21.70	18.20	14.70	11.30	8.00	4.40	1.60
$250	$260	37.10	33.60	30.10	26.70	23.20	19.70	16.20	12.70	9.60	5.60	2.80
$260	$270	38.60	35.10	31.60	28.20	24.70	21.20	17.70	14.20	10.90	7.40	4.00
$270	$280	40.10	36.60	33.10	29.70	26.20	22.70	19.20	15.70	12.30	9.10	5.20
$280	$290	41.60	38.10	34.60	31.20	27.70	24.20	20.70	17.20	13.70	10.50	6.80
$290	$300	43.10	39.60	36.20	32.70	29.20	25.70	22.20	18.70	15.30	11.90	8.60
$300	$320	45.40	41.90	38.40	34.90	31.40	28.00	24.50	21.00	17.50	14.00	10.70
$320	$340	48.40	44.90	41.40	37.90	34.50	31.00	27.50	24.00	20.50	17.00	13.60
$340	$360	51.40	47.90	44.40	40.90	37.50	34.00	30.50	27.00	23.50	20.00	16.60
$360	$380	54.40	50.90	47.40	44.00	40.50	37.00	33.50	30.00	26.50	23.10	19.60
$380	$400	57.40	53.90	50.40	47.00	43.50	40.00	36.50	33.00	29.50	26.10	22.60
$400	$420	60.40	56.90	53.50	50.00	46.50	43.00	39.50	36.00	32.60	29.10	25.60
$420	$440	63.40	60.00	56.50	53.00	49.50	46.00	42.50	39.10	35.60	32.10	28.60
$440	$460	66.40	63.00	59.50	56.00	52.50	49.00	45.50	42.10	38.60	35.10	31.60
$460	$480	69.50	66.00	62.50	59.00	55.50	52.00	48.60	45.10	41.60	38.10	34.60
$480	$500	72.50	69.00	65.50	62.00	58.50	55.00	51.60	48.10	44.60	41.10	37.60
		15 percent of the excess over $500 plus										
$500 and over		74.00	70.50	67.00	63.50	60.00	56.60	53.10	49.60	46.10	42.60	39.10

"If the pay-roll period with respect to an employee is monthly—

And the wages are—		And the number of withholding exemptions claimed is—										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$0	$44	12% of wages	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
$44	$48	$5.50	0	0	0	0	0	0	0	0	0	0
$48	$52	6.00	.40	0	0	0	0	0	0	0	0	0
$52	$56	6.50	.90	0	0	0	0	0	0	0	0	0
$56	$60	6.90	1.40	0	0	0	0	0	0	0	0	0
$60	$64	7.40	1.90	0	0	0	0	0	0	0	0	0
$64	$68	7.90	2.40	0	0	0	0	0	0	0	0	0
$68	$72	8.40	2.80	0	0	0	0	0	0	0	0	0
$72	$76	8.90	3.30	0	0	0	0	0	0	0	0	0
$76	$80	9.30	3.80	0	0	0	0	0	0	0	0	0
$80	$84	9.80	4.30	0	0	0	0	0	0	0	0	0
$84	$88	10.30	4.80	0	0	0	0	0	0	0	0	0
$88	$92	10.80	5.20	0	0	0	0	0	0	0	0	0
$92	$96	11.30	5.70	.20	0	0	0	0	0	0	0	0
$96	$100	12.10	6.20	.60	0	0	0	0	0	0	0	0
$100	$104	12.80	6.70	1.10	0	0	0	0	0	0	0	0
$104	$108	13.50	7.10	1.60	0	0	0	0	0	0	0	0
$108	$112	14.20	7.60	2.10	0	0	0	0	0	0	0	0
$112	$116	14.90	8.10	2.60	0	0	0	0	0	0	0	0
$116	$120	15.70	8.60	3.00	0	0	0	0	0	0	0	0
$120	$124	16.40	9.10	3.50	0	0	0	0	0	0	0	0
$124	$128	17.10	9.50	4.00	0	0	0	0	0	0	0	0
$128	$132	17.80	10.00	4.50	0	0	0	0	0	0	0	0
$132	$136	18.30	10.50	5.00	0	0	0	0	0	0	0	0
$136	$140	18.90	11.00	5.40	0	0	0	0	0	0	0	0
$140	$144	19.40	11.60	5.90	.40	0	0	0	0	0	0	0
$144	$148	20.00	12.40	6.40	.90	0	0	0	0	0	0	0
$148	$152	20.50	13.10	6.90	1.30	0	0	0	0	0	0	0
$152	$156	21.10	13.80	7.40	1.80	0	0	0	0	0	0	0
$156	$160	21.60	14.50	7.80	2.30	0	0	0	0	0	0	0
$160	$164	22.20	15.20	8.30	2.80	0	0	0	0	0	0	0
$164	$168	22.70	16.00	8.80	3.20	0	0	0	0	0	0	0
$168	$172	23.30	16.70	9.30	3.70	0	0	0	0	0	0	0
$172	$176	23.80	17.40	9.70	4.20	0	0	0	0	0	0	0
$176	$180	24.40	18.00	10.20	4.70	0	0	0	0	0	0	0
$180	$184	24.90	18.60	10.70	5.20	0	0	0	0	0	0	0
$184	$188	25.50	19.10	11.20	5.60	.10	0	0	0	0	0	0
$188	$192	26.10	19.70	12.00	6.10	.60	0	0	0	0	0	0
$192	$196	26.70	20.20	12.70	6.60	1.10	0	0	0	0	0	0
$196	$200	27.30	20.80	13.40	7.10	1.50	0	0	0	0	0	0
$200	$204	27.90	21.30	14.10	7.60	2.00	0	0	0	0	0	0
$204	$208	28.50	21.80	14.80	8.00	2.50	0	0	0	0	0	0
$208	$212	29.10	22.40	15.60	8.50	3.00	0	0	0	0	0	0
$212	$216	29.70	22.90	16.30	9.00	3.40	0	0	0	0	0	0
$216	$220	30.30	23.50	17.00	9.50	3.90	0	0	0	0	0	0
$220	$224	30.90	24.00	17.70	9.90	4.40	0	0	0	0	0	0
$224	$228	31.50	24.60	18.30	10.40	4.90	0	0	0	0	0	0
$228	$232	32.10	25.10	18.80	10.90	5.40	0	0	0	0	0	0
$232	$236	32.70	25.70	19.30	11.50	5.80	.30	0	0	0	0	0
$236	$240	33.30	26.30	19.90	12.30	6.30	.80	0	0	0	0	0
$240	$248	34.20	27.20	20.70	13.30	7.00	1.50	0	0	0	0	0
$248	$256	35.40	28.40	21.80	14.80	8.00	2.50	0	0	0	0	0
$256	$264	36.60	29.60	22.90	16.20	9.00	3.40	0	0	0	0	0
$264	$272	37.80	30.80	24.00	17.70	9.90	4.40	0	0	0	0	0
$272	$280	39.00	32.00	25.10	18.80	10.90	5.30	0	0	0	0	0
$280	$288	40.20	33.20	26.30	19.90	12.20	6.30	.70	0	0	0	0
$288	$296	41.40	34.40	27.50	20.90	13.60	7.20	1.70	0	0	0	0
$296	$304	42.60	35.60	28.70	22.00	15.10	8.20	2.70	0	0	0	0
$304	$312	43.80	36.80	29.90	23.10	16.50	9.20	3.60	0	0	0	0
$312	$320	45.00	38.00	31.10	24.20	17.90	10.10	4.60	0	0	0	0
$320	$328	46.20	39.30	32.30	25.30	19.00	11.10	5.50	0	0	0	0
$328	$336	47.40	40.50	33.50	26.50	20.10	12.50	6.50	.90	0	0	0
$336	$344	48.60	41.70	34.70	27.70	21.20	14.00	7.40	1.99	0	0	0
$344	$352	49.80	42.90	35.90	28.90	22.30	15.40	8.40	2.90	0	0	0
$352	$360	51.00	44.10	37.10	30.10	23.40	16.80	9.40	3.80	0	0	0
$360	$368	52.20	45.30	38.30	31.30	24.50	18.10	10.30	4.80	0	0	0
$368	$376	53.40	46.50	39.50	32.50	25.60	19.20	11.40	5.70	.20	0	0
$376	$384	54.60	47.70	40.70	33.70	26.80	20.30	12.80	6.70	1.20	0	0
$384	$392	55.90	48.90	41.90	35.00	28.00	21.40	14.30	7.70	2.10	0	0
$392	$400	57.10	50.10	43.10	36.20	29.20	22.50	15.70	8.60	3.10	0	0
$400	$420	59.20	52.20	45.20	38.30	31.30	24.40	18.10	10.30	4.70	0	0
$420	$440	62.20	55.20	48.20	41.30	34.30	27.30	20.80	13.50	7.10	1.60	0
$440	$460	65.20	58.20	51.20	44.30	37.30	30.30	23.60	17.10	9.50	4.00	0
$460	$480	68.20	61.20	54.30	47.30	40.30	33.40	26.40	20.00	12.40	6.40	.80
$480	$500	71.20	64.20	57.30	50.30	43.30	36.40	29.40	22.70	16.00	8.80	3.20
$500	$520	74.20	67.20	60.30	53.30	46.30	39.40	32.40	25.40	19.10	11.20	5.60
$520	$540	77.20	70.30	63.30	56.30	49.40	42.40	35.40	28.50	21.80	14.80	8.00
$540	$560	80.20	73.30	66.30	59.30	52.40	45.40	38.40	31.50	24.60	18.20	10.40
$560	$580	83.20	76.30	69.30	62.30	55.40	48.40	41.40	34.50	27.50	21.00	13.70
$580	$600	86.20	79.30	72.30	65.30	58.40	51.40	44.40	37.50	30.50	23.70	17.30
$600	$640	90.80	83.80	76.80	69.90	62.90	55.90	49.00	42.00	35.00	28.10	21.50
$640	$680	96.80	89.80	82.80	75.90	68.90	61.90	55.00	48.00	41.00	34.10	27.10
$680	$720	102.80	95.80	88.90	81.90	74.90	68.00	61.00	54.00	47.10	40.10	33.10
$720	$760	108.80	101.90	94.90	87.90	81.00	74.00	67.00	60.10	53.10	46.10	39.20
$760	$800	114.80	107.90	100.90	93.90	87.00	80.00	73.00	66.10	59.10	52.10	45.20
$800	$840	120.90	113.90	106.90	100.00	93.00	86.00	79.10	72.10	65.10	58.20	51.20
$840	$880	126.90	119.90	112.90	106.00	99.00	92.00	85.10	78.10	71.10	64.20	57.20
$880	$920	132.90	125.90	119.00	112.00	105.00	98.10	91.10	84.10	77.20	70.20	63.20
$920	$960	138.90	132.00	125.00	118.00	111.10	104.10	97.10	90.20	83.20	76.20	69.30
$960	$1,000	144.90	138.00	131.00	124.00	117.10	110.10	103.10	96.20	89.20	82.20	75.30
		15 percent of the excess over $1,000 plus										
$1,000 and over		147.90	141.00	134.00	127.00	120.10	113.10	106.10	99.20	92.20	85.20	78.30

"If the pay-roll period with respect to an employee is a daily pay-roll period or a miscellaneous pay-roll period—

And the wages divided by the number of days in such period are—		And the number of withholding exemptions claimed is—										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be the following amount multiplied by the number of days in such period—										
$0	$1.50	12% of wages	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
$1.50	$1.75	$0.20	0	0	0	0	0	0	0	0	0	0
$1.75	$2.00	.20	.05	0	0	0	0	0	0	0	0	0
$2.00	$2.25	.25	.05	0	0	0	0	0	0	0	0	0
$2.25	$2.50	.30	.10	0	0	0	0	0	0	0	0	0
$2.50	$2.75	.30	.15	0	0	0	0	0	0	0	0	0
$2.75	$3.00	.35	.15	0	0	0	0	0	0	0	0	0
$3.00	$3.25	.40	.20	0	0	0	0	0	0	0	0	0
$3.25	$3.50	.40	.20	.05	0	0	0	0	0	0	0	0
$3.50	$3.75	.45	.25	.05	0	0	0	0	0	0	0	0
$3.75	$4.00	.50	.30	.10	0	0	0	0	0	0	0	0
$4.00	$4.25	.55	.30	.15	0	0	0	0	0	0	0	0
$4.25	$4.50	.60	.35	.15	0	0	0	0	0	0	0	0
$4.50	$4.75	.65	.35	.20	0	0	0	0	0	0	0	0
$4.75	$5.00	.65	.40	.20	.05	0	0	0	0	0	0	0
$5.00	$5.25	.70	.45	.25	.05	0	0	0	0	0	0	0
$5.25	$5.50	.75	.50	.30	.10	0	0	0	0	0	0	0
$5.50	$5.75	.75	.55	.30	.15	0	0	0	0	0	0	0
$5.75	$6.00	.80	.60	.35	.15	0	0	0	0	0	0	0
$6.00	$6.25	.85	.65	.35	.20	0	0	0	0	0	0	0
$6.25	$6.50	.90	.65	.40	.20	.05	0	0	0	0	0	0
$6.50	$6.75	.90	.70	.45	.25	.05	0	0	0	0	0	0
$6.75	$7.00	.95	.75	.50	.30	.10	0	0	0	0	0	0
$7.00	$7.25	1.00	.75	.55	.30	.10	0	0	0	0	0	0
$7.25	$7.50	1.05	.80	.60	.35	.15	0	0	0	0	0	0
$7.50	$7.75	1.05	.85	.65	.35	.20	0	0	0	0	0	0
$7.75	$8.00	1.10	.85	.65	.40	.20	.05	0	0	0	0	0
$8.00	$8.25	1.15	.90	.70	.45	.25	.05	0	0	0	0	0
$8.25	$8.50	1.20	.95	.75	.50	.25	.10	0	0	0	0	0
$8.50	$8.75	1.20	1.00	.75	.55	.30	.10	0	0	0	0	0
$8.75	$9.00	1.25	1.00	.80	.60	.35	.15	0	0	0	0	0
$9.00	$9.25	1.30	1.05	.85	.60	.35	.20	0	0	0	0	0
$9.25	$9.50	1.35	1.10	.85	.65	.40	.20	.05	0	0	0	0
$9.50	$9.75	1.35	1.15	.90	.70	.45	.25	.05	0	0	0	0
$9.75	$10.00	1.40	1.15	.95	.75	.50	.25	.10	0	0	0	0
$10.00	$10.50	1.45	1.25	1.00	.80	.55	.30	.15	0	0	0	0
$10.50	$11.00	1.55	1.30	1.10	.85	.65	.40	.20	0	0	0	0
$11.00	$11.50	1.60	1.40	1.15	.90	.70	.45	.25	.05	0	0	0
$11.50	$12.00	1.70	1.45	1.25	1.00	.75	.55	.30	.15	0	0	0
$12.00	$12.50	1.75	1.55	1.30	1.05	.85	.65	.40	.20	0	0	0
$12.50	$13.00	1.85	1.60	1.40	1.15	.90	.70	.45	.25	.05	0	0
$13.00	$13.50	1.90	1.70	1.45	1.20	1.00	.75	.55	.30	.15	0	0
$13.50	$14.00	2.00	1.75	1.55	1.30	1.05	.85	.65	.35	.20	0	0
$14.00	$14.50	2.05	1.85	1.60	1.35	1.15	.90	.70	.45	.25	.05	0
$14.50	$15.00	2.15	1.90	1.70	1.45	1.20	1.00	.75	.55	.30	.15	0
$15.00	$15.50	2.20	2.00	1.75	1.50	1.30	1.05	.85	.65	.35	.20	0
$15.50	$16.00	2.30	2.05	1.85	1.60	1.35	1.15	.90	.70	.45	.25	.05
$16.00	$16.50	2.35	2.15	1.90	1.65	1.45	1.20	1.00	.75	.55	.30	.10
$16.50	$17.00	2.45	2.20	2.00	1.75	1.50	1.30	1.05	.85	.65	.35	.20
$17.00	$17.50	2.50	2.30	2.05	1.80	1.60	1.35	1.15	.90	.70	.45	.25
$17.50	$18.00	2.60	2.35	2.15	1.90	1.65	1.45	1.20	1.00	.75	.55	.30
$18.00	$18.50	2.65	2.45	2.20	2.00	1.75	1.50	1.30	1.05	.85	.60	.35
$18.50	$19.00	2.75	2.50	2.30	2.05	1.80	1.60	1.35	1.15	.90	.70	.45
$19.00	$19.50	2.80	2.60	2.35	2.15	1.90	1.65	1.45	1.20	1.00	.75	.55
$19.50	$20.00	2.90	2.65	2.45	2.20	1.95	1.75	1.50	1.30	1.05	.85	.60
$20.00	$21.00	3.00	2.75	2.55	2.30	2.10	1.85	1.65	1.40	1.15	.95	.70
$21.00	$22.00	3.15	2.90	2.70	2.45	2.25	2.00	1.80	1.55	1.30	1.10	.85
$22.00	$23.00	3.30	3.05	2.85	2.60	2.40	2.15	1.95	1.70	1.45	1.25	1.00
$23.00	$24.00	3.45	3.20	3.00	2.75	2.55	2.30	2.10	1.85	1.60	1.40	1.15
$24.00	$25.00	3.60	3.35	3.15	2.90	2.70	2.45	2.25	2.00	1.75	1.55	1.30
$25.00	$26.00	3.75	3.50	3.30	3.05	2.85	2.60	2.40	2.15	1.90	1.70	1.45
$26.00	$27.00	3.90	3.70	3.45	3.20	3.00	2.75	2.55	2.30	2.05	1.85	1.60
$27.00	$28.00	4.05	3.85	3.60	3.35	3.15	2.90	2.70	2.45	2.20	2.00	1.75
$28.00	$29.00	4.20	4.00	3.75	3.50	3.30	3.05	2.85	2.60	2.35	2.15	1.90
$29.00	$30.00	4.35	4.15	3.90	3.65	3.45	3.20	3.00	2.75	2.50	2.30	2.05
		15 percent of the excess over $30 plus										
$30.00 and over		4.45	4.20	3.95	3.75	3.50	3.30	3.05	2.85	2.60	2.35	2.15"

(c Effective date: The amendments made by this section shall be applicable only with respect to wages paid on or after June 1, 1947.

SEC. 6. Fiscal-Year Taxpayers.

(a) Income taxes: Section 108 of the Internal Revenue Code is hereby amended by striking out "(d)" at the beginning of subsection (d) and inserting in lieu thereof "(e)," and by inserting after subsection (c) the following:

"(d) Taxable years of individuals beginning in 1946 and ending in 1947: In the case of a taxable year of an individual beginning in 1946 and ending in 1947, the tax imposed by sections 11, 12, and 400 shall be an amount equal to the sum of—

"(1) that portion of a tentative tax, computed as if the law applicable to taxable years beginning on January 1, 1946, were applicable to such taxable year, which the number of days in such taxable year prior to January 1, 1947, bears to the total number of days in such taxable year, plus

"(2) that portion of a tentative tax, computed as if the law applicable to taxable years beginning on January 1, 1947, were applicable to such taxable year, which the number of days in such taxable year after December 31, 1946, bears to the total number of days in such taxable year."

Mr. KNUTSON (interrupting the reading of the committee amendment). Mr. Chairman, there has been a general understanding that we would vote at 2 o'clock, for the convenience of a great many Members who have expressed the wish to leave for their homes this evening. I ask unanimous consent that the further reading of the amendment be dispensed with.

Mr. FORAND. Reserving the right to object, Mr. Chairman, it may be all right to dispense with the reading of it, but I would like to have a full explanation of the Martin amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

Mr. FORAND. I object, Mr. Chairman.

Mr. KNUTSON. If the gentleman is going to object, we will have to read the bill, and he will have to take the responsibility.

Mr. FORAND. If the gentleman cannot give us an explanation of the amendment, I will have to object.

Mr. HALLECK. Mr. Chairman, reserving the right to object, I understand

there will be 5 minutes on the committee amendment which can be used for the explanation of the committee amendment, and then 5 minutes against it.

Mr. FORAND. I do not think you can explain it, but under those considerations I will withdraw my objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The CHAIRMAN. Is there anyone who wishes recognition in support of the amendment? If not, the question is on the committee amendment.

The committee amendment was agreed to.

Mr. FORAND. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FORAND. Is that the explanation that was promised to us by the gentlemen on the other side?

The CHAIRMAN. That is not a parliamentary inquiry.

Mr. FORAND. That is very nice, may I say to the gentleman from Indiana. I appreciate that. The Chairman did not recognize anyone to speak on the amendment.

The CHAIRMAN. The Chair invited someone to rise, and no one rose.

Mr. HALLECK. I did not so understand it, and am in good faith about it. Certainly, I may say to the gentleman from Rhode Island, I think the Chair should recognize some member of the committee to discuss the amendment and answer any questions that may be raised about it, and certainly anyone in opposition to the amendment is entitled to be recognized for 5 minutes in order that he may state his views in respect to it.

Mr. JENKINS of Ohio. Mr. Chairman, if the gentleman will yield, I might say that the Martin amendment is all one amendment, and that is what we have been talking about.

Mr. McCORMACK. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. McCORMACK. My point of order is that the amendment has apparently been adopted and, as I see it, there has to be unanimous consent to have the action vacated in order that further proceedings may be had.

The CHAIRMAN. The gentleman is correct. The amendment was agreed to.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the proceedings by which the amendment was adopted be vacated so that we can go along in an orderly way.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The CHAIRMAN. The Chair will again invite anyone who desires to do so to speak on the committee amendment.

Mr. FORAND. Mr. Chairman, I still request that explanation that is going to come from the other side. If they do not explain it we will have to assume that they do not understand it themselves.

Mr. REED of New York. Mr. Chairman, I rise in support of the committee amendment.

What the gentleman refers to is the exemption? It is so clear in the committee report that I fail to see how there can be any question about it.

Mr. FORAND. If it is so clear, I wish the gentleman would explain it to those of us who are so dense that we cannot understand it.

Mr. REED of New York. I am sorry for the gentleman if he cannot understand it.

Mr. McCORMACK. May I suggest that somebody on the gentleman's side make an explanation of the amendment, in accordance with the understanding, which through a misunderstanding was not carried out?

Mr. KNUTSON. In short, the Martin amendment merely provides that one cannot take more than one deduction. He can take his choice of exemptions.

Mr. REED of New York. The Martin amendment is just to prevent a pyramiding of deductions, that is all. The taxpayer can take his choice of exemptions.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Nebraska.

Mr. CURTIS. I do not think there is any amendment that can be singled out as the Martin amendment, because all the committee amendments were adopted as one amendment. There is a provision in the bill that gives an additional personal exemption of $500 to individuals over 65. That was put in there to meet a number of problems. Some people draw retirement benefits and are exempt from tax thereon. Some people draw retirement benefits that are taxable. Others of our aged people draw no retirement at all, and they must pay taxes, and they must also pay taxes for their neighbor who is tax exempt. To meet that situation and to take care of those people who are advanced in years, and whose opportunities for continued employment and new jobs are not very good, we have given this additional exemption.

The Martin amendment says in effect that if they avail themselves of this additional $500 exemption they cannot take any special exemption which is provided in certain retirement laws. For instance, railroad retirement benefits are exempt from taxation. We require the individual over 65 who is drawing those benefits to choose between that particular benefit and this $500 benefit. He cannot have both. The essence of the Martin amendment is that he is not entitled to both.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MONRONEY. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended 5 minutes so some of us can ask a question or two on this important amendment.

Mr. HALLECK. I object, Mr. Chairman.

Mr. REED of New York. I will say to the gentleman that the reason I was absolutely astonished that the question should come from such a highly intelligent source as it did was the fact that this is explained fully in the committee report.

Mr. McCORMACK. Mr. Chairman, the gentleman's time expired, a request was made for an extension of time, and objection was heard.

Mr. EBERHARTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am opposed to the Martin amendment. I am opposed to the amendment which would grant a special exemption to people who are 65 years of age for no other reason than the fact that they are 65 years of age.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I am glad to yield to the gentleman.

Mr. MONRONEY. I asked the distinguished gentleman from New York [Mr. REED] to yield for a question since he was one of the proponents of that measure. As I understand it, any Member of Congress over 65 years of age under this amendment now gets an additional $500 exemption.

Mr. EBERHARTER. That is correct.

Mr. MONRONEY. And the average age of the Congress is virtually 65?

Mr. EBERHARTER. The general public throughout the country knows the salaries of each Member of Congress. The salary is the same for every one of the 435 Members. But this amendment of Mr. KNUTSON'S gives some Members of the Congress a $500 exemption for no reason at all but that they are lucky enough to stay in Congress until they are 65 years of age. There is no sense in any such proposal.

Mr. Chairman, there is another very important complication in this amendment. It allows an exemption for the wife and the husband both of $500, providing each is 65 years of age and also providing that each one has an income of more than $500. Suppose the wife has an income of $499. Then, she does not get the $500 exemption. If she has an income of $501, she gets the exemption of $500. In other words, if you add even $2 to a $499 income to bring it up over the $500 mark you get an exemption of $500. Thus you can reduce your tax $66.50 by adding $2 additional income.

Mr. DINGELL. That is, on each $500.

Mr. EBERHARTER. The Bureau of Internal Revenue is going to be faced with a new problem—the problem of these people who may overstate their income so as to get the benefit of this $500 exemption. Goodness knows the Bureau of Internal Revenue has plenty of problems with people understating their returns, but with this amendment there will be thousands upon thousands of people who can overstate their returns by a few dollars—perhaps $50 or $100 or $10 or $1—and thereby gain an additional reduction in the tax of $66.50.

I want to bring that to the attention of the Members of the House so that they will know how deeply the majority committee members went into this question after they got their instructions from the caucus which was held by the Republican Party. Many of the gentlemen of the majority will hope that the next time they are called together in a caucus they will not be bound by the

Republican leaders to vote for any measure until it is properly explained to them and until it has been debated on the floor of the House so that they can know something about it.

Mr. FORAND. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. FORAND. Is it not a fact that when this amendment was brought up in committee the legislative counsel informed the chairman—that was on a Friday—that they could not possibly get this amendment because it was so complicated?

Mr. EBERHARTER. That is absolutely correct. The amendment was not drawn in proper form.

Mr. FORAND. We did not even see it.

Mr. EBERHARTER. The amendment was not drawn in proper form at the time it was voted into the bill, and the suggestion was made that we could meet again and consider it. But, of course, they were in a hurry and their plans were already made.

The CHAIRMAN. The question is on the committee amendment.

Mr. CURTIS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CURTIS. Is it not true that the committee amendment includes the amendment for an additional reduction of 30 percent in the income bracket of $1,000 surtax?

The CHAIRMAN. The gentleman does not propound a parliamentary inquiry.

The question is on the committee amendment.

The question was taken; and on a division (demanded by Mr. HALLECK and Mr. EBERHARTER) there were—ayes 196, noes 133.

So the amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CASE of South Dakota, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 1) to reduce individual income-tax payments, pursuant to House Resolution 161, he reported the bill back to the House with an amendment adopted in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. MARCANTONIO. Mr. Speaker, I ask for the reading of the engrossed copy of the bill.

The SPEAKER. The request of the gentleman from New York is premature.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. MARCANTONIO. Mr. Speaker, I demand a reading of the engrossed copy of the bill.

The SPEAKER. Obviously, that cannot be done at this time. The bill will have to be laid aside temporarily until it can be engrossed. We hope to have it before 6 o'clock.

Mr. MARCANTONIO. Mr. Speaker, in view of the situation with respect to some of the Members who wish to get home, I withdraw my request.

The bill was read the third time.

The SPEAKER. The question is upon the passage of the bill.

Mr. DOUGHTON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. DOUGHTON. I certainly am.

The SPEAKER. The gentleman qualifies.

The Clerk read as follows:

Mr. DOUGHTON moves to recommit the bill H. R. 1 to the Committee on Ways and Means for further study, with instructions not to report a tax-reduction bill until the Congress has passed the several appropriation bills and to consider individual income-tax reduction as a part of our over-all postwar tax program, and providing for more equitable relief in the lower income brackets.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. DOUGHTON. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 172, nays 237, not voting 23, as follows:

[Roll No. 29]

YEAS—172

Abernethy	Elliott	Lea
Albert	Engel, Mich.	Lesinski
Allen, La.	Engle, Calif.	Lucas
Almond	Evins	Lusk
Andersen, H. Carl	Fallon	Lyle
Andrews, Ala.	Fernandez	Lynch
Barden	Fisher	McCormack
Bates, Ky.	Flannagan	McMillan, S. C.
Battle	Fogarty	Madden
Beckworth	Folger	Mahon
Bell	Forand	Manasco
Blatnik	Gary	Mansfield, Mont.
Bloom	Gathings	Mansfield, Tex.
Boggs, La.	Gordon	Marcantonio
Bonner	Gore	Meade, Md.
Brooks	Gorski	Miller, Calif.
Brown, Ga.	Gossett	Mills
Bryson	Granger	Monroney
Buchanan	Grant, Ala.	Morgan
Buckley	Gregory	Morris
Burleson	Hardy	Morrison
Byrne, N. Y.	Harless, Ariz.	Murdock
Camp	Harris	Murray, Tenn
Carroll	Harrison	Norrell
Celler	Hart	Norton
Chapman	Havenner	O'Brien
Chelf	Hays	O'Toole
Clark	Hébert	Pace
Clements	Hedrick	Patman
Colmer	Heffernan	Peden
Combs	Hendricks	Peterson
Cooley	Hobbs	Pfeifer
Cooper	Holifield	Pickett
Courtney	Huber	Poage
Cox	Jackson, Wash.	Powell
Cravens	Jarman	Preston
Crosser	Johnson, Okla.	Price, Fla.
D'Alesandro	Jones, Ala.	Price, Ill.
Davis, Ga.	Jones, N. C.	Priest
Deane	Karsten, Mo.	Rabin
Dingell	Kee	Rains
Domengeaux	Kefauver	Rankin
Donohue	Kelley	Rayburn
Dorn	Kerr	Rayfiel
Doughton	King	Redden
Drewry	Kirwan	Richards
Durham	Klein	Riley
Eberharter	Lane	Rogers, Fla.
Rooney	Spence	Wheeler
Sabath	Stanley	Whitten
Sadowski	Stigler	Whittington
Sasscer	Teague	Williams
Sheppard	Thomas, Tex.	Wilson, Tex.
Sikes	Thomason	Winstead
Smathers	Trimble	Wood
Smith, Va.	Walter	Worley
Somers	West	Zimmerman

NAYS—237

Allen, Calif.	Graham	Muhlenberg
Allen, Ill.	Grant, Ind.	Murray, Wis.
Anderson, Calif.	Griffiths	Nixon
Andresen, August H.	Gross	Nodar
Andrews, N. Y.	Gwinn, N. Y.	Norblad
Angell	Gwynne, Iowa	Norman
Arends	Hagen	O'Hara
Arnold	Hale	Owens
Auchincloss	Hall, Edwin Arthur	Passman
Bakewell	Hall, Leonard W.	Patterson
Banta	Halleck	Philbin
Bates, Mass.	Hand	Phillips, Calif.
Beall	Harness, Ind.	Phillips, Tenn.
Bender	Hartley	Ploeser
Bennett, Mich.	Herter	Plumley
Bennett, Mo.	Heselton	Potts
Bishop	Hess	Poulson
Blackney	Hill	Ramey
Boggs, Del.	Hinshaw	Reed, Ill.
Bolton	Hoeven	Reed, N. Y.
Boykin	Hoffman	Rees
Bradley, Calif.	Holmes	Reeves
Bramblett	Hope	Rich
Brehm	Horan	Richlman
Brophy	Howell	Rizley
Brown, Ohio	Jackson, Calif.	Robertson
Buck	Javits	Robsion
Buffett	Jenison	Rockwell
Burke	Jenkins, Ohio	Rogers, Mass.
Busbey	Jenkins, Pa.	Rohrbough
Butler	Jennings	Ross
Byrnes, Wis.	Jensen	Russell
Canfield	Johnson, Calif.	Sadlak
Carson	Johnson, Ill.	St. George
Case, N. J.	Johnson, Ind.	Sanborn
Case, S. Dak.	Jones, Ohio	Sarbacher
Chadwick	Jones, Wash.	Schwabe, Mo.
Chenoweth	Jonkman	Schwabe, Okla.
Chiperfield	Judd	Scoblick
Church	Kean	Scott, Hardie
Clason	Kearney	Scott, Hugh D., Jr.
Clevenger	Kearns	Scrivner
Clippinger	Keating	Seely-Brown
Coffin	Keefe	Shafer
Cole, Kans.	Kersten, Wis.	Short
Cole, Mo.	Kilburn	Simpson, Ill.
Cole, N. Y.	Knutson	Smith, Kans.
Corbett	Kunkel	Smith, Maine
Cotton	Landis	Smith, Ohio
Coudert	Larcade	Smith, Wis.
Crawford	Latham	Snyder
Crow	LeCompte	Springer
Cunningham	LeFevre	Stefan
Curtis	Lemke	Stevenson
Dague	Lewis	Stockman
Dawson, Utah	Lodge	Stratton
Devitt	Love	Sundstrom
D'Ewart	McConnell	Taber
Dirksen	McCowen	Taile
Dolliver	McDonough	Taylor
Dondero	McDowell	Thomas, N. J.
Eaton	McGarvey	Tibbott
Ellis	McGregor	Tollefson
Ellsworth	McMahon	Towe
Elsaesser	McMillen, Ill.	Twyman
Elston	MacKinnon	Vail
Fellows	Macy	Van Zandt
Fenton	Maloney	Vorys
Fletcher	Martin, Iowa	Vursell
Foote	Mason	Wadsworth
Fulton	Mathews	Weichel
Gallagher	Meade, Ky.	Welch
Gamble	Merrow	Wigglesworth
Gavin	Meyer	Wilson, Ind.
Gearhart	Michener	Wolcott
Gifford	Miller, Conn.	Wolverton
Gillette	Miller, Md.	Woodruff
Gillie	Miller, Nebr.	Youngblood
Goff	Mitchell	
Goodwin		

NOT VOTING—23

Barrett	Douglas	Kilday
Bland	Feighan	Morton
Bradley, Mich.	Fuller	Mundt
Bulwinkle	Gerlach	O'Konski
Cannon	Hull	Rivers
Davis, Tenn.	Johnson, Tex.	Simpson, Pa.
Dawson, Ill.	Kennedy	Vinson
Delaney	Keogh	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Feighan for, with Mr. Simpson of Pennsylvania against.
Mr. Vinson for, with Mr. Gerlach against.
Mr. Keogh for, with Mr. Barrett against.
Mr. Delaney for, with Mr. Fuller against.
Mr. Bland for, with Mr. Bradley of Michigan against.
Mr. Hull for, with Mr. Morton against.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. The question is on the passage of the bill.

Mr. KNUTSON. On that, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 273, nays 137, not voting 22, as follows:

[Roll No. 30]

YEAS—273

Allen, Calif.	Ellis	Keefe
Allen, Ill.	Ellsworth	Kersten, Wis.
Allen, La.	Elsaesser	Kilburn
Anderson, Calif.	Elston	Knutson
Andresen, August H.	Engle, Calif.	Kunkel
	Fallon	Landis
Andrews, N. Y.	Fellows	Larcade
Angell	Fenton	Latham
Arends	Fisher	Lea
Arnold	Fletcher	LeCompte
Auchincloss	Foote	LeFevre
Bakewell	Fulton	Lemke
Banta	Gallagher	Lewis
Bates, Mass.	Gamble	Lodge
Beall	Gathings	Love
Bender	Gavin	Lucas
Bennett, Mich.	Gearhart	McConnell
Bennett, Mo.	Gifford	McCowen
Bishop	Gillette	McDonough
Blackney	Gillie	McDowell
Boggs, Del.	Goff	McGarvey
Bolton	Goodwin	McGregor
Boykin	Graham	McMahon
Bradley, Calif.	Grant, Ind.	McMillan, S. C.
Bramblett	Griffiths	McMillen, Ill.
Brehm	Gross	MacKinnon
Brooks	Gwinn, N. Y.	Macy
Brophy	Gwynne, Iowa	Maloney
Brown, Ohio	Hagen	Mansfield, Tex.
Buck	Hale	Martin, Iowa
Burke	Hall, Edwin Arthur	Mason
Busbey		Mathews
Butler	Hall, Leonard W.	Meade, Ky.
Byrnes, Wis.		Meade, Md.
Canfield	Halleck	Merrow
Carson	Hand	Meyer
Case, N. J.	Harness, Ind.	Michener
Case, S. Dak.	Hart	Miller, Conn.
Chadwick	Hartley	Miller, Md.
Chenoweth	Hébert	Miller, Nebr.
Chiperfield	Hedrick	Mitchell
Church	Hendricks	Morrison
Clason	Herter	Muhlenberg
Clevenger	Heselton	Mundt
Clippinger	Hess	Murray, Wis.
Coffin	Hill	Nixon
Cole, Kans.	Hinshaw	Nodar
Cole, Mo.	Hoeven	Norblad
Cole, N. Y.	Hoffman	Norman
Corbett	Holmes	Norrell
Cotton	Hope	O'Hara
Coudert	Horan	O'Toole
Cox	Howell	Owens
Crawford	Jackson, Calif.	Passman
Crow	Javits	Patterson
Cunningham	Jenison	Peterson
Curtis	Jenkins, Ohio	Philbin
Dague	Jenkins, Pa.	Phillips, Calif.
D'Alesandro	Jennings	Phillips, Tenn.
Davis, Ga.	Jensen	Ploeser
Dawson, Utah	Johnson, Calif.	Plumley
Devitt	Johnson, Ill.	Potts
D'Ewart	Johnson, Ind.	Poulson
Dirksen	Jones, Ohio	Preston
Dolliver	Jones, Wash.	Price, Fla.
Domengeaux	Jonkman	Ramey
Dondero	Judd	Rankin
Donohue	Kean	Redden
Dorn	Kearney	Reed, Ill.
Eaton	Kearns	Reed, N. Y.
Elliott	Keating	Rees
Reeves	Scrivner	Tollefson
Rich	Seely-Brown	Towe
Riehlman	Shafer	Twyman
Rizley	Short	Vail
Robertson	Simpson, Ill.	Van Zandt
Robsion	Smith, Kans.	Vorys
Rockwell	Smith, Maine	Vursell
Rogers, Fla.	Smith, Ohio	Wadsworth
Rogers, Mass.	Smith, Wis.	Weichel
Rohrbough	Snyder	Welch
Ross	Springer	West
Russell	Stefan	Whittington
Sadlak	Stevenson	Wigglesworth
St. George	Stockman	Wilson, Ind.
Sanborn	Stratton	Wilson, Tex.
Sarbacher	Sundstrom	Wolcott
Schwabe, Mo.	Taber	Wolverton
Schwabe, Okla.	Talle	Wood
Scoblick	Taylor	Woodruff
Scott, Hardie	Thomas, N. J.	Youngblood
Scott, Hugh D., Jr.	Thomas, Tex.	
	Tibbott	

NAYS—137

Abernethy	Folger	Mills
Albert	Forand	Monroney
Almond	Gary	Morgan
Andersen, H. Carl	Gordon	Morris
	Gore	Murdock
Andrews, Ala.	Gorski	Murray, Tenn.
Barden	Gossett	Norton
Bates, Ky.	Granger	O'Brien
Battle	Grant, Ala.	Pace
Beckworth	Gregory	Patman
Bell	Hardy	Peden
Blatnik	Harless, Ariz.	Pfeifer
Bloom	Harris	Pickett
Boggs, La.	Harrison	Poage
Bonner	Havenner	Powell
Brown, Ga.	Hays	Price, Ill.
Bryson	Heffernan	Priest
Buchanan	Hobbs	Rabin
Buckley	Holifield	Rains
Buffett	Huber	Rayburn
Burleson	Jackson, Wash.	Rayfiel
Byrne, N. Y.	Jarman	Richards
Camp	Johnson, Okla.	Riley
Carroll	Jones, Ala.	Rooney
Celler	Jones, N. C.	Sabath
Chapman	Karsten, Mo.	Sadowski
Chelf	Kee	Sasscer
Clark	Kefauver	Sheppard
Clements	Kelley	Sikes
Colmer	Kerr	Smathers
Combs	King	Smith, Va.
Cooley	Kirwan	Somers
Cooper	Klein	Spence
Courtney	Lane	Stanley
Cravens	Lanham	Stigler
Crosser	Lesinski	Teague
Deane	Lusk	Thomason
Dingell	Lyle	Trimble
Doughton	Lynch	Walter
Drewry	McCormack	Wheeler
Durham	Madden	Whitten
Eberharter	Mahon	Williams
Engel, Mich.	Manasco	Winstead
Evins	Mansfield, Mont.	Worley
Fernandez		Zimmerman
Flannagan	Marcantonio	
Fogarty	Miller, Calif.	

NOT VOTING—22

Barrett	Douglas	Kilday
Bland	Feighan	Morton
Bradley, Mich.	Fuller	O'Konski
Bulwinkle	Gerlach	Rivers
Cannon	Hull	Simpson, Pa.
Davis, Tenn.	Johnson, Tex.	Vinson
Dawson, Ill.	Kennedy	
Delaney	Keogh	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Simpson of Pennsylvania for, with Mr. Feighan against.
Mr. Gerlach for, with Mr. Vinson against.
Mr. Barrett for, with Mr. Keogh against.
Mr. Fuller for, with Mr. Delaney against.
Mr. Bradley of Michigan for, with Mr. Bland against.
Mr. Morton for, with Mr. Hull against.

Mr. EVINS changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO REVISE AND EXTEND REMARKS

Mr. COOPER. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days within which to extend their own remarks on the bill just passed by the House.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Carrell, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 931. An act to extend certain powers of the President under title III of the Second War Powers Act.

DEFICIENCY APPROPRIATIONS BILL

Mr. TABER. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tomorrow night to file a report on the deficiency bill.

Mr. MAHON. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. REED of New York asked and was given permission to extend his remarks and include a report by Mr. Mellon, Secretary of the Treasury in the year 1925.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. GEARHART asked and was given permission to extend the remarks he made in Committee of the Whole and include a statement.

Mr. SMITH of Ohio asked and was given permission to extend his remarks in the RECORD and include certain correspondence with the Secretary of the Treasury.

Mr. MERROW asked and was given permission to extend his remarks in the RECORD in two instances and include an editorial from the Concord Monitor and the Washington Post.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD concerning organized veterans' opposition to the combining of the Army and Navy.

Mr. JUDD asked and was given permission to extend his remarks in the RECORD in two instances and in one to include an editorial and in the other an article.

Mr. RICH asked and was given permission to extend his remarks in the RECORD and include a letter from Mr. Carl H. Wilkin, economic analyst to William S. Hill, with reference to wool.

Mr. McDONOUGH asked and was given permission to extend his remarks in the RECORD and include a statement by the Fleet Reserve Association.

Mrs. BOLTON asked and was given permission to extend her remarks in the RECORD and include three commentaries

on Colonel Blanchfield, the retiring head of the Army Nurse Corps.

Mr. MURDOCK asked and was given permission to extend his remarks in the RECORD and include a telegram received today.

Mr. BECKWORTH asked and was given permission to extend his remarks in the RECORD.

Mr. MADDEN asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. POWELL asked and was given permission to extend his remarks in the RECORD and include a letter from the Methodist Federation for Social Service.

Mr. FORAND asked and was given permission to revise and extend the remarks he made in Committee of the Whole and include certain tables and excerpts.

Mr. ROONEY asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

OFFICE OF SELECTIVE SERVICE RECORDS

Mr. SHORT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 918) to establish an Office of Selective Service Records to liquidate the Selective Service System following the termination of its functions on March 31, 1947, and to preserve and service the selective-service records, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. THOMASON. Mr. Speaker, reserving the right to object, will the gentleman from Missouri explain the present status of this bill and explain its provisions.

Mr. SHORT. Mr. Speaker, under existing law the Selective Service System automatically expires next Monday at midnight, March 31, 1947. As far as I am concerned, I am perfectly willing for it to breathe its last. But it is necessary that we maintain the records and files of more than 15,000,000 men and women who served in the armed forces during the recent global conflict. This bill simply provides for the liquidation of the Selective Service System, but it establishes an Office of Selective Service Records. There is a Director who receives a salary of $10,000, and he will have authority and power to appoint and fix compensation, within certain bounds which our committee wrote into the bill this morning, to transfer those records from the local county boards or similar political subdivisions to a central State headquarters. He must liquidate the Selective Service System as rapidly following March 31 of this year as possible and not later than March 31, 1948.

Mr. THOMASON. Mr. Speaker, will the gentleman yield?

Mr. SHORT. I yield.

Mr. THOMASON. As I understand, a subcommittee of the Committee on the Armed Services met this morning and now brings in different provisions than those contained in the bill reported a few days ago.

Mr. SHORT. Yes.

Mr. THOMASON. I would appreciate it, as I am sure would the other Members present, if the gentleman from Missouri would explain the bill he now proposes and the one which was reported to the House a few days ago which I understood at that time was not in agreement with the bill that was passed by the Senate.

Mr. SHORT. By direction of the Committee on Armed Services I have several amendments at the Clerk's desk.

Mr. Speaker, I ask unanimous consent that the Clerk may read these amendments at this time. If the gentleman from Texas has a copy of the bill S. 918 and follows the reading of the amendments he can note the changes.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read as follows:

On page 2, line 13, strike out the parenthesis and the small letter "a" occurring immediately after the figure "4" in section 4.

On page 2, line 15, after the word "records", strike out the period and insert the word "and."

On page 2, line 16, strike out the parenthesis and the small "b" at the beginning of the line and change the capital "A" in the word "Authority" to a small "a."

Page 2, line 23, change the colon to a period and strike out the following proviso in this line and 24, and 25.

On page 4 strike out all of subsection (2) through and including lines 1 through 4 on page 5.

On page 5, in lines 5, 10, 16, and 20, change the subsections from "3, 4, 5, and 6" to "2, 3, 4, and 5" respectively.

On page 5, line 17, after the word "employees", insert a parenthesis and the words "not to exceed 1,200 in number by November 1, 1947", and insert a parenthesis after "1947."

On page 5, line 19, after the word "amended", change the semicolon to a colon and insert the words "*Provided*, That the compensation of such persons shall not be in excess of that provided in said act."

Page 7, line 7, following the word "section", add a comma and insert the following: "or any person or persons who shall unlawfully obtain, gain access to, or use such records."

Page 7, line 19, strike out the parentheses and the enclosed small letter "a" appearing after the "9" in section 9.

Beginning in line 22, page 7, strike out all of subparagraphs "b" and "c" in section 9 as appearing on pages 7 and 8.

Mr. SHORT. Mr. Speaker, if the gentleman from Texas will yield, I might state that the Selective Service System, beginning this fiscal year on July 1 last, had about 12,000 employees. That number has been reduced to 7,500 at the present time and under the provisions of this act it is to be further reduced to 5,000 by June 1, and by November 1 of this year there will be not more than 1,200.

Mr. THOMASON. Mr. Speaker, I will say in reply to the gentleman from Missouri that I find myself very much in accord with the statement the gentleman has just made. These, of course, are very valuable records and we are all interested in their preservation, but I believe the membership will appreciate it if the gentleman from Missouri will explain what persons would have access to these records, and, further, if veterans will find them easily accessible if they are sent to State headquarters in the respective States.

As I understand it, the bill that was proposed by the other body left these records in the counties where they are now situated. The gentleman by his amendment sets up State headquarters in every State. Certainly the records ought to be accessible to the veterans because they will probably have to refer to them about matters of compensation, the date of entry into the service, and many other things, for they probably have not kept individual records of this exact data that would be necessary for the making out of claims against the Government. So I think it ought to be made plain that you do propose to keep these State headquarters in the respective States and they will all be easily accessible to the veterans. They should not be accessible to other people, like creditors or curiosity seekers.

Mr. SHORT. I may say to the gentleman that section 7 of the bill protects everything of a confidential nature and anyone who unlawfully reveals or gains access to this confidential material is subject to a fine of $10,000 and 5 years' imprisonment.

Mr. THOMASON. Can the veteran inspect his own personal record?

Mr. SHORT. Yes; it will be accessible to him. If the gentleman will bear with me a minute, I may say that during the First World War we had about 4,000,000 of these records to deal with and between the First and Second World Wars we had approximately 500 employed by the Government to service these records. Of course, in the last war we have over 15,000,000, and we propose to have 1,200 employees under this bill.

Mr. THOMASON. You are setting up a Federal director here in Washington. I would like to know what his jurisdiction will be and also what the jurisdiction and authority of the State directors will be who are going to be the custodians of these records.

Mr. ANDREWS of New York. If the gentleman from Texas had been present at the committee meeting this morning he would know that we voted in favor of an amendment offered by the gentleman from Ohio to protect the very thing of which the gentleman speaks.

Mr. THOMASON. I am not in opposition to the bill, and I regret it was impossible for me to be at the meeting of the subcommittee this morning, but I think the RECORD ought to show and the membership ought to know what the changes are. I am going to ask the gentleman from Missouri to explain them.

Mr. SHORT. I tried to explain them.

Mr. THOMASON. I am satisfied.

Mr. ANDREWS of New York. The Department of Justice, the Veterans' Bureau, and any governmental agencies that enter into the picture under certain conditions have the right to see these records. It was that very thing that led to the amendment to protect the rights of the veteran in connection with reemployment or in connection with the service records of veterans in connection with State bonuses or anything in that category.

Mr. THOMASON. I think the RECORD should show what these changes are.

Mr. SHORT. Most of these State headquarters will be, I presume, at the State capital; however, in Florida, for example, the records will be kept at St.

Augustine, which has always been the seat of the State military government. In Delaware they will perhaps be kept in the vault of the fort over there instead of the State capital.

Mr. BROOKS. When will we be able to get rid of these 1,200 employees that it is proposed to use to liquidate these records?

Mr. SHORT. No one can say. That is one of the portions I objected to. Our experience in the last war was that the records were not destroyed until 1941.

Mr. BROOKS. May I ask the gentleman, and I know he can explain the situation, why do we have to maintain and service these records over a long period of time?

Mr. SHORT. We have not yet reached the peak of inquiry from veterans. The Department of Justice work will be less and less all the time because there are fewer prosecutions. The Veterans' Administration, however, finds that its work is increasing and will increase for the next 4 or 5 years. After that you will naturally have a rather gradual to steep decline.

Mr. BROOKS. I am not going to object to the bill.

Mr. SHORT. I would not care particularly if the gentleman did.

Mr. BROOKS. I want to see it enacted as quickly as possible, just as the gentleman does. May I ask the gentleman this: The Senate report indicates it will cost $20,000,000?

Mr. SHORT. For the next year.

Mr. BROOKS. To get this out of the way. During this time we are not drafting a single man. What does the gentleman think of the cost of storing these records?

Mr. SHORT. I think it is next to unpardonable. I think it is terrible, but what are you going to do about it? We have already obligated $11,000,000 to dispose of these records.

Mr. BROOKS. There are not a great many of them, are there?

Mr. SHORT. You are going to spend $5,000,000 to give these people leave after discharge if we start folding up next Monday. But that was all done under the New Deal. That was before we got control of the House.

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, a few days ago I objected to the consideration of this bill, feeling there were some things in it not clear to the membership as the bill came over from the other body, and I would like to have the gentleman from Missouri explain a few things now in the bill. I think it is a much better bill than when it came over to us. I was over to the hearing this morning when the Armed Services Committee was meeting, and I heard General Hershey's remarks relative to the bill. I would like to ask the gentleman from Missouri this: This really extends selective service until March 1948; is that correct?

Mr. SHORT. It cannot go beyond that. It is to liquidate as quickly as possible following next Monday.

Mr. MILLER of Nebraska. Of course, many of us thought a year ago, when we extended it to March 31, it was really going to end then.

Mr. SHORT. I said then on the floor, and I certainly said in committee at that time, that if we extend it until March 31, 1947, they will be back here asking for another extension, and that is what they are doing.

Mr. MILLER of Nebraska. And now we are really setting up another committee to supervise the liquidation of selective service.

Mr. SHORT. That is right; liquidate the liquidator.

Mr. MILLER of Nebraska. I think the gentleman said they did limit the number not to exceed 1,200 in employment.

Mr. SHORT. By November 1, this year, not more than 1,200 employees, and we also set a limit on the compensation or wages of these employees, an amendment offered by the gentleman from Virginia [Mr. DURHAM].

Mr. MILLER of Nebraska. The bill of 2 days ago, to which I objected, set the cost in the counties for the handling of these records. Now they are transferred to a central office?

Mr. SHORT. That is right.

Mr. MILLER of Nebraska. As to the matter of the authority of the Director of this service, is he somewhat circumscribed in his ability to issue rules and regulations or does this give him a wide-open field here in the original bill?

Mr. SHORT. He has got pretty broad authority. He necessarily must have pretty broad authority, but there are certain limitations.

Mr. MILLER of Nebraska. Does the gentleman feel that this bill we are reporting now is a better bill than we had a few days ago?

Mr. SHORT. I think it is an infinitely better bill, and I want to congratulate the gentleman from Nebraska for having objected to its consideration when it was first brought in.

Mr. MILLER of Nebraska. Well, with that compliment, I withdraw my reservation of objection.

Mr. DURHAM. Mr. Speaker, further reserving the right to object, certainly the gentleman from Missouri feels it is necessary to do something. He made the statement that we would be coming in here with a piece of legislation which would continue the operation of the Selective Service System. We have to do something with these records. Of course, I feel we are making a mistake by transferring these records to a central division. I think they ought to be left in the counties where they can be used, and used more conveniently. Most of the State capitals at the present time, and the big cities, are crowded with people, and there will be no place to keep them, and it is going to be very difficult to find storage space in fireproof buildings. At the present time most of them are safe.

Mr. SHORT. They do not necessarily have to go to the State capital. They are to go to a central record depot.

Mr. DURHAM. But you will have to move all your personnel, and we are going to have to move the records, too, of course, which would require space.

Mr. SHORT. Sure, you would have to spend a lot of money even if you burned them or destroyed them. I believe the transportation cost is around two or three million dollars.

Mr. ANDREWS of New York. Mr. Speaker, if the gentleman will yield, I would like to say that the cost of this transportation, the moving of typewriters, desks, chairs, and so forth, will be about $11,000,000.

Mr. SHORT. There is $5,000,000 of equipment, chairs, desks, typewriters, and the like which, under this act, the Director can turn over to the National Guard or the Organized Reserve or perhaps even give some to the county governments.

Mr. DURHAM. I withdraw my reservation of objection, Mr. Speaker.

Mr. ROBSION. Reserving the right to object, Mr. Speaker, there are about 15,000,000 of these records?

Mr. SHORT. Yes.

Mr. ANDREWS of New York. There are 44,000,000 records, but 15,000,000 of them refer to those who actually served.

Mr. ROBSION. Twenty million dollars sounds like a large sum of money, but if it is to take care of these 15,000,000 records that apply to those who actually served, it is a cost of $1.33 per record. I think there ought to be a central place where the records can be preserved. They might be well preserved in some counties, but in many counties they would soon be scattered.

Mr. FOLGER. Reserving the right to object, Mr. Speaker, may I ask the gentleman from Missouri if this bill goes any further than to preserve the records already made, or does it in truth extend the selective-service law?

Mr. SHORT. No. I had that impression myself, I may say to the gentleman, and I did not want to vote for any measure that would extend it. I think this really closes it. It is to fold up and to preserve these records and get them in shape.

Mr. FOLGER. Is the gentleman now satisfied that that is the case?

Mr. SHORT. I am. They have to do it not later than March 31 of next year, but the bill says as quickly as possible.

Mr. FOLGER. It does not extend the selective-service power beyond that time?

Mr. SHORT. No. The act expires on midnight next Monday.

Mr. FOLGER. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby established an Office of Selective Service Records, to be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $10,000 per year.

SEC. 2. The functions, duties, and responsibilities of the Office of Selective Service Records shall be (a) to liquidate the Selective Service System, which liquidation shall be completed as rapidly as possible after March 31, 1947, but in any event not later than March 31, 1948, except as herein provided; (b) to preserve and service the records of Selective Service; and (c) to perform such other duties relating to the preservation of records, knowledge, and methods of Selective Service, not inconsistent with law.

SEC. 3. The unexpended balances of funds available to the Selective Service System are hereby made available to the Office of Selective Service Records for the purposes of this act and such additional appropriations as are necessary therefor are hereby authorized.

SEC. 4. (a) All property, records, and personnel of the Selective Service System are hereby transferred to the Office of Selective Service Records.

(b) Authority is hereby granted to the Director of the Office of Selective Service Records to transfer, without reimbursement, and with the approval of the War Assets Administration, to the National Guard in the several States, the District of Columbia, and Territories and possessions of the United States, or to the Organized Reserves of the armed forces, surplus property of the Selective Service System: *Provided*, That no surplus property will be so transferred by the Director of the Office of Selective Service Records prior to July 1, 1947.

SEC. 5. (a) Pursuant to the third sentence of section 7 of Public Law 473, approved June 29, 1946, all functions and responsibilities of the Personnel Division, National Headquarters, Selective Service System, established under authority of section 8 (g) of the Selective Training and Service Act of 1940, as amended, together with so much of the records of the Selective Service System, and so much of the unexpended balances of appropriations of the Selective Service System, as the Director of the Bureau of the Budget may determine to relate primarily to such functions, are hereby transferred, effective March 29, 1947, from the Selective Service System to the Secretary of Labor.

(b) The second sentence of section 600 (a) of Public Law 346, approved June 22, 1944, is hereby amended by substituting the words "Director of the Office of Selective Service Records" for the words "Director of the National Selective Service System."

(c) Section 600 (c) of Public Law 346, approved June 22, 1944, is hereby amended by substituting the words "Office of Selective Service Records" for the words "Veterans' Personnel Division, National Selective Service System."

SEC. 6. (a) The Director is authorized—

(1) to prescribe the necessary rules and regulations to carry out the provisions of this act;

(2) to create and establish local record depots in the several States, the District of Columbia, Territories and possessions of the United States, and such other agencies as may be necessary to carry out the provisions of this act. There shall be created one or more local record depots in each county or political subdivision corresponding thereto of each State, the District of Columbia, Territories, and possessions of the United States. Each local record depot shall be under the administration of a local board, consisting of the members of the present Selective Service local boards, and shall consist of three or more members. Any vacancy on such board shall be filled by the Director upon recommendation of the Governors or comparable executive officials: *Provided*, That the Director may establish intercounty local record depots for an area not exceeding five counties within a State or comparable jurisdiction when the Director determines, after considering the public interest involved, and the recommendations of the Governors or comparable executive official or officials, that the establishment of such a local record depot area will result in a more efficient and economical operation. One member from each of the appointed county local boards involved in such intercounty local record depot area shall form such board, and shall have the same authority and jurisdiction as a local board in its area;

(3) to create and establish, on the date hereinafter specified, Federal record depots in the several States, the District of Columbia, Territories, and possesions of the United States, and to maintain such other offices as may be necessary for the purposes of this act;

(4) to utilize the agencies of the Federal Government with the consent of the heads thereof, and to accept the services of all officers and agents of the several States, the District of Columbia, Territories, and possessions of the United States, and subdivisions thereof, in the execution of this act;

(5) to appoint and fix the compensation of such officers and employees, as may be necessary for the purposes of this act, with or without regard to the Classification Act of 1923, as amended;

(6) to delegate and provide for the delegation of any authority vested in him under this act to such officers, agents, or persons as he may designate or appoint for such purpose or as may be designated or appointed for such purpose pursuant to such rules and regulations as he may prescribe.

(b) In the administration of this act voluntary services may be accepted.

(c) The Chief of Finance, United States Army, is hereby designated, empowered, and directed to act as the fiscal, disbursing, and accounting agent of the Director of the Office of Selective Service Records in carrying out the provisions of this act.

(d) Any officer on the active or retired list of the Army, Navy, Marine Corps, or Coast Guard, or of any Reserve component thereof, or any officer or employee of any department or agency of the United States who may be assigned or detailed to any office or position to carry out the provisions of this act may serve in and perform the functions of such office or position without loss of or prejudice to his status as such officer in the Army, Navy, Marine Corps, or Coast Guard or Reserve component thereof, or as such officer or employee in any department or agency of the United States.

SEC. 7. The Director is authorized to prescribe such rules and regulations as may be necessary to preserve the confidential nature of the individual confidential records previously obtained under the Selective Training and Service Act of 1940, as amended. Any person charged with the duty of carrying out any of the provisions of this act, and who fails to carry out such provisions or who shall knowingly violate the regulations promulgated under this section shall, upon conviction in the district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than 5 years, or a fine of not more than $10,000, or by both such fine and imprisonment, or if subject to military or naval law, may be tried by court martial, and, on conviction, shall suffer such punishment as the court martial may direct.

SEC. 8. Except as provided in this act, all laws and parts of laws in conflict with the provisions of this act are hereby suspended to the extent of such conflict for the period in which this act shall be in force.

SEC. 9. (a) Except as otherwise provided by the terms of this act, the provisions hereof shall take effect at 12 o'clock postmeridian, March 31, 1947.

(b) The provisions of section 6 (a) (2) of this act shall become inoperative and cease to apply at 12 o'clock postmeridian on June 30, 1947, unless extended by the Congress prior to that date.

(c) The provisions of section 6 (a) (3) of this act shall become operative and effective upon the expiration date of section 6 (a) (2), as hereinbefore specified.

Mr. SHORT. Mr. Speaker, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. SHORT:

Page 2, line 13, strike out the parentheses and the small letter "a", occurring immediately after the "4" in "SEC. 4."

Page 2, line 15, after the word "records", strike the period and insert the word "and."

Page 2, line 16, strike the parenthesis and the small "b" at the beginning of the line, and change the capital "A" in the word "Authority" to a small "a."

Page 2, line 23, change the colon to a period and strike out the following proviso in this line and lines 24 and 25.

Page 4, strike out all of subsection (2) through and including lines 1 through 4 on page 5.

Page 5, lines 5, 10, 16, and 20, change the subsection numbers "3, 4, 5, 6" to "2, 3, 4, 5," respectively.

Page 5, line 17, after the word "employees", insert a parenthesis and the words "not to exceed 1,200 in number by November 1, 1947" and insert a parenthesis after "1947."

Page 5, line 19, after the word "amended", change the semicolon to a colon and insert the words "*Provided*, That the compensation of such persons shall not be in excess of that provided in said act."

Page 7, line 7, following the word "section" add a comma and insert the following: "or any person or persons who shall unlawfully obtain, or gain access to or use such records."

Page 7, line 19, strike out the parentheses and the enclosed small letter "a" appearing after the "9" in "SEC. 9."

Beginning on line 22, page 7, strike out all of subparagraphs "b" and "c" in section 9 as appearing on pages 7 and 8.

The SPEAKER. The question is on the amendments offered by the gentleman from Missouri.

The amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ANDREWS of New York. Mr. Speaker, may I say for the benefit of the Members of the House that I am reliably informed that the Senate in all probability will accept the House amendments. However, in view of the time element involved and the fact that there is always a possibility that a conference will be necessary, I ask unanimous consent that the Speaker be authorized to appoint three conferees and that those conferees be instructed, in the event of a conference, to insist upon the House amendments.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. SHORT, COLE of New York, and DREWRY.

EXTENDING CERTAIN POWERS OF THE PRESIDENT UNDER TITLE III OF THE SECOND WAR POWERS ACT

Mr. MICHENER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 931) to extend certain powers of the President under title III of the Second War Powers Act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That this act shall be cited as the "First Decontrol Act of 1947."

SEC. 2. The Congress hereby declares that it is vital to a free economy and full production in the United States that all emergency controls and war powers under the Second War Powers Act be removed except in certain limited instances.

The Congress further declares that in each such limited instance the authority for such emergency controls and war powers should not be exercised by the grant of broad, general war powers but should be granted by restrictive, specific legislation.

SEC. 3. For the purpose of liquidating existing emergency controls and war powers and for the purpose of affording further opportunity for the appropriate committees of the Congress to consider specific legislation granting restricted authority in limited instances, title III of the Second War Powers Act, as amended, shall (except as provided in S. J. Res. 58 and H. J. Res. 118, 80th Cong., 1st sess.) remain in effect only until June 30, 1947: *Provided,* That any material or facilities which were not being allocated by the President on March 24, 1947, shall not be allocated hereafter under the provisions of such title III.

Mr. MICHENER. Mr. Speaker, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. MICHENER: Strike out all after the enacting clause and insert the following:

"That title XV, section 1501, of the Second War Powers Act, 1942, approved March 27, 1942, as amended, is amended to read as follows:

"'SEC. 1501. Titles I, II, III, IV, V, VII, and XIV of this act and the amendments to existing law made by such titles shall remain in force only until March 31, 1947, except that (1) for purposes of allocations of building materials, and facilities related to the utilization of building materials, such title III, and the amendments to existing law made by such title, shall remain in force until June 30, 1947, and (2) such title III, and the amendments to existing law made by such title, shall remain in force until December 31, 1947, for the following purposes: (a) Allocations of cinchona bark and cinchona alkaloids, tin and tin products, antimony and streptomycin; (b) allocations limited to control of production for export of automobiles and tractors; (c) allocating the use of transportation equipment and facilities by rail carriers; (d) allocations of materials or equipment for export which are required to expand the production in foreign countries of materials critically needed in the United States; (e) allocations of materials or equipment for export which are certified by the Secretaries of State and Commerce as necessary to meet international commitments: *Provided,* That the two Houses of Congress by concurrent resolution or the President may designate an earlier time for the termination of any such title. After the amendments made by any such title cease to be in force, any provisions of law amended thereby shall be in full force and effect as though this act had not been enacted.'"

Mr. MICHENER. Mr. Speaker, I yield to the gentleman from Indiana [Mr. SPRINGER], chairman of the subcommittee, who has prepared the bill and the amendments and who knows all about it.

Mr. SPRINGER. Mr. Speaker, all the Members know that the Second War Powers Act will expire on March 31, which is next Monday, and that it is necessary that whatever action is taken with reference to the extension of any of these items contained in the Second War Powers Act be taken rather promptly.

May I say at the outset that there remain in the Second War Powers Act titles 1, 2, 3, 4, 5, 7, and 14. All of these titles are being eliminated by this bill with the exception of certain items under title 3. That is the title which relates entirely to allocations and priorities. In connection with title 3 for the purposes of allocations, building materials are continued under the extension until June 30, 1947. That is done for the purpose of accelerating if possible the building program in order to coordinate it with other legislation.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. McCORMACK. Has the question of grains been considered in this bill?

Mr. SPRINGER. It also relates to grain. I was about to come to that in a moment.

Mr. McCORMACK. I thank the gentleman.

Mr. SPRINGER. The bill which is offered has an amendment which has been reported out of the Committee on the Judiciary and provides that under title 3 and the amendments to the existing law made by such title which shall remain in force until December 31, 1947, the following: Allocations of cinchona bark and cinchona alkaloids. There is a shortage and scarcity of those products, and it was shown without any question of doubt that those items should be continued under the allocation plan.

The next items to which we have given full consideration and which remains in the bill are tin and tin products, antimony, and streptomycin. The evidence shows conclusively that there was a shortage of these items and that they should be continued.

Under (b), which is on page 2 of the amended bill which is offered, allocations are limited to the control of production for export of tractors. That is also continued.

That item of export control was deemed essential to protect our own farmers and our own people. Many foreign prospective purchasers of tractors offer very high prices for these articles. If all control should be eliminated, it is possible that our own people would be unable to obtain them. This would materially affect our food production.

In the original copy of the bill, automobiles were contained, and the allocation extended both to automobiles and to tractors. However, we received information from the Department of Commerce that on March 31 they are removing all allocations and all powers with respect to allocating automobiles, either new or second-hand automobiles. Therefore, we have concurred with the action of the Department of Commerce and we have eliminated automobiles, just as they propose doing on March 31. But we are retaining it on tractors, in order that the export of tractors may be controlled, and in order that the people of this country may have an opportunity to secure tractors in case of their great need.

Further, may I say that under (c) on page 2, allocating the use of transportation equipment and facilities by rail carriers is continued, because there is a shortage of box cars and freight cars. Those allocations are continued insofar as they are concerned, in order that certain communities, which have found a great scarcity of those transportation facilities, may have the opportunity of securing assistance along that line.

Also, under (d) the allocation of materials or equipment for export which are required to expand production in foreign countries, of materials critically needed in the United States of America. This was also deemed to be necessary under the circumstances.

Under (e) the allocation of materials or equipment for export which are certified by the Secretaries of State and Commerce as necessary to meet international commitments. That is retained in the provisions of the bill which is offered by way of an amendment.

May I say that the final provision, on the last page of the bill, which relates to any earlier termination of such power, contains a provision that both Houses of Congress by concurrent resolution, or the President, may designate an earlier time for the termination of any of these items under title III which are extended, and any amendments made by any such title cease to be in force, and any title amended thereby shall be in full force and effect as though this had not been enacted.

The Judiciary Committee has given very careful consideration to this bill. They have reported the bill out, as I have indicated, at a full session of the committee this morning. It is now offered by way of an amendment to S. 931.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to my distinguished friend from Massachusetts.

Mr. McCORMACK. Will the gentleman specifically state what the status is or will be under the provisions of the bill, in relation to grains?

Mr. SPRINGER. Under the provisions with reference to grain and grain products, rice, sugar, edible molasses and sirups, fertilizer, all forms and types of natural or synthetic rubber and rubber products, excluding control over the importation of natural rubber, have been eliminated from the bill.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. MILLER of Nebraska. I note you state the limitations or controls to be taken off by concurrent resolution of the Congress or by the President. Does that also extend to the President the powers to put more items under control than you might presently have in the bill?

Mr. SPRINGER. It does not. The bill specifically provides those items which are extended beyond March 31, 1947. No one has any power to insert any additional items under the provisions of title III except the Congress of the United States.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield further?

Mr. SPRINGER. I yield. I am happy to yield.

Mr. MILLER of Nebraska. The gentleman will recall that I appeared before his committee, as I did a year ago, hoping that the Second War Powers Act could be greatly curtailed. I stated before the gentleman's committee, and I think it is still correct, that under the Second War Powers Act the executive department has the power to nullify

practically any law passed by this Congress. I am wondering whether those authorities are continued in this bill relative to international commitments. I notice you use those words. I am wondering just what those words involve.

The SPEAKER. The time of the gentleman from Indiana [Mr. SPRINGER] has expired.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to proceed for three additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SPRINGER. May I say to the distinguished gentleman from Nebraska that the bill as originally introduced provided under subsection (g) on page 3:

Allocations of any materials or facilities in the event of a national emergency proclaimed by the President.

That language was contained in the original bill. If that paragraph had been adopted by the Judiciary Committee it would have given the President the power to have declared a national emergency at any time and to have put allocations, priorities, and controls on practically every article; but under this measure which is offered by way of an amendment the items which are embraced therein are the only items provided in the bill on which there may be any allocations.

Mr. HERTER. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. HERTER. Can the gentleman explain why grains were taken out? Was it because of the supply situation?

Mr. SPRINGER. There is an ample supply of grains in this country. While some grain has been shipped to foreign countries there is still an adequate supply and we are getting along very nicely under the grain situation. It was thought by the subcommittee and by the full committee that it was not necessary that this allocation be continued further. The Department also testified on that particular subject that there was an act, now in force, covering this particular item which would not expire for some time and which would amply take care of this particular situation. It was, and is, our thought that all controls should be entirely eliminated as rapidly as possible, consistent, of course, with our security as a nation and for the protection and security of our own people.

The SPEAKER. The time of the gentleman from Indiana has again expired.

The gentleman from Alabama [Mr. HOBBS] is recognized for 5 minutes.

Mr. HOBBS. Mr. Speaker, I wish to take this opportunity to express my profound personal gratitude to the distinguished chairman of the full committee, the gentleman from Michigan [Mr. MICHENER], and particularly to the distinguished chairman of the subcommittee, the gentleman from Indiana [Mr. SPRINGER], to our friend and colleague, the gentleman from Maine, Mr. FRANK FELLOWS, and to our friend, the gentleman from New York, Mr. Clarence Hancock, who voluntarily retired from Congress, for the untiring work they have done on the Second War Powers Act.

It was my pleasure to acknowledge, with thanks, that the gentleman from Indiana [Mr. SPRINGER] was kind enough to introduce the President's bill, by request, which is H. R. 1983, just amended and reported today. It was also my pleasure to request of our general chairman that it be referred to that subcommittee of which he and the gentleman from Maine, Mr. FRANK FELLOWS, were still members so that we might have the benefit of their views and counsel and leadership on this bill because they had been through the same mill three times. Each time it was unanimously reported favorably from a subcommittee evenly divided as to party affiliation, three Republicans and three Democrats.

I want to give credit where credit is due, both to the leadership of the chairman of the full committee and to those three colleagues and esteemed friends of mine who have labored so faithfully and in such a nonpartisan manner in this matter. I think that in this instance, however, even though they have given studious and careful attention to the present bill, their hopes have out-run the facts. I believe that the message of the President of the United States and the bill on controls which was prepared accordingly by the five major administering agencies should be given more factual attention than has been given.

Please bear in mind that this Second War Powers Act, when we first reported it, contained 15 titles. Under it several thousand directives were appropriately issued by the executive departments of your Government. The original 15 titles have been cut down to 1, and only a part of that is retained. Such things as grains and other food articles may be covered by the Food Control Act, but personally I doubt it, because the Agriculture Department is still asking that they be retained.

I could go on, but I will not bother you with details. We have carefully discussed this matter in our committee this morning and every single one of some 12 amendments that were offered to restore as many different controls for the benefit of starving peoples abroad and for the benefit of our own people at home, as many of us see them, were killed. So there is no use in taking up the time of the House by offering them again.

I want to suggest, in all candor and earnestness, and I want to plead with you to defeat this motion if you conclude, after it has been explained, that the Senate bill is better than the House bill for the reason that it will merely continue the status quo as is, till June 30.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to proceed for three additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HOBBS. Mr. Speaker, it will give this great subcommittee that has done a splendid job the chance to iron out three or four important matters that they frankly admitted in our committee, and this is no secret, they had not adequate facts on, although considerable study had been given to them. In other words, if a chock block were put in now to stop the inevitable extinction of some of these powers we cannot iron out the situation and write a better bill. I believe, and I am not speaking for anyone but myself, that the Senate bill should be adopted and that the motion of the gentleman from Michigan, the chairman of our full committee, with all due respect to him and these other fine gentlemen, should be voted down.

I bespeak your careful consideration of the record made by the five major administering agencies in reducing the number of controls. I quote from the 1945 report of the committee:

By the grace and guidance of Almighty God, the brilliance and devotion of our civilian and martial leadership and the heroism of the men and women who composed the team of the United Nations, the Axis Powers have been brought to unconditional surrender, yet neither the war nor the peace has been won. Our victory then is neither final nor complete. We still have before us and our allies years of service in foreign lands, requiring the solution of problems at least as difficult as were those of war.

The conflagration that so recently blanketed the globe, still flares in spots. We have learned that no place is too remote to be a menace. Nor can it be doubted that fire spreads. Military and naval might, even including atomic bombs, do not quench the fire of war so potently as the milk of human kindness. No civilized nation, much less one that is Christian, can allow even surrendered enemies to starve or freeze when we have enough and to spare. That would not even be good business, were we so base as to be governed by no higher motive. Even more incumbent on us is to share with our allies in the liberated countries; and, of course, we must not fail to provide adequately for our own forces of occupation. This job cannot be done until the last man or woman so engaged shall have been brought safely home and be happily rehabilitated into our peacetime economy.

During our preparation for adequate national defense, and while the shooting part of the war was on, the Congress of necessity had to grant extraordinary powers for such purposes and for the fulfillment of the inevitable aftermath. These were loosely called war powers.

Now that we have won back much of our safety and peace, it is the determination of Congress to recapture those powers as speedily as may be wise, for the people, so that they may be again exercised in accordance with the slower but more desirable processes of democracy.

The study of the stuation by your committee has revealed that the Presidents and the agencies of Government that have been exercising these war powers agree with the thought of the Congress as shown by their records. The following synopsis not only shows such agreement, but also discloses no reason to doubt that they will continue to diminish their personnel and surrender their powers as rapidly as possible with safety. A survey of the five chief agencies exercising controls under title III of the Second War Powers Act indicates that they have reduced their outstanding controls and administrative personnel as follows:

REDUCTION IN CONTROLS EXERCISED UNDER TITLE III OF THE SECOND WAR POWERS ACT, AND OF PERSONNEL ENGAGED IN ADMINISTRATION OF THESE CONTROLS

War Production Board-Civilian Production Administration: At its peak prior to VE-day, this agency had outstanding slightly over 700 basic orders and schedules. Approximately 200 of these were lifted shortly after VE-day,

and as November 1 the number had been reduced to 73.

Personnel has been reduced from a peak of about 23,000 in February 1943 to less than 11,000 at the end of August, less than 4,000 on November 3, and it is planned to reach a figure of 400 by June 30, 1946.

Office of Defense Transportation: On VJ-day this agency had outstanding slightly over 2,950 orders under title III of the Second War Powers Act. By December 1, 1945, all of these orders will have been revoked, and this agency will no longer exercise controls under this act. The reduction in personnel engaged on title III administration has been as follows: June 1, 1944 (peak), 3,897; VJ-day, 2,333; November 1, 1945, 54; December 1, 1945 (estimated), 0.

Department of Agriculture: On August 1, 1945, this agency had outstanding 94 general food orders and on April 1, 1945, 194 suborders. These two dates are chosen because they are the dates on which the greatest number of general and suborders, respectively, were in existence. As of November 14, 1945, there were outstanding 56 basic orders and 173 suborders. Of these 173, however, 144 were suspended. That is to say, they are temporarily inoperative and the Department of Agriculture believes that probably they will not be made operative again.

Personnel engaged in administering these orders has been reduced from 1,000 at the end of the fiscal year to 550 as of November 14, 1945.

Solid Fuels Administration: This agency had outstanding 13 general orders prior to VJ-day. Of these 13 only 6 remain today and of these 6, 1 has been confined to operations east of the Mississippi River. It is believed that all controls will be lifted at the end of the coal year, March 31.

Personnel engaged in title III activities has been reduced from 700 employees prior to VJ-day to 650 at the present time, and will continue to decrease to 50 at the end of the coal year. These 50 will be engaged in clean-up work.

Office of Price Administration: On VJ-day this agency had 16 major rationing programs in effect on a national basis. This number has been reduced to two.

Paid employees (as opposed to volunteers) actually engaged in administering the rationing programs have decreased from 27,055 on August 15, 1945, to 8,952 on October 31, 1945. This figure includes field offices and local boards. Actually the reduction has been greater since these figures do not include reductions in "overhead" employees indirectly concerned with rationing. Proportionately heavy reductions have been made in this category, as well.

The committee has concluded that extension of certain titles of the Second War Powers Act for a period of 6 months is essential in order to assure an orderly liquidation of much of our wartime economy and to aid reconversion. The necessity results basically from the fact that our armed forces and industry are still deployed for war, and from the continuance of a number of basic shortages which threaten to cripple industry and to cause inconvenience or even suffering to consumers.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. HOBBS. I am always delighted to yield to the gentleman from Indiana.

Mr. SPRINGER. Under the Senate bill, S. 931, the gentleman is aware of the fact that it contains allocations with respect to tin, antimony, cinchona bark, and alkaloids, and streptomycin, and so forth. There is nothing about building material export controls here. The gentleman certainly does not think that the Senate bill should be passed in preference to the bill which we have just reported out of the Judiciary Committee, does he?

Mr. HOBBS. I think, from mere hearsay, the House bill is a much better bill in several respects. I have not seen the Senate bill, but I think if we go to conference, or, better still, reject the Senate bill and send the whole problem back to our committee for further study, we could work out and report a much better bill than either.

Mr. SPRINGER. Let me ask this question: Is it not proper to pass the House bill here so the two bills may go to conference on account of the disagreement?

Mr. HOBBS. That may be so, but I want to see and understand the Senate bill before passing on that.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. HOBBS. I will be so happy to yield to my chairman.

Mr. MICHENER. I think there is a misunderstanding. If the statement of the gentleman from Alabama as to the procedure suggested were followed, the House would pass the Senate bill, and that would end it, and the Senate bill is much more restrictive that the House bill is. The real purpose here is to send this bill to conference where the differences can be worked out, and the only way that that can be done is to adopt an amendment to the Senate bill, because if you adopt the Senate bill it goes to the White House and there is no further opportunity for conference. It is all ended, and the Senate bill is much more restrictive than the House bill, in the form in which the subcommittee reported it.

Mr. HOBBS. I am cordially in agreement with the statement of the chairman and the statement of the chairman of the subcommittee unless the defeat of your motion and reference of the Senate bill to your committee for study would give us a chance to compare the respective merits.

The SPEAKER. The time of the gentleman from Alabama has again expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman be permitted to proceed for two additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. HOBBS. I will be glad to yield to the distinguished gentleman.

Mr. McCORMACK. As I understand, if this legislation passes, it has to pass at a certain time; is that correct?

Mr. HOBBS. Yes, sir; by the 31st of this month, in regard to everything but building materials and possibly some allocation authority as to food supplies.

Mr. McCORMACK. So time is of the essence.

Mr. HOBBS. Oh, very definitely.

Mr. McCORMACK. Let me see if I understand the gentleman correctly. While he is not in favor of the amendment, nevertheless he is in favor of the bill going along to the Senate in order to get it to conference, so the gentleman is placing himself on record as opposing the amendment for future action, and his position at this time is that the bill should pass the House; is that correct?

Mr. HOBBS. Possibly that may be wise.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. HOBBS. Gladly.

Mr. DURHAM. I notice here, of course, it extends CPA No. M311 on quinine. Now, did this committee go thoroughly into the stock pile of quinine that we have on hand? Can anybody answer that question?

Mr. HOBBS. They certainly did, sir, and I more confidently praised them than they would praise themselves. That was gone into very carefully and fully, and it was explained that the supply of cinchona bark was being practically monopolized by the manufacturers of hair tonic instead of being used for medicine which will relieve many cases of heart trouble and malaria.

Mr. DURHAM. Of course, you understand at the present time, to get 5 grains of quinine, you have to have a prescription under this War Powers Act, and the people of the country, of course, are becoming a little bit concerned about that. The stock piles of quinine in this country, of course, is scarce. I think it is necessary to extend it. You probably remember that we passed Public Act 520 which carried out the stock-pile idea, and I wonder if the committee inquired into the stock pile on hand.

Mr. HOBBS. The gentleman, I know, is a druggist by profession and an outstanding one.

Mr. DURHAM. I thank the gentleman very much.

Mr. HOBBS. Well, he is, and so regarded not only all over North Carolina but everywhere else by the people who know him and the skill with which he keeps up with medicinal drugs and stock-pile supplies. I will say to the gentleman that the only way to prevent 80 percent of all the importations of cinchona bark going into the manufacture of certain hair tonics was to do this thing and make this control so that the sick people of America could, through proper allocations, hope to obtain relief and cures.

Mr. DURHAM. If that is the fact, of course, and I am sure it is, because the committee would not have made an erroneous decision, I withdraw my reservation of objection. I think it is a wise decision, because I understand how quinine can go into other products that are not medicinal.

Mr. HOBBS. I thank the gentleman.

Mr. WALTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALTER. As I understand, the gentleman from Michigan moved to strike out all after the enacting clause of the Senate bill and to substitute therefor the House bill.

The SPEAKER. The gentleman is correct.

Mr. WALTER. Does not that mean that this entire matter will be subject to any legislation written by the committee of conference? In other words, it is all

in disagreement, and an entirely new bill may be written?

The SPEAKER. The Chair will state that the conferees will have a very wide scope in bringing in legislation.

Mr. MILLER of Nebraska. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I understood from the gentleman from Alabama that the Senate bill was far more restrictive and extended less of the War Powers Act than we propose to do here in the House. Is that correct?

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Indiana.

Mr. HALLECK. The Senate bill has a different approach. I think it is a 90-day extension for all materials and services now being allocated, so in that regard it is a broader bill than the House bill.

Mr. MILLER of Nebraska. The gentleman from Alabama said it was a more restrictive bill. If so, I was certainly going to go along with the Senate. I can say that to the gentleman because I have been one of the Members of this body that feel there have been too many regulations imposed upon the American people and that these building allocations that are presently in effect are holding up the construction of any type of building. The allocations of steel that were in effect on boxcars prevented the country from getting box cars. It has been only within the last 2 weeks that the powers that be have seen fit to let them make perhaps 10,000 cars a month, when they should have been making them 6 months ago, starting on 10,000 cars a month. United States Steel said they were in 98 percent of production. I just hope we do not continue these wartime controls when they are not necessary.

I spoke last year when the gentleman from Alabama was in the well of the House and asked him then how much longer we expected to continue the War Powers Act. He said, "I hope they can end by next March 31." Now we come in and ask for another extension. We did that with Selective Service. I am getting sick and tired of continuing all of these War Powers Acts. If there is any way under the sun to limit them, cut them off, or set a definite time for terminating them, I want to do it. I do not think we are doing it in this bill. The people want less regulations, not more. The way to quit regulations is to quit.

Mr. HALLECK. Of course the gentleman finds himself in a very considerable company of people around here who are as intent as he on doing that.

Mr. MILLER of Nebraska. I doubt it.

Mr. HALLECK. Possibly the gentleman may doubt it but it still is the truth. They want to do away with unnecessary controls, regulations, and directives. Certainly we are moving in that direction. I think the committee has gone over this matter very carefully. I may say to the gentleman from Nebraska—possibly I did not make myself clear—that the Senate proposal may be more restrictive as to time but as to the number of commodities or articles or services to be included under these controls it is much broader than the House bill. Certainly I think the gentleman will agree with the gentleman from Indiana and the other members of the committee, together with the Senate committee. When they get this matter in conference they are not going to extend any control for which there cannot be shown to be an absolute necessity and desirability.

Mr. MILLER of Nebraska. I have one more question I want to ask of someone. What is the termination date that is presently in the bill?

Mr. SPRINGER. The termination date provided in the bill on the items under III, which I mentioned in the second part of the statement I made, is December 31, 1947, and on building materials June 30, 1947.

Mr. MILLER of Nebraska. There is no way for further extension except by an act of Congress? The gentleman does not think that can be done by Executive order?

Mr. SPRINGER. I do not think so.

Mr. MILLER of Nebraska. The gentleman is not sure about that?

Mr. SPRINGER. I am positive that it cannot be, because we have set out definitely the articles and the length of time which they may be extended.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Michigan.

Mr. DINGELL. May I ask the chairman of the subcommittee this question: When the House conferees come back here with a bill written in conference, we will then have an opportunity finally to reexamine the entire bill?

Mr. SPRINGER. The gentleman is entirely correct.

Mr. MILLER of Nebraska. How many regulations will they take off as of the 31st of March? How many employees will be released by ending the controls under this bill? What economies will be made?

I am concerned because it is my firm belief that allocations and restrictions in the past has been keeping down construction and retarding reconversion in this country. Business cannot go forward if it must carry an extra load of regulations. I would like to know which titles go out——

Mr. SPRINGER. All of title 1, all of title 2, all of titles 4, 7, and 14 go out.

Mr. MILLER of Nebraska. What do those titles cover?

Mr. SPRINGER. Title I relates to transportation across to the Pentagon Building and to the Navy Department across the Potomac River. There is no necessity of that because the Interstate Commerce Commission has declined to grant permission to the Capital Transit Co. to continue, and the two transit companies of Virginia are going to handle that problem.

Title No. 2 relates to the acquisition and disposition of property during the war. Certainly there is no necessity of that at this time, and it was so stated before the subcommittee.

Title No. 4 relates to the authority to make purchases by Federal Reserve Banks. That has been covered by other legislation which is permanent in character.

Title No. 5 relates to the navigation and inspection laws, the waiver of which we passed just a week ago on a bill reported by the Committee on Merchant Marine and Fisheries covering that particular item.

Title No. 7 refers to the activities in time of war and is specifically related to activities of members of draft boards and other kindred Government agencies with relation to political activities.

Title No. 14 relates to the utilization of vital war information by various agencies of Government by communicating that information to other agencies of the Government requesting it.

Mr. MILLER of Nebraska. We are making progress in getting rid of controls. The committee is to be complimented—I just hope no attempt is made for further extension when these dates end as intended in this bill—I trust also that personnel and appropriation for all these controls will end promptly.

(Mr. HOBBS asked and was given permission to revise and extend his remarks and include certain articles and quotations.)

The SPEAKER. The question is on the committee amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

A similar House bill (H. R. 1983) was laid on the table.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the House insist on its amendments to the bill (S. 931) to extend certain powers of the President under title III of the Second War Powers Act, and ask for a conference with the Senate.

The SPEAKER. Is there objection to the gentleman from Michigan? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. MICHENER, SPRINGER, FELLOWS, DEVITT, WALTER, BYRNE of New York, and CRAVENS.

EXTENSION OF REMARKS

Mr. SHAFER asked and was given permission to extend his remarks in the RECORD and include a letter to a Member of the other body.

Mr. CHURCH asked and was given permission to revise and extend his remarks.

Mrs. SMITH of Maine asked and was given permission to extend her remarks in the RECORD in two instances; one, in connection with the retirement of Col. Frances A. Blanchfield; and to include in the other a brief report of the Committee on Armed Services.

Mr. HAND asked and was given permission to extend his remarks in the RECORD.

GOOD FARMING—GOOD LIVING

Mr. COLE of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COLE of Missouri. Mr. Speaker, I take this time to call attention to an article entitled "Good Farming—Good Living" in the April issue of "Country Gentleman. I wish to commend the publisher of Country Gentleman for their excellent judgment in selecting the Scott Sawyers farm located in the Third Congressional District of Missouri, the most fertile farming section of the United States, as the basis of the first of a series of articles to illustrate by actual example what the well-managed farm offers in increasing opportunities for really good living. This series of articles will emphasize the growing realization that the farm is more than a mere food production plant—it is a "place to live" as well.

The Sawyers were selected to represent the Corn Belt farm families because of their "knack of weaving their work and their living together into a most satisfactory, comfortable pattern," according to the magazine's editors.

The family consists of Mr. and Mrs. Sawyers, their four children, Scott, Jr., Carolyn, Jimmy, and Janet, and Mrs. Sawyers' parents, Mr. and Mrs. John L. Tebow. They live on a 220-acre place given over principally to raising cattle, turkeys and pigs.

Scott, Jr., 18, is presently a freshman in agriculture and engineering at the University of Missouri. In 10 years of 4–H Club work, he won a long string of prizes, climaxed by the 1945–46 State championship in the Thomas E. Wilson meat animal project.

In an editorial accompanying the lead article, Robert H. Reed, the magazine's editor, says that "for many years most of the agencies serving agriculture—and we include ourselves—have put a heavy emphasis on means of obtaining better and more profitable farm production."

While a revolution in production has been in progress, however, another and equally important side of farming has had far less recognition he says, adding:

> We miss the point of all this progress in agriculture if we do not see that the end product of good farming is good living. Not good living in any narrow sense, but including a wide range of satisfactions that are distinctive of the American family type of farm.

I heartily recommend as good reading this well-written and interesting article.

FIGHTING COMMUNISM IN GREECE AND TURKEY

Mr. MATHEWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MATHEWS. Mr. Speaker, in my quest to find out what the people who are going to pay the bill think about the President's plan to combat communism in Greece and Turkey and other places, I asked a hotel clerk last night what he thought about it. He said he thought it was all right if it was done the right way. He said in the hotel business and in hotel advertising there is a right way and a wrong way. But he said, "I would not favor occupational troops." Then, Mr. Speaker, he hesitated and made a remark which I think is very significant. He said, "Honestly, I do not have enough real facts to give an intelligent opinion." Mr. Speaker, is there a Member in this House who could not say amen to that?

I am going to pursue my quest a little further next week and hope to bring you some reports each day.

PRISONERS OF WAR IN EUROPE

Mr. OWENS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter from Dean Acheson, Acting Secretary of State.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. OWENS. Mr. Speaker, last month I had occasion to address the House with respect to German war prisoners in Europe, especially in France. I pointed out the condition of slavery to which such prisoners were being subjected. Since that time the American Federation of Labor has complained of the effect that such slavery is having upon labor in our country. I followed up the matter through the Secretary of State, and today I received a letter from Dean Acheson, Acting Secretary of State, with regard to the repatriation of certain prisoners of war in France, Belgium, Luxembourg, Great Britain, Russia, and the Netherlands. While the situation has been tremendously improved, that is, where we have direct control, the actions of Great Britain and particularly Soviet Russia regarding such prisoners still are very unsatisfactory. I intend to take further steps in connection with the entire matter.

The letter and news release from the Acting Secretary of State are placed in the RECORD at this point, and I would appreciate your valuable comments.

The letter and release follow:

MARCH 25, 1947.

The Honorable THOMAS L. OWENS,
House of Representatives.

MY DEAR MR. OWENS: I refer to your letter of March 3, 1947, requesting information with respect to the status of German prisoners of war in France, The Netherlands, Luxembourg, and Germany and, if it is available, similar information regarding those in England and the Soviet Union. You state that you are particularly interested in knowing when such prisoners of war, especially those originally in United States custody, will be repatriated and enclose a copy of the CONGRESSIONAL RECORD of Wednesday, February 5, containing on pages 804–806 the text of your address on the subject of German prisoners of war.

I have delayed replying to your letter pending the conclusion of discussions at Paris between the American and French representatives concerning the release of German prisoners of war transferred by us to the French for rehabilitation work in that country. An agreement has now been reached for the release from prisoner of war status of these men at the earliest practicable time. As you will see from the enclosed press release dated March 13, the repatriation rate of 12,000 per month which the French initiated on January 1, 1947 will be immediately increased to a minimum of 20,000 per month. As explained in the press release, the French authorities will offer to the prisoners of war a choice between being repatriated to Germany or released from prisoner of war status on the spot to remain in France as voluntary workers. The International Committee of the Red Cross has agreed to associate itself with the program and has been given special status by the French Government with respect to the supervision of the operation and the individual rights of the prisoners of war.

As you are aware, the repatriation operations in Belgium and Luxembourg are much smaller involving approximately 40,000 prisoners of war in Belgium and less than 7,000 in Luxembourg. The Belgian Government has indicated general accord with this Government's request that the repatriation operation be completed by October 1, 1947, and the Luxembourg Government has stated that its repatriation program will be completed well before that date.

In effecting these transfers we did not relinquish our responsibility for any enemy prisoners of war captured by the American forces and assurances were received from the Governments concerned that the terms of the Geneva Prisoners of War Convention would be observed with regard to all German prisoners of war so transferred. Moreover, the installations at which such prisoners of war are held are being visited and inspected by representatives of the International Committee of the Red Cross. This Government now believes, however, that the time has come for these prisoners of war to be released and it is to that end that the steps mentioned above have been taken.

Although information previously given out was to the effect that 10,000 prisoners of war had been transferred by the United States authorities to the Netherlands Government for rehabilitation work, it has recently been determined through a check of the pertinent records that although the American military authorities were prepared to allocate this number to the Netherlands Government, the transfer was never actually made. A copy of the Department's announcement dated March 11 correcting the erroneous statement is enclosed.

The relatively small number of German prisoners of war still under our direct control in the European theater are being released rapidly, the target date for the completion of the operation being July 1.

The British Government, like this Government, is a party to the Geneva Prisoners of War Convention of 1929, which establishes standards of treatment to be accorded captured enemy military personnel and provides for their repatriation. The Soviet Government is not a party to that Convention. Since no transfers of American-captured prisoners of war were made to the British or Soviet Governments for rehabilitation work, no representations have been made to them by this Government regarding the repatriation of German prisoners of war which they hold.

As reported in the press, the situation of German prisoners of war has been discussed at the Council of Foreign Ministers now in session at Moscow. Tass, the official Soviet news agency, reports that the Soviet Government has stated that 890,532 German prisoners of war are in the territory of the Soviet Union and that since Germany's surrender 1,003,974 German prisoners of war have been repatriated to Germany.

According to the most recent information received by the Department, it is estimated that as of the end of March there will be 307,000 German prisoners of war in the United Kingdom, and nearly 87,000 in the

Middle East, with the rate of return now about 15,500 monthly from the United Kingdom and 2,500 monthly from the Middle East (to be doubled by July).

Sincerely yours,

DEAN ACHESON,
Acting Secretary.

[Enclosures: 1. Press release No. 183, March 11, 1947. 2. Press release No. 191, March 13, 1947.]

DEPARTMENT OF STATE,
March 11, 1947.

(No. 183)

The Department of State wishes to correct an erroneous statement made in the Department's press release No. 868, December 5, 1946, and in subsequent communications to the public concerning this Government's policy with respect to the repatriation of German prisoners of war captured by American forces and subsequently transferred to other governments for rehabilitation labor.

The information previously given out was to the effect that 10,000 such prisoners of war had been transferred to the Netherlands Government. It has now been determined that this information is inaccurate. A check of the pertinent records by the American military authorities reveals that no German prisoners of war were transferred by this Government to the Netherlands Government for rehabilitation work in that country. Although the American military authorities were prepared to allocate 10,000 such prisoners of war to the Netherlands, the transfer was never made.

DEPARTMENT OF STATE,
March 13, 1947.

(No. 191)

American and French representatives have just concluded a meeting in Paris convened at the request of the United States for the purpose of working out the details of the release and repatriation of German prisoners of war transferred by this Government to the French for rehabilitation labor. As a result of this meeting an agreement has been concluded initiating a program which contemplates the release from prisoner-of-war status of these men at the earliest practicable time. This will be accomplished either by direct repatriation to Germany or by release from prisoner-of-war status in France of those who elect to remain as free workers.

The French authorities, now hold approximately 450,000 German prisoners of war transferred to them by the American authorities and, in addition, according to information supplied by the French, approximately 180,000 captured by their own forces. The French have suggested and we have agreed that for humanitarian and other reasons it would be unfair to give priority to the release and repatriation of American-captured prisoners of war at the expense of the others. Consequently, the program agreed to will be applicable to both categories. A separate accounting will, of course, be made by the French authorities to the American authorities regarding the release and repatriation of prisoners of war captured by our forces.

Under the agreement the repatriation rate of 12,000 per month which the French initiated January 1, 1947 will be immediately increased to a minimum of 20,000 per month. The French have agreed to increase this figure as soon as rail-transport facilities in France permit.

The French authorities will offer to the prisoners of war a choice between being repatriated to Germany or released from prisoner-of-war status on the spot to remain in France as voluntary workers. Those who choose the latter will be released from prisoner-of-war status and will receive work contracts, giving them rights similar to those enjoyed by other foreign workers in France. This alternative to repatriation was agreed to by this Government at the express request of the French Government in consideration of the known need for labor in that country at the present time. In agreeing to this arrangement we insisted, and the French fully concurred, that a satisfactory formula be arrived at to guarantee a free choice to each individual prisoner of war and that before making the choice each be fully informed of the status to be accorded him if he elected to waive repatriation and remain in France as a free worker. Assurances to this effect have been included in the agreement between the two Governments.

The International Committee of the Red Cross has agreed to associate itself with the program and has been accorded special status by the French Government with respect to the supervision of the operation and the protection of the individual rights of the prisoner of war. The willingness of the International Committee of the Red Cross to participate in this program satisfies this Government that a free choice will be guaranteed.

The agreement further provides that the progress of the operation will be closely observed and the two Governments will reexamine the situation periodically, having in mind this Government's desire that the operation be completed by October 1, 1947.

THE TAX BILL

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, I take cognizance of the fact that on the vote in the House this afternoon on the bill H. R. 1, the yeas were 273 and the nays were 137, practically 2 to 1. I am encouraged by this vote to assume that the President will solve the problem by an Executive veto. If and when that comes to pass, I want to say to the House that possible the triumvirate of DINGELL, ENGEL, and GORE will bring in a fair, equitable, and just coalition tax bill, that will do justice to all taxpayers, both in the upper and the lower brackets.

I yield back the remainder of my time.

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. BENDER] is recognized for 10 minutes.

GREECE AND TURKEY

Mr. BENDER. Mr. Speaker, I see from the newspapers that Mr. Truman has instructed our delegate to the United Nations to explain the actions which the United States proposes to take in regard to Greece and Turkey. I think that it is going to take a lot of explaining—more than a speech—more than a pretty letter—more than pleasant noises and generalities written by some State Department official.

Mr. Speaker, the people of the world are sick of war. They don't want another war, and that is why the American people support the United Nations. Let us get it clear—the American people, whether the State Department likes it or not, support the United Nations. They despise with all their heart anyone and everything that destroys, bypasses, or in any way begins to tear down the one hope that exists in the world for peace—the one instrument through which collective security and collective action against aggressors can be undertaken.

Mr. Speaker, how can anybody fail to recognize that the course of action proposed by the President destroys the very foundations of the United Nations? Every American who owns an automobile knows what a bypass is. Mr. Truman has deliberately bypassed the United Nations. He proposed that we and we alone without consultation undertake to push back aggression throughout the world. His policy which will go down in history as the Truman Doctrine says that we alone are to say who is the aggressor and we alone are to take whatever action is needed. Our armed services are to become an international police force, the agencies of our Government are to replace the agencies of the United Nations.

More than this, Mr. Truman's proposal on Greece and Turkey comes at a time when the United Nations has an investigating commission in Greece. It comes at a time when the Food and Agricultural Organization of the United Nations has already studied the Greek situation for a year, and has turned in an excellent and authoritative report on what is needed. Without consultation, without regard to the fact that the United Nations is already deeply involved in the Greek and near-eastern situation, without regard to the fact that the United Nations adequately handled the situation in Iran, without regard to the fact that every nation in the Middle East represented in the United Nations is directly affected by our decisions in regard to Greece and Turkey, without regard to anything or anybody or to our own commitments to the United Nations to bring before it any act of aggression or any condition existing in the world which threatens the peace, Mr. Truman has deliberately undertaken to replace the United Nations by the armed forces of America, by our economic and political strength.

Pleasant words spoken tomorrow, nicely phrased letters written yesterday will not cover up the hideous fact that the course of action proposed by the President basically destroys the United Nations.

When this Congress votes for the Truman doctrine let us be perfectly clear that by so doing we will be making the choice between one world and a world divided into two armed camps. Let us be perfectly clear that we will have turned our backs upon mankind in the effort to obtain collective security. Let us be clear that we will be establishing a policy which destroys the United Nations.

I for one will not be party to such a crime against mankind. We know without any doubt whatsoever that a policy which establishes two main powers in the world—each pursuing its own power without regard for the other, each engaging in a world-wide economic and military armament race—we know that such a policy can only end in war. The Truman policy is nothing other than an

undeclared declaration of war. That policy, if it is pursued, will lead to war.

There is no other policy to oppose the Truman policy than the wholehearted and full support of collective security and collective action against aggression now provided for through the United Nations. In the past, I have voted for American participation and support to the various international organizations for trade, for financial stability, for UNRRA, and so forth. I refuse to vote now for a policy which destroys every act of intelligent good will and enlightened self-interest which the American people have engaged in for the past 4 years. I refuse to stab the United Nations in the back. I refuse to agree that the world inevitably is divided into two armed camps which must engage in atomic warfare.

I cannot but believe that the Truman policy has been dictated by short-sighted bigoted military men whose minds are warped by their constant playing with war plans. We need now those men who can find a way to make the United Nations work—who know how to build the United Nations instead of destroying it—men who can formulate policy which will obtain the support of the entire world.

The best thing that President Truman can do is to recognize that a horrible mistake has been made and that the United States Government should vote emergency relief for the Greek people and turn over the problem of Greece and the Middle East to the one place where it can successfully be handled; namely, the United Nations.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. LARCADE, for about 2 weeks, on account of official business.

To Mrs. DOUGLAS (at the request of Mr. MCCORMACK), for today, on account of illness.

To Mr. FOGARTY, from March 31 to April 10, 1947, on account of official business.

To Mr. MORTON (at the request of Mr. MEADE), for the remainder of the week, on account of illness.

To Mr. PASSMAN, from March 31 to April 11, 1947, on account of official business.

To Mr. KEOGH, until April 11, 1947, on account of official business.

COMMUNISM

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes, to revise and extend my remarks and to include as a part thereof a speech I made in Boston last spring warning the country against communism.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the words I uttered against communism in making a speech last spring in Boston were only too true, and events have proven them to be true. I made this speech warning against communism, at which time I referred to Communists in our various Government departments, and, unfortunately, in the United States generally. Nine months afterward the President acted to rid the State Department and other departments of Communists.

Mr. Speaker, the action by the President was late, very late, but better late than never.

My address delivered on April 27, 1946, was as follows:

COMMUNISM IN THE UNITED STATES

(Extension of remarks of Hon. EDITH NOURSE ROGERS, of Massachusetts, in the House of Representatives, Thursday, May 2, 1946)

Mrs. ROGERS of Massachusetts. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address delivered by me at Boston on April 27, 1946, before the New England Conference of Republican Women:

"From time to time I hear someone ask: 'Well, are there really as many Communists in the United States as claimed, and, if so, are they really so dangerous to our liberties as they are reported to be?'

"These questions are just as vital to our welfare and the welfare of our children, and our children's children as the question:

"'Are there really atom bombs, and are they really so dangerous and destructive as they are reported to be?'

"Our American system of government, our whole system of economy, all we have, our liberties, our religious and political freedom—all are wrapped up in the answer to that question of whether or not there are many Communists in the United States, and whether they are so dangerous as they are reported to be or not.

"I am convinced there are many Communists, grim, fanatical, determined, ruthless, cunning schemers, in the United States, and I believe, further, that they are more dangerous than most persons suppose them to be.

"The time was—and we are still prone to think of Communists and the communistic movement in that light—when Communists were a furtive band of men and women who were without funds, who met secretly in cellars or in garrets, or in dim, smoky, unclean dives and restaurants to plot fanatical and hopeless plans against the Nation. That time has passed, communism in the United States today is a cleverly planned, bold, insolent, well-financed, skillfully managed political and revolutionary movement, reaching out in every direction, sending out propagandists; using the most scientific methods of persuasion over the radio, through the press, through magazines, by means of lectures, and even in a dangerously large section of our pulpit and our schools and colleges.

"There are not dozens, nor hundreds, nor thousands of these trained and fanatical Communists. There are hundreds of thousands of them and although they are fanatical it is with a cool, deep determination that they are going to overthrow our American system of Government, economy, and society. They have their training centers, their schools for agitators, their indoctrination system.

"These Communists are reaching out to try to contaminate the ranks of labor, of the veterans, as well as of the church-going people, the students and their teachers everywhere.

"It is an alarming fact, too, that there are many very cleverly organized and operated Communist front organizations which appear more or less innocent but which are deadly serious in their purpose to wreck our system of government, bring chaos in our economy and reduce our people to the status of slaves of the state—as they are today in Russia. These active full-colored red organizations mean to overthrow our American political, economic, social, and religious system by the ballot boxes if they can, but if they fail in that, they are determined upon bloody revolution to accomplish their ends.

"At the outer edge of this communistic movement are many sincere and innocent, but completely deceived and misled individuals, many of them high in the social scale. Some even are preachers; some are public officials; some are teachers; some are just earnest rank and file citizens who have been persuaded and defrauded into believing that communism will mend all the ills and injustices they see around them and against which they instinctively rebel.

"In this process of attempting to communize this country these alien ideologists have perfected the most remarkably clever techniques. Today communism as politics is 'big politics.' As an infiltrating group movement it is a 'big' movement. These Communists are no longer content to meet in cellars and dives and get out smudgy, gray printed sheets and pamphlets. They issue well-written, well-printed, beautifully typed, cleverly designed literature that would deceive the very elect.

"Now, where do they get the money to do all this?

"First, they have deluded a good many wealthy persons in this country who have provided them with millions of dollars, not realizing what these Communists actually mean to do. Then they have received such recognition in high places that they have become not only respectable, politically, but actually sought after. They have insinuated their henchmen into key places in government. Much patronage, many favors, much control over business is exercised by men and women who have wormed their way into posts of influence, power, and authority in the Government.

"Then, too, since the United States of America—your America and my America—is the richest prize on the face of the globe today, foreign schemers have sent their best brains into this country and have sent over funds to finance this dreadful movement to wreck our American system, take over our country, and reduce us to a condition of slaves to a minority who will call themselves the state if their plans succeed.

"Believe me, if these statements sound incredible, they are nevertheless still true. This Communist movement in America is a game, the greatest history ever saw, for a prize—the control of the riches, the Government, and the people of the greatest nation history ever saw.

"Why do these Communists want to wreck this Nation, our Government, our economy, our society instead of becoming part of it? It is because they are obsessed by a lust for power and riches—not merely a few dollars, not just financial security and an estate—but the riches of a whole state, the riches of an entire nation. Hitler, Mussolini—they are two of the same ilk who were so insatiably lustful for power and riches that they were willing to rule or ruin their own countries, and, having ruled, they did ruin their own countries.

"Let me say to you that the first step toward communism is socialism—the abolition of the right of property, of your right to own your own homes, an automobile, a washing machine, or a radio. The second step is communism—and the third step is fascism. They are all of a piece; they are every one the deadly enemy of our American system of government, of our American system of economy under which the poorest boy or girl may aspire to become rich, of our American system of society, under which, generally speaking, there is more understanding, kindliness, tolerance, and cooperation among the different stratas of society than in any other nation on earth.

"In this ruthless, grim fight that is being waged by these Communists, terminological distortions in our very language have taken place. There are liberals, of course. There

are liberals who perhaps disagree with us as to many things about our Government or our economy or our society. But they are willing to attain their aims of reform—or what they may believe to be reforms—by our American process of proposal, disagreement, discussion, and compromise. That is the essence of our system of government under the Constitution. That is the essence of our governmental system of checks and balances. That is the system by which men may most nearly arrive at the exact truth—that system of proposal, disagreement, discussion, and compromise. That system gives due consideration and adequate hearing to the rights of minorities. But the Communists want none of that. They want to sit at the top and issue the orders, and any disagreement or discussion does not lead to compromise under the Communist rule as it is practiced, but to a concentration camp, the noose, or the firing squad before the wall.

"These Communists who want to deceive the people all call themselves liberals. They want to overthrow our Government. They want to wreck our economy. They want to destroy our system of society. But let anyone oppose them or criticize their intentions and objectives and they promptly howl 'reactionaries.' The modern definition of a reactionary is anybody who disagrees with a Communist.

"Now let us see what real liberals and liberalism are, actually:

"The heroic men and women who crossed the stormy ocean in cockleshell boats to find liberty from autocratic oppression and totalitarian tyranny were liberals.

"The signers of the Declaration of Independence were liberals.

"The framers of the Constitution were liberals. They founded the most liberal government ever conceived by man and planted upon the face of this globe.

"On the other hand, totalitarianism and tyranny by an individual or a group at the top is the oldest form of oppression known to man. Yet these Communists want to go back to what they call a dictatorship of the proletariat.

"The fact is no such communism exists in Russia. The effort to operate communism was abandoned years ago in Russia. Today, and for years, Joseph Stalin and his little group of top administrators are, and have been, absolute despots. There is no common equality of citizens except the common term of 'comrade.' Foremen get much more than the rank-and-file workers receive. Faster workers actually get more money per piece in piecework than the slower workers do. In the American Army a lieutenant receives three times the pay of a private. A recent report revealed that in the Russian Army a lieutenant receives 13 times the pay of a private. I am speaking of second lieutenants, of course. To a Russian soldier the possession of a cheap wrist watch is something he will empty his pockets to achieve. You and I know that there was hardly a boy or girl in our armed services who did not have a very accurate wrist watch and thought little about it.

"So instead of the lovely, gentle communism which these agitators in this country paint as a beneficent communism in Russia, concentration camps, oppression, the Ogpu and terrorism cover the land and are a part of the everyday life of those who live behind the iron curtain.

"If communism were working so well in Russia, just exactly why, do you suppose, the Russian rulers keep that iron curtain about Russia? Why would they not rather display to the world the blessings, the accomplishments, the fine results they claim for the communism which these American Government workers preach?

"So then, our forefathers—the founding fathers, who were true liberals—founded upon this continent the most liberal government man ever knew.

"In 150 years under our liberal American system we have achieved the highest living levels, the highest wages, the best working conditions, the greatest production, the most luxuries for the masses, the best system of railroads and highways, the most automobiles, refrigerators, and other material comforts, the greatest degree of religious, political, and social liberty ever achieved by any people in any length of time anywhere on the earth. Why should we let these scheming Communists persuade us to give up all of that to embrace a form of absolutism which inevitably would wreck every one of those advantages?

"The Communists argue that we must change our system of government, economy, and society because it is outmoded. A democracy such as ours cannot wage war or defend itself against the more efficient dictatorships either of fascism or of the proletariat, they assert. Our economy has matured they insist—whatever that may mean—and we must change to a new one. Let's look at the facts about all this and see whether or not there is a shred of truth in these communistic assertions.

"Not only have we achieved all of the wonderful advantages and comforts of life, all the liberties and the privileges which I outlined a moment ago, but we have proved the efficiency of our American system in war. Let me remind you that for 40 years the war lords of Japan were preparing for the struggle they knew they would one day wage against the western world. For 20 years Mussolini drove Italy, boot and spur, getting ready for the war he knew was coming. For 20 years Joseph Stalin drove Russia to prepare for a war he knew would come. For 12 years Hitler and his Nazi thugs drove the enslaved German people day and night getting ready for the war against civilization Hitler knew he would one day wage.

"What of America? In three short years, under our free Government, free industry, free labor, free agriculture, our free people of every religious faith, every political creed, every race and color turned to, overcame that lead of 40 years and 20 years and 12 years and put us on an offensive war basis. What else did we do? We fought two wars—one in the Atlantic and one in the Pacific. The Pacific war we fought lone-handed without any help from any other nation, and at the same time we sent billions piled upon billions of dollars' worth of lend-lease help—gifts—to Britain, Russia, and all other nations fighting on our side. We sent more than $9,000,000,000 worth of arms munitions, machines, material and foodstuffs to Joseph Stalin in Russia. We sent more than $30,000,000,000 of the same kind of lend-lease gift supplies to Britain. And even that is but a small part of the miracle we performed. While we did all that we kept up our own living standards.

"Now what is happening?

"The despised America, the inefficient governmental, economic, and social system these Government-wrecking Communists prate about, scorn, and berate is being asked to lend billions—I should say give—to Britain, to Russia, to France, to China, to all the other countries, at the very same time we are undertaking to carry probably half the burden of feeding a distressed and starving world. That is the kind of government, that is the kind of an efficient economy, that is the kind of an efficient social system these scheming plotters would like to overthrow in order to get their greedy clutches on the riches, the property, the loveliness that is America, in order to become dictators over our people. Whenever you hear anybody talking about the advantages of communism over Americanism, about the advantage of a dictatorship of the proletariat, about the superior efficiency of the Russian system over the American system, you tell him that every fact of history—recent history—of the very things that are happening now in the world—give the lie to all he says to belittle the United States.

"We have the most magnificent, the most efficient, the most progressive, the most liberal, the most scientific system of production, of government, of society, of politics in this whole wide world, and every fact of history in the First and Second World Wars proves it, as do all the peacetime accomplishments we have achieved. We are the most blessed people in the most blessed land on God's footstool.

"Eternal vigilance is still the price of liberty. We must be more vigilant against the wicked, dangerous menace of these Communists. These anarchists would wreck our Nation to produce chaos so they can take over and loot and enslave and rule. It must not be, and we, the citizens, are the ones who must prevent it.

"The heroic men and women who have come back from the wars in which they endured indescribable horrors and trials to defend liberty and free government abroad now are compelled to fight for it at home. They won the war; now they must win the peace—and we must help them.

"You ask, 'What can we women do about all this?'

"We women, the special guardian of religion, which communism brags about, more in peace than in war.

"We vote; we can support candidates who stand for—I mean actually stand for—the continuation of our American system of government, economy, and society.

"We can speak out and speak with authority, knowing we are right, whenever and wherever we hear some Communist, some Communist sympathizers, or some deluded citizen who thinks communism is what it is not, tries to cry down our American system.

"You must speak up, you must defend your democracy whenever the question is raised. If the majority of the citizens do not stand firm in defense of our system, then we will lose that system.

"If ever our American system of freedom is extinguished, the light of the world will truly go out and the hope which lights the hearts of all who love liberty, godliness, and progress will become darkness.

"Communism would stamp out religion. We women must uphold religion. We must stand by our faith for the sake of the world.

"We must stand by America for the sake of the world."

THE HONORABLE CHARLES A. EATON

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CANFIELD. Mr. Speaker, the very distinguished and most able dean of the New Jersey congressional delegation, the chairman of the House Committee on Foreign Affairs, whom we affectionately know as "Doc" EATON, is 79 years old today.

"Doc" was feted in his committee room shortly after the House convened. The host was the friendly gentleman from Pennsylvania [Mr. FULTON], who, like the Member now addressing you, holds "Doc" as one of his congressional fathers, an inspiration to the younger men of the House. There was a birthday cake with all the "fixin's" and the table piece was a vase holding 79 American Beauty roses; these from the 15 other Members of Congress from New Jersey. A high light of the occasion was a phone ring from the White House. The President had

called to extend personally a birthday salute.

Three years ago this day, I felt the urge to speak on the floor about my dean. I phoned "Doc" in his office at the time and asked him how he felt. Without a moment's hesitation he gave me what the boys in the gallery might call "the punch line." Here is what he said, "Gordon, the spirit of '76 is invincible." Today, when I reminded him of this, he beamed and said, "Now I can say that the spirit of '79 is 3 years younger than the spirit of '76!"

I know that all of the good doctor's colleagues in the House join me now in wishing him many years of health and happiness in the service of our country right here in the body he loves so much.

Mr. BENDER. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the distinguished gentleman from Ohio.

Mr. BENDER. The gentleman has referred to Dr. EATON, a former resident of my home city of Cleveland. For many years he served as pastor of the Euclid Avenue Baptist Church, and later, for some 20 years, worked alongside my father at the General Electric Co. I am very fond of the gentleman. When he left Cleveland for New Jersey they had a great civic celebration for Dr. EATON, and at that time he said: "I have never knowingly added to another man's burden." That very well expresses the kind of a man, the kind of a fine Christian character we have in Dr. EATON, and I am so glad the gentleman from New Jersey has risen here to pay this tribute to him.

Mr. CANFIELD. I know that what the gentleman from Ohio has just said is true. May I add this? Dr. EATON has never forgotten Cleveland.

PROGRAM FOR TOMORROW AND NEXT WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I take this time to say that we had hoped that if the so-called sugar bill had been acted upon in the Senate it might not be necessary for us to meet tomorrow. However, the bill has not been passed so it will be necessary for us to meet tomorrow to dispose of that. So far as I know, that will involve no particular controversy.

Then, with respect to the program for next week, it is my understanding that a deficiency appropriation bill will be reported and will be ready for consideration on Monday. It is expected that general debate on that bill will be had on Monday and that on Tuesday the bill may be read and finally acted upon.

Also it is probable that there will be several conference reports to be considered next week and, of course, those will be taken up at any time during the session. Beyond that, Wednesday and Thursday are undetermined.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I understand that in the deficiency bill there are a number of appropriations for the Veterans' Administration.

Mr. HALLECK. Well, I am not informed as to the details involved in the deficiency bill. It has not been reported so I do not know.

Mrs. ROGERS of Massachusetts. But since it is a deficiency bill there is likely to be an appropriation for the Veterans' Administration.

Mr. HALLECK. As to that I am not informed.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 565. An act to amend section 3539 of the Revised Statutes, relating to taking trial pieces of coins; to the Committee on Banking and Currency.

S. 566. An act to amend sections 3533 and 3536 of the Revised Statutes with respect to deviations in standard of ingots and weight of silver coins; to the Committee on Banking and Currency.

JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on Enrolled Bills, reported that that committee did on March 26, 1947, present to the President, for his approval, joint resolutions of the House of the following titles:

H. J. Res. 118. Joint resolution to strengthen the common defense by maintaining an adequate domestic rubber-producing industry; and

H. J. Res. 154. Joint resolution making an appropriation for expenses incident to the control and eradication of foot-and-mouth disease and rinderpest.

EXTENSION OF REMARKS

Mr. MANSFIELD of Texas asked and was given permission to extend his remarks in the RECORD and include a letter.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 29 minutes p. m.) the House adjourned until tomorrow, Friday, March 28, 1947, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

494. A letter from the Chairman, Federal Power Commission, transmitting a report showing the names and compensation of the members and employees of the Federal Power Commission as of June 30, 1946; to the Committee on Interstate and Foreign Commerce.

495. A letter from the Secretary of Agriculture, transmitting a final report of the investigation conducted by the Commodity Exchange Authority; to the Committee on Agriculture.

496. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill to amend the act of March 14, 1944, to include Coast Guard personnel in the exemption from payment of tolls on the Golden Gate Bridge; to the Committee on Interstate and Foreign Commerce.

497. A letter from the Archivist of the United States, transmitting lists or schedules, or parts of lists or schedules, covering records proposed for disposal by various Government agencies; to the Committee on House Administration.

498. A letter from the Comptroller General of the United States, transmitting a report on the audit of Home Owners' Loan Corporation (H. Doc. No. 184); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 1844. A bill to authorize the Administrator of Veterans' Affairs to grant easements in lands belonging to the United States under his supervision and control, and for other purposes; without amendment (Rept. No. 187). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 2368. A bill to amend paragraph 8 of part VII, Veterans Regulation No. 1 (a), as amended, to authorize an appropriation of $3,000,000 as a revolving fund in lieu of $1,500,000 now authorized and for other purposes; without amendment (Rept. No. 188). Referred to the Committee of the Whole House on the State of the Union.

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 1888. A bill to incorporate the AMVETS, American Veterans of World War II; with amendment (Rept. No. 189). Referred to the House Calendar.

Mr. BISHOP: Joint Committee on the Disposition of Executive Papers. House Report No. 190. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. BISHOP: Joint Committee on the Disposition of Executive Papers. House Report No. 191. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. SPRINGER: Committee on the Judiciary. H. R. 1983. A bill to amend the Second War Powers Act, 1942, as amended; with amendment (Rept. No. 192). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 49. A bill to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States; with amendments (Rept. No. 194). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHORT: Committee on Armed Services. H. R. 1605. A bill to amend the act approved December 28, 1945 (59 Stat. 663), entitled "An act to provide for the appointment of additional commissioned officers in the Regular Army, and for other purposes," as amended by the act of August 8, 1946 (Public Law 670, 79th Cong.); without amendment (Rept. No. 195). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELSTON: Committee on Armed Services. H. R. 1368. A bill to include civilian officers and employees of the United States Naval Government of Guam among those persons who are entitled to the benefits of Public Law 490 of the Seventy-seventh Congress, approved March 7, 1942 (56 Stat. 143), as amended, and for other purposes; without amendment (Rept. No. 196). Referred to the

Committee of the Whole House on the State of the Union.

Mr. ELSTON: Committee on Armed Services. H. R. 1807. A bill to authorize the Secretary of the Navy to grant to the county of Pittsburg, Okla., a perpetual easement for the construction, maintenance, and operation of a public highway over a portion of the United States naval ammunition depot, McAlester, Okla.; without amendment (Rept. No. 197). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ANDREWS of New York: Committee on Armed Services. S. 875. An act to authorize the President to appoint Maj. Gen. Laurence S. Kuter as representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, without affecting his military status and perquisities; with amendment (Rept. No. 193). Referred to the Committee of the Whole House.

Mr. ELSTON: Committee on Armed Services. H. R. 2248. A bill to authorize the Secretary of War to grant an easement and to convey to the Louisiana Power & Light Co. a tract of land comprising a portion of Camp Livingston in the State of Louisiana; without amendment (Rept. No. 198). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H. R. 2814. A bill to amend the second proviso in section 27 of the Merchant Marine Act, 1920, as amended (U. S. C., 1940 ed., title 46, sec. 883); to the Committee on Merchant Marine and Fisheries.

By Mr. LECOMPTE:

H. R. 2815. A bill to provide hospitalization for certain persons who served in the armed forces of the United States in time of peace; to the Committee on Veterans' Affairs.

By Mr. LANE:

H. R. 2816. A bill to provide that veterans who have 10 or more years of service to their credit for the purposes of the Civil Service Retirement Act may receive credit for certain additional periods; to the Committee on Post Office and Civil Service.

By Mr. POTTS:

H. R. 2817. A bill to amend the Canal Zone Code, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CASE of New Jersey:

H. R. 2818. A bill to establish the position of Associate Director in the Federal Bureau of Investigation and to fix the compensation therefor; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 2819. A bill to remove the 10-year limitation on the time within which certain claims against the United States must be presented to the General Accounting Office; to the Committee on the Judiciary.

By Mrs. NORTON:

H. R. 2820. A bill to prohibit discrimination in employment because of race, religion, color, national origin, or ancestry; to the Committee on Education and Labor.

By Mr. DOMENGEAUX:

H. R. 2821. A bill to provide for the control and eradication of certain plant life in the navigable waters, feeder streams, swamps and marshes, and other waters of the United States; to the Committee on Public Works.

H. R. 2822. A bill to prohibit the transportation in interstate and foreign commerce of certain plants and seeds; to the Committee on Agriculture.

By Mr. FERNANDEZ:

H. R. 2823. A bill to provide for a commission to adjudicate claims of American nationals who were prisoners of war of Japan, for payment of its awards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON:

H. R. 2824. A bill to prohibit discrimination in employment because of race, religion, color, national origin, or ancestry; to the Committee on Education and Labor.

By Mr. HAGEN:

H. R. 2825. A bill to provide additional funds for cooperation with public-school districts (organized and unorganized) in Mahnomen, Itasca, Pine, Becker, and Cass Counties, Minn., in the construction, improvement, and extension of school facilities to be available to both Indian and white children; to the Committee on Public Lands.

H. R. 2826. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide annuities for investigatory personnel of the Federal Bureau of Investigation who have rendered at least 20 years of service; to the Committee on Post Office and Civil Service.

By Mr. WOLVERTON:

H. R. 2827. A bill to amend the Civil Aeronautics Act of 1938, as amended, to provide for the creation of a consolidated international air carrier for the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HINSHAW:

H. R. 2828. A bill to amend the Civil Aeronautics Act of 1938, as amended, to provide for the creation of a consolidated international air carrier for the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRIS:

H. R. 2829. A bill to amend the Civil Aeronautics Act of 1938, as amended, to provide for the creation of a consolidated international air carrier for the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWELL:

H. R. 2830. A bill to amend the Civil Aeronautics Act of 1938, as amended, to provide for the creation of a consolidated international air carrier for the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

My Mr. MANSFIELD of Texas:

H. R. 2831. A bill authorizing preliminary examinations and surveys of the streams, and their larger tributaries, flowing through the Brazoria-Galveston soil conservation district and the coastal plains soil conservation district, in Texas; to the Committee on Public Works.

By Mr. VURSELL:

H. Res. 164. Resolution to create a House committee to investigate the mine explosion at the Centralia Coal Co., mine No. 5, Wamac, Centralia, Ill.; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

Mr. ANDERSON of California:

H. R. 2832. A bill for the relief of Mrs. Mie Sagara; to the Committee on the Judiciary.

H. R. 2833. A bill for the relief of Isa Okuda; to the Committee on the Judiciary.

H. R. 2834. A bill for the relief of Mrs. Teiko Kimura; to the Committee on the Judiciary.

By Mr. BROPHY:

H. R. 2835. A bill for the relief of Moy Sieu; to the Committee on the Judiciary.

By Mr. MORRISON:

H. R. 2836. A bill for the relief of Mrs Maymea Whittaker; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H. R. 2837. A bill for the relief of the Bunker Hill Development Corp.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

281. By Mrs. SMITH of Maine: Resolution of Slovak Catholic Sokol, Assembly 13, Lisbon Falls, Maine, Paul J. Rovnak, president, and John S. Karkos, secretary, urging congressional investigation of the Czechoslovak question; to the Committee on Foreign Affairs.

282. By Mr. TALLE: Petition of the Reverend Charles E. Mason, Manchester, Iowa, and 37 other citizens of Iowa, supporting S. 265, a bill to prohibit advertising of intoxicating beverages; to the Committee on Interstate and Foreign Commerce.

SENATE

FRIDAY, MARCH 28, 1947

(Legislative day of Monday, March 24, 1947)

The Senate met, in executive session, at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Lord Jesus, who didst promise that by faith Thy disciples might remove mountains, increase our faith, till we no longer are awed by difficulties and frightened by problems. Hold us by Thy mighty hand until doubts shall cease and we begin to believe. Then shall we find all things possible, even Thy solutions to the questions that perplex us. For this we do pray. Amen.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 27, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 1) to reduce individual income-tax payments, in which it requested the concurrence of the Senate.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MEETING OF COMMITTEE ON FOREIGN RELATIONS

The PRESIDENT pro tempore. The Chair submits the request of the Senate Foreign Relations Committee that it be permitted to continue its present hearings until 2 o'clock this afternoon. Without objection, the order is made.

MEETING OF SUBCOMMITTEE OF COMMITTEE ON APPROPRIATIONS

Mr. CORDON. Mr. President, I ask unanimous consent that the Subcommittee on Treasury and Post Office of the Appropriations Committee be authorized to hold a hearing beginning at 2 o'clock this afternoon.

The PRESIDENT pro tempore. Without objection, permission is granted.

LEAVE OF ABSENCE

Mr. THYE. Mr. President, I ask unanimous consent to be absent from the Senate from 4 o'clock this afternoon through Wednesday of next week.

The PRESIDENT pro tempore. Without objection, leave is granted.

NOTICE OF HEARING ON NOMINATION OF GEORGE W. FOLTA TO BE UNITED STATES DISTRICT JUDGE, DIVISION NO. 1, ALASKA

Mr. WILEY. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing has been scheduled for Friday, April 4, 1947, at 10 a. m., in the Senate Judiciary Committee room, room 424, Senate Office Building, upon the nomination of George W. Folta, of Alaska, to be United States district judge for division No. 1, district of Alaska, vice Hon. George F. Alexander, term expired. At the indicated time and place, all persons interested in the nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from Michigan [Mr. FERGUSON], chairman; the Senator from West Virginia [Mr. REVERCOMB]; and the Senator from Nevada [Mr. MCCARRAN].

NOMINATION OF CHAIRMAN AND MEMBERS OF ATOMIC ENERGY COMMISSION

Mr. HICKENLOOPER. Mr. President, I do not intend to make an extended statement at this time, but for the RECORD and in order that no one may be mistaken about the importance of the matter now under consideration, I want to say that I shall not quarrel with the individual opinion of any Member of the Senate in connection with the question of the confirmation of these nominations, but I issue this solemn, and I believe completely true, warning to the Members of the Senate—that action upon these nominations is of the utmost importance, indeed is vital, to the best interests of the United States of America.

I shall not amplify that statement. I am merely saying at this time that whatever we do we should do with reasonable speed, affording opportunity for each Member who has convictions upon this question to express himself. We should proceed with this task, and the nominations of the members of the Atomic Energy Commission should be either confirmed or rejected, in the opinion of the Senate, so that the matter of atomic energy in this field of activity may progress in the interest of this country.

TRANSACTION OF LEGISLATIVE BUSINESS

By unanimous consent, as in legislative session, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, INTERIOR DEPARTMENT (S. DOC. NO. 22)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of the Interior, amounting to $15,000, fiscal year 1947 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATE, INDIAN CLAIMS COMMISSION (S. DOC. NO. 23)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Indian Claims Commission, amounting to $25,000, fiscal year 1947 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REVISED ESTIMATE, FEDERAL SECURITY AGENCY (S. DOC. NO. 24)

A communication from the President of the United States, transmitting a revised estimate of appropriation for the Federal Security Agency for the fiscal year 1947 involving an increase in the amount of $15,000, in the form of an amendment to House Document 101, Eightieth Congress (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

DECLINE OF COTTON PRICES—REPORT OF COMMODITY EXCHANGE AUTHORITY

A letter from the Secretary of Agriculture, transmitting, pursuant to law, the final report of the investigation conducted by the Commodity Exchange Authority, relating to the drastic decline of cotton prices (with an accompanying report); to the Committee on Banking and Currency.

AUDIT REPORTS OF HOME OWNERS' LOAN CORPORATION

Two letters from the Comptroller General of the United States, transmitting, pursuant to law, the audit reports of the Home Owners' Loan Corporation, for the fiscal years ended June 30, 1945, and June 30, 1946 (with accompanying reports); to the Committee on Expenditures in the Executive Departments.

REPORT OF NATIONAL ARCHIVES TRUST FUND BOARD

A letter from the Chairman of the National Archives Trust Fund Board, transmitting, pursuant to law, a report of that Board for the fiscal year ended June 30, 1946 (with an accompanying report); to the Committee on Civil Service.

REPORT OF BOY SCOUTS OF AMERICA

A letter from the Chief Scout Executive of the Boy Scouts of America, transmitting, pursuant to law, the annual report of that organization for the year 1946 (with an accompanying report); to the Committee on Labor and Public Welfare.

FINAL FINANCIAL STATEMENT OF AMERICAN LEGION

A letter from the director of the national legislative committee, the American Legion, transmitting the final financial statement of the American Legion as of December 31, 1946 (with an accompanying statement); to the Committee on Finance.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. LANGER and Mr. CHAVEZ members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A resolution of the Legislature of the State of Georgia; to the Committee on Labor and Public Welfare:

"Senate Resolution 31

"Whereas the Congress did return the Public Employment Service to the respective States as of November 16, 1946, and provided for payment of all operation expenses by the Federal Government only through June 30, 1948; and

"Whereas the Congress has appropriated funds to meet the full cost of operating the Public Employment Service since January of 1942; and

"Whereas the Federal unemployment-compensation tax collected on pay rolls of employers has greatly exceeded the entire cost of the operation of the Public Employment Service and unemployment-compensation programs; and

"Whereas the States were required under the Wagner-Peyser Act to appropriate a portion of the expense for the operation of the Public Employment Service from its general fund up to and prior to 1942: Now, therefore, be it

"Resolved by the Georgia State Senate (the House of Representatives concurring), That the Congress be, and it hereby is memorialized to provide for the necessary funds to meet all operating expenses of the public employment services subsequent to June 30, 1948; be it further

"Resolved, That a certified copy of this resolution be sent to the Clerk of the House of Representatives and to the Secretary of the Senate of the Eightieth Congress and to each United States Senator and Representative from Georgia.

"Read and unanimously adopted March 19, 1947."

Two resolutions of the Senate of the State of California; to the Committee on Appropriations:

"Senate Resolution 27

"Resolution relative to congressional support for the Merced County stream group flood control project

"Whereas the Merced County stream group flood control project involves the control of a number of relatively small streams, which, at flood season, carry great quantities of water and threaten the destruction of large areas of valuable agricultural land in the geographical heart of the State of California; and

"Whereas the Merced County stream group flood control project has been authorized by Federal and State legislation; and

"Whereas the specific and immediate appropriation of funds by the Congress of the United States for this centrally located project would lend assurance to the people

of all parts of the State that the Congress intends to proceed with the more vital flood-control projects in California more quickly than the President's recommended budget would seem to indicate: Now, therefore, be it

"Resolved by the Senate of the State of California, That the Governor and the State water resources board are requested vigorously to present to the Congress the need for the appropriation of $1,000,000 for the Merced County stream group flood control project; and be it further

"Resolved, That the Congress is hereby requested to make such appropriation and the President of the United States is requested to approve the same; and be it further

"Resolved, That the secretary of the senate forthwith transmit copies of this resolution to the Governor, each member of the State water resources board, the State engineer, the President of the United States, the President pro tempore of the Senate, and the Speaker of the House of Representatives and each Senator and Representative from California in the Congress of the United States and each member of the Appropriations Committee of the Senate and House of Representatives of the Congress of the United States; and be it further

"Resolved, That the secretary of the senate forthwith transmit a copy of this resolution by air mail, special delivery, to the Honorable BERTRAND W. GEARHART, Representative in Congress from the Ninth Congressional District of California."

"Senate Resolution 28

"Resolution relative to congressional support for the lower San Joaquin River levees project

"Whereas the lower San Joaquin River levees project of construction of channel-improvement works and levee construction and reconstruction on San Joaquin River and tributary channels, consisting of and including bank revetment at scattered locations on the main San Joaquin River channel from Turner cut 9 miles west of Stockton upstream to mouth of Tuolumne River, and on Old River, Middle River, Paradise cut, and lower 5 miles of Stanislaus River; and levee extensions on main channel near river miles 63, 106 and 118, and raising existing levees at various locations on main channel between river miles 60 to 125 and on lower reach of Tuolumne River; said project being described in House Committee Document No. 2, Seventy-eighth Congress, second session, and authorized by Flood Control Act, approved December 22, 1944; and

"Whereas the specific and immediate appropriation of funds by the Congress of the United States for this centrally located project would lend assurance to the people of all parts of the State that the Congress intends to proceed with the more vital flood-control projects in California more quickly than the President's recommended budget would seem to indicate: Now, therefore, be it

"Resolved by the Senate of the State of California, That the Governor and the State water resources board are requested vigorously to present to the Congress the need for the appropriation of $1,000,000 for the San Joaquin River levees project; and be it further

"Resolved, That the Congress is hereby requested to make such appropriation and the President of the United States is requested to approve the same; and be it further

"Resolved, That the Secretary of the Senate forthwith transmit copies of this resolution to the Governor, each member of the State water resources board, the State engineer, the President of the United States, the President pro tempore of the Senate and the Speaker of the House of Representatives and each Senator and Representative from California in the Congress of the United States and each member of the Appropriations Committee of the Senate and House of Representatives of the Congress of the United States; and be it further

"Resolved, That the Secretary of the Senate forthwith transmit a copy of this resolution by air mail, special delivery, to the Honorable LEROY JOHNSON, Representative in Congress from the Third Congressional District of California."

A petition of members of Friendship Townsend Club No. 1, Miami, Fla., praying for the enactment of the so-called Townsend plan, providing old-age assistance; to the Committee on Finance.

THE FEDERAL BUDGET

Mr. CAPPER. Mr. President, I have received a timely letter from H. W. Steele, of the Steele Oil Co., of Salina, Kans., urging a drastic cut in the Federal budget for the coming year and eliminating many unnecessary bureaus. I heartily approve of the stand taken by Mr. Steele, and ask unanimous consent to have his letter printed in the RECORD, and appropriately referred.

There being no objection, the letter was received, ordered to lie on the table, and to be printed in the RECORD, as follows:

STEELE OIL CO.,
Salina, Kans., March 7, 1947.

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR: I am writing you regarding the proposed budget for coming fiscal year. I feel very strongly that our budget should be cut drastically, much more than the Senate-proposed $33,000,000,000 budget.

It seems to me that many savings could be effected by paring down many of the unnecessary bureaus which have been built up during the past 14 years of priming the pump and war. Ninety percent of all Federal employees that I have contact with don't start to put out a day's work, and usually there are three men for each job.

I have voted the Republican ticket all my life, and mostly in vain, so I believe since we have finally won a national election, we should show the American people and the world that a democracy can be run in a businesslike manner.

The Republican Party will be betraying the vote of trust given them at the last election if they do not pare Government costs, reduce income taxes, and reduce the Federal debt.

Yours very truly,

H. W. STEELE.

CHANGE OF NAME OF BOULDER DAM TO HOOVER DAM

Mr. CAPPER. Mr. President, I have received a letter from the Honorable Robert Stone, former speaker of the Kansas State House of Representatives, urging the approval of the proposal to change the name of Boulder Dam to Hoover Dam. I ask unanimous consent to have Mr. Stone's letter printed in the RECORD and appropriately referred.

There being no objection, the letter was received, ordered to lie on the table, and to be printed in the RECORD, as follows:

TOPEKA, KANS., *March 8, 1947.*

Senator ARTHUR CAPPER,
Senate Chambers, Washington, D. C.

MY DEAR SENATOR: I notice H. R. 140 has been approved by the Public Lands Committee and is now pending in the House. It is a resolution to change the name of Boulder Dam to Hoover Dam.

I hope you will give this your wholehearted support because the dam should carry the name of the great engineer who happened at one time to be our President.

Very sincerely yours,

ROBERT STONE.

IMPENDING EXECUTION OF DOV BELA GRUNER—PROTEST FROM KONRAD BERCOVICI

Mr. MAGNUSON. Mr. President, I am in receipt of a letter from the very noted Konrad Bercovici enclosing a statement, with which I thoroughly agree, regarding the impending execution of Dov Bela Gruner, the Jewish war veteran, in Palestine. I ask unanimous consent that Mr. Bercovici's statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

On January 1, 1947, Dov Bela Gruner, a 33-year-old veteran of the British Army, was sentenced to hang by a British military court in Palestine for the alleged participation in an attack on the Ramatan police station April 23, 1946.

The only proof of his participation in that attack was the fact that he refused to explain when and how he had been wounded and also his admission that he belonged to a Hebrew organization of patriots.

On March 25, the British judiciary rejected a plea demanding that an appeal from the sentence be considered.

The rejection of this appeal made by Dov Gruner's lawyers for the setting aside of the sentence imposed upon him by a British Palestine court, is tantamount to legal murder. The reaction of all civilized people against our war ally will affect profoundly the relations between Great Britain and the people of the United States. I submit that it is in the interest of peace that our Government intervene before the execution of the Hebrew patriot whose crime was the refusal to submit to the invaders of his homeland. The whole world is now applauding those of our allies' people who fought against the invader and is condemning those who collaborated with him. George Washington too would have been hanged as a traitor by Great Britain had our revolution failed. The aftermath of Dov Gruner's execution may endanger the prospect of peace in this much embattled world.

Since we are the only country left in the whole world where democracy is not mere lip service, I urge this Congress to protest the execution of Dov Gruner, not so much for the saving of a life, which is precious, but because the execution of this patriot will make Palestine a bloody battleground, which will have repercussions in the entire Middle East with the gravest consequences to our own interests, our security and our peace.

REPORTS OF COMMITTEE ON RULES AND ADMINISTRATION

PRESIDENTIAL SUCCESSION

Mr. BROOKS. Mr. President, from the Committee on Rules and Administration, I ask unanimous consent to report with an amendment the bill (S. 564) to provide for the performance of the duties of the office of President in case of the removal, resignation, or inability both of the President and Vice President, and I submit a report (No. 80) thereon.

Mr. HAYDEN. Mr. President, I ask unanimous consent to submit the views of the minority of the Committee on Rules and Administration on the bill reported by the Senator from Illinois, and request that they be printed as part of the report.

The PRESIDENT pro tempore. Without objection, the report submitted by the Senator from Illinois will be received, and the bill will be placed on the calendar; and, without objection, the views

of the minority submitted by the Senator from Arizona will be received and printed as part of the majority report.

INVESTIGATION OF POSTMASTER APPOINTMENTS

Mr. BROOKS. Mr. President, from the Committee on Rules and Administration, I ask unanimous consent to report with additional amendments the resolution (S. Res. 81) authorizing the Committee on Civil Service to investigate the apointment of first-, second-, or third-class postmasters.

Mr. HAYDEN. Mr. President, I ask unanimous consent to submit the views of the minority of the Committee on Rules and Administration on the resolution reported by the Senator from Illinois, and request that they be printed.

The PRESIDENT pro tempore. Without objection, the report submitted by the Senator from Illinois will be received, and the resolution will be placed on the calendar; and, without objection, the views of the minority submitted by the Senator from Arizona will be received and printed (S. Rept. No. 81).

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. LANGER, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation two lists of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. YOUNG:

S. 990. A bill to amend title V of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, so as to provide that the transferee of any property transferred thereunder shall be entitled to all revenue derived from such property; to the Committee on Banking and Currency.

S. 991. A bill to provide for the settlement of certain parts of Alaska by war veterans; to the Committee on Public Lands.

By Mr. BUTLER:

S. 992. A bill to amend section 602 (v) of the National Service Life Insurance Act of 1940, as amended, to provide for the payment of disability benefits to certain totally disabled veterans who had insurance in force on August 1, 1946; to the Committee on Finance.

By Mr. TOBEY:

S. 993. A bill to provide for the reincorporation of Export-Import Bank of Washington and for other purposes; to the Committee on Banking and Currency.

(Mr. HAWKES introduced Senate bill 994, to amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and subchapter B of chapter 9 of the Internal Revenue Code, and for other purposes, which was referred to the Committee on Labor and Public Welfare, and appears under a separate heading.)

By Mr. SALTONSTALL:

S. 995. A bill to amend the Civil Service Retirement Act so as to make such act applicable to the officers and employees of the Columbia Institution for the Deaf; to the Committee on Civil Service.

By Mr. JOHNSON of Colorado:

S. 996. A bill for the relief of Jin Watanabe (alias Shinichiro Nomura); to the Committee on the Judiciary.

By Mr. WATKINS (for himself and Mr. FULBRIGHT):

S. 997. A bill to authorize the unconditional grant of all interest of the United States in certain school buildings and temporary housing to educational institutions without consideration; to the Committee on Banking and Currency.

By Mr. PEPPER:

S. 998. A bill to provide additional funds for the fiscal year 1947 to enable the Secretary of Agriculture to carry out the provisions of the National School Lunch Act; to the Committee on Appropriations.

(Mr. CAIN introduced Senate bill 999, to amend the Veterans' Preference Act of 1944 with respect to preference accorded in Federal employment to disabled veterans, and for other purposes, which was referred to the Committee on Civil Service, and appears under a separate heading.)

AMENDMENT OF RAILROAD RETIREMENT ACT OF 1937, RAILROAD UNEMPLOYMENT ACT, AND INTERNAL REVENUE CODE

Mr. HAWKES. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill, the purpose of which is to amend the Railroad Retirement Act, the Railroad Unemployment Insurance Act, and subchapter B of chapter 9 of the Internal Revenue Code. It is designed to place these laws on a sound and workable basis and to overcome many of the numerous objections which have been raised by employees in the railroad industry and employers in the railroad industry to the many innovations which were contained in the so-called Crosser Act, which was passed in haste and under pressure at the close of the session of the Seventy-ninth Congress.

Many of the features contained in the Crosser amendments, which were so strongly advocated by the former head of the Railroad Retirement Board, were designed among other things to carry out experiments in social security and to enlarge the bureaucracy of the Retirement Board, thus providing thousands of new jobs for Government employees who would be paid out of the money contributed to the retirement fund. An analysis of the complaints indicates that railroad workers want their money spent for retirement benefits for themselves and their families, and are not interested in the hiring of additional Government employees. It also indicates their fear that unwise social experiments might endanger the soundness of their present retirement and unemployment insurance systems. This bill proposes to give them the benefits they desire most, at the lowest possible cost.

I opposed the manner in which the House bill 1362, which carried the Crosser amendments, was jammed through this body at the close of the session last year. On July 25, 1946, in the Senate debate, I said:

When this bill was returned from the subcommittee to the main committee, it contained 17 major changes in the existing railroad-retirement and unemployment-insurance laws, and it had in it 73 less important changes. I ask, how can we expect to have the respect of the people of the Nation if we put a bill of this vast importance through a committee and are willing to enact it into law as it is written, just because we are coming to the close of a session.

This prediction, if I may call it that, has been borne out in the letters of protest which have been sent to my office by hundreds of railroad workers since the bill was signed into law last year. Many railroad employees are asking that the Crosser amendments be repealed in their entirety. Others are asking that they be amended. The general feeling is that the railroad workers, and particularly those among them who have long years of service to their credit, have had their pay-roll deductions increased to pay for a new system of life-insurance annuities for survivors, which they did not seek, and the workers' primary interest, which did lay in a substantial retirement annuity on a sound actuarial basis, received little consideration. Also, many are complaining about the elimination of death-benefit payments which has resulted from the Crosser amendments.

With respect to unemployment insurance, while the employees pay no tax in support of the unemployment insurance fund, they, as well as the carriers, have objected strenuously to the insurance for nonoccupationally incurred sickness and accidents, and the pregnancy and maternity benefits which were added by the Crosser amendments, for they feel these features represent an unwarranted burden on the fund. This bill represents a sincere effort to meet the objections which have been raised to the Crosser amendments and yet to maintain from an actuarial point of view integrity of the funds. It retains the desirable features of the Crosser amendments with certain reasonable modifications. It provides an increased maximum annuity for the employees. The result of these changes will make possible an immediate reduction of one-half of 1 percent and an ultimate reduction of 1 percent in the amount deducted from the employees' pay envelope for retirement purposes.

With respect to the unemployment insurance fund which is entirely maintained by the carriers, a merit system of pay-roll taxation is provided by this bill. This system is a sound and conservative one, similar to that now in effect in 45 of the 51 States and Territories of the United States. This merit system provides that payments into the fund be made on a sliding scale, based upon the amount of money in the unemployment insurance fund. It will avoid, on the one hand, unnecessary assessment of the railroads, while, on the other hand, it will preserve the integrity of the fund, insuring ample reserves to cover all of the demands which may be made upon it under any conditions known or foreseeable at the present time.

I have prepared, for the convenience of the Members of the Senate, a 1-page comparison of this bill with the amendments which were enacted last year, and ask that it be included in the RECORD as a part of my remarks.

The PRESIDENT pro tempore. Without objection, the bill introduced by the Senator from New Jersey will be received

and appropriately referred, and, without objection, the comparison will be printed in the RECORD.

There being no objection, the bill (S. 994) to amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and subchapter B of chapter 9 of the Internal Revenue Code, and for other purposes, introduced by Mr. HAWKES, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

There being no objection, the comparison presented by Mr. HAWKES was ordered to be printed in the RECORD, as follows:

	Proposed bill	Crosser amendments
(1) Maximum annuity	$135 per month	$120 per month.
(2) Employees' 1947 tax rate	5¼ percent	5¾ percent.
(3) Employees' tax rate for 1952 and thereafter	do	6¼ percent.
(4) Cash death benefit	Restored as accumulated up to Dec. 31, 1946, under the act of 1937.	Eliminated.
(5) Retirement of female employees at 60 years	Yes	Yes.
(6) Disability retirement for any regular employment with 10 years of service.	Yes; but disability must be occupationally incurred.	Yes; regardless of how disability was incurred.
(7) Disability retirement for work in regular railroad occupation with 20 years of service.	do	Do.
(8) Minimum annuity	Same as Crosser amendments	
(9) Survivor annuities	Calculated on formula of Social Security Act—reduced about 25 percent from Crosser Act.	Calculated on 1946 formula with death benefit deducted.
(10) Unemployment benefits maximum	Same as Crosser amendments	
(11) Unemployment benefits due to sickness and accident not related to employment.	Eliminated	$25 for 26 weeks.
(12) Unemployment benefits due to pregnancy and maternity.	do	Do.
(13) Pay-roll tax rate for employers	Merit system with sliding scale from ½ to 3 percent based on fund containing sufficient balance to pay all benefits.	3 percent.

AMENDMENT OF VETERANS' PREFERENCE ACT OF 1944

Mr. CAIN. I ask unanimous consent to introduce, out of order, a bill which proposes three amendments to the Veterans' Preference Act of 1944.

These proposed amendments represent the considered opinion of the Veterans of Foreign Wars of the United States—an opinion with which I most heartily concur. These amendments are as follows:

First. That a veteran should make a qualifying grade on a civil-service examination before his 5 or 10 points are added to the earned rating. Only a very few—approximately 3½ percent—of veterans seeking employment require the extra points to make a passing grade. Although insignificant in its results, the operation of this particular preference has been the basis for much of the unfortunate criticism directed against veterans' preference, which in turn has made enforcement of the act so difficult. The criticism has been raised that the act places a premium on incompetence because the veteran need not make a passing grade. In my opinion, the objection to this particular preference is well-founded, and in the interest of efficiency in government the veteran should be required to obtain a passing grade.

Second. That a veteran must have a disability rating of at least 10 percent before he is entitled to 10-point preference. Under existing law any veteran with a service-connected disability, even though such is noncompensable by the Veterans' Administration, is entitled to a 10-point preference, instead of the 5-point preference accorded other veterans.

The Congress has already established that 10 percent disability is the minimum for which any disability compensation would be payable. This dividing line ought in all fairness be carried over into this act, so that a veteran with 1 percent to and including 9 percent disability would be on a par with veterans—many of whom have long combat service—who have not been rated with such minor disability ratings.

Third. That the veteran must have at least a 30 percent disability, service-connected, before his name automatically moves to the top of the list of eligibles. Under existing law a veteran with any degree of service-connected disability who obtains a minimum earned grade of 60 on an examination is eligible for appointment to a civil service job before another veteran who may have a much higher earned grade. As a result of the operation of this phase of veterans' preference, many veterans with distinguished combat records have been the object of unfortunate employment experiences. The Veterans of Foreign Wars has brought to my attention the case of a decorated veteran with 3 years of combat service. This veteran was a 5-point preference eligible, serving under temporary appointment as a contact representative with the Veterans' Administration. He took an examination for permanent appointment, and received an earned rating of 98—which, with his additional five points, resulted in a final grade of 103. He may be forced to yield his position to another veteran whose earned rating was less than 70 and whose disability was noncompensable by the Veterans' Administration. This amendment would still give the compensable disabled veteran a 10-point preference, but would require at least a 30-percent disability before his name would automatically "float" to the top of the list of eligibles.

I wish to take this occasion to compliment the Veterans of Foreign Wars, who, by proposing these amendments, have indicated an appreciation for the responsibility of their prestige and position which other groups might well emulate.

The Veterans of Foreign Wars cosponsored the Veterans' Preference Act, and have continually carried the fight for compliance with the spirit and letter of that act. The act has been in operation for almost 3 years, and this great overseas veterans' organization has come to doubt the soundness of its contentions in supporting those points which it now intelligently seeks to alter.

I ask unanimous consent to insert in the record a letter I recently received from Omar B. Ketchum, the national legislative director of the Veterans of Foreign Wars, and a copy of the bill I am introducing.

The PRESIDENT pro tempore. Without objection, the bill introduced by the Senator from Washington will be received and appropriately referred, and without objection, the bill and letter will be printed in the RECORD.

There being no objection, the bill (S. 999) to amend the Veterans' Preference Act of 1944 with respect to preference accorded in Federal employment to disabled veterans, and for other purposes, introduced by Mr. CAIN, was received, read twice by its title, and referred to the Committee on Civil Service, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 2 (1) of the Veterans' Preference Act of 1944 (Public Law 359, 78th Cong., 58 Stat. 387) is amended to read as follows:

"(1) those ex-service men and women who have served on active duty in any branch of the armed forces of the United States and have been separated therefrom under honorable conditions and who have established the present existence of a service-connected disability which is compensable under public laws administered by the Veterans' Administration or who are receiving disability retirement benefits by reason of public laws administered by the Veterans' Administration, the War Department, or the Navy Department."

SEC. 2. Section 3 of such act is amended to read as follows:

"SEC. 3. In all examinations to determine the qualifications of applicants for entrance into the service, 10 points shall be added to the earned ratings of those persons included under sections 2 (1), (2), and (3), and 5 points shall be added to the earned ratings of those persons included under section 2 (4) of this act: *Provided*, That such points shall be added only to earned ratings which are equal to or greater than the minimum rating for qualification as announced by the Civil Service Commission for the particular examination: *Provided further*, That in examinations for the positions of guards, elevator operators, messengers, and custodians competition shall be restricted to persons entitled to preference under this act as long as persons entitled to preference are available and during the present war and for a period of 5 years following the termination of the present war as proclaimed by the President or by a concurrent resolution of the Congress for such other positions as may from time to time be determined by the President."

SEC. 3. Section 7 of such act is amended to read as follows:

"SEC. 7. The names of preference eligibles shall be entered on the appropriate registers or lists of eligibles in accordance with their respective augmented ratings, and the name of a preference eligible shall be entered ahead of all others having the same rating: *Provided*, That, except for positions in the professional and scientific services for which the entrance salary is over $3,000 per annum, the names of all qualified 10-point-preference eligibles whose service-connected disability has been rated by the Veterans' Administration to be 30 percent or more shall

be placed at the top of the appropriate civil-service register or employment list, in accordance with their respective augmented ratings."

The letter presented by Mr. CAIN was ordered to be printed in the RECORD, as follows:

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
Washington, D. C., March 24, 1947.

Senator HARRY P. CAIN,
United States Senate,
Washington, D. C.

DEAR SENATOR CAIN: My assistant director, John C. Williamson, has advised me of your recent conversation with him, and of your desire to strengthen the principle of veterans' preference in Federal employment.

Since our cosponsorship of the Veterans' Preference Act of 1944, the National Legislative Service, Veterans of Foreign Wars, has devoted an appreciable part of its activity toward plugging the loopholes of the act and shoring up the various phases which, through half-hearted administrative practices, have become almost empty gestures of preference.

Law making is far from an exact science. The continual enactment of amendatory, clarifying, and perfecting legislation in each Congress attests to an almost axiomatic principle of statutory construction—that only through the operation of a law may one detect its weaknesses and question its purport.

This has been our experience with the Veterans' Preference Act of 1944. On the one hand we have sought to strengthen the act by enlarging on the preference principle, and on the other hand, as in this case, we feel that we must further strengthen this principle by a reconsideration of certain preference factors which act as deterrents to efficiency in government as well as more wholesome employment experiences among veterans themselves.

The national legislative committee, Veterans of Foreign Wars, had this problem under study for some months. On March 7, 1947, at a meeting in Washington, D. C., the committee by an overwhelming majority voted to direct me to seek legislation in the Eightieth Congress which would amend the Veterans' Preference Act of 1944 as follows:

First, that a veteran be required to obtain a passing grade before his 5 or 10 points preference has application.

Second, that before a veteran is eligible for a 10 points preference he must have been rated by the Veterans' Administration with at least 10 percent of service-connected disability.

Third, that before a 10-point preference eligible is placed at the top of the list of eligibles he be rated at least 30-percent disability, service-connected, by the Veterans' Administration. Those veterans with less than 30-percent disability would still be 10-point preference eligibles but would take their place on the list of eligibles in accordance with their augmented ratings.

It is our earnest hope that legislation will shortly be introduced in the Congress incorporating these amendments and that the Senate Committee on Civil Service will bring such a bill up for early hearings.

The interest you have expressed in these proposed amendments is greatly appreciated by this office.

Respectfully yours,
OMAR B. KETCHUM,
Director, National Legislative Service.

AID TO GREECE AND TURKEY—AMENDMENTS

Mr. JOHNSON of Colorado submitted sundry amendments intended to be proposed by him to the bill (S. 938) to provide for assistance to Greece and Turkey, which were referred to the Committee on Foreign Relations, and ordered to be printed.

REPORT ON ECONOMIC SITUATION (S. DOC. NO. 21)

Mr. TAFT. Mr. President, in the course of his testimony before the Committee on Education and Labor, Mr. Philip Murray submitted various economic questions, which I then submitted to the Legislative Reference Service of the Library of Congress. Mr. Griffith, the head of that Service, has submitted to our committee a report dealing with the present economic situation. His report is of such interest that I ask unanimous consent that it be printed as a Senate document.

The PRESIDENT pro tempore. Without objection, it is so ordered.

HOUSE BILL REFERRED

The bill (H. R. 1) to reduce individual income-tax payments was read twice by its title, and referred to the Committee on Finance.

LIQUIDATION OF SELECTIVE SERVICE SYSTEM

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 918) to establish an Office of Selective Service Records to liquidate the Selective Service System following the termination of its functions on March 31, 1947, and to preserve and service the Selective Service records, and for other purposes, which were, on page 2, line 13, to strike out "(a)"; on page 2, lines 15 and 16, strike out "Records. (b) Authority" and insert "Records and authority"; on page 2, line 23, strike out all after "tem" down to and including "1947" on page 2, line 25; on page 4, strike out lines 1 to 22, inclusive, and on page 5, strike out lines 1 to 4, inclusive; on page 5, line 5, strike out "(3)" and insert "(2)"; on page 5, line 10, strike out "(4)" and insert "(3)"; on page 5, line 16, strike out "(5)" and insert "(4)"; on page 5, line 17, after the word "employees", insert "(not to exceed 1,200 in number by November 1, 1947)"; on page 5, line 19, after the word "amended", insert ": *Provided*, That the compensation of such persons shall not be in excess of that provided in said act"; on page 5, line 20, strike out "(6)" and insert "(5)"; on page 7, line 7, after the word "section", insert ", or any person or persons who shall unlawfully obtain, gain access to, or use such records,"; on page 7, line 19, strike out "(a)"; and on page 7, strike out line 22, and on page 8, strike out lines 1 to 6, inclusive.

Mr. GURNEY. Mr. President, for the information of the Senate, I wish to say that the House did not agree to the amendments reported by the Senate Armed Services Committee and adopted by the Senate. It is so important that this new board be established on or before next Tuesday that in talking with members of the committee it seems to be unanimously agreed that there is nothing else for the Senate to do but to concur in the House action, although we feel that the county record boards should be retained in being for the next 3 or 4 months. There is undoubtedly justification for the plan adopted by the House, as there also is for the Senate plan. Our committee, in informal expression, feels it best to advise the Senate to concur in the amendments adopted by the House.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. GURNEY. I am glad to yield.

Mr. REVERCOMB. Can the Senator from South Dakota advise us as to the nature of the House amendments?

Mr. GURNEY. The amendments made by the House restored the bill to the form recommended by the President. There will be established in each State one central records office where all State records will be accumulated; and the records will be serviced there. The number of employees will be decreased from the present figure of approximately 7,200 to 1,200. The House has made it mandatory by an amendment that the number of employees in the new board nationally shall be reduced to 1,200 on or before November 1, 1947. I hope that answers the Senator's question.

Mr. President, I now move that the Senate concur in the House amendments, and that the President pro tempore of the Senate be authorized to sign this measure so that it can be sent to the President even though the Senate may not be in session tomorrow.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from South Dakota [Mr. GURNEY].

Mr. MORSE. Mr. President, will the Senator yield?

Mr. GURNEY. I yield.

Mr. MORSE. I wish to make a brief comment on the suggestion made by the Senator from South Dakota. I think some objection should be raised, because I do not believe that the amendments of the House are in the interest of national security at this time.

Mr. GURNEY. I am in complete agreement with the Senator; and if there were any chance of properly presenting the case within the next 2 days, I think that would be the course to take.

Mr. MORSE. I know that the Senator from South Dakota is in agreement with me. Nevertheless, I think the record ought to be made perfectly clear, and the responsibility for this action placed where it belongs—not on the Senate, but on the House.

I think this is no time for such a liquidation of the Selective Service System of this country as is contemplated by the action of the House. I think that for the time being we ought to keep our Selective Service System operating on a county basis so far as the records and offices are concerned. I think it should be on a county-wide basis, in order to make it perfectly clear to the world that we will stand ready to defend the peace.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from South Dakota that the Senate concur in the House amendments.

The motion was agreed to.

The PRESIDENT pro tempore. The Senator from South Dakota asks unanimous consent that the President pro tempore be authorized to sign the bill during the recess of the Senate. Without objection, the order is made.

EXTENSION OF TIME FOR A REPORT BY FORMER COMMITTEE ON PUBLIC LANDS AND SURVEYS

Mr. BUTLER. Mr. President, perhaps out of order, I should like to complete the transaction which I started yesterday on the floor, but was asked by the leader on the minority side to discontinue at the moment. It has to do with the extension of Senate Resolution 77 which was adopted on January 31 last authorizing the extension of time for the completion of the report of a subcommittee of the Senate Committee on Public Lands and Surveys of the Seventy-ninth Congress. They held hearings at San Francisco and perhaps at some other points in the West during the past summer. The shorthand reporter who took the notes was sent to the hospital before he had completed the transcript. On January 31 in order that the report might be completed we asked for and obtained an extension to March 31. The gentleman is still in the hospital, but his helpers are working on the report. We have an investment in this matter, and it will cost no additional money to complete the report.

Day before yesterday, March 26, I submitted Senate Resolution 97 proposing to extend until May 31, 1947, the time for the completion of the report. The resolution was referred to the Committee on Public Lands. I now ask unanimous consent that that committee be discharged from the further consideration of the resolution and that it be immediately considered.

The PRESIDING OFFICER (Mr. CAIN in the chair). Is there objection to the request of the Senator from Nebraska?

Mr. WHERRY. Mr. President, I inquire if there is any controversy about the situation.

Mr. BUTLER. None at all.

Mr. WHERRY. Very well.

Mr. BARKLEY. Mr. President, I ask the Senator from Nebraska if this is the matter he referred to yesterday.

Mr. BUTLER. Yes; it is the matter about which the Senator from Kentucky asked me yesterday.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska that the Committee on Public Lands be discharged from the further consideration of Senate Resolution 97? The Chair hears none, and the committee is discharged from the further consideration of the resolution.

The Senator from Nebraska now asks unanimous consent for the immediate consideration of the resolution. Is there objection?

There being no objection, the resolution (S. Res. 97) submitted by Mr. BUTLER on March 26, 1947, was considered and agreed to, as follows:

Resolved, That the authority granted to the Committee on Public Lands and Surveys under Senate Resolution 315, Seventy-ninth Congress, agreed to July 30, 1946, relating to studies and investigations of matters referred to such committee, as heretofore extended, is hereby further extended to May 31, 1947, for the purpose of allowing additional time in which to make a report to the Congress.

CONFIRMATION OF NOMINATION OF WILLIAM R. McCOMB

Mr. ELLENDER. Mr. President, as in executive session, I call attention to the fact that on the Executive Calendar there is the nomination of Mr. William R. McComb, of Missouri, to be Administrator of the Wage and Hour Division, Department of Labor. The nomination was taken up yesterday by the Committee on Labor and Public Welfare and by unanimous consent of the entire committee the nomination was ordered reported favorably. I ask unanimous consent that the nomination be now confirmed.

Mr. WHERRY. Mr. President, reserving the right to object, am I to understand that the nomination has the approval of all the members of the committee?

Mr. ELLENDER. The Senator is correct.

Mr. WHERRY. There is no controversy about it in any way whatsoever?

Mr. ELLENDER. Absolutely none.

Mr. WHERRY. Very well.

The PRESIDING OFFICER. The clerk will state the nomination.

The Chief Clerk read the nomination of William R. McComb, of Missouri, to be Administrator of the Wage and Hour Division, Department of Labor.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. ELLENDER. I ask that the President be immediately notified.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

HISTORY OF PROPOSED FAIR EMPLOYMENT PRACTICE LEGISLATION

Mr. MURRAY. Mr. President, yesterday I had intended to call the attention of the Senate to the fair employment practice bill introduced in the Seventy-ninth Congress.

In the last session the bill to eliminate discrimination on account of race, creed, or color—the fair employment practice bill, S. 101—was referred to the Committee on Education and Labor, of which committee I had the honor to serve as chairman.

The complete story of what happened to that legislation is contained in a summary report to the committee which I, as chairman, presented at the end of last year. In that report, which has been printed, I presented an objective and historical account of each measure which our committee considered. Because of the great interest in the history of this legislation, and because of the value it will be to anyone interested, I request that the historical account of the fair employment practice legislation which appeared in my summary report be printed at the close of my remarks.

The summary report points out that 50 witnesses, representing over 100 national organizations, appeared in support of S. 101, and, although the chairman of the subcommittee, the junior Senator from New Mexico [Mr. CHAVEZ], sought testimony in opposition to the bill, no one opposing it requested a hearing.

In view of the wide public demand for legislation to eliminate discrimination in employment, because of the extensive consideration already given to such legislation, and because it is encumbent upon the United States at this time to prove to the world that democracy in the United States really operates for the welfare of all people, regardless of their race, creed, or color, I hope that the senior Senator from Ohio [Mr. TAFT], my successor as chairman of the committee which will be considering Senate bill 984, introduced yesterday by the Senator from New York [Mr. IVES], will see to it that the bill is given prompt and speedy consideration. I hope also that when this bill is reported from the committee the Senate will act likewise.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

FAIR EMPLOYMENT PRACTICE ACT

On January 6, 1945, a bill to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry was introduced by Mr. CHAVEZ, for himself and six other Senators. The bill, subsequently known as the bill for a Fair Employment Practice Commission, S. 101, was referred to this committee. The measure, with minor changes, was the successor to S. 2048, first introduced in the Seventy-eighth Congress, with bipartisan sponsorship and which, after hearings, was favorably reported by this committee on September 20, 1944.

The bill was designed to eliminate discrimination in all employment relations which fall under the jurisdiction or control of the Federal Government. It forbade discrimination in (a) Federal employment, (b) employment under Government contracts, and (c) employment and activities affecting interstate or foreign commerce which are subject to Federal control in respect to labor relations. It applied equally to employers and to unions, forbidding discrimination by unions against members, employees, or employers.

A board of five members, to be appointed by the President, with Senate ratification, and to be known as the Fair Employment Practice Commission, would be created to administer the act. The Federal courts would be empowered, after appropriate judicial hearings, to enforce cease-and-desist orders found to have been properly issued by the Commission.

Mr. TAFT introduced S. 459, a bill similarly designed to eliminate discrimination in employment because of race, creed, color, national origin, or ancestry. It differed from S. 101 chiefly in that it did not provide for any judicial enforcement or judicial review.

A subcommittee of this committee was appointed by the chairman, Mr. MURRAY, to consider the bill, and hearings were set for 3 days, beginning March 12, 1945.

In the House of Representatives, within a month after the beginning of the Seventy-ninth Congress, 13 separate bills were introduced proposing the creation of a permanent FEPC. Because hearings had been held on almost the identical bill the previous session, the House Labor Committee, to which committee these bills had been referred, reported H. R. 2232 introduced by Mrs. NORTON, of New Jersey, without any further public hearings. The bill was reported on February 20, 1945. The Rules Committee held a series of meetings on House Resolution 146, Mrs. NORTON's request for a rule on the bill. The committee failed to give the bill a rule by a tie vote, 6 to 6. Thereupon, on April 27, 1945, Mrs. NORTON filed a discharge petition (218 signatures required to discharge the Rules Committee from consideration). On December 10, 1945, Mr. GORE, of Tennessee, informed the House that only 157 Members had signed the petition.

Mrs. NORTON then resorted to the parliamentary device, the rule of Calendar Wednesday. On Tuesday, September 25, when the customary request to suspend the next day's Calendar Wednesday was made, she objected. On Wednesday, September 26, however, within 15 minutes after the session began, Mr. WHITTINGTON, of Mississippi, moved the adjournment of the House, and it carried by a vote of 74 to 31, thus ending the calendar and legislative day. Later efforts by Mr. MARCANTONIO, of New York, were similarly unsuccessful.

In the hearings held by the subcommittee of this committee approximately 50 witnesses, representing over 100 national organizations, including major church, labor, educational, welfare, business, and race-relations groups appeared in support of S. 101. Although the chairman, Mr. CHAVEZ, frequently sought testimony in opposition to the bill, no one opposing it requested a hearing. S. 459 was opposed on the grounds that the bill would fail in its purpose because of its lack of enforcement powers.

The bill was reported by the subcommittee to the full committee on May 17, 1945, with a unanimous recommendation for favorable action by the committee. Some members of the committee had requested a week's time in order to see if a compromise bill could be drafted which the whole committee could agree upon. The request was agreed to and on May 24 when no compromise bill appeared possible the committee by a vote of 12 to 6 favorably reported S. 101.

On January 17, 1946, during the Senate morning hour and after the routine morning business had been dispensed with, Mr. CHAVEZ moved that the Senate proceed to the consideration of S. 101. Upon a roll-call vote, his motion was carried 49 to 17. Mr. CHAVEZ then began to discuss his bill. Later on, at approximately 3:45 p. m., Mr. MCKELLAR moved the adjournment of the Senate, which motion was adopted by a voice vote.

The following day, when the Senate convened, following the routine prayer of the Chaplain, Mr. BARKLEY, the majority leader, moved that the Journal of the prior day's proceeding be approved without reading. Mr. OVERTON objected and then moved to correct the Journal to include therein the prayer delivered by the Chaplain on the preceding day. The correction of the Journal and the appeal from a ruling of the Chair on a point of order—whether the correction of the Journal or the consideration of S. 101 was the pending business—remained the business before the Senate until February 7, 1946, when Mr. BARKLEY withdrew his appeal from the Chair, the motion to correct the Journal of January 17 was withdrawn, and Mr. BARKLEY moved approval of the Journal, which was approved by unanimous consent. S. 101 then became the unfinished business of the Senate.

A cloture petition with 48 signatures was then filed by Mr. BARKLEY. On Saturday, February 9, the vote on cloture was taken. The vote was 48 to 36, and lacking the necessary two-thirds, the cloture rule was not invoked. Mr. CHAVEZ then moved to displace S. 101 in favor of an appropriation measure. His motion was adopted 72 to 12, and S. 101 was restored to the calendar, where it remained until the Seventy-ninth Congress adjourned.

A RETURN TO LOCAL SELF-GOVERNMENT—ADDRESS BY SENATOR KEM

[Mr. KEM asked and obtained leave to have printed in the RECORD an address on the subject A Return to Local Self-Government, delivered by him at the annual dinner of the Bar Association of St. Louis at St. Louis, Mo., March 24, 1947, which appears in the Appendix.]

THE CRISIS IN AMERICAN EDUCATION—ADDRESS BY SENATOR HILL

[Mr. HILL asked and obtained leave to have printed in the RECORD an address entitled "The Crisis in American Education," prepared by him for delivery before the Alabama Education Association at Birmingham, Ala., on March 28, 1947, which appears in the Appendix.]

CONSOLIDATION OF AMERICA'S OVERSEAS AIR SERVICES—STATEMENT BY SENATOR BREWSTER

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD a summary of the bill to consolidate America's overseas air services, which appears in the Appendix.]

PUBLIC ADMINISTRATION AND ECONOMIC STABILIZATION—ADDRESS BY EDWIN G. NOURSE

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address entitled "Public Administration and Economic Stabilization," delivered by Edwin G. Nourse, chairman of the Council of Economic Advisers, before the American Society for Public Administration on March 14, 1947, which appears in the Appendix.]

ABUSE OF POWER—EDITORIAL FROM THE WASHINGTON POST

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an editorial entitled "Abuse of Power," from the Washington Post of March 26, 1947, which appears in the Appendix.]

PRICE MAKERS—EDITORIAL FROM THE WASHINGTON POST

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an editorial entitled "Price Makers," from the Washington Post of March 25, 1947, which appears in the Appendix.]

PORTAL-PAY BILL—EDITORIAL FROM THE WASHINGTON STAR

[Mr. COOPER asked and obtained leave to have printed in the RECORD an editorial entitled "Portal Pay Bill," from the Washington Evening Star of March 24, 1947, which appears in the Appendix.]

COMMUNISM—STATEMENT BY ERIC JOHNSTON

[Mr. DOWNEY asked and obtained leave to have printed in the RECORD a statement by Eric Johnston, president of the Motion Picture Association of America, before the Committee on Un-American Activities of the House of Representatives on March 27, 1947, which appears in the Appendix.]

APPRAISAL OF CURRENT AIR-LINE SITUATION—ADDRESS BY W. A. PATTERSON

[Mr. O'MAHONEY asked and obtained leave to have printed in the RECORD an address entitled "An Appraisal of the Current Air-Line Situation," delivered by W. A. Patterson, president, United Air Lines, Inc., before the Bond Club, at Chicago, Ill., on January 14, 1947, which appears in the Appendix.]

VETO THREAT AGAINST AID TO GREECE—EDITORIAL FROM PHILADELPHIA INQUIRER

[Mr. MYERS asked and obtained leave to have printed in the RECORD an editorial entitled "Veto Threat Bars UN Aid to Greece," published in the Philadelphia Inquirer of March 27, 1947, which appears in the Appendix.]

FOREIGN POLICY OF UNITED STATES—ARTICLE BY ELLIOTT ROOSEVELT

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an article entitled "A Plea to America," written by Elliott Roosevelt and published in the Nation of March 29, 1947, which appears in the Appendix.]

MILITARY GOVERNMENT IN GERMANY—ADDRESS BY MAX RHEINSTEIN

[Mr. MORSE asked and obtained leave to have printed in the RECORD an address on military government in Germany, delivered by Max Rheinstein, of the University of Chicago Law School, Chicago, Ill., which appears in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the joint resolution (H. J. Res. 146) to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOLCOTT, Mr. GAMBLE, Mr. SMITH of Ohio, Mr. KUNKEL, Mr. SPENCE, Mr. BROWN of Georgia, and Mr. PATMAN were appointed managers on the part of the House at the conference.

CALL OF THE ROLL

Mr. BRICKER obtained the floor.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	Murray
Ball	Hawkes	Myers
Barkley	Hayden	O'Conor
Brewster	Hickenlooper	O'Daniel
Bricker	Hill	O'Mahoney
Bridges	Hoey	Overton
Brooks	Holland	Pepper
Buck	Jenner	Reed
Bushfield	Johnson, Colo.	Revercomb
Butler	Johnston, S. C.	Robertson, Va.
Byrd	Kem	Russell
Cain	Kilgore	Saltonstall
Capehart	Knowland	Smith
Capper	Langer	Sparkman
Chavez	Lodge	Stewart
Connally	Lucas	Taft
Cooper	McCarthy	Taylor
Cordon	McClellan	Thomas, Okla.
Donnell	McFarland	Thomas, Utah
Downey	McGrath	Thye
Dworshak	McKellar	Tobey
Ecton	McMahon	Umstead
Ellender	Magnuson	Vandenberg
Ferguson	Malone	Watkins
Flanders	Martin	Wherry
Fulbright	Maybank	Wiley
George	Millikin	Williams
Green	Moore	Wilson
Gurney	Morse	Young

Mr. WHERRY. I announce that the Senator from Connecticut [Mr. BALDWIN] is absent by leave of the Senate.

The Senator from New York [Mr. IVES] is necessarily absent on official State business, and the Senator from Wyoming [Mr. ROBERTSON] is absent because of illness.

Mr. LUCAS. I announce that the Senator from Mississippi [Mr. EASTLAND] and the Senator from Nevada [Mr. MCCARRAN] are absent on public business.

The Senator from Maryland [Mr. TYDINGS] and the Senator from New

York [Mr. WAGNER] are necessarily absent.

The PRESIDING OFFICER. Eighty-seven Senators have answered to their names. A quorum is present.

SUSPENSION OF NAVIGATION AND VESSEL INSPECTION LAWS

Mr. WHERRY. Mr. President, will the Senator from Ohio yield?

Mr. BRICKER. I yield to the Senator from Nebraska.

Mr. WHERRY. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that, as in legislative session, the Senate proceed to the consideration of Calendar No. 69, House bill 1240, and Calendar No. 70, House Joint Resolution 76, the latter measure being a companion measure to the former. House bill 1240 would provide for the suspension of navigation and vessel inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended.

I may say that the majority leader, the Senator from Maine [Mr. WHITE] has reported these two maritime measures from the Committee on Interstate and Foreign Commerce. He is unavoidably absent from the Senate today because of illness, and has asked me to present the bill and the joint resolution to the Senate for immediate consideration.

The two measures are emergent in nature. The present waiver of certain laws regarding vessel inspection and navigation standards would end on March 31, 1947, next Monday, with the expiration of the Second War Powers Act. If these bills are not signed by the President before that day every American flag line vessel now on the oceans, except possibly the liner *America*, would be sailing in violation of the law; the effect of nonenactment would be to take every American vessel off the ocean.

Therefore, Mr. President, I ask unanimous consent that the Senate immediately proceed to the consideration of the two measures, House bill 1240 and House Joint Resolution 76. I assure the distinguished Senator from Iowa [Mr. HICKENLOOPER] that all I contemplate doing is to make a brief explanation of what the two measures provide, and if it should appear that there is any controversy over them, and any undue debate ensues, I shall immediately call for the regular order, so that the Senate may resume consideration of the nomination of Mr. Lilienthal.

Mr. HICKENLOOPER. Mr. President, on the basis of that assurance, I have no objection.

Mr. O'MAHONEY. Mr. President, I desire to ask a question of the Senator from Nebraska with respect to his request for unanimous consent. Have both measures been unanimously reported?

Mr. WHERRY. Mr. President, I shall have to ask a member of the committee to answer that question. The Senator from Washington [Mr. MAGNUSON] can answer it.

Mr. MAGNUSON. Mr. President, I may say to the Senator from Wyoming that the two measures have been unanimously reported from the Committee on Interstate and Foreign Commerce. They are both of an emergency nature. The Senator from Nebraska has explained them briefly. We must waive these navigation inspection laws in order to keep our passenger ships on the seas. The Army is very anxious to have this done because the transportation of troops is involved. There is no American ship now flying the American flag, with the one exception of the liner *America*—these measures relate to passenger ships—that would come strictly within the rules and regulations. We held a lengthy hearing on the measures. The majority leader is personally very much interested in the matter, and it is something which must be done this week.

Mr. WHERRY. Mr. President, my understanding is that the President in his message on February 3 requested extension of these two war powers.

Mr. O'MAHONEY. I should like to propound another question. The extension of these powers was approved at the last session after a favorable recommendation by the Committee on the Judiciary. It is my understanding that no new matter has been inserted in the legislation, and that the measures merely provide for an extension.

Mr. MAGNUSON. For an extension, yes.

Mr. O'MAHONEY. I have no objection.

Mr. WHERRY. Mr. President, I should like to make a further clarifying statement respecting House bill 1240, which has to do with certain of the remarks made by the distinguished Senator from Wyoming. The majority leader states that the bill gives the Secretary of War authority to waive vessel-inspection laws for those vessels operated by the War Department for the carriage of Army personnel and supplies all over the world. The War Department is operating some 15 such vessels on a bare-boat charter basis from the Maritime Commission. If the waiver authority is not renewed, the War Department will be prevented from bringing personnel home. Its own fleet of vessels, owned by it, are classed as "public vessels" and do not come within the purview of the vessel-inspection laws, but they would be wholly inadequate to take care of the War Department's problems. The waiver proposed by the bill would extend only to the end of the calendar year, December 31, 1947. I take it from that analysis that there is no new grant of power contained in the extension which we ask.

Mr. MAGNUSON. If I may, I should like to say further that in the meantime, of course, the shipowners are doing what they can to withdraw the ships from wartime operations and place them under the navigation and vessel-inspection laws. But with respect to some of them it will require a year to accomplish that.

Mr. WHERRY. Mr. President, I now ask unanimous consent that the Senate proceed to consider House bill 1240.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 1240) to provide for the suspension of navigation and vessel-inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended, was considered, ordered to a third reading, read the third time, and passed.

WAIVER OF COMPLIANCE WITH VESSEL INSPECTION AND NAVIGATION LAWS

Mr. WHERRY. Mr. President, I now ask unanimous consent for the present consideration of House Joint Resolution 76.

The joint resolution grants to the Commandant of the Coast Guard the authority to waive such vessel inspection laws as he deems necessary for any American flag vessel. The authority is continued for 1 year, to April 1, 1948. By that time it is expected that the majority of American flag vessels on the seas will conform to all statutory inspection standards.

It should be pointed out that we are not reducing safety standards by these bills. We are merely continuing the status quo so that American vessels may continue to sail. The standards are being constantly improved, but it has been impossible to meet the rigid high American standards, the highest in the world, with war-built vessels constructed hurriedly during the war.

The legislation is approved by all Government departments and by all shippers, as well as by the maritime unions. The President specifically requested their enactment in a message February 3.

I will say that both measures were passed by the House more than 2 weeks ago, and were reported to the Senate in exactly the form as passed by the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (H. J. Res. 76) authorizing the Commandant of the United States Coast Guard to waive compliance with the navigation and vessel-inspection laws administered by the Coast Guard, was considered, ordered to a third reading, read the third time, and passed.

Mr. WHERRY subsequently said: Mr. President, I ask unanimous consent that the President pro tempore be authorized to sign the two maritime measures, House bill 1240 and House Joint Resolution 76, during the recess of the Senate.

The PRESIDENT pro tempore. Without objection, the order is made.

ATOMIC ENERGY COMMISSION—NOMINATION OF DAVID E. LILIENTHAL

The Senate resumed the consideration of the nomination of David E. Lilienthal to be a member of the Atomic Energy Commission.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of David E. Lilienthal to be a member of the Atomic Energy Commission?

Mr. BRICKER. Mr. President, in the committee which considered the nomination of David E. Lilienthal to be a member of the Atomic Energy Commission, I voted against the nomination. I welcome this opportunity to discuss with the Senate the reasons why I voted against Mr. Lilienthal. To that end it is my purpose to introduce for the consideration of the Senate evidence which is not in the printed record but is nontheless fact. The Senate is entitled to every available bit of information. No Senator should cast his vote with any doubt in his mind as to whether or not he is doing the right thing for his country. When there is any doubt as to the qualifications of appointees they should not be approved. This is too important a place to fill with one who does not have the complete confidence of the Senate as well as of the people of our country.

Frankly, I wanted to vote with the President for the President's appointee. I listened to the testimony for weeks hoping that I could finally do so. I have been in an executive office, and I appreciate the responsibility that rests upon an executive to choose men for important places. If this were an appointment of a member of the official family of the President, I would go much further than I am willing to go in confirming the nomination of Mr. Lilienthal to be a member of the Atomic Energy Commission.

In the Atomic Energy Act Congress has definitely laid down the policy, fixed the authority, and created a joint committee of the House and Senate to constantly keep in touch with the operations of this Commission. This Commission is essentially an arm of the Congress, the legislative branch, and in our consent we have a responsibility rising almost to the level of the original appointing authority. I wish these appointments might have been such as to receive the unanimous and prompt approval of the Senate. We had an instance of such an appointment when General Marshall's name was recently submitted to the Senate. His nomination as Secretary of State received unanimous support and acclaim in Congress as well as on the part of the public. This responsibility is so great that there ought to be the same general confidence on the part of the Senate and the people of our country that has been expressed in General Marshall as Secretary of State. But Mr. Lilienthal has been a controversial figure wherever he has held public office, from Wisconsin to Tennessee, and thence to Washington. Many trust him; many do not.

The issue before the Senate is not whether Mr. Lilienthal is a Communist. If the President of the United States should send to the Senate for confirmation the nomination of a Communist as Chairman of the Atomic Energy Commission, the President himself ought to be tried. But it is very difficult to ascertain Mr. Lilienthal's political philosophy, from our record or from his record. He testified that hs is not a Democrat, a Republican, nor a Communist. He says he is an independent and a liberal. Those terms permit a variety of interpretations and being self-proclaimed they help very little in our consideration of the propriety of this appointment.

The record does show that Mr. Lilienthal was a sponsor of the Southern Conference on Human Welfare. That is a perfectly laudable name and implies a very noble motive back of the organization. One can readily understand how Mr. Lilienthal would be induced to sponsor such an organization if he did not know about it and did not care to look into it. But Mr. Lilienthal was in a very important place. He was the head of TVA. His name had been broadcast to the country. He should have investigated and should have known that this was a Communist-front organization, not interested in human welfare but in carrying out the party line. An able administrator in his position would have made such an investigation before permitting the use of his name as a sponsor.

For weeks I have tried to separate the truth from the propaganda in this case. It has been difficult. There has been much confusing propaganda regarding Mr. Lilienthal and the power interests. I received many letters prior to the committee vote, and some since, charging that this is a fight between the Power Trust and Mr. Lilienthal, who, according to the letters, stood for the people. From 6 years' association with Public Utilities Commission of Ohio, I have some knowledge of the power and utility interests. I was contacted by the representative of one of the large power companies. He came to Columbus and took a couple of hours of my time one Sunday morning a short time ago attempting to prove to me that it was to the vital interest of the Republican Party to confirm the nomination of Mr. Lilienthal. This was the only utility man who talked to me on this matter at any time, during the hearing or since.

Likewise, I received many letters from scientists throughout the country asking me to vote for Mr. Lilienthal. It was difficult to understand the extreme interest in Mr. Lilienthal on the part of this group until there came to my attention since the hearing the following memorandum, which may account for many of the letters which I have received, and which, no doubt, many other Senators have received.

This announcement was on the letterhead of the Federation of American Scientists, 1749 L Street NW., Washington, D. C. It is dated February 21, 1947, which was during the hearings. The memorandum is addressed to member associations, from W. A. Higinbotham. I presume Mr. Higinbotham is the secretary, vice president, or a director of the association. This is what he said to members of the association:

> This situation about the confirmation of Mr. Lilienthal looks better at present than it has for some time. I think we can take a great deal of credit for the effect of our efforts on his behalf. Other organizations and the press of the country have done a splendid job. It is hoped that the committee hearings will end this week and that the nomination will go to the Senate some time next week.
>
> Our latest information is that at the moment the vote would be approximately 54 to 41 for Lilienthal. Obviously this is too close for comfort since you can never hope for anywhere near full attendance in the Senate. We cannot relax our efforts until the vote is taken.
>
> There are some Senators who have not yet committed themselves either way and in their case it might be well to continue exerting what pressure we can in the form of letters and wires. They are: MILLIKIN, BALDWIN, RUSSELL, COOPER, SALTONSTALL, LODGE, FERGUSON, BALL, THYE, EASTLAND, IVES, LANGER, YOUNG, BRICKER, CORDON, MARTIN, MAYBANK, MURRAY, WATKINS, CAIN, REVERCOMB, WILEY, and MCCARTHY.

That is the end of the important part of the circular. Mr. President, my investigation has revealed that neither this association nor Mr. Higinbotham has registered under the Lobbying Act.

But the real question before the Senate is the competence of David Lilienthal as an administrator. Ordinarily that question is resolved by a study of a man's record. This country's economic system, in spite of what some few may desire, remains a capitalistic profit-and-loss system. In such an economic order Mr. Lilienthal has never operated. He is not a business man. He so testified. He never managed a business and made it work, nor has he operated in government where he was answerable to the taxpayers whose money he handled. He is a lawyer transformed, as he said, into an administrator. For 6 weeks I have tried to determine what he meant and now he qualifies under his own test. Remember, Mr. Lilienthal's whole experience from which we can judge is as a Government-kept man, spending the money of the taxpayers. Upon that basis a guide to determine Mr. Lilienthal's ability may be determined by applying these tests, which I have attempted to apply.

First. Can he efficiently, successfully, and economically handle this atomic energy project?

Second. Does he possess the desire and ability to work harmoniously with the Congress and Government Departments?

Third. Does he have the desire and ability to choose capable and loyal personnel to carry out the will of our people expressed in law?

In the first place, spending other people's money does not make a great administrator. Spending $150,000 for publicity may make a popular one, but not a good one. In public office, as so many of us know, it is easy to spend money and very difficult to save it. During the whole of the first year that I held the office of governor of my State there was only one man who came to my office asking me not to spend money. Every other one, every other group, every other delegation wanted public money. So the test of an administrator, in my judgment, is not in the spending of money, or the amount that can be spent, but the effectiveness with which it is spent, and the saving of the taxpayers' dollars which is accomplished in essential operations. The record shows that in the TVA there were projects ranging from building dams to generating power, from manufacturing fertilizers to the curing of hams. Nine million dollars worth of fertilizer was sold in one year in competition with private industry, and $2,000,000

was given away at TVA under Mr. Lilienthal as administrator.

A farmer from my home State appeared in my office a few weeks ago. He supported Mr. Lilienthal. He was a TVA experimental farmer. In consideration for the fertilizer which was given him he kept books and reported his results to the TVA. For a long time before TVA was ever thought of the farmers in my State were using fertilizer and keeping records of the results.

So with unlimited funds, with very little control over expenditures—and we had very little control over them, as Congress well knows—and things to give away to make people feel good, one can with proper publicity make himself well known and perhaps, in certain places, well liked, but certainly it is not a test of a great or even a good administrator.

The second test is whether or not the appointee can, and will, work willingly and thoroughly in accord with the Congress. I do not have to call to the attention of this body this fact—because too many have been here throughout the years when they have had association with the TVA and Mr. Lilienthal—that there have been constant irritations between at least a portion of the Congress and Mr. Lilienthal over his operation of the TVA. In the agricultural experiment work TVA did not cooperate with the Department of Agriculture, which was equipped and qualified to carry on such work, but chose to work outside the authority and direction of that important executive department. The record shows that Mr. Lilienthal was unwilling or unable to work with the colleagues chosen by the President in TVA. It is important to note that none of them appeared to testify for him in this matter. The record is replete with his difficulties with Dr. A. E. Morgan as Chairman of TVA.

We might have hoped that in this new and grave responsibility, Mr. Lilienthal would take a different attitude. As I shall later indicate, the record shows that he is carrying into this job the same practices that characterized his inability to work with Congress and his associates in TVA. So by this second test he falls far short of being a great or even a good administrator.

In the third place, a test of an administrator is his ability to choose proper men to work with him. In my judgment this is the most important test.

What was Mr. Lilienthal's record at TVA? I bring to the attention of the Senate, Mr. Clapp. He already has been disapproved by a committee of the Senate. That committee has voted against the confirmation of Mr. Clapp on about the same record as we had before our committee and upon the proof that Mr. Clapp is a mere shadow of Mr. Lilienthal, expressing his ideas and carrying out his programs.

We do know from the record also that there were communistic activities in the TVA. Some admitted before the committee Communist membership. Others admitted attending meetings where Communist matters were discussed. Mr. Lilienthal testified that he did not know about it. A good administrator would have known about it and would have put an end to such activities immediately.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. McMAHON. Is the Senator aware of the fact that the investigation of the Tennessee Valley Authority in 1938 and 1939, in which 6,100 pages of testimony were taken, as the Senator, I am sure, knows, involved a most thorough examination of all of the activities of TVA, and that there was not a single mention before that congressional committee by any witness of any communistic activity in the Tennessee Valley Authority?

Mr. BRICKER. But there is plenty of mention of it in this record, and I am speaking of this record.

Mr. McMAHON. Mr. President, when the Senator says there is plenty of it in this record, I wish to know to what he refers and to which witnesses he refers.

Mr. BRICKER. Several witnesses admitted it. Williams admitted it and Hart admitted it, others admitted attending meetings where Communist activities were discussed.

Mr. McMAHON. Is it not a fact that former Representative Starnes, who a short time ago conducted an investigation of Communists, found, after thorough investigation, three clerks who admitted membership in the Communist Party—three clerks among 18,000 employees? Is not that the extent of the Communist activity in the TVA, I ask the Senator?

Mr. BRICKER. I think the testimony in these hearings was that as many as 54 people were either associated with Communist activities or were members of organizations in which Communist activities were paramount.

Mr. McMAHON. I think the Senator will find that in the whole set-up there were, not 56 or 54 members of the Communist Party, but 3 Communists who attended labor meetings at which 54 persons were present—which is quite a different thing from having 54 members of the Communist Party.

At any rate, the Dies committee—which I think can fairly be said to have been not inactive in seeking to bring to light evidence of Communist activities—after its investigation reported that there were three persons—messengers, I believe, or low-paid clerks—who had been members of the Communist Party. I say to the Senator that if he wishes to be fair, I think he will admit that in the New York, New Haven & Hartford Railroad or the B. & O. Railroad or the United States Steel Corp., or any other large corporation, there is likely to be a much greater percentage of such employees than in the TVA.

Mr. BRICKER. In such organizations there may be both Communists and fellow travelers; and the number of Communists in the TVA can be multiplied many times, in arriving at the number of those who might be considered fellow travelers. I was governor of my State, and I know that other Members of the Senate have been governors of their States. I can speak for my own State, as I know they can speak for theirs. Among all the thousands of employees of the State of Ohio, when I was governor, if there had been a Communist among them and if there had been Communist meetings held anywhere or if there had been any subversive-organization meetings held anywhere, I would have known about it, and any State employees who might have been involved would have been dismissed immediately, as they should have been dismissed from the TVA organization.

One young man who was actively connected with many left-wing organizations came before us and testified to the fact.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. OVERTON. It is my understanding—and I should like to ask the Senator if my recollection is correct—that the investigation made by the Dies committee did not cover all employees of the TVA, but covered only those at Knoxville, Tenn., who constituted only a small fraction of the total number of TVA employees. I further understand that the number of fellow travelers and Communists who were found by that committee to be employed in the TVA were only those who centered around the Knoxville territory.

Mr. BRICKER. I am glad to have that correction made.

Mr. OVERTON. It is frequently stated that only 9 or 10 or 12 Communists were found out of 54,000 employees, or some such number, when, as a matter of fact, the investigation was confined to only a very small portion of the TVA.

Mr. BRICKER. I do not know the extent of the Dies committee investigation. I have not read it, and I was not a Member of Congress at that time. In making up my mind concerning this matter, I have not relied in any way on the testimony developed in that investigation, but I have done so solely upon the record made in this case.

Mr. McMAHON. Mr. President, will the Senator yield for a further question?

Mr. BRICKER. I am happy to yield.

Mr. McMAHON. Is not the Senator from Ohio aware that Mr. Starnes, in testifying before our committee, stated that there was not a single scintilla of evidence or a single imputation which could fairly be drawn from their investigation that David E. Lilienthal was a Communist?

Mr. BRICKER. I have said that.

Mr. McMAHON. Or a fellow traveler or in any way tainted with communism?

Mr. BRICKER. I have said that already in my presentation.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. DWORSHAK. Does the record show that Mr. Lilienthal, while connected with the TVA, took any vigorous action intended to discourage or stamp out communistic activities within that agency?

Mr. BRICKER. The record shows that he took no such action, and he admitted he did nothing about it.

Mr. DWORSHAK. Will the Senator further yield?

Mr. BRICKER. I am glad to yield.

Mr. DWORSHAK. Then it is interesting to speculate as to what would be the reaction on the part of Mr. Lilienthal, if he were confirmed for this position, concerning the recent order of the Chief Executive of the United States designed to purge all public agencies of Communists and communistic activities. That would place a great burden upon any person holding the responsible position which Mr. Lilienthal has been nominated to hold as Chairman of the Atomic Energy Commission.

Mr. BRICKER. The Senator is exactly correct; and it also places a great burden on the Senate. A little later I shall follow up further in that regard.

Mr. McMAHON. Mr. President, I do not wish continually to interrupt the Senator from Ohio, but I think the record should be kept straight. I wish to inform the Senator from Idaho that the Atomic Energy Act contains a mandatory provision requiring that in the case of the Atomic Energy Commission, unlike any other authority or agency or department of the Federal Government, there shall be an FBI investigation of all personnel before they are finally placed on the rolls of that organization. Of course, there was no such provision of law, no funds were appropriated by the Congress, and no authority was granted the FBI to make such investigations of Government employees generally throughout the Government, in all governmental departments and agencies.

Mr. BRICKER. I am glad to have the Senator's suggestion, because it falls directly in with what I shall say later on that point.

Mr. FERGUSON. Mr. President, will the Senator yield to me?

Mr. BRICKER. I yield.

Mr. FERGUSON. What does the record show regarding whether the FBI has made an investigation of the Chairman and members appointed to the Atomic Energy Commission and also all of its employees?

Mr. BRICKER. I shall come to that matter a little later if the Senator will permit me to do so.

Mr. FERGUSON. Very well.

Mr. President, will the Senator yield for another question?

Mr. BRICKER. I yield.

Mr. FERGUSON. What does the record show about the 45 persons whose names were sent to the TVA in 1941, to be investigated as to their subversive activities? Is the Senator familiar with that?

Mr. BRICKER. What I have been reciting here is all the information I have. Does the Senator refer to some part of the Dies investigation?

Mr. FERGUSON. The employees' names were turned over by another agency and were sent to the TVA. Does the Senator know what was done by the TVA?

Mr. BRICKER. I admit I am not familiar with that.

Mr. FERGUSON. The Senator from Ohio is not familiar with it?

Mr. BRICKER. No.

Mr. FERGUSON. That was not put in the record?

Mr. BRICKER. No; not while I was there.

One of the young men, however, who was actively connected with left-wing organizations—and he testified before the committee—although not admitting that he was a Communist or connected with Communists, was promoted successively, until at the present time he holds a position, in one of the housing agencies of the Government, paying him $8,200 a year. We do know from the record that there is serious doubt as to the motive back of the dismissal of one, Mr. Smith, in the TVA, who opposed Communist activities. He had been promoted also until the time when the radicals took after him and he was dismissed. This certainly should have come to the attention of Mr. Lilienthal.

Mr. HILL. Mr. President, will the Senator yield there?

Mr. BRICKER. I yield.

Mr. HILL. The Senator has referred to the fact that Mr. Smith was dismissed. I suppose the Senator refers to Mr. James L. Smith.

Mr. BRICKER. He is the man.

Mr. HILL. Does not the record show that at the time when Mr. Smith was discharged, he had a hearing which lasted for 7 days, and a number of volumes of testimony were taken, and not in one line or word of the testimony was there any mention, directly or indirectly, to the effect that Mr. Smith's discharge occurred because of any Communist prejudice or Communist activities? Furthermore, is it not true that it was not until after question was raised about the nomination of Mr. Lilienthal to the Atomic Energy Commission that Mr. Smith ever said anything about Communists?

Mr. BRICKER. The record is replete with his testimony as to the Communists being after him and as to what differences they had had with him, and that they were the ones who were carrying on the prosecution and had the testimony taken.

Mr. HILL. Yes. But the Senator did not answer my question. The record shows that Mr. Smith testified before the Atomic Energy Committee that the Communist influence was responsible for his being discharged. But I asked the Senator whether it is a fact that in the hearings, which consumed 7 days, and in which volumes of testimony were taken on the question of whether Mr. Smith should be discharged, there is not a word or line of testimony from Mr. Smith or from anyone else about any Communist activities.

Mr. BRICKER. I am not relying upon that; I am relying upon the statement made before the committee.

Mr. HILL. I understand the Senator is relying on the record before the committee, but would not the better record be the record made in 1939, at the time Mr. Smith was discharged? In other words, before Mr. Smith was discharged in 1939, there was a hearing to determine whether or not he should be discharged. The hearing consumed 7 days, comprising volume after volume of testimony, and in not one line or word in that testimony was any reference made to communistic activities. Will the Senator answer my question?

Mr. BRICKER. I have answered the question. I am relying upon the record made before our committee, and there is testimony in that record about it. I have not reviewed the other record. We are not trying Mr. Smith here, we are trying Mr. Lilienthal, who testified in this hearing that he did not know anything about that case. I am speaking to his record as an administrator.

Mr. HILL. The Senator is exactly right, the issue here is as to Mr. Lilienthal. But the Senator from Ohio is citing testimony from a witness, Mr. Smith. The witness, therefore, is subject to impeachment. The Senate has a right to know how much credence, how much confidence, it should place in this witness, James L. Smith, whose testimony the Senator is now citing. That is why I refer to the fact that in all the 7 days of hearings before Mr. Smith was discharged, on the question whether he should be discharged or should be continued in service, there was not one word from Smith or any other witness about any communistic activities.

Mr. BRICKER. I am not quoting Mr. Smith.

Mr. HILL. I go further and say that in 1938 or 1939 the same James L. Smith testified before the special investigating committee of which the late Senator Donahey of Ohio was chairman, a joint committee of the House and Senate, investigating complaints about the TVA, and not one word of his testimony before that committee makes any mention of any communistic activities, or anything of the kind.

Mr. BRICKER. The Senator will note what I have said. I have not quoted from Mr. Smith's testimony, but, for the purposes of this record and in arriving at my determination to vote against Mr. Lilienthal, I have cited the fact that Mr. Smith had been a loyal employee, that he was discharged when the radicals took after him, and that Mr. Lilienthal testified he knew nothing about the case.

Mr. HILL. Mr. President, will the Senator yield further?

Mr. BRICKER. I yield.

Mr. HILL. All I want to say is that the Senator is right; that in 1947 Mr. Smith did make that statement before the Senator's committee on atomic energy, but in 1939, when there were hearings to determine whether or not Mr. Smith should be discharged and just before he was discharged—and he had a good lawyer, by the way, representing him at the hearing—not one word was said about any communistic activities or about the fact that the Communists were trying to have Mr. Smith discharged.

Mr. HAWKES. Mr. President, will the Senator from Ohio yield to me?

Mr. BRICKER. I yield to the Senator from New Jersey.

Mr. HAWKES. I understand perfectly what the Senator from Ohio is talking about. He is discussing the record that was before his committee, the record with which he is familiar.

I should like to leave this thought with the Senator: There have been millions of men who have been discharged in the United States who did not know at the time why they were discharged; and it is very conceivable that this man Smith, at the time of the first hearing, did not know the sinister efforts being made against him by communistic influences in the TVA. Communists do not always openly announce their purposes or objectives. When Mr. Smith found out about it he had a perfect right to bring it to the forefront and put it before the committee of which the Senator from Ohio is a member.

Mr. BRICKER. The Senator is entirely correct. I have not read the record to which he refers, but I do know of many instances of men having been railroaded out of their jobs in the Federal Government because someone set out to "get them," and the Federal Civil Service Commission gave them very little protection.

Mr. OVERTON. Mr. President, will the Senator from Ohio yield?

Mr. BRICKER. I yield.

Mr. OVERTON. It developed during the hearing before the Public Works Committee of the Senate that Smith's attorney, whom the Senator from Alabama described as a very able attorney, was an attorney of the TVA, selected by the TVA to represent Smith. That attorney was not an attorney of Smith's own choice.

The charges were brought by the UPWA—United Public Workers of America—which was recognized then, and is recognized now, as a frontal organization for Communist activities. That organization was formed in the TVA with the consent of TVA to compel Smith to confer with them from time to time. They disagreed with Smith about this and about that, I think intentionally, and they preferred the charges, and when the charges were preferred TVA selected the attorney for Smith, and it was TVA prosecuting Smith and TVA defending Smith. Of course, there was very little evidence brought out favorable to Smith.

Mr. BRICKER. I thank the Senator.

Mr. HILL. Mr. President, will the Senator from Ohio yield a moment further?

Mr. BRICKER. I yield for a question.

Mr. HILL. I think that if the Senator from Louisiana had read the record of the 7 days' hearings—I do not know that he did not read it, he certainly was not required to read it——

Mr. OVERTON. I heard the evidence before the committee.

Mr. HILL. I think that if the Senator from Louisiana had read those 7 days' hearings of testimony from Mr. Smith, he could reach but one conclusion, and that would be that Mr. Smith had an absolutely fair, impartial consideration of his case.

Mr. BRICKER. Mr. President, many of the so-called Communists and radicals in the valley were adolescents enthusiastically working in the field, but somebody higher up was working at the job, agitating it, and promoting the activities. In my judgment, that inspiration was within the TVA itself. Such activities might not be serious in the TVA, but they would be very serious in the Atomic Energy set-up. Moreover, employees of the TVA were engaged in activities outside of their duties which would bring discredit to the record of the administration of that Authority. There was testimony that the employees of the TVA were involved in agitating a strike, involved in labor organization disputes within the valley, involved with Guild difficulties with the newspapers of the community. So in the test of choosing men to work with him, which is a very important matter, Mr. Lilienthal does not measure up to a great or even a good administrator.

And now what is Mr. Lilienthal's record since assuming the responsibilities of Chairman of the Atomic Energy Commission? That is a most important question.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield for a question.

Mr. McMAHON. Before the Senator proceeds to another aspect of the subject, he is not unaware of the fact, of course, that some of the most prominent businessmen from the Tennessee Valley came before the committee and testified as to the high esteem in which Lilienthal is held in the valley. Of course, the Senator is aware of that.

Mr. BRICKER. I have heard the testimony, and I have tried to analyze it. Practically all of them have had favors of some kind from the TVA under Mr. Lilienthal's administration, but more significant than that is the fact that not one of those with whom he had been associated in TVA, in the administration of that Authority, came here to testify for Mr. Lilienthal, with the exception of Dr. A. E. Morgan, who testified against him.

Mr. HILL. Mr. President, will the Senator yield further?

Mr. BRICKER. I yield for a question.

Mr. HILL. Did the Senator hear the testimony of Mr. Schlemmer?

Mr. BRICKER. Yes; not only that, but I rode downtown in a taxicab with him that day after his testimony.

Mr. HILL. He is the head of a large woolen mill in Chattanooga, one of the largest in the South, and has worked with Mr. Lilienthal on TVA. Of course, the employees of TVA did not come here and testify. If they had, some would have said, "He just brought these men up here."

Mr. BRICKER. I said "associates," not "employees."

Mr. HILL. Mr. Schlemmer had worked with him. He is not with the TVA now. He is an independent businessman, who is operating a great mill at Chattanooga.

Mr. BRICKER. I think the testimony was, if I am not mistaken, that he was buying power from Mr. Lilienthal, and had very fine relations with him.

Mr. HILL. If the Senator should undertake to exclude everybody who is getting power from the TVA, there would be very few left to testify.

Mr. BRICKER. In the valley, that is.

Mr. HILL. In the valley, of course. The TVA serves everybody, from the humblest citizen to the greatest industrial plant.

Mr. BRICKER. That is exactly true of the operations of the TVA in the valley.

Mr. HILL. Mr. President, will the Senator yield further?

Mr. BRICKER. Has the Senator a question to ask?

Mr. HILL. I was interested in the statement by the Senator that Mr. Lilienthal had not cooperated with the Department of Agriculture, and I was wondering whether there was testimony given, in sum and substance, to that effect, and whether that was one of the indictments.

Mr. BRICKER. Yes; but his experimental work in the TVA was exclusive of the authority of the Agricultural Department.

Mr. HILL. If the Senator will yield further, does he not realize that in doing that Mr. Lilienthal was doing exactly what Congress directed him to do, and that that has been one of the great things about the TVA. Instead of operating, as the Senator would term it, or as most of us term it, as a bureaucracy spreading out from Washington, all over the country, and trying to run everything from Washington, the TVA sought to get maximum cooperation and maximum use out of the local authorities within the valley. That is essentially why the farm organizations and other units so strongly favor Mr. Lilienthal.

Mr. BRICKER. It was also supported by Federal appropriations.

Let me proceed now, Mr. President, to the question of the record, since Mr. Lilienthal has assumed responsibility as chairman of the Atomic Energy Commission. At the end of the hearings, we finally received a report on the employees which had thus far been chosen by Mr. Lilienthal and his associates. It seems from the record that his associates had very little to do with the choosing. These records were certainly such as to challenge the interest, consideration, and thorough investigation by the committee. So at that meeting when we received this information, I moved first, that the committee employ competent counsel to make a thorough and intelligent investigation of these employees so that we might report it to the Senate. At the desire of the committee to vote and to report out these nominations that was turned down. Second, I asked that the personnel records of the Commission itself be put into the record before the Senate. That request was turned down on the ground that they were secret files. Finally, I asked that a complete analysis be made of those employees, especially where there might be some question as to their character, efficiency, or loyalty and that such analysis be included in the report of the committee to the Senate. That analysis was made but I do not think it is in the report. In order that it may be available to everyone I want to read to the Senate a memorandum, which is an analysis of the records of employees of the Atomic Energy Commission who had

been chosen under Mr. Lilienthal's direction.

MARCH 10, 1947.

Memorandum to Senator BOURKE B. HICKENLOOPER.

Subject: Review of Atomic Energy Commission security files.

A careful review was made of certain of the security files on a few of the key employeess in the Washington headquarters of the Atomic Energy Commission.

Mr. FERGUSON. Mr. President, will the Senator yield, before he proceeds further with the reading?

Mr. BRICKER. I yield.

Mr. FERGUSON. I understood, in connection with the question asked by the Senator from Connecticut, that the law required that the FBI should make an investigation of all employees of the Atomic Energy Commission.

Mr. BRICKER. That is the law, yes. That was enacted by the last session of Congress.

Mr. FERGUSON. Am I to understand now that the record shows that the FBI investigated only some of the employees of the Commission, and that the list presented is only a partial list of the employees?

Mr. BRICKER. That is all I have here.

Mr. FERGUSON. Can the Senator from Ohio state whether or not the record shows that the FBI ever investigated the members of the Commission? It is a rule, for instance in the Judiciary Committee, for us to ask the FBI and the Justice Department to investigate the record of individuals appointed to be judges of United States courts. The FBI makes the investigation and submits the report to the Justice Department, and the report is available to the Committee on the Judiciary. I assume that the members who were appointed to the Atomic Commission are somewhat like judicial officers. They hold high position. Was there or was there not an investigation made of the members of the Commission, either before they were named or after they were named?

Mr. BRICKER. If the Senator please, as soon as I finish with the matter I am now discussing, I shall make a complete statement on that point:

A careful review was made of certain of the security files on a few of the key employees in the Washington headquarters of the Atomic Energy Commission. A total of 23 files was reviewed, and out of this number, derogatory information of a significant nature was developed in 5 cases.

A brief summary—

And this is not mine—

A brief summary of the derogatory information in these cases is listed below:

I am reading from that summary.

1. John Lancaster Burling, age 34, married, attorney, member of the Atomic Energy Commission legal staff. As a member of the United States Department of Justice, Office of Alien Enemy Control Unit from 1941 to 1946, Burling is reported to have given to an unauthorized individual information from Government files concerning an enemy alien. The file contains no further information concerning this incident.

I want to say, Mr. President, that anyone who would give out secret files of any department of the Government, important or unimportant, has no business on the legal staff of the Atomic Energy Commission.

2. Herbert S. Marks, age 39, divorced, general counsel of the Atomic Energy Commission, previously employed in a legal capacity at TVA and Bonneville from 1935 to 1940. Associated Gas & Electric Corp., New York City, 1940–41. War Production Board, 1941–45. Department of State (special assistant to Secretary), 1945–46. The record discloses that the applicant, Herbert S. Marks, is a strong advocate of state socialism. His integrity has been questioned by a number of people interviewed. He is said to have followed a policy of expediency in handling his work. He is believed by many to be completely a self-server. He has spoken in the defense of a number of left-wing individuals and groups. He is, or has been, a member of the Lawyers Guild and of the United Federal Workers. He was refused—

Hear me!—

He was refused a commission in the Navy because he "did not possess the requisite qualifications for appointment" (wording taken from a letter from Navy Bureau of Personnel to Marks).

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. BRICKER. I yield.

Mr. KNOWLAND. As a matter of fact, does not the record show that there was no information as to whether the disqualification was because of his lack of ability to pass the physical requirements of the Navy or for some other reasons?

Mr. BRICKER. The Senator may remember that at the hearing I asked that that particular point be investigated. The record was sent back and a further check was made, and the record as it stands here now was confirmed. So there is no evidence any place that the disqualification was of a physical character, but rather that Marks was rejected because he was not qualified by reason of his left-wing associations, and I have read to the Senate the recital that was made in the record.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. KNOWLAND. Unless the Senator has some additional information than was disclosed to the committee, there is nothing on the record submitted to the committee that would indicate whether he was rejected because he did not pass the physical test, did not have the physical qualifications required by the Navy, or for some other reason.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. FERGUSON. Is the able Senator from Ohio able to tell the Senate why the Navy files were not placed in the record, and why an investigation was not made to ascertain whether or not the cause was a physical defect or a mental defect?

Mr. BRICKER. I asked for that information, and, so far as I know, the investigation was made, and the action taken was based entirely upon the record, of which this is a review. Has the Senator from California read that record?

Mr. KNOWLAND. Yes.

Mr. BRICKER. Completely?

Mr. KNOWLAND. That which was submitted to the Senate.

Mr. BRICKER. Has the Senator read only the survey, or has he read the complete record?

Mr. KNOWLAND. I have read the survey.

Mr. BRICKER. I have read the complete record, and there is nothing in it anywhere to indicate that any physical defect prevented Mr. Marks receiving a commission. I think the remainder of the review, or synopsis, rather, will clarify that in the Senator's mind.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BRICKER. I yield to the Senator from Tennessee.

Mr. McKELLAR. Is it not true that the remarkable course was taken by the friends of Mr. Lilienthal of presenting character witnesses as to Mr. Marks, who was not at all on trial before the committee? Were not several character witnesses for Herman S. Marks produced, and did they not testify in order to make a showing for him, and was that not done because it was realized that something was wrong with him?

Mr. BRICKER. I did not know at the time the reason why they were produced, but that might be the reason.

Mr. McKELLAR. Yes.

Mr. McMAHON. Mr. President, will the Senator yield for a question?

Mr. BRICKER. I yield to the Senator from Connecticut.

Mr. McMAHON. I ask the Senator if it is not true that the record discloses that Mr. Marks resigned from the Lawyers Guild at the time of the split in that organization, when those who did not want to go along with what some believed were Communist tendencies and leanings resigned from the organization at the same time, if I am not mistaken, that Justice Robert Jackson resigned?

Is it not further true, I will ask the Senator, that the so-called character testimonials which were introduced in the record came only after a savage attack was made upon Marks' character? In view of the attacks which had been made on Marks' character, I am sure the Senator from Tennessee would not suggest that it was improper that he should call in, or try to have called in on his behalf individuals who could testify as to his real character.

I will ask the Senator further if among those who testified to Mr. Marks' character were not Mr. Dean Acheson, the Acting Secretary of State; Mr. Philip D. Reed, of General Electric; Mr. Donald Nelson, former Chairman of WPB; and a gentleman associated with the Detroit Electric Co. who worked with Mr. Marks under fire in London? The Senator from Ohio certainly remembers that character testimony.

Mr. BRICKER. I do not remember the testimony as suggested here. I remember witnesses came before the committee and testified for Mr. Marks, as did John Lord O'Brian also.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. BRICKER. I yield to the Senator from Tennessee.

Mr. STEWART. I am interested in the remarks just made by the Senator, or rather the portion of his prepared statement from which he read concerning the reasons why Mr. Marks was refused a commission in the Navy, or admission into the Navy. Which was it?

Mr. BRICKER. He was refused a commission in the Navy upon his application for a commission.

Mr. STEWART. What was the basis for the refusal? Will the Senator state that again?

Mr. BRICKER. He was refused a commission in the Navy because he—and I quote from the Navy files—"did not possess the requisite qualifications for appointment." In parentheses appear the words "wording taken from a letter from Navy Bureau of Personnel to Marks."

Mr. STEWART. The question asked by the Senator from California would suggest that perhaps his lack of qualification was due to some physical defect. It seems to me that is an important point. Why can it not be ascertained whether or not the difficulty was physical or whether it was something else?

Mr. BRICKER. It may be well to have that done. I asked that the record be sent back for further investigation to determine that point, and the record came back with the same statement in it.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. BRICKER. I yield to the Senator from California.

Mr. KNOWLAND. Along that line, on page 317 of the record appears the testimony of Col. Walker L. Cisler, Chief Engineer of Power Plants, Detroit Edison Co., who testified under oath that during the war he had served overseas and then later was transferred to the European theater of operations where he became chief of the public utilities section of the supreme headquarters, Allied Expeditionary Forces, as a member of General Eisenhower's staff. That is what Colonel Cisler testified, speaking of Mr. Marks:

> And I could give you instances of where these men, Mr. Marks among them, were right up where the firing was going on. And I recall particularly in the Netherlands we were trying to get power back so that coal mining could be resumed, because we realized the importance of getting that coal mining going.
>
> And the Germans had destroyed 80 percent of the power-generating facilities before they left. All that had to be repaired.
>
> During that period, Mr. Marks was with me. He traveled with me in a jeep and in a command car. He slept with me, and he ate with me. And I think I know the man. There is no question in my mind. He is a 100-percent American. He is in no sense a Communist nor does he have any communistic ideas. I think he is a man of sterling quality, a man of great loyalty to our form of government.

Mr. BRICKER. I thank the Senator. I appreciate his contribution.

Mr. STEWART. Mr. President, will the Senator yield to me so I may ask a question of the Senator from California?

Mr. BRICKER. Yes.

Mr. STEWART. Did the Senator indicate a while ago that he had knowledge that Marks is unqualified physically?

Mr. KNOWLAND. No.

Mr. STEWART. I should like to know about that. It is a matter which to me seems important.

Mr. KNOWLAND. I merely raised the point based on the record I had seen and on the information which had been given the committee, whether the Senator from Ohio perhaps had information which we did not have and which was never produced in the record itself which would show that Marks had been rejected either for one or the other reasons. The wording that was used in the report could have been used had Marks been rejected because of lack of physical qualifications.

Mr. STEWART. Mr. President, will the Senator further yield?

Mr. BRICKER. Let me ask a question of the Senator from California before I yield. A commission was refused Marks, was it not, on the ground that he did not possess the requisite qualifications for appointment?

Mr. KNOWLAND. That is correct. I think that reason could apply to either requisite physical qualifications or these other qualifications. I am not arguing that point with the Senator.

Mr. BRICKER. I have read many of the letters in this connection, and I believe that if the disqualification were physical the letters would have detailed what it was. The Senator may remember that I expressly asked that that matter be checked as well as one other point I shall refer to a little later on. The record was returned to the department, a further check was made, and there was no change in the language.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. STEWART. Mr. President, will the Senator yield further so I may pursue the inquiry I was making?

Mr. BRICKER. I will yield first to the Senator from Tennessee.

Mr. STEWART. In a matter of this sort I do not think anything should be left simply to guess. We are asked to pass upon the qualifications of the men who are appointed as members of the Atomic Energy Commission, and we are in a way, in performing that function, acting as a jury. I never thought it was wise to leave matters to a jury to guess about. If the application of Marks for a commission in the Navy was turned down by the United States Navy because of communistic tendencies and he was not fit to receive a commission in the United States Navy, then, so far as I am concerned, he is unfit for any other Government employment. I should like to know the facts about that matter.

Mr. BRICKER. Perhaps the remainder of the statement with regard to Mr. Marks will give the Senator more light.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. BRICKER. Let me read the remainder of the statement. I think it will answer, in part, the question asked by the Senator from Tennessee.

I continue to read from the Rhodes report:

> The Navy Bureau of Personnel file further indicates that Marks "has a tendency to become allied and associated with radical actions and organizations. It has not been established that he is a radical himself, but the over-all impression is that his intelligence, energy, and enthusiasm have at times placed him in a position where his ethics and integrity have been criticized."

Mr. STEWART. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. STEWART. As I understand, that information comes from the Navy.

Mr. BRICKER. It is from the Navy personnel files.

Mr. McKELLAR and Mr. HILL addressed the Chair.

The PRESIDING OFFICER (Mr. CAIN in the chair). Does the Senator from Ohio yield; and if so, to whom?

Mr. BRICKER. I yield first to the Senator from Tennessee.

Mr. McKELLAR. The evidence is in this very record that Mr. Marks attended Communist meetings in Tennessee at or near the TVA. I read from page 240 of the hearings:

> Senator McKELLAR. Now, I will ask you if Mrs. Elizabeth Winston Todd in this same Dies committee investigation did not testify to attending meetings with Frank D. Alexander, Melvin Siegel—

Incidentally, he has just been appointed on the Atomic Energy Commission, too—

> Herbert S. Marks, Nelson Travis Barr, Mr. Niehoff—

And various others. This evidence shows that he attended Communist meetings at Knoxville, Tenn.

Mr. HILL. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. HILL. Of course, we do not know who made this investigation for the Navy. We do not know with whom the investigator talked. We do not know the source of his information, or upon what he based his report. We do not have the details as to who wrote the language in the Navy report. However, there is a gentleman whom I think all of us know, at least by reputation. I refer to Mr. John Lord O'Brian, of New York City. I think it would be the unanimous opinion of Members of the Senate that there is perhaps not an abler lawyer, a more estimable gentleman, and a finer American than John Lord O'Brian. As we all know, he is what is called a regular Republican. I suppose he has been a Republican all his life. Several years ago he was the Republican nominee for United States Senator from the State of New York. It seems to me that there could not be a better witness.

Mr. BRICKER. Does the Senator mean to imply that being a regular Republican is a matter of commendation or of criticism?

Mr. HILL. In the opinion of many, regularity is a virtue.

Mr. O'Brian testified before the Senate section of the Joint Committee on Atomic Energy. I shall not read all his testimony, because I do not wish to delay the Senator's speech. However, he stated that he met Mr. Marks in the winter of 1934–35, when he was special counsel for the Tennessee Valley Authority. He related that he was in contact with Mr. Marks from the winter of 1934 and 1935 to the early spring of 1939. He said:

I worked on briefs, worked in conferences, conferred with witnesses, did all of the work incident to that type of case. Mr. Marks was there practically all that time. I finished that work in the early spring of 1939.

He gives further details about his work with Mr. Marks, and states that when he came here to be general counsel for the War Production Board the first person he sent for, the first man he brought into his organization, was Mr. Marks. Mr. O'Brian stated:

The first appointment I made when I came there, in addition to the lawyers that were already there—there were five or six lawyers there at that time—was Mr. Marks; because of his character and his ability, I sent for him. He was the first person I sent for. He was at that time one of the chief counsel for the receivers or trustees of the Associated Gas & Electric Co. of New York. The trustees had been appointed by the court. First he was reluctant to come, because he was receiving a slightly larger salary where he was. His wife was very ill. She died shortly thereafter. And he did not want to break up his home. But he accepted the appointment.

Mr. O'Brian then told about the work which Mr. Marks did as his assistant in the War Production Board. Perhaps the most difficult problem he had was the problem of power. He speaks of the long-standing conflict between what he called public power and private power, and how Mr. Marks headed the Power Division for months; and even when he was not the head of it he did most of the work for the division.

Mr. O'Brian further stated:

Personally I have always thought that of all the work done by the War Production Board, there was no single division which made a greater contribution to the war than the Power Division, because electric energy turned out to be the lifeblood of war production.

Mr. O'Brian told what Mr. Marks did in that Division. Finally he said:

But I know this man intimately. And any suggestion that he is a Communist or has communistic tendencies, or has subversive tendencies, is just sheer nonsense.

Now, I say that with a full understanding of what I am saying.

He is a man who, from what I have read in the papers, one would think was much like Chief Justice Vinson. Marks is a self-made lawyer. He has never been in politics. I don't think he has ever made a political speech in his life. He is an earnest, hard-working lawyer of extraordinary ability, and a very fine man, and has a rather shy personal character.

I submit to the Senator that in view of John Lord O'Brian's intimate knowledge of and association with Mr. Marks, not for a few weeks or months, but over a period of years, there could not be a better or more credible witness than this very great and able and distinguished man, John Lord O'Brian.

Mr. BRICKER. There has been no criticism of Mr. Marks' legal ability, so far as I know.

Mr. HILL. No; but——

Mr. BRICKER. Let me finish my statement. There has been no criticism of his legal ability. I have not tried to make any. John Lord O'Brian did testify for him. John Lord O'Brian is an excellent lawyer. I in no way reflect upon him or his judgment. He has related his contacts with Mr. Marks. John Lord O'Brian thought so much of him that he asked for his deferment from the draft in order that he might help him carry on his work. During the time he was doing such work for Mr. John Lord O'Brian, no doubt he felt exactly as he testified.

Mr. HILL. The Senator does not deny what he said, that it was sheer nonsense—

Mr. BRICKER. But it is not sheer nonsense when the United States Navy turns down an applicant for a commission because he is not qualified, and because he has been associated with leftist organizations. That is not sheer nonsense.

Mr. HILL. Mr. President, will the Senator further yield?

Mr. BRICKER. I will yield for a question, but not for the Senator to read the record further.

Mr. HILL. This man who has known him intimately and worked with him through the years says it is sheer nonsense to say or imply that he has any communistic tendencies.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. DWORSHAK. I think it is the responsibility of Members of this body to determine whether the assurance on the part of one individual attorney, whether he be from New York City or elsewhere, should be taken in lieu of the statement and recommendations of the Navy Department. So far as I am concerned, I should like more enlightenment on that score, so that we may know whether this man's appointment as chief counsel was either approved or recommended by Mr. Lilienthal.

Mr. BRICKER. It was recommended by Mr. Lilienthal, and he was brought to the Atomic Energy Commission by Mr. Lilienthal from TVA.

Mr. DWORSHAK. Then apparently, Mr. Lilienthal has completely disregarded the statement submitted by the Navy Department.

Mr. BRICKER. Evidently so.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. BRICKER. Before yielding to the Senator from Iowa, let me state that I asked at the hearing that a more complete investigation be made of all these appointees about whom there was any question, and that an attorney be chosen to make such complete investigation, in order that the Senate might have the truth and all the truth.

I now yield to the Senator from Iowa.

Mr. HICKENLOOPER. I ask the Senator to yield to me to make a correction. I know that the Senator is sincere in what he says. I merely wish to keep the record straight. Mr. Marks was employed by the TVA prior to the war.

Mr. BRICKER. From 1935 to 1940.

Mr. HICKENLOOPER. He came to the Atomic Energy Commission from the State Department.

Mr. BRICKER. I did not mean to imply that he was brought there directly; but he was in TVA. I want the record to be completely accurate. It must be remembered that Mr. Lilienthal brought Mr. Marks into TVA in the first instance.

Mr. HICKENLOOPER. There is no question about that.

Mr. KEM. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. KEM. Is there anything in the record indicating that Mr. Marks was at any time suffering from a physical disability?

Mr. BRICKER. I know of nothing.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. BRICKER. I yield to the Senator from Tennessee.

Mr. STEWART. Is there not some way in which the Senate can obtain the information from the Navy? I should like to know the actual facts. If they trailed him, as they might have done, and found that he went to places where he probably should not have gone and associated with people with whom he should not have associated I should like to know it. I think the Senate is entitled to know it. This man is chief counsel of one of the most important commissions ever created, and this body is called upon to consider the nominations of its members. I should like to know about it.

Mr. BRICKER. I agree that the Senate should know.

Mr. STEWART. I am not satisfied with the testimony which has been read here concerning Mr. Marks. I want to know what the Navy meant by its report.

Mr. BRICKER. I asked that the Senate might be advised about it.

Mr. STEWART. Is there any way in which the Senate can obtain that information?

Mr. BRICKER. That is up to the membership of the Senate. I shall make a motion to that effect at the end of my presentation.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. McMAHON. The Senator has been very kind and his yielding has been very helpful in clarifying the subject. I thank the Senator for his generosity in yielding. I am sure the Senator knows a most eminent citizen of his own State, a gentleman for whom I am sure he has the highest regard, a regard which I assure the Senator I share. I regret that the senior Senator from Ohio is not

present on the floor of the Senate, probably having another engagment, because I should like to have him listen for just a moment to the estimate of the newly elected head of the Federation of Churches of Christ in America, Mr. Charles P. Taft. In a telegram to the committee on the subject of Mr. Marks, Mr. Taft said:

I had occasion to work extremely closely for 3 months almost daily with Herbert Marks, general counsel, Atomic Energy Commission, under circumstances which gave me full opportunity to know his loyalty to the United States and his economic views. Any such charges as have been made against him during the hearings on the confirmation of members of the Commission are without foundation and truly outrageous. Such baseless attacks on a person like Marks, whose ability would command high position in practice of our profession but who desires to give his life to the public service, are unpatriotic and seriously damaging to the progress of the United States. Glad to testify if heavy schedule during next 2 weeks would permit.

CHARLES P. TAFT.

Mr. BRICKER. I have a high regard for Mr. Taft. But he did not listen to the testimony; he does not know the facts which I have brought before the Senate; he knew nothing of the record except by personal contact with Marks in an official position. The telegram may be more persuasive with the senior Senator from Ohio than it is with the junior Senator.

The third man I wish to bring to the attention of the Senate is Mr. Richard O. Niehoff. I read further from the Rhodes report:

3. Richard O. Niehoff, age 39, married, employed as training specialist by TVA from December 3, 1935 to June 5, 1942. OPA and National Housing Agencies 1942–1946. State Department for a short period late in 1946. Training specialist for the Atomic Energy Commission. Niehoff, according to information contained in the security files of the Atomic Energy Commission, attended Communist meetings in the Knoxville area while employed at TVA. It appears that if these were not Communist Party meetings they were attended by Communists, and at these, Communist affairs were discussed.

4. James Thomas Ramey, age 32, married, member of the Tennessee Bar Association. Employed 1941–47 by TVA, first as an assistant to the public manager, later as senior attorney. According to a report in the Atomic Energy Commission security files, Ramey, in making application for a passport on or about April 20, 1937, crossed out the words "and defend" on the application and inserted in longhand following the words "United States" this statement: "and will so far as my conscience will allow, defend it." The report also discloses that as a student at Columbia University Law School, he became involved in an argument over the administration of the moot court, and during this caused to be printed inflammatory matter concerning the dean of the school. When called before the dean, Ramey admitted the statements were untrue. It was also reliably reported that while in the TVA legal department Ramey urged that certain evidence, which by the preponderant weight of authority was inadmissible, be brought to the attention of the court through some accidental extrajudicial method.

After this testimony was brought before the committee in executive session I asked if he might be a member of some religious faith which was, as a matter of principle and conscience, opposed to the taking of an oath to defend the Constitution of the United States. So far as I know, that record was sent back also; it is my understanding that it was sent back for the purpose of a check upon that question. But this is the record as it is now before the Atomic Energy Commission in its security files, and as it was presented to the committee which investigated these appointments.

I continue reading from the Rhodes report:

5. Joseph Volpe, age 33, married, member of the New Jersey Bar, present position deputy general counsel of Atomic Energy Commission. During the war Volpe served on the staff of Gen. L. R. Groves in the Manhattan project. In this position he was investigated, cleared for access to top secret information. It is to be noted that a thorough check and investigation of his background by the FBI failed to disclose any derogatory information concerning Volpe. However, as a result of investigation it was discovered that Volpe's brother, Edward, a New York garment worker, in 1944 applied for and was accepted in the membership of the Yonkers branch of the Tri-County Communist Political Association, 45 Warburton Avenue, Yonkers, N. Y., an affiliate of the Communist Party, United States of America.

I do not claim that Mr. Volpe was in any way responsible for his brother or for his brother's association with the Communist Party. There is nothing in the record which would damage Mr. Volpe's record. The only thing that caused concern was that although these records came to the Atomic Energy Commission on the 13th day of February, as I remember or the 15th day of February, they were not brought to the attention of the Commission, according to our information, until the 4th or 5th day of March. Perhaps by reason of poor administration somewhere in that establishment the Atomic Energy Commission failed to obtain the information as to its own appointees.

After a report on these records, I stated to the committee in executive session, with no member of the Commission present and with no employee of the committee present, that I intended to vote against Mr. Lilienthal's confirmation, and stated my reasons for it very definitely. I did that on the ground that here is positive proof that Mr. Lilienthal is carrying out in the Atomic Energy Commission the same kind of program that he instituted and permitted to be carried out in the TVA. Two of the employees, at least, to whom I have just referred, were personally brought by Mr. Lilienthal from the TVA. Here is proof positive that the appointee of the President tends toward the left, wants around him employees who are radically inclined, or else he pays no attention to such matters as I have just brought to the attention of the Senate.

Mr. President, please remember that that executive meeting took place on Friday. On Saturday morning I was called at my home in Columbus, Ohio, by a representative of a press association who gave almost a verbatim report of what I had said in the executive session of the committee. On Sunday, the next day, an article appeared in a newspaper giving practically what I have related here to you. But it was not until Monday that we voted, and not until after that that this information was made public by me.

I want also to bring to the attention of the Senate the personnel set-up that has been instituted thus far under Mr. Lilienthal, as Chairman of the Atomic Energy Commission. The Atomic Energy Act provides for certain positions at certain salaries. Those positions have been filled. The law further provides that—

In the performance of its functions the Commission is authorized to appoint and fix the compensation of such officers and employees as may be necessary to carry out the functions of the Commission. Such officers and employees shall be appointed in accordance with the civil-service laws and their compensation fixed in accordance with the Classification Act of 1923, as amended, except that to the extent the Commission deems such action necessary to the discharge of its responsibilities, personnel may be employed and their compensation fixed without regard to such laws.

Meaning the civil-service laws and the Classification Act.

I believe that provision is perfectly clear—that the Atomic Energy Commission was to effect an employment and salary scale within the range of all other Government operations as defined by the civil-service laws and the Classification Act of 1923, which provides a top limit of $10,000, except for the unusual and unforeseen position which might from time to time have to be filled. But what set-up has the Atomic Energy Commission created?

The following positions have been created and excepted from the Federal Classification Act:

First. Herbert S. Marks, general counsel, salary $14,000.

Second. Comptroller—now in process of selection—salary $14,000.

Third. Edwin E. Huddleson, deputy general counsel, AEC grade 17, initial salary $12,000.

Mr. President, they have not followed the civil-service classification, but they have set up an Atomic Energy Classification for their employees.

Fourth. Joseph Volpe, Deputy General Counsel, AEC grade 17, initial salary $12,000.

Fifth. G. Lyle Belsley, Director of Organization and Personnel, AEC grade 17, initial salary $12,000.

Sixth. Paul W. Ager, Director, Office of Budget, AEC grade 17, initial salary $12,000—effective February 10, 1947.

Seventh. W. J. Williams. Deputy General Manager for Field Operations, AEC grade 17, initial salary $12,000.

Eighth. John A. Derry, Assistant to General Manager, AEC grade 16, initial salary $10,000.

Ninth. Richard O. Niehoff, Assistant to General Manager, AEC grade 16, initial salary $10,000.

Tenth. Deputy general managers (in process) AEC grade 17, initial salary $12,000. I do not know how many dep-

uty general managers they intend to appoint.

Eleventh. Other directors of offices and key technical positions at AEC grades 16 and 17.

All this, Mr. President, is under this new Atomic Energy Commission set-up, without regard to the civil-service laws or the salary schedules of the other departments of the Government.

Furthermore, Mr. President, the Commission has generously provided that all those in so-called AEC grades 16 and 17 will be granted a $1,000 increase in each of the next 2 years. Does further evidence have to be introduced that Mr. Lilienthal cannot live within the framework of established Government practice? Mr. President, the general counsel and comptroller of the Atomic Energy Commission, in violation of the spirit and in my judgment the letter of the law, are now being paid more than the Solicitor General of the United States and more than the Comptroller General of the United States.

There were many other positions ranging from $9,700 down to $3,773 under the Atomic Energy Commission grade. There were likewise 16 part-time consultants employed at $40 per diem. This shows that the Chairman appointed by the President has a peculiar capacity for spending money and disregarding the ordinary standards set up by this Congress. In the face of such facts, how can Mr. Lilienthal be claimed to be a great or even a good administrator?

Moreover, the chairman of the Senate committee requested of the President a report on the appointees to the Commission and the General Manager. I read that letter and the President's reply:

FEBRUARY 25, 1947.

Hon. HARRY S. TRUMAN,
President of the United States,
The White House, Washington, D. C.

MY DEAR MR. PRESIDENT: The Senate section of the Joint Committee on Atomic Energy is approaching the close of its hearings and investigation upon the matter of qualifications of your appointees to the Atomic Energy Commission and the General Manager thereof. The committee is anxious to complete its work in order that a report to the Senate can be made in this most important matter at the earliest possible moment.

While the Atomic Energy Act of 1946 specifically authorized the joint committee to utilize the service, information, facilities, and personnel of the departments and establishments of Government, the Senate section, sitting as such, does not seem to possess this authority and the Members of the Senate section believe that justifiable criticism can be directed if we do not exhaust all reasonable avenues for the securing of information upon which to base our final recommendation.

Because these are Presidential appointments the committee feels this matter should be taken up with you directly and primarily. The committee is also of the opinion that we will be asked on the floor of the Senate whether or not we have secured all available information.

The importance of these appointments being great, the committee feels obligated to respectfully request authority from you to any investigating agencies of the executive or administrative branches of Government to put into the hands of the committee all information possessed by any such agency or branch bearing upon each of the appointees to the Commission and the General Manager thereof. The committee members further feel that it will be most helpful if you can see fit to make available to the committee such information and reports upon these appointees as may be possessed by you.

Among the agencies of Government from which the committee would desire information are, the Federal Bureau of Investigation, the Army and Navy Intelligence Departments, the Intelligence Section of the Manhattan District, and such other departments and agencies as might have available information.

The appointees to the Commission, of course, are Mr. David E. Lilienthal, Chairman; Dr. Robert F. Bacher; Mr. Sumner T. Pike; Mr. William W. Waymack; Mr. Lewis L. Strauss; Mr. Carroll L. Wilson, General Manager.

The committee desires that I express our appreciation to you for your cooperation in this matter, and again I state that this matter is being respectfully submitted to you, rather than being taken up by the committee directly with the agencies involved.

Because the committee feels the urgency of taking final action at the earliest possible moment, this letter is being delivered to you by hand, with the hope that your action in connection herewith may be had at the earliest possible moment.

I have the honor to remain,
Most respectfully yours,
B. B. HICKENLOOPER,
Chairman, Senate Section,
Joint Committee on Atomic Energy.

That letter was answered on the 1st day of March 1947 by the President, as follows:

MARCH 1, 1947.

Hon. B. B. HICKENLOOPER,
Chairman, Senate Section,
Joint Committee on Atomic Energy,
Washington, D. C.

MY DEAR SENATOR HICKENLOOPER: I have your letter of February 25, in which you advise that the Senate section of the Joint Committee on Atomic Energy submits the request that I authorize the investigating agencies of the executive branch of the Government to present to the committee all information possessed by any such agency bearing upon each of the appointees to the Atomic Energy Commission and the General Manager of such Commission.

It has long been the established policy that all such investigative reports are confidential documents of the executive department of the Government and that congressional or public access to them would not be in the public interest. I believe that it would be unwise to change this established policy and to set a precedent that would seriously prejudice the future usefulness of these investigating agencies.

For your information, be advised that the records of the investigating agencies of the executive branch of the Government were checked at the time the appointees in question were named to the Commission.

No derogatory information was contained in any report. Before answering your letter of February 25, I have had a current check made of the records of the Federal Bureau of Investigation, the Army and Navy Intelligence Departments and the intelligence section of the Manhattan District, and I wish to advise you that no derogatory information with reference to any of the appointees to the Commission, or with reference to the general manager of the Commission is contained in the files of these agencies.

Very sincerely yours,
HARRY S. TRUMAN.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. FERGUSON. I take it from the letter of the President that he merely indicates that the files of the FBI and the other files do not show anything derogatory to any of the members. Does the Senator know whether or not that indicates that the FBI ever made an investigation, or is the reference merely to their regular, normal files of clippings and things which may be mailed to them?

Mr. BRICKER. The letter was written, I understand, on the basis of what was before these various boards at the time. No investigation was made. I say advisedly, and I think on authority, that no investigation was made of any member of this Commission when he was appointed. No investigation has been made since that time of any member of the Commission, or of the general manager, and no investigation was requested by the President of the United States.

Mr. HICKENLOOPER. Mr. President, will the Senator from Ohio yield?

Mr. BRICKER. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. The question undoubtedly will recur again during the debate, so I feel I should clear it up.

Immediately following this letter I took the trouble to make inquiry, and I can assure the Senator that it is a fact that the FBI has never made an investigation of any member of the Commission or the general manager. I do not say that as affecting either side of this argument, but in the interest of having the facts on this issue, which we might as well establish at this time.

Mr. BRICKER. I think the truth of the matter is what all of us are trying to determine.

Mr. FERGUSON. Mr. President, will the Senator yield so that I may ask the Senator from Iowa a question?

Mr. BRICKER. I yield.

Mr. FERGUSON. Does the Senator find in the law that the joint committee, if it desired to hold a joint session, could have the FBI make an investigation?

Mr. HICKENLOOPER. Without doubt the Joint Committee on Atomic Energy has full authority—I have forgotten the exact language—to utilize the services, facilities, personnel, and equipment of all departments and agencies of the Government, which would include the FBI, in my opinion, in matters coming strictly within the jurisdiction of the joint committee. This was not the joint committee acting. This was a committee of the Senate, but, also, in my opinion—and I defer to others who are more familiar with the practice than I—the Senate section of the joint committee is a committee of the Senate, and did not have the authority to command the services of the FBI in an investigation.

Mr. FERGUSON. Will the Senator yield for a further question of the Senator from Iowa?

Mr. BRICKER. I yield.

Mr. FERGUSON. Does the Senator from Iowa agree that the law provides that the joint committee could use the FBI to investigate the manager or any

member of the Commission or any employee of the Commission?

Mr. HICKENLOOPER. Without the slightest doubt.

Mr. FERGUSON. I thank the Senator.

Mr. BRICKER. In order to bring to the attention of the Senate the attitude of the Chief Executive, the President's letter said:

> It has long been the established policy that all such investigative reports are confidential documents of the executive department of the Government and that congressional or public access to them would not be in the public interest.

It might require legislation.

Mr. STEWART. Mr. President, will the Senator from Ohio yield?

Mr. BRICKER. I yield.

Mr. STEWART. In view of the statement made by the able chairman of the Senate committee, I wish to ask whether or not any effort was made to have the FBI investigate any of the members of the Commission.

Mr. HICKENLOOPER. Is the Senator directing the question to me?

Mr. STEWART. Yes; as chairman of the committee.

Mr. BRICKER. I yield.

Mr. HICKENLOOPER. I can say to the Senator from Tennessee that the committee authorized and directed, and I carried out the authorization and direction, that I get in touch with the FBI to request an investigation, if we were authorized to have one. The FBI—and I agreed—said they had no authority to conduct such an investigation, under the circumstances. These were Presidential appointments, and while the atomic-energy law requires that all employees of the Commission itself be investigated by the Federal Bureau of Investigation, that does not apply to the appointees to the Commission.

Mr. STEWART. The Senator means those who are employed by the Commission?

Mr. HICKENLOOPER. That is correct. Therefore, when we encountered that prohibition of law, or custom, or whatever the situation is, as affecting these files as Executive files, we then took up the matter, and I wrote the letter to the President which was quoted a moment ago by the Senator from Ohio. Because they were Presidential appointees, and we took it up directly with him, with the request that this information be furnished us.

Mr. STEWART. The Senator knows that it is customary to have FBI investigations of men who are nominated for Federal judgeships and who have to be confirmed by this body. Is there some provision in the law creating this commission which prohibits such an investigation?

Mr. HICKENLOOPER. Mr. President, if the Senator from Ohio will yield for an answer——

Mr. BRICKER. I yield further.

Mr. HICKENLOOPER. It is my understanding that the investigations of Federal judges and United States attorneys——

Mr. STEWART. They are likewise Presidential appointments.

Mr. HICKENLOOPER. Coming, as they do, under the Department of Justice, the Department of Justice itself is charged with the responsibility of making the investigations. The Federal Bureau of Investigation is an arm of the Department of Justice, and the Department of Justice, which in turn is charged with the responsibility for the qualifications of such appointees, uses in turn its subordinate department in order to inform itself, and in turn makes the recommendations to the Judiciary Committee. Outside of that, unless specifically directed, they take the position that they have no authority to conduct investigations for anyone except the Attorney General and the President, or as specifically directed by law.

Mr. KEM. Mr. President, will the Senator from Ohio yield so that I may ask a question of the Senator from Iowa?

Mr. BRICKER. I yield.

Mr. KEM. It has been suggested that Mr. Marks may have been suffering from a physical disability at the time he was refused a commission in the Navy. I should like to ask the Senator if his committee investigated as to whether Mr. Marks was under a physical disability at that time.

Mr. HICKENLOOPER. Mr. President, I think the Senator from Ohio has accurately stated the procedure we followed. We had access eventually to the information files of the Atomic Energy Commission, which contained the report to which the Senator from Ohio referred, and the report did not clarify the reason. We sent back the report for further check, and a check consisting of several pages was added to the report. By that time the hearing was fairly well at the end, and the language of the original report was not altered, changed, or amplified, as a matter of fact.

Mr. KEM. Was Mr. Marks before the committee as a witness?

Mr. HICKENLOOPER. Mr. Marks was not before the committee as a witness. It must be borne in mind that the name of Mr. Marks was not before the Senate for confirmation.

Mr. KEM. Was there any reason why he should not be called as a witness?

Mr. HICKENLOOPER. None whatever.

Mr. KEM. Was there any reason why he could not be asked, "Were you under a physical disability at the time you were refused a commission in the United States Navy?"

Mr. HICKENLOOPER. There was no reason whatever.

Mr. STEWART. Mr. President, will the Senator yield for one more observation?

Mr. HICKENLOOPER. Mr. President, if the Senator will permit me, I should like to suggest that the question of personnel, I think, in the minds of most of the members of the committee, is largely a matter of administrative policy and is not necessarily fundamental in connection with the matter of confirmation of appointees to a commission. I think the Senator from Ohio perhaps places a little different interpretation upon certain qualities and qualifications than other members of the committee do, and perhaps he ascribes greater importance to that aspect of the matter than do the other members of the committee. But Mr. Marks was not before the committee for confirmation. He is an administrative or an executive employee, depending on his duties with the Commission.

Mr. KEM. As chairman of the committee, does the Senator from Iowa want the Senate to understand that there is no reason to believe that the rejection may have been on the ground of a physical disability?

Mr. HICKENLOOPER. Mr. President, I would be totally unfair either to those who support Mr. Marks or those who oppose him, if I drew any conclusions other than the conclusions that any Member can draw from the language contained in the record.

Mr. KEM. There is nothing on that point in the record?

Mr. HICKENLOOPER. I do not assume that the report conclusively says that he was unfit because of his social or broad political beliefs, nor do I assume that he was unfit because of physical disability. I can only rely on the printed statement in the record. I would have to make up my conclusions from that, and they are not clear.

Mr. KEM. I regret the Senator from Iowa cannot enlighten the Senate further.

Mr. STEWART and Mr. FERGUSON addressed the chair.

Mr. HICKENLOOPER. I yield first to the Senator from Tennessee.

Mr. STEWART. I understand Mr. Marks has been employed as chief counsel for the Atomic Energy Commission.

Mr. BRICKER. That is right.

Mr. STEWART. Is it the Senator's understanding, then, that a correct interpretation of the law requires that Mr. Marks be investigated and reported on as an employee?

Mr. BRICKER. That is my understanding.

Mr. STEWART. As well as any one of the employees?

Mr. BRICKER. He is one of the employees.

Mr. STEWART. Has that been done?

Mr. BRICKER. It has been done for the Atomic Energy Commission by the FBI.

Mr. STEWART. Is the report available to the committee and to the Senate?

Mr. BRICKER. I cannot say; but a brief synopsis of the report was read by me a moment ago.

Mr. STEWART. That is the source of the Senator's information about the action by the Navy?

Mr. BRICKER. That is correct. That is only a portion of it.

Mr. President, I have just read the President's letter to the chairman of the Atomic Energy Committee. The President, no doubt, felt that there was nothing derogatory in the record of these men, otherwise it would have been a crime to appoint them, and he would not have done it. But in this important responsibility the Senate should not be required to rely upon the judgment of the

President. Before we vote, we should have available to us these records in order that we can decide for ourselves if they contain any derogatory information. I am advised, as I said a moment ago, that no investigation has been made by the Department of Justice, the FBI, or any other department of the Government of the members of this Commission or the General Manager, and that the President did not ask for any such investigation. Such an investigation, I submit, should be made and this committee and the Senate should know the facts. The partial information that we have succeeded in getting—that which I have referred to regarding the employees hired by the Commission—came to us at the very end of the deliberations. Fragmentary as it is, that information not only reflects upon the ability of Mr. Lilienthal as an administrator but, in my judgment, proves his utter incompetence to build about him an organization to protect the interests of the American people in this vital field of atomic energy. One who was turned down by the Navy, one who qualified his oath of allegiance to his country, and others with leftist leanings reflecting upon their integrity and their loyalty to the country certainly and undoubtedly ought to be sufficient to convince the Senate of the necessity of denying confirmation to Mr. Lilienthal.

Here is a project that represents an investment of the American people of over $2,000,000,000. It does not belong to the scientists, it does not belong to the Army, it does not belong to the administration, it does not belong to the left-wingers, it does not belong to any group of our people, but it does belong to the whole people of America, and it should never be put in the hands of doubtful persons. Before my vote in the committee, I received hundreds of letters. They were divided about evenly for and against Mr. Lilienthal. Since my vote in the committee I have received 322 letters and telegrams approving my action, and only 46 disapproving it. There is great doubt in the minds of the American people as to the competence of Mr. Lilienthal. I know there are grave doubts in the minds of many Senators. I likewise feel that there are but few on the floor of this Senate who would in the first instance have chosen Mr. Lilienthal for this vitally important place.

This is our last chance to clean up this organization. The Senate cannot police the job. We cannot fire the employees already chosen or hereafter to be chosen by Mr. Lilienthal and his associates. I am not voting against Mr. Lilienthal as an individual. I like him personally, but I do doubt his ability to do the job in the interest of the American people. He is not by any fair or true test a great or even a good administrator. I am voting for America, for my people, their safety and their security, and, it may be, for the betterment of the whole wide world. If we fail here, the results may be terrible; but if this job is properly done, the world may well have reason to acclaim our patriotism and our courage.

So, Mr. President, I desire to submit a motion. I move—

First. That the nominations of David E. Lilienthal, Robert F. Bacher, Sumner T. Pike, Lewis L. Strauss, and William W. Waymack to be Commissioners of the Atomic Energy Commission, and the nomination of Carroll L. Wilson to be General Manager of such Commission, be recommitted to the Senate members of the Joint Committee on Atomic Energy for their further consideration; and

Second. That the Senate members of the Joint Committee on Atomic Energy be authorized and directed to investigate the records of all officers and employees heretofore appointed by the Atomic Energy Commission, and to hold such hearings as may be necessary, with a view to ascertaining whether such Commission has acted in an improper or incompetent manner in the exercise of its powers of appointment; and

Third. That the Senate members of the Joint Committee on Atomic Energy request the Federal Bureau of Investigation to make a thorough investigation of each Commissioner of the Atomic Energy Commission and of the General Manager of such Commission, and to make a full and complete report concerning the results of such investigation to such Senate Members.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Ohio to recommit with instructions.

Mr. KNOWLAND and Mr. FERGUSON addressed the Chair.

Mr. BRICKER. I yield first to the Senator from California.

Mr. KNOWLAND. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. KNOWLAND. Is the motion of the Senator from Ohio debatable?

The PRESIDENT pro tempore. It is debatable, and it is in order.

Mr. BRICKER. Mr. President, I yield the floor at this time.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	Murray
Ball	Hawkes	Myers
Barkley	Hayden	O'Conor
Brewster	Hickenlooper	O'Daniel
Bricker	Hill	O'Mahoney
Bridges	Hoey	Overton
Brooks	Holland	Pepper
Buck	Jenner	Reed
Bushfield	Johnson, Colo.	Revercomb
Butler	Johnston, S. C.	Robertson, Va.
Byrd	Kem	Russell
Cain	Kilgore	Saltonstall
Capehart	Knowland	Smith
Capper	Langer	Sparkman
Chavez	Lodge	Stewart
Connally	Lucas	Taft
Cooper	McCarthy	Taylor
Cordon	McClellan	Thomas, Okla.
Donnell	McFarland	Thomas, Utah
Downey	McGrath	Thye
Dworshak	McKellar	Tobey
Ecton	McMahon	Umstead
Ellender	Magnuson	Vandenberg
Ferguson	Malone	Watkins
Flanders	Martin	Wherry
Fulbright	Maybank	Wiley
George	Millikin	Williams
Green	Moore	Wilson
Gurney	Morse	Young

The PRESIDENT pro tempore. Eighty-seven Senators have answered to their names. A quorum is present.

The question is on agreeing to the motion of the Senator from Ohio [Mr. BRICKER] to recommit with instructions to the Senate section of the Joint Committee on Atomic Energy the nominations of members of the Atomic Energy Commission.

Mr. WILLIAMS. Mr. President, early in March of this year I appeared before the Senate section of the Joint Committee on Atomic Energy and informed the members about a certain Government corporation which I had been investigating. I told them that some of the facts I had obtained at that time pointed the finger of suspicion at one of the individuals whose name was before that committee for consideration. Unfortunately, at that time most of my report was based on suspicion only and for that reason I requested them to keep my report off the record. Perhaps this will explain why there is no mention of my report in the book on Senators' desks, but today I have on my desk a certified copy of the original charter of this corporation and also other certified facts and statements regarding the operations in the Tennessee Valley during the past 14 years.

Recently I showed a copy of the charter of this Government corporation, the TVA, to several Senators and asked them to assist in the investigation and render an opinion as to its legality. Yesterday the able Senator from Michigan [Mr. FERGUSON] expressed his opinion as to the legality of this corporation, which can be found in the RECORD. Before presenting a copy of the charter for the RECORD, there are a few important facts to which I should like to call attention.

This corporation was so unusual that Auditor T. Coleman Andrews of the General Accounting Office in his audit report to Hon. Lindsay C. Warren, Comptroller of the United States, dated May 1, 1946, thought it necessary to include this statement:

> No act of Congress, Executive order, or Federal statute specifically authorized the creation of this corporation.

He further stated in his report that the ownership of the stock of this corporation by the United States Treasury was not consistent with any other cases. This corporation has often been referred to as a little farm project in the Tennessee Valley.

Mr. President, I wish to inform Members of this body just what kind of a little farm project this particular corporation is. First, the name of the corporation is the Tennessee Valley Associated Cooperatives, Inc., the charter of which is recorded in book, Miscellaneous J, page 175, at the office of the secretary of state in Nashville, Tenn., under date of January 24, 1934. This particular corporation was organized, not by little Tennessee Valley farmers, as has been claimed, but by three men, namely, Arthur E. Morgan, Harcourt A. Morgan, and David E. Lilienthal. Mr. President, these men are not farmers; they are rather prominent employees of the Government.

In the organization of this corporation these men issued 100 shares of capital stock valued at $1,000, not in their own names, but in the name of the United States Government, but they retained

unto themselves all the powers of administering the affairs and funds of the corporation, and it is expressly stated in the corporation's charter that the United States Government itself was owner of the stock in name only and would not even have the customary voting privileges.

Mr. President, perhaps under the circumstances it is just as well that the United States Government did not have any powers over this corporation, because I am informed that Members of Congress did not even know about the corporation until several years after it had been organized and in operation. In fact, I am informed that even yet they are unable to find in the record any act of Congress or Executive decree authorizing the creation of the corporation.

I wish to refer to some of the powers these men have under the charter of the corporation. Section 5 states that the minimum amount of capital with which the corporation shall commence business is $1,000. Section 7 states that the corporation is to have perpetual existence. Section 4 of the charter states that the stock of the corporation is to be subscribed for by the incorporators but is to be issued and held in the name of the United States of America. I invite attention to this statement contained in section 4:

> All rights and privileges of stockholders whatsoever, including voting rights, are to be exercised on behalf of the United States by the Directors of the Tennessee Valley Authority.

Section 9 further states that the number of the directors of the corporation shall be three, but that the directors need not be stockholders of the corporation. Election of the directors need not be by ballot. The directors shall have the power without the assent or vote of the stockholders to make or alter bylaws of the corporation.

We have a situation in which three men organized a perpetual Government corporation without the knowledge or consent of either Congress or the executive branch of the Government and conferred upon themselves the powers of czars, leaving the Government with only the financial responsibility.

Mr. President, we find under section 3 that the general nature and objectives of the business to be transacted and carried on by this corporation are as follows: To conduct and carry on the business of producing, raising, manufacturing, buying, selling, and dealing in farm products, livestock, goods, wares, and merchandise of every class and description; to lend or advance money; to guarantee the obligations or to endorse the notes of individuals, firms, corporations, or others with or without collateral or security of any kind whatsoever. Also included is the power to acquire by purchase, to hold, sell, or otherwise deal in stocks, bonds, or any other obligation or security of any corporation or corporations; to apply for, obtain, register, purchase, lease, own, use, sell, assign, or otherwise use or dispose of any copyrights, trade-marks, trade names, brands, labels, patent rights, letters patent of the United States or of any other country or government.

Mr. President, permit me to call your attention to the fact that under this charter these men have the power to trade, buy, or sell patents with any country in the world. That does not even except the atomic bomb.

In looking over the financial statements of this corporation I find that on March 12, 1934, it received Federal funds in the amount of $300,000. So far as I have been able to determine, the only consideration which the Federal Government received in return for this unauthorized $300,000 grant was a certificate for 100 shares of common stock, valued at $1,000, in a corporation which they did not even know existed.

Mr. HILL. Mr. President, will the Senator yield?

Mr. WILLIAMS. I should prefer not to yield until I complete this presentation. Then I shall be glad to answer any questions.

Mr. HILL. The Senator does not desire to yield?

Mr. WILLIAMS. Not at this time.

The PRESIDENT pro tempore. The Senator from Delaware declines to yield.

Mr. WILLIAMS. Mr. President, in the event that that $300,000 should prove insufficient for the operations of this world-wide corporation we find, under section 3, paragraph D, that those men conferred upon themselves the power to borow money, to make and issue notes, bonds, debentures, obligations, and evidence of indebtedness of all kinds without any limit as to the amount—thousands, millions, or billions of dollars—all in the name of a corporation of the United States Government, which Congress did not know even existed. It is not my intention to attempt to rule on the legality of this corporation; but I cannot conceive how any man or group of men could be so presumptious as even to think that they had the moral right to confer upon themselves such great powers—powers which exceed even those conferred upon the President of the United States by the Constitution.

Apparently the incorporators of this corporation have explained all of this with the simple statement that the corporation was created during the depression era for the purpose of administering relief; but the mere fact that they created the corporation with unlimited, world-wide powers, and extended the life of the corporation in perpetuity, absolutely refutes that explanation.

Mr. President, I am not charging those men with ever having used those broad powers, nor can I say that they did not use them. The period between 1934 and 1945 seems to be a closed book, and one which so far it has been difficult to open. The only facts I have recently been able to obtain about the operation of this unusual Government corporation are as follows:

First. On March 12, 1934, the corporation received $300,000 of Federal funds without any authorization by Congress.

Second. In 1936 David Lilienthal and Harcourt A. Morgan exercised their powers under the charter to appoint two men on the board to act for them.

Third. David Lilienthal admits that he and his associates in organizing this corporation were acting in their capacities as individual citizens, and not in their capacity as Directors of the TVA.

Fourth. The Tennessee Valley Authority did make contributions to this corporation in the form of supplies, and also some of the personnel of this new corporation were on the pay roll of the TVA.

Fifth. In a letter written by T. Coleman Andrews to the Honorable Lindsay C. Warren, Comptroller General of the United States, under date of May 1, 1946, he pointed out that David Lilienthal and his associates had entered into an agreement on July 12, 1935, with the Land O' the Sky Mutual Association, Inc., a corporation of the State of North Carolina, whereby the said Land O' the Sky Co. would act as the disbursing and collecting agency of the TVAC.

Sixth. Moreover, in the same letter, Mr. Andrews told Mr. Warren that David Lilienthal and Mr. H. A. Morgan had appointed two substitutes to take their places on the board. Mr. Andrews further cautioned Mr. Warren that the new directors of this Government corporation, the TVAC, have not held a directors' meeting since February 20, 1941, and that all of the records of the corporation and all of the activities of the corporation have been under the supervision of the Land O' the Sky Co., who in turn have appointed a certain Mr. John E. Barr and conferred upon him the power to operate this Government corporation.

Seventh. There is known to be one note dated June 1, 1942, in the amount of $3,000, bearing interest at the rate of 2 percent, which John E. Barr, acting as manager for the TVAC, has loaned to the Land O' the Sky Co., and that note was unpaid as of Jnue 30, 1945. Mr. Barr is the manager of both the Government corporation and the Land O' the Sky Co. which received the loan.

Eighth. There is a so-called Mountain Valley Cooperative, Inc. (address and sponsors unknown at this time), and the TVAC owns 4,000 shares of their stock, valued at $20,000.

It is known that the TVAC has made a gift to this corporation, in which it owns stock, in the amount of $7,000, apparently in cash. We also find that this corporation is still operating and is now recognized as a corporation of the United States Government. Yet under the charter of the corporation the Congress has no control over this illegitimate offspring, and so far the Congress has not officially recognized it.

I also understand that John E. Barr has had complete control of that corporation ever since 1941. I sincerely doubt that there is any man in the United States except John E. Barr who actually knows all that has happened within that corporation since that time.

Mr. President, for a few moments I should like to examine a part of the record of the TVA itself, to see what has been going on within that organization.

After the incorporators of the TVAC—the new corporation—had excused their irregularities by claiming they were a relief agency sponsoring and financing the organization of cooperatives in the Tennessee Valley area, and then when I found in the 1946 Annual Report of the TVA a note stating that there were also operating in the area 175 cooperative organizations which were sponsored by the TVA itself, I became more than interested. Therefore, I began an investigation. I not only find that 175 corporations were formed in that area during the past 14 years, but I also find that the TVA itself with Government funds has subsidized those cooperatives to an extent as follows:

1942	$1,202,442.44
1943	1,472,767.26
1945	1,740,296.00
1946	2,066,511.00

Mr. President, I am sorry that those are all the figures I have been able to obtain in that connection. I do not know what happened in the other years. But those contributions were made by the TVA to those cooperatives, in the form of free merchandise, without any expense at all. I am not charging that the TVAC itself received any part of those contributions, since I have no proof. In fact, in a letter dated March 7, 1947, addressed to the Senator from Iowa [Mr. HICKENLOOPER], and signed by David Lilienthal, he denied receiving any assistance. I quote from that letter:

> No funds were at any time advanced to it by congressional appropriation or by TVA.

But I also find that that statement is contradicted by a statement in a letter signed by Gordon Clapp, general manager of the TVA, and the man scheduled to take David Lilienthal's place on the Board. I now quote from Gordon Clapp's letter:

> The TVA did cooperate and assist in the objectives by making limited office supplies available to the TVAC and designating certain of TVA personnel to carry on the administrative functions of that corporation.

Mr. President, from that contradiction Senators can draw their own conclusions.

The officials of the TVA have tried to picture those organizations as being composed of groups of farmers engaged in reclamation projects in the Tennessee Valley. I have on my desk a certified copy of the charter of incorporation of one of those corporations, namely, the Norris Cooperative Society, Inc. I shall read a few sections from that charter to show what kind of cooperative organizations the Government has been sponsoring in that area with those millions of dollars. I read, first, a portion of the charter showing the type of business the cooperative was to engage in, or was engaged in:

> (b) To produce, manufacture, buy, sell, store, handle, process, transport, distribute, deliver, and/or generally deal in and with farm machinery, implements of husbandry, building materials, household goods, dry goods, clothing, groceries, meats, foodstuffs, milk, cream, and all dairy products, farm products and supplies, fuels of all kinds, gasoline, oils, greases, lubricants, and all manner of petroleum products, tires, tubes, and all automobile and motor-vehicle supplies and accessories, and commodities, produce, goods, wares, and merchandise and articles of commerce of whatsoever name, nature, character, or description; to conduct a general merchandising and mercantile business without limitation as to classes or products of merchandise; to grease, wash, repair, and otherwise service automobiles and motor vehicles and to perform and render other services to and for the owners of motor vehicles.

Mr. President, it is claimed that that organization was operating in the Tennessee Valley, but I find that the scope of operations of the organization was set forth in the charter as follows:

> To associate itself with other consumers' cooperative societies throughout the State, the United States, and foreign countries for purposes of mutual aid; to advance the consumers' cooperative movement as a system of business.

Further in the charter of incorporation we find the following, in section (i):

> The business or purpose of the society is from time to time to do any one or more of the acts and things hereinabove set forth and to have one or more offices to carry on all or any of its operations and business, and, without restriction or limit as to amount, to purchase or otherwise acquire, hold, own, mortgage, deal in, sell, convey, or otherwise dispose of real and personal property of every class and description, or rights or interests therein, in any of the States, Districts, Territories, colonies, or dependencies of the United States, and in any and all foreign countries.

Mr. President, as has been pointed out, the TVA officials have claimed that those cooperatives are composed of small farmers in the Tennessee Valley. I hold in my hand a list of the names of the incorporators of the Norris Cooperative Society, Inc. I shall read the names at this time. By the way, I wish to say that everyone of the incorporators is working for the United States Government. Thus, we find that we are not subsidizing small farmers in the Tennessee Valley, for the incorporators are Government employees. I now read their names:

R. G. Crossno, a creamery manager, drawing $2,000 a year from the Tennessee Valley Authority; J. W. Bradner, Jr., drawing $5,200 a year; R. L. Kidd, drawing $2,000 a year; Marie White, $4,000 a year; W. E. Lee, $1.25 an hour; Robert Brandau, $1,620 a year; L. W. Arthur, $2,600 a year; L. Bolling, $1,800 a year; and J. D. Williams, $3,200 a year.

Mr. President, there is not a farmer in the group.

Mr. REVERCOMB. Mr. President, will the Senator yield at this point?

Mr. WILLIAMS. I yield.

Mr. REVERCOMB. Can the Senator from Delaware advise us how many persons are required in order to incorporate a corporation in Tennessee? It would be interesting, in connection with the point now before us, to see whether they were acting merely as incorporators. I am very much impressed by the long list of names which has been read. Apparently, in incorporating that organization—under the laws of Tennessee, I assume—more incorporators than were necessary were used. Let me inquire whether the corporation is chartered under the laws of Tennessee.

Mr. WILLIAMS. That corporation is chartered under the laws of the State of Tennessee, and the record of it is filed in the office of the Secretary of State of Tennessee, in Charter Book, Miscellaneous M, page 121, under date of May 7, 1935. I hold in my hand a certified copy of the charter.

Mr. REVERCOMB. Let me say to the Senator that if more than the minimum number of incorporators was used, that would tend to remove from our minds the idea that what are known as dummy incorporators were used. If more than the minimum number of incorporators were used, that would seem to indicate that the incorporators were actual incorporators, and not, in fact, dummy incorporators.

Mr. FERGUSON. Mr. President, will the Senator yield for a question which may help to answer the query of the able Senator from West Virginia?

Mr. WILLIAMS. I yield.

Mr. FERGUSON. First let me inquire the date of incorporation of the organization.

Mr. WILLIAMS. It was incorporated on May 7, 1935.

Mr. FERGUSON. I may say for the record then, if the Senator will further yield, that in 1934, when the Tennessee Valley Cooperatives Association was formed—the organization about which the Senator first spoke—only three persons signed the articles of incorporation—indicating that in 1934 three were sufficient to incorporate.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield to the Senator from West Virginia.

Mr. REVERCOMB. I should like to say, following the remark of the able Senator from Michigan, that if only three were necessary to incorporate at the time of the creation of this corporation, then the use of a great number of names would show that they were in fact incorporators and real actors in the creation of the corporation.

Mr. WILLIAMS. I thank the Senator. I have here a certified copy of another of these cooperatives that were formed, named the Knoxville Cooperative Association, Inc. I shall not take the time of the Senate to read from this charter, but I will state that this group planned to engage in practically the same industries as those covered by the Norris Cooperative, and they have extended their authority to do business in any and all foreign countries. I shall read a list of the names of the incorporators of this particular corporation. I wish to say first that with one exception every single man listed as an incorporator is an employee of the United States Government.

By the way, a copy of this charter of the Knoxville Cooperative Association, Inc., is recorded in Book Miscellaneous M, page 125, under the date of May 8, 1935: Ned H. Sanford, $6,800; Paul T. David, $4,000; Bernard Frank, $4,500; L. Lancaster, $3,300; Howard P. Emerson,

$2,600; Cecil E. Pierce, $4,000; Laverne Burchfield, $2,600; William C. Bowen, $4,000; and Edward Thornhill, unknown, who apparently is not on the pay roll. In 1936, in an amendment, we find Bernard Frank, drawing $5,200, added his name to the charter, and Howard P. Emerson, engineer, drawing $3,200. Every man but one was on the pay roll of the United States Government.

Mr. President, during the course of my investigations I began to think that perhaps I was selecting the worst of the corporations out of a total of 175, so I went back to page 42 of the annual report of the TVA.

Mr. SPARKMAN. Mr. President——

The PRESIDING OFFICER (Mr. KEM in the chair). Does the Senator from Delaware yield to the Senator from Alabama?

Mr. WILLIAMS. I should rather not yield at this time.

Mr. SPARKMAN. I should like to ask a question about the Knoxville Cooperative.

Mr. WILLIAMS. I should prefer before yielding to place all this information in the RECORD.

The PRESIDING OFFICER. The Senator from Delaware declines to yield.

Mr. WILLIAMS. On page 42 of the annual report of the TVA we find the Southwestern Virginia Cooperative Association, of Lebanon, Va., listed as a typical example of the cooperatives which they have sponsored. The report shows that TVA sold to this particular corporation 1,450 tons of fertilizer, and had assisted them in obtaining credit for $100,000. On page 42 of the report it is also shown that this corporation was capitalized at $10,000.

Here are some facts regarding this typical example which they did not reveal in their report. It is true that the TVA sold this corporation 1,450 tons of fertilizer, but I have concrete proof here that they also gave them free of charge 3,050 tons, with a market valuation in excess of $85,000, about which they did not tell us. I also find that the loan, instead of being $100,000, was $175,000, at an interest rate of 2½ percent.

Here we have a corporation capitalized at $10,000, and during 1946, the first year of business following their organization, the Government loaned them $175,000, and also gave them free of charge $85,000 worth of material for distribution to their customers.

It has been suggested that Congress should by law abolish the TVAC as a Government corporation; but I am not sure that we can do that. How can Congress abolish a Government corporation which so far the Congress has never created or authorized? I think the proper procedure in this case is for us by appropriate resolution to ask the Department of Justice to take action immediately to have the charter of this corporation revoked, and at the same time to institute proceeding to collect every dollar of the taxpayers' money, plus all interest charges, that has been wasted by these men in our name, and without our consent or authorization. It is time that we serve notice on all Government officials that they are going to be held accountable to the people for their actions. The old slogan that "The King can do no wrong" is dead, and we are not going to revive it again in the American form of government.

Mr. President, this is merely a part of the record of David Lilienthal, this great business executive, but if this is a fair sample of his ability and skill in management, then I shudder to think what we will find when we investigate the Tennessee Valley Authority, a corporation into which the Government of the United States has poured more than $700,000,000 during the past 14 years, and from which we have never yet had an accounting.

The Chairman of the Atomic Energy Commission will have within his jurisdiction power to control the destiny of the civilization of the world. Such power must of necessity be entrusted only to those whose personal ambitions are without any shadow of doubt submerged in a consuming desire to serve and preserve civilization and our own constitutional form of government.

Mr. Lilienthal is a man whose entire life has been dedicated to the procurement of more and more power, and to accomplish this ambition he has defied all the laws of our land by helping to create a Government corporation and conferring upon himself and his associates unlimited powers, in perpetuity, and for the purpose of administering these powers he has secured $300,000, or perhaps even more of the taxpayers' money without seeking any authorization of Congress.

I think Mr. Lilienthal's philosophy is best described in these, his own, words:

> This Government, and every government, is and must be a government of men and not of laws.

Therefore, Mr. President, I cannot and will not join in voting to confirm the nomination of such a man to a position where he will hold in his hands the power of preservation or destruction of the entire world.

In conclusion, I ask unanimous consent to have included at this point in the RECORD, as a part of my remarks, a copy of the charter of the Tennessee Valley Associated Cooperatives, Inc.

There being no objection, the charter was ordered to be printed in the RECORD, as follows:

STATE OF TENNESSEE CERTIFICATE OF INCORPORATION OF THE TENNESSEE VALLEY ASSOCIATED COOPERATIVES, INC.

First. The name of this corporation is the Tennessee Valley Associated Cooperatives, Inc.

Second. The address of the principal of the corporation in the State of Tennessee is to be located at Knoxville, county of Knox.

Third. The general nature of the business and the objects and purposes to be transacted, promoted, and carried on by this corporation are as follows:

A. To promote, organize, establish, manage, finance, coordinate, and assist in any way whatsoever in the development of cooperative enterprises in the Tennessee Valley and contiguous areas; to hold and administer funds received from the Federal Emergency Relief Administration and other Government agencies for the cooperative enterprises to be fostered by this corporation; to set up, manage, develop, and finance a chain of cooperative enterprises throughout the above areas through the organization of subsidiary or related corporations whose ultimate members or shareholders will be the individuals engaged in the particular activity, agricultural, manufacturing, marketing, or otherwise, which the particular subsidiary or related corporation will control and operate, and which subsidiary or related corporations will ultimately organize their own central control and form an organization which will take over the assets and liabilities of this corporation; to receive and administer gifts or grants of money or property of any kind whatsoever.

B. To produce, raise, manufacture, buy, sell, deal in, and to engage in, conduct and carry on the business of producing, raising, manufacturing, buying, selling, and dealing in farm products, livestock, goods, wares, and merchandise of every class and description necessary or useful for the operations of the corporation.

C. To lend or advance money to, extend financial assistance to, accept bills of exchange, endorse the notes and guarantee the obligations of, individuals, firms, corporations, and/or others with or without collateral security of any kind whatsoever and to buy, discount, sell, rediscount, and otherwise deal in, notes, warehouse receipts, pledges, bills of lading, freight receipts, trust receipts, open accounts, mortgages, and other similar evidences of debt or to loan money and to take notes, open accounts and other similar evidences of debt as collateral security therefor.

D. To borrow money, and to make and issue notes, bonds, debentures, obligations, and evidences of indebtedness of all kinds, whether secured by mortgage, pledge or otherwise, without limit as to amount and to secure the same by mortgage, pledge, or otherwise; and generally to make and perform agreements and contracts of every kind and description.

E. To improve, manage, develop, sell, assign, transfer, lease, mortgage, pledge, or otherwise dispose of or turn to account or deal with all or any part of the property of the corporation and from time to time to vary any investment or employment of capital of the corporation.

F. To apply for, obtain, register, purchase, lease, or otherwise to acquire and to hold, own, use, develop, operate, and introduce, and to sell, assign, grant licenses or territorial rights in respect to, or otherwise to turn to account or dispose of, any copyrights, trademarks, trade names, brands, labels, patent rights, letters patent of the United States or of any other country or government, inventions, improvements, and processes, whether used in connection with or secured under letters patent or otherwise.

G. To the same extent as natural persons might or could do, to purchase or otherwise acquire, and to hold, own, maintain, work, develop, sell, lease, exchange, hire, convey, mortgage, or otherwise dispose of and deal in, lands and leaseholds, and any interest, estate and rights in real property, and any personal or mixed property, and any franchises, rights, licenses, or privileges necessary, convenient, or appropriate for any of the purposes herein expressed.

H. To acquire by purchase, subscription or otherwise, and to hold for investment or otherwise and to use, sell, assign, transfer, mortgage, pledge, or otherwise deal with or dispose of stock bonds, or any other obligations or securities of any corporation or corporations; to merge or consolidate with any corporation in such manner as may be permitted by law; to aid in any manner any corporation whose stocks, bonds, or other obligations are (held or in any manner guar-

anteed by the corporation) or in which the corporation is in any way interested; and to do any other acts or things for the preservation, protection, improvement, or enhancement of the value of any such stocks, bonds, or other obligations, or to do any acts or things designed for any such purpose; and while owner of any such stocks, bonds, or other obligations to exercise all the rights, powers, and privileges of ownership thereof, and to exercise any and all voting powers thereof; to guarantee the payment of dividends upon any stocks, or the principal or interest or both, of any bonds or other obligations and the performance of any contracts.

I. To do all and everything necessary, suitable and proper for the accomplishment of any of the purposes or the attainment of any of the objects or the furtherance of any of the powers herein set forth, either alone or in association with other corporations, firms, or individuals, and to do every other act or acts, thing or things, incidental or appurtenant to or growing out of or connected with the aforesaid business or powers or any part or parts thereof, provided the same be not inconsistent with the laws under which the corporation is organized.

J. The business or purpose of the corporation is from time to time to do any one or more of the acts and things hereinabove set forth and it shall have power to conduct and carry on its said business, or any part thereof, and to have one or more offices, and to exercise any or all of its corporate powers and rights, in the State of Tennessee, and in the various other States, Territories, colonies, and dependencies of the United States, in the District of Columbia, and in all or any foreign countries.

K. The enumeration herein of the objects and purposes of this corporation shall be construed as powers as well as objects and purposes and shall not be deemed to exclude by inference any powers, objects, or purposes which this Corporation is empowered to exercise, whether expressly by force of the laws of the State of Tennessee now or hereinafter in effect or impliedly by the reasonable construction of said laws.

Fourth. The maximum number of shares of stock which the corporation is authorized to have outstanding at any time is $100, all of which shall be without nominal or par value.

This corporation is formed to receive a grant from the Federal Emergency Relief Corporation for use in financing cooperative enterprises in the Tennessee Valley area. The stock of the corporation is to be subscribed for by the incorporators and is to be issued and held in the name of the United States of America. All the rights and privileges of stockholders whatsoever, including voting rights, are to be exercised on behalf of the United States by the Directors of the Tennessee Valley Authority, acting severally, or by such person or persons as the said Directors of the Tennessee Valley Authority shall appoint as their agent or agents to the same extent as if they were the actual owners thereof. Each Director of the Tennessee Valley Authority shall have the proportionate number of votes that the number of Directors of the Tennessee Valley Authority bears to the number of shares standing in the name of the United States of America.

Fifth. The minimum amount of capital with which the corporation will commence business is $1,000.

Sixth. The name and place of residence of each of the incorporators is as follows: Arthur E. Morgan, Knoxville, Tenn.; Harcourt A. Morgan, Knoxville, Tenn.; David E. Lilienthal, Knoxville, Tenn.

Seventh. The corporation is to have perpetual existence.

Eighth. The private property of the stockholders shall not be subject to the payment of corporate debts to any extent whatever.

Ninth. The following provisions are inserted for the management of the business and the conduct of the affairs of the corporation.

A. The number of directors of the corporation shall be three and directors need not be stockholders of the corporation. Election of directors need not be by ballot.

B. The directors shall have the power, without the assent or vote of the stockholders, to make and alter bylaws of the corporation; to fix and vary the amount to be reserved as working capital; to authorize and cause to be executed mortgages and liens upon all the property of the corporation, or any part thereof; to determine the use and disposition of any surplus or net profits over and above the capital stock paid in, and in their discretion the directors may use and apply any such surplus or accumulated profits in purchasing or acquiring the bonds or other obligations or shares of capital stock of the corporation, to such extent and in such manner and upon such terms as the directors shall deem expedient; but shares of such capital stock so purchased or acquired may be resold unless such shares shall have been retired for the purpose of decreasing the corporation's capital stock as provided by law.

C. The directors shall have the power, with the consent in writing of the holders of the voting stock issued and outstanding or upon the affirmative vote of the holders of the stock issued and outstanding having voting power, to sell, lease, or exchange all of its property and assets, including its good will and its corporate franchises, upon such terms and conditions as the board of directors deem expedient and for the best interests of the Corporation.

D. In addition to the powers and authorities hereinbefore or by statute expressly conferred upon them, the directors are hereby empowered to exercise all such powers and do all such acts and things as may be exercised or done by the Corporation, subject, nevertheless, to the provisions of the statutes of the State of Tennessee, of this certificate, and of any bylaws from time to time made by the stockholders: *Provided, however,* That no bylaws so made shall invalidate any prior act of the directors which would have been valid if such bylaw had not been made.

We, the undersigned, apply to the State of Tennessee, by virtue of the laws of the land, for a charter of incorporation for the purposes declared in the foregoing instrument.

Witness our hands this 23d day of January 1934.

ARTHUR E. MORGAN,
HARCOURT A. MORGAN.
DAVID E. LILIENTHAL.

Mr. BUCK. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield to my colleague.

Mr. BUCK. Is the Senator able to tell us from his investigation what became of the profits these corporations made?

Mr. WILLIAMS. I cannot say what became of the profits of the corporations. Of course, we all know they are nontaxable, and, as cooperative organizations, they do not have to file any accounting with any department of the Government. That is provided in the law under which cooperatives are organized, and apparently that is the reason why they use the cooperative name. That is merely a thought; I cannot prove it.

Mr. BUCK. Does the Senator assume that such profits as there were were returned to the buyers in the form of dividends?

Mr. WILLIAMS. I am suspicious of that, but I have no proof.

Mr. President, I have concluded from my investigation of the TVA and the activities of these corporations that David E. Lilienthal's fundamental conception of government is socialistic.

We have had pictured to us and we have had the Tennessee Valley Authority described to us as a corporation engaged in the production of power for the good of the Nation. They admit being in the fertilizer business. I have a list of 14 different businesses in which the TVA itself is engaged, in addition to power and fertilizer.

First, the TVA is manufacturing in its own plants, or having other plants manufacture, under their patents, the following: First, trailer threshers. I might say that we exported 500 of those from their plants last year. Hay driers, overhead sprinkling systems, refrigeration, both commercial freezers and lockers, seed distributors, lime spreaders, feed grinders, for extracting tannin from oak slabs. They are now constructing a distillation unit at Muscle Shoals for the manufacture of cedarwood oil, plastics from walnut shells, fodder yeast from wood, laminated flooring, prefabricated houses, and last but not least, kitchen flour mills.

Mr. HILL. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Ohio to recommit with instructions.

Mr. HILL. Mr. President, will the Senator yield?

Mr. WILLIAMS. I have yielded the floor.

Mr. HILL. Mr. President, I will say that I requested the Senator to yield earlier, but he said he would yield at the conclusion of his remarks, only.

Mr. WILLIAMS. I yield to the Senator for a question.

Mr. HILL. The Senator referred to a $300,000 check which the TVAC cooperative had received. Would the Senator state where the $300,000 came from?

Mr. WILLIAMS. I was told that the $300,000 came from the FERA. I was also told that the check was made payable to the State of Tennessee, and endorsed over to this corporation. Later I was informed that that was not a true statement, so I went to the office, or had made a call to the office, of Lindsay Warren, the Comptroller General of the United States, and asked for a certified copy of the check. I asked for a certified copy of that check in order to find out how this money was given to this corporation. As had happened in several other cases of records, it seems that this check has become lost. I was told that possibly it was down in Louisiana, but, thus far, they have been unable to locate it. I do not know how the check was written. I only know that it had been claimed by

both sides that it was written. I cannot understand why there is not somewhere in the department a record of that check, from which it could be seen who received the check and who cashed it.

Mr. HILL. The Senator referred to other checks having been lost. Will the Senator please state to what checks he refers?

Mr. WILLIAMS. I did not say other checks. I referred to other records.

Mr. HILL. To what other records does the Senator refer?

Mr. WILLIAMS. I do not care to go into that at this time, but we do not think that all the records have been furnished. Some may have been included in diaries, for instance.

Mr. HILL. I understood the Senator said some other checks or other records were lost. I want to know what other checks or what other records were lost. That is what I was referring to.

Mr. WILLIAMS. I was referring to the $300,000 check. If the Senator from Alabama can assist me to obtain further information about this check, I shall be glad to have him do so.

Mr. HILL. I can assist the Senator by giving him the facts in this case, if he wants to get the facts.

Mr. WILLIAMS. I think I made it plain.

Mr. HILL. Did the Senator state that the application for this money was made by the Relief Administration of the State of Tennessee, under the Governor of Tennessee?

Mr. WILLIAMS. I did not state anything about how it was made, or by whom it was received, except that I said it was paid.

Mr. HILL. It was paid?

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield first to the Senator from Alabama, and I will later yield to the Senator from West Virginia.

Mr. HILL. The Senator realizes of course that this $300,000 was relief money, does he not?

Mr. WILLIAMS. Perhaps I could answer that best by asking the Senator from Alabama a question.

Mr. HILL. I should be glad to answer a question.

Mr. WILLIAMS. Did the Senator know about the $300,000 check before I mentioned it?

Mr. HILL. Oh, I knew about it when it came out in the testimony before the Public Works Committee, and I also knew about it from some past testimony with reference to the TVA. If the Senator will yield to me, I shall be glad to tell him what the situation was. The $300,000 was paid in January 1934 by the Federal Relief Administration here in Washington, through the State relief administration, in the State of Tennessee; application for the money having been made by the State of Tennessee Relief Administration to the Governor of the State of Tennessee.

The Senator will recall that the Federal Relief Administration was the relief agency that was used prior to WPA. That money, $300,000, was sent down there and, instead of using it in the form of doles, simply to give people money, that they might not starve, that they might have some food and some of the necessities of life, they proceeded to organize cooperative associations and to use the money to encourage the farmers by helping them plant their crops, setting up canneries for the canning of huckleberries and blueberries, which grow rather luxuriantly in that section, and of vegetables and truck crops of different kinds. The situation was very desperate. There was perhaps no other section of the country in which the farm people were in such desperate economic condition, in which there were so many of them without the means of livelihood. In fact, the situation was so desperate in many sections in that area that farmers and their families were forced to wear old fertilizer sacks as clothing to keep from going naked. So, instead of doling out this money, what they did was to set up cooperative associations, as I have said, to encourage the farmers to plant and to bring in their crops, to can their goods after they were brought in, and to distribute them. That is the story about this cooperative association.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. REVERCOMB. Mr. President——

The PRESIDING OFFICER. Does the Senator from Delaware yield; and if so, to whom?

Mr. WILLIAMS. I shall yield to the Senator in a moment. I should like to point out that this cooperative was not a relief agency, regardless of what may be said. It was not a relief agency, because it is still in operation. If it was a relief agency, why were the funds administered in the way described by the Senator? They were used to finance cooperatives who were not farmers. These men are not farmers. They are not wearing fertilizer sacks. They are drawing from $2,000 to $5,000 from the Federal pay roll. They are not in need of relief. There is absolutely no reason why the taxpayers of the United States should subsidize them to the extent of millions of dollars, through these cooperatives. I cannot say that they are all similar to the one I have been discussing, but I do say that the Senator does not know that they are not.

Mr. REVERCOMB and Mr. HILL addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom?

Mr. WILLIAMS. I yield first to the Senator from West Virginia.

Mr. REVERCOMB. I thank the Senator. I am very much interested in the statement by the Senator from Alabama as to the purpose of this organization. I have here in my hand a certificate of incorporation issued by the State of Tennessee to the Tennessee Valley Associated Cooperatives, and I understand the Senator from Alabama to say that that was organized for the purpose of helping people by means of small cooperatives, in a time when relief was needed. If that be so, why did the directors of the Tennessee Valley Corporation organize this cooperative? Why did not those persons, the farmers or the people in their respective localities, organize the corporation? That is the first question. Why did the directors of the Tennessee Valley Authority including Mr. Lilienthal, do it? The three of them organized this corporation for relief. I understand the money went to Tennesee; why did not local people who were interested in the relief organizations form the cooperatives? Will the Senator answer that?

Mr. HILL. Yes; I will say to the Senator in that connection that there was a desire on the part of Dr. A. E. Morgan and Mr. Lilienthal, working with the State FERA organization, the State relief organization, to help those farmers, or to try to help them get on their feet; which they did.

As the Senator has indicated, those cooperatives are in existence today and are operating without any Federal funds. They received the $300,000. That money enabled them to do the very thing they had sought to do, which was to lift the people out of their desperate condition, and also make provision for the future, which they have done.

Mr. McKELLAR and Mr. REVERCOMB addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware still has the floor. Does the Senator yield; and if so, to whom?

Mr. WILLIAMS. I yield first to the Senator from West Virginia.

Mr. McKELLAR. Mr. President, so much of a derogatory nature is being said about the State of Tennessee, that if the Senator will permit me I should like to say——

Mr. WILLIAMS. After the Senator from West Virginia has concluded I shall be glad to yield to the Senator from Tennessee.

Mr. McKELLAR. I should like to have the privilege of having something to say in defense of Tennessee.

Mr. WILLIAMS. I will yield later to the Senator from Tennessee.

Mr. REVERCOMB. Let me finish. The point I am aiming at is this: What authority did Mr. Lilienthal, as a Director of the Tennessee Valley Authority, have to organize a corporation of this kind? I think that has a very pertinent bearing upon the question before the Senate. I want to be advised upon that subject.

The character of Mr. Lilienthal is certainly of importance in connection with our consideration of his nomination to be a member of the Atomic Energy Commission. As a member of the Tennessee Valley Authority did Mr. Lilienthal have legal authority to organize the corporation in question?

Mr. HILL. He certainly had authority under section 22 of the Tennessee Valley Authority Act to do the very thing he did. I will say to the Senator that the leading man in the organization and the leading man in this work of relief was not Mr. Lilienthal, but was Dr. Arthur E. Morgan, as the letter from the counsel of the TVA clearly shows.

Mr. REVERCOMB. Let us not go off on the subject of Dr. Morgan. We are talking about Mr. Lilienthal.

Mr. HILL. The other day when the junior Senator from Michigan discussed

this matter it seemed to be believed that the decision had been made by Mr. Lilienthal, whereas the record shows that the leader, the main guide of this organization, was Dr. A. E. Morgan rather than Mr. Lilienthal.

If the Senator will bear with me in that connection I should like to read a copy of the letter from Mr. W. A. Sutherland, the general solicitor of the TVA, addressed to Dr. A. E. Morgan, Chairman of the Tennessee Valley Authority, Knoxville, Tenn., under date of January 18, 1934. The Senator will recall that the cooperative organization was formed on January 25, 1934. The Senator from Michigan [Mr. FERGUSON] read most of this letter, but I read the closing paragraph, as follows:

Since the matter is not to be handled by the Tennessee Valley Authority as such, the matter does not properly come before the directors' meeting of the Tennessee Valley Authority; but since you—

That is Dr. A. E. Morgan—

are committing Dr. H. A. Morgan, and Mr. Lilienthal, I suppose you will want their approval of the plan before the letters are sent.

Mr. REVERCOMB. Mr. President, I think we are digressing. The point I am getting at, and I want information on it, is this: I want to know why Mr. Lilienthal, as a member of the Board of Directors of the Tennessee Valley Authority, organized the cooperative corporation, and under what authority of law he did so.

Mr. HILL. I will say to the Senator that he and Dr. Arthur E. Morgan and Dr. H. A. Morgan did not organize it as directors of the Tennessee Valley Authority. They organized it as individuals. But the work they carried on with that cooperative organization, and which the Tennessee Valley Authority carried on with it, is clearly authorized in section 22 of the TVA Act.

Mr. REVERCOMB. Let us see if he did not organize it as a director of the Tennessee Valley Authority. I read from the articles of incorporation:

The stock of the corporation is to be subscribed for by the incorporators and is to be issued and held in the name of the United States of America. All the rights and privileges of stockholders whatsoever, including voting rights, are to be exercised on behalf of the United States by the directors of the Tennessee Valley Authority, acting severally, or by such person or persons as the said directors of the Tennessee Valley Authority shall appoint as their agent or agents to the same extent as if they were the actual owners thereof.

Let me ask: Can it be doubted for a moment under that language, that Mr. Lilienthal, whose name was signed as an incorporator, was not acting for the Tennessee Valley Authority when he said that only the directors of the Tennessee Valley Authority could be directors of this new corporation; either they or their agents; and when they took the stock of the new corporation in the name of the United States of America and appointed their own agents as directors? Does the Senator then say that the directors of the Tennessee Valley Authority were not acting in their positions as directors of the TVA?

Mr. HILL. No; but I say, Mr. President——

Mr. REVERCOMB. Let me finish. Were they not acting as directors of the Tennessee Valley Authority when in signing the articles of incorporation of the cooperative they limited those who could hold directorships in the new corporation to the directors of the Tennessee Valley Authority?

Mr. HILL. I refer to the letter that the General Solicitor wrote to Dr. A. E. Morgan:

You will note—

And this is written by the man who drew up this charter—

You will note that I have provided that the corporation is to be formed by the directors of the Tennessee Valley Authority and not by the Tennessee Valley Authority itself. I do not believe the Tennessee Valley Authority is authorized under the act creating it to organize other corporations or to hold the stock thereof.

At best, the right is certainly very doubtful. It would be just as easy for the directors to organize the corporation and hold the stock in trust for the United States or to take the stock in the name of the United States, as we have done with the Electric Home and Farm Authority, Inc.

That is exactly what the lawyer who drew up the charter said, and that is exactly what he advised Dr. Morgan after he had drawn it up.

Mr. REVERCOMB. I think the certificate of incorporation from which I have just read, and which has been made a part of the RECORD, will speak for itself. There can be no question that when this new corporation was organized by Mr. Lilienthal and the other two members of the directorate of the Tennessee Valley Authority, they specifically provided in the articles of incorporation that only the directors of the Tennessee Valley Authority could be directors of this newly organized corporation. Either they or their agents had to be the directors of the new corporation.

They had the sole power of selecting the directors. There were no stockholders. There were no beneficiaries. There were no people in need who could elect directors of this corporation. The directors of the new corporation either had to be the directors of the Tennessee Valley Authority or their selected agents. That provision is expressly placed in the articles of incorporation, and that limitation is placed upon it.

In my opinion, this provision is germane to the question of the appointment of Mr. Lilienthal to the Atomic Energy Commission to this extent. If Mr. Lilienthal is a man who, when given authority, will go beyond that authority, will act without authorization of law, will step beyond his authority and organize another corporation without legal authority to do so, and organize it and place the power in the directorate on which he is serving, or in his agents, I have grave doubt that we should want to place a man of that kind in charge of the Atomic Energy Commission, or make him a member of that Commission, or to have control of atomic energy. I am disturbed by that feature, because if Mr. Lilienthal did such a thing in the Tennessee Valley Authority, would he step beyond the law as a member of the Atomic Energy Commission? Those are the questions which arise in my mind on the subject. That is the reason I have discussed the articles of incorporation.

Mr. WILLIAMS. Mr. President, I should like to read at this point one paragraph for the RECORD. I read from the Tennessee Valley Authority Act of 1933, section 2, paragraph 8, as follows:

No member of the said board shall during his continuance in office be engaged in any other business, but each member shall devote himself to the work of the corporation.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. WILLIAMS. I promised I would yield to the Senator from Tennessee after the Senator from West Virginia had concluded.

Mr. McKELLAR. Mr. President, I want to say that I do not recognize the right of the Senator from Alabama [Mr. HILL] to state facts concerning the conditions which existed in Tennessee in 1934. I happened to be a candidate for reelection in 1934, and canvassed the entire State, and I say that whoever told the Senator from Alabama that there were people in Tennessee wearing cotton sacks or other kind of sacks for clothes and were starving there, told him an untruth. I know the Senator from Alabama was not in the State then and did not see the conditions for himself. He does not know them personally. Whoever told him that told him an untruth.

Mr. President, I should like to say one thing further——

Mr. HILL. Mr. President——

Mr. McKELLAR. We listened to the Senator a while ago, and he would not be interrupted.

Mr. HILL. Will the Senator from Tennessee——

Mr. McKELLAR. Just a moment.

I went all over the State. As I stated, we had hard times in Tennessee, just as there were hard times all over the country. They were no worse and no better. We did not have any such times as have been described. I know personally that the statement which has been made is incorrect.

This corporation never made known to me what it was trying to do. It never made known to the people of Tennessee what it was going to do. It did not give to the people of Tennessee any of the $300,000 which it obtained from some other agency of the Government, whether it was the FERA or some other organization. No benefit and no relief came to the people of Tennessee from the use of the money. I understand that the corporation, dealing for itself, lost the entire $300,000 in those hard times. That is my information from Tennessee. I cannot vouch for that statement, but that is the best information I was able to get, after I learned for the first time about the corporation.

I keep up pretty well with the affairs of my State. I think I am fairly well known down there, and have been for a long time. I was well known at that particular time. The first time I ever heard of this corporation was when the distinguished Senator from Delaware found out about it and made the facts known to me. The corporation was a scheme for certain individuals to make money, and it seems that they lost money instead of making it.

I agree with the Senator from Delaware in everything he has said about entrusting one of the greatest offices of all time to a man who would conduct it as he has been conducting certain affairs in the locality wholly without authority. He organized a corporation which permitted him to do anything under God's sun. I cannot understand why the Senate should undertake to confirm the nomination of a man like that to such an office. I cannot understand how any Senator—even the Senator from Alabama, whom I have known for a long time, and who seems to be prejudiced in Mr. Lilienthal's favor—can vote for a man of that kind, who has conducted the office of Director of the Tennessee Valley Authority in the way in which he has conducted it, bringing no return to the people of the United States or to the Government of the United States. In a slick manner, behind other people's backs, he organized a corporation, not in the open light of day, but in a backhanded way.

It is not really a corporation. If I correctly remember the laws of Tennessee, I am quite sure that more than three individuals are required to organize a corporation. The application is on record, but I doubt if it was a legal corporation.

I thank the Senator from Delaware for yielding.

Mr. FERGUSON and Mr. HILL addressed the chair.

The PRESIDING OFFICER. Does the Senator from Delaware yield; and if so, to whom?

Mr. WILLIAMS. I yield first to the Senator from Michigan.

Mr. FERGUSON. Mr. President, I gave the question of this corporation as much attention as I could, based upon the public records. The corporation was created, and then the mystery started.

Mr. McKELLAR. Exactly.

Mr. FERGUSON. The General Accounting Office was unable to look into it and make proper reports on it. We have very little evidence on the subject. The able Senator from West Virginia [Mr. REVERCOMB] raised the question of the motive. I think we ought to go into the motive behind the creation of the corporation by those three men.

Mr. REVERCOMB. Mr. President, will the Senator yield in order that I may ask the Senator from Michigan a question?

Mr. WILLIAMS. I yield.

Mr. REVERCOMB. Not only should we inquire into the motive, but there is a very unusual provision in the certificate of incorporation that only the directors of the Tennessee Valley Authority may be directors of the corporation, and that they may appoint the directors. The directors are not elected in the usual way. If that activity is unlawful, and if Mr. Lilienthal engaged in it, the question is, Would he do the same thing as a member of the Atomic Energy Commission?

Mr. FERGUSON. Mr. President, will the Senator yield to me in order that I may answer the question?

Mr. WILLIAMS. I yield.

Mr. FERGUSON. I believe I can give an adequate answer to the Senator's question.

These three men started under the Tennessee Valley Authority. They wanted to carry on some propaganda so they could control the lives and business of the people of Tennessee and the surrounding States. They found that in the opinion of their counsel they could not do so under the Tennessee Valley Authority, so they used the subterfuge of a corporation, acting in such a way, as the Senator from West Virginia has suggested, that no one else could operate the corporation. They wanted to distribute $300,000 of the taxpayers' money. They wanted to control every dollar, so that anyone in that valley who wanted any benefit from the cooperative would have to go to those three men and say, "Won't you please give me some of the Federal money?" I can read between the lines. If any man down there had said, "I will not be dominated by you," he would not have received one dollar of the taxpayers' money.

Mr. President, I think we should look into the charter, just as the able Senator from West Virginia did. There was a motive behind it. The motive was clear. Those three men wanted to dominate the lives of the people in that valley, and they wanted to do it with the taxpayers' money. They have done it. No wonder they can bring farmers and businessmen here to testify.

I should like to see a real investigation. I should like to see these nominations recommitted. I should like to hear from a representative of the Navy as to why the Navy will not approve Mr. Marks for even an ensign's commission in the United States Navy. We have had no explanation as to why there has not been a thorough examination of this subject. These five names are not in the record which the able Senator from Ohio [Mr. BRICKER] read. Why are they not in the record? Because the committee did not go down into the depths to ascertain the facts as to those men. The time has come when the Senate and the people of America ought to know all the facts. I think the able Senator from Delaware has done a fine job for the Senate in digging into this subject. This may be a small matter. I cannot find reference to it in the printed hearings.

Mr. McKELLAR. It is not there.

Mr. FERGUSON. Why not?

Mr. McKELLAR. That is one of the reasons why the nominations ought to be recommitted.

Mr. FERGUSON. It appeared to the committee that this question had no bearing on the issue. I think it has a great bearing.

Mr. HICKENLOOPER. Mr. President, will the Senator yield to me in order to keep the record straight?

Mr. WILLIAMS. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. The Senator from Michigan has asked a few questions.

Mr. FERGUSON. I should like to have the answers.

Mr. HICKENLOOPER. The Senator from Delaware gave the answer a moment ago. He stated that he submitted this question to the committee in executive session because he did not have the facts, and he asked the committee to keep the subject in executive session.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield to the Senator from Michigan.

Mr. FERGUSON. I should like to ask the able Senator from Iowa why the Senator from Delaware was making this investigation when it was called to the attention of the committee. Why did not the committee go into the facts? The able Senator from Delaware could not find the facts. He is not a member of the committee. He took the question up with the committee. Why did not the committee investigate?

Mr. HICKENLOOPER. Mr. President, will the Senator from Delaware yield to me so that I may reply to the question of the Senator from Michigan?

Mr. WILLIAMS. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. This matter apparently did not come to the knowledge of the Senator from Delaware, and certainly not to the knowledge of the committee, until the committee had practically completed its investigation. It was nebulous at that time. The Senator from Delaware did not at that time have the exhaustive information which he now possesses. Frankly, it appeared to the committee as having no particular bearing on the question of confirmation, and there was no evidence presented that indicated that it would have any bearing on that question. It is a matter which occurred a number of years ago. Inquiry was made and there was a complete lack of any suggestion that Lilienthal received one nickel out of the corporation or that he profited from it in any way. I submit to the Senator from Michigan and to the Senator from Delaware that there was no fact disclosed in connection with this corporation which cast any shadow of doubt upon the integrity, the honesty, the ability, or the intentions of Lilienthal, and we disregarded it for that reason.

Mr. REVERCOMB and Mr. FERGUSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom?

Mr. WILLIAMS. I yield first to the Senator from West Virginia.

Mr. REVERCOMB. Of course I am glad to have the statement of the Senator from Iowa, who is chairman of the Senate section of the Joint Committee on Atomic Energy. I do not know how much evidence was before the committee, but, as he has said, this information came at the end of the hearing.

I wish to put this question to the able Senator at this time: If the facts now disclosed to the Senate show that Mr. Lilienthal acted without legal authority, acted beyond the law, or in violation of the law, as a director, would it not be germane to inquire whether he might not do the same thing on the Atomic Energy Commission?

Mr. HICKENLOOPER. If that question is addressed to me, will the Senator from Delaware yield to me so that I may answer it?

Mr. WILLIAMS. I will yield to the Senator from Iowa in a moment; but before I yield I should like to say that I do not think that at any point in my remarks I have criticized the Senate section of the Joint Committee on Atomic Energy. As stated at the beginning of my statement, I appeared before that committee and presented suspicions on my part. I felt that I should tell the committee about them. I am not criticizing the committee for not accepting those suspicions. The committee knew full well that I would make accusations only if I obtained the facts, and I waited until I did obtain them. I believe that if at that time I had had all the facts which I have presented this afternoon, the committee's decision might have been different. I am not criticizing the committee now. I want that statement in the RECORD. The committee treated this matter exactly in accordance with my request that I meet with them in executive session and not in a public hearing. I did not want to be in the position of condemning anyone until I had all the facts and proof. Today I have incorporated in the RECORD a copy of the charter. I did not have a copy of it at that time. I think the Senator from Iowa will admit that.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. HICKENLOOPER. I thank the Senator from Delaware. That is my recollection of the situation, and I am sure it is the recollection of the committee.

To answer the question of the Senator from West Virginia, I will say to him that if I were convinced that Mr. Lilienthal had done anything illegal in this transaction, I would take a completely different attitude. But I submit to the Senator from West Virginia that there still is not one scintilla of evidence in the record that Lilienthal did anything illegal. A corporation was organized under the laws of the State of Tennessee, and it has never before been attacked. Its charter was duly and properly issued to men who were capable of forming a corporation. That authority has never been questioned. There is not the slightest evidence that one dollar of money was converted to the personal or selfish use or interest of Mr. Lilienthal. Prosecution has never been attempted or suggested. There has never been any evidence in the entire record that any violation of law was involved. If there has been such a violation, I ask the Senator from Delaware, who has spent a great deal of time on the matter, to point out such violation. It would have some bearing on my thinking.

I will further say to the Senator from West Virginia that I may not agree with the philosophy of Mr. Lilienthal in his activities in the State of Tennessee; I may not think that I would act similarly if I were in the same circumstances; but I do say that I am not necessarily the arbiter of my brother's mind. I dare say there are many philosophies, ideas, and programs as to which the distinguished Senator from West Virginia and I would be in disagreement, although I think we are generally in agreement.

Mr. REVERCOMB. There are not many disagreements between us.

Mr. HICKENLOOPER. Not many. I may say further to the Senator from West Virginia that if we agreed on every single thing and every single philosophy I would think the Senator was crazy or I was crazy. I know the Senator is not crazy.

Mr. REVERCOMB. I thank the Senator.

Apparently I have not made myself clear to the able Senator from Iowa. It is not a question of dishonesty or the taking of money. No one is charging that. The point I make is that if Mr. Lilienthal, as a director of the Tennessee Valley Authority, would constitute himself and certain associates the directors of the corporation referred to, when the law declares that he must devote his time entirely to the TVA and there is no authority of law for him to incorporate a company such as those whose articles of incorporation have been read here—if Mr. Lilienthal, as director of the TVA, feels himself beyond the law in that regard, may he not feel himself beyond the law as a director of the Atomic Energy Commission and step beyond the regulations and laws which Congress enacts? There is no question of dishonesty as to money.

Mr. HICKENLOOPER. Mr. President, will the Senator from Delaware yield so that I may answer that question? I do not wish to trespass on his time.

Mr. WILLIAMS. I yield.

Mr. HICKENLOOPER. I say to the Senator from West Virginia that upon the premise he has stated I agree with him unequivocally. If Mr. Lilienthal had the idea that he is beyond or above the law or has any desire to overstep the law intentionally and to arrogate to himself powers that are not given to him, I would vote against him. But there is no such evidence in the record, and I do not so believe.

Mr. REVERCOMB. Will the Senator answer this question, in view of the statement which he has just made? Where is the legal authority under which Mr. Lilienthal acted in organizing this corporation? Is there such authority?

Mr. WILLIAMS. Quoting the words of Mr. Lindsay Warren—I do not have the exact quotation, but I think I can quote them almost exactly——

Mr. FERGUSON. Mr. President, will the Senator yield? I may be able to tell him where the quotation is to be found. It is in the budget.

Mr. WILLIAMS. Mr. Warren says that no act of Congress or Executive order or Presidential decree has ever been issued authorizing the creation of this agency.

Mr. HICKENLOOPER. It was authorized under the laws of Tennessee. It was never claimed to be a Government organization.

Mr. WILLIAMS. The mere fact that this agency was organized under the laws of Tennessee by three men who acted in their capacity as individuals is sufficient. I do not know what greater proof the Senator wants that this man might try to usurp power not reposed in him. If David Lilienthal and the other two men had the right under the laws of Tennessee to organize a corporation and confer upon themselves the power to issue notes in the name of a United States corporation to the amount of millions of dollars if they wanted to, what is there to prevent any one of them from forming many more such corporations?

Mr. FERGUSON and Mr. McMAHON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Delaware yield; and if so, to whom?

Mr. WILLIAMS. I yield first to the Senator from Michigan.

Mr. FERGUSON. Mr. President, no one has charged Mr. Lilienthal in this case with attempting to take dollars and cents. It is not a question of whether the law of Tennessee permits that corporation to be incorporated. In effect, the real owner of the stock was the United States of America. The United States of America, in effect, formed that corporation. Under the laws of trust, there is no question but that the title to the stock was in the United States. Those men were acting as only trustees of that stock.

The question then is, Under what authority of the United States could that corporation be incorporated, and in that connection, under what authority could the United States be put in as the owner of the stock?

Mr. Warren has said, as shown at page 997 of the present budget—and he there is speaking about the Tennessee Valley Associated Cooperatives, Inc.:

> No act of Congress or Executive order or Federal statute specificially authorized the creation of the Tennessee Valley Associated Cooperatives, Inc.

There we have it, in plain language. I should like to ask any Member of the Senate to point out the authority for incorporating that organization and putting the stock in the name of the corporation.

But, Mr. President, we must look further. The other day I said on this floor, and I now repeat, that that was a subterfuge; and the point is, in a case of this kind and of this importance, can we trust a man who would stoop to subterfuges?

Mr. President, I come back to this point: When the General Accounting Office, the accounting firm whose arms are the arms of the Congress, went down there to look into the matter, it was told by the Tennessee Valley Authority—Mr.

Lilienthal, "You cannot audit the books of this corporation." Why? Because they said, "No money of the United States ever went into it."

Mr. President, even the amount paid for the stock—the $1,000—came out of the $300,000 belonging to the United States. Was that a charity? Was that $1,000, which was taken from the taxpayer's money, a charity, one of the charities that we hear so much about? No, Mr. President; that money was taken from the funds and was used to buy the stock, and was put back into the Treasury. Nevertheless, when the General Accounting Office attempted to audit the books of that corporation, they said to the General Accounting Office, "You cannot audit, because the Government does not own anything in this corporation." Yet, Mr. President, the Government owned the $1,000, which was the cost of the stock of the three stockholders. Why could not the General Accounting Office audit? Simply because Mr. Lilienthal did not want anyone to look into it. He wishes to be all-powerful. He wants to control.

The result of that situation was that from 1934 until 2 years ago the Senate was unable to have an examination made of the books of the TVA. I should like to have everyone read carefully what the Senator from Vermont yesterday put into the RECORD in regard to how the books of that corporation were kept up to as late as 1945. Here we are in March of 1947, and we find that the books of the corporation have been audited only up to June 30, 1945, even after the able Senator from Virginia [Mr. BYRD] has been fighting upon this floor to try to obtain an audit of the books of the corporation. Then we find that we can, finally, obtain an audit. I wish every Senator to read it and then say, after reading it, whether the man at the head of that corporation is the kind of man whom we want to be over the entire atomic-bomb program.

Mr. HICKENLOOPER. Mr. President, will the Senator yield to permit me to ask a question of the Senator from Michigan?

Mr. WILLIAMS. I yield for a question.

Mr. HICKENLOOPER. Does the General Accounting Office keep away from a corporation which it thinks may be a Government corporation merely because someone in that corporation says, "No, go away; this is not a Government corporation"? Is that the yardstick according to which the General Accounting Office proceeds? Surely the General Accounting Office must have agreed that the corporation was not one which it should audit.

Mr. WILLIAMS. Mr. President, I think I can answer that question. The General Accounting Office never knew about the existence of that corporation until after the passage of the Byrd-Butler bill in 1945, I believe. That is why I say that that period is a closed book, and we do not know what happened.

As the Senator from Michigan has pointed out, it has been very difficult to obtain information in connection with this matter. I desire to read from the record of the hearings on the nomination of Gordon Clapp, before the Committee on Public Works. At that time we tried to obtain from Mr. Clapp information about the 3,050 tons of fertilizer which had been given to the Southwest Virginia Cooperative, free of charge. I read now from page 192 of those hearings:

> Therefore, the 1,450 tons of TVA concentrated phosphate referred to on page 42 of the annual report is not a gift, they pay us for it.
>
> Senator WILLIAMS. Might I ask you why you separated that 1,450 tons and called it an experiment and later you called 6,800 tons as being sold? You sold both lots, or did you give one lot?
>
> Mr. CLAPP. No; we sold both lots.

We were trying to obtain information in regard to the 3,050 tons of fertilizer. If Senators will read the record which was made then, they will find that he consistently denied, all during that day, that he gave that fertilizer. He maintained that he sold both lots of fertilizer. On page 253 of the record of the hearings, when Mr. Clapp was being interrogated on the same question, the following appears:

> Senator WILLIAMS. Last Tuesday I asked you the question whether or not the TVA gave free of charge to this particular cooperative the 1,450 tons of fertilizer mentioned in that report, and at that time your answer was "No."
>
> Do you want to change your answer to that?
>
> Mr. CLAPP. No; I don't want to change my answer.
>
> Senator WILLIAMS. All right.
>
> Well, this is another question: Did you or did you not give to this Southwest Virginia Cooperative, free of charge, except as they paid transportation, an amount of fertilizer of 1,450 tons, or more, approximately, during that year? I would ike to have a "Yes" or "No" answer on that.
>
> Mr. CLAPP. I will be glad to look into it, Senator.
>
> Senator WILLIAMS. You have answered once that you did not give that, and you said that you knew what you were talking about. And I am asking you now: Did you or did you not give it?
>
> Mr. CLAPP. Senator, the sentence that is in the annual report, which you have referred to——
>
> The CHAIRMAN. I think, Mr. Clapp, the question is quite clear, and you can give a "Yes" or "No" answer. Then, if you want to make an explanation, you may do so.
>
> The question addressed to you is one of whether or not you did give that amount of fertilizer to that cooperative, less costs of transportation.
>
> Senator WILLIAMS. That is right; that or more.
>
> The CHAIRMAN. Did you or did you not do that?
>
> Mr. CLAPP. Mr. Chairman, the only way I can answer the question is to say that the 1,450 tons of TVA concentrated superphosphate referred to on page 42 of the annual report was not given to the cooperative.
>
> Senator WILLIAMS. The question I will repeat over again; we will not speak of that 1,450 tons: Did you or did you not give this Southwest Virginia Cooperative free of charge, except for the transportation charges that were paid by them, an amount of fertilizer of approximately 1,450 tons or more?
>
> Now, you should be able to answer that question. You knew what you were talking about the other day, or at least you said you did.
>
> Mr. CLAPP. Senator, I would not be at all surprised if we turned over some fertilizer to them for test demonstration purposes, on which they paid only the freight. It may have been 1,450 tons. I don't know. It may have been considerably more than that; it might be less. That is a different kind of financial arrangement between the TVA and the cooperatives.

Mr. President, it was not possible to get any information at all from Mr. Clapp. He continually denied having given anything, and only admitted it after being confronted with the concrete evidence that they had given 3,050 tons. Then he admitted knowing it all the time. I think Senators will bear me out that it appears somewhere in the record that his only explanation of the evasion was that I never asked him the exact amount. He said the amount I mentioned was not the 3,050 tons. In other words, if I had mentioned 3,049 or 3,051 we never would have gotten the information. I had to get the information from Lebanon, Va.

Mr. HILL. Mr. President, will the Senator finally yield to the Senator from Alabama?

Mr. WILLIAMS. I finally yield.

Mr. HILL. I thank the Senator. The Senator from Tennessee spoke of my prejudices. Mr. President, I would not speak of the prejudice of the Senator from Tennessee.

Mr. McKELLAR. The Senator just takes it from what Mr. Lilienthal has had the newspapers publish about me.

Mr. HILL. No, Mr. President; I would not say anything about the Senator's prejudices.

Mr. McKELLAR. I am not prejudiced in favor of rascals, anyway.

Mr. HILL. I am saying, Mr. President, that I would not say anything about the Senator.

Mr. McKELLAR. I am glad to hear it.

Mr. HILL. I would not say anything about the Senator's prejudices. I would not consume the time of the Senator from Delaware to argue with the Senator about what the conditions were during the days of the depression in 1933, 1934, and 1935. Every Member of the Senate and people throughout the country remember those days. They remember how desperate conditions were. They remember the poverty and misery that existed among the millions of our people and how it was necessary for the Federal Government to reach into the Treasury and pour out hundreds of millions of dollars to keep people in this country from starving.

Mr. President, as I said earlier, the $300,000 that went into this cooperative about which we have been talking, was relief money from the FERA. Just as during the war we sought to have every Government agency do everything it could to aid in the great effort to bring the full force of America's might and strength against the enemy, so during the days of the depression we sought to use every Government agency to the limit of its capacity to help meet the depression.

These men on the Board of the TVA went into this thing seeking to be helpful, seeking to bring relief to people who were in distress, and to carry out what at that time was the policy and the

program of the Government of the United States. The truth is, they did the job so well in the beginning that instead of losing the whole $300,000, which might well have been spent or lost entirely, the Bureau of the Budget message for the fiscal year 1948, on page 998, shows that only $117,314 has to be charged up as relief, has to be charged up as spent and gone. The rest of that $300,000 is operating through this cooperative today, through capital investment.

The record also shows that it was Dr. Arthur E. Morgan, the then Chairman of the TVA, in 1934, who fathered this proposition, who was the leader and the guiding spirit in it. It was his baby, so to speak. In those early days of the TVA, in 1934, the TVA did not have the same system it has now, with a general manager. It divided its responsibilities into three separate divisions, and one of the three members of the Board was put over each one of the three divisions.

This matter came under Dr. Morgan's division, and it was primarily and basically Dr. Arthur E. Morgan's responsibility.

Mr. WILLIAMS. I now interrupt the Senator from Alabama for just one observation. There is nothing in the record anywhere that shows that Dr. Morgan was responsible for it, any more than David Lilienthal or any other man.

Mr. HILL. I called the Senator's attention to the letter from the lawyer.

Mr. WILLIAMS. I am not speaking of the letter from the lawyer, I am speaking of the record. I should also like to point out to the Senator from Alabama—as he said, we are not living in the past—that last year $2,066,511, was given by TVA to these cooperatives. I do not know how many of them were Government employees, or who received it, but I have no record that any farmer received any portion of it. Perhaps farmers did. They may have received the whole of it, but it is not in the record.

Mr. HILL. If the Senator will go into it, he will find the farmers got the benefit of it. He will find it went as relief money to help the farmers in that area, and that they were the beneficiaries of the money.

I previously called the Senator's attention to the letter from the general solicitor of the TVA, Mr. W. A. Sullivan, addressed to Dr. Arthur E. Morgan on January 18, 1934, in which he makes it definitely clear that Dr. Arthur E. Morgan was the leading spirit, that he was the guiding hand, in this matter.

Not only was he the guiding hand in the beginning, but in March 1946 Mr. Lilienthal and Dr. Harcourt Morgan got off the board of directors of this cooperative. Dr. Arthur E. Morgan was on the board, and, insofar as the record shows, Dr. Arthur E. Morgan stayed on the board of the cooperative up to the time he left the TVA, and, so far as the records show, he is still on the board. Certainly he had not left the board at the time he left the TVA. Mr. Lilienthal got off in 1936. Dr. Arthur E. Morgan remained. This is an interesting matter about this cooperative.

The very able and distinguished junior Senator from Michigan [Mr. FERGUSON] made a slashing attack against Mr. Lilienthal day before yesterday. Knowing how thorough and conscientious and able he is, I am sure that before he made that attack he applied himself to the records. I can see him now as he burned the midnight oil going through the records. His distinguished colleague, the distinguished senior Senator from Michigan [Mr. VANDENBERG] sat as a member of the Atomic Energy Committee. He sat there with the other eight members of that Committee day after day, week after week, listening to the testimony, hearing what the witnesses had to say, observing their demeanor on the stand, their attitude, weighing their evidence, hearing the evidence, considering the evidence. After the distinguished senior Senator from Michigan spent all those weeks, sincerely, conscientiously, and devotedly listening to that testimony and weighing it, the committee came to the Senate with a report of 8 to 1 in favor of Mr. Lilienthal.

Mr. WILLIAMS. Mr. President, I like to be courteous to the Senator from Alabama——

Mr. HILL. As I understand, the Senator is through with his speech anyway. I am not delaying him.

Mr. WILLIAMS. No; I have a little more to say.

The PRESIDING OFFICER. The Senator from Delaware has the floor.

Mr. HILL. I hope the Senator will let me conclude. The Senator must remember that I had to stand here about an hour before I had a chance to say anything. I shall try to be as brief as I can. This is an important matter.

Mr. WILLIAMS. Very well.

Mr. HILL. So I am sure that, in view of the report, adopted by a vote of 8 to 1, by this committee, that sat for weeks, listening to the testimony, watching the witnesses, examining them, and sifting their statements, before the distinguished junior Senator would find himself in opposition to the great Senator from Michigan——

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. HILL. I think the Senator should let me finish, because I have been very patient.

Mr. McKELLAR. I think the Senator from Alabama should yield.

Mr. HILL. The Senator accused me of prejudice, and I think I should have an opportunity to reply; but I have had to stand here for some time. I will finish my statement, and then I yield to the Senator.

Mr. WHERRY. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. WHERRY. The Senator from Delaware has the floor. It is not a question of whether the Senator from Alabama will yield or not; it is for the Senator from Delaware to yield.

Mr. McKELLAR. The Senator from Delaware did yield.

Mr. WHERRY. I think the Senator from Delaware has been very lenient.

Mr. McKELLAR. He certainly has been.

Mr. WHERRY. He has been very courteous to the distinguished Senator from Alabama, so that I think if the Senator from Tennessee asks him to yield, the Senator from Alabama has no right to farm the time out on the floor of the Senate, and if he continues to do so, I shall ask for the regular order and restore the Senator from Delaware to the floor, and the Senator from Tennessee may ask any questions he wants to ask in his own time.

Mr. McKELLAR and Mr. HILL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Delaware yield; and if so, to whom?

Mr. WILLIAMS. I will yield 2 minutes.

Mr. HILL. Two minutes? It is unusual for a Senator to be limited to 2 minutes. That is very hard. Anyway, Mr. President, if I must conclude in 2 minutes——

Mr. WILLIAMS. If the Senator from Alabama wants considerably more time, I shall be glad to yield the floor in a few minutes.

Mr. HILL. Mr. President, I merely want to say, I am sure that the junior Senator from Michigan must have combed this record, and all the other records available to him, with a fine-toothed comb. Oh, I can see him now, as he went through these records, to ascertain what they contained.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. HILL. Yes; I yield to my friend.

Mr. WHERRY. Mr. President——

Mr. HILL. I yield, if I may.

Mr. McKELLAR. The Senator from Delaware tried to yield to me.

Mr. HILL. The Senator from Delaware has yielded to me, and I cannot yield. If the Senator will let me have 1 minute more, I shall be through.

The PRESIDING OFFICER. The Senator from Delaware has the floor. Does he yield, and, if so, to whom?

Mr. HILL. Will the Senator yield to me just a minute, and then I shall be through?

Mr. WILLIAMS. Mr. President, I should like to conclude my remarks.

Mr. HILL. Will not the Senator yield me just 1 minute, to enable me to finish what I was saying?

Mr. WILLIAMS. No; in a minute I shall yield the floor.

Mr. HILL. I ask for just 1 minute, that is all.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. FERGUSON. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS. I yield to the Senator from Michigan.

Mr. FERGUSON. The able Senator from Alabama has indicated that there shall be no disagreement——

Mr. LUCAS. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. LUCAS. If the rule is going to be enforced, let us enforce it and let us not

have any more speeches in the time of the Senator from Delaware.

Mr. WHERRY. Mr. President, the distinguished Senator from Michigan can ask the Senator to yield for a question.

Mr. FERGUSON. I have asked.

Mr. WHERRY. That is what the Senator asked for.

The PRESIDING OFFICER. The Chair understands the Senator from Delaware has yielded to the Senator from Michigan for a question.

Mr. WILLIAMS. I yield.

Mr. FERGUSON. I want to preface the question with a remark.

Mr. HATCH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. HATCH. If the rules of the Senate are to be strictly enforced, may a Senator preface a question with a remark? Is it not the rule of the Senate simply that a Senator may yield for a question in the form of a question?

The PRESIDING OFFICER. The Chair rules that if the rules are to be strictly enforced, the Senator having the floor can yield for a question only, and the question should be stated directly.

Mr. FERGUSON. Mr. President, I will have to surrender the floor. The able Senator from Alabama made an address, but did not ask a question. I shall take the floor a little later.

Mr. WILLIAMS. Mr. President, to finish my remarks, I would like to advance to 1946 with just a slight reference to the report of the corporation. I want to read, first, section 5 of the TVA Act, paragraph (m), which says:

> No products of the Corporation shall be sold for use outside of the United States, its Territories, and possessions, except to the United States Government for the use of its Army and Navy or to its allies in case of war.

If I am not in error, we were not at war last year, and yet in the report I find that 9,000 tons of superphosphate was exported to the Netherlands; an undisclosed amount of the 153,000 tons of fertilizer which was produced in the ammonium nitrate plant was exported under lend-lease; 480 tons of munitions-grade crystal was exported from the same plant.

Mr. TAYLOR. Mr. President, will the Senator yield for a moment?

Mr. WILLIAMS. In a moment or two I will yield the floor.

Further, we find that 10,000 tons of ammonium nitrate was shipped to Italy; 5,000 tons was shipped to the Netherlands. I am not saying that that is not authorized, but I will read again section 5, paragraph (m), of the TVA Act:

> No products of the corporation shall be sold for use outside of the United States, its Territories, and possessions, except to the United States Government, for the use of its Army and Navy or to its allies in case of war.

Much has been said on the floor about the profits shown by the TVA during the past few years. I obtained a record from the TVA showing the appropriations which had been received from Congress by this Corporation, but here is another appropriation indirectly of more than $10,000,000, which is not disclosed by this record; that is, in their files. I read:

> Under an agreement executed in December 1940, the War Department advanced $10,228,000 to TVA to cover the cost of constructing a synthetic-ammonia plant at Wilson Dam, Ala., and rehabilitating portions of nitrate plant No. 2 for the manufacture of ammonium nitrate. The plants were operated for the account of the War Department until June 30, 1943, at which time the agreement was terminated and the plants turned over to TVA. Since that date these plants have been used primarily for the production of fertilizers, but, because of the uncertainty of their ultimate value to TVA, they have not been recorded in the fixed-asset accounts.

Again I find:

> Two nitrate plants, two villages, and other plant and equipment at Muscle Shoals have been recorded on the books at nominal amounts because of their negligible worth to TVA's operations.

Mr. President, in conclusion I only want to say that I cannot see how in the interest of national defense this body can confirm the nomination of a man at whom the finger of suspicion points as strongly as it does against David E. Lilienthal. I do not claim that I have pointed out any case where any laws have been directly violated; I am not an attorney; nor do I claim to express a legal opinion; that is for the Department of Justice; but I do say we have a case where three individuals have conferred upon themselves powers greater than those exercised by the President of the United States, under the Constitution. I cannot conceive of any man doing that, and I will not support any man who feels that he has the moral right to do it.

In conclusion, I repeat, that from my study of the record of the activities of David E. Lilienthal, I believe his basic philosophy is more than tinged with socialism and dictatorship.

Senators, do not take my word wholly for it. Let Mr. Lilienthal speak his true philosophy of government in his own words. I quote him:

> This Government, and every government, is and must be a government of men and not of laws.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the President pro tempore:

> H. R. 1240. An act to provide for the suspension of navigation and vessel-inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended; and
>
> H. J. Res. 76. Joint resolution authorizing the commandant of the United States Coast Guard to waive compliance with the navigation and vessel-inspection laws administered by the Coast Guard.

THE LEGISLATIVE PROGRAM

Mr. LUCAS. Mr. President, I rise at this time for the purpose of propounding inquiry of the acting majority leader as to what the program will be for the remainder of the afternoon, and, primarily, whether or not the Senate will meet tomorrow to continue to discuss the question of confirming the nomination of Mr. Lilienthal?

Mr. WHERRY. Mr. President, we intend this afternoon to continue the debate on the pending question, which is the confirmation of the nomination of Mr. Lilienthal. If the debate progresses satisfactorily I believe it is the intention to recess in executive session from today until Monday so that when it reconvenes next Monday the Senate will have before it automatically the question of the Lilienthal nomination.

Mr. LUCAS. In view of the statement made by the able Senator from Nebraska I take it that any Senator who desires to leave at this time for the week end may do so without any question in his mind as to whether there will be a vote taken on the pending question tomorrow.

Mr. WHERRY. Yes; I think Senators can have that assurance.

Mr. HICKENLOOPER. Mr. President, will the Senator from Illinois yield for a comment on the particular subject now under discussion?

Mr. LUCAS. I yield.

Mr. HICKENLOOPER. I may say that the acting majority leader has evolved a program which he believes will operate with greater efficiency than would some other program. I shall not try to oppose it too vigorously, but I express my hope that the Senate will meet this evening, and that it may be in session tomorrow, so that debate on the Lilienthal nomination may be continued, because as I said to the Senate today at the time of convening, I am convinced in my own mind beyond all question of doubt that the vital and almost controlling interest of the United States demands that this question be settled one way or the other with the greatest possible expedition. It is a matter which is beyond the individual convenience of Members of the Senate. It rises far above whether any Senator—and this is no criticism of the Senator from Illinois—whether any Senator wants to go away for the week end or not. In my opinion it goes beyond the question of all private convenience of the Members of the Senate. I can only register my hope, and my insistence, if you please, so far as my one voice is concerned, that the Senate proceed with this matter even though it be arduous work, and continue with it at all possible times and at all reasonable and available hours until it is brought to a finality one way or the other.

Mr. LUCAS. Mr. President, I appreciate what the distinguished Senator from Iowa has said concerning the importance of continuing the debate on the pending nomination and the desirability of concluding action on the question at the earliest possible time. I think I fully realize the importance of having action on the subject concluded with some dispatch, whether it means the confirmation of the nominees or not.

My only query, Mr. President, was with respect to what the majority was going

to do, because after all the majority control this situation, and they can either decide to have a session of the Senate tomorrow or to dispense with a session of the Senate tomorrow. So far as the Senator from Illinois is concerned, I certainly have no objection to a night session tonight if the majority desire to have one. I shall have no objection if the majority desire to have a session of the Senate tomorrow, at which the nomination of Mr. Lilienthal will be discussed.

Certain Members on this side of the aisle requested me to propound the inquiry in order to ascertain what the majority were going to do so they could make their plans accordingly. If the majority do not propose to have a session of the Senate tomorrow, then some Senators on this side of the aisle perhaps expect to leave for the week end. If the majority expect to have a session of the Senate tomorrow, the Senators will be present. It is up to the majority whether the Senate shall have a session tonight or tomorrow. So far as I am concerned, it will be perfectly satisfactory to me if such sessions are held. I certainly appreciate the seriousness of the situation, and I thoroughly agree with my friend the Senator from Iowa.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. McMAHON. I thank the Senator. I cannot permit this occasion to pass without registering my thorough-going approval of what has been said by the Senator from Iowa [Mr. HICKENLOOPER], the distinguished chairman of the Senate section of the committee. It is perhaps because we of the committee have lived with this problem now for some 18 months that we are so firm in our belief that it is absolutely necessary, in the interest of the safety of the United States, that the Senate conclude this matter and conclude it speedily.

Our Government has announced a new diplomatic policy to support democracy in Greece and Turkey, and that proposition is being considered now before the Senate Foreign Relations Committee. Mr. President, I say that I have a deep conviction that that is a matter of the highest importance. But certainly it is no more important, if even as important, as seeing to it that we proceed quickly with the business in hand. We are not proceeding with it as quickly as we should proceed. We cannot get ahead with it until we settle the question of the confirmation of the members of the Atomic Energy Commission, which will then be able to offer employment to the kind of scientists who lead the universities and who, when they know there is a settled policy and who is going to conduct it, will push this program ahead. I say that every day we delay the confirmation of these nominations we trifle with the safety of the country and tamper with the destiny of the world.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MORSE. I wanted to make an inquiry respecting the program of the Senate, because I think the Senator from Illinois is quite right in trying to reach an understanding now as to what we are going to do the remainder of the day as well as tomorrow. I do not think the Senator from Illinois should be in a position of excusing Members from his side of the aisle any more than Members on this side of the aisle should excuse other Members on this side from attendance on the Senate. If there is a possibility of a vote being had tonight on any phase of the Lilienthal matter, I think the Senator from Illinois ought to have a definite understanding as to what is going to happen during the remainder of the day as well as tomorrow.

Mr. LUCAS. Mr. President, I concur in what the Senator from Oregon has said. The reason I propounded the inquiry was in order that we might reach a definite understanding as to what the program would be for the remainder of the afternoon and evening, and certainly whether the Senate will meet tomorrow. Certain Senators have spoken to me about the program, and wanted to know what it would be. That is why I asked the able Senator from Nebraska what the program was to be.

Mr. WHERRY. Mr. President, I have already answered the Senator's inquiry. I stated that we would continue to discuss the nomination today and do the very best we could in forwarding the matter now pending before the Senate. Of course, it was to be expected that we would have a few statements by Senators who are always anxious to hold the Senate in session at night. Some who would stress the great emergency that exists are the very ones who have asked for vacation periods within the next few days. I will say that more Senators on the other side of the aisle have asked me whether there would be a session tonight and tomorrow, and expressed the hope that there would not be, than have Senators on this side of the aisle.

We are trying to do the best we can to expedite this matter. I believe we have done well so far. The policy committee has set a pace which, if we keep up with it, will dispose of the work that is in process. I am merely the acting majority leader. Personally, I should like to have the Senate stay in session every minute possible, and continue in session tonight as late as we did last night. If Senators wish night sessions, that is all right with me. The chairman of the policy committee is present, and I shall ask him to explain what he proposes with respect to tomorrow, and also next week.

Mr. TAFT. Mr. President, I do not think the Senate does its best work if it is forced to hold too many or too long sessions. I think that if we meet every day from 12 until 6 for 5 days a week, we need the remainder of the time to do the other kind of work Senators have to do, unless there is a real emergency in a particular case when we can finish consideration of a bill, as we did last night by sitting until after 7:30. The Lilienthal nomination is now before us. So far as I now know nothing else will interrupt consideration of that nomination. The distinguished Senator from Michigan [Mr. VANDENBERG] has informed me that the Foreign Relations Committee desires to take up the matter of the Greek and Turkish loan on Monday, April 7. We therefore have all of next week to discuss the Lilienthal nomination. So far as I know nothing has developed to indicate that there is anything in the nature of a filibuster going on or an effort to delay, or anything but the desire on the part of Senators to make their statements as they wish to make them. Should it appear that there is likely to be some delay that would tend to carry it over until Monday of the following week, I should say that by the time we reach Wednesday we ought to meet Wednesday night and Thursday night. I hope we may avoid a session on Good Friday by such night sessions, if necessary. But if we cannot finish the Lilienthal matter by Thursday night, I think we shall have to meet Friday and Saturday of next week, notwithstanding the fact that we are so close to Easter. Our desire is to finish consideration of the Lilienthal nomination, but I see no reason why it should not be finished in the regular time of the Senate on Monday, Tuesday, Wednesday, and Thursday, if we can proceed without interruption. We now have it before us for full-time discussion.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. McMAHON. Of course it is spilled milk, or water over the dam, but I think the Senator might agree with me that it is too bad that this nomination was reported on March 10, and that we did not begin to discuss it until March 24. During the intervening two weeks we took the time to dispose of the Presidential tenure bill, which certainly did not have any particular urgency behind it. Certainly the portal-to-portal legislation could have waited until we got this vitally important matter out of the way.

Mr. TAFT. The Senator will remember that that bill was already the unfinished business of the Senate. The portal-to-portal bill was also here before the nomination. Unfortunately, as is so frequently the case, they took longer than we expected. But I think the Senate has worked as diligently as I have ever seen it work, and we have disposed of business as rapidly as possible.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. HICKENLOOPER. I should like to ask the Senator his opinion as to whether we can reach a vote this evening on the motion to recommit.

Mr. TAFT. My impression is that it ought not to be voted upon until the whole subject is debated. It is open to debate. I expect to make a speech on the Lilienthal nomination, and I should like to make it while this motion is pending. I see no reason why there should be a vote on the motion to recommit until the whole subject has been discussed by the Senate. That is my personal opinion. I am not speaking from the standpoint of party policy. I am only stating my own opinion. Personally, I would object to voting until I

have an opportunity to speak on the Lilienthal nomination.

Mr. HICKENLOOPER. I can see very many sound reasons for delaying a vote on the motion to recommit until Senators have had an opportunity to discuss the question and canvass the field. I asked the question merely to learn what the Senator thought, and to try to ascertain the anticipated program with regard to that motion.

Mr. TAFT. I believe that the sooner we cease discussing the program, which I think is clear, the sooner we can get on with the business in hand.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. LUCAS. The Senator spoke about the possibility of holding a session Friday and Saturday of next week, in the event we do not finish consideration of the pending business by Thursday night. I think that would interfere with the plans of certain Senators on this side of the aisle who are anticipating making Jefferson day speeches. I believe the Republicans recently made Lincoln Day speeches. We were very kind and considerate of Senators on the other side, and permitted Republican Senators to go over the country and spread the doctrine of Lincoln. We would like to have the opportunity to reciprocate by spreading a little Jeffersonian doctrine on Friday and Saturday. I think most of the banquets will be on Saturday night. If there is a possibility of holding a meeting on either Saturday, we would much prefer to hold it tomorrow.

Mr. TAFT. I see no reason why we should not finish the Lilienthal matter in 4 days next week, including two night sessions. I think the possibility of a Friday session might hasten the procedure next week. That is the only reason I suggested it. We certainly ought not to interfere with the education of the people which is contemplated by the minority leader and his friends.

Mr. LUCAS. I hope we can conclude by Thursday night, so that Senators may get away. Speaking for myself, any Jeffersonian speech I may make will have to wait a year if the Lilienthal nomination is not disposed of.

DEFICIENCY APPROPRIATIONS

Mr. BRIDGES. Mr. President, I ask unanimous consent, as in legislative session, for the present consideration of House joint resolution 159, which is a joint resolution to provide for certain deficiencies in appropriations for existing departments. Before the request is acted upon, let me say that I believe that with a moment's explanation I can satisfy the Senate that action on the joint resolution will require only a few minutes.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 159) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire?

Mr. McMAHON. Mr. President, reserving the right to object, I ask the Senator from New Hampshire if the bill was unanimously favorably reported from the Committee on Appropriations?

Mr. BRIDGES. It was.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. BRIDGES. Mr. President, this is a simple joint resolution to provide deficiency funds to take care of the increased salaries which the Congress voted for the various departments of government last year. It does not apply to all the departments of Government. It applies to all of them as to which there is no question. The remaining departments, as to which there may be some question, will be taken care of in a later measure.

The principal items are in the Post Office Department, the Veterans' Administration, the Judiciary, the Federal Works Agency, the District of Columbia, the legislative branch, and various independent agencies. I do not believe that Senators will find anything in the joint resolution except provision for the deficiency in carrying out the act of Congress which provided for the pay increases last year. The House checked the items very thoroughly, and we have checked them. I can see no reason for delaying action. Unless we do our part the March 31 pay roll cannot be met.

The PRESIDING OFFICER. The joint resolution is before the Senate and open to amendment. If there be no amendments to be proposed, the question is on the third reading and passage of the joint resolution.

The joint resolution (H. J. Res. 159) was ordered to a third reading, read the third time, and passed.

ATOMIC ENERGY COMMISSION—NOMINATION OF DAVID E. LILIENTHAL

The Senate resumed the consideration of the nomination of David E. Lilienthal to be a member of the Atomic Energy Commission.

Mr. KNOWLAND. Mr. President, I do not believe that any problem has ever come before the Senate which is more important than is the confirmation of the nominations of the members of the Atomic Energy Commission. I wish to say that my distinguished colleague the junior Senator from Ohio [Mr. BRICKER] was a very regular attendant at all the meetings of the committee. He examined the facts, as the rest of us endeavored to do, in the hearings which extended over a period of 6 weeks. During that entire time the members of the committee held almost daily sessions, at which they had an opportunity to examine witnesses and listen to the evidence. To date there have been presented to the Senate substantially no facts which were not brought to the attention of the nine members of the Senate Section of the Joint Committee on Atomic Energy.

Mr. HATCH. Mr. President, will the Senator yield? I ask the Senator if he is willing to yield to me for the purpose of suggesting the absence of a quorum. The Senator is a member of the committee, and has been present throughout the hearings; and I consider that what he has to say is most important.

Mr. KNOWLAND. I yield for that purpose.

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	Murray
Ball	Hawkes	Myers
Barkley	Hayden	O'Conor
Brewster	Hickenlooper	O'Daniel
Bricker	Hill	O'Mahoney
Bridges	Hoey	Overton
Brooks	Holland	Pepper
Buck	Jenner	Reed
Bushfield	Johnson, Colo.	Revercomb
Butler	Johnston, S. C.	Robertson, Va.
Byrd	Kem	Russell
Cain	Kilgore	Saltonstall
Capehart	Knowland	Smith
Capper	Langer	Sparkman
Chavez	Lodge	Stewart
Connally	Lucas	Taft
Cooper	McCarthy	Taylor
Cordon	McClellan	Thomas, Okla.
Donnell	McFarland	Thomas, Utah
Downey	McGrath	Thye
Dworshak	McKellar	Tobey
Ecton	McMahon	Umstead
Ellender	Magnuson	Vandenberg
Ferguson	Malone	Watkins
Flanders	Martin	Wherry
Fulbright	Maybank	Wiley
George	Millikin	Williams
Green	Moore	Wilson
Gurney	Morse	Young

The PRESIDING OFFICER. Eighty-seven Senators having answered to their names, a quorum is present.

Mr. KNOWLAND. Mr. President, as I pointed out, to date there has been presented to the Senate of the United States no substantial evidence in addition to what had been presented to the Senate section of the Atomic Energy Joint Committee. That committee, consisting of five members of the majority and four members of the minority, after hearing the facts, by a vote of 8 to 1 voted to report favorably on the question of confirmation of the nomination of David E. Lilienthal to be Chairman of the Atomic Energy Commission.

Mr. President, it has been rightfully said that the Government and the people of the United States have a vast interest in the field of atomic power. Not only have they expended over $2,000,000,000 in the development of this vast new force; but in our hands, I firmly believe, we hold the future of civilization. Through the use of atomic power we can either benefit mankind or we can destroy civilization as we know it. The sands of time are running out.

About a year ago, Mr. President, as a member of the War Investigating Committee, I had the opportunity of seeing Nagasaki, where the second atomic bomb had been dropped. During the period of the war I had seen a great deal of destruction in England, France, and Germany; but I say to you that I had never seen such destruction as that which had taken place at Nagasaki. The entire community looked as if it had been put

through a coffee grinder and the remainder scattered over the landscape.

So, Mr. President, we have a tremendous responsibility. I believe that the Senate and the House of Representatives recognized that we were dealing with a new force and a new power, the like of which mankind had never known before, and that consequently we had to deal with it in a different way than we had ever dealt with any other great problem facing our Nation at any other time in our history. So, the Congress passed the Atomic Energy Control Act.

There are some persons who have a great fear—and quite correctly so—of expanding Government ownership and control. Yet, the Senate, by unanimous vote, as I recall, recognizing that we had let out of the bottle a genie which never in our lifetime or that of our children will it be possible to get back into the bottle, recognized that the field of atomic power would, of necessity, have to be handled by the Government, and by Government alone.

I desire to call attention to some of the language contained in the Atomic Energy Control Act. I read now from page 1 of Public Law 585:

> A program for Government control of production, ownership, and use of fissionable material to assure the common defense and security and to insure the broadest possible exploitation of the fields.

A little later in the same Atomic Energy Act, we find the following, on page 5:

> Ownership of production facilities: The Commission, as agent and on behalf of the United States, shall be the exclusive owner of all facilities for the production of fissionable materials, other than the facilities which (a) are useful in the conduct of research and development activities in the field specified in section 3; and (b) do not in the opinion of the Commission have a potential production rate adequate to enable the operator of such facilities to produce within a reasonable period of time a sufficient quantity of fissionable material to produce an atomic bomb or any other atomic weapon.

So, Mr. President, the act itself, as passed unanimously by this body, recognizes that in the very nature of things the Government itself must be the controlling agency in this field.

Mr. President, ample safeguards are provided. The Commission cannot surrender the so-called secrets of atomic energy to any other nation on the face of the earth without first having the specific approval of the Congress of the United States. I quote from section 8, on page 11, of the Atomic Energy Act. It specifically states as follows:

> Definitions: As used in this act, the term "international arrangement" shall mean any treaty approved by the Senate or international agreement hereafter approved by the Congress during the time such treaty or agreement may be in full force and effect.

Mr. President, it so happens that Mr. Lilienthal has perhaps had as much background in the field of atomic power as any nonscientific man has had. He was a member of the committee which drafted the so-called Lilienthal-Acheson report which furnished the foundation for the proposal by Mr. Baruch, our representative to the United Nations, for the so-called Baruch plan for the international control of atomic energy.

We must constantly keep in mind the fact that this is no secret which we as a people can lock in a safe-deposit box and then feel secure. This is something which we have developed, but which, if given time and industrial capacity and the necessary resources, other nations can develop. The only thing we have now that the other powers do not have is an element of time. It may be 2 years, it may be 5 years, or it may be 10 years; but it is almost as certain as the fact that we sit here or stand here on the floor of the United States Senate, that somewhere in between those limitations, other nations will have developed atomic energy. Unless we are able during that period of time to provide an adequate type of international control over atomic energy, then neither we nor our children nor our children's children will ever spend a tranquil night. In the atomic age in which we live the Pearl Harbor of the future will not be an attack upon a few sitting-duck warships in a distant Pacific harbor, but a simultaneous rocket, guided-missile atomic attack upon every communications center and every industrial center in the United States, on the same day, and perhaps at the same instant.

That is the type of power and force with which we deal here, and, as my able colleague, the Senator from Iowa [Mr. HICKENLOOPER] has pointed out, this matter is so important not only to the American people, but to civilization itself, that we dare not postpone a decision on the question.

Mr. President, when we recognize that here we have a power which cannot be kept permanently a secret, we must of course understand why some type of international control is necessary. Our representative, Mr. Baruch, presented a plan to the United Nations which has, of course, not yet been accepted.

I wish to say to the Members of the Senate that, insofar as I am concerned, unless we can establish adequate safeguards; unless we can have a system of international inspection and control with no loopholes in it; unless we can make sure that the Commission, having found a violation, can bring the full weight of the United Nations, which we hope by that time will have an adequate military force at its disposal, against the aggressor nations—and certainly we will never have that assurance as long as the veto exists, in its present form, in the United Nations organization—until and unless we have those adequate safeguards, I am unalterably opposed to the surrender of the secrets of atomic energy to any other nation on the face of the earth.

As President Cleveland once said, a condition, and not a theory, confronts us. Other nations do have information. I do not know how many Senators have had the opportunity to see the report of the Canadian Royal Commission. If you have not had a chance to read it and study it, I wish every Member of the Senate would do so.

As long ago as March 28, 1945—and I quote, from page 447 of the Canadian Royal Commission report—a message went from spies in Canada to the Union of Soviet Socialist Republics. This is what the message said:

> Badeau informs me that most secret work at present is on nuclear physics (bombardment of radio-active substances to produce energy). This is more hush-hush than radar and is being carried on at the University of Montreal and at McMaster University at Hamilton. Badeau thinks that Government purchasing of radium-producing plant is connected with this research.

Mind you, Mr. President, this was in March 1945.

I sat through a number of sessions of the Senate section of the joint committee when the senior Senator from Tennessee [Mr. MCKELLAR] told how, as chairman of the Committee on Appropriations of the Senate, he had been let in on this very top-secret information, and what was going on at Oak Ridge in the development of atomic power. As far as most Government officials in this country were concerned, as far as most of the American people were concerned, they did not know of this activity until the first bomb dropped on Hiroshima. But in this message it is shown that Soviet agents were on the 28th of March 1945, familiar with certain activities.

Then a few pages later I find this very disturbing information. I quote from page 450. This is what is said in paragraph 2, another message which was passed between espionage agents:

> Alec handed over to us a platinum with 162 micrograms of uranium 233 in the form of oxide in a thin lamina. We have had no news about the mail.

So that at least one other power has some samples of uranium.

This development of atomic power is of tremendous and vital importance to us. If I had had any remote idea that any of the members of the Atomic Energy Commission proposed by the President of the United States were Communists, were Communist sympathizers, or were fellow travelers I would not for an instant have voted in the committee, nor would I, in the Senate of the United States, vote for the confirmation of any such person But after listening to the testimony, after examining the witnesses for a period of 5 or 6 weeks, I wish to say to the Senator that in good conscience I could not have voted in any other way than to confirm the Presidential nominees.

Mr. SALTONSTALL. Mr. President, will the Senator yield, or would he prefer not to yield?

Mr. KNOWLAND. I prefer to continue.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. KNOWLAND. Mr. President, this situation, of course, should cause the Senate of the United States to examine the facts. Men may honestly differ in committees or on the floor of the Senate, but I say that in my opinion there is not one iota of evidence presented to the Senate section of the Atomic Energy Committee which directly or indirectly made out that Mr. Lilienthal, or any of the other nominees of the President

of the United States, was a Communist, a Communist sympathizer, or a fellow traveler in any degree.

A great deal of evidence did come before the committee from reputable witnesses relative to the ability and the integrity of the various officials. I desire to read just a few bits of the testimony into the RECORD at this point.

Mr. Baruch, who, as I have pointed out heretofore, was a representative of this Government in dealing with this vital subject in the United Nations organization, said this:

Mr. Lilienthal I have known for some time, and I think he is a well-qualified man. He is a man of prodigious energy, of driving force. I think sometimes that in his conception of his duty he drives exceedingly hard; and sometimes he perhaps makes enemies or creates misunderstandings.

Then take the evidence of Mr. Owen D. Young.

Mr. BRICKER. Mr. President, will the Senator yield for a question?

Mr. KNOWLAND. I yield.

Mr. BRICKER. I think there were introduced into the CONGRESSIONAL RECORD some newspaper editorials or reports, at least statements by columnists, that Mr. Baruch had privately said that he was not favorably inclined toward Mr. Lilienthal, and did not recommend him. I am not stating that as my own statement, because I do not know. I did read that in the newspapers, and I think it is in the RECORD. Does the Senator know anything about it?

Mr. KNOWLAND. I will say categorically to the Senator from Ohio that Mr. Baruch made no such statement in the executive session of the Senate section of the Atomic Energy Committee. I was there when Mr. Baruch was before the committee, and there was no indication, directly or indirectly, that he felt any differently in executive session from the way he had testified in the public session.

Mr. BRICKER. I was at both those sessions also, and I agree with the distinguished Senator exactly, but I was referring to what has been said in the press and has been introduced into the CONGRESSIONAL RECORD. I have never talked to Mr. Baruch about it. I am wondering if the Senator has any information along that line.

Mr. KNOWLAND. I have no information along that line.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Connecticut.

Mr. McMAHON. The Senator from California has been kind enough to yield to me, and I can enlighten the Senator from Ohio on that very subject. I anticipated, when I saw that the Senator from Tennessee was putting into the RECORD a series of ten articles from the pen of one Frank Waldrop—

Mr. BRICKER. Those are the ones I think I saw in the RECORD.

Mr. McMAHON. Originally they appeared serially in the Times-Herald. He made the statement that Baruch had stated one thing publicly, another thing on the quiet, and that he was making statements contrary to what he told us. I wrote Mr. Baruch a letter, in which I pointed this out to him, and said to him, "Now, of course, I know it is ridiculous, but nevertheless, since it has been put in the RECORD by the Senator from Tennessee, I think your answer ought to be in the record."

Mr. Baruch answered me, and I placed his reply in the record, in which he said, "Of course, it is absurd; I have not said anything privately but what I said publicly."

Mr. BRICKER. I did not see the letter.

Mr. McMAHON. That is the answer. I thank the Senator.

Mr. KNOWLAND. I now take the telegram from Mr. Owen D. Young, which is in the record, at page 795. This is what Mr. Young has to say:

Because of my interest in public utilities, I became acquainted with David Lilienthal nearly 20 years ago. I regarded him as an adversary, and so naturally watched him with a critical eye. Because of my interest in the international problems of this Nation, I have also watched Lilienthal's work in the atomic field.

As a result, I wish to say that he is a man of clear vision, of executive ability, of firmness and unquestionable loyalty, and in a unique position to serve effectively in the position for which the President has nominated him.

I wish to say to the Senators present that throughout this entire record, as they will find if they will take the trouble to read it, is testimony of men of the caliber of Mr. Young, Mr. Baruch, and a whole host of others, who testify substantially the same way.

I also desire to point out that one of the charges made against Mr. Lilienthal in particular is due to the fact that when he was Chairman of the TVA there was some communistic activity in that organization. I do not condone such activity in that or any other organization, but I wish to point out in all fairness, that the testimony shows that at that time, as I recall, there were from 15,000 to 18,000 employees in the TVA. During that period of time the so-called Dies Committee on Un-American Activities went there to make an investigation. There appeared before us in person to testify Mr. Joe Starnes, a former Member of the House of Representatives, who was chairman of the subcommittee which made the investigation. He appeared before us, and at this point in the RECORD I wish to read some of the testimony:

The most optimistic reports of the party's activities in that area were filed by Mr. Ted Wellman, the secretary of the party for the State.

That is, the State of Tennessee.

In 1937 he said there were 55 Communists in the Knox County area—

Now, listen to this—

that seven of them were employed by the TVA.

Mind you, just seven of them found by the Committee on Un-American Activities in an organization of from 15,000 to 18,000 people!

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. FERGUSON. I should like at this point to ask the able Senator from California if there was anything in the record, or if anything was called to the attention of the committee, indicating that there were 45 names of people alleged to be left wingers or of that type, ever sent to the Board of Directors of the TVA? Has the Senator any knowledge as to the 45 names that were sent and as to whether or not only one of those names was ever investigated, and that that person was not removed from the list, and so far as known, the other 44 were not investigated? Is there such knowledge?

Mr. KNOWLAND. I have no such knowledge, so I cannot answer the Senator's question from first-hand information.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. KNOWLAND. I decline to yield at this time.

I am glad the Senator from Michigan asked that question, for the reason that one witness who appeared before our committee took the position that if a finger of suspicion were pointed at anyone he should automatically be eliminated from consideration. On the day on which that witness so testified I raised the point that that was a very dangerous doctrine for us to agree to or to follow in this country. I need only state that the finger of suspicion can be pointed by any anonymous person at any one of the 96 Members of the Senate of the United States, or at any reputable person in the United States, and if, because the finger of suspicion has been pointed by anonymous people, or otherwise, a person is for that reason to be condemned, then we have gone a long way down the road to abandoning our normal concept of fair play and American constitutional government.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. FERGUSON. Apparently the Senator misunderstood the Senator from Michigan. This was not an anonymous communication. This was a communication from the Department of Justice of the United States of America. I used the term "another agency." This was not merely someone's imagination. This was sent to them for investigation.

Mr. KNOWLAND. The Senator from Michigan may have some additional information that the Senator from California does not have.

Mr. HICKENLOOPER. Mr. President, will the Senator yield to me on that point?

Mr. KNOWLAND. I yield.

Mr. HICKENLOOPER. I believe—and the Senator from Michigan may correct me if I am wrong—I believe what the Senator from Michigan is referring to is an allegation that the Department of Justice at one time sent the names of 45 persons to the Board of Directors of TVA, under the allegation, not necessarily by the Department of Justice, but under the suspicion that the 45 persons were violators of the Hatch Act. I do not believe the allegation went to the question of communistic tendencies, or anything of that sort. That is my under-

standing of the incident to which the Senator was referring.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. FERGUSON. I see the able Senator from New Mexico [Mr. HATCH] in the Chamber, and I would like to ask him the date of the Hatch Act in relation to subversive activities.

Mr. HATCH. I would like to answer the question of the Senator. I believe the provision as to such activities was in the second bill which as passed, if my recollection is correct, in 1939 or 1940; it was about then. I have not looked at it lately.

Mr. FERGUSON. I would also like to ask the able Senator from New Mexico whether that act does not require that such names be sent in for investigation.

Mr. HATCH. No; it does not. All it does is to require that any person in the Federal Government who is affiliated with any organization which seeks the overthrow of our form of government be discharged, and that no appropriation be made to pay for his services.

Mr. FERGUSON. That is correct. Will the Senator from California yield for one moment on that point?

Mr. KNOWLAND. I yield.

Mr. FERGUSON. This was in July 1941, so it would be in compliance with the Hatch Act that those names were sent in.

Mr. HICKENLOOPER. Mr. President, will the Senator yield to me for a comment?

Mr. KNOWLAND. I yield.

Mr. HICKENLOOPER. I may say to the Senator from Michigan that I was under a misconception with respect to the allegation in question. I was under the impression that the violations of the Hatch Act alleged against these 45 individuals consisted of what we might call pernicious political activities. I am at a loss on that point. I can add nothing to the discussion of it.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. HATCH. I feel quite sure that the Senator from Iowa is correct, because most of the charges respecting violation of the Hatch Act relate to pernicious political activity. There are many sections of the act, including the ones relating to subversive activities, which have never been mentioned. But I think the Senator from Iowa is absolutely correct in his statement.

Mr. FERGUSON. Mr. President——

Mr. KNOWLAND. I do not mean to be discourteous to my good friend, the Senator from Michigan, but I should like to move on.

Mr. FERGUSON. If I may have just a moment to make the RECORD clear, I should like to say that these charges were made under the subversive section of the act.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Alabama, and then I must decline to yield further.

Mr. SPARKMAN. I call attention to the fact that the investigation by the Dies committee was made in the summer of 1940, and Mr. Starnes testified that at that time an affidavit with respect to subversive activities was not required. Furthermore, so far as that matter is concerned here is a direct quotation from Mr. Starnes, if I may be permitted to read it. It is found on page 220 of the hearings before the Committee on Public Works of the Senate of the nomination of Gordon R. Clapp to be a member of the Board of Directors of the Tennessee Valley Authority. Mr. Starnes testified similarly in the Lilienthal hearing, but I happen to have the testimony of Mr. Starnes in the Clapp hearing before me. I quote from Mr. Starnes as follows:

> We found very little communism, or evidence of communism, in the Knox County area. According to the report of a Communist organizer, Kenneth Malcolm by name, who was not a native, only 55 members of the Communist Party were claimed by him in the Knox County area and only 7 were employed by TVA as of September 1, 1937. This information was contained in his report to the southern conference of the Communist Party in Chattanooga on September 11 and 12, 1937. He said there were only 55 in the entire area, 33 in the city of Knoxville, 15 over at Mascot, and 5, I believe it was, in Norris, and 2 in Maryville.
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> * * * * *
>
> A few underlings were found who did have at one time membership in the party. The Communist organizer himself, Mr. Malcolm, stated there were only 7 members in the TVA, 4 men and 3 women.

If the Senator will yield further I should like to say that the distinguished Senator from Michigan in his remarks the other day stated that when this matter was called to Mr. Lilienthal's attention he did absolutely nothing about it. As a matter of fact the record very clearly shows that Mr. Gordon Clapp, I believe it was, submitted the matter to the Board of Directors, and the Board of Directors authorized him to submit it to the Dies committee. Mr. Clapp wrote a long letter telling exactly what had been done and what the TVA proposed to do, and Mr. Starnes testified in the Clapp hearing, and, I believe, in the Lilienthal hearing, that the Dies committee was satisfied with what had been done.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. KNOWLAND. I should prefer not to at this time.

Mr. HATCH. I wanted to put something in the RECORD in answer to the Senator from Michigan.

Mr. KNOWLAND. Very well; I yield.

Mr. HATCH. The first Hatch Act was passed in August 1939. That act, I am quite sure, if my recollection does not fail me, did not include the paragraph to which the Senator refers. I think that was in the second act, which I believe was passed in 1940. At any rate, between now and the time the debate closes I shall look up the exact dates and place them in the RECORD.

Mr. KNOWLAND. Mr. President, as I pointed out before, and as the testimony by Mr. Starnes showed, there were but seven members of the Communist Party found in the TVA, and the able junior Senator from Alabama has pointed out that the Board did take action on those cases.

I wish to say to the Senate that I believe that if the situation existing in industrial establishments of all kinds, under the American system of free enterprise were carefully checked, establishments having perhaps half as many or perhaps a tenth as many employees as did the TVA, there might be found similar cells of seven Communist members.

As I pointed out before, I do not minimize the situation. I do not say it should be overlooked. I believe that any organization which finds activity of that kind going on should take prompt action, just as the President of the United States recently has indicated that Government departments should take action to clean out activity of that kind, regardless of how small the cell might be.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I must decline to yield at this time. But I do not believe that on that basis, when out of 18,000 or 15,000 employees there were found only seven who were Communists, Mr. Lilienthal should be disqualified for this position. It seems to me that we should examine the record of the man. It is not necessary to see eye to eye with an individual in all his thinking, economic or political, to recognize the fact that the man has tremendous ability and, I believe, deep patriotism. If there were any specific charge that he was disloyal to the Government of the United States, that he was disloyal to the Constitution of the United States, that would be an entirely different situation. To the best of my knowledge no such charge has ever been made. He has been charged with being arbitrary, of doing certain things in the TVA which certain Members of the Senate take, to borrow a British expression, a rather dim view of. But I want to point out the fact that what Mr. Lilienthal did in the TVA was within the laws passed by the Congress of the United States.

There has been much discussion about this situation on the floor of the Senate, but I wish to read several paragraphs from the Tennessee Valley Authority Act. First, to get the general scope and the general philosophy behind it, I read from the act as follows:

> That for the purpose of maintaining and operating the properties now owned by the United States in the vicinity of Muscle Shoals, Ala., in the interest of the national defense and for agricultural and industrial development, and to improve navigation in the Tennessee River and to control the destructive flood waters in the Tennessee River and Mississippi River Basins, there is hereby created a body corporate by the name of the Tennessee Valley Authority (hereinafter referred to as the Corporation). The board of directors first appointed shall be deemed the incorporators, and the incorporation shall be held to have been effected from the date of the first meeting of the board. This act may be cited as the Tennessee Valley Authority Act of 1933.

Let us see some of the powers given by the Congress of the United States by statutes passed by both Houses of the Congress and signed by the President of

the United States in the normal constitutional American way of enacting legislation under our system of government. We have heard criticism that he has not followed the civil-service rules as applied to the rest of the Government. But what does the act itself say. Let me read from the act, section 3:

The Board—

Speaking now of the TVA Board—

The board shall without regard to the provisions of civil-service laws applicable to officers and employees of the United States, appoint such managers, assistant managers, officers, employees, attorneys, and agents, as are necessary for the transaction of its business, fix their compensation, define their duties, require bonds of such of them as the board may designate, and provide a system of organization to fix responsibility and promote efficiency. Any appointee of the board may be removed in the discretion of the board. No regular officer or employee of the corporation shall receive a salary in excess of that received by the members of the board.

So the Congress of the United States itself gave to the TVA Board the power which some Members of Congress now question that it should have. Mr. Lilienthal was administering an act which Congress passed. If anyone has any doubts—and there may well be reasonable doubts as to whether any Government corporation should be free from civil-service laws—then under our constitutional representative system of government it is the obligation of the Congress, or of any Member who so believes, to attempt to change the law. We should not blame the man who was administering the law passed by the Congress.

I should like to read another section of the act. There has been some criticism of the fact that certain fertilizers were delivered free of charge. Let us read from the act itself. I read from page 4, paragraph (e):

(e) Under the authority of this act the board may make donations or sales of the product of the plant or plants operated by it to be fairly and equitably distributed through the agency of county demonstration agents, agricultural colleges, or otherwise as the board may direct, for experimentation, education, and introduction of the use of such products in cooperation with practical farmers so as to obtain information as to the value, effect, and best methods of their use.

For a number of years I had heard a great deal about the TVA. I had read considerable about the TVA, but I had never had the opportunity of seeing the TVA in operation. Last November I happened to be in Washington. I went to the Tennessee Valley at my own expense. I decided I would have a look at the TVA.

I spent approximately a week down there, meeting and talking with employees of the TVA organization, and going into various communities in Alabama and Tennessee and holding discussion with farmers, businessmen, chambers of commerce, and ordinary citizens and workers to get their ideas as to how the project was operating.

There has been some misconception that this was a vast experiment in state socialism, that it was trying to control the local government, that it was trying to supplant the American system of free enterprise with some kind of state socialism. I wanted to see for myself whether that was true. As I say, I talked with persons in all walks of life, and I returned from that trip convinced that, far from being an effort at state socialism, or an attempt to foist a different system upon an unwilling locality or unwilling American citizens in private enterprise, this was the greatest stimulus to private enterprise, to small business, and to those who believe in the American system that this country has perhaps ever had.

I went into some of the communities which had suffered greatly from an economic point of view. I talked with persons who when the TVA had first been proposed, had been vigorously against it. Almost without exception the citizens with whom I came in contact in the Tennessee Valley said that this had been a great boon to private enterprise; that communities which had been almost destitute had come back to life; that new flour mills, factories, and various other industries had come in, and that the people were going to work in new jobs.

This investment of capital was not placed in those localities by the TVA or any governmental agency. Far from it. It was American capital, free enterprise capital, capital raised in the localities, or from outside the localities, by people who recognized the fact that there in the Tennessee Valley was an opportunity to make an investment in the future of America.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. HATCH. I rise to remark that the Senator is making a very important address. Very few Senators are present to listen to him. I do not wish to suggest the absence of a quorum. I am wondering if we could not take a recess until Monday, when other Senators could hear him. A moment ago I spoke with the Senator from Nebraska [Mr. WHERRY], who understands the situation. I ask him for his assistance. Does not the Senator from Nebraska feel that something could be done?

Mr. WHERRY. Mr. President, I agree with the observation of the distinguished Senator from New Mexico. This is a very important speech, and Senators should all hear it.

Not more than an hour ago I announced that we would continue in session this evening to see what progress we could make. I did not announce the exact hour when we expected to take a recess. I spoke to the able Senator from California [Mr. KNOWLAND] and asked him if he would rather speak tonight or wait until Monday. He said he would like to finish tonight. So I had made up my mind that we would continue in session until the conclusion of his speech this evening. I have told many Members of the Senate that when that time arrived we would take a recess until Monday.

Mr. HATCH. I feared that that was the exact situation. Senators on both sides of the aisle have been told that nothing further will be done this evening, and they have gone to their respective homes and are missing the very fine and able address which the Senator from California is making. I do not wish to suggest the absence of a quorum, because I do not know whether there would be any more Senators present at the conclusion of a quorum call than there are now. What does the Senator from Nebraska suggest?

Mr. WHERRY. Mr. President, I should like to continue in session until 6 o'clock. At that time if the distinguished Senator from California wishes to suspend, I shall be glad to move a recess until Monday, and he can complete his address at that time.

Mr. HATCH. Mr. President, it is now nearly 6 o'clock. I am sure the Senator from California is modest, and would probably say "No; I will go ahead and finish tonight." But why not take a recess now, and let the Senator from California resume his speech on Monday?

Mr. WHERRY. I am not in a position to make a deal with the Senator from California. I had hoped that we might remain in session until 6 o'clock. Only a short time ago, when the Senator from New Mexico was not present, I was told by Members on the other side of the aisle that they wished to continue in session until a late hour. They wished to have night sessions and sessions on Saturday so as to complete consideration of the unfinished executive business. Now, within less than an hour, we have an unusual request to take a recess at this time.

I agree with the Senator from New Mexico that the Senator from California is making an important speech. All Senators ought to hear it. However, it was the acting minority leader who forced me to say what we expected to do. I have an idea that if I had not been forced to state the program we would have continued in session this evening. Senators would have remained in their seats, and we would not have the trouble we are now experiencing. That is the difficulty we always experience when we make an announcement at half past four in the afternoon as to what the plan is.

Would the Senator from California like to complete his speech now, or would he prefer to continue on Monday?

Mr. KNOWLAND. Mr. President, I am perfectly agreeable to finishing now. I am not sure that I would have a larger audience on Monday than I have now. I am perfectly willing to continue.

Mr. WHERRY. I wish the RECORD to show that I should like to comply with the distinguished Senator's request. I agree with every word he has said.

Mr. HATCH. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. HATCH. Would the Senator be willing to resume his speech on Monday, so that the Senate may take a recess at this time? If there is any question as to responsibility on the part of the acting

majority leader, I will say for the RECORD that at the request of the minority leader I am acting in his place, and I will take full responsibility for requesting a recess at this time in order that the Senator from California may be heard at a later date.

Mr. WHERRY. I wish to cooperate with Senators who are interested in the confirmation of the nomination of Mr. Lilienthal, and if it is agreeable to the distinguished Senator from California I shall move in a few moments a recess until Monday. There is some other business to be taken up at this time.

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the Speaker had affixed his signature to the enrolled joint resolution (H. J. Res. 159) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, and it was signed by the President pro tempore.

TERMINATION OF WAR POWERS AND CONTROLS UNDER SECOND WAR POWERS ACT—ADDITIONAL CONFEREES

Mr. WILEY. Mr. President, Senate bill 931, to extend certain powers of the President under title III of the Second War Powers Act, is now in conference. I ask unanimous consent that the Senator from Washington [Mr. MAGNUSON] and the Senator from Missouri [Mr. DONNELL] be appointed additional conferees on the part of the Senate.

The PRESIDING OFFICER. Without objection, the Chair appoints the Senator from Missouri [Mr. DONNELL] and the Senator from Washington [Mr. MAGNUSON] additional conferees on the part of the Senate.

AMENDMENTS TO SENATE RULES

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Illinois.

Mr. BROOKS. I ask unanimous consent to present for immediate consideration four resolutions which were unanimously approved by the Committee on Rules and Administration.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. BROOKS. From the Committee on Rules and Administration, I report an original resolution, and ask unanimous consent for its present consideration.

There being no objection, the resolution (S. Res. 100) reported by Mr. BROOKS from the Committee on Rules and Administration, was considered and agreed to, as follows:

Resolved, That rule XXIX of the Standing Rules of the Senate, relating to the printing of papers, be, and it is hereby, amended by striking out the words "Committee on Printing", where they occur in paragraphs 1 and 2, and inserting in lieu thereof the words "Committee on Rules and Administration."

Resolved, That rule XXXIV of said standing rules, providing for the regulation of the Senate wing of the Capitol, be, and it is hereby, amended by striking out, in the first line of paragraph 2, the words "Committee on Rules" and in lieu thereof inserting the words "Committee on Rules and Administration."

Resolved, That the resolution of the Senate of January 6, 1898, relating to marble busts of Vice Presidents, included in the Standing Orders of the Senate, as shown on page 114 of the Senate Manual for 1945, be, and it is hereby, amended by striking out the words "Committee on the Library" and in lieu thereof inserting "Committee on Rules and Administration."

Resolved, That Senate Resolution 77, relating to payments from the contingent fund of the Senate in connection with inquiries and investigations, agreed to June 28, 1945, be, and the same is hereby, amended by striking out, where they occur in said resolution, the words "Committee to Audit and Control the Contingent Expenses of the Senate" and in lieu thereof inserting the words "Committee on Rules and Administration."

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON LABOR RELATIONS PROGRAM

Mr. BROOKS. Mr. President, from the Committee on Rules and Administration I report favorably, without amendment, Senate Resolution 93, and ask unanimous consent for its present consideration.

There being no objection, the resolution (S. Res. 93), submitted by Mr. TAFT on March 12, 1947, was considered and agreed to, as follows:

Resolved, That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Senate Committee on Labor and Public Welfare be, and is hereby, authorized and empowered to have printed for its use 1,000 additional copies of the hearings held before said committee during the Eightieth Congress on bills and joint resolutions relative to the labor relations program.

PRINTING AND DISTRIBUTION OF CERTAIN MATTER RELATING TO CONGRESSIONAL ACTIVITIES

Mr. BROOKS. Mr. President, from the Committee on Rules and Administration I report favorably, without amendment, Senate Joint Resolution 89, and ask unanimous consent for its present consideration.

There being no objection, the joint resolution (S. J. Res. 89) to provide for the printing and distribution of certain matter relating to congressional activities, authorized by section 221 of the Legislative Reorganization Act of 1946 to be included in the CONGRESSIONAL RECORD, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That section 221 of the Legislative Reorganization Act of 1946, as amended, is amended by inserting "(a)" after the section number, and by adding at the end of such section a new subsection as follows:

"(b) The Public Printer is authorized and directed under the direction of the Joint Committee on Printing, to print separately from the CONGRESSIONAL RECORD, and to make available for sale to the public at a price sufficient to reimburse the expense of such printing, the matter authorized under subsection (a) to be printed or incorporated in the daily RECORD. The money derived from such sales shall be paid into the Treasury and shall be accounted for in the annual report of the Public Printer."

ATOMIC ENERGY COMMISSION—NOMINATION OF DAVID E. LILIENTHAL

The Senate resumed the consideration of the nomination of David E. Lilienthal to be a member of the Atomic Energy Commission.

Mr. MORSE. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I shall be glad to yield to the Senator in order to place something in the RECORD or to make an explanation, but I do not wish to lose the floor.

Mr. MORSE. The Senator will not lose the floor.

Mr. WHERRY. Mr. President, will the Senator from California yield for a moment?

Mr. KNOWLAND. I yield.

Mr. WHERRY. I ask unanimous consent that when the Senate reconvenes on Monday, the distinguished Senator from California may have the floor in executive session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I think the Senator was in the process of making one of the best-reasoned speeches I have heard on the floor of the Senate in this session of Congress, and I wish to give him my very sincere commendation for the contribution which I think he is making to the Lilienthal case. I hope that at the opening of the session on Monday, when the Senator takes the floor again, he will summarize for the benefit of the Senate the major points which he has made in his speech, because I think he will find that if the other Members of the Senate take the time really to grasp the implications of his speech it will have a good effect on the Senate.

Mr. KNOWLAND. I thank the Senator.

CONSERVATION AND DEVELOPMENT OF RESOURCES OF THE PACIFIC NORTHWEST

Mr. MORSE. I wish to take only a minute or two to call attention to a very serious situation which exists in the Pacific Northwest, about which I shall have much to say as the Eightieth Congress progresses. I refer to the development of the power resources of the Pacific Northwest; to the reclamation program, soil conservation, and the flood-control program; to the whole question of preserving national wealth and supporting projects which will create new national wealth, which will provide employment, with resulting tax dollars, without which we cannot reduce the enormous national debt which is threatening the stability of our country.

I am very much concerned about actions which are being taken on the House side in regard to appropriations, as those actions affect the job which ought to be done of providing for wealth-creating projects, for which increased appropriations are required. So far as my record in the Eightieth Congress is concerned, I intend to serve notice from my side of the Senate as to the type of action which is being taken on the House side with relation to wealth-creating developments in the Pacific Northwest. I want the people of the Pacific Northwest to know at all

times where the responsibility rests for this action. I feel that as a result of the action taken in the Eightieth Congress, great projects which are needed for the development of that section of the country, and, for that matter, for the benefit of the economy of the entire Nation, are being thwarted.

The responsibility in the last analysis must rest upon the majority party in the Eightieth Congress, which happens to be the Republican Party. I want the people of the Pacific Northwest to know that as the campaign of 1948 starts, because if my party becomes responsible for stifling and preventing the development of needed and wealth-producing projects, then it is not entitled to the votes of the people of the Northwest in the 1948 campaign; and, in my judgment, it will not win the campaign in 1948 without the votes of the Northwest.

I shall put the economic welfare of my country at all times above any political advantage to my party. By so doing I shall serve my party best, because if it has to learn the hard way, if it has to learn that once the American people begin to realize the effect of that program on the economy of this country it cannot go forward with the type of fiscal policy which I think the House is giving every indication that it intends to follow, I want to help to bring that realization about.

I hope that my party will come to its senses and appreciate the necessity of going forward with these wealth-creating projects and understand the importance of separating in the national budget items which concern the administration of government, with regard to which I think we can make drastic cuts and great economies, and should make them, and avoid making cuts in appropriations for such important projects as McNary Dam, Foster Creek, Hungry Horse, and the reclamation projects in Washington and Oregon and the Pacific Northwest in their totality, including the flood-control program in the Willamette Valley.

Mr. President, I say that if my party cannot see the importance of going forward with those projects, then it does not deserve the votes of the people of Washington and Oregon in the 1948 campaign. In that campaign I shall not hesitate to place the responsibility for any loss that is suffered by that section of the country because of the fiscal policies of the Republican Party in the Eightieth Congress.

So, Mr. President, I now introduce into the RECORD, as a part of my remarks, resolutions adopted by the Council of the City of Portland, Oreg., in regard to the need for the development of greater power resources in that section of the country in order to meet the great industrial needs of the Pacific Northwest. I ask to have the resolutions printed at this point in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

STATE OF OREGON,
COUNTY OF MULTNOMAH,
City of Portland, ss:

I, Will E. Gibson, auditor of the city of Portland, do hereby certify that I have compared the following copy of Resolution 23191, urging the Eightieth Congress of the United States to approve appropriations sufficient to construct additional electric power projects on the Columbia River and its tributaries with a generating capacity, by November 1, 1949, of 318,000 kilowatts over and above the 745,000 kilowatts of generating units now on order, and with a generating capacity of 1,565,000 kilowatts by November 1, 1953, and to make these necessary appropriations available, as rapidly as possible, to the Corps of United States Army engineers and the Bureau of Reclamation, to the end that generators sufficient to supply 1,565,000 kilowatts of power by 1953 may be constructed, with the original thereof, and that the same is a full, true, and correct transcript of such original Resolution 23191 and of the whole thereof as the same appears on file and of record in my office, and in my care and custody.

In witness whereof, I have hereunto set my hand and the seal of the city of Portland affixed this 21st day of March 1947.

[SEAL] WILL E. GIBSON,
Auditor of the City of Portland.
By ELBERT G. ROFF,
Deputy.

"Resolution 23191

"Whereas additional multiple-purpose projects must be constructed on the Columbia River and its tributaries to maintain future supplies of electric power sufficient to maintain continued industrial, agricultural, and utility development in the Pacific Northwest; and

"Whereas the Federal Government, through congressional action, has assumed responsibility for the construction of such projects and existing generating capacity in the Northwest has already been fully utilized and present transmission lines of the Bonneville Power Administration are already approaching conditions of full load so that additional power cannot be delivered to load centers on these transmission lines; and

"Whereas the construction of adequate power generating and transmission facilities is necessary to a strong regional economy and to the further development of the State of Oregon, and particularly to the industrial growth of the city of Portland, Oreg., and the area adjacent thereto; and

"Whereas new Federal generating capacity in the amount of 318,000 kilowatts over and above the 745,000 kilowatts of generating units now on order will be required between now and November 1, 1949, to meet the present critical power supply problem and 1,565,000 kilowatts will be required to meet anticipated needs by November 1, 1953; and

"Whereas transmission line materials and equipment are still critically short in supply and an additional transmission line is needed to serve the heavy and immediate load of electric power required to meet the steadily increasing power demands of the Portland metropolitan area and Willamette Valley: Now, therefore, be it

"Resolved by the Council of the City of Portland, Oreg., That the Eightieth Congress of the United States be urged to approve appropriations sufficient to construct additional electric power projects on the Columbia River and its tributaries with a generating capacity, by November 1, 1949, of 318,000 kilowatts over and above the 745,000 kilowatts of generating units now on order, and with a generating capacity of 1,565,000 kilowatts by November 1, 1953, and to make these necessary appropriations available as rapidly as possible to the Corps of United States Army engineers and the Bureau of Reclamation, to the end that generators sufficient to supply 1,565,000 kilowatts of power by 1953 may be constructed; and be it further

"Resolved, That the request of the Bonneville Power Administration now pending before the Appropriations Committee of the House of Representatives for appropriations for backbone transmission facilities be made available to the Bonneville Power Administration on an annual and continuing basis which will be adequate to enable it to provide a means for the delivery of the necessary additional power to load centers in the region; and be it further

"Resolved, That in view of the public-agency preference of the Bonneville Act, the planning and subsequent appropriations for generation and backbone transmission of Federal power be based on careful engineering and commercial studies of the present and future needs of the Northwest region and that each regional load center in this region be provided with needed power facilities by the Federal agencies regardless of the ownership of the power-distributing agencies having the responsibility for providing service to the public in the regional load centers; and be it further

"Resolved, That the transmission line materials and equipment needed to construct the proposed 230-kilovolt line between Bonneville and Troutdale, which line is necessary to serve the steadily increasing power demands of the Portland metropolitan area and the Willamette Valley, be given priority and the 1948 appropriation be augmented so as to enable this transmission line to be constructed and in service not later than December of 1949; and be it further

"Resolved, That certified copies of this resolution be sent to the Honorable JOHN TABER, chairman, House Appropriations Committee; the Honorable ROBERT F. JONES, chairman, House Appropriations Subcommittee of the Interior Department; Senator GUY CORDON; Senator WAYNE MORSE; and Hon. HOMER D. ANGELL.

"Adopted by the council March 20, 1947.

"WILL GIBSON,
"Auditor of the City of Portland."

Mr. MORSE. Mr. President, before my friends in the House of Representatives proceed as we understand they intend to proceed—at least, judging from the reports appearing in the press—to take action regarding this feature of the Federal budget, I hope they will stop, look, and listen to the people of the Northwest and to their need for these projects.

Mr. President, I also submit, and ask unanimous consent to have printed at this point in the RECORD as a part of my remarks, resolutions on the same problem, which have been adopted by the Central Labor Council of the city of Portland, Oreg., and vicinity.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

CENTRAL LABOR COUNCIL OF
PORTLAND AND VICINITY,
Portland, Oreg., March 4, 1947.

Hon. WAYNE MORSE,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: The following resolution, which is self-explanatory, was adopted by unanimous vote of the Central Labor Council, of Portland, Oreg., at the last regular meeting held February 24, 1947:

"Whereas the critical power shortage in the Pacific Northwest requires the construction of additional transmission lines to areas, the power supply of which is dangerous deficient; and

"Whereas the continued operation and maintenance of the Federal transmission system under the jurisdiction of the Bonneville Power Administration is an absolute necessity if the power loads of the Northwest are to be met; and

"Whereas the continued industrial, agricultural, and economic development of the

Pacific Northwest is dependent to a large degree upon the availability of an adequate supply of low-cost hydroelectric power at points where power is needed; and

"Whereas a determined effort is being made in various quarters to force an increase of the wholesale rate of $17.50 per kilowatt-year now charged by the Bonneville Power Administration, in spite of the fact that it has been fully demonstrated that the project will pay all costs at the present $17.50 rate with many millions surplus to the Government besides: Now, therefore, be it

"*Resolved*, That the Central Labor Council does hereby go on record as favoring the appropriation of funds for the Bonneville Power Administration, Corps of Engineers, and the Bureau of Reclamation in amounts sufficient to permit operation and maintenance of existing Federal generating plants and transmission system, the development of new generation and the extension of the transmission system so as not to retard the economic growth of the Pacific Northwest and the creation of new opportunities and new jobs; and be it further

"*Resolved*, That we earnestly protest any increase in the present Bonneville wholesale rates since such increase would deprive the Northwest of the only natural advantage it now enjoys to at least partially compensate for the discriminating freight rates and other disadvantages it suffers; and be it further

"*Resolved*, That this resolution be sent to President Harry Truman, the Oregon delegation in the United States Congress, American Federation of Labor, Building and Construction Trades Department, State Federation of Labor urging their endorsement and support."

Sincerely,

GUST ANDERSON,
Secretary.

Mr. MORSE. Mr. President, I close this part of my remarks by saying again that in the 1948 campaign I wish to be in the position I was in during the 1946 campaign, when I went before the voters in a number of the States of the Union and told them that in my judgment if they really wanted to have sound economy stability of the United States, if they really wanted to have sound economy in Government, insofar as eliminating wasteful expenditures from the administrative side of Government was concerned, then they should put Republicans in the Congress of the United States. In the 1948 campaign I wish to be in a position to make the same arguments to the voters. But I serve notice on my party today that if they go forward with the type of fiscal policy which I think is emanating from the House of Representatives—at least, insofar as I am able to judge from the reports appearing in the press—I will not hesitate in 1948 to point out that what my party should do is turn out of office those Republicans who are guilty of supporting that type of fiscal policy.

Mr. President, I return for a moment to my previous remarks, so as to make my position perfectly clear, because I do not wish it to be misunderstood. I wish it clearly understood that in the 1948 campaign I shall be fighting for the Republican Party; but in that campaign I will not hold any brief for any Republican who seeks to thwart the development of these great wealth-creating projects which I think are so vital to the West and, being vital to the West, are also vital to the economic stability of the entire Nation.

GALLUP POLL ON THE PRESIDENT'S PLAN FOR AID

Mr. TAYLOR. Mr. President, first let me say that I endorse the statements which have just been made by the Senator from Oregon [Mr. MORSE]; and at an early date, when more time is available, I shall wish to comment on that subject myself.

Mr. President, I was interested to read this morning's Gallup poll report on public reactions to the President's proposals for Greece and Turkey. A careful reading of the poll reveals some interesting facts regarding the attitudes of the American public, and it is worth our attention.

The outstanding fact which emerges, of course, is that the public has not yet had sufficient information to enable it to form a consistent opinion. Thus, while a small majority of those polled favor the President's plan for aid to Greece and Turkey, it is clear that they do so for humanitarian purposes, and that they strongly oppose those features of it which involve military intervention or smack of imperialism.

While it is clear that they are willing to make personal sacrifices to aid those who have suffered from the war's devastation, it is equally clear that they would favor giving such aid through the agency of the United Nations.

These are exactly the sentiments which impelled the senior Senator from Florida [Mr. PEPPER] and myself to introduce a substitute resolution which, while making full aid immediately available, would call upon the United Nations to set up an organization immediately to handle and distribute this aid on a humanitarian basis.

I should like to point out that this poll was taken immediately after the President's speech, when only one side of the argument had been presented, and before the public had ample time to reflect on its implications.

Mr. President, I therefore ask unanimous consent to have the Gallup poll to which I have referred printed in entirety in the RECORD, as a part of my remarks.

There being no objection, the poll was ordered to be printed in the RECORD, as follows:

THE GALLUP POLL—56 PERCENT SUPPORT TRUMAN PLAN FOR GREEK AID

(By George Gallup, director, American Institute of Public Opinion)

PRINCETON, N. J., March 27.—The first complete national survey of public opinion on aid to Greece shows that President Truman's program has substantial backing from the American people.

Their view is shown in the following vote among people who have heard or read about the issue of aid to Greece:

"Do you approve or disapprove of the bill asking for $250,000,000 to aid Greece?"

Aid to Greece

	Percent
Yes	56
No	32
No opinion	12

On the proposed $150,000,000 aid to Turkey the poll finds the following vote:

Aid to Turkey

	Percent
Yes	49
No	36
No opinion	15

In short, aid to Greece is favored by nearly 2 to 1 and aid to Turkey by about 1½ to 1, at this stage of developments on the issue. Further debate and discussion may alter sentiment.

In probing opinion the Institute covered many aspects of the issue, using a multiple-question technique. A comprehensive ballot was used in the interviewing of voters, their opinions being drawn out by a series of questions dealing with the Greek and Turkish problems.

FINDINGS ARE LISTED

Among the significant findings were the following:

1. Mr. Truman's speech to Congress asking for $400,000,000 to help Greece and Turkey made a great impression on the American people. More than three out of every four so far say they have heard or read about his speech.

2. While approving Mr. Truman's general policy, the majority express regret that the problem of Greece was not put up to the United Nations in the beginning.

Most voters recognize the reasons why the United Nations was bypassed, but they have faith in the United Nations and under ideal circumstances would have preferred the United Nations to handle the controversy.

3. The majority of Americans are not afraid that the proposed stand in Greece and Turkey will lead to war.

On the contrary, the general feeling is that a strong stand which shows Russia that we are not bluffing will, in the long run, improve the chances of a European peace settlement.

AGAINST APPEASEMENT

The viewpoint of the majority is well expressed in the comments of a Philadelphia office manager, one of thousands of voters questioned in the poll. His statement sums up the typical attitude as follows:

"If we let Russia get away with her aggressive policy she'll start reaching out for more and more and then we're bound to have a war on our hands. Dictators never know when to stop if you appease them.

"I think that putting our foot down now at the risk of war is more likely to bring lasting peace than giving in to the Russians."

4. The people are being fairly hard-headed in their attitude toward money for Greece and Turkey. They're willing to see aid given, but they want American experts sent over to supervise the uses to which the money will be put.

The administration's plan to send such experts is approved by a vote of approximately 8-to-1.

5. The country is anxious, however, to avoid military involvement of any kind in Greece.

This is shown when voters were asked whether they favor sending American military advisers to train the Greek and Turkish armies. The replies were an overwhelming "no."

Early this week Acting Secretary of State Dean Acheson told the Senate Foreign Relations Committee that the United States would send no troops to Greece.

NOT AN ISOLATED INCIDENT

6. There is a very widespread feeling that the so-called Truman doctrine will have to apply to other nations if they get themselves in the same fix as Greece.

In short, the public seems aware that our stepping into Greece may prove anything but an isolated incident, and that we might have to repeat the process in other nations where free government is considered threatened.

7. The only major point on which the public does not seem to be clear is whether the Governments of Greece and Turkey truly have the backing of a majority in those countries.

More than half say they don't know whether the Turkish Government is backed by the people, and about 4 in every 10 say they don't know whether the present Greek Government has the support of a majority of Greeks.

Those Americans who venture an opinion are inclined to think the Grecian and Turkish Governments are supported by a majority of citizens. But the poll clearly indicates that a very large section of the American public is looking to the State Department and other sources for more light on the question.

8. Eighteen months after the ending of World War II the country continues to be anti-isolationist in its sentiments.

When asked whether we should take a strong stand in Europe, the voters indicate a 2 to 1 preference for a positive role across the Atlantic.

SUMMARY OF ANSWERS

Following is a summary of the survey questions and answers in addition to those given in the beginning of this report. The institute is continuing its study of public opinion on the Greece-Turkey issue and will continue its reports at periodic intervals until the issue is settled by a vote of Congress.

"What do you think are the chief reasons for helping Greece and Turkey?"

Principal reasons given by voters: (1) To check communism and stop Russia; (2) Greece is starving, needs food, needs help; (3) to strengthen America's position and keep peace.

"Can you tell me what are the chief reasons against helping Greece and Turkey?"

Principal reasons given: (1) It might lead to war; (2) it would cost too much; we can't afford it; (3) we might forfeit all possibility of Russia's friendship.

"Would you favor sending American civilian experts over to Greece to help supervise the uses to which this money will be put?"

	Percent
Yes	83
No	14
No opinion	3

The same question was asked concerning Turkey, with virtually the same results—77 percent in favor, 17 percent opposed, and 6 percent no opinion.

"Would you favor sending American military advisers to train the Greek Army?"

	Percent
Yes	37
No	54
No opinion	9

"Would you favor sending them to train the Turkish Army?"

	Percent
Yes	33
No	55
No opinion	12

"Why do you think this problem was not turned over to the United Nations to handle?"

Principal reasons given by voters: (1) The UN is too slow, speed is needed here; (2) the UN is not equipped to handle the problem, not ready to meet such issues, has no money to spend and no police force; (3) Russia would use her veto to prevent any action on Greece.

However, 56 percent indicated disapproval of bypassing the UN completely, while 25 percent approved and 19 percent gave no opinion.

"Do you think that lending money to aid Greece and Turkey is or is not likely to get us into war?"

	Percent
Is likely	30
Is not likely	54
No opinion	16

"Do you think the present Greek Government has the backing of the majority—that is, more than half—of the Greek people?"

	Percent
Yes	33
No	25
No opinion	42

"Do you think the present Turkish Government has the backing of the majority—that is, more than half—of the Turkish people?"

	Percent
Yes	34
No	14
No opinion	52

"Suppose other nations find themselves in the same fix as Greece. Do you think the United States will have to do something about it?"

	Percent
Yes	68
No	20
No opinion	12

"Generally speaking, should the United States take a strong stand in European affairs, or should we try to get out of European affairs?"

	Percent
Take strong stand	58
Get out	32
No opinion	10

TERMINATION OF WAR POWERS AND CONTROLS UNDER SECOND WAR POWERS ACT—CONFERENCE REPORT (H. DOC. 25)

Mr. WILEY. Mr. President, I submit a conference report on the bill (S. 931) to extend certain powers of the President under title III of the Second War Powers Act, and ask unanimous consent that it be printed and lie on the table.

There being no objection, the conference report was received, ordered to lie on the table, and to be printed, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 931) to extend certain powers of the President under Title III of the Second War Powers Act, having met, after full and free conference, have agreed to recommend and do recommend to their respectives Houses as follows: That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That this Act shall be cited as the 'First Decontrol Act of 1947.'

"SEC. 2. That the Congress hereby declares that it is vital to a free economy and full production in the United States that all emergency controls and war powers under the Second War Powers Act be removed except in certain limited instances.

"The Congress further declares that in each such limited instance the authority for such emergency controls and war powers should not be exercised by the grant of broad, general war powers but should be granted by restrictive, specific legislation.

"SEC. 3. For the purpose of liquidating existing emergency controls and war powers and for the purpose of affording further opportunity for the appropriate committees of the Congress to consider specific legislation granting restricted authority in limited instances, Title XV, section 1501, of the Second War Powers Act, 1942, approved March 27, 1942, as amended, is amended to read as follows:

"'SEC. 1501. Except as otherwise provided by statute enacted during the first session of the Eightieth Congress on or before the date this section as amended takes effect, Titles I, II, III, IV, V, VII, and XIV of this Act and the amendments to existing law made by such titles shall remain in force only until March 31, 1947, except that such Title III, and the amendments to existing law made by such title, shall remain in force until June 30, 1947, for the following purposes: (a) Allocations of cinchona bark and cinchona alkaloids, manila (abaca) fiber and cordage, agave fiber and cordage, tin and tin products, antimony and streptomycin; (b) allocations limited to control of production for export of tractors; (c) allocations of the use of transportation equipment and facilities by rail carriers; (d) allocations of materials or facilities for export which are required to expand the production in foreign countries of materials critically needed in the United States; (e) allocations of materials or facilities which are certified by the Secretaries of State and Commerce as necessary to meet international commitments: *Provided*, That any materials or facilities which were not being allocated on March 24, 1947, shall not be allocated hereafter under the provisions of such Title III: *Provided further*, That the two Houses of Congress by concurrent resolution or the President may designate an earlier time for the termination of any power of allocation under such title: *Provided further*, That nothing herein contained shall be construed to continue beyond March 31, 1947, any authority to allocate sugar, rubber, or the derivatives thereof. After the amendments made by any such title cease to be in force, any provisions of law amended thereby (except subsection (a) of section 2 of the Act entitled "An Act to expedite national defense, and for other purposes", approved June 28, 1940, as amended by the Act of May 31, 1941) shall be in full force and effect as though this Act had not been enacted.'"

And the House agree to the same.

ALEXANDER WILEY,
FORREST C. DONNELL,
JOHN SHERMAN COOPER,
J. HOWARD MCGRATH,
Managers on the Part of the Senate.

EARL C. MICHENER,
RAYMOND S. SPRINGER,
EDWARD J. DEVITT,
FRANCIS E. WALTER,
FADJO CRAVENS,
Managers on the Part of the House.

RECESS TO MONDAY

Mr. WHERRY. Mr. President, as I understand the parliamentary situation, the Senate is now in executive session.

The PRESIDING OFFICER. The Senator is correct.

Mr. WHERRY. By unanimous consent at noon on Monday the distinguished junior Senator from California [Mr. KNOWLAND] will have the privilege of the floor.

The PRESIDING OFFICER. The question is on agreeing to the motion of the junior Senator from Ohio [Mr. BRICKER] to recommit the nominations with instructions.

Mr. WHERRY. The Chair is correct, that is the pending business, but unanimous consent has been granted that the junior Senator from California shall have the floor on Monday at noon.

The PRESIDING OFFICER. That was previously agreed to.

RECESS

Mr. WHERRY. I move that the Senate stand in recess until Monday next at noon.

The motion was agreed to; and (at 6 o'clock and 3 minutes p. m.) the Senate took a recess until Monday, March 31, 1947, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 28 (legislative day of March 24), 1947:

UNITED STATES PUBLIC HEALTH SERVICE

The following-named candidates for promotions in the Regular Corps of the Public Health Service:

SURGEON TO BE TEMPORARY SENIOR SURGEON

John B. Alsever

NURSE OFFICER TO BE TEMPORARY SENIOR NURSE OFFICER

Minnie E. Pohe

IN THE NAVY

BUREAU OF AERONAUTICS

Rear Adm. Alfred M. Pride, United States Navy, to be Chief of the Bureau of Aeronautics in the Department of the Navy for a term of 4 years.

CONFIRMATION

Executive nomination confirmed by the Senate March 28 (legislative day of March 24), 1947:

DEPARTMENT OF LABOR

William R. McComb to be Administrator, Wage and Hour Division, Department of Labor.

HOUSE OF REPRESENTATIVES

FRIDAY, MARCH 28, 1947

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Great and marvelous are Thy works, Lord God. Let Thy work appear unto Thy servants and Thy glory unto their children. We most humbly acknowledge our sins; forgive us and teach us that every renunciation brings us nearer to upright and courageous living. The years gone by are ours by inheritance; the fruits of the future depend upon our decisions. Lay Thy hand upon us that the welfare of our country may be held in the folds of every conscience, and lead us to carry our obligation to the altar of the Lord. O inspire this Congress ever to safeguard the rights of our citizens, until the waste places of our land shall blossom as the rose. In all our intricate relationships unite us in a fellowship of cooperation for the common good, exercising courtesy, restraint, and honor. We pray in the name of the world's Saviour, whose crown mocks all the diadems of time. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 146. Joint resolution to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes.

The message also announced that the Senate insists upon its amendment to the foregoing joint resolution, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. TOBEY, Mr. FLANDERS, and Mr. MAYBANK to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 931) entitled "An act to extend certain powers of the President under title III of the Second War Powers Act," agrees to a conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WILEY, Mr. COOPER, and Mr. MCGRATH to be the conferees on the part of the Senate.

AUTHORIZING SPEAKER TO SIGN ENROLLED BILLS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent notwithstanding the adjournment of the House until Monday that the Clerk be authorized to receive messages from the Senate and the Speaker be authorized to sign any bills and joint resolutions duly passed by the two Houses and found duly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

ADJOURNMENT OVER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

DISPENSING WITH CALL OF PRIVATE CALENDAR ON TUESDAY NEXT

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar on Tuesday next be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

CALL OF THE COMMITTEES ON WEDNESDAY NEXT DISPENSED WITH

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the call of the committees in order on Wednesday next be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

SECOND WAR POWERS ACT

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the conferees on the part of the House may have until midnight Saturday to file a report on the Second War Powers Act.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

DISTRIBUTION AND PRICING OF SUGAR

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House Joint Resolution 146, to extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. WOLCOTT, GAMBLE, SMITH of Ohio, KUNKEL, SPENCE, BROWN of Georgia, and PATMAN.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the conferees on the part of the House on House Joint Resolution 146 may have until midnight tomorrow night to file a conference report.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. DIRKSEN asked and was given permission to extend his remarks in the RECORD under the title "Seventy-two Pearl Harbors Every Year."

Mr. BENDER asked and was given permission to extend his remarks in the RECORD and include an article from the Cleveland Plain Dealer.

SPECIAL ORDER GRANTED

Mr. BENDER. Mr. Speaker, I ask unanimous consent that I may address the House today for 10 minutes, following the disposition of business on the Speaker's desk and the conclusion of special orders heretofore granted.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. RIEHLMAN asked and was given permission to extend his remarks in the RECORD and include an editorial from the Syracuse Post Standard.

ROME, N. Y., AIR BASE

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, it has come to me on reliable information today that the Rome, N. Y., air base and depot is to be put in the inactivated class. On the basis of dozens and dozens of protests that I have received from people in my district due to the economic importance of this great air terminal in the central part of New York State, I protest and protest loudly

to the War Department against such action. This is one of the most important air terminal points in central New York State. Although it is not in my district, the people of my district have gained a great deal of benefit from it. I think it is an economic tragedy or calamity, if you want to put it that way, to have this great depot put in the inactivated class. A large part of upstate New York depends upon this base for air communication with the rest of the country. Let us hope the War Department will find ways and means to keep the Rome airport open.

The SPEAKER. The time of the gentleman from New York has expired.

EXTENSION OF REMARKS

Mr. MEADE of Kentucky asked and was given permission to extend his remarks in the RECORD and include a statement on the Centralia mine disaster, together with an editorial appearing in today's Washington Post.

Mr. DEANE asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the Appendix of the RECORD and include excerpts.

Mr. REED of New York asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous material.

Mr. MORRISON asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous material.

UNITED STATES SHIPS IN EUROPE ON LEND-LEASE

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ELLIS. Mr. Speaker, since the Greek problem has become the burning question of the hour, there have been extremely interesting developments.

Today we are attracted by a newspaper headline: "1,700 United States ships still in Europe on lend-lease." The item states that Russia holds 577 of these vessels. She has returned none of the ships she borrowed from the United States Navy, and further:

> The lend-lease ships figure importantly in Navy plans for aiding the anti-Russian bloc in Europe. The Navy already has sold to Turkey eight surplus minesweepers loaned to England and six minesweepers and other vessels to Greece.

Thus the administration in the operation of its complex foreign policy has loaned 577 ships to be used in the service of the communistic states and sold 14 to Greece and Turkey, who, we are told, are in a death struggle defending themselves against communism.

Considering the history of our Government for the past 14 years and the administration's acceptance and adoption of totalitarian ideals as manifested through their planned and controlled economy, it appears that their distribution of ships gives a true picture of their basic and fundamental devotion to totalitarian practices—577 for, 14 against.

NOBODY CHECKS GOVERNMENT PHYSICAL PROPERTY

Mr. WEICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WEICHEL. Mr. Speaker, hearings before the Committee on Merchant Marine and Fisheries developed the fact that no independent agency or auditor of the Government makes a regular, periodic, or any other check whatsoever as to the physical property purchased by the Government.

After any agency, bureau, or department once secures physical property, no one in the Government or in the name of the Government, not even the Comptroller General, is authorized to check, examine, investigate, or otherwise periodically find out if any such agency, bureau, or department of the Government actually has the physical property in its possession, whether it is given away, destroyed, or otherwise in control of the Government.

There is no check of the physical property of any kind whatsoever, so that any agency, bureau, or department without fear of detection or exposure, can give away, destroy or embezzle physical property belonging to the United States Government; no one has authority in law or otherwise to examine into the physical property transactions of any agency, bureau, or department. In other words there is no check, examination, or investigation of the physical inventories, if any, of the billions of dollars of physical property purchased with the taxpayers' money.

This probably supports the various statements in the newspapers with reference to the waste and destruction of the physical property of the various departments of the Government. I have heard that the Navy deliberately took to sea a deck load of brand new shoes, had them soaked with water and then ordered them destroyed; that the Army destroyed untold thousands of dollars worth of athletic equipment which could have been very well used by the poor youngsters of this country; and that the Ordnance Department gave away hundreds of millions of dollars worth of machinery.

I do not believe that the agencies, bureaus, and departments should have the absolute discretion of giving away, destroying, and passing on the embezzling of physical property, for there is no check of its operation.

I believe the people are entitled to a periodic check and inventory of the use of physical property, the same as the money transactions, as to whether the agency has the property, gave it away or permitted it to be embezzled.

I am including herewith a resolution whereby there will be a periodic audit and examination by the Comptroller General of the physical property now in the hands of the agencies, bureaus, and departments of the Government:

Be it enacted, etc., That the General Accounting Office, under the direction of the Comptroller General, shall receive and examine inventories of property furnished as of June 30 for each fiscal year beginning in the year 1939 and thereafter, by every department, agency, and independent establishment of the United States, and by every corporation owned or controlled by the United States. Such inventories shall contain the following information: (a) The value of all property acquired or disposed of during the fiscal year; (b) the value of all property on hand as of June 30 with an allowance for depreciation of such property; and (c) such other information as the Comptroller General shall direct.

SEC. 2. The Comptroller General shall investigate (a) any matter relating to the acquisition or disposition of property by any department, agency, or independent establishment of the United States, and by every corporation owned or controlled by the United States, and (b) any other matter required to be stated in an inventory.

SEC. 3. The Comptroller General shall make a report to Congress at the beginning of each regular session relative to matters examined or investigated by him as provided in sections 1 and 2 with such recommendations for legislation as he shall deem advisable.

SEC. 4. The Comptroller General is authorized to use officers and employees under his jurisdiction for the performance of the duties provided in this act and to appoint and fix the compensation of such additional accountants, investigators, attorneys, officers, and employees as may be necessary without regard to the civil-service laws or the Classification Act of 1923, as amended.

VETERANS' HOSPITALS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include two newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection?

Mr. JOHNSON of Oklahoma. Mr. Speaker, I have here two newspaper articles which I will insert in the RECORD at the end of my remarks, and which I hope the Members will read tomorrow morning. One is from the Seminole Producer, of Seminole, Okla., and is entitled "Veteran Care Is War Emergency."

The other is from the Washington Times-Herald of today, and is entitled "Move By TABER Blocks Contracts on Vet Hospitals."

The article from the Oklahoma newspaper tells of the deplorable conditions in veterans' hospitals in Oklahoma. It states that hospital beds, nurses, and doctors are not available in sufficient numbers to furnish even the emergency cases hospital and medical care; that there are waiting lists and that a man cannot even get on the waiting list unless he is an emergency case.

As a member of the Committee on Veterans' Affairs I have grilled General Bradley, General Hawley, and the other "sacred cows" over there. They tell me there is no serious congestion to the point where emergency cases cannot be taken care of; but let me tell you what happened in my State just recently. A veteran tried on March 18, 1947, to get in the veterans' hospital at Muskogee, Okla., as an emergency case. The doctors examined him and said he was not an emergency case, and he was put on a waiting list. The veteran died 2 days later on March 20, 1947.

Now we find by the article in the Times-Herald that the gentleman from New York [Mr. TABER], chairman of the Appropriations Committee, has ordered a 2-week's delay in awarding contracts to build veterans' hospitals. We are going to have more deaths of the nature I have referred to. Once more you are going to find that the boys who fought on world-wide battlefronts come home to die on "the battlefields of Republican economy," and Veterans' Administration bungling and red tape.

The newspaper articles follow, and to them I invite your careful attention:

[From the Seminole (Okla.) Producer of March 24, 1947]

VETERAN CARE IS WAR EMERGENCY

The war may be over for the average citizen, but it is not over for many thousands of Oklahoma veterans who cannot find hospital beds in the State when they become ill or incapacitated. That condition exists in Oklahoma, according to Dr. D. H. Miller, manager and chief medical officer of the largest veterans' hospital in Oklahoma, at Muskogee.

Hospital beds, nurses, and doctors are not available in sufficient numbers to furnish even the emergency cases hospital and medical care. Those veterans who have not pursued their "claims" through the miles of "red tape" of the Veterans' Administration and secured a decision from that Federal Bureau that they have a physical or mental disability due to wartime service are not to be admitted, according to the latest announcement, except "in cases of life or death."

That "life or death" decision is a difficult one to make. The veteran who was denied admission on March 18 because he was not a "life and death case," but who died on March 20, gives some idea about how difficult it is to make these decisions.

Oklahoma should have additional hospital beds for veterans. More nurses and doctors are sorely needed. These same professions are in demand in almost every community of the State, and private practice offers a much greater inducement than the initiative-killing positions in the antiquated civil service which supplies the personnel for the Veterans' Administration.

Physical facilities are recognized as a problem also. Everyone recognizes that even without the months delay always prevalent when the Government attempts to build a hospital, the job could not be done in time to meet the present emergency, due to shortage of materials and the labor situation in the construction field.

These are all recognized factors which result in no beds for the men and women who fought the Nation's battles. The condition exists, and the responsible officials of Government know all the facts. They do not, however, come up with any practical solution. Their plea that they are planning for new hospitals to be completed some years hence, does not save the life of a single veteran.

These disabled and sick veterans are just as much a part of the recent war as they were when in uniform. This is one of the war's problems, even though the shooting has ceased. Why cannot our Government apply some of the same methods to caring for these veterans which they applied when the Nation went to war without sufficient manpower or sufficient physical facilities?

It was a patriotic duty to serve either as a gun-toting enlisted man, a nurse, or a doctor during those war days. The recognition due a citizen who was fulfilling a patriotic duty was accorded those who answered the Nation's call. Why cannot that be done now, to meet this phase of our unfinished war?

A fine physical plant exists at McAlester, owned by the State. It is not in use. Medical officers of the Army, detailed to duty there, and Army nurses, detailed there, could take care of many hundreds. Borden Army hospital at Chickasha is closed. It could handle several hundred.

Called to duty, the doctors and nurses would respond. "Swivel chair doctors" by the dozens could be assigned from useless branch offices of the Veterans' Administration. Yes, it could be done with some of the same abilities demonstrated during the war being applied now. We doubt the ability of the present Veterans' Administration brass hats to do it, but it should be done.

[From the Washington (D. C.) Times-Herald of March 28, 1947]

MOVE BY TABER BLOCKS CONTRACTS ON VET HOSPITALS

Ordering a moratorium on the issuing of new contracts, Representative TABER (Republican), of New York, yesterday forced the Veterans' Administration to hold up its Nation-wide hospital program, the Times-Herald learned last night.

The chairman of the House Appropriations Committee made his demand for the contract-letting holiday directly to General Bradley, Veterans' Administrator, according to high Government sources.

BIDS HELD UP TO APRIL 8

Bradley agreed not to accept any bids until April 8 as a favor to the man who controls the purse strings on Capitol Hill, it was learned. Directly affected are two new hospitals for which contracts were to be okayed next week, and for which funds already have been appropriated.

Chairman TABER is reported to have ordered the 2-week moratorium to investigate excessive spending in the hospital program. He could not be reached for comment last night.

Representative ROGERS (Republican), of Massachusetts, chairman of the House Veterans' Affairs Committee, said she had heard rumors of TABER's action, but had not been informed of it officially.

PLEDGES INVESTIGATION

"I can say only that anything which holds up beds for ill veterans is a serious situation," the Congresswoman asserted. "I am planning to look into the matter thoroughly."

Reached at his home in Fort Myer last night, General Bradley said he accepted the responsibility for ordering that no contracts be issued until April 8, but added that he did so at the specific request of the Appropriations chairman.

"I have a mandate from Congress to go ahead with the hospital program," he said, "and construction that is under way already is not affected by Representative TABER's request. However, when he asked that no new bids be accepted for 2 weeks, I agreed."

From several sources it was learned that Bradley did not have to acquiesce to TABER's demands, but that he probably did so in order not to offend the Appropriations Committee head.

HOSPITALS BADLY NEEDED

Seriousness of holding up the hospital program—even for a day—was brought into sharp focus last night when it was learned that 3,500 veterans are now awaiting admittance to Veterans' Administration hospitals, and that the Army has 7,000 men in its hospitals that it wishes to discharge into veterans' institutions.

VA authorities have pointed out that the hospital load will increase 20 percent in 5 years and 40 percent in 10 years.

The building program is under supervision of Brig. Gen. John Stewart Bragdon, Director of the Military Construction Division, Office of the Chief of Engineers.

TAX REDUCTION AND THE BUDGET

Mr. SMATHERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SMATHERS. Mr. Speaker, on yesterday, the House passed the Knutson bill. It has been estimated by tax experts that this will cost the Government $5,700,000,000.

To avoid deficit spending in peacetime it thereby becomes urgent, more so than ever before, to now cut the budget.

Of the budget remaining for consideration 80 percent are allocations for the Army, Navy, and veterans.

The $64 question is, How can the majority leadership cut this budget without seriously cutting the military and naval budgets? If the Republican leadership do cut the military budget, they will be running counter to the wishes of the American people. The most recent Gallup polls shows that 60 percent of the people who were asked about it do not favor cutting the military budget. They are more concerned about the problems of peace than they are about reduction of taxes at the immediate time.

The SPEAKER. The time of the gentleman from Florida has expired.

Under the previous order of the House, the gentleman from Ohio [Mr. BENDER] is recognized for 10 minutes.

AID TO GREECE AND TURKEY

Mr. BENDER. Mr. Speaker, it is evident that the people back home are deeply disturbed by the administration's plan to aid Greece and Turkey as a means of blocking the expansion of communism. There is universal sympathy for the suffering which the Greek people are enduring. Our country has not forgotten the heroic defense which the Greek nation presented to the invading armies of Fascist Italy in the war years. Nor are we unmindful of the fact that the sad plight of the Greek people is the direct result of events completely beyond their control.

What disturbs the American people is the effort of our Government to direct our natural sympathies toward these innocent victims of the war to the establishment of a new policy of blockade. Our folks are deeply concerned over the effort to substitute our own Nation for Great Britain as the principal actor in the drama whose plot is the blocking of the Soviet Union's drive toward the west. There is no disposition whatever to sanction the Communist method of economic imperialism in Europe. We do not for a moment accept the Soviet Union's policy of exploiting famine and poverty as the means by which Mr. Stalin and Mr. Molotov expect to communize their neighbors.

But we are vitally interested in the formulation of America's policies, in meeting the issues of our generation. What direction are these policies taking? What are the principles underlying our conduct and determining the role we shall play?

I believe that the White House program is a reaffirmation of the nineteenth century belief in power politics. It is a refinement of the policy first adopted

after the Treaty of Versailles in 1919 designed to encircle Russia and establish a "Cordon Sanitaire" around the Soviet Union. It is a program which points to a new policy of interventionism in Europe as a corollary to our Monroe Doctrine in South America.

Let there be no mistake about the far-reaching implications of this plan. Once we have taken the historic step of sending financial aid, military experts, and loans to Greece and Turkey, we shall be irrevocably committed to a course of action from which it will be impossible to withdraw. More and larger demands will follow. Greater needs will arise throughout the many areas of friction in the world. To be sure, we shall reserve the right to consider each problem on its own merits, but unless we develop a strong and consistent program—a program which we are prepared to back to the limit—the net result will inevitably be a lowering of American prestige and influence and the direct increase of Soviet pressure everywhere.

Let us not lose sight of this fundamental consideration. Unless we do the whole job of blocking Communist expansion and do it alone, we shall defeat the entire purpose of this program. Instead of checking the Soviet Union's rising influence, we run the risk of enhancing it enormously.

The question for Americans to consider is this: Are the probabilities of success in this new undertaking high enough to justify the risk? Are we prepared to pour endless sums of money into Greece, Turkey, and such other areas of the world as may be stimulated by our new policy to require our aid? Are we ready to send military missions overseas in the approved European fashion, recognizing that military missions have historically been followed all too frequently by military forces?

Do we have any alternatives worthy of serious examination? Are there any techniques which offer the prospect of changing the bankrupt methods of power politics, encirclement, and secret alliances? Must we go on muddling through world affairs, repeating in every generation the same ghastly errors of our predecessors?

If we are sincere in the beliefs we so constantly express, there is a new policy and a new organ which represents that policy. We ourselves have been the most instrumental Nation in the world in shaping the instrument of this new policy. The United Nations is new to be sure. But military missions and secret treaties are old. We have everything to gain by using the new agencies available to us.

The representative of our State Department has told the Nation that this is a matter which requires emergency handling. It cannot be delayed. Greece needs immediate financial assistance. Does this tragic dilemma concern no other country in the world than our own? Most certainly it does. It concerns the entire comity of nations. The peace of the world may be jeopardized by the tragedy unfolding there. Every country on earth should be interested in this situation.

I believe that the proper procedure in the present case is something far different from the Government proposal. We should go directly to the United Nations and urge action there. We should present the question of armed insurrection by a minority of the Greek people to the Security Council. We should urge the United Nations to ask for a joint contribution by all the nations of the earth to alleviate Greek suffering. If there are no other countries which can make such a contribution, our Government should then consider the advisability of making it directly to the United Nations instead of to Greece. Let all the countries represented in this global organization underwrite the enterprise. Let them join with us in this humanitarian effort. If the Greek people are restored to solvency, they will purchase the food they need. They will strengthen their own government, and they will manage to solve the internal problem of their military security for themselves.

This is the pattern for an orderly world. It is a policy of world cooperation rather than of intervention. It removes Uncle Sam from the suspicion of attempting world-wide penetration. Food today is international politics. We must not be guilty of utilizing it as a weapon unless we are ready to fight.

I believe that the people of our country expect a new departure in the conduct of our foreign affairs. We are tired unto the death of the Yaltas and the Teherans and the Potsdams through which the world has passed. For the first time in human history, let the nations resolve to deal the cards above the conference table. If we are to extend aid to Greece, let us do it through the United Nations, by the United Nations, for the United Nations. Turkey is not starving. Its 1,000,000 soldiers, the equivalent of an American Army of 7,000,000, are well fed.

Here in America we have major responsibilities to our own people. We have not yet solved our problems. Let us put them in order before we start solving the problems of the whole world.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Georgia.

Mr. COX. Will the gentleman please tell the House of what possible value the United Nations could be in the solution of the problem to which the gentleman addresses himself, so long as Russia holds the veto power?

Mr. BENDER. I will be glad to answer the gentleman's question. The United Nations was effective in the controversy involving Iran. It was 100 percent successful in that problem, in spite of Russia's action, in spite of her disposition not to be friendly or cooperative. The United Nations worked in that instance. What in the world are we subscribing to the United Nations for unless we propose to use that Organization as the instrument in these world controversies?

The Committee on Foreign Relations is considering two propositions. One proposition provides for $350,000,000 to feed the people in Poland, Austria, Hungary, Greece, China, and Italy. On the other hand, they are considering the Truman proposition to implement Greece and Turkey to the extent of $400,000,000. It is proposed that we help the satellite countries of Russia. If we are going to fight communism, if we are going to make a frontal attack, then why feed her satellites?

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. BENDER. Mr. Speaker, I ask unanimous consent to proceed for three additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Why should we use this vehicle to implement Russia? If we mean to get tough with Russia, why can we not be honest with ourselves and do this directly.

Mr. PRESTON. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Georgia.

Mr. PRESTON. The gentleman was wondering whether or not it was worth while to take the risk to go into Greece and Turkey with this relief. Will the gentleman answer this question? In the early thirties, when Japan moved into Manchuria, and later on when Mussolini went into Ethiopia, and then when Hitler went into the Rhineland, and the democratic nations sat by and did nothing, how then can we sit back and repeat this time what we did last time?

Mr. BENDER. The democratic nations implemented Japan and Germany. Why, we were shipping material into Japan just a few months before Pearl Harbor, not only scrap iron, but we were sending lathes from my home city of Cleveland, Ohio, to Japan. We were implementing Germany as well. We did not boycott Germany and say, "We are going to stop doing business with you, Mr. Hitler." We were doing business with Hitler long after he became Mr. Big.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Pennsylvania.

Mr. GROSS. I noticed in the headlines a moment ago that Russia has offered to lend England money. It looks like we might as well come home if that kind of procedure is going on.

Mr. BENDER. Frankly, we have billions of dollars of equipment all over the world that is available to the satellite countries of Russia. Some Russia is buying herself with American dollars.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. BENDER. Mr. Speaker, I ask unanimous consent to proceed for five additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to the gentleman from New York.

Mr. REED of New York. There is no reason why Russia should not buy with American dollars. We have turned over all our engraving apparatus to them so that they can turn out our dollars over there.

Mr. BENDER. There is no question about that. You cannot quite understand this crazy, dizzy foreign policy of ours. On the one hand we give them aid, implement and feed them, and on the other we want to fight communism. Overnight everybody in America gets excited about communism. When the Republicans a year or two ago were talking about Communists in the American Government, nobody was excited, but all of a sudden everybody in the administration is all in a dither about the Communists.

Mr. SMATHERS. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Florida.

Mr. SMATHERS. The gentleman is not saying he is not in favor of fighting communism?

Mr. BENDER. I have been saying that right along. I am against communism and have been opposed to it all the time. But if we are going to oppose communism let us oppose it directly. Let us do it by not doing business with Russia and her satellite countries, by not implementing Russia and making Russia strong. Mr. Roosevelt turned over Poland, Czechoslovakia, Hungary, and Austria, and all these other satellite countries to Russia. They were turned over at Potsdam, at Yalta, at Tehran. These countries were turned over to Russia by the United States Government and by the British Government.

Mr. SMATHERS. Does the gentleman think that Russia is trying to take over Greece today?

Mr. BENDER. I do not know what Russia is trying to do. I am not a part of their government. But I do know this, that whatever there is in Europe that she has we gave her, we handed it over to her on a silver platter.

Mr. SMATHERS. I wish the gentleman would answer my question. Is it not a fact that from the information we have it appears that Russia is trying to move into Greece?

Mr. BENDER. I do not know about that. The gentleman is better informed about that than I am.

Mr. SMATHERS. The gentleman says he is willing to fight communism. Would not that be the first place to fight it?

Mr. BENDER. No. The first place to fight it is right in our own country. The second place is the State Department. The third place to fight it is in all the satellite countries and in Russia.

What do they say about Greece? There are two or three thousand bandits there raising Ned with the Greek Government and this venal monarch of theirs. It is a set-up that is not popular with the people, this fake election they put on in Greece, this Government that the people do not want. By sustaining that Government we are not doing any good. If they cannot cope with two or three thousand burglars who are operating in Greece, then we have no business going over there and supporting that kind of government.

Mr. SMATHERS. Will the gentleman admit that the election which took place in Greece was supervised by 637 foreign correspondents from all over the world, and it was certified by them to be as democratic and free an election as it was possible to get?

Mr. BENDER. Since when did foreign correspondence supervise an election? That is a new one on me. I never heard of that before. My impression about the Greek election is that the Greek election was corrupt. It was a phoney election, and the Greek people protested.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Will the gentleman learn, if he can, from the Members on the other side who seem to be interested in this, whether or not it is their policy that we supervise the elections in these countries, and that if in these countries the ruling power, whether a monarch or whatever it may be, seems inclined to embrace communism, we go in there and tell them what kind of government they shall have? Will the gentleman find out from them?

Mr. BENDER. Is it not amazing that in Poland we permitted the Russian government to get away with the kind of election they conducted over there, yet on the other hand we are talking about this Grecian situation? Is not Poland as important as Greece? Are not the people there as important to us as the Greeks? Are not the Chinese as important to us as the Greeks? We withdraw from China, and we say to the Communists, "Go ahead, this is your happy hunting ground." There are 400,000,000 Chinese, whereas there are only 4,000,000 or 5,000,000 Greeks.

Mr. HOFFMAN. What about Finland?

Mr. BENDER. Yes, what about Finland, the only country in the world that ever paid its debt to the United States of America. We permit the Russian bear to go in there and just take over, and we say nothing about it at all. In fact, we put blinders on so we cannot see what is going on.

In my remarks last week, I suggested that our President at the behest of the British Government is developing an American policy which fits the needs of a collapsing British Empire. There are several ways of expressing this—we might say that the British have decided to transfer all of their liabilities throughout the world to us and keep the assets for themselves. Another way of expressing the same thing is this—wherever the British have been maintaining a hopeless economic and political situation, they are now asking us to come in and underwrite their mistakes. Still another way of expressing the same thing in financial terms, is this—our President and the British are asking us to pour billions of dollars of taxpayers' money down every international rat hole from Singapore to Constantinople.

Greece today with its corrupt and venal monarchy—Turkey with its military dictatorship, are liabilities to the British—they have cost the British hundreds and hundreds of millions of dollars. Greece, in particular, represents a British mistake—a mistake because they have insisted on restoring a Greek monarch who does not have the support of the Greek people. It was also a mistake, Mr. Speaker, because many of the people around the Greek monarch are completely corrupt. The British have discovered that neither the hundreds of millions of dollars nor the flood of UNRRA relief succeeded in achieving a real change for the better in the economic life of the country. The present government is reported to have fattened its own pocket, protecting its own interests, speculating in the black market, and in general making a killing out of the present situation there. Its finances are described as being in complete disorder. Its officials have made no effort to curb the disastrous inflation now rampant in the country. They refuse to share the governmental power with run-of-the-mine, middle-of-the-road political figures; they maintain concentration camps, and general democratic civil liberties exist only on paper.

Mr. Speaker, this is what I call an international rat hole. No matter how much money we pour into such a government, it will do no good because the basic nature of the government itself is corrupt. No matter how much technical advice we furnish, it will do no good because the will to create a democratic government in Greece does not exist in the hearts and minds of the people who decide the policies for this reactionary Greek monarchy. There is no way, Mr. Speaker, for us any more than there was for the British to create a stable political situation in Greece so long as the present monarch is maintained in that nation.

So then, Mr. Speaker, the British are attempting, in my opinion, to give us a half billion dollars a year liability—the accumulated result of their errors in policy. Do we want it? Do we need it? Can we justify it?

Another such endless quagmire is the present Turkish Government which has existed as a venal dictatorship for the past 20 years. The rulers of this Government held a gun to our heads in the recent war. They sold to the Germans; they forced us to pay excessive prices for raw materials; they constantly threatened us with assistance to our enemies; they took several hundreds of millions of dollars of the American taxpayers' money because they thought it was smart business, and now with a million men under arms, they sit there in Turkey, expecting the American taxpayers to pay with hundreds of millions of dollars every year just to keep them sitting there in happy, little, military dictator-run camp. Frankly, Mr. Speaker, what assurance does our State Department have that after we pay hundreds and hundreds of millions of dollars to the Turkish Army, because that is exactly what our State Department proposes to do—what assurance does our State Department have that the present Turkish military leaders will not sell out to the Russians, if and when the Russians get into a position to outbid us, or if a real conflict were to develop between us? Does anybody really believe that in the event of a Soviet-American war that Turkey would stand up for 1 week? Would the Turks stand and fight under their present leadership? I do not think

so. I believe they will sell; I believe that in every single situation, the present Turkish Government will look out for its own hide. And in the meantime, it will sell to anybody who will pay the most money. Mr. Speaker, if we begin buying up every international threat, we will have entered a new period in international politics. It will be a period dominated by international blackmail.

Mr. Speaker, does it make sense that whenever anybody stands up anywhere and screams that he is against communism, therefore, automatically we should place him on the pay roll of the American taxpayer at whatever price he says is necessary to keep him screaming?

In short, does our Government intend in this new global policy to hire every dictator or king everywhere throughout the world who will scream "Stop communism!" Mr. Speaker, does it make sense for the British to make our decisions for us, to transfer their liabilities to us? Does it make sense for us to assume every mistake the British have made throughout the world? Does it make sense for us to put on the pay roll of the American Government everywhere in the world any old monarch or miscellaneous political adventurer who says, "Let's all of us boys get together and yell about communism for Uncle Sam at a price?"

If it makes sense to our State Department, I think the time is at hand to change the Department. It does not make sense to the American people.

The SPEAKER. The time of the gentleman from Ohio has again expired.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Lait, its enrolling clerk, announced that the Senate had passed without amendment a bill and joint resolution of the House of the following titles:

H. R. 1240. An act to provide for the suspension of navigation and vessel inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended; and

H. J. Res. 76. Joint resolution authorizing the Commandant of the United States Coast Guard to waive compliance with the navigation and vessel-inspections laws administered by the Coast Guard.

EXTENSION OF REMARKS

Mr. McDONOUGH asked and was given permission to extend his remarks in the RECORD on the subject of freight rates in California.

Mr. JOHNSON of California asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

DEMOCRACY VERSUS COMMUNISM

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, it is well in a great representative body such as this that we have an expression of views such as the gentleman from Ohio [Mr. BENDER] has made and that we have an exchange of views.

One factor contributing to the success of the democratic institutions of government is that in disagreement we respect the views of one another and the right of each other to entertain his or her views.

In taking the floor and characterizing unkindly or sarcastically the views of others, one makes very little contribution toward arriving at what is the right thing to do. My friend from Ohio says he is against communism. I would rather state my position as being that I believe in what my country stands for. I am pro-American, and being pro-American that means I am against any ideology or any institutions which would destroy—or is so aimed—the dignity and the personality of the individual.

My friend says that he is against communism. Yet, he makes a speech which I am not going to characterize because that would not be right, but the effect of his speech would be that we would isolate ourselves from the rest of the world, even if it were contrary to our national interests. I know that he does not mean that. If we follow his argument, however, the result would be the same as if he did mean it.

My views, broadly speaking, on this question have been expressed heretofore on the floor of the House. Twelve years ago I recognized that some day there would be a challenge against the way of life I believe in and another. My way of life has its origin in belief in God. I start with that. That is the basis of our civilization, and every thought I entertain is predicated upon that. The same applies to all of us who believe in God without regard to their religious convictions, whether they are a Catholic or a member of the various Protestant creeds or Jewish. They all believe in one God. The inevitable result of that belief is that the dignity and personality of the individual must always be uppermost in our minds.

That belief is the great truth that forms the firm foundation of the government we believe in. It is all centered around the dignity of the individual and the preservation of that dignity to the fullest measure possible.

Twelve years ago I was chairman of a committee. We recommended legislation against subversive activities and those engaging in them here. The only legislation which has passed this Congress in many years was recommended by the special committee of which I had the honor then to be chairman. One of the most important bills was the Foreign Agents Registration Act, about which you read so much today. I think that has been an effective piece of legislation in meeting subversive activities in America.

We have seen this challenge coming and we have seen country after country taken over. It is very easy to criticize why this was not done or why that was not done. Many of the things to which the gentleman referred were things about which I entertained somewhat similar doubts in my own mind. But we have to view the situation in the light of the world today and in the light of what is best for the national interests of the United States of America.

I am concerned with the national interest of my own country. As I view it, knowing of the things that do happen when the will of the people in certain countries cannot be expressed and a small minority takes over, with the result that the people become disheartened and tired of fighting for the principles of right and justice, finally the government is taken over by a minority. Then we have seen what ruthlessness follows, illustrated by the case of Yugoslavia which I referred to on July 27 of last year on the floor of the House and again in a speech I made on January 23 of this year, when I said that the Soviet Union was using its ideology to challenge the way of life we believe in, as well as it being a part of its military efforts to encircle America.

Now, I believe that to be a fact. Are we going to sit back and do nothing, or are we going to do something to try to prevent this encircling movement? That is the question. On that question, of course, men may honestly disagree. This is not a party matter. Let me say here that the gentleman from Ohio expressed his own views, and I know that he was not expressing his views as a Republican, but his own honest views as entertained by himself. It may be that between now and when the bill comes up circumstances will develop that may cause the gentleman to change his mind. Knowing the gentleman as I do, if such does happen, I know he would be actuated by what he considers the best interest, the national interest of America.

As I see it, there is a calculated risk if we do something; but there certainly is a calculated risk if we do nothing. The question is, Which is the greater calculated risk? That, as I see it, is the problem which addresses itself to the conscience and the judgment of each Member of the Congress.

The people expect us to know more about this problem than they do, and they are justified, because we are here as their Representatives from the various congressional districts throughout the country. They expect us to know more and they expect us to vote our judgment and our conscience, having always in mind the national interest of the United States of America.

We know that Greece with 7,500,000 people is a pivotal spot in the world today. There is a lot in what the gentleman had to say about China, but our country is not letting China down, our country is interested over there, and it is a national interest. I agree with the gentleman about China, not only for America of today, but because I am looking ahead several generations from now when we shall be dead and gone. I want friendship between the people of China and the people of America to extend to future generations. We, by our actions in the next few years to come, can crystallize and cement it so that Americans for generations to come will be the beneficiaries of our wise actions.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. McDONOUGH. I appreciate what the gentleman is saying. I should like to ask the gentleman's opinion on this matter which is involved in this whole question: The crisis in Greece came about as a result of Britain's informing us that she was withdrawing her support of the existing government. Is not that true? That is not my question, it is merely a preface to it.

Mr. McCORMACK. I do not think that brought the crisis; it brought the necessity for immediate action on our part.

Mr. McDONOUGH. All right. Then, whatever we may do to aid the Greek Government to establish a stabilized government in that country, we do to stop the spread of communism, but we also do something that will aid the British lifeline.

Mr. McCORMACK. I will go along with the gentleman in his first observation, but I cannot concede his last statement. I will go along with the gentleman in the first portion of his statement, although I probably would have expressed it somewhat differently.

Mr. McDONOUGH. My question is: If the crisis in Greece is of such importance to the democracies of the world, why should not Great Britain aid us in establishing stable conditions in Greece instead of asking us to do it alone?

Mr. McCORMACK. I am unable to answer that question; and yet, it is a proper question for anyone to entertain. I cannot answer it except to say that the evidence we have so far as I know is that Britain is unable to carry on her commitments. Now, with Britain withdrawing, the question is: What is the proper thing for us to do for our own national interest?

I think it is unwise for our country to remain inactive and by default allow nation after nation to be taken over by a vigorous communistic minority to be followed by the people's being subjected to ruthless force and then ultimately to be taken within the orbit—I will say this frankly—within the orbit of the Soviet Union.

The country that controls the Mediterranean controls Europe, and the country that controls Europe controls Africa and is a very dominating influence in Asia. I recognize the right of others to believe differently, but what is in our own national interest? Can we sit back and see Europe succumb country by country? Is that in the national interest of the United States? We know what happens, we know what has happened in the various countries over there. Let us assume that a month from now we pick up the papers and find that a small group has taken over Greece. Let us be frank with each other. We know that the Soviet Union directly or indirectly is working in there. In Albania, in Yugoslavia, probably in Rumania, certain elements are working, but back of that is the force and power and spirit of the Soviet Union. Suppose we wake up some day in the near future and find that Greece has been taken over by the Communists. Would we feel that that was for the national interest of our country? Other things are involved if Greece is taken over, a lot of other things. It is the pipe line to the Middle East, then to the Far East; it is the pipe line right down through that part of the world.

Mr. Speaker, suppose 2 or 3 months from now we find Italy has been taken over by the same group. How would we feel? Would we think that would be in the national interest of our country? Suppose, then, we woke up and found 2 or 3 months later that France has been taken over by the minority group. Then, of course, where would Belgium and Denmark be? We know that Sweden, Denmark, and Norway are now under pressure. There is a demand for islands up there. They are under economic pressure. Sweden is under economic pressure. We know that. We know that the Communists in the coalition government in Belgium have withdrawn from the cabinet so they can attack the government in Belgium in the open. What does that mean? Yes; we are vitally interested in China, too, not only because of our affection for the people of China, although we cannot be interested alone because of affection or sentiment, we are vitally interested, as I see it, because the national interest of our country prompts it.

Mr. MANASCO. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Alabama.

Mr. MANASCO. Do we not also have a selfish interest in keeping communism from the other countries of the world because unless we have a free world we cannot sell American goods. The manufacturers, the farmers, the American farmers and laborers, cannot do business in a Communist-dominated country. Is it not, therefore, to our selfish interest to take steps to prevent the spread of communism?

Mr. McCORMACK. Yes; that is correct, but there is something bigger, too. There is a moral objective. There is something over and beyond material things, although some of them are very important. There is something we have had for 2,000 years or longer.

Mr. Speaker, I ask unanimous consent to proceed for five additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. The gentleman who raised the question of the United Nations raises a proper one. I came to this Chamber today not intending to make any remarks. I heard the gentleman from Ohio make his remarks. I am glad he has made his remarks because it is only through discussion that we arrive at a judgment; it is only through discussion we can arrive at the truth where truth is involved or where judgment in reference to a matter of policy concerning the national interest is involved.

Mr. BELL. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Missouri.

Mr. BELL. May I ask about this situation: I notice a headline in the morning paper that Stalin has offered a loan to Great Britain. Suppose that Great Britain were to accept that loan and join the ideological group that Stalin represents, would that have a bearing on the question of the Greek loan from America, in the opinion of the gentleman?

Mr. McCORMACK. Of course, if England accepted the loan and joined that ideological group, it would certainly have a serious repercussion throughout the world. I do not know anything about the loan. All I know is what I see in the papers. Whether it is a tactical move by Stalin for world politics or not, I do not know; but if England were to accept the loan, and by reason of that come within the orbit of the Soviet Union, it would have serious repercussions throughout the world and certainly it would be a matter of grave concern to the people of the United States. Now, that is my opinion.

Mr. HENDRICKS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Florida.

Mr. HENDRICKS. A good many of our prominent citizens have suggested this problem be taken before the UN. May I ask the gentleman what he thinks Russia would do about the veto if we should take that question to the UN?

Mr. McCORMACK. I will come to that.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Michigan.

Mr. CRAWFORD. There are two points with respect to the British position.

Mr. McCORMACK. I am trying to speak from the broader angle, and I know my friend has interpreted my statement in that way. I think out of this there is an opportunity for an awful lot of good to come. I do not know whether I will make any contribution or not, but I am attempting to, following the remarks made by the gentleman from Ohio.

Mr. CRAWFORD. The gentleman is making a constructive contribution. I think there is a complete answer to the question raised by our friend on this side with respect to Britain's ability at this moment, an official answer, in the 1947 economic survey issued by the Prime Minister to the people of Britain. I think that is a complete answer to Britain's inability to pay and also a complete warning to the people of the United States that unless Britain receives additional substantial credit from the United States Britain must necessarily accept credit from Russia or from some other country. There is no escape from it, because Great Britain's 1947 program calls for certain accomplishments. Three months have passed, and they have not even started on those accomplishments, and in the absence of those accomplishments the $3,750,000,000 loan extended to Britain by the United States will have failed to suffice, and it is our next move to meet the situation.

Mr. McCORMACK. I thank the gentleman for his contribution, coming from one of the best versed Members of the Congress.

Now, coming to the United Nations. That is a very pertinent question; a very relevant thought. The United Nations, of course, is not even in its infant stage. This is a situation where we have been requested by the Greek Government and the Turkish Government to act. We have been requested to act in connection with the internal affairs of those Governments. The United Nations does not have the money, it does not have the equipment, and it does not have an international police force. It is doubtful whether it has the authority to go into the internal affairs of a country, as such, for the purpose of trying to stabilize it.

Furthermore, this question, if presented to the United Nations, would come before the Security Council, and already, on either 9 or 10 occasions, the representative of the Soviet Union has exercised the veto power. Furthermore, we only had that situation arise a few days ago when the question of the Albanian sinking of a British ship came before the Security Council, and the Council voted 7 to 2 to take some kind of action in connection with that sinking. And who was it that vetoed it? It was the representative of the Soviet Union. Of course, the purpose of communism in its international aspect and its march onward is to try and create uncertainty and confusion and chaos wherever it can among the peoples of a nation that are not directly or indirectly under its domination or control.

The SPEAKER. The time of the gentleman from Massachusetts has again expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for three additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. One nation, for instance, can resist here and there and then the Soviet Union will probe elsewhere. It and its satellites play upon uncertainty and do all they can to create uncertainty and fear into chaos with the minority then stepping in to wrest the control of government. The Soviet Union, with its international ideology of "Red fascism," is challenging our way of life, and spreading itself wherever it can. It wins by default of the strong democratic nations doing nothing. Now, the question is, can we continue to sit on the side lines and see this done to country after country?

I respect the right of any member who forms an opinion the other way, but my opinion is that we have to take action. The result of this action will help other people, but the motive for the action, as far as I am concerned, is that the national interest of the United States prompts it and requires it.

Mr. VURSELL. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Illinois.

Mr. VURSELL. Would it not have put the United States and the United Nations in a better position, granting that they might have failed, had they joined with Great Britain and taken this matter first to the United Nations, so that they would not have put the power of propaganda into the hands of the officials of Russia, as we have done, with which they can inflame the minds of the people that we are an imperialistic nation, that we are encircling them, and make them believe that probably we intend to invade their country? Can anyone say that with the power of the peace-loving nations, if it had been taken to UNO, it would have failed?

Mr. McCORMACK. I cannot agree with the gentleman on that, because no matter what we would have done the Soviet Union would not have been satisfied from the angle of propaganda. If they did not have one thing, they would have another to say about us. Furthermore, we are stepping in there because England is unable to carry on. Furthermore, if we had stepped in with England, then I am inclined to think that many of my friends in this House would have accused our Government of being dominated by British foreign policy, so far as any effort on our part is concerned.

My purpose in taking the floor today is to welcome the opportunity to reply to, and to also welcome the remarks of the gentleman from Ohio. Let us have more of this, and let us have a discussion on both sides, without unnecessary charges and recriminations, but on the broad plane of what is best for the national interest of the United States of America. As I view it, the national interest of our country, today and tomorrow, calls for the issue being joined, such as President Truman, in no unmistakable words and manner, joined it in his historic message to this body and to the Senate only a few weeks ago.

AMERICAN FOREIGN POLICY

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I think we can all agree with the gentleman from Massachusetts [Mr. McCORMACK] that it is time for us to make up our minds as to whether we intend to become involved in the Greek situation. I think the gentleman from Massachusetts would be the last one to say that we should make up our minds and enter upon a change of foreign policy which may involve us in perpetual warfare without knowing what we intend to do, how far we intend to go. The gentleman says he is pro-American. Of course he is pro-American; so are the rest of us pro-American. The only place we differ, I take it, is as to how we should proceed to best serve the country to which we owe allegiance.

Let me ask this of the gentleman. He believes in the Atlantic Charter, does he not, in carrying the four freedoms to the uttermost corners of the world? I ask for an answer. The gentleman is here. Did he believe in that principle?

Mr. McCORMACK. What is the gentleman's question? He asks the broad question?

Mr. HOFFMAN. I ask the gentleman the broad question whether he believes in the Atlantic Charter and in particular that portion of it which outlined our duty to carry the four freedoms to the uttermost corners of the world.

Mr. McCORMACK. All of us agree on that. Everybody agrees on that.

Mr. HOFFMAN. That is all I want.

Mr. McCORMACK. May I say to the gentleman that I was not by implication impugning the motives of anyone. I said my approach is pro-American rather than anti-Communist.

Mr. HOFFMAN. The gentleman has answered my question, and I thank him.

Mr. McCORMACK. Any time the gentleman asks me to yield I yield, and I do not make any smart answer, either.

Mr. HOFFMAN. Nobody was questioning anyone's motive. What I said was that the gentleman said he was pro-American. I believe him. All I was saying was that the rest of us are pro-American, too; we just differ as to our methods of expressing our desires.

The gentleman answered my question and said that he believed in the principle enunciated in the Atlantic Charter that we were to carry and maintain the four freedoms throughout the world. Then he went on to state that he believed—and I think we all do—in Christianity, and that he was opposed, and I think we all are, to communism. But if the people of Russia want to believe in communism, if the people of India want their form of religion, and the people of a dozen other countries in the world each have their form of religion, how under the Atlantic Charter, I ask you, can we justify ourselves in taking our dollars, our munitions of war, our armed forces, going into those countries and saying, for example, to Russia or Greece or India or China, that they must become Christians, that they must accept our political philosophy? Is that consistent? Is it consistent if we say, as we have said over the years to every nation in Europe and everywhere else except in the Western Hemisphere, that we will tolerate none of their interference with South America or Mexico, but we will cross the sea and stop Russia or any other nation at a designated boundary line? Is it consistent then for us to send our dollars and our armies across the seas to tell Russia or some other country what form of government it shall have?

Mr. VURSELL. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Very briefly.

Mr. VURSELL. I want to ask the gentleman a question that I think is fundamental, that is at the base of all of this. In view of the fact that France has fought two world wars and wrecked herself financially, and that England has fought two world wars and wrecked herself financially, even though we want to do what the President would like to have us do, can we do it and finance it without wrecking this country?

Mr. HOFFMAN. That is a very pertinent question. As far as I know, no one from the moment of the President's message down to the present time has ever stopped either to count the cost or even to give the people of our land an estimate of what the cost of the proposed policy

in dollars and munitions of war, in materials, and in men may be.

Mr. GRANGER. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Utah.

Mr. GRANGER. I think that is the very heart of the whole thing. If somebody could come up with the answer as to how much it is going to cost and where it is going to lead, I think some of us then could make up our minds on what we want to do about it.

Mr. HOFFMAN. I thank the gentleman. To my mind he states the point accurately.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. KNUTSON. Should we not have full particulars as to how much it is going to cost before we embark upon this uncharted journey?

Mr. HOFFMAN. Yes; that is what I understood the gentleman from Utah [Mr. GRANGER] to be suggesting; especially do we want to know the cost in suffering and cost in lives, possibly an estimate of the number of veterans and the number of dependents of veterans of World War III, and an estimate of how many billions or trillions of dollars would be required to be raised by this country to keep those veterans and their dependents from want and to, as we call it, rehabilitate them.

Mr. KNUTSON. I am reminded of an incident that is recorded in the history of Washington. A former President and his friends way back in the early days of the Republic were sauntering along the bank of the old Chesapeake & Ohio Canal. They had been imbibing a little. One of them slipped into the canal, and the President reached down and tried to pull him out. He could not do it and finally said, "If I cannot pull you out, at least I can get in there and join you."

Mr. HOFFMAN. I thank the gentleman. My fear is that we may get in, and with those we seek to aid drown in the sea of want and famine and disease that follows war.

Sometimes I wonder whether in this particular issue we are intellectually honest with ourselves. This thing of communism is nothing new in this country nor to this Congress.

The gentleman from Massachusetts [Mr. MCCORMACK] years ago served on a committee which did a most admirable job in exposing and rooting out the Communists who were in this country. We knew we had them then.

During the 12 short years I have been here, until the time the statement recently made by the administration was given us, nothing was said by those in authority about exposing or eradicating communism or ousting Communists. This has been mentioned here before by me. But we recall how the First Lady of the land went with the Communists and lent them support when they were ordered to appear before the Dies committee. We remember she entertained them at the White House. We remember how the Dies committee attempted over the years to expose and get Communists out of America and out of the Government and how for 10 years, or perhaps more accurately ever since that committee was created until the time Martin Dies left this Chamber, he was fought on every step of the road. Now, they come along and say, "Yes, our country is going to be overwhelmed by the Communists if we do not help Greece."

When Russia went into Finland, did we help Finland? Did we do anything to help the Finns from being forced to accept and live under communism? To pay tribute to Russia?

As the gentleman from Ohio said, what about Poland and those other countries which Russia took over—some of them with the aid we gave her?

Then, I will come to this question; and this is a practical question. The gentleman says: Do something. Do what? And where? And how much? How many dollars? How many men? How far are we to travel? Under the argument of the gentleman, being Christians and believing in Christianity, are we going to send our forces everywhere in the world to fight every nation which does not believe as we do and which does not accept our theories of government? That gets us back to what—to being an aggressor nation, a nation determined to destroy the choice of other people to live under the form of government they want to live under.

That policy is the opposite of the one set out in the Atlantic Charter; of the reasons given for fighting World War II. If we are to fight another world-wide war let the people know the objectives, in what countries we are to decide who shall be ruler and what is the form of government we are to prescribe. If Communist Russia's $25,000,000 loan to socialize England brings a communistic England, are we to make war on Britain to oust the Communists? Where, once started, are we to stop?

DEMOCRACY VERSUS COMMUNISM

Mr. MORRIS. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MORRIS. Mr. Speaker, I have the highest regard, respect, and admiration for the gentleman from Massachusetts. Not only do I have such high regard, respect, and admiration for him, but in the short while I have been here I have learned to have a deep affection for him, and so far, I believe we have agreed on most every matter that has come before this House. But I cannot agree with him on this question of Greece and Turkey.

I believe the gentleman from Ohio is much more nearly correct than the gentleman from Massachusetts. I have not had time to analyze in my mind all of what the gentleman from Ohio has said, but I agree with the substance of what he has said.

I am not fully convinced at this time, as to all the details of the President's proposal, and I will hold my mind open to receive further light and information, because I do want to be right, regardless of what happens to me, on this most important matter.

At this time, however, I believe as firmly as I ever believed anything in my life, that to follow the President of the United States, fully, on his request, would be an absolute departure from, and a violation of, the spirit, and very probably the letter itself, of the Declaration of Independence and the Constitution of the United States. In addition I am persuaded that to follow his request would be a violation of the spirit and letter of the Monroe Doctrine. It has been said in the press and over the radio that it would be an extension of the Monroe Doctrine. I do not see how you can so extend the Monroe Doctrine without breaking it. I think it would be, not an extension, but a violation of the Monroe Doctrine; and unless I can see further light I cannot and will not go along with the program because I believe that it is a step toward war and I believe we are about to junk the United Nations as we did the League of Nations; and I am opposed to it unless I can see further light.

In my judgment we can and we will stop Russia, or any nation or any group of nations that might come against us, by force; but Mr. Speaker, we cannot, by force, stop communism nor any false religious or political belief in the minds of people. The use of force will only spread it. We can use force to stop any physical enemy that might come against us, but we cannot stop beliefs in the minds or hearts of men by force. No one is more opposed to communism than I am. My whole background in life will show that. In my opinion the only way to stop communism is to make democracy work well in this country. If we do that, we will stop communism in its tracks.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. MORRIS. I yield.

Mr. KNUTSON. The gentleman is making a very fine statement and one with which I agree thoroughly. Does not the gentleman believe that if we impoverish ourselves at home by spreading largesse all over the world we will in effect open the door to communism in this country and be taken over ultimately?

Mr. MORRIS. I thank the gentleman for his remarks and observations, and I agree with him fully.

Can we not realize that our old-age pension system is in a deplorable condition and our school system is all but breaking down, that our public debt is almost too heavy for us to bear? Unless we watch our step, we are going to ruin ourselves at home, Mr. Speaker; and if we do, communism will take the world.

THE COPPER SITUATION

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, the other day this House approved a bill that had to do with removing the excise tax on copper. We did not have too much debate on that bill, but it has been established that the Federal Government has disposed of most of its copper stock pile consisting of about 600,000 tons.

Where do we find ourselves today? Right flat on our pants with one of the

most terrible copper shortages in the history of the world.

What can you do in carrying on an international program such as has been discussed here this afternoon without copper? What can you do with respect to carrying on a national program to say nothing about the international operations in which we are engaged without a substantial supply of copper?

I think the House did the proper thing the other day.

I attended some hearings in the other body this morning and picked up some additional information.

We cannot work too fast on this copper proposition. There are some reasons why there is a shortage of copper today and the American people are entitled to be told by the Congress of the United States why the present inadequate supply of copper for our industry exists with three copper producing companies practically controlling over 80 percent of the product. We now hold the hot spot on copper. How can industries carry on their fabrications? What is going to happen to the automobile industry in Michigan and other States? What is going to happen to the General Electric Co., Allis-Chalmers, and all the others who produce industrial supplies carrying great quantities of copper to be shipped to the other parts of the world and to our own people here in the United States? That is the question with which this Congress has not yet dealt.

It will be well for the Interstate and Foreign Commerce Committee of this House to pay some attention to the 600-page report which has just been released in the last few days by the Federal Trade Commission pointing out some of the troubles in the copper kettle of this country today. We can well afford to have that committee take action and take action promptly in connection with the facts pointed out in the Federal Trade Commission report so that the Congress can thus answer to the people of this country why there is an inadequate supply of copper today with which to carry on our industries and why the Federal Government's supply of copper has been reduced from about 600,000 tons down to about 55,000 tons in the Federal Government's effort to supply those fabricators of copper a few tons to operate in competition with the big three that controls about 80 percent or more.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

SPECIAL ORDER GRANTED

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that on Tuesday next after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

VETERANS' HOSPITALS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I dislike very much to break into the continuity of the discussion on the Greek and Turkey situation, but I do want to continue some of the remarks I started a while ago when I spoke under the 1-minute rule on the veterans' hospital situation. For the benefit of some of you who came in late, I pointed out and inserted in the RECORD two newspaper articles, one of them from the Seminole Producer, Seminole, Okla., telling about the crowded situation that we have in the veterans' hospitals in Oklahoma and pointing out that as a member of the Veterans' Affairs Committee I have talked to General Bradley of the Veterans' Administration and Major General Hawley, the medical director, many times, giving them statistics from the American Legion's State service officer and the Veterans of Foreign Wars' State service officer, showing that in Oklahoma we have something like 677 cases awaiting hospitalization. Their answer always is that there are no emergency cases turned away.

Recently the entire Oklahoma delegation called on Major General Hawley and discussed this situation with him in an effort to get opened up the McAlester Hospital, the Bordon Hospital at Chickasha and the hospital at Norman which belonged to the Army and Navy. We did not get anywhere. This article I am inserting tells about an Oklahoma veteran from Gore, Okla., who went to the Muskogee veterans' hospital seeking admission. They said he was not an emergency case. The only reason I doubt that is that he died 2 days later. They did tell us the morning the entire Oklahoma delegation called on them that they were going to construct a new hospital in Oklahoma City. I picked up the noon paper today, the Times-Herald of Washington, D. C., and there I note an article that the gentleman from New York [Mr. TABER], chairman of the Appropriations Committee, had contacted General Bradley and prevailed upon him to delay the awarding of any contracts for veterans' hospitals for a period of 2 or 3 weeks on the ground there were some excessive expenditures or something of that nature in the contracts.

Mr. Speaker, a period of 2 weeks may seem unimportant to many of us, including the gentleman from New York [Mr. TABER] and General Bradley, but, certainly to the parents of this boy who died down there on March 20 it would be pretty hard to explain.

For the life of me, when the Congress has awarded money which will enable General Bradley to go ahead and award contracts, I cannot see why, just to save a few lousy dollars, we delay this thing for 2 or 3 weeks when down in Oklahoma and all through the Nation we have these veterans waiting to get into the hospitals. Before we start talking about Greece and Turkey and those other places, let us take care of the veterans who fought in the last war. We have down in Oklahoma 677 on the waiting list. If General Bradley gets sick he can go out to the Army hospital at Fort Myer but what about the 677 in Oklahoma and the 3,500 throughout the Nation; they have nowhere to go unless the gentleman from New York [Mr. TABER] and General Bradley cease frustrating the hospital-construction program. I say to you, before we start anything else, let us do something about veterans' hospitalization in this country. You know you cannot tell the veterans in Oklahoma and the Nation on the waiting list that we will have a hospital for them in 2 years from now when down in McAlester, Chickasha, and at Norman, Okla., we have these Army and Navy hospitals lying idle.

Mr. ELLIS. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from West Virginia.

Mr. ELLIS. Did I understand the gentleman to say there were three unused hospitals in Oklahoma?

Mr. JOHNSON of Oklahoma. Yes; two naval hospitals and one Army hospital, sir, which could be utilized. It is the feeling of the Oklahoma congressional delegation these could be used for veterans, at least temporarily, until they can get their new program started, and they are not going to be started unless the gentleman from New York and General Bradley realize the seriousness of the situation and start building hospitals.

Mr. ELLIS. Would not that be a worth-while effort?

Mr. JOHNSON of Oklahoma. It would be. The trouble is that when you go down and talk to Major General Hawley and General Bradley they quote statistics showing that there is no waiting list. The only thing that we can do, the only thing the Members of the Oklahoma congressional delegation can do, is to cite statistics which are furnished by State service officers of the American Legion and the Veterans of Foreign Wars, showing that there are cases and they are emergency cases. I just know the sense of this Congress well enough to know that something will be done about this.

Mr. MILLER of Connecticut. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Connecticut.

Mr. MILLER of Connecticut. I yield to no man in my insistence that the disabled of World War II be cared for, but I want to be fair to General Bradley. Is it not true that under the law General Bradley or the Veterans' Administration cannot build for the needs of the so-called non-service-connected cases? They tell me further that there is no delay in getting the veteran hospitalized if he has a service-connected disability.

Mr. JOHNSON of Oklahoma. I will say this to the gentleman from Connecticut, that they tell us the same thing. The only answer is that many of these cases are service-connected, surely this veteran who died 2 days after being refused admittance was an emergency case.

Mr. MILLER of Connecticut. They are service-connected?

Mr. JOHNSON of Oklahoma. Yes. I do not know what you are going to do

when you go over there to the Veterans' Administration and get statistics, when they tell you that these cases are not service-connected and that they are not emergency cases, when right here in this newspaper was the case of an emergency case veteran that they said was not an emergency case, who died 2 days later. He is bound to have been an emergency case.

Mr. MILLER of Connecticut. That is what I wanted to know, whether the disability was service-connected.

Mr. JOHNSON of Oklahoma. I am so informed.

Mr. STIGLER. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Oklahoma.

Mr. STIGLER. I want to congratulate the gentleman on making such a timely statement informing the Members of the House with reference to the hospital program in Oklahoma. I am just wondering whether the gentleman knows that recently an order was issued by the medical officer in charge of the Veterans' Hospital at Muskogee, calling upon all medical officers not to call him and ask for the admission of any veteran who was not service-connected and not an emergency case. That order was recently issued.

Mr. JOHNSON of Oklahoma. I did not know about that, but I thank the gentleman for his contribution.

As I stated in my speech earlier today Mr. Speaker, I feel very deeply about this matter. I, for one, do not feel that General Bradley is any sacred cow. When incidents occur such as the one I have related, as a member of the Veterans' Affairs Committee I am going to call them to his attention and ask that he do something about it. I cannot see why the hospital construction program should be delayed for even 1 day, and I predict that unless some of these Army and Navy hospitals are utilized temporarily and the construction program pushed with all possible speed, we will learn of other incidents such as this one and we will discover that the boys who fought on the world-wide battlefronts come home to die on the battlefields of Republican economy and Veterans' Administration bungling and red tape.

EXTENSION OF REMARKS

Mr. HARLESS of Arizona asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the New York Times.

TAX LEGISLATION

Mr. KEATING. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, yesterday we passed a bill which will give substantial relief to the overburdened taxpayers of this country and increase their take-home pay. I am sure they will appreciate this legislation, representing as it does a reversal of a trend. I hope we shall be able to cut governmental expenses further so that additional relief may be extended.

Although I voted for this bill, my position in this House is well known to the Members. I am still of the opinion that we have not yet sufficiently recognized the need of the lower-income groups in which I include not only those with net incomes up to $1,400, after exemptions, who have justifiably received special consideration in the bill just passed, but also those between that figure and up to $5,000 or even $10,000. None of us enjoys the day our income tax falls due, but it cannot, in all fairness, it seems to me, be called a real hardship to pay even the existing high taxes for those above the $10,000 mark, in the sense that they are required to deny themselves some of the real necessities of life in order to help pay the expenses of running the Government.

Entertaining as I do the firm conviction that in our overhauling of the entire tax structure which I trust may be undertaken at an early date, we should give further thought and favorable consideration to additional tax relief for those who need it most, I have today introduced a bill entitled "A bill to provide for additional tax deductions from the gross income."

The purpose of this measure is to permit of five additional deductions for what seem to me to be necessary living expenses. This bill would amend section 23 of the Internal Revenue Code in two respects and would add three new subsections.

In the first place, under existing law, a person is permitted to deduct medical or dental expenses which have been incurred during the taxable year, only when they exceed 5 percent of gross income. That is all right for us here in this body, or for anyone who has an income such that the incurrence of unusual medical expenses, while a tough break, is not actually going to work a true financial hardship. The place where this provision pinches is, let us say, with the $2,000 a year fellow, who is not permitted to deduct such expenses except those above $100, or the $5,000 a year white-collar man who can only deduct his expenses above $250. These people really feel the pinch acutely when a long sickness strikes, or a major operation becomes a matter of life or death.

My bill would provide for an amendment to section 23 (x) of the Internal Revenue Code so that all such necessary medical and dental expenses would be deductible for income-tax purposes in the case of a man with an adjusted gross income under $2,000; all such expenses over 1 percent if his gross income is between $2,001 and $4,000; all such expenses over 2 percent if his gross income is between $4,001 and $6,000; all such expenses over 3 percent if his gross income is between $6,001 and $8,000; all such expenses over 4 percent if his gross income is between $8,001 and $10,000; and, as under the present law, all such expenses over 5 percent if his gross income is over $10,000.

This bill, it strikes me, simply gives effect to the increasing ability of a man to meet heavy and unusual medical expenses as his income increases and is a recognition of the further fact that the lower income groups suffer an unfair discrimination under the existing law, which takes no cognizance of financial ability to meet the cost of medical and dental care.

Secondly, under the present law, interest paid on obligations is, of course, a deductible expense. This is all right for the man who goes to the bank and borrows money, agreeing to pay a certain interest on his note. The trouble is that the little fellow who often cannot get credit at a bank, but who so frequently buys an automobile, a refrigerator, a cook stove, or his household furniture on time, and is, in fact, paying interest on the purchase price is not allowed to deduct that interest because it is said to be unascertainable or not distinguishable. He buys a car on time and agrees to pay for it out of his wages weekly or monthly. Part of the cost of that car is interest, and sometimes abnormally high interest, on the amount of his original obligation. Yet when the tax agent comes along he strikes out of his income-tax return and refuses to allow as a deduction any item for interest. This bill would define the word "interest" as it is used in section 23 (b) of the Internal Revenue Code, so as to include either 6 percent of the purchase price, or the interest designated, whichever is greater, on installment purchases.

Again the essential purpose of this bill is only to bring the lower income groups into line with those in the higher brackets who already have the advantage of such a deduction.

Thirdly, a new subsection is added to permit as a deduction all necessary expenses of transportation to and from work. A man, by working, increases his ability to pay income tax and thereby add to the Government revenue. It seems to me only fair that the bus fare or street car fare, which is an absolute necessity to take him to and from his work or to take the girl who works in an office to and from her job, should be a deductible expense item. A business executive can deduct expenses which he incurs for lavish entertainment in order to increase his business. I do not object to that, because undoubtedly the result of it is to enable him to do more business, thereby adding to his income and resulting in higher taxes for him and greater revenue for the Government. But it does seem to me that the cost of getting to and from his job is just as truly a part of a man's or woman's necessary expenses, as some of the deductions which are already allowed.

Fourthly, in these times there are many cases where both husband and wife are working. This becomes even more necessary in times of high prices. It is often highly desirable because the wife has some special skill, such as a nurse's training, or secretarial background which can make a real contribution to our economy. The trouble is that she may have to hire someone to do her housework while she is on the job, or if she has children she may have to pay someone to stay with the children. It seems to me that it is only fair and would be a desirable thing from every point of view if she could deduct these

necessary expenses in computing her income tax.

Finally, my bill would provide that a person who is required to take special instruction or training in connection with his work could deduct such expenses in computing his tax. This would apply particularly to young professional people like teachers, doctors, accountants, nurses, clergymen, and the like. By taking such courses, these taxpayers enable themselves to earn more money and pay more taxes. It would be helpful to our economy generally, as well as a great boon to them to permit them to take such a deduction.

It is my earnest hope that this bill will have favorable consideration before the Committee on Ways and Means and before this House.

TAMING WILD HORSES

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. TRIMBLE. Mr. Speaker, 15 years ago, a great "Arkansawyer," Tom Shiras, the editor of a country newspaper in our district, stood at a point in the rugged Ozark Mountains and looked down upon the winding White River below him and made this remark: "A million horses are running wild down there." Tom Shiras was right; and, while he died in the early part of this year, he lived long enough to see part of those horses tamed. He loved northwest Arkansas. I wish he could have lived to see his dream fully realized.

Studies and surveys, made by the Army engineers, have proved that a million horsepower of hydroelectric energy is economically feasible in that majestic river. The tragedy of it is that most of those million horses are still running wild. However, due to the inspired work of men in the Congress, and to the untiring efforts of the people of the watershed of the great White River Basin, we are now at the threshold of a new day. A day when those wild horses will not only be tamed but they will be harnessed and put to work.

There are millions of other horses, still untamed and unharnessed, running wild down the Arkansas, the Red, the Ouachita, the Brazos, the Guadalupe, the Canadian, the Verdigris, the Cimarron, the Neosho, and many other streams in the Southwest. I am sure that the people in these river valleys, like the people who live in our own district, have been working for years to encourage the Federal Government to tame these wild horses and put them to work for progress.

The people have seen these uncontrolled streams year after year carry away the top soil from the farms; a soil which constitutes their line of defense against poverty and distress. You and I have seen the fertility of our soil decrease year by year. It is axiomatic that the welfare of our people is limited by the productivity of the soil. With the loss of our soil goes our hope. Thousands of our farms have literally floated down our streams and more are following. To be sure, this soil has gone, and is going, down stream to our neighbors in the plains below, where it is not particularly needed. In thus going down stream, it has filled and clogged the beds of the rivers to hamstring navigation and to cause devastating floods which inevitably result in distress, famine, and disease. Indeed, there is great loss in the displacement of soil fertility, in river commerce, and in human welfare. Such waste and suffering in our country are matters of common knowledge.

The people in the hills of northwest Arkansas have joined hands with their neighbors in the valleys; and for 15 years have been fighting side by side for dams, power plants, transmission lines, and other public works which are necessary to make these rivers a blessing instead of a curse. The people in your districts, where they are confronted with the same problems, doubtless have likewise been at work.

The people in the district which I represent have cooperated wholeheartedly with the Corps of Engineers and with all public and private agencies that could aid them. They have appeared at public hearings and have testified to their willingness to have their bottom lands submerged by the reservoirs, if they could, in turn, get: First, flood control for their neighbors below; second, power at reasonable rates for their farms and industry; third, the benefit of the recreational facilities such development would afford; and, fourth, the advantage of the tourist trade which would come with each development. They have cooperated with the private utility companies, and for years have urged them to make these developments.

However, because the local utility companies were more scared than hurt, the cooperation on the part of the companies has not always been what it should have been. They believed that the building of the dams would be to their disadvantage. And all too often, they went into the valleys and tried to persuade the people against power dams by telling them that if power dams were built above them the water would be held at high head levels for power purposes, and that when the rains came the reservoirs would be full and water would be spilled down on the farms; that they would be worse off than before. They told the people in the hills sometimes that if power dams were built that water levels would vary so greatly that the reservoirs would be ruined for recreational purposes. They sometimes told the sportsmen that the fluctuating water level would destroy all of the fish and wild life; and that the building of the dams would ruin the fishing streams in our section.

Fortunately, our people were a little stubborn and plowed a straight row ahead toward the goal of getting these dams built. Some dams have been built; and to show that the utility companies were more scared than hurt, floods are being controlled, recreational facilities are being improved, and the fishing and other recreational activities are better than ever; and, to top it all, the utility companies are making more money than they ever made before—a proof of the fact that whatever develops the country helps everybody in it.

Another thing I would like to mention, which shows that the utility companies were just scared, was their attitude on rural electrification. Anybody in our district who tried it knows that before the rural-electrification law was passed that the utility companies most generally would not run lines out into the country from the towns which they served, on the theory that it would not pay. I had that personal experience myself; and I know of my neighbors who had the same experience. We did not press the companies for such service. We thought they knew their business; and, if it did not pay, we certainly did not want them to lose money. What distressed us, however, was that when rural electrification finally became a fact, and the Federal Government provided funds to lend to the farmers of the country to build rural electrification lines for themselves, the utility companies, thinking they would be hurt, got busy and built "cream" lines. That is, they picked out the finest territory and built lines and began to serve. The farmers organized their own little co-ops in other sections and asked the local utility companies to give them wholesale rates so that they could serve themselves; but the utility companies, not recognizing the general advantage of this type of service, refused to do it. The Rural Electrification Administration, of course, would not loan the funds to the farmers unless they could get a reasonable wholesale rate. The money lent to the local co-ops had to be repaid to the Government with interest; and, of course, if a co-op had to pay too high for its power, it could not make enough profit to repay the loan.

This situation obtained for some years. The local utility companies, still too short-sighted to see the business advantages, devised a plan which they called the 75–25 or Arkansas plan. This proposal was that if the Rural Electrification Administration would turn the money which was allocated for loan to Arkansas co-ops over to the utility companies, they, in turn, would build the rural lines, tie them on to their own system, collect the bills, and keep 75 percent of the gross receipts and give the Government the 25 percent remaining. Of course, the farmers in our section rejected this proposition as being noncompetitive and leaving them impaled on the same old hook.

In 1937, through the efforts of the State utility commission, which had been appointed in 1936, the utility companies were required to file wholesale rates. Still blind to the advantages of free competitive enterprise, the utility companies offered an unthinkable 18 mill wholesale rate. The State utility commission refused to accept that rate, and the companies finally reduced the rate to 10 mills. Later, when an effort was made through the Tennessee Valley Authority to get power across into Arkansas, the rate was reduced to 8 mills. Later, when the Southwest Power Administration was created, they reduced the rate to 6 mills, and just recently the rate has been reduced to 5½ mills to match the Southwest Power Administration rate. In

these reductions in rates is the proof of the advantage of free competitive enterprise.

Still insisting that competition is a disadvantage, the utility companies do not want the people to tie together the dams which are being built in the streams of the Southwest. They think that to integrate these dams will limit their opportunity to serve the people. But, to show that their real interest has not and will not suffer, the utility companies are making more money than they ever made in the history of their service—indeed, making so much money that they can refund 1 month's light bill out of 12, thereby relieving their own tax burden at the same time. Surely, the little competition afforded by the Southwest Power Administration is and will be only to the general advantage of all concerned. It certainly could not hurt for this reason: At one of the dams in my district, which is representative, the utility companies pay 2.8 mills per kilowatt-hour for the power generated there. In 1945, they sold it through their system right back to the people at these prices: farmers, 46 mills per kilowatt-hour; homes inside city limits, 39 mills per kilowatt-hour; stores, 30 mills per kilowatt-hour; small industries, 18 mills per kilowatt-hour; and both large and small industries on the average, 11 mills per kilowatt-hour.

Now, back to our river projects: As I said, the people in my district believe that we are on the threshold of a new day. The Norfork Dam located on the North Fork of White River in our district is completed. It has created one of the most beautiful lakes in the country, and many thousands of people visit it each year. The dam has a power plant with one unit of 35,000 kilowatt capacity which produced 221,000,000 kilowatt-hours of electric energy last year. This plant has room for three more 35,000 kilowatt units. The second unit will be installed next year. Less than 35 miles away is the site of the great Bull Shoals project which will, when completed, add 600,000,000 kilowatt-hours annually.

In the Southwest area, 3 projects have already been completed; 5 more are ready to be started; and 22 others are either authorized or recommended for future construction. All of these projects are to be built and operated by the Corps of Engineers of the United States Army. These developments belong to the people, and the power generated will be marketed by the people. I feel certain that future study will establish many more such projects needed to completely harness our streams.

Now that our people are beginning to see the fruits of their labor and of their money, which they have invested in these dams, the private utility companies have come forward with an offer to buy the advantage of the power developments. They have seen the error they made when they argued against the dams in the first place and are now for them. They have seen the advantage of rural electrification, and they are now for rural electrification. However, still insisting on the general advantage of business without competition, the utility companies have entered into an agreement among themselves to purchase the power that will be generated by all of these dams and resell it to the very same people who own it—and at rates based upon what the traffic will bear.

Our people, I am certain, want a free competitive enterprise system. They want the public utilities to prosper and make a fine profit, but I am convinced that they are unwilling to permit a group of utility companies to have control over the power generated by these dams. I am certain the people want all these dams to be tied together under an organization to market this power, supplying it to the utility companies, if they want it and need it for distribution at reasonable rates; to the co-ops if they need it for distribution at reasonable rates; to anybody else who needs it for distribution at reasonable rates. This is just plain, simple competition furnished by the owners of the dams, namely, the people themselves.

Competition for the utility companies, such as that supplied by the river projects under the Southwest Power Administration, not only makes power available at more reasonable rates but also makes power available for a wider range of uses in larger and larger areas. Actually, it affords the private utility companies an opportunity to extend their services far beyond what they originally considered would pay a return on the investment so that they may prosper as the people prosper. Within the last few years, while the utility companies have been reducing their rates under the influence of competition, the distribution of power has been greatly extended both as to particular use and as to the geographical area served. But even so, not more than 50 percent—I would say not over 25 percent—of the potential for service is being supplied in my section of Arkansas; and I am satisfied that the same condition obtains in every other part of the State. Thus it is evident that the utility companies need have no fear that the river projects under the Southwest Power Administration will displace them. Rather these projects make it possible and profitable for them to extend their services to still larger and larger sections. As a matter of fact, there is a shortage of power; and it will require the services of all concerned to supply the need.

Section 5 of the Flood Control Act of 1944 places the responsibility of marketing all the surplus power from projects developed by the War Department in the hands of the Secretary of the Interior. For our section, the Secretary has delegated that responsibility to the Southwest Power Administration. Last year, the Congress appropriated $7,500,000 to that administration for construction purposes. Provision was made to construct and acquire a high-voltage transmission line to interconnect the three completed dams, Norfork, Pensacola, and Dennison; and also for construction of some feeder lines to carry certain power to communities where power was not available. These facilities are now under construction and will be completed as rapidly as possible. When this appropriation was asked for, again the 12 large private utilities in the area, still unwilling to accept the opportunity to extend their services under competition, came to Washington and fought the appropriation, as they had formerly fought the dams and have fought the Rural Electrification Administration.

This year, the Southwest Power Administration has reduced its budget request and is asking only for essentials for continuance of its services. The appropriation requested is $3,725,000. These funds will provide three substations on the lines now being built. They will also provide for some additional feeder lines in areas which are not now served. They will provide for general plans and general equipment necessary to maintain lines already under construction.

And again, the power companies offer resistance to this effort to establish free competitive enterprise for public service. Their general arguments are the same. None of the lines which the Southwest Power Administration is now building or proposes to build will in any way duplicate the lines of private companies or take any of their business away from them as I understand the picture. The Southwest Power Administration has done its utmost to cooperate fully with the private companies, yet nine of the companies propose now to take over the contracts of the Southwest Power Administration and purchase all the power of the existing dams in the area. As the Tulsa Tribune said in an editorial of February 24, 1947:

> This offer is a campaign to grind up the Southwest Power Administration and feed it as hamburger meat to the private utilities.

The same paper in an editorial on March 1, 1947, says:

> There is no need for public ownership of an enterprise in which rates and prices are regulated by competition. That is socialism; but it is not socialism for a people to control an essential need of which there can be but one source of supply.

The fact is that the utility companies now recognize that the Southwest Power Administration is a real success, because the people have achieved the advantages of free competitive enterprise. They speak of interference with free enterprise, but they never speak of free competitive enterprise. It appears that they just do not want competition, which is very inconsistent in the American system, to say the least. Could it be that while the "wild horses" in the rivers are being tamed, the utility companies also need to be tamed?

It is my considered judgment that the power projects under the Southwest Power Administration offer only advantages to the people, including the private power companies. I know that the people I represent want the Federal Government to build the dams and to tie them together with a high-voltage grid system with necessary feeder lines to take this power to the people and at rates that are reasonable and at least competitive. We believe that such a policy will encourage the private companies to continue to grow and prosper. The program of the Federal Government will supplement the power of the private companies and aid in the rapid development of our

region. Our region abounds in an abundant supply of cheap fuel in the form of gas, oil, and coal. Private companies will have developed steam-generating plants using these cheap fuels. The Government will develop hydroelectric plants, it being unreasonable to expect the private utility companies to build all the dams necessary to harness all the potential power along these streams. A proper balance and coordination of the hydro and the steam plants will produce the cheapest power and extend its uses to every farm home and to the smallest industry.

The Government's program could materially aid private companies by supplying them capacity for peaking purposes. Private companies could aid the Government by selling them energy to firm up its capacities in the hydro plants. Teamwork could produce the best results in our region; and teamwork is what we are desirous of obtaining. Plain, simple, unadulterated justice and fairness to both the people as a whole and to the utility companies is all that we ask, in order that progress can lift up her head, and ultimately return to the people the money that they have invested in all these projects, at the same time retaining the advantages of these projects for posterity.

Yes; we are taming wild horses—the wild horses running down our streams.

Horses, which, when harnessed, will furnish heat and light to homes and power for industries all over northwest Arkansas, over the great Southwest, and throughout the whole country according to the need, and at rates that can be afforded. These horses belong to the people and when they are harnessed they should and must work side by side with free competitive enterprise—a system that made this country what it is, and will keep it strong and vibrant.

ADJOURNMENT

Mr. ELLIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 30 minutes p. m.), under its previous order, the House adjourned until Monday, March 31, 1947, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

499. A letter from the Chairman, National Archives, transmitting the Annual Report of the National Archives Trust Fund Board for the fiscal year ending June 30, 1946; to the Committee on Post Office and Civil Service.

500. A letter from the Chief Scout Executive, Boy Scouts of America, transmitting a copy of the Thirty-seventh Annual Report of the Boy Scouts of America for the year 1946 (H. Doc. No. 185); to the Committee on Education and Labor and ordered to be printed, with illustrations.

501. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill to authorize an adequate White House Police force; to the Committee on the District of Columbia.

502. A communication from the President of the United States, transmitting a revised estimate of appropriation for the Department of Agriculture for the fiscal year 1948 in the form of an amendment to the budget for said fiscal year (H. Doc. No. 186); to the Committee on Appropriations and ordered to be printed.

503. A communication from the President of the United States, transmitting a proposed amendment to the 1948 budget as it pertains to the General Accounting Office (H. Doc. No. 187); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FLANNAGAN: Committee on Agriculture. House Joint Resolution 152. Joint resolution relating to the marketing of Virginia sun-cured tobacco under the Agricultural Adjustment Act of 1938, as amended; without amendment (Rept. No. 199). Referred to the Committee of the Whole House on the State of the Union.

Mr. TABER: Committee on Appropriations. H. R. 2849. A bill making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes; with amendment (Rept. No. 200). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CUNNINGHAM:

H. R. 2838. A bill to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes; to the Committee on Public Works.

By Mr. ROBERTSON:

H. R. 2839. A bill to amend title V of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, so as to provide that the transferee of any property transferred thereunder shall be entitled to all revenue derived from such property; to the Committee on Banking and Currency.

By Mr. WIGGLESWORTH:

H. R. 2840. A bill relating to the assumption of contractual obligations by the Federal Government to make grants-in-aid with respect to Federal-aid highways and roads; to the Committee on Public Works.

By Mr. BARRETT:

H. R. 2841. A bill to authorize the construction of certain Federal reclamation works in the upper basin of the Colorado River; to the Committee on Public Lands.

By Mr. MORRISON:

H. R. 2842. A bill to provide that retired enlisted personnel of the Army who served as commissioned officers during World War II shall receive the pay of retired warrant officers; to the Committee on Armed Services.

By Mr. NORBLAD:

H. R. 2843. A bill to provide for the transfer of certain property to the Navy Department for the purpose of establishing a naval postgraduate school at Fort Stevens, Oreg.; to the Committee on Armed Services.

By Mr. REES:

H. R. 2844. A bill to amend the Veterans Preference Act of 1944 by removing therefrom certain inequities, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROHRBOUGH:

H. R. 2845. A bill to amend the act entitled "An act to expedite the provision of housing in connection with the national defense, and for other purposes," approved October 14, 1940, as amended; to the Committee on Banking and Currency.

By Mr. SIMPSON of Illinois (by request):

H. R. 2846. A bill authorizing and directing the removal of stone piers in West Executive Avenue between the grounds of the White House and the Department of State Building; to the Committee on the District of Columbia.

By Mr. WEICHEL:

H. R. 2847. A bill to provide for examination and investigation of inventories of Government-owned property; to the Committee on Expenditures in the Executive Departments.

By Mr. BUCKLEY:

H. R. 2848. A bill to suppress the evil of anti-Semitism and the hatred of members of any race became of race, creed, or color; to the Committee on Post Office and Civil Service.

By Mr. TABER:

H. R. 2849. A bill making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes; to the Committee on Appropriations.

By Mr. KEATING:

H. R. 2850. A bill to provide for additional tax deductions from the gross income, and for other purposes; to the Committee on Ways and Means.

By Mr. MILLER of Connecticut:

H. R. 2851. A bill to amend the Civil Aeronautics Act of 1938, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. MORTON:

H. R. 2852. A bill to provide for the addition of certain surplus Government lands to the Otter Creek Recreational Demonstration Area, in the State of Kentucky; to the Committee on Public Lands.

By Mr. GILLETTE:

H. R. 2853. A bill to amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and subchapter B of chapter 9 of the Internal Revenue Code, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWELL:

H. R. 2854. A bill to amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and subchapter B of chapter 9 of the Internal Revenue Code, and for other purposes; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. REEVES introduced a bill (H. R. 2855) to record the lawful admission to the United States for permanent residence of Naka Matsukata Rawsthorne, which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

283. By Mr. HAVENNER: Petition of the Board of Supervisors, City and County of San Francisco, that the budget of the Customs Bureau be not curtailed so as to render its operations ineffective; to the Committee on Appropriations.

284. By Mr. LEWIS: Petition signed by 54 citizens of East Liverpool, Ohio, favoring the immediate admission of 100,000 Jews from Europe into Palestine; to the Committee on Foreign Affairs.

285. Also, petition signed by 65 citizens of Freeport, Ohio, favoring Senate bill 265, by Senator CAPPER, to prohibit advertising of alcoholic beverages in newspapers, periodicals, radio broadcasts, etc.; to the Committee on Interstate and Foreign Commerce.